

Authority: North York Community Council Item NY33.5,
as adopted by City of Toronto Council on July 19 and 20,
2022

CITY OF TORONTO

Bill 959

BY-LAW - 2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 515 to 525 Chaplin Crescent.

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

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions;

3. Zoning By-law. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zone label to these lands: R (d2.0) (x122) as shown on Diagram 2 attached to this By-law;
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Article 995.20.1, and applying the following height label to the these lands: HT 34.0, as shown on Diagram 5;
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1, the Lot Coverage Overlay Map in Article 995.30.1, and the Rooming House Overlay Map in Article 995.40.1 and applying no label.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 122 so that it reads:

(122) Exception R 122

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 515 to 525 Chaplin Crescent as shown on Diagram 1 of By-law [Clerks to insert by-law number], if the requirements of Section 10 and Schedule A of By-law -2022 [Clerks to insert by-law number] are complied with, a **building** or structure may be constructed, used or enlarged in compliance with Regulations (B) to (V) below;
- (B) For the purpose of this exception, the **lot** comprises the lands outlined by heavy lines on Diagram 1, of By-law [Clerks to insert by-law number];
- (C) Despite Regulation 10.10.40.1(2), a maximum of three **residential buildings** are permitted on the lot;
- (D) Despite regulation 10.10.40.1(3), the permitted maximum number of **dwelling units** on the lot is 278, which must be provided as follows:
 - (i) 7 percent as Studio Units;
 - (ii) 56 percent as One Bedroom Units;
 - (iii) 34 percent as Two Bedroom Units;
 - (iv) 3 percent as Three Bedroom or greater Units.

- (E) Despite Regulations 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 171.3 metres and the elevation of the highest point of the building or structure;
- (F) Despite Regulations 10.10.40.10(1)(2) and (3), the permitted maximum height and number of **storeys** of a **building** or **structure** are the numbers in metres following the HT symbol and the number of storeys following the ST symbol as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (G) Despite Regulations 10.5.40.10(3) and (4), and (F) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
- (i) wind screens, parapets, awnings, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, eaves, screens, stairs, window washing equipment and storage, roof drainage, window sills, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, and elements of a **green roof**, may project above the height limits to a maximum of 3.0 metres; and
 - (ii) elevator overruns, mechanical penthouses, mechanical equipment and any associated enclosure **structures**, may project above the height limits to a maximum of 6.0 metres;
- (H) Despite Regulation 10.5.40.10(4)(A), the total area of the mechanical penthouse, equipment, **structures** or parts of a **building** that exceed the permitted maximum height as shown on Diagram 3 of By-law -2022 [Clerks to insert By-law number], may cover no more than 65 percent of the area of the roof, measured horizontally;
- (I) Regulation 10.10.40.30(1)(B), with regards to the permitted maximum **building depth** for an **apartment building** does not apply;
- (J) Despite Regulation 10.10.40.40(1)(A), the permitted maximum **gross floor area** is 25,000 square metres;
- (K) Despite Regulation 10.10.40.50(1), **amenity space** must be provided on the **lot** in accordance with the following:
- (i) A minimum of 250 square metres of indoor **amenity space**; and
 - (ii) A minimum of 1,440 square metres of outdoor residential **amenity space**;
- (L) Despite Regulation 10.5.40.70(1) and Clauses 10.10.40.70 and 10.10.40.80 the required minimum **building setbacks** and separation distances of **main walls** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];

- (M) Despite Clause 10.5.40.60 and (L) above, the following elements may encroach into the required minimum **building setbacks** and separation distances of **main walls** as follows:
- (i) balconies, cornices, light fixtures, awnings, ornamental elements, cladding, parapets, landscape features, trellises, eaves, window sills, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, privacy screens, doors, wheel chair ramps, canopies, and underground garage ramps, architectural features wall, and associated structures to a maximum of 3.0 metres;
- (N) Despite Regulation 10.5.50.10(4), a minimum of 43 percent of the **lot area** must be **landscaping**, of which a minimum of 50 percent of the required **landscaping** must be comprised of **soft landscaping**;
- (O) Regulation 10.5.50.10(5) with regards to a 1.5 m strip of **soft landscaping**, does not apply;
- (P) Regulations 10.5.100.1(5) and 10.5.80.40(2) with regards to **driveway** access to **apartment buildings** and parking space access on a **lot**, does not apply;
- (Q) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1 **parking spaces** must be provided on the **lot** at the following rates:
- (i) a minimum of 0.73 residential occupant **parking spaces** for each **dwelling unit**;
 - (ii) a minimum of 0.06 residential visitor **parking spaces** for each **dwelling unit**;
 - (iii) a minimum of 0.015 of the **parking spaces** per **dwelling unit** identified in subsection (i) and (ii) are required to have roughed-in conduits to allow for future electric outlets for plug-in electric vehicles.
 - (iv) parking aisle **driveway widths** and **parking space** dimensions that lawfully existed on the **lot** on the date this By-law was enacted, shall be deemed to comply with By-law 569-2013;
- (R) Despite Regulations 200.5.1.10(2)(A)(iv), (B)(iv) and (C)(iv), a maximum of two **parking spaces** can have an obstruction on one side only and maintain a required minimum **parking space** width of 2.6 metres; and
- (i) For the purpose of this exception, equipment for the charging of an electric **vehicle** does not constitute an obstruction to the **parking space**, provided the equipment is located within or adjacent to the same parking space as the vehicle being charged;

- (S) Despite Regulation 200.15.10(1), a minimum of 1 of the required **parking spaces** on the **lot** must be an accessible **parking space**;
- (T) Despite Regulation 230.5.1.10(4), the required minimum width of a **stacked bicycle parking space** is 0.45 metres;
- (U) Despite Regulation 230.5.10.1(1) and (5) **bicycle parking spaces** shall be provided on the **lot** in accordance with the following:
 - (i) a minimum of 0.9 "long-term" **bicycle parking spaces** per dwelling unit in excess of 212 **dwelling units**; and
 - (ii) a minimum of 0.1 "short-term" **bicycle parking spaces** per **dwelling unit** in excess of 212 **dwelling units**;
- (V) Regulation 10.10.40.1(5), with regards to **building** orientation to a street for buildings with **dwelling units**, does not apply;

Prevailing By-laws and Prevailing Sections: (None Apply)

- 7. Where a specific section of former City of Toronto By-law 438-86 conflicts with this by-law, the site specific provisions of this by-law prevail.
- 8. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply to the lands shown on Diagram 1 as if no severance, partition or division occurred.
- 9. Existing use(s):

None of the provisions of By-law 569-2013, as amended, apply to prevent one office for the purposes related to the rental and management of **buildings** on the **lot**.

10. Section 37 Provisions:

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to this By-law and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same;

- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied; and
- (D) The owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

Enacted and passed on July , 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule A

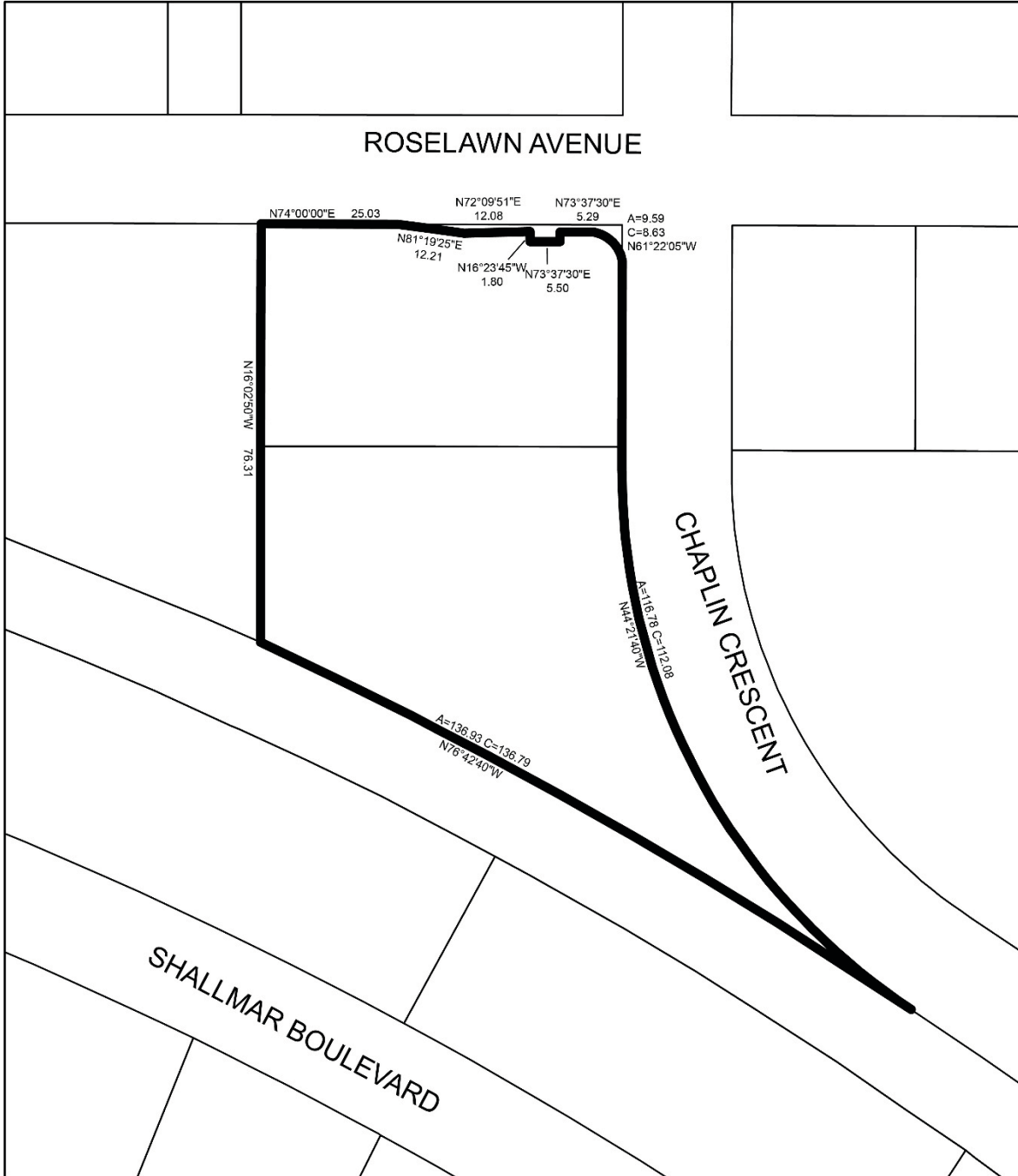
Section 37 Provisions

1. Prior to the issuance of any Building Permit, the owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits below.
2. The facilities, services and matters set out below are required to be provided to the City at the owner's expense and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:
 - a. a cash contribution of \$50,000.00 (Fifty thousand dollars) towards streetscape, and/or public realm within the vicinity of the development site and/or Ward 8.
 - b. the financial contribution above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date City Council adopts the zoning by-law amendments to the date of payment;
 - c. in the event the cash contributions referred to above have not been used for the determined purpose within three years of the amending Zoning By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands; and
 - d. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:
 - i. The owner shall agree to secure the tenure of all sixty-six (66) new dwelling units, inclusive of the rental replacement units, within the building to be constructed at 515-525 Chaplin Crescent as well as the existing 212 units on the site for a total of 278 secured rental units for not less than 20 years.
 - ii. The owner shall continue to provide and maintain the existing two hundred and twelve (212) units at 515-525 Chaplin Crescent as rental housing, together with the new and retained associated facilities and amenities of the residential rental property, for a period of at least twenty (20) years commencing from the date the Zoning By-law Amendments come into force and effect, with no application for demolition or conversion to condominium ownership or from residential rental use during such twenty (20) year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

- iii. The owner shall provide, at its sole expense and at no cost to tenants, improvements to the existing rental housing at 515-525 Chaplin Crescent, taking into account feedback obtained through a tenant survey, as follows:
- iv. Prior to the issuance of Notice of Approval Conditions for site plan approval:
 - A. The owner shall submit to the City a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction of the development on tenants of the existing rental buildings at 515-525 Chaplin Crescent, to the satisfaction of the Chief Planner and Executive Director, City Planning.

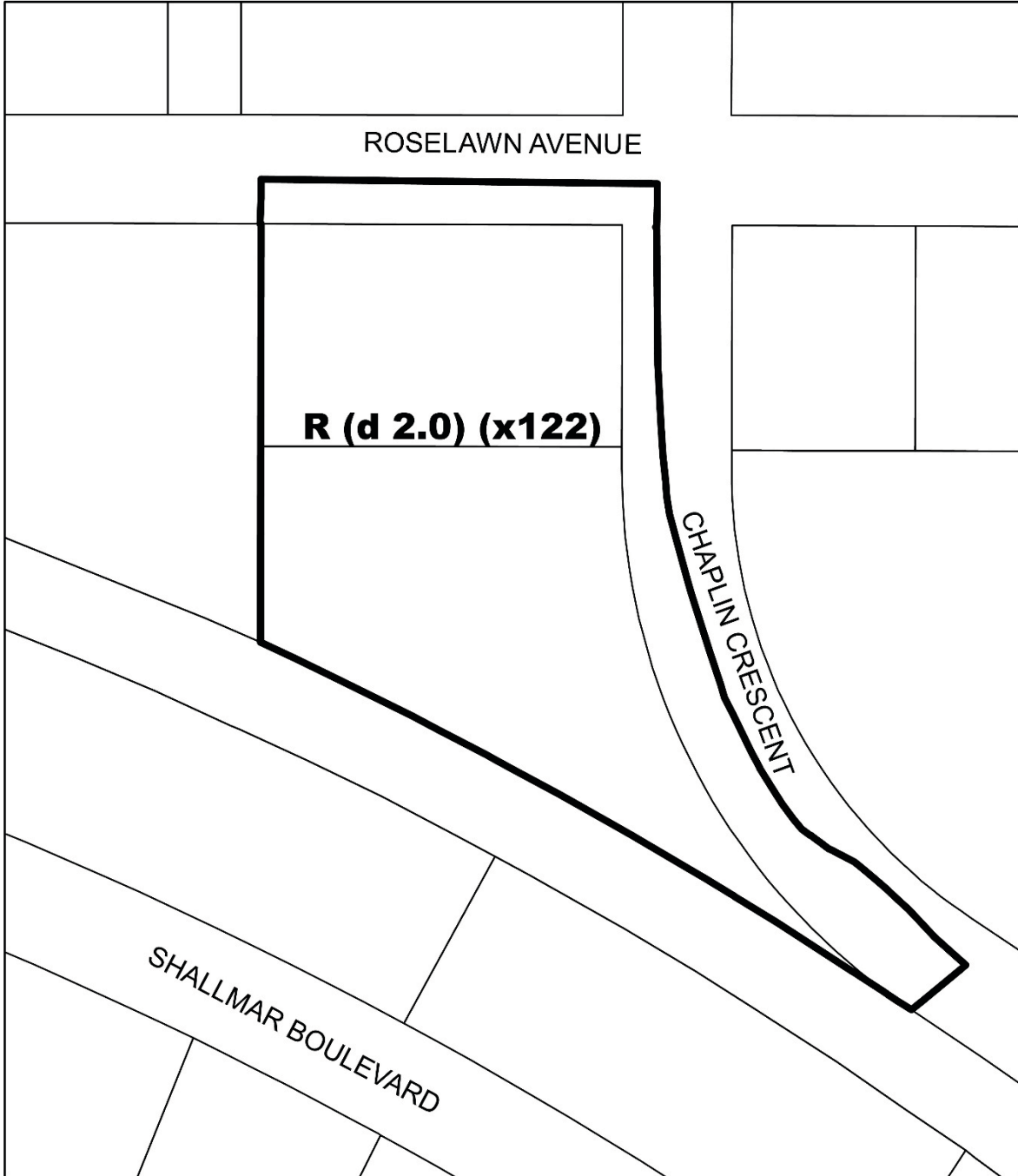
Prior to first occupancy of the new residential building:

- B. The owner shall construct a new 134.85 square metre indoor amenity space on the ground floor of 515 Chaplin Crescent for the exclusive use of all tenants in the retained units at 515-525 Chaplin Crescent, as generally illustrated in the Architecture Plans prepared by Kirkor Architects and Planners and dated January 28, 2022. Any revision to these drawings shall be to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- C. The owner shall construct an enclosed garbage collections area for the retained buildings and new development. The location, layout, and specifications of the garbage enclosure shall be developed and approved through the site plan review process, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- D. The owner will construct or provide additional seating, in the form of benches, in the courtyard between 515 and 525 Chaplin Crescent.
- E. The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation Strategy and Tenant Communication Plan required above shall not be passed on to tenants of the existing rental buildings at 515-525 Chaplin Crescent in any form. For clarity, the owner shall agree to not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements in above.



515 & 525 Chaplin Crescent

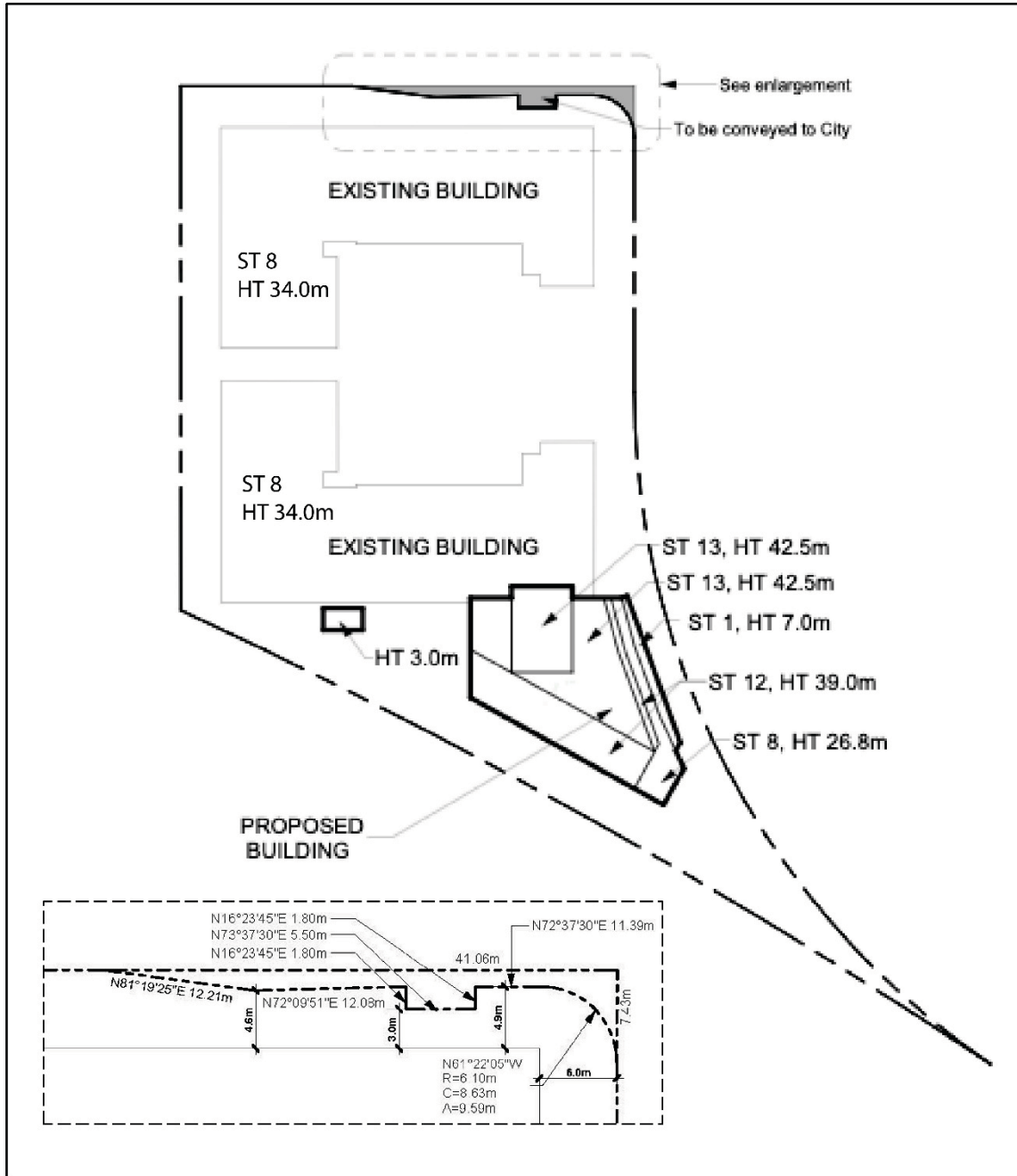
File # 09 199580 NNY 16 0Z



 **TORONTO**
Diagram 2

515 & 525 Chaplin Crescent

File # 09 199580 NNY 16 0Z

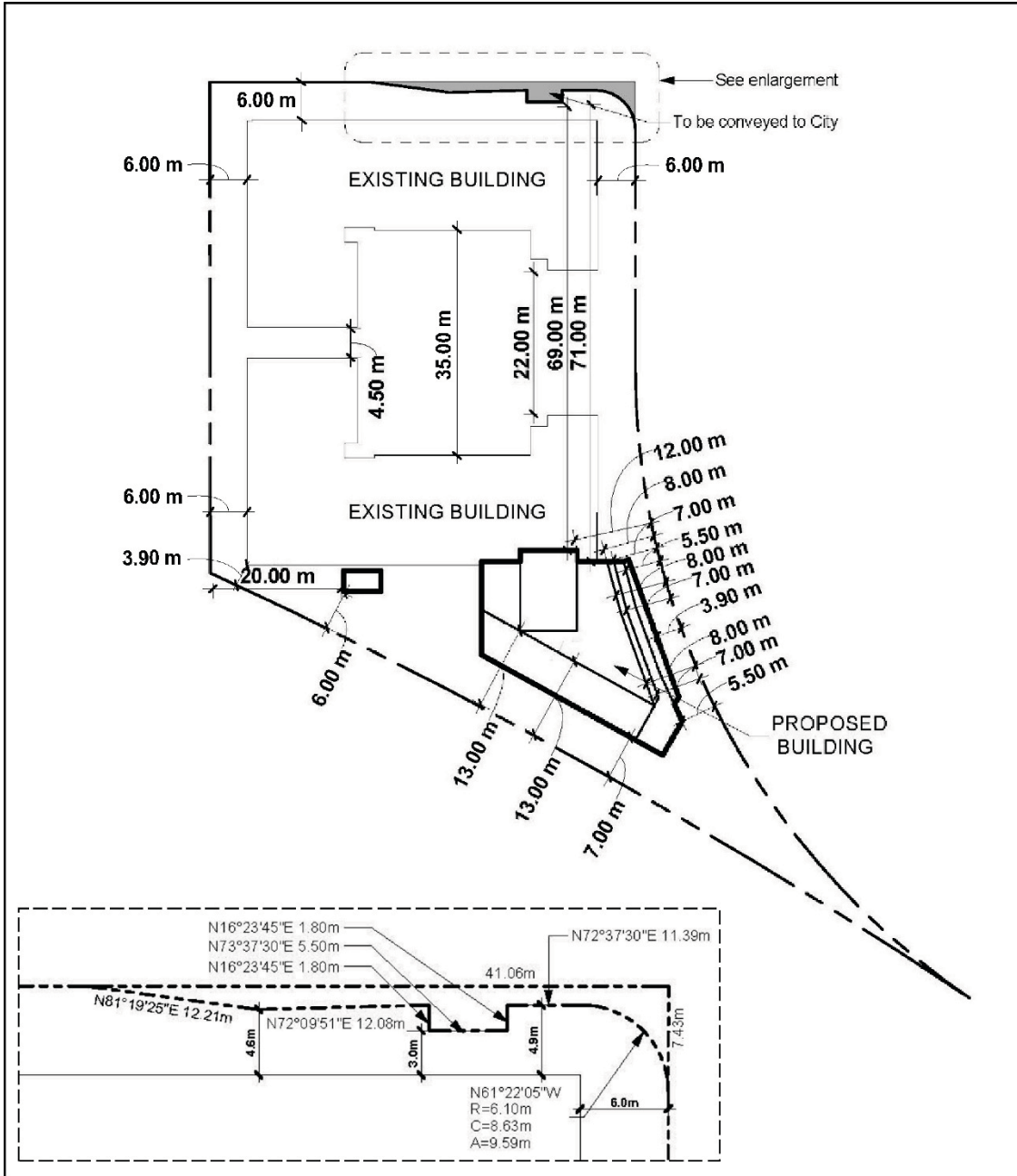


TORONTO
 Diagram 3

515 & 525 Chaplin Crescent

File # 09 199580 NNY 16 0Z


City of Toronto By-law 569-2013
 Not to Scale
 05/24/2022

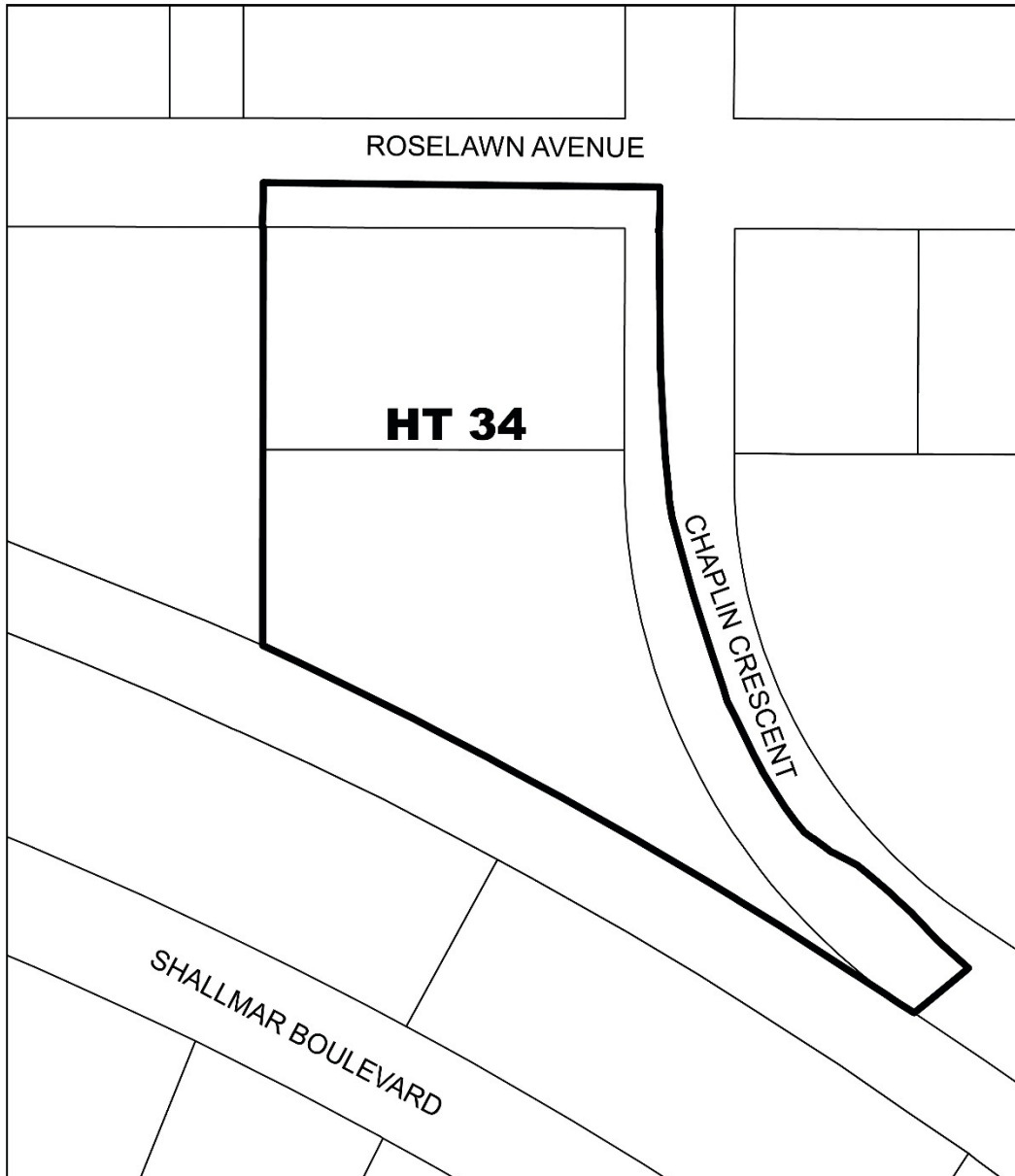


 **TORONTO**
Diagram 4

515 & 525 Chaplin Crescent

File # 09 199580 NNY 16 0Z


City of Toronto By-law 569-2013
Not to Scale
05/24/2022



 **TORONTO**
Diagram 5

515 & 525 Chaplin Crescent

File # 09 199580 NNY 16 0Z


City of Toronto By-law 569-2013
Not to Scale
05/24/2022