

CITY OF TORONTO

BY-LAW 524-2021(LPAT)

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to lands known municipally as 319, 321 and 323 Jarvis Street in the year 2021.

Whereas the Local Planning Appeal Tribunal, pursuant to its Decision issued October 6, 2020 and Order issued March 18, 2021 in Case PL170739, deems it advisable to amend Zoning By-law 438-86;

The Local Planning Appeal Tribunal orders:

1. None of the provisions of Sections 2(1) with respect to the definition of *bicycle parking space – occupant*, *bicycle parking space – visitor*, *grade*, *height*, *lot*, and Sections 4(2)(a), 4(5), 4(8), 4(10), 4(13), 4(16), 8(3)Part I, 8(3)Part II, 12(2)380, 12(2)256(a), and 12(2)132 of Zoning By-law 438-86 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 and use of an *apartment building* or mixed use building on the *lot*, including uses *accessory* thereto, provided that:
 - (a) For the purposes of this By-law, the *lot* consists of the lands delineated by heavy lines on Map 1 attached to this By-law;
 - (b) No portion of the building shall be located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2;
 - (c) The total of combined *residential gross floor area* and *non-residential gross floor area* shall not exceed 32,750 square metres;
 - (d) No portion of a building or amenity pavilion erected above *grade* on the *lot* is located above the maximum height in metres as indicated by the following letter "H" as shown on Map 2, attached to and forming part of this Bylaw;
 - (e) Notwithstanding Section 1(b) and 1(d) of this By-law, the following building elements, structures and projections are permitted to extend beyond the heavy lines horizontally and above the *heights* shown on Map 2 to a maximum projection of 7.5 metres:
 - i. Architectural features, awnings, balconies, bicycle racks, bollards, canopies, chimneys, cornices, eaves, elevator enclosures and overruns, fences, green roof, guardrails, landscape and public art features, lighting fixtures, mechanical penthouses, ornamental elements, parapets, pipes, planters, platforms, railings, retaining walls, screens, stacks, stairs, stair

- enclosures, terraces, trellises, underground garage ramps and their associated structures, vents, walkways, wheel chair ramps, wind protection, window sills, and window washing equipment; and
- ii. elements or structures on any portion of a roof used for outside or open air recreation, including required *residential amenity space*;
- (f) No portion of a building erected on the lot shall be located otherwise than wholly within the areas delineated by heavy lines on Map 2 attached to and forming part of this By-law, with the exception of the following:
- i. Canopies, site servicing features, lighting fixtures, awnings, ornamental elements, architectural features, window sills, planters, guardrails, railings, stairs, stair enclosures, terraces, trellises, underground garage ramps and their associated structures, walkways, window sills, window washing equipment, bicycle racks, wheel chair ramps, vents, screens, and landscape features, may encroach up to a maximum of 7.5 metres;
- (g) the following uses are permitted on the *lot*:
- i. a *mixed-use building*;
- ii. a *commercial parking garage*; and
- iii. all other uses permitted in a CR zone;
- (h) Parking *spaces* shall be provided and maintained on the *lot* in accordance with the following requirements:
- i. a minimum of 71 resident *parking spaces* shall be provided; and
- ii. a minimum of 5 *parking spaces* shall be provided for non-residential uses or for visitors to the dwelling units;
- (i) Notwithstanding Section 4(17), a maximum of 12 *parking spaces* which are obstructed on one or two sides, may have minimum dimensions of 5.6 metres in length and 2.6 metres in width;
- (j) *Bicycle parking spaces* shall be provided and maintained on the *lot* for the residents of and visitors to the building in accordance with the following:
- i. A minimum of 41 *bicycle parking spaces – occupant*; and
- ii. A minimum of 47 *bicycle parking spaces – visitor*;
- (k) One *loading space – type G* shall be provided and maintained on the *lot*; and

- (1) Indoor and outdoor *residential amenity space* shall be provided and maintained on the *lot* in accordance with the following requirements:
 - i. A minimum of 914 square metres of indoor *residential amenity space*; and
 - ii. A minimum of 914 square metres of outdoor *residential amenity space*.
2. None of the provisions of this By-law and By-law 438-86 shall apply to prevent a "*Temporary Sales Office*" or "*commercial parking garage*" on the *lot*.
3. For the purposes of this By-law, every other word or expression which is italicized herein shall have the same meaning as each word or expression as defined in the aforesaid By-law 438-86, as amended, with the exception of the following:
 - (a) "*Accessible parking spaces*" must be provided and maintained on the *lot* in accordance with the following minimum dimensions:
 - (i) Length - 5.6 metres;
 - (ii) Width 3.9 metres; and
 - (iii) Vertical Clearance – 2.1 metres;
 - (b) "*bicycle parking space – occupant*" means an area that is equipped with a bicycle rack or caged locker unit for the purpose of parking and securing bicycles, and:
 - i. Where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.5 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
 - ii. Where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.5 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;
 - iii. Where the bicycles are to be parked in a bicycle rack or in a stacked manner, bicycles may be located in a secured room or area, in bicycle lockers or on a rack/hook on a wall associated with a vehicle parking space and in all such cases the dimensions in subsections (i) and (ii) shall not apply; and
 - iv. May be located outdoors or indoors including within a secured room or enclosure;
 - (c) "*bicycle parking space – visitor*" means an area that is equipped with a bicycle rack or locker unit for the purpose of parking and securing bicycles, and:

- i. Where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.5 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
 - ii. Where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.5 metres by 1.2 metres a vertical dimension of at least 1.9 metres; and
 - iii. May be located outdoors or indoors including within a secured room or enclosure;
- (d) "*grade*" means 93.1 metres Canadian Geodetic Datum;
- (e) "*height*" means the vertical distance between *grade* and the highest point of the building or structure, subject to permitted projections;
- (f) "*lot*" means the lands outlined by heavy lines on Map 1 attached to this By-law; and
- (g) "*temporary sales office*" shall mean a building, structure, facility or trailer on the *lot* used for the purpose of the sale of *dwelling units* to be erected on the *lot* and/or the administration and management of construction activity related to construction on the *lot*.
4. None of the provisions of City of Toronto By-law 1106-2016 shall apply to the *lot*.
5. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole *lot* as if no severance, partition or division occurred.

Local Planning Appeal Tribunal Decision issued October 6, 2020 and Order issued March 18, 2021 in Case PL170739.



