

Authority: North York Community Council Report No. 5, Clause No. 16,  
as adopted by City of Toronto Council on June 24, 25 and 26, 2003  
Enacted by Council: September 24, 2003

## **CITY OF TORONTO**

### **BY-LAW No. 944-2003**

#### **To amend former City of North York By-law No. 7625 in respect of lands municipally known as 5566 Yonge Street.**

WHEREAS authority is given to Council by Section 34 and Section 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*;

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

1. Schedules “B” and “C” of By-law No. 7625, as amended, are hereby amended in accordance with Schedule “1” attached hereto.
2. Section 64.20 of By-law No. 7625, as amended, of the former City of North York is amended by adding the following subsection:

**“64.20-A(136)RM6(136)**

#### **DEFINITIONS**

- (a) For the purpose of this exception, “Apartment House Dwelling” shall include the main floor podium as shown on Schedule “RM6(136)”.
- (b) For the purpose of this exception, “Gross Floor Area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:
  - (i) any part of the buildings used for mechanical purposes;
  - (ii) any space used for motor vehicle parking, including that contained in an above-grade parking structure provided the structure does not exceed three storeys in height above-grade and provided that its roof deck exclusive of any mechanical area is fully landscaped and made directly accessible to adjacent redevelopment projects; and
  - (iii) the floor area of unenclosed residential balconies.
- (c) For the purpose of this exception, “Bicycle Storage Space” shall mean an area below grade that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles, but is not intended for general storage use.

## **PERMITTED USES**

- (d) The only uses permitted shall be:
- (i) Residential Uses as follows:  
  
apartment house dwellings; and accessory uses including private recreational amenity area and street-related retail stores;
  - (ii) Non-residential as follows, provided these uses are located on the first floor along Yonge Street:  
  
automatic laundry shops;  
professional medical offices  
business and professional offices;  
commercial schools;  
day nursery;  
dry-cleaning and laundry collection establishments;  
personal service shops;  
private recreational amenity areas;  
restaurants;  
restaurant with outdoor patio;  
retail stores;  
service shops;  
studios.

## **EXCEPTION REGULATIONS**

- (e) **Gross Floor Area**
- (i) a maximum of 39,488 m<sup>2</sup> residential gross floor area is permitted provided indoor recreational amenity space to the extent of 1.5 m<sup>2</sup> per dwelling unit and the bicycle storage area to the extent of 1.5 m<sup>2</sup> per dwelling unit shall not be included in the calculation of gross floor area; and
  - (ii) a minimum of 1,369m<sup>2</sup> shall be used for non-residential uses at grade, and shall not be used in the calculations of gross floor area.
- (f) **Yard Setbacks**
- (i) the minimum yard setbacks shall be as set out on Schedule “RM6(136)”. Every part of any required yard shall be open and unobstructed by any structure, from the ground to the sky, except for canopies, and accessory structures including, but not limited to, a garbage pickup station, a stair enclosure, ventilation shafts and elevated portions of the garage;

- (ii) along the Yonge Street frontage, at the 4 metre build-to line, buildings shall have a minimum height of 8 metres to a maximum height of 25 metres;
- (iii) along the Yonge Street frontage, above the 8 to 25 metre height, buildings shall be set back a minimum of 10 metres for two-thirds of the frontage;
- (iv) along the Yonge Street frontage, higher buildings may be located at the build-to line for up to one-third of the frontage;
- (v) along Yonge Street, canopies shall be exempted from yard setbacks; and
- (vi) Section 23.3 regarding exceptions to yard setbacks shall not apply.

(g) **Parking Requirements**

- (i) For Residential Uses
  - (a) a minimum of 1 parking spaces per dwelling unit, of which 0.1 parking spaces per dwelling unit is reserved for visitor use;
  - (b) a maximum of 1.2 parking spaces per dwelling unit of which 0.1 parking spaces per dwelling unit is reserved for visitor use; and
- (ii) For Non-residential Uses
  - (a) a minimum of 0.9 parking spaces per 100m<sup>2</sup> of gross floor area; and
  - (b) a maximum of 1.18 parking spaces per 100m<sup>2</sup> of gross floor area.

(h) **Maximum Building Height**

- (i) The maximum height of all buildings shall be as shown on Schedule "RM6(136)".

(i) **Building envelope**

No portion of any building or structure erected and used above grade shall be located otherwise than wholly within the building envelope identified on Schedule "RM6(136)".

Notwithstanding the above, a gate or security kiosk shall be permitted outside the building envelope.

(j) **Number of Units**

The total number of dwelling units shall not exceed 510 residential dwelling units, of which a minimum of 25% of the total number of dwelling units shall be subject to the following maximum floor area restrictions, alone or in combination:

- (i) 55 m<sup>2</sup> for a bachelor unit;
- (ii) 70 m<sup>2</sup> for a one-bedroom unit;
- (iii) 80 m<sup>2</sup> for a two-bedroom unit;
- (iv) 120 m<sup>2</sup> for a three-bedroom unit.

(k) **Recreational Space**

- (i) a minimum of 1.5m<sup>2</sup> per dwelling unit of indoor recreational amenity area shall be provided; and
- (ii) a minimum of 1.5m<sup>2</sup> per dwelling unit of outdoor open space shall be provided.

**SECTION 37**

Matters which are to be provided pursuant to Section 37 of the *Planning Act* R.S.O. 1990, as amended, in order to permit the increased maximums in gross floor area authorized under paragraph (m) of this exception are:

- (l) The owner of the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* R.S.O. 1990, as amended, to secure the facilities, services and matters referred to below, which agreement or agreements shall be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms hereinafter set out in exchange for the increased height and density hereinafter set out.
- (m) Additional residential gross floor area permitted on the lands shown on Schedule "RM6(136)" shall be limited to the following:
  - (i) Additional gross floor area to a maximum of 6,700 m<sup>2</sup> may be permitted subject to the owner providing funds satisfactory to the Chief Financial Officer and Treasurer of the City to construct a 1670 m<sup>2</sup> community centre fully finished, fixtured and furnished;
  - (ii) Notwithstanding paragraph (j) the number of units may be increased to 660 units; and
  - (iii) Notwithstanding paragraph (h), the building height may be increased to 87 metres and 32 storeys.

**SEVERANCE**

- (n) Notwithstanding any severance, partition or division of the site as shown on Schedule "RM6(136)", the provisions of this By-law shall apply to the whole of the site as if no severance, partition or division occurred."

5. Section 64.20-A of By law No. 7625 is amended by adding Schedule "RM6(136)" attached to this by-law.

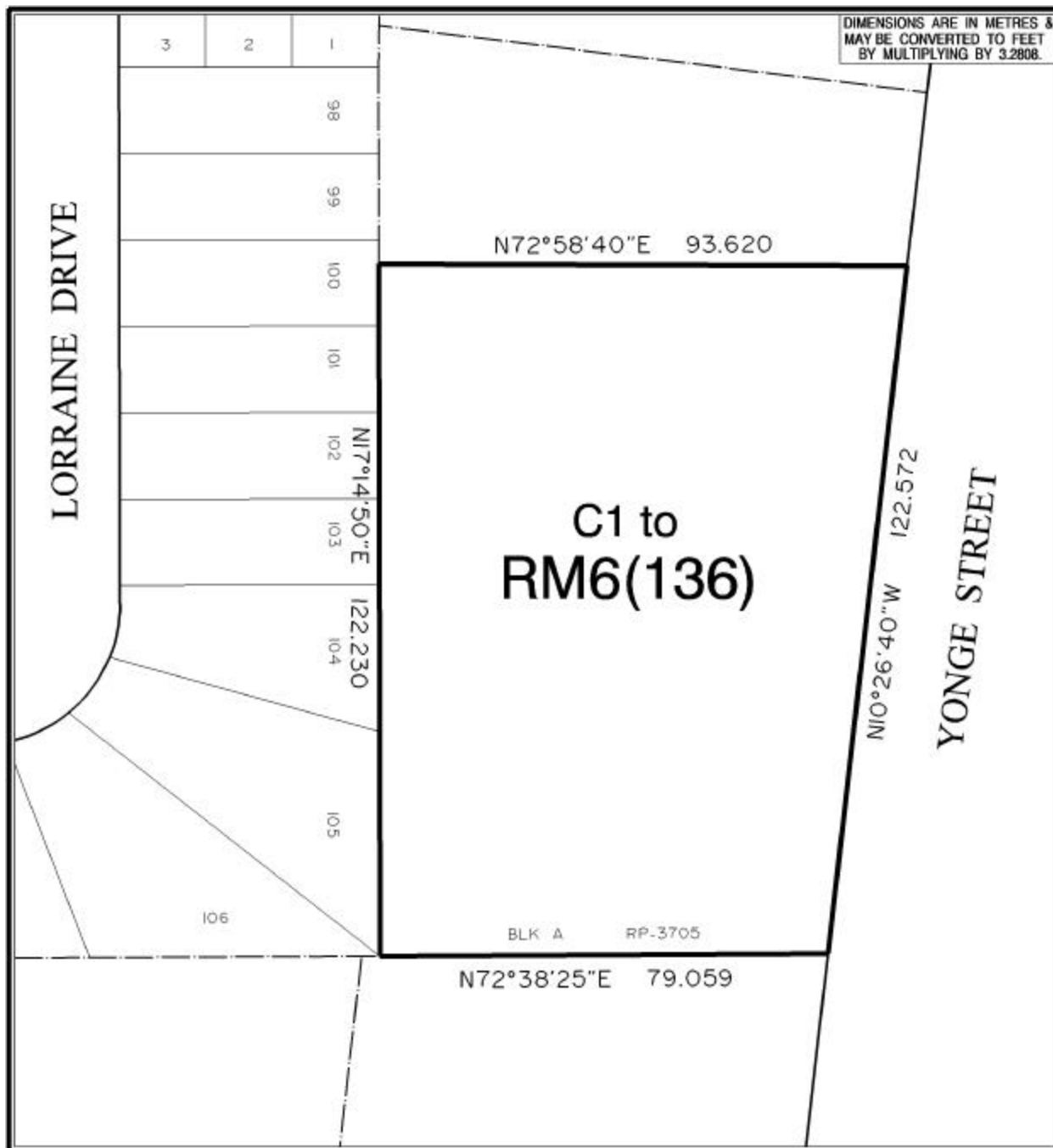
ENACTED AND PASSED this 24th day of September, A.D. 2003.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

## SCHEDULE "1"



This is Schedule " 1 " to By-Law \_\_\_\_\_  
passed the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

(Sgd.)

CLERK

(Sgd.)

MAYOR



Location: Part of Block A, Registered Plan 3705, City of Toronto

File: TB ZBL 2002 0006

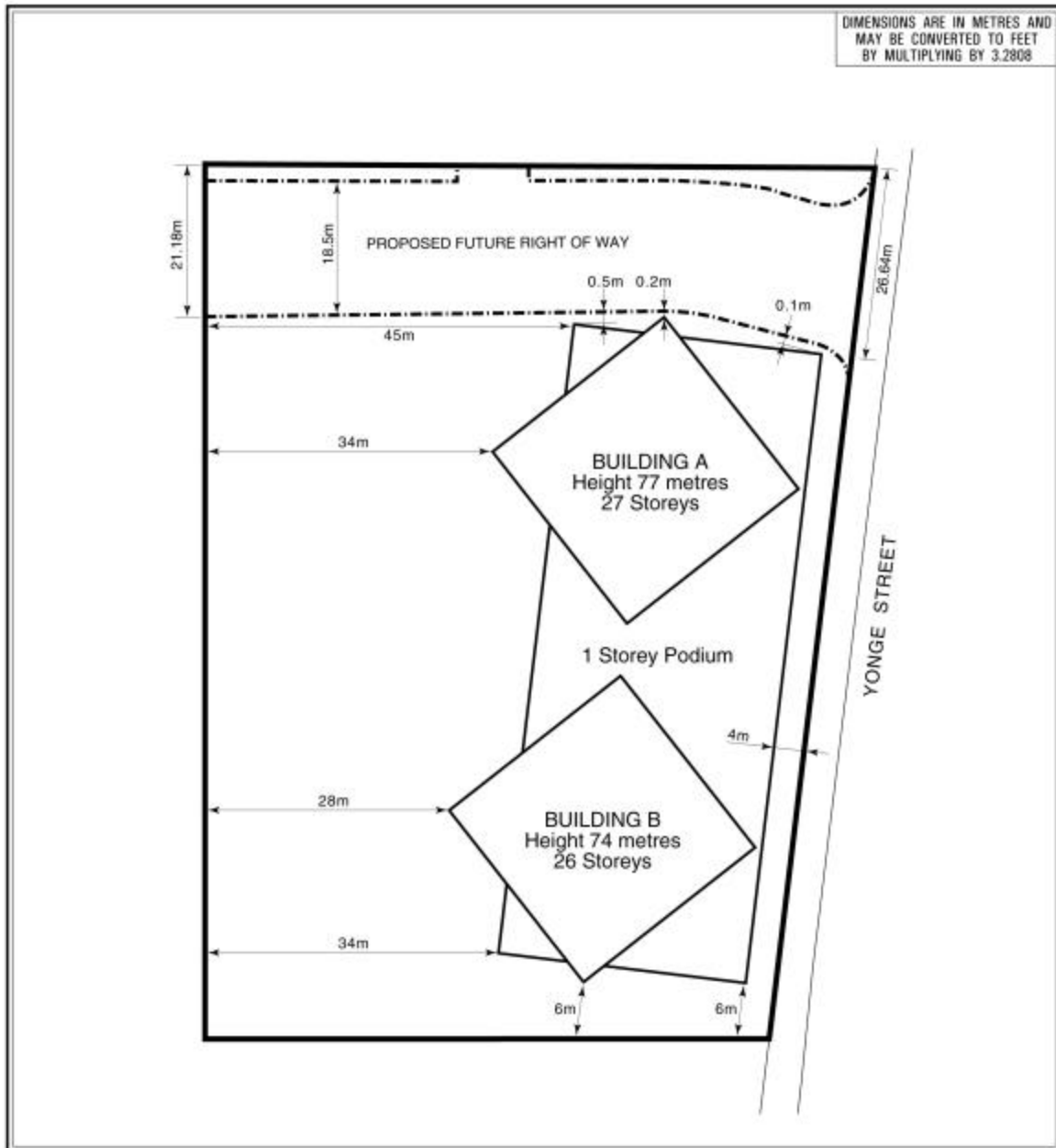
Prepared by: A.K.

Approved by: D.G.

Date: May 22, 2003

Filename: RM6(136)\_1

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.

**SCHEDULE "RM6(136)"**

This is Schedule " RM6(136) " to By-Law \_\_\_\_\_  
passed the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

(Sgd.)

CLERK

(Sgd.)

MAYOR



Location: Part of Block A, Registered Plan 3705, City of Toronto

File No. TB ZBL 2002 0006

Prepared by: A.K.

Approved by: D.G.

Date: May 28, 2003

Filename: RM6(136).ai

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.