

**46 Charlotte Street - Zoning Amendment and Site Plan Applications – Request for Direction**

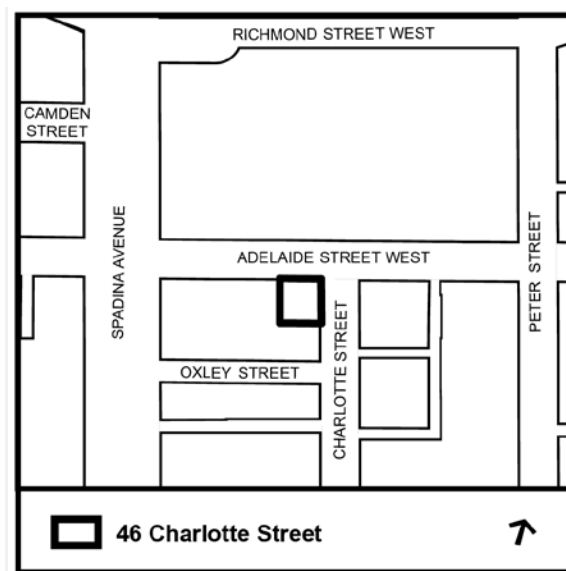
|                          |                                                              |
|--------------------------|--------------------------------------------------------------|
| <b>Date:</b>             | March 7, 2017                                                |
| <b>To:</b>               | Toronto and East York Community Council                      |
| <b>From:</b>             | Director, Community Planning, Toronto and East York District |
| <b>Wards:</b>            | Ward 20 – Trinity-Spadina                                    |
| <b>Reference Number:</b> | 16 167239 STE 20 OZ and 16 167253 STE 20 SA                  |

**SUMMARY**

This application proposes to amend the former City of Toronto Zoning By-law 438-86 and comprehensive Zoning By-law No. 569-2013 to permit the development of a 46-storey mixed-use building that includes commercial and retail uses at-grade and 248 rental residential units in the remaining floors. A total of 69 parking spaces are proposed to be provided on the site using an automated parking system.

The owner of the site at 46 Charlotte Street has appealed its Zoning By-law Amendment application and the associated site plan application to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the time required by the *Planning Act*. A pre-hearing conference has been scheduled for March 22, 2017.

The proposed tower represents an overdevelopment of the site and would create an unacceptable form of development. The proposal does not conform with Official Plan built form policies and does not satisfactorily respond to urban design guidelines related to the built form.



The development site is too small to accommodate a tower. The proposed height, lack of stepbacks and setbacks, response to the public realm, and the lack of response to adjacent properties of heritage value is not acceptable. In addition, the proposal does not address a number of performance requirements set out in the Zoning By-law such as amenity space.

The purpose of this report is to seek City Council's direction for the City Solicitor and appropriate City Staff to attend the Ontario Municipal Board hearing in opposition to the applicant's development proposal and appeal.

## **RECOMMENDATIONS**

---

### **The City Planning Division recommends that:**

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff to attend the Ontario Municipal Board hearing to oppose the appeal of the Zoning By-law Amendment and site plan applications for 46 Charlotte Street to support the position outlined in this report.
2. City Council authorize the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor, to identify the matters, services and facilities pursuant to Section 37 of the Planning Act to be secured in the event the Ontario Municipal Board approves the Zoning By-law amendment applications as proposed in whole or in part and direct the City Solicitor to request that any final order be withheld until such time as the owner enters into a Section 37 Agreement with the City, to be registered on title and until such time as the site plan agreement is finalized.
3. City Council authorize the City Solicitor and any other City staff to take such actions as necessary to give effect to the recommendations of this report.

## **DECISION HISTORY**

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant on April 27, 2015. At that meeting, the applicant was advised that the proposal raised concerns relating to Official Plan conformity, consistency with the Tall Building Guidelines, appropriate heritage conservation and compatibility with area context. The applicant was told that the subject site was not an appropriate location for a tall building. These concerns were re-iterated in a follow-up e-mail to the applicant on May 11, 2015. The applicant contacted staff again in May of 2016 to confirm the list of required plans and studies for the application to be deemed to be complete. Staff confirmed in an e-mail to the applicant on May 13, 2016 that the proposed building was not supportable.

## ISSUE BACKGROUND

### Proposal

The proposal is for a 46-storey mixed-use building with a height of 157 metres (including the mechanical penthouse). The building will include office and retail uses within the first five floors and residential uses on the remaining floors. The 6<sup>th</sup> and 7<sup>th</sup> floors of the building are stepped back 2.0 metres from the north and east property lines (on Adelaide Street West and Charlotte Street) to provide outdoor amenity space. The west side of the site would be occupied by a service driveway at grade. The first 8.0 metres of building depth along the west property line measured from Adelaide Street West would be cantilevered above the driveway, extending right to the lot line to the fifth storey. The driveway which provides access to garbage and loading facilities occupies the at-grade portion of this part of the property. Beyond the 8 metre depth built to the lot line, the proposed building would be set back 5.5 metres from the west property line, up to a height of 157 metres. Balconies would encroach 1.5 metres into the proposed setback. The building would not incorporate any setbacks on the south lot line. Other than the small open space provided at the north-east corner of the property, no setbacks are being provided at-grade.

The proposed gross floor area (GFA) of the building is 16,676.8 m<sup>2</sup>, with 15,127.1 m<sup>2</sup> dedicated to residential uses, 31.5 m<sup>2</sup> for retail uses on the ground floor and 1,518.2 m<sup>2</sup> dedicated to office uses on the ground floor and 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> floors. The proposed floor-space index is 29.8 times the area of the lot.

The proposal includes 248 rental residential units. The unit breakdown is: 39 bachelor units (15.7%), 145 one-bedroom units (58.5%); 39 two-bedroom units (15.7%); and 25 three-bedroom units (10.1%). Residential indoor and outdoor amenity space is provided on the 6<sup>th</sup> and 7<sup>th</sup> floors. The building would include 613 m<sup>2</sup> of indoor amenity space and 154.2 m<sup>2</sup> of outdoor amenity space.

There are two proposed vehicular driveways. As noted above, a driveway to provide access for service vehicles is proposed off Adelaide Street West on the west end of the site. A vehicular driveway to provide access to the underground parking off Charlotte Street is proposed on the east side of the site. The underground parking would be provided by way of a parking system lift. The system would be automated, so no drivers would enter the underground parking facility. A total of 69 residential parking spaces would be provided in three levels of a below-grade garage. The applicant is proposing that the non-residential (office) parking requirements be provided through a cash-in-lieu payment under the City's Municipal Parking Fund, to be used for the development of municipal parking facilities. The applicant has proposed that residential visitor parking be provided through existing commercial parking facilities within 300 metres of the subject site. One Type G loading space to service both residential and office users is proposed.

See Attachment 1 – Site Plan, Attachments 2-5 – Elevations and Attachment 10 – Application Data Sheet.

On November 4, 2016 the applicants submitted additional materials which responded to Engineering and Construction Services comments provided in response to their initial submission. These materials included: a revised functional servicing and storm water management report; a revised servicing and grading plans; a geotechnical report and a geo-hydrology assessment, a transportation development plan and updated architectural and landscape plans

On October 12, 2016, (131 days after the submission of the zoning amendment and site plan applications) the owner of the site at 46 Charlotte Street appealed its Zoning By-law Amendment application to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the time required by the *Planning Act*.

### **Site and Surrounding Area**

The site is located at the south-west corner of Adelaide Street West and Charlotte Street. The site is rectangular in shape with a frontage of approximately 22.9 metres on Adelaide Street West and approximately 24.4 metres on Charlotte Street. The property has an area of approximately 559.3 square metres, and is currently occupied by a surface parking lot.

Land uses surrounding the site are as follows:

**North:** Adelaide Street West is located immediately north of the subject site. The street has a right-of-way of 20 metres. The development on the north side of Adelaide Street West is predominantly older industrial buildings two to eight storeys in height, which have been converted to office and residential uses with some commercial uses at grade. In addition, there is a surface parking lot located at 354 Adelaide Street West, and an eight-storey hotel located at 348 Adelaide Street West. The buildings at 384, 366, 360, 358, 342½, and 342 Adelaide Street West are listed under Part IV of the *Ontario Heritage Act*. A dedicated bicycle lane has been added to the south side of Adelaide Street.

**West:** The lands to the west of the site are occupied by a seven-storey brick office building (355 Adelaide Street West) with windows facing its east property line. This building has been identified as a contributing building in the draft King-Spadina Heritage Conservation District Plan. Further west towards Spadina Avenue, there is a Toronto Parking Authority surface parking lot.

**South:** To the south, at 36 Charlotte Street, is a residential building at thirteen-storeys. Further south at 25 Oxley Street is a recently constructed 16-storey residential building. At the north-west corner of Charlotte and King Street West, is a recently constructed 36-storey building with a 4-6 storey podium.

East: Charlotte Street is located immediately east of the subject site. The street has a right-of-way of 20 metres. The development on the east side of Charlotte Street is a 7-storey warehouse building known as the MacLean Building. The MacLean Building is listed on the City's Inventory of Heritage Properties. Further east is a surface parking lot, and a 17-storey commercial use building, which is also listed on the City's Inventory of Heritage Properties. South of the MacLean Building is a four-storey retail and office use building. Further south, at 11 Charlotte Street, is a 36-storey building with 232 residential units, and commercial and retail at-grade.

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

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, 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 to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan locates the subject site within the *Downtown*. Chapter Two – Shaping the City, identifies that the downtown area offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that policies and design guidelines specific to districts of historic or distinct character will be implemented to ensure new development fits into the context of existing built form, streets, setbacks, heights and relationship to landmark buildings. Section 2.2.1.6 states that Design Guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the developments fit with existing streets, setbacks, heights and relationship to landmark buildings.

Within the *Downtown*, the site is designated *Regeneration Area* in the Official Plan which is one of the key areas expected to accommodate growth. The *Regeneration Area* designation permits a wide range of uses, including the proposed residential and commercial uses. In order to achieve a broad mix of commercial, residential, light industrial and live/work uses, the Official Plan contains policies related to *Regeneration Areas* encouraging the restoration, re-use and retention of existing buildings that are economically adaptable for re-use as well as the revitalization of areas of the City that are vacant or underused.

Chapter Three – Building a Successful City, identifies that most of the City’s future development will be infill and redevelopment, and as such, will need to fit in, respect and improve the character of the surrounding area. Section 3.1.2 Built Form provides policies that are aimed at ensuring that new development fits within and supports its surrounding context. Policies 3.1.2.1 to 3.1.2.4 seek to ensure that development is located, organized and massed to fit harmoniously with existing and/or planned context; frames and appropriately defines streets, parks and open spaces at good proportion; and limits impacts of servicing and vehicular access on the property and neighbouring properties. Meeting these objectives requires creating consistent setbacks from the street, massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion, creating appropriate transitions in scale to neighbouring existing and/or planned buildings, and limiting shadow impacts on streets, open spaces and parks.

Additionally, Section 3.1.3 Built Form – Tall Buildings provides policies related to the development of tall buildings. Policy 3.1.3 states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. This policy states that proposals for tall buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet other objectives of the Official Plan. This policy also states that when poorly located and designed tall buildings can physically and visually overwhelm adjacent streets, parks and neighbourhoods. They can block sunlight, views of the sky and create uncomfortable wind conditions.

Section 3.1.5 Heritage Conservation provides policies related to new development and adjacent heritage properties. Policy 5 states that proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property’s cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City. Where a Heritage Impact Assessment is required in Schedule 3 of the Official Plan, it will describe and assess the potential impacts and mitigation strategies for the proposed alteration, development or public work. Policy 26 states that new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impact on it.

## **King-Spadina Secondary Plan**

The proposed development is subject to the King-Spadina Secondary Plan found in Chapter 6.16 of the Official Plan. Major objectives of the King-Spadina Secondary Plan are as follows:

- New investment is to be attracted to the King-Spadina Area;
- The King-Spadina Area will provide for a mixture of compatible land uses with the flexibility to evolve as the neighbourhood matures;
- The King-Spadina Area is an important employment area. Accordingly, the retention and promotion of commercial and light industrial uses including media, design and fashion businesses within the area is a priority;
- Commercial activity, including the retail service industry, which supports the changing demands of the King-Spadina Area will be provided for, to ensure the necessary services for the new residents and businesses of the area; and
- Heritage buildings and other important buildings within the King-Spadina Area, will be retained, restored, and re-used.

The King-Spadina Secondary Plan emphasizes reinforcement of the characteristics and qualities of the area through special attention to built form and the public realm. The policies of Section 3 Built Form and in particular the policies of Section 3.6 – General Built Form Principles, specify that:

- The lower levels of new buildings will be sited and organized to enhance the public nature of streets, open spaces, and pedestrian routes;
- Servicing and parking are encouraged to be accessed from lanes rather than streets;
- New development will be designed to minimize pedestrian/vehicular conflicts;
- New buildings will be sited for adequate light, view, privacy and compatibility with the built form context;
- New buildings will achieve a compatible relationship with their built form context through consideration of such matters as height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression;

- Appropriate proportional relationships to streets and open spaces will be achieved and wind and shadow impacts will be minimized on streets and open spaces; and
- Streetscape and open space improvements will be coordinated in new development.

On September 7, 2006, Council adopted By-law 921-2006, which amended the King-Spadina Secondary Plan to recognize the additional pressures being placed on the lands east of Spadina Avenue with the approval of a number of towers. That amendment included a schedule which created three 'precincts' within the King-Spadina Secondary Plan area to recognize that development in the area was not occurring in a uniform manner. (See Attachment 8 – King-Spadina Secondary Plan Review – Urban Structure Plan).

### **King-Spadina Urban Design Guidelines**

The King-Spadina Urban Design Guidelines (2006) support the implementation of the King-Spadina Secondary Plan.

Section 2.5 contains the overall Guidelines. Heritage guidelines seek to ensure that new development is compatible with adjacent heritage buildings in terms of massing, height, setbacks, stepbacks and materials, and should relate to key elements such as cornices, rooflines, and setbacks from the property line. New development should reinforce the character and scale of the existing street wall, the base of the building should respond proportionally to the width of the street, and development should reinforce the existing streetscape and building rhythm at the street.

Tall buildings, where appropriate, must conform with the policies of the Official Plan and Urban Design Guidelines, achieve adequate light, privacy and views, and maintain the potential for adjacent sites to develop in a similar manner.

New development should reinforce a street wall height that reflects the character and scale of the area, particularly that of heritage buildings on the same block face.

Section 5 contains built form guidelines that expand on Section 4.0. Section 5.4.1 recognizes that heights transition down to the west. Section 5.4.3 deals with angular planes and stepbacks to minimize shadows and ensure adequate sunlight, and strengthen the existing streetwall scale to maintain a comfortable pedestrian experience. Section 5.4.4 addresses light, view and privacy requirements.

The Guidelines point out that accommodations in tall buildings tend to be small, so access to natural light and reasonable views will particularly important in improving the livability of these units. Protecting privacy is also important in a high density neighbourhood. Light, view and privacy are described as "quality of life" or "livability" issues, which must be evaluated based on the existing and potential development.

With regard to separation distances (facing distances) between towers, the Guidelines refer to the standard of 25 metres between towers or a distance of 12.5 metres between the tower and the property line, as called for in the City's Tall Building Guidelines.

### **King-Spadina Secondary Plan Review**

King Spadina is one of the highest growth areas in the downtown and it has a strongly influential heritage character. An estimated 50,000 people will live in King Spadina and the area will accommodate space for an estimated 50,000 jobs. The King-Spadina Secondary Plan is under review, recognizing that the Secondary Plan area has evolved from an area of employment (non-residential uses) into an area with a range of uses including residential. It is expected that the updated Secondary Plan will recognize that while the area will continue to grow and change, it must do so in a way that positively contributes to liveability, is better supported by hard infrastructure and community infrastructure, and more carefully responds to the strong heritage and character of the area.

At its meetings on August 25, 2014 and July 7, 2015 City Council endorsed a number of directions for the King-Spadina East Precinct to be used in reviewing current and future development applications including a downward gradation of tower heights from east to west from University Avenue towards Spadina Avenue, employing the city-wide Tall Buildings Guidelines to evaluate towers, particularly with regard to tower spacing and tower floor plates and protecting the network of mid-block connections and laneways as a defining feature of the public realm, and expanding these connections to further the pedestrian network. At its meeting on July 7, 2015, City Council also expanded the boundary of the King-Spadina East Precinct Built Form Study to include the Spadina Precinct. The Secondary Plan is currently under review and a final report on the whole Secondary Plan area is anticipated in 2017.

### **King-Spadina Heritage Conservation District Plan**

At its meeting on August 16, 2013 Toronto City Council directed Heritage Preservation Services staff to undertake Heritage Conservation District (HCD) studies in five priority areas. One of these areas is King-Spadina. A team led by Taylor-Hazell Architects developed the study, and was subsequently retained to complete the Plan.

The first phase of the study involved the identification of potential heritage conservation districts. In May 2014, the Toronto Preservation Board endorsed an HCD Study for King-Spadina, along with City staff recommendations to proceed with two HCD plans for King-Spadina, divided along Peter Street. Through the development of policies for the districts and the community consultation process, the project team has determined that a single HCD for the entire district is more appropriate due to its consistent architectural character and development history.

The project team released a draft version of the HCD plan for public comment in October 2016. A copy can be found here:

[https://hcdtoronto.files.wordpress.com/2016/10/161025\\_ks-hcd-plan-draft1.pdf](https://hcdtoronto.files.wordpress.com/2016/10/161025_ks-hcd-plan-draft1.pdf)

The boundaries of the proposed HCD extend from Richmond Street West to the north, Simcoe Street to the east, sections of Wellington Street West, King Street West and Pearl Street to the south, and Bathurst Street to the west.

The subject property at 46 Charlotte Street is located in the "Simcoe / Peter / Richmond / Adelaide character sub-area" and considered a non-contributing property. Section 7.0 of the draft Plan contains policies and guidelines for non-contributing properties. Section 7.6 provides direction with respect to massing where visible from the public realm as it pertains to the overall proportions of a building or structure, its relationship to adjacent properties and its impact on the scale and character of the streetscape. Section 7.6.5 states that new developments and additions to non-contributing properties shall be required to provide appropriate massing transitions to minimize their impact on adjacent contributing properties. Section 7.6.6 states that new development and additions to non-contributing properties shall step back a minimum of 5.0 metres from all elevations facing a street.

At its December 11, 12 and 13th, 2016 meeting, City Council passed By-law 1186-2016 to prohibit the demolition or removal of any buildings or structures on properties that have the potential to contribute to the cultural heritage value of King Spadina for a period of one year pending completion of the study. This By-law does not affect the subject property.

Heritage Preservation Services staff will present the final version of the Plan and a recommendation for designation under Part V of the Ontario Heritage Act in the coming months. Further details on the King-Spadina HCD study are available at:

[http://www.toronto.ca/heritagepreservation/heritage\\_districts.htm](http://www.toronto.ca/heritagepreservation/heritage_districts.htm)

## **TOcore**

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies.

City Council adopted the TOcore Proposals Report on December 15, 2016, which provides proposed policy directions that will inform the development of a draft Downtown Secondary Plan. The report provides updates on the Phase 2 public consultations, population growth projections for the Downtown and the status of infrastructure strategies underway that will support the implementation of a new Downtown Secondary Plan. The report also identified several gap areas to be further evaluated as priority areas for future community services and facilities opportunities.

The King-Spadina Secondary plan area was one of the priority area identified in the study.

The Proposals Report presents the Vision for the Downtown Secondary Plan, the five Guiding Principles and 128 draft Policy Directions. The draft Policy Directions will be the subject of the next round of public and stakeholder consultations to inform the development of the plan. The consultation began in January 2017 and will continue through the first quarter of 2017.

### **Official Plan Amendment 352 – Updating Tall Building Setbacks Downtown**

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area. The implementing By-law (no. 1105-2016) was enacted on November 9, 2016. The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of a tall building in the Downtown which would be implemented through an area specific Zoning By-law. The intent is that these policies would ensure that future growth positively contributes to the liveability, sustainability and health of Toronto's Downtown. More specifically, policies establish the reasoning for tower setbacks and recognize that not all sites can accommodate tall buildings and address base building heights.

### **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

In Policy 1 in Section 5.3.2 - Implementation Plans and Strategies for City-Building, the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

### **Site Plan Control**

This proposal is subject to Site Plan Control. An application was submitted in conjunction with the zoning amendment application. The site plan application has also been appealed to the Ontario Municipal Board.

## **Zoning**

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended. The RA Zone permits a range of residential uses, as well as commercial, institutional and limited industrial uses. As part of the RA zoning controls, density standards were replaced with built form objectives expressed through height limits and setbacks. The Zoning By-law permits a maximum building height of 30 metres for this site if a 3 metre stepback at 20 metres is provided. An additional 5 metres is permitted for rooftop mechanical elements.

By-law 922-2006, which amended By-law 438-86 concurrently with the above noted Official Plan amendment (the Zoning By-law is also under appeal), requires that a minimum 7.5 metres be provided between a window of a dwelling unit and a lot line that does not abut a public street or a park.

The site is also subject to the new City-wide comprehensive Zoning By-law 569-2013. The By-law was passed by City Council on May 5, 2013 and is subject to numerous appeals and is not yet in force. By-law 569-2013 zones the site as CRE (x74) with a maximum height of 30 metres (see Attachment 6).

The purpose of the CRE (Commercial Residential Employment) Zone is to provide a range of retail, service commercial, office, residential and limited industrial uses in single use buildings and mixed use buildings. Exception 74 (x74) indicates that certain site-specific zoning by-laws will prevail on individual sites within the exception area. The site is not subject to any prevailing site-specific zoning by-laws.

## **Community Consultation**

Staff prepared a preliminary report for the November 15, 2016 Toronto and East York Community Council that identified the issues raised by the proposal. On January 25, 2017, a Community Consultation meeting was held to obtain input from the public on the proposed development. At the time of the Community Consultation meeting, the applicant had already appealed both the Zoning By-law amendment and the site plan application to the Ontario Municipal Board (OMB). The following issues were raised by the public at the meeting:

- Several people expressed disappointment that the applicant appealed the proposal to the OMB.
- There was a discussion regarding the role the community could play at the OMB.
- The proposed building is too tall and is on a site which is too small to accommodate a tower. Specific concerns were raised regarding loss of sunlight and privacy.
- The height of the proposed building and concerns about whether it fit in with the City's objective of decreasing tower heights toward Spadina Avenue.
- The tower was noted as not fitting in with the heritage character of the area.
- Traffic, parking and loading were noted as issues in the area. Laneways were noted as a constraint given their narrow width.

- Potential conflicts with the bicycle lanes on the south side of Adelaide Street West were noted.
- The proposed automated stackers for parking vehicles were noted as a potential problem. Residents cited the example of the condo building at 24 Charlotte Street (Glas), south of the subject site, which has vehicle elevators which are often blocked by traffic on Oxley Street or are not operating.
- Potential problems during construction were also noted.
- The applicant was asked if it would reduce the height of the building if the units were condominiums as opposed to the rental units the applicant is indicating they are proposing. The applicant indicated they were not considering that possibility at this point.

These comments have been considered in Planning staff's recommendation to oppose the application at the Ontario Municipal Board.

### **Reasons for the Application**

The applicant has submitted a Zoning By-law Amendment application to permit a building that exceeds the permitted maximum building height of 30 metres by approximately 125 metres, resulting in a proposed building height of 157 metres, (inclusive of the mechanical penthouse).

In addition, the proposed building does not comply with other zoning requirements that are in effect on the lands, including the minimum amenity space, parking and loading space requirements. The applicant has also submitted a site plan control application to permit the proposed building.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to arrive at the conclusion that the proposed development cannot be supported in its current form.

## **COMMENTS**

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

The Provincial Policy Statement (PPS) contains policies related to managing and directing development. It requires that sufficient land be made available for intensification and redevelopment; that planning authorities identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account, among other things, the existing building stock; and areas, and that they establish and implement minimum targets for intensification and redevelopment within built up areas.

Policies 1.1.1 (g) and 1.1.3.2 (a) state that one of the factors to be considered in developing healthy, liveable and safe communities is ensuring that the necessary infrastructure, including public service facilities, are available to service the needs of residents. The East Precinct of King-Spadina is challenged by the many towers already approved. The growth of this part of the City is outpacing the City's ability to provide the necessary community services and facilities (parks and open spaces, daycare facilities and a range of community services), including the lack of appropriate sites to accommodate these facilities.

Policy 4.7 indicates that the Official Plan is the most important vehicle for implementing the PPS. Further, policy 1.1.3.3 indicates planning authorities shall identify appropriate locations for intensification and redevelopment. In this context, the Official Plan further implements the direction of the PPS to require appropriate built form to fit harmoniously into its existing and planned context.

The City's Official Plan that includes the King-Spadina Secondary Plan, meets the requirements of the PPS. It contains clear, reasonable and attainable policies that protect provincial interests and directs development to suitable areas while taking into account the existing building stock, including numerous heritage buildings, and protects the character of the area consistent with the direction of the PPS. In this context, although the project does represent intensification, it is not consistent with other objectives of the Official Plan and therefore the PPS, in that it does not fit harmoniously into its existing and planned context and represents overdevelopment of the site.

The site is within the urban growth centre of the built-up area boundary as delineated in the Growth Plan for the Greater Golden Horseshoe where, as noted above, a significant share of population and employment growth is anticipated. In conjunction with the direction for intensification within the urban growth area, Section 2.2.3.6 of the GPGGH directs the City's Official Plan and supporting documents, such as Design Guidelines, to establish policies to identify appropriate scale of development. Further, section 2.2.3.7 of the GPGGH directs development within intensification areas to provide an appropriate transition of built form to adjacent areas. In this context, the Official Plan, the King-Spadina Secondary Plan, the King-Spadina Secondary Plan review, the King-Spadina Heritage Conservation District Study, the Tall Buildings Design Guidelines, OPA 352 and the Zoning By-law provide direction on the appropriate scale, massing height and separation distances between buildings within the King-Spadina area. This proposal has not addressed the policy direction of the Official Plan and its supporting documents and therefore challenges the Growth Plan for the Greater Golden Horseshoe in terms of appropriate scale and transition.

Section 3.2.6 of the Growth Plan notes the need to coordinate community infrastructure and growth. The amount of growth being accommodated in the East Precinct of the King-Spadina Secondary Plan area currently is challenging the ability of the City to provide a range of community services and facilities for residents of this community and to ensure a reasonable quality of life.

The Downtown Urban Growth Centre is identified in the Growth Plan for the Greater Golden Horseshoe (GPGGH). It is on track to achieve or exceed the UGC density target by 2031. The target is the average for the entire Downtown UGC area, and it is not for any one particular area within Downtown. The proposed development is not required to meet the minimum growth figures set out in the Growth Plan for the Greater Golden Horseshoe.

### **Conformity with the Planning Framework for King-Spadina**

The application has been assessed in the context of the planning framework for King-Spadina which includes the Official Plan, the King-Spadina Secondary Plan currently being refined, the on-going King-Spadina East Precinct Built Form Study and King-Spadina Heritage Conservation District study and the Tall Building Design Guidelines. As outlined below, the proposal does not meet the objectives of the King-Spadina planning framework. The site, which is not suitable for tall building development, does not allow enough room to provide adequate light, view, privacy and compatibility with the existing and planned built form context.

### **Land Use**

The proposed development is located in the *Downtown* and *Regeneration Areas* of the Official Plan and is in an appropriate location for development. The proposed retail, office and residential uses are permitted in this area of the *Downtown*, and provide a mix of uses which are encouraged in *Regeneration Areas*.

### **Heritage**

Contextually, the subject site is adjacent to a number of properties on the City's Register of Heritage Properties, including the Ellis Building at 384 Adelaide Street West, the Hobberlin Building at 366 Adelaide Street West and the MacLean Building at 345 Adelaide Street West. The building immediately to the west of the subject site at 355 Adelaide Street West, as well as several buildings in the area (in addition to the buildings noted above) have been identified as contributing buildings in the draft King-Spadina Heritage Conservation District Study.

The applicant has submitted a Heritage Impact Statement (HIS) prepared by Goldsmith Borgal & Company Ltd. Architects dated May 26, 2016. The HIS acknowledges that the height of the proposed 5-storey base building of the new tower extending to the western property line at the street, references the height of the adjacent building at 355 Adelaide Street West. However, the acknowledgement of the heritage character of the King Spadina area cannot be accomplished by simply incorporating a 5.5 metre wide building element to reference the height of one adjacent heritage property.

Both the in-force Zoning By-law and the draft King-Spadina Heritage Conservation District Plan require that new buildings step back from the street at a height that recognizes the existing streetwall, which is a defining characteristic of the area.

A 2.0 metre setback is shown above the base building at the sixth and seventh floors along both the Adelaide Street West and the Charlotte Street elevations, is described as a 'reveal' in the Heritage Impact Statement. The proposed 'reveal' does not create a legible step back, in keeping with other approved buildings in the area and the floors above these two floors cantilever and align with the elevations of the base building below.

As per the King-Spadina Secondary Plan and the draft King-Spadina Heritage Conservation District Plan, a meaningful stepback with a minimum dimension of 5.0 metres above the base building is required to reflect the existing heritage character of the street.

Overall, the design of the new building elevations as viewed from the public realm, needs to better reference the existing heritage buildings in regard to building proportion, key architectural elements, solid-to-void ratio and cladding materials.

### **Density, Height and Separation Distances**

The King Spadina Secondary Plan sets out the desired type and form of physical development that may occur in this area and the resultant built form. Policy 3.6 of the Secondary Plan protects the character of King-Spadina by requiring consideration of matters such as building height, massing, scale, setbacks and stepbacks and by minimizing the wind and shadow impacts on streets, parks and open spaces. Within this framework, density, height and massing are all concerns with the application.

#### **Density**

The Zoning By-law does not provide density limits for areas zoned Reinvestment Area. Rather, the built form is determined by other performance standards such as height, setbacks and stepbacks and compliance with the King-Spadina policy framework. The proposed height of 157 metres (including the mechanical penthouse) and limited setbacks result in a very high density of 29.8 times the area of the lot. In comparison, the zoning amendment applications at 57 Spadina Avenue (13 169365 STE 20 OZ) and 19 Duncan Street/219-223 Adelaide Street West (15 164825 STE 20 OZ), propose densities of 16.6 and 18.63 times the area of the lot. As well, despite the significant height of the Mirvish-Gehry proposal of 85 and 95 storeys at 266-270 King Street West and 274-322 King Street West (12 276890 STE 20 OZ), the approved density is approximately 18.1 times the area of the lot achieved comprehensively through an Official Plan Amendment that secures heritage and cultural resources. The proposed density of 29.8 times the area of the lot is a symptom of excessive massing on a constrained size site and is not supportable.

### Height

Due to the limited opportunity to provide adequate tower separation distances, a tall building of any substantial height is considered too tall for the subject site. However, even if there were adequate tower separation distances, there are general concerns with the proposed height of close to 160 metres. Applications for additional height in King-Spadina need to be considered in light of the policy objectives of the King-Spadina Secondary Plan Review. The interim conclusions of this study are included in two staff reports, the first dated August 5, 2014 can be reviewed at the link below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE34.92>

The second report dated May 29, 2015 can be reviewed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE7.62>

The 2014 report outlined a number of directions for staff to follow in the evaluation of applications in the East Precinct, including:

- A gradation of tower heights from east to west down towards Spadina Avenue; and
- Employing the City-wide Tall Building Guidelines to evaluate towers, particularly with regard to tower spacing and floor plates.

Section 2.2.1.6 of the City's Official Plan states that Design Guidelines specific to districts of historic or distinct character will be developed and applied to ensure new development respects the context of such districts in terms of the developments fit with existing streets, setbacks, heights and relationship to landmark buildings.

### Separation Distances

As noted above, the proposed tower setbacks of 0.0 meters on the north, east and south side, and 5.5 metres on the west side are a key concern with the application. Council approved OPA 352 (based on the City's Tall Building Guidelines) requires that tall building towers stepback 12.5 metres or more from adjacent properties, and a minimum of 3.0 metres from lot lines that abut a street, in order to limit negative impact on sunlight, sky view, privacy and daylighting. As is the case with the subject site, OPA 352 acknowledges that some sites are simply too small to accommodate tall building development as it is not possible to provide the required separation distances on these. Development of tall buildings on such sites results in negative impacts on the quality of the public realm, neighbouring properties, the living and working conditions for building occupants and the overall liveability of the City.

The City Wide Tall Building Design Guidelines recognize that when a tall building is proposed adjacent to an existing tall building or a potential tall building development site, a cumulative impact of clustered towers occurs and therefore, in addition to a 25 metre tower separation distance, towers should be further shaped, placed and articulated to increase the actual and perceived distances between adjacent buildings.

The relatively small size of the lot at 46 Charlotte Street exacerbates the challenges of the proximity of the tower on adjacent sites. The subject lot dimensions are 22.9 metres by 24.4 metres, creating a lot size which makes the placement of a tower on the site which would address the City's Guidelines for the placement of towers effectively impossible. The size of the site, at 559 m<sup>2</sup> is well below the desired floor plate size of 750 m<sup>2</sup>. The proposed tower floor plate is approximately 400 m<sup>2</sup>. If the tower facing distances as per the Tall Building Guidelines were to be provided on the site, along with a stepback of 5.0 metres as per the draft King-Spadina Heritage Conservation District Plan, the resulting tower would have a floorplate of approximately 36 m<sup>2</sup>.

The proposed tower results in a setback from the lot line of 0.0 metres from the 13-storey building to the south, and 5.5 metres from the west property line (not including balcony encroachments). The proposed building also does not achieve the required 3.0 metre stepback from the lot lines abutting Adelaide Street West or Charlotte Street.

The inadequate facing distance proposed for the site, like the density and height discussed above, are reflective of a building which is too tall, bulky and inappropriately located on the site.

#### Amenity Space

The Zoning By-law requires a minimum of two square metres of indoor and outdoor amenity space per unit. The proposed indoor amenity space is 613.2 m<sup>2</sup>, or 2.47 m<sup>2</sup> per unit, and 154.2 m<sup>2</sup> of outdoor amenity space, equaling 0.62 m<sup>2</sup> per unit. The outdoor amenity space is less than is required by the By-law and is another reflection of the inadequate size of the site. In tall buildings, the outdoor amenity space is typically provided on the roof of the base buildings or terraces created where the building steps back. As the entire base building measures only 8.5 metres by 5.5 metres, the opportunity to provide outdoor amenity space is severely constrained.

#### **Community Services and Facilities**

There has been a significant increase in population for the King Spadina area since 1996 from 945 residents living in the area to 8,645 residents in 2011. In 1996, 79% of residents lived west of Spadina Ave. By 2011, however, just over half of residents lived east of Spadina. The pace of residential development is expected to continue with over 21,500 units going through the application process or completed since the 2011 Census.

The majority of these applications are located East of Spadina Avenue, accounting for 65% of all units. If all the proposed units are built, the population could potentially increase by 31,615. Again, the majority of the new residents would be located east of Spadina Avenue (20,670 people). Overall, the population of King Spadina could increase to a total of 50,000 by 2025 from 8,645 people in the 2011 census.

The increasing population in King-Spadina serves as a statement on the serious need to manage growth to ensure livability. One of the most significant challenges faced by the City in efforts to ensure the livability of the King-Spadina area (and the downtown core generally) is the growing gap between the demands for a range of community services and facilities (CS&F) and the facilities and services which are available. A December 2013 Report by IBI Group (Community Services and Facilities Update – Phase 1) identified a need for additional schools, community centres, libraries, parks, child care facilities and flexible space for a variety of human services agencies in King-Spadina. The scale of development proposals adds to this challenge, as overdevelopment of individual sites adds to the pressure of too many people and too few facilities and services.

The site is located in an area which is one of the 16 neighbourhoods identified in the TOCore Community Services and Facilities Study. Two key points which emerge from Phase 1 of this study are: the need for affordable, appropriate and accessible space; and the need to develop innovative partnerships and collaborations to meet the challenges of growth in the Downtown.

TOCore is currently in phase 2, which includes developing a CSF Strategy and Implementation Plan to support future growth both from a facility (space) and program perspective in the Downtown. City divisions, boards and community agencies are exploring opportunities to enhance existing assets through either facility improvements, renovations or expansions. The TDSB, TCDSB, TPL and City Divisions are currently reviewing growth estimates to assess the future demand of community services and the development of community hub models. Other opportunities to explore include partnership with community based agencies, expand and reconfigure existing space and facilities, secure new innovative facilities and make the space affordable.

Phase 2 of TOCore will also be informed by work underway by City Divisions and Boards such as PF&R's *Facility Master Plan* and Children's Services *Licensed Child Care Growth and Demand Study*.

## **Sun and Shadow**

The applicant was required to submit a sun/shadow study for September 21<sup>st</sup> and June 21<sup>st</sup> for City staff to review as part of the original submission for a 46-storey building. The study demonstrates that there will be no shadow impact on Queen Street West.

### **Traffic Impact, Access, Parking**

The proposed residential parking supply of 69 parking spaces was accepted by Transportation Services staff, with the condition that a cash-in-lieu payment be made to the Municipal Parking fund in lieu of the 5 required office parking spaces.

Transportation Services staff have accepted the applicant's Transportation Consultant's assertion that existing commercial parking facilities within 300 metres of the site have sufficient capacity to accommodate residential visitor parking demand.

TTC staff have noted that the proposed development would require the relocation of two poles which support overhead wires for the streetcars which operate on Adelaide Street West and Charlotte Street. TTC staff are willing to meet with the applicant in advance of a hearing to determine whether the proposed relocation of TTC infrastructure is technically feasible or desirable. The TTC also noted that streetcar operations on Charlotte Street will continue and that such operations may affect the future occupants of the site. For example, the driveway on Charlotte Street may be required to operate in a right-in / right-out configuration when streetcars are operating or parked on Charlotte Street.

The entrance along Adelaide Street West should be carefully studied due to the existing bike lane.

### **Servicing**

Engineering and Construction Services staff will require that a revised Functional Servicing Report be submitted prior to the approval of a zoning by-law amendment to permit the proposed development. Further work on the Functional Servicing Report is also required to address comments from Toronto Water staff related to groundwater.

### **Public Realm Enhancement**

Two entrances have been provided for parking and servicing. The proposed entrances will be on Charlotte Street and Adelaide Street West. The two entrances would require two large curb cuts along both streets. The curb cuts would comprise over 25% of the total site frontages impacting the public realm and creating two major interruptions to pedestrian movement within a very short distance. A combined entrance to the parking and loading area is more appropriate.

Through the King-Spadina East Precinct Public Realm Strategy, this site has been identified as a potential location for a public park or open space. The applicant has proposed a setback at the corner of Charlotte Street and Adelaide Street West at the entrance to the office and residential lobbies. Staff suggest that in the event any development were to be approved by the OMB, the entrances be provided on the main street, and the setback area used as a Publicly Accessible Privately Owned Open Space (POPS) with benches, lighting and planters.

Aside from the above-noted setback at the corner, the proposed building would be constructed on the property line. As is noted above, Policy 3.1.3 of the City's Official Plan states that tall buildings come with larger civic responsibilities than buildings of a smaller scale. Section 4.2 (a.) of the City's Tall Building Design Guidelines call for a minimum 6.0 metre wide sidewalk on tall building sites. The proposed building would provide for approximately 4.0 metres between the wall of the building and the edge of the curb on Adelaide Street West and approximately 5.0 metres on Charlotte Street. The failure of this proposal to address its civic responsibilities at-grade is another example of how a tower on a site which is too small to accommodate it, is not good planning.

There are no private trees or City-owned trees which would be impacted by the proposed development. There are no trees proposed to be planted on either the public boulevard or on private property. Urban Forestry staff have indicated that the proposed streetscape plan is not acceptable and that they would like to see two street trees planted on Charlotte Street and one or two street trees planted on Adelaide Street West.

### **Bicycle Parking**

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City. The applicant has proposed to provide 249 bicycle parking spaces in compliance with the requirements of By-law 569-2013. The proposed bicycle parking is satisfactory to the City.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 3.00 + hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for the construction of one new residential building with 248 units. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 3,306 m<sup>2</sup> or 591% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 56 m<sup>2</sup>.

If the proposed development were to be approved by the Ontario Municipal Board, the applicant would be required to satisfy the parkland dedication requirement through cash-in-lieu. This appropriate dedication would not be large enough to be a functional park space. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **Toronto Green Standard**

Should any form of development be approved by the Ontario Municipal Board, the applicant is required to meet Tier 1 of the Toronto Green Standards (TGS).

Applicable performance measures for the following Tier 1 development features: Automobile Infrastructure, Cycling Infrastructure, the Storage and Collection of Recycling and Organic Waste and the Bird Friendly Design, will be secured through the Site Plan Approval process.

## **Provision of Family-sized Units**

The applicant is proposing to supply 25 three-bedroom units equalling 10 percent of the total unit count. A minimum ten percent of all units as three-bedroom or greater to broaden the range of housing is recommended. The proposed ratio meets this objective.

## **Section 37**

Section 37 of the Planning Act allows the City to require community benefits in situations where increased density and/or height are permitted. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication, public art; streetscape improvements on the public boulevard not abutting the site; Heritage Conservation District studies identified in the Official Plan; and other works detailed in Section 5.1.1.6 of the Official Plan. Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan.

The community benefits must bear a reasonable planning relationship to the proposed development including, at a minimum, an appropriate geographic relationship and may relate to planning issues associated with the development (e.g. local shortage of parkland).

Following the submission of the development application, City staff determined it was not appropriate to discuss Section 37 benefits as the proposed development was not deemed to be 'good planning'.

Planning staff recommend that the City Solicitor be directed to ask the Board to withhold any order that may approve the development until such time as the appropriate Section 37 benefits have been determined and an agreement has been entered as between the City and the owner.

## **Site Plan Approval**

The Site Plan Application for 46 Charlotte has also been appealed. Staff is recommending that this file also be opposed at the OMB. In the case that the appeal is allowed in any form, Planning staff are recommending that the Board be requested to withhold its order until the site plan agreement is finalized.

## **Conclusion**

Staff have reviewed the application submitted by the applicant for 46 Charlotte Street on June 3, 2016 and determined that the proposal does not properly address the policies of the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. The proposal does not conform with the Official Plan, including the King-Spadina Secondary Plan, as well as with the intent of Council approved guidelines such as the Tall Building Design Guidelines which support the Official Plan. It is also not consistent with Council endorsed directions of the King-Spadina Secondary Plan Review and the draft King-Spadina Heritage Conservation District Plan.

It is the opinion of Planning staff that the subject tall building application constitutes overdevelopment of the site, is not good planning, and is not in the public interest and it is recommended that the City Solicitor be directed to attend at the Ontario Municipal Board hearing in opposition to the appeal.

## **CONTACT**

Dan Nicholson, Senior Planner  
Tel. No. (416) 397-4077  
E-mail: dan.nicholson@toronto.ca

## **SIGNATURE**

---

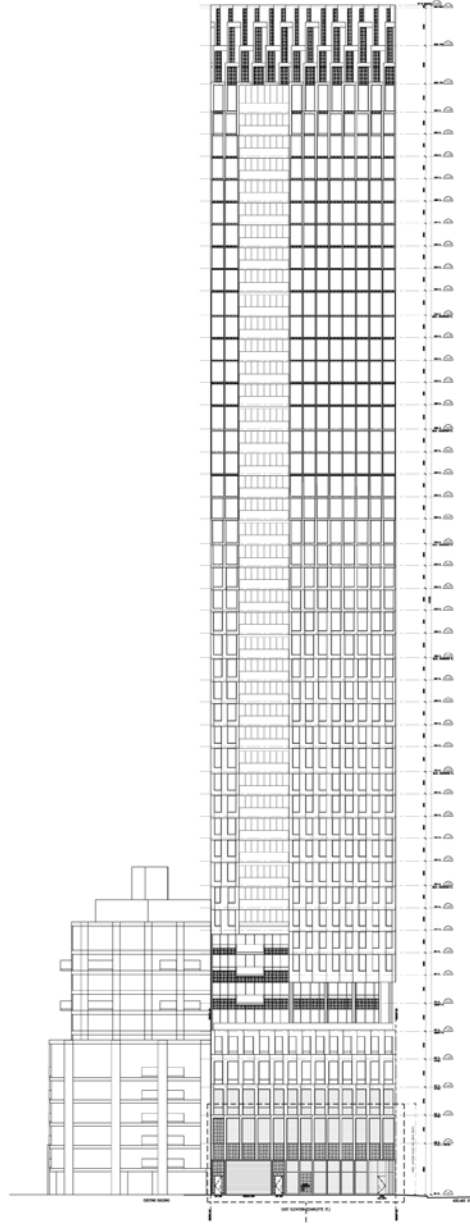
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District  
(P:\2017\Cluster B\pln\TEYCC\32617775047.doc) – lm

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: East Elevation  
Attachment 3: North Elevation  
Attachment 4: West Elevation  
Attachment 5: South Elevation  
Attachment 6: Official Plan  
Attachment 7: King-Spadina Secondary Plan – Urban Structure Plan  
Attachment 8: King-Spadina Secondary Plan Review – Urban Structure Plan  
Attachment 9: Zoning  
Attachment 10: Application Data Sheet



## Attachment 2: East Elevation



### East Elevation

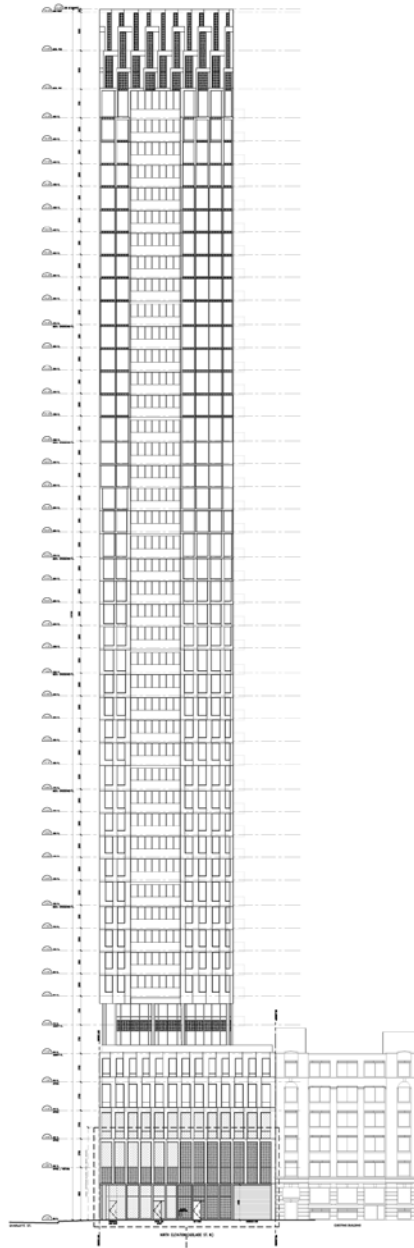
Applicant's Submitted Drawing

Not to Scale  
12/01/2016

46 Charlotte Street

File # 16 167239 STE 20 02

### Attachment 3: North Elevation



#### North Elevation

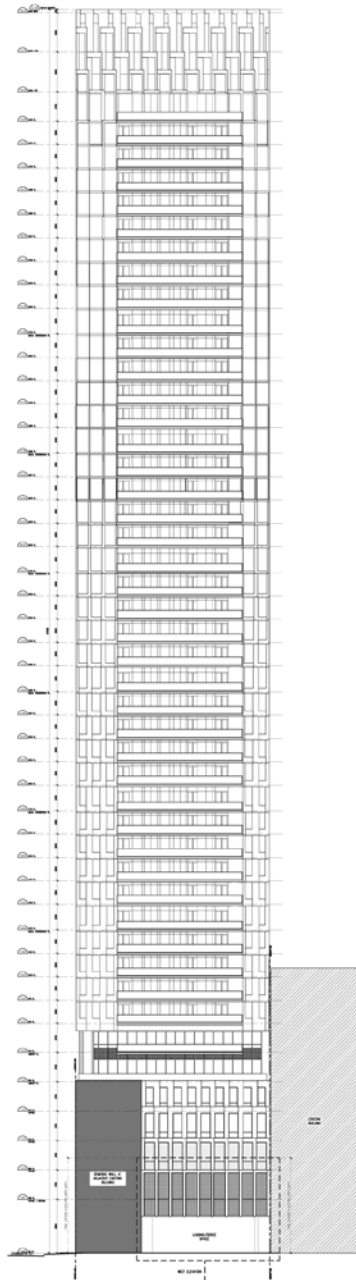
Applicant's Submitted Drawing

Not to Scale  
12/01/2016

46 Charlotte Street

File # 16 167239 STE 20 0Z

## Attachment 4: West Elevation



### West Elevation

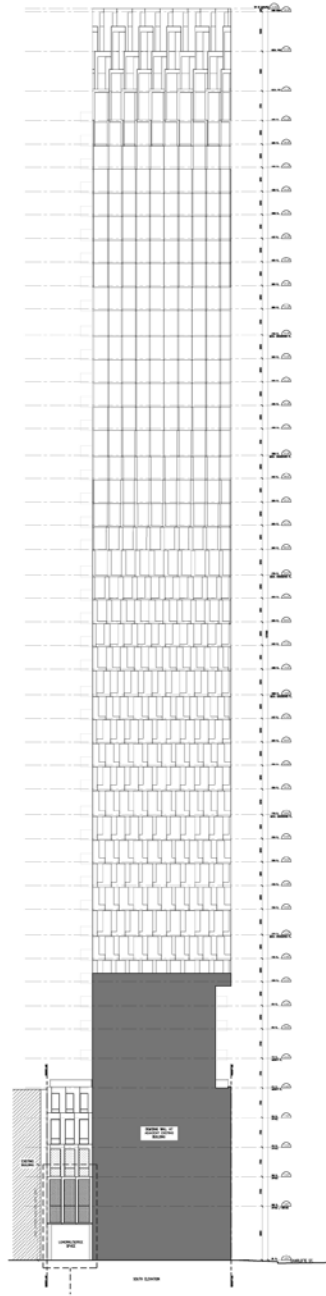
Applicant's Submitted Drawing

Not to Scale  
12/01/2016

46 Charlotte Street

File # 16 167239 STE 20 0Z

## Attachment 5: South Elevation



### South Elevation

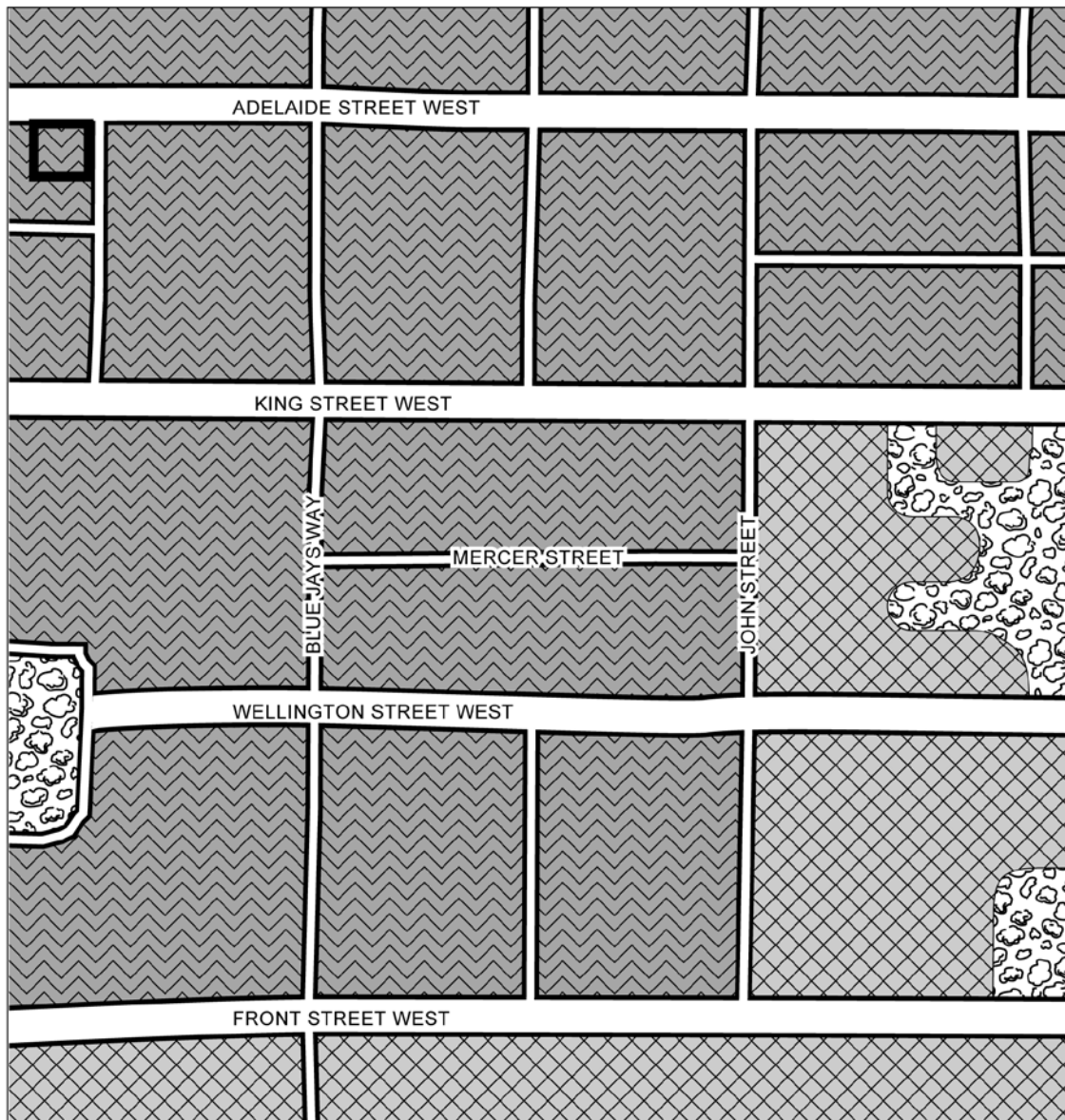
Applicant's Submitted Drawing

Not to Scale  
12/01/2016

46 Charlotte Street

File # 16 167239 STE 20 OZ

## Attachment 6: Official Plan



**Toronto**  
Extract from Official Plan

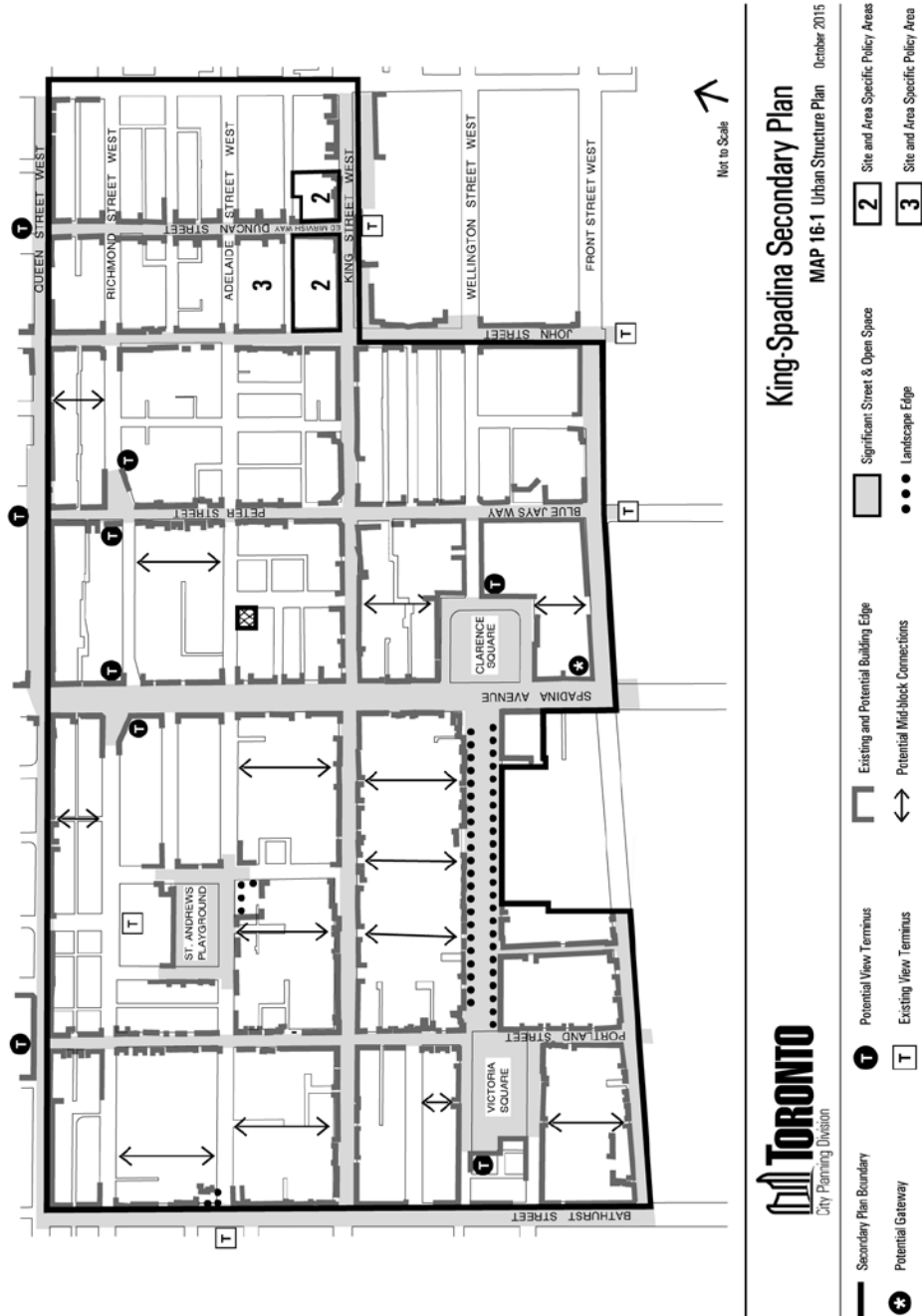
46 Charlotte Street

File # 16 167239 STE 20 02



↑  
Not to Scale  
12/05/2016

## Attachment 7: King-Spadina Secondary Plan – Urban Structure Plan



### King-Spadina Secondary Plan

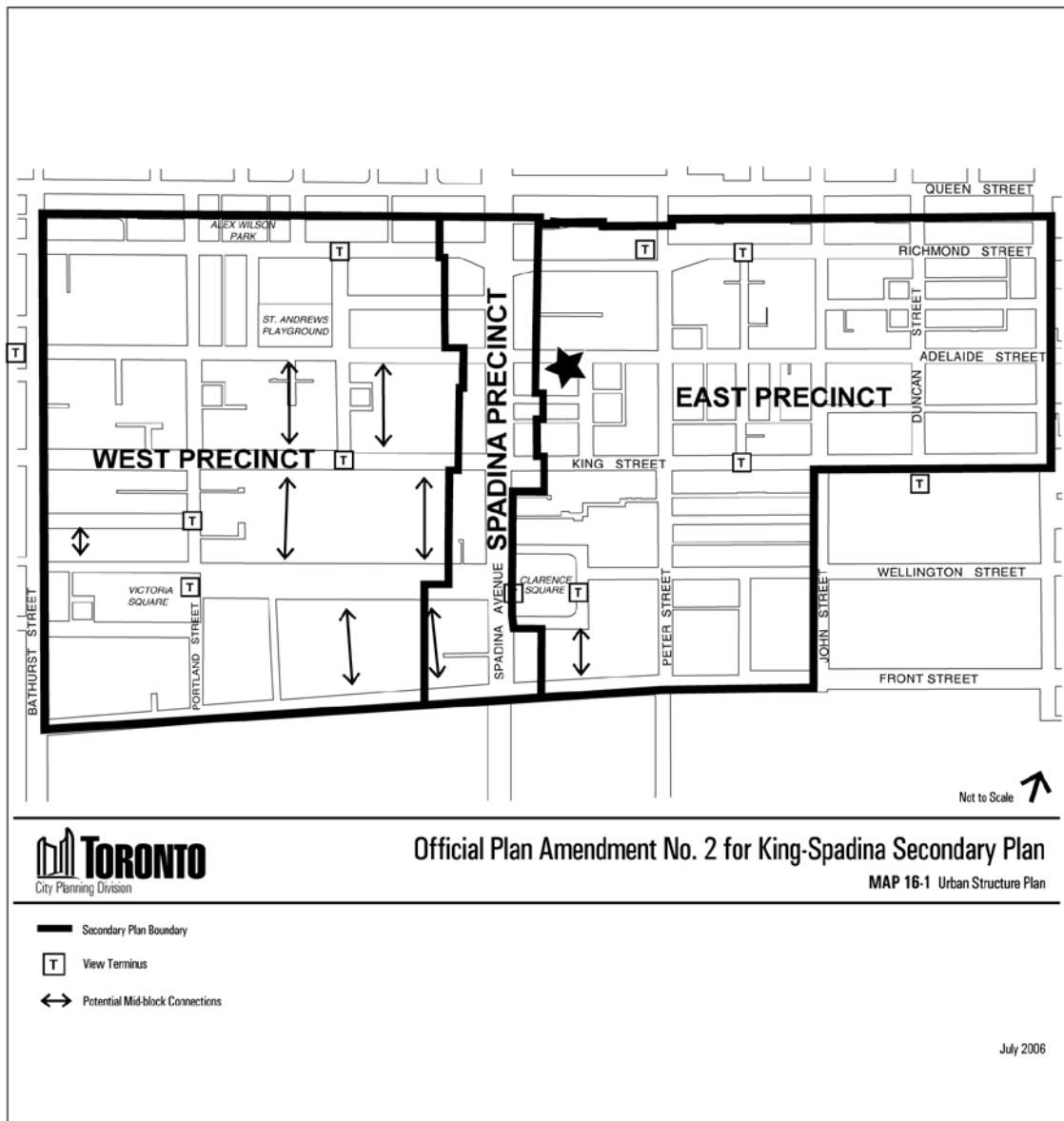
Location of Site

Not to Scale  
12/05/2016

### 46 Charlotte Street

File # 16 167239 STE 20 02

## Attachment 8: King-Spadina Secondary Plan Review – Urban Structure Plan



**TORONTO** City Planning

### Official Plan Amendment No. 2 for King-Spadina Secondary Plan

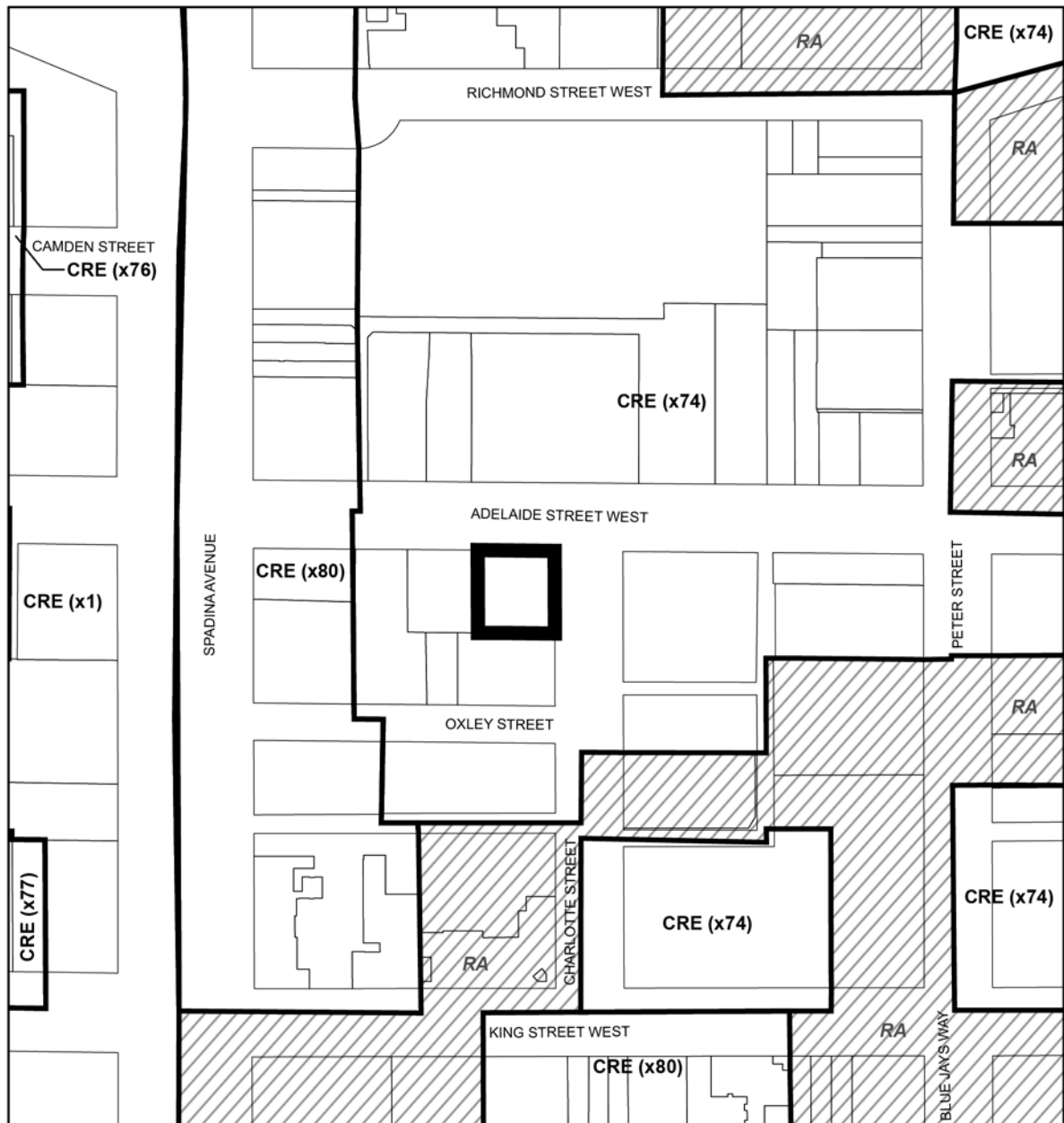
46 Charlotte Street

File # 16\_167239\_STE 20 02

★ SUBJECT SITE - 46 Charlotte Street

↑  
Not to Scale  
12/05/2016

## Attachment 9: Zoning



**Zoning By-Law No. 569-2013**

**46 Charlotte Street**

**File # 16 167239 STE 20 0Z**



Location of Application



See Former City of Toronto By-Law No. 438-86  
RA Mixed-Use District

**CRE** Commercial Residential Employment



Not to Scale  
Extracted: 10/04/2016

## Attachment 10: Application Data Sheet

|                       |                                                                                                                                                                                                  |                     |                     |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| Application Type      | Rezoning                                                                                                                                                                                         | Application Number: | 16 167239 STE 20 OZ |
| Details               | Rezoning, Standard                                                                                                                                                                               | Application Date:   | June 3, 2016        |
| Municipal Address:    | 46 CHARLOTTE ST                                                                                                                                                                                  |                     |                     |
| Location Description: | PLAN D160 LOT 1 **GRID S2015                                                                                                                                                                     |                     |                     |
| Project Description:  | Proposal for rezoning for a 46 storey mixed use building with 5 storey office podium with a retail/service unit on the ground floor and 248 rental residential units on the remaining 46 storeys |                     |                     |

|                   |               |                       |                              |
|-------------------|---------------|-----------------------|------------------------------|
| <b>Applicant:</b> | <b>Agent:</b> | <b>Architect:</b>     | <b>Owner:</b>                |
| Bousfields Inc    |               | Architecture Unfolded | Fortress Charlotte 2014 Inc. |

### PLANNING CONTROLS

|                            |                    |                           |
|----------------------------|--------------------|---------------------------|
| Official Plan Designation: | Regeneration Areas | Site Specific Provision:  |
| Zoning:                    | CRE (x74)          | Historical Status:        |
| Height Limit (m):          | 30                 | Site Plan Control Area: Y |

### PROJECT INFORMATION

|                                    |         |         |                 |              |
|------------------------------------|---------|---------|-----------------|--------------|
| Site Area (sq. m):                 | 559.3   | Height: | Storeys:        | 46           |
| Frontage (m):                      | 22.9    |         | Metres:         | 157          |
| Depth (m):                         | 24.4    |         |                 |              |
| Total Ground Floor Area (sq. m):   | 104.2   |         |                 | <b>Total</b> |
| Total Residential GFA (sq. m):     | 15127.1 |         | Parking Spaces: | 69           |
| Total Non-Residential GFA (sq. m): | 1549.7  |         | Loading Docks   | 1            |
| Total GFA (sq. m):                 | 16676.8 |         |                 |              |
| Lot Coverage Ratio (%):            | 19      |         |                 |              |
| Floor Space Index:                 | 29.8    |         |                 |              |

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

|              |        |                                  |                    |                    |
|--------------|--------|----------------------------------|--------------------|--------------------|
| Tenure Type: | Rental |                                  | <b>Above Grade</b> | <b>Below Grade</b> |
| Rooms:       | 0      | Residential GFA (sq. m):         | 15127              | 0                  |
| Bachelor:    | 39     | Retail GFA (sq. m):              | 31.5               | 0                  |
| 1 Bedroom:   | 145    | Office GFA (sq. m):              | 1518.2             | 0                  |
| 2 Bedroom:   | 39     | Industrial GFA (sq. m):          | 0                  | 0                  |
| 3 + Bedroom: | 25     | Institutional/Other GFA (sq. m): | 0                  | 0                  |
| Total Units: | 248    |                                  |                    |                    |

|                 |                                                    |
|-----------------|----------------------------------------------------|
| <b>CONTACT:</b> | <b>PLANNER NAME: Dan Nicholson, Senior Planner</b> |
|                 | <b>TELEPHONE: (416) 397-4077</b>                   |