

CITY OF TORONTO

BY-LAW No. 395-2011(OMB)

To amend City of Toronto Zoning By-law No. 1156-2010, as amended, 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 Zoning By-law for the City of Toronto, being By-law No. 1156-2010, as amended;

THEREFORE the Zoning By-law for the City of Toronto, being By-law No. 1156-2010, as amended, is amended as follows:

1. The Zoning By-law Map is amended to show the zone and zone label for the lands delineated by heavy lines, all in accordance with Diagram 1 attached to this By-law.

2. Article 900.33.10 is amended by adding exception IS (54) as follows:

(54) Exception IS 54 100 to 128 Howland Ave - Royal St. Georges College.

(A) None of the provisions of 80.40.40.40(1) - Floor Area, 80.40.50.10(1)(A) Landscaping When Lot Contains a School, 80.40.80.1(1)(A) - School Parking Lots, 80.40.40.10(1) School - Height, 230.80.1.10(1)(A)(i) - Public School, Private School - Bicycle Parking Spaces, 230.80.1.10(1)(B)(i) - Public School, Private School - Bicycle Parking Spaces, 80.5.100.10(4)(B) - Non-Residential Parking Areas adjacent to a Lot in a Residential Zone Category, 80.5.100.10(4)(C) Non-Residential Parking Areas adjacent to a Lot in a Residential Zone Category, 80.40.80.20(1) - Parking Area Setbacks, 80.5.80.30(2) - Parking Restriction When Abutting Residential, 80.40.80.1(1)(B) - School Parking Lots, 5.10.50.10(1) - Landscaping, 80.5.80.40(1)(A) - Drive Aisle Width, 200.5.1.10(2)(B)(i) and (iii) - Parking Space Dimensions - Minimum, 200.5.1.10(12)(A) - Vehicle Access to Building - Non-Residential and Apartment Parking Area, 200.5.10.1 and Table 200.5.10.10 - Parking Rates respecting the maximum rate for **private schools** set out in the Table at (A)(ii), 220.20.1(1) and (2) - Loading Requirements for Heritage Sites and Additions or Alterations to Heritage Sites, 80.40.30.40(1) - Coverage, 80.40.40.70(1) - Setbacks, 80.40.150.1 - Waste, 150.50.30.40(1) - Lot Coverage, 150.50.30.200(1) and (2) - Maximum Lot Area Exemption and Maximum Lot Coverage Exemption and 800.50(310) - Definition of gross floor area of this By-law, shall apply to prevent the conversion and use of one or more **buildings** in conjunction with the existing **private school** including an **ancillary parking structure** and uses **ancillary** thereto on the **lot**, if there is compliance with the following:

- (i) the **lot** consists of at least the lands delineated by dashed lines on Diagram 1 of By-law No. 395-2011(OMB);
- (ii) the above ground portion of all **buildings** or **structures** must be located within the dashed lines on Diagram 1 of By-law No. 395-2011(OMB), except outdoor terraces, eaves, canopies and cornices;

- (iii) the height of any **building** to be erected must not exceed those heights shown on Diagram 2 of By-law No. 395-2011(OMB), for the applicable parts of the building, exclusive of rooftop facilities, elements and structures otherwise permitted in Chapter 5.10.40.10(3) to (6) of this By-law;
- (iv) the total gross floor area of all **buildings** or **structures** on the portion of the **lot** labelled as "Royal St. George's College" on Diagram 1 of By-law No. 395-2011(OMB), must not exceed 10,877 square metres;
- (v) the total gross floor area of all **buildings** or **structures** on the portion of the **lot** labelled as "Royal St. George's College" on Diagram 1 of By-law No. 395-2011(OMB), must not exceed 1.18 times the area of the **lot**;
- (vi) the minimum **building setbacks** must not be less than the measurements shown on Diagram 1 of By-law No. 395-2011(OMB), and shall be measured from the **main walls** of the **buildings**;
- (vii) a minimum of 36% of the area labelled as "Royal St. George's College" on Diagram 1 of By-law No. 395-2011(OMB), must be used for **landscaping**;
- (viii) except as permitted in (ix), the maximum number of **parking spaces** permitted is 44, and of those:
 - (a) a maximum of 34 **parking spaces** may be below ground level;
 - (b) a maximum of 2 **parking spaces** may be compact **parking spaces**, with a length less than 5.6 metres but not less than 5 metres; and
 - (c) a maximum of 10 **parking spaces** may be located at ground level, and must be entirely located within the dashed lines on Diagram 1 of By-law No. 395-2011(OMB);
- (ix) the maximum number of **parking spaces** provided under the Parking Maximization Plan for Special Events is 89, and of those:
 - (a) a maximum of 34 **parking spaces** may be below ground level;
 - (b) a maximum of 2 parking spaces may be compact **parking spaces**, with a length less than 5.6 metres but not less than 5 metres; and
 - (c) a maximum of 49 **parking spaces** may be located at ground level; and
 - (d) a maximum of 6 **parking spaces** may be located in the on-site lay-by;

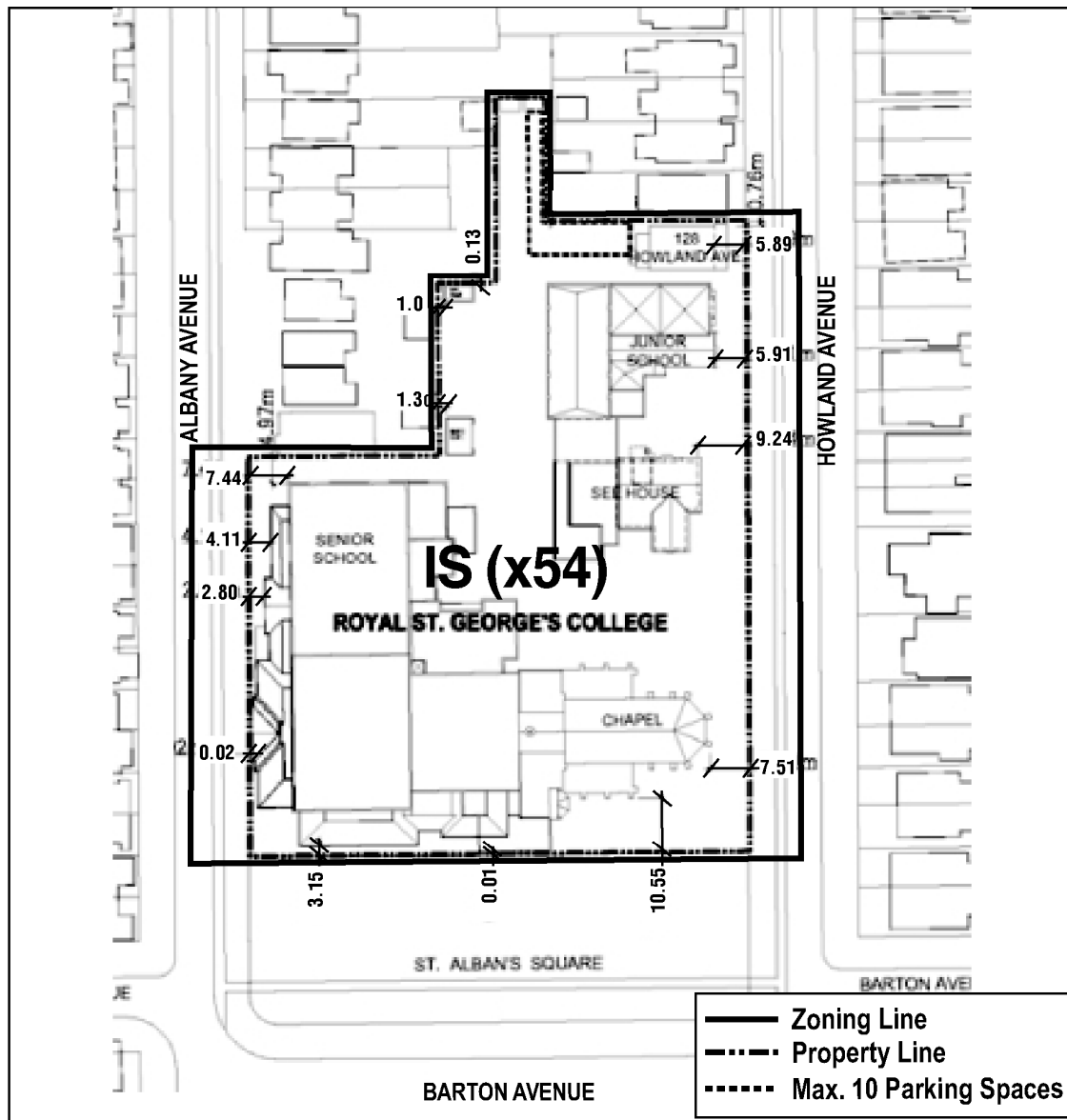
- (x) despite 80.5.80.30(1), the 49 **parking spaces** permitted to be located at ground level under the Parking Maximization Plan for Special Events in (ix) above, may be located in an area used for **landscaping** and/or in the **front yard** and can reduce the amount of required area identified in (vii) above;
- (xi) a **parking space** is permitted to be located at a 0.0 metre setback from a **lot** in a Residential Zone Category;
- (xii) those portions of the surface parking area located in the **rear yard** or **side yard** are not required to have a fence constructed along the abutting residential property line;
- (xiii) vehicular access to the underground parking garage must be via a reversible, one-way ramp from Albany Avenue. The operation of the ramp must be controlled by a specialized signal system and will 'rest' on inbound green in order to minimize any conflicts with other school traffic. A minimum **driveway** width of 3.5 metres for one-way operation is permitted;
- (xiv) a **drive aisle** providing access to **parking spaces** that are at 90 degrees to the centreline of the **drive aisle** may have a minimum width of 5.5 metres;
- (xv) a **parking space** accessed by a **drive aisle** having a width of not less than 5.5 metres may have a minimum width of 2.6 metres;
- (xvi) only one **loading space** is required;
- (xvii) a 1.5 metres wide **soft landscaping** strip is not required between the area used for the parking or storage of **vehicles** and a **lot line**;
- (xviii) a 1.5 metres wide **soft landscaping** strip is not required along the **rear lot line** or **side lot lines**;
- (xix) no long-term and no short-term **bicycle parking spaces** are required;
- (xx) the enrolment of full-time equivalent students does not exceed 447 students in attendance on the campus at any one time;
- (xxi) the school grounds and **buildings** must be used only for school purposes and **ancillary** uses to the **private school** use and the rental of facilities for cultural, arts and sports events is limited to events which are local in nature or for the purposes of resident and ratepayer groups;
- (xxii) all waste must be stored in a wholly enclosed **building**; and

- (xxiii) pursuant to Section 37 of the *Planning Act*, the height and density of the development is permitted to increase beyond that otherwise permitted on the lands by this By-law and in return the owner shall, at its sole expense, provide the City with the facilities, services and matters set out in By-law No. 395-2011(OMB) and enter into an agreement with the City respecting such facilities, services and matters. The agreement shall be registered on title to the lands as a first charge at the owner's sole expense, and such agreement and registration shall be to the satisfaction of the City Solicitor.
- (B) Despite any severance, partition or division of the lands delineated by dashed lines on Diagram 1 of By-law No. 395-2011(OMB), the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.
- (C) Definitions:
- (i) for the purpose of this Exception, the following definitions shall apply:
- (a) "grade" shall mean an elevation of 117.85 metres Canadian Geodetic Datum;
- (b) "gross floor area" shall mean the aggregate of the areas of each floor and the spaces occupied by walls and stairs, above or below grade, of a **building** measured between the exterior faces of the exterior walls of the **building** or **structure** at the level of each floor, exclusive of the following areas:
- (i) a room or enclosed area, including its enclosing walls, within the **building** or **structure** above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical (other than escalators) or telecommunications equipment that service the building;
- (ii) loading facilities above or below grade required by this by-law;
- (iii) a part of the **building** or **structure** below grade that is used for the parking of motor vehicles or bicycles, storage or other ancillary use; and
- (iv) a part of the building or structure below grade that was erected and used for one or more non-residential use permitted by By-law No. 438-86 on the lot on January 31, 1976.

- (c) "height" shall mean the vertical distance between grade and the highest point of the building or structures, exclusive of rooftop facilities, elements and structures otherwise permitted in Chapter 5.10.40.10(3) to (6) of this By-law.
- 3. Pursuant to Section 37 of the *Planning Act*, the height and density of development permitted on the land by this By-law, are permitted in return for the provision by the Owner of facilities, services and matters to the City at the Owner's sole expense:
 - (A) The Owner enters into one or more agreements with the City pursuant to Section 37 of the *Planning Act* which shall be registered on title to the land by the City to secure the facilities, services and matters required to be provided by this subsection and consents to the registration of such agreement or agreements against title to the site:
 - (i) 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;
 - (ii) implement the Construction Management Guidelines prepared by Royal St. George's College dated October 25, 2007 to the satisfaction of the General Manager of Transportation Services and Chief Planner and Executive Director of City Planner;
 - (iii) enter into and register a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the City which will provide:
 - (a) permanent protection for the three heritage buildings (100, 112 and 120 Howland Avenue);
 - (b) 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
 - (c) 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;
 - (iv) undertake streetscape and landscape improvements as shown on Landscape Plans date stamped as received on September 8, 2005;
 - (v) submit a final detailed Landscape Plan to the satisfaction of the Manager, Heritage Preservation Services;

- (vi) undertake the excavation and construction of the underground parking garage to the satisfaction of the Chief Building Official;
- (vii) construct using materials to the satisfaction of the Chief Planner and Executive Director of City Planning; and
- (viii) 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.

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



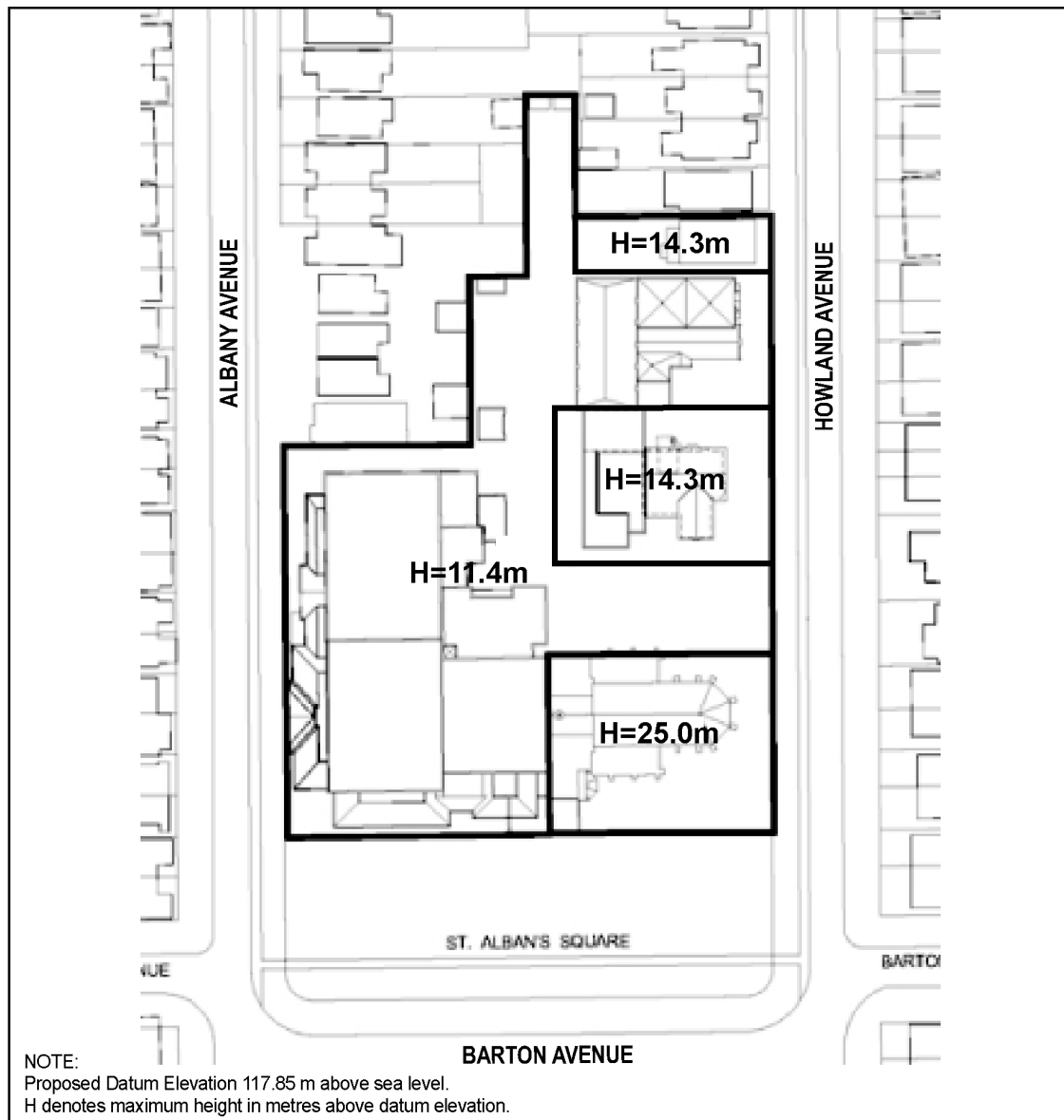
Toronto City Planning
Diagram 1

100-128 Howland Avenue

File # 04_104605



City of Toronto By-Law 1156-2010
 Not to Scale
 01/19/2011



Toronto City Planning
Diagram 2

100-128 Howland Avenue

File # 04_104605



City of Toronto By-Law 1156-2010
Not to Scale
02/08/2011