

Authority: Toronto and East York Community Council Item TE18.1, as adopted by City of Toronto Council on October 5, 6 and 7, 2016

## CITY OF TORONTO

### BY-LAW No. 1083-2016

#### To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 45 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. Except as otherwise provided herein, the provisions of Zoning By-law 438-86, as amended, continue to apply to the *lot*.
2. District Map No. 49G-322 contained in Appendix "A" of Zoning By-law 438-86, as amended, 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 of use of certain buildings and structures in various areas of the City of Toronto", is further amended by redesignating the *lot* from "I2 D3" to "RA" on Appendix "A" as outlined on Map 1 attached hereto and forming part of this By-law.
3. Height and Minimum Lot Frontage Map District Map No. 49G-322 contained in Appendix "B" of By-law 438-86, as amended, is further amended in accordance with Map 2 attached hereto and forming part of this By-law.
4. None of the provisions of Sections: 2(1) with respect to the definitions of "*bicycle parking space - occupant*", "*bicycle parking space - visitor*", "*grade*", "*height*" and "*lot*" and Sections 4(2), 4(4), 4(12), 4(14), 4(16), 4(17), 7(2), 7(3) Part II 1-7, and 7(3) Part IV III of By-law 438-86, of the former City of Toronto, 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, apply to prevent the erection or use of an *apartment building* on the *lot*, provided that the provisions of this By-law are complied with:
  - (a) The lot on which the building is to be located comprises those lands delineated by a heavy line on Map 1, attached to and forming part of this By-law;
  - (b) Any portion of a building or structure erected or used above *grade* on the *lot* must be located wholly within the *building envelope*, with the exception of the following:
    - (i) Canopies, awnings, cornices, vents, light fixtures, guardrails, porches, terraces, partitions, privacy screens, doors, balustrades, ornamental or

architectural elements, trellises, eaves, parapets, window sills, ventilation and mechanical air shafts or equipment, safety or wind protection purposes, landscape and green roof elements, solar panels, planters, landscape features, all of which may project to a maximum of 1.5 metres beyond the heavy lines shown on Map 2 other than lot boundary lines; and

- (ii) balconies located on the north side of the building, provided they extend no more than 1.5 metre from the wall to which they are attached as shown on Map 2;
- (c) The height of the building on the lot may not exceed the maximum heights as shown on Map 2 attached to and forming part of the By-law;
- (d) A maximum of 25 *dwelling units* are permitted on the *lot*;
- (e) The maximum *residential gross floor area* permitted on the *lot* is 3,000 square metres;
- (f) *Non-residential gross floor area* is not permitted on the *lot*;
- (g) A minimum of 24 *parking spaces* must be provided on the lot;
- (h) No *parking spaces* are required for visitors or non-residential uses;
- (i) Ingress and egress to and from the parking facility must have a minimum width of 5.8 metres and may not be obstructed;
- (j) A minimum of 26 *bicycle parking spaces* must be provided for the lot, to consist of:
  - (i) A minimum of 23 *bicycle parking space - occupant* and located below *grade* in a secured room; and
  - (ii) A minimum of 3 *bicycle parking spaces - visitor* located on the lot or on the public right-of-way adjacent to the *lot*;
- (k) A minimum of 50 square metres of indoor *residential amenity space* must be provided within the building in a multi-purpose room containing a kitchen and a washroom;
- (l) Each *dwelling unit* must maintain an outdoor balcony or terrace with a minimum area of 8 square metres provided that a maximum of 4 balconies may have a minimum area of 5 square metres each;
- (m) None of the provisions of Zoning By-law 438-86 apply to prevent a *temporary sales office* on the *lot*;

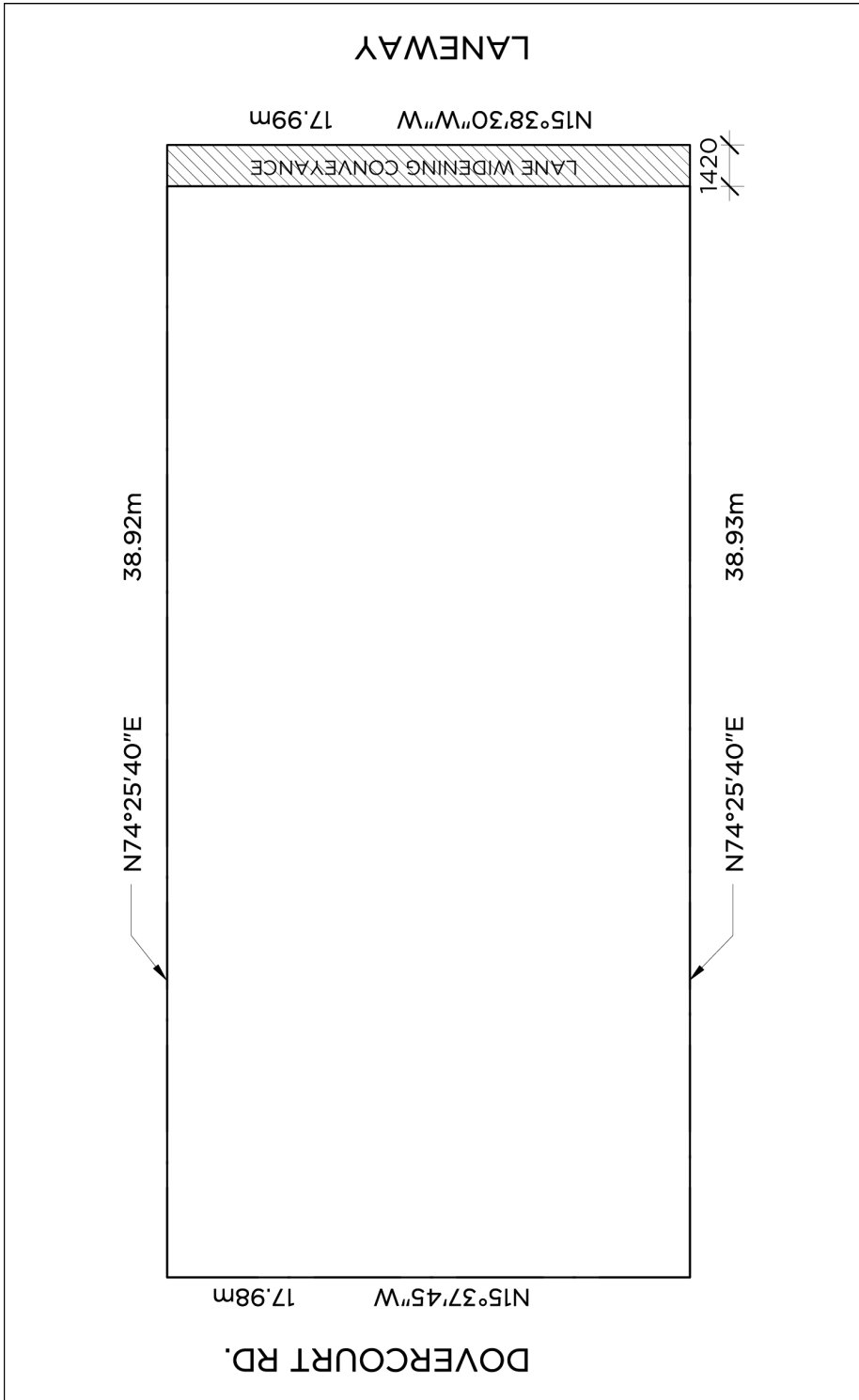
- (n) The uses listed and qualifications in the RA zone by Section 7(1)(f) of the Zoning By-law 438-86, as amended, are permitted with the exception of the following:
- (i) An entertainment facility is not permitted.
5. For the purposes of this By-law each word or expression that is italicized in this By-law has the same meaning as each such word or expression as defined by the said By-law 438-86, as amended, except for the following:
- (a) "*bicycle parking space - occupant*" means an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles:
- (i) where the bicycles are to be stacked and parked horizontally, these *bicycle parking spaces* must have horizontal dimensions of at least 0.4 metres by 1.8 metres and a vertical dimension of at least 1.9 metres; and
- (b) "*bicycle parking space - visitor*" means an area that is equipped with a bicycle rack or *stacked bicycle parking device*;
- (c) "*grade*" means 89.9 metres Canadian Geodetic Datum;
- (d) "*height*" means the height above *grade* as shown on Map 2;
- (e) "*lot*" means the whole of the lands delineated by the heavy line on Map 1, attached to and forming part of this By-law; and
- (f) "*temporary sales office*" means a building, structure, facility or trailer on the *lot* used exclusively for the initial sales of *dwelling units* to be erected on the *lot*.
6. Within the lands shown on Map 1 attached to this By-law, no person may 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.

Enacted and passed on November 9, 2016.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



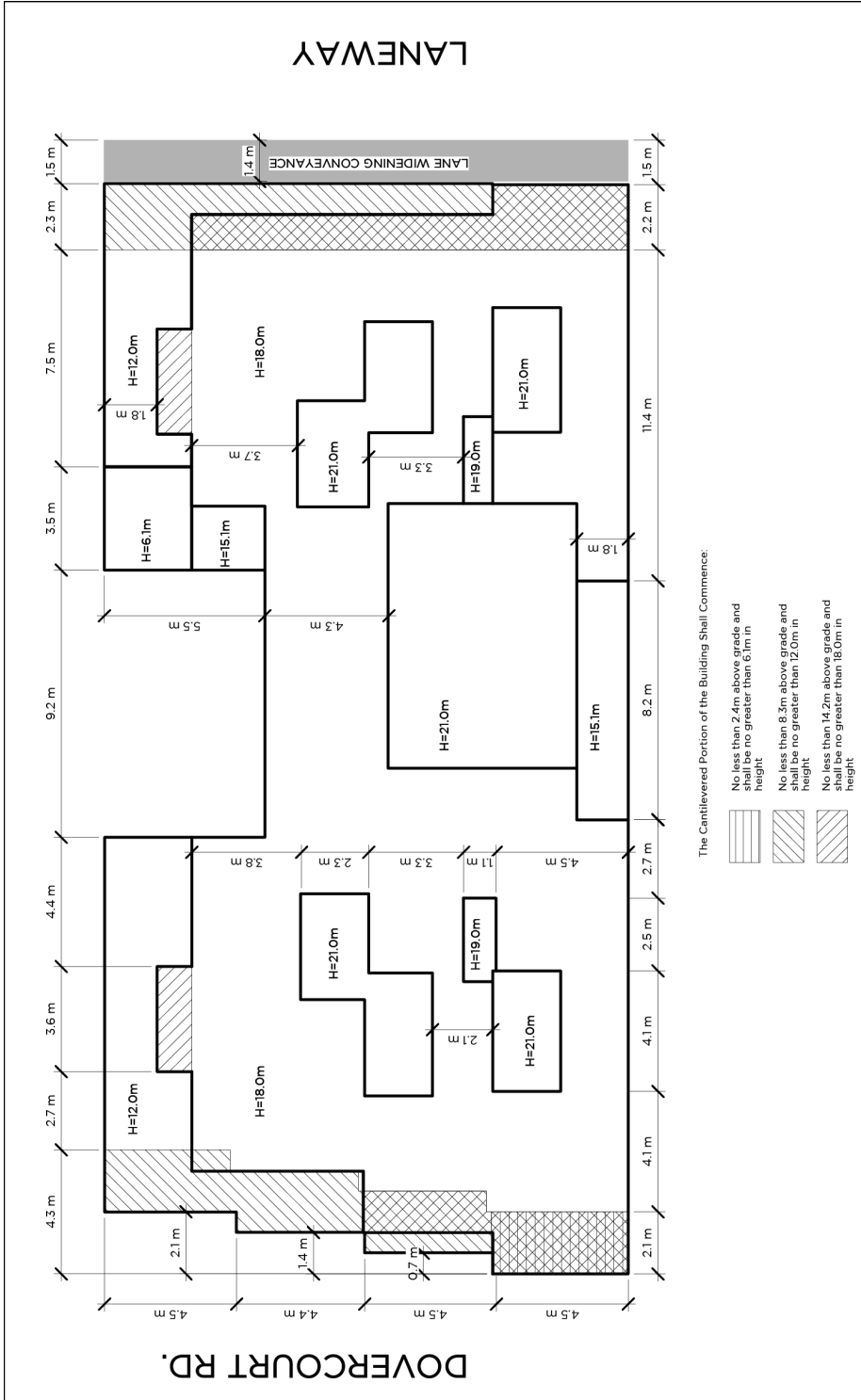
**Toronto**  
Map 1

45 Dovercourt Road

File # 15 177235 STE 19 0Z



City of Toronto By-Law 438-86  
Not to Scale  
09/02/2016



45 Dovercourt Road

File # 15 177235 STE 19 0Z



City of Toronto By Law 438-86  
Not to Scale  
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TORONTO  
Map 2