

**60 John Street; 12–18 Mercer Street - Rezoning  
Application - Preliminary Report**

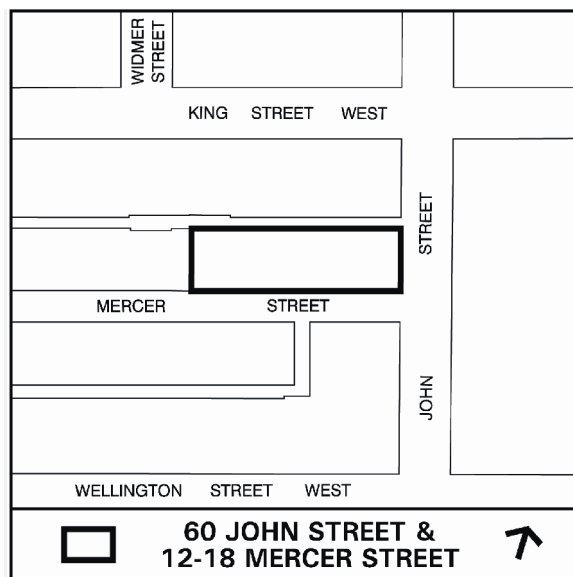
|                          |   |
|--------------------------|---|
| <b>Date:</b>             | May 5, 2008   |
| <b>To:</b>               | Toronto and East York Community Council                             |
| <b>From:</b>             | Acting Director, Community Planning, Toronto and East York District |
| <b>Wards:</b>            | Ward 20 – Trinity-Spadina   |
| <b>Reference Number:</b> | 08 141778 STE 20 OZ   |

**SUMMARY**

This application proposes to construct a 38 storey (126 metre) mixed use building consisting of a 5 storey podium along the Mercer Street and John Street frontages and a tower on the east portion of the podium. The mixed-use development would consist of approximately 334 units and approximately 1,070 square metres (11,517 square feet) of retail uses at grade.

This report provides preliminary information on the above-noted application and seeks Community Council's direction on further processing of the application.

The subject properties are located within the King-Spadina Secondary Plan, East Precinct area. This area has been the subject of a significant number of development applications that are well in excess of permitted building heights and do not meet the built form policies of the Secondary Plan. On April 2008 Toronto and East York Community Council, directed planning staff to review the existing built form policies in the East Precinct, as noted in motion no. TE 14-70. The study will specifically address the following:



1. The public policy goals and objectives of the Official Plan;
2. The goals and objectives of the King-Spadina Secondary Plan;
3. The emerging “Living Downtown Study” principles;
4. The heritage character of the area including enhancements to the area’s heritage policy framework;
5. The maintaining and enhancing of employment opportunities in the area; and
6. The impact on pedestrian safety and the public realm.

Coupled with this review, the newly established Entertainment District Business Improvement Association (“BIA”) has initiated a Master Plan exercise. The BIA study area includes the East Precinct, which will be reviewed by staff, in accordance with Community Council’s direction. The BIA process commenced on May 29, 2008.

Planning Staff have circulated this application, and other similar, recently received applications in the East Precinct, to be considered in parallel with the broader studies.

Community Consultation meetings are recommended throughout the balance of this process, in consultation with the Ward Councillor. Community Consultations for all individual applications and the Built Form Review were held in June of this year, in accordance with the regulations of the Planning Act.

This development proposal challenges many aspects of the existing policy framework for King Spadina, and will be reviewed in the context of the City’s built form review and the BIA Master Plan study. Likewise, comments received on individual applications will help to inform our area review and will be considered in the public consultation process.

It is staff’s goal to have all the studies completed prior to reporting back to Council on any individual application. It is anticipated that a final report for the subject application will be submitted in the first to second quarter of 2009.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. Staff be directed to continue to process this application in the East Precinct of the King-Spadina Secondary Plan area, in light of the City’s and BIA’s built form and Master Plan reviews for the area.

2. Staff be directed not to submit Final Reports on development applications in the King-Spadina East Precinct until such a time as the built form review has been considered by Council.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

In 2005, a review of the King-Spadina Secondary Plan was initiated by Council to evaluate specific matters related to entertainment uses in the area, community infrastructure, built form policies and the policies related to the public realm. The study was completed in 2006 and resulted in Official Plan Amendment 921-2006 and Zoning By-law Amendment 922-2006 being approved by City Council which introduced limited changes to the planning framework for the area. These amendments were enacted by City Council in September 2006 and are currently under appeal to the Ontario Municipal Board by area owners and developers. There have been a series of pre-hearing conferences resulting in many appeals being withdrawn or settled. A hearing is now scheduled for November 2008.

### **ISSUE BACKGROUND**

#### **Proposal**

The proposal is for a 38-storey tower, with a height of approximately 126 metres (413 feet). The building will house approximately 334 residential units, consisting of 165 one-bedroom units and 149 two-bedroom units, 2 three-bedroom units and 18 double-height live/work units. It should be noted that the unit count is not fixed and the unit sizes and mix have not been finalized. The total gross floor area is approximately 35,365 square metres (380,678 square feet) and the residential gross floor area is approximately 34,294 square metres (369,150 square feet).

The building will consist of a tower rising from a 5-storey podium, which will occupy the entire site (see Attachment 2 – Elevations and Cross Sections). The podium will be constructed along the street line of Mercer Street. The tower will be positioned at the corner of John Street and Mercer Street. A total of 1,070 square metres (11,517 square feet) of grade-related retail and service commercial space is proposed, along both the Mercer Street and John Street frontages. A detailed account of the proposal is in Attachment 4: Application Data Sheet.

#### **Site and Surrounding Area**

The site is located at the eastern edge of the King-Spadina Secondary Plan, East Precinct Area. The site is located at the northwest corner of John Street and Mercer Street, within the block bounded by John Street to the east, King Street West to the north, Blue Jays Way to the west and Mercer Street to the south. The site area is 1,997 square metres (21,496 square feet), with a frontage of approximately 82 metres (269 feet) on Mercer

Street and approximately 24 metres (79 feet) on John Street. A public lane runs east-west along the northern boundary of the site from John Street to Blue Jays Way.

The westerly portion of the site currently contains a 4-storey office building with an at-grade parking lot on the west side of the building currently used by United Postal Service for parking delivery vans. The easterly portion of the site consists of an at-grade commercial parking lot. The existing office building is proposed to be demolished.

The subject site is surrounded by the following uses:

North: A public lane from John Street to Peter Street, with 2 and 3 storey mixed use buildings abutting the lane to the north and fronting onto the south side of King Street West. A designated heritage building is located on the south-west corner of John Street and King Street West.

South: Across Mercer Street, is a 20 storey residential condominium building.

East: Metro Hall is located on the east side of John Street, a public office building at a height of approximately 128m (420 feet).

West: A 3 storey building at 24 Mercer Street, which is listed as a heritage building, with an 11 storey building at 26-30 Mercer Street (the Hotel Le Germain).

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The site is designated Regeneration Area in the City of Toronto Official Plan which permits the proposed residential and commercial uses. Chapter 6.16 of the new Official Plan contains the King-Spadina Secondary Plan. The King-Spadina Secondary Plan emphasizes the reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. In particular, Section 3 – Urban

Structure and Built Form, subsection (e) specifies that 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. Further, Section 4 – Heritage, subsection 4.3, states that ‘New buildings should achieve a compatible relationship with heritage buildings in their context through consideration of such matters as, but not limited to, building height, massing, scale, setbacks, stepbacks, roof line, and profile and architectural character and expression.

## **Zoning**

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended (see Attachment 3- Zoning Map). As part of the RA zoning controls, density standards were replaced by built form objectives expressed through height limits and setbacks.

The Zoning By-law permits a maximum building height of 30 metres for this site. An additional 5 metres is permitted for rooftop mechanical elements. A 3-metre stepback above 20 metres on all street frontages is also required.

## **Site Plan Control**

The proposed development is subject to site plan approval. No site plan submission has been made.

## **Reasons for the Application**

The applicant has submitted a Zoning By-law Amendment application to permit a building that exceeds the permitted maximum building height of 30m for the site as set out in Zoning By-law 438-86, as amended, by 96m, resulting in a proposed 126m building height. In addition, the building does not comply with the required 7.5 metre setbacks from the side and rear lot lines as set out in Zoning By-law.

The built form policies of the King-Spadina Secondary Plan, sets out a policy framework that results in a built form and massing, which is complementary to the historic physical fabric in the area. This built form generally results in a mid-rise building that reinforces the area’s warehouse character. Provided the proposed development is found to be in compliance with the development criteria for the Regeneration Areas and the policies of the King-Spadina Secondary Plan, an Official Plan amendment will not be required.

## **COMMENTS**

### **Issues to be Resolved**

Issues to be addressed include, but are not necessarily limited to:

1. Conformity with the existing Urban Structure and Built Form policies of the King-Spadina Secondary Plan;
2. Compliance with the Tall Building Design guidelines;

3. Height and massing relationships with the immediate area and with abutting properties;
4. Relationship to abutting heritage buildings and the physical heritage character of the area;
5. Traffic, site servicing, and impacts on the pedestrian realm;
6. Shadow impacts on the public realm including King Street West that result from the height and massing, as well as light, view and privacy issues related to abutting properties.
7. Impacts on the future development of the King-Spadina area.
8. Additional areas of non-compliance with the Zoning By-law may be identified through further review of the application.
9. Identification and securing of community benefits under Section 37 of the Planning Act should the proposed development, or some version thereof advance, will be assessed, in accordance with Sections 5.1 and 7.2 of the King-Spadina Secondary Plan.

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Development Standard, adopted by City Council in July 2006.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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Tel. No. 416-392-7574  
Fax No. 416-392-1130  
E-mail: pcarval@toronto.ca

## **SIGNATURE**

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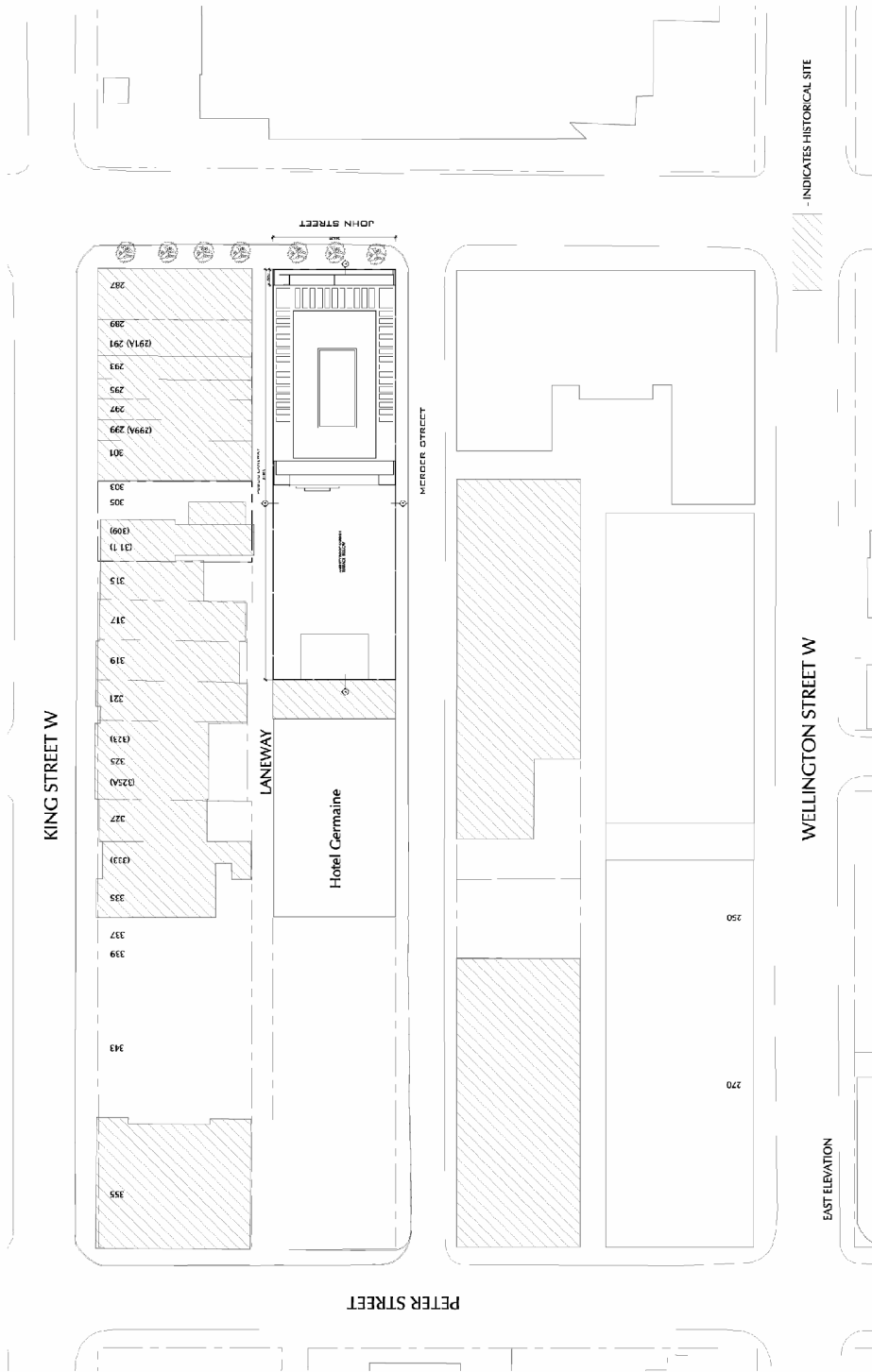
Raymond David, Acting Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations/ Cross Sections  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet

**Attachment 1: Site Plan**

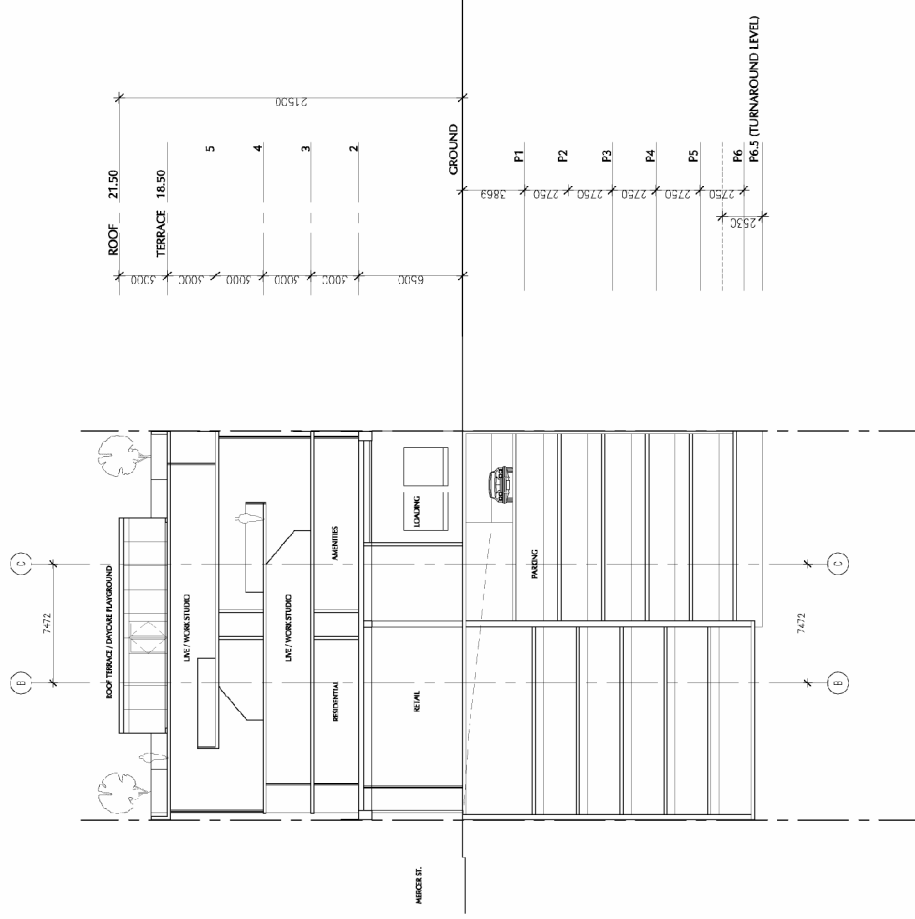


**Site Plan & Location Plan**  
 Applicant's Submitted Drawing  
 Not to Scale  
 05/26/08

**60 John Street & 12 - 18 Mercer Street**

File # 08\_141778

## Attachment 2: Elevations/Cross Sections



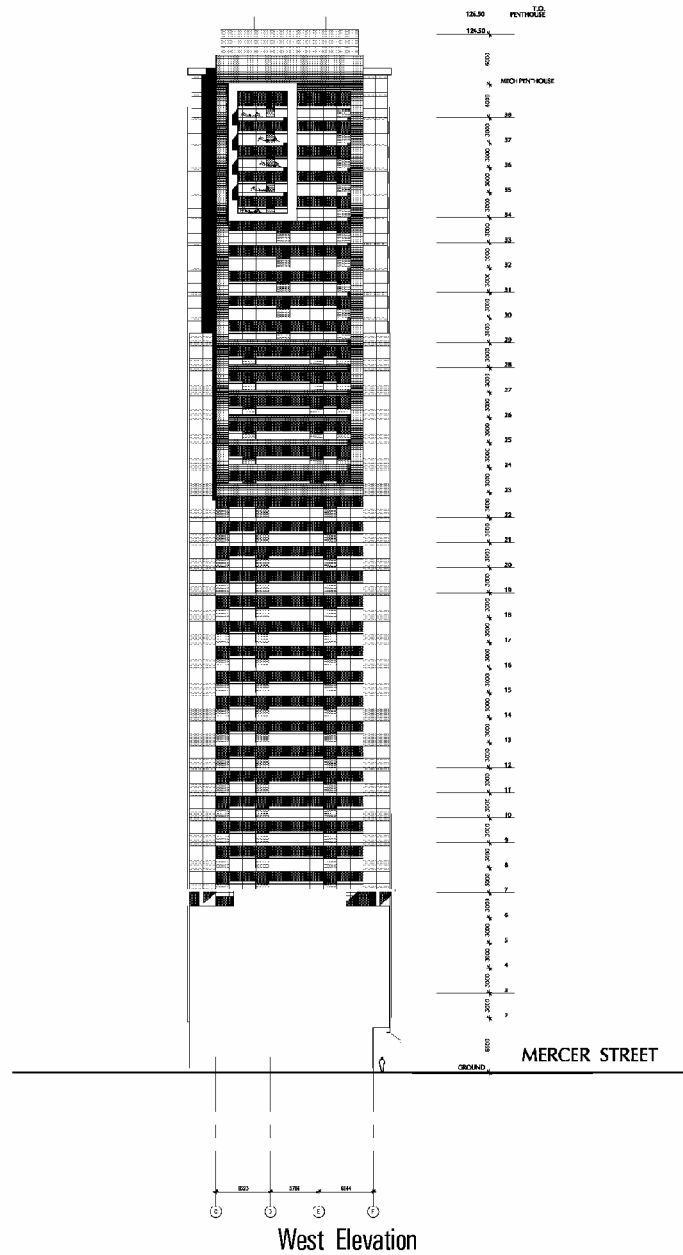
**60 John Street & 12 - 18 Mercer Street**

**Cross Section**  
Applicant's Submitted Drawing

Not to Scale  
05/26/08

File # 08\_141778





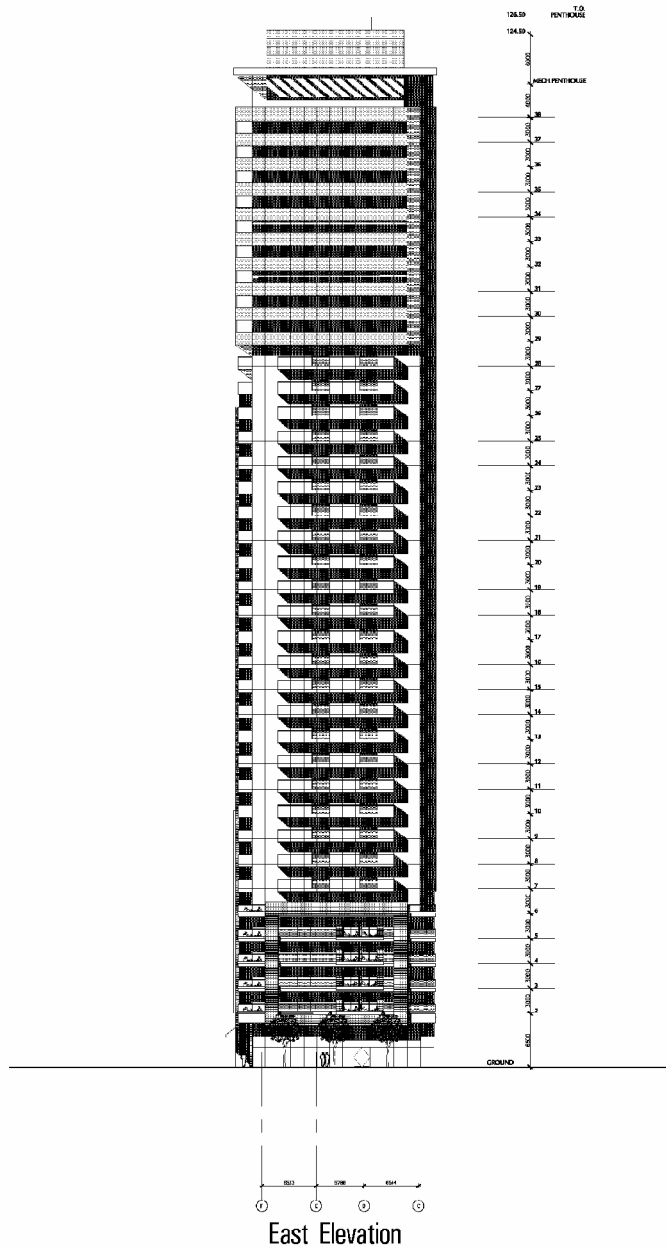
**Elevations**

**60 John Street & 12 - 18 Mercer Street**

Applicant's Submitted Drawing

Not to Scale  
05/26/08

File # 08\_141778



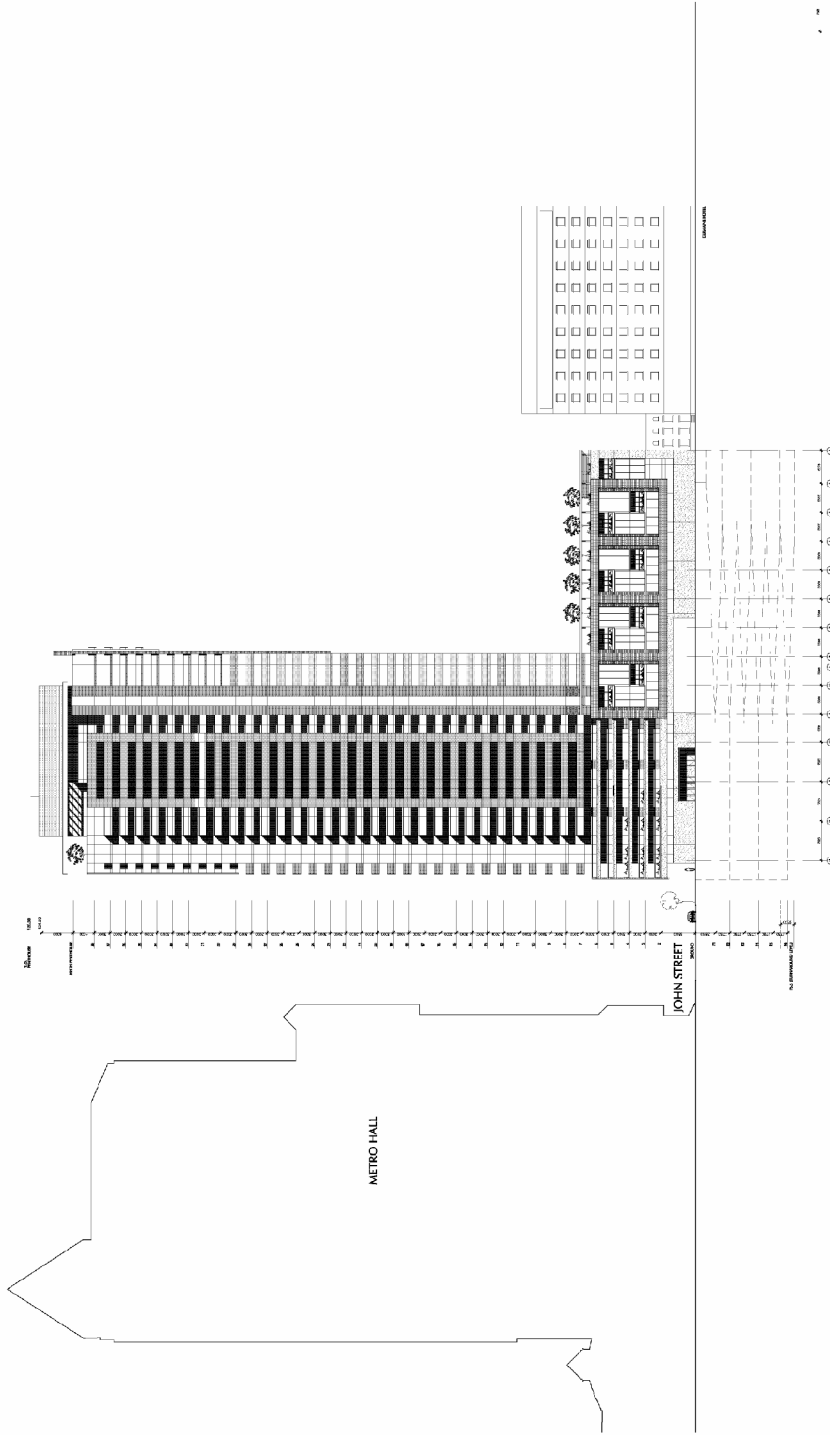
## Elevations

Applicant's Submitted Drawing

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North Elevation

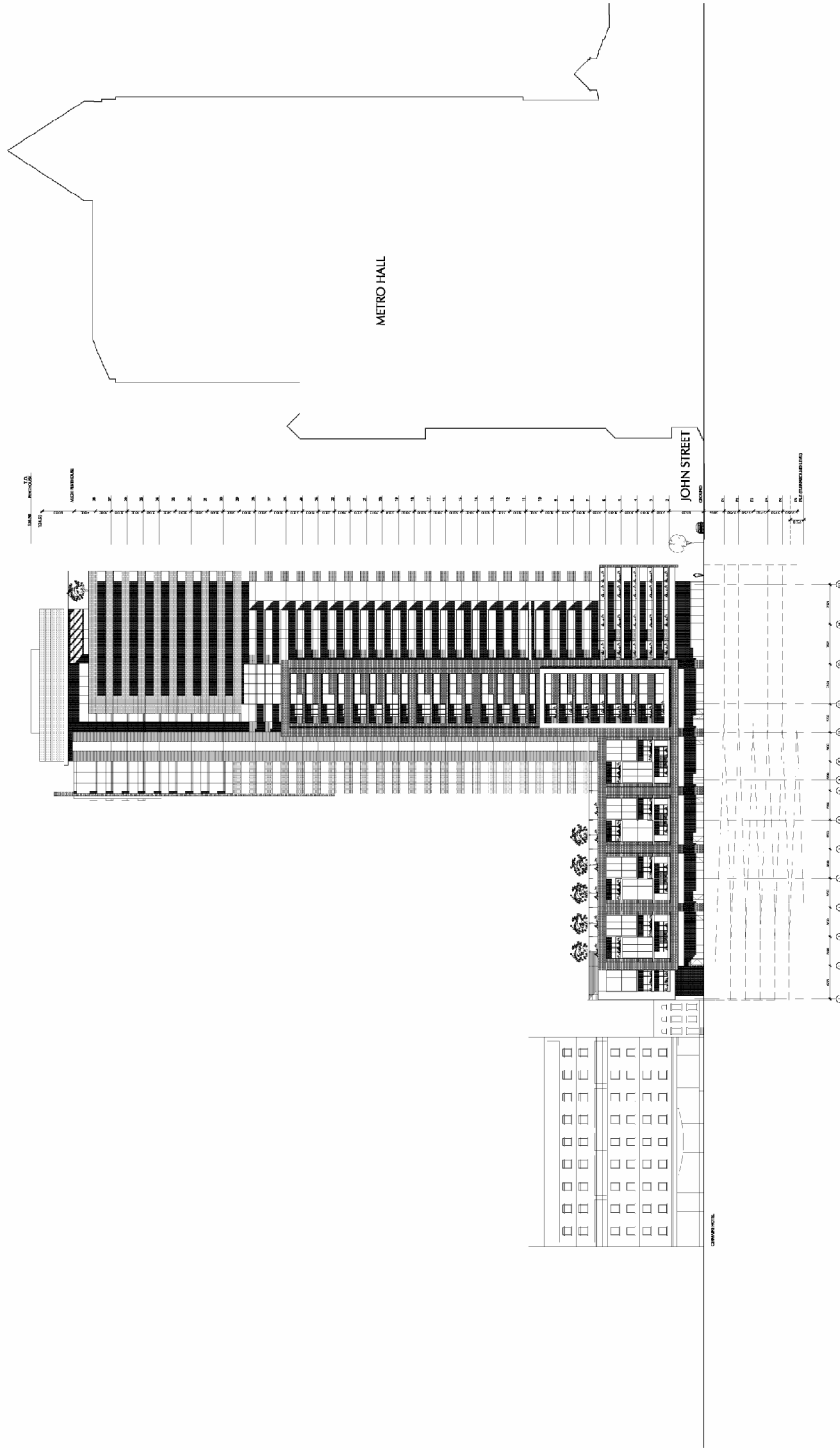
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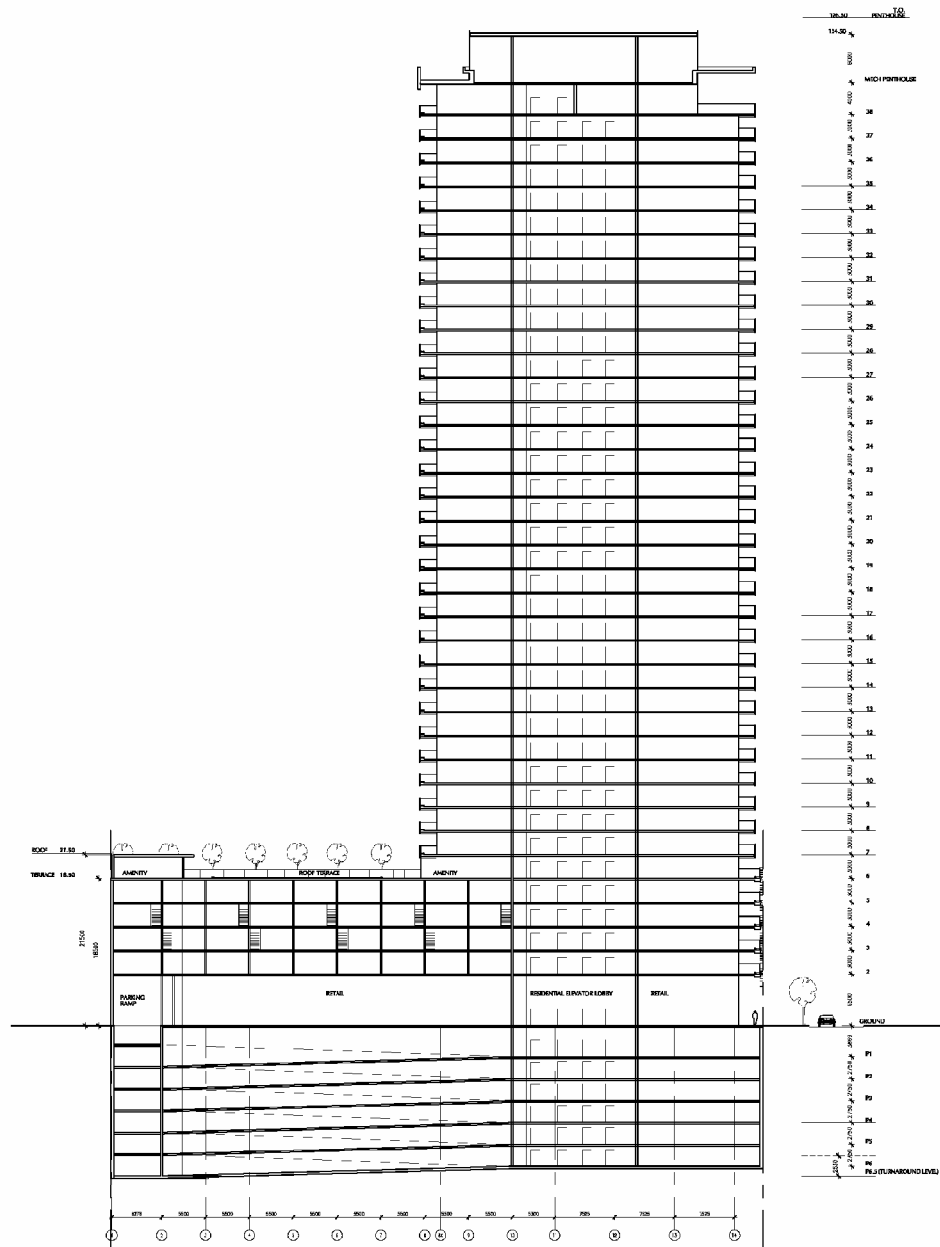
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**Cross Section**

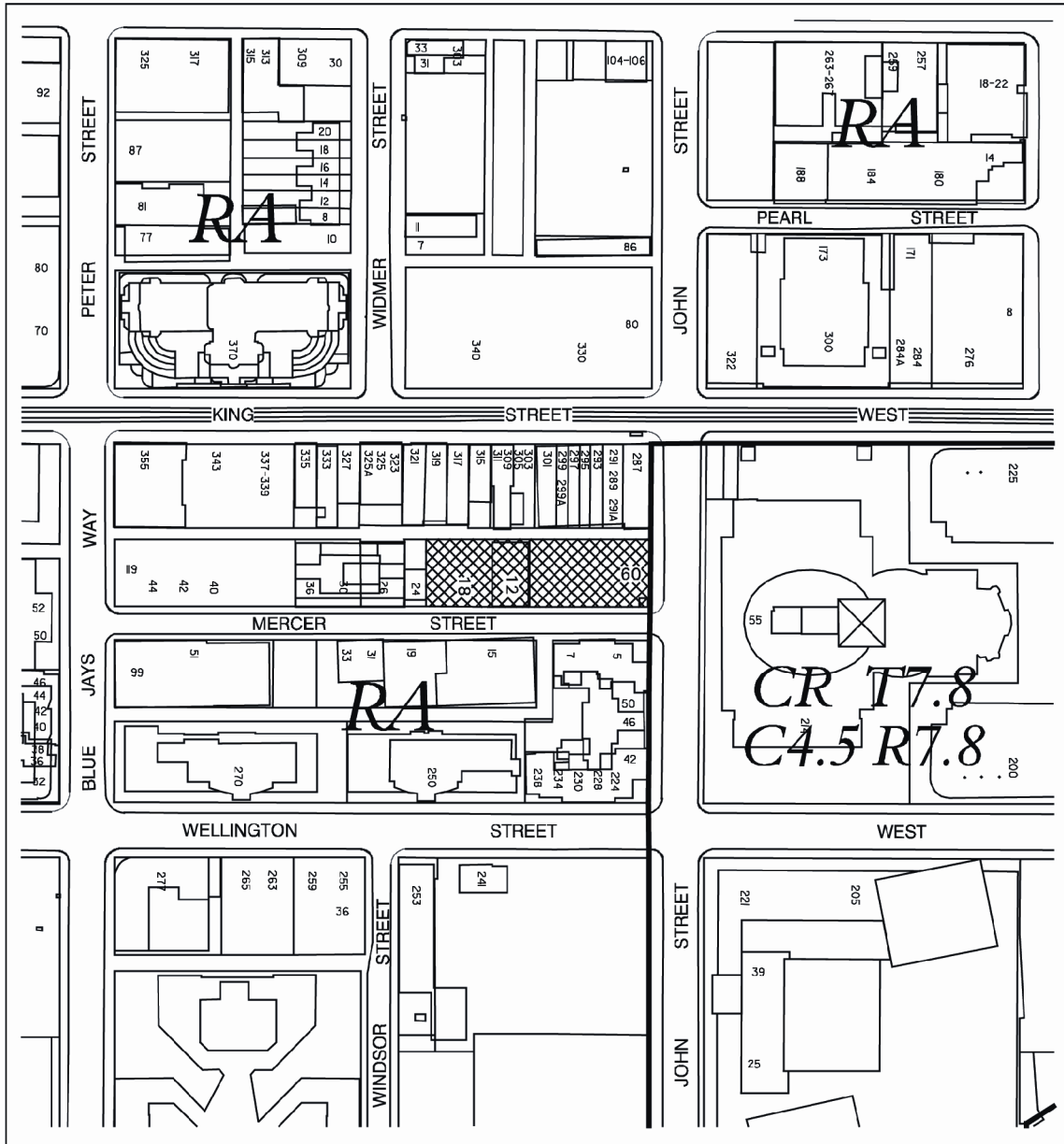
**60 John Street & 12 - 18 Mercer Street**

Applicant's Submitted Drawing

Not to Scale  
05/26/08

File # 08\_141778

### Attachment 3: Zoning



60 John Street & 12 - 18 Mercer Street

File # 08\_141778

RA Mixed-Use District  
CR Mixed-Use District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 05/23/08 - TA

## Attachment 4: Application Data Sheet

### APPLICATION DATA SHEET

|                  |                    |                     |                     |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning           | Application Number: | 08 141778 STE 20 OZ |
| Details          | Rezoning, Standard | Application Date:   | March 31, 2008      |

Municipal Address: 60 JOHN ST  
 Location Description: PL 57 LTS 20 TO 24 PT LT19 \*\*GRID S2015  
 Project Description: Rezoning to permit the re-development of the lands (existing paid parking lot and 4 storey office building) for 38 storey mixed user building containing 334 dwelling units and grade related retail and 6 1/2 levels of below grade parking.

|                   |               |                           |                           |
|-------------------|---------------|---------------------------|---------------------------|
| <b>Applicant:</b> | <b>Agent:</b> | <b>Architect:</b>         | <b>Owner:</b>             |
| BARRY STERN       |               | BRISBIN, BROOK,<br>BEYNON | G L BOOTH HOLDINGS<br>INC |

#### PLANNING CONTROLS

|                            |                           |
|----------------------------|---------------------------|
| Official Plan Designation: | Site Specific Provision:  |
| Zoning: RA                 | Historical Status:        |
| Height Limit (m): 30       | Site Plan Control Area: Y |

#### PROJECT INFORMATION

|                                    |       |         |                 |              |
|------------------------------------|-------|---------|-----------------|--------------|
| Site Area (sq. m):                 | 2000  | Height: | Storeys:        | 38           |
| Frontage (m):                      | 81.89 |         | Metres:         | 126.5        |
| Depth (m):                         | 24.43 |         |                 |              |
| Total Ground Floor Area (sq. m):   | 1507  |         |                 | <b>Total</b> |
| Total Residential GFA (sq. m):     | 34294 |         | Parking Spaces: | 228          |
| Total Non-Residential GFA (sq. m): | 1070  |         | Loading Docks   | 1            |
| Total GFA (sq. m):                 | 35364 |         |                 |              |
| Lot Coverage Ratio (%):            | 75    |         |                 |              |
| Floor Space Index:                 | 17.68 |         |                 |              |

#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

|              |       | Above Grade                      | Below Grade |
|--------------|-------|----------------------------------|-------------|
| Tenure Type: | Condo |                                  |             |
| Rooms:       | 0     | Residential GFA (sq. m):         | 34294       |
| Bachelor:    | 0     | Retail GFA (sq. m):              | 1070        |
| 1 Bedroom:   | 165   | Office GFA (sq. m):              | 0           |
| 2 Bedroom:   | 149   | Industrial GFA (sq. m):          | 0           |
| 3 + Bedroom: | 20    | Institutional/Other GFA (sq. m): | 0           |
| Total Units: | 334   |                                  |             |

**CONTACT: PLANNER NAME: Philip Carvalino, Senior Planner**  
**TELEPHONE: (416) 392-7574**