

CITY OF TORONTO

BY-LAW No. 296-2010(OMB)

To adopt Amendment No. 295 to the Official Plan for the former City of Toronto with respect to part of the lands forming part of the property municipally known as part of 800 Lansdowne Avenue.

WHEREAS the Ontario Municipal Board pursuant to its Order issued on June 11, 2008, upon hearing the appeal of Ridgevest Developments Limited under Section 22(7) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, 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. 295.

PURSUANT TO ONTARIO MUNICIPAL BOARD DECISION/ORDER ISSUED ON JUNE 11, 2008 IN BOARD CASE NO. PL030172.

SCHEDULE "A"

1. Section 18 of the former City of Toronto Official Plan is hereby amended by adding the following Section 18.624 and attached Map 18.624:

"18.624 Lands known as No. 800 Lansdowne Avenue.

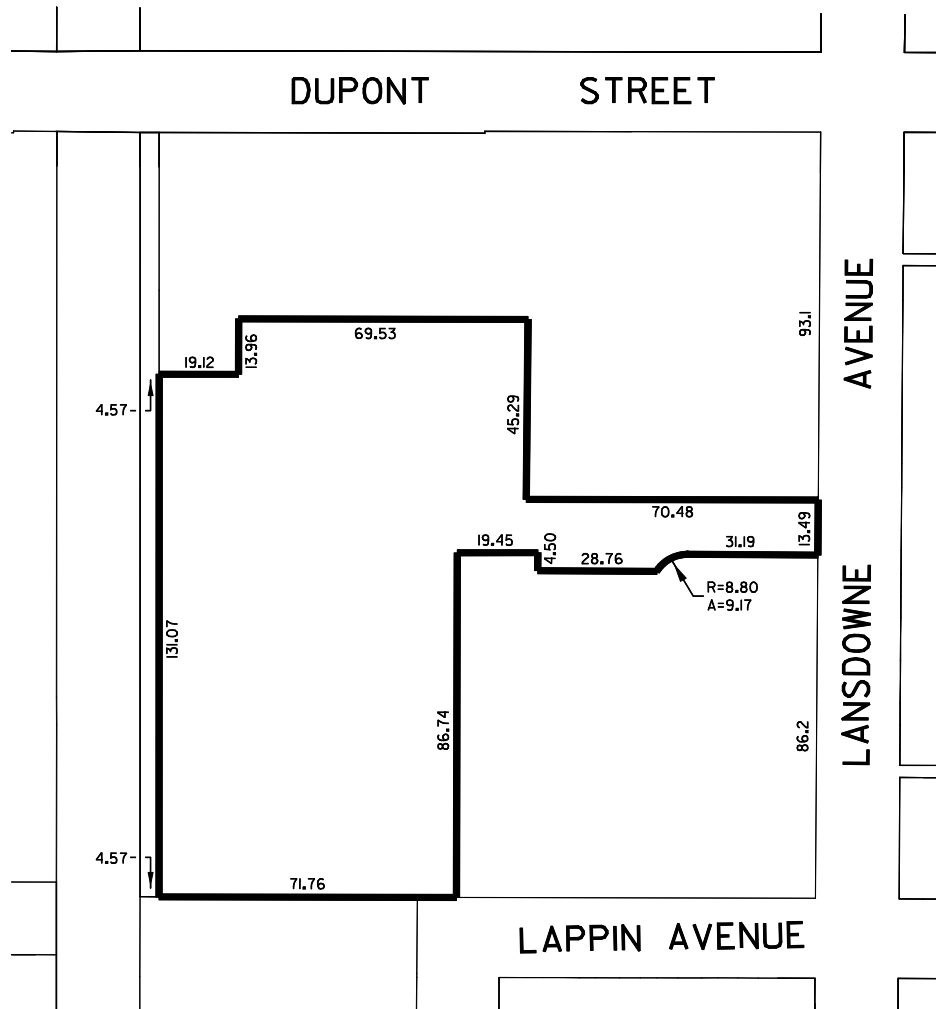
Notwithstanding any of the provisions of the Plan, Council may pass by-laws respecting the lands, being the *lot*, shown delineated by heavy lines on Map 18.624 attached hereto to permit the erection and use of an *apartment building(s)* containing *residential* uses a maximum residential gross floor area of 45,150 square metres

For the purpose of this amendment, the term "apartment building" shall have the same meaning as in By-law No. 438-86, as amended, of the former City of Toronto, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto".

2. The owner shall, at its expense and in accordance with and subject to the agreement pursuant to section 37 of the *Planning Act* referred to in the By-law adopting this Official Plan Amendment:
 - (a) Provide the City \$250,000 to be used by the City in its discretion for community benefits in the Wallace-Emerson Community. These funds are payable in equal amounts of \$125,000 upon issuance of building permits for each of Blocks A & B as referenced in the zoning by-law enacted in conjunction with this Official Plan Amendment.
 - (b) Provide the City with an executed, rent free lease, in a form satisfactory to the City Solicitor, of a premise in the ground floor of the building constructed on adjacent lands to the southeast, known generally as Building C of Phase II of the American Standard Site and fronting on Lansdowne Avenue (the "Premises"). Said lease to have a term of 15 years and a demised area of approximately 1880 square feet or the owner shall provide the City with equivalent value, in the City's estimation.
 - (c) The owner will covenant in the section 37 agreement to use its reasonable best efforts to cause the owner of the building constructed on adjacent lands to the southeast, known generally as Building C of Phase II of the American Standard Site to obtain the release of an existing restrictive covenant preventing access south to Lappin Avenue should the covenant currently preventing such access be available for release by the beneficiary thereof.

- (d) The section 37 agreement will incorporate the requirements of recommendations 3(I)(d) to (i) inclusive, of the Report of the Director, Community Planning, South District dated February 11, 2004.
- 3. 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 2 and such agreement or agreements have been registered as a first priority against the title to the land.

MAP 18.624



25 0 25
METRES



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO MARCH, 2005
DPA05/18624.DGN
FILE: L14-Z10 MAP No. 48J-12