

Authority: North York Community Council Item NY25.2, as adopted by City of Toronto Council on November 7, 8 and 9, 2017

CITY OF TORONTO

BY-LAW 144-2018

To amend former City of North York Zoning By-law 7625, as amended by By-law 342-2015(OMB), as amended, with respect to lands known municipally as 125 George Henry Boulevard, 32-50, 52, 55, 56, 59, 60, 62, 65, 66, 70, 72, 76, 80, 85, 90 and 95 Forest Manor Road, 100, 106, 110, 123, 123A, 125 and 130 Parkway Forest Drive, and 1751 and 1761 Sheppard Avenue East.

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 the Ontario Municipal Board, by its Decision issued October 31, 2014 and by its Order issued January 21, 2015, adopted By-law 342-2015(OMB) being a By-law "To amend former City of North York By-law 7625 with respect to lands municipally known as 125 George Henry Boulevard, 32-50, 52, 55, 56, 59, 60, 62, 65, 66, 70, 72, 76, 80, 85, 90 and 95 Forest Manor Road, 100, 106, 110, 123, 123A, 125 and 130 Parkway Forest Drive, and 1751 and 1761 Sheppard Avenue East " (the "Lands"); and

Whereas the City of Toronto adopted By-law 1645-2012 removing the "H-1" Holding Symbol from the Lands; and

Whereas the City of Toronto adopted By-law 268-2014 removing the "H-2" Holding Symbol from the Lands; and

Whereas the City of Toronto adopted By-law 1352-2015 removing the "H-3" Holding Symbol from the Lands; and

Whereas the City of Toronto adopted By-law 247-2017 removing the "H-4" and "H-5" Holding Symbols from the Lands; and

Whereas the owner of the Lands, municipally known in 2017 as 125 George Henry Boulevard, 32-50, 52, 55, 56, 59, 60, 62, 65, 66, 70, 72, 76, 80, 85, 90 and 95 Forest Manor Road, 100, 106, 110, 123, 123A, 125 and 130 Parkway Forest Drive, and 1751 and 1761 Sheppard Avenue East has applied amongst other matters to amend the site-specific by-law provisions respecting the Lands;

The Council of the City of Toronto enacts:

1. Section 2(s) is deleted and replaced with the following:
 - (s) The maximum number of dwelling units and the maximum residential gross floor area for each of Blocks A, B, C, D and E, shall be as set out in the following table:

Block	Maximum Number of Dwelling Units Permitted	Maximum Gross Floor Area (square metres) Permitted
A	1,570	137,701
B	852	60,518
C	905	70,141
D	559	55,375
E	848	88,422
Total	4,734	412,157

2. Section 2(t) is deleted and replaced with the following:

- (t) The maximum permitted commercial gross floor area of Block A shall be 2,143 square metres and the maximum permitted aggregated commercial floor area on Blocks B and C shall be 5,470 square metres;

3. Section 2(v) is deleted and replaced with the following:

- (v) A minimum of 34 three-bedroom units shall be provided on Block C;

4. Section 2(w) is deleted and replaced with the following:

- (w) Notwithstanding section (s) above:
- (i) increases up to 10 percent of the maximum number of dwelling units, as permitted within each block by the table in section (s), are allowed provided the total number of dwelling units on all of Blocks A, B, C, D, and E combined does not exceed 4,734 dwelling units;
 - (ii) increases up to 10 percent of the maximum gross floor area, as permitted within each block by the table in section (s), are allowed provided the total gross floor area on all of Blocks A, B, C, D and E combined does not exceed 412,157 square metres of gross floor area;

Definitions

5. For the purposes of this By-law, the following terms shall have the following meaning:

"Car-share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;

"Car-share parking space" means a parking space that is exclusively reserved and actively used for car-sharing;

"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;

"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;

"Type C Loading Space" means a loading space that is a minimum of 3.5 metres wide, 6.0 metres long and has a minimum vertical clearance of 3.0 metres; and

"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.

Permitted Uses

6. Section 2(n)(ii) is deleted and replaced with the following:

- (ii) retail stores, personal service shops, business and professional offices, professional medical offices, restaurants, financial institutions, dry-cleaning and laundry collecting establishments, day nurseries and outdoor cafes.

7. Section 2(o)(ii) is deleted and replaced with the following:

- (ii) retail stores, personal service shops, business and professional offices, professional medical offices, restaurants, financial institutions, dry-cleaning and laundry collecting establishments, day nurseries and outdoor cafes.

Section 37 Provisions

8. 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 Schedule 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Appendix 1 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.

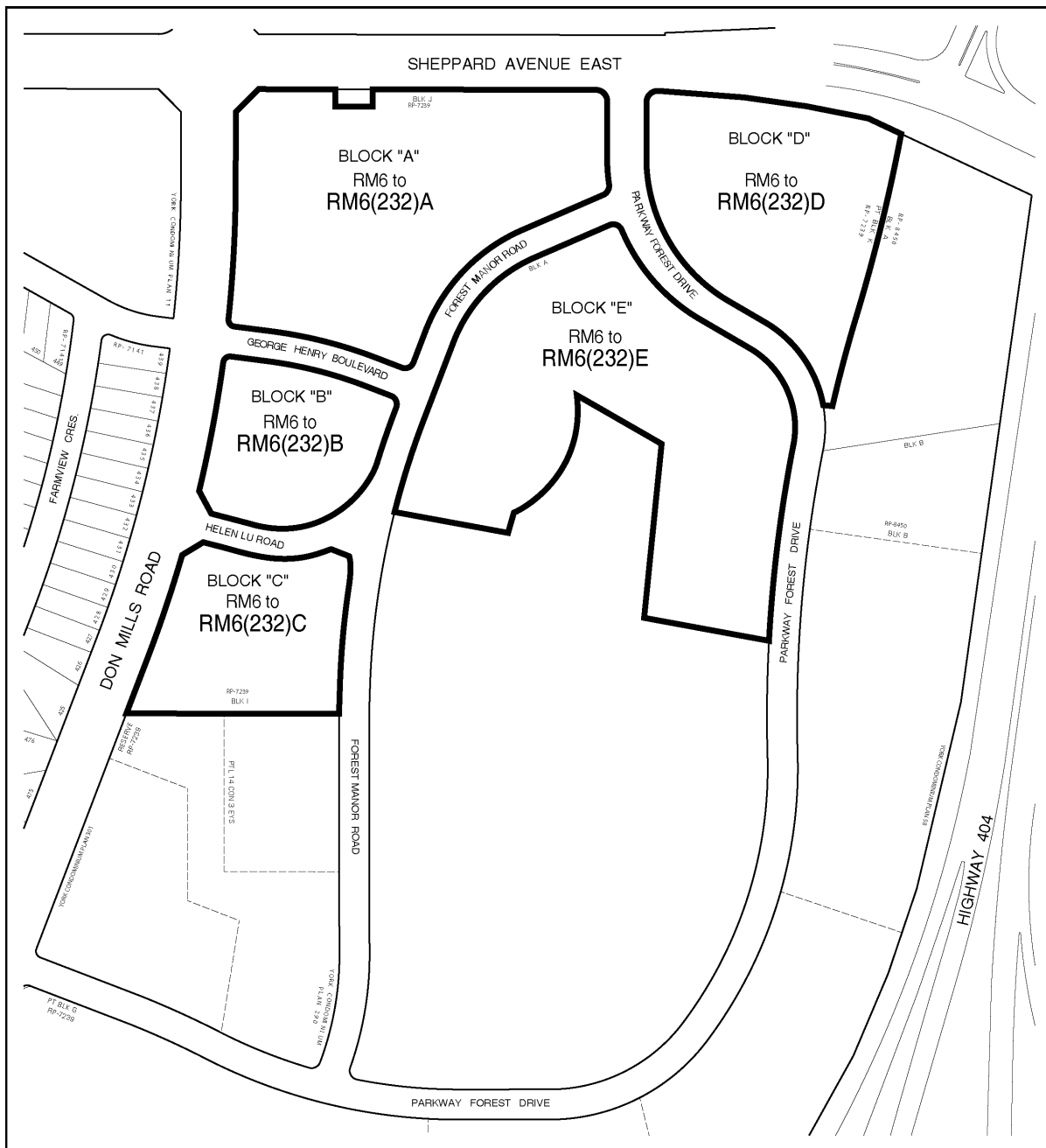
Where Appendix 1 of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

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 Appendix 1 are satisfied.

Enacted and passed on February 1, 2018.

Frances Nunziata,
Speaker
(Seal of the City)

Ulli S. Watkiss,
City Clerk



Appendix 1

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 make a financial contribution to the City in the amount of \$400,000 to be allocated to the construction and implementation of an off-leash dog park at Havenbrook Park, in consultation with the Ward Councillor;
2. in the event the cash contribution referred to in Part 1 above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contributions may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in Consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands;
3. the above noted cash contribution is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date the payment is made;
4. the provision and conveyance at nominal charge of at least nine residential dwelling units with an approximate total net floor area of 750 square metres to Habitat for Humanity or a similar non-profit housing provider for affordable ownership housing on the following terms:
 - a) at least eight of the Affordable Ownership Housing Units will have three bedrooms and be, on average, 82 square metres per unit in size;
 - b) no more than one of the Affordable Ownership Housing Units will have two bedrooms and be at least 70 square metres in size;
 - c) all of the Affordable Ownership Housing Units will be constructed to a fully-finished condition, to a similar standard as the units in the remainder of the Development;
 - d) each unit will be provided with at least one vehicle parking space and locker;
 - e) the units will be generally dispersed throughout the building or buildings within which they are to be provided, and unit occupants will have access to all building facilities and amenities on the same terms and conditions as the all other residents;

- f) the Owner shall submit, in consultation with the Provider, the proposed layouts and locations of the units as part of the application for Site Plan approval, and the final design and location of the units shall be to the satisfaction of the Chief Planner and Executive Director, City Planning, prior to Site Plan approval;
- 5. the Owner shall enter into Agreements of Purchase and Sale for the Affordable Ownership Housing Units with the Provider and/or the City prior to the issuance of the first building permit for the development phase within which the units are to be provided pursuant to Part 4 above and the Agreement of Purchase and Sale will be assignable at no additional cost;
- 6. the Owner shall enter into and register a Section 118 restriction under the Land Titles Act prior to first above-grade building permit for the final phase of the development to enable the implementation of the affordable housing provisions of the Section 37 agreement to the satisfaction of the City Solicitor in consultation with Chief Planner and Executive Director, City Planning;
- 7. 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 through the adoption of Item PG32.3 of the Planning and Growth Management Committee; and
- 8. the Owner shall provide the following Transportation Demand Management measures, to the satisfaction of the Director of Community Planning, North District:
 - a. the provision of four car-share spaces that are publicly accessible;
 - b. provision of secure, weather protected resident and visitor bike parking and bike repair stations in a publicly accessible location;
 - c. provision of at least one electric vehicle charging station within the publicly accessible parking area in Block C; and
 - d. six digital display facilities in a publicly accessible or visible location within the six condominiums on Blocks B and C, to provide real-time area transit and transportation service, status, alert, location, distance and access information shown in the display.