

Authority: Ontario Municipal Board Order issued on October 18, 2013 in Board File No. PL110098

CITY OF TORONTO

BY-LAW No. 1632-2013(OMB)

To amend the former City of North York By-law No. 7625, as amended, with respect to lands in the Stanley Greene District of The Downsview Secondary Plan.

Whereas authority is given to the Ontario Municipal Board, pursuant to its order No. PL110098 issued October 18, 2013, upon hearing the appeal of the owner under Sections 34 and 37 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; 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 owners 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 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; and

Whereas the City of Toronto has required the owners of the aforesaid lands to enter into one or more agreements having been executed dealing with certain facilities, services and matters in return for the increase in density in connection with the aforesaid lands as permitted by this By-law; and

Whereas the Official Plan of the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

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

1. Schedules "B" and "C" of By-law No. 7625 are amended in accordance with Schedule '1' to this By-law.
2. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the lands is permitted in return for the owner's election to provide the facilities, services and matters set out in Schedule 9 hereof which shall be secured by one or more agreements pursuant to Section 37(3) of the

Planning Act and that are registered on title and in a form satisfactory to the City Solicitor.

3. Upon execution and registration of one or more agreements with the owner as referred to in Section 2 hereof, the lands are subject to the provisions of this By-law. Where Schedule 9 requires the owner of the lands to provide certain facilities, services or matters prior to the issuance of a building permit, or the owner is required to submit approved building permit drawings set out in the provision of Schedule 9, the issues of the permit shall not occur until those requirements are satisfied.
4. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

64.13(106) R4(106)

EXCEPTION REGULATIONS

- (a) Notwithstanding Section 13.2.3 a), the minimum front yard setback shall be 5.0 metres except to the face of an attached garage in which case the minimum front yard setback to the face of the attached garage shall be 6.0 metres.
- (b) Notwithstanding Section 13.2.3 b), the minimum side yard setback shall:
 - (i) for a dwelling with an attached garage, be 0.6 metres on one side and 0.9 metres on the other side;
 - (ii) for a dwelling with a detached rear yard garage accessed via a side yard driveway, be 0.6 metres on one side and 4.5 metres on the other side.
- (c) **Garages**
 - (i) Attached garages shall not project beyond the front wall of a dwelling.
 - (ii) The width of the door of an attached garage door shall not exceed 6 metres.
- (d) **Tree Protection Area**

The area shown as "tree protection area" on Schedule '1' attached hereto shall be used for purpose of conservation. No buildings, structures, pools, decks, patios, gazebos, or satellite dishes, shall be permitted within this area. The area is to remain in a natural state.
- (e) **First Floor Elevation**

The elevation of the first floor shall not be greater than 0.9 metres above established grade.

(f) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

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

64.14(24) R6(24)

EXCEPTION REGULATIONS

- (a) Notwithstanding Section 14-A(5) a), the minimum front yard setback shall be 5.0 metres except to the face of an attached garage in which case the minimum front yard setback to the face of the garage shall be 6.0 metres.
- (b) Notwithstanding Section 14-A(5) c), the minimum side yard setback shall:
- (i) for a dwelling with an attached garage facing the street, be 0.6 metres on one side and 0.9 metres on the other side.
 - (ii) for a dwelling with an attached garage not facing the street or detached garage accessed via a mutual side yard driveway, be 0.6 metres on one side and 2.25 metres on the other side.
 - (iii) for a dwelling with an attached garage not facing the street or a detached rear yard garage accessed via a side yard driveway, be 0.9 metres on one side and 4.05 metres on the other side.
- (c) Notwithstanding Section 6(23)(a)(ii)(B), the total lot coverage for detached private garages shall not exceed 12% of the total lot area.
- (d) **Garages and Driveways**
- (i) Attached garages shall not project beyond the front wall of a dwelling.
 - (ii) The width of the door of an attached garage, which is attached to the front of a dwelling and faces the street, shall not exceed 3.05 metres.
 - (iii) The width of the door of an attached garage or detached garage, which faces the side yard, shall not exceed 6 metres.
 - (iv) The width of the door of a detached rear yard garage shall not exceed 6 metres.
 - (v) The maximum driveway width in the front and side yards shall not exceed 3.05 metres except that a mutual driveway shall not exceed 2 metres in width on each adjacent lot and for a total width of 4 metres.

(e) **Front Door Sill Elevation**

The finished floor elevation of the front door sill shall not be greater than 0.9 metres above established grade.

(f) **Coverage**

Notwithstanding Section 14-A(6), the maximum lot coverage shall be 50%.

(g) **Length of Dwelling**

Notwithstanding Section 14-A(9), the maximum length of dwelling shall be 20.0 metres.

(h) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

6. Section 64.16 of By-law No. 7625 is amended by adding the following subsection:

64.16(94) RM1(94)

DEFINITIONS

(a) **Multiple Attached Dwelling – Townhouse**

For the purpose of this exception, "Multiple Attached Dwelling - Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another and provided the dwelling is not otherwise defined as a "multiple attached dwelling - back to back townhouse" or a "multiple attached dwelling - stacked townhouse".

(b) **Multiple Attached Dwelling - Back to Back Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Back to Back Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another, with common side wall(s) and a common rear wall.

(c) **Multiple Attached Dwelling - Stacked Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Stacked Townhouse" shall mean a building divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

(d) **Gross floor area**

For the purposes of this exception, "gross floor area" means the total area of all the floors in a building, above and below grade, measured from the outside of the exterior walls, but excluding indoor amenity area, bicycle parking, car parking, ramps and access areas to underground parking, loading spaces, and excluding any part of the building used for "mechanical floor area" and telecommunication purposes or service areas.

(e) **Mechanical floor area**

For the purposes of this exception, "mechanical floor area" shall mean 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 and ventilation, air conditioning, geothermal heating, electrical, plumbing, rooftop access stairwells and associated enclosures, fire protection and elevator equipment and floor area used for laundry facilities.

(f) **Established Grade**

For the purposes of this exception, "established grade" shall mean:

- (i) for a single detached dwelling on an individual lot, the elevation as fixed by the municipality of the centre line of the street at the mid-point of the front lot line.
- (ii) for multiple dwelling units in a building and multiple buildings on a lot facing a street or a park, the average elevation measured at two points along the lot line abutting the street or park at 0.01 metres past a line drawn as an extension of each common wall, or side wall in the case of an end dwelling unit, as that line crosses the lot line.
- (iii) for multiple dwelling units in a building and multiple buildings on a lot not facing a street or park, the elevation fixed at a point opposite the midpoint of the front wall of the dwelling unit and located midway between the front wall of the dwelling unit and the closest building opposite the front wall of the dwelling unit.

(g) **Interior Lot(s)**

For the purposes of this exception, "interior lot(s)" shall mean a freehold lot(s) located in a block (on a registered plan) that does not front or flank on a street.

PERMITTED USES

- (h) Notwithstanding Section 16.1 (a), the only permitted uses shall be as follows:
- (i) Multiple attached dwelling - townhouse;
 - (ii) Semi-detached dwelling; and
 - (iii) Single detached dwelling.

EXCEPTION REGULATIONS

- (i) The provisions of Section 15.8 - Landscaping and Section 16.2 'Multiple-Family Dwelling First Density Zone (RM1)' shall not apply.
- (j) **Minimum Lot Frontage per dwelling unit**
- (i) Multiple attached dwelling - townhouse:
4.0 metres provided that the average within each building shall be no less than 4.2 metres except for a corner lot or corner unit on a block (on a registered plan) which shall be no less than 5.5 metres.
 - (ii) Semi-detached dwelling:
6.2 metres except for a corner lot or corner unit on a block (on a registered plan), which shall be no less than 8.2 metres.
 - (iii) Single detached dwelling: 11 metres.
- (k) **Maximum Lot Coverage**
- (i) Multiple attached dwelling - townhouse: 60% of the block (on a registered plan).
 - (ii) Semi-detached dwelling: 60% of the block (on a registered plan).
 - (iii) Single detached dwelling: 60% of the block (on a registered plan).
- (l) **Yard Setbacks and Separations**
- (i) The minimum required yards and the minimum wall-to-wall separations are set out on Schedules '6' and '7'.
 - (ii) Notwithstanding 64.16 (94) (l) (i), attached garages which face the rear yard and are accessed from a rear shared driveway may encroach into the required wall-to-wall separation to a maximum of 3.5 metres provided a minimum wall to wall separation between facing garages is 7 metres where a 6 metre shared driveway is required and 9 metres where an 8 metre wide shared driveway is required.

- (iii) Notwithstanding 64.16 (94) (l) (i), additional encroachments into the wall-to-wall separation shall be permitted to the extent set out in Section 6(9). In addition, stairs may encroach into a required yard no more than 3.0 metres.
- (iv) Where an access to a rooftop terrace is provided, it shall be setback 2.4 metres from both the front and rear wall of the storey immediately below the access to the rooftop terrace.

(m) **Building Height**

- (i) Minimum Building Height:
2 storeys or 6 metres, whichever is the greater.
- (ii) Maximum Building Height:
4 storeys or 12 metres, whichever is the lesser.
- (iii) In the context of this section, building height shall exclude rooftop mechanical floor area with a maximum gross floor area of 17 m² per unit.

(n) **Accessory Use**

- (i) Minimum Side Yard: 0.6 metres
- (ii) Minimum Side Yard abutting a street: 2.0 metres

(o) **Front Door Sill Elevation**

The finished floor elevation of the front door sill shall not be greater than 1.2 metres above established grade.

(p) **Maximum Net Floor Space Index**

The gross floor area of all buildings within each parcel of the RM1 (94) zone as set out in Schedule '1' to this By-law shall not exceed the following floor space index:

| Parcel | Maximum Floor Space Index |
|----------|---------------------------|
| Parcel A | 1.25 |
| Parcel B | 1.4 |

(q) **Number of Dwelling Units**

The minimum and maximum number of dwelling units permitted in each parcel of the RM1 (94) zone is set out below, but in no case shall the permitted number of units in the RM5(22), RM5 (23), RM5 (24), RM5 (25), RM5 (26), RM5 (27) and

RM1(94) zones exceed 1,102 units. The parcels in the RM1 (94) zone are set out in Schedule '1' to this By-law.

| Parcel | Minimum permitted dwelling units | Maximum permitted dwelling units |
|---------------|-----------------------------------------|-----------------------------------------|
| Parcel A | 72 | 79 |
| Parcel B | 62 | 70 |

(r) **Dwelling Unit Mix**

All dwelling units abutting Major Street B as shown on Schedule '1' to this By-law, except for the dwelling unit abutting the corner of Major Street B and Local Road B, as illustrated on Schedule '1', shall be comprised of semi-detached and/or single detached dwellings.

(s) **Parking Spaces**

- (i) Parking spaces per multiple attached dwelling - townhouse and semi-detached dwelling on freehold lots shall be provided on the basis of a minimum of 1.0 parking spaces per dwelling unit; and
- (ii) Parking spaces per multiple attached dwelling - townhouse in Parcel A on interior lots shall be provided on the basis of a minimum of 1.0 parking spaces per dwelling unit plus 0.2 parking space per dwelling unit for visitor parking spaces.
- (iii) All resident parking shall be accessed from a rear shared driveway.
- (iv) Visitor parking for interior lots shall be provided within the block (on a registered plan) or in an off-street parking space located within 300 metres of the block.

(t) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

7. Section 64.20 of By-law No. 7625 is amended by adding the following subsection:

64.20(22) RM5(22)

DEFINITIONS

(a) **Gross floor area**

For the purposes of this exception, "gross floor area" means the total area of all the floors in a building, above and below grade, measured from the outside of the exterior walls, but excluding, indoor amenity area, bicycle parking, car parking,

ramps and access areas to underground parking, loading spaces, and excluding any part of the building used for "mechanical floor area" and telecommunication purposes or service areas.

(b) **Mechanical floor area**

For the purposes of this exception, "mechanical floor area" shall mean 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 and ventilation, air conditioning, geothermal heating, electrical, plumbing, rooftop access stairwells and associated enclosures, fire protection and elevator equipment, and floor area used for laundry facilities.

(c) **Multiple Attached Dwelling - Back to Back Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Back to Back Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another, with common side wall(s) and a common rear wall.

(d) **Multiple Attached Dwelling - Stacked Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Stacked Townhouse" shall mean a building divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

(e) **Indoor Amenity Area**

For purposes of this exception, "indoor amenity area" shall mean indoor space, on a block (on a registered plan), that is communal and available for use by the occupants of a building on the same block (on a registered plan) for recreational or social activities.

(f) **Outdoor Amenity Area**

For purposes of this exception, "outdoor amenity area" shall mean outdoor space on a block (on a registered plan), that is communal and available for use by the occupants of a building on the same block (on a registered plan) for recreational or social activities.

(g) **Established Grade**

For the purposes of this exception, "established grade" shall mean:

- (i) for multiple dwelling units in a building and multiple buildings on a lot facing a street or a park, the average elevation measured at two points along the lot line abutting the street or park at 0.01 metres past a line drawn as an extension

of each common wall, or side wall in the case of an end dwelling unit, as that line crosses the lot line; and

- (ii) for multiple dwelling units in a building and multiple buildings on a lot not facing a street or park, the elevation fixed at a point opposite the midpoint of the front wall of the dwelling unit and located midway between the front wall of the dwelling unit and the closest building opposite the front wall of the dwelling unit.

PERMITTED USES

- (h) The only permitted uses shall be as follows:
 - (i) Apartment house dwellings;
 - (ii) Multiple attached dwelling - townhouse;
 - (iii) Multiple attached dwellings - back to back townhouse;
 - (iv) Multiple attached dwelling - stacked townhouse;
 - (v) Retail store, restaurant, outdoor café, and personal service shop on the ground floor within an apartment house dwelling; and
 - (vi) Day nursery within the ground floor within an apartment house dwelling;
- (i) Notwithstanding 64.20 (22)(h), abutting Keele Street and Major Street A, as illustrated on Schedule '1', only apartment house dwellings shall be permitted which may contain non-residential ground floor uses as permitted in (h)(v) and (vi).

EXCEPTION REGULATIONS

- (j) The provisions of Section 15.8 - Landscaping and Section 20.2 'Multiple-Family Dwelling First Density Zone (RM5) Dwellings, Apartment House' shall not apply.

- (k) **Lot Coverage**

The maximum lot coverage shall be 60%.

- (l) **Yard Setbacks**

- (i) The front yard setback and side yard setback abutting a street shall be a minimum of 3.5 metres for buildings containing a residential ground floor use and 0.0 metres for buildings containing a permitted ground floor non-residential use in 64.20(22)(h)(v) and (vi) up to a maximum setback of 5.0 metres except that buildings abutting Keele Street shall be setback a minimum of 8.3 metres.

- (ii) Notwithstanding any provisions to the contrary, an underground parking structure and associated vehicular ramps shall have a minimum yard setback of 0.0 metres. Associated ventilation shafts and access stairwells shall be permitted to encroach into the rear yard and interior side yard to a setback of 0.0 metres.

(m) **Wall-to-wall Separation**

- (i) The minimum wall-to-wall separation between separate buildings on the same block (on a registered plan) shall:
 - (A) for front wall to front wall separation, be 13 metres;
 - (B) for rear wall to rear wall separation, be 15 metres;
 - (C) for rear wall to side wall separation, be 7.5 metres;
 - (D) for side wall to side wall separation be, 6 metres; and
 - (E) Notwithstanding the above, for front wall to front wall and for rear wall to rear wall separations between a building containing apartment house dwelling units greater than 4 storeys in height and a separate building containing multiple attached dwelling - townhouse units, multiple attached dwelling - back to back townhouse units or multiple attached dwelling - stacked townhouse units, be 15 metres.
- (ii) Notwithstanding 64.20(22)(m)(i), encroachments into the wall-to-wall separation shall be permitted to the extent set out in Section 6.9. In addition, stairs may encroach into a required yard no more than 3.5 metres.
- (iii) Where an access to a rooftop terrace, on a multiple attached dwelling - townhouse, multiple attached dwelling - back to back townhouse and multiple attached dwelling - stacked townhouse, is provided, it shall be setback 2.4 metres from both the front and rear wall of the storey immediately below the access to the rooftop terrace.

(n) **Building Height**

- (i) The minimum ground floor height of any apartment house dwelling, as measured from the finished floor on the ground floor to the finished floor of the storey above, shall be 4.5 metres.
- (ii) Buildings located at a corner of two streets and fronting or facing both streets shall on both frontages meet the higher minimum and maximum height requirements of this section but shall step down at a distance no greater than 35 metres from the intersection, to the lower minimum and

maximum heights along the street frontage where the lower minimum and maximum heights apply.

- (iii) The minimum height of any portion of a building fronting or facing exclusively onto Keele Street, as illustrated on Schedule '1', shall be 6 storeys and 19.5 metres, whichever is the greater. The minimum height of any portion of a building fronting or facing exclusively onto Major Street A, as illustrated on Schedule '1', shall be 4 storeys or 13.5 metres, whichever is the greater. The minimum height of any portion of a building fronting or facing exclusively onto Local Road G, as illustrated on Schedule '1', shall be 3 storeys or 10.5 metres, whichever is the greater.
- (iv) The maximum building height shall be 11 storeys or 36 metres for any buildings fronting or facing exclusively onto Keele Street, as illustrated on Schedule '1'; 8 storeys or 27 metres, whichever is the lesser for any building fronting or facing exclusively onto Major Street A, as illustrated on Schedule '1'; and 4 storeys or 12 metres, whichever is the lesser for any building fronting or facing exclusively onto Local Road G, as illustrated on Schedule '1'.
- (v) The building height for multiple attached dwellings - townhouse, multiple attached dwellings - back to back townhouse and multiple attached dwellings - stacked townhouse shall be:
 - (A) a minimum of 2 storeys or 6 metres, whichever is the greater;
 - (B) a maximum of 4 storeys or 13 metres, whichever is the lesser; and
 - (C) in the context of this section, building height shall exclude rooftop mechanical floor area with a maximum gross floor area of 17 square metres per unit for multiple attached dwelling - townhouse units and multiple attached dwelling - back to back townhouse units and 23 square metres per unit for multiple attached dwelling - stacked townhouse units.
- (vi) Notwithstanding 64.20(22) (n)(iv), an angular plane will be measured at a height equivalent to 80% of the adjacent right-of-way widths of Keele Street and Major Street A, as illustrated on Schedule '1', and subsequent storeys must fit within a 45 degree angular plane from this point.

(o) **Unit Width**

The minimum width of a multiple attached dwelling - townhouse unit, and multiple attached dwelling - back to back townhouse unit shall be 4.0 metres.

(p) First Floor and Front Door Sill Elevation

- (i) The finished floor elevation of the front door sill for a multiple attached dwelling - townhouse and multiple attached dwelling - back to back townhouse shall not be greater than 0.9 metres above established grade.
- (ii) The finished floor elevation of the front door sill for a multiple attached dwelling - stacked townhouse shall not be greater than 1.4 metres above established grade.
- (iii) The elevation of the first floor for an apartment house dwelling shall not be greater than 0.3 metres above established grade.

(q) Maximum Net Floor Space Index

The maximum gross floor area of all buildings within the RM5 (22) zone shall not exceed a floor space index of 3.1.

(r) Number of Dwelling Units

The number of dwelling units permitted in the RM5 (22) zone shall range from 270 to 300 but in no case shall the total permitted number of dwelling units in the RM5(22), RM5 (23), RM5 (24), RM5 (25), RM5 (26), RM5 (27), and RM1(94) zones exceed 1,102 units.

(s) Indoor Amenity Area

An indoor amenity area shall be provided at the rate of 2 m² dwelling unit.

(t) Outdoor Amenity Area

Outdoor amenity area(s) shall be provided at the rate of 2 m² per dwelling unit.

(u) Parking Spaces

- (i) Parking spaces per apartment house dwelling unit shall be provided based on the following minimum rates by dwelling type, plus an additional 0.15 parking space per dwelling unit for visitor parking spaces:

| | |
|-------------------------------------------|--------------------|
| (A) Bachelor dwelling unit: | 0.7 parking spaces |
| (B) One Bedroom dwelling unit: | 0.8 parking spaces |
| (C) Two Bedroom dwelling unit: | 0.9 parking spaces |
| (D) Three Bedrooms or more dwelling unit: | 1.1 parking spaces |
- (ii) Parking spaces per multiple attached dwelling - townhouse, multiple attached dwelling - back to back townhouse and multiple attached dwelling - stacked townhouse shall be provided on the basis of a minimum

of 1.0 parking spaces per dwelling unit plus 0.2 parking space per dwelling unit for visitor parking spaces.

- (iii) Parking spaces for any permitted retail store and personal service shop greater than 200 m² of gross floor area, day nursery and temporary sales office shall be provided on the basis of 1 parking space for every 100 m² of gross floor area.
- (iv) Parking spaces for any permitted restaurant and outdoor café greater than 200 m² of gross floor area shall be provided on the basis of 3 parking spaces for each 100 m² of gross floor area where the gross floor area is less than 500 m² and 5 parking spaces for each 100 m² of floor area where the gross floor area is 500 m² or more.
- (v) No portion of an underground parking structure, excluding surface elements such as landscaping, planters and grading materials, may project above the established grade.
- (vi) All parking spaces shall be provided in an underground parking structure, except that a maximum of 20 visitor parking spaces for uses permitted in 64.20 (22)(h)(v) and (vi) may be permitted in a surface parking lot provided the surface parking lot is located to the rear of other dwellings.
- (vii) Required parking for each use on a lot may be shared provided that the minimum number of parking spaces required for a lot is determined as follows:
 - (A) the minimum number of parking spaces required for each use, is calculated using the applicable parking rate and the parking occupancy rate as set out below:

| Land Use | Parking Occupancy Rate | | |
|---------------------------------------------------------------|------------------------|------|------|
| | AM | PM | Even |
| Apartment house dwelling | 100% | 100% | 100% |
| Apartment house dwelling - visitor parking | 0% | 35% | 100% |
| Day Nursery | 100% | 100% | 50% |
| Restaurant | 100% | 100% | 100% |
| Multiple Attached dwelling - townhouse | 100% | 100% | 100% |
| Multiple Attached dwelling - townhouse - Visitor | 100% | 100% | 100% |
| Multiple Attached dwelling - back to back townhouse | 100% | 100% | 100% |
| Multiple Attached dwelling - back to back townhouse - Visitor | 100% | 100% | 100% |

| | | | |
|----------------------------------------------------------|------|------|------|
| Multiple Attached dwelling - stacked townhouse | 100% | 100% | 100% |
| Multiple Attached dwelling - stacked townhouse - Visitor | 100% | 100% | 100% |
| Personal Service Shop | 20% | 100% | 100% |
| Retail Store | 20% | 100% | 100% |

- (B) the minimum number of parking spaces required for each parking period is the total of the parking spaces required for all uses during that parking period; and
- (C) the minimum number of parking spaces required for the lot is equal to the largest number of parking spaces required for any parking period.

(v) **Bicycle Parking**

- (i) Bicycle parking spaces shall be provided at the rate of a minimum of:
 - (A) 0.6 occupant spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit;
 - (B) 0.13 occupant spaces for each 100 m² of gross floor area of a retail store plus 0.25 visitor spaces for each 100 m² of gross floor area or 6 spaces, whichever is the greater; and
 - (C) 0.13 occupant spaces for each 100 m² of gross floor area for a service commercial or institutional use (i.e. restaurant, outdoor café, personal service shop and day nursery) plus 0.15 visitor spaces for each 100 m² of gross floor area or 6 spaces, whichever is the greater.
- (ii) At least five percent of the required bicycle parking shall be provided at grade.
- (iii) Each bicycle parking space shall have the following dimensions:
 - (A) if located in a horizontal position (ie. on the ground):
 - (I) minimum length of 1.8 metres,
 - (II) minimum width of 0.6 metres,
 - (III) minimum vertical clearance from the ground of 1.9 metres;
 and
 - (B) if located in a vertical position (i.e. on the wall):
 - (I) minimum length or vertical clearance of 1.9 metres,
 - (II) minimum width of 0.6 metres,

(III) minimum horizontal clearance from the wall of 1.2 metres.

(w) **Rooftop Mechanical**

- (i) Mechanical floor area shall not be included in number of storeys, building height, or gross floor area.
- (ii) The maximum height of a room(s) or enclosure(s) containing roof top mechanical floor area, on an apartment house dwelling, shall be 5 metres measured from the floor of the building roof and shall be set back from the sides of the building so that no part of the rooftop mechanical floor area exceeds a 45 degree angular plane measured from the sides of the building.

(x) **Roughed-in Conduits**

For apartment house dwelling, where more than the minimum number of parking spaces is provided as required under Section 64.20 (22) (t)(i), additional parking spaces shall be provided with roughed-in conduits to allow for future electrical outlets for plug-in electric vehicles.

(y) **Recycling Room**

In an apartment house dwelling, a dedicated area within the dwelling or within the underground garage shall be provided for the storage of recycling materials.

(z) **Loading Space**

- (i) One Type G loading space shall be provided for each lot with such loading space having minimum dimensions of 13 metres long, 4.0 metres wide and 6.1 metre vertical clearance; plus
- (ii) Type B loading spaces having minimum dimensions of 11 metres long, 3.5 metres wide and 4.0 metre vertical clearance shall be provided for a retail store, restaurant and personal service shop at the following rate:
 - (A) 0 to 499 m² none required;
 - (B) 500 to 1,999 m² - 1 Type B loading space;
 - (C) 2,000 to 4,999 m² - 2 Type B loading spaces;
 - (D) 5,000 to 9,999 m² - 3 Type B loading spaces.
- (iii) For more than 400 apartment house dwelling units, an additional Type C loading space shall be provided with such loading space having minimum dimensions of 6.0 metres long, 3.5 metres wide and a 3.0 metre vertical clearance.
- (iv) Loading spaces may be provided either outdoor on the lot or within a building on the lot.

- (v) Where loading spaces are provided outdoor, all garbage and recycling bins shall be stored indoors.

(aa) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

8. Section 64.20 of By-law No. 7625 is amended by adding the following subsection:

64.20(23) RM5(23)

DEFINITIONS

(a) **Gross floor area**

For the purposes of this exception, "gross floor area" means the total area of all the floors in a building, above and below grade, measured from the outside of the exterior walls, but excluding indoor amenity area, bicycle parking, car parking, ramps and access areas to underground parking, loading spaces, and excluding any part of the building used for "mechanical floor area" and telecommunication purposes or service areas.

(b) **Mechanical floor area**

For the purposes of this exception, "mechanical floor area" shall mean 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 and ventilation, air conditioning, geothermal heating, electrical, plumbing, rooftop access stairwells and associated enclosures, fire protection and elevator equipment and floor area used for laundry facilities.

(c) **Established grade**

For the purposes of this exception, "established grade" shall mean:

- (i) for multiple dwelling units in a building and multiple buildings on a lot facing a street, park or stormwater management pond, the average elevation measured at two points along the lot line abutting the street, park or stormwater management pond at 0.01 metres past a line drawn as an extension of each common wall, or side wall in the case of an end dwelling unit, as that line crosses the lot line; and
- (ii) for multiple dwelling units in a building and multiple buildings on a lot not facing a street, park or stormwater management pond, the elevation fixed at a point opposite the midpoint of the front wall of the dwelling unit and located midway between the front wall of the dwelling unit and the closest building opposite the front wall of the dwelling unit.

(d) **Multiple Attached Dwelling - Townhouse**

For the purpose of this exception, "Multiple Attached Dwelling - Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another and provided the dwelling is not otherwise defined as a "multiple attached dwelling - back to back townhouse" or a "multiple attached dwelling - stacked townhouse".

(e) **Multiple Attached Dwelling - Back to Back Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Back to Back Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another, with common side wall(s) and a common rear wall.

(f) **Multiple Attached Dwelling - Stacked Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Stacked Townhouse" shall mean a building divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

(g) **Indoor Amenity Area**

For purposes of this exception, "indoor amenity area" shall mean indoor space, on a block (on a registered plan), that is communal and available for use by the occupants of a building on the same block (on a registered plan) for recreational or social activities.

(h) **Outdoor Amenity Area**

For purposes of this exception, "outdoor amenity area" shall mean outdoor space, on a block (on a registered plan), that is communal and available for use by the occupants of a building on the same block (on a registered plan) for recreational or social activities.

(i) **Interior Lot(s)**

For the purposes of this exception, "interior lot(s)" shall mean a freehold lot(s) located in a block (on a registered plan) that does not front or flank on a street.

PERMITTED USES

- (j) Notwithstanding Section 20.1 (a), the permitted uses shall be as follows:
 - (i) Apartment house dwellings;
 - (ii) Multiple attached dwelling - townhouses;
 - (iii) Restaurant, outdoor café, retail store, and personal service shop on the ground floor within an apartment house dwelling to a maximum total gross floor area of 500 m²; and
 - (iv) Day nursery on the ground floor within an apartment house dwelling.
- (k) The permitted non-residential ground floor uses in (j)(iii) and (iv) shall be located within an apartment house dwelling abutting Major Street A, as illustrated on Schedule '1' and the permitted non-residential uses shall have their primary pedestrian access from Major Street A, as illustrated on Schedule '1'.
- (l) Notwithstanding 64.20(23)(j), abutting Major Street A, as illustrated on Schedule '1', only apartment house dwellings shall be permitted which may contain non-residential ground floor uses as permitted in (j)(iii) and (iv).

EXCEPTION REGULATIONS

- (m) The provisions of Section 15.8 - Landscaping and Section 20.2 'Multiple-Family Dwelling First Density Zone (RM5) Dwellings, Apartment House' shall not apply.
- (n) **Lot Coverage**
The maximum lot coverage shall be 60% of a block (on a registered plan).
- (o) **Yard Setbacks and Separations**
 - (i) The front yard setback abutting Major Street A, as illustrated on Schedule '1', shall be a minimum of 3.5 metres and a maximum of 5.0 metres except that for an apartment house dwelling with permitted ground floor retail/ commercial uses the minimum front yard setback shall be 0.0 metres.
 - (ii) The minimum side yard setback abutting Major Street B, as illustrated on Schedule '1', shall be 2.0 metres except where the side wall contains an entrance in which case the minimum yard shall be 3.0 metres.
 - (iii) The minimum west side yard setback shall be 5 metres.
 - (iv) The minimum south yard setback shall be 3.0 metres.

- (v) The minimum wall-to-wall separation between separate buildings on the same block of a registered plan shall:
 - (A) for front wall to front wall separation, be 13 metres;
 - (B) for rear wall to rear wall separation, be 15 metres;
 - (C) for rear wall to side wall separation, be 7.5 metres;
 - (D) for side wall to side wall separation between buildings 4 storeys and less, be 6 metres, except that the side wall to side wall separation between two multiple attached dwelling - townhouses shall be 1.8 metres; and
 - (E) notwithstanding the above, for any wall to wall separation between a building containing apartment house dwellings greater than 4 storeys in height and a separate building containing multiple attached dwelling - townhouse, be 15 metres.
 - (vi) Notwithstanding 64.20(23)(o) i) to iv), additional encroachments into the wall-to-wall separation shall be permitted to the extent set out in Section 6(9). In addition, stairs may encroach into a required yard no more than 3.5 metres.
 - (vii) Notwithstanding any provisions to the contrary, an underground parking structure and associated vehicular ramps shall have a minimum yard setback of 0.0 metres. Associated ventilation shafts and access stairwells shall be permitted to encroach into the rear yard and interior side yard to a setback of 0.0 metres.
 - (viii) Where a multiple attached dwelling - townhouse contains an access to a rooftop terrace, it shall be setback 2.4 metres from the front and rear wall of the storey immediately below the access to the rooftop terrace.
- (p) **Building Height**
- (i) For multiple attached dwelling - townhouse, the minimum building height shall be 2 storeys or 6 metres, whichever is the greater and the maximum height shall be 4 storeys or 13 metres whichever is the lesser.
 - (A) In the context of this section, building height shall exclude rooftop mechanical floor area with a maximum gross floor area of 17 m² per unit.
 - (ii) Buildings located at a corner of two streets and fronting or facing both streets shall on both frontages meet the higher minimum and maximum height requirements of this section but shall step down at a distance no

greater than 27 metres from the intersection, to the lower minimum and maximum heights along the street frontage where the lower minimum and maximum heights apply.

- (iii) For an apartment house dwelling fronting or facing exclusively onto Major Street A, as illustrated on Schedule '1', the minimum building height shall be 4 storeys and 13.5 metres, whichever is the greater.
- (iv) For an apartment house dwelling fronting or facing exclusively onto Major Street A, as illustrated on Schedule '1', the maximum building height, shall be 6 storeys or 19.5 metres, whichever is the lesser.
- (v) For an apartment house dwelling, fronting or facing exclusively onto Major Street B, as illustrated on Schedule '1', the minimum building height shall be 4 storeys and 13.5 metres, whichever is greater, stepping down to a minimum building height of 3 storeys and 10.5 metres, whichever is greater.
- (vi) For an apartment house dwelling, fronting or facing exclusively onto Major Street B, as illustrated on Schedule '1', the maximum building height, excluding roof top mechanical floor area, shall be 6 storeys and 19.5 metres, whichever is the lesser, stepping down to a maximum building height of 4 storeys and 13.5 metres, whichever is the lesser.
- (vii) The minimum ground floor height of any permitted non-residential use in 64.20(23) j iii) and iv) in an apartment house dwelling, as measured from the finished floor on the ground floor to the finished floor of the storey above, shall be 4.5 metres.
- (viii) Notwithstanding 64.20(23)(p)(iv), (v) and (vi), an angular plane will be measured from the north property line at a height equivalent to 80% of the adjacent right-of-way widths of Major Street A, as illustrated on Schedule '1', and subsequent storeys must fit within a 45 degree angular plane from this point.
- (ix) Notwithstanding 64.20(23)(p)(v) and (vi), an angular plane will also be measured from the south property line at a height of 8.8 metres from the south property line and subsequent storeys must fit within a 45 degree angular plane from this point.
- (q) **First Floor Elevation**
 - (i) The elevation of the first floor for an apartment house dwelling shall not be greater than 0.3 metres above established grade.
 - (ii) The elevation of the first floor of a multiple attached dwelling - townhouse shall not be greater than 0.9 metres above established grade.

(r) Unit Width

The minimum width of a multiple attached dwelling - townhouse unit shall be 4.0 metres provided that the average unit width within each building shall be no less than 4.2 metres. Unit width shall be measured from the centre of common or party walls, and for all other walls, from the exterior of such walls.

(s) Maximum Net Floor Space Index

The maximum gross floor area of all buildings within the RM5 (2x) zone shall not exceed one a floor space index of 3.3.

(t) Number of Dwelling Units

The number of dwelling units permitted in the RM5 (23) zone shall range from 240 to 264, but in no case shall the total permitted number of dwelling units in the RM5(22), RM5 (23), RM5 (24), RM5 (25), RM5 (26), RM5 (27) and RM1(94) zones exceed 1,102 units.

(u) Indoor Amenity Area

For an apartment house dwelling, an indoor amenity area shall be provided at the rate of 2 m² per dwelling unit.

(v) Outdoor Amenity Area

For an apartment house dwelling, outdoor amenity area(s) shall be provided at the rate of 2 m²/unit.

(w) Parking Spaces

(i) Parking spaces per apartment house dwelling unit shall be provided based on the following minimum rates by dwelling type, plus an additional 0.2 parking space per dwelling unit for visitor parking spaces:

| | | |
|-----|---------------------------------------|--------------------|
| (A) | Bachelor dwelling unit: | 0.8 parking spaces |
| (B) | One Bedroom dwelling unit: | 0.9 parking spaces |
| (C) | Two Bedroom dwelling unit: | 1.0 parking space |
| (D) | Three Bedrooms or more dwelling unit: | 1.2 parking spaces |

(ii) Parking spaces per multiple attached dwelling - townhouse on freehold lots shall be provided on the basis of a minimum of 1.0 parking space per dwelling unit.

(iii) Parking spaces per multiple attached dwelling - townhouse on interior lots shall be provided on the basis of a minimum of 1.0 parking space per dwelling unit plus 0.2 parking space per dwelling unit for visitor parking spaces.

- (iv) Parking spaces for any permitted retail store, personal service shop, day nursery and temporary sales office shall be provided on the basis of 1 parking space for every 100 m² of gross floor area.
- (v) Parking spaces for any permitted restaurant and outdoor café greater than 200 m² of gross floor area shall be provided on the basis of 3 parking spaces for each 100 m² of gross floor area where the gross floor area is less than 500 m².
- (vi) No portion of an underground parking structure, excluding surface elements such as landscaping, pedestrian entrance/exit structures, planters and grading materials may project above the established grade.
- (vii) All parking spaces shall be provided in an underground parking structure.
- (viii) Notwithstanding Section 64.20(23)(w)(vii), a maximum of 48 visitor parking spaces may be permitted in a surface parking lot for the use of a multiple attached dwelling - townhouse, restaurant, outdoor café, retail store, personal service shop and day nursery, provided the surface parking lot is located to the rear of other buildings.
- (ix) Required parking for each use on a lot may be shared provided that the minimum number of parking spaces required for a lot is determined as follows:
- (A) the minimum number of parking spaces required for each use, is calculated using the applicable parking rate and the parking occupancy rate as set out below:

| Land Use | Parking Occupancy Rate | | |
|--------------------------------------------------|------------------------|------|------|
| | AM | PM | Eve |
| Apartment house dwelling | 100% | 100% | 100% |
| Apartment house dwelling - visitor parking | 0% | 35% | 100% |
| Day Nursery | 100% | 100% | 50% |
| Restaurant | 100% | 100% | 100% |
| Multiple Attached dwelling - townhouse | 100% | 100% | 100% |
| Multiple Attached dwelling - townhouse - Visitor | 100% | 100% | 100% |
| Personal Service Shop | 20% | 100% | 100% |
| Retail Store | 20% | 100% | 100% |

- (B) the minimum number of parking spaces required for each parking period is the total of the parking spaces required for all uses during that parking period; and

- (C) the minimum number of parking spaces required for the lot is equal to the largest number of parking spaces required for any parking period.

(x) **Bicycle Parking**

- (i) Bicycle parking spaces shall be provided, at the rate of a minimum of:
 - (A) 0.60 occupant spaces per apartment house dwelling unit plus 0.15 visitor spaces per apartment house dwelling unit;
 - (B) 0.13 occupant spaces for each 100 m² of gross floor area of a retail store plus 0.25 visitor spaces for each 100 m² of gross floor area or 6 spaces, whichever is the greater; and
 - (C) 0.13 occupant spaces for each 100 m² of gross floor area for a service commercial or institutional use (i.e. restaurant, outdoor café, personal service shop and day nursery) plus 0.15 visitor spaces for each 100 m² of gross floor area or 6 spaces, whichever is the greater.
- (ii) At least five percent of the required bicycle parking shall be provided at grade.
- (iii) Each bicycle parking space shall have the following dimensions:
 - (A) if located in a horizontal position (i.e. on the ground):
 - (I) minimum length of 1.8 metres,
 - (II) minimum width of 0.6 metres,
 - (III) minimum vertical clearance from the ground of 1.9 metres; and
 - (B) if located in a vertical position (i.e. on the wall):
 - (I) minimum length or vertical clearance of 1.9 metres,
 - (II) minimum width of 0.6 metres,
 - (III) minimum horizontal clearance from the wall of 1.2 metres.

(y) **Rooftop Mechanical**

- (i) Mechanical floor area shall not be included in number of storeys, building height, or gross floor area.
- (ii) The maximum height of a room(s) or enclosure(s) containing roof top mechanical floor area, on an apartment house dwelling, shall be 5 metres measured from the floor of the building roof and shall be set back from the

sides of the building so that no part of the rooftop mechanical floor area exceeds a 45 degree angular plane measured from the sides of the building.

(z) **Roughed-in Conduits**

For apartment house dwellings, where more than the minimum number of parking spaces is provided as required under Section 64.20(23)(w)(i), additional parking spaces shall be provided with roughed-in conduits to allow for future electrical outlets for plug-in electric vehicles.

(aa) **Recycling Room**

In an apartment house dwelling, a dedicated area within the dwelling, or within the underground garage, shall be provided for the storage of recycling materials.

(bb) **Loading Space**

(i) In an apartment house dwelling greater than 30 dwelling units, one Type G loading space shall be provided for each lot with such loading space having minimum dimensions of 13 metres long, 4.0 metres wide and 6.1 metre vertical clearance; plus

(ii) Type B loading spaces having minimum dimensions of 11 metres long, 3.5 metres wide and 4.0 metre vertical clearance shall be provided for a retail store, restaurant and personal service shop at the following rate:

(A) 0 to 499 m² none required;

(B) 500 to 1,999 m² - 1 Type B loading space;

(C) 2,000 to 4,999 m² - 2 Type B loading spaces; and

(D) 5,000 to 9,999 m² - 3 Type B loading spaces.

(iii) Loading spaces may be provided either outdoor on the lot or within a building on the lot.

(iv) Where loading spaces are provided outdoor, all garbage and recycling bins shall be stored indoors.

(cc) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

9. Section 64.20 of By-law No. 7625 is amended by adding the following subsection:

64.20(24) RM5(24)

DEFINITIONS

(a) **Gross floor area**

For the purposes of this exception, "gross floor area" means the total area of all the floors in a building, above and below grade, measured from the outside of the exterior walls, but excluding indoor amenity area, bicycle parking, car parking, ramps and access areas to underground parking, loading spaces, and excluding any part of the building used for "mechanical floor area" and telecommunication purposes or service areas.

(b) **Mechanical floor area**

For the purposes of this exception, "mechanical floor area" shall mean 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 and ventilation, air conditioning, geothermal heating, electrical, plumbing, rooftop access stairwells and associated enclosures, fire protection and elevator equipment and floor area used for laundry facilities.

(c) **Established Grade**

For the purposes of this exception, "established grade" shall mean:

- (i) for multiple dwelling units in a building and multiple buildings on a lot facing a street or a park, the average elevation measured at two points along the lot line abutting the street or park at 0.01 metres past a line drawn as an extension of each common wall or side wall in the case of an end dwelling unit as that line crosses the lot line; and
- (ii) for multiple dwelling units in a building not facing a street or park, the elevation fixed at a point opposite the midpoint of the front wall of the dwelling unit and located midway between the front wall of the dwelling unit and the closest building opposite the front wall of the dwelling unit.

(d) **Multiple Attached Dwelling – Townhouse**

For the purpose of this exception, "Multiple Attached Dwelling - Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another and provided the dwelling is not otherwise defined as a "multiple attached dwelling - back to back townhouse" or a "multiple attached dwelling - stacked townhouse".

(e) **Multiple Attached Dwelling - Back to Back Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Back to Back Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another, with common side wall(s) and a common rear wall.

(f) **Multiple Attached Dwelling - Stacked Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Stacked Townhouse" shall mean a building divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

(g) **Interior Lot(s)**

For the purposes of this exception, "interior lot(s)" shall mean a freehold lot(s) located in a block (on a registered plan) that does not front or flank on a street.

PERMITTED USES

(h) Notwithstanding Section 20.1 (a), the only permitted uses shall be as follows:

(i) Multiple attached dwelling - townhouse.

EXCEPTION REGULATIONS

(i) The provisions of Section 15.8 - Landscaping and Section 20.2 'Multiple-Family Dwelling First Density Zone (RM5) Dwellings, Apartment House' shall not apply.

(j) **Lot Coverage**

The maximum lot coverage shall be 60% of a block (on a registered plan).

(k) **Yard Setbacks and Separations**

(i) The minimum required yards and the minimum wall-to-wall separations are set out on Schedules '2' and '3'.

(ii) Notwithstanding 64.20 (24) (k) (i), attached garages which face the rear yard and are accessed from a rear shared driveway may encroach into the required wall-to-wall separation to a maximum of 3.5 metres provided a minimum wall to wall separation between facing garages is 7 metres where a 6 metre shared driveway is required and 9 metres where an 8 metre wide shared driveway is required.

- (iii) Notwithstanding 64.20 (24) (k) (i), additional encroachments into the wall-to-wall separation shall be permitted to the extent set out in Section 6(9). In addition, stairs may encroach into a required yard no more than 3.0 metres.
- (iv) Where an access to a rooftop terrace is provided, it shall be setback 2.4 metres from both the front and rear wall of the storey immediately below the access to the rooftop terrace.

(l) **Building Height**

- (i) For multiple attached dwelling - townhouses in Parcels A and B fronting or facing Major Street A, as illustrated on Schedule '1':
 - (A) Minimum Building Height: 3 storeys or 9 metres, whichever is the greater;
 - (B) Maximum Building Height: 4 storeys or 13 metres whichever is the lesser;
- (ii) For multiple attached dwelling- townhouses in Parcels C and D:
 - (A) Minimum Building Height: 2 storeys or 6 metres, whichever is the greater;
 - (B) Maximum Building Height: 4 storeys or 13 metres whichever is the lesser;
- (iii) In the context of this section, building height shall exclude rooftop mechanical floor area with a maximum gross floor area of 17 m² per unit.

(m) **Front Door Sill Elevation**

The finished floor elevation of the front door sill for a multiple attached dwelling - townhouse shall not be greater than 1.2 metres above established grade.

(n) **Unit Width**

- (i) The minimum width of a multiple attached dwelling - townhouse unit, on Parcels A and B, shall be 4.5 metres.
- (ii) The minimum width of a multiple attached dwelling - townhouse units, on Parcels C and D, shall be 4.0 metres provided that the average unit width within each building shall be no less than 4.2 metres.
- (iii) Unit width shall be measured from the centre of common or party walls, and for all other walls, from the exterior of such walls.

(o) Maximum Net Floor Space Index

The maximum gross floor area of all buildings within each parcel of the RM5 (24) zone as set out in Schedule '1' to this By-law shall not exceed the following floor space index:

| Parcel | Maximum Floor Space Index |
|---------------|----------------------------------|
| Parcel A | 2.9 |
| Parcel B | 3.1 |
| Parcel C | 2.9 |
| Parcel D | 3.1 |

(p) Number of Dwelling Units

The minimum and maximum number of dwelling units permitted in each parcel of the RM5 (24) zone is set out below, but in no case shall the permitted number of dwelling units in the RM5(22), RM5 (23), RM5 (24), RM5 (25), RM5 (26), RM5 (27) and RM1(94) zones exceed 1,102 units. The parcels in the RM5 (24) zone are set out in Schedule '1' to this By-law.

| Parcel | Minimum permitted dwelling units | Maximum permitted dwelling units |
|---------------|-----------------------------------------|-----------------------------------------|
| Parcel A | 20 | 22 |
| Parcel B | 18 | 20 |
| Parcel C | 47 | 52 |
| Parcel D | 39 | 44 |

(q) Parking Spaces

- (i) Parking spaces per multiple attached dwelling - townhouse on freehold lots shall be provided on the basis of a minimum of 1.0 parking space per dwelling unit.
- (ii) Parking spaces per multiple attached dwelling - townhouse on interior lots shall be provided on the basis of a minimum of 1.0 parking space per dwelling unit plus 0.2 parking space per dwelling unit for visitor parking spaces.
- (iii) All resident parking shall be accessed from a rear driveway.
- (iv) Visitor parking for interior lots shall be provided within the block (on a registered plan) or in an off-street parking space located within 300 metres of the block.

(r) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

10. Section 64.20 of By-law No. 7625 is amended by adding the following subsection:

64.20(25) RM5(25)

DEFINITIONS

(a) **Gross floor area**

For the purposes of this exception, "gross floor area" means the total area of all the floors in a building, above and below grade, measured from the outside of the exterior walls, but excluding indoor amenity area, bicycle parking, car parking, ramps and access areas to underground parking, loading spaces, and excluding any part of the building used for "mechanical floor area" and telecommunication purposes or service areas.

(b) **Mechanical floor area**

For the purposes of this exception, "mechanical floor area" shall mean 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 and ventilation, air conditioning, geothermal heating, electrical, plumbing, rooftop access stairwells and associated enclosures, fire protection and elevator equipment and floor area used for laundry facilities.

(c) **Established Grade**

For the purposes of this exception, "established grade" shall mean:

- (i) for multiple dwelling units in a building and multiple buildings on a lot facing a street or a park, the average elevation measured at two points along the lot line abutting the street or park at 0.01 metres past a line drawn as an extension of each common wall or side wall in the case of an end dwelling unit as that line crosses the lot line; and
- (ii) for multiple dwelling units in a building not facing a street or park, the elevation fixed at a point opposite the midpoint of the front wall of the dwelling unit and located midway between the front wall of the dwelling unit and the closest building opposite the front wall of the dwelling unit.

(d) **Landscaping**

For the purposes of this exception, "landscaping" shall mean an area used for trees, plants, decorative stonework, patios, terraces, retaining walls, walkways, or

other landscape-architectural elements. Driveways and areas for loading, parking or storing vehicles are not landscaping.

(e) **Multiple Attached Dwelling – Townhouse**

For the purpose of this exception, "Multiple Attached Dwelling - Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another and provided the dwelling is not otherwise defined as a "multiple attached dwelling - back to back townhouse" or a "multiple attached dwelling - stacked townhouse".

(f) **Multiple Attached Dwelling - Back to Back Townhouse**

For the purpose of this exception, "Multiple Attached Dwelling - Back to Back Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another, including a rear common wall.

(g) **Multiple Attached Dwelling - Stacked Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Stacked Townhouse" shall mean a building divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

PERMITTED USES

(h) The only permitted uses shall be as follows:

- (i) Multiple attached dwelling - townhouse; and
- (ii) Multiple attached dwellings - stacked townhouse on Parcel B only.

EXCEPTION REGULATIONS

(i) The provisions of Section 15.8 - Landscaping and Section 20.2 'Multiple-Family Dwelling First Density Zone (RM5) Dwellings, Apartment House' shall not apply.

(j) **Lot Coverage**

The maximum lot coverage shall be 60% of a block (on a registered plan).

(k) **Yard Setbacks and Separations**

(i) The minimum required yards and the minimum wall-to-wall separations are set out on Schedule '4'.

- (ii) Notwithstanding 64.20 (25) (k) (i), attached garages which face the rear yard and are accessed from a rear shared driveway may encroach into the required wall-to-wall separation to a maximum of 3.5 metres provided a minimum wall to wall separation between facing garages is 7 metres where a 6 metre shared driveway is required and 9 metres where an 8 metre wide shared driveway is required.
- (iii) Despite 64 20(25)(k)(i), encroachments into the wall-to-wall separation shall be permitted to the extent set out in Section 6.9. In addition, stairs may encroach into a required front yard no more than 3.0 metres.
- (iv) Where an access to a rooftop terrace is provided, it shall be setback 2.4 metres from the front and rear wall of the storey immediately below the access to the rooftop terrace.

(l) **Building Height**

- (i) For multiple attached dwelling - townhouses on Parcel A:
 - (A) Minimum Building Height: 3 storeys or 9 metres, whichever is the greater;
 - (B) Maximum Building Height: 4 storeys or 13 metres whichever is the lesser; and
 - (C) In the context of this section in Parcel A, building height shall exclude rooftop mechanical floor area with a maximum gross floor area of 17 m² per unit.
- (ii) For dwellings on Parcel B:
 - (A) Minimum Building Height: 2 storeys or 6 metres, whichever is the greater;
 - (B) Maximum Building Height: 4 storeys or 13 metres, whichever is the lesser; and
 - (C) In the context of this section, in Parcel B, building height shall exclude rooftop mechanical floor area with a maximum gross floor area of 23 m².

(m) **Front Door Sill Elevation**

- (i) The finished floor elevation of the front door sill for a multiple attached dwelling - townhouse shall not be greater than 1.2 metres above established grade.

- (ii) The finished floor elevation of the front door sill for a multiple attached dwelling - stacked townhouse shall not be greater than 1.4 metres above established grade.

(n) **Unit Width**

- (i) The minimum unit width of a multiple attached dwelling - townhouse on Parcel A, shall be 4.5 metres.
- (ii) Unit width shall be measured from the centre of common or party walls, and for all other walls, from the exterior of such walls.

(o) **Maximum Net Floor Space Index**

The maximum gross floor area of all buildings within the RM5 (25) zone as set out in Schedule '1' to this By-law shall not exceed the following floor space index:

| Parcel | Maximum Floor Space Index |
|---------------|----------------------------------|
| Parcel A | 1.9 |
| Parcel B | 1.9 |

(p) **Number of Dwelling Units**

The minimum and maximum number of dwellings permitted in each parcel of the RM(25) zone is set out below, but in no case shall the permitted number of dwelling units in the RM5(22), RM5 (23), RM5 (24), RM5 (25), RM5 (26), RM5 (27) and RM1(94) zones exceed 1,102 units.

| Parcel | Minimum permitted dwelling units | Maximum permitted dwelling units |
|---------------|-----------------------------------------|-----------------------------------------|
| Parcel A | 6 | 7 |
| Parcel B | 132 | 143 |

(q) **Parking Spaces**

- (i) Parking spaces per multiple attached dwelling - townhouse on freehold lots shall be provided on the basis of a minimum of 1.0 parking space per dwelling unit.
- (ii) On Parcel A, all resident parking shall be accessed from a rear shared driveway.
- (iii) Parking spaces per multiple attached dwelling - stacked townhouse on Parcel B shall be provided on the basis of a minimum of 1.0 parking spaces per dwelling unit plus 0.2 parking space per dwelling unit for visitor parking spaces.

- (iv) For a multiple attached dwelling - stacked townhouse on Parcel B, all parking spaces shall be provided at grade in a surface parking lot behind the main front wall of the building.

(r) **Bicycle Parking**

- (i) Bicycle parking spaces for multiple attached dwelling - back to back townhouse units and multiple attached dwelling - stacked townhouse units shall be provided at the rate of a minimum of 0.6 occupant spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit.
- (ii) Each bicycle parking space shall have the following dimensions:
 - (A) if located in a horizontal position (i.e. on the ground):
 - (I) minimum length of 1.8 metres,
 - (II) minimum width of 0.6 metres,
 - (III) minimum vertical clearance from the ground of 1.9 metres;
and
 - (B) if located in a vertical position (i.e. on the wall):
 - (I) minimum length or vertical clearance of 1.9 metres,
 - (II) minimum width of 0.6 metres,
 - (III) minimum horizontal clearance from the wall of 1.2 metres.
- (iii) At least five percent of the required bicycle parking shall be provided at grade.

(s) **Recycling Room**

A dedicated area at grade shall be provided for the storage of recycling materials.

(t) **Loading Space**

- (i) One loading space shall be provided for each block (on a registered plan) with such loading space having minimum dimensions of 13 metres long, 4.0 metres wide and 6.1 metre vertical clearance.
- (ii) The required loading space may be either provided outdoor on the lot or within a building on the lot.
- (iii) Where loading spaces are provided outdoor, all garbage and recycling bins shall be stored within an at grade structure.

(u) **Setback from the Railway**

All dwelling units shall be setback a minimum of 30 metres from the adjacent railway corridor.

(v) **Landscaping**

The rear yard in Parcel B shall be comprised of a minimum of 30% landscaping including a minimum 2.5 metre setback comprising fencing and landscaping along the east property line.

(w) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

11. Section 64.20 of By-law No. 7625 is amended by adding the following subsection:

64.20(26) RM5(26)

DEFINITIONS

(a) **Gross floor area**

For the purposes of this exception, "gross floor area" means the total area of all the floors in a building, above and below grade, measured from the outside of the exterior walls, but excluding indoor amenity area, bicycle parking, car parking, ramps and access areas to underground parking, loading spaces, and excluding any part of the building used for "mechanical floor area" and telecommunication purposes or service areas.

(b) **Mechanical floor area**

For the purposes of this exception, "mechanical floor area" shall mean 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 and ventilation, air conditioning, geothermal heating, electrical, plumbing, rooftop access stairwells and associated enclosures, fire protection and elevator equipment and floor area used for laundry facilities.

(c) **Established Grade**

For the purposes of this exception, "established grade" shall mean:

- (i) for multiple dwelling units in a building and multiple buildings on a lot facing a street or a park, the average elevation measured at two points along the lot line abutting the street or park at 0.01 metres past a line drawn as an extension

of each common wall or side wall in the case of an end dwelling unit as that line crosses the lot line; and

- (ii) for multiple dwelling units in a building not facing a street or a park, the elevation fixed at a point opposite the midpoint of the front wall of the dwelling unit and located midway between the front wall of the dwelling unit and the closest building opposite the front wall of the dwelling unit.

(d) **Multiple Attached Dwelling – Townhouse**

For the purpose of this exception, "Multiple Attached Dwelling - Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another and provided the dwelling is not otherwise defined as a "multiple attached dwelling - back to back townhouse" or a "multiple attached dwelling - stacked townhouse".

(e) **Multiple Attached Dwelling - Back to Back Townhouse**

For the purpose of this exception, "Multiple Attached Dwelling - Back to Back Townhouse" shall mean a building consisting of a series of one family dwelling units each having direct access from the outside and with each dwelling unit divided vertically from another, including a rear common wall.

(f) **Multiple Attached Dwelling - Stacked Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Stacked Townhouse" shall mean a building divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

PERMITTED USES

- (g) The only permitted uses shall be as follows:
 - (i) Multiple attached dwellings - stacked townhouse; and
 - (ii) Multiple attached dwellings - townhouse.

EXCEPTION REGULATIONS

- (h) The provisions of Section 15.8 - Landscaping and Section 20.2 'Multiple-Family Dwelling First Density Zone (RM5) Dwellings, Apartment House' shall not apply.
- (i) **Lot Coverage**

The maximum lot coverage shall be 60% of a block (on a registered plan).

(j) Yard Setbacks and Separations

- (i) The minimum required yards and the minimum wall-to-wall separations are set out on Schedule '5'.
- (ii) Despite 64 20(26) (j) (i), encroachments into the wall-to-wall separation shall be permitted to the extent set out in Section 6.9. In addition, stairs may encroach into a required front yard no more than 3.0 metres.
- (iii) Notwithstanding any provisions to the contrary, an underground parking structure and associated vehicular ramps shall have a minimum setback of 0.0 metres. Associated ventilation shafts and access stairwells shall be permitted to encroach into the rear yard and interior side yard to a setback of 0.0 metres.
- (iv) Where an access to a rooftop terrace is provided, it shall be setback 2.4 metres from the front and rear wall of the storey immediately below the access to the rooftop terrace.

(k) Building Height

- (i) The Minimum Building Height shall be 6 metres or 2 storeys, whichever is the greater.
- (ii) The Maximum Building Height shall be 4 storeys or 13 metres, whichever is the lesser.
- (iii) In the context of this section, building height shall exclude rooftop mechanical floor area with a maximum gross floor area of 17 m² per unit for multiple attached dwelling - townhouse units and 23 m² per unit for multiple attached dwelling - stacked townhouse units.

(l) Front Door Sill Elevation

- (i) The finished elevation of the front door sill for a multiple attached dwelling-townhouse shall not be greater than 0.9 metres above established grade.
- (ii) The finished floor elevation of the front door sill for a multiple attached dwelling - stacked townhouse shall not be greater than 1.4 metres above established grade.

(m) Unit Width

The minimum width of a multiple attached dwelling - townhouse unit shall be 4.0 metres. Unit width shall be measured from the centre of common or party walls, and for all other walls, from the exterior of such walls.

(n) **Maximum Net Floor Space Index**

The maximum gross floor area of all buildings within the RM5 (26) zone shall not exceed a floor space index of 2.1.

(o) **Number of Dwelling Units**

The number of dwelling units permitted in each parcel of the RM5 (26) zone shall range from 71 to 78, but in no case shall the permitted number of dwelling units in the RM5(22), RM5 (23), RM5 (24), RM5 (25), RM5 (26), RM5 (27) and RM1(94) zones exceed 1,102 units.

(p) **Parking Spaces**

(i) Parking spaces per multiple attached dwelling - stacked townhouse and multiple attached dwelling - townhouse shall be provided on the basis of a minimum of 1.0 parking spaces per dwelling unit plus 0.2 parking space per dwelling unit for visitor parking spaces.

(ii) No portion of an underground parking structure, excluding surface elements such as landscaping, pedestrian entrance/exit structures, planters and grading materials may project above the established grade.

(iii) All parking spaces shall be provided in an underground parking structure.

(q) **Bicycle Parking**

(i) Bicycle parking spaces for multiple attached dwelling - stacked townhouse units shall be provided at the rate of a minimum of 0.60 occupant spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit.

(ii) Each bicycle parking space shall have the following dimensions:

(A) if located in a horizontal position (i.e. on the ground):

- (I) minimum length of 1.8 metres,
 - (II) minimum width of 0.6 metres,
 - (III) minimum vertical clearance from the ground of 1.9 metres;
- and

(B) if located in a vertical position (i.e. on the wall):

- (I) minimum length or vertical clearance of 1.9 metres,
- (II) minimum width of 0.6 metres,
- (III) minimum horizontal clearance from the wall of 1.2 metres.

(iii) At least five percent of the required bicycle parking shall be provided at grade.

- (r) **Recycling Room**
A dedicated area, either within an at grade enclosure or within the underground garage, shall be provided for the storage of recycling materials.
- (s) **Loading Space**
 - (i) One loading space shall be provided for each block (on a registered plan) with such loading space having minimum dimensions of 13 metres long, 4.0 metres wide and 6.1 metre vertical clearance.
 - (ii) Required loading spaces may be provided either outdoor on the lot or within an underground parking structure on the lot.
 - (iii) Where loading spaces are provided outdoor, all garbage and recycling bins shall be stored within an at grade structure.
- (t) **Future Severances**
Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

12. Section 64.20 of By-law No. 7625 is amended by adding the following subsection:

64.20(27) RM5(27)

DEFINITIONS

(a) **Gross floor area**

For the purposes of this exception, "gross floor area" means the total area of all the floors in a building, above and below grade, measured from the outside of the exterior walls, but excluding indoor amenity area, bicycle parking, car parking, ramps and access areas to underground parking, loading spaces, and excluding any part of the building used for "mechanical floor area" and telecommunication purposes or service areas.

(b) **Mechanical floor area**

For the purposes of this exception, "mechanical floor area" shall mean 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 and ventilation, air conditioning, geothermal heating, electrical, plumbing, rooftop access stairwells and associated enclosures, fire protection and elevator equipment and floor area used for laundry facilities.

(c) **Established Grade**

For the purposes of this exception, "established grade" shall mean:

- (i) for multiple dwelling units in a building and multiple buildings on a lot facing a street or a park, the average elevation measured at two points along the lot

line abutting the street or park at 0.01 metres past a line drawn as an extension of each common wall or side wall in the case of an end dwelling unit as that line crosses the lot line; and

- (ii) for multiple dwelling units in a building not facing a street or park, the elevation fixed at a point opposite the midpoint of the front wall of the dwelling unit and located midway between the front wall of the dwelling unit and the closest building opposite the front wall of the dwelling unit.

(d) **Multiple Attached Dwelling - Stacked Townhouse**

For purposes of this exception, "Multiple Attached Dwelling - Stacked Townhouse" shall mean a building divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

(e) **Landscaping**

For the purposes of this exception, "landscaping" shall mean an area used for trees, plants, decorative stonework, patios, terraces, retaining walls, walkways, or other landscape-architectural elements. Driveways and areas for loading, parking or storing vehicles are not landscaping.

PERMITTED USES

- (f) The only permitted uses shall be as follows:
 - (i) Multiple attached dwellings - stacked townhouse.

EXCEPTION REGULATIONS

- (g) The provisions of Section 15.8 - Landscaping and Section 20.2 'Multiple-Family Dwelling First Density Zone (RM5) Dwellings, Apartment House' shall not apply.
- (h) **Lot Coverage**
The maximum lot coverage shall be 60% of a block (on a registered plan).
- (i) **Yard Setbacks and Separations**
 - (i) The minimum required yards and the minimum wall-to-wall separations are set out on Schedule '8'.
 - (ii) Despite 64 20(27) (i) (i), encroachments into the wall-to-wall separation shall be permitted to the extent set out in Section 6.9. In addition, stairs may encroach into a required front yard no more than 3.0 metres.
 - (iii) Where an access to a rooftop terrace is provided, it shall be setback 2.4 metres from the front and rear wall of the storey immediately below the access to the rooftop terrace.

(j) **Building Height**

- (i) The Minimum Building Height shall be 6 metres or 2 storeys, whichever is the greater.
- (ii) The Maximum Building Height shall be 4 storeys or 13 metres, whichever is the lesser.
- (iii) In the context of this section, building height shall exclude rooftop mechanical floor area with a maximum gross floor area of 23 m² per unit.

(k) **Front Door Sill Elevation**

- (i) The finished floor elevation of the front door sill for a multiple attached dwelling - stacked townhouse shall not be greater than 1.4 metres above established grade.

(l) **Maximum Net Floor Space Index**

The maximum gross floor area of all buildings within the RM5 (27) zone shall not exceed a floor space index of 1.22.

(m) **Number of Dwelling Units**

The number of dwellings permitted in the RM(27) zone shall range from 57 to 63, but in no case shall the permitted number of dwelling units in the RM5(22), RM5 (23), RM5 (24), RM5 (25), RM5 (26), RM5 (27) and RM1(94) zones exceed 1,102 units.

(n) **Parking Spaces**

- (i) Parking spaces per multiple attached dwelling - stacked shall be provided on the basis of a minimum of 1.0 parking space per dwelling unit plus 0.2 parking space per dwelling unit for visitor parking spaces.
- (ii) For a multiple attached dwelling - stacked townhouse, all parking spaces shall be provided at grade in a surface parking lot behind the main front wall of the building.

(o) **Bicycle Parking**

- (i) Bicycle parking spaces for multiple attached dwelling - stacked townhouse units shall be provided at the rate of a minimum of 0.6 occupant spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit.
- (ii) Each bicycle parking space shall have the following dimensions:
 - (A) if located in a horizontal position (i.e. on the ground):
 - (I) minimum length of 1.8 metres,
 - (II) minimum width of 0.6 metres,

(III) minimum vertical clearance from the ground of 1.9 metres;
and

(B) if located in a vertical position (i.e. on the wall):

(I) minimum length or vertical clearance of 1.9 metres,

(II) minimum width of 0.6 metres,

(III) minimum horizontal clearance from the wall of 1.2 metres.

(iii) At least five percent of the required bicycle parking shall be provided at grade.

(p) **Recycling Room**

A dedicated area at grade shall be provided for the storage of recycling materials.

(q) **Loading Space**

(i) One loading space shall be provided for each block (on a registered plan) with such loading space having minimum dimensions of 13 metres long, 4.0 metres wide and 6.1 metre vertical clearance.

(ii) The required loading space may be provided either outdoor on the lot or within a building on the lot.

(iii) Where loading spaces are provided outdoor, all garbage and recycling bins shall be stored within an at grade structure.

(r) **Landscaping Setback**

A minimum 1.0 metre setback comprising fencing and landscaping shall be provided along the south property line.

(s) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

13. Section 64.37 of By-law No. 7625 is amended by adding the following subsection:

64.37(4) O3(4)

DEFINITIONS

(a) **Landscaping**

For the purposes of this exception, "landscaping" shall mean an area used for trees, plants, decorative stonework, retaining walls, walkways, or other landscape-architectural elements. Driveways and areas for loading, parking or storing vehicles are not landscaping.

PERMITTED USES

- (b) The only permitted use shall be essential services.

EXCEPTION REGULATIONS

(c) **Gross Floor Area**

The maximum gross floor area shall be 1,200 m².

(d) **Front Lot Line**

The front lot line shall be Keele Street.

(e) **Yard Setbacks:**

Notwithstanding Section 39.2(a), the following yard setbacks shall apply:

- (i) front yard - minimum 8.3 metres and maximum 15 metres;
- (ii) east yard - minimum 3 metres;
- (iii) north yard - minimum 3 metres; and
- (iv) south yard - minimum 5 metres.

(f) **Parking and Loading:**

- (i) No parking shall be permitted between the building and the front lot line; and
- (ii) No loading spaces shall be permitted between the building and the front lot line.

(g) **Landscaping**

A minimum of 70% of the area between the building and the front lot line shall be comprised of landscaping.

(h) **Future Severances**

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

(i) **Tree Preservation**

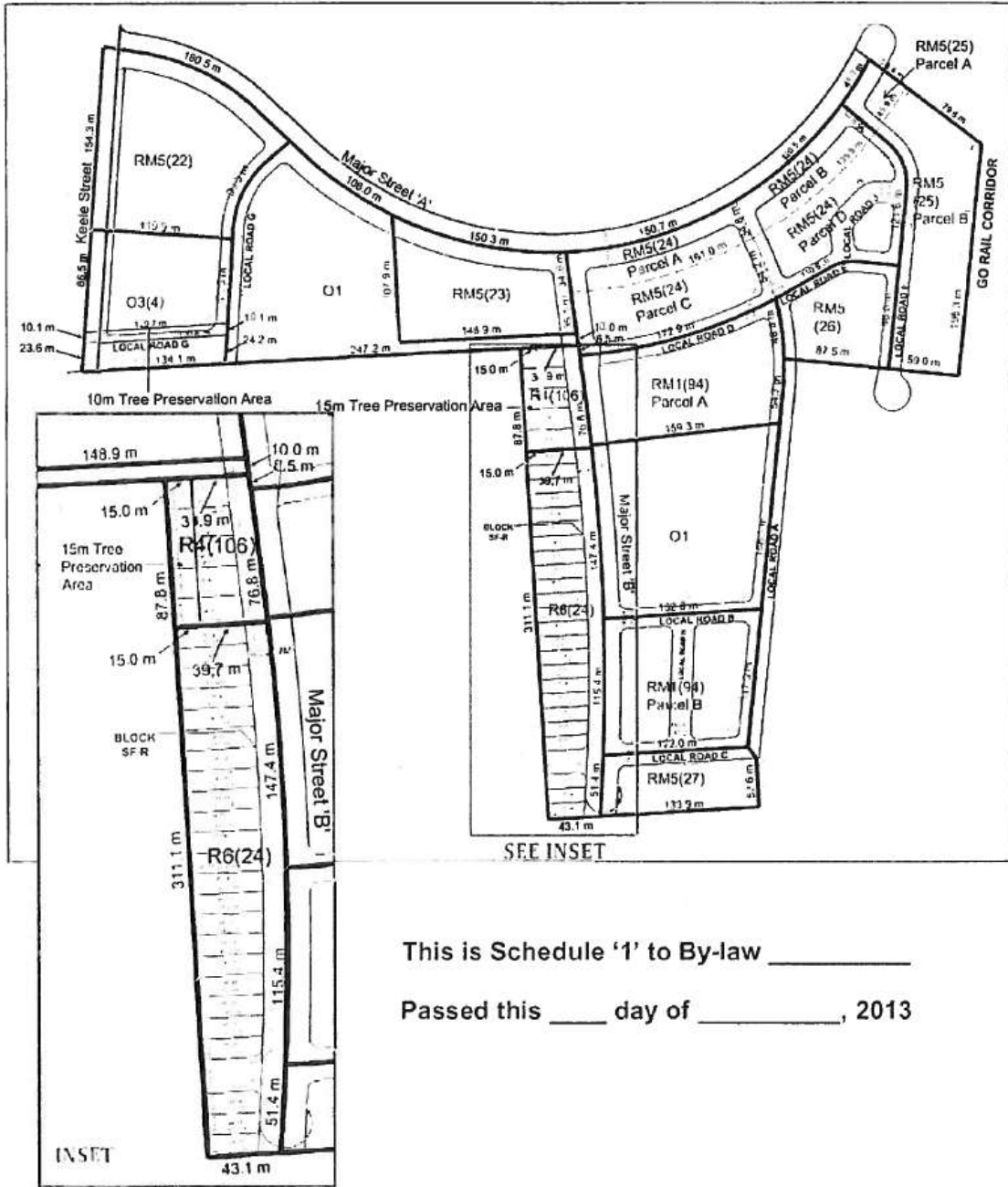
Notwithstanding any provisions to the contrary, the area shown as "tree protection area" on Schedule 'I' attached hereto shall be used for purpose of conservation. No buildings, structures, pools, decks, patios, gazebos, or satellite dishes, shall be permitted within this area. The area is to remain in a natural state.

14. MUNICIPAL SERVICING

- (a) Within the lands shown on Schedule '1' 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.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON OCTOBER 18, 2013 IN BOARD CASE NO. PL110098.

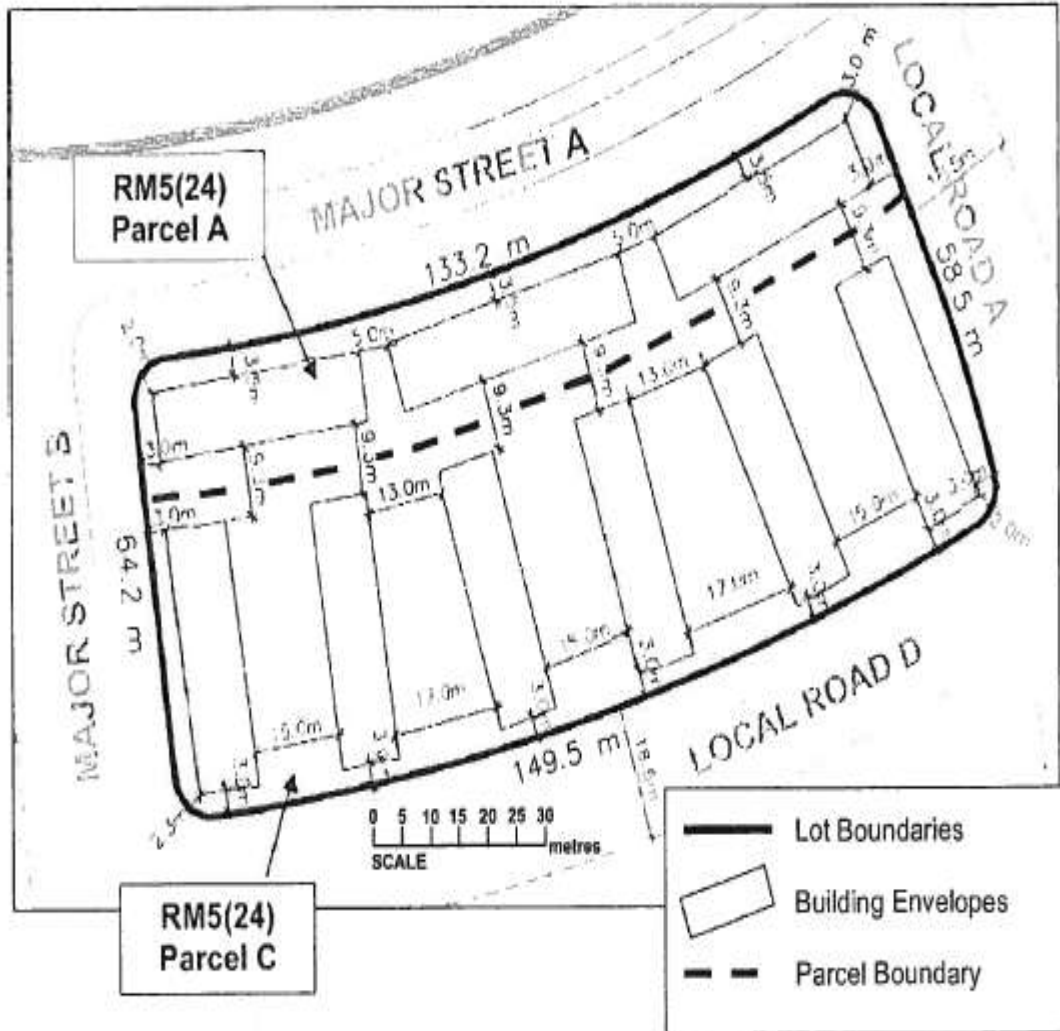
Schedule '1'



This is Schedule '1' to By-law _____

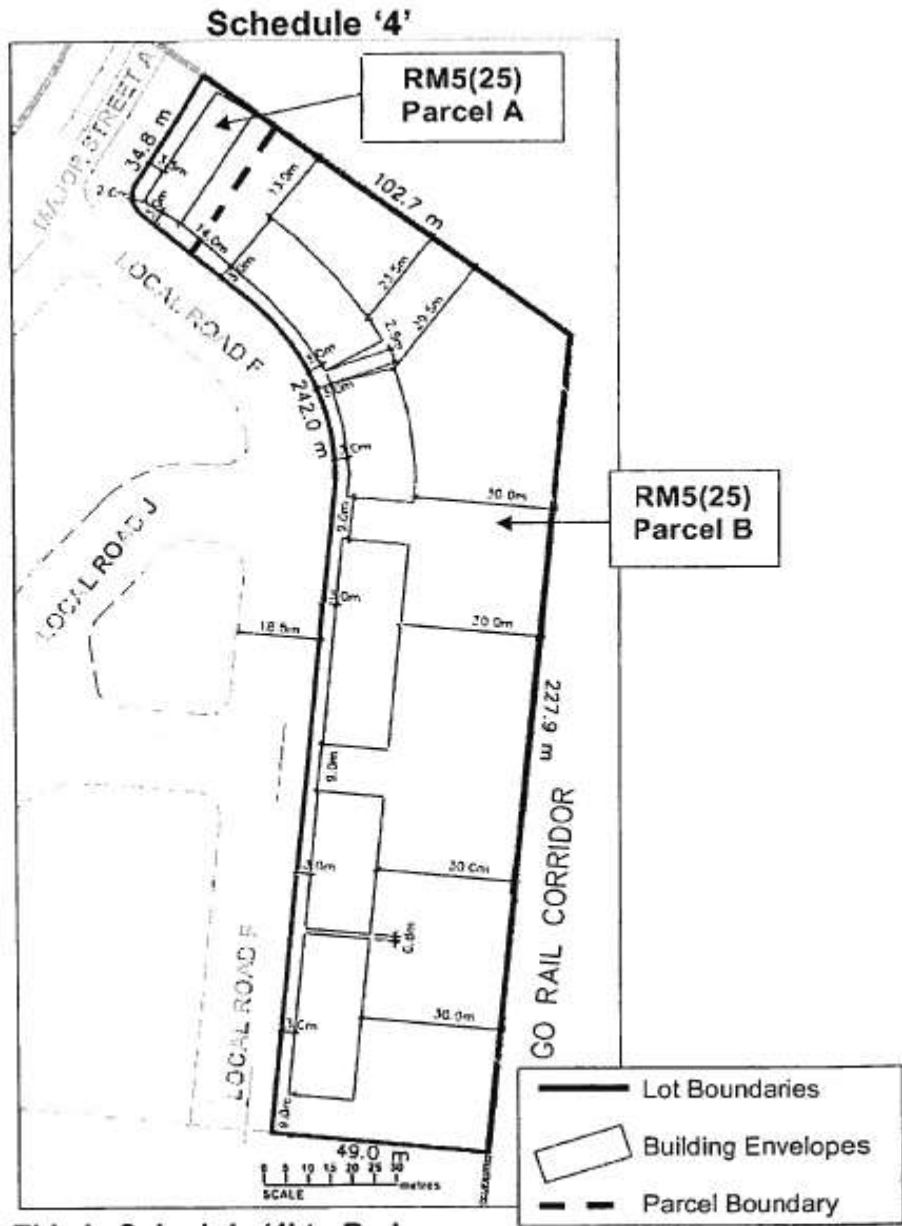
Passed this ____ day of _____, 2013

Schedule '2'



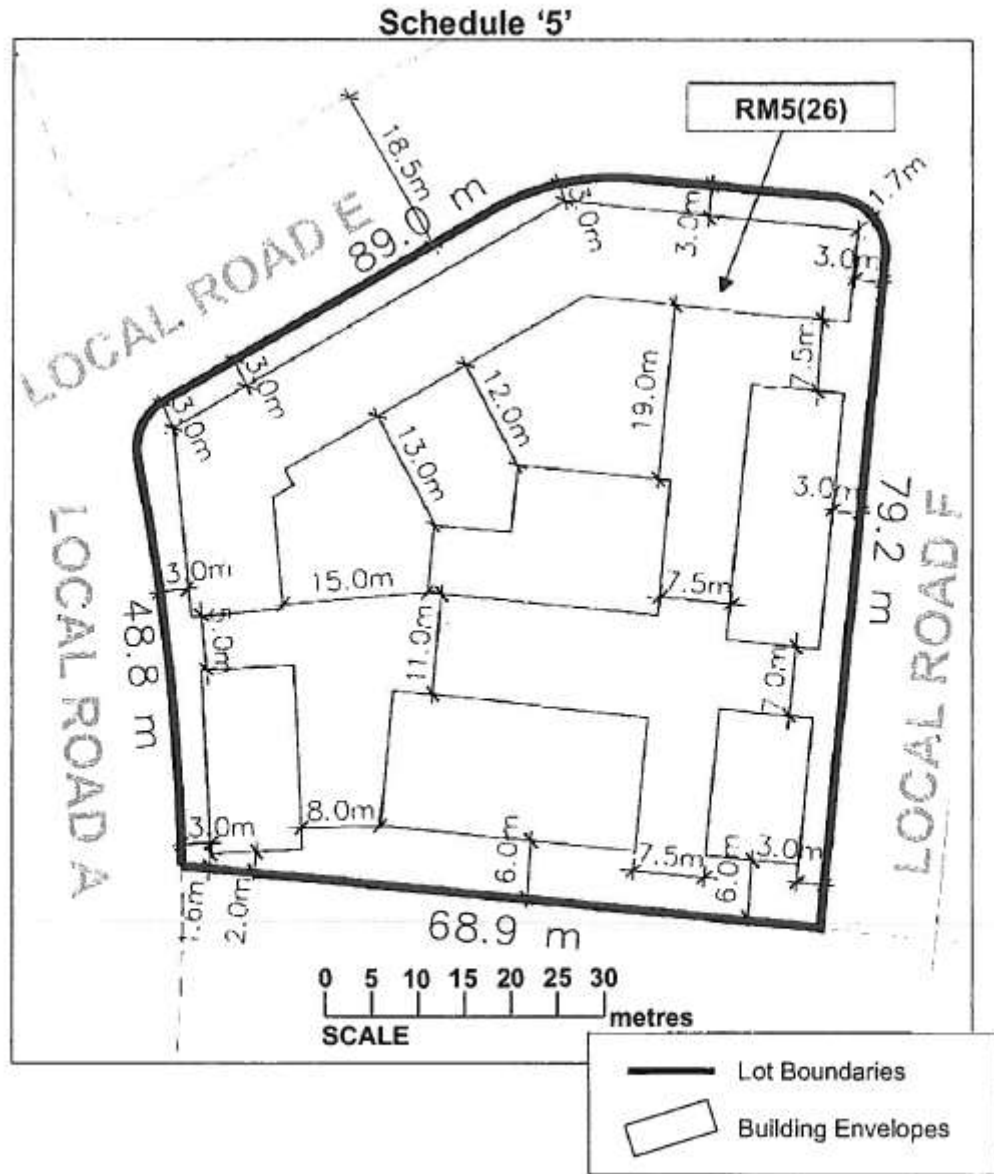
This is Schedule '2' to By-law _____

Passed this ____ day of _____, 2013



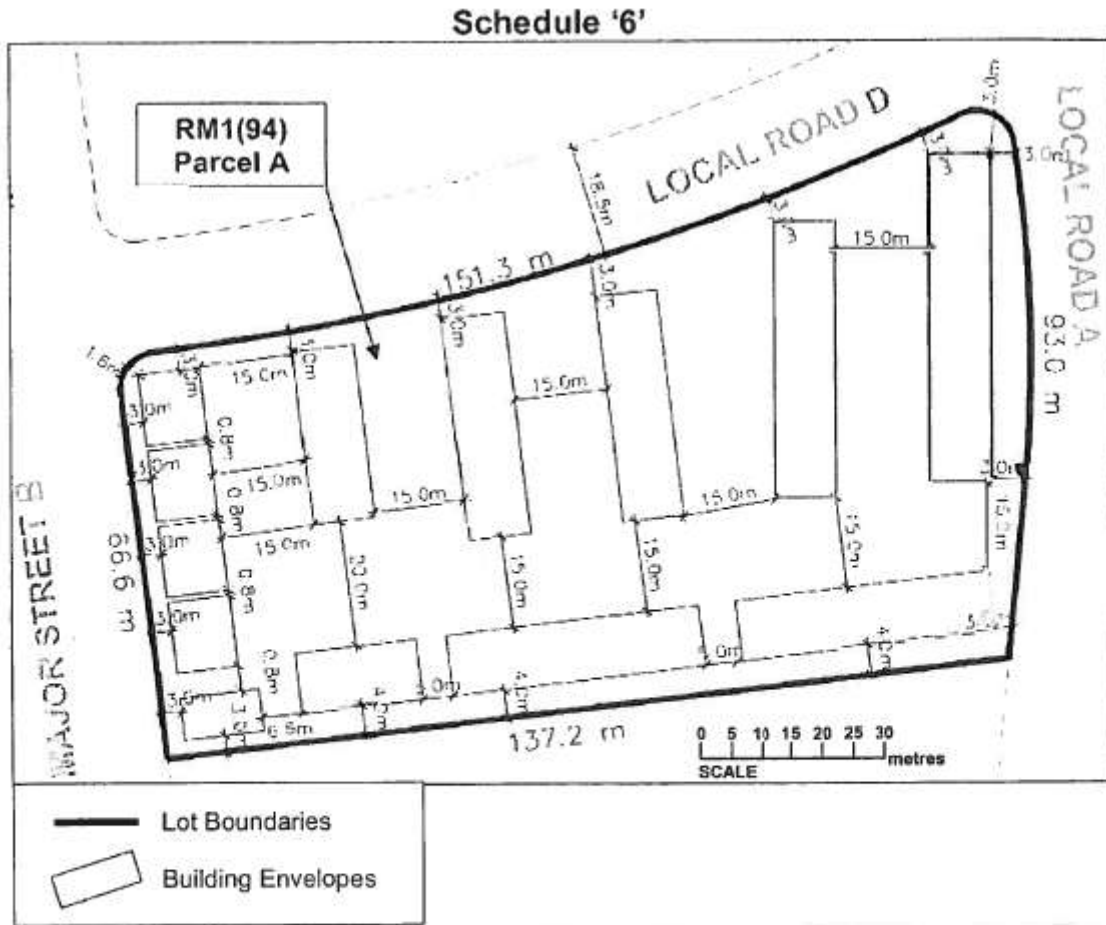
This is Schedule '4' to By-law _____

Passed this ____ day of _____, 2013



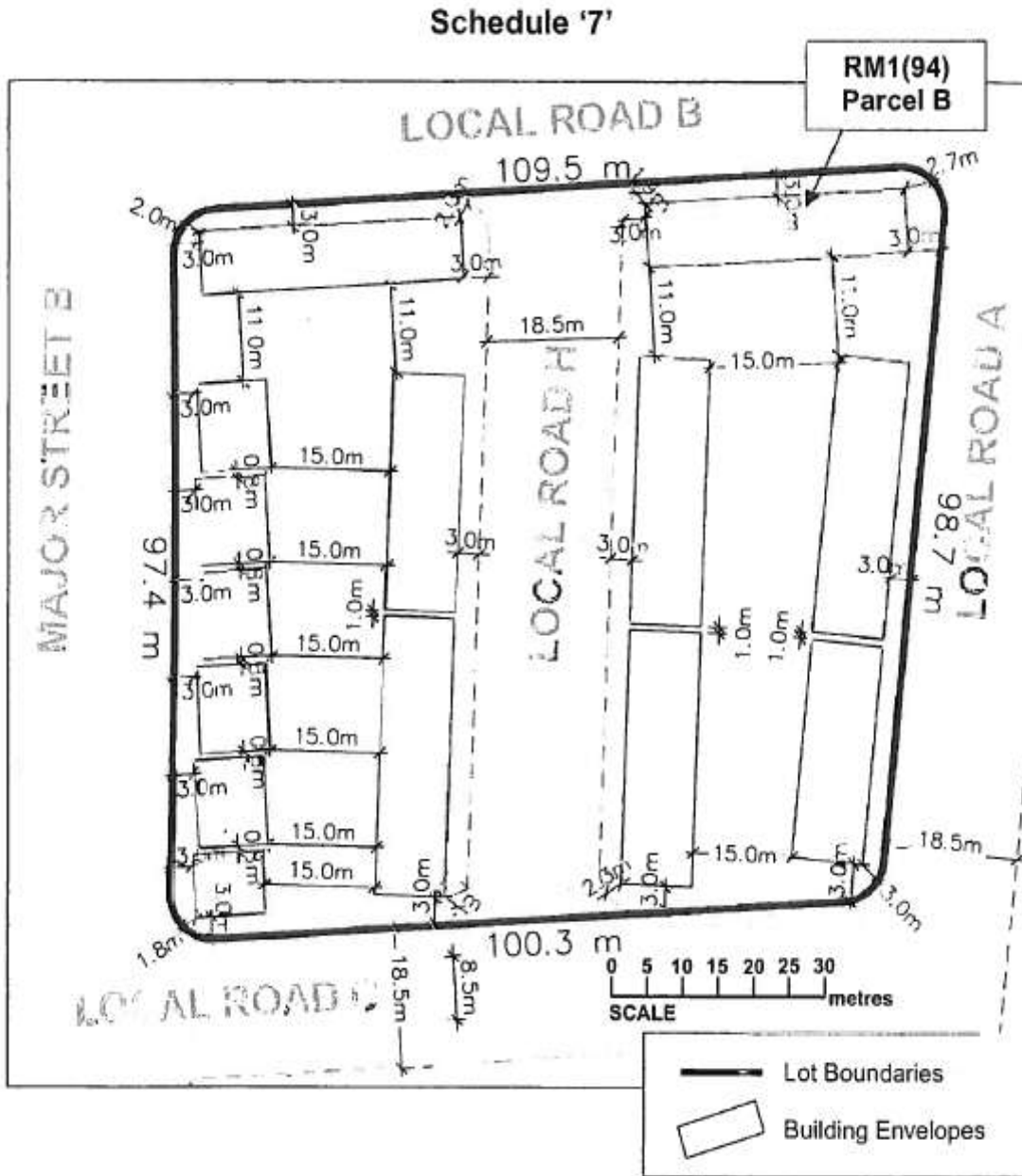
This is Schedule '5' to By-law _____

Passed this ____ day of _____, 2013



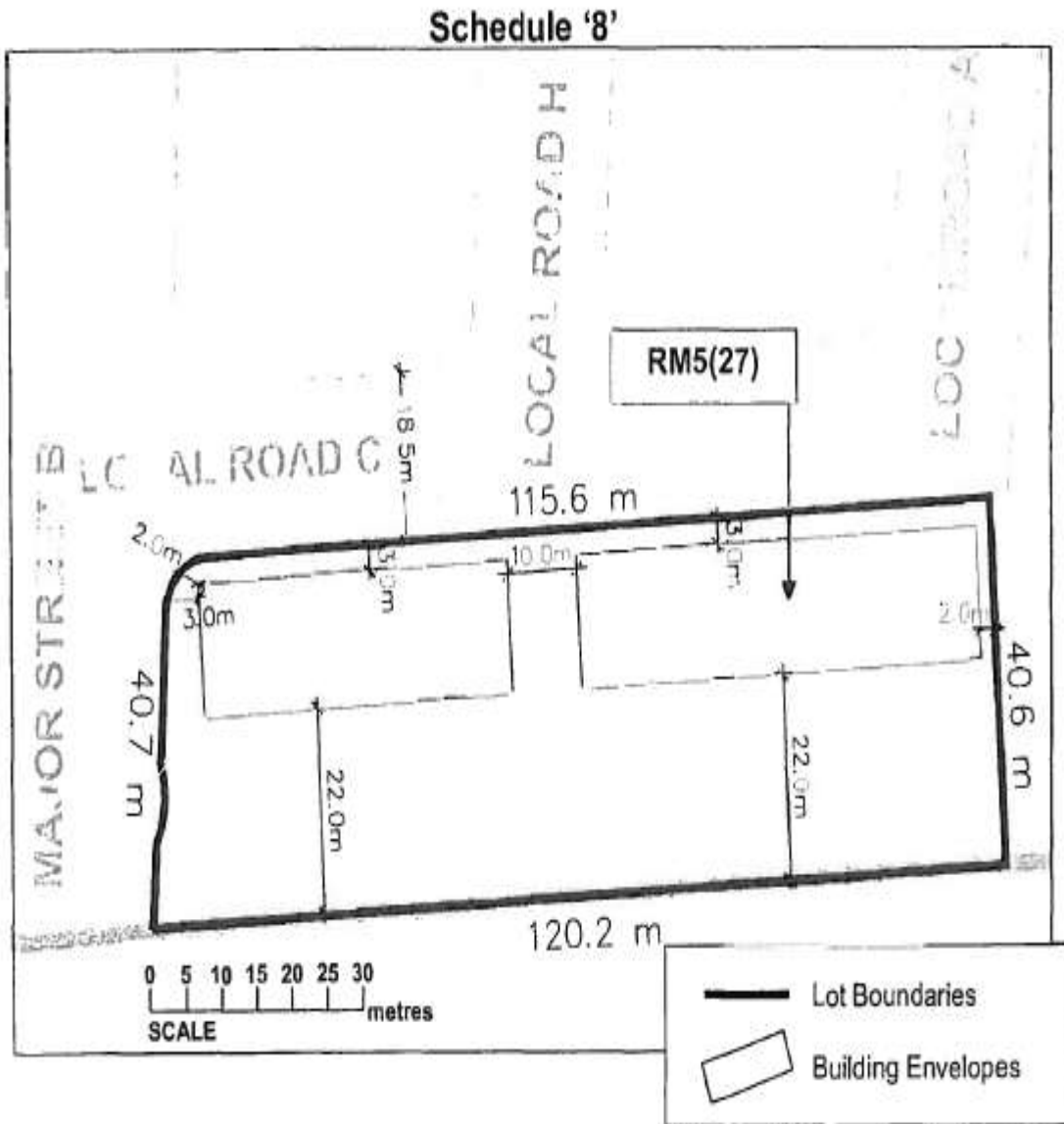
This is Schedule '6' to By-law _____

Passed this ____ day of _____, 2013



This is Schedule '7' to By-law _____

Passed this ____ day of _____, 2013



This is Schedule '8' to By-law _____

Passed this ____ day of _____, 2013

SCHEDULE 9

Section 37 Provisions

The facilities, services and matters set out below must be provided to the City at the owner's expense in return for the increase in height and density of the proposed development and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the *Owner* agrees as follows:

1. Prior to issuance of any above grade building permit the owner shall:
 - (a) Provide a financial contribution to the City of \$864 per dwelling unit and \$3.80 per square metre of non-residential floor space to be used for the provision of a community centre and day care spaces. The financial contribution is to be paid prior to the issuance of any above grade building permits. The agreement will set out the allocations of the contributions for the community centre and day care spaces.
 - (b) Participate in the City's Percent Public Art Program and provide either public art or a cash contribution at a minimum value of 1% of the gross construction costs of the development to a maximum of \$1,000,000 in accordance with a Public Art Plan submitted by the owner to the satisfaction of the City. If a cash contribution is chosen it shall be paid prior to the issuance of any above grade building permit. If a cash contribution is not chosen, a Letter of Credit in the amount of \$1,000,000 shall be delivered to the City prior to the issuance of any above grade building permit to secure the public art requirement.
 - (c) The payments required in clause a) herein, shall be increased in accordance with any increase in the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from October 23, 2008 to the date of submission of the funds by the owner to the City.
2. No above grade building permit shall be issued except in accordance with the following provisions regarding the construction of the affordable rental housing units:
 - (a) The above-grade building permits for all of the affordable rental units in multiple attached dwelling - stacked townhouses shall be issued prior to the issuance of any above-grade building permits that would permit the construction of any other residential dwelling unit beyond the first 200 residential dwelling units, for which such permits may be issued prior to those for the affordable rental units;
 - (b) No more than 300 residential dwelling units that are not affordable rental units shall be completed, and made ready and available for occupancy prior to the date that all of the affordable rental units in multiple attached dwelling - stacked townhouses have been completed and made ready and available for occupancy;

-
- (c) All of the affordable rental units that are not in multiple attached dwelling - stacked townhouses shall be provided in one or more apartment house dwellings which shall be in either Block P or Block A or both;
- (d) No above-grade residential building permit, other than for the single detached dwellings on Lots 1 to 29 (inclusive), may be issued for Blocks A or P prior to the issuance of the above-grade building permits for all of the affordable rental units that are to be located in one or more Apartment House Dwellings which shall be in either Block P or Block A or both; and
- (e) All of the affordable rental units in Block P or Block A , or both, shall be completed, and made ready and available for occupancy, no later than the date that the 200th residential dwelling unit that is not an affordable rental unit on Blocks A and P is completed, and made ready and available for occupancy, or, if the first residential building on Blocks A or P comprises fewer than 200 units, no later than the date that 90% of the residential dwelling units that are not affordable rental units are ready and available for occupancy.
3. The Owner shall submit approved building permit drawings that provide for at least 113 affordable rental housing units as follows:
- (a) At least 50 units shall be provided in the form of multiple attached dwelling - stacked townhouse units comprising two and three-bedroom units, provided that there are at least 30 three-bedroom units:
- (b) The unit mix shall be as follows, provided that studios may be provided as 1 bedroom units:
- | | | |
|-------|------------------------|-----------------------------------|
| (i) | Studio apartment units | no more than 6 |
| (ii) | 1 bedroom units | no more than 39 (45 with studios) |
| (iii) | 2 bedroom units | no less than 28 |
| (iv) | 3 bedroom units | no less than 40 |
| (v) | Total units | 113 |
- (c) The minimum floor areas for the units are:
- (i) 2 bedroom multiple attached dwelling - stacked townhouse units shall be at least 740 sq. ft., with 25% being at least 850 sq. ft. and 50% at least 950 sq. ft.
- (ii) 3 bedroom multiple attached dwelling - stacked townhouse units shall be at least 900 Sq. ft., with 25% being at least 950 sq. ft., and 50% at least 1000 sq. ft.
- (iii) Studio apartments in the apartment house dwelling shall be at least 400 sq. ft.
- (iv) 1 bedroom apartments shall be at least 525 sq. ft., with 25% being at least 600 sq. ft., and no more than 13 one-bedroom units may have interior

bedrooms, while at least 26 one-bedroom units shall have conventional bedrooms with exterior, openable windows.

- (v) 2 bedroom apartments shall be at least 740 sq. ft.
 - (vi) 3 bedroom apartments shall be at least 900 sq. ft.
 - (d) Each of the multiple attached dwelling - stacked townhouse units shall have a patio, backyard, balcony or roof deck for private outdoor recreation space, and each of the 2 and 3 bedroom affordable rental units in the apartment house dwelling shall have a patio or balcony.
4. The owner shall provide and maintain at least 113 affordable rental housing units as set out in subsection (3) above and in accordance with the following provisions which shall be further set out in an agreement or agreements with the City:
- (a) The affordable rental units shall remain as rental housing for a period of at least 20 years, with no application for demolition without replacement, or for condominium registration or any conversion to non-rental housing purposes;
 - (b) Affordable rents charged to the tenants who rent each of the 113 affordable rental units during the first 10 years of its occupancy, such that the initial rent shall not exceed an amount based on the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type, and, upon turn-over, the rent charged to any new tenant shall not exceed the initial rent, increased annually by the provincial rent guideline and any above-guideline increase, if applicable, and over the course of the 10 year period, annual increases shall not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases;
 - (c) Rents charged to tenants occupying an affordable rental unit at the end of the 10 year period in (g) shall be subject only to annual increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, until the earlier of the date they cease to occupy their unit, or until the tenth anniversary of their tenancy, with a phase-in period for rent increases to unrestricted rents of at least three years; and
 - (d) Rents charged to tenants newly occupying an affordable rental unit after the completion of the 10 year period in (b) will not be subject to restrictions by the City of Toronto under the terms of the section 37 agreement entered into under this By-law.