

Authority: Toronto and East York Community Council Item 9.4,
adopted as amended, by City of Toronto Council on September 21 and 22, 2011
Enacted by Council: April 11, 2012

CITY OF TORONTO

BY-LAW No. 533-2012

**To amend By-law No. 849-2010 with respect to the lands municipally known as
56 Blue Jays Way.**

WHEREAS authority is given to the 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 the Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

WHEREAS the Council of the City of Toronto passed Zoning By-law No. 849-2010 on July 8, 2010; and

WHEREAS the Council of the City of Toronto wishes to amend the section 37 provisions that are set out in Zoning By-law No. 849-2010;

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

1. Sections 6(d)(i) and (ii) of Zoning By-law No. 849-2010 are deleted and replaced by the following:
 - "(d) Prior to the issuance of any Site Plan Approval pursuant to section 114 of the *City of Toronto Act, 2006*, for the *lot* or any portion of the *lot*, and prior to the issuance of any permit for the *lot* or any portion of the *lot*, including a building permit, including any permit for demolition, excavation, shoring, foundation or above grade, or a permit pursuant to the *Ontario Heritage Act* for alteration or demolition, but excluding any permits for repairs to the existing building on the *lot*, the *owner* of the *lot* shall,
 - (i) submit additional information on or after the date of this By-law, as amended, based on the proposed conservation strategy, to include documentation substantially in accordance with that outlined in the Heritage Impact Assessment prepared by ERA Architects Inc. dated May 19, 2011, including an estimate of costs associated with its execution, for the temporary relocation of the heritage façade within the adjacent City right of way, reinstallation, conservation and restoration of the heritage façade located at 56 Blue Jays Way, to the satisfaction of the City's Manager of Heritage Preservation Services; and

- (ii) enter into an agreement with the City to amend the existing Heritage Easement Agreement for the *lot*, to address the proposed construction, permitted alterations and restoration, such agreement to be registered against title to the *lot* to the satisfaction of the City Solicitor and such agreement to be to the satisfaction of the City's Manager of Heritage Preservation Services; and"

2. Section 6 (e) of Zoning By-law No. 849-2010 is deleted and replaced by the following:

"(e) In accordance with a detailed Conservation Plan to be approved by the City's Manager of Heritage Preservation Services on or after the date of this By-law, as amended, the development permitted by this By-law shall incorporate the exterior of the existing heritage façade located at 56 Blue Jays Way in its current location on the date of this By-law and the *owner* shall restore the heritage façade at 56 Blue Jays Way. In the event of a lesser expenditure by the *owner* than identified in the conservation strategy for such restoration, excluding all costs relating to any temporary relocation of the heritage façade within the adjacent City right of way and all costs relating to returning such façade to its original location, the difference shall be paid to the City and shall be used towards the provision of one or more heritage studies in the King-Spadina East Precinct."

- 3. Section 6(f) of Zoning By-law No. 849-2010 is amended by deleting "release" in the first sentence and replacing it with "issuance of any permit for the *lot* or any portion of the *lot*, including a permit pursuant to the *Ontario Heritage Act* for alteration or demolition, and including the issuance" and by inserting after "above grade, in the first sentence "but excluding any permits for repairs to the existing building on the *lot*,".
- 4. Except as amended herein, Zoning By-law No. 438-86, as amended and as further amended by By-law No. 849-2010, shall continue to apply to the *lot*.

ENACTED AND PASSED this 11th day of April, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)