

Authority: North York Community Council Report No. 6, Clause No. 19,  
as adopted by City of Toronto Council on July 22, 23 and 24, 2003  
Enacted by Council: September 24, 2003

**CITY OF TORONTO**

**BY-LAW No. 878-2003**

**To amend former City of North York By-law No. 7625, as amended, in respect of lands known  
as south-east corner of Yonge Street and Avondale Avenue  
Part of Block 4, Plan 66M-2354.**

WHEREAS authority is given to Council by Sections 34 and 37 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 Official Plan of the former City of North York contains provisions relating to the authorization of increases in density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a by-law enacted under Section 34 of the *Planning Act*, authorize increases in the 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 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, the 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 owner of the lands hereinafter referred to have elected to provide the facilities, services and matters and hereinafter set forth; and

WHEREAS the increase in density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by By-law No. 7625, 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 the one or more agreements between the owner of such lands and the City of Toronto; and

WHEREAS the City of Toronto has required the 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 in connection with the aforesaid lands as permitted by this By-law;

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

1. Section 64.20-A(52) of By-law No. 7625, as amended, of the former City of North York is amended by adding the following clauses after Section 64.20-A(52)(j)(xii) and before Section 64.20-A(52)(k):

<p>“Density Incentive Private Recreational Use</p>	<p>(xiii) 1034 m<sup>2</sup> attributable to the provision of private indoor recreational space accessory to a residential use, provided such gross floor area is located on Blocks 4 and 5, Plan 66M-2354; space accessory to a residential use, provided such gross floor area is located on Blocks 4 and 5, Plan 66M-2354;</p>
--	---

<p>At Grade Street Related Retail Uses</p>	<p>(xiv) 250 m<sup>2</sup> attributable to the provision of street related retail uses provided such uses are weather sheltered, at grade and directly accessible from a public street or publicly accessible pedestrian walkway and such Gross Floor Area is located only on that part of Block 4, Plan 66M-2354 legally described as Parts 1 and 2, Plan 66R-19868;</p>
--	---

<p>At Grade Street Related Retail Uses</p>	<p>(xv) 1070 m<sup>2</sup> attributable to the provision of street related retail uses provided such uses are weather sheltered, at grade and directly accessible from a public street or publicly accessible pedestrian walkway and such gross floor area is located only on Block 5 and that part of Block 4, Plan 66M-2354 legally described as Parts 3, 4, 5, 6 and 7, Plan 66R-19868; and</p>
--	--

<p>Bicycle Storage</p>	<p>(xvi) 117 m<sup>2</sup> attributable to the provision of a bicycle storage area and ancillary facilities provided such gross floor area is located only on that part of Block 4, Plan 66M-2354 legally described as Parts 1 and 2, Plan 66R-19868”.</p>
------------------------	--

2. Section 64.20-A(52) of By-law No. 7625, as amended, of the former City of North York is amended by deleting subsection 64.20-A(52)(k) and replacing it with the following:

<p>“Residential Units</p>	<p>(k) Residential Units</p>
---------------------------	------------------------------

The maximum number of dwelling units shall be 2,734 units, of which, a maximum of 78 dwelling units shall be located on that part of Block 4, Plan 66M-2354 legally described as Parts 1 and 2, Plan 66R-19868, 611 dwelling units shall be located on Block 5, Plan 66M-2354 and that part of Block 4, Plan 66M-354 legally described as Parts 3, 4, 5, 6, and 7, Plan 66R-19868, and a minimum of 45 dwelling units shall be located on Blocks 8 and 9, Plan 66M-2354”.

3. Section 64.20-A(52) of By-law No. 7625, as amended, of the former City of North York is amended by adding the following subsection after 64.20-A(52)(x):

“Section 37

Agreement

Blocks 4 & 5

Plan 66M-2354

(y) In order to permit the density incentive permitted under subsection 64.20-A(52)(j)(xiii), the owner(s) of Blocks 4 and 5, Plan 66M-2354 shall, at their expense and to the satisfaction of the City, enter into an agreement pursuant to Section 37 of the *Planning Act*, to secure the provision of private indoor recreational space having a minimum gross floor area of 1034 m<sup>2</sup>.

Section 37

Agreement

Part Block 4

Plan 66M-2354

(z) In order to permit the density incentive permitted under subsection 64.20-A(52)(j)(xiv), the owner of that part of Block 4, Plan 66M-2354 legally described as Parts 1 and 2, Plan 66R-19869) shall, at their expense and to the satisfaction of the City, enter into an agreement pursuant to Section 37 of the *Planning Act*, to secure the provision of street related retail uses, that are weather sheltered, at grade and directly accessible from a public street or publicly accessible pedestrian walkway, with a minimum gross floor area of 250 m<sup>2</sup>.

Section 37

Agreement

Part of Blocks 4 & all of

Block 5, Plan 66M-2354

(aa) In order to permit the density incentive permitted under subsection 64.20-A(52)(j)(xv), the owner(s) of Block 5, Plan 66M-2354 and designated as Parts 3, 4, 5, 6, and 7, Plan 66R-19868, shall, at their expense and to the satisfaction of the City enter into an agreement pursuant to Section 37 of the *Planning Act*, to secure the provision of street related retail uses, which are weather sheltered, at grade and directly accessible from a public street or publicly accessible pedestrian walkway, with a minimum gross floor area of 1070 m<sup>2</sup>.

Section 37

Agreement

Part of Block 4

Plan 66M-2354

(bb) In order to permit the density incentive permitted under subsection 64.20A(52)(j)(xvi), the owner(s) of that part of Block 4, Plan 66M-2354 legally described as Parts 1 and 2, Plan 66R-19868 shall, at their expense and the satisfaction of the City, enter into an agreement pursuant to Section 37 of the *Planning Act*, to secure the provision of a bicycle storage area and ancillary facilities, having a minimum gross floor area of 117 m<sup>2</sup>'.

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

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)