

Authority: Toronto and East York Community Council Report No. 7, Clause No. 10,  
adopted as amended, by City of Toronto Council on September 28, 29, 30 and  
October 1, 2004

Enacted by Council: September 30, 2004

**CITY OF TORONTO**

**BY-LAW No. 858-2004**

**To adopt Amendment No. 318 to the Official Plan of the former City of Toronto with  
respect to lands known municipally as 825 Dundas Street East, 35 Carroll Street,  
46 Hamilton Avenue and 120 Broadview Avenue.**

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

WHEREAS Council has provided adequate information to the public and has held at least one  
public meeting in accordance with the *Planning Act*, and

WHEREAS the Council of the City of Toronto, at its meeting of September 28, 29, 30 and  
October 1, 2004, determined to amend the Official Plan of the former City of Toronto;

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

1. The text and map attached hereto as Schedule 'A' are hereby adopted as amendments to  
the Official Plan of the former City of Toronto.
2. This is Official Plan Amendment No. 318.

ENACTED AND PASSED this 30th day of September, A.D. 2004.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**SCHEDULE ‘A’**

1. Map 1 “Generalized Land Use”, attached to and forming a part of the Official Plan Part I for the former City of Toronto, is amended by redesignating to High Density Residence Area the lands known in the year 2003 as 825 Dundas Street East, 46 Hamilton Street, portions of 35 Carroll Street and 120 Broadview Avenue, as identified on Map 18.644 as High Density Residence Area attached hereto.
2. Map 1 “Generalized Land Use”, attached to and forming a part of the Official Plan Part I for the former City of Toronto, is amended by redesignating to Open Space the lands as identified on Map 18.644 as Open Space attached hereto.
3. Section 18 of the former City of Toronto Official Plan is hereby amended by adding Section 18.644 as follows:

“18.644 – Lands known as 825 Dundas Street East, 46 Hamilton Street and 35 Carroll Street and 120 Broadview Avenue.

Notwithstanding any of the provisions of this Plan, Council may pass by-laws, applicable to the Lands or any part thereof shown delineated by heavy lines on Map 18.644 attached hereto, to permit buildings containing a maximum of 255 *dwelling units* and 232 *social housing units*, provided that:

- (a) the buildings do not exceed 4-storeys;
  - (b) the *residential gross floor area* on the Lands does not exceed 44,710 m<sup>2</sup>; and
  - (c) a minimum of 3936 m<sup>2</sup> of the Lands shall be zoned for public park purposes.”
4. The owner of *Blocks B, C* and *D* shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner’s expense and in accordance with, and subject to the agreements referred to above, shall provide at its expense the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit the increase in *residential gross floor area* authorized under Sections 3. of this Amendment:
    - (a) provides and maintains not less than 232 *replacement social housing units* on *Blocks B, C, and D*,
      - (i) The *replacement social housing units* shall be maintained as rental units for not less than 25 years, beginning with the date that the last unit is available for occupancy;

(ii) The owner agrees to ensure that the *replacement social housing units* are ready and available for occupancy as soon as reasonably possible and commensurate with the development of the market *dwelling units*, and that a plan for achieving the full replacement of 232 *social housing units* shall be submitted and be to the satisfaction of the Commissioner of Urban Development Services. The plan will include making the *replacement social housing units* on *Block C* and the apartment building on *Block B* ready and available for occupancy no later than the date that all of the market *dwelling units* on *Block A* are ready and available for occupancy. It is recognized that the *replacement social housing units* on *Block D* may be completed later as the existing units on that *Block* will continue to house tenants until they are moved into the other *Blocks*;

(iii) The 232 *replacement social housing units* shall consist of units of similar size as the existing units, and shall generally consist of:

38	1 bedroom units
86	2 bedroom units
71	3 bedroom units
27	4 bedroom units
10	5 bedroom units

Any change to the unit mix by bedroom type will be subject to the approval of the Commissioners of Urban Development Services and the Commissioner of Community and Neighbourhood Services;

(a) Toronto Community Housing Corporation shall provide 232 replacement *rent-geared-to-income subsidies*;

(b) The 232 *rent-geared-to-income subsidies* shall be provided for a period of not less than 25 years, subject to the continued provision of funding from federal/provincial and/or municipal governments programs providing such subsidies;

(iv) shall provide additional assistance to the tenants of the site, at least as follows:

(a) All tenants who receive the notice of termination of their tenancy on the *Blocks* for demolition and who remain eligible for social housing and *rent-geared-to-income subsidies* shall be offered alternative accommodation by the Toronto Community Housing Corporation with rents and subsidies on the same basis;

(b) All tenants who receive or have received the notice of termination set forth above shall have a right of first refusal to occupy a *replacement social housing unit* and *rent-geared-to-income subsidy* subject to continued eligibility, even if occupying temporary alternative accommodation provided by TCHC.

- (c) All tenants who receive the notice of termination set forth above shall receive financial and other assistance to mitigate the hardship caused by the relocation to the satisfaction of the Commissioner Urban Development Services.
  - (d) TCHC will prepare and implement an overall plan for construction mitigation and tenant communication to the satisfaction of the Commissioner of Community and Neighbourhood Services.
- (b) In respect to the owner's expense requirement to replace the 232 *social housing units* as set out in Section 4 of this Amendment, the owner of *Blocks B, C and D* agrees that it will not seek public funding from a program intended primarily for the production of new, affordable housing.
5. For the purpose of this Amendment, all italicized words or expressions have the same meaning as the definitions contained in By-law No. 438-86, as amended, of the former City of Toronto.

MAP 18.644

