

Authority: Etobicoke York Community Council Item
EY33.7, as adopted by City of Toronto Council on July 19,
20, 21 and 22, 2022

CITY OF TORONTO

BY-LAW 847-2022

To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known in the year 2021 as 7, 11 Blue Grassway; 4, 17 Cane Grassway; 1, 2 and 8 Dune Grassway; 3 and 36 Marsh Grassway; 5, 10, and 40 Turf Grassway; 2-14, 22-36, and 5 Needle Firway.

Whereas Council of the City of Toronto has the authority pursuant to 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 provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c.18 came into force, 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, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c.18 came into force, 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 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 land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Schedule 1 attached to this By-law.

2. By-law 7625, as amended, is further amended by amending Zoning By-law Map by removing the existing RM6 zoning label on the Subject Lands and applying the zone label RM6 (280) as shown on Schedule 1 attached to this By-law.
3. By-law 7625, as amended, of the former City of North York is further amended by adding Section 64.20-A(280) as follows:

64.20-A(280) RM6(280)

BUILDING HEIGHT

- (a) Notwithstanding Section 20-A.2.6 (Building Height), no part of any **building** or **structure** erected or used on the lot shall exceed the height limits shown in metres and specified by the numbers following the letters "HT" and the number of storeys specified by the numbers following the letters "ST" in the blocks delineated by solid lines on Schedule 1, with the following exceptions:
 - (i) equipment and **structures** on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres, subject to:
 - (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
 - (B) **structures** or parts of the **building** used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
 - (C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above.
4. Despite any existing or future severance, partition or division of the lot, the provisions of this By-law shall continue to apply to the whole of the lot as if no severance, partition or division had occurred.
5. Except as amended in this By-law, all the other provisions of By-law 7625, as amended, of the former City of North York shall apply to the lands subject to this by-law. In the case of any conflict, the provisions of this by-law shall prevail.
6. Section 37 Requirements
 - (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 Schedule 1 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to this By-law and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

- (b) Where Schedule A attached to 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 on satisfaction of the same; and
- (c) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on July 22, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A
Section 37 Requirements

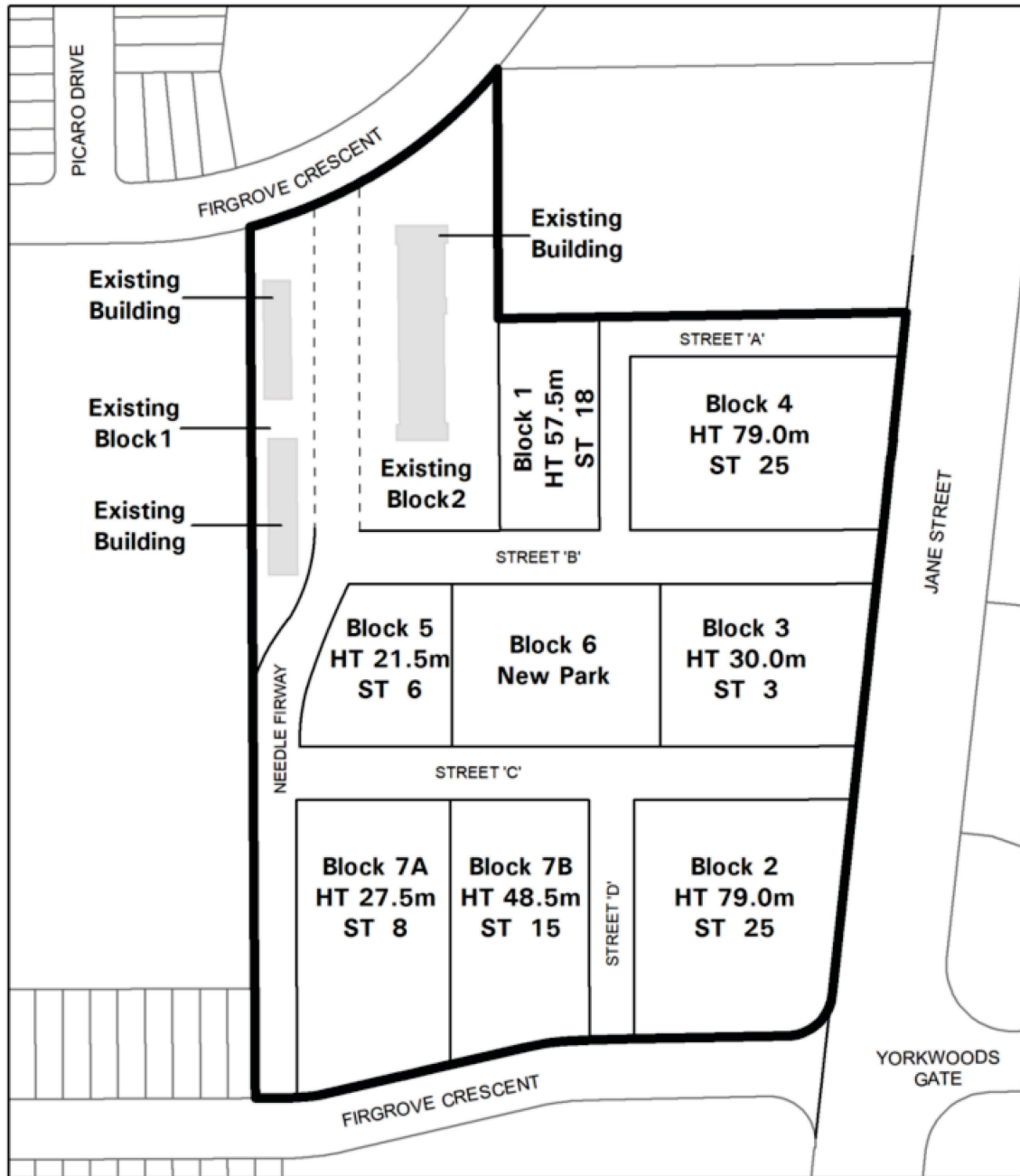
Prior to the issuance of any building permit, the owner shall enter into an agreement, and register same on title, to the satisfaction of the City Solicitor pursuant to Section 37 of the Planning Act as read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits below.

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Schedule 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. The following matters are to be secured in the Section 37 Agreement as a legal convenience to support development:
 - (A) The owner shall enter into Agreement(s) to secure the conditions of the Section 111 permit and any related conditions;
 - (B) Prior to Site Plan Control approval where additional affordable dwelling units are proposed, the owner shall provide detailed floor plans to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - (C) Prior to Site Plan Control approval for each development block, the owner shall implement the mitigations measures identified in the required Noise Impact Study and secured in the Site Plan Agreement with the City to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - (D) Prior to Site Plan Control approval for each development block, the owner shall implement the mitigation measures identified in the required Final Pedestrian Level Wind Study, secured in a Site Plan Agreement with the City to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - (E) Prior to Site Plan Control approval for the blocks abutting Firgrove Public School lands to the west, the owner shall provide details and consult with the Toronto Lands Corporation and the Toronto District School Board on fencing designed along the subject site's western property line, with entry locations for pedestrians to mutually access Firgrove Public School and the subject lands, shown on the approved site plans to the satisfaction of the Toronto Land Corporation and the Toronto District School Board;
 - (F) Prior to Site Plan Control approval for each block, the owner shall provide a construction management plan including construction schedule and timelines, traffic management, proposed sidewalk and street closures, construction equipment movement, and noise, dust and air attenuation and mitigation to the satisfaction of the Toronto District School Board, and the Chief Engineer and Executive Director, Engineering and Construction Services;

- (G) Prior to Site Plan Control approval for each block owned by the Toronto Community Housing Corporation, the owner will construct and maintain the development of the site in accordance with a minimum Tier 2 of the Toronto Green Standard Version 4.0, or the equivalent in the Toronto Green Standard version applicable at the time of the site plan application for each building on the site;
- (H) Prior to Site Plan Control approval for each block not owned by the Toronto Community Housing Corporation, the owner will construct and maintain the development of each development block in accordance with Tier 1, Toronto Green Standard, and the owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on each development block. The owner shall construct and maintain the development in accordance with Tier 1; and
- (I) Prior to Site Plan Control approval for Block 3, the owner will consult with Children Services regarding the design and inclusion of a City funded and operated child care facility in accordance with the Agreement between the City and the Toronto Community Housing Corporation dated February 16, 2017. The design of the facility shall be substantially in accordance with the City of Toronto's Child Care Development Guidelines (2016), to the satisfaction of the General Manager, Children's Services, and the Chief Planner and Executive Director, City Planning.

Schedule 1



 **TORONTO**
Schedule 1

3 Marsh Grassway

File # 20 122745 WET 07 02