

**357 King Street West - Zoning Amendment Application
(Removal of the Holding Symbol "H") – Final Report**

Date:	May 31, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	18 110010 STE 20 OZ

SUMMARY

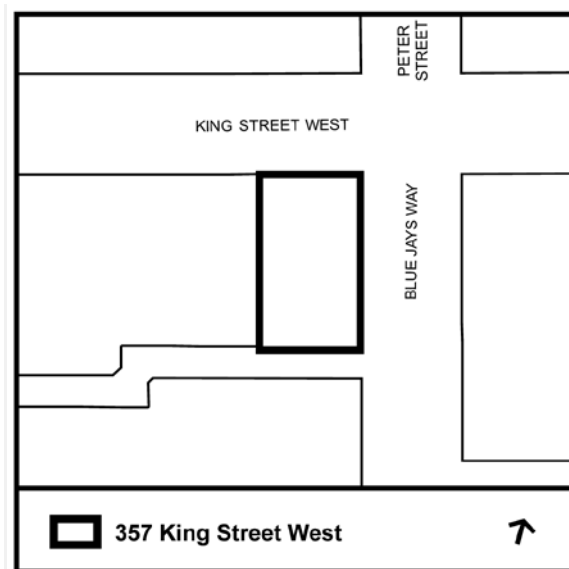
This application proposes to remove the Holding symbol ("H") from site-specific Zoning By-law 812-2017 to permit the development of a 42-storey mixed use building comprised of 325 residential units, 1,148 square metres of retail space and 18 car-share spaces located at 357 King Street West. The "H" symbol was placed on the lands until various servicing matters and an amended Section 37 Agreement were addressed. These matters have since been addressed.

This report reviews and recommends approval of the application to amend the Zoning By-law to remove the "H" from the lands.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amends Zoning By-law 812-2017 for the lands at 357 King Street West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the report (May 31, 2018) from the Acting Director, Community Planning, Toronto and East York District.



2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On May 17, 2012, May 31, 2012, and June 26, 2012, the Ontario Municipal Board issued By-law No. 1556-2012 (OMB) approving an application to amend the Official Plan and Zoning By-law to permit a 40-storey (132.0 metres to the top of the mechanical) residential building on lands at 357 King Street West, containing 350 residential units, retail at grade, 93 residential parking spaces and 350 bicycle spaces contained in four underground levels.

The applicant submitted a subsequent Zoning By-law Amendment application (Application No. 16 231281 STE 20 OZ) on September 30, 2016, proposing a 42-storey mixed-use building comprised of 324 residential units, two guest suites, 1148 square metres of retail space, and 18 car-share spaces at 357 King Street. Toronto East York Community Council, at its June 13, 2017 meeting, approved the application. City Council adopted the item at its July 4, 2017 meeting. Both decisions and background information which can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE25.5>

A Site Plan Control application (Application No. 17 210511 STE 20 SA) was submitted on September 5, 2017, which is currently under review.

ISSUE BACKGROUND

Proposal

The applicant has submitted a Zoning By-law Amendment application to amend site-specific Zoning By-law 812-2017 to remove the Holding symbol ("H") from the development located at 357 King Street West. The removal of the "H" symbol from the lands will allow for the development of a 42-storey mixed-use building comprised of 324 residential units, two guest suites, 1,148 square metres of retail space, and 18 car-share spaces.

Site and Surrounding Area

The site, currently occupied by a one-storey building being used for temporary retail, is located at the southwest corner of King Street West and Blue Jays Way. The site has a frontage of approximately 21 metres on King Street West, approximately 36 metres on Blue Jays Way and has an area of approximately 782 square metres. There is a public lane running along the south edge of the site that will be used for vehicular access for parking and loading.

The site is surrounded by the following uses:

- North: The northern edge of the site is defined by King Street West. On the north side of King Street West opposite the subject site on the west side of Peter Street, is a 2-storey commercial building. On the northeast corner of Peter Street and King Street West is a 20-storey hotel.
- South: To the south of the subject site is a public laneway, opposite which is a 41-storey mixed-use building, located at 56 Blue Jays Way.
- West: To the west of the subject site is a 5-storey commercial building at 365 King Street West. Farther to the west, an application for a 15-storey mixed use building has been approved at 367-369 King Street West. Farther west is a 35-storey condominium building.
- East: The eastern edge of the site is defined by Blue Jays Way. On the east side of Blue Jays Way, opposite the subject site, is the approved redevelopment of the Westinghouse Building property, for two towers at 42-storeys and 47- storeys, respectively.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and

- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council, shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking storm water management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and

- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council, shall also conform to the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform to Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council, shall also be consistent with the PPS and conform to Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform to this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan, which require comprehensive municipal implementation.

Staff has reviewed the proposed application for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Official Plan

The site is designated *Regeneration Areas* in the Official Plan. The *Regeneration Areas* 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. Chapter 6.16 of the Official Plan contains the King-Spadina Secondary Plan, which this site is located within.

Zoning By-law 812-2017

Zoning By-law 812-2012, adopted by City Council at its July 4, 2017 meeting permits a 42-storey mixed-use building comprised of 324 residential units, two guest suites, 1,148 square metres of retail space, and 18 car-share spaces located at 357 King Street West

Site Plan Control

A Site Plan Control application (Application No. 17 210511 STE 20 SA) was submitted on September 5, 2017. It is currently being reviewed by staff.

Reasons for Application

A holding symbol ("H") was placed on the lands located at 357 King Street West as recommended in the Final Report on the Zoning By-law Amendment from the Director, Community Planning, Toronto and East York District, dated June 7, 2017. As noted above, this recommendation, along with others, was adopted by City Council on July 4, 2017. The "H" symbol would remain on the lands until such time as an amended agreement was registered on title pursuant to Section 37 of the *Planning Act* to secure an additional \$175,000.00 for public realm improvements in the area, and a minimum of two of the car-share vehicles provided on site to be large enough to accommodate larger vehicles. A revised Functional Servicing Report was also required to be submitted and accepted to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, prior to the "H" symbol being removed.

Community Consultation

A Community Consultation meeting is not required for Lifting of the Holding Symbol applications. Notice for the Statutory Public meeting was given to the owner under 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.

COMMENTS

Functional Servicing Report

The applicant has submitted a revised Functional Servicing Report dated April 30, 2018, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Section 37

The applicant has amended the Section 37 Agreement to include \$175,000.00 for public realm improvements within the area. This sum is in addition to the \$1,500,000.00 previously secured as part of Section 37 negotiations related to the previously approved

development to be used by the City toward community improvements in Ward 20 in the vicinity of the site. The amended Section 37 Agreement also secures two of the car-share vehicle spaces to be large enough to accommodate larger vehicles. The amended Section 37 Agreement was registered on May 29, 2018. Accordingly, removing the Holding symbol "H" will allow for the orderly development of the lands.

The conditions of removing the Holding symbol ("H") from the lands located at 357 King Street West to allow for 42-storey mixed-use building comprised of 324 residential units, two guest suites, 1,148 square metres of retail space, and 18 car-share spaces have now been satisfied.

CONCLUSION

The "H" symbol was placed on the lands at 357 King Street West as part of Zoning By-law Amendment application No. 16 231281 STE 20 OZ until such time as an amended Section 37 Agreement securing an additional \$175,000.00 for public realm improvements in the vicinity of the site, and securing two of the 18 proposed car-share vehicle spaces large enough to accommodate large vehicles. In addition to the requirement to amend the Section 37 Agreement to remove the "H" symbol, the applicant was also required to submit a revised Functional Servicing Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. The applicant has both amended the Section 37 Agreement and has submitted a revised Functional Servicing Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

The conditions associated with the Holding symbol "H" that was placed on the lands located at 357 King Street West have been satisfied. Therefore, City Planning recommends approval of this application.

CONTACT

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SIGNATURE

Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

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Authority: ~ Community Council Item No. ~,
as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. 812 -2017, as amended by [insert the amending by-law no.],
to remove the holding symbol (H)
with respect to the lands known municipally in the year 2018 as
357 King Street West**

WHEREAS authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the Holding symbol (H) and to remove the Holding symbol (H) when Council is satisfied that the conditions relating to the Holding symbol have been satisfied; and

WHEREAS Council has provided notice of the intent to pass this By-law;

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

1. By-law 812-2017 is amended by removing the Holding symbol (H) from the lands shown on the attached Schedule '1'.

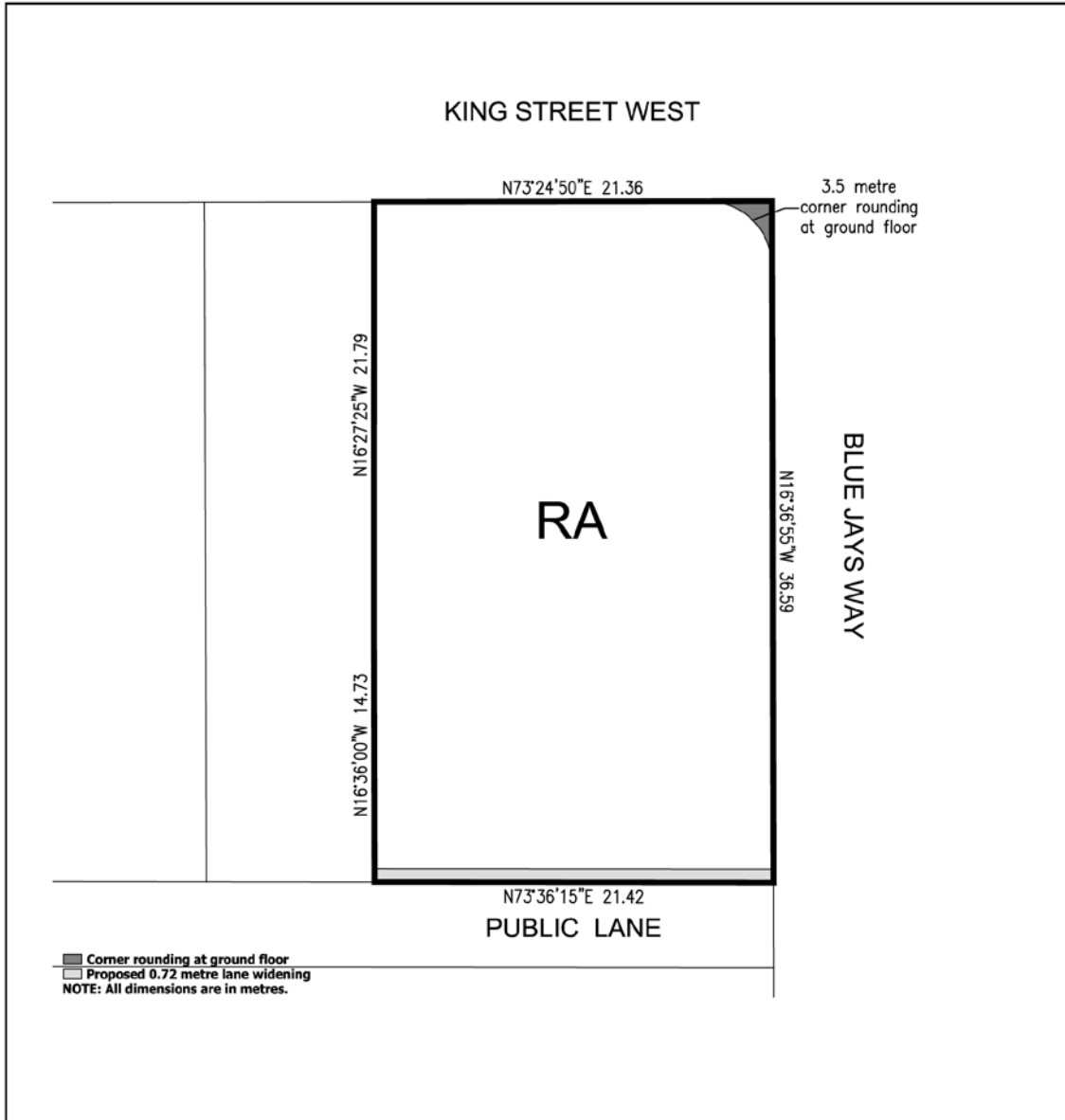
ENACTED AND PASSED this ~ day of ~ , A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule 1



357-363 King Street West & 62 Peter Street

File # 18 110010 STE 20 OZ

City of Toronto By-Law 438-86
 Not to Scale
 5/30/2018