

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 31-2021

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 466-468 Dovercourt Road.

Whereas authority is given to the Council of a municipality by Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass Zoning By-laws;

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 Council of the City of Toronto, at its meeting on December 16, 17 and 18, 2020, determined to amend the City of Toronto Zoning By-law 569-2013 with respect to lands known municipally in the year 2019 as 466-468 Dovercourt Road;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black 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 amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CR 3.0 (c1.0; r2.5) SS2 (x292), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Exception CR 292 to Article 900.11.10 so that it reads:

Exception CR 292

The lands are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 466-468 Dovercourt Road, a **mixed-use building** may be constructed in compliance with (B) to (V) below;
- (B) Despite Regulation 40.10.20.100, the total **interior floor area** of **recreation uses** and **retail service** on the lands must not exceed 1,150 square metres;
- (C) Despite Regulation 40.10.40.1(1), **dwelling units** must be located above non-residential use portions of the **building**;

- (D) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 105.88 metres and the elevation of the highest point of the **building** or **structure**;
- (E) Despite Regulation 40.10.40.10(1) and (2), no portion of any building or structure on the lands may have a **height** greater than the **height** in metres specified by the number following the "HT" symbol as shown on Diagram 3 of By-law 31-2021;
- (F) Despite Regulation 40.10.40.10(5) and Article 800.50(820), for the purpose of this exception, there may be two levels within the minimum height required by Regulation 40.10.40.10(5);
- (G) Despite 40.5.40.10(5) and (E) above, the following equipment and **structures** located on the roof of a building may exceed the permitted maximum height as follows, subject to (H) below:
- (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 area labelled "MP1" and to a maximum of 3.5 metres within the area labelled "MP2" as shown on Diagram 3 of By-law 31-2021;
 - (ii) **structures** or parts of the **building** used for the functional operation of the building, such as enclosed stairwells, roof access elements, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities, to a maximum of 4.0 metres within the area labelled "MP1" and to a maximum of 3.5 metres within the area labelled "MP2" as shown on Diagram 3 of By-law 31-2021;
 - (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 areas labelled "MP1" and "MP2" as shown on Diagram 3 of By-law 31-2021;
 - (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, vents, flues, solar power panels and outdoor electrical and mechanical rooftop equipment to a maximum of 1.5 metres; and
 - (vi) architectural features, roof access, elements of a green roof, wheelchair ramps, roof drainage systems, roof ballast, thermal insulation, decks and pavers, to a maximum of 1 metre;
- (H) Despite Regulation 40.5.40.10(5), equipment, **structures** or parts of a **building** exceeding the permitted maximum height for a building, as permitted by (G)(i),

- (ii) and (iii) above, must be located entirely within the mechanical penthouse areas labeled "MP1" and "MP2" as shown on Diagram 3 of By-law 31-2021;
- (I) Despite Regulation 40.10.40.40(1), the **gross floor area** of all **buildings** and **structures** on the lands must not exceed 3,400 square metres, provided:
- (i) The maximum residential **gross floor area** on the lands must not exceed 2,400 square metres;
 - (ii) The maximum non-residential **gross floor area** on the lands must not exceed 1,150 square metres;
 - (iii) The maximum **gross floor area** of the level located above the first **storey** must not exceed 350 square metres; and
 - (iv) The maximum **gross floor area** of the level located above the first **storey** must not exceed 300 square metres if that level includes indoor **amenity space** that is excluded from the **gross floor area**;
- (J) Despite Regulations 40.10.40.70(2) and 40.5.40.70(1)(B), the the required minimum **building** setbacks must be provided as shown in metres on Diagram 3 of By-law 31-2021;
- (K) Despite Clause 40.10.40.60 and (J) above, the following building elements may encroach into the required minimum **building** setbacks as follows:
- (i) light fixtures, cornices, ornamental elements, cladding, parapets, eaves, window sills, guardrails, privacy fins and associated structures 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 to a maximum of 2.0 metres;
- (L) A **building** that includes **dwelling units** must include a minimum 10 percent three-bedroom **dwelling units** and a minimum 20 percent two-bedroom **dwelling units**;
- (M) Despite Regulation 40.10.40.1(6)(A), the pedestrian access for the **lot** may be within 6 metres from a **lot** in the Residential Zone category;
- (N) Despite Regulation 40.10.40.50(1), **amenity space** must be provided in accordance with the following:
- (i) a minimum 60 square metres of indoor **amenity space**; and
 - (ii) a minimum 7.4 square metres of outdoor **amenity space**;

- (O) Regulation 40.10.40.80.(2), with respect to separation of building walls, does not apply;
- (P) Despite Regulations 40.10.50.10(1) and 40.10.50.10(3), soft landscaping is not required adjacent to the **lot line** abutting a Residential Zone Category;
- (Q) Despite Regulation 40.10.50.10(2), a fence is not required along the portion of a **lot line** abutting a **lot** in a Residential Zone category;
- (R) Despite Article 200.5.10, **Parking spaces** may be located in 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 5.1 metres long, 2.4 metres wide and 1.7 metres in height, provided they are located in a parking stacker;
 - (iii) may not be readily accessible at all times without maneuvering another vehicle or platform; and
 - (iv) despite Regulation 200.5.1.10(2), mechanical support or automation structures adjacent to the **parking space** are not considered an obstruction;
- (S) Despite Regulations 200.5.1(2), 200.5.1.10(1) and 200.5.10.1(1), vehicle **parking spaces** must be provided and maintained in accordance with the following minimum requirements:
 - (i) **9 parking spaces** for residents of the **dwelling units**;
 - (ii) **no parking spaces** for residential visitors; and
 - (iii) **no parking spaces** for non-residential uses;
- (T) Despite Regulation 200.15.10(1), **accessible parking spaces** are not required;
- (U) Despite Regulations 230.5.10.1(1), (2) and (5), **bicycle parking spaces** must be provided on the lands as follows:
 - (i) a minimum of 0.9 spaces per **dwelling unit** as long-term **bicycle parking spaces** for residential occupants, which must be located within a secure room(s) in the basement, ground floor, and/or the level immediately above the first **storey**; and
 - (ii) a minimum of 4 short-term **bicycle parking spaces** for residential visitors, non-residential occupants, and non-residential visitors, which must be located at ground level;

- (V) None of the provisions of this By-law or By-law 569-2013 shall apply to prevent a **sales office** used for the initial sale of **dwelling units** to be located on the lands;

Prevailing By-law and Prevailing Sections:

- (A) These premises must comply with Exception 900 11.10(2), unless there is a conflict with the Site Specific Provisions above, in which case the Site Specific Provisions prevail;
- (B) Section 12(2) 68 of former City of Toronto By-law 438-86, unless there is a conflict with the Site Specific Provisions above, in which case the Site Specific Provisions prevail; and
- (C) Section 12(2) 270(a) of former City of Toronto By-law 438-86, unless there is a conflict with the Site Specific Provisions above, in which case the Site Specific Provisions prevail.
5. Despite any existing or future consent, severance, partition or division of the lands, the provisions of this By-law will apply to the whole of the lands as if no consent, 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)



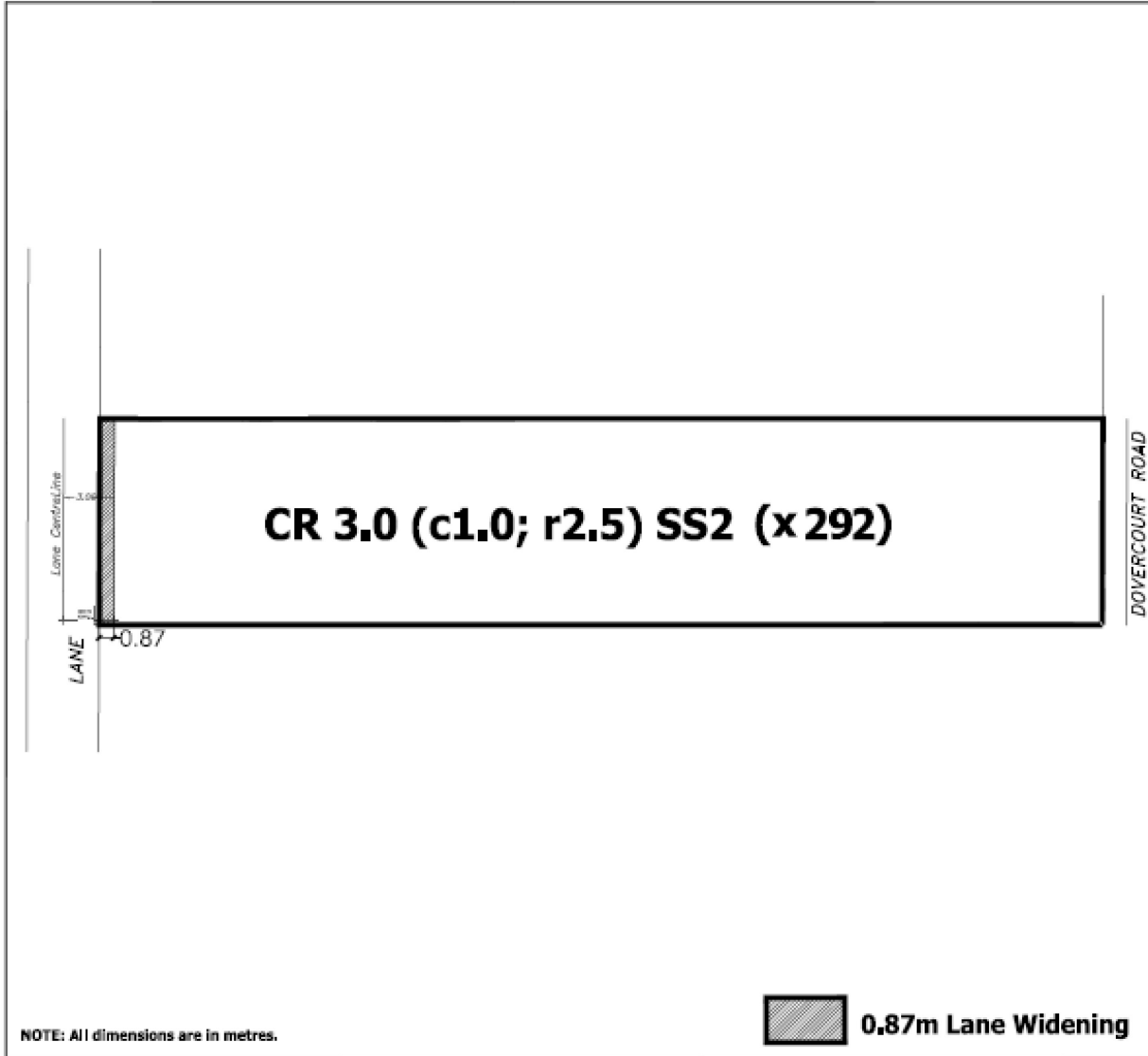
466-468 Dovercourt Road, Toronto

Diagram 1

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Not to Scale





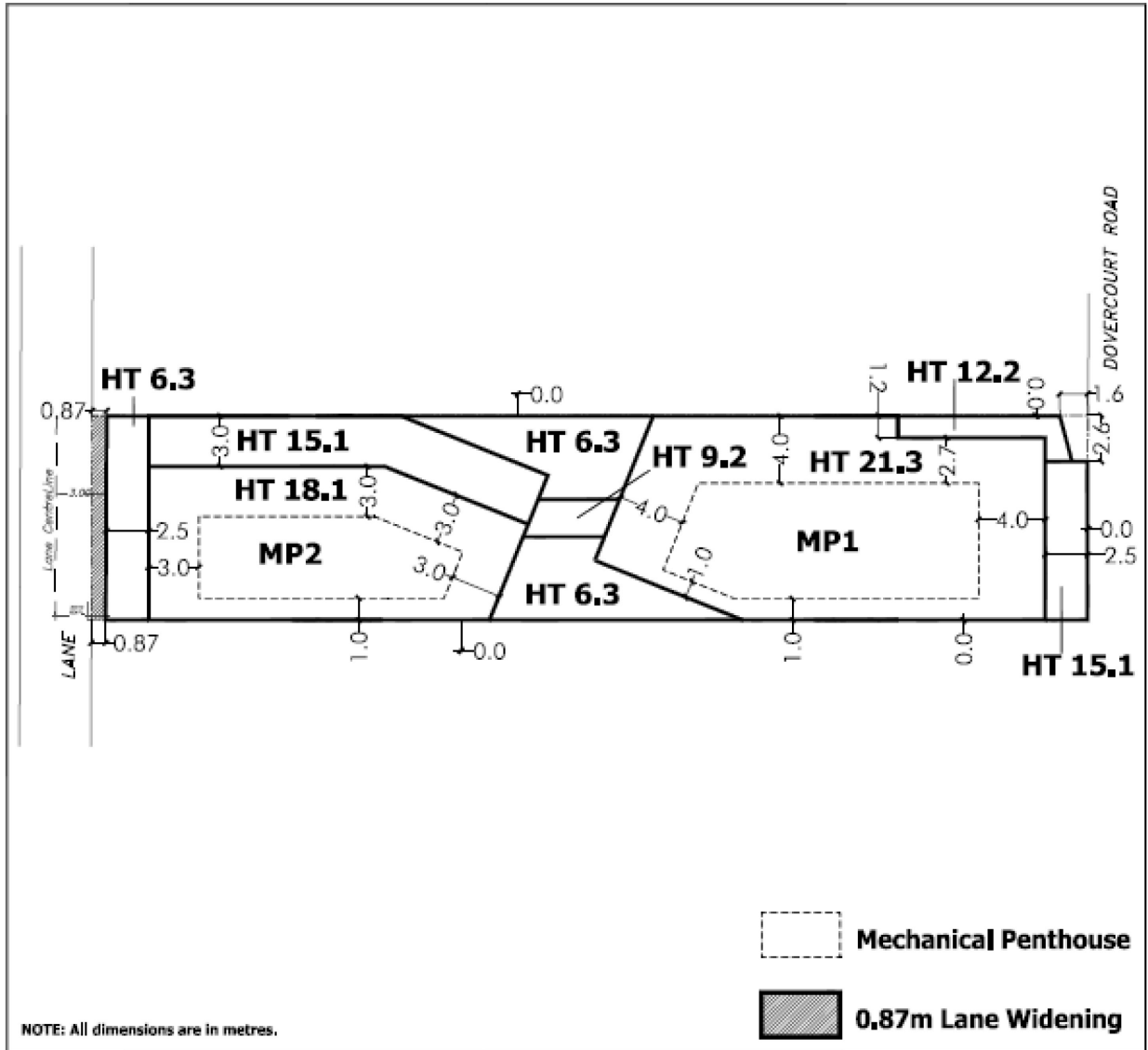
466-468 Dovercourt Road, Toronto

Diagram 2

File #19 _____

Not to Scale





466-468 Dovercourt Road, Toronto

Diagram 3

File #20 _____

Not to Scale

