

Authority: Toronto and East York Community Council Item TE13.5, as adopted by City of Toronto Council on February 3 and 4, 2016 and Section 169-26B of City of Toronto Municipal Code Chapter 169, Officials, City

CITY OF TORONTO

BY-LAW 94-2017

To amend By-law 442-2016, respecting 45-77 Dunfield Avenue, to correct a technical error.

Whereas at its meeting of May 3, 4 and 5, 2016, City Council enacted By-law 442-2016, which by-law amended former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known in 2016 as 45-77 Dunfield Avenue; and

Whereas By-law 442-2016, requires a minor technical amendment to Section 2; and

Whereas under Section 169-26 of Municipal Code Chapter 169, Officials, City, the City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to make technical amendments to the Municipal Code and other by-laws to correct technical errors;

The Council of the City of Toronto enacts:

1. By-law 442-2016, is amended by deleting section 2 and substituting it with the following:
2. None of the provisions of Section 2 with respect to '*height*', '*grade*', '*bicycle parking space - occupant*' and '*bicycle parking space - visitor*' and Section 4(2), 4(4), 4(6)c, 4(12), 4(13), 4(17), Section 6(2)12iii, Section 6(2)12(iv), Section 6(3) Part I 1, Section 6(3) Part II 2, Section 6(3) Part II 3.A(II), Section 6(3) Part II 4, Section 6(3) Part II 5, Section 6(3) Part III 1, Section 12(2) 118(iv), Section 12(2)119(iii) of Zoning By-law 438-86, 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 an apartment building or daycare, including uses accessory thereto, on the *lot* provided that:
 - (a) the *lot* consists of those lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) the total *residential gross floor area* erected or used on the *lot* shall not exceed 90,000 square metres;
 - (c) the minimum total area for a 52 child *day nursery* erected or used on the lot is 531 square metres of interior space and a minimum of 254 square metres of exterior space;
 - (d) no part of any building or structure erected within the *lot* shall be located above grade otherwise than wholly within the areas delineated by heavy lines on Map 2;

- (e) except where a heavy line shown on Map 2 is contiguous with the boundary of the *lot*, nothing in Section 2(d) hereof shall prevent the following elements from projecting beyond the heavy lines shown on Map 2:
 - (i) eaves, cornices, lighting fixtures, fences and safety railings, trellises, balustrades, chimneys, vents, wheelchair ramps, retaining walls, landscape features, ornamental structures, walkways, stairs, covered stairs and or stair enclosures associated with an entrance or exit from an underground parking garage, stair landings, decks, planters, and public art features;
 - (ii) balconies to a maximum horizontal projection of not more than 1.5 metres; and
 - (iii) canopies to a maximum horizontal projection of not more than 1.5 metres;
- (f) no part of any building or structure to be erected on the *lot* shall exceed the height limits in metres specified by the numbers following the symbol "H" as shown on Map 2;
- (g) nothing in Section 2(f) of this By-law shall prevent the erection or use of the building elements or structures identified in Section 4(2)(a)(i) of By-law 438-86, as amended;
- (h) a minimum of 27 percent of the lot area shall be maintained as *landscaped open space*;
- (i) the minimum supply of bicycle parking spaces shall be provided according in accordance with the following rates:
 - (i) a minimum of 1.0 *bicycle parking spaces - occupant per dwelling unit*;
 - (ii) a minimum of 0.2 *bicycle parking spaces - visitor per dwelling unit*;
 - (iii) a minimum of 0.2 *bicycle parking spaces - occupant per 100 square metres of non-residential gross floor area*; and
 - (iv) a minimum of 6 *bicycle parking spaces - visitor* for non-residential uses;
- (j) despite the definition of *bicycle parking spaces - visitor*, bicycle parking spaces required for visitors may also be provided in a *stacked bicycle parking space*;

- (k) not more than 50 percent of *bicycle parking spaces - occupant* shall be provided in a manner that requires a person to park the bicycle in a vertical position;
- (l) a maximum of 174 parking spaces located in the existing underground garage may be a minimum of 2.2 metres in width and 5.9 metres in length, the remaining parking spaces on the *lot* will be 2.6 metres in width and 5.9 metres in length;
- (m) the minimum driveway widths for two-way operation in the existing underground garage shall be 4.5 metres in width at the loading space, and a minimum of 5.12 metres for the driveway aisle in the remaining basement garage;
- (n) a minimum of 1 *loading space - Type G*, having a length of 3.5 metres in width (4 metres where enclosed) by 13 metres in length will be provided on the *lot*;
- (o) the following provisions are complied with on *Parcel A* as delineated on the attached Map 1:
 - (i) the minimum number of *parking spaces* that shall be provided and maintained, to serve the employees, residents and their visitors shall be in accordance with the following ratios;
 - (ii) a total of 0.3 parking spaces for each *dwelling unit*, of which 0.1 parking spaces for each *dwelling unit* will be for the use of visitors;
 - (iii) a minimum of 216 square metres of indoor *residential amenity space* shall be provided and maintained on *Parcel A*; and
 - (iv) a minimum of 216 square metres of outdoor *residential amenity space* shall be provided and maintained on *Parcel A*;
- (p) the following provisions are complied with on *Parcel B* as delineated on the attached Map 1:
 - (i) the minimum number of *parking spaces* that shall be provided and maintained, to serve the employees, residents and their visitors shall be in accordance with the following ratios:
 - (ii) 0.35 *parking space* for each *bachelor dwelling unit*;
 - (iii) 0.06 *parking space* for each *dwelling unit* for the use of visitors;

- (iv) 0.4 parking spaces per 100 square metres of *non-residential gross floor area*;
- (v) a minimum of 2,110 square metres of indoor *residential amenity space* shall be provided and maintained on *Parcel B*; and
- (vi) a minimum of 1,260 square metres of outdoor *residential amenity space* shall be provided and maintained on *Parcel B*; and
- (q) the provisions of this By-law shall apply collectively to this land, notwithstanding its future division into two or more parcels of land.

Enacted and passed on January 31, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)