

Authority: North York Community Council Report No. 8, Clause No. 24,
as adopted by City of Toronto Council on July 4, 5 and 6, 2000
Enacted by Council: August 3, 2000

CITY OF TORONTO

BY-LAW No. 536-2000

To amend City of North York By-law No. 7625 in respect of lands municipally known as 5575 Yonge Street, 7, 11, 15 to 25 Finch Avenue East and 16 to 30 Olive Avenue.

WHEREAS authority is given to Council by Sections 34 and 37 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 Amendment No. 447 of the Official Plan of the former City of North York contains provisions relating to the authorization of increases in density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, R.S.O., c.P. 13, as amended, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as are set out in the By-law; and

WHEREAS subsection 37(3) of the *Planning Act*, R.S.O. 1990, c.P. 13, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in the height and 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 owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by By-law No. 7625, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto; and

WHEREAS the City of Toronto has required the owner of the aforesaid lands to enter into one or more agreements having been executed which deal with certain facilities, services and matters in return for the increase in density in connection with the aforesaid lands as permitted by this By-law;

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

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are amended in accordance with Schedule "1" of this By-law.

2. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

“64.20-A (100) RM6 (100)

DEFINITIONS

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| Mechanical Floor Area | (a) For the purpose of this exception, “mechanical floor area” shall mean the floor area within a building that is used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, such as heating and ventilation, air conditioning, electrical, plumbing, fire protection and elevator equipment. |
| Net Site | (b) For the purpose of this exception, “net site” shall mean the gross site minus any lands conveyed to the City of Toronto for parks or road widening purposes, as shown on Schedule RM6 (100). |
| Gross Floor Area | <p>(c) 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, including any areas used as balconies, but excluding:</p> <ul style="list-style-type: none"> (i) any part of the building used for mechanical floor areas ; (ii) any space used for automobile parking, including that contained in an above-grade parking structure provided the structure does not exceed three storeys in height above-grade and provided that its roof deck is fully landscaped and made directly accessible to adjacent residential projects; (iii) the floor area of unenclosed residential balconies. |
| Multiple Attached Dwellings | (d) For the purpose of this exception, “multiple attached dwelling” shall mean a building consisting of a series of dwelling units where each unit has access from an internal corridor or access from the outside, or any combination thereof. |
| Bicycle Storage | (e) For the purpose of this exception only, “bicycle storage space” shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles, but is not intended for general storage use. |

PERMITTED USES

- (f) The only permitted uses shall be apartment house dwellings, multiple attached dwellings and accessory uses including private recreational amenity areas and a street-related retail store not less than 90 m² at or near the established grade on Finch Avenue;

EXCEPTION REGULATIONS

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| Total Gross Floor Area | (g) The total gross floor area permitted on the lands shown on Schedule RM6 (100) hereto shall not exceed a maximum gross floor area attributable to the net site of 48263.9 m ² , provided such gross floor area is used for residential purposes; |
| Units | (h) The maximum number of dwelling units shall be 824, of which a minimum of 25% of the total number of dwelling units shall be subject to the following maximum floor area restrictions: <ul style="list-style-type: none"> (i) 70 m² for a bachelor unit or a one bedroom unit; (ii) 80 m² for a two-bedroom unit; (iii) 120 m² for a three-bedroom unit; and (iv) any combination of the above. |
| Yard Setbacks | (i) The minimum yard setbacks shall be as set out on Schedule RM6(100). Every part of any required yard shall be open and unobstructed by any structure, from the ground to the sky, except for accessory structures including, but not limited to, a garbage pickup station, a stair enclosure, ventilation shafts and elevated portions of the garage. The accessory structures shall have no minimum yard setback. |
| Building Height | (j) In calculating the maximum height of any building, any penthouse, tower, cupola, steeple or other roof structure used only as an ornament upon or to house the mechanical equipment of the building shall be included. <p>The maximum building heights, thus calculated, shall be:</p> <ul style="list-style-type: none"> (i) Building A - 18 storeys plus any mechanical space or any roof structure or 60 metres maximum whichever is less; (ii) Building B - 16 storeys plus any mechanical space or any roof structure or 55 metres maximum whichever is less; |

- (iii) Building C - 26 storeys plus any mechanical space or any roof structure or 81 metres maximum whichever is less;
- (iv) Building D - 19 storeys plus any mechanical space or any roof structure or 63 metres maximum whichever is less;
- (v) Multiple attached dwellings - 3 storeys plus any mechanical space or any roof structure or 11 metres maximum whichever is less, excluding privacy screens which are not to exceed 1.8 metres in height;

As shown on Schedule RM6(100), attached.

Parking

- (k) Parking spaces shall be provided within the net site in accordance with the following:
 - (i) a minimum of 1.0 parking spaces per dwelling unit, including 0.1 parking spaces per dwelling unit for visitor use;
 - (ii) a maximum of 1.2 parking spaces per dwelling unit including 0.1 spaces per dwelling unit for visitor use; and
 - (iii) a maximum of 12 visitor surface parking spaces for short term parking and delivery only.

Other regulations

- (l) The provisions for minimum landscaped area, maximum lot coverage, gross floor area and building height shall not apply.
- (m) A retail store with a minimum gross floor area of 90 m² shall be provided.
- (n) A minimum of 2780 m² of landscaped area shall be provided.
- (o) A vehicle security kiosk with a maximum gross floor area of 15 m² shall be permitted as an accessory building as shown on Schedule RM6(100).

INCREASED DENSITY

Section 37 Agreement

- (p) Matters which are to be provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, in order to permit the increased maximums in gross floor area authorized under subsection (r) of this exception are:
 - (i) the owner of the subject lands shall enter into one or more agreements with the the City of Toronto pursuant to Section 37 of the *Planning Act* , to secure the facilities,

services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto:

- (A) the conveyance to the City free and clear of all encumbrances of the lands comprising a proposed parkland, being Parts 1 and 2 on Plan 64R-14258, located on the east side of Yonge Street south of Finch Avenue East comprised of 1543.4m²;
- (B) the conveyance to the City of Toronto of a 5.1 metre strip of land along the Finch Avenue East frontage required for the widening of Finch Avenue East, being Parts 11, 12, 14 and 15 on Plan 64R-14258 and Part 1 on Reference Plan 64R-16661 comprised of 470.6 m²;
- (C) the provision of a minimum of 1.5 m² per dwelling unit of indoor recreational amenity area;
- (D) the provision of a maximum of 1.5 m² per dwelling unit of bicycle storage space; and
- (E) the provision of a financial contribution for the cost to construct a park.

Additional Gross Floor Area	(q)	Additional gross floor area permitted on the lands shown on Schedule RM6 (100) shall be limited to the following:
Transfer - Park	(i)	a maximum gross floor area attributable to the park parcel of 7717 m ² , provided such gross floor area is used for residential purposes;
Transfer - Roads	(ii)	a maximum gross floor area attributable to the Finch Avenue widening of 2353 m ² , provided such gross floor area is used for residential purposes;
Incentive	(iii)	a maximum gross floor area of 1.5 m ² per dwelling unit or 1236 m ² , whichever is the lesser, provided such gross floor area is used exclusively for indoor recreational amenity area;

City of Toronto By-law No. 536-2000

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| Incentive | (iv) a maximum gross floor area of 1.5 m ² per dwelling unit or 1236 m ² , whichever is the lesser, provided such gross floor area is used exclusively for bicycle storage space and is additional to general storage space otherwise provided; and |
| Incentive | (v) a maximum gross floor area of 90 m ² which shall be used for a retail store to a depth of 30 metres from the Finch Avenue frontage. |
| Severance | (r) Notwithstanding any future severance, partition, or division of the net site, as shown on Schedule RM6 (100), 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 64.20-A of By-law No. 7625 is amended by adding Schedule RM6 (100) attached to this By-law.

4. Section 64.23 of By-law No. 7625 is amended by deleting Section 64.23(41) in its entirety and by deleting Schedule C1(41).

5. Section 64.37 of By-law No. 7625 is amended by adding the following subsection:

64.37 01(22)

PERMITTED USES

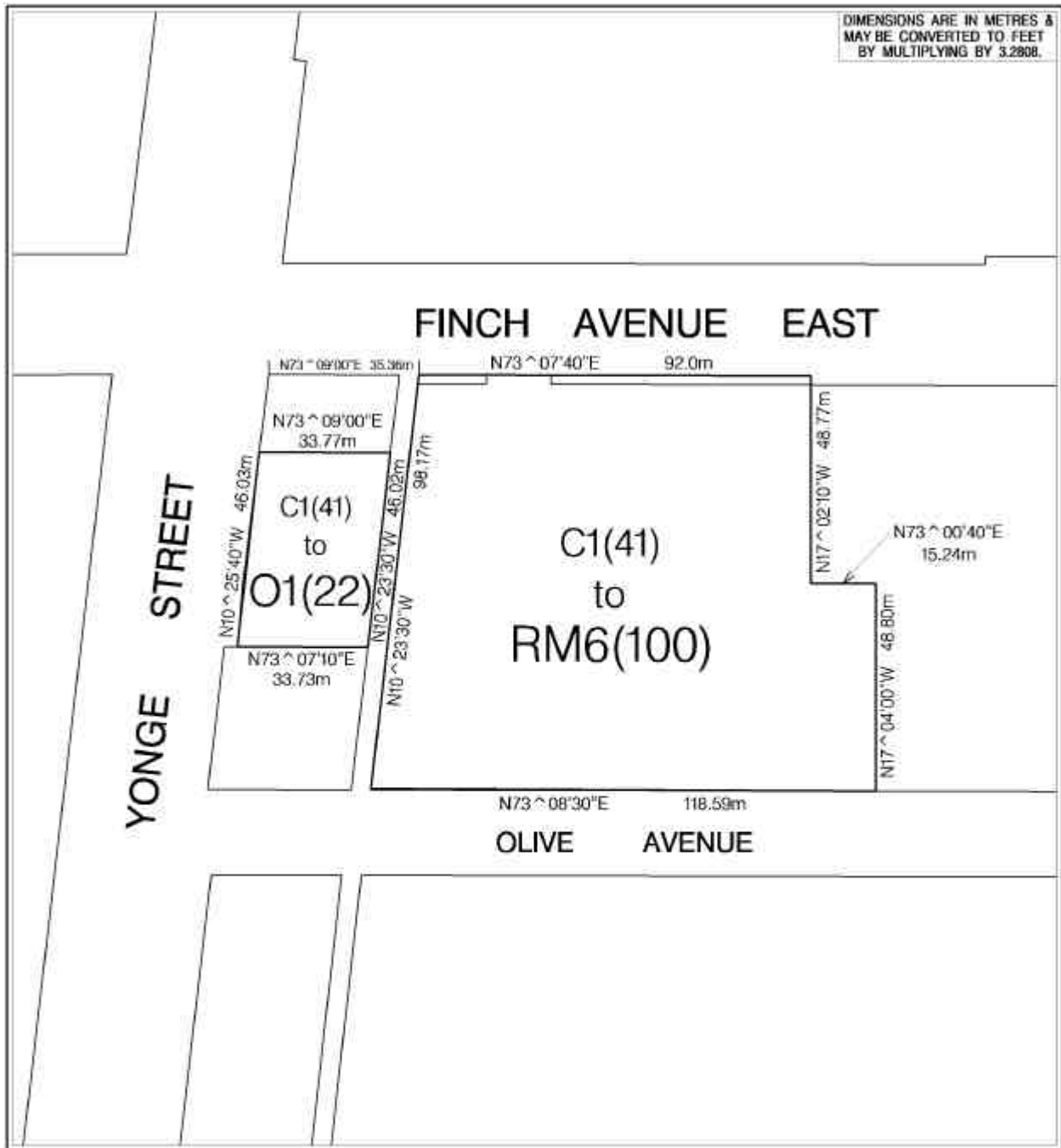
The only permitted uses shall be a park, a public playground and a play lot.

ENACTED AND PASSED this 3rd day of August, A.D. 2000.

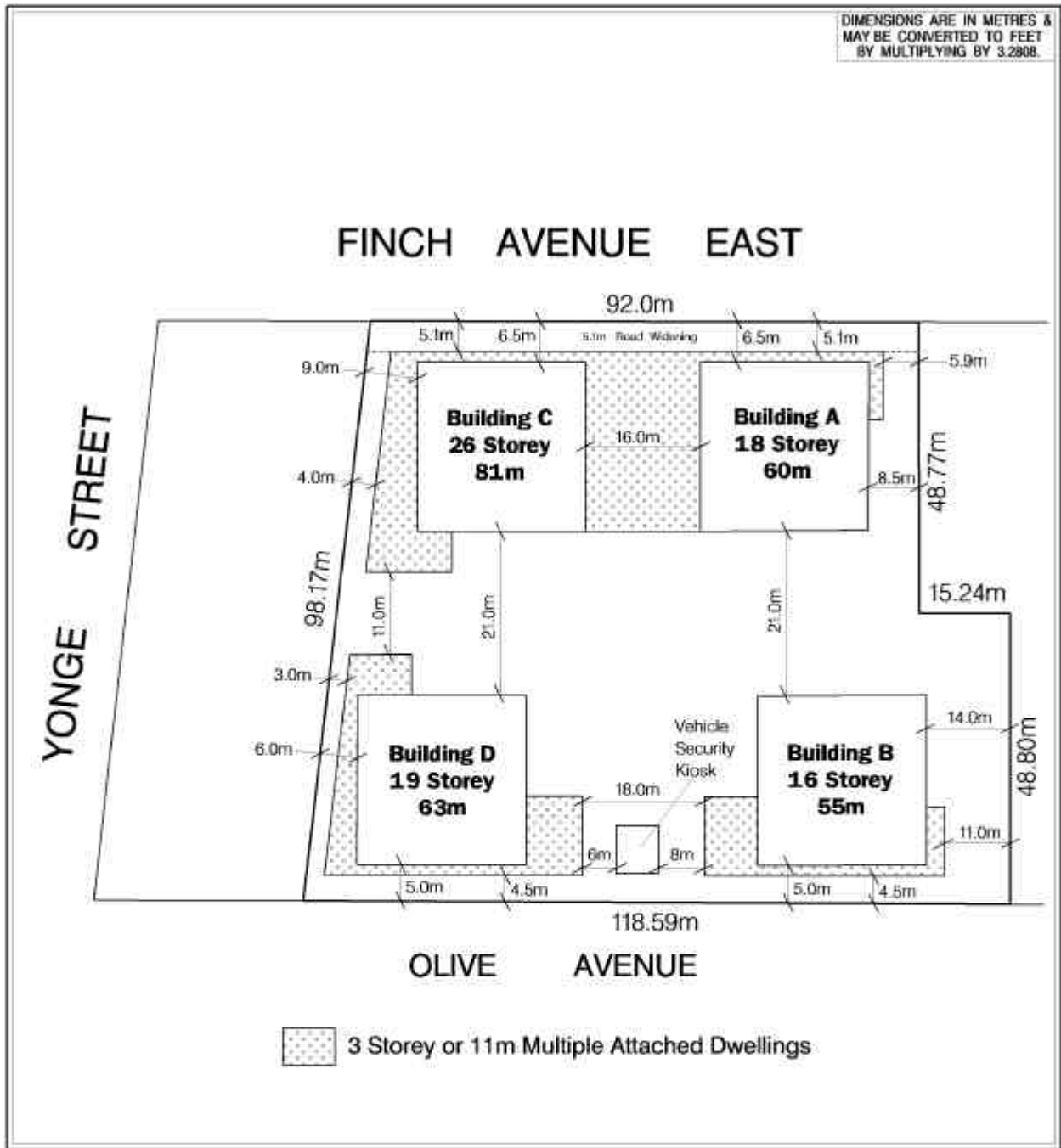
CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)



<p>This is Schedule " 1 " to By-Law _____</p> <p>passed the _____ day of _____, 20 _____</p>		 TORONTO City Planning Division North District		
(Sgd.) _____ CLERK	(Sgd.) _____ MAYOR			
Location: Part of Lots 2, 3, 4 & Lots 109 to 122, R.P. 2282, City of North York				
File No. UDZ-99-33 & UDZ-99-34	Prepared by: ANG.A.	Approved by: D.G.	Date: July 12, 2000	Filename: SBL2995
<small>Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District. Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.</small>			SUBJECT PROPERTY	



<p>This is Schedule "RM6(100)" to By-Law _____</p> <p>passed the _____ day of _____, 20____</p>		<p>TORONTO City Planning Division North District</p>		
<p>(Sgd.) _____</p> <p>CLERK</p>	<p>(Sgd.) _____</p> <p>MAYOR</p>			
<p>Location: Part of Lots 2, 3, 4 & Lots 109 to 122, R.P. 2282, City of North York</p>				
<p>File No. UDZ-99-33 & UDZ-99-34</p>	<p>Prepared by: ANG.A.</p>	<p>Approved by: D.G.</p>	<p>Date: July 14, 2000</p>	<p>Filename: SBL2995</p>
<p><small>Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District. Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.</small></p>				