

MOTION WITHOUT NOTICE

65-89 King Street East and 46 Colborne Street – Zoning Amendment Application – Request for Directions regarding Change to Council Approved Settlement

Moved by: **Councillor Lucy Troisi**

Seconded by: **Mayor Tory**

SUMMARY:

On July 4, 2017, a Request for Directions Regarding Ontario Municipal Board Hearing was considered and adopted by Council (Item No. CC31.18). The Zoning Amendment application proposed a mixed use office tower located at 65-89 King Street East, and 46 Colborne Street.

The adopted settlement proposal showed a three-storey podium with a three-storey "recess" and a cantilevered build-out above the recess and continuing for the remaining height of the building on the property currently known as 65 King Street E. The adopted settlement is identified in Attachments 1 and 2 to this motion as the "3 Storey Recess".

Since the settlement report, the applicant has revised its proposal to change the three-storey "recess" to a two-storey "recess". The applicant has requested that the City to accept the two-storey "recess" rather than the three-storey "recess". The two-storey "recess" is shown in Attachments 1 and 2 to this motion as the "2 Storey Recess". In order to maximize the vertical height above the parapet of the podium, the applicant has agreed to remove the 1.5 metre "skirt" that is shown in Attachments 1 and 2 projecting into the recessed area.

The Ontario Municipal Board has withheld its final order regarding the zoning by-law amendment appeal until the parties have submitted the final form of the zoning by-law amendment. As this issue affects the settlement of the zoning by-law amendment appeal, Council's instructions are required.

This motion is urgent as Legal Services and City Planning require instructions for finalizing the zoning bylaw amendment.

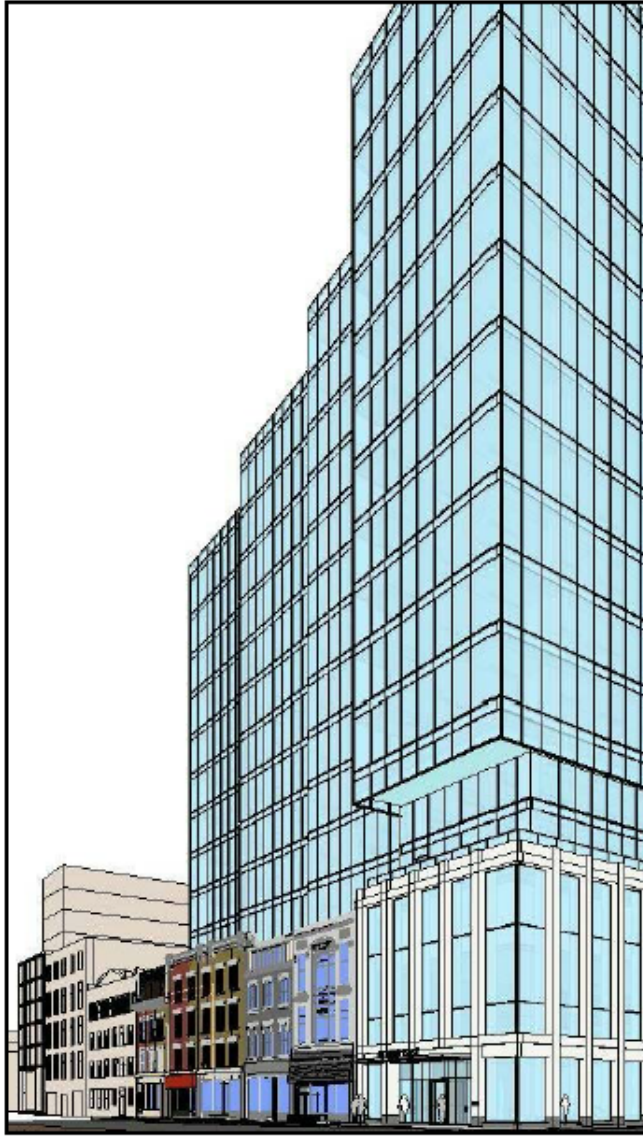
RECOMMENDATIONS:

1. City Council instruct the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning, to finalize the zoning by-law amendment for 65-89 King Street East and 46 Colborne Street on the basis of a two-storey "recess" as shown in Attachments 1 and 2, with a minimum height of 7.35 metres above the parapet of the podium, and with no projections into the recessed area.
2. All other aspects of the settlement in Item No. CC31.18 remain as adopted by Council on

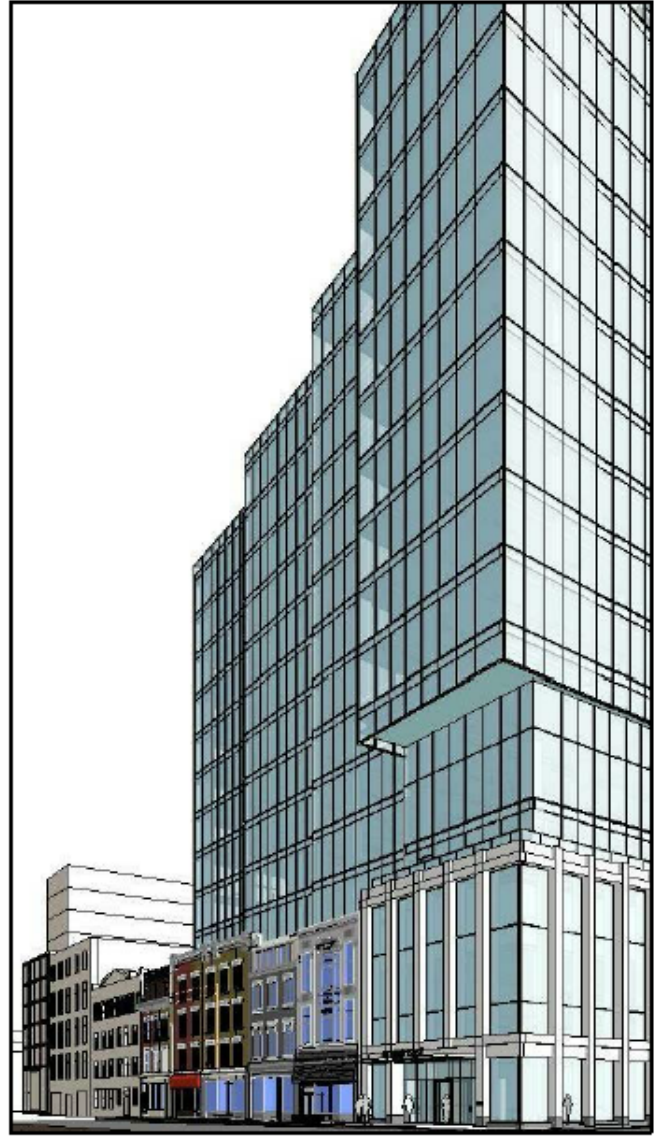
July 4, 2017.

Date: May 23, 2018

Attachment 1 – Comparison between 2- and 3-storey "Recess", View from East



VIEW FROM EAST - 2 STOREY RECESS



VIEW FROM EAST - 3 STOREY RECESS

Attachment 2 – Comparison between 2- and 3-storey "Recess", View from West



VIEW FROM WEST - 2 STOREY RECESS



VIEW FROM WEST - 3 STOREY RECESS