

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 Zoning By-law No. 569-2013 of the City of Toronto, 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 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; 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*;

The Council of the City of Toronto HEREBY ENACTS as follows:

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. Except as otherwise provided herein, the provisions of Zoning By-law No. 569-2013 shall continue to apply to the **lot**;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands municipally known in the year 2020 as 21 Broadview Avenue to the Zoning By-law Map in Section 990.10 and applying the following zone label to these lands: CR 2.5 (c2.0; r2.0) SS2 (x#####), as shown on Diagram 2 attached to this By-law.
5. Zoning By-law No. 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 municipally known in the year 2020 as 35-53 Broadview Avenue and 18-34 & 40 Lewis Street as outlined by heavy black lines from R (d1.0)(x7) to CR 2.5(c2.0; r2.0) SS2 (x#####), as shown on Diagram 2 attached to this By-law;
6. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands municipally known in the year 2020 as 21 Broadview Avenue to the Height Overlay Map in Section 995.20 and applying the following height label to these lands: HT 18.0, as shown on Diagram 3 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2020 as 21 Broadview Avenue to the Policy Area Overlay Map in Section 995.10, with no label.

8. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands municipally known in the year 2020 as 21 Broadview Avenue to the Lot Coverage Overlay Map in Section 990.30, with no label.
9. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2020 as 21 Broadview Avenue to the Rooming House Overlay Map in Section 995.40, with no label.
10. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number (####) so that it reads:

Exception (####)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions.

Site Specific Provisions:

- (A) On 21-53 Broadview Avenue, 344 Eastern Avenue and 18-34 & 40 Lewis Street, none of the provisions of By-law 569-2013 shall apply to prevent the erection or use of a **townhouse, apartment building or mixed-use building**, structure, addition or enlargement if it complies with (B) to (W), below;
- (B) Despite Regulation 40.10.40.40(1), the maximum total **gross floor area** of all **buildings** and **structures** on the **lot** must not exceed 30,000 square metres;
 - (i) the maximum residential **gross floor area** is 29,000 square metres; and,
 - (ii) the maximum non-residential **gross floor area** is 1,000 square metres;
- (C) Despite Regulation 40.10.40.1(1), in the CR zone with 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 on the ground level.
- (D) Despite Regulation 40.10.40.1(2), for any non-residential uses on the lot, the floor level of the first storey may be within 1.5 metres of the ground measured at the **lot line** abutting the **street** directly opposite each pedestrian entrance;
- (E) Despite Regulation 40.10.40.1(3), in the CR zone a **dwelling unit** within a **townhouse** may be located to the rear of another **building** that faces a **street**;
- (F) Despite Regulation 40.10.40.1(6), pedestrian access to non-residential uses on the **lot** may be within 12.0 metres of a lot in the Residential Zone category;
- (G) For the purposes of this exception, **established grade** is the Canadian Geodetic Datum elevation of 78.93 metres;

- (H) Despite Regulation 40.10.40.10 (2), the permitted maximum height of a **building** or **structure**, is the height in metres specified by the numbers following the symbol HT and the height in storeys as specified by the numbers following the symbol ST, as shown on Diagram 4 of By-law [Clerks to supply by-law ##];
- (I) Despite Clause 40.5.40.10 and (G) above, the following elements of a **building** or **structure** may project above the permitted maximum **building** height:
- (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, 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;
- (J) Despite Regulations 5.10.40.70(1) and 40.10.40.70(2), the minimum required **building setbacks** in metres are as shown on Diagram 4 of By-law [Clerks to supply By-law #];
- (K) Despite Clause 40.10.40.60 and (I) above, the following **building** elements may also encroach into the required **building setbacks** as follows:
- (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, wind mitigation features and windowsills to a maximum of 3.0 metres;
- (L) Despite Regulation 40.10.50.10(2), no fence is required along a lot line abutting a **lot** in the Residential Zone category;

- (M) Despite Regulation 40.10.50.10(3), no **soft landscaping** is required along a lot line abutting a **lot** in the Residential Zone category;
- (N) Despite Regulation 40.10.40.50(1), a building with 20 or more dwelling units on the **lot** must provide residential **amenity space** maintained in accordance with the following:
- (i) A minimum of 1.69 square metres per **dwelling unit** of indoor **residential amenity space**; and,
 - (ii) A minimum of 1.38 square metres per **dwelling unit** of outdoor **residential 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**.
- (O) Despite Regulation 200.5.10.1(1) and (2) and Table 200.5.10.1, vehicle **parking spaces** shall be provided and maintained in accordance with the following minimum requirements:
- (i) 0.24 **parking spaces** for each **dwelling unit** for residents; and
 - (ii) 0.05 **parking spaces** for each **dwelling unit** for residential visitors which may also be used for non-residential uses.
- (P) Despite Regulation 200.5.1.10(2)(A) and (D), Electric Vehicle Infrastructure, including electrical vehicle supply equipment, does not constitute an obstruction to a **parking space**;
- (Q) Despite Regulations 200.15.1(1) and (3), 200.15.10(1), a minimum of six (6) accessible **parking spaces** will be provided on the lands identified on Diagram 1 of By-law **[Clerks to supply By-law #]**, and will comply with the following minimum dimensions:
- (i) Length of 5.6 metres;
 - (ii) Width of 3.4 metres; and,
 - (iii) Vertical clearance of 2.1 metres;
- (R) Despite Regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (S) Regulations 200.15.1(4) and 200.15.1.5(1), with respect to the location of accessible **parking spaces**, does not apply;

- (T) In accordance with Regulation 230.5.10.1(5), and the **bicycle parking space rates** provided in Table 230.5.10.1(1), **bicycle parking spaces** on the **lot** must be provided and maintained in accordance with the following:
- (i) A minimum of 0.9 long term **bicycle parking spaces** per **dwelling unit**; and,
 - (ii) A minimum of 0.1 short term **bicycle parking spaces** per **dwelling unit**;
- (U) Despite Regulation 230.5.1.10(9), long-term **bicycle parking spaces** are permitted to be located on all levels of the **building** and **parking garage** both above and below **established grade**;
- (V) Despite Regulation 230.5.1.10(10), both the “long-term” and “short-term” **bicycle parking spaces** required by this By-law may be comprised of stacked **bicycle parking spaces**;
- (W) Despite Regulations 220.5.10.1(1),(2) and (3), a 1 Type ‘G’ **loading space** must be provided and maintained on the lot to serve both the residential and non-residential uses within the building on a non-exclusive basis.
- (X) None of the provisions of this Exception or By-law 569-2013 will apply to prevent the erection or use of a temporary **sales office** or temporary construction office on the **lot**;

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

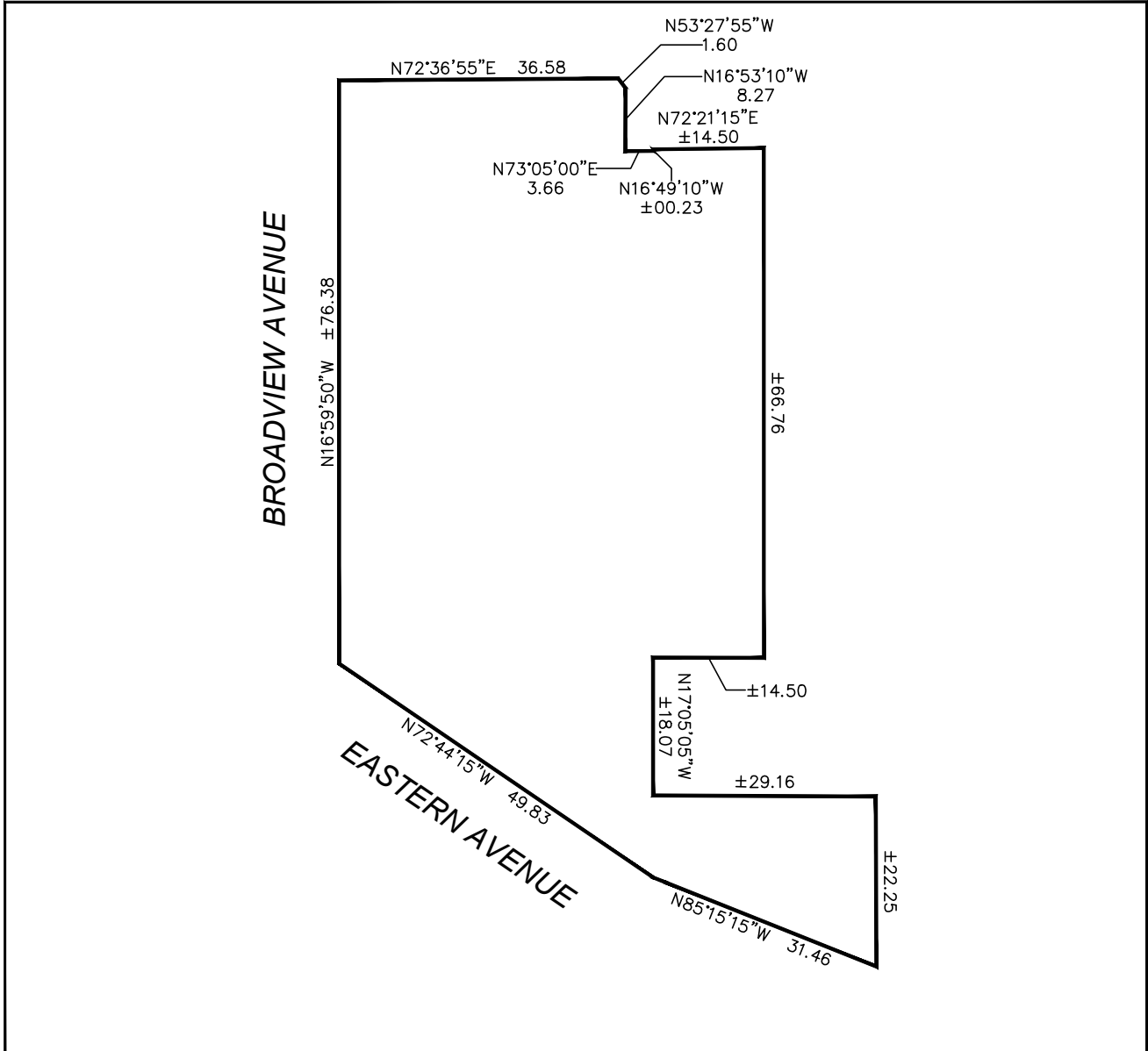
11. Despite any existing or future consent, severance, partition, or division of the lands as shown on Diagram 1 of By-law [Clerks to supply by-law #], the provisions of this Exception and By-law 569-2013 shall apply to the whole of the lands as one **lot**, as if no consent, severance, partition or division occurred.

ENACTED AND PASSED this _____ day of _____, 2021.

JOHN TORY,
Mayor

JOHN ELVIDGE
City Clerk

(Corporate Seal)



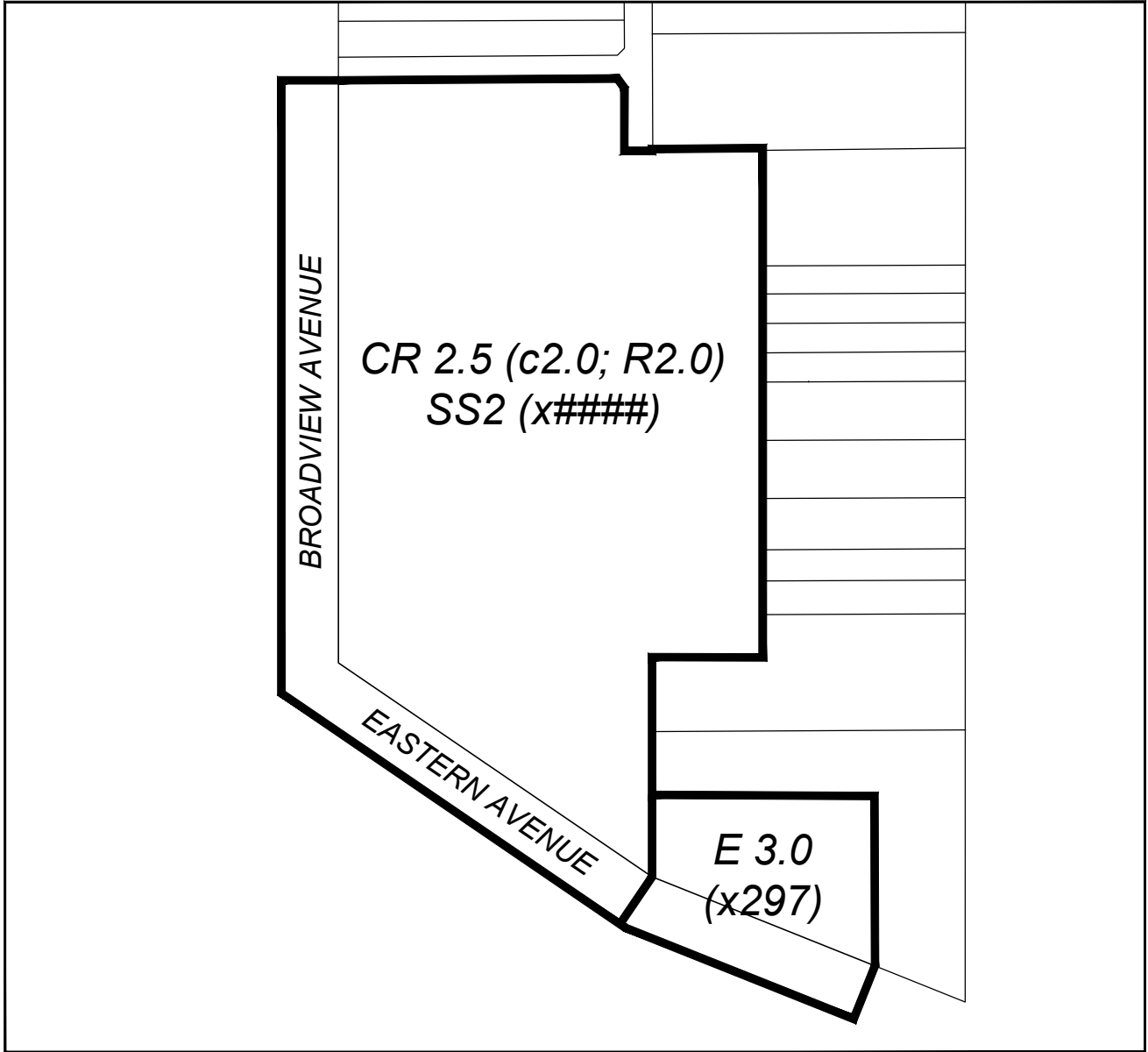


Diagram 2

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

File #21_____



Not to Scale

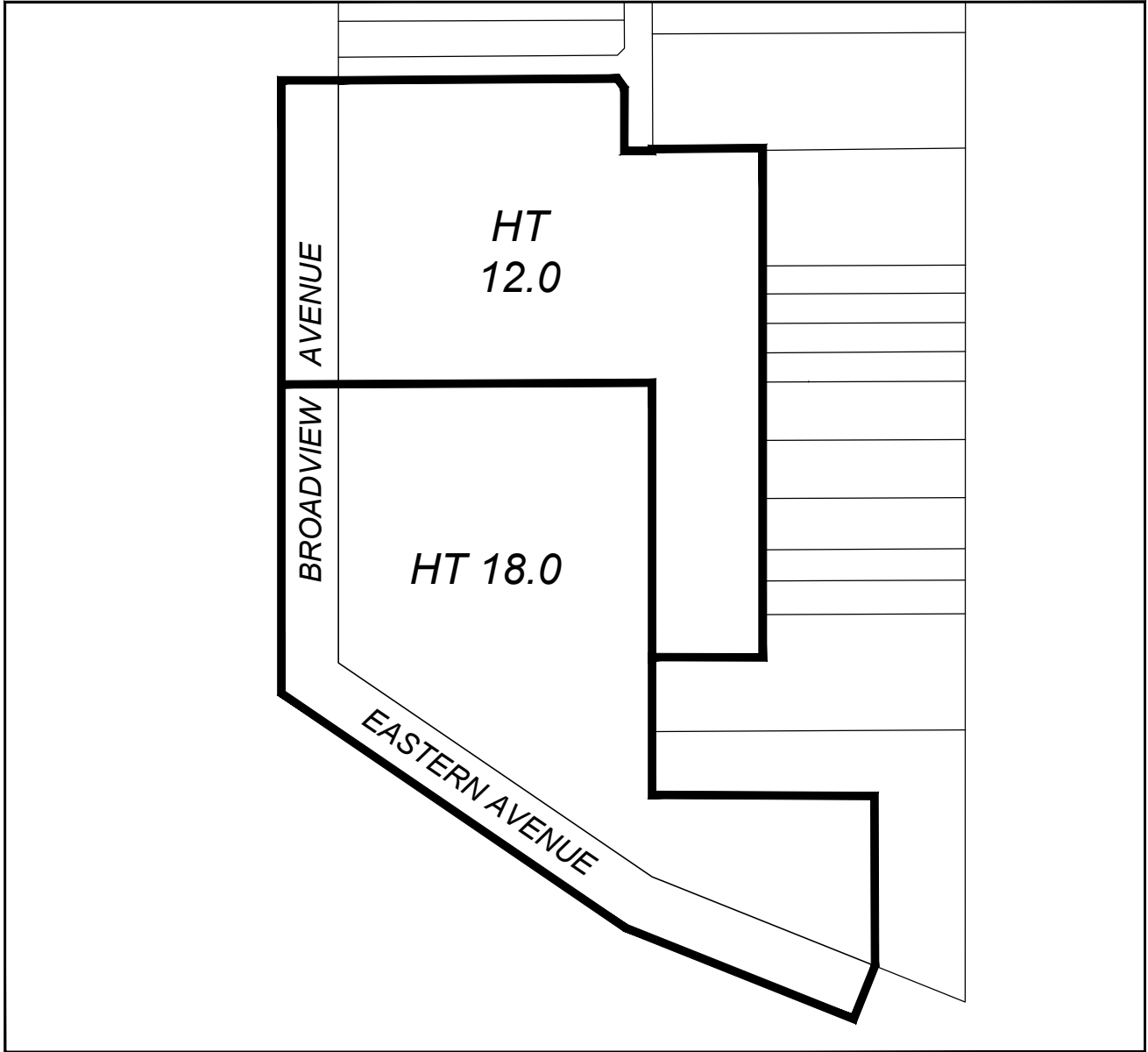


Diagram 3

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

File #21_____



Not to Scale

