

CITY OF TORONTO

BY-LAW No. 963-2005(OMB)

To adopt Amendment No. 344 to Section 19.45 of the Official Plan for the former City of Toronto respecting the Railway Lands West.

WHEREAS, the Ontario Municipal Board pursuant to its Order No. 2042 dated August 4, 2005, upon hearing the appeal of Wittington Properties Limited under Section 22(7) of the *Planning Act* R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the Official Plan of the former City of Toronto;

THEREFORE, the Official Plan of the former City of Toronto is amended by the Ontario Municipal Board as follows:

1. The text and maps annexed hereto as Schedule "A" are hereby adopted as an amendment to Section 19.45 of the Official Plan for the Railway Lands West.
2. This is Official Plan Amendment No. 344.

PURSUANT TO DECISION/ORDER NO. 2042 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON AUGUST 4, 2005 IN BOARD CASE NO. PL030707.

SCHEDULE “A”

1. Section 19.45 of the Official Plan, being the Railway Lands West Part II Plan, is amended by:
 - (a) Deleting Maps A through G, and replacing them with new Maps A through G attached hereto;
 - (b) Deleting Section 10.3.4(f) and replacing it with the following:

In Bathurst-Spadina Neighbourhood Area F, 53,228 m², provided that:

 - (i) the maximum *residential gross floor area* does not exceed 52,428 m²; and
 - (ii) the maximum *non-residential gross floor area* does not exceed 5,000 m².
 - (c) Deleting Section 10.3.4(h) and replacing it with the following:

In Bathurst-Spadina Neighbourhood Area H, 35,907 m², provided that:

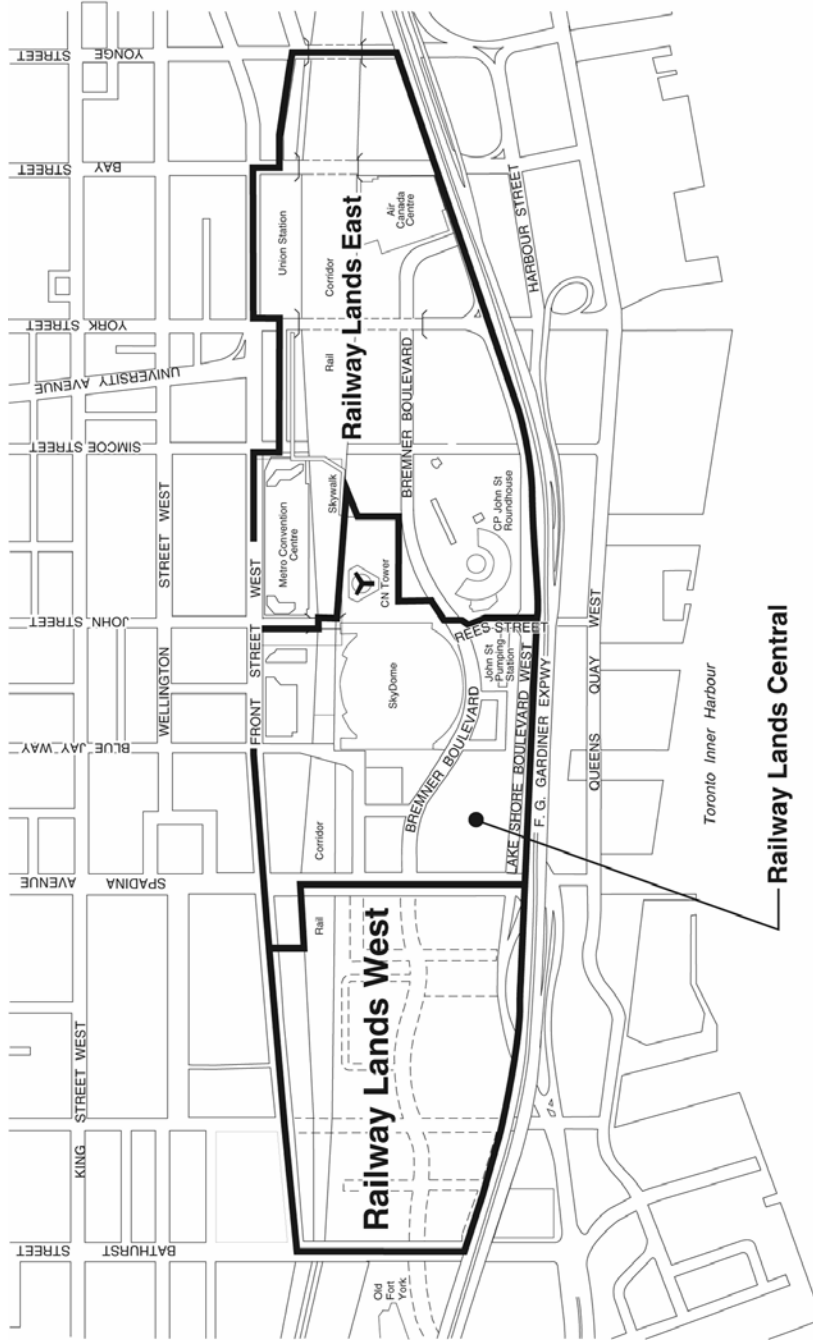
 - (i) the maximum *residential gross floor area* does not exceed 34,807 m²; and
 - (ii) the maximum *non-residential gross floor area* does not exceed 4,455 m².
 - (d) Amending Section 11.13 so that it reads as follows:

With respect to *precincts* 1 and 2 shown on Map F, it is the policy of Council to enact a zoning by-law pursuant to Section 34 of the *Planning Act* implementing the provisions of this Plan, provided that the agreements referred to in either Sections 11.5.2 or 11.6 have been executed; and, with respect to *precinct 4* shown on Map F, it is the policy of Council to enact a zoning by-law pursuant to Sections 34 and 37 of the *Planning Act* implementing the provisions of this Plan, provided such by-law requires the owners of each site within *precinct 4* to provide the *City*, in return for the densities and height permissions thereby granted, with the following facilities, services and matters, to be secured by an agreement with the *City* pursuant to Section 37 of the *Planning Act*, and as required by either Sections 11.5.2 or 11.6 hereof:

 - (i) the owner of *precinct 4* is to ensure that phased development is to the satisfaction of the *City*;
 - (ii) the owner of *precinct 4* is to agree to the implementation of urban design and co-ordination of development and additional studies regarding such matters as sun/shade analysis, pedestrian level comfort study, and emergency evacuation plan;

- (iii) the owner of *precinct 4* shall provide all matters needed to service *precinct 4*, including: phasing of infrastructure, the retention of a satisfactory consulting engineer, site grading, the construction of services including water services, sanitary and storm sewer systems, roads, streetscaping and landscaping, street trees and tree irrigation systems, road intersections, traffic signals, and utilities (including cost sharing arrangements) and the provision of all associated letters of credit, detailed design drawings, inspection fees;
- (iv) the owner of *precinct 4* is to satisfy all environmental matters such as: the environmental restoration or remediation of *precinct 4*, the retention of an environmental consultant and peer review, soil and groundwater management, certification and provision of a Record of Site Condition, the monitoring of de-watering and a commitment to mitigate as and where required by the City, noise and vibration, air quality, demolition and dust control;
- (v) the owner of *precinct 4* shall make a payment of \$470.00 for each dwelling unit to a maximum of \$440,000.00, toward community daycare;
- (vi) the owner of *precinct 4* shall make a payment of \$242,000.00, toward other community services and facilities;
- (vii) the owner of *precinct 4* shall make a payment of \$533.00 for each dwelling unit as park funds for parks or other community recreational facilities to serve the Railway Lands West;
- (viii) the owner of *precinct 4* shall provide a minimum of thirty percent of all dwelling units as low-end-of-market housing;
- (ix) for each tower which exceeds 20,000 square metres of gross floor area, the owner of *precinct 4* shall pay or contribute one (1%) per cent of the gross construction costs of such tower as a public art contribution;
- (x) the owner of *precinct 4* shall enter into agreements with the City and or school board regarding the payment of levies in lieu of development charges and educational development charges;
- (xi) the owner of *precinct 4* is required to enter into an agreement with the City, to secure:
 - 1. the provision of the said facilities, services and matters, in a form satisfactory to the City with conditions providing for indexed escalation of all financial contributions, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement; and

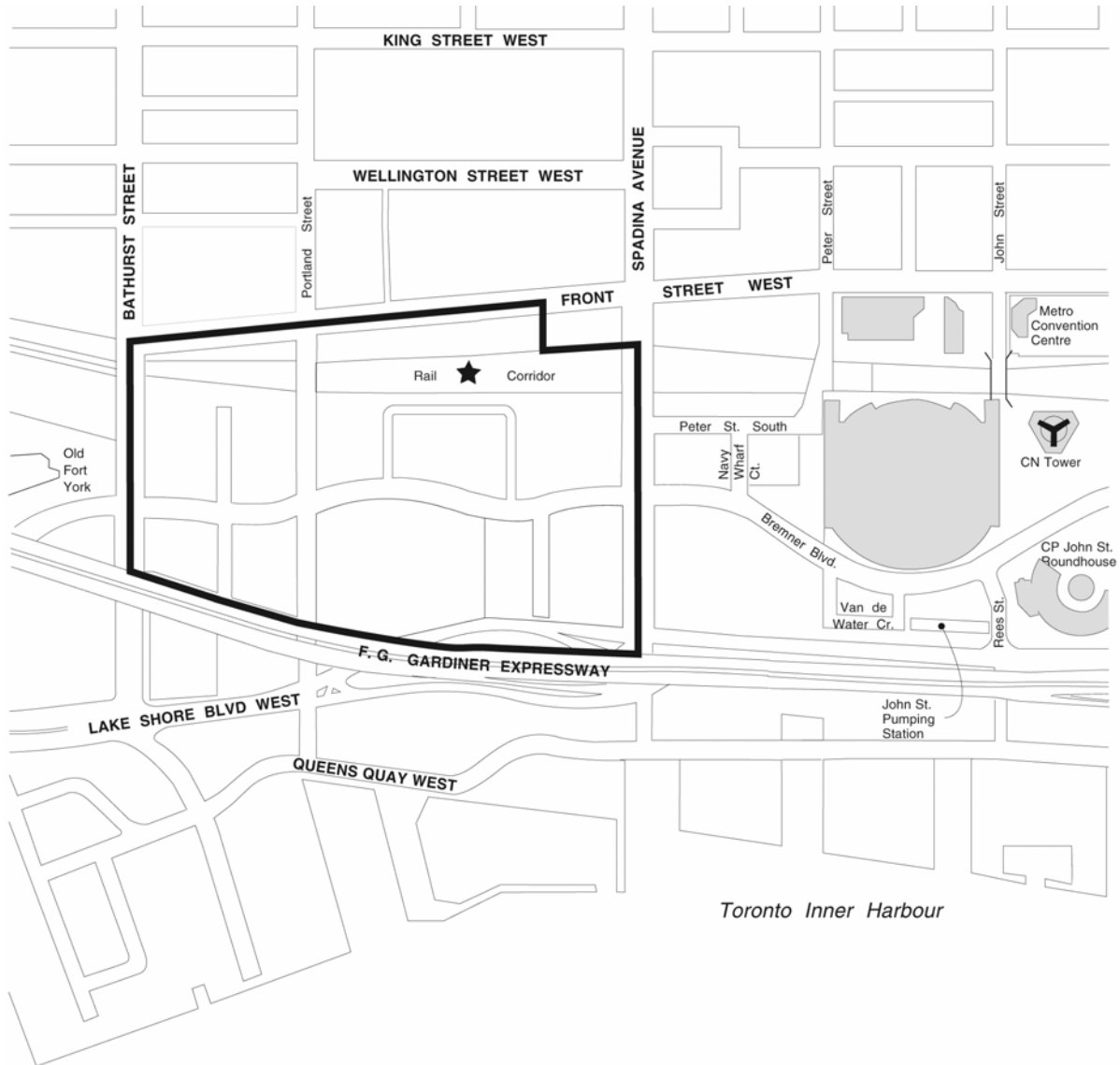
2. the matters set out in Section 11.5 or Section 11.6 of this Part II Official Plan for the Railway Lands West for the removal of a Holding Symbol for *precinct 4*;
- (xii) Notwithstanding the foregoing, the owner of *precinct 4* and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the owner, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured;
 - (xiii) Notwithstanding the foregoing, where the said agreement(s) require(s) the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirement; and
 - (xiv) unless previously completed and approved by the City, prior to approval of plans and drawing pursuant to Section 41 of the *Planning Act*, the owner shall prepare, at its own expense and in consultation with staff of the City's Urban Development Services Department, a Public Realm Master Plan and Architectural Guidelines for block 33 and block 37. The owner will make reasonable efforts to consult with the owners of lands in the Fort York Neighbourhood in preparing the Public Realm Master Plan and Architectural Guidelines.






19.45 Railway Lands West Part II Plan



City of Toronto City Planning Division
May 2005



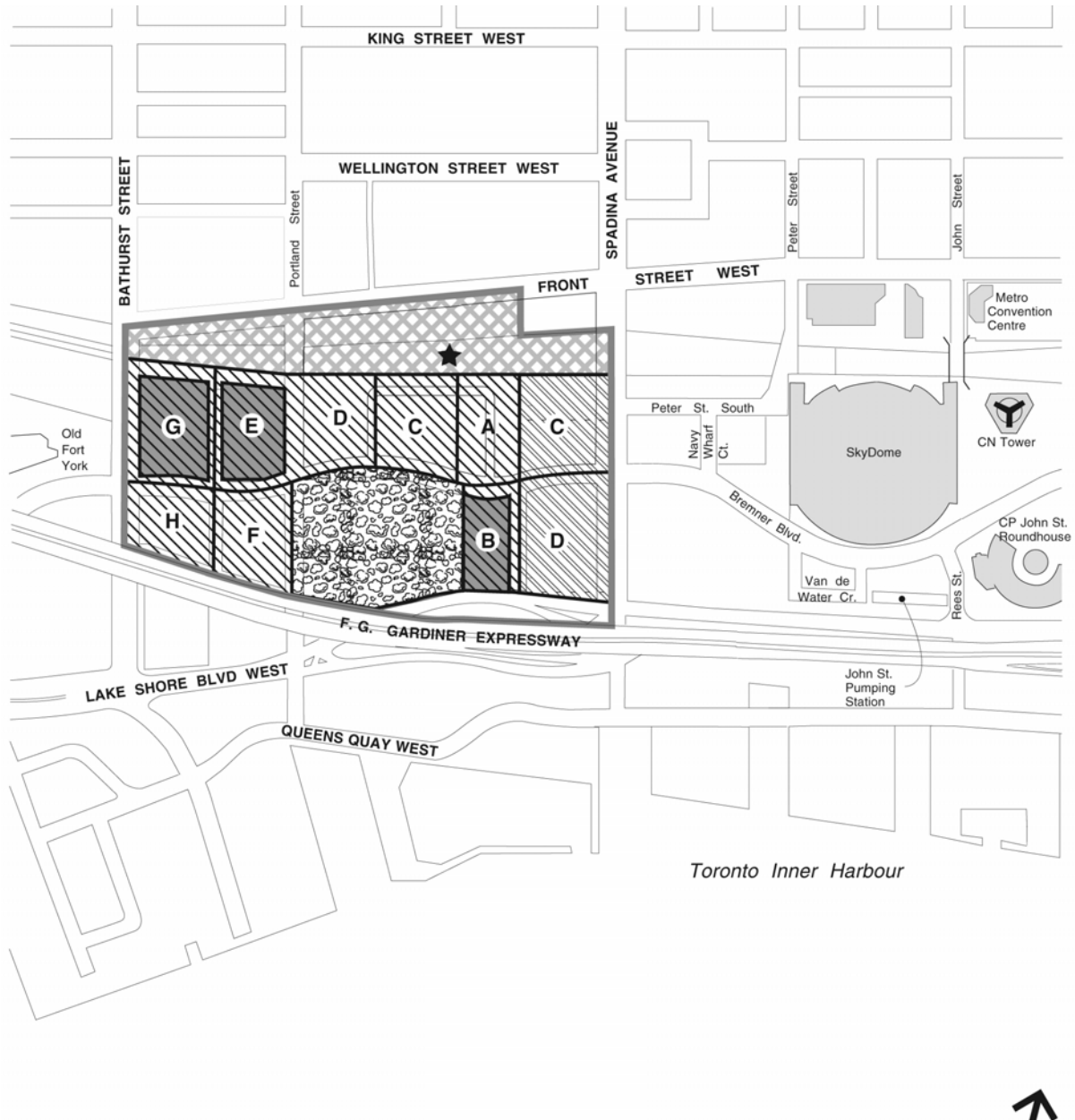
Railway Lands West Part II Plan

-  Primary Streets
-  Pedestrian Rail Corridor Bridge to be provided between Spadina and Portland Street
-  Boundary of Railway Lands West

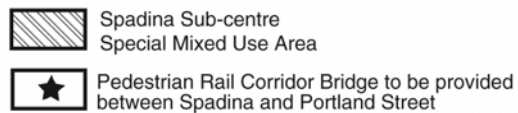
Streets and Blocks Plan



City of Toronto City Planning Division
May 2005



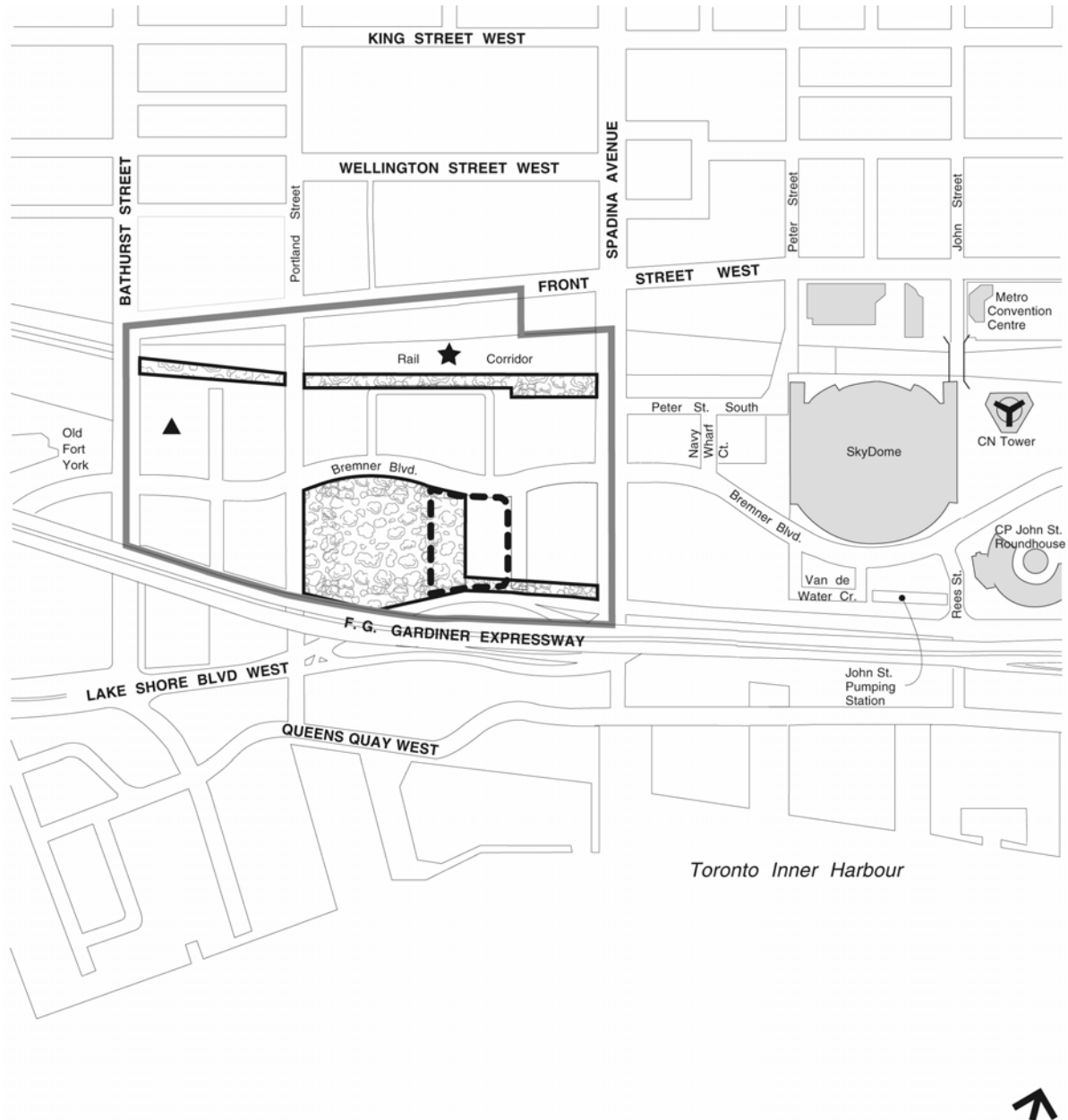
Railway Lands West Part II Plan







Land Use Plan



City of Toronto City Planning Division
May 2005



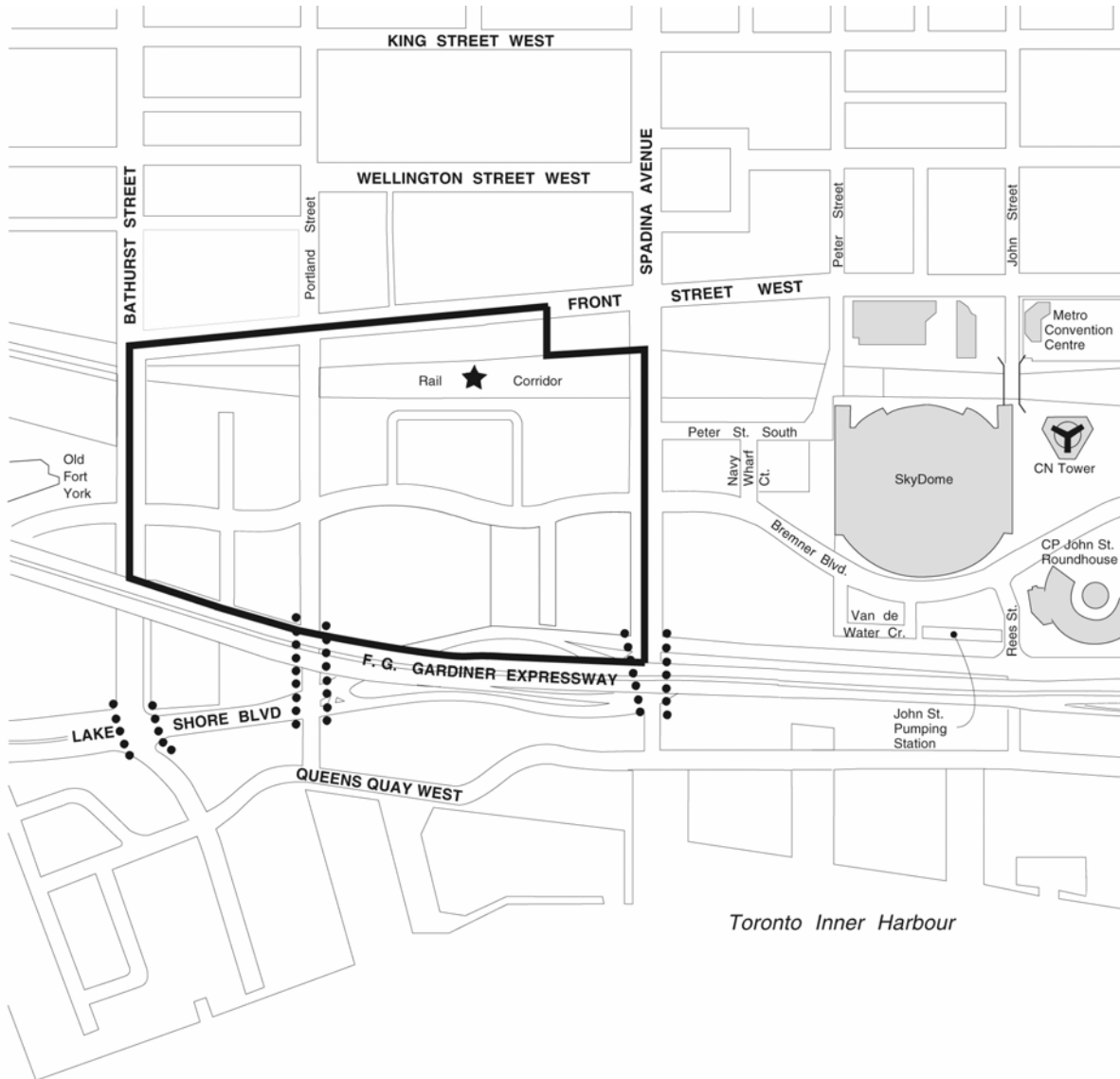
Railway Lands West Part II Plan

-  Lands to be Leased or Conveyed to the City for Parks Purposes
-  General Location for Community Centre and Schools
-  Pedestrian Rail Corridor Bridge to be provided between Spadina and Portland Street
-  Proposed Garrison Creek Interpretive Area

Parks and Open Space Plan



City of Toronto City Planning Division
May 2005



Railway Lands West Part II Plan



Improved At-Grade Pedestrian Routes

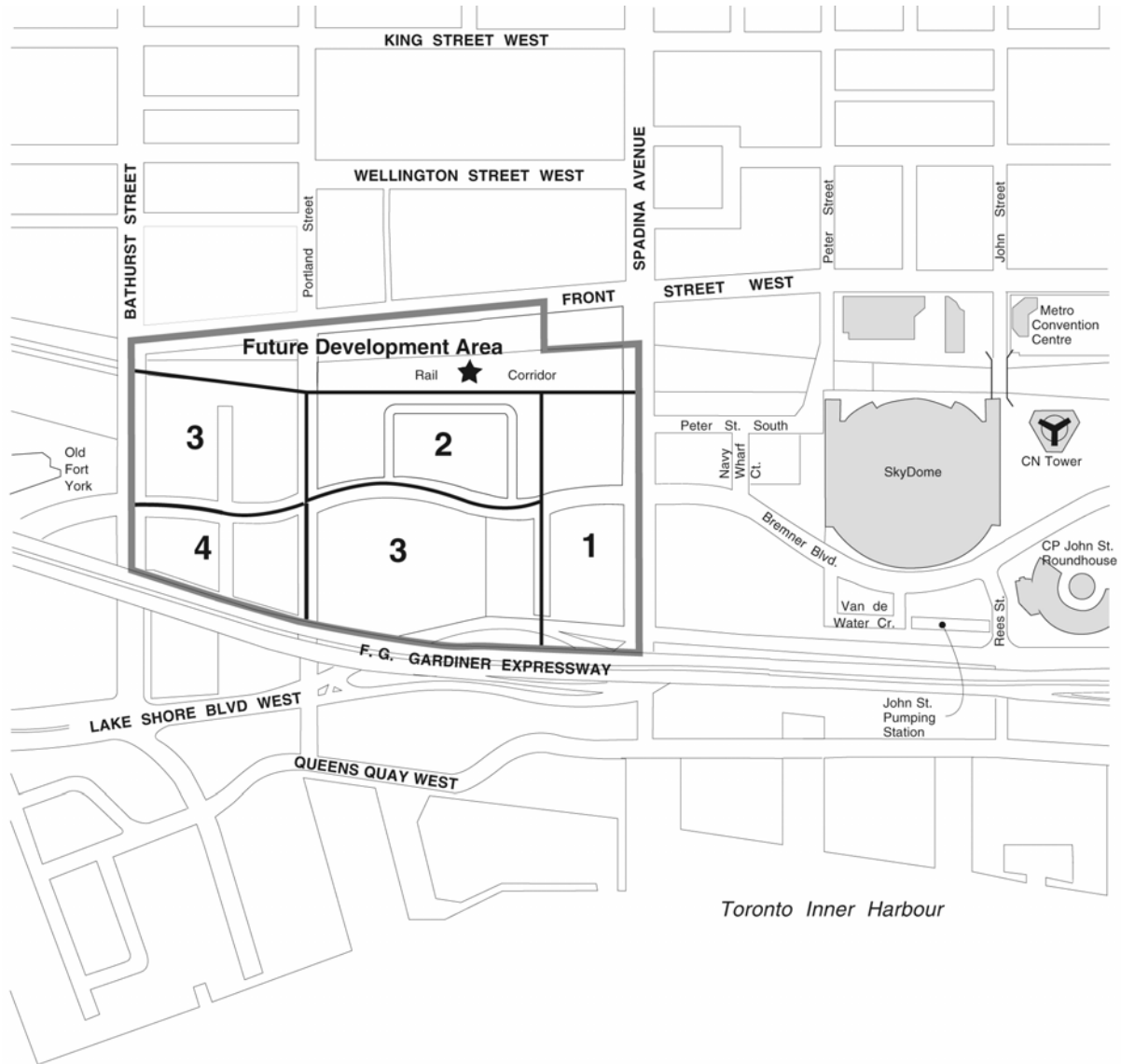


Pedestrian Rail Corridor Bridge to be provided between Spadina and Portland Street

**Improved at-grade
Pedestrian Routes and
Rail Corridor Bridges**

E
map

City of Toronto City Planning Division
May 2005



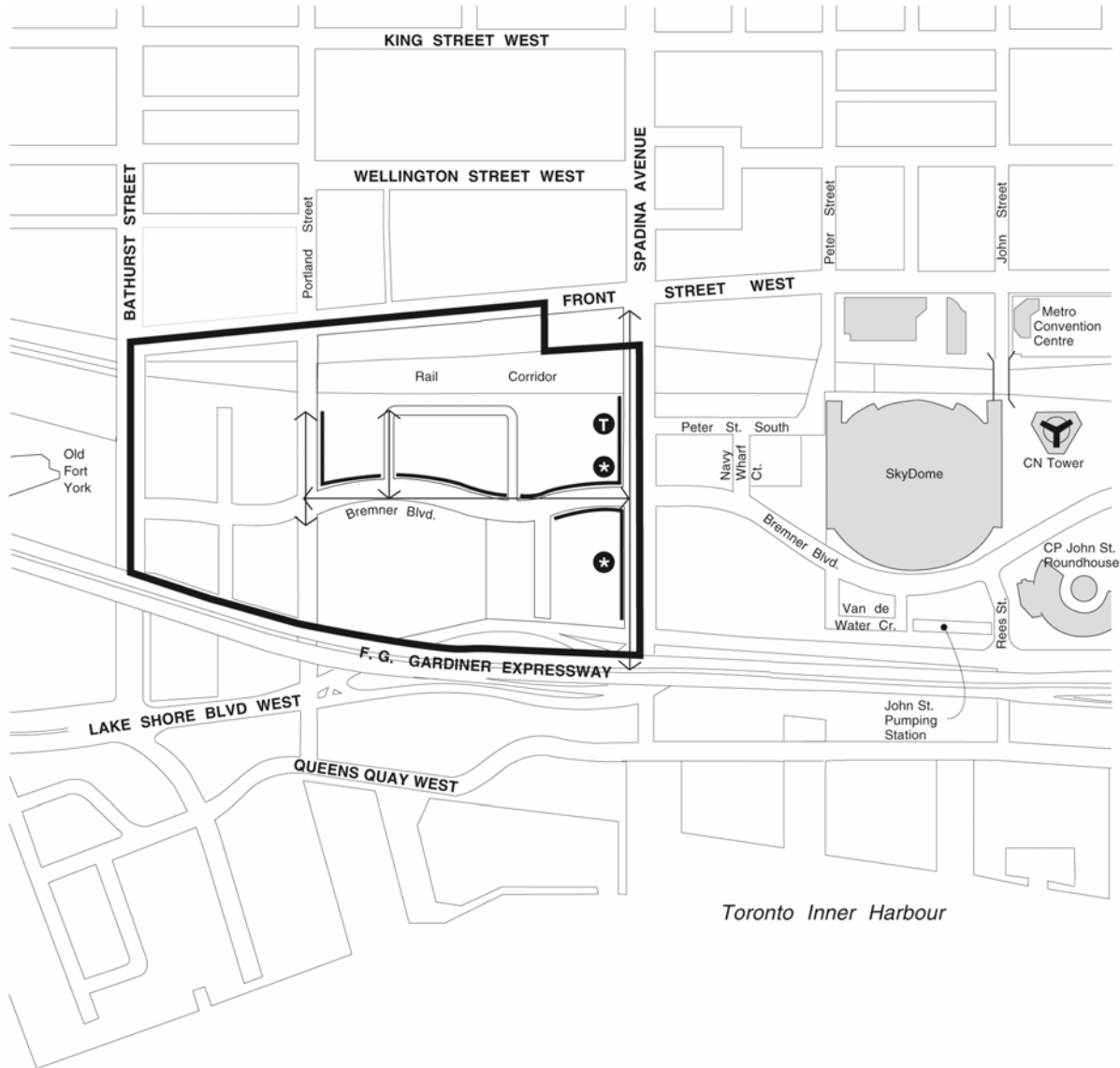
Railway Lands West Part II Plan

- 1** Precinct Area
- ★** Pedestrian Rail Corridor Bridge to be provided between Spadina and Portland Street

Precincts



City of Toronto City Planning Division
May 2005



Railway Lands West Part II Plan

-  Boundary of Railway Lands West
-  Significant Intersection
-  Potential View Terminus
-  Significant Street Edge
-  Significant City Waterfront Views and Vistas

Urban Structure Plan



City of Toronto Urban Development Services September 1997
February 2000