

Authority: Toronto Community Council Report No. 13, Clause No. 7,
adopted as amended, City of Toronto Council on August 1, 2, 3 and 4, 2000
Enacted by Council: August 3, 2000

CITY OF TORONTO

BY-LAW No. 566-2000

To amend By-law No. 438-86 of the former City of Toronto as it applies to a portion of the Garrison Common North Area, for the lands known as the former Inglis Manufacturing site.

WHEREAS this By-law is passed in implementation of the Part II Official Plan Amendment for Garrison Common North for the former City of Toronto; and

WHEREAS pursuant to Section 37 of the Planning Act, the Council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize increases in height or density of development beyond those otherwise permitted by the by-law that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS Subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services or matters in return for an increase in height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

WHEREAS the owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increases in density or height permitted hereunder, beyond those otherwise permitted on the aforesaid lands by By-law No. 438-86, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owners of such lands and the City of Toronto, hereinafter referred to as the City; and

WHEREAS Council has required the owners of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height or density in connection with the aforesaid lands as permitted in this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Upon execution and registration of the agreement to be entered into with the City pursuant to Section 37 of the Planning Act in accordance with the provisions of Section 3 herein, the *Inglis Lands* are subject to the requirements set out in this By-law and except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *Inglis Lands*.

2. None of the provisions of the aforesaid By-law No. 438-86, cited in the following subsections, shall apply to the *Inglis Lands*, provided the requirements set out in this By-law are complied with:

USE

- (1) Despite Section 9(1)(f) of the aforesaid By-law No. 438-86, the following uses are permitted on the *Inglis Lands*:
 - (a) on *block 1, block 3 and block 4, internet / computer technology uses*, and any use permitted in an IC or I3 district in Section 9(1)(f) of the aforesaid By-law No. 438-86;
 - (b) on *block 1 and block 3*, any residential uses permitted in Section 8(1)(f)(a) of the aforesaid By-law No. 438-86; and
 - (c) the *Chapel Building* may be used for any use listed under Section 8(1)(f)(b)(ii) of the aforesaid By-law No. 438-86, or for the purposes of a sales marketing centre for real estate being marketed exclusively for property on the *Inglis Lands*, or for a *restaurant*;
- (2) No use permitted within the *Inglis Lands*, is permitted to have a *drive through component*;

DENSITY

- (3) Maximum Floor Area

Despite Section 9(3) PART I of the aforesaid By-law No. 438-86, the total amount of *non-residential gross floor area, residential gross floor area* or any combination thereof, permitted on the *Inglis Lands*, shall not exceed three times the area of the *lot*, being equal to 285,820 square metres;

- (4) Floor Area Limitations - Single Retail & Service Uses

Despite paragraph (3), no single retail or service use shall exceed a *non-residential gross floor area* of 1,000 square metres on the *Inglis Lands*, excluding one grocery store which is permitted to be erected on *block 4* and which shall not exceed a *non-residential gross floor area* of 4 650 square metres; and despite paragraph (3), not more than 750 square metres of *non-residential gross floor area* may be used within *block 12* for the purposes set out in paragraph 1(c);

- (5) Despite paragraph (4), a grocery store is not permitted on *block 4* unless a minimum of 1 400 square metres of *non-residential gross floor area* excluding a grocery store is constructed within *block 4*, for the purposes of *street related retail and service uses*;

STREET RELATED RETAIL USES

- (6) No person shall, on a *lot* or a portion of a *lot*, adjoining a *street* or *private roadway*, designated as a priority retail street on Map 4, erect or use a building or structure for any purpose unless *street related retail and service uses* are provided for at least 60 percent of the length of the portion of the *lot* identified as *street related retail and service uses* on Map 4;
- (7) The amount of *non-residential gross floor area* used for *street-related retail and service uses* on each block as set out in Column A below, shall not exceed a *non-residential gross floor area* equal to the amount set out in the corresponding row in Column B;

COLUMN A BLOCK	COLUMN B MAXIMUM NON-RESIDENTIAL GROSS FLOOR AREA USED FOR STREET RELATED RETAIL OR SERVICE USES(SQUARE METRES)
<i>Block 1</i>	2 320
<i>Block 3</i>	4 650
<i>Block 4</i>	14 000
Total	20 970

- (8) In no case shall the amount of *non-residential gross floor area* provided for *street-related retail and service uses* in accordance with paragraphs (6) and (7), exceed any other limitations on *non-residential gross floor area* set out in this by-law;

SETBACKS

- (9) Required Building Setback – Streets

No person shall erect or use a building or structure within the Inglis Lands that is closer to any *street* than 2.0 metres measured from the main building face with the exception of buildings or structures adjacent to Strachan Avenue for which no setback is required from Strachan Avenue as widened.

(10) Required Building Stepback above a height of 24 metres

No person shall erect or use a building or structure within the *Inglis Lands*, that exceeds a *height* of 24.0 metres, unless:

- (i) the portion of the building or structure above such *height*, is setback a minimum distance of 3.0 metres from the exterior face of such building or structure, which faces a *street* or *private roadway*; and
- (ii) the required stepback is provided beginning at a *height* between 24 metres and 27 metres above *grade*

(11) Building Stepback Exception: Permitted Projections into the Setback Area

Despite paragraphs (9) and (10), the required building setback or stepback shall not apply to the type of structure listed in Column A below, provided any restriction set out in the corresponding row in Column B is complied with.

Column A Structure	Column B Maximum Permitted Projection
A. eaves, cornices or ornament	maximum of 1.0 metre projection
B. fences and safety railings	no restriction on the extent of the projection provided the height of the structure does not exceed 2.0 metres
C. canopy	no restrictions
D. bay window	the projection cannot exceed 1.0 metre from the wall to which it is attached
E. balcony	the projection cannot exceed 1.0 metre from the wall to which it is attached
F. doors	no restriction

(12) Building Stepback Exemption: Multiple Frontages

Despite subsection (10), the required building stepback shall only apply to two sides of the exterior face of a building or structure which has frontage on any combination of three *streets* or *private roadways*;

PARKING

- (13) Required Parking: dwelling units, office, retail stores

Despite Section 4(4)(b) of the aforesaid By-law No. 438-86, in the case of a building or structure used for any of the uses set out in Column A of the following Table, *parking spaces* shall be provided and maintained at the rate set out in the corresponding row in Column B;

USE	REQUIRED PARKING
<i>Retail store</i>	4.3 <i>parking spaces</i> per 100 m ² of <i>non-residential gross floor area</i>
Office	1.1 <i>parking spaces</i> per 100 m ² of <i>non-residential gross floor area</i>
<i>Bachelor dwelling units</i>	0.3 <i>parking spaces</i> per unit
One bedroom <i>dwelling unit</i>	0.7 <i>parking spaces</i> per unit
Two bedroom <i>dwelling unit</i>	1.0 <i>parking spaces</i> per unit
Three or more bedroom <i>dwelling units</i>	1.2 <i>parking spaces</i> per unit
Residential visitor parking	0.12 <i>parking spaces</i> per unit

- (14) Surface Parking Requirements

No surface parking facility shall be permitted on any of the *Inglis Lands* except on the blocks listed in Column A below, and the number of *parking spaces* or parking spaces permitted for such block, shall be limited to the amount set out in the corresponding row in Column B;

Column A Block	Column B Number of Permitted Parking Spaces
<i>block 1</i>	50 <i>parking spaces</i>
<i>block 3</i>	40 <i>parking spaces</i>
<i>block 4</i>	350 <i>parking spaces</i>

- (15) Above Grade Parking Structures

No person shall provide any parking above *grade* except where such parking complies with the following:

- (a) no part of any building or structure between *grade* and a *height* of four metres, that is used for the purposes of parking, excluding stairways, driveways or ramps used for access, is erected closer than 10 metres to a *lot line* that abuts a *street* or *private roadway*; and
- (b) the uses listed in paragraph (1), other than a parking use, are provided in a building located between any part of a building or structure provided in accordance with subparagraph (a) and a *lot line* that abuts a *street* or *private roadway*;

And in the case of a surface parking facility located on *block 4*, the requirements of this paragraph shall not apply;

RESIDENTIAL AMENITY SPACE

- (16) *Residential amenity space*, as defined in Section 5 herein, shall be provided in accordance with the requirements set out in the aforesaid By-law No. 438-86; and

HEIGHT

- (17) Despite the *height* limits set out on Appendix “B” map 49G-322, the *height* limits applicable to a building or structure located on the *Inglis Lands*, shall not exceed those *height* limits set out on Map 3 of this By-law.

AFFORDABLE HOUSING

- (18) Not less than 30 per cent of the *dwelling units* within *block 1*, and not less than 30 percent of the *dwelling units* within *block 3*, shall comply with the size requirements for each of the *dwelling unit* types listed in Column A below listed in the corresponding row under Column B.

Column A Dwelling Unit Type	Column B Maximum Size Limit (square metres)
Bachelor <i>dwelling unit</i>	46.5
one bedroom <i>dwelling unit</i>	60.4
two bedroom <i>dwelling unit</i>	79.0
three bedroom <i>dwelling unit</i>	93.0

SECTION 37 PROVISIONS

3. Pursuant to Section 37 of the Planning Act, the *heights* and density of development permitted by this by-law, are permitted subject to compliance with the conditions set out in this by-law and in return for the provision by the *owner* of the *Inglis Lands* of the following facilities, services or matters, to the *Corporation* at the *owner's* sole expense, and provided the *owner*:

- (1) enters into an agreement with the City pursuant to section 37 of the *Planning Act* to secure the facilities, services and matters required to be provided by this subsection and consents to the registration on title of such agreement against any properties within the *Inglis Lands*, said agreement to include provisions relating to:
 - (i) *low-end-of market housing*;
 - (ii) a public art program;
 - (iii) a process for consideration of a Toronto District Heating Corporation proposal;
 - (iv) a phased restoration and conveyance to the City of the Central Prison Chapel Building; and
 - (v) a Needs Assessment and delivery to the City of finished *community services facilities* space in one of two alternate locations.

4. Appendix "A" Map 49G-322 of the aforesaid By-law No. 438-86, is amended by deleting the "I3 D3" zoning designation for those lands shown as "block 12" and replacing it with a "G" district zoning.

5. For the purposes of this By-law, the following expressions shall have the following meaning:

- (1) "*art*" includes works of plastic art, works of graphic art, sculptured landscaping, fountains and artistic treatment of walls or other building elements clearly visible at all times from public areas, including flooring, structure, lighting and furnishings, provided such elements or works have been designed by or in collaboration with artists;
- (2) "*block 1*", "*block 3*", "*block 4*", and "*block 12*" mean those lands respectively designated and shown as BLOCK 1, BLOCK 3, and BLOCK 4 and BLOCK 12 on Map 2, appended hereto;
- (3) "*Chapel Building*" shall mean the building located on the *Inglis Lands* that has been designated as an historical structure under the provisions of the Ontario

Heritage Act, and more specifically, by the Council of the former City of Toronto by By-law No. 1996-0378;

- (4) “*district heating and cooling facility*” means a facility operated by the Toronto District Heating Corporation within the *Inglis Lands*, on a non-profit basis for the purposes of providing heating and cooling of buildings and structures located within such lands;
- (5) “*drive through component*” shall mean any activity associated with a use or service, where products are purchased or delivered to a customer while the customer is within a motor vehicle, and shall include any service provided by a bank or other financial institution in a manner commonly referred to as a “drive through” teller;
- (6) “*Inglis Lands*” means the part of the City of Toronto delineated by heavy lines and shown on Map 1;
- (7) “*live-work unit*” means a *dwelling unit* that is also used for work purposes;
- (8) “*lot*” shall mean at least those lands shown delineated by heavy lines on Map 1 as the *Inglis Lands*, which lands shall be deemed to be one *lot*, regardless of whether two or more buildings which are not connected below *grade* are erected thereon, and regardless of any conveyances or easements made or granted to the City after the date of enactment of this By-law;
- (9) “*lot line*” means, in the case of subsection 2(6) of this By-law, a lot line facing a *street* or *private roadway* as shown on Map 4;
- (10) “*private roadway*” shall mean those roads or lanes shown on Map 1, as being a “proposed road”;
- (11) “*residential amenity space*” means a common area or areas within a *block* which are provided for the exclusive use of residents of a building located within that *block*, for recreational or social purposes;
- (12) “*internet / computer technology uses*” shall mean any business activity involved in: the manufacture, repair, or processing and sale of computer related products and or information to other businesses of the public, including those businesses involved in internet technology and activities related to the motion picture, film or recording industries; but does not include retailing other than as an *accessory* use, on the premises;

- (13) “*street related retail and service uses*” shall have the same meaning as the expression as defined in Section 2(1) of the aforesaid By-law No. 438-86 except that it shall only include those uses listed in Section 9(1)(f)(b)(iv);

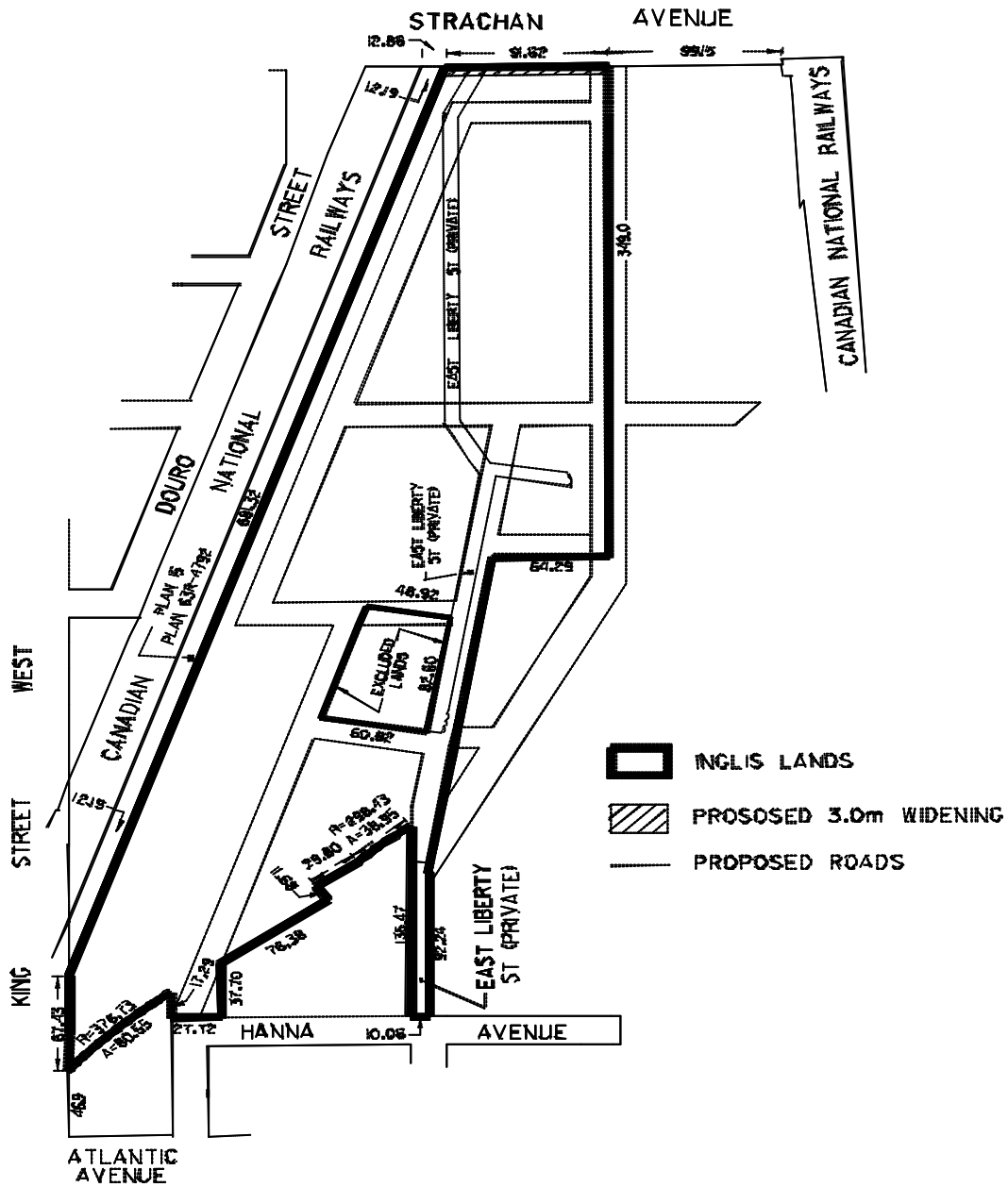
ENACTED AND PASSED this 3rd day of August, A.D. 2000.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

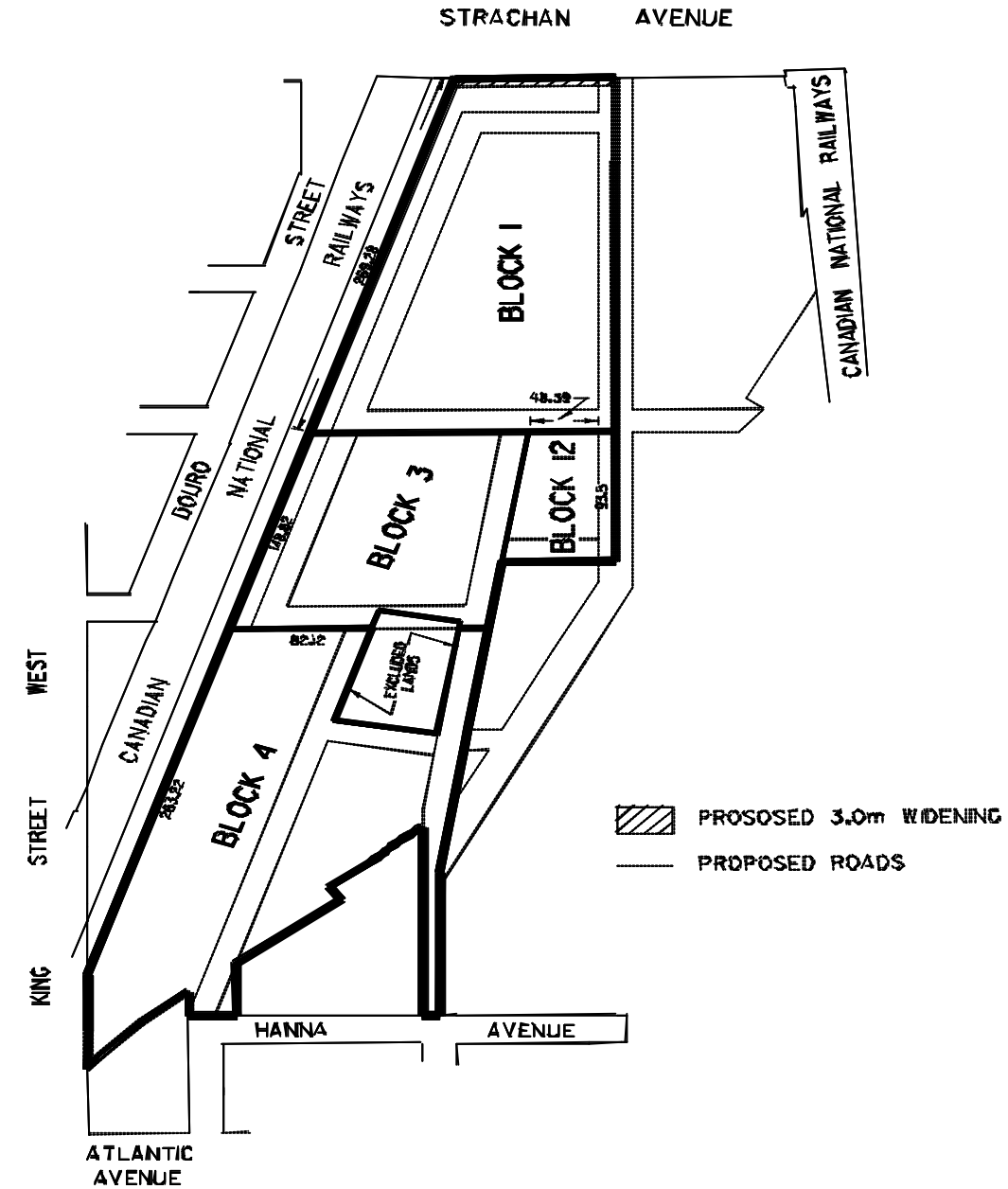
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MAP I



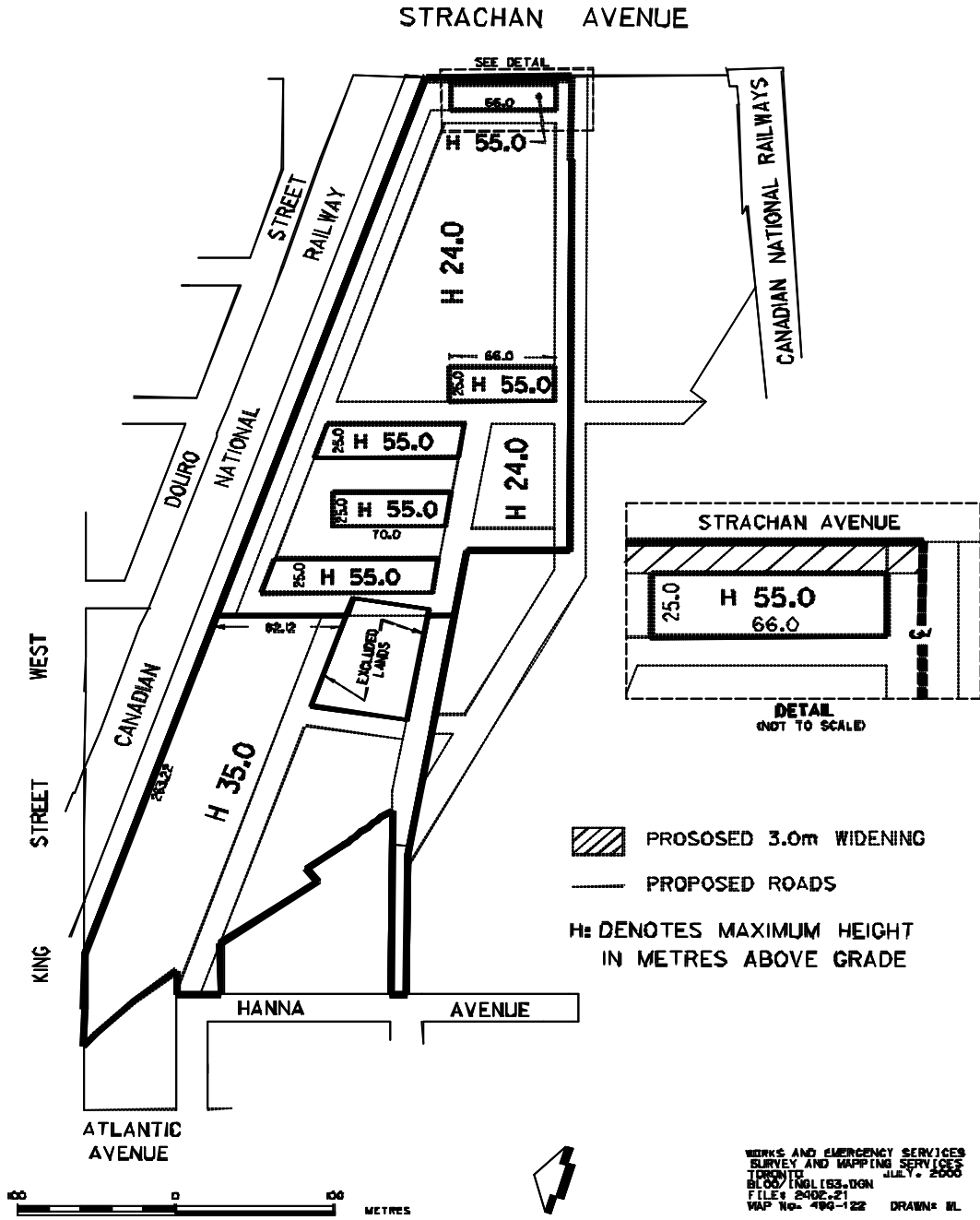
WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO JULY, 2000
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 MAP No. 496-122 DRAWN# EL

MAP 2

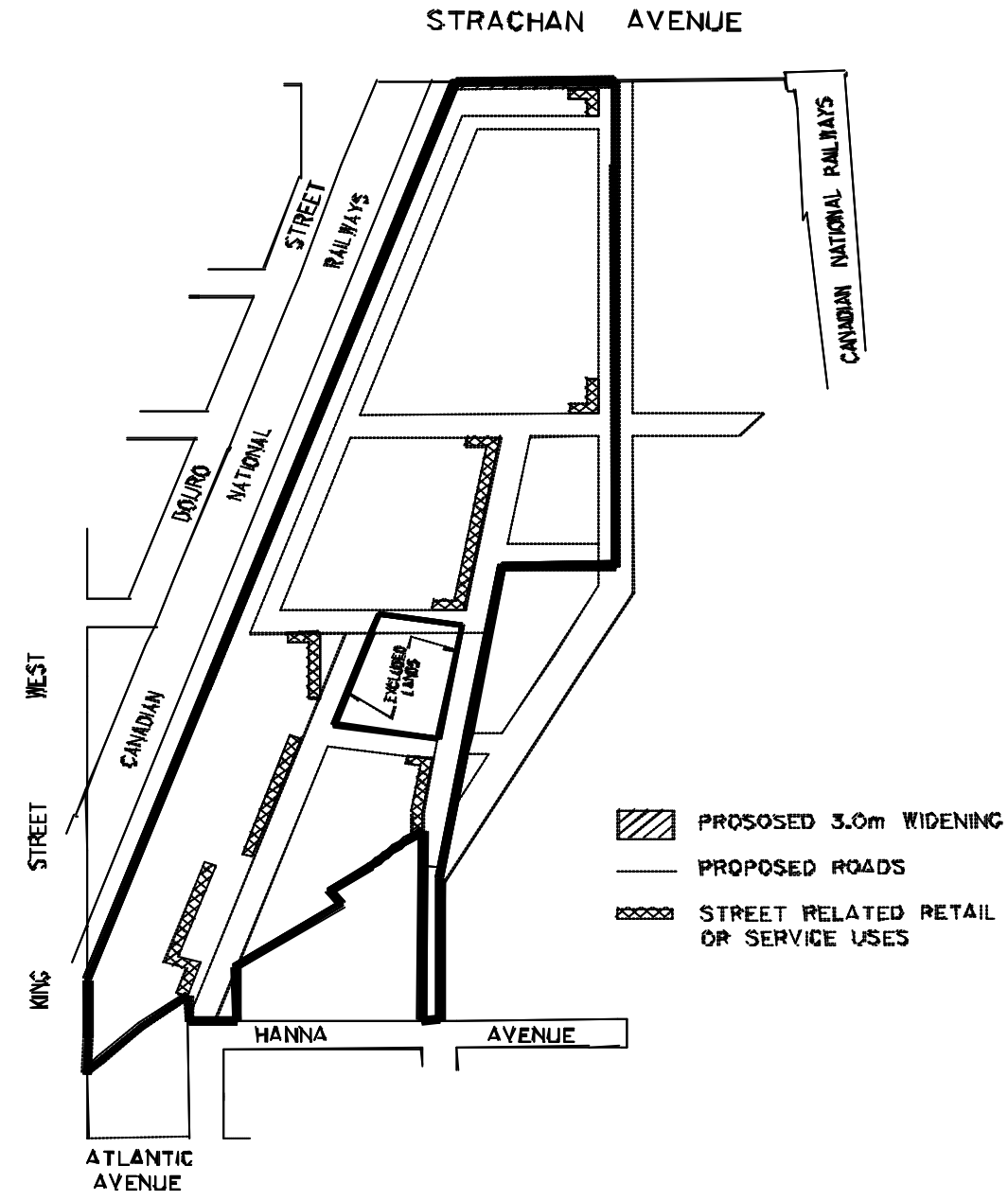





WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO JULY, 2000
 BLOCK 12/150,000
 FILE # 2000.271, 2000.53-3
 MAP No. 480-122 DRAWN WL

MAP 3



MAP 4



-  PROPOSED 3.0m WIDENING
-  PROPOSED ROADS
-  STREET RELATED RETAIL OR SERVICE USES

00 50 100 METRES



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
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