

Authority: Etobicoke York Community Council Item EY23.3, as adopted by City of Toronto Council on July 4, 5, 6 and 7, 2017

## CITY OF TORONTO

Bill 1396

### BY-LAW -2017

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 248 and 260 High Park Avenue.**

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; 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 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; and

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: R (x37), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 37 so that it reads:

#### **Exception R 37**

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) For the purposes of this exception, the lands shown on Diagram 1 of By-law [Clerks to insert this by-law Number] is the **lot**;
- (B) **Established Grade** is Canadian Geodetic Datum elevation of 118.38 metres;
- (C) Despite regulation 10.10.40.10, no portion of any **building** or **structure** above **established grade** may exceed the maximum height in metres specified by the

numbers following the letter "H" as shown on Diagram 2 of By-law [Clerks to insert this by-law Number];

- (D) Despite regulation 10.5.40.10 (3), the following equipment and **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.2 metres:
  - (i) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (E) Despite regulation 10.5.50.10 (4), the minimum required **landscaping** area is 2,300 square metres; a minimum of 1,600 square metres of the required **landscaping** must be **soft landscaping**;
- (F) Despite the regulations 10.10.40.70 (1), (2), and (3) the minimum **building setbacks** are shown on Diagram 2 of By-law [Clerks to insert this by-law Number];
- (G) Despite (F) above, the minimum building setback for an underground parking garage from a lot line is 0.5 metres;
- (H) Despite (F) above, the following **building** elements and **structures** may encroach into a required **building setback**:
  - (i) eaves, canopies, cornices, lighting fixtures, awnings, architectural features, window sills, wheelchair ramps, retaining walls, stairs, covered stairs and or stair enclosures associated with an entrance or exit from an underground **parking garage**;
  - (ii) balconies to a maximum of 1.0 metre;
  - (iii) uncovered patios to a maximum of 2.0 metres; and
  - (iv) uncovered patios below **established grade** to a maximum of 3.5 metres into the required **building setback** from the west **lot line**;
- (I) The total **gross floor area** of all **buildings** and **structures** on the **lot** must not exceed 8,550 square metres;
- (J) The maximum number of residential **dwelling units** on the **lot** is 77;
- (K) **Amenity space** for the use of residents of all **buildings** must be provided and maintained as follows:
  - (i) A minimum of 2.0 square metres of indoor **amenity space** for each **dwelling unit** must be provided in a multi-purpose room or rooms within the **building** and at least one must contain both a kitchen and a washroom; and

- (ii) A minimum of 2.0 square metres of outdoor **amenity space** for each **dwelling unit** must be provided of which at least 180 square metres is in a location adjoining or directly accessible from the indoor **amenity space** required in (i) above;
- (L) A sales office used to sell **dwelling units** in the development is permitted for a period of 3 years from the date of the passing of By-law [Clerks to insert this by-law number];
- (M) If a sales office in (L) above is in a newly erected **building**:
  - (i) the maximum permitted **gross floor area** is 280 square metres;
  - (ii) the maximum **building** height is 4.0 metres; and
  - (iii) the minimum **building setback** from the west and south **lot lines** is 7.5 metres.

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

Enacted and passed on December , 2017.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



