

Authority: Etobicoke York Community Council Report 3, Clause 56a,
as adopted by City of Toronto Council on May 23, 24 and 25, 2006
Enacted by Council: April 29, 2008

CITY OF TORONTO

BY-LAW No. 355-2008

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 2442 Bloor Street West.

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. None of the provisions of Sections 8(1)(a); 8(3) PART 1; 8(3) PART11; 8(3) PART 3; 8 (3) PART 1(a); 8 (3) PART 11 (1) (a); 8 (3) PART 11 2 (ii); 4 (2); 4 (4) (b); 4 (4) (c); 4 (6) (b); 4 (11)(a); and, 4 (12) of By-law No. 438-86, as amended, shall apply to prevent the erection and use, on that part of the lands shown on the attached Schedule “A” within the former City of Toronto, of one 10-storey mixed-use building containing a maximum gross floor area of 7373m², provided:
 - (1) the heights and setbacks for the part of this 10 storey building within the former City of Toronto shall be as shown on Schedules “B”, “B-1” and “B-2” attached;
 - (2) the parking requirements for this building shall be as follows:
 - 0.7 stalls per dwelling unit for one-bedroom units;
 - 1.0 stalls per dwelling unit for two-bedroom units;
 - 1.2 stalls per unit for three bedroom units; and
 - 0.04 stalls per dwelling unit for visitor parking.
 - (3) parking spaces shall have a minimum width of 2.5 metres and minimum length of 5.7 metres;
 - (4) driveways shall have a minimum width of 3.5 metres for one-way operation and a minimum of 6.0 metres for two-way operation; and
 - (5) the amenity space requirements for this building shall be the total of 146 m² interior space and 54 m² exterior space.
2. Section 37:

The owner of the lands as shown on Schedule “A” to this by-law 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 shall be registered against the title of the lands to which this by-law applies in

the manner and to the extent specified in such agreements. The owner of the lands, at the owner's expense and in accordance with and subject to such agreements, shall provide the following facilities, services and matters on terms satisfactory to the City in order to permit the increases in gross floor area and height authorized under Section 1 of this By-law:

- (a) prior to the issuance of any foundation building permit, the owner shall pay to the City the amount of \$50,000 to be used toward improvements to area recreational facilities including Traymore Park;
- (b) the owner will provide, to the satisfaction of the City, a pedestrian walkway through the proposed building connecting Bloor Street West to the Toronto Parking Authority parking lot at the rear of such proposed building, and will convey such easements to the City as necessary to provide pedestrian access by the public over and through the walkway. This walkway will be designed by the owner and approved by the City as part of the Site Plan Approval process. The City agrees that 50% of the cost of this walkway, to a maximum of \$150,000.00, will be considered to be a section 37 contribution;
- (c) prior to the issuance of any building permit, the owner will secure, at its sole expense and using terms of reference as approved by the City, a Traffic Impact Study which will review the proposed building and surrounding road network and the potential for infiltration of northbound traffic on Riverview Gardens. The owner further agrees to implement, at its expense, all road improvements resulting from such Study and will provide the City a letter of credit to secure the full estimated cost of such improvements prior to issuance of any building permit;
- (d) the owner agrees to construct and maintain the proposed building in accordance and in conformity with drawings as approved by the City, such that the architectural design and type of materials as shown thereon are secured to the satisfaction of the City;
- (e) the owner agrees that no third party advertising or signage as defined in the Section 37 agreement will be permitted anywhere on the proposed building, that no signs and advertising of any type will be permitted on the side walls of the building, and that signage on the front façade of the building will be limited to areas as shown on approved site plan drawings;
- (f) the owner will agree that a minimum of 25% of the residential units in the proposed building will be designed and constructed so as to be fully accessible to persons with disabilities, and the owner will agree to market 25% of the residential units to persons with disabilities and to design the interior of such units so as to accommodate persons with disabilities;

- (g) the permitted density of 7373 m² is allowed provided that 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 herein, and such agreement or agreements have been registered as a first priority against the title to the lands; and
 - (h) building permit issuance for the proposed building shall be dependent upon satisfaction of the provisions in this By-law and in the Section 37 Agreement relating to building permit issuance, including the provisions of financial securities.
3. Within the lands shown on Schedule “A” attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this 29th day of April, A.D. 2008.

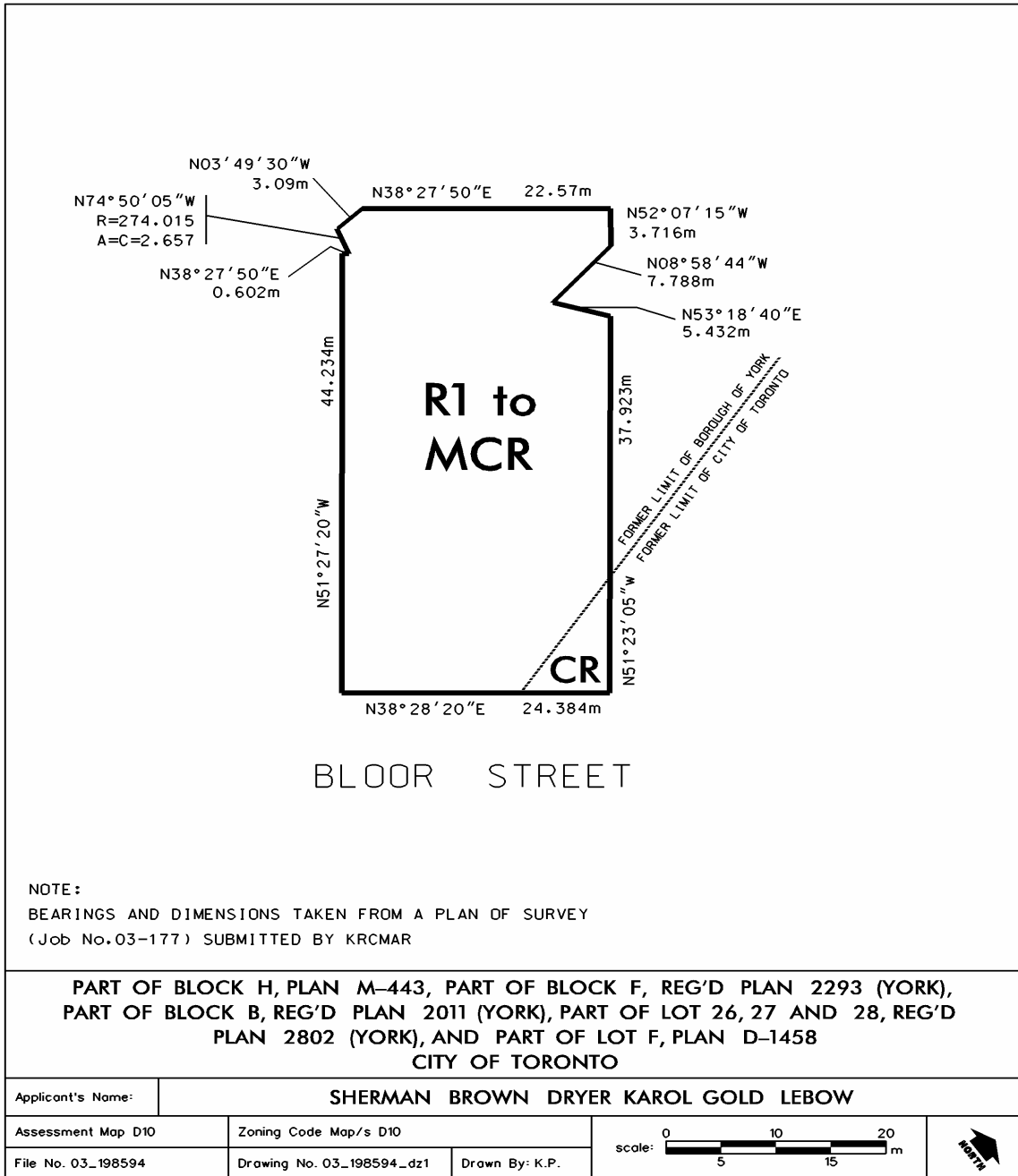
SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

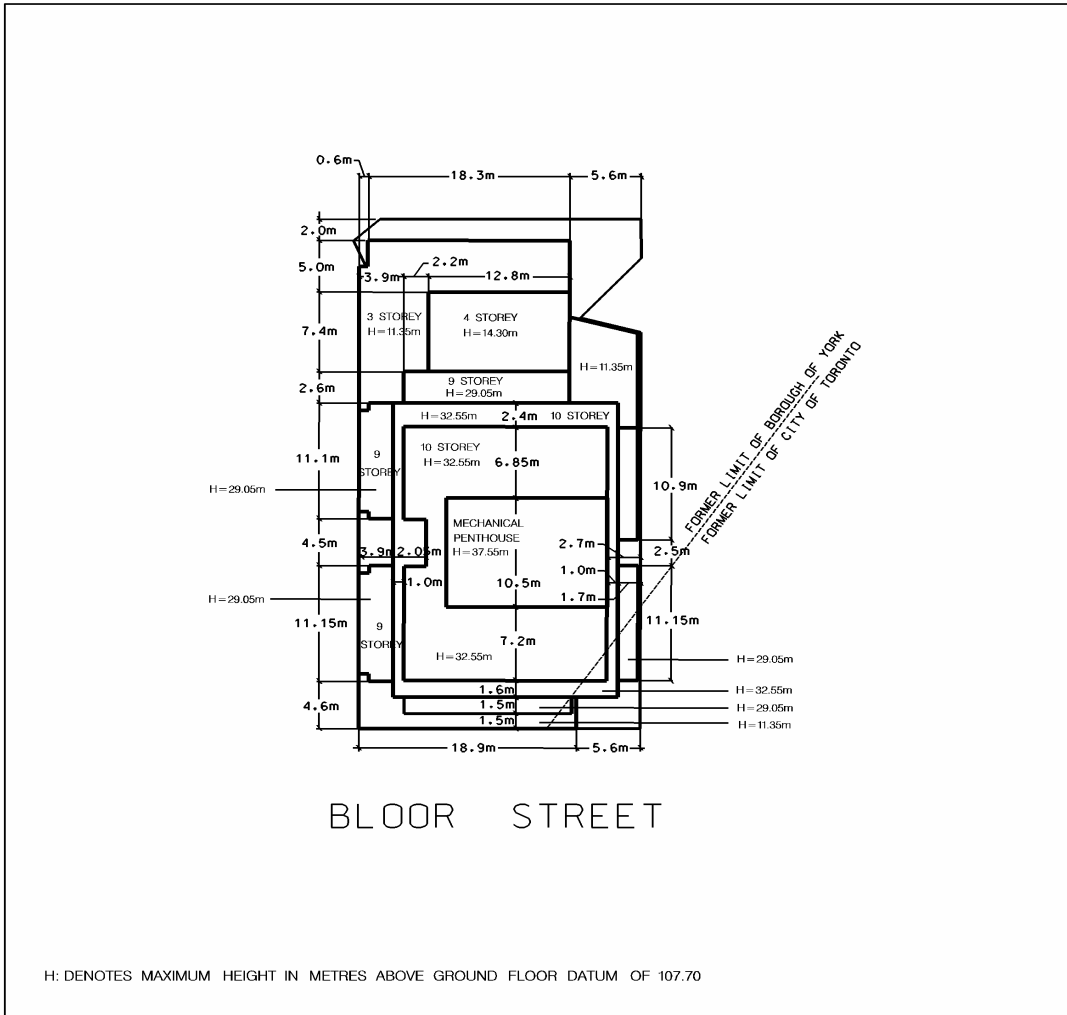


Schedule 'A' to ByLaw Number _____ and to Section 16(424) of York Zoning ByLaw 1-83 and to ByLaw 438-86 of Toronto





Schedule 'B' to ByLaw Number _____ and
to Section 16(424) of York Zoning ByLaw 1-83
and to ByLaw 438-86 of Toronto



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GROUND FLOOR DATUM OF 107.70

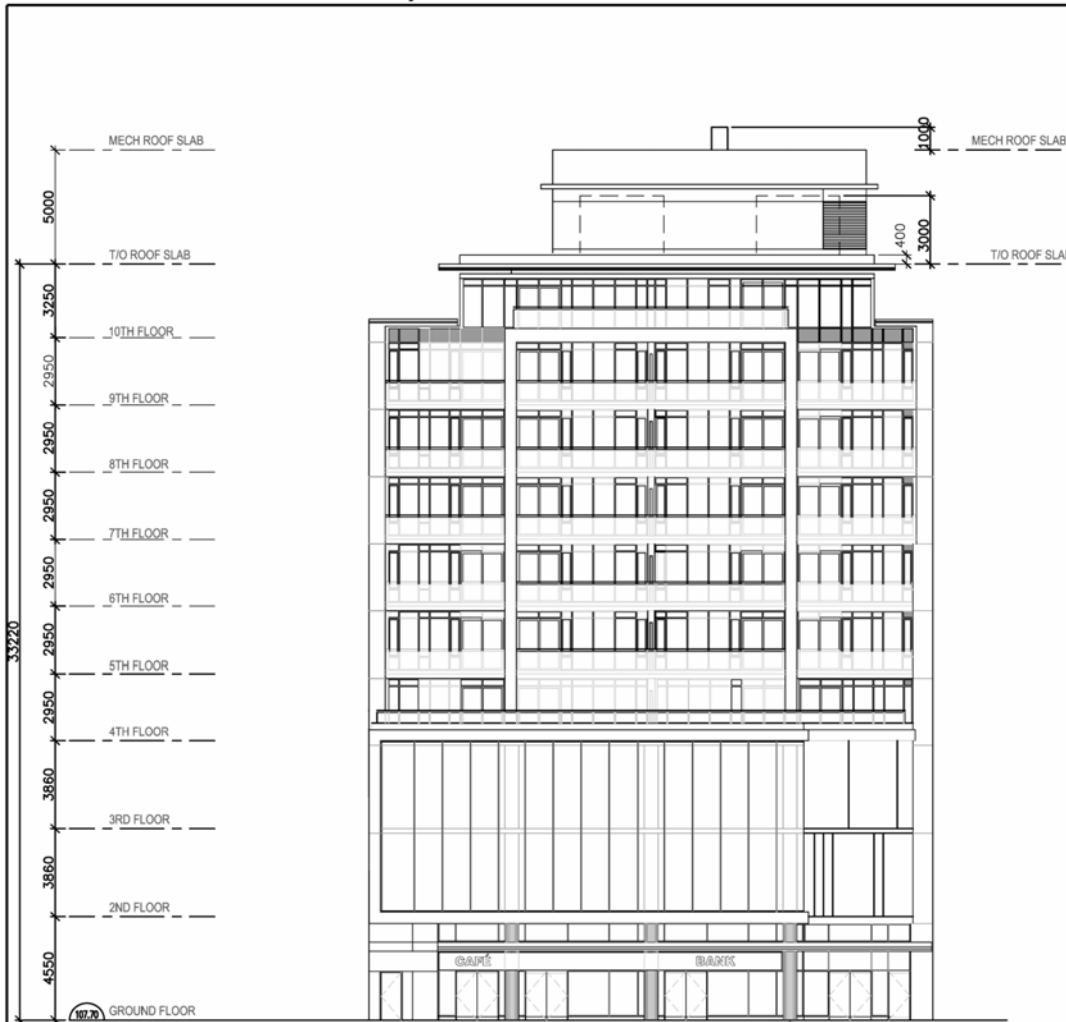
PART OF BLOCK H, PLAN M-443, PART OF BLOCK F, REG'D PLAN 2293 (YORK),
PART OF BLOCK B, REG'D PLAN 2011 (YORK), PART OF LOT 26, 27 AND 28, REG'D
PLAN 2802 (YORK), AND PART OF LOT F, PLAN D-1458
CITY OF TORONTO

Applicant's Name:		SHERMAN BROWN DRYER KAROL GOLD LEBOW	
Assessment Map D10	Zoning Code Map/s D10		scale:
File No. 03_198594	Drawing No. 03_198594_dz2	Drawn By: K.P.	







Schedule 'B-1' to ByLaw Number _____ and
to Section 16(424) of York Zoning ByLaw 1-83
and to ByLaw 438-86 of Toronto

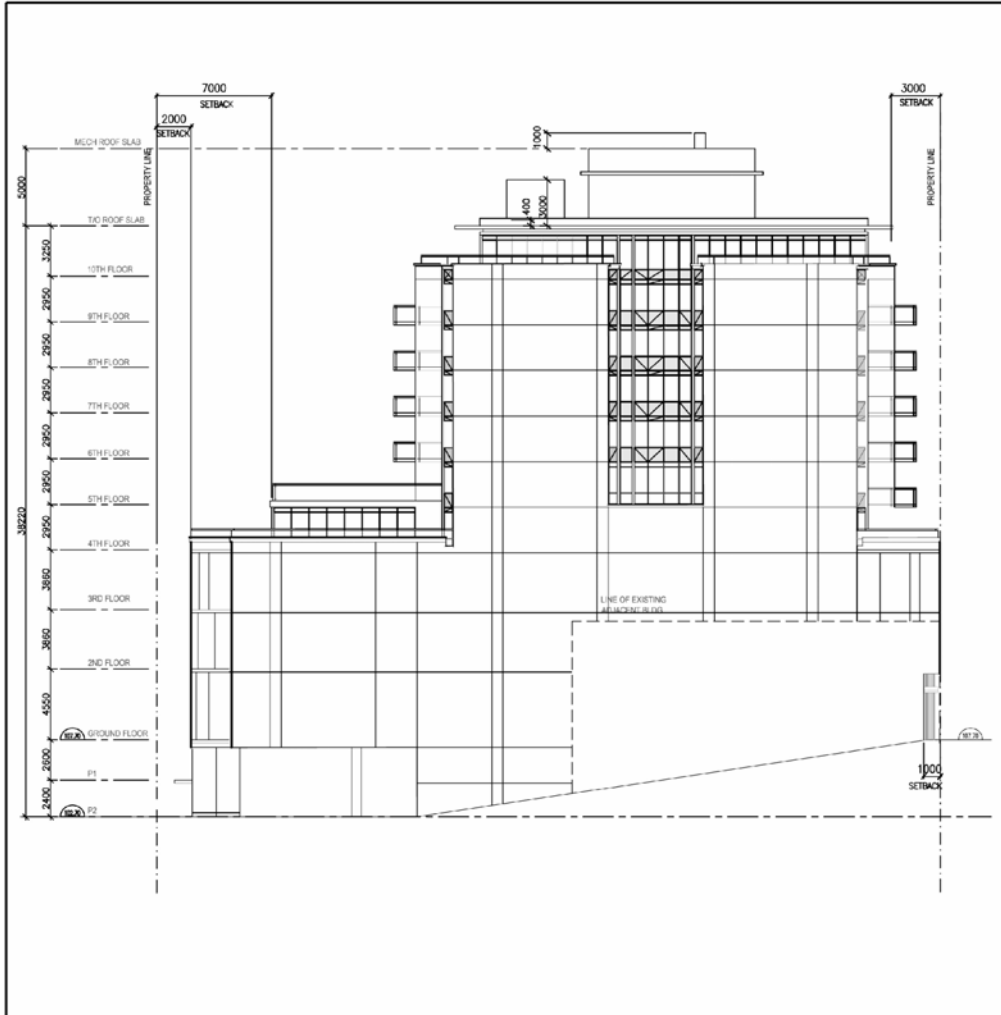


PART OF BLOCK H, PLAN M-443, PART OF BLOCK F, REG'D PLAN 2293 (YORK),
PART OF BLOCK B, REG'D PLAN 2011 (YORK), PART OF LOT 26, 27 AND 28, REG'D
PLAN 2802 (YORK), AND PART OF LOT F, PLAN D-1458
CITY OF TORONTO

Applicant's Name:		SHERMAN BROWN DRYER KAROL GOLD LEBOW	
Assessment Map DIO	Zoning Code Map/s DIO	scale:  m	
File No. O3E198594	Drawing No. O3E198594Edz2a		



Schedule 'B-2' to ByLaw Number _____ and
to Section 16(424) of York Zoning ByLaw 1-83
and to ByLaw 438-86 of Toronto



PART OF BLOCK H, PLAN M-443, PART OF BLOCK F, REG'D PLAN 2293 (YORK),
PART OF BLOCK B, REG'D PLAN 2011 (YORK), PART OF LOT 26, 27 AND 28, REG'D
PLAN 2802 (YORK), AND PART OF LOT F, PLAN D-1458
CITY OF TORONTO

Applicant's Name:		SHERMAN BROWN DRYER KAROL GOLD LEBOW	
Assessment Map DIO	Zoning Code Map/s DIO	scale:	
File No. 03E198594	Drawing No. 03E198594Edz2b	Drawn By: K.P.	