

Authority: North York Community Council Item NY4.1,
adopted as amended, by City of Toronto Council on March
27 and 28, 2019

CITY OF TORONTO

Bill 977

BY-LAW -2019

To amend former City of North York Zoning By-law 7625, as amended, with respect to lands municipally known as 15, 19 and 21 Holmes Avenue.

Whereas the Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass 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 Planning Act; and

Whereas pursuant to Section 39 of the Planning Act, the Council of Municipality may, in a By-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings, or structure for any purpose set out therein that is otherwise prohibited by the By-law;

The Council of the City of Toronto enacts:

1. Schedule "B" and "C" of By-law 7625 of the former City of North York is amended in accordance with Schedule "A" and "B" of this By-law; and
2. Within the lands shown in heavy outline on Schedule "1" RM1(114) attached to this By-law (the "Lands"), no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
3. Section 64.16-1 of By-law 7625, is amended by adding the following section:

"64.16-1 (XXX) RM1(114)

DEFINITIONS

ESTABLISHED GRADE

- (A) For the purpose of this exception, "established grade" shall mean the geodetic elevation of 191.13 metres.

GROSS FLOOR AREA

- (B) For the purpose of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
- (i) Any part of the building used for mechanical floor area;
 - (ii) Any space in a parking garage below grade for vehicle and bicycle parking and access thereto including loading areas, drive aisles and ramps; and
 - (iii) The floor area of unenclosed residential balconies.

INDOOR RECREATIONAL AMENITY AREA

- (C) For the purpose of this exception, "indoor recreational amenity area" shall mean an area set aside for social and/or recreational purposes such as exercise rooms, children's play area, lounges, meeting or party rooms, dog care facilities, and other similar uses, which is common to all residents in the building.

MECHANICAL FLOOR AREA

- (D) For the purpose of this exception, "mechanical floor area" shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, including but not limited to heating, ventilation, air conditioning, electrical, plumbing, fire protection, telephone, telecommunication, cable and elevator equipment, garbage chutes and compactors, stormwater management and irrigation facilities.

LANDSCAPING

- (E) For the purpose of this exception, "landscaping" shall mean trees, shrubs, grass, flowers and other vegetation, decorative stonework, walkways, patios, screening or other horticultural or landscape architectural elements, or any combination of these, but not driveways or parking areas and directly associated elements such as curbs or retaining walls.

LOADING SPACE

- (F) A loading space Type "G" means a loading space that is a minimum of 4.0 metres wide, 13.0 metres long and has a minimum vertical clearance of 6.1 metres.

OUTDOOR RECREATIONAL AMENITY AREA

- (G) For the purpose of this exception, "outdoor recreational amenity area" shall mean an area(s) set aside for social and/or recreational purposes such as playgrounds, outdoor swimming pools and seating areas, which are common to all residents of the building.

COMMON OUTDOOR SPACE

- (H) For the purpose of this exception, "common outdoor space" shall mean unenclosed, exterior, publicly accessible areas of the site that are adjacent to the building, adjoining a public lane and public park and consist of hard or soft landscaping. "Common outdoor space" may include pedestrian facilities, appropriate lighting and public art.

PERMITTED USES

- (I) the only permitted uses on the lands are:

RESIDENTIAL

- i. apartment house dwellings and accessory uses thereto including private recreational amenity areas.

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

- (J) The maximum residential gross floor area permitted on the site shall not exceed 24,845 square metres.

NUMBER OF DWELLING UNITS

- (K) The maximum number of dwelling units shall be 358.

BUILDING ENVELOPE

- (L) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule "1" RM1(114) except for the projections permitted by Section 6(9) (Permitted Projections Into Minimum Yard Setbacks) as well as the following structures, which shall be permitted to project into the building setbacks:
- (i) terraces, canopies, lights, and other architectural features may project up to a maximum of 2.1 metres;
 - (ii) notwithstanding (i) above, terraces, architectural features and structural elements located on the third floor may project up to a maximum of 2.5 metres; and
 - (iii) exterior stairways and stair enclosures may project up to a maximum of 3.4 metres.

BUILDING HEIGHT

- (M) The building height, measured from established grade, shall not exceed the maximum height of 104 metres also shown on Schedule "1" RM1(114) excluding mechanical penthouses to a maximum height of 5.75 metres, parapets and other architectural features, mechanical equipment and other elements necessary for the functional operation of the building and stairwells to access the roof.

NUMBER OF STOREYS

- (N) The number of storeys shall not exceed the maximum shown on Schedule "1" RM1(114) excluding mechanical penthouses, parapets and other architectural features, mechanical equipment and other elements necessary for the functional operation of the building, and stairwells to access the roof.

MOTOR VEHICLE PARKING

- (O) Motor vehicle parking spaces shall be provided within the site in accordance with the following requirements:
- (i) a minimum of 105 resident parking spaces; and
 - (ii) a minimum of 17 visitor parking spaces.

BICYCLE PARKING

- (P) For the purpose of this exception, "bicycle room" shall mean an indoor space that is designed and equipped for the purpose of parking and securing bicycles.

For the purpose of this exception, "bicycle parking space" shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles and:

- (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres in width by 1.8 metres in length;
- (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres in width by 1.2 metres in length; and
- (iii) where bicycles are to be parked in a bicycle rack or in a stacked manner, bicycles may be parked in a secured room or area, in bicycle lockers or on a rack/hook on a wall associated with a vehicle parking space on any parking level so long as such rack/hook does not encroach into a vehicle parking space and in all such cases the dimensions in (i) and (ii) shall not apply.

Bicycle parking spaces shall be within the site in accordance with the following requirements:

- (i) 321 resident bicycle parking spaces; and
- (ii) 37 visitor bicycle parking spaces.

BY-LAW 28177

(Q) By-law 28177 not be applied to this site

LOADING SPACE

(R) A minimum of one (1) Type 'G' loading space shall be provided for the building.

INDOOR RECREATIONAL AMENITY AREA

(S) A minimum of 1.5 square metres per dwelling unit of indoor recreational amenity area shall be provided on the site.

OUTDOOR RECREATIONAL AMENITY AREA

(T) A minimum of 1.5 square metres per dwelling unit of outdoor recreational amenity area shall be provided on the site at or above grade, in addition to the Common Outdoor Space (mid-block connection) provided at grade.

COMMON OUTDOOR SPACE (Mid-block connection)

(U) For the purpose of this exception, "common outdoor space" shall mean unenclosed, exterior, publicly accessible areas of the net site that are adjacent to the building, consist of hard or soft landscaping, and a mid-block connection from the public laneway to public park. The Common Outdoor Space will have a minimum area of 363.6 square metres and shall be provided as shown on Schedule "1" RM1 (114).

YARD SETBACKS

(V) The minimum yard setbacks shall be as shown on Schedule "1" RM1(114).

PROVISIONS NOT APPLICABLE

(W) The provisions of Sections 6A(2), 6A(16)(d)(iv), 15.8, and 16.2.2 16.2.4, 16.2.5 16.2.6 and 16.3.2 do not apply.

SECTION 37 COMMUNITY BENEFITS

(X) Pursuant to Section 37 of the Planning Act, the density of development permitted in this By-law is permitted subject to compliance with all of the conditions set out in this By-law including the provision by the owner of the facilities, services or matters referred to herein at the owner's sole expense. In this regard, the owner of

the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act to secure the facilities, services and matters referred to herein, which agreement(s) may be registered against title to the lands. In the event such agreement(s) require the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements:

- i) Bicycle room(s) containing a minimum of 208 bicycle parking spaces at the mezzanine level accessible from the outside and having a minimum area of 199 square metres.
- ii) a minimum of 1.5 square metres per dwelling unit of indoor recreational amenity space.
- iii) the owner shall provide a monetary contribution by way of certified cheque in a form that is satisfactory to the City Solicitor to fund up to 5,430 square metres of proposed gross floor area to be used by the City in its sole discretion toward the provision of public recreation centres and social facilities and/or toward the cost of constructing and furnishing such facilities. Such contribution shall be indexed upwardly to the Toronto Real Estate Board Market Watch Index from the date of execution of the Section 37 Agreement.

The following are also to be secured but are not eligible for additional Gross Floor Area incentives:

- iv) City acquiring lands necessary for the completion of planned service roads and associated road network and buffer areas in the North York Centre including any improvements thereto for the purposes of pedestrian enhancing to the design and construction by the owner to the satisfaction of the General Manager, Transportation Services. The development charge credit shall be in an amount that is in accordance with the City's Development Charges by-law, as may be amended from time to time.
- v) A common outdoor space (mid-block connection) to be located adjacent to the building connecting the public park to the public lane.
- vi) Transportation demand measures including the provision of a real time transit display, electric car charging stations and the provision of two car share spaces.
- vii) The owner shall provide tenant relocation assistance to all eligible tenants to the satisfaction of the Chief Planner and Executive Director, City Planning.
- viii) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as

adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee.

ADDITIONAL GROSS FLOOR AREA (INCENTIVE GFA)

- (Y) Notwithstanding the maximum gross floor area of 18,679 square metres which is the base density in the secondary plan, additional gross floor area up to a maximum of 6,166 square metres (33 percent additional GFA) shall be permitted on the net site. However, the total gross floor area of all buildings permitted on the lands shall not exceed 24,845 square metres. In addition, the allocation of additional gross floor area is limited as follows:
- i) a maximum of 1.5 square metres per dwelling unit of indoor recreational amenity area.
 - ii) a maximum of 199 square metres for the provision of above grade bicycle room containing a total of 208 bicycles, to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - iii) a density incentive of a maximum of 5,430 square metres for a monetary contribution by way of certified cheque in a form that is satisfactory to the City Solicitor to be used by the City in its sole discretion toward the provision of public recreation centres and social facilities and/or toward the cost of constructing and furnishing such facilities.

SEVERANCE

- (Z) Notwithstanding any past or future severance, partition or division of the net site shown on Schedule "1" RM1 (114), the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred."
3. Section 64.37 of By-law 7625 of the former City of North York is amended by adding Schedule "1" (RM1(114) attached to this By-law.

Where any provision or Schedule of By-law 7625 of the former City of North York, as amended, conflicts with this By-law, this By-law shall prevail.

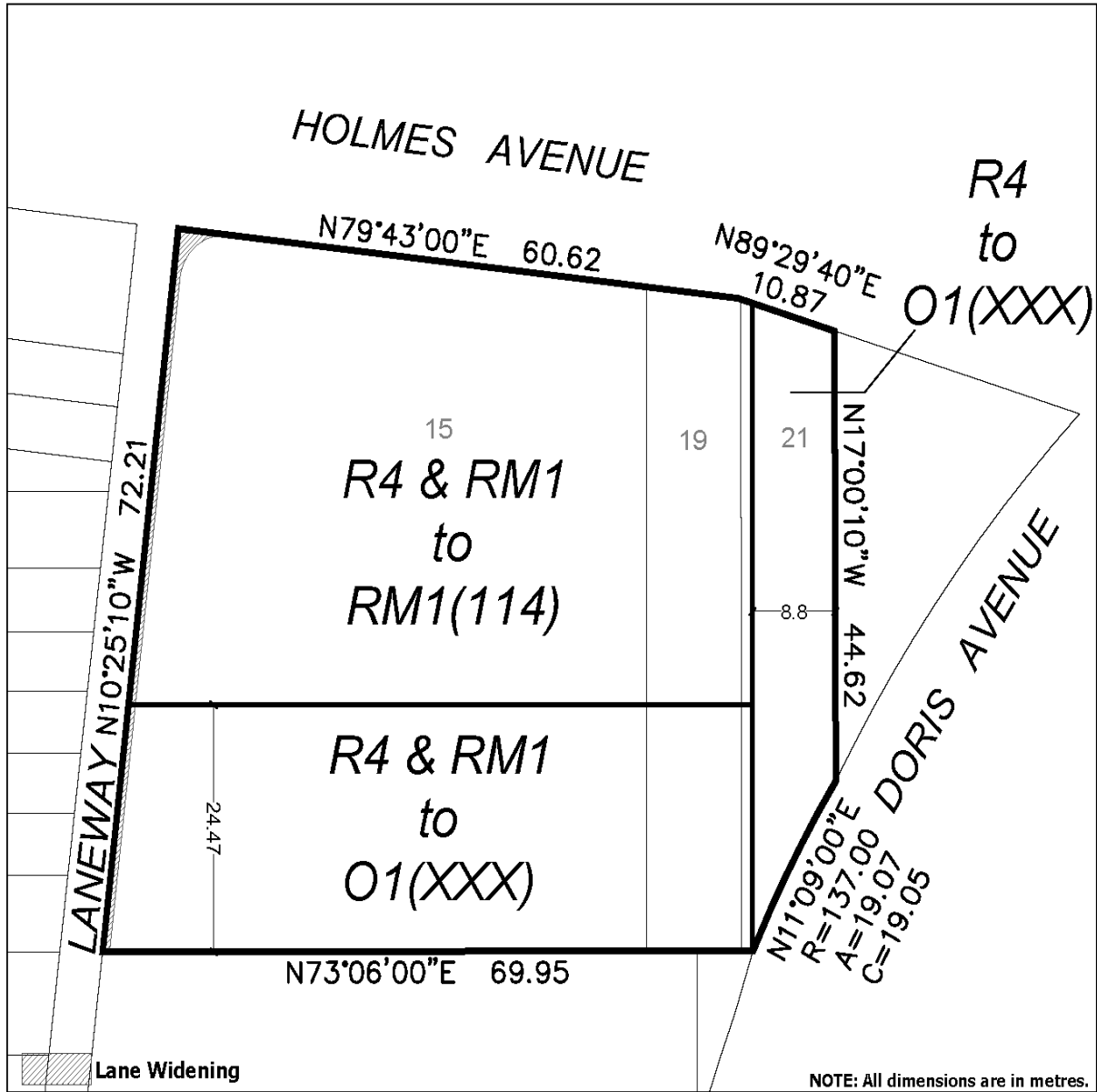
Enacted and passed on June , 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule "A"



15-21 Holmes Avenue, Toronto

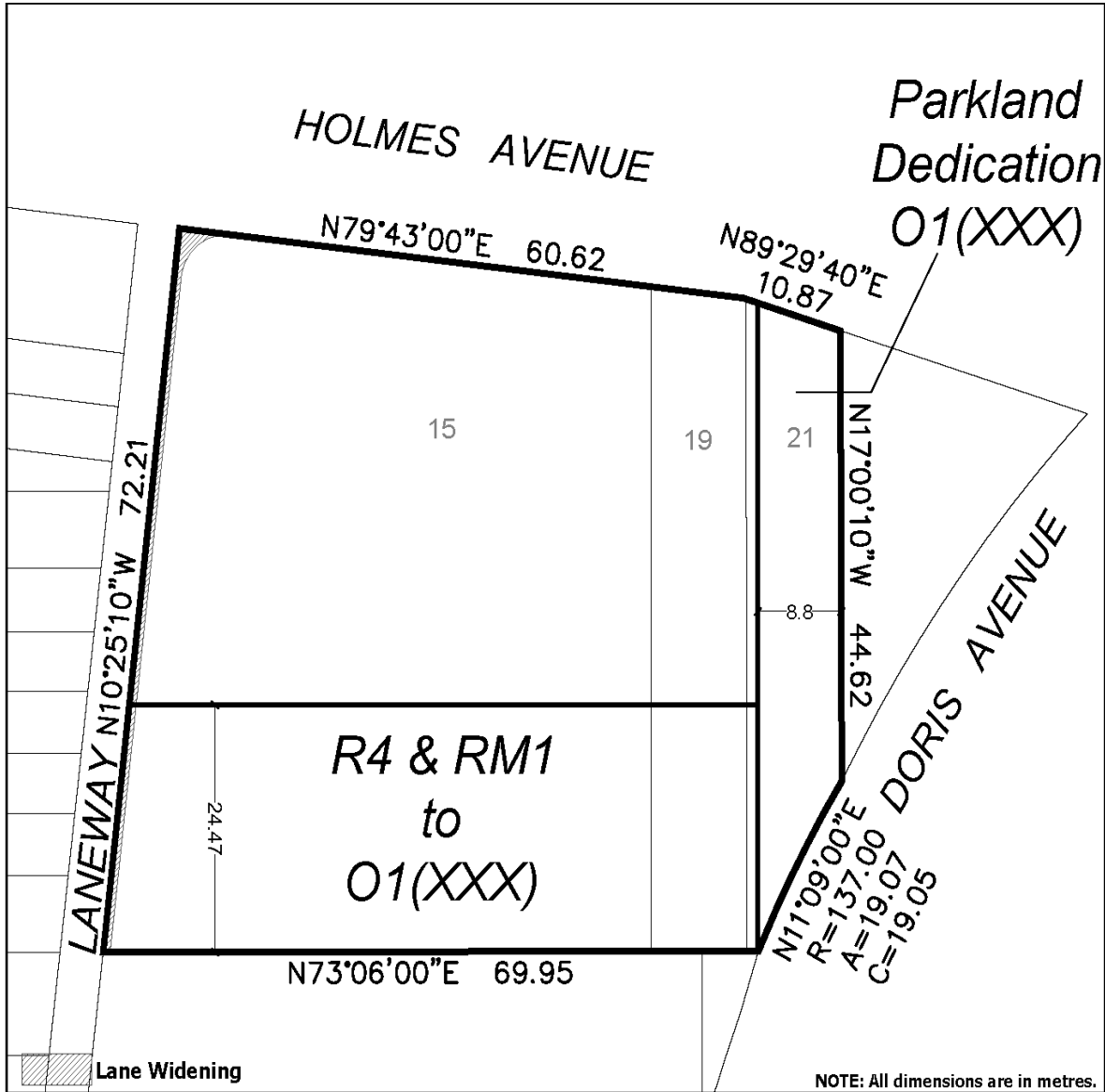
File #18 147351 NNY 23 0Z

Part of Lots 58 & 59, South of Holmes Avenue, City of Toronto
J.D. Barnes Limited
Date: 03/16/2018
Approved by:



Not to Scale

Schedule "B"



15-21 Holmes Avenue, Toronto

File #18 147351 NNY 23 OZ

Part of Lots 58 & 59, South of Holmes Avenue, City of Toronto

J.D. Barnes Limited

Date: 03/16/2018

Approved by:



Not to Scale

Schedule "1" RM1 (114)

