

Authority: Toronto and East York Community Council Item TE24.11, adopted as amended, by City of Toronto Council on May 24, 25 and 26, 2017

CITY OF TORONTO

BY-LAW 590-2017

To amend former City of Toronto By-law 512-75, as amended by By-law 1238-2012, designating the property at 260 King Street West, to correct the legal description.

Whereas By-law 512-75 as amended by By-law 1238-2012 designated the property at 260 King Street West (Royal Alexandra Theatre) under Part IV of the *Ontario Heritage Act* as being of cultural heritage value or interest; and

Whereas at its meeting of July 8, 9, 10 and 11, 2014, City Council approved plans to permit two tall buildings at 260-270 King Street West and 274-322 King Street West, known as the Mirvish + Gehry Project; and

Whereas the design of the approved east tower of the Mirvish + Gehry Project includes portions that extend over 260 King Street West (Royal Alexandra Theatre), above a height of approximately 33.5 metres; and

Whereas in order to ensure there is no uncertainty in respect of matters of legal title, a correction to the legal description is required in order to exclude the area of the portion of the east tower extending over 260 King Street West from the application of the designating by-law; and

Whereas sub-section 30.1(2) of the *Ontario Heritage Act* authorizes the Council of a municipality to amend designating by-laws to correct the legal description of the property; and

Whereas in accordance with subsection 30.1(3) of the *Ontario Heritage Act*, where Council proposes to amend a designation by law in accordance with subsection 30.1(2,) Council shall give the owner of the designated property written notice of the proposed amendment; and

Whereas by letter dated May 19, 2017, the Owner has served notice upon the City Clerk advising that it waives the giving of notice in accordance with subsection 30.1(3) and further waives the right to object to the proposed amendment in accordance with subsection 30.1(6) of the *Ontario Heritage Act*; and

Whereas the legal description set out in Schedule A attached to this by-law excludes the area of the portion of the east tower extending over 260 King Street West from the application of the designating by-law; and

Whereas the Owner does not object to the amendment of the designating by-law;

The Council of the City of Toronto enacts:

1. By-law 512-75, as amended by By-law 1238-2012, is further amended by deleting Schedule A and substituting Schedule A attached to this by-law.
2. The City Solicitor is authorized to cause a copy of this by-law to be registered against the property described in Schedule A to this by-law in the proper Land Registry Office.

- 3.** The City Clerk is authorized to cause a copy of this by-law to be served upon the owners of the property at 260 King Street West and upon the Ontario Heritage Trust.

Enacted and passed on May 26, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE A
REVISED LEGAL DESCRIPTION

PART OF BLOCK D, PLAN 223E, CITY OF TORONTO, DESIGNATED AS PART 2 ON REFERENCE PLAN 66R-29208, CITY OF TORONTO, BEING PART OF PIN 21411-0285(LT).