

Authority: Toronto and East York Community Council
TE9.4, adopted as amended by City of Toronto Council on
October 29 and 30, 2019

CITY OF TORONTO

Bill 1514

BY-LAW -2019

To amend the former City of York Zoning By-law 1-83, as amended, with respect to the lands known municipally in the year 2018 as 2010-2016 Bathurst 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 enacts:

1. That Section 6 Amendments of Use Districts and District Maps of former City of York Zoning By-law 1-83, as amended, be further amended by adding a new Subsection (77) as follows:

"(77) Lands - 2010-2016 Bathurst Street"

By changing the area shown on District Map 15 comprising of the lands shown on Schedule A from a R3 - Residential Zone and MCR - Main Street Commercial/Residential Zone and Section 16 (123) to a MCR - Main Street Commercial/Residential Zone and Section 16 (464).

2. That Section 16 General Exceptions of former City of York Zoning By-law 1-83, as amended, be further amended by adding a new Subsection (464) as follows:

"(464) Lands - 2010-2016 Bathurst Street"

Notwithstanding the provision of former City of York Zoning By-law 1-83, the *lot*, as delineated by heavy lines on Schedule A attached to and forming part of this By-law, and municipally known as 2010-2016 Bathurst Street in the year 2019, may be used for the purpose of a *mixed-use* building, provided that the following provisions are complied with:

MAXIMUM GROSS FLOOR AREA

- (a) The total *gross floor area* of all *buildings* and *structures* on the *lot* shall not exceed 4,800 square metres, provided that:
 - i. The total residential *gross floor area* erected or used on the *lot* does not exceed 4,680 square metres;

- ii. The total non-residential *gross floor area* erected or used on the *lot* does not exceed 120 square metres;

MAXIMUM NUMBER OF UNITS

- (b) The maximum number of *dwelling units* is twenty-six (26);

UNIT MIX

- (c) A minimum of:
 - i. 25 percent of all *dwelling units* on the *lot* must be 2- or more bedroom dwelling units; and,
 - ii. 10 percent of all *dwelling units* on the *lot* must be 3- or more bedroom dwelling units;
 - iii. if the calculation of the number of required *dwelling units* pursuant to (c)(i) and (c)(ii) above results in a number with a fraction, the number is rounded down to the nearest whole number.

BUILDING HEIGHT

- (d) The *height* of the *building* shall not exceed the maximum *height* in metres measured from *established grade* shown on Schedule B excluding: equipment serving the building, elevator overruns, vents, chimneys, equipment for heating, cooling or ventilating, mechanical penthouse and lightning rods, which may project a maximum of 6.0 metres above the *height* limits shown on Schedule B;
- (e) The *height* of the *building* shall not exceed the maximum *height* in metres measured from *established grade* shown on Schedule B, excluding: eaves, decorative architectural features, light fixtures, parapets, terraces, window washing equipment, safety railings, bollards, cornices, parapets, roof drainage, and architectural features, which may project a maximum of 3.0 metres above the *height* limits shown on Schedule B;

YARD SETBACKS

- (f) The minimum *yard* setbacks shall be as shown on Schedule C except that canopies, awnings, heating, cooling or ventilating equipment, ornamental elements, lighting fixtures, parapets, eaves, architectural features, shall be permitted to encroach a maximum of 1.5 metres beyond the heavy lines shown on Schedule C, attached;

PARKING

- (g) A minimum of 35 residential *parking spaces* must be provided on the *lot*;
- (h) A minimum of 5 visitor *parking spaces* shall be provided and maintained on the *lot*;
- (i) A *parking space* shall be subject to the following conditions:
 - i. A *parking space* shall be a minimum of 2.6 metres wide and a minimum of 5.6 metres long;
 - ii. Where a *parking space* is limited by a wall or other permanent obstruction the *parking space* minimum width is increased by 0.3 metres for each side of the space that is obstructed;
- (j) An *accessible parking space* shall be a minimum of 3.9 metres wide and a minimum of 5.6 metres long;

BICYCLE PARKING

- (k) A minimum of 23 *long-term bicycle parking spaces* shall be provided and maintained on the *lot*;
- (l) A minimum of zero *short-term bicycle parking spaces* shall be provided and maintained on the *lot*;
- (m) *Long-term Bicycle parking spaces* shall be located within a secured room, or within an underground parking structure on the first level below ground, or a combination thereof.
- (n) *Short-term bicycle parking spaces* shall be located within a secured room, or within an underground parking structure on the first level below ground, or outdoors and uncovered or a combination thereof.

AMENITY

- (o) Indoor and outdoor *residential amenity space* shall be provided and maintained on the *lot* at a minimum of 157 square metres combined;

REFUSE HANDLING

- (p) Refuse for all dwelling units on the *lot* shall be stored and maintained in the refuse rooms within the interior of the *building*;

DEFINITIONS

- (q) For the purposes of this Exception, each word or expression that is italicized shall have the same meaning as defined in Zoning By-law 1-83, except for the following:
- i. "*lot*" means the lands delineated with heavy lines in Schedule A;
 - ii. "*established grade*" means an elevation of 171.11 metres Canadian Geodetic Datum;
 - iii. "*height*" means the vertical distance between established grade and the highest point of the building or structure, excluding those elements otherwise expressly prescribed in this By-law;
 - iv. "*gross floor area*" shall mean the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior main wall of each floor level.

For the purpose of this exception, the "*gross floor area*" of a *mixed-use* building is reduced by the area in the *building* used for:

- (a) *parking spaces* and *bicycle parking spaces* below ground level;
 - (b) required *bicycle parking spaces* at or above-ground;
 - (c) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (d) shower and change facilities required by this By-law for required *bicycle parking spaces*;
 - (e) elevator shafts;
 - (f) mechanical penthouse; and
 - (g) exit stairwells in the *building*;
- v. "*residential amenity space*" means indoor or outdoor space on a *lot* that is communal and available for use by the occupants of the building on the *lot* for recreational and social activities;

- vi. "*bicycle parking space*" means an area used for parking or storing a bicycle and;
 - (a) Where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.45 metres by 1.8 metres and a vertical dimension of at least 1.9 metres and does not encroach into a parking space;
 - b) 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 dimension of at least 1.9 metres and does not encroach into a parking space;
- vii. "*long-term bicycle parking space*" means an area with *bicycle parking spaces* that is equipped with a bicycle rack or locker for residents of the building for the purpose of parking and securing bicycles;
- viii. "*short-term bicycle parking space*" means an area with *bicycle parking spaces* that is equipped with a bicycle rack or locker for visitors of the building for the purpose of parking and securing bicycles;
- ix. "*stacked bicycle parking space*" means a horizontal *bicycle parking space* that is positioned above or below another *bicycle parking space* with has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.2 metres and equipped with a mechanical device providing floor level access to both *bicycle parking spaces*;
- x. "*mixed use building*" means a building with both residential and non-residential uses;
- xi. "*accessible parking space*" means an unimpeded area that is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another motor vehicle.

OTHER PROVISIONS

- (r) Section 3.2.1(v), 3.2.2, 3.3, 3.4.7, and 16(123) of the former City of York Zoning By-law 1-83, as amended, shall not apply.
- (s) The provisions of this exception shall apply collectively to the lands notwithstanding the future severance, partition, or division of the lands.
- (t) All other provisions of former City of York By-law 1-83 shall continue to apply except in the case where provisions of this Exception are in conflict in which case the provisions of this Exception shall prevail.

Enacted and passed on October , 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)





