CITY OF TORONTO

BY-LAW No. 1129-2011

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands at the northwest corner of the intersection of Dufferin Street and McAdam Avenue (0 Dufferin Street).

WHEREAS authority is given to Council by Section 34 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 hereby amended in accordance with Schedule 1 of this By-law.

2.   Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (192) RM6 (192)

DEFINITIONS

APARTMENT HOUSE DWELLING

(a)   For the purposes of this exception, "apartment house dwelling" shall include, in addition to dwelling units having access only from an internal corridor system, ground level dwelling units having access directly from the outside or from an internal corridor system or any combination thereof.

CAR-SHARING

(b)   For the purposes of this exception, "car sharing" shall mean the practice of multiple people sharing the use of one or more vehicles owned by a profit or non-profit car-sharing organization and to use a car-sharing vehicle, a person must meet the membership requirements of the car-sharing organization, including the payment of membership fees that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven.

CAR-SHARING PARKING SPACE

(c)   For the purposes of this exception, "car-sharing parking space" shall mean a parking space exclusively for a car used only for car-sharing purposes and such vehicle is accessible to resident and non-resident car-sharing members at all times.

ESTABLISHED GRADE

(d)   For the purposes of this exception, "established grade" shall mean the elevation as fixed by the municipality of the center line of the street at the midpoint of the front lot line, being the geodetic elevation of 189.99m.

GROSS FLOOR AREA

(e)   For the purposes 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 enclosed balconies, but excluding:

    a.   any part of the building used for Mechanical Floor Area;

    b.   any space used for motor vehicle access or parking; and

    c.   the floor area of unenclosed residential balconies.

PERMITTED USES

(f)   The only permitted uses shall be:

    RESIDENTIAL

    Apartment House Dwellings and accessory uses thereto including private recreation and amenity areas

    NON-RESIDENTIAL

    Business and professional office
    Banks and financial institutions
    Retail store
    Service shop
    Personal service shop

    All non-residential uses shall be restricted to the ground floor and below grade levels.

EXCEPTION REGULATIONS

DWELLING UNITS

(g)   The maximum number of dwelling units shall be 87.

LOT COVERAGE

(h)   The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply.

SETBACKS

(i)   The minimum yard setbacks for buildings and structures above Established Grade shall be shown on Schedule "RM6(192)".

(j)   Notwithstanding (i) above, the minimum setback for the ground floor of the envelope identified as "Building A" on Schedule "RM6(192)" shall be 1.0m from any property line abutting Dufferin Street or McAdam Avenue.

(k)   Notwithstanding (i) above, open balconies and cornices located at a height greater than the first floor ceiling joists shall be permitted to project not more than 1.8m into the minimum yard setbacks.

(l)   Notwithstanding (i) above, the minimum yard setbacks for parking structures, and structures associated thereto below Established Grade shall be 0.0m.

GROSS FLOOR AREA

(m)   The maximum Gross Floor Area permitted shall be 8,720m^2, provided that a minimum of 200m^2 shall be for non-residential uses at grade with direct pedestrian access to Dufferin Street.

BUILDING HEIGHT

(n)   The building height shall not exceed the maximum building heights in metres above Established Grade as shown on Schedule "RM6(192)".

(o)   One storey roof access enclosures and mechanical rooms shall be permitted to exceed the noted height limit on Schedule "RM6(192)".

(p)   Notwithstanding (n) and (o) above, the height above Established Grade of any portion of the building or structure within the envelope identified on Schedule "RM(192)" as "Building A" shall not exceed the horizontal distance between the building and the west property line.

LANDSCAPING

(q)   The provisions of Section 15.8 (Landscaping) shall not apply.

(r)   A minimum 1.5m landscape strip containing suitable fencing and vegetation shall be provided along any property line abutting an R5 Zone.

(s)   Notwithstanding (r) above, access stairs and ventilation shafts for the underground parking garage shall be permitted within the required landscape strip.

RESIDENTIAL AMENITY AREA

(t)   A minimum of $1.5m^2$ per dwelling unit of indoor amenity space shall be provided.

(u)   A minimum of $1.5m^2$ per dwelling unit of outdoor amenity space shall be provided.

PARKING

(v)   Parking for residential uses within the site shall be provided in accordance with the following:

   i.   A minimum of 1.1 parking spaces for any Apartment House Dwelling unit contained within the envelope identified as "Building A" on Schedule "RM6(192)".

   ii.   A minimum of 1.35 parking spaces for any Apartment House Dwelling unit contained within the envelope identified as "Building B" on Schedule "RM6(192)".

   iii.   A minimum of 0.2 parking spaces per residential dwelling unit designated for visitors of which a maximum of 25% may be used for parking for non-residential uses.

   iv.   A minimum of 1 space per $56m^2$ of non-residential uses.

(w)   A maximum of one Car-Sharing Parking Space shall be provided and maintained for use by resident and non-resident Car-Sharing members.

(x)   Notwithstanding subsection (v) above, for each Car-Sharing Parking Space provided, the minimum number of parking spaces required for residents shall be reduced by 4 parking spaces.

LOADING

(y)   One loading space with a minimum length of 11 metres and a minimum width of 3.6 metres and a minimum vertical clearance of 4.2 metres shall be provided.

EXCLUSIONS

(z)   The provisions of Section 6A(8) (c) and (d) (Parking regulations for RM Zones Other Than RM2 Zones) shall not apply.
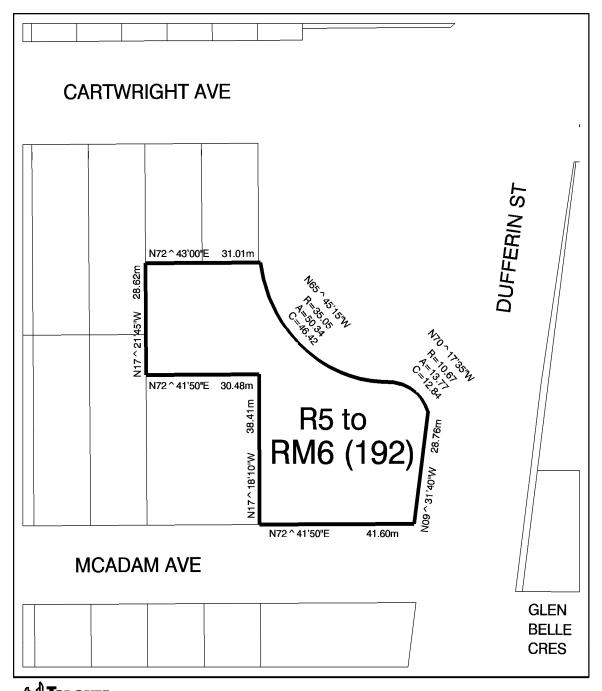
DIVISION OF LANDS

(aa)   Notwithstanding any severance, partition or division of the lands shown on Schedule "RM6(192)", the regulations of this exception shall continue to apply to the whole of the lands as if no severance, partition or division had occurred.

3.   Within the lands shown on Schedule "RM6(192)" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

(a)   all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and

(b)   all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this 22nd day of September, A.D. 2011.

FRANCES NUNZIATA,   ULLI S. WATKISS,
            Speaker   City Clerk

(Corporate Seal)

CARTWRIGHT AVE

DUFFERIN ST

N72 ^ 43'00"E   31.01m

28.62m

N17 ^ 21'45"W

N65 ^ 45'15"W
R=35.05
A=50.34
C=46.42

N70 ^ 17'35"W
R=10.67
A=13.77
C=12.84

N72 ^ 41'50"E   30.48m

38.41m

N17 ^ 18'10"W

**R5 to
RM6 (192)**

28.76m

N09 ^ 31'40"W

N72 ^ 41'50"E   41.60m

MCADAM AVE

GLEN
BELLE
CRES

TORONTO City Planning

Schedule 1

DUFFERIN STREET

BUILDING
A
H=27.5m

H=9.5m

BUILDING
B
H=9.5m

McADAM AVENUE

1.5m

1.5m

1.5m

1.5m

5.3m

8.1m

H=21.2m

2.75m

9.5m

7.5m

7.5m

14.7m

1.5m

H denotes maximum height in metres, measured
from Established Grade to the top of residential roof.

TORONTO City Planning

Schedule RM6(192)

File # 08_224263

Not to Scale

Applicant's Submitted Drawing

Date: 04/08/2010
Approved by: C.V.