

**401- 415 King Street West Zoning By-law Amendment –
Request for Directions Report**

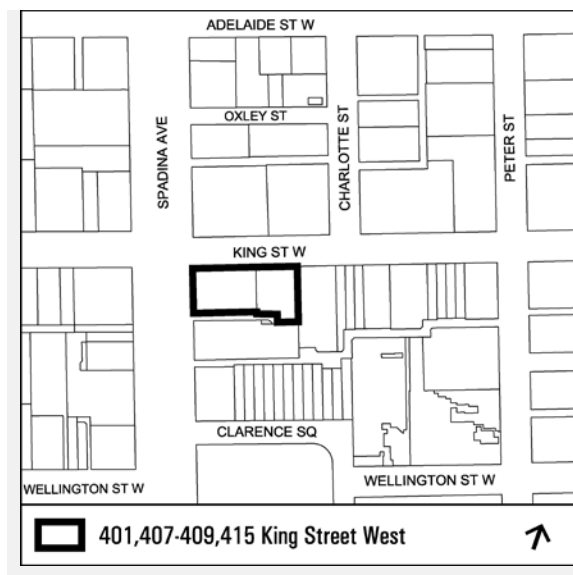
Date:	April 25, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	10-197695 STE 20 OZ

SUMMARY

This application proposes to amend the former City of Toronto Zoning By-law 438-86 to permit the redevelopment of 401-415 King Street West, with a 56-storey mixed use building including a 12-storey and 13-storey base building with two floors of retail uses and residential above. The project is proposed to contain 615 dwelling units and 2,452 square metres of commercial space with 221 parking spaces and 656 bicycle parking spaces. The proposed building height is 181 metres (187 metres including the mechanical penthouse). The total gross floor area would be 48,214 square metres. The density would be 22.9 times the area of the lot.

The owner of the site at 401-415 King Street West has appealed its Zoning By-law Amendment application to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the time required by the *Planning Act*. A pre-hearing conference has been scheduled for July 14, 2016. A full hearing has not yet been scheduled.

The proposal is not supportable in its current form. The proposed tower and base building represent an overdevelopment of the site and would create an unacceptable form of development. The proposed tower would not conform with Official Plan built form or heritage policies and does not



satisfactorily respond to urban design guidelines related to the built form.

In particular:

- the 56-storey tower height is excessive and out of context (the tallest tower proposed in the King-Spadina Secondary Plan area aside from the Mirvish/Gehery towers) ;
- tower setbacks fail to meet minimum setback requirements;
- podium massing fails to transition appropriately to adjacent developments and is out of scale with King Street West;
- the proposed building fails to provide adequate space for the three dimensional presentation of the retained heritage frontages as part of the proposed building;
- inadequate public realm (sidewalk) widths;
- there is a lack of family sized units;
- there is a shortfall in required indoor and outdoor amenity space;
- there are an insufficient number of vehicular parking spaces;
- the proposal represents an over development of the site.

The purpose of this report is to seek City Council's direction for the City Solicitor and appropriate City Staff to attend the Ontario Municipal Board hearing in opposition to the applicant's development proposal and appeal.

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 the Ontario Municipal Board hearing to oppose the appeal of the Zoning By-law Amendment application for 401-415 King Street West to support the position outlined in this report.
2. City Council authorize City staff to continue discussions with the applicant in order to come to an agreement on an appropriate built form, heritage conservation and solutions to technical considerations, including parking and laneway widening and encroachment issues.

3. City Council authorize the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, to identify the matters, services and facilities pursuant to Section 37 of the Planning Act to be secured in the event the Ontario Municipal Board approves the Zoning By-law amendment applications as proposed in whole or in part.
4. City Council authorize the City Solicitor and any other City staff to take such actions as necessary to give effect to the recommendations of this report.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

One Tower Proposal

In June 2010 Bousfields Inc. together with Core Architects, submitted an application on behalf of the property owner, Terracap Management Inc. for the subject property. The application was for a 39-storey mixed-use building, including an eight-storey podium, containing retail uses and 443 residential units above. The proposed height of the building, excluding the mechanical penthouse, was 126.5 metres. The base building had a height of eight storeys on King Street West, stepping up to 11-storeys on Spadina Ave.

Staff prepared a preliminary report for the February 16, 2011 Toronto and East York Community Council and a Community meeting was held on May 30, 2011. At the time, the following were identified as some of the 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 Design Criteria for Review of Tall Building Proposals;
3. Height and massing relationships with the immediate area and resulting shadow impacts on the King Street West and Spadina Avenue public realm and properties in the vicinity;
4. Traffic, parking, site servicing, and impacts on the pedestrian realm that may result from the intensity and scale of the proposed development;
5. Compliance with the applicable Official Plan and Zoning By-law requirements regarding the preservation of built heritage resources;
6. Identification and securing of community benefits under Section 37 of the *Planning Act*, should the proposed development, or some version thereof be advanced, in accordance with Sections 5.1 and 7.2 of the King-Spadina Secondary Plan.

Two Tower Proposal

In response to comments from the public, City staff and the local Councillor, a revised proposal was submitted to the City on March 2, 2012. The revised plan called for a base building with a height of 8-storeys along King Street West and two towers with overall heights of 20-storeys (73 metres in height, including mechanical elements) and 37-storeys (126 metres in height, including mechanical elements), with the 37-storey tower on the east property line and the 20-storey tower adjacent Spadina Avenue at the west end of the site. The proposal was described at the time as an attempt to reflect the heights of the tallest existing nearby buildings, specifically the 21-storey mixed-use building at the corner of King Street West and Spadina Avenue to the north (The Hudson) and the 36-storey building immediately to the east of that building (Charlie). The overall gross floor area was similar to the original proposal.

The revised proposal was presented at the June 19, 2012 meeting of the City's Design Review Panel. The panel provided the following comments:

- The proposed density exceeds the capacity of the site to accommodate it, with a range of problems (and potential negative impacts on the surrounding context);
- There needs to be greater contribution to the public realm and improved urban design quality along King Street West and Spadina Ave.;
- The applicant should reconsider a single tower concept;
- If two towers are proposed, there is a need to increase separation distances, ensure visual privacy and resolve the elevation along the east edge of the site;
- With regard to heritage conservation, adjust the massing and articulation to work with the context; and
- Tower separation distances and setbacks were identified as needing to be brought in line with the Tall Building Guidelines.

The Panel voted to recommend that notwithstanding the architectural merit of the proposal and the inclusion of three uses, the proposal should be redesigned.

In June of 2013 a further revision was submitted. This plan proposed the addition of one office floor (3,215 square metres in gross floor area), increased building setbacks, a reduction in the height of the west tower from 20 to 17 storeys and an increase in the height of the east tower from 37-storeys to 40-storeys.

Revised One Tower Proposal

On December 10, 2013 a further revision to the plan for 401-415 King Street West was presented to the Design Review Panel, along with the recently submitted proposal for the tower for the property to the south at 57 Spadina Ave. The proposal, which was only presented as a massing diagram showing one tower on the subject site, was presented for discussion purposes only. The Design Review Panel continued to express concerns with the overall scale of the project and suggested that in particular the scale of the base building was a problem. There was some discussion about how towers could be deployed on both of these sites. It was suggested that a higher proportion of office uses on the sites could help address some of the privacy issues and that a cooperative development

with both parcels being developed as part of one proposal presented the best means of moving toward an acceptable development on both sites.

On February 16, 2015 revised drawings in support of the application were submitted. These plans, prepared by a different architect, Teeple Architects in conjunction with Kirkor Architects and Planners, were substantially different from the original application in that proposed development was for a 56-storey mixed-use building including a 12 and 13-storey podium, with a building height of 180 metres (187 metres including the mechanical penthouse).

On August 25, 2014, City Council approved an application at the adjacent site to the south at 57 Spadina Avenue for a 36-storey mixed-use building with a total height of 120.2 metres including the mechanical penthouse. The applicant's position as to why a change from 126.5 metres to 180 metres is appropriate, as explained to staff and the Design Review Panel, was that the greater height is necessary to provide south-facing views above the approved 36-storey building to the south. It is this latest proposal which is the subject of this report.

The revised application was considered by the Design Review Panel on April 16, 2015. Comments from the Design Review Panel generally cited concern with the proposal related to height of both the podium and the overall building height, density, tower floorplate size that exceeds 750 square metres, inadequate tower separation distances, poor integration with the existing heritage building and lack of contribution to the public realm. The Panel voted that the proposal be redesigned. The minutes of the Design Review Panel meeting are available here:

<http://www1.toronto.ca/City%20of%20Toronto/City%20Planning/Urban%20Design/Files/pdf/DRP/DRP%202015/DRP%20Minutes%20April%202016.pdf>

On November 27, 2015, Calvin Lantz, (Stikeman Elliot LLP) appealed the Zoning By-law Amendment application to the Ontario Municipal Board on behalf of their client, Terracap Management Inc. on the grounds that a decision had not been made within the 120 days as required by the *Planning Act*.

ISSUE BACKGROUND

Proposal

The revised application is for a 56-storey mixed-use building containing retail uses within the first two storeys of a 12 and 13-storey base building. The building includes a partial mezzanine floor above the first floor, so although the building is described in the application as a 55-storey building, it is in fact a 56-storey building. The total gross floor area of the building would be 48,214 square metres, with 45,762 square metres of residential uses and 2,452 square metres of non-residential uses. The facades of the buildings at 401, 407 and 409 King Street West, which are listed on the City's Register of Heritage Resources, would be incorporated into the façade of the building facing King Street West.

A total of 221 vehicle parking spaces are proposed in a five level below-grade parking garage along with 656 bicycle parking spaces located on the P-1 level. Retail uses will be located on the first and second levels with a partial floor at the mezzanine level containing a garbage room and storage

lockers. Vehicular access and loading will be provided from the public lane at the south side of the property.

The building would contain 615 residential units located in the podium and the tower. The unit breakdown is as follows: 27 bachelor / studio units (4%); 403 one-bedroom and one-bedroom plus den units (66%); 137 two-bedroom and two-bedroom plus den units (22%); and 48 three-bedroom units (8%).

The proposal includes 1,009 square metres of indoor amenity space to be located at the third and 21st floor. This is equivalent to 1.64 metres per unit. A total of 558 square metres of outdoor amenity space is proposed. The outdoor amenity space would be adjacent to proposed indoor amenity space on the third and 21st floors. The outdoor amenity space would be equivalent to 0.9 metres per unit.

Base Building

The base building is set back approximately 1.7 metres from Spadina Avenue to the west up to a height of 11-storeys (48.1 metres in height). This results in a 4.8 metre sidewalk on Spadina Avenue. On the north (King Street West) side of the property, the base building is set back from the property line by 3.3 metres for the contemporary portion of the building up to the third floor with an irregular setback above that level. The resulting sidewalk would be approximately 7.8 metres wide, with columns located within the private portion of the sidewalk supporting the cantilevering building above. The primary elevations of the buildings at 401, 407 and 409 King Street West will be retained. The sidewalk width for this portion of the King Street West frontage would be approximately 5.0 metres, which is the current condition. The base building is built to the property line on the east side of the property to sit against the 12-storey blank wall at 393 King Street West. Above the 12th floor of the proposed building (at 51.3 metres in height) there is a 5.5 metre stepback to the proposed tower. On the south side of the property the building extends to within approximately 0.5 metres of the property line for the first 4 floors, with the exception of the recesses for the loading docks. The entrance to the underground parking garage is located in a three-storey extension of the base building located at the end of the public lane. Above the fourth floor, the building has an irregular shape with a variety of stepbacks associated with the south face of the tower.

Tower

The tower steps back 9.2 metres from King Street West from the 12th to the 20st floor. The continuous balconies which wrap around the building will read as part of the massing of the building, so the initial step back as described below based on the submitted plans would read as being approximately 2 metres less, were the building to be approved as proposed. There is a further 8 metre stepback at the 21st floor. The west face of the proposed tower extends up from this second stepback to the top of the mechanical penthouse. The north side of the tower is set back 3.0 metres from the property line on King Street West. The east and south faces of the tower are articulated, with a minimum setback from the east property line of 5.5 metres and a minimum setback from the centre line of the public laneway on the south of 5.1 metres. The resulting tower separation

distances on the south side of the property are between approximately 15 to 25 metres to the 36-storey tower approved at 57 Spadina Ave.

Tower floorplates for the proposed building are 842 square metres above the base building, 790 square metres at the 36th storey and 726 square metres for the tallest occupied floor.

The top of the roof slab of the 56th floor would be at a height of 180.7 metres and the roof of the mechanical penthouse would be at 187.4 metres in height. The mechanical penthouse has the same floorplate as the residential floors below, so the mechanical penthouse will effectively extend the height of the tower by approximately 7.0 metres.

Refer to Attachment 2-5 – Building Elevations and Attachment 9 – Application Data sheet.

Site and Surrounding Area

The site is located at the southeast corner of King Street West and Spadina Avenue. It has a frontage of approximately 68.1 metres on King Street West and approximately 29.1 metres on Spadina Avenue and an area of approximately 2,157 square metres. The site has an irregular shape with a portion of the property at the east end of the site extending south to the property at 57 Spadina Ave. The site is currently occupied by a one storey LCBO store located at 415 King Street West at the corner of King Street West and Spadina Avenue. The three properties which comprise the eastern portion of the site municipally known as 401, 407-409 King Street West are occupied by a four to six-storey commercial-office building. The building is listed on the City's Register of Heritage Resources and houses a number of business associated with cultural industries such as television studios and recording and editing studios.

There is a public lane which runs along the south edge of the site that will be used for vehicular access for parking and loading. The laneway has been widened at the west end of the site to a width of 4.95 metres as a result of the approval of the LCBO store which now sits at 415 King Street West. This portion of the laneway will be widened to 6.0 metres through the site plan process for the approved development at 57 Spadina Ave. The eastern portion of the laneway south of the properties at 401, 407 and 409 King Street West is 3.66 metres wide and has not been widened on the subject site. A 1.17 metre wide laneway widening will be required for that portion of the property. Again, a similar widening will be required on the south side of the laneway to secure a 6.0 metre wide laneway. The lane terminates on the properties at 401-415 King Street West and Spadina Avenue. It does not extend to or provide access to the adjacent site at 393 King Street West.

The site includes a small parcel located at the east end of the public lane adjacent 57 Spadina Ave. This parcel has an area of approximately 17.4 square metres.

The site is surrounded by the following uses:

North: The northern edge of the site is defined by King Street West. On the north side of King Street West opposite the subject site on the east side of Spadina Avenue is a 21-storey mixed-use building (the Hudson). To the east of the Hudson, the site at 430 King Street West is a 36-storey residential condominium tower (Charlie). To the east on the north side

of King Street West are one to two-storey commercial buildings occupied by a Shoppers Drug Mart, Mountain Equipment Coop and a coffee shop. On the northeast corner of Peter Street and King Street West is the 20-storey Hyatt Regency Hotel/office building.

- South: To the immediate south of the subject site is a public laneway, opposite which is a two-storey brick building fronting on Spadina Avenue with a Winners store on the ground floor. This property has been approved as the location of a 36-storey mixed-use building (file no. 13 169365 STE 20 OZ). Further south is a Petro Canada Station, a row of townhouses listed on the city's Register of Heritage Resources (Clarence Terrace rowhouses) and Clarence Square Park. The Park is currently in the process of being designated under Part IV of the Ontario Heritage Act.
- West: To the west of the site on the opposite side of Spadina Avenue and fronting on King Street West are commercial-office buildings ranging in height from two to six storeys. On the north-west corner of King Street West and Spadina Avenue is the former Spadina Hotel at 460 King Street West. This building is listed on the City's Register of Heritage Resources. Further to the west at 478 King Street West is a 12-storey mixed-use building (Victory).
- East: To the east of the site is a 12-storey mixed-use building with a three-storey podium and a nine-storey tower. The tower features a blank wall facing west toward the subject site. To the east of this building are several three storey commercial buildings, including the Europe Bound store at 383 King Street West and a 34 storey mixed-use building at 371-379 King Street West (M5V).

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 by the *Planning Act*, to conform, or not conflict, 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. Section

2.2.1.6 states that Design Guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the developments fit with existing streets, setbacks, heights and relationship to landmark buildings.

Within the *Downtown*, the site is designated *Regeneration Area* in the Official Plan which is one of the key areas expected to accommodate growth. The *Regeneration Area* designation permits a wide range of uses, including the proposed residential and commercial uses. In order to achieve a broad mix of commercial, residential, light industrial and live/work uses, the Official Plan contains policies related to *Regeneration Areas* encouraging the restoration, re-use and retention of existing buildings that are economically adaptable for re-use as well as the revitalization of areas of the City that are vacant or underused.

Chapter Three – 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 impacts on streets, open spaces and parks.

Additionally, Section 3.1.3 Built Form – Tall Buildings provides policies related to the development of tall buildings. Policy 3.1.3 states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. This policy states that proposals for tall buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet other objectives of the Official Plan. This policy also states that when poorly located and designed tall buildings can physically and visually overwhelm adjacent streets, parks and neighbourhoods. They can block sunlight, views of the sky and create uncomfortable wind conditions.

OPA 199

At its meeting of April 3, and 4, 2013, Toronto City Council adopted amendments to the Official Plan heritage policies (OPA 199). By-law 468-2013 enacting these policies was appealed to the Ontario Municipal Board. On May 12, 2015 following the resolution of appeals, the Ontario Municipal Board approved OPA 199 as amended. Staff reviewed this application in the context of these policies as follows:

3.1.5.26: "New construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it."

3.1.5.27: “Where it is supported by the cultural heritage values and attributes of a property on the Heritage Register, the conservation of whole or substantial portions of buildings, structures and landscapes on those properties is desirable and encouraged. The retention of facades alone is discouraged.”

3.1.5.28: “The owner of a designated heritage property will be encouraged to enter into a Heritage Easement Agreement where the City considers additional protection beyond designation desirable due to the location, proposed alteration, and/or the nature of that property.”

3.1.5.29: “Heritage buildings or structures located on properties on the Heritage Register should be conserved on their original location.”

OPA 231

Official Plan Amendment No. 231, adopted by City Council December 18, 2013, received approval of the Minister on Municipal Affairs and Housing on July 9, 2014. On June 22, 2015, the OMB issued orders partially approving OPA No. 231. This Official Plan Amendment contains policies with respect to office replacement in transit-rich areas. In particular, Policy 3.5.1(9) requires provision of office space on any site which currently contains 1,000 square metres or more of office space where residential development is proposed. It appears the site currently contains 1,000 square metres or more of office space.

King-Spadina Secondary Plan

The subject site is situated within the King-Spadina Secondary Plan found in Chapter 6.16 of the Official Plan. The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The policies of Section 3 - Built Form and in particular the policies of Section 3.6 – General Built Form Principles, specify that:

- buildings are to be located along the front property line to define edges along streets and lower levels are to provide public uses accessed from the street;
- servicing and parking are encouraged to be accessed from lanes rather than streets and minimize pedestrian/vehicular conflicts;
- new buildings will achieve a compatible relationship with their built form context through consideration of such matters of building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression;
- new buildings will be sited for adequate light, view, privacy and compatibility with the built form context;
- appropriate proportional relationships to streets and open spaces will be provided; and wind and shadow impacts will be minimized on streets and open spaces;
- streetscape and open space improvements will be coordinated in new development; and

- high quality open spaces will be provided.

On September 7, 2006, Council adopted By-law 921-2006, which amended the King-Spadina Secondary Plan to recognize the additional pressures being placed on the lands east of Spadina Avenue with the approval of a number of towers. That amendment included a schedule which created three 'precincts' within the King-Spadina Secondary Plan area to recognize that development in the area was not occurring in a uniform manner. (See Attachment 8 – King-Spadina Secondary Plan Review – Urban Structure Plan).

Zoning

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (see Attachment 6 - Zoning Map, By-law No. 438-86). As part of the RA zoning controls, density standards were replaced by built form objectives expressed through height limits and setbacks.

The By-law provides for maximum heights of 30 metres for the properties at 401 and 407-409 King Street West and 39 metres for the property at 415 King Street West. The By-law requires a maximum height of 16 metres at the lot line and a 44 degree angular plane applies to additional height.

By-law 922-2006, which amended By-law 438-86 concurrently with the above noted Official Plan amendment (the Zoning By-law is also under appeal), requires that a minimum 7.5 metres be provided between a window of a dwelling unit and a lot line that does not abut a public street or a park.

The site at 401 King Street West is subject to a prevailing site specific Zoning By-law amendment (By-law No. 454-86) which established permissions for commercial and institutional uses subject to a maximum non-residential gross floor area of 1,038 square metres.

In May 2013, the City passed and enacted a new harmonized Zoning By-law 569-2013. This By-law remains under appeal. The subject site was excluded from By-law 569-2013 as there was an active zoning amendment application on the site (see Attachment 7 – Zoning Map, By-law 569-2013).

King-Spadina Secondary Plan Review and King-Spadina East Precinct Built Form Study

The portion of the subject site at 401-409 King Street West falls within the East Precinct as identified within the King-Spadina East Precinct Built Form Study. The portion of the site at 415 King Street West is located within the Spadina Precinct. At its meetings on August 25, 2014 and July 7, 2015 City Council endorsed a number of directions for the King-Spadina East Precinct to be used in reviewing current and future development applications including a downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue, employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates and protecting the network of mid-block connections and laneways as a defining feature of the public realm, and expanding these connections to further the pedestrian network. At its meeting on July 7, 2015, City Council also expanded the boundary of the King-

Spadina East Precinct Built Form Study to include the Spadina Precinct. A final staff report on the Built Form Study, which is now referred to as the King-Spadina Secondary Plan review, is expected in the third quarter of 2016.

King-Spadina Urban Design Guidelines

The King-Spadina Urban Design Guidelines (2006) support the implementation of the King-Spadina Secondary Plan.

Section 2.5 contains the overall Guidelines. Heritage guidelines seek to ensure that new development is compatible with adjacent heritage buildings in terms of massing, height, setbacks, stepbacks and materials, and should relate to key elements such as cornices, rooflines, and setbacks from the property line. New development should reinforce the character and scale of the existing street wall, the base of the building should respond proportionally to the width of the street, and development should reinforce the existing streetscape and building rhythm at the street.

Tall buildings, where appropriate, must meet the policies of the Official Plan and Urban Design Guidelines, achieve adequate light, privacy and views, and maintain the potential for adjacent sites to develop in a similar manner. New development should reinforce a street wall height that reflects the character and scale of the area, particularly that of heritage buildings on the same block face.

Section 5 contains built form guidelines that expand on Section 4.0. Section 5.4.1 recognizes that heights transition down to the west. Section 5.4.3 deals with angular planes and stepbacks to minimize shadows and ensure adequate sunlight, and strengthen the existing streetwall scale to maintain a comfortable pedestrian experience. Section 5.4.4 addresses light, view and privacy requirements.

The Guidelines point out that accommodations in tall buildings tend to be small, so access to natural light and reasonable views will particularly important in improving the livability of these units. Protecting privacy is also important in a high density neighbourhood. Light, view and privacy are described as "quality of life" or "livability" issues, which must be evaluated based on the existing and potential development.

With regard to separation distances (facing distances) between towers, the Guidelines refer to the standard of 25 metres between towers or a distance of 12.5 metres between the tower and the property line, as called for in the City's Tall Building Guidelines.

King-Spadina Heritage Conservation District Study

The King-Spadina Secondary Plan area contains many listed and designated heritage buildings. At its meeting on August 16, 2013 Toronto City Council directed Heritage Preservation Services staff to undertake Heritage Conservation District (HCD) studies in five priority areas. One of these areas is the King-Spadina Secondary Plan area. A team lead by Taylor-Hazell Architects is undertaking the study.

The first phase of the study involved the identification of potential heritage conservation districts. The interim recommendations of the HCD Study were released at a public meeting held on March

18, 2014. The draft study findings were presented at the May 23, 2014 meeting of the Toronto Preservation Board. The development of an HCD Plan and the designation under Part V of the *Ontario Heritage Act* are now under way as part of the second phase of the study. Two additional public meetings were held in April 2015 to present an update on the development of the HCD Plan.

Heritage Preservation Services staff will present the final version of the Plan(s) and a recommendation for designation under Part V of the *Ontario Heritage Act* in the third quarter of 2016. Details on the King-Spadina HCD study are available at:
http://www.toronto.ca/heritage-preservation/heritage_districts.htm

City-Wide 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 they fit within their context and minimize their local impacts. The city-wide Guidelines are available at
<http://www.toronto.ca/planning/tallbuildingdesign.htm>.

In Policy 1 in Section 5.3.2 - Implementation Plans and Strategies for City-Building, the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

TOcore: Planning Toronto's Downtown

On May 13, 2014, Toronto and East York Community Council considered a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'. These reports along with additional information are available on the study website at: www.toronto.ca/tocore.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary infrastructure to remain a great place to live, work, learn and play. TOcore is in its initial 'taking stock' phase, which involves an analysis of existing conditions, growth trends and priority issues in the Downtown. A report on the results of Phase One and the priorities for Phase Two was presented at the November 10, 2015 meeting to Toronto and East York Community Council and subsequently adopted at the Dec. 9, 2015 meeting of Council. The review of this application has been informed by the issues being considered under TOcore. The above noted report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.43>

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.

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 and 39 metres by approximately 150 metres and 141 metres respectively, resulting in a proposed building height of 180 and 187 metres inclusive of the mechanical penthouse. In addition, the proposed building does not comply with other restrictions that are in effect on the lands.

Community Consultation

A community consultation meeting was held on May 30, 2011 in response to the initial proposal for a 39-storey tower. Comments made at the community meeting focused on the proposed height of the building and the proposed massing as being inappropriate for this site. There were suggestions that a two-tower scheme with lower heights might work. The degree of heritage conservation was also raised as an issue. There were also comments regarding the widths of the sidewalks, which were felt to be inadequate; and traffic and congestion were also raised as issues.

On March 14, 2012, the local Councillor held a community meeting to discuss a revised proposal for a two-tower scheme as described earlier in this report.

On April 30, 2013 a third community meeting was held to discuss the revised two-tower scheme as discussed earlier in this report. The proposal, which would be formally submitted to the City in June of 2013, proposed an increase in the setbacks between the towers and a shifting of heights with the eastern tower getting taller and the western tower getting shorter. Issues raised at that meeting included: the proximity between the proposed tower at 401-415 King Street West and the proposal to the south at 57 Spadina Avenue; implications of placing the taller tower on the east property line adjacent the 12-storey condominium building at 393 King Street West; and the feasibility of using the City laneway to service both developments.

OPA 199

At its meeting of April 3, and 4, 2013, Toronto City Council adopted amendments to the Official Plan heritage policies (OPA 199). By-law 468-2013 enacting these policies was appealed to the Ontario Municipal Board. On May 12, 2015 following the resolutions of appeals, the Ontario Municipal Board approved OPA 199 as amended. On November 25, 2013 Aird and Berlis LLP on behalf of the owner of the property, filed a site-specific appeal of the City's Official Plan Amendment.

OPA 231

Official Plan Amendment No. 231, adopted by City Council December 18, 2013, received approval of the Minister on Municipal Affairs and Housing on July 9, 2014. On June 22, 2015, the OMB issued orders partially approving OPA No. 231. This Official Plan Amendment contains policies with respect to office replacement in transit-rich areas. The Aird and Berlis LLP on behalf of the owners of the subject property, filed a site-specific appeal of the City's Official Plan Amendment.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to arrive at the conclusion that the proposed development cannot be supported in its current form.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) contains policies related to managing and directing development. It requires that sufficient land be made available for intensification and redevelopment, that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock and areas, and that they establish and implement minimum targets for intensification and redevelopment within built up areas. Policy 4.7 indicates that the Official Plan is the most important vehicle for implementing the PPS. Further, policy 1.1.3.3 indicates planning authorities shall identify appropriate locations for intensification and redevelopment. In this context, the Official Plan further implements the direction of the PPS to require appropriate built form to fit harmoniously into its existing and planned context.

The City's Official Plan that includes the King-Spadina Secondary Plan, meets the requirements of the PPS. It contains clear, reasonable and attainable policies that protect provincial interests and directs development to suitable areas while taking into account the existing building stock, including numerous heritage buildings, and protects the character of the area consistent with the direction of the PPS. In this context, although the project does represent intensification, it is not consistent with other objectives of the Official Plan and therefore the PPS, in that it does not fit harmoniously into its existing and planned context and it represents overdevelopment of the site.

The site is within the urban growth centre of the built-up area boundary as delineated in the Growth Plan for the Greater Golden Horseshoe (GPGGH), where a significant share of population and employment growth is anticipated. In conjunction with the direction for intensification within the urban growth area, Section 2.2.3.6 of the GPGGH directs the City's Official Plan and supporting documents, such as Design Guidelines, to establish policies to identify appropriate scale of development. Further, section 2.2.3.7 of the GPGGH directs development within intensification areas to provide an appropriate transition of built form to adjacent areas. In this context, the Official Plan, the King-Spadina Secondary Plan, the King-Spadina East Precinct Built Form Study, the King-Spadina Heritage Conservation District Study, the Tall Buildings Design Guidelines and the Zoning By-law provide direction on the appropriate height and separation distances between buildings within the King-Spadina area. This proposal has not addressed the policy direction of the Official Plan and its supporting documents and therefore challenges the Growth Plan for the Greater Golden Horseshoe objectives in terms of appropriate scale and transition.

Conformity with the Planning Framework for King-Spadina

The application has been assessed in the context of the planning framework for King-Spadina which includes the Official Plan, the King-Spadina Secondary Plan currently being refined, the on-going King-Spadina East Precinct Built Form Study (now the King-Spadina Secondary Plan Review) and

King-Spadina Heritage Conservation District study and the Tall Building Design Guidelines. As outlined below, the proposal does not meet the objectives of the King-Spadina planning framework. The site, which is constrained by its size, is not suitable for development at the height or the density as currently proposed. The proposal on this size site does not allow enough room to provide adequate light, view, privacy and compatibility with the existing and planned built form context. The base building is out of scale with the character of King Street West in particular and the proposed treatment of the retained heritage facades does not adequately present a three dimensional massing which would reflect their scale and character.

Land Use

The proposed development is located in the *Downtown* and *Regeneration Areas* of the Official Plan and is in an appropriate location for development that supports growth. New development however, must conform to the City's growth management strategy along with the objectives and policies that support it. The King Spadina Area is characterized by a dynamic mix of uses including residential, entertainment, institutional and office which is anchored by a high concentration of creative and cultural uses. The City's new Employment policies focus on the need to retain and grow employment in the City while advocating for the replacement of existing office space on any redevelopment site.

The proposal for retail uses at and above grade fronting King Street West and Spadina Avenue would be positive, particularly if well executed. The proposed residential uses are permitted in this area of the *Downtown*. There is, however, an opportunity to provide a true mix of uses which are the cornerstone of *Regeneration Areas*. The heritage buildings on the site house a number of studios for film and TV production as well as recording and editing studios/suites and associated cultural industries. The King-Spadina area has the largest concentration of cultural industries in the City, and the loss of these spaces presents a challenge for an important part of the City's economy. The inclusion of a significant office component as part of the proposal (as was proposed in a previous iteration of the proposal) would also implement by the City's new Employment policies, including OPA 231 as noted above.

Heritage

The three properties which comprise the eastern portion of the site municipally known as 401, 407-409 King Street West are occupied by a four and six-storey commercial-office building. The building is listed on the City's Register of Heritage Resources and houses a number of business associated with cultural industries such as television studios and recording and editing studios. The building was designed by George W. Gouinlock as the home of Warwick Brothers and Rutters Limited. The four-storey portion of the building was constructed in 1905 at 401-405 King Street West. In 1913 the firm had a six-storey building constructed on the adjacent site at 407-409 King Street West. That building was designed by William Steele and Sons.

The applicant has submitted a Heritage Impact Statement (HIS) prepared by Goldsmith Borgal & Company Ltd. Architects dated Feb 12, 2015. The HIS recommends the retention of the façade of the building into the façade of the proposed new development as representing the best and most reasonable outcome for the heritage site.

City Heritage staff have focused their comments on the overall height of the façade of the base building, particularly as it relates to King Street West, and the interaction between the retained façade of the heritage buildings at 401-409 King Street West and the contemporary façade of the base building into which it is proposed to be incorporated. Heritage have requested the applicant to redesign the base building to provide a three dimensional massing of the retained King Street West frontages.

Density, Height, Massing

The King Spadina Secondary Plan sets out the desired type and form of physical development that may occur in this area and the resultant built form. Policy 3.6 of the Secondary Plan protects the character of King-Spadina by requiring consideration of matters such as building height, massing, scale, setbacks and stepbacks and by minimizing the wind and shadow impacts on streets, parks and open spaces. Within this framework, density, height and massing are all concerns with the application, but, in particular, given the location of the site adjacent Spadina Avenue, is a key concern.

Density

The Zoning By-law does not provide density limits within the King-Spadina Secondary plan either under the existing in-force Zoning By-law (By-law no. 438-86) or under the new City-wide comprehensive Zoning By-law (569-2013). Rather, the built form is determined by other performance standards such as height, setbacks and stepbacks and compliance with the King-Spadina policy framework. The proposed height of 181 metres (187 metres to the top of the mechanical penthouse) and limited setbacks result in a high density of 22.86 times the area of the lot. In comparison, the zoning amendment application approved on the adjacent site to the south at 57 Spadina Ave. has a density of 16.6 times the area of the lot. The Mirvish-Gehry proposal of 85 and 95 storeys, approved as a settlement at the OMB as an Official Plan Amendment that secures heritage and cultural resources, has a density of approximately 18.1 times the area of the lot. The proposed density of 22.86 times the area of the lot for the subject site is a symptom of excessive massing and the constrained size of the site.

The City's Design Review Panel made much the same point with regard to the proposed density when they reviewed the most recent proposal (the same proposal being appealed to the Board). The minutes of the April 25, 2015 Design Review Panel read in part:

"Panel members repeatedly expressed concerns about the height and density of the tower. They found the lack of rationale for the height problematic and characterised this aspect of the projects as setting the bar to the lowest common denominator. In addition, they expressed frustration that the height and density do not follow current policies and guidelines."

Height

The site falls within the both the Spadina District and the East Precinct as identified in the King-Spadina Secondary Plan Review (see Attachment 8 – King-Spadina Secondary Plan Review – Urban Structure Plan). The Study includes the principle that heights decrease generally from east to

west (University Avenue to Spadina Avenue). The proposed height at 56-storeys and 181 metres (187 metres including the mechanical penthouse) is taller than any other building approved within the King-Spadina Secondary Plan area, with the exception of the Mirvish/Gehry Official Plan Amendment on King Street West. The applicant's explanation to staff and the Design Review Panel that a change from 126.5 metres to 180 metres is appropriate to provide south-facing views which will now be blocked with the approval of a 36-storey building to the south, does not constitute a planning rationale for the heights proposed.

Applications for additional height in King-Spadina need to be considered in light of the policy objectives of the King-Spadina Secondary Plan Review. The interim conclusions of this study are included in two staff reports, the first dated August 5, 2014 can be reviewed at the link below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE34.92>

The second report dated May 29, 2015 can be reviewed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE7.62>

The 2014 report outlined a number of directions for staff to follow in the evaluation of applications in the East Precinct, including:

- A gradation of tower heights from east to west down towards Spadina Avenue; and
- Employing the City-wide Tall Building Guidelines to evaluate towers, particularly with regard to tower spacing and floor plates.

Section 2.2.1.6 of the City's Official Plan states that Design Guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the developments fit with existing streets, setbacks, heights and relationship to landmark buildings.

In addition to the overall height of the tower, the proposed base building height on King Street West is particularly problematic, as it is out of character with the King Street West and overwhelms the retained heritage buildings on the site. With regard to the height of the base building on King Street West the Design Review Panel minutes state:

"Panel members commented on the excessive height of the 12-storey podium and noted that it does not follow the recommended maximum 6-storey podium height in the Tall Building Design Guidelines. In addition, they suggested a 6-storey base building would better reflect the heritage building."

"..., they noted the 'canyon-effect' that this proposal would create on King Street West at street level"

Separation Distances

Tower separation distances are a key consideration in reviewing any application for a tower. Staff are currently working on strengthening the policy framework for reviewing tower application in the East and Spadina Precincts of the King-Spadina Secondary Plan area with the application of tower separation distances as outlined in the City's Tall Building Design Guidelines being the principle focus. Guideline 3.2.3 - Separation Distances of the City Wide Tall Building Design Guidelines requires that tall building towers setback 12.5 metres or more from the side and rear property lines or the centre line of an abutting public lane in order to limit negative impact on sunlight, sky view, privacy and daylighting. Both the Tall Building Design Guidelines and the King-Spadina Urban Design Guidelines (2006) emphasize the importance of separation between towers and the resulting negative impacts on the quality of the public realm, neighbouring properties, the living and working conditions for building occupants and the overall liveability of the City when towers are built with inadequate facing distances.

The Guidelines also recognize that when a tall building is proposed adjacent to an existing tall building or a potential tall building development site, a cumulative impact of clustered towers occurs and therefore, in addition to a 25 metre tower separation distance, towers should be further shaped, placed and articulated to increase the actual and perceived distances between adjacent buildings. The relatively large tower floorplates proposed for the project exacerbate the challenges of the proximity of the tower on the adjacent site. The proposed tower floorplates are 842 square metres above the podium and 790 square metres at the 36th floor – the height of the approved tower at 57 Spadina Avenue.

A 12.5 metre separation distance is not achieved on either the 12-storey mixed-use building to the east or to the adjacent 36-storey building approved at 57 Spadina Avenue. The angling of the east and south tower faces results in tower separation distances of 5.5 to 9.1 metres to the east and 5.1 metres to 14.5 metres (not including balcony encroachments) to the centreline of the lane to the south. The resulting tower separation distances on the south side of the property are between approximately 15 to 25 metres to the 36-storey tower approved at 57 Spadina Ave. The inadequate facing distance proposed for the site, like the density and height discussed above, are reflective of a building which too large, tall, bulky and inappropriately located on the site.

Amenity Space

Both indoor and outdoor amenity space are less than is required by the By-law. The indoor and outdoor amenity space should be provided at a rate of 2.0 metres per unit.

Community Services and Facilities

There has been a significant increase in population for the King Spadina area since 1996 from 945 residents living in the area to 8,645 residents in 2011. In 1996, 79% of residents lived west of Spadina Ave. By 2011, however, just over half of residents lived east of Spadina. The pace of residential development is expected to continue with over 21,500 units going through the application process or completed since the 2011 Census. The majority of these applications are located East of Spadina Avenue, accounting for 65% of all units. If all the proposed units are built, the population could

potentially increase by 31,615. Again, the majority of the new residents would be located east of Spadina Avenue (20,670 people). Overall, the population of King Spadina could increase to a total of 40,260 by 2025 from 8,645 people in the 2011 census.

The increasing population in King-Spadina serves as a statement on the serious need to manage growth to ensure livability. One of the most significant challenges faced by the City in efforts to ensure the livability of the King-Spadina area (and the downtown core generally) is the growing gap between the demands for a range of community services and facilities (CS&F) and the facilities and services which are available. A December 2013 Report by IBI Group (Community Services and Facilities Update – Phase 1) identified a need for additional schools, community centres, libraries, parks, child care facilities and flexible space for a variety of human services agencies in King-Spadina. The scale of development proposals adds to this challenge, as overdevelopment of individual sites adds to the pressure of too many people and too few facilities and services.

Streetscape

The proposed public realm at the corner of King Street West and Spadina Avenue is inadequate. The proposal for an arcade with cantilevering balconies is not sufficient. Articulation of the ground floor of the proposed building needs to be considered along with a greater contribution to the public realm. The Design Review Panel also noted the need for a more significant contribution to the public realm in their review of the proposal.

Traffic Impact, Access, Parking

Transportation Services staff have reviewed the Transportation Impact Study (TIS) dated February 12, 2015, prepared by LEA Consultants Limited in support of the proposed development. City staff have accepted the conclusion of the study that traffic impacts associated with the proposed development would be acceptable.

Both passenger vehicles and services vehicles would access the site from the public laneway off Spadina Avenue. The proposed access would be a right-in-right-out because of the dedicated streetcar right-of-way on Spadina Avenue.

There is a lane widening required on a portion of the site. The applicant had been discussing re-acquiring a portion of the previous laneway dedication and re-conveying these lands and the additional laneway widening by means of a strata-conveyance. This would address what is now shown on the applicants plans as an encroachment of the proposed underground parking garage on the City's lands.

The proposal includes a parking supply of 221 parking spaces in a five-level underground parking garage to support the 615 residential units and retail uses proposed for the site. The 221 parking spaces are proposed to be allocated as follows: 189 spaces for residents, 24 visitor spaces and eight spaces for retail use. The total parking supply necessary for the proposed development would be 450 parking spaces (366 residents spaces, 61 visitor and 23 retail spaces) under By-law 569-2013 and 407 parking spaces (365 resident spaces, 37 visitor and five retail spaces) under By-law 438-86. The Traffic Impact study submitted for the project proposed that the shortfall in parking spaces would be addressed by public transit and submitted a list of proxy (other developments approved with reduced parking

requirements). Transportation Services staff have reviewed the submitted Transportation Study and do not agree with the conclusions of the report.

With regard to loading facilities, the proposed one Type G loading space, two Type B and one Type C loading space are acceptable for the proposed development.

Servicing

Engineering and Construction Services staff have reviewed the Functional Servicing Report dated February 2015 from MMM Group. The report was reviewed and found to be acceptable. A detailed stormwater management report, site servicing, grading and drainage plan must be submitted with any future site plan application.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Alternative Parkland Dedication By-law 1430-2007.

Parks and Recreation staff evaluated the original application in 2010 but have not re-evaluated subsequent revisions. At the time of the original submission, the application is for the construction of one new residential building with 443 units on a site with a site of 0.2157 hectares (2,157 square metres). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.5906 hectares (5,906 square metres). However, a cap of 10% applies and hence the parkland dedication for the residential component of the development would be 0.02157 hectares (215.7 square metres).

The non-residential component of the development would be subject to a 2% parkland dedication requirement under Chapter 165 of the former City of Toronto Municipal Code to implement Section 42 of the Planning Act (RSO 1990, c.P. 13).

If the proposed development were to proceed, the applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site dedication would not be large enough to be a functional park space. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

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. Should a redevelopment be approved, the applicant will be required to submit a site plan that brings their proposal into compliance with these standards.

Archaeological Resources

Heritage Preservation Services staff have noted that as the development may have an impact on archaeological resources, a Stage 1 Archaeological Assessment is required to be submitted prior to bills being introduced.

Section 37

Section 37 of the Planning Act allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication, public art; streetscape improvements on the public boulevard not abutting the site; Heritage Conservation District studies identified in the Official Plan; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including, at a minimum, an appropriate geographic relationship and may relate to planning issues associated with the development (e.g. local shortage of parkland).

Following the submission of the development application, City staff determined it was not appropriate to discuss Section 37 benefits as the proposed development was not deemed to be 'good planning'.

Should a redevelopment of some form be approved through an Ontario Municipal Board Hearing, staff will be requesting a Section 37 contribution.

Conclusion

Staff have reviewed the revised application submitted by the applicant for 401-415 King Street West on February 16, 2015 and determined that the proposal does not fully address the policies of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. It is not consistent with the Official Plan, including the King-Spadina Secondary Plan, as well as with the intent of Council approved guidelines such as the Tall Building Design Guidelines which support the Official Plan. It is also not consistent with Council endorsed directions of the King-Spadina Secondary Plan Review.

A detailed written response from Planning staff was provided to the applicant on June 24, 2015 outlining the principle concerns with the application, namely overall height, density, massing, tower separation distances and lack of appropriate conservation of heritage resources. It should be noted that the City's Design Review Panel raised the same issues with regard to the proposal. Staff have had a number of meetings with the owners and their consulting team since the submission of the original application in 2010 and have provided recommendations regarding how the proposal could be revised to better address the area context and the planning framework for King-Spadina.

It is the opinion of City Planning that the subject tall building application constitutes overdevelopment of the site, is not good planning, and is not in the public interest.

CONTACT

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SIGNATURE

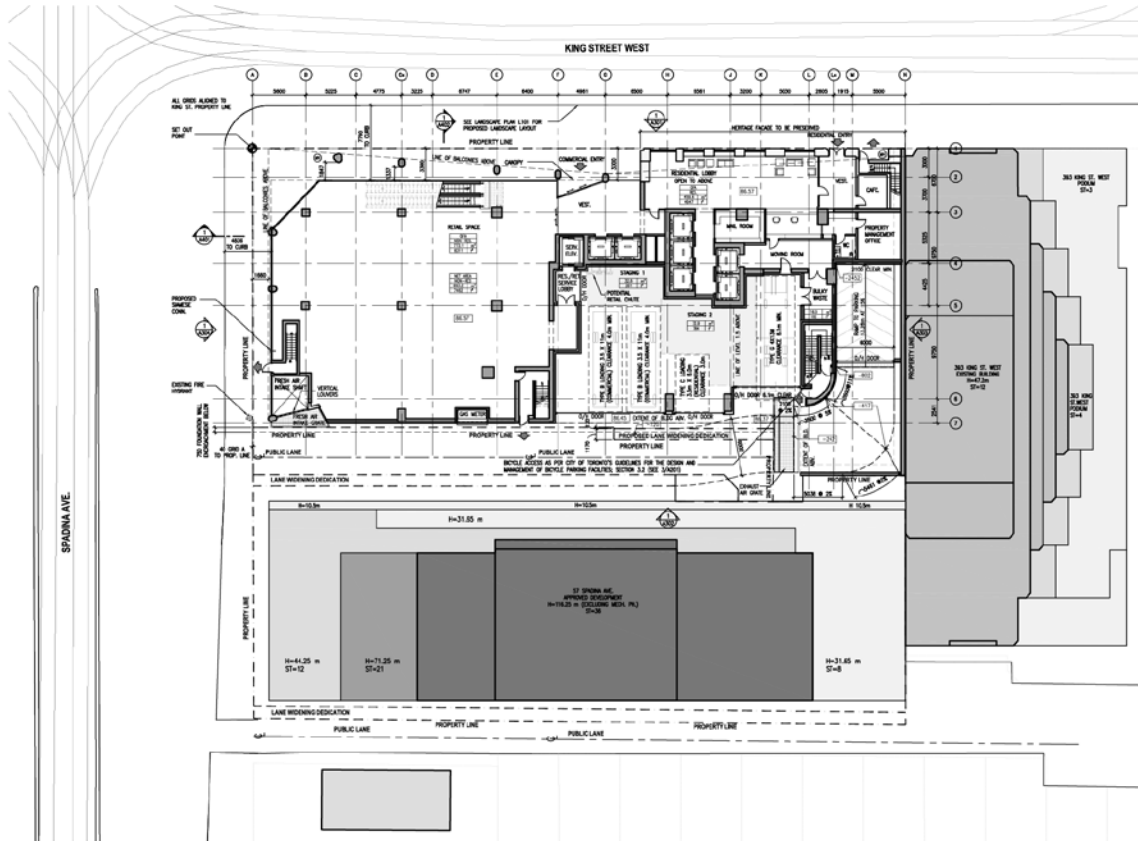
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: West Elevation
Attachment 4: South Elevation
Attachment 5: East Elevation
Attachment 6: Zoning (By-law 438-86)
Attachment 7: Zoning (By-law 569-2013)
Attachment 8: King-Spadina Secondary Plan Review – Urban Structure Plan
Attachment 9: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

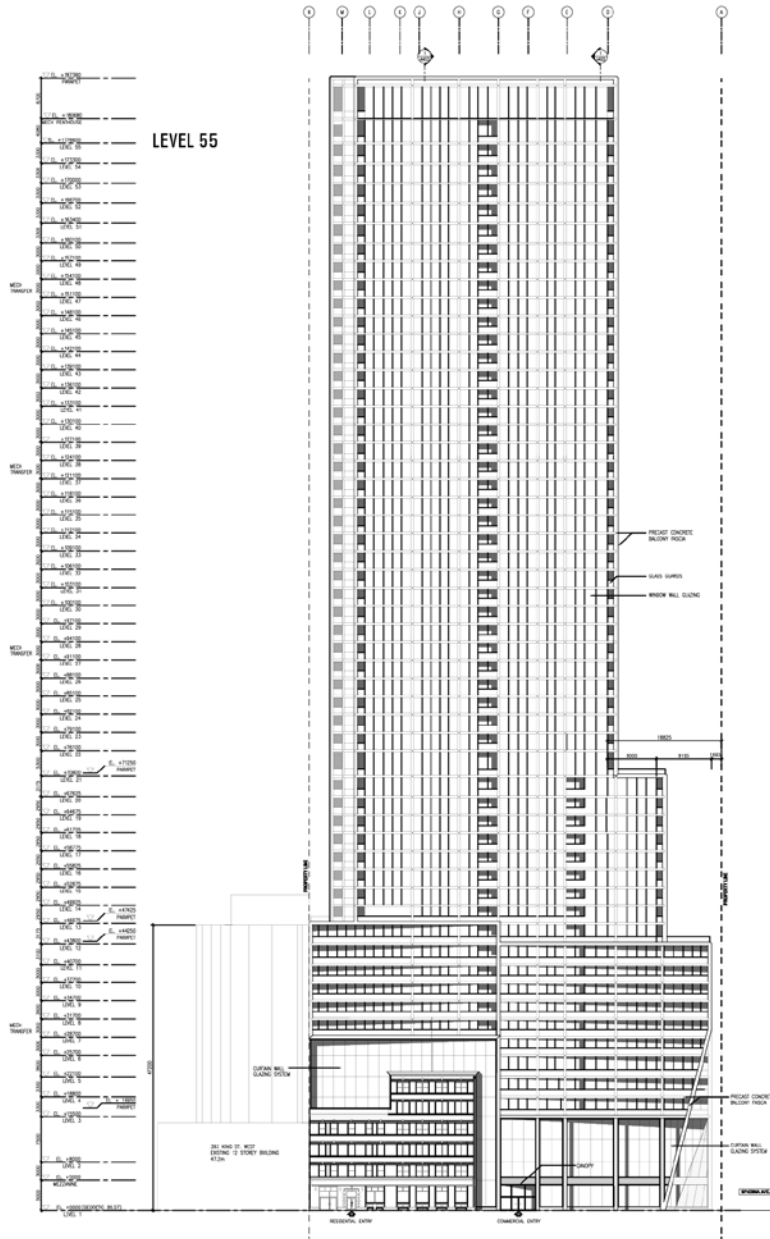
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04/04/2016

401- 415 King Street West

File # 10_197695_STE 20 0Z

Attachment 2: North Elevation



North Elevation

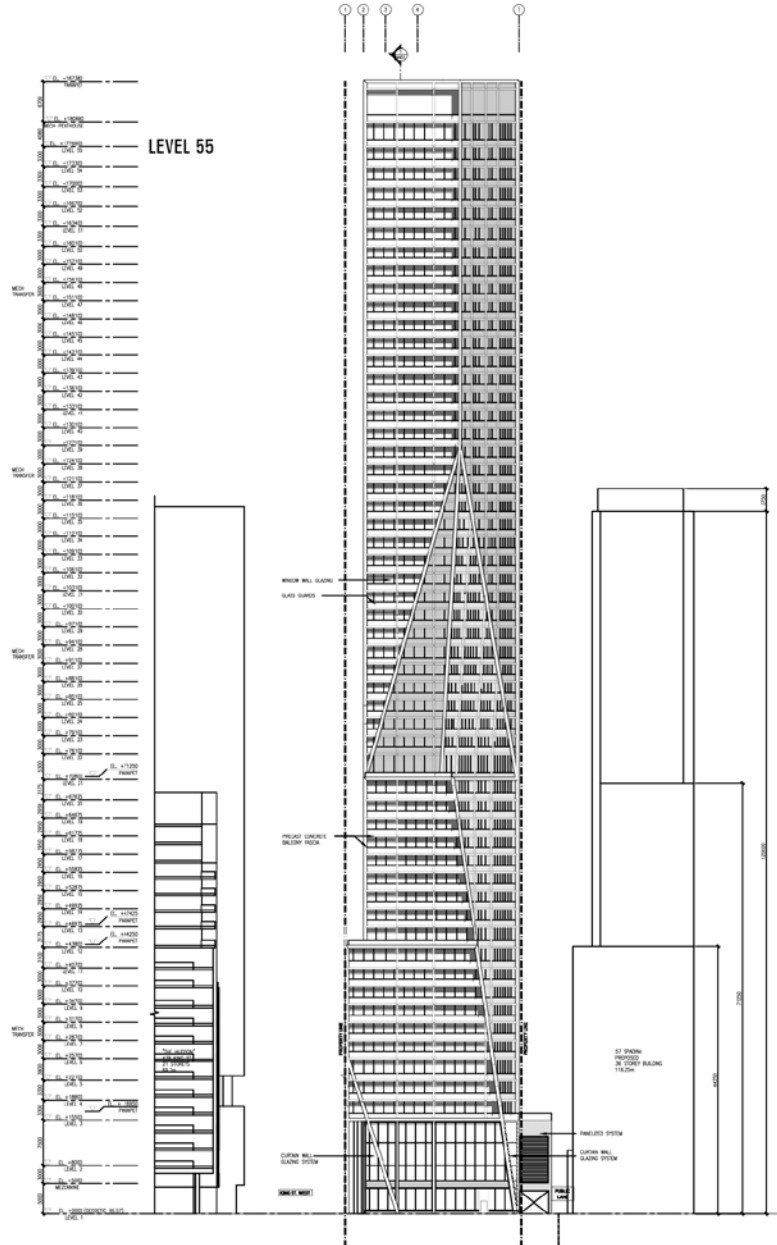
Applicant's Submitted Drawing

Not to Scale
04/04/2016

401-415 King Street West

File # 10_197695_STE 20 0Z

Attachment 3: West Elevation



West Elevation

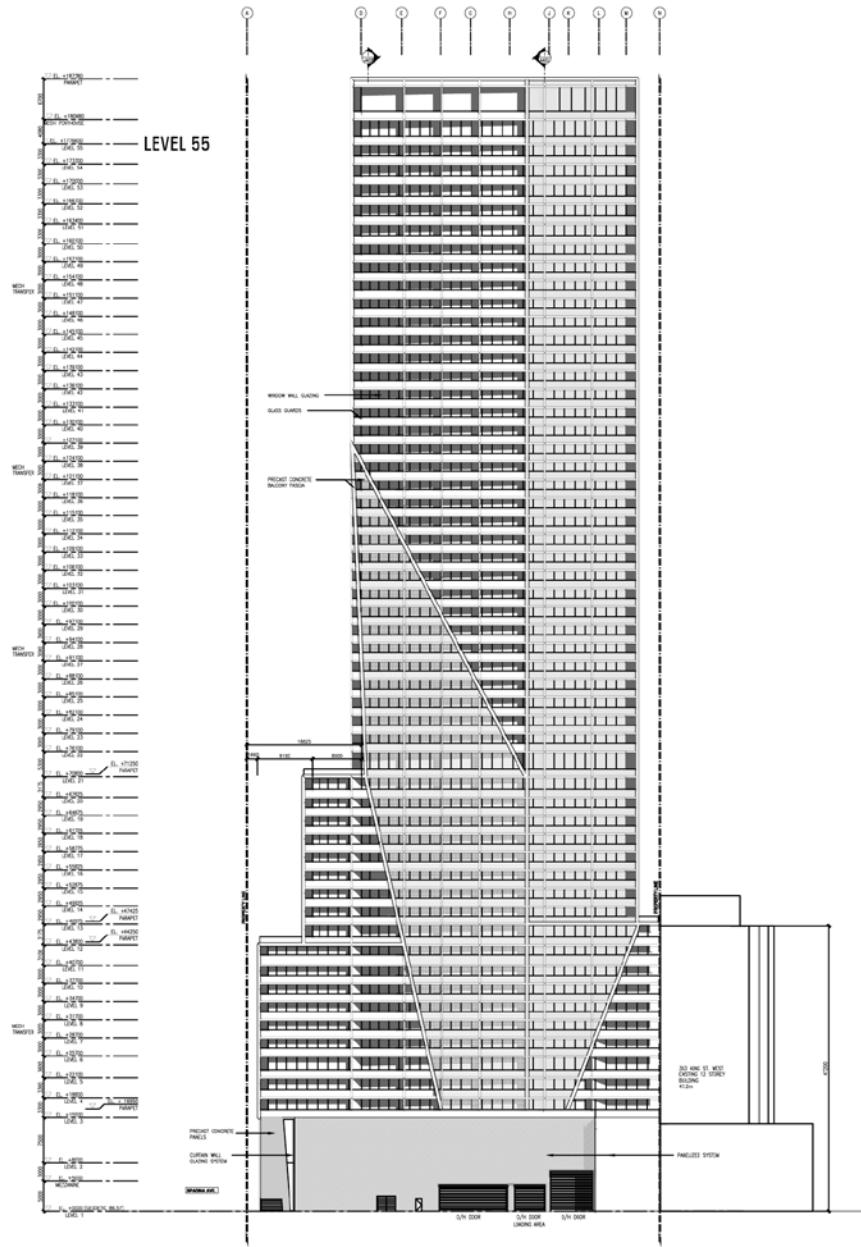
Applicant's Submitted Drawing

Not to Scale
04/04/2016

401-415 King Street West

File # 10_197695_STE 20 0Z

Attachment 4: South Elevation



South Elevation

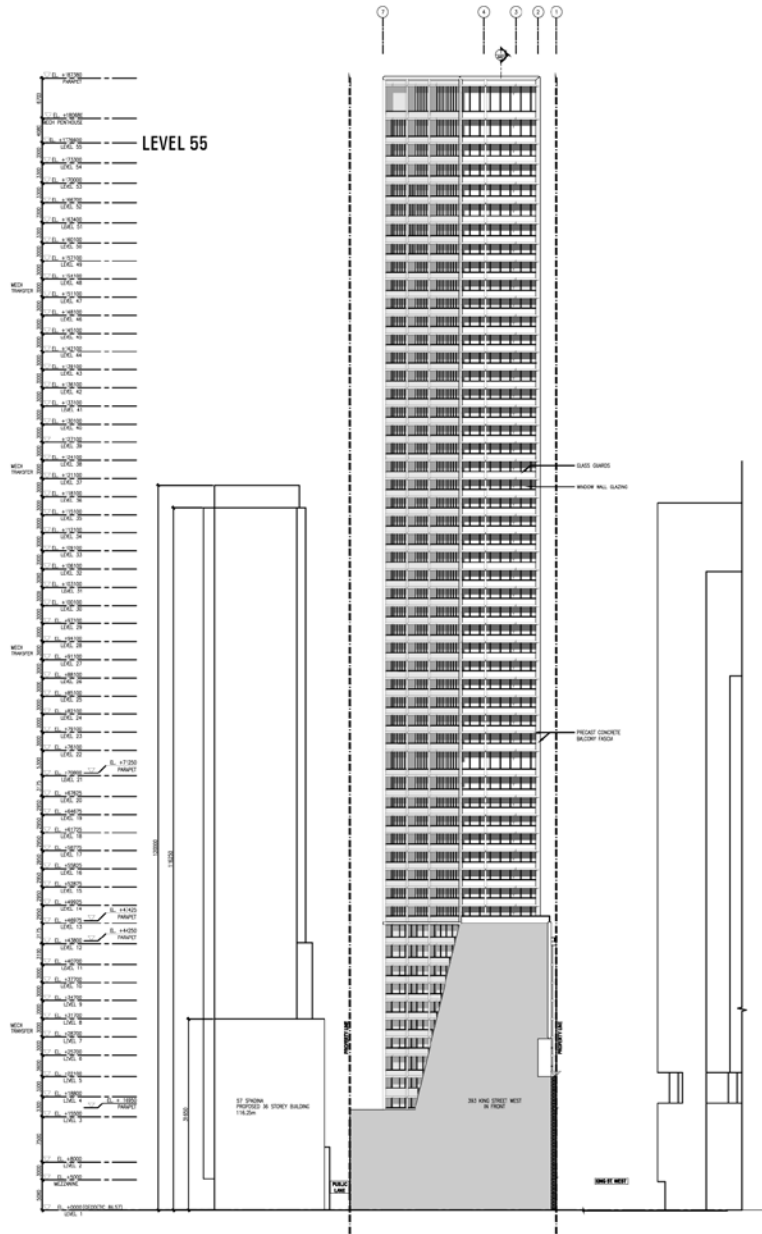
Applicant's Submitted Drawing

Not to Scale
04/04/2016

401- 415 King Street West

File # 10_197695_STE 20 0Z

Attachment 5: East Elevation



East Elevation

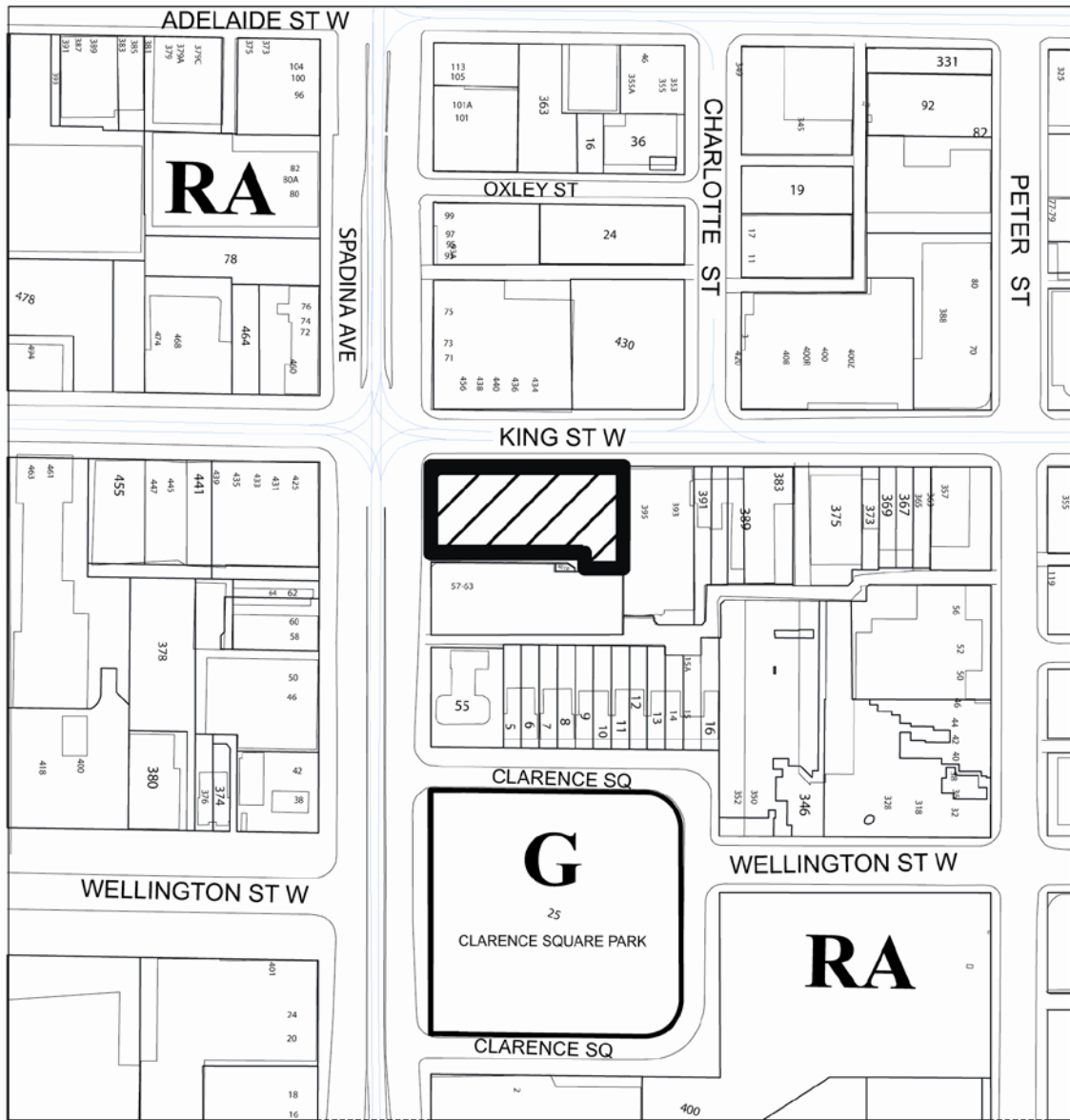
Applicant's Submitted Drawing

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04/04/2016

401- 415 King Street West

File # 10_197695_STE 20 0Z

Attachment 6: (By-law No. 438-86)




TORONTO City Planning
Zoning

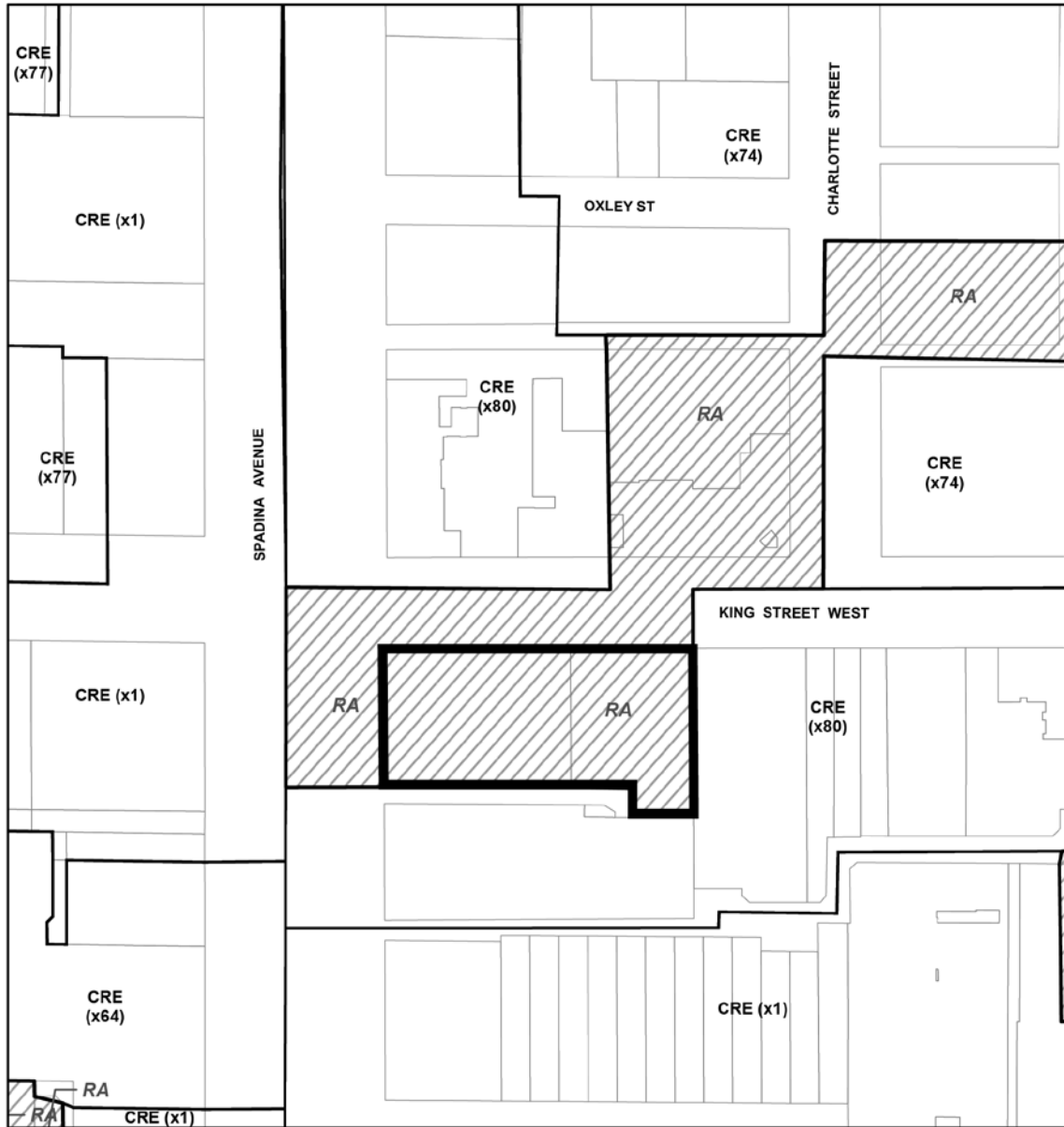
401, 407 - 409 and 415 King Street

File # 10_197695

-  Site Location
- RA** Mixed-Use District
- G** Parks District


 Not to Scale
 Zoning By-law 438-86 as amended
 10/27/10 - MH

Attachment 7: (By-law No. 569-3013)



Zoning By-law 569-2013

401- 415 King Street West

File # 10 197695 STE 20 0Z

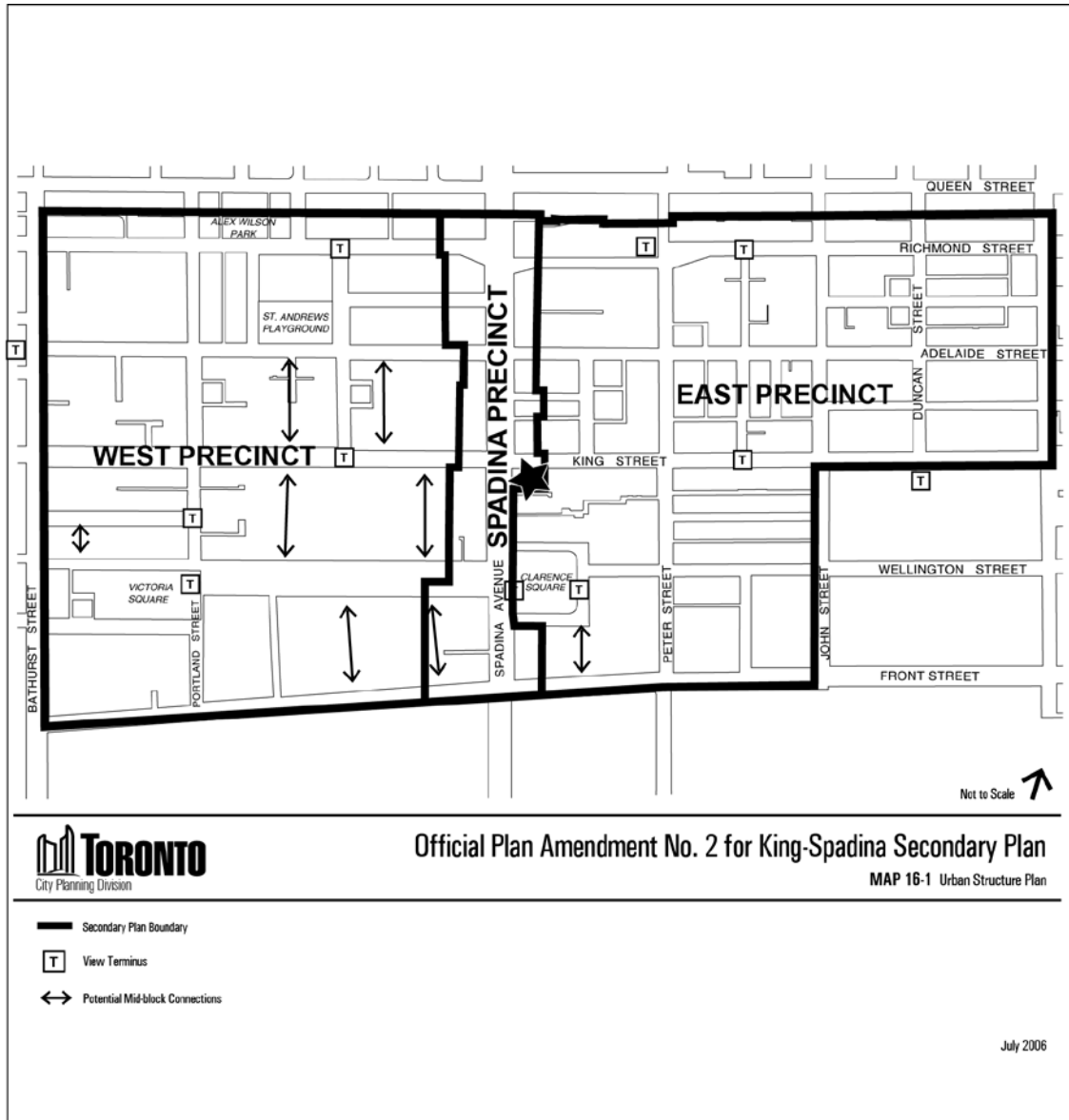
 Location of Application
CRE Commercial Residential Employment

 See Former City of Toronto Bylaw No. 438-86
RA Mixed-Use District



Not to Scale
 Extracted: 04/05/2016

Attachment 8: King-Spadina Secondary Plan Review – Urban Structure Plan



Official Plan Amendment No. 2 for King-Spadina Secondary Plan
MAP 16-1 Urban Structure Plan

- Secondary Plan Boundary
- View Terminus
- Potential Mid-block Connections

July 2006

TORONTO City Planning
Official Plan Amendment No. 2
for King-Spadina Secondary Plan

401- 415 King Street West

File # 10_1197695_STE 20 0Z

SUBJECT SITE - 401- 415 KING STREET WEST

Not to Scale
04/04/2016

Attachment 9: Application Data Sheet

Application Type	Rezoning	Application Number:	10 197695 STE 20 OZ
Details	Rezoning, Standard	Application Date:	June 16, 2010
Municipal Address:	401-409 KING ST W		
Location Description:	**GRID S2015		
Project Description:	Standard rezoning application for construction of new 55-storey mixed-use building (187 metres to the top of the mechanical penthouse) containing 2,273 square metres of retail use on two floors with residential above. A total of 615 residential units are proposed with 431 parking spaces in a 5 level underground parking garage.		

Applicant:	Agent:	Architect:	Owner:
Bousfields Inc			Terracap Management Inc

PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	
Zoning:	RA	Historical Status:	
Height Limit (m):	30, 0, 0	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	2108.2	Height: Storeys:	57
Frontage (m):	68.2	Metres:	187
Depth (m):	34.2		
Total Ground Floor Area (sq. m):	1776		Total
Total Residential GFA (sq. m):	45762	Parking Spaces:	221
Total Non-Residential GFA (sq. m):	2452	Loading Docks	4
Total GFA (sq. m):	48214		
Lot Coverage Ratio (%):	84		
Floor Space Index:	22.9		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:				Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):		45762	0
Bachelor:	27	Retail GFA (sq. m):		2452	0
1 Bedroom:	403	Office GFA (sq. m):		0	0
2 Bedroom:	137	Industrial GFA (sq. m):		0	0
3 + Bedroom:	48	Institutional/Other GFA (sq. m):		0	0
Total Units:	615				

CONTACT: PLANNER NAME: Dan Nicholson, Planner
TELEPHONE: (416) 397-4077