

Authority: Local Planning Appeal Tribunal
Decision issued on March 21, 2019 and Orders
issued on May 17, 2021 and May 30, 2021 in
Tribunal Case File No. PL170861

CITY OF TORONTO
BY-LAW 453-2021(LPAT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in 2019 as 321 Davenport Road.

Whereas the Local Planning Appeal Tribunal Decision issued on March 21, 2019 and Orders issued on May 17, 2021 and May 31, 2021 in relation to Tribunal File PL170861 upon hearing an appeal under Section 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, determined it advisable to amend the Zoning By-law for the City of Toronto, being By-law 569-2013, as amended, with respect to lands municipally known in the year 2019 as 321 Davenport Road; and

Now therefore pursuant to the Order of the Local Planning Appeal Tribunal, By-law 569-2013 is further amended as follows:

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 amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CR 2.0 (c2.0; r1.5) SS2 (x116) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number (116) so that it reads:

Exception CR 116

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

Site Specific Provisions

- (A) On 321 Davenport Road a **building** or **structure** may be erected or constructed in compliance with (B) to (V) below;
- (B) Despite regulations 40.5.1.10(2) and 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** or **structures** on the lands is 4,900 square metres;
- (C) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 120.10 metres

and the highest point of the **building** or **structure**, except for those elements otherwise expressly permitted in this By-law;

- (D) Despite regulations 40.10.40.10(2) and 40.10.40.70(2)(E), (F), and (G), the permitted maximum height of any **building** or **structure** is the height in metres specified by the number following the symbol HT on Diagram 3 of By-law 453-2021(LPAT);
- (E) Regulation 600.10.10(1), respecting building setbacks does not apply;
- (F) Despite (D) above and regulations 40.5.40.10(4), (5), (6), (7) and (8), 40.10.40.10(2), 40.10.40.70(2)(E), (F) and (G) and clause 40.10.40.60, the following **building** elements are not subject to area restrictions, except as specified in (G) below, and may exceed the maximum permitted **building** height limits specified by the number following the symbol "HT" on Diagram 3 of By-law 453-2021(LPAT):
- i. terrace or balcony guards, screens and dividers, guards, guardrails, fences, retaining walls, landscape elements, and **structures** located on the roof used for outside or open-air recreation purposes, to a maximum of 3.0 metres;
 - ii. planters, ornamental elements, fixed outdoor furniture, elevated pool and deck, to a maximum of 2.0 metres;
 - iii. elevator overrun, cooling tower, stairs, stair enclosures, screens, architectural elements, heating, cooling or ventilating equipment, wall or **structure** enclosing elements, and partitions, to a maximum of 3.0 metres; and
 - iv. cornices, parapets, roof drainage, thermal insulation and roof ballast, balustrades, window washing equipment, **green roof** elements, vents, flues, pipes, access roof hatch and safety railings, and **structures** located on the roof used for safety or wind protection purposes, to a maximum of 2.5 metres;
- (G) Despite (D) and (F) above and regulations 40.5.40.10(4) and (5), the mechanical penthouse, which may include the functional elements of the **building** and any wall or **structure** enclosing elements included at (F)(iii) above:
- i. may exceed the applicable height limit shown on Diagram 3 in the area indicated as "HT 33.5" to a maximum of 3.0 metres;
 - ii. may cover no more than 80%, measured horizontally, of the area indicated on Diagram 3 as "HT 33.5"; and
 - iii. above 33.5 metres in **height**, may not exceed the total horizontal dimension of 90% of the width of the main wall facing the **street**, within 6.0 metres of the front **lot line**;

- (H) Despite (D), (F) and (G) above and regulations 40.5.40.10(4) and (5), the elements listed in (F)(iv) above may exceed the permitted height limit projection for the mechanical penthouse stated in (G) above to a maximum of 2.5 metres;
- (I) Despite regulations 5.10.40.70(1) and (4), 40.10.40.70 (2) and (4), the minimum required **building setbacks** are as shown on Diagram 3 of By-law 453-2021(LPAT);
- (J) Despite regulations 5.10.40.70(1), 40.5.40.60, 40.10.40.60 and (I) above, the following elements of a **building** may encroach into minimum **building setbacks** shown on Diagram 3 of By-law 453-2021(LPAT):
- i. cornices, light fixtures, ornamental elements, building cladding, parapets, art and landscape features, **landscaping** elements, flutes, piers, pillars, structural columns, metal panels, pergolas, trellises, window sills, ventilation shafts, stair enclosures, stairs, site servicing features, retaining walls, wheel chair ramps and vehicular parking ramps, which may encroach by a maximum of 1.25 metres;
 - ii. guardrails, terraces, balconies, terrace or balcony platforms, terrace or balcony guards, dividers and railings, screens, and awnings and canopies, which may encroach by a maximum of 3.5 metres; and
 - iii. exhaust shafts and the enclosure of such elements;
- (K) Despite regulations 40.10.40.1(1) and 40.10.40.70(2), **dwelling units** may be located in the first **storey** of a **building**;
- (L) Despite regulation 40.10.40.50(1), **amenity space** must be provided at a minimum rate of 2.0 square metres for each **dwelling unit**, where at least 2.0 square metres for each **dwelling unit** is indoor **amenity space** and no outdoor **amenity space** is required;
- (M) Despite regulations 40.10.50.10(1) and (3), no **landscaping** is required along any portion of a **lot line** that abuts a **lot** in the Residential Zone category;
- (N) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained on the lands shown on Diagram 1 of By-law 453-2021(LPAT) in accordance with the following:
- i. 0.3 **parking spaces** for each bachelor **dwelling unit**;
 - ii. 0.5 **parking spaces** for each one bedroom **dwelling unit**;
 - iii. 0.8 **parking spaces** for each two bedroom **dwelling unit**;
 - iv. 1.0 **parking spaces** for each three bedroom **dwelling unit**; and
 - v. 2 **parking spaces** are required for visitors;

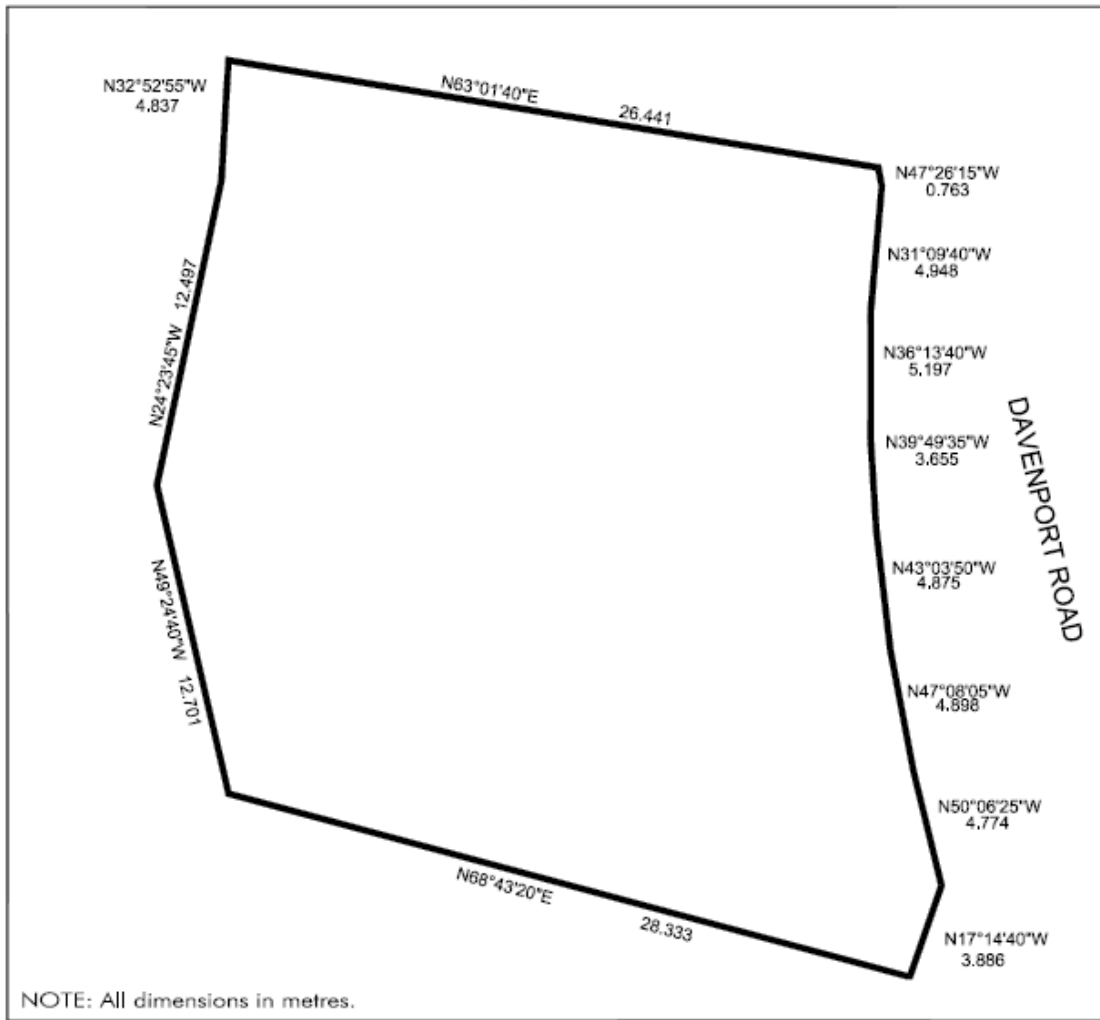
- (O) Despite regulations 200.5.1.10(2) and 200.10.1(3), the dimensions of obstructed **parking spaces** are not required to be increased in width by 0.3 metres on the side(s) that is/are obstructed;
- (P) Despite regulations 200.5.10.1 (2) and (7), a maximum of 45 **parking spaces**, including 3 tandem spaces, are permitted on the lands shown on Diagram 1 of By-law 453-2021(LPAT);
- (Q) Despite regulation 200.5.1.10(12)(C), the **vehicle** entrance or exit to the **building** must be at least 4.65 metres from the **lot line** abutting the **street**;
- (R) Despite regulation 200.5.1.10(13), access to **parking spaces** will be provided by **vehicle** elevators, provided each **vehicle** elevator has a minimum width of 2.4 metres and provided not less than two (2) **vehicle** elevators are provided and maintained in the **building** for the use of residents of and visitors to the **building**;
- (S) Despite regulation 200.5.1.10(12)(B) and subsection (R) above, the **vehicle** entrance and exit of each **vehicle** elevator must have a minimum width of 2.4 metres;
- (T) Despite regulations 200.15.1(1), (3) and (4), 200.15.1.5, and 200.15.10(1), a minimum of 3 accessible **parking spaces** must be provided and maintained on the lands shown on Diagram 1 of By-law 453-2021(LPAT) in accordance with the following:
- i. Must have the following minimum dimensions:
 - a. length of 5.6 metres;
 - b. width of 3.9 metres: and
 - c. vertical clearance of 2.1 metres;
 - ii. No barrier free aisle is required to be provided adjacent to an accessible **parking space**;
 - iii. Must be provided within 27 metres of a barrier free entrance to a passenger elevator that provides access to the first **storey** of the **building** (measured as straight line distance and not as walking path distance) and are not required to be the closest **parking spaces** to the entrance to the elevator;
- (U) Despite Table 230.5.10.1(1), and regulations 230.5.1.10(4), (5) and (9), **bicycle parking spaces** requirements are:
- i. a minimum of 1.0 **bicycle parking spaces** for each **dwelling unit**, allocated as:
 - a. 0.9 "long-term" **bicycle parking space** per **dwelling unit**; and

- b. 0.10 "short-term" **bicycle parking space per dwelling unit;**
- (V) Despite regulations 230.5.1.10(4), (5), (9) and (10), and 230.40.1.20(1) and (2):
- i. "long-term" **bicycle parking spaces** may be provided in the form of a **stacked bicycle parking space** and must comply with the following:
 - a. minimum vertical clearance of 1.0 metre;
 - b. minimum width of 0.3 metres, and
 - c. minimum length of 1.6 metres;
 - ii. "long-term" **bicycle parking spaces** may be located within a secure room, enclosure or bicycle locker and may be located on any level above or below ground level and may not be provided in one level increments; and
 - iii. "short-term" **bicycle parking spaces**, excluding outdoor circular/ring **bicycle parking spaces**, must comply with the following:
 - a. minimum vertical clearance of 1.9 metres;
 - b. minimum width of 0.6 metres, and
 - c. minimum length of 1.8 metres.

Prevailing By-laws and Prevailing Sections:

- A. Sections 12(2)132 and 12(2)270 of former City of Toronto By-law 438-86, as amended, shall not apply to the lands shown on Diagram 1 of By-law 453-2021(LPAT).
- 5.** Despite any existing or future severances, partition, or division of the lands shown on Diagram 1 of By-law 453-2021(LPAT), the provisions of this By-law will apply as if no severance, partition, or division occurred.

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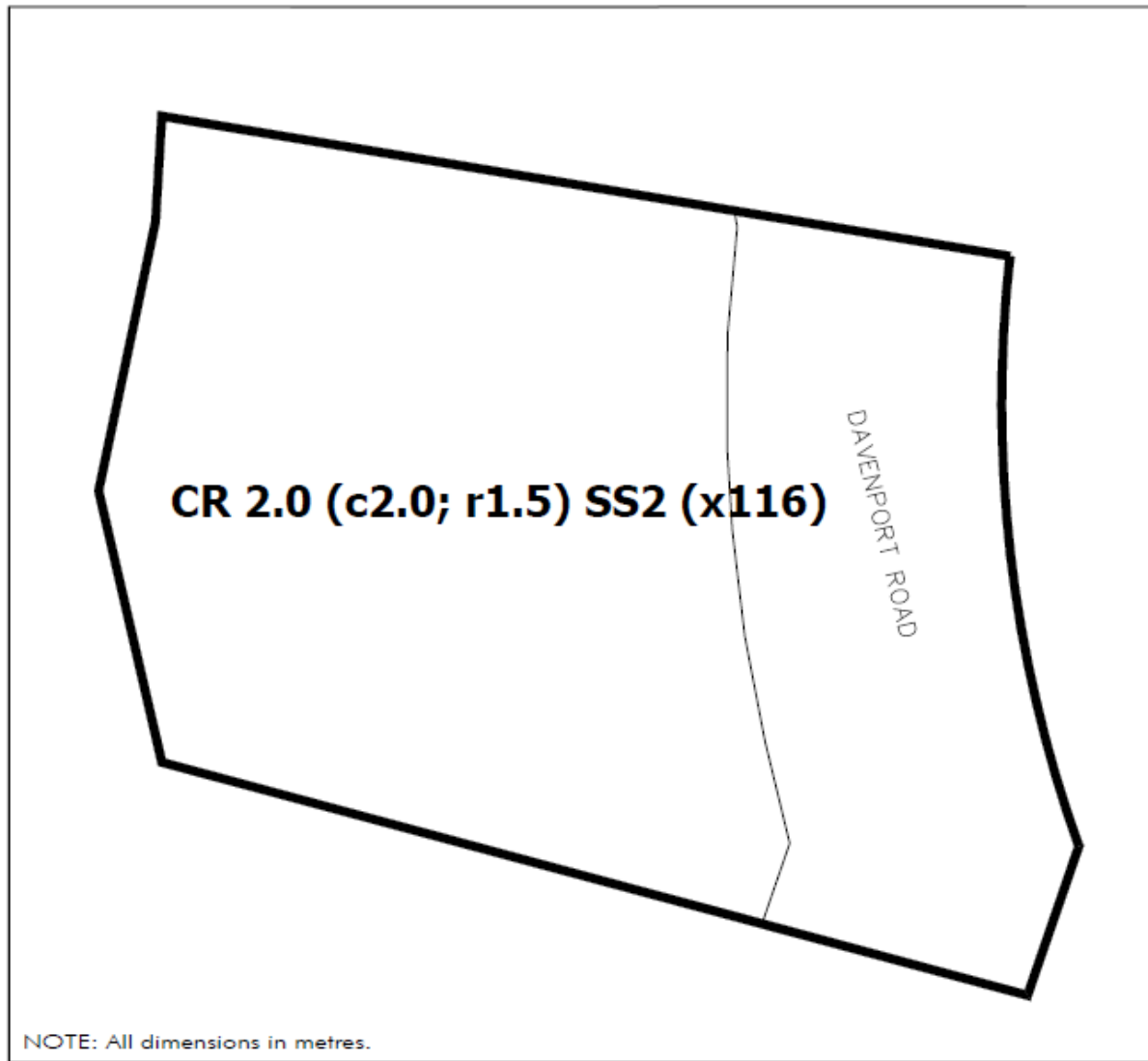
 **Toronto** City Planning
Division
Diagram 1

321 Davenport Road

File # 16 145386 STE 20 OZ



Not to Scale



NOTE: All dimensions in metres.



321 Davenport Road

File # 16 145386 STE 20 OZ

Diagram 2



Not to Scale

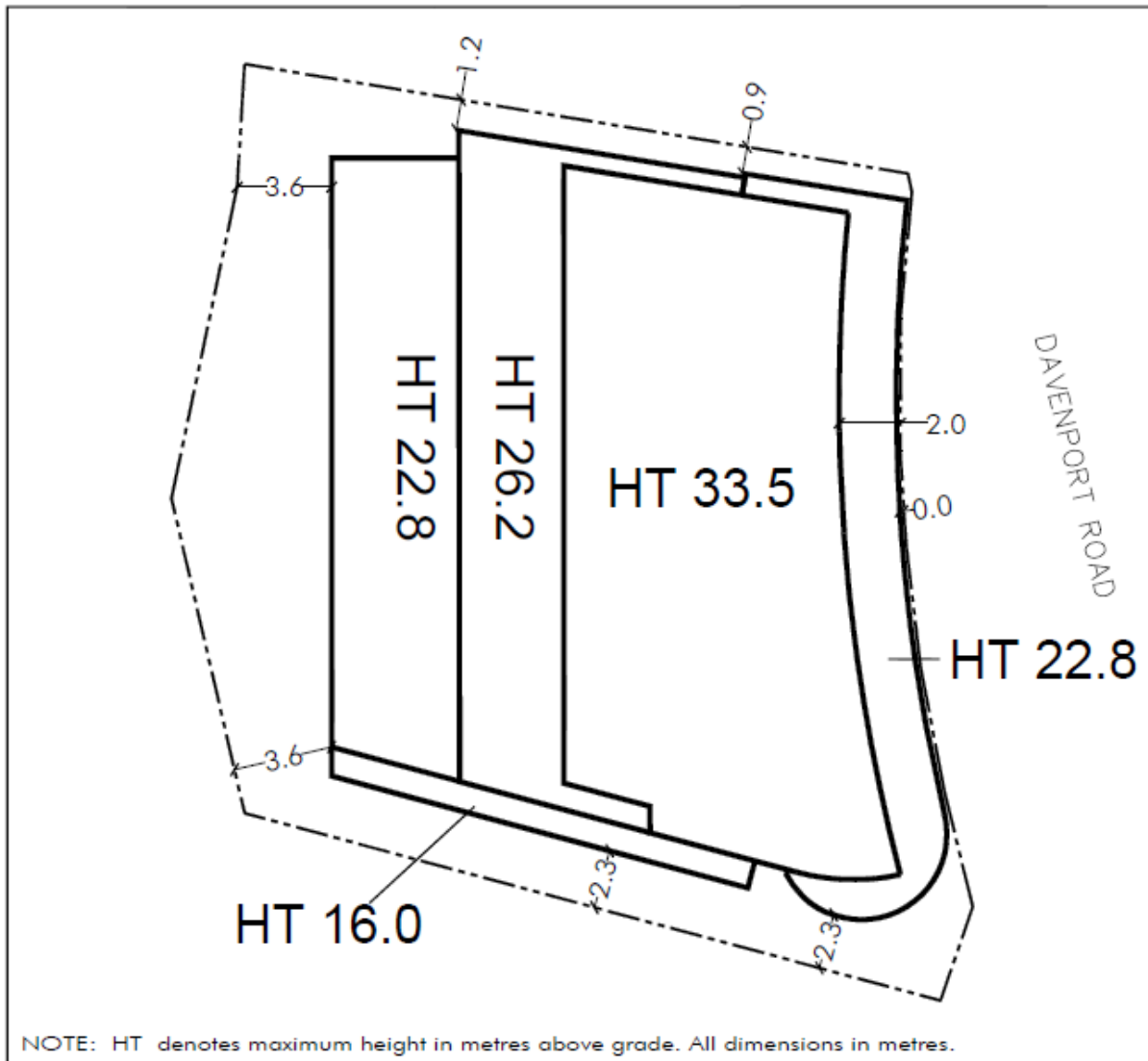


Diagram 3

321 Davenport Road

File # 16 145386 STE 20 OZ



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