

Authority: Humber York Community Council Report No. 10, Clause No. 4,
as adopted by City of Toronto Council on December 4, 5 and 6, 2001
Enacted by Council: December 6, 2001

CITY OF TORONTO

BY-LAW No. 1096-2001

To amend By-law No. 438-86, the Zoning By-law of the former City of Toronto, respecting lands known in the Year 2001 as 70 High Park Avenue.

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 height or density of development beyond those otherwise permitted by the by-law, 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 or matters in return for an increase in 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 or matters; and

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set forth; and

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

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law;

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

1. None of the provisions of Sections 4(2)(a), 4(4)(b), 4(12), 6(3)Part I 1, 6(3) Part II 2,3,4,5, 6(3) Part III, 1(b) shall apply provided that:
 - (1) no part of any building or structure located above finished ground level is located otherwise than wholly within the area delineated by heavy lines on Plan 1 attached to and forming part of this by-law;
 - (2) no part of any building or structure located below finished ground level is located within three metres of the westerly property line;
 - (3) the maximum *height* of any building or structure is no higher than 63.2 metres;

- (4) the maximum *height* of any stair tower, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements is no higher than 64.77 metres;
 - (5) the *residential gross floor area* erected does not exceed 11,870 square metres;
 - (6) a minimum of 289 square metres of indoor amenity space, which need not be contiguous, is provided and maintained;
 - (7) a minimum of 491 square metres of outdoor amenity space is provided and maintained;
 - (8) a minimum of 326 square metres of *landscaped open space* is provided and maintained;
 - (9) a minimum of 151 *parking spaces* is provided and maintained within 300 metres of the *lot* up to four of which may be substandard spaces.
2. Pursuant to Section 37 of the *Planning Act*, the increased heights or density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the *owner* of the *lot*, at its sole expense agreeing to restore, conserve and maintain portions of the church building located on the *lot*.
 3. Pursuant to Section 37 of the *Planning Act*, the increased heights or density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the *owner* of the *lot* making a cash contribution to the City in the amount of \$200,000 to be used for the purposes of improvements to local area parks and local school board playgrounds.
 4. Notwithstanding the definition of the word "*lot*" contained in the Section 2(1), the property known municipally in the year 2001 as 70 High Park Avenue may contain a below-grade connection to the property known municipally in the year 2001 as 100 High Park Avenue, but shall continue to be recognized as a separate "*lot*" for zoning purposes.
 5. For the purposes of this by-law, the definition of *landscaped open space*, as contained in Section 2(1), shall include open space located beneath a building or structure.

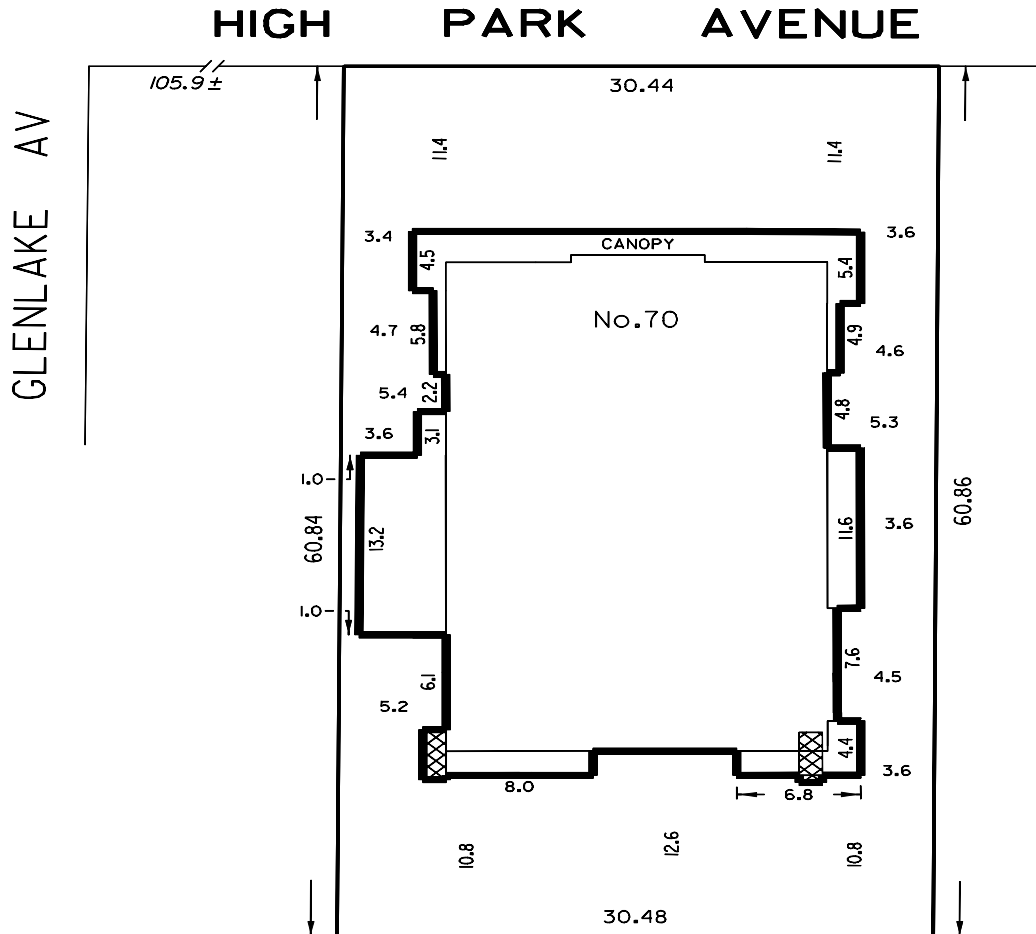
ENACTED AND PASSED this 6th day of December, A.D. 2001.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

PLAN 1



EXISTING PORTALS



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO DECEMBER, 2001
 BLO1/70HIGH1.DGN
 FILE: H62-Z2
 MAP No. 47J-313 DRAWN: D.R.