



Toronto Building
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72 PERTH INC
C/O JASMINE FROLICK
180 BLOOR ST W SUITE 701
TORONTO ON M5S 2V6

Examiners' Notice

Date: Friday, June 24, 2022

Zoning Applicable Law Certificate (ZAP) Review No: 22 154656 ZAP 00 ZR FolderRSN: 5109610

Apartment Building - New Building

Proposed Use: Apartment Building

at 72 PERTH AVE

Ward: Davenport (09)

This is to advise you that the examination of your Zoning Applicable Law Certificate application has revealed that certain requirements of the City's Zoning By-law(s) and/or other Applicable Law, as set out in Division A, Part 2, Article 1.4.1.3 of the Ontario Building Code, have not been satisfied. The attached Examiner Notice provides the details of the review.

Each request for a Zoning Applicable Law Certificate application will receive a maximum of three reviews. Subsequent reviews will require the submission for a new Zoning Applicable Law Certificate application along with payment of the applicable fees.

Should compliance with the applicable City's Zoning By-law(s) not be possible, you may apply to amend or vary the Zoning By-law by way of a Zoning By-law Amendment or Committee of Adjustment application, respectively. For more information on either of these Planning processes, you may visit the City of Toronto Web site @ www.toronto.ca/developing-toronto or discuss the matter with City staff by calling (416)392-7565.

A Zoning Applicable Law Certificate will be issued only when it has been determined that the drawings and information submitted comply with the City Zoning By-law(s) and other Applicable Law, as set out in Division A, Part 2, Sentence 1.4.1.3 of the Ontario Building Code. Where there has been no activity on this application and six months have lapsed, the file may be deemed abandoned and closed without notice. Please inform us of progress towards achieving compliance.

In order to get the fee paid under this application credited towards a "Complete" Building Permit application, the building permit application must be accompanied by a "Zoning Applicable Law Certificate". A "Zoning Applicable Law Certificate" must be submitted with the building permit application in order for the building permit application to be deemed "Complete".

If you have any questions you may contact me a (416) 338-8196 at you earliest convenience. Our business hours are 8:30am to 4:30pm Monday to Friday.

Please refer to your Zoning Applicable Law Certificate application number when you phone or submit any pertinent information.

Andrew Osler
Zoning Examiner

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You must present a copy of this Zoning Certificate along with the necessary 'Applicable Law' approvals other than any of the fees or charges identified above, at the time of your building permit submission.

Building permit applications without Zoning Certificates and these approvals will be considered incomplete submissions and will not be subject to prescribed timeframes in Article 1.3.1.3. of Division C, Part 1 of the Ontario Building Code.

Applicable Law Notice

ITEM DESCRIPTION

Applicable Laws

1. Env. Prot. Act-RSC - Change of Use
Authority: O.B.C. Div. A - 1.4.1.3.(1)(a)(ix) under Reg 332/12, or Div. A - 1.4.1.3.(1)(a)(vii) under Reg 350/06 (as applicable): Section 168.3.1 of the Environmental Protection Act with respect to the construction of a building to be used in connection with a change of use of a property
Form of Approval: Proof that an Record of Site Condition (RSC) has been filed in the Environmental Site Registry.
Contact: Central Region (416) 326-6700 or 800-810-8048
http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90e19_e.htm
2. Toronto Act S108 - Green Roof
Authority: O.B.C. Div. A - 1.4.1.3.(1)(d) under Reg 332/12, or Div. A - 1.4.1.3.(1)(c.1) under Reg 350/06 (as applicable): by-laws made under section 108 of the City of Toronto Act, 2006, but only with respect to the issuance of a permit for the construction of a green roof if the construction of the roof is prohibited unless a permit is obtained,
Form of Approval: Drawings to reflect compliance with the Green Roof bylaw 583-2009 (Municipal Code Chapter 492), passed under City of Toronto Act, 2006, Section 108.
Contact: For questions on where Green Roofs are required contact Jane Welsh at 416-392-9709 (City Planning). For questions on construction standards contact Dylan Aster at 416-338-5737 (Toronto Building) or otherwise the Plans Examiners assigned.
<http://www.toronto.ca/legdocs/bylaws/2009/law0583.pdf>
3. Planning Act-site plan Approval

Applicable Fees

1. DC(Development Charges)
Authority: O.B.C. Div A - 1.4.1.3.(1)(b)(ii) under Reg 332/12, or Div A - 1.4.1.3 (1)(b)(i) under Reg 350/06 (as applicable): Sections 28 and 53 of the Development Charges Act, 1997
Form of Approval: Development charges are calculated, due and payable on the date that a building permit is actually issued in respect of the above noted Building Permit Application Number. Development charge rates are subject to change due to indexing, phase-in, and by-law amendment, or changes to your development proposal.
Contact: Toronto Building
http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_97d27_e.htm
2. EDC(TCDSB Education Dev. Charge)
Authority: O.B.C. Div A - 1.4.1.3.(1)(b)(iii) under Reg 332/12, or Div A - 1.4.1.3 (1)(b)(ii) under Reg 350/06 (as applicable): Sections 257.83 and 257.93 of the Education Act
Form of Approval: Development charges are calculated, due and payable on the date that a building permit is actually issued in respect of the above noted Building Permit Application Number. Development charge rates are subject to change due to indexing, phase-in, and by-law amendment, or changes to your development proposal.
Contact: Toronto Building
http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90e02_e.htm
3. Parkland Dedication/Park Levy
Authority: O.B.C. Div. A - 1.4.1.3.(1)(a)(xxi) under Reg 332/12, or Div. A - 1.4.1.3.(1)(a)(xxxi.1) under Reg 305/06 (as applicable): Section 42 of the Planning Act with respect to the payment of money or making arrangements satisfactory to the Council of a Municipality for the payment of money, where the payment is required under subsection 42(6) of that Act.
Form of Approval: Appraisal letter and payment made to Building Division
Contact: Rosanne Clement at rclement@toronto.ca
For information regarding the appraisal process or status of the appraisal for the parks levy Contact: Peter Cheng at pcheng1@toronto.ca
http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90p13_e.htm

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Zoning bylaw Notice

ITEM DESCRIPTION

City-wide Zoning By-law	
The property is subject to the City-wide Zoning By-law No. 569-2013, as amended. Based on By-law No. 569-2013, the property is zoned CR 5.4(c0.0; r5.4)SS2(x1227).	
7.	The total permitted gross floor area for residential uses is 9,700.0 m2. The building will have 10,382.2 m2 of gross floor area for residential uses. [CR 1227(E)]
8.	The maximum permitted number of dwelling units on the lot is 108. The building will contain 128 dwelling units. [CR 1227(F)]
9.	The permitted maximum height of a building or structure is the numerical value following the symbol "HT" as shown on Diagram 3 of By-law 182-2022: 33.5 m. The building will have a height of 36.75 m, measured to the top of the 10th storey. [CR 1227(B)]
10.	A storey used exclusively for the storage of mechanical, electrical or other equipment used for the functional operation of the building, elevators, and related structural elements, may project above the permitted maximum height (33.5 m) provided such vertical projections are limited to 5.6 m beyond the maximum height in m as shown on Diagram 3 of By-law #182-2022. The elevator overrun will project 5.85 m beyond the maximum permitted height. [CR 1227,(D)(iii)]
11.	The permitted maximum height of a building or structure is the numerical value following the symbol "HT" as shown on Diagram 3 of By-law 182-2022: 15.0 m. The building will have a height of 15.2 m, measured to the top of the 4th storey. [CR 1227(B)]
12.	*Despite Regulation 40.10.40.70(2), a part of a building or structure subject to HT 12.0m ST 3 as shown on Diagram 3 of By-law 182-2022 must be located 3.5 m from the lot line abutting Perth Avenue. The building will be 3.35 m from the lot line abutting Perth Ave. *wording dependant on forthcoming technical amendment to By-law #182-2022
13.	A minimum of 35 parking spaces must be provided on the lot for the residents of the dwelling units. There will be 33 parking spaces provided on the lot for the residents. [Exception 1227,(H)(i)]
14.	Structures on any roof used for outdoor amenity space or open air recreation, maintenance, safety or wind protection purposes may project vertically above the permitted maximum height as shown on Diagram 3: 9.0 m ST2, to a maximum height of 3.0 metres. The noise barrier erected around the outdoor amenity space on the second storey will project 3.1 m beyond the maximum permitted height. [CR 1227(D)(i)]
15.	A building with 20 or more dwelling units must provide amenity space at a minimum rate of 4.0 square metres for each dwelling unit: 512.0 m2. The proposed amenity space area is 481.1 m2 [40.10.40.50.(1) Amenity Space for Buildings with 20 or More Dwelling Units]