

15, 19 and 21 Holmes Avenue – Official Plan and Zoning By-law Amendment and Rental Housing Demolition Applications– Supplementary Report

Date: March 14, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18

Planning Application Number: 18 147351 NNY 23 OZ and 18 180970 NNY 23 RH

SUMMARY

This report outlines revisions to the proposal and provides an update on this application since its adjournment by North York Community Council at its February 14, 2019 meeting. Staff recommend approval of the revised Official Plan and Zoning By-law Amendment applications.

Staff also recommend City Council approve the Rental Housing Demolition application because there are less than six rental dwelling units proposed to be demolished and sufficient tenant assistance would be provided to all tenants.

On February 14, 2019, this application was deferred by North York Community Council. The application sought to amend the Official Plan and Zoning By-law to permit a 33-storey residential building with a height of 105.80 metres plus mechanical penthouse, containing 367 units. The overall gross floor area is 24,845 m² resulting in a Floor Space Index of 4.99 times the lot area at 15, 19 and 21 Holmes Avenue.

Upon further review of the proposal and the policies contained in the North York Centre Secondary Plan and Zoning By-law No. 7625, in consultation with Legal Services Staff, Planning Staff identified an interpretation error for the calculation of the gross floor area as it pertains to the private recreational use accessory to a residential use contained under the density incentive chart Figure 3.3.1 of the North York Centre Secondary Plan, which states that the "The gross floor area of the private recreational use up to a maximum of 1.5 square metres per dwelling unit is exempted from the calculation of the gross floor area". The Plan states that "the Gross Floor Area calculation may omit the gross floor area of density incentives as set out in Section 3", however, the application of the density incentive policy is through a monetary deduction equivalent to the value of the amenity gross floor area in excess of the permitted base density, not an exemption in gross floor area. As a result, the applicant has revised their proposal to amend the Supplementary Report - 15-21 Holmes Ave

Official Plan and Zoning By-law to permit a 32-storey residential building containing 358 units while the overall gross floor area remains at 24,845 m² resulting in a Floor Space Index of 4.99 times the lot area. A reduction in residential units correspondingly reduced the total parking spaces to 122 spaces and bicycle parking spaces to 358 provided on the mezzanine level (208 spaces) and underground garage (150 spaces). The revised outdoor amenity space of 537 square metres now meets the Official Plan requirement. Please refer to the revised Data Sheet at Attachment No. 1.

Following discussions with Transportation Services Staff, it has been determined that a Development Charge Credit is eligible for a portion of the proposed road, pedestrian, and cycling improvements at the intersection of Doris Avenue and Holmes Avenue, to be determined to the satisfaction of Transportation Services Staff. The recommendations have been revised to delete any reference to a density incentive for these improvements, and to add a recommendation to provide for the Development Charge Credit.

The applicant submitted a Rental Housing Demolition application to demolish two (2) rental dwelling units on June 19, 2018. The applicant has proposed to offer tenant assistance consisting of one (1) month rent equivalent financial compensation. The assistance would be provided to all tenants, including those tenants who occupy one of the condominium registered units and who were living at the property as of January 2019. Expanding the compensation to tenants in the condominium rental units goes beyond the requirements of the related by-law. The financial compensation would be in addition to the three (3) month's rent equivalent financial compensation required by the Residential Tenancies Act.

A required tenant consultation meeting was held per the Rental Housing Demolition by-law on February 13, 2019. The meeting was attended by planning staff, representatives of the applicant and tenants for five (5) of the seven (7) units which were occupied at that time. Tenants were presented with the tenant assistance plan containing the additional rent equivalent compensation outlined above. Tenants raised concerns about replacement housing. Although the applicant does not own any rental stock in the city they agreed to help with references and searches.

Staff recommend City Council approve the Rental Housing Demolition application because there are less than six (6) rental dwelling units proposed to be demolished, and sufficient tenant assistance would be provided to all tenants.

Staff have accepted the revisions to the proposal that are in accordance with the North York Centre Secondary Plan density incentive policies. Staff recommend approval of the Official Plan and Zoning By-law application and the corresponding Rental Housing Demolition application, as revised in the following recommendations listed below.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 15, 19 and 21 Holmes Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 2 to this report, as follows:
 - i) provide a maximum building height of 104 metres excluding the mechanical penthouse.
 - ii) permit the private outdoor recreational space to be provided above- grade and on the fourth floor.
 - iii) permit a bicycle parking room on the mezzanine level.
 - iv) exempt the proposed development from the secondary plan parking rates
2. City Council amend the Zoning By-law No. 7625, for the lands at 15, 19, 21 Holmes Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i) an indoor bicycle parking room with a minimum area of 199 m² containing 208 bicycle parking spaces and a bicycle repair area located on the mezzanine level and directly accessible to the outdoors via a bicycle ramp.
 - ii) a minimum of 1.5 square metres per dwelling unit of indoor recreational amenity space.
 - iii) the owner shall provide a monetary contribution by way of certified cheque in a form that is satisfactory to the City to fund up to 5,430 square metres of proposed gross floor area to be used by the City in its sole discretion toward the provision of public recreation centres and social facilities and/or toward the cost of constructing and furnishing such facilities and any other items identified in the North York Centre Secondary Plan. Such contribution shall be provided to the City prior to the issuance of the first building permit. Such contribution shall be indexed upwardly to the Toronto Real Estate Board Market Watch Index from the date of execution of the Section 37 Agreement.
 - b. The following matters are also recommended to be secured in the Section 37 Agreement to support development but are not eligible for additional gross floor area incentives:

- i) A common outdoor space (mid-block connection) to be located adjacent to the building connecting the public park to the public lane and shall be designed in accordance with the conditions of site plan approval for the project including providing a public access easement and any supporting easements, in favour of the City, to the satisfaction of the City Solicitor.
 - ii) The public laneway will be widened by 0.72 metres along the westerly portion of the property to be conveyed to the City to satisfy the 6 metres lane right-of-way to the satisfaction of the General Manager of Transportation Services. The public laneway will be repaired and maintained to City standards and secured through a legal agreement to specify the future terms of the private use of the public laneway including restrictions of vehicular use southbound on the laneway in coordination with Real Estate Services.
 - iii) Transportation demand measures including the provision of a real time transit display, electric car charging stations and the provision of two car share spaces on-site in appropriate locations to the satisfaction and approval of the General Manager, Transportation Services.
 - iv) The owner shall provide tenant relocation assistance to all eligible tenants to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - vi) The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.
 - vii) The applicant will provide turn restrictions from their property through signage and a concrete curb to restrict traffic from moving southbound on the city owned lane from their site to the satisfaction of the Chief Planner and Executive Director, City Planning.
5. City Council approve the application for a Rental Housing Demolition permit in accordance with Chapter 667 of the Toronto Municipal Code to allow for the demolition of two (2) existing rental dwelling units located at 19 and 21 Holmes Avenue, subject to the following condition:
- a. The owner shall provide tenant assistance to all tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
6. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue the Preliminary Approval for the application under Municipal Code Chapter 667 for the demolition of the two (2) existing rental dwelling units at 19 and 21 Holmes Avenue after all of the following have occurred:
- a. Satisfaction or securing of the condition in Recommendation 5.a above;
 - b. The Official Plan Amendment has come into full force and effect;
 - c. The Zoning By-law Amendments have come into full force and effect;
 - d. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner or their designate, pursuant to Section 114 of the *City of Toronto Act, 2006*; and

- e. The issuance of excavation and shoring permits for the approved structure on the site.
- 7. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has given Preliminary Approval referred to in Recommendation 6 above.
- 8. City Council authorize the Chief Building Official to issue a demolition permit for the fourteen (14) residential dwelling units under Section 33 of the Planning Act no earlier than the issuance of the first building permit for excavation and shoring of the development, and after the Chief Planner and Executive Director, City Planning Division has given preliminary approval referred to in Recommendation 6 above, which permit may be included in the demolition permit for Chapter 667 under 363-11.1, of the Municipal Code, on condition that:
 - a. the owner remove all debris and rubble from the site immediately after demolition;
 - b. the owner erect solid construction hoarding to the satisfaction of the Chief Building Official;
 - c. The owner erects a residential building on site no later than four (4) years from the day demolition of the buildings is commenced; and
 - d. Should the owner fail to complete the new building within the time specified in condition (c) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
- 9. City Council approve a development charge credit against the Parks and Recreation component of the development charges for the design and construction by the owner of the above base park improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost of the owner of designing and constructing the above base park improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of the development charges payable for the development in accordance with the City's development charges by-law, as may be amended from time to time.
- 10. Before introducing the necessary bills to City Council for enactment, outstanding engineering issues outlined in the memo dated February 20, 2019 from Engineering and Construction Services as they relate to the zoning by-law amendment to be addressed to the satisfaction of the Director, Community Planning, North York District in consultation with the Executive Director and Chief Engineer, Engineering and Construction Services.

11. City Council approve a development charge credit against the roads and related component of the development charges in an amount approved by the General Manager, Transportation Services and up to the amount of \$350,000, payable for the construction by the owner of the proposed roads and related, and cycling improvements at the intersection of Doris Avenue and Holmes Avenue, excluding the proposed road improvements immediately fronting the development site. The development charge credit shall be in an amount that is the lesser of sixty percent of the cost to the owner of constructing the improvements, as approved by the General Manager, Transportation Services, and the roads and related component of the development charges payable for the development in accordance with the City's development charges by-law, as it may be amended from time to time.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

CONTACT

Jenny Choi, Planner, Community Planning, Tel. No. 416-395-0108
E-mail: Jenny.Choi@toronto.ca

Jym Clark, Planner, Strategic Initiatives Policy and Analysis, Tel. No. 416-382-8124,
Jym.Clark@toronto.ca

SIGNATURE

Joe Nanos, Director
Community Planning, North District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Draft Official Plan Amendment
- Attachment 3: Draft Zoning By-law Amendment
- Attachment 4: Site Plan
- Attachment 5: Elevation Plan (north)
- Attachment 6: Elevation Plan (east)

Attachment 1: Application Data Sheet

Municipal Address: 15-21 HOLMES AVE Date Received: April 23, 2018

Application Number: 18 147351 NNY 23 OZ

Application Type: Official Plan and Rezoning, and Rental Demolition

Project Description: The proposal is for a 32-storey residential building (103.45 metres, plus the mechanical penthouse) containing 358 units. The existing 12 townhouses and two detached rental dwellings will be demolished to accommodate the proposal. A total of 122 parking spaces will be provided in the 3-levels of underground garage via a widened public laneway.

Applicant	Agent	Architect	Owner
15 TO 21 HOLMES DEVELOPMENT INC	Matt Young	IBI Group Inc. 7th Floor, 55 St. Clair Avenue West. Toronto, ON M4V 2Y7	15 TO 21 HOLMES DEVELOPMENT INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: RM1 & R4 Heritage Designation: N

Height Limit (m): 87 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 4,99 Frontage (m): 71 Depth (m): 72

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,190	0	1580	1580
Residential GFA (sq m):	4,840	0	24,845	24,846
Non-Residential GFA (sq m):				
Total GFA (sq m):		0	24,845	24,846
Height - Storeys:	2		32	32
Height - Metres:			103.45	103.45

Lot Coverage Ratio (%) 32 Floor Space Index: 4.99

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	24,845	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	2			
Condominium:	12	0	358	358
Other:				
Total Units:	14	0	358	358

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			231	91	36
Total Units:			231	91	36

Parking and Loading

Parking Spaces:	122	Bicycle Parking Spaces:	358	Loading Docks:	1
--------------------	-----	-------------------------	-----	----------------	---

CONTACT:

Jenny Choi, Planner
(416) 395-0108
Jenny.Choi@toronto.ca

Attachment 2: Draft Official Plan Amendment

CITY OF TORONTO

BY-LAW No. ~-20~

To adopt Amendment No. 442 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2018 as 15, 19 and 21 Holmes Avenue

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c.P.13, as amended, to pass this By-law;

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 HEARBY ENACTS as follows:

1. The attached Amendment No.442 to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on ~, 20~

John Tory
Mayor

Ulli S. Watkiss,
City Clerk

(Seal of the City)

AMENDMENT NO. 442 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2018 AS
15, 19 and 21 Holmes Avenue

The Official Plan of the City of Toronto is amended as follows:

Clause 1

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by modifying Section 13, North York Centre North Site Specific Policies, by adding the following Site Specific Policy No. 16:

16. 15, 19 and 21 Holmes Avenue.

- (a) This Site Specific Policy 16 applies to the lands identified in heavy outline and amends Map 8-13 attached to this By-law (the "Lands") identified as Schedule 1
- (b) Pursuant to Section 5.4.2 of this Secondary Plan, a maximum building height of 103.45 metres excluding the mechanical penthouse, is permitted on the Lands identified as Schedule 2
- (c) Despite Section 6.7 of this Secondary Plan, the Private Outdoor Recreational Space requirements for the Residential Development on the lands shall be as follows:
 - (i) The private outdoor recreational space may be located above-grade on the fourth floor
- (d) For the purpose of this exception, under Section 3.3 of this Secondary Plan, bicycle parking may be provided on the mezzanine level.

Clause 2

Chapter Six, Section 8 (North York Centre Secondary Plan) entitled "Maximum Height Limits", is amended with respect to the Lands shown in heavy outline and amends Map 8-8b as attached to this By-law and identified as Schedule 2.

Clause 3

Notwithstanding APPENDIX 1 – NORTH YORK CENTRE MOTOR VEHICLE PARKING POLICY, Section 2.2 does not apply. "

Schedule '1'



North York Centre Secondary Plan

MAP 8-13 North York Centre North Site Specific Policies

- Secondary Plan Boundary
- Site Specific Policy Areas*

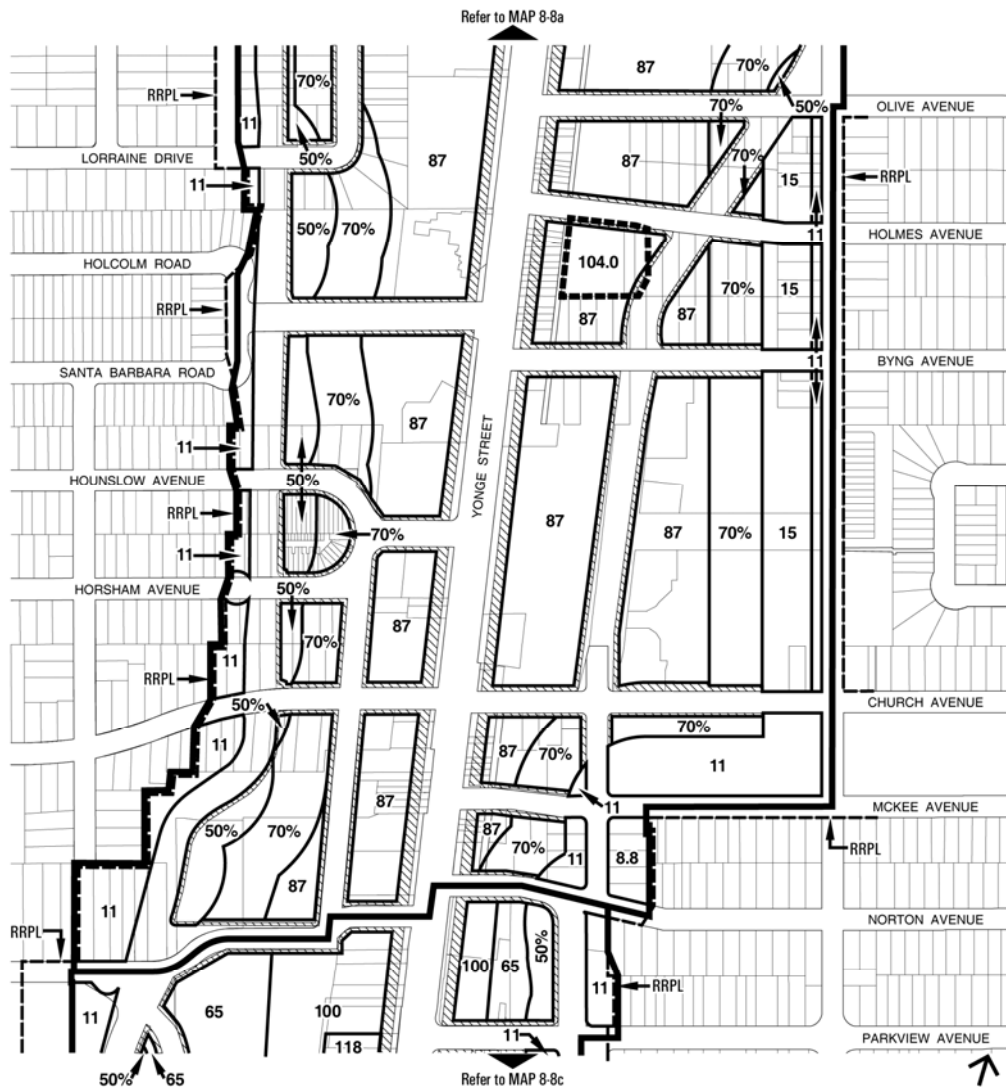
* The shaded areas on this map are subject to the specific policies set out in the North York Centre Secondary Plan, Section 13.

This map forms part of the Official Plan and should be interpreted in conjunction with the written text.



October 2009

Schedule '2'



North York Centre Secondary Plan

MAP 8-8b Maximum Height Limits

Secondary Plan Boundary	Maximum 87m Above Grade	Relevant Residential Property Line (RRPL)
The Lesser of 8.8m or 2 Storeys	Maximum 100m Above Grade	Location of Application
The Lesser of 11m or 3 Storeys	Maximum 50% Horizontal Distance from RRPL	
The Lesser of 15m or 4 Storeys	Maximum 70% Horizontal Distance from RRPL	
Maximum 65m Above Grade	Street Facade Limit as per Section 5.3 of this Secondary Plan	



November 2015

Attachment 3: Draft Zoning By-law Amendment

CITY OF TORONTO BY-LAW No. XXX-2019

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 15, 19 and 21 Holmes Avenue.

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 7625 of the former City of North York, as amended, 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 15, 19 and 21 Holmes Avenue;

AND WHEREAS the Council of the City of Toronto conducted a public meeting under Section 34 of the Planning Act regarding the proposed Zoning By-law amendment;

AND WHEREAS the Council of the City of Toronto, at its meeting on _____, determined to amend Zoning By-law No. 7625 of the former City of North York, as amended;

NOW THEREFORE the Council of the City of Toronto HEREBY ENACTS as follows:

Schedules “B” and “C” of By-law No. 7625 of the former City of North York, as amended, are amended in accordance with Schedule 1 and Schedule 2 attached to this By-law.

Within the lands shown in heavy outline 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.

Section 64.16-1 of By-law No. 7625, as amended, is further amended by addition of the following subsection:

“64.16-1 (XXX) RM1(114)

DEFINITIONS

BICYCLE PARKING

For the purpose of this exception, “bicycle room” shall mean an indoor space that is designed and equipped for the purpose of parking and securing bicycles.

For the purpose of this exception, “bicycle parking space” shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles and:

- (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres;
- (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres; and

- (iii) where bicycles are to be parked in a bicycle rack or in a stacked manner, bicycles may be parked in a secured room or area, in bicycle lockers or on a rack/hook on a wall associated with a vehicle parking space on any parking level so long as such rack/hook does not encroach into a vehicle parking space and in all such cases the dimensions in 3(b)(i) and (ii) shall not apply.

ESTABLISHED GRADE

For the purpose of this exception, “established grade” shall mean the geodetic elevation of 191.13 metres.

GROSS FLOOR AREA

For the purpose of this exception, “gross floor area” shall mean the aggregate of the areas 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) Any part of the building used for mechanical floor area;
- (ii) Any space in a parking garage below grade for vehicular parking and access thereto including storage and loading; and
- (iii) Below-grade storage lockers.

INDOOR RECREATIONAL AMENITY AREA

For the purpose of this exception, “indoor recreational amenity area” shall mean an area set aside for social and/or recreational purposes such as exercise rooms, children’s play area, lounges, meeting or party rooms, dog care facilities, guest suites and other similar uses, which is common to all residents in the building.

MECHANICAL FLOOR AREA

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, including but not limited to heating, ventilation, air conditioning, electrical, plumbing, fire protection, telephone, telecommunication, cable and elevator equipment, garbage chutes and compactors, stormwater management and irrigation facilities.

LANDSCAPING

For the purpose of this exception, “landscaping” shall mean trees, shrubs, grass, flowers and other vegetation, decorative stonework, walkways, patios, screening or other horticultural or landscape architectural elements, or any combination of these, but not driveways or parking areas and directly associated elements such as curbs or retaining walls.

OUTDOOR RECREATIONAL AMENITY AREA

For the purpose of this exception, “outdoor recreational amenity area” shall mean an area(s) set aside for social and/or recreational purposes such as playgrounds, outdoor swimming pools and seating areas, which are common to all residents of the building.

COMMON OUTDOOR SPACE:

For the purpose of this exception, "common outdoor space" shall mean unenclosed, exterior, publicly accessible areas of the site that are adjacent to the building, adjoining a public lane and public park and consist of hard or soft landscaping. "Common outdoor space" may include pedestrian facilities, appropriate lighting and public art.

SALES OFFICE

For the purpose of this exception, “sales office” shall mean an office located on the lands in a temporary or existing building, structure, facility or trailer satisfactory to the City’s Chief Planner used exclusively for the purpose of selling or leasing the residential dwelling units or the non-residential gross floor area to be erected within the site.

PERMITTED USES

- i. the only permitted uses on the lands are:

RESIDENTIAL

- i. apartment house dwellings and accessory uses thereto including private recreational amenity areas; and

- ii. guest suites

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

The maximum residential gross floor area permitted on the site shall not exceed 24,845 square metres.

NUMBER OF DWELLING UNITS

The maximum number of dwelling units shall be 358.

BUILDING ENVELOPE

No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule RM1(114) except for projections permitted in Section 6(9) of the By-law as well as canopies, lights, stairs, and other architectural features which may project beyond the building envelope up to a maximum of 2.1 metres.

BUILDING HEIGHT

The building height, measured from established grade, shall not exceed the maximum height of 103.45 metres also shown on Schedule RM1(114) excluding mechanical penthouses to a maximum height of 5.75 metres, parapets and other architectural features, mechanical equipment and other elements necessary for the functional operation of the building and stairwells to access the roof.

NUMBER OF STOREYS

The number of storeys shall not exceed the maximum shown on Schedule RM1(114) excluding mechanical penthouses, parapets and other architectural features, mechanical equipment and other elements necessary for the functional operation of the building, and stairwells to access the roof.

MOTOR VEHICLE PARKING

Motor vehicle parking spaces shall be provided within the site in accordance with the following requirements:

- (i) 0.30 spaces per residential unit for residents
- (ii) 0.03 spaces per residential unit for visitors

BICYCLE PARKING

Bicycle parking spaces shall be provided within the site in accordance with the following requirements:

- (i) 321 resident bicycle parking spaces; and
- (ii) 37 visitor bicycle parking spaces.

LOADING

A minimum of one (1) Type 'G' loading space shall be provided for the building.

INDOOR RECREATIONAL AMENITY AREA

A minimum of 1.5 square metres per dwelling unit of indoor recreational amenity area shall be provided on the site.

OUTDOOR RECREATIONAL AMENITY AREA

A minimum of 1.5 square metres per dwelling unit of outdoor recreational amenity area shall be provided on the site at or above grade, in addition to the Privately-Owned Publicly Accessible Open Space provided at grade.

COMMON OUTDOOR SPACE (Mid-block connection)

A Privately-Owned Publicly Accessible Open Space with a minimum area of 364 square metres shall be provided as shown on Schedule RM1 (114).

YARD SETBACKS

The minimum yard setbacks shall be as shown on Schedule RM1(114).

PROVISIONS NOT APPLICABLE

The provisions of Sections 6A(2), 6A(16)(d)(iv), 6(9)(a), 15.8, and 16.2.2 16.2.4, 16.2.5 16.2.6 and 16.3.2 do not apply.

SECTION 37 COMMUNITY BENEFITS

Pursuant to Section 37 of the Planning Act, the density of development permitted in this By-law is permitted subject to compliance with all of the conditions set out in this By-law including the provision by the owner of the facilities, services or matters referred to herein at the owner's sole expense. In this regard, the owner of the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act to secure the facilities, services and matters referred to herein, which agreement(s) may be registered against title to the lands. In the event such agreement(s) require the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements:

- i) Bicycle room(s) containing a minimum of 208 bicycle parking spaces at the mezzanine level accessible from the outside and having a minimum area of 199 square metres.
- ii) a minimum of 1.5 square metres per dwelling unit of indoor recreational amenity space.
- iii) the owner shall provide a monetary contribution by way of certified cheque in a form that is satisfactory to the City to fund up to 5,430 square metres of proposed gross floor area to be used by the City in its sole discretion toward the provision of public recreation centres and social facilities and/or toward the cost of constructing and furnishing such facilities and any other items identified in the North York Centre Secondary Plan. Such contribution shall be indexed upwardly to the Toronto Real Estate Board Market Watch Index from the date of execution of the Section 37 Agreement.

The following are also to be secured but are not eligible for additional Gross Floor Area incentives:

- iv) A common outdoor space (mid-block connection) to be located adjacent to the building connecting the public park to the public lane.
- v) Transportation demand measures including the provision of a real time transit display, electric car charging stations and the provision of two car share spaces.
- vi) The owner shall provide tenant relocation assistance to all eligible tenants to the satisfaction of the Chief Planner and Executive Director, City Planning.

vii) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard.

vii) the applicant will provide turn restrictions from their property through signage and a concrete curb to restrict traffic from moving southbound on the city owned lane from their site to the satisfaction of the Chief Planner and Executive Director, City Planning.

ADDITIONAL GROSS FLOOR AREA (INCENTIVE GFA)

Notwithstanding the maximum gross floor area of 18,679 square metres which is the base density in the secondary plan, additional gross floor area up to a maximum of 6,166 square metres (33 percent additional GFA) shall be permitted on the net site. However, the total gross floor area of all buildings permitted on the lands shall not exceed 24,845 square metres. In addition, the allocation of additional gross floor area is limited as follows:

i) a maximum of 1.5 square metres per dwelling unit of indoor recreational amenity area.

ii) a maximum of 199 square metres for the provision of above grade bicycle room containing a total of 208 bicycles.

ii) a density incentive of a maximum of 5,430 square metres for a monetary contribution by way of certified cheque in a form that is satisfactory to the City to be used by the City in its sole discretion toward the provision of public recreation centres and social facilities and/or toward the cost of constructing and furnishing such facilities and any other items identified in the North York Centre Secondary Plan.

SEVERANCE

Notwithstanding any past or future severance, partition or division of the net site shown on Schedule RM1 (114), the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred."

Section 64.37 of By-law No. 7625 of the former City of North York is amended by adding Schedule "O1(XXX)" attached to this By-law.

Where any provision or Schedule of By-law No. 7625 of the former City of North York, as amended, conflicts with this By-law, this By-law shall prevail.

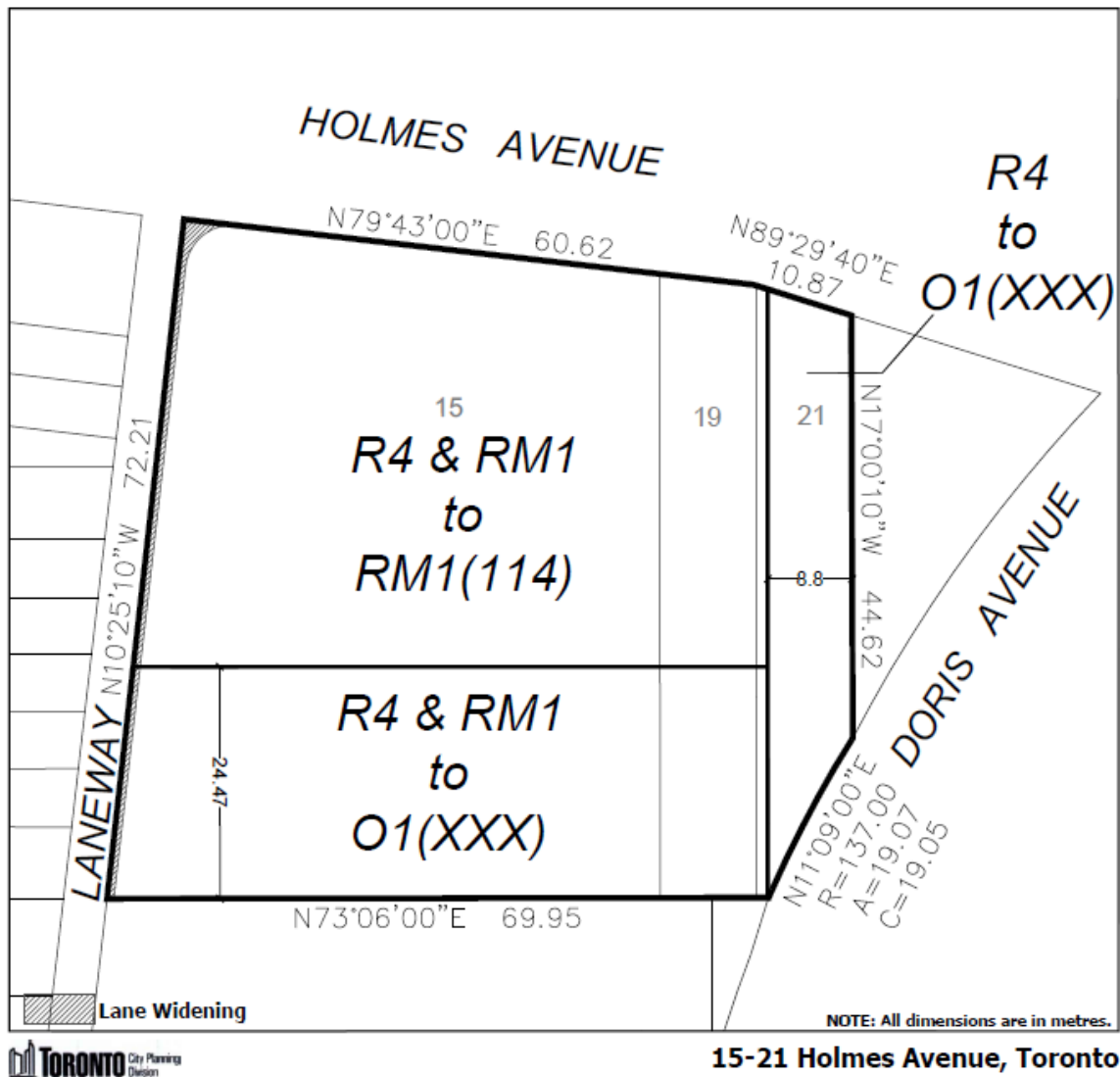
ENACTED AND PASSED this ~ day of ~, A.D. 2019.

John Tory
Mayor

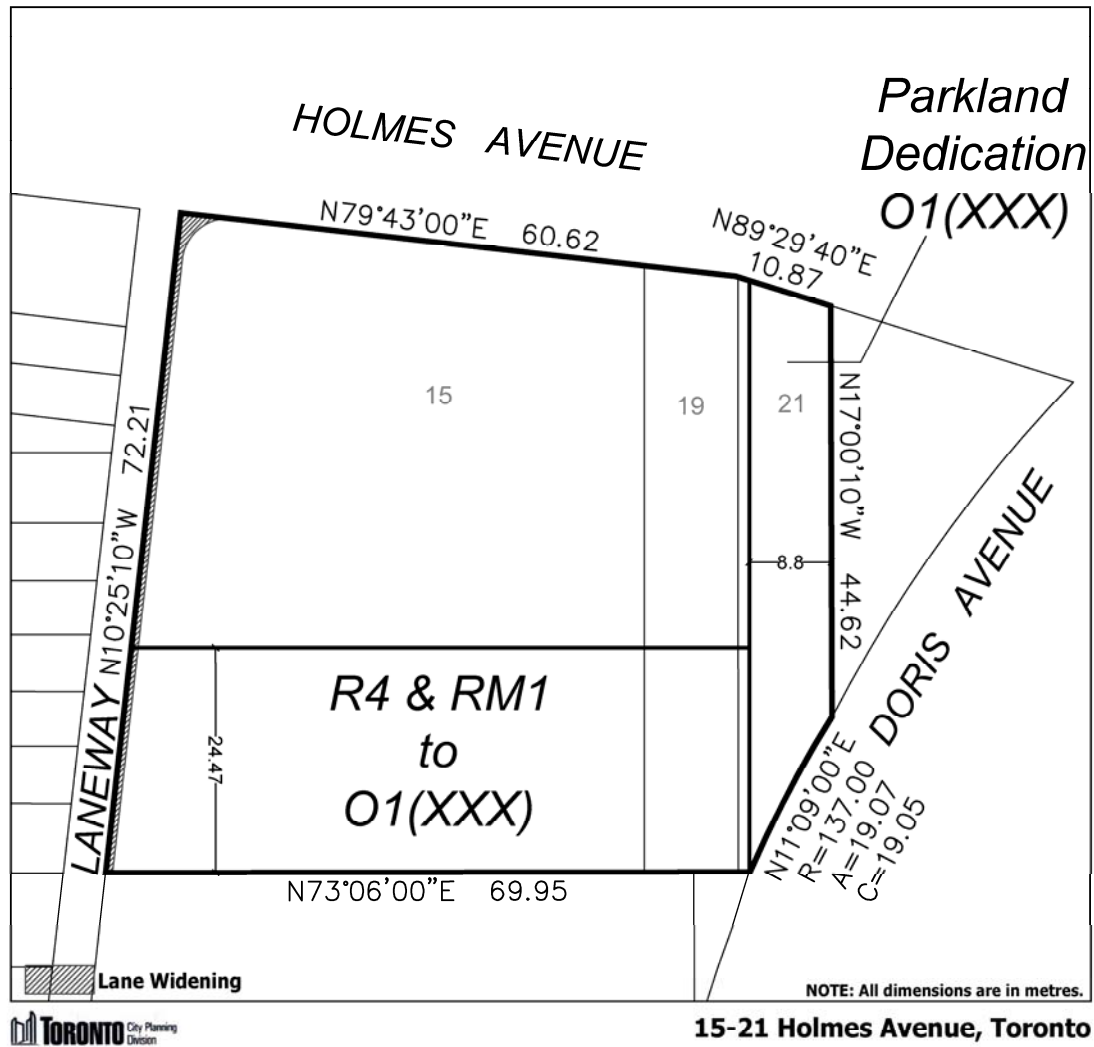
Ulli S. Watkiss
City Clerk

(Seal of the City)

Schedule 1



Schedule 2

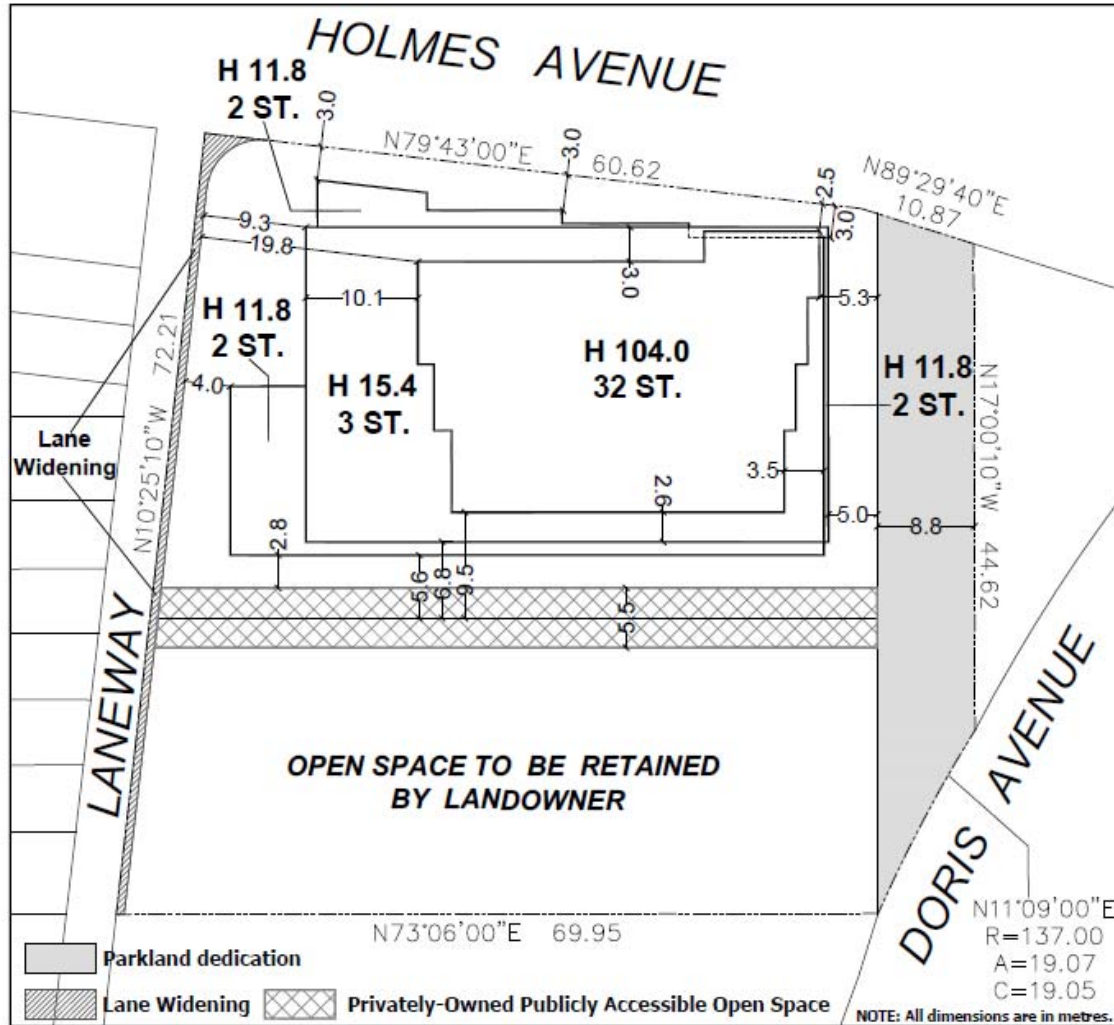


File #18

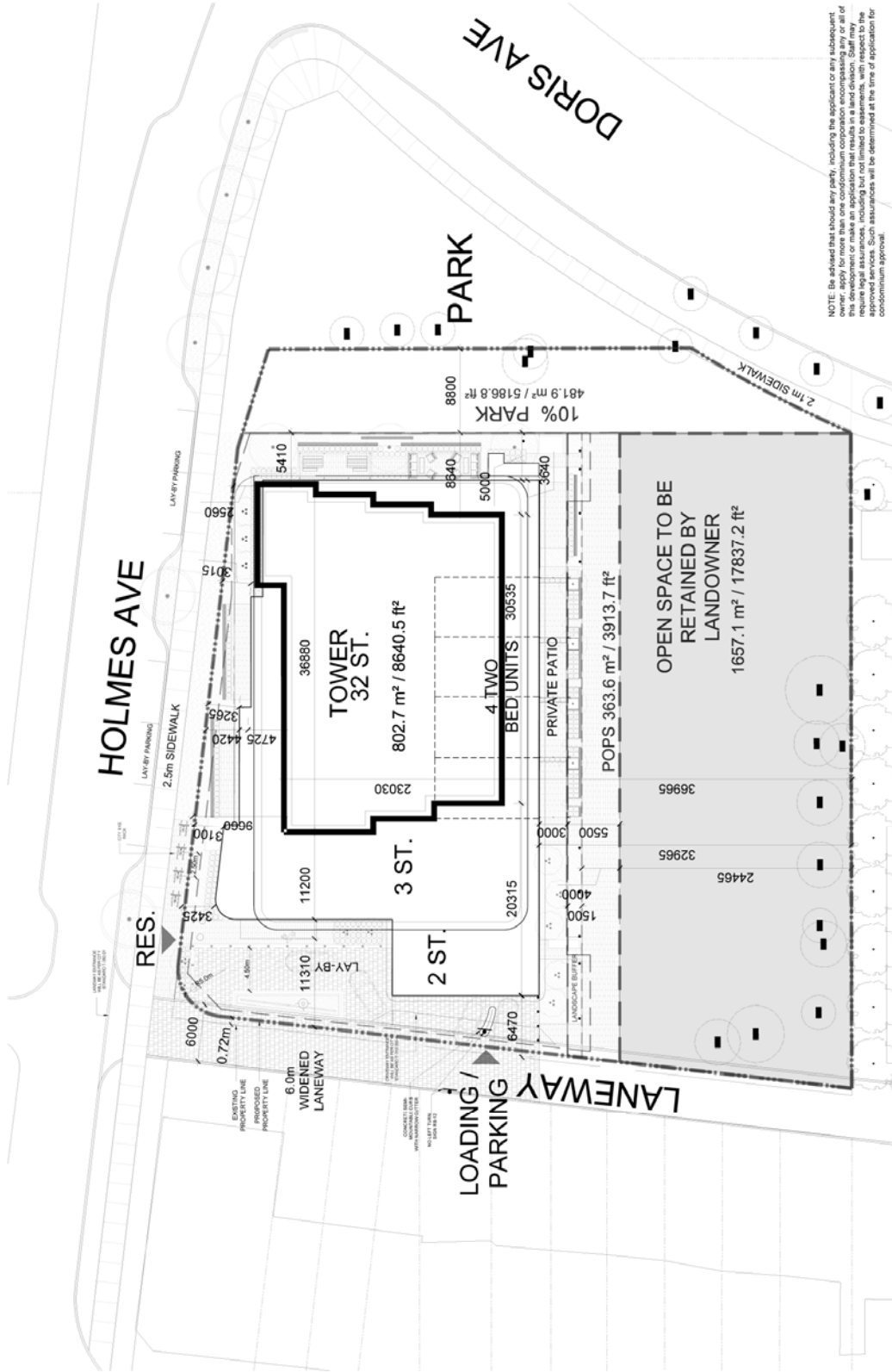


Not to Scale

Schedule RM1 (XXX)



Attachment 4: Site Plan



15-21 Holmes Avenue

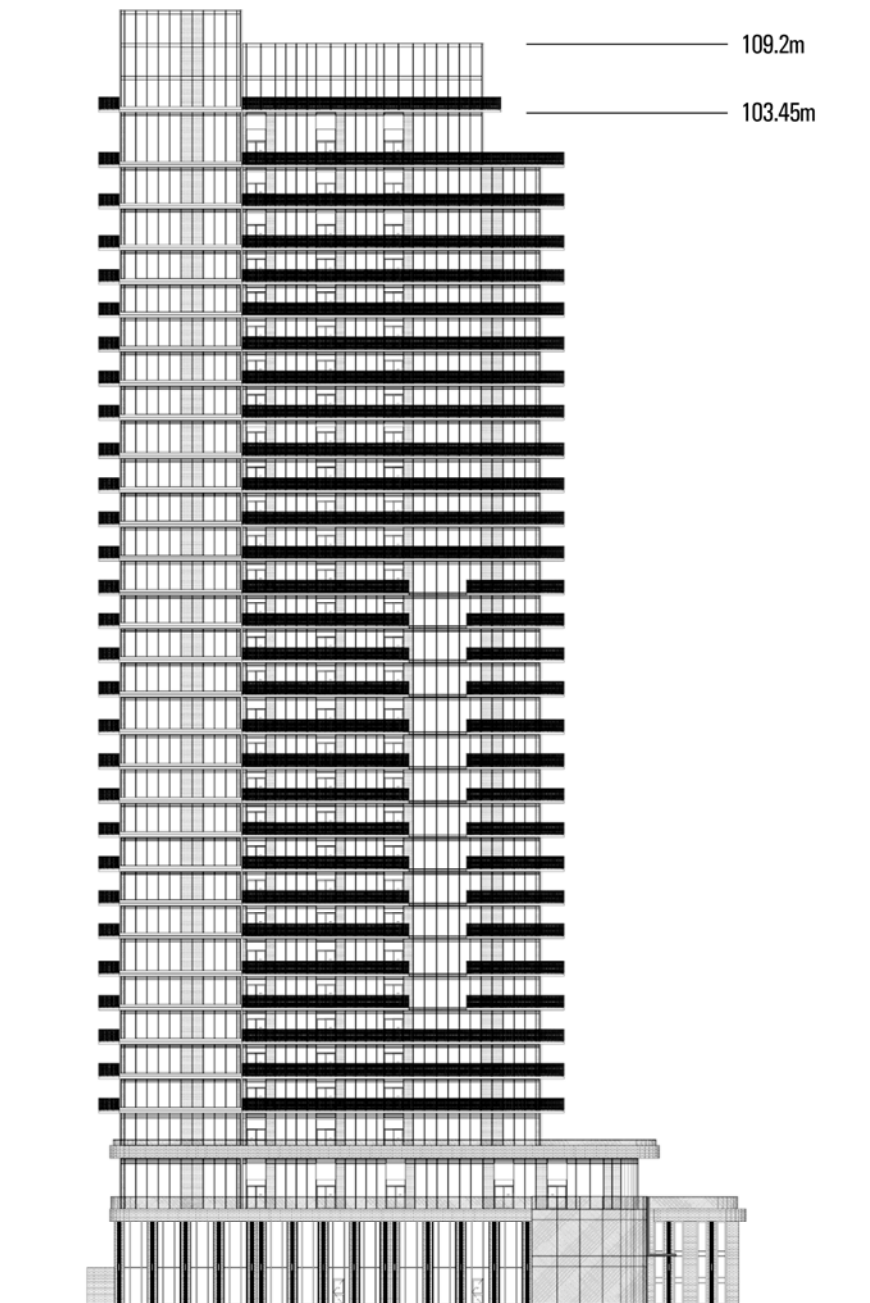
File # 18 147351 NNY 23 0Z

Site Plan

Applicant's Submitted Drawing

Not to Scale
03/07/2019

Attachment 5: North Elevation



North Elevation

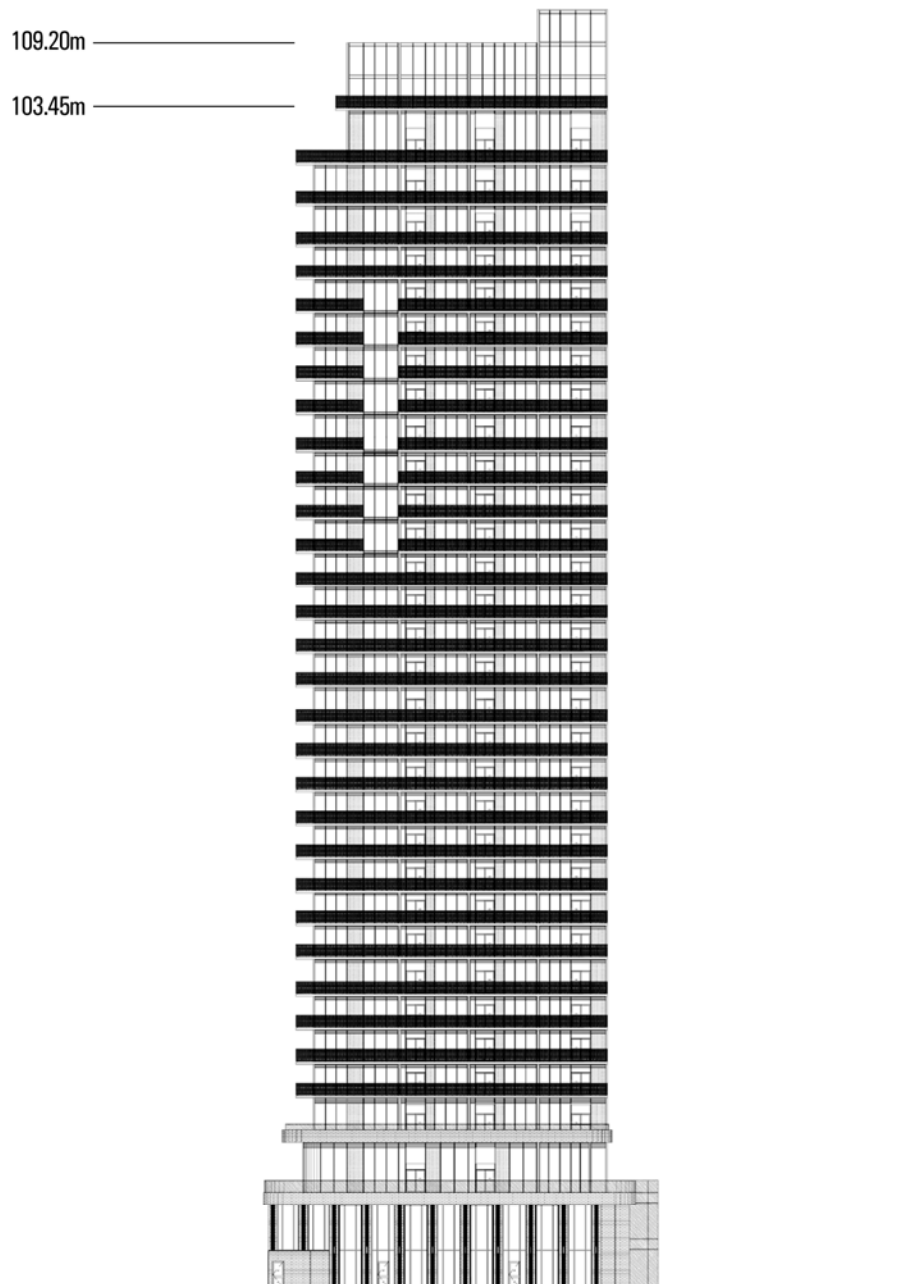
15-21 Holmes Avenue

Applicant's Submitted Drawing

Not to Scale
03/07/2019

File # 18 147351 NNY 23 0Z

Attachment 6: East Elevation



East Elevation

Applicant's Submitted Drawing

Not to Scale
03/07/2019

15-21 Holmes Avenue

File # 18 147351 NNY 23 0Z
