

Authority: Toronto and East York Community Council Report No. 7, Clause No. 4,
as adopted by City of Toronto Council on September 28, 29, 30 and October 1, 2004
Enacted by Council: September 30, 2004

CITY OF TORONTO

BY-LAW No. 860-2004

To adopt Amendment No. 311 to the Official Plan for the former City of Toronto with respect to lands municipally known in the year 2003 as 43 Hanna Avenue.

WHEREAS the Council of the City of Toronto has an application made to it for a proposed Official Plan Amendment respecting the lands municipally known in the year 2003 as 43 Hanna Avenue; and

WHEREAS the Council of the City of Toronto conducted a public meeting under section 17 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, regarding the proposed Official Plan Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held September 28, 29, 30 and October 1, 2004, determined to amend the Official Plan for the former City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The text and maps attached hereto as Schedule 'A' are hereby adopted as amendments to the Official Plan of the former City of Toronto.
2. This is Official Plan Amendment No. 311.

ENACTED AND PASSED this 30th day of September, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE 'A'

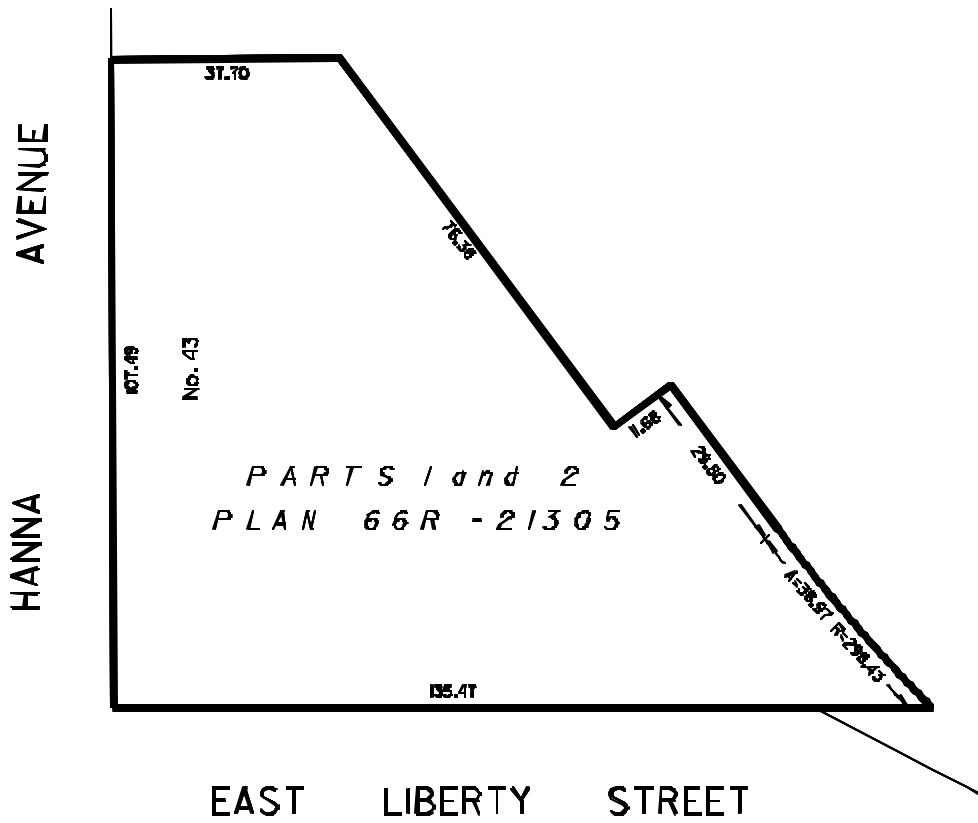
1. Section 18 of the Official Plan for the City of Toronto is hereby amended by adding the following Section 18.638 and the attached Map 18.638:

“18.638 Lands known municipally in the year 2003 as 43 Hanna Avenue.

Despite any of the provisions of this Plan, Council may pass by-laws respecting the lands outlined by heavy lines on Map 18.638, to permit the renovation of, including construction of additions, and the use of the buildings and structures existing on the lands shown on Map 18.638 as at the date of the passage of this by-law, for the purpose of live/work units, industrial, retail, office and accessory uses exceeding a density of 3.0 times the area of the lot, provided:

- (i) the lands on which such building or structures are renovated or used, comprise at least the lands outlined by heavy lines as shown on Map 18.638;
- (ii) the total combined *residential gross floor area* and *non-residential gross floor area* of the buildings and structures on the lands, as shown on Map 18.638, does not exceed 36,200 square metres;
- (iii) the *owner* of the lands, as shown on Map 18.638, is required to enter into one or more agreements pursuant to Section 37 of the *Planning Act*, satisfactory to the Commissioner of Urban Development Services and the City Solicitor, and that such agreement(s) be registered against the title to the said lands, to secure the following facilities, services and matters:
 - (a) a cash payment by the owner in the amount of \$270,000.00 for the purpose of funding an off site publicly owned public art project for the enhancement of the King Street West railway underpass located east of Atlantic Avenue. The funds will be administered by the Commissioner of Economic Development, Culture and Tourism in consultation with the Commissioner of Urban Development Services and the nature of the public art project shall be within the sole discretion of the City;
 - (b) implementation of measures satisfactory to the Commissioner of Urban Development Services to address issues associated with the integration of live/work units into an industrial use building as well as with the possible noise and vibration resulting from the proximity of the lands to an active railway corridor.”

MAP 18.638



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO: SEPTEMBER, 2004
DIPROD/18858.DGN
FILE # 18-21
MAP No. 450-22 On/Archi MS/Ar