

CITY OF TORONTO

BY-LAW No. 568-2008(OMB)

**To adopt Amendment No. 373 to the Official Plan for the former City of Toronto
with respect to lands municipally known as 164 Avenue Road.**

WHEREAS the Ontario Municipal Board, pursuant to its Order No. 1547, dated May 25, 2006, deems it advisable to amend the former City of Toronto Official Plan, as amended, with respect to certain lands municipally known as 164 Avenue Road;

THEREFORE the Ontario Municipal Board hereby approves the following amendment to the Official Plan of the former City of Toronto:

- 1.** Amendment No. 373 to the Official Plan of the former City of Toronto, consisting of the attached text and map designated as Schedule “1” is hereby approved.

PURSUANT TO DECISION/ORDER NO. 1547 OF THE ONTARIO MUNICIPAL BOARD,
ISSUED ON MAY 25, 2006 IN BOARD CASE FILE NO. PL050918.

AMENDMENT NO. 373 TO THE OFFICIAL PLAN
OF THE FORMER CITY OF TORONTO
164 AVENUE ROAD

The following Text and Map, designated as Schedule “1”, constitutes Amendment No. 373 to the Official Plan of the former City of Toronto. The sections headed “Purpose and Location” and “Basis” are explanatory only and shall not constitute part of this amendment.

PURPOSE AND LOCATION

The proposed amendment is to permit the construction of a *mixed-use building* at the property known municipally as 164 Avenue Road (“Subject Land”). The subject land is located on the southwest corner of Avenue Road and Pears Avenue and lies south of Dupont Street and north of Davenport Road.

The proposed amendment would introduce a site-specific amendment to the Official Plan (“Plan”) to permit the proposed *mixed-use building* at a total density of 5.9 times the area of the *lot*.

BASIS

The proposed amendment implements many of the policies of the former City of Toronto Official Plan (“The Plan”).

The subject land is designated Low Density Commercial Residential, which permits the proposed residential and commercial uses. The development represents desired residential intensification within the Central Area of Toronto that utilizes existing public infrastructure, including transportation facilities. The proposed residential use will provide high quality housing to the area and the proposed commercial uses will provide shopping opportunities to area residents and enhance the quality and activity of the public street (sidewalk).

The design of the building further satisfies the policies of the Plan: the building is of high quality design and materials; the upper portions step back and away from the streets to create a pedestrian scale along Avenue Road and Pears Avenue; the building gives prominence to the corner of Avenue Road and Pears Avenue; and, the building has been designed to mitigate shadow and wind impacts on neighbouring properties and open spaces.

The proposed *mixed-use building* with commercial uses at *grade* represents a development that is both appropriate and desirable for the area.

SCHEDULE “1”**OFFICIAL PLAN AMENDMENT**

1. Section 18 of the Official Plan for the former City of Toronto is hereby amended by adding the following Section 18.689 and the attached Map 18.689.

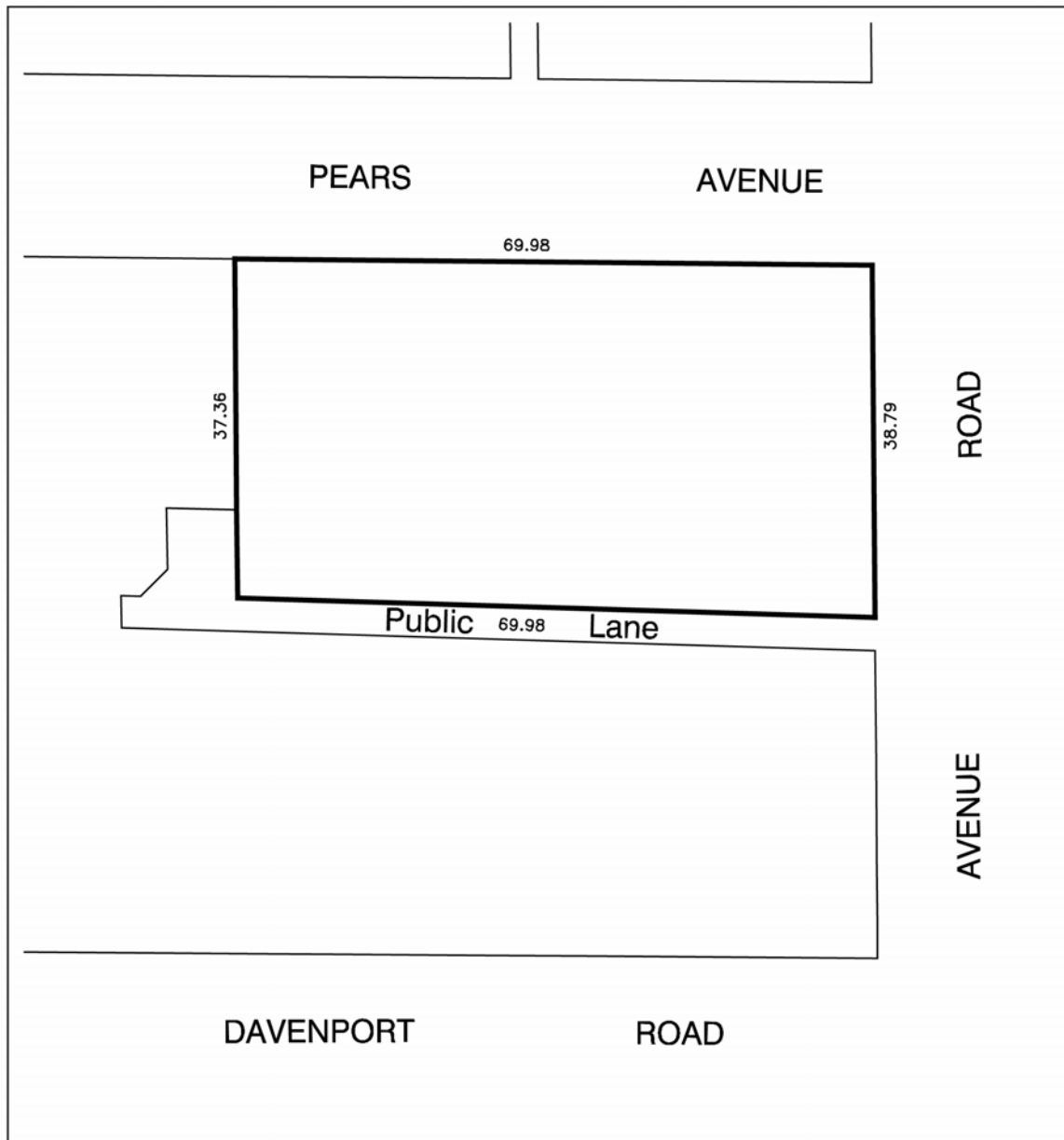
“18.689 Lands municipally known in the year 2006 as 164 Avenue Road.

Notwithstanding any of the provisions of this Plan, Council may pass by-laws applicable to the lands delineated by heavy line on Map 18.689, to permit increases in the density and *height* of development otherwise permitted, to permit the use of a *mixed-use building* containing residential and commercial uses provided:

- (a) the *residential gross floor area* does not exceed 14,313 square metres and contains not more than 127 *dwelling units*;
- (b) the *non-residential gross floor area* does not exceed 1721 square metres; and
- (c) the *height* of the mixed-use building (excluding mechanical penthouse) shall not exceed 66 metres.

Definitions:

- (a) For the purposes of this By-law, the terms set forth in italics shall have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended.”



Map 18.689 (Official Plan Amendment # 373)

164 Avenue Road

File # 03_187763

