

CITY OF TORONTO

BY-LAW No. 357-2003(OMB)

To amend former City of North York By-law No. 7625 in respect of lands known municipally as 1555 Jane Street.

WHEREAS the Ontario Municipal Board by way of Order issued on March 14, 2003 determined to amend the General Zoning By-law of the former City of North York; and

WHEREAS the Official Plan of the former City of North York contains provisions relating to the authorization of increases in height and density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of the municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and 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 or matters in return for an increase in the height and density of development, a 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 applicant/owners of the lands hereinafter referred to have elected to provide the facilities, services and matters hereinafter set forth; and

WHEREAS the increase in density and height of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owner of such lands and the City of Toronto; and

WHEREAS the City of Toronto has required the applicant/owner of the aforesaid lands to enter into one or more agreements having been executed dealing with certain facilities, services and matters in return for the increase in density and height in connection with the aforesaid lands as permitted by this By-law;

THEREFORE:

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are amended in accordance with Schedule "1" of this By-law.

2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

“64.20-A (101) RM6(101)

A. Section 37 Agreement

Facilities, services or matters which are to be provided pursuant to Section 37 of the *Planning Act*, as amended, in order to permit the increased density and height set out under subsections (a) to (u) of this By-law are:

(a) the owner agrees:

- (i) To construct and maintain up to two additional rental apartment house dwellings on the lands which, in total, will provide a maximum of 220 rental dwelling units for a twenty five (25) year period, commencing from the date of the Order of the Ontario Municipal Board bringing this By-law into full force and effect;
- (ii) That the net size of the additional rental apartment house dwelling units shall not exceed the following:

Bachelor	46.45 m ²
One-Bedroom	60.4 m ²
Two-Bedroom	79 m ²
Three-Bedroom	92.9 m ²
Four or more Bedrooms	111.5 m ²

- (iii) That the initial rental rates for the additional dwelling units shall be below 1.5 times the average City wide (former Metropolitan Toronto) rents by unit type as reported by Canada Mortgage and Housing Corporation's annual rental market survey in the most recently completed survey;
- (iv) That the rents for the additional dwelling units shall not be increased beyond that permitted by the rent control guideline for a period of five (5) years from the date of first occupancy of the dwelling units;
- (v) That no application for condominium conversion or for demolition to construct anything other than rental dwelling units will be made in respect of the two additional apartment house dwellings during the twenty five year period; and

- (b) The owner shall convey or cause to be conveyed to the City for a nominal sum, free and clear of all encumbrances, a 6.1 metre radius corner rounding of the intersecting street lines at the south-east corner of Jane Street and Harding Avenue to the satisfaction of the Commissioner of Works and Emergency Services.

B. Exception Regulations

- (a) Permitted Uses:

Residential:

multiple attached dwellings and apartment house dwellings, and a day nursery

Commercial

a day nursery, restaurants, retail stores, personal service shops, service shops, banks, business and professional offices, studios, drycleaning and laundry collecting establishments, synthetic dry-cleaning establishments, automatic laundry shops, custom workshops making articles or products to be sold at retail on the premises, take-out restaurants, theatres, banquet halls, clubs, commercial schools, billiard parlours, bowling alleys, commercial bath houses, fitness centres, professional medical offices, commercial recreation, information processing, research, car rental agencies.

- (b) A maximum of 560 dwelling units in total shall be permitted, in up to 3 apartment house dwellings.
- (c) A maximum of 20 dwelling units in the form of multiple attached dwellings shall be permitted.
- (d) Buildings shall be located within the building envelopes labeled as “building” or “multiple attached dwelling” on Schedule “RM6(101)”. Accessory buildings and structures may be located within or outside of the building envelopes shown on Schedule “RM6(101)” except that no accessory buildings or structures shall be permitted within 1.8 metres of the east lot line. Commercial and residential uses built after the date of the Board’s Order which implements this exception shall be located as shown on Schedule “RM6(101)”.
- (e) The maximum building heights shall be as set out on Schedule “RM6(101)” but shall not include the stairs and elevators to the amenity areas located on the roof, or, the storage areas for equipment for the rooftop amenity areas contained in the rooftop mechanical rooms.
- (f) The maximum gross floor area of all buildings shall be 51,348 sq metres.

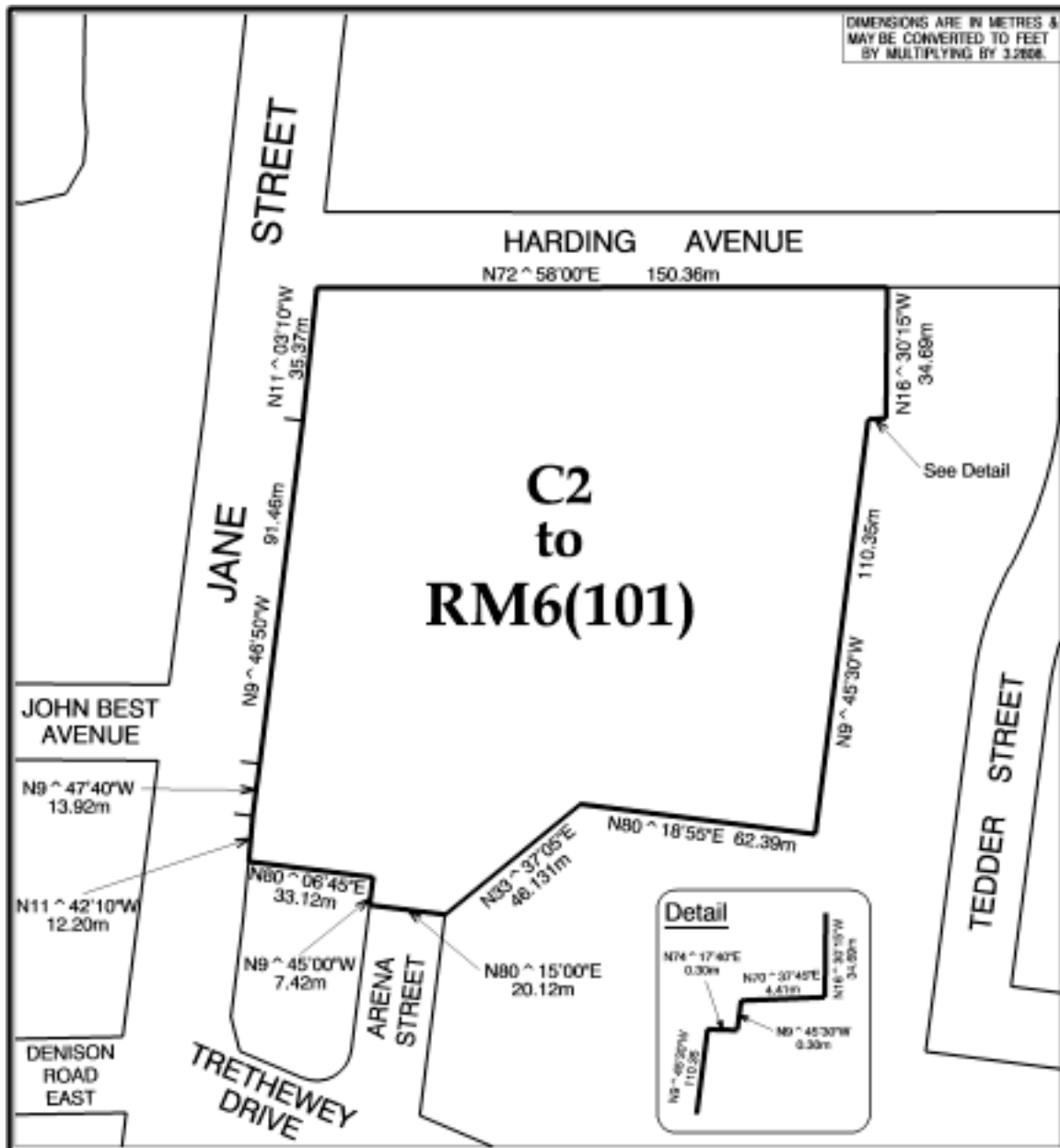
- (g) The minimum yard setbacks shall be as shown on Schedule “RM6(101)”.
- (h) Minimum distance between buildings shall be as shown on Schedule “RM6(101)”.
- (i) Notwithstanding clause (h), the existing 18 storey apartment building may project into the 46.8 m distance between the 8 storey apartment building and the multiple attached dwellings.
- (j) Section 16.2.3 regarding street frontage for multiple attached dwellings does not apply.
- (k) Notwithstanding the amount of landscaping required by Section 15.8, a minimum of 2371 square metres of the site shall be landscaped in accordance with the provisions of Section 15.8.
- (l) In accordance with Section 6A(6)c, a minimum 1.5 metre wide landscaped buffer shall be provided along the boundary between the parking area and the abutting residential area, except that a landscaped buffer need not be provided between the existing stairway to the underground garage and one parking space adjacent to the existing stairway and the abutting residential zone.
- (m) Notwithstanding clause (k), a minimum of 740 square metres of outdoor rooftop amenity space shall be provided on the two apartment buildings built after the date of the Board’s Order which implements this exception with at least 510 square metres located on the northerly building and at least 230 square metres located on the southerly building shown on “RM6(101)”.
- (n) At least 444 parking spaces shall be provided for the commercial and residential uses existing prior to the date of the Board’s Order which implements this exception. Parking for uses built after such date shall be provided at the following rates:
 - (i) a minimum of 1.25 parking space per apartment house dwelling unit of which 0.25 spaces per dwelling unit shall be for the use of visitors;
 - (ii) a minimum of 1.75 spaces per multiple attached dwelling unit of which 0.25 spaces per dwelling unit shall be for the use of visitors;
 - (iii) a minimum of 2 spaces per multiple attached dwelling unit where a driveway leads directly to the dwelling unit;
 - (iv) a minimum of 1 space per 9.8m² of gross floor area of additional restaurant space;

- (v) a minimum of 1 space per 28m² of gross floor area of additional retail store area, over and above the gross floor area used for retail purposes prior to the date of the Board's Order which implements this By-law;
 - (vi) for a day nursery, a minimum of 1 space per 25.2m² of floor area of indoor play area, plus 2 additional spaces, plus 1 space per 10 children based on the licensed capacity of the day nursery.
 - (o) A minimum of 120 parking spaces shall be located at grade.
 - (p) A minimum of 102 parking spaces shall be reserved for visitors.
 - (q) Up to 23 spaces located in an underground parking garage may be undersized and not smaller than 2.7 metres in width and 5.0 metres in length.
 - (r) Notwithstanding Section 6A(3), each parking space shown within Area A on Schedule "RM6(101)(A)" may have a minimum width of 2.7 metres measured from the centre line of each supporting column.
 - (s) Any bay, bow or other window may project up to 0.6 m from the wall of a multiple attached dwelling into a required yard or distance between buildings separation as shown on Schedule "RM6(101)" save and except for the easterly yard of the multiple attached dwelling fronting onto Harding Avenue where there shall be no window openings.
 - (t) One loading space shall be provided for each of the three apartment buildings and one loading space shall be provided for the existing one storey retail store.
 - (u) For the purposes of this exception, "existing" means existing as of the date of the Board's Order which implements this exception.
 - (v) The provisions of Section 20-A.2.1, Lot Area, and Section 20-A.2.2, Lot Coverage shall not apply to the lands shown on Schedule "RM6(101)".
 - (w) Notwithstanding any severance, partition or division of the lands shown on Schedule "RM6(101)", the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred".
3. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding Schedule "RM6(101)", attached to this By-law.

- 4.** By-law No. 20071 is hereby repealed.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED
MARCH 14, 2003 IN BOARD FILE NO. PL0001145.

**THIS IS SCHEDULE "1" TO BY-LAW NO. 357-2003(OMB) CONTAINED IN THE
ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED MARCH 14, 2003**



This is Schedule " 1 " to By-Law _____

Contained in the order of the Ontario Municipal Board issued March 14,2003

(Sgd.)

CLERK

(Sgd.)

MAYOR

Location: Lots 10,11,12,13,14,15 & 16 & Part of Lots 7 & 10, R.P. 144 & Part of Lot 4, Cons. 4,
16, 17, 18 & 19 & Part of Lot 11 & Part of Arena St., R.P. 305, City of Toronto

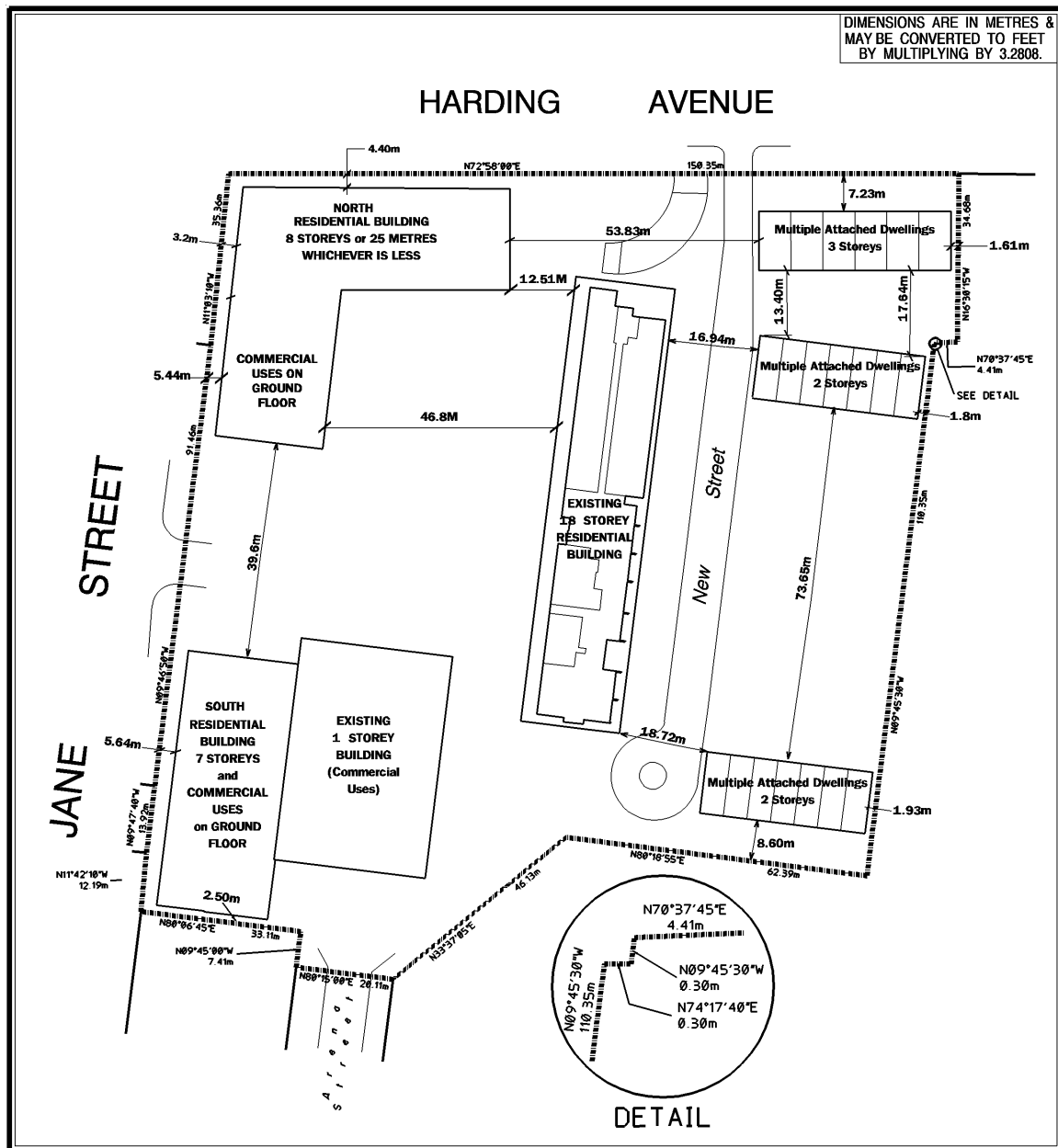
File: UDZ-99-42 **Prepared by:** ANG.A. **Approved by:** L.P. **Date:** MAY 26, 2000 **Filename:** RM6(101)

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.

Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.



THIS IS SCHEDULE "RM6(101)" TO BY-LAW NO. 357-2003(OMB) CONTAINED IN THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED MARCH 14, 2003



This is Schedule "RM6(101)" to By-Law _____

Contained in the order of the Ontario Municipal Board issued _____

(Sgd.) _____

CLERK

(Sgd.) _____

MAYOR

Location: Lots 13, 15, 17, 19, 21, 23, 25 & 27 & Part of Lots 7, 9 & 11, R.P. 1644 & Part of Lot 4, Con. 4, W.Y.S. & Lots 9 & 10 & Part of Lot 11 & Part of Arena St., R.P. 3516, City of Toronto

File No. UDZ-99-42

Prepared by: F.C.

Approved by: L.P.

Date: Oct. 10, 2002

Filename: RM6(101)

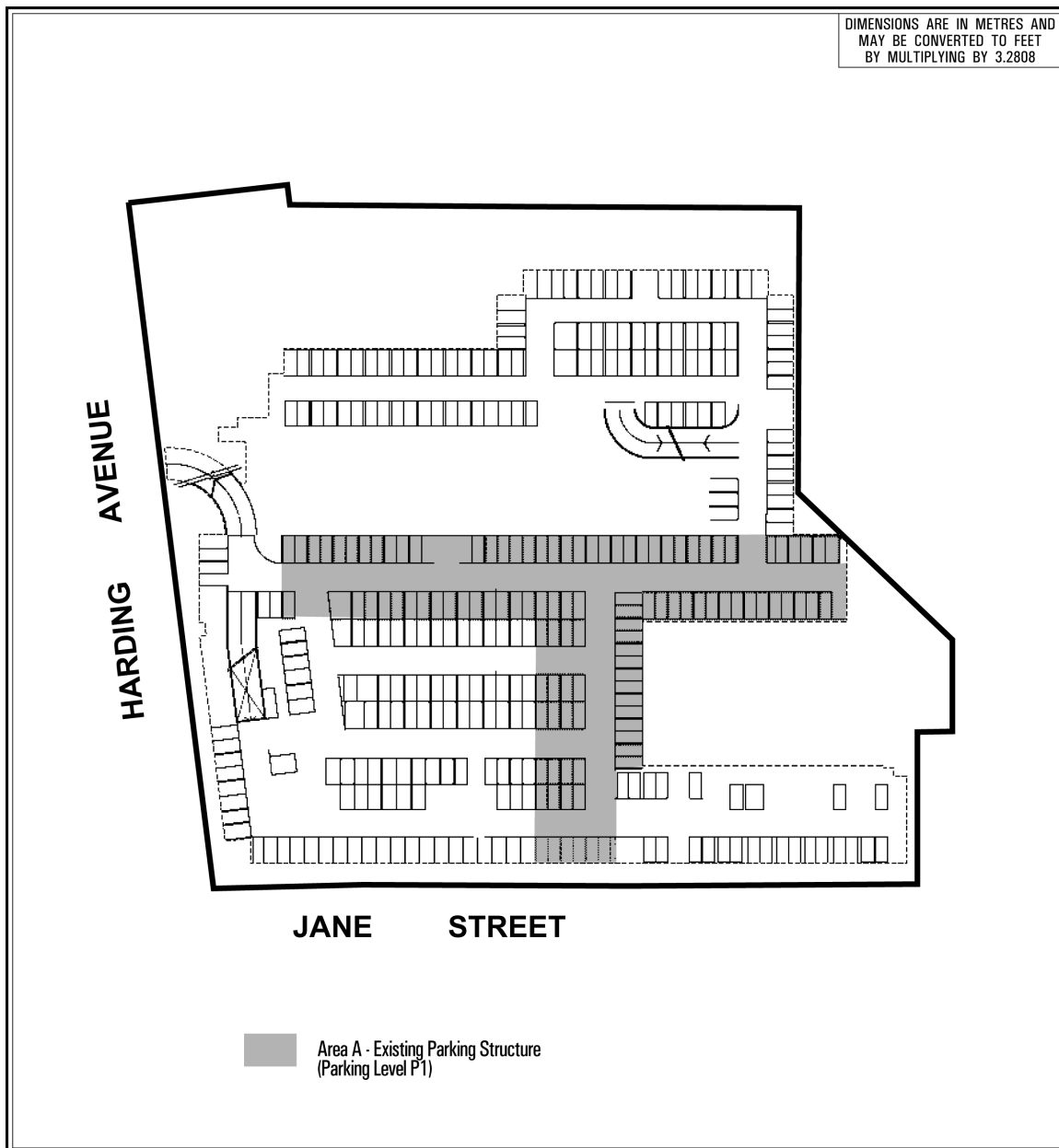
Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.



SUBJECT PROPERTY



**THIS IS SCHEDULE "RM6(101)(A)" TO BY-LAW NO. 357-2003(OMB) CONTAINED
IN THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED MARCH 14, 2003**



This is Schedule " RM6(101)(A)" to By-Law _____				 Toronto City Planning North
Contained in the order of the Ontario Municipal Board issued _____				
(Sgd.) _____ CLERK		(Sgd.) _____ MAYOR		<div style="border: 1px solid black; width: 50px; height: 30px; margin: 0 auto;"></div> SUBJECT PROPERTY
Location: Part of Block F, Registered Plan M-1299, City of Toronto				
File No. UDZ-99-42	Prepared by: F.C.	Approved by: L.P.	Date: OCT. 10, 2002	Filename: RM6(101)(A).ai
<small>Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District. Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.</small>				