

Draft Zoning By-law Amendment (September 3, 2021)

Authority: Toronto and East York Community Council Item _____ adopted as amended, by City of Toronto Council on _____

**CITY OF TORONTO
BY-LAW No. XXXX-2021**

To amend former City of Toronto By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2020 as 21-53 Broadview Avenue, 344 Eastern Avenue, and 18-34 & 40 Lewis Street.

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;

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

The Council of the City of Toronto hereby enacts:

1. Except as otherwise provided herein, the provisions of former City of Toronto By-law 428-86, as amended, shall continue to apply to the *lot*.
2. None of the provisions of Sections 2(1) with respect to the definitions of the terms *bicycle parking space – occupant*, *bicycle parking space – visitor*, *grade*, *gross floor area*, *height* and *lot*, and Section 4(2)(a), 4(4)(b), 4(6)(b), 4(10)(a), 4(11)(b), (c), 4(12), 4(13)(a), (c), (d), 4(16), all of Section 6 and all of Section 9 of By-law No, 438-86, as amended, 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” shall apply to prevent the erection or use of a *mixed-use building* on the *lot* provided that:
 - (a) the lot on which the proposed building is to be located comprises the lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - (b) the total aggregate *residential gross floor area* and *non-residential gross floor area* on the lot shall not exceed 30,000 square metres, subject to the following limitations:
 - i. a maximum of 29,000 square metres may be used for *residential gross floor area*;
 - ii. a maximum of 1,000 square metres may be used for *non-residential gross floor area*; and
 - (c) within a *mixed use building*, the residential use portions of the building may be located on the same level of the non-residential use portions, only at grade;
 - (d) all residential and non-residential uses permitted within the CR District are permitted on the *lot*;

- (e) the *height* of any *building* or *structure*, as measured from *grade*, does not exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law, with the exception of the following:
- (i) parapets, awnings, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, eaves, screens, stairs, roof drainage, window sills, columns, pillars, chimneys, vents, pipes, terraces, balconies, lightning rods, light standards and fixtures, architectural features, architectural flutes, ornamental elements, art and landscaping features, elements of a green roof, planters, seating areas, wheelchair ramps, stair risers, retaining walls, canopies and awnings, decorative screens, divider screens and unenclosed structures providing safety or wind protection to rooftop amenity space, by a maximum of 3.0 metres; and
 - (ii) equipment used for the functional operation of a building including electrical, utility and ventilation equipment, cooling equipment, enclosed stairwells, roof access, elevator shafts and overruns, elevator machine room, maintenance equipment storage, solar panels and related equipment, antennae and satellite dishes, flight warning lights, garbage chutes, site servicing features, mechanical equipment, cooling equipment, decorative screens and any associated enclosure structures, building maintenance units, window washing equipment and crane structures by a maximum of 6.5 metres;
- (f) no above-grade portion of any *building* or *structure* is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law, with the exception of the following:
- (i) roof overhangs, balconies, balustrades, canopies, chimneys, cornices, eaves, guardrails, parapets, landscape and green roof elements, waste storage and loading space enclosures, lighting fixtures, ornamental elements, public art features, railings, window washing equipment, terraces, decorative architectural features, privacy screens, stair enclosures, stairs, trellises, underground garage ramps, vents, wheelchair ramps, stair risers, wind mitigation features and windowsills to a maximum of 3.0 metres;
- (g) a *residential building* consisting of a *row house* may be located to the rear of another building that faces a *street*;
- (h) no fence is required along a lot line abutting a *lot* in the Residential District category;
- (i) no *soft landscaping* is required along a lot line abutting a *lot* in the Residential District category;
- (j) a *lot* containing an *apartment dwelling* or *row house* may be accessed by a driveway intended for motor vehicles where a portion of the surface of the driveway or

passageway within a distance of six metres of a *street* line is at an elevation higher than 0.3 metres above the average elevation of the portion of the *street* abutting the driveway or passageway;

- (k) a hard surfaced driveway may be provided on the *lot* that does not provide motor vehicles with the ability to enter and leave the *lot* in one continuous movement.
- (l) *residential amenity space* must be provided on the *lot* in accordance with the following:
 - (i) 1.69 square metres of *residential amenity space* for each dwelling unit to be located indoors; and
 - (ii) 1.38 square metres of *residential amenity space* for each dwelling unit to be located outdoors in a location adjoining or directly accessible to the indoor amenity space;
 - (iii) A minimum of 40 square metres of outdoor *residential amenity space* will be provided in a location that is adjoining or directly accessible to indoor *residential amenity space*.
- (m) parking spaces must be provided on the lot in accordance with the following minimum standards:
 - (i) 0.24 *parking spaces* per *dwelling unit* for residents; and
 - (i) 0.05 *parking spaces* per *dwelling unit* for visitors to the *dwelling units* which may also be used for non-residential uses;
- (n) Electric Vehicle Infrastructure, including electrical vehicle supply equipment, does not constitute an obstruction to a *parking space*;
- (o) the minimum dimensions for an accessible parking space are:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;
 - (iii) vertical clearance of 2.1 metres; and,
 - (iv) the entire length of an accessible *parking space* must be adjacent to a 1.5 metre wide accessible barrier free aisle;
- (p) an accessible vehicle parking space may or may not be the closest parking space to:
 - (i) A barrier free entrance to a *building*;

- (ii) A barrier free passenger elevator that provides access to the first storey of the *building*; and
 - (iii) the shortest route from the required entrances in i) and ii) above;
 - (q) *bicycle parking spaces* must be provided and maintained on the lot in accordance with the following minimum standards:
 - (i) 0.9 *bicycle parking spaces – occupant per dwelling unit*; and
 - (ii) 0.1 *bicycle parking spaces – visitor per dwelling unit*;
 - (r) one *loading space – Type G* must be provided to serve both the residential and non-residential uses within the building on a non-exclusive basis;
3. None of the provisions of Zoning By-law 438-86, as amended, or this By-law shall apply to prevent a *temporary sales or leasing office* on the lot
4. For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86 of the former City of Toronto, as amended, with the exception of the following:
- (a) “*bicycle parking space – occupant*” means an area that may be equipped with a stacked bicycle rack 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 at least 1.8 metres and has a combined vertical dimension for two stacked bicycle parking spaces of at least 2.4 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 a vertical clearance of at least 1.9 metres; and
 - (iii) may be located outdoors or indoors, on any level above or below ground, and may be located within a secured room, enclosure or bicycle locker;
 - (b) “*bicycle parking space – visitor*” means an area that may be equipped with a stacked bicycle rack 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 at least 1.8 metres and a combined vertical dimension for two stacked bicycle parking spaces of at least 2.4 metres;

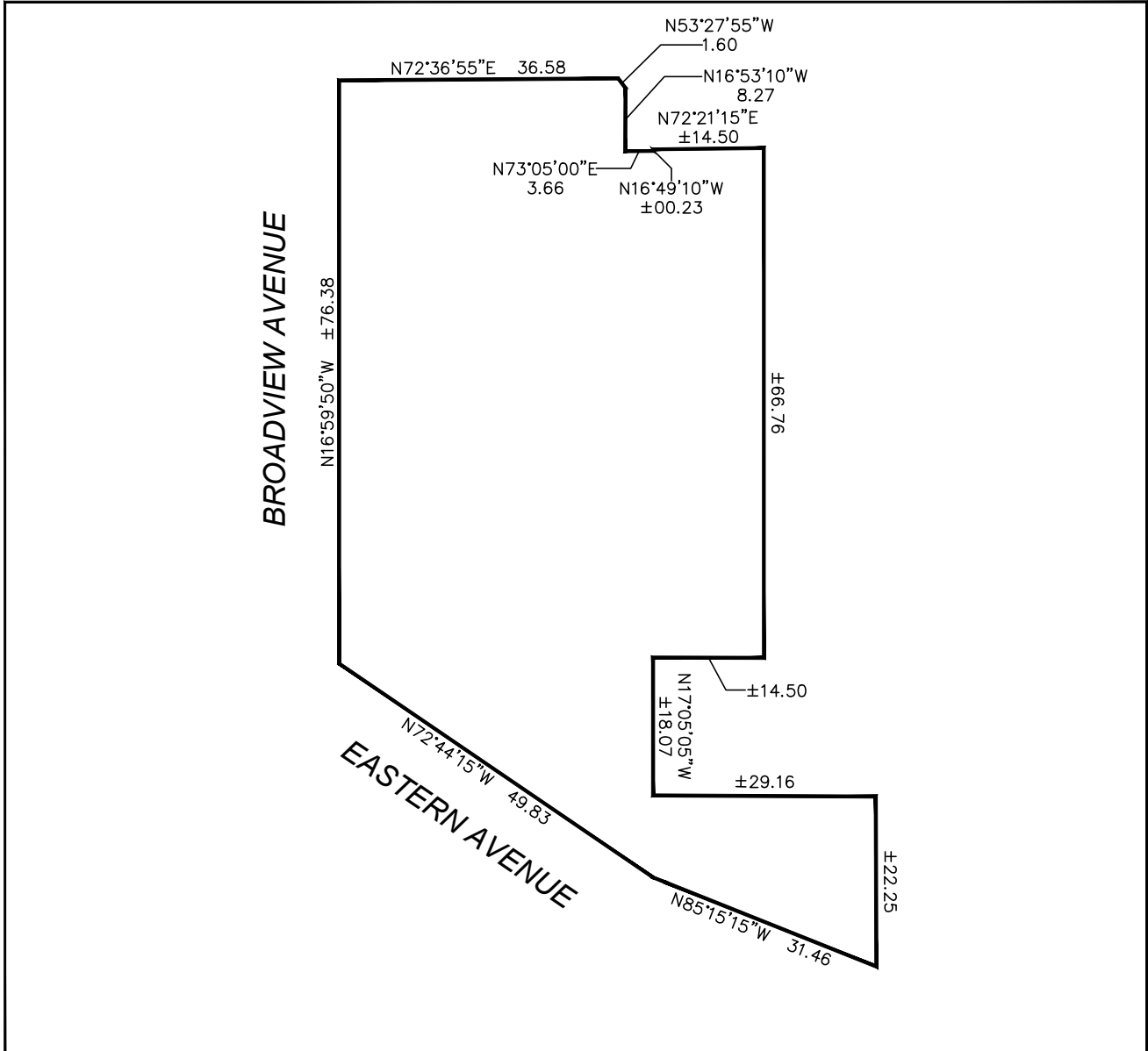
- (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by at least 1.2 metres and a vertical clearance of at least 1.9 metres; and
 - (iii) may be located outdoors or indoors, on any level above or below ground;
- (c) “*grade*” means 78.93 metres above Canadian Geodetic Datum.
- (d) “*gross floor area*” means the area in a *mixed use building* reduced by the area in the 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) shower and change facilities required by this By-law for required *bicycle parking spaces*;
 - (v) *residential amenity space* required by this By-law;
 - (vi) elevator shafts;
 - (vii) garbage shafts;
 - (viii) mechanical penthouse; and exit stairwells in the *building*.
- (e) “*height*” means the vertical distance between *grade* and the highest point of the roof of any building on the *lot*, except for those elements prescribed by this Bylaw;
- (f) “*lot*” means those lands outlined on Map 1 attached hereto.
- (g) “*temporary sales or leasing office*” means a building, structure, facility or trailer on the lot used for the purpose of the sale or lease of live-work units, office space or retail space to be erected on the *lot*.
5. Despite any future severance, partition or division of the lot, the provisions of this By-law shall apply as if no severance, partition, or division occurred.

Enacted and passed on this _____ day of _____, 2021.

John Tory,
Mayor

(Seal of the City)

John Elvidge,
City Clerk



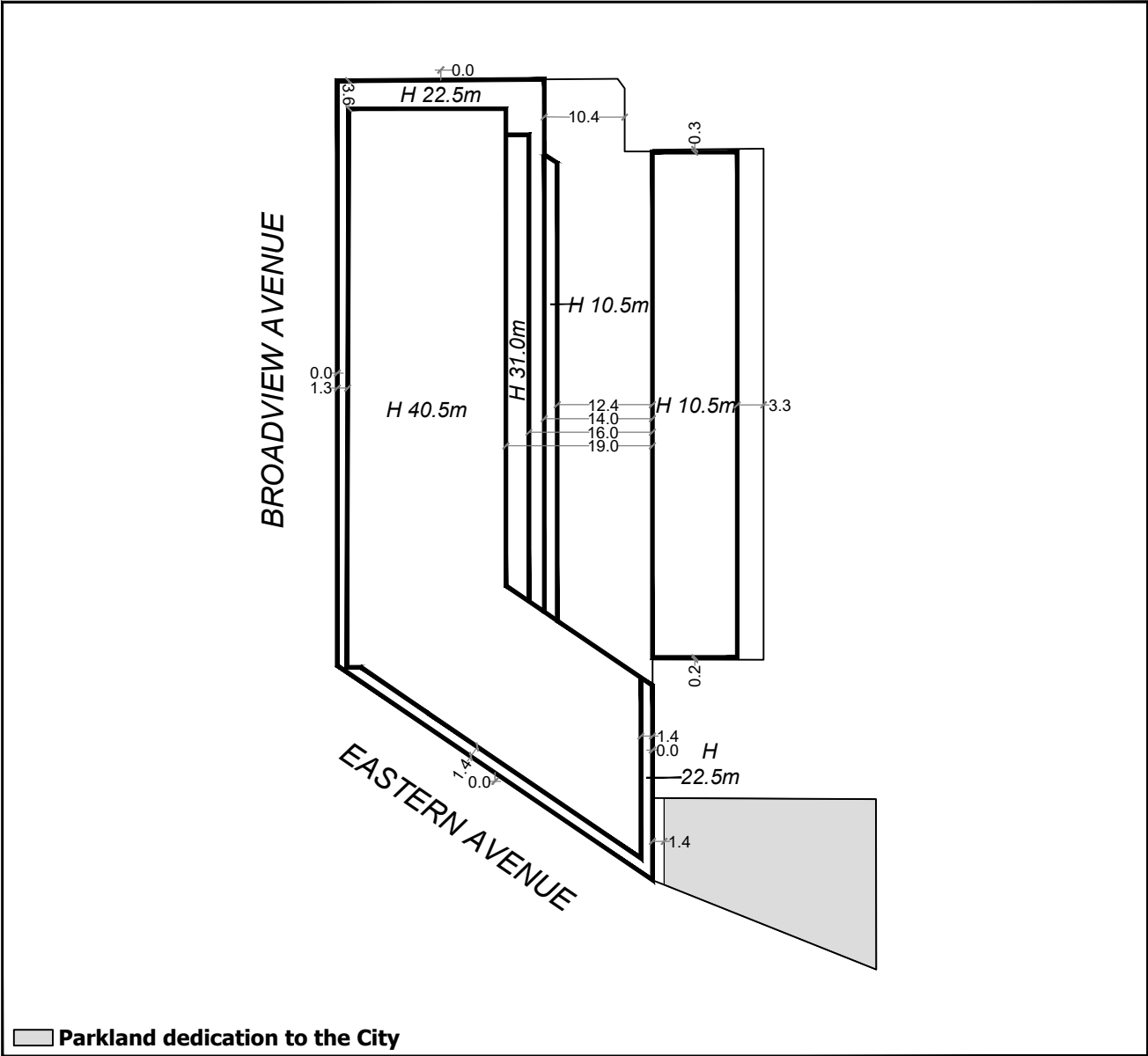
Map 1

21-53 Broadview Avenue, 344 Eastern Avenue
and 18-34 & 40 Lewis Street, Toronto

File #21_____



Not to Scale



Map 2

21-53 Broadview Avenue, 344 Eastern Avenue
and 18-34 & 40 Lewis Street, Toronto

File #21_____

