

Authority: Ontario Municipal Board Order issued on May 31, 2012, in Board File No. PL071106

CITY OF TORONTO

BY-LAW No. 66-2014(OMB)

To amend former City of North York Zoning By-law No. 7625 in respect of lands municipally known as 2737 Keele Street.

Whereas authority is given to the Ontario Municipal Board by Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas the Ontario Municipal Board, pursuant to its Decision/Order dated May 31, 2012 has determined to amend By-law No. 7625 of the former City of North York;

Therefore, By-law No. 7625 of the former City of North York is further amended by the Ontario Municipal Board as follows:

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 1 of this By-law.
2. Section 64.23 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

"64.23 (128) C1(128)

DEFINITIONS

- (a) For the purpose of this exception, the following definitions will apply:
 - (i) **Established Grade** means a geodetic elevation of 184.00 metres above sea level.

USES PERMITTED

- (b) All of the uses in the "C1" zone are permitted, except:
 - (i) Car Rental Agencies;
 - (ii) Car Washing Establishments;
 - (iii) Crisis Care Facilities;
 - (iv) Day Nurseries;
 - (v) Fraternity and Sorority Houses;
 - (vi) Funeral Establishments;
 - (vii) Gasoline Stations and Accessory Uses;
 - (viii) Hotels;
 - (ix) Motels;
 - (x) Motor Vehicle Dealership;
 - (xi) Places of Worship;
 - (xii) Service Stations and Accessory Uses; and
 - (xiii) Theatres.

USE QUALIFICATIONS

- (c) Non-residential uses shall be permitted only on the ground floor or below established grade of Building A or on the ground floor of Building B.
- (d) The provisions of Section 20.2 Dwellings, Apartment House shall not apply.
- (e) Outdoor residential recreational amenity areas associated with Apartment House Dwellings may be located on balconies or roof top terraces.

EXCEPTION REGULATIONS

AREA REQUIREMENTS

- (f) The provisions of Section 23.2 Area Requirements shall not apply.

YARD SETBACKS

- (g) The minimum yard setbacks for buildings and structures above established grade shall be as shown on Schedule C1(128).
- (h) Notwithstanding (g) above, the minimum yard setbacks for walls or structures utilized for the screening of loading areas shall be 0.0 metres.
- (i) Notwithstanding (g) above, Section 6.9 of By-law No. 7625 shall apply.

DISTANCE BETWEEN BUILDINGS AND/OR PORTIONS OF BUILDINGS FORMING COURTS

- (j) The minimum separation distance between building faces for Building B above the fourth storey shall be as shown on Schedule C1(128), and the minimum separation distance between balcony faces shall not be less than 10.5 metres.

DWELLING UNITS

- (k) A maximum of 240 dwellings units shall be permitted in Building A.
- (l) A maximum of 200 dwelling units shall be permitted in Building B.

GROSS FLOOR AREA

- (m) The maximum Gross Floor Area shall be 41,000 square metres for Building A.
- (n) The maximum Gross Floor Area shall be 16,000 square metres for Building B.

BUILDING HEIGHT

- (o) The maximum building height shall be the lesser of 10 storeys and 39.9 metres for Building A.
- (p) The maximum building height shall be the lesser of 10 storeys plus mechanical penthouse and 30.0 metres for Building B.
- (q) Notwithstanding (p), in no case shall the height of Building B, including enclosed stairwells and roof access structures and mechanical penthouses, exceed a 45 degree angular plane measured from a lot line that abuts an "R" zone. All parts of the parking structure shall be exempt from this requirement to the extent shown on the inset diagram contained in Schedule C1(128).

BUILDING ENVELOPES

- (r) No portion of any building or structure shall be located otherwise than wholly within the Building Envelopes shown on Schedule C1(128) except for balconies which may project beyond, or lie outside of, the building envelopes.

LANDSCAPING

- (s) A minimum 5.5 metre wide landscape strip shall be provided along any lot line that abuts an "R" zone.

RESIDENTIAL RECREATIONAL AMENITY AREA

- (t) A minimum of 1.5 square metres of indoor residential recreational amenity area shall be provided per dwelling unit for units in Building B, such amenity area to be located on the lands shown on Schedule C1(128).
- (u) A minimum of 1.5 square metres of outdoor residential recreational amenity area shall be provided per dwelling unit for units in Building B, such amenity area to be located east of the proposed new road.

PARKING

- (v) The provisions of Sections 6A(2) Parking Requirements, 6A(5) Access to Parking Spaces, and 6A(6)(c) and 6A(6)(g) Non-Residential Parking Regulations shall not apply.
- (w) No parking space shall be located within 5.0 metres of any "R" zone.
- (x) A minimum of 600 parking spaces shall be provided within the "C1(128)" zone.

- (y) Parking for residential uses within the "C1(128)" zone shall be provided in accordance with the following:
 - (i) A minimum of 1.0 parking space per dwelling unit and 0.1 parking space per dwelling unit shall be for the use of visitors; and
 - (ii) A maximum of twenty-five (25) of the required residential visitor parking spaces may be shared with the required non-residential parking.
- (z) Parking for non-residential uses within the "C1(128)" zone shall be provided in accordance with the following:
 - (i) A minimum of 1.0 parking space per 29 square metres of gross floor area.

SIZE OF PARKING SPACES

- (aa) The provisions of Section 6A(3) Size of Parking Space shall not apply.
- (bb) A parking space shall have a minimum width of 2.6 metres and a minimum length of 5.5 metres.

LOADING SPACE REQUIREMENTS

- (cc) The provisions of Section 6A(16) Loading Space Requirements shall not apply.
- (dd) A minimum of one (1) loading space shall be provided for each of Building A and Building B.
- (ee) The loading space for Building B shall have the minimum dimensions of 11.0 metres in length, 3.6 metres wide and a vertical clearance of 4.2 metres.

DIVISION OF LANDS

- (ff) Notwithstanding any severance, partition or division of the lands and/or dedication of land shown on Schedule C1(128), 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.

SECTION 37

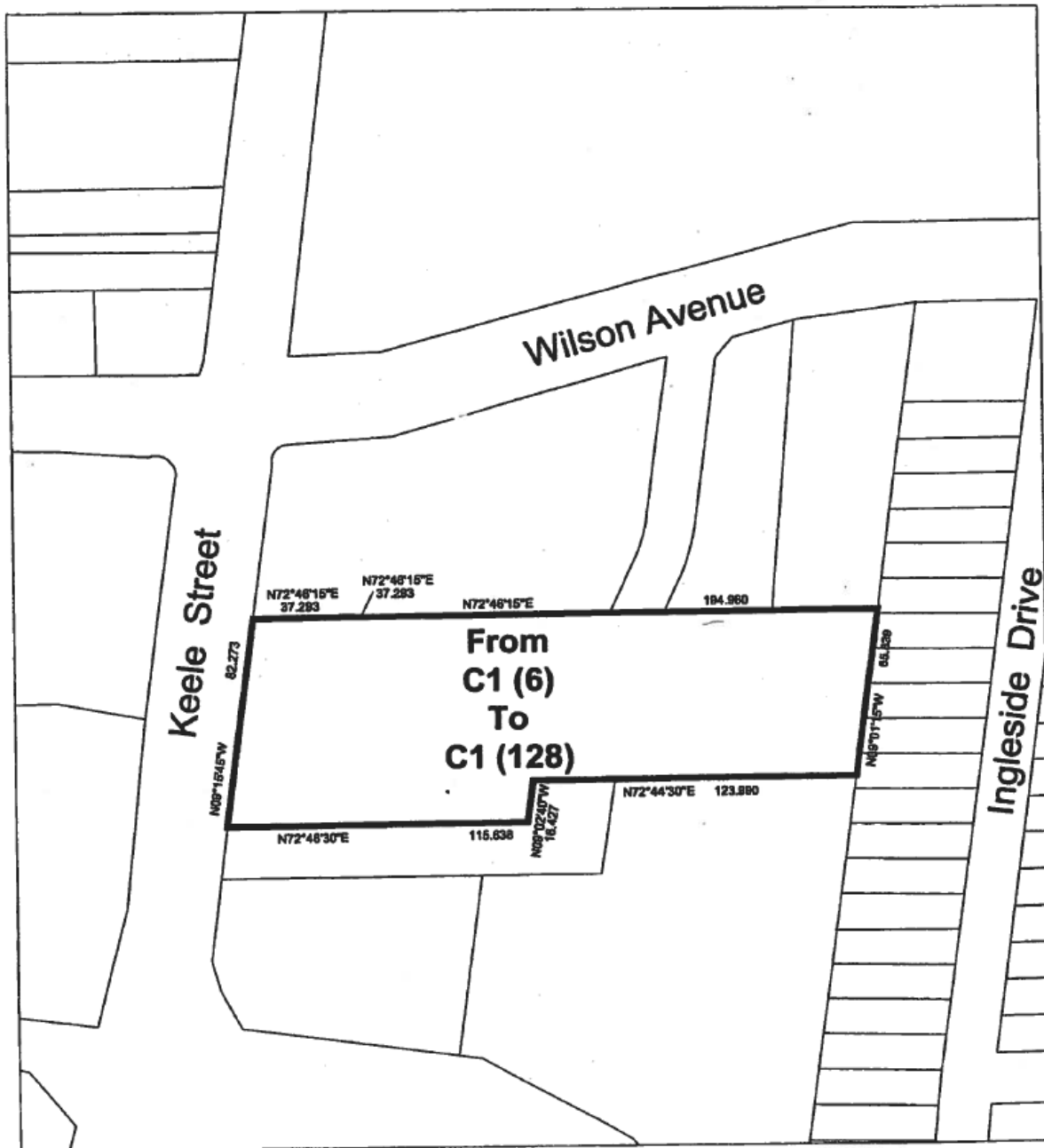
- (gg) The owner of the lands as shown on Schedule C1(128) shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit the

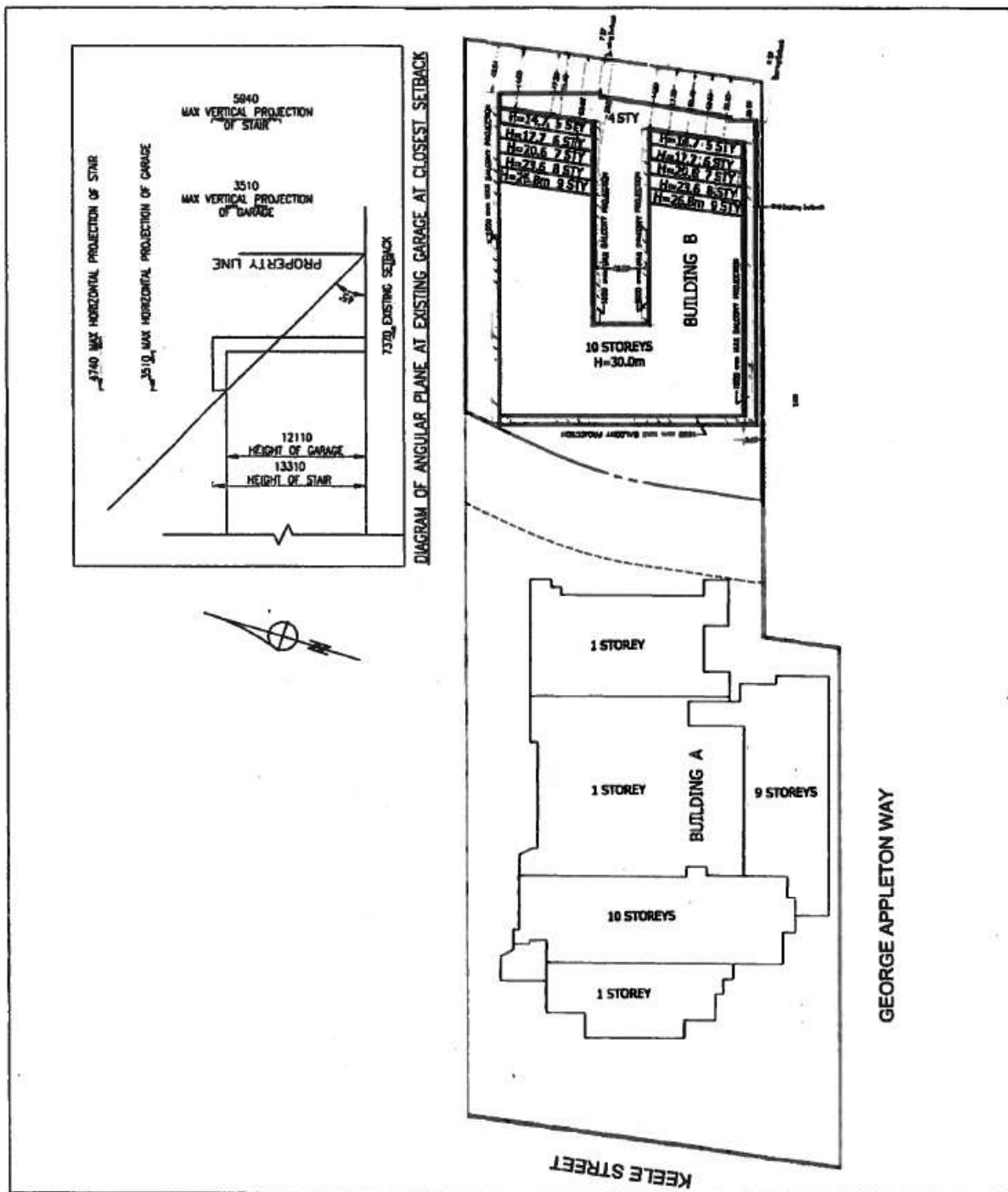
maximum gross floor area cited in Subsections (m) and (n), and maximum height specified in Subsections (o), (p) and (q) and as shown on Schedule C1(128) which forms part of this By-law.

- (i) A cash contribution of \$200,000 to be dedicated to capital facility improvements/ public art in Anthony Road Park."

- 3. Section 64.23 of By-law No. 7625 of the former City of North York is amended by adding Schedule C1(128), attached to this By-law.
- 4. Former City of North York By-law Nos. 24667 and 28127 are hereby repealed.

PURSUANT TO ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON
MAY 31, 2012 IN BOARD CASE NO. PL071106.





Schedule C1 (128)

Toronto standard condominium plan 1786 and
Part of Lot 10, Concession 3, West of Yonge Street
City of Toronto
Survey data prepared by Krcmar Surveyors Ltd. dated July 25, 2011

