



## STAFF REPORT ACTION REQUIRED

### 722, 750 and 783 College Street – Zoning Amendment – Supplementary Report

<b>Date:</b>	November 7, 2017
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 19 – Trinity-Spadina
<b>Reference Number:</b>	17 152699 STE 19 OZ

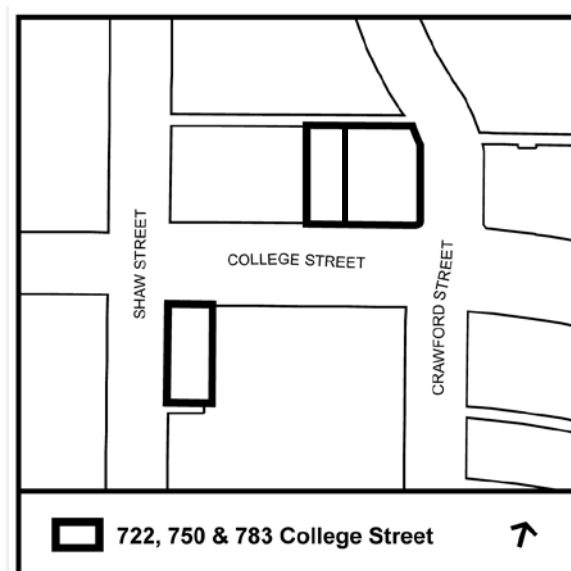
#### SUMMARY

On June 14, 2016, Toronto and East York Community Council directed City Planning Staff to review the Zoning By-law provisions for three existing music and entertainment venues on College Street between Shaw Street and Crawford Street, and consider measures to mitigate their impacts on adjacent uses and neighbourhoods.

A Final Report dated October 26, 2017 from the Acting Director, Community Planning, Toronto and East York District, seeks Toronto and East York Community Council direction, discusses the relevant policies and zoning provisions applicable to the site and music and entertainment venues generally, and recommends approval of a temporary use by-law respecting the subject lands for a period of three years from the date of passing of the by-law.

This report provides a status update on the City's review of the Noise By-law and a minor clarification to the policy section of the October 26, 2017 report.

Draft By-law amendments, as discussed in the October 26, 2017 staff report are appended to this report as Attachments 1 and 2.



## RECOMMENDATIONS

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**The City Planning Division recommends that the recommendations from the Report (October 26, 2017) from the Acting Director, Community Planning, Toronto and East York District are deleted and replaced with the following:**

1. City Council amend Zoning By-law 438-86, for the lands at 722, 750 and 783 College Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the report (November 7, 2017) from the Acting Director, Community Planning, Toronto and East York District for a period of 3 years from the date of passing of the by-law;
2. City Council amend City of Toronto Zoning By-law 569-2013, for the lands at 722, 750 and 783 College Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2, for a period of 3 years from the date of passing of the by-law; and,
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

### **Additional Update on Review of the Noise By-law**

The October 26, 2017 staff report provided a brief background and update on the City's review of Chapter 591, Noise, in the Municipal Code. The following additional information is provided.

At its meeting of September 21, 2016, Licensing and Standards Committee directed the Executive Director, Municipal Licensing and Standards (MLS) to convene a Noise Working Group and report back with revised amendments to Chapter 591, Noise.

A link to the Committee decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.LS13.1>

ML&S are continuing work on the Noise By-law review. A report with proposed amendments is expected in early 2018.

### **Policy Discussion Clarification**

The October 26, 2017 staff report referenced Policy 4.5.1 of the Official Plan in the first paragraph under the report subheading titled "Mitigating Potential Impacts".

City Planning Staff wish to clarify that this should have read as follows:

"Policy 4.5 intends that the uses in *Mixed Use Areas*, both in terms of scale and impact, transition appropriately to adjacent areas of different development intensity, particularly towards lower scale *Neighbourhoods*."

## **Staff Recommendations**

The recommendations of the Final Report, October 26, 2017 are restated with two minor changes. The date of this report and the recommended three year period of the by-laws are the two modifications to the original staff recommendations from the October 26, 2017 report.

## **CONTACT**

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## **SIGNATURE**

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Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Draft Zoning By-law Amendment (438-86)  
Attachment 2: Draft Zoning By-law Amendment (569-2013)

## **Attachment 1: Draft Zoning By-law Amendment (438-86)**

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

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. [XXXX- 2017]**

**To amend Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2017 as, 722, 750 and 783 College Street**

Whereas Council of the City of Toronto has the authority to pursuant to Section 39 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. For the purpose of this By-law, “lots” shall consist of the individual properties delineated by heavy lines on Map 1 attached to and forming part of this By-law and known in the year 2017 as 722, 750 and 783 College Street;
  - a. In addition to the uses permitted by Section 8(1), the zone, *Concert Hall* and *Entertainment Facility* are also permitted on the lands delineated on Map 1 for a period of time not to exceed three years from the day of the passing of this By-law, provided:
    - a) the gross floor area does not exceed 2,100 square metres on the lands municipally known as 722 College Street;
    - b) the gross floor area does not exceed 600 square metres on the lands municipally known as 750 College Street;
    - c) the gross floor area does not exceed 400 square metres on the lands municipally known as 783 College Street;
    - d) Notwithstanding Chapter 2, for the purpose of this Temporary Use By-law, a *Concert Hall* shall mean:

#### *Concert Hall*

means a theatre where live music entertainment is performed and which has a stage for performances of entertainment including live music performances, dance performances, dramatic performances, variety

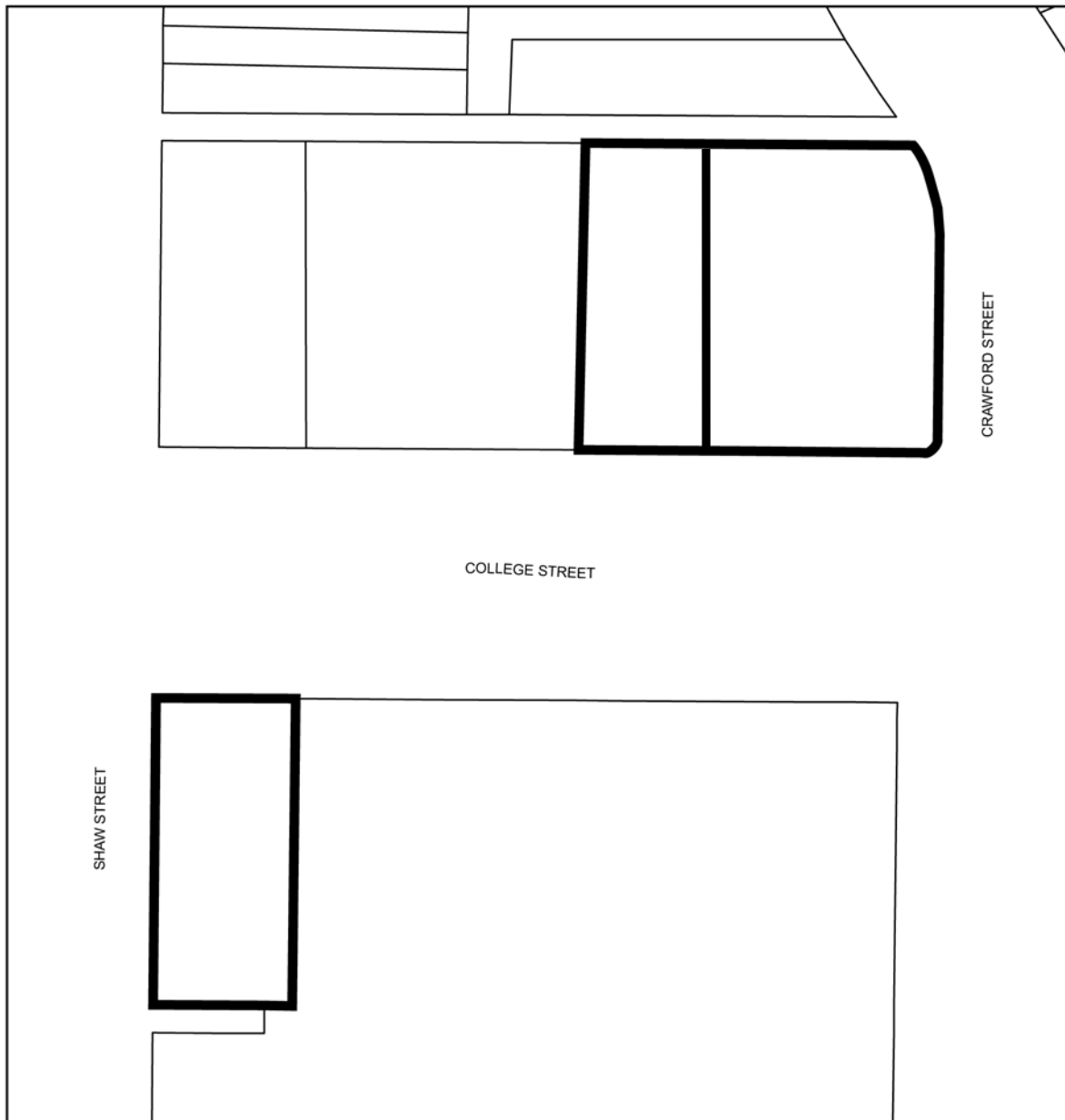
shows, and lectures, where food or beverages may be offered for sale, but does not include a mechanical or electronic game machine to be used for the purpose of gambling.

- e) the principle entrance is located on College Street; and,
- f) a maximum of one *Concert Hall* or *Entertainment Facility* is permitted at each of the properties known municipally in the year 2017 as 722, 750, and 783 College Street.

Enacted and passed on month ##, 20##.

Name,  
Speaker  
(Seal of the City)


Ulli S. Watkiss,  
City Clerk



 **Toronto**  
Map 1

**722, 750 and 783 College Street**

File # 17 152699 STE 19 0Z

  
City of Toronto By-Law 438-86  
Not to Scale  
9/18/2017

## **Attachment 2: Draft Zoning By-law Amendment (569-2013)**

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

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. [XXXX- 2017]**

**To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2017 as, 722, 750 and 783 College Street**

Whereas Council of the City of Toronto has the authority to pursuant to Section 39 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

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*; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CR 3.0(c1.0; r2.5)SS2 (x132), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.11.10 Exception 132 so that it reads:

#### **Exception CR 132**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provision, Prevailing By-laws and Prevailing Sections, for a period of time not to exceed three years from the day of the passing of this By-law.

Site Specific Provisions:

- (A) The lands must comply with Exception 900 11.10(2).

- (B) Despite 40.10.20.100 **entertainment place of assembly** and **nightclub** are permitted provided:
- (i) the **gross floor area** does not exceed 2,100 square metres on the lands municipally known as 722 College Street;
  - (ii) the **gross floor area** does not exceed 600 square metres on the lands municipally known as 750 College Street;
  - (iii) the **gross floor area** does not exceed 400 square metres on the lands municipally known as 783 College Street;
  - (iv) the principle entrance to the **entertainment place of assembly** or **nightclub** is located on College Street;
  - (v) a maximum of one **entertainment place of assembly** or **nightclub**, is permitted at each of the properties known municipally in the year 2017 as 722, 750, and 783 College Street; and
  - (vi) despite Chapter 800, for purpose of this Temporary Use By-law, a **nightclub** may include a stage for performances of entertainment such as live music
- (C) Regulation 900.11.10(132)(B) is repealed three years after [Clerks to insert date of passing of By-law], the date of passing of By-law [Clerks to insert By-law No.].

Prevailing By-laws and Prevailing Sections:

- (A) Section 12(2) 270 (a) of former City of Toronto By-law 438-86;
- (B) Section 12(2) 318 of former City of Toronto By-law 438-86; and
- (C) City of Toronto by-law 537-2005.

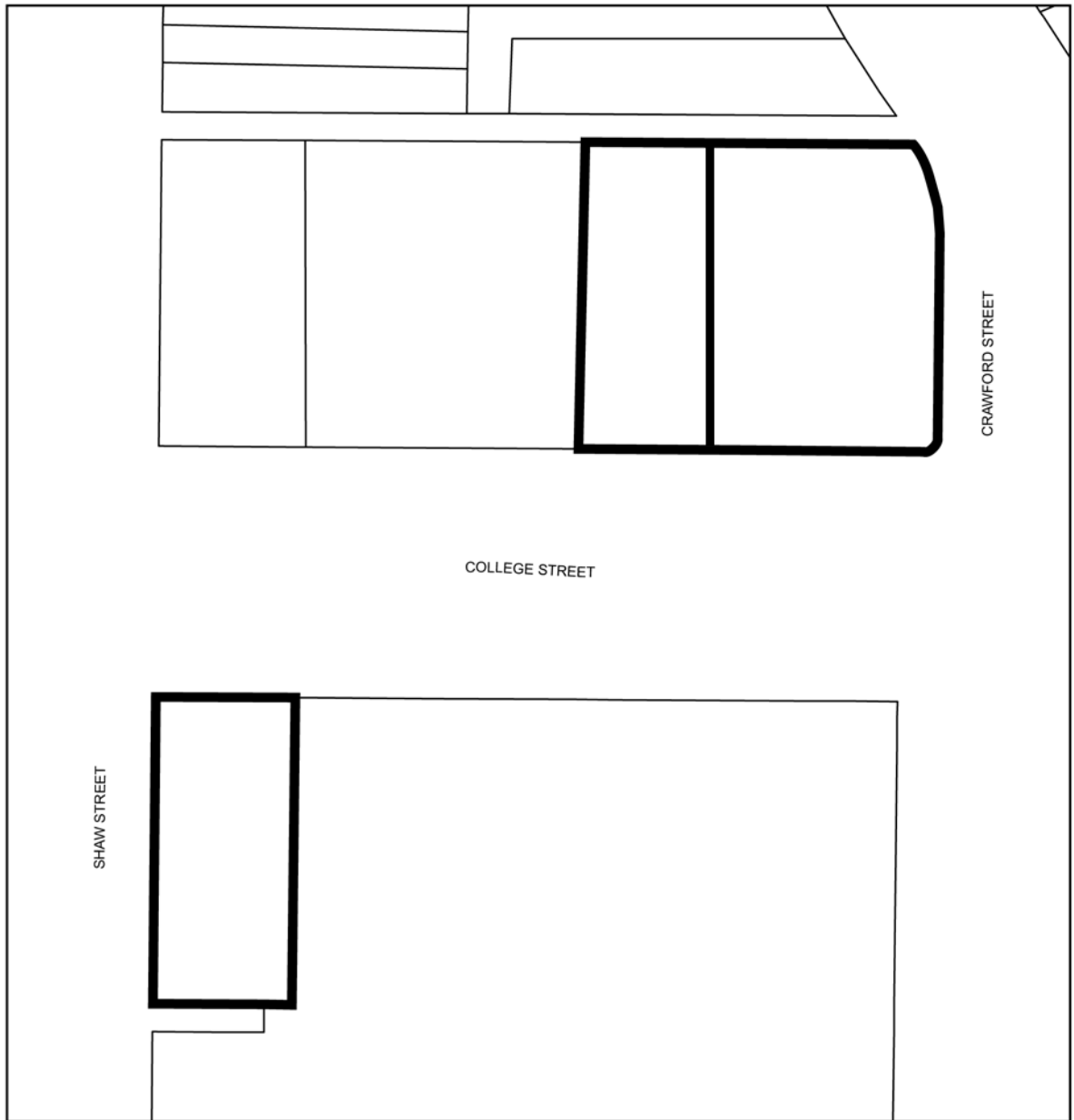
Enacted and passed on month ##, 20##.

Name,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



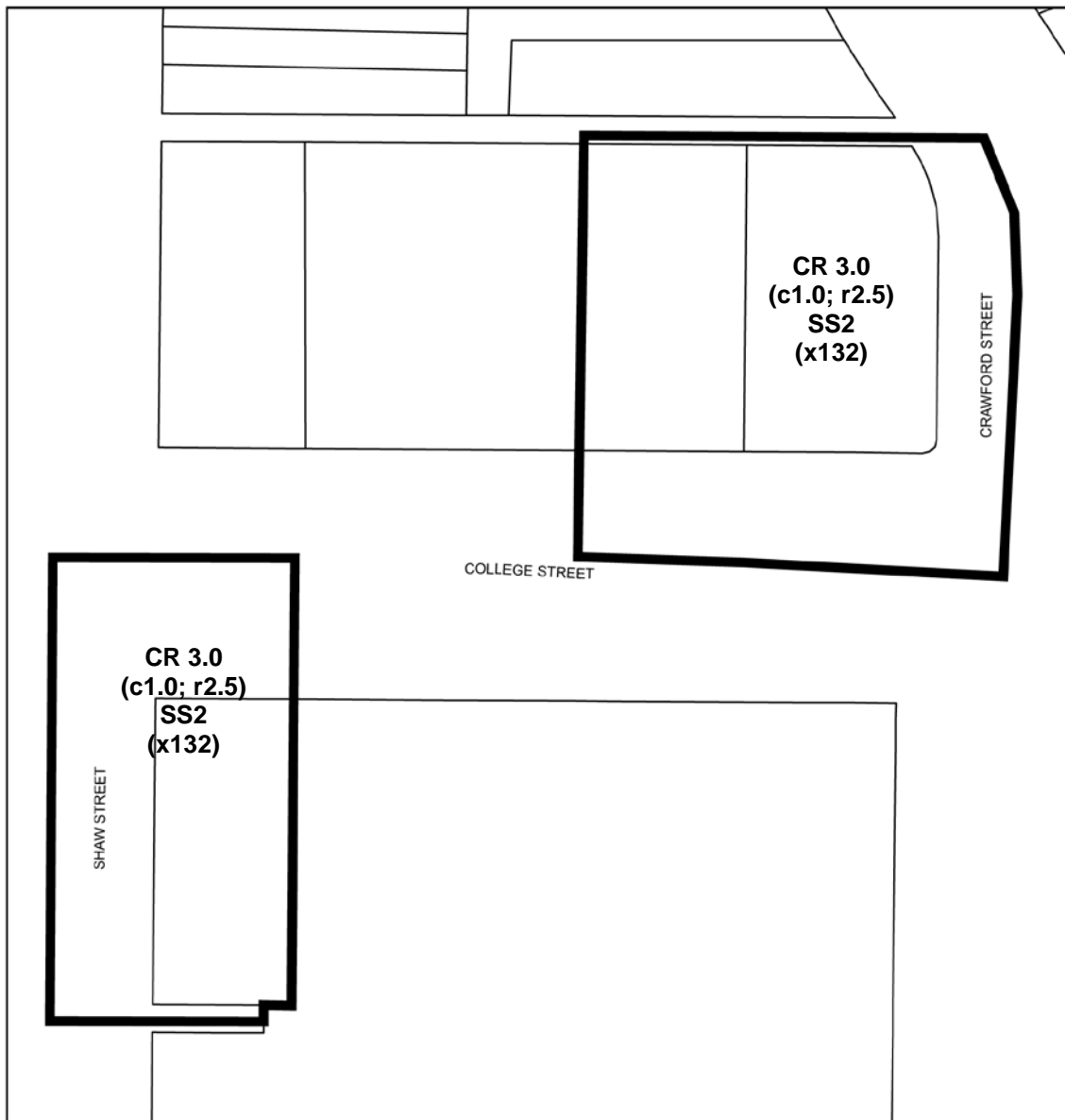


**Toronto**  
Diagram 1

722, 750 and 783 College Street

File # 17 152699 STE 19 0Z

City of Toronto By-Law 569-2013  
Not to Scale  
9/18/2017



**Toronto**  
Diagram 2

**722, 750 and 783 College Street**

File # 17 152699 STE 19 0Z

City of Toronto By-Law 569-2013  
Not to Scale  
9/18/2017