

Authority: Toronto and East York Community Council Item TE27.8, as adopted by City of Toronto Council on November 7, 8 and 9, 2017

## CITY OF TORONTO

### BY-LAW 1085-2018

#### To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known as 14 Dewhurst Boulevard.

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. None of the provisions of Sections 2(1) with respect to the definition of *grade*, *height*, *lot* and *parking stacker*, 4(2)(a), 4(4)(b), 4(4)(c)(ii), 4(6)(c), 4(10)(d), 4(14)(a), 4(16), 6(3) Part I 1, 6(3) Part II and 6(3) Part III 1(B) of By-law 438-86, being "A By-law to regulate the use of lands and erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of land and the erection and use of certain buildings and structures in various areas of the City of Toronto," shall apply to prevent the erection and use of an *apartment building* with an underground basement level on the *lot* delineated by the heavy lines on the attached Map 1, provided that:
  - (a) the *lot* upon which the proposed building and structure is erected or used comprises the lands shown outlined by heavy lines on the attached Map 1;

#### Gross Floor Area

- (b) the maximum *residential gross floor area* of the building on the *lot* shall not exceed 3,600 square metres;

#### Permitted Uses

- (c) despite the provisions of Section 6(1)(f)(a)(iii), a *parking stacker* is a permitted use on the *lot*;

#### Units

- (d) a maximum of 32 *dwelling units* is permitted, of which a minimum of 21 must be two-bedroom *dwelling units* and a minimum of 5 must be three-bedroom *dwelling units*;
- (e) no portion of any *dwelling unit* erected or used on the *lot* shall be located below *grade*;

### **Amenity Space**

- (f) despite the provisions of Section 4(12), *residential amenity space* shall be provided and maintained on the *lot* as follows:
  - (i) A minimum of 35.9 square metres as indoor *residential amenity space*, which is not required to contain a kitchen; and
  - (ii) No outdoor *amenity space* is required;

### **Height**

- (g) no portion of a building or structure erected on the *lot* shall have a greater *height* in metres than the *heights* in metres specified by the numbers following the symbol H on the attached Map 2 except that:
  - (i) The maximum *height* for mechanical equipment and any associated enclosure structures, generators, transformers vaults, parapets, guard rails, railings and dividers, pergolas, trellises, eaves, screens, gates, stairs, stair enclosures, landings, wheel chair ramps, platforms abutting pedestrian entrances, bicycle racks, bollards, roof drainage, window washing equipment, lightning rods, architectural features, landscaping and elements of a green roof shall be the sum of 4 metres and the applicable *height* limit shown on Map 2; and
  - (ii) Any *public park* elements within the portion of the *lot* identified as "Land to be conveyed to the City for a public park" on the attached Map 2 may project beyond the *height* limit shown on the attached Map 2;

### **Landscaping**

- (h) despite provisions Part III 1(B), a minimum of 110.1 square metres of *landscaped open space* is required to be provided on the lot, excluding the portion of the lot identified as "Lands to be conveyed to the City for a public park" on Map 2 to By-law 1085-2018;

### **Setbacks**

- (i) no portion of the building above *grade* shall be located otherwise than wholly within the dimensioned setbacks shown within the areas delineated by heavy lines on the attached Map 2, with the exception of the following:
  - (i) Awnings and canopies to a maximum of 3.0 metres;
  - (ii) Doors, cornices, ornamental elements, parapets, architectural flutes, pillars, pergolas, trellises, eaves, ventilation shafts, guardrails, balustrades, railings, wheel chair ramps, columns, piers, window sills, light fixtures, to a maximum of 1.2 metres; and

- (iii) Balconies, platforms and terraces may extend to a maximum of 2.1 metres beyond the heavy lines shown on Map 2;

### **Vehicular Parking**

- (j) *parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
  - (i) 24 *parking spaces* for occupants of the *dwelling units* shall be provided within *parking stackers*; and
  - (ii) 1 *parking space* for visitors shall be provided on the surface of the *lot*;
- (k) despite the provisions of Section 4(17), *parking spaces* provided in accordance with (j) above, are subject to the following requirements:
  - (i) The 24 *parking spaces* for occupants provided in *parking stackers* shall comply with the requirements set out in the definition of *parking stacker* in 2.(d) below:
- (l) despite the provisions of Section 4(17)(a), the minimum width of the surface *parking space* for visitors shall be 2.48 metres;

### **Bicycle Parking**

- (m) notwithstanding the provisions of Section 4(13), a minimum of 41 *bicycle parking spaces* shall be provided on the *lot*, of which a minimum of 33 shall be "*bicycle parking spaces - occupant*" and a minimum of 8 shall be "*bicycle parking spaces - visitor*";

### **Driveway Widths**

- (n) for the *parking spaces* located in *parking stackers*, the minimum driveway width for each *parking stacker* is a maximum of 6 metres;
- (o) for the *parking space* located at *grade* and for the purposes of visitors, the driveway width is a maximum of 3.5 metres.

## **2. Definitions**

For the purpose of this By-law:

- (a) "*grade*" means 115.17 metres Canadian Geodetic Datum;
- (b) "*height*" means the vertical distance between *grade* and the highest point of any building or structure on the *lot*, except for those elements prescribed by this By-law;

- (c) "*lot*" means the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law; and
  - (d) "*parking stacker*" means a mechanical motor vehicle parking facility with parking spaces which have dimensions of not less than 2.5 metres in width by 5.2 metres in length, except that the platform of such parking space may have dimensions of not less than 2.5 metres in width by 5.0 metres in length, and the *parking space* may be obstructed on one or both sides without an increase in the minimum required width.
3. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
4. Within the lands shown on Map 2 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 July 27, 2018.

Glenn De Baeremaeker,  
Deputy Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



