

## CITY OF TORONTO

### Bill 1038

### BY-LAW -2022

#### **To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 838-844 Broadview Avenue in the City of Toronto.**

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 authority is given to Council by Section 34 and Section 36 of the Planning Act, as amended, to impose the Holding symbol (H) and the remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied.

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy block 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 adding the lands identified as "Parcel A" in Diagram 7 to the Zoning By-law Map in Section 990.10, and amending the zone label on the lands identified as "Parcel B" on Diagram 7 and applying the following zone label to both "Parcel A" and "Parcel B" as shown on Diagram 2: (H) CR 2.5 (c0.5; r2.5) SS2 (x679);
4. Zoning By-law 569 -2013, as amended, is further amended by adding the lands identified as "Parcel A" in Diagram 7 to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 14.0, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands identified as "Parcel A" in Diagram 7 to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: 4, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands identified as "Parcel A" to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands B3 as shown on Diagram 5 attached to this By-law.

7. Zoning By-law 569-2013, as amended, is further amended by adding the lands identified as "Parcel A" to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number 679, so that it reads:

(679) Exception CR 679

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 838, 840, 842 and 844 Broadview Avenue, if the requirements of By-law [Clerks to insert By-law ] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (U) below:
- (B) For the purpose of this exception, the **lot** is as shown on Diagram 1 of By-law [Clerks to insert By-law ];
- (C) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 117.0 metres and elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 40.10.40.10(2) the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 6 of By-law [Clerks to insert By-law];
- (E) Despite Regulations 40.5.40.10 (4) ,(6), (7) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height of a building:
  - i. Elements for the functional operation of a **building** by a maximum of 2.0 metres; and
  - ii. Rooftop **amenity space** guards, safety and wind protection elements by a maximum of 2.0 metres;
  - iii. architectural features, parapets, and elements and **structures** associated with a **green roof** by a maximum of 1.0 metres;
  - iv. planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres
- (F) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** is the number following the ST symbol as shown on Diagram 6 of By-law [Clerks to insert By-law ];

- (G) Regulation 40.10.40.10(5) only applies to areas containing non-residential uses listed in Regulations 40.10.20.10(1)(A) and 40.10.20.20(1)(A) abutting or adjacent to Broadview Avenue and Pretoria Avenue.
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 7,100 square metres, of which:
- i. the permitted maximum **gross floor area** for residential uses is 6,600 square metres;
  - ii. the permitted maximum **gross floor area** for non-residential uses is 600 square metres;
  - iii. A minimum of 500 square metres of non-residential **gross floor area** is required to be provided on the ground floor along the portion of the **building** facing the **lot line** abutting Broadview Avenue;
- (I) For the purposes of this exception, indoor pet amenities and washroom facilities which are contiguous with other **amenity space** shall count towards the indoor **amenity space** requirements.
- (J) Despite Regulation 40.10.40.70(2) the required minimum **building setbacks** are shown in metres on Diagram 6 attached to this By-law;
- (K) Despite Regulation 40.10.40.60(1) (C) (i) a platform attached to the front **main wall** with a floor level higher than the floor level of the first storey of the **building** may be located on the second and third **storeys** of the **building** above ground.
- (L) Despite Regulation 40.10.40.60 (1) (C) balconies and or terraces on the west side of the building on the sixth, seventh and eight floors are permitted to project a maximum of 3.0 metres from the **main wall** to which it is attached.
- (M) Despite Regulation 40.10.40.60 (5) decorate columns on the ground floor along the Pretoria Avenue **lot line** may encroach into a required minimum **building setback** by a maximum of 1.0 metres.
- (N) A maximum of 107 **dwelling units** are permitted on the **lot** of which:
- i. A minimum of 14 percent must contain two or more bedrooms; and
  - ii. A minimum of 9 percent must contain three or more bedrooms;
- (O) Despite Regulation 40.10.50.10(3) a minimum 0.6 metre strip of land used for **landscaping** or **soft landscaping** must be provided along the part of the **lot line** abutting the **lot** in the Residential Zone category or Residential Apartment Zone category.

- (P) Despite Regulation 40.10.90.10(1)(C), a **loading space** may be located in a **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.
- (Q) Despite Regulation 200.5.1.10(2)(A)(iv), (C)(iv) and (D) a maximum of 6 **parking spaces** may be obstructed without requiring an additional width of 0.3 metres.
- (R) Regulation 200.5.1.10(12)(C), with regards to the required distance between a **vehicle** entrance or exit and the **lot line** abutting a **street**, does not apply;
- (S) Despite Regulation 200.5.10.1(1), Table 200.5.10.1 **parking spaces** must be provided on the **lot** at a minimum and maximum rate of:
- i. a minimum of 0.36 **parking spaces** per **dwelling units** for residential occupants;
  - ii. No **parking spaces** are required for residential visitors;
  - iii. No **parking spaces** are required for non-residential uses; and
  - iv. a maximum of 35 **parking spaces** are permitted for non-residential and residential visitors in **public parking**;
- (T) Despite Regulations 230.5.10.1(1)(3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
- i. 0.90 "long-term" **bicycle parking spaces** for each **dwelling unit**;
  - ii. No "long-term" **bicycle parking spaces** are required for non-residential uses;
  - iii. No "short term" **bicycle parking spaces** are required;
- (U) **Dwelling units** are not permitted on the ninth **storey** of the **building**.

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

9. Holding Provisions:

- (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 2 attached to and forming part of this By-law must not be used for any purpose other than those uses and buildings existing on the site as of the date of the passing of this By-law on the lands shown on Diagram 1 attached to this By-law until the "(H)" symbol has been removed.

- (B) A By-law to remove the (H) symbol from the lands subject to this by-law may be enacted by Council when the following conditions have been fulfilled to the satisfaction of Council:
- i. The owner shall submit a revised Functional Servicing and Stormwater Report and Geotechnical/Hydrogeological Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
  - ii. The owner shall make arrangements to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development based on the reports in clause i above, accepted by the Chief Engineer & Executive Director, Engineering and Construction Services;
  - iii. The owner enter into a financially secured agreement for the construction of any required improvements to the municipal infrastructure, should it be determined that upgrades are required to support the development based on the revised clause (B)i above, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services; and
  - iv. The owner shall register the appropriate agreement to permit the use of the adjacent property at 846-850 Broadview Avenue or an alternative solution so as to allow the proposed truck manoeuvres to the satisfaction of the General Manager, Transportation Services.

Enacted and passed on July , 2022.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk


(Seal of the City)

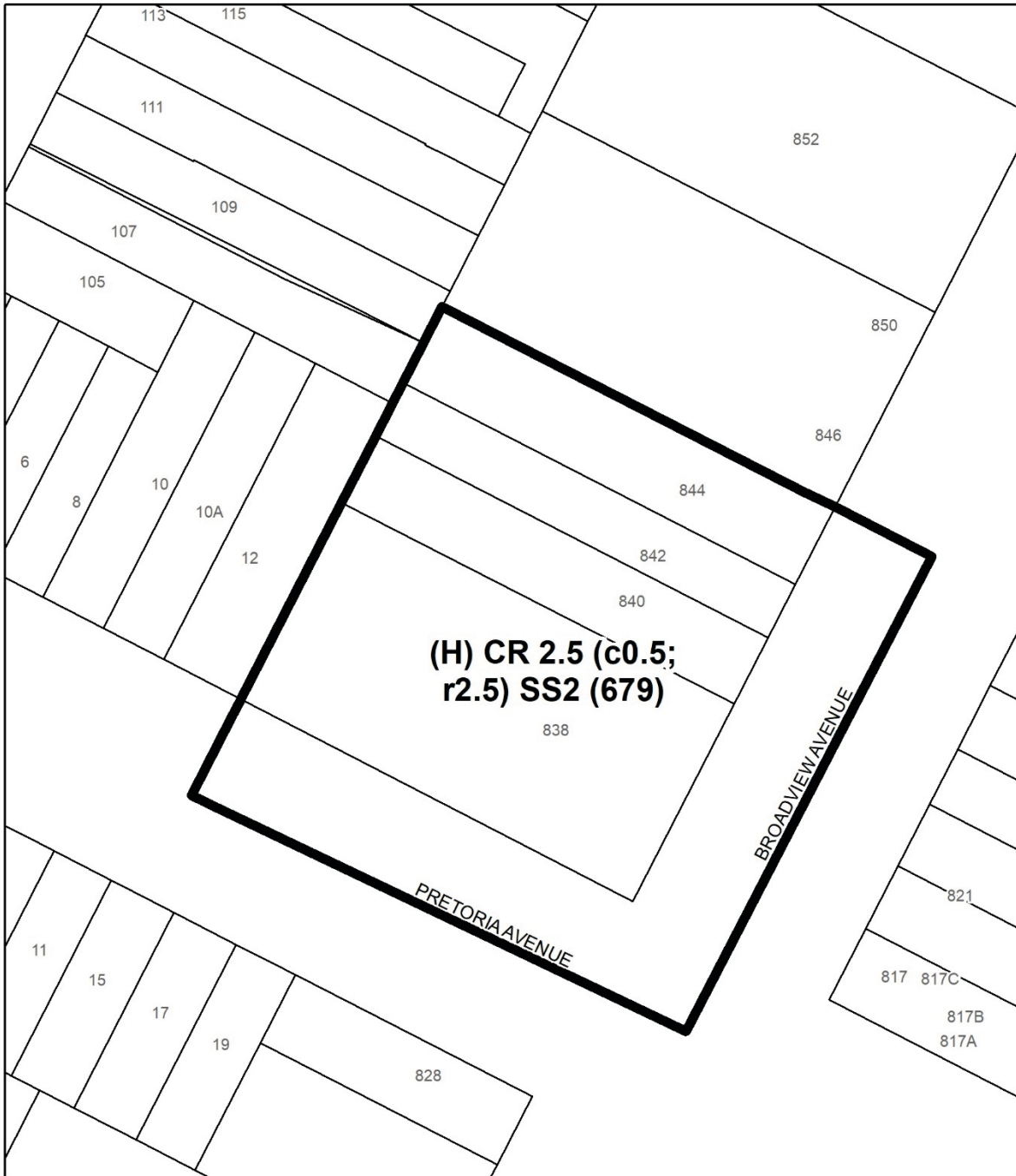


 **TORONTO**  
Diagram 1

**838-844 Broadview Avenue**

File # 21 204171 STE 14 0Z


  
City of Toronto By-law 569-2013  
Not to Scale  
04/28/2022



 **TORONTO**  
Diagram 2

**838-844 Broadview Avenue**

File # 21 204171 STE 14 0Z

  
City of Toronto By-law 569-2013  
Not to Scale  
07/12/2022



 **TORONTO**  
Diagram 3

**838-844 Broadview Avenue**

File # 21 204171 STE 14 0Z






 **TORONTO**  
Diagram 4

**838-844 Broadview Avenue**

File # 21 204171 STE 14 0Z

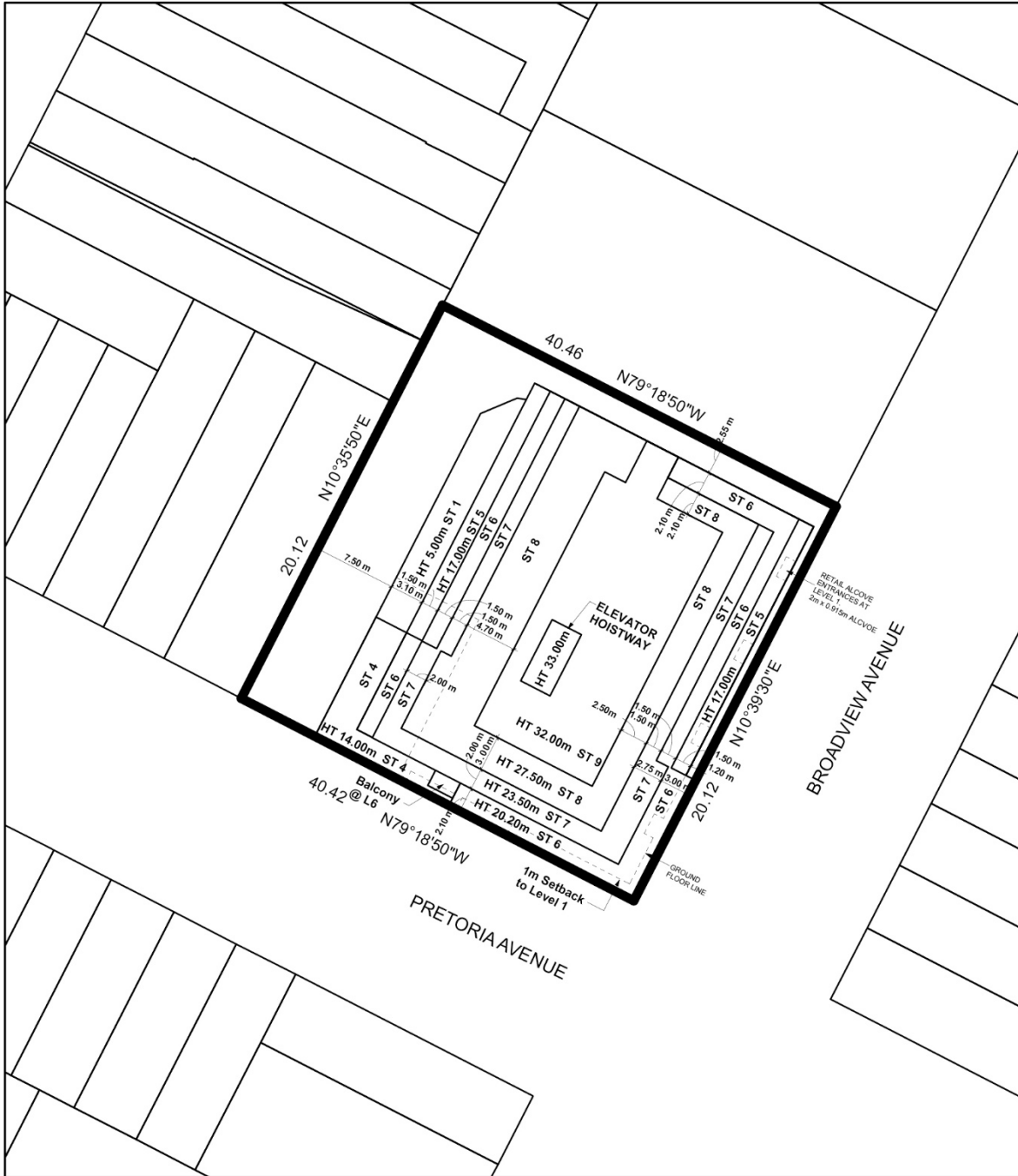
  
City of Toronto By-law 569-2013  
Not to Scale  
04/28/2022



 **TORONTO**  
Diagram 5

**838-844 Broadview Avenue**

File # 21 204171 STE 14 0Z

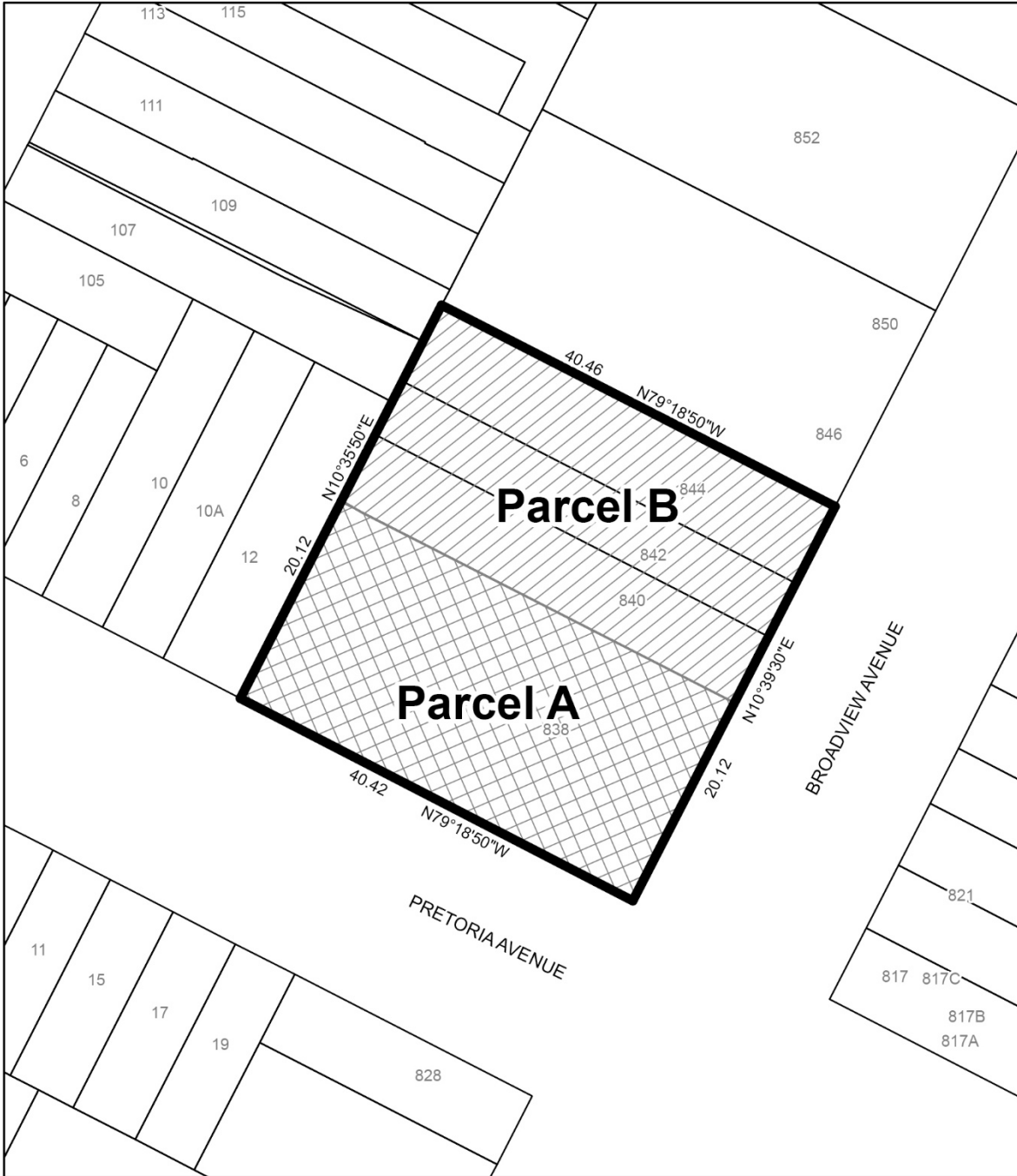


 **TORONTO**  
Diagram 6

838-844 Broadview Avenue

File # 21 204171 STE 14 0Z

  
City of Toronto By-law 569-2013  
Not to Scale  
06/24/2022



 **TORONTO**  
Diagram 7

**838-844 Broadview Avenue**

File # 21 204171 STE 14 0Z