

Authority: Downtown Community Council Report No. 4, Clause No. 3,  
adopted, as amended, by City of Toronto Council on May 30, 31 and June 1, 2001  
Enacted by Council: June 1, 2001

## CITY OF TORONTO

### BY-LAW No. 503-2001

**To amend By-law No. 438-86 of the former City of Toronto as amended, respecting certain lands of the Toronto General Hospital bounded by College Street, Elizabeth Street, Gerrard Street West and University Avenue.**

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 the height or density of development beyond those otherwise permitted by the by-law 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 and 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 owner of the lands hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increases in the 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 owner of such lands and the City of Toronto; and

WHEREAS Council has required the owner 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 and 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. None of the provisions of section 4(2)(a) exclusive of those rooftop facilities and matters permitted by such section, and of sections 4(9)(a)(v), 4(11), 8(1)(f), 8(3) PART I1, 2 and 3(a), 8(3) PART III 1 and 12(2) 260 of Zoning 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, shall apply to prevent the erection or use of buildings within each of Areas 1, 2 and 3 of Parcel A shown on the attached Plan 1, for any one or more of the uses permitted in a CR district provided:
  - (1) the *lot* comprises those lands delineated by a heavy line and consisting of Parcels A and B, all as shown on Plan 1 attached hereto;

Notwithstanding the definition of “*lot*” contained in section 2(1) of the aforesaid By-law No. 438-86, Parcels A and B as shown on the attached Plan 1, shall comprise a “*lot*” notwithstanding more than one building is or is to be erected thereon, and all such buildings shall be deemed to have a common basement;

- (2) no part of the buildings to be erected on Parcel A, above *grade*, are located otherwise than wholly within the area shown delineated by a heavy line on Plan 2 attached hereto;
- (3) *landscaped open space* is provided and maintained at least as shown on Plan 3 attached hereto;
- (4) the area adjacent to College Street shown as Open Space on Plan 3 is used for no purpose other than open recreation area accessible to the public and contains no structure above or below *grade*, except any below *grade* connection to a subway entrance or facility and except for any below *grade* parking structure beneath the portion of the Open Space adjacent to lands on which the easterly and westerly extremities erected circa 1927 of the College Wing are located provided such extremities have been removed;
- (5) the *residential gross floor area*, *non-residential gross floor area* or a combination of *residential and non-residential gross floor area* of all buildings to be erected and used on Parcel A does not exceed 130,060 square metres. For the purposes of determining the maximum gross floor area permitted by this subsection, the gross floor area contained within the existing building identified as “College Wing” on Plan 3 shall be excluded;
- (6) the *non-residential gross floor area* of buildings within Parcel B shown on Plan 3 does not exceed 172,600 square metres;
- (7) no *parking spaces* or *loading spaces* are required for the “College Wing”;
- (8) no part of any building or structure shall exceed those *heights*, in metres, following the symbol “H”, shown on the attached Plan 4, exclusive of those rooftop facilities and matters otherwise permitted by section 4(2)(a) of By-law No. 438-86, as amended;
- (9) except as provided in section 1(7) of this By-law, the owner or occupant of Parcel A provides and maintains motor vehicular parking in accordance with the provisions of By-law No. 438-86, as amended, except to the extent of providing for each one-*bedroom* and two-*bedroom dwelling units* within a building containing more than 6 *dwelling units*, 0.7 and 1.0 *parking spaces* respectively; and
- (10) notwithstanding the provisions of this By-law or By-law No. 438-86, as amended, no person shall erect or use a building or structure within Parcel B unless the

owner or occupant provides and maintains within Parcel B at least 81 *parking spaces* and at least 8 loading spaces, which loading spaces, notwithstanding By-law No. 438-86, as amended, shall have a length of at least 4.87 metres, a width of at least 2.59 metres and a vertical clearance of at least 2.43 metres.

2. Sections 12(1) 334 and 12(1) 335 of By-law No. 438-86, as amended, are amended by deleting the phrase, “101 College Street By-law 531-83”.
3. Notwithstanding Section 1 hereof, the density and height of development permitted by Section 1 is permitted subject to compliance with the conditions set out therein and in return for the provision by the owner of the *lot* referred to in Section 1 of the following facilities, services and matters to the City of Toronto, namely:
  - (1) retain, restore, conserve and maintain the College Wing in accordance with the approved Open Space Guidelines dated February, 2001 prepared by Hough, Woodland, Naylor, Dance, the approved Heritage Strategy and Restoration Plan prepared by William Greer, Architect (dated January, 2001) and the approved Design Guidelines prepared by William Greer, architect/Bregman and Hamann Architects (dated January 2001);
  - (2) deposit with the City, letters of credit in amounts satisfactory to the Commissioner of Economic Development, Culture and Tourism prior to the demolition of any part of the College Wing identified in the heritage easement agreement and prior to the restoration of the College Wing;
  - (3) provide and maintain one or more works of art pursuant to a public art program in publicly accessible portions of the *lot* of a value not less than one per cent of the cost of construction of all new buildings, structures and additions erected on Parcel A on or after the date of passing of this By-law, provided that the costs related to obligations under the agreements drawn pursuant to Section 37 of the *Ontario Heritage Act* and costs related to public art and public hospital and facilities, shall not be included in such valuation;
  - (4) provide, maintain and operate the development in accordance with the Noise Impact Statement approved by the Commissioner of Works and Emergency Services;
  - (5) provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes, sewer maintenance holes and any other collateral matters which are required in connection with this development; and
  - (6) enters into one or more agreements with the City pursuant to Section 37 of the *Planning Act* to secure all the facilities, services and matters referred to in this By-law, and such agreement or agreements are appropriately registered against the title of the lands.

4. For the purposes of this By-law, each word or expression which is italicized herein shall have the same meaning as each word and expression as defined in the aforesaid By-law No. 438-86, as amended.
5. By-law No. 531-83 being, “A By-law to amend By-law No. 20623, as amended, respecting certain lands of the Toronto General Hospital bounded by College Street, Elizabeth Street, Gerrard Street West and University Avenue”, is repealed.
6. Section 13 of By-law No. 438-86, as amended, is further amended by deleting from the Schedule, the line, “By-law No. 531-83 respecting 101 College Street.”.

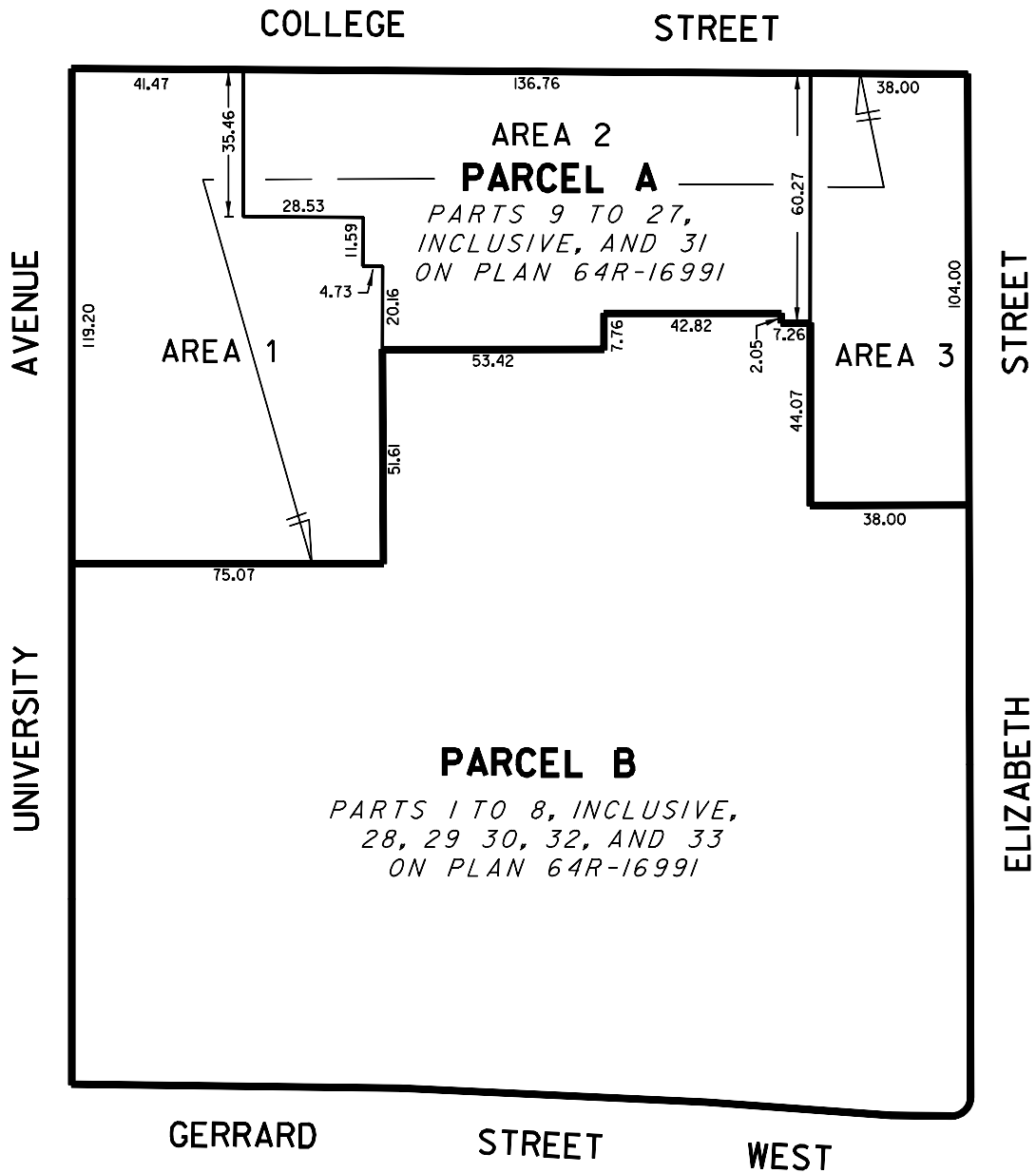
ENACTED AND PASSED this 1st day of June, A.D. 2001.

CASE OOTES,  
Deputy Mayor

JEFFREY A. ABRAMS,  
Acting City Clerk

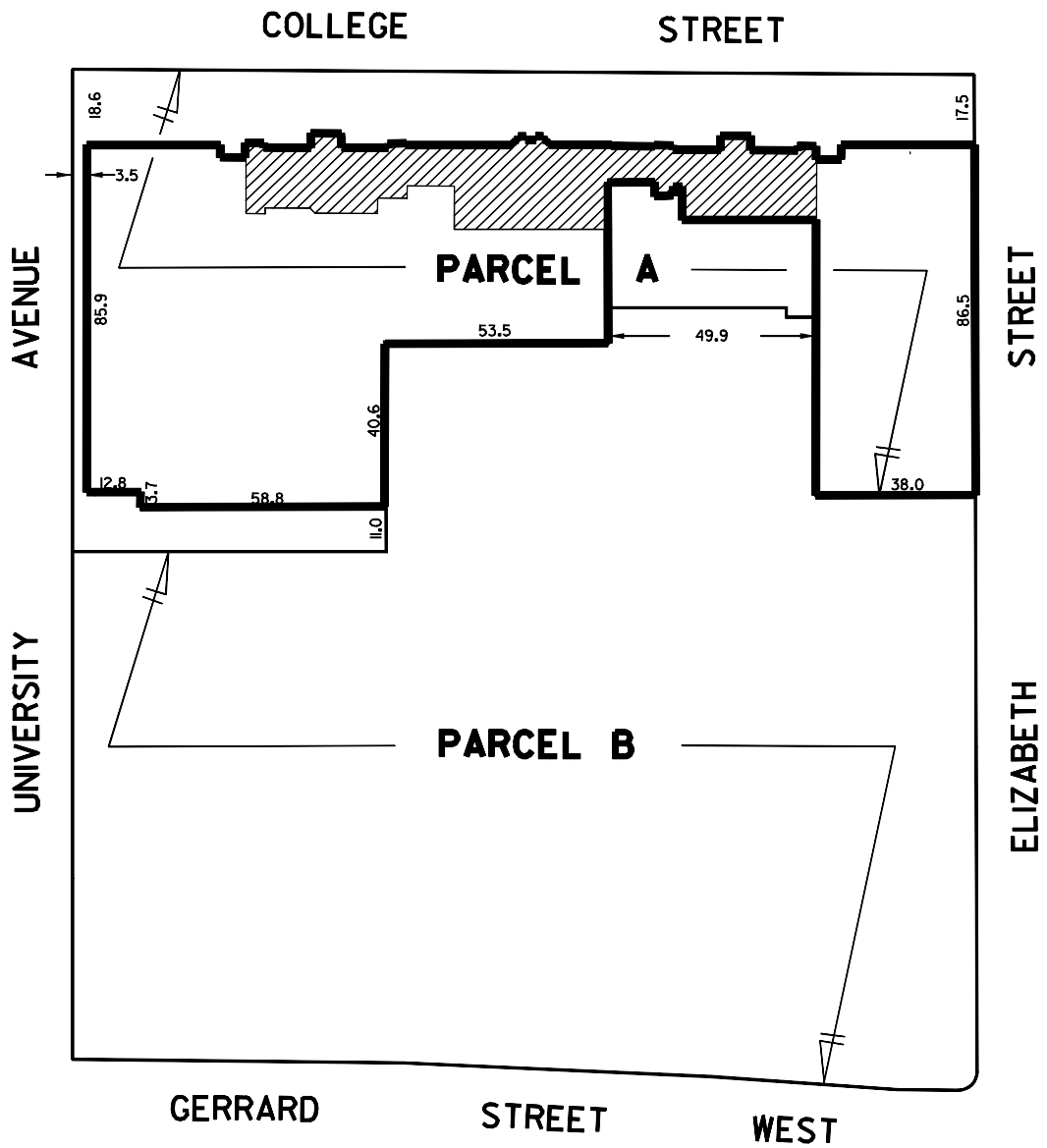
(Corporate Seal)

PLAN 1



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO MAY, 2001  
BL01/101COL1.DGN  
FILE: C16-Z15  
MAP No. 50H-313 DRAWN: WL

PLAN 2

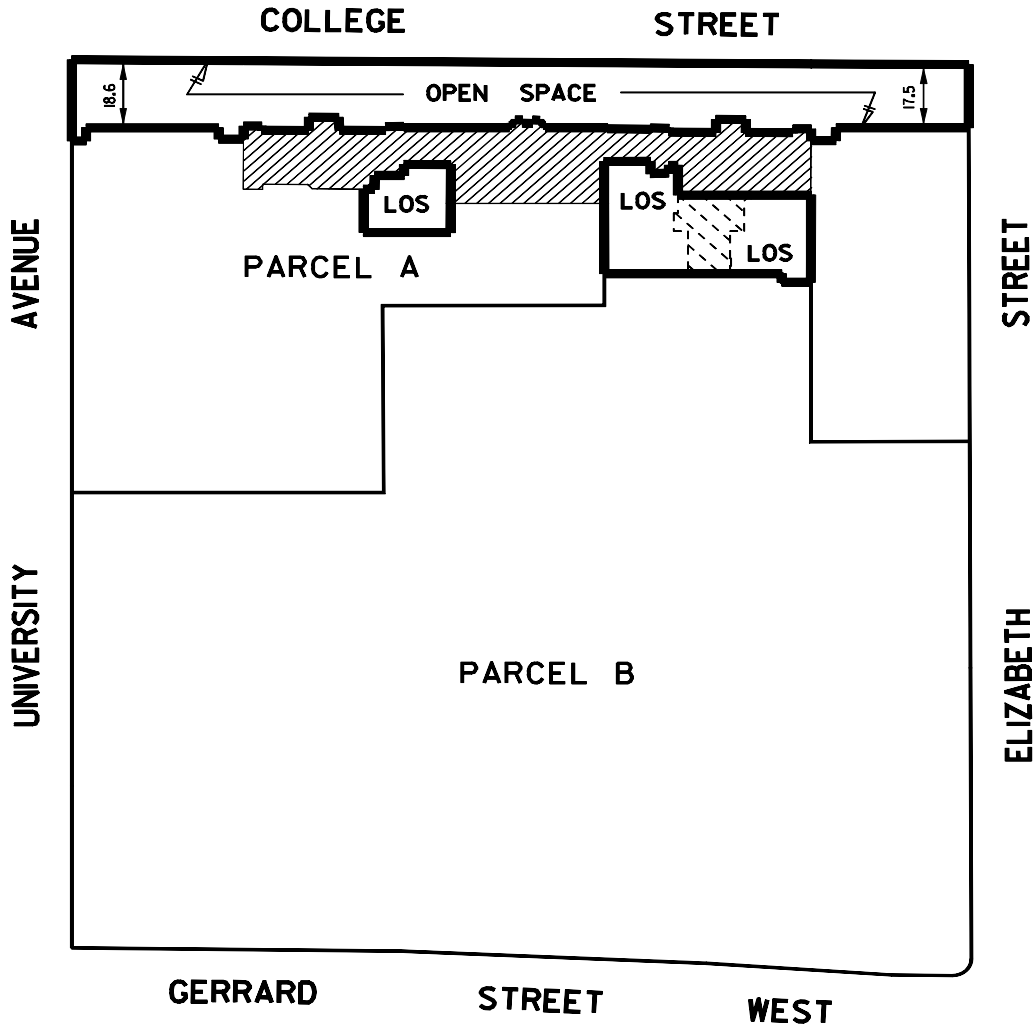




 COLLEGE WING (TO BE RETAINED)



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO  
BL01/101COL2.DGN MAY, 2001  
FILE: C16-215  
MAP No. 50H-313 DRAWN: WL

# PLAN 3



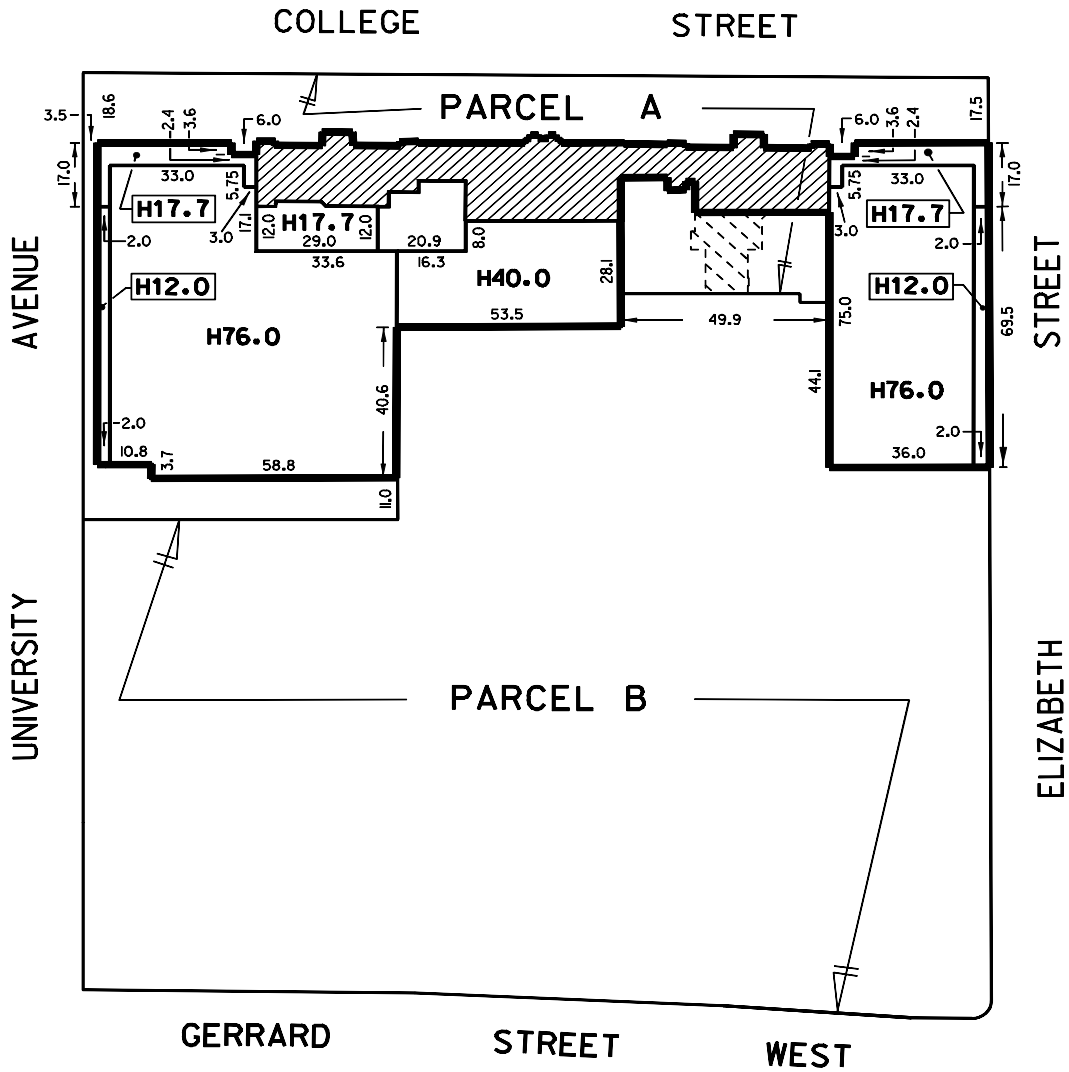
-  COLLEGE WING (TO BE RETAINED)
-  LANDSCAPED OPEN SPACE, IF EXISTING BUILDING REMOVED

LOS: DENOTES LANDSCAPED OPEN SPACE



WORKS AND EMERGENCY SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO MAY, 2001  
 BL01/101COL3.DGN  
 FILE: C16-Z15  
 MAP No. 50H-313 DRAWN: WL

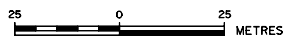
PLAN 4



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE

 COLLEGE WING (TO BE RETAINED)

 H0.0, IF EXISTING BUILDING IS REMOVED



WORKS AND EMERGENCY SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO MAY, 2001  
 BLO1/101COL4.DGN  
 FILE: C16-Z15  
 MAP No. 50H-313 DRAWN: PG