

21, 23 & 25 Price Street – Official Plan Amendment and Zoning Amendment Application - Supplementary Report

Date:	October 31, 2012
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	11 257217 STE 27 OZ

SUMMARY

A correction to the draft zoning by-law attached as Attachment 1 to the report of the Director, Community Planning for the application at 21, 23 and 25 Price Street is required. It neglects to include an exemption to the zoning by-law required for a 7.5 metre rear yard setback. The applicant is proposing a rear yard setback of 2.87 metres.

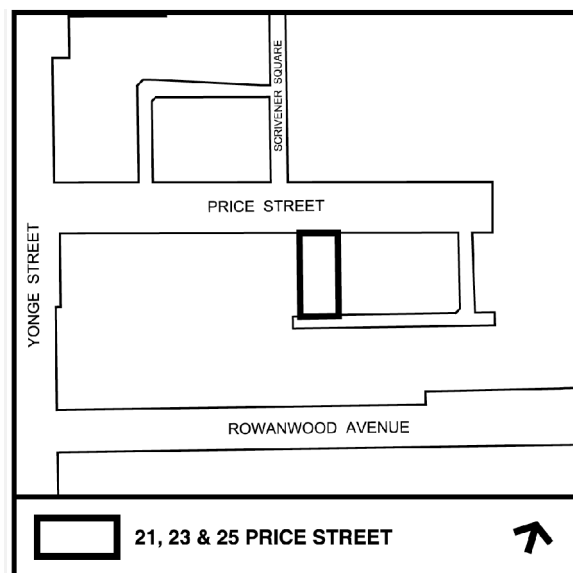
The proposed rear yard setback of 2.87 metres combined with the existing public lane at 4.26 metres and the future lane conveyance of 0.37 metres will achieve a total separation distance of 7.5 metres to the adjacent properties. The overall separation distance will provide an appropriate transition and buffer to the adjacent property at rear lot line that is designated as Neighbourhoods.

The City Planning Division supports the revision to the Draft Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that the recommendations contained in the October 10, 2012 report from the Director Community Planning, Toronto and East York District be amended to read as follows:

1. City Council amend Zoning By-law



438-86, as amended substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the supplementary report (October 31, 2012) from the Director, Community Planning, Toronto and East York District;

2. City Council authorize the City Solicitor to make such stylistic technical changes to the draft Zoning By-law Amendment as may be required.

COMMENT

City Planning aims to achieve a minimum 7.5 metre separation distance from the rear of sites in Apartment Neighbourhoods to the adjacent properties designated Neighbourhoods to provide a transition between areas of different development intensity and scale. Specifically, the Official Plan Apartment Neighbourhood development criteria policy 4.2.2(a) states:

locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*.

The Official Plan also states in Policy 3.1.2.3:

New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by:

- (c) creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan.

It is staff's opinion that the proposed rear yard setback of 7.5 metres which includes the width of the existing public lane and the future lane conveyance, provides sufficient separation distance, given the low probability of the public lane being redeveloped in the future, staff can support the proposed rear lot line setback.

CONTACT

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SIGNATURE

Gregg Lintern, MCIP RRP
Director, Community Planning,
Toronto and East York District

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ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

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Authority: Toronto and East York Community Council Item ~ as adopted by City of
Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend Zoning By-law No. 438-86, as amended with respect to the lands municipally known as 21, 23 and 25 Price Street.

WHEREAS authority is given to Council by Section 34 of 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 HEREBY ENACTS as follows:

1. None of the provisions of Sections 2(1) *grade, lot*, 4(2)(a), 4(4)(b), 6(3) Part II 2 (III), 6(3) Part II 2(III), 6(3) Part II 3,G, 6(3)Part II 4, 6(3) Part II 5(1) of Zoning By-law No. 438-86, as amended, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", shall apply to the use of existing buildings known municipally in the year 2012 as Nos. 21, 23, and 25 Price Street; and shall not prevent the erection and use of a four-storey office building on the lands delineated by a heavy line and by diagonal hatching on Map 1 attached hereto, provided:
 - (a) the *non-residential gross floor area* of the office building does not exceed 1325 square metres of the total *lot* coverage;
 - (b) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the heavy lines on Map 2 attached hereto;
 - (c) the owner shall provide 1 *parking space* for each 300 square metres of *net floor area*, or fraction equal to or greater than one-half thereof, contained therein;
 - (d) no portion of any building or structure erected on the *lot* and used above *grade* located within the areas delineated by heavy black lines on the attached Map 2, shall have a greater *height* in metres than the *height* limit

specified by the numbers following the symbol "H", shown on Map 2, but this paragraph does not prevent the erection or use of:

- (i) 3.0 metres for a stair tower on the roof, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements; and
- (ii) 1.5 metres for parapets, including roof drainage, railings, partitions dividing outdoor recreation areas, landscape elements, lighting fixtures, cornices, eaves, and ornamental elements.

2. For the purposes of this By-law:

- (a) *lot* means the lands delineated by heavy lines on Map 1 attached hereto, shall be deemed to be one *lot*, regardless of whether two or more buildings which are not connected below *grade* are erected thereon, and regardless of any conveyances made or easements granted after the date of enactment of the By-law.
- (b) *grade* means 122.36 metres Canadian Geodetic Datum;
- (c) *height* means the height above grade as shown on Map 2; and
- (d) each word of expression that is italicized in the By-law herein shall have the same meaning as each word or expression as defined in By-law No. 438-86, as amended, unless the contrary is expressed in this By-law.

3. Within the lands shown on Schedule "~" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

