

Authority: North York Community Council Report No. 6, Clause No. 33,
as adopted by City of Toronto Council on July 20, 21 and 22, 2004
Enacted by Council: July 22, 2004

CITY OF TORONTO

BY-LAW No. 693-2004

To amend former City of North York By-law No. 7625, as amended, with respect to lands known municipally as 1929 Bayview Avenue.

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*; and

WHEREAS the Official Plan of the former City of North York contains provisions relating to the authorization of increases in height and density of development; and

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 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*, 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, a 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 applicant/owner of the lands hereinafter referred to has elected to provide the facilities, services and matters hereinafter set forth; and

WHEREAS the increase in density and height of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provisions of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owner of such lands and the City of Toronto; and

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

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:

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 of the former City of North York is amended by adding the following subsection:

“64.20-A (145) RM6(145)

A. Section 37 Agreement

Facilities, services or matters which are to be provided pursuant to Section 37 of the *Planning Act*, as amended, in order to permit the increased density and height set out under subsection D (a) to (v) of the By-law are:

The owner agrees:

- (i) to provide a \$300,000 cash contribution to the Capital Revolving Fund for Affordable Housing.
- (ii) to provide a cash payment of \$300,000 for off site community or for parks improvements, over and above the cash-in-lieu contribution required under Section 42 of the *Planning Act*.
- (iii) to provide a \$4,130.00 cash contribution for the purpose of upgrading an existing pathway on the abutting lands east of the subject lands.
- (iv) to enter into an agreement with the City pursuant to Section 37 of the *Planning Act* to secure all of the above facilities, services or matters, and to register such agreement against title to the lands.

B. Definitions

- (a) For the purpose of this exception, “apartment house dwelling” shall mean a building containing more than four dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.
- (b) For the purpose of this exception, “established grade” shall be 149.48 m Above Sea Level located on Kilgour Road at the intersection with proposed Street “A”.

C. Permitted Uses

- (a) The only permitted uses shall be apartment house dwellings which may include indoor recreation areas, multiple attached dwellings, single family dwellings and semi-detached dwellings as shown on Schedule “RM6 (145)”.

D. Exception Regulations

- (a) A maximum of 458 dwelling units in total shall be permitted.
- (b) “Buildings “A”, “B”, “G” and “H” as shown on Schedule “RM6(145)” shall have a maximum gross floor area of 59,097 square metres.
- (c) “Buildings “C”, “D”, “E” and “F” as shown on Schedule “RM6(145)” shall have a maximum gross floor area of 10,263 square metres.
- (d) Blocks 1, 2, 3 and 4 as shown on Schedule “RM6(145)” shall have a maximum gross floor area of 10,784 square metres.
- (e) The maximum heights of buildings “A”, “B”, “G” and “H” shall be as shown on Schedule “RM6(145)”.
- (f) The maximum height of buildings “C”, “D”, “E” and “F” shall be as shown on Schedule “RM6(145)”.
- (g) The maximum height of Blocks 1 and 3 shall not exceed three storeys above grade and grade shall be the average elevation of the side walls at the front of each building and the front wall of each building shall be the south elevation.
- (h) The maximum height of Blocks 2 and 4 shall not exceed three storeys above grade and grade shall be the average elevation of the side walls at the front of each building and the front wall of each building shall be the north elevation.
- (i) Section 20-A.1(b)(ii) and (iii) regarding regulations applying to permitted uses in the R4 zone shall not apply.
- (j) Section 20-A.2.6 regarding building height shall not apply.
- (k) The minimum yard setbacks shall be as shown on Schedule “RM6(145)”.
- (l) Notwithstanding (k) above, the minimum yard setback for parking structures and structures associated thereto below established grade shall be 0 metres.

- (m) Notwithstanding (k) above, Section 6(9) (b) and (c) regarding projections associated with exterior stairways shall not apply.
- (n) Section 15.8 regarding landscaping shall not apply.
- (o) A minimum of 1,065 square metres of indoor amenity space shall be provided on the site.
- (p) Section 20A.2.4.1 regarding minimum distance between buildings shall not apply.
- (q) Section 20-A.2.5 regarding gross floor area shall not apply.
- (r) Parking

The minimum required parking spaces for Buildings “A”, “B”, “G” and “H” as shown on Schedule “RM6(145)” shall be as follows:
 - (i) 1.25 spaces per dwelling unit, plus;
 - (ii) 0.25 spaces per dwelling unit to be designated for visitors; andthe minimum required parking spaces for Buildings “C”, “D”, “E” and “F” as shown on Schedule “RM6(145)” shall be provided as follows:
 - (i) 1.5 spaces per dwelling unit, plus
 - (ii) 0.25 spaces per dwelling unit to be designated for visitors.The minimum required parking spaces for Blocks 1, 2, 3 and 4 as shown on Schedule “RM6(145)” shall be 2 spaces per dwelling unit.
- (s) The provisions of Section 20-A.2.1 regarding lot area shall not apply.
- (t) The provisions of Section 20-A. 2.2 regarding lot coverage shall not apply.
- (u) The provisions of Section 20-A.2.4 regarding setbacks shall not apply.
- (v) Notwithstanding any severance, partition or division of the lands shown on Schedule “RM6(145)”, the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.”

3. Section 64.37 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.37 (30) 01 (30)

Permitted Uses

Walking trail and open space.

4. Sections 64.20-A of By-law No. 7625 of the former City of North York is amended by adding Schedule “RM6 (145)” attached to this By-law.

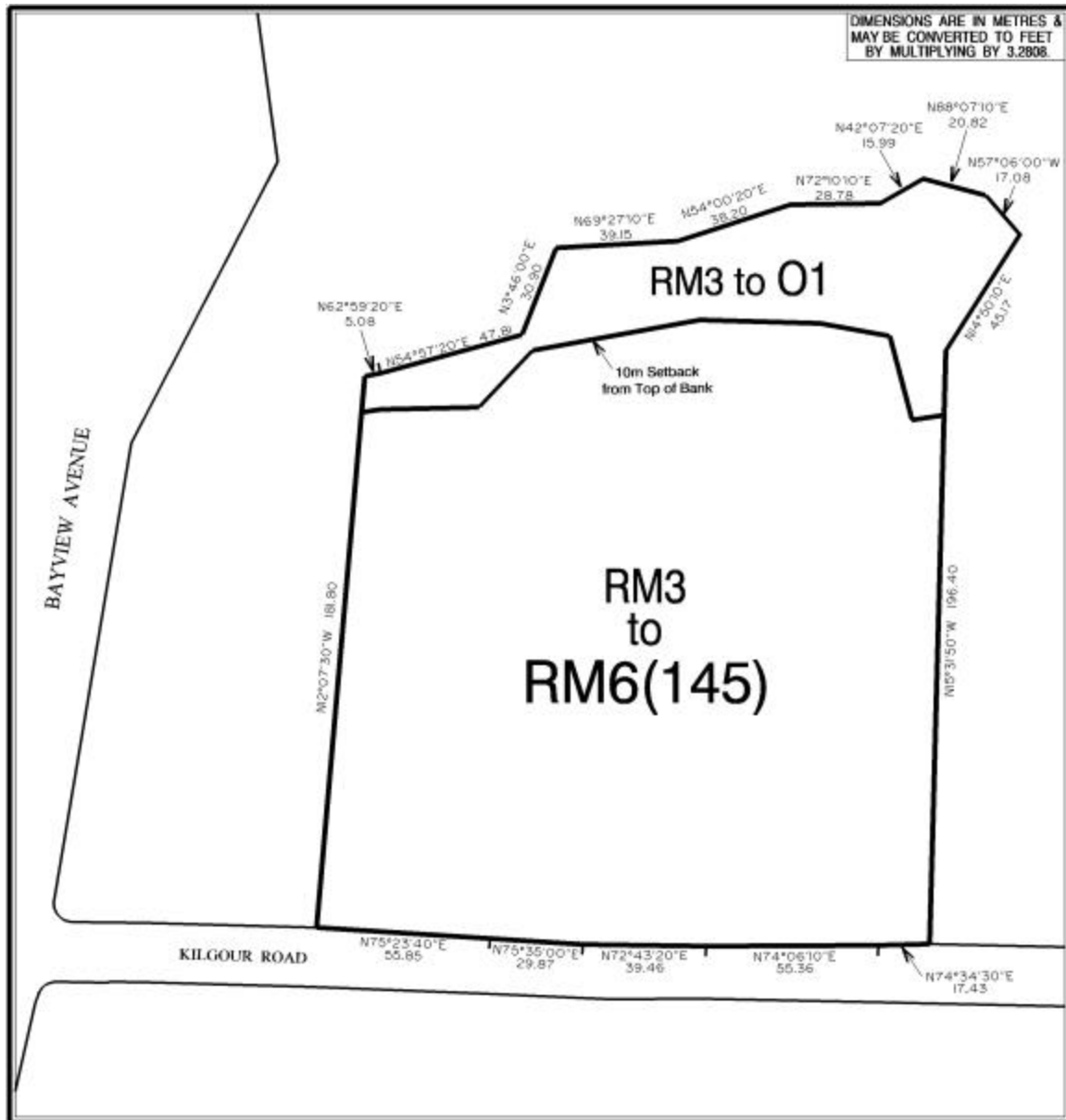
ENACTED AND PASSED this 22nd day of July, A.D. 2004.




DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

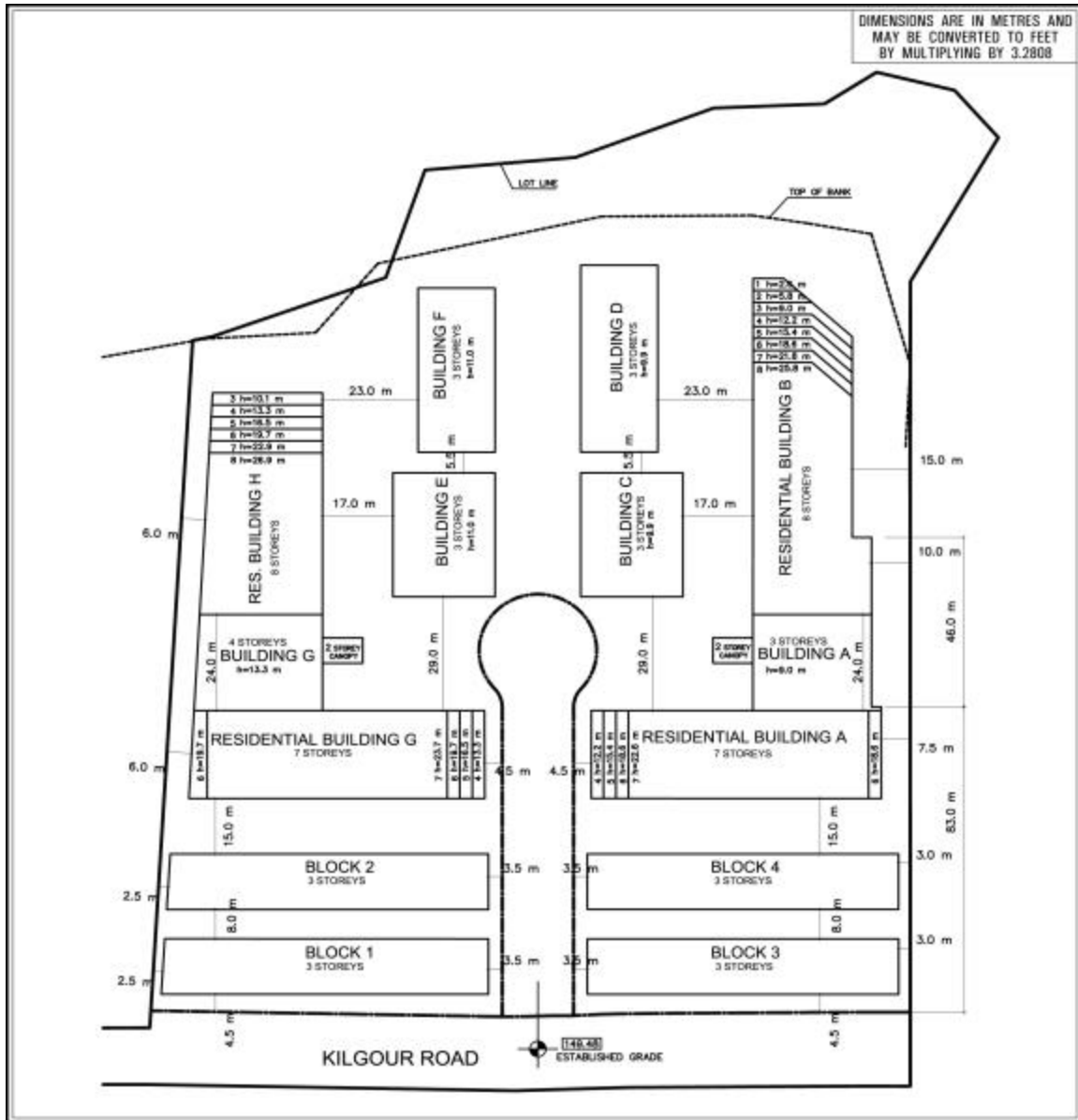
(Corporate Seal)

SCHEDULE "1"



<p>This is Schedule " 1 " to By-Law _____ passed the _____ day of _____, 20 _____</p>				 City Planning Division North District
(Sgd.) _____ CLERK	(Sgd.) _____ MAYOR	 SUBJECT PROPERTY		
<p>Location: Part of Lots 2 and 3 Concession 2 East of Yonge Street, City of Toronto</p>				
File: 03_183175	Prepared by: A.K.	Approved by: L.P.	Date: June 15, 2004	Filename: RM6(145)_1
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.				

SCHEDULE "RM6(145)"




This is Schedule " RM6(145) " to By-Law _____
passed the _____ day of _____, 20 _____

(Sgd.) _____ (Sgd.) _____
 CLERK MAYOR

Location: Part of Lots 2 and 3 Concession 2 East of Yonge Street, City of Toronto

File No. 03_183175 Prepared by: A.K. Approved by: L.P. Date: July 20, 2004 Filename: RM6(145).ai

Source: Zoning, By Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
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City Planning North

SUBJECT PROPERTY

