

**260-270 King Street West and 274-322 King Street West
City-initiated Official Plan Amendment – Final Report**

Date:	June 2, 2014
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	14 138367 STE OZ 20

SUMMARY

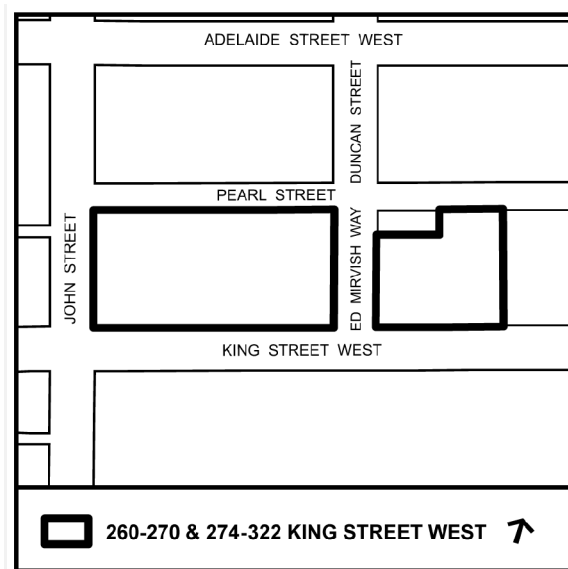
The proposed amendment to Chapter 16 of the City’s Official Plan, being the King-Spadina Secondary Plan, would permit prescribed redevelopment of the lands with two mixed-use buildings, while conserving certain cultural and heritage resources at 260-270 and 274-322 King Street West, limiting the overall scale of the project and improving the public realm. It is the opinion of staff that the amendment is required to address the land use policy framework for the lands and to limit opportunities for potential precedent implications in the King-Spadina Secondary Plan area.

This report recommends that City Council amend the Official Plan substantially in accordance with Attachment 1 of this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council consider the recommendations of this report together with the recommendations of the Request for Direction and Working Group Outcome report for the lands at 260-270 and 274-322 King Street West, at its meeting of July 8 and 9, 2014.



2. City Council amend the Official Plan, for the lands at 260-270 and 274-322 King Street West substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 1 to the report (June 2, 2014) from the Director, Community Planning, Toronto and East York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of December 16, 17 and 18, 2013, City Council considered a Request for Direction Report, which recommended opposition to the Zoning By-law Amendment application appeal for 266-322 King Street West at the Ontario Municipal Board. The report also outlined outstanding concerns regarding the proposed development that was the subject of the application.

The report noted outstanding issues with heritage, built form, employment and cultural industries opportunities, growth management issues including scale and density related to growth pressures, and development performance standards.

The Request for Direction Report can be viewed at:

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

City Council's decision was to oppose the appeal of the original application at the Ontario Municipal Board, but also directed that a working group be appointed by the Chief Planner and Executive Director, City Planning, the local Ward Councillor and the applicant. The working group process was defined and a work plan directed by City Council, which also directed that the findings of the working group be reported by the Chief Planner and Executive Director, City Planning, to City Council through the Toronto and East York Community Council. A mediation process was also directed, in an effort to settle any outstanding issues.

City Council's full decision can be viewed at:

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

The Working Group and its work program were established, in accordance with Council's direction. As the Working Group process evolved and discussions with the applicant continued, including the potential for revisions to the application, Planning staff expressed the opinion that an amendment to the Official Plan was warranted to permit the proposed scale of development beyond the scale currently envisioned by the existing Official Plan policies, but less than the Zoning By-law Amendment currently under appeal at the Ontario Municipal Board.

Staff recommended a time frame to initiate an Official Plan amendment, as well as reporting on the outcomes of the Working Group process, which was adopted by City Council at its meeting

of March 20, 2014. The timing was largely based on an Ontario Municipal Board hearing that was scheduled for June 16, 2014 and continued positive progress being made with the applicant.

The full City Council decision can be viewed at:

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

As a result of the ongoing progress related to the direction of the proposed development and statutory requirements related to the City-initiated Official Plan Amendment, staff recommended a revision to the time frame adopted by City Council March 20, 2014. The Ontario Municipal Board hearing was postponed on consent of all the parties, in order to allow the positive progress to continue.

The Board has now set: a further prehearing for July 23 in anticipation that City Council will have provided direction at its July 8 and 9 meeting; September 23 and 24 as a possible settlement hearing in the event there is consensus; and, October 14, 15, 16 and 17 for hearing dates to be used in the event there is no consensus.

On May 6, 7 and 8 City Council revised the time frame to have all of the elements related to the proposed development on its July 8 and 9, 2014 agenda, including this Official Plan Amendment.

City Council's full decision can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.CC51.4>

The Ontario Municipal Board hearing has been rescheduled to September 23 to 26, 2014, from the original June 16, 2014 starting date.

ISSUE BACKGROUND

Proposal

The proposed Official Plan Amendment would permit the redevelopment of a portion of the lands with a total of two mixed-use buildings, one on either side of Ed Mirvish Way, while addressing some of the heritage resources on the lands.

The building on the east side of Ed Mirvish Way would be limited to a maximum height of 275 metres (82 storeys), inclusive of mechanical penthouse, while the building west of Ed Mirvish Way would be limited to 305 metres (92 storeys), inclusive of mechanical penthouse.

The lands would be limited to a maximum density of 18.1 times the area of the lands, with a maximum floor area for residential use of 138,100 m² and a minimum floor area of 35,300 m² of non-residential uses.

The amendment also requires an art gallery of not less than 860 square metres, to be open to the public and complement the John Street Cultural Corridor, as well as space for the Ontario

College of Art and Design University of not less than 1,990 square metres to further complement the evolving arts and culture activities of the area, in accordance with the City Council decision of December 2013.

Staff is recommending that this report be considered concurrently with the Request for Direction report that will be on the same July 8 and 9, 2014 City Council agenda. The Request for Direction report will have overlapping information, but will also contain more specific details related to the proposed development and the Zoning By-law Amendment appeal.

Site and Surrounding Area

There are two parcels of land that would be subject to the Official Plan Amendment, on the east and west side of Ed Mirvish Way, with the exception of 11 Ed Mirvish Way, in accordance with City Council's decision on March 20, 2014.

The eastern parcel municipally known as 260-270 King Street West, is located at the north-east corner of Ed Mirvish Way and King Street West, but not including 11 Ed Mirvish Way. Abutting the parcel to the east is a development having a height of 151 metres that is currently under construction, municipally known as 224 King Street West.

The western parcel, municipally known as 274-322 King Street West, encompasses the entire street block bounded by John Street, King Street West, Ed Mirvish Way and Pearl Street. The parcel is rectangular in shape having approximate dimensions of 115.4 metres along King Street West, a depth of 56.4 metres, and an approximate lot area of 6,527 square metres.

The sites are surrounded by the following:

North: Pearl Street, followed by three to four-storey buildings with restaurant and office uses on both sides of Ed Mirvish Way.

South: King Street West, followed by Metro Hall, David Pecaut Square, as well as the Metro Hall office complex with building heights up to 27-storeys and Roy Thomson Hall. These properties are located outside of the King-Spadina Secondary Plan area.

West: John Street, followed by the recently constructed 47-storey Festival Tower and Toronto International Film Festival (TIFF) headquarters.

East: 224 King Street West, which is currently under construction with a 47-storey building, followed by three heritage warehouse buildings of 5-6 storeys east to Simcoe Street.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The properties are located within the Downtown and Central Waterfront area outlined in Map 2 – Urban Structure as well as Map 6 – Downtown and Central Waterfront Boundaries, and are designated *Regeneration Areas* on Map 18 – Land Use Plan of the City of Toronto Official Plan.

Chapter Two of the Official Plan, acknowledges 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.

Growth is anticipated in the *Regeneration Areas* designation. The *Regeneration Areas* 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.

The Official Plan includes development criteria (Policy 4.7.2) to help guide new development in *Regeneration Areas*, including:

- a) urban design guidelines related to the unique character of each *Regeneration Area*;
- b) a greening strategy to plan for tree planting, improvements to existing parks and the acquisition of new parks, open spaces;
- c) a community improvement strategy to identify and implement needed improvements to streets, sidewalks, boulevards, parks and open spaces;
- d) a community services strategy to monitor the need for new community services and facilities and local institutions as new residents are introduced and to ensure they are provided when needed;
- e) a heritage strategy identifying important heritage resources, conserving them and ensuring new buildings are compatible with adjacent heritage resources;

- f) environmental policies to identify and ensure that any necessary cleanup of lands and buildings is achieved, that potential conflicts between industrial and residential, other sensitive land uses or live/work uses are mitigated, and that policies for the staging or phasing of development are considered, where necessary; and
- g) transportation policies that encourage transit, walking and cycling in preference to private automobile use and ensure the movement of people and goods as the number of businesses, employees and residents increase.

Chapter Three of the Official Plan, 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. The Official Plan also provides guidance with respect to Tall Buildings policies cited in Section 3.1.3, and Community Services and Facilities policies in Section 3.2.2.

The Plan states that "Tall Buildings come with larger civic responsibilities and obligations than other buildings." The built form policies of Section 3.1 provide additional direction on how they fit into the existing and planned context and how they are designed.

Section 3.1.3.2 requires that tall buildings proposals address key 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 planned context;
- providing high quality, comfortable and usable publicly accessible open spaces; and
- meeting the other goals and objectives of the Official Plan.

Section 3.1.5 of the Official Plan provides guidance and policy direction with respect to 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 Toronto Official Plan is available on the City's website at:

www.toronto.ca/planning/official_plan/introduction.htm

King-Spadina Secondary Plan

The two parcels are also located within the King-Spadina Secondary Plan area, found in Chapter 6.16 of the Official Plan. The Secondary Plan emphasizes the reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm.

The Plan also seeks to achieve a compatible relationship with heritage buildings. 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.

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 be sited for adequate light, view and privacy; compatibility with the built form context;
- 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;
- 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.

Zoning

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (see Attachment 3- Zoning Map), which regulates the use of land and establishes certain development performance standards, including on-site parking.

The RA zone permits a wide range of land 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, depending on the height of the building. By-law 922-2006 is under appeal to the Ontario Municipal Board.

Site Plan Control

The proposed development is subject to site plan approval. No site plan submission has been made to date.

Community Consultation

In accordance with the City Council decision on May 6, 7 and 8, 2014, which requires that a Public Meeting related to the City-initiated Official Plan Amendment be held on June 17, 2014, a Community Consultation Meeting was held on May 27, 2014 at Metro Hall. Approximately 120 people participated in the meeting, which also included an Open House meeting to display, present and discuss the outcomes of the Working Group process.

At this meeting, staff informed the public that the outcome of the Working Group resulted in substantive agreement between City staff and applicant around the major issues related to the development of the lands. Staff identified that the purpose of the City-initiated Official Plan Amendment was to permit the revised proposal, while limiting the height and density to a level that addresses staff concerns, and limits the opportunity for future developments of a similar scale and height in the area.

The proposed amendment recognizes the historic and cultural elements that distinguish these lands from others, as well as the size and location of the lands that can accommodate the maximum amount of density cited in this report.

The lands are uniquely situated fronting on the King Street West Corridor (Theatre Row), which can provide an opportunity to connect linearly to the John Street Cultural Corridor. The proposed density is within a density range of recently approved developments in the East Precinct of the King-Spadina Secondary Plan area, as a result of the area of the lands that resulted from many years of land assembly.

The public were informed of the heritage and cultural conservation proposed, and the enhanced streetscape opportunities that would further support and reinforce the historic commitment and dedication to the performing arts and the cultural evolution of this King Street West segment and the broader area.

Concerns from the public included:

- Evolving details of the development and the design
- Overall parking proposed and traffic congestion in the area
- TTC capacity
- Lack of facilities for pets
- Potential precedent for future developments in the area

Specifically from the agent representing 11 Ed Mirvish Way, was a concern that the proposed development may compromise the future as-of-right development of their site. Staff also identified outstanding issues, which were still under review and evaluation including:

- Evolving details of the development and design
- Traffic impacts and parking
- Site Servicing (water, wastewater, stormwater)
- Community benefits under Section 37 of the Planning Act

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 formulate appropriate draft Official Plan Amendment. The amendment has a provision for a Holding (H) Symbol, in accordance with the Planning Act and Official Plan policies, in order to ensure that development will include the heritage conservation measures and architectural features and building materials and the associated agreements noted in the policy. This allows Council the option of incorporating a holding symbol in the implementing Zoning By-law, in which case the By-law will specify uses, including the built form and density, that are permitted while the lands remain subject to the holding (h) symbol. The conditions to be met or secured to the City's satisfaction prior to the removal of the holding (h) symbol may include, in addition to the matters set out in Section 5.1.2 of the Official Plan, the execution and registration of a Section 37 Agreement, Heritage Easement Agreement and Site Plan Agreement.

COMMENTS

The Request for Direction Report dated December 17, 2013 identified the substantive issues, where staff had raised concerns with heritage conservation, built form, employment and cultural industries opportunities, growth management issues including scale and density related to growth pressures, and development performance standards. The following are those issues and a summary of how the new proposal has addressed them:

Heritage Conservation

- The original application proposed the demolition of all four existing designated buildings on the lands. There was no heritage conservation associated with the original proposal. The current proposal now includes the Royal Alexandra Theatre site at 260 King Street West and a significant amount of heritage conservation.

- The proposed Official Plan Amendment would: secure Heritage Easements over the Royal Alexandra Theatre, the Eclipse Whitewear Building and the Anderson building façade; and, support the potential designation of the Princess of Wales Theatre under the Ontario Heritage Act.

Employment and Cultural Industry Opportunities

- The original proposal had a significant amount of retail floor area in lieu of a significant amount of existing office use area and also proposed to demolish the Princess of Wales Theatre.
- The new proposal and related Official Plan Amendment would encourage the continuation of the two Performing Arts Theatres and replace a significant amount of office space to allow greater opportunities for creative industries to locate and thrive in the Entertainment District. Further, two new cultural uses (Art Gallery and OCAD space) are required to enhance and link into the John Street Cultural Corridor.
- The new proposal includes more non-residential floor area than what currently exists on the sites.

Growth Management, Scale and Density

- The new proposal has been significantly reduced in the overall gross floor area and the number of towers from 3 to 2. The Official Plan Amendment would limit the overall density of the lands to be within a density range of other recent developments in the King-Spadina East Precinct.
- Concerns regarding Servicing, Traffic and Community Services have been addressed in part through revised technical studies and through the reduction of the scale of the proposal. The technical studies addressing the matters are still under review, but will be further updated in the Request for Direction report on the Zoning By-law appeal that will be considered by City Council on July 8 and 9, 2014. The matters may also be addressed through the use of a Holding (H) Symbol on the Zoning By-law.

Performance Standards

- Zoning and Toronto Green Standard performance standards have been improved as a result of the new proposal, but are still under review. Similarly to the outstanding growth management matters, the potential use of a holding provision on the Zoning may ensure that these issues are addressed, prior to specified Zoning permissions being used.

King-Spadina Secondary Plan Review

City staff are undertaking a secondary plan review, which will entrench a clear policy direction in the area to guide built form matters including building height, the emergence of towers in East

King Spadina, and measures that will assist with the growth management concerns raised by area residents.

The amendments will reflect the physical context that has evolved in the area over the past decade, including the transition in building heights commonly referred to as the “clothesline”, generally with lower heights from east to west and south to north.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement (PPS).

With respect to the efficient use of infrastructure and transportation systems; the PPS promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes. The redevelopment promotes the efficient use of land, resources, infrastructure, with appropriate densities. The proposed intensification can also serve to support public transit, as the lands are located within 500 metres of the St. Andrew’s subway station and served by the TTC 504 streetcar line.

This proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan provides a framework for managing future growth in order to build strong prosperous communities. The Growth Plan directs a significant portion of new growth to built-up areas of the community through intensification to ensure and maximize the viability of existing and planned infrastructure.

Land Use

The proposed development would provide a diverse range of residential, office, retail, institutional and cultural uses that will serve to enhance and activate the King Street West Corridor and link to the evolving John Street Cultural Corridor. The proposed uses would continue existing cultural and performing arts activities in the area, while reinforcing these uses with two new complementary uses, an art gallery and educational space for OCAD University. The significant amount of retained and new office area will also provide opportunities for academic, cultural and creative uses to thrive in the Entertainment District.

Density, Height, Massing

The lands would be limited to a maximum density of 18.1 times the area of the lands, with a maximum floor area for residential use of 138,100 m² and a minimum floor area of 35,300 m² of non-residential uses.

The building on the east side of Ed Mirvish Way would be limited to a maximum height of 275 metres (82 storeys), inclusive of mechanical penthouse, while to building west of Ed Mirvish Way would be limited to 305 metres (92 storeys), inclusive of mechanical penthouse. The building heights would not result in shadows being cast onto the north sidewalk of Queen Street West in the spring and fall equinoxes, after 11:18 a.m.

Traffic Impact, Access, Parking, Servicing, Section 37

These matters are still under review. It is anticipated that these details will be included in the Request for Direction Report that will be on the July 8 and 9, 2014 City Council agenda as this report.

CONCLUSION

Managing growth, built form and heritage conservation were the three main areas of concern with the original proposal. As a result of a positive Working Group process that led to a new proposal that addressed these issues, staff concluded that the substantive issues have now been resolved.

The proposed Official Plan Amendment distinguishes this project by permitting the proposed height and density, beyond which would otherwise be permitted, as an exception to the anticipated and emerging King-Spadina context and character. While doing so, it also limits the scope of the project and identifies key contextual project attributes that relate to the permission of the proposed scale.

The outstanding matters that are still under review may be addressed through the inclusion of a Holding (H) Symbol provision in the proposed Official Plan Amendment.

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: Draft Official Plan Amendment

Attachment 1: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 2014

Enacted by Council: ~, 2014

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2014

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2013, as
260-270 and 274-322 King Street West**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. ~~~ to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

AMENDMENT NO. ~ TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS
260 – 322 KING STREET WEST**

The Official Plan of the City of Toronto is amended as follows:

“

1. Chapter 6, Section 16, King-Spadina Secondary Plan is amended by adding:

13. Site and Area Specific Policies

[1] 260-322 King Street West

For the lands shown as [1] on Map 16 - 1:

- (a) This site specific policy is intended to guide and shape development/redevelopment and private investment within the 260-322 King Street West lands to ensure it recognizes and continues the historic commitment and dedication to the performing arts and the cultural evolution of this King Street West segment and the broader area. Uses that strengthen and enhance the cultural activity and significance of the area will be encouraged. The public realm abutting the lands will be improved and expanded to enhance the special and unique “Theatre Row” along King Street West Corridor and provide a linear linkage to complement the Cultural Corridor emerging along John Street. This will be achieved by:
 - i) Protecting the heritage value of the Royal Alexandra Theatre by securing and registering a Heritage Easement Agreement;
 - ii) Maintaining and recognizing the cultural value and significance of the Princess of Wales Theatre by supporting its potential designation under the Ontario Heritage Act;
 - iii) Protecting the heritage value of the Eclipse Whitewear Company Building (322 King Street West) and the Anderson Building (284 King Street West) by securing and registering Heritage Easement Agreements over the building and façade respectively;

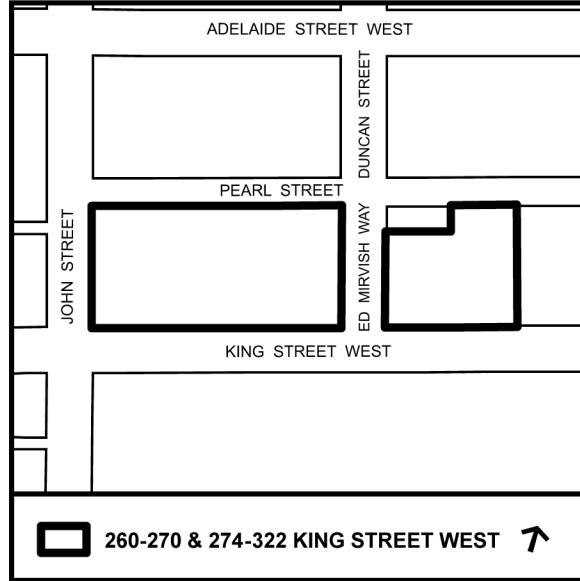
- iv) Providing an art gallery of not less than 860 square metres, to be open to the public and compliment the John Street Cultural Corridor;
 - v) Providing space for the Ontario College of Art and Design University of not less than 1,990 square metres to further complement the evolving arts and culture activities of the area; and
 - vi) Incorporating streetscape improvements along King Street West and John Street to provide a linear linkage between the Royal Alexandra and Princess of Wales Theatres and other contributing arts and cultural uses on the lands, to the John Street Cultural Corridor.
 - vii) Creating a public realm focus on Ed Mirvish Way and King Street West.
 - viii) Providing a substantive amount of non-residential floor area to complement and enhance the creative and cultural uses in the area.
- (b) Two tall buildings shall be permitted on the lands, one having a maximum building height of 305 m, inclusive of mechanical (92 storeys) located west of Ed Mirvish Way, and one having a maximum building height of 275 m, inclusive of mechanical (82 storeys) located east of Ed Mirvish Way.
 - (c) The maximum total density of the lands shall be 18.1 FSI, with a maximum total residential gross floor area of 138,100m² and a minimum total non-residential gross floor area of 35,300 m².
 - (d) The architectural design of each such building should be unique and of high quality; it should distinguish and contribute to the cultural character and heritage of the area. The treatment of the building bases and the exterior materials of each building should be distinct. The high quality of architecture, design and building materials will be secured in an agreement under Section 37 of the Planning Act and in associated Site Plan Agreements.
 - (e) The retention, maintenance and use of the heritage building and facades to be conserved shall be secured by the City in appropriate legal agreements.
 - (f) Site Plan approval may be required concurrently with any approvals of zoning amendments or variances to secure the architectural features and building materials.
2. Map 16 - 1, King-Spadina Secondary Plan Map, Urban Structure Plan, is amended to show the lands known municipally in 2013 as 260-322 King Street West as Site and Area Specific Policy Area Number [1], as shown on the attached Schedule [2].

3. HOLDING (H) SYMBOL

The policies of Section 5.1.2 of the Official Plan regarding Section 36 of the Planning Act shall apply to this Site Specific Area with the additional policies set out below.

In order to ensure that development will include the heritage conservation measures and architectural features and building materials and the associated agreements noted in this policy, any implementing zoning by-law(s) may define and incorporate a holding (h) symbol pursuant to Section 36 of the Planning Act. When an implementing zoning by-law incorporates a holding (h) symbol, it will specify uses, including the built form and density, that are permitted while the lands remain subject to the holding (h) symbol and incorporate the conditions that must be satisfied prior to removal of the holding symbol. The conditions to be met or secured to the City's satisfaction prior to the removal of the holding (h) symbol may include, in addition to the matters set out in 5.1.2 of the Official Plan, the execution and registration of a Section 37 Agreement, Heritage Easement Agreement and Site Plan Agreement securing the above matters.”

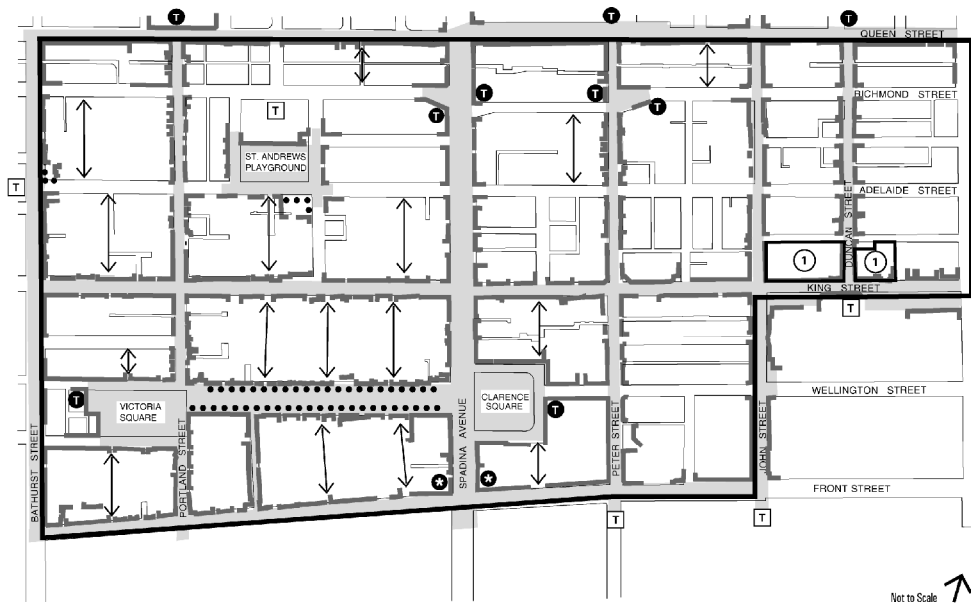
Schedule 1



Schedule 2

King-Spadina Secondary Plan

Map 16-1 Urban Structure Plan



Not to Scale ↑



King-Spadina Secondary Plan
MAP 16-1 Urban Structure Plan

- Secondary Plan Boundary
- ⊕ Potential Gateway
- ⊙ Potential View Terminus
- ⊔ Existing View Terminus
- ▭ Existing and Potential Building Edge
- ↔ Potential Mid-block Connections
- ▭ Significant Street & Open Space
- Landscape Edge

June 2006