

Authority: Toronto and East York Community Council Report No. 5, Clause No. 6,
as adopted by City of Toronto Council on June 14, 15 and 16, 2005

Enacted by Council: June 16, 2005

CITY OF TORONTO

BY-LAW No. 600-2005

To amend the General Zoning By-law No. 438-86 of the former City of Toronto as amended by By-law No. 566-2000, and By-law No. 684-2003 with respect to the lands known as 65, 75 and 85 East Liberty Street; 69 Lynn Williams Street; 150 East Liberty Street; 80 Lynn Williams Street; and 90 Lynn Williams Street being portions of the Garrison Common North Area, for the lands known as the *Inglis Lands*.

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 as amended by OPA No. 165 being the site specific Official Plan Amendment for the *Inglis Lands* approved by City of Toronto Council at its meeting on August 1, 2, 3 and 4, 2000; and as further amended by OPA No. 349 as adopted by City of Toronto Council at its meeting on June 14, 15 and 16, 2005; and

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

WHEREAS the Council of the City of Toronto, at its meeting held on August 1, 2, 3 and 4, 2000 passed By-law No. 566-2000, as amended by By-law No. 684-2003, passed by the Council of the City of Toronto at its meeting held July 22, 23 and 24, 2003, in respect of a portion of the *Inglis Lands* both of which by-laws increased the height and density thereon; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the City of Toronto entered into a Section 37 Agreement with the owner of the *Inglis Lands* on August 1, 2000, which authorized increases in height or density of development on the *Inglis Lands* beyond those otherwise permitted by the by-law in return for the provision of facilities, services or matters therein set out; and

WHEREAS the Council of the City of Toronto has been requested to amend its zoning by-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, respecting the lands municipally known in the year 2005 known as 65, 75 and 85 East Liberty Street; 69 Lynn Williams Street; 150 East Liberty Street; 80 Lynn Williams Street; and 90 Lynn Williams Street being portions of the *Inglis Lands* thus authorizing further increases in height and density; 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 the Council of the City of Toronto conducted a public meeting under section 34 of the *Planning Act* regarding this proposed zoning by-law amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held on June 14, 15 and 16, 2005, determined to further amend Zoning By-law No. 438-86, as amended by By-law No. 566-2000, and By-law No. 684-2003;

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 provision of By-law No. 438-86, as amended, shall continue to apply to the *Inglis Lands*.
2. By-law No. 566-2000, as amended by By-law No. 684-2003 is further amended as follows:
 - (1) Section 2(1)(c) is renumbered as 2(1)(d) and
 - (2) Sections 2(1)(a) and (b) are replaced by the following:
 - “(a) on *block 1, block 2A, block 2B, block 11A, block 3, block 4, block 5, block 6, block 7, and block 8 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, block 2A, block 3, block 5 and block 7* any residential use permitted in Section 8(1)(f)(a) of the aforesaid By-law No. 438-86;
 - (c) on *block 2B, block 11A, block 6 and block 8 live-work units* are permitted provided that 50% of the units above the ground floor, in the podium of each of the buildings on *block 2B, block 11A, block 6 and block 8* shall have spaces that are at least 5 metres in height, measured from the top of the finished lower floor to the underside of the finished ceiling of the upper floor of such unit, over at least 45% of the floor area of said lower floor;”
 - (3) Section 2(3) of By-law No. 566-2000 is replaced by:
 - “(3) Maximum Floor Area
 - (a) Despite Section 9(3) PART I of the aforesaid By-law No. 438-86, as amended, the total amount of *non-residential gross floor area, residential gross floor area* or any combination thereof, permitted in the *Inglis Lands* shall not exceed 456,911 square metres;

- (b) Density transfers within the *Inglis Lands* will be permitted provided that:
- (i) the total amount of *non-residential gross floor area*, *residential gross floor area* or any combination thereof noted above in section 2(3)(a) is not exceeded;
 - (ii) the total amount of *non-residential gross floor area*, *residential gross floor area* or any combination thereof for the blocks listed below in Column A does not exceed the maximum density in Column B by more than 10%;
 - (iii) the footprint of the tower above the *podium*, on each of the blocks listed in Column A will not exceed the amounts set out in Column C below; and
 - (iv) of the total amount of *non-residential gross floor area*, *residential gross floor area* or any combination thereof, noted in section 2(3)(a) above, 16,722 sq.m is permitted to be constructed on *block 8* which amount shall not be increased or decreased by transfers to or from any other portion of the *Inglis Lands*.

COLUMN A	COLUMN B	COLUMN C
BLOCK	MAXIMUM DENSITY (Sq.m)	MAXIMUM TOWER FOOTPRINT ABOVE <i>PODIUM</i>
2B/11A	86,684	1,395*
5	19,655	1,115
6	39,651	1,690
7	38,339	1,645

* Note: This maximum tower footprint above *podium* applies to each of the three towers to be located on *blocks 2B/11A*”

- (4) Section 2(7) of By-law No. 566-2000 is further amended by the following:

“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	COLUMN B
BLOCK	MAXIMUM NON-RESIDENTIAL GROSS FLOOR AREA USED FOR STREET RELATED RETAIL OR SERVICE USES (Sq.m)
1	2,320
2A	2,000
2B	2,300
11A	4,980
3	4,650
4	14,000
6	3,050
8	2,400

(5) Section 2(9) is replaced by the following:

“(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:

- (a) buildings or structures adjacent to Strachan Avenue for which no setback is required from Strachan Avenue as widened; and
- (b) that portion of the building existing on *block 8* as of the date of the passing of this by-law, which will have a setback of 0.0 metres from the south property line;”

(6) Section 2(10) is replaced by the following:

“(10) Required Building Stepback

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

- (a) on *block 1, block 2A, block 3, block 4, block 5, block 7* and *block 12*:
 - (i) the portion of the building or structure above such *height* is set back 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*
- (b) on *block 2B, block 11A, block 6* and *block 8* the portion of the building or structure above the *podium* is set back a minimum

distance of 3.0 metres from all exterior faces of such *podium*;"

- (7) Section 2(13) PARKING as contained in By-law No. 566-2000 is further amended by adding the following standards for *live-work units*:

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

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
Retail store	4.3 parking spaces per 100 sq.m of non-residential gross floor area
Office	1.1 parking spaces per 100 sq.m of non-residential gross floor area
Residential	
Bachelor dwelling units	0.3 parking spaces per unit
One bedroom dwelling unit	0.7 parking spaces per unit
Two bedroom dwelling unit	1.0 parking spaces per unit
Three or more bedroom dwelling units	1.2 parking spaces per unit
Residential visitor parking	0.12 parking spaces per unit
Live-work	
Residential and non-residential gross floor Area	1 parking space per 102 sq.m of residential and non-residential gross floor area
Live-work visitor parking	0.25 parking spaces per unit

- (8) Section 2(18) AFFORDABLE HOUSING (defined by maximum unit sizes) as contained in By-law No. 566-2000 is amended by altering this section to read as follows:

"Not less than 30 percent of the *dwelling units* within each of *block 1, block 2A, block 3, block 5 and block 7* and not less than 30 percent of the *live-work units* within *block 2B, block 11A, block 6 and block 8* shall comply with the size requirements for each of the unit types listed..."

- (9) Add a new Section 2(19) to read as follows:

"*Podium*

Despite Section 2(17) of this by-law, no person shall erect or use a building or structure on *block 2B, block 11A, block 6 and block 8* unless such building or structure contains a *podium* with the following characteristics:

- (i) on *block 2B* and *block 11A* the maximum *height* of the *podium* will be 25.0 metres measured from *grade* and the minimum height of the first *storey* above *grade* will be 5.0 metres measured from *grade*;
 - (ii) on *block 6* the maximum *height* of the *podium* will be 16.0 metres measured from *grade* and the minimum height of the first *storey* above *grade* will be 4.0 metres measured from *grade*;
 - (iii) on *block 8* the maximum *height* of the *podium* will be 15.5 metres measured from *grade* and the minimum height of the first *storey* above *grade* for the new building, on the northern portion of this block, will be 6.0 metres measured from *grade*; and
 - (iv) any portion of the building or structure above the *podium* is set back a minimum distance of 3.0 metres from all exterior faces of such *podium*;
- (10) Add a new Section 2(20) to read as follows:
- “Despite Section 2(1) of this By-law, no person shall erect or use a building or structure on the northern portion of *block 8* (80 Lynn Williams Street) as shown on Map 5 unless the existing building on the southern portion of *block 8*, as shown on Map 5, is retained and restored;”
- (11) Sections 5(8), 5(9), 5(10), 5(11) and 5(13) are renumbered 5(9), 5(10), 5(12), 5(13) and 5(15) respectively, and Section 5(12) is renumbered 5(7);
- (12) Section 5(2) is replaced by the following:
- “*block 1*”, “*block 2A*”, “*block 2B*”, “*block 11A*”, “*block 3*”, “*block 4*”, “*block 5*”, “*block 6*”, “*block 7*”, “*block 8*” and “*block 12*” mean those lands respecting designated and shown as BLOCK 1, BLOCK 2A, BLOCK 2B, BLOCK 11A, BLOCK 3, BLOCK 4, BLOCK 5, BLOCK 6, BLOCK 7, BLOCK 8 and BLOCK 12 on Map 2, appended hereto;”
- (13) Section 5(3) is amended by revising the definition of *Chapel Building* as follows:
- “*Chapel Building*” shall mean the building located on *block 12* of 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;”

- (14) Section 5(7) is amended by revising the definition of *live-work unit* as follows:

“*live-work unit*” means a *dwelling unit* that is also used for work purposes provided the resident or residents of such accommodation work in the *dwelling unit*, and the *dwelling unit* may also be used for work purposes by any number of other persons; and is renumbered 5(8)”

- (15) Add a new Section 5(11) to read as follows:

““*podium*” means that portion of the building which does not exceed the maximum height requirement as described in Section 2(19) of this bylaw;”

- (16) Add a new Section 5(14) to read as follows:

“*storey*” means the portion of the building that is measured from the top of the finished lower floor to the underside of the finished ceiling of the upper floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it; and for the purposes of *block 2B, block 11A, block 6 and block 8* of the *Inglis Lands*, a mezzanine does not constitute a storey unless such mezzanine has an area greater than 45% of the floor area immediately below;”

- (17) Add a new Section 5(16) to read as follows:

“*unit*” means a *dwelling unit* and/or a *live-work unit*;” and

- (18) Maps 1, 2, 3A, 3B, and 4 attached to By-law No. 566-2000 as amended, are replaced by Maps 1, 2, 3A, 3B, 3C, 3D, 3E, 3F, 4 and 5 attached to this By-law.

Definitions

3. All defined terms used in this By-law shall, unless expressly stated to the contrary, have the same meanings as in By-law No. 438-86 as amended by By-law No. 566-2000 and By-law No.684-2003.
4. Further to the Section 37 agreements as set out in By-law No. 566-2000, the owner of the site enters into one or more further agreements, pursuant to Section 37 of the *Planning Act*, satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor and that such agreement(s) be registered against the title to the site to secure the following facilities, services and matters:
 - (i) *low-end-of-market housing*;
 - (ii) a public art program;
 - (iii) a process for consideration of a Toronto District Heating Corporation proposal;

- (iv) community meeting space that is conveyed to the City; and
- (v) a contribution of \$100,000 towards the cost of a pedestrian/bicycle connection across the CN rail corridor.

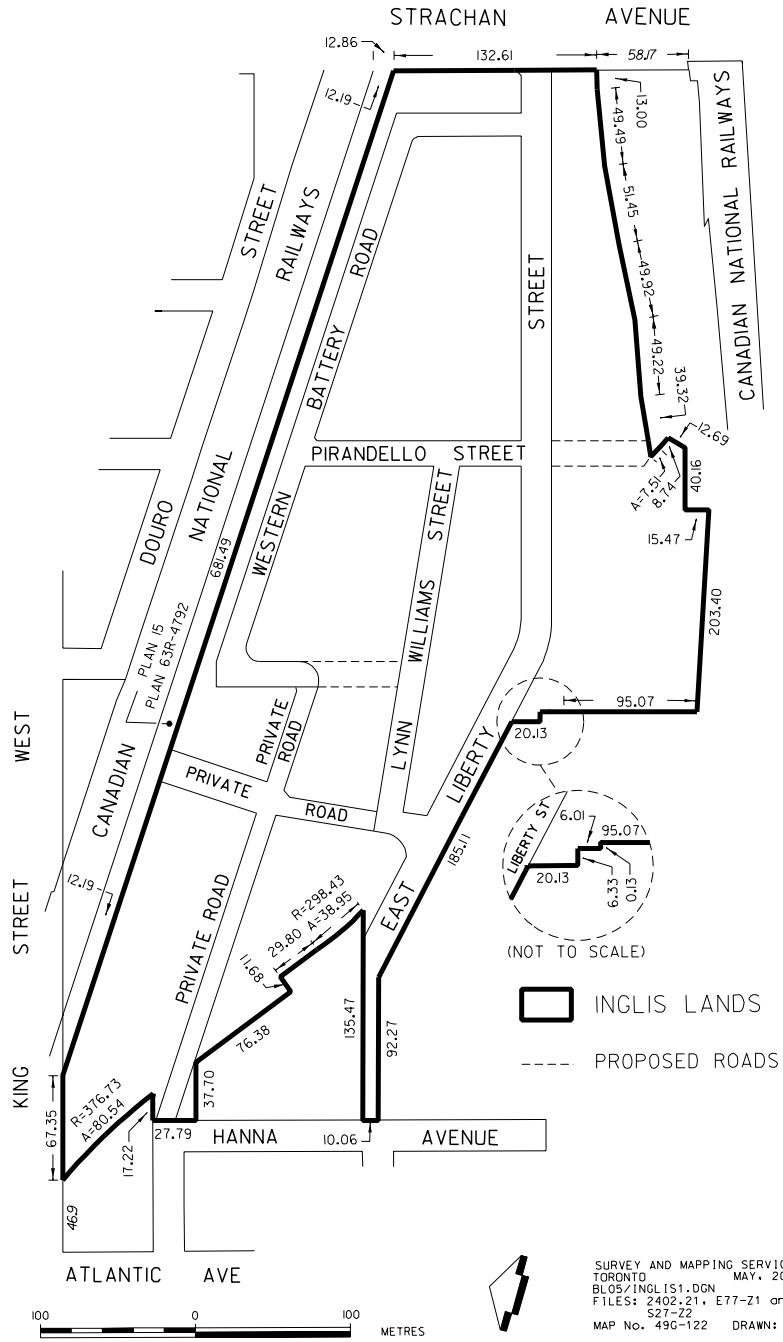
ENACTED AND PASSED this 16th day of June, A.D. 2005.

DAVID R. MILLER,
Mayor

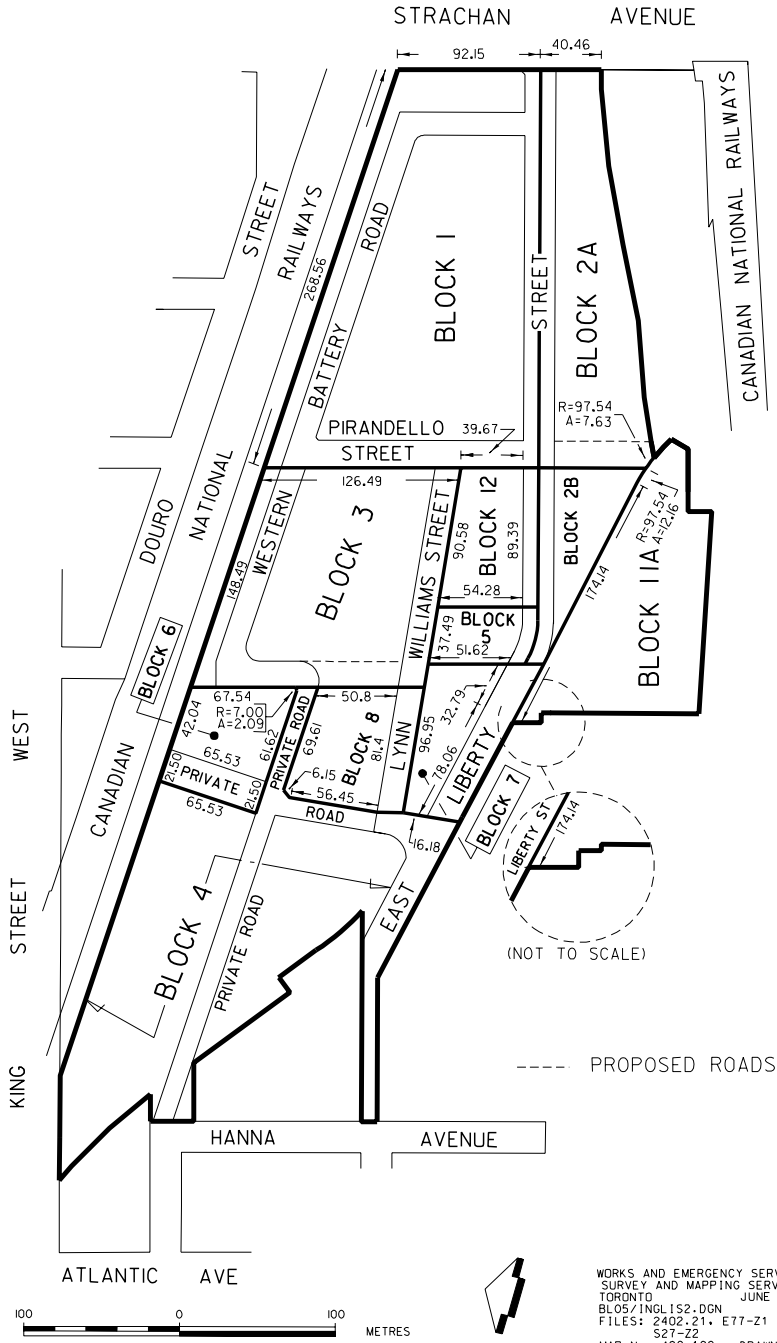
ULLI S. WATKISS
City Clerk

(Corporate Seal)

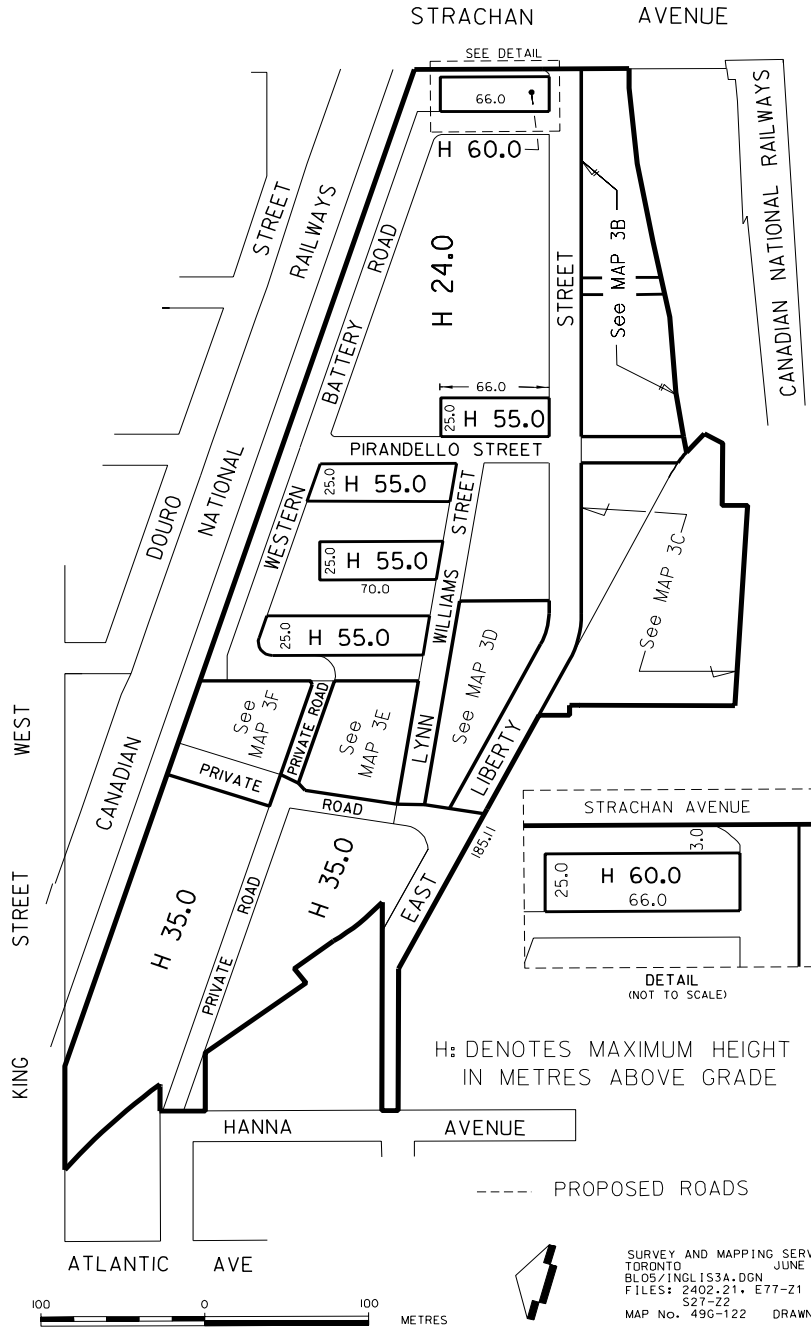
MAP 1



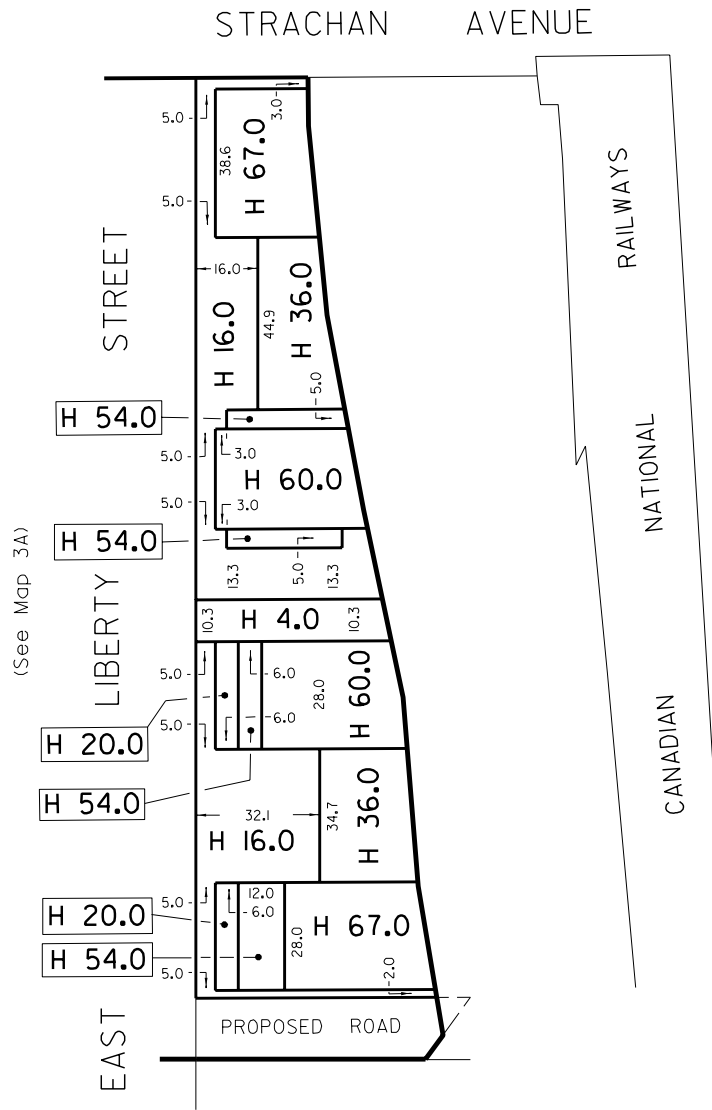
MAP 2



MAP 3A



MAP 3B

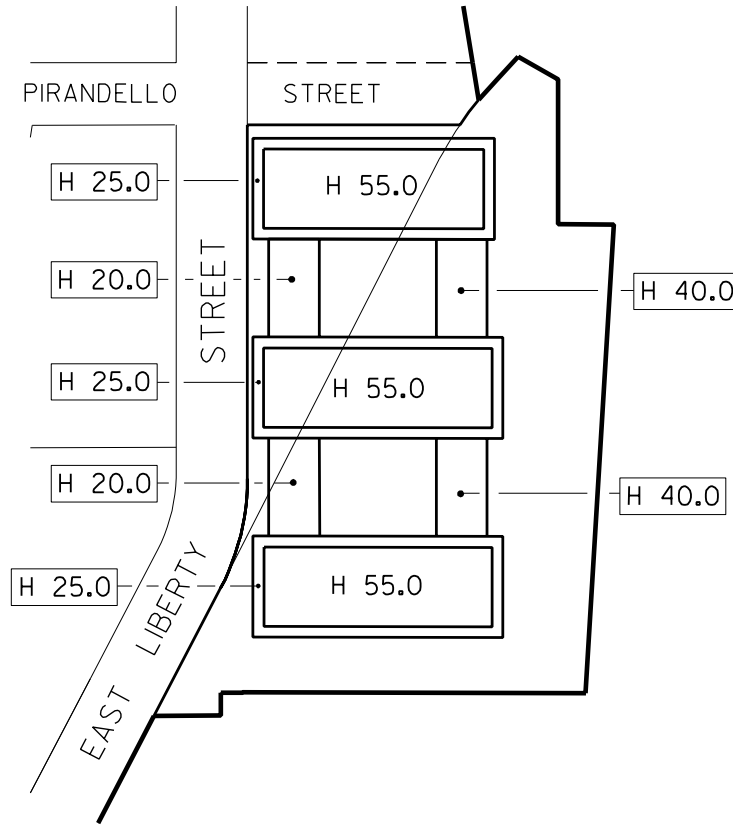


H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



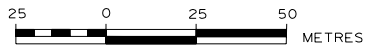
WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO JULY, 2003
 BL03/INCL13B.DGN
 FILES: 2402-21, E77-Z1 and
 S27-Z2
 MAP No. 49G-122 DRAWN: WS

MAP 3C
(BLOCKS 2B and 11A)



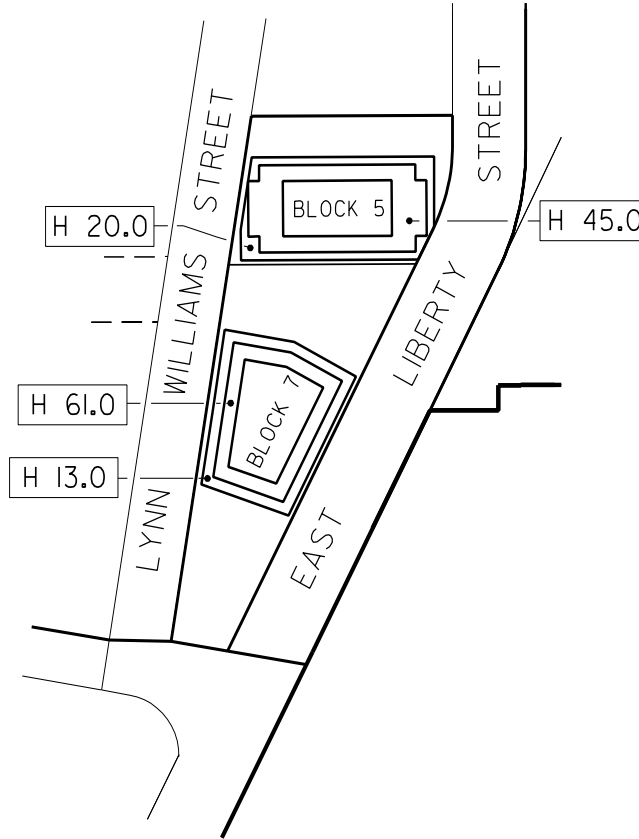
----- PROPOSED ROAD

H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



SURVEY AND MAPPING SERVICES
TORONTO MAY, 2005
BL05/INGLIS3C.DGN
FILES: 2402.21, E77-Z1 and
S27-Z2
MAP No. 49G-122 DRAWN: VG

MAP 3D
(BLOCKS 5 and 7)



----- PROPOSED ROAD

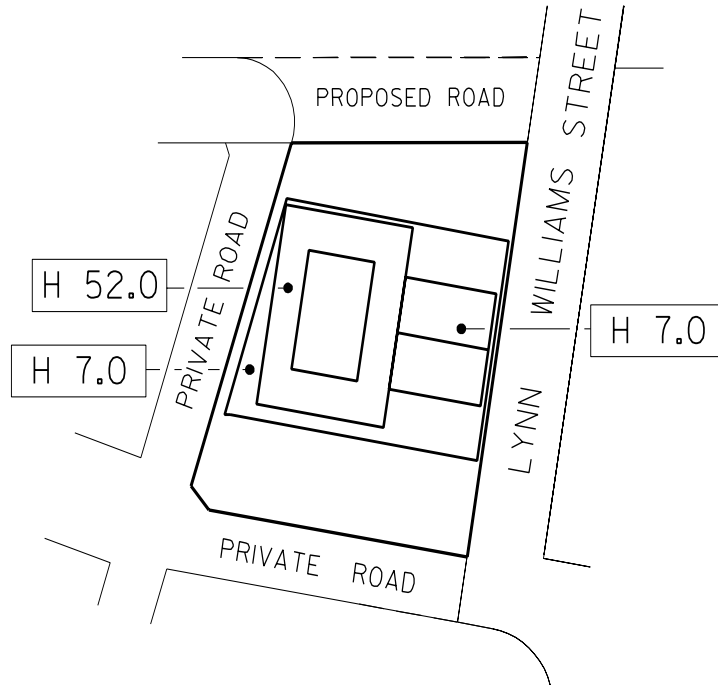
H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



SURVEY AND MAPPING SERVICES
TORONTO MAY, 2005
BL05/1NGLIS3D.DGN
FILES: 2402.21, E77-21 and
527-22
MAP No. 496-122 DRAWN: VG

MAP 3E

(BLOCK 8)

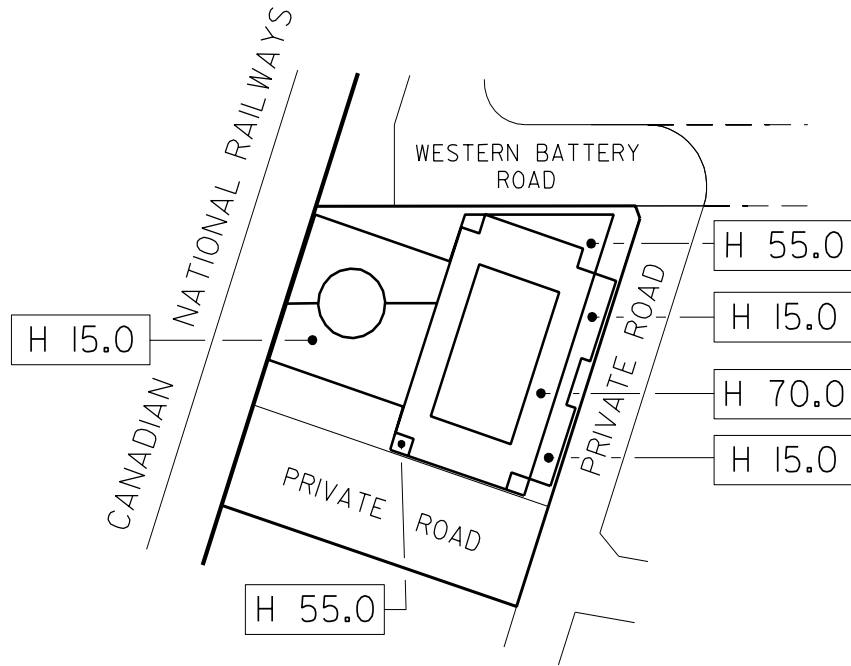


H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



SURVEY AND MAPPING SERVICES
TORONTO MAY, 2005
BL05/INGLIS3E.DGN
FILES: 2402.21, E77-Z1 and
S27-Z2
MAP No. 496-122 DRAWN: VG

MAP 3F
(BLOCK 6)



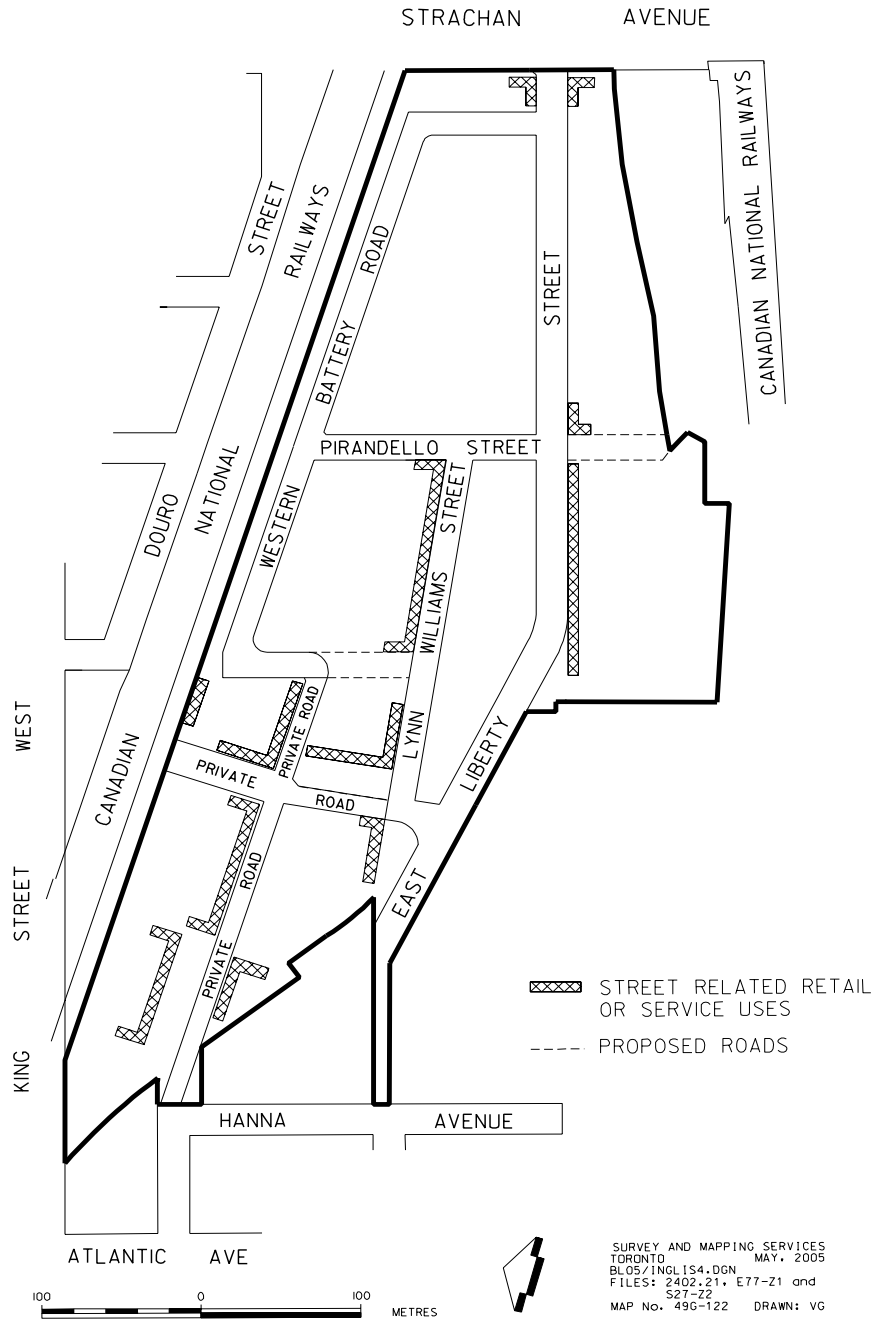
----- PROPOSED ROAD

H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE

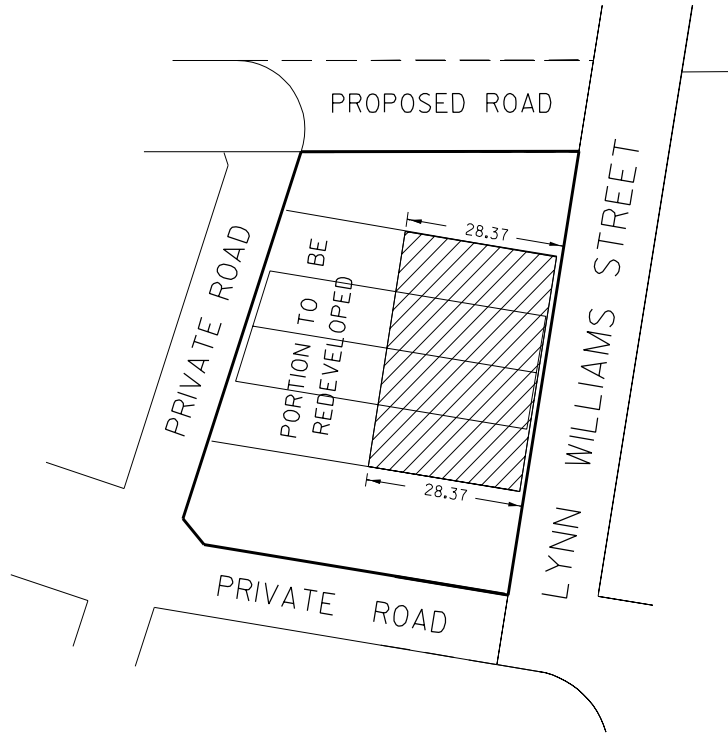


SURVEY AND MAPPING SERVICES
TORONTO JUNE 2005
BLOS/INGL1S3F.DGN
FILES: 2402.21, E77-Z1 and
S27-Z2
MAP No. 496-122 DRAWN: VG

MAP 4



MAP 5



 PORTION OF EXISTING BUILDING TO BE RETAINED



SURVEY AND MAPPING SERVICES
TORONTO MAY, 2005
BL05/INCL155.DGN
FILES: 2402.21, E77-Z1 and
S27-Z2
MAP No. 49G-122 DRAWN: VG