

**Amendment to Section 37 Agreement -
200 Queens Quay West and 8 York Street,
Parcel YQ-4, Harbourfront
(Downtown)**

The Toronto Community Council recommends the adoption of the following report (September 11, 2000) from the Commissioner of Urban Development Services:

Purpose:

The purpose of this report is to amend the access provisions of the Section 37 Agreement for lands known as 200 Queens Quay West and 8 York Street.

Financial Implications and Impact Statement:

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

Recommendation:

It is recommended that the City Solicitor be authorized to amend the Section 37 agreement as it relates to the access provisions for lands known as 200 Queens Quay West and 8 York Street.

Background:

The lands are located on the north side of Queens Quay West between Simcoe and York Streets. In February 1999, the Committee of Adjustment approved the severance of the lands into two parcels. The Harbourfront Parking Garage occupies the northern site (200 QYW) while a surface parking lot (8 York Street) currently occupies the remainder of the site. The 7 storey public parking garage will be retained while the surface parking lot is proposed to be redeveloped for a residential development consisting of three residential towers (1,081 units) with retail at grade including a daycare centre.

At its meeting of July 31, 1998, City Council approved an Official Plan and Zoning By-law amendment to add residential uses to the list of permitted uses on the lands located at 200 Queens Quay West and 8 York Street. As part of the Official Plan amendment and rezoning process, a Working Committee was formed to provide a forum for community input to the application. The traffic management recommendations of the Working Committee, including access, parking and service objectives, were subsequently included in the Section 37 agreement for the site.

Another requirement of the Section 37 agreement was that a Development Concept Plan be prepared and forwarded to Urban Development Services for review prior to site plan approval. The Concept Plan was divided into two steps: the first stage (Step 1) was a condition of severance; and, the second stage (Step 2) was a condition of site plan approval. The Step 1 Concept Plan, prepared in January 2000, provided details on access and circulation arrangements

for the Parking Garage as it relates to the site. A community meeting was held to present the Step 1 Concept Plan. No objections were raised.

The Step 2 Concept Plan, prepared in September 2000, focuses on building design and vehicular and pedestrian activity in the context of a specific development proposal. Generally, the Concept Plan shows an internal laneway located behind the proposed residential buildings running from Simcoe Street to Harbour Street which provides access to the site, allowing the residents to access the parking garage ramps, and also functions as the servicing route allowing service vehicles to enter and exit in a forward direction. The Queens Quay West driveway includes a pickup/drop off area and provides access for the parking garage, daycare and the new residents. The parking attendant kiosk area on the Queens Quay West driveway will be moved further north into the parking garage eliminating queues that occasionally extend back to Queens Quay West.

A public meeting was held on September 7, 2000 to present the Step 2 Concept Plan. Approximately 30 residents from the area were in attendance. They supported the Concept Plan and the proposed traffic management system.

Comments:

The development of the site is challenging because of the access and operational requirements of both the Harbourfront Parking Garage and the residential buildings. The access provisions included in the Section 37 agreement were formulated prior to a development proposal being submitted. It was recognized at the time that, when a development proposal would be submitted, there would be a need to review the access requirements to ensure they are appropriate and feasible. The Concept Plan, while acceptable from a planning standpoint, has not incorporated three of the design requirements set out in the original agreement and the agreement therefore should be amended as follows:

1. Section 4.2 of the Section 37 agreement requires the owner to agree to conditions relating to access, parking and traffic. Subsection 4.2 (a) requires that the existing Queens Quay West driveway should only be used for new site drop-off/pick up activity (in addition to the existing parking garage traffic), and direct access to new parking facilities from Queens Quay West shall not be permitted. Although it is expected that most residents will use the Simcoe Street access and the internal laneway to directly access the ramps to the residents' parking garage, the Concept Plan would allow some access to new parking facilities from Queens Quay West. The Section 37 agreement should be revised to recognize this arrangement.
2. Subsection 4.2 (b) requires that the Simcoe Street access shall be consolidated with the existing garage access/egress to Simcoe Street, subject to further detailed design. Upon further review of this issue, it does not appear feasible to combine the Harbourfront public garage access (particularly the traffic resulting from peak traffic events) with the residential access onto Simcoe Street. Therefore, the Section 37 agreement should be revised to recognize the proposed arrangement for access to Simcoe Street.

3. Subsection 8.2 deals with the removal of the existing service entrance and ramps and garage entrance and ramps on Simcoe Street in the Concept Plan. As the Simcoe Street access will not be consolidated, the entrance and ramps will not be removed. Therefore, this provision is no longer required and the Section 37 agreement should be amended.

Conclusion:

Amending the Section 37 agreement to reflect the access provisions to the site will result in a functional access and circulation system that, according to feedback provided at the most recent public meeting on this matter, is acceptable to the community.

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(1 Map on file)