

# CITY OF TORONTO

## BY-LAW No. 316-2008(OMB)

**To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 475 and 485 Patricia Avenue.**

WHEREAS the Ontario Municipal Board pursuant to an Order issued March 27, 2008 confirming Order No. 3288, dated November 23, 2006, upon hearing the appeal of Vianovus Capital Corporation, under Section 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the former City of North York Zoning By-law No. 7625, as amended;

THEREFORE By-law No. 7625, the former City of North York By-law, as amended, is further amended by the Ontario Municipal Board as follows:

1. Schedules “B” and “C” of By-law No. 7652 of the former City of North York are hereby amended in accordance with Schedule “1” attached hereto.
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 (161) RM6(161)**

### **DEFINITIONS**

#### APARTMENT HOUSE DWELLING

- (a) For the purpose of this exception, “apartment house dwelling” shall include, in addition to dwelling units having access only from an internal corridor system, guest suites and ground level dwelling units having access both from an internal corridor system and directly from the outside.

#### PRIVATE SCHOOL

- (b) For the purpose of this exception, “Private School” shall mean a school not under the jurisdiction of the Toronto District School Board or the Toronto Catholic District School Board, or similar educational institutions, but which offers elementary and secondary education for gain.

#### ESTABLISHED GRADE

- (c) For the purpose of this exception, “established grade” shall be 187.29 metres above sea level.

**GROSS FLOOR AREA**

- (d) For the purpose of this exception, “gross floor area” shall apply only to those buildings built after 2006 and shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:
- (i) Any part of the building used for mechanical floor area.
  - (ii) Below grade space used exclusively for motor vehicle parking.
  - (iii) The floor area of unenclosed residential balconies.

**PERMITTED USES**

- (e) Apartment house dwellings, school and a temporary sales office shall be the only permitted uses on the site.

**EXCEPTION REGULATIONS****MAXIMUM NUMBER OF DWELLING UNITS**

- (f) The maximum number of dwelling units shall be 240, of which a minimum of 25 per cent of the total number of dwelling units shall be subject to the following maximum floor area restrictions:
- (i) 70 m<sup>2</sup> for a bachelor unit or a one bedroom unit.
  - (ii) 80 m<sup>2</sup> for a two bedroom unit.
  - (iii) 120 m<sup>2</sup> for a three-bedroom unit.
  - (iv) Any combination of the above.

**MAXIMUM GROSS FLOOR AREA**

- (g) The maximum floor area for the apartment house dwelling shall be 21,200 m<sup>2</sup>.

**LOT COVERAGE**

- (h) The maximum lot coverage shall be 34%.

**BUILDING HEIGHT**

- (i) The maximum building height shall be as shown on Schedule “RM6(161)”, excluding mechanical penthouses, trellises, landscape open structures and roof access enclosures, parapets and guard rails.

- (j) Notwithstanding (i) the above, in no case shall the height of the building exceed the 45 degree angular plane as shown on Schedule “RM6(161)”.

### **BUILDING ENVELOPES**

- (k) No portion of any building or structure and used above established grade shall be located otherwise than wholly within the building envelopes shown on Schedule “RM6(161)”.
- (l) Notwithstanding (k) above, open balconies may project to a maximum of 1.8 metres beyond the building envelope, trellises may project a maximum of 2.5 metres, beyond the building envelope, and canopies may project to a maximum of 3.5 metres beyond the building envelope.

### **YARD SETBACKS AND DISTANCE BETWEEN BUILDINGS**

- (m) The minimum yard setbacks and distances between buildings shall be as shown on Schedule “RM6(161)”.

### **PARKING**

- (n) Parking spaces shall be provided for residential uses within the net site in accordance with following:
- (i) A minimum of 1.25 parking spaces per apartment house dwelling unit, including 0.25 parking spaces per dwelling unit for visitor use.
  - (ii) Parking space size shall be a minimum of 2.7 metres by 5.5 metres.
  - (iii) Handicapped Parking Space size shall be a minimum of 3.65 meters by 5.5 metres.
  - (iv) Parallel parking space size shall be a minimum parking space size shall be a minimum of 2.7 metres by 6.7 metres.
- (o) The underground parking shall be set back 3.2 metres from the Bathurst Street frontage.

### **LOADING**

- (p) One (1) loading space for the apartment house dwelling shall be provided on the net site.

### **LANDSCAPING**

- (q) A minimum of 4400 m<sup>2</sup> of landscaped open space shall be provided.

**OUTDOOR RECREATION AMENITY AREA**

- (r) A minimum of 1.5 m<sup>2</sup> per unit of outdoor residential amenity space shall be provided.

**INDOOR RECREATION AMENITY AREA**

- (s) A minimum of 1.5 m<sup>2</sup> per unit of indoor residential amenity space shall be provided.

**SECTION 37**

- (t) The owner of the site, at the owner's expense and in accordance with and subject to the agreements referred in to this By-law, shall provide or fund the following facilities, services, and/or matters on terms satisfactory to the City of Toronto:
- (i) The owner shall provide a new children's playscape within the at-grade outdoor recreation amenity area and such play area shall be made available for the use of the existing school, to a value of \$30,000.00.
  - (ii) The owner shall prepare and implement a traffic management plan for the lands which includes the provision of on-site drop-off and pick-up for the existing school, including access across the adjacent place of worship.
- (u) The permitted residential density of 21,200 m<sup>2</sup> is allowed provided the owner enters into one or more agreements satisfactory to the City of Toronto, pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters referred to in subsection (i) above, and such agreement or agreements have been registered as a first priority against the title to the site.

**EXCLUSIONS**

- (v) The provisions of Sections of Section 15.6 (Distance of Apartment House Dwellings from R and RM2 Zones) Section 15.8 (landscaping), Section 6-A(16)(d)(Access to Loading Spaces), Section 20-A.2.2 (lot coverage), Section 20-A.2.4 (yard setbacks) Section 20-A.2.5 (gross floor area), Section 20-A.2.6 (building height), Section 20-A-4.21 (distance between buildings and/or portions of buildings forming courts) shall not apply.

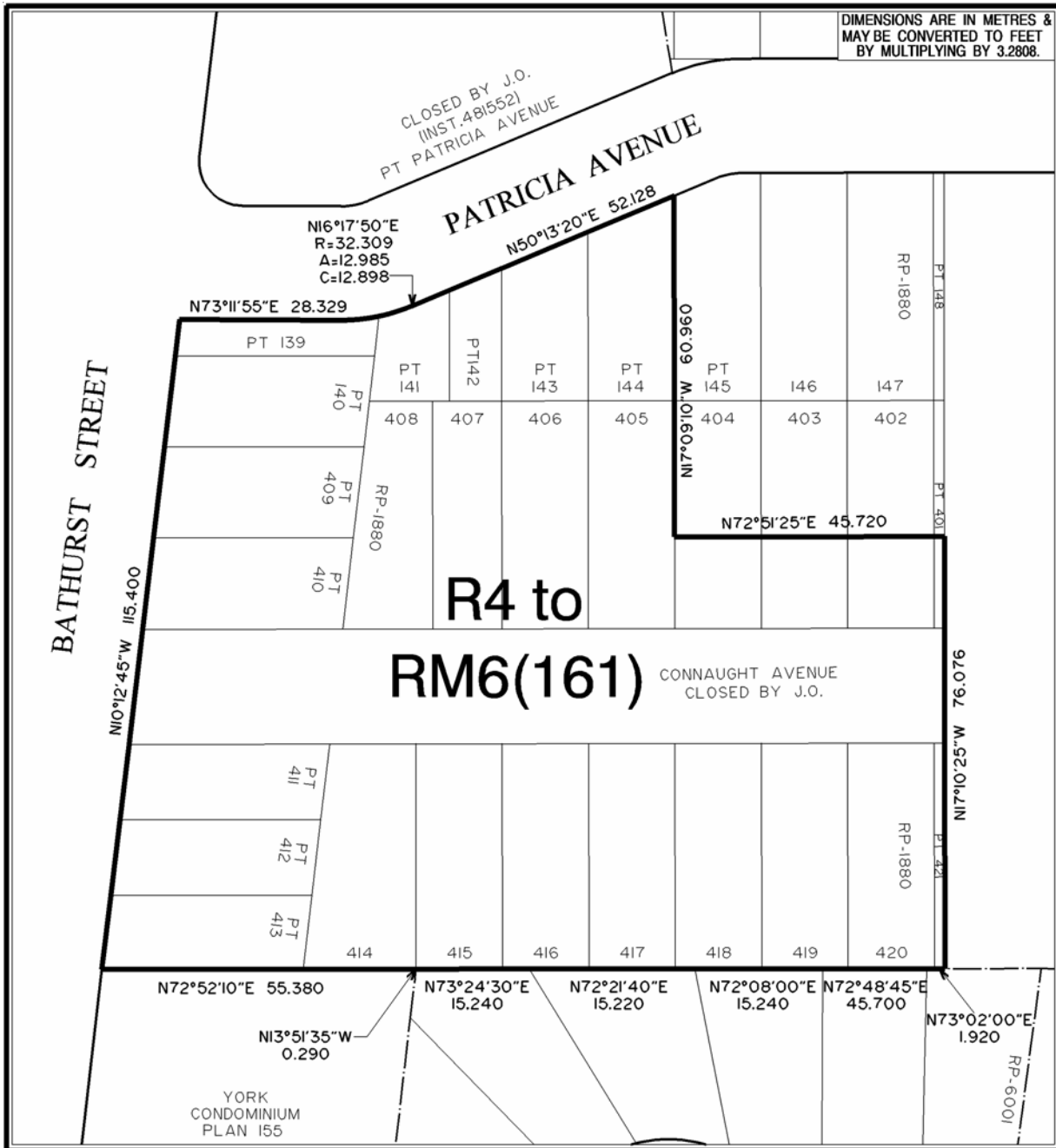
**DIVISION OF LANDS**

- (w) Notwithstanding any severance or division of the lands subject to this application, the regulations of this exception shall continue to apply to the whole of the lands as of no severance, partition or division had occurred."

3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule “RM6(161)”, attached to this By-law.

PURSUANT TO ORDER ISSUED MARCH 27, 2008 AND DECISION/ORDER NO. 3288 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON NOVEMBER 23, 2006 IN BOARD FILE NO. PL060386.

**SCHEDULE "1"**




**This is Schedule " 1 " to By-Law \_\_\_\_\_**  
**passed the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_**

(Sgd.) \_\_\_\_\_ (Sgd.) \_\_\_\_\_  
 CLERK MAYOR

**Location: 146, 147, 402-408, 414-420, Part of Lots 139-145, 148, 401, 409-413 & 421**  
**Registered Plan 1880, and Part of Connaught Boulevard (closed by Bylaw 14170)**


**File: 05\_104461**    **Prepared by: A.K.**    **Approved by: K.J.**    **Date: March 8, 2006**    **Filename: RM6(161)\_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.

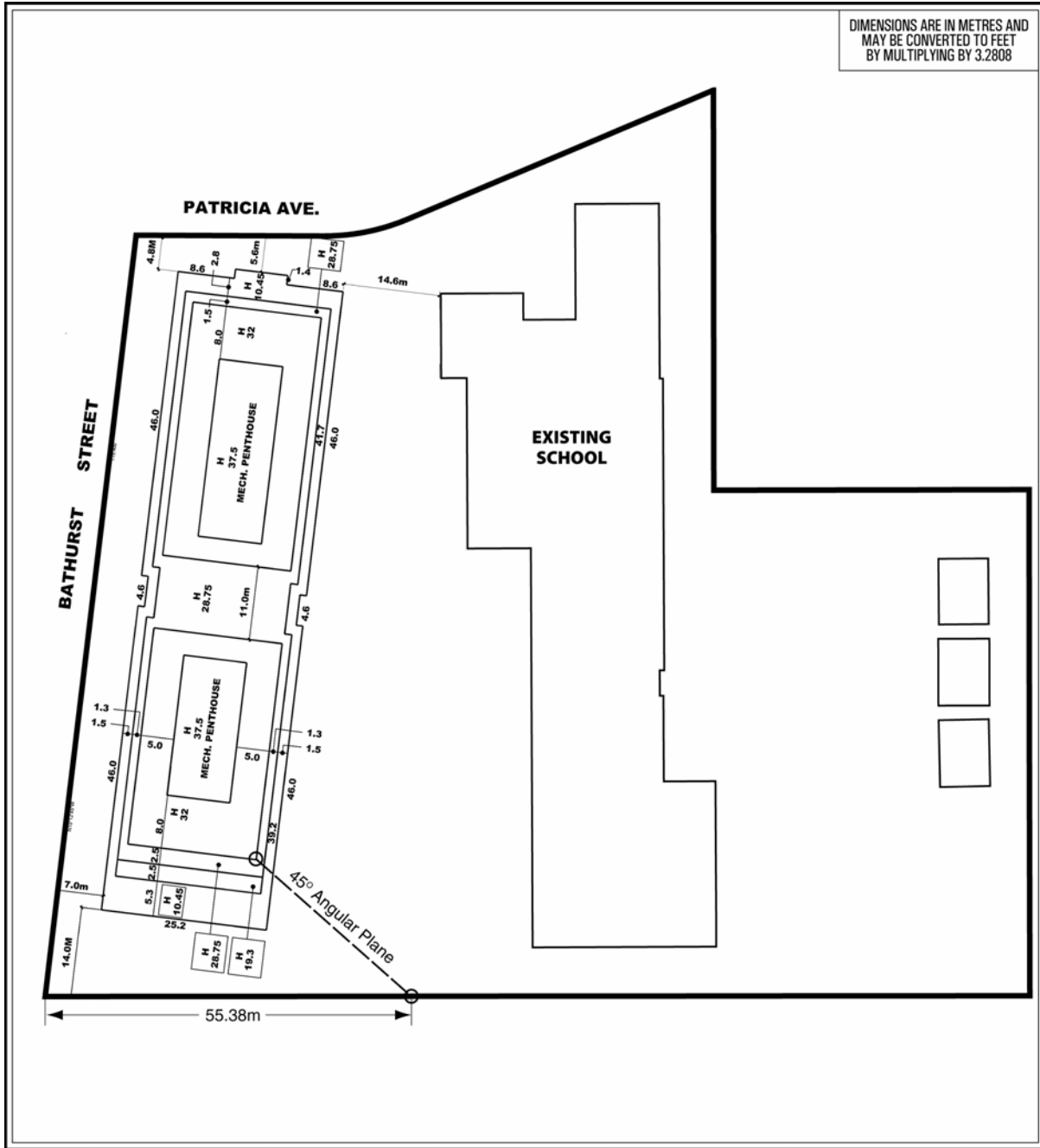


**TORONTO**  
City Planning Division  
North District

SUBJECT PROPERTY



**SCHEDULE "RM6(161)"**



<p>This is Schedule "RM6(161)" to Bylaw _____                  passed the _____ day of _____, 20____                  (Sgd.) _____ (Sgd.) _____                  CLERK MAYOR</p>		<p><b>TORONTO</b>                  City Planning Division                  Community Planning North</p>		
<p>Location: Lots 146, 147, 402-408, 414-420, Part of Lots 139-145, 148, 401, 409-413 &amp; 421                  Registered Plan 1880, and Part of Connaught Boulevard (closed by Bylaw 14170)</p>				
<p>File No: 05_104461</p>	<p>Drawn by: A.K.</p>	<p>Approved by: K.J.</p>	<p>Date: Mar. 17, 2006</p>	<p>Filename: RM6(161).ai</p>

