

Authority: North York Community Council Report No. 6, Clause No. 13, as adopted by City of Toronto Council on July 22, 23 and 24, 2003, and Notice of Motion J(23), moved by Councillor Filion, seconded by Councillor Mammoliti, as adopted by City of Toronto Council on September 22, 23, 24 and 25, 2003
Enacted by Council: September 25, 2003

CITY OF TORONTO

BY-LAW No. 1001-2003

To amend former City of North York By-law No. 7625 in respect of lands municipally known as 25, 27, 29, 31, 33 and 35 Finch Avenue West, 8, 10, 12, 14, 26, 28, 30, 32 and 34 Lorraine Drive, 5, 7, 9 and 11 Blakeley Road, and 35 Lorraine Drive and 47 Horsham Avenue.

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*,

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

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedules “1”, “2” and “3” of this By-law.
2. Section 64.20-A of By-law No. 7625, as amended, is amended by adding the following subsection:

“64.20-A(139) RM6(139)

DEFINITIONS

APARTMENT HOUSE DWELLING

- (a) For the purpose of this exception, “apartment house dwelling” shall include, in addition to dwelling units having access only from an internal corridor system, guest suites and ground level dwelling units having access both from an internal corridor system and directly from the outside.

BICYCLE STORAGE SPACE

- (b) For the purpose of this exception, “bicycle storage space” shall mean an area below grade equipped with one or more bicycle racks or lockers for the purpose of parking and securing bicycles but not intended for general storage use, including any corridors used exclusively to access said racks or lockers.

ESTABLISHED GRADE

- (c) For the purpose of this exception, “established grade” shall mean the elevation as fixed by the City of the centre line of Finch Avenue West at the mid-point of the abutting net site lot line, being the geodetic elevation of 191.52 m.

GROSS SITE

- (d) For the purpose of this exception, “gross site” shall mean lots 4, 5, 6, 7, 8 and 9 of Registered Plan 3705, City of Toronto, save and except Parts 5, 6, 7, 8, 9 and 10 of Plan RS-749, and all of lots 85, 87, 89, 90, 91 92, 93, 94, 95, 96 and 97 of Registered Plan 3705, City of Toronto, comprising a total area of 11,670.0 m².

GROSS FLOOR AREA

- (e) 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 building used for mechanical floor area;
 - (ii) below grade space used exclusively for motor vehicle parking; and
 - (iii) the floor area of unenclosed residential balconies.

GUEST SUITE

- (f) For the purpose of this exception, “guest suite” shall mean a suite, other than a dwelling unit, that has no kitchen facilities and is available for use on a temporary basis as overnight accommodation for persons visiting residents of an apartment house dwelling.

MECHANICAL FLOOR AREA

- (g) For the purpose of this exception, “mechanical floor area” shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, such as heating, ventilation, air conditioning, electrical, plumbing, fire protection and elevator equipment.

NET SITE

- (h) For the purpose of this exception, “net site” shall mean the gross site minus lands conveyed to the City of Toronto for roads purposes and plus lands conveyed by the City of Toronto to regularize the west frontage, comprising an area of 6,416.5 m² and shown on Schedule “RM6(139)”.

SWIMMING POOL WALKOUT

- (i) For the purpose of this exception, “swimming pool walkout” shall mean a private walkout area adjacent to Lorraine Drive, shown on Schedule “RM6(139)”.

PERMITTED USES

- (j) The only permitted uses shall be apartment house dwellings and accessory uses including private recreational amenity areas.

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

- (k) The maximum gross floor area permitted on the net site shall not exceed 21,237 m².

NUMBER OF DWELLING UNITS

- (l) The maximum number of dwelling units shall be 511, of which a minimum of 25 per cent of the total number of dwelling units shall be subject to the following maximum floor area restrictions:
 - (i) 70 m² for a bachelor unit or a one-bedroom unit;
 - (ii) 80 m² for a two-bedroom unit;
 - (iii) 120 m² for a three-bedroom unit; or
 - (iv) any combination of the above.

GUEST SUITES

- (m) The maximum number of guest suites shall be 2.

BUILDING HEIGHT

- (n) The building height shall not exceed the maximum heights in metres and numbers of storeys shown on Schedule “RM6(139)”, excluding mechanical penthouses and stairwells to access the roof.

BUILDING ENVELOPE

- (o) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule “RM6(139)”, except for open balconies, roof overhangs, canopies and cornices, all of which may project to a maximum of 2.6 m beyond the building envelope where so denoted on Schedule “RM6(139)” and 1.6 m elsewhere, and except for decorative unenclosed structures which may be located anywhere outside the building envelope.

PARKING

- (p) Parking spaces shall be provided within the net site in accordance with the following requirements:
 - (i) a minimum of 1.0 parking spaces per dwelling unit, including 0.1 parking spaces per dwelling unit reserved for visitor use;
 - (ii) a maximum of 1.2 parking spaces per dwelling unit, including 0.1 parking spaces per dwelling unit reserved for visitor use.
- (q) No surface parking spaces shall be permitted.

LOADING

- (r) Two (2) loading spaces shall be provided on the net site, including 1 loading space in the northern 21-storey portion of the building and 1 loading space in the southern 21-storey portion of the building.

LOT COVERAGE

- (s) The maximum permitted building coverage is 56 per cent of the net site.

LANDSCAPING

- (t) A minimum of 2,400 m² of landscaping shall be provided on the net site.

PRIVATE OUTDOOR RECREATIONAL SPACE

- (u) A minimum of 1.5 m² per dwelling unit of private outdoor recreational space shall be provided on the net site.

YARD SETBACKS

- (v) The minimum yard setbacks shall be as shown on Schedule “RM6(139)”.

SWIMMING POOL WALKOUT

- (w) The surface of the swimming pool walkout shall be entirely below established grade.

PROVISIONS NOT APPLICABLE

- (x) The provisions of Sections 6A(8)(b) and 20-A.2.4.1 do not apply.

INCREASED DENSITY

- (y) Matters which are to be provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, in order to permit the increased maximums in gross floor area authorized under subsection (aa) of this exception are:

SECTION 37 AGREEMENT

- (z) 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* to secure the facilities, services and matters referred to below, which agreement or agreements may 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 satisfactory to the City of Toronto:
- (i) the conveyance to the City, for a nominal sum and free and clear of all tenancies, encumbrances and structures, of lands of total area approximately 5,260.0 m² for the Uptown Service Road and associated buffer area, Finch Avenue West road widening, and daylight triangle corner roundings, prior to March 1, 2004;
 - (ii) the conveyance to the City, for a nominal sum and free and clear of all tenancies, encumbrances and structures, of the property municipally known as 35 Lorraine Drive, being Part 1 on Plan 64R-16668, of approximate area 706.4 m², prior to March 1, 2004;
 - (iii) the conveyance to the City, for a nominal sum and free and clear of all tenancies, encumbrances and structures, of the property municipally known as 47 Horsham Avenue, being Part 1 of Plan 66R-20409, of approximate area 630.0 m², prior to September 15, 2004;
 - (iv) a minimum of 2.25 m² per dwelling unit of indoor bicycle storage space;
 - (v) a minimum of 1.5 m² per dwelling unit of indoor recreational amenity space, with such amenity space not to be located on the ground floor within 12 m of the Finch Avenue West right-of-way.

ADDITIONAL GROSS FLOOR AREA

- (aa) Notwithstanding subsection (k) of this exception, additional gross floor area may be permitted on the net site shown on Schedule “RM6(139)”, limited to the following:
- (i) a maximum gross floor area of 17,613 m² attributable to density taken from the gross site lands to be dedicated to the City for the Uptown Service Road and associated buffer area, Finch Avenue West road widening, and daylight triangle corner roundings; plus
 - (ii) a maximum gross floor area of 1,837 m² attributable to density transferred from the off-site property municipally known as 35 Lorraine Drive; plus
 - (iii) a maximum gross floor area of 1,638 m² attributable to density transferred from the off-site property municipally known as 47 Horsham Avenue; and
 - (iv) a maximum of 2.25 m² gross floor area per dwelling unit of indoor bicycle storage space, provided that no more than 1.5 m² per dwelling unit is used for bicycle rack or locker area(s) and provided further that no more than 0.75 m² per dwelling unit is used for access corridor to the bicycle rack or locker area(s);
 - (v) a maximum of 1.5 m² gross floor area per dwelling unit of indoor recreational amenity space, provided that the area is used exclusively for recreational purposes and provided further that such amenity space is not located on the ground floor within 12 m of the Finch Avenue West right-of-way.

SEVERANCE

- (bb) Notwithstanding any future severance, partition or division of the net site shown on Schedule “RM6(139)”, the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred”.
3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule “RM6(139)” attached to this By-law.
 4. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

“64.13(70) R4(70)

EXCEPTION REGULATIONS

- (a) The maximum gross floor area shall be 0.0 m².”

5. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

“64.13(71) R4(71)

EXCEPTION REGULATIONS

- (a) The maximum gross floor area shall be 0.0 m²”.

ENACTED AND PASSED this 25th day of September, A.D. 2003.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

DIMENSIONS ARE IN METRES &
MAY BE CONVERTED TO FEET
BY MULTIPLYING BY 3.2808.

42 40 38 36 30 28 26 24 18

FINCH AVENUE WEST

35 33 31 29 27 25

**R4 & R4(20)
to
RM6(139)**

5 7 9 11

8 10 12 14

34 32 30 28 26

43 41 4 6 8 10 42 40

19 17 15 7 9 11 15 17 19 21 23


41 39 37 35 33 31 29 27 25

BLAKELEY ROAD

LORRAINE DRIVE



Survey measurements and bearings are provided for all boundaries and internal divisions. For example, the top boundary of the central block is N72°52'10"E 91.478m. The left boundary is N17°07'15"W 56.06m. The right boundary is N17°06'00"W 138.38m. The bottom boundary is N72°52'40"E 82.281m. Internal lot boundaries are also specified with bearings and distances.

Curved boundary measurements at the bottom corners are provided:
 Bottom-left: A=7.18m, R=4.572m, C=6.47m, N62°07'20"W
 Bottom-right: A=7.18m, R=4.572m, C=6.47m, N27°53'20"E

<p>This is Schedule " 1 " to By-Law _____</p> <p>passed the _____ day of _____, 20____</p>		 Toronto City Planning Division (Public Consultation)		
(Sgd.) _____ CLERK	(Sgd.) _____ MAYOR			
Location: Finch Avenue West & Lorraine Drive				
File: TB ZBL 2002 0014	Prepared by: F. L.	Approved by: C. C.	Date: June 26, 2003	Filename: RM6(139)



SCHEDULE "2"

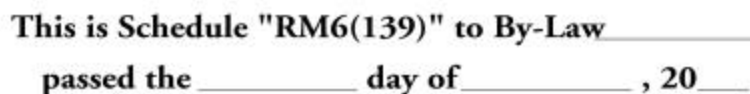
40		BLAKELEY ROAD	34	32	30	28	DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.	
LORRAINE DRIVE								
N72°52'40"E 18.59m								
	39	37	35	33	31			
			R4 to R4(70)					
			N17°07'20"W 38.03m	N17°07'20"W 37.96m				
			N72°39'50"E 18.59m					

This is Schedule " 2 " to By-Law _____				 City Planning Division North District	
passed the _____ day of _____, 20 ____					
(Sgd.) _____		(Sgd.) _____		 SUBJECT PROPERTY	
CLERK		MAYOR			
Location: 35 Lorraine Drive					
File: TB ZBL 2002 0014	Prepared by: F. L.	Approved by: C. C.	Date: June 26, 2003	Filename: R4(70)	
<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>					

SCHEDULE "3"

<small>DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.</small>							
56	54	52	50	44	38	36	
HORSHAM AVENUE							
N72°44'20"E							
	55	49	<div style="border: 1px solid black; padding: 5px; text-align: center;"> 15.24M 47 R4 to R4(71) 15.24M </div>	45	41	37	
N17°36'55"W 41.326M				N17°36'55"W 41.351M			
N72°50'00"E							

This is Schedule " 3 " to By-Law _____ passed the _____ day of _____, 20 ____				 <small>City Planning Division North District</small>	
(Sgd.) _____ CLERK		(Sgd.) _____ MAYOR			
Location: 47 Horsham Avenue					 SUBJECT PROPERTY
File: TB ZBL 2002 0014	Prepared by: F. L.	Approved by: C. C.	Date: June 26, 2003	Filename: R4(71)	
<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>					



MAYOR

Filename: RM6(139).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.

