

Authority: North York Community Council Item NY23.5, as adopted by City of Toronto Council on July 4, 5, 6 and 7, 2017

CITY OF TORONTO

BY-LAW 829-2017

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 14, 16, 18 and 20 Greenbriar Road.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

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

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

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or 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 and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RM (x44), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30 respecting the lot outlined in heavy black lines to 57 percent for the lands shown on Diagram 4 attached to this by-law.

5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.5.100 by adding Exception Number 44 so that it reads:

Exception RM 44

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provision, prevailing by-laws and prevailing sections:

Site Specific Provisions:

- (A) Despite the uses listed in Article 10.80.20, and the permitted **building** types in Article 10.80.20.40, the only permitted use and **building** type is **townhouses**;
- (B) The maximum number of **dwelling units** permitted is 14;
- (C) The maximum **building** height is 10.8 metres to the bottom of the rooftop terraces and 14 m to the top of the rooftop terraces, and 3 **storeys**;
- (D) The permitted maximum **gross floor area of all buildings** is 2,650 square metres;
- (E) The permitted maximum **lot coverage** is 57 percent of the lot area;
- (F) The minimum **building setbacks** are as shown on Diagram 3 of By-law 829-2017;
- (G) The minimum separation distance between **buildings** is as shown on Diagram 3 of By-law 829-2017;
- (H) Notwithstanding Chapter 800 of Zoning By-law 569-2013, as amended, for the purposes of this By-law, **established grade** shall be 172.67 metres Canadian Geodetic Datum;
- (I) Parking Requirements

The walls of the ancillary parking garage may encroach into the minimum yard setbacks.

- i. **Parking spaces** must be provided at the following rates at the following rates:
 - a. Minimum of 1.0 **parking space** per **dwelling unit**; and
 - b. Minimum 0.2 **parking spaces** per **dwelling unit** for visitors;
- (J) No portion of any **building** or structure to be erected or used above grade on the **lot** may extend beyond the lines delineated by the heavy lines on Map 2 attached to and forming part of this By-law, with the exception of the following:
 - i. cornices, eaves, vents, lighting fixtures, ornamental elements, window sills, stairs, stair enclosures, wheelchair ramps, awnings and canopies; and

- ii. ornamental cladding on the roof may project beyond the building envelope to a maximum of 1.0 metres;
- (K) Bicycle **parking spaces** must be provided at a rate of 0.75 for each **dwelling unit**;
- (L) A minimum of 40 percent of the lot must be **landscaping**, of which 9 percent must be **soft landscaping**
- (M) A temporary sales presentation centre may be permitted on the lot, and none of the other provisions of this By-law apply to such use;
- (N) Despite any existing or future severance, partition, or division of the lot, the provisions of this by-law must apply to the whole of the lot as if no severance, partition or division occurred;
- (O) Section 37 Provisions
 - (a) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which 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;
 - (b) Where Schedule A 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; and
 - (c) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions of Schedule A are satisfied;

Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on July 7, 2017.

Frances Nunziata,
Speaker

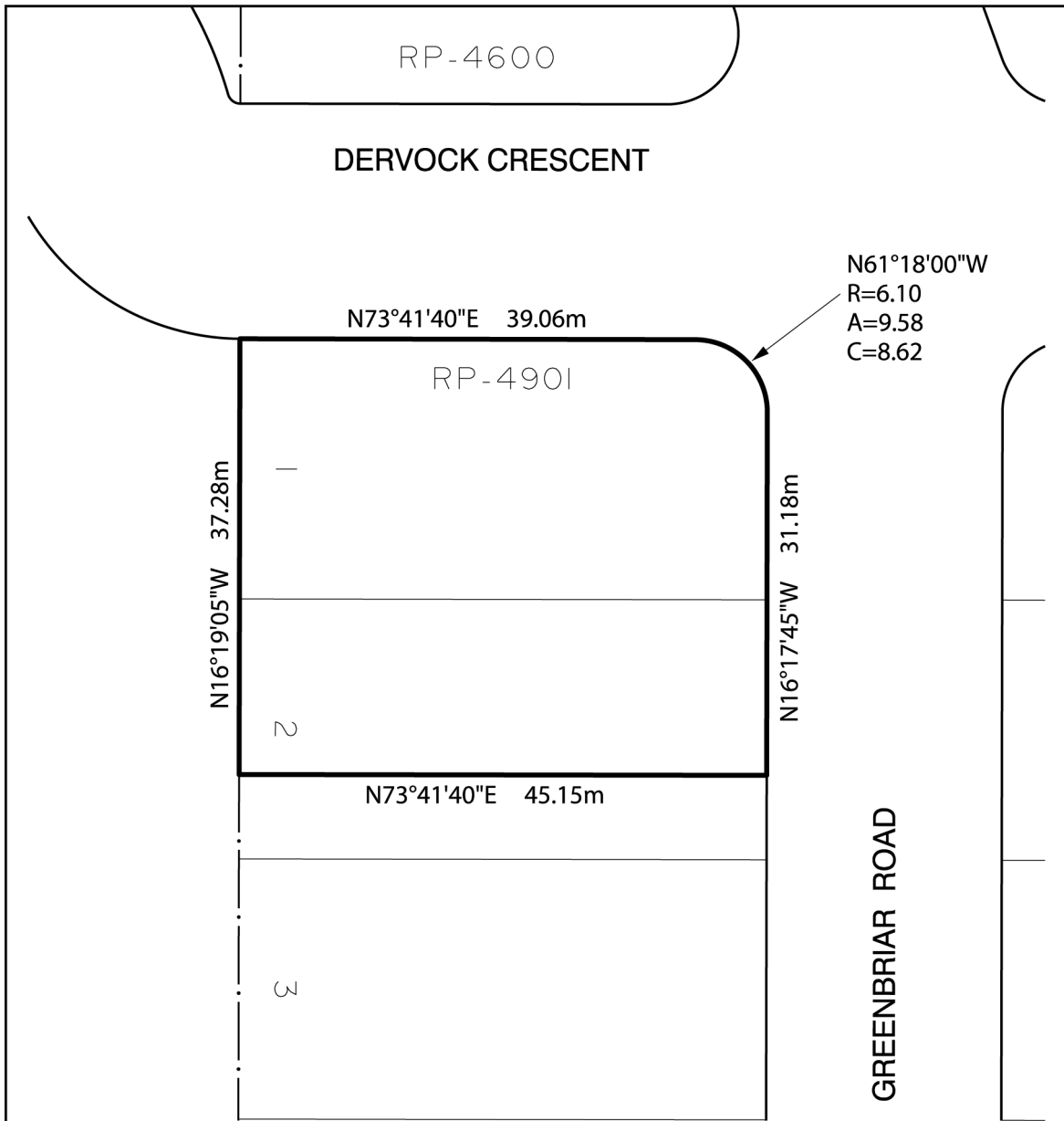
Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in density of the proposed development on the lands as shown in Diagram 1 in this By-law 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 an above grade building permit the owner shall make a financial contribution to the City in the amount of \$100,000 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
 - (a) \$100,000 to be directed towards improvements in local park(s) in Ward 24; with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
2. In the event the cash contribution referred to in Section 1 has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

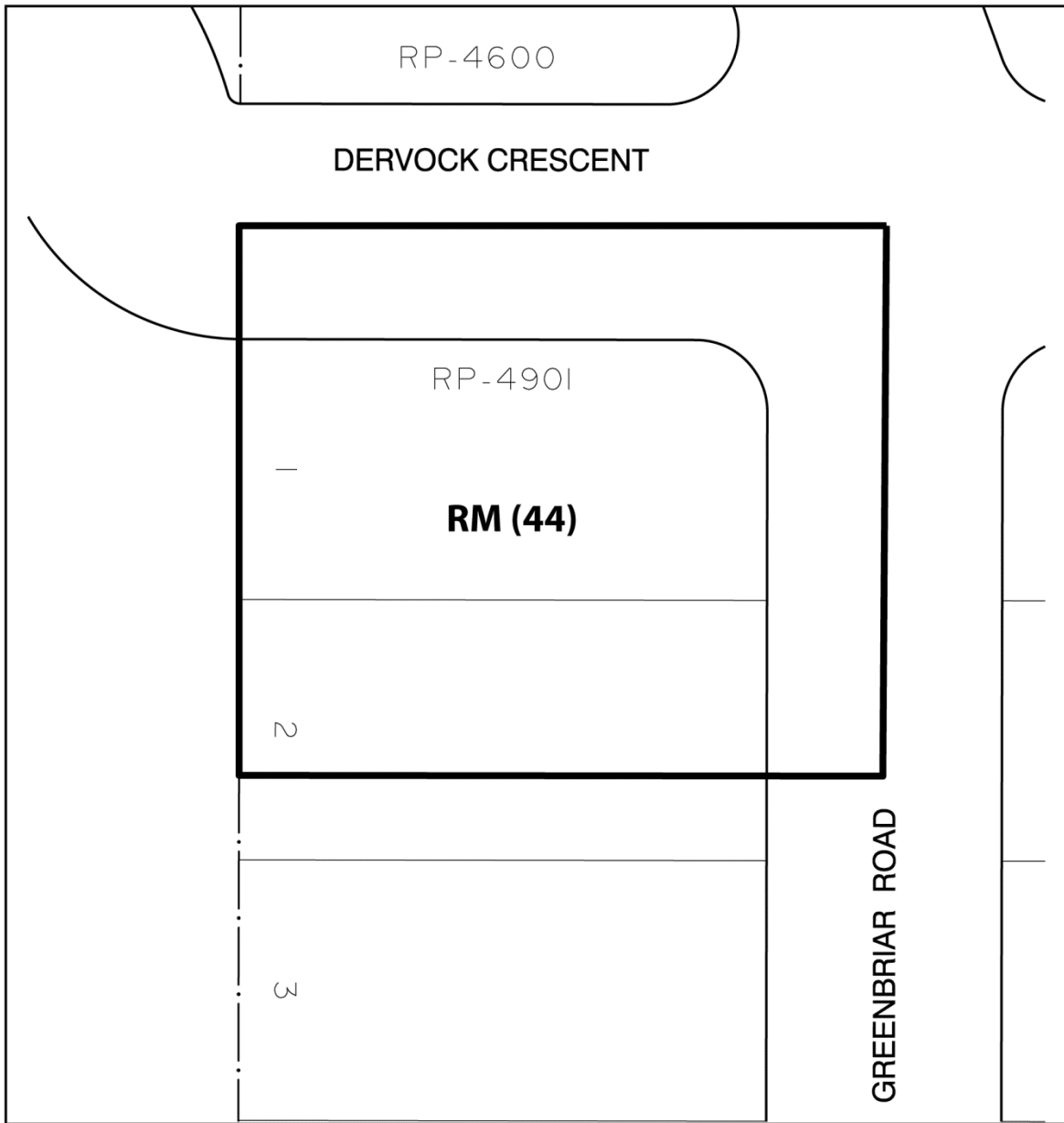


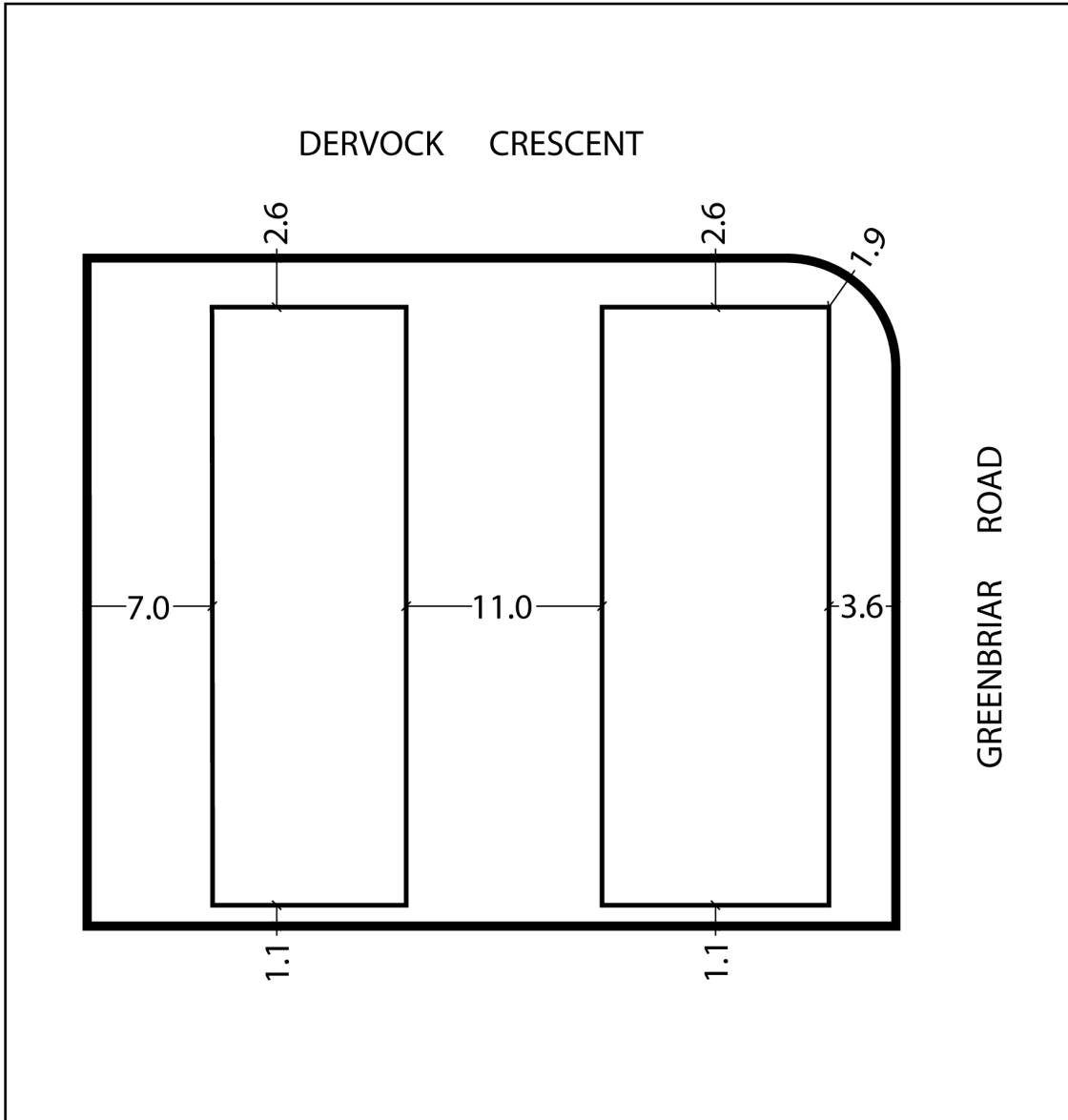
 **TORONTO**
Diagram 1

14-20 Greenbriar Road

File # 15 223730 NNY 24 0Z


City of Toronto By-Law 569-2013
Not to Scale
05/23/2017





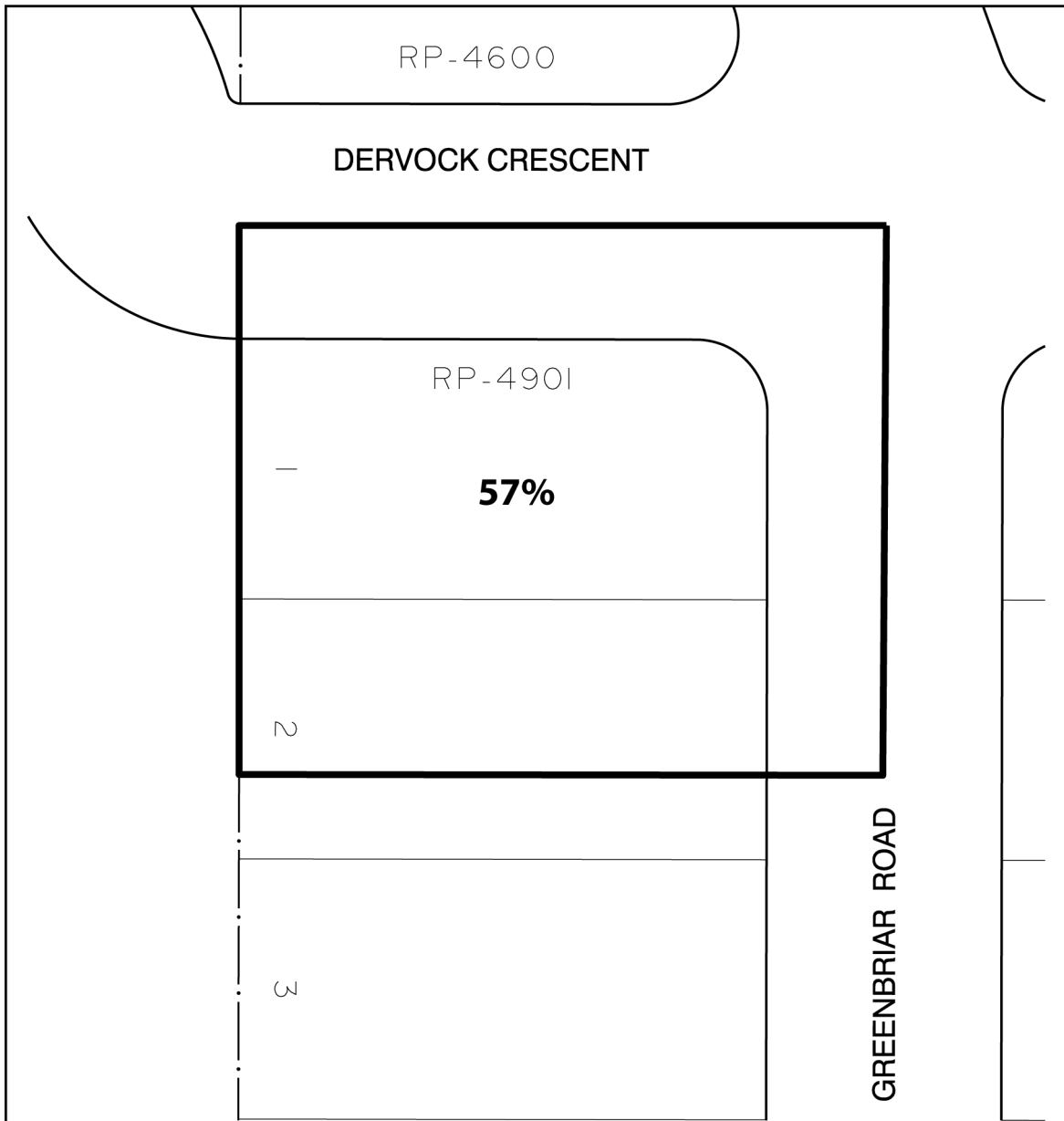
 **TORONTO**
Diagram 3

14-20 Greenbriar Road

File # 15 223730 NNY 24 OZ



City of Toronto By-Law 569-2013
Not to Scale
05/23/2017



 **TORONTO**
Diagram 4

14-20 Greenbriar Road

File # 15 223730 NNY 24 0Z