

Authority: Local Planning Appeal Tribunal Order issued April 12, 2019 and December 23, 2019 in File PL160996

## CITY OF TORONTO

### BY-LAW 329-2022(LPAT)

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 492, 494, 496, and 498 Eglinton Avenue East and 3, 5 and 7 Cardiff Road.**

Whereas Local Planning Appeal Tribunal Orders issued April 12, 2019 and December 23, 2019, in File PL160996, upon hearing an appeal under Section 17(40) of the Planning Act, R.S.O. 1990, c. P.13, as amended, deems it advisable to amend By-law 569-2013, as amended, with respect to lands municipally known as 492, 494, 496, and 498 Eglinton Avenue East and 3, 5 and 7 Cardiff Road;

The Local Planning Appeal Tribunal orders:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to and forming part of 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 R (f9.0; d2.0) (x71) as shown on Diagram 2 attached to this By-law 329-2022(LPAT).
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 71, so that it reads:

#### **(71) Exception R 71**

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) On 492-498 Eglinton Avenue East and 3-7 Cardiff Road, a **building, structure** or addition may be erected or constructed provided it complies with (B) to (Y) below;
- (B) For the purposes of this exception, the **lot** comprises those lands outlined by heavy lines on Diagram 1 of By-law 329-2022(LPAT);
- (C) For the purposes of this exception, **established grade** is the Canadian Geodetic Datum elevation of 160.45 metres;

- (D) Despite regulation 10.10.40.10(1), the permitted maximum height of any **building** or **structure** or portion thereof, is the height in metres specified by the numbers following HT as shown on Diagram 3 of By-law 329-2022(LPAT);
- (E) Despite regulation 10.10.40.10(3), the height of the **building** erected on the lands must not exceed the maximum height in **storeys** specified by the numbers following the symbol ST as shown on Diagram 3 of By-law 329-2022(LPAT);
- (F) Despite (D) and (E) above and Regulation 10.5.40.10(2), (3) and (4) and 10.5.75.1(4), the following may project above the permitted maximum height as shown on Diagram 3 attached to By-law 329-2022(LPAT):
- (i) skylights, guardrails, elements of a **green roof**, parapets, elements of a photovoltaic **solar energy** device or a thermal **solar energy** device, wheelchair ramps, and roof assemblies may project above the permitted maximum height as shown on Diagram 3 to a maximum of 2.0 metres;
  - (ii) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access or hatches, maintenance equipment storage, elevator shafts, elevator overrun, stacks, chimneys, vents, and water supply facilities may project above the permitted maximum height as shown on Diagram 3 to a maximum of 2.5 metres;
  - (iii) unenclosed **structures** providing safety or wind protection, acoustical barriers, privacy screens, and planters may project above the permitted maximum height as shown on Diagram 3 to a maximum of 3.0 metres;
  - (iv) lightning rods, antennae, flag poles, satellite dishes, fencing, decorative screens, lighting features, may project above the permitted maximum height as shown on Diagram 3 to a maximum of 5 metres;
  - (v) equipment used for the functional operation of the **building**, such as electrical, utility, heating/cooling towers, mechanical and ventilation equipment may project above the permitted maximum height as shown on Diagram 3 by no more than 2.5 metres; and
  - (vi) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) through (v) may project above the permitted maximum height as shown on Diagram 3 by no more than 2.0 metres;
- (G) Regulation 10.10.40.10(9)(B) does not apply;

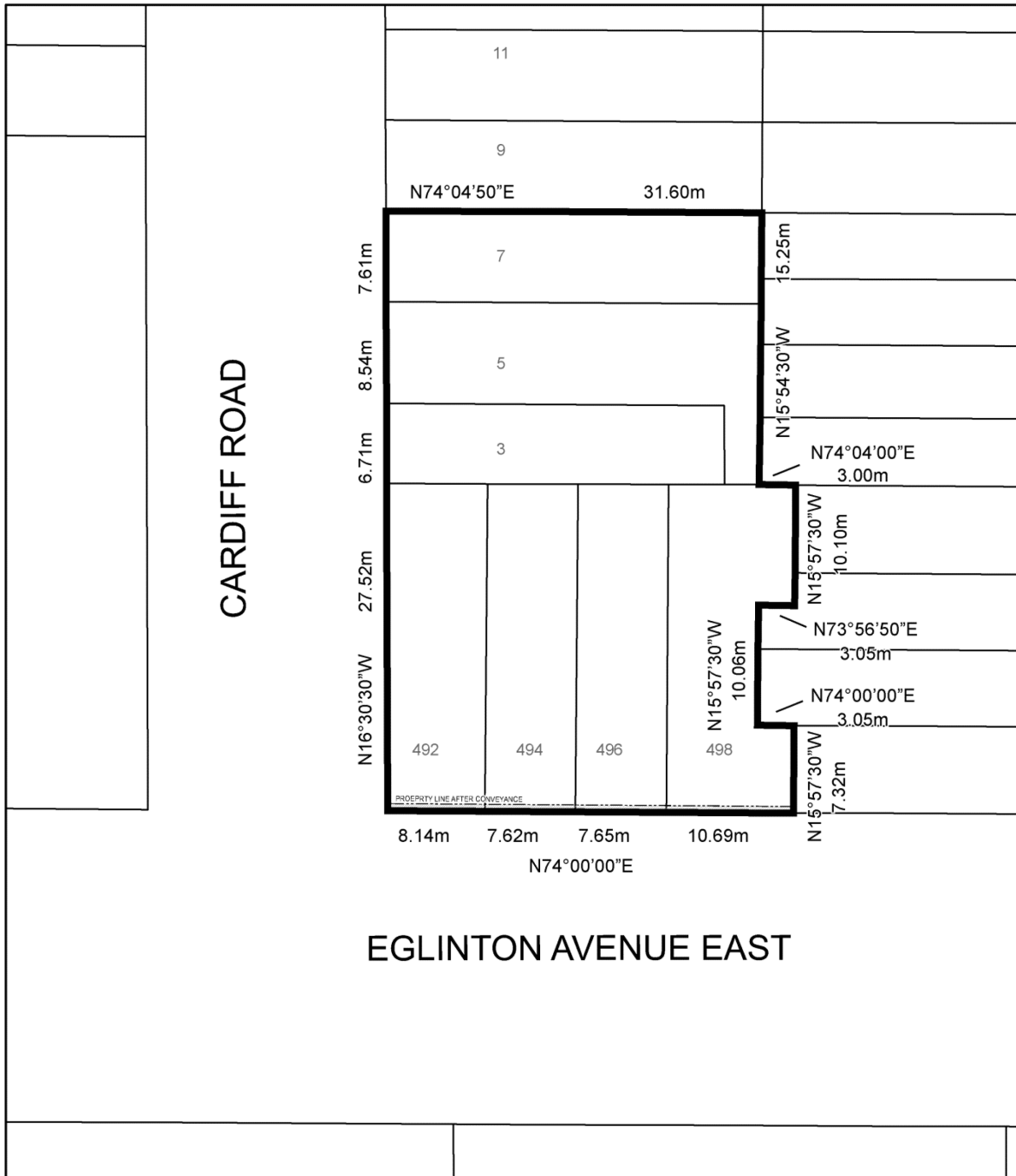
- (H) Despite regulation 10.10.40.40(1), the permitted maximum **gross floor area** is 7,810 square metres;
- (I) In addition to the **building** elements listed in regulation 10.5.40.40(4), the **gross floor area** of an **apartment building** is also reduced by the areas in a **building** used for:
  - (i) hallways and elevator vestibules below ground;
  - (ii) indoor **amenity space** that exceeds the by-law requirement; and
  - (iii) mechanical rooms on any level of the **building**;
- (J) The permitted maximum number **dwelling units** is 98;
- (K) Despite regulations 10.10.40.50(1)(A) and (B), a minimum of 284 square metres of **amenity space** must be provided, of which:
  - (i) a minimum of 147 square metres must be indoor **amenity space**;
  - (ii) a minimum of 137 square metres must be outdoor **amenity space**; and
  - (iii) a minimum of 39 square metres of indoor **amenity space** must be connected directly to outdoor **amenity space**;
- (L) Despite regulations 10.5.40.70(1), 10.10.40.70 and 10.10.40.80, the required minimum **building setbacks** are as shown in metres on Diagram 3 attached to By-law 329-2022(LPAT);
- (M) Despite regulation (L) above and regulations 10.5.40.50(2), 10.5.40.60(1), (2), (5)(A), (7)(B), and (8), the following may encroach into the required minimum **building setbacks** in Diagram 3 attached to By-law 329-2022(LPAT):
  - (i) pilaster, decorative column, cornice, sill, belt course, eaves, lighting fixtures, vents and parapets may encroach a maximum distance of 0.5 metres;
  - (ii) vents, pipes, or utility equipment may encroach a maximum distance of 0.6 metres;
  - (iii) antenna, or a pole used to hold an antenna and satellite dishes may encroach a maximum distance of 0.9 metres; and
  - (iv) balconies, canopies, awnings, wind mitigation features, trellises, guardrails, balustrades, railings, stairs, wheel chair ramps, underground garage ramps, landscape and **green roof** elements, and public art features may encroach a maximum distance of 2.2 metres;

- (N) Clause 10.10.40.30 does not apply;
- (O) Despite regulation 200.5.10.1(1) and (2), the required minimum number of **parking spaces** is 69, of which:
- (i) a minimum of 58 **parking spaces** must be provided for the residents of the **apartment building**;
  - (ii) a minimum of 9 **parking spaces** must be provided for visitors of residents to the **dwelling units** in the **apartment building**; and
  - (iii) a maximum of 2 **parking spaces** may be provided for the purposes of car-share or car-sharing;
- (P) For the purposes of this exception:
- (i) 'car-share' or 'car-sharing' means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars to be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable; and
  - (ii) if a **parking space** is originally provided for purposes of 'car-share' and such purpose is discontinued or interrupted, such **parking space** must comply with the requirements of a visitor **parking space**;
- (Q) Despite regulation 200.5.1.10(2), a maximum of 7 **parking spaces** may have minimum dimensions of 5.6 metres in length, 2.6 metres in width and 2.0 metres in vertical clearance, when obstructed on one side;
- (R) Despite regulation 200.15.10(1), of the **parking spaces** required by (O) above, a minimum of 2 **parking spaces** must be provided as accessible **parking spaces**;
- (S) Despite regulation 200.5.1(3)(A), the required minimum width of a **drive aisle** providing **vehicle** access is 5.8 metres;
- (T) Despite regulation 200.5.1.10(12)(A), the required minimum width of a **vehicle** entrance and exit for a two-way driveway is 4.5 metres;
- (U) Despite regulation 10.5.100.1(4), the permitted maximum **driveway** width is 8.0 metres;
- (V) **Bicycle parking spaces** must be provided and maintained on the **lot** in accordance with the following:

- (i) despite regulation 230.5.1.10(9), a required "long-term" **bicycle parking space** for a **dwelling unit** in an **apartment building** may be located on any level of the **building** above or below ground;
  - (ii) despite regulation 230.10.1.20(2), a short-term **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to the **building** on the **lot** and may be located in a secured room or an unsecured room;
  - (iii) despite regulation 230.5.1.10(4)(A), a **bicycle parking space** oriented in a horizontal position must have a minimum length of 1.8 metres, a minimum width of 0.4 metres and a minimum vertical clearance of 1.9 metres;
  - (iv) despite regulation 230.5.1.10(4)(B), a **bicycle parking space** oriented in a vertical position must have a minimum length or vertical clearance of 1.9 metres, a minimum width of 0.40 metres and a minimum horizontal clearance from the wall of 1.2 metres; and
  - (v) despite 230.5.1.10(2), the number of required **bicycle parking spaces** may be rounded down when the calculation results in a fraction;
- (W) Regulation 10.5.50.10(4) does not apply;
- (X) Regulation 10.5.50.10(5) does not apply; and
- (Y) Regulation 10.5.100.1(5) does not apply.

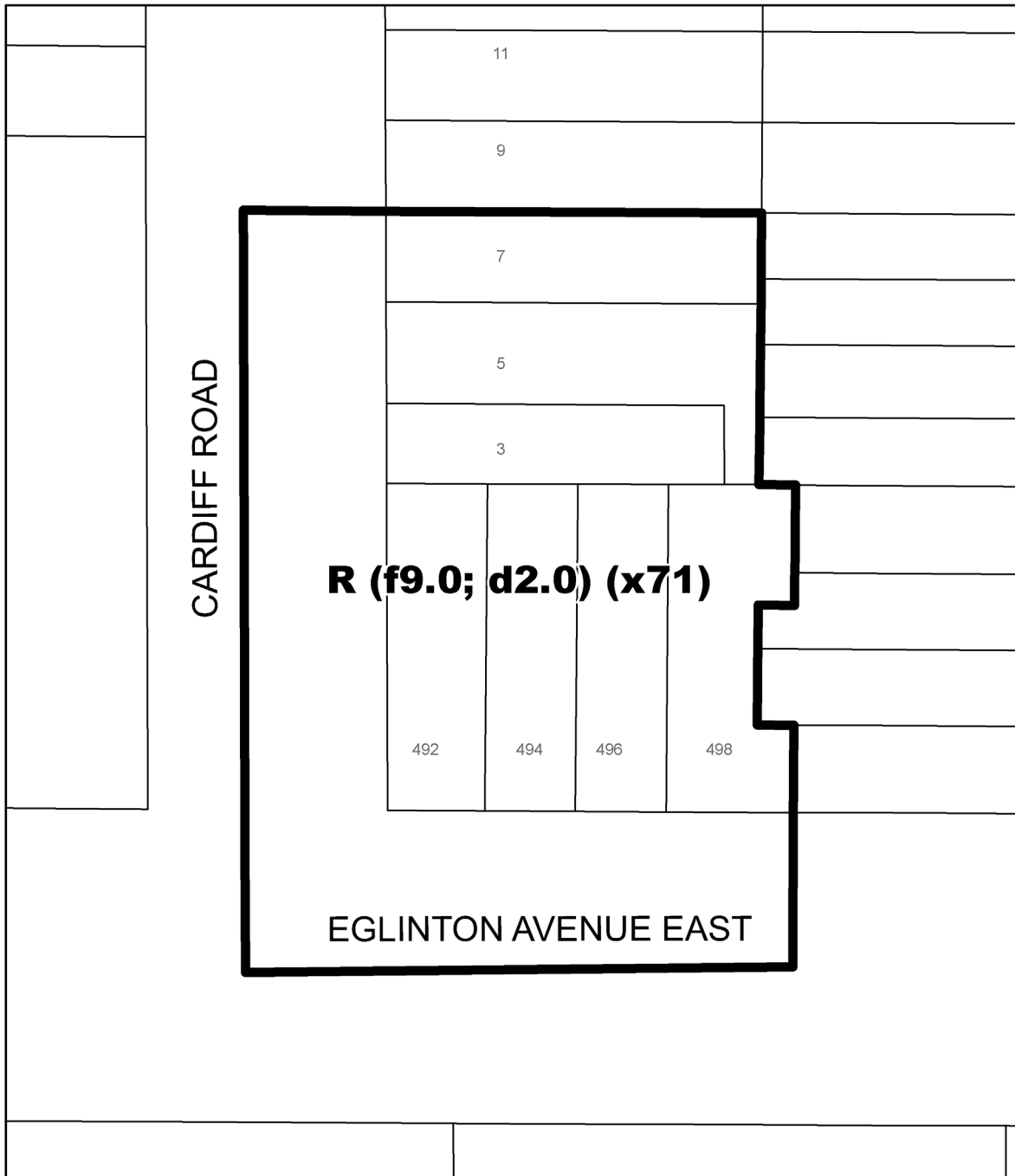
Prevailing By-laws and Prevailing Sections: None Apply

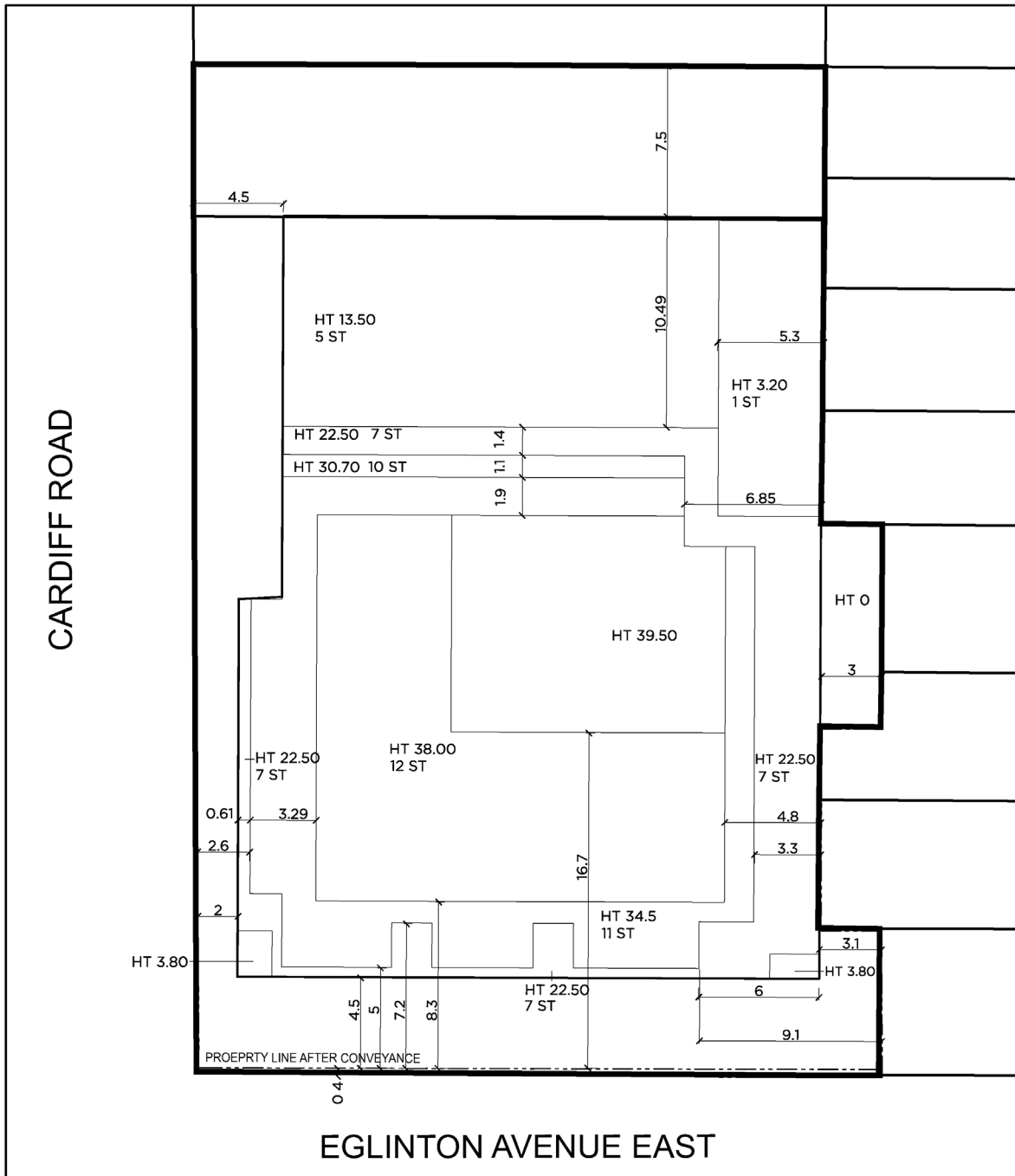
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492-498 Eglinton Avenue East & 3-7 Cardiff Road

File # 16 124754 STE 22 0Z





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