

## **515 and 525 Chaplin Crescent – Zoning By-law Amendment and Rental Housing Demolition Applications – Final Report**

Date: May 24, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 8 - Eglinton-Lawrence

**Planning Application Number:** 09 199580 NNY 16 OZ and 10 121754 NNY 00 RH

**Related Application:** 12 112660 NNY 16 SA

### **SUMMARY**

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At its meeting of September 30, 2015, City Council adopted the 515 and 525 Chaplin Crescent - Zoning By-law Amendment and Rental Housing Demolition Applications - Final Report from the Director, Community Planning, North York District, dated September 30, 2015 (item NY 8.44).

The application proposed to amend both former City of Toronto By-law 438-86 and City-wide By-law 569-2013 to permit a new 13-storey rental apartment building addition beside an existing eight-storey rental apartment building at 515 and 525 Chaplin Crescent. The addition would cause the demolition and replacement of some of the existing rental apartment units.

Following the adoption of the Final Report by City Council, the applicant proposed revisions to the application that differed from those contained in the Final Report, and requested that the amending Zoning By-laws 438-86 and 569-2013 attached to the report be held from enactment. The revisions of note include the non-integration, structurally, of the proposed new building with the existing building, and a reduction in the density, gross floor area, and number of parking spaces resulting from a reduction in the number of units. The driveway on Chaplin Crescent is also proposed to be relocated. The proposed building height would remain the same at 13 storeys (42.5 metres). The proposed overall density would reduce by 0.14 from 3.71 to 3.57 times the lot area, and the gross floor area would reduce by 1,261.69 square metres from 25,221 to 23,959.31 square metres. The overall number of units would reduce by 12 units from 290 units to 278 units. Details are discussed in the Revised Proposal and Comments sections of this Report.

Staff has considered the proposed revisions and determined that a revised Final Report containing the proposed revisions would be appropriate for Council's consideration.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, as amended, for the lands at 515 to 525 Chaplin Crescent substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 515 to 525 Chaplin Crescent substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to this report.
3. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendations provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.
4. City Council require the owner to voluntarily enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
  - a. a voluntary cash contribution of \$50,000.00 (Fifty thousand dollars) towards streetscape, and/or public realm improvements within the vicinity of the development site and/or Ward 8.
  - b. the cash contributions referred to in Recommendation a. above shall be indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building 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 the Agreement to the date of payment;
  - c. in the event the cash contribution referred to in Recommendation a. above has not been used for the determined purpose within three years of the amending Zoning 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, City Planning, in consultation with the Ward Councillor, provided the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands;
  - d. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:
    - i. The owner shall agree to secure the tenure of all sixty-six (66) new dwelling units, inclusive of the rental replacement units, within the building to be constructed at 515-525 Chaplin Crescent as well as the existing 212 units on the site for a total of 278 secured rental units for not less than 20 years.

ii. The owner shall continue to provide and maintain the existing two hundred and twelve (212) units at 515-525 Chaplin Crescent as rental housing, together with the new and retained associated facilities and amenities of the residential rental property, for a period of at least twenty (20) years commencing from the date the Zoning By-law Amendments come into force and effect, with no application for demolition or conversion to condominium ownership or from residential rental use during such twenty (20) year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

iii. The owner shall provide, at its sole expense and at no cost to tenants, improvements to the existing rental housing at 515-525 Chaplin Crescent, taking into account feedback obtained through a tenant survey, as follows:

iv. Prior to the issuance of Notice of Approval Conditions for site plan approval:

A. The owner shall submit to the City a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction of the development on tenants of the existing rental buildings at 515-525 Chaplin Crescent, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Prior to first occupancy of the new residential building:

B. The owner shall construct a new 134.85 square metre indoor amenity space on the ground floor of 515 Chaplin Crescent for the exclusive use of all tenants in the retained units at 515-525 Chaplin Crescent, as generally illustrated in the Architecture Plans prepared by Kirkor Architects and Planners and dated January 28, 2022. Any revision to these drawings shall be to the satisfaction of the Chief Planner and Executive Director, City Planning; and

C. The owner shall construct an enclosed garbage collections area for the retained buildings and new development. The location, layout, and specifications of the garbage enclosure shall be developed and approved through the site plan review process, to the satisfaction of the Chief Planner and Executive Director, City Planning.

D. The owner will construct or provide additional seating, in the form of benches, in the courtyard between 515 and 525 Chaplin Crescent.

E. The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation Strategy and Tenant Communication Plan required in Recommendations 4.d.iv A. through 4.d.iv.D above shall not be passed on to tenants of the existing rental buildings at 515-525 Chaplin Crescent in any

form. For clarity, the owner shall agree to not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements in Recommendations 4.d.iv.A through 4.d.iv.D above.

5. City Council approve the Rental Housing Demolition application (10 121754 NNY 00 RH) under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* to permit the demolition of nine (9) existing rental dwelling units at 515 Chaplin Crescent, subject to the following conditions:

a. The owner shall provide and maintain nine (9) replacement rental dwelling units for a period of at least 20 years beginning from the date that each replacement rental unit is first occupied. During such 20-year period, no replacement rental dwelling unit shall be registered as a condominium or any other form of ownership housing that provides a right to exclusive possession of a dwelling unit, including life-lease or co-ownership, and no application shall be made to demolish any replacement rental dwelling unit or convert any replacement rental unit to a non-residential rental purpose. All nine (9) replacement rental dwelling units shall be one-bedroom units and collectively contain a total gross floor area of at least 634.8 square metres, as generally illustrated in the plans prepared by Kirkor Architects and Planners, dated May 5, 2022, with any revision to these plans being to the satisfaction of the Chief Planner and Executive Director, City Planning;

b. The owner shall provide and maintain at least seven (7) one-bedroom replacement rental dwelling units at affordable rents and at least two (2) one-bedroom replacement rental dwelling units at mid-range rents, as currently defined in the Toronto Official Plan, for a period of at least ten (10) years beginning from the date of first occupancy of each unit.

c. The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the nine (9) existing rental dwelling units proposed to be demolished, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of alternative accommodation at similar rents in the form of a rent gap payment, and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;

d. The owner shall provide tenants of all nine (9) replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

e. The owner shall provide ensuite laundry in each replacement rental dwelling unit at no additional cost to tenants;

f. The owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;

g. The owner shall provide and make available four (4) vehicle parking spaces to returning tenants of the replacement rental dwelling units who previously leased vehicle parking spaces, and at similar monthly parking charges that such tenants previously paid, in the existing rental buildings at 515-525 Chaplin Crescent. Any remaining units may be leased to other tenants of the replacement rental units and on the same terms and conditions as any other resident of the development;

h. The owner shall provide tenants of the replacement rental dwelling units with access to all bicycle and visitor vehicular parking at no charge and on the same terms and conditions as any other resident of the development;

i. The nine (9) replacement rental dwelling units required in Part 5.a above shall be made ready and available for occupancy no later than the date by which seventy percent (70%) of the new dwelling units in the proposed development, exclusive of the replacement rental units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning; and

j. The owner shall enter into, and register on title to the lands at 515-525 Chaplin, one or more agreement(s) to secure the conditions outlined in Parts 5.a through 5.i above, including an agreement pursuant to Section 111 of the *City of Toronto Act, 2006*, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

6. City Council authorize the Chief Planner and Executive Director, City Planning to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* for the demolition of nine (9) rental dwelling units at 515-525 Chaplin Crescent after all the following have occurred:

a. All conditions in Part 5 above have been fully satisfied and secured;

b. The Zoning By-law Amendments have come into full force and effect;

c. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning or their designate pursuant to Section 114 of the *City of Toronto Act, 2006*;

d. The issuance of excavation and shoring permits (conditional or full permits) for the approved development on the site;

e. The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant; and

f. The execution and registration of agreements pursuant to Section 37 of the *Planning Act* and Section 111 of the *City of Toronto Act, 2006* securing Parts [5.a.](#) through [5.j](#) above and any other requirements of the Zoning By-law Amendments (if applicable).

7. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in Part [6](#) above.

8. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under Section 33 of the *Planning Act* and Chapter 363 of the Toronto Municipal Code for 515-525 Chaplin Crescent after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in Part 5 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

a. The owner removes all debris and rubble from the site immediately after demolition;

b. The owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;

c. The owner erects the proposed building no later than three (3) years from the date on which the demolition of the existing rental dwelling units commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning; and

d. Should the owner fail to complete the proposed development containing the nine (9) replacement rental dwelling units within the time specified in Part 8.c. above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

9. City Council authorize the City Solicitor to make such stylistic and technical changes to the Zoning By-law Amendments as may be required.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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At its meeting of March 9, 2010, the North York Community Council adopted the 515 and 525 Chaplin Crescent - Zoning By-law Amendment and Rental Housing Demolition Applications - Preliminary Report from the Director, Community Planning, North York District, dated February 18, 2010 (item NY 32.9). The Preliminary Report can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2010/ny/bgrd/backgroundfile-27466.pdf>

At its meeting of September 30, 2015, City Council adopted the 515 and 525 Chaplin Crescent - Zoning By-law Amendment and Rental Housing Demolition Applications - Final Report from the Director, Community Planning, North York District, dated August 20, 2015 (item NY 8.44). The Final Report can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2015/ny/bgrd/backgroundfile-82979.pdf>

## **REVISED APPLICATION BACKGROUND**

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### **Application Submission Requirements**

The following reports/studies were submitted in support of the revised application:

- Arborist Report;
- Architectural Plans;
- Civil and Utilities Plans;
- Energy Modelling Report;
- Functional Servicing and Stormwater Management Report;
- Housing Issues Report;
- Hydrogeological Report;
- Landscape and Lighting Plans;
- Pedestrian Level Wind Assessment;
- Planning Rationale;
- Sun/Shadow Study.
- Toronto Green Standard Checklist;
- Traffic Impact Study; and,
- Tree Inventory and Preservation Plan.

The reports and studies submitted by the applicant are available on the City's Application Information Centre (AIC) at the following link:

<https://www.toronto.ca/city-government/planning-development/application-information-centre>

### **Agency Circulation Outcomes**

The applications, together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the applications and to formulate appropriate Zoning By-law standards.

## Statutory Public Meeting Comments

In making their decision with regard to these applications, Council members have been given had an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council, as these submissions are broadcast live over the internet and recorded for review.

## Community Consultation

A community consultation meeting was held by City Planning on May 3, 2010 and approximately 30 members of the public attended along with the local Councillor, the applicant, their consulting team and City staff. Issues raised including the proposed building height and shadowing were addressed in the previously adopted Final Report of August 20, 2015 through a reduction in the building height from 14 storeys to 13 storeys. The currently proposed building height remains unchanged at 13 storeys.

As a result of the reduction in the number of overall units from 290 to 278, a second tenant consultation meeting was held on March 16, 2022. Details are in the Tenant Consultation section.

## THE REVISED PROPOSAL

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The table below highlights key changes to the application:

Category	Submission in Adopted Final Report dated August 20, 2015	Revised Submission of March 1, 2022
Site Area in Square Metres (m <sup>2</sup> )	6,787 m <sup>2</sup>	<ul style="list-style-type: none"><li>• Bus Shelter Conveyance of 70.2 m<sup>2</sup></li><li>• Beltline Park Conveyance of 2 m<sup>2</sup></li><li>• Total Site Area Less Conveyances: 6,715 m<sup>2</sup></li></ul>
Gross Floor Area of Proposed Building Addition (m <sup>2</sup> )	6,799 m <sup>2</sup>	5,537.87 m <sup>2</sup>
Total Gross Floor Area of Existing and Proposed Building Addition	25,221 m <sup>2</sup>	23,959.31 m <sup>2</sup>
Total Floor Space Index of Existing and Proposed Building Addition (FSI)	3.71	3.57



<b>Category</b>	<b>Submission in Adopted Final Report dated August 20, 2015</b>	<b>Revised Submission of March 1, 2022</b>
Total Vehicular Parking of Existing and Proposed Building Addition	283	219
Total Units in Existing and Proposed Building Addition	290	278
Section 37 Voluntary Contribution	\$80,000	\$50,000
Structural Integration	Proposed building addition structurally integrated with existing building above and below grade.	Proposed building addition not structurally integrated with the existing building above grade. Connected below grade at the P2 level.

## **COMMENTS**

Attachments 1 and 2 contain the revised amending Zoning By-laws 438-86 and 569-2013, and Attachments 3 to 5 depict the Site Plan, and the East, West, North and South Elevations.

### **Planning Act**

The previously adopted Final Report dated August 20, 2015 concluded that the previous application had regard for relevant matters of provincial interest set out under Section 2 of the *Planning Act*, was consistent with the PPS (2014), and conformed with the Growth Plan (2006) and the Toronto Official Plan.

The changes to the revised proposal has regard for the relevant matters of provincial interest set out under Section 2 of the *Planning Act*, is consistent with the in effect PPS and conforms with the in effect Growth Plan and the Toronto Official Plan.

### **Provincial Policy Statement and Provincial Plans**

The proposed revisions to the previous application have been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020).

Staff have determined that the proposed revisions are consistent with the PPS and conform with the Growth Plan (2020) as follows:

The PPS identifies that the long-term prosperity and social well-being of the province depends on planning for strong and sustainable communities, a clean and healthy environment and a strong and sustainable economy. The PPS contains policies that

promote the use of active transportation and transit before other modes of travel. Policy 1.1.3.3 promotes transit-supportive development and accommodating a significant supply and range of housing options through intensification and redevelopment taking into account the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The Growth Plan contains similar policies to the PPS, and supports the achievement of complete communities that are designed to support health and active living and meet people's needs for daily living throughout an entire lifetime. Policy 1.2.1 prioritizes intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. It supports a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.

The proposed development meets the policy objectives of the PPS and Growth Plan by providing an appropriate level of intensification of the site while contributing to a mix of housing types and densities necessary to meet projected requirements of current and future residents. The proposed development also supports active transportation by proposing to widen the public sidewalk along the entire frontages of the site.

Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for implementation of the PPS and assists in implementing the Growth Plan by setting out appropriate land use designations and policies.

## **Toronto Official Plan**

The subject Lands are designated *Apartment Neighbourhoods* in the Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of the area residents. Significant growth is generally not intended within developed *Apartment Neighbourhoods*, however, compatible infill development may be permitted on a site containing an existing apartment building that has sufficient underutilized space to accommodate one or more new buildings, while providing for a good quality of life for both the new and existing residents. Such infill development will meet the development criteria set out in Section 4.2.2, including:

- locating and massing new buildings to frame the edge of streets and parks and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- including sufficient off-street motor vehicle and bicycle parking for residents and visitors; and
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences.

## **Site Organization**

The proposed building location has not changed. It is located and massed to frame the edge of Chaplin Crescent, and maintains the same number of storeys in the previously adopted Final Report of 2015. Revised vehicular and bicycle parking are considered

appropriate, and service areas are still located away from public views, consistent with the intent of policy 4.2.2 of the Official Plan.

A land conveyance for the bus shelter contained in the adopted Final Report was not implemented because the implementing by-laws were never enacted. Further, a new land conveyance for a pedestrian walkway between Chaplin Crescent and the Beltline Park is also proposed through this revised proposal. These two matters will be implemented during the Site Plan review process.

The driveway in the previous proposal accessed from Chaplin Crescent leading to the underground parking area was next to the entrance lobby of the existing building. It has been moved further south along Chaplin Crescent to avoid vehicular and pedestrian conflicts at the entrance lobby. Only one new parking level is proposed for the new building addition, and connects with the underground parking for the existing building at their P2 level.

The applicant has committed to rebuilding the sidewalks in front of the subject site along Chaplin Crescent and Roselawn Avenue. Details will be implemented during the Site Plan approval process.

### **Density, Height and Massing**

The proposed overall site density has reduced from 3.71 to 3.57 times the lot area. The gross floor area has also reduced from 25,221 to 23,959.31 square metres.

The proposed height of the new building addition would remain at 13 storeys, however, it would no longer be structurally integrated with the existing building. An architectural screen is proposed at grade between both buildings to make it appear as though the existing and proposed buildings were integrated. The proposed connection between the two buildings would be underground, at the P2 parking level.

Staff find the proposed revisions acceptable.

### **Rental Housing Demolition and Conversion By-law**

Section 111 of the *City of Toronto Act, 2006* authorizes the City to regulate the demolition and conversion of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition of rental housing in any building or related group of buildings that collectively contain six or more dwelling units without obtaining a permit from the City and requires a decision by City Council or, where delegated, the Chief Planner.

The application originally proposed the demolition of 18 units and was approved by City Council on September 30, 2015. The application has now been revised to propose the demolition of 9 units, requiring a new decision by City Council.

## **Tenant Consultation**

On March 16, 2022, a tenant consultation meeting was held to update tenants of the proposed changes to the development, and review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was held virtually (due to the COVID-19 pandemic) and attended by approximately 5 tenants, the owner, representatives of the applicant and owner and City Planning staff.

During the meeting, tenants asked questions and expressed concerns about:

- The timing of the application and when it would be approved;
- The timing of the proposed demolition, when tenants would have to vacate their existing rental units, and the estimated length of time over which the proposed development would be constructed;
- The proposed replacement rental unit layouts;
- Seniority and the process for selecting and returning to a replacement rental unit;
- How rent increases would be calculated over the construction period;
- Whether tenants could move to alternative interim accommodation on-site;
- How the rent gap payments would be calculated; and
- How and when the financial compensation provided under the City-approved Tenant Relocation and Assistance Plan would be administered to tenants;

A tenant survey was also administered (in paper) in June 2021 to solicit feedback from existing tenants on needed and prospective improvements to the existing rental buildings and amenities that are to be retained. The survey received a total of 46 responses out of 107 questionnaires administered, for an overall response rate of 43%. Key findings from the tenant survey are described in the Rental Housing Intensification section below.

## **Rental Housing Demolition and Replacement**

In accordance with Policy 3.2.1.6 of the Official Plan, the applicant is proposing to replace all 9 existing rental dwelling units by their respective bedroom types, at similar sizes, and at similar rents to those in effect at the time of the revised application (July 2020). The total GFA of the 9 replacement rental units is 634.8 square metres, which exceeds the GFA of the existing rental units proposed to be demolished by 4.6 square metres. 8 of the replacement units will be larger than the existing unit and one unit will be reduced in size by 5%. Replacement rental units are proposed to be located on floors 2 through 8.

The applicant has confirmed that tenants would reserve the right to return to a replacement rental unit of a similar unit type at similar rent, and that rents for replacement rental units without returning tenants would not exceed the applicable affordable or mid-range rent thresholds for a period of at least 10 years. Tenants who return to replacement rental units would be protected by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the proposed development under the *Residential Tenancies Act 2006* (RTA), until their tenancies end.

## **Tenant Relocation and Assistance Plan**

The applicant has agreed to implement the City-approved Tenant Relocation and Assistance Plan for all Eligible Tenants who live in one of the units to be demolished. The plan would assist tenants in finding and securing alternative accommodation while the proposed development and replacement rental dwelling units are being constructed. The plan would consist of the following:

- The right to return to a replacement rental unit of the same bedroom type and a similar unit size, and at similar rent, as the rental unit they currently occupy;
- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation, in addition to requirements under the *Residential Tenancies Act, 2006*, in the form of a rent gap payment, where the rent gap would be calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in Canada Mortgage and Housing Corporation's (CMHC) Rental Market Survey (RMS) Zone 3 – Toronto (North), which encompasses the development site for a 36 month period. In the event the proposed development takes longer than 36 months to complete, the owner would provide each tenant additional monthly rent gap payments until the replacement rental units were ready for occupancy.
- Two moving allowances to cover expenses for moving off-site into alternative interim accommodation and then moving back into a replacement rental unit;
- Special needs compensation for applicable tenants; and
- Upon request, make a rental leasing agent available to the Eligible Tenant to provide them with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with the tenant's needs.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices and reflects changes to assistance from the original approval to ensure that tenants can continue to access and afford suitable housing within the neighbourhood until the replacement rental units are complete.

## **Rental Housing Intensification**

The proposal is consistent with Policy 3.2.1.5 of the Official Plan, as it would result in new rental housing supply through residential intensification and infill, while retaining and improving the retained rental housing on the lands. The applicant has confirmed that they will continue to provide and maintain all 212 existing rental dwelling units at 515-525 Chaplin Crescent as rental housing for at least 20 years.

A tenant survey was administered in June 2021 to prioritize needed improvements to the existing rental building and amenities. Rental housing improvements should be capital in nature and extend beyond repairs which form part of regular building maintenance. Key findings from the tenant survey include the following priorities:

- Indoor bicycle parking
- Outdoor seating, including improved courtyard seating/benches
- Improvements to garbage/recycling area
- Accessibility improvements to entryways

The applicant has agreed to undertake the following rental housing improvements, without pass-through of any costs to tenants, as informed by the results of the tenant survey.

Various improvements have been carried out since original application in 2010, including accessibility and outdoor landscaping updates.

In addition to the improvements already completed, prior to first occupancy of the new residential building the owner will construct or provide the following:

- a new 134.85 square metre indoor amenity space on the ground floor of 515 Chaplin Crescent for exclusive use of all tenants in retained units at 515-525 Chaplin Crescent
- an enclosed garbage collections area for use by units in the retained buildings and new development.
- additional seating, in the form of benches, in the courtyard space between 515 and 525 Chaplin Crescent.

Prior to Site Plan approval, the applicant will also be required to submit a Construction Mitigation Strategy and Tenant Communication Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning, to mitigate construction impacts on existing residents.

The rental tenure of the existing apartment buildings, the rental housing improvements, and the Construction Mitigation Strategy and Tenant Communication Plan will be secured through the Section 37 Agreement (as a legal convenience) and incorporated into the Section 37 provisions of the amending zoning by-laws.

A number of improvements were included as part of the previous approval, including, improved courtyard with outdoor seating and barbeques, garbage storage, and new shared amenities.

While some of the same improvements are proposed (outdoor improvements and garbage storage), indoor amenity space in the proposed new building will be for the exclusive use of tenants in the new building. However, the provision of a new indoor amenity space in 515 Chaplin for exclusive use by tenants in 515 and 525 Chaplin will provide a similar outcome to the previous approval.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed gross floor area addition of 6,799 square metres contained in the previously adopted Final Report did not meet the threshold of 10,000 square metres for a Section 37 contribution, the applicant proposed a voluntary contribution of \$80,000.00 contained in the report. The present revised gross floor area addition of 5,537.87 square metres also does not meet the threshold of 10,000 square metres. However, the applicant has proposed a revised voluntary Section 37 contribution of \$50,000.00. The applicant had also voluntarily agreed to secure a portion of the new

rental units at mid-range rents (up to 1.5 times average market rent), however given the improved rental demolition application staff were agreeable to removing this voluntary matter.

## **Conclusion**

Staff are of the opinion that the revised proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it provides much needed new rental residential units in the area, while maintaining an appropriate level of intensification within the site. The revised zoning by-laws attached to this report are to replace the by-laws in the previously adopted final report, and are appropriate. Staff recommend that Council support approval of the application.

## **CONTACT**

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## **SIGNATURE**

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David Sit, MCIP, RPP, Director  
Community Planning, North York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

Attachment 1: Draft Zoning By-law Amendment, Zoning By-law 438-86  
Attachment 2: Draft Zoning By-law Amendment, Zoning By-law 569-2013

### **Applicant Submitted Drawings**

Attachment 3: Site Plan  
Attachment 4: East and West Elevations  
Attachment 5: North and South Elevations

## **Attachment 1: Draft Zoning By-law Amendment, Zoning By-law 438-86**

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

### **CITY OF TORONTO**

**Bill No. ~**

### **BY-LAW No. ~-2022**

#### **To amend Zoning By-law No. 438-86 of the former City of Toronto, as amended, with respect to the lands municipally known as 515 – 525 Chaplin Crescent**

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 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*;

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

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 438-86 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 HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the lot.
2. None of the provisions of Section 2 with respect to the definition of "*grade*", "*height*", "*lot*", "*gross floor area*", "*bicycle parking space*" or "*landscaped open*"



*space*”, and Sections 4(2)(a), 4(4)(b), 4(10), 4 (12), 4 (13), 4 (16), 6(1), 6(3) Part I 1., 6 (3) Part II, 6 (3) Part IV 2., 12 (1) 61, 12 (1) 320, and 12 (2) 274, of By-law No. 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto” as amended, shall apply to prevent the erection and use of an *apartment building* or a *residential building* on the *lot*, provided that:

- (a) The *lot* comprises the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
- (b) No portion of any building or structure above finished ground level is located otherwise than wholly within the area delineated by heavy lines as shown on Map 3 attached to and forming part of this By-law;
- (c) The maximum residential gross floor area permitted is 25,000 square metres;
- (d) The maximum number of *dwelling units* permitted on the lot shall be 278;
- (e) A total of 9 *rental replacement dwelling units* shall be provided on the site;
- (f) The height of any new building or structure shall not exceed the height in metres specified by the numbers following the symbol "HT" and the number of *storeys* following the “ST” symbol on Map 2 attached to and forming part of this By-law;
- (g) Notwithstanding Section 2(f) of this by-law, the following building elements and structures are permitted to extend beyond the heights shown on Map 2.
  - (i) the following projections wind screens, parapets, awnings, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, eaves, screens, stairs, window washing equipment and storage, roof drainage, window sills, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, and elements of a green roof, which may project up to 3.0 metres above the height limits shown on Map 2;
  - (ii) elevator overruns, mechanical penthouses, mechanical equipment and any associated enclosure structures, which may project up to 6.0 metres above the height limits shown on Map 2;
- (h) The minimum yard setbacks for all buildings and structures in metres and the minimum separation distances in metres shall be as set out on Map 3, attached to and forming part of this By-law; with the following exception:

- (i) balconies, cornices, light fixtures, awnings, ornamental elements, cladding, parapets, landscape features, trellises, eaves, window sills, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, privacy screens, doors, wheel chair ramps, canopies, and underground garage ramps, architectural features wall, and associated structures which may project beyond the heavy lines shown on Map 3 of this By-law to a maximum of 3 metres;
- (i) *Landscaping* shall be a minimum of 43 percent of the lot area, of which a minimum 50 percent be soft landscaping;
- (j) A minimum of 250 square metres of indoor *residential amenity space* shall be provided and maintained on the lot;
- (k) A minimum of 1,440 square metres of outdoor residential amenity space shall be provided and maintained on the lot;
- (l) Vehicular access to the site and the underground parking garage may be provided from a driveway or ramp from one of or both Roselawn Avenue and Chaplin Crescent;
- (m) *Residential parking* on the lot must be provided and maintained in accordance with the following:
  - (i) A minimum of 219 residential parking spaces; which includes:
    - 1. A minimum of 17 *visitor parking spaces*;
    - 2. A minimum of 5 *parking spaces* with roughed-in conduits to allow for future electric outlets for plug-in electric vehicles. Equipment for the charging of an electric vehicle does not constitute an obstruction to the parking space, subject to the equipment being located within or adjacent to the same parking space as the vehicle to be charged;
    - 3. A minimum of 1 *accessible parking space*;
    - 4. A maximum of 2 new *parking spaces* may have an obstruction on one side but maintain a minimum width of 2.6 metres;
  - (ii) Parking aisle driveway widths and *parking space* dimensions that lawfully existed on the *lot* on the date this By-law was enacted, shall be deemed to comply with this By-law;
  - (iii) New *parking spaces* established on or after the enactment of this by-law must have a length 5.6 metres, and width of 2.6 metres with a vertical clearance of 2 metres; and
  - (iv) A minimum of one Type G *loading space* on the lot that is a minimum of 4 metres in width, a minimum of 13 metres in length and has a minimum vertical clearance of 6.1 metres;

- (n) *Bicycle parking spaces* shall be provided on the *lot* in accordance with the following:
  - (i) a minimum of 0.9 *long-term bicycle parking spaces* per a dwelling unit in excess of 212 units; and
  - (ii) a minimum of 0.1 *short-term bicycle parking spaces* per a dwelling unit in excess of 212 units;
- (o) Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

## Definitions

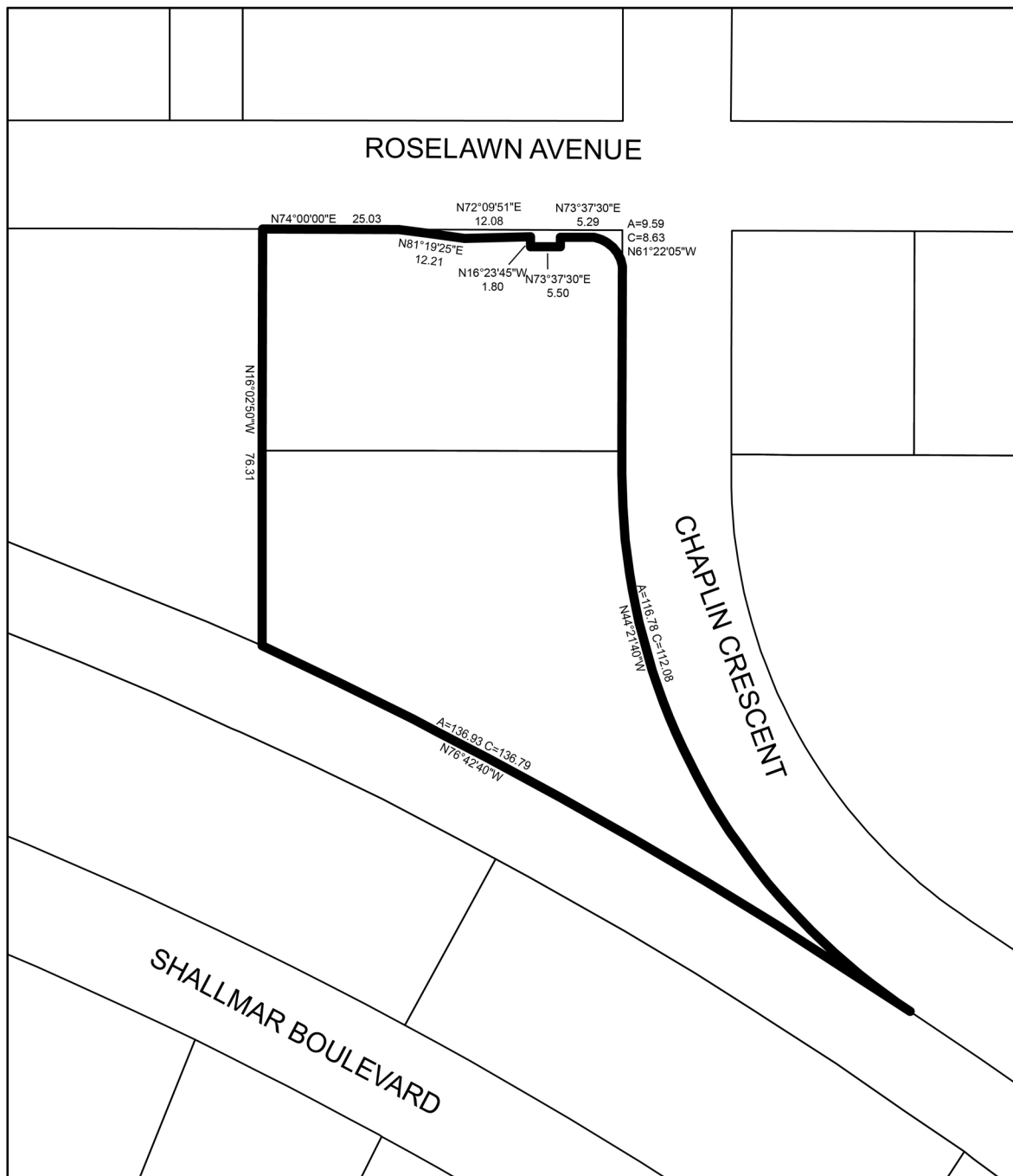
3. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:
  - (a) "*Grade*" shall mean 171.3 metres Canadian Geodetic Datum;
  - (b) "*Height*" shall mean the vertical distance between grade and the highest point of the building or structure, including mechanical penthouse, except where exemptions are addressed in subsection g) to this by-law;
  - (c) "*Lot*" shall mean the lands outlined by heavy lines on Map 1 attached to this By-law;
  - (d) "*Gross floor area*" shall mean the sum of the total area of each floor level of a building, exclusive of the areas of a building used for:
    - (i) Parking, loading and bicycle parking below ground;
    - (ii) Required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
    - (iii) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
    - (iv) Residential amenity space required by this By-law;
    - (v) Elevator shafts;
    - (vi) Garbage shafts;
    - (vii) Mechanical penthouse; and
    - (viii) Exit stairwells in the building; and
  - (e) "*Rental replacement dwelling unit*" means a dwelling unit which replaces one of the rental units existing on the lot at the time of enactment of this by-law, as required pursuant to Section 111 of the City of Toronto Act, 2006, S.O. 2006, c. 11 as referenced in Appendix "1" of this By-law, and for the purposes of determining rental replacement dwelling unit type, a bedroom shall have an exterior window;

- (f) *"Bicycle Parking Space"* means an area used for parking or storing a bicycle;
  - (g) *"Landscaping"* means an area used for trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements. Driveways and areas for loading, parking or storing of vehicles are not landscaping; and
  - (h) *"Soft Landscaping"* means landscaping excluding hard-surfaced areas such as decorative stonework, retaining walls, walkways, or other hard-surfaced landscape-architectural elements.
  - (i) *"Long-term bicycle parking spaces"* means bicycle parking spaces for use by the occupants or tenants of a building; and
  - (j) *"Short-term bicycle parking spaces"* means bicycle parking spaces for use by visitors to a building.
4. Notwithstanding any severance, partition or division of the lands shown on Map 1, 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.
5. 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 Map 1 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Appendix I attached to this By-law 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 Appendix I of this By-law requires the owner to provide certain facilities, services or matters 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 Appendix I are satisfied; and
  - (D) The owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) 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 above.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,  
Mayor  
(Corporate Seal)

JOHN ELVIDGE,  
City Clerk

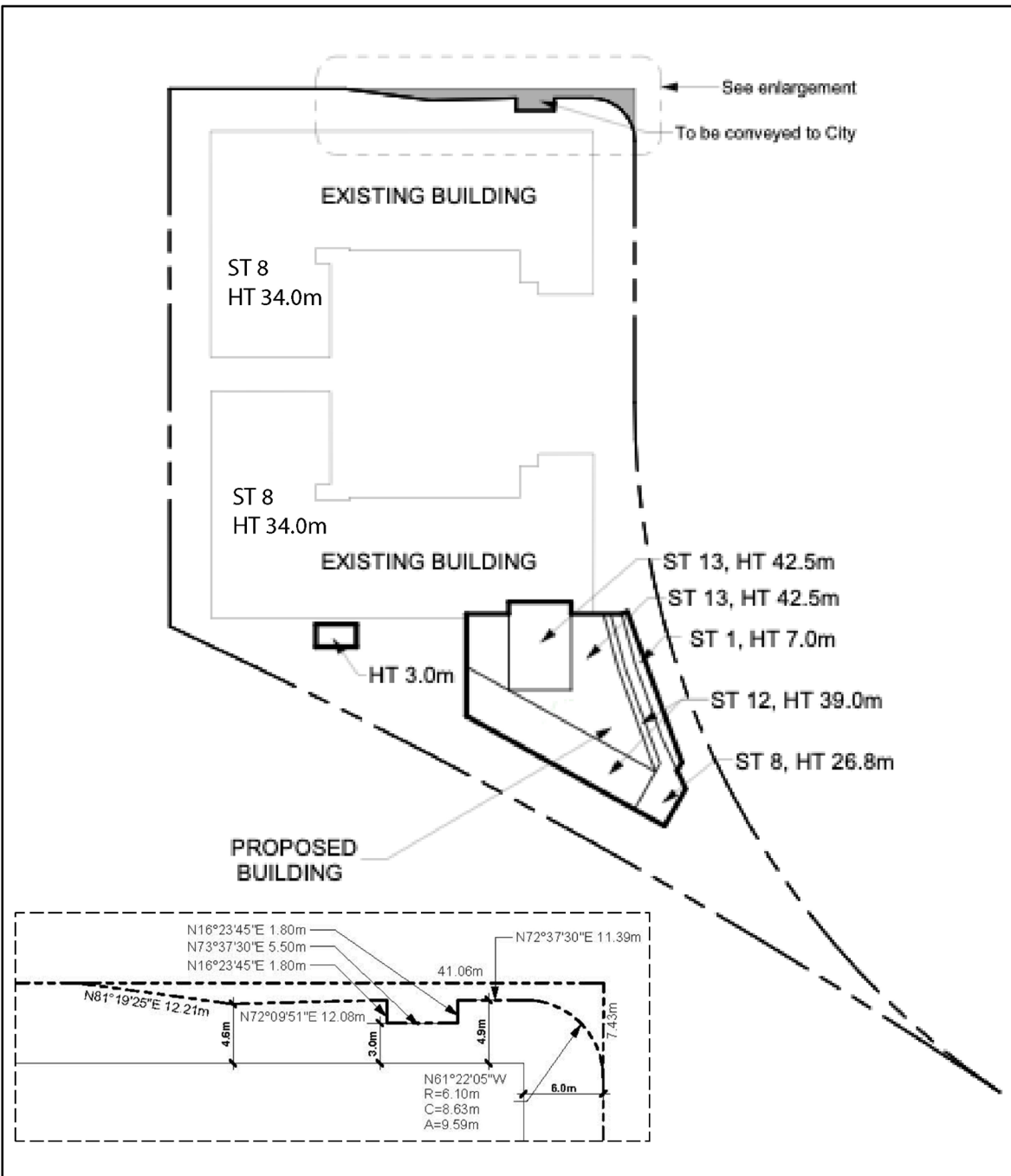


**Toronto**  
Map 1

**515 & 525 Chaplin Crescent**

File # 09 199580 NNY 16 02

  
 Former City of Toronto By-law 438-86  
 Not to Scale  
 03/28/2022



**Toronto**  
Map 2

515 & 525 Chaplin Crescent

File # 09 199580 NNY 16 02

↑  
Former City of Toronto By-law 438-86  
Not to Scale  
05/24/2022





## **Appendix "I"**

### **Section 37 Provisions**

Prior to the issuance of any Building Permit, the owner shall enter into a voluntary agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) 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.

1. The facilities, services and matters set out below are required to be provided to the City at the owner's expense and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

a. a cash contribution of \$50,000.00 (Fifty thousand dollars) towards streetscape, and/or public realm improvements within the vicinity of the development site and/or Ward 8.

b. the cash contributions referred to in Recommendation a. above shall be indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building 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 the Agreement to the date of payment; and,

c. in the event the cash contribution referred to in Recommendation a. above has not been used for the determined purpose within three years of the amending Zoning 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, City Planning, in consultation with the Ward Councillor, provided the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands.

d. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

i. The owner shall agree to secure the tenure of all sixty-six (66) new dwelling units, inclusive of the rental replacement units, within the building to be constructed at 515-525 Chaplin Crescent as well as the existing 212 units on the site for a total of 278 secured rental units for not less than 20 years.

ii. The owner shall continue to provide and maintain the existing two hundred and twelve (212) units at 515-525 Chaplin Crescent as rental housing, together with the new and retained associated facilities and amenities of the residential rental property, for a period of at least twenty (20) years commencing from the date the Zoning By-law Amendments come into force and effect, with no application for demolition or conversion to condominium ownership or from residential rental use during such twenty (20) year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

iii. The owner shall provide, at its sole expense and at no cost to tenants, improvements to the existing rental housing at 515-525 Chaplin Crescent, taking into account feedback obtained through a tenant survey, as follows:

iv. Prior to the issuance of Notice of Approval Conditions for site plan approval:

A. The owner shall submit to the City a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction of the development on tenants of the existing rental buildings at 515-525 Chaplin Crescent, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Prior to first occupancy of the new residential building:

B. The owner shall construct a new 134.85 square metre indoor amenity space on the ground floor of 515 Chaplin Crescent for the exclusive use of all tenants in the retained units at 515-525 Chaplin Crescent, as generally illustrated in the Architecture Plans prepared by Kirkor Architects and Planners and dated January 28, 2022. Any revision to these drawings shall be to the satisfaction of the Chief Planner and Executive Director, City Planning; and

C. The owner shall construct an enclosed garbage collections area for the retained buildings and new development. The location, layout, and specifications of the garbage enclosure shall be developed and approved through the site plan review process, to the satisfaction of the Chief Planner and Executive Director, City Planning.

D. The owner will construct or provide additional seating, in the form of benches, in the courtyard between 515 and 525 Chaplin Crescent.

E. The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation Strategy and Tenant Communication Plan required in Recommendations d.iv.A through d.iv.D above shall not be passed on to tenants of the existing rental buildings at 515-525 Chaplin Crescent in any form. For clarity, the owner shall agree to not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements in Recommendations d.iv.A through d.iv.D above.

## **Attachment 2: Draft Zoning By-law Amendment, Zoning By-law 569-2013**

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

Enacted by Council: ~, 20~

### **CITY OF TORONTO BY-LAW No. XXXX- 2022**

**To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 515 to 525 Chaplin Crescent.**

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; and

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 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. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: R (d2.0) (x122) as shown on Diagram 2 attached to this By-law;
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Article 995.20.1, and applying the following height label to the these lands: HT 34.0, as shown on Diagram 5;
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1, the Lot Coverage Overlay Map in Article 995.30.1, and the Rooming House Overlay Map in Article 995.40.1 and applying no label.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 122 so that it reads:

(122) Exception R 122

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

Site Specific Provisions:

- (A) On 515 to 525 Chaplin Crescent as shown on Diagram 1 of By-law ~ [Clerks to insert by-law number], if the requirements of Section 10 and Schedule A of By-law ###-2022 [Clerks to insert by-law number] are complied with, a **building** or structure may be constructed, used or enlarged in compliance with Regulations (B) to (V) below;
- (B) For the purpose of this exception, the **lot** comprises the lands outlined by heavy lines on Diagram 1, of By-law [Clerks to insert by-law number];
- (C) Despite Regulation 10.10.40.1(2), a maximum of three **residential buildings** are permitted on the lot;
- (D) Despite regulation 10.10.40.1(3), the permitted maximum number of **dwelling units** on the lot is 278, which must be provided as follows:
  - (i) 7% as Studio Units;
  - (ii) 56% as One Bedroom Units;
  - (iii) 34% as Two Bedroom Units;
  - (iv) 3% as Three Bedroom or greater Units.
- (E) Despite Regulations 10.5.40.10(1), the height of a **building or structure** is the distance between the Canadian Geodetic Datum of 171.3 metres and the elevation of the highest point of the building or structure;

- (F) Despite Regulations 10.10.40.10(1)(2) and (3), the permitted maximum height and number of **storeys** of a **building** or **structure** are the numbers in metres following the HT symbol and the number of storeys following the ST symbol as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (G) Despite Regulations 10.5.40.10(3) and (4), and (F) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
- (i) wind screens, parapets, awnings, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, eaves, screens, stairs, window washing equipment and storage, roof drainage, window sills, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, and elements of a **green roof**, may project above the height limits to a maximum of 3.0 metres; and
  - (ii) elevator overruns, mechanical penthouses, mechanical equipment and any associated enclosure **structures**, may project above the height limits to a maximum of 6.0 metres;
- (H) Despite Regulation 10.5.40.10(4)(A), the total area of the mechanical penthouse, equipment, **structures** or parts of a **building** that exceed the permitted maximum height as shown on Diagram 3 of By-law ###- 2022 [Clerks to insert By-law number], may cover no more than 65% of the area of the roof, measured horizontally;
- (I) Regulation 10.10.40.30(1)(B), with regards to the permitted maximum **building depth** for an **apartment building** does not apply;
- (J) Despite Regulation 10.10.40.40(1)(A), the permitted maximum **gross floor area** is 25,000 square metres;
- (K) Despite Regulation 10.10.40.50(1), **amenity space** must be provided on the **lot** in accordance with the following:
- (i) A minimum of 250 square metres of indoor **amenity space**; and
  - (ii) A minimum of 1,440 square metres of outdoor residential **amenity space**;
- (L) Despite Regulation 10.5.40.70(1) and Clauses 10.10.40.70 and 10.10.40.80 the required minimum **building setbacks** and separation distances of **main walls** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];

- (M) Despite Clause 10.5.40.60 and (L) above, the following elements may encroach into the required minimum **building setbacks** and separation distances of **main walls** as follows:
- (i) balconies, cornices, light fixtures, awnings, ornamental elements, cladding, parapets, landscape features, trellises, eaves, window sills, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, privacy screens, doors, wheel chair ramps, canopies, and underground garage ramps, architectural features wall, and associated structures to a maximum of 3.0 metres;
- (N) Despite Regulation 10.5.50.10(4), a minimum of 43% of the **lot area** must be **landscaping**, of which a minimum of 50% of the required **landscaping** must be comprised of **soft landscaping**;
- (O) Regulation 10.5.50.10(5) with regards to a 1.5 m strip of **soft landscaping**, does not apply;
- (P) Regulations 10.5.100.1(5) and 10.5.80.40(2) with regards to **driveway** access to **apartment buildings** and parking space access on a **lot**, does not apply;
- (Q) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1 **parking spaces** must be provided on the **lot** at the following rates::
- (i) a minimum of 0.73 residential occupant **parking spaces** for each **dwelling unit**;
  - (ii) a minimum of 0.06 residential visitor **parking spaces** for each **dwelling unit**;
  - (iii) a minimum of 0.015 of the **parking spaces** per **dwelling unit** identified in subsection (i) and (ii) are required to have roughed-in conduits to allow for future electric outlets for plug-in electric vehicles.
  - (iv) parking aisle **driveway widths** and **parking space** dimensions that lawfully existed on the **lot** on the date this By-law was enacted, shall be deemed to comply with By-law 569-2013;
- (R) Despite Regulations 200.5.1.10(2)(A)(iv), (B)(iv) and (C)(iv), a maximum of two **parking spaces** can have an obstruction on one side only and maintain a required minimum **parking space** width of 2.6 metres; and
- (i) For the purpose of this exception, equipment for the charging of an electric **vehicle** does not constitute an obstruction to the **parking space**, provided the equipment is located within or adjacent to the same parking space as the vehicle being charged;

- (S) Despite Regulation 200.15.10(1), a minimum of 1 of the required **parking spaces** on the **lot** must be an accessible **parking space**;
- (T) Despite Regulation 230.5.1.10(4), the required minimum width of a **stacked bicycle parking space** is 0.45 metres;
- (U) Despite Regulation 230.5.10.1(1) and (5) **bicycle parking spaces** shall be provided on the **lot** in accordance with the following:
  - (i) a minimum of 0.9 "long-term" **bicycle parking spaces** per dwelling unit in excess of 212 **dwelling units**; and
  - (ii) a minimum of 0.1 "short-term" **bicycle parking spaces** per **dwelling unit** in excess of 212 **dwelling units**;
- (V) Regulation 10.10.40.1(5), with regards to **building** orientation to a street for buildings with **dwelling units**, does not apply;

Prevailing By-laws and Prevailing Sections: (None Apply)

- 7. Where a specific section of former City of Toronto By-law 438-86 conflicts with this by-law, the site specific provisions of this by-law prevail.
- 8. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply to the lands shown on Diagram 1 as if no severance, partition or division occurred.
- 9. Existing use(s):  
None of the provisions of By-law 569-2013, as amended, apply to prevent one office for the purposes related to the rental and management of **buildings** on the **lot**.
- 10. 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 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to this By-law 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 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;
- (D) The owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) 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 above.

ENACTED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 20~.

JOHN TORY,  
Mayor

John Elvidge  
City Clerk

(Corporate Seal)



## Schedule A

### Section 37 Provisions

Prior to the issuance of any Building Permit, the owner shall enter into a voluntary agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) 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 above.

1. The facilities, services and matters set out below are required to be provided to the City at the owner's expense and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

a. a cash contribution of \$50,000.00 (Fifty thousand dollars) towards streetscape, and/or public realm within the vicinity of the development site and/or Ward 8.

b. the cash contributions referred to in Recommendation a. above shall be indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building 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 the Agreement to the date of payment;

c. in the event the cash contributions referred to in Recommendation a. above have not been used for the determined purpose within three years of the amending Zoning 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, City Planning, in consultation with the Ward Councillor, provided the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands; and

d. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

i. The owner shall agree to secure the tenure of all sixty-six (66) new dwelling units, inclusive of the rental replacement units, within the building to be constructed at 515-525 Chaplin Crescent as well as the existing 212 units on the site for a total of 278 secured rental units for not less than 20 years.

ii. The owner shall continue to provide and maintain the existing two hundred and twelve (212) units at 515-525 Chaplin Crescent as rental housing, together with the new and retained associated facilities and amenities of the residential rental property, for a period of at least twenty (20) years commencing from the date the Zoning By-law Amendments come into force and effect, with no application for demolition or conversion to condominium ownership or from residential rental use during such twenty (20) year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

iii. The owner shall provide, at its sole expense and at no cost to tenants, improvements to the existing rental housing at 515-525 Chaplin Crescent, taking into account feedback obtained through a tenant survey, as follows:

iv. Prior to the issuance of Notice of Approval Conditions for site plan approval:

A. The owner shall submit to the City a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction of the development on tenants of the existing rental buildings at 515-525 Chaplin Crescent, to the satisfaction of the Chief Planner and Executive Director, City Planning.

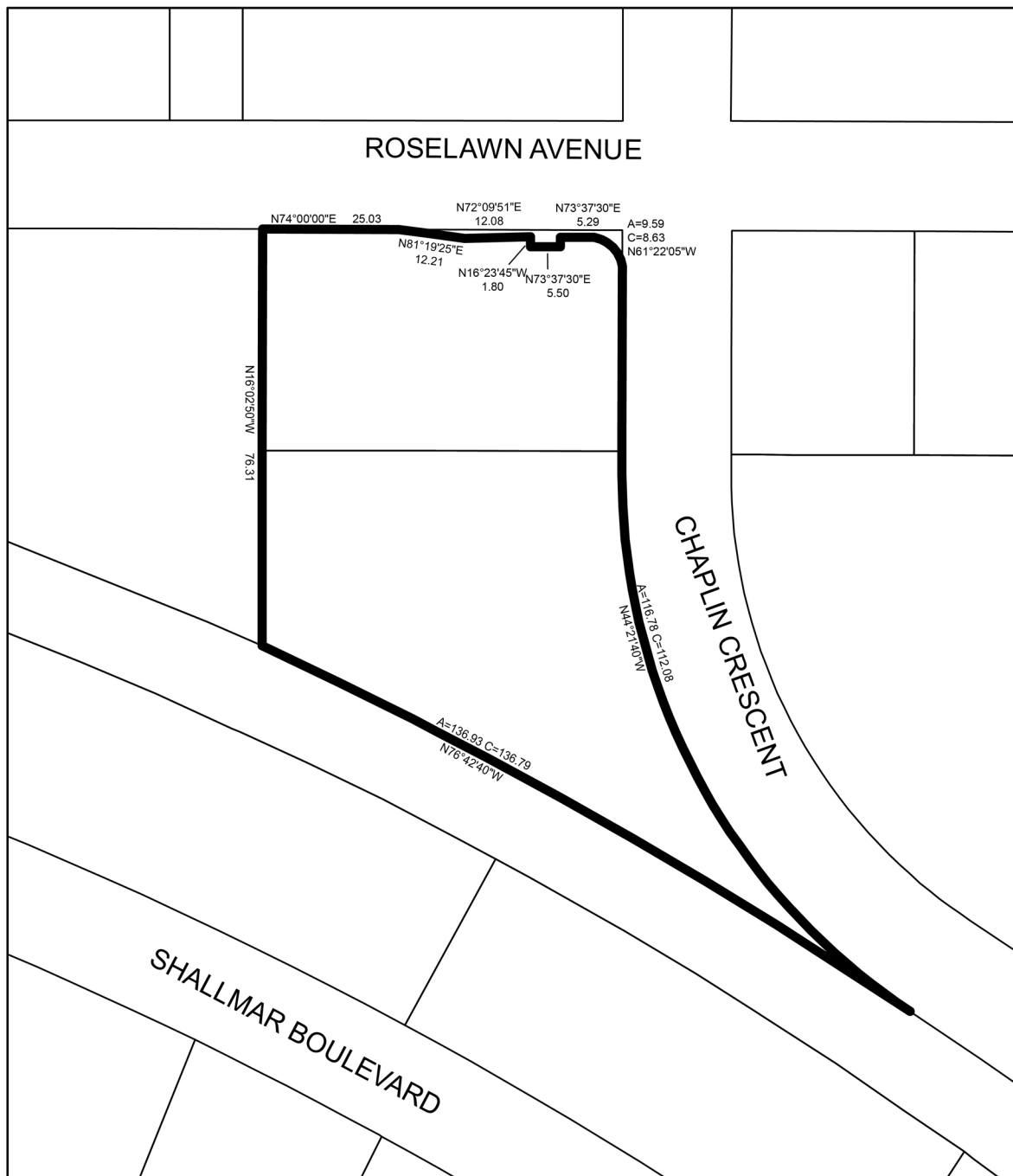
Prior to first occupancy of the new residential building:

B. The owner shall construct a new 134.85 square metre indoor amenity space on the ground floor of 515 Chaplin Crescent for the exclusive use of all tenants in the retained units at 515-525 Chaplin Crescent, as generally illustrated in the Architecture Plans prepared by Kirkor Architects and Planners and dated January 28, 2022. Any revision to these drawings shall be to the satisfaction of the Chief Planner and Executive Director, City Planning; and

C. The owner shall construct an enclosed garbage collections area for the retained buildings and new development. The location, layout, and specifications of the garbage enclosure shall be developed and approved through the site plan review process, to the satisfaction of the Chief Planner and Executive Director, City Planning.

D. The owner will construct or provide additional seating, in the form of benches, in the courtyard between 515 and 525 Chaplin Crescent.

E. The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation Strategy and Tenant Communication Plan required in Recommendations d.iv.A through d.iv.D above shall not be passed on to tenants of the existing rental buildings at 515-525 Chaplin Crescent in any form. For clarity, the owner shall agree to not apply to the Landlord and Tenant Board, or any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements in Recommendations d.iv.A through d. iv.D above.

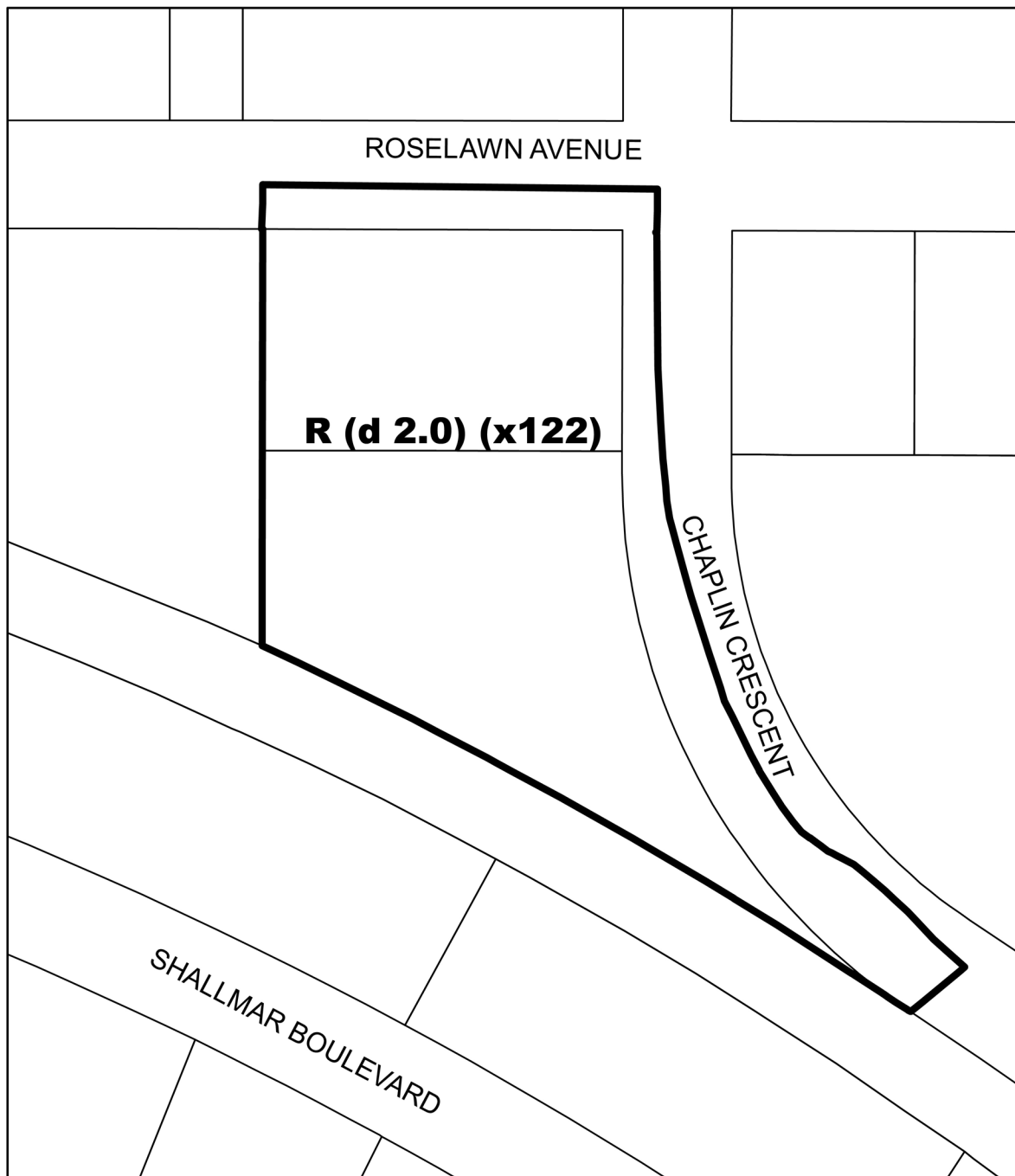


**Toronto**  
Diagram 1

**515 & 525 Chaplin Crescent**

File # 09 199580 NNY 16 02


City of Toronto By-law 569-2013  
Not to Scale  
03/28/2022

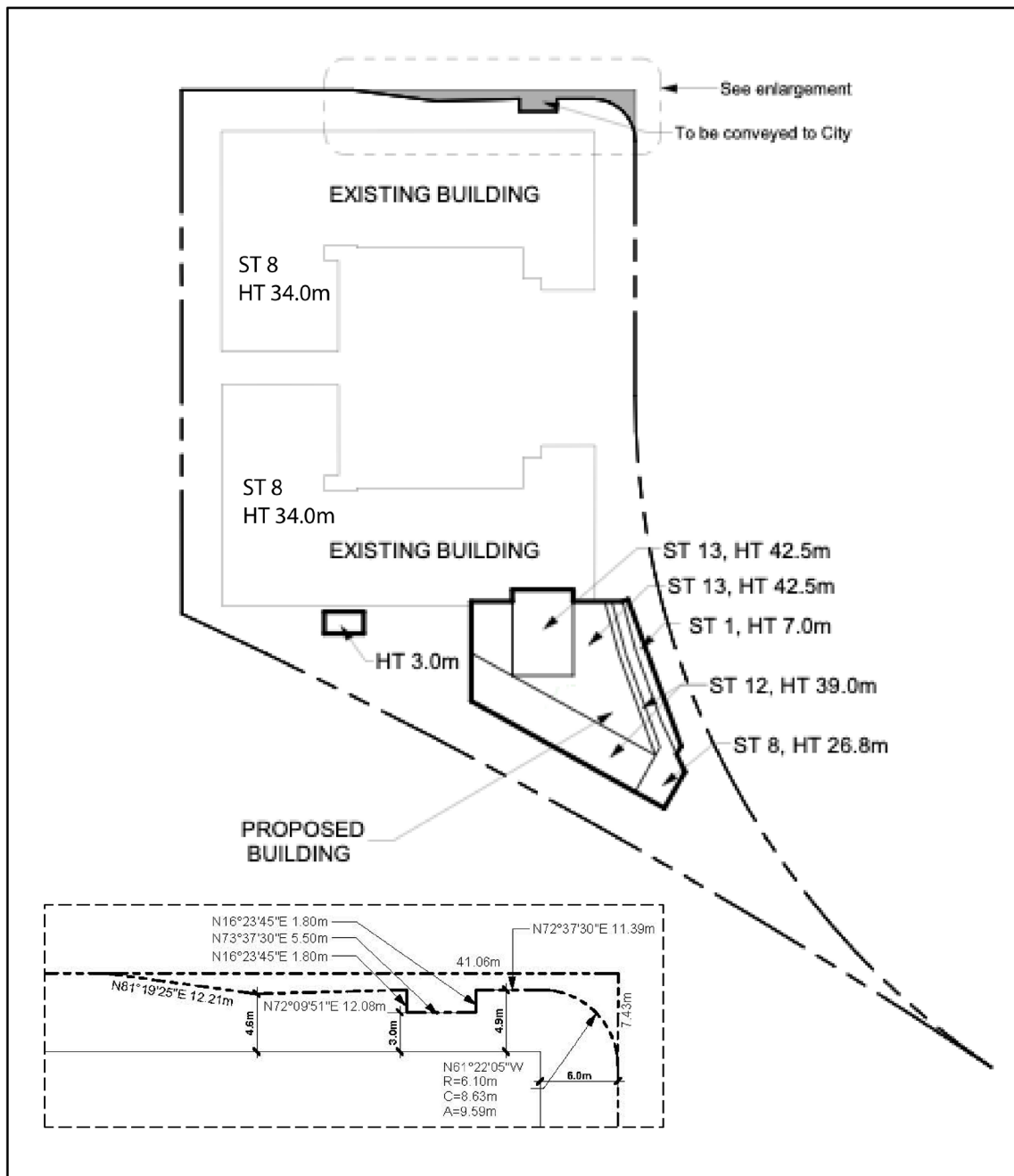


 **Toronto**  
Diagram 2

**515 & 525 Chaplin Crescent**

File # 09 199580 NNY 16 02

  
City of Toronto By-law 569-2013  
Not to Scale  
05/24/2022

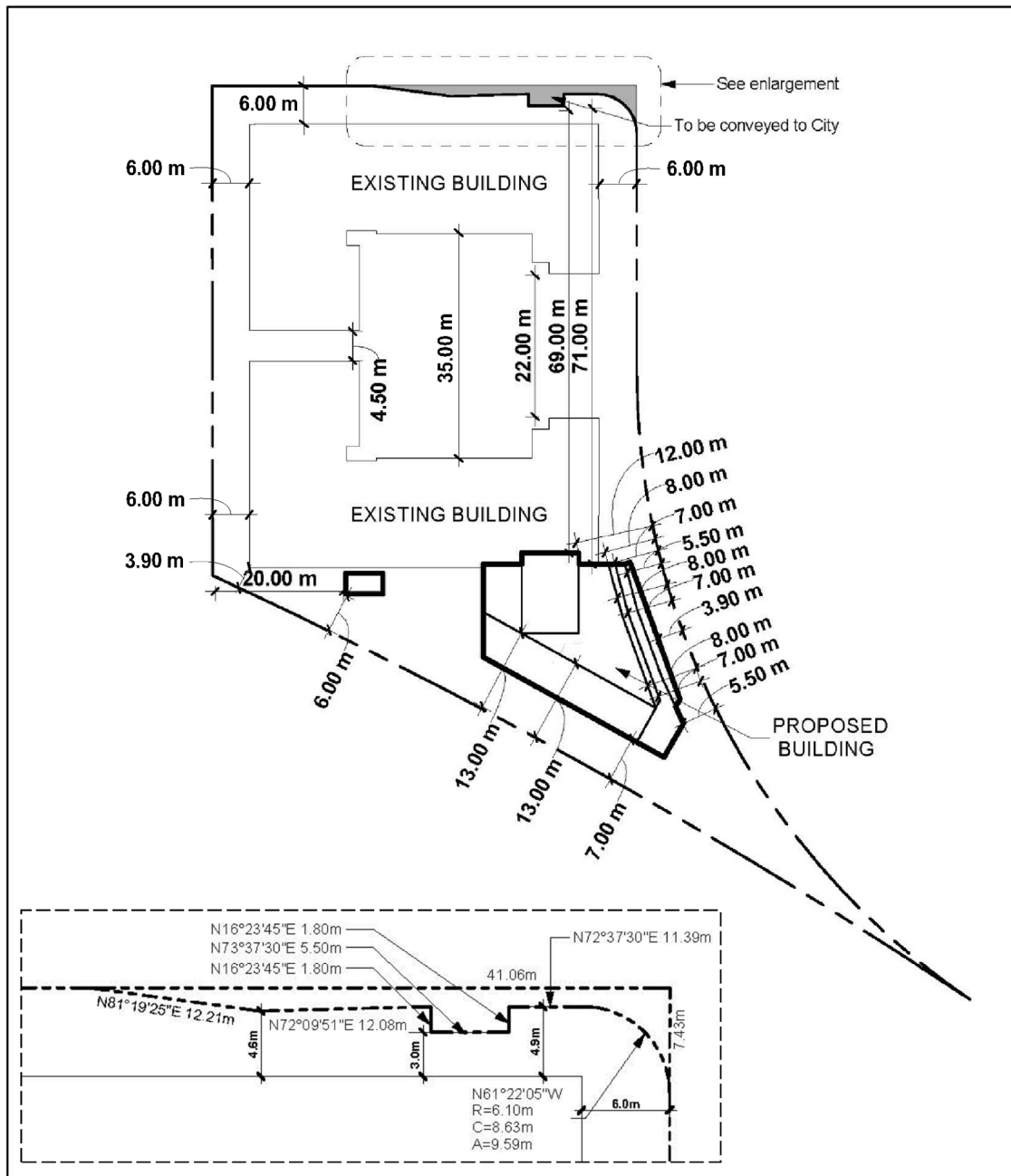


**Toronto**  
Diagram 3

**515 & 525 Chaplin Crescent**

File # 09 199580 NNY 16 0Z

City of Toronto By-law 569-2013  
Not to Scale  
05/24/2022

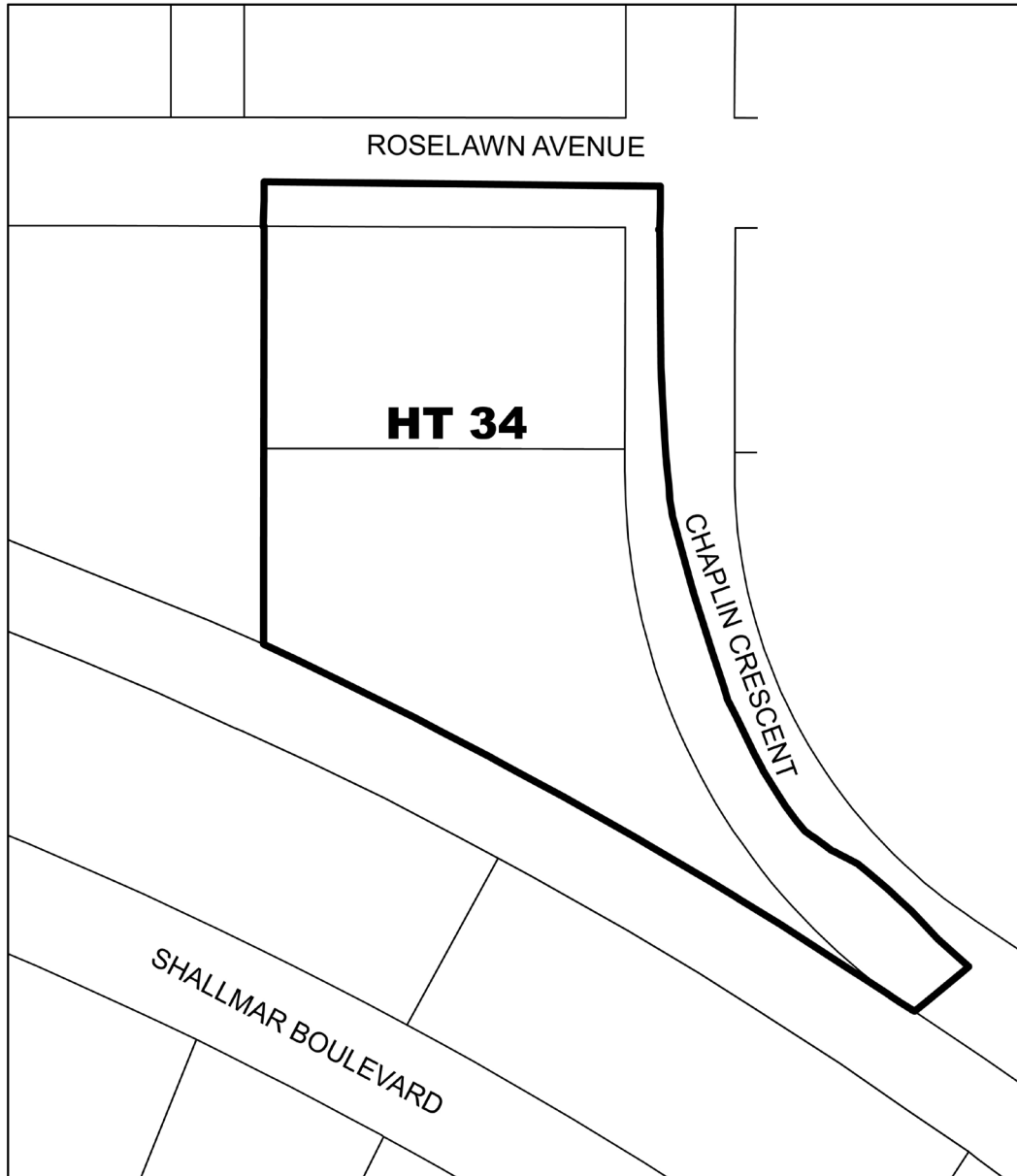


**Toronto**  
Diagram 4

515 & 525 Chaplin Crescent

File # 09 199580 NNY 16 0Z


City of Toronto By-law 569-2013  
Not to Scale  
05/24/2022



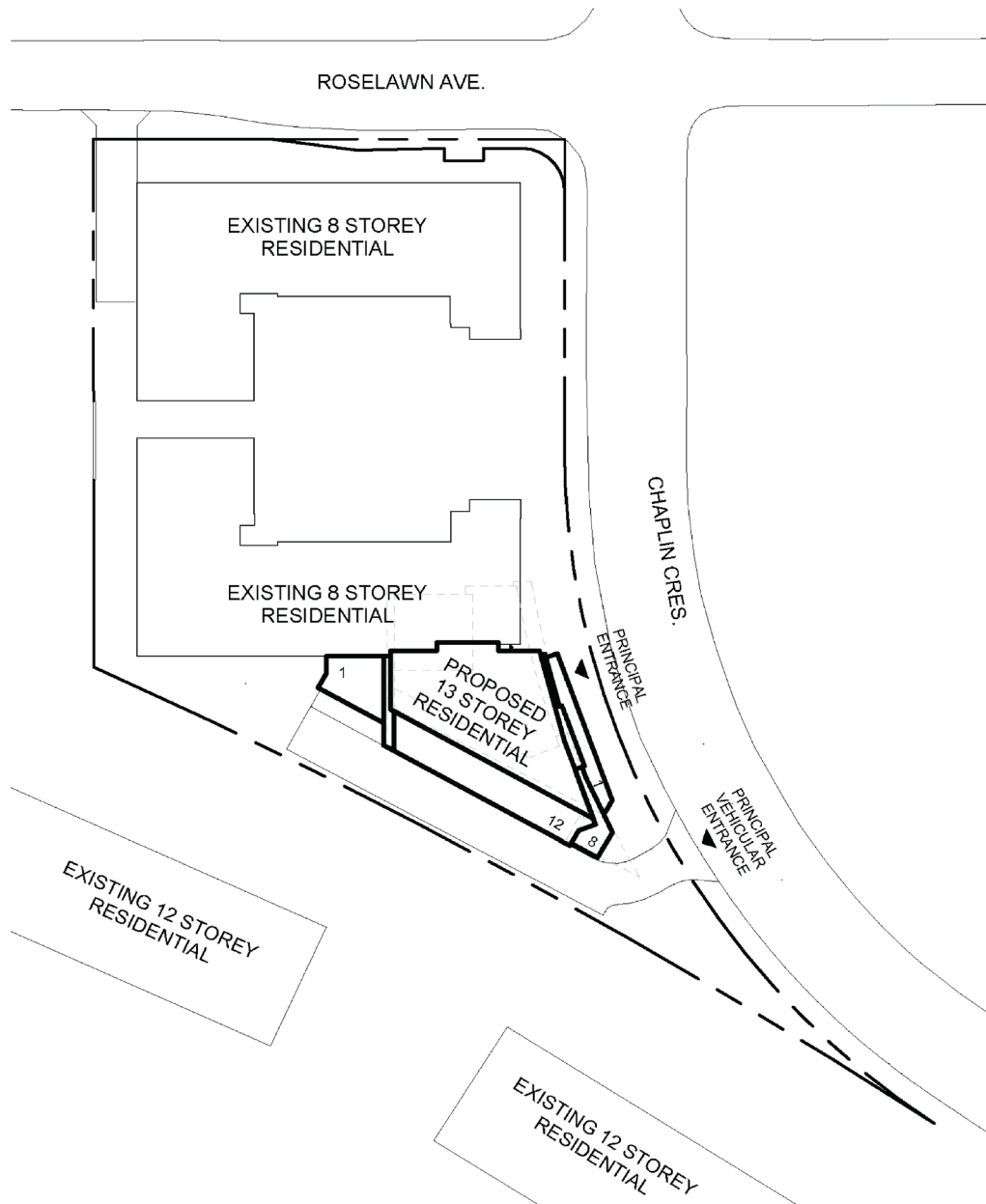
 **Toronto**  
Diagram 5

**515 & 525 Chaplin Crescent**

File # 09 199580 NNY 16 02

  
 City of Toronto By-law 569-2013  
 Not to Scale  
 05/24/2022

### Attachment 3: Site Plan

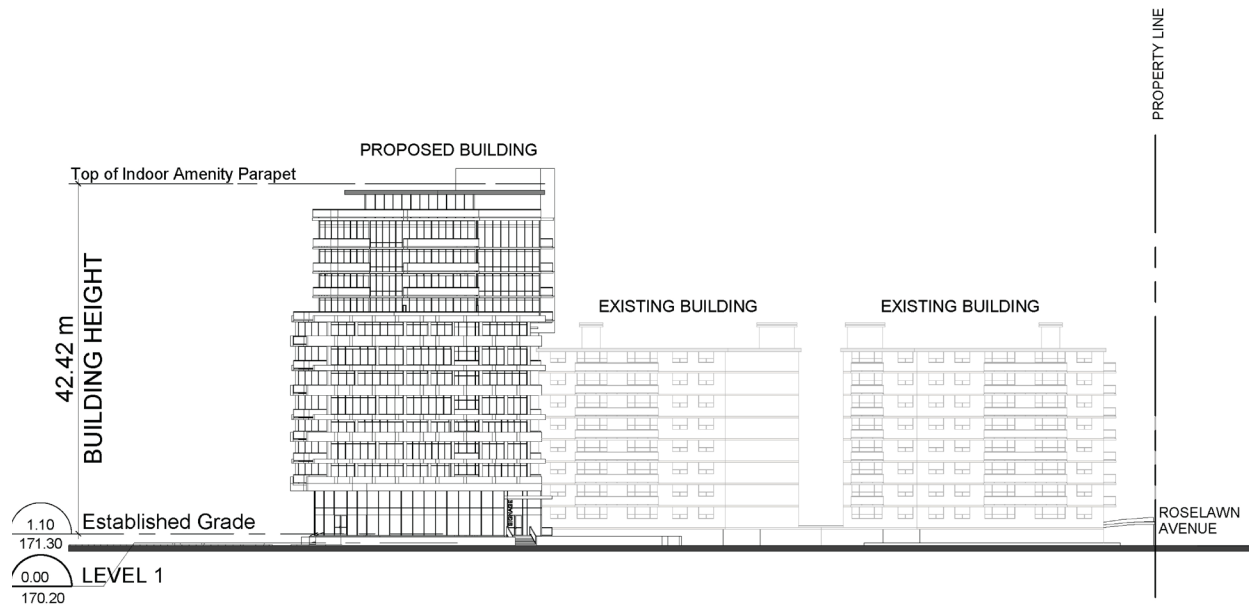


Site Plan

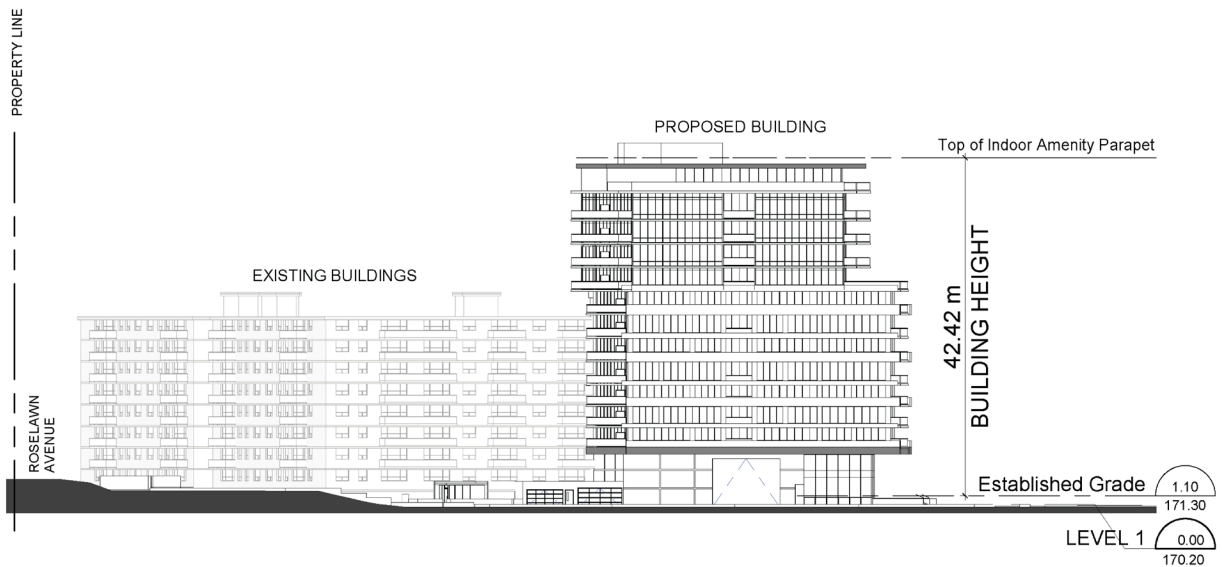




## Attachment 4: East and West Elevations

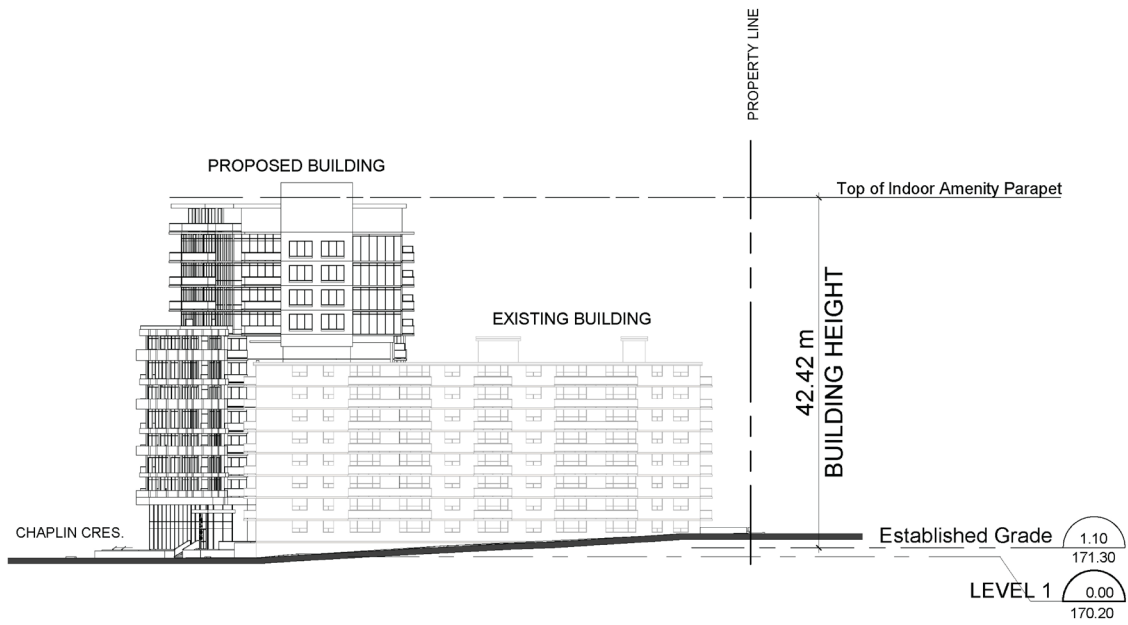


East Elevation

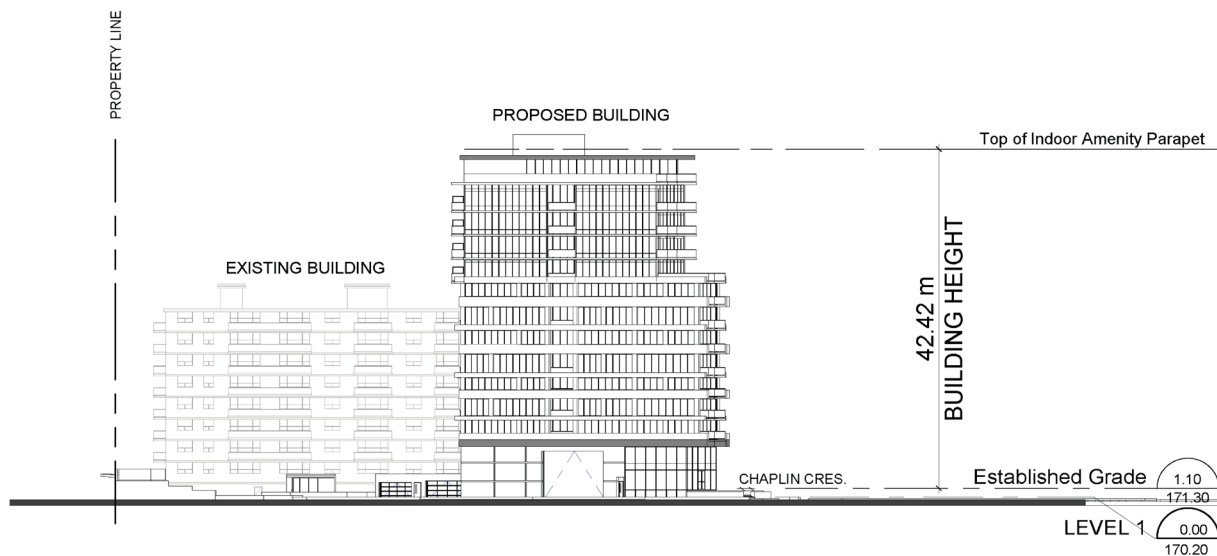


West Elevation

## Attachment 5: North and South Elevations



North Elevation



South Elevation