

CITY OF TORONTO

BY-LAW No. 3-2005(OMB)

To amend the former City of North York Zoning By-law No. 7625 in respect of lands municipally known as 2772 and 2778 Keele Street.

WHEREAS the Ontario Municipal Board pursuant to its Order No. 1686, dated October 25, 2004, upon hearing the appeal of Grande Murano Ltd., under Section 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the former City of North York Zoning By-law No. 7625, as amended;

THEREFORE By-law No. 7625, the former City of North York By-law, as amended, is further amended by the Ontario Municipal Board as follows:

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.20 of By-law No. 7625 is amended by adding the following subsection:

“64.20 (13) RM5 (13)

DEFINITIONS

- (a) For the purposes of this exception, “gross floor area” means the total area of all the floors in a building, above or below grade, measured from the outside of the exterior walls, but excluding car parking or access areas and excluding, to a maximum of 450 square metres, any part of the building used for “mechanical floor area” and telecommunication purposes and any indoor “recreational amenity areas” or service areas.
- (b) For the purposes of this exception, “mechanical floor area” means the floor area within a building that is used exclusively for the accommodation of mechanical equipment necessary to physically operate the building such as heating, ventilation, air conditioning, electrical, plumbing, fire protection and elevator equipment.
- (c) For the purposes of this exception, “established grade” shall mean the elevation as fixed by the municipality of the centre line of the street at the mid-point of the front lot line.

PERMITTED USES

- (d) The only permitted uses shall be Apartment House Dwellings and Accessory Uses.

SECTION 37 AGREEMENT

- (e) The owner of the site, at the owner's expense and in accordance with and subject to the agreements referred to in this By-law, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto:
 - (i) That the applicant make a voluntary contribution of \$ 200,000 towards the provision of landscaping on the Downsview Library property and the provision of streetscape improvements on Keele Street north of the intersection of Keele Street and Wilson Avenue.
- (f) The permitted density of 10,957 m² is allowed provided the owner enters into one or more agreements satisfactory to the City of Toronto, pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters referred to in subsection (i) above, and such agreement or agreements have been registered as a first priority against title to the site.

EXCEPTION REGULATIONS

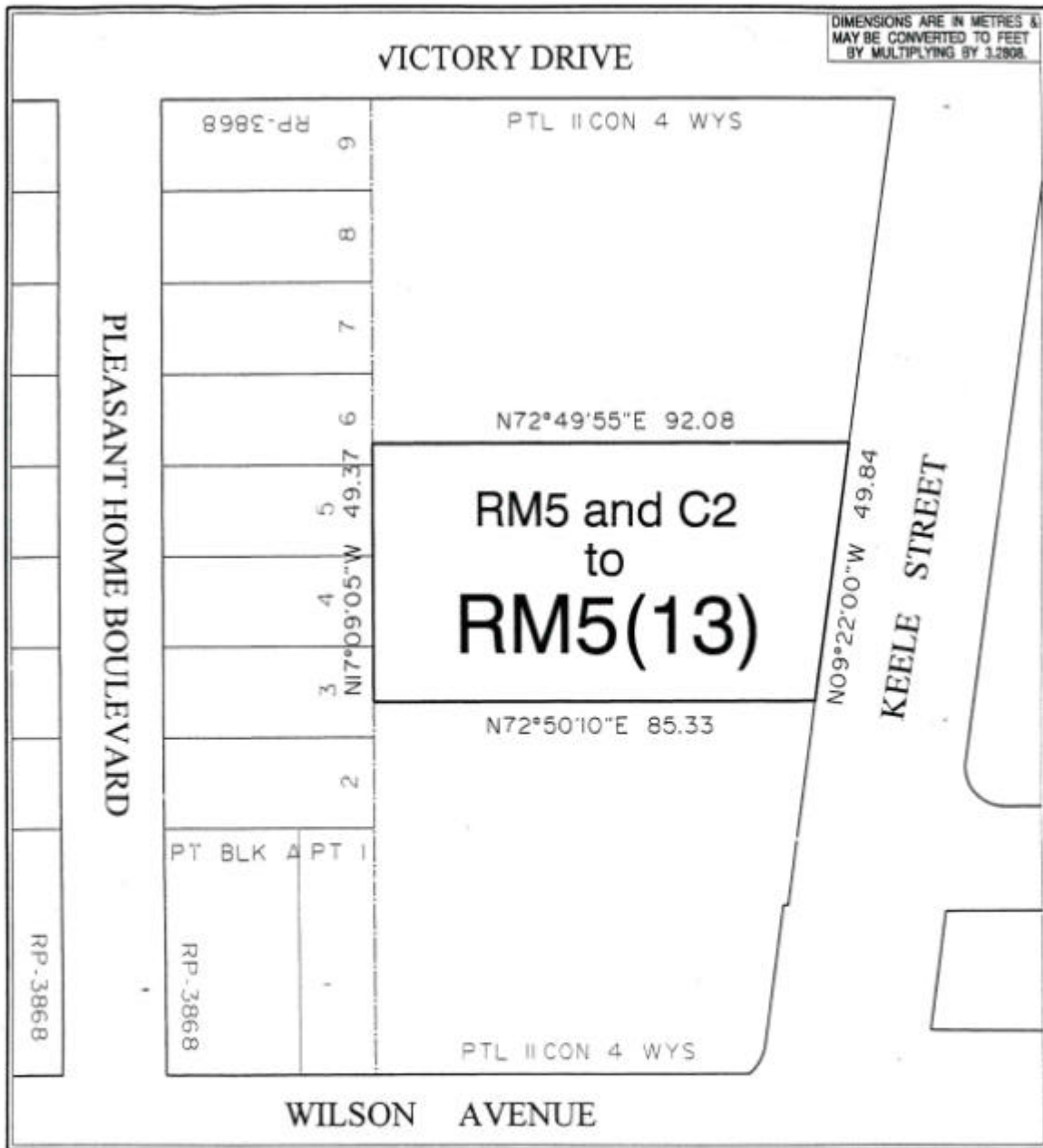
- (g) The maximum lot coverage shall be thirty-two percent (32%).
- (h) The above grade yard and R setbacks shall be as shown on Schedule "RM5(13)", with all below grade structures permitted at 0.0 metre setbacks, provided the first below grade level of the parking garage structure is located a minimum of 2.5 metres from the westerly lot line, as shown on Schedule "RM5(13)".
- (i) The maximum building height, excluding penthouse or roof structures used only for ornament or to house mechanical equipment, shall be as shown on Schedule "RM5(13)".
- (j) The gross floor area shall not exceed 10,957 m².
- (k) The maximum number of dwelling units shall be 140.
- (l) A minimum of 1, 948 m² of landscaped open space shall be provided, which may include areas on top of a building structure, provided such areas are located no greater than 2.0 metres above established grade.
- (m) A minimum of 107 m² of indoor recreational amenity area shall be provided.
- (n) A minimum of 1.45 parking spaces per apartment house dwelling unit shall be provided, of which 0.25 parking spaces per unit shall be for visitor parking spaces.
- (o) No portion of the parking structure, excluding surface elements such as landscaping, planters and grading materials, may project above the established grade. Notwithstanding the above, within 2.5 metres of the rear lot line, no portion of a parking structure, excluding surface elements, may project above the

geodetic elevation of 181.0 metres. Within 10 metres of the rear lot line, no portion of a parking structure, excluding surface elements, may project above the geodetic elevation of 181.5 metres.

- (p) A maximum of 2 parking spaces may be located on the surface.
 - (q) The provisions of this exception shall apply collectively to the lands zoned RM5(13) notwithstanding any road widening conveyance or their future severance, partition or division for any purpose.”
- 3.** Section 64.20 of By-law No. 7625 is amended by adding Schedule “RM5(13)” attached to this By-law.

PURSUANT TO DECISION/ORDER NO. 1686 OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON OCTOBER 25, 2004, IN BOARD FILE NO. PL040304.

SCHEDULE "1"



This is Schedule " " to By-Law _____
 passed the _____ day of _____, 20 _____

(Sgd.) _____ (Sgd.) _____
 CLERK MAYOR

Location: Part of Lot 11, Concession 4, West of Yonge Street, City of Toronto

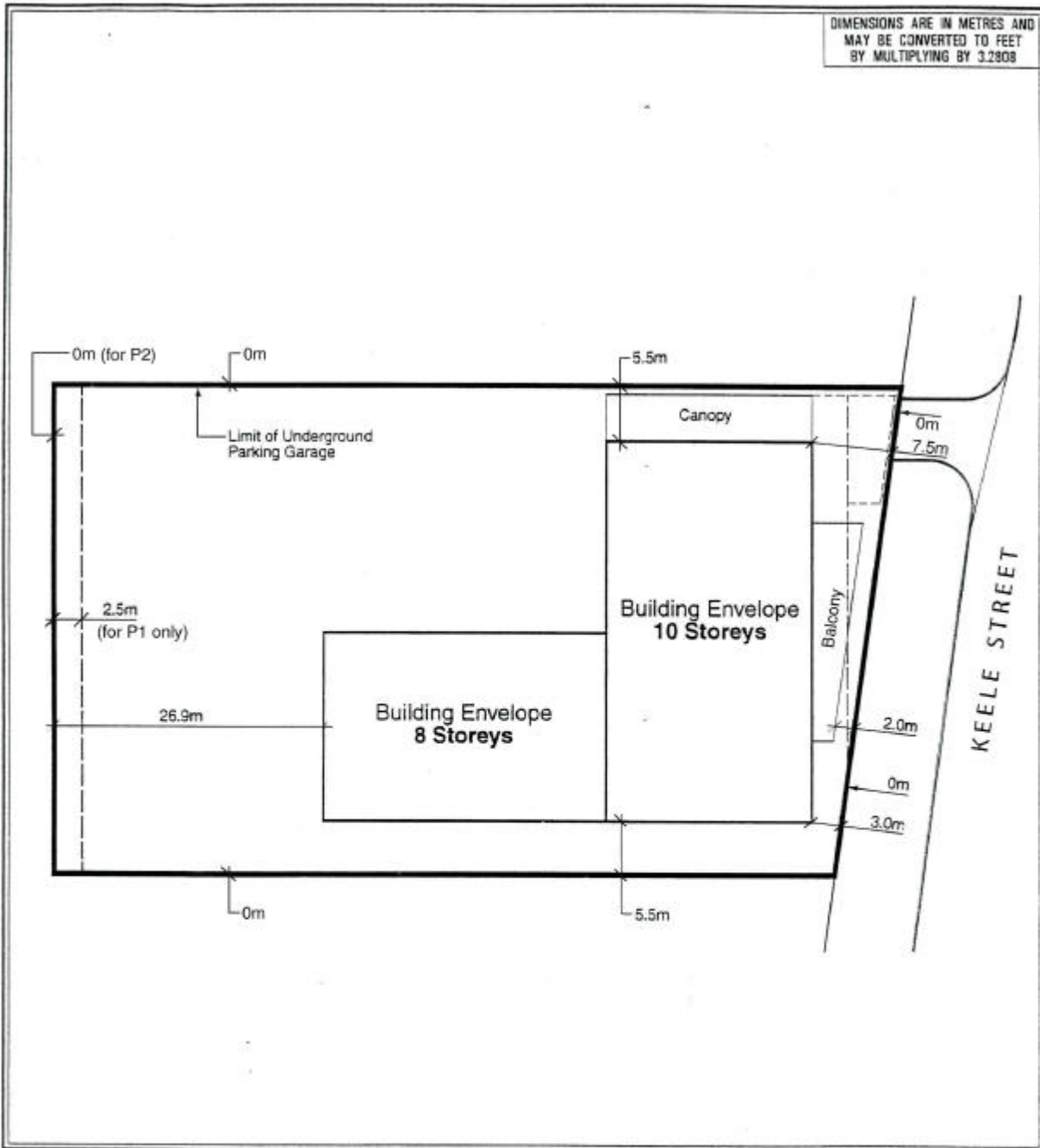
File: 01_036296 Prepared by: A.K. Approved by: G.S. Date: March 16, 2004 Filename: RM5(13)_1

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
 Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

Toronto
 City Planning Division
 Form 3200-01

SUBJECT PROPERTY

SCHEDULE "RM5(13)"



~~This is Schedule " RM5(13) " to By-Law_____~~
 passed the _____ day of _____, 20____

(Sgd.) _____ (Sgd.) _____
 CLERK MAYOR

Location: Part of Lot 11, Concession 4, West of Yonge Street, City of Toronto

File No. _____ Prepared by: _____ Approved by: _____ Date: _____ Filename: _____

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 City Planning North

SUBJECT PROPERTY