

Authority: Toronto and East York Community Council Report No. 9, Clause No. 7,
adopted as amended, by City of Toronto Council on December 5, 6 and 7, 2005
Enacted by Council: December 7, 2005

CITY OF TORONTO

BY-LAW No. 1068-2005

To adopt Amendment No. 38 to the Official Plan for the former Borough of East York with respect to lands municipally known as 1042-1048 Broadview Avenue.

WHEREAS authority is given to Council pursuant to the *Planning Act*, R.S.O. 1990, c.P. 13, as amended to enact this By-law; and

WHEREAS the 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 provisions of the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The text and maps attached hereto and comprising "Part Two – The Amendment" are hereby adopted as Official Plan Amendment No. 38 to the Official Plan for the former Borough of East York.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

**AMENDMENT NO. 38 TO THE OFFICIAL PLAN
FOR THE FORMER BOROUGH OF EAST YORK**

PART ONE – PREAMBLE, does not constitute part of this Amendment.

PART TWO – THE AMENDMENT, consisting of the text contained therein together with Schedules “A” and “B” attached constitute Amendment No. 38 to the Official Plan for the former Borough of East York.

PART ONE

PREAMBLE

TITLE

This is Amendment No. 38 to the Official Plan of the Former Borough of East York.

Only that part of this Amendment entitled “Part Two – The Amendment” constitutes Amendment No. 38 to the Official Plan for the former Borough of East York.

PURPOSE

The purpose of this amendment is to add site-specific policies for 1042-1048 Broadview Avenue to permit a high-rise residential development consisting of 186 units in a 22-storey residential apartment building plus a one-storey mechanical penthouse/amenity space and including at-grade live-work units. As a result of increased height and density, the amendment also identifies matters, services and facilities to be provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

LOCATION

The lands affected by this Amendment are located on the west side of Broadview Avenue, just north of Pottery Road, and are outlined in heavy black lines identified as “Area Subject to Amendment”, on Schedule “A” attached hereto.

BASIS

The lands affected by this Amendment are designated Main Streets Commercial Residential in the Official Plan of the former Borough of East York which contemplates pedestrian related commercial uses together with multiple unit housing in the form of medium rise structures.

On May 11, 2004, an Official Plan Amendment application was submitted by the owner to permit the redevelopment of the lands for a high-rise residential development including 2-storey live-work units at grade.

On June 7, 2005 a community consultation meeting was held by City Planning Division and the Ward Councillor to present the proposal to the public. The statutory public meeting required under the *Planning Act* was held on November 15, 2005.

**PART TWO
THE AMENDMENT**

1. All of this Part of the document entitled “Part Two – The Amendment” consisting of the following text and the maps attached as Schedules “A” and “B” constitute Amendment No. 38 to the Official Plan for the former Borough of East York.
2. The lands affected by this Amendment are outlined in heavy black lines and identified as the “Area Subject to Amendment” on Schedule “A” attached to and forming part of this Amendment.
3. “Map 7a – Special Policy Areas” of the Official Plan for the former Borough of East York is hereby amended by identifying lands municipally known in the year 2005 as 1042-1048 Broadview Avenue and shown as the “Area Subject to Amendment” on Schedule “B” to this Amendment as Special Policy Area No. 38.
4. The text of the Official Plan for the former Borough of East York is hereby amended by adding a new Section 3.15.38 immediately following Section 3.15.37 as follows:

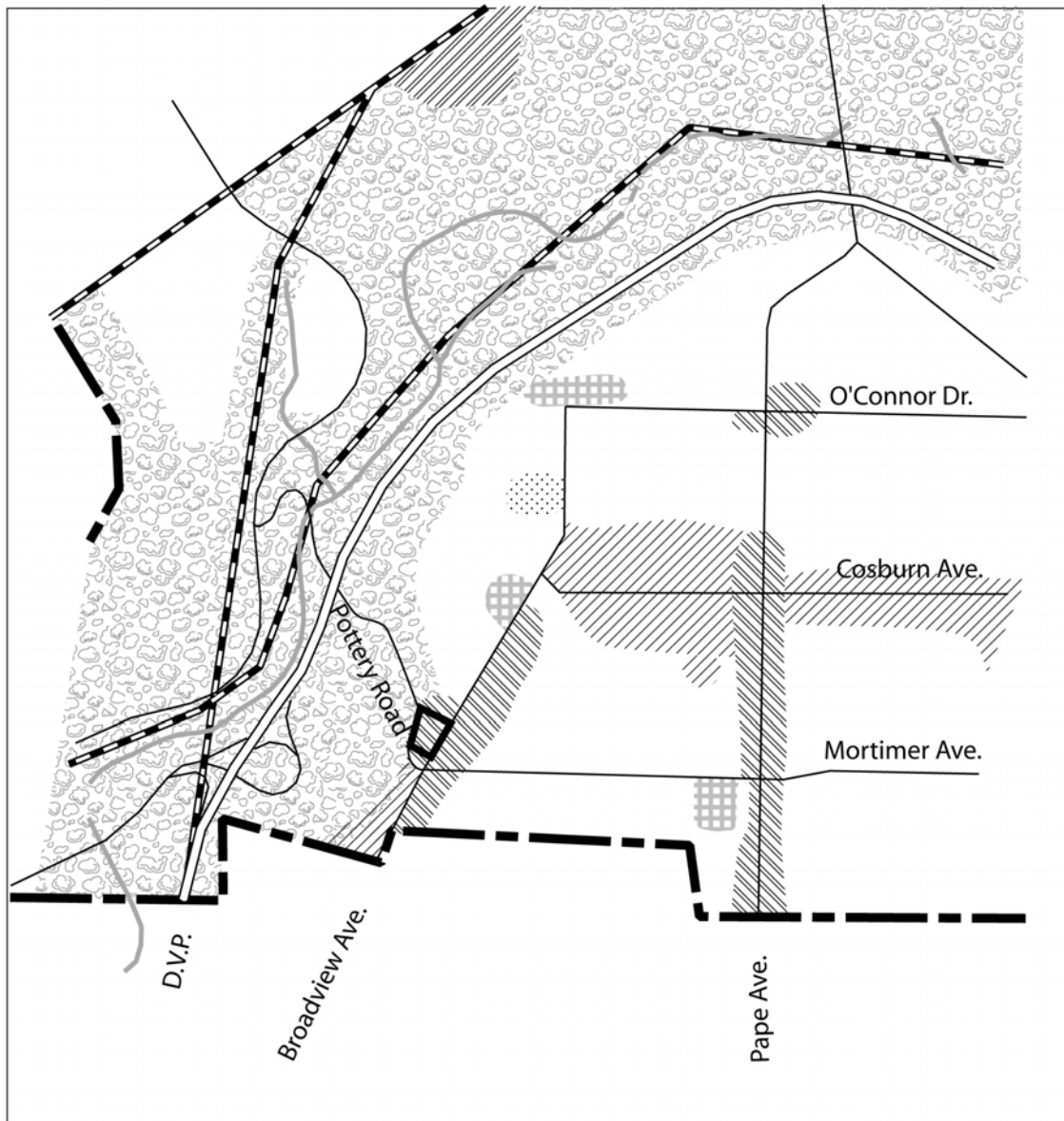
“3.15.38 Special Policy Area 38

- 3.15.38.1 Notwithstanding the Main Streets Commercial/Residential policies of Section 3.9 of this Plan, for those lands municipally known as 1042-1048 Broadview Avenue and designated as Special Policy Area 38 on Map 7a – Special Policy Areas of this Plan, the following additional policies shall apply:
- 3.15.38.2 The lands designated as Special Policy Area 38 shall only be developed as an apartment house having:
- (a) a maximum residential gross floor area of 16,425m² of which a maximum of 486 m² located on the ground floor may be used for commercial uses associated with live-work units;
 - (b) a maximum of 186 residential units, four of which shall be two-storey live-work units with entrances directly accessible to the street at grade;
 - (c) a restriction that the ground floor areas of any of the live work units may not be combined; and
 - (d) a maximum of 22 storeys that do not exceed a height of 71.5 metres, together with a maximum 1 storey mechanical penthouse and amenity area that does not exceed a height of 5.0 metres.

- 3.15.38.3 The implementing zoning by-law shall establish applicable development standards, including maximum building height, maximum number of units, maximum gross floor area, amenity space and minimum number of parking spaces.
- 3.15.38.4 For the purpose of these policies, reference to a live-work unit shall mean a dwelling unit that is also used for work related purposes by a resident of such accommodation as well as any number of other persons and the implementing zoning by-law shall include a definition of live-work unit and shall identify the uses within the Main Streets Commercial Residential area that may or may not be permitted in association with such live-work units.
- 3.15.38.5 Consistent with Section 4.3.2 of this Plan which contains provisions relating to increases in height and density of proposed development beyond that otherwise permitted, Council may in the implementing zoning by-law authorize the increases in height and/or density contemplated in Section 3.15.38.2 hereof and require the owner to provide such facilities, services and matters as are considered appropriate.
- 3.15.38.6 In accordance with Section 3.15.38.5 above, the owner shall provide, at its own expense, the following facilities, services or matters to be secured by an agreement pursuant to Section 37(1) of the *Planning Act* which is registered on title to the subject lands;
- (a) the owner shall make the following cash contributions to the City to be secured upon execution of the Section 37 Agreement and payable for use by the City upon the implementing zoning by-law coming into force and effect:
 - (i) a \$65,000.00 cash contribution toward the cost of upgrades to the bike trail/sidewalk extending along Pottery Road from Broadview Avenue to Bayview Avenue;
 - (ii) a \$2,000.00 cash contribution toward the cost of improvements to Charles Sauriol Parkette;
 - (iii) a \$78,000.00 cash contribution toward the cost of improvements to outdoor amenity areas, sports or playground facilities at the Chester Elementary School and Westwood Middle School that will be accessible to the public and that are to be determined in consultation with the Ward Councillor, the Toronto and District School Board and the General Manager Parks according to the Master Plan-Legend designed by Victor Ford & Associates Inc., under contract with the Toronto District School Board;

- (iv) a \$100,000.00 cash contribution toward the cost of extending the Don Valley Woodland Trail to facilitate connection to the public entrance between the apartment buildings at 980 and 1000 Broadview Avenue;
 - (v) a \$25,000 cash contribution toward the cost of redevelopment of a formal trailhead feature at the Pottery Road access to the Lower Don Valley Woodland Trail System;
 - (vi) a \$5,000.00 cash contribution toward the cost of preparation and installation of interpretive signage for the Todmorden Mills Wildflower Preserve; and
 - (vii) a \$25,000.00 cash contribution toward the cost of implementing control measures related to invasive plant species along Pottery Road between Bayview Avenue and Broadview Avenue;
- (b) if the purpose for which the cash contributions referred to in (a) above cannot be achieved, either in whole or in part, within a reasonable period of time as determined by the General Manager Parks, the monies paid may be used for other appropriate public purposes in the vicinity of the subject property and in the sole discretion of the General Manager Parks;
 - (c) the owner shall design and landscape the public boulevard on the west side of Broadview Avenue immediately abutting the Lot in a manner consistent with landscaping approved for the Lot in the site plan approval process pursuant to Section 41 of the *Planning Act*; and
 - (d) the owner shall design and construct any improvements to the municipal infrastructure determined to be required in connection with the development contemplated in this By-law including, sanitary sewer, water, storm sewer and facilities as well as other external services.”

**SCHEDULE A
TO OFFICIAL PLAN AMENDMENT NO. 38**



Toronto Urban
Development Services

1042 - 1048 Broadview Avenue

Official Plan Amendment # 38 - Predominant Land Use Map 2

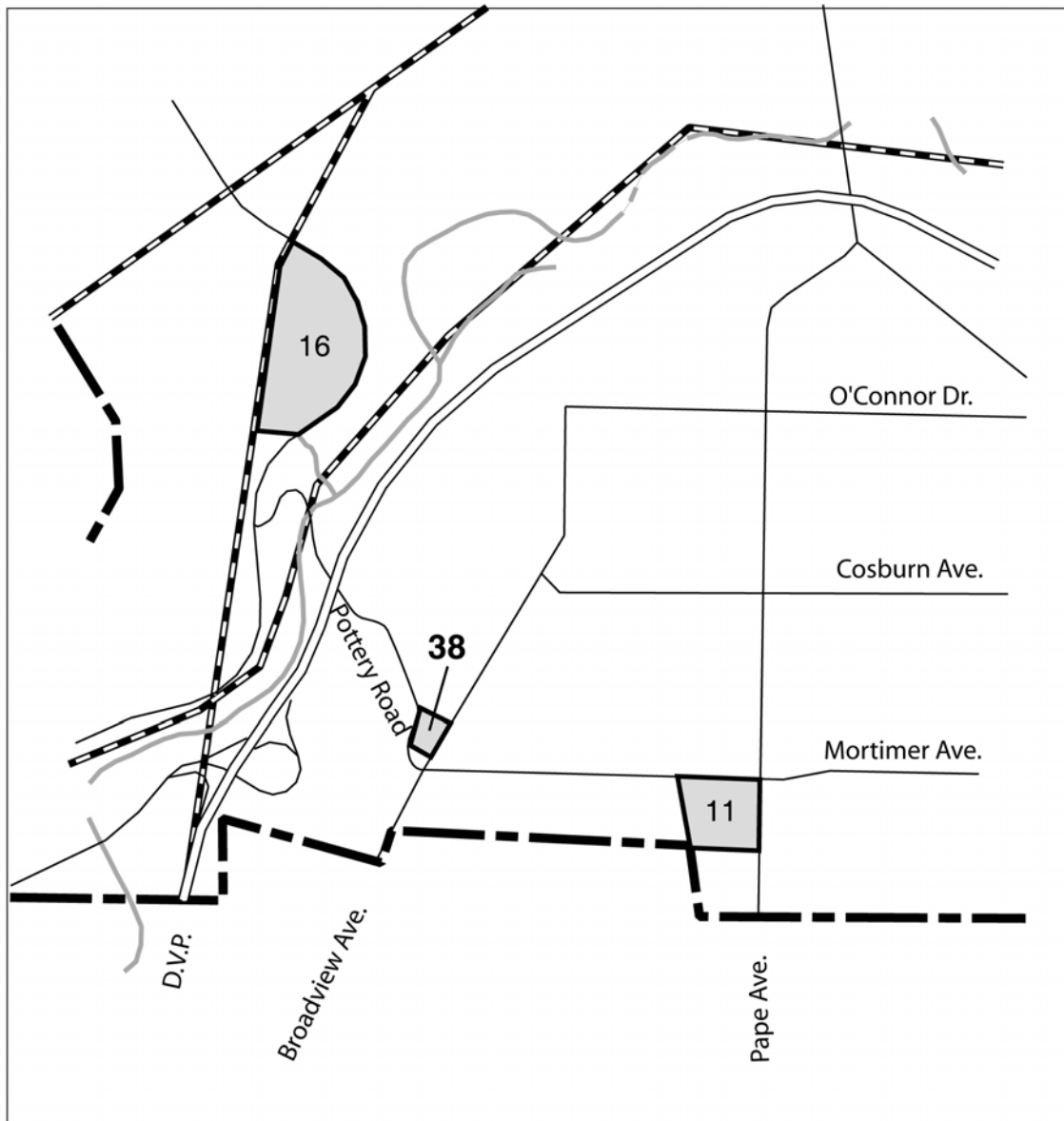
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Area Subject to Amendment	High Density Residential	Industrial Special Purpose Commercial
Low Density Residential	Main Streets Commercial / Residential	Open Space
Medium Density Residential	Major Institutional	



Not to Scale
12/01/05

**SCHEDULE B
TO OFFICIAL PLAN AMENDMENT NO. 38**



Toronto Urban
Development Services

1042 - 1048 Broadview Avenue

Official Plan Amendment # 38 - Special Policy Areas Map 7A

File # 04_133889



Not to Scale
12/01/05