

## **55-61 Charles Street East – Amendment to Zoning By-law 1183-2019 and 1184-2019 to revise Section 37 provisions – Final Report**

Date: November 16, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward 13 - Toronto Centre

**Planning Application Number:** 18 144553 STE 27 OZ

### **SUMMARY**

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This report proposes municipally initiated amendments to the Section 37 provisions of Zoning By-law 1183-2019 and 1184-2019 for the lands at 55-61 Charles Street East. The proposed amendments change the date for the property at 218 Carlton Street to be transferred to the City for use as affordable rental housing units. The proposed amendments will not result in any other changes to the zoning permissions or the development as approved by City Council.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 1183-2019, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the November 16, 2020 report from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 1184-2019, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to the November 16, 2020 report from the Director, Community Planning, Toronto and East York District.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. City Council authorize staff to amend the agreement under section 37 of the *Planning Act*, dated October 2, 2019, to reflect the above amendments.
5. City Council authorizes the Executive Director, Housing Secretariat to make further changes to the date for the property at 218 Carlton Street to be transferred to the City, if necessary.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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On July 16, 2019, Toronto and East York Community Council adopted staff recommendations to approve zoning amendment and rental housing demolition applications in order to permit the redevelopment of the subject lands with a 48-storey residential building, and site-specific Zoning By-law 1183-2019 and 1184-2019 were enacted and passed. The decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE7.15>

## **COMMENTS**

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The Section 37 provisions of Zoning By-law 1183-2019 and 1184-2019 state that the owner shall transfer the property at 218 Carlton Street to the City, renovated and furnished at no cost to the City, for use as affordable rental housing units prior to the earlier of January 6, 2022 or registration of a plan of condominium for 55-61 Charles Street East substantially on the terms and conditions outlined in Attachment 10 to the June 13, 2019 report from the Director, Community Planning, Toronto and East York District and to the satisfaction of the Executive Director, Housing Secretariat.

Since the enactment of Zoning By-law 1183-2019 and 1184-2019, City staff and the owner of 218 Carlton Street have reviewed the timeline for construction and determined that the necessary work at 218 Carlton Street will not be completed prior to January 6, 2022. Staff have determined that the date for the transfer of 218 Carlton Street should be changed to "prior to the earlier of January 15, 2024 or registration of a plan of condominium for 55-61 Charles Street East...".

Staff also recommend that the Executive Director, Housing Secretariat be authorized to make further changes to the date for the transfer of 218 Carlton Street, if necessary.

The proposed amendments will not result in any other changes to the zoning permissions or the development as described in the June 13, 2019 report from the Director, Community Planning, Toronto and East York District as approved by City Council.

## **CONTACT**

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## **SIGNATURE**

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Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA, Director  
Community Planning, Toronto and East York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

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 Item ##, as adopted by City of Toronto Council on ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. XXXX-2020**

**To amend Zoning By-law No. 1183-2019 with respect to the lands municipally known in the year 2019 as 55-61 Charles Street East**

Whereas Council of the City of Toronto has the authority pursuant to 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 enacts:

1. This By-law applies to the lands delineated by heavy black lines and identified as 55 and 61 Charles Street East as shown on Map 1 attached to and forming part of this By-law;

2. Zoning By-law No. 1183-2019 is amended by deleting the date 'January 6, 2022' in Schedule A paragraph 1 under the heading 'Community Benefits' and replacing it with the date 'January 15, 2024' so that the amended paragraph reads as follows:

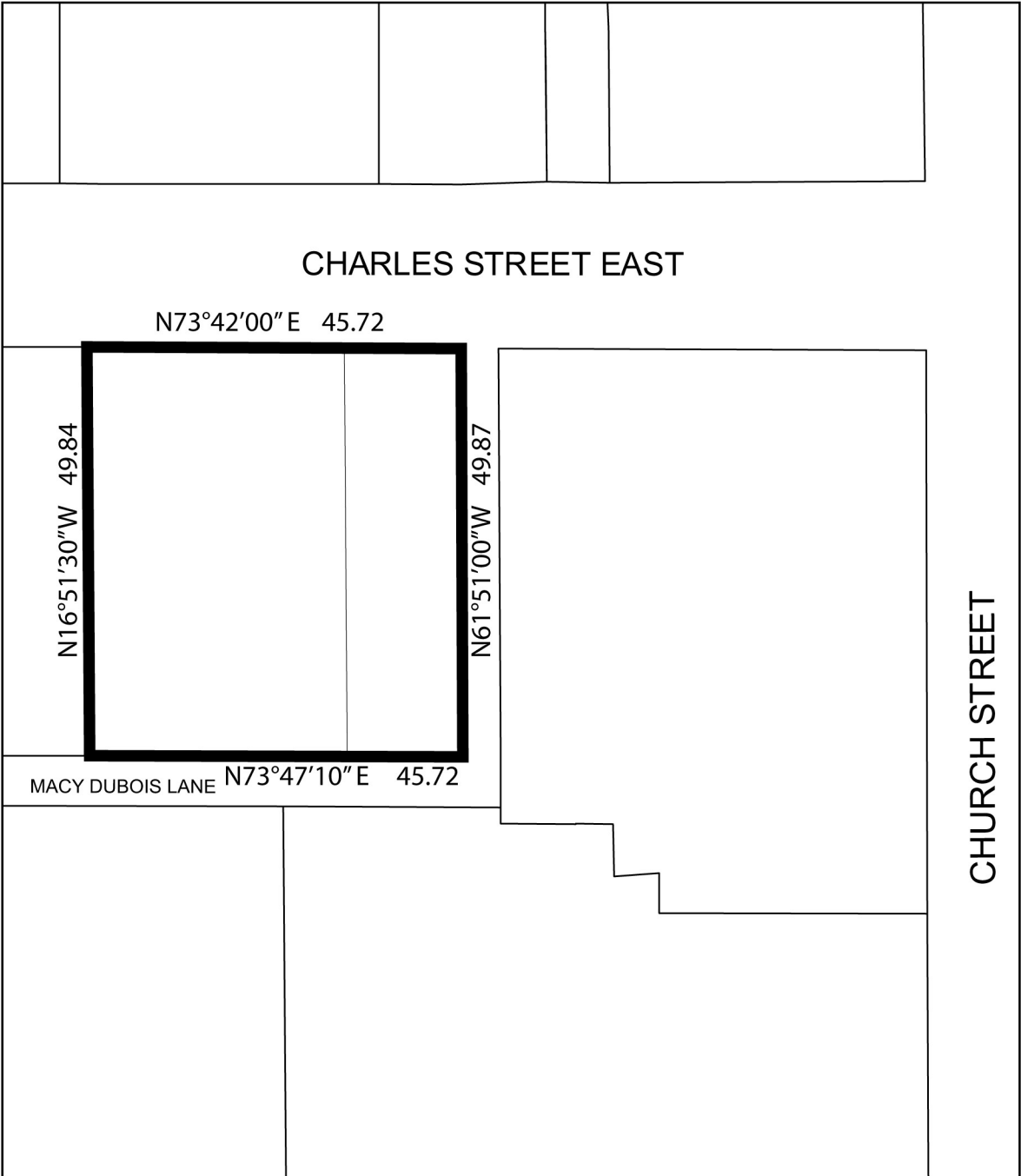
1. The owner of 218 Carlton Street, shall transfer to the City the property at 218 Carlton Street, renovated and furnished at no cost to the City, for use as affordable rental housing units prior to the earlier of January 15, 2024 or registration of a plan of condominium for 55-61 Charles Street East substantially on the terms and conditions outlined in Attachment 10 to the June 13, 2019 report from the Director, Community Planning, Toronto and East York District and to the satisfaction of the Executive Director, Housing Secretariat, the value for which shall be \$6,400,000.00.

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

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



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

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

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. XXXX-2020**

**To amend Zoning By-law No. 1184-2019 with respect to the lands municipally known in the year 2019 as 55-61 Charles Street East**

Whereas Council of the City of Toronto has the authority pursuant to 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 enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.

2. Zoning By-law No. 1183-2019 is amended by deleting the date 'January 6, 2022' in Schedule A paragraph 1 under the heading 'Community Benefits' and replacing it with the date 'January 15, 2024' so that the amended paragraph reads as follows:

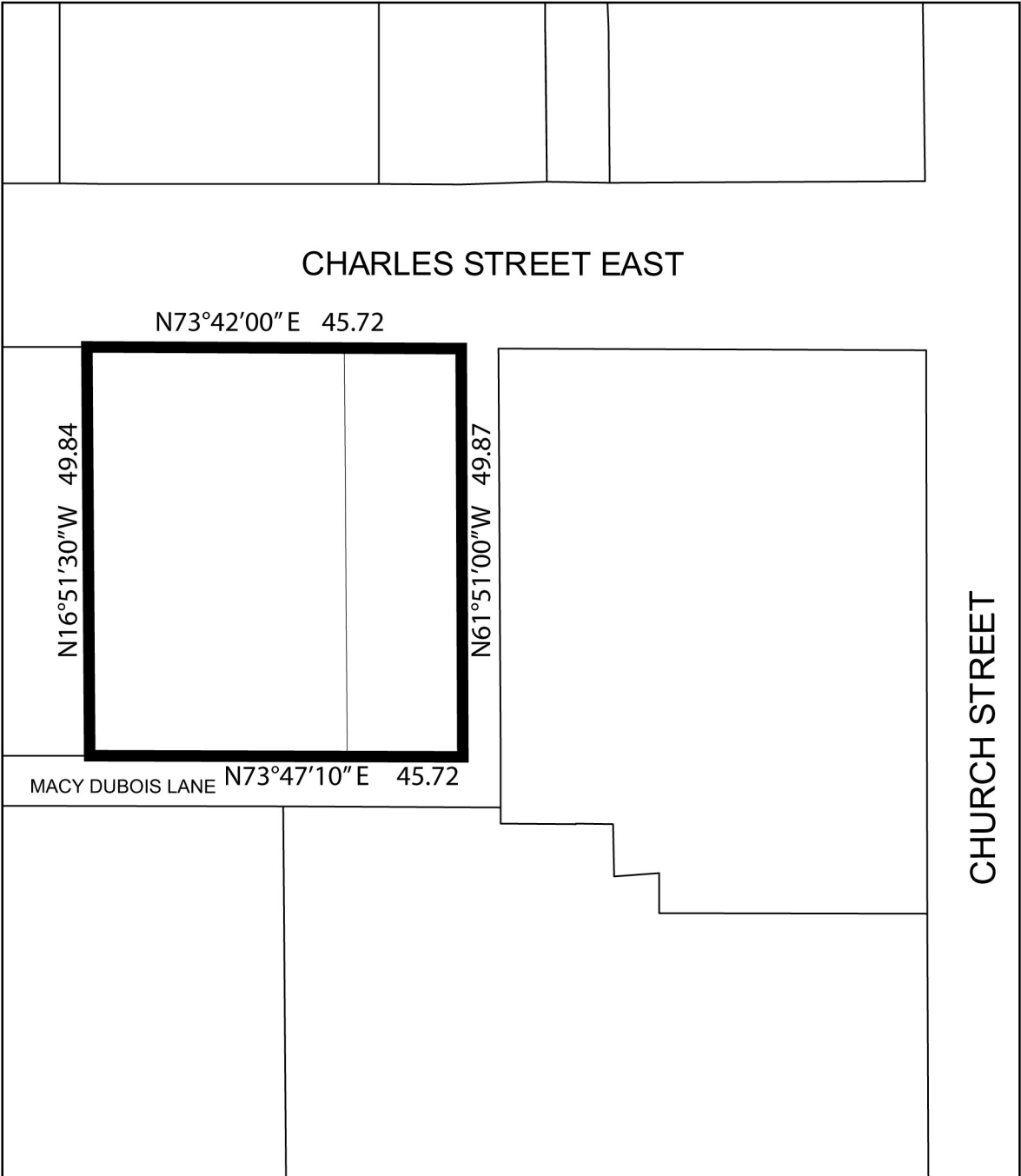
1. The owner of 218 Carlton Street, shall transfer to the City the property at 218 Carlton Street, renovated and furnished at no cost to the City, for use as affordable rental housing units prior to the earlier of January 15, 2024 or registration of a plan of condominium for 55-61 Charles Street East substantially on the terms and conditions outlined in Attachment 10 to the June 13, 2019 report from the Director, Community Planning, Toronto and East York District and to the satisfaction of the Executive Director, Housing Secretariat, the value for which shall be \$6,400,000.00.

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

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



55-61 Charles Street East

File # 18 144553 STE 27 0Z

  
 City of Toronto By-law 569-2013  
 Not to Scale  
 6/5/2019