

Authority: Notice of Motion J(31), moved by Councillor Nunziata, seconded by Councillor Ford, adopted as amended, by City of Toronto Council on December 4, 5 and 6, 2001
Enacted by Council: December 6, 2001

CITY OF TORONTO

BY-LAW No. 1121-2001

To amend former City of York By-law No. 1-83 (Re: Lands – 1400 Weston Road).

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*;

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

SECTION 16 AMENDED

1. That Section 16 of Zoning By-law No. 1-83, as amended, of the former City of York, is hereby further amended as follows:
 - (i) by revising Section 16(306) as follows:
 - (a) Delete the number “10” where it appears in the opening paragraph under the heading LANDS – 1400 WESTON ROAD and insert the number “10.1” in its place.
 - (b) Delete paragraph 5 under the heading RESIDENTIAL and insert the following:
 - “5. (a) The maximum building height for all residential buildings, exclusive of mechanical floors, apartment roof top recreational rooms not exceeding 1 storey and 3 metres in exterior height, and parking garages, shall be as shown on Schedule “C” hereto, provided that any roof top recreational rooms on apartment buildings erected in the north-east quadrant of Block D and in the north half of Block E be setback a minimum of 6 metres from the northerly face of the building on which they are located. In all other instances, any roof top recreational space erected on an apartment building shall be setback a minimum of 3 metres from the face of the building which it is located.

- (b) the maximum building height measured from the average geodetic height of the abutting Sidney Belsey Crescent right-of-way shall be as follows:
- (i) for Block D, 20 storey buildings - 55.2 metres, 22 storey building – 60.6 metres and 24 storey building - 66 metres;
 - (ii) for Block E west developed for high rise apartments, a maximum of one 12 storey building - 33.6 metres and a maximum of one 15 storey building - 41.7 metres;
 - (iii) for Block E west developed for high rise apartments, the northerly 12 storey apartment building shall be constructed with a 49 degree angular plane and the southerly 15 storey apartment building shall be constructed with a 55 degree angular plane all measured from the easterly property limit abutting the townhouse development”.
- (c) Add the following text to the end of paragraph 6. under the heading RESIDENTIAL 6. after the first sentence:
- (i) “Notwithstanding the preceding minimum 3 metre setback, the minimum setback of any apartment building with 5 or more storeys erected in the north-east quadrant of Block D as shown on Schedule “B” hereto shall be a minimum of 25 metres distant from the northerly limit of Block D, and the minimum setback of any apartment building with 5 or more storeys erected on the westerly portion of Block E as shown on Schedule “B” hereto shall be a minimum of 6 metres distant form the northerly limit of Block E and shall be a minimum of 16 metres distant from the easterly limit of Block E”.
- (d) Delete the table in paragraph 7 under the heading RESIDENTIAL 7. and insert the following table:

| Minimum Open Space “ <u>Block</u> ” | <u>Ratio</u> | Maximum Building Coverage | Maximum Floor Space <u>Index</u> |
|--|--------------|---------------------------------|---|
| A | 35 | 40 | 1.70 |
| B | 25 | 50 | 1.10 |
| C | 20 | 50 | 0.82 |
| D | 15 | 35 | 4.70 |
| E | 25 | 50 | 1.60 |

The above noted maximums are based on a maximum of 1,503 units being constructed on Blocks D and E West”.

- (e) Delete the number “375” where it appears in subsection 9.1 (a) under the heading BONUSING and insert the number “275” in its place.
- (f) Delete subsection 9.1, the second (b) after “TOTAL EXTRA PUBLIC AMENITIES/x” under the heading BONUSING and replace with the following:

“(b) After the application of bonusing, the total number of residential dwelling units permitted on the lands shall not exceed 2,050 and within the whole of each Block as shown on Schedule “B” hereto, the maximum density in units per hectare shall be as follows:

| <u>BLOCK</u> | <u>MAXIMUM DENSITY</u> |
|--------------|------------------------|
| A | 144.1 |
| B | 64.6 |
| C | 66.6 |
| D | 643.0 |
| E | 193.7 |

The above noted maximums are based on a maximum of 1,503 units being constructed on Blocks D and E West”.

- (g) Add the following text in paragraph 12(b) under the heading OFF-STREET PARKING:

“Notwithstanding the preceding parking standards, the applicable parking standards in Subsection 3.2.1 of this By-law No. 1-83 shall apply for any condominium project within Blocks D and E West”.

- (h) Add the following text in OFF-STREET PARKING 12.:

“(h) A maximum of 165 parking spaces or 10% of the total required parking whichever is lesser shall be permitted on the surface of Block D and a maximum of 24 parking spaces or 5% of the total required parking whichever is lesser shall be permitted on the surface of portion of Block E West developed for high rise apartments.

- (i) On Block D and the portion of Block E West developed for high rise apartments, a surface parking space shall be a minimum of 5 metres from a property line that abuts Sidney Belsey Crescent.

- (j) On Blocks D and Block E West, all ramps to an underground parking structure shall be directly from a private driveway and not a municipal road, and there shall be a minimum of 15 metres of driveway length between the property line at Sidney Belsey Crescent and a parking ramp”.
- (i) Delete text in ENVIRONMENTAL PROTECTION 14. and replace with:
- “14. A building permit for the construction of any dwelling units, other than a permit for demolition, excavation/servicing, shoring, or foundation, shall not be issued in respect of the Lands, save and except for the westerly portion of Block E having an area of approximately 0.7 hectares, unless:
- (i) the Chief Building Official for the City is in receipt of a completed “Record of Site Condition” pursuant to the Ministry of the Environment “Guideline for Use at Contaminated Sites in Ontario, February 1997”, as amended or updated, marked as having been received by the Ministry of Environment along with a letter from the Ministry of Environment advising that the Record of Site Condition is not subject to an audit review; or, alternatively, a letter from the Ministry of Environment advising that the Record of Site Condition has passed a Ministry audit for compliance with the Guideline; and
 - (ii) The suitable use or uses for the lands set out in Part 3 of the “Record of Site Conditions” is consistent with the use or uses for which the Building Permit application has been made”.
- (j) Amend paragraph 21 under the heading “GENERAL” by deleting the period at the end of the paragraph and inserting the following:
- “,except on a temporary basis on garbage days”.
- (k) Amend paragraph 2 in subsection 7. under the heading “RESIDENTIAL” by deleting the word “balconies,” after the words “For the purposes of this Subsection, the calculation of gross floor area shall exclude floor space occupied by balconies, enclosed solariums, and stairways and the calculation of open space ratio shall include”.
- (l) Delete the word “balconies” from the definition of “RECREATIONAL SPACE” in DEFINITIONS, subsection 22.

- (m) Add the words “or contained within any guidelines of the City of Toronto” after the words “Province of Ontario” in the definition of “AFFORDABLE” in DEFINITIONS, subsection 22.
- (n) Amend paragraph 21 under the heading “GENERAL” by deleting the period at the end of the paragraph and inserting the following:
- “,except on a temporary basis on garbage days.”
- (o) Add the following text as new paragraphs 22 to 29, both inclusive, after paragraph 21 under the heading GENERAL:
- “22. Bicycle parking spaces shall be provided and maintained in accordance with the following:
- (1) 1 bicycle parking space for every 1,250 square metres of gross leasable commercial floor area and with each building being provided with the required bicycle parking within 30 metres of a primary front entrance to the building;
 - (2) 0.75 bicycle parking space for each dwelling unit provided in the following portion: 80 percent as bicycle parking space for occupants and 20 percent as bicycle parking space for visitors;
 - (3) not more than 50 percent of the bicycle parking spaces for residential uses shall be provided in a manner that requires a person to park the bicycle in a vertical position;
 - (4) bicycle parking spaces for residential uses shall not be provided in a dwelling unit or a balcony thereof;
 - (5) a bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:
 - (a) where bicycles are parked on a horizontal surface, such space has horizontal dimensions of at least 0.6 metres wide by 1.8 metres long and a vertical dimension of at least 1.9 metres high; and
 - (b) where bicycles are parked in a vertical position, such space has horizontal dimensions of at least 0.6 metres wide by 1.2 metres long and a vertical dimension of at least 1.9 metres high; and
 - (6) all bicycle parking spaces shall be provided and maintained a highly visible weather protected area.

23. For Blocks D and the portion of Block E West developed for high rise apartments, the minimum distance from a parking or driving surface to the front or side of a building that has a walkway abutting it shall be 6.5 metres based on the following requirements:
 - (a) 2 metres for tree planting adjacent to the curb;
 - (b) 1.5 metre wide sidewalk; and
 - (c) 3 metres minimum between the sidewalk and the windows of ground floor residential units.
24. For Blocks D and the portion of Block E West developed for high rise apartments, the minimum distance from a parking or driving surface to the front or side of a building that does not have a walkway abutting it shall be 5 metres based on the following requirements:
 - (a) 2 metres for tree planting adjacent to the curb; and
 - (b) 3 additional metres minimum between the tree planting area and the windows of ground floor residential units.
25. For Block D, the total number of bachelor suites shall not exceed 42% of the dwelling units in a building, and the combination of bachelor and one bedroom suites shall not exceed 59% of the dwelling units in a building in the two highest buildings and 68% of the dwelling units in a building in the two lowest buildings. For the portion of Block E West developed for high rise apartments, the total number of bachelor suites shall not exceed 48% of the dwelling units in a building, and the combination of bachelor and one bedroom suites shall not exceed 74% of the dwelling units in a building.
26. For Blocks D and the portion of Block E West developed for high rise apartments, the maximum floor height with exception of the ground floor or penthouse level shall be 2.7 metres.
27. The maximum geodetic height that the ground level on top of the underground parking garage can be above the average geodetic height of the property line abutting Sidney Belsey Crescent is 0.6 metre (2 feet).
28. Slopes created in an effort to mask the underground parking structure shall not exceed 20% (1:5).

29. Any wall associated with a parking structure shall not be exposed along Sidney Belsey Crescent or along the north side of the property adjacent to the Portage Trail Public School and in all other instances shall not exceed an exposure of 1 metre in maximum height”.
2. Subject to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, this By-law shall come into force and effect on the date of the passing.

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

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)