

Authority: Toronto and East York Community Council Report No. 1, Clause No. 1,
as adopted by City of Toronto Council on February 1, 2 and 3, 2005
Enacted by Council: February 24, 2005

CITY OF TORONTO

BY-LAW No. 179-2005

To adopt Amendment No. 330 to the Official Plan for the former City of Toronto with respect to lands known municipally in the year 2005 as 30 Mutual Street and 88 Queen Street East.

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 2005 as 30 Mutual Street and 88 Queen Street East; 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 (“*Planning Act*”), regarding the proposed Official Plan Amendment;

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

1. The text and map annexed hereto as Schedule “A” are hereby adopted as amendments to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 330.

ENACTED AND PASSED this 24th day of February, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”

1. Section 18 of the Official Plan for the former City of Toronto is hereby amended by adding the following Section 18.656 and the attached Map 18.656;

“18.656 Lands municipally known in the year 2005 as 30 Mutual Street and 88 Queen Street East.

See Map 18.656 at the end of this Section.

- (1) Notwithstanding any other provision of this Plan, Council may pass by-laws applicable to the lands delineated by heavy lines on Map 18.656, to permit the erection and use of mixed-use buildings and residential buildings having a maximum gross floor area of 90,372 square metres, provided that:
 - (a) the *residential gross floor area* of such buildings does not exceed 88,610 square metres; and
 - (b) the *non-residential gross floor area* of such buildings does not exceed 1,762 square metres;
- (2) Council may not pass any by-law designating the lands for uses described in Section 1 hereof, unless in return for the residential densities and height permissions thereby granted, the owner of the lands is required by such by-law to have first entered into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to secure the facilities, services and matters set out in Section 3 hereof, and to ensure that such agreement is in a form satisfactory to the City and is appropriately registered on title to the lands;
- (3) In return for the residential densities and height permissions granted by a by-law designating the lands for residential and other uses, including any by-law described in Section 1 hereof, the owner shall enter into an agreement with the City pursuant to Section 37 of the *Planning Act*, to secure the following facilities, services and matters to be provided at the owner's expense:
 - (a) the owner agrees to pay \$900,000.00 to the City as a contribution towards the following community improvement initiatives:
 - (i) the establishment and/or the improvement of a community facility at 261 Jarvis Street;

- (ii) off-site streetscape improvements within the Shuter Street right-of-way; and
 - (iii) other local community services determined to be necessary by the Commissioner of Urban Development Services;
- (b) the owner agrees to provide and maintain works of public art, or provide cash in lieu thereof, of a value not less than one percent (1%) of the gross construction costs of the proposed development, in compliance with the City's public art program;
- (c) the owner agrees to incorporate architectural design and exterior building materials into the proposed development satisfactory to the Commissioner of Urban Development Services;
- (d) the owner agrees to undertake and pay all costs related to improvements to municipal lighting required to support the proposed development, to the satisfaction of the Commissioner of Works and Emergency Services;
- (e) the owner agrees to convey to the City, at nominal cost and free and clear of encumbrances, a 0.6 metre wide strip of land to the full extent of the westerly limit of the site for the widening of Dalhousie Street;
- (f) the owner agrees to undertake improvement of the street rights-of-way abutting the site, including streetscaping and tree installation, to the satisfaction of the Commissioners of Urban Development Services, Works and Emergency Services and Economic Development, Culture and Tourism;
- (g) the owner agrees to provide an irrigation system for all street trees in the public right-of-way which irrigation system has an automatic timer, is designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and is constructed with a backflow preventer, all to the satisfaction of the Commissioner of Works and Emergency Services, including requirements to maintain the entire system in continuing good order and operation;
- (h) the owner agrees to provide public pedestrian walkways extending the width of the site between Dalhousie and Mutual Streets, to the satisfaction of the Commissioner of Urban Development Services;
- (i) the phasing of the development of the lands and the timing of the

contributions set out above shall be in a manner satisfactory to the Commissioner of Urban Development Services; and

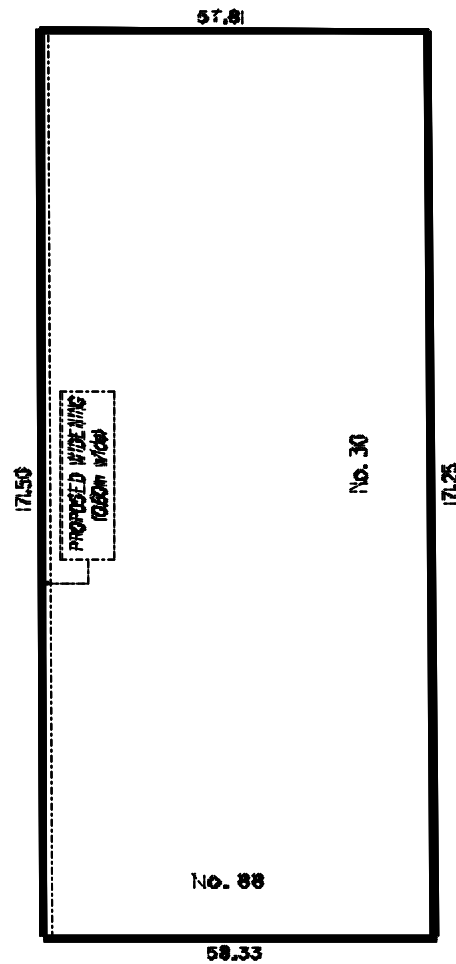
- (j) the owner enters into an agreement with the City, satisfactory to the City Solicitor, pursuant to Section 37 of the *Planning Act* to secure all the facilities, services and matters referred to in this By-law, as well as those matters deemed appropriate for the orderly development of the lands, and such agreement shall be registered against title to the lands.”

MAP 18.656

SHUTER STREET

DALHOUSIE STREET

MUTUAL STREET



QUEEN STREET E



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JANUARY, 2005
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MAP No. 514-311 DRAWN: VG