

Authority: Toronto and East York Community Council Item 33.10, as adopted by City of Toronto Council on July 8, 9, 10 and 11, 2014 and Toronto and East York Community Council Item 3.2, as adopted by City of Toronto Council on February 10 and 11, 2015

CITY OF TORONTO

BY-LAW No. 275-2015

To adopt Amendment No. 282 to the Official Plan of the City of Toronto with respect to lands municipally known as 592 Sherbourne Street and 15 Selby Street.

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas the Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The text and maps attached are adopted as an amendment to the Official Plan for the City of Toronto.
2. This is Official Plan Amendment No. 282.

Enacted and passed on February 11, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

**AMENDMENT NO. 282
TO THE OFFICIAL PLAN OF THE CITY OF TORONTO
LANDS MUNICIPALLY KNOWN IN THE YEAR 2014 AS
592 SHERBOURNE STREET AND 15 SELBY STREET**

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 483 for lands known municipally in 2014 as 592 Sherbourne Street and 15 Selby Street as follows:

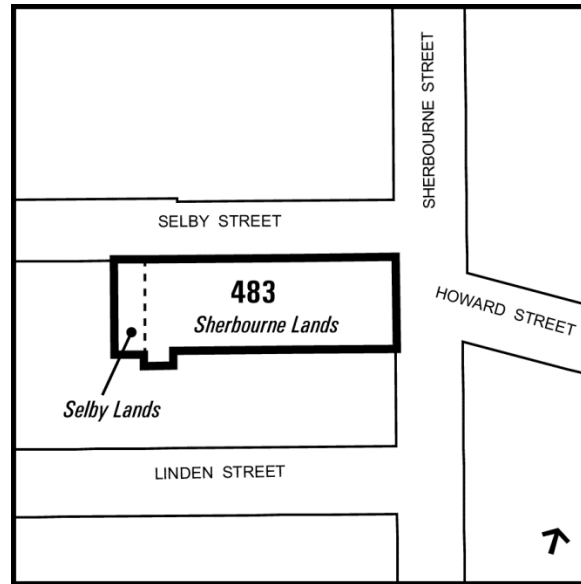
483. 592 Sherbourne Street and 15 Selby Street

1. On the lands shown as 483 on Map 29 the following policies shall apply to any zoning by-law amendment for the redevelopment of all or any part of the lands identified on the map attached to and forming part of this Site and Area Specific Policy No. 483 as the Sherbourne Lands (the "*Sherbourne Lands*") in the event that any such redevelopment requires increases in height or density beyond that permitted on the *Sherbourne Lands* in the year 2014:
 - (a) On the *Sherbourne Lands*, a residential and/or mixed-use building may be permitted subject to the following:
 - i. the existing heritage building located on the *Sherbourne Lands* on the date of enactment of this amendment (the "*C.H. Gooderham House*"), including the exterior and the interior, shall be retained *in situ*, conserved, restored and re-used in any new development in accordance with a conservation plan prepared to the satisfaction of the City, and in accordance with an agreement or an amending agreement registered on the *Sherbourne Lands* and entered into by the *owner* of such lands with the City, to the satisfaction of the City, pursuant to Section 37 of the *Ontario Heritage Act* (the "*Gooderham heritage easement agreement*") to be entered into by the *owner* of the *Sherbourne Lands* prior to the enactment of any zoning by-law amendment referred to in clause (a) ii. D herein;
 - ii. despite the requirement in clause (a) i. herein requiring the *C.H. Gooderham House* to be retained *in situ*, this Site and Area Specific Policy No. 483 shall not be interpreted as prohibiting the relocation of the *C.H. Gooderham House* within the *Sherbourne Lands* to a final location close to Sherbourne Street generally in alignment with the relocated existing heritage building known in the year 2014 as the James Cooper House immediately to the south, provided:

- A. clauses (a) i. to xi. of this Amendment are otherwise complied with;
 - B. the City, pursuant to the *Gooderham heritage easement agreement* permits such relocation;
 - C. a permit pursuant to Section 33 of the *Ontario Heritage Act* is issued by the City, and subject to compliance with any conditions imposed there under; and
 - D. any such relocation is substantially in accordance with a related and comprehensive site specific zoning by-law amendment for the *Sherbourne Lands* enacted by the City on the date of enactment of this official plan amendment by the City;
- iii. with respect to the relationship between the *C.H. Gooderham House* and the proposed development, the siting of any new development and any proposed landscaping, shall conserve the quality, character and integrity of the *C.H. Gooderham House*;
 - iv. with respect to the relationship between the proposed development and the existing heritage building (the "*A.H. Rundle House*") located on the lands identified on the map attached to and forming part of this Site and Area Specific Policy No. 483 as the Selby Lands (the "*Selby Lands*") on the date of enactment of this amendment, the siting of any new development and any proposed landscaping on the *Sherbourne Lands* shall conserve the quality, character and integrity of the *A.H. Rundle House*;
 - v. any new building is comprised of a base not exceeding 3 storeys in height, set back upper floors, and the maximum height of any new building shall not exceed 50 storeys, exclusive of a mechanical penthouse at the top of the building;
 - vi. any tower portion of the building shall have a minimum building setback of at least 20.0 metres from the west property line of the *Selby Lands*;
 - vii. the combined *residential gross floor area* and *non-residential gross floor area* permitted on the *Sherbourne Lands* shall not exceed 38,125 square metres;

- viii. the *A.H. Rundle House* shall be retained *in situ* on the *Selby Lands* and shall be conserved in accordance with an agreement pursuant to Section 37 of the *Ontario Heritage Act* (the "*Selby heritage easement agreement*") to be entered into by the *owner* of the *Selby Lands* with the City prior to the enactment of any zoning by-law amendment referred to in clause (a) ii. D. herein and in accordance with one or more agreements pursuant to Section 37 of the *Planning Act* and/or other agreements pursuant to the *Planning Act* as may be applicable, to be entered into by both the *owner* of the *Sherbourne Lands* and the *owner* of the *Selby Lands* with the City, all to the satisfaction of the City;
- ix. on the *Selby Lands*, a zoning by-law amendment referred to in clause (a) ii. D. herein may permit small scale office uses and multiple dwelling units within the *A. H. Rundle House* in addition to the uses otherwise permitted on the *Selby Lands* provided redevelopment takes place on the *Sherbourne Lands* in accordance with this Site and Area Specific Policy;
- x. prior to the issuance of any permit for the *Sherbourne Lands*, including pursuant to the *Ontario Heritage Act* or the *Building Code Act, 1992*, but excluding permits for repairs and maintenance of the *C.H. Gooderham House* or other usual and minor works acceptable to the City's Manager, Heritage Preservation Services (the "*Manager*"):
 - A. a zoning by-law amendment referred to in clause (a) ii. D. herein, and enacted by the City Council shall be in full force and effect in a form and with content acceptable to the City Council;
 - B. site plan approval pursuant to Section 114 of the *City of Toronto Act, 2006* shall have been issued for the development on the *Sherbourne Lands*, by and to the satisfaction of the City and in accordance with a zoning by-law amendment referred to in clause (a) ii. D herein; and
 - C. the *owner* of the *Sherbourne Lands* shall provide:
 - I. a Conservation Plan for the *Sherbourne Lands* satisfactory to the *Manager*;
 - II. building permit drawings satisfactory to the *Manager*, including notes and specifications

- for the conservation and protective measures keyed to the approved Conservation Plan required in subclause x. C. I. herein, including a description of materials and finishes, prepared by the project architect and a qualified heritage consultant;
 - III. a Lighting Plan satisfactory to the *Manager*, that describes how the *Sherbourne Lands* will be sensitively illuminated to enhance the heritage character;
 - IV. an Interpretation Plan for the *Sherbourne Lands* satisfactory to the *Manager*; and
 - V. an upwardly indexed letter of credit to secure the satisfactory completion and implementation of the approved Conservation Plan, the approved Interpretation Plan and the approved Lighting Plan, all to the satisfaction of the *Manager*; and
- xi. one or more agreements pursuant to Section 37 of the *Planning Act*, shall be entered into with the City and registered on title to the *Sherbourne Lands* and the *Selby Lands* all to the satisfaction of the City, securing together with other appropriate facilities, services and matters set forth in a zoning by-law amendment referred to in clause (a) ii. D herein, the following:
- A. the entering into with the City and registration of a heritage easement agreement or an amending heritage easement agreement on the *Sherbourne Lands* as referred to in clause (a) i. herein and a heritage easement agreement on the *Selby Lands*, pursuant to section 37 of the *Ontario Heritage Act*;
 - B. the preparation and implementation of the Conservation Plan, the Lighting Plan and the Interpretation Plan required in clause (a) x. C. herein; and
 - C. the matters required in clause (a) x. C. II. and V. herein.



2. Chapter 7, Site and Area Specific Policies, is revised to add the lands known municipally in 2014 as 592 Sherbourne Street and 15 Selby Street shown on the map above as Site and Area Specific Policy No. 483.