

Authority: North York Community Council Item NY4.9, adopted as amended, by City of Toronto Council on May 10, 11 and 12, 2023

CITY OF TORONTO

Bill 440

BY-LAW -2023

To amend the former City of North York Zoning By-law 7625, as amended, with respect to a portion of the lands municipally known in the year 2023 as 22-36 Greenbriar Road.

Whereas Council of the City of Toronto has the authority to 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 authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to impose the Holding Symbol (H) and to remove the Holding Symbol (H) when Council is satisfied that the conditions relating to the Holding Symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of a Holding (H) symbol with conditions in the Zoning By-law;

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 hereby amended in accordance with Schedule 1 of this By-law.
2. Section 64.19 of By-law 7625, as amended, is amended by adding the following subsection:

RM4 (36) (H)

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

- a) A maximum permitted gross floor area shall be 24,500 square metres.
- b) For the purpose of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior walls of the building or structure at the level of each floor, but excluding:
 - i. indoor recreational amenity area;
 - ii. parking, loading and bicycle parking below established grade;

- iii. parking, loading and bicycle parking at or above established grade;
 - iv. storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - v. shower and change facilities required by this By-law for required bicycle parking spaces;
 - vi. elevator shafts;
 - vii. garbage shafts;
 - viii. mechanical penthouse; and
 - ix. exit stairwells in the building.
- c) Of the dwelling units that are permitted on the lot:
- i. a minimum of 15 percent of the total number of dwelling units must contain two or more bedrooms;
 - ii. a minimum of 11 percent of the total number of dwelling units must contain three or more bedrooms;
 - iii. an additional 4 percent of the total number of dwelling units may be any combination of two bedroom and three bedroom dwelling units, or dwelling units that can be converted into any combination of two and three bedroom dwelling units;
 - iv. Dwelling units, as described in (iii) above, may be converted using accessible or adaptable design measures such as knock- out panels;
 - v. any dwelling units with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
 - vi. if the calculation of the number of required dwelling units in (i) to (iii) above results in a number with a fraction, the number may be rounded down to the nearest whole number.

BUILDING HEIGHT

- d) The height of the buildings for all buildings and structures on the lands shown on Schedule 1 attached to this By-law must not exceed the maximum height permitted by the letter "HT" as shown on Schedule (H)RM4(36) attached to this By-law, measured above the grade elevation of 171.35 metres above Canadian Geodetic Datum.

- e) For the purpose of this exception, "established grade" shall mean 171.35 metres of Canadian Geodetic Datum.
- f) Notwithstanding d) above, the following elements shall be permitted to exceed the noted height limit on Schedule (H)RM4(36) attached to this By-law:
 - i. parapets, roof access, chimneys, vents, ducts, pipes, roof drainage, antennae, terraces and terrace platforms, telecommunication equipment, satellite dishes, guard rails, railings, dividers, screens, balustrades, unenclosed structures providing safety or wind protection, privacy and wind screens, elements of a green roof, pergolas, trellises, light fixtures, landscape elements and landscape planters, architectural features, retaining walls, thermal and waterproofing assembly located at each of the roof levels of the building, structures on the roof of any part of the building used for outside or open air recreation, noise mitigation elements and partitions dividing outdoor recreational areas, all of which may project up to a maximum of 3.5 metres; and
 - ii. structural/non-structural architectural columns/piers/bands, mechanical penthouses, equipment used for the functional operation of the building, such as cooling tower, electrical, utility, mechanical and ventilation equipment, stair and elevator enclosures and overruns, stair access, window washing equipment, lightning rods, exhaust flues, vents, ventilating equipment, chimney stack, air shafts, gas metres, garbage chute overruns and structures that enclose, screen or cover the equipment, structures and parts of a building listed in this section, all of which may project up to a maximum of 7.5 metres.

YARD SETBACKS

- g) The minimum yard setbacks for buildings and structures above established grade shall be shown on Schedule (H)RM4(36) attached to this By-law.

LANDSCAPING

- h) The provisions of Section 15.8 (Landscaping) shall not apply.

PERMITTED PROJECTIONS

- i) Notwithstanding g) above, the following elements shall be permitted to project beyond the building envelope shown on Schedule (H)RM4(36) attached to this By-law:
 - i. balconies, balcony platforms, guards, railings and screens, all of which may project to a maximum of 2.5 metres;

- ii. lighting fixtures, architectural features, structural/non-structural architectural columns/piers, window washing equipment, awnings, canopies, parapets, parapet flashing, bollards, chimneys, cornices, eaves, stacks, roof and terrace scuppers, vents, walkways, roof overhang, gutter, downspout, trellises, window sills, guardrails, balustrades, railings, wheel chair ramps, mechanical exhaust and intake components, gas meters, underground garage ramps and their associated structures and elements, retaining walls, fences, Siamese connections, ornamental elements, all of which may project to a maximum of 2.0 metres;
- iii. terraces and terrace platforms, guards, railings, privacy screens, wind mitigation and acoustic screens and features, planters, parapets, landscape planters and elements of a green roof, which may project beyond the required building setback to the extent of the main wall of the storey below to a maximum of 6.0 metres; and
- iv. stairs, stair enclosures, air shafts, gas metres, underground garage ramps and their associated structures, wheelchair ramps, and window washing equipment.

AMENITY SPACE

- j) A minimum of 1,280 square metres of recreational amenity area shall be provided, of which:
 - i. A minimum of 544 square metres is dedicated to indoor amenity area.

PARKING

- k) A minimum of 0.05 parking spaces per dwelling unit will be provided as visitor parking spaces.
- l) No minimum for residential parking spaces applies.
- m) A maximum of 15 percent of the required parking spaces may have a minimum length of 5.1 metres, a minimum width of 2.4 metres and a minimum vertical clearance of 1.7 metres.

BICYCLE PARKING

- n) Bicycle parking spaces must be provided and maintained in accordance with the following:
 - i. a minimum of 208 bicycle parking spaces shall be provided for the use of residents, which may be located in a stacked bicycle parking space; and
 - ii. a minimum of 22 bicycle parking spaces shall be provided for the use of visitors, which may be located in a stacked bicycle parking space.

- o) Bicycle parking space may have the following minimum dimensions:
 - i. minimum length of 1.7 metres,
 - ii. a minimum width of 0.4 metres, and
 - iii. a minimum horizontal clearance from the wall of 1.0 metres.
- p) A minimum of one Type 'G' loading space shall be provided on the site.
- q) For the purposes of this exception, "Type 'G' loading spaces" shall mean an area used for the loading or unloading of goods or commodities from a vehicle, with the following dimensions:
 - i. minimum length of 13.0 metres;
 - ii. minimum width of 4.0 metres; and
 - iii. minimum vertical clearance of 6.1 metres.

SEVERANCE

- r) Despite any future severance, partition or division of the lot as shown on Schedule 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.

HOLDING PROVISION

- s) The lands zoned with the "(H)" symbol delineated by heavy lines on Schedule 1 attached to and forming part of this By-law shall not be used for any purpose other than those uses and buildings as existing on the site as of December 31, 2021 until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of City Council.
 - i. The Owner has submitted an acceptable Site Servicing Review (comprised of Functional Servicing Report, Stormwater Management Report and Hydrogeological Report) demonstrating that the City requirements can be met and sufficient capacity exists to accommodate the proposed development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Should the Functional Servicing Report identify that any upgrades or improvements to municipal infrastructure including municipal services are required, those upgrades and improvements shall be secured by appropriate agreements as a condition of Site Plan approval, and shall be constructed prior to the issuance of any building permits for any development on the lands, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

Prevailing By-law and Prevailing Sections: None apply.

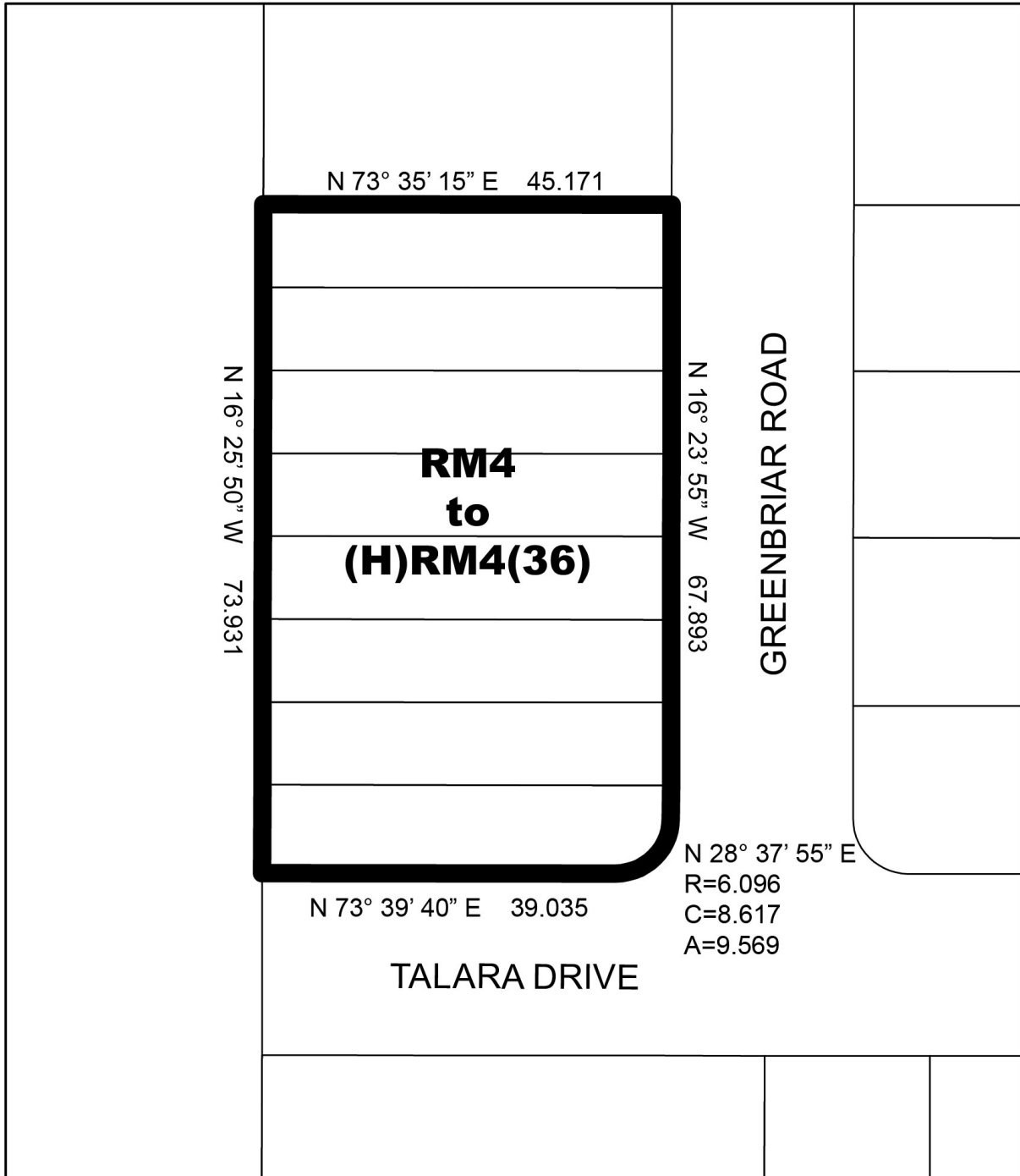
Enacted and passed on May , 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule 1



Schedule (H)RM4(36)

