

CITY OF TORONTO

BY-LAW 1210-2018

To amend Zoning By-law 569-2013, as amended, with respect to lands known municipally as 70 Dixfield Drive.

Whereas the Council of the City of Toronto has been requested to amend its Zoning By-law 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 2016 as 70 Dixfield Drive; and

Whereas the Council of the City of Toronto has provided adequate information to the public and has conducted a public meeting under Section 34 of the Planning Act regarding the proposed Zoning By-law amendment; 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 and 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, the 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 569-2013 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 land and the City of Toronto; and

Whereas the Council of the City of Toronto has determined to amend Zoning By-law 569-2013, as amended, of the former City of Toronto;

The Council of the City of Toronto enacts:

1. This by-law applies to the lands delineated by heavy lines on Diagram 1 and Diagram 2 attached to and forming part of this By-law.
2. The words highlighted in bold type in this By-law have the same meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy lines to RA(x122), as shown on Diagram 1 attached to this By-law.

4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.7.10 Exception number 122 as follows:

Exception RA 122

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions

- (A) On 70 Dixfield Drive, if the requirements of Section 5 and Schedule A of By-law 1210-2018 are complied with, regulations 15.5.40.10, 15.5.40.40, 15.10.40.70 and 15.10.40.80 do not apply to prevent the erection or use of an **apartment building** that complies with the following;
- (B) The **gross floor area** of all **buildings** on the **lot** must not exceed 27,200 square metres;
- (C) A maximum of 229 **dwelling units** are permitted;
- (D) **Building** height is measure from the Canadian Geodetic Datum of:
- (i) 46.195 metres for **Buildings** 1, 2 and 3, as identified on Diagram 2 for By-law 1210-2018; and
 - (ii) 145.993 metres **Building** 4, as identified on Diagram 2 for By-law 1210-2018;
- (E) The height of **Buildings** 1, 2, 3 and 4, must not exceed the height in metres specified by the numbers following the symbol "HT" on Diagram 2 of By-law 1210-2018;
- (F) The following elements of a **building** may encroach into a required **building setback** or **building** separation distance as follows:
- (i) 3.0 metres for canopies, awnings, screens landscape and ornamental features;
 - (ii) 2.0 metres for balconies or platforms;
 - (iii) 1.5 metres for stair enclosures, cornices, lighting features, trellises, eaves, window sills, guardrails, balustrades, railings, vents;
 - (iv) 0.6 metres for satellite dishes, eaves, screens, landscape and ornamental features, trellises, cabanas, lightning rods, window washing equipment, light fixtures, antennae, flag poles;
- (G) The following elements of a **building** may project above the maximum **building** height as follows:

- (i) 5.0 metres for a mechanical penthouse on **Building 4**, as shown on Diagram 2 of By-law 1210-2018;
 - (ii) 1.83 metres for a mechanical penthouse on **Building 1, 2 and 3**, as shown on Diagram 2 of By-law 1210-2018; and
 - (ii) 1.5 metres for guardrails, railings, retaining walls, wheelchair ramps, roofing assembly and drainage, elements of green roof, parapets, cornices, balustrades, bollards;
- (H) Despite regulation 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** at a minimum rate of 1.02 **parking spaces** for each **dwelling unit** of which a minimum of 0.13 **parking spaces** for each **dwelling unit** must be visitor **parking spaces**;
- (I) A **building** or **structure** may not be closer to a **lot line** or another **building** than the **building** separation and **building setback** distances shown on Diagram 2 of By-law 1210-2018;
- (J) Despite any existing or future severance, partition, or division of the **lot**, the provisions of this by-law must apply to the whole of the **lot** as if no severance, partition or division occurred.

Prevailing By-laws and Prevailing Sections: (None Apply)

5. Section 37 Provisions

- (A) Pursuant to Section 37 of the Planning Act and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense, of the facilities, services and matters set out in Schedule A and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in the form and registered on title of the **lot**, to the satisfaction of the City Solicitor.
- (B) Where Schedule A this By-law requires the owner to provide certain facilities, services and matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner shall not use, or permit the use of a building or structure unless all provisions of Schedule A are satisfied.

Enacted and passed on July 27, 2018.

Glenn De Baeremaeker,
Deputy Speaker
(Seal of the City)

Ulli S. Watkiss,
City Clerk

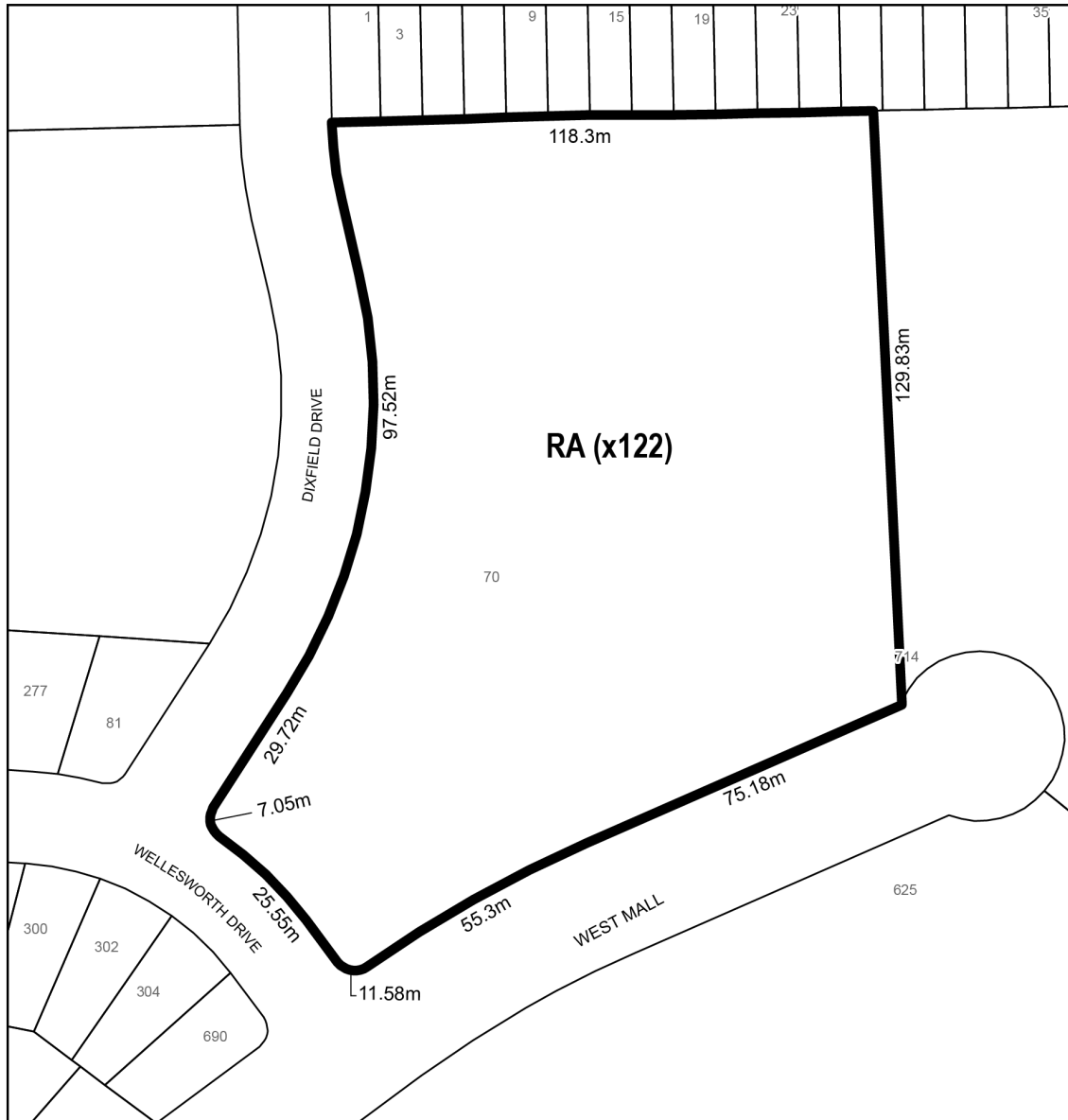
Schedule A

- (A) Pursuant to Section 37 of the Planning Act, R.S.O. 1990, c. P.13, as amended, and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's expense all to the satisfaction of the Chief Planner and Executive Director, City Planning Division:
- (1) The Owner shall into an Agreement pursuant to Section 37 of the Planning Act, to be registered on title and to the satisfaction of the City Solicitor, secure the following to support the development:
- i. The Owner shall provide and maintain the 141 existing residential rental units at 70 Dixfield Drive as rental housing for a period of at least 20 years from the date of the Zoning By-laws coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - ii. Prior to the occupancy of the new buildings at 70 Dixfield Drive, the owner shall secure the following facilities, amenities and building improvements for the existing residential rental units as illustrated in the architectural plans dated December 1, 2017, with no pass-through of the costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - (a) Renovate the lobby;
 - (b) Convert a minimum of 39 square metres of the lobby to a new lounge;
 - (c) Add a moving room with access to the rear of the building;
 - (d) Renovate and expand the mailroom, if required, to accommodate the mail for the new units;
 - (e) Provide new carpeting and paint halls and common areas, where necessary;
 - (f) Provide new amenity room furniture;
 - (g) Provide poolside lounge furniture;
 - (h) Expand and enclose the garbage facility;
 - (i) Add new short-term bicycle racks to the rear of the building and new indoor bicycle racks in the bike parking areas;

- (j) Provide ongoing maintenance to repair heating and electrical outlets as necessary;
 - (k) Provide automatic doors to the entry of the laundry room to improve access for residents with mobility limitations;
- iii. The owner shall make available all indoor and outdoor amenity space for the new buildings at 70 Dixfield Drive at no extra charge to the tenants of the existing building at 70 Dixfield Drive and with no pass-through cost to tenants. Details regarding use of these amenities, legal access, cost sharing arrangements scheduling and availability shall be on the same terms and conditions as any other resident of the existing building and shall be set out in the Section 37 Agreement;
- iv. Prior to final Site Plan Approval, the owner shall secure the provision of the following facilities, amenities and building improvements, with no-pass through of the costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning:
 - (a) Outdoor amenity space adjacent to pool;
 - (b) Improvements to the pathways and pedestrian circulation throughout the site;
 - (c) Outdoor amenity area in the rear of the property that will include barbeques and picnic furniture;
 - (d) Improvements to the fencing around the property, and
 - (e) Installment of an insulated pool cover;

These facilities, amenities and building improvements shall be completed within one-year of the occupancy of the new buildings at 70 Dixfield Drive.


- v. Prior to final Site Plan Approval, the owner shall provide a Construction Mitigation Strategy and a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division and thereafter the Owner shall implement such strategy.



 **TORONTO**
Diagram 1

70 Dixfield Drive

File # 16 130337 WET 03 0Z


City of Toronto By-Law 569-2013
Not to Scale
5/10/2018



70 Dixfield Drive

File # 16 130337 WET 03 0Z

City of Toronto By-Law 569-2013
Not to Scale
5/10/2018