

**266-270 King Street West and 274-322 King Street West,  
Zoning By-law Amendment Application Request for  
Direction – Working Group Status Report and City-  
Initiated Official Plan Amendment**

<b>Date:</b>	April 24, 2014
<b>To:</b>	City Council
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	P:\2014\ClusterB\PLN\City Council\CC14042 (12-276890 STE 20 OZ)

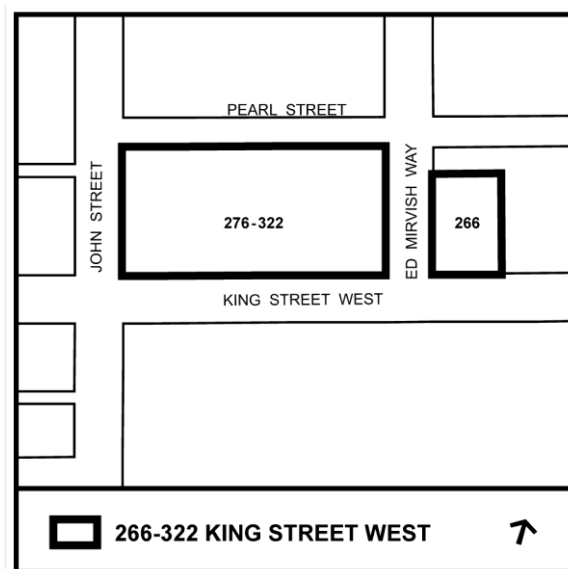
**SUMMARY**

This report recommends a revised timeline for City Council's further consideration of the proposed development at 266-270 and 274-322 King Street West.

The reporting time frame approved at City Council's meeting on March 20<sup>th</sup>, 2014 was established in light of an Ontario Municipal Board (OMB) hearing scheduled to commence on June 16, 2014.

The time frame was also predicated on having modifications made to the proposed development and the required submission material updated to reflect the revisions, in order to have staff conduct a thorough evaluation and make appropriate recommendations to City Council.

The revised proposal has not progressed sufficiently to fit the established time frame. The proponent also recognizes the timing constraints. As a result, the proponent has agreed to request that the



OMB reschedule the hearing to September of this year.

In order to maintain the positive momentum created by the working group process, staff are recommending that City Council adopt an alternative reporting time frame, where the Working Group Status Report, the Zoning By-law Amendment Request for Direction Report, and the City-initiated Official Plan Amendment Report can all converge on the July 8 and 9, 2014 City Council agenda, provided that sufficient progress on the proposed modifications is made to meet the new time frame.

## **RECOMMENDATIONS**

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

1. The Chief Planner and Executive Director, City Planning Division report directly to the July 8 and 9, 2014 City Council meeting on the results of the working group for the project at 266-270 and 274-322 King Street West and any changes to the proposed developments, subject to sufficient progress being achieved;
2. City Council request the Chief Planner and Executive Director, City Planning, to initiate an amendment to the Official Plan to create a "Site and Area Specific Policy" to permit an appropriate scale of development beyond the scale currently permitted by the existing Official Plan policies, but which is less than the Zoning By-law Amendment currently under appeal to the Ontario Municipal Board, for the block bounded by John Street to the west, King Street West to the south, Pearl Street (not including 11 Ed Mirvish Way) to the north, and 224 King Street West to the east, and that the amendment be scheduled for a statutory public meeting by the Toronto and East York Community Council on June 17, 2014, subject to sufficient progress being achieved;
3. City Council direct the Chief Planner and Executive Director, City Planning to schedule a community consultation meeting for the proposed Official Plan Amendment with the Ward Councillor.
4. City Council direct that notice for the community consultation meeting, be given to landowners and residents within 120 metres of the site.
5. City Council direct that 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**

At its meeting of December 16, 17 and 18, 2013, City Council considered a Request for Direction Report, which continued to recommend opposition to the Zoning By-law Amendment application appeal for 266-322 King Street West at the Ontario Municipal Board.

The Request for Direction Report can be viewed at:

<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-63687.pdf>

City Council's decision directed that a working group be appointed by the Chief Planner and Executive Director, City Planning, the local Ward Councillor and the applicant. The working group process was defined and a work plan directed by City Council, which also directed that the findings of the working group be reported by the Chief Planner and Executive Director, City Planning, to City Council through the Toronto and East York Community Council, no later than the March 20, 2014 meeting of City Council with any recommendations or potential settlement proposals that may emerge from the process.

City Council's full decision can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE28.2>

A report under separate cover dated February 20, 2014 was considered by Toronto East York Community Council at its meeting of February 25, 2014. The report noted there had been four (now five) working group sessions and discussions with the applicant were continuing. The report recommended that any changes made to the proposed Zoning By-law Amendment application and any related recommendations, were to be brought forward directly to the City Council meeting of May 6, 2014.

As the discussions with the applicant have continued, including the potential for revisions to the application, Planning staff expressed the opinion that an amendment to the Official Plan was warranted to permit an appropriate scale of development beyond the scale currently envisioned by the existing Official Plan policies, but less than the Zoning By-law Amendment currently under appeal at the Ontario Municipal Board.

In order to meet statutory notice time frames for an Official Plan Amendment, staff recommended a time frame which was adopted by City Council at its meeting of March 20, 2014 (recommendations adopted as outlined in the Summary section of this report).

On March 20, 2014, City Council, adopted the following:

1. City Council direct the Chief Planner and Executive Director, City Planning to report directly to the May 6 and 7, 2014 City Council meeting on the results of the working group for the project at 266-270 and 274-322 King Street West and any changes to the proposed developments.
2. City Council request the Chief Planner and Executive Director, City Planning, to initiate an amendment to the Official Plan to create a "Site and Area Specific Policy" to permit an appropriate scale of development beyond the scale currently permitted by the existing Official Plan policies, but which is less than the Zoning By-law Amendment currently under appeal to the Ontario Municipal Board, for the block bounded by John Street to the west, King Street West to the south, Pearl Street (not including 11 Ed Mirvish Way) to the north, and 224 King Street West to the east, and that the amendment be scheduled for a statutory public meeting by the Toronto and East York Community Council on May 13, 2014.
3. City Council direct the Chief Planner and Executive Director, City Planning to schedule a community consultation meeting for the proposed Official Plan Amendment with the Ward Councillor.
4. City Council direct that notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
5. City Council direct that notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

The full City Council decision can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE30.98>

As a result of ongoing progress related to the direction of the proposed development, the time needed by the applicant to revise the project and staff review of the changes that is required, as well as the staff requirement for a City-initiated Official Plan Amendment process, staff are recommending that the established report time frame be revised. This has also led to the parties agreeing to seek September dates for consideration of the matter by the Ontario Municipal Board, alleviating the timeline pressure associated with the June 16, 2014 date previously established.

It is the objective now to have all of the elements related to the proposed development before City Council on the July 8 and 9, 2014 agenda. Staff are hopeful that this will provide the proponent sufficient time to finalize the proposed development, enable staff review and preparation of appropriate recommendations for Council's consideration.

The Official Plan Amendment statutory public meeting recommended for June 17, 2014, the Request for Direction Report, and Working Group Status Report recommended for the July 8, 9 2014 City Council agenda are contingent on sufficient progress being achieved to implement the recommendations of this report.

## **CONTACT**

Philip Carvalino, Senior Planner  
Tel. No. (416) 394-8233  
Fax No. (416) 394-6063  
E-mail: pcarval@toronto.ca

## **SIGNATURE**

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Jennifer Keesmaat, MES, MCIP, RPP  
Chief Planner and Executive Director  
City Planning Division