

**224 King Street West – Rezoning Application – Request for Directions Report**

<b>Date:</b>	February 16, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	09 104390 STE 20 OZ

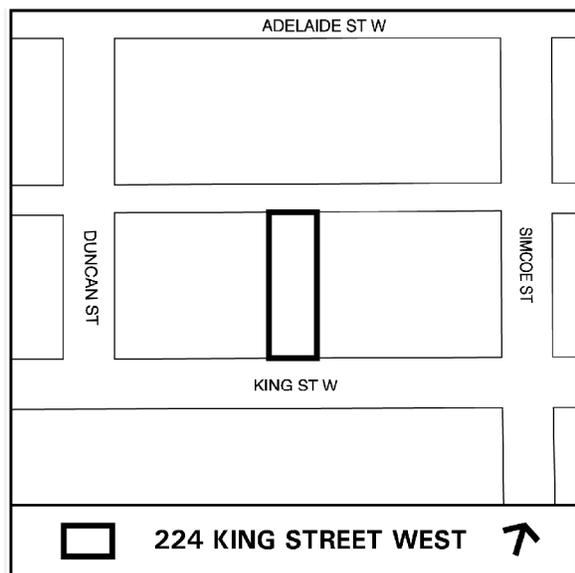
**SUMMARY**

This application was made after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applicant has appealed the Zoning By-law amendment to the Ontario Municipal Board (OMB) due to Council’s failure to make a decision on the application within the time allotted by the Planning Act.

The application proposes a 45 storey tower at 224 King Street West, mid-block within a streetscape of low-scale heritage buildings. The proposal consists of 200 residential units, commercial uses at grade and 100 below grade parking spaces.

The proposal represents an over-development of the property that is not consistent with the planning policy framework. Its proposed height exceeds the Zoning By-law permission by approximately 130 m, and is significantly out of scale with its adjacent built form context. It overwhelms the uniquely intact heritage streetscape within which it is located and does not contribute to a coherent streetwall. Its approval could set a negative precedent that could



fundamentally alter the urban structure of the warehouse and heritage areas within King-Spadina and encourage the erosion of intact heritage streetscapes. It could also set a negative precedent for approving excessively tall development within areas that have been studied and found to be unsuitable for significant height.

The purpose of this report is to seek City Council's direction for the City Solicitor, together with Planning and appropriate City staff, to oppose the proposal 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 oppose the applicant's appeal respecting the Zoning By-law Amendment application for 224 King Street West (File 09-104390 STE 20 OZ), and attend any Ontario Municipal Board hearings in opposition to such appeal, and retain such experts as the City Solicitor may determine are needed in support of the position recommended in this report.
2. City Council authorize the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, to secure services, facilities or matters pursuant to Section 37 of the Planning Act, as may be required by the Chief Planner, should the proposal be approved in some form by the Ontario Municipal Board.
3. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

### **King Spadina Secondary Plan Review**

In 2005, a review of the King-Spadina Secondary Plan was initiated by Council to evaluate specific matters related to entertainment uses in the area, community infrastructure, built form policies and the policies related to the public realm. In September 2006, City Council enacted amendments to the King-Spadina Secondary Plan and RA zoning to update the planning framework for the Plan area (Official Plan Amendment No. 2/ By-law 921-2006 and Zoning By-law Amendment 922-2006).

The amendments represent Council's current position on the planning framework for the King-Spadina Plan Area. The amendments to the Secondary Plan refined certain policies and updated maps to reinforce the original intent of the Secondary Plan to protect and enhance the King-Spadina area's unique physical attributes and heritage warehouse character. A new Policy 3.7 provides criteria for considering tall buildings in certain parts of the East Precinct, which include setbacks above the base building and a requirement to

not export facing distance constraints onto adjacent sites. Zoning By-law Amendment 922-2006 includes a provision that permits an additional 5 metres of building height, including mechanicals, subject to the mechanicals being wrapped and falling within a 45 degree angular plane from the street.

The amendments are currently under appeal to the Ontario Municipal Board by some area owners and developers. A series of pre-hearing conferences have resulted in many appeals being withdrawn or settled. The pre-hearing has been deferred with the consent of all parties, until May 2010.

### **King Spadina East Precinct Built Form Study**

In April 2008, Council directed staff to undertake a study of the built form in the East Precinct of the King-Spadina Secondary Plan Area, in response to the large number of applications that continued to challenge the planning framework of the East Precinct area. This study recognizes areas within the East Precinct, identified as Second Tier height areas, that can accommodate more height than currently permitted as-of-right. Achieving additional height is subject to meeting criteria for development as set out in the King-Spadina Secondary Plan, the 2006 King-Spadina Urban Design Guidelines and the City's Tall Building Guidelines, and subject to providing an appropriate contribution pursuant to Section 37 of the *Planning Act*. Any proposal seeking a Second Tier height beyond the current zoning permission of 30 m plus 5 m for mechanical will be required to undergo a rezoning process. This framework was endorsed by City Council at its meeting of September 30, October 1, 2009.

The subject site is not within a Second Tier height area. It is in a portion of King Street West that has a uniquely intact heritage character and that is not considered appropriate for development beyond the as-of-right height of 30 m plus 5 m mechanical.

### **PRE-APPLICATION DISCUSSIONS**

A pre-application meeting was held with the applicant in late 2008. At the meeting, staff indicated that the significant height and built form proposed was inappropriate for the site given its physical and planning policy context.

### **ISSUE BACKGROUND**

#### **Discussions with the Applicant**

Staff met with the applicant in May 2009 to discuss the proposal, in particular the issues of height and a proposed forecourt on King Street. At the meeting, the applicant indicated a willingness to explore changes to the podium and forecourt, to effect a reduction in height and increase in setbacks. However, the applicant indicated after the community consultation meeting in September 2009 that there would not be a revised submission.

#### **Proposal**

The proposal consists of a 45 storey building (164.3 m including mechanical and roof-top architectural elements) with a 4-storey podium containing commercial (restaurant) uses at

grade. It proposes a 350 sq. m forecourt on the King Street West frontage which would have set the proposed building back approximately 18 m from the front property line. The proposal includes 100 below grade parking spaces for residents accessed from two vehicle elevators via Pearl Street. No vehicular or bicycle parking spaces for visitors are included in the proposal.

The proposal contains 200 residential dwelling units, comprising approximately 20,117 sq. m of residential gross floor area. The proposed commercial uses comprise approximately 643 sq. m of non-residential gross floor area. The proposed density is approximately 20.17 times the area of the lot.

Further details are provided in Attachment 1: Site Plan, Attachments 2-5: Elevations, and Attachment 7: Application Data Sheet.

### **Site and Surrounding Area**

The site is rectangular in shape and is located mid-block on the north side of King Street West between Simcoe and Duncan Streets. It extends the full depth of the block with frontage on both King and Pearl Streets. The site is approximately 1,030 sq. m in area, with a frontage of approximately 18.2 m and a depth of approximately 56.3 m. It is currently used as a commercial parking lot.

The site is surrounded by the following uses:

North: in the block to the north are 3-5 storey warehouse buildings, a one-storey nightclub, and a parking lot.

South: Directly to the south of the site is Metro Hall Square, as well as the Metro Hall office complex and Roy Thomson Hall. These properties are outside of the King-Spadina planning area.

East: to the immediate east of the site are three heritage warehouse buildings of 5-6 storeys. The property immediately to the east and the property at the end of the block (220 and 212 King Street West) are listed on the City of Toronto Inventory of Heritage Properties; the property between these two listed properties (214-218 King Street West) is designated under Part IV of the Ontario Heritage Act. The area further east, beginning on the east side of Simcoe Street, is outside of the King-Spadina planning area.

West: the Royal Alexandra Theatre property (3-4 storeys) is located immediately adjacent to the site (260 King Street West). It is designated under Part IV of the Ontario Heritage Act. Immediately west of the Royal Alexandra Theatre is a 5 storey building (266-270 King Street West) that is listed on the City of Toronto Inventory of Heritage Properties. On the block immediately west are a number of 4-5 storey warehouse buildings, two of which are listed on the City of Toronto Inventory of Heritage Properties (276 King Street West and 322 King Street West), and the Princess of Wales Theatre (300 King Street West).

Attachment 9 illustrates the location of heritage buildings surrounding the site and within the larger King Spadina East Precinct area.

### **Planning Act, 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(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; 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 Provincial Policy Statement 2005 (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. Its objectives include: building strong communities; wise use and management of resources, including cultural heritage resources, over the long term; and carefully managing land use to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Section 3(5) of the *Planning Act* requires City Council's planning decisions to be consistent with the PPS.

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 King-Spadina Secondary Plan is one of 27 secondary plans to remain in-force with the enactment of the new Official Plan. Furthermore, the King-Spadina Secondary Plan area was reviewed in its entirety in 2006, with amendments (By-laws 921-2006 (OPA 2), and 922-2006) adopted by Council. The amendments reinforced and strengthened the in-force planning framework. In addition, the East Precinct of King-Spadina, which contains the subject site, was studied in detail in 2008-2009. The recommendations of the King-Spadina East Precinct Built Form Study were approved by Council in September 2009. The planning framework recommended by the Built Form Study is discussed elsewhere in the report.

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.

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 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 indicates that where a tall building is appropriate, it should have a base at an appropriate scale for the street and that integrates with adjacent buildings, a middle with a floor plate size and shape with appropriate dimensions for the site, and a top that contributes to the skyline character. Policy 3.1.3.2 requires new tall development to address key urban design considerations, including:

- meeting the built form principles of the Official Plan;

- demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure;
- demonstrating how the proposed building and site design relate to the existing and/or planned context;
- taking into account the relationship of the site to topography and other tall buildings;
- providing high quality, comfortable and usable publicly accessible open space areas; and
- meeting other objectives of the Official Plan.

Section 3.1.5 deals with the City’s heritage resources. Policy 3.1.5.1 seeks to conserve significant heritage resources through listing or designating properties, and designating areas with a concentration of heritage resources as Heritage Conservation Districts and adopting conservation and design guidelines to maintain and improve their character. Policy 3.1.5.2 requires that development adjacent to listed or designated heritage buildings respect the scale, character and form of the heritage buildings.

The site is designated as a *Regeneration Area*, the boundaries of which correspond with the boundaries of the King-Spadina Secondary Plan Area. The *Regeneration Area* designation permits a wide range of uses, including the proposed residential and commercial uses. Section 4.7.2 of the Official Plan provides development criteria in Regeneration Areas, which is to be guided by a Secondary Plan. The Secondary Plan will provide guidance through urban design guidelines related to each *Regeneration Area*’s unique character, greening, community improvement and community services strategies, and a heritage strategy identifying important resources, conserving them and ensuring new buildings are compatible with adjacent heritage resources, and environmental and transportation strategies.

### **King-Spadina Secondary Plan**

The subject site is located within the King-Spadina Secondary Plan area. The King-Spadina Secondary Plan (Chapter 6.16 of the Official Plan) provides a framework for reinvestment and development, the fundamental intent of which is to encourage reinvestment for a wide range of uses in the context of a consistent built form that relates to the historic building stock and the pattern of streets, lanes and parks.

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; lower levels are to provide public uses accessed from the street;
- encourage servicing and parking to be accessed from lanes rather than streets and minimize pedestrian/vehicular conflicts;
- site new buildings for adequate light, view and privacy; compatibility with the built form context;

- new buildings 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;
- provide appropriate proportional relationships to streets and open spaces; and minimize wind and shadow impacts on streets and open spaces;
- provide coordinated streetscape and open space improvements; and
- provide high quality open spaces.

Heritage policies in Section 4 acknowledge that heritage buildings are essential elements of the physical character of King Spadina. Policy 4.3 requires that new buildings achieve a compatible relationship to the heritage buildings within their context through consideration of matters including height, massing, scale, setback, stepbacks, roof line and profile, and architectural character and expression.

Policy 6.3(b) encourages the removal of surface parking lots, in particular those around heritage buildings.

The Urban Structure Plan identifies a number of “Significant Streets”. King Street West is identified as a Significant Street. Its quality and character is intended to be enhanced through zoning, design guidelines and streetscape improvement programs.

### **King-Spadina Secondary Plan Review**

OPA No. 2 (By-law 921-2006), which is under appeal to the Ontario Municipal Board, proposed amendments to the King-Spadina Secondary Plan that are intended to further clarify and reinforce the fundamental intent of the Secondary Plan, re-emphasizing that new development should respond to the unique physical character of the area, including the scale and character of historic buildings and the pattern of the public realm.

Specifically, new Policy 2.2 notes that the scale and character of the historic buildings and pattern of the public realm will be protected and enhanced. New Policy 3.2 (b)(iii) identifies King Street West as a special character street. It is an important main street with a vibrant commercial character and historic buildings of varying scale. The street’s function, character and historic scale should be reinforced. Further, new Policy 3.2 (c) states that development throughout the King Spadina Area is to reinforce the historic built form context, and that Heritage Areas as identified in Map 16-2 of OPA 2 are to be considered for district designation under Part V of the *Ontario Heritage Act* (the subject site is within the King Street Heritage Area). New Policy 3.7 notes that additional height significantly in excess of existing zoning regulations may be considered for the north side of King Street between Spadina and John Streets. This does not include the stretch of King Street that contains the subject site. Where tall buildings are contemplated by this policy, proposals must demonstrate that they do not export facing distance constraints onto adjacent sites and that they do not preclude other appropriate tall buildings in the area.

## **King-Spadina Urban Design Guidelines**

The King-Spadina Urban Design Guidelines (2004) support the implementation of the King-Spadina Secondary Plan. The Guidelines do not include any additional built form guidelines for King Street east of John Street.

Updated King-Spadina Urban Design Guidelines were endorsed by Council in September 2006 as part of the Secondary Plan Review. The Guidelines seek to reinforce the physical character and identity of the area, in particular the unique heritage character. They support the Secondary Plan by providing specific direction for preserving and reinforcing the qualities that have made King Spadina such an important asset to the fabric of the City.

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 4.1.1 Heritage notes that the theatre buildings on the north side of King Street between John and Simcoe Streets provide added distinctiveness to the unique built form character of the street.

Section 4.1.3 Built Form states that the eastern part of King-Spadina is adjacent to the downtown core and financial district where there are permissions for significantly greater height. It goes on to note that the vision for, and character of, King-Spadina is distinct from the adjacent financial district and downtown core. This distinction is primarily based on the lower scale of the historic buildings. This distinction should be preserved and enhanced through new development.

Section 5 contains built form guidelines that speak to four scales: Pedestrian Scale, including weather protection, parking and loading, pedestrian links and crime prevention through environmental design; Street Wall Scale, recommending a 1:1 street proportion for the street wall and consistent setbacks; a detailed Design and Architectural Quality Scale, particularly adjacent to heritage fabric; and the Urban Scale, to be applied particularly to those applications seeking significant increases in height. Section 5.4.1 recognizes that heights transition down to the west. It also notes that heights that are beyond the permitted zoning and are anomalous with the heritage fabric of the area should not be used as precedents for development.

Section 5.4.3 deals with angular planes and setbacks to minimize shadows and ensure adequate sunlight, and strengthen the existing streetwall scale to maintain a comfortable pedestrian experience. Importantly, this section states that an overriding consideration in evaluating tall buildings is the scale and character of the existing context and the fit of the new building within this context. The mere fact that a proposal meets angular plane requirements and has no significant wind or shadow impacts may not mean it is acceptable in the context. It is also important that new tall buildings achieve adequate light view and privacy conditions and maintain these conditions should other properties on the block achieve similar development. Tall buildings are therefore to be assessed in accordance with the City's Tall Building Design Guidelines, including facing distances and minimum tower setbacks from the property line.

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

The Tall Building Guidelines provide direction on matters including the massing of buildings, building floor plates and spatial separation. Guidelines include ensuring transitions in scale between tall buildings and lower development, consistent front yard setbacks, demonstrating that the area's character and appearance of the setting of adjacent heritage buildings is preserved and enhanced.

Section 1.2 of the Guidelines encourages appropriate transitions to lower scaled development on the same block. On sites adjacent to lower scaled buildings on the block or across the street, base buildings are to be appropriately scaled; the taller building shaft should have an appropriate setback from the base in a manner that limits its visual impact on the street, open space and from neighbouring properties that are lower in scale; tall buildings should be set back from neighbouring buildings to provide transition; and angular planes should be used to limit the height of tall buildings and to ensure that they step away from the lower scaled neighbouring buildings. An angular plane of 45 degrees is often used but may vary to meet other policies.

Section 2.1 relates to building placement and orientation. It encourages the base of a tall building to be set parallel to the street and front property line, with the front façade aligned with adjacent building facades. Where the setbacks of adjacent buildings do not align, the difference should be resolved by the new base building.

Section 2.5 addresses heritage buildings. With respect to heritage buildings or sites either within or adjacent to the development site, new tall buildings will not visually impede the setting of listed/designated buildings nor block important views into areas designated as Heritage Conservation Districts; where heritage buildings are low-scaled, the base building of the tall building will respect and reflect the unique urban grain and scale, visual relationships, topography and materials of the surrounding historic buildings; any new tall building proposal affecting the setting of a listed/designated building should satisfy all requirements of the Official Plan and should demonstrate that the area's character and the appearance of the setting of a listed/ designated buildings will be preserved and enhanced.

Other guidelines in Section 3 seek to ensure appropriate street proportion of the base building, articulation of tower floorplates that are larger than 743 sq. m to break down the mass of the building, and minimum facing distances of 25 metres between towers in order to achieve appropriate light and privacy, including minimum side and rear yard tower setbacks of 12.5 metres.

### **King-Spadina East Precinct Built Form Study**

The findings of the King-Spadina East Precinct Built Form Study include the principle that heights decrease generally from east to west (University Avenue to Spadina Avenue), and from south to north (Front Street to Queen Street). Within this general height trend are areas of localized conditions. This site is within the Theatre Row area of the King Street corridor, a unique and essentially intact two-block long heritage streetscape of low-scale warehouse and theatre buildings, the majority of which are listed or designated heritage buildings. These buildings provide a consistent streetwall and frame for King Street West and Metro Hall Square. The Built Form Study does not consider Theatre Row to be an appropriate location for a tall building.

### **Zoning**

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended. The RA zoning permits a range of uses and a maximum building height of 30 metres for this site. An additional 5 metres is permitted for rooftop mechanical elements. The Zoning By-law permits development to the front lot line and to the side lot lines to a depth of 25 metres. Beyond a depth of 25 metres, a 7.5 metre setback is required. A 7.5 metre setback to the rear lot line is also required. Section 12(2)246 of the Zoning By-law requires a 3-metre setback above 20 metres on all street frontages.

By-law 922-2006, implementing the zoning by-law amendments arising from the 2006 King-Spadina Secondary Plan review, added provisions that included requirements for windows of dwelling units to maintain a minimum separation of 15 m, and 7.5 m to a lot line that is not a public street. By-law 922-2006 is under appeal to the Ontario Municipal Board.

### **Site Plan Control**

The proposed development would be subject to site plan approval. An application for site plan approval was not submitted.

### **Reasons for Application**

The Zoning By-law Amendment application proposed a building that exceeded the permitted maximum building height by 134 metres, for a height of approximately 164 m including the mechanical penthouse and architectural roof feature. A number of other variances were required for the proposal, including the following identified by the Chief Building Official:

- deficiency in required indoor and outdoor residential amenity space
- deficiency in size of parking spaces

- deficiency in amount of vehicular and bicycle parking proposed
- inadequate facing distance between exterior walls
- inadequate side yard setbacks
- balcony projections exceed the permitted maximum on Pearl Street

### **Ontario Municipal Board Appeal**

On November 24, 2009 the City Clerk’s Office received notification that the applicant filed an appeal of the Zoning By-law Amendment application to the Ontario Municipal Board, citing Council’s failure to make a decision on the application within the prescribed timelines of the *Planning Act*.

### **Community Consultation**

A community consultation meeting was held on September 29, 2009. Representatives from neighbouring buildings on the block, and representatives from a nearby residential building at 71-73 Simcoe Street, were in attendance.

Community members asked questions about the heritage buildings on the block, the number of parking spaces proposed, and noted the attractive architectural treatment of the building.

Comments and concerns included the following:

- This building will not fit in, it will “stick out like a sore thumb”.
- The proposed building blocks office windows and exhaust fans for the restaurant next door (at 220 King St. W). The zero side setback means that there will be a lack of light and privacy.
- How will the arrangements for parking and servicing impact the businesses already using Pearl Street.
- The residential building at 71 Simcoe (Symphony Place) has a similar back lane condition on Emily Street, and it is tricky getting in and out. With 200 units proposed, it may be worse on Pearl Street.
- What are the impacts for existing buildings and future development potential, how will the block evolve?

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

### **COMMENTS**

Staff support intensification as promoted by Provincial policies, however the specific location and scale of intensification must be appropriate, and the built form must respect its neighbouring scale and context, in keeping with Official Plan policies.

## **Planning Act, Provincial Policy Statement and Provincial Plans**

### **Planning Act**

The proposed development does not have adequate regard to matters of Provincial interest as required by Section 2 of the Planning Act.

In particular, Section 2(d) refers to the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; 2(h) refers to the orderly development of safe and healthy communities; 2(l) refers to the protection of the financial and economic well-being of the Province and its municipalities; and Section 2(p) refers to the appropriate location of growth and development. Policies pertaining to these items of Provincial interest are contained within the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

### **Provincial Policy Statement**

The proposal is not consistent with the PPS.

The application proposes intensification within a built-up urban area near higher-order transportation, however, the proposal does not represent a positive or appropriate form of intensification. It does not respect the level of intensification set out in the Official Plan and Secondary Plan for the area. Policy 4.5 of the PPS states that the Official Plan is the most important vehicle for implementing the PPS. Comprehensive, integrated and long-term planning is best achieved through municipal official plans, which shall identify provincial interests and set out appropriate land use designations and policies. The built form policies of the Official Plan and the King-Spadina Secondary Plan place great emphasis on ensuring that new infill development respects the scale of the surrounding context. Council-approved OPA No. 2 (By-law 921-2006) and the Council-approved planning framework for the East Precinct of King-Spadina both identify the north side of King Street West as an area of distinct low scale heritage character and clearly direct tall development to other portions of the East Precinct area. The proposed development does not represent appropriate intensification or sensitive infill as it is significantly out of scale with its adjacent context.

Section 1.1 of the PPS contains policies related to managing and directing development. Policy 1.1.2 requires that sufficient land be made available for intensification and redevelopment. This has been done through the Official Plan, the King-Spadina Secondary Plan and the Zoning By-law, which identify areas where growth and intensification are appropriate and outline the appropriate levels for intensification.

Policy 1.1.3.2 b) of the PPS requires that land use patterns accommodate a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in PPS Policy 1.1.3.3. Policy 1.1.3.3 states that planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated (emphasis added), taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety. Section 2 contains policies related to the conservation of heritage resources. These will be discussed in more detail later in this section of this report.

Policy 1.1.3.4 refers to appropriate development standards to facilitate intensification redevelopment, and compact form; and Policy 1.1.3.5 requires that planning authorities establish and implement minimum targets for intensification and redevelopment within built-up areas. These requirements are met through the built form and land use policies of the Official Plan, the King-Spadina Secondary Plan and the Zoning By-law.

Section 1.7 of the PPS contains policies related to long term economic prosperity. Policy 1.7.1 b) states that long term economic prosperity should be supported by, among other things, maintaining, and where possible, enhancing the vitality and viability of downtowns and mainstreets. The Theatre Row section of King Street West (along with the Restaurant Row section to the east) has been identified by the planning framework as a unique area with a character, scale and mix of uses that provide a draw for the King-Spadina and Entertainment District areas. The proposal could fundamentally alter the character of this mainstreet area, and could affect the qualities that make it a destination for residents and tourists to the City, particularly if it creates poor pedestrian conditions through its streetscape and wind impacts. No wind study has been submitted by the applicant. Further, this scale and intensity of development may create an economic incentive to replace other buildings within Theatre Row and other heritage areas with tall development.

Section 2.6 of the PPS contains policies related to cultural heritage and archaeology. Policy 2.6.1 states that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.” The definition for *built heritage resource* includes both designated and listed buildings. *Significant* resources are those that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people. A *cultural heritage landscape* is a place of heritage significance containing a grouping(s) of individual heritage features including structures that together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include mainstreets and neighbourhoods. *Conserved* as defined in the PPS means the protection of heritage cultural resources in such a way that their heritage values, attributes and integrity are retained. The proposed development threatens a distinctive heritage streetscape by overwhelming the existing built form and altering its character, particularly when viewed from the south side of King Street West and Metro Hall Square.

Policy 2.6.3 states that “Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.” A *protected heritage property* is one that is designated, subject to a heritage easement agreement, or other agreement related to conserving the heritage attributes of the property. In this particular case, the Royal

Alexandra Theatre is a protected heritage property contiguous to the development site. The proposal, by affecting the heritage attributes of the block, must also affect the heritage attributes of the individual buildings it is contiguous to. By virtue of its anomalous height next to a protected heritage property, it creates a new and visually incongruent focal point, particularly as seen from the south side of King Street and Metro Hall Square, that diminishes the significance of the designated Royal Alexandra Theatre building.

For the reasons outlined above, the proposed development is not consistent with the PPS.

### **Growth Plan for the Greater Golden Horseshoe**

The proposal does not conform with the Growth Plan for the Greater Golden Horseshoe.

The Growth Plan for the Greater Golden Horseshoe identifies the *Downtown* as an Urban Growth Area, to which intensification should be directed. Policy 2.2.3.6 requires Official Plans to provide a strategy and policies to achieve intensification targets identified in the Growth Plan. Policy 2.2.3.6 g) requires the Official Plan to identify the appropriate type and scale of development in intensification areas. Policy 2.2.3.7 f) requires intensification areas to be planned to achieve an appropriate transition of built form to adjacent areas.

While intensification in itself is consistent with the Growth Plan, the proposed development of this site does not conform with the Growth Plan. The proposed built form does not conform with the built form and other policies contained within the Official Plan or King-Spadina Secondary Plan, which identify that the scale of development must be compatible with the existing or planned context, including heritage context. There are opportunities throughout the King-Spadina area, the larger *Downtown and Central Waterfront* area, the four *Centres*, and the *Avenues*, for intensification to meet the growth targets of the Growth Plan. On this site, intensification to a height of 30 m (plus 5 m for mechanical elements), which is taller than the height of the adjacent heritage buildings, is permitted as-of-right. In the larger East Precinct area of King-Spadina, with the exception of significant heritage areas, significant intensification and redevelopment can be accommodated. It is not necessary or desirable to over-intensify individual development sites in order to accommodate growth projections.

Policy 4.2.4.e) of the Growth Plan requires municipalities, through Official Plan policies and other strategies, to conserve cultural heritage as built up areas are intensified. The proposed development does not meet the policies of the Official Plan or Secondary Plan with respect to the compatibility of infill development with existing heritage built form. The proposed development is out of scale with the adjacent heritage buildings and will alter the character of the distinctive heritage streetscape. If approved, other landowners within heritage contexts may seek to develop their sites in a similarly incompatible form, thus threatening the built form and integrity of other similar groupings of heritage buildings.

## **Land Use**

The proposed mix of residential and commercial uses is consistent with the land use provisions of the Official Plan, Secondary Plan and Zoning By-law. The application proposes development on a surface parking lot. Secondary Plan policies support the redevelopment of surface parking lots, however the subject proposal over-intensifies the site. It is far beyond the height contemplated by both the in-force and Council-approved planning framework for this area of King Street West, and is of an inappropriate built form that overwhelms the scale of adjacent buildings.

## **Height and Massing**

Attachment 8: Photomontage and Model Perspective illustrates the proposal in its context.

### **Height**

The proposed building height of approximately 164 m height exceeds the permitted height of 30 m plus 5 m for mechanical, by approximately 130 metres. The proposal's height exceeds all approvals in the King-Spadina area, including the TIFF/ Bell Lightbox development (157 m), which was intended as the landmark building for King-Spadina. The site is located within a unique heritage streetscape and is not within a Second Tier height area as identified in the King Spadina Built Form Study. The four blocks bounded by King Street, Simcoe Street, Adelaide Street and John Street are all similarly-scaled with 4-6 storey warehouse buildings, many of them listed in the City's Inventory of Heritage Properties. Official Plan Policy 3.1.3.2 requires new tall development to address key urban design considerations, including demonstrating how the proposed building and site design relate to the existing and/or planned context. A tall building on this site is incompatible with the adjacent scale and does not relate to the existing or planned context. The King-Spadina Secondary Plan Policy 4.3 requires that new buildings achieve a compatible relationship to the heritage buildings within their context through consideration of matters including height, massing, scale, setback, stepbacks, roof line and profile, and architectural character and expression. The height, massing, scale, setback, stepbacks, roof line and profile, and architectural character and expression bear little relation to the adjacent heritage context.

The site does not have any locational attributes that would warrant significant height. It is located in the middle of the block and the King Spadina planning framework does not identify it as a prominent location. Approving the proposed height and massing on this particular site would undermine the planning and policy framework that seeks to protect the East Precinct's heritage streetscapes and Warehouse District. Its approval could set a precedent for similar built form on similar sites with similar locational and contextual attributes, which can be found throughout the general area. This could encourage the erosion of the unique built form of this portion of King Street and the contiguous Warehouse District, by permitting an incompatible tall building that could then encourage similar over-intensification in other areas where tall development has been deemed inappropriate.

The applicant's planning rationale report argued that the site's proximity to the Financial District and other tall development within King Spadina justified the height of the proposal. The King Spadina Built Form Study recognizes that there is a downward height transition from the Financial District to Spadina Avenue, and from Front Street to Queen Street, but it also stresses that the height transition is not a continuous plane, and will vary depending on the immediate context of a site. Local context and heritage character are very important considerations in this regard. The King Spadina Built Form Study clusters height into coherent areas that could appropriately accommodate it. The intent is not to permit one-off tall buildings in otherwise low-scale areas. The recommended height provisions in the King-Spadina East Precinct Built Form Study recognize the unique urban structure of Theatre Row and its low-scale heritage streetwall. The Study determined that this stretch of King Street West is not appropriate for a tall building, particularly one located mid-block. While the Built Form Study acknowledges the possibility for additional height beyond the limits identified in the study, additional height within the Warehouse District is intended to be modest and generally in scale with the recommended 35 m height limit. The proposal does not meet built form objectives that were identified for achieving additional height

It should be noted that all built and approved tall buildings within the King-Spadina Secondary Plan area are at least 2 blocks away from the site and within areas identified as Second Tier height areas in the King-Spadina East Precinct Built Form Study. The tall buildings that are closer (Metro Hall and 200 King West) are outside of the King-Spadina planning area, within a *Mixed Use Area* in the Official Plan, and have a different set of height and density permissions in the Zoning By-law. They are in an area with a character and planning framework that is distinct from that of King-Spadina.

### **Massing**

The subject site, at approximately 18 m wide and 56 m deep, is small and narrow, similar to the size of a large single family house lot. This creates a challenge for achieving the proposed density of over 20 times the lot area. The proposed design, a very tall slim tower covering less than two-thirds of the site and with no setback along the side or rear lot lines, represents an inappropriate response to the constraints of the site. The proposed lack of setbacks impacts the as-of-right development potential of other sites on the block by exporting facing distance constraints to adjacent properties and compromising adjacent property rights. Approval of the inadequate setbacks could set a precedent whereby the development rights of adjacent landowners are compromised.

The applicant's planning rationale argues that the buildings surrounding the site are listed on the City's Inventory of Heritage Properties or designated and therefore unlikely to be redeveloped, and that the lack of side setbacks is therefore acceptable because no other tall development is anticipated on the block. However, the approval of this building may place pressure on other properties in the block to develop in a similar manner. The fact that the site is small and surrounded by listed and designated heritage buildings is not an appropriate rationale for excessive height and lack of adequate setbacks. Rather, it is a clear indication that the site is unsuitable for the proposed height, density and form of development.

This approach of over-developing one site at the expense of others on the block raises important area-wide and City-wide planning issues. If this proposal were approved and the approach replicated in other low-scale districts, there could be significant impacts on the coherence of the City's urban structure and streetscapes, and on the pedestrian experience, particularly if an anomalous tower form creates wind impacts. It compromises the redevelopment potential of adjacent landowners, and raises issues related to preventing unnecessary demolition of buildings in a low scale context to free up a site for one tall building. This approach has the potential to threaten the stability of areas whose built form attributes the planning policies seek to conserve.

### **Podium and Pedestrian Realm**

The proposal includes a large forecourt on King Street West, which has the effect of pushing all of the proposed density onto approximately two thirds of the site, driving up the height of the proposal. While landscaped, this setback is inconsistent with the adjacent streetwall and creates an interrupted streetscape that is anomalous to the East Precinct of King-Spadina.

King Spadina has a deficiency of parkland, and while a proposal for new open space is often welcomed, the open space must make a positive contribution to both the open space system and the urban structure. In the warmer months, the proposed forecourt may provide a "spillover" space for the adjacent Royal Alexandra Theatre and the commercial / restaurant space in the proposed development, but its location directly across from Metro Hall Park provides limited added value to the open space system. It also creates a "gap-tooth" in the middle of the streetscape, resulting in an inappropriate break in the streetwall.

The proposed forecourt is characterized by the applicant as a response to the Royal Alexandra Theatre, to maintain its prominence on the street. A much smaller forecourt would also maintain sightlines to the portico of the theatre and allocate density onto more of the site, while also reinforcing the predominant streetwall character along King Street. Providing new open space is an important objective for King Spadina, however, it is not an appropriate trade off for excessive height on a site that cannot appropriately accommodate it.

### **Heritage**

One of the fundamental goals of the Official Plan and Secondary Plan for this area is to reinforce and maintain the special heritage character of *Regeneration Areas* in general, and the King-Spadina area in particular. The 2006 King-Spadina Secondary Plan Review identified the King Street corridor as an area that merited study as a Heritage Conservation District. This heritage streetscape has also been identified in the King-Spadina Urban Design Guidelines (2006) as providing a distinct urban character to the area. The more recent East Precinct Built Form Study explicitly recognizes the unique heritage character of Theatre Row.

The PPS policies 2.6.1 and 2.6.3, as well as Official Plan policies 3.1.5.1 and 3.5.1.2 require significant heritage resources to be conserved. Official Plan Policy 3.1.5.1b) intends for areas with a concentration of heritage resources to be conserved by designating them as Heritage Conservation Districts and adopting conservation and design guidelines to maintain and improve their character. Limited staff resources have prevented a Heritage Conservation District study from being undertaken for Theatre Row. However, the need for such a study was identified by the 2006 King-Spadina Secondary Plan review, in Policy 3.2(c) of By-law 921-2006. Further, Policy 3.1.5.2 of the Official Plan states that development adjacent to properties on the City's Inventory of Heritage Properties will respect the scale, character and form of the heritage buildings and landscapes. Official Plan policy 4.7.2 delegates specific development criteria for *Regenerations Areas* to the Secondary Plan, while stating that the Secondary Plan should guide matters such as heritage conservation and ensuring new buildings are compatible with adjacent heritage resources, among other matters. The policies in section 3.6 and 4.3 of the King-Spadina Secondary Plan reinforce the requirement that new buildings respect the scale of their adjacent built context.

As proposed, this development does not conform with PPS, Official Plan and Secondary Plan policies that seek to conserve heritage resources and ensure that new development achieves a compatible relationship with existing built heritage. The proposal does not respect the scale of its heritage context. It does not contribute to conserving heritage attributes such as the integrity and cohesiveness of the heritage mainstreet form provided by the buildings lining the two blocks of King Street West between Simcoe and John Streets. The discordance of the proposed building mass in relation to its immediate heritage context would create an adverse visual impact on King Street and would not maintain and improve the character of the two blocks comprising Theatre Row.

Further, if approved, the proposal can encourage the demolition or substantial alteration of existing buildings in order to achieve tall development within a low-scale context, thus eroding the groupings of buildings that currently lend the Theatre Row, Restaurant Row, and Warehouse District areas of King-Spadina their distinctive sense of place.

Attachment 9 illustrates the location of heritage buildings surrounding the site and within the larger King Spadina East Precinct area.

### **Sun, Shadow, Wind**

Shadow studies submitted by the applicant showed a slim shadow that moved quickly throughout the day. The shadow did not impact any public parks. While the shadow was long, in general the proposal would not have produced unduly adverse shadow impacts on the surrounding streets and sidewalks beyond those that would occur if the surrounding area were built up with as-of-right buildings.

A wind study is required by the City as part of a development application that seeks to develop a building higher than 6 storeys or 20 m in height. The application did not include a wind study, and therefore its wind impacts at the pedestrian level are unknown. Staff have significant concerns with the potential wind impacts of this proposal as the

height and massing of the building could create effects on King Street, the portico of the Royal Alexandra Theatre, and Metro Hall Square. Wind impacts could also affect the usability of any forecourt space included within a development on the site, should some form of the proposal be approved.

### **Traffic Impact, Access, Parking, Servicing**

The original Traffic Impact Study submitted by the applicant required additional analysis and documentation. These were not fully addressed to the satisfaction of Technical Services in a revised study submitted by the applicant in September 2009.

The proposal included 100 vehicular parking spaces for residents, 155 bicycle parking spaces for residents, and no vehicular or bicycle spaces for visitors or the proposed commercial uses. The proposed vehicular and bicycle parking spaces do not meet the requirements of the zoning by-law and the applicant was required to provide further justification for the proposed parking supply. The issue was addressed in the revised Transportation Impact Study, and Technical Services staff supported a reduced parking supply for the non-residential portion of the parking requirement and a modest decrease for the residential portion of the requirement in exchange for car-share spaces. Proposed parking space dimensions do not meet requirements and additional information and vehicular path swept diagrams were required from the applicant.

Access to the parking and servicing is proposed from Pearl Street, a narrow street abutting the rear of the site that contains access to the servicing areas for many of the adjacent buildings on the block. Access to the below grade parking is proposed to be accommodated via two vehicle elevators situated just inside the property line. This would leave no space on the site for cars queuing up to access the elevators, and could lead to cars blocking Pearl Street as they wait to access their parking spaces. The applicant was required to demonstrate that the proposed number of elevators would adequately service the proposal and to accommodate vehicle waiting area on site. This has not been resolved to the satisfaction of Technical Services staff. Technical Services staff also required revisions to the applicant's Functional Servicing Report.

### **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 priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposed 200 residential units on a total site area of 0.1029 hectares (1,029 sq. m). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would have been 0.2666 hectares (2,666 sq. m). However, a cap of 10% applies and hence the parkland dedication for the development would have been 0.01029 hectares (102.9 sq. m). The non residential component of the

development was less than 1,000 sq. m and was therefore exempt from the parkland dedication requirements under section 165-7 of the Municipal Code.

The applicant proposed to satisfy the parkland dedication requirement through cash-in-lieu. This would have been appropriate as an on-site parkland dedication requirement of .01029 hectares (102.9 sq. m) would not be of a useable size and the site would be encumbered with below grade parking. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit, should the development proceed in some form.

### **Toronto Green Standard**

The application was submitted in January 2009 and was not subject to the new mandatory Green Development Standard. However, the applicant indicated that a number of green features would be included in the project. These included most minimum standards for Air, Water, and Solid Waste, and all minimums for Ecology and Energy that were part of the previous non-mandatory checklist.

Green development features should be secured in a Section 37 agreement, should some form of the development be approved.

It should be noted that Site Plan Approval will be required should some form of the development proposal be approved by the OMB. The applicant's Site Plan application will be subject to the new mandatory requirements of the Toronto Green Standard. It will also be subject to the new Green Roof By-law.

### **Section 37**

Section 37 benefits were not discussed in the absence of an agreement on height and massing, beyond an indication that the City intended to use this tool should the aforementioned issues be resolved. It is recommended that staff be authorized to negotiate an appropriate package of Section 37 benefits, in consultation with the Ward Councillor, should this proposal be approved in some form by the Ontario Municipal Board. Staff would request that the Ontario Municipal Board withhold its order until Section 37 benefits has been agreed to and appropriately incorporated into a Zoning by-law amendment, and a Section 37 agreement has been entered into between the applicant and the City and registered to the City Solicitor's satisfaction, should the OMB approve the proposed development in some form.

### **Development Charges**

It is estimated that the development charges for this project would have been approximately \$1,318,960. This is an estimate. The actual charge is typically assessed and collected upon issuance of a building permit.

## CONCLUSION

The proposal represents an inappropriate development for reasons including:

- The proposal represents an over-intensification of the site. Its massing and height (164 m – approximately 130 m taller than the permitted height, and taller than both Metro Hall and TIFF/ Bell Lightbox) do not provide an appropriate scale of development for the block, a uniquely intact streetscape of heritage theatre and warehouse buildings that form a continuous low-scale streetwall;
- The proposal does not have adequate regard to certain matters of Provincial interest as outlined in the *Planning Act* for reasons discussed in this report;
- The proposal is not consistent with the PPS and does not conform with the Growth Plan for reasons discussed in this report;
- The proposal does not conform with nor maintain the intent of the Official Plan policies, including policies related to heritage, built form, or tall buildings, with respect to an appropriate relationship with its context;
- The proposal does not conform with nor maintain the intent of the King-Spadina Secondary Plan, including the objectives of ensuring new development is compatible with the built form context and heritage character of the adjacent buildings, and ensuring that massing provides appropriate proportional relationships;
- The proposal could create a negative precedent with respect to the King-Spadina East Precinct Built Form Study by, among other things, proposing significant height in an area that was not identified as appropriate for tall buildings;
- The height and massing of the proposal, if approved, has the potential to set a negative precedent for other applications within heritage blocks in King-Spadina, and could undermine the goals of preserving the remaining heritage character and ensuring that new development is compatible in scale with heritage buildings;
- The proposal could set a negative precedent that could encourage demolition or significant changes to heritage and other buildings within the Warehouse District to achieve significant height increases and/or high densities that bear no resemblance to the in-force planning regime;
- The tower portion of the proposal does not provide appropriate separation from adjacent sites, does not provide a transition to adjacent low scale development, and does not demonstrate the preservation or enhancement of the setting of heritage buildings, as required by the Tall Buildings Guidelines. A tall building is not appropriate for this site, and therefore the Tall Buildings Guidelines have not been the focus of this report. However, approval of this proposal could compromise the application of the Tall Buildings Guidelines to other sites where significant height may be appropriate;
- The proposal provides no setback from the side lot lines, which can compromise quality of life for future residents, and the development rights of adjacent landowners; and

- The lack of side setbacks compromises Council-approved OPA 2 by exporting facing distance constraints onto adjacent sites.

There is no question that appropriate intensification and development of surface parking lots are planning goals in King-Spadina. City Planning staff are prepared to consider development on the site but only in a manner that is respectful of the existing planning policy framework, including heritage context and scale. The conservation of heritage character is a fundamental goal of the King-Spadina planning framework, and its importance has been reinforced by all subsequent studies. Sensitive infill, complementary to the heritage character and at the existing scale of the heritage streetwall, is supported by the King-Spadina Secondary Plan, the 2006 King-Spadina Urban Design Guidelines, and OPA 2. In particular, King Street's "Theatre Row" on the north side between Simcoe and John Streets, as well as "Restaurant Row" on the south side west of John Street, should be protected in terms of visual character and scale. The proposed height and massing overwhelm the streetscape and are detrimental to the character of this portion of King Street West. The proposal is inappropriate and unsupportable and does not represent good planning.

## **CONTACT**

Judy Josefowicz, Senior Planner  
Tel. No. 416-392-1306  
Fax No. 416-392-1330  
E-mail: [jjosefo@toronto.ca](mailto:jjosefo@toronto.ca)

Christopher Dunn, Planner  
Tel. No. 416-397-4077  
Fax No. 416-392-1330  
E-mail: [cdunn@toronto.ca](mailto:cdunn@toronto.ca)

## **SIGNATURE**

---

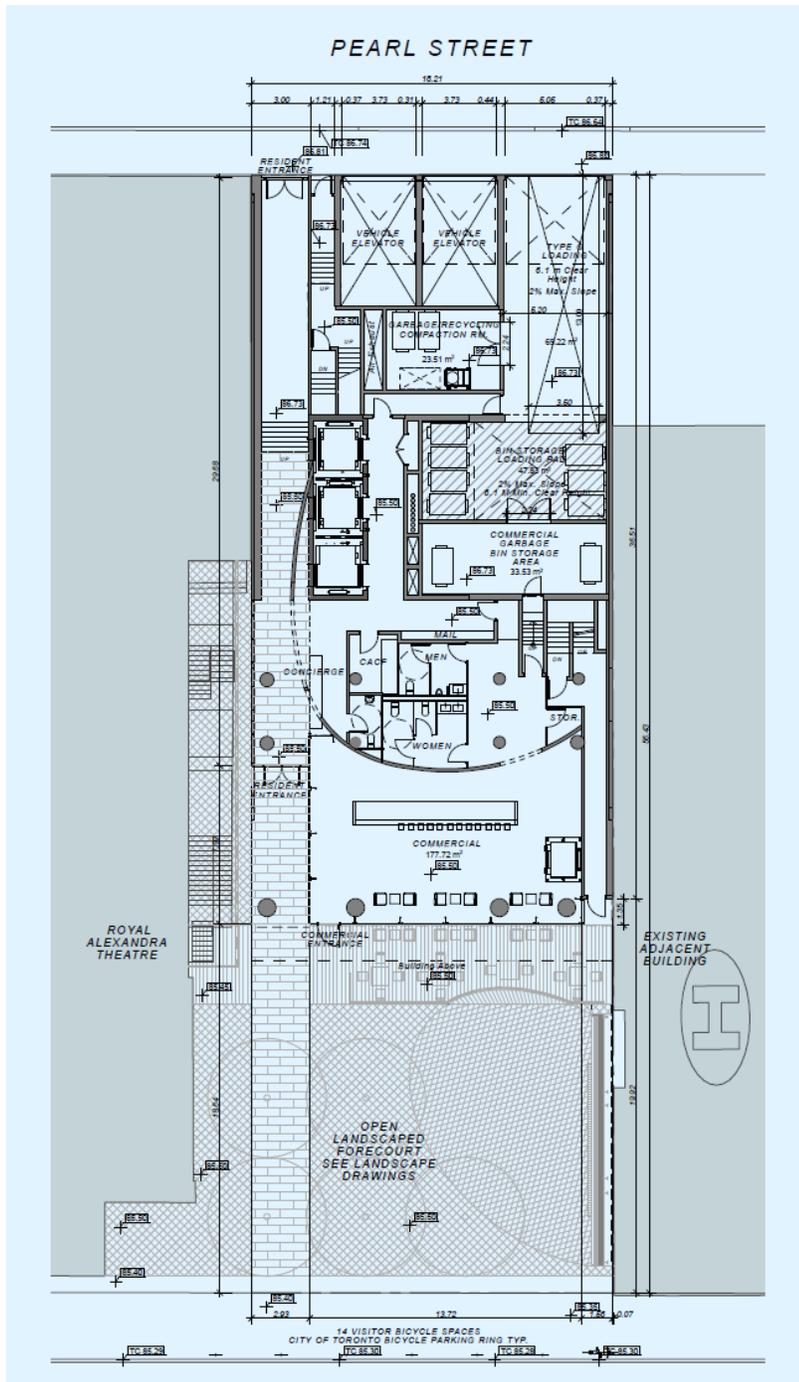
Raymond David, Director  
Community Planning, Toronto and East York District

(P:\2010\Cluster B\pln\teycc\8598723090.doc)

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: South Elevation  
Attachment 3: East Elevation  
Attachment 4: West Elevation  
Attachment 5: North Elevation  
Attachment 6: Zoning  
Attachment 7: Application Data Sheet  
Attachment 8: Photomontage and Model Perspective of Proposal  
Attachment 9: Heritage Context

## Attachment 1: Site Plan



**Site Plan  
West**

**224 King Street**

Applicant's Submitted Drawing  
Not to Scale

File # 09 104390 STE 20 OZ

---

## Attachment 2: South Elevation



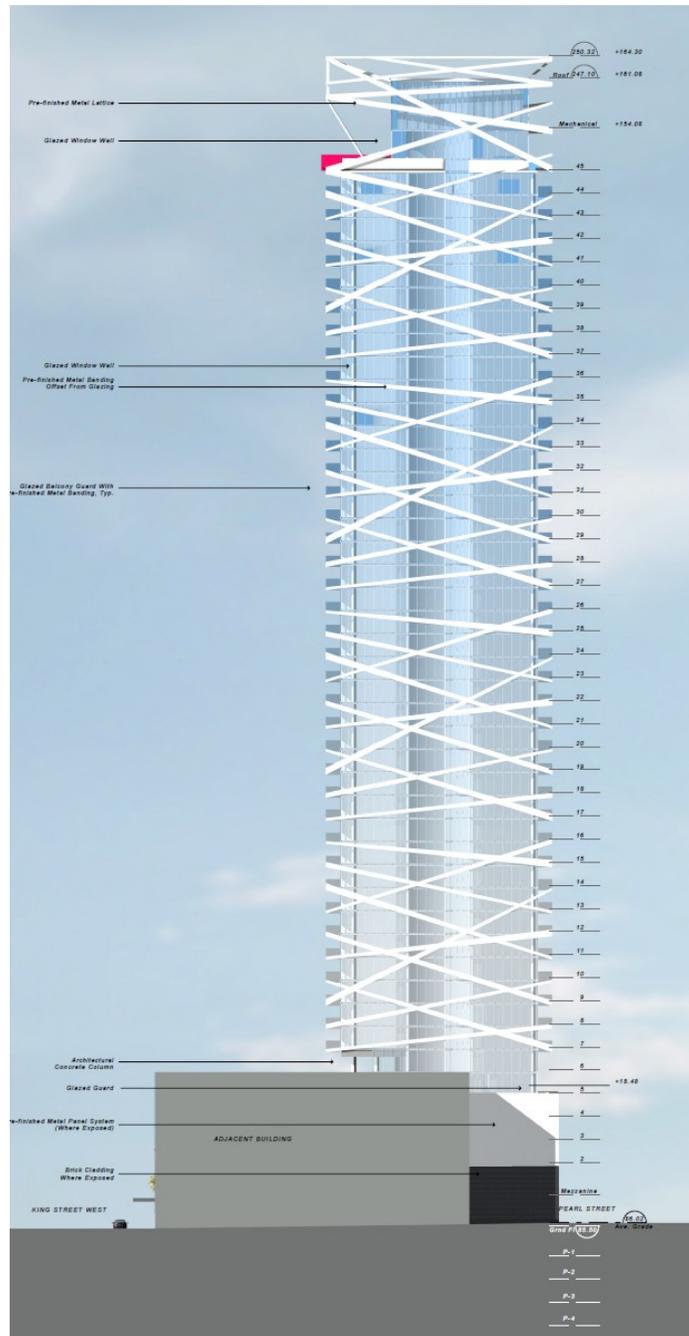
**South Elevation  
West**

Applicant's Submitted Drawing

**224 King Street**



### Attachment 3: East Elevation



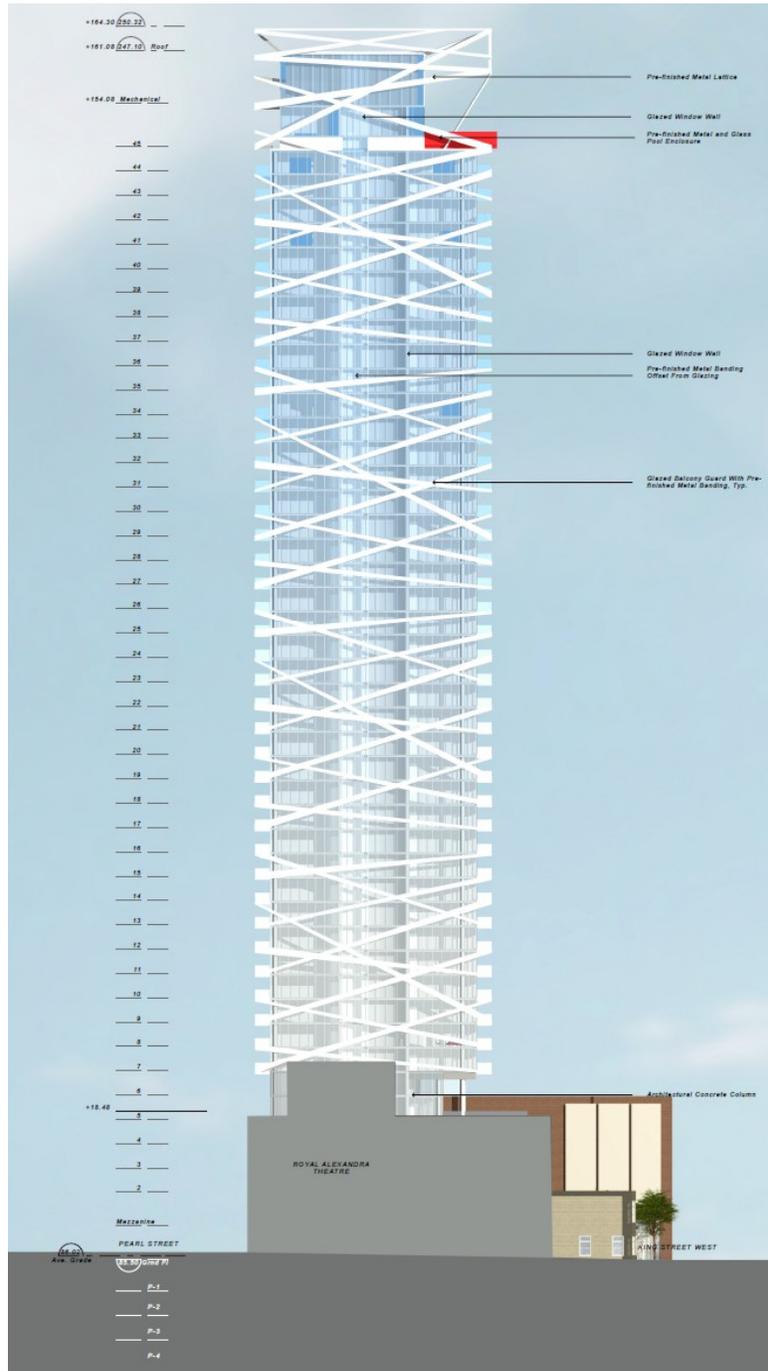
## East Elevation West

Applicant's Submitted Drawing

## 224 King Street



## Attachment 4: West Elevation



### West Elevation West

Applicant's Submitted Drawing  
Not to Scale

224 King Street

File # 09 104390 STE 20 OZ

## Attachment 5: North Elevation



**North Elevation  
West**

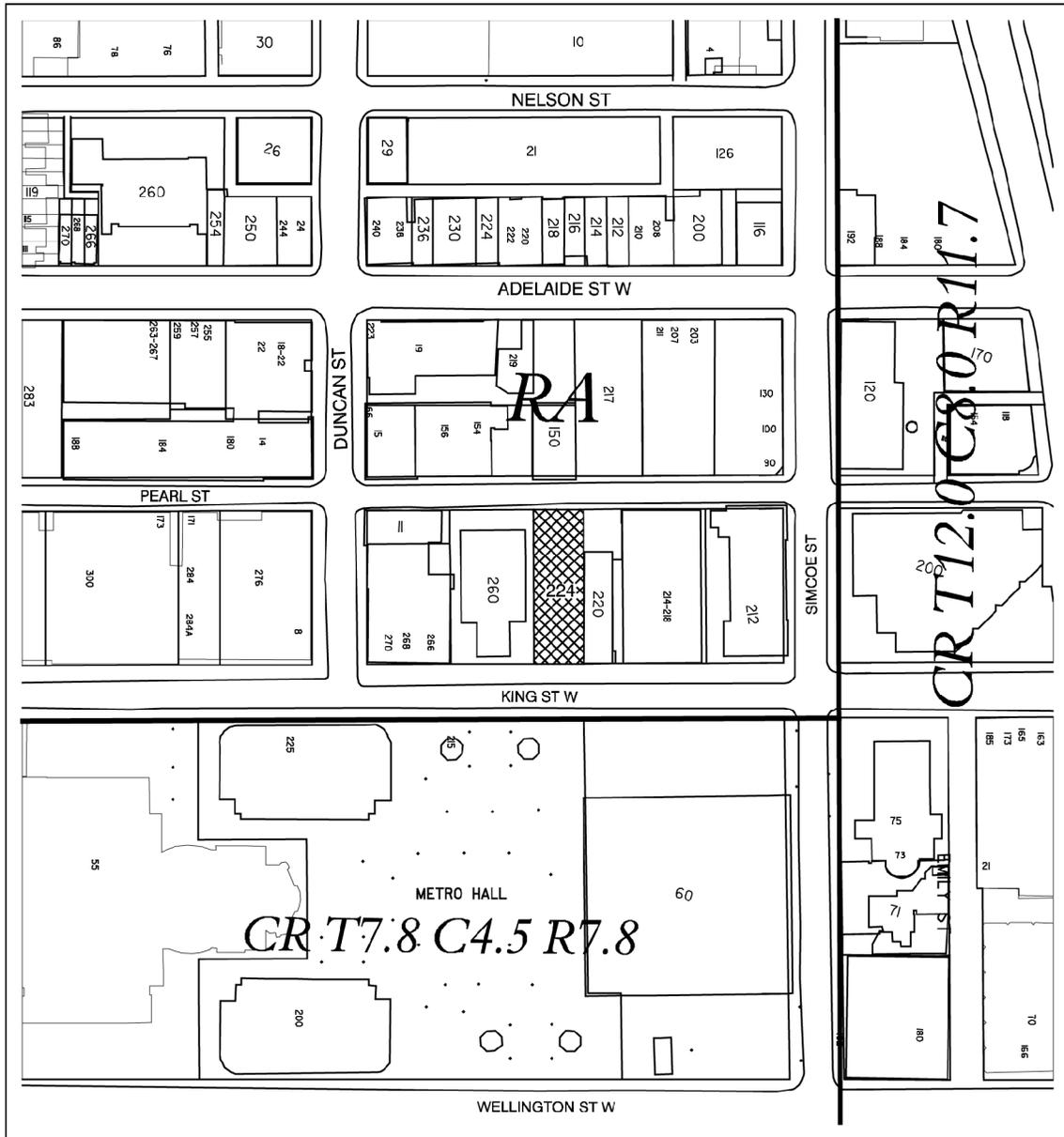
**224 King Street**

Applicant's Submitted Drawing  
Not to Scale

File # 09 104390 STE 20 OZ

---

# Attachment 6: Zoning



224 KING STREET WEST

File # 09\_104390

- CR Mixed-Use District
- RA Mixed-Use District



Not to Scale  
 Zoning By-law 438-86 as amended  
 Extracted 02/18/09 - DR

## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	09 104390 STE 20 OZ
Details	Rezoning, Standard	Application Date:	January 22, 2009

Municipal Address: 224 KING ST W  
 Location Description: PL 223E PT BLK D \*\*GRID S2015  
 Project Description: Zoning amendment application to permit a new 45 storey mixed-use building comprised of 200 residential dwelling units, 644m<sup>2</sup> of commercial space and 100 parking spaces including 4 car share spaces.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
AIRD AND BERLIS		Architects Alliance	224 KING WEST INC.

### PLANNING CONTROLS

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

### PROJECT INFORMATION

Site Area (sq. m):	1029.5	Height:	Storeys:	45
Frontage (m):	18.27		Metres:	164.3
Depth (m):	56.43			
Total Ground Floor Area (sq. m):	413.8			<b>Total</b>
Total Residential GFA (sq. m):	20116.9		Parking Spaces:	100
Total Non-Residential GFA (sq. m):	643.6		Loading Docks	1
Total GFA (sq. m):	20760.5			
Lot Coverage Ratio (%):	40			
Floor Space Index:	20.17			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	30
1 Bedroom:	85
2 Bedroom:	70
3 + Bedroom:	15
Total Units:	200

### FLOOR AREA BREAKDOWN (upon project completion)

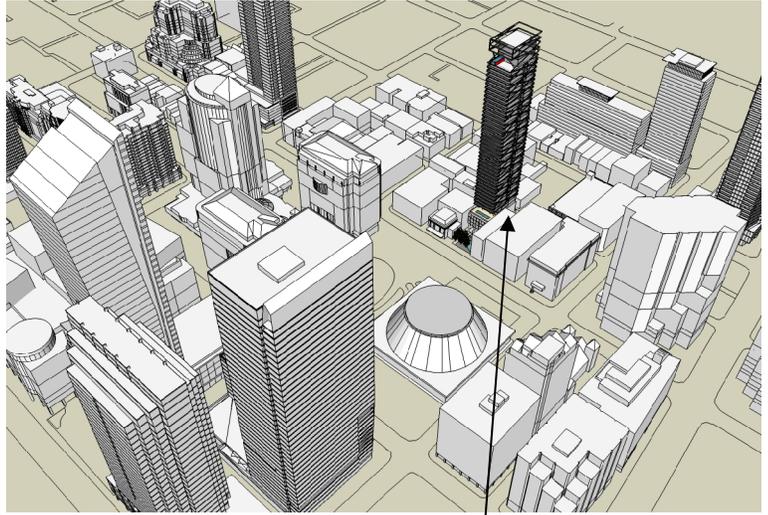
	Above Grade	Below Grade
Residential GFA (sq. m):	20116.9	0
Retail GFA (sq. m):	643.6	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Judy Josefowicz, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 392-1306</b>

**Attachment 8: Photomontage and Model Perspective of Proposal**



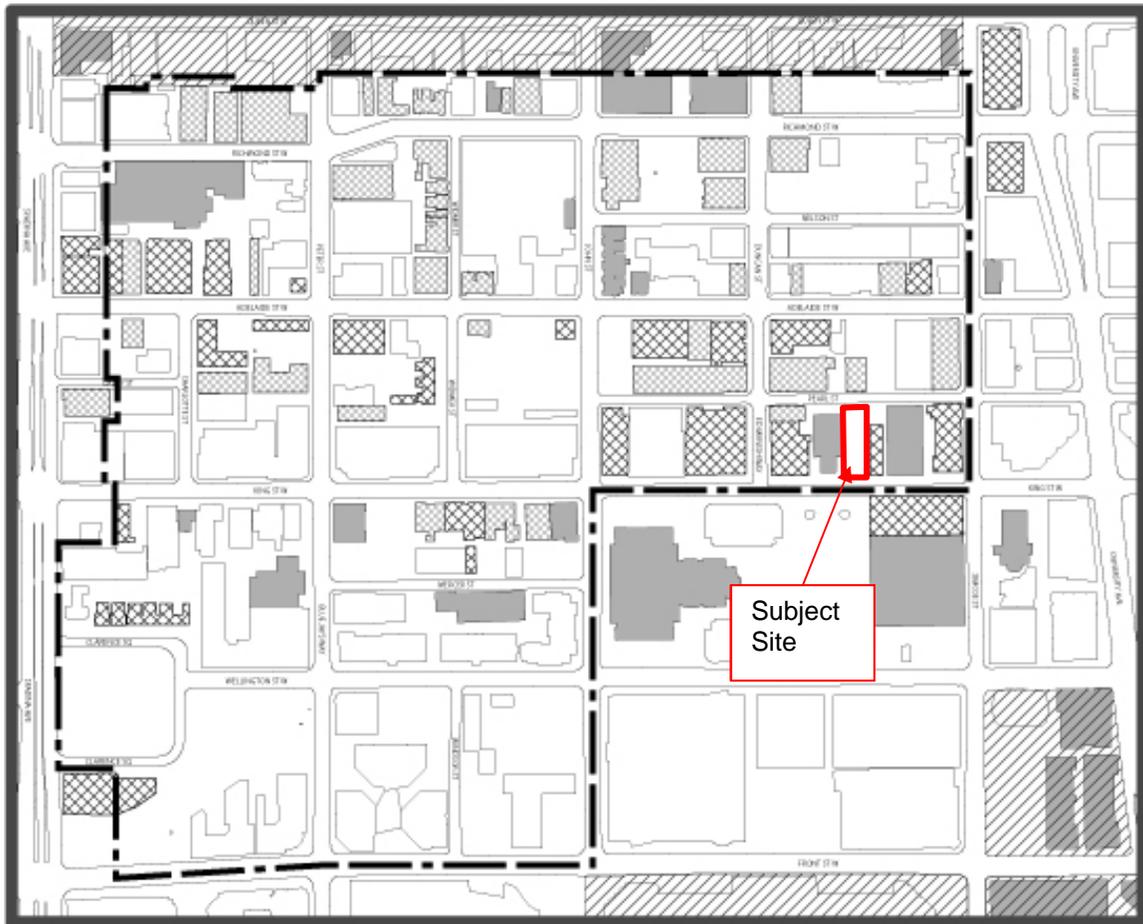
**Photomontage showing subject proposal in its context**



**Aerial view from southeast**

Subject  
Proposal

## Attachment 9: Heritage Context



- |   |   |
|---|---|
|  |  |
| Designated Heritage Properties  | Heritage Conservation Districts (HCD)   |
|  |  |
| Listed Heritage Properties  | Existing Buildings  |
|  |  |
| Properties Contributing to Heritage Character                                       | East Precinct Boundary  |