

Authority: Planning and Growth Management Committee Item PG5.3, as adopted by City of Toronto Council on July 7, 8 and 9, 2015

CITY OF TORONTO

BY-LAW No. 764-2015

To amend former City of York Zoning By-law No. 1-83, as amended, with respect to the lands municipally known in the year 2014 as 955, 965, 969, 971 and 975 Weston Road.

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 enacts:

1. That Section 6 of the former City of York Zoning By-law No. 1-83, as amended, be further amended by adding a new Subsection (88) as follows:

**"Lands - 955, 965, 969, 971 and 975 Weston Road
(88) MAP 17**

By changing the area shown on District Map 17 more particularly shown on Schedule 'A' hereto from CE - Commercial Employment to R3(H2) - Residential Zone and Section 16(446) and to R3(H1) Residential Zone and Section 16(453)."

2. That Section 16 of former City of York Zoning By-law No. 1-83, as amended, be further amended by adding a new Subsection (446) as follows:

"(446) Lands - 955, 965 and 969 Weston Road

- 1) Notwithstanding the provisions of Section 9 of City of York Zoning By-law No. 1-83, as amended, the lands municipally known as 955, 965 and 969 Weston Road, which lands are more particularly shown on Schedule 'B' attached hereto, may be used for the purpose of erecting thereon a maximum of 71 stacked townhouses and accessory uses, and are subject to the following regulations:
 - a) Parking shall be provided at a rate of 1.0 parking space per dwelling unit containing two bedrooms or less, and 1.2 parking space per dwelling unit containing more than two bedrooms or dwelling units containing at least one bedroom and a den.
 - b) Additional parking for visitors shall be provided at a rate of 0.15 spaces per dwelling unit. All visitor parking shall be provided on the surface between the most northerly building and the rear lot line.
 - c) If the calculation of the number of required parking spaces results in a number containing a fraction, the number is rounded down to the nearest whole number, but there must not be less than one parking space.

- d) The maximum residential gross floor area shall be 7000 square metres. For the purposes of this paragraph, gross floor area shall exclude any areas used for parking of motor vehicles, loading areas, mechanical rooms, equipment storage, laundry rooms, recreation rooms, common hallways and stairs.
- e) No portion of any building shall be higher than a geodetic elevation of 127.8 metres above sea level.
- f) The buildings shall be located within the buildable area as shown on the site plan attached as Schedule 'C' hereto so as to provide the minimum setbacks shown on the site plan. Balconies, decks and porches may project beyond the buildable area, provided the projection does not exceed 1.6 metres. Stairs and basement entrances may project beyond the buildable area.
- g) The limits of the parking garage structure shall be as shown on Schedule 'C' hereto.
- h) No dwelling unit, exclusive of balconies, shall be permitted within 30 metres of the rear property line. Accessory structures may be permitted between the building and the rear lot line.
- i) Vehicular access to and from the site shall be provided from a new public road on the north side of the site. No vehicular access shall be permitted to the building directly from Weston Road.
- j) A minimum of 706 square metres of common outdoor amenity space shall be provided.

2) HOLDING SYMBOL

On the lands subject to an 'H' symbol as illustrated on District Map 17, more particularly shown as R3(H2) Residential Zone, no person shall use any lot or erect any building or structure for residential uses until the "H" symbol has been removed.

The "H" holding symbol shall be lifted when an application to amend the zoning by-law has been filed and the following condition has been fulfilled to the satisfaction of City Council:

- a) The owner has submitted a Draft Plan of Subdivision Application that establishes a new public road to the satisfaction of the City.
- b) The owner has submitted an acceptable site plan or rail safety study to the satisfaction of the rail companies to demonstrate that the proposed development meets the rail company's safety requirements for residential development adjacent to rail lines and that arrangements have been made with the rail companies for any mitigation measures required to satisfy safety requirements for residential development and to provide confirmation from the rail companies that the arrangements including

details have been made with the rail companies to satisfy their requirements for the proposed development."

3. That Section 16 of former City of York Zoning By-law No. 1-83, as amended, be amended by adding a new Subsection (453) as follows:

"(453) Lands - 971 and 975 Weston Road

- 1) Notwithstanding the provisions of Section 9 of City of York Zoning By-law No. 1-83, as amended, the lands municipally known as 971 and 975 Weston Road, which lands are more particularly shown on Schedule 'D' attached hereto, may be used for the existing non-residential use within the existing building that was lawfully established on the date of the passing of this by-law.
- 2) Notwithstanding the provisions of Section 9 of City of York Zoning By-law No. 1-83, as amended, on the lands municipally known as 971 and 975, which lands are more particularly shown on Schedule 'D' attached hereto, no residential building or dwelling unit shall be permitted within 30 metres of the rear property line.
- 3) HOLDING SYMBOL

On the lands subject to an "H" symbol as illustrated on District Map 17 more particularly shown as R3(H1) Residential Zone, no person shall use any lot or erect any building or structure for residential uses until the "H" symbol has been removed.

The "H" holding symbol shall be lifted when an application to amend the zoning by-law has been filed and the following conditions have been fulfilled to the satisfaction of City Council:

- a) The owner has submitted a noise and vibration study to the City that evaluates to the City's satisfaction, how the residential uses can be developed on the site in terms of Ministry of the Environment guidelines for acceptable noise and vibration levels and identifies appropriate mitigation techniques to be incorporated into the development; and
- b) The owner has submitted an acceptable site plan or rail safety study to the satisfaction of the rail companies to demonstrate that the proposed development meets the rail company's safety requirements for residential development adjacent to rail lines and that arrangements have been made with the rail companies for any mitigation measures required to satisfy safety requirements for residential development and to provide confirmation from the rail companies that the arrangements including details have been made with the rail companies to satisfy their requirements for the proposed development."

4. Within the lands municipally known in the year of 2014 as 955, 965, 969, 971 and 975 Weston Road, 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:

- i) 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
 - ii) all water mains and sanitary sewers and appropriate appurtenances, have been installed and are operational.
5. All other provisions of City of York Zoning By-law No. 1-83, as amended, shall continue to apply to the Lands shown on Schedule 'A' attached hereto, except in the cases where provisions of this Subsection are in conflict with City of York Zoning By-law No. 1-83, as amended, the provisions of this Subsection shall prevail.

Enacted and passed on July 9, 2015.

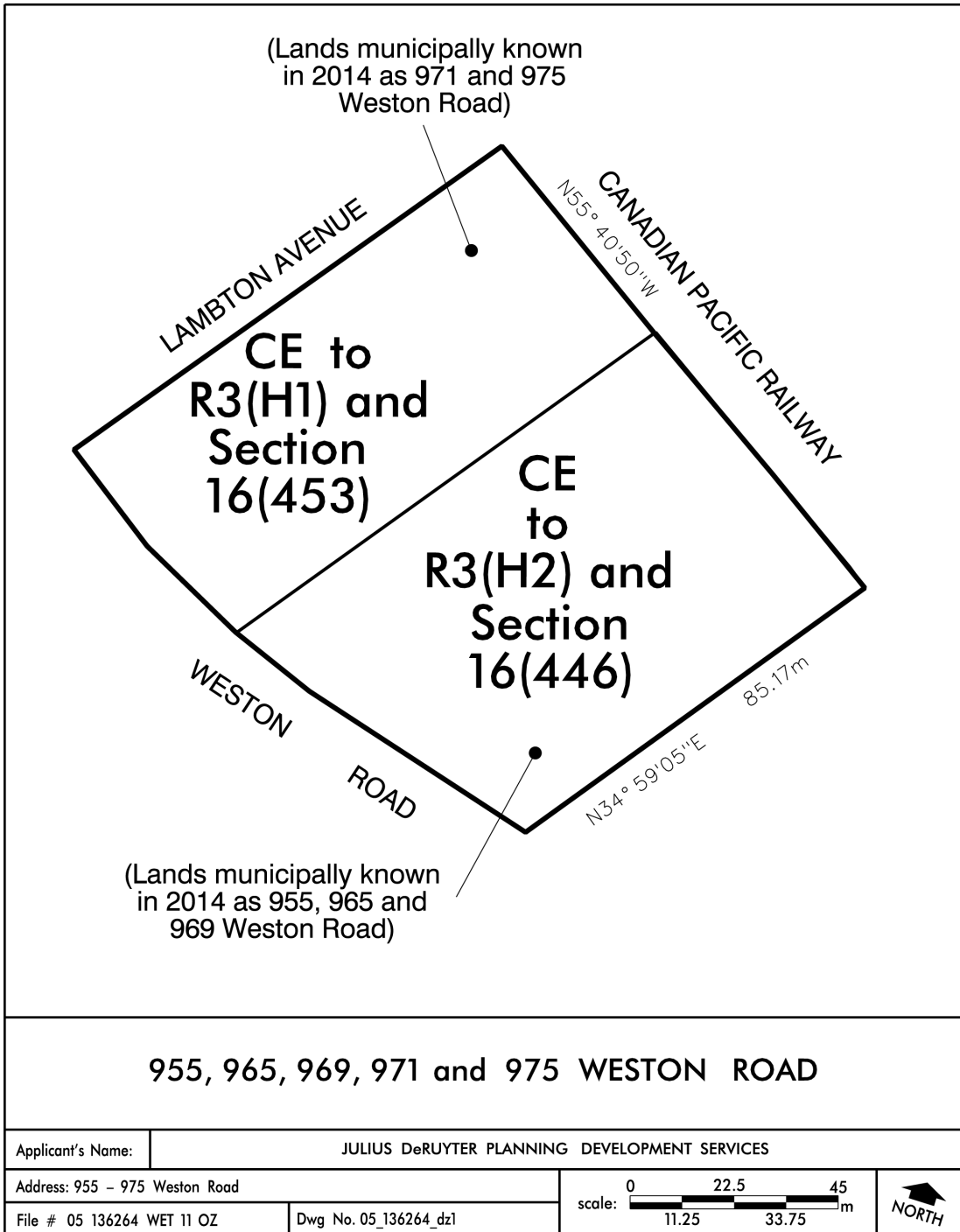
Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

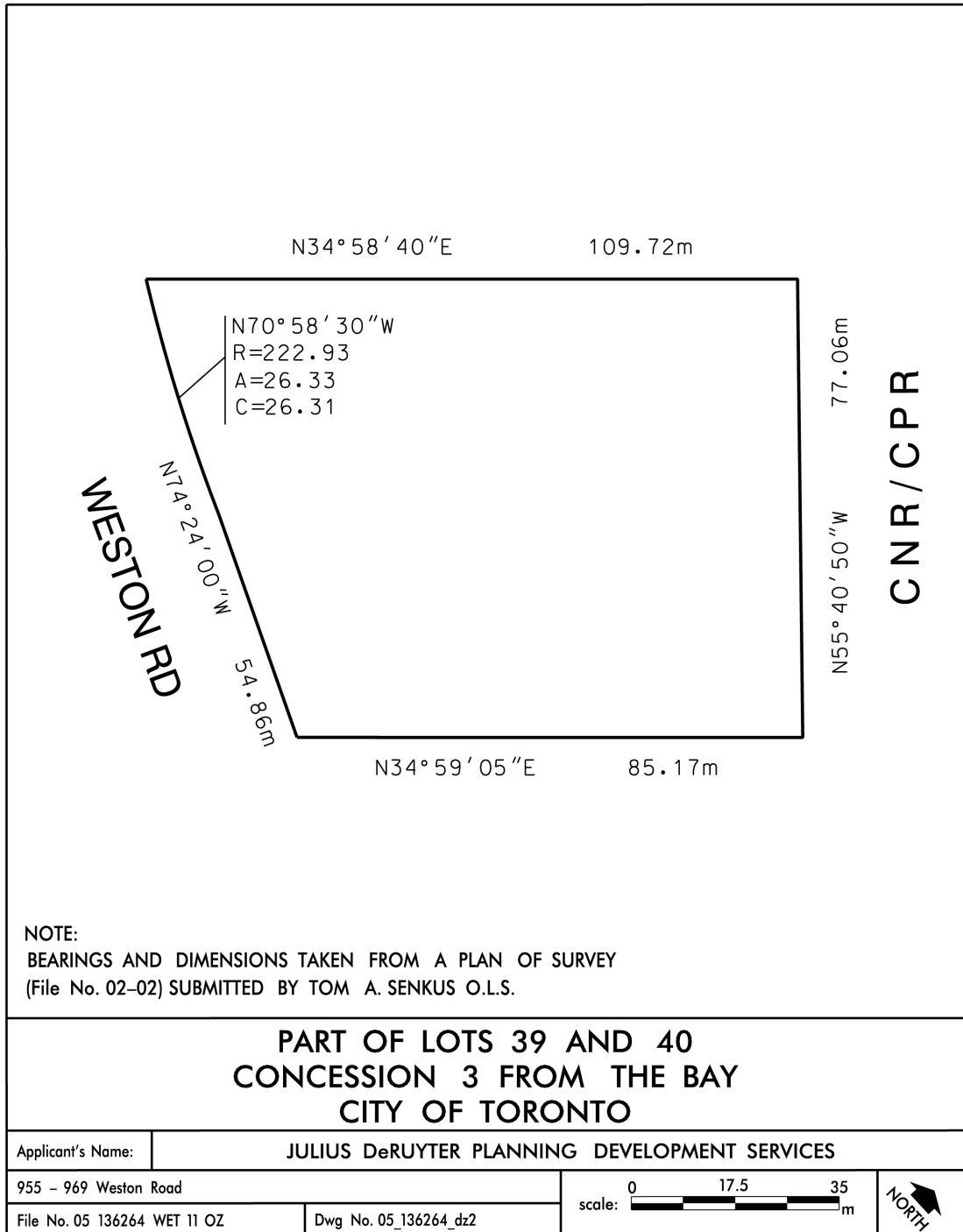


Schedule 'A' BY-LAW Number and to 16(446) and to 16(453) of Zoning BY-LAW 1-83



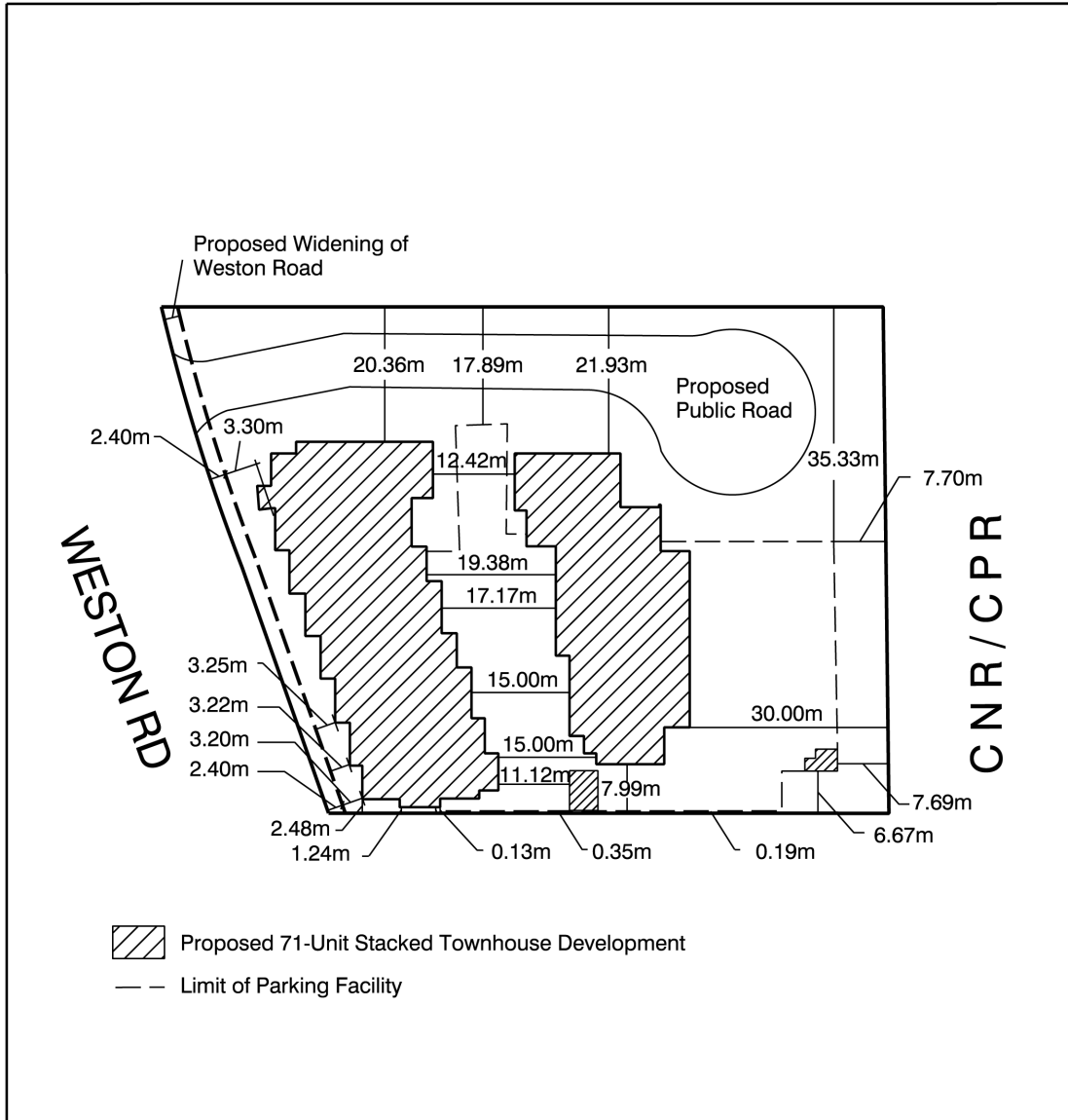


Schedule 'B' BY-LAW Number and to
16(446) of Zoning BY-LAW 1-83





Schedule 'C' BY-LAW Number and to
16(446) of Zoning BY-LAW 1-83

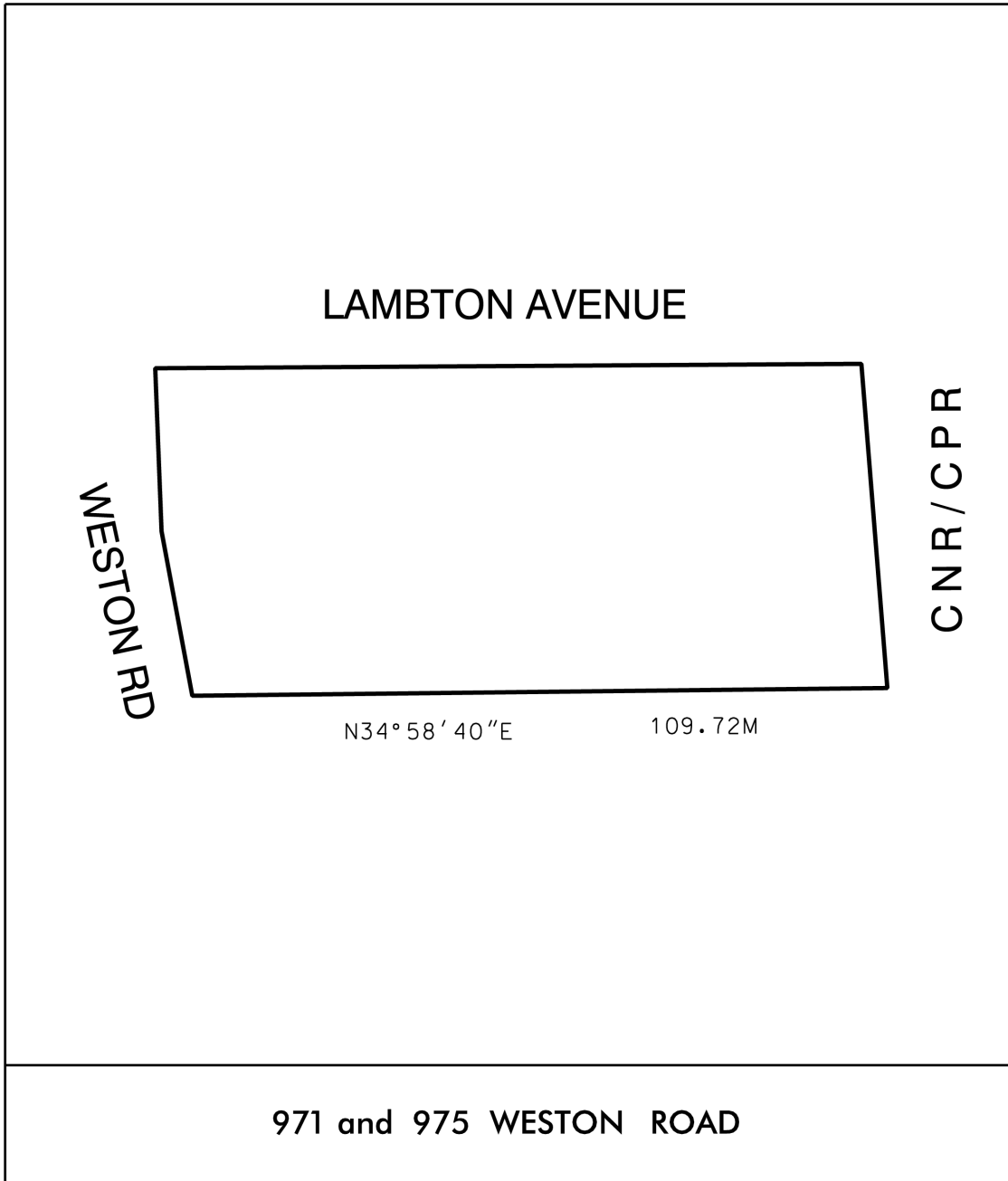




**PART OF LOTS 39 AND 40
CONCESSION 3 FROM THE BAY
CITY OF TORONTO**

| | | | |
|------------------------------|---|-------|--------------------|
| Applicant's Name: | JULIUS DeRUYTER PLANNING DEVELOPMENT SERVICES | | |
| 955 - 969 Weston Road | | | scale: 0 17.5 35 m |
| File No. 05 136264 WET 11 OZ | Dwg No. 05_136264_dz3 | NORTH | |



Schedule 'D' BY-LAW Number and to
16(453) of Zoning BY-LAW 1-83



| | |
|------------------------------|---|
| Applicant's Name: | |
| 971 and 975 Weston Road | scale:  m |
| File No. 06 127685 WET 11 TM | |
| Dwg No. 05_136264_dz4 |  |
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