

Authority: Toronto and East York Community Council Item 33.5,
as adopted by City of Toronto Council on July 8, 9, 10 and 11, 2014

CITY OF TORONTO

BY-LAW No. 688-2014

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands municipally known as 455 Dovercourt Road.

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 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. None of the provisions of Sections 4(2), 4(4), 4(6), 4(7) and Section 6 of By-law No. 438-86 of former City of Toronto, 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", as amended, shall apply to prevent the erection and use of a *mixed-use building* on the *lot* which may contain *dwelling units* and non-residential uses and an *accessory parking garage*, provided that:
 - (1) Notwithstanding Section 6(1), only the following non-residential uses shall be permitted:
 - (a) Office;
 - (b) *Software design and development establishment*; and
 - (c) *Data processing establishment*.
 - (2) The *lot* is comprised of those lands shown outlined by heavy lines on Map 1 attached and forming part of this By-law.
 - (3) No portion of any building or structure, including the *accessory parking garage*, that may include a *parking stacker*, to be erected or used on the *lot* shall extend beyond the area delineated by the heavy lines on Map 2 attached to and forming part of this By-law.
 - (4) Despite subsection (3) herein, eaves, cornices, lighting fixtures, window sills, landscape planters, awnings, canopies and other minor architectural projections shall be permitted to project no more than 0.45 metres from a building or structure on the *lot*. The entrance canopy shall be permitted as shown on Map 2.

- (5) The *height* of the building or structure on the *lot*, must not exceed the height permitted as indicated by the letter "H" as shown on Map 2 attached to and forming part of this By-law, as measured from the Canadian Geodetic Datum elevation of 106.18 metres.
- (6) Despite subsection (5) herein, parapets, fences, safety railings, mechanical equipment, stairs, terraces, trellises or privacy screens must be setback from the front and rear walls of the building by 1.8 metres and must not project more than 1.8 metres beyond the roof height shown at 17.5 metres on Map 2. Landscape planters may be permitted within 0.5 metres of the rear wall and may project a maximum of 1 metre above the roof height, shown at 17.5 metres on Map 2, only along the rear wall of the building.
- (7) The total combined *residential gross floor area* and *non-residential gross floor area*, excluding the *accessory parking garage*, on the *lot* shall not exceed a maximum of 3,020 square metres:
- (a) the *residential gross floor area* shall not exceed 1,390 square metres; and
 - (b) the *non-residential gross floor area* shall not exceed 1,630 square metres.
- (8) The *ancillary parking garage* must be located within the heavy lines identified as the double car structure on Map 2 and the area of the *ancillary parking garage* must not exceed 150 square metres.
- (9) The maximum permitted number of *dwelling units* shall be twelve (12), comprised of ten (10) two bedroom units and two (2) three bedroom units.
- (10) A minimum of 190 square metres of *landscaped open space* shall be provided on the *lot*.
- (11) A total of 25 *parking space(s)* must be provided for the development in accordance with the following:
- (a) A minimum of 12 *parking spaces* must be provided on the *lot* for the 12 *dwelling units*;
 - (b) A minimum of 13 *parking spaces* must be provided for 1,630 square metres of non-residential use on the *lot*, of which:
 - (i) A maximum of 4 of the required non-residential *parking spaces* shall be provided through a long-term lease on a parking lot within 300 metres of the *lot*; and
 - (ii) A minimum of 2 of the required non-residential *parking spaces* on the lot shall be shared residential visitor parking spaces, with each of the designated shared visitor/non-residential *parking spaces*

having signage to identify them as shared parking spaces available to visitors of the residential use.

- (12) A *parking stacker* may be located on the *lot* within the outlined area on Map 2 and may have dimensions of not less than 2.6 metres by 5.2 metres and a height of 1.5 metres, except that the platform of such *parking space* may have dimensions of not less than 2.5 metres by 5.0 metres.
- (13) Despite Section 4(17)(b), (c) and (e), an additional 0.3 metres of widening for one or more obstructions is not required.
- (14) Notwithstanding Section 6(3) Part IV 1(E) of By-law No. 438-86, a maximum of 1 *parking space* may be permitted on the portion of the *lot* between the front lot line and the front wall of the building.
- (15) A minimum of 20 *bicycle parking spaces* shall be provided and maintained on the *lot*, of which:
 - (a) A total of 12 will be *bicycle parking spaces - occupant*, provided for the exclusive use of the residents of the building and located in a secure room or area;
 - (b) A total of 6 will be *bicycle parking spaces - visitor*, provided for the exclusive use of visitors of the residential use of the *building*;
 - (c) A total of 2 will be *bicycle parking spaces - visitor*, provided for the exclusive use of the non-residential use of the *building*;
 - (d) Notwithstanding Section 4(13) of By-law No. 438-86, 100 per cent of the *bicycle parking space-occupant* may be provided in a manner that requires a person to park the bicycle in a vertical position; and
 - (e) *Bicycle parking spaces* that are to be parked in a vertical position, shall have horizontal dimensions of at least 0.375 metres by 0.800 metres and a vertical dimension of at least 2.0 metres.
- (16) Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
- (17) No person shall use any land or erect or use any building or structure on the *lot* unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
 - (a) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and

- (b) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on July 11, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



