

Authority: Etobicoke York Community Council Report No. 7, Clause No. 4,
as adopted by City of Toronto Council on September 28, 29 and 30, 2005
Enacted by Council: December 7, 2005

CITY OF TORONTO

BY-LAW No. 1045-2005

**To adopt Amendment No. 351 to the Official Plan for the former City of Toronto with
respect to lands municipally known as part of 1100 Lansdowne 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 attached as Schedule "A" to this by-law are hereby adopted as an
amendment to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 351.

ENACTED AND PASSED this 7th day of December, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

“SCHEDULE A”

1. Section 18 of the Official Plan of the former City of Toronto is amended by adding the following Section 18.673 and Map 18.673 as follows:

“18.673 Part of the lands known as 1100 Lansdowne Avenue (Building No. 13).

See Map 18.673 at the end of this Section.

Notwithstanding any other provisions of this Plan, Council may pass by-laws applicable to the lands shown on Map 18.673 attached hereto to permit a building containing residential and/or live-work uses, and accessory uses thereto, provided that:

- (1) The *residential gross floor area* of the building does not exceed 12 722 square metres;
- (2) The number of dwelling units and/or live-work units in the building does not exceed 104 units;
- (3) 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 the future park at 940-1100 Lansdowne Avenue and to park facilities in the area as identified by the City in consultation with the local area Councillor;
 - (b) the Parks, Forestry and Recreation Division is to secure an amount equivalent to the Parks and Recreation component of the Development Charges payable for Phase 2 for the improvement of the proposed park Above Base park standards. Accordingly, a letter of credit will be required for the parks and recreation component of the development charge in lieu of cash payment of that portion and it will be held by the City until the installation of the Above Base Park improvements have been completed by the *owner*;
 - (c) the *owner* must register a joint access agreement on title to both the *site* and the Phase 1 development lands, located immediately to the west of the *site*, in perpetuity to the satisfaction of City of Toronto Technical Services and the City Solicitor;

- (d) the *owner* shall file a Record of Site Condition with the Ministry of Environment (MOE) for the *site* in accordance with Ont. Regulation 153/04 and the Environmental Protection Act;
- (e) the *owner* shall provide to the City a copy of the Record of Site Condition for the *site* and the acknowledgement of receipt of same by the MOE, together with confirmation from the MOE that the Record of Site Condition has passed an audit or confirmation from the MOE that it will not carry out an audit;
- (f) the *owner* is to engage a consultant to undertake an analysis of noise and provide abatement measures necessary to achieve the maximum level limits set by the MOE and Canadian National Railway;
- (g) 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;
- (h) the *owner* shall enter into and register a heritage easement agreement to conserve the building situated on the *site* referenced as Building No. 13;
- (i) At the time of registration of the plan of condominium for Building 13:
 - (i) the *owner's* solicitor is to provide to the City a sworn affidavit satisfactory to the City Solicitor, in consultation with the City's Chief Planner or his designate, confirming that arms length agreements of purchase and sale have been entered into for 10 one-bedroom dwelling units on the site, and that the sale prices of those dwelling units meet the intent of the City's applicable affordable housing policies, City of Toronto Official Plan as adopted by Council November 2002; and
 - (ii) At the time of registration of the plan of condominium for Building 13, the *owner's* solicitor shall provide to the City a sworn affidavit satisfactory to the City Solicitor, in consultation with the City's Chief Planner or his designate confirming the title description and the final sale price of the affordable dwelling units at the time of transfer and that no other monies have been paid by

the purchaser of the affordable dwelling unit in relation to material matters associated with or for the exclusive use of the affordable dwelling unit including but not limited to storage space, parking space, or upgraded finishes or furnishings.

For the purposes of Section 3 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 18.673.

- (4) 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 3 and such agreement or agreements have been registered as a first priority against the title of the site.

MAP 18.673

