

401-415 King Street West Zoning By-law Amendment Application

Date: January 30, 2017

To: City Council

From: Interim City Solicitor

Wards: Ward 20 - Trinity-Spadina

REASON FOR CONFIDENTIAL INFORMATION

This report seeks further Council direction respecting the Ontario Municipal Board hearing scheduled to commence on February 21, 2017. Accordingly, this report contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

This report provides Council with information arising from a recent mediation of the above matter, which mediation was facilitated through the Ontario Municipal Board.

RECOMMENDATIONS

The Interim City Solicitor recommends that:

1. Council adopt the recommendations in Confidential Attachment 1.
2. Council authorize the public release of the confidential instructions to staff if adopted at the conclusion of the Council meeting with the balance of Confidential Attachment 1 to remain confidential.

FINANCIAL IMPACT

The recommendations of this report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

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

On June 7, 2016 Council adopted Item TE16.8 of the Toronto and East York District Community Council. Council directed staff to oppose the appeal at the Ontario Municipal Board, but to continue discussions with the applicant in an attempt to resolve the dispute. Reasons to oppose the application, as set out in the Report of the Director, Community Planning, Toronto and East York District dated April 25, 2016 included concern that the proposed tower and base building represent an overdevelopment of the site and would create an unacceptable form of development. The proposed tower would not conform to Official Plan built form or heritage policies and does not satisfactorily respond to urban design guidelines related to the built form.

In particular:

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

The Planning Request for Directions report is available at:

<http://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-92827.pdf>

COMMENTS

Information with respect to the mediation conducted in relation to this matter is set out in Confidential Attachment 1. The City Solicitor requires further directions.

CONTACT

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SIGNATURE

Brian Haley
Interim City Solicitor

ATTACHMENTS

Confidential Attachment 1