

Authority: Etobicoke York Community Council Item EY23.3, as adopted by City of Toronto Council on July 4, 5, 6 and 7, 2017

CITY OF TORONTO

BY-LAW 1398-2017

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 248 and 260 High Park Avenue.

Whereas Council of the City of Toronto has the authority pursuant to 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*; and

Whereas pursuant to Section 39 of the *Planning Act*, the council of a municipality may, in a by-law passed under section 34 of the *Planning Act*, authorize the temporary use of land, buildings, or structures for any purpose set out therein that is otherwise prohibited by the by-law;

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 deleting subsection (M) within Prevailing By-laws and Prevailing Sections of Chapter 900.2.10(737).
4. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.2.10 respecting the lands outlined by heavy black lines to: R (x37), as shown on Diagram 1 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 37 so that it reads:

Exception R 37

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) For the purposes of this exception, the lands shown on Diagram 1 of By-law 1398-2017 is the **lot**;
- (B) **Established Grade** is Canadian Geodetic Datum elevation of 118.38 metres;

- (C) Despite regulation 10.10.40.10, no portion of any **building** or **structure** above **established grade** may exceed the maximum height in metres specified by the numbers following the letter "H" as shown on Diagram 2 of By-law 1398-2017;
- (D) Despite regulation 10.5.40.10 (3), the following equipment and **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.2 metres:
- (i) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment.
- (E) Despite regulation 10.5.50.10 (4), the minimum required **landscaping** area is 2,300 square metres; a minimum of 1,600 square metres of the required **landscaping** must be **soft landscaping**;
- (F) Despite the regulations 10.10.40.70 (1), (2), and (3) the minimum **building setbacks** are shown on Diagram 2 of By-law 1398-2017;
- (G) Despite (F) above, the minimum building setback for an underground parking garage from a lot line is 0.5 metres;
- (H) Despite (F) above, the following **building** elements and **structures** may encroach into a required **building setback**:
- (i) eaves, canopies, cornices, lighting fixtures, awnings, architectural features, window sills, wheelchair ramps, retaining walls, stairs, covered stairs and or stair enclosures associated with an entrance or exit from an underground **parking garage**;
 - (ii) balconies to a maximum of 1.0 metre;
 - (iii) uncovered patios to a maximum of 2.0 metres; and
 - (iv) uncovered patios below **established grade** to a maximum of 3.5 metres into the required **building setback** from the west **lot line**.
- (I) The total **gross floor area** of all **buildings** and **structures** on the **lot** must not exceed 8,550 square metres;
- (J) The maximum number of residential **dwelling units** on the **lot** is 77;
- (K) **Amenity space** for the use of residents of all **buildings** must be provided and maintained as follows:
- (i) A minimum of 2.0 square metres of indoor **amenity space** for each **dwelling unit** must be provided in a multi-purpose room or rooms within the **building** and at least one must contain both a kitchen and a washroom; and

- (ii) A minimum of 2.0 square metres of outdoor **amenity space** for each **dwelling unit** must be provided of which at least 180 square metres is in a location adjoining or directly accessible from the indoor **amenity space** required in (i) above.

- (L) A sales office used to sell **dwelling units** in the development is permitted for a period of 3 years from the date of the passing of By-law 1398-2017;

- (M) If a sales office in (L) above is in a newly erected **building**:
 - (i) the maximum permitted **gross floor area** is 280 square metres;
 - (ii) the maximum **building** height is 4.0 metres; and
 - (iii) the minimum **building setback** from the west and south **lot lines** is 7.5 metres.

Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on December 8, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



