

Authority: Toronto and East York Community Council Report 6, Clause 6,
adopted as amended, by City of Toronto Council on July 25, 26 and 27, 2006
Enacted by Council: July 27, 2006

CITY OF TORONTO

BY-LAW No. 705-2006

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 201 Carlaw Avenue and 66 Boston Avenue.

WHEREAS the Council of the City of Toronto has been requested to amend its zoning by-law pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, respecting the lands municipally known in the year 2006 as 201 Carlaw Avenue; and

WHEREAS the authority to pass this By-law is given to the Council of the City of Toronto by section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended; and

WHEREAS the 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*, R.S.O. 1990, c.P. 13, as amended;

The Council of the City of Toronto HEREBY ENACTS an amendment to City of Toronto Zoning By-law No. 438-86, as amended, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto, as follows:

1. District Map No. 52H-312 contained in Appendix "A" of By-law No. 438-86, as amended, is further amended by redesignating the lands shown delineated by heavy lines on Map 1, attached to and forming part of this By-law, to I1 D3.
2. None of the provisions of section 2 with regards to the definitions of *lot* and *rowplex*, Section 4(2)(a)(i) and (ii), 4(4)(b), 4(12), 4(13)(a)(b) and (c) and 9(1)(a) and (f) of By-law No. 438-86, as amended, shall apply to prevent the conversion and use of land, buildings or structures on the *lot* for:
 - (a) 274 *live-work units*;
 - (b) the following residential uses:
 - (i) *apartment building*;
 - (ii) *artist live/work studio*;
 - (iii) *dwelling units* in a building – one or more;
 - (iv) *rowplex*;

- (c) the following non-residential uses on *Blocks 1, 2 and 3*:
- (i) *clinic*;
 - (ii) *day nursery*;
 - (iii) premises of a *charitable institution*;
 - (iv) *non-profit institution* or other;
 - (v) community or social agency;
 - (vi) *public art gallery*;
 - (vii) premises of a *charitable institution* or *non-profit institution*;
 - (viii) *courier service*;
 - (ix) *private art gallery*;
 - (x) *showroom*;
 - (xi) *tailoring shop*;
 - (xii) *artist's or photographer's studio*;
 - (xiii) *data processing establishment*; and
 - (xiv) office.

provided that:

- (i) the *lot* is comprised of at least those lands shown outlined by heavy lines on Map 1 of this By-law;
- (ii) that portion of the *existing building* within *Blocks 1, 2 and 3* contains a maximum of 94 *live-work units*;
- (iii) a combined total of not more than 21,411 square metres of *residential gross floor area* and *non-residential gross floor area* is located above *grade*;
- (iv) a total of not more than 2,260 square metres of *residential gross floor area* is located below *grade*;
- (v) *Block 5* may be used as an *apartment building* containing a maximum of 136 units;

- (vi) indoor *residential amenity space* shall be provided and shall be comprised of not less than 95 square metres and shall be provided in a multi-purpose room or contiguous multi-purpose rooms, at least one of which shall contain a kitchen and a washroom;
- (vii) not less than 225 *bicycle parking spaces* shall be provided and maintained on the *lot*, of which 40 shall be *bicycle parking space – visitor* and 185 shall be *bicycle parking spaces – occupant*, provided that no such *bicycle parking spaces* shall be provided in any *dwelling unit* or on any balcony, nor within any commercial suite;
- (viii) a minimum number of *parking spaces* for any building or structure erected and used on the lot shall be provided and maintained on the lot in accordance with the following:
 - (1) 0.3 *parking spaces* for each bachelor unit;
 - (2) 0.7 *parking spaces* for each one-bedroom dwelling unit;
 - (3) 1.00 *parking spaces* for each two-bedroom or larger dwelling units; and
 - (4) 0.12 visitor *parking spaces* for every dwelling unit contained therein.
- (ix) *Block 4* may be used for *artist live/work studio, row house, rowplex and dwelling units in a building* – one or more;
- (x) despite Appendix “B” of By-law No. 438-86, as amended, no part of any building or structure erected and used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on Map 3, attached to and forming part of this By-law, except:
 - (1) eaves, cornices, canopies and ornamental elements to a maximum of 1 metre beyond such heavy lines;
 - (2) fences, ramps and stairways to underground garages, chimney breasts, mechanical vents, lighting fixtures, landscaping elements, stairs and stair enclosures, railings, windows and door sills; and
 - (3) entrance canopy that may project up to 2.0 metres into the front yard of the building; and
- (xi) the maximum height above grade of any building or structure used or erected on the *lot* shall not exceed the *heights* above *grade* shown on Map 3, except for:
 - (1) eaves, cornices, canopies and ornamental elements to a maximum of 1 metre above such *height* limit; and

- (2) chimney breasts, mechanical vents, stairs, stair enclosures and railings.

3. For the purposes of this By-law:

- (a) “*Block 1*”, “*Block 2*”, “*Block 3*”, “*Block 4*” and “*Block 5*” means those parts of the *lot* as delineated by heavy lines on Map 2, attached to and forming part of this By-law;
- (b) “*rowplex*” means one of a series of more than two attached buildings, comprising duplexes or triplexes or both, and each building is divided vertically by a party wall;
- (c) “*existing building*” means that portion of the building to be retained on the *lot* located within *Blocks 1, 2 and 3* as shown on Map 2; and
- (d) each other word or expression that is italicized shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, and *live-work unit* shall have the same meaning as in the RA district.

4. Notwithstanding Sections 1, 2, or 3 of this By-law, the increased *heights* and density of development permitted by this Bylaw are permitted subject to compliance with all of the conditions set out in this By-law and in return for the provision by the owner of the *lot* of all of the following facilities, services and matters to the City of Toronto, namely:

- (a) the owner of the lands is required to enter into an agreement with the City of Toronto pursuant to section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to secure the provision of the following facilities, services and matters:
 - (i) payment to the City, prior to the issuance of above grade building permits, of contributions in the following amounts, all as described in further detail in the section 37 Agreement:
 - (a) a public art contribution for a value of \$80,000.00 to be directed to City approved public art initiatives in the South Riverdale community;
 - (b) a cash contribution in the amount of \$35,000.00 for facilities improvements, at Jimmy Simpson Recreational Centre;
 - (c) a cash contribution in the amount of \$20,000.00 for facilities improvements at Matty Eckler Community Centre;
 - (d) a cash contribution in the amount of \$50,000.00 for a community kitchen project at Ralph Thornton Centre;
 - (e) a cash contribution in the amount of \$75,000.00 for improvements to local parks within Ward 30;

- (f) a cash contribution in the amount of \$20,000.00 towards an Historical Plaque fund to be spent within the South Riverdale community; and
 - (g) a cash contribution in the amount of \$20,000.00 towards the “Chinese Archway Reserve Fund”;
- (ii) conveyance of a public access easement over the former rail spur lands along the frontage of the property on Boston Avenue, prior to the issuance of building permits;
 - (iii) the landscaping of the former rail spur property, adjacent public right-of-way on Boston and Carlaw Avenues to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
 - (iv) the provision of an irrigation system for all new trees in the public rights-of-way, and provision for the former rail spur property to be publicly accessible to the satisfaction of the Executive Director, Technical Services and General Manager, Parks, Forestry and Recreation;
 - (v) the payment of all costs of new municipal infrastructure and improvements and upgrades to existing municipal infrastructure to support the development as required by and to the satisfaction of the Executive Director, Technical Services; and
 - (vi) the satisfaction of any other condition to ensure the orderly development of the lands as required by the Chief Planner and Executive Director, City Planning.
- (b) the section 37 agreement required by section 4(a) of this By-law shall be registered on title to the *lot* in accordance with the provisions of such agreement; and
 - (c) the issuance of any building permit for the proposed development shall be dependant upon satisfaction of all provisions of this By-law and in the section 37 Agreement relating to building permit issuance, including the provision of monetary payments and financial securities and the conveyance of any lands or easements.
5. By-law No. 6-2003, being a by-law “To amend By-law No. 438-86, with respect to lands known as 201 Carlaw Avenue”, is hereby repealed.
6. Despite any existing or future severance, partition or division of the *lot*, the provisions of this by-law shall apply to the whole *lot* as if no severance, partition or division occurred.

7. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.

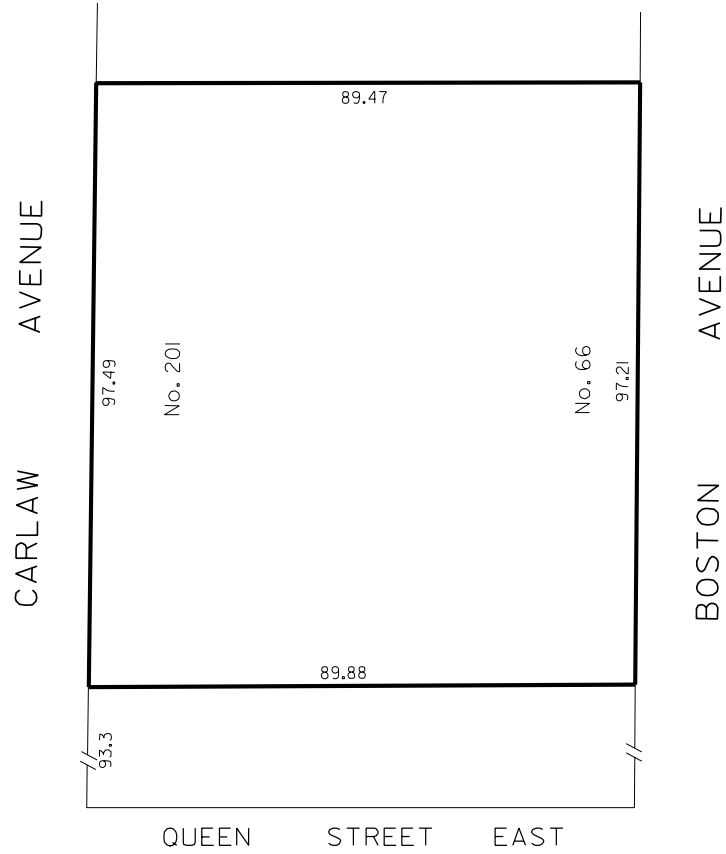
ENACTED AND PASSED this 27th day of July, A.D. 2006.

DAVID R. MILLER,
Mayor

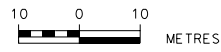
ULLI S. WATKISS
City Clerk

(Corporate Seal)

MAP I

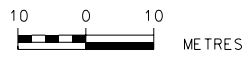
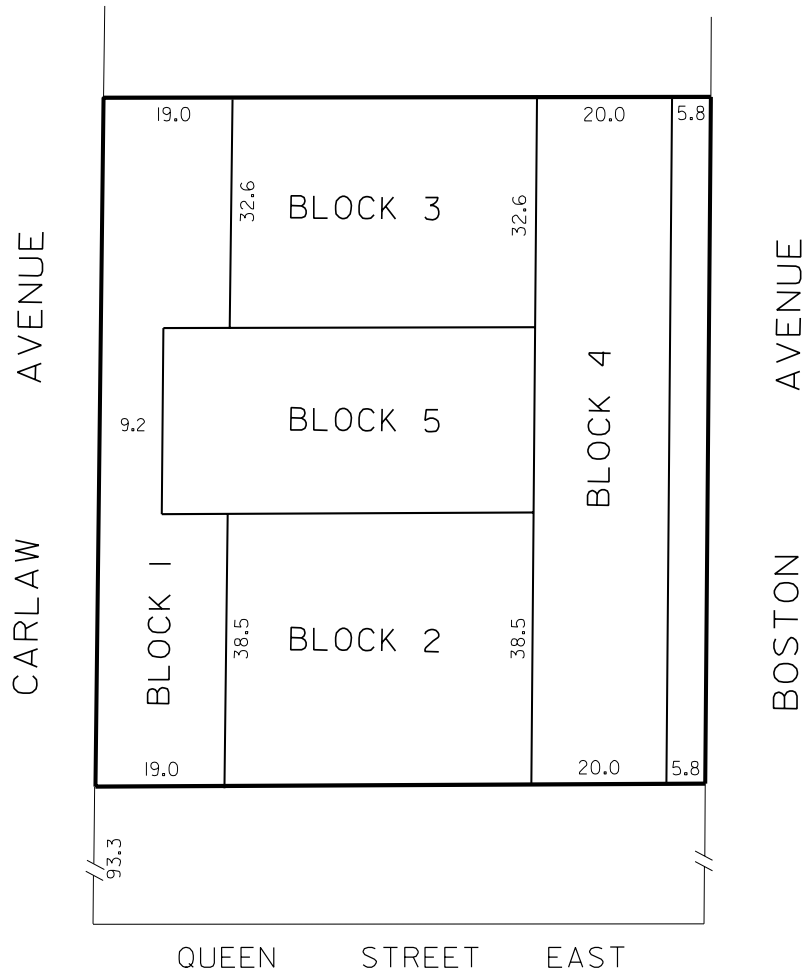


 REDESIGNATED TO I1 D3



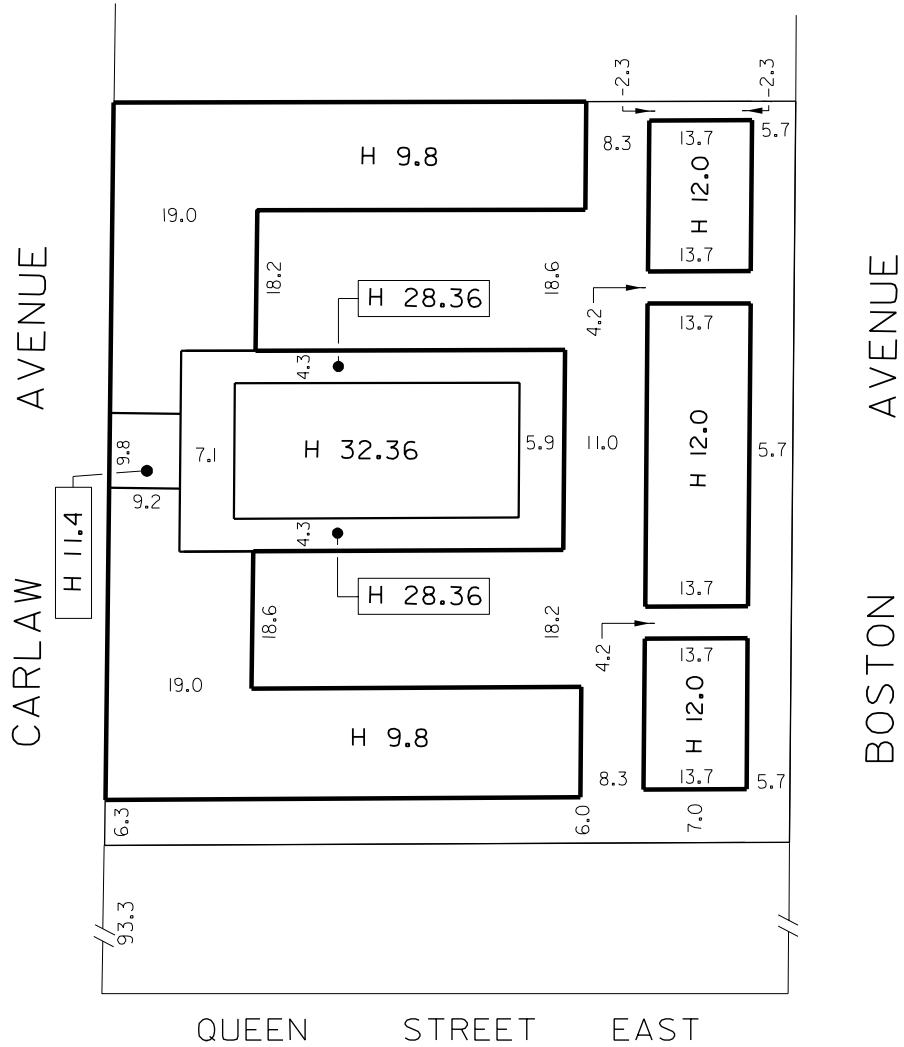
SURVEY AND MAPPING SERVICES
TORONTO JUNE 2006
BL06/201CARLAW1.DGN
FILE: C36-Z13
MAP No. 52H-312 DRAWN: VG

MAP 2

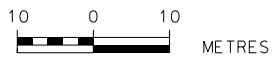


SURVEY AND MAPPING SERVICES
TORONTO JULY 2006
BL06/201CARLAW2.DGN
FILE: C36-213
MAP No. 52H-312 DRAWN: VG

MAP 3



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



SURVEY AND MAPPING SERVICES
 TORONTO JULY 25, 2006
 BL06/201CARLAW3.DGN
 FILE: C36-213
 MAP No. 52H-312 DRAWN: VG