

Authority: Toronto and East York Community Council Item TE19.10, as adopted by City of Toronto Council on November 8 and 9, 2016

CITY OF TORONTO

BY-LAW No. 1250-2016

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2016 as 1030 Danforth Avenue.

Whereas authority is given to Council of the City of Toronto 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 the lands known municipally in the year 2016 as 1030 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. Except as otherwise provided herein, the provisions of *By-law No. 438-86*, as amended, shall continue to apply to the *lot*.
2. None of the provisions of Sections 4(2)(a), 4(6)(b), 4(10)(d), 4(12), 4(14), 4(16), 4(17), 8(3)Part I, 8(3)Part III(b) and 4, 8(3)Part IV 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, shall apply to prevent the erection or use of an 8-storey *mixed-use building* on the *lot* provided that:
 - (a) the *lot* on which the proposed building is to be located comprises at least those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - (b) no above grade portion of any building or structure is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law;
 - (c) the height of any building or structure, as measured from *grade*, does not exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law;
 - (d) notwithstanding Section 5(b) and 5(c) of this By-law, the following building elements and structures are permitted to extend beyond the heavy lines and building envelopes, and above the *heights* shown on Map 2:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
Eaves, cornices, window sills, vents, ornamental elements, lighting fixtures, guardrails, balustrades, stairs, railings, wheelchair ramps, landscape and greenroof elements	Required setback from <i>lot</i> line	0.4 metres	none
Canopy	South elevation first floor only	2.5 metres	
Parapets	Maximum height	1.0 metres	none
Trellis, guardrails, balustrades, stairs, railings, balcony dividers, landscape and greenroof elements, and elevator overrun	Maximum height	1.8 metres	
Mechanical equipment	Maximum height	2.0 metres	Setback a minimum of 2.0 metres from the interior face of the main wall as shown on Map 2
Living wall	Maximum height	3.0 metres	In the rear yard only
Planters and balcony	Storey 4	0.5 metres	On the north side of the building only up to 1.3 metres high
Planters	Storeys 5, 6, 7 and 8	0.0	On the north side of the building only up to 1.3 metres high

- (e) the number of *dwelling units* shall not exceed 53;
- (f) terraces and balconies are not permitted on storeys 2 and 3 of the north elevation;
- (g) the total combined *residential gross floor area* and *non-residential gross floor area* erected on the *lot* does not exceed 5,050 square metres;
- (h) the *residential gross floor area* of the building erected on the *lot* does not exceed 4,410 square metres;
- (i) the *non-residential gross floor area* of the building erected on the *lot* does not exceed 640 square metres;

- (j) the minimum number of non-residential units shall be 3;
 - (k) the maximum *non-residential gross floor area* of a non-residential unit shall be 265 square metres;
 - (l) a minimum of 131 square metres of indoor *residential amenity space* and 32 square metres of outdoor *residential amenity space* is provided and maintained on the *lot*;
 - (m) provide and maintain a minimum of one *loading space - type G*;
 - (n) none of the provisions of By-law 438-86, as amended, shall apply to prevent the erection or use of a *temporary sales office* on the *lot*;
 - (o) minimum vehicle parking space requirements shall be consistent with the following ratios:
 - (i) 0.5 vehicle parking spaces - *occupant* for every bachelor and one bedroom *dwelling unit*;
 - (ii) 0.75 vehicle parking spaces - *occupant* for every two and three bedroom *dwelling unit*;
 - (iii) 0.06 vehicle parking spaces - *visitor* for every residential *dwelling unit*;
 - (iv) 1 vehicle parking space per 100 square metres of net floor area - non-residential; and
 - (v) 1 residential visitor parking space shall be 3.9 metres by 5.6 metres;
 - (p) parking garage access ramps shall have a minimum width of 5.5 metres;
 - (q) interior drive aisles shall have a minimum width of 6.0 metres;
 - (r) parking spaces may be 2.6 metres wide when adjacent to a wall;
 - (s) minimum bicycle parking space requirements shall be consistent with the following ratios:
 - (i) 0.5 bicycle parking spaces - *occupant* for every residential *dwelling unit*; and
 - (ii) 0.1 bicycle parking spaces - *visitor* for every residential *dwelling unit*.
3. For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86 of the former City of Toronto, as amended, with the exception of the following:

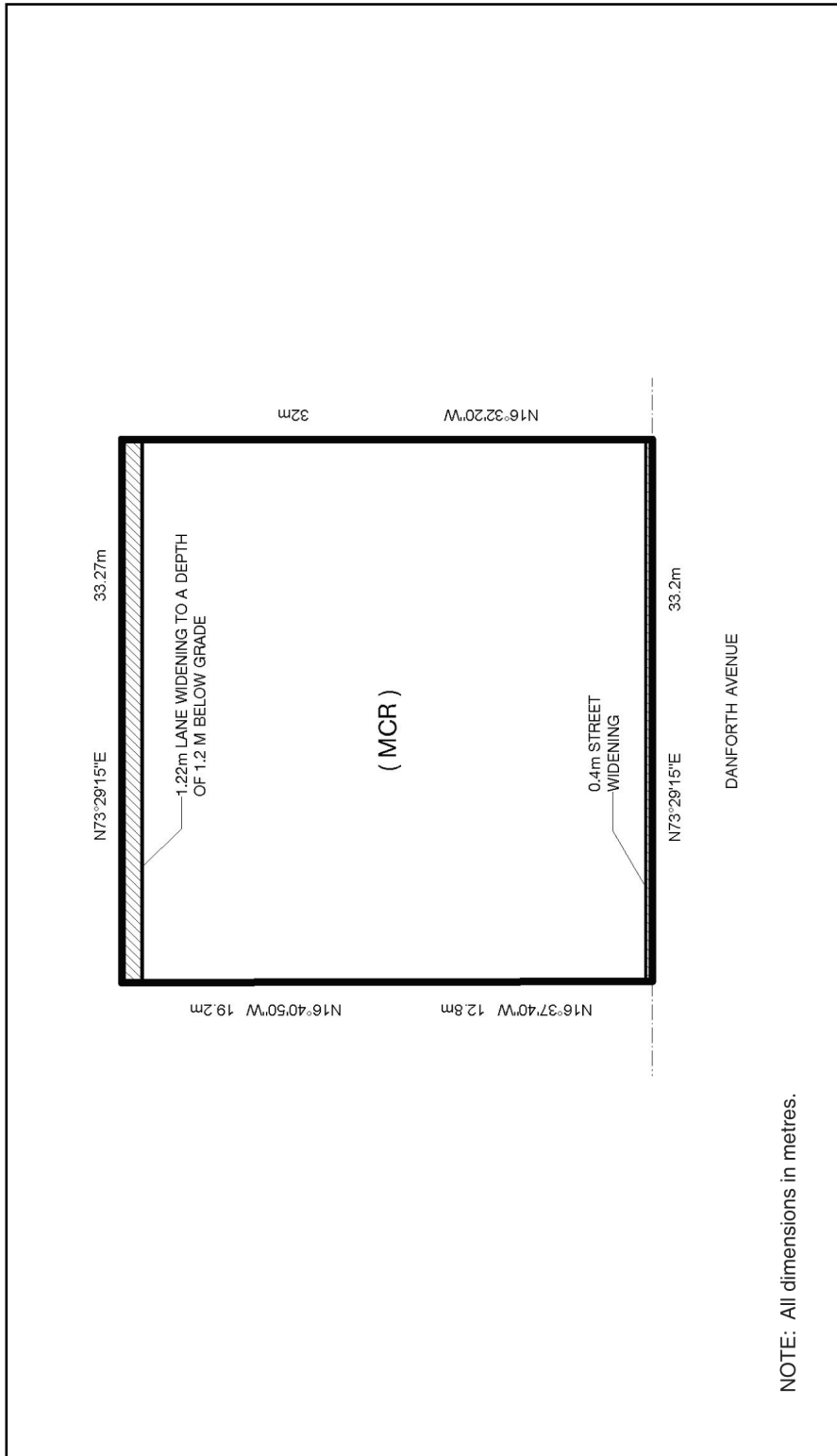
- (a) "*lot*" means those lands outlined on Map 1 attached;
 - (b) "*grade*" means the established grade at 114.6 metres Canadian Geodetic Datum; and
 - (c) "*temporary sales office*" shall mean an office, *showroom* or sales trailer used exclusively for the initial sale and/or initial leasing of *dwelling units* or non-residential units to be erected on the *lot*.
4. Within the lands shown on Map 1 attached to this By-law, 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.

Enacted and passed on December 15, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



NOTE: All dimensions in metres.



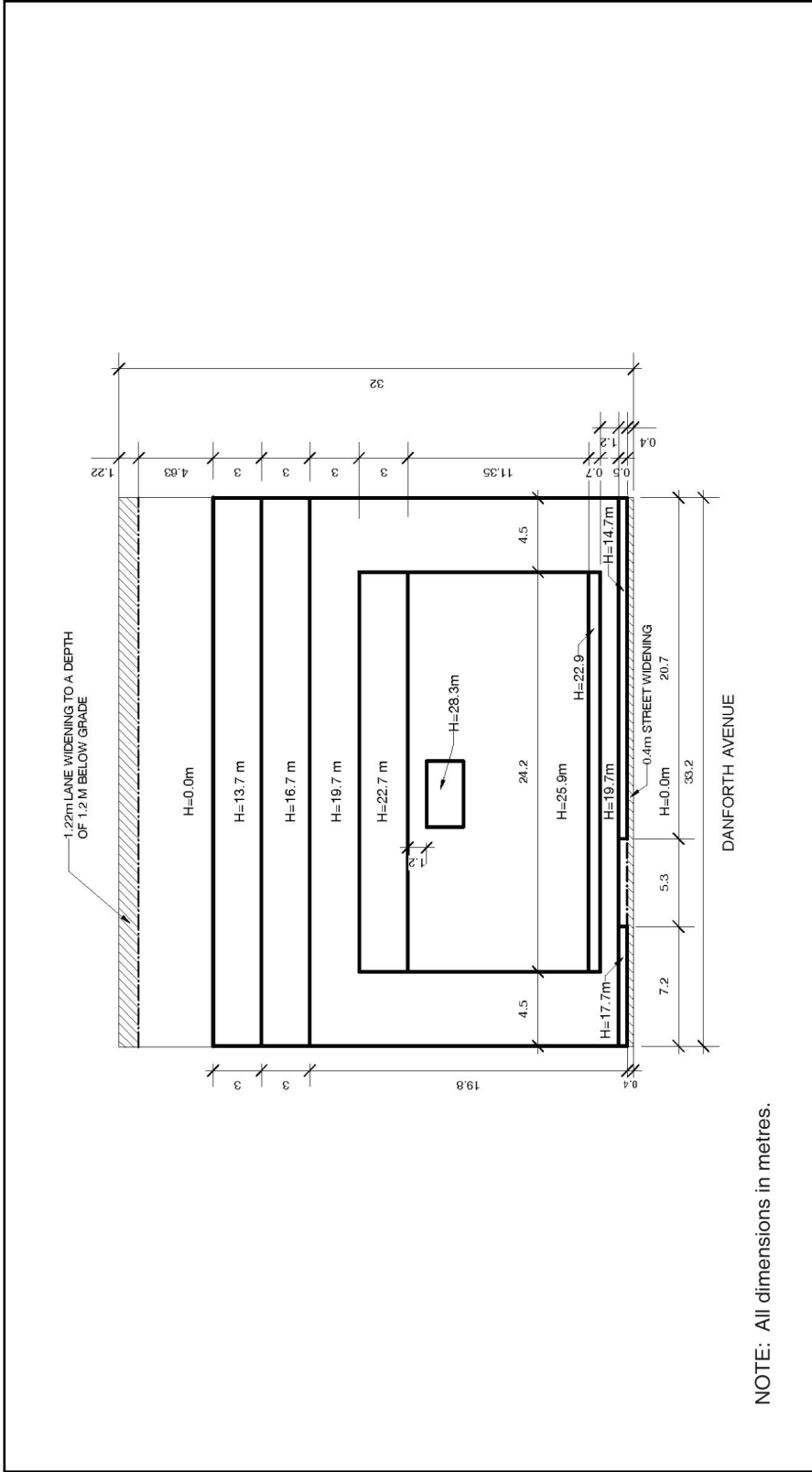
Map 1

1030 Danforth Avenue

File # 15 120968 STE 29 0Z



City of Toronto By-Law 438-86
Not to Scale
11/17/2016



1030 Danforth Avenue

File # 15 120968 STE 29 0Z



Map 2

City of Toronto By-Law 438-86
Not to Scale
11/17/2016