

TE26.20	ACTION	Amended		Ward:27
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Request for Direction Report - 64-70 Shuter Street - Zoning Amendment Application

City Council Decision

City Council on October 8, 9, 10 and 11, 2013, adopted the following:

1. City Council authorize the City Solicitor to attend at the Ontario Municipal Board, and to hire any appropriate consultants, if necessary, in support of the applicant's appeal respecting the zoning by-law amendment application for 64-70 Shuter Street on file with the Chief Planner and Executive Director, City Planning, dated-stamped June 14, 2012 (File Number 12 193153 STE 27 OZ) provided the matters set out in Parts 2, 3 and 4 below are satisfied and the following revisions are made to the proposed mixed-use building:
 - a. the building height shall be reduced from 28 to 24 storeys reducing the gross floor area to a maximum of 14,500 m²;
 - b. indoor amenity space shall continue to be provided at a rate of 2 m² per unit;
 - c. a minimum of 306 m² of outdoor amenity space shall continue to be provided;
 - d. the number of bicycle parking spaces shall continue to meet the City's TGS requirements;
 - e. a minimum of 83 parking spaces including 13 visitor parking spaces and 4 car share parking spaces shall continue to be provided; and
 - f. the proposal otherwise remains consistent with the final submission dated May 30, 2013.
2. City Council direct the City Solicitor to advise the Ontario Municipal Board that City Council's position is that any redevelopment of the site at 64-70 Shuter Street, if approved by the OMB, should secure services, facilities or matters pursuant to Section 37 of the Planning Act as follows:
 - a. the provision of a financial contribution in the amount of \$1,600,000, prior to the issuance of the first above-grade building permit, with the contribution to be used by the City for one or more of the following:
 - i. \$250,000 to be used for capital improvements to TCHC buildings in Ward 27;
 - ii. \$250,000 to be used for parks improvements to Arena Gardens Park;
 - iii. \$100,000 to be used for two bike share stations in the vicinity of the site;
 - iv. \$1,000,000 to be used to fund streetscape improvements to local streets, including Yonge Street; and
 - v. require that the cash amounts identified in Parts 2.a. i, ii, iii and iv above shall be indexed upwardly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the Owner to the City;

- b. appropriate rental housing replacement provisions in accordance with policies of the Official Plan to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - c. if the Site is designated under s.29 of the Ontario Heritage Act prior to the submission of a Site Plan Control application, the Owner shall obtain a permit to alter a designated property from Council prior to final Site Plan Control approval.
3. City Council direct City staff to advise the Ontario Municipal Board that any redevelopment of the lands must also include the full replacement of the 12 existing rental dwelling units and a Tenant Relocation and Assistance Plan, including the right of tenants to return to the new rental units in accordance with the Official Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning.
 4. In the event the Ontario Municipal Board allows the appeal in whole or in part, City Council direct staff to request that the Board withhold any order to approve a Zoning By-law for the subject lands until such time as the City and the owner have presented to the Board a draft by-law that provides for securing the rental housing matters as outlined in Parts 2 and 3 above, and a Section 37 Agreement respecting these matters has been executed.
 5. City Council authorize the City Solicitor, in consultation with the Chief Planner and other City staff to take the necessary steps to implement the Council's decision.

Background Information (Community Council)

(August 8, 2013) Report from the Director, Community Planning, Toronto and East York District - 64-70 Shuter Street - Zoning Amendment Application - Request for Direction Report
<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-60831.pdf>

Motions (City Council)

1 - Motion to Amend Item moved by Councillor Kristyn Wong-Tam (Carried)

That City Council amend Toronto and East York Community Council Recommendation 1c by deleting the figure "603 m²" and inserting the figure "306 m²" so that Recommendation 1 now reads as follows:

1. City Council authorize the City Solicitor to attend at the Ontario Municipal Board, and to hire any appropriate consultants, if necessary, in support of the applicant's appeal respecting the zoning by-law amendment application for 64-70 Shuter Street on file with the Chief Planner and Executive Director, dated-stamped June 14, 2012 (File Number 12 193153 STE 27 OZ) provided the matters set out in Recommendations 2, 3 and 4 are satisfied and the following revisions are made to the proposed mixed-use building:
 - a. The building height shall be reduced from 28 to 24 storeys reducing the gross floor area to a maximum of 14,500 m².
 - b. Indoor amenity space shall continue to be provided at a rate of 2 m² per unit.
 - c. A minimum of 306 m² of outdoor amenity space shall continue to be provided.
 - d. The number of bicycle parking spaces shall continue to meet the City's TGS requirements.
 - e. A minimum of 83 parking spaces including 13 visitor parking spaces and 4 car share parking spaces shall continue to be provided.
 - f. The proposal otherwise remains consistent with the final submission dated May 30, 2013.

Vote (Amend Item)

Oct-08-2013 7:48 PM

Result: Carried	Majority Required - TE26.20 - Wong-Tam - motion 1
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Yes: 39	Paul Ainslie, Maria Augimeri, Michelle Berardinetti, Shelley Carroll, Raymond Cho, Josh Colle, Gary Crawford, Vincent Crisanti, Janet Davis, Glenn De Baeremaeker, Mike Del Grande, Frank Di Giorgio, Sarah Doucette, John Filion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Norman Kelly, Mike Layton, Chin Lee, Giorgio Mammoliti, Josh Matlow, Pam McConnell, Mary-Margaret McMahon, Joe Mihevc, Peter Milczyn, Denzil Minnan-Wong, Ron Moeser, Frances Nunziata (Chair), Cesar Palacio, John Parker, James Pasternak, Gord Perks, Anthony Perruzza, Jaye Robinson, Karen Stintz, Michael Thompson, Adam Vaughan, Kristyn Wong-Tam
No: 3	Doug Ford, Rob Ford, David Shiner
Absent: 2	Ana Bailão, Gloria Lindsay Luby

Motion to Adopt Item as Amended (Carried)

Vote (Adopt Item as Amended)

Oct-08-2013 7:49 PM

Result: Carried	Majority Required - TE26.20 - Adopt the item as amended
Yes: 39	Paul Ainslie, Maria Augimeri, Michelle Berardinetti, Shelley Carroll, Raymond Cho, Josh Colle, Gary Crawford, Vincent Crisanti, Janet Davis, Glenn De Baeremaeker, Mike Del Grande, Frank Di Giorgio, Sarah Doucette, John Filion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Norman Kelly, Mike Layton, Chin Lee, Giorgio Mammoliti, Josh Matlow, Pam McConnell, Mary-Margaret McMahon, Joe Mihevc, Peter Milczyn, Denzil Minnan-Wong, Ron Moeser, Frances Nunziata (Chair), Cesar Palacio, John Parker, James Pasternak, Gord Perks, Anthony Perruzza, Jaye Robinson, Karen Stintz, Michael Thompson, Adam Vaughan, Kristyn Wong-Tam
No: 3	Doug Ford, Rob Ford, David Shiner
Absent: 2	Ana Bailão, Gloria Lindsay Luby