

Authority: Toronto and East York Community Council Item TE25.6, as adopted by City of Toronto Council on July 4, 5, 6 and 7, 2017

CITY OF TORONTO

BY-LAW 1079-2017

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 25 Leonard Avenue.

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 height and 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; and

Whereas the Council of the City has required the owner of the aforesaid lands to enter into one or more agreements for the provision of certain facilities, services and matters in return for the increases in height and density permitted by this By-law;

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 R(d2.1)(x38), as shown on Diagram 1 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.2.10 Exception Number 38 so that it reads:

Exception R 38

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On 25 Leonard Avenue, if the requirements of this By-law 1079-2017, are complied with, none of the provisions of Clause and Regulations 10.5.50.10.(5), 10.5.100.1.(5), 10.10.40.1.(2), 10.10.40.30.(1)B), 10.10.40.40.(1), 10.10.40.70.(2), 10.10.40.70.(4)G), 200.5.10.1.(1), 220.5.10.1.(2), 230.10.1.20.(1) and 230.20.1.20.(2), apply to prevent the erection or use of a **building, structure**, addition or enlargement permitted by the following regulations;
- (B) The **lot** consists of the land delineated by the heavy line on Diagram 1 of By-law 1079-2017;
- (C) The **building** is comprised of the existing **building A** and the new **building B** as shown on the attached Diagram 3 of By-law 1079-2017;
- (D) The total **gross floor area** of all **buildings** and **structures** must not exceed 3,820 square metres and:
 - (i) The total **gross floor area** of **building A**, as existing in the year 2017, must not exceed 3,120 square metres; and
 - (ii) The total **gross floor area** of **building B** must not exceed 700 square metres;
- (E) The **gross floor area** is comprised of 99 social housing **dwelling units** on the **lot**;
- (F) No portion of any **buildings** or **structures** on the **lot** may have a height greater than the height in metres specified by the number following the H symbol on Diagram 3 of By-law 1079-2017;
- (G) Despite (F) above, parapets, lighting fixtures, ornamental elements, chimneys, vents, stacks, transformer vaults, stair shafts, safety and wind protection elements, window washing equipment, **green roof** elements and public art features may exceed the permitted maximum height specified by the numbers following the "H" symbol as shown on Diagram 3 of By-law 1079-2017 by 2.0 metres;

- (H) Despite regulation 10.10.40.10(2) the height of the exterior **main walls** of the **building** addition on the **lot** must not exceed 12.0 metres;
- (I) Minimum **building setbacks** must be provided as shown on Diagram 3 of By-law 1079-2017;
- (J) Despite regulation 10.10.40.80(1) the distance between the **main wall** of **building A** and the **main wall** of **building B** on the **lot** must be at least 5.2 metres, save and except for stairs that serve the building as shown on Diagram 3 of By-law 1079-2017;
- (K) Despite (I) and (J) above, the following may encroach beyond the heavy and dashed lines shown on Diagram 3 of By-law 1079-2017 by 2.4 metres: canopies, cornices, awnings, trellises, eaves, window sills, lighting fixtures, public art and stair enclosure related to **building A**;
- (L) The stair enclosure as shown on Diagram 3 of By-law 1079-2017 must be a minimum distance of 2.1 metres from the **rear lot line**;
- (M) Despite regulation 101.10.40.50(1) **amenity space** for all social housing **dwelling units** in **building A** and **building B** must be provided and maintained in accordance with the following:
 - (i) Indoor **amenity space** must equal a minimum of 240 square metres and may be in a multipurpose room or rooms and at least one room must contain a kitchen and a washroom; and
 - (ii) Outdoor **amenity space** must equal a minimum of 120 square metres and must be provided and maintained on the **lot** and in a location that may or may not adjoin or be directly accessible from indoor **amenity space**;
- (N) Despite regulation 230.5.10.1(5) **bicycle parking spaces** for all social housing **dwelling units** in **building A** and **building B** must be provided and maintained on the **lot** in accordance with the following:
 - (i) A minimum of 48 long-term **bicycle parking spaces** must be provided within the **buildings**; and
 - (ii) A minimum of 20 short-term **bicycle parking spaces** must be provided.

Prevailing By-laws and Prevailing Sections: None Apply

5. Section 37 Provisions

- (A) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this Bylaw, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 2 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A 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.
- (C) The owner shall not use, or permit the use of, a **building** or **structure** erected with an increase in height or density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on October 4, 2017.

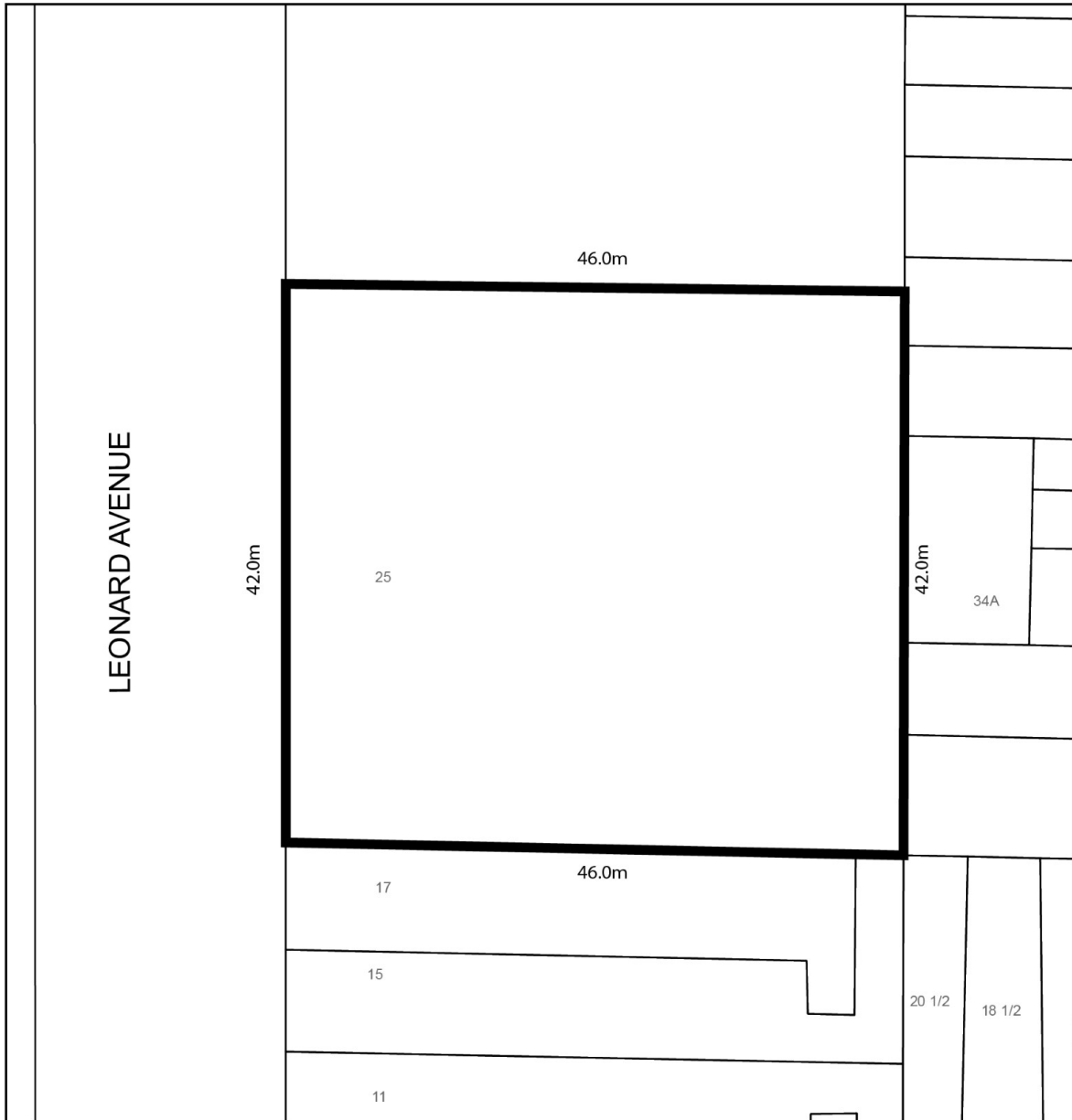
Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule A
Section 37 Provisions


1. The Owner shall provide and maintain on the lands known as 25 Leonard Avenue at least twenty-two (22) social housing **dwelling units** in **building B** from the date of first Residential Occupancy of each unit for a period of at least 25 years, as generally shown on the plans dated April 24, 2017 submitted to the City Planning Division. Also for a period of at least 25 years, the Owner shall not apply to convert any or all of the twenty-two (22) social housing **dwelling units** for any non-rental **dwelling unit** purpose; to demolish the units without replacement; nor to register the units under the *Condominium Act* or any other form of ownership tenure. Any revision to these plans must be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
2. The Owner shall provide and maintain the existing seventy-seven (77) social housing **dwelling units** in **building A** on the lands known as 25 Leonard Avenue for a period of at least 25 years, from the date of the Zoning By-Law coming into full force and effect, with all associated facilities, amenities and building improvements to be secured for the social housing **dwelling units**, at no extra cost to the existing tenants, and with no applications to convert any or all of the seventy-seven (77) social housing **dwelling units** for any non-rental **dwelling unit** purpose; to demolish the units without replacement; nor to register the unit under the *Condominium Act* or any other form of ownership tenure;
3. The Owner shall upgrade and relocate the laundry room from the basement to the ground floor of **building A** at 25 Leonard Avenue as generally shown on the plans dated April 24, 2017 submitted to the City Planning Division, prior to occupancy of the new building on the site;
4. The Owner shall improve the outdoor landscaped space for use by **building A** and **building B** to include a courtyard between the two buildings, planters and seating areas as generally shown on the plans for 25 Leonard Avenue submitted to the City Planning Division, dated April 24, 2017;
5. The owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and
6. Prior to the commencement of any excavation and shoring work, the owner will submit a Construction Management Plan (including a Construction Mitigation Strategy addressing impact on the existing building on the site), to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, and thereafter shall implement the plan during the course of construction. The Construction Management Plan will include, but not be limited to, the size and location of construction staging areas, location and function of gates, information on concrete pouring, lighting details to ensure that safety lighting does not negatively impact adjacent residences, construction vehicle parking and queuing locations, refuse storage, site security, site supervisor contact information, a communication strategy with the surrounding community, and any other matters requested by the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.

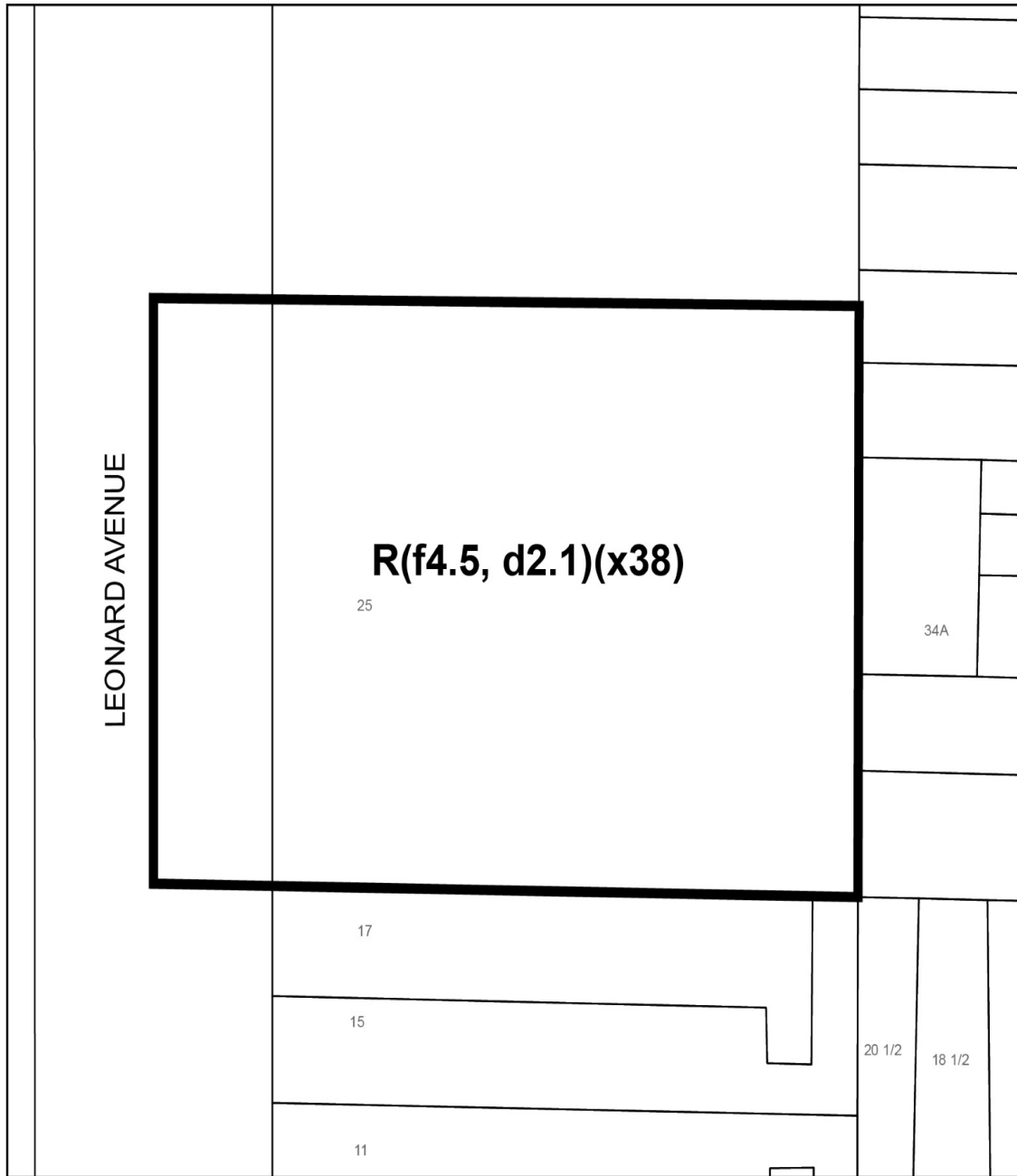


 **TORONTO**
Diagram 1

25 Leonard Avenue

File # 17 111968 STE 20 OZ

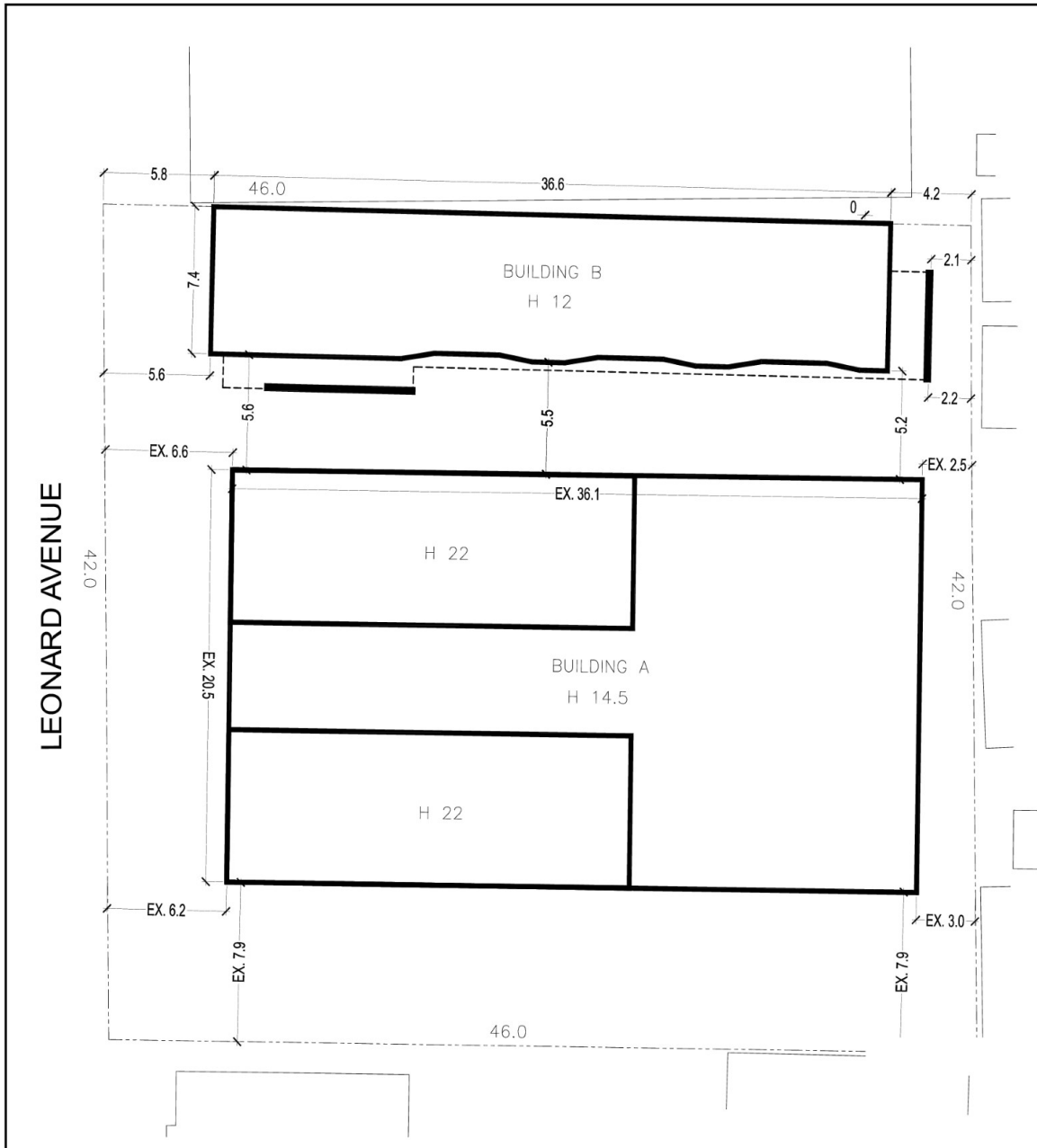

City of Toronto By-Law 569-2013
Not to Scale
5/26/2017



 **TORONTO**
Diagram 2

25 Leonard Avenue


File # 17 111968 STE 20 OZ



 **TORONTO**
Diagram 3

25 Leonard Avenue

File # 17 111968 STE 20 0Z


City of Toronto By-Law 569-2013
Not to Scale
6/12/2017