

CITY OF TORONTO

BY-LAW 642-2020

To amend By-law 841-2002, being a by-law to further amend former City of Toronto Zoning By-law 438-86, with respect to the lands known as 274 St. Johns Road, 625-637 Runnymede Road and 40 Fisken Avenue.

Whereas the Council of the City of Toronto has been requested to amend its 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 2019 as 274 St. Johns Road, 625-637 Runnymede Road and 40 Fisken Avenue; 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. Pursuant to Section 37 of the Planning Act, the heights and density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the *Site* of the facilities, services and matters set out in Appendix 1 hereof, the provision of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the Planning Act, and the *Site* shall be subject to the provisions of this By-law upon the execution and registration of such agreement or agreements.
2. By-law 841-2002, amending the former City of Toronto By-law 438-86, as amended, is further amended as follows:
 - a. Section 2(4) is deleted in its entirety and replaced with the following:

"(4) the maximum combined *non-residential gross floor area* of the *long term care facility* and *accessory* uses shall be not more than 28,000 square metres and there shall be no *residential gross floor area*".
 - b. Notwithstanding 6(1) of By-law 438-86, By-law 841-2002 and the provisions of this By-law, residential uses shall not be permitted on the *Site*.
 - c. Section 2(5) is deleted in its entirety and replaced with the following:

"(a) not less than 0.42 parking spaces per 100 square metres of existing *non-residential gross floor area* are provided on the *Site* to serve the existing *public hospital*; and

(b) not less than 0.30 parking spaces per *habitable room* are provided on the *Site* to serve the *home for the aged*."

- d. Not less than 4 accessible *parking spaces* are provided on the *Site* where each parking space must have the following minimum dimensions:
 - i. Length of 5.6 metres;
 - ii. Width of 3.4 metres; and
 - iii. Vertical clearance of 2.1 metres.
 - e. Notwithstanding 6(1), a *commercial parking lot* and *commercial parking garage* are permitted uses on the *Site* in conjunction with a *public hospital* and a *home for the aged*; and for the purposes of this By-law a *commercial parking garage* shall not be calculable *non-residential gross floor area*.
 - f. The *lot* comprises the *Site* delineated by heavy lines on Map 1 attached hereto;
 - g. Map 2 is deleted and replaced with the attached Map 2.
 - h. Map 3 is deleted and replaced with the attached Map 3.
 - i. Despite Section 2(3), exhaust fans, flue stacks and ladders may project beyond the maximum *height* limit shown on Map 3, by no more than 6.0 metres.
3. For the purposes of this By-law, the *Site* shall be considered as a single *lot* notwithstanding any division of ownership of the *Site* so that any internal lot lines created by any such division shall not be construed to create new *lot* lines, provided all other provisions of Zoning By-law 438-86, including the provisions relating to setbacks from the external *lot* lines of the *Site* are complied with.
4. For the purposes of this By-law, all italicized expressions shall have the same meaning as each such word or expression as defined in By-law 841-2002 or in By-law 438-86, as amended.

Enacted and passed on July 29, 2020.

Frances Nunziata,
Speaker

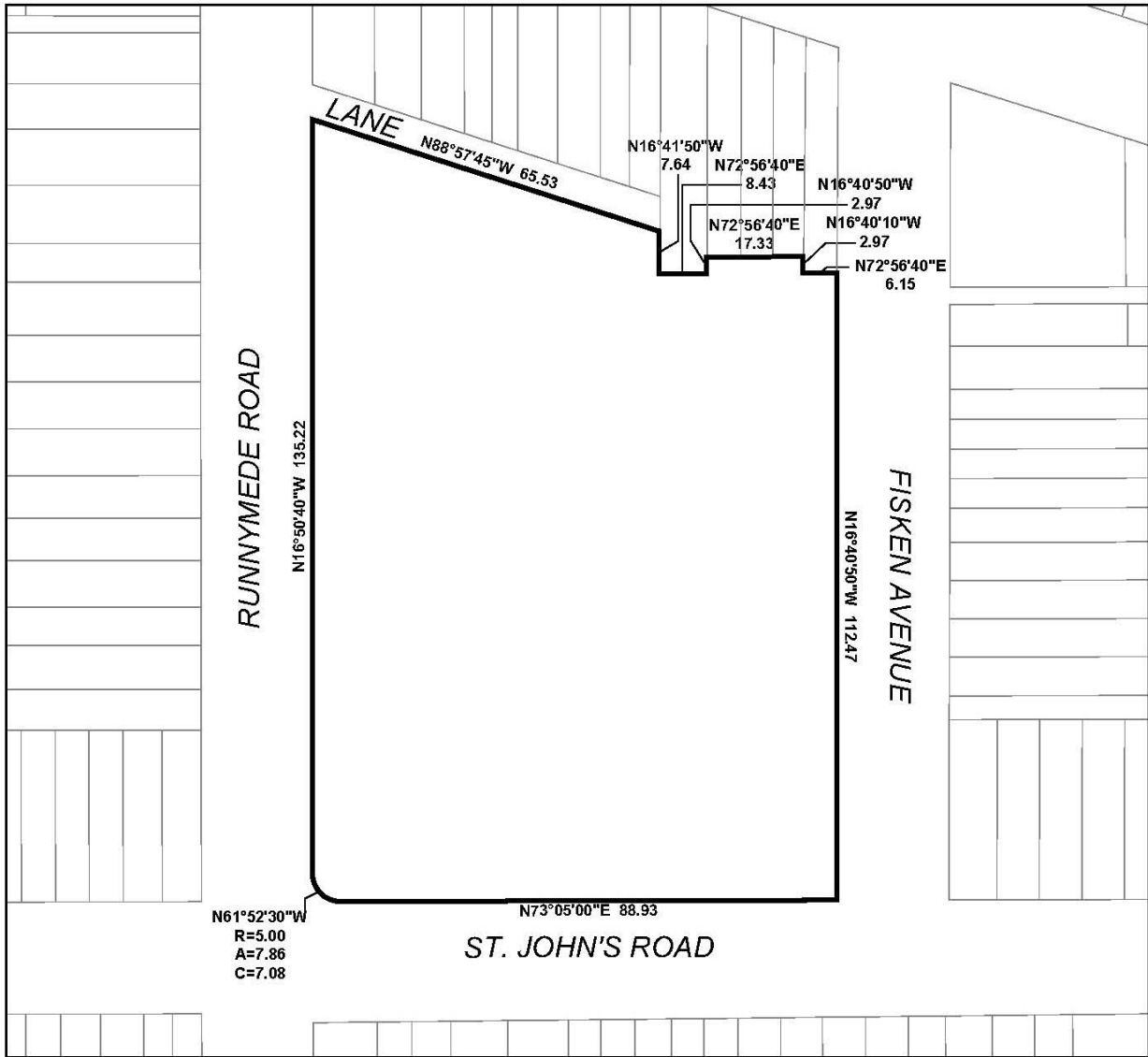
Ulli S. Watkiss,
City Clerk

(Seal of the City)

APPENDIX 1
SECTION 37 PROVISIONS

The facilities, services and matters set out herein are the facilities, services and matters required pursuant to Section 37(1) of the *Planning Act*, the provision of which by the *owner* of the *Site* shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*:

1. The additional 180 square metre POPS space abutting the existing 350 square metre POPS space at the southeast corner of St. John's Road and Fiskens Avenue;
2. The owner is to provide and maintain consolidated landscaping of 530 square metres, inclusive of the existing 350 square metres Privately-Owned Publicly Accessible Open Space (POPS) at the southwest corner of St. John's Road and Fiskens Avenue;
3. The owner is to make such the publicly assessable open space available to the community for passive enjoyment and shall ensure that it is open and accessible to the general public, for that purpose, 24 hours a day seven days a week such that the public has the right to use such lands and that access may be refused or a person required to leave such lands only in the case of a person who:
 - a. unreasonably interferes with other members of the public or lawful occupants of the Site;
 - b. carries on an unlawful activity;
 - c. acts in a manner unreasonably inconsistent with the intended use of the lands;
 - d. injures or attempts to injure any person, property or property rights;
 - e. obstructs or injures any lawful business or occupation carried on by the owner or person in lawful possession of any component of the Site; or
 - f. commits any criminal or quasi-criminal offence;
4. In addition to the rights of public access to the publicly assessable open space as secured by the above provisions, the owner shall also grant an easement in a form acceptable to the City Solicitor, in perpetuity to the City, and at no cost to the City, to permit such public use of the publicly assessable open space;
5. The Section 37 Agreement securing the said facilities, services and matters, shall be in a form satisfactory to the City Solicitor and registered with priority; and
6. 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 held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of Item PG23.9 of the Planning and Growth Management Committee, and as may be further amended by City Council from time to time.



**274 St. John's Road, 625-637 Runnymede Road
and 40 Fiskene Avenue, Toronto**

Map 1

File #19 183 032 STE 04 0Z



Not to Scale



 **TORONTO** City Planning
Division

**274 St. John's Road, 625-637 Runnymede Road
and 40 Fiskene Avenue, Toronto**

Map 2

File #19 183 032 STE 04 02



Not to Scale



**274 St. John's Road, 625-637 Runnymede Road
and 40 Fisken Avenue, Toronto**

Map 3

File #19 183 032 STE 04 0Z



Not to Scale