



STAFF REPORT ACTION REQUIRED

45 Bay Street – Council Authority to Exercise Option for Construction of Future East Bayfront LRT Station Platform

Date:	August 27, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 28 – Toronto Centre-Rosedale
Reference Number:	14-229173 STE 28 SA

SUMMARY

This report recommends that City Council authorize City officials to sign the Section 45(9) Agreement and exercise the “Structure Option” as noted in paragraph 8 of Appendix 1 of the January 28, 2015 decision of the Committee of Adjustment, which granted minor variances to permit the construction of a 48 storey building with bus terminal at 45 Bay Street. The owner (Ivanhoe Cambridge) will then construct a three-dimensional structure within its below grade parking area for the potential future use as an LRT platform for the East Bayfront LRT station. The consideration of this report is time sensitive as the City is required to exercise this Structure Option within 2 days of the September City Council meeting.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize City officials to sign the Section 45(9) Agreement and exercise the Structure Option, permitted as a condition of the January 28, 2015 Committee of Adjustment decision, to have the owner (Ivanhoe Cambridge) of 45 Bay Street construct a three-dimensional structure adjacent to the below grade parking area for the potential future use as an LRT platform for the East Bayfront LRT station.
2. In the event the associated “Cost Differential” to the owner exceeds the \$2,000,000.00 stipulated in the Committee of Adjustment decision, City staff be,

- a. authorized to pursue non-debt funding sources for any such excess, and
 - b. directed to report back to City Council identifying any such excess Cost Differential and the source of required funds.
3. City Council direct the Director, Waterfront Secretariat and City Planning to monitor the cost during construction to determine if additional funding is required.

Financial Impact

There are no financial implications at the current time. As noted in paragraph 8 of Appendix 1 of the Committee of Adjustment Decision:

“if the City exercises the Structure Option:

- a. the Owner shall then construct the Structure in accordance with such design as required by the Agreement;
- b. the Owner and the City shall calculate the cost differential, (the “Cost Differential”) to the Owner of either:
 - i. constructing the Proposed Building without the Structure, and
 - ii. the cost of constructing the Proposed Building with the Structure;
- c. upon substantial completion of the Structure:
 - i. the Owner shall provide written notice to the City of such circumstance;
 - ii. the City shall complete an inspection of the Structure within a reasonable time of receiving such notice and advise the Owner of any deficiencies with respect to the construction of the Structure;

upon completion of the Structure the City shall pay to the Owner, any amount by which the Cost Differential exceeds the sum of \$2,000,000.00 (indexed based on the applicable Construction Price Index for such structure from the date of the Committee of Adjustment decision to the date of construction)”).

The owner of 45 Bay Street (Ivanhoe Cambridge) has provided an estimated Cost Differential of \$823,821.00 (2015 dollars). While Planning staff does not expect that the Cost Differential will exceed the \$2 million, in the event that additional costs are identified prior to the commencement of or during construction, it is recommended that the City pursue additional non-debt funding sources such as future Section 37 and/or Section 45(9) agreements for development within the vicinity of 45 Bay Street, Union Station and within Lower Yonge and East Bayfront, Development Charges or other applicable contributions for the additional funding source.

If City Council decides not to take this opportunity, the owner would revert their plan for this space back to underground parking and this opportunity for an LRT station in this location would be lost. Electing to exercise the Structure Option may save a considerable amount of money in the future as it will allow the City to avoid any potential future cost of later acquiring the platform area (by purchase or expropriation) and the cost of then re-constructing the structure. These costs could include acquiring the land and associated easements, excavation costs, shoring costs, etc. in addition to the cost of the actual 'structure' re-construction.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agree with the financial impact information.

DECISION HISTORY

There have been a series of Council decisions with respect to extending transit to East Bayfront and beyond. These appear in the following reports:

- (i) Central Waterfront Secondary Plan (2003)
www.toronto.ca/legdocs/2003/agendas/council/cc030414/plt5rpt/cl001.pdf
- (ii) East Bayfront Precinct Plan and Class Environmental Assessment Master Plan (2005)
www.toronto.ca/legdocs/2005/agendas/council/cc051205/pof10rpt/cl002.pdf
- (iii) East Bayfront Business and Implementation Plan (2006)
www.toronto.ca/legdocs/2006/agendas/council/cc060725/pof6rpt/cl009.pdf
- (iv) East Bayfront Transit Environmental Assessment: Streetcar Service on Queens Quay East Between Yonge Street and Parliament Street (2009)
www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-09-30-cc40-dd.htm
EX33.18 (18a)
- (v) East Bayfront LRT (2012)
app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG16.18
- (vi) At its meeting of June 10, 11 and 12th, 2015, City Council directed "the City Manager to report to the October 20, 2015 Executive Committee meeting on acceleration and costing of the East Bayfront LRT and analysis of how its implementation would reduce travel times under the "Hybrid" option."
app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PW4.1
- (vii) Waterfront Strategic Review

Recommendation 6 was adopted by City Council at its meeting of July 7, 8th and 9th, 2015 that included waterfront transit as a one of the four priorities for

capital projects to be delivered in the second phase of waterfront revitalization.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX7.6>

The Committee of Adjustment at its meeting of January 28, 2015, granted variances to permit the development of the property at 45 Bay Street in accordance with the Site Plan Approval application that has been filed with the City. The Committee of Adjustment approval was conditional upon the owner entering into a Section 45(9) agreement with the City, by which the owner agrees (if the City exercises the Structure Option) to construct a portion of a future LRT station platform underground, within the below grade part of its building. The Appendix to the Committee of Adjustment Decision, which sets out the conditions, is attached to this report as Appendix 2.

ISSUE BACKGROUND

In 2010, the East Bayfront Transit Environmental Assessment (EA) was approved by the Ministry of the Environment. The approved EA maps show the future East Bayfront LRT, as currently proposed, with underground service north along Bay Street to Union Station. As the Bay street right-of-way has insufficient width to accommodate both the LRT tracks and a station, a portion of the station platform is proposed to be located within the below grade part of the adjacent property at 45 Bay Street.

In September 2014, Ivanhoe Cambridge made an application for Site Plan Approval to the City for the construction of a 48-storey office building with a new GO bus terminal. The proposed development is located adjacent to Union Station and provides for many public benefits, including new PATH connections and improvements to the existing connections through the Bay Street East Teamway. The proposal also involves the construction of an open space overbuild above the rail corridor that will be publicly accessible. The proposed development required the approval of minor variances from the Committee of Adjustment for additional height and density, amongst other variances to the Zoning By-law.

As a condition of approval, the Committee of Adjustment required the owner to enter into an agreement under Section 45(9) of the Planning Act securing the conditions set out in Attachment 1 of the Committee's decision. If the City signs the Section 45(9) Agreement and exercises the Structure Option, these conditions require the owner to construct (within the below grade component of its building) the shell of a portion of the future East Bayfront LRT station that will be located underneath Bay Street, adjacent to the 45 Bay Street property. The Committee of Adjustment decision requires that the City advise the owner within 2 business days of the conclusion of the September 2015 City Council meeting if it wishes the owner to construct the shell for this anticipated LRT station platform. As set out in the Committee of Adjustment conditions, the owner has agreed to pay for any Cost Differential up to \$2 Million, with any additional cost beyond the \$2 Million to be paid by the City. The estimated Cost Differential provided by Ellis Don, the owner's construction contractor, is \$823,821.00. While City Planning staff does not anticipate that the Cost Differential will exceed this amount, should the costs escalate

prior to or during construction City Planning Division will pursue contributions by means of future Section 37 and/or Section 45(9) agreements for development within the vicinity of 45 Bay Street, Union Station and within Lower Yonge and East Bayfront.

The City Planning Division is recommending that the City take advantage of this opportunity afforded by the Committee of Adjustment decision and that City Council elect to have the owner construct the 'structure'. If City Council decides not to take this opportunity, the owner would revert their plan for this space back to underground parking and this opportunity for an LRT station in this location may be lost.

When constructed, the 'structure' would continue to be owned and maintained by the owner of 45 Bay Street until such time as the City elects to take ownership of the structure area. As noted in paragraph 3 of Appendix 1 of the Committee of Adjustment decision, the City could make that "Conveyance Election" for nominal consideration at any time after the occupancy of the new building and construction of the LRT platform structure.

As the construction of this platform structure will implement a key element of the East Bayfront Transit Plan, Planning staff recommend that City Council elect to have the Ivanhoe Cambridge construct this structure as part of the planned building at 45 Bay Street.

CONTACT

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E-mail: lmajor@toronto.ca

SIGNATURE

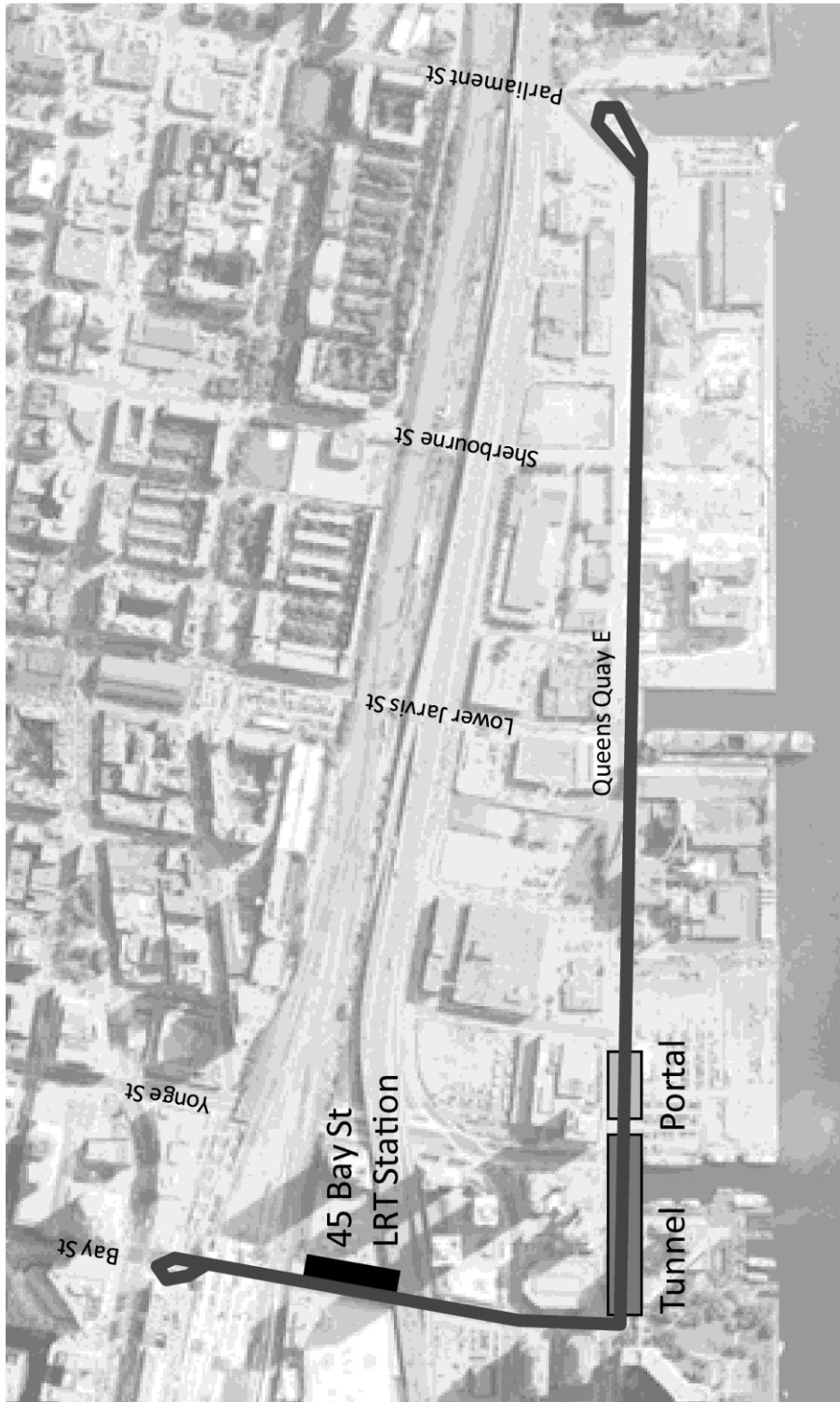
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Proposed LRT Map
Attachment 2: Committee of Adjustment Decision

Attachment 1: Proposed LRT Map



LRT - Queens Quay (Bay to Parliament)

45 Bay Street

Not to Scale
08/19/2015

File # 14_229173 STE 28.0Z

Attachment 2: Committee of Adjustment Decision

NOTICE OF DECISION MINOR VARIANCE/PERMISSION (Section 45 of the Planning Act)

File Number:	A1039/14TEY	Zoning	CR & h(CR) (Waiver)
Owner(s):	45 BAY STREET PROPERTY II 45 BAY STREET PROPERTY I INC	Ward:	Toronto Centre-Rosedale (28)
Agent:	FRANK LEWINBERG		
Property Address:	45 BAY ST	Community:	Toronto
Legal Description:	PLAN 655E PT BLK 6 RP 64R15016 PART 1 PLAN 12164 PT LOT 18 RP 66R24072 PARTS 1 AND 2		

Notice was given and a Public Hearing was held on **Wednesday, January 28, 2015**, as required by the Planning Act.

PURPOSE OF THE APPLICATION:

To construct a 48-storey office building with a bus terminal at street level integrated into the podium of the building and access to an open space area bridging the rail corridor to the north.

REQUESTED VARIANCE(S) TO THE ZONING BY-LAW:

1. Section 4(3)(a), By-law 168-93

No person shall erect or use a building on any lot with any portion of the roof of such building having a greater height in m above grade than 137.0 m at the west side of the lot and 100.0 m at the east side of the lot as shown on Height Map 50G-323.

The height of the new 48-storey office building is 253.64 m.

(Please see attached revised Height Map).

2. Section 8(1), By-law 168-93

No person shall within any H district, use any lot or erect or use any building or structure for any purpose except for temporary uses related to the construction of uses permitted by this By-law on the Railway lands East and one or more of the T uses specified in Section 7(1).

In this case, a non-residential building is not a permitted use.

3. Section 6(3) Part III 1, By-law 168-93

No person shall erect, or use a non-residential building on a lot, if the lot has less common outdoor space than 1,532.39 m².

In this case, the common outdoor space will be 1,363.66 m².

- 4. Section 6(4) 8(2) Part I 1, By-law 168-93**
No person shall, within block 2A, erect or use a non-residential building where the non-residential gross floor area or the combined residential and non-residential gross floor area within the block exceeds 111,480 m².
In this case, the 48-storey office building will have a non-residential gross floor area within block 2A of 134,687 m².
- 5. Section 6(4) 8920 Part I 1, By-law 168-93**
No person shall erect or use a building or structure on a lot on Block 2A, in which the non-residential gross floor area exceeds 96% of the maximum non-residential gross floor area permitted unless
street-related retail and service uses occupy at least 60% of the length of the building face shown by the heavy line marked on Alternate Map 10; a minimum of 42.78 m frontage along Bay Street. The maximum permitted non-residential use on the lot is 107,020.8 m². The street-related retail and service use along Bay Street will be 24.81% of the frontage (17.69 m) and the non-residential use on the lot will be 134,687
(Please see attached Revised Alternate Map 10).
- 6. Section 6(3) 8(5) Part IV 3(i), By-law 168-93**
The portion of the building or structure on block 2A having a height exceeding an elevation of 96 m shall not occupy more than 50% of the area of block 2A.
The portion of the building on block 2A having a height exceeding an elevation of 96.0 m occupies more than 50% of the area of block 2A.
- 7. Section 6(4) 8(5) Part IV 3(iii), By-law 168-93**
None of the provisions of Alternate Height Map 50G-323 shall apply to prevent the erection or use of any building or structure with a height not exceeding 181 m within that portion of block 2A identified as Area A on Alternate Map 14, provided no building or structure exceeds an elevation of 96 m on any other portion of block 2A.
The height of the building within that portion of block 2A as identified as Area A on Alternate Map 14 is 253.64 m and the height of the building in the remainder of block 2A is 47.24 m
(Please see attached Revised Alternate Map 14).
- 8. Section 6(4) 8 (4) Part III 3(ii), By-law 168-93**
No person shall erect a building or structure on block 2A unless there is an area of the exterior face of such building or structure from grade to an elevation of 96 m built within 1.2 m of either side of the line identified as the Build To Line on Alternate Map 6, which area is equal to at least 90% of the area determined by the length of such Build To Line and the vertical distance between grade and an elevation of 96 m.
The new 48-storey office building will be located less than 1.2 m to either side of the Build To Line
(Please see attached Revised Alternate Map 6).
- 9. Section 6(4) 8(4) Part III 4(a), By-law 168-93**
No person shall erect a building or a structure on block 2A where a setback line is identified on Alternate Map 3, if the building or structure at or above grade is closer to the lot line than the distance identified for the setback line on Alternate Map 3.
In this case, the new 48-storey office building will be located closer to the lot line than the required setback on Alternative Map 3.

(Please see attached Revised Alternate Map 3).

10. Section 6(4) 8 (4) Part III 9, By-law 168-93

No person shall erect a building or structure unless the building or structure has a colonnade or a canopy around the perimeter of the building or structure, as shown on Alternate Map 11.

In this case, no colonnade will be provided.

(Please see attached Revised Alternate Map 11).

11. Section 4(5)(b), By-law 168-93

A total of 405 parking spaces are required to be provided on the lot for the office and retail use.

In this case, a total of 366 parking spaces will be provided on the lot.

12. Section 4(5)(i), By-law 168-93

The minimum required width for ingress and egress to and from parking facilities shall be provided by unobstructed driveways or passageways of 3.5 m for one-way operation and a minimum width of 5.5 m for two-way operation.

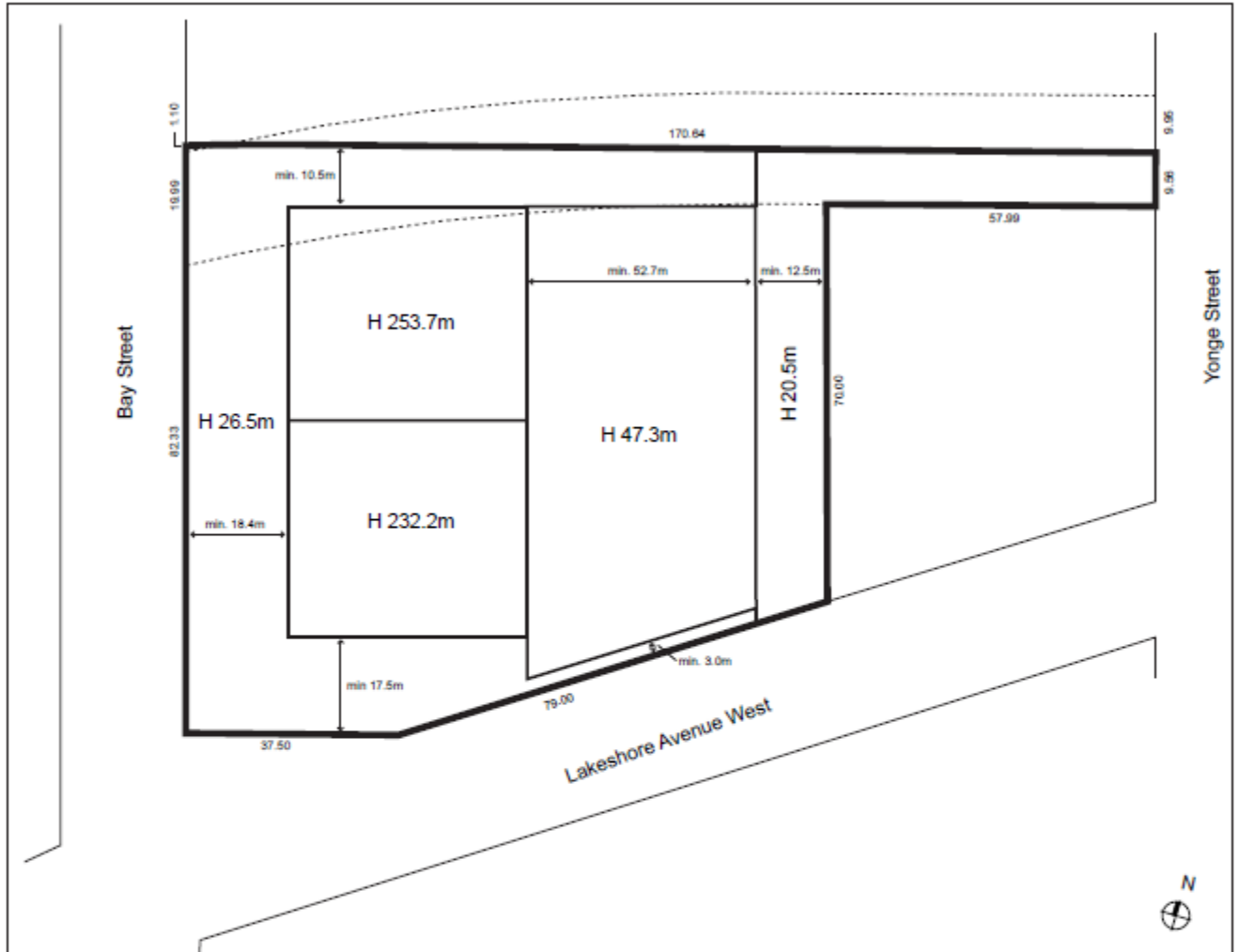
In this case, the drive aisle on Parking Level 1 will have a width of 3.0 m for one-way operation.

13. Section 2(1), By-law 168-93

The minimum required unobstructed area of a parking space is 5.9 m in length and 2.6 m in width.

A total of six parking spaces will have parking dimensions of 5.0 m in length and 2.4 m in width.

A total of 360 parking spaces will have parking dimensions of 5.6 m in length and 2.6 m in width.



Heights measured from established grade of 77.06m

45 Bay Street
Minor Variance Application

Maximum Heights Schedule

November 4, 2014

Committee of Adjustment

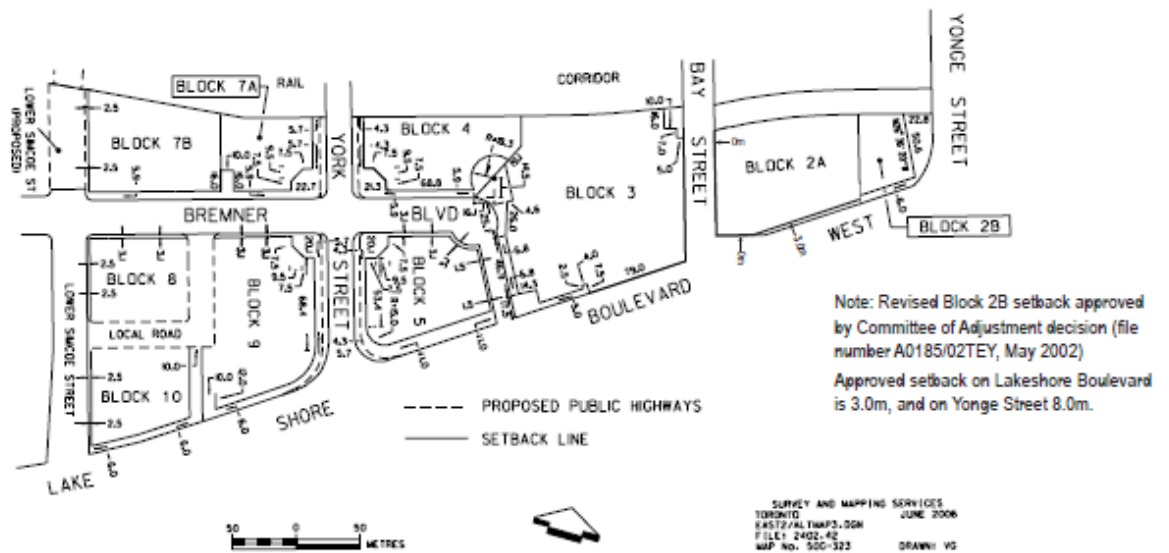
45 Bay Street

Revised Alternate Map 3 (Bylaw 168-93)

Prepared by Urban Strategies

December 18, 2014

ALTERNATE MAP 3



(549-2002) (1086-2005)

Committee of Adjustment

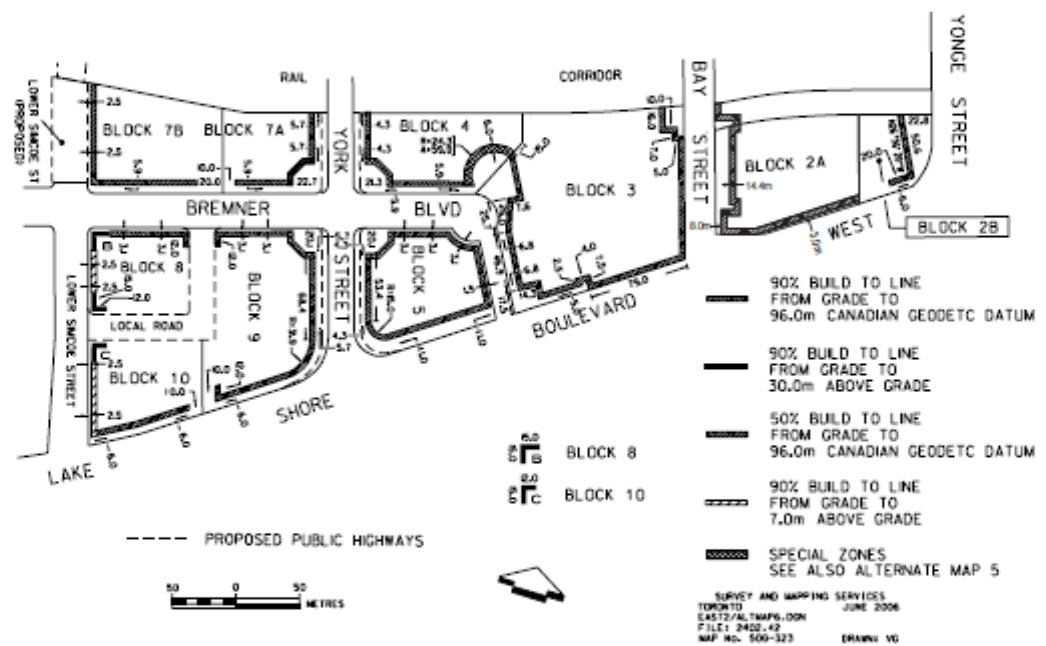
45 Bay Street

Revised Alternate Map 6 (Bylaw 168-93)

Prepared by Urban Strategies

December 18, 2014

ALTERNATE MAP 6



(549-2002) (1086-2005)

Committee of Adjustment

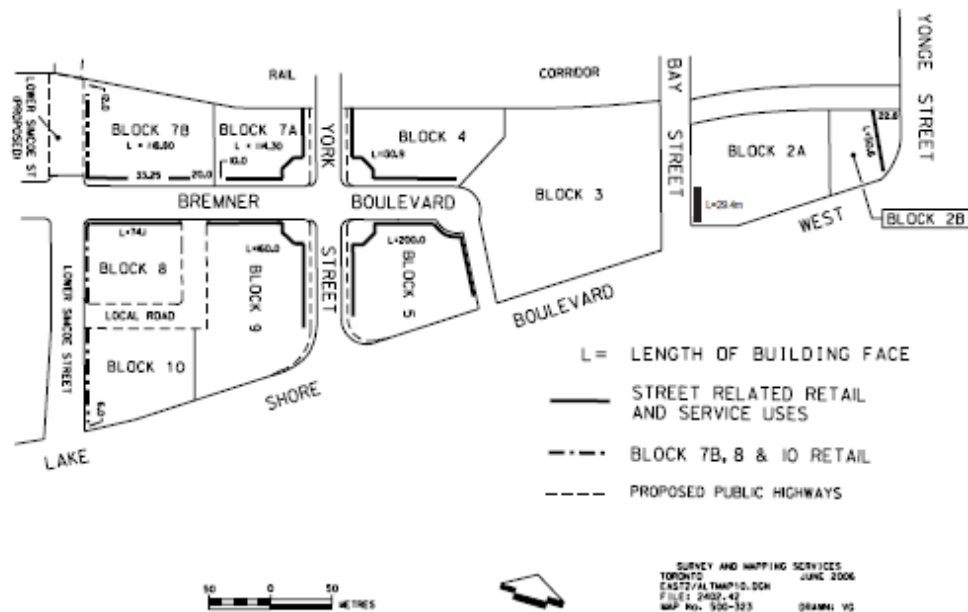
45 Bay Street

Revised Alternate Map 10 (Bylaw 168-93)

Prepared by Urban Strategies

December 18, 2014

ALTERNATE MAP 10



(549-2002) (1086-2005)

December 18, 2014

IT WAS THE DECISION OF THE COMMITTEE OF ADJUSTMENT THAT:

The Minor Variance Application is Approved on Condition

It is the decision of the Committee of Adjustment to approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is maintained.
- The general intent and purpose of the Zoning By-law is maintained.
- The variance(s) is considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is minor.

This decision is subject to the following condition(s):

- (1) Pursuant to Section 45(9) of the *Planning Act*, the heights and density of development permitted in this decision are permitted subject to compliance with the conditions set out in this decision and in return for the provision by the owner of the lot the facilities, services and matters set out in Appendix 1 hereto, the provisions of which shall be secured by an agreement or agreements pursuant to Section 45 (9.1) of the *Planning Act*.
- (2) Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 45(9) of the *Planning Act* securing the provision of the facilities, services and matters set out in Appendix 1 hereof, the lot is subject to the provisions of this decision, provided that in the event the said agreement(s) requires 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 requirements.

APPENDIX 1

SECTION 45(9) PROVISIONS

The facilities, services and matters set out herein are the facilities, services and matters required to be provided by the owner of the site to the City of Toronto (the City) in accordance with an agreement or agreements, pursuant to Section 45 (9.1) of the *Planning Act*, in a form satisfactory to the City with no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

1. The City shall have an option to obtain a fee simple conveyance, for nominal consideration, from the owner (the “Owner”) of a stratified parcel of land (the “Strata Conveyance”) within the below-grade component of the building proposed for 45 Bay Street (the “Proposed Building”) for the construction and operation of a platform for a light rail transit station (the “Proposed LRT Station”).
2. The Strata Conveyance shall be subject to a restrictive covenant prohibiting the operation of any transit vehicles (e.g. light rail transit vehicles or subways) within the Strata Conveyance, but permitting it to be used as a boarding platform for the Proposed LRT Station providing pedestrian access to and from transit vehicles (including light rail transit) traveling within the adjacent Bay Street right-of-way.
3. The City may exercise the option described in paragraph 1 (the “Conveyance Option”) at any time after the earlier of:
 - a. first occupancy of any part of the Proposed Building, and
 - b. the completion of the Structure (as defined below).
4. The Strata Conveyance shall have the dimensions identified on the attached drawing (the “Plan”), subject to a potential easement as set out in paragraph 5.b.vi. below.
5. In the event the City exercises the Conveyance Option,
 - a. at the time the Conveyance Option is exercised, the boundaries of the Strata Conveyance shall be adjusted to reflect the as-built location of the Structure only;
 - b. contemporaneously with the conveyance of the Strata Conveyance, the Owner and the City shall convey to each other reciprocal easements by which:
 - i. the City shall provide easements in favour of the Proposed Building for any columns within the Strata Conveyance providing support to any elements of the Proposed Building located above (the “Support Columns”);
 - ii. the City shall permit the Owner rights of reasonable inspection in respect of any improvements made within the Strata Conveyance;
 - iii. the Owner shall maintain the Structure so as to maintain support for the Proposed LRT Station located above the Structure;

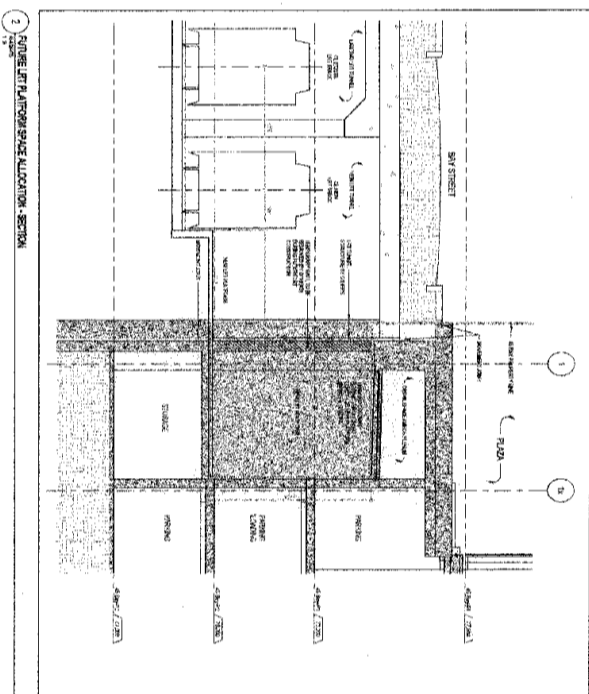
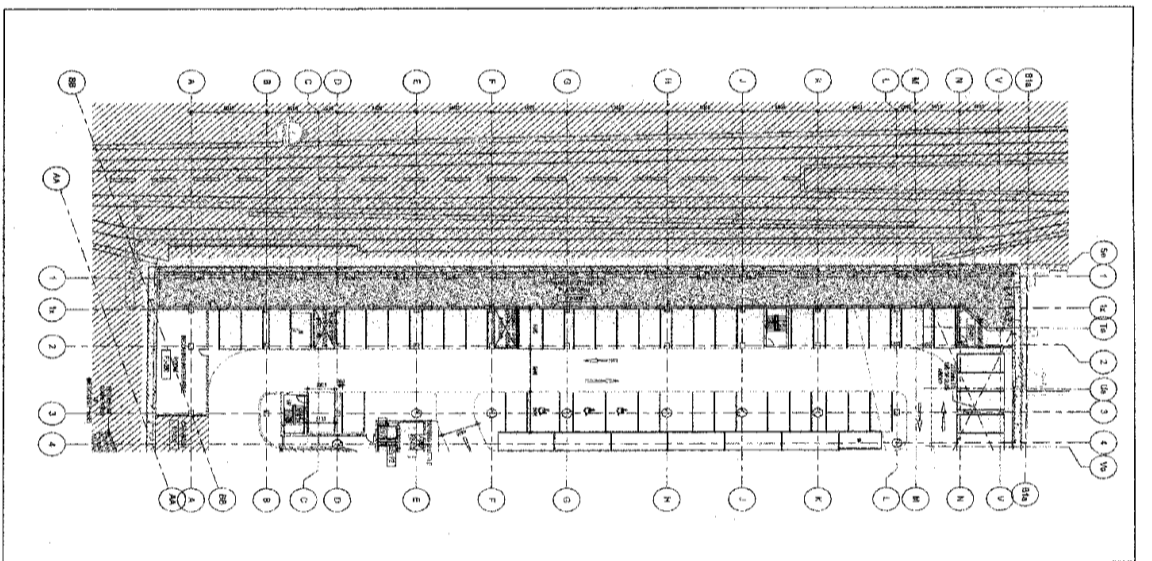
- i. the Owner shall agree to not do any work within the Proposed Building that would reduce the structural support provided by the Structure for the Proposed LRT Station,
 - v. Owner shall permit the City rights of reasonable inspection in respect of iv. and v. above,
 - vi. where required, the Owner shall agree to provide the City with an easement to permit space immediately below the Strata Conveyance for services for the Proposed LRT Station (such as conduits for HVAC, water, electricity and any other services, and utility space required to operate the Proposed LRT Station);
- c. the City shall indemnify the Owner for any claims, actions etc. for damage to persons or property:
 - i. caused by the City or those for whom it is responsible at law after the Conveyance of the Strata Conveyance;
 - ii. caused by the City or those for whom it is responsible at law during the construction of any City improvements within the Strata Conveyance, and
 - iii. caused by the operation of the Proposed LRT Station;
- d. contemporaneously with the conveyance of the Strata Conveyance, the City shall register a restrictive covenant agreement on title to such lands in a form attached to the Agreement prohibiting:
 - i. the City from doing any work, or constructing any improvement within the Strata Conveyance, that would reduce the structural support provided for the Proposed Building and/or the structural integrity of the Structure (as hereinafter defined) and/or the Support Columns;
 - ii. the operation of any transit vehicles (e.g. light rail transit vehicles or subways) within the Strata Conveyance;
 - iii. any design for any improvements to the Strata Conveyance whose vibrations may impact the Proposed Building; and
 - iv. the construction of any improvements within the Strata Conveyance without first providing 180 days' notice to the Owner accompanied by submission to the Owner of the designs for such improvements, for the purposes of the Owner assessing any potential impacts noted in subparagraph ii. above, for review and approval.

Notwithstanding the previous sentence, such agreement shall explicitly permit the Strata Conveyance to be used as a boarding platform for the Proposed LRT Station providing pedestrian access to and from transit vehicles (including light rail transit) traveling within the Bay Street right-of-way adjacent to the Strata Conveyance.

6. Provided it is made within 2 business days of the conclusion of the September meeting of City Council currently scheduled to commence on September 30, 2015, (the “Option Date”) the City may elect to have the Owner construct a concrete three-dimensional structure in the form of a three sided box (the “Structure”) to be located within and/or attached to and/or comprising part of the Proposed Building immediately surrounding the outside boundaries of the Strata Conveyance (the “Structure Option”), with such election made in writing to the Owner.
7. Notwithstanding that the Structure Option may not be exercised in full by the City:
 - a. The Owner shall prepare plans for the Structure in accordance with the rights and obligations set-out in paragraph 5, above (the “Plans”);
 - b. by not later than June 1, 2015, the City shall confirm to the Owner that Plans shall accommodate the LRT Station subject to the rights and obligations set-out in paragraph 5, above or shall provide notice of any required revisions thereto, failing which the City will be deemed to have accepted the Plans for the purposes of the Agreement. In the event the City has any comments with respect to either such plans or drawings the Owner shall provide responding plans to the City (the “Revised Plans”) and the City shall have 21 days from delivery of such Revised Plans to provide any comments it may have on the Revised Plans, failing which the City shall be deemed to accept the revised plans for the purposes of the Agreement; and
 - c. by not later than the Option Date, the City shall identify its requirements for the material composition of the Structure failing which the City shall be deemed to accept such composition as identified on the agreed upon drawings.
8. If the City exercises the Structure Option:
 - a. the Owner shall then construct the Structure in accordance with such design as required by the Agreement;
 - b. the Owner and the City shall calculate the cost differential, (the “Cost Differential”) to the Owner of either:
 - i. constructing the Proposed Building without the Structure, and
 - ii. the cost of constructing the Proposed Building with the Structure;
 - c. upon substantial completion of the Structure:
 - i. the Owner shall provide written notice to the City of such circumstance;
 - ii. the City shall complete an inspection of the Structure within a reasonable time of receiving such notice and advise the Owner of any deficiencies with respect to the construction of the Structure;
 - iii. upon completion of the Structure the City shall pay to the Owner, any amount by which the Cost Differential exceeds the sum of \$2,000,000.00 (indexed

based on the applicable Construction Price Index for such structure from the date of the Committee of Adjustment decision to the date of construction); and

- d. upon completion of the construction of the Structure and its acceptance by the City, the Owner shall maintain the Structure as noted in paragraph 5.b.i.i.i but shall have no further responsibility to the City with respect to the Structure as constructed by the Owner, subject to,
 - i. any defects in the work carried out by the Owner, and
 - ii. the Owner providing the City with reasonable access to inspect and maintain the Structure;
 - e. the design and precise location of the Structure as determined in paragraph 7 shall be incorporated into the site plans that the Owner will submit for the Proposed Building;
9. In the event the City exercises the Conveyance Option, then contemporaneously with the conveyance of the Strata Conveyance, the Owner shall deliver to the City an easement in a form annexed to the Agreement, to affix and attach improvements to the Proposed LRT Station to the Structure; and
10. The Agreement shall be registered against title to 45 Bay St., including the Strata Conveyance.



NOTE
1. SETTING OUT OF FUTURE LRT PLATFORM BASED ON HDR DRAWINGS
"EAST BAYFRONT TRANSIT - ALTERNATIVE UNION LRT STATION CONCEPT"
DATED: 20/03/13 R4
2. LOCATION OF STRATA PARCEL TO BE CONVERTED TO CITY

RECEIVED
JAN 16 2013
COMMITTEE OF
ADJUSTMENT

FUTURE LRT PLATFORM SPACE ALLOCATION



45 BAY / 141 BAY

DATE: 13 JAN 2013
DRAWN BY: 4540K-05
1



SIGNATURE PAGE

File Number:	A1039/14TEY	Zoning	CR & h(CR) (Waiver)
Owner(s):	45 BAY STREET PROPERTY II 45 BAY STREET PROPERTY I INC	Ward:	Toronto Centre-Rosedale (28)
Agent:	FRANK LEWINBERG		
Property Address:	45 BAY ST	Community:	Toronto
Legal Description:	PLAN 655E PT BLK 6 RP 64R15016 PART 1 PLAN 12164 PT LOT 18 RP 66R24072 PARTS 1 AND 2		

DATE DECISION MAILED ON: **Tuesday, February 3, 2015**

DISSENTED

Barbara Leonhardt (signed)

Donna McCormick (signed)

Mary Pitsitikas

Christian Chan (signed)

Robert Brown

LAST DATE OF APPEAL TO THE ONTARIO MUNICIPAL BOARD: **Wednesday, February 17, 2015**

CERTIFIED TRUE COPY

To appeal this decision to the Ontario Municipal Board, send a completed OMB

Anita M. MacLeod
Manager & Deputy Secretary-Treasurer
Toronto and East York Panel

Appellant Form (A1) to the Manager & Deputy Secretary-Treasurer, Committee of Adjustment. You must pay a filing fee of \$125.00, by certified cheque or money order, in Canadian funds, payable to the Minister of Finance. An additional reduced fee of \$25.00 is required for each connected appeal filed by the same appellant. To obtain a copy of Appellant Form (A1) and other information about the appeal process please visit the Ontario Municipal Board web site at www.omb.gov.on.ca.