

Authority: Toronto and East York Community Council Report No. 6, Clause No. 11,
as adopted by City of Toronto Council on July 20, 21 and 22, 2004
Enacted by Council: July 22, 2004

CITY OF TORONTO

BY-LAW No. 683-2004

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known municipally in the year 2004 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, with respect to lands known municipally 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 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 and 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 the Official Plan of the former City of Toronto contains provisions relating to the authorisation of the height and density of development; 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:

1. None of the provisions of Section 2 with respect to definition of “grade” and Sections 4(2)(a), 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 Map 1 attached to and forming part of this By-law, provided that:
 - (i) the *lot* comprises not less than the lands outlined by heavy lines on Map 1, attached to and forming part of this By-law;

- (ii) no above *grade* portion of any building is located otherwise than wholly within the areas delineated by heavy lines as shown on Maps 2A, 2B and 2C, attached to and forming part of this By-law;
 - (iii) the *height* of any building or structure, or portion thereof, does not exceed those *heights* as shown on Maps 2A, 2B and 2C attached to and forming part of this By-law;
 - (iv) the aggregate of the *residential gross floor area* and the *non-residential gross floor area* erected or used on the *lot* does not exceed 51,987 square metres, of which:
 - (a) the *residential gross floor area* does not exceed 51,200 square metres; and
 - (b) the *non-residential gross floor area* does not exceed 787 square metres;
 - (v) a minimum of 1,502 square metres of indoor *residential amenity space* shall be provided;
 - (vi) 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*;
 - (vii) a minimum of 477 *parking spaces*, of which a minimum of 46 are visitor spaces and a maximum of 10% are small car spaces which are to be a minimum of 2.4 metres in width and 5.0 metres in length are provided and maintained on the *lot*;
 - (viii) at least one *loading space-type G* shall be provided and maintained on the lot;
 - (ix) a minimum of 250 *bicycle parking spaces* are provided and maintained on the lot;
2. For the purposes of this By-law:
- (i) “*grade*” means 99.93 metres Canadian Geodetic Datum; and
 - (ii) 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.
3. 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:
- (i) the owner agrees to pay \$300,000.00 to the City as a contribution towards the 519 Church Street Community Centre;

- (ii) 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;
 - (iii) the owner agrees to pay \$250,000.00 for capital improvements at Dundas Square;
 - (iv) 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;
 - (v) the owner ensures, in perpetuity, public access to the pedestrian walkway extending the width of the site between Carlton and Granby Streets; and
 - (vi) 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.
- 4.** By-law No. 1995-0629 of the former City of Toronto is repealed upon the coming into force of the balance of this By-law.

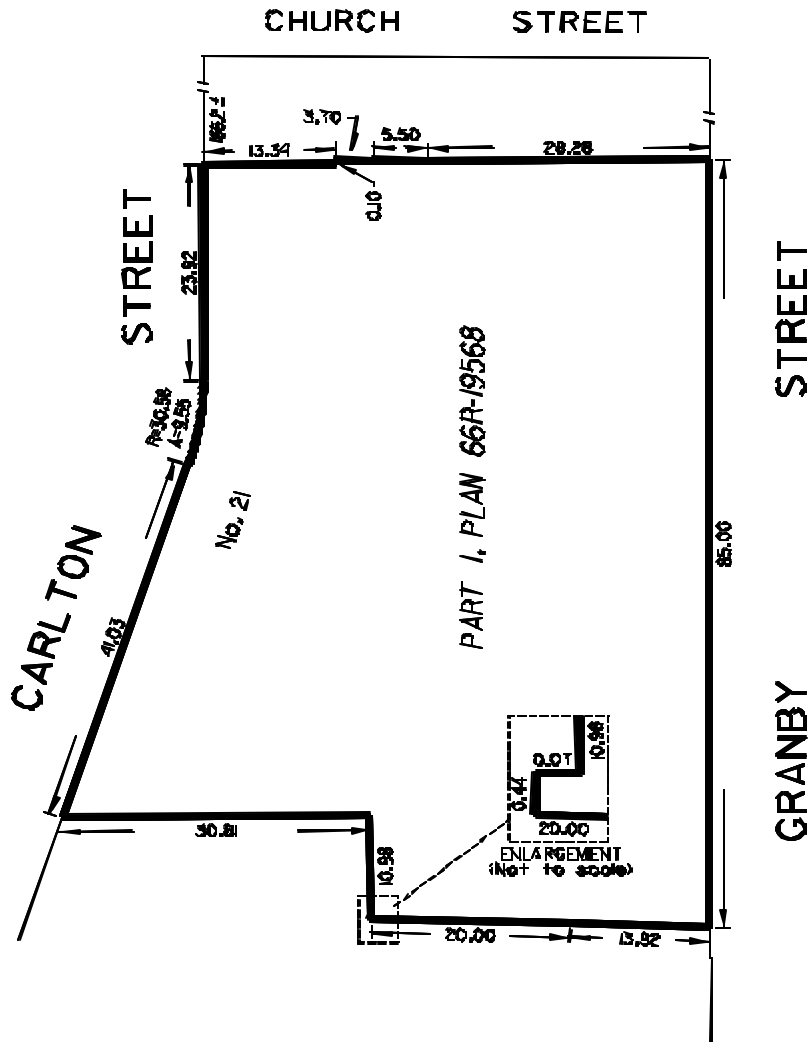
ENACTED AND PASSED this 22nd day of July, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

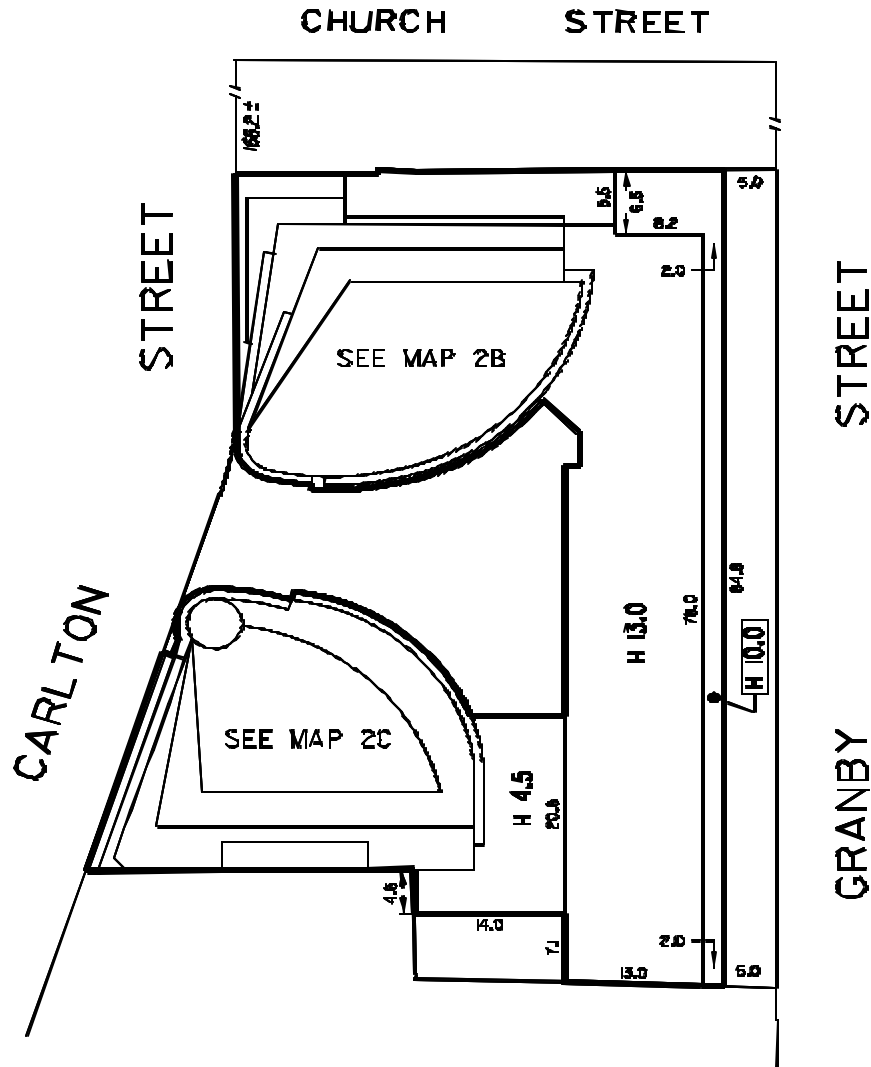
(Corporate Seal)

MAP I



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO JULY, 2004
 BLOC/21CARL1.DGN
 FILE: C2-211
 MAP No. 51H-311 DRAWN: D.P.

MAP 2A

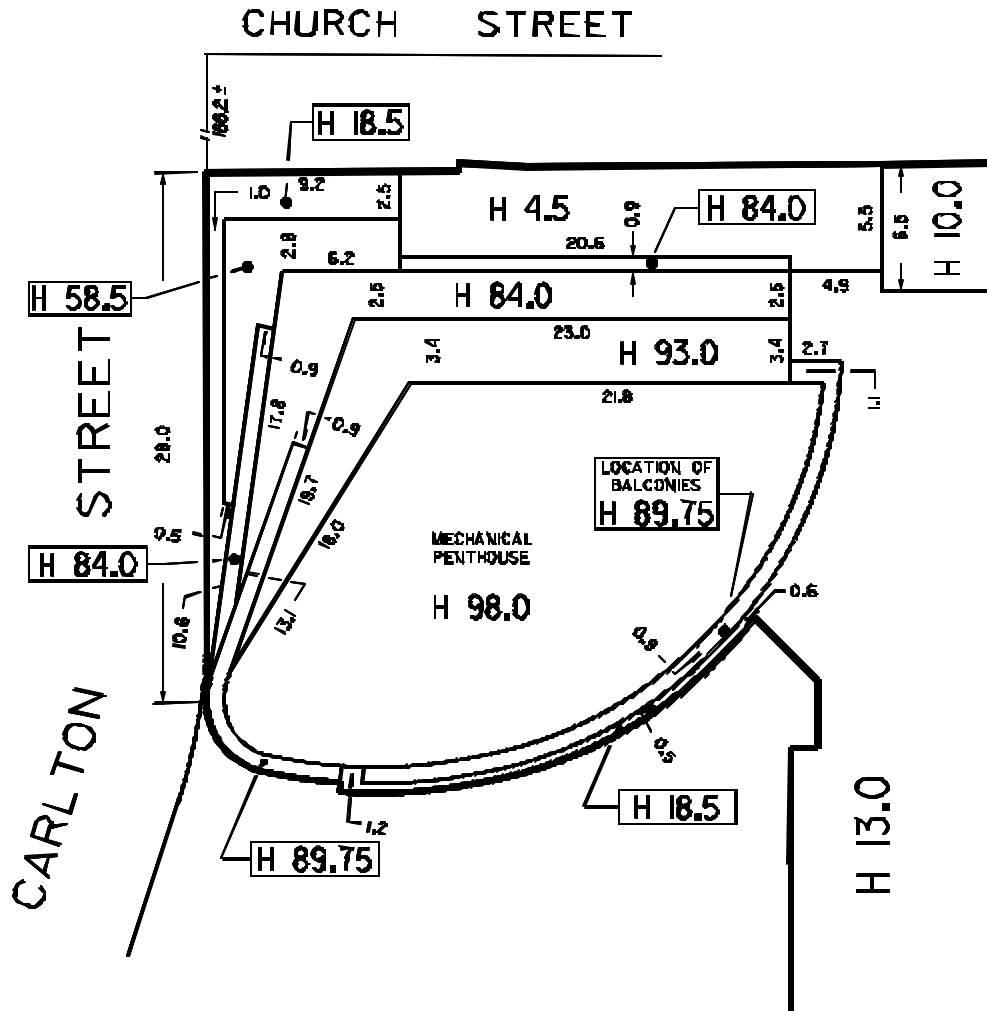


H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO JULY, 2004
 BLO4/21CARL2a.DGN
 FILE: G2-211
 MAP No. 51H-311 DRAWN: D-R

MAP 2B

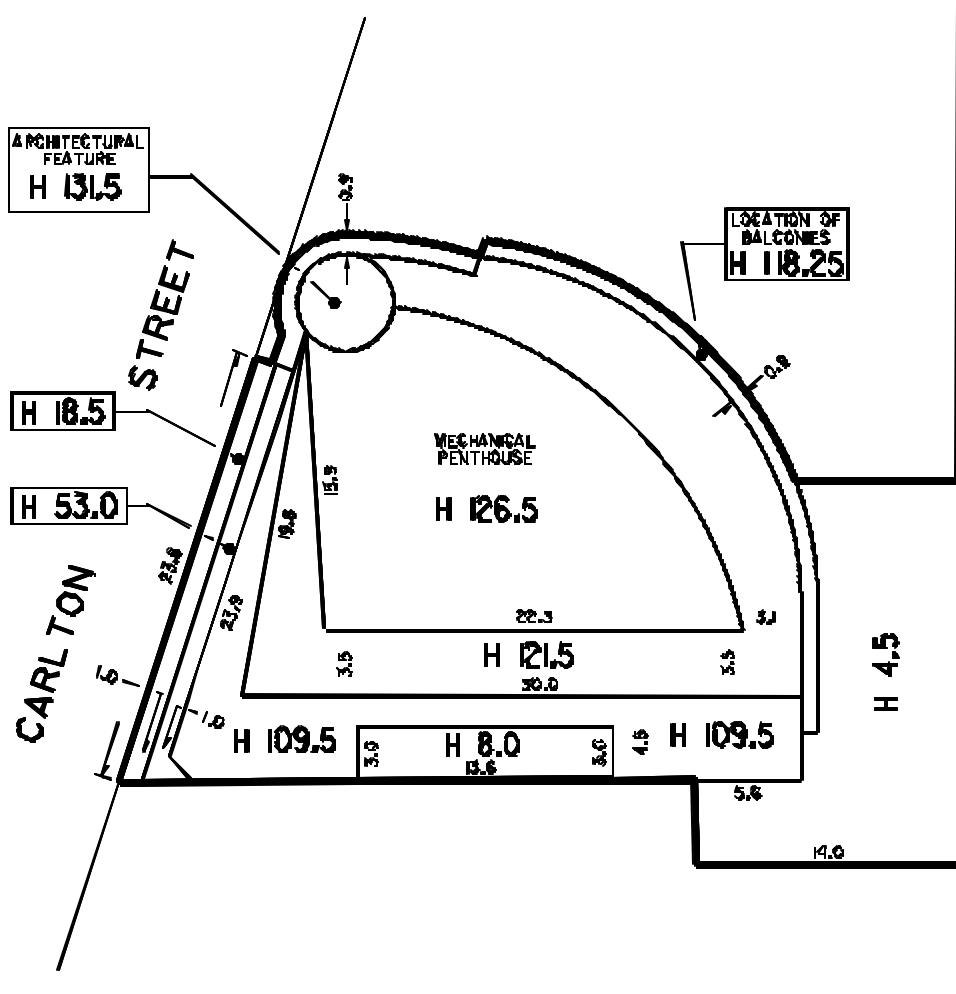


H_i DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO, JULY, 2004
 BLDG/21-CARL2B.DWG
 FILE: C2-Z11
 MAP No. 51H-311 DRAWN D.R

MAP 2C



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



MIMS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO JULY, 2004
 BLDG 2/CARLTON.BEN
 FILE# 05-211
 MAP No. 61H-311 DRAWN: B.R