

Authority: Toronto and East York Community Council
Item TE25.8, as adopted by City of Toronto Council on
July 4, 5, 6 and 7, 2017

CITY OF TORONTO

BY-LAW 690-2019

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known as 796, 798 and 802 Broadview Avenue.

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 Section 2(1) with respect to the definition of *grade*, *height* and *lot*, 4(2)(A), 4(3), 4(6)(C), 4(10)(A), 4(12), 4(13)(A), (C) and (D), 8(3) Part I 1, 8(3) Part I 3(A), 8(3) Part II 4(A) and (C) 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 a *mixed-use building* with underground parking 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 at least the lands shown outlined by heavy lines on the attached Map 1;

Gross Floor Area

(b) the aggregate of the *residential gross floor area* and *non-residential gross floor area* of the building as shown on Map 2 shall not exceed 3,855 square metres, subject to the following:

(i) the *residential gross floor area* of the building shall not exceed 3,090 square metres; and

(ii) the *non-residential gross floor area* of buildings and structures shall not exceed 765 square metres;

Permitted Uses

(c) a *commercial parking garage* is not a permitted use on the *lot*;

Units

- (d) a maximum of 30 *dwelling units* is permitted, of which 13 must be two or three bedroom *dwelling units*;
- (e) no portion of any *dwelling unit* erected or used on the *lot* shall be located below *grade*;
- (f) a minimum of 2 non-residential units is permitted;
- (g) the maximum *gross floor area* for a non-residential unit is 265 square metres;

Amenity Space

- (h) *residential amenity space* shall be provided and maintained on the *lot* as follows:
 - (i) a minimum of 78 square metres as indoor *residential amenity space*;
 - (ii) a minimum of 60 square metres as outdoor *residential amenity space*, of which at least 40.0 square metres must be provided in a location adjoining or directly accessible from indoor *residential amenity space*;

Height and Storeys

- (i) 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, parapets, guard rails, railings and dividers, pergolas, trellises, eaves, screens, stairs, roof drainage, window washing equipment, lightning rods, architectural features, landscaping and elements of a green roof having a maximum height of the sum of 4.2 metres and the applicable *height* limit shown on Map 2 shall be permitted within any area on Map 2;
- (j) the maximum *height* of the first *storey* is 4.5 metres;
- (k) the maximum number of *storeys* permitted is 6;

Setbacks

- (l) no portion of the building above *grade* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2, with the exception of the following:

- (i) cornices, light fixtures, ornamental elements, parapets, art and landscape features, architectural flutes, patios, decks, pillars, pergolas, trellises, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, window washing equipment, and underground garage ramps and associated structure, all of which may extend beyond the heavy lines shown on Map 2;
- (ii) balconies and balcony dividers above a height of 5 metres may extend to a maximum of 1.5 metres beyond the heavy lines shown on Map 2;
- (iii) balconies are not permitted on the northernmost or southernmost façade of the building;

Vehicular Parking

- (m) parking shall be provided and maintained on the *lot* in accordance with the following requirements:
 - (i) 0.5 *residential parking spaces* for each one bedroom *dwelling unit*;
 - (ii) 0.75 *residential parking spaces* for each two or three bedroom *dwelling unit*;
 - (iii) 0.06 *visitor parking spaces* for each *dwelling unit*;
 - (iv) 1 *parking space* for each 100 square metres of *non-residential gross floor area*;
 - (v) a minimum of 2 accessible *parking spaces* are required;

Bicycle Parking

- (n) a minimum of 32 *bicycle parking spaces* shall be provided on the *lot*, of which, a minimum of 28 shall be for residents and a minimum of 4 shall be for visitors; and

Sales Office

- (o) None of the provisions of this By-law shall apply to prevent a *temporary sales office* on the *lot*.

2. For the purpose of this By-law:

- (a) "*grade*" means 115.83 metres Canadian Geodetic Datum;

- (b) "*height*" means the vertical distance between *grade* and the highest point of the roof of any building 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;
 - (d) "*temporary sales office*" means a *building* or *structure* used for the purpose of the sale of *dwelling units* to be erected on the *lot*.
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 May 15, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



