

Authority: MM9.36, moved by Councillor Joe Cressy, seconded by Councillor Kristyn Wong-Tam, as adopted by City of Toronto Council on September 30, October 1 and 2, 2015

CITY OF TORONTO

BY-LAW No. 96-2016

To amend former City of Toronto Zoning By-law No. 438-86, as amended by By-law No. 1091-2005, with respect to the lands known municipally in 2014 as 97 Walmer Road and 88-100 Spadina Road.

Whereas authority is given to Council by Section 34 of 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*; and

Whereas Council of the City of Toronto on December 16, 2005 adopted By-law No. 1091-2005 being a By-law "To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 109 Bernard Avenue, 100 Spadina Road and 97 Walmer Road" (the "Lands"); and

Whereas as a condition of By-law No. 1091-2005 the City of the Toronto and the then owner of the Lands entered into and registered an agreement pursuant to Section 37 of the *Planning Act*; and

Whereas the owner of the Lands, municipally known in 2014 as 88-100 Spadina Road, and 97 Walmer Road has applied amongst other matters to amend the site specific by-law provisions respecting the Lands;

The Council of the City of Toronto enacts:

1. Section 1(10)(i) of By-law No. 1091-2005 is deleted and replaced with the following:
 - (i) provides and maintains the existing 215 rental *dwelling units* located within *Building "B"* as rental *dwelling units* for a minimum time period of at least 20 years from July 1, 2009 being the date Building A was first occupied for residential purposes, with no application to convert *Building "B"* during such time period including not to apply to convert such existing rental *dwelling units* or any part of such building to any non-residential rental housing purpose; not to apply to register any of the existing rental *dwelling units* or any part of the building under the *Condominium Act, 1998* (as amended or replaced from time to time); and not to apply to demolish any of the existing rental *dwelling units* or any part of the building without replacement satisfactory to the City.
2. By-law No. 1091-2015 is amended by adding the following subsections to Section 1(10) as follows:
 - (xv) at least two two-bedroom *dwelling units* at 100 Spadina Road shall have affordable rents for at least ten years commencing from the date each such unit is

newly occupied by tenants at affordable rents following the date this amending by-law comes into full force and effect, all in a form satisfactory to the City as determined to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

- (xvi) provides tenant relocation assistance to the affected tenant in the rental building at 97 Walmer Road, prior to any conveyance of the lands comprising 97 Walmer Road as a separate lot and prior to the issuance of any Certificate of Consent to sever such lands, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Enacted and passed on February 4, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)