

Authority: Toronto North Community Council Report No. 1, Clause No. 47,
as adopted by City of Toronto Council on January 27, 28 and 29, 2004
Enacted by Council: September 30, 2004

CITY OF TORONTO

BY-LAW No. 824-2004

**To amend former City of North York By-law No. 7625 with respect to lands
municipally known as 12, 14 and 16 Rean Drive.**

WHEREAS authority is given to Council by Sections 34 and 37 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 Amendment No. 392 of the Official Plan of the former City of North York contains provisions relating to the authorization of increases in density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the council of a 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, 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 owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the density 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 provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto; and

WHEREAS the former City of North York has required the owners 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 in connection with the aforesaid lands as permitted by this By-law;

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

1. Schedules "B" and "C" of By-law No. 7625 are hereby 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 (143) RM6(143)

DEFINITIONS

- (a) For the purpose 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.
- (b) For the purposes of this exception, “established grade” is defined as 170.24 metres above sea level.
- (c) For the purposes of this exception, “underground” is defined as below established grade.

PERMITTED USES

- (d) The only permitted use shall be an apartment house dwelling and uses accessory thereto, including private recreational amenity area, a home theatre, and a common dining area.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (e) The maximum permitted gross floor area shall be 13,680m².

DWELLING UNITS

- (f) A minimum of 25% of all dwelling units shall comply with the following maximum floor areas:
 - (i) 55 m² for bachelor units; or,
 - (ii) 70m² for one-bedroom dwelling units; or,
 - (iii) 80m² for two-bedroom dwelling units; or,
 - (iv) 120 m² for three-bedroom dwelling units; or,
 - (v) any combination thereof.
- (g) The maximum number of dwelling units shall be 138.

LANDSCAPING

- (h) The provisions of Section 15.8 for landscaping shall not apply.

RECREATIONAL AMENITY AREA

- (i) A minimum of 1.5m² of outdoor private recreational amenity area per dwelling unit shall be provided.

LOT COVERAGE

- (j) The provisions of Section 20-A.2.2 for lot coverage shall not apply.

YARD SETBACKS

- (k) The minimum yard setbacks for all buildings and structures above established grade shall be as set out on Schedule "RM6(143)", where there is no minimum yard setback indicated on Schedule "RM6(143)", the minimum yard setback shall be 0 metres.
- (l) The minimum yard setbacks for underground parking structures shall be 0 metres.

HEIGHT

- (m) The maximum buildings heights shall be the lesser of the number of storeys or metres above established grade as defined in clause (b) as shown on Schedule "RM6(143)".
- (n) No habitable space shall be permitted above the maximum height.

PARKING

- (o) A minimum of 1.25 parking spaces per dwelling unit, of which 0.25 parking space per dwelling unit is reserved for visitor parking.

PROJECTIONS

- (p) The provisions of Section 6(9)(c) for permitted projections into one minimum side yard setback only shall not apply.
- (q) Exterior stairways, wheelchair ramps, canopies, balconies, bay windows, and covered porches and decks, shall be permitted to project into the minimum yard setbacks.

LOCKER SPACE

- (r) A minimum of 1 locker with a minimum area of 1.6m² shall be provided for each apartment house dwelling unit.

DIVISION OF LANDS

- (s) Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

LOADING SPACE

- (t) Sections 6A(16)(a)(iv) and 6A(16)(c)(i) shall not apply.

OTHER

- (u) No cell phone receivers, transmitters, or other broadcasting or receiving devices are permitted except those for the exclusive use of residents.

SECTION 37 AGREEMENT

- (v) The owner of the lands set out in Schedule "RM6(143)" shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this by-law applies in the manner and to the extent specified in the agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit an increase above the maximum gross floor area cited in clause (e) of this exception:
- (i) a minimum of 3.0m² of indoor private recreational amenity area per dwelling unit, to a maximum gross floor area of 356m², provided that such gross floor area is used solely for the purposes of a private recreational amenity area; and
 - (ii) a letter of credit or certified cheque in the amount of \$5,000.00 to the satisfaction of the Chief Financial Officer and Treasurer for future traffic monitoring to be undertaken.
 - (iii) a letter of credit or certified cheque in an amount equal to one per cent of the gross construction costs of the development to the satisfaction of the Chief Financial Officer and Treasurer for Public Art."
3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule "RM6(143)" attached to this by-law.

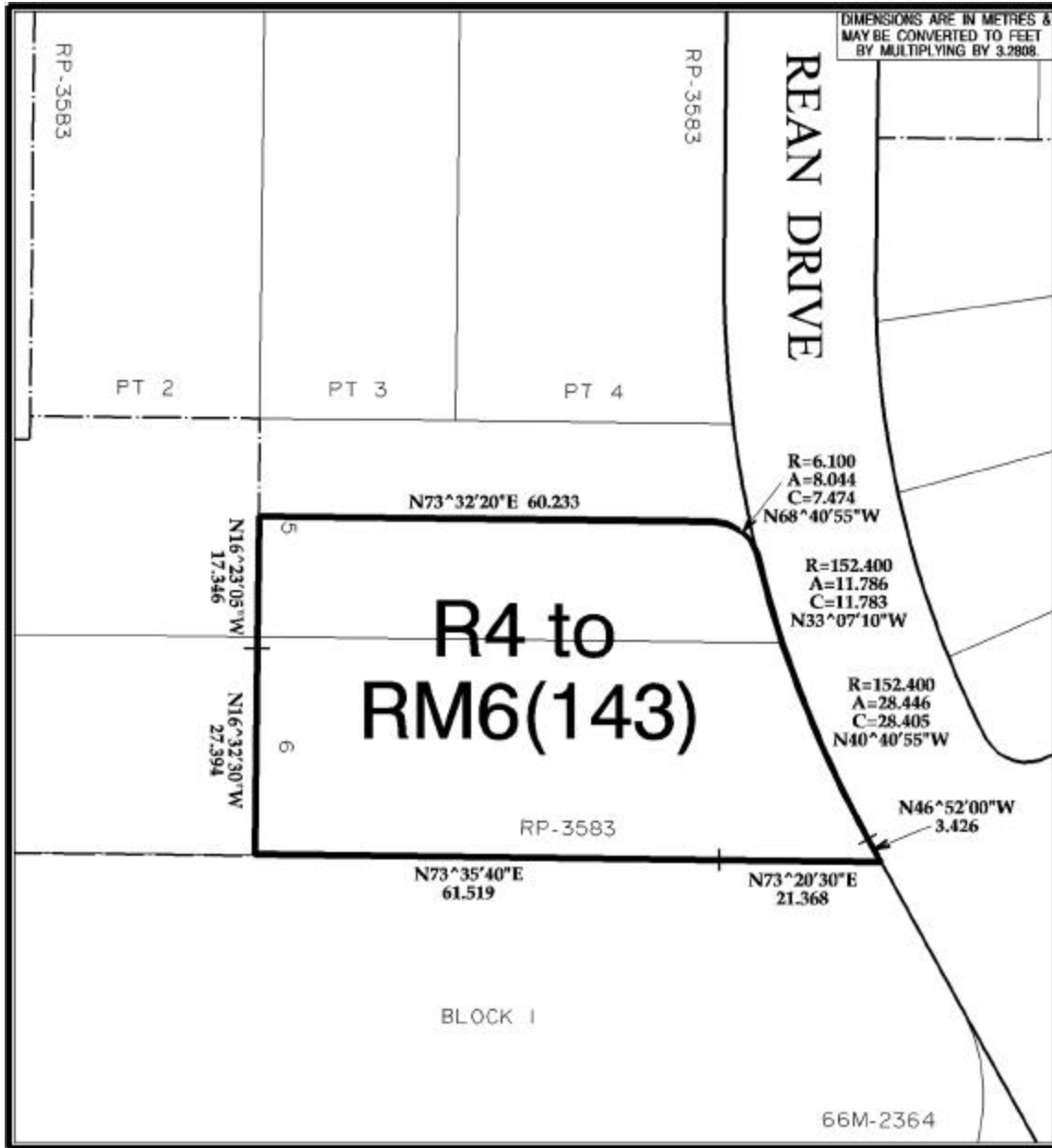
ENACTED AND PASSED this 30th day of September, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "1"



This is Schedule " 1 " to By-Law _____
 passed the _____ day of _____, 20 ____

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

Location: Lot 6 and Part of Lot 5, Registered Plan 3583, City of Toronto

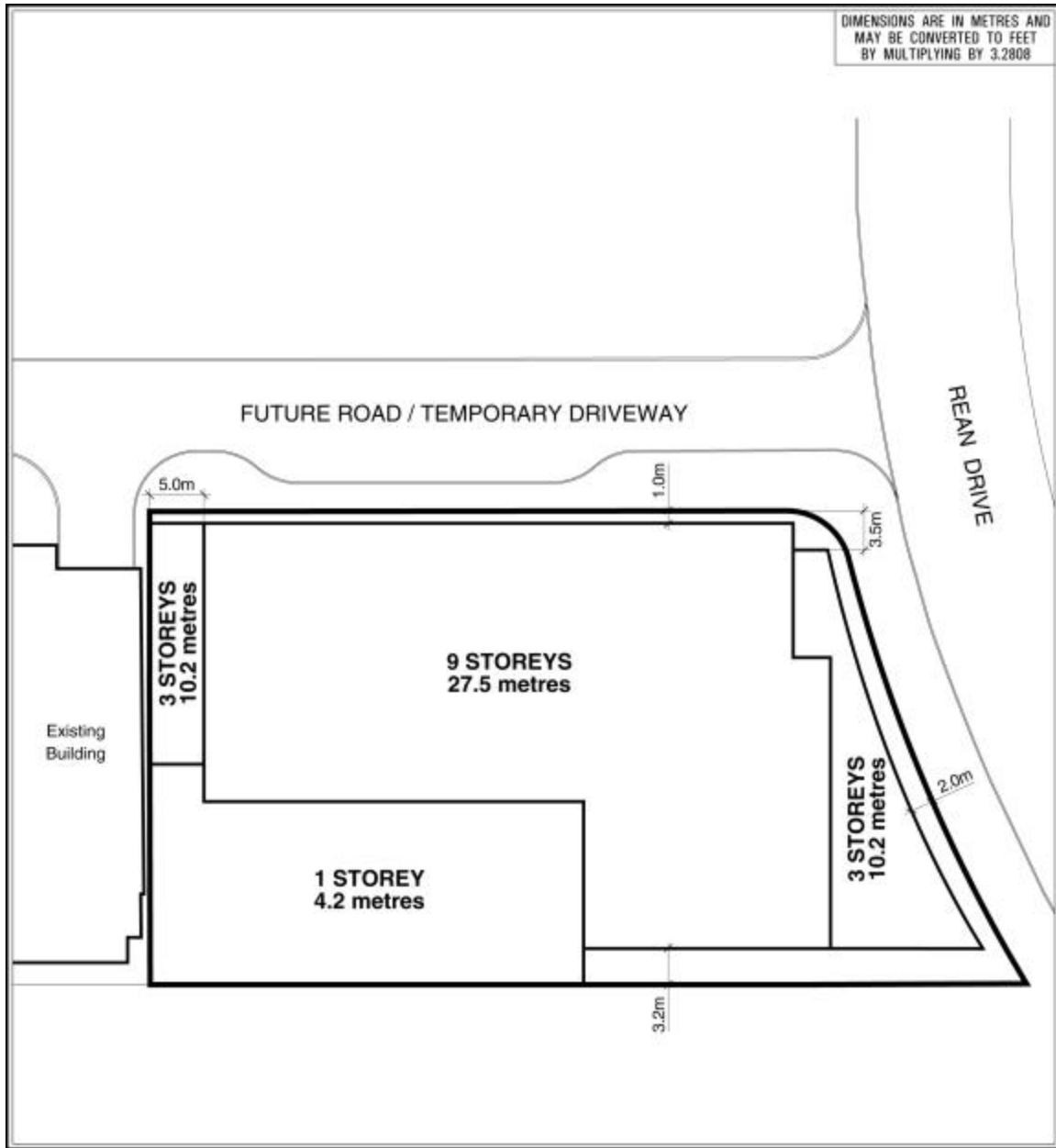
File: TB ZBL 2003 0003 Prepared by: A.K. Approved by: S.F. Date: Dec. 11, 2003 Filename: RM6(143)_1.dgn



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.

TORONTO
 City Planning Division
 North District

SUBJECT PROPERTY

SCHEDULE "RM6(143)"



<p>This is Schedule " RM6(143) " to By-Law _____</p> <p>passed the _____ day of _____, 20__</p>		 City Planning North	
(Sgd.) _____ CLERK	(Sgd.) _____ MAYOR		
Location: Lot 6 and Part of Lot 5, Registered Plan 3583, City of Toronto			
File No. TB ZBL 2003 0003	Prepared by: A.K.	Approved by: S.F.	Date: March 1, 2004
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.		 SUBJECT PROPERTY	