

Authority: Etobicoke York Community Council Item EY25.2, as adopted by City of Toronto Council on November 7, 8 and 9, 2017

CITY OF TORONTO

BY-LAW 1274-2017

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 1780 Lawrence Avenue West.

Whereas authority is given to Council of the City of Toronto 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 pursuant to Section 39 of the *Planning Act*, the council of a Municipality may, in a by-law passed under section 34 of the *Planning Act*, authorize the temporary use of land, buildings, or structures for any purpose set out therein that is otherwise prohibited by the 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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zone labels as shown on Diagram 2, attached to this By-law:

RM (f6.0) (x47)
RT (f4.0) (x157)

4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20 and applying the following height label as shown on Diagram 3, attached to this By-law:

HT 13.5, ST 4

5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1 and applying the following Lot Coverage label as shown on Diagram 4 attached to this By-law:

RM (50%)

6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Area Overlay Map and Rooming House Overlay Map.

7. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.6.10, Exception Number 153, so that it reads:

Exception RM 47

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) If the requirements of Section 9 and Schedule A of By-law 1274-2017 are complied with, none of the provisions of: 5.10.40.70(2); 5.10.40.70(6); 5.10.40.80(1); 10.5.40.50(2); 10.5.50.10(3)(B); 10.5.80.40(3); 10.5.100.1(1)(B) and (C); 10.80.40.70(3)(B) apply to prevent the use or erection or use of a **building, structure**, addition or enlargement permitted by (B) to (K) below;
- (B) A maximum of 46 **semi-detached houses** and 2 **detached houses** are permitted;
- (C) Despite regulation 10.5.30.20(2), the minimum **front lot line** must be at least 2.6 metres for **lots** located within "Area A" shown on Diagram 1;
- (D) Despite regulation 10.5.80.40(3) **vehicle** access to a **parking space** on a **corner lot** may be from the **street** on which the **lot** fronts;
- (E) Despite regulation 10.5.100.1(1)(B) and (C) a **driveway** leading to a **semi-detached house** may have a maximum width of 3.5 metres;

- (F) Despite regulation 10.5.100.1(1)(B) and (C) a **driveway** leading to **detached house** may have a maximum width of 6.0 metres;
- (G) Despite 10.40.60.70(3)(B) the following **building setbacks** apply:
- (i) Minimum **side yard setback** is 0.55 metres;
 - (ii) Minimum exterior **side yard setback** is 1.2 metres; and
 - (iii) Minimum **building setback** from a daylight triangle is 1.2 metres;
- (H) Despite regulations 10.5.50.10(1)(B) and (D) the **front yard** not covered by a permitted **driveway** must be **landscaped** and a minimum of 25 percent of the required **landscaping** must be **soft landscaping**;
- (I) Despite regulation 10.80.40.20 the maximum building length is 19 metres;
- (J) Despite regulation 10.80.40.30 the maximum building depth will not apply within Area A as illustrated on Diagram 1;
- (K) Despite regulation 10.80.40.50 a balcony or platform that does not exceed an area of 4 square metres will be permitted above the ground floor;
- (L) For the purpose of this exception **established grade** is the Canadian Geodetic Datum elevation of 125.88 metres;
- (M) For the purpose of this exception, on a **corner lot**, daylight triangle shall mean the triangular space formed between the intersection point of the **front lot line** and the **side lot line** and two points along these lines measured 5 metres from the intersection point. Where the **lot** has a rounded corner, the point where the projection of the two lines intersect shall be the intersection point where the 5 metres is measured; and
- (N) A sales office used to sell **dwelling units** in this development is permitted for a period of 3 years from the date of the passing of By-law 1274-2017.

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

8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number 157, so that it reads:

Exception RT 157

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) If the requirements of Section 9 and Schedule A of By-law 1274-2017 are complied with, none of the provisions of: 5.10.40.70(2); 10.5.40.50(2);

10.5.50.10(1)(D); 10.5.50.10(3)(B); 10.5.80.40(3); 10.60.40.1(3); 10.60.40.70; 10.60.40.80; 800(240) apply to prevent the use or erection or use of a **building, structure**, addition or enlargement permitted by (B) to (G) below;

- (B) A maximum of 40 **dwelling units** are permitted;
- (C) Despite 10.5.80.40(3) **vehicle** access to a **parking space** on a **corner lot** may be from a private **driveway**;
- (D) Despite 10.60.40.70 the following minimum **building setbacks** apply:
 - (i) Minimum **front yard setback** is 3 metres;
 - (ii) Minimum **side yard setback** is 0.55 metres;
 - (iii) Minimum **rear yard setback** is 4 metres;
 - (iv) Minimum exterior **side yard setback** is 1.2 metres; and
 - (v) Minimum **building setback** from a daylight triangle is 1.2 metres;
- (E) For the purpose of this exception **established grade** is the Canadian Geodetic Datum elevation of 125.88 metres;
- (F) For the purpose of this exception, on a **corner lot**, daylight triangle shall mean the triangular space formed between the intersection point of the **front lot line** and the **side lot line** and two points along these lines measured 5 metres from the intersection point. Where the **lot** has a rounded corner, the point where the projection of the two lines intersect shall be the intersection point where the 5 metres is measured;
- (G) A sales office used to sell **dwelling units** in the development is permitted for a period of 3 years from the date of the passing of By-law 1274-2017; and
- (H) The maximum Lot Coverage shall be calculated over the land zoned RT 157.

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

9. Section 37 Provisions

- (A) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height and 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 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 and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on November 9, 2017.

Frances Nunziata,
Speaker

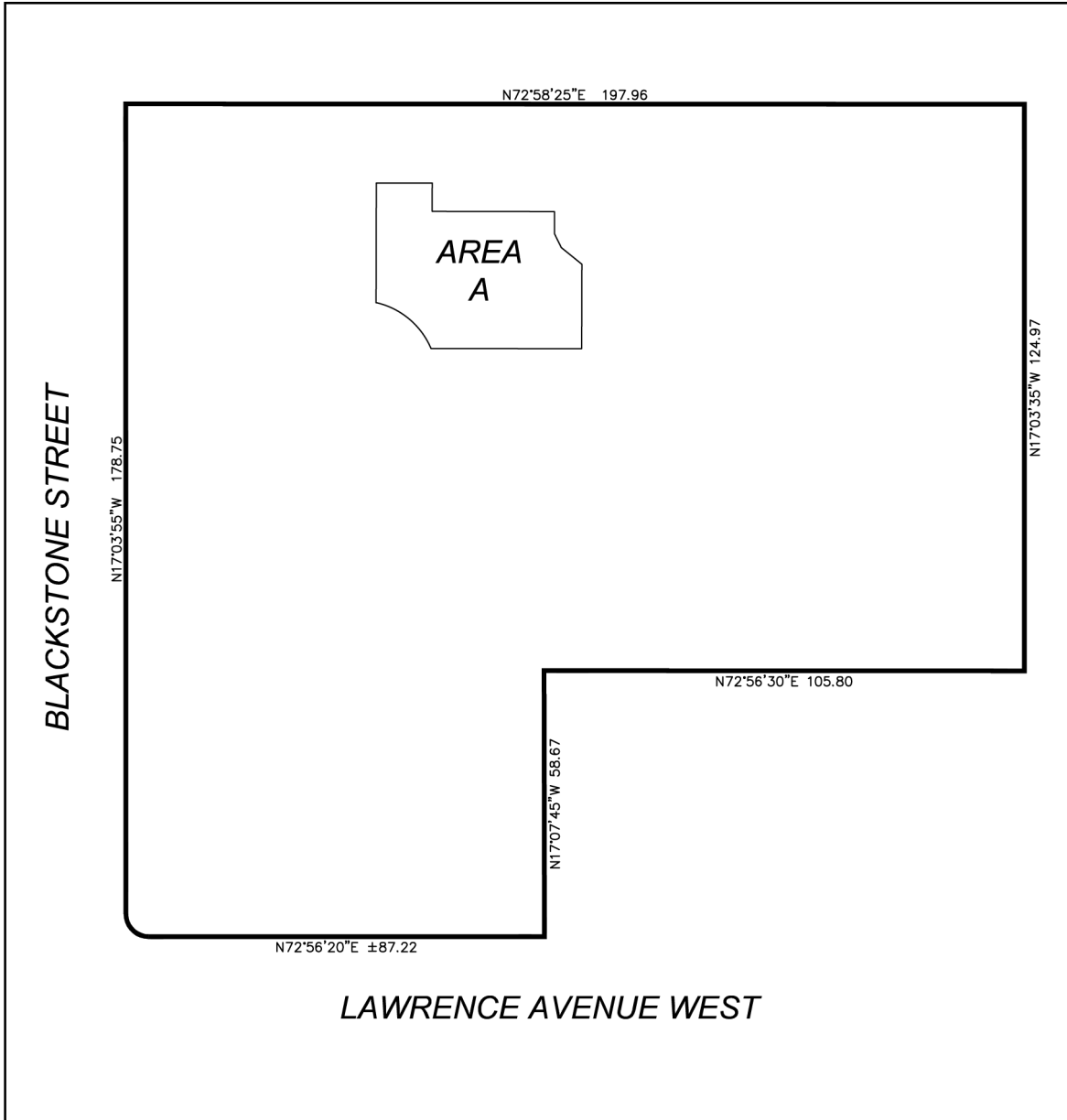
Ulli S. Watkiss,
City Clerk

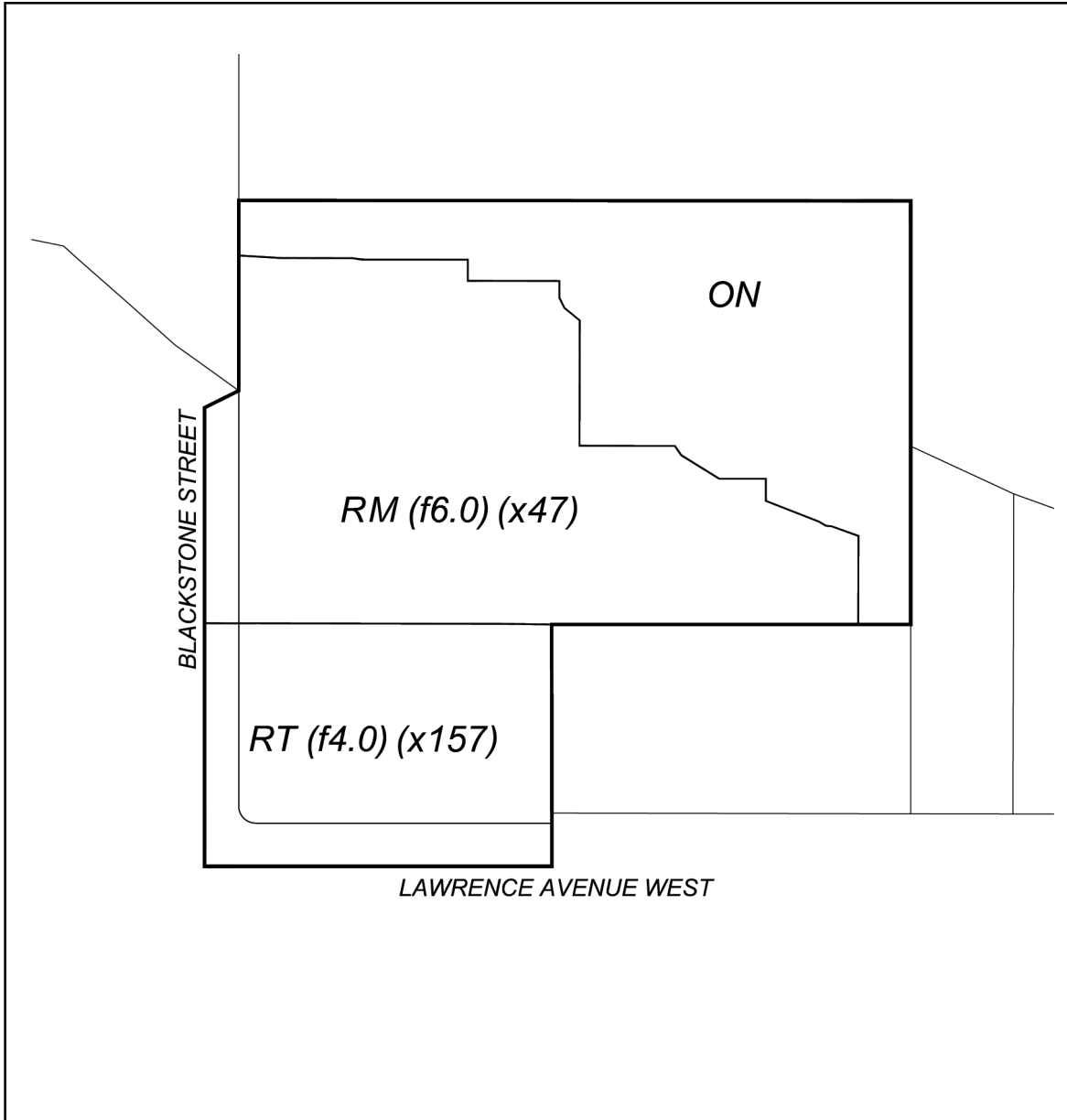
(Seal of the City)

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 height and 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 pay to the City the sum of \$250,000 to be allocated, in consultation with the Ward Councillor towards:
 - i. Capital improvements to Upwood Park to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation in consultation with the Ward Councillor; and
 - ii. Streetscape improvements in the vicinity of the site to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services in consultation with the Ward Councillor.
2. The cash amounts identified in 1. above shall be indexed upwardly in accordance with the Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment.
3. In the event the cash contributions referred to in Recommendation 5 above have not been used for the intended purposes within three (3) years of the 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.
4. The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.




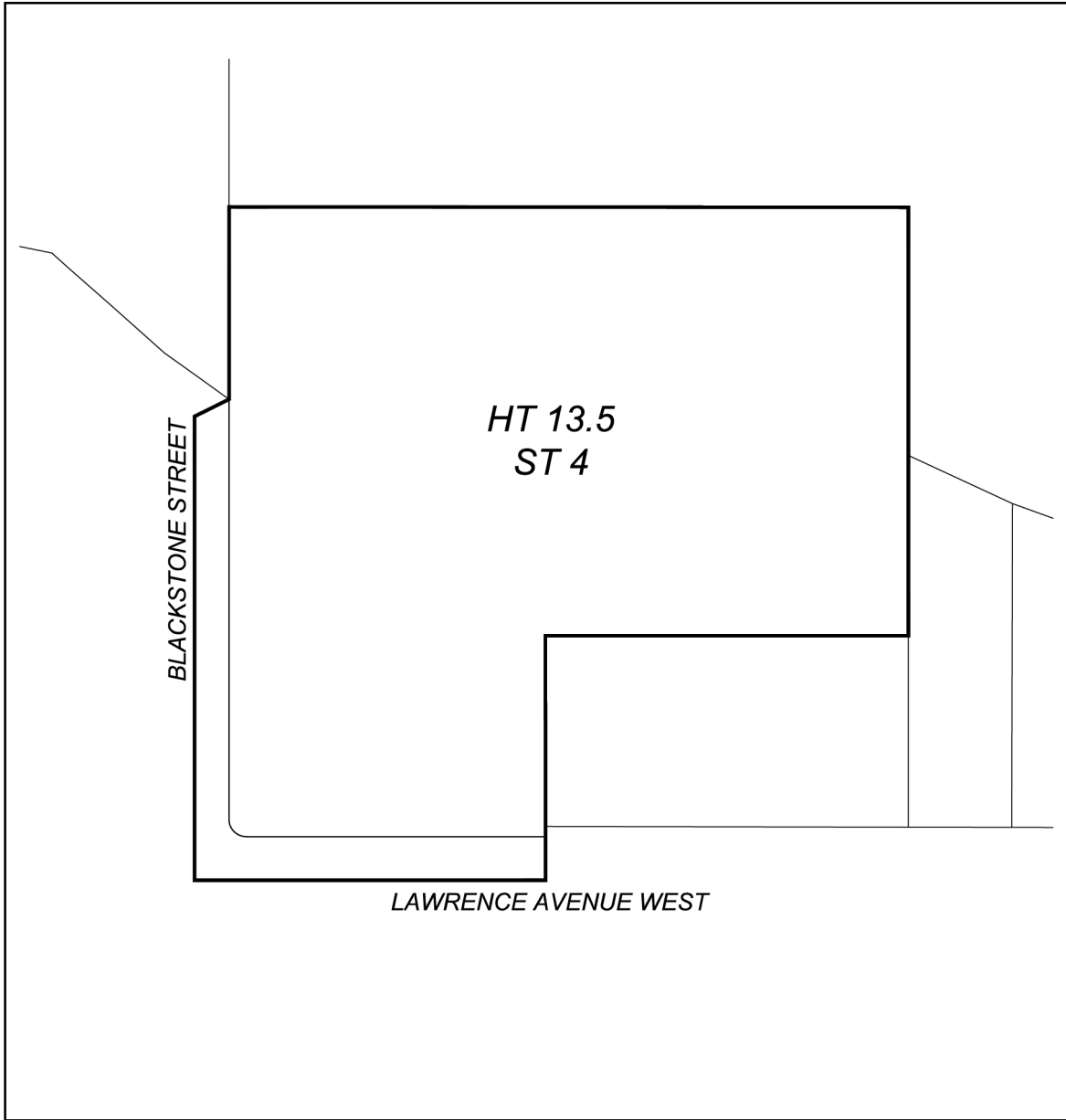


 **TORONTO**
Diagram 2

1780 Lawrence Avenue West

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ

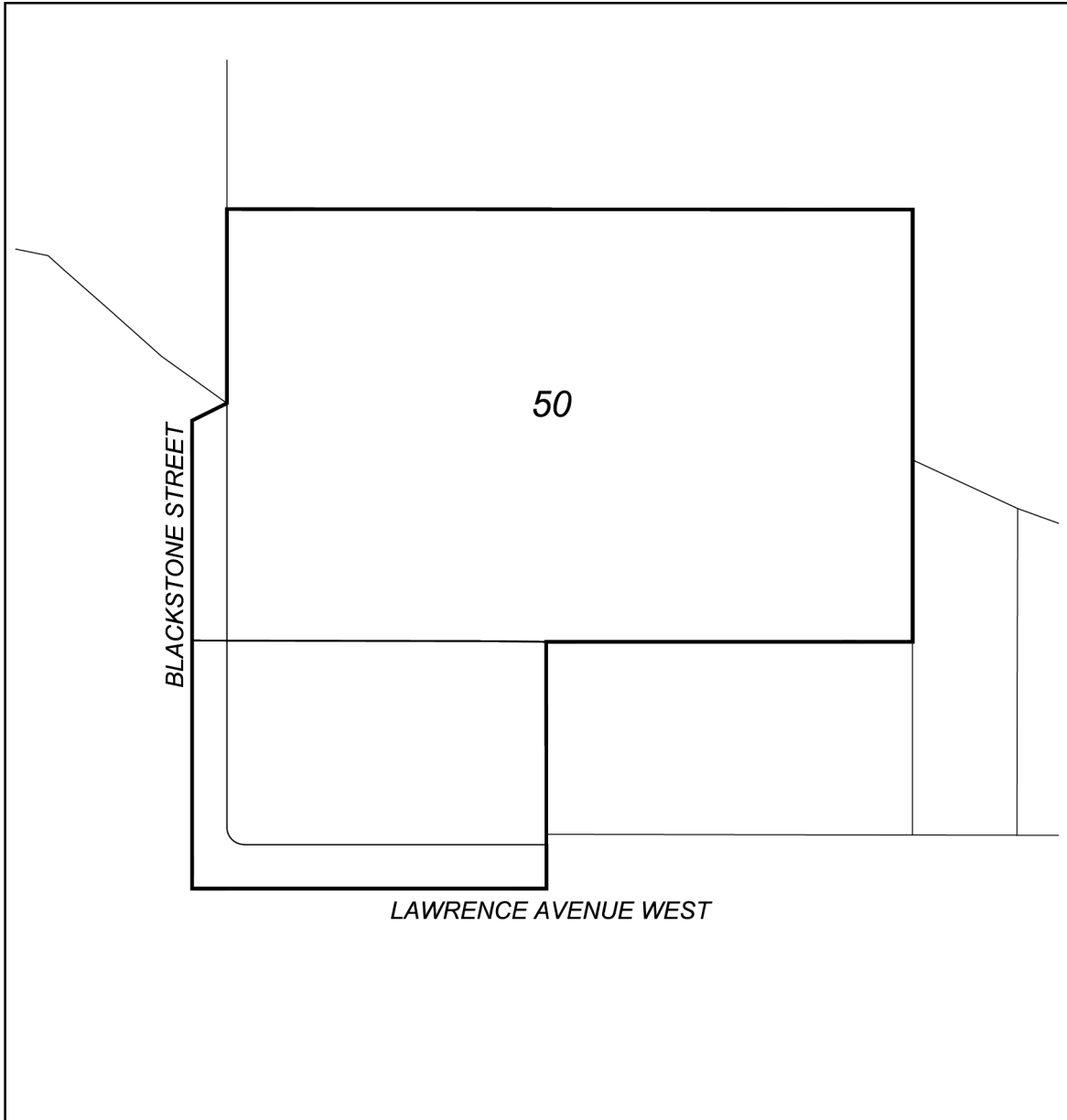

City of Toronto By-Law 569-2013
Not to Scale
08/10/2017



 **TORONTO**
Diagram 3

1780 Lawrence Avenue West

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ



 **TORONTO**
Diagram 4

1780 Lawrence Avenue West

File # 14 110017 WET 12 SB, 14 110001 WET 12 OZ