

**2 - 6 Lisgar Street – Zoning Amendment Application –  
Supplementary Report (TE 4.6)**

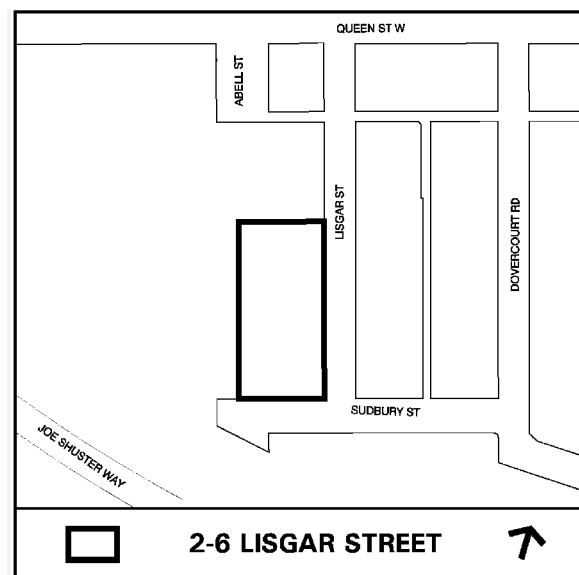
<b>Date:</b>	March 7, 2011
<b>To:</b>	City Council
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward 18 – Davenport
<b>Reference Number:</b>	cc11015 (Reference 07-268078 STE 18 OZ, IBMS No. cc7824100026.doc)

**SUMMARY**

At its meeting of February 16, 2011, Toronto and East York Community Council considered a Request for Directions Report from the Director, Community Planning, Toronto and East York District dated January 18, 2011 (Item TE4.6).

Recommendations within the January 18, 2011 Report authorized staff to report directly to City Council on March 8, 2011 on benefits to be secured under Section 37 of the *Planning Act* and included in the draft Zoning By-law Amendment and revisions to the application and proposed Zoning By-law Amendments which may be required as a result of further comments from City Divisions or arising from the community consultation meeting.

This report provides further information regarding the Community Consultation meeting and Section 37 negotiations that were identified in the Request for Directions Report from the Director, Community Planning, dated January 18, 2011.



**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council authorize staff to include

the community benefits to a cash or equivalent value of \$1,000,000 as outlined in the March 4, 2011 report from the Director Community Planning Toronto and East York District, under Section 37 of the *Planning Act* in the draft Zoning By-law Amendment for 2-6 Lisgar Street; and

2. City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any order approving the Zoning By-law Amendments until such time as the City advises that the Site Plan Control matters have been resolved to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

At its meeting of February 16, 2011, Toronto and East York Community Council considered a Direction Report from the Director, Community Planning, Toronto and East York District dated January 18, 2011 (Item TE4.6). Recommendations within the January 18, 2011 Report authorized staff to report directly to City Council on March 8, 2011 regarding Section 37 benefits under the *Planning Act* and any modifications which may be required after further City review and community consultation.

### **COMMENTS**

#### **Community Consultation Meeting**

A Community Consultation Meeting was held on Thursday March 3, 2011 at the Mary McCormick Recreation Centre. Approximately 8 members of the public were in attendance.

Matters raised by various residents at the meeting included:

- Building massing and articulation of the podium;
- Unit type and mix;
- Non-residential uses proposed on this site; and
- The relocation and design of the Toronto Parking Authority lot as part of this development.

#### **Section 37 Benefits**

The report dated January 18, 2011 from the Director, Toronto and East York District identified the following Section 37 benefits are to be provided:

- i) A monetary contribution, in an amount agreeable to the Ward Councillor, the Applicant, and the Chief Planner and Executive Director, City Planning, to secure one or more of the following benefits:
  - a. affordable live/work studios and/or affordable artist work studios for artists owned and operated by the City or by a not-for-profit

- arts management organization approved by the Chief Planner in consultation with the Executive Director, Toronto Culture;
  - b. the design or construction of Lisgar Park;
  - c. the renovation and restoration of the Carnegie Library building at 1115 Queen Street West for use as a performing arts hub and community meeting space;
  - d. public art in the immediate vicinity of this site; and
  - e. affordable housing.
- ii) Conveyance of a minimum of 260 square metres of land for parkland purposes. The lands are located at the northern limit of the property line, and will be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easement, unless the easement, encumbrance or encroachment is otherwise approved by the General Manager, Parks, Forestry and Recreation.

For the land that is proposed to be conveyed to the City, the owner will be responsible for an environmental assessment of the lands and any associated costs or remediation works required as a result of that assessment to the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Executive Director of Technical Services.

- iii) Matters to be secured as a Legal convenience including, but not limited to:
- a. Street Tree Irrigation
  - b. Crash Mitigation Measures
  - c. Noise and Vibration
  - d. Wind Mitigation Measures
  - e. Servicing Requirements
  - f. Soil remediation
  - g. Abell Street Construction Costs
  - h. Building Materials and Details

After consultation with the Ward Councillor, Planning staff will pursue a monetary contribution in the value of \$1,000,000.00 (one million dollars) at the Ontario Municipal Board to secure one or more of the benefits identified above and include appropriate provisions in the Zoning By-law Amendment.

**Site Plan Control Application**

The applicant is still working to resolve matters such as the provision of larger dwelling units, the use and design of the non-residential space and some matters related to the live/work dwelling units. Technical revisions to the plans may be required as part of further City review. Planning staff recommend that the City Solicitor request that the Ontario Municipal Board withhold the final order until such time as the Site Plan Control issues have been addressed to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

**CONTACT**

Marian Prejel, Senior Planner  
Tel. No. (416) 392-9337  
Fax No. (416) 392-1330  
E-mail: mprejel@toronto.ca

**SIGNATURE**

---

Gary Wright, Chief Planner and Executive Director  
City Planning Division