

Authority: Humber York Community Council Report No. 7, Clause No. 5,
as adopted by City of Toronto Council on September 22, 23, 24 and 25, 2003
Enacted by Council: September 24, 2003

CITY OF TORONTO

BY-LAW No. 885-2003

To adopt Amendment No. 272 to the former City of Toronto Part I Official Plan in respect of the lands municipally known as 1912 St. Clair Avenue West, 761 Keele Street, 35, 65, 117 and parts of 135, 141 and 153 Weston Road and to adopt an amendment to the Part II Plan for Old Stockyards District regarding the same lands to permit a low-density residential development.

WHEREAS the Council of the City of Toronto has been requested to amend its Official Plan, pursuant to Section 21 of the *Planning Act*, R.S.O. 1990 c.P. 13, respecting the lands municipally known in the year 2003 as 1912 St. Clair Avenue West, 761 Keele Street, 35, 65, 117 and parts of 135, 141 and parts of 135, 141 and 153 Weston Road; and

WHEREAS the Humber York Community Council conducted a public meeting on September 9, 2003 under Section 17 of the *Planning Act* regarding the proposed Official Plan Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held on September 22, 23, 24 and 25, 2003 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 annexed hereto as Schedule "A",
 - (a) are hereby adopted as an amendment to the Official Plan for the former City of Toronto, and
 - (b) replace and supercede the said text and maps adopted as Official Plan Amendment No. 202 and annexed as Schedule "A" to By-law No. 984-2001.
2. This is Official Plan Amendment No. 272.

ENACTED AND PASSED this 24th day of September, A.D. 2003.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”

1. Map 1 of the Official Plan Part I for the former City of Toronto entitled “Generalized Land Use” and Map B of Section 19.39 of the said Official Plan entitled “Old Stockyards District Part II Plan” are each amended by redesignating to Low Density Residence Areas that part of the lands known in the year 2003 as 1912 St. Clair Avenue West, 761 Keele Street, 35, 65, 117 and parts of 135, 141 and 153 Weston Road, as identified on the following Map 1, and as shown on Map 1 as Low Density Residence Areas, and by redesignating to Open Space that part of the said lands shown on Map 1 as Open Space.
2. Map D of the said Section 19.39 entitled “Old Stockyards Part II Plan” is amended to show the lands known in the year 2003 as 1912 St. Clair Avenue West, 761 Keele Street, 35, 65, 117 and parts of 135, 141 and 153 Weston Road as being subject to a Section 18 provision as shown on the attached Map 2.
3. Section 18 of the Official Plan Part I for the former City of Toronto is amended by:

Inserting a new Section 18.541, as follows:

“18.541 Lands municipally known in the year 2003 as 1912 St. Clair Avenue West, 761 Keele Street, 35, 65, 117 and parts of 135, 141 and 153 Weston Road.

See Map 18.541 at the end of this Section.

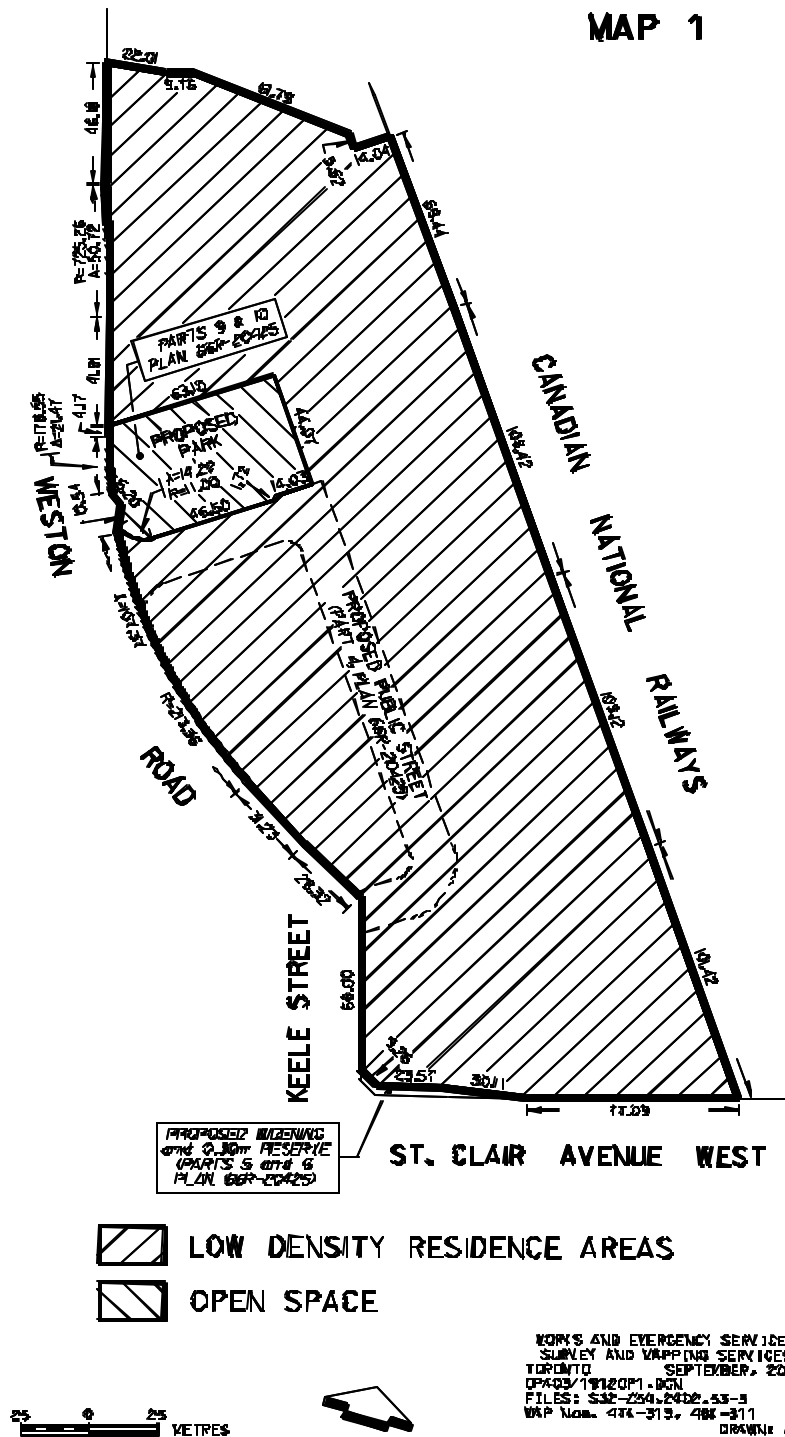
Notwithstanding those provisions of this Plan which may restrict the density of the lands shown on Map 18.541, (the “Site”), and notwithstanding height and density restrictions in the zoning by-law applicable to the Site, Council may pass by-laws permitting additional heights and densities of development on the Site to permit the erection and use of one or more *residential* buildings on the Site provided that,

- (1) the total *residential gross floor area* for all buildings and structures on the Site does not exceed 32 500 square metres,
- (2) pursuant to Section 37 of the *Planning Act*, such by-law requires the owner of the Site to provide the City of Toronto, in return for the densities and height permissions thereby granted, with the following facilities, services and matters:
 - (a) the owner is to ensure that the phased development of the Site is to the satisfaction of the City, including requirements for the matters to be secured such as an overall municipal servicing and grading plan and a Stormwater Management Report and requirements with respect to each phase such as, site integration, loading, interim use of balance of Site, construction staging and temporary landscaping,

- (b) the owner is to satisfy all environmental matters such as soil and groundwater management, the environmental remediation of the entire Site and lands to be conveyed to the City, provision of a Record of Site Condition, remediation of any contamination from the Site into adjacent streets, historical review of Site and building audits, demolition and dust control, air quality, noise and vibration, warning clauses, the monitoring of de-watering and a commitment to mitigate as and where required by the City,
- (c) the owner is to agree to development control matters such as, urban design and site plan conditions,
- (d) the owner shall provide all matters needed to service the Site, including the retention of a satisfactory consulting engineer, the conveyance of land for a turn lane, the conveyance and construction of a new public street and all required letters of credit, detailed design drawings, inspection fees, utilities, and timing of the completion of the new public street, letters of credit for the installation of traffic control signals and any mitigating measures to address delays to TTC service, all costs associated with any required traffic alterations and the provision of space within the development for the construction of any transformer vaults, Hydro, Bell maintenance and sewer maintenance holes,
- (e) the Owner shall enter into an escrow agreement to hold the lands to be conveyed, agree to the timing of the remediation and conveyance of all lands,
- (f) the Owner shall, in respect of the park land, also agrees to the construction and installation of base park improvements and pedestrian access from Weston Road, provide a street planting plan, all required letters of credit, certification of completed work and be responsible for an environmental assessment of the lands to be conveyed as parkland, and additional matters in respect to cash-in-lieu,
- (g) the owner shall comply with the City's 1% public art policy minus \$50,000.00,
- (h) the owner shall make payments of \$429.00 per residential dwelling unit for community benefits to be used by the City for upgrades to the proposed public park,
- (i) the owner shall provide 30% low end of market housing,

- (j) the owner shall comply with CNR requirements including warning clause, crash protection berm, chain link fence as well as noise and vibration attenuation measures,
 - (k) the owner shall provide warning clauses and signs with respect to school capacity,
 - (l) the owner shall agree to such other matters as are specified by the reports of Urban Development Services recommending the passage of the by-law or as specified by the Council as a condition of the passage of the by-law, and
- (3) the owner of the Site is required to enter into an agreement with the City pursuant to Section 37 of the *Planning Act*, to secure the provision of the said facilities, services and matters, in a form satisfactory to the City with conditions providing for indexed escalation of financial contributions, no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement.

MAP 1



MAP 2

PROPOSED WIDENING and DESIGN RESERVE (PARTS 5 and 6 PLAN S6R-20425)

KEELE STREET

ST. CLAIR AVENUE WEST

CANADIAN NATIONAL RAILWAYS

PROPOSED PARK (PARTS 5 & 6 PLAN S6R-20425)

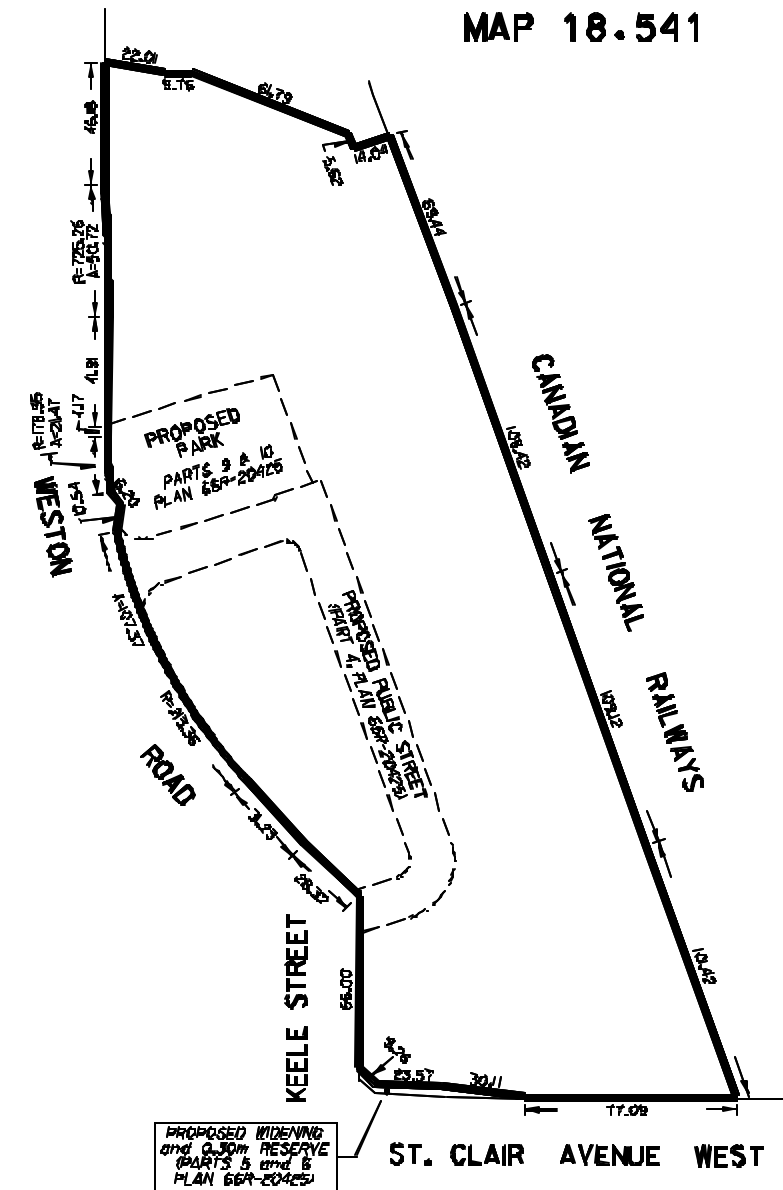
PROPOSED PUBLIC STREET (PART 4, PLAN S6R-20425)

WESTON ROAD

Dimensions and other labels on the map include: 28.00, 5.76, 4.73, 14.04, 5.04, 10.42, 10.42, 77.05, 30.11, 23.67, 86.00, 74.32, 3.70, 12.75, 14.00, 10.54, 4.17, 4.91, 4.73, 2.25, 4.50, 4.18, 28.00, 14.04, 10.42, 10.42, 77.05, 30.11, 23.67, 86.00, 74.32, 3.70, 12.75, 14.00, 10.54, 4.17, 4.91, 4.73, 2.25, 4.50, 4.18, 28.00.

WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO SEPTEMBER, 2003
DPAQ3/19120PE.DGN
FILES: 332-254-2402-53-3
MAP Nos. 49K-313, 49K-311
BRAIN WS



MAP 18.541

WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO SEPTEMBER, 2003
DPA03/18541.DGN
FILES: 632-254.2402.53-3
MAP Nos. 47K-313, 48K-311
DPA03: WE