

CITY OF TORONTO

BY-LAW No. 966-2000(OMB)

A by-law to amend By-law No. 7625 of the former City of North York.

The Ontario Municipal Board, pursuant to Section 34 of the Planning Act, R.S.O. 1990, order that By-law No. 7625 be amended as follows:

1. Schedules “B” and “C” of By-law No. 7625 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 (52) RM6 (52)

DEFINITIONS

- | | |
|----------------------|--|
| Net Site | (a) For the purposes of this exception, “Net Site” shall mean the gross site area minus any lands that have been conveyed to the City of Toronto or its successors for roads or road widening, walkways, 0.3 m reserves or public parks. |
| Gross Floor Area | (b) For the purposes of this exception, “Gross Floor Area” shall mean the total area of all the floors, measured between the outside of the exterior walls of the building at the level of each floor, including all areas used as balconies measured to the outside edges of the balcony floors, but excluding: <ul style="list-style-type: none">(i) Mechanical Floor Area;(ii) any area used for motor vehicle access or parking, including that contained in an above grade parking structure provided that it does not exceed three storeys in height and provided that its roof deck is fully landscaped and made directly accessible to adjacent redevelopment projects;(iii) the floor area of unenclosed residential balconies; and(iv) below grade Bicycle Storage Areas. |
| Bicycle Storage Area | (c) For the purpose of this exception, “Bicycle Storage Area” shall mean a storage area set aside exclusively for bicycle storage and accessory facilities. |

City of Toronto By-law No. 966-2000(OMB)

- Mechanical Floor Area (d) For the purposes 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, ventilation, air conditioning, electrical, plumbing, fire protection and elevator equipment.
- (e) For the purposes of this exception, “Established Grade” for the purposes of determining “Building Height” for Block 1 as shown on Schedule RM6(52) shall mean 176.85 metres.
- Building Height & Established Grade (f) For the purposes of this exception, “Established Grade” for the purposes of determining “Building Height” for Block 2 as shown on Schedule RM6(52) shall mean the elevation as fixed by the municipality at the centre line of Avondale Avenue at the mid-point of Avondale Avenue between Bales Avenue and Tradewind Avenue, and being 173.53 metres.
- Apartment House Dwelling (g) For the purposes of this exception, “Apartment House Dwelling” shall mean a building containing more than four (4) dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.
- Retail and Service Commercial Uses (h) For the purposes of this exception, “Retail and Service Commercial Use” shall mean retail stores, service shops, personal service shops, restaurants, out-door cafe in conjunction with a restaurant, studios, dry-cleaning and laundry collecting establishments, synthetic dry-cleaning establishments, automatic laundry shops, custom workshops making articles to be sold at retail on the premises, take-out restaurants, fitness centres, or any combination thereof.

PERMITTED USES:

- (i) The only uses permitted on the lands described as Block 1, Block 2 and Block 3 as shown on Schedule RM6(52) shall be:
- (i) Apartment House Dwellings and uses accessory thereto including accessory private recreational uses;
 - (ii) Multiple Attached Dwellings and uses accessory thereto;
 - (iii) Single Family Dwellings and uses accessory thereto subject to the regulation of the R7 Zone unless otherwise stated in this exception;

City of Toronto By-law No. 966-2000(OMB)

- (iv) Semi-Detached Dwellings or Duplex Dwellings and uses accessory thereto subject to the regulations of the RM2 Zone unless otherwise stated in this exception;
- (v) Retail and Service Commercial Uses ancillary or accessory to another permitted use; and
- (vi) Schools provided that the maximum gross floor area does not exceed 5,000 m².

EXCEPTION REGULATIONS

Gross Floor Area	(j) Gross Floor Area
	The total “Gross Floor Area” permitted on the Net Site shall not exceed the sum of:
Net Site (includes lands zoned C1(66) for residential uses)	(i) 141,603 m ² ;
Road Widening	(ii) 4,310 m ² attributable to lands conveyed for road widening purposes;
0.3 m Reserves	(iii) 20 m ² attributable to lands conveyed for 0.3 m reserves at the ends and open sides of road allowances;
Turning Circle Blocks	(iv) 1,143 m ² attributable to turning circle blocks at the dead ends of road allowances;
Public Roads	(v) 42,716 m ² attributable to lands conveyed for public roads;
Park	(vi) 20,225 m ² attributable to the conveyance of public parkland.
Public Walkway	(vii) 1780 m ² attributable to lands conveyed for a Public Walkway.
Residential Units	(k) Residential Units
	Maximum number of dwelling units shall be 2000 units.
Retail	(l) Retail and Service Commercial Gross Floor Area
	The total gross floor area of all Retail and Service Commercial Uses shall not exceed 1,395 m ² .

City of Toronto By-law No. 966-2000(OMB)

- | | |
|---------------------------------------|--|
| Height | <p>(m) Maximum Building Height</p> <p style="margin-left: 40px;">(i) The maximum height of all buildings and structures or portions thereof shall be as shown on Schedule RM6(52); and</p> <p style="margin-left: 40px;">(ii) The maximum height of all buildings or structures or portions thereof shall not exceed one half of the horizontal distance between the building or structure or portions thereof and the Relevant Residential Property Line (RRPL) as shown on Schedule RM6(52).</p> |
| Yard Setbacks | <p>(n) Yard Setbacks</p> <p style="margin-left: 40px;">Save and except for Single Family Dwellings, Semi-Detached Dwellings and Duplex Dwellings, the minimum yard setback from Avondale Avenue shall be 3.0 metres. For lands not adjacent to Avondale Avenue and where there is no minimum yard setback indicated on Schedule RM6(52), the minimum yard setback shall be 0 metres.</p> |
| Lot Coverage | <p>(o) Lot Coverage</p> <p style="margin-left: 40px;">(i) School – maximum 2,000 m².</p> <p style="margin-left: 40px;">(ii) All other uses save and except a Single Family Dwelling or a Semi-Detached Dwelling or a Duplex Dwelling - no maximum lot coverage.</p> |
| Landscaping | <p>(p) Landscaping</p> <p style="margin-left: 40px;">Section 15.8 shall not apply.</p> |
| Separation Distance Between Buildings | <p>(q) Distance Between Buildings</p> <p style="margin-left: 40px;">Sections 16.3.2 and 20A-2.4.1 shall not apply.</p> |
| Detached Dwelling | <p>(r) Detached Dwelling</p> <p style="margin-left: 40px;">Notwithstanding the regulations of the R7 zone the following shall apply:</p> <p style="margin-left: 80px;">(i) Minimum side yard shall be 0.6 metres, with an aggregate side yard on both sides of 1.8 metres,</p> <p style="margin-left: 80px;">(ii) Maximum lot coverage shall be 40%,</p> <p style="margin-left: 80px;">(iii) Maximum length of dwelling shall be 16.8 metres,</p> |

-
- (iv) Maximum building height shall be 4 storeys or 12 metres above established grade, whichever is the lesser, and
- (v) All other provisions of the R7 zone shall apply.
- Semi-Detached Dwelling (s) Semi-Detached Dwelling
- Notwithstanding the regulations of the RM2 zone, the following shall apply:
- (i) Minimum side yard shall be 0.6 metres with an aggregate side yard on both sides of 1.8 metres,
- (ii) The minimum lot area shall be 556 m² for each Semi-Detached Dwelling and 278 m² for each Semi-Detached Dwelling Unit,
- (iii) The maximum lot coverage shall be 40% for each Semi-Detached Dwelling Unit,
- (iv) Maximum building height shall be 4 storeys or 12 metres above established grade, whichever is the lesser, and
- (v) All other provisions of the RM2 zone shall apply.
- Duplex Dwelling (t) Duplex Dwelling
- Notwithstanding the regulations of the RM2 zone the following shall apply:
- (i) The minimum side yard shall be 0.6 metres with an aggregate total of 1.8 metres on both sides,
- (ii) The minimum lot area shall be 556 m²,
- (iii) The maximum lot coverage shall be 40%,
- (iv) Maximum building height shall be 4 storeys or 12 metres above established grade, whichever is the lesser, and
- (v) All other provisions of the RM2 zone shall apply.

City of Toronto By-law No. 966-2000(OMB)

- | | | |
|-----------|-----|---|
| Parking | (u) | <p>Parking</p> <p>Parking for residential uses shall be provided above or below grade on the same block as the residential use at the following rates:</p> <ul style="list-style-type: none"> (i) a minimum of 0.9 parking spaces per dwelling unit plus 0.1 parking spaces per dwelling unit for visitor use, (ii) a maximum of 1.3 parking spaces per dwelling unit plus 0.1 parking spaces per dwelling unit for visitor use; |
| Severance | (v) | <p>Severance</p> <p>Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to whole of the lands save and except any regulations which pertain to the provision of parking.”</p> |

3. Section 64.23 of By-law No. 7625 is amended by adding the following subsection:

“64.23 (66) C1(66)

DEFINITIONS

- | | | |
|------------------|-----|--|
| Net Site | (a) | <p>For the purposes of this exception, “Net Site” shall mean the gross site area minus any lands that have been conveyed to the City of Toronto or its successors for roads or road widening, walkways, 0.3 m reserves or public parks.</p> |
| Gross Floor Area | (b) | <p>For the purposes of this exception, “Gross Floor Area” shall mean the total area of all the floors, measured between the outside of the exterior walls of the building at the level of each floor, including all areas used as balconies measured to the outside edges of the balcony floors, but excluding:</p> <ul style="list-style-type: none"> (i) Mechanical Floor Area; (ii) any area used for motor vehicle access or parking, including that contained in an above grade parking structure provided that it does not exceed three storeys in height and provided that its roof deck is fully landscaped and made directly accessible to adjacent redevelopment projects; |

City of Toronto By-law No. 966-2000(OMB)

- (iii) the floor area of unenclosed residential balconies; and
- (iv) below grade Bicycle Storage Areas.
- Bicycle Storage Area (c) For the purpose of this exception, “Bicycle Storage Area” shall mean a storage area set aside exclusively for bicycle storage and accessory facilities including change rooms and showers.
- Mechanical Floor Area (d) For the purposes 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, ventilation, air conditioning, electrical, plumbing, fire protection and elevator equipment.
- Building Height & Established Grade (e) Building Height and Established Grade
- (i) For the purposes of this exception, “Established Grade” for the purposes of determining “Building Height” for Blocks 4, 5 and 6 as shown on Schedule C1(66) shall mean the elevation as fixed by the municipality at the centre line of Yonge Street at the mid-point between Avondale Avenue and the south limit of Block 6 as shown on Schedule C1(66), and being 178.22 metres.
- Retail and Service Commercial Uses (f) For the purposes of this exception, “Retail and Service Commercial Use” shall mean retail stores, service shops, personal service shops, restaurants, out-door cafe in conjunction with a restaurant, studios, dry-cleaning and laundry collecting establishments, synthetic dry-cleaning establishments, automatic laundry shops, custom workshops making articles to be sold at retail on the premises, billiard parlours, car rental agency, take-out restaurants, theatres, commercial schools, fitness centres, or any combination thereof.
- Regional Scale Retail Commercial (g) For the purposes of this exception, “Regional Scale Retail Commercial Uses” shall be defined to mean a “Shopping Centre” or a “Regional Shopping Centre” or a “Retail Warehouse” or a “Department Store” or any combination thereof.
- Shopping Centre (h) For the purposes of this exception, “Shopping Centre” means a group of commercial establishments managed as a unit, not accessory or ancillary to another principal use, having a Gross Floor Area of less than 50,000 m² and where the predominant use is retail stores.

City of Toronto By-law No. 966-2000(OMB)

- Regional Shopping Centre (i) For the purposes of this exception, “Regional Shopping Centre” means a group of commercial establishments managed as a unit having a Gross Floor Area of 50,000 m² or greater and where the predominant use is retail stores.
- Department Stores (j) For the purposes of this exception, “Department Store” shall be defined as a single retail establishment having a Gross Floor area of not less than 4,645 m² and not being a Retail Warehouse and in which one or more of the following types of Department Store Type Merchandise are at times displayed and offered for sale to the public; clothing and shoes for men, women and children, home furnishings and housewares, furniture and appliances, home electronic and computer equipment and supplies, sporting goods and toys, giftware, hardware, yard and patio supplies, books, records, tapes and photographic equipment, cosmetics and health products, jewellery, watches or fashion accessories, but shall not include a grocery store.
- (k) For the purposes of this exception “Retail Warehouse” shall mean a retail store which has as a principal use the display of goods and their sale, rental or lease to the general public in a warehouse format, where all areas are accessible to the public except for areas with accessory uses.

PERMITTED USES:

- (l) The following are the only uses permitted:

business and professional offices,
 professional medical offices,
 banks,
 branches of financial institutions,
 hotel,
 day nursery accessory to another principal use, and
 Retail and Service Commercial Uses ancillary or accessory to another permitted use.

All uses permitted in RM6(52) Zone subject to the regulations of that zone other than height for the use, PROVIDED THAT the total Gross Floor Area and total residential units of all residential uses on the lands zoned RM6(52) and on those lands zoned C1(66) does not in total exceed the maximum gross floor area permitted, and the maximum residential units permitted for all lands zoned RM6(52).

PROHIBITED USES

- (m) Regional Scale Retail Commercial Uses are prohibited.

EXCEPTION REGULATIONS

Gross Floor Area	(n) Gross Floor Area
Non-residential	The total Gross Floor Area permitted on the Net Site, excluding residential uses, shall be 46,450 m ² .
Retail	<p>(o) Retail and Service Commercial Uses</p> <p>(i) The total Gross Floor Area of all Retail and Service Commercial Uses shall not exceed 23,225 m²; and</p> <p>(ii) The total Gross Floor Area of all Retail and Service Commercial Uses included as part of any permitted use shall not exceed the lesser of 10% of the total non-residential gross floor area permitted or 4,645 m².</p>
Lot Coverage	<p>(p) Lot Coverage</p> <p>No maximum lot coverage.</p>
Yard Setbacks	<p>(q) Yard Setbacks</p> <p>Minimum yard setbacks shall be as shown on Schedule C1(66); where there is no minimum yard setback indicated on Schedule C1(66) the minimum yard setback shall be 0 metres.</p>
Building Height	<p>(r) Maximum Building Height</p> <p>(i) The maximum height of all buildings or structures or portions thereof shall be as shown on Schedule C1(66);</p> <p>(ii) The maximum height above Established Grade of all buildings or structures or portions thereof west of a point fixed by the municipality at the northerly limit of the centre line of Bales Avenue, south of Avondale Avenue, shall not exceed the horizontal distance between the building or structure or portions thereof and the Relevant Residential Property Line (RRPL) as shown on Schedule C1(66); and</p> <p>(iii) The maximum height above Established Grade of all buildings or structures or portions thereof east of a point fixed by the municipality at the northerly limit of the</p>

City of Toronto By-law No. 966-2000(OMB)

centre line of Bales Avenue, south of Avondale Avenue, shall not exceed one half the horizontal distance between the building or structure or portions thereof and the Relevant Residential Property Line (RRPL) as shown on Schedule C1(66).

Lot Depth	(s)	<p>Lot Depth</p> <p>No minimum lot depth.</p>
Lot Area	(t)	<p>Lot Area</p> <p>No minimum lot area.</p>
Parking	(u)	<p>Parking</p> <p>Parking for non-residential uses shall be provided on the same block as the use at the following rate:</p> <p>(i) a minimum of 0.9 parking spaces per 100 m² of Gross Floor Area;</p> <p>(ii) a maximum of 1.4 parking spaces per 100 m² of Gross Floor Area.</p>
Severance	(v)	<p>Severance</p> <p>Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to whole of the lands save and except those regulations which pertain to the provision of parking”.</p>

4. Section 64.20-A of By-law No. 7625 is amended by adding Schedule RM6(52) attached to this by-law.

5. Section 64.23 of By-law No. 7625 is amended by adding Schedule C1(66) attached to this by-law.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON OCTOBER 11, 2000 IN BOARD FILE NO. PL957598.

SCHEDULE “1” (on file)

SCHEDULE “RM6(52)” (on file)

SCHEDULE “C1(66)” (on file)