

Public Attachment 4

CITY OF TORONTO

BY-LAW NO. XXX-2021

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known in the year 2021 as 35-39 Holmes Avenue.

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 enacts:

1. Schedules “B” and “C” of By-law No. 7625, as amended, are amended in accordance with Schedule 1 of this by-law.
2. Section 64.13 of By-law No. 7625, as amended, is amended by adding the following subsection:

64.13 (XXX) RM6 (XXX)

DEFINITIONS

For the purposes of this By-law, all bolded words and expressions have the same meanings as defined in By-law No. 7625, as amended, with the exception of the following:

- (a) 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.
- (b) For the purpose of this exception, **bicycle parking space** shall mean:
 - i. A bicycle parking space with a minimum vertical clearance of 1.9 metres and minimum horizontal dimensions of 0.6 metres by 1.8 metres for bicycles parking in a horizontal position or 0.6 metres by 1.2 metres for bicycles parking in vertical position; and/or,
 - ii. A **stacked bicycle parking** space that is a horizontal bicycle parking space positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces with a minimum vertical dimension of at least 1.2 metres and minimum horizontal dimensions of at least 0.45 metres width and 1.8 metres length;

ESTABLISHED GRADE

- (c) For the purpose of this exception, **established grade** shall mean the geodetic elevation of 192.30 metres;

GROSS FLOOR AREA

- (d) **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, including any areas used as balconies, but excluding:
- i. any part of the building used for mechanical floor area
 - ii. any space in a parking garage at or below grade used exclusively for motor vehicle or bicycle parking or access thereto; and
 - iii. the floor area of unenclosed residential balconies
- (e) For greater clarify, but not so as to restrict generality: The calculation of **gross floor area** may exclude:
- i. architectural features affixed to or extending beyond the exterior faces of the exterior walls.
 - ii. floor slab openings and other voids, including pipe space enclosures throughout, including within residential units;
 - iii. mechanical areas within residential units, including HVAC spaces;
 - iv. storm water storage tanks;
 - v. parking ramps and aisles to or within a parking garage;
 - vi. bicycle rooms contained within a parking garage;
 - vii. accessory uses to parking areas within a parking garage including:
 - a. airlock rooms adjacent to elevators or exits;
 - b. exit stairs that lead directly from a parking garage to the exterior of the building without serving any other areas;
 - c. curbs adjacent to the parking areas;
 - d. supporting columns, walls or other like structures in a parking garage;
 - e. pedestrian walkways within a parking garage;
 - f. motor vehicle loading spaces;
 - g. access thereto, and adjacent bin staging areas;
 - h. dead areas adjacent to parking spaces between columns, in corners and around curves or provided to facilitate vehicular turnaround;
 - i. other spaces in a parking garage not accessible and/or useable due to structural design; and
- (f) The calculation of **gross floor area** shall include:

- i. general storage spaces of any kind, including lockers and rooms;
- ii. bicycle rooms not contained within a parking garage;
- iii. vestibules other than airlock rooms;
- iv. garbage and recycling rooms;
- v. stairs, landings and hallways other than those that lead directly from a parking garage to the exterior of a building without serving any other areas;
- vi. amenity spaces;
- vii. elevator lobbies;
- viii. the floor areas of elevator cabs

INDOOR AMENITY AREA

- (g) 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 or entertainment rooms, indoor or outdoor swimming pools, change rooms, library space, lounges, meeting or party rooms, guest suites and other similar uses, which is common to all residents in the building.

MECHANICAL FLOOR AREA

- (h) 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 storage, recycling storage, garbage chutes and compactors, stormwater management and irrigation facilities.

LANDSCAPING

- (i) 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

- (j) 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 is common to all residents of the building.

PERMITTED USES

- (k) The only permitted uses shall be Residential containing Apartment House Dwellings and accessory uses thereto including private **indoor recreational amenity** areas and **outdoor recreational amenity areas**.

EXCEPTION REGULATIONS

- (l) The maximum number of dwelling units shall be 154.

MAXIMUM GROSS FLOOR AREA

- (m) The maximum **gross floor area** permitted shall be 10,800.0 square metres.

BUILDING HEIGHT

- (n) The building height shall not exceed the height limits in metres and in storeys, specified by the numbers following the symbol “H” on the attached Schedule 2 (XXX). The building height shall mean the vertical distance between the **established grade**, and in the case of a flat roof, the highest point of the roof surface. Mechanical penthouse height not included.

1. Notwithstanding Section (l) of this By-law, the following shall be permitted to project beyond the *heights* shown in metres specified by the number following the symbol “H” on Schedule 2 (XXX) attached to and forming part of this By-law:
 - i) Safety railings and fences located at each of the roof levels of the building provided the maximum vertical distance of any such railing does not exceed 2.0 metres;
 - ii) Parapets, including roof drainage, thermal insulation and roof ballast materials at each of the roof levels of the building provided the maximum vertical dimension of any such parapet does not exceed 2.5 metres;
 - iii) Structures located at each of the roof levels used for outside or open air recreation, green roof elements, stormwater management elements, wind mitigation elements, landscape features, pools, spas, structures housing pool or spa maintenance or operation equipment, elevator overruns, elevator equipment, public art features, mechanical equipment, telecommunications equipment and antenna, window washing equipment, building maintenance equipment, stair towers, skylights, wheelchair ramps, partitions dividing outdoor recreation areas, trellises, fences, platers, bridges, walkways, gangways, walls or structures enclosing any such elements, lightning

roads and exhaust equipment at each of the roof levels of the building.

BUILDING ENVELOPE

- (o) 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 2 (XXX).
1. No part of any building or structure above *grade* is located otherwise within the heavy lines identified on Schedule 2, attached to and forming part of this By-law, except for the following permitted projections beyond the heavy lines:
 - i) Bollards, cornices, lighting fixtures, window washing equipment, awnings, canopies, finials, parapets, terraces, terrace guards, platforms ornamental or architectural elements, trellises, eaves, window sills, bay windows, balconies, canopies, guardrails, balustrades, railings, wind mitigation screens and features, planters, monuments, arbours, patios, decorative features, stairs, stair enclosures, stair landings, supportive columns, wheel chair ramps, vents, stacks, wind screens and features, acoustic screens and features underground garage ramps and their associated structures, underground garage stair enclosures, retaining walls, fences, screens, weather protection canopies, bridges, walkways, gangways, wheelchair ramps and structures, skylights, solar panels, and landscape and public art features.

PARKING

- (p) A ratio of 0.53 resident parking spaces per dwelling unit and a ratio of 0.1 spaces for visitor parking spaces per dwelling units shall be provided on the site.
- (q) A total of 81 resident parking spaces and 15 visitor parking spaces.
- (r) A parking space shall have a minimum width of 2.6 m and a minimum length of 5.6 m.

LOT COVERAGE

- (s) The maximum permitted lot coverage is 50% of the site.

LANDSCAPING

- (t) A minimum of 550 m² of soft landscaping shall be provided on the site.

AMENITY AREA

- (u) A minimum of 430 m² of outdoor amenity area and a minimum of 238 m² of indoor amenity area.

YARD SETBACKS

- (v) The minimum yard setbacks and distances between buildings shall be as shown on Schedule 2 (XXX).
 - (w) Notwithstanding the provisions of Section 6(9), the building elements and structures listed in this exception are permitted to project into the required yard setbacks and distances between buildings.
 - (x) Sections 6A (2), 6A(7)(d), 15.8, 16.2.1, 16.2.2, 16.2.3, 16.2.4, 16.2.6, and 16.3.2 of Zoning By-law No. 7625 shall not apply.
 - (y) Notwithstanding any severance, partition or division of the site shown on Schedule 2 (XXX) of this By-law, the provisions of this By-law shall apply to the whole of the site as if no severance, partition or division occurred.
3. Section 64.16 of Zoning By-law No. 7625 is amended by adding Schedule 2 (XXX) attached hereto

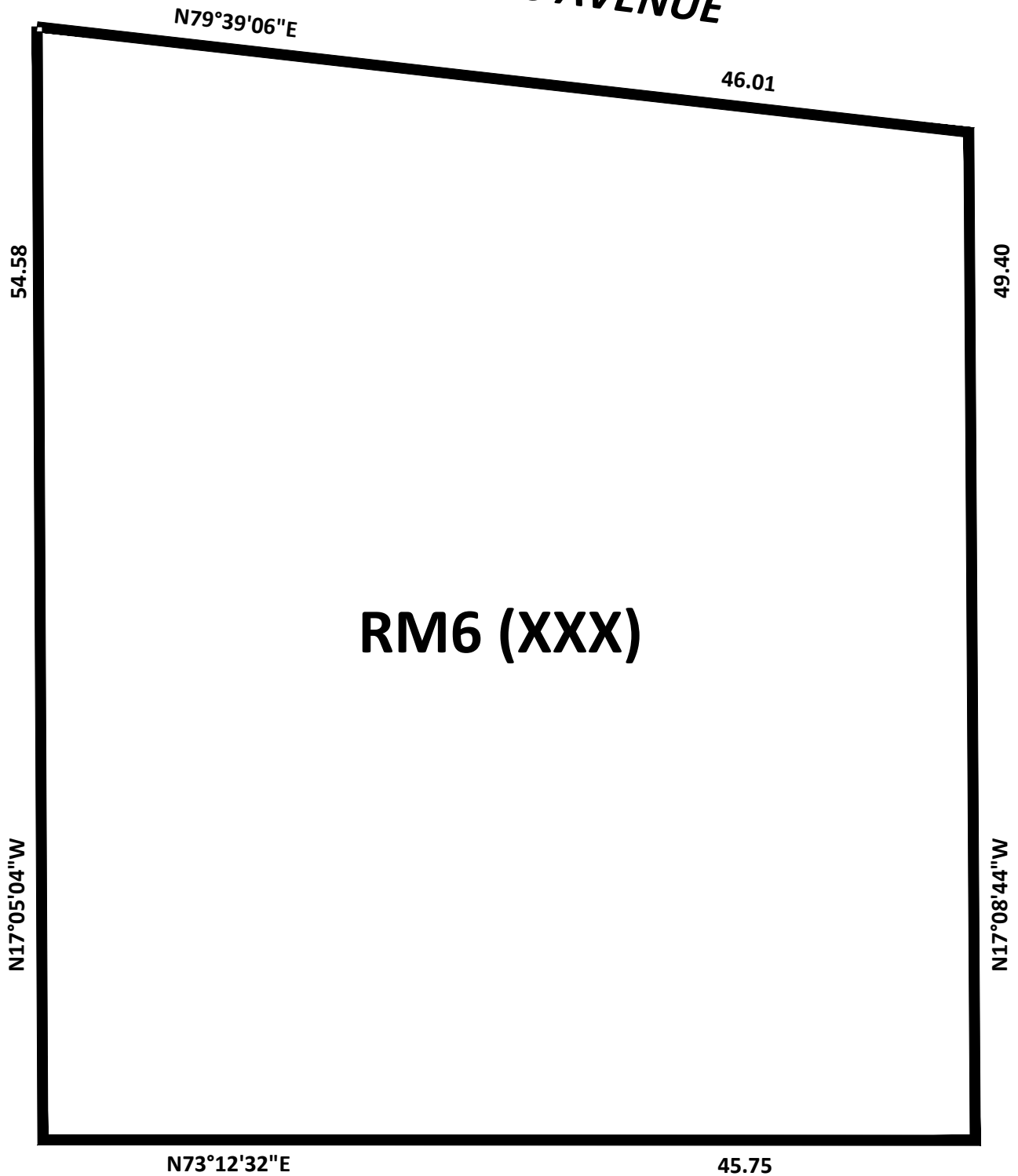
ENACTED AND PASSED this ____ day of _____, A.D. 2021.

John Tory,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

HOLMES AVENUE



Not to Scale

SCHEDULE RM6(XXX)

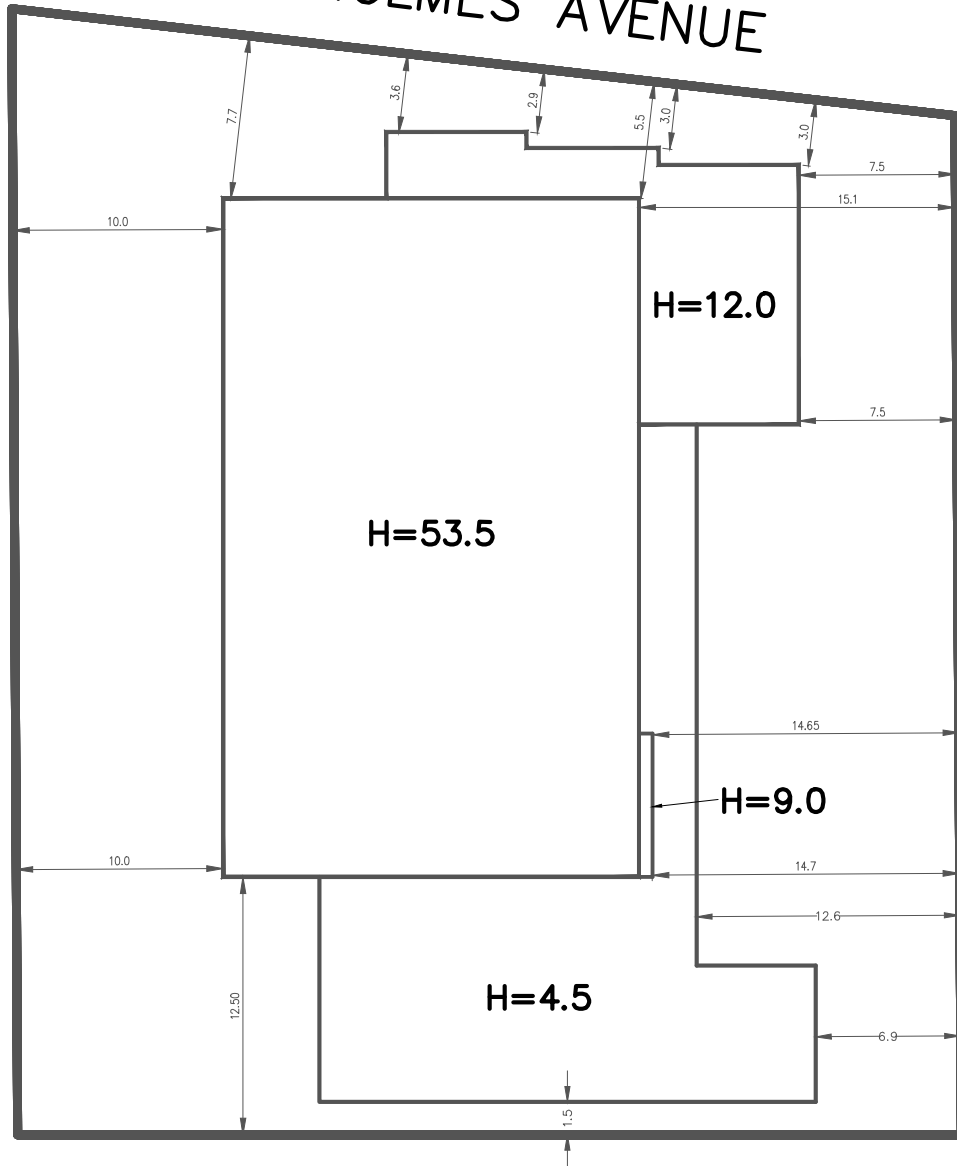
Zoning By-law Amendment

35-39 Holmes Avenue
City of Toronto

Area affected by this by-law



HOLMES AVENUE



Not to Scale

SCHEDULE 2
Zoning By-law Amendment
35-39 Holmes Avenue
City of Toronto

Area affected by this by-law

