

Authority: Toronto and East York Community Council Report No. 6, Clause No. 12,
as adopted by City of Toronto Council on July 20, 21 and 22, 2004
Enacted by Council: July 22, 2004

CITY OF TORONTO

BY-LAW No. 680-2004

To amend By-law No. 848-2000 of the former City of Toronto with respect to lands known municipally as 532, 560, 566, 570 Bay Street; 101, 109, 111, 127, 129, 131, 137, 141 Dundas Street West; 91, 99, 105, 109, 111 Elizabeth Street and 9 Foster Place.

WHEREAS authority is given to Council of the City of Toronto by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this by-law; and

WHEREAS Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

WHEREAS pursuant to Section 37 of the *Planning Act*, Council may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in height or density of development beyond those otherwise permitted by the by-law, in return for the provision of such facilities, services and 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 or density of development, Council may require the owner to enter into one or more agreements with the City dealing with the facilities, services and matters; and

WHEREAS the owner of the lands herein after referred to has elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increases in density and 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 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; 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;

NOW THEREFORE, the Council of the City of Toronto, HEREBY ENACTS as follows:

1. By-law No. 848-2000 is hereby amended as follows:
 - (1) Subsection 2(5) is hereby deleted;
 - (2) Subsection 2(2) is hereby amended by deleting the word “and” at the end of subsection 2(2)(a)(i) and by adding the following as subsection 2(2)(a)(iii):
 - “(iii) the *height above grade* of any building or structure erected or used on *Lot B* shall not exceed the *heights above grade* shown on Plan 2; and”;

(3) Subsections 3(2)(a) and (b) are hereby deleted and replaced with the following:

“(a) provide to the City:

(i) a \$250,000 contribution for local parks and open spaces, prior to the issuance of an above *grade* building permit for any development on *Lot A*; and

(ii) a \$50,000 contribution for the temporary landscaping of *Lot B*, no later than 60 days from the substantial completion of the first building on *Parcel A* or *Parcel B*”;

(b) demolish all structures on *Lot B*, remediate *Lot B* to the satisfaction of the City, and convey those lands to the City for a nominal amount in fee simple;

(4) Subsection 3(3) is hereby deleted and replaced with:

“(3) provide and maintain works of public *art* in a location or locations on *Lot A* satisfactory to the City, of a value not less than one percent of the cost of construction of all buildings and structures to be erected on *Lot A*,” and

(5) Plan 2 is hereby deleted and replaced with the attached Plan 2.

2. Upon execution of an agreement by the *owner* of *Lot A* and *Lot B*, and registration of such agreement against *Parcel A*, *Parcel B*, *Parcel C* and *Lot B*, as those italicized terms are defined in By-law No. 848-2000, as amended, pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, *Lot A* and *Lot B* are subject to the provisions of this By-law.

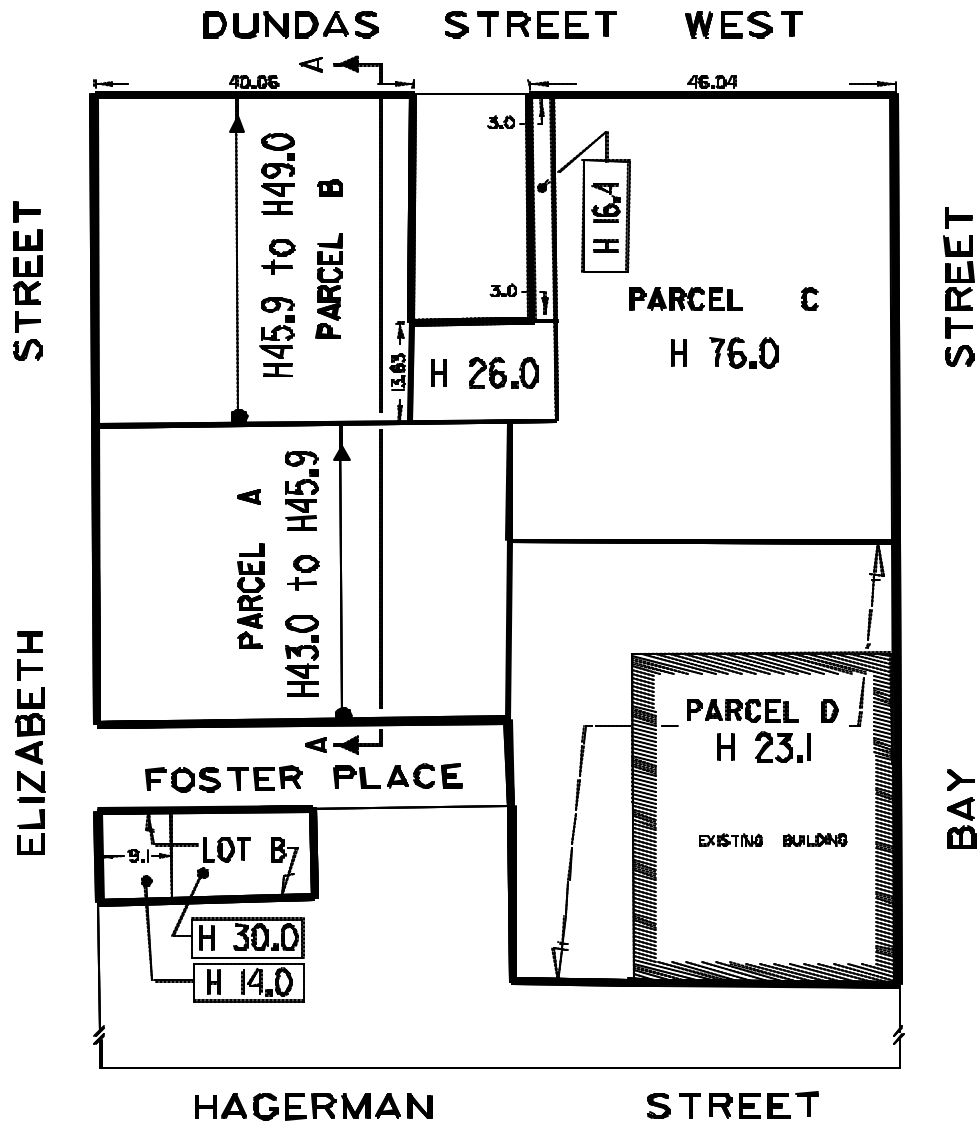
ENACTED AND PASSED this 22nd day of July, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

PLAN 2



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE FOR SECTION A-A, SEE PLAN 3



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO JUNE 30, 2004
 BLOM/STODAYS.DWG
 FILE: 011-283
 YAP No. 20H-315 DRAWN: DR/VG