

Authority: Toronto Community Council Report No. 17, Clause No. 4,
as adopted by City of Toronto Council on October 3, 4 and 5, 2000
Enacted by Council: October 5, 2000

CITY OF TORONTO

BY-LAW No. 913-2000

To amend General Zoning By-law No. 438-86 of the former City of Toronto respecting lands known as 233-247 Davisville Avenue and 450 Mount Pleasant Road.

WHEREAS pursuant to Section 37 of the Planning Act, the Council of the Municipality may, in a by-law passed under Section 34 of the Planning Act, authorize increases in the height or density of development beyond that otherwise permitted by the by-law 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 provides that, where an owner of land elects to provide facilities, services or matters in return for any 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 lands hereinafter referred to has elected to provide the facilities, services and matters as are hereinafter set forth; and

WHEREAS the increase in the height or density of development permitted hereunder, beyond that otherwise permitted on the lands by By-law No. 438-86, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the owner of the lands and the City of Toronto (hereinafter referred to as the "City");

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

1. None of the provisions of Section 4(2)(a), 4(4)(b), 4(5)(f)(i), 4(13)(a) and (c), 8(3) PART I 3(a), 8(3) PART II 1(a)(ii), and 12(2) 119(ii) of By-law No. 438-86, being "A By-law To regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of a *residential building* on the lands municipally known in the year 1999 as 233 to 247 Davisville Avenue and 450 Mount Pleasant Road (hereafter referred to as the "*lot*") provided:

- (1) the *lot* consists of at least the lands delineated by heavy lines on the attached Plan 1;
- (2) the building contains not more than 11,902.0 square metres of *residential gross floor area*;
- (3) no portion of the building including any window is located closer to the westerly *lot* line than 0.05 metres;

- (4) no portion of the building above *grade* is located otherwise than wholly within the areas delineated by heavy lines and within the *height* limits shown on the attached Plan 2 with the exception of:
 - (i) cornices, canopies, ornamental elements, parapets and railings which may extend beyond the building envelope shown on Plan 2; and
 - (ii) structural elements permitted by Section 4(2)(a)(i) and (ii) of the Zoning By-law which may extend vertically beyond the building envelope.
- (5) not fewer than 38 *parking spaces* for occupants of the building and not fewer than 18 *parking spaces* for visitors to the building are provided and maintained on the *lot*;
- (6) not fewer than 83 *parking spaces* for occupants of the building are provided and maintained within 300 metres of the *lot*;
- (7) not fewer than 40 *bicycle parking spaces - occupant* are provided and maintained on the *lot*;
- (8) not fewer than 50 *bicycle parking spaces - occupant* are provided and maintained within 300 metres of the *lot*;
- (9) the owner of the *lot* is required, pursuant to Section 37(3) of the Planning Act to enter into an agreement with the City to secure the facilities, services and matters referred to in Section (2) of this By-law and such agreement is registered on title to the *lot*.

2. Despite the provision of Sections 4(2)(a) and 8(3) Part I 3(a) of the aforesaid By-law No. 438-86, as amended, the density of residential uses and *height* permitted by this By-law are permitted subject to compliance with all the requirements of By-law No. 438-86, as amended by this By-law, and in return for the provision by the owner of the *lot* of the following facilities, services or matters to the City, namely:

- (a) to contribute funds in a minimum amount of Eighty-One Thousand Eight Hundred Fifty-Seven Dollars and Sixteen Cents (\$81,857.00) to the Capital Revolving Fund for Affordable Housing; and
- (b) to provide a public art program valued at a minimum of Fifty Thousand Dollars (\$50,000.00);

such that the total value of the facilities, services and matters as set out in subparagraphs (a) and (b), is not less than Two Hundred Forty-Eight Thousand and Fifty-Two Dollars (\$248,052.00); and

- (c) to provide universal design elements for the overall project and within not fewer than *7 dwelling units* in the building.

3. For the purpose of this By-law all terms appearing in italics shall have the same meaning as those terms have for the purpose of the aforesaid By-law No. 438-86.

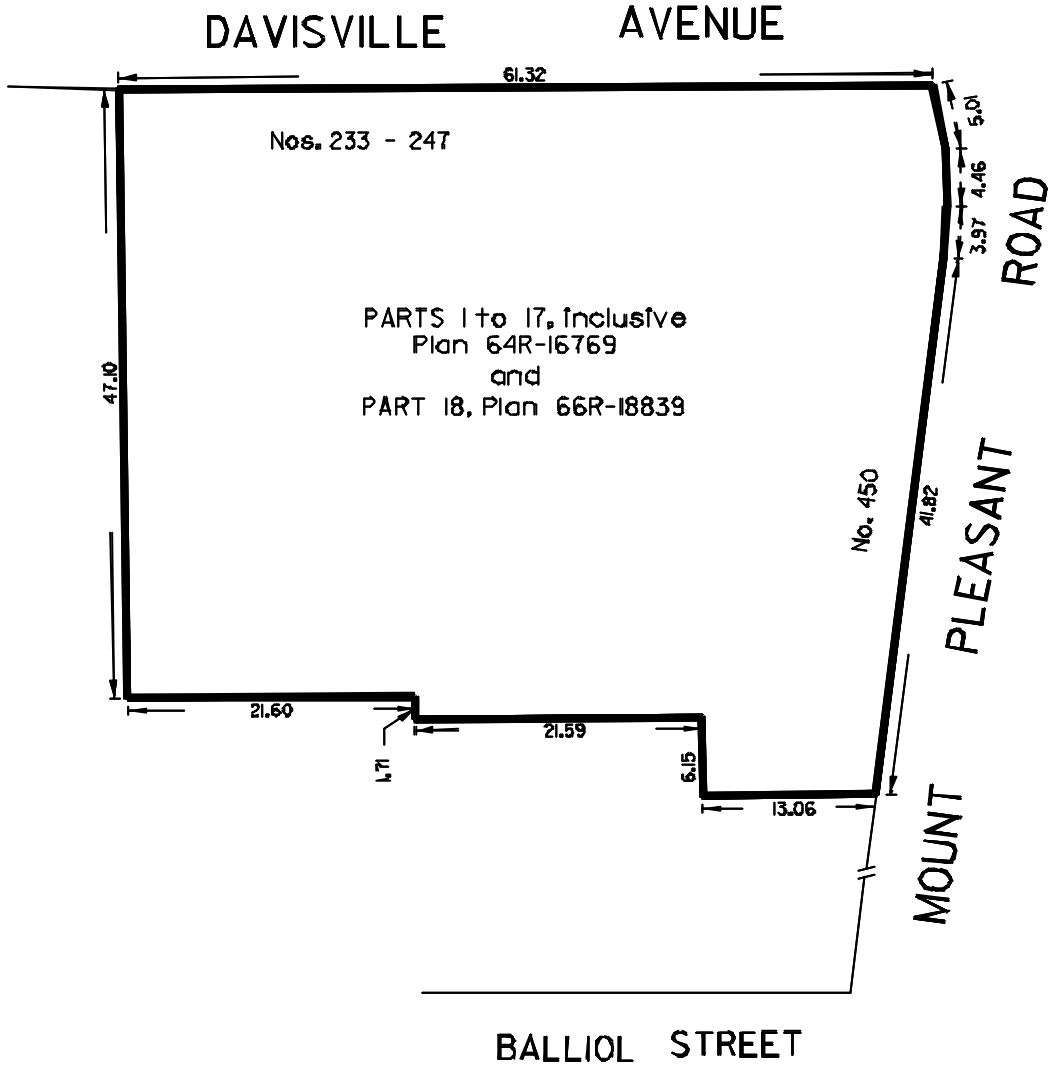
ENACTED AND PASSED this 5th day of October, A.D. 2000.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

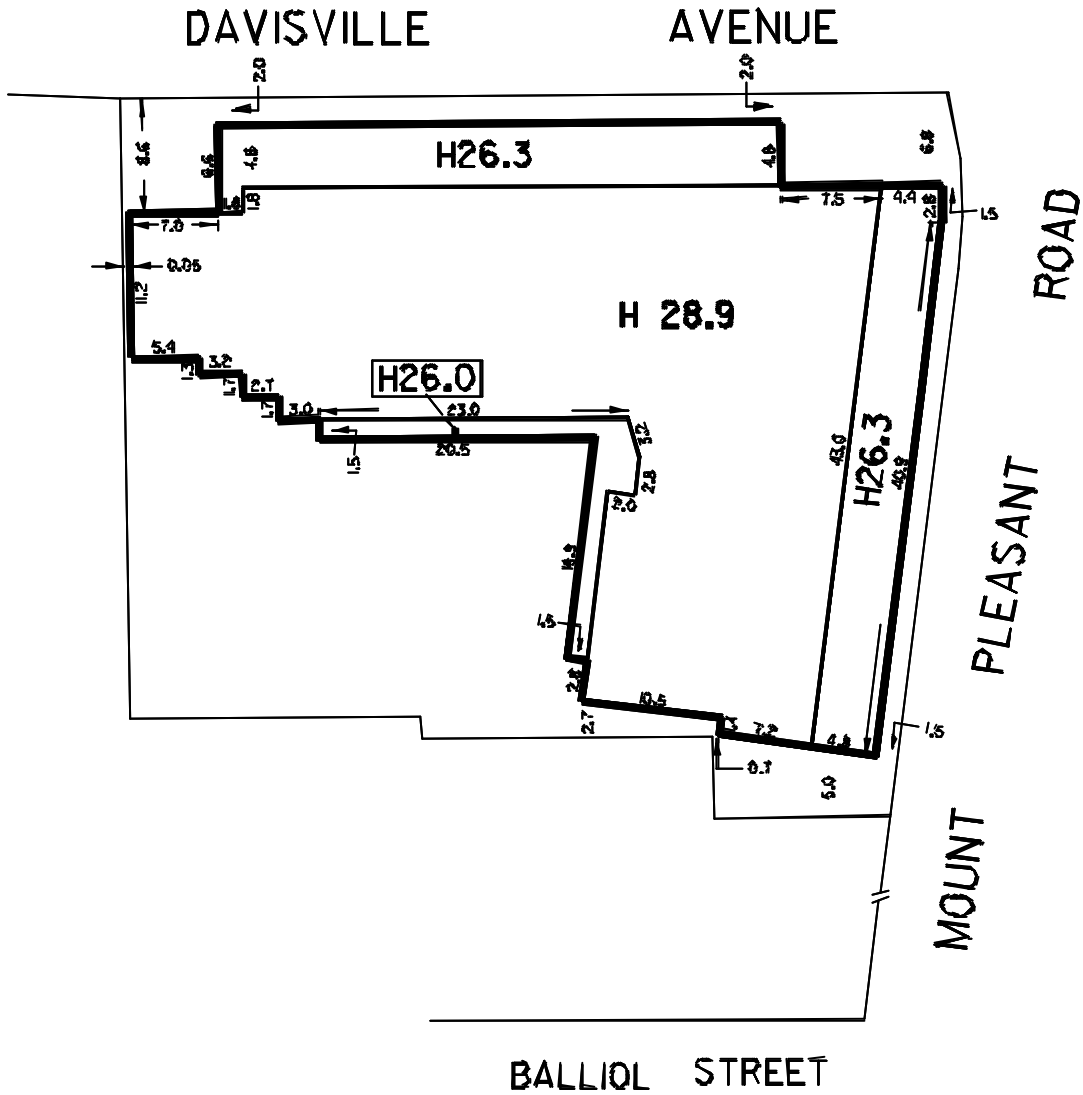
(Corporate Seal)

PLAN 1



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO SEPTEMBER 2000
BL00/450NTPL1.DGN
FILE# MB-213
MAP No. 51K-321 DRAWN: WL

PLAN 2



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO SEPTEMBER, 2000
 BLOO/450MTPLE.DGN
 FILE# MB-213
 MAP No. 51K-321 DRAWN# WL