

Authority: North York Community Council Item NY34.8,
as adopted by City of Toronto Council on July 19 and 20,
2022

CITY OF TORONTO

Bill 971

BY-LAW -2022

To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known in the year 2021 as 45-47 Hendon Avenue.

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 authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the Zoning By-law;

The Council of the City of Toronto enacts:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York are hereby amended in accordance with Schedule "1" of this By-law.
2. Section 64.20 of By-law 7625 of the former City of North York is amended by adding the following subsection:

64.20(31) RM5(31)(H)

3. DEFINITIONS

- a) For the purposes of this exception, "bicycle parking space" shall mean an area designed and equipped exclusively for the purpose of parking and securing a bicycle.
- b) For the purposes 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, including any areas used as balconies, but excluding:
 - i. any part of the building used for stormwater irrigation and management facilities, electrical, shafts, voids and mechanical floor area;

- ii. any space in a parking garage at or below grade used exclusively for motor vehicle or bicycle parking or access thereto; and
- iii. the floor area of unenclosed residential balconies.

4. EXCEPTION REGULATIONS

LOT COVERAGE

- a) The maximum lot coverage of all buildings shall be sixty-five (65) percent.

YARD SETBACKS

- b) The minimum yard setbacks for all buildings above established grade shall be as shown on Schedule RM5 (31)(H) attached to this By-law, and all buildings located above established grade shall be located wholly within the building envelopes as identified and set out on Schedule RM5 (31)(H) attached to this By-law.
- c) Notwithstanding b) above, balconies and covered balconies, roof of covered balconies, privacy screens, columns at grade, front entry feature, and architectural walls or features outside the building envelope are permitted to project a maximum of 1.7 metres beyond the heavy lines shown on Schedule RM5 (31)(H) attached to this By-law on the north and south facades of the building.

GROSS FLOOR AREA

- d) The gross floor area of a building on a lot shall not exceed one hundred fifty (150) percent of the lot area.

BUILDING HEIGHT

- e) The building height shall not exceed 3-storeys or the maximum height in metres above established grade as shown on Schedule RM5 (31)(H) attached to this By-law.
- f) Notwithstanding e) above, the following elements shall be permitted to exceed the building height and the maximum storeys shown on Schedule RM5 (31)(H) attached to this By-law:
 - i. Parapets and a roof structure which is used only as an ornament upon or to house the mechanical equipment of the building, or mechanical and electrical equipment, including elevator and stair access, all to a maximum of 5.0 metres to the highest point of these structures or parts of the building.

MINIMUM DISTANCE OF APARTMENT HOUSE DWELLINGS FROM R AND RM2 ZONES

- g) The provisions of Section 15.6 (Minimum Distance of Apartment House Dwellings from R and RM2 Zones) shall not apply.

LANDSCAPING

- h) Notwithstanding the provisions of Section 15.8 (Landscaping), a minimum 1.5 metre landscaping strip along the south property line is required.

PARKING

- i) A minimum of 0.53 parking spaces per dwelling unit shall be provided for residents.
- j) A minimum of 0.1 parking spaces per dwelling unit shall be provided for visitors.

BICYCLE PARKING

- k) The following bicycle parking rates shall apply:
- i. a minimum of 0.75 bicycle parking spaces shall be provided for each dwelling unit, allocated as 0.68 long-term bicycle parking space per dwelling unit for residents and 0.07 short-term bicycle parking space per dwelling unit for visitors; and
 - ii. required long-term bicycle parking spaces shall be provided in a building above or below established grade.
- l) A bicycle parking space may be provided as a stacked bicycle parking space.

5. Despite any existing or future severances, partition or division of the lands shown on Schedule "1" attached to this By-law, the provisions of this Exception and By-law shall apply to the whole of the lands as if no consent, severance, partition or division occurred.

6. HOLDING PROVISIONS

The lands zoned with the "(H)" symbol delineated by heavy lines on Schedule 1 attached to and forming part of this By-law must not be used for any purpose other than those uses and buildings existing on the site until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol may be enacted by City Council when the following conditions have been fulfilled to the satisfaction of the City Solicitor, the Director, Community Planning, North York District, and the Chief Engineer and Executive Director, Engineering and Construction Services, and Council:

- (a) the "H" shall be lifted from the lands shown on Schedule 1 attached to this By-law at such a time as:
- (i) The owner submits Functional Servicing and Stormwater Management Reports acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (ii) The execution and registration of a development agreement between the owner of the lands and the City, securing the financing and construction of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to accommodate the proposed development; and
 - (iii) The receipt of all necessary approvals for the infrastructure required, as described (ii) above.
- (b) Prior to the removal of the "H", the lands shown on Schedule 1 attached to this By-law shall only be used for the uses existing as of the date of passing of this By-law.

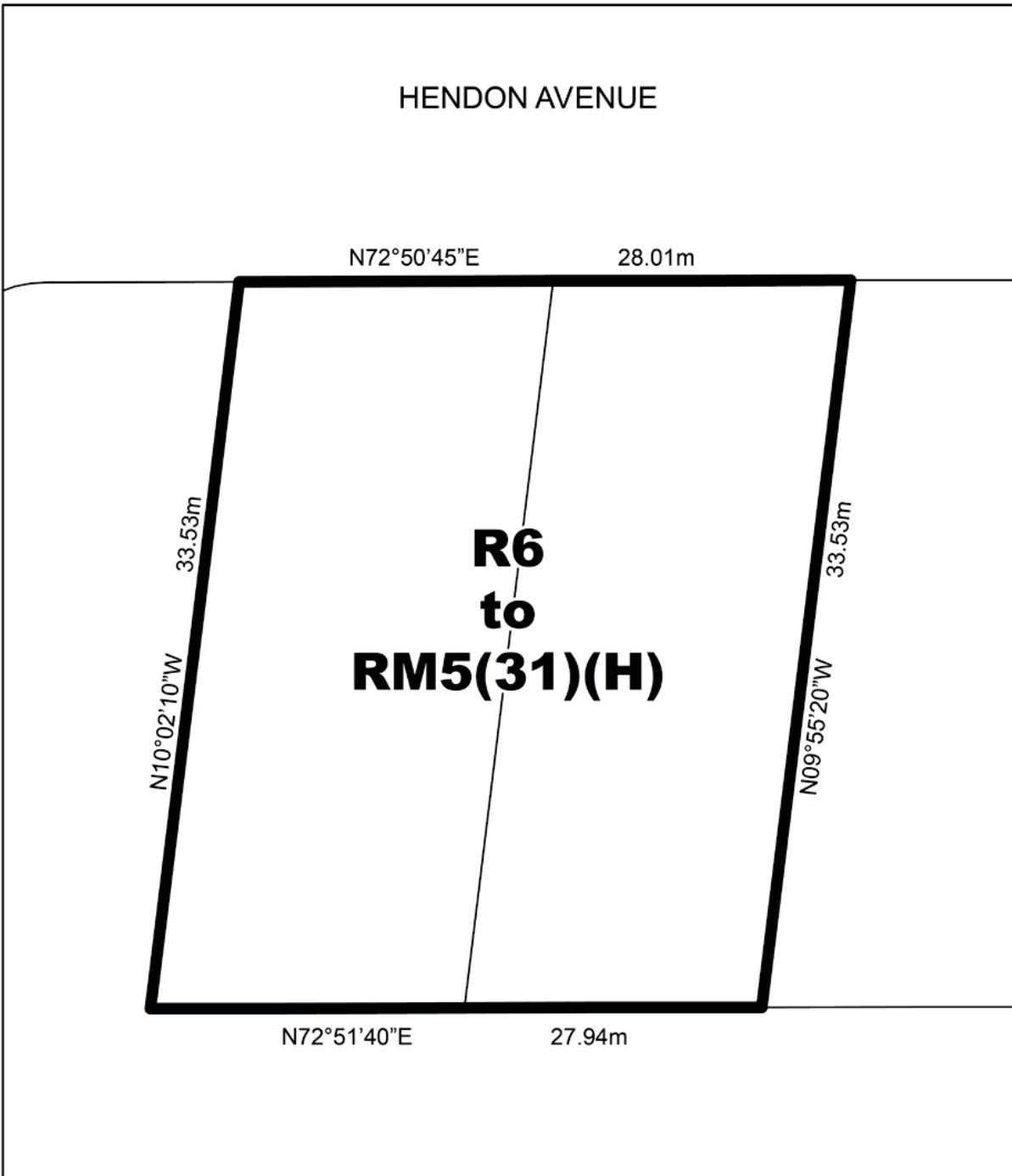
Enacted and passed on July , 2022.

Frances Nunziata,
Speaker

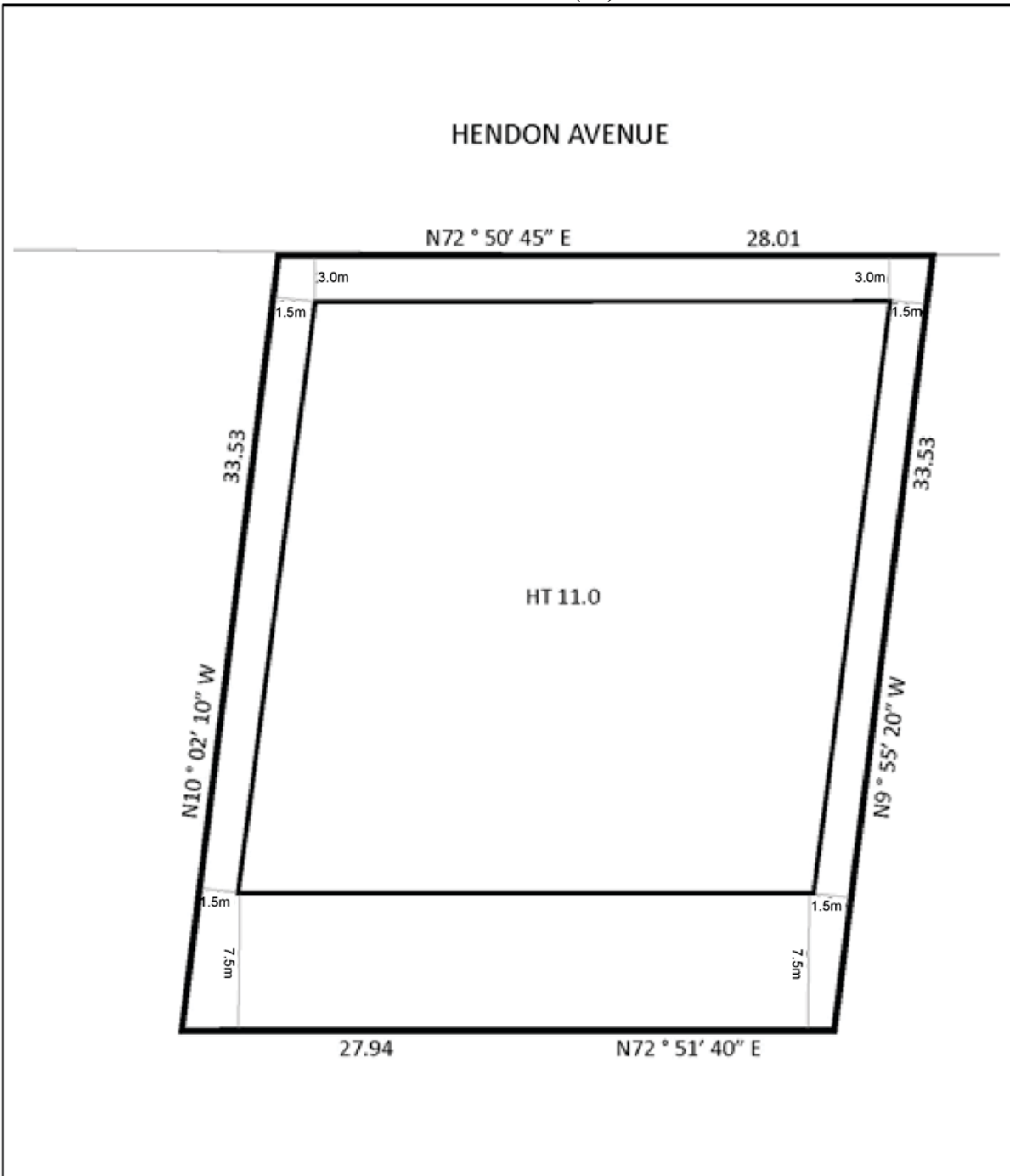
John D. Elvidge,
City Clerk

(Seal of the City)

Schedule 1



Schedule RM5(31)H



 **TORONTO**
Schedule RM5(31)(H)

45-47 Hendon Avenue

File # 20 223759 NNY 18 0Z


Former City of North York By-law 7625
Not to Scale
06/23/2022