

**388 King Street West and 82 Peter Street - Zoning Amendment Application - Preliminary Report**

<b>Date:</b>	May 14, 2012
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	12 144710 STE 20 OZ

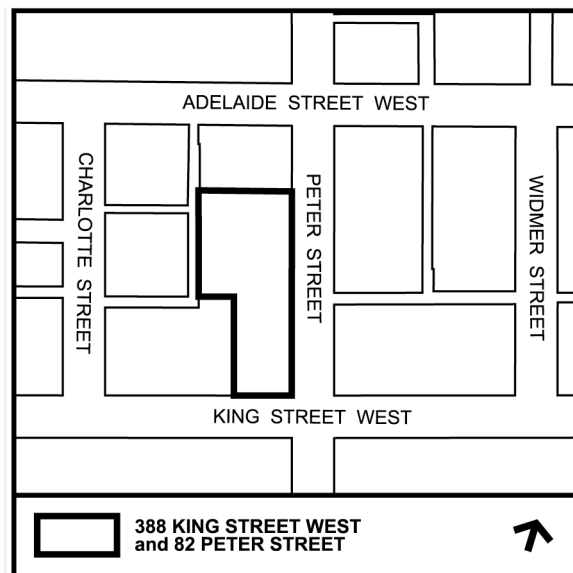
**SUMMARY**

This application proposes to redevelop the site at 388 King Street West and 82 Peter Street with a 29-storey office building containing retail uses at grade and 210 parking spaces in a three level below-grade parking garage.

This report provides preliminary information on the above-noted application and seeks Community Council's direction on further processing of the application.

The next step is to undertake a community engagement process, which will include a community consultation meeting enabling the public to review the applicant's submission and ask questions of City staff and the applicant. This meeting has been scheduled for the end of May, 2012. Notice of this meeting has been given to landowners and residents within 120 metres of this site.

The final report will be targeted for the fourth quarter of 2012, subject to any required information being provided by the applicant in a timely manner.



## **RECOMMENDATIONS**

---

### **The City Planning Division recommends that:**

1. The meeting held by City Planning on May 28, 2012 be deemed the non-statutory community consultation meeting.
2. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

A pre-application community consultation meeting was also held on November 16, 2011. At this time, the proposal was for a mixed-use development comprised of two towers, one containing office uses and the other containing residential uses. Subsequent to this meeting, the proposal was scaled down to just one tower and the residential component was removed. There was also some discussion about the potential heritage value of the existing buildings on the site.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to redevelop the site with a 29-storey building which will terrace up from 13-storeys along the King Street and Peter Street frontages to 18-21 storeys and then up to 25-29 storeys in the centre of the site. The building will then step down to 15 storeys at the north end of the site. The total height of the building will be 123.6 m (128.6 m including the mechanical penthouse).

In order to provide a landscaped element along the King Street and Peter Street frontages, the first few storeys of the building will be setback from the property line. The first three to six storeys of the building will be set back 3 m – 7 m from the Peter Street property line while the upper storeys will overhang these setbacks and will be constructed right up to the property line. Similarly, the first three-storeys will be setback about 2.8 m from the King Street property line and then the upper storeys will overhang these to come right up to the property line. At the north property line, the first storey will be setback 6.5 m to make room for a private driveway and the floors above will extend to the property line. On the east side, the southern half of the building will be at the property line and the northern half will be setback from the north-south public lane by approximately 4.9 m.

The development will have a total gross floor area (GFA) of about 68,422 m<sup>2</sup> and a density of 19.5 times the area of the lot. The retail component of this development will have an area of approximately 1,206 m<sup>2</sup> and the remainder of the GFA, 67,216 m<sup>2</sup>, will be provided as office space.

A total of 210 parking spaces will be provided in a three level below-grade parking garage. Two-hundred and seventy-seven bicycle parking spaces will be located at the P1 level of the parking garage and 35 bicycle parking spaces will be located at grade (for a total of 312). The development will be served by three Type-B and three Type-C loading spaces.

### **Site and Surrounding Area**

This irregularly shaped site fronts both King Street West and Peter Street and measures approximately 3,509 m<sup>2</sup>, with the wider portion being located at the northern half of the site. The site currently contains a two-storey commercial building located at the north-west corner of King Street West and Peter Street (at 388 King Street West). This building, constructed in 1941, contains a Shoppers Drug Mart at grade and office uses above. The site also contains a five-storey converted warehouse building (at 82 Peter Street) which dates back to the late 1920s and currently contains a night club at grade and office uses above. This building is connected to the adjacent building to the west at 19 Charlotte Street by a three-storey link starting at the second storey. These buildings are not currently listed on the City's Inventory of Heritage Properties, however, upon further review, they may be deemed as contributing to the heritage fabric of the surrounding neighbourhood.

Land uses surrounding the site are as follows:

**North:** A 16-storey hotel building, the Hilton Garden Inn, is located immediately north of the site and adjacent to this, fronting on Adelaide Street, is a six-storey office building.

**East:** Located at the north-east corner of King Street West and Peter Street is the 20-storey Hyatt Hotel. North of this, along the east side of Peter Street are three and four-storey former warehouse buildings which now contain nightclubs at grade and office uses above, a surface parking lot which is subject to a development proposal for a 49-storey mixed-use building located at 81-87 Peter Street, and a 10-storey former warehouse building containing office uses. This building, known as the Commodore Building, is listed on the City's Inventory of Heritage Properties.

**South:** The south-east corner of King Street and Blue Jays Way, which is the southerly extension of Peter Street, contains a six-storey designated heritage building, the Westinghouse, which is subject to an approved development proposal for a 42 and 47-storey mixed-use building. Opposite this, at the south-west corner, is a development proposal currently under appeal at the Ontario Municipal Board for a 40-storey mixed-use building.

**West:** Just west of the subject site is a two-storey commercial building containing a Mountain Equipment Co-op Store, and just across the street on the south side of King Street, is a recently constructed 34-storey condominium building.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan locates the subject site within the *Downtown*. Chapter Two – Shaping the City identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts of historic or distinct character will be implemented to ensure new development fits into the context of existing built form, streets, setbacks, heights and relationship to landmark buildings.

The site is designated *Regeneration Area* in the Official Plan which permits the proposed commercial and office uses. Chapter 6.16 of the Official Plan contains the King-Spadina Secondary Plan. The King-Spadina Secondary Plan emphasizes the reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. In particular, the policies of Section 3 - Built Form specify that new buildings will achieve a compatible relationship with their built form context through consideration of such matters as building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression.

## **Zoning**

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (see Attachment 6). As part of the RA zoning controls, density standards were replaced by built form objectives expressed through height limits and setbacks.

The By-law permits a maximum height of 30 metres for the properties at 388 King Street West and 82 Peter Street. The By-law also requires a maximum height of 16 metres at the King Street lot line and a 20 metre height at the Peter Street lot line with a 3 metre stepback before the remainder of the permitted height can be applied.

The RA zone allows a range of uses including commercial, office, retail and residential. The requested uses are permitted under the By-law.

## **Site Plan Control**

The subject site and development is subject to Site Plan Control. A site plan application has not been submitted at this time.

## **City of Toronto Tall Building Guidelines**

The Design Criteria for Review of Tall Building Proposals provide direction on matters related to the scale of buildings, building floor plates and spatial separation. Key criteria in the Guidelines are minimum facing distances of 25 metres between towers in order to achieve appropriate light and privacy, minimum side and rear yard tower setbacks of 12.5 m, and articulation of tower floor plates that are larger than 743 sq. m. to break down the massing of the building.

## **King-Spadina Secondary Plan Review and King-Spadina East Precinct Built Form Study (2009)**

The subject site falls within the East Precinct as identified within the King-Spadina East Precinct Built Form Study, which was considered by Council in 2009. The Study included the principle that heights decrease generally from east to west (University Avenue to Spadina Avenue), and from south to north (Front Street to Queen Street). Within this general height trend are areas of localized conditions where additional height may be permitted so long as various built-form criteria are met.

The King-Spadina East Precinct Built Form Study provides for a two-tier height approach. Development proposals aiming to achieve the “Second Tier” height permissions are to be considered in light of the policy objectives in the King-Spadina planning framework as well as the built form standards that apply to any tall building development in the City, including but not limited to: respect for heritage in the immediate context; preservation of sunlight on important pedestrian streets (including King Street West); conformity with the King-Spadina Built Form Guidelines; and achieving a 25 metre tower separation and a maximum 750 square metre floor plate to address light, view and privacy.

## **Reasons for the Application**

The applicant has submitted a Zoning By-law Amendment application to permit a building that exceeds the permitted maximum building height of 30 metres by approximately 93.6 metres (98.6 metres including the penthouse), resulting in a proposed

building height of 128.6 metres inclusive of the mechanical penthouse. In addition, the proposed building does not comply with other restrictions that are in effect on the lands.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale;
- Boundary Plan of Survey;
- Architectural Plans;
- Underground Garage Plans;
- Landscape Plan;
- Stage 1 Archaeological Resource Assessment;
- Heritage Impact Assessment;
- Transportation Impact Study;
- Site Servicing Assessment;
- Shadow Study;
- Pedestrian Level Wind Assessment; and
- Green Standards Checklist.

A Notification of Complete Application has not yet been issued as a site plan, scaled at no more than 1:300, is required to be submitted.

### **Issues to be Resolved**

1. Conformity with the existing Urban Structure and Built Form policies of the King-Spadina Secondary Plan;
2. Compliance with the Tall Building Design guidelines;
3. Height and massing relationships with the immediate area and with abutting properties, including the King Street West public realm;
4. Relationship to abutting heritage buildings and the physical heritage character of the area;
5. Investigation of the potential heritage value of the buildings on the site;
6. Traffic, site servicing, and impacts on the pedestrian realm;
7. Impacts on the future development of the King-Spadina area; and
8. Building setbacks and stepbacks.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **Section 37**

Should the project proceed to approval, City Planning, in consultation with the Ward Councillor, will indentify and secure community benefits under Section 37 of the *Planning Act*, in accordance with Sections 5.1 and 7.2 of the King Spadina Secondary Plan.

## **CONTACT**

Joanna Kimont, Assistant Planner

Tel. No. (416) 392-7216

Fax No. (416) 392-1330

E-mail: jkimont@toronto.ca

## **SIGNATURE**

---

Raymond David, Director  
Community Planning, Toronto and East York District

(p:\2011\Cluster B\pln\TEYCC\13704280075.doc) - at

## **ATTACHMENTS**

Attachment 1: Ground Floor Plan

Attachment 2: South Elevation

Attachment 3: North Elevation

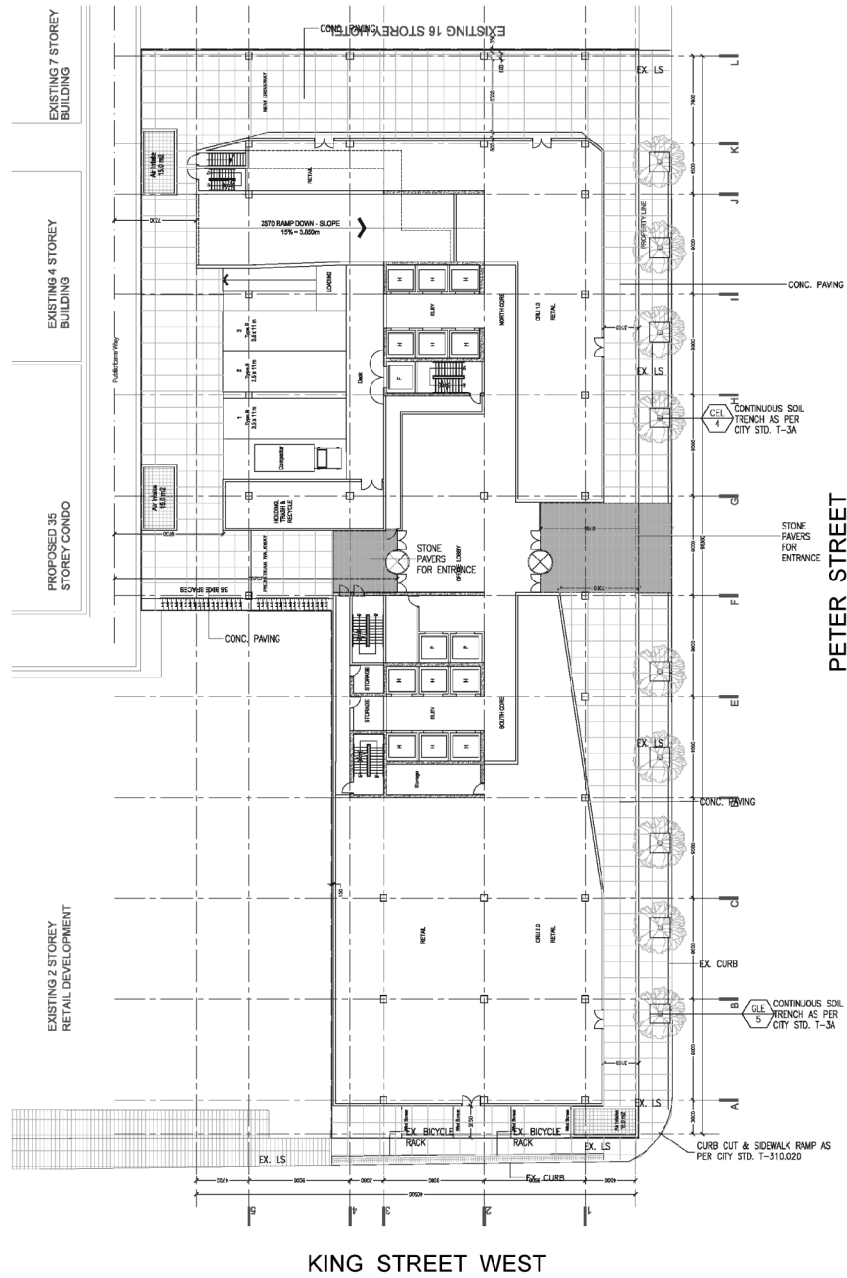
Attachment 4: East Elevation

Attachment 5: West Elevation

Attachment 6: Zoning

Attachment 7: Application Data Sheet

# Attachment 1: Ground Floor Plan



## Ground Floor Plan

## 388 King Street West and 82 Peter Street

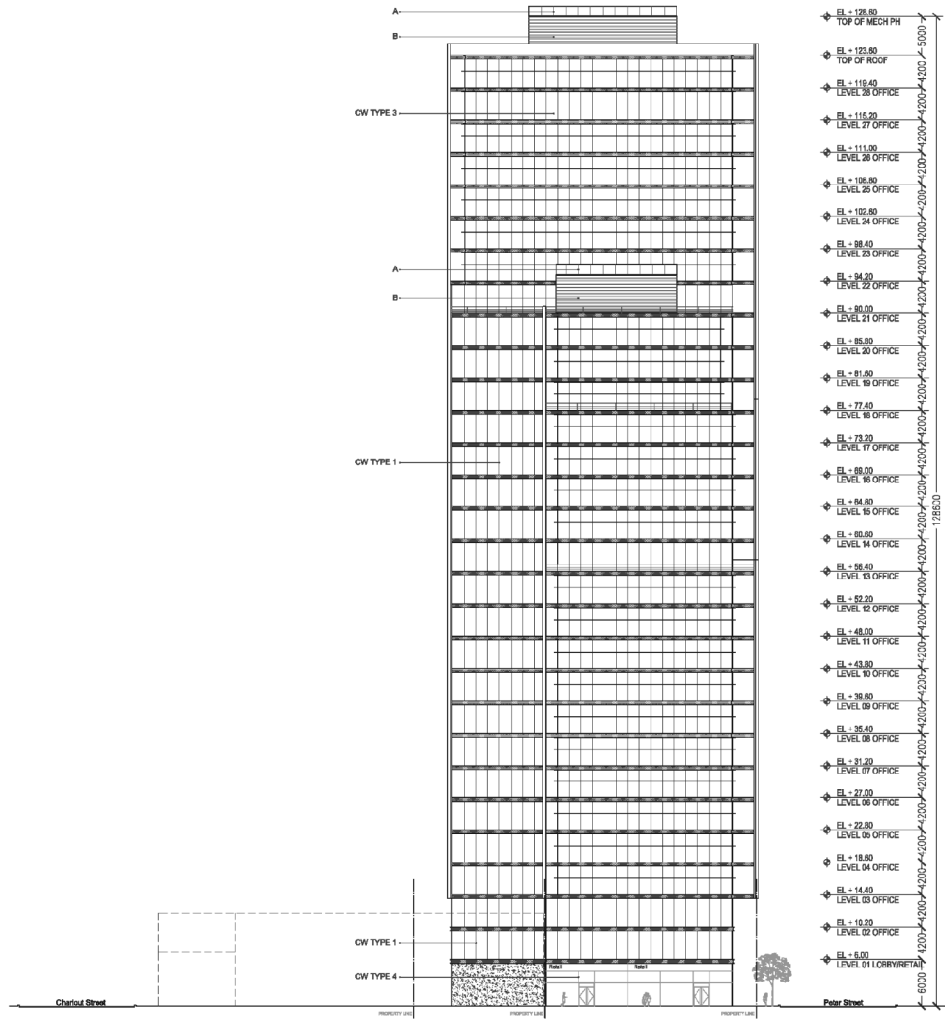
Applicant's Submitted Drawing

Not to Scale  
05/10/2012

File # 12 144710 0Z



## Attachment 2: South Elevation



South Elevation

### Elevations

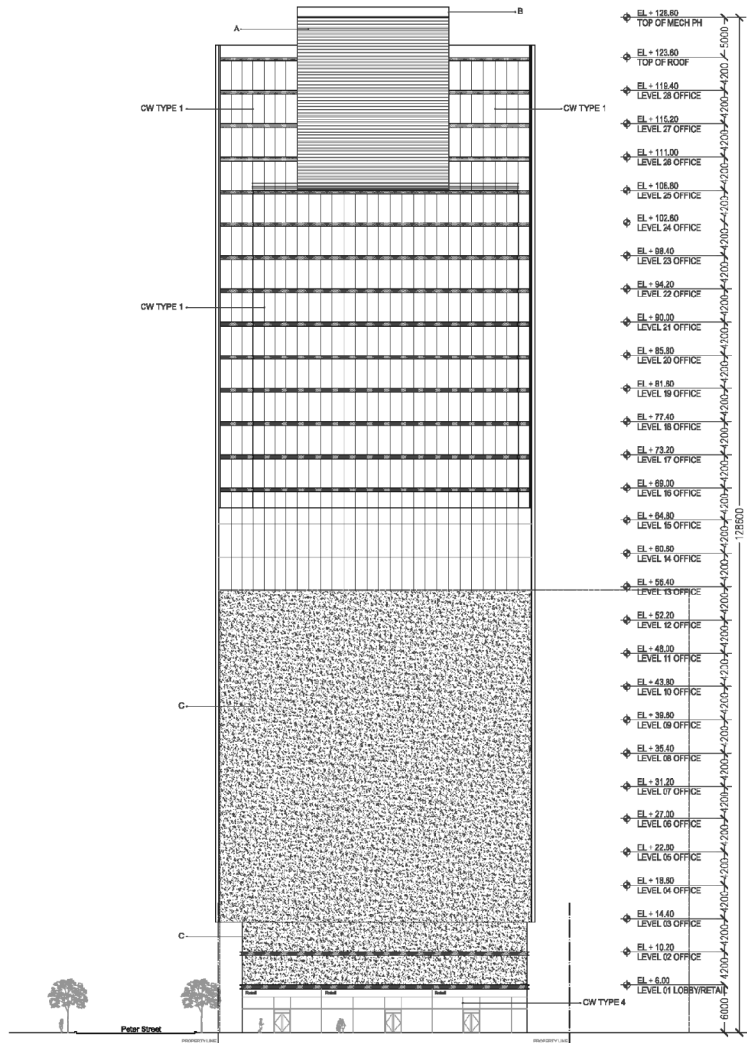
### 388 King Street West and 82 Peter Street

Applicant's Submitted Drawing

Not to Scale  
05/10/2012

File # 12 144710 0Z

### Attachment 3: North Elevation



North Elevation

## Elevations

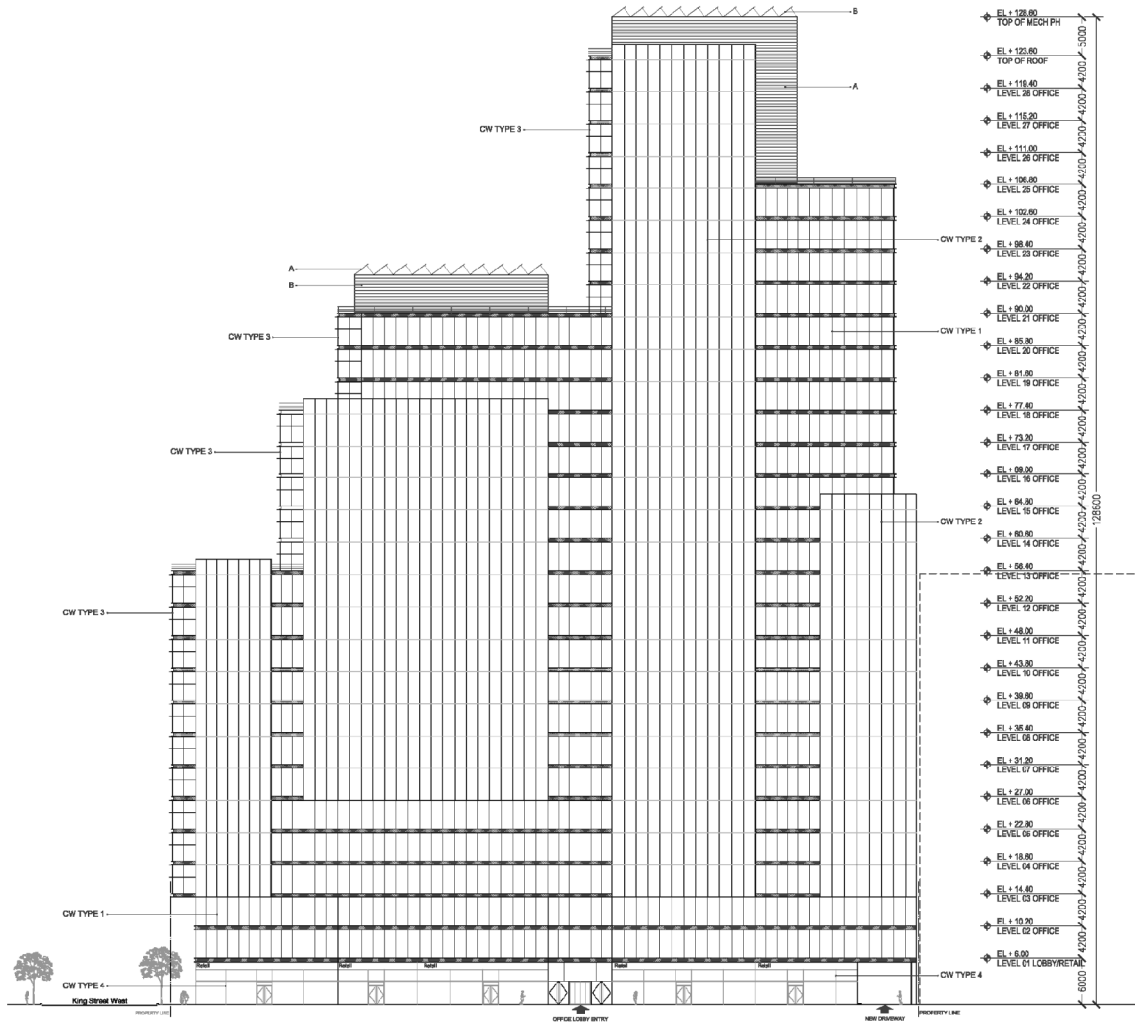
## 388 King Street West and 82 Peter Street

Applicant's Submitted Drawing

Not to Scale  
05/10/2012

File # 12 144710 OZ

# Attachment 4: East Elevation



East Elevation

## Elevations

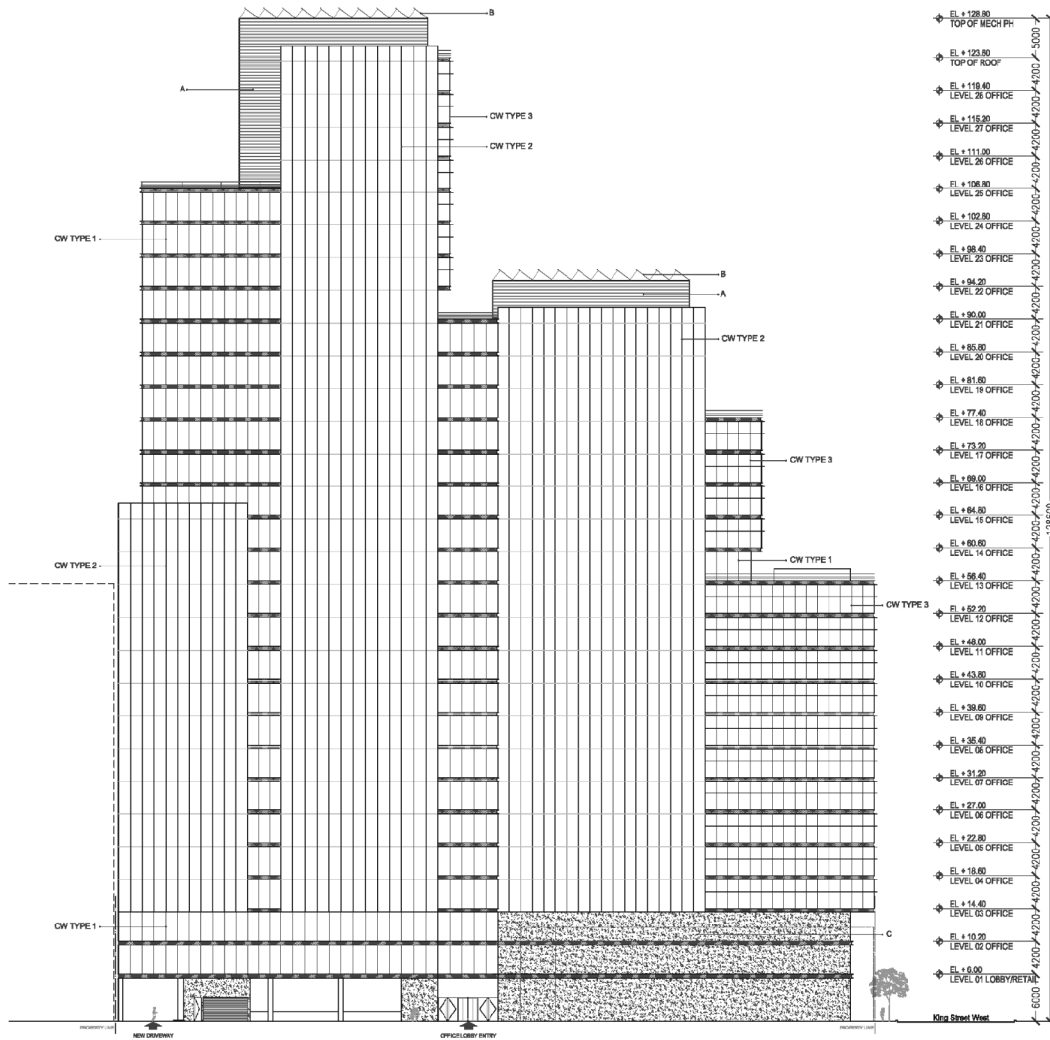
## 388 King Street West and 82 Peter Street

Applicant's Submitted Drawing

Not to Scale  
05/10/2012

File # 12 144710 0Z

# Attachment 5: West Elevation



West Elevation

## Elevations

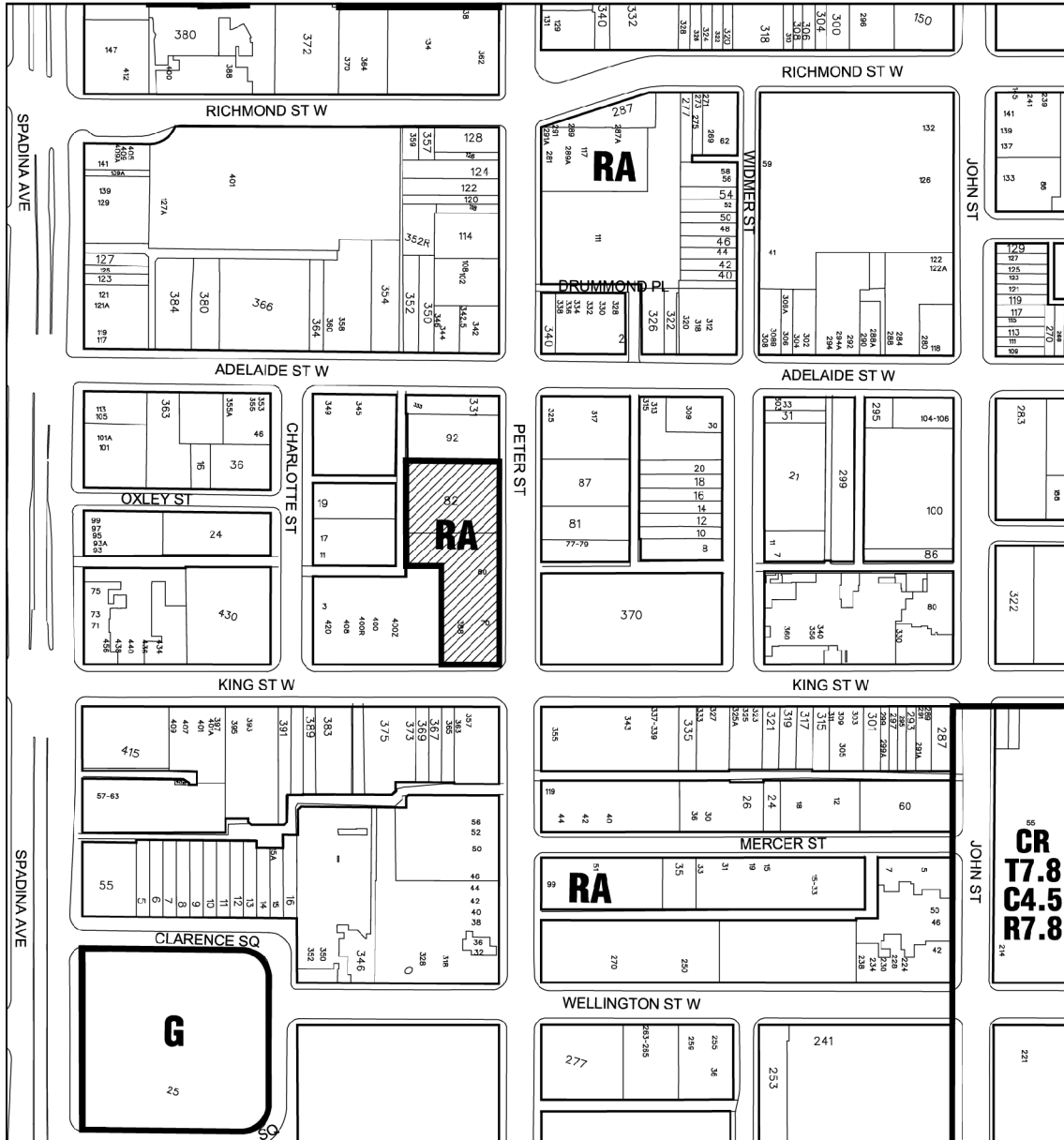
## 388 King Street West and 82 Peter Street

Applicant's Submitted Drawing

Not to Scale  
05/10/2012

File # 12 144710 0Z

# Attachment 6: Zoning



## 388 King Street West and 82 Peter Street

File # 12 144710 0Z

- RA Mixed-Use District
- CR Mixed-Use District
- G Parks District



Not to Scale  
Zoning By-law 438-86 (as amended)  
Extracted 05/10/2012

## Attachment 7: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	12 144710 STE 20 OZ
Details	Rezoning, complex	Application Date:	March 28, 2012
Municipal Address:	388 KING ST W		
Location Description:	RESERVE MILITARY PT BLK H REAR **GRID S2015		
Project Description:	To construct a 29-storey office tower with retail at grade and a total gross floor area of 68,422 sq. m. A total of 210 parking spaces will be provided in three-levels of below-grade parking.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Aird and Berlis, Barristers & Solicitors	Bousfields Inc.	Hariri Pontarini Architects	82 Peter Street GP Limited

#### Planning Controls

Official Plan Designation:	Regeneration Areas	Site Specific Provision:
Zoning:	RA	Historical Status:
Height Limit (m):	30	Site Plan Control Area:

#### Project Information

Site Area (sq. m):	3509	Height:	Storeys:	29
Frontage (m):	27.4		Metres:	123.6
Depth (m):	96.9			
Total Ground Floor Area (sq. m):	1993			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	210
Total Non-Residential GFA (sq. m):	68422		Loading Docks:	6
Total GFA (sq. m):	68422			
Lot Coverage Ratio (%):	0.57			
Floor Space Index:	19.5			

#### Dwelling Units

#### Floor Area Breakdown (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	1206	0
1 Bedroom:	0	Office GFA (sq. m):	67216	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

<b>Contact:</b>	<b>Planner Name:</b>	<b>Joanna Kimont, Assistant Planner</b>
	<b>Telephone:</b>	<b>(416) 392-7216</b>