

Authority: North York Community Council Item 33.47, as adopted by City of Toronto Council on July 8 and 9, 2014

CITY OF TORONTO

Bill No.

BY-LAW No. -2014

To amend ~ Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 591 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;

Whereas pursuant to Section 37 of the *Planning Act*, the Council of a municipality or the Ontario Municipal Board on appeal may in a By-law under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond those otherwise permitted by the By-law in return for the provision of such facilities, services or matters as are set out in the By-law;

Whereas the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

Whereas Council 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. Schedules "B" and "C" of By-law 7625 of the former City of North York, are hereby amended in accordance with Schedule '1' of this By-law.
2. Section 64.20-A of By-law No. 7625 of the former City of North York, is amended by adding the following subsection:

64.20-A (222) RM6(222)

DEFINITIONS

- (a) For the purpose of this exception, "Established Grade" shall mean 188.32 metres above sea level.
- (b) For the purpose of this exception, "Gross Floor Area" shall mean the aggregate area of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
 - (i) The floor area of unenclosed residential balconies;
 - (ii) Lobbies and vestibules;
 - (iii) Stairwells;

- (iv) Indoor recreational amenity area;
 - (v) All floor area below established grade including storage, garbage/recycling rooms, bicycle storage rooms, vehicular parking spaces, and parking aisles; and
 - (vi) Any part of a building used for Mechanical Floor Area including the mechanical penthouse.
- (c) For the purpose of this exception, "Mechanical Floor Area" shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, such as heating, ventilation, air conditioning, electrical, plumbing, fire protection, telephone, television/security areas and elevator equipment.
- (d) For the purpose of this exception, "Motor Vehicle Sharing" refers to a practice whereby a number of people share the use of one or more vehicles owned by an entity, so authorized by the owner of the site.

PERMITTED USES

- (e) The only permitted use shall be an Apartment House Dwelling and uses accessory thereto.

EXCEPTION REGULATIONS

DWELLING UNITS

- (f) A maximum of 78 dwelling units shall be permitted.

LOT AREA

- (g) The provisions of Section 20-A.2.1 (Lot Area) shall not apply.

LOT COVERAGE

- (h) The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply.

LOT FRONTAGE

- (i) The provisions of Section 20-A.2.2 (Lot Frontage) shall not apply.

YARD SETBACKS

- (j) The minimum yard setbacks for buildings and structures above Established Grade shall be as shown on Schedule "RM6(222)".

- (k) The minimum yard setbacks on Schedule “RM6(222)” shall also include balconies.
- (l) Notwithstanding (j) above, the minimum yard setback for parking structures and structures associated thereto below established grade shall be 0.0 metres.
- (m) Notwithstanding (j) above, the minimum yard setback for structures associated with parking structures above established grade shall be 0.0 metres.

GROSS FLOOR AREA

- (n) A maximum Gross Floor Area of 7,600m² shall be permitted.

BUILDING HEIGHT

- (o) The maximum building height, excluding parapets, shall be 12 storeys and 36.7m as shown on Schedule “RM6(222)”.

LANDSCAPING

- (p) A minimum of 390m² of landscaping shall be provided.

PARKING

- (q) A minimum of 73 parking spaces shall be provided, including one parking space dedicated to Motor Vehicle Sharing.

BICYCLE PARKING

- (r) Bicycle parking shall be provided at a minimum rate of 0.7 spaces per dwelling unit for residents.
- (s) Bicycle parking shall be provided at a minimum rate of 0.08 spaces per dwelling unit for visitors.

LOADING

- (t) Notwithstanding Section 6A(16)(c) and 6A(16)(d), 1 loading space shall be required with minimum dimensions of 11.0m long, 3.6m wide and a vertical clearance of 4.2m, with access provided by means of an unobstructed driveway with a minimum width of 6.0m, and a maximum slope of a driveway leading to the loading space shall be 10%.

DIVISION OF LANDS

- (u) Notwithstanding any severance, partition or division of the lands shown on Schedule “RM6(222)”, the regulations of this exception shall continue to apply to the whole of

the said lands as if no severance, partition or division had occurred.

3. On those lands identified as RM6(222) on the accompanying Schedule "1" map the following provisions shall apply:
 - (i) Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in density of development on the *lot* contemplated herein is permitted in return for the provision by the *owner*, at the *owner's* expense, of a cash contribution for a voluntary public art contribution in the amount of \$40,000.00 in the vicinity of the development as follows:
 - (a) Prior to issuance of an above grade building permit the owner shall provide the City with a cash payment of forty-thousand dollars (\$40,000.00) to be paid by way of certified cheque payable to the Treasurer, City of Toronto, for public art in the ward, to be administered by the director of the City's public art program and Executive Director of City Planning, in consultation with the local Ward Councillor. Such amount shall be indexed upwardly annually in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of approval of this By-law to the date the payment is made.
 - (ii) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless the cash contribution contemplated herein has been paid.
 - (iii) In the event the cash contribution referred to in Section 3. (i) and 3. (i) (a) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lot.
4. Section 64.20-A of By-law No. 7625 is amended by adding Schedule "RM6(222)", attached to this By-law.
5. By-law No. 661-2011, including Schedule 1 and Schedule RM6(199), as it pertains to Section 64.20-A (199) of the former City of North York Zoning By-law No. 7625, is hereby repealed.
6. 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

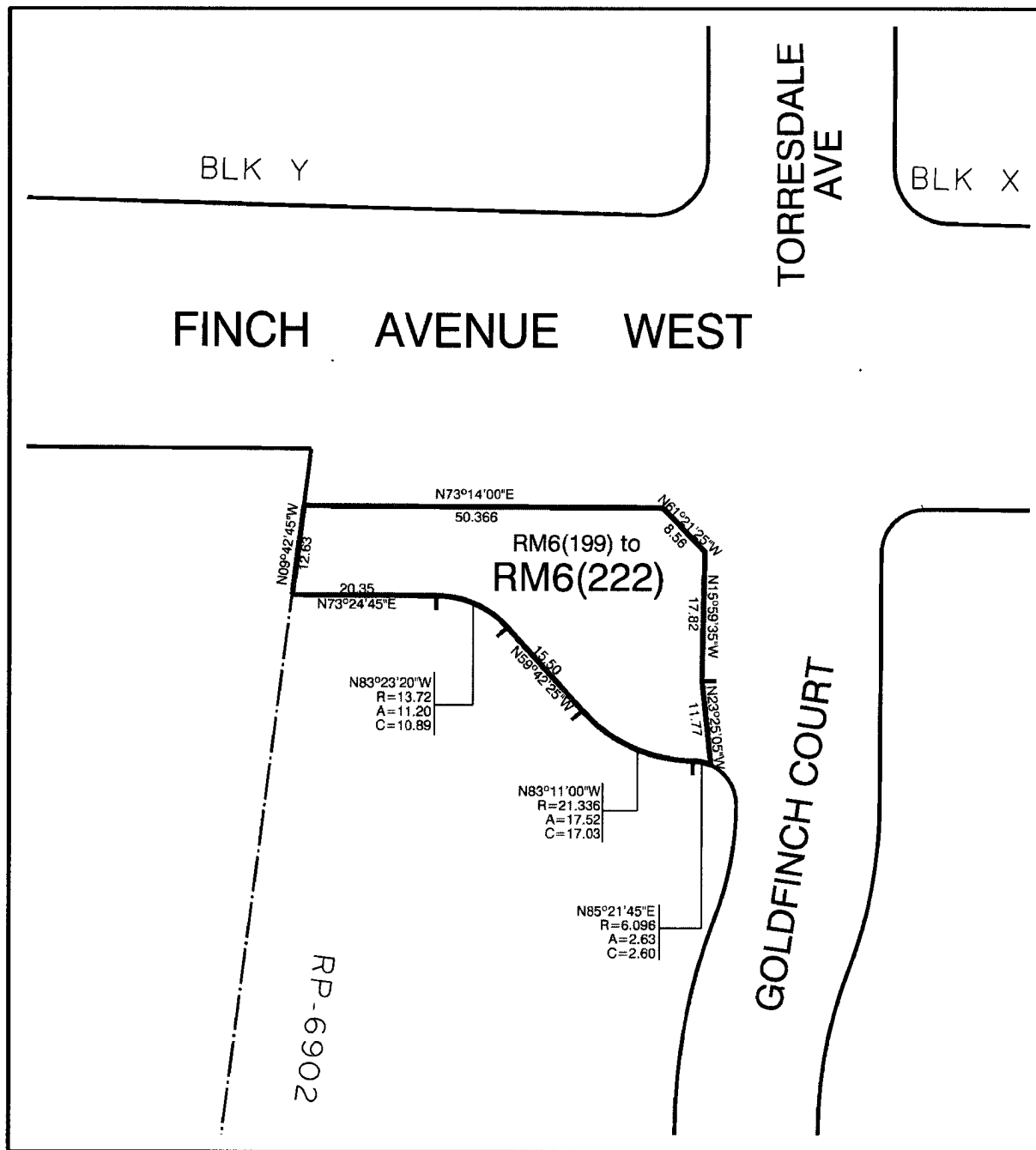
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on **(clerk to insert the date)**, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



Schedule 1

Part of Goldfinch Court and Part of the 0.30 Reserve, R.P.6902

File # 12 296188 NNY 10 0Z

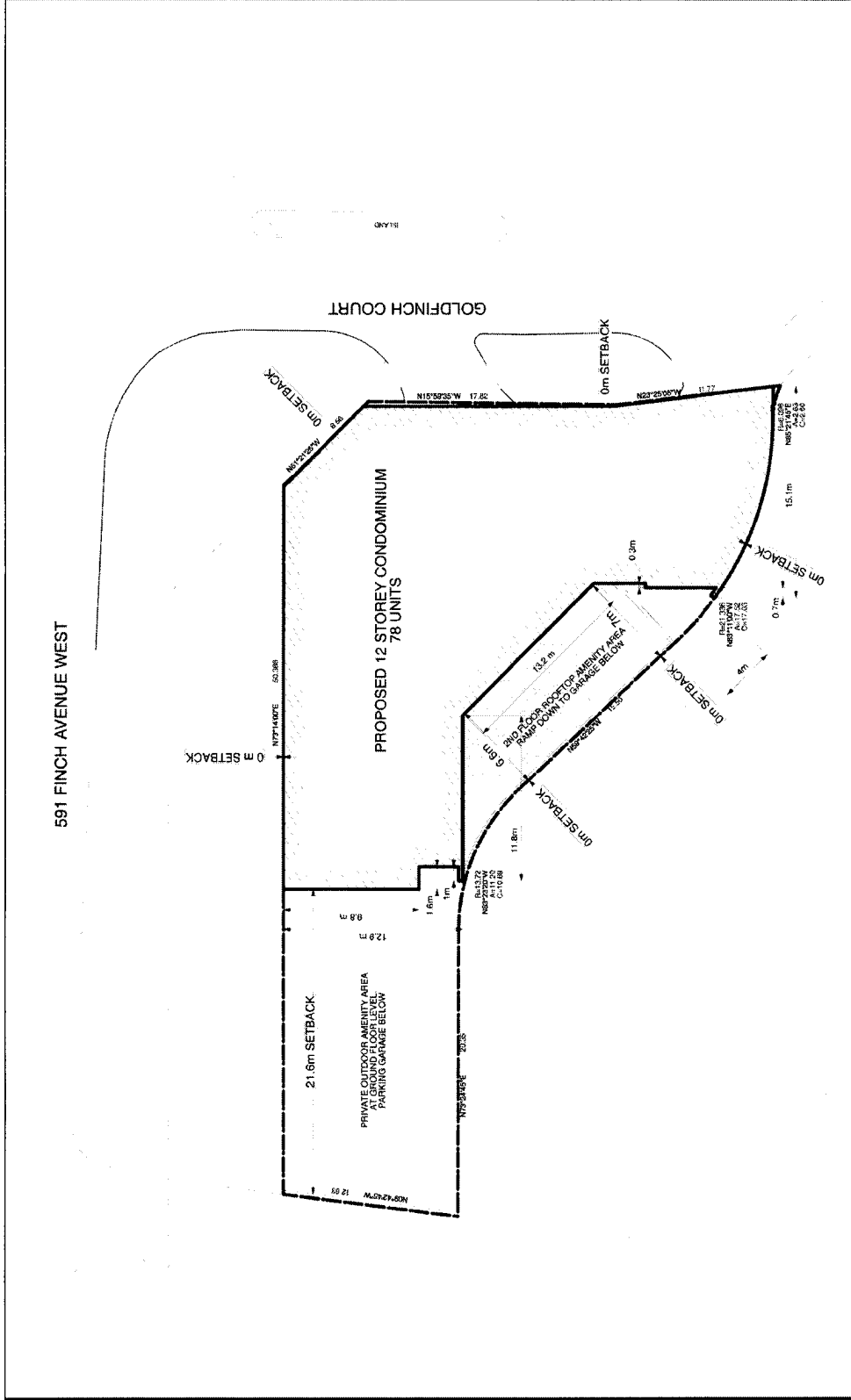
Rowan - Stanciu Ltd Ontario Land Surveyors

Date: 02/28/2014

Approved by: D. Stiles



Not to Scale



Toronto City Planning

Schedule RM6(222)

File # 12 296188 NNY 02

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Not to Scale

Part of Goldfinch Court and Part of the 0.30 Reserve, R.P.6902

Rowan - Stanciu Ltd Ontario Land Surveyors

Date: 02/28/2014

Approved by: D. Stiles