

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

## CITY OF TORONTO

Bill No. ~

BY-LAW No. **XXX-2014**

**To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 1184 Wilson Avenue**

Whereas Council of the City of Toronto has the authority to pursuant to 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*; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from a zone label of RD(f15.0;a550) (x5) to RAC (f30.0; a1375) (185), as shown on Diagram 2 attached to this By-law; and

4. Zoning By-law No. 569-2013, as amended, is further amended by amending the Policy Areas Overlay Map in Section 995.10, for the lands subject to this By-law, and applying a label of PA4, as shown on Diagram 3 attached to this By-law;
5. Zoning By-law No. 569 -2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the lands subject to this By-law, from a height and storey label of HT 10.0; ST 2, to HT 18, ST 6, as shown on Diagram 4 attached to this By-law;
6. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number 185 so that it reads:

**(185) Exception RAC 185**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-law and Prevailing Sections.

Site Specific Provisions:

- (A) On 1184 Wilson Avenue, as shown on Diagram 1 of By-law [Clerks to insert By-law Number], if the requirements of By-law [Clerks to insert By-law Number] are complied with, a **building** or **structure**, may be constructed, used or enlarged in compliance with (B) to (T) below;
- (B) For the purpose of this exception, **established grade** is the Canadian Geodetic Datum elevation of 172.00 metres;
- (C) Despite Regulation 15.5.50.10 (1), there is no minimum area of the **lot** required for **landscaping** or **soft landscaping**.
- (D) Despite Regulation 15.5.50.10 (2), a strip of land for **soft landscaping** along a **lot line** abutting a **lot** in an RD zone, may include a raised planter and a retaining wall;
- (E) Despite Clause 15.20.20.100 all non-residential uses must be located on the ground floor of an **apartment building** and must not exceed a total **gross floor area** of 375.0 square metres;
- (F) Despite Regulation 15.20.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" symbol as shown on Diagram 5 of By-law [Clerks to insert By-law ##];
- (G) Despite Regulation 15.20.40.10(2), the permitted maximum number of **storeys** of a **building** or **structure** is the number following the letters "ST" as shown on Diagram 5 of By-law [Clerks to insert By-law ##];

- (H) Despite Clause 15.5.40.10 and (F) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 5 of By-law [Clerks to insert By-law ##]:
- (i) Roof drainage components, or thermal and waterproofing assemblies located at each roof level;
  - (ii) Planters, railings and privacy screens located at each roof level, by a maximum of 1.5 metres;
  - (iii) A parapet by a maximum of 1.5 metres;
  - (iv) **Structures** on the roof of any part of the **building** used for, **green roofs**, wind mitigation features, landscape features, partitions dividing outdoor balconies, telecommunications equipment and antennae, window washing equipment, lighting rods and exhaust flues, by a maximum of 2.5 metres; and,
  - (v) **Structures** or equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment, enclosed stairwells, mechanical penthouses, roof accesses, elevator shafts, vents and or water supply facilities, by a maximum of 5.0 metres.
- (I) The maximum permitted **gross floor area** on the **lot** is 17,814 square metres;
- (J) A maximum of 262 **dwelling units** are permitted;
- (K) Despite Regulation 15.20.40.50(1), **amenity space** must be provided on the **lot** at the following rate :
- (i) A minimum of 2.18 square metres for each **dwelling unit** as indoor **amenity space**; and,
  - (ii) A minimum of 2.20 square metres for each **dwelling unit** as outdoor **amenity space**.
- (L) Despite Clause 15.20.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law ##];
- (M) Despite Regulation 15.20.40.80 (1), the required minimum separation of **main walls** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law ##];
- (N) Despite Regulation 15.20.40.80 (4), the required minimum distance between an **apartment building** in the RAC zone and a **lot** in a RD zone is 5.5 metres;
- (O) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be

provided in accordance with the following:

- (i) Minimum of 0.8 resident **parking spaces** per one-bedroom **dwelling unit**;
- (ii) Minimum of 0.8 resident **parking spaces** per one-bedroom plus den **dwelling unit**;
- (iii) Minimum of 0.9 resident **parking spaces** per two-bedroom **dwelling unit**;
- (iv) Minimum of 1.1 resident **parking spaces** per three-bedroom **dwelling unit**;
- (v) Minimum of 0.15 visitor **parking spaces** per **dwelling unit**;
- (vi) Minimum of one (1) car-share **parking space**; and
- (vii) No additional **parking spaces** will be required for non-residential uses on the ground floor of an **apartment building**.

(P) For the purposes of this Exception:

- (i) "Car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental;
- (ii) "Car-share parking space" means a **parking space** exclusively reserved and signed for a vehicle used only for "car-share" purposes; and
- (iii) "Type G Loading Space" means a **loading space** that is a minimum of 4.0 metres wide, 13.0 metres long and has a minimum vertical clearance of 6.1 metres.

(Q) Despite Clause 220.5.10.1:

- (i) one (1) Type "G" **loading space** is required; and
- (ii) no additional **loading space** will be required for any non-residential uses on the ground floor of an **apartment building**;

(R) Despite Regulations 230.5.10.1(1) and (4) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the minimum rates:

- (i) 0.07 short term" **bicycle parking spaces** per **dwelling unit**;
- (ii) 0.68 long term **bicycle parking spaces** per **dwelling unit**; and,

- (iii) No additional **bicycle parking spaces** are required for non-residential uses on the ground floor of an **apartment building**.
- (S) Despite Regulation 230.5.1.10 (7), no change and shower facilities are required;
- (T) The provision of dwelling units is subject to the following:
  - (i) a minimum of 15 percent of the total number of dwelling units must have two or more bedrooms;
  - (ii) a minimum of 10 percent of the total number of dwelling units must have three or more bedrooms;
  - (iii) any dwelling units with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
  - (iv) if the calculation of the number of required dwelling units with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number.

Prevailing By-laws and Provisions:

- (A) Schedule 'D' Airport Hazard Map from City of North York Zoning By-law 7625.
7. Despite any future severance, partition or division of the lands shown on Diagram 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.
8. Section 37 Provisions
- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
  - (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters and enter into an agreement prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
  - (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on month ##, 20##.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**SCHEDULE A**  
**Section 37 Provisions**

Prior to the issuance of any building permit, the owner shall enter into and register on title an agreement to the satisfaction of the City Solicitor pursuant to Section 37 of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits below.

a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- i. the Owner shall pay an indexed cash contribution of \$1,100,000.00 prior to the issuance of the first above grade building permit, an indexed cash contribution of to be paid by the Owner for the new residential building, to be allocated towards capital improvements to parkland, community facilities and/or public realm located within the vicinity of the site and/or Ward 6, provided that purpose is identified in the Toronto Official Plan and will benefit the community, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;
- ii. The cash contribution set out in subsection (i) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the cash contribution by the owner to the City.
- iii. In the event the cash contribution in Subsection (i) above has not been used for the intended purpose within three (3) years of the by-law coming into full force and effect, the cash contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the site.

The Section 37 Agreement will also secure the following matters as a legal convenience to support development:

- iv. The Owner shall construct the development in accordance with the accepted Travel Demand Management (TDM) Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, including the provision of:
  - Pre-loaded Transit Passes - Pre-loaded PRESTO card with value of \$25 to each apartment unit;
  - Car-share Vehicle and Parking Space - The provision of 1 car-share parking space on the ground floor;
  - Bike Repair Station - install and maintain an appropriate number of bike repair stations in or near bicycle parking areas on site; and
  - Real-time Transportation Screen - install and maintain a real-time transit/transportation service display board in the lobby.

v. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the site.





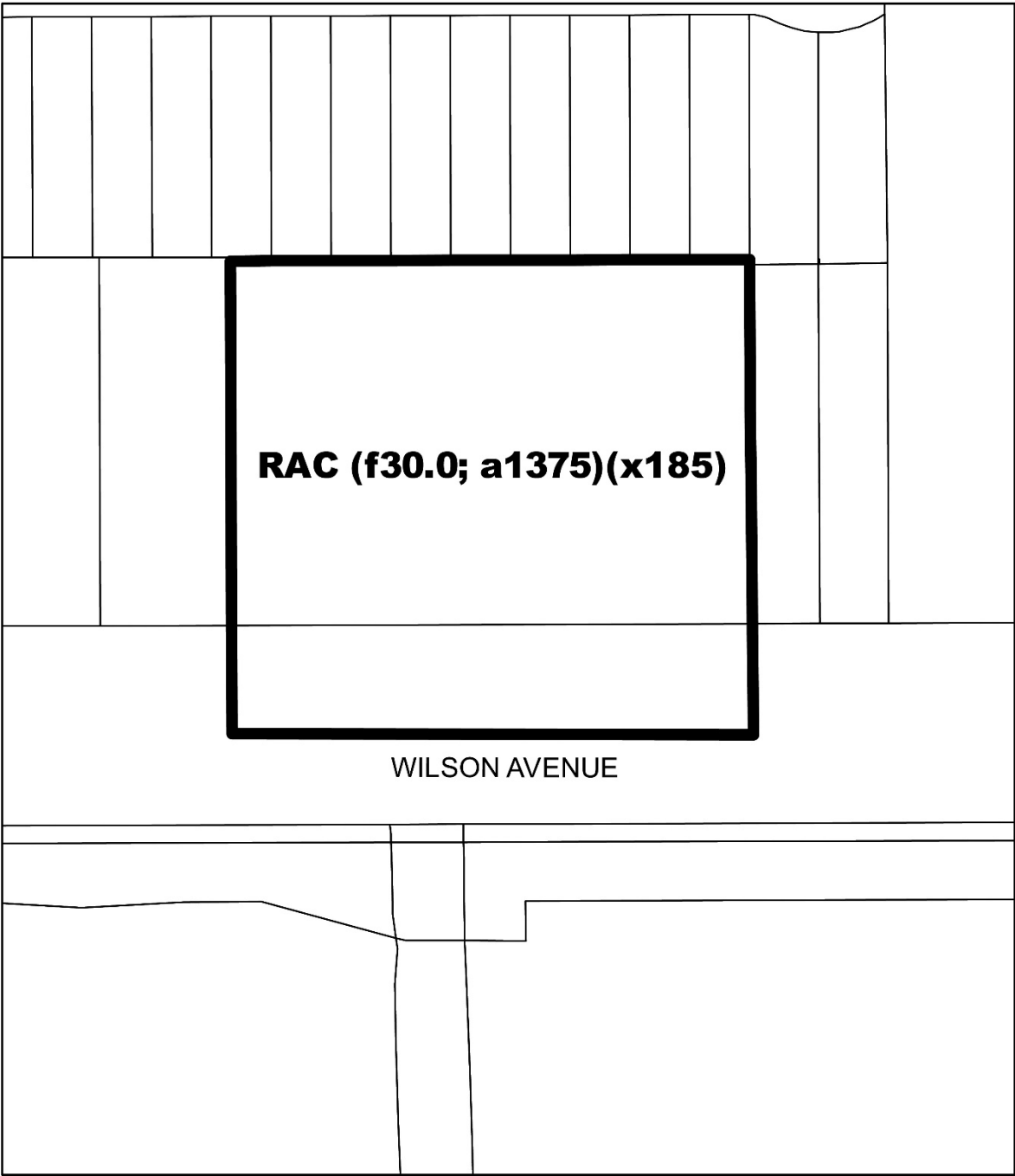
**Toronto**  
Diagram 1

**1184 Wilson Avenue**

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PART OF LOT 11, CONCESSION 4,  
WEST OF YONGE STREET, CITY OF TORONTO  
Genesis Land Surveying Inc.

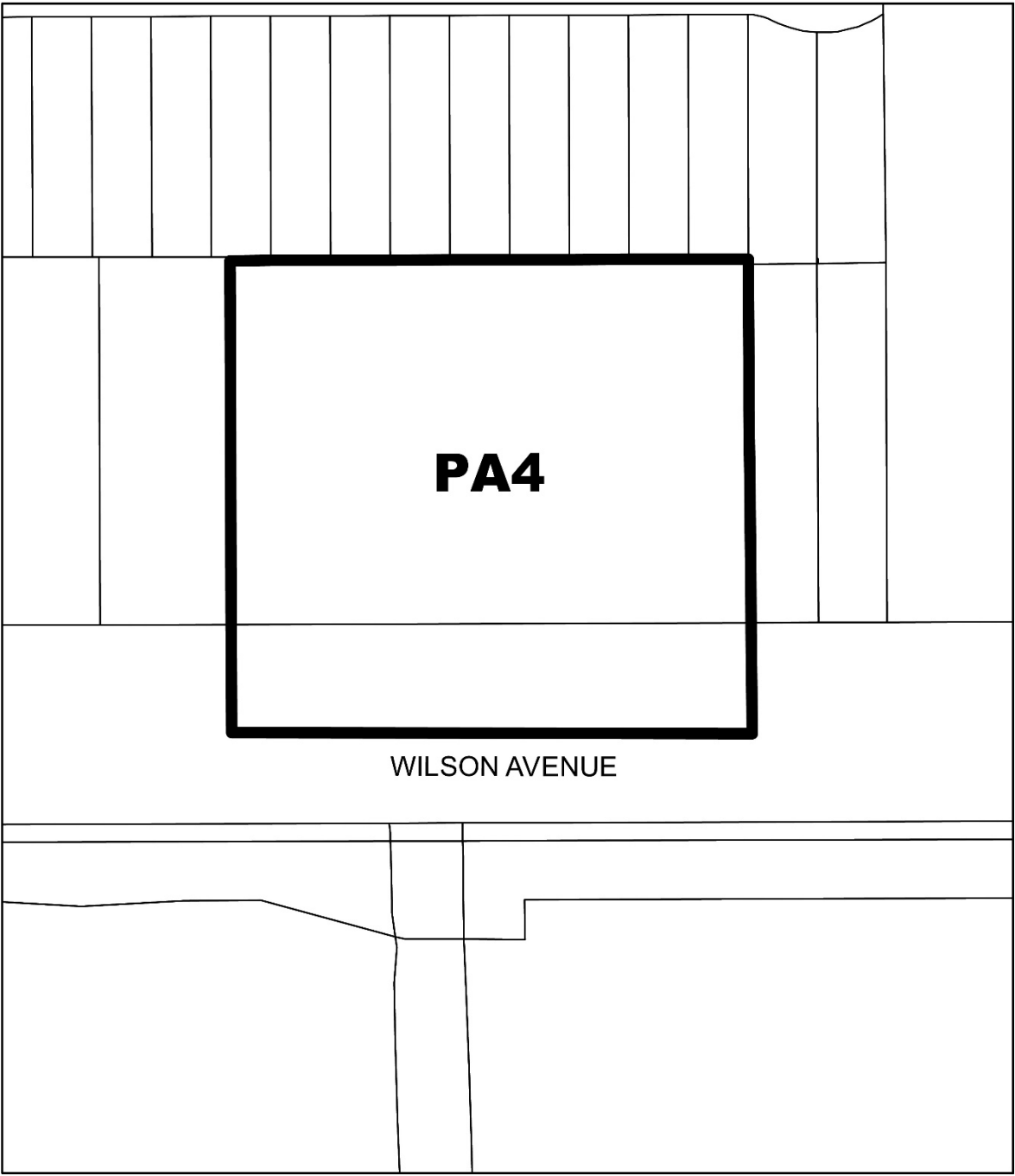
City of Toronto By-law 569-2013  
Not to Scale  
06/17/2022



 **Toronto**  
Diagram 2

**1184 Wilson Avenue**

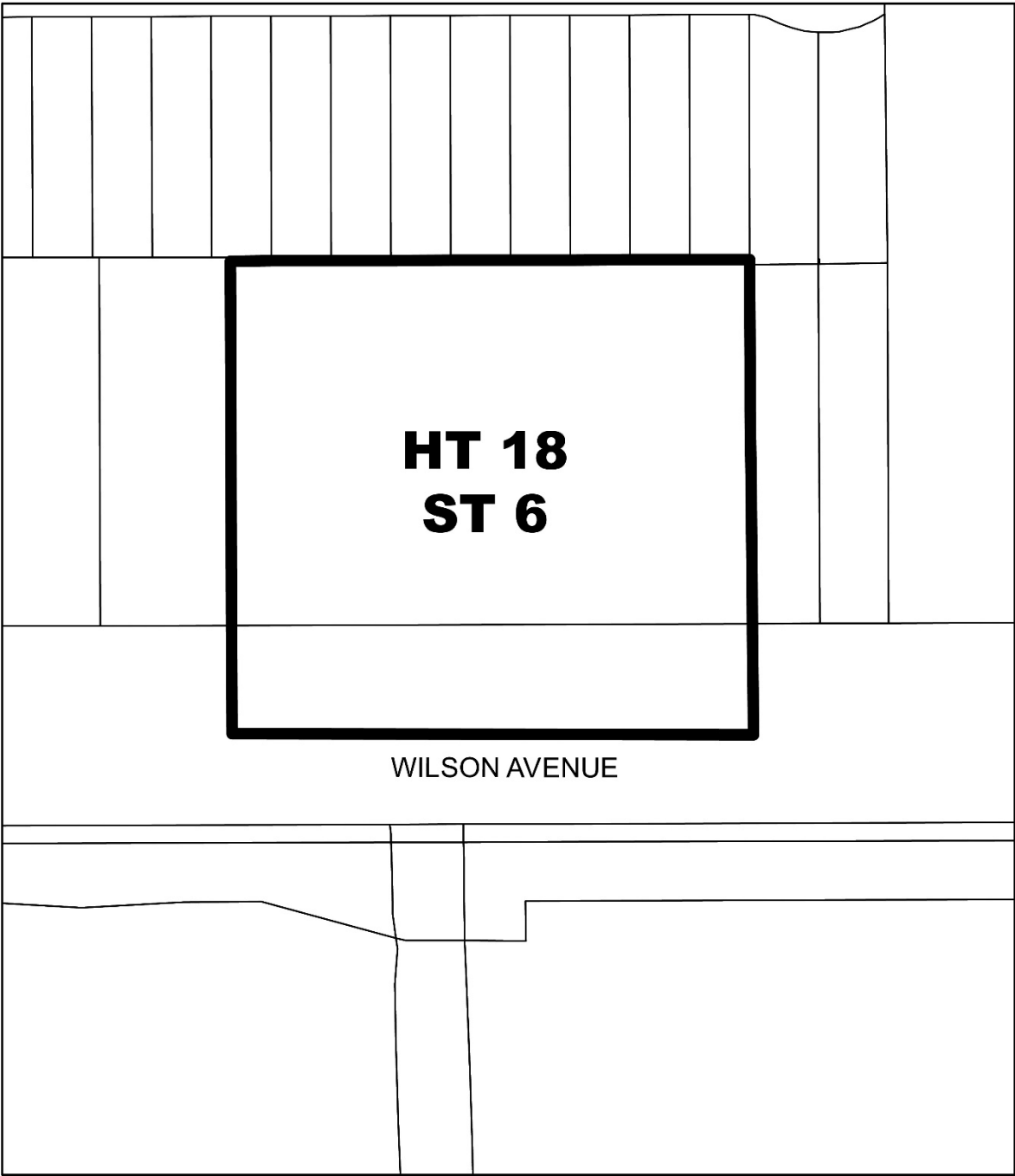
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 **Toronto**  
Diagram 3

**1184 Wilson Avenue**

File # 19 254744 NNY 06 0Z



 **Toronto**  
Diagram 4

**1184 Wilson Avenue**

File # 19 254744 NNY 06 0Z



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