

Authority: Scarborough Community Council Item SC19.21, as adopted by City of Toronto Council on January 31, 2017

## CITY OF TORONTO

### BY-LAW 254-2017

#### **To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 2100-2122 Bridletowne Circle.**

Whereas Council of the City of Toronto has the authority 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; and

Whereas pursuant to Section 39 of the *Planning Act*, the council of a Municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings, or structures for any purpose set out therein that is otherwise prohibited by the by-law;

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 569-2013, Chapter 800 Definitions.

3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RM (d1.67;u60) (x43) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30.1 for the lands subject to this By-law, from a lot coverage label of 33 percent to 67 percent as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the lands subject to this By-law, from a height label of HT 10, to HT 13, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number 43 so that it reads:

**Exception RM 43**

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 2100-2122 Bridletowne Circle, if the requirements in Section 7 and Schedule A of By-law 254-2017 are complied with, none of regulations 5.10.40.70(1), 10.5.30.40(2), 10.5.40.10(4), 10.5.40.70(1), 10.5.80.10(2), 10.5.80.10(6), 10.5.80.30(1), 10.5.100.1(5), 200.15.1.5(1), 200.15.10(1)(B) and Clause 10.5.40.60 will prevent the erection of a **building** or **structure** in compliance with (B) to (O) below;
- (B) Despite regulation 10.5.80.10(3) a **parking space** may be in a **side yard**;
- (C) Despite regulation 200.5.10.1(1), the required minimum number of required **parking spaces** is:
  - (i) 60 for the 60 **dwelling units**; and
  - (ii) 6 for visitors to the **dwelling units**.
- (D) Of the required **parking spaces** in (C) above, 1 must be an accessible **parking space**;
- (E) Despite Regulation 10.5.50.10(4), a minimum of 14 percent of the **lot** must be used for **landscaping**;
- (F) Despite Regulation 10.5.50.10(5), a required minimum 0.8 metre wide strip of **landscaping** is required along the full length of the west **lot line**;

- (G) Despite Regulation 10.5.80.40(3), **vehicle** access to a **parking space** must be from Echo Point;
- (H) **Established grade** is the Canadian Geodetic Datum elevation of 178.6 metres;
- (I) Despite regulation 10.80.40.10(1), the permitted maximum height of a **building** or **structure** is the numerical value, in metres, following the letters HT on Diagram 4 of By-law 254-2017;
- (J) The following elements of a **building** may exceed to a maximum **building** height referred to in (I) above:
  - (i) trellises, terraces, stairways and stair enclosures, chimneys, guard rails, pergolas, eaves, screens, roof drainage, architectural features, landscaping, skylights, vents, antennae, elevator machine rooms, and parapet walls;
- (K) Despite regulations 10.80.40.70(1), 10.80.40.70(2) and 10.80.40.70(3), the required minimum **building setbacks** are as shown on Diagram 5 of By-law 254-2017;
- (L) Despite regulation 230.5.1.10(6), "long-term" **bicycle parking spaces** may be located outside a **building**;
- (M) Despite regulations 230.5.10.1(1), 230.5.10.1(2) and 230.5.10.1(5)(B), only 30 long-term **bicycle parking spaces** are required to be provided;
- (N) No portion of a **building** or **structure** erected or used above ground may encroach into a building setback shown on Diagram 5 of By-law 254-2017, except for:
  - (i) Decks, porches, terraces, balconies, decorative or screen walls, exterior steps or ramps, bay windows, box windows or other projecting windows, roof overhangs, eaves, or roofs of dormer windows, chimneys, pilasters, projecting columns, which may extend into the building setbacks; and
- (O) None of the provisions of By-law 569-2013 will apply to prevent a temporary sales office use on the lands for the sale/lease of residential **dwelling units** for a period of three years from the date of the passing of By-law 254-2017.

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

## 7. 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/or density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 2 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more

agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and
  - (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and/or density pursuant to this By-law unless all provisions of Schedule A are satisfied.
8. By-law 569-2013, as amended, is further amended by deleting exception 900.10.10(94).

Enacted and passed on March 9, 2017.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

## **SCHEDULE A**

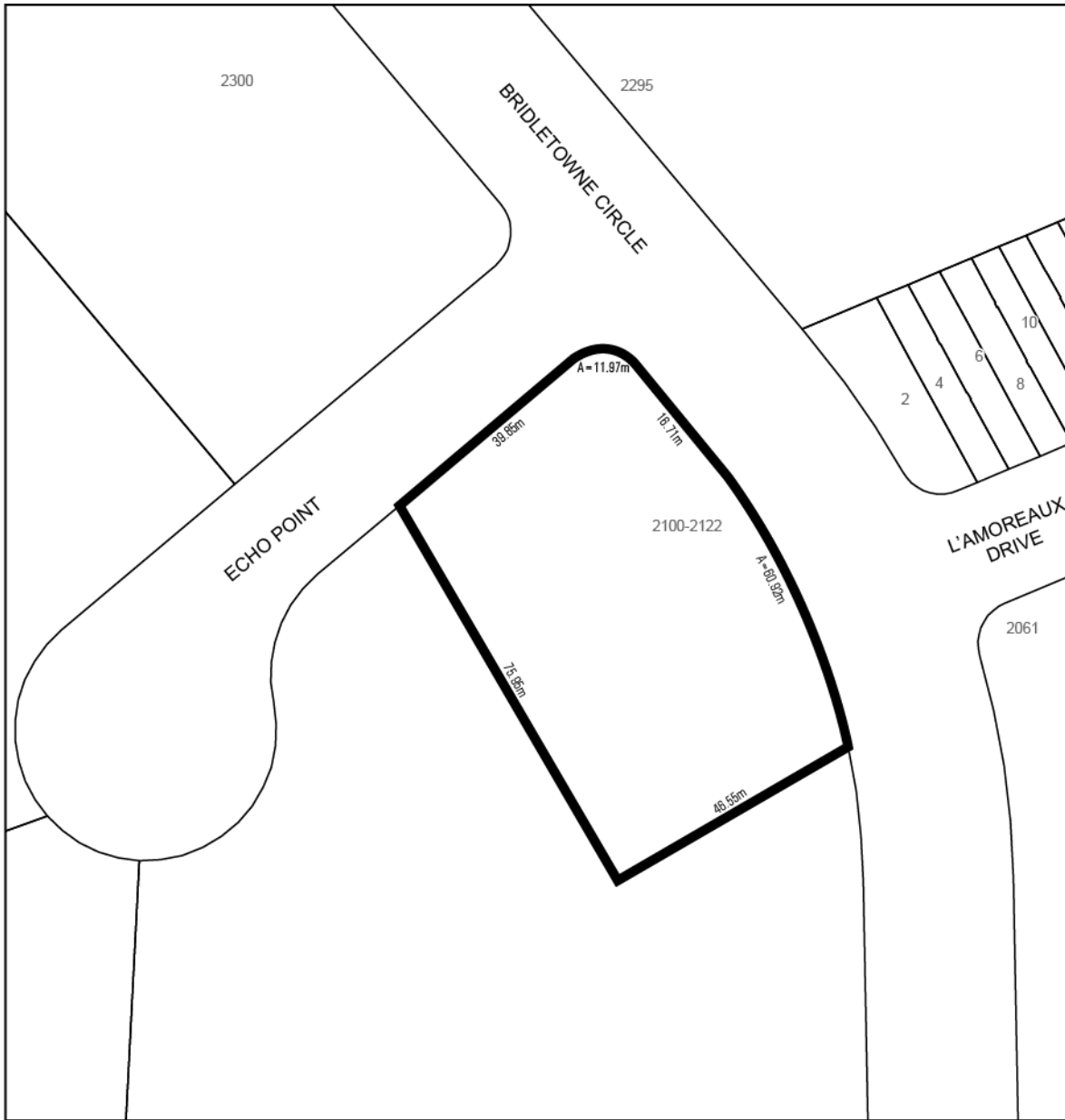
### **Section 37 Provisions**

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and/or density of the proposed development on the lands as shown in Diagram 2 in this By-law and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the owner agrees as follows:

- (1) Prior to issuance of an above grade building permit the owner shall provide the City with a cash payment of One Hundred and Fifty Thousand dollars (\$150,000.00) to be paid by way of certified cheque payable to the City of Toronto, to be directed towards improvements for Fundy Bay Park in Ward 39.

The \$150,000.00, until paid in full by the Owner to the City, are to be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto.

- (2) In the event the cash contribution(s) referred to in Section (1) applicable has not been used for the intended purpose within three (3) years of this 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 of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

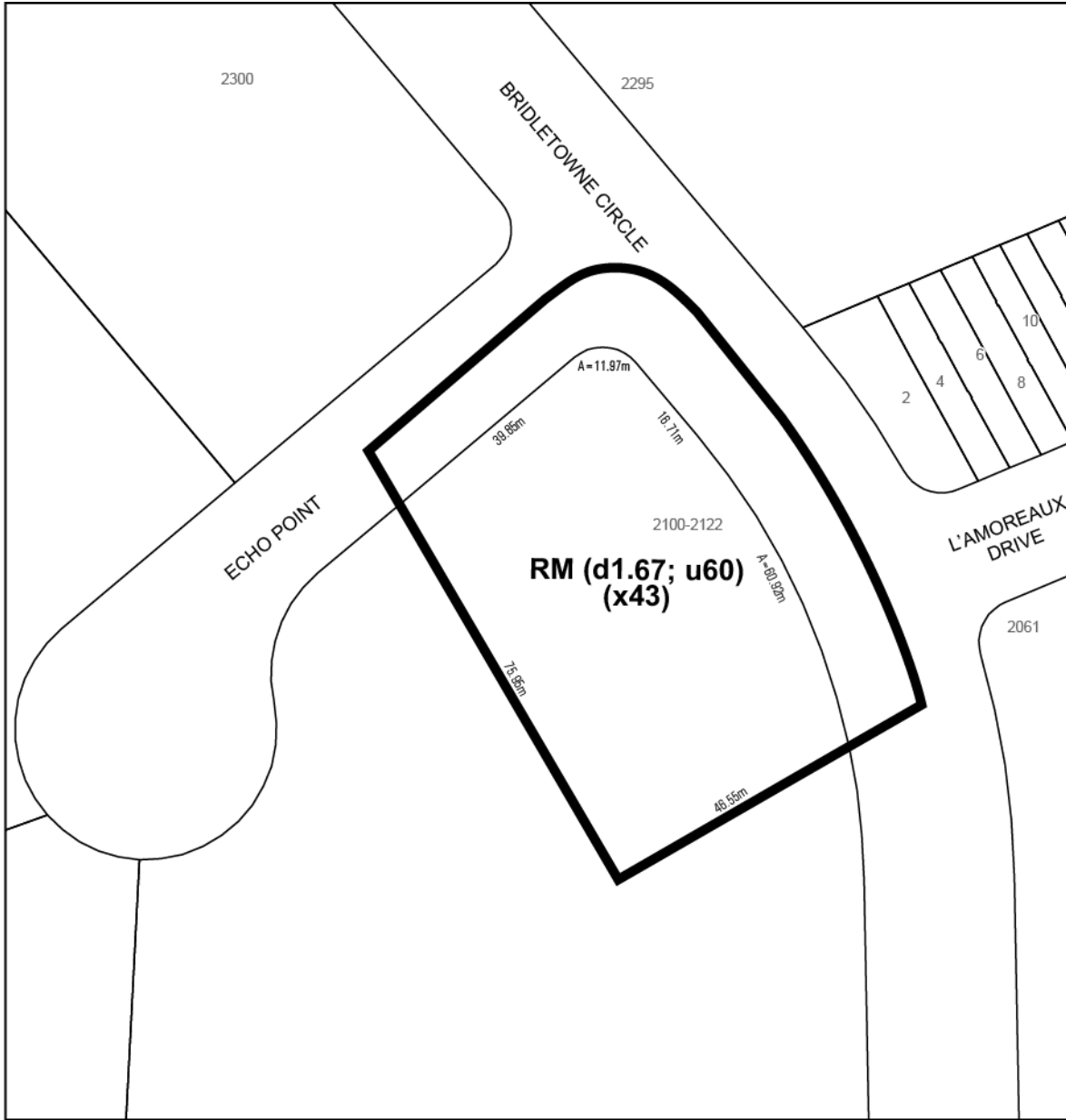


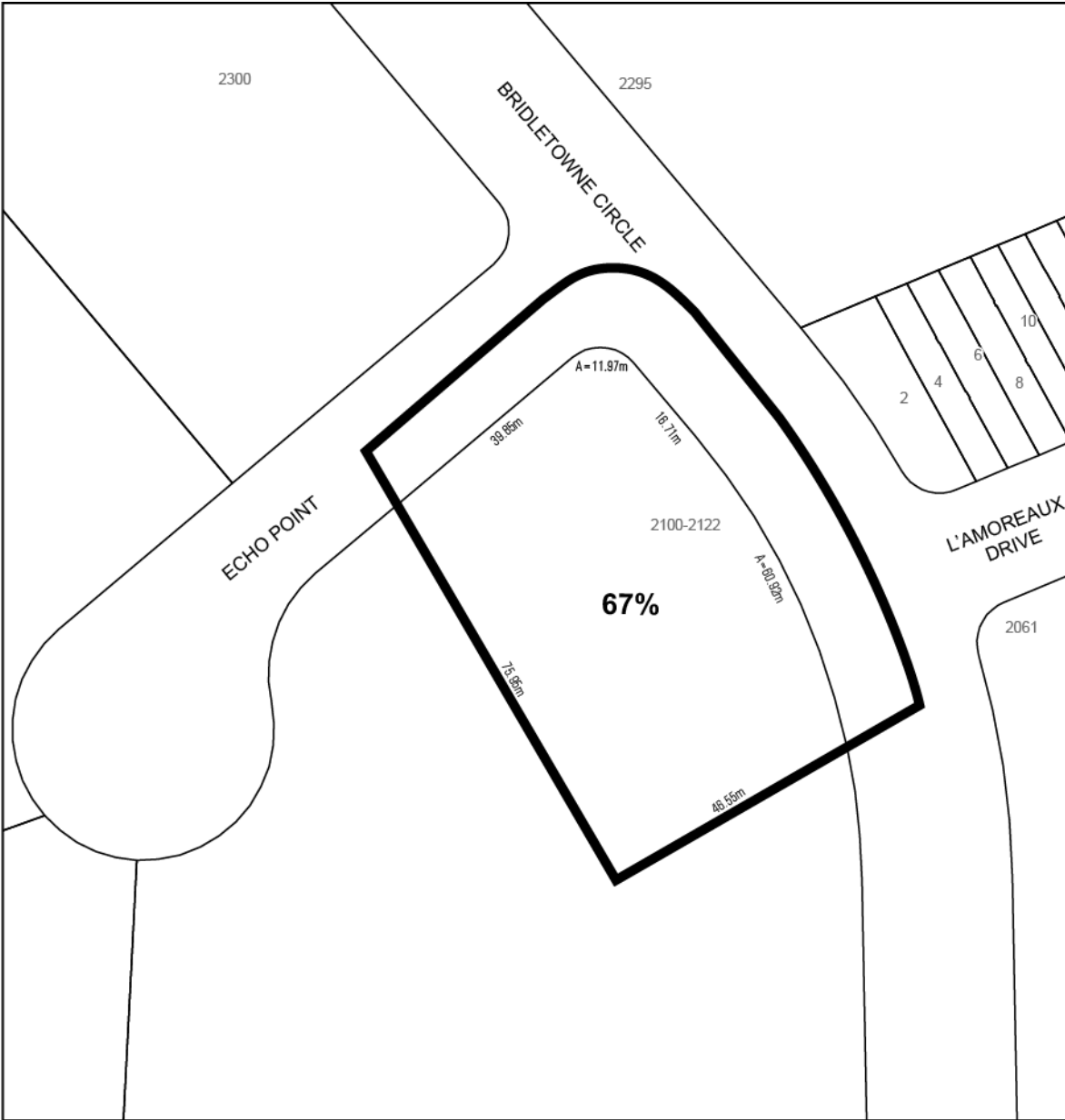
 **TORONTO** City Planning  
Diagram 1

2100-2122 Bridletowne Circle

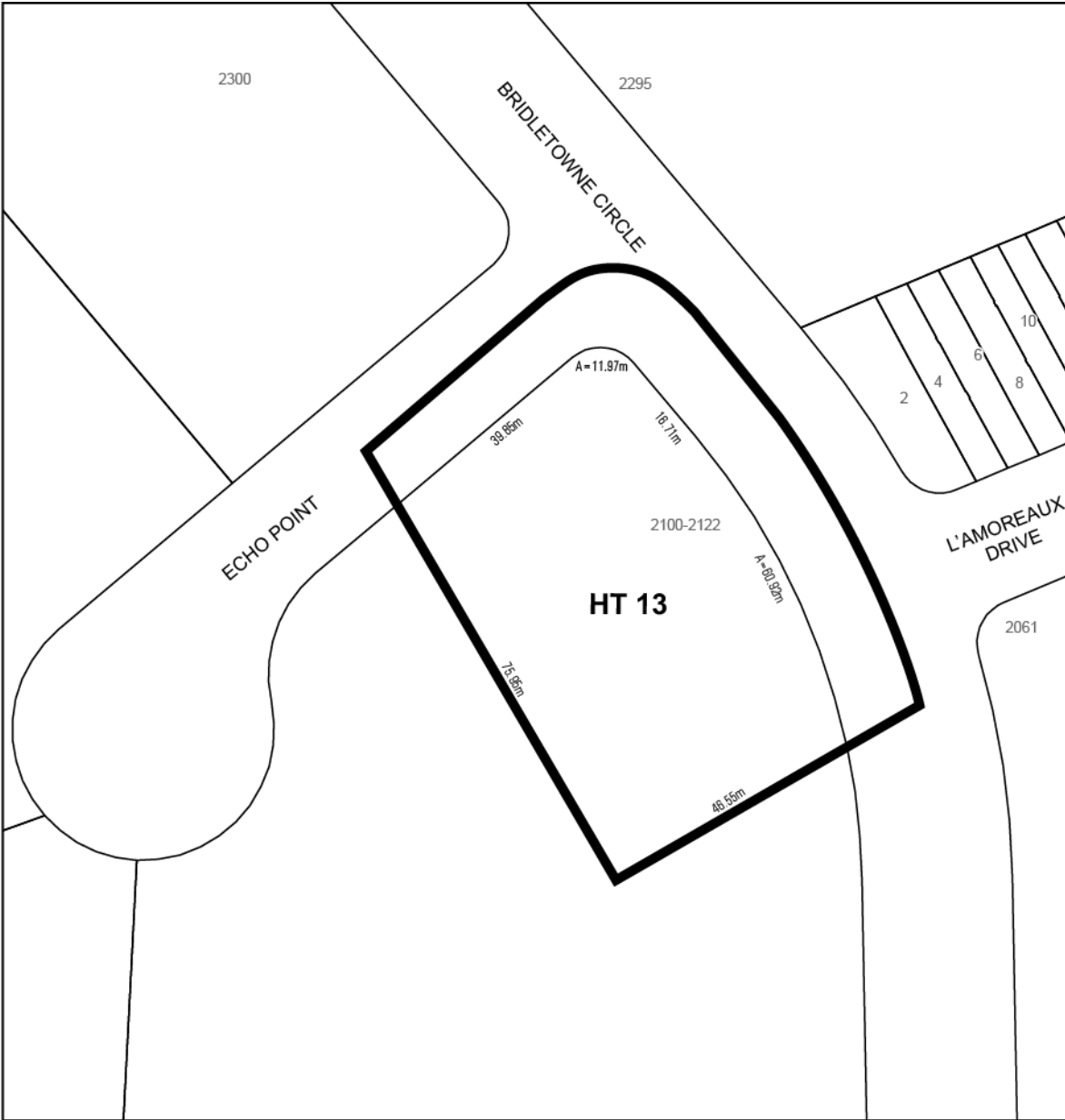
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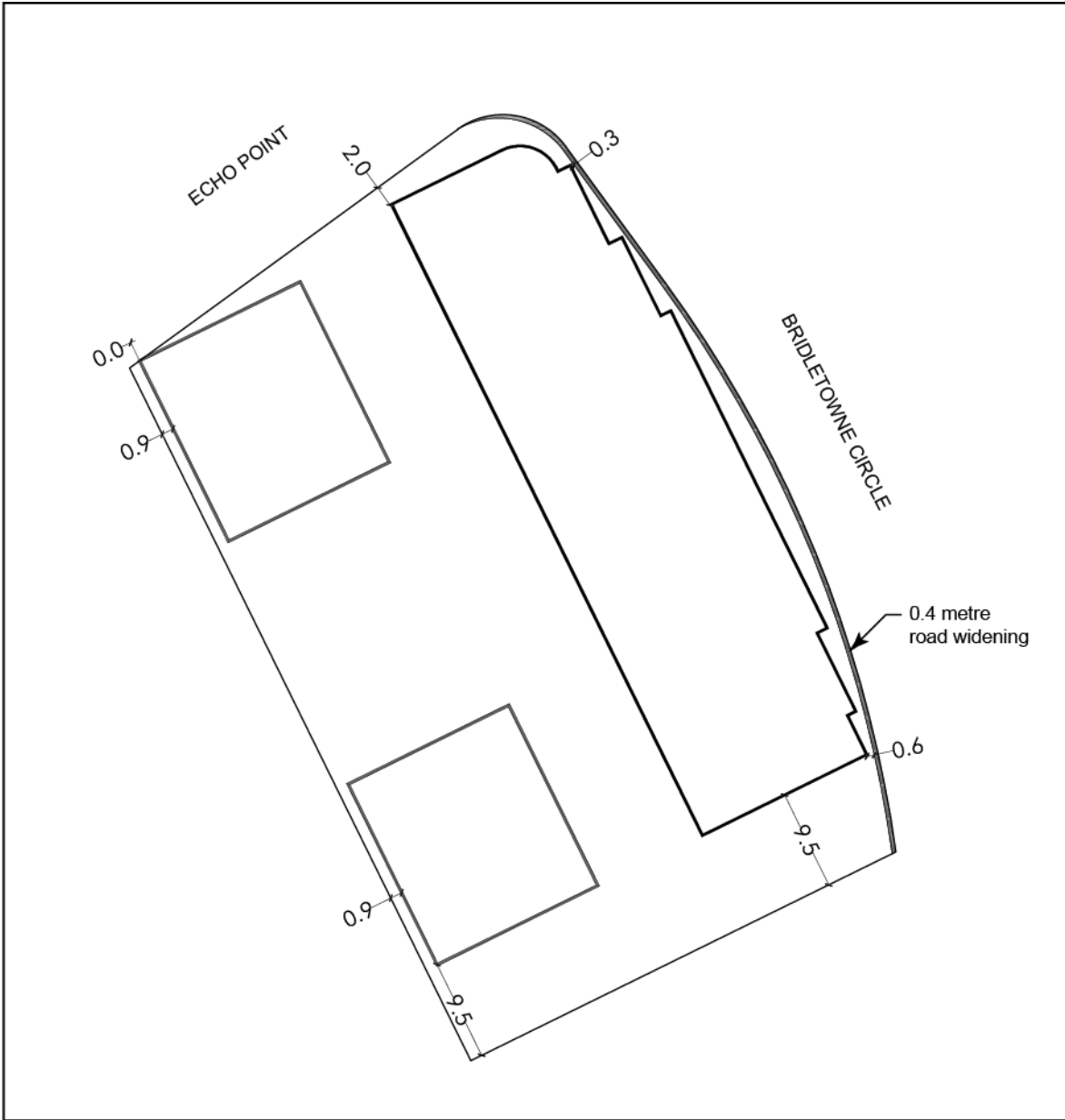
  
City of Toronto By-Law 569-2013  
Not to Scale  
12/7/2016











**TORONTO** City Planning  
Diagram 5

2100-2122 Bridletowne Circle

File # 16 117808 ESC 39 0Z

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City of Toronto By-Law 569-2013  
Not to Scale  
12/7/2016