

CITY OF TORONTO

BY-LAW No. 5-2006(OMB)

**To adopt Amendment No. 325 to the Official Plan for the former City of Toronto
with respect to lands municipally known as 150 Roehampton Avenue.**

WHEREAS the Ontario Municipal Board pursuant to its Order No. 1554 issued on June 16, 2005, upon hearing the appeal of the owner under Section 22(7) of the *Planning Act*, determined to amend the Official Plan for the former City of Toronto;

THEREFORE, the Official Plan for the former City of Toronto is amended 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. 325.
3. Official Plan Amendment No. 515, as enacted by By-law No. 40-90, is hereby repealed.

PURSUANT TO THE ORDER/DECISION NO. 1554 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JUNE 16, 2005 IN BOARD CASE NO. PL030223.

SCHEDULE “A”

1. Section 18 of the Official Plan, for the former City of Toronto is hereby amended by adding the following Section 18.651 and the attached Map 18.651.

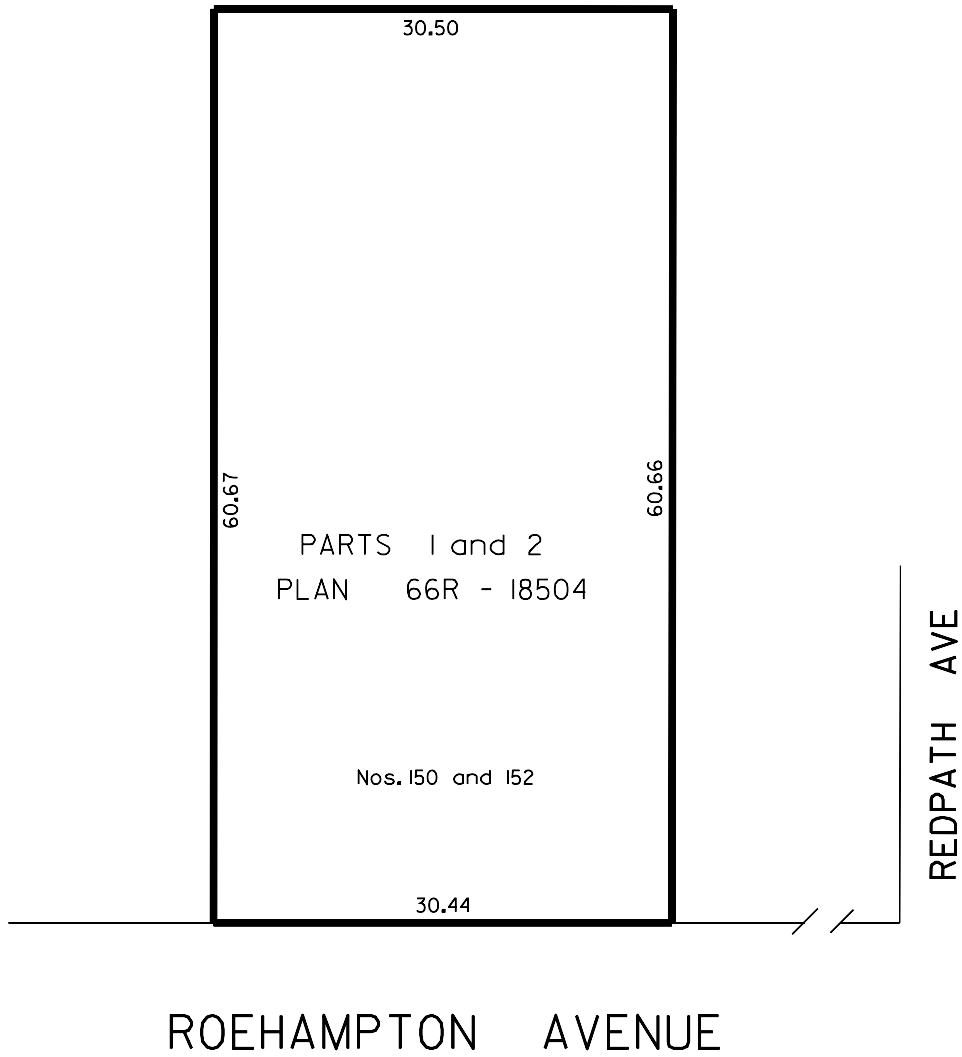
“18.651 Lands municipally known in the year 2004 as 150 Roehampton Avenue.

Notwithstanding any of the provisions of this Plan, Council may pass by-laws applicable to the lands delineated by heavy lines on Map 18.651, to permit increases in the density and height of development otherwise permitted, to permit the erection and use of an apartment building, provided:

- (1) The *residential gross floor area* of the apartment building does not exceed 9,880 square metres and contains not more than 143 dwelling units;
- (2) pursuant to Section 37 of the *Planning Act*, such by-law requires the owner of the lands to provide to the City of Toronto, in return for the residential density and height permission thereby granted, the following facilities, services and matters:
 - A. the owner shall pay to the City a contribution in the amount of \$287,000.00, as escalated in accordance with the Consumer Price Index (CPI) from April 22, 2003, being the date of the Final Report of the Commissioner of Urban Development Services, to the date of payment, for use in improving community services and facilities within the neighbourhood as deemed appropriate by the Commissioner of Urban Development Services in consultation with the Ward Councillor and such payment shall be apportioned and payable as follows:
 - (i) \$180,000.00 upon the issuance of an Order of the Ontario Municipal Board bringing into effect the Official Plan Amendment and Zoning By-law Amendment; and
 - (ii) \$107,000.00 plus the amount resulting from the Consumer Price Index as applied to the \$287,000.00 for the period from April 22, 2003 to the date of payment of the \$180,000.00 to the City and as applied to the \$107,000.00 from the date of payment of the \$180,000.00, all payable prior to the issuance of a Building Permit.

- B. the owner shall provide and maintain those services, facilities and matters collateral to those secured by site plan approval pursuant to Section 41 of the *Planning Act*:
- (1) the owner of the lands is required to enter into an agreement with the City pursuant to Section 37 of the *Planning Act*, to secure the provision of the said facilities, services and matters required to be provided by subsection (2) and with conditions providing for: indexed escalation of financial contribution, no credit for development charges or parks contributions under the *Planning Act*, indemnity, termination and unwinding, and registration and priority of agreement; and
 - (2) the owner of the lands may use the existing church building for a temporary sales office for the sale of dwelling units within the apartment building.”

MAP 18.651



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO DECEMBER, 2004
OP04/18651.DGN
FILE: R13-Z6
MAP No. 51L-311 DRAWN: VG