

Authority: Toronto and East York Community Council Report No. 5, Clause No. 5,
as adopted by City of Toronto Council on June 14, 15 and 16, 2005
Enacted by Council: June 16, 2005

CITY OF TORONTO

BY-LAW No. 588-2005

**To adopt Amendment No. 347 to the Official Plan for the former City of Toronto with
respect to the lands known municipally as 50 Rosehill 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 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. 347.

ENACTED AND PASSED this 16th day of June, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE “A”

1. Section 18 of the former City of Toronto Official Plan is hereby amended by adding the following Section 18.670 and the attached Map 18.670.

“18.670 Lands known municipally as 50 Rosehill Avenue.

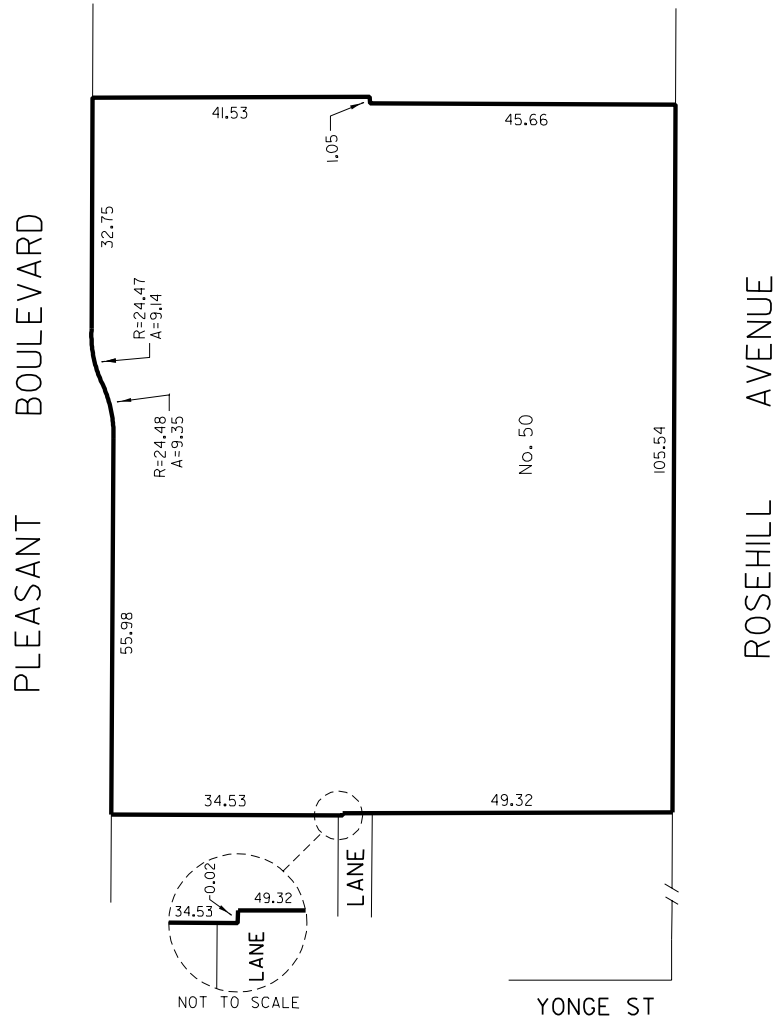
Notwithstanding any of the provisions of this Plan, City Council may pass by-laws applicable to the *lot* delineated by heavy lines on Map 18.670, to maintain the existing 22-storey apartment building and accessory underground parking garage on the *lot* and to permit the erection and use of 32 *rowplex* or *row house* units on the *lot* provided:

- (1) the maximum *residential gross floor area* on the *lot* does not exceed the *residential gross floor area* existing on the *lot* as of June, 2005, plus an additional 4,000 square metres of *residential gross floor area*;
- (2) the density of the development hereinbefore set out is permitted subject to compliance with the conditions of this By-law and the provision by the owner of the *lot* of the following facilities, services and matters referred to in this By-law, and those matters deemed appropriate for the orderly development of the *lot* as set out in an agreement with the City pursuant to Section 37 of the Planning Act namely that the owner agrees to:
 - A. provide payment of \$280,000.00 to the City for use in improving neighbourhood community facilities, of which an initial payment of \$140,000.00 is payable upon the adoption to this By-law by City Council with the balance payable upon the issuance of the first above-grade building permit to be paid by way of a certified cheque(s) payable to the City of Toronto;
 - B. maintain the 245 existing rental dwelling units as rental for a minimum term of 20 years calculated from the date this By-law comes into effect, and to make no application during such period for demolition to construct anything other than rental dwelling units nor an application for the purpose of condominium registration as it relates to the aforementioned 245 dwelling units;
 - C. make improvements to the existing rental building and related facilities as set out in the Section 37 Agreement, and the owner agrees that it shall not apply to the Ontario Rental Housing Tribunal or to any successor tribunal with jurisdiction to hear applications made under the *Tenant Protection Act*, for the purpose of obtaining an

increase in rent above the Guidelines established under that Act in relation to the existing rental units arising from the cost of these improvements and/or the costs associated with the construction of the 32 new units or associated improvements to the landscaped amenity areas, walkways and the parking and loading areas;

- D. provide a Construction Mitigation and Tenant Communication Plan to the satisfaction of the Director of Community Planning, South District, prior to the issuance of the first building permit for the proposed additional residential buildings;
 - E. provide and maintain those services, facilities and matters collateral to those secured by site plan approval pursuant to Section 41 of the *Planning Act*; and
 - F. the agreement with the City of Toronto Pursuant to Section 37 of the *Planning Act*, as amended, shall be registered on title to the *lot* to which this By-law applies prior to the issuance of any building permit for the proposed additional residential buildings.
- (3) for the purpose of this Official Plan Amendment, each word or expression, which is italicized herein, shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.”

MAP 18.670



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METRES



SURVEY AND MAPPING SERVICES
TORONTO JUNE 14, 2005
OPA05/18670.DGN
FILE: R10-23
MAP No. 51J-321 DRAWN: VG