

Authority: Toronto East York Community Council Report No. 12, Clause No. 6,
as adopted by City of Toronto Council on November 26, 27 and 28, 2002
Enacted by Council: November 29, 2002

CITY OF TORONTO

BY-LAW No. 1089-2002

To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as Nos. 76 to 98 Charles Street West, No. 11 St. Thomas Street and Nos. 1 and 3 Sultan Street.

The Council of the City of Toronto HEREBY ENACTS 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. 245.
3. Official Plan Amendment No. 558, as enacted by By-law No. 542-93 being, "A By-law to adopt an amendment to Part II of the Official Plan respecting the Sultan - St. Thomas Area of Special Identity", is hereby repealed.

ENACTED AND PASSED this 29th day of November, A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”

1. Section 18 of the Official Plan, for the former City of Toronto is hereby amended by adding the following Section 18.579 and the attached Map 18.579.

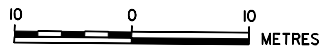
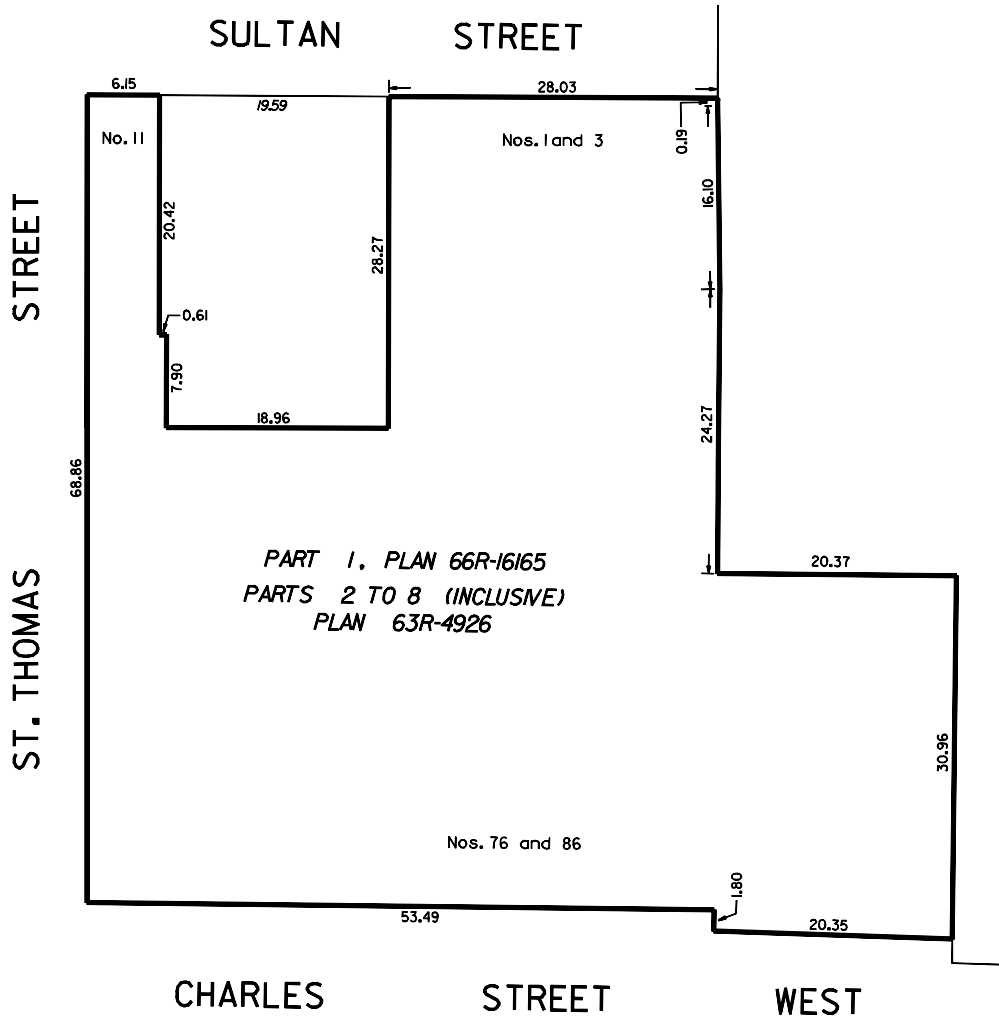
“18.579 Lands municipally known in the year 2002 as Nos. 76 to 98 Charles Street West, No. 11 St. Thomas Street and Nos. 1 and 3 Sultan Street.

Notwithstanding any of the provisions of this Plan, Council may pass by-laws applicable to the lands delineated by heavy lines on Map 18.579, to permit increases in the density and height of development otherwise permitted, to permit the use of existing buildings known in the year 2002 as Nos. 11 St. Thomas Street, 1 Sultan Street and 3 Sultan Street and to permit the erection and use on the lands shown delineated by heavy lines on Map 18.579 of an apartment building, four row houses and a semi-detached house consisting of a pair of attached buildings provided:

- (1) the *residential gross floor area* of the apartment building does not exceed 19,997.2 square metres and contains not more than 93 dwelling units;
- (2) the *residential gross floor area* of each of the four row houses does not exceed 353 square metres and each row house contains not more than one dwelling unit;
- (3) the *residential gross floor area* of each of the two attached buildings of the semi-detached house does not exceed 278.7 square metres and each attached building contains not more than one dwelling unit;
- (4) pursuant to Section 37 of the *Planning Act*, such by-law requires the owner of the lands to provide the City of Toronto, in return for the residential density and height permission thereby granted, the following facilities, services and matters:
 - A. enter into a heritage easement agreement drawn pursuant to Section 37 of the *Ontario Heritage Act* for each of the existing buildings on lands known as Nos. 11 St. Thomas Street, 1 Sultan Street and 3 Sultan Street;

- B. provide and maintain one or more works of art pursuant to a public art program in publicly accessible portions of the lands of a value not less than one per cent of the cost of construction of all new buildings, structures and additions erected thereon 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 shall not be included in such valuation;
 - C. provides, in addition to the requirements of paragraphs A and B, payments of
 - (i) \$500,000.00 for the Bloor Street revitalization;
 - (ii) \$300,000.00 for the Toronto Heritage Grant Program or its equivalent as determined by the Manager of Heritage Preservation Services of which \$50,000.00 is set aside for the explicit purpose of assisting in the restoration of the Firehall No. 3 clock tower located at 484 Yonge Street;
 - D. agrees to provide and maintain building materials and design of the buildings to be erected satisfactory to the Commissioner of Urban Development Services, such design and materiality to be substantially in accordance with the plans, as amended by red-lining dated November 8, 2002, prepared by Robert Stern Architects in collaboration with Young and Wright Architects and on file with the Commissioner;
 - E. shall provide and maintain a publicly accessible walkway from Charles Street to Sultan Street satisfactory to the Commissioner of Urban Development Services;
 - F. shall provide and maintain those services, facilities and matters collateral to those secured by site plan approval pursuant to Section 41 of the *Planning Act*.
- (5) the owner of the lands is required to enter into an agreement with the City pursuant to Section 37 of the *Planning Act*, to secure the provision of the said facilities, services and matters required to be provided by subsection (4) and with conditions providing for: indexed escalation of financial contribution, no credit for development charges, indemnity, termination and unwinding, and registration and priority of agreement.

MAP 18.579



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO NOVEMBER, 2002
OPO2/18579.DGN
FILE: C43-Z4
MAP No. 50H-323 DRAWN: D.R.