

Authority: Toronto Community Council Report No. 2 (49), March 4, 5 and 6, 1998

Intended for first presentation to Council: March 4, 1998

Adopted by Council: March 6, 1998

CITY OF TORONTO

BY-LAW No. 75-1998

To authorize the levy against lands in defined areas with respect to a portion of the capital costs for the development of a 40-space surface parking lot at 266, 268 and 272 Rhodes Avenue and 475, 481 and 487 Craven Road.

WHEREAS by Clause 50 of Report No. 10 of the Executive Committee adopted by the City of Toronto Council at its meeting held on April 1 and 2, 1996, it was recommended that a 40-space surface parking lot be developed at 266, 268 and 272 Rhodes Avenue and 475, 481 and 487 Craven Road and the implementation of a benefiting assessment in respect thereof, subject to Ontario Municipal Board approval being obtained; and

WHEREAS the total amount required to pay the principal sum of \$300,000.00, together with interest upon the funds to be amortized over a period of 20 years for the purpose of providing the sum required for that portion of the work to be charged against the properties receiving a special benefit from the facility is \$550,220.00 and the total amount payable in each year in respect of these properties is \$27,511.00; and

WHEREAS the Ontario Municipal Board, by its Order No. 1934 issued on the 5th day of January, 1998 (as amended by decision dated January 30, 1998) has approved the passing of this by-law;

The Council of the City of Toronto ENACTS as follows:

1. In this By-law, "work" shall mean the development of a 40-space surface parking lot on the lands described in Schedule "A" to this by-law.

2. The following portions of the lands described in Schedule "B" to this by-law are respectively defined as areas which, in the opinion of the City Council, derive special benefit from the work, and each area so defined is deemed to include any portion of a public highway or highways abutting on the area measured to the middle line of the public highway or highways:

Area #1

The portion lying on the south side of Gerrard Street East, between the westerly limit of premises 1399 Gerrard Street East to and including the easterly limit of premises 1415 Gerrard Street East (the westerly limit of Hiawatha Road).

Area #2

The portion lying on the south side of Gerrard Street East, between the westerly limit of premises 1417 Gerrard Street East (the easterly limit of Hiawatha Road) to and including the easterly limit of premises 1439 Gerrard Street East (the westerly limit of Ashdale Avenue).

Area #3

PART 1

The portion lying on the south side of Gerrard Street East, between the westerly limit of premises 1443 Gerrard Street East (the easterly limit of Ashdale Avenue) to and including the easterly limit of premises 1455 Gerrard Street East (the westerly limit of Craven Road).

PART 2

The portion lying on the south side of Gerrard Street East, between the westerly limit of premises 1465 Gerrard Street East (the easterly limit of Craven Road) to and including the easterly limit of premises 1481 Gerrard Street East (the westerly limit of Rhodes Avenue).

PART 3

The portion lying on the south side of Gerrard Street East, between the westerly limit of premises 1483 Gerrard Street East (the easterly limit of Rhodes Avenue) to and including the easterly limit of premises 1499 Gerrard Street East.

Area #4

The portion lying on the south side of Gerrard Street East, between the westerly limit of premises 1505 Gerrard Street East to and including the easterly limit of premises 1515 Gerrard Street East (the westerly limit of Coxwell Avenue).

Area #5

PART 1

The portion lying on the north side of Gerrard Street East, between the westerly limit of premises 1390 Gerrard Street East (the easterly limit of Woodfield Road) to and including the easterly limit of premises 1414 Gerrard Street East (the westerly limit of Hiawatha Road).

PART 2

The portion lying on the north side of Gerrard Street East, between the westerly limit of premises 1416 Gerrard Street East (the easterly limit of Hiawatha Road) to and including the easterly limit of premises 1430 Gerrard Street East.

Area #6

PART 1

The portion lying on the north side of Gerrard Street East, between the westerly limit of premises 1438 Gerrard Street East (the easterly limit of Ashdale Avenue) to and including the easterly limit of premises 1450 Gerrard Street East.

PART 2

The portion lying on the north side of Gerrard Street East, between the westerly limit of premises 1460 Gerrard Street East (the easterly limit of Craven Road) to and including the easterly limit of premises 1460 Gerrard Street East.

PART 3

The portion lying on the north side of Gerrard Street East, between the westerly limit of premises 1600 Gerrard Street East (the easterly limit of Rhodes Avenue) to and including the easterly limit of premises 1614 Gerrard Street East.

Area #7

PART 1

The portion lying on the north side of Gerrard Street East, between the westerly limit of premises 1616 Gerrard Street East to and including the easterly limit of premises 1618 Gerrard Street East (the westerly limit of Coxwell Avenue).

PART 2

The portion lying on the west side of Coxwell Avenue, between the southerly limit of premises 270 Coxwell Avenue to and including the northerly limit of premises 280 Coxwell Avenue.

Area #8

Part 1

The portion lying on the west side of Coxwell Avenue, between the southerly limit of premises 230 Coxwell Avenue to and including the northerly limit of premises 230 Coxwell Avenue.

Part 2

The portions lying on the west side of Coxwell Avenue, between the southerly limit of premises 242 Coxwell Avenue to and including the northerly limit of premises 242 Coxwell Avenue.

Area #9

PART 1

The portion lying on the east side of Coxwell Avenue, between the southerly limit of premises 245 Coxwell Avenue to and including the northerly limit of premises 253 Coxwell Avenue (the southerly limit of Gerrard Street East).

PART 2

The portion lying on the east side of Coxwell Avenue, between the southerly limit of premises 255 Coxwell Avenue (the northerly limit of Gerrard Street East) to and including the northerly limit of premises 263 Coxwell Avenue.

3. The portion of the sum of \$300,000.00 to be charged against the lands set out in each of the nine areas referred to in Section 2 and set out in Column 1 of Schedule "C" shall be the amount respectively set out in Column 2 of Schedule 2 and the amount of the costs to be levied against each parcel of land in each of the areas shall be the amount which bears the same ratio to the amount set out in Column 2 as the frontage of each such parcel bears to the frontages respectively set out in Column 3, which indicates the total of the frontages of all parcels within each such area to be specially charged for a portion of the work.

4. The portions of the cost of the work set out in Column 2 of Schedule "C" for which each parcel of land within each of the areas is to be charged under Section 3 shall be charged and levied at a special annual rate per metre of frontage against each of the parcels, exclusive of flankages, in the amounts per metre of frontage set out in Column 4 of Schedule "C" and shall be paid, collected and recovered in twenty equal annual instalments in the same manner as real property taxes and shall, until payment, form a charge or lien upon the respective parcels to which the charges apply.

5. If at any time the owner of any of the properties specially charged, or of any part of a property specially charged, desires to commute the charge or levy imposed under this by-law upon the property by the payment of a principal sum, the owner may do so prior to the date of the first instalment of the first year's rates, by paying an amount which shall be the rate per metre of frontage applicable to his or her property less any portion of the rate composed of interest or other financing charges on the funds and the owner may commute in any subsequent year the special rates then remaining by paying the present value of the remaining special rates authorized under this by-law to be levied in respect of the property calculated on an interest basis of ten percent per annum.

ENACTED AND PASSED this 6th day of March, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)

SCHEDULE "A"

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of:

FIRSTLY:

The northerly 6.71 metres from front to rear of Lot 123 according to Plan 1301 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64).

SECONDLY:

The southerly 7.62 metres from front to rear of Lot 123 according to Plan 1301 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64).

THIRDLY:

The northerly half of Lot 122 according to Plan 1301 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64).

FOURTHLY:

Part of Township Lot 8 in Concession 1 From the Bay, in the original Township of York, and being part of the land marked Reserve on Plan 1301 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), the boundaries of the land being described as follows:

Commencing at the north-westerly angle of Lot 122 according to the said Plan 1301;

Thence westerly along the production of the northerly limit of said Lot, 22.25 metres more or less to the easterly limit of Craven Road;

Thence southerly along the said easterly limit of Craven Road, 7.62 metres;

Thence easterly in a straight line 22.25 metres to a point in the westerly limit of said Lot 122 distant 7.62 metres southerly from the north-westerly angle of said Lot;

Thence northerly along the westerly limit of said Lot 122, 7.62 metres more or less to the point of commencement.

FIFTHLY:

Part of Township Lot 8 in Concession 1 From the Bay, in the original Township of York, and being part of the land marked Reserve on Plan 1301 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), the boundaries of the land being described as follows:

Commencing at the south-westerly angle of Lot 123 according to said Plan 1301;

Thence westerly along the production of the southerly limit of the said Lot, 22.25 metres;

Thence northerly and parallel with the westerly limit of the said Lot, 7.16 metres to the southerly limit of the lands lying immediately to the north hereof;

Thence easterly parallel to the westerly production of the southerly limit of the said Lot, 22.25 metres more or less to the westerly limit of the said Lot;

Thence southerly along the westerly limit of the said Lot, 7.16 metres more or less to the point of commencement.

Together with a Right-of-way at all times in common with others entitled thereto, over, along and upon a strip of land 4.57 metres in width immediately adjoining the westerly limit of the hereinbefore described land and extending from the northerly limit of Queen Street to the southerly limit of Gerrard Street and being part of the said Township Lot 8.

SIXTHLY:

Part of Township Lot 8 in Concession 1 From the Bay in the original Township of York, and being part of the land marked Reserve on Plan 1301 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), the boundaries of the land being described as follows:

Commencing at the north-westerly angle of Lot 123, according to said Plan 1301;

Thence westerly along the production of the northerly limit of the said Lot, 22.25 metres;

Thence southerly and parallel with the westerly limit of the said Lot, 7.16 metres;

Thence easterly parallel to the westerly production of the northerly limit of the said Lot, 22.25 metres more or less, to the westerly limit of the said Lot;

Thence northerly along the westerly limit of the said Lot, 7.16 metres more or less, to the point of commencement.

Together with a Right-of-way at all times in common with others entitled thereto, over, along, and upon a strip of land 4.57 metres in width, immediately adjoining the westerly limit of the hereinbefore described land and extending from the northerly limit of Queen Street to the southerly limit of Gerrard Street, and being part of the said Township Lot 8.

SCHEDULE "B"

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario,
being composed of:

FIRSTLY:

Lots 7, 8 and 9 and part of Lot 6 on the south side of Gerrard Street East according to Plan 1357 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1399, 1401, 1403, 1405, 1407, 1409, 1411, 1413 and 1415 Gerrard Street East.

SECONDLY:

Lot 5 and parts of Lots 1, 2, 3 and 4 on the south side of Gerrard Street East according to Plan 1357 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1417, 1419, 1421, 1423, 1425, 1427, 1429, 1431, 1433, 1435, 1437 and 1439 Gerrard Street East.

THIRDLY:

Parts of Lots 43, 44 and 45 according to Plan 1327 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), and part of Township Lot 8 in Concession 1 From the Bay in the original Township of York comprising premises 1443, 1445, 1447, 1449, 1451, 1453 and 1455 Gerrard Street East.

FOURTHLY:

Block B according to Plan 1301 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64) and part of Township Lot 8 in Concession 1 from the Bay in the original Township of York comprising premises 1465, 1469, 1471, 1475, 1477, 1479 and 1481 Gerrard Street East.

FIFTHLY:

Block D according to Plan 1301 and parts of Lots 47, 48 and 49 according to Plan 655, both Plans being registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1483, 1485, 1487, 1489, 1493 and 1499 Gerrard Street East.

SIXTHLY:

Parts of Lots 47, 48 and 49 according to Plan 655 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1505, 1505R, 1507, 1511 and 1515 Gerrard Street East.

SEVENTHLY:

Lots 38, 39, 40 and parts of Lots 37 and 41 according to Plan 1357 and part of Lot 67 according to Plan 409E both Plans being registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1390, 1392, 1394, 1396, 1400, 1404, 1406, 1408, 1410, 1412 and 1414 Gerrard Street East.

EIGHTHLY:

Parts of Lots 42 and 43 and part of Block A according to Plan 1357 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1416, 1418, 1420, 1422, 1424, 1426, 1428 and 1430 Gerrard Street East.

NINTHLY:

Parts of Lots 47 and 48 according to Plan 1345 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1438, 1440, 1442, 1444, 1446, 1448 and 1450 Gerrard Street East.

TENTHLY:

Block A according to Plan 1301 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), and part of Lot 8 in Concession 1 From the Bay in the original Township of York comprising premises 1460 Gerrard Street East.

ELEVENTHLY:

Part of Block C according to Plan 1301 and parts of Lots 50, 51 and 52 according to Plan 655 both Plans being registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1600, 1602, 1606, 1612 and 1614 Gerrard Street East.

TWELFTHLY:

Parts of Lots 50, 51 and 52 according to Plan 655 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 1616 and 1618 Gerrard Street East.

THIRTEENTHLY:

Lot 44 and part of Lot 47 according to Plan 655 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 230 and 242 Coxwell Avenue.

FOURTEENTHLY:

Lot 53 and parts of Lots 51, 52 and 54 according to Plan 655 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 270, 272, 272A, 274 and 280 Coxwell Avenue.

FIFTEENTHLY:

Lots 21 and 22 and part of Lot 20 according to Plan 528E registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 245, 247, 249, 251 and 253 Coxwell Avenue.

SIXTEENTHLY:

Lots 27 and 28 and part of Lot 29 according Plan 528E registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), comprising premises 255, 257, 259, 261 and 263 Coxwell Avenue.

SCHEDULE "C"

Column 1	Column 2	Column 3	Column 4
Defined Area Under Section 2	Portions to be charged against area	Frontages to be specially charged in metres	Rates per metres frontage
No. 1	0.50	55.32	\$ 29.64
No. 2	0.75	70.20	44.47
No. 3	1.00	135.04	59.29
No. 4	0.75	41.15	44.47
No. 5	0.50	128.40	29.64
No. 6	0.75	106.00	44.47
No. 7	0.50	63.08	29.64
No. 8	0.50	22.16	29.64
No. 9	0.50	68.04	29.64