

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

CITY OF TORONTO

BY-LAW 832-2017

To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known as 15, 17, 19 and 21 Greenbriar Road.

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

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

Whereas 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 7625, 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. Schedules "B" and "C" of By-law 7625 of the former City of North York are amended in accordance with Schedule 1 of this By-law.
2. Section 64.19 of By-law 7625 of the former City of North York is amended by adding the following subsection:

"64.19 (31) RM4 (31)

DEFINITIONS

- (a) For the purpose of this exception the following definitions will apply:

ESTABLISHED GRADE shall mean 173.10 metres Canadian Geodetic Datum;
and

LOT shall mean the area identified within the heavy black lines on Schedule 1 of this By-law, known as Lot 1 and Part of Lot 2 of Registered Plan 4901;

PERMITTED USES

- (b) The only permitted uses on the lot shall be **multiple attached dwelling units**;

EXCEPTION REGULATIONS

- (c) The maximum **lot coverage** shall be 57 percent;
- (d) The permitted maximum number of **dwelling units** is 14;
- (e) The minimum **yard** setbacks shall be as shown on Schedule 2;
- (f) Despite subsection (e), walls of an ancillary garage, eaves, intake and exhaust grills, balconies, cornices, lighting fixtures, awnings, canopies, porches, windows, access stairs for parking garage and other minor architectural projections are permitted to project into the minimum **yard** setbacks and setbacks between **buildings** on the **lot**;
- (g) The minimum distance required between **buildings** shall be as shown on Schedule 2;
- (h) The maximum **gross floor area** shall be 2,600 square metres;
- (i) The maximum **building height** shall be 10.8 metres to the bottom of the rooftop terrace and 14.0 metres to the top of the rooftop terrace, and 3 **storeys**;
- (j) A minimum of 1.0 parking **spaces** per **dwelling unit** shall be provided;
- (k) A minimum of 0.2 visitor **parking spaces** per **dwelling unit** shall be provided;
- (l) Notwithstanding Subsection 6(A)(5)(b)(vii) of By-law 7625, tandem **parking spaces** for individual **dwelling units** shall be permitted;
- (m) Bicycle **parking** spaces must be provided at a rate of 0.75 for each **dwelling unit**;
- (n) A minimum of 40 percent of the **lot** shall be used for landscaping, of which at least 10 percent shall be soft landscaping;
- (o) A minimum 1.2 metre landscaped buffer must be provided adjacent to the east property line; and
- (p) A temporary rental office and temporary sales office shall be permitted;

SECTION 37

- (q) 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 Schedule 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;
- (r) 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
- (s) 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;

LAND DIVISION

- (t) Notwithstanding any severance, partition or division of the **lot**, the regulations of this exception shall continue to apply to the whole of said **lot** as if no severance, partition or division has occurred;

PROVISIONS NOT APPLICABLE

- (u) The provisions of Sections 16,19, 15.6 and 15.8 shall not apply to the lot shown on Schedule 1.
3. Section 64.19 of By-law 7625 is amended by adding Schedule 1 and 2 attached.
 4. Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the **lot** line and the following provisions are complied with:
 - (a) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on July 7, 2017.

Frances Nunziata,
Speaker

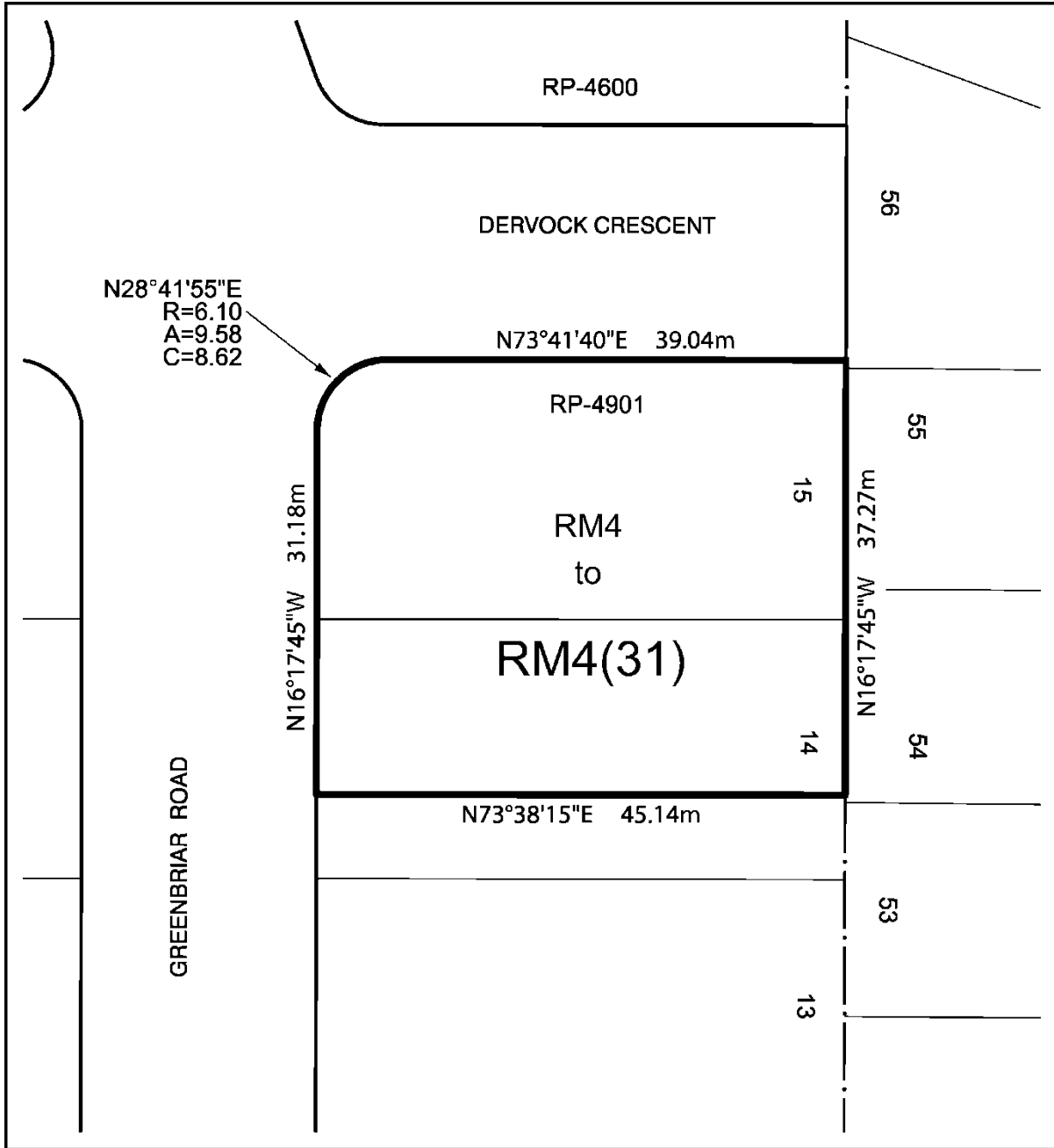
Ulli S. Watkiss,
City Clerk

(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 Schedule 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 \$75,000 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
 - (a) \$75,000 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.



Schedule 1

Lot 15 and Part of Lot 14, R.P. 4901, City of Toronto

File # 15 223760 NNY 24 OZ

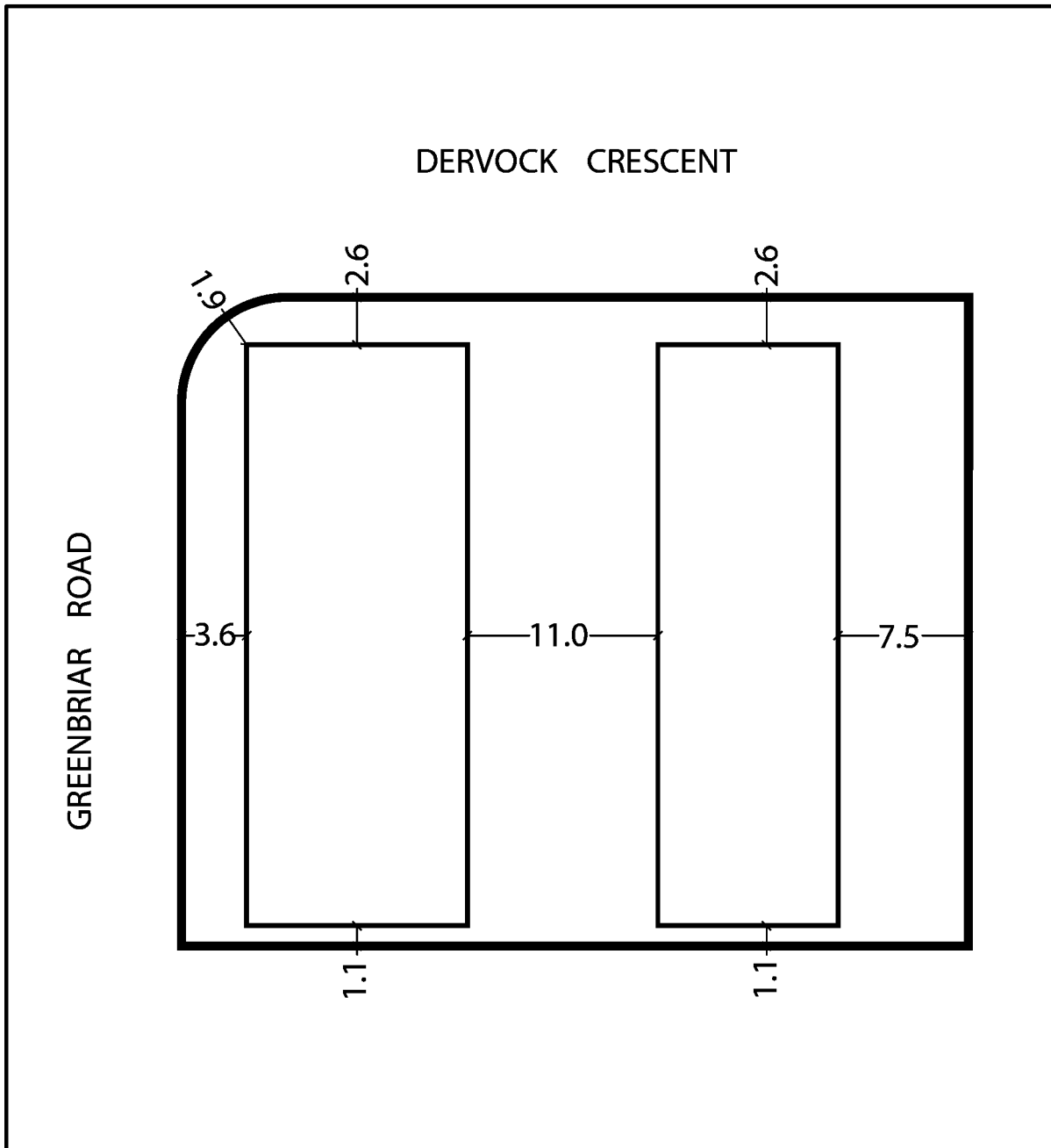
Krcmar Surveyors Ltd.

Date: 05/23/2017

Approved by: J.L.



Not to Scale



Schedule 2

Applicant's submitted drawing

File # 15 223760 NNY 24 0Z

Date: 05/23/2017
Approved by: J.L.

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Not to Scale