

Authority: MM27.47, by Councillor David Shiner, seconded by Councillor Christin Carmichael Greb, adopted as amended, by City of Toronto Council on March 28 and 29, 2017 and North York Community Council Item NY17.45, as adopted by City of Toronto Council on July 11, 12 and 13, 2012

## **CITY OF TORONTO**

### **BY-LAW 323-2017**

**To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known as 5220 to 5254 Yonge Street, 78 Ellerslie Avenue, 32 Churchill Avenue and 55 Horsham Avenue.**

Whereas authority is given to Council by Sections 34 and 37 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York are amended in accordance with Schedules 1 and 2 of this By-law.
2. Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with to the satisfaction of the Director, Engineering and Construction Services:
  - (a) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
  - (b) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
3. Section 64.20-A of By-law 7625 is amended by adding the following:

#### **64.20-A(247) RM6(247)**

#### **DEFINITIONS**

##### **APARTMENT HOUSE DWELLING**

- (a) For the purpose of this exception, shall mean a building containing more than four (4) dwelling units each unit having access from an internal corridor system.

##### **BAKERY**

- (b) For the purpose of this exception, "bakery" shall mean a restaurant or retail store that sells food products baked on the premises directly to the public, in which flour or meal is the principal ingredient, including but not limited to bread, biscuits, ice-cream cones, cakes, pies, buns, doughnuts and bagels.

#### BICYCLE PARKING

- (c) For the purpose of this exception, "bicycle parking" shall mean an area equipped with one or more bicycle racks or lockers for the purpose of parking and securing bicycles, including any corridors used exclusively to access said racks or lockers, and which area is not designed or used for general storage purposes.
- (d) For the purpose of this exception, "bicycle parking space" shall mean a space with a minimum vertical clearance of 1.9 metres, minimum horizontal dimensions of 0.6 metres by 1.2 metres and maximum floor area of 2.0 square metres, including any associated access corridor area, that is designed and equipped exclusively for the purpose of parking and securing one or more bicycles and is not located within a dwelling unit, balcony or commercial suite.

#### COMMON OUTDOOR SPACE

- (e) For the purpose of this exception, "common outdoor space" shall mean unenclosed, exterior, publicly accessible areas of the net site that are adjacent to the building, consist of hard or soft landscaping, adjoin a public street, provide pedestrian facilities such as outdoor seating, and may include public art.

#### ESTABLISHED GRADE

- (f) For the purpose of this exception, "established grade" shall mean the geodetic elevation of 175.35 metres.

#### GROSS SITE

- (g) For the purpose of this exception, "gross site" shall mean the lands shown on Schedule 1, comprising an area of 6,507.5 square metres.

#### GROSS FLOOR AREA

- (h) For the purpose of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:
  - (i) any part of the building used for mechanical floor area;
  - (ii) any space at, above, or below grade used exclusively for motor vehicle or bicycle parking and access thereto, including loading areas; and
  - (iii) the floor area of unenclosed residential balconies.

#### CAR-SHARE PARKING SPACE

- (i) For the purpose of this exception, "car share parking space" shall mean parking spaces provided through the operation of a car sharing program, either by an existing car share company or one established by a condominium corporation.

#### INDOOR RECREATIONAL AMENITY AREA

- (j) For the purpose of this exception, "indoor recreational amenity area" shall mean an area set aside for social and/or recreational purposes, such as indoor swimming pools, exercise or entertainment rooms, change rooms, library space, lounges, meeting or party rooms and other similar uses, and which area is common to all occupants of the building.

#### LANDSCAPING

- (k) For the purpose of this exception, "landscaping" shall mean trees, shrubs, grass, flowers and other vegetation, decorative stonework, walkways, patios, screening or other horticultural or landscape architectural elements, or any combination of these, but not driveways or parking areas and directly associated elements such as curbs or retaining walls.

#### MECHANICAL FLOOR AREA

- (l) For the purpose of this exception, "mechanical floor area" shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, such as heating, ventilation, air conditioning, electrical, plumbing, fire protection, telephone, telecommunication, cable, garbage chute and elevator equipment.

#### NET SITE

- (m) For the purpose of this exception, "net site" shall mean the gross site minus the area of any lands conveyed to the City for road widening purposes, as shown on Schedule RM6(247). The net site has an area of 6,377.9 square metres.

#### OUTDOOR RECREATIONAL AMENITY AREA

- (n) For the purpose of this exception, "outdoor recreational amenity area" shall mean an area set aside for social and/or recreational purposes, which is common to all occupants of the building. Social and/or recreational purposes include areas such as playgrounds, outdoor swimming pools and seating areas.

#### SALES OFFICE

- (o) For the purpose of this exception, "sales office" shall mean an office located on the site in a temporary building, structure, facility or trailer satisfactory to the City's Chief Planner used exclusively for the sale of dwelling units to be erected within the site.

**SOCIAL FACILITY SPACE**

- (p) For the purpose of this exception, "Social Facility Space" shall mean a multi-purpose space operated by a government or non-profit organization and used for community, social or cultural activities, including retail activities, and uses accessory thereto. Social Facility Space uses include, but are not limited to retail uses, day nursery; child daycare; counseling or crisis centre; community hall; multi-purpose hall or facilities; family resources centre, or public meeting spaces. Retail uses of the Social Facility Space may include retail stores that include but are not limited to a butchers shop, fish market, grocery store, deli, cheese store. In addition, the uses of a Social Facility Space include events, music staging, sponsorship booths, market carts, moveable cafe style seating. The retail uses in the Social Facility Space are not included in the 2,368.80 square metres of street related retail and service commercial uses located on the ground floor along the Yonge Street and the Eglinton Avenue frontages set out in subsections 3(jj)(iv) and 3(ii)(iv).

**PERMITTED USES**

- (q) The only permitted uses shall be:

**RESIDENTIAL**

apartment house dwelling and accessory uses, including private recreational amenity areas;

The gross floor area of all residential uses, including recreational amenity areas, shall be limited to a maximum 20,849.81 square metres in the north tower on Schedule RM6(247).

**NON-RESIDENTIAL**

business and professional offices;  
 car-share parking space;  
 day nurseries;  
 professional medical offices;  
 retail and service commercial uses;  
 art galleries;  
 artist studios;  
 automatic laundry shops;  
 automatic teller machines;  
 bakeries;  
 banquet halls (restricted to 2<sup>nd</sup> or 3<sup>rd</sup> floors);  
 car rental agencies, (car-rental agency vehicles are to be located off-site);  
 clubs (restricted to 2<sup>nd</sup> or 3<sup>rd</sup> floors);  
 commercial galleries;  
 commercial recreation facilities;  
 commercial schools (restricted to 2<sup>nd</sup> or 3<sup>rd</sup> floors);  
 custom workshops making articles to be sold at retail on the premises;

dry-cleaning and laundry collecting establishments;  
financial institutions, including banks;  
fitness centres (restricted to 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup> floors);  
information processing;  
outdoor café in conjunction with a restaurant;  
public parking lot (for purposes of car-sharing only);  
personal service shops;  
recreational uses;  
restaurants;  
retail stores;  
sales office;  
service shops;  
Social Facility Space;  
studios;  
synthetic dry-cleaning establishments;  
takeout restaurants; and  
accessory uses.

A minimum of 18,065.04 square metres of gross floor area shall be devoted solely to non-residential uses, of which at least 10,800 square metres of gross floor area shall be located in the 10-storey south tower and the remainder of the gross floor area will be located in the podium building shown on Schedule RM6(247) and in underground parking areas.

No non-mechanical mezzanine level, with the exception of any space used exclusively for the storage of bicycle parking, or exiting facilities as required by the Building By-law shall be located in or above the non-residential uses located on the ground floor level of any building shown on Schedule RM6(247).

Notwithstanding the preceding Section 3(q), non-residential parking spaces and residential visitor parking spaces may be shared, and a charge may be imposed for the use of such spaces, however the minimum number of parking spaces for each use must be satisfied.

## **EXCEPTION REGULATIONS**

### **MAXIMUM GROSS FLOOR AREA**

- (r) Except as provided for in subsection (jj) of this exception, the maximum gross floor area permitted on the net site shall not exceed 29,283.75 square metres attributable to the gross site, of which a minimum of 18,065.04 square metres of non-residential gross floor area shall be provided.

### **NUMBER OF DWELLING UNITS**

- (s) The maximum number of residential dwelling units shall be 308.

**BUILDING HEIGHT**

- (t) For the purpose of this exception, "building height", measured from the established grade, shall not exceed the maximum heights in metres shown on Schedule RM6(247), excluding mechanical penthouses, towers, parapets and other architectural features, and stairwells to access the roof.

**NUMBER OF STOREYS**

- (u) For the purpose of this exception, the number of storeys shall not exceed the maximum shown on Schedule RM6(247), excluding mechanical penthouses, parapets and other architectural features, and stairwells to access the roof.

**BUILDING ENVELOPE**

- (v) No portion of any building or structure erected above established grade shall be located otherwise than wholly within the building envelopes identified on Schedule RM6(247) except for the projections permitted in Section 6(9) of By-law 7625 as well as canopies, lights, stairs and other architectural features which may project beyond the building envelope.

**MOTOR VEHICLE PARKING**

- (w) Motor vehicle parking spaces shall be provided within the net site in accordance with the following requirements:
- (i) a minimum of 0.9 parking spaces per dwelling unit for residents, plus 0.10 parking spaces per dwelling unit for visitors;
  - (ii) a maximum of 1.1 parking spaces per dwelling unit for residents; and
  - (iii) a minimum of 1.0 parking spaces per 100 square metres of gross floor area devoted to non-residential uses;
- (x) Notwithstanding the preceding subsection (w), non-residential parking spaces and residential visitor parking spaces may be shared and a charge may be imposed for the use of such spaces, however the minimum number of parking spaces for each use must be satisfied;

**BICYCLE PARKING**

- (y) Bicycle parking shall be provided as follows:
- (i) Residential:
    - 0.68 long-term bicycle parking spaces per dwelling unit; and
    - 0.07 short-term bicycle parking spaces per dwelling unit;

- (ii) Non-Residential, excluding office:
  - 3 short-term bicycle parking spaces plus 0.25 short-term bicycle parking spaces per 100 square metres of non-residential gross floor area; and
  - 0.13 long-term bicycle parking spaces per 100 square metres of non-residential gross floor area;
- (iii) Office:
  - 3 short-term bicycle parking spaces plus 0.15 bicycle parking spaces for each 100 square metres of non-residential gross floor area; and
  - 0.13 long-term bicycle parking spaces per 100 square metres of non-residential gross floor area;
- (iv) a minimum of twenty-seven (27) of the required residential bicycle parking spaces and a minimum of nine (9) of the required commercial/retail bicycle parking spaces shall be provided in one or more bicycle room(s) located on the ground floor accessible from the outside and such bicycle parking spaces shall meet the minimum dimensions required by Section 3(d) Definition - Bicycle Parking of this By-law; and
- (v) if the calculation of the number of required bicycle parking spaces results in a number with a fraction less than 0.5, the number shall be rounded down to the nearest whole number; if the fraction is equal to or greater than 0.5, the number shall be rounded up to the nearest whole number.

#### LOADING

- (z) Provide a minimum of one Type A, three Type B and one Type G loading spaces as follows:
  - (i) Type A Loading Space means a loading space that is a minimum of 3.5 metres wide, 17.0 metres long and has a minimum vertical clearance of 4.4 metres;
  - (ii) Type B Loading Space means a loading space that is a minimum of 3.5 metres wide, 11.0 metres long and has a minimum vertical clearance of 4.0 metres; and
  - (iii) Type G Loading Space means a loading space that is a minimum of 4.0 metres wide, 13.0 metres long and has a minimum vertical clearance of 6.1 metres.

#### LANDSCAPING

- (aa) A minimum of 1,120 square metres of landscaping shall be provided on the net site, including the required outdoor recreational amenity area and the required common outdoor space, including areas located on the podium roof.

#### COMMON OUTDOOR SPACE

- (bb) A minimum of 723 square metres of common outdoor space shall be provided on the net site.

#### OUTDOOR RECREATIONAL AMENITY AREA

- (cc) A minimum of 1.5 square metres per dwelling unit of outdoor recreational amenity area shall be provided on the podium roof adjacent to the residential indoor recreational amenity area on the net site.

#### INDOOR RECREATIONAL AMENITY AREA

- (dd) A minimum of 1.5 square metres per residential dwelling unit of indoor recreational amenity area shall be provided on the net site.

#### FLOOR ELEVATION

- (ee) The floor elevation of the non-residential space located on the ground floor level of any building shown on Schedule RM6(247) fronting onto and directly accessible from Yonge Street or Eglinton Avenue shall be level with the elevation of the adjacent exterior pedestrian walkway to a minimum depth of 8.5 metres within the building.

#### PROVISIONS NOT APPLICABLE

- (ff) The provisions of Sections 6(22)(b), 6(22)(c), 6A(2), 6A(6), 6A(8), 6A(16), 15.1(b), 15.7, 15.8 and 20-A of By-law 7625 do not apply.

#### INCREASED DENSITY

- (gg) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increased maximums in gross floor area authorized under subsection (jj) of this exception are permitted beyond that otherwise permitted on the lands shown on Schedule 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in subsections (hh) and (ii) hereof, provided these are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor. The owner shall not use, or permit the use of a building or structure erected with increased maximums in gross floor areas authorized under subsection (jj) unless all provisions of subsections (hh) and (ii) are satisfied. Where subsection (hh) of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (hh) Prior to the issuance of:
  - (i) any building permit, including a permit for excavation, piling or shoring with respect to the development, the owner shall provide a letter of credit



in the amount of \$1,810,000 dollars, to secure the completion of the works required to relocate the existing 900mm storm sewer, plus an engineering fee of \$102,000 and a maintenance fee of \$125,000 -- all of which relate to relocation of the existing storm sewer, which facility is characterized as a matter required to implement the development of the proposal and not as a community benefit;

- (ii) the first above-grade building permit for the lands, the owner shall provide the following:
  - a) A letter of credit in the amount of \$1,200,000 dollars, being the full value of the unfinished Social Facility Space;
  - b) A letter of credit in the amount of \$1,300,000 dollars, being 125 percent of the full value of the estimated costs to finish the Social Facility Space.
  
- (ii) The owner of the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements shall be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The said agreement shall provide that the owner of the subject lands, at the owner's expense and in accordance with, and subject to, the agreements referred to above shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto in exchange for the increased density hereinafter set out:
  - i) the property municipally known as 32 Churchill Avenue, being Part of Lot 42, Registered Plan 3163, to be conveyed to the City for service road and associated road network and buffer area purposes;
  - ii) the property municipally known as 78 Ellerslie Avenue, being Part of Block 2, Registered Plan 2097, to be conveyed to the City for service road and associated road network and buffer area purposes;
  - iii) the property municipally known as 55 Horsham Avenue, being Part of Lot 12 of Registered Plan 2057, to be conveyed to the City for service road and associated road network and buffer area purposes;
  - iv) a minimum of 2,368.80 square metres of street related retail and service commercial uses located on the ground floor along the Yonge Street and the Ellerslie Avenue frontages, and is to include street related retail and service commercial uses located at grade within 30 metres of the property lines, provided that:
    - a) the retail and service commercial uses are directly accessible from Yonge Street or Ellerslie Avenue, when the retail and service commercial space is adjacent to the building frontage along those streets;

- b) the retail and service commercial space not adjacent to the building frontages, may be from a publicly accessible internal lobby with direct access from Yonge Street;
- v) a minimum of 31.99 square metres for a bicycle shower and change facility, located below grade;
- vi) a minimum of 1.50 square metres per dwelling unit of indoor recreational amenity area;
- vii) the conveyance to the City of Toronto, free and clear of all encumbrances of the lands for road widening purposes, comprising 10.4 square metres, as shown on Schedule 1;
- viii) the provision and maintenance on the site of not less than seven (7) new Rental Replacement Units, which shall all be Affordable Rental Replacement Units, and which units shall be of a size to the satisfaction of the Chief Planner and Executive Director, City Planning Division, subject to the following:
  - a) the seven (7) Rental Replacement Units shall comprise of 4 one-bedroom and 3 two-bedroom dwelling units as illustrated in the floor plans dated November 3, 2016;
  - b) the Rental Replacement Units shall be maintained as rental housing units for at least twenty (20) years, beginning with the date that each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the Rental Replacement Units to be maintained as rental units;
  - c) the seven (7) Rental Replacement Units shall be ready and available for occupancy no later than the date when 90 percent of the residential condominium units are ready and available for occupancy;
  - d) the owner shall provide and maintain affordable rents charged to the tenants who rent each of the 7 Rental Replacement Units during the first ten (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 over the course of the 10-year period, annual increases shall not exceed the Provincial rent guideline and, if applicable, permitted above-guideline increases, and, upon turn-over, the rent charged to any new tenant shall not exceed the initial rent increased by the annual Provincial guideline increases and, if applicable, permitted above-Guideline increases;

- e) rents charged to tenants occupying a Rental Replacement Unit at the end of the 10-year period set forth in subsection d) shall be subject only to annual rent increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their dwelling unit or until the expiry of the rental tenure period set forth in subsection b) with a further phase-in period of a least three years for rent increases to unrestricted market rents;
  - f) rents charged to tenants newly occupying a Rental Replacement Unit after the completion of the 10-year period set forth in subsection d) will not be subject to restrictions relating to the amount of the rent by the City of Toronto under the terms of the Section 37 Agreement;
  - g) bicycle parking shall be provided for each Rental Replacement Unit in a safe and secure location at no cost to the tenant, and on the same basis as residents of the condominium building;
  - h) at least 7 resident parking shall be made available to tenants of the Rental Replacement Units;
  - i) tenants of the Rental Replacement Units shall have access to the visitor parking spaces on the same terms and conditions as the condominium residents;
  - j) one storage locker shall be provided for each Rental Replacement Unit at no additional cost to the tenant;
  - k) tenants of the Rental Replacement Units shall have access to all indoor and outdoor amenity spaces at no extra charge. Access and use of these amenities shall be on the same terms and conditions as the condominium residents without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings;
  - l) all Rental Replacement Units shall contain ensuite laundry facilities; and
  - m) all Rental Replacement Units shall have a balcony or terrace for private and exclusive access of the occupant;
- ix) the owner shall provide tenant relocation assistance in accordance with the more detailed Tenant Relocation and Assistance Plan to be included in the Section 37 Agreement or agreements, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, for tenants in the existing buildings on the lands. At a minimum, tenant relocation assistance shall include:

- a) the right to return to a Rental Replacement Unit for all eligible tenants who resided in the existing rental units;
  - b) all tenants will receive extended notice of the date they must vacate for the demolition of their buildings;
  - c) returning tenants will choose their replacement units by seniority; and
  - d) all tenants eligible for financial assistance provided for in the Tenant Relocation and Assistance Plan will receive a moving allowance, and additional assistance on a sliding scale based on length of occupancy and the gap between their current rents and market rents;
- x) the Section 37 Agreement shall require the owner to provide a minimum of 324.59 square metres of Social Facility Space fronting on an east-west publicly accessible mews, as shown on Schedule RM6(247) provided:
- a) the Social Facility Space is to be conveyed to the City with base building plus finished turn-key conditions substantially in accordance with the Section 37 Agreement and to the satisfaction of the Chief Corporate Officer or their designate;
  - b) the Social Facility Space shall be conveyed to the City as a freehold stratified fee simple interest, free of all encumbrances. The City, all the Condominium Corporation(s) having use of the Common Facilities, and the owner of the stratified fee simple segment of the Project containing the 7 rental replacement dwelling units will enter into an Easement and Cost Sharing Agreement to facilitate the integration of the various elements of the Social Facility Space, as detailed within the Section 37 Agreement;
  - c) the Social Facility Space will be provided with access to public washrooms, loading areas, garbage storage and pick-up areas and vehicle and bicycle parking areas as are provided to serve the other commercial condominium units in the building, as detailed within the Section 37 Agreement;
  - d) the Social Facility Space is to be located adjacent to the publicly accessible mews, as shown on Schedule RM6(247);
  - e) the Social Facility Space is to be conveyed to the City for use as a social facility or facilities, and pursuant to the North York Centre Secondary Plan, the gross floor area of the social facility units is exempt from the calculation of gross floor area and 4 times the gross floor area of the social facility units will be available as a density incentive; and

- f) the Social Facility Space is to be conveyed prior to the earlier of occupancy of the proposed office tower or 90-days prior to release for registration of the proposed residential condominium declaration and description – provided that after the Social Facility Space has been provided, the City may agree to release the condominium materials for registration within a shorter time period.
  
- xi) prior to site plan approval, the owner shall grant to the City for nominal consideration a non-exclusive surface easement for public pedestrian access over the southerly 7.0 metres (approximate) of the property, commencing at Yonge Street and extending approximately 57.2 metres to the west, being the publicly accessible mews walkway as shown on Schedule RM6(247), provided:
  - a) the owner shall be responsible for constructing the publicly accessible pedestrian walkway in accordance with landscape plans and drawings to the satisfaction of the Chief Planner and Chief Corporate Officer;
  - b) following the grant of the easement, the owner (with the exception of the City as owner) shall be responsible for the maintenance and repair of the publicly accessible pedestrian walkway, including the clearing of snow and ice, and indemnifying and releasing the City from any claims made or proceedings, which may be brought against the City for any injury or damages as a result of public use of the Publicly Accessible Pedestrian Walkway, as detailed in the Section 37 Agreement; and
  - c) The City shall have the exclusive right to program activities with the Publicly Accessible Pedestrian Walkway;
  
- xii) the Owner shall construct and maintain the development in accordance with Tier 1 (and Tier 2 if applicable) performance measures of the updated Toronto Green Standard, as adopted by Toronto City Council at its meeting held on July 16, 2013;

#### ADDITIONAL GROSS FLOOR AREA

- (jj) Notwithstanding subsection (r) of this exception, additional gross floor area of a maximum 9,631.1 square metres shall be permitted on the net site so that the total gross floor area of all buildings permitted on the lands shown on Schedule RM6(247) shall not exceed a total aggregate maximum of 38,914.85 square metres, limited to the following additional gross floor area:
  - (i) a density transfer from 32 Churchill Avenue, being Part of Lot 42, Registered Plan 3163, totaling a maximum 1,842.36 square metres, for the conveyance of 32 Churchill Avenue to the City for service road and associated road network and buffer area purposes;

- (ii) a density transfer from 78 Ellerslie Avenue, being Part of Block 2, Registered Plan 2097, totaling a maximum 1,566.60 square metres, for the conveyance of 78 Ellerslie Avenue to the City for service road and associated road network and buffer area purposes;
- (iii) a density transfer from 55 Horsham Avenue, being Part of Lot 12 of Registered Plan 2057, totaling a maximum 1736.40 square metres, for the conveyance of 55 Horsham Avenue to the City for service road and associated road network and buffer area purposes;
- (iv) a maximum of 2,368.80 square metres of street related retail and service commercial uses located on the ground floor along the Yonge Street and the Ellerslie Avenue frontages, and is to include street related retail and service commercial uses located at grade within 30 metres of the property lines, provided that:
  - a) the retail and service commercial uses are directly accessible from Yonge Street or Ellerslie Avenue, when the retail and service commercial space is adjacent to the building frontage along those streets; and
  - b) the retail and service commercial space not adjacent to the building frontages, may be from a publicly accessible internal lobby with direct access from Yonge Street;
- (v) a maximum 31.99 square metres for a bicycle shower and change facility, located below grade;
- (vi) a maximum of 1.50 square metres per dwelling unit of indoor recreational amenity area;
- (vii) a density incentive of a maximum 1,298.36 square metres for the provision of a minimum of 324.59 square metres of Social Facility Space to the City fronting on an east-west publicly accessible mews; and
- (viii) a maximum 324.59 square metres for the social facility space to be provided.

#### SEVERANCE

- (kk) Notwithstanding any existing or future severance, partition or division of the net site shown on Schedule RM6(247), the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred.

#### PREVAILING PROVISIONS

- (ll) Except as otherwise provided herein, the provisions of By-law 7625 shall continue to apply to the site.

4. Section 64.20-A of By-law 7625 is amended is further amended by adding Schedule RM6(247) attached to this By-law.
5. Section 64.13 of By-law 7625 is amended by adding the following subsection:

**64.13(116) R4(116) EXCEPTION REGULATIONS**

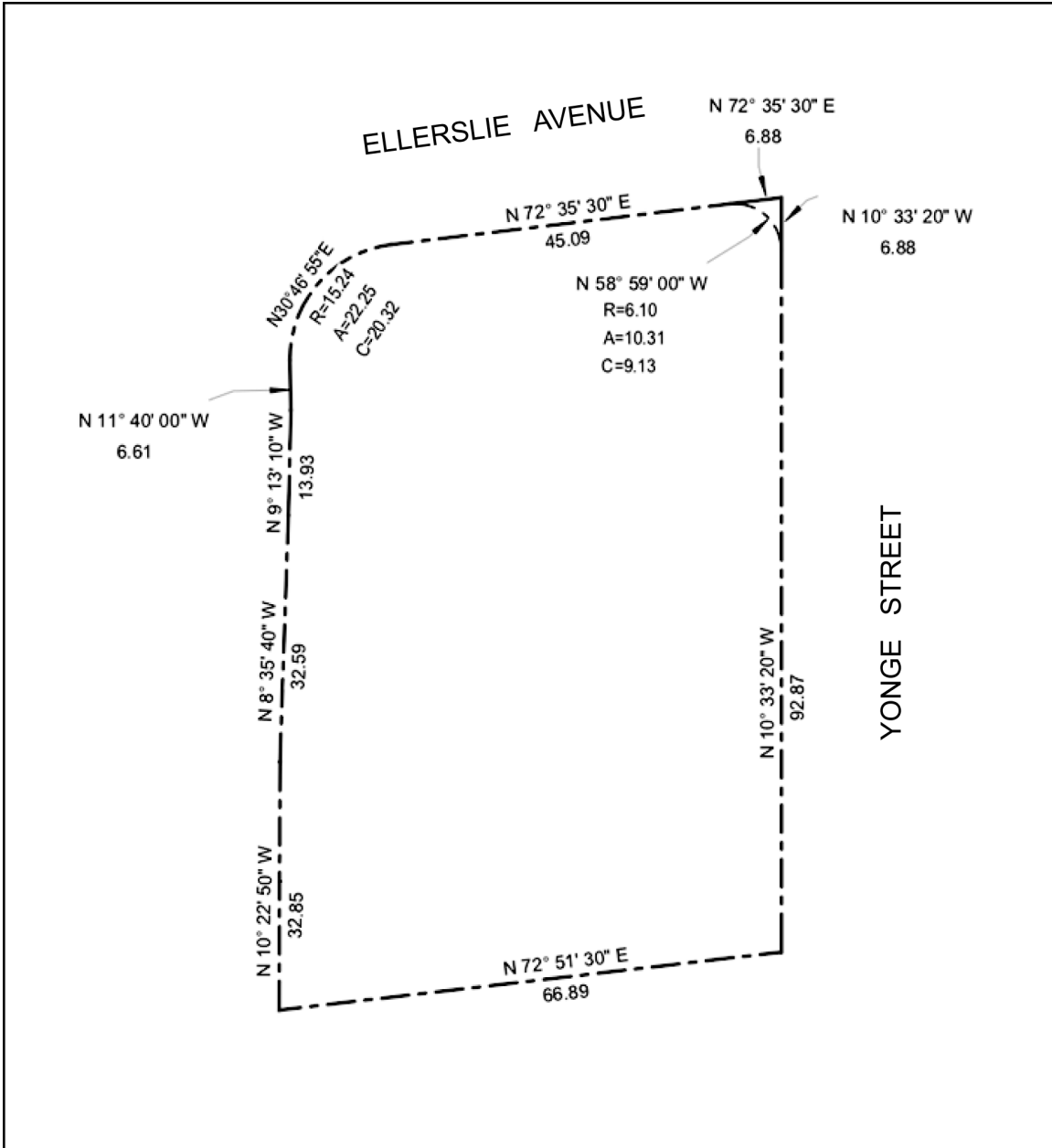
- (a) The maximum gross floor area permitted on Part of Lot 42 of Registered Plan 3163, and municipally known as 32 Churchill Avenue, is 0.0 square metres;
- (b) The maximum gross floor area permitted on Part of Block 2 of Registered Plan 2097, and municipally known as 78 Ellerslie Avenue, is 0.0 square metres; and
- (c) The maximum gross floor area permitted on Part of Lot 12 of Registered Plan 2057, and municipally known as 55 Horsham Avenue, is 0.0 square metres.

Enacted and passed on March 29, 2017.

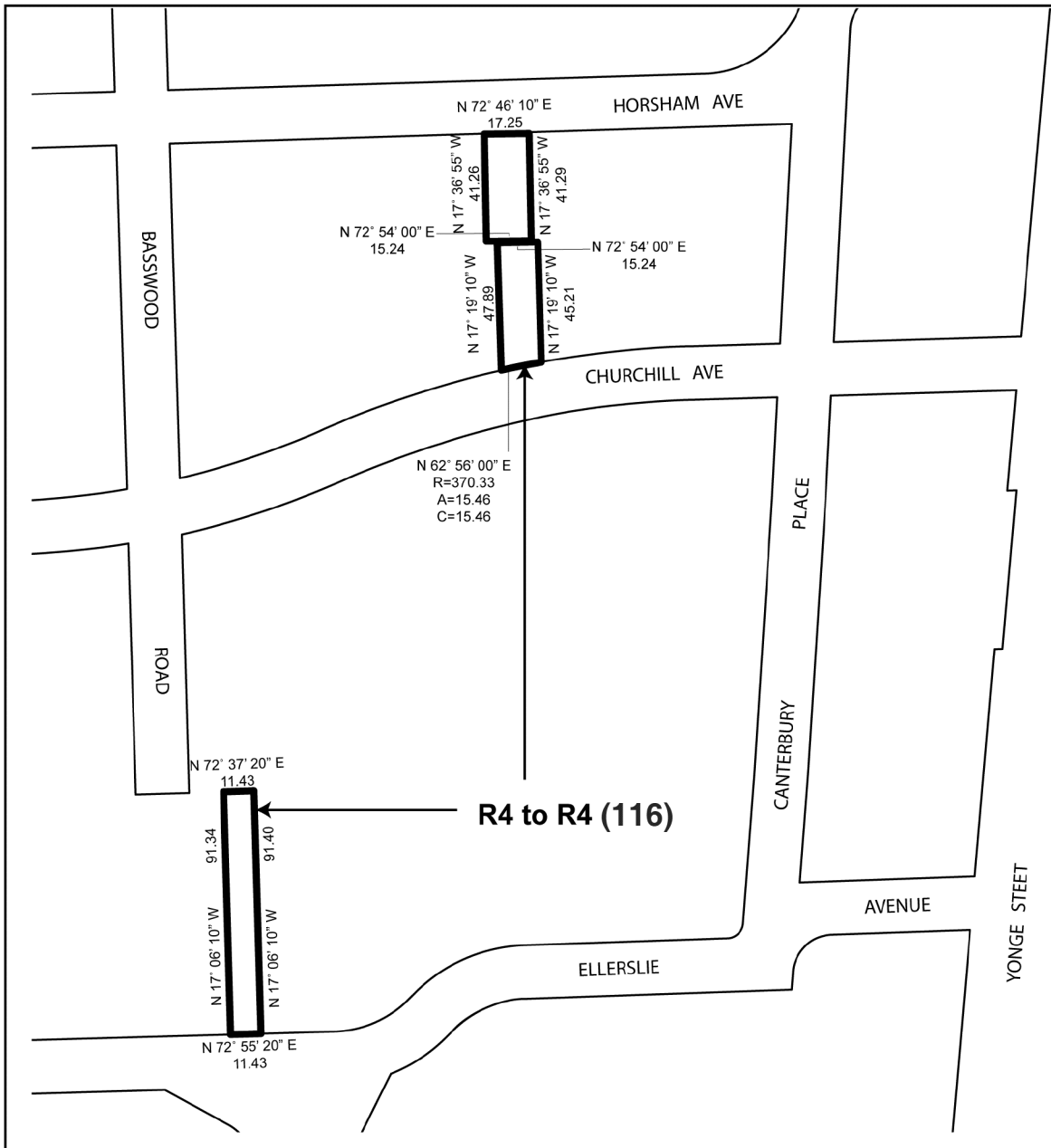
Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)







Schedule 2

Part of Lots 1 & 2, RP 3429, Lots 1 & 2, RP 3603 and Part of Lot 18, Conc 1 W.Y.S., City of Toronto  
R. Avis Surveying Inc.

File # 09 165755 NNY 23 0Z

Date: 01/20/2017  
Approved by: A.M.



