

CITY OF TORONTO BY-LAW No. XXX-20XX

**To amend the former City of North York Zoning By-law No. 7625, as amended,
with respect to lands municipally known as 5800 Yonge Street.**

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 7625 of the former City of North York, as amended, pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2019 as 5800 Yonge Street;

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

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

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

Schedules “B” and “C” of By-law No. 7625 of the former City of North York, as amended, are amended in accordance with Schedule 1, Schedule RM6(XXX) and Schedule O1(XXX) attached to this By-law.

Within the lands shown in heavy outline on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with.

Section 64-20-A of By-law No. 7625, as amended, is further amended by addition the following subsection:

“64.20-A (XXX) RM6(XXX)

DEFINITIONS

BICYCLE PARKING

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

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

- i. where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres;
- ii. where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres; and
- iii. where bicycles are to be parked in a bicycle rack or in a stacked manner, bicycles may be

parked in a secured room or area, in bicycle lockers or on a rack/hook on a wall associated with a vehicle parking space on any parking level so long as such rack/hook does not encroach into a vehicle parking space and in all such cases the dimensions in (i) and (ii) shall not apply.

CAR-SHARE

For the purpose of this exception, “car-share” means the practice whereby a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car-sharing organization and such car-share motor vehicles are made available to at least the occupants of the building for short term rental, including hourly rental.

CAR-SHARE PARKING SPACE

For the purpose of this exception, “car-share parking space” means a parking space exclusively reserved and signed for a car used only for car-share purposes.

GROSS FLOOR AREA

For the purpose of this exception, “gross floor area” shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:

- i. Any part of the building used for mechanical floor area;
- ii. Any space in a parking garage below grade and access thereto including loading areas;
- iii. The floor area of unenclosed residential balconies;
- iv. Indoor Recreational Amenity Space up to a maximum of 1.5 square metres per dwelling unit.

INDOOR RECREATIONAL AMENITY AREA

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

MECHANICAL FLOOR AREA

For the purpose of this exception, “mechanical floor area” shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, including but not limited to heating, ventilation, air conditioning, electrical, plumbing, fire protection, telephone, telecommunication, cable and elevator equipment, garbage chutes and compactors, stormwater management and irrigation facilities.

LANDSCAPING

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

OUTDOOR RECREATIONAL AMENITY AREA

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

SALES OFFICE

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

TYPE “B” LOADING SPACE

For the purpose of this exception, a “Type “B” Loading Space” shall have the following minimum dimensions:

- i. length of 11.0 metres;
- ii. width of 3.5 metres; and
- iii. vertical clearance of 4.0 metres.

TYPE “C” LOADING SPACE

For the purpose of this exception, a “Type “C” Loading Space” shall have the following minimum dimensions:

- i. length of 6.0 metres;
- ii. width of 3.5 metres; and
- iii. vertical clearance of 3.0 metres.

TYPE “G” LOADING SPACE

For the purpose of this exception, a “Type “G” Loading Space” shall have the following minimum dimensions:

- i. length of 13.0 metres;
- ii. width of 4.0 metres; and
- iii. vertical clearance of 6.1 metres.

PERMITTED USES

Notwithstanding the provisions of Section 20-A.1 and Section 6(22) the only permitted uses shall be as follows:

i. Residential Uses

Apartment house dwellings and accessory uses, including guest suites, and indoor and outdoor amenity spaces.

Non-Residential Uses

Office Uses

- A. business and professional offices, including banks and other financial institutions;
- B. clinics;
- C. health science research laboratories;
- D. information processing centres or facilities; and
- E. professional medical offices.

Retail and Service Commercial Uses

- A. retail stores, including grocery stores, supermarkets and pharmacies;
- B. fitness centers;
- C. cafes;
- D. personal service shops;
- E. restaurants including take-out;
- F. retail branches of banks and other financial institutions;

Institutional Uses

- A. day nursery, and associated outdoor play area; and

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

The maximum gross floor area permitted on the site shall not exceed 117,827 square metres, of which

- i. a maximum of 111,188 square metres shall be residential gross floor area; and
- ii. a maximum of 6,639 square metres shall be non-residential gross floor area.

BUILDING ENVELOPE

No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the locations identified on Schedule RM6(XXX) to this By-law except for canopies, awnings, front porches and steps, light fixtures, vents, trellises, guardrails, railings, stairs, stair enclosures, belt courses, chimney breasts, cornices, eaves or gutters, pilasters, sills, ramps, wheelchair ramps, underground parking ramps, landscape features, public art features, pergolas, gazebos, retaining walls, and window washing equipment. Balconies may be permitted to project a maximum of 2.0 metres outside the by-law locations.

BUILDING HEIGHT

The building height, measured from Established Grade, shall not exceed the maximum heights in metres shown on Schedule RM6(XXX) to this By-law excluding mechanical penthouses not exceeding 6.5 metres in height, parapets, railings, roof drainage, thermal insulation and roof ballast, terraces, terrace or balcony guards and dividers, planters, stairs, and stair enclosures, whether or not they are providing access to public or private amenity areas or to mechanical floor area located on the roof, wall or structure enclosing such elements and railings, window washing equipment, stair towers, partitions, landscape elements, green roof elements, lighting fixtures, vents, flues, pipes, access roof hatch, generators, outdoor furniture, heating, cooling or ventilating equipment or a fence, and structures located on the roof used for outside or open air recreation, safety or wind protection purposes.

NUMBER OF STOREYS

The number of storeys shall not exceed the maximum shown on Schedule RM6(XXX) excluding mechanical penthouses, parapets and other architectural features, mechanical equipment and other elements necessary for the functional operation of the building, and stairwells to access the roof.

MOTOR VEHICLE PARKING

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

- i. 0.9 parking space per residential unit;
- ii. 0.1 visitor parking space per residential unit;
- iii. 0.9 parking spaces per 100 square metres of non-residential use;
- iv. For each car-share parking space provided, the minimum number of parking spaces for residents required pursuant to regulations (i) through (iv) above may be reduced by four parking spaces, up to a maximum reduction as calculated by the following formula: $4 \times (\text{the total number of residential units on the lands divided by } 60)$, rounded down to the nearest whole number.

BICYCLE PARKING

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

- i. 0.68 long-term bicycle parking space per residential unit;
- ii. 0.07 short-term bicycle visitor parking space per residential unit;
- iii. 0.13 long-term parking spaces per 100 square metres of office use;
- iv. 3 plus 0.15 short-term parking spaces per 100 square metres of office use;
- v. 0.13 long-term parking spaces per 100 square metres of retail use;
- vi. 3 plus 0.15 short-term parking spaces per 100 square metres of retail use;
- vii. 0.6 long-term parking spaces per 100 square metres of daycare use; and
- viii. 3 plus 0.06 short-term parking spaces per 100 square metres of daycare use.

LOADING

Loading spaces shall be within the site in accordance with the following requirements:

- i. A minimum of 2 Type “B” loading spaces;
- ii. A minimum of 3 Type “C” loading spaces;
- iii. A minimum of 2 Type “G” loading spaces.

INDOOR RECREATIONAL AMENITY AREA

A minimum of 2.0 square metres per dwelling unit of indoor recreational amenity area shall be provided on the site.

OUTDOOR RECREATIONAL AMENITY AREA

A minimum of 1.15 square metres per dwelling unit of outdoor recreational amenity area shall be provided on the site at or above grade.

YARD SETBACKS

The minimum yard setbacks shall be as shown on Schedule RM6(XXX).

PROVISIONS NOT APPLICABLE

The provisions of Sections 6A (1), 6A (2), 6A(8), 6A (16), 15.8, 15.12 and 20-A are not applicable.

ADDITIONAL GROSS FLOOR AREA (INCENTIVE GFA)

Notwithstanding the maximum gross floor area of 85,181.2 square metres which is the base density in the secondary plan, additional gross floor area up to a maximum of 28,175.3 square metres (33 percent additional GFA) shall be permitted on the net site. However, the total gross floor area of all buildings permitted on the lands shall not exceed 117,826.9 square metres. In addition, the allocation of additional gross floor area is limited as follows:

- i. a maximum of 1.5 square metres per dwelling unit of indoor recreational amenity area;
- ii. a density incentive of a maximum of 3,126 square metres for the provision of a daycare facility which equates to 4 times the gross area of the facility; and
- iii. a density incentive of a maximum of 1,255.7 square metres for the provision of a street related retail which equates to the gross area of the street related retail uses at a depth of 30 metres.

SEVERANCE

Notwithstanding any past or future severance, partition or division of the net site shown on Schedule RM6(XXX), the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred.”

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

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

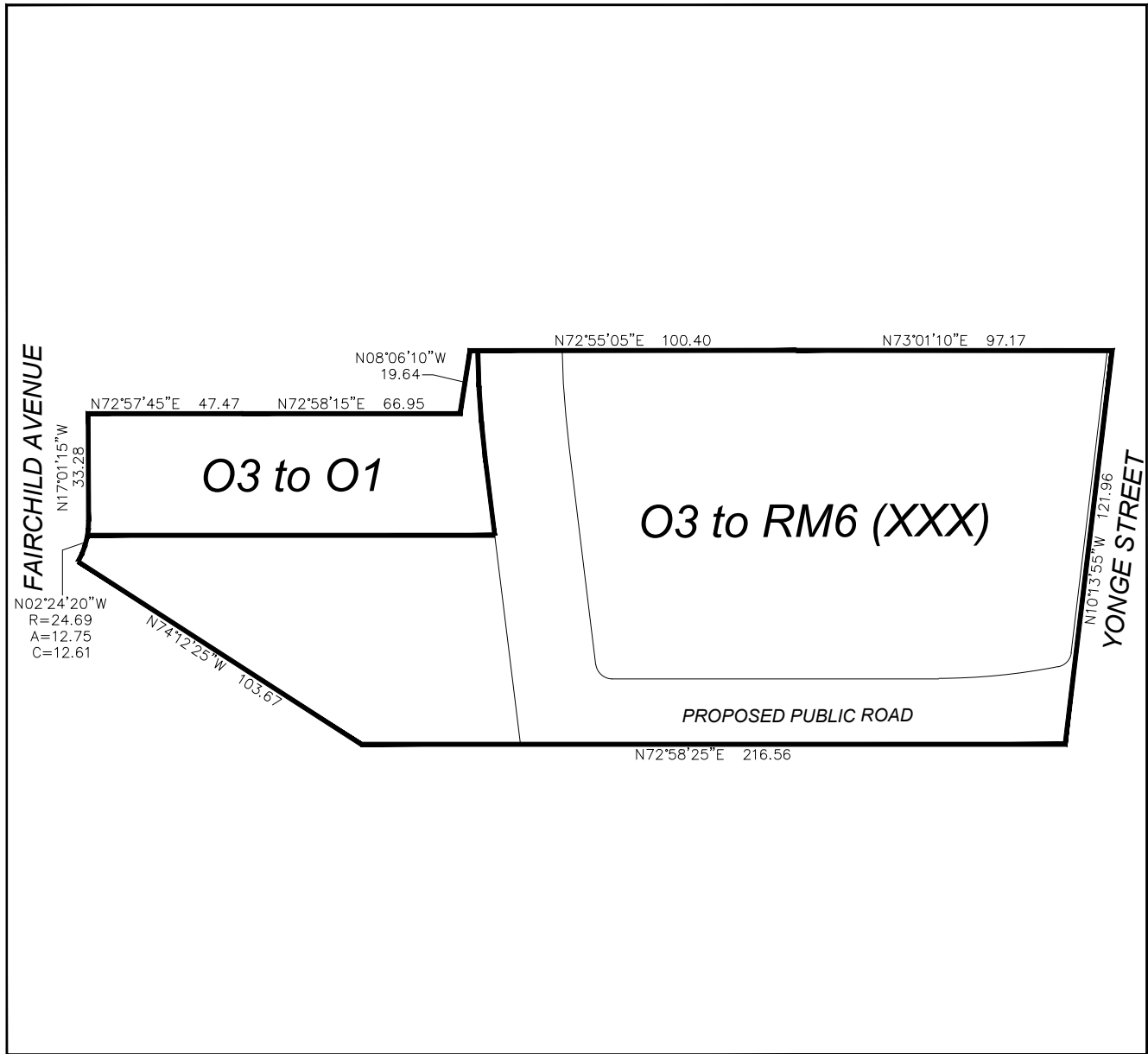
ENACTED AND PASSED this ~ day of ~, A.D. 2019.

John Tory
Mayor

Ulli S. Watkiss
City Clerk

(Seal of the City)

Schedule 1



Schedule RM6 (XXX)

