

CITY OF TORONTO

BY-LAW No. 394-2011(OMB)

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 100 to 128 Howland Avenue.

WHEREAS the Ontario Municipal Board pursuant to its Orders dated November 18, 2010 and March 3, 2011, upon hearing the appeal of Royal St. George's College, under Section 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the former City of Toronto Zoning By-law;

THEREFORE the Zoning By-law of the former City of Toronto is amended as follows:

1. None of the provisions of Section 2(1) pertaining to the definitions of *lot* and *height*, 4(2)(a), 4(5)(i)(ii), 6(1)(a), 6(2) 15, 6(2) 21 (i), 6(2) 21 (iv), 6(2) 21 (v), 6(2) 21 (vi), 6(3) PART I 1, 6(3) PART II 2, 6(3) PART II 3, 6(3) PART II 4, 6(3) PART II 5, 6(3) PART II 6, 6(3) PART II 7, 6(3) PART II 8, 6(3) PART III 1 (a), 6(3) PART III 3 (a), 6(3) PART IV 1(e) and 6(3) PART IX 1(b) of Zoning 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 apply to prevent the erection and use of a *private academic, philanthropic or religious school* and *accessory* uses, including buildings which are existing on the *lots* on the day of enactment of this By-law, on the lands shown on Map 1 attached to and forming part of this By-law, provided:
 - (1) the *lots* comprise those lands delineated by heavy lines on Map 1 attached hereto;
 - (2) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the heavy lines on Map 1 except outdoor terraces, eaves, canopies and cornices;
 - (3) the *height* of any building to be erected shall not exceed those *heights* shown on Map 2 exclusive of rooftop facilities, elements and structures otherwise permitted in Section 4(2)(a)(i) of By-law No. 438-86, as amended;
 - (4) the total *non-residential gross floor area* of all buildings or structures on the *lot* labelled as "Royal St. George's College" on Map 1 does not exceed 10,877 square metres;
 - (5) the total *non-residential gross floor area* of all buildings or structures on the *lot* labelled as "Royal St. George's College" on Map 1 does not exceed 1.18 times the area of the *lot*;
 - (6) the minimum building *setbacks* shall not be less than the measurements shown on Map 1 attached hereto, and shall be measured from the main walls of the building;
 - (7) the *landscaped open space* of the *lot* labelled as "Royal St. George's College" on Map 1 is not less than 36% of the area of the *lot* labelled "Royal St. George's College" on Map 1;

- (8) the maximum number of *parking spaces* provided is 44: not more than 34 *parking spaces* below grade level, two of which may be compact parking spaces not less than 5 meters in length, and not more than 10 *parking spaces* at grade level;
- (9) the maximum number of *parking spaces* provided under the Parking Maximization Plan for Special Events is 89: not more than 34 *parking spaces* below grade level, two of which are compact parking spaces not less than 5 meters in length, not more than 49 *parking spaces* at-grade level, and not more than 6 *parking spaces* allocated to the on-site lay-by;
- (10) the Parking Maximization Plan for Special Events (using portions of the grounds where parking would otherwise not be permitted) not be limited to school events;
- (11) no portion of any *parking station* is located otherwise than wholly within the dashed lines on Map 1 and access to this *parking station* may be provided by an access driveway between the buildings identified on Map 1 as 128 Howland Avenue and Junior School, with a width of no less than 3.03 metres;
- (12) vehicular access to the *parking garage* will be via a reversible, one-way ramp from Albany Avenue. The operation of the ramp will be controlled by a specialized signal system and will 'rest' on inbound green in order to minimize any conflicts with other school traffic. The driveway width is 3.5 metres for one-way operation;
- (13) the enrolment of full-time equivalent students does not exceed 447 students in attendance on the campus at any one time; and
- (14) the school grounds and buildings shall be used only for school purposes and *accessory* uses to the school use and the rental of facilities for cultural, arts and sports events will be limited to events which are local in nature or for the purposes of resident and ratepayer groups.

2. For the purposes of this By-law:

- (1) "*lot*" is defined as in Section 2(1) of By-law No. 438-86, as amended, except the buildings erected or to be erected need not be assigned a defined part of the parcel; and
- (2) each other word or expression which is italicized in this By-law has the same meaning as each such word or expression contained in By-law No. 438-86, as amended.

3. The density of development and height of development permitted by Section 1 of this By-law is permitted subject to compliance with the conditions set out therein and in return for the provision by the *owner* of the Site of the following facilities, services or matters to the City of Toronto, being that the *owners*:

- (a) implement the Transportation Demand Management Plan prepared by BA Consulting Group Ltd. dated March 2005 (revised July 2008) to the satisfaction of the General Manager of Transportation Services and Chief Planner and Executive Director of City Planner;
- (b) enter into and register a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the City which will provide:
 - i. permanent protection for the three heritage buildings (100, 112 and 120 Howland Avenue);
 - ii. a Conservation Plan for the heritage buildings, detailing interventions and conservation work, to the satisfaction of the Manager, Heritage Preservation Services, which impacts the exterior of the buildings listed in the City's Inventory of Heritage Properties; and
 - iii. financial security in an amount and form satisfactory to the Chief Planner and Executive Director of City Planning to provide for the securing and stabilization of the heritage buildings and to implement the Conservation Plan.
- (c) submit a final detailed Landscape Plan to the satisfaction of the Manager, Heritage Preservation Services;
- (d) provide a comprehensive program for new signage, including, but not limited to: wayfinding, heritage interpretive plaques, site maps, safety and security, parking and other prohibitions, loading, building names, and building entrances to the satisfaction of the Manager, Heritage Preservation Services;
- (e) enter into one or more agreements, pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters referred to in subsections (a) and (b) above and such agreement or agreements are appropriately registered against the title of the Lands;
- (f) construct using materials to the satisfaction of the Chief Planner and Executive Director of City Planning; and
- (g) undertake the excavation and construction of the underground parking garage to the satisfaction of the Chief Building Official.

PURSUANT TO DECISIONS/ORDERS OF THE ONTARIO MUNICIPAL BOARD ISSUED ON NOVEMBER 18, 2010 AND MARCH 3, 2011 IN BOARD CASE NO. PL050662.



