

SUBMITTED BY COUNCILLOR FILON

NY6.35.2

MOTION

THAT Recommendation 1 be replaced with "City Council amend Zoning By-law No. 7625 for the former City of North York, for the lands at 83 Finch Avenue West, substantially in accordance with the draft Zoning By-law Amendment attached hereto, subject to the issue of potential additional gross floor area located entirely below grade being determined by planning staff following consultation with the Ward Councillor and representative(s) of the local community, prior to enactment of the amending by-law in accordance with s 34(17) of the Planning Act."

THAT Recommendation 4 be amended by adding at the end thereof the words "in consultation with the Ward Councillor".

THAT the following be added as Recommendation 5: "The parkland dedication requirement be calculated in accordance with the provisions of By-law 1020-2010, which will harmonize parkland dedication requirements all across the City when it takes effect at the beginning of next month (May 3, 2011)."

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2011
Enacted by Council: ~, 2011

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~2011

**To amend Zoning By-law No. 7625 of the former City of North York
with respect to the lands municipally known as
83 Finch Avenue West**

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 HEREBY ENACTS as follows:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York are amended in accordance with Schedule "1" of this By-law.
2. Section 64.23 of By-law 7625 is amended by adding the following subsection:

"64.23 (129) C1(129)

DEFINITIONS

- (a) **Established Grade** For the purposes of this exception, "established grade" means the geodetic elevation of 186.04 metres, taken at the centre line of Finch Avenue West at the mid-point of the net site.
- (b) **Net Site** For the purposes of this exception, "net site" means the gross site of area 663.55 m² minus lands 42.06 m² in area conveyed to the City of Toronto for road widening purposes.

PERMITTED USES

- (c) The only permitted uses shall be retail stores, personal service shops, service shops, business and professional offices, studios, commercial schools, and residential dwelling units.

EXCEPTION REGULATIONS

- (d) The maximum total gross floor area on the net site shall be 664 m².
- (e) The maximum gross floor area for retail stores, personal service shops and service shops shall be 265 m², wholly located at grade level.

- (f) The maximum gross floor area for all permitted uses other than residential dwelling units shall be 470 m².
 - (g) The maximum number of residential units shall be two, located wholly on the third floor of the building.
 - (h) The minimum yard setbacks shall be as shown on Schedule "C1(129)".
 - (i) No portion of any building or structure erected and used above established grade shall be located other than wholly within the building envelope shown on Schedule "C1(129)".
 - (j) The maximum number of storeys shall be three.
 - (k) The maximum building height shall be 11 metres, measured from established grade to the surface of the roof deck.
 - (l) Roof-top mechanical equipment no more than 2.0 m high, decorative elements no more than 1.0 m high and parapets no more than 1.0 m high may exceed the maximum building height.
 - (m) Any roof top mechanical equipment shall be horizontally enclosed so as to be screened from sight.
 - (n) The maximum lot coverage shall be 35 per cent.
 - (o) The minimum number of parking spaces shall be 10.
 - (p) A 2.2 metre landscaping strip and a 1.5 metre high opaque fence shall be provided along the south property line.
 - (q) The provisions of Sections 6A(16) (Loading Space Requirements) shall not apply.
3. Within the lands shown on Schedule "1" attached to this By-law, 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:
- (a) 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
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational."
4. Section 64.23 (129) of By-law 7625 is amended by adding Schedule "C1 (129)" attached to this By-law.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk



