

Authority: Downtown Community Council Report No. 5, Clause No. 6, as adopted by City of Toronto Council on June 26, 27, and 28, 2001; and Notice of Motion J(15), moved by Councillor Rae, seconded by Councillor Chow, as adopted by City of Toronto Council on July 24, 25 and 26, 2001

Enacted by Council: July 26, 2001

**CITY OF TORONTO**

**BY-LAW No. 715-2001**

**To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 354 and 404 Jarvis Street.**

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

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 190.

ENACTED AND PASSED this 26th day of July, A.D. 2001.

CASE OOTES,  
Deputy Mayor

JEFFREY A. ABRAMS,  
Acting City Clerk

(Corporate Seal)

**SCHEDULE “A”**

1. Section 18.530 of the Official Plan for the former City of Toronto is amended by deleting Section 18.117 and adding a new Section 18.530 and Map 18.530 as follows:

“18.530 Lands known as 354 and 404 Jarvis Street

Notwithstanding any other provisions of this Plan, Council may pass by-laws applicable to the lands shown as Block A and Block B on Map 18.530, to permit a building or buildings containing *residential* uses, *commercial* uses and *general institutional uses*, provided:

- (1) the *residential gross floor area* and *non-residential gross floor area* permitted on Block A does not exceed 33,025 square metres, provided:
  - (a) the *non-residential gross floor area* does not exceed 1,000 square metres; and
  - (b) the *non-residential gross floor area* is used for no other purpose than office, retail store, artist’s or photographer’s studio, communications and broadcasting establishment, designer’s studio, commercial school or custom workshop and *general institutional uses*;
- (2) the *non-residential gross floor area* permitted on Block B, including any *gross floor area* permitted by Sections 5.10 and 10.8 of the Official Plan, does not exceed 22,430 square metres, and is used for no other purpose than any one or more of:
  - (a) a *private academic, philanthropic or religious school* and a *commercial school*;
  - (b) provided a *private academic, philanthropic or religious school* use is present, any one or more of the following uses are permitted being, *an artist’s or photographer’s studio, communications and broadcasting establishment, concert hall, cultural and arts facilities, designer’s studio, general institutional uses, performing arts studio* and *public museum*; and
  - (c) a *retail store accessory* to the uses set out in paragraph (a) or *accessory* to the uses set out in paragraph (b) when such uses are permitted.
- (3) notwithstanding subsections (1) and (2) above, *accessory* uses consisting of balconies, vehicular and pedestrian areas and services and underground parking, to uses permitted on Block A, may be permitted on Block B, and *accessory* uses consisting of an enclosed bridge and landscaped area and vehicular and pedestrian access and services to uses permitted on Block B may be permitted on Block A, as may be further defined in a zoning by-law amendment.

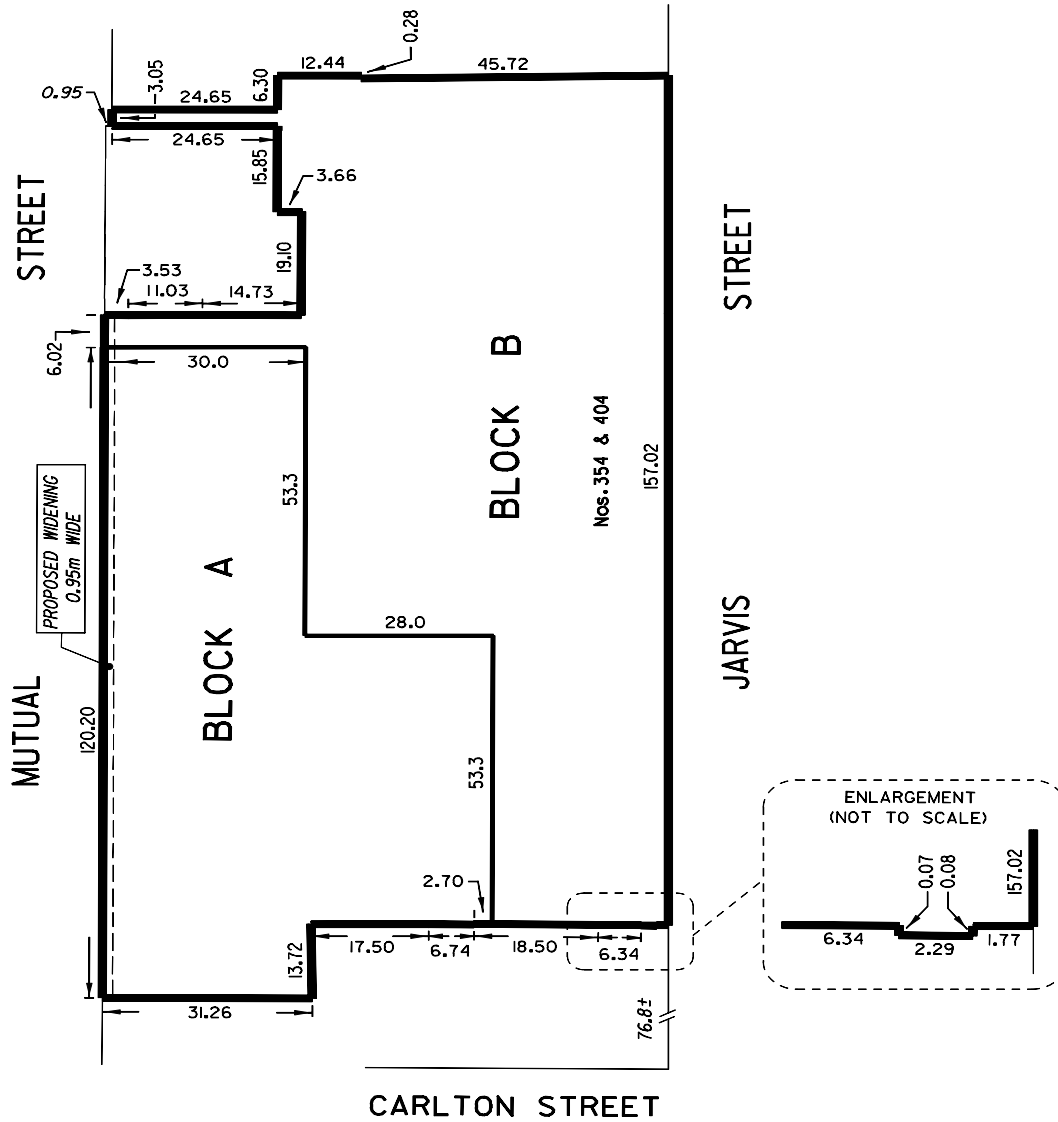
- (4) the owners are required to enter into one or more agreements pursuant to Section 37 of the *Planning Act* and such agreements are registered against the title to the lands to secure the following facilities, services or matters:
- (a) restore, conserve and maintain portions of the buildings located on *Block B* known as Northfield House and Havergal College and the entering into of an agreement under Section 37 of the *Ontario Heritage Act* satisfactory to the Commissioners of Economic Development, Culture and Tourism and Urban Development Services of the City as a condition of site plan approval;
  - (b) provide a contribution in the amount of \$200,000.00 as directed by the Commissioner of Urban Development Services for the upgrading of the Church Street Public School yard, or other improvements along adjacent streets, and which includes \$10,000.00 to be applied to traffic calming measures satisfactory to the Commissioner of Works & Emergency Services;
  - (c) provide and maintain one or more works of art pursuant to a public art program in publicly accessible portions of the *lot* or adjacent properties of a value not less than one percent of the cost of construction of all new buildings, structures and additions erected on the *lot* after the date of passing of this By-law, provided that costs related to obligations under agreements drawn pursuant to Section 37 of the *Ontario Heritage Act* and costs related to public art shall not be included in such valuation;
  - (d) provide, maintain and operate the development in accordance with a Noise Impact Statement approved by the Commissioner of Works and Emergency Services; and
  - (e) provide for, as a condition of site plan approval, phasing of the development of the *lot* in a manner satisfactory to the Commissioner of Urban Development Services.

For the purposes of this Section:

- (a) the word “*accessory*” and the expressions “*artist’s or photographer’s studio*”, “*communications and broadcasting establishment*”, “*concert hall*”, “*designer’s studio*”, “*performing arts studio*”, “*public museum*” “*custom workshop*” and “*commercial school*”, shall have the same meaning as those terms have for the purposes of By-law No. 438-86, being “a By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended;
- (b) the expression “*general institutional uses*” means those uses listed in Section 8(1)(f)(b)(iii) of the aforesaid By-law No. 438-86, as amended; and

- (c) “*cultural and arts facilities*” is defined as set out in By-law No. 438-86 except to the extent of deleting the words “provided each use does not exceed a *non-residential gross floor area* of 1,400 square metres”.

## MAP 18.530



10 0 10 20  
METRES



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO  
DPA01/18530.DGN  
FILE: J9-29  
MAP No. 51H-321  
JULY, 2001  
DRAWN: PG