

CITY OF TORONTO

BY-LAW No. 157-2002(OMB)

To amend the Part II Official Plan for the former City of Toronto to secure Section 37 benefits for a child care facility in exchange for increased residential gross floor area and height with respect to the lands known municipally as a portion of 45 Lisgar Street.

WHEREAS the Ontario Municipal Board in its Decision No. 0282, issued February 23, 2001, has approved certain amendments to the Official Plan for the former City of Toronto;

THEREFORE pursuant to the Order of the Ontario Municipal Board in connection with O.M.B. Case No. PL000446;

1. Section 18 of the Part I Official Plan for the former City of Toronto is hereby amended by inserting a new Section 18.520 and Map 18.520 as follows:

“Despite Section 3.12 of the Garrison Common North Official Plan Part II, Section 19.10 of the Part I Official Plan, and any other provision of such Part II Plan, Council may pass by-laws applying to the lands known municipally in the year 1999 as a portion of No. 45 Lisgar Street, as shown on Map 18.520, to permit the erection and use of an “*apartment building*”, including a *day nursery* and *accessory* uses, provided:

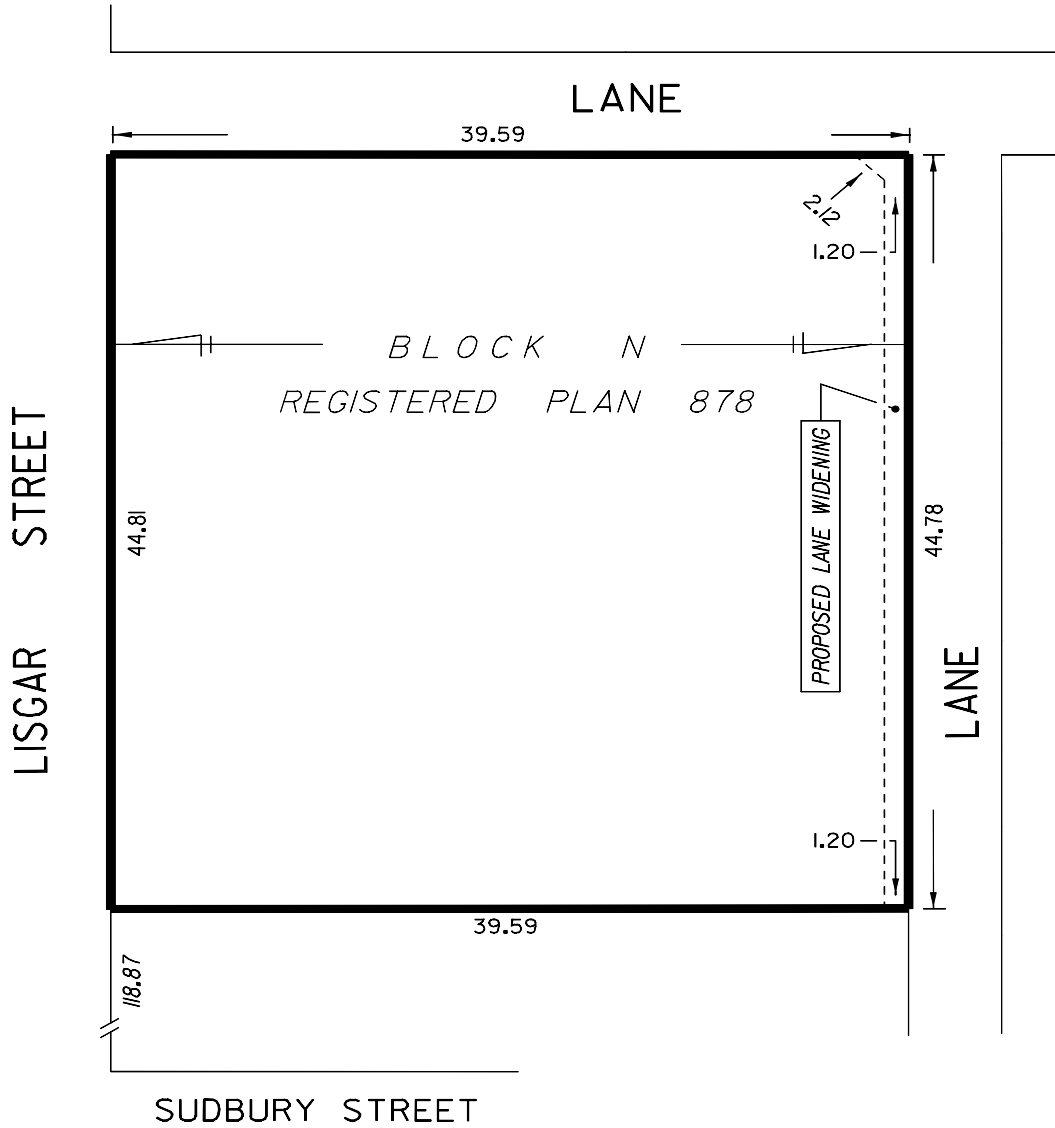
1. The combined *residential gross floor area* and *non-residential gross floor area* does not exceed 7 700 square metres;
2. The *owner* enters into an agreement pursuant to Section 37 of the *Planning Act*, which secures the following facilities, services and matters, in exchange for the increase in density and height, more specifically, a *day nursery* that:
 - (i) is a minimum size of 213 square metres of interior ground floor space, to be operated by a non-profit child care provider;
 - (ii) is finished in the interior, including the provision of cooking and sanitary facilities and is designed to facilitate the sharing of certain facilities with tenants of the building; and
 - (iii) includes a minimum exterior area equal to the standards set out in the Day Nurseries Act;

and further, that the agreement secures the phasing of the facility which includes provision for a larger facility for a minimum of 52 children, whenever a building permit is issued for a new *apartment building* on the lands south of and abutting the lands delineated by heavy lines on Map 18.520 attached to and forming part of this By-law”.

2. For the purposes of this amendment, the italicized terms have the same meaning as the same terms of By-law No. 438-86.
3. This is Official Plan Amendment No. 177.

PURSUANT TO ORDER NO. 0282, ISSUED ON FEBRUARY 23, 2001, AND ORDER NO. 0081, ISSUED ON JANUARY 16, 2002, OF THE ONTARIO MUNICIPAL BOARD IN BOARD CASE NO. PL000446.

MAP 18.520



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO OCTOBER, 2000
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MAP No. 49G-321 DRAWN: PC