

Authority: Toronto and East York Community Council Item TE4.8, adopted as amended, by City of Toronto Council on March 31, April 1 and 2, 2015

CITY OF TORONTO

BY-LAW No. 388-2015

To adopt Amendment No. 82 to the Official Plan of the City of Toronto respecting the Garden District Area Specific Policy which is the area generally bounded by Jarvis Street, Carlton Street, Sherbourne Street and Queen Street East.

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. Amendment No. 82 to the City of Toronto Official Plan, consisting of the attached text shown on Schedule "A" is hereby adopted pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Enacted and passed on April 2, 2015.

Frances Nunziata,
Speaker

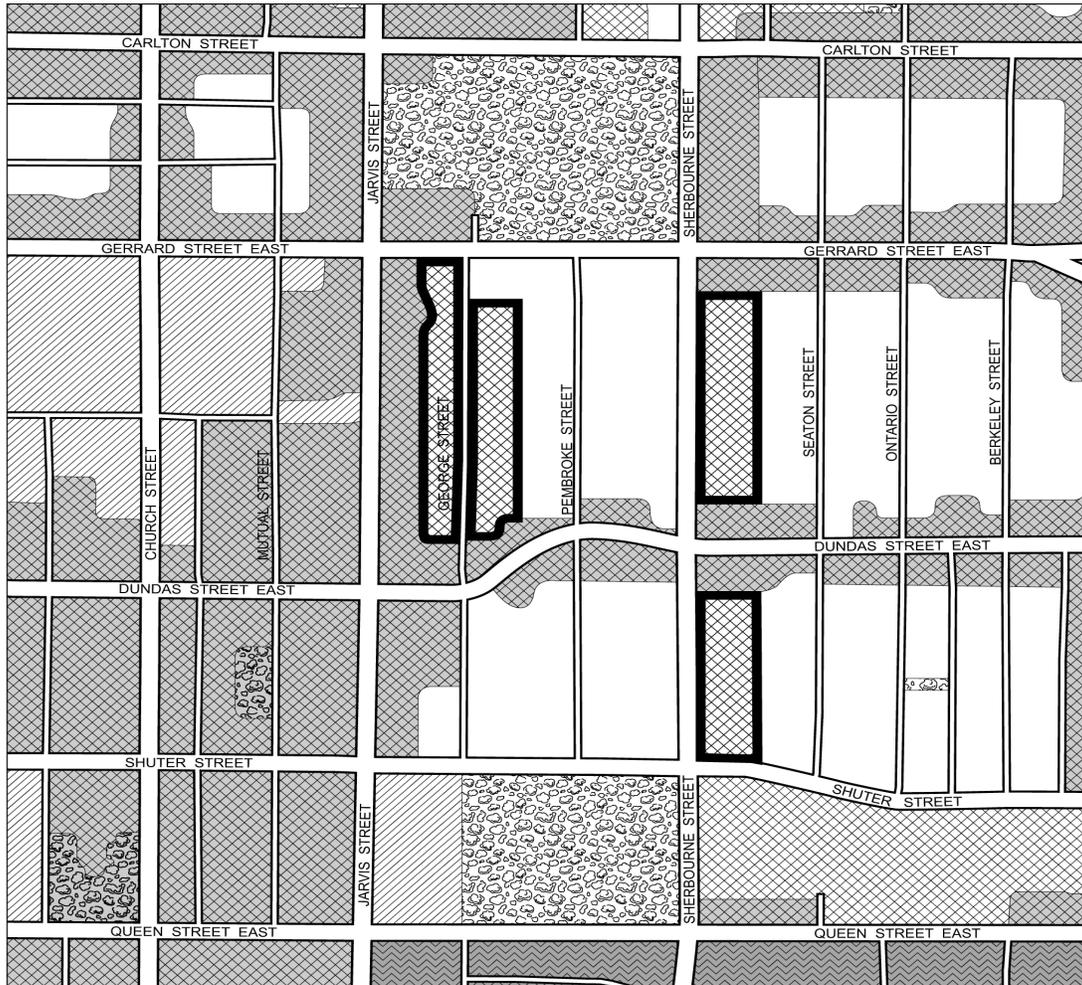
Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE "A"

The Official Plan of the City of Toronto is amended as follows:

1. Map 18 is amended by re-designating the areas shown in the map below from *Neighbourhoods* to *Apartment Neighbourhoods*:

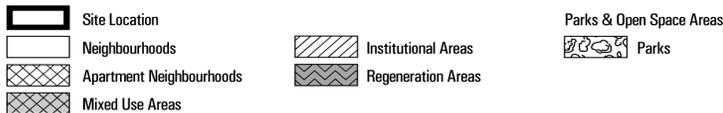


Official Plan Amendment #82

Revisions to Land Use Map 18 to Redesignate Lands from Neighbourhoods to Apartment Neighbourhoods

Area Bounded by Jarvis Street, Carlton Street, Sherbourne Street and Queen Street East

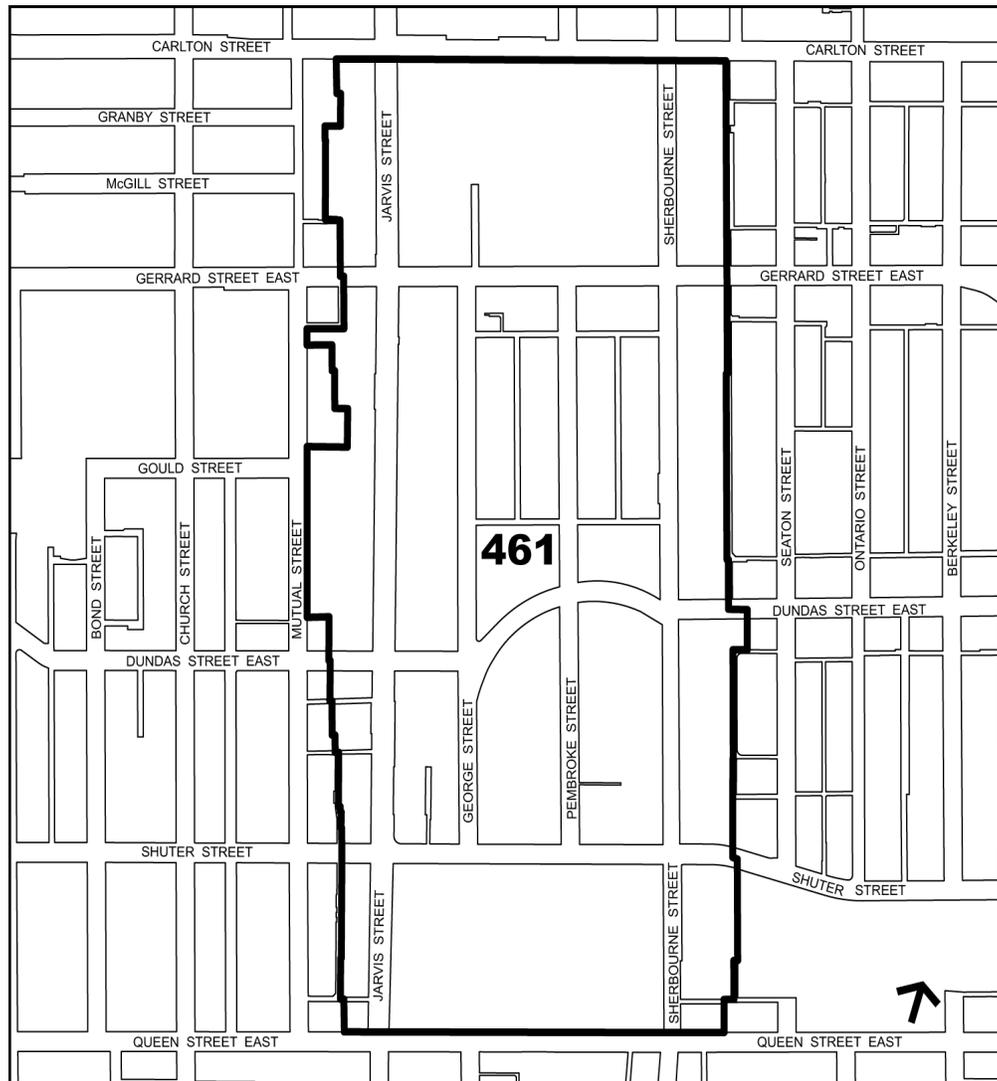
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2. Chapter 7, Site and Area Specific Policies, is amended by adding the following Policy 461 and by amending Map 29, entitled Site and Area Specific Policies, by adding the lands shown below to the "Areas affected by the Site and Area Specific Policies" as Policy No. 461:

"461. Garden District Site and Area Specific Policy, located generally bounded by Jarvis Street, Carlton Street, Sherbourne Street and Queen Street East:



GARDEN DISTRICT SITE AND AREA SPECIFIC POLICY

1. PREAMBLE

The Garden District is a unique area within the Downtown, housing and supporting some of the City's most vulnerable populations, and containing a rich heritage built form and iconic parks, particularly Allan Gardens. Future growth and investment in this area will need to be sensitive to this character ensuring that new development further strengthens the Garden District as a distinct, vibrant mixed use community in the Downtown.

The lands shown on Maps 1, 2, 3, 4, 5 and 6 are subject to the following policies:

2. OBJECTIVES

- 2.1 Development will encourage the provision of additional affordable housing to ensure the Garden District continues to offer a full range of housing, in terms of form, tenure and affordability.
- 2.2 Publicly operated institutional uses, such as Seaton House, will continue to play an important role in the Garden District, delivering services and supporting the current and future needs of residents.
- 2.3 Community development initiatives in the Garden District will focus on achieving greater levels of equity, equality, access, participation, social cohesion and community capacity. To achieve this, plans and strategies will be developed for the Garden District to assist in optimizing the delivery of community and social services, improve community safety, pursue local housing initiatives, and stimulate local economic development.
- 2.4 Heritage resources will be maintained and improved through a Heritage Conservation District plan. Development will comply with any Heritage Conservation District Plan as well as the built form and public realm standards of this Policy.
- 2.5 The public realm will be protected and enhanced, by providing well designed streets that inform the public realm structure.
- 2.6 Additional height and density of development will be encouraged at appropriate locations taking into account, among other matters, massing to protect the public realm from adverse effects taking into consideration: shadowing, wind impact, skyview, separation distance and hospital helicopter flight paths.

3. DEVELOPMENT PERFORMANCE STANDARDS

- 3.1 Development Performance Standards in this section apply to the entire study area, including character areas unless otherwise specified.
- 3.2 New tall buildings are only permitted in the Character Areas identified on Map 1 and in the locations identified on Maps 2, 3, 4 and 5. New tall buildings are not permitted outside Character Areas.
- 3.3 A minimum of ten percent affordable rental housing or affordable ownership housing, as defined in Section 3.2.1., Housing, of the Official Plan, will be secured as a benefit through Section 37 of the *Planning Act* or successive legislation, in the manner defined in Section 5, Community Benefits.
- 3.4 Ten percent of units in new development will be three bedroom units or larger.
- 3.5 No net new shadows are permitted on Allan Gardens as measured on March 21 and September 21 from 10 a.m. to 6 p.m.

- 3.6 No net new shadows are permitted on conservatory buildings in Allan Gardens or any significant permanent structures that exist or are planned at the time of the development application, as measured on March 21, September 21, June 21 and December 21 at all times of the day.
- 3.7 No net new shadows are permitted on Moss Park as measured on March 21 and September 21 from 10 a.m. to 6 p.m.
- 3.8 No net new shadows will be allowed on the playground of École Gabriele Roy measured from September 21 to June 21 from 10 a.m. to 4 p.m.
- 3.9 No new surface parking lots, above-grade parking structures or boulevard parking spaces are permitted in the Garden District Area Specific Policy.
- 3.10 The Garden District area is well served by public transit, bicycle lanes and is located in close proximity to the core. Notwithstanding the minimum parking standards in the zoning by-law, reduced parking rates may be considered on a site by site basis where the impacts can be demonstrated to be sufficiently mitigated.
- 3.11 *Tall Buildings* will develop with a Tower-Base typology except as otherwise specified in table 4.2.
- 3.12 Tower-Base Typology is characterized by slender point towers spaced apart and set atop of pedestrian-scaled base buildings that define the street edge. Base buildings are encouraged to be no taller than 80 percent of the right-of-way. The tower frontage of a Tower-Base typology building shall step back at least 3 metres from the base building, including balconies.
- 3.13 *Tall Buildings* are encouraged to have a floor plate no larger than 750 square metres, unless required for institutional and commercial uses or where it can be demonstrated that the impact of a larger floor plate (sunlight/shadow, transition, skyview and wind) can be sufficiently mitigated.
- 3.14 A separation distance between towers of 25 metres or greater measured from the exterior wall of the building, excluding balconies shall be provided.
- 3.15 *Tall Buildings* will be setback a minimum of 20 metres from areas designated *Neighbourhood* in the Official Plan except as otherwise specified in table 4.2.
- 3.16 *Tall Buildings* design will have regard for the City of Toronto adopted Tall Building Guidelines except as otherwise specified in table 4.2.
- 3.17 New *Tall Building* applications in the North George Street Character Area and the Hazelburn Character Area will be circulated to St. Michael's Hospital and the Hospital for Sick Children.
- 3.18 Redevelopment for residential uses or infill residential uses may only be considered within the Helicopter Flight Paths for the Hospital for Sick Children and St. Michael's Hospital provided that there will be no negative impacts on the long-term function of those flight paths. In this regard, among other matters, the

City will require proponents of redevelopment or infilling to provide studies and undertakings to provide satisfactory mitigation measure when making applications for development approval.

4. CHARACTER AREA POLICIES

The Character Areas have a particular land use function and built form character. Development will be responsive to these functions and character with built form and public realm solutions.

Table 4.1 - Character Area Policies

Character Area	Applicable Policies
North George Street Character Area	<ul style="list-style-type: none"> i. North George Street is an important street in the Downtown East. It is a mixed-use street with residential and institutional uses, with a number of heritage properties. ii. North George Street will continue to host institutional uses and act as a community hub. iii. The heritage fabric of North George Street will be preserved and maintained. iv. <i>Tall Buildings</i> are permitted in the North George Street Character Area in the form articulated by this Area Specific Policy.
Dundas Corridor Character Area	<ul style="list-style-type: none"> i. The Dundas Corridor Character Area has the potential to be a vibrant retail strip serving the residents of the Downtown East. It will be treated as a priority retail street. New developments will include retail at grade. ii. <i>Tall Buildings</i> are permitted in the Dundas Corridor Character Area in the form articulated by this Area Specific Policy.
Hazelburn Character Area	<ul style="list-style-type: none"> i. Jarvis Street is named after Samuel Peters Jarvis, whose estate (Hazelburn) was sold to create the neighbourhoods that exist today. ii. Jarvis Street is an important cultural corridor and the streetscape will reflect that importance. iii. The corner of Dundas and Jarvis is an important gateway to the Downtown East. Framing these corners with tall buildings is appropriate. iv. With a particularly large right-of-way, the Hazelburn Character Area is the appropriate place for <i>Tall Buildings</i>. v. It is important, however, that <i>Tall Buildings</i> be constructed in a manner that is sensitive to neighbouring uses. Although a portion of George Street is captured by the Hazelburn Character Area, George Street south of Dundas Street East is primarily low-rise in character and that character will be carried along the George Street frontage of Block 4(B), shown on Map 4. vi. <i>Tall Buildings</i> are permitted in the Hazelburn Character Area in the form articulated by this Area Specific Policy.

Character Area	Applicable Policies
Sherbourne Corridor Character Area	<ul style="list-style-type: none"> i. The Sherbourne Corridor Character Area is characterized by primarily residential uses designated <i>Apartment Neighbourhoods</i> in the Official Plan. ii. The Sherbourne Character Area is not intended to change, only infill as permitted by the <i>Apartment Neighbourhood</i> policies of the Official Plan is permitted with the exception of Block 1 shown on Map 5.

Table 4.2 - Character Area Performance Standards

Character Area	Applicable Performance Standards
North George Street Character Area	<ul style="list-style-type: none"> i. Publicly owned Institutional uses are permitted in the North George Street Character Area. ii. Retail uses, including restaurant uses, are permitted in the North George Street Character Area. iii. <i>Tall Buildings</i> are only permitted in the North George Street Character Area on the Blocks shown on Map 2, as follows: <ul style="list-style-type: none"> Block 1 <ul style="list-style-type: none"> i. A minimum setback of 7.5 metres from the rear property line and a 45-degree angular plane from a height of 10.5 metres above the 7.5 metre setback line. ii. Where a public laneway abuts a site the laneway may be included for the purposes of establishing the setback and angular plane. Block 2 <ul style="list-style-type: none"> i. Two towers are permitted on Block 2. ii. A mid-block connection will be provided in Block 2 connecting George Street with Jarvis Street as shown on Map 6.

Character Area	Applicable Performance Standards
Dundas Corridor Character Area	<ul style="list-style-type: none"> i. A minimum of 60 percent of the frontage of any new development in the Dundas Corridor Character Area will be retail. ii. Retail bays in new development will be broken up into two or more units with frontages no greater than 6 metres. iii. <i>Tall Buildings</i> are only permitted in the Dundas Corridor Character Area, on the Blocks shown on Map 3, as follows: <ul style="list-style-type: none"> Block 1 <ul style="list-style-type: none"> i. Maximum building height of 50 metres at George Street and Dundas Street East. ii. Any development on Block 1 will step down gradually in height towards Pembroke Street to a maximum height of 16 metres. Block 2 <ul style="list-style-type: none"> i. Maximum building height of 25 metres. ii. Maximum base building height will not exceed 80 percent of the width of the right-of-way, after which a 3 metre step back is required. Block 3 <ul style="list-style-type: none"> i. A minimum setback of 7.5 metres from the rear property line and a 45-degree angular plane from a height of 10.5 metres above the 7.5 metre setback line. ii. Where a public laneway abuts a site the laneway may be included for the purposes of establishing the setback and angular plane. Block 4 <ul style="list-style-type: none"> i. A minimum setback of 7.5 metres from the rear property line and a 45-degree angular plane from a height of 10.5 metres above the 7.5 metre setback line. ii. Where a public laneway abuts a site the laneway may be included for the purposes of establishing the setback and angular plane. Block 5 <ul style="list-style-type: none"> i. A minimum setback of 7.5 metres from the rear property line and a 45-degree angular plane from the property line. ii. Where a public laneway abuts a site the laneway may be included for the purposes of establishing the setback and angular plane.

Character Area	Applicable Performance Standards
Hazel Burn Character Area	<p>i. <i>Tall Buildings</i> are only permitted in the Hazel Burn Character Area, on the Blocks shown on Map 4, as follows:</p> <p>Block 1</p> <p>i. Only 1 tower is permitted on Block 1.</p> <p>Block 2</p> <p>i. Only 1 tower is permitted on Block 2.</p> <p>Block 3</p> <p>i. Only 1 tower is permitted on Block 3.</p> <p>ii. Any base building located at Block 3 will be setback a minimum 15 metres to create a public square at the north west corner of Jarvis Street and Dundas Street West. The square will have a minimum area of 225 square metres.</p> <p>Block 4</p> <p>i. Only 2 towers are permitted on Block 4.</p> <p>ii. Development on Block 4 will be a tower and base building typology.</p> <p>iii. If Block 4 (A) develops alone or prior to Block 4 (B) the tower on Block 4 (A) shall be set back 3 metres from Jarvis Street and Dundas Street East.</p> <p>iv. A tall building is appropriate on the Jarvis frontage of Block 4(B), a transition down in height to a base building of four-storeys on George Street will be achieved on site.</p>
Sherbourne Corridor Character Area	<p>i. <i>Tall Buildings</i> are only permitted in the Sherbourne Corridor Character Area, on the Blocks shown on Map 5.</p>

5. COMMUNITY BENEFITS

5.1 The policies of Section 5.1.1 of the Official Plan regarding Section 37 of the *Planning Act* will apply to the Garden District Site and Area Specific Policy, with the additional following policy direction:

In determining community benefits the following will be considered priorities, although others may also be secured, as appropriate, and should be considered in the context of the policies of the Official Plan and the Garden District Site and Area Specific Policy:

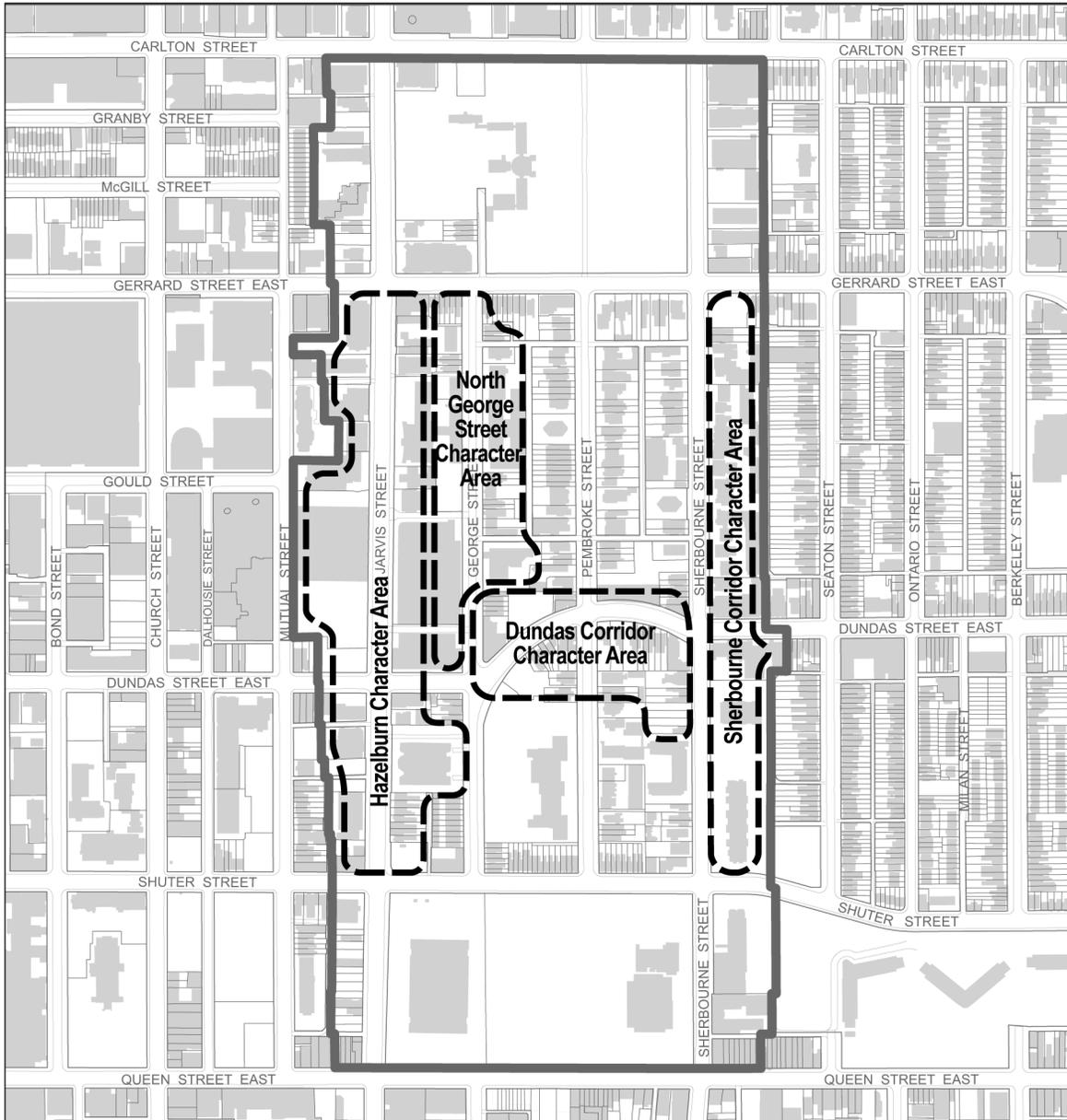
- i. the provision of affordable housing. The amount of mandatory units will be a minimum of 10 percent of the units for a proposed residential development;
- ii. improvements for the completion of the community services and facilities space at 200 Dundas Street East;
- iii. improvements to Moss Park; and

iv. the construction of a green linkage between Moss Park and Allan Gardens.

6. IMPLEMENTATION AND INTERPRETATION

- 6.1 The Garden District Site and Area Specific Policy shall be read as a whole and with the policies of the Official Plan to understand its comprehensive and integrative intent as a policy framework for decision making.
- 6.2 Mid-block connections on Map 6 are intended to provided suggested locations and move north or south as required to implement them.
- 6.3 Character areas shown on Maps 2, 3, 4 and 5 show specific blocks where a vision for redevelopment has been articulated and can occur. Areas not defined by Blocks are expected to remain stable, and guided by the prevailing Official Plan Policies.
- 6.4 Section 5 - Community Benefits are considered to be Area wide policies for the purposes of interpretation.
- 6.5 All policies of this plan will be read in conjunction with the Garden District Heritage Conservation District Plan.
- 6.6 *Tall Buildings* are defined as any building taller than the right-of-way of the street on which they have frontage. On corner properties the lesser of the right-of-way widths will be taken.
- 6.7 "Net new Shadow" shall mean shadow cast by a proposed development in excess of the shadow already cast by existing and approved developments as well as buildings permitted by the existing zoning by-law.

Map 1 - Garden District Area Specific Policy Character Areas



 **TORONTO** City Planning
Character Areas

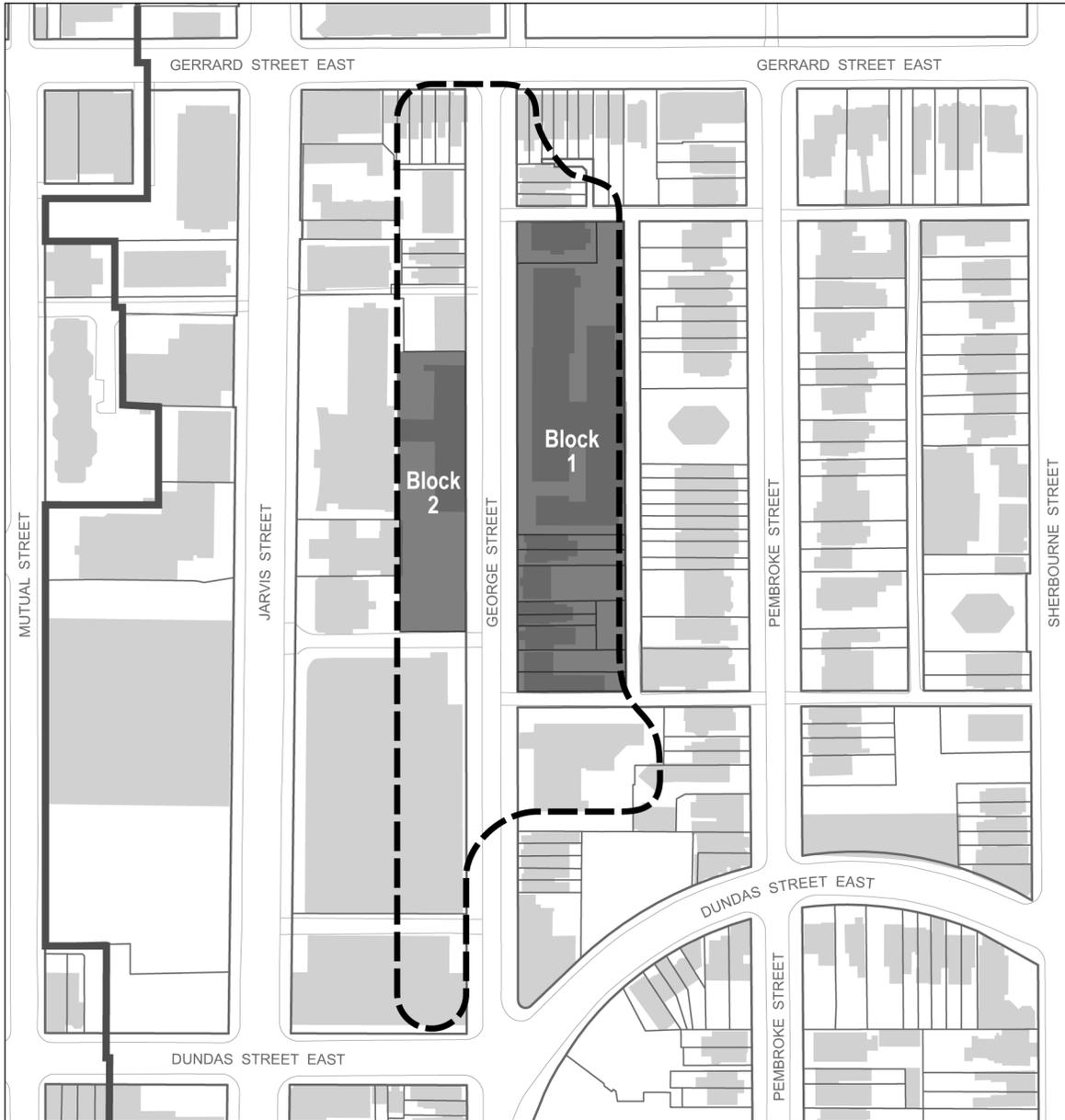
**Area Bounded by Jarvis Street, Carlton Street,
Sherbourne Street and Queen Street East**

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 Study Area Boundary
 Character Area


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Map 2 - North George Street Character Area



 **TORONTO** City Planning
**North George Street
Character Area**

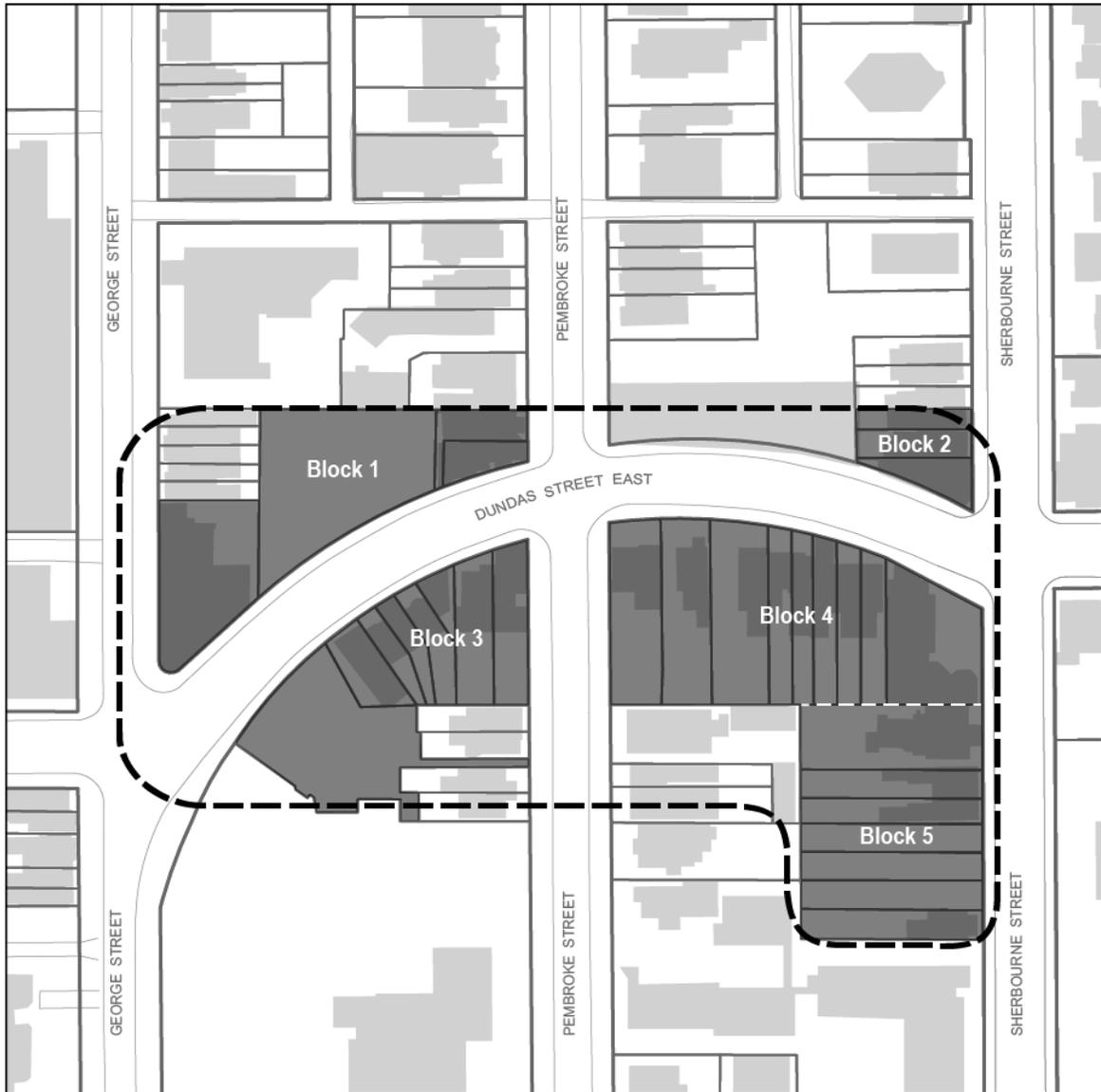
**Area Bounded by Jarvis Street, Carlton Street,
Sherbourne Street and Queen Street East**

File # 12 294720 SPS 00 02

 Study Area Boundary
 Character Area


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Map 3 - Dundas Corridor Character Area



TORONTO City Planning
**Dundas Corridor
Character Area**

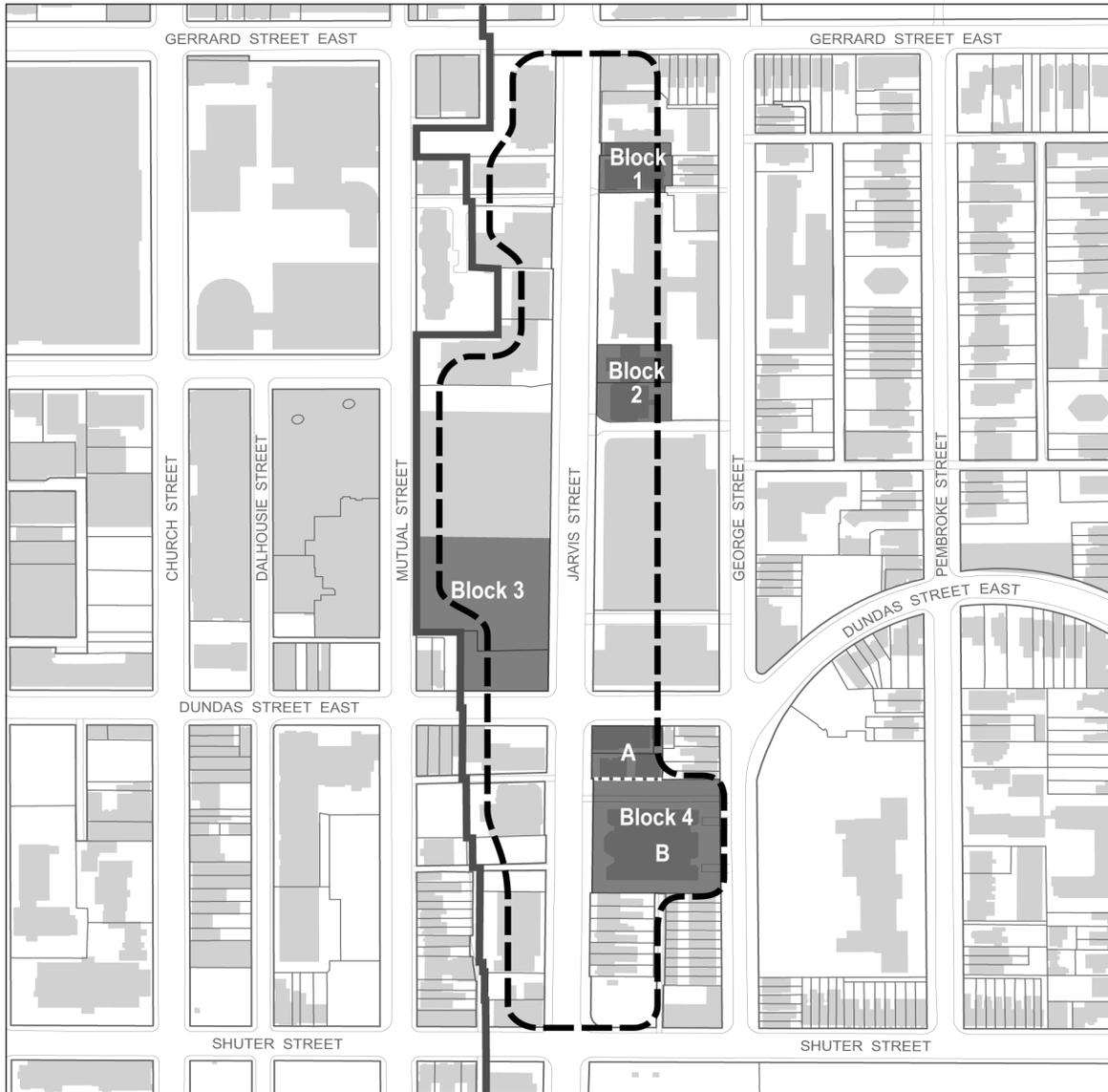
**Area Bounded by Jarvis Street, Carlton Street,
Sherbourne Street and Queen Street East**

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 Study Area Boundary
 Character Area


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Map 4 - Hazelburn Character Area



 **TORONTO** City Planning
Hazelburn Character Area

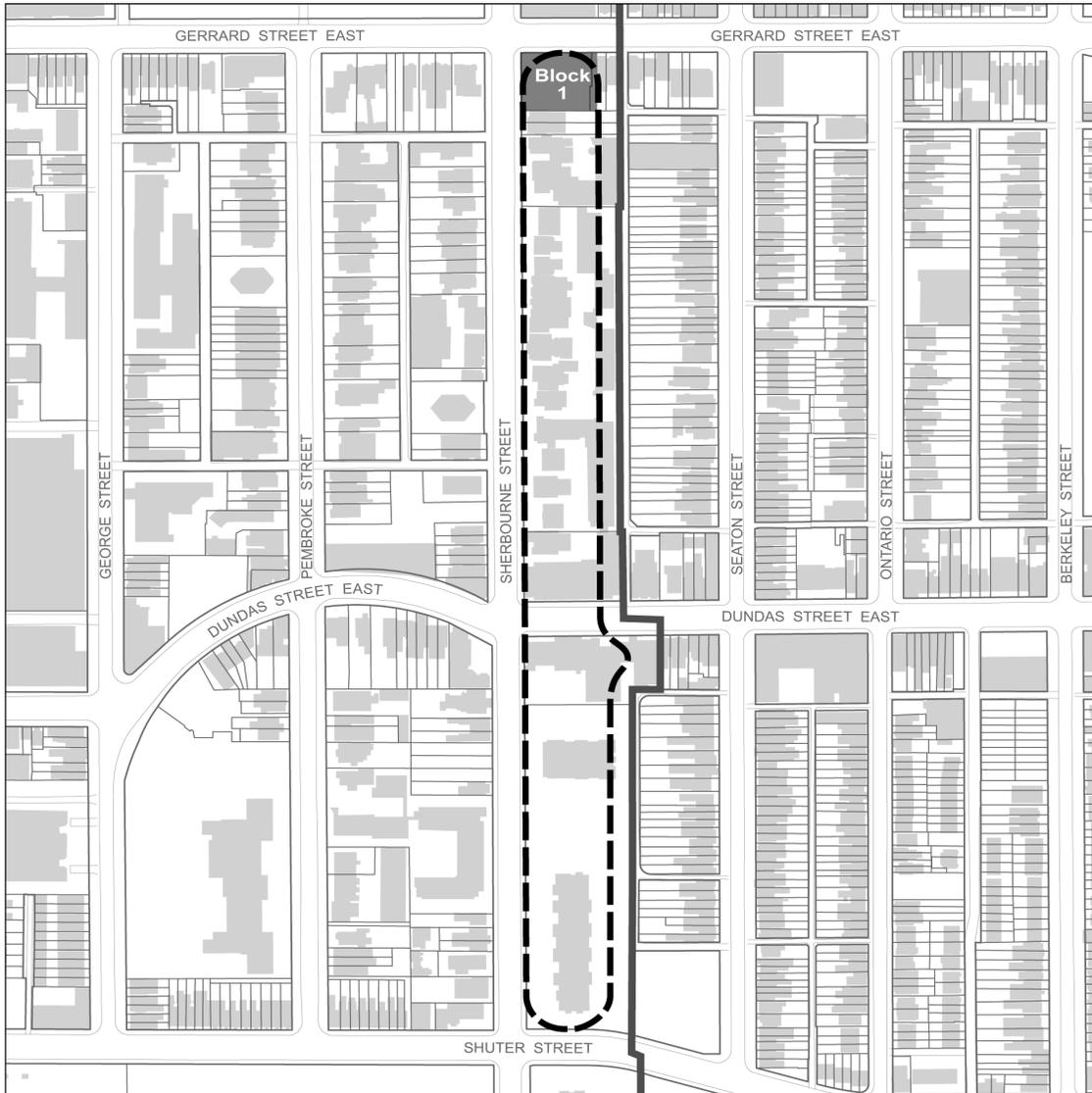
**Area Bounded by Jarvis Street, Carlton Street,
Sherbourne Street and Queen Street East**

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 Study Area Boundary
 Character Area


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Map 5 - Sherbourne Corridor Character Area



TORONTO City Planning
**Sherbourne Corridor
Character Area**

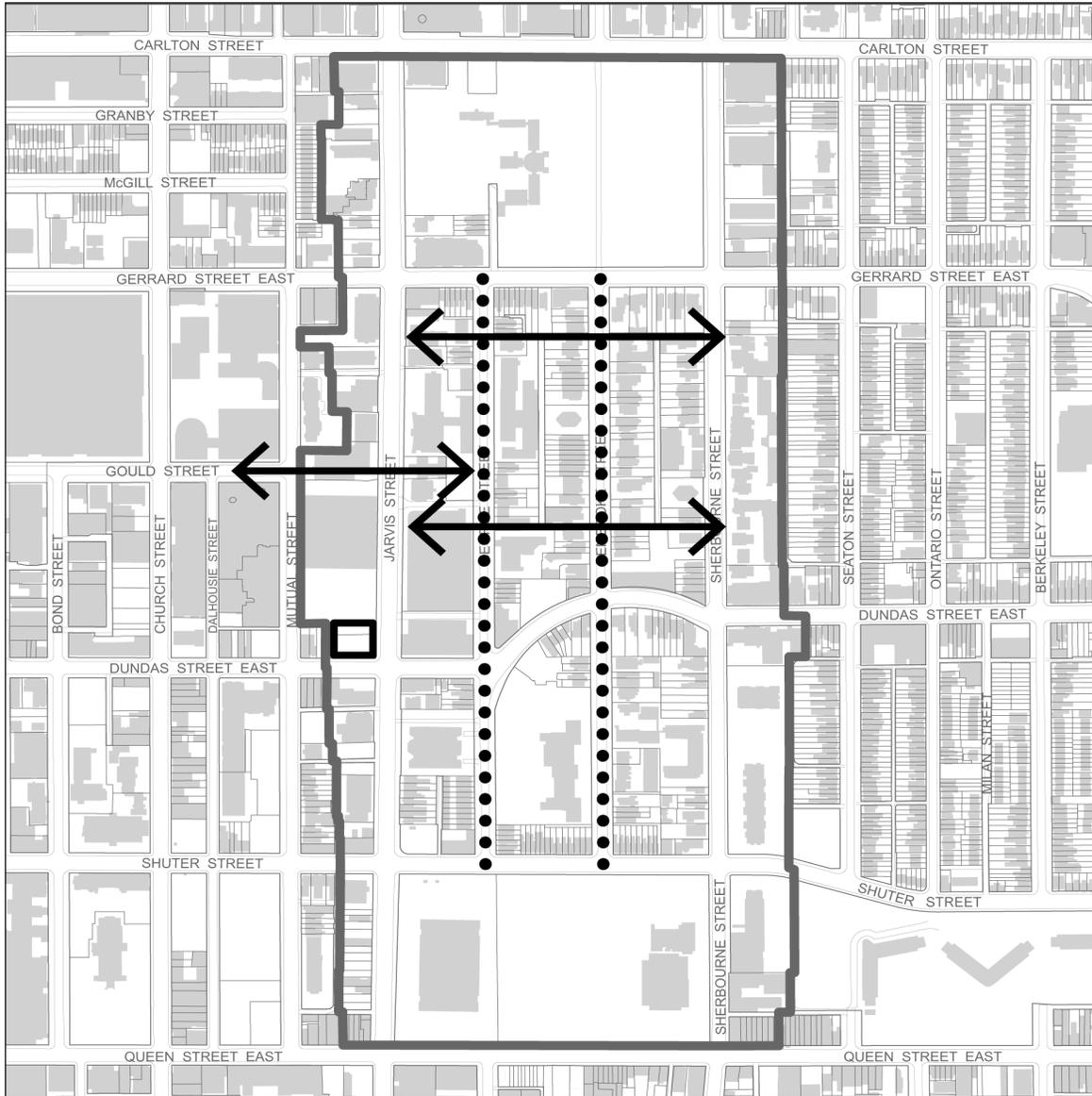
**Area Bounded by Jarvis Street, Carlton Street,
Sherbourne Street and Queen Street East**

File # 12 294720 SPS 00 0Z

-  Study Area Boundary
-  Character Area


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Map 6 - Garden District Public Realm Plan



**Study Area
Public Realm Improvements**

**Area Bounded by Jarvis Street, Carlton Street,
Sherbourne Street and Queen Street East**

File # 12 294720 SPS 00 02

- Study Area Boundary
- Public Square
- Potential Green Link Connections
- Mid-block Connections



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