

Authority: Administration Committee Report No. 2, Clause No. 25, adopted as amended, by
City of Toronto Council on March 6, 7 and 8, 2001
Enacted by Council: March 8, 2001

CITY OF TORONTO

BY-LAW No. 169-2001

To amend former City of Toronto Municipal Code Chapter 165, Development of Land, Article I, to provide a formula for the payment of cash instead of the conveyance of land for certain lands located within a portion of the block bounded by Mutual, Dundas, Dalhousie and Shuter Streets.

WHEREAS the park levy required for the development of Parcels 2 and 3 on the sketch attached to this by-law as Schedule "A" has been prepaid based on a residential density of 13,431 square metres of gross floor area in accordance with former City of Toronto Zoning By-law No. 247-91; and

WHEREAS Parcel 2 is to be conveyed to the City for park development in exchange for the conveyance of Parcel 1; and

WHEREAS it has been agreed that the prepaid park levy attributable to Parcel 2 shall be credited to Parcels 1 and 3 to a total residential density of 13,431 square metres; and

WHEREAS in the event that development on Parcels 1 and 3 exceeds the benchmark residential density of 13,431 square metres, payment on the additional density shall be calculated in accordance with the formula set out in this Article I;

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

1. Chapter 165, Development of Land, of the former City of Toronto Municipal Code is amended as follows:
 - A. By amending § 165-8 as follows:
 - (1) By renumbering § 165-8 as Subsection A, and Subsections A and B as Subsection A(1) and (2); and
 - (2) By adding the following:
 - B. Despite §§ 165-3, 165-4, 165-5 and 165-6, in the case of land known as 76 Shuter Street, 78 Mutual Street, and the land adjoining 81 Dalhousie Street immediately to the south of it, and identified as Parcels 1, 2 and 3 on the sketch in Schedule A at the end of this chapter the following method shall be used to calculate the amount of the cash contribution to be paid instead of the conveyance of land.
 - (1) The amount payable for any residential development on Parcel 3 shall be considered paid in full, with no additional

payments, refunds or rebates to be made, despite any changes to the development permitted by former City of Toronto zoning By-law No. 247-91.

- (2) At the time of issuance of a building permit for Parcel 1, the amount payable for any residential development on Parcel 1 shall be calculated in accordance with the following formula.

Amount of cash contribution = A + B - C

Where:

- A. = (a) If a building permit has been issued for Parcel 3, the amount payable on the development approved for Parcel 3 calculated in accordance with the provisions in this article that are in effect for Parcel 3 at the time of issuance of a building permit for Parcel 1.
- (b) If a building permit has not been issued for Parcel 3, the maximum amount that could be payable on Parcel 3 for a permit issued under the zoning by-law in effect for Parcel 3 at the time of issuance of a building permit for Parcel 1, as calculated in accordance with the provisions in this article that are in effect for Parcel 3 at the time of issuance of a building permit for Parcel 1.
- B. = The amount payable on the development proposed in the Parcel 1 building permit application, calculated in accordance with the provisions of this article that are in effect at the time of issuance of a building permit for Parcel 1.
- C. = The amount payable on the benchmark residential density of 13,431 square metres calculated in accordance with the provisions of this article that are in effect at the time of issuance of a building permit for Parcel 1.

B. By adding Schedule A at the end of this by-law.

ENACTED AND PASSED this 8th day of March, A.D. 2001.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)

