

Authority: North York Community Council Item 12.53,
as adopted by City of Toronto Council on February 6 and 7, 2012
Enacted by Council: February 7, 2012

CITY OF TORONTO

BY-LAW No. 160-2012

To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 55 Antibes Drive.

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*; and

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the authorization of increase in height and 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 owner 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 height and 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;

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

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are hereby amended in accordance with Schedule 1 of this By-law.

2. Section 64.16 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.16 (88) RM1(88)

DEFINITIONS

- a. For the purpose of this exception, "Established Grade" shall mean a geodetic elevation of 191.0. A.S.L.

PERMITTED USES

- b. The only permitted uses shall be:
- (i) Multiple attached dwellings and uses accessory thereto; and
 - (ii) Temporary Sales Office.

EXCEPTION REGULATIONS

DWELLING UNITS

- c. A maximum of 41 dwellings units shall be permitted.

LOT COVERAGE

- d. The maximum lot coverage shall be 60 per cent.

YARD SETBACKS

- e. Notwithstanding Section 16.2.4 yard Setbacks, the minimum yard setbacks for buildings and structures above established grade shall be as shown on Schedule RM1(88).
- f. Notwithstanding the building envelopes shown on Schedule RM1(88) the following may project a maximum of 0.6 metres: belt courses, chimney breasts, cornices, eaves or gutters, pilasters and sills.
- g. Notwithstanding the building envelopes shown on Schedule RM1(88) the following may project a maximum of 1.5 metres: bay windows, porches, below-grade storage rooms located beneath porches and stairs providing access to porches.

GROSS FLOOR AREA

- h. A maximum gross floor area of 8,402 m² shall be permitted.

BUILDING HEIGHT

- i. The maximum building height shall be eleven (11) metres or three (3) storeys above Established Grade, whichever is the lesser.

DISTANCE BETWEEN BUILDINGS

- j. The minimum separation distance between buildings, or portions thereof, shall be 6.9 metres.

PARKING

- k. Parking shall be provided at a rate of a minimum of 1.0 parking space per dwelling unit.

EXCLUSIONS

- l. The provisions of Section 15.8 Landscaping, Section 16.2.1 Lot Area, Section 16.2.2 Lot Coverage, Section 16.2.3 Street Frontage and Section 16.2.5 Floor Area of By-law No. 7625 shall not apply.

DIVISION OF LANDS

- m. Notwithstanding any severance, partition or division of the lands shown on Schedule RM1(88), the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.
3. Section 64.16 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.16 (89) RM1(89)**DEFINITIONS**

- a. For the purpose of this exception, "Bicycle parking" shall mean an area below established grade or at grade that is equipped with bicycle racks or lockers for the purpose of parking and securing bicycles, but is not intended for general storage use.
- b. For the purpose of this exception, "Established Grade" shall mean a geodetic elevation of 191.0 A.S.L.
- c. For the purpose of this exception, "Gross Floor Area" shall mean the aggregate of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
 - (i) The floor area of any unenclosed residential patios, balconies or terraces;

- (ii) Any area used for automobile parking or the ramp enclosure to the underground parking;
- (iii) Any area used for bicycle parking below grade;
- (iv) Any area used for common amenity space such as a swimming pool, amenity building, mail room and garbage room; and
- (v) Any required storm water management facility and uses accessory thereto.

PERMITTED USES

- d. The only permitted uses shall be:
 - (i) Multiple attached dwelling and accessory uses thereto; and
 - (ii) Temporary sales office.

EXCEPTION REGULATIONS

DWELLING UNITS

- e. A maximum of 162 units shall be permitted.

YARD SETBACKS

- f. Notwithstanding Section 16.2.4 yard Setbacks, the minimum yard setbacks for buildings and structures above established grade shall be as shown on Schedule RM1(89).
- g. Notwithstanding (f) above, the minimum yard setback for parking structures and structures associated thereto below established grade shall be 0.0 metres from any lot line.
- h. Notwithstanding (f) above, the minimum yard setback for structures associated with parking structures above established grade shall be 2.0 metres from any lot line.
- i. Notwithstanding the building envelopes shown on Schedule RM1(89) the following may project a maximum of 0.6 metres: belt courses, chimney breasts, cornices, roof overhang, eaves or gutters, bay window, box window or other projecting window, pilasters and sills.
- j. Notwithstanding the building envelopes shown on Schedule RM1(89) the following may project a maximum of 1.5 metres: decks, enclosed or unenclosed entry, porch, balcony or other similar structure.

- k. Notwithstanding the building envelopes shown on Schedule RM1(89) the following may project a maximum of 2.5 metres: exterior steps or ramps.

GROSS FLOOR AREA

- l. A maximum gross floor area of 19,950 m² shall be permitted.

BUILDING HEIGHT

- m. The maximum building height shall be 13.00 metres or four (4) storeys above Established Grade, whichever is the lesser.
- n. Notwithstanding m. above, roof access structures shall be permitted to protrude above the maximum permitted height.

PARKING

- o. Parking for residential uses shall be provided at a minimum rate of 1.2 parking spaces per dwelling unit, of which, 0.2 parking spaces per dwelling unit shall be for the use of visitors.
- p. All parking spaces shall be contained in an underground garage.

BICYCLE PARKING

- q. Bicycle parking shall be provided on-site at a minimum rate of 0.7 long term spaces per dwelling unit for residents.
- r. Bicycle parking shall be provided on-site at a minimum rate of 0.08 long term spaces per dwelling unit for visitors.

LOADING

- s. One Type G loading space is required.

EXCLUSIONS

- t. The provisions of Sections 15.8 Landscaping, 16.2.1 Lot Area, 16.2.2 Lot Coverage, 16.2.3 Street Frontage, 16.2.5 Minimum Floor Area and 16.3.2 Distance between Buildings of By-law No. 7625 shall not apply.

DIVISION OF LANDS

- u. Notwithstanding any severance, partition or division of the lands shown on Schedule RM1(89), the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.

4. Section 64.16 of By-law No. 7625 is amended by adding Schedule RM1(89) attached to this By-law.

5. **SECTION 37**

a. The owner of the lands as shown on Schedule RM1(88) and RM1(89) 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 to the satisfaction of the City Solicitor against the title of the lands, to which this By-law applies in the manner and to the extent specified in 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 the maximum gross floor area cited in Section 2, Clause (h) and Section 3, Clause (l) as shown on Schedules RM1(88) and RM1(89) which form part of this By-law:

- (i) A \$250,000 cash payment to be used for capital improvements to Antibes Park and Antibes Community Centre, to be paid prior to the issuance of the first above-grade building permit for the development, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

6. Within the lands shown on Schedule RM1(88) and Schedule RM1(89) 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:

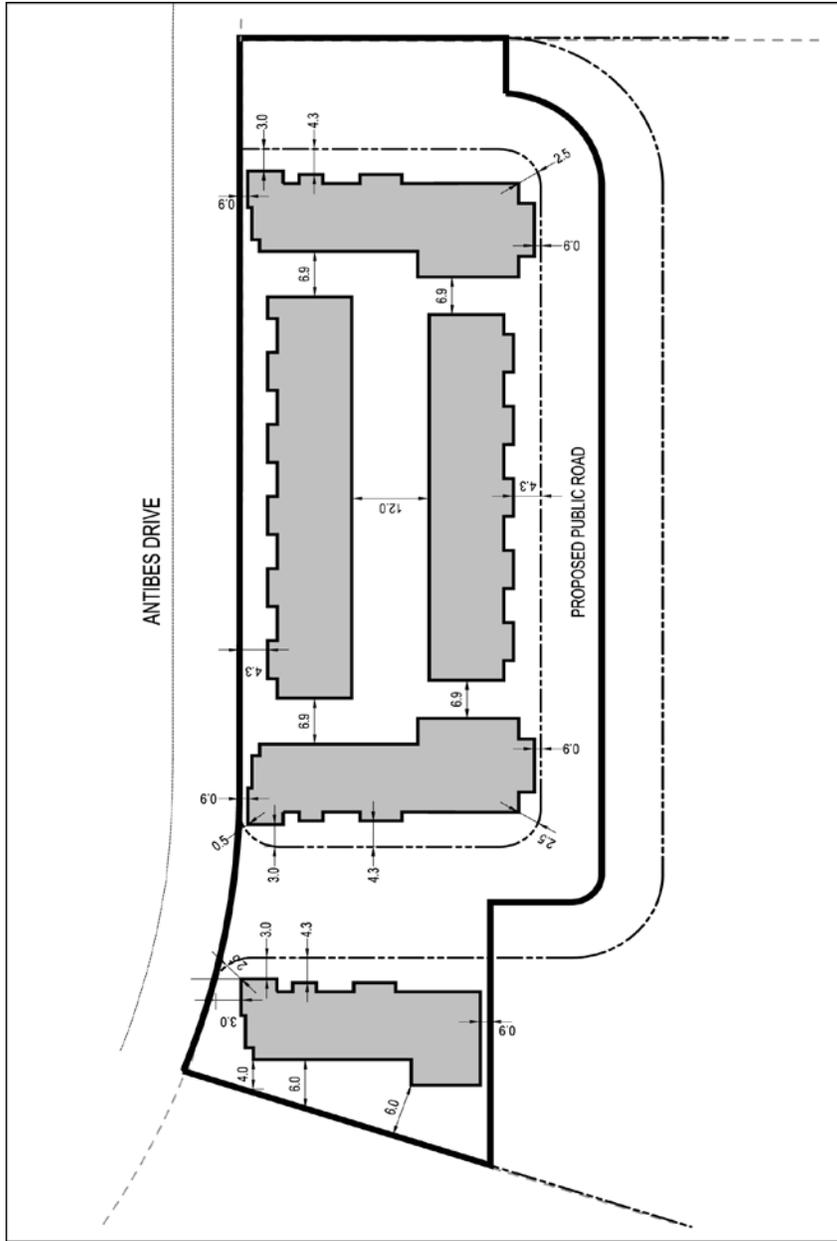
- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this 7th day of February, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



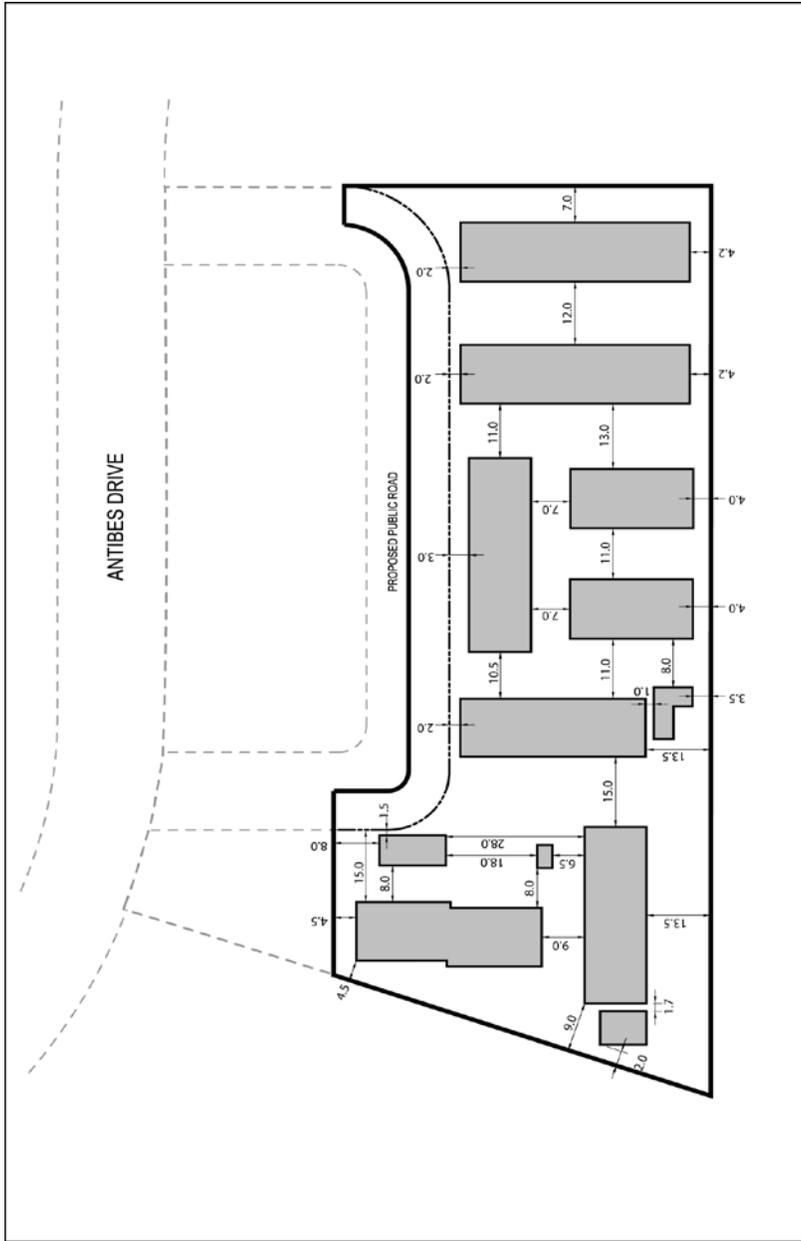
Schedule RM1 (88)

From Applicant's Drawings.

File # 10 227202 NNY 10

Date: 12/13/2011
Approved by: C. F.





Schedule RM1 (89)

From Applicant's Drawings.

File # 10 227202 NMY 10

Date: 12/13/2011
 Approved by: C. F.

