

Authority: Etobicoke York Community Council Item 35.7, adopted as amended,
by City of Toronto Council on August 25, 26, 27 and 28, 2014

CITY OF TORONTO

BY-LAW No. 1045-2014

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 1465 Lawrence Avenue West.

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*; and

Whereas the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas Subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 7625, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the lands and the City of Toronto;

The Council of the City of Toronto enacts:

1. Section 64.20-A(98) RM6(98) of By-law No. 7625, as amended, is deleted and replaced with the following:

64.20-A(98) RM6(98)

EXCEPTION REGULATIONS

- (a) The maximum number of dwelling units shall be 339;
- (b) The maximum building height shall be 20 storeys for the Existing 20 Storey Apartment Building (as shown on Schedule 2 attached to this By-law) and 19 storeys for the new building;

- (c) The maximum gross floor area shall be 31,860 square metres;
- (d) The minimum yard setbacks shall be set out on Schedule 2 attached to this By-law;
- (e) No portion of the building above grade shall be located otherwise than wholly within the areas delineated by heavy lines on Schedule 2 with the exception of the following:
 - i) Balconies and terraces and related guards and privacy screens may extend a maximum of 2 metres beyond the heavy outlines;
 - ii) The covered ground floor colonnade shown in dotted lines on Schedule 2 and associated balconies, terraces, guards and privacy screens may extend a maximum of 3.6 metres beyond the heavy outlines; and
 - iii) Roof slab projections and other parapets may extend a maximum of 1 metre beyond the heavy outlines;
- (f) Section 20 A.2.4.1 does not apply;
- (g) A minimum of 2 square metres of common outdoor amenity space per dwelling unit shall be provided;
- (h) A minimum of 2 square metres of common indoor amenity space per dwelling unit shall be provided;
- (i) A minimum of 376 parking spaces shall be provided for both the Existing 20 Storey Apartment Building and the new 19 storey apartment building with 48 of those 376 spaces being set aside for visitor parking spaces for the apartment buildings shown on Schedule 2 attached to this By-law;
- (j) Vehicle parking for the new 19 storey building shall be provided as follows:
 - i) For one bedroom dwelling units a minimum of 0.90 stalls per dwelling unit;
 - ii) For two and more bedroom dwelling units a minimum of 1.00 stalls per dwelling unit; and
 - iii) A minimum of 0.20 visitor stalls per dwelling unit;
- (k) Bicycle parking for the new 19 storey apartment building shall be provided as follows:
 - i) Residential Long-Term (Occupant) - 0.90 "long-term" bicycle parking space per dwelling unit; and

- ii) Residential Short-Term (Visitor) - 0.10 "short-term" bicycle parking space per dwelling unit;
 - (l) For the purposes of this by-law "Grade, Established" shall mean 156.76 metres Canadian Geodetic Datum;
 - (m) The maximum height of the new 19 storey apartment building shall not exceed the height limits in metres specified by the numbers following the symbol H as shown on Schedule 2 attached to this By-law except for the following:
 - i) In addition to the elements permitted in Section 2.10 of By-law No. 7625, parapets, guards and privacy screens are permitted to exceed the height limit shown on Schedule 2 by an additional 1.8 metres;
 - (n) The provisions of this exception shall apply collectively to the lands zoned RM6(98) notwithstanding their severance, petition or division for any purpose.
2. Within the lands delineated by heavy lines on Schedule 1 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.
3. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development contemplated herein beyond that otherwise permitted by By-law No. 7625, as amended, is permitted in return for the provision by the owner, at the owner's expense, of the following facilities, services and matters, subject to and in accordance with an agreement pursuant to Section 37(3) of the *Planning Act* that is in a form and registered on title to the lands delineated in heavy lines on Schedule 1 hereto, to the satisfaction of the City Solicitor:
- (i) Prior to the issuance of an above grade permit, payments totaling \$200,000.00 shall be made by the owner to the City, together with any increases to reflect increases in the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of the Section 37 Agreement to the date the payment is made, such payment to be used by the City for the following purposes:
 - a) \$150,000 for playground equipment at Amesbury Park; and
 - b) \$50,000 for splash pad improvements at Amesbury Park;
 - (ii) In the event the cash payments referred to in paragraph (i) above have not been used for the intended purpose within three (3) years of this By-law coming into

full force and effect, the payments may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands delineated in heavy lines in Schedule 1 hereto;

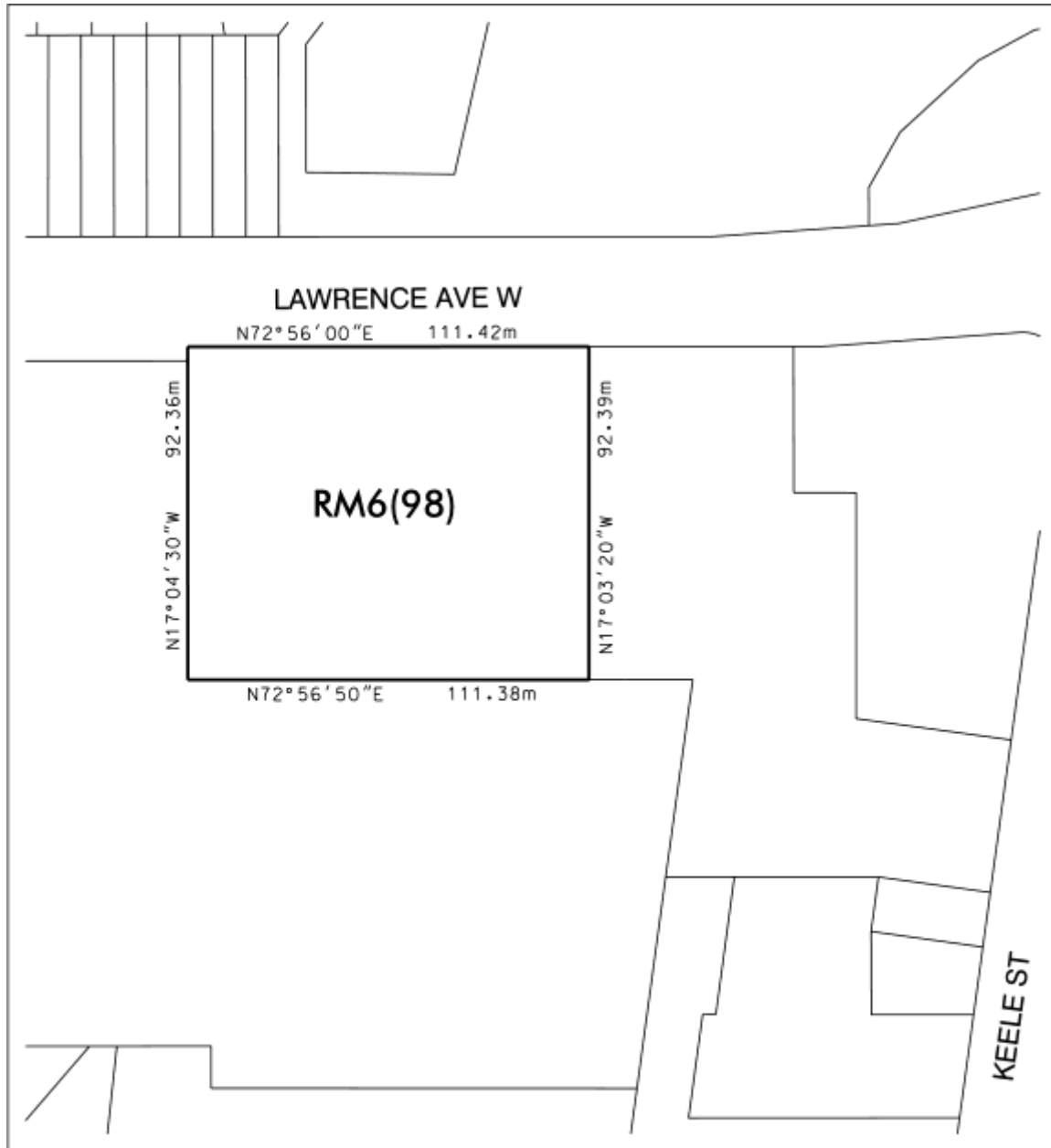
- (iii) The retention of the rental dwelling units within the Existing 20 Storey Apartment Building for a minimum period of 15 years from the date this By-law comes into force and effect;
 - (iv) The following matters shall be secured in the Section 37 Agreement as a legal convenience to support development:
 - a) The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009;
 - b) The owner shall construct a new swimming pool with no capital cost passed onto tenants of the Existing 20 Storey Apartment Building and shall establish minimum pool access and operational parameters for the tenants of the of the Existing 20 Storey Apartment Building; and
 - c) The owner shall acknowledge that the sanitary service connection for the property municipally known as 1455 Lawrence Avenue West crosses the lands upon which the new 19 storey apartment building is to be constructed and the owner shall agree that prior to the issuance of any building permit for the new 19 storey apartment building, including excavation and shoring permits, it shall, at its own expense and to the satisfaction of the City's Executive Director of Engineering and Construction Services, extend the existing sanitary sewer within the Lawrence Avenue West road allowance to serve both the new 19 storey apartment building and the building at 1455 Lawrence Avenue West, including the installation of a private sanitary service connection to the existing building at 1455 Lawrence Avenue West.
4. Where Section 3 of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent upon satisfaction of same.

Enacted and passed on August 28, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



LAWRENCE AVENUE WEST

