

Authority: Ontario Land Tribunal Decision and  
Order issued on July 10, 2023 in Tribunal File  
OLT-22-002502

## **CITY OF TORONTO**

### **BY-LAW 793-2023(OLT)**

**To adopt Amendment 678 to the Official Plan for the City of Toronto with respect to the lands municipally known in the year 2022 as 399-405 Yonge Street, 409-415 Yonge Street and 9 and 17 McGill Street and 20 Gerrard Street East.**

Whereas the proposed official plan amendment was appealed to the Ontario Land Tribunal pursuant to Section 22(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended; and

Whereas the Ontario Land Tribunal, by its Decision and Order issued on July 10, 2023 in File OLT-22-002502 approved amendments to the Official Plan for the City of Toronto with respect to the lands;

The Ontario Land Tribunal Orders:

- 1.** The attached Amendment 678 to the Official Plan is hereby in force pursuant to the Planning Act, as amended.

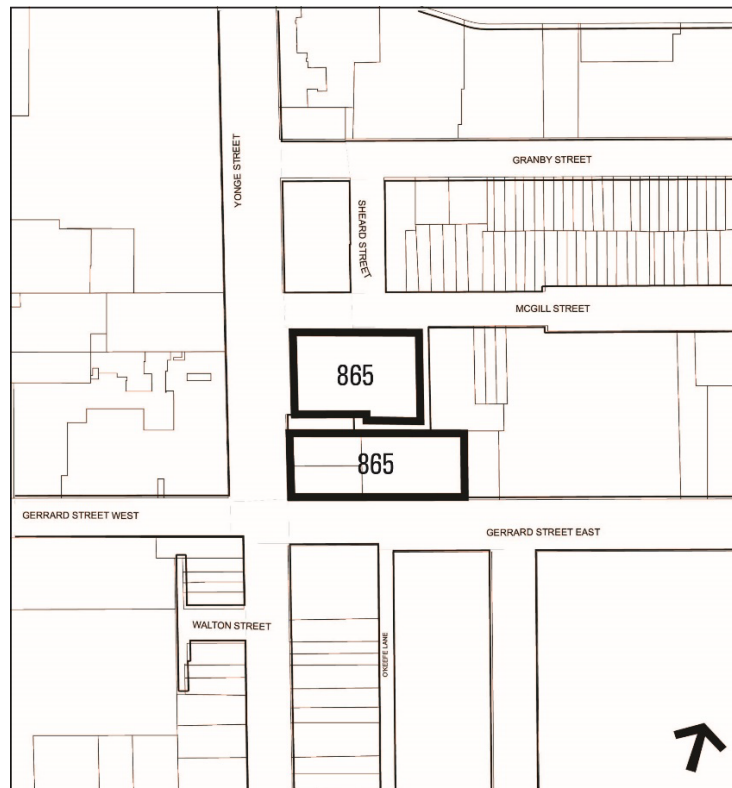
Ontario Land Tribunal Decision and Order issued on July 10, 2023 in Tribunal File OLT-22-002502.

**AMENDMENT 678 TO THE OFFICIAL PLAN****LANDS MUNICIPALLY KNOWN IN THE YEAR 2022 AS 409-415 YONGE STREET AND 9 AND 17 MCGILL STREET, 399-405 YONGE STREET AND 20 GERRARD STREET EAST**

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

1. Map 18, Land Use Plan is hereby amended by redesignating certain lands known municipally in the year 2022 as 409 - 415 Yonge Street and 9 and 17 McGill Street from *Parks* to *Mixed Use Areas*, as shown on the attached Schedule 1.
2. Chapter 6, Section 41, Downtown Plan, Map 41-3 and Map 41-3-C is amended by designating certain lands known municipally in the year 2022 as 409 - 415 Yonge Street and 9 and 17 McGill Street as *Mixed Use Areas 2 – Intermediate*, as shown on the attached Schedule 2 and Schedule 3.
3. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy 865 for the lands known municipally in the year 2022 as 409-415 Yonge Street and 9 and 17 McGill Street, 399-405 Yonge Street and 20 Gerrard Street East, as follows:

**"865. 409-415 Yonge Street and 9 and 17 McGill Street, 399-405 Yonge Street and 20 Gerrard Street East.**



For the purpose of block planning for the lands known as 409-415 Yonge Street and 9 and 17 McGill Street, 399-405 Yonge Street and 20 Gerrard Street East:

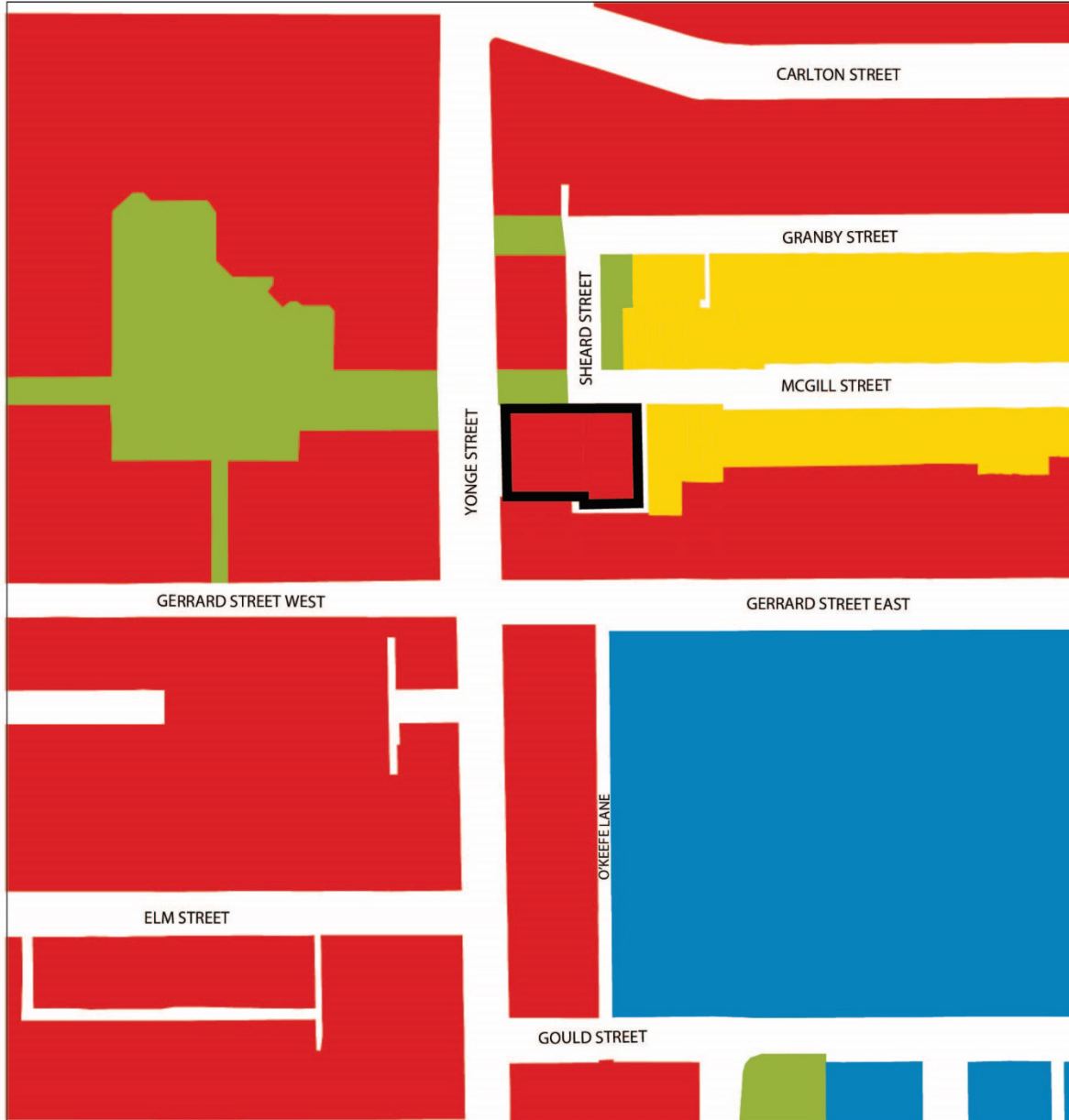
- a) A mixed-use tall building within the lands known municipally as 409-415 Yonge Street and 9 and 17 McGill Street having a maximum height of 230.5 metres, including any mechanical penthouse, a minimum tall building setback of 10 metres from its south property line shared with the lands municipally known as 407 Yonge Street, a minimum tall building setback of 13.5 metres from its south property line shared with the lands known as 20 Gerrard Street East, and a minimum tall building setback of 10.0 metres from its east property line shared with 20 Gerrard Street East, is permitted.
- b) Any approval of a zoning by-law amendment for the lands known municipally as 399-405 Yonge Street permitting a tall building shall require, pursuant to section 453.1 of the City of Toronto Act, 2006, the provision of a social housing program and the owner of the lands and the operator of the social housing program shall be required to enter into an agreement with the City and register it in priority against title to the lands which secures the provision of the social housing program in accordance with this Policy and the requirements of the zoning by-law amendment.
- c) A mixed-use tall building within the lands known municipally as 399-405 Yonge Street having a maximum height of 249.8 metres, a total maximum height of 252.8 metres inclusive of any mechanical projections for a part of the roof area of the building, and a minimum tall building setback of 5.5 metres from its east property line, is permitted provided that the mixed-use tall building includes a social housing program within the building on the lands in accordance with Policy b) above.
- d) The minimum tall building setbacks contemplated in Policies a) and c) above shall not preclude the development of the lands known municipally as 20 Gerrard Street East for the purpose of a potential tall building (with a 12.5 metre setback to its westerly lot line and a 5.5 metre setback to its easterly lot line) authorized by a zoning by-law amendment provided that any potential tall building proposal within the lands shall not be approved unless it conforms and is consistent with all other municipal policies and all provincial policies (including, without limitation, all policies pertaining to heritage conservation). For the purpose of this Policy d), the minimum tall building setbacks set out may be increased or decreased as determined through the zoning by-law amendment review process of any such proposed tall building, without an Official Plan Amendment to this Policy.
- e) Development on 399-405 Yonge Street will not cast net-new shadow as measured in hourly increments on March 21st from 9:18 a.m. - 6:18 p.m. and at hourly increments on September 21st from 9:18 a.m. - 4:18 p.m. on Allan Gardens."

4. Chapter 6, Section 41, Downtown Plan Secondary Plan is amended by adding a new bullet point in Section 17, Site and Area Specific Policies:

"409-415 Yonge Street and 9 and 17 McGill Street, 399-405 Yonge Street and 20 Gerrard Street East"

5. Chapter 7, Map 29, Site and Area Specific Policies is amended by adding the lands municipally known in 2022 as 409-415 Yonge Street and 9 and 17 McGill Street, 399-405 Yonge Street and 20 Gerrard Street East, as shown on the map above as Site and Area Specific Policy 865.

Schedule 1



**Official Plan Amendment 678**

Revisions to Land Use Map 18 to Redesignate lands from Mixed Use Areas and Parks to Mixed Use Areas

9 and 17 McGill street and 20 Gerrard Street East

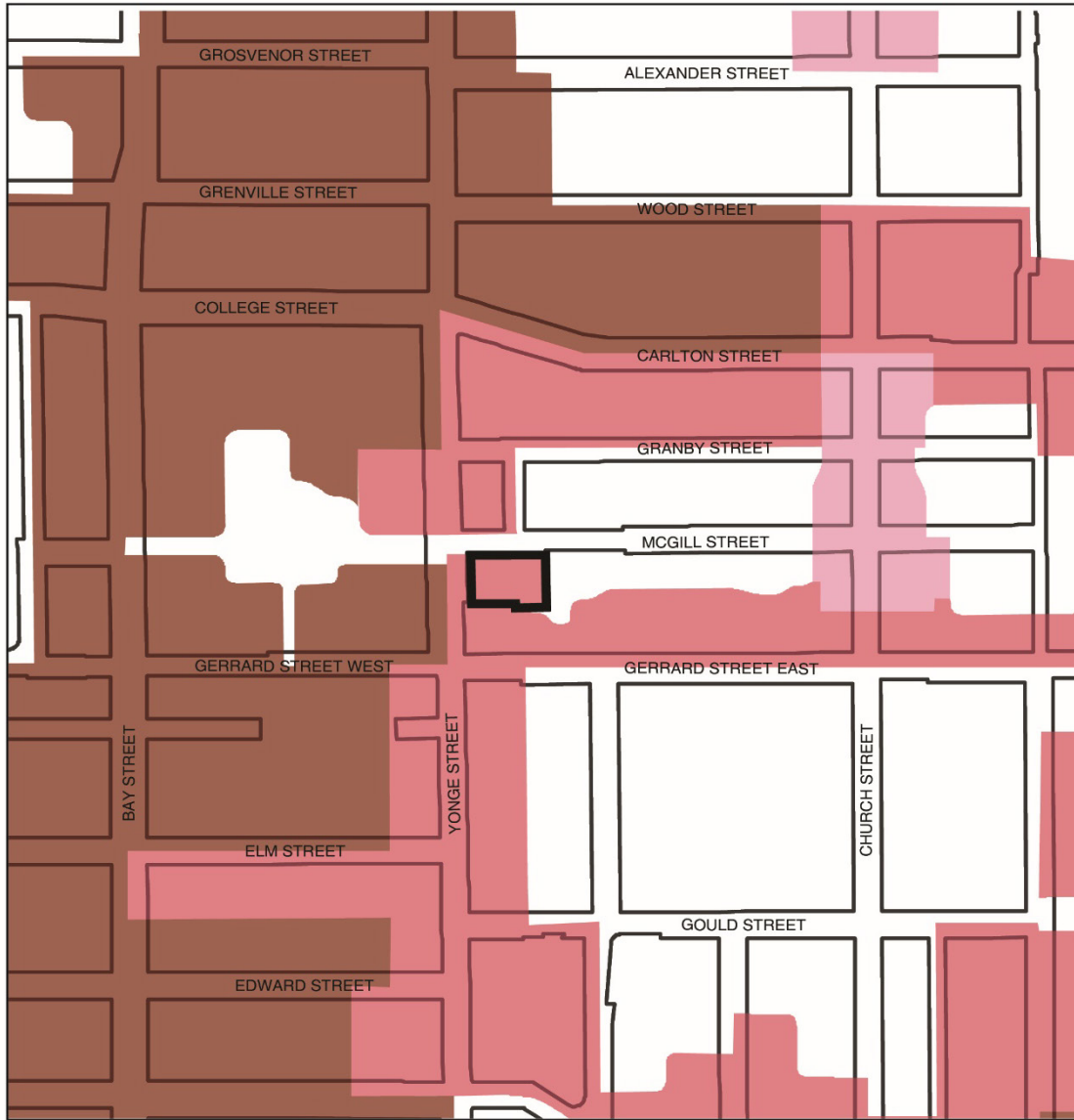
File # 22 162248 STE 13 OZ

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Institutional Areas
-  Parks



Not to Scale  
07/13/2023

Schedule 2



9 and 17 McGill street and 20 Gerrard Street East

Downtown Plan

MAP 41-3 Mixed Use Areas

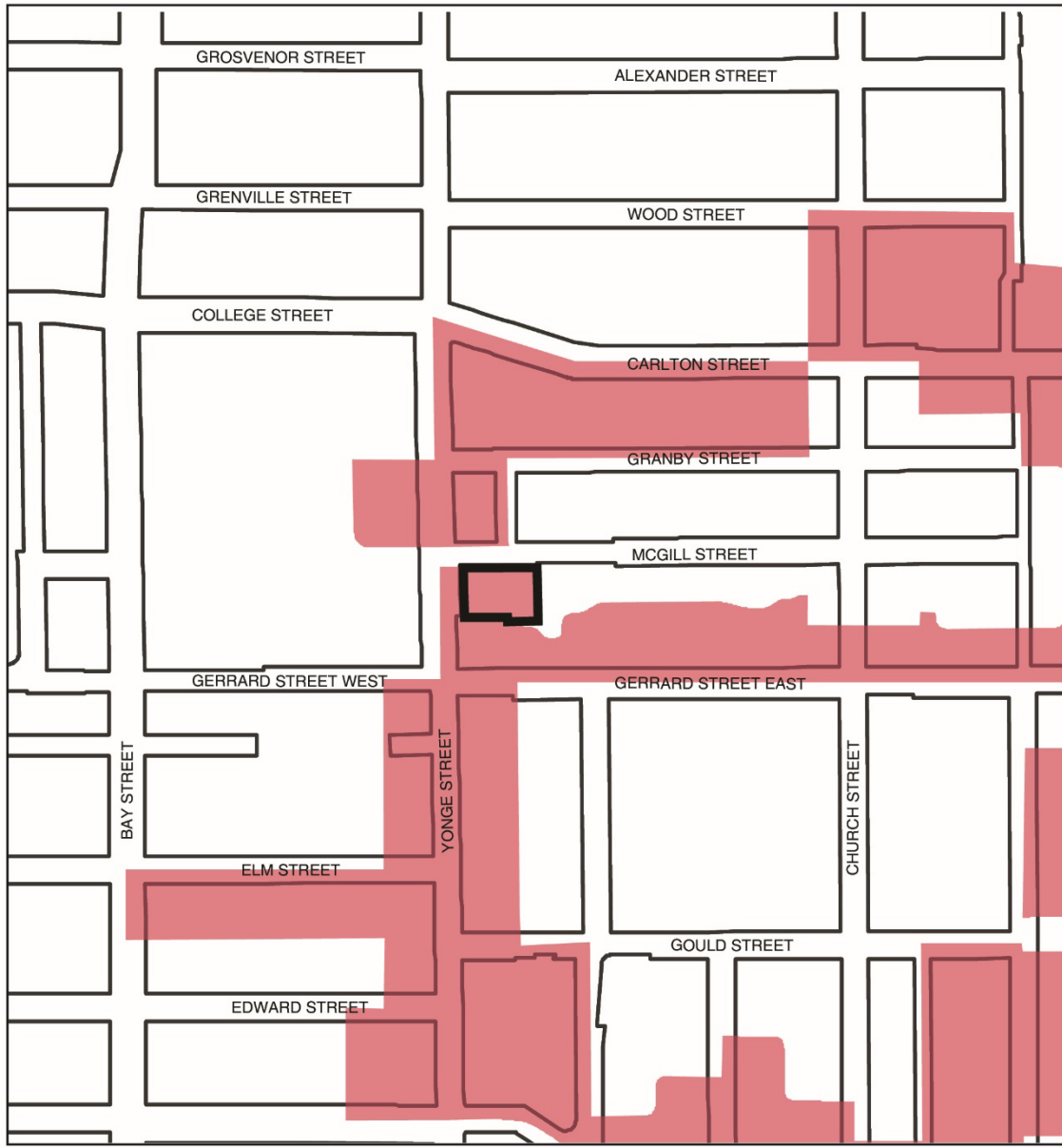
Revisions to Map 41-3 to Redesignate lands to Mixed Use Areas 2 - Intermediate

File # 22 162248 STE 13 OZ

-  Site Location
-  Mixed Use Areas 1 - Growth
-  Mixed Use Areas 2 - Intermediate
-  Mixed Use Areas 3 - Main Street
-  Mixed Use Areas 4 - Local

Not to Scale  
04/04/2023

Schedule 3



9 and 17 McGill street and 20 Gerrard Street East



Downtown Plan

MAP 41-3 Mixed Use Areas

Revisions to Map 41-3 to Redesignate lands to Mixed Use Areas 2 - Intermediate

File # 22 162248 STE 13 OZ

-  Site Location
-  Mixed Use Areas 2 - Intermediate



Not to Scale  
04/04/2023