

1100 King Street West - Zoning Amendment and Site Plan Control Applications - Request for Direction Report

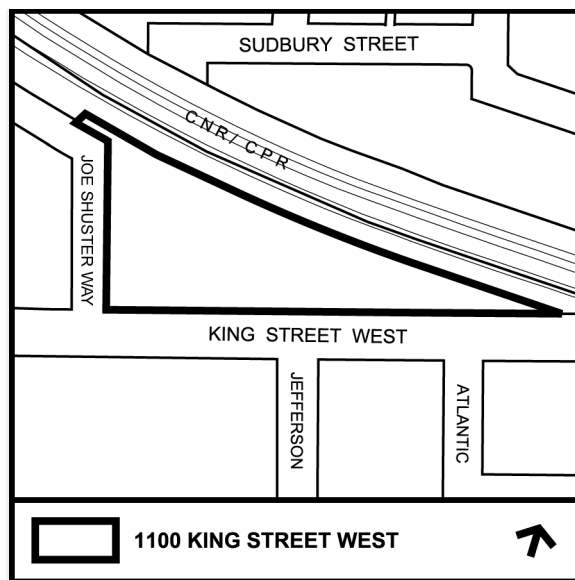
Date:	August 12, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 14 – Parkdale-High Park
Reference Number:	11 210449 STE 14 OZ (Zoning By-law Amendment Application) 13 111005 STE 14 SA (Site Plan Control Application)

SUMMARY

The applicant has appealed Zoning By-law Amendment and Site Plan Control Applications for 1100 King Street West to the Ontario Municipal Board (OMB) due to Council’s failure to make a decision within the time prescribed by the *Planning Act*.

The applications before the Ontario Municipal Board propose to amend Zoning By-law 438-86, as amended by Site Specific By-law 1194-2010(OMB), and seek site plan approval to permit the construction of a mixed-use project consisting of 3 buildings with maximum heights of 52.6 metres, 38.0 metres and 41.7 metres as measured from an average grade of 94.6 metres above sea level (ASL), a maximum overall gross floor area (GFA) of 53,500, consisting of 37,500 square metres or residential GFA, and 16,000 square metres of non-residential GFA. Vehicular access to parking and loading facilities are proposed from two entrances at King Street West and one at Joe Shuster Way.

The purpose of this report is to seek Council’s direction on the appeal of these applications to the OMB. It is staff’s opinion the proposal, in the form currently before the OMB is inappropriate and constitutes an over-intensification of this site which does not meet the objectives of the Official Plan.



Through negotiations with City staff, the developer has agreed to provide a revised proposal which includes reduced building heights, altered building massing, reduced density, improved setbacks and set-backs, and better conformity with the City's Tall Building Design Guidelines, among other changes. The revised proposal detailed in this report meets the intent of the City's Official Plan for the area and is supported by City Planning Staff.

The purpose of this report is to seek City Council's direction for the City Solicitor, together with Planning and other appropriate City staff, to present a settlement on the approved form of the development and the conditions for the approval at the OMB.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to attend any Ontario Municipal Board Hearings and not to oppose the revised Zoning By-law Amendment attached as Attachment 2 to the report (August 12, 2013) from the Director, Community Planning, Toronto and East York District, provided it is in accordance with the revised building massing, density, building height, setbacks and setbacks and other terms of settlement for 1100 King Street West as described in this report.
2. City Council authorize the appropriate City staff and require the owner to enter into and register an agreement or agreements pursuant to Section 37 of the *Planning Act*, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor to secure for facilities, services and/or matters to be provided by the owner, at its expense, to the City and as described in more detail in a supplementary Planning Report which will be prepared for the September 10, 2013 Toronto and East York Community Council, or, if necessary, October 8 and 9, 2013 Toronto City Council.
3. City Council direct the City Solicitor to also advise the OMB that City's Council's position is that any redevelopment of the site at 1100 King Street West, if approved by the OMB should:
 - a. Secure services, facilities or matters pursuant to Section 37 of the *Planning Act*, as may be required by the Chief Planner and Executive Director in consultation with the Ward Councillor as noted in Recommendation 2 of the report (August 12, 2013) from the Director, Community Planning, Toronto and East York District; and
 - b. Satisfy the Chief Planner and Executive Director with respect to site plan matters, including the approval of plans and drawings and issuance of site plan conditions.

4. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

On April 12, 2005, the Ontario Municipal Board approved a Zoning By-law amendment to permit the development of the 1100 King Street West site. By-law No. 1194-2010(OMB), addresses the 1100 King Street West site as two lots, the East Lot and the West Lot. The area identified as 'Block G', (East Lot), is the subject of this rezoning application.

Due to outstanding matters to be secured under a Section 37 agreement and the known on-site contamination of the East Lot, an 'h' (holding provision), was placed on the whole of Block G. City Council approved the lifting of the 'h' at its meeting of February 6 and 7, 2012, (By-law No. 211-2012), for the lands municipally known as 20 Joe Shuster Way. The lifting of the "h" allowed for the development of the western portion of 'Block G' with a 40 metre high, 14-storey condominium building with grade-related retail.

Other Applications

The site is also subject to an application to remove the 'h' holding provision. (File - 11 327555 STE 14 OZ). This application is not currently under appeal. The applicant is not seeking the removal of the holding provision through the OMB. The proposed zoning By-law amendment (Attachment 2) contains criteria which must be satisfied prior to the lifting of the 'h' Holding provision.

Should this matter proceed on the basis set out in this report, the applicant will pursue the removal of the 'h' Holding provision related issues and request the removal of the 'h' at an appropriate time.

Pre-Application Consultation

A pre-application community consultation meeting was held on July 28, 2011 for this development. At this meeting, concerns were raised with the maximum building heights being proposed, the base building heights being greater than that of the adjacent listed heritage building at 109 Atlantic Avenue, relationship of the building massing within the area context, and other general concerns. These were consistent with concerns that had previously been raised by City Planning staff about the project.

Ontario Municipal Board Hearings

A pre-hearing conference on the subject applications took place on July 30, 2013. No members of the public or other agencies attended the hearing either to observe, for information or to seek 'party' or 'participant' status for an upcoming hearing.

A second prehearing conference is scheduled for October 23, 2013. Should Council direct staff to appear at the OMB in support of the revised proposal as detailed in this report this hearing would be changed to a settlement hearing.

ISSUE BACKGROUND

Original Proposal

The original application, as submitted in 2011, proposed to develop the lands at 1100 King Street West with 3 mixed-use residential condominium towers identified as Building A, B and C. Buildings A and B were proposed on the east side of Joe Shuster Way, while Building C was proposed to be located to the west of this street.

The 3 buildings were characterized as follows:

Building A: Consists of a proposed total building heights of 18-storeys (52.6 metres*) and 13-storeys (38.0 metres*), as measured from an average grade of 94.6 metres ASL, with floor plates of 1,144 square metres and 632 square metres, respectively. The tower elements measuring 8 and 3-storeys on the west and east sides of the podium, respectively, were situated atop a 10-storey podium.

Building B: Consists of a proposed building height of 16-storeys (41.7 metres*), as measured from an average grade of 94.6 metres ASL, with a floor plate of 1,040 square metres.

*(*the initial proposed building heights, when measured from the actual grade of 87.0 ASL, are 60.2 metres, 45.6 and 49.3 metres in height, respectively)*

Building C: Consists of a 14-storey (40 metre) mixed use residential building with a total GFA of 15,658 square metres. This building was considered through a separate Site Plan Control application with minor changes to setbacks and height made through the Committee of Adjustment. It is currently under construction.

Density: The density of the lands including Buildings A, B and C was noted in the original application at 3.72 times the lot area. The total density for the lands subject to this application, including only Buildings A and B, was noted at 3.26 times the lot area. The density of the lands on which Building C is situated was noted as 1.8 times the lot area. These density calculations did not account for approximately 15,000 square metres of non-residential GFA which was omitted from the calculation as it was below the average grade of 94.6 metres ASL defined in the 2010 Board approved Zoning By-law, even though it was to be physically located above ground and utilized as leasable floorspace. As there is no rationale for this GFA to be discounted the actual proposed density for the lands including Buildings A, B and C was approximately 4.81 times the lot area. When the parcels are considered separately, the density of the lands including Buildings A and B was approximately 4.60 times the lot area while the density of the lands on which Building C is situated is approximately 5.70 times the lot area.

The initial proposal consisted of 892 units in total with 486 units in Building A, 153 units in Building B, and 253 units in Building C. No details on unit mix were provided with the original application.

Building C, was subsequently considered through the Committee of Adjustment, was approved through site plan application (10 278667 STE 14 SA), and is currently under construction. Accordingly, the subject Zoning Amendment application now only encompasses Buildings A and B.

Access to the loading and the proposed four levels of underground parking for both Buildings A & B, is proposed via two access points located along the King Street West frontage and one access point at the north west end of the site from Joe Shuster Way. A total of 893 parking spaces were originally proposed.

Revised Proposal

Between the months of March and August 2013, the applicant and City Planning staff have been engaged in a series of meetings aimed at revising the built form, density, and massing of the proposed buildings to better respond to the City's Official Plan Policies and Tall Building Guidelines. The goal of these meetings was to arrive at a concept which was acceptable to both City staff and the applicant.

The revised proposal (Attachments 3 and 4), tabled by the applicant, consists of reduced building heights, altered building massing, reduced density, improved stepbacks and setbacks, and better conformity with the City's Tall Building Design Guidelines, among other changes. All building heights are now also measured from an average grade of 87 metres ASL, which more accurately reflects the actual ground level on site, as opposed to the 94.6 metre ASL average grade contained in the site specific Zoning By-law.

Building A: Consists of 18-storey (57.7 metres) and 14-storey (46.2 metres) tower elements situated on a 7-storey (25.2 metre) podium which steps back at the 7th storey. Non-residential uses are situated on the lower floors. The 18-storey building is oriented north-south and steps down to 13-storeys adjacent to King Street West and features a 15-storey projection to the east which is also pushed away from King Street. All tall building elements achieve a minimum of a 25 metre separation distance.

Building B: Consists of a 12-storey (40.2 metres) building with rooftop amenity space and non-residential uses situated on the lower floors. The building is massed in a flat-iron shape, decreasing in width from west to east.

Density: The density of the lands including Buildings A, B and C is now 4.3 times the lot area. The total density for the lands subject to this application, including only Buildings A and B, is 4.1 times the lot area.

The revised proposal contains 569 units within Buildings A and B. The proposed unit mix is as follows:

	Building A	Building B	Percentage
1 Bedroom	194	0	34.09%
2 Bedroom	320	30	61.51%
3 Bedroom	0	25	4.39%
Total	514	55	100.00%

Vehicle parking spaces are proposed to be located in below grade levels. The total number of and distribution of vehicle parking spaces will be discussed in the supplemental Planning Report noted in Recommendation 2 of this report.

The proposed development will achieve the minimum bicycle parking standards for residents, visitors and non-residential uses. The location of the proposed bicycle parking will be required to be located in accessible and convenient locations and will be secured through Site Plan Control.

The proposed development will achieve the minimum required indoor and outdoor amenity space requirements based on 2 square metres of indoor amenity space and 2 square metres of outdoor amenity space per dwelling unit.

Site and Surrounding Area

The subject site is a triangular site which slopes from west to east and also from north to south. The site has a frontage of 232.5 metres on King Street West and 87.6 metres along Joe Shuster Way with a total site area of 11,710 square metres. The site area includes the Joe Shuster Way right-of-way which has yet to be dedicated to the City. The lands are bounded by King Street West to the south, the Metrolinx Rail Corridor to the north and east, and Joe Shuster Way to the west.

The site is bordered by the following uses:

West: A 22-storey, residential building at 38 Joe Shuster Way, and a 14-storey residential building at 20 Joe Shuster Way.

North and East: Immediately to the north & east of the site is the Metrolinx Rail Corridor. On the north side of the rail corridor a number of new residential and mixed use towers and midrise buildings are situated.

South: Allan A. Lamport Stadium Park and the area of Liberty Village designated for primarily employment uses, which consists generally of low-rise buildings.

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.

Official Plan

Regeneration Areas

The City of Toronto Official Plan designates the property as *Regeneration Areas*. These areas are intended to provide for a broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses in an urban format through the revitalization of sites that are vacant or underutilized. The encouragement of new development in *Regeneration Areas* is also intended to drive the remediation and re-use of contaminated lands.

Development within *Regeneration Areas* should not proceed prior to the approval of a Secondary Plan for the subject area which establishes the appropriate development framework for the lands. In this case, the subject lands are situated within the Garrison Common North Secondary Plan, which is discussed later in this report.

Built Form Policies

Section 3 of the City's Official Plan, 'Building a Successful City' identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. Section 3.1.2 Built Form provides policies that are aimed at ensuring that new development fits within and supports its surrounding context. Policies 3.1.2.1 to 3.1.2.4 seek to ensure that development is located, organized and massed to fit harmoniously with existing and/or planned context; frames and appropriately defines streets, parks and open spaces at good proportion; and limits impacts of servicing and vehicular access on the property and neighbouring properties. Meeting these objectives requires creating consistent setbacks from the street, massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion, creating appropriate transitions in scale to neighbouring existing and/or planned buildings, and limiting shadow and wind impacts on streets, open spaces and parks.

Section 3.1.3 contains specific policies on tall buildings and built form principles to be applied to the location and design of tall buildings. The background text in Section 3.1.3, which provides context for the policies, is clear in stating that tall buildings do not belong

everywhere. Tall buildings are generally limited to areas in which they are permitted by a Secondary Plan, an area specific policy, a comprehensive zoning by-law, or site specific zoning. Tall buildings will only be permitted in other areas on the basis of appropriate planning justification consistent with the policies of the Official Plan. Policy 3.1.3.1 c) directs that new tall buildings will contribute to the skyline character of the subject area.

Garrison Common North Secondary Plan

The Garrison Common North Secondary Plan applies to the site. The Secondary Plan's major objectives include:

- ensuring that new development be integrated into the established city fabric in terms of streets, blocks, uses, density patterns;
- permitting a variety of land uses and densities;
- community services and facilities;
- be sensitive to and protect the industrial, communications; and,
- a range of housing types in terms of size, type, affordability and tenure.

The subject property is contained within the Garrison Common North Secondary Plan and is subject to Policy Area 2 of this Secondary Plan. Policy Area 2 provides for a mix of employment and residential uses, provided that employment uses are restricted to those compatible with adjacent and neighbouring residential uses in terms of emissions, odour, noise and generation of traffic.

Section 37 Policy

Section 37 of the *Planning Act* gives municipalities authority to pass zoning by-laws involving increases in the height or density of development in return for the provision by the owner of community benefits. Section 5.1.1 of the Official Plan includes policies addressing the use of Section 37. The policies state that Section 37 community benefits are capital facilities and/or financial contributions toward specific capital facilities.

Zoning By-law

The property is zoned (h) CR T3.0 C1.5 R2.0 by Site Specific Zoning By-law 1194-2010(OMB) which amends the former City of Toronto By-law No. 438-86. This mixed-use zone category permits a range of residential and commercial uses. A total commercial and residential density of 1.5 and 2.0 times the lot area, respectively, is permitted, while a total combined density of 3.0 times the lot area is permitted. A maximum building height of 29.0 metres is currently permitted.

Site Plan Control

A Site Plan Control application (File - 13 111005 STE 14 SA) was submitted on January 24, 2013 and has been appealed to the OMB.

Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of

all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

The Guidelines are intended to implement the built form policies of the City's Official Plan. They include measurable criteria and qualitative indicators to assist in the review of tall building proposals. Criteria and indicators are related to four main areas; site context, site organization, building massing and the pedestrian realm. In considering site context, in addition to requirements for master plans on larger sites, tall building proposals must address concerns related to transitions between taller buildings and lower scale features nearby.

Measures such as height limits, setbacks, stepbacks and angular planes are used to achieve appropriate transitions in scale and the protection of sunlight and sky views. Design criteria related to site organization address issues of building placement and orientation, location of building entrances, servicing and parking requirements, enhancement of adjacent streets and open spaces, and respect for heritage buildings.

New tall buildings are expected to enhance the public realm by providing active frontages, and high quality streetscape and landscape design elements. To reduce negative impacts of taller buildings elements, a minimum stepback of 5 metres for the tower from the street edge of the base building is required. Other considerations include weather protection, limiting shadowing impacts and uncomfortable wind condition on nearby streets, properties and open spaces, as well as minimizing additional shadowing on neighbouring parks to preserve their utility.

Reasons for the Application

A Zoning By-law Amendment application is required to permit the proposed height and density and establish appropriate setbacks, parking rations and amenity space requirements.

COMMENTS

Average Grade

The average grade of the site is established in site specific Zoning By-law 1194-2010(OMB) and has complicated the review and interpretation of the subject applications for both the City and the applicant.

The Specific Zoning By-law 1194-2010(OMB) which applies to the site, notes the average grade at 94.6 metres ASL. However, the actual level of the ground on site, based on the submitted site survey, is closer to 87.0 metres ASL. The lands slope considerably from the west end of the site at the King Street West and Joe Shuster Way intersection to towards the Metrolinx Rail underpass at the east end of the King Street West frontage. This impacts the perception of actual proposed building heights, since measuring these heights from an average grade of 94.6 metres ASL would result in buildings which are

physically more than 7 metres, or approximately 2 typical residential storeys, higher than the actual level of the ground.

This confusion over the average grade appears to have also caused the applicant to omit approximately 15,000 square metres of non-residential GFA which resulted in a proposed density which was far less than what was actually being proposed.

In order to more accurately assess the real impacts of proposed building height, average grade of 87.0 metres ASL, which represents the grade at street level, was used. All building heights noted in this comments section of this report correspond to this average grade, unless otherwise noted.

Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets forth matters of Provincial interest which municipal Councils shall have regard to in making decisions under the Act. These include 2(h) the orderly development of safe and healthy communities; 2(l) the protection of the financial and economic well-being of the Province and its municipalities; and 2(p) the appropriate location of growth and development.

The *Planning Act*, PPS and the City's Official Plan are inter-connected. One of the stated purposes of the *Planning Act* in Section 1.1(f), is to recognize the decision-making authority of municipal councils in planning. Section 4.5 of the PPS provides that the official plan is the most important vehicle for implementation of the PPS. In addition, the PPS provides that comprehensive, integrated and long term planning is best achieved through municipal official plans, that official plans are to identify provincial interests and set out appropriate land use designations and policies, and that official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas. The PPS provides minimum standards and states that it does not prevent planning authorities and decision makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy in the PPS. Planning authorities are to keep their Official Plans up to date with the PPS in order to protect Provincial interests.

The City's Official Plan is up-to-date, having been approved at the OMB in 2006, and, along with guiding development in the City, it implements the PPS in order to protect Provincial interests. The proposal does not conflict 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. The proposal does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The proposed development has been reviewed against, and conforms to the policies of the City of Toronto Official Plan, both as a whole, and as they apply specifically to this site.

Regeneration Areas

The proposed development satisfies the intent of the *Regeneration Areas* Designation by providing for a mix of commercial and residential space in an urban format, contributing to improve the area streetscape and driving the remediation of the currently contaminated site.

Built Form Policies

The proposed development transitions building heights from west to east and relates well to the existing and planned context for the area. The proposed building heights transition from 18 storeys, to 14 storeys, to 12 storeys moving west to east. The 18-storey element of Building A is also pushed towards the north of the site, decreasing the visual impacts of the building massing from King Street West and the open space lands to the south. The 18 and 14-storey tall building elements of Building A relate well to the existing 22 and 14-storey buildings situated at 38 and 20 Joe Shuster Way, respectively. At 12-storeys, Building B transitions well to the predominant 10-storey character of the segment of King Street West east of the Metrolinx rail overpass.

The proposed floorplates of the taller building elements of Building A, which are both less than 750 square metres, are oriented north-south to further limit the perceived massing of these buildings from the open space lands to the south, and King Street West. The 12-storey building incorporates a larger floorplate than the other two taller building elements, but is arranged in a flat-iron format which contributes positively to the west facing view terminus as observed from the east side of the railway crossing.

The tower elements all achieve a minimum separation distance of 25 metres from other towers on-site as well as the adjacent tower at 20 Joe Shuster Way.

At 25.2 metres in height, the Building A's base building relates well to the King Street West right-of-way, which has a planned width of 23 metres. The base building of Building B references the height of the Barrymore building located on the south side of King Street West adjacent the subject site.

Service vehicle access to the site is proposed from King Street West on the easternmost part of the site. While servicing and vehicular access to the property is proposed from King Street West, it is located adjacent to the railway overpass, limiting negative impacts this area may have on the pedestrian realm of King Street West. It will be further designed through the site planning process to fit as harmoniously as is possible into the context of the pedestrian realm.

Overall, the revised proposal is located, organized and massed to fit harmoniously with existing and planned context, appropriately responds to streets, parks and open spaces at good proportion, and generally complies with the intent of Section 3 of the Official Plan. The tall building components are massed and designed to contribute positively to the area

skyline and each conforms to a much greater degree with the City's Tall Buildings Design Guidelines than the initial proposal.

Garrison Common North Secondary Plan

The development responds to the policy direction contained within the Garrison Common North Secondary Plan by integrating into the established city fabric in terms of streets, blocks, uses, density patterns characteristic of the area and providing for a range of uses and housing types.

Zoning By-law

The applicant and staff are working collaboratively on a detailed Zoning By-law Amendment to submit to the Ontario Municipal Board that will establish appropriate performance standards for the proposed development. The Zoning By-law Amendment will establish detailed performance standards including height and gross floor area limits as well as secure setback and step backs in built form as outlined in this report. The Amendment will also set out Section 37 provisions, including community benefits as determined through discussions with staff, the applicant and the ward Councillor, and matters to be secured in the Section 37 Agreement as a legal convenience.

Holding Provision

The site is also subject to an application to remove the 'H' holding provision. (File - 11 327555 STE 14 OZ). The proposed Zoning By-law amendment (Attachment 2) contains criteria which must be satisfied prior to the lifting of the 'H' Holding provision. This criteria includes the following:

- Satisfaction of City requirements with regards to site servicing, including, but not limited to, the relocation of the City's watermain existing on the 1100 King Site to an acceptable location, to the satisfaction of Engineering and Construction Services Director;
- Remediation of the lands on which Joe Shuster Way is situated, if required, prior to conveyance and in accordance with City and Ministry of Environment Standards;
- Remediation of the subject lands with City and Ministry of Environment Standards; and,
- Confirmation from Greater Toronto Transit Authority (Metrolinx) and Canadian National Railway Company that crash mitigation measures, if required, related to the rail corridor have been constructed to the satisfaction of the Greater Toronto Transit Authority (Metrolinx) and Canadian National Railway Company.

Traffic, Access and Parking

At the time of drafting this report, the applicant had yet to provide detailed statistics regarding their proposed parking. Staff will continue to work with the applicant to arrive

at an acceptable parking rate which will be noted in the supplemental Planning Report noted in Recommendation 2 of this report.

Servicing

As a condition of the current Section 37 Agreement registered on the lands the owner is required to ensure that the existing City watermain currently located within the lot is relocated to a location satisfactory to the Engineering and Construction Services Director prior the development of the East Lot and that the Owner and/or the Owner(s) of the East Lot must provide all necessary easements and pay for all costs associated with the relocation of the said watermain. The owner has been in discussion with Staff to determine the satisfactory location for the relocated watermain. Prior to the lifting of the 'h' Holding provision, the applicant will be required to satisfy the Engineering and Construction Services Director with regard to the relocation of this watermain.

The servicing reports submitted in support of the proposed development require further analysis to address City requirements. The applicant will be required to satisfy Engineering and Construction services staff with regards to the site servicing prior to the lifting of the 'h' Holding provision on the subject lands.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS. The proposed draft site specific Zoning By-law will secure performance measures for the following Tier 1 development features related to Automobile Infrastructure and Cycling Infrastructure. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Section 37

Section 37 of the *Planning Act* authorizes a municipality with appropriate Official Plan provisions to pass Zoning By-laws involving increases in the height and/or density otherwise permitted by the Zoning By-law in return for the provision of community benefits by the owner. The community benefits must bear a reasonable planning relationship to the proposed development including at a minimum, an appropriate geographic relationship and addressing planning issues associated with the development.

At the time of drafting this report, meetings between the developer, City Planning Staff, and the Ward Councillor have yet to take place. The details and scope of the Section 37 benefits will be discussed in a supplementary Planning Report to be prepared for September 10, 2013 Toronto and East York Community Council, or, if necessary, October 8 and 9, 2013 Toronto City Council.

Conclusions

The revised development proposal is appropriate for the site. It responds to the planned and existing content of the area and creates an appropriate transition to areas of lower height and density. Staff support the Zoning By-law amendment for this site as contained within Attachment 2, attached to this report.

CONTACT

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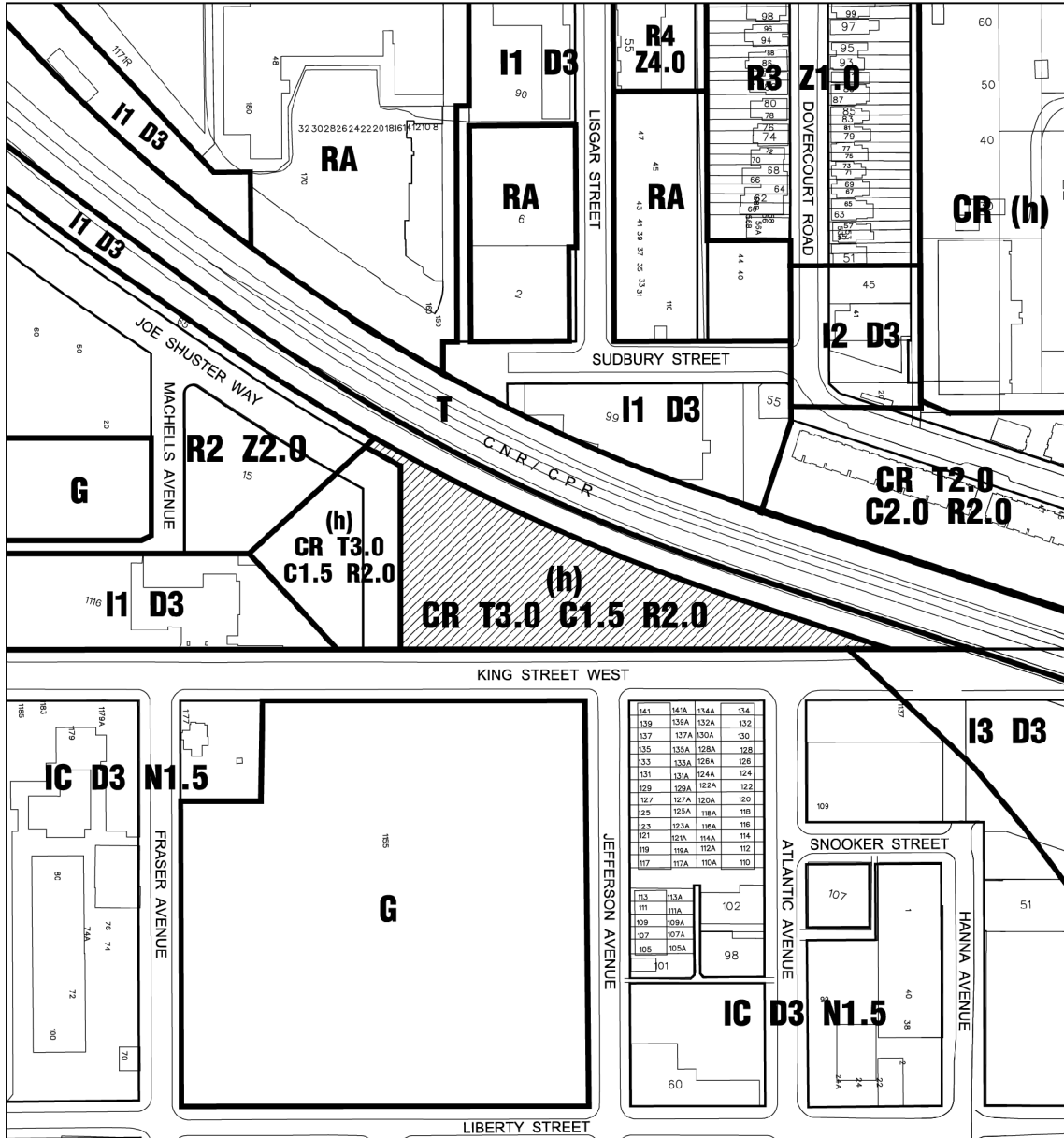
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Current Zoning
Attachment 2: Draft Zoning By-law Amendment
Attachment 3: Proposed Site Plan
Attachment 4: Building Elevations

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Attachment 1: Zoning By-law Excerpt



1100 King Street West
File # 11 210449 0Z

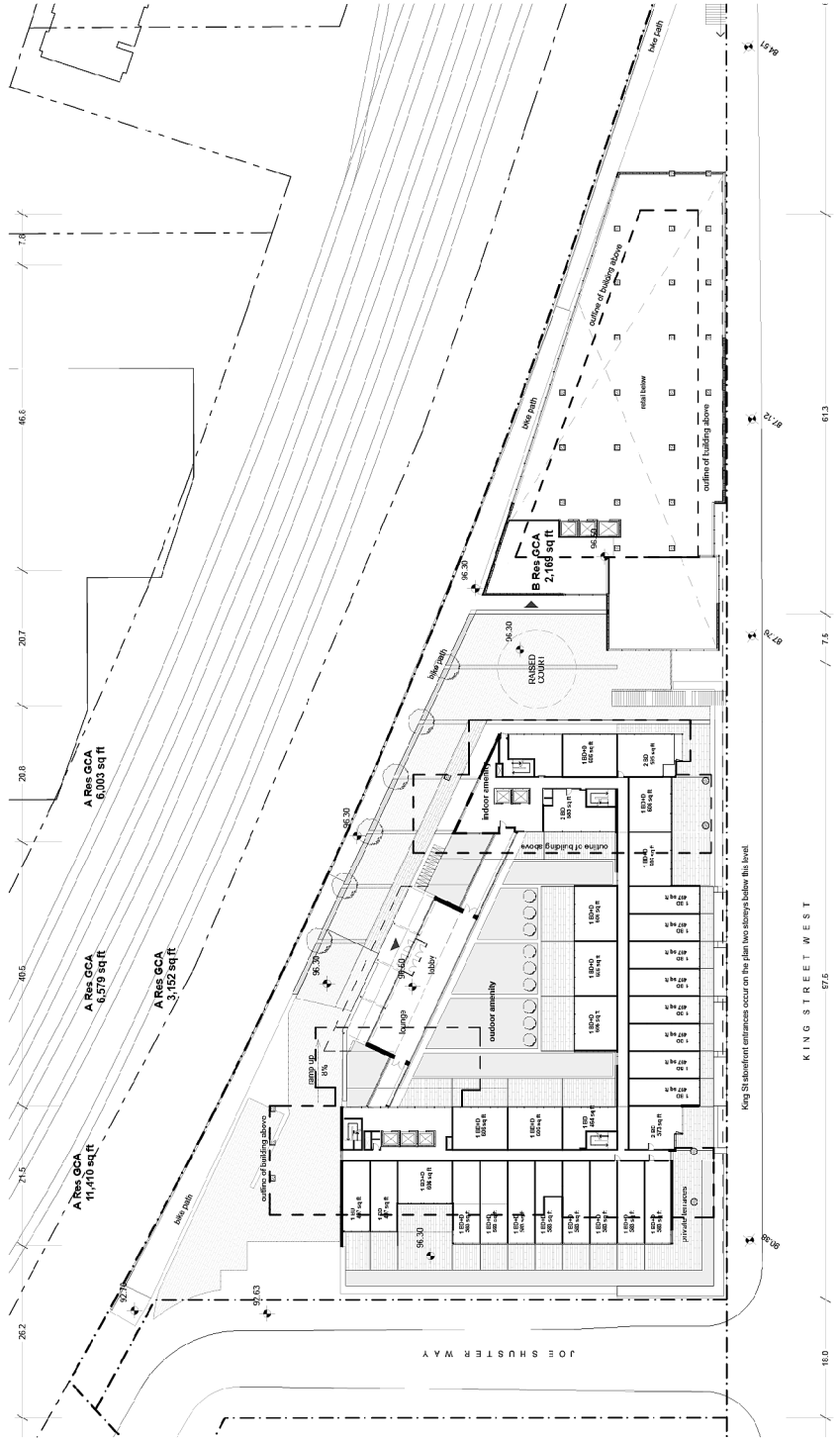
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|------------------------|-------------------------|
| I1 Industrial District | R2 Residential District |
| I3 Industrial District | R3 Residential District |
| IC Industrial District | R4 Residential District |
| CR Mixed-Use District | G Parks District |
| RA Mixed-Use District | (h) Holding District |

↑
Not to Scale
Zoning By-law 438-86 (as amended)
Extracted 08/21/2013

Attachment 2: Draft Zoning By-law Amendment

(to be available September 10th at the Toronto and
east York Community Council Meeting)

Attachment 3: Site Plan



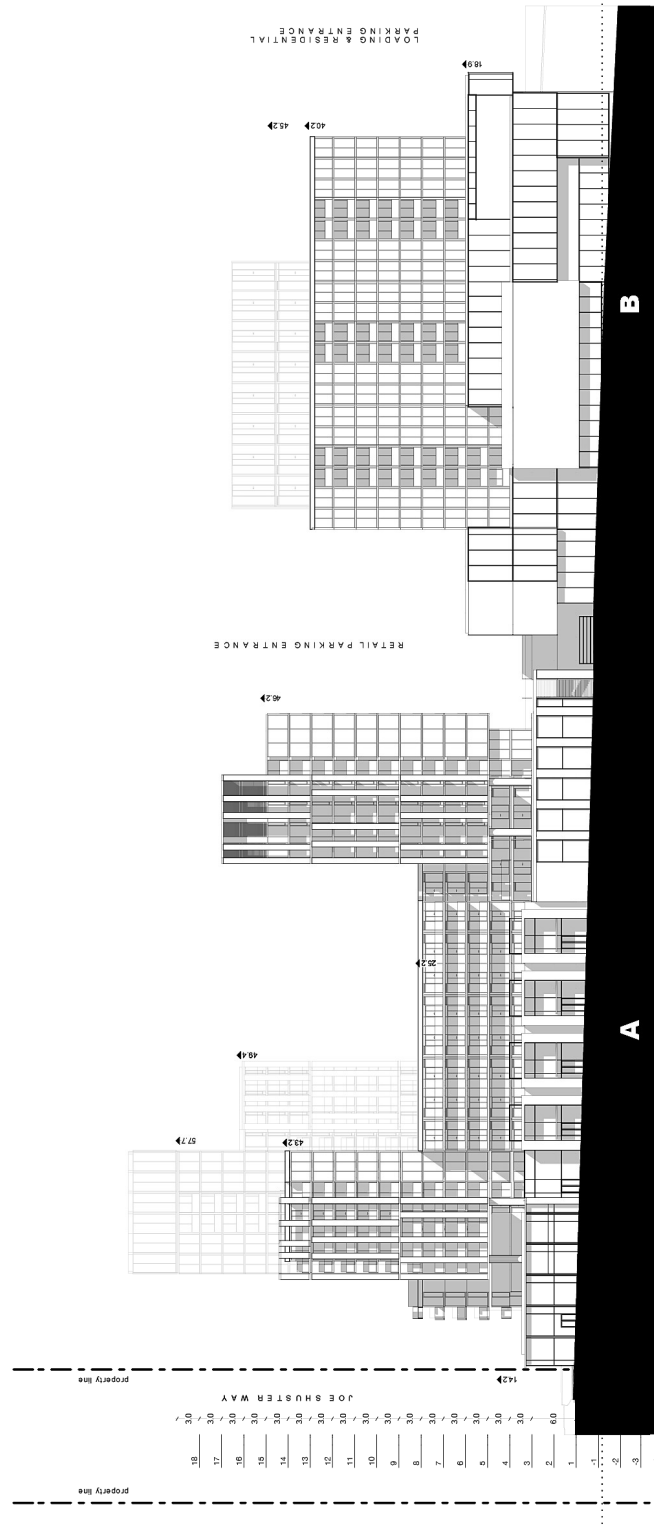
1100 King Street West

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 08/21/2013

File # 11 210449.0Z

Attachment 4: Elevations



South Elevation

1100 King Street West

Elevations

Applicant's Submitted Drawing

Not to Scale
08/21/2013

File # 11 210449 0Z