

Authority: North York Community Council Item 14.31,
as adopted by City of Toronto Council on April 10 and 11, 2012
Enacted by Council: June 8, 2012

CITY OF TORONTO

BY-LAW No. 771-2012

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 175 Goddard Street.

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 has 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 are amended in accordance with Schedule 1 of this By-law.

2. Section 64.14-A of By-law No. 7625 is amended by adding the following subsection:

"64.14-A(22) R6(22)

PERMITTED USES

- (a) The following uses will be permitted:

One-family detached dwellings;
Accessory buildings.

EXCEPTION REGULATIONS

The following regulations will apply:

LOT AREA

- (b) The minimum lot area will be 380 square metres.

LOT FRONTAGE

- (c) The minimum lot frontage will be 11 metres.

FRONT YARD SETBACK

- (d) The minimum front yard setback will be 6.5 metres.

SIDE YARD SETBACK

- (e) The minimum north side yard setback will be 0.6 metres.
(f) The minimum south side yard setback will be 1.2 metres.

REAR YARD SETBACK

- (g) The minimum rear yard setback will be 7.5 metres.

LOT COVERAGE

- (h) The maximum lot coverage will be 50%.

BUILDING LENGTH

- (i) The maximum building length will be 20.8 metres.

BUILDING HEIGHT

- (j) The maximum building height will be 9.4 metres, and two storeys above established grade.

HEIGHT OF THE FIRST FLOOR

- (k) Notwithstanding Section 6(30)(a)(i) and Section 6(30)(a)(ii), the finished first floor elevation will be a maximum of 1.8 metres above established grade.

LANDSCAPING

- (l) The minimum front yard landscaping will be 41%.
- (m) A minimum of 75% of the front yard not covered by a permitted driveway will be maintained as soft landscaping.

- 3. Section 64.17 of By-law No. 7625 is amended by adding the following subsection:

"64.17(43) RM2(43)

PERMITTED USES

- (a) The following uses will be permitted:
 - A maximum of 27 semi-detached dwellings;
 - Accessory buildings.

EXCEPTION REGULATIONS

The following regulations will apply:

LOT AREA

- (b) The minimum lot area will be 225 square metres for each semi-detached dwelling unit and 450 square metres for each semi-detached dwelling.

LOT FRONTAGE

- (c) The minimum lot frontage will be 7.5 metres for each semi-detached dwelling unit and 15 metres for each semi-detached dwelling.

FRONT YARD SETBACK

- (d) The minimum front yard setback will be 6.0 metres for each semi-detached dwelling unit.

SIDE YARD SETBACK

- (e) The minimum side yard setback will be 1.2 metres for each semi-detached dwelling.
- (f) The minimum side yard setback from a public street will be 2.0 metres.
- (g) Notwithstanding the above, the minimum side yard setback from Maxwell Street or Goddard Street will be 3.0 metres.
- (h) There is no minimum side yard setback required from the lot line separating the two units of a semi-detached dwelling, except for an addition to only one of the semi-detached dwelling units. The minimum side yard setback for the addition will be 0.6 metres from the lot line separating the two units of the semi-detached dwelling.

REAR YARD SETBACK

- (i) The minimum rear yard setback will be 7.5 metres.

LOT COVERAGE

- (j) The maximum lot coverage will be 50%.

BUILDING HEIGHT

- (k) The maximum building height will be 10.6 metres, and two storeys above established grade.

LANDSCAPING

- (l) The minimum front yard landscaping will be 46%.
 - (m) The minimum front yard landscaping will be 41% for corner lots.
 - (n) A minimum of 75% of the front yard not covered by a permitted driveway will be maintained as soft landscaping.
4. The owner of the lands as shown on Schedule "1" 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 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 higher density use cited in Section 2, Clause (a) which form part of this By-law:

A \$300,000 cash payment to be used for capital improvements to Irving W. Chapley Community Centre and/or Park, to be paid prior to the issuance of the first 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.

5. Notwithstanding any defined terms to the extent modified by this By-law and the provisions noted herein, all other provisions and defined terms of the former City of North York Zoning By-law No. 7625, as amended, continue to apply.
6. Section 3 of By-law No. 32533, including Schedule 4, as it pertains to Section 64.13(37) of the former City of North York Zoning By-law No. 7625, is hereby repealed.
7. Within the lands shown on Schedule "1" 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 8th day of June, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

