

Authority: Toronto and East York Community Council Report 9, Clause 6, as adopted by City of Toronto Council on November 30, December 1 and 2, 2004, and Notice of Motion J(33), moved by Deputy Mayor Bussin, seconded by Councillor Rae, as adopted by City of Toronto Council on January 31, February 1 and 2, 2006
Enacted by Council: February 2, 2006

CITY OF TORONTO

BY-LAW No. 160-2006

To adopt Amendment No. 319 to the Official Plan for the former City of Toronto with respect to lands municipally known as 2575 and 2625 Danforth Avenue.

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

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

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

1. The text and maps below are hereby adopted as an amendment to the Official Plan of the former City of Toronto.
2. This is Official Plan Amendment No. 319.
3. Section 18 of the Official Plan for the former City of Toronto is amended by adding Section 18.645 as follows:

“18.645 Lands known municipally in the year 2006 as 2575 and 2625 Danforth Avenue.

Notwithstanding any of the provisions of this Plan, as amended, Council may pass by-laws respecting the lands shown by heavy lines on Map 18.645 to permit the erection of two mixed-use buildings, in addition to the buildings, structures and uses already existing at the time of passing of this by-law, provided that:

- (a) the combined residential gross floor area and non-residential gross floor area of such mixed-use building and residential do not exceed 12,550 square metres and 23,350 square metres, respectively, of which the total non-residential gross floor area shall not exceed 4,450 square metres;
- (b) the Owner of the lot in accordance with and subject to the agreement pursuant to Section 37 of the *Planning Act* referred to in this By-law enters into an agreement pursuant to Section 37 of the *Planning Act* to secure the following facilities, services and matters:
 - (i) the provision of a new non-profit daycare facility for a minimum of 65 children, including both indoor and outdoor space;

- (ii) the provision of a school aged daycare room for up to 30 children, to be located in a shared tenant amenity space in Building F;
- (iii) maintain the 1,123 existing rental units as rental for a minimum period of 20 years commencing from the date of Final Approval of the Amending By-laws, making no application for condominium registration or for demolition to construct anything other than rental units;
- (iv) improvements to the 4 existing rental buildings (A, B, C and D) as follows with no cost pass through in rents to the tenants:
 - (a) refurbishing of the lobby entrances of Buildings B and C;
 - (b) a minimum of 150 square metres of amenity space shall be provided in the existing buildings, exclusively for the use of residential tenants;
 - (c) the provision of new loading spaces adjacent to the 4 existing buildings; and
 - (d) the construction of a new garbage storage area.
- (v) construct and maintain Buildings E and F as mixed use buildings and those units that are residential remain as rental for at least 20 years commencing from the date of initial occupancy of each unit subject to the following:
 - (a) no application shall be made for condominium registration or for demolition to construct anything other than rental dwelling units during the 20-year period; if the tax rate were to increase such that the owner is paying more tax than they would if the rental units were registered as a condominium, the owner will have the right to apply for an Official Plan Amendment and zoning by-law amendment removing the requirement for the designated rental units to be maintained as rental units prior to the expiry of this 20 year period, provided that all of the rental dwelling units remain as rental dwelling units until the owner obtains approval for an Official Plan Amendment and zoning by-law amendment removing the requirement that the owner provide and maintain the designated dwelling units as rental dwelling units;
 - (b) as mid-range rental units, the initial rents and the rents upon turnover for all the new dwelling units during the first 5 years of the buildings' occupancy shall be below 1.5 times the average rents by unit type for the City of Toronto as reported by Canada Mortgage and Housing Corporation in their most recent annual Rental Market Survey Report;

- (c) annual increases to tenants who occupy the units in the initial 5 year period shall not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, for as long as the tenant remains in the same unit or until the expiry of the 20 year period securing the rental tenure for that unit;
- (d) rents charged to tenants newly occupying the units after the completion of the 5 year period set forth in (b) will not be subject to restriction from the City of Toronto under the terms of the Section 37 Agreement;
- (vi) the owner shall provide a Construction Mitigation and Tenant Communication Plan to the satisfaction of the Director, Community Planning, Toronto and East York District, prior to the issuance of the first building permit;
- (vii) building permit issuance for the proposed additional residential buildings shall be dependant upon satisfaction of the provisions in the zoning by-law amendment and in the Section 37 Agreement relating to building permit issuance, including the provision of financial securities, and the provision of the Construction Mitigation and Tenant Communication Strategy;
- (viii) the agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, shall be registered on title to the lands to which this By-law applies prior to the issuance of any building permit for the proposed additional residential buildings;
- (ix) a cash contribution of \$175,000.00 to the City for improvements to existing community centres, to be broken down as follows:
 - (a) \$100,00.00 for internal improvements to the Main Square Community Centre;
 - (b) \$25,000.00 for landscape improvements to the Main Square Community Centre;
 - (c) \$25,000.00 for the purchase of equipment for the Main Square Community Centre; and
 - (d) \$25,000.00 for the purchase of equipment for the Secord Community Centre.
- (x) the provision of a minimum of 600 square metres of indoor tenant amenity space, of which at least 150 square metres shall be provided in the existing buildings.

(xi) the former Community Centre located within the landscaped courtyard between existing buildings A, B, C and D, and the existing commercial building located to the south of building B and to the east of building C, shall be demolished, prior to the construction of Building F.

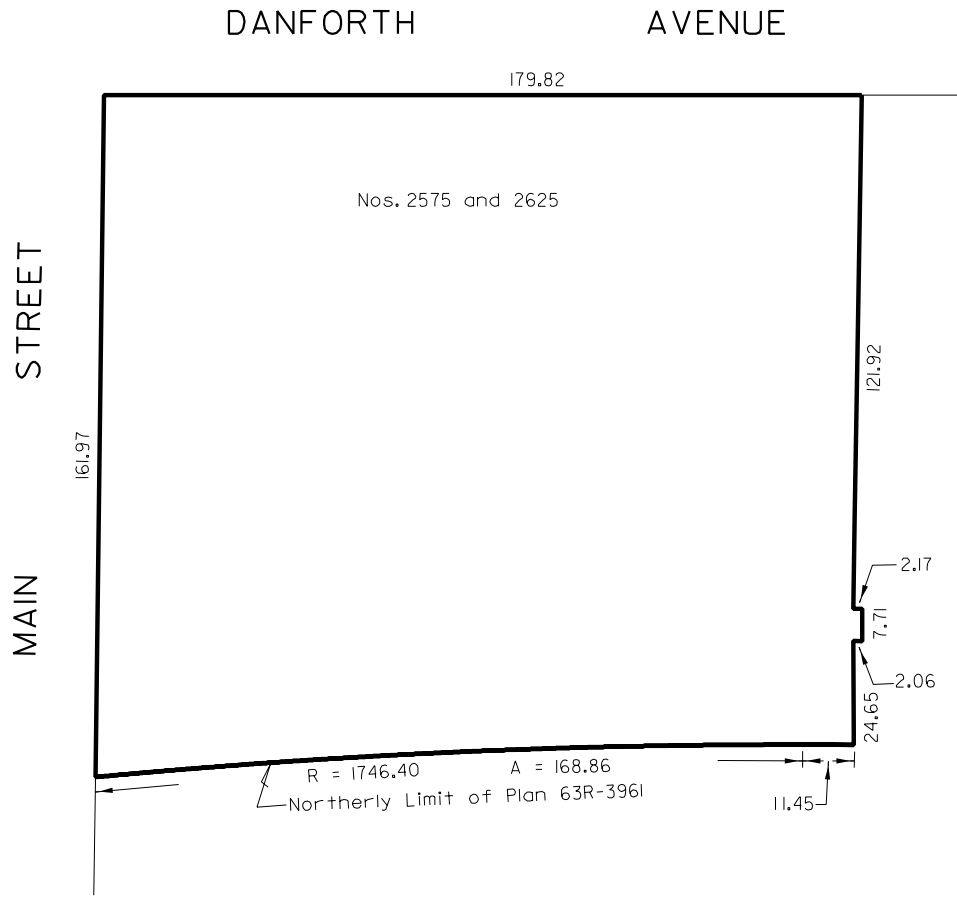
4. Nothing shall prevent the conversion of the existing daycare in Building C to residential units once a new daycare facility is provided in building F.

ENACTED AND PASSED this 2nd day of February, A.D. 2006.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



TECHNICAL SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JANUARY 2006
DP06/18645.DGN
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MAP No. 54H-323 DRAWN: VG