

CITY OF TORONTO

By-law No. 1181-2010(OMB)

To adopt Amendment No. 308 to the Official Plan for the former City of Toronto with respect to part of the lands municipally known as 1100 Lansdowne Avenue which originally formed part of 940 Lansdowne Avenue.

WHEREAS the Ontario Municipal Board pursuant to its Order No. 0164 issued on January 27, 2005, upon hearing the appeal of Olympia Elevator Services Limited under Section 22(7) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the Official Plan of the former City of Toronto;

THEREFORE the Official Plan of the former City of Toronto is amended by the Ontario Municipal Board as follows:

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan of the former City of Toronto.
2. This is Official Plan Amendment No. 308.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JANUARY 27, 2005 IN BOARD CASE NO. PL030073, PL030919 AND PL030920.

SCHEDULE "A"

1. Section 18 of the Official Plan of the former City of Toronto is amended by adding the following Section 18.635 and Map 18.635 as follows:

"18.635 Part of the lands municipally known as 1100 Lansdowne Avenue

See Map 18.635 at the end of this Section.

Notwithstanding any other provisions of this Plan, Council may pass by-laws applicable to the lands shown as Block B and Block C on Map 18.635 attached hereto to permit a building or buildings containing *residential* uses, accessory uses and accessory uses to Block A, and Council may pass by-laws applicable to the lands shown as Block A on Map 18.635 to permit a building or buildings containing *commercial* uses and accessory uses thereto (Blocks A, B and C being referred to herein as the "site"), provided that:

- (1) the maximum combined *residential gross floor area* and *non-residential gross floor area* permitted on the site does not exceed 27,400 square metres, of which the *non-residential gross floor area* does not exceed 2,900 square metres;
- (2) the maximum *non-residential gross floor area* permitted on Block A does not exceed 2,900 square metres;
- (3) the maximum *residential gross floor area* permitted on Block B does not exceed 9,800 square metres;
- (4) the maximum *residential gross floor area* permitted on Block C does not exceed 14,700 square metres;
- (5) the *owner* of the *site*, at its expense and in accordance with and subject to the agreement pursuant to section 37 of the *Planning Act*, shall provide the following facilities, services and matters:
 - (a) the *owner* is to provide \$50,000 to the City to be applied to local parks within the lands municipally known as 940 - 1100 Lansdowne Avenue or open space improvements to adjacent hydro corridors as identified by the City;
 - (b) the *owner* is to construct a pedestrian staircase/connection from the north westerly limit of Block C on Map 18.635 across the hydro corridor to Davenport Road and will use its best commercial efforts to arrange either a license agreement or encroachment agreement between Hydro One

and the City with respect to the lands upon which the staircase/connection will be built;

- (c) the *owner* is to grant an easement in favour of the City for a pedestrian right-of-way across the private walkway to be erected and used on lands on the northwest portion of Block C on Map 18.635;
- (d) the *owner* is to grant an easement in favour of the City for a pedestrian and vehicular right-of-way across the private streets to be erected and used on Block C on Map 18.365, which shall connect to the proposed public street;
- (e) the *owner* is to grant appropriate rights-of-way/easements to the Owners of Building No. 13, located immediately east of the site, over all driveways for pedestrian and vehicular access in order to access the allocated Building 13 parking spaces and loading space;
- (f) the *owner* is to secure conveyance to the City of the necessary lands within the hydro corridor to construct the public street connection to Davenport Road;
- (g) the *owner* is to design, construct and convey the proposed public street on the portion of the hydro corridor and on the *site* to the City;
- (h) the *owner* is to satisfy all environmental matters such as soil and groundwater management, the environmental remediation of the entire *site* and lands to be conveyed to the City, provision of a Record of Site Condition, remediation of any contamination from the *site* into adjacent streets, historical review of *site* and building audits, demolition and dust control, air quality, noise and vibration, the monitoring of de-watering and a commitment to mitigate as and where required by the City;
- (i) the *owner* is to provide warning clauses for such matters as noise, vibration, non-residential activities, environmental and school capacity in all offers of purchase and sale, or rental agreements;
- (j) the *owner* is to provide on-site railway safety mitigation measures and the implementation of noise and vibration measures;

- (k) the *owner* is to provide and construct all new municipal infrastructure and/or upgrades to existing municipal infrastructure, including regulatory signs, required to service the development;
- (l) the *owner* is to provide and maintain screening measures such as fencing and a noise attenuation wall to the City's satisfaction between the site and the remainder of the lands municipally known as 940, 980 and part of 1100 Lansdowne Avenue until such times as adjacent lands are redeveloped; and
- (m) the *owner* is to provide an environmental site assessment and a remedial action plan for adjacent lands referenced as Building 28 and Building 13 in relation to the site according to Ministry of Environment Guidelines.

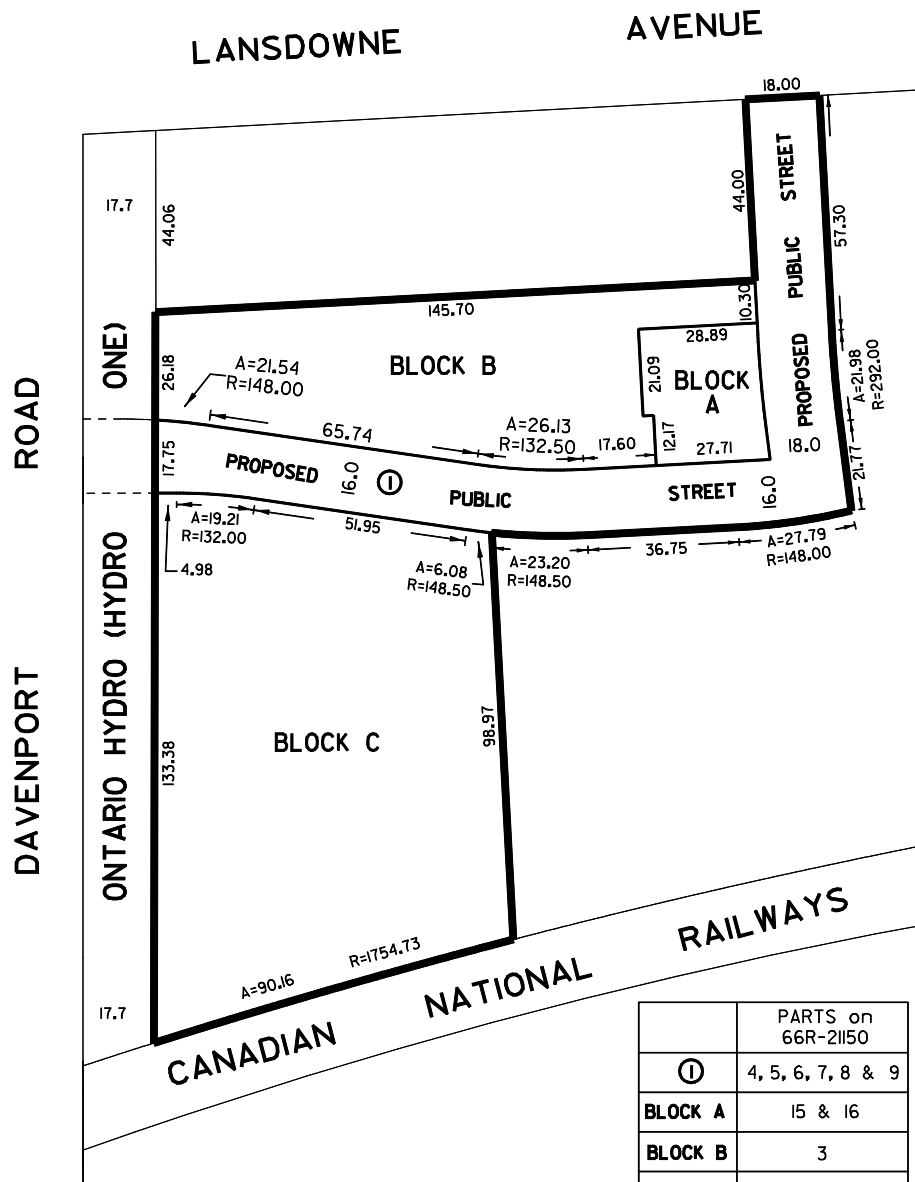
For the purpose of section 5 of this Amendment:

"owner" of the *site* means the owner of the fee simple of the *site*; and

"site" means the lands delineated by the heavy lines as shown on Map 18.636.

- (6) 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 5 and such agreement or agreements have been registered as a first priority against the title to the site."

MAP 18.635



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JUNE, 2004
OPAO4/18635.DGN
FILE: L14-Z4
MAP No. 48J-22 DRAWN: WS