

Authority: Toronto and East York Community Council Report 3, Clause 2,
as adopted by City of Toronto Council on April 25, 26 and 27, 2006
Enacted by Council: April 27, 2006

CITY OF TORONTO

BY-LAW No. 330-2006

To adopt Amendment No. 361 to the Official Plan for the former City of Toronto with respect to lands municipally known as 36, 38-48 Yorkville Avenue, 1263 Bay Street and 55 Scollard Street.

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, as amended, respecting the lands municipally known in the year 2005 as 36, 38-48 Yorkville Avenue, 1263 Bay Street and 55 Scollard Street; and

WHEREAS the Toronto and East York Community Council conducted a public meeting on April 4, 2006 under Section 17 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, regarding the proposed Official Plan Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held on April 25, 26 and 27, 2006 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 map annexed hereto as Schedule "A" is hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 361.

ENACTED AND PASSED this 27th day of April, A.D. 2006.

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 18.679 and the attached Map 18.679:

“18.679 Lands known in the year 2005 as No. 36, 38-48 Yorkville Avenue, 1263 Bay Street and 55 Scollard Street.

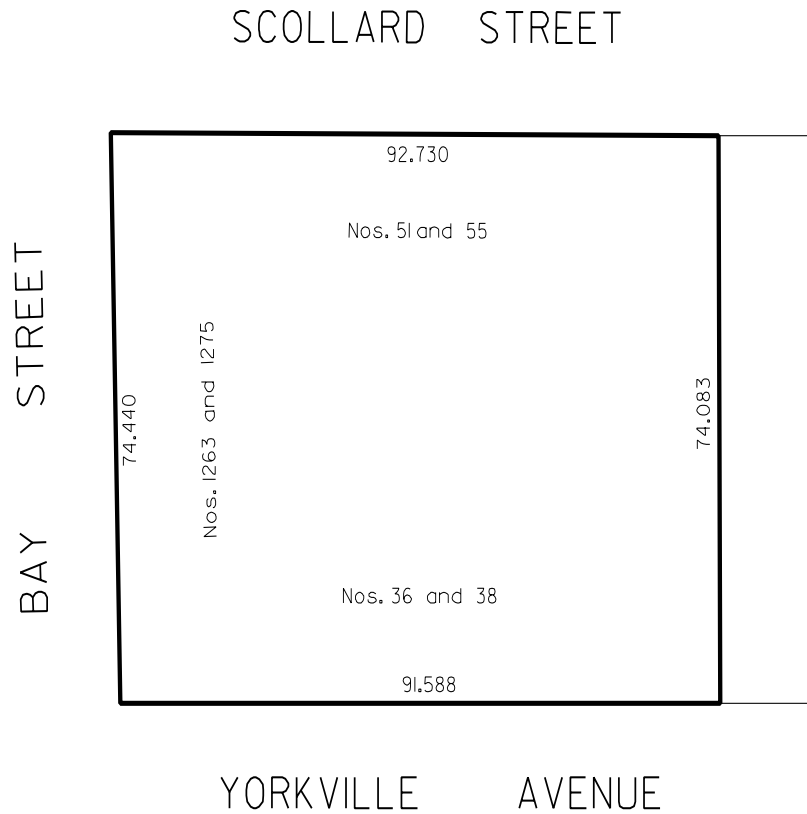
Notwithstanding any provisions of the Plan, Council may pass by-laws applicable to the lands delineated by heavy lines on Map 18.679 to permit the erection, use and maintenance of a *mixed use building* and *accessory* uses thereto, including a *parking garage* provided:

- (1) the maximum combined *residential gross floor area* and *non-residential gross floor area* on the *lot* does not exceed 74,000 square metres of which the maximum *residential gross floor area* shall not exceed 43,000 square metres and the maximum *non-residential gross floor area* shall not exceed 33,000 square metres; and
- (2) pursuant to Section 37 of the *Planning Act*, such by-law requires the owner of the *lot* to enter into an agreement, in return for the density and height permission granted, to secure the provision of the following facilities, services and matters:
 - (a) a contribution in the amount of \$5,000,00.00 prior to the issuance of an above grade building permit on the *lot*, to be allocated as follows:
 - (i) \$1,500,000.00 to the Toronto Reference Library;
 - (ii) \$1,500,000.00 towards the Firehall Wall, local streetscape improvements and new publicly accessible landscaping in the area; and
 - (iii) \$2,000,000.00 for the Jessie Ketchum School playgrounds redesign and construction;
 - (b) public art;
 - (c) building materials to be secured by one or more agreements having due regard to the context and level of quality suitable to the residential condominium and hotel;
 - (d) satisfactory evidence that the hotel shall be operated as a five-star hotel prior to the first occupancy of the development;
 - (e) provision of a below level knock out panel in a location within the Development in the southeast quadrant of the *lot*, which final location shall be determined by the owner in consultation with the City, for a potential “Pathway” connection entrance to the underground pedestrian mall system that connects to the Bloor-Danforth subway, which potential “Pathway”

connection will be provided and maintained by the City at the City's sole discretion and at no cost to the owner; and

- (f) provision and maintenance of a publicly accessible landscaped open space area consisting of a minimum of 1,250 square metres.
- (3) for the purpose of this Official Plan Amendment, each word or expression which is italicized herein shall have the same meaning as each word or expression as defined in By-law No. 438-86, as amended, unless otherwise defined as follows:
 - (i) "*lot*" shall mean the lands delineated by heavy lines on Map 18.679."

MAP 18.679



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METRES



SURVEY AND MAPPING SERVICES
TORONTO MARCH 2006
OP06/18679.DGN
FILE: Y6-Z20
MAP No. 50J-313 DRAWN: VG