



Member Motion

City Council

Notice of Motion

MM31.18	ACTION			Ward: 4, 10
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1182 and 1221 King Street West - Zoning Amendment - by Councillor Gord Perks, seconded by Councillor Joe Cressy

** Notice of this Motion has been given.*

** This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Gord Perks, seconded by Councillor Joe Cressy recommends that:

City Council delete Parts 1 and 2 of its previous decision on Item 2017.TE28.5 and adopt instead the following:

1. City Council amend former City of Toronto Zoning By-law 438-86, as amended for the lands at 1182 and 1221 King Street West substantially in accordance with the draft Zoning By-law attached to Motion MM31.18.
2. City Council amend City-Wide Zoning By-law 569-2013 for the lands at 1182 and 1221 King Street West substantially in accordance with the draft Zoning By-law attached to Motion MM31.18.
3. City Council determine that the changes contained within the revised By-laws are minor and reflective of the original proposal and plans considered previously by City Council, and, pursuant to subsection 34(17) of the Planning Act, no further notice is required in respect of the proposed amendments to the Zoning By-laws.
4. City Council approve the acceptance of on-site parkland dedication prior to the earlier of the issuance of any permit after the first Above Grade Building Permit or November 15, 2021, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks and such other encumbrances, if any, where such encumbrances are deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such encumbrances will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

Summary

City Council, at its meeting on December 5, 2017, adopted Item TE28.5, approving a Zoning By-law amendment for the lands located at 1182 King and 1221 King Street West to allow for the construction of a 17-storey mixed-use building at 1182 King Street West, and a 14-storey mixed-use building at 1221 King Street West.

Revisions to Proposal:

During the review of the Site Plan Control application for 1182 King Street West, and after the Zoning By-law amendment approval, Toronto Hydro identified a potential conflict between the close proximity of the west elevation of the building and Toronto Hydro's infrastructure located along the east side of Dufferin Street. Toronto Hydro requested an increased setback of the building's upper floors. The applicant responded positively, setting the upper floors farther back from the western property line. To maintain the gross floor area that had been approved by City Council on December 5, 2017, the applicant requested an increase of two storeys, for a total building height of 19 storeys. City Planning have reviewed the proposed increase in height and determined that no negative impact would result from the additional two storeys.

Revisions to Section 37 Agreement:

The Section 37 agreement has been revised, at the applicant's request, to delay the timing of the conveyance of land for an on-site park abutting the property located at 1221 King Street West to allow for the Environment Assessment process to be completed. Parks, Recreation and Forestry have considered this request, and recommend City Council approve the acceptance of on-site parkland dedication prior to the earlier of the issuance of any permit after the first Above Grade Building Permit or November 15, 2021, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks and such other encumbrances, if any, where such encumbrances are deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such encumbrances will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

At the time Item TE28.5 was approved, both properties were located in former Ward 14 Parkdale-High Park (currently Ward 4), and as such, City Council directed the Section 37 cash contribution be allocated to Ward 4. While the property located at 1221 King Street West remains in Parkdale-High Park (Ward 4), the property located at 1182 King Street West is now located within Ward 10 Spadina-Fort York.

Background Information (City Council)

Member Motion MM31.18

Draft Zoning By-law Amendment for By-law 438-86

<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165351.pdf>

Draft Zoning By-law Amendment for By-law 569-2013

<http://www.toronto.ca/legdocs/mmis/2021/mm/bgrd/backgroundfile-165352.pdf>