

Authority: Toronto and East York Community Council Item TE25.9, as adopted by City of Toronto Council on July 4, 5, 6 and 7, 2017

## CITY OF TORONTO

### BY-LAW 821-2017

#### **To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2017 as 1177 Danforth Avenue.**

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 with respect to the lands known municipally in the year 2017 as 1177 Danforth Avenue; 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. Height and Minimum Lot Frontage Map 53H-321 contained in Appendix 'B' of *By-law 438-86*, as amended, is further amended in accordance with Map 2 forming part of this By-law.
2. Except as otherwise provided herein, the provisions of *By-law 438-86* shall continue to apply to the *lot*.
3. None of the provisions of Sections 2(1) with respect to the definitions of *grade and lot*, 4(2)(A), 4(3), 4(4)(B), 4(6)(B), 4(10)(A), 4(13)(A),(C), and (D), 4(14)(A), 8(3) Part I 1, 8(3) Part I 3(A), 8(3) Part II 1(B)(II), 8(3) Part II 4(A), 8(3) Part II 4(C)(I), 8(3) Part II 4(C)(III), 8(3) Part IV 2, and 8(3) Part XI 1 of *By-law 438-86*, shall apply to prevent the erection and use of a mixed-use building containing residential and non-residential uses on the lands shown on Map 1 attached hereto, including uses *accessory* thereto, provided:
  - (a) No part of any building or structure erected or used on the *lot* shall exceed the *heights* in metres as specified by the numbers following the symbol "H" shown on the attached Map 2, with the exception of the following:
    - i. Canopies, lightning rods, window washing equipment, satellite dishes, eaves, screens, landscape and ornamental features, trellises, cabanas, light fixtures, antennae, flag poles, elements of a bus stop, associated mechanical equipment overrun, elevator/stair overrun and garbage chute overruns may extend to a maximum of 4.0 metres beyond the height stipulated on Map 2;
    - ii. Wind mitigation, heating, cooling, or ventilation equipment, roof access, solar panels, mechanical exhausts, flues, fans, chimneys, and parapets around the mechanical elements on the rooftop may extend to a maximum of 2.0 metres beyond the height stipulated on Map 2;
    - iii. Terrace and balcony dividers/privacy screens may extend to a maximum of 2.5 metres beyond the height stipulated on Map 2;

- iv. Guardrails, railings, retaining walls, wheelchair ramps, roofing assembly and drainage, elements of green roof, parapets other than around the mechanical elements on the rooftop, cornices, balustrades, bollards, landscape and ornamental features may extend to a maximum of 1.5 metres beyond the height stipulated on Map 2;
- (b) no portion of any building or structure erected or used on the *lot*, above *grade* or above finished ground on the *lot*, shall be located other than wholly within the areas delineated by the building envelope on Map 2, with the exception of the following:
- i. Canopies, lightning rods, window washing equipment, satellite dishes, eaves, landscape and ornamental features, trellises, cabanas, light fixtures, antennae, flag poles, and Juliette balconies may extend to a maximum of 0.60 metres beyond the lines depicting building setbacks/stepbacks shown on Map 2;
  - ii. Cornices, lighting features, trellises, window sills, guardrails, balustrades, railings, vents, and balconies above a height of 14 metres may extend a maximum horizontal projection of 1.5 metres beyond the line depicting building setbacks/stepbacks shown on Map 2;
  - iii. Awnings, screens, and landscape and ornamental elements may extend a maximum horizontal projection of 3 metres beyond the line depicting building setbacks/stepbacks shown on Map 2;
  - iv. Elements of a bus stop along Greenwood Avenue may extend a maximum horizontal projection of 2 metres beyond the line depicting building setbacks/stepbacks shown on Map 2;
- (c) *Parking Spaces* shall be provided and maintained on the *lot* in the following manner on the site:
- i. A minimum of 0.5 *parking spaces* for each studio *dwelling unit*;
  - ii. A minimum of 0.5 *parking spaces* for each 1-bedroom *dwelling unit*;
  - iii. A minimum of 0.75 *parking spaces* for each 2-bedroom *dwelling unit*;
  - iv. A minimum of 0.75 *parking spaces* for each 3-bedroom *dwelling unit*;
  - v. A minimum of 0.75 *parking spaces* for each 2-level *dwelling unit*;
  - vi. A minimum of 0.06 visitor *parking spaces* for each *dwelling unit*;
  - vii. No *parking spaces* are required for the *non-residential gross floor area*;

- (d) *Bicycle parking spaces* may be provided in any combination of horizontal, vertical or stacked positions and shall be provided and maintained on the *lot* in the following manner on the site:
    - i. A minimum of 1.1 *bicycle parking spaces – occupant* shall be provided for each *dwelling unit*, and the spaces may be provided and maintained below *grade* on the *lot*;
    - ii. A minimum of 0.07 *bicycle parking spaces – visitor* shall be provided for each *dwelling unit* and shall be provided and maintained at *grade* on the *lot*;
  - (e) The total combined *residential gross floor area* and *non-residential gross floor area* erected or used on the *lot* shall not exceed 7,550 square metres, of which:
    - i. The total *residential gross floor area* erected or used on the *lot* shall not exceed 6,800 square metres, and 92 dwelling units;
    - ii. The total *non-residential gross floor area* erected or used on the *lot* shall not exceed 750 square metres;
    - iii. the maximum size for one (1) non-residential unit shall not exceed 550 square metres;
    - iv. Subsection 3(e)iii. shall not apply to a *retail store* that sells alcohol or groceries as its primary purpose;
  - (f) No portion of any *dwelling unit* erected or used on the *lot* shall be located below *grade* or within the ground floor of any building;
  - (g) One (1) type "G" loading space shall be provided and maintained for the use of buildings and structures erected on the *lot*.
4. Despite Section 4(12) of By-law 438-86, a minimum of 144 square metres of indoor *residential amenity space* shall be provided and maintained on the lot, provided that:
- (a) An indoor communal lounge is provided on the ground floor with a *residential gross floor area* of at least 42 square metres; and
  - (b) A minimum of 2 square metres of outdoor *residential amenity space* per *dwelling unit* shall be provided and must be contiguous with at least one of the rooms used as indoor *residential amenity space*;
  - (c) If (a) and (b) above are not provided, a minimum of 2 square metres of indoor *residential amenity space* per *dwelling unit* shall be provided in accordance with Section 4(12) of By-law 438-86.

5. None of the provisions of this By-law shall apply to prevent a *temporary sales office* on the *lot*.
6. Within the *lot*, no person shall use any land or erect or use any building or structure 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.
7. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
8. Notwithstanding the definitions provided in Section 2(1) of *By-law 438-86*, as amended, for the purposes of this By-law the following definitions will apply to the *lot* unless indicated otherwise in this By-law. Where italicized terms referred to in this By-law are not defined in this By-law, the definitions provided in Section 2(1) of *By-law 438-86*, will apply:
- i. "*grade*" means 115.90 metres Canadian Geodetic Datum;
  - ii. "*lot*" means the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
  - iii. "*temporary sales office*" means a *building* or *structure* used for the purpose of the sale of the first *dwelling units* to be erected on the *lot*.

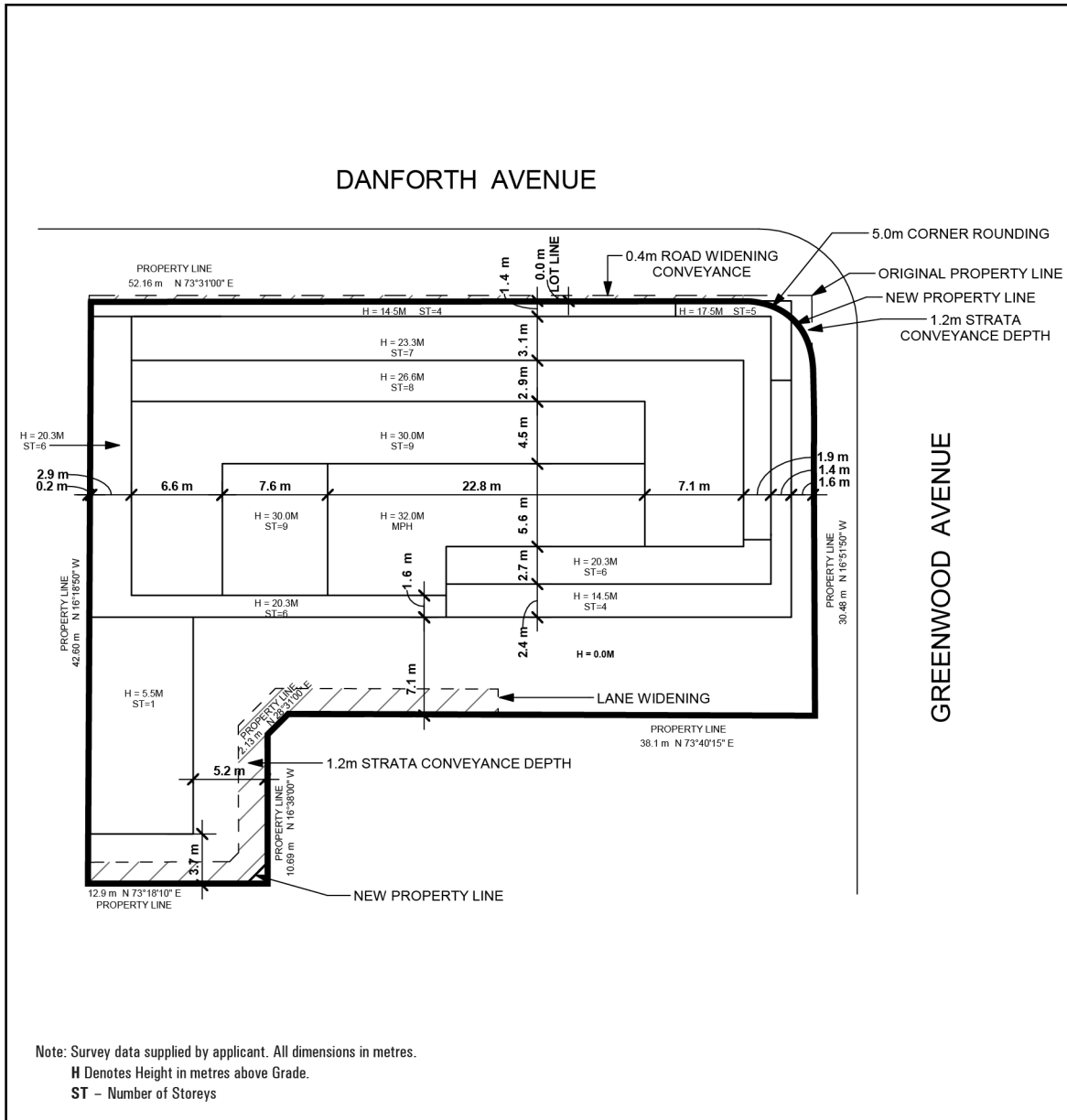
Enacted and passed on July 7, 2017.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)





1177 Danforth Avenue

File # 15 177455 STE 30 OZ

↑  
 City of Toronto By-Law 438-86  
 Not to Scale  
 6/23/2017