

**1, 3, 5, 7 & 9 Sultan Street and 11 St. Thomas Street –  
Zoning Amendment Application (Removal of the Holding  
Symbol "H") – Final Report**

<b>Date:</b>	May 17, 2013
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	13 142169 STE 27 OZ

**SUMMARY**

This application proposes to remove the Holding Symbol (h) from the Zoning By-law for 1, 3, 5, 7 & 9 Sultan Street and 11 St. Thomas Street to permit construction of a 9-storey office building on the site.

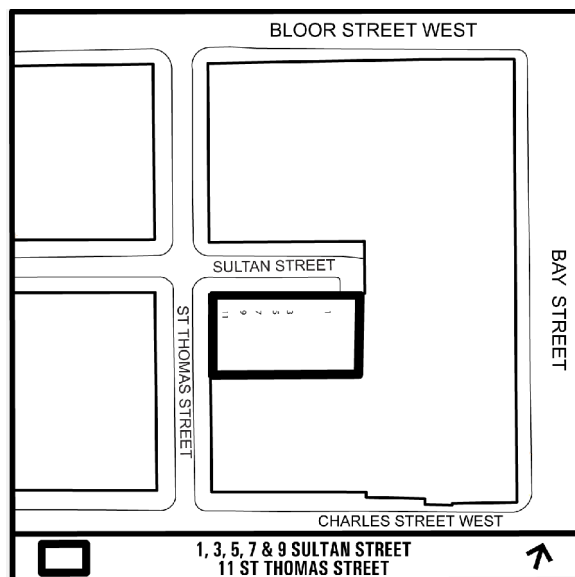
The application is consistent with the previous planning approvals for 1, 3, 5, 7 & 9 Sultan Street and 11 St. Thomas Street.

This report reviews and recommends approval of the application to remove the Holding Symbol (h) from the Zoning By-law for 1, 3, 5, 7 & 9 Sultan Street and 11 St. Thomas Street.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law 1049-2012 to remove the Holding Symbol "(h)", for the lands at 1, 3, 5, 7 & 9 Sultan Street and 11 St. Thomas Street substantially in accordance with



the draft Zoning By-law Amendment attached as Attachment No. 1 to the report (May 17, 2013) from the Director, Community Planning, Toronto and East York District.

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

## **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

At its meeting of July 11-13, 2012, City Council enacted Zoning By-law 1049-2012 to permit construction of a 9-storey (34 metre) office building with 69 parking spaces and three levels of underground parking at 1, 3, 5, 7, and 9 Sultan Street and 11 St. Thomas Street.

Zoning By-law 1049-2012 placed a Holding Symbol "(h)" on the site to ensure that the lands could not be used for any purpose other than those uses and buildings as existing on the site as of July 10, 2012, until the "(h)" symbol has been removed. The Zoning By-law states that an amending by-law to remove the "(h)" symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of Council:

- (i) Arrangements have been made by the Owner with the City for the provision of the necessary upgrades to the watermain on St. Thomas Street from Bloor Street West to Charles Street West to the satisfaction of the Executive Director of Engineering and Construction Services.

## **ISSUE BACKGROUND**

### **Proposal**

An application has been submitted to amend site specific By-law 1049-2012, to remove the Holding Symbol "(h)" for the subject lands. Removal of the Holding Symbol will allow for the redevelopment of the lands for office uses in accordance with Zoning By-law 1049-2012.

### **Site and Surrounding Area**

The site is located at the southeast corner of Sultan Street and St. Thomas Street. The site is rectangular in shape and is approximately 1,688 square metres in area. The site is located in the Bloor Yorkville BIA and is subject to the Bloor Yorkville Urban Design Guidelines.

The site contains the designated heritage buildings including 1, 3, 5, 7 and 9 Sultan Street and 11 St. Thomas Street each with a heritage easement agreement registered on title. These buildings have been subject to many internal alterations to accommodate various uses over the years most recently for office space. The buildings are vacant. The surrounding area includes:

South: a 28-storey residential condominium (One St. Thomas).

West: St. Thomas Street beyond which is a vacant parcel of land including a 4-storey rental housing building (23 Sultan Street). The entire parcel of land has approvals to permit

combined 23-storey and 10-storey residential buildings and is currently being reviewed through the site plan control process (10 269773 STE 27 SA).

North: Sultan Street beyond which is a 9-storey residential condominium (8 Sultan Street) and further east of this building is a 6-storey co-op housing building (2 Sultan Street). Further east is 77 Bloor Street West which is a 20-storey office building fronting onto Bloor Street West and having servicing and loading access on Sultan Street.

East: 1166 Bay Street, a 22-storey residential condominium with windows facing east and west.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan places the site within the Downtown and Central Waterfront urban structure area. The site is designated "Mixed Use Areas" on Map 18 – Land Use Plan in the Official Plan. This designation permits a range of residential, commercial and institutional uses. The Plan includes criteria that direct the form and quality of development in this land use designation. The criteria state that new buildings provide a transition between areas of different intensity and scale, including a stepping down of heights towards lower scale neighbourhood; shadow impacts be minimized and an attractive, safe and comfortable pedestrian environment be provided.

The City's Official Plan can be found at:

[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm).

## **Zoning**

The site-specific Zoning By-law No.1049-2012 is subject to Holding provisions "(h)" pursuant to Section 36 of the Planning Act. Section 9 of By-law 1049-2012 establishes that an amending By-law to remove the Holding Symbol (h) shall be enacted when the owner makes arrangements with the City for the provision of the necessary upgrades to the watermain on St. Thomas Street from Bloor Street West to Charles Street West, to the satisfaction of the Executive Director of Engineering and Construction Services.

## **Site Plan Control**

The approved development is subject to site plan control. An application for site plan control has been submitted and is currently under review (12 123068 STE 27 SA).

## **Reasons for Application**

The purpose of the application is to remove the holding provision to allow the lands to be developed in accordance with Zoning By-law 1049-2012. There are no changes being requested to the approved built form of the development.

## **Community Consultation**

A Community Consultation Meeting is not required for Lifting the Hold applications. Notice is given to the owner under the Planning Act for the Statutory Public Meeting.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

## **COMMENTS**

The Holding Symbol "(h)" is an important strategy to ensure that necessary infrastructure and facilities are in place prior to development. Section 9 of site specific Zoning By-law 1049-2012 states:

The lands zoned with the "(h)" symbol delineated by heavy lines on Map 1 attached to and forming part of this By-law shall not be used for any purpose other than those uses and buildings as existing on the site as of July 10, 2012 until the "(h)" symbol has been removed. An amending by-law to remove the "(h)" symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of Council:

- (i) arrangements have been made by the Owner with the City for the provision of the necessary upgrades to the watermain on St. Thomas Street from Bloor Street West to Charles Street West to the satisfaction of the Executive Director of Engineering and Construction Services.

Toronto Water has included the upgrade of the watermain on St. Thomas Street from Bloor Street West to Charles Street West in its 2014 Capital Program. As a result, Engineering and Construction Services (Technical Services) are comfortable with removing the Holding Symbol "(h)" at this time and allowing the development to proceed.

It is therefore recommended that Section 9 of Zoning By-law 1049-2012 and the (h) symbol on Map 1 of Zoning By-law 1049-2012 be removed.

The proposal is otherwise consistent with applicable Provincial policy, the Official Plan and applicable Site Specific Zoning.

## **CONTACT**

Avery Carr, Assistant Planner  
Tel. No. 416-392-0423  
Fax No. 416-392-1330  
E-mail: [acarr2@toronto.ca](mailto:acarr2@toronto.ca)

## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
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: ~ Community Council Item No. ~,  
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 by By-law No. 1049-2012,  
to remove the holding symbol (h)  
with respect to the lands known municipally in the year 2012 as  
1, 3, 5, 7 and 9 Sultan Street and 11 St. Thomas Street**

WHEREAS authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

WHEREAS Council has provided notice of the intent to pass this By-law;

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

1. By-law 1049-2012 is amended by:

- (i) Removing Section 9; and
- (ii) Removing the holding symbol (h) from the lands shown on the attached Schedule '1'.

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

ROB FORD,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

# SCHEDULE '1'

