

Authority: Midtown Community Council Report No. 3, Clause No. 14, as adopted by City of Toronto Council on April 16, 17 and 18, 2002, and Notice of Motion J(19), moved by Councillor Walker, seconded by Councillor Flint, as adopted by City of Toronto Council on June 18, 19 and 20, 2002

Enacted by Council: June 20, 2002

## **CITY OF TORONTO**

### **BY-LAW No. 545-2002**

#### **To adopt Amendment No. 209 to Section 18 of the former City of Toronto Official Plan to implement a site specific amendment affecting the lands municipally known as 45 Dunfield Avenue.**

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

1. Section 18 of the former City of Toronto Official Plan is hereby amended by adding as Section 18.547 the following text:

18.547           Lands known as 45 Dunfield Avenue

Notwithstanding any of the provisions of this Plan, City Council may pass by-laws respecting the lot shown delineated by heavy lines on Map 18.547 attached hereto to permit the erection of a residential apartment addition to the existing apartment building provided:

1. the total residential gross floor area does not exceed 53,500 square meters;
2. the total number of dwelling units does not exceed 684;
3. the owner, at its expense and in accordance with and subject to the agreement referred to in Section 4 of this By-law:
  - (a) grant a long term lease to the City of Toronto for the parcel of land identified as Part 2 on Map 18.547 (minimum of 1,000.0 m<sup>2</sup>) for use as a public park for a minimum term of 50 years to a maximum term of 99 years;
  - (b) develop the leased lands identified as Part 2 on Map 18.547 as a base level park where construction will include grading, topsoil supply and placement, sod, fencing, all necessary drainage systems, electrical and water connections to the street;
  - (c) design and build a park with improvements of up to \$100,000 over and above the base level park;

- (d) covenant that existing dwelling units on the lot as of the date of the enactment of this By-law shall remain as purpose-built rental units and that the owner of the land shall not apply for condominium conversion pursuant to the Condominium Act, S.O. 1998, c.19 (as amended) for a minimum period of ten (10) years after the date when this By-law comes into force and effect as such application may pertain to that portion of the building on the lot, which existed as of the date of the enactment of this By-law;
  - (e) covenant that existing dwelling units on the lot as of the date of the enactment of this By-law shall remain as purpose-built rental units and that the owner of the land shall not demolish or apply for a demolition permit for a minimum period of twenty (20) years after the date when this By-law comes into force and effect as such application may pertain to that portion of the building on the lot, which existed as of the date of the enactment of this By-law;
  - (f) contribute \$77,700.00 in the form of rent abatement applicable to existing dwelling units as described in the agreement referred to in section 4 of this By-law as a measure of compensation for negative impacts that construction of the proposed addition may have on such dwelling units; and
  - (g) covenant that no rent increases will be implemented for dwelling units in existence as of the date of enactment of this By-law, arising from the impact of construction of the proposed addition and related improvements to the lands, which rent increases are above guidelines established pursuant to the Tenant protection Act 1997, S.O.
4. The density and height of development permitted by this By-law is permitted provided the owner enters into one or more agreements satisfactory to the City of Toronto, pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters required to be provided by Section 3 and such agreement or agreements have been registered as a first priority against the title to the lot.

ENACTED AND PASSED this 20th day of June, A.D. 2002.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

MAP 18.547

