

CITY OF TORONTO

BY-LAW No. 587-2002(OMB)

To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as Nos. 852, 860 and 876 Yonge Street, 11 and 21 Scollard Street.

WHEREAS the Ontario Municipal Board pursuant to its Order No. 2058 issued December 18, 2001, upon hearing the appeal of Wittington Properties Limited under Section 22(7) of the *Planning Act* R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the Official Plan of the former City of Toronto;

THEREFORE the Official Plan of the former City of Toronto is amended by the Ontario Municipal Board 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. 528.

PURSUANT TO ORDER NOS. 1199 AND 2058 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JULY 26, 2001 AND DECEMBER 18, 2001 IN BOARD FILE NO. PL000950.

SCHEDULE “A”

1. Section 18 of the Official Plan for the former City of Toronto is hereby amended by adding the following Section 18. 528 and the attached Map 18.528;

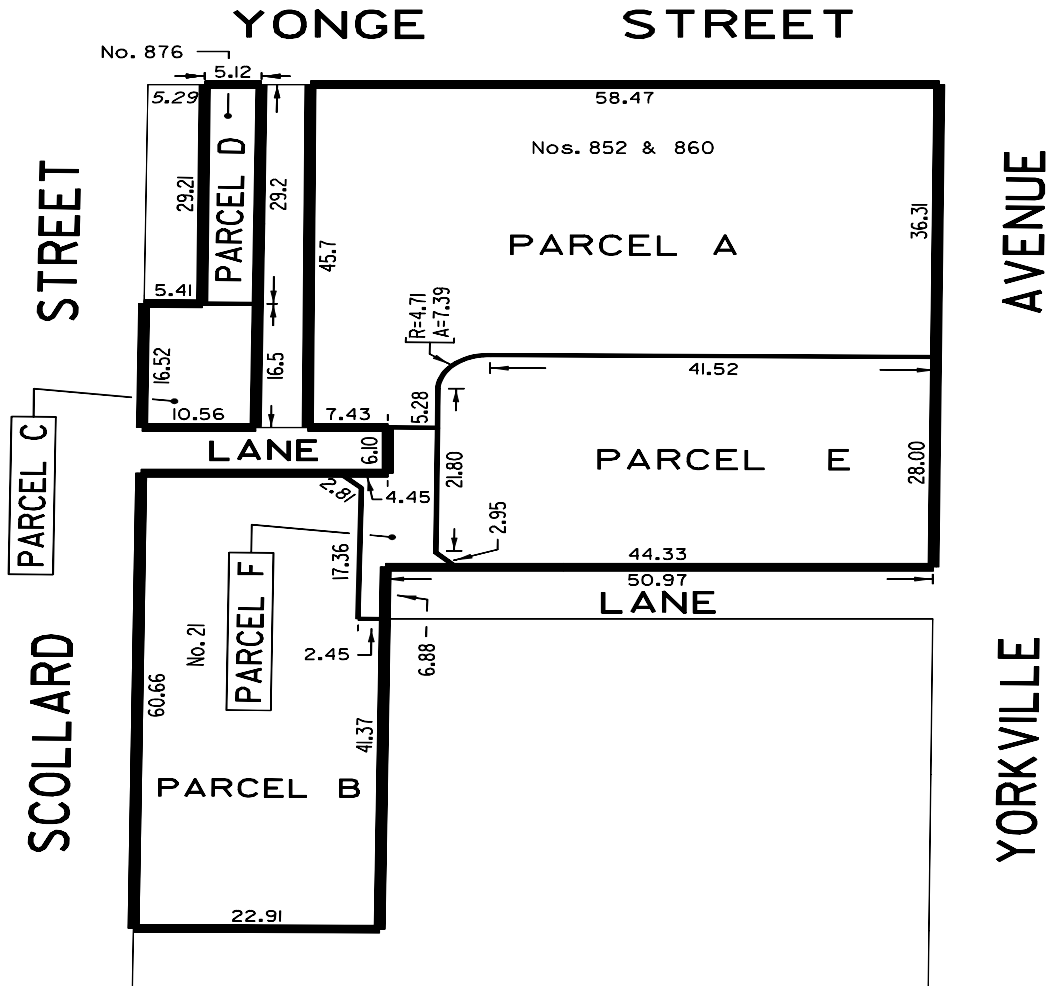
“18. 528 Lands known as Nos. 852, 860 and 876 Yonge Street, 11 and 21 Scollard Street

1. Despite any of the provisions of this Plan, Council may pass by-laws applicable to the lands delineated by heavy lines on Map 18.528 (the “Lands”), to permit the erection and use on the Lands of buildings containing *residential* and/or *non-residential gross floor area*, and *public park* uses, provided that:

- (i) the maximum *gross floor area* does not exceed 33,200 square metres;
- (ii) Owner of the Lands shall enter into an agreement, pursuant to Section 37 of the *Planning Act*, to secure that the following facilities, services and matters shall be provided at or before the substantial completion of the project:
 - (a) the conveyance of strata lands for a *public park* as shown as Parcel A on the attached Map 18.528, having a minimum strata depth of 1.5 metres;
 - (b) the conveyance of strata lands for public lane purposes as shown as Parcel B on the attached Map 18.528;
 - (c) the conveyance of a surface pedestrian easement with a minimum clear width of 1.5 metres and a minimum vertical clearance of 3.0 metres shall be provided in proximity to the Scollard Lane shown on Map 18.528;
 - (d) the provision of a financial contribution totalling \$750,000 to be used by the owners of the Lands for the purpose of designing and developing the public park;

- (e) the financial contribution mentioned in subsection (d) above shall include the Owner's contribution for public art and compensation to the City for a "limiting distance agreement" to provide for a minimum 6.03 metre building setback on the abutting City owned land to the south of 21 Scollard Street;
- (f) the Owner will design the *public park* in consultation with a Working Committee and to the satisfaction of appropriate City officials;
- (g) the Owner will provide at the Owners expense, a historical plaque to commemorate the historic Village of Yorkville in consultation with Heritage Toronto on the Lands; if the plaque is located on Parcel A on the attached Map 18.528, the design of the plaque shall be in consultation with the appropriate City officials;
- (h) the Owner agrees to locate a historical monument on the Lands, if and when provided by the Bloor-Yorkville Business Improvement Association; the design of the monument shall be mutually agreeable to the Owner and the Bloor-Yorkville Business Improvement Association; if the monument is located on Parcel A on the attached Map 18.528, the design of the monument shall be in consultation with the appropriate City officials;
- (i) a one-time contribution in the amount of \$25,000.00 to be used by the City for maintenance of the *public park* to be established on Parcel A as shown on the attached Map 18.528.

MAP 18.528



PARCEL E- PROPOSED PUBLIC PARK
 PARCEL B- PROPOSED PUBLIC LANE



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO DECEMBER, 2001
 OP01/ 18528.DGN
 FILE: Y1-Z177
 MAP No. 50J-313 DRAWN: D.R.