

Authority: Minutes S8.1 (Former City of Toronto), February 14, 1997
Intended for first presentation to Council: Not applicable
Adopted by Council: Not applicable

CITY OF TORONTO

BY-LAW No. 272-1998 (OMB)

To amend Section 19.5 of the Part I Official Plan, being the St. Lawrence Part II Official Plan, respecting certain lands bounded by Front Street East, Lower Jarvis Street, The Esplanade and George Street South.

WHEREAS the Minister of Municipal Affairs and Housing at the request of the owner of the lands has referred a proposed Official Plan Amendment to the Ontario Municipal Board; and

WHEREAS an amendment has been prepared as a result of a settlement of the referral. The City supports the settlement and amendment on the basis that the owner has agreed to construct and maintain public parking and provide for a pedestrian bridge over Jarvis Street all for the purpose of supporting and assisting the St. Lawrence Market which lies immediately to the west and north of the lands affected by this amendment in accordance with the terms of an agreement under Section 37 of the Planning Act. In return for the provision of such parking and pedestrian bridge, the City has agreed to permit the total residential gross floor area and non-residential gross floor area and the number of units set out in the amendment; and

WHEREAS the Board having held a hearing on the referral and in furtherance of the settlement between the City and the owner has approved the amendment; and

WHEREAS Council of the City at its meeting of June 23 and 24, 1997 (Clause 55, Executive Committee Report No. 17) designated 205 *public parking spaces* as a municipal capital facility under section 210.1 of the Municipal Act;

NOW THEREFORE pursuant to the Order of the Ontario Municipal Board issued May 1, 1998 and amending Order issued May 5, 1998, Board File No. O960086,

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to Section 19.5 of the Part I Official Plan in respect of the St. Lawrence Part II Official Plan.

2. This Amendment shall constitute Official Plan Amendment No. 83.

PURSUANT TO THE ONTARIO MUNICIPAL BOARD ORDER ISSUED MAY 1, 1998 AND AMENDING ORDER ISSUED MAY 5, 1998.

SCHEDULE “A”

Section 19.5 of the Part I Official Plan for the City of Toronto being the St. Lawrence Part II Official Plan is hereby amended by deleting Map C1 and Section 6.11 and substituting the following:

“6.11 Lands bounded by Front Street East, Lower Jarvis Street, The Esplanade and George Street South

1. Despite any of the provisions of this Plan, Council may pass by-laws applicable to the lands indicated on Map C1 to permit the phased erection and use on such lands of buildings containing *residential* and *non-residential* uses, provided:

(a) at least 205 *public parking spaces* are erected and used in a *parking garage* on such lands and:

(i) in any by-law passed under this provision Council may:

I. permit the *public parking spaces* to be provided in two stages:

II. make the occupancy and use of all or any part of any building on the lands conditional upon the provision of all or part of the *public parking spaces*;

III. permit a number of such *public parking spaces* also to be used by visitors to the *residential* uses and for the *non-residential* uses in respect of any building erected and used on the lands identified as Area IIb and Area IIc on Map C1 of this amendment; and

IV. permit the temporary suspension or relocation of required *parking spaces* for dwelling units in buildings erected on the lands identified as Areas I and IIa on Map C1 to this amendment;

(b) a pedestrian bridge over Jarvis Street connecting the *public parking spaces* with the south St. Lawrence Market building is erected and maintained in the manner and at the times and subject to the conditions set out in any agreement under Section 37 of the Planning Act;

(c) the provision by the owner, at its expense, of the facilities, services or matters described in Section 1 (a), (b) and (d) herein together with other collateral matters is secured, through an agreement, to be registered on title to all or part of the lands, between the owner and the City pursuant to Section 37 of the Planning Act and pursuant to Section 210.1 of the Municipal Act;

(d) (i) the combined amount of *residential gross floor area* and *non-residential gross floor area* erected and used does not exceed 53 600 square metres provided that in any by-law passed under this provision Council may exempt the amount of *personal*, *shared* and *residential amenity space* required by such by-law from the calculation of *residential gross floor area*;

- (ii) the number of dwelling units erected and used does not exceed 640 dwelling units of which at least 100 are erected and used for no other purpose than *social housing* purposes;
- (iii) the amount of *non-residential gross floor area* erected and used does not exceed 3 000 square metres of which at least 600 square metres are erected and used for no other purpose than for either, a *community health centre* or *community services and facilities* or a combination thereof; and
- (iv) the number of *public parking spaces* erected and used is not less than 205, and all *parking spaces* shall be provided in a *parking garage* on the *lot*;
- (v) and further provided:
 - I. on the lands identified as Area I on Map C1 not more than 9 900 square metres of *residential gross floor area* and *non-residential gross floor area* is erected or used and:
 - (1) not more than 8 800 square metres of *residential gross floor area* is erected or used comprising not more than 103 dwelling units;
 - (2) not more than 1 100 square metres of *non-residential gross floor area* is erected or used of which not less than 620 square metres is erected or used for no other purpose than for either a *community health centre* or *community services and facilities* or a combination thereof; and
 - (3) not less than 58 *parking spaces* shall be erected and used of which not less than 55 shall be assigned to *residential* uses and not less than 3 shall be assigned to *non-residential* uses;
 - II. on the lands identified as Area IIa on Map C1 not more than 12 900 square metres of *residential gross floor area* and *non-residential gross floor area* is erected or used and:
 - (1) not more than 12 725 square metres of *residential gross floor area* is erected or used comprising not more than 161 *dwelling units*;
 - (2) not more than 185 square metres of *non-residential gross floor area* is erected or used; and
 - (3) not less than 126 *parking spaces* shall be erected and used of which not less than 81 shall be assigned to *residential* uses and not less than 45 shall be *public parking spaces*;

- III. on the lands identified as Area IIb on Map C1 not more than 16 025 square metres of *residential gross floor area* and *non-residential gross floor area* is erected or used and:
- (1) not more than 15 000 square metres of *residential gross floor area* is erected or used comprising not more than 186 *dwelling units*;
 - (2) not more than 1 025 square metres of *non-residential gross floor area* is erected or used; and
 - (3) not less than 140 *parking spaces* shall be erected, used and assigned to *residential* uses provided that notwithstanding the definition of *parking spaces* herein Council in any by-law enacted hereunder may specify a number of parking spaces that do not comply with the definition of *parking spaces*; and
- IV. on the lands identified as Area IIc on Map C1 not more than 15 200 square metres of *residential gross floor area* and *non-residential gross floor area* is erected or used and:
- (1) not more than 15 200 square metres of *residential gross floor area* is erected or used comprising not more than 194 *dwelling units*;
 - (2) not more than 1 200 square metres of *non-residential gross floor area* is erected or used; and
 - (3) not less than 160 *public parking spaces* shall be erected and used and *parking spaces* assigned to *residential* uses shall be erected and used in accordance with the following formula:
- 0.3 *parking spaces* for each bachelor unit
- 0.7 *parking spaces* for each one bedroom unit
- 1.0 *parking spaces* for each two bedroom unit
- 1.2 *parking spaces* for each three or more bedroom unit

provided that since the total number of *public parking spaces* authorized by Council under Section 210.1 of the Municipal Act or any successor legislation is greater than 172 then, subject to any limitations imposed by Council in any by-laws enacted under this provision, the number of *parking spaces* determined in accordance with the formula in section 1(d)(v)IV(3) and assigned to *residential* uses that are erected and used under Area IIc may be reduced by one residential *parking space* for each *public parking space* in excess of 172; and provided further that notwithstanding the definition of

parking spaces herein Council in any by-law enacted hereunder may specify a number of *parking spaces* assigned to *residential uses* that do not comply with the definition of *parking spaces*;

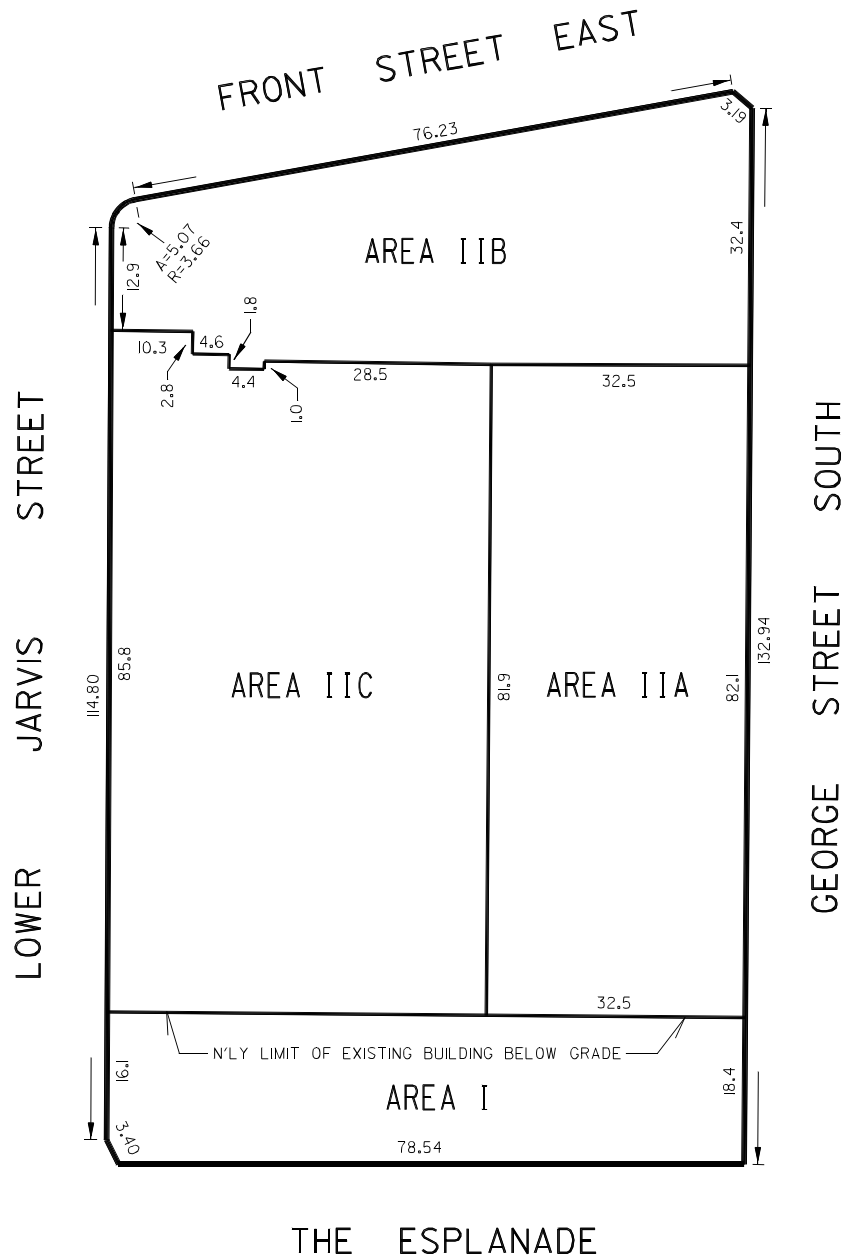
- (e) the lands identified as the Area I, Area IIa, Area IIb and Area IIc on Map C1 together comprise one *lot*; and
 - (i) subject to Section 1(a)(i)IV even though the lands identified as the Area I, Area IIa, Area IIb and Area IIc on Map C1 together comprise one *lot*, *parking spaces* required for *residential uses*, other than visitor parking, erected or used within an Area shall be provided wholly within that Area; and
 - (ii) notwithstanding the foregoing;
 - I. Area IIb may be used to provide:
 - (1) Temporary access to and egress from the *parking spaces* (including any *public parking spaces*) under the lands identified as Areas I, IIa and IIc on Plan 1 until the building to be erected on the lands identified as Area IIc on Plan 1 has been erected provided that access from and egress to George Street for the *public parking spaces* shall be restricted to right-in and left-out movements; and
 - (2) access to and egress from the *parking spaces* under the lands identified as Area IIc on Plan 1;
 - II. Area IIc may be used to provide access to and egress from the *parking spaces* (including any *public parking spaces*) under the lands identified as Areas I and IIa on Plan 1;
 - III. the lands identified as Area IIa on Map C1 shall be used to provide at least 45 *public parking spaces* provided such spaces are on the same parking levels as the *public parking spaces* provided under the lands identified as Area IIc on Map C1;
 - IV. up to twenty (20) *parking spaces* assigned to *residential uses* within Area IIb may be located in the *parking garage* within Area IIc provided such spaces are located only on the lowest level of the underground *parking garage* and provided further the required number of *public parking spaces* is not thereby reduced; and
 - V. any by-law enacted under this Section may provide for exemptions in respect of construction within each Area.
- (f) the requirements in this amendment to provide *public parking spaces* (including the *Stage 1 Parking Garage*) shall be subject to the provisions for financial assistance

by the City under any agreement under Section 37 of the Planning Act and any agreement under Section 210.1 of the Municipal Act;

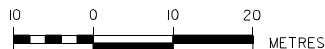
2. For the purposes of this amendment:

- (a) ‘*lot*’, and ‘*residential gross floor area*’ shall be defined as set out in By-law 438-86, as amended, ‘*community health centre*’ and ‘*community services and facilities*’ shall be defined as set out in By-law 515-76, as amended;
- (b) the definition of the expression ‘*non-residential gross floor area*’ in By-law 438-86 shall apply to such expression where it is used herein except that the area used for *public parking spaces* and associated driveways shall also be excluded from the calculation of *non-residential gross floor area*;
- (c) ‘*parking garage*’ means a building or a part of a building other than a *private garage* that is used for the temporary parking of motor vehicles;
- (d) ‘*parking space*’ means an unobstructed area, at least 5.9 metres in length and at least 2.6 metres in width that is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another motor vehicle;
- (e) ‘*public parking spaces*’ means *parking spaces* provided within a *parking garage* where such spaces are available and readily accessible to the general public including patrons of the St. Lawrence Market at all times during which the South St. Lawrence Market is open for business and provided no such space is sold, leased or assigned to an owner or occupant of any *dwelling unit* on the *lot*; and
- (f) ‘*social housing*’ means housing provided pursuant to a ‘*social housing program*’ as defined in the *City of Toronto Act*, 1988 (No. 2).”

MAP C1



LANDS INCLUDED IN THIS AMENDMENT
(PARTS 1 AND 2, PLAN 66R-989)



CITY WORKS SERVICES
SURVEY AND MAPPING BRANCH
TORONTO DECEMBER, 1997
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