

**CITY OF TORONTO**

**BY-LAW No. 459-2004(OMB)**

**To adopt Amendment No. 283 to the Official Plan for the former City of Toronto with respect to lands known municipally as 1430 Yonge Street.**

WHEREAS, the Ontario Municipal Board pursuant to its Order No. 1228, and Order No. 0571 issued on March 15, 2004, upon hearing the appeal of 1430 Yonge-Street Inc. under Section 22(7) of the *Planning Act*, deems it advisable to amend the Official Plan for the former City of Toronto;

THEREFORE, the Official Plan for the former City of Toronto is amended as follows:

1. The text and map attached hereto as Schedule "A" is hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 283.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON MARCH 15, 2004, IN BOARD CASE NO. PL020884.

**SCHEDULE “A”**

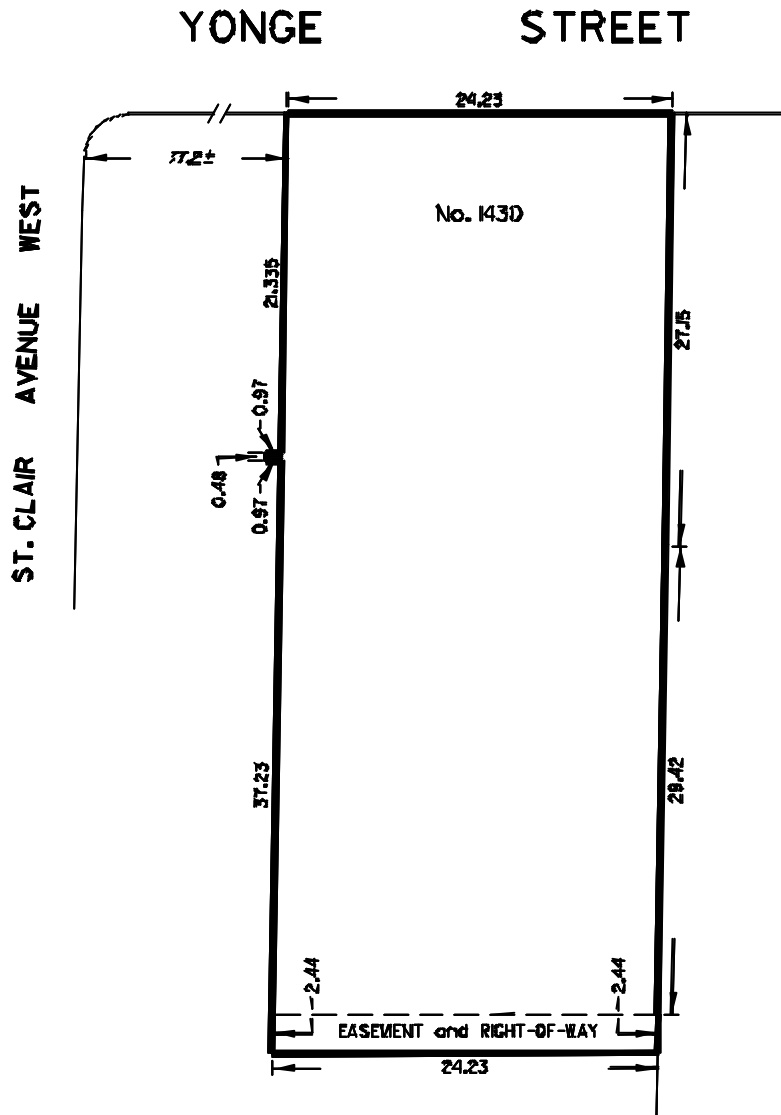
1. Section 18 of the Official Plan for the former City of Toronto is amended by adding Section 18.613 as follows:

“18.613 Lands known as 1430 Yonge Street.

Notwithstanding any of the provisions of this Plan, as amended, Council may pass by-laws respecting the lands shown by heavy lines on Map 18.613 to permit the erection and use of a *mixed-used building* provided that:

- (a) the building has a maximum height to the top of the roof slab of 41.9 metres, but this paragraph does not prevent the erection or use of:
  - (i) mechanical penthouses to a maximum height of 5 m; and
  - (ii) parapets, guards and railings to a maximum height of 1.3 metres above the height limits;
- (b) the total gross floor area of such mixed use building does not exceed 10,010 square metres; and
- (c) the Owner of the lands has entered into an agreement pursuant to Section 37 of the *Planning Act* to secure the following facilities, services and matters:
  - (i) the contribution of funds to the City, prior to the issuance of a building permit, in the amount of \$25,000.00 to be used for improvements to Amsterdam Square Park;
  - (ii) the contribution of funds to the City, prior to the issuance of a building permit, in the amount of \$90,000.00 to be used for improvements to David A. Balfour Park; and
  - (iii) the provision of an alternative vehicle access from the west side of the *lot* to be incorporated into the design of the building, and the mandatory use of the alternative vehicular access from the west if it becomes available, together with the elimination of the Yonge Street access and the conversion of such access to retail space at that time, and the provision of a letter of credit in the amount of \$10,000.00 to secure this obligation.”

# MAP 18.613



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO NOVEMBER, 2003  
OPA03/18613.DGN  
FILE: Y1-2182  
MAP No. 50J-323 DRAWN: D.R