

**97 Walmer Road and 88-100 Spadina Road – Official Plan Amendment, Zoning Amendment and Rental Housing Conversion Applications – Final Report**

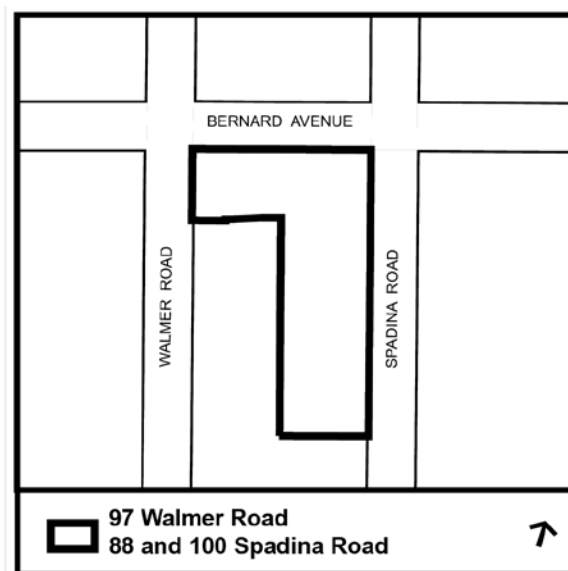
<b>Date:</b>	January 26, 2015
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	14 139583 STE 20 OZ and 14 160620 STE 20 RH

**SUMMARY**

The application to amend the Official Plan and Zoning By-law relates to the severance of the three-unit rental property located at 97 Walmer Road from a parcel which includes two rental apartment buildings located at 88 & 100 Spadina Road. The properties are currently under single legal ownership and regulated by Site Specific By-law 1091-2005. The owner proposes to sever and convey the 97 Walmer Road property while retaining the remainder of the lands (88 & 100 Spadina Road). The existing 22-storey rental apartment building at 100 Spadina Road and six-storey rental apartment building at 88 Spadina Road will be maintained. Ten three-storey stacked townhouse condominium units adjacent to the property and located at 99A-105B Walmer Road and 111A-111B Bernard Avenue are not affected by the proposed severance.

See Attachment 1 for the Plan of Survey showing the subject site and existing building footprints. See Attachment 2 for the proposed severance plan of 97 Walmer Road.

An Official Plan Amendment and a Section 111 permit under Municipal Code Chapter 667 are required in order to allow a severance of a rental property that consists



of six or more rental units that will result in a lot being created with less than six rental dwelling units. A Zoning By-law Amendment is required to amend Zoning By-law 438-86, as amended by Site Specific By-law 1091-2005, by reducing the total number of rental dwelling units required to be maintained on the lands.

This report reviews and recommends approval of the applications for an Official Plan Amendment, a Zoning By-law Amendment and a Section 111 permit, and recommends that City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a permit under Municipal Code Chapter 667 pursuant to Section 111 of the *City of Toronto Act*.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan, for the lands at 97 Walmer Road and 88-100 Spadina Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to the report (January 26, 2015) from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 438-86, as amended by Site Specific By-law 1091-2005, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the report (January 26, 2015) from the Director, Community Planning, Toronto and East York District.
3. City Council amend Zoning By-law 569-2013, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the report (January 26, 2015) from the Director, Community Planning, Toronto and East York District.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
5. City Council approve the application for a Section 111 permit in accordance with Municipal Code Chapter 667 to allow the conversion through severance of a rental housing property with more than six residential rental units into two lots, one of which will have fewer than six residential rental units, subject to the following conditions:
  - a) The maintenance of 215 existing residential rental units at 100 Spadina Road as rental housing for a minimum period of ten (10) years commencing from the date an Official Plan Amendment comes into full force and effect.

- b) The owner shall provide two of the units in condition 5 (a) above at affordable rents for a period of at least ten (10) years commencing from the date they are first occupied.
  - c) The provision by the owner of financial compensation to the one affected tenant in the rental building at 97 Walmer Road that will be separately conveyed, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
  - d) The owner applies for, and obtains a Consent from the Committee of Adjustment to permit the severance of the lands into two lots and the separate conveyance of the lot at 97 Walmer Road.
  - e) The owner enters into and registers on title for the portion of the property known as 100 Spadina Road, an agreement to secure the conditions 5 (a), (b) and (c) to the satisfaction of the City Solicitor.
6. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue the Preliminary Approval of the Section 111 permit to the application under Municipal Code Chapter Chapter 667 after the latest of the following has occurred:
- (a) the Official Plan and Zoning Bylaw Amendments have come into full force and effect;
  - (b) the owner obtains a Consent from the Committee of Adjustment to permit the severance of the lands into two lots and the separate conveyance of the lot at 97 Walmer Road; and
  - (c) the owner satisfies the condition in recommendation 5 (e).

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

On December 16, 2005, City Council approved a Zoning By-law Amendment for the lands municipally known in 2005 as 97 Walmer Road, 109 Bernard Avenue and 100 Spadina Road which contained existing rental housing buildings. Site Specific By-law 1091-2005 permitted construction of the six-storey rental apartment building at 88 Spadina Road and ten three-storey stacked townhouse condominium units at 99A-105B Walmer Road and 111A-111B Bernard Road. It also secured the provision and maintenance of the apartment units in the new building at 88 Spadina Road as rental housing for at least 20 years.

By-law 1091-2005 also secured the continued provision and maintenance of a combined 216 rental dwelling units within the apartment building at 100 Spadina Road and the semi-detached dwelling at 97 Walmer Road that existed at the time of passing the by-law. The by-law secures the rental dwelling units for a minimum period of at least 20 years from the date the building at 88 Spadina Road was first occupied as a rental building.

## **ISSUE BACKGROUND**

### **Proposal**

The owner of 97 Walmer Road and 88-100 Spadina Road wishes to sever 97 Walmer Road and sell the property. Prior to the consideration of a severance, applications for an Official Plan Amendment and a Section 111 permit under Chapter 667 of the Municipal Code have been submitted to allow the conversion of a rental housing property with six or more rental units through severance into two separate parcels, one of which will contain less than six rental units. A Zoning By-law Amendment has been submitted to reduce the number of rental dwelling units required to be maintained on the remainder of the lands. If the necessary approvals are received for a Zoning By-law Amendment, Official Plan Amendment and a Section 111 permit to allow for the severance of the rental property, which will result in a lot that falls below the Official Plan policy threshold of six rental units and the reduction of rental dwelling units on the remaining lands, the owner will seek a Consent to sever at the Committee of Adjustment, with the intent of selling 97 Walmer Road as a separate property. The remainder of the lands at 88 and 100 Spadina Road will be retained by the owner.

To compensate for the reduction of three rental dwelling units, the owner has agreed to secure affordable rents for two existing units within the rental apartment building at 100 Spadina Road which currently rent at mid-range rents. The affordable rents will be secured for a minimum of ten years from the date that they are first occupied.

### **Site and Surrounding Area**

The subject lands are located within the block bound by Spadina Road to the east, Bernard Avenue to the north and Walmer Road to the west. The lands have 124.94 metres of frontage along Spadina Road, 78.05 metres of frontage Bernard Avenue and 38.10 metres of frontage along Walmer Road. The semi-detached dwelling to be conveyed is located on the east side of Walmer Road, just south of Bernard Avenue.

The subject lands contain a total of three buildings, including: a 22-storey rental apartment building with 215 units; a six-storey rental apartment building with 91 units; and one half of a semi-detached dwelling with three rental units. This semi-detached dwelling is a converted house, which currently comprises three two-bedroom rental apartments. In addition, there are also ten three-storey stacked townhouses located adjacent to the Walmer Road property.

The subject lands are located in the Annex neighbourhood which consists primarily of residential dwelling units with a range of building types and ownerships.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS requires municipalities to provide for a range and mix of housing types, and to address affordable housing needs. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff have reviewed the proposal for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The City of Toronto Official Plan designates the subject lands as both *Apartment Neighbourhoods* and *Neighbourhoods*. See Attachment 4 for the Official Plan map.

The western portion of the site, with frontage on Walmer Road, is designated as *Neighbourhoods* on Map 17 of the City of Toronto Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys.

The eastern portion of the site, with frontage on Spadina Road, is designated as *Apartment Neighbourhoods* on Map 17 of the City of Toronto Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

The Official Plan also provides for a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, and the protection of existing rental housing. Specifically, Policy 3.2.1.8 provides that the conversion to condominium, or the severance or subdivision, of any building or related group of buildings, containing six or more rental dwelling units will not be approved unless:

- (a) all of the rental dwelling units have rents that exceed mid-range rents at the time of application, or

- (b) in Council's opinion, the supply and availability of rental housing in the City has returned to a healthy state and is able to meet the housing requirements of current and future residents.

## **Zoning**

### **Former City of Toronto Zoning By-law 438-86**

The subject lands are located in the former municipality of Toronto and are subject to Zoning By-law 438-86. The eastern portion of the subject lands with frontage on Spadina Road is zoned Residential, R2 Z2.0, with a height limit of 14.0 metres. The permitted density is two times the area of the lot. The western portion of the subject lands with frontage on Walmer Road is zoned Residential, R2 Z1.0, with a height limit of 12.0 metres. The permitted density is one times the area of the lot. The R2 zoning permits a variety of residential uses and some non-residential uses such as places of worship and public schools.

### **Site Specific By-law 1091-2005**

Site Specific By-law 1091-2005, being a by-law to amend Zoning By-law 438-86, further regulates the building footprint, height, spacing and other matters related to buildings within the subject lands. Additionally, By-law 1091-2005 secures the provision and maintenance of the rental dwelling units within the apartment building at 100 Spadina Road and the semi-detached dwelling at 97 Walmer Road existing at the time of the by-law, as well as the provision of all the dwelling units in the new apartment building at 88 Spadina Road as rental housing units, for a minimum period of at least 20 years from the date the building at 88 Spadina Road was first occupied.

### **City of Toronto By-law 569-2013**

On May 9, 2013, City Council enacted a new city-wide Zoning By-law for the City of Toronto. Zoning By-law 569-2013 has been appealed in its entirety and is now before the Ontario Municipal Board. No hearing dates have been set. While the By-law is under appeal, the provisions of both the former zoning by-laws and the new zoning by-law are in effect for sites that are subject to Zoning By-law 569-2013.

The eastern portion of the subject lands with frontage on Spadina Road is zoned R(d2.0)(x901) with a height limit of 14.0 metres. The permitted density is two times the area of the lot. The western portion of the subject lands with frontage on Walmer Road is zoned R(d1.0)(x900) with a height limit of 12.0 metres. The permitted density is one times the area of the lot. The R zoning permits a variety of residential uses and some non-residential uses such as places of worship and public schools. Exceptions 900 and 901 carry over By-law 1091-2005 into By-law 569-2013 as a prevailing by-law.

See Attachment 3 for the Zoning By-law map.

## **Site Plan Control**

Site Plan approval is not applicable in this case as no development is proposed.

## **Section 111 of the City of Toronto Act, 2006**

The subject property at 97 Walmer Road and 88 & 100 Spadina Road contains more than six residential rental dwelling units. The proposed severance of a house for separate conveyance as a freehold property will result in the three-unit rental housing building being no longer protected under the City's regulatory framework. As such, the application is considered to result in the conversion of the existing rental units to non-rental housing purposes. Accordingly, an application to convert rental housing has been submitted to the City pursuant to Section 111 of the *City of Toronto Act, 2006* (Chapter 667 of the Municipal Code).

The By-law makes it an offence to convert a residential rental unit in a group of related buildings where there are six or more residential rental dwelling units to non-rental housing purposes, unless approval has been granted for a Section 111 permit for the conversion. Conversion to non-rental housing purposes in such cases is deemed to occur as a result of a consent to sever land, unless each resulting parcel with residential uses will continue to contain at least six rental dwelling units. The Provincial and City planning frameworks do not protect existing rental housing on properties with fewer than six rental units.

Any related planning approvals in such matters, such as an Official Plan Amendment and a Consent application, should be considered in the context of the need for approval of a Section 111 permit. City Council may impose conditions on the approval of a Section 111 permit, which, in the case of a conversion or severance, typically involve assistance to any tenants affected by the proposed conversion or sale. City Council's decisions on the refusal or approval of a Section 111 permit are not subject to appeal to the Ontario Municipal Board.

Staff have consolidated its reports to Council for the Section 111 application, Official Plan Amendment and Zoning By-law Amendment to ensure that Council's decisions on all applications are co-ordinated. Staff will report to the Committee of Adjustment when a Consent application is submitted.

## **Reasons for the Applications**

An Official Plan Amendment is required because the proposed severance will create a lot comprising fewer than six rental units, the minimum policy threshold for protection of rental housing.

There are currently a combined 218 existing rental dwelling units in the two older rental buildings at 97 Walmer Road and 100 Spadina Road. In addition there are 91 rental dwelling units in the newer apartment building at 88 Spadina Road, for a total of 309 rental units.

The owner intends to sever the property at 97 Walmer Road from the remaining rental buildings on the lands. A future owner could continue to rent the property as rental housing or convert the building to one owner-occupied suite. Once severed, however, the building at 97 Walmer Road will no longer fall under the City's Official Plan framework

protecting rental housing nor will tenants be protected in the same manner under the provincial Residential Tenancies Act.

A Zoning By-law Amendment is required because Site Specific By-law 1091-2005 secured a combined total of 216 rental dwelling units between the buildings at 100 Spadina Road and 97 Walmer Road. The maintenance of 216 rental dwelling units on the site was provided as a community benefit and secured through the Zoning Bylaw and a Section 37 agreement. The severance of the three-unit building at 97 Walmer Road will result in three fewer rental units on the property, requiring that the rental housing unit requirements for the remainder of the lands be adjusted accordingly.

An application for a Section 111 permit under Chapter 667 of the Municipal Code is required to permit the conversion through severance of a building with three rental units.

### **Community Consultation**

A community consultation meeting was held on November 25, 2014. In attendance were a representative from the Councillor's office, Community Planning staff, Community Housing staff, the applicant and 5 members of the public. No concerns were expressed at the meeting. None of the tenants of the properties attended the meeting.

Staff had a phone meeting with the affected tenant from 97 Walmer Road to provide the tenant with information on their rights and receive feedback on the application. The tenant, who has lived in the building for almost 20 years, was concerned with finding a comparable rental unit at a similar rent in the area. Other than ensuring they received appropriate tenant assistance provisions, they did not raise any other concerns with the application.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The recommendations for approval with conditions provide for retention of the remaining rental housing buildings on the site and the provision of affordable rents for two of the existing rental housing units, and the provision of compensation for the affected tenant. The provisions appropriately address the need for rental and affordable housing.

The proposal is consistent with the PPS.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.



## **Rental Housing**

The property at 97 Walmer Road contains a total of three rental units, all of which are two-bedroom units. The units are generously sized, averaging approximately 120 square metres. One of the units is rented at mid-range rent, defined in the Official Plan as up to one and a half times average market rent, and the remaining two units have high-end rents. The two units with high-end rents are currently vacant.

The property at 97 Walmer Road has been part of the related group of rental buildings for a number of years. By-law 1091-2005 secured the maintenance of the existing building at 100 Spadina Road as well as the house at 97 Walmer Road for rental housing purposes for a period of 20 years.

The loss of the three rental units at 97 Walmer Road is partially mitigated through securing two existing two-bedroom units at 100 Spadina Road with affordable rents. The two-bedroom units are just under 70 square metres and have one washroom, a balcony, and access to common amenity space in the building. The units have mid-range rents and currently rent for approximately \$1,700, plus hydro. The maximum affordable rent the owner could charge for the unit, if occupied in 2015, is \$1,264, inclusive of all utilities. The owner has agreed to rent the affordable units to eligible renters currently on the centralized waiting list. Additionally, through an agreement between the owner and the City, rent supplements will be provided for these units, ensuring they are truly affordable to those needing affordable housing. The affordable rents will be secured for a period of 10 years from the date of first occupancy. After the 10 year period, should a sitting tenant continue to reside in the unit, their rent will continue to be maintained until they move from their unit.

The existing rental building at 100 Spadina Road will continue to be maintained as rental housing for the 20 year period, of which 10 years are remaining. As a result of the loss of the three units at 97 Walmer Road, the total number of units to be secured and maintained will be reduced from 216 to 215 units, plus the 91 units at 88 Spadina Road.

## **Tenant Assistance**

The owner of the property has agreed to provide the affected tenant with the following:

- At least 4 months notice prior to having to move;
- Provision of a moving allowance equal to \$1,500; and
- The offer of an alternative 2-bedroom unit, to the tenant's satisfaction, located at 100 Spadina Road at the same rent they are currently paying, or compensation equal to 8 months rent.

These measures will help to mitigate the hardship faced by the tenant with having to move from their current home and find comparable accommodation at a similar rent. The tenant assistance provisions will be secured in an agreement with owner.

## **Conclusion**

Staff can support the applications for Official Plan and Zoning Bylaw amendments and a Section 111 permit for the proposal given the unique circumstances of the property and the measures the applicant has proposed, including tenant assistance provisions, to mitigate the loss of the three rental units.

## **Co-ordination with Consent Application**

If City Council approves the Official Plan and Zoning Bylaw amendments and the Section 111 permit, Planning staff will advise the Committee of Adjustment of Council's decision on both applications, and that the owner's request for a Consent would not be contrary to the Official Plan if the conditions are secured in an agreement registered on title.

Staff will also recommend that the agreement be entered into pursuant to section 53 of *The Planning Act*, and that the Committee consider making approval of the Consent conditional on this agreement being registered, as well as conditional on the owner obtaining the Section 111 permit.

## **CONTACT**

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## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Plan of Survey  
Attachment 2: Proposed Severance Plan  
Attachment 3: Zoning  
Attachment 4: Official Plan

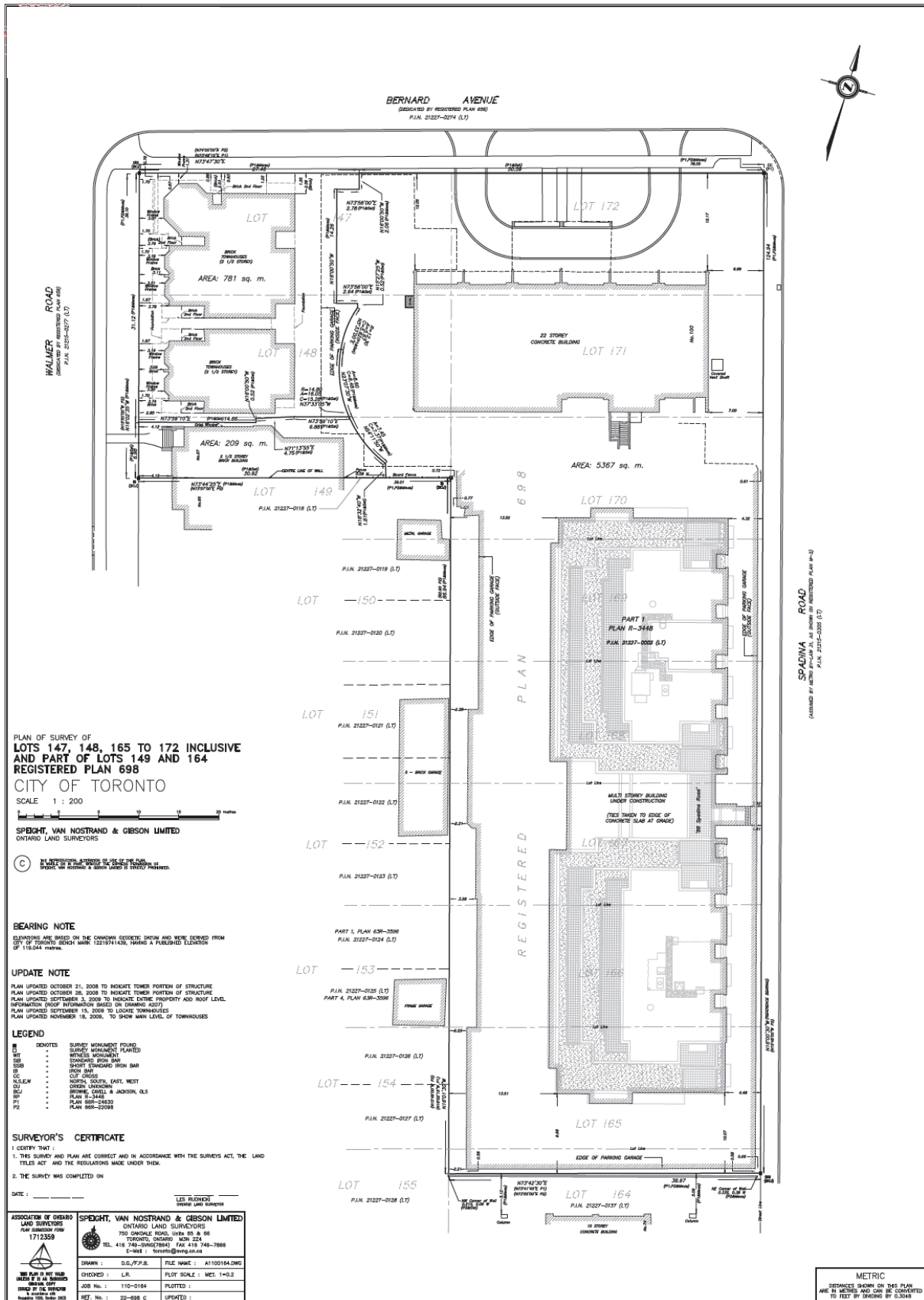
Attachment 5: Draft Official Plan Amendment

Attachment 6: Draft Zoning By-law Amendment (By-law 438-86, as amended by By-law 1091-2005)

Attachment 7: Draft Zoning By-law Amendment (By-law 569-2013)

Attachment 8: Application Data Sheet

# Attachment 1: Plan of Survey



# Attachment 2: Proposed Severance Plan

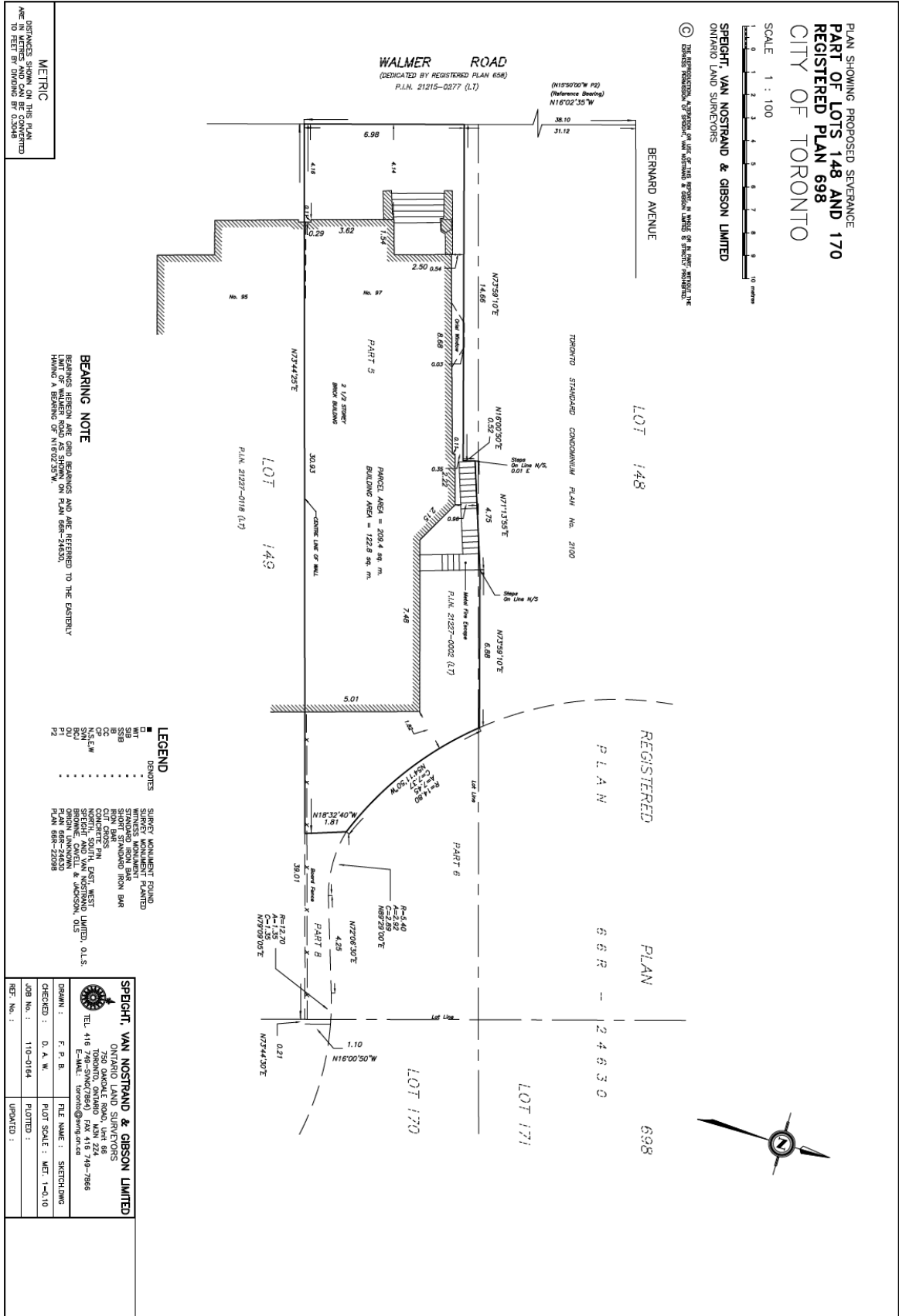
PLAN SHOWING PROPOSED SEVERANCE  
**PART OF LOTS 148 AND 170**  
**REGISTERED PLAN 698**  
 CITY OF TORONTO

SCALE 1 : 100



**SPEIGHT, VAN NOSTRAND & GIBSON LIMITED**  
 ONTARIO LAND SURVEYORS

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 REGARDING THE PROPOSED SEVERANCE PLAN



METRIC  
 DISTANCES SHOWN ON THIS PLAN  
 ARE TO FEET BY DIVIDING BY 0.3048

**BEARING NOTE**  
 LIMIT OF WALTER ROAD AS SHOWN ON PLAN 668-24450, HAVING A BEARING OF N16°02'35"W.

- LEGEND**
- DENOTES SURVEY MONUMENT PLANTED
  - WITNESS MONUMENT PLANTED
  - STANBARD MONUMENT
  - REIN BAR
  - REIN BAR CHAIN MON BAR
  - CONCRETE PIN
  - NORTH, SOUTH, EAST, WEST
  - BROWNE, CAVELL, & JACKSON, O.L.S.
  - PLAN 668-24450
  - PLAN 668-22098

<p><b>SPEIGHT, VAN NOSTRAND &amp; GIBSON LIMITED</b>                  ONTARIO LAND SURVEYORS                  750 DUNDAS STREET WEST                  TORONTO, ONTARIO M5G 1C5                  TEL: 416 748-5100 (7/24) FAX: 416 748-7866                  E-MAIL: Toronto@svng.on.ca</p>			
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# Attachment 3: Zoning




**Zoning By-law 569-2013**

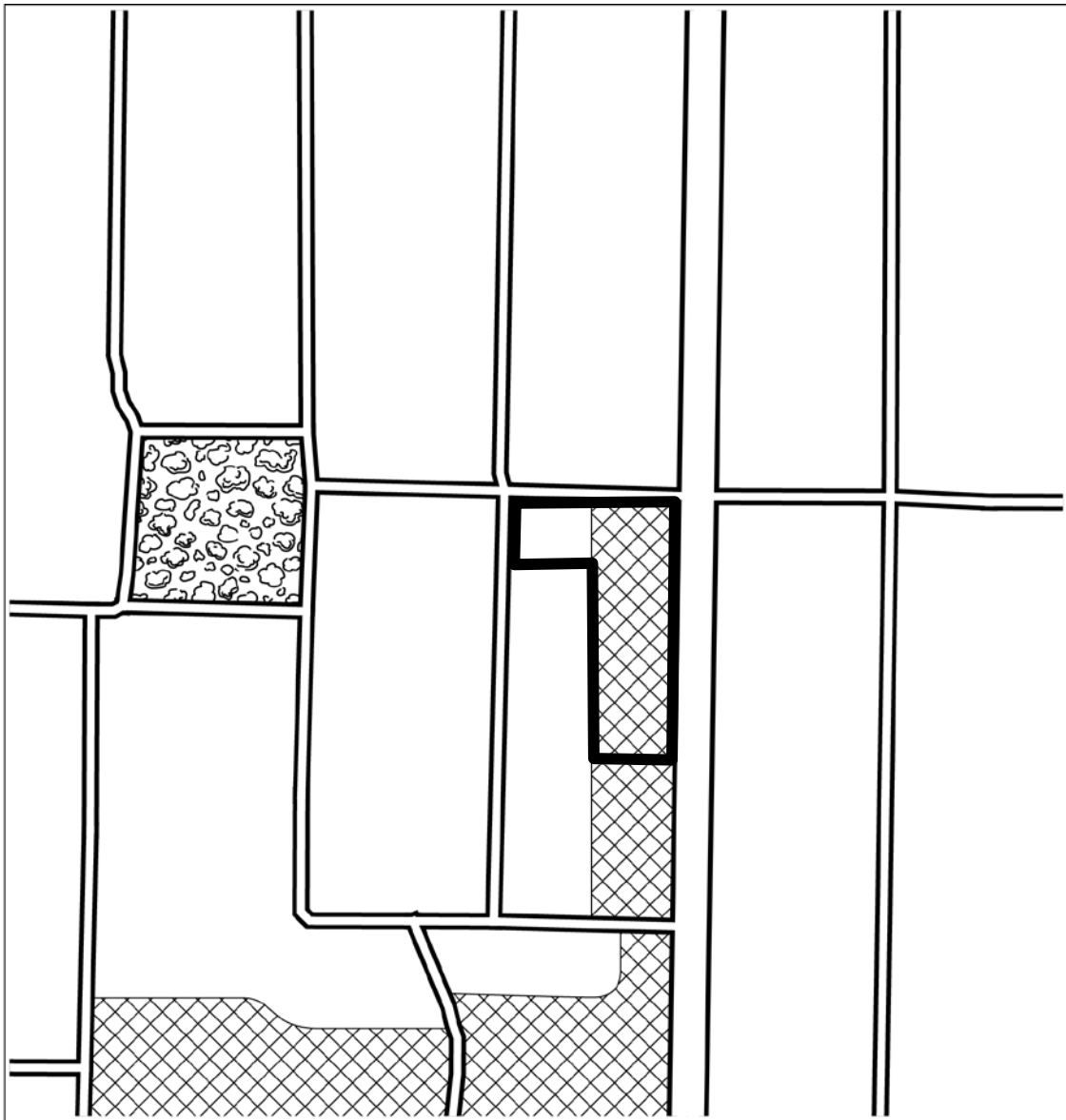
**97 Walmer Road  
88 and 100 Spadina Road**  
File # 14 139583 STE 20 OZ

-  Location of Application
- R Residential
- OR Open Space Recreation

-  See Former City of Toronto Bylaw No. 438-86
- R2 Residential District

  
 Not to Scale  
 Extracted: 07/09/2014

## Attachment 4: Official Plan



97 Walmer Road  
88 and 100 Spadina Road

File # 14 139583\_STE 20 0Z

### Official Plan



Not to Scale  
07/082014

## **Attachment 5: Draft Official Plan Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To adopt an amendment to the Official Plan  
for the City of Toronto  
respecting the lands known municipally in the year 2015, as  
97 Walmer Road and 88-100 Spadina Road**

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

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 attached Amendment No. 251 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



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**AMENDMENT NO. 251 TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2015 AS**  
**97 WALMER ROAD AND 88-100 SPADINA ROAD**

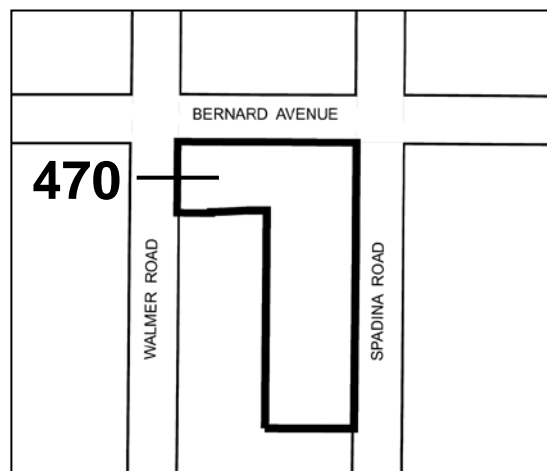
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The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 470 for the lands known municipally in 2015 as 97 Walmer Road and 88-100 Spadina Road, as follows:

"470. 97 Walmer Road and 88-100 Spadina Road

1. Notwithstanding section 3.2.1.8 of the Official Plan, 97 Walmer Road may be conveyed separately by way of a consent application provided that at least 215 rental units are maintained at 100 Spadina Road, of which at least two units will have affordable rents, for a period of at least ten years.
2. Chapter 7, Map 29, Site and Area Specific Policies, are amended to add the lands municipally known in 2015 as 97 Walmer Road and 88-100 Spadina Road shown on the map below as Site and Area Specific Policy No. 470.



**Attachment 6: Draft Zoning By-law Amendment  
(By-law 438-86, as amended by By-law 1091-2005)**

Authority: Toronto and East York Community Council Item ~ as adopted by City of  
Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend ~ Zoning By-law No.438-86, as amended by By-law 1091-2005,  
With respect to the lands municipally known 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 with  
respect to lands known as 109 Bernard Avenue, 100 Spadina Road and 97 Walmer  
Road”;

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

1. Section 1(10)(i) of site specific By-law 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 for a minimum period of at least 20 years  
from the date *Building "A"* is first occupied as a rental building, with no  
application to convert *Building "B"* to condominium or to demolish that  
building or the rental dwelling units therein during the time period.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

## Attachment 7: Draft Zoning By-law Amendment (By-law 569-2013)

Authority: Toronto and East York Community Council ##, as adopted by City of Toronto Council on ~, 20~

### CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2014]

**To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2015 as, 97 Walmer Road and 88-100 Spadina Road**

Whereas Council of the City of Toronto has the authority to pursuant to 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

The Council of the City of Toronto enacts:

1. Zoning By-law No. 569-2013, as amended, is further amended by amending Site Specific Exception 900.2.10 (900)(K) and (L) under the heading 'Prevailing By-laws and Prevailing Sections, to add the phrase, 'as amended,' immediately after the words 'by-law 1091-05' so that they read:
  - (K) On 97 Walmer Rd., City of Toronto by-law 1091-05, as amended; and
  - (L) On 99 Walmer Rd., former City of Toronto by-law 622-91 and City of Toronto by-law 1091-05, as amended.
  
2. Zoning By-law No. 569-2013, as amended, is further amended by amending Site Specific Exception 900.2.10 (901)(B) under the heading 'Prevailing By-laws and Prevailing Sections, to add the phrase, 'as amended,' immediately after the words 'by-law 1091-05' so that it reads:
  - (B) former City of Toronto By-law 622-91 and City of Toronto by-law 1091-05, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

