

Authority: North York Community Council Item 14.60,
as adopted by City of Toronto Council on April 28 and 29, 2008
Enacted by Council: April 29, 2008

CITY OF TORONTO

BY-LAW No. 387-2008

To amend former City of North York By-law No. 7625, with respect to lands municipally known as 19, 21, 23, 27, 29, 31, 33 and 37 Olive Avenue and 18, 22, 24, 26, 28 and 32 Holmes Avenue.

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*;

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

1. Schedules “B” and “C” of By-law No. 7625 are 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 (178) RM6 (178)

DEFINITIONS

APARTMENT HOUSE DWELLINGS

- (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, dwelling units having directly from the outside, or from an internal corridor system or any combination thereof.

MULTIPLE ATTACHED DWELLINGS

- (b) For the purposed of this exception, “multiple attached dwelling” shall mean a building consisting of a series of one family detached units where each unit has access from an internal corridor or access from the outside, or any combination thereof.

BICYCLE PARKING SPACE

- (c) For the purposes of this exception, “bicycle parking space” shall mean an area designed and equipped exclusively for the purpose of parking and securing a bicycle. The space will not be provided within a dwelling unit or balcony. The dimensions of bicycle parking spaces are to be a minimum of 1.9 m high by 0.6 m wide and either 1.2 m deep (vertical parking) or 1.8 m deep (horizontal

parking). Not more than 50 per cent of bicycle parking spaces will be provided as vertical parking.

ESTABLISHED GRADE

- (d) For the purpose of this exception, “established grade” is defined as 192.35 metres above sea level.

GROSS FLOOR AREA

- (e) For the purpose of this exemption, “gross floor area” shall mean the total area of all the floors in a building, measured between the outside walls of the building at the level of each floor but excluding:
- (i) any parts of the building used for mechanical areas;
 - (ii) any area used for exclusively for motor vehicle parking;
 - (iii) any space used exclusively for bicycle parking which is also located within a below-grade parking garage; and
 - (iv) the floor area of unenclosed balconies.

MECHANICAL FLOOR AREA

- (f) for the purpose of this exception, “mechanical floor area” means the floor area within a building that is used exclusively for the accommodation of mechanical equipment necessary to physically operate the building such as heating, ventilation, air conditioning, electrical, telephone, plumbing, fire protection and elevator equipment.

GROSS SITE

- (g) For the purpose of this exception, “gross site” shall mean Lots 80, 81, 82, 89, 90, 91, 92 and 93, and Part of Lots 77, 78, 79, 94, 95 and 96, Registered Plan 2282, comprising an area of 7,453.8 m².

NET SITE

- (h) For the purpose of this exception, “net site” shall have the same meaning as “gross site”.

PERMITTED USES

- (i) The only permitted uses shall be apartment house dwellings and multiple attached dwellings and uses accessory thereto, including private recreational amenity areas.

EXCEPTION REGULATIONS**MAXIMUM GROSS FLOOR AREA**

- (j) The total gross floor area permitted on the lands shown on Schedule RM6(178) hereto shall not exceed a maximum gross floor area of 22,434.02 m² attributable to the gross site of 7453.8 m².

NUMBER OF DWELLING UNITS

- (k) The maximum number of dwelling units shall be 384, 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 m² for a bachelor unit or a one-bedroom unit;
 - (ii) 80 m² for a two-bedroom unit;
 - (iii) 120 m² for a three-bedroom unit; and
 - (iv) any combination of the above.

BUILDING HEIGHT

- (l) The building height shall not exceed the maximum heights in metres and storeys shown on Schedule RM6(178), excluding mechanical penthouses, parapets, guardrails, and stairwells to access the roof.

YARD SETBACKS

- (m) The minimum yard setbacks shall be as set out in Schedule RM6(178). Every part of any required yard shall be open and unobstructed by any structure, from the ground to the sky, except for accessory structures including, but not limited to, a garbage pick up station, a stair enclosure, ventilation shafts. Such accessory structures may have a minimum yard setback of 0.0 m. Notwithstanding this requirement, exterior stairways, roof overhangs and cornices, wheelchair ramps, canopies, open balconies, bay windows, porches, decks and patios shall be permitted to project into the minimum yard setbacks no more than 2.6 metres.

PARKING

- (n) Parking spaces shall be provided within the net site in accordance with the following:
- (i) a minimum of 1.0 motor vehicle parking spaces per dwelling unit, including 0.1 parking spaces per dwelling unit for visitor use;

- (ii) a maximum of 1.2 motor vehicle parking spaces per dwelling unit including 0.1 spaces per dwelling unit for visitor use; and
- (iii) a minimum of 0.10 spaces per non-grade related dwelling unit shall be provided in an indoor, at-grade common bicycle room conveniently accessible to the outside.

LANDSCAPING

- (o) A minimum of 2700 m² at-grade landscaping shall be provided on the net site.

AMENITY SPACE

- (p) A minimum of 1.5 m² per dwelling unit of both indoor and outdoor residential amenity space shall be provided.

INCREASED DENSITY

- (q) Matters which are to be provided pursuant to Section 37 of the *Planning Act* in order to permit the increased maximums in gross floor area authorized under subsection (s) of this exception are:

SECTION 37 AGREEMENT

- (r) The owner of the subject lands 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 bylaw applies in the manner and to the extent specified in such 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:
 - (i) A monetary contribution to be used in equal proportion towards the City's cost of land acquisition for the North York Centre Service Road and associated road network and buffer areas and/or towards the cost of constructing and furnishing a public recreational centre or social facility serving the North York Centre for the proposed 6,307.4 m² density incentive. The owner shall provide the monetary contribution in the form of a certified cheque upon execution of the section 37 agreement, and prior to enactment of the zoning by-law. The amount of the monetary contribution shall be equal to the market value, based on the land value of density in the North York Centre, of the proposed 6,307.4 m² gross floor area, as determined by the Director of Real Estate Services;
 - (ii) A minimum of 1.5 m² per dwelling unit of indoor recreational amenity area;

- (iii) A minimum of 0.10 spaces per unit shall be provided in an indoor, at grade common bicycle room of a minimum area of 43.27 m², conveniently accessible to the outside; and
- (iv) A public art contribution that consists of 1% of the gross construction cost of the project, for a public art programme to be provided on-site. The Owner shall submit to the City a public art plan for the site and obtain approval by the Chief Planner or designate in consultation with the Toronto Public Art Commission prior to the issuance of the first building permit for the first building, or shall in lieu thereof, deposit the entire public art obligation in respect of that building permit with the City.

ADDITIONAL GROSS FLOOR AREA

- (s) Notwithstanding subsection (j) of this exception, additional gross floor area permitted on the lands shown on Schedule RM6(178) shall be limited to the following:
 - (i) a maximum of 6,307.4 of gross floor area attributed to the monetary contribution specified in (q)(i) above;
 - (ii) a maximum gross floor area of 1.5 m² per dwelling unit provided such gross floor area is used exclusively for indoor recreational amenity area; and
 - (iii) a maximum gross floor area of 43.27 m² provided such gross floor area is used exclusively for bicycle storage space and is additional to general storage space otherwise provided. A minimum of 0.10 spaces per non-grade related dwelling unit shall be provided in an indoor, at grade common bicycle room of a minimum area of 43.27 m², conveniently accessible to the outside.
- (t) Notwithstanding any severance, partition, or division of the net site, as shown on Schedule RM6(178), the provisions of this by-law shall apply to the whole of the net site as if no severance partition or division occurred”.

OTHER REGULATIONS

- (u) The provisions of Sections 6A(8), 6A(9), 15.6, 15.8, 16.2.1, 16.2.2, 16.2.3, 16.2.5 and 20-A.2.1, 20-A.2.2, 20-A.2.3, and 20-A.2.4 shall not apply.

- 3.** Section 64.20-A of By-law No. 7625 is amended by adding Schedule RM6(178) attached to this by-law.

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

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



