

**328-340 Adelaide St W – Zoning Amendment Application
– Final Report**

Date:	October 9, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	10-239523 STE 20 OZ

SUMMARY

At its meeting of September 30, 2015, City Council adopted a motion requesting City Planning to bring forward a zoning by-law amendment to the November meeting of the Toronto and East York Community Council meeting for 328-340 Adelaide Street West, to amend the Section 37 provisions of Site Specific By-law No. 890-2011. The purpose of the amendment is to secure a cash payment to the City for the purpose of community services, in lieu of the provision of community space within the building for the Toronto Arts Council (TAC), as requested by TAC and agreed to by the property owner and the City.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Site Specific Zoning By-law No. 890-2011, for the lands at 328-340 Adelaide Street West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.1 to the report (October 9, 2015) 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.

3. City Council direct the City Solicitor to execute the Amending Section 37 Agreement prior to the introduction of bills to Council.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On June 3, 2011, the Ontario Municipal Board approved a zoning by-law amendment application for a 40-storey mixed-use building at 328-340 Adelaide Street West. Pursuant to the site specific zoning by-law, a Section 37 Agreement was entered into between the City and the owner of the property. The agreement secured various public benefits, including the provision of 500 square feet of community space within the building to be conveyed to the Toronto Arts Council and a payment of \$100,000 to finish the community space.

Community Consultation

A community consultation meeting was held on October 20, 2015. No members of the public attended the meeting.

COMMENTS

All parties have agreed that a cash-in-lieu payment to the City would have a more positive impact than a conveyance of approximately 500 square feet of space for TAC at this location. Real Estate Services has determined the estimated market value of the community space to be \$235,000. The \$100,000 cash payment was paid to the City at building permit issuance.

In consultation with the Councillor and TAC, Planning staff have determined that these funds should be distributed as follows:

- \$100,000 to TAC for capital improvements to TAC spaces in Ward 20; and
- \$235,000 to the City for community services and facilities within Ward 20

An amendment to the Section 37 Agreement is necessary to re-allocate the use of these funds as outlined above. The site specific Zoning By-law needs to be amended in order to revise the Section 37 provisions and provide authority for an amending Section 37 agreement. The amending Section 37 Agreement will be drafted in consultation with City Planning, Economic Development & Culture, Real Estate Services, Legal Services and the property owner.

CONTACT

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SIGNATURE

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: 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. 890-2011, as amended,
With respect to the lands municipally known as,
328-340 Adelaide St W**

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. Appendix 1 – Section 37 section 1. (ii), (iii) and (iv) be deleted and replaced with the following:
 - (ii) The ONE MILLION AND FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00) payment shall be used for public benefits including \$150,000 for capital improvements to public housing in Ward 20, up to \$100,000 for Toronto Arts Council and capital improvements to their existing facilities in Ward 20, and the remaining \$1,250,000 to be used for improvements to John Street and local parks.
 - (iii) A cash payment of \$235,000 be issued to the City for the purpose of community services and facilities within Ward 20.

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

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)