

Toronto STAFF REPORT

June 21, 2004

To: Toronto and East York Community Council

From: Director, Community Planning, South District

Subject: Final Report
Official Plan Amendment and Rezoning Application 03 186636 STE 27 OZ
Proponent: Edilcan Construction Corporation
Applicant: Patrick Devine, Goodman & Carr LLP
Architect: Page and Steele Architects
21 Carlton Street
Toronto Centre-Rosedale, Ward 27

Purpose:

This report reviews and recommends approval of an application to amend the former City of Toronto Official Plan and Zoning By-law 438-86 to permit a mixed use development comprising one 43 and one 33-storey residential condominium building fronting Carlton Street and a four-storey building containing townhouse units fronting Granby Street.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

It is recommended that City Council:

- (1) amend the Official Plan for the former City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 10;
- (2) amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11;



- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and
- (4) before introducing the necessary Bills to City Council for enactment, require the owner to execute one or more agreements pursuant to Section 37 of the Planning Act satisfactory to the Commissioner of Urban Development Services and the City Solicitor, such agreement(s) to be registered against the title to the lands for the development to secure the following facilities, services, and matters:
 - (a) a contribution in the amount of \$300,000 as directed by the Commissioners of Urban Development Services and Economic Development, Culture and Tourism for the 519 Church Street Community Centre;
 - (b) a contribution in the amount of \$250,000 as directed by the Commissioners of Urban Development Services, Economic Development, Culture and Tourism and Works and Emergency Services for capital improvements at Sheard Parkette, and the areas within the right-of-way in the vicinity;
 - (c) a contribution in the amount of \$250,000 as directed by the Commissioner of Urban Development Services for capital improvements at Dundas Square;
 - (d) a public art contribution in accordance with the City of Toronto's public art program for a value not less than one percent of the construction cost of all buildings and structures on the lands;
 - (e) the payment of costs associated with the installation of signs related to the left-turn prohibitions onto Carlton Street from the site;
 - (f) the payment of costs related to the improvements to the municipal lighting required to support this development, as directed by the Commissioner of Works and Emergency Services;
 - (g) improvement of the Carlton and Granby Street rights-of-way abutting the site, including streetscaping and tree installation, as directed by the Commissioners of Urban Development Services, Works and Emergency Services and Economic Development, Culture and Tourism;
 - (h) the provision of an irrigation system at the owners expense for all street trees in the public right-of-way with automatic timer at the owner's expense and that the irrigation system be designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Commissioner of Works and Emergency Services, including requirements to maintain the entire system in continuing good order and operation;

- (i) public access to the pedestrian walkway extending the width of the site between Carlton and Granby Streets, as directed by the Commissioner of Urban Development Services; and
- (j) the phasing of development of the lands and the timing of the contributions set out above in a manner satisfactory to the Commissioner of Urban Development Services.

Background:

Edilcan Construction Corporation owns an approximately 4,400 square metre site located at 21 Carlton Street. The property extends from the south side of Carlton Street to the north side of Granby Street and falls between Yonge Street to the west and Church Street to the east. The property is currently being used as a 190-space surface parking lot.

The site was previously subject to an appeal related to the 1993 former City of Toronto Official Plan and implementing zoning. By-law 1995-0629 was adopted as a settlement to the matter, providing a site specific built form and density permission for the site.

The current owner initiated discussions with staff in early 2003 about redevelopment options for the site and filed an application in October 2003.

Proposal

The owner is proposing a mixed use development comprised of a 43 and a 33-storey residential condominium building fronting Carlton Street and a four-storey building containing townhouse units fronting Granby Street. A total of 751 residential units are proposed with a small amount of retail space fronting Carlton Street.

A north-south oriented pedestrian walkway is proposed through the site between the two tower buildings, connecting Granby and Carlton Streets.

A total of 477 underground parking spaces are proposed; 431 of these are for residential use, and 46 are visitor spaces. All parking is below grade and the vehicular access is only from Carlton Street.

Site Description

A surface parking lot of 190 spaces currently occupies the site. The site is one lot to the east of Yonge Street and the College Street TTC subway station.

The Yonge-College-Carlton area is built up with a mix of land uses and building forms. The residential buildings surrounding 21 Carlton Street include single-detached dwellings, townhouses, apartments, university residences and hotel accommodation. The residential dwellings vary in terms of age, design, height and density. The site is also within close proximity to retail services, commercial, office and institutional uses. Immediately surrounding uses are as follows:

- North: a nine-storey office (Toronto Hydro) and an 18-storey residential building with street-level retail uses
- South: residential townhouses along Granby and McGill Streets
- East: five-storey office building with street-level retail uses
- West: 18-storey residential building with street-level retail uses

The site is located within the boundary of the Downtown Yonge Street Business Improvement Area (BIA).

Metropolitan Toronto Official Plan

The Official Plan of the former Municipality of Metropolitan Toronto designates the subject site as part of the Central Area, the pre-eminent Centre designated in Metroplan.

Former City of Toronto Official Plans (Part I, Part II and OPA No. 40)

The former City of Toronto Part I Official Plan designates the site as a High Density Mixed Commercial Residential Area A.

Section 19.27 of the former City of Toronto Official Plan includes 21 Carlton Street within the Part II Plan known as the McGill-Granby Area of Special Identity. The area is characterised by two concentrations of house-form buildings east and west of Church Street, surrounded by taller buildings including non-residential uses. The Part II Plan states that in the surrounding High Density Mixed Commercial-Residential and Medium Density Mixed Commercial-Residential Areas, Council will encourage the development of new housing, while ensuring that such projects are designed to minimise the impact of such development on the Residence Area and enhance the amenity of the area as a low-rise pocket in the downtown.

Official Plan Amendment (OPA) No. 40 applies to the subject site and permits a mixed commercial-residential building subject to the following:

- (1) maximum total building density of 30,970 square metres (7.06 times the lot area);
- (2) maximum non-residential density of 11,025 square metres (2.51 times lot area); and
- (3) maximum residential gross floor area of 19,945 square metres (4.55 times lot area).

New Toronto Official Plan

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new Plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board; the first prehearing was held on April 19th and 20th, 2004. The next prehearing has been scheduled for September 14th, 2004.

The new Official Plan places the subject site within the Downtown and Central Waterfront urban structure area, and designates it as Mixed Use Area. The lands adjacent to the subject site are designated Mixed Use Areas and Neighbourhoods. The Plan contains development criteria that direct the form and quality of development in these areas.

The criteria direct that the massing of new buildings provide a transition between areas of different development intensity and scale, including a stepping down of heights toward lower scale neighbourhoods, that shadow impacts be minimized on adjacent neighbourhoods, that comfortable sunlight and wind conditions be achieved through the massing of new buildings, that parking, loading, amenities and other good site planning principles are complied with, and advantage is taken of nearby transit services. The proposal has been reviewed for compliance and satisfy these development criteria as outlined below in this report.

The proposal has also been reviewed for conformity with the Tall Buildings policies of the new Official Plan, which outline built form principles that are applied to the location and design of such buildings. They seek to ensure an appropriate relationship between adjacent buildings and the neighbourhood and to minimize negative impacts, while contributing to and reinforcing the overall City structure.

The proposal conforms to the intent of the new Official Plan and an amendment to the new Plan will not be required.

Site and Area Specific Policy

Site and Area Specific Policy 151 of the new Official Plan carries forward the main thrust of the McGill Granby Part II Plan, applying to the lands south of Carlton Street and north of Gerrard Street East, between Yonge and Jarvis Street, including the subject site. As per Policy 151:

- (a) the conservation and stability of the McGill-Granby Area will be promoted by encouraging the preservation of house form buildings and their continued use for housing;
- (b) in the Mixed Use areas, the development of new housing will be considered; and
- (c) new buildings within the Mixed Use areas will be designed to minimise the extent to which they overlook, overshadow, or block views from existing or committed house-form buildings, and to ensure that the location of new vehicular access routes does not interfere with the use of the private open space of adjacent houses.

A site specific Official Plan policy for 21 Carlton Street was not carried forward in the new Plan as the site specific zoning continues to apply and prevail.

Zoning By-law

The site is governed by site-specific By-law No. 1995-0629. The By-law permits a mixed use commercial-residential building containing a total building density of 30,970 square metres (7.06 times the lot area), provided that the non-residential gross floor area does not exceed 11,025 square metres and the residential gross floor area does not exceed 19,945 square metres.

The Zoning By-law implements the building density limitations set out in Official Plan Amendment No. 40 as well as the location and massing of the building on the lot and maximum building height – 46 metres along Carlton Street in two buildings and 11 metres along Granby Street.

The underlying zoning designation is CR T6.0 C2.0 R6.0 with a height limit of 46 metres for the northern portion of the site and 12 metres for the southern portion.

Site Plan Control

An initial application for Site Plan Approval was filed on December 1, 2003; revised plans were submitted on April 14, 2004; these are in circulation to civic officials.

Tree Preservation

The application has been reviewed by Urban Forestry staff. There are 18 existing trees adjacent to the site; 10 of these must be protected at all times in accordance with the City's Tree Protection Policy and Specifications for Construction Near Trees. Eight trees will be removed, and 16 new trees will be planted to the satisfaction of the Commissioner of Economic Development, Culture and Tourism. An irrigation system will be required for all 26 trees.

Reasons for this Application

The proposed building density of the development is 11.81 times (51,987 square metres) the area of the lot, exceeding the site-specific By-law that allows a density of 7.06 (30,970 square metres) times the area of the lot.

In addition, the proposed development includes one 43-storey (121.3 metre) mixed use tower and one 33-storey (92.8 metre) mixed use tower (excluding mechanical penthouses) on the north side of the site adjacent to Carlton Street; the site-specific By-law permits a maximum height of 46 metres for both towers. As well, a four-storey (12.8 metre) terraced townhouse building is proposed on the south side of the site, fronting Granby Street, where the site-specific By-law permits a maximum height of 11 metres. All three proposed buildings exceed the height limit on this site as stipulated by site-specific By-law No. 1995-0629.

Other variances include:

- (a) 1,304 square metres of outdoor amenity space are proposed, whereas 1,502 square metres of outdoor amenity space are required;

- (b) there is no provision of common outdoor space at grade along the street, whereas 25.83 square metres are required; and
- (c) the set back of dwelling unit windows on the west side is 4.5 metres from the lot line, whereas 5.5 metres is required.

Community Consultation

A community meeting held on February 19, 2004, was attended by approximately 50 people. Issues raised at the meeting and in writing to staff following the meeting included physical impact such as height and density, shadow, traffic impacts on Carlton and Granby Streets, and loss of parking space. Several attendees communicated concerns over the proposed height of the Granby Street townhouses, indicating their belief that the proposed six-storey height was excessive given the predominance of lower rise townhouses (three storeys) in the immediate area.

A second community meeting was held on June 1, 2004, and was attended by approximately 25 people. A presentation was made highlighting the changes in the building design that had been undertaken as a result of the input of people attending the first meeting and City staff. Issues raised at the meeting included shadow impacts, the interface with the adjacent building to the east, service vehicle access, the size of the pedestrian walkway, the timing of construction, density and lack of green space, site servicing, loss of the parking lot and impact of this on surrounding streets, the obstruction of views from the adjacent residential building to the west, and the nature of the at-grade retail use.

A letter was submitted to staff by PAL Reading Services Inc., a non-profit, partially City funded volunteer-based agency with offices at 27 Carlton Street, adjacent to 21 Carlton Street. PAL indicated concerns regarding the potential for construction impacts on their operation, which is sensitive to external noise, dust and vibration, and have asked that mitigation measures, including the possibility of the developer assisting with relocation, be considered. It is recommended that consultation be undertaken with the developer prior to construction to identify mutually agreeable measures to mitigate construction impacts.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

Height, Massing, Light, View and Privacy

Section 13.12 of the former City of Toronto Official Plan states that High Density Mixed Commercial Residential Areas are built up with tall, high-density commercial and residential buildings. The intent of the plan is to ensure compatibility with local conditions and achieve intensification objectives.

The proposed heights of 121.3 and 92.8 metres (excluding mechanical penthouses) are significantly higher than the zoned height limit of 46 metres for this site. Several sites in the area have been developed to heights in the range of 80 to 100 metres. The tallest buildings in the immediate vicinity are the residential apartment building at 40 Gerrard Street East (91 metres) and the residential towers under construction at College Park (approximately 135 and 150 metres). The towers respond to the context by stepping down west to east, providing an important transition in built form.

The residential towers proposed for 21 Carlton Street are “point towers.” Point towers are those with small floorplates that result in thin buildings which may reduce impact on light and views. In this case, the proposed floor plates are 702 and 720 square metres on the lower floors, tapering to 677 and 670 square metres on the upper floors, smaller than towers that have typically been built and approved in Toronto in recent years. These sizes are significantly less than the floor plate sizes permitted on the site by the site-specific By-law, which are approximately 1,152 and 760 square metres. A key difference in the massing between the approved building envelopes and the proposed envelopes is the change from low, bulky forms to tall, slender forms. The maximum floor plate sizes are secured through building envelopes attached to the draft zoning by-law.

The proposed 18.2-metre podium reinforces the defined edge of the street on this block of Carlton Street. Other upper level setbacks relate the new development to existing buildings east and west of the site. An important benefit of this proposal is the opportunity to enhance the streetscape in the area, concurrent with streetscaping improvements along College and Carlton Streets being undertaken by the City and the Downtown Yonge BIA.

The proposed development will most impact the adjacent McGill Granby neighbourhood and 7 Carlton Street to the west, which will experience a substantial building mass developed in close proximity. In the opinion of planning staff, the impact of the proposal on this area is not substantially greater than what could be developed as-of-right. Extensive pre-application consultation was undertaken with the applicant, which resulted in a building massing that was set on the northern portion of the site away from the McGill Granby neighbourhood, and that allowed for light penetration. The separation distance of the proposed buildings to the adjacent residential building to the west (7 Carlton Street) is adequate; the average distance is approximately 26 metres (greater than the width of a typical street right-of-way), the minimum and maximum distances are 11 and 31 metres, respectively. The on-site separation distance between the two towers is 14 metres at the closest point.

Planning staff are satisfied that the proposed built form is appropriate for the area. While the buildings are taller than other buildings in close proximity, the proposed heights are not incompatible with the character of the area. Generally, the small floor plates of the proposed towers will reduce shadow impacts and maintain views in the area and reduce the sense of building mass and enclosure in the area to the south. The street level pedestrian realm is appropriately addressed. Shadow and wind impacts are discussed below.

Shadow

The applicant has submitted shadow studies of the proposal, to illustrate the shadows that would be created by the proposed buildings at different times of the year and different times of the day. In response to concerns raised by the McGill-Granby Residents Association, additional studies were done for the summer period (June

21), between 6:00 p.m. and 8:00 p.m., showing the progression of incremental shadows cast by the proposed development in 15 minute intervals. Generally, the shadows cast by the development fall to the north of the low rise neighbourhood to the south. The summer shadows in the late afternoon are cast to the southeast of the site, into the McGill-Granby neighbourhood. The shadow studies indicate that, given the slender shape of the buildings, the shadows move across rapidly, thereby reducing the impact. The projected shadows appear to conform to the intent of policies in *The McGill Granby Study* (1980), which proposed that shadows should not impact a house or roof deck for the majority of a day, i.e. if a property is shadowed around the noon hour, it should not also be in shadow in the late afternoon.

The shadows generated by the proposal do not impact adjacent residential properties and public spaces more severely than shadows that could result from as-of-right development on the site.

Wind

Generally, the massing of the proposal with podium level setbacks and articulated tower massing has been designed to mitigate wind impacts. The applicant will undertake a wind study, which will assess the impact on the comfort level of pedestrians and recommend mitigation measures. These measures will be secured through the Site Plan Approval.

Traffic Impacts and Parking

Works and Emergency Services staff have reviewed the Traffic Impact Study (TIS) prepared by Cansult Limited and has advised that the site-generated traffic can be accommodated by the area road system. However, the consultant concluded that minor signal timing adjustments for the Carlton Street/College Street/Yonge Street intersection are required to allow more green time for the east-west movements. As well, Works and Emergency services will require that the driveway must be restricted to right-in / right-out movements only during the morning and afternoon peak periods.

The applicant has proposed a total of 477 parking spaces; of this, 46 spaces will be designated for visitor use and 431 spaces will be designated for resident use. This satisfies the minimum Zoning By-law requirement in terms of overall supply, which, after detailed review of the TIS, Works and Emergency Services staff have agreed to support.

The applicant has agreed to provide 250 bicycle parking spaces, exceeding the requirements of the Zoning By-law by 50 spaces. The bicycle parking will be provided in convenient locations on the ground floor and first parking level.

The site is well served by transit, being located in close proximity to both a subway station and a streetcar stop.

Amenity Space

The proposal includes 1,505 square metres of indoor amenity space for the residents of the building. This amount meets the requirements of the Zoning By-law.

Outdoor amenity space comprising 1,304 square metres is proposed for the courtyard, the second floor of the towers, and the roof of the townhouses, and is less than the Zoning By-law requirement of 1,476 square metres. The proposed outdoor amenity area utilizes all practical space on the roof of the townhouses. Additional space would require either a substantially reduced building footprint, or utilization of space on top of the proposed towers, which may not be of a high quality. Given the constraints of the site and the difficulty of providing high-quality space on the roofs of the towers, staff are satisfied that the amount of proposed outdoor amenity space is sufficient.

Servicing

The applicant has provided a functional servicing report to Works and Emergency Services staff to determine the sanitary flow and water supply demand resulting from the development. Staff have reviewed the study and agree that there is adequate capacity in the adjacent municipal services to accommodate the development. A stormwater management brief was also submitted and reviewed by Works and Emergency Services staff, who have found it to be acceptable.

Density

The density proposed for the site is 11.81 times the area of the lot, which represents an increase from 7.06 times that is currently permitted under the site-specific Zoning By-law (1995-0629).

The proposed density is above what is typical in the immediate area, though there are examples of development of similar density in this area of the City, namely at 761-763 Bay Street (College Park), which has a density of 14.5 times coverage, and at 825 Bay Street, which has a density of 15.4 times coverage. The adjacent residential building to the west of the site, at 7 Carlton Street, has a density of 10.8 times coverage, and the residential building to the east, at 45 Carlton Street, has a density of 9.6 times coverage.

This development will assist with the regeneration of this section of Carlton Street, replaces a surface parking lot in the downtown core, and supports retail development in the area.

As discussed above, the proposed height and massing of the development are acceptable and in some ways advantageous. The massing responds to the context both on Carlton Street and Granby Street and meets guidelines for light, views and privacy. One measurable impact of the proposed height and density, shadow, has been found to be reasonable. The site is able to physically accommodate the proposed development and the local servicing and transportation infrastructure can support the proposal.

Community Benefits

A package of community benefits contributes to the planning merits of the proposal and implements Official Plan objectives related to well-managed and balanced growth. To adequately support intensification, the downtown requires renewal of community services and reinvestment in the public realm in order to address the quality of life objectives of the new Official Plan. As such, the applicant has agreed to provide the following benefits in exchange for increases in height and density, pursuant to Section 37 of the Planning Act:

- (a) \$300,000 for the 519 Church Street Community Centre;
- (b) \$250,000 for capital improvements at Sheard Parkette and improvements to the right-of-way in the vicinity;
- (c) \$250,000 for capital improvements at Dundas Square; and
- (d) a public art contribution of a value not less than one percent of the gross construction costs of the development.

In addition, matters relating to streetscape improvements on Granby and Carlton Streets, street trees and irrigation, public access across the site, traffic operational changes, street lighting and the timing of financial contributions will be secured in a Section 37 Agreement.

Conclusions:

Staff recommend approval of Official Plan and Zoning By-law amendments to permit development of a mixed-use building with two residential point towers 43 and 33-storeys in height and townhouses of four storeys in height. Although the proposal represents a greater height and density than other developments in the area, the proposal is consistent with planning objectives and will not have undue impacts on adjacent properties and public spaces. An amendment to the new Official Plan is not required. The applicant has agreed to provide a package of community benefits in exchange for increases in height and density under Section 37 of the Planning Act.

Contact:

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Fax: (416) 392-1330

Email: mcole2@toronto.ca

Ted Tyndorf

Director, Community Planning, South District

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List of Attachments:

Attachment 1:	Application Data Sheet
Attachment 2:	Site Plan
Attachment 3:	Landscape Plan
Attachment 4:	North Elevation
Attachment 5:	South Elevation
Attachment 6:	East and West Elevations
Attachment 7:	Blowup of North and South Elevation
Attachment 8:	Official Plan Map Excerpt
Attachment 9:	Zoning Map Excerpt
Attachment 10:	Draft Official Plan Amendment
Attachment 11:	Draft Zoning By-law Amendment

APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	03 186636 STE 27 OZ
Details	OPA & Rezoning, Standard	Application Date:	October 17, 2003

Municipal Address: 21 CARLTON ST, Toronto ON

Location Description: South side of Carlton St., east of Yonge St.

Project Description: Application for 36 townhouse units and 715 residential condominiums in two towers with retail at grade.

Applicant:	Agent:	Architect:	Owner:
Goodman & Carr LLP, Patrick Devine			Edilcan Construction Corporation

PLANNING CONTROLS

Official Plan Designation:	High Density Mixed Commercial Residential Area A	Site Specific Provision:	1995-0629
Zoning:	CR T6.0 C2.0 R6.0	Historical Status:	
Height Limit (m):	46, 11	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	4400	Height:	Storeys:	43
Frontage (m):	74.45		Metres:	121.3
Depth (m):	0			
Ground Floor GFA (sq. m):	2426		Total	
Residential GFA (sq. m):	51196	Parking Spaces:	477	
Non-Residential GFA (sq. m):	787	Loading Docks	0	
Total GFA (sq. m):	51983			
Lot Coverage Ratio (%):	55			
Floor Space Index:	11.81			

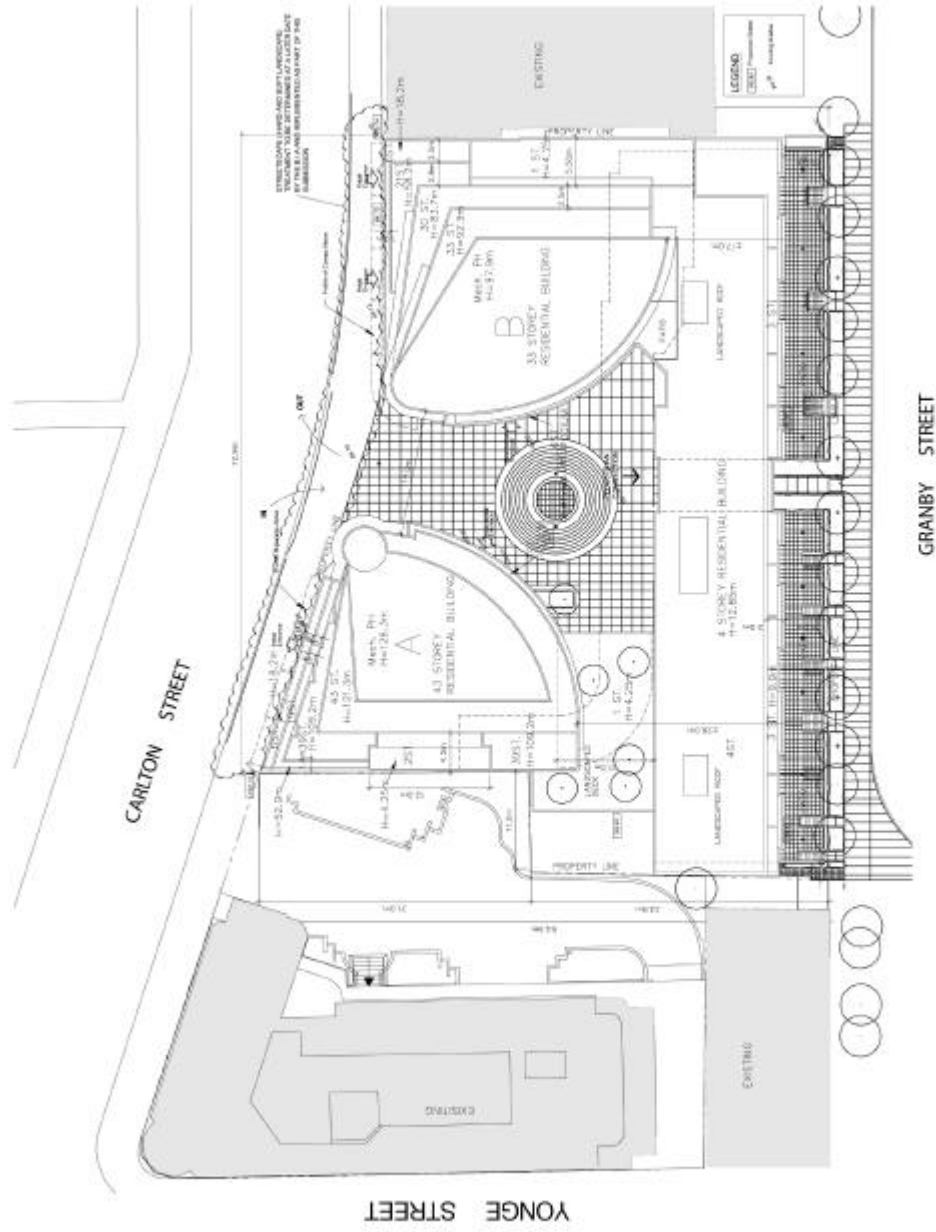
DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	41
1 Bedroom:	468
2 Bedroom:	242
3 + Bedroom:	0
Total Units:	751

FLOOR AREA BREAKDOWN

	Above Grade	Below Grade
Residential GFA (sq. m):	51196	0
Retail GFA (sq. m):	787	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Michael Cole, Planner
	TELEPHONE:	(416) 392-0420



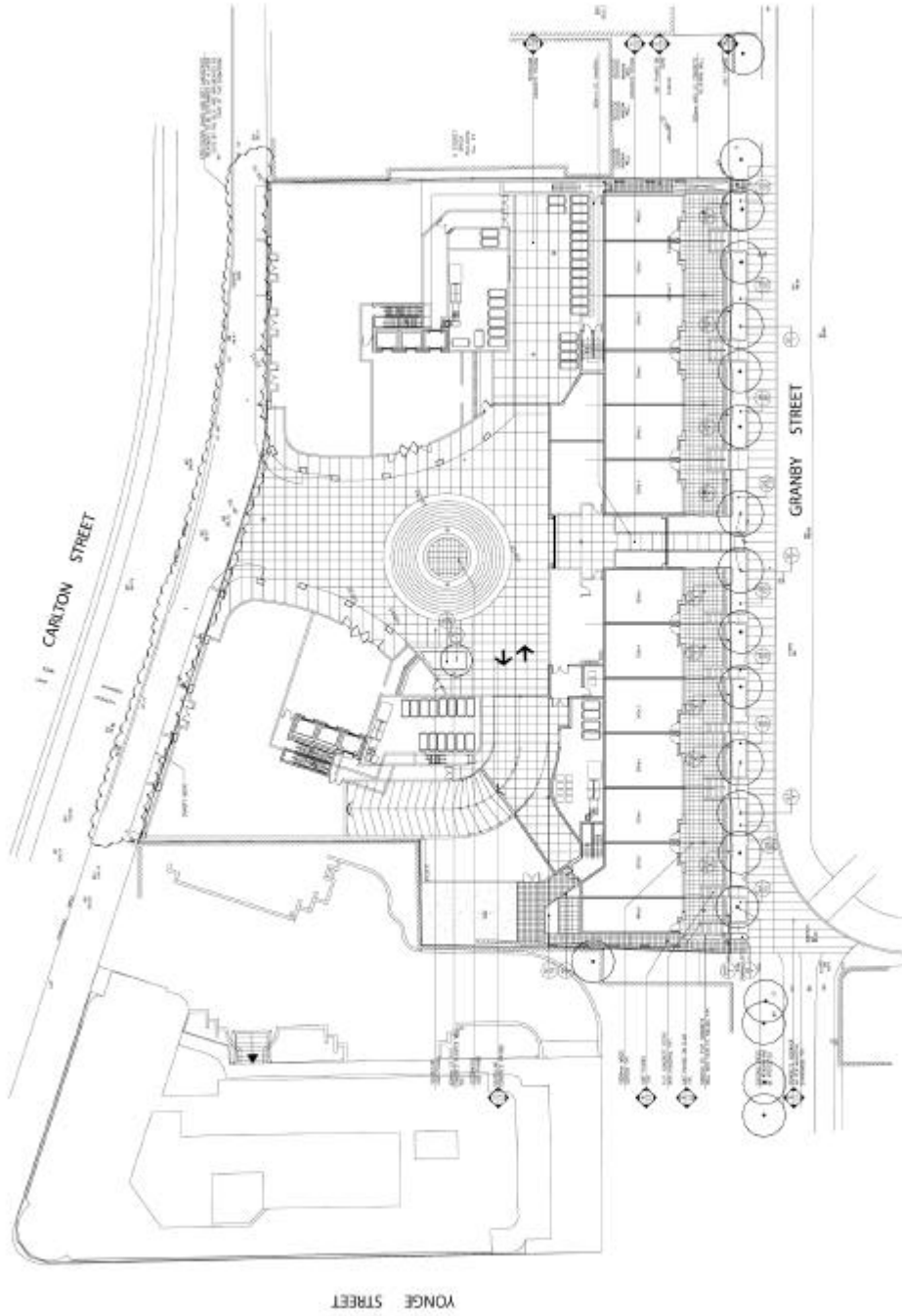
Site Plan

Applicant's Submitted Drawing

Not to Scale
08/03/04

21 Carlton Street

File # 03_186636



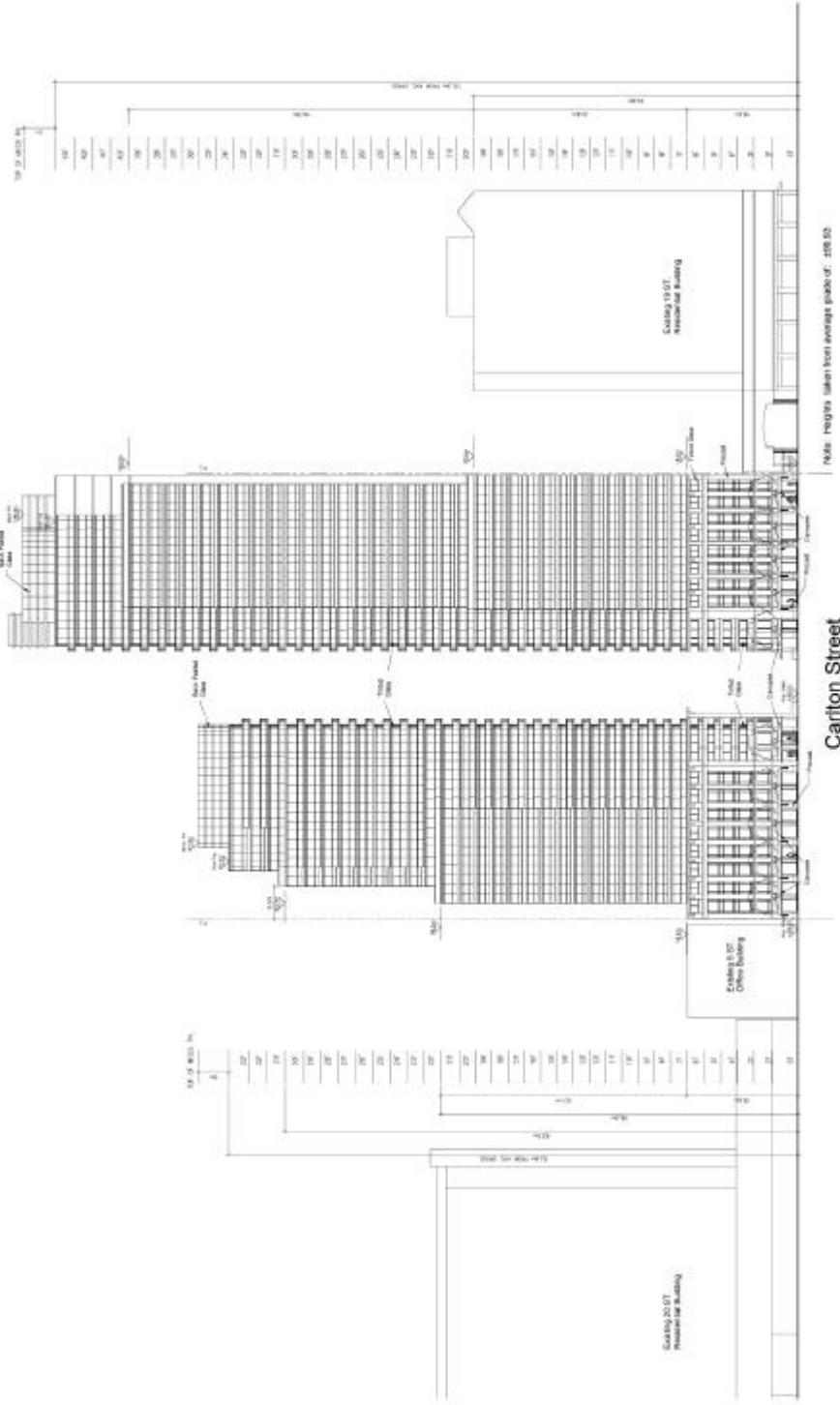
Landscaped Plan

Applicant's Submitted Drawing

Not to Scale
DEC04

21 Carlton Street

File # 03_186636



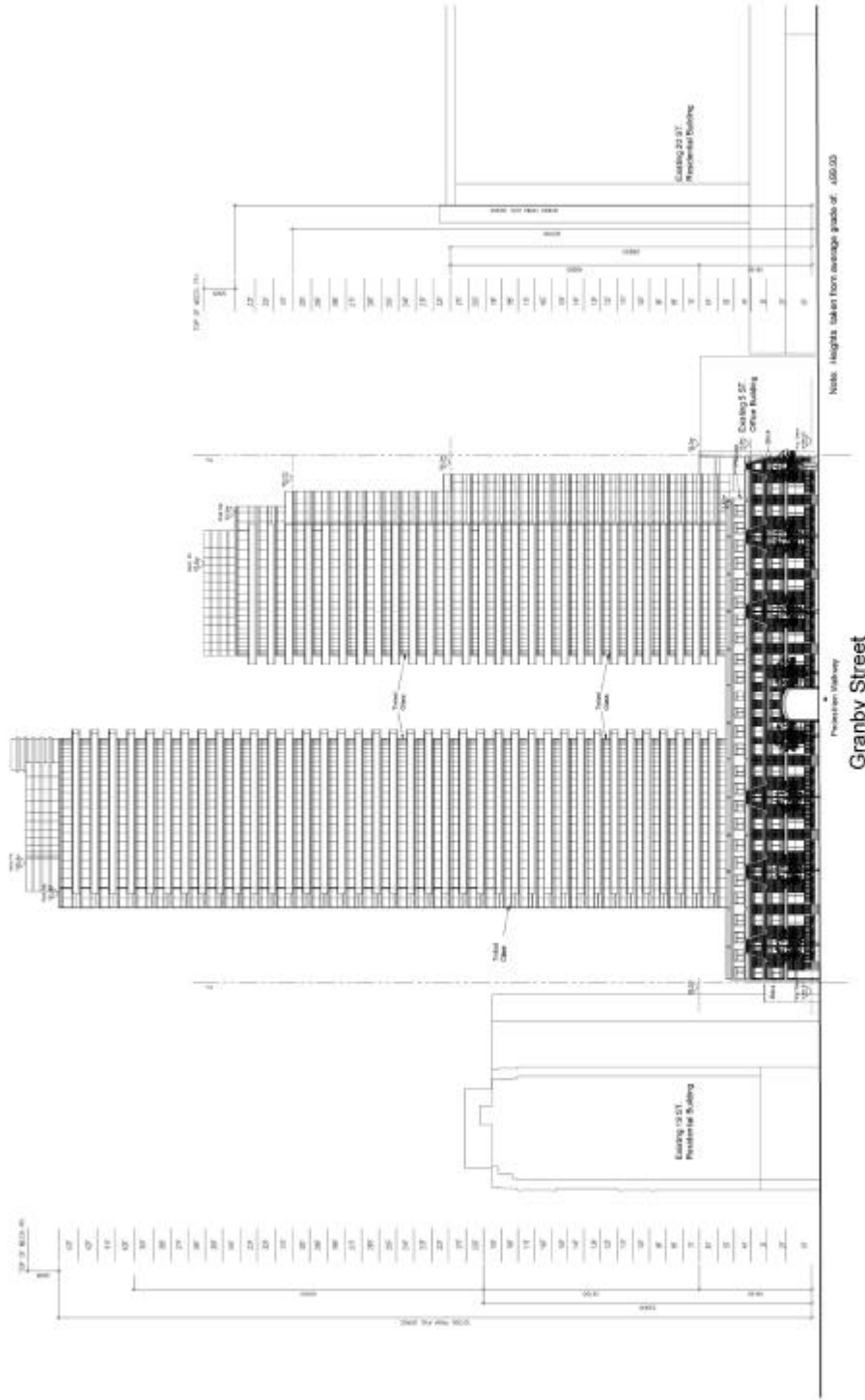
North Elevation

Applicant's Submitted Drawing

Not to Scale
06/03/04

21 Carlton Street

File # 03_186636



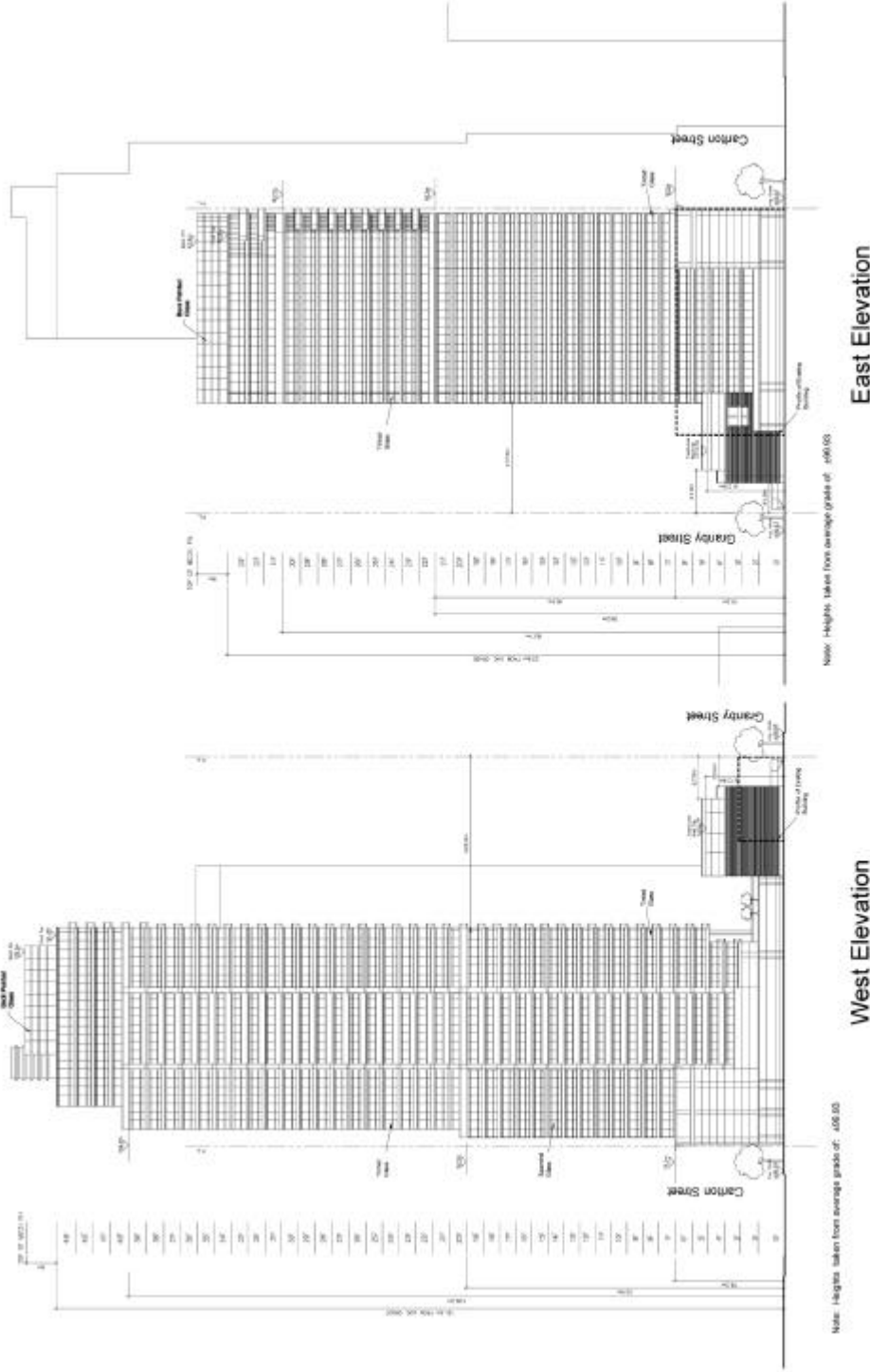
South Elevation

Applicant's Submitted Drawing

Not to Scale
06/03/04

21 Carlton Street

File # 03_186636



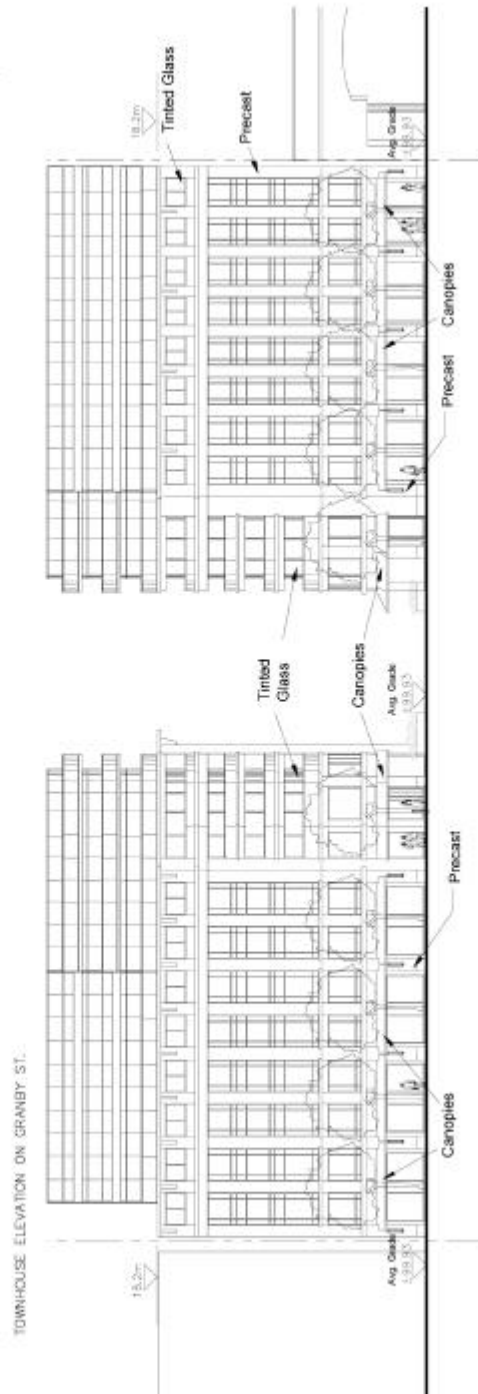
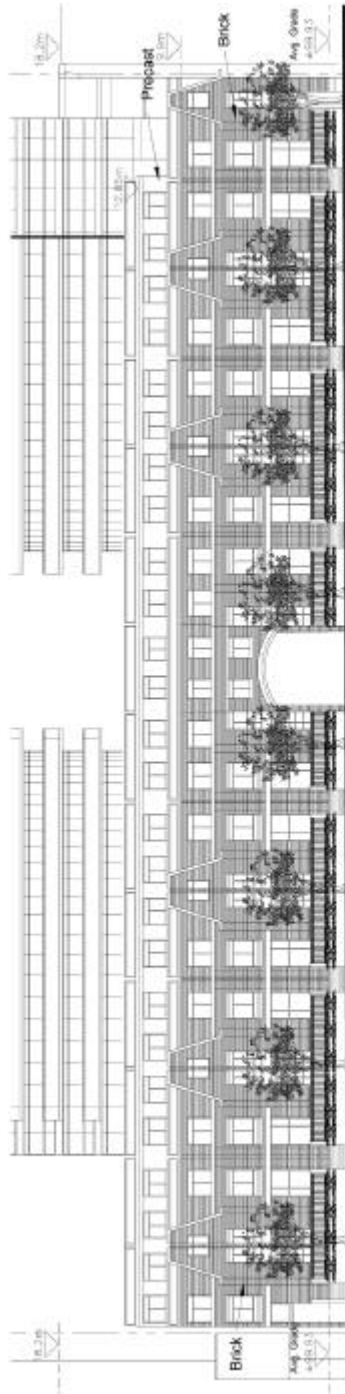
21 Carlton Street

East & West Elevations

Applicant's Submitted Drawing

Not to Scale
06/03/04

File # 03_186636



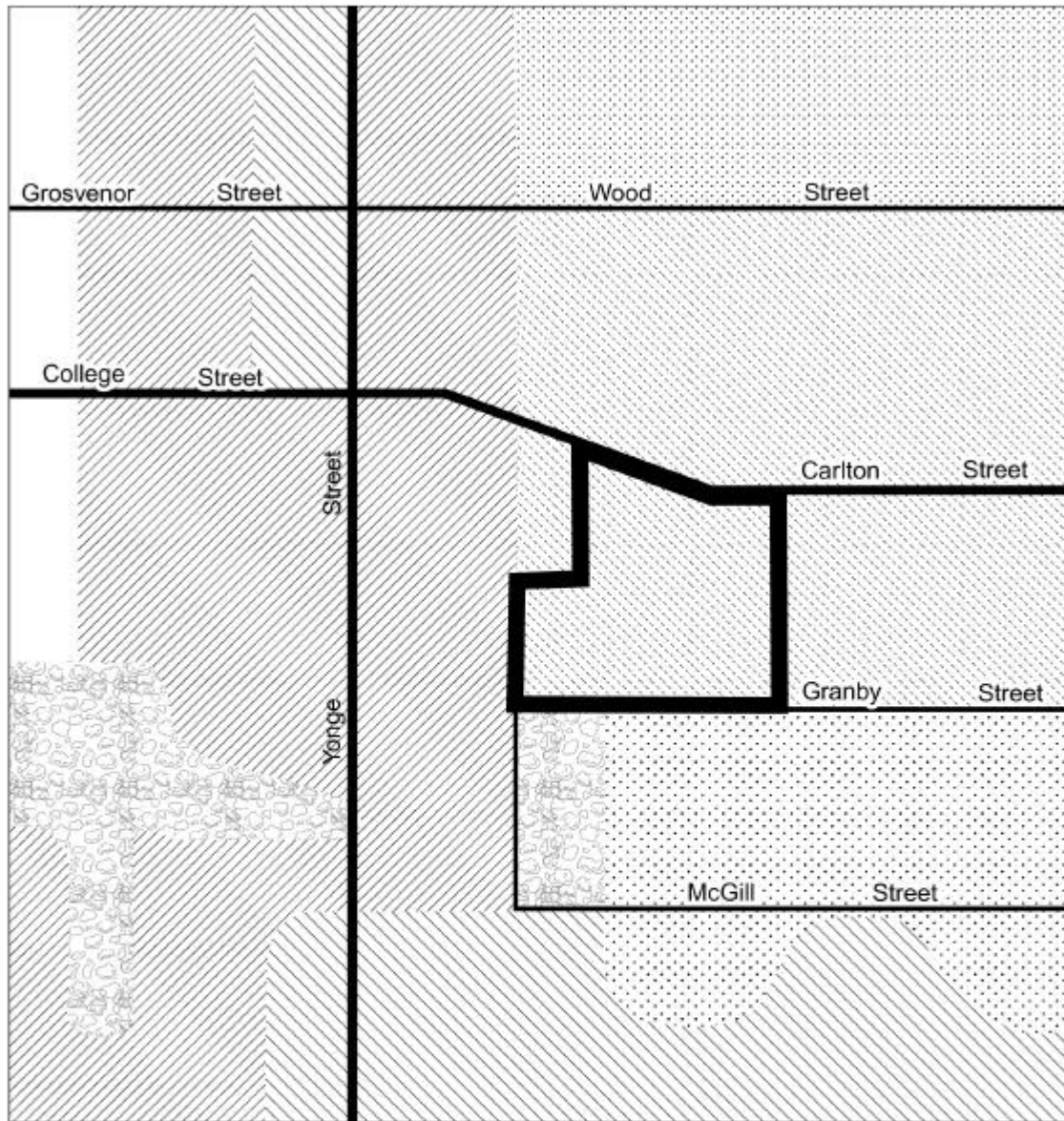
Blowup of North & South Elevation

Applicant's Submitted Drawing

Not to Scale
06/03/04

21 Carlton Street

File # 03_186636



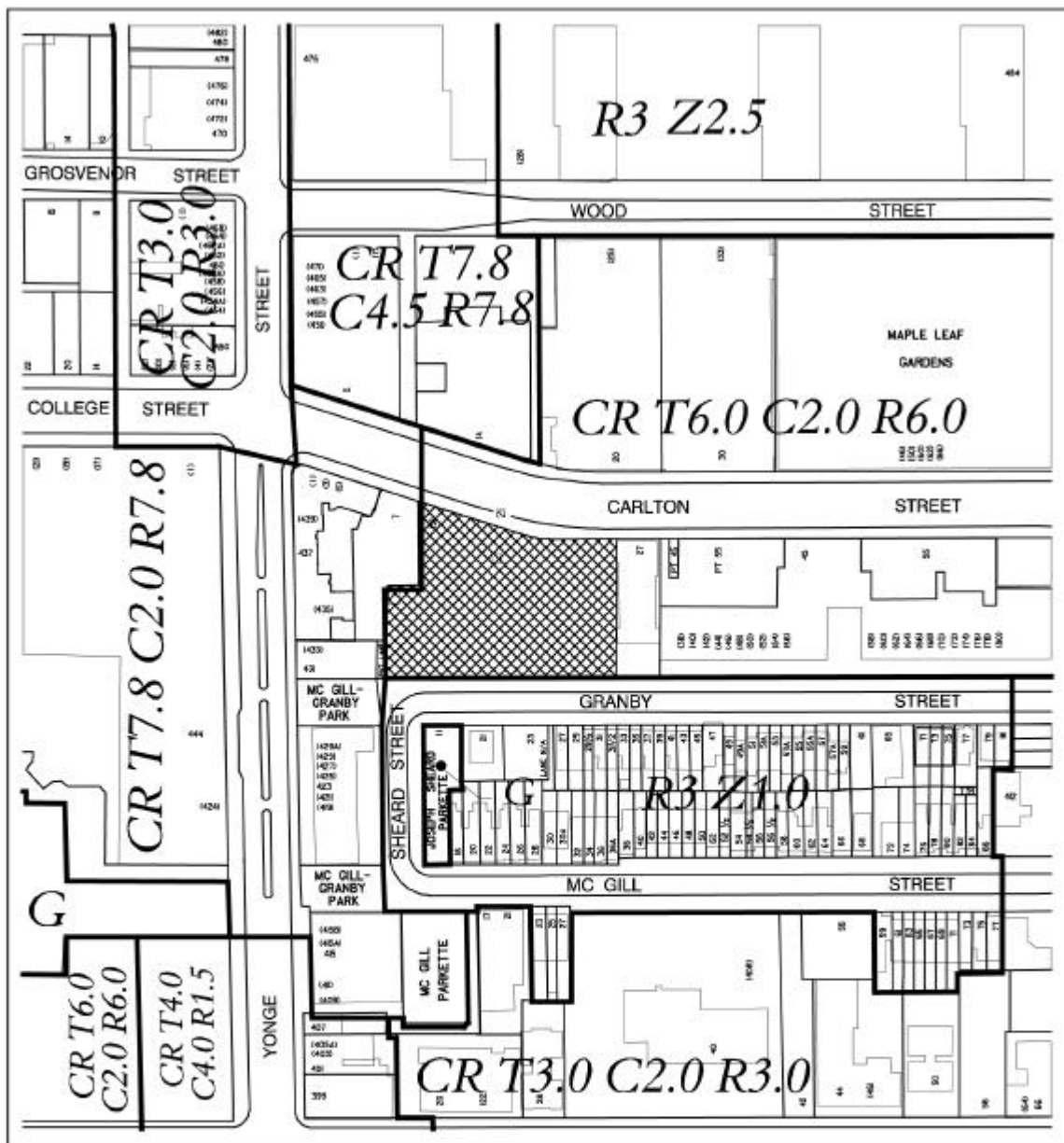
Toronto Urban
Development Services
Official Plan

21 Carlton Street

File # 03_186636

- | | | |
|--------------------------------|---|---|
| Site | High Density Residence Areas | High Density Mixed Commercial-Residential Areas 'B' |
| Low Density Residence Areas | Low Density Mixed Commercial-Residential Areas | Open Space |
| Medium Density Residence Areas | High Density Mixed Commercial-Residential Areas 'A' | |

↑
Not to Scale
06/03/04



Toronto Urban Development Services
Zoning

21 Carlton Street

File # 03_186636

G Parks District
 R3 Residential District
 CR Mixed-Use District



Not to Scale
 Zoning By-law 438-86 as amended
 Extracted 12/02/03 - EM

Attachment 10
Draft Official Plan Amendment

Authority: Toronto and East York Community Council Report No. XXX,
Clause No. XXX, adopted by City of Toronto Council on XX
XX, 2004.

Enacted by Council:

CITY OF TORONTO

BY-LAW NO. 302-2004

**To adopt Amendment No. 302 of the Official Plan for the former City of Toronto
respecting lands known municipally as 21 Carlton Street.**

WHEREAS the Council of the City of Toronto has an application made to it for a
proposed Official Plan Amendment respecting the lands municipally known in the year
2004 as 21 Carlton Street; and

WHEREAS the Council of the City of Toronto conducted a public meeting under Section
17 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended ("*Planning Act*"), regarding the
proposed Official Plan Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held on XX XX, 2004
determined to amend the Official Plan for the former City of Toronto;

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

1. The text and map annexed hereto as Schedule "A" are hereby adopted as
amendments to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 302.

ENACTED AND PASSED this XX day of XX, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

SCHEDULE "A"

1. Section 18 of the Official Plan for the former City of Toronto is hereby amended by adding the following Section 18.XXX and the attached Map 18.631;

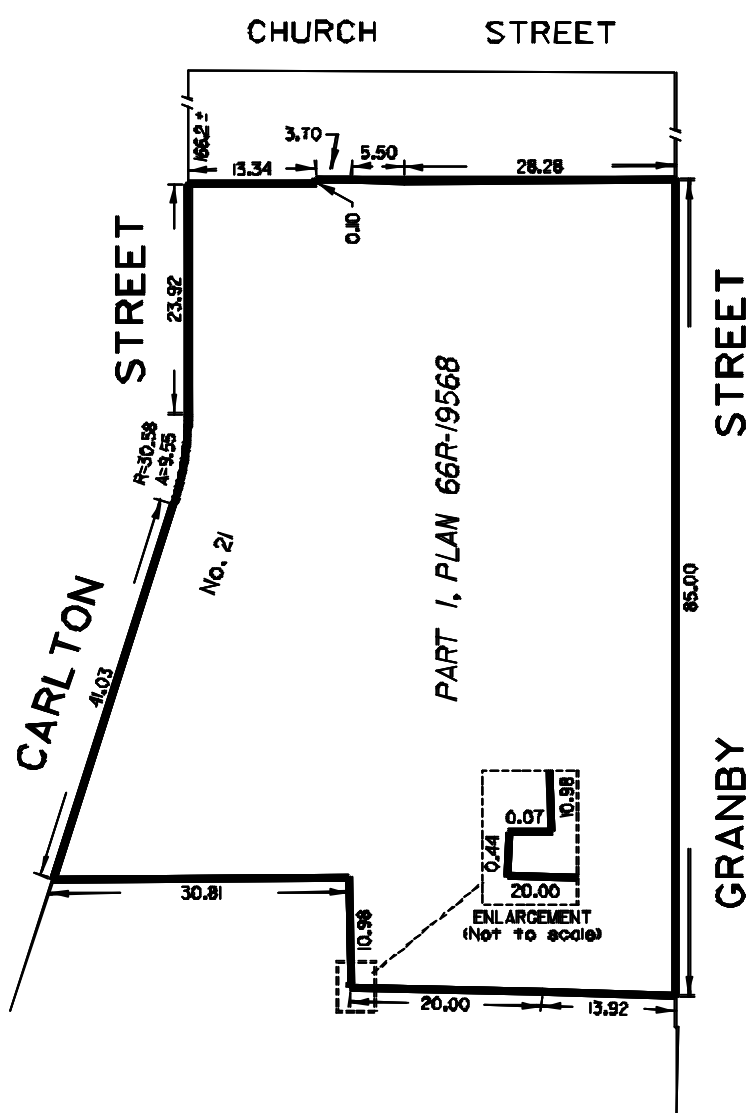
"18.XXX Lands municipally known in the year 2003 as No. 21 Carlton Street.

See Map 18.631 at the end of this Section.

- (1) Notwithstanding any other provision of this Plan, Council may pass by-laws applicable to the lands delineated by heavy lines on Map 18.631, to permit the erection and use of mixed-use buildings and residential buildings having a maximum gross floor area of 51,983 square metres, provided that:
 - (a) the *residential gross floor area* of such buildings does not exceed 53,740 square metres; and
 - (b) the *non-residential gross floor area* of such buildings does not exceed 787 square metres;
- (2) Council may not pass any by-law designating the lands for uses described in Section 1 hereof, unless in return for the residential densities and height permissions thereby granted, the owner of the lands is required by such by-law to have first entered into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended ("*Planning Act*"), to secure the facilities, services and matters set out in Section 3 hereof, and to ensure that such agreement is in a form satisfactory to the City and is appropriately registered on title to the lands;
- (3) In return for the residential densities and height permissions granted by a by-law designating the lands for residential and other uses, including any by-law described in Section 1 hereof, the owner shall enter into an agreement with the City pursuant to Section 37 of the *Planning Act*, to secure the following facilities, services and matters:
 - (a) The owner agrees to pay \$300,000.00 to the City as a contribution towards the 519 Church Street Community Centre;

- (b) The owner agrees to pay \$250,000.00 to the City for capital improvements to Sheard Parkette and improvements to the right-of-way in the vicinity;
- (c) The owner agrees to pay \$250,000.00 for capital improvements at Dundas Square;
- (d) The owner agrees to make a public art contribution of a value not less than one percent of the gross construction cost of the development, in compliance with the City's public art program;
- (e) The owner ensures, in perpetuity, public access to the pedestrian walkway extending the width of the site between Carlton and Granby Streets; and
- (f) The owner enters into an agreement with the City pursuant to Section 37 of the *Planning Act* to secure all the facilities, services and matters referred to in this By-law, and those matters deemed appropriate for the orderly development of the lands, and register such agreement against title to the lands.

MAP 18.631



10 0 10 METRES



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JUNE, 2004
CPAD4/18631.DGN
FILE: C2-Z11
MAP No. 51H-311 DRAWN: D.R

Attachment 11
Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Report No. XXX, Clause No. XXX, adopted by City of Toronto Council on XX XX, 2004.

Enacted by Council:

CITY OF TORONTO

BY-LAW NO. XXX-2004

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known municipally as 21 Carlton Street.

WHEREAS the Council of the City of Toronto has been requested to amend its zoning by-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended ("*Planning Act*"), respecting the lands municipally known in the year 2004 as 21 Carlton Street; and

WHEREAS the Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed zoning by-law amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held on XX XX, 2004 determined to amend Zoning By-law No. 438-86, as amended, for the former City of Toronto; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond those otherwise permitted by By-law No. 438-86, as amended, in return for the provision of such facilities, services or matters as are set out in the By-law; and

WHEREAS the owner of the land hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increases in the density or height permitted hereunder, beyond those otherwise permitted on the aforesaid lands by By-law No. 438-86, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such land and the City of Toronto; and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid land as permitted in this By-law;

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

2. None of the provisions of Section 2 with respect to definition of “grade” and Sections 4(2)(a), 4(5), 4(12), 8(3) PART II 1(a)(ii), 8(3) PART III 1(a) and 12(1) 388 of Zoning By-law No. 438-86, as amended, shall apply to prevent the erection and use of two *mixed-use buildings* and a *residential building* on the lands shown on Plan 1 attached to and forming part of this By-law, provided that:
- (a) the *lot* comprises not less than the lands outlined by heavy lines on Plan 1, attached to and forming part of this By-law;
 - (b) no above *grade* portion of any building is located otherwise than wholly within the areas delineated by heavy lines as shown on Plan 2, attached to and forming part of this By-law;
 - (c) the *height* of any building or structure, or portion thereof, does not exceed those *heights* as shown on Plan 2 attached to and forming part of this By-law;
 - (d) the aggregate of the *residential gross floor area* and the *non-residential gross floor area* erected or used on the *lot* does not exceed 51,983 square metres, of which:
 - (i) the *residential gross floor area* does not exceed 53,740 square metres; and
 - (ii) the *non-residential gross floor area* does not exceed 787 square metres;
 - (e) a minimum of 1,502 square metres of indoor *residential amenity space* shall be provided;
 - (f) a minimum of 1,304 square metres of outdoor *residential amenity space* shall be provided in a location adjoining or accessible by stairs from a portion of the indoor *residential amenity space*;
 - (g) a minimum of 477 *parking spaces*, of which 46 are visitor spaces, are provided and maintained on the *lot*;
 - (h) at least one *loading space-type G* shall be provided and maintained on the lot;
 - (i) a minimum of 250 *bicycle parking spaces* are provided and maintained on the ground floor, the first floor above grade, or on the first parking level;
3. For the purposes of this By-law:
- (a) “*grade*” means 99.93 metres Canadian Geodetic Datum; and
 - (b) each word or expression that is italicized in the By-law herein shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.

4. Notwithstanding Sections 1 and 2, the *heights* and density of development permitted by this By-law are permitted subject to compliance with all of the conditions set out in this By-law and in return for the provision by the owner of all the following facilities, services and matters to the City of Toronto, namely:
- (a) the owner agrees to pay \$300,000.00 to the City as a contribution towards the 519 Church Street Community Centre;
 - (b) the owner agrees to pay \$250,000.00 to the City for capital improvements to Sheard Parkette and improvements to the right-of-way in the vicinity;
 - (c) the owner agrees to pay \$250,000.00 for capital improvements at Dundas Square;
 - (d) the owner agrees to make a public art contribution of a value not less than one percent of the gross construction cost of the development;
 - (e) the owner ensures, in perpetuity, public access to the pedestrian walkway extending the width of the site between Carlton and Granby Streets; and
 - (f) enter into an agreement with the City pursuant to Section 37 of the *Planning Act* to secure all the facilities, services and matters referred to in this By-law, and those matters deemed appropriate for the orderly development of the lands, and register such agreement against title to the lands.
5. By-law 1995-0629 of the former City of Toronto is repealed upon the coming into force of the balance of this By-law.

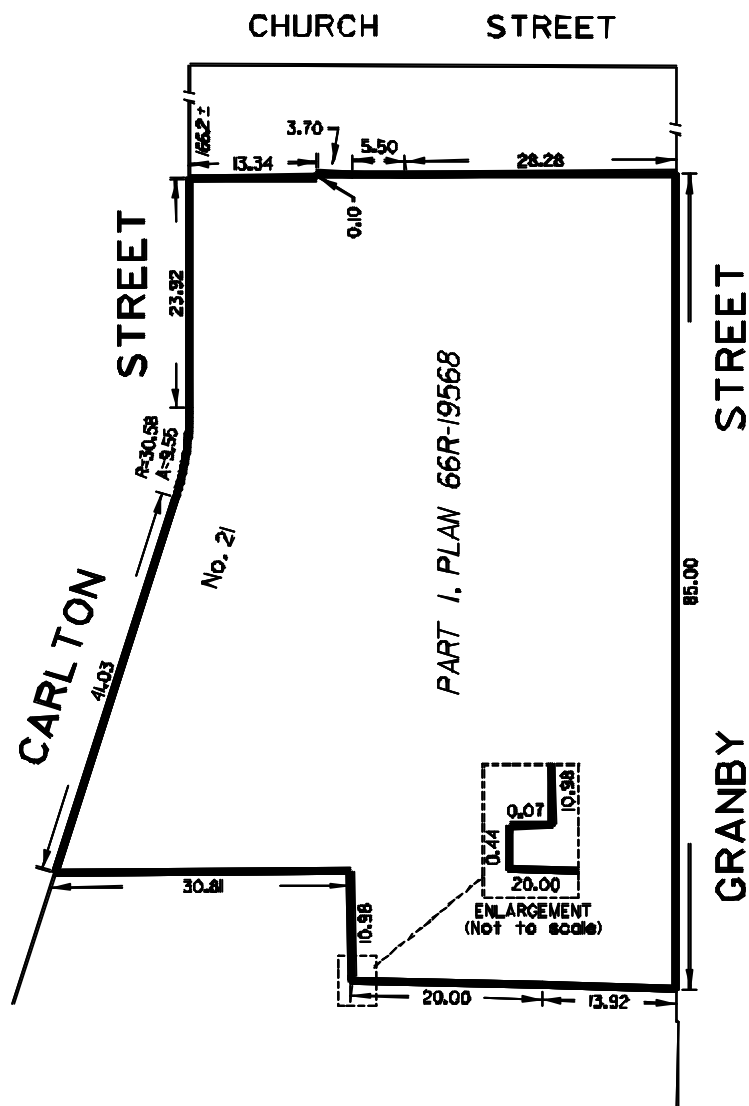
ENACTED AND PASSED this XX day of XX, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

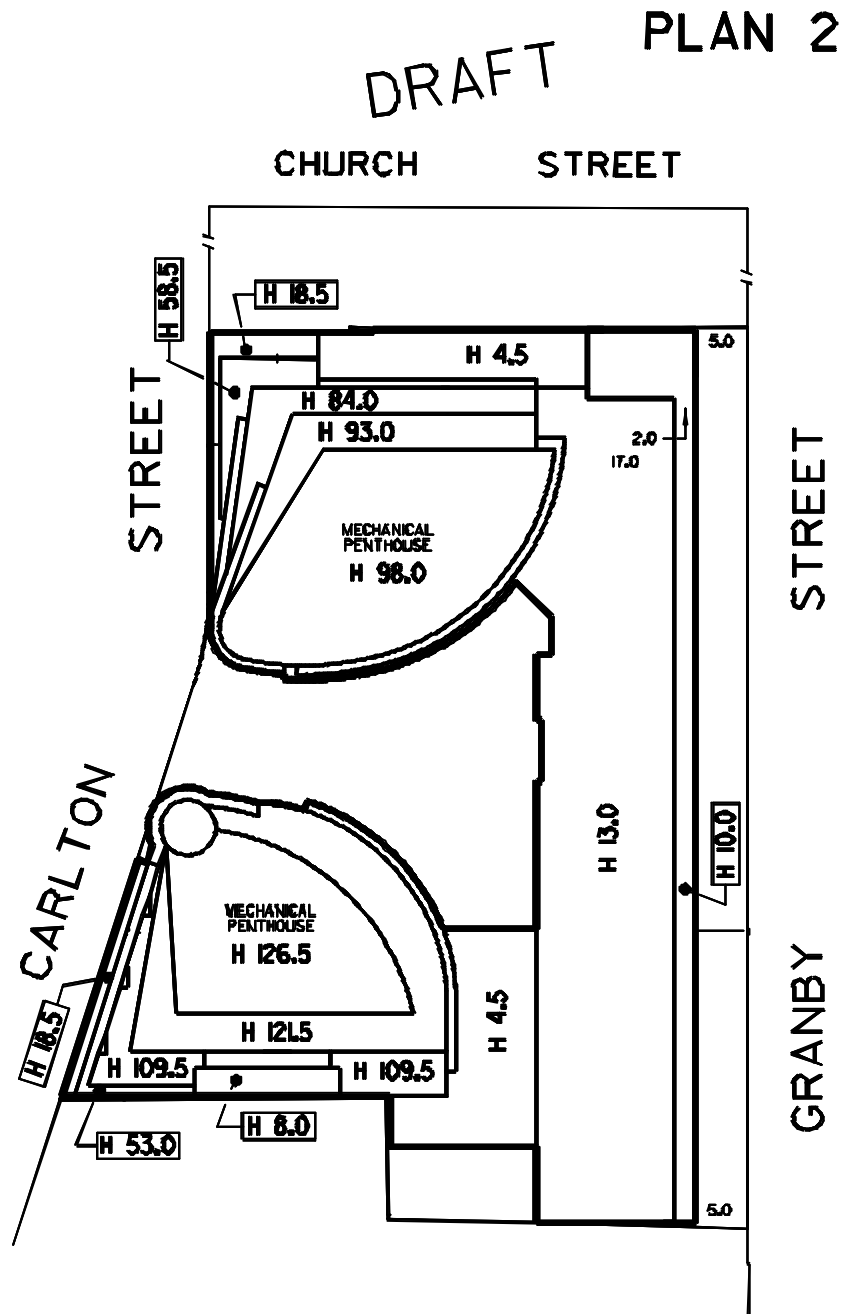
PLAN 1



10 0 10
METRES



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JUNE, 2004
BL04/21CARL1.DGN
FILE: C2-Z11
MAP No. 51H-311 DRAWN: D.R



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE

10 0 10
METRES



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JUNE, 2004
BL04/Z1CARL2.DGN
FILE: C2-Z11
MAP No. 51H-311 DRAWN: D-R