

11 Charlotte Street - Zoning Amendment and Site Plan Applications- Request for Direction Report

Date:	August 19, 2011
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	10-317203 STE 20 OZ and 10-317208 STE 20 SA

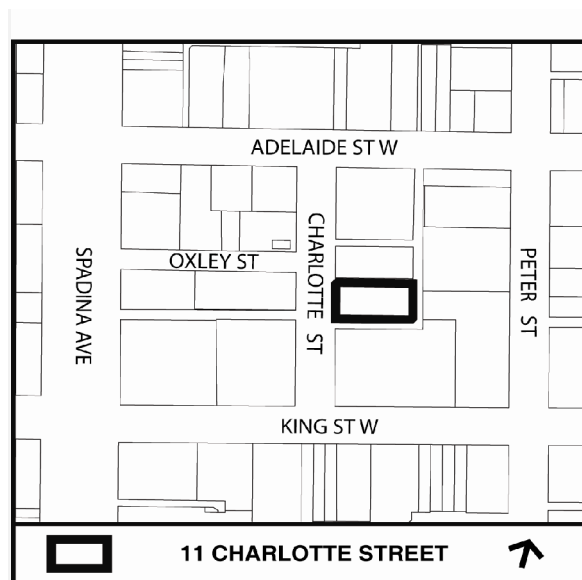
SUMMARY

This application was made after January 1, 2007 and is subject to the changes to the Planning Act that came into effect on that date and the City of Toronto Act, 2006.

The applicant has appealed the Zoning By-law Amendment and Site Plan applications for 11 Charlotte Street to the Ontario Municipal Board (OMB) due to Council’s failure to make a decision on the application within the time allotted by the Planning Act.

The application proposes a 32-storey building (103 metres plus 9.5 metre mechanical feature) at 11 Charlotte Street, midblock within an area of low-scale warehouse buildings. The proposal consists of 232 residential units, commercial/retail space on the main level, and provides 65 parking spaces within four levels of underground parking.

The proposal, in its current format, does not meet criteria with respect to height, scale, and massing, and does not meet the intent of the Zoning By-law with respect to height, building setbacks, residential amenity space, and minimum parking requirements for residents and visitors.



The purpose of this report is to seek City Council's direction for the City Solicitor, together with Planning and appropriate city Staff to oppose the proposal at the OMB.

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 oppose the applicant's appeal respecting the Zoning By-law Amendment and Site Plan applications for 11 Charlotte Street (File Numbers: 10 317203 STE 20 OZ and 10-317208 STE 20 SA), and attend any Ontario Municipal Board hearings in opposition to such appeals, and retain such experts as the City Solicitor may determine are needed in support of the position recommended in this report.
2. City Council direct the City Solicitor to also advise the OMB that City's Council's position is that any redevelopment of the site at 11 Charlotte Street, if approved by the OMB should:
 - a. Secure services, facilities or matters pursuant to Section 37 of the Planning Act, as may be required by the Chief Planner and Executive Director, and
 - b. Satisfy the Chief Planner and Executive Director with respect to site plan matters, including the approval of plans and drawings and site plan conditions.
3. City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

King Spadina Secondary Plan Review

In 2005, a review of the King-Spadina Secondary Plan was initiated by Council to evaluate specific matters related to entertainment uses in the area, community infrastructure, built form policies and the policies related to the public realm. In September 2006, City Council enacted amendments to the King-Spadina Secondary Plan and Reinvestment Area (RA) zoning to update the planning framework for the Plan area (Official Plan Amendment No. 2/ By-law 921-2006 and Zoning By-law Amendment 922-2006).

The amendments represent Council's current position on the planning framework for the King-Spadina Plan Area. The amendments to the Secondary Plan refined certain policies and updated maps to reinforce the original intent of the Secondary Plan to protect and

enhance the King-Spadina area's unique physical attributes and heritage warehouse character. A new Policy 3.7 provides criteria for considering tall buildings in certain parts of the East Precinct, which include setbacks above the base building and a requirement to not export facing distance constraints onto adjacent sites. Zoning By-law Amendment 922-2006 includes a provision that permits an additional 5 metres of building height, including mechanicals, subject to the mechanicals being wrapped and falling within a 45 degree angular plane from the street.

The amendments are currently under appeal to the Ontario Municipal Board by some area owners and developers. A series of pre-hearing conferences have resulted in many appeals being withdrawn or settled. The pre-hearing has been deferred with the consent of all parties, until May 2010. As of August 17, 2011, this deferral remains unchanged.

King Spadina East Precinct Built Form Study

In April 2008, Council directed staff to undertake a study of the built form in the East Precinct of the King-Spadina Secondary Plan Area, in response to the large number of applications that continued to challenge the planning framework of the East Precinct area. This study recognizes areas within the East Precinct, identified as Second Tier height areas, that can accommodate more height than currently permitted as-of-right. Achieving additional height is subject to meeting criteria for development as set out in the King-Spadina Secondary Plan, the 2006 King-Spadina Urban Design Guidelines and the City's Tall Building Guidelines, and subject to providing an appropriate contribution pursuant to Section 37 of the *Planning Act*. Any proposal seeking a Second Tier height beyond the current zoning permission of 30 m plus 5 m for mechanical will be required to undergo a rezoning process. This framework was endorsed by City Council at its meeting of September 30, October 1, 2009.

ISSUE BACKGROUND

Proposal

The application proposes to construct a 32-storey residential building, including a six-storey podium, and will have an approximate total height of 114 metres (inclusive of the 9.5 metre mechanical penthouse). The podium will have an approximate height of 23 metres, and the tower element will rise to a height of approximately 107 metres, to the top of the 33rd storey, used as amenity space. The building will have a gross floor area of 16,733 square metres, of which approximately 420 square metres will be used for commercial uses located on the ground floor. This represents a floor space index of 18.6 times the area of the lot. The building will provide 232 residential units. Currently, 149 one-bedroom units, 57 two-bedroom units and 26 3-bedroom units are proposed. Accessed by two car elevators, parking will be provided on 4 underground levels with 65 parking spaces (includes 1 car share parking space) for the use of residents. No visitor parking is proposed. Vehicular parking and loading will be accessed from the adjacent laneways, with direct entry and exit taken from the north-south laneway.

Site and Surrounding Area

The site is located mid-block on the east side of Charlotte Street, north of King Street West, and south of Adelaide Street West. The site has a frontage of approximately 22 metres, and an approximate lot area of 895 square metres. There are public laneways abutting the east and south limits of the property. The site is currently occupied by a three-storey converted warehouse building, and used for office purposes.

The site is surrounded by the following uses.

North: To the immediate north of the site is a four-storey warehouse building which contains a billiard hall/restaurant on the ground floor, and a mix of office uses on the upper levels. Further north is an east-west laneway and a 7-storey warehouse building, fronting onto Adelaide Street West, known as the MacLean Building. The MacLean Building is listed on the City's Inventory of Heritage Properties.

South: A public laneway abuts the site to the south, and further south is a two-storey building which fronts onto King Street West. This building provides retail and commercial uses on the ground floor and office uses on the second floor.

East: To the east of the site is a public laneway. East of the laneway is a small surface parking lot, which has access from Peter Street. Along Peter Street there are warehouse buildings ranging in heights from five to 6 storeys, and a 16-storey hotel.

West: Directly across the street on the west side of Charlotte Street, is a recently constructed 16-storey residential building (25 Oxley Street). At the north-west corner of Charlotte Street and King Street West, a 36-storey building with a 4-6 storey podium is under construction. Further north at 36 Charlotte Street is a residential building at 13 storeys.

Provincial Policy Statement and Provincial Plans

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

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

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

Official Plan

The site is located in the *Downtown* and in the King-Spadina Secondary Plan Area. The site is designated *Regeneration Area* in the Official Plan.

Policies for *Downtown*

As an area where growth is anticipated and encouraged, the Official Plan provides for new development in the *Downtown* that builds on the strength of the area as an employment centre, provides for a range of housing opportunities and supports and enhances the speciality retail and entertainment districts. The Official Plan directs growth to the *Downtown* in order to achieve multiple City objectives. Among other things, it promotes the efficient use of municipal services and infrastructure, concentrates jobs and people in areas well served by transit, promotes mixed use development to increase opportunities for living close to work and to encourage walking and cycling.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the built form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this is achieved by massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings, providing for adequate light and privacy and adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighbouring streets and properties.

The built form policies of Section 3.1 provide additional direction on where tall buildings should be located and how they are designed. The plan states that although tall buildings are desirable in the right places they don't belong everywhere and are only one form of intensification. Sections 3.1.3.1 and 3.1.3.2 requires that tall buildings proposals address key design considerations which include meeting the built form principles of the official plan, demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure, demonstrating how the proposed building and site design relate to the existing and planned context, and meeting the other goals and objectives of the Official Plan.

Policies for *Regeneration Areas*

A broad mix of commercial residential light industrial, parks and open space, institutional, live/work and utility uses are permitted within *Regeneration Areas* to promote reinvestment and revitalization.

The policies for *Regeneration Areas* require that the framework for new development in these areas be set out in a Secondary Plan. Section 5.2.1.1 provides that secondary plans are intended to apply to defined areas and adapt and implement the objectives, policies, land use designations, and overall planning approach of the Official Plan to fit the local context. Section 5.2.1.3 of the Official Plan provides that Secondary Plans will promote

a desired type and form of physical development for the area, and plan for an appropriate transition in scale and activity between neighbouring districts.

Section 4.7.2 gives direction on the intent of Secondary Plans for *Regeneration Areas* and provides that they will guide the revitalization of the area through matters such as urban design guidelines related to the unique character of the area, strategies to promote greening and community improvements, and a heritage strategy identifying important heritage resources, conserving them and ensuring new buildings are compatible with adjacent heritage resources.

King-Spadina Secondary Plan

The site is situated in the King-Spadina Secondary Plan Area. The King-Spadina Secondary Plan provides a framework for reinvestment and development, intended to encourage reinvestment for a wide range of uses in the context of a consistent built form that relates to its historic building stock and pattern of streets, lanes and parks.

The urban structure built form principles in the King-Spadina Secondary Plan provide that new buildings will be sited and massed to provide adequate light, sky view and privacy for neighbouring properties and achieve a compatible relationship with their built form context through consideration of matters such as building height, massing, scale, setbacks, roof line and profile and architectural character and expression. In the context of King-Spadina these principles require special consideration when reviewing development proposals to ensure that new development reinforces and enhances the historic built form that makes this area of the City distinct.

City of Toronto Tall Building Guidelines

The Tall Building Guidelines provide direction on matters including the massing of buildings, building floor plates and spatial separation. Guidelines include ensuring transitions in scale between tall buildings and lower development, consistent front yard setbacks, demonstrating that the area's character and appearance of the setting of adjacent heritage buildings is preserved and enhanced.

Section 1.2 of the Guidelines encourages appropriate transitions to lower scaled development on the same block. On sites adjacent to lower scaled buildings on the block or across the street, base buildings are to be appropriately scaled; the taller building shaft should have an appropriate setback from the base in a manner that limits its visual impact on the street, open space and from neighbouring properties that are lower in scale. Tall buildings should be set back from neighbouring buildings to provide transition, and angular planes should be used to limit the height of tall buildings and to ensure that they step away from the lower scaled neighbouring buildings. An angular plane of 45 degrees is often used but may vary to meet other policies.

Other guidelines seek to ensure appropriate street proportion of the base building, and minimum facing distances of 25 metres between towers in order to achieve appropriate light and privacy, including minimum side and rear yard tower setbacks of 12.5 metres.

Zoning By-law 438-86

The site is zoned Reinvestment Area (RA) by Zoning By-law 438-86, as amended. The RA zoning permits a range of uses and a maximum building height of 30 metres. An additional 5 metres is permitted for rooftop mechanical elements. The Zoning By-law requires a 3 metre stepback beyond 20 metres from the main front wall of the building. Buildings are permitted to extend the front lot line and to the side lot lines to a depth of 25 metres from a street. Beyond a depth of 25 metres buildings must be setback a minimum of 7.5 metres. A minimum 7.5 metres setback from the rear lot line is also required. The By-law also contains provisions for indoor and outdoor amenity space, parking for residents and visitors, as well as bicycle parking for residents and visitors.

By-law 922-2006, implementing the zoning by-law amendments arising from the 2006 King-Spadina Secondary Plan review, added provisions that included requirements for windows of dwelling units to maintain a separation of 15 m, and 7.5 m to a lot line that is not a public street. By-law 922-2006 is under appeal to the Ontario Municipal Board.

Site Plan Control

An application for Site Plan approval was submitted in conjunction with the zoning amendment application, and is being review concurrently.

Reasons for the Application

The Zoning By-law Amendment application proposes a building height of 114.5 metres (inclusive of mechanical penthouse and architectural roof feature), whereas the permitted maximum building height is 30 metres plus 5 metres for a mechanical penthouse. Areas of non-compliance with the zoning by-law have been identified, including:

- deficiency in required indoor and outdoor residential amenity space
- deficiency in amount of vehicular parking for both visitors and residents
- deficiency in amount of bicycle parking for both visitors and residents
- deficiency in size of parking spaces
- reduced building setbacks and stepbacks

Ontario Municipal Board Appeal

On March 4, 2011, and June 3, 2011, the City Clerk's Office received notification that the applicant filed an appeal of the Site Plan and Zoning By-law Amendment applications, respectively, to the Ontario Municipal Board, citing Council's failure to make a decision on the application within the prescribed timelines of the *Planning Act*.

Community Consultation

A community consultation meeting was held on May 30, 2011. Representatives from neighbouring buildings on the block, and residents from the local area were in attendance.

Community members asked questions about vehicle access, parking and queuing, inclusion of landscape treatments along Charlotte Street, sun and shadow impacts, privacy concerns, and the need for a comprehensive wind study to address wind impacts

associated with the recent construction of towers in King-Spadina. Comments regarding the proposed facing distances between towers and potential towers on adjacent properties are a concern – specifically “buildings are too close”. Other comments related to area development, the increasing population and the area becoming ‘too crowded’, the need to widen sidewalks as pedestrian traffic on main roads are worsening and becoming similar to vehicular congestion on the roads.

Urban Design Charrette

An Urban Design Charrette was held on March 30, 2011. Land owners with development interests on Charlotte Street, King Street West, Adelaide Street West and Peter Street were invited, as well as City staff from Heritage, Public Realm, Urban Design, and City Planning, and representatives from neighbouring residential buildings.

The objective of the Charrette was to generate potential development schemes and visions for the Charlotte block, with specific attention to create potential locations within the block to determine where tower elements could be placed to achieve adequate separation distances, should other land owners choose to develop their site with a similar tower proposal. Other visioning exercises included establishing pedestrian connections through the existing laneway system, and how the existing laneway system can be enhanced for pedestrian movement and open space opportunities.

Agency Circulation

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

COMMENTS

Staff support intensification as promoted by Provincial policies, however the specific location and scale of intensification must be appropriate, and the built form must respect its neighbouring scale and context, in keeping with Official Plan policies.

Provincial Policy Statement and Provincial Plans

The proposal is not consistent with the PPS.

The application proposes intensification within a built-up urban area near higher-order transportation, however, the proposal does not represent a positive or appropriate form of intensification. It does not respect the level of intensification set out in the Official Plan and Secondary Plan for the area. Policy 4.5 of the PPS states that the Official Plan is the most important vehicle for implementing the PPS. Comprehensive, integrated and long-term planning is best achieved through municipal official plans, which shall identify provincial interests and set out appropriate land use designations and policies.

The built form policies of the Official Plan and the King-Spadina Secondary Plan place great emphasis on ensuring that new buildings achieve a compatible relationship with their built form context through consideration of such matters as, building height,

massing, scale, setbacks, roof line and profile, architectural character and expression. Intensification is appropriate in this part of the City; however, the development as proposed is not appropriate as it does not meet the Official Plan policies to adequately site and mass the new building to provide adequate setbacks and stepbacks. The site cannot provide for the required policies for considering a tall building, such as offering adequate light, view and privacy for neighbouring properties, as the property itself is too small.

Section 1.1 of the PPS contains policies related to managing and directing development. Policy 1.1.2 requires that sufficient land be made available for intensification and redevelopment. This has been done through the Official Plan, the King-Spadina Secondary Plan and the Zoning By-law, which identify areas where growth and intensification are appropriate and outline the appropriate levels for intensification.

Policy 1.1.3.2 b) of the PPS requires that land use patterns accommodate a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in PPS Policy 1.1.3.3. Policy 1.1.3.3 states that planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Based on the above-noted reasons, the proposal is not consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe

The proposal does not conform with the Growth Plan for the Greater Golden Horseshoe.

The Growth Plan for the Greater Golden Horseshoe identifies the *Downtown* as an Urban Growth Area, to which intensification should be directed. Policy 2.2.3.6 requires Official Plans to provide a strategy and policies to achieve intensification targets identified in the Growth Plan. Policy 2.2.3.6 g) requires the Official Plan to identify the appropriate type and scale of development in intensification areas. Policy 2.2.3.7 f) requires intensification areas to be planned to achieve an appropriate transition of built form to adjacent areas.

While intensification in itself is consistent with the Growth Plan, the proposed development of this site does not conform with the Growth Plan. The proposed built form does not conform with the built form and other policies contained within the Official Plan or King-Spadina Secondary Plan, which identify that the scale of development must be compatible with the existing or planned context, including heritage context. There are opportunities throughout the King-Spadina area, the larger *Downtown and Central Waterfront* area, the four *Centres*, and the *Avenues*, for intensification to meet the growth targets of the Growth Plan. On this site, intensification to a height of 30 m (plus 5 m for mechanical elements), is permitted as-of-right. In the larger East Precinct area of King-Spadina, with the exception of significant heritage areas, significant intensification and redevelopment can be accommodated. It is not necessary

or desirable to over-intensify individual development sites in order to accommodate growth projections, especially in a manner which may limit development on other sites.

Based on the above-noted reasons, the proposal does not conform to and conflicts with the Growth Plan for the Greater Golden Horseshoe.

Height, Separation and Massing

The site is situated in the area of King–Spadina characterized by the number of historically significant offices and manufacturing buildings ranging in height from 2 to 12 metres, and pockets of lower scale historic residential buildings, that have given it the distinction as the ‘Warehouse District’. The planning framework for King–Spadina places primary importance on its heritage and warehouse character and promotes mid-rise buildings in this area to preserve and reinforce its unique character.

There have been recent City Council and OMB decisions for building heights approved in the range of 32-36 storeys within the immediate vicinity. Given these recent approvals, with construction currently underway in the surrounding area, the proposed height is not out of character to this new and emerging ‘built form context’. However, this does not negate fundamental requirements such as acquiring a sufficient lot size to accommodate a tall building, which would create and allow for adequate setbacks and stepbacks. In this case, the site has a frontage of approximately 22 metres and a lot depth of approximately 39 metres. Its size presents constraints for a tall building development in a manner that would be consistent with the planning framework for this area of King–Spadina.

When considering a tall building on a site between two areas of differing heights and built form, consideration needs to be given to providing appropriate horizontal separation distance between the tall building and low-rise building, as well as providing for a ‘stepping down’ approach to the lower scaled buildings. Larger sites enable tall buildings to be sited and organized in a way that provides desirable transition to adjacent properties and ensures appropriate spatial separation between the differing building heights.

The south side of the building proposes an approximate setback of 0.26 metres from the property line for the tower element from floors 7-32. For the north, east and west setbacks, approximately 5.53 metres, 0.86 metres, and 2.93 metres are proposed, respectively.

Access to natural light, the protection of privacy and reasonable views are important factors that affect living conditions. Setbacks along the rear and side yards are required to enable adequate light view and privacy on the existing property and well as to protect for these conditions on nearby properties. When buildings are sited close to property lines, and do not provide sufficient setbacks, it also adversely impacts on the public realm as it does not contribute toward achieving wider sidewalks, and visual breaks between taller building elements along the streetscape.

The reduced setbacks will negatively impact the properties to the south and east, which have significant development potential under the as-of-right permissions.

Development proposals must be evaluated not only on their ability to achieve optimum proximity, light, view and privacy conditions, but are also assessed in relation to the impacts on other properties in the same block, with similar potential. The ability of these nearby properties, within their existing and/or planned context, to achieve optimum proximity, light, view and privacy conditions is equally important. To ensure that adjacent and nearby properties are not negatively impacted facing distances and setbacks should be addressed within the development site and not transported to adjacent and nearby properties.

In this case, the reduced setback would transport the facing distances and setbacks requirements to adjacent properties. The impacts on the existing properties adjacent to the east, north and south are of particular concern as they have not yet redeveloped and have significant development potential as-of-right. The proposal will negatively impact the ability of these properties to develop in a manner that ensures that adequate light, view and privacy can be provided for people on these properties.

It is recommended that either additional land be acquired, or that a form of easement or agreement be entered into with adjacent landowners in an effort to achieve adequate separation distances to other towers within the Charlotte block.

Sun, Shadow, Wind

Wind

A wind study was submitted to assess pedestrian level wind conditions at grade, identify areas where the new development may have adverse effects for pedestrian comfort and where recommendations for mitigation may be required. The study found that the wind conditions at all ground level areas around the development site will be acceptable for the intended pedestrian uses on an annual and seasonal basis. The results are considered comfortable over most areas, and acceptable over all areas surrounding the site for common pedestrian activities classified as sitting, standing and walking. Additionally, a comparison of existing versus future wind conditions has revealed that the impact of the proposed development on the existing wind microclimate will be generally neutral.

Shadow

Shadow studies submitted by the applicant showed a slim shadow that moved quickly throughout the day. The shadow did not impact any public parks. The shadows are long and narrow, and do not cast shade on any adjacent public streets for any significant amount of time. Residential buildings to the west, north, and some commercial properties along the south side of King Street (particularly “Restaurant Row”) will have some shadow on its property, however, based on the submitted study, the length and timing of shading will occur for approximately one hour.

Parking, Access and Servicing

The proposal has been revised to include 65 parking spaces (includes 1 car share parking space) for the residential uses in an underground parking garage of 4 levels. This was changed from the original proposal of 74 parking spaces. Excluding parking spaces that do not comply with the Zoning By-law, the resident parking shortfall is approximately 91 spaces. In both submissions, no visitor parking has been proposed.

The proposed vehicular and bicycle parking spaces do not meet the requirements of the Zoning By-law. The applicant has not provided sufficient justification for the reduced parking provided, and therefore will need to comply with the requirements of the Zoning By-law.

When the proposal was first filed, the vehicle access doors to the underground parking and loading area were designed at the south of the building, located off the east-west laneway. Among other items discussed at the urban design charrette, opportunities to improve pedestrian connections and circulation throughout the block were explored, with specific attention directed to the enhancing the adjacent laneways. The visioning for this laneway system included the desire for either City- programmed or privately-initiated active and animated public space. It was suggested that the laneways be converted into a more pedestrian friendly area, and together with future development from surrounding properties, create a series of outdoor seating areas, decorative walkways, and landscape features, while maintaining laneway functionality.

The applicant has revised the ground floor of the proposed building to now include an additional commercial space at the south-east corner of the site, being the confluence of the abutting north-south and east-west laneways. The access to the underground parking garage and loading area has been removed from the east-west laneway and is now located along the east side of the building, adjacent to the north-south laneway. The retail space takes its front door access directly from the laneway. In its current format, space does not allow for adequate width for both vehicle movements and a pedestrian walkway. Careful attention and design consideration, as well as revisions to the building, will need to be assessed to ensure that conflicts between these two users of the laneway will be mitigated, and that conditions will be safe for pedestrian users.

Additionally, parking to the underground will be provided by two car elevators, which as mentioned, is located directly off of the north-south laneway. Staff have reviewed the queuing assessment provided by the consultant and have identified that the assessment does not take into account current activity on the laneway system, nor is there consistency in the measured timing for the vehicles to enter and exit the elevators. These matters, among others identified in staff comments will need to be addressed to the satisfaction of Technical Services staff.

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 Official Plan shows local parkland provisions across the City. The lands which are the subject of this application

are in an area with 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provisions of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The application proposes 232 residential units on a site 0.0859 hectares (859 square metres). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.3093 hectares (3,093 square metres). However, a cap of 10% applies and hence the parkland dedication for the residential component of the development would be 0.00859 hectares (85.9 square metres). The non-residential component of the development would be subject to a 2% parkland dedication requirement under Chapter 165 of the former City of Toronto Municipal Code (which remains in full force and effect) to implement Section 42 of the Planning Act RSO 1990, cP.13.

The actual amount of the cash-in-lieu is determined at the time of issuance of a building permit.

Toronto Green Standard

The zoning amendment application was submitted in December 2010 and is subject to the new mandatory Green Development Standard.

The site plan application has been submitted and through its continued review, staff will ensure compliance with the City's new Green Development Standard. Among other items, the proposal will need to be revised to comply with Tier 1 of the Toronto Green Standard with respect to the amount provided for resident and visitor bicycle parking, the location of bicycle parking as well as exterior lighting for the protection of migratory birds, and light trespass onto neighbouring properties.

Section 37

Section 37 of the Planning Act allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increase are consistent with the objectives of the Official Plan regarding building form and physical environment.

Given the increase in proposed height, the Official Plan would require the provision of Section 37 benefits. Discussions regarding Section 37 benefits between the applicant and the City did not occur as there was not an agreement on appropriate development for the site. However, as this matter has been appealed to the OMB, the City Solicitor would need to address Section 37 matters in the event the OMB approved development on this site. This report therefore recommends that the City Solicitor secure such services,

facilities or matters pursuant to Section 37 of the Planning Act, as may be required by the Chief Planner if a development with an increase in height and density is approved for the site.

CONTACT

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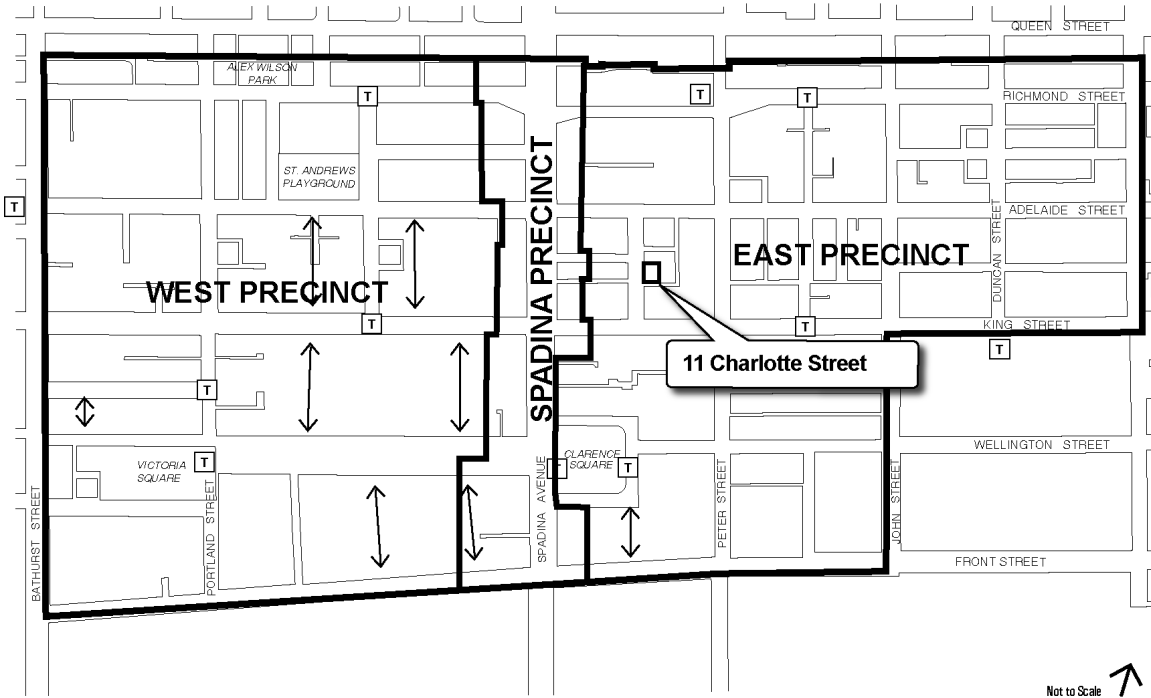
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

- Attachment 1: King-Spadina Secondary Plan Review – Urban Structure Plan
- Attachment 2: King-Spadina East Precinct Character Areas
- Attachment 3: King-Spadina East Precinct Height Areas
- Attachment 4: Site Plan
- Attachment 5a: Elevations
- Attachment 5b: Elevations
- Attachment 5c: Elevations
- Attachment 5d: Elevations
- Attachment 6: Zoning Map
- Attachment 7: Application Data Sheet

Attachment 1: King-Spadina Secondary Plan Review – Urban Structure Plan



Not to Scale ↗



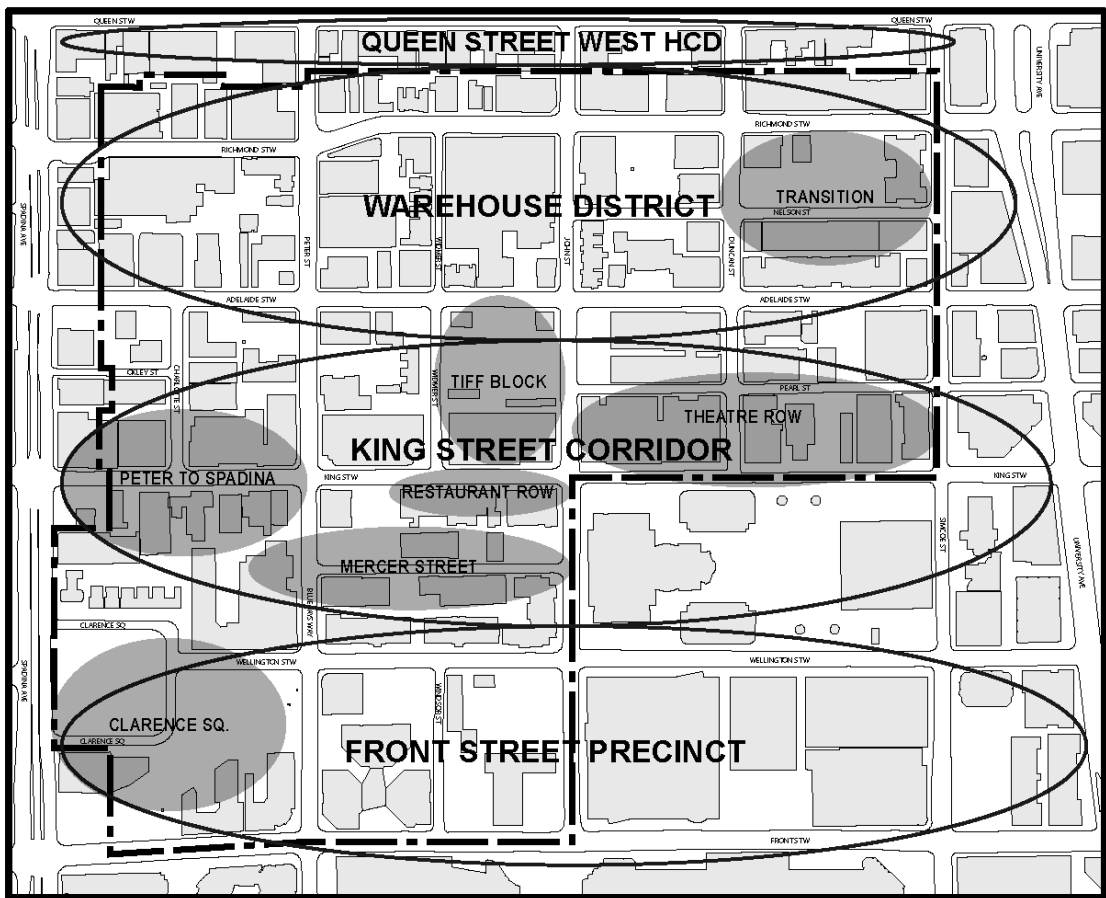
Official Plan Amendment No. 2 for King-Spadina Secondary Plan

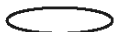


MAP 16-1 Urban Structure Plan

- Secondary Plan Boundary
- T View Terminus
- ↔ Potential Mid-block Connections

July 2006


Attachment 2: King-Spadina East Precinct Character Areas



-  Character Areas
-  Sub-Character Areas
-  East Precinct Boundary

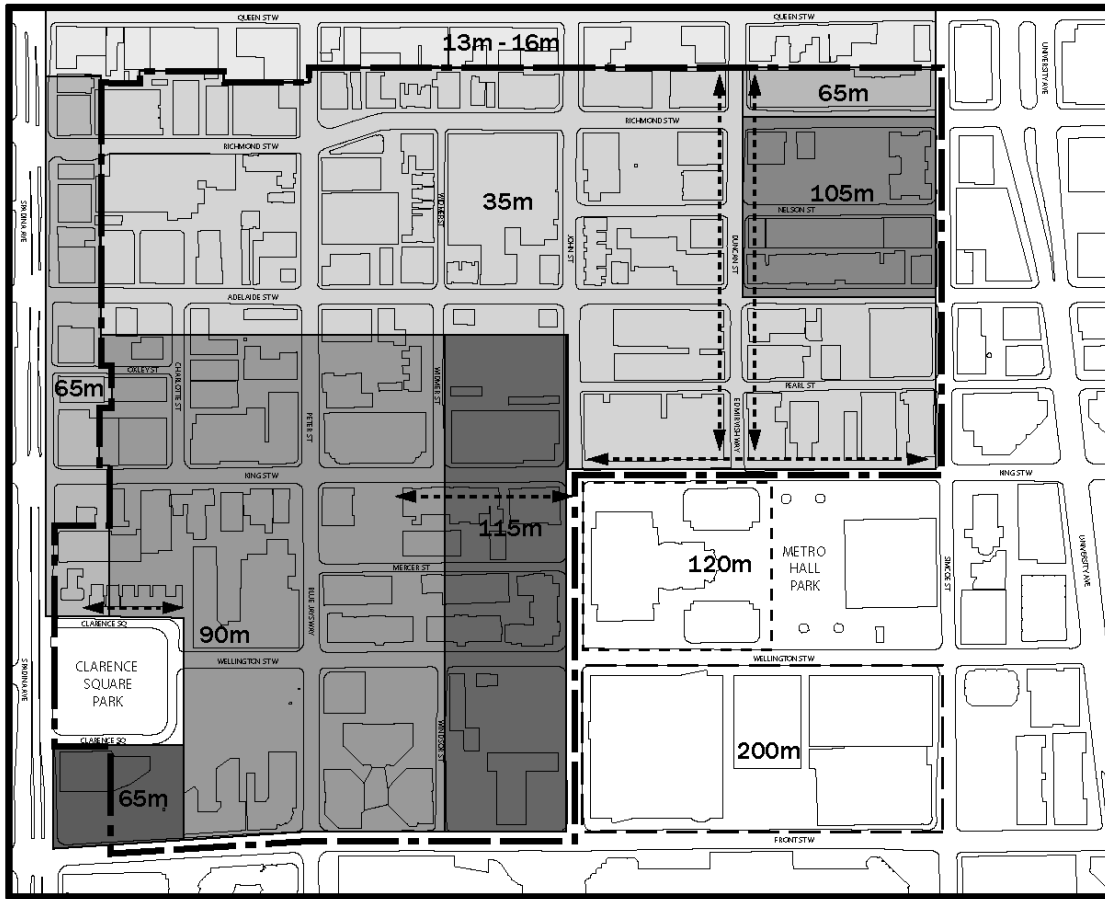
Character Areas

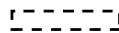
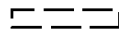


11 Charlotte Street

Not to Scale 
08/05/11

File # 10 317203 0Z

Attachment 3: King-Spadina East Precinct Height Areas



-  Existing Heights in Metro Hall
-  Existing / Approved Heights in Financial District
-  Properties Contributing to Heritage Character
-  East Precinct Boundary

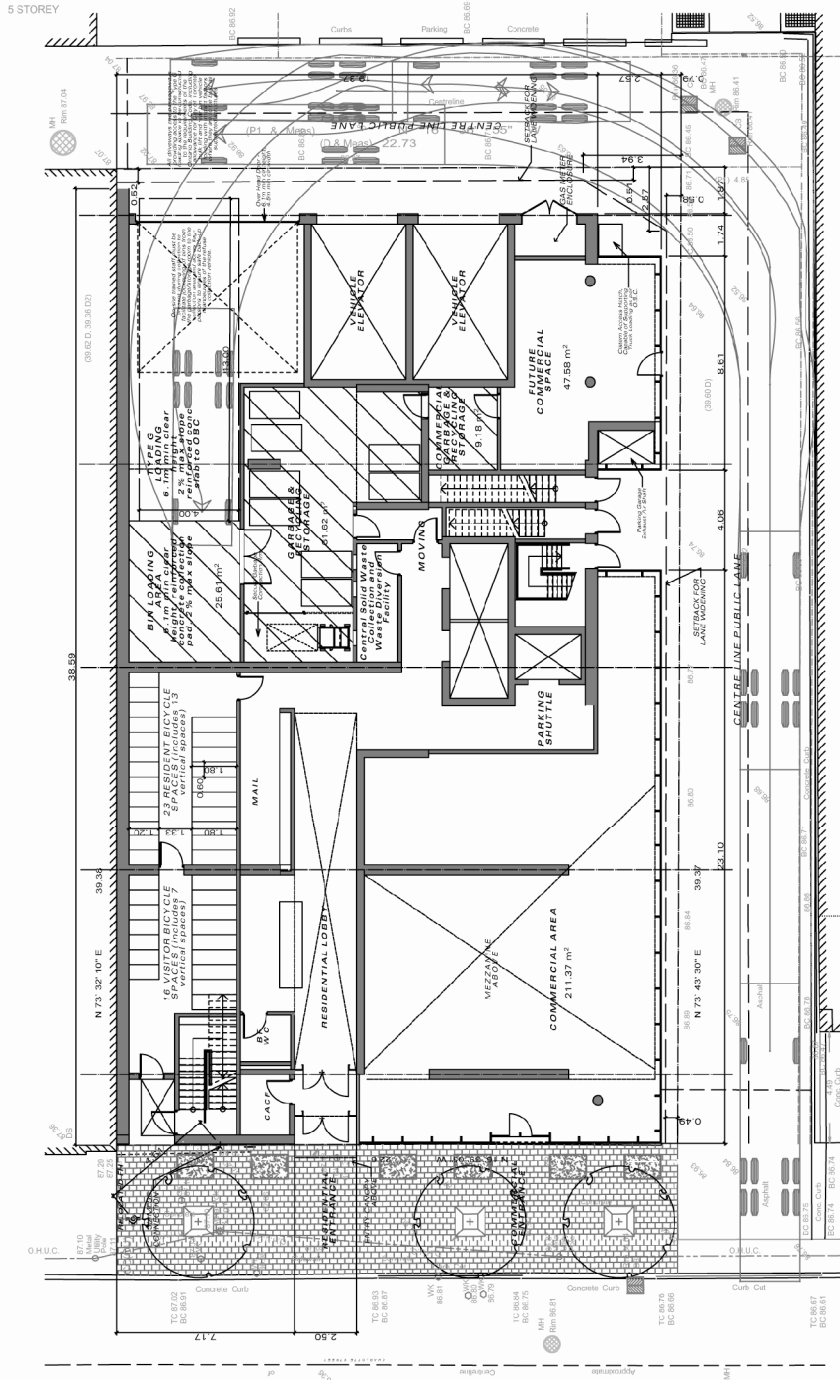
Height Areas

11 Charlotte Street

Not to Scale
08/05/11

File # 10 317203 OZ

Attachment 4: Site Plan



11 Charlotte Street

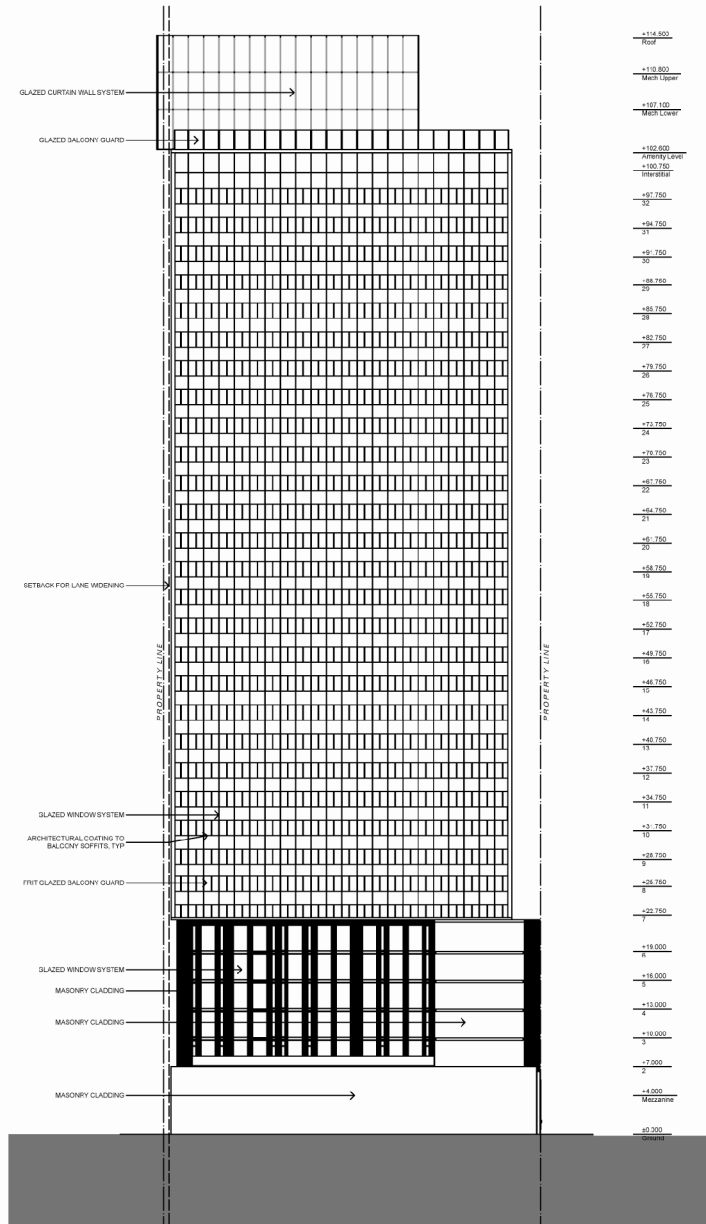
Site Plan

Applicant's Submitted Drawing

File # 10_317203

Not to Scale
08/04/11

Attachment 5a: Elevation



NORTH Elevation

Elevations

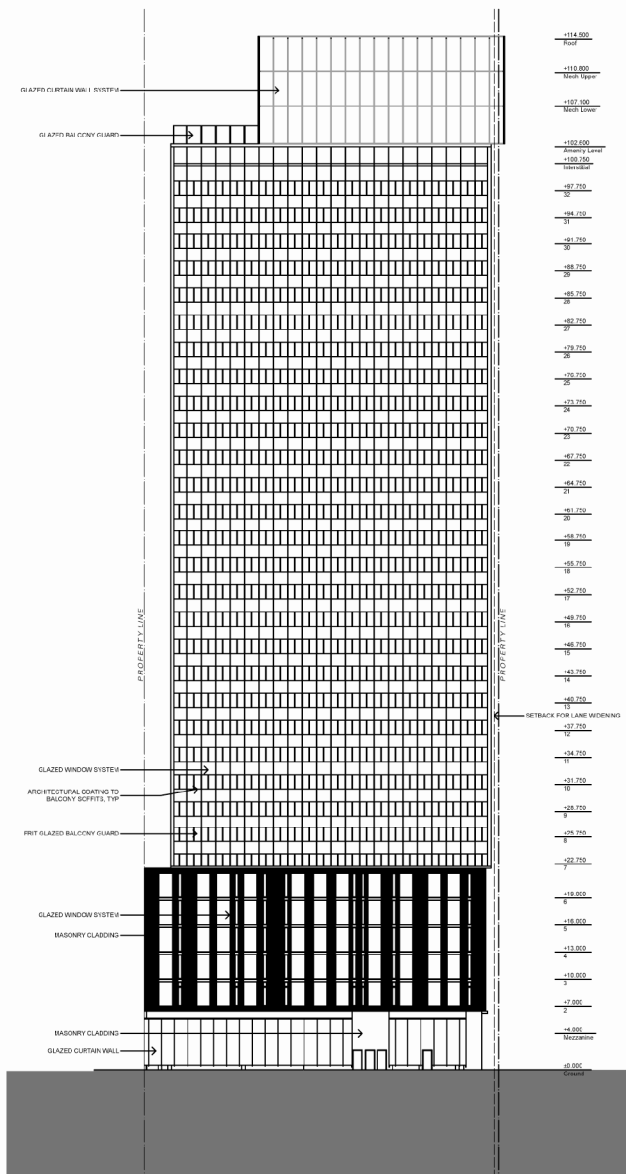
Applicant's Submitted Drawing

Not to Scale
08/04/11

11 Charlotte Street

File # 10_317203

Attachment 5b: Elevation



SOUTH Elevation

Elevations

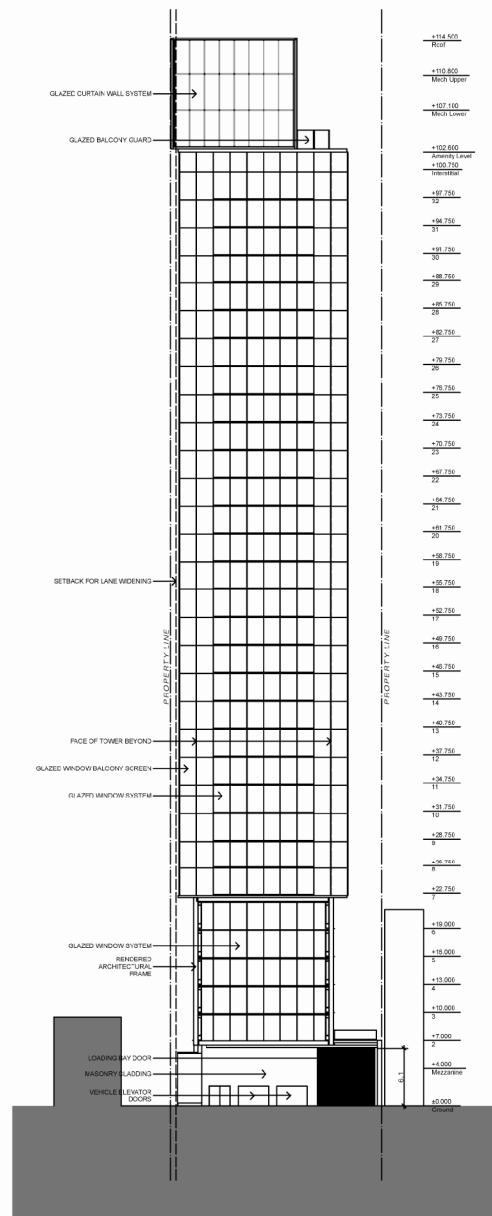
Applicant's Submitted Drawing

Not to Scale
08/04/11

11 Charlotte Street

File # 10_317203

Attachment 5c: Elevation



EAST Elevation

Elevations

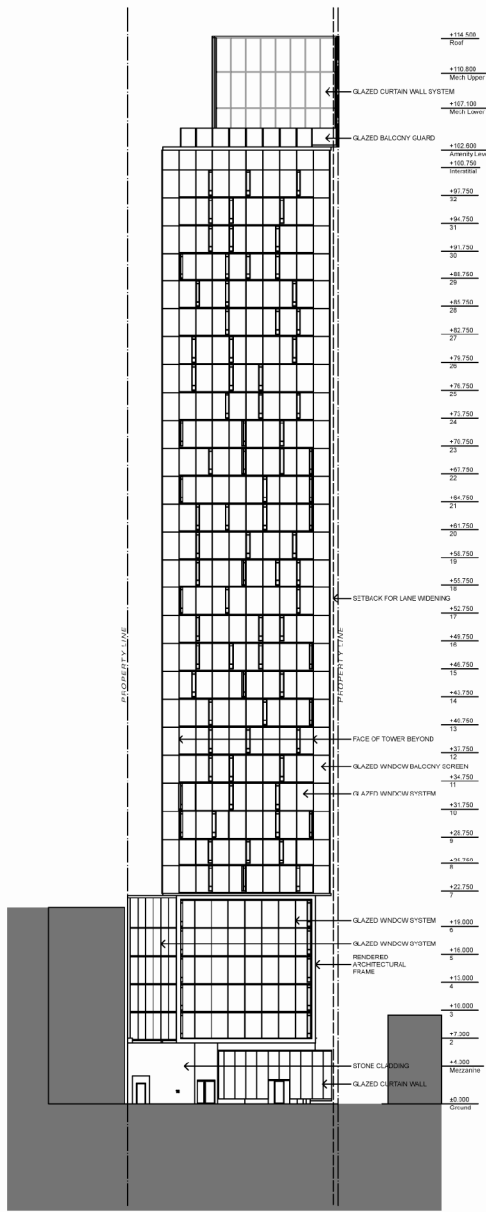
Applicant's Submitted Drawing

Not to Scale
08/04/11

11 Charlotte Street

File # 10_317203

Attachment 5d: Elevation



WEST Elevation

Elevations

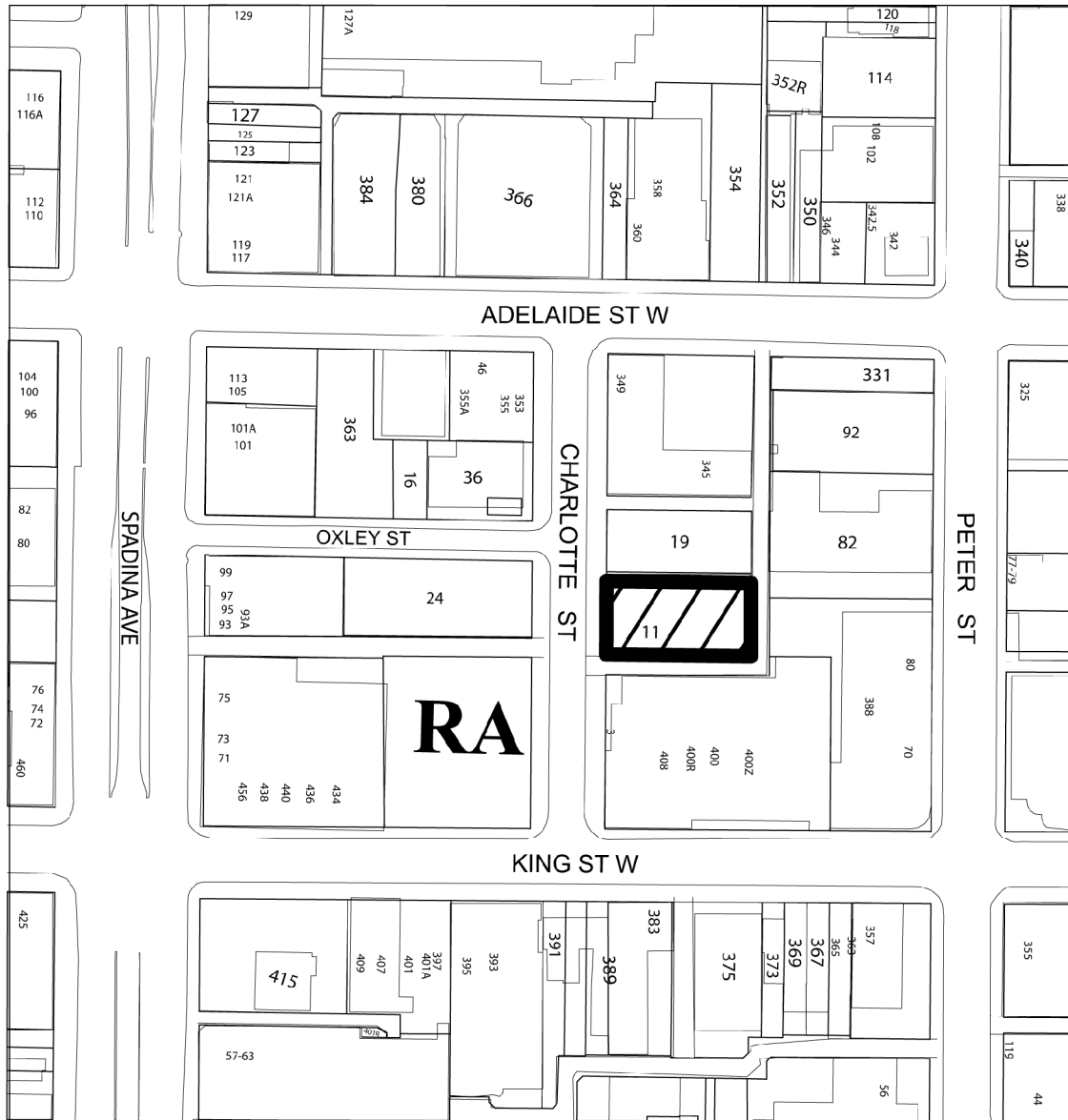
Applicant's Submitted Drawing

Not to Scale
08/04/11

11 Charlotte Street

File # 10_317203


Attachment 6: Zoning Map



TORONTO City Planning
Zoning

11 Charlotte Street
 File # 10_317203

 Site Location
 RA Mixed-Use District


 Not to Scale
 Zoning By-law 438-86 as amended
 08/18/11 - AK

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	10 317203 STE 20 OZ
Details	Rezoning, Standard	Application Date:	December 20, 2010
Municipal Address:	11 CHARLOTTE ST		
Location Description:	RESERVE MILITARY PT BLK H **GRID S2015		
Project Description:	Rezoning application for a 32 storey building with a rooftop amenity area , with a height of 114.5 metres to the mechanical penthouse. Proposal comprises of 232 residential units, 4 levels below grade parking with 65 parking spaces (includes 1 car share parking space), and commercial/retail space on the ground floor.		

Applicant:	Agent:	Architect:	Owner:
AIRD AND BERLIS		Architects Alliance	KING CHARLOTTE CORP

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):	892.7	Height:	Storeys:	32
Frontage (m):	22.61		Metres:	102.6 (excludes mechanical)
Depth (m):	39.38			
Total Ground Floor Area (sq. m):	793.73			Total
Total Residential GFA (sq. m):	16313		Parking Spaces:	65
Total Non-Residential GFA (sq. m):	420		Loading Docks	1
Total GFA (sq. m):	16733			
Lot Coverage Ratio (%):	88.91			
Floor Space Index:	18.6			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	16313	0
Bachelor:	0	Retail GFA (sq. m):	420	0
1 Bedroom:	149	Office GFA (sq. m):	0	0
2 Bedroom:	57	Industrial GFA (sq. m):	0	0
3 + Bedroom:	26	Institutional/Other GFA (sq. m):	0	0
Total Units:	232			

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TELEPHONE: (416) 392-7613