

Authority: North York Community Council Item NY32.3,
as adopted by City of Toronto Council on July 23, 24, 25,
26, 27 and 30, 2018

CITY OF TORONTO

BY-LAW 955-2019

To amend former City of North York Zoning By-law 7625, as amended by By-law 615- 2013, with respect to the lands municipally known as 3, 5, 11, 17 and 21 Allenbury Gardens and 3, 5 Kingslake 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 the owner of the Lands, municipally known in 2013 as 3, 5, 11, 17, and 21 Allenbury Gardens and 3, 5 Kingslake Road has applied amongst other matters to amend site-specific by-law provisions respecting the Lands;

The Council of the City of Toronto enacts:

1. Schedule RM6(212)A of By-law 7625 of the former City of North York is hereby amended in accordance with Schedule "A" of this By-law.
2. Schedule RM6(212)C of By-law 7625 of the former City of North York is hereby amended in accordance with Schedule "B" of this By-law.
3. Section 2(f)(i) is deleted and replaced with the following:
 - (i) The total number of dwelling units on all of Parcels A, B, C and D combined shall not exceed 1,150 dwelling units.
4. Section 2(f)(vi) is deleted and replaced with the following:
 - (vi) Building E shall have a maximum of 374 dwelling units, with a minimum of 10 three bedroom units.
5. Section 2(f)(ix) is deleted and replaced with the following:
 - (ix) Notwithstanding section (f)(ii) and (iii), (v) and (vi) above, increases above 5 percent of the maximum number of dwelling units, as permitted within each of the Buildings A, B, D and E are allowed provided the total number of dwelling units for Buildings A and B combined does not exceed 422 units and the total number of dwelling units for Buildings D and E are allowed provided the total number of dwelling units for Buildings D and E combined does not exceed 581 units.

6. Section 2(g)(i) is deleted and replaced with the following:
 - (i) The total gross floor area of all buildings on Parcels A, B, C and D combined shall be a maximum of 90,650 square metres.

7. Section 2(g)(iv) is deleted and replaced with the following:
 - (iv) The maximum gross floor area of Building C shall be 8,260 square metres.

8. Section 2(g)(vi) is deleted and replaced with the following:
 - (vi) The maximum gross floor area of Building E shall be 26,965 square metres.

9. Section 2(g)(ix) is deleted and replaced with the following:
 - (ix) Notwithstanding section (g)(ii), (iii), (v) and (vi) above, increases up to 5 percent of the maximum gross floor area, as permitted within each of Buildings A, B, D and E are allowed provided the total gross floor area for Buildings A and B combined does not exceed 31,599 square metres and the total gross floor area for Buildings D and E combined does not exceed 42,850 square metres.

10. Section 2(i)(i) is deleted and replaced with the following:
 - (i) (A) The provisions of Section 20-A.2.6 and 16.2.6 (building height) shall not apply. The maximum building heights shall not exceed the maximum heights in metres and number of storeys as set out on Schedules RM6(212)B and RM6(212)C.

(B) Notwithstanding Section 2.42 of By-law 7625, a height of 178.55m shall be used as established grade in calculating the height of Building E.

11. Section 2(i)(ii)(c) is deleted and replaced with the following:
 - (ii) (c) Shall cover no more than 40 percent of the area of the roof, except on Building E where it shall cover no more than 60 percent of the area of the roof.

12. The following Section to be added as Section 2(r)(iv) after Section 2(r)(iii):
 - (iv) Notwithstanding Section (r)(ii) of this By-law, the following parking rates will apply to Building E:
 - (A) Minimum 0.5 parking space per dwelling unit and maximum 1.0 parking space per dwelling unit, for a bachelor unit.
 - (B) Minimum 0.65 parking space per dwelling unit and maximum 1.2 parking spaces per dwelling unit, for a 1 bedroom unit.

- (C) Minimum 0.75 parking space per dwelling unit and maximum 1.3 parking spaces per dwelling unit, for a 2 bedroom unit.
- (D) Minimum 0.9 parking spaces per dwelling unit and maximum 1.6 parking spaces per dwelling unit, for a 3 or more bedroom unit.
- (E) For residential visitors, minimum 0.15 parking rate per dwelling unit, minus two spaces.
- (F) A minimum of four car-share spaces that are publically accessible shall be provided on-site for Building E. For every one care share space provided the minimum number of visitor parking spaces required for Building E shall be reduced by one, to a maximum reduction of four spaces.
- (G) A minimum of five parking spaces with an electrical vehicle charging facility shall be provided on site for Building E.

Definitions

- 13.** For the purposes of this By-law, the following terms shall have the following meaning:
- (a) "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; and
 - (b) "Car-share parking space" means a parking space that is exclusively reserved and actively used for car-sharing.
- 14.** Within the lands shown on Schedule "A" 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.

Section 37 Provisions

15. Pursuant to Section 37 of the Planning Act and subject to compliance with this By-law, the increase in height and density of development is permitted beyond that otherwise permitted on the lands shown on Schedule "B" in return for the Owner's election to provide, at the Owner's sole expense, the facilities, services and matters set out in Appendix 1 hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor and registered on title to the lands.

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 June 19, 2019.

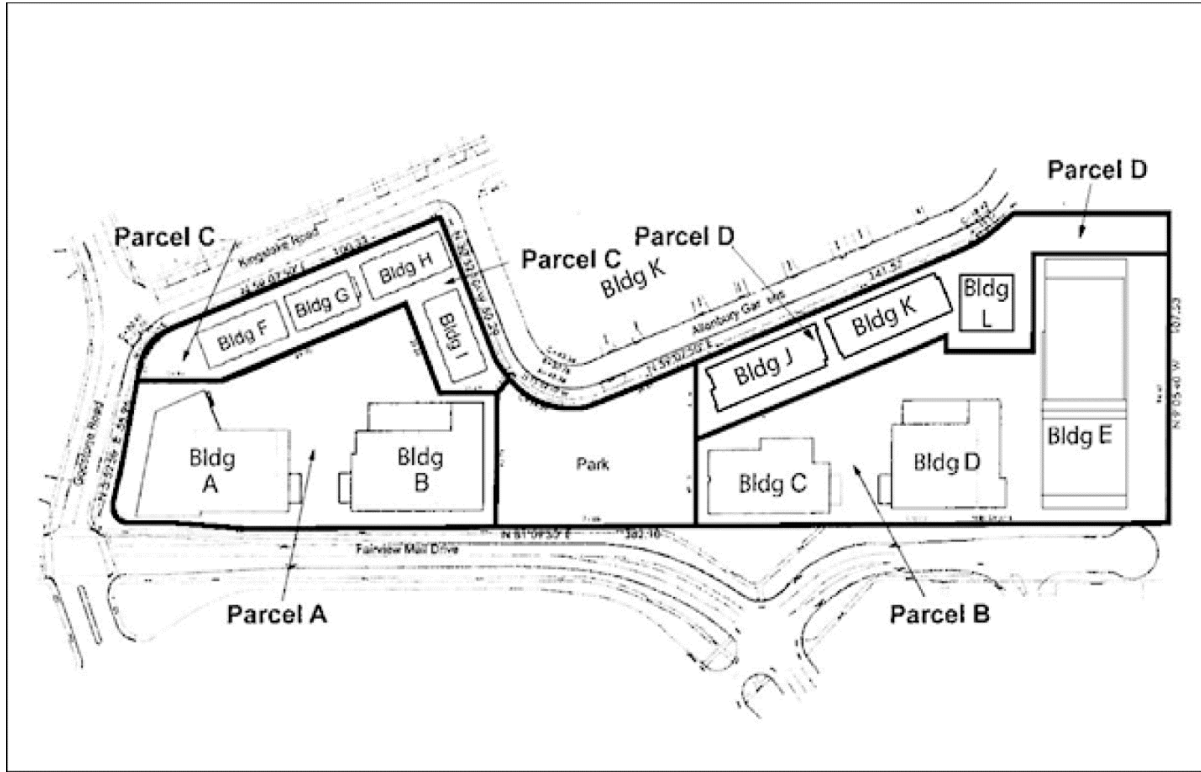
Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule "A"

Revised Schedule RM6(212)A from Zoning By-law 615-2013



Schedule RM6(212)A

Block O, R.P. M-993, City of Toronto
J.D. Barnes Limited

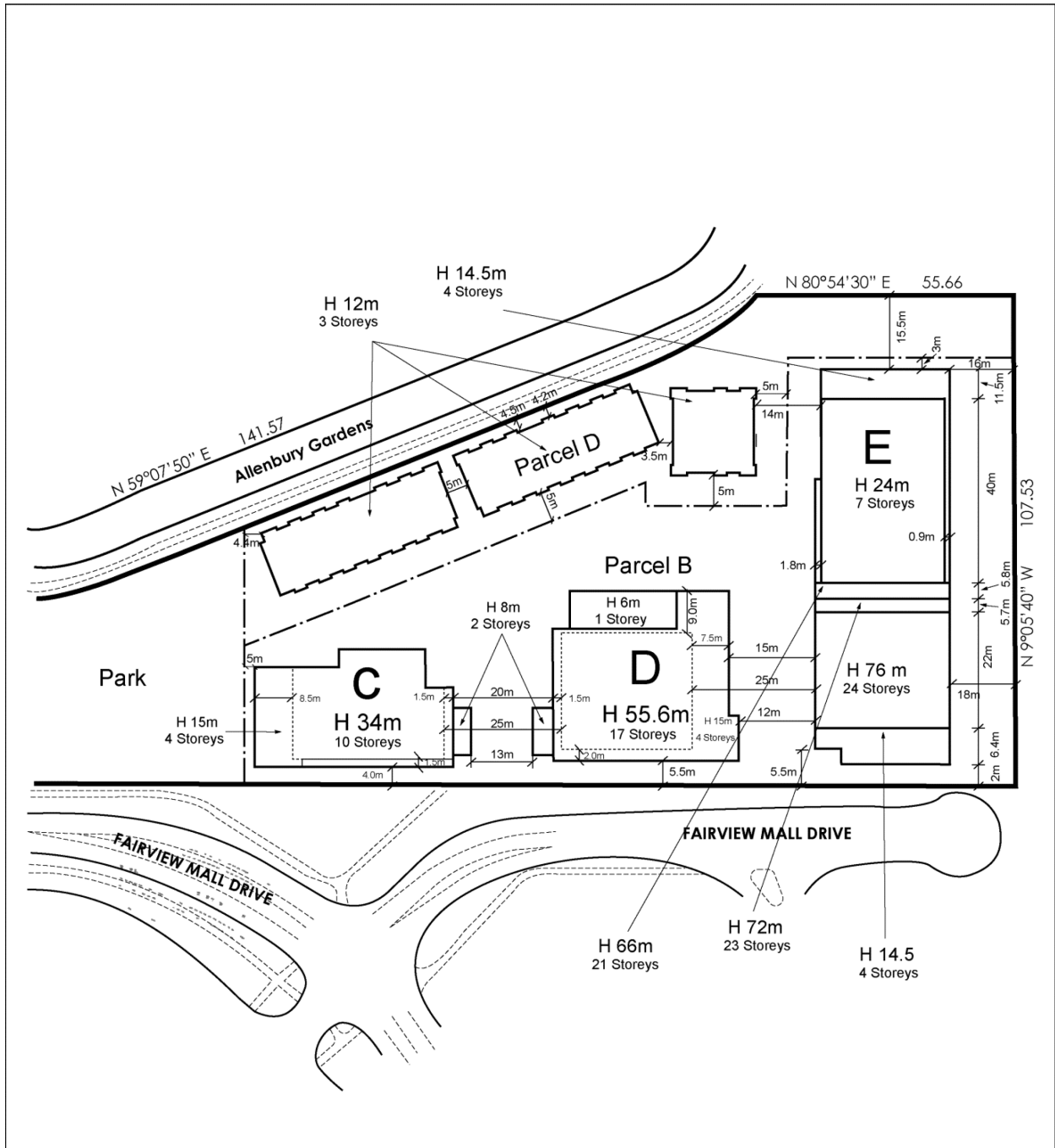
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Date: 03/28/2019
Approved by: S. Kerr

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Not to Scale

Schedule "B"

Revised Schedule RM6(212)C from Zoning By-law 615-2013



Schedule RM6(212)C

Block O, R.P. M-993, City of Toronto
J.D. Barnes Limited

File # 17 267810 NNY 33 02

Date: 05/23/2019
Approved by: S. Kerr

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Not to Scale

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 "B" in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follow:

1. Prior to the issuance of the first above grade building permit for Building E the Owner shall:
 - i. Provide to the City of Toronto \$550,000 to be used for capital improvements/renovation of Fairview Library including enhancements to the third floor including a new Learning Centre, Digital Innovation Hub, new study rooms and study and new public computer area;
 - ii. The financial contribution referred to in (i) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential or Apartment-Building-Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made; and
 - iii. In the event the cash contribution referred to in (i) 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 purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
2. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.
3. The owner shall provide the following Transportation Demand Management measures, to the satisfaction of the Director of Community Planning, North District:
 - i. The provision of six additional weather protected bicycle parking spaces near the building entrance;
 - ii. The provision of two bike repair stands, with locations to be determined during the review of the Site Plan Control application;
 - iii. The provision of a minimum of four car-share spaces that are publically accessible, with locations to be determined during the review of the Site Plan Control application;
 - iv. The provision of a minimum of five parking spaces with electrical charging facility with details to be determined during the review of the Site Plan Control application;

- v. The provision of a pedestrian connection between Buildings D and E in the underground parking garage to facilitate the proposed shared parking between the two buildings with details to be determined during the review of the Site Plan Control application; and
 - vi. The construction of streetscape improvements, including bump-outs between the Phase 2.1 and Phase 2.2 driveways, to the satisfaction of the Chief Planner and Executive Director, City Planning.
4. The owner shall submit a Site Plan application which shall address the urban design guidelines attached to the master site plan approval, to the satisfaction of the Chief Planner and Executive Director, City Planning.