

Zoning Provisions for High-Rise Buildings and Amendment to Correct an Anomaly in the GM-General Mixed-Use Zone Concerning High-Rise Buildings

ACS2019-PIE-EDP-0026

Multiple Wards

Report Recommendations

1. **That Planning Committee recommend Council approve the zoning provisions for high-rise buildings, as detailed in Document 1;**
2. **That Planning Committee recommend Council approve an amendment to correct an anomaly in the GM – General Mixed-Use Zone concerning a provision that was inadvertently omitted in By-law 2014-292, replacing the former land use “apartment dwelling, mid-high rise” with “apartment dwelling, mid-rise” and “apartment dwelling, high-rise”, as detailed in Document 1;**
3. **That Planning Committee approve the Consultation Details Section for the zoning component of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the City Clerk and Solicitor’s Office and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to Bill 73 ‘Explanation Requirements’ at the City Council Meeting of October 9, 2019” subject to submissions received between the publication of this report and the time of Council’s decision.**

Carol Ruddy, Director, Planning Service; Planning, Infrastructure and Economic Development (PIED) provided a presentation and responded to questions. A copy of the presentation is held on file.

David Wise, Program Manager, Zoning and Intensification, PIED and Randolph Wang,

Planner, PIED, were also present and responded to questions.

The committee heard the following three delegations:

- Brian Casagrande, FOTENN¹ indicated he was presenting today on behalf of the following three clients:
 - Richcraft Homes identified site specific concerns for the property at 19 Centrepointe Drive, noting that when this property had been originally rezoned for high rise development, the setback was 3.5 m. Given that the lands abut a hydro transformer station and are adjacent to a high school playing field, a 10 m setback is not warranted and would effectively take away all of Richcraft's development rights on this property.
 - Surface Developments owns property at 2046 and 2050 Scott Street. The property is across from a transit station and would be supported by the Westboro Secondary Plan. A mid-rise condo building is to the west of the property and, given it is newly built, it will likely never be redeveloped, so a 10 m setback would not be warranted. They are confused as to why minimum lot size requirements are being put on properties for high rise buildings when setbacks themselves already dictate the built form.
 - DOV Capital could not disclose the property location at this time but did acknowledge the property is located 400 m from a rapid transit station and backs onto a passive open space. Enforcing these provisions on this property would be taking away their development rights by stipulating a rear yard setback that will never be warranted. They believe, through discussions, staff will see merit in reducing that.
- Julie Carrara, Fotenn, on behalf of, Gilad Properties², expressed concerns with applying the high-rise zoning provisions to wide and shallow properties, specifically the properties at 180 and 190 Besserer Street. The subject property was formerly deeper, but the City expropriated land to make the Besserer Street Right of Way wider; it is almost double the proposed minimum lot area for high-rise development on corner lots. The current policy framework is the Central Area Secondary Plan, which pre-dates amalgamation, and does not reflect the subject property's current context, which includes a number of 12-25 storey high-rise developments surrounding the property. She indicated they are asking that the zoning exception be revised to contain a statement that the proposed

¹ Written submission provided on September 25 provided; a copy is held on file with the City Clerk

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tower setbacks, which will be incorporated in a particular section in the zoning bylaw, only apply to developments of above 12 stories, so, in the future, the podium tower concept would only apply to those that are above the 12 stories.

- Michael Casey, Gilad Properties, indicated these proposed changes eliminate the development potential of the site. He acknowledged the desire to establish setbacks for towers is needed, but also suggested there are unique areas that have to be dealt with separately.

In addition to that previously noted (above), the following correspondence was provided to the acting committee coordinator for the Planning Committee between September 16 (the date the report was published to the City's website with the agenda) and the time it was considered on September 26, a copy of which is held on file:

- Email dated September 25 from Lucas Shahrsebi, President, TKS Holdings Inc.

Planning Committee CARRIED the report recommendations as presented.