

Authority: Toronto and East York Community Council Report No. 6, Clause No. 14,
adopted as amended, by City of Toronto Council on July 20, 21 and 22, 2004
Enacted by Council: September 30, 2004

CITY OF TORONTO

BY-LAW No. 871-2004

**To adopt Amendment No. 288 to the Official Plan for the former City of Toronto
with respect to lands municipally known as 40-42 Westmoreland Avenue.**

WHEREAS the Council of the City of Toronto has had application made to it for a proposed Official Plan Amendment respecting lands municipally known as 40-42 Westmoreland Avenue; and

WHEREAS the Council of the City of Toronto conducted a public meeting under Section 17 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, regarding the proposed Official Plan Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting held on July 20, 21 and 22, 2004 determined to amend the Official Plan for the former City of Toronto;

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

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 288.

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. Site and Area Specific Policy No. 18 of the Official Plan for the former City of Toronto is hereby amended by adding a new Section 18.634 and Map 18.634 as follows:

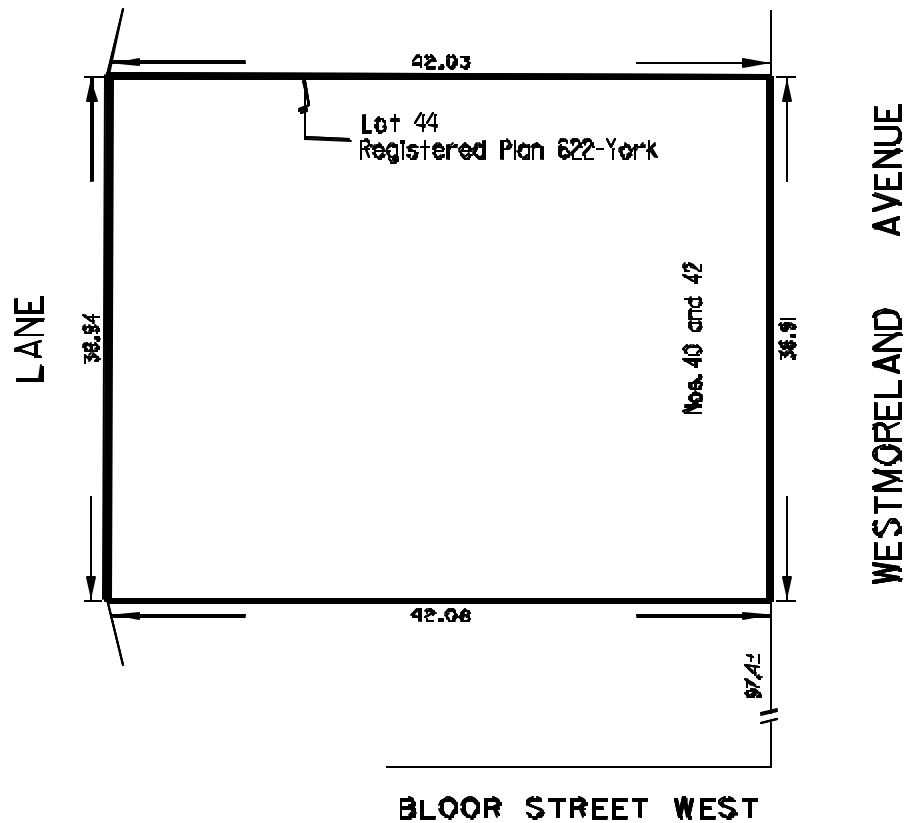
“18.634 Lands known municipally in the year 2004 as 40-42 Westmoreland Avenue.

See Map 18.634 at the end of this Section.

Notwithstanding any of the provisions of this Plan, as amended, Council may pass by-laws applicable to the lands shown on Map 18.634 to permit the redevelopment and use of the existing church and single detached dwelling for a total of up to 26 residential dwelling units, provided that:

- (i) the combined *residential gross floor area* of the two buildings does not exceed 2,853 square metres;
- (ii) the *owner* of the lands enters into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, registered against title, to provide for, at least the following facilities, services and matters to secure, among other things:
 - (a) a monetary contribution of at least \$100,000 to the City for improvements to local open spaces, parks and community facilities and/or researching and identifying other heritage resources in Ward 18, prior to the issuance of the first building permit; and
 - (b) to provide, at no cost to the City, an enhanced level of winter maintenance of the section of public laneway utilized by residents of the lots and surrounding lands, located first west of Westmoreland Avenue, from the lane first north of Bloor Street West, excluding the portion abutting the Toronto Parking Authority parking lot, to the north limit of Premises No. 42 Westmoreland Avenue, to a minimum standard pre-approved by the City.
- (iii) the *owner* of the lands agrees to enter into a heritage easement agreement to secure the restoration of the existing church building to be registered against title, prior to the issuance of site plan approval.”

MAP 18.634



METRES



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO
DPA04/18634.DGN JUNE, 2004
FILE: WEST-21
MAP No. 48U-311 DRAWN: DR/VC