

# **1 Front Street East and 5 & 7 The Esplanade – City Initiated Amendment to Site Specific Zoning By-law – Final Report**

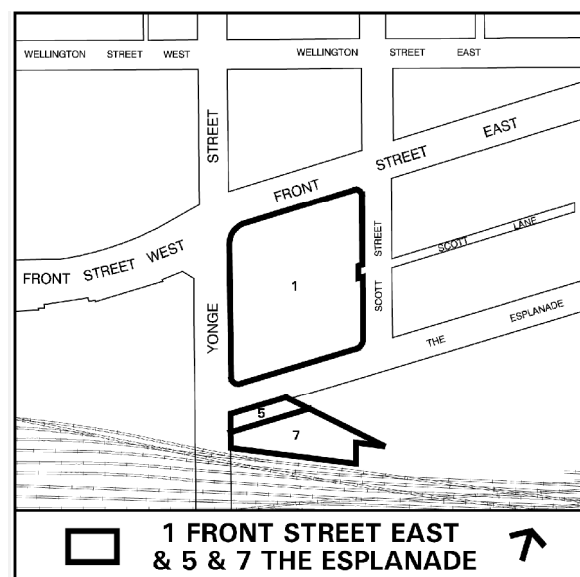
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| <b>Date:</b>             | October 9, 2012  |
| <b>To:</b>               | Toronto and East York Community Council                      |
| <b>From:</b>             | Director, Community Planning, Toronto and East York District |
| <b>Wards:</b>            | Ward 28 – Toronto Centre-Rosedale                            |
| <b>Reference Number:</b> | 07 114857 STE 28 OZ  |

## **SUMMARY**

On July 15-17, 2008 Council enacted site specific Zoning By-law No. 860-2008 to permit a mixed use development with one residential condominium tower and cultural uses at grade on the lands municipally described as 1 Front Street East and a parking structure on the lands municipally described as 5 & 7 The Esplanade. A Section 37 Agreement was entered into, which required the owner of the lands to contribute \$500,000, as indexed, towards the implementation of the Lower Yonge Pedestrian Promenade Plan (Front Street to Queens Quay), and \$100,000, as indexed, to the St. Lawrence Seniors Centre.

This report recommends that By-law No. 860-2008 be amended to direct the funds originally allocated towards the implementation of the Lower Yonge Pedestrian Promenade Plan and the St. Lawrence Seniors Centre to the Front Street Pan Am Games Pedestrian Promenade Plan (Jarvis Street to Parliament Street) and whatever remaining portion towards local parkland creation/improvement or streetscape enhancement projects in the vicinity.

This report further recommends that the



Section 37 Agreement for 1 Front Street East be amended to reflect the reallocation of the \$600,000.00 cash contribution (now \$603,525 with interest).

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend Site Specific Zoning By-law No. 860-2008 to reallocate financial contributions in the Section 37 Agreement for 1 Front Street East and 5 & 7 The Esplanade as contemplated in the report (October 9, 2012) from the Director, Community Planning, Toronto and East York District, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1.
2. City Council authorize the City Solicitor, in consultation with relevant City staff, to amend the registered Section 37 Agreement for 1 Front Street East and 5 & 7 The Esplanade to reflect the reallocation of the \$600,000 cash contribution originally committed to the Lower Yonge Pedestrian Promenade Plan and the St. Lawrence Seniors Centre as follows:
  - a. up to \$600,000 (with indexing) to be directed to the Front Street Pan Am Games Pedestrian Promenade Plan (Jarvis Street to Parliament Street);
  - b. the remainder to be directed to local parkland creation or improvements and/or local streetscape enhancement projects.
3. City Council determine that the community consultation described in the report (October 9, 2012) from the Director, Community Planning, Toronto and East York District, satisfies the consultation requirements of the Official Plan.
4. City Council authorize the appropriate City officials to take the necessary action to give effect to the above, including execution of the amended Section 37 Agreement and appropriate redistribution of the original cash contribution made to the City by the owner as applicable.
5. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

On July 15-17, 2008 Council enacted site specific Zoning By-law No. 860-2008 to permit a mixed use development with one residential condominium tower and cultural uses at

grade on the lands municipally described as 1 Front Street East and a parking structure on the lands municipally described as 5 & 7 The Esplanade.

## **Comments**

### **Section 37 Agreement**

This report recommends that City Council authorize the City Solicitor to amend the Section 37 Agreement for 1 Front Street East and 5 & 7 The Esplanade to reflect the reallocation of the \$600,000 cash contribution originally committed to the Lower Yonge Pedestrian Promenade Plan and the St. Lawrence Seniors Centre to the Front Street Pan Am Games Pedestrian Promenade Plan, subject to the Owners of the land consenting to such an amendment. The report also includes recommendations to permit the City Solicitor and appropriate City officials to give effect to the above.

Reallocation of the funds for 1 Front Street East and 5 & 7 The Esplanade is recommended as the St. Lawrence Seniors Centre is now fully funded with monies from development agreements for 40 The Esplanade and 70 The Esplanade. In addition, the traffic signalization of the intersection of Yonge Street and The Esplanade, as part of the Lower Yonge Pedestrian Promenade Plan, is to be provided from the Transportation Services budget. Section 37 funding was allocated to the traffic signalization in the case of a complex engineering solution being required for advanced signalling in the railway underpass to the south.

Given that the total project costs for the Front Street Pan Am Games Pedestrian Promenade Plan are roughly \$1,000,000 more than what is currently allocated, there is an opportunity to reallocate the \$600,000 (with indexing) in funds in order to pay for a portion of the costs to help ensure the work is complete before the start of the Pan Am Games in 2015.

Significant public consultation attended by staff has occurred through the St. Lawrence Neighbourhood Association and St. Lawrence Market Neighbourhood BIA meetings on the Front Street streetscape improvements.

These consultations identified the need to reallocate funding from approved streetscape projects to the Front Street project as a local priority.

## **CONTACT**

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## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning,  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Draft Zoning By-law Amendment

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Authority: Toronto and East York Community Council Item ~ as adopted by City of  
Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### **CITY OF TORONTO**

#### **BY-LAW No. \_\_\_\_\_**

#### **To further amend By-law No. 438-86 of the former City of Toronto with respect to lands known municipally as 1 Front Street East, and 5 & 7 The Esplanade.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O.  
1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the  
public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. Appendix "1"(r) of By-law No. 860-2008 is amended by:
  - (1) deleting the text of subsections (ii) and (iii) and replacing it with the  
following:

“\$600,000 for streetscape improvements along Front Street East as part of  
the Front Street Pan Am Games Pedestrian Promenade Plan and any  
remaining portion towards local parkland creation or improvements and/or local  
streetscape enhancement projects;”

ENACTED AND PASSED this ~ day of ~, A.D. 2012.

Rob Ford,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)