

**367and 369 King Street West
Zoning Amendment Application - Preliminary Report**

Date:	November 29, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	12 272708 STE 20 OZ

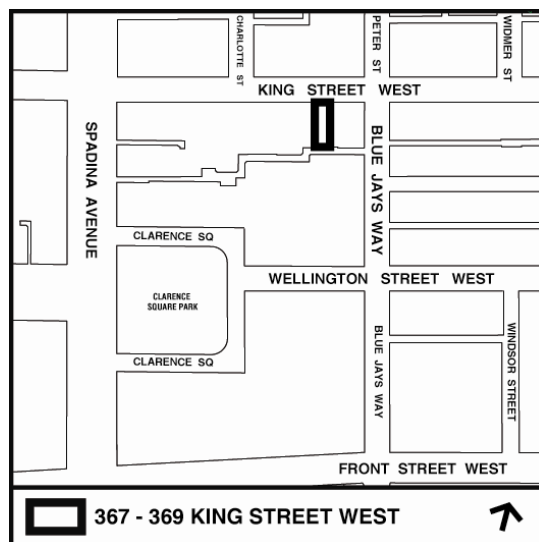
SUMMARY

This application proposes to develop a 15-storey mixed-use building at 367and 369 King Street West consisting of 944 square metres of commercial space on the basement, ground and second floors, and 62 residential units on the floors above. No indoor or outdoor common amenity space is being proposed, though some units have private terraces or balconies. The proposal includes 69 bicycle parking spaces, of which, 18 are for visitors. No vehicle parking is being proposed.

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

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 the applicant and City staff.

A final report is targeted for the 3rd quarter of 2013 if all required materials are submitted in a timely manner and when all outstanding issues, which are detailed in this report, have been addressed.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 367 and 369 King Street West together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. 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.

DECISION HISTORY

There are no previous applications or decisions related to the subject property.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements on April 25, 2012.

On March 30, 2010, the local Councillor hosted one of an ongoing series of community meetings to present a preliminary development proposal at 367-369 King Street West to the community. At that time, the concept presented was for a 25-storey building (a nine-storey podium and a 16-storey tower). The proposal included setbacks of between 0 metres and 5.5 metres to the west lot line, adjacent the 34-storey M5V development, and 0 metres on the east lot line adjacent the property at 365 King Street West. This proposal featured an east-facing 16-storey blank wall.

Comments and concerns raised at this meeting were primarily regarding the height of the proposed development and its proximity to the adjacent "M5V" building at 375 King Street West.

ISSUE BACKGROUND

Proposal

This application proposes the development of a 15-storey building which is set back 0.0 metres from all lot lines at the 1st to 8th storey. Above the 8th storey, building stepbacks vary from 1.8 to 4.8 metres from the north lot line (King Street frontage), and 3 metres from the west lot line at the 9th to 15th storeys. No stepbacks are proposed along the east and south walls above the 8th storey. (Attachment 1 and 2)

Pedestrian access to the building for residents is proposed from both the laneway and from King Street West, while retail access is proposed from King Street.

Residential uses, totalling 5034 square metres (54,185 square feet) of gross floor area, are proposed on floors 3 to 15. The proposed 62 residential units are distributed as follows:

One Bedroom:	34 units
One Bedroom and Den:	26 units
Two Bedroom:	2 units
Three Bedroom:	0 units

No indoor or outdoor common amenity space is being proposed, though some units have private terraces or balconies.

Commercial uses, totalling 944 square metres (10,161 square feet), are situated on the basement, ground floor, and second floors. An elevator, separate from the residential elevators, serves the commercial space on these three floors.

The proposed development includes 69 bicycle parking spaces which are distributed as follows:

Residents:	49 spaces (located in Second Basement)
Residential Visitors:	12 spaces (located in Second Basement)
Commercial Employees:	2 spaces (location not shown on plans)
Commercial Visitors:	6 spaces (location not shown on plans)

One Type-C loading space, located at the rear of the building, is proposed to be accessed via the laneway south of the site.

No vehicle parking is being proposed.

Site and Surrounding Area

The site, which is comprised of two lots, 367 and 369 King Street West, is rectangular in shape and generally flat. The site has an area of 438.9 square metres, a frontage of 12.19 metres along King Street West, and abuts a public laneway at the rear. An existing 2-storey commercial building is situated on 367 King Street West, while 369 King Street West is vacant.

Land uses surrounding the site are shown on the following map:



1. 367 and 369 King Street West (proposal)
2. 375 King Street West (M5V Condominium) - A 34 storey (123.19) metre mixed-use residential building.
3. Two-storey commercial buildings, specifically Mountain Equipment Co-op and Shoppers Drug Mart.
4. 365 King Street West - A 5-storey commercial building containing a night club and restaurant uses.
5. 357-363 King Street West and 62 Peter Street – An approved, but not yet constructed, 40-storey, (126.4 metres) 242 unit mixed-use building with ground floor retail and six (6) levels of underground parking, which occupies the corner site.
6. 56 Blue Jays Way – An under construction 41-storey mixed-use building with hotel and residential condominium units.
7. 355 King Street West – An approved condominium consisting of 42 and 47 storey towers and a 7 storey podium which incorporates the façade of the historic Westinghouse building.
8. 370 King Street West – the 20 storey Hyatt Regency Hotel.

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 and Secondary Plan

The Official Plan locates the subject site within the *Downtown*. "Chapter Two – Shaping the City" identifies the downtown area as offering opportunities for substantial employment and residential growth, but notes 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 subject site is designated *Regeneration Areas* in the City of Toronto Official Plan (Attachment 3) which permits the proposed residential and commercial 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 (Attachment 4). 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 367 and 369 King Street West. 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

A site plan control application (file no. 12 272712 STE 20 SA) has been submitted and will be processed concurrently with the subject Zoning By-law amendment application.

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 28 metres resulting in a proposed building height of 58 metres. In addition, the proposed building does not comply with other Zoning By-law requirements, including building setbacks, setbacks, parking and amenity space.

City of Toronto Tall Building Guidelines

The Tall Building Guidelines 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 King Street Corridor 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. It is noted in the Study that the built form character of the King Street Corridor, the area between Widmer Street to Spadina Avenue along King Street West, has historically been low scale with the main exception being the Hyatt (formerly Holiday Inn) hotel. The study acknowledges the opportunity for additional height in this block, given recent approvals on both the north and south sides of King Street that have altered the physical context.

The King-Spadina East Precinct Built Form Study also 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; 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.

COMMENTS

Application Submission

The following reports/studies were submitted with the application on November 6, 2012:

- Planning Rationale;
- Boundary Plan of Survey;
- Architectural Plans;
- 3D modelling;
- Underground Garage Plans;
- Landscape Plan;
- Stage 1 Archaeological Resource Assessment;
- Site Grading and Servicing Plans
- Traffic Impact Study;
- Functional Servicing and Stormwater Management Report;
- Sun/Shadow Study;
- Pedestrian Level Wind Assessment;
- Public Utilities Plan
- Toronto Green Standards Checklist;
- Tree Preservation Plan; and
- Housing Issues Report

A notification of complete application was issued on December 4, 2012.

Issues to be Resolved

Issues to be resolved include, but are not necessarily limited to the following:

1. Conformity with the existing Urban Structure and Built Form policies of the King-Spadina Secondary Plan;
2. Compliance with the City-wide Tall Building Design Guidelines;
3. The lack of any proposed resident, visitor or commercial vehicle parking;
4. Height and massing relationships with the immediate area and with abutting properties, specifically the relationship to the existing 34-storey building at 375 King Street West, and proposed building at 357 King Street West;
5. Building design, including the appropriateness of the proposed east-facing 9-storey blank wall above the 6th storey.
6. Provision of on-site amenity space;
7. Traffic, site servicing, and impacts on the pedestrian realm;
8. Building setbacks and stepbacks; and
9. Impacts on the future development of the King-Spadina area.

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 identify 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

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SIGNATURE

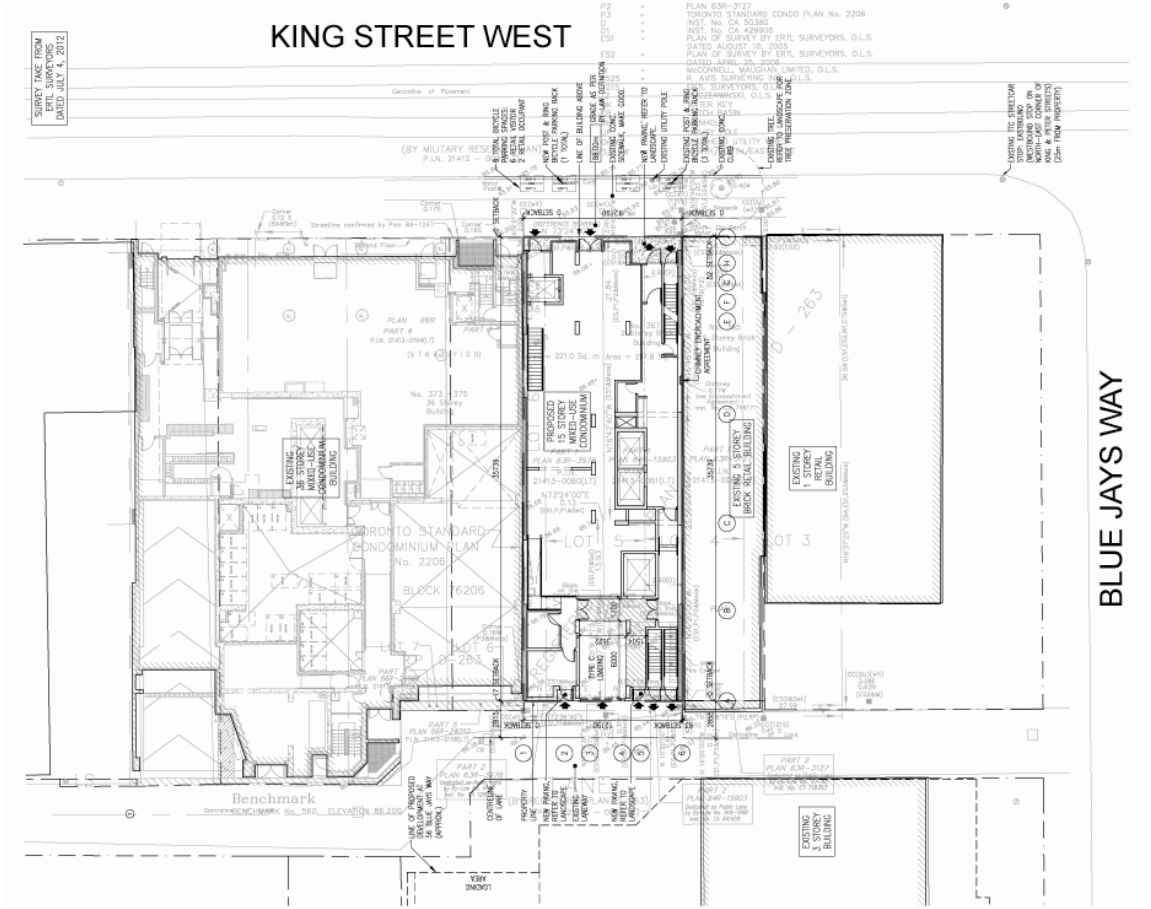
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Official Plan
Attachment 4: Zoning
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



Site Plan

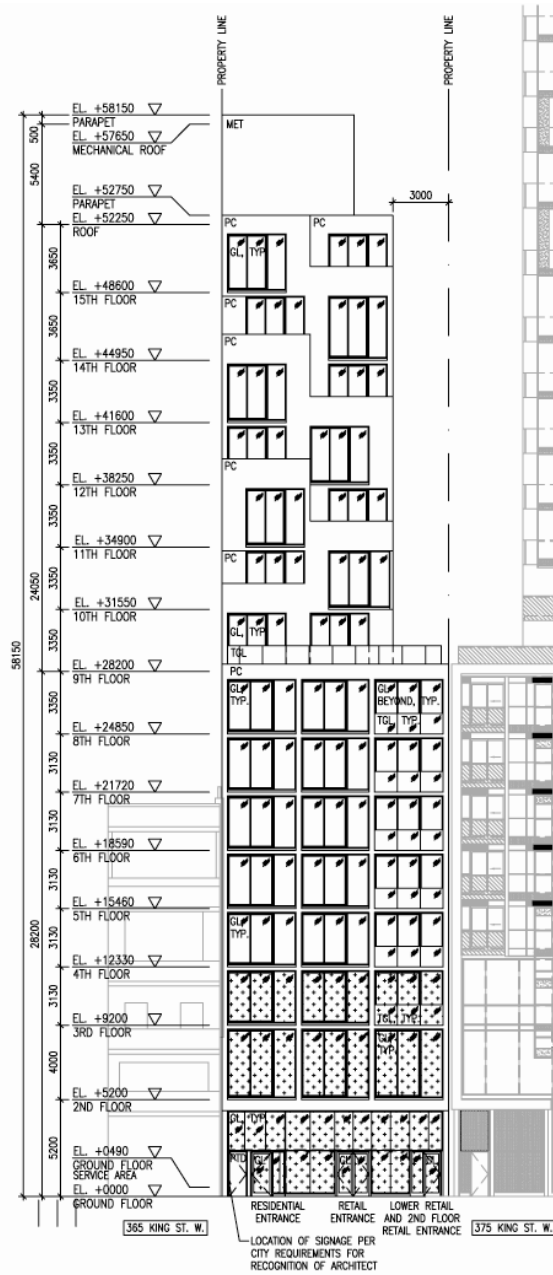
367 - 369 King Street West

Applicant's Submitted Drawing

Not to Scale 

File # 12_272712

Attachment 2: Elevations



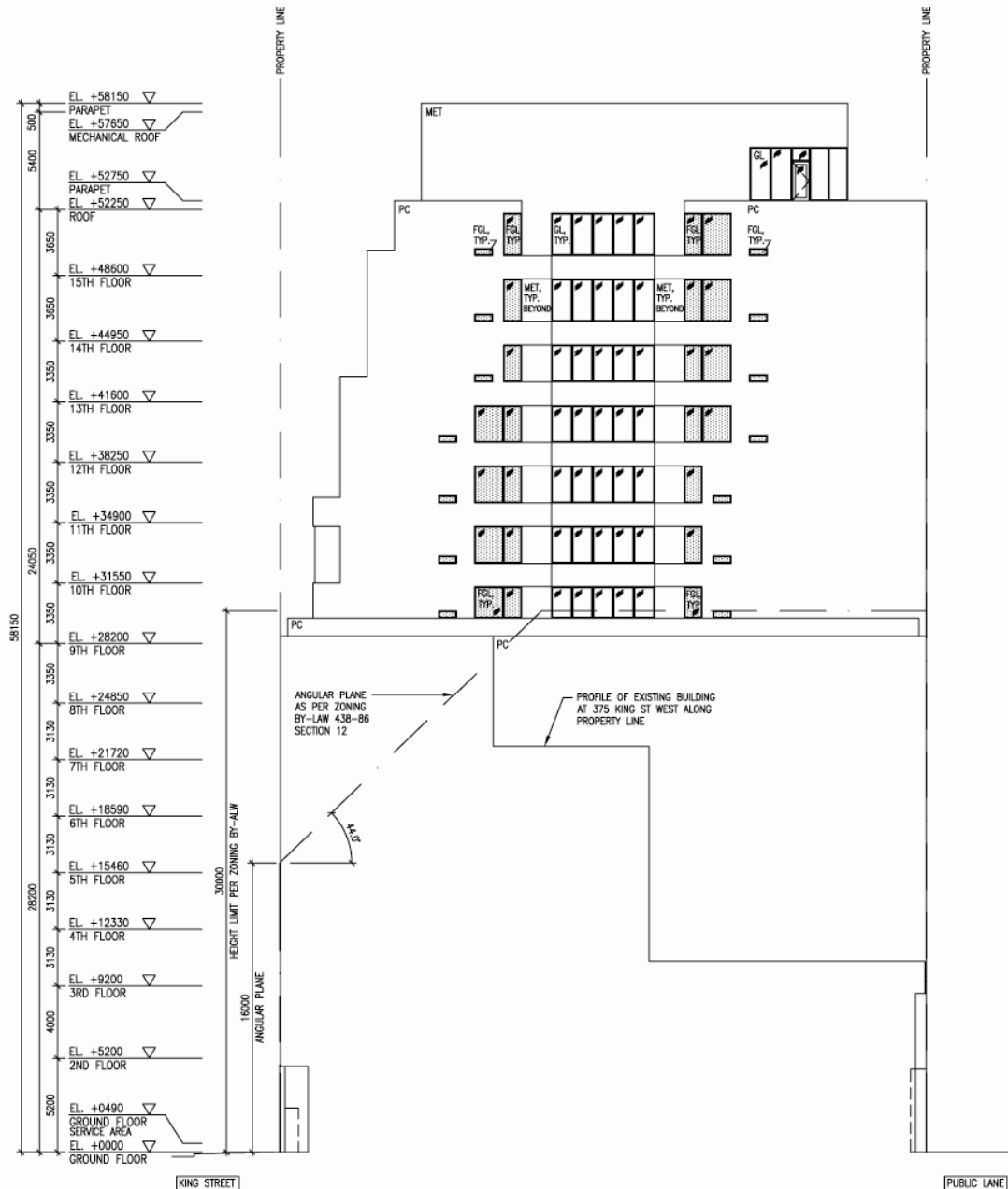
North Elevation

Applicant's Submitted Drawing

Not to Scale
12/03/2012

367 - 369 King Street West

File # 12_272712



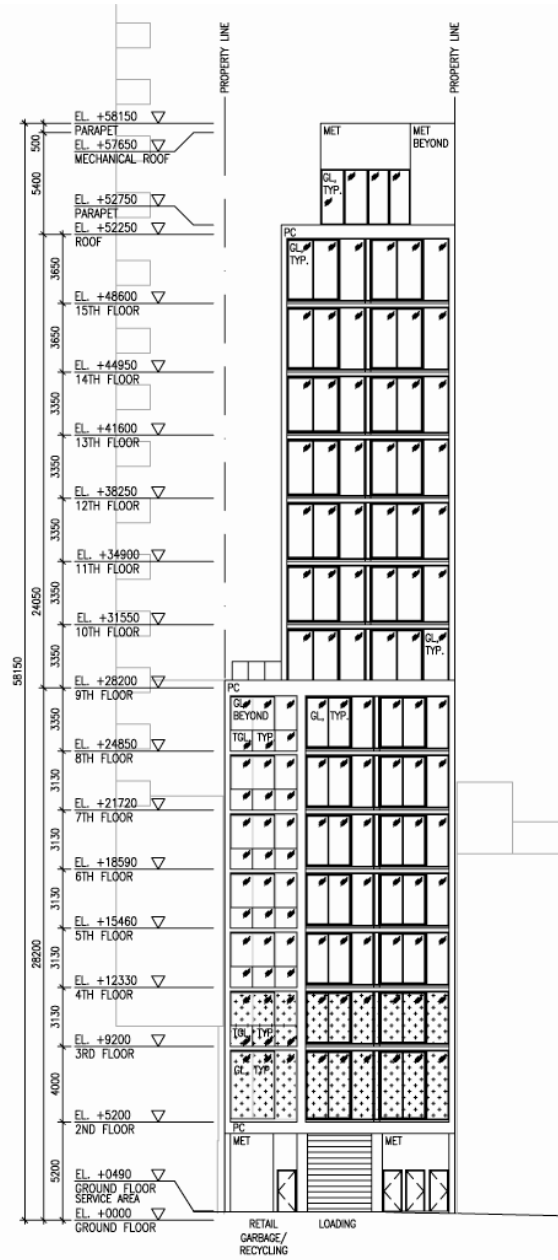
West Elevation

367 - 369 King Street West

Applicant's Submitted Drawing

Not to Scale
12/03/2012

File # 12_272712



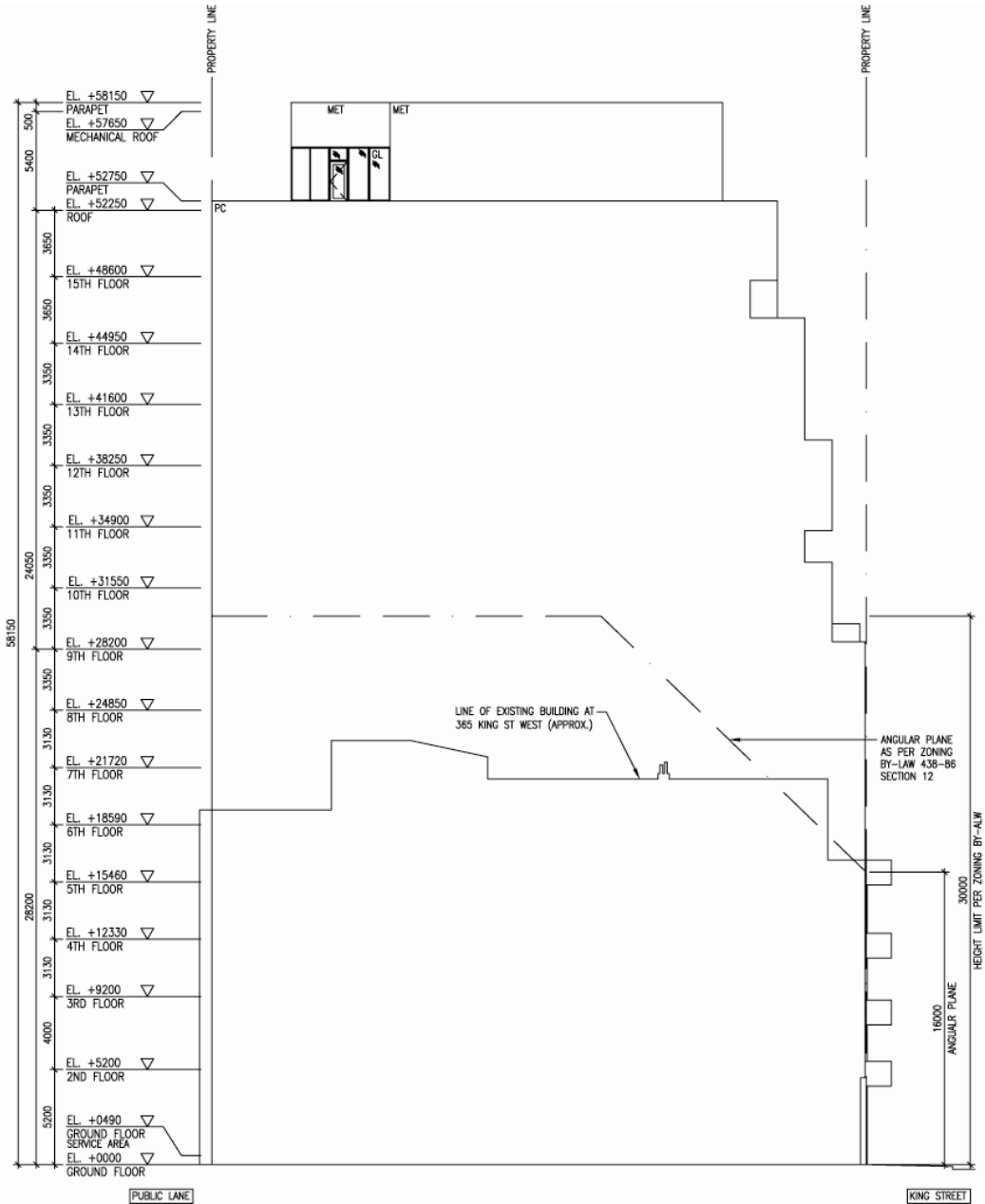
South Elevation

367 - 369 King Street West

Applicant's Submitted Drawing

Not to Scale
12/03/2012

File # 12_272712



East Elevation

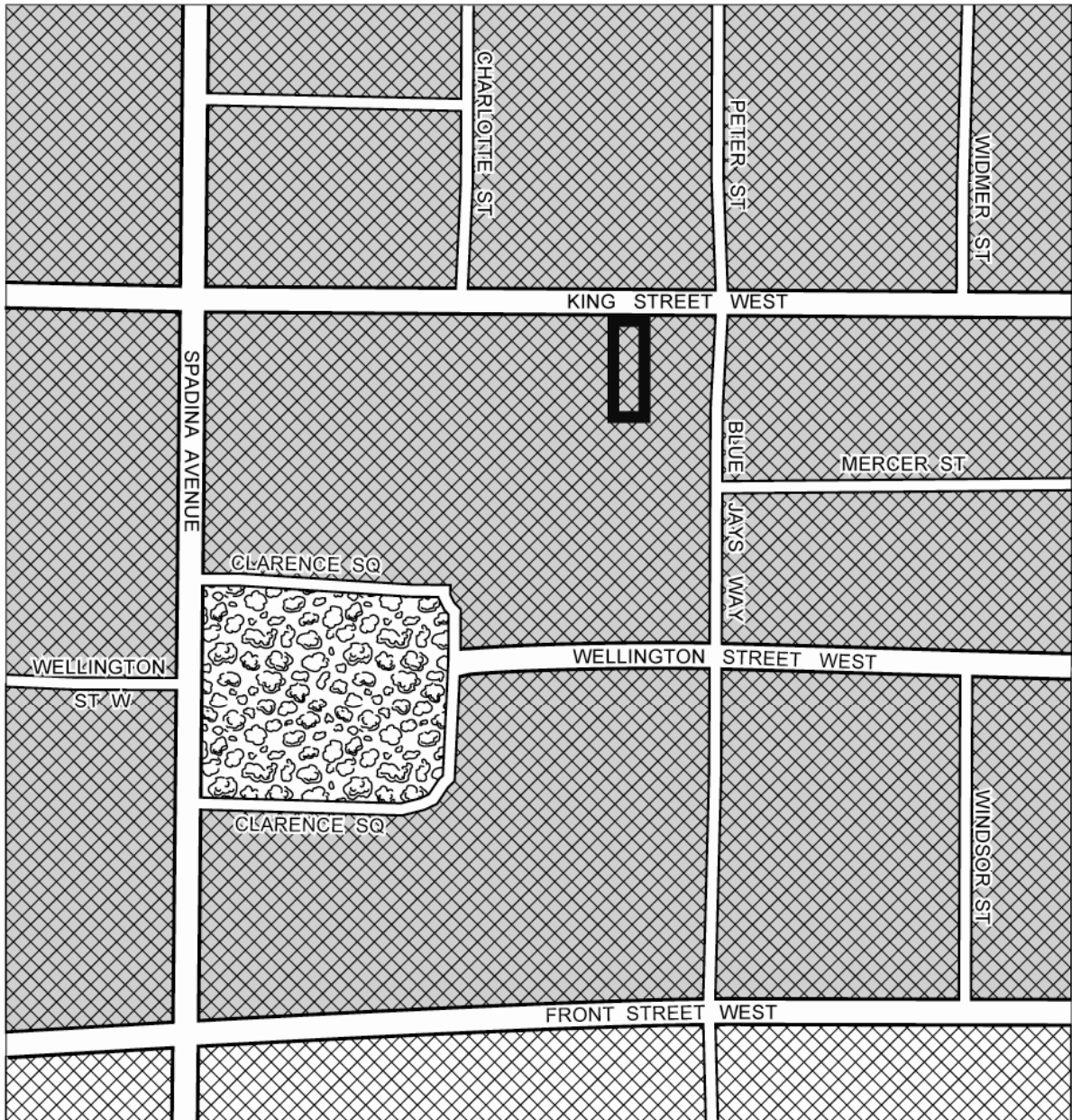
367 - 369 King Street West

Applicant's Submitted Drawing

Not to Scale
12/03/2012

File # 12_272712






Attachment 3: Official Plan



TORONTO City Planning
Official Plan

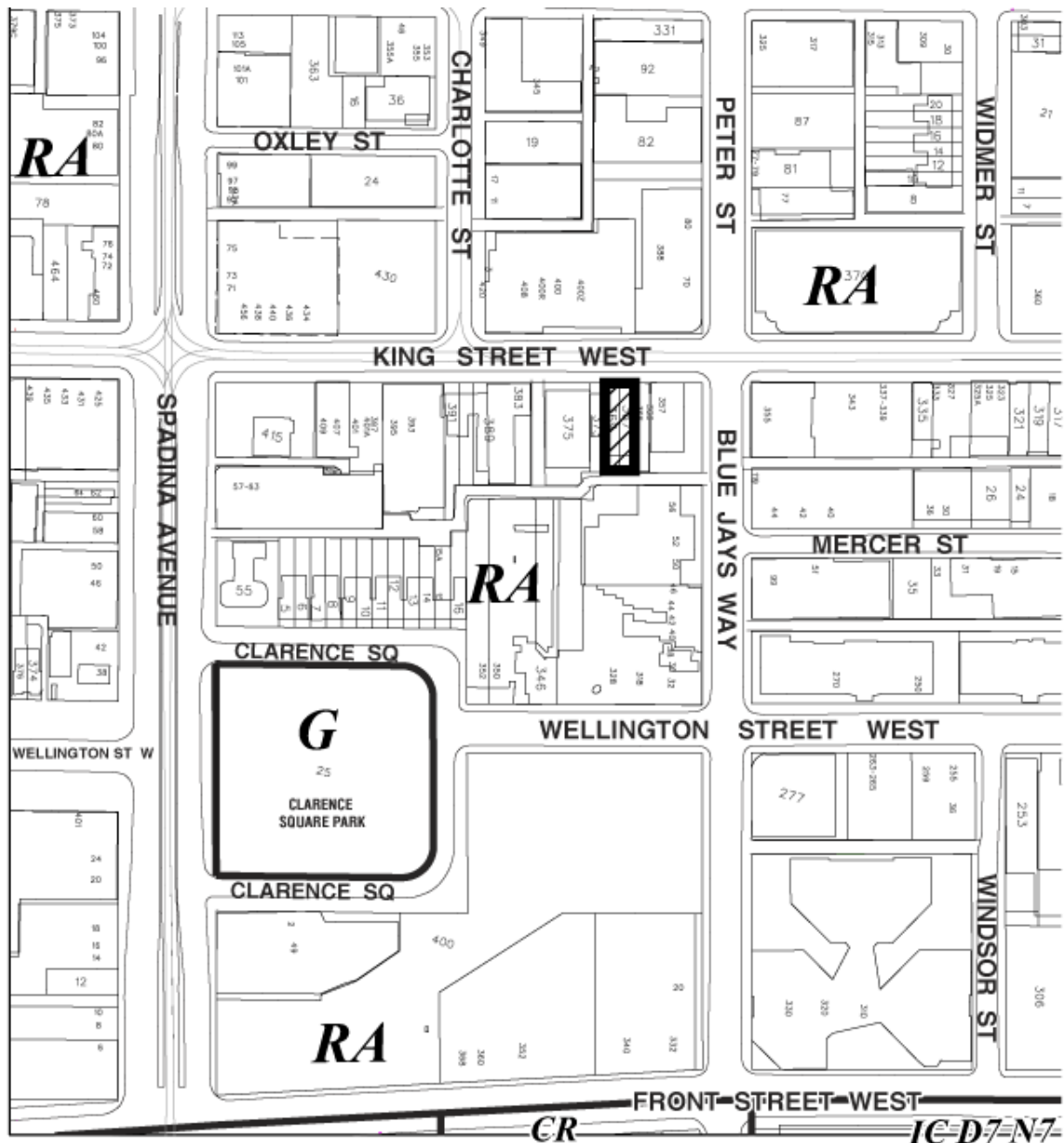
367 - 369 King Street West

File # 12_272712

-  Site Location
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Parks


 Not to Scale
 12/03/2012

Attachment 4: Zoning



Zoning City of Toronto By-law 438-86

367 - 369 King Street West

File # 12_272712_OZ

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

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Not to Scale
Zoning By-law 438-86 as amended
Extracted 12/03/2012

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	12 272708 STE 20 OZ
Details	Rezoning, Standard	Application Date:	November 2, 2012
Municipal Address:	367 and 369 KING STREET WEST		
Location Description:	PLAN D263 PT LOTS 4 & 5 RP 64R15903 PART 1 **GRID S2015		
Project Description:	Rezoning application to permit the development of a 15-storey mixed-use development with 62 dwelling units and 944 square metres of commercial floor space.		

Applicant:	Agent:	Architect:	Owner:
TAS DESIGN BUILD		Teepie Architects	2075612 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	No
Zoning:	RA	Historical Status:	No
Height Limit (m):	30	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	438.9	Height: Storeys:	15
Frontage (m):	0	Metres:	52.75
Depth (m):	0		
Total Ground Floor Area (sq. m):	261.5		Total
Total Residential GFA (sq. m):	5034.1	Parking Spaces:	0
Total Non-Residential GFA (sq.m):	944.8	Loading Docks	0
Total GFA (sq. m):	5978.9	Bicycle parking Spaces:	69
Lot Coverage Ratio (%):	59.6		
Floor Space Index:	13.6		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Condo		Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	5034.1	0
Bachelor:	0	Retail GFA (sq. m):	944.8	0
1 Bedroom:	60	Office GFA (sq. m):	0	0
2 Bedroom:	2	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	62			

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