CITY OF TORONTO

BY-LAW No. 1033-2014

To amend Zoning By-law No. 569-2013, respecting all of the lots located on the north side of Davenport Road, between and including the lots municipally known in the year 2014 as 142 Davenport Road and 202 Davenport Road.

Whereas the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, with respect to all of the lots located on the north side of Davenport Road, between and including the lots municipally known in the year 2014 as 142 Davenport Road and 202 Davenport Road; and

Whereas the Council of the City of Toronto conducted a public meeting under Section 34 of the Planning Act regarding the proposed Zoning By-law amendment;

The Council of the City of Toronto enacts:

1. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

2. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.11.10 Exception number 2379, by adding under the heading 'Site Specific' the following, so that it reads:

Site Specific Provisions:

(A) Despite 40.5.40.10(4), equipment and structures located on the roof of a building:

(i) may exceed the permitted maximum height for that building by a maximum of 3.0 metres only, instead of by the 5.0 metres permitted by 40.5.40.10(4); and

(ii) may not penetrate a 45 degree angular plane projected over the lot from the rear lot line starting at a height equal to the average elevation of the ground along the rear lot line;

(B) In addition to the requirements of 40.5.40.10(5)(A) and (B), equipment, structures or parts of a building exceeding the permitted maximum height for a building must also be set back at least 3.0 metres from the interior face of the main wall facing the front lot line;

(C) In addition to the requirements of 40.5.40.10(6), unenclosed structures providing safety or wind protection to rooftop amenity space:

(i) must be set back at least 3.0 metres from the interior face of the main wall facing the front lot line; and
(ii) may not penetrate a 45 degree angular plane projected over the lot from the rear lot line starting at a height equal to the average elevation of the ground along the rear lot line;

(D) The maximum height of a main wall facing the front lot line is 7.5 metres measured from the average elevation of the ground along the front lot line;

(E) Despite 40.10.40.70(2)(A) for a building constructed after May 9, 2013, if it is on a lot that is:

(i) beside one lot in the CR zone, which has a building fronting on Davenport Road, the required minimum front yard setback for that building constructed after May 9, 2013, is the front yard setback of the building located on the abutting lot; and

(ii) between two abutting lots in the CR zone, each of which have a building fronting on Davenport Road, the required minimum front yard setback for that building constructed after May 9, 2013, is the average of the front yard setbacks of those buildings located on the two abutting lots;

(F) Despite 40.10.40.70(2)(E) a building may not penetrate a 45 degree angular plane projected over the lot from the rear lot line starting at a height equal to the average elevation of the ground along the rear lot line;

(G) Despite 40.10.40.70(5) building setbacks apply above and below ground; and

(H) Despite 40.5.40.40, the gross floor area of a building may be reduced only to a maximum of 50% of the floor area of the basement and the floor space index of a building may be reduced only to a maximum of 50% of the floor area of the basement divided by the area of the lot.

3. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.11.10 Exception number 2380, by adding under the heading 'Site Specific' the following, so that it reads:

Site Specific Provisions:

(A) Despite 40.5.40.10(4), equipment and structures located on the roof of a building:

(i) may exceed the permitted maximum height for that building by a maximum of 3.0 metres only, instead of by the 5.0 metres permitted by 40.5.40.10(4); and

(ii) may not penetrate a 45 degree angular plane projected over the lot from the rear lot line starting at a height equal to the average elevation of the ground along the rear lot line;
(B) In addition to the requirements of 40.5.40.10(5)(A) and (B), equipment, structures or parts of a building exceeding the permitted maximum height for a building must also be set back at least 3.0 metres from the interior face of the main wall facing the front lot line;

(C) In addition to the requirements of 40.5.40.10(6), unenclosed structures providing safety or wind protection to rooftop amenity space:

(i) must be set back at least 3.0 metres from the interior face of the main wall facing the front lot line; and

(ii) may not penetrate a 45 degree angular plane projected over the lot from the rear lot line starting at a height equal to the average elevation of the ground along the rear lot line;

(D) The maximum height of a main wall facing the front lot line is 7.5 metres measured from the average elevation of the ground along the front lot line;

(E) Despite 40.10.40.70(2)(A) for a building constructed after May 9, 2013, if it is on a lot that is:

(i) beside one lot in the CR zone, which has a building fronting on Davenport Road, the required minimum front yard setback for that building constructed after May 9, 2013, is the front yard setback of the building located on the abutting lot; and

(ii) between two abutting lots in the CR zone, each of which have a building fronting on Davenport Road, the required minimum front yard setback for that building constructed after May 9, 2013, is the average of the front yard setbacks of those buildings located on the two abutting lots;

(F) Despite 40.10.40.70(2)(E) a building may not penetrate a 45 degree angular plane projected over the lot from the rear lot line starting at a height equal to the average elevation of the ground along the rear lot line;

(G) Despite 40.10.40.70(5) building setbacks apply above and below ground; and

(H) Despite 40.5.40.40, the gross floor area of a building may be reduced only to a maximum of 50% of the floor area of the basement and the floor space index of a building may be reduced only to a maximum of 50% of the floor area of the basement divided by the area of the lot.

Enacted and passed on August 28, 2014.

Frances Nunziata,                               Ulli S. Watkiss,
Speaker                                        City Clerk

(Seal of the City)