



STAFF REPORT ACTION REQUIRED

540 - 544 King Street West and 1 - 7 Morrison Street Zoning Amendment Application – Request for Interim Directions Report

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| Date: | June 18, 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 125163 STE 20 OZ |

SUMMARY

This report responds to an application where staff are currently not in a position to provide a Final Report to Council, but which could be appealed to the Local Planning Appeal Tribunal due to a lack of decision during the break in Council's meeting schedule (July to December 2018).

The report sets out issues identified through the preliminary review of the application and makes an initial determination as to whether or not the application is consistent with the Provincial Policy Statement (2014), conforms with the Growth Plan for the Greater Golden Horseshoe (2017) and conforms with the City's Official Plan.

This application proposes a 12 and 13-storey (49 metres excluding mechanical penthouse) mixed-use building including residential, office and retail uses at 540-544 King Street West and 1-7 Morrison Street. The site is located within the King-Spadina Heritage Conservation District and includes the listed heritage property at 544 King Street West that contains a 2-storey



commercial building constructed in 1925. The application proposes to demolish this building. The proposed development includes 77 dwelling units, 15,483 square metres of office space and 3,205 square metres of retail space. The total gross floor area of the proposed development is 27,625 square metres representing a density of 9.45 times the area of the site

In its current form, the proposed development is not consistent with the Provincial Policy Statement (2014), does not conform with the Growth Plan for the Greater Golden Horseshoe (2017) and does not conform with the policies of the Official Plan. In addition to the proposed demolition of a heritage resources, the proposal also does not fit harmoniously into its existing and/or planned context contrary to the Official Plan and King-Spadina Secondary Plan.

Issues identified through the review of the application to date, as outlined in this report, include:

- Consistency with the Provincial Policy Statement and conformity to the Growth Plan for the Greater Golden Horseshoe;
- Conformity with Official Plan and King-Spadina Secondary Plan policies, including the requirement that development result in a height, built form and massing that is complementary to the historic physical fabric of the area and the more mid-rise character of the West Precinct;
- Consistency with the emerging policies and directions of the King-Spadina Secondary Plan Review and the TOcore initiative;
- Consideration of the King-Spadina Heritage Conservation District and heritage policies of the Official Plan. The proposal would not maintain the existing heritage building on the site, which is listed in the City's Heritage Register and has been identified as a contributing property in the King-Spadina Heritage Conservation District Plan. On-site conservation of heritage resources will be sought and the conservation strategy should look to sympathetically conserve the heritage building;
- Whether the proposed height and massing are appropriate;
- Determination of appropriate relationships to the adjacent properties, including side yard setbacks and the impact to the heritage property;
- Securing an appropriate parkland dedication including potential on-site parkland;
- Adequacy of the proposed amenity space;

- Evaluation of the shadow impacts created by the proposal on the surrounding area;
- Evaluation of the impacts of the proposed development on the Brant Street School in relation to shadowing of the school building and site, proposed development configuration and site circulation, proposed traffic management and construction management;
- Appropriate streetscape treatments and design resulting from changes to the proposal to address heritage conservation, and appropriate setbacks and stepbacks, including design considerations in relation to the narrow right-of-way of Morrison Street, and existing and proposed transportation matters impacting the street;
- Addressing outstanding requirements in relation to water, sanitary and storm sewer servicing for the proposed development identified in the Memorandum from the Engineering and Construction Services, dated April 25, 2018, and other servicing issues that may be identified through the continuing review of the application;
- Evaluation of tree protection and injury mitigation measures as a result of the proposal and opportunities for new tree planting; and
- Securing appropriate Section 37 contributions should the project proceed to approval.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct City Staff to continue to review the application and resolve any outstanding issues detailed in the report (June 18, 2018), from the Acting Director, Community Planning, Toronto and East York District, and any other issues that may arise through the continuing review of the application.
2. City Council direct the City Solicitor and appropriate City Staff to attend and oppose the application in its current form, should the application be appealed to the Local Planning Appeal Tribunal (the "LPAT") on the basis of Council's failure to make a decision on the application within the statutory timeframe of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Committee of Adjustment

A portion of the site including 544 King Street West and 1-7 Morrison Street was the subject of a minor variance application (A0907/08 TEY) in 2008 that proposed the demolition of the existing building at 544 King Street West and the construction of an 8 and 9-storey office building on the site (with a height of 32 metres and 37 metres, including the mechanical penthouse, respectively). The Committee of Adjustment refused the application and this decision was appealed by the applicant to the Ontario Municipal Board (OMB). In June 2009, the former OMB approved the application, subject to conditions, to permit the construction of an 8 and 9-storey office building on the site.

Heritage Approvals

At its December 11-13, 2016 meeting, City Council passed By-law 1186-2016 to prohibit the demolition or removal of any buildings or structures on properties that have the potential to contribute to the cultural heritage value of King-Spadina within the study area boundaries for a period of one year, which included the property at 544 King Street West. The accompanying staff report is available at:

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-99282.pdf>

On October 2, 2017, City Council adopted recommendations to designate the King-Spadina Heritage Conservation District under Part V of the *Ontario Heritage Act* and adopted the King-Spadina Heritage Conservation District Plan, which includes 544 King Street West. The final report and City Council decision are available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.14>.

At its December 5-8, 2017 meeting, City Council adopted recommendations to include the property at 544 King Street West on the City's Heritage Register. The City Council decision is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE28.12>

The King-Spadina Heritage Conservation District Plan is under appeal to the Land Appeals Tribunal (LPAT), and this list of appellants includes the . The owner of the property at 544 King Street West.

Pre-Application Consultation

Staff initially held a pre-application meeting with the applicant in August 2015, and subsequently, the local Councillor hosted a pre-application Community Consultation Meeting on September 21, 2015. At the time, the proposal only included the property at 540 King Street West and was for an 11-storey, 47 metre tall mixed-use building (including the mechanical penthouse) containing retail at grade and residential units above. The proposal contained minimal stepbacks for the upper portions of the building from King Street West and Brant Street. At the time, staff indicated concerns regarding the

proposed height and massing, indicating that the overall height should be no more than 40 metres, including the mechanical penthouse, and that the streetwall height should be no more than 20.0 metres, with 3.0 metre stepbacks above along both street frontages and 5.5 metre stepbacks from the west and north property lines. At the community meeting, concern regarding site access, which was proposed off of Brant Street, and cars queuing on Brant Street waiting for the proposed car elevator were also cited as issues.

A second pre-application meeting with the applicant and staff took place on November 20, 2017. By this time, the applicant acquired the adjacent property to west at 544 King Street West and 1-7 Morrison Street. At the meeting, the applicant presented a massing model for a scheme quite similar to that which was formally submitted to the City as it was for a 10-storey, mixed office and residential building with a height of 45 metres (50 including the mechanical penthouse) and proposed access off of Morrison Street. Conservation of the heritage property at 544 King Street West was not proposed. In their preliminary comments, staff noted concern regarding overall height, lack of heritage conservation, lack of appropriate stepping for upper portions of the building and shadow on the adjacent school site to the east.

ISSUE BACKGROUND

Proposal

The application proposes a 12 and 13-storey (52 metres including mechanical penthouse/office floor) mixed-use building with residential, office and retail uses. Overall the proposal includes 77 dwelling units comprised of 4 (5%) one-bedroom, 49 (64%) two-bedroom and 24 (31%) three-bedroom units. The total gross floor area of the proposed development is 27,625 square metres, including 8,937 square metres of residential floor area, 15,483 square metres of office floor area and 3,205 square metres of retail space. The proposed density is 9.47 times the area of the site. Attachments 1-6 provide the site plan, elevations and application data sheet for the proposal.

There is one heritage building on the site, a 2-storey commercial building constructed in 1925 at 544 King Street West. This property is listed on the City's Heritage Register and is also identified as a contributing property with the King-Spadina Heritage Conservation District (HCD). The application proposes to demolish this heritage building.

The building design proposes a 7-storey base building (32 metres) with retail uses at grade and within a portion of level 2. Office uses are proposed within the base building from levels 2 to 7 and on a portion of level 13 which also contains the mechanical penthouse. Residential uses are proposed from levels 8 to 12.

The building is proposed to be setback at the ground floor, 1 metre along Brant Street, 1 to 2.5 metres along King Street West, and 0.3 to 1 metre along Morrison Street. There is no ground floor setback proposed along the east and west property lines including to the Toronto District School Board (TDSB) property adjacent to the east at 20 Brant Street. A

lane widening of 1.4 metres is proposed along the north edge of the site adjacent to the existing public laneway in this location and the ground floor is proposed to extend to the edge of the widened lane.

Above the ground floor the proposed base building extends to the property lines along all sides. Setbacks are proposed at level 8 on most sides of the building. Proposed ground floor and level 8 building setbacks are summarized in Table 1 below. The mechanical/office floor (level 13) is proposed to be further setback in some areas. Proposed setbacks include 7.6 metres from the north property line adjacent to the lane, 5 metres from the north mutual property line with 548 King Street West and 9.2 metres for the office uses in the southwest corner of the rooftop mechanical level.

| Property Boundary | Ground Floor Setbacks | Level 8 Setbacks |
|---|------------------------------|-------------------------|
| South from King Street West | 1 – 2.5 | 5.1 – 6 |
| East from Brant Street | 1 | 3 |
| East from 12 and 20 Brant Street (TDSB) | 0 | 5.5 |
| North from widened public lane | 0 – 0.2 | 0.4 |
| North from 12 Brant Street | 0 – 0.2 | 5 |
| West from Morrison Street | 0 – 0.3 | 3 |
| West from 548 King Street West | 0 | 0 |
| North from 548 King Street West | 0 | 3.2 |

An underground parking garage with three levels and 125 parking spaces is proposed for residents (51) and commercial uses (74). A total of 161 bicycle parking spaces are proposed within the parking garage, including 77 resident spaces, 65 spaces for office uses and 19 spaces for retail uses. Access to parking and loading is proposed from a 6 metre wide driveway near the site's north edge with Morrison Street.

Proposed common residential amenity space includes 117 square metres of indoor amenity space and 150 square metres of outdoor amenity space on level 12 on the south portion of the building. Private balconies are also proposed for the dwelling units. An amenity space is also proposed on level 12 for the office uses located on the north side of the building along King Street West.

Site and Surrounding Area

The site is located on the north side of King Street West midway between Spadina Avenue and Bathurst Street. It is situated within the block bounded by Portland Street, Brant Street, Adelaide Street West and King Street West. Morrison Street extends south from Adelaide Street West midway into the block. The site is 0.29 hectares in size, irregularly shaped and generally flat.

The site is a consolidation of a number of properties with larger areas consolidated at the north and south ends of the site connected by a linear area approximately 15 metres wide. The site has frontages on three streets, King Street West (47 metres), Brant Street (36 metres) and Morrison Street (32 metres). There is a 3 metre wide public laneway adjacent to the north of the site.

The property at 544 King Street West is occupied with a 2-storey commercial building dating to 1925. This property is listed on the City's Heritage Register and is identified as a contributing building in the King-Spadina Heritage Conservation District (HCD). The building is setback approximately 5.5 metres from King Street West and the front yard is occupied by a surface parking area. The property at 540 King Street West extends to Brant Street and contains a single-storey commercial building setback approximately 8.7 metres from King Street West, with surface parking in the front yard along King Street West and behind the building accessed from Brant Street. The properties at 1 and 7 Morrison Street contain surface parking lots accessed from Morrison Street.

Surrounding uses include:

North: Adjacent to the north is a 3 metre wide public lane that extends east and west from Morrison Avenue. This laneway is one of a network of laneways identified within the King-Spadina HCD as reflecting both historic and contextual value. There is a 2-storey commercial building on the north side of the public lane at the southeast corner of Adelaide Street West and Morrison Street. St. Andrew's Playground is situated on the north side of Adelaide Street West and extends from Maud Street east to Brant Street. St. Andrew's Playground is at the centre of the St. Andrew's Character Sub-Area identified in the King-Spadina HCD, is a significant historical property within this Character Sub-Area and is designated under Part V of the *Ontario Heritage Act*.

South: On the south side of King Street West, between Portland Street and Spadina Avenue, the block is generally characterized by historic 3 and 4-storey commercial buildings. Most of these properties are listed on the City's Heritage Register and/or identified as contributing properties in the King-Spadina HCD. Three of these properties are also designated under Part IV of the *Ontario Heritage Act*, 511 King Street West which is situated opposite the site on the south side of King Street West and 489 and 485 King Street West situated farther east. The properties at 511 and 489 King Street West are also the subject of a zoning by-law amendment application (File: 16 159483 STE 20 OZ) that includes other properties at 489 to 539 King Street West and proposes a 16-storey mixed-use building on this consolidated site. The application has been appealed to the Local Planning Appeal Tribunal.

East: Abutting the site to the east and north, fronting onto the west side of Brant Street is a one-storey commercial building at 12 Brant Street. The 4-storey TDSB Brant Street School building also abuts the north portion of the site at 20 Brant Street. There are two schools within this building, the Alpha Alternative Junior Public School and Oasis Alternative Secondary School. The TDSB property is also listed on the City's Heritage Register and is identified as a significant historical property within the St. Andrew's Character Sub-Area in the King-Spadina HCD.

Opposite the site at the northeast corner of Brant Street and King Street West is a 3 and 4-storey commercial building at 500 King Street West (including 1 and 11 Brant Street, 494, 510, 520 and 522 King Street West). This building is listed on the City's Heritage Register and is identified as a contributing property in the King-Spadina HCD. Farther east along King Street is a 12-storey mixed-use building at 478 King Street West. Farther north on the east side of Brant Street is a residential development comprised of three buildings, 9, 10 and 11-storeys and a 3-storey historic commercial building at 25 Brant Street that is identified as a contributing property in the King-Spadina HCD.

West: Adjacent to the west at 548 King Street West is a 2.5-storey commercial building, and west of this is a recently completed 12-storey residential building which incorporates a heritage building at 560 King Street West that is designated under the *Ontario Heritage Act*. This "C"-shaped building, known as Fashion House, fills the depth of the block and also has frontage on Adelaide Street West. There is a pedestrian connection between the buildings at 548 and 560 King Street West extending from the south end of Morrison Street to King Street West. Further west at 582-590 King Street West and 473 Adelaide Street are two 4-storey heritage buildings connected by a bridge structure over the lane below. These properties are listed on the City's Heritage Register and are subject of a zoning by-law amendment application proposing 6 and 12-storey mixed-use buildings that has been appealed to the Local Planning Appeal Tribunal (File No. 17 215103 STE 20 OZ).

On the west side of Morrison Street, opposite the northern portion of the site is an existing 10-storey "L" shaped building at 455 Adelaide Street West that fronts onto Morrison Street, and an 11-storey building at 457 Adelaide Street West. Between these buildings at the southwest corner of Morrison Street and Adelaide Street west (445 – 453 Adelaide Street West) are five, 2-storey historic row houses listed on the City's Heritage Register and identified as contributing properties in the King-Spadina HCD. Four of these are the subject of a zoning by-law amendment application proposing an 11-storey office building that has been appealed to the Local Planning Appeal Tribunal (File No. 17 209531 STE 20 OZ).

There is 4-storey heritage building listed on the City's Heritage Register at the northeast corner of King Street West and Portland Street. On the west side of Portland Street, at the northwest corner of King Street West and Portland Street is another 4-storey heritage building which has been incorporated into a recently approved mixed-use development that includes a 12-storey commercial building fronting on King Street West and a 16-storey residential building fronting Adelaide Street West.

Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the conservation of features of significant architectural, cultural and historical interest; the promotion of built form that is well designed and encourages a sense of place; and the appropriate location of growth and development.

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 ("GGH") region, of which Toronto 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 stormwater 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 with 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 with 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 with 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 with 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 have reviewed the proposed development 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 this Report.

Official Plan

The site is situated in the *Downtown* and *Central Waterfront* and is designated *Regeneration Areas* on Map 18 in the Official Plan (Attachment 7).

Chapter 2 – Shaping the City

Chapter 2 sets out a range of policies to guide growth and change, ensuring appropriate measures are taken to maintain Toronto's health, liveability and prosperity.

Downtown and Central Waterfront Policies

Section 2.2.1 provides direction on *Downtown* as a growth area that will continue to evolve as a healthy and attractive place to live and work. As an area where growth is anticipated and encouraged, the Official Plan provides for new development in the *Downtown* that: achieves a minimum combined growth target of 400 jobs and residents per hectare, builds on the strength of the area as an employment centre, provides for a

range of housing opportunities and focuses on the Financial District as the prime location for the development of prestige commercial office buildings and landmark buildings that shape the skyline.

The Official Plan directs growth to the *Downtown* in order to achieve multiple City objectives. Among other matters, it promotes efficient use of municipal services and infrastructure, concentrates jobs and people in areas well served by transit, provides increased opportunity for living close to work, to encourage walking and cycling, all in keeping with the vision for a more liveable city.

While *Downtown* is identified as an area offering opportunities for substantial employment and residential growth, this growth is not anticipated to be uniform. Design guidelines specific to districts of historic or distinct character will be implemented to ensure new development respects the context of such districts in terms of the development's fit with existing streets, setbacks, heights and relationship to landmark buildings.

The Official Plan recognizes that as the population of the *Downtown* increases, ensuring that public amenities and infrastructure are maintained and upgraded, enhancing existing parks and acquiring new parks, and preserving and strengthening the range and quality of social, health, community services and local institutions are essential to improve the quality of life for *Downtown* residents.

Chapter 3 – Building a Successful City

Policy directions on matters that improve quality of life are contained in Chapter 3 of the Official Plan.

Built Form and Public Realm

The Public Realm policies of Section 3.1.1 of the Official Plan recognize the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in architecture, landscape architecture and urban design in public works and private developments to ensure that the public realm is functional, beautiful, comfortable, safe and accessible. The policies provide that new parks and open spaces should connect and extend wherever possible to existing parks, natural areas and other open spaces such as school yards.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the Built Form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or

planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings, providing for adequate light and privacy and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets and properties.

Due to the larger civic responsibility and obligations associated with tall buildings, the built form policies of Section 3.1 provide additional design direction to ensure that they fit into the existing and planned context and limit local impacts. Policy 3.1.3.2 requires new tall building developments to address key urban design considerations set out in the Plan.

Heritage Resources

The Official Plan recognizes the importance of the City's heritage resources, as they tell the stories about the forces and events that have shaped Toronto. Section 3.1.5 of the Official Plan addresses the identification and evaluation of properties of cultural heritage value or interest. It also provides for conservation of heritage resources and includes policies that state that Heritage Impact Assessments will evaluate the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register, to the satisfaction of the City.

In particular, Policy 3.1.5.4 states that heritage resources on the City's Heritage Register will be conserved and Policy 3.1.5.5 further states that proposed alterations and/or development on or adjacent to a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property. Additionally, Policy 3.1.5.26 identifies that, when new construction on, or adjacent to, a property on the Heritage Register does occur, it will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impact on it. Finally, Policy 3.1.5.27 encourages the conservation of whole or substantial portions of buildings, structures and landscapes on those properties and discourages the retention of façades alone.

This section of the Plan also contains policies related to Heritage Conservation Districts. Policy 3.1.5.32 requires that impacts of site alterations and/or developments within Heritage Conservation Districts will be assessed to ensure that the integrity of the districts' heritage values, attributes and character are conserved, and Policy 3.1.5.33 adds that Heritage Conservation Districts should be managed and conserved by approving only those alterations, additions, new development, demolitions and removals in accordance with respective Heritage Conservation District plans.

Housing

Section 3.2.1 provides direction on housing. Strong communities are the foundation of a healthy city and the Official Plan recognizes that opportunities for adequate and affordable housing are essential to the supporting quality of life, economic competitiveness and social cohesion. Policy 3.2.1.1 encourages the provision of a full

range of housing in terms of form, tenure and affordability to meet the current and future needs of residents.

Parks and Open Space

The parks and open spaces and other natural and recreation areas that comprise the Green Space System in Toronto are essential elements of complete communities. The Official Plan recognizes that the City's Green Space system is vital to our quality of life, social wellbeing, and to the health of the natural ecosystem. These areas provide opportunities for recreation, relaxation and experiencing nature and offer unique experiences for residents and visitors from across the region and elsewhere.

The Official Plan recognizes that as Toronto grows and changes the parks and open space system will need to expand. The policies of Section 3.2.3 of the Official Plan, seek to ensure that as the city grows our Green Space System is strengthened by actions such as: adding new parks and amenities, particularly in growth areas; maintaining, improving and expanding existing parks; designing high quality parks and their amenities to promote user comfort, safety, accessibility and year round use, and to enhance the experience of place. The Plan seeks to ensure that the effects of development including additional shadows, noise, traffic and wind on existing parks and open space are minimized to preserve their utility.

Chapter 4 – Land Use Designations

Regeneration Areas

A broad mix of commercial, residential, light industrial, parks and open space, institutional, live/work and utility uses are permitted within *Regeneration Areas* to promote reinvestment and revitalization. The framework for new development within *Regeneration Areas* is set out in a Secondary Plan intended to promote the desired type and form of physical development for an area.

The policies of Section 4.7.1 provide for the restoration, re-use and retention of existing buildings that are economically adaptable for re-use, particularly heritage building and structures in *Regeneration Areas*. Section 4.7.2 sets out the intent of Secondary Plans for *Regeneration Areas* and provides that they will guide the revitalization of the area through among other matters:

- urban design guidelines related to the unique character of the area;
- strategies to promote greening and community improvements; and
- a heritage strategy identifying important heritage resources, conserving them and ensure new buildings are compatible with adjacent heritage resources.

The site is located within the King-Spadina Secondary Plan area.

Official Plan Amendment No. 231 – Office Replacement Policies

Official Plan Amendment No. 231 (OPA 231), adopted by City Council December 18, 2013, received approval by the Minister of Municipal Affairs and Housing on July 9, 2014 and is in large part under appeal before the Local Planning Appeal Tribunal. As an outcome of the Official Plan and Municipal Comprehensive Reviews, OPA 231 contains new economic policies and designations to stimulate office growth in the *Downtown*, *Central Waterfront* and *Centres*, and all other *Mixed Use Areas*, *Regeneration Areas* and *Employment Areas* and also contains new policies with respect to office replacement in transit-rich areas. In particular, Policy 3.5.1(9) requires the provision of office space on any site containing 1,000 square metres or more of office space, where residential development is proposed. Policy 3.5.1 (9) is currently under appeal.

The existing buildings at 540 and 544 King Street West contain office uses with an overall gross floor area of approximately 1,590 square metres.

King-Spadina Secondary Plan (2006)

The site is situated within the West Precinct of the King-Spadina Secondary Plan Area found in Chapter 6.16 of the Official Plan (Attachment 8). The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form, heritage and public realm. The major objectives of the Plan include the policy that heritage buildings and other important buildings within the King-Spadina Area, including the West Precinct, will be retained, restored and re-used.

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 to minimize pedestrian/vehicular conflicts;
- New buildings will be sited for adequate light, view and privacy and compatibility with the built form context;
- New buildings will achieve a compatible relationship with their built form context through consideration of such matters as 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 maintained on streets and open spaces;

- The streetscape and open space improvements will be coordinated in new development; and,
- High quality open spaces will be provided.

Additionally, the policies of Section 4 – Heritage – specify that:

- Heritage buildings in the King Spadina Area are essential elements of physical character. In this regard, the City will seek the retention, conservation, rehabilitation, re-use and restoration of heritage buildings by means of one or more appropriate legal agreement.

A major objective of the King-Spadina Secondary Plan is to use the historic fabric of the area as the context within which to assess new development. Additionally, achieving a mixture of compatible land uses, and retaining and promoting commercial and light industrial uses is another major objective of the Plan.

The proposed development is south of St. Andrew's Playground, which is identified as an Area of Special Identity and an important park within the King-Spadina area. New development is to respect the integrity and potential for increased use of the park.

The site is also adjacent to two public schools located at 20 Brant Street. The King-Spadina Secondary Plan requires buildings adjacent to streets, parks and open spaces to be massed to provide proportional relationships and will be designed to minimize the wind and shadow impacts on streets, parks and open spaces.

The King Spadina Secondary Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

King Spadina Secondary Plan Review

The King-Spadina Secondary Plan Review began as the "King-Spadina East Precinct Built Form Study", however, at its meeting on July 7, 2015, City Council expanded the boundary to also include the Spadina Precinct. At its meetings on August 25, 2014 and July 7, 2015, City Council endorsed a number of directions for the King-Spadina East Precinct to be used in reviewing current and future development applications including a downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue, employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates, and protecting the network of mid-block connections and laneways as a defining feature of the public realm, and expanding these connections to further the pedestrian network.

The geographic boundaries of the study were further expanded to include the West Precinct, thereby including the entire King-Spadina Secondary Plan Area by Toronto and

East York Community Council at its September 6, 2017 meeting, through their consideration of the Draft Policy Directions Report. Draft policy direction includes:

- Proposed land use redesignation from *Regeneration Areas* to *Mixed Use Areas*;
- Public realm strategy;
- Urban design guidelines;
- Built form policies; and,
- Provision of infrastructure.

The Community Council decision and staff report, which provides a detailed background of the decision history of studies within this Secondary Plan area can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.60>.

King Spadina is one of the highest growth areas in the City of Toronto. The King-Spadina Secondary Plan Review recognizes that this area has evolved from an area of employment (non-residential uses) into an area with a range of uses including residential. The updated Secondary Plan will recognize that while the area will continue to grow and change, it must do so in a way that positively contributes to liveability, is better supported by hard infrastructure and community infrastructure, and more carefully responds to the strong heritage and character of the area.

Staff anticipate that the Draft King Spadina Official Plan policies will be posted on the City Planning web site in 2018. A Final Report outlining the proposed Secondary Plan Amendments will be considered at a public meeting of the Toronto and East York Community Council under the *Planning Act*, after a consultation period to allow for public input on the draft policies.

King Spadina Urban Design Guidelines (2006)

Urban Design guidelines, in conjunction with the Official Plan policies, work together to achieve optimal building siting and design that enhances the public realm, while respecting and reinforcing the surrounding built environment and context. Guidelines are crucial planning tools that assist in testing the appropriateness of development applications in the policy context. They are intended to assist in the implementation of the Official Plan policies for built form, and serve as a unified set of directions for the evaluation of development applications.

The Official Plan (Section 5.3.2: Implementation Plans and Strategies for City-Building, Policy 1) states that Guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban Design Guidelines, specifically, are intended "to provide a more detailed framework for built form and public improvements in growth areas."

The King-Spadina Urban Design Guidelines support the implementation of the King-Spadina Secondary Plan. These Guidelines state that new development should be

compatible with existing heritage buildings in terms of massing, height, setbacks, stepbacks and materials. New development, within the context of existing adjacent buildings, should define and contribute to a high quality public realm. Development should reinforce the character and scale of the existing street wall in the immediate surrounding area. In addition, the scale of the building brought to the sidewalk should respond proportionally to the width of the right-of-way.

Section 4.3.3 Built Form of the Guidelines recognizes that new development in the West Precinct has a distinguishing character of uniform height, scale and massing, producing an effect of a maturing mid-rise neighbourhood, which is different from Spadina Avenue and the East Precinct.

Section 5 contains the built form guidelines that expand on Section 4. Section 5.2.1 emphasizes that the street wall should be designed to ensure pedestrian comfort and adequate light penetration. This can be achieved through a 1:1 ratio of building height relative to street width. New development should reinforce the continuity of the street wall of a particular street using existing building heights and setbacks as the basis for the design of the street frontage.

Further, Section 5.4.1 Building Heights affirms that the West Precinct is characterized by a homogenous form of low to mid-rise warehouse, office and mixed-use building patterns. The Guidelines state that applications displaying portions of buildings above the height limit set out in the Zoning By-law will be required to demonstrate no undue impacts on light, view, privacy and sunlight access on nearby properties.

Section 5.4.3 Angular Planes and Stepbacks stipulates that where buildings are permitted to be higher than the street wall height, a stepback will be required that is large enough to ensure that the higher portion does not overwhelm and detract from the consistency of the street wall from the perspective of the pedestrian experience. This section also considers that, even in situations where a particular development meets angular plane requirements and does not cause significant wind or shadow impacts, the height may still not necessarily be acceptable within its context.

Section 5.4.4 Light, View and Privacy states that taller building elements (i.e. above the as-of-right height permissions) should be evaluated on their ability to achieve optimum proximity, light, view and privacy conditions, as well as on their impact on other properties on the same block with similar potentials.

TOcore: Planning Downtown

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed Staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to the Downtown Plan Official Plan Amendment.

OPA 406 – Downtown Plan

At its May 1, 2018 meeting, Planning and Growth Management (PGM) Committee held a Special Public Meeting pursuant to Section 26 of the *Planning Act* and adopted a staff report entitled 'TOcore: Downtown Plan Official Plan Amendment', as amended, that recommended adoption of the Downtown Plan Official Plan Amendment (OPA 406). OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Plan. Future amendments to existing Secondary Plans and Site and Area Specific Policies located within the Downtown area are recommended to be implemented once OPA 406 comes into force and effect.

At its May 22-24, 2018 meeting, City Council adopted OPA 406, as amended. The Council decision is available here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.4>

Pursuant to Section 26 of the *Planning Act*, the Downtown Plan will be forwarded to the Minister of Municipal Affairs for approval. Council has directed Staff to use the policies contained with the Downtown Plan to inform evaluation of current and future development applications in the Downtown Plan area while the OPA is under consideration by the Minister.

The OPA – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm and community services and facilities – is the result of a three-year study called TOcore: Planning Downtown. The TOcore study area is generally bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east.

OPA 406 provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow.

As part of the City of Toronto's Five Year Official Plan Review under Section 26 of the *Planning Act*, OPA 406 is a component of the work program to bring the Official Plan into conformity with the Growth Plan. The OPA is consistent with the Provincial Policy Statement (2014), conforms with the Growth Plan and has regard to matters of provincial interest under Section 2 of the *Planning Act*.

Map 41-3 of the Downtown Plan designates the site as *Mixed Use Areas 2 - Intermediate*. Policies 6.25 and 6.26 of the Downtown Plan detail that within *Mixed Use Areas 2* development will include building typologies that respond to their site context, including low-rise, midrise and some tall buildings, and that the scale and massing of buildings will respect and reinforce the existing and planned context of the neighbourhood. Further,

Policy 6.27 sets out that development within *Mixed Use Areas 2* will provide for a diverse range of uses, including retail, service, office, institutional and residential. King Street West is identified on Map 41-7 as a Great Street, where Policy 7.17 prioritizes public realm improvement works.

St. Andrew's Playground, just to the north of the site on Adelaide Street West, is identified on Map 41-13 to be a sun protected park where the sub-text to the policies in Section 9 of the Downtown Plan detail that no net-new shadow will be permitted.

The site is also located within the King-Spadina *Cultural Precinct*, where Policy 12.4 identifies that the adaptive re-use of properties on the Heritage Register as *cultural spaces* will be encouraged. Policies 12.5 and 12.6 promote uses that encourage the cultural and creative industries, and provide facilities for such uses, while also encouraging buildings that support the spatial requirement of cultural industries and allow for flexible use of the spaces.

Map 41-15 locates the site within the *Downtown Film Precinct*, where policies within section 12.14 encourage the provision of physical infrastructure to support the film industry, built-in infrastructures to reduce the need for generators and areas for temporary film trailer parking, pick-p/drop-off areas, accessible loading zones and motor coach parking zones.

OPA 352 – Downtown Tall Building Setback Area

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area (currently under appeal). The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal), which provide the detailed performance standards for portions of buildings above 24 metres in height.

Further background information can be found at www.toronto.ca/tocore.

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing-Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the

evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing-Up Draft Urban Design Guidelines were considered in the review of this proposal.

The Council decision and draft guidelines are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.3>

Zoning

Former City of Toronto By-law 438-86 designates the site RA "Reinvestment Area" which permits a range of uses including residential, commercial, office and retail. As part of the RA zoning controls, density standards were replaced by built form objectives expressed through height limits and setbacks. The maximum height permitted is 23 metres plus an additional five metres for the mechanical penthouse above this. A three-metre stepback is required above a height of 20 metres.

The site is also subject to Zoning By-law 569-2013 and is designated CRE (x77) (Commercial Residential Employment) which is substantially the same with regards to use, density and height as the former City By-law (Attachment 9).

Site Plan Control

The development proposal is subject to Site Plan Control. A Site Plan Approval application has not been submitted at this time.

Reasons for the Application

Zoning By-law 569-2016 permits a height limit of 23 metres which the proposal would exceed by 26 metres which would result in a building height of 49 metres (52 metres including the mechanical penthouse). The proposal does not comply with various other zoning standards such as parking requirements, building setbacks and required amenity space for the proposed development.

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale;
- Heritage Impact Assessment;
- Urban Transportation Considerations Report;
- Noise and Vibration Feasibility Study;
- Stage 1 Archaeological Resource Assessment;
- Pedestrian Wind Comfort Assessment;
- Energy Strategy Report;
- Arborist Report;
- Toronto Green Standard Checklist;

- Draft Zoning By-law Amendment;
- Public Consultation Strategy;
- Functional Servicing and Stormwater Management Report;
- Hydrogeological Investigation; and
- Shadow Study.

A Notification of Complete Application was issued on April 4, 2018.

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

Community Consultation

A community consultation meeting was held on April 30, 2018. City Planning staff, the Ward Councillor and approximately 40 people attended the meeting. Main issues raised included: concern with the proposed demolition of the heritage building; proposed building heights including impacts on views from neighbouring properties; concern with the impacts of the development on the Brant Street School in relation to setbacks, overlook, traffic safety and shadow impacts; and concerns related to traffic, loading and parking particularly the impacts on the functionality of Morrison Street. A participant commented that the designs of the east and south façades were better than the western facade which gave the appearance of a long high wall. Others noted that the development should contribute more to improving the design of Morrison Street including design considerations to improve the pedestrian experience along this street.

Staff have considered these comments in the review of this application.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposed Zoning By-law amendment has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017).

Provincial Policy Statement (2014)

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest include amongst other matters: Section 2(d) the conservation of features of significant architectural, cultural or historical interest; and Section 2(r) the promotion of built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

In its current form, the proposed development does not have regard to Section 2(d) of the *Planning Act*, as it does not conserve the heritage resources at 544 King Street West. The proposed development also does not have regard to Section 2(r) as it does not have a built form that is well-designed. The proposed development is too tall for its context and the massing is out of scale and inappropriate in its context. If the proposal were approved in its current form, it would set a negative precedent for an increase in height and massing in the West Precinct of King-Spadina.

The Provincial Policy Statement (PPS) contains policies related to managing and directing development and provides policy direction on matters of provincial interest related to land use planning and development. It requires that sufficient land be made available for intensification and redevelopment; that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock or areas; and that they establish and implement minimum targets for intensification and redevelopment within built up areas. While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. In its current form, the proposed development is not a level of intensification that is appropriate when taking into account the existing building stock and area.

Policy 4.7 indicates that the Official Plan is the most important vehicle for implementing the PPS. Further, Policy 1.1.3.3 indicates planning authorities shall identify appropriate locations for intensification and redevelopment. In this context, the Official Plan further implements the direction of the PPS to require appropriate built form to fit harmoniously into its existing and planned context.

The Official Plan, which includes the King-Spadina Secondary Plan, meets the requirements of the PPS. It contains clear, reasonable and attainable policies that protect provincial interests and direct development to suitable areas while taking into account the existing building stock, including heritage buildings, and protects the character of the area consistent with the direction of the PPS. In this context, although the project does represent intensification, it is not consistent with other objectives of the Official Plan and therefore the PPS, in that it does not fit harmoniously into its existing and planned context, it does not conserve significant heritage resources and it represents overdevelopment of the site.

The conservation of heritage resources is required pursuant to Section 2.6.1 of the PPS, which states that significant built heritage resources and significant cultural landscapes shall be conserved. Additionally, Section 2.6.3 requires that any development or site alteration on lands adjacent to a protected heritage property must demonstrate that the heritage attributes of the protected heritage property will be conserved. Built heritage resource is defined to include property that has been designated under Parts IV or V of the *Ontario Heritage Act* or included on local, provincial and/or federal registers. The

proposal includes demolition of the listed heritage resource at 544 King Street West. This property is also included in the King-Spadina HCD, which is designated under Part V of the *Ontario Heritage Act*. The lack of conservation of this significant heritage resource is not consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe identifies the Downtown as an Urban Growth Centre, which is a regional focal point for accommodating population and employment growth in complete communities that are well designed to meet people's needs for daily living throughout an entire lifetime. The Growth Plan builds on Section 2(r) of the *Planning Act*, which recognizes the promotion of built form that is well-designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant to be a provincial interest that municipalities and the LPAT shall have regard for. The Growth Plan policies also build on PPS Policy 1.7.1(d), which states that long term economic prosperity will be supported by encouraging a sense of place by promoting well-designed built form.

Policy 2.2.2.4 of the Growth Plan directs municipalities to develop a strategy to achieve minimum intensification targets which will identify the appropriate type and scale of development as well as transition of built form towards adjacent areas. Policy 5.2.5.6 states that, in planning to achieve the minimum intensification and density targets of the Plan, municipalities will develop and implement urban design and Official Plan policies, including other supporting documents, which direct the development of a high quality public realm and compact built form. Section 4.2.7 also states that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

The King-Spadina area is located in the Downtown Urban Growth Centre. Policy 5.2.5.8 of the Growth Plan notes that the identification of *strategic growth areas* are not land use designations and their designation does not alter existing land use designations. The planning framework that governs this site includes the Official Plan, King-Spadina Secondary Plan, Heritage Conservation District Plan and associated Urban Design Guidelines, all of which contain policies and guidelines that support a high quality public realm and compact built form. The Downtown Urban Growth Centre is on track to meet its density target of 400 residents and workers per hectare, as set out in the Growth Plan. It is noted that the target is the average of the entire Urban Growth Centre and it is not for any one particular area within the Centre, such as the King-Spadina Secondary Plan Area, to meet this target. The proposed development does not conserve the on-site heritage resources and does little to contribute toward the achievement of a high quality public realm with a strong sense of place.

The proposal in its current form does not conform with the Growth Plan as it fails to conserve heritage resources and the scale of development based on the proposed height and massing is not appropriate for the subject site.

Land Use

The proposed residential, retail and office uses are permitted uses within the *Regeneration Areas* designation and applicable zoning provisions for the site.

Office Replacement

The office replacement policies of OPA 231 require the provision of office space on any site designated *Regeneration Areas* containing 1,000 square metres or more of office space, where residential development is proposed. The existing buildings at 540 and 544 King Street West contain office uses with an overall gross floor area of approximately 1,590 square metres. The application proposes 15,483 square metres of office space an increase of 13,893 square metres of office floor area from the existing condition. City Planning staff consider the proposed office space a positive element of the proposal as it provides for a mix of uses consistent with Official Plan policies. However, as noted above, staff have concerns with the resulting built form.

Heritage Conservation

The site includes a heritage property at 544 King Street West which was added to the City's Heritage Register by City Council in December 2017. The site is located in the King-Spadina HCD, as adopted by City Council in October 2017, and 544 King Street West is identified as a contributing property in the HCD. The site is also adjacent to other listed, designated and/or properties identified as contributing in the King-Spadina HCD.

The following properties adjacent to the site are designated under Part IV of the *Ontario Heritage Act*:

- 511 King Street West, a 4-storey brick commercial building to the south; and
- 489 King Street West, a 5-storey commercial building to the east and south.

The following properties adjacent to the site are listed in the City's Heritage Register and identified as contributing properties in the King-Spadina HCD:

- 20 Brant Street to the east, (the Brant Street School);
- 500 King Street West, a 3 and 4-storey brick commercial building to the east;
- 519-529 King Street West, a row of 3-storey brick commercial properties to the south;
- 495 King Street West, a 3-storey commercial building to the east;
- 445 Adelaide Street West, a 2.5-storey residential property to the west; and
- 450 Adelaide Street West, St. Andrew's Playground.

The applicant has submitted a Heritage Impact Assessment prepared by ERA Architects Inc., and this has been reviewed by City staff. The Assessment concludes that 544 King Street West possesses insufficient design, associative or contextual value to merit individual designation under Part IV of the *Ontario Heritage Act*.

City Planning staff do not support the conclusions of the Heritage Impact Assessment submitted in support of the application. As outlined in the King-Spadina HCD Plan's Statement of Cultural Heritage Value:

"The King-Spadina Heritage Conservation District contains a concentration of late 19th and early to mid-20th century residential and commercial buildings, as well as three public parks and a distinctive network of laneways. The Commercial buildings within the District primarily date from the 1900s – 1940s when manufacturing was a key economic sector for the city of Toronto and a major employer. These commercial buildings are often the first use of the property, or reflect the consolidation and redevelopment of earlier residential properties. The District's association with manufacturing and role it played in Toronto's economic prosperity during the early 20th Century further contribute to its historic value."

The subject property has cultural heritage value for its design as a detached commercial building associated with the second wave of development in the King-Spadina neighbourhood in the 20th century. Contextually, the property at 544 King Street West is valued for the role of the detached commercial building in defining, supporting and maintaining the historical character of the King-Spadina neighbourhood. The building is historically, visually and physically linked to its setting in the neighbourhoods where it is part of an important collection of warehouses on the street.

The heritage policies applicable to the site provide clear direction on both the heritage conservation required on the site and an appropriate response to the surrounding context. The policies in the Official Plan and Provincial policy require the conservation of on-site and adjacent heritage properties. The King-Spadina HCD Plan stipulates that the demolition of heritage properties shall not be permitted, and includes policies and guidelines relating to street wall height, setbacks and new construction. The proposal would have a negative impact on the King-Spadina HCD and the adjacent contributing properties.

Based on the Official Plan and King-Spadina HCD Plan as well as relevant design guidelines, the conclusion provided by the applicant's heritage consultant does not conform with the Official Plan policies and the policy direction moving forward for the District. Both the analyses undertaken by City Planning staff outlined in the report to City Council recommending inclusion on the Heritage Register and the HCD study undertaken by the City's consultants have determined that the property at 544 King Street West contains sufficient cultural heritage value under the Provincial criteria, Reg. 9/06 of the *Ontario Heritage Act* and contribute to the heritage character of the district.

The proposed demolition of the heritage building at 544 King Street West is not supportable by City Planning. The heritage property at the subject site is required by the King-Spadina HCD to be conserved in situ as a part of the project. Significant revisions to the proposal are required in order to meet the intent of these policies and guidelines.

The proposal also results in shadows on St. Andrew's Playground and this is discussed in more detail in the Shadow Impacts section of this report.

Height and Massing

In addition to proposed demolition of the heritage building at 544 King Street West, the height and massing of the proposed development does not adequately address the built form and public realm policies of the Official Plan, King-Spadina Secondary Plan, King-Spadina Urban Design Guidelines and the King-Spadina Heritage Conservation District Plan.

The Built Form policies of the Official Plan provide that new development should fit harmoniously within its existing and/or planned context and limit its impact on neighbouring streets, parks, open spaces and properties. The King-Spadina Secondary Plan requires that new buildings achieve a compatible relationship with their built form context through consideration of matters including, height, massing, scale, setbacks, and stepbacks and architectural expression. The Secondary Plan also provides that new buildings for any use will be sited and massed to provide adequate light view and privacy for neighbouring properties.

The King-Spadina Urban Design Guidelines also support these policies and recognize that a distinguishing character of the West Precinct are the low to mid-rise buildings, many of which are historic buildings, that define this area. The Guidelines emphasize that new development should reinforce the continuity of the street wall using existing building heights and setbacks as the guide to ensure compatibility and maintain pedestrian comfort and adequate light penetration. Existing listed and contributing heritage properties are to be appropriately conserved and integrated into any new development. Further, new development should reinforce the character and scale of the existing street wall, and the base of the building should respond proportionally to the width of the street and reinforce the existing building rhythm of the street.

Similarly, the King-Spadina HCD Plan advises that, in order to respect the character and pattern of the street wall frontage and height of the adjacent contributing heritage built form, a base building height is to be established that will be consistent with the streetwall height of the adjacent buildings and elements above this height are to be stepped back from the front wall. Part of the purpose of a base building with the taller portion of the building stepped back from the street level is to create good proportion at the street level, avoid overwhelming the public realm, and provide adequate sky view and sunlight conditions.

City Planning staff have concerns with the proposed building height, as well as building setbacks and these issues are discussed in more detail below.

Height

Staff have reviewed the proposed development in the context of efforts to maintain the midrise character in the West Precinct of the King-Spadina Secondary Plan area (those lands west of Spadina Avenue, most of which are subject to a 23 metre height limit in the Zoning By-law). The objective of keeping building heights lower in the West Precinct is to protect the character and scale of the existing heritage fabric of the area and to minimize impacts associated with taller buildings, such as shadows on sidewalks, parks and open spaces and loss of privacy and sky views.

The Draft Policy Directions Report considered by Toronto and East York Community Council on September 6, 2017, states that, in the West Precinct, policies will limit the scale of development to be significantly lower than the East Precinct (the area east of Spadina Avenue). New development will be limited to a maximum height of 45 metres, including all mechanical elements. It further states that this height may not be appropriate for all sites, as development is also regulated by the other policies in the Secondary Plan Update.

The proposed building height of 12 and 13 storeys (52 metres including the mechanical penthouse) exceeds the 45 metre maximum building height inclusive of mechanicals that is recognized as appropriate within the West Precinct through the King-Spadina Secondary Plan Review. The existing Zoning By-law permits a base building height of 20 metres with a three metre stepback from any lot line that abuts a street line. As noted above, the proposed demolition of the heritage building at 544 King Street West is not supportable by City Planning staff. A revised application that conserves this heritage building is required and this will inform an appropriate building height that responds to the context, in-force policy framework, and emerging policy directions for the site and area.

Base Building Setbacks and Height

The proposed development does not create a base building that responds well to the existing and planned context, and the on-site and adjacent heritage properties. The built form character of this area of the West Precinct is dominated with heritage buildings of 3 to 5 storeys along the north and south side of King Street West, Brant Street and Morrison Street adjacent and near to the site. The existing heritage building at 544 King Street West is setback approximately 5.5 metres from King Street West. This setback is identified as one of the heritage attributes of the building and reason for its inclusion on the City's Heritage Register.

The proposed development does not reflect the existing setback of the heritage building at 544 King Street West as the ground floor is proposed to be setback one metre along Brant Street and King Street West, except for a small portion at the entrance to the office lobby which is proposed to be setback 2.5 metres. Columns extend to the King Street West and Brant Street property lines supporting the 7-storey base building above. The remainder of the base building extends to the respective property lines.

In addition, the proposed base building height of 7 storeys (32.5 metres) does not respond to or reinforce the street wall heights established by the existing buildings along King Street West, Brant Street and Morrison Street many of which are heritage buildings, adjacent and near to the site. The proposal would result in streetwall conditions that do not fit within the context of the existing and planned buildings along these streets. Morrison Street is 12.5 metres wide and the proposed base building does not create good proportion at street level and overwhelms the public realm along this narrow street. In this instance, the presence of an on-site heritage resource, the surrounding heritage context and the unique condition of Morrison Street being a very narrow street, all need to be considered when determining the appropriate height and setbacks of the base building.

Staff intend to work closely with the applicant to determine the appropriate height and setbacks of the base building and, as noted below, setbacks of taller elements from the base building, through further review of the application once a revised proposal that includes the conservation of the existing heritage property at 544 King Street West is received.

Building Setbacks

In the context of the King Spadina Secondary Plan review, a building measuring just over 40 metres in height would be considered a "tall" mid-rise building in the King Spadina West Precinct. Above the established base building height, a mid-rise building would generally require a minimum 5.5 metre setback from any property line that is not a street line as well as from the centre-line of a laneway so as to establish a separation distance of at least 11 metres between the taller elements of buildings on neighbouring properties. Furthermore, a setback of 3.0 metres is required from any street frontage in order to visually minimize the impact of the development from the public realm. Continuous, wrap-around balconies are not permitted to encroach into any of the setback areas.

Setbacks are proposed above the base building. Along the street frontages, a setback of 5.1 to 6 metres from King Street West, 3 metres from Brant Street and 3 metres from Morrison Street is proposed. While, as noted above, a 3 metre setback is the typical requirement above the base building along the street frontage, in the instance where a development includes a heritage resource, conservation of the heritage resource will dictate the amount of setback required and also the height at which it must be applied (typically above the height of the heritage building). It is also noted that 2 metre wide continuous balconies project into the proposed setbacks which is not supported.

The remaining setbacks from shared property lines with adjacent properties and from the lane to the north generally fall short of the minimum requirements. The building is proposed to have the following setbacks: 5.1 metres and 5.5 metres from the south and west property lines of 12 Brant Street respectively; 5.5 metres from the west property line of the school site at 20 Brant Street; 1.9 metres from the lane; and, 0.0 metres – 3 metres

from the east property line of 548 King Street West. In all instances, but to the north along the lane, 2 metre wide continuous balconies encroach into the proposed setbacks.

While the only instances where the minimum 5.5 metre setback is provided, is at the east side of the site, along the shared west property lines of 12 and 20 Brant Street, the provision of 2 metre wide continuous balconies minimizes the effectiveness of these setbacks. Additionally, the setbacks are applied above the base building, thereby, the base building, which is 32 metres tall, is located property line to property line. As previously noted, the base building height is too tall for the surrounding context, not just from the perspective of the resulting street wall height but also based on the impact this has on surrounding properties.

As previously noted, staff will work closely with the applicant to establish an appropriate base building height, setbacks and setbacks appropriately conserve and respond to the on-site and adjacent heritage buildings in a manner that conforms with the City's policies and guidelines and the existing and planned context of the area.

Sun and Shadow

The Public Realm and Built Form policies of the Official Plan provide that new development limit its impact on neighbouring streets, parks and open spaces and properties. The King-Spadina HCD also requires that new development limit net new shadows on St. Andrew's Playground which is a listed property and an Area of Special Identity in the King- Spadina Secondary Plan.

St. Andrew's Playground is identified in the Downtown Secondary Plan as a Sun Protected Park and the Built Form policies of the new Secondary Plan do not permit any net new shadow as measured from March 21st to September 21st from 10:18 a.m. to 4:18 p.m. on Sun Protected Parks and Open Spaces. As well the Downtown Secondary Plan provides that development will be encouraged to minimize net new shadows on all school yards.

A Shadow Study was submitted with the application and this has been reviewed by City Planning staff. Revisions to the Shadow Study are needed as the full extent of all shadows cast from the proposed development have not been included in the Shadow Study. As well, the Shadow Study does not include an analysis of the shadows that would be cast from a 23 high metre building (Zoning By-law height limit). This information should be provided for City review as part of a revised Study.

The partial information included in the Shadow Study indicates that shadows exclusive to the development will extend into the southwest corner of St. Andrew's Playground in the morning during the Spring and Fall equinoxes moving off of the Playground by 12:18 p.m.. Shadows from the development will extend beyond the Playground covering large areas of the park from early morning to mid-afternoon during the Winter solstice.

Shadows exclusive to the development will also extend onto the Brant Street School property from early morning until early evening at the Spring and Fall equinoxes. At the Winter solstices shadows will extend onto the school property from 11:18 a.m. to 1:18 p.m. including over the playground at the north end of the site. During the Summer solstice shadows cast from the development extent onto the school property from noon until 6:18 p.m.

City Planning staff have concerns with the proposed shadow impacts on St. Andrew's Playground and the Brant Street School property. The proposed building should not introduce new shadows on St. Andrew's Playground and should minimize the shadow impacts on the Brant Street School including the school's playground.

It is expected that the massing of the proposed building will be significantly altered if a revised application that conserves the existing heritage building at 544 King Street West is submitted, and this will affect the shadow impacts of the proposal.

Wind

A Pedestrian Wind Comfort Assessment was submitted and this has been reviewed by City staff. The Assessment indicates that the building includes some design features that are positive for wind control such as covered and recessed entrances. The Assessment indicates that suitable wind conditions are expected at most locations along sidewalks and at entrances with potential for higher wind activity at the southeast corner of the proposed development, along Brant Street and the retail entrance along King Street West. Canopies or coniferous landscaping are suggested as potential measure to mitigate impacts at the corner and at building entrances. Wind speeds on the proposed level 12 amenity terrace are expect to be occasionally higher than desired for passive activities during the summer. Screening is recommended to improve wind conditions on this terrace. Any required wind mitigation measures will be detailed through the Site Plan Approval process

Comments from the Toronto District School Board

There are two schools within the Brant School at 20 Brant Street, the Alpha Alternative Junior Public School and Oasis Alternative Secondary School. The TDSB property is also listed on the City's Heritage Register and is identified as a significant historical property within the St. Andrew's Character Sub-Area in the King-Spadina HCD.

The TDSB has also identified a number of concerns with the proposed development and requested a meeting with the applicant and City Planning which took place on June 8, 2018. The TDSB note that a number of issues are being looked at closely as part of their review of the application, including: shadow impacts of the development on the school building and site, particularly during the winter months; the proposed site configuration and site circulation; and, proposed traffic management and construction management.

A second meeting, which included a tour of the school grounds, both inside and out, was held at the school on June 15th with the applicant, TDSB, City Planning, the parent council and a number of students to discuss the issues noted above. During the meeting, particular emphasis was placed on the shadow impact that the proposed development will have not only on the playground but also on the school's access to natural light. To demonstrate their concerns, a number of students prepared massing models of the existing school and of the current proposal and, using a lamp set at appropriate angles to represent the sun in September and in the winter months, showed the shadow impacts created. The students then presented some alternate massing models which broke up the overall mass of the proposed building to illustrate how shadow impacts on the school site could be alleviated. Staff will continue to work with the school Board, parent council and the applicant to resolve the issues raised related to the school.

The TDSB also provided some written comments noting that warning clauses are required advising potential purchasers as well as communicated to the existing community to inform them that children from the new development will not displace existing students at local schools, and that alternative arrangements will be identified consistent with optimizing enrollment levels at all schools across the TDSB. At this time, the school anticipated to serve the development is unknown.

Dwelling Unit Mix

The Official Plan encourages the provision of a full range of housing in terms of form, tenure and affordability to meet current and future needs of residents. The application proposes 77 dwelling units in total, the majority 49 (64%) of which are proposed to be two-bedroom units. There are 24 three-bedroom units (31%) and 4 (16%) one-bedroom units proposed. City Planning staff are satisfied with the proposed mix of dwelling units that includes a large number of two and three bedroom units suitable for families with children.

Additionally, the draft Growing Up Guidelines recommend a minimum size of 90 square metres for two-bedroom units and 106 metres square for three-bedroom units. While the applicant's submitted floor plans do not show specifically where the two and three-bedroom units are located, they do indicate the size of each unit. Staff note that 27 (35%) of the units have dimensions of 90-105 square metres and 12 (16%) have dimensions of 106 square metres or more which positively address the Growing Up Guidelines.

Servicing

A Functional Servicing and Stormwater Management Report and Hydrogeological Investigation were submitted with the application and these have been reviewed by Engineering and Construction Services staff. Additional information and revisions are needed to address City requirements with respect to groundwater discharge, water service and sanitary sewer service, including a sanitary sewer capacity analysis.

Parking, Loading and Access

An Urban Transportation Considerations Report was submitted with the application and this has been reviewed by Transportation Services staff. Transportation Services staff have advised that the site access from Morrison Street is acceptable. They have also advised that the proposed loading and the parking rate of 0.6 spaces per dwelling unit and 0.25 spaces/100 m² for non-residential uses are acceptable, and would meet the demand of the proposed development.

Lane Widening

The existing public lane adjacent to the north boundary of the site is 3.05 metre wide. Transportation Services have advised that a lane widening of 1.48 metres is required from the development to satisfy the requirements from this site towards a 6.0 metre wide laneway right-of-way. The lane widening has been incorporated into the application, and would be secured through a future Site Plan Approval process.

Amenity Space

The Built Form policies of the Official Plan provide that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. The existing Zoning By-laws require a minimum of 4 square metres of amenity space per dwelling unit overall. The former City of Toronto Zoning By-law 438-86 requires that this be comprised of a minimum of 2 square metres each of indoor and outdoor amenity space. Zoning By-law 569-1013 requires a minimum of 2 square metres of indoor amenity space per unit and permits a minimum of 40 square metres of outdoor amenity space.

The application proposes 150 square metres of indoor amenity space (1.9 square metres per unit) and 117 square metres of outdoor amenity space (1.5 square metres per unit) which is below Zoning By-law requirements. Both the indoor and outdoor amenity space is proposed on level 12 of the building. A portion of the outdoor amenity space is configured as a narrow linear space approximately 2 metres wide.

City Planning staff have concerns that the proposed configuration of the outdoor amenity terrace provides limited opportunity as functional amenity space, and therefore recommend that the outdoor space be reconfigured to improve functionality. Staff also recommend that the design of the amenity spaces incorporate both indoor and outdoor areas for children and youth, in keeping with the Growing-Up Guidelines.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The site is in the second highest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 1027 square metres or 109 % of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 134 square metres.

This site is located in an area that is experiencing rapid and significant growth, putting acute and increasing pressure on local parks and public spaces. Therefore, the applicant is required to satisfy the parkland requirement through an on-site dedication located on the northern-most extent of the subject site, adjacent to the laneway south of Adelaide Street West and Morrison Street.

The applicant may instead choose to satisfy the parkland dedication through acquiring off-site parkland that will contribute positively to existing parks within approximately ten minutes' walk of the applicant's site. The size and location of the parkland would be subject to the approval of the General Manager, Parks, Forestry and Recreation and would be subject to this Division's conditions for conveyance of parkland prior to the issuance of the first above grade building permit.

Tree Preservation

The Arborist Report and Tree Preservation Plan submitted with the application indicate there are nine trees both within and immediately adjacent to the site as well as two street trees, one on King Street West the other on Morrison Street. Of these, nine trees are proposed to be removed, including the street trees, and eight of the trees qualify for protection under the City's Tree Protection By-law. The applicant will be required to obtain the necessary permits and submit a satisfactory replanting plan prior to the removal of any protected trees.

Facilities for Dogs

Given the current rise in dog population in the downtown area, and particularly within condominiums, the applicant is expected to provide on-site dog amenities with proper disposal facilities for the building residents and dog relief stations within the building. This will help to alleviate some of the pressure on the existing neighbourhood parks.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Zoning By-law process and will include performance measures such as automobile infrastructure, cycling Infrastructure, storage and collection of recycling and organic waste.

Section 37

Section 37 of the *Planning Act* empowers the approval authority to authorize increases in height and/or density, over and above that permitted by the Zoning By-law, in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include child care facilities, public area, parkland and/or parkland improvements above and beyond the parkland dedication, streetscape improvements; and other works detailed in Section 5.1.1.6 of the Official Plan. The application is under review and discussions with the applicant about the nature and quantum of the community benefits have not taken place to date., staff recommend that a S.37 Cons

City Planning staff recommend that, should the application be approved by the LPAT in some form, the City Solicitor be directed to request the LPAT to withhold any Order that may approve the development until such time as the City and the applicant have presented draft by-laws to the LPAT in a form acceptable to the Acting Director, Toronto and East York District and the City Solicitor. This includes providing for the appropriate Section 37 benefits to be determined and incorporated into any zoning by-law amendment and a satisfactory Section 37 agreement has been entered into as between the City and the owner, and registered on title, all to the satisfaction of the Acting Director, Toronto and East York District and the City Solicitor.

Additional Issues

The review of the application is ongoing and any additional issues not identified here will be discussed with the applicant as and when they become available.

Conclusions

City Planning staff do not support the proposal in its current form, as it does not conform with the applicable planning framework for this area. The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) the Official Plan, the King-Spadina Secondary Plan, Urban Design Guidelines and Heritage Conservation District Plan.

City Planning staff are of the opinion that the proposal is not consistent with the PPS (2014) and does not conform with the Growth Plan (2017). Further, the proposal does not conform with the Official Plan, the King-Spadina Secondary Plan and the King-Spadina Heritage Conservation District Plan particularly as it relates to the conservation of heritage resources, and the policy objectives in relation to built form and public realm. The application proposed the demolition of heritage resources, is not consistent with the existing character of the area and does not achieve a compatible relationship with the

built form context. In addition, the following staff and community concerns have not been resolved: appropriate heritage conservation; a reduction in building height; increased separation distances and setbacks from adjacent properties and increased amenity space. The applicant has acknowledged they are willing to work with City Planning and local stakeholders to respond to these concerns with the initial proposal.

Staff recommend that City Council direct City Staff to continue discussions with the applicant to try to resolve the outstanding issues detailed in this report and any other issues that may arise through the continuing review of the application.

However, in the event that the application is appealed in its current form to the Local Planning Appeal Tribunal (the "LPAT") on the basis of Council's failure to make a decision on the application within the statutory timeframe, staff recommend that City Council direct the City Solicitor, and appropriate City Staff, to attend and oppose the application.

CONTACT

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E-mail: Joanna.Kimont@toronto.ca

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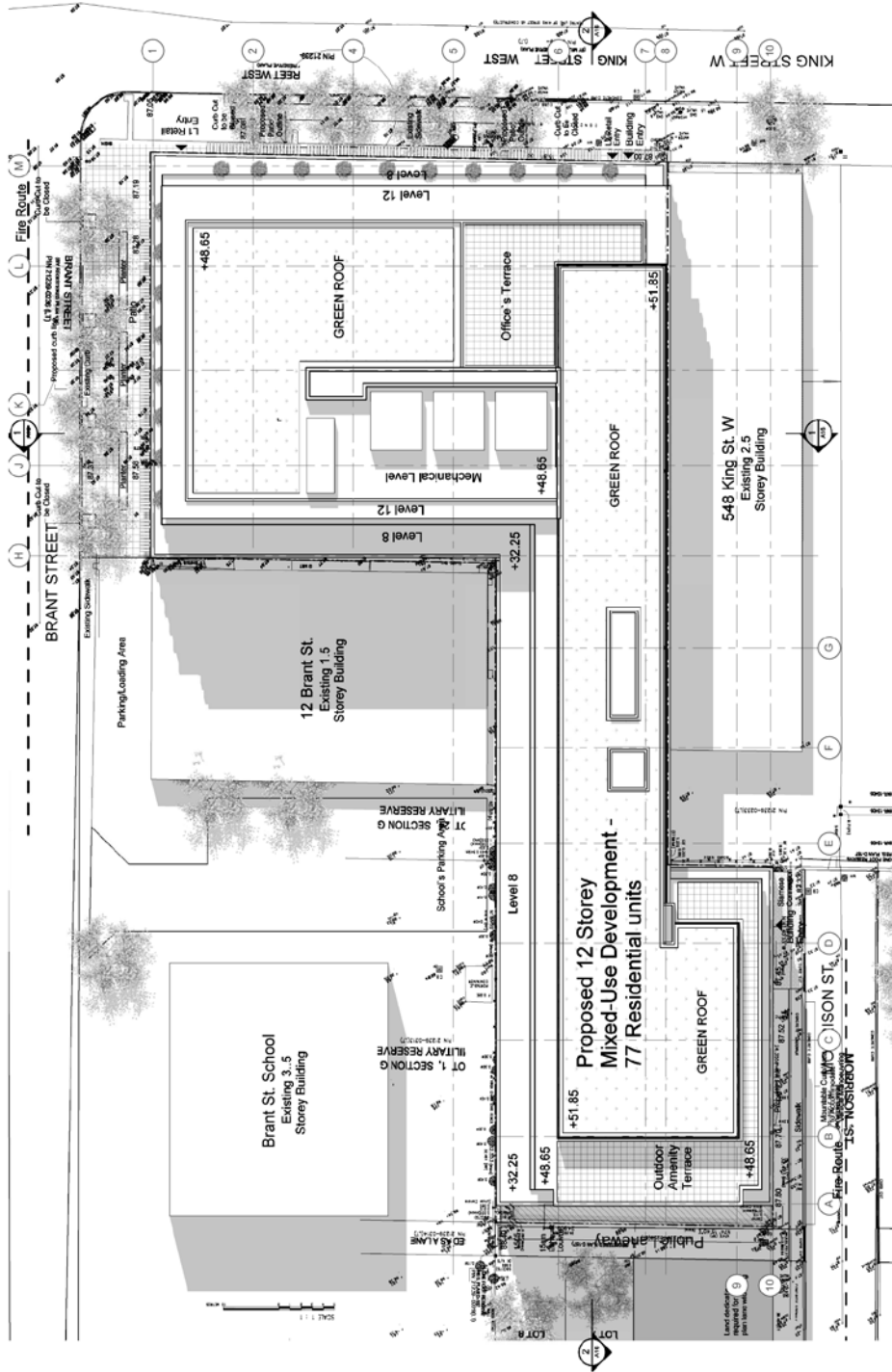
Lynda H Macdonald
Acting, Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: South Elevation
Attachment 3: North Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation
Attachment 6: Application Data Sheet
Attachment 7: Official Plan – Land Use
Attachment 8: King-Spadina Secondary Plan – Urban Structure Plan
Attachment 9: Existing Zoning

Attachment 1: Site Plan



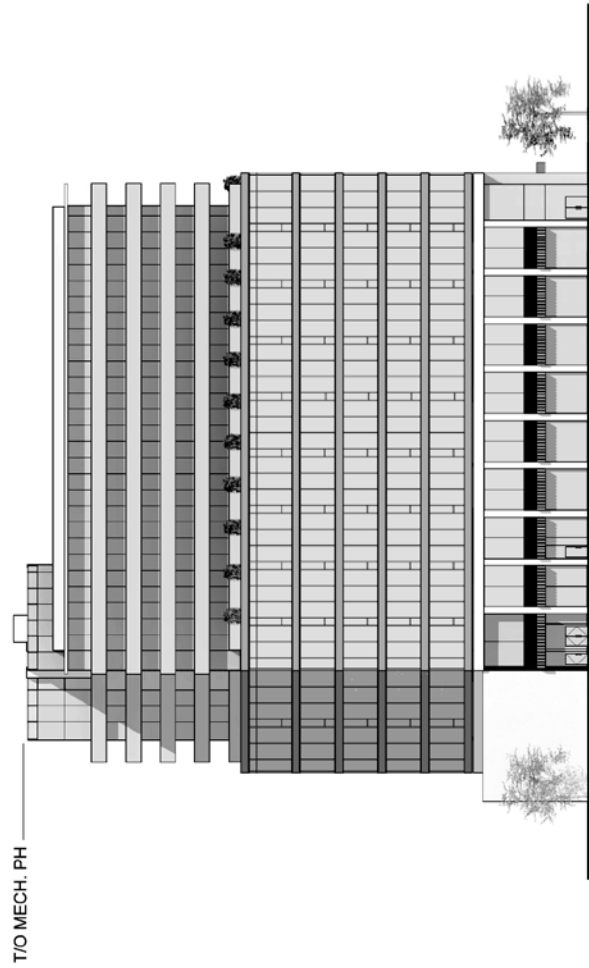
Site Plan
540 - 544 King Street West & 1-7 Morrison Street

Applicant's Submitted Drawing

Not to Scale
 05/28/2018

File # 18 125163 STE 20 0Z

Attachment 2: South Elevation



South Elevation

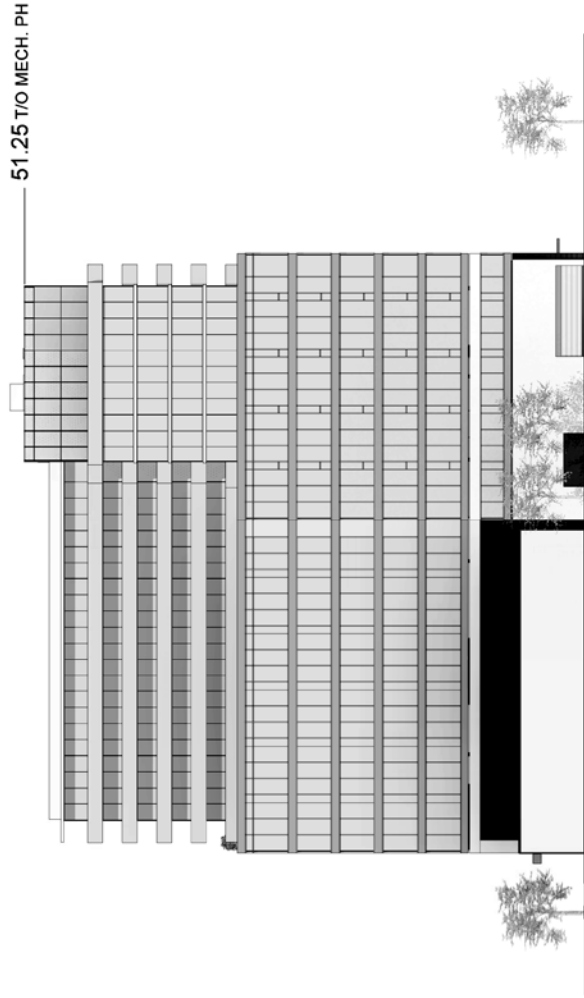
Applicant's Submitted Drawing

Not to Scale
05/28/2018

540 - 544 King Street West & 1-7 Morrison Street

File # 18 125163 STE 20 0Z

Attachment 3: North Elevation



North Elevation

Applicant's Submitted Drawing

Not to Scale
05/28/2018

540 - 544 King Street West & 1-7 Morrison Street

File # 18 125163 STE 20 0Z

Attachment 4: East Elevation



East Elevation

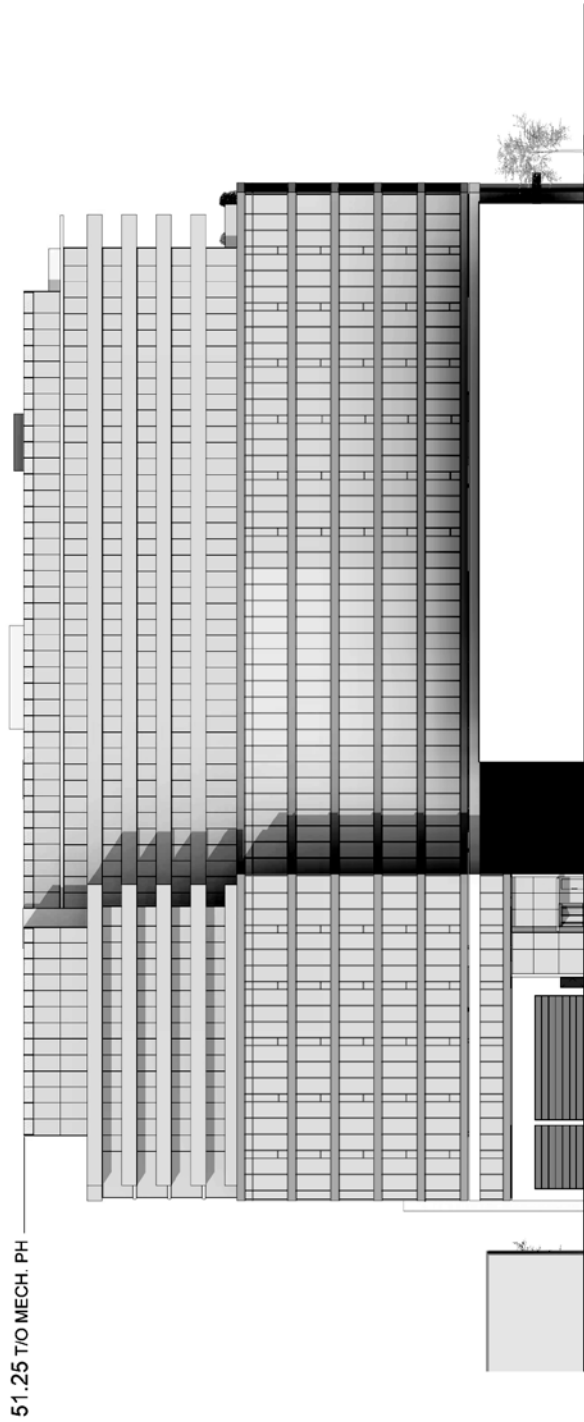
Applicant's Submitted Drawing

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05/28/2018

540 - 544 King Street West & 1-7 Morrison Street

File # 18 125163 STE 20 0Z

Attachment 5: West Elevation



West Elevation

Applicant's Submitted Drawing

Not to Scale
05/28/2018

540 - 544 King Street West & 1-7 Morrison Street

File # 18 125163 STE 20 0Z

Attachment 6: Application Data Sheet

Municipal Address: 544 King Street West **Date Received:** March 6, 2018

Application Number: 18 125163 STE 20 OZ

Application Type: Zoning By-law Amendment

Project Description: The application proposes a 12 and 13-storey mixed-use building measuring 48.65 metres (51.85 metres including the mechanical penthouse) with office, residential and retail uses with a total gross floor area of 27,625 square metres. The proposed development includes 77 dwelling units, 15,483 square metres of office space and 3,205 square metres of retail uses.

| Applicant | Agent | Architect | Owner |
|---|--------------|---|--|
| Great Gulf 3751 Victoria Park Ave. Toronto ON M1W 3Z4 | | Hariri Pontarini Architects 602 King St. West Toronto ON M5V 1M6 | 544 King Street West Inc. Victoria Park Avenue, Toronto ON M1W 3Z4 |

EXISTING PLANNING CONTROLS

| | | | |
|----------------------------|--------------------|--------------------------|-------------------------------|
| Official Plan Designation: | Regeneration Areas | Site Specific Provision: | |
| Zoning: | RA | Heritage Designation: | Listed (544 King Street West) |
| Height Limit (m): | 23 | Site Plan Control Area: | Yes |

PROJECT INFORMATION

Site Area (sq m): 2,917 Frontage (m): 46 Depth (m): 95

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|-----------------|-----------------|-----------------|------------------|
| Ground Floor Area (sq m): | 1,345 | | 2,131 | 2,131 |
| Residential GFA (sq m): | | | 8,937 | 8,937 |
| Non-Residential GFA (sq m): | | | 18,688 | 18,688 |
| Total GFA (sq m): | | | 27,625 | 27,625 |
| Height - Storeys: | 1 | | 12 and 13 | 12 and 13 |
| Height - Metres: | | | 48.65 | 48.65 |

Lot Coverage Ratio (%): 73.05 Floor Space Index: 9.47

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|-----------------------------|---------------------------|---------------------------|
| Residential GFA: | 8,937 | |
| Retail GFA: | 3,205 | |
| Office GFA: | 15,483 | |
| Industrial GFA: | | |
| Institutional/Other GFA: | | |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|------------------------------------|-----------------|-----------------|-----------------|--------------|
| Rental: | | | | |
| Freehold: | | | | |
| Condominium: | | | 77 | 77 |
| Other: | | | | |
| Total Units: | | | 77 | 77 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|---------------------|--------------|-----------------|------------------|------------------|-------------------|
| Retained: | | | | | |
| Proposed: | | | 4 | 49 | 24 |
| Total Units: | | | 4 | 49 | 24 |

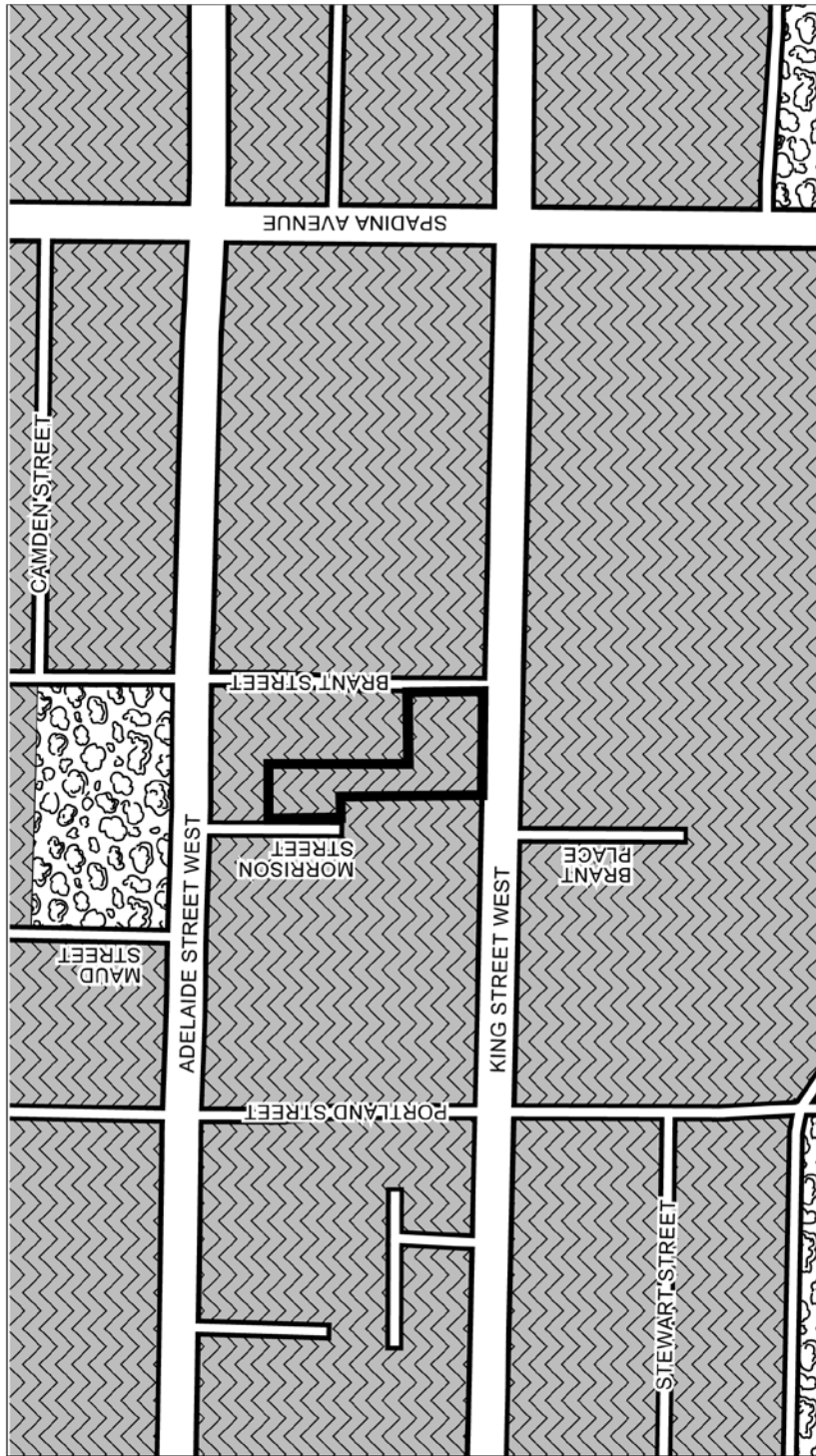
Parking and Loading

Parking Spaces: 125 Bicycle Parking Spaces: 161 Loading Docks: 3

CONTACT:

Joanna Kimont, Planner
416-392-7216
Joanna.Kimont@toronto.ca





Attachment 7: Official Plan: Land Use



540-544 King Street West & 1-7 Morisson Street

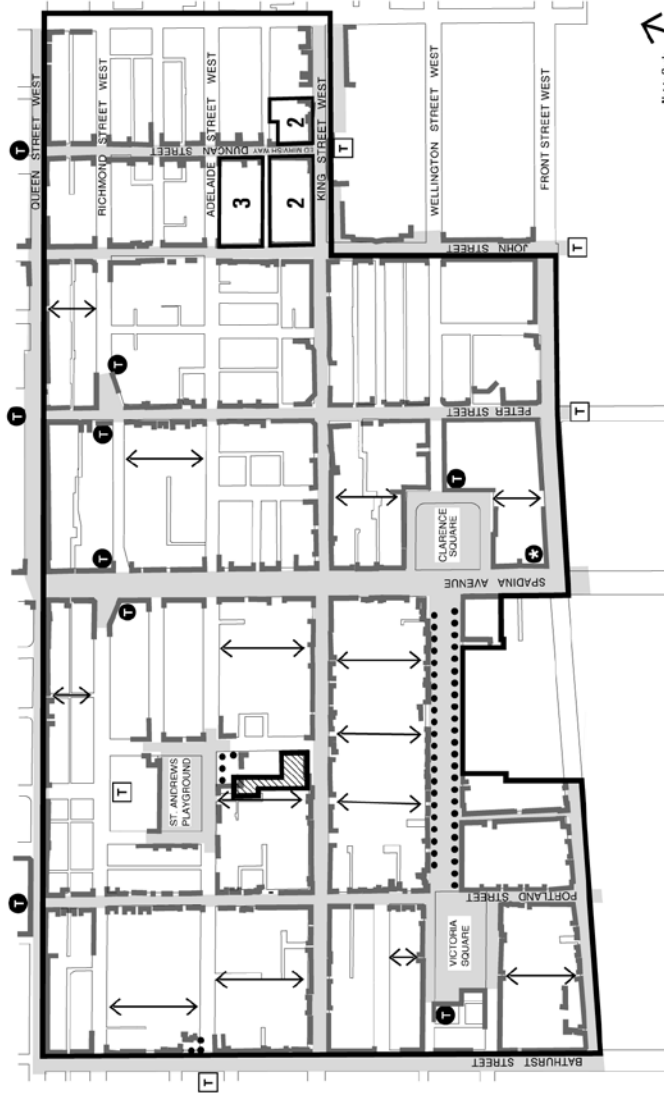
Toronto
Official Plan Land Use Map #18

File # 18 125163 STE 20 0Z

-  Location of Application
-  Regeneration Areas
-  Parks & Open Space Areas
-  Parks

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Not to Scale
05/28/2019

Attachment 8: King-Spadina Secondary Plan Urban Structure



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
- Site and Area Specific Policy Areas
- Site and Area Specific Policy Areas
- Location of Application

October 2015

Site Plan

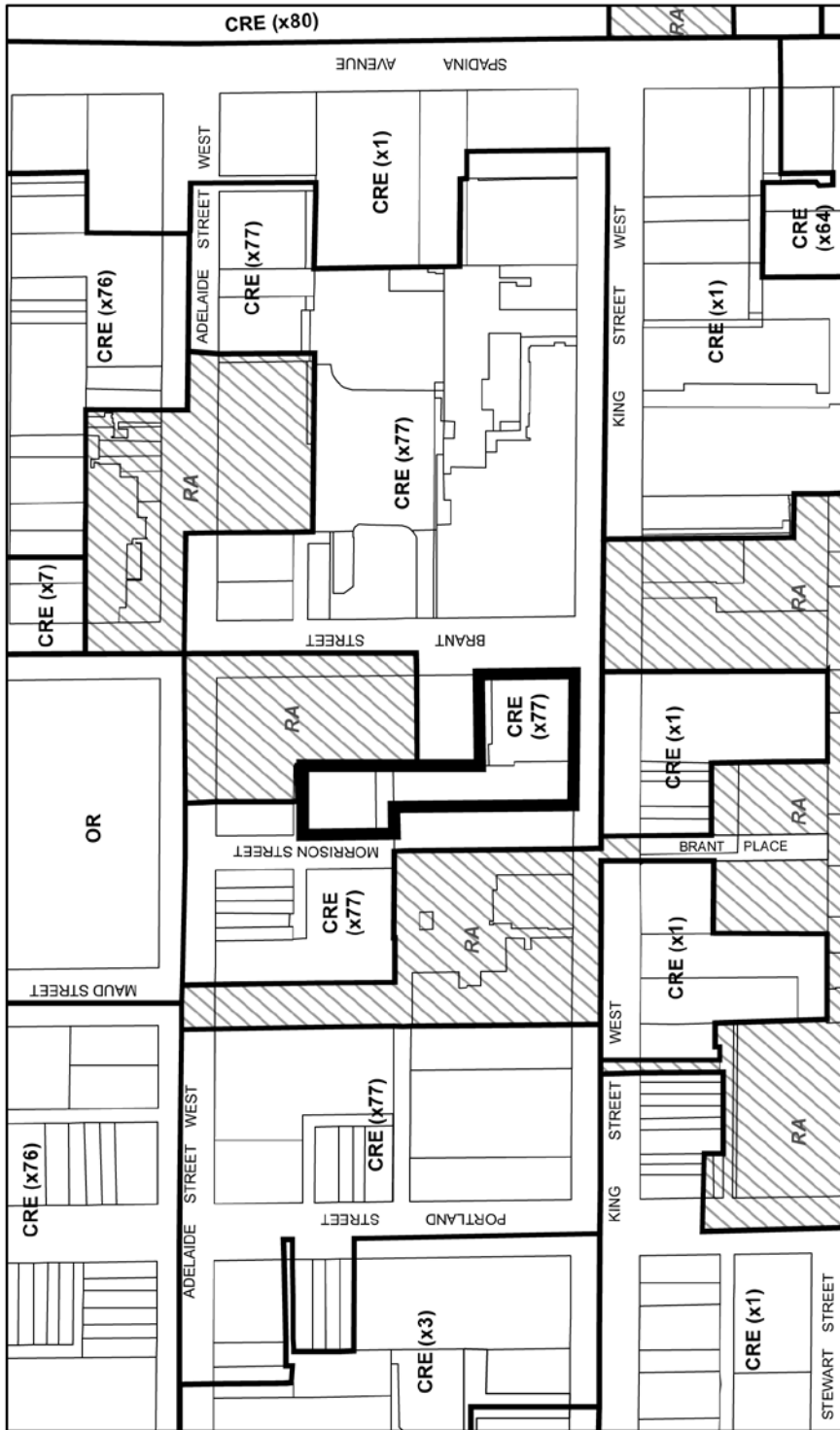
540 - 544 King Street West & 1-7 Morrison Street

Applicant's Submitted Drawing

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05/28/2018

File # 18 125163 STE 20 0Z

Attachment 9: Zoning By-law 569-2013



Toronto
 Zoning By-law No. 569-2013

540-544 King Street West & 1-7 Morisson Street
 File # 18 125163 STE 20 OZ

Location of Application
 See Former City of Toronto By-Law No. 438-86
 RA Mixed-Use District

OR Open Space Recreation
 CRE Commercial Residential Employment



Not to Scale
 Extracted: 05/28/2018