

101, 111 and 129 St. Clair Avenue West – Part Lot Control Exemption Application – Final Report

Date:	April 20, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	15 105376 STE 22 PL

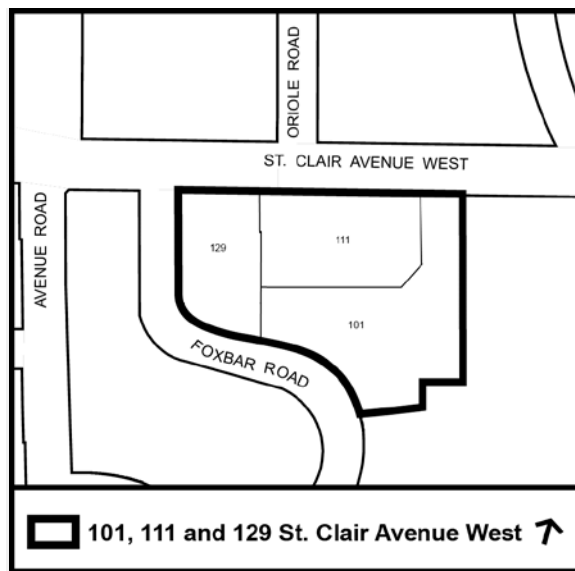
SUMMARY

This application requests exemption from the Part Lot Control provisions of the *Planning Act* for a period of two years at 101, 111 and 129 St. Clair Avenue West.

The proposed exemption from the Part Lot Control provisions of the *Planning Act* has been requested by the owner to permit the creation of two lots and to facilitate the establishment of various easements and rights-of-way within the site. The first lot will contain the commercial parking garage which is currently part of 111 St. Clair Avenue West and the second lot will accommodate a condominium corporation related to 12 townhouses which is currently part of 101 St. Clair Avenue West.

The proposal complies with the Official Plan and Zoning By-law. The lifting of Part Lot Control for a period of two years is considered appropriate for the orderly development of these lands.

This report reviews and recommends approval of Part Lot Control Exemption and that the owner of the lands be required to register a Section 118 Restriction under the *Land Titles Act* agreeing not to convey or mortgage any part of the lands without prior consent of the Chief Planner or his designate.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council enact a Part Lot Control Exemption By-law with respect to the subject lands at 101, 111 and 129 St. Clair Avenue West as generally illustrated on the plans attached as Attachment Nos. 2 and 3 and substantially in accordance with the Draft Part Lot Control Exemption By-law attached as Attachment No. 6 to the report (April 20, 2015) from the Director, Community Planning, Toronto and East York District, to expire two years following enactment by City Council.
2. Prior to the introduction of the Part Lot Control Exemption Bill, City Council require the owner:
 - i. to provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor; and
 - ii. to register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the *Land Titles Act* agreeing not to transfer or charge any part of the lands without the written consent of the Chief Planner or his designate.
3. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title to the lands or any portion thereof against which the Section 118 Restriction under the *Land Titles Act* has been registered.
4. City Council authorize the execution of an agreement with the owner, in a form and containing conditions satisfactory to the City Solicitor, whereby the Section 118 Restriction would be removed from title upon the request of the owner, on reasonable notice to the City permitting the City to repeal the Part Lot Control Exemption By-law.
5. City Council enact a By-law repealing the Part Lot Control Exemption By-law, substantially in accordance with the Draft Part Lot Control Exemption Repeal By-law attached as Attachment No. 7, in the event the owner of the lands at 101, 111 and 129 St. Clair Avenue West or any part thereof, requests the City to consent to the removal of the Section 118 Restriction from the lands or any part thereof.
6. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Part Lot Control Exemption By-law and associated repealing By-law as may be required.
7. City Council authorize City officials to take necessary steps, including the execution of agreements and documents which set out the implementation of the Part Lot Control Exemption By-law, or its repeal, to give effect to the above-noted recommendations.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

City Council, at its meeting of January 26 and 27, 2010, passed By-law 1052-2010 to designate the property at 129 St. Clair Avenue West, under Part IV of the *Ontario Heritage Act* as being of cultural heritage value or interest.

On July 13, 2011, the Committee of Adjustment approved a consent application (B0043/11TEY) to convey an 802 square metre parcel of land from 111 St. Clair Avenue West to 129 St. Clair Avenue West. The decision was appealed to the Ontario Municipal Board. The appeal, however, was withdrawn the day of the OMB Hearing (November 14, 2011) and the decision to approve the consent is now final and binding. This subject parcel is generally where the six townhouses are proposed in conjunction with a proposal on the adjacent parcel at 129 St. Clair Avenue West.

City Council, at its meeting of September 21 and 22, 2011, stated its intention to designate the property at 111 St. Clair Avenue West, under Part IV of the *Ontario Heritage Act* as being of cultural heritage value or interest.

On November 16, 2011, the Committee of Adjustment issued its decision to approve two applications (B0049/11TEY and B0050/11TEY) for lot additions with associated easements, which were made for the property municipally known as 111 St. Clair Avenue West. The lot conveyance reconfigured two separately owned parcels, which previously made up 111 St. Clair Avenue West, into the proposed 101 St. Clair Avenue West and 111 St. Clair Avenue West parcels.

On December 21, 2011, the Committee of Adjustment issued its decision to approve two applications (B0081/11TEY and B0082/11TEY) requesting reciprocal easements over the lands proposed to access the common loading driveway between 111 St. Clair Avenue West and 129 St. Clair Avenue West.

City Council, at its meeting of April 10 and 11, 2012, passed By-laws 535-2012, 536-2012, 537-2012 and 538-2012 to permit a new 28-storey residential building and twelve 3-storey townhouses at 101 St. Clair Avenue West, to permit a new 27-storey residential building and six 3-storey townhouses at 129 St. Clair Avenue West, and to amend the Official Plan to allow below-grade garages within the developments at 101 and 129 St. Clair Avenue West.

On September 19, 2012, the Committee of Adjustment approved a minor variance application (A0526/12TEY) to convert the existing office building at 111 St. Clair Avenue West into a mixed-use building containing 388 residential units.

A Draft Condominium application at 111 St. Clair Avenue West is currently under review.

See Attachment No. 1 for an overall site plan of the subject lands.

ISSUE BACKGROUND

Proposal

The proposed exemption from the Part Lot Control provisions of the *Planning Act* has been requested by the owner to permit the creation of two lots and to facilitate the establishment of various easements and rights-of-way within the site. The first lot will contain the commercial parking garage which is currently part of 111 St Clair Avenue West (Parts 11 to 16, 19, 21 to 25, 52 and 53, Plan 2625-11) (Attachment No. 2) and the second lot will accommodate a condominium corporation related to 12 townhouses which is currently part of 101 St Clair Avenue West (Parts 1, 5, 11, 16 and 17, Plan 2625-14) (Attachment No. 3).

Attachment Nos. 4 and 5 outline the proposed easements and rights-of-way for both vehicular and pedestrian access, together with the necessary servicing, maintenance and support easements over 101 and 111 St. Clair Avenue West.

In addition to the creation of new lots and various easements and rights-of-way, boundary adjustments may be required between the various parcels, from time to time, to reflect the as-built location of the structures or other site requirements.

Site and Surrounding Area

The site is located on the south side of St. Clair Avenue West, just east of Foxbar Road. The site is comprised of three properties, municipally known as 101, 111 and 129 St. Clair Avenue West.

Existing features on the site include a mixed-use building formerly used as Imperial Oil's head office at 111 St. Clair Avenue West and the vacant Deer Park United Church at 129 St. Clair Avenue West.

Adjacent existing land uses are:

North: across St. Clair Avenue West is a four-storey residential building and Amsterdam Square.

South: of Foxbar Road is a low-rise residential neighbourhood and St. Michael's cemetery.

East: is a 16-storey office building.

West: of Foxbar Road is the 54-metre tall office building currently occupied by the Ontario Ministry of the Environment.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The City of Toronto Official Plan designates the subject site as both *Mixed Use Areas* and *Neighbourhoods* and shows the site on an *Avenue* on Map 2 (Urban Structure). The site also falls within the boundaries of the Yonge-St. Clair Secondary Plan. There is a discrepancy between the Land Use Designations Map in the Official Plan and the Mixed Use Areas Map in the Yonge-St. Clair Secondary Plan. Section 5.6, Policy 6 of the Official Plan, states that "The policies of this Plan apply to the areas subject to Secondary Plans contained in Chapter Six, except in the case of a conflict, the Secondary Plan policy will prevail." Therefore, the majority of the site is considered to be *Mixed Use Areas* except for its small southern portion along Foxbar Road which is designated *Neighbourhoods*.

Zoning

Under Zoning By-law 438-86, as amended, the property has two zoning designations. The northern and eastern portions of the site are zoned CR T4.25 C2.0 R3.0 and the western and southern portions of the site are zoned R2 Z0.6.

The Commercial Residential (CR) zoning classification permits residential and commercial uses including apartment buildings, retail, office and other commercial uses. The total density permitted is 4.25 times the area of the lot when mixed with commercial and residential uses. The maximum permitted height for this portion of the site is 46 metres.

The Residential (R) zoning classification permits a number of uses, including apartment buildings having a gross floor area of up to 0.6 times the lot area. The maximum permitted height for this part of the site is 11 metres.

In 2012, the property at 111 St. Clair Avenue West was subject to a minor variance application (A0526/12TEY) to convert the existing office building into a mixed-use building containing 388 residential units.

In 2012, new site specific zoning by-laws (536-2012 and 538-2012) were approved by City Council which allow for a new 28-storey residential apartment building and twelve 3-storey townhouses at 101 St. Clair Avenue West, and a new 27-storey residential apartment building and six 3-storey townhouses at 129 St. Clair Avenue West.

The proposed development complies with this zoning.

Site Plan Control

The development on all three properties is subject to Site Plan Control.

The Notice of Approval Conditions has been issued for the application at 111 St. Clair Avenue West (No. 11 184256 STE 22 SA), however, an agreement has not been registered. Site Plan Control applications at 101 St. Clair Avenue West (No. 13 248729 STE 22 SA) and 129 St. Clair Avenue West (No. 13 269709 STE 22 SA) have been filed and are currently under review.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate draft plan approval conditions.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe.

Land Division

Section 50(7) of the Planning Act, R.S.O. 1990, as amended, authorizes City Council to adopt a by-law exempting lands within a registered plan of subdivision from Part Lot Control. The subject lands are within a registered plan of subdivision. The lifting of Part Lot Control on the subject lands is considered appropriate for the orderly development of the lands, subject to the Section 118 Restriction under the *Land Titles Act*. The Part Lot Control Exemption will facilitate the development of the site including the creation of lots and the establishment of easements and rights-of-way which will allow necessary access for owners across various areas and levels.

Prior to the enactment of a Part Lot By-law, it is recommended that the owner register a Section 118 Restriction under the *Land Titles Act*. The Restriction requires the owner to agree not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate. This allows for the City to ensure that there is not an unlimited exemption from Part Lot Control and that the appropriate mechanisms are secured to support the existing and future development.

The applicant has requested that, as a pre-condition to registering the Section 118 Restriction, the City enter into an agreement with the owner whereby the City would

consent to release of the Section 118 Restriction upon receiving a request from the owner. This agreement would allow, in part, for the release of the lands at 111 St. Clair Avenue West currently under review for Draft Condominium approval and enable the condominium to be registered when it is appropriate while the Part Lot Control Exemption By-law and Section 118 Restriction continue to apply for the remainder of the site. City staff can support this request only if the agreement permits the City to have a reasonable opportunity to first repeal the by-law lifting Part Lot Control. The form and content of this agreement must be satisfactory to the City Solicitor. This agreement would provide for the unwinding of the Section 118 Restrictions and Part Lot Control Exemption, in advance of the expiry date of the Part Lot Control Exemption By-law.

In addition, to ensure that the Part Lot Control Exemption does not remain open indefinitely, it is recommended that the By-law contain an expiration date. In this case, the By-law should expire two years following enactment by City Council. This time frame provides sufficient time for the completion of the transactions proposed by the owner. The associated Section 118 Restriction agreement will be deleted after the Part Lot Control Exemption By-law expires or is repealed.

CONTACT

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SIGNATURE

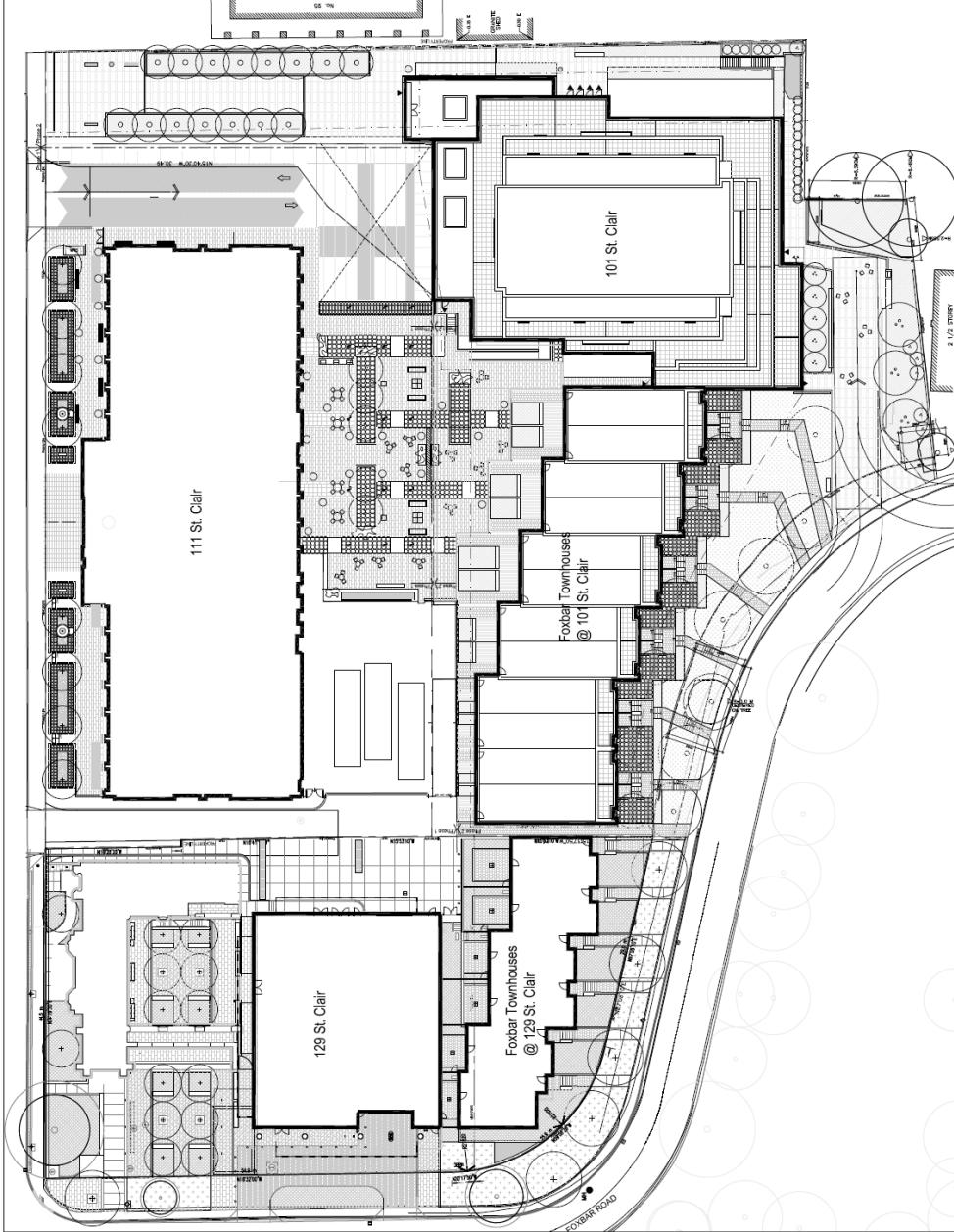
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Part Lot Control Exemption Plan – Plan 2625-11
Attachment 3: Part Lot Control Exemption Plan – Plan 2625-14
Attachment 4: Proposed Conveyances – Plan 2625-11
Attachment 5: Proposed Conveyances – Plan 2625-14
Attachment 6: Draft Part Lot Control Exemption By-law
Attachment 7: Draft Part Lot Control Exemption Repeal By-law

Attachment 1: Site Plan

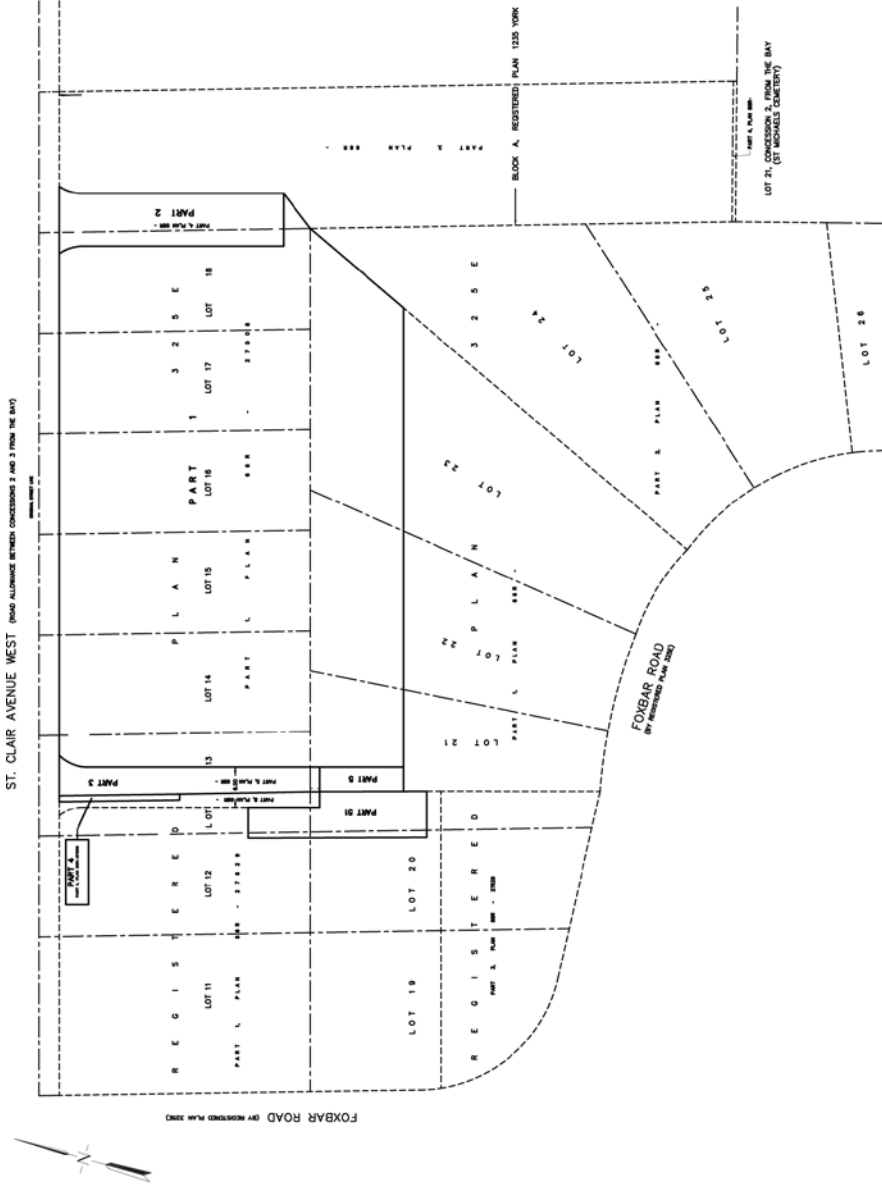


101, 111 & 129 St. Clair

Site Plan
Applicant's Submitted Drawing
Not to Scale
04/15/2015

File # 15_105376 STE 22 PL

Attachment 2: Part Lot Control Exemption Plan – Plan 2625-11



PLAN CONFIGURATION OF PARTS 1 TO 5 INCLUSIVE AND 51 AT ELEVATION 152.20 metres.(GROUND FLOOR)

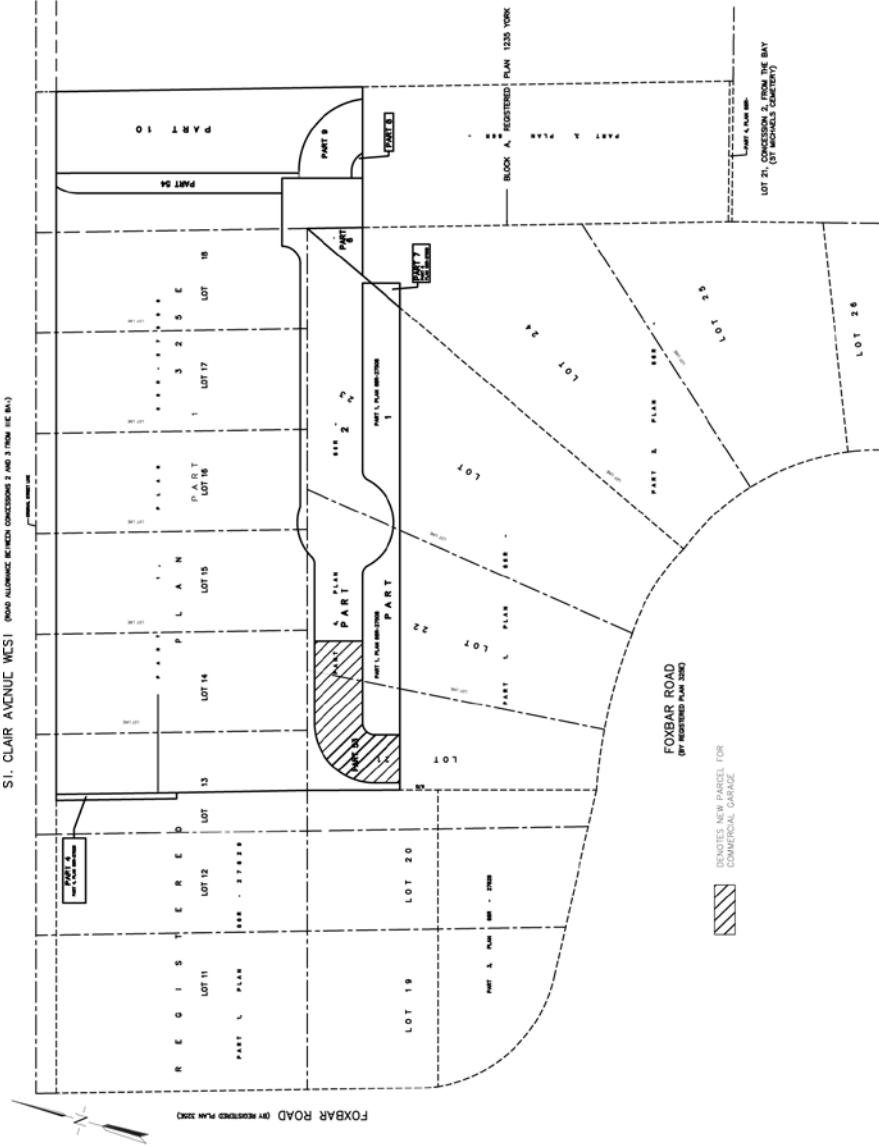
Part Lot Control Exemption – Ground Floor – Plan 2625-11

101, 111 & 129 St. Clair

Applicant's Submitted Drawing

Not to Scale
04/15/2015

File # 15_105376 STE 22 PL

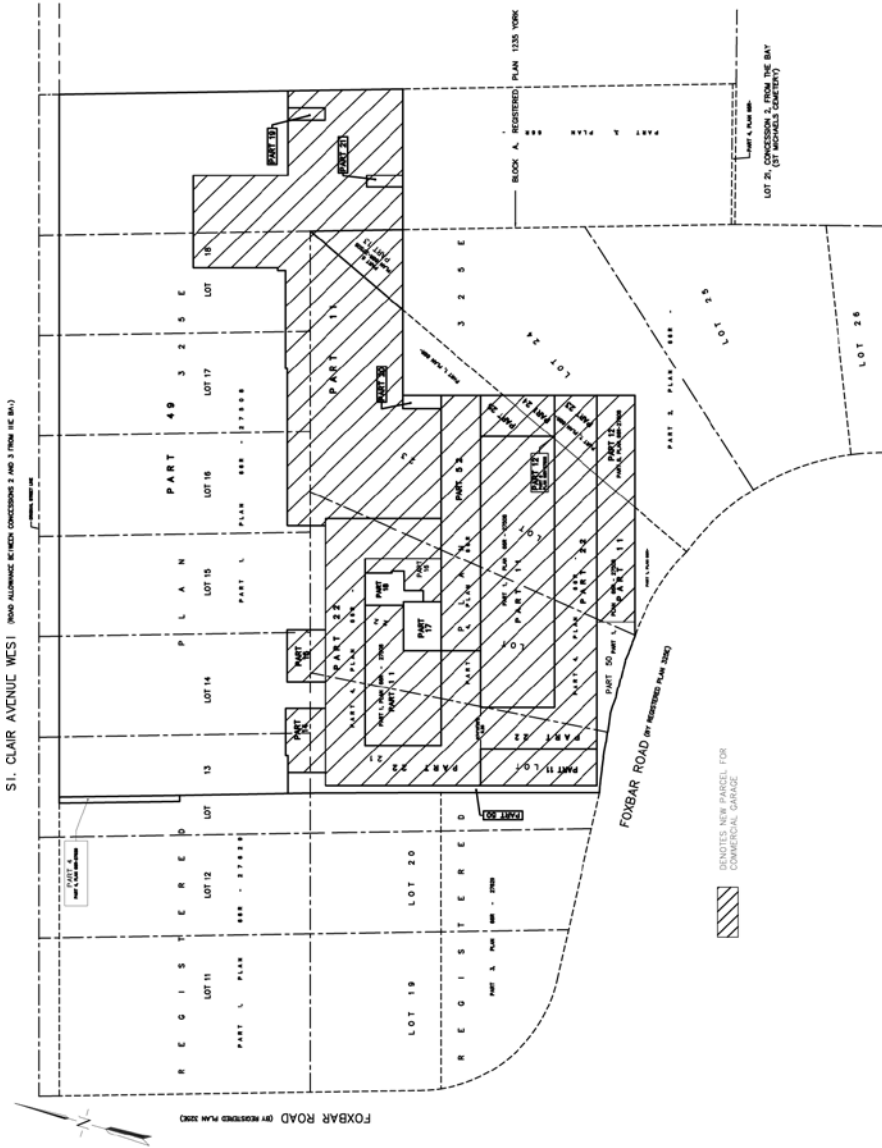


PLAN CONFIGURATION OF PARTS 1, 2, 4, 6 TO 10 INCLUSIVE, 53 AND 54 AT ELEVATION 147.40 metres. (COLONNADE Level)

Part Lot Control Exemption – Colonnade Level – Plan 2625-11 **101, 111 & 129 St. Clair**
Applicant's Submitted Drawing

Not to Scale
 04/15/2015

File # 15_105376 STE 22 PL



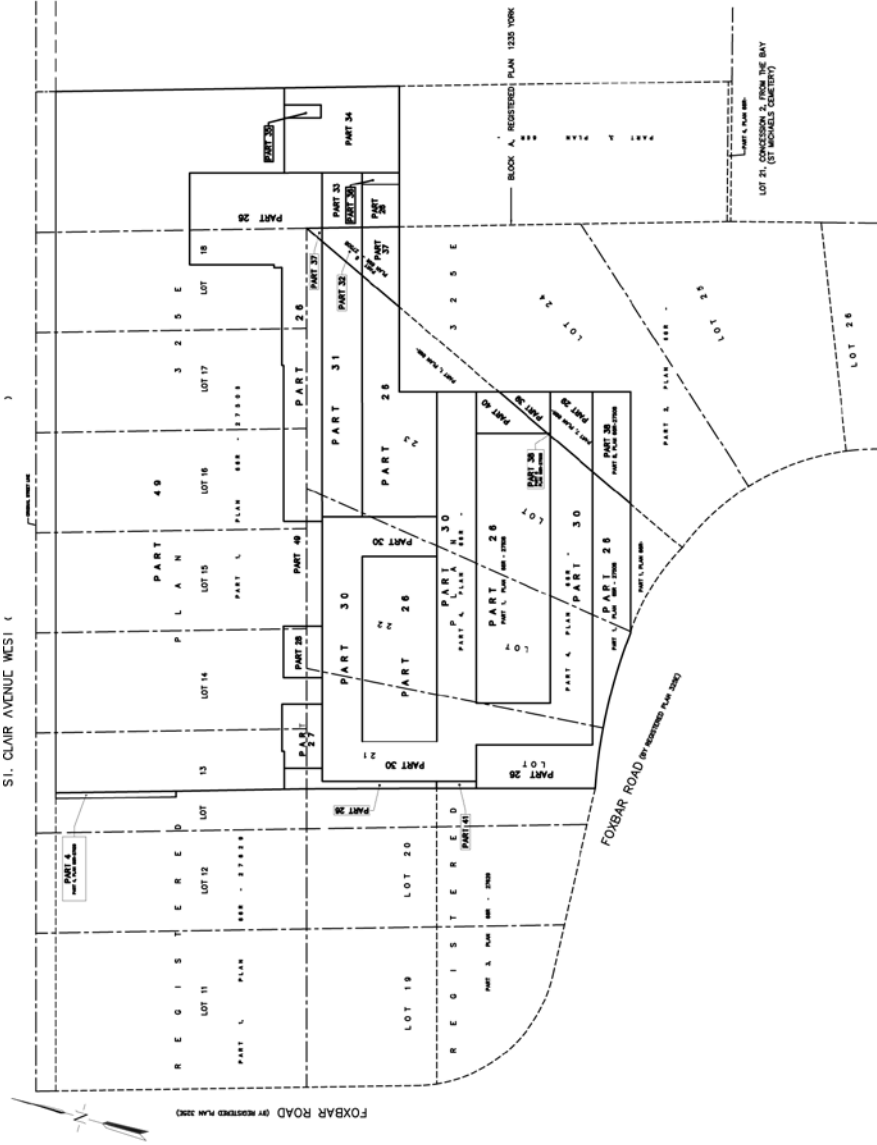
PLAN CONFIGURATION OF PARTS 4, 11 TO 25 INCLUSIVE, 49, 50 AND 52 AT ELEVATION 145.20 metres. (P1 Parking Level)

Part Lot Control Exemption – P1 Parking Level – Plan 2625-11 101, 111 & 129 St. Clair

Applicant's Submitted Drawing

Not to Scale
04/15/2015

File # 15_105376 STE 22 PL



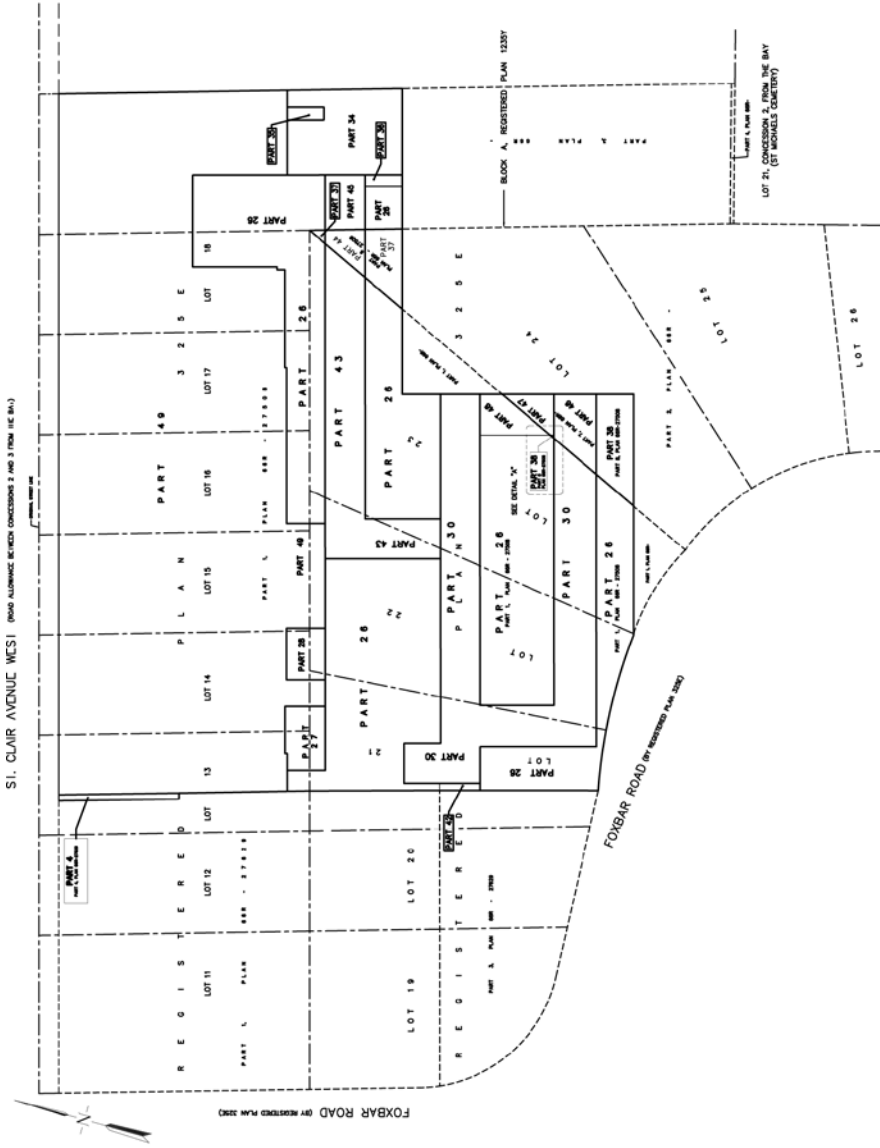
PLAN CONFIGURATION OF PARTS 4, 26 TO 41 INCLUSIVE AND 49 AT ELEVATION 142.50 metres. (P2 Parking Level)

Part Lot Control Exemption – P2 Parking Level – Plan 2625-11 101, 111 & 129 St. Clair

Applicant's Submitted Drawing

Not to Scale
04/15/2015

File # 15_105376 STE 22 PL

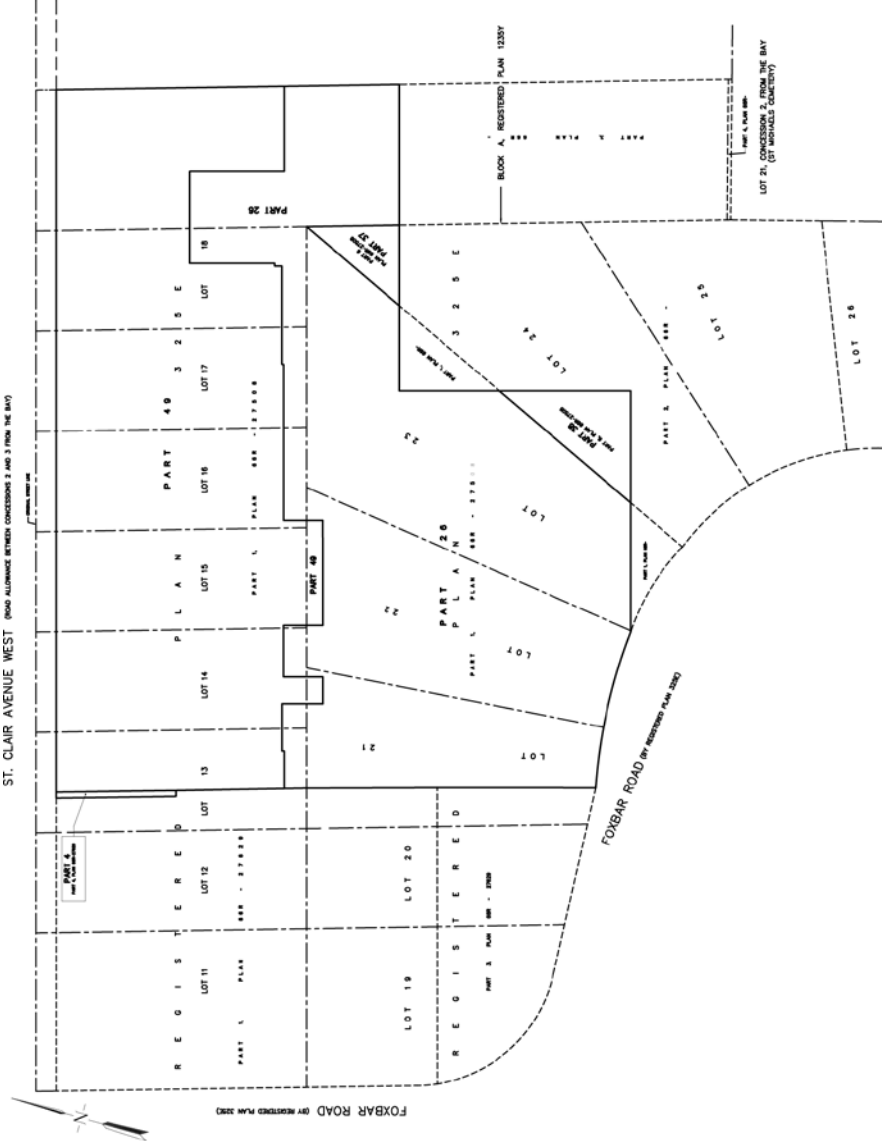


PLAN CONFIGURATION OF PARTS 4, 26, 27, 28, 30, 34 TO 49 INCLUSIVE, AT ELEVATION 139.60 metres. (P3 Parking Level)

Part Lot Control Exemption – P3 Parking Level – Plan 2625-11 101, 111 & 129 St. Clair
Applicant's Submitted Drawing

Not to Scale
 04/15/2015

File # 15_105376 STE 22 PL



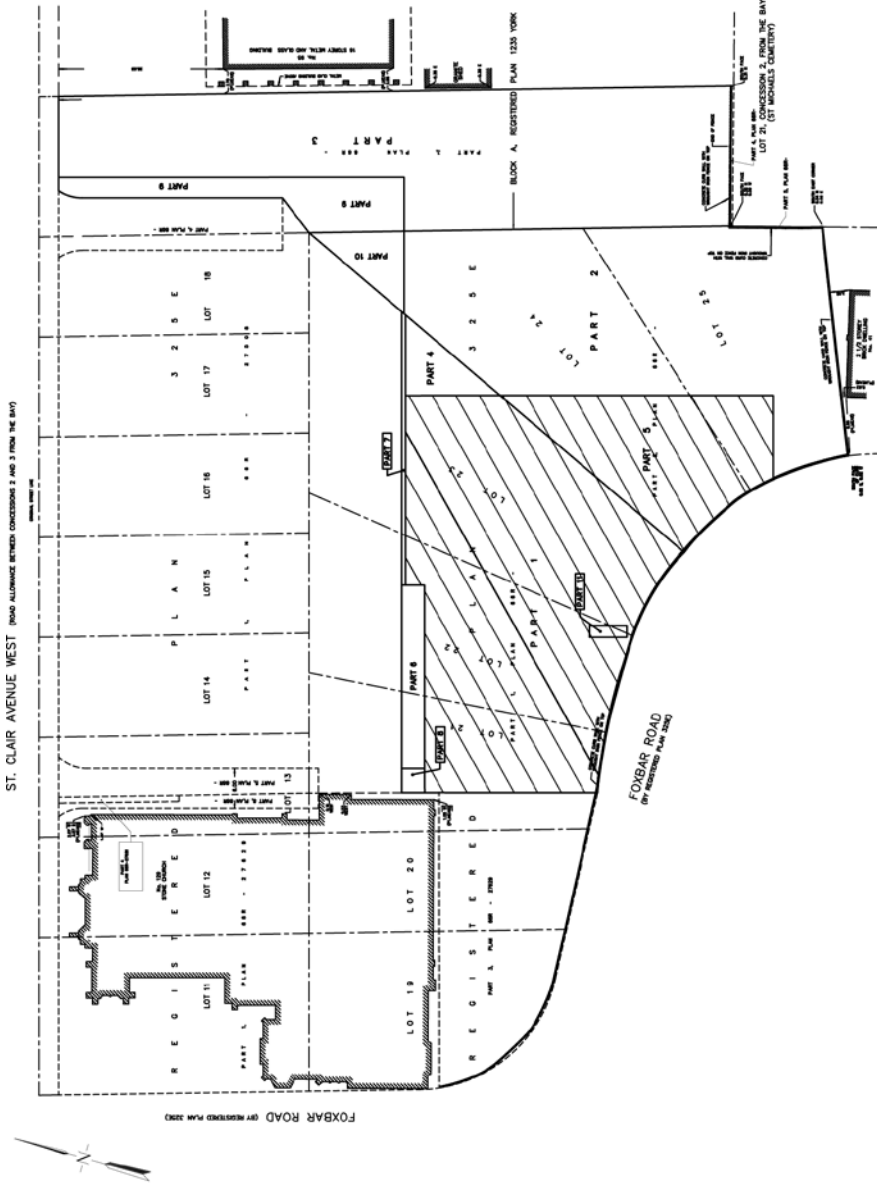
PLAN CONFIGURATION OF PARTS 4, 26, 37, 38 AND 49 AT ELEVATION 133.00 metres. (Below P3 Parking Level)

**Part Lot Control Exemption – Below P3 Parking Level – Plan 2625-11 101, 111 & 129 St. Clair
 Applicant's Submitted Drawing**

Not to Scale
 04/15/2015

File # 15_105376 STE 22 PL

Attachment 3: Part Lot Control Exemption Plan – Plan 2625-14



PLAN CONFIGURATION OF PARTS 1 TO 11 INCLUSIVE AT ELEVATION 150.00 metres. (GROUND FLOOR)

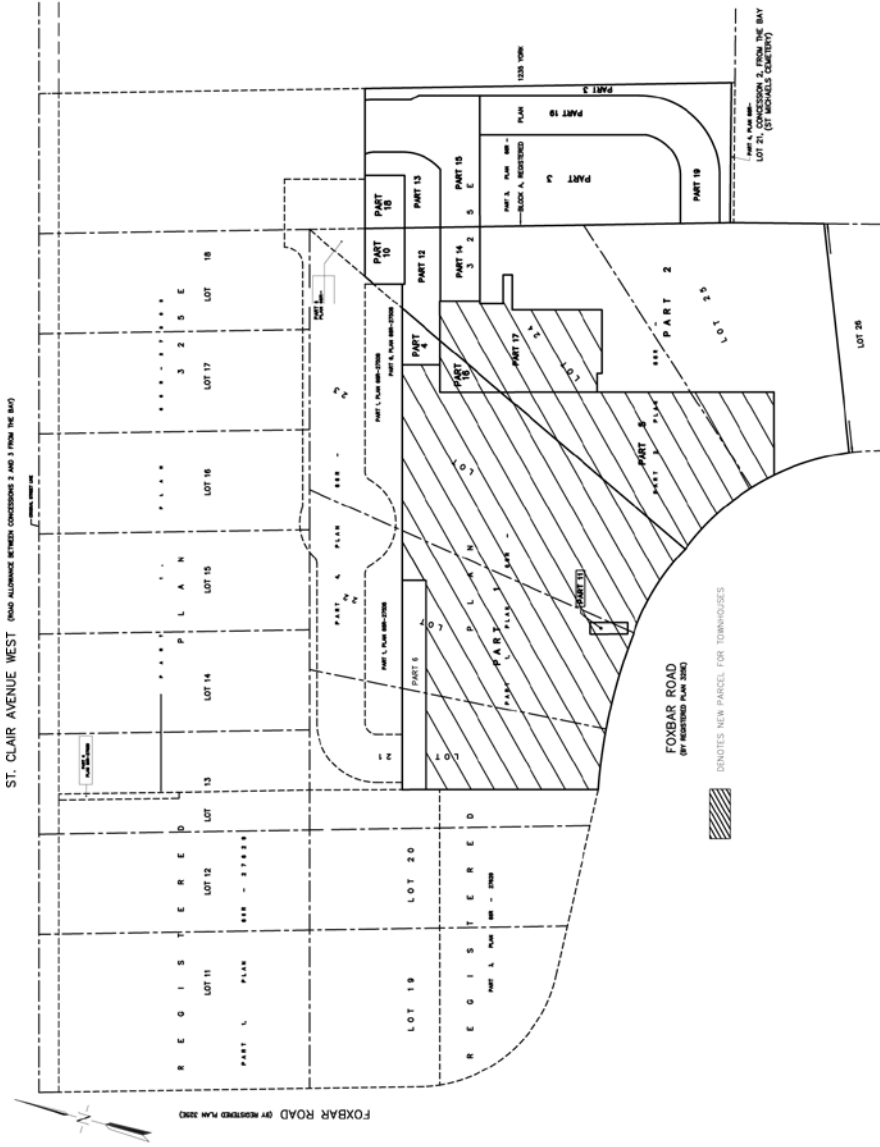
Part Lot Control Exemption – Ground Floor – Plan 2625-14

Applicant's Submitted Drawing

Not to Scale
04/15/2015

101, 111 & 129 St. Clair

File # 15_105376 STE 22 PL

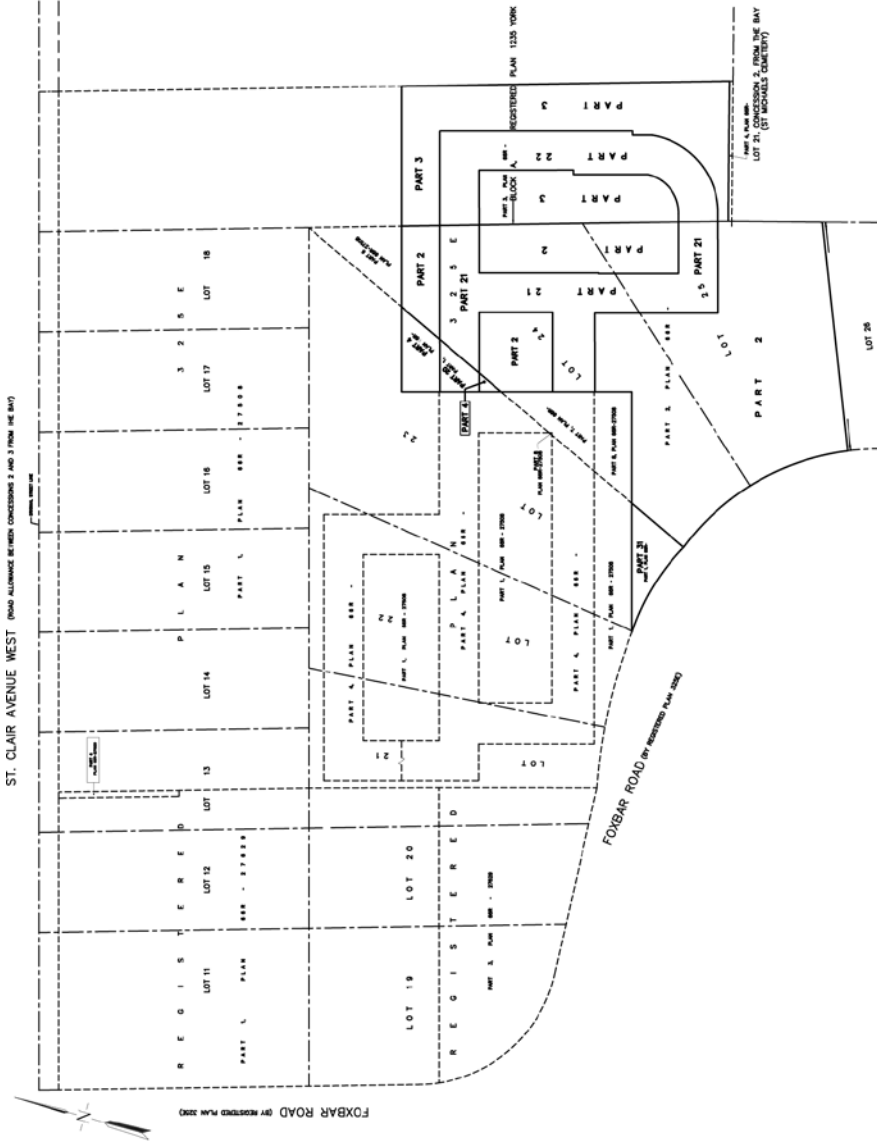


PLAN CONFIGURATION OF PARTS 1 TO 6 INCLUSIVE, 10 TO 19 INCLUSIVE AT ELEVATION 147.40 metres. (COLONNADE Level)

Part Lot Control Exemption – Colonnade Level – Plan 2625-14 **101, 111 & 129 St. Clair**
Applicant's Submitted Drawing

Not to Scale
 04/15/2015

File # 15_105376 STE 22 PL

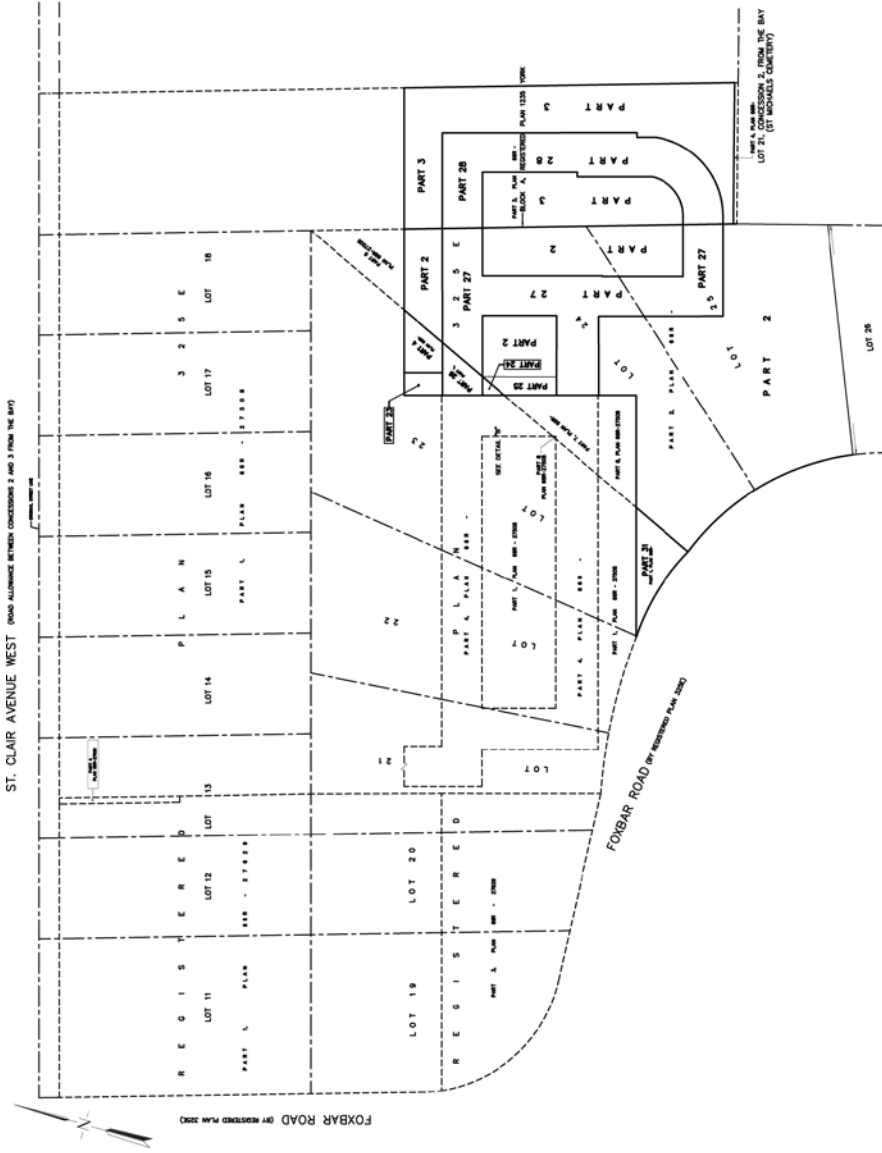


PLAN CONFIGURATION OF PARTS 2, 3, 4, 20, 21, 22 AND 31 AT ELEVATION 143.50 metres. (P1 Parking Level)

Part Lot Control Exemption – P1 Parking Level – Plan 2625-14 101, 111 & 129 St. Clair
 Applicant's Submitted Drawing

Not to Scale
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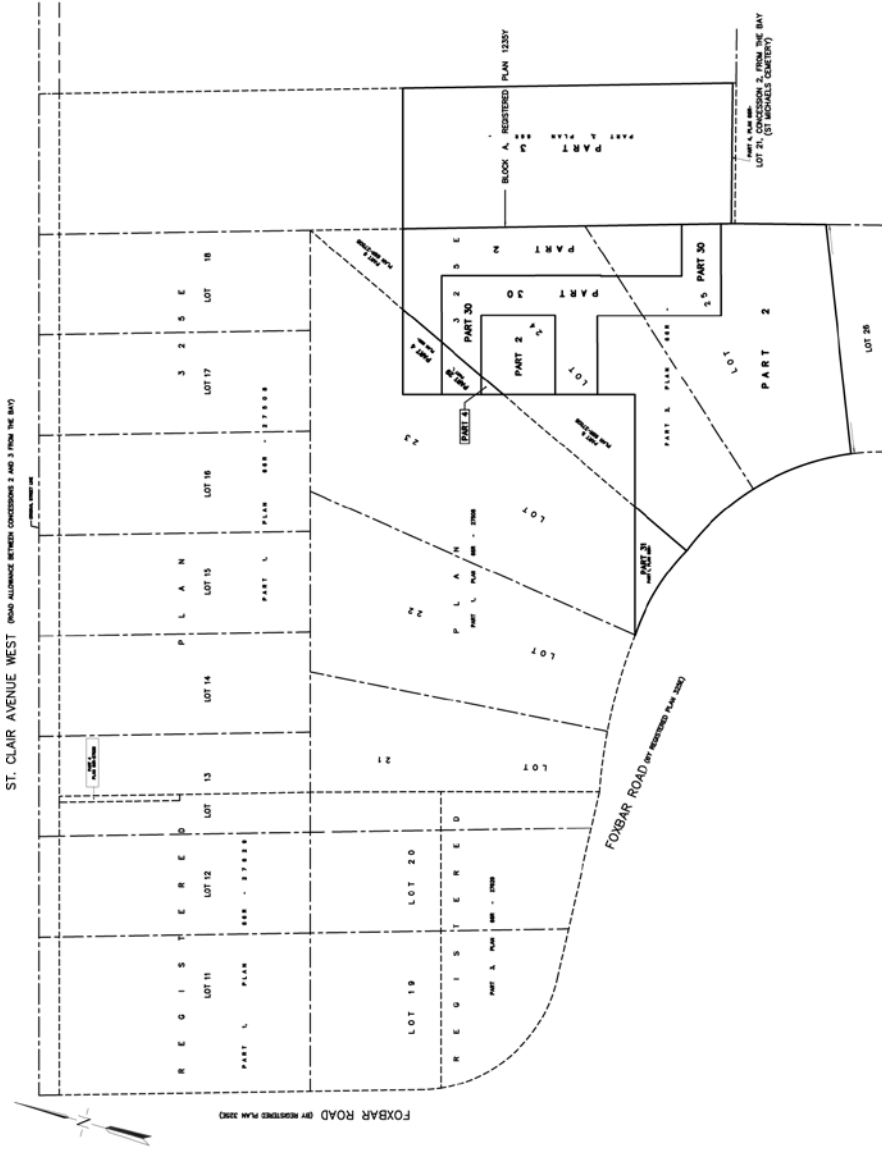


PLAN CONFIGURATION OF PARTS 2, 3, 4, 23 TO 28 INCLUSIVE AND 31 AT ELEVATION 139.00 metres. (P2 Parking Level)

Part Lot Control Exemption – P2 Parking Level – Plan 2625-14 **101, 111 & 129 St. Clair**
Applicant's Submitted Drawing

Not to Scale
 04/15/2015

File # 15_105376 STE 22 PL

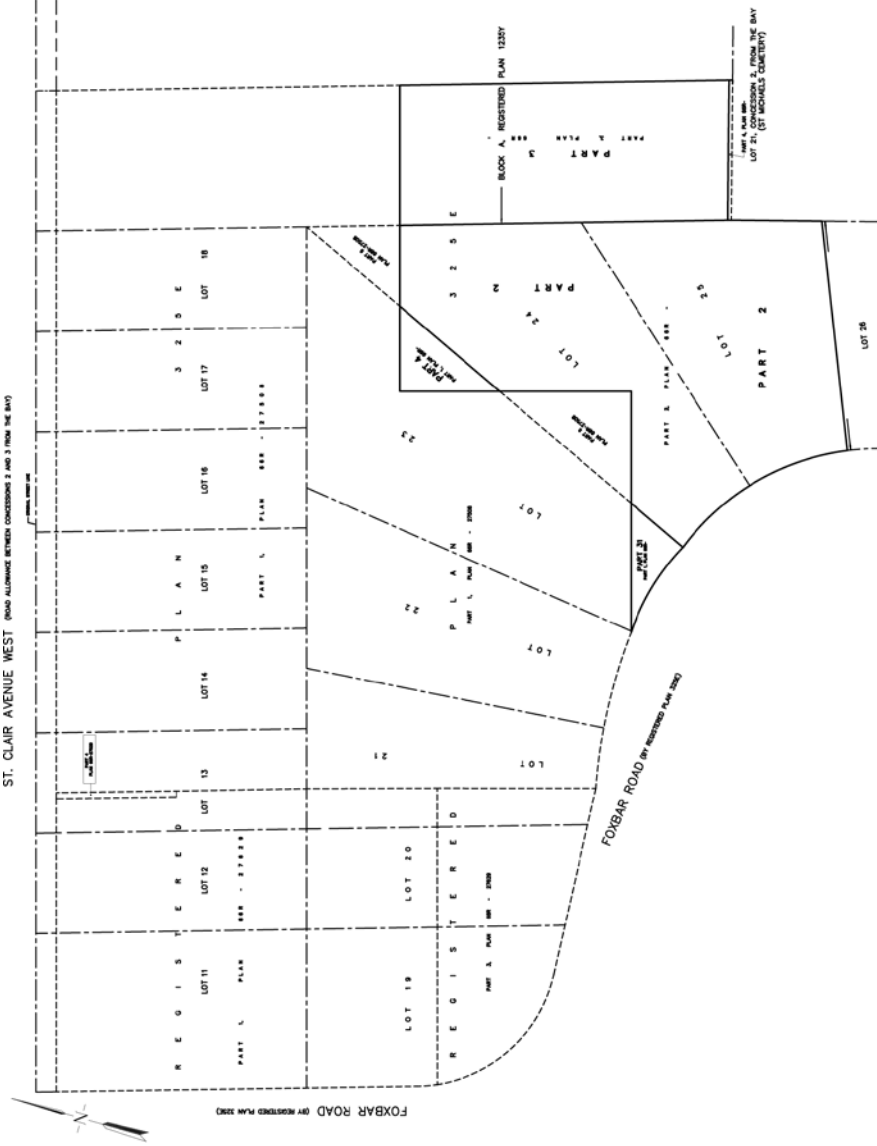


PLAN CONFIGURATION OF PARTS 2, 3, 4, 29, 30 AND 31 AT ELEVATION 136.00 metres. (P3 Parking Level)

Part Lot Control Exemption – P3 Parking Level – Plan 2625-14
101, 111 & 129 St. Clair
Applicant's Submitted Drawing

Not to Scale
 04/15/2015

File # 15_105376 STE 22 PL



PLAN CONFIGURATION OF PARTS 2, 3, 4 AND 31 AT ELEVATION 133.00 metres. (Below P3 Parking Level)

**Part Lot Control Exemption – Below P3 Parking Level – Plan 2625-14 101, 111 & 129 St. Clair
 Applicant's Submitted Drawing**

Not to Scale
 04/15/2015

File # 15_105376 STE 22 PL

Attachment 4: Proposed Conveyances – Plan 2625-11

Part	Future Owner	Easement in Favour of	Remarks
1	111 St. Clair –Remainder Lands		
2	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	AT3510838
2	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	AT3510838
3	111 St. Clair –Remainder Lands		AT3191457
3	111 St. Clair –Remainder Lands		AT3191457
4	111 St. Clair –Remainder Lands		
4	111 St. Clair –Remainder Lands	129 St. Clair	EM9210
4	111 St. Clair –Remainder Lands	Rogers Communications	AT2633957
4	111 St. Clair –Remainder Lands		AT3191456
5	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	
5	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	
5	111 St. Clair –Remainder Lands	129 St. Clair	
6	111 St. Clair –Remainder Lands		AT3178463
7	111 St. Clair –Remainder Lands		
8	111 St. Clair –Remainder Lands		
9	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way
9	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way
10	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	A, B, C
11	111 St. Clair –Commercial Garage	101 St. Clair – Remainder Lands	A, B, C
11	111 St. Clair –Commercial Garage	111 St. Clair –Remainder Lands	A, B, C
12	111 St. Clair –Commercial Garage	101 St. Clair – Townhouse Condo	A, B, C
13	111 St. Clair –Commercial Garage		
14	111 St. Clair –Commercial Garage	111 St. Clair –Remainder Lands	A, B, C
15	111 St. Clair –Commercial Garage	111 St. Clair –Remainder Lands	A, B, C
16	111 St. Clair –Commercial Garage	111 St. Clair –Remainder Lands	A, B, C
17	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way
17	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	A, B, C
18	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	A, B, C
19	111 St. Clair –Commercial Garage		Air shaft
20	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	Air shaft, A, B, C
21	111 St. Clair –Commercial Garage	111 St. Clair –Remainder Lands	Right-of-way, A, B, C
22	111 St. Clair –Commercial Garage	101 St. Clair – Remainder Lands	Right-of-way (AT3510838)
22	111 St. Clair –Commercial Garage	101 St. Clair – Townhouse Condo	Right-of-way (AT3510838)
23	111 St. Clair –Commercial Garage	101 St. Clair – Remainder Lands	Right-of-way (AT3178463)
23	111 St. Clair –Commercial Garage	101 St. Clair – Townhouse Condo	Right-of-way (AT3178463)
24	111 St. Clair –Commercial Garage	101 St. Clair – Remainder Lands	Right-of-way (AT3178463)
24	111 St. Clair –Commercial Garage	101 St. Clair – Townhouse Condo	Right-of-way (AT3178463)
25	111 St. Clair –Commercial Garage	101 St. Clair – Remainder Lands	Right-of-way (AT3510838)

25	111 St. Clair –Commercial Garage	101 St. Clair – Townhouse Condo	Right-of-way (AT3510838)
26	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	A, B, C
27	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	A, B, C
28	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	A, B, C
29	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way (AT3178463)
29	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way (AT3178463)
30	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way (AT3510838)
30	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way (AT3510838)
31	111 St. Clair –Remainder Lands	129 St. Clair	Right-of-way
32	111 St. Clair –Remainder Lands	129 St. Clair	Right-of-way
33	111 St. Clair –Remainder Lands	129 St. Clair	Right-of-way
34	129 St. Clair	111 St. Clair –Commercial Garage	A, B, C
35	129 St. Clair		Air shaft
36	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	Right-of-way, A, B, C
37	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	A, B, C
38	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	A, B, C
39	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way (AT3178463)
39	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way (AT3178463)
40	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way (AT3510838)
40	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way (AT3510838)
41	111 St. Clair –Remainder Lands	129 St. Clair	Knock Out Panel Area (right-of-way)
42	111 St. Clair –Remainder Lands	129 St. Clair	Knock Out Panel Area (right-of-way)
43	111 St. Clair –Remainder Lands	129 St. Clair	Right-of-way
44	111 St. Clair –Remainder Lands	129 St. Clair	Right-of-way
45	111 St. Clair –Remainder Lands	129 St. Clair	Right-of-way
46	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way (AT3178463)
46	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way (AT3178463)
47	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way (AT3178463)
47	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way (AT3178463)
48	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way (AT3510838)
48	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way (AT3510838)
49	111 St. Clair –Remainder Lands		P1 and below
50	111 St. Clair –Remainder Lands	111 St. Clair –Commercial Garage	A, B, C
51	129 St. Clair	111 St. Clair –Remainder Lands	Right-of-way
51	129 St. Clair	101 St. Clair – Remainder Lands	Right-of-way
51	129 St. Clair	111 St. Clair –Remainder Lands	Right-of-way
51	129 St. Clair	Rogers Communication	AT3602511
52	111 St. Clair –Commercial Garage	101 St. Clair – Remainder Lands	Right-of-way (AT3510838)
52	111 St. Clair –Commercial Garage	101 St. Clair – Townhouse Condo	Right-of-way (AT3510838)
53	111 St. Clair –Commercial Garage	111 St. Clair –Remainder Lands	Right-of-way (AT3510838)
53	111 St. Clair –Commercial Garage	101 St. Clair – Remainder Lands	Right-of-way (AT3510838)
53	111 St. Clair –Commercial Garage	101 St. Clair – Townhouse Condo	Right-of-way (AT3510838)
54	111 St. Clair –Remainder Lands	101 St. Clair – Remainder Lands	Right-of-way
54	111 St. Clair –Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way

Note:

A Denotes: Easements for the access of persons, materials, vehicles and equipment necessary for the maintenance, repair, operation, installation and reconstruction of any mechanical or electrical apparatus, installation or equipment, including, but not limited to, gas mains, water mains, storm and sanitary sewers, sprinkler mains, electrical cables, wire conduits, or ducts, telephone and cable television cables, wires and conduits or ducts, ventilation and air exchange systems, fire alarm systems, security systems and sump pumps.

B Denotes: A right-of-support, in the nature of an easement, in and through all structural members, including, but not limited to load bearing walls, columns, floor and roof slabs, footings, foundation and soil.

C Denotes: Easement for the access of persons, vehicles, materials and equipment necessary for the maintenance, repair, operation, construction and reconstruction of the building.

PARTS 1 to 54 (All Parts) on the Reference Plan are SUBJECT TO and TOGETHER WITH easements as defined by the above statements A, B and C

PARTS 1 to 50 inclusive and PARTS 52, 53, and 54 are SUBJECT TO an easement in favour of Rogers Communications Inc., as set out in Instrument AT2633957.

Attachment 5: Proposed Conveyances – Plan 2625-14

Part	Future Owner	Easement in Favour of	Remarks
1	101 St. Clair – Townhouse Condo	101 St. Clair – Remainder Lands	A, B, C
1	101 St. Clair – Townhouse Condo	111 St. Clair –Commercial Garage	A, B, C
2	101 St. Clair – Remainder Lands		
3	101 St. Clair – Remainder Lands		
4	101 St. Clair – Remainder Lands		
5	101 St. Clair – Townhouse Condo	101 St. Clair – Remainder Lands	A, B, C
5	101 St. Clair – Townhouse Condo	111 St. Clair –Commercial Garage	A, B, C
6	111 St. Clair – Remainder Lands		
7	111 St. Clair – Remainder Lands		
8	111 St. Clair – Remainder Lands	129 St. Clair	Right-of-way
9	111 St. Clair – Remainder Lands		
10	111 St. Clair – Remainder Lands	111 St. Clair –Commercial Garage	Right-of-way
11	101 St. Clair – Townhouse Condo	111 St. Clair – Remainder Lands	A, B, C
12	101 St. Clair – Remainder Lands		
13	101 St. Clair – Remainder Lands		
14	101 St. Clair – Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way
15	101 St. Clair – Remainder Lands	101 St. Clair – Townhouse Condo	Right-of-way
16	101 St. Clair – Townhouse Condo	101 St. Clair – Remainder Lands	A, B, C
16	101 St. Clair – Townhouse Condo	111 St. Clair –Commercial Garage	A, B, C
17	101 St. Clair – Townhouse Condo	111 St. Clair –Commercial Garage	A, B, C
17	101 St. Clair – Townhouse Condo	101 St. Clair – Remainder Lands	A, B, C
18	111 St. Clair – Remainder Lands	111 St. Clair –Commercial Garage	Right-of-way
19	101 St. Clair – Remainder Lands	111 St. Clair –Commercial Garage	Right-of-way
19	101 St. Clair – Remainder Lands	111 St. Clair – Remainder Lands	Right-of-way
20	101 St. Clair – Remainder Lands	111 St. Clair –Commercial Garage	Right-of-way
20	101 St. Clair – Remainder Lands	111 St. Clair –Remainder Lands	Right-of-way
21	101 St. Clair – Remainder Lands	111 St. Clair –Commercial Garage	Right-of-way
21	101 St. Clair – Remainder Lands	111 St. Clair –Remainder Lands	Right-of-way
22	101 St. Clair – Remainder Lands	111 St. Clair –Remainder Lands	Right-of-way
23	111 St. Clair – Remainder Lands		Future parking
24	111 St. Clair – Remainder Lands		Future parking
25	111 St. Clair – Remainder Lands		Future parking
26	101 St. Clair – Remainder Lands	111 St. Clair – Remainder Lands	Right-of-way
27	101 St. Clair – Remainder Lands	111 St. Clair – Remainder Lands	Right-of-way
28	101 St. Clair – Remainder Lands	111 St. Clair – Remainder Lands	Right-of-way
29	101 St. Clair – Remainder Lands	111 St. Clair – Remainder Lands	Right-of-way
30	101 St. Clair – Remainder Lands	111 St. Clair –Remainder Lands	Right-of-way
31	101 St. Clair – Remainder Lands		

Note:

A Denotes: Easements for the access of persons, materials, vehicles and equipment necessary for the maintenance, repair, operation, installation and reconstruction of any mechanical or electrical apparatus, installation or equipment, including, but not limited to, gas mains, water mains, storm

and sanitary sewers, sprinkler mains, electrical cables, wire conduits, or ducts, telephone and cable television cables, wires and conduits or ducts, ventilation and air exchange systems, fire alarm systems, security systems and sump pumps.

B Denotes: A right-of-support, in the nature of an easement, in and through all structural members, including, but not limited to load bearing walls, columns, floor and roof slabs, footings, foundation and soil.

C Denotes: Easement for the access of persons, vehicles, materials and equipment necessary for the maintenance, repair, operation, construction and reconstruction of the building.

PARTS 1 to 31 (All Parts) on the Reference Plan are SUBJECT TO and TOGETHER WITH easements as defined by the above statements A, B and C

Parts 1, 3, 4, 6, 7, 8, 9, 11, 13, 15, 16, 18, 19, 20, 22, 23, 24, 26, 28, 29 and 31 are subject to an easement in favour of Rogers Communications Inc., as set out in Instrument AT2633957.

Attachment 6: Draft Part Lot Control By-law

Authority: Toronto and East York Community Council Report No., as adopted
by City of Toronto Council on , 201-

Enacted by Council:

CITY OF TORONTO

BY-LAW No. -201-

**To exempt lands municipally known as 101, 111 and 129 St. Clair Avenue West
from Part Lot Control.**

WHEREAS authority is given to Council by subsection 50(7) of the *Planning Act*,
R.S.O. 1990, c. P.13, as amended, to pass this By-law;

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

1. Subsection 50(5) of the *Planning Act* does not apply to the lands described in the
attached Schedule "A".
2. This By-law expires two years from the date of its enactment by Council.

ENACTED AND PASSED this day of , 201-

FRANCES NUNZIATA,
Speaker

ULLI S. WATISS,
City Clerk

(Corporate Seal)

Schedule "A"

LEGAL DESCRIPTION OF

111, 101 AND 129 ST. CLAIR AVENUE WEST

In the City of Toronto and the Province of Ontario, being composed of Lots 19, 20, 21, 22, 23, 24 and 25 and Part of Lots 11, 12, 13, 14, 15, 16, 17 and 18 on Registered Plan 325E and Part of Block A on Registered Plan 1235 York, designated as PARTS 1 to 15 inclusive, on Reference Plan 66R-26302.

(Being All of P.I.N.s 21191-0309(LT), 21191-0311(LT), 21191-0312(LT and 21191-0313(LT).

Attachment 7: Draft Part Lot Control Repeal By-law

Authority: Toronto and East York Community Council Report No., as adopted by City of Toronto Council on , 201-

Enacted by Council:

CITY OF TORONTO

BY-LAW No. -201-

To repeal By-law No. _____ of the City of Toronto, being a By-law to exempt lands municipally known as 101, 111 and 129 St. Clair Avenue West from Part Lot Control.

WHEREAS By-law No. _____ was passed pursuant to subsection 50(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law;

WHEREAS authority is given to Council by subsection 50(7.5) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to repeal or amend a By-law passed under subsection 50(7), to delete part of the land described in it;

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

1. By-law No. _____ is hereby repealed and does not apply to any of the lands described in the attached Schedule “A”.

Schedule "A"

LEGAL DESCRIPTION OF

[to be completed at a later date as appropriate]