

Authority: Toronto and East York Community Council
Item TE21.3, as adopted by City of Toronto Council on
December 16, 17 and 18, 2020

CITY OF TORONTO

BY-LAW 30-2021

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2019 as 466-468 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 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. None of the provisions of Sections 4(2), 4(3), 4(4), 4(12), 4(13), 4(14), 8(2), and 8(3) of By-law 438-86 of former City of Toronto, being "A By-law to regulate the use of land and the reception, use, bulk, height, spacing of and other matters relating to building and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structure 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, provided that:
 - a. the *lot* comprises the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - b. the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* shall not exceed a maximum of 3,400 square metres;
 - c. the *residential gross floor area* on the *lot* shall not exceed a maximum of 2,400 square metres;
 - d. the *non-residential gross floor area* on the *lot* shall not exceed a maximum of 1,150 square metres;
 - e. The maximum combined *residential gross floor area* and *non-residential gross floor area* of the level located above the first *storey* must not exceed 350 square metres;
 - f. The maximum combined *residential gross floor area* and *non-residential gross floor area* of the level located above the first **storey** must not exceed 300 square metres if that level includes indoor *residential amenity space* that is excluded from the *residential gross floor area*;
 - g. The combined *non-residential gross floor area* of all, *clubs, concert halls, places of amusement, places of assembly, restaurants, and take-out restaurants*, on the lands shall not exceed 400 square metres;

- h. the following equipment and *structures* located on the roof of a building may exceed the permitted maximum *height* as follows:
- i. equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment, to maximum of 4.0 metres within the MP1 area shown on Map 2 of this By-law and to a maximum of 3.5 metres within the MP2 area shown on Map 2;
 - ii. structures or parts of the building used for the functional operation of the building, such as enclosed residential stairwells, roof access elements, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities, to maximum of 4.0 metres within the MP1 area shown on Map 2 of this By-law and to a maximum of 3.5 metres within the MP2 area shown on Map 2;
 - iii. structures that enclose, screen or cover the equipment, structures and parts of a building listed in (i) and (ii) above, to a maximum of 4.0 metres within the MP1 and MP2 areas shown on Map 2;
 - iv. wind, privacy and acoustic mitigation screens, balcony and terrace dividers, awnings, window washing equipment, lighting rods, light fixtures, to a maximum of 3 metres;
 - v. parapets, guard rails, railings, planters, skylights, screens, , vents, flues, solar panels and outdoor electrical and mechanical rooftop equipment to a maximum of 1.5 metres; and
 - vi. architectural features, elements of a green roof, decks, roof access, wheelchair ramps, roof drainage systems, roof ballast, thermal insulation and pavers to a maximum of 1 metre;
- i. equipment, *structures* or parts of a *building* exceeding the permitted maximum height for a building, as permitted by (h)(i), (ii) and (iii) above, must be located entirely within the mechanical penthouse areas labeled MP1 and MP2 as shown on Map 2;
- j. no portion of any *building* or *structure* erected on the *lot* shall be located otherwise than wholly within the heavy lines identified on Map 2 attached to and forming part of this by-law, with the exception of the following:
- i. light fixtures, cornices, ornamental elements, cladding, parapets, eaves, window sills, guardrails, privacy fins and associated structures may extend beyond the heavy lines shown on Map 2 of this By-law to a maximum of 0.5 metres;
 - ii. balconies attached to the rear main wall to a maximum of 1.5 metres; and

- iii. awnings, ramps and canopies and associated structures may extend beyond the heavy lines shown on Map 2 of this By-law to a maximum of 2.0 metres;
- k. Vehicle *parking spaces* may be located in a parking stacker, meaning a mechanical motor vehicle parking facility, which may be an automated system with *parking spaces* that:
 - i. are positioned above each other and/or adjacent to each other;
 - ii. have dimensions of not less than 2.4 metres by 5.1 metres;
 - iii. may not be readily accessible at all times without maneuvering another vehicle or platform; and
 - iv. mechanical support or automation structures adjacent to the *parking spaces* are not considered an obstruction;
- l. Vehicle *parking spaces* shall be provided on the *lot* in accordance with the following minimum requirements:
 - i. **9 parking spaces** for residents of the **dwelling units**;
 - ii. **0 parking spaces** for residential visitors; and
 - iii. **0 parking spaces** for non-residential uses;
- m. *Bicycle parking spaces* shall be provided on the *lot* in accordance with the following:
 - i. a minimum of 0.9 spaces per *dwelling unit* of *bicycle parking spaces - occupant* which must be located within a secure room(s) on the basement, ground floor, and/or the level immediately above the first storey; and
 - ii. a minimum of 4 *bicycle parking spaces – visitor*, which must be located at ground level;
- n. *Residential amenity space* must be provided in accordance with the following:
 - i. a minimum of 60 square metres of indoor *residential amenity space* must be provided; and
 - ii. a minimum of 7.4 square metres of outdoor *residential amenity space* must be provided;

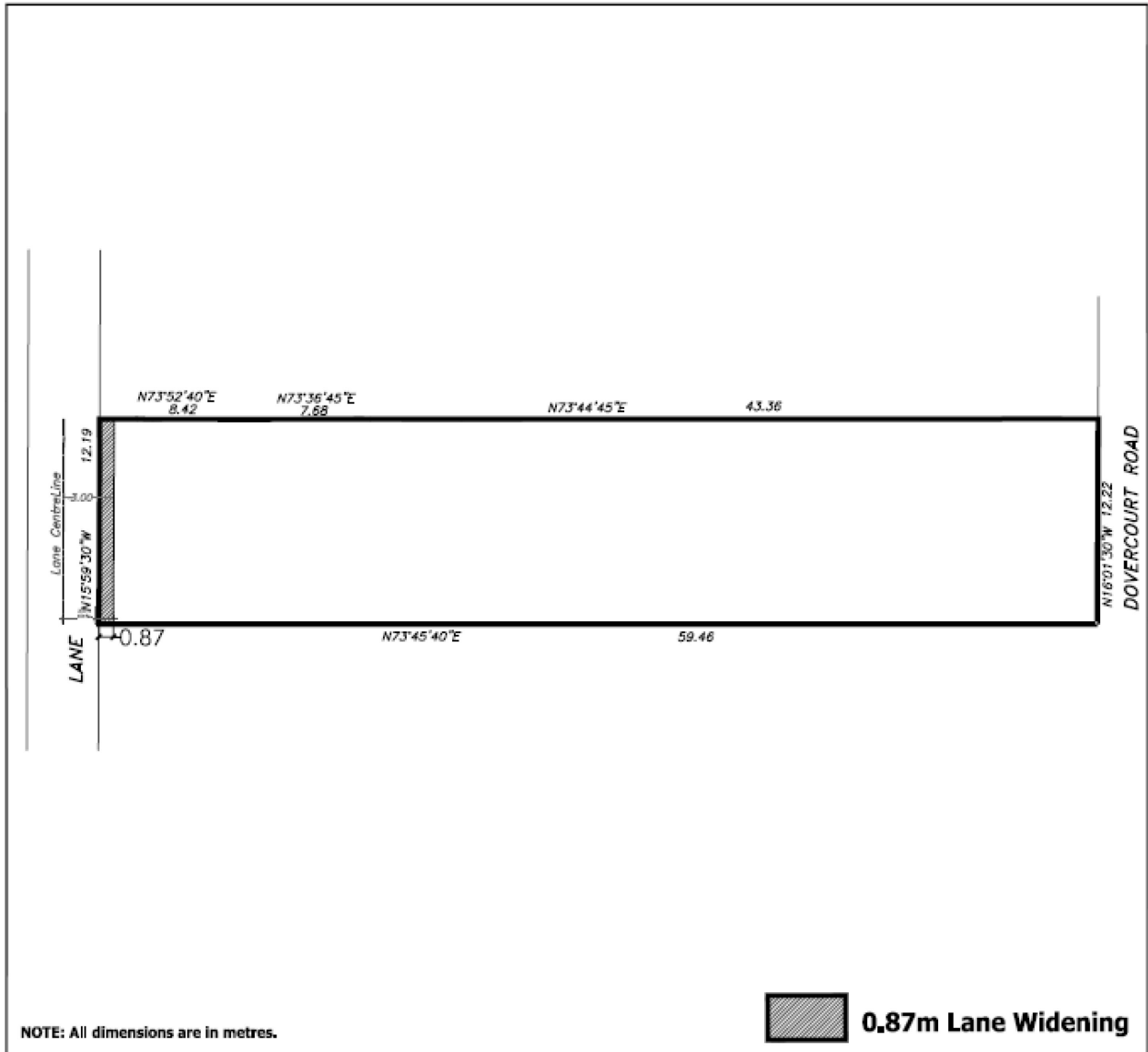
- o. The *building* or *structure* shall be set back 3.0 metres from the centreline of the public lane; and
 - p. a *building* may be setback 0 metres from a lot line in a residential district.
2. None of the provisions of Zoning By-law 438-86, as amended, or this By-law shall apply to prevent a *temporary sales office* on the *lot*.
3. For the purposes of this By-law, all italicized words and expressions have the same meaning as defined in By-law 438-86, as amended, with the exception of the following:
- a. "*grade*" means 105.88 metres Canadian Geodetic Datum;
 - b. "*gross floor area*" shall mean the gross floor area of a mixed use building is reduced by the area in the building used for:
 - i. parking, loading and bicycle parking below-ground;
 - ii. required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
 - iii. storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - iv. shower and change facilities required by this By-law for required bicycle parking spaces;
 - v. amenity space required by this By-law;
 - vi. elevator shafts;
 - vii. garbage shafts;
 - viii. mechanical penthouse; and
 - ix. exit stairwells in the building;
 - c. "*height*" means the vertical distance between *grade* and the highest point of the roof of any building on the *lot*, except for those elements prescribed by this By-law;
 - d. "*lot*" shall refer to those lands delineated by a heavy black line on Map 1, attached to and forming part of this By-law; and
 - e. Notwithstanding any 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 had occurred.

Enacted and passed on February 5, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)



TORONTO City Planning Division

466-468 Dovercourt Road, Toronto

Map 1

File #19 _____

Not to Scale



