

Authority: North York Community Council Item 3.46, as adopted by City of Toronto Council on February 10 and 11, 2015

CITY OF TORONTO

BY-LAW No. 272-2015

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 293 Viewmount Avenue.

Whereas authority is given to Council has been requested to amend Zoning By-law No. 7625 of the former City of North York, as amended, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2014 as 293 Viewmount Avenue; and

Whereas the Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

The Council of the City of Toronto enacts:

1. Section 64.23 of By-law No. 7625 of the former City of North York is amended by deleting Subsection 64.23 C1(141) in its entirety and replacing it with the following subsection:

"64.23 C1(141)

DEFINITIONS

- (a) For the purpose 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, but excluding:
 - (i) Indoor recreational amenity area;
 - (ii) Parking, loading and bicycle parking;
 - (iii) Required loading spaces and required bicycle parking spaces at or above established grade;
 - (iv) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (v) Elevator shafts;
 - (vi) Garbage shafts;
 - (vii) Mechanical penthouse; and
 - (viii) Exit stairwells in the building;

- (b) For the purpose of this exception, on the lands identified on Schedule 1, "recreational amenity area" shall mean an area that is communal and available to all residents of a building or a group of buildings within a zone for social and recreational purposes including indoor or outdoor space, playgrounds, tennis courts, lawn bowling greens, indoor or outdoor swimming pools, exercise or entertainment rooms, outdoor patios/terraces and other similar uses. In the case of indoor recreational amenity area, the area shall be exclusive to the residents of the building.
- (c) For the purpose of this exception, on the lands identified on Schedule 1 "established grade" shall mean 173.95 metres Canadian Geodetic Datum.

PERMITTED USES

- (d) Notwithstanding Section 23.1 (Uses Permitted) of By-law No. 7625, on the lands identified on Schedule 1 the only permitted uses shall be:
 - (i) Apartment house dwellings, multiple attached dwelling and accessory uses including recreational amenity areas.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (e) Notwithstanding Section 22.10 (Gross Floor Area) of By-law No. 7625, the maximum gross floor area for all uses on the lands identified on Schedule 1 shall be 1,100 square metres, of which the maximum gross floor area for residential uses shall be 1,100 square metres.

LOT COVERAGE

- (f) Notwithstanding Section 23.2.1(a) (Lot Coverage) of By-law No. 7625, the maximum lot coverage for all buildings on the lot shall be 53 per cent.

BUILDING HEIGHT

- (g) Notwithstanding Section 23.2.4.3 (Height) of By-law No. 7625, on the lands identified on Schedule C1(141), the maximum number of storeys above established grade and the maximum building height in metres for all buildings shall be as shown on Schedule C1(141). The number of storeys and measurement of building height shall exclude green roof elements, window washing equipment, parapets, retaining walls, exterior stairways, elevator, elevator overruns, trellises, pergolas, gazebos, fences, landscaping features such as trees and shrubs, storage sheds, any roof structures used only as ornaments, stairwells to access the roof and stair enclosures.

YARD SETBACKS

- (h) Notwithstanding Sections 23.2.2 and 23.2.2.1 (Yard Setbacks) of By-law No. 7625, the minimum yard setbacks for all buildings and structures above finished grade on the lands identified on Schedule C1(141) shall be as shown on Schedule C1(141); where there is no minimum yard setback indicated on Schedule C1(141), the minimum yard setback shall be 0 metres.
- (i) The minimum yard setbacks shown on Schedule C1(141) shall not apply to balconies, canopies, window sills, railings, retaining walls, fences, lighting fixtures, ornamental elements, transformer vaults, retaining walls, exterior stairways and stairway enclosures, wheelchair ramps and decks, ramps, trellises, pergolas and gazebos.
- (j) The minimum yard setbacks for structures below finished grade shall be 0 metres.

PARKING

- (k) All required parking shall be provided within the lands shown on Schedule 1.
- (l) Notwithstanding Section 6A(2) (Parking Requirements) of By-law No. 7625, a minimum of 8 vehicular parking spaces shall be provided on the lands shown on Schedule 1 in accordance with the following:
 - (i) 7 parking spaces for residents; and
 - (ii) 1 parking space for visitors.
- (m) Sections 6A(6)(g) (Non-residential Parking Regulations) of By-law No. 7625 shall not apply.

LOADING

- (n) The provisions of Section 6A(16) (Loading Requirements) of By-law No. 7625 shall not apply.
- (o) No loading space shall be provided on the lot.

RECREATIONAL AMENITY AREA

- (p) Recreational amenity area shall be provided in accordance with the following:
 - (i) No indoor recreational amenity area shall be provided on the lot; and
 - (ii) A minimum of 75 square metres of outdoor recreational amenity area per dwelling unit.

DIVISION OF LANDS

- (q) Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands as if it remained one lot.

PROVISIONS NOT APPLICABLE

- (r) The provisions of Sections 23.2.1 (Lot Coverage) and 23.2.4.2 (Floor Area of Dwelling Unit) shall not apply to the lands shown on Schedule 1.
2. Section 64.23 of By-law No. 7625 of the former City of North York is amended by adding Schedule C1(141) attached to this By-law.

Enacted and passed on February 11, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



