

Authority: Humber York Community Council Report No. 6, Clause No. 13,
adopted as amended, by City of Toronto Council on July 22, 23 and 24, 2003
Enacted by Council: July 24, 2003

CITY OF TORONTO

BY-LAW No. 746-2003

To amend General Zoning By-law No. 438-86 of the former City of Toronto, respecting lands known municipally as 403 Keele Street.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. District Map No. 48J-321 contained in Appendix “A” of By-law No. 438-86, as amended, is further amended by redesignating the lands outlined by heavy lines on Plan 1, attached to and forming part of this By-law, from I1 D2 and MCR T2.5 C1.0 R2.0 to CR T3.8 C0.1 R3.8.
2. None of the provisions of Section 2(1) with respect to the definition of “grade”, Section 4(2)a, Section 4(4)b, Section 4(10), Section 4(12), Section 4(16), Section 8(3) Part I, Section 8(3) Part II, Section 8(3) Part VIII of Zoning By-law No. 438-86, as amended, shall apply to prevent the erection and use of *mixed-use buildings* on the lands municipally known as 403 Keele Street (hereafter referred to as “the lot”) provided that:
 - (1) the *lot* upon which the proposed buildings and structures are erected or used comprise those lands delineated by heavy lines on Plan 1 attached hereto and forming part of this by-law;
 - (2) no part of any building or structure located above *grade* is located otherwise than wholly within the areas delineated by heavy lines and identified as *Parcel A*, *Parcel B*, *Parcel C* and *Parcel D* on Plan 2, and:
 - (i) *Parcel A* shall be used for the purposes of a *mixed-use building*;
 - (ii) *Parcel B* shall be maintained as publicly accessible *landscaped open space*;
 - (iii) *Parcel C* shall be used for the purposes of a *mixed use building*;
 - (iv) *Parcel D* shall only be used for the purposes of a public lane dedication and shall be conveyed to the City of Toronto.
 - (3) the maximum *height* above *grade* of any building or structure erected or used on the *lot* shall not exceed the *heights* above *grade* shown on Plan 3, attached hereto and forming part of this by-law;
 - (4) the maximum *height* of any stair tower, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements, shall not exceed the sum of 6.9 metres and the applicable *height* limit;

- (5) no part of any building or structure located above *grade* is located in Area A, identified on Plan 3, with the exception of a bridge or pedestrian walkway;
- (6) notwithstanding Section 2(5) above, a building or structure may encroach into Area A by no more than 1.0 metres provided that the separation distances remain as shown on Plan 3 for Area A;
- (7) the aggregate of the *residential gross floor area* and the *non-residential gross floor area* erected or used on the *lot* does not exceed 44,575 square metres, of which:
 - (i) the *residential gross floor area* does not exceed 43,950 square metres; and,
 - (ii) the *non-residential gross floor area* does not exceed 625 square metres;
- (8) a minimum number of *parking spaces* are provided and maintained on the *lot*, as follows:

(i) Bachelor units	0.30 spaces per unit
(ii) 1-bedroom units	0.70 spaces per unit
(iii) 2-bedroom units	1.00 space per unit
(iv) 3-bedroom units	1.2 spaces per unit
(v) Visitors	0.15 spaces per unit
(vi) Retail	1 space per 80 m ² of GFA
(vii) Restaurant	1 space per 33 m ² of GFA; and
- (9) at least 2 square metres of indoor *residential amenity space* and 2 square metres of outdoor *residential amenity space* per *dwelling unit* shall be provided.

3. For the purposes of this By-law

- (1) “*grade*” means 119.50 metres Canadian Geodetic Datum.
- (2) “*residential gross floor area*” shall have the same meaning as contained in Section 2(1) of Zoning By-law No. 438-86, as amended, with the exception of areas used for the purposes of community services and facilities or parking spaces located within the at-grade level of a parking garage, which shall be excluded from the definition.
- (3) “*Parcel A*”, “*Parcel B*”, “*Parcel C*” and “*Parcel D*” mean the areas identified as such on Plan 2 and “*Area A*” means the area identified as such on Plan 3.
- (4) Each other word or expression, which is italicized in the By-law, shall have the same meaning as each word or expression as defined in By-law No. 438-86, as amended.

4. Notwithstanding Sections 1, 2 and 3, the heights and density of development permitted by this By-law are permitted subject to compliance with all of the conditions set out in this By-law and in return for the provision by the owner of all of the following facilities, services and matters to the City of Toronto, namely:
- (a) The owner agrees to submit detailed landscape plans for the publicly-accessible open space to be provided on site (*Parcel B*), to landscape *Parcel B* substantially in accordance with the approved drawings, and to provide and maintain *Parcel B* as a publicly-accessible open space upon its completion;
 - (b) The owner agrees to dedicate to the City such lands shown as *Parcel D* for the purposes of widening the laneway;
 - (c) The owner agrees to provide plans and drawings to the City, for the City's approval, for the construction of the sidewalks and implementation of the street trees within the public lane, and to construct in accordance with such plans;
 - (d) The buildings will be designed substantially in accordance with the architectural plans submitted to the City on July 15, 2003;
 - (e) The owner agrees to convey to the City a unit with an area of 2,500 square feet within the site to be used for City run activities.
 - (f) The owner will pay \$150,000.00 to the Junction Gardens BIA for streetscape improvement to Keele Street north of Dundas Street West, as well as underpass upgrading, future initiatives to Heintzman, Indian Grove and Hook Avenue including the Trellis Improvement Plan to Heintzman and Indian Grove intersections with Dundas Street West and that an application be made to Economic Development Services under their matching Capital Improvement Funds to the local BIA area;
 - (g) The owner will pay \$20,000.00 to the West Toronto Junction Team (or such other entity successor to the West Toronto Junction Team) to be spent on the continued economic development of the Junction, marketing and new business developments (as bounded by the CN/CP Railway Line to the north and east, Annette Street to the south, and Runnymede to the west);
 - (h) The owner will pay \$10,000.00 to the City for the purchase of equipment and/or facilities and/or landscaping of the Vine Avenue Parkette, and a further \$10,000.00 for the purchase of equipment and/or facilities and/or landscaping of a parkette in the former City of Toronto located in Ward 11 - York South - Weston; and a further \$10,000.00 for playground enhancements for a nearby parkette in Ward 14;
 - (i) Enter into an agreement with the City pursuant to Section 37 of the *Planning Act* to secure all the facilities, services and matters referred to in this By-law, and register such agreement against title to the lands.

5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, being “A By-law to regulate the use of land and the erection, use bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, shall continue to apply to the lot.

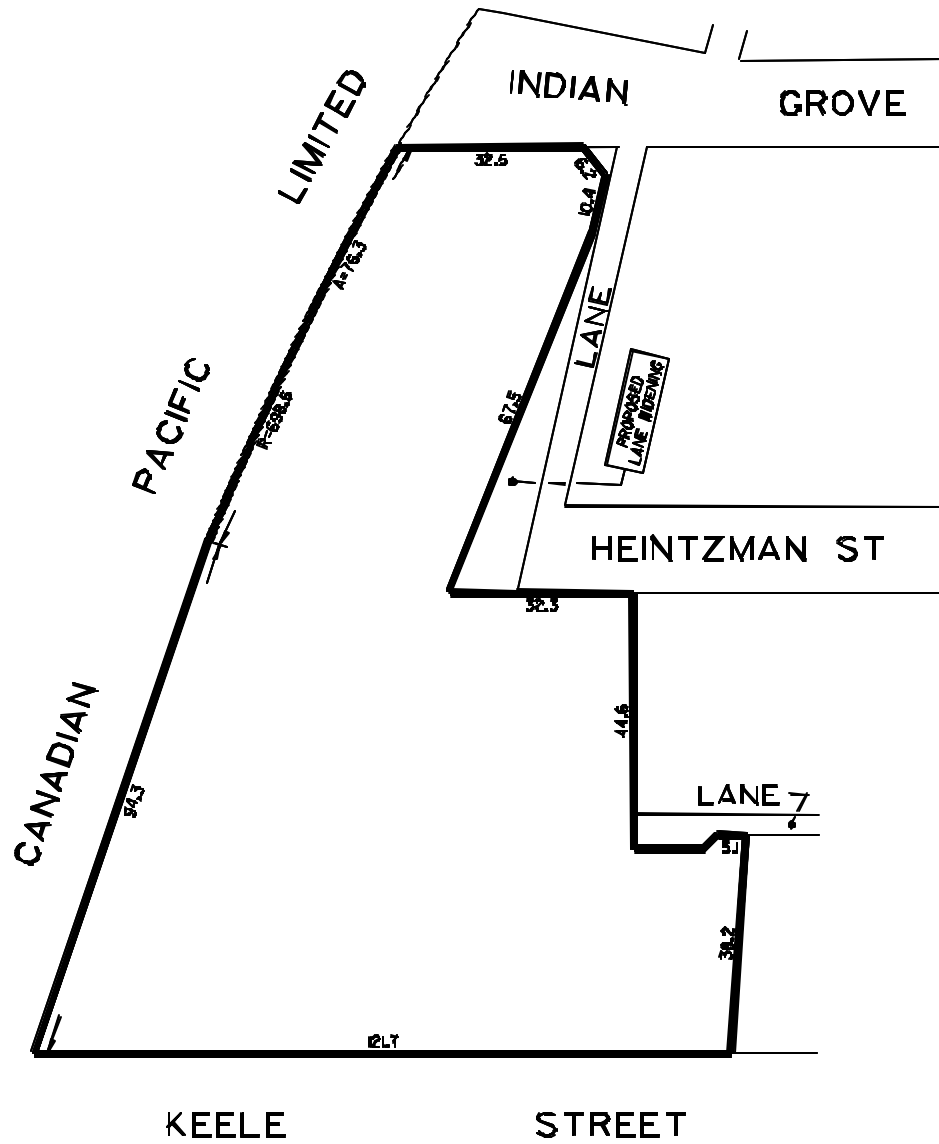
ENACTED AND PASSED this 24th day of July, A.D. 2003.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

PLAN 1

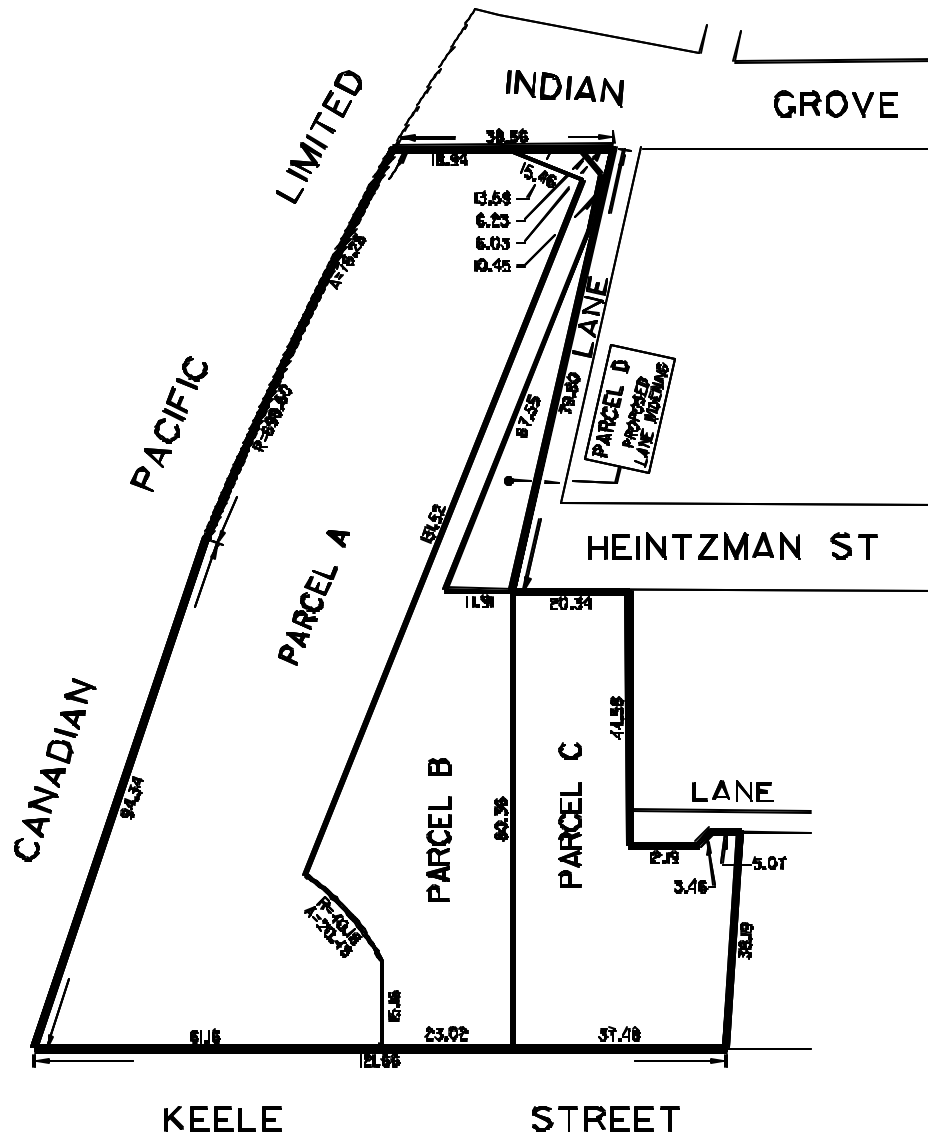


 REDESIGNATED TO CR T3.8 CO.1 R3.8



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JULY, 2005
BLOS/403KEE1.DGN
FILE: K4-C12, 2402.53-3
MAP No. 44J-321 DRAWN: D.R.

PLAN 2

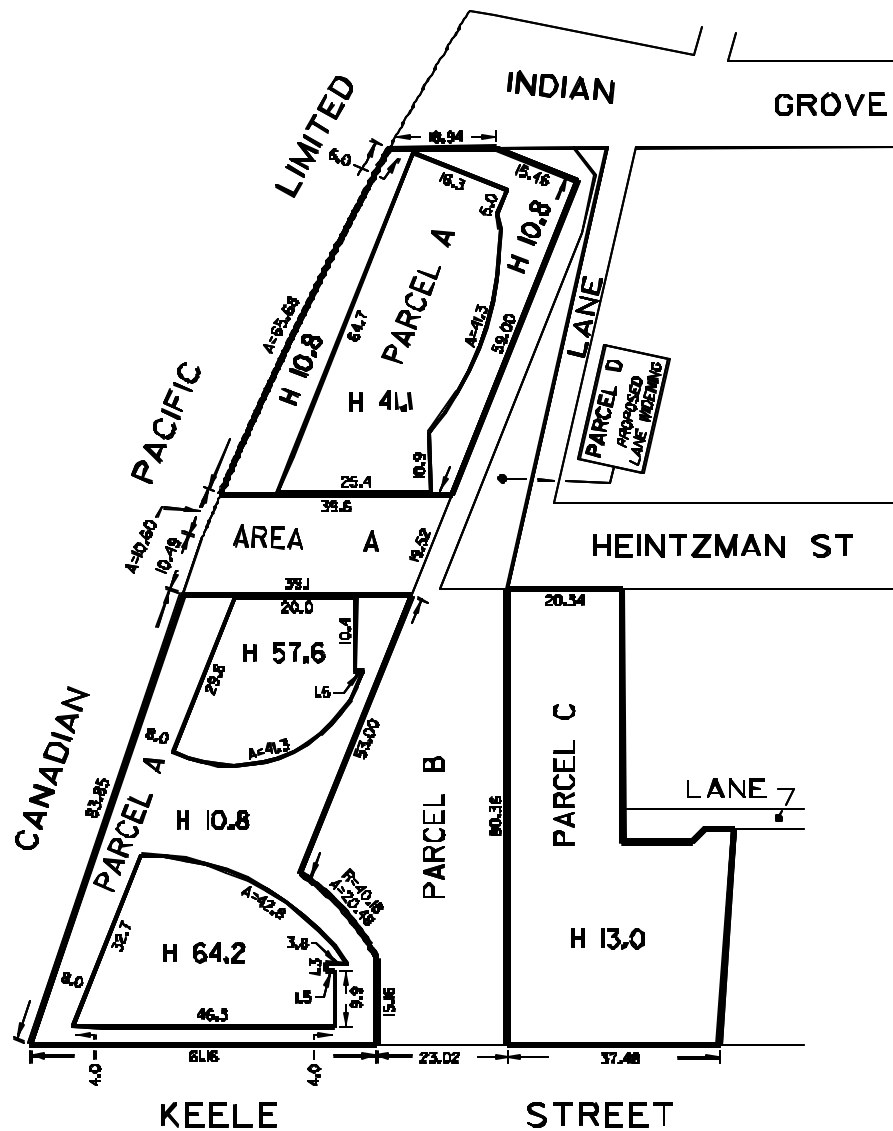


10 0 10 20 METRES



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JULY, 2003
BL03/400KEE2.DGN
FILE: K4-212, 2402.63-3
MAP No. 48J-321 DRAWN: D.A.

PLAN 3



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO
BLO3/403KEE3-DGN
FILE: K4-212
MAP No. 4BJ-321
JULY, 2003
DRAWN: D.R.