

**Final Report – 150 and 170 Fort York Boulevard
(Blocks 32 and 36 of the Railway Lands West
Rezoning Application to Remove the Holding Symbol (“h”))**

Date:	April 12, 2010
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	10 140760 STE 20 OZ

SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

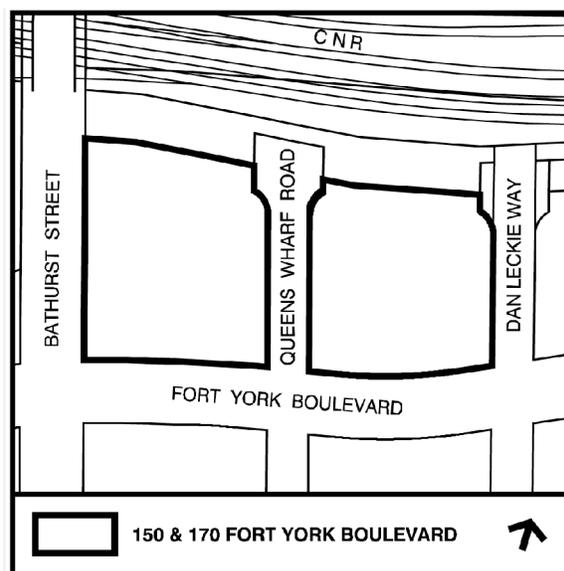
A Zoning By-law amendment application has been filed proposing the removal of the holding symbol (“h”) from the CR zoning on Blocks 32 and 36 of the Railway Lands West (RLW). Block 32 comprises the lands municipally known as 150 Fort York Boulevard and Block 36 is 170 Fort York Boulevard. The removal of the “h” will permit residential development with street related retail and service uses to proceed.

This report reviews the applicable Official Plan policies, recommends execution of the required Precinct Agreement and recommends approval of the application to amend Zoning By-law No. 1073-2006, to remove the holding symbol.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 1073-2006, by replacing Plan 1 (Block Map) with the map attached to Attachment 1 to the report dated



- April 12, 2010, from the Director, Community Planning, Toronto and East York District, to remove the holding symbol (“h”) from Blocks 32 and 36 in the Railway Lands West, being the lands municipally known as 150 and 170 Fort York Boulevard;
2. The Bills related to the Zoning By-law Amendment be introduced to Council for enactment after the owner of Blocks 32 and 36 has entered into a Precinct Agreement satisfactory to the City Solicitor; and
 3. City Council authorize execution of a Precinct Agreement for Blocks 32 and 36 to give effect to the foregoing and as described in this report.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Official Plan Amendment No. 10 (By-law 1072-2006) was approved by Toronto City Council at its meeting of September 25, 26, 27, 2006 to permit changes to the built form on Blocks 32 and 36 (150 and 170 Fort York Boulevard).

At the same meeting City Council passed By-law No. 1073-2006, a site specific zoning amendment applying to Blocks 32 and 36 (150 and 170 Fort York Boulevard). The By-law permits redevelopment of the two blocks for housing within two towers sitting on a low rise podium. Retail and service uses are also permitted on the site.

The Zoning By-law amendment includes a holding symbol (“h”). Lifting of the ‘h’ is subject to the owner entering into a Precinct Agreement with the City to secure required infrastructure, contributions to community services and facilities, heritage matters and environmental requirements.

ISSUE BACKGROUND

Proposal

The applicant has submitted a Zoning By-law amendment application to amend Zoning By-law No. 1073-2006, to remove the holding symbol (“h”) applying to Blocks 32 and 36. This will allow residential development, with grade related retail and service uses, to proceed in accordance with the underlying CR zoning. The blocks will include two residential towers (41 and 29 storeys), a mix of 891 affordable and market residential units and a library. The total combined gross floor area for the two blocks will be 72,506 sq. m.

Site and Surrounding Area

Blocks 32 and 36, located north of Fort York Boulevard and east of Bathurst Street, comprise the lands municipally known as 150 and 170 Fort York Boulevard.

The surrounding uses include:

North: immediately to the north is the rail corridor and Front Street West. North of Front Street West is the low to mid- rise King Spadina mixed-use neighbourhood.

South: Blocks 33 and 37, immediately south of Fort York Boulevard have approvals for mixed use development including 3 towers (27, 30 and 32 storeys) on 6 to 8 storey podium buildings.

East: the Railway Lands West Neighbourhood made up of residential towers on low rise podiums. To the south-east of the site is the new 8-acre Canoe Landing Park.

West: west of the site is historic Fort York and the new Fort York Neighbourhood

Zoning

Blocks 32 and 36 are zoned “CR (h)” mixed use.

Site Plan Control

The applicant submitted a Site Plan application on October 26, 2009 for Block 32 (150 Fort York). The development consists of a 41 storey residential tower with a 10 storey podium. The Site Plan is in circulation. The site is also the subject of a Committee of Adjustment application to be heard on April 14, 2010. A Site Plan Application is expected in the near future on Block 36 (170 Fort York Boulevard).

Reasons for Application

The holding symbol (“h”) needs to be removed to allow the lands to be developed in accordance with the underlying CR zoning.

Agency Circulation

This development is under review by all appropriate City Divisions as part of the site plan process and the development of the Precinct Agreement. Blocks 32 and 36 were also thoroughly analyzed as part of the previous rezoning of these sites. Division responses to these varied applications have been used to assist in evaluating the application.

COMMENTS

Policies 11.5, 11.6 and 11.8 of the Railway Lands West Secondary Plan require a Precinct Plan and an Environmental Report to be submitted and that they be secured in Agreements registered on title. These are pre-requisites to the removal of the Holding Symbol (h) from any Precinct in the Railway Lands West Zoning By-law.

The official plan, under policy 11.7 requires that a number of specific issues related to development of the land be addressed and/or secured prior to the lifting of the ‘h’. These items include:

- provision of an appropriate road network including addressing transit, traffic, parking and access to the development blocks
- contributions to and availability of municipal infrastructure
- protection from the rail corridor for residential uses
- contributions to community services and facilities and public art
- heritage
- streetscaping

In addition a number of environmental issues are to be secured:

- Mitigating noise and vibration impacts from the rail corridor, Gardiner Expressway and nearby transit lines
- air quality
- wind
- soil and ground water
- storm water management
- energy efficiency and conservation
- waste reduction and recycling
- auto minimization

The Precinct Plan and Environmental Reports were prepared as part of the 2006 rezoning for the Blocks. Issues related to roads, streetscape, and municipal infrastructure were addressed as part of the zoning review and approvals.

In order to lift the 'h', the owner will have to execute a Precinct Agreement for the Blocks which will include the Environmental Agreement and any necessary Heritage matters.

Staff have been working closely with the owner to complete the Precinct Agreement and will continue discussions to finalize it to the satisfaction of the Chief Planner, the Executive Director of Technical Services and the General Manager of Parks Forestry and Recreation. The Precinct Agreement will address all of the issues required to be secured by the Official Plan along with additional conditions required as part of the 2006 zoning approval for Blocks 32 and 36. A number of site specific improvements such as the detailed design of the crash wall along the rail corridor and streetscape improvements including pedestrian connections will be secured as part of the site plan approval for each of the Blocks.

Conclusion

It is appropriate for Council to authorize the execution of the Precinct Agreement and amend Zoning By-law No. 1073-2006, to remove the holding symbol ("h") from Block 32 and 36 in the Railway Lands West Neighbourhood. Staff are satisfied that the conditions for removal of the ("h") set out in the Railway Lands West Secondary Plan have been addressed.

The bill for the Zoning Amendment included at Attachment 1 should be held pending execution of the Precinct Agreement for Blocks 32 and 36 incorporating the above requirements.

Policies have or will be satisfied provided the requirements set out in the recommendations of this report are met prior to the bill being put forward for enactment.

CONTACT

Marian Prejel, Senior Planner
Tel. No: (416) 392-9337
Fax No: (416) 392-1330
E-mail: mprejel@toronto.ca

SIGNATURE

Raymond David, Acting Director
Community Planning, Toronto and East York District

(P:\2010\Cluster B\pln\te10023.doc) - cc

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

Attachment 1 – Zoning By-law Amendment

Authority: Toronto and East York Community Council Item • as adopted by City of Toronto Council at its meeting • , 2010
 Enacted by Council: • , 2010

CITY OF TORONTO**Bill No. ~****BY-LAW No. ~-2010**

To amend Zoning By-law No. 1073-2006, being a By-law “To amend By-law No. 1994-0805, with respect to Blocks 32 and Block 36 of the Railway Lands West, municipally known in the year 2010 as 150 & 170 Fort York Boulevard

WHEREAS authority is given to Council by Section 36 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, for use of a holding symbol (“h”) in conjunction with any use designation, to specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the zoning by-law;

WHEREAS there are official plan policies in effect addressing the use of the holding symbol in the Railway Lands West Secondary Plan;

WHEREAS it is appropriate that the “h” holding symbol be removed in relation to the subject lands; 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. By-law No.1073-2006, being a by-law “To amend By-law No. 1994-0805, with respect to Blocks 32 and Block 36 of the Railway Lands West, municipally known in the year 2010 as 150 & 170 Fort York Boulevard :
 - (1) deleting Plan 1 and replacing it with the plan attached hereto as Schedule “1”; and

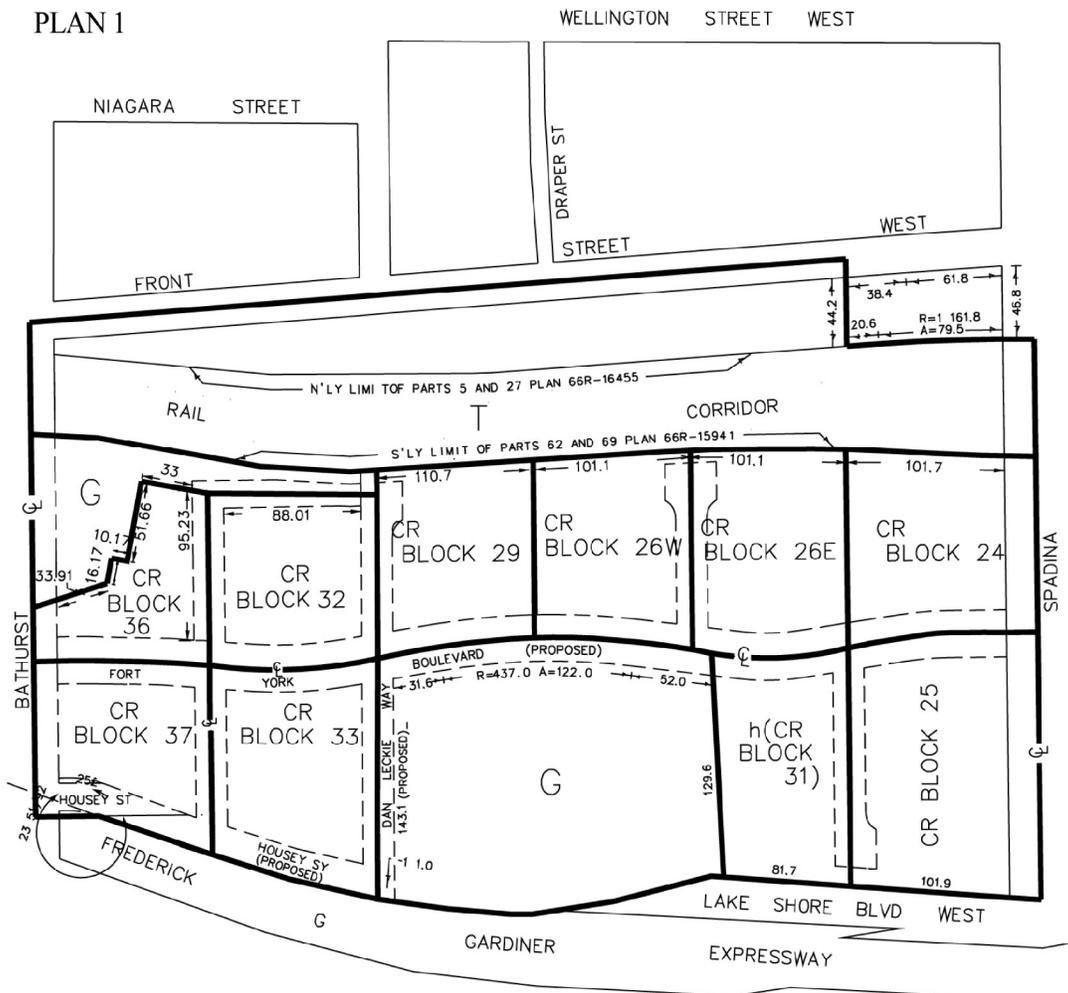
ENACTED AND PASSED this ~ day of ~, A.D. 2010.

MAYOR

CITY CLERK

Schedule "1"

PLAN 1



Block Map

150 & 170 Fort York Boulevard

Not to Scale
04/06/10



10_140760