

Authority: Toronto and East York Community Council
Item TE34.28, as adopted by City of Toronto Council on
July 19, 20, 21 and 22, 2022

CITY OF TORONTO

BY-LAW 849-2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 380 Donlands Avenue.

Whereas Council of the City of Toronto has the authority to pursuant to 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. 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 subject to this By-law from a zone label of CR 2.5 (c2.5; r1.0) SS2 (x1163) to a zone label of CR 3.99 (c0.28; r3.70) SS2 (637) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20 for the lands subject to this By-law, from a height and storey label of HT 10.5, ST 3, to a height and storey label of HT 25.0, ST 7, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 637 so that it reads:

(637) Exception CR 637

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 380 Donlands Avenue, as shown on Diagram 1 of By-law 849-2022, if the requirements of By-law 849-2022 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (b) to (r) below;

- (b) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 125.99 metres and elevation of the highest point of the **building** or **structure**;
- (c) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 4 of By-law 849-2022;
- (d) Despite Regulation 40.10.40.10 (5) the required minimum height of the lobby area on the first **storey** is 2.9 metres;
- (e) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** is the number following the ST symbol as shown on Diagram 4 of By-law 849-2022;
 - i. for the purpose of this exception, a mezzanine and a mechanical penthouse does not constitute a **storey**;
- (f) Despite Regulations 40.5.40.10(3) to (7) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
 - i. wind and privacy screens, cornices, balcony guards, lighting fixtures, ornamental elements such as decorative architectural features, vents, and stacks, pilasters to a maximum of 3 metres;
 - ii. mechanical equipment including heating, cooling and ventilating equipment, gas and electrical equipment and vibration dampening equipment, communications equipment, enclosures and **structures** around elements listed above including **green roofs** on such enclosures, roof access vestibules, elevator overruns, trellises, **structures** used for outside or open air recreation, and stairs and stair enclosures to a maximum of 7.0 metres;
 - iii. guards and railings, safety equipment, ramps, fences, outdoor furniture, as well as **structures** enclosing such elements, landscape elements, retaining walls and planters, chimneys, and porches and decks, either excavated or unexcavated to a maximum of 3.0 metres;
 - iv. parapets, window washing and **building** maintenance equipment, decking, skylights, and roof access hatches, to a maximum of 1.8 metres; and
 - v. terraces, thermal insulation, roofing membranes, pavers, **green roof** elements and roof ballasts to a maximum of 0.9 metres;
- (g) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 5,850 square metres, of which:

- i. the permitted maximum **gross floor area** for residential uses is 5,440 square metres; and
 - ii. the permitted maximum **gross floor area** for non-residential uses is 410 square metres;
- (h) A maximum of 73 **dwelling units** are permitted on the **lot** of which:
 - i. A minimum of 15 percent must contain two or more bedrooms; and
 - ii. A minimum of 9 percent must contain three or more bedrooms;
- (i) Despite Regulation 40.10.40.50(1)(B):
 - i. the outdoor **amenity space** is not required to be in a location adjoining or directly accessible to the indoor amenity space; and
 - ii. indoor pet amenities shall count towards the indoor **amenity space** requirements;
- (j) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law 849-2022;
- (k) Despite Regulation 40.10.40.60 (1):
 - i. Balconies and patios are not permitted to encroach into the minimum required setback on the west side of the **building**;
 - ii. Balconies and patios on the south side of the **building** may not encroach into the minimum required **setback**;
 - iii. Balconies and patios on the north side of the **building** with a floor level higher than the first **storey** must be **setback** a minimum of 1.3 metres from the property line abutting O'Connor Drive; and
 - iv. Balconies and patios on the east side of the **building** with a floor level higher than the first **storey** must be **setback** a minimum of 1.2 metres from the property line abutting Donlands Avenue;
- (l) Despite Regulations 40.5.40.60(1), 40.10.40.60(2) and (j) above, the following elements may encroach into the required minimum **building setbacks** as follows:
 - i. a canopy or similar structure, with or without structural support, on a wall that abuts a street and located a minimum of 4.0 metres above the elevation of the ground directly below it by a maximum extent of 1.5 metres;

- (m) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on the **lot** at a minimum rate of:
- i. a minimum of 0.6 residential occupant **parking spaces** for each bachelor **dwelling unit**;
 - ii. a minimum of 0.6 residential occupant **parking spaces** for each one bedroom **dwelling unit**;
 - iii. a minimum of 0.6 residential occupant **parking spaces** for each two bedroom **dwelling unit**;
 - iv. a minimum of 0.6 residential occupant **parking spaces** for each three bedroom and greater **dwelling unit**;
 - v. a minimum of 0.16 residential visitor **parking spaces** for each **dwelling unit**; and
 - vi. required **parking spaces** for commercial uses may be shared with residential visitor **parking spaces**;
- (n) Despite Regulation 200.5.10.1 (12) the total number of resident **bicycle parking spaces** required pursuant to this by-law, the number of **parking spaces** for residents provided on the **lot** may be provided at a reduced rate of 1 **parking space** for every five (5) **bicycle parking spaces** provided in excess of the minimum number of required bicycle **parking spaces**, provided the reduction is not greater than 20 percent of the total minimum **parking spaces** required;
- (o) Despite Article 220.5.10, one Type "G" **loading space** shall be provided;
- (p) Despite Regulations 230.5.1.10(9) and 230.30.1.20(1), "long term" **bicycle parking spaces** may be located on the first and second **storeys** of the building and on levels of the building below-ground;
- (q) Despite Regulation 230.5.1.10(10), "long term" and "short term" "**bicycle parking spaces** may be located in **stacked bicycle parking spaces**;
- (r) Despite Regulation 230.5.10.1(4), residential visitor and retail use **bicycle parking spaces** may be shared.

Prevailing By-laws and Prevailing Sections: (None apply)

6. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on July 22, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

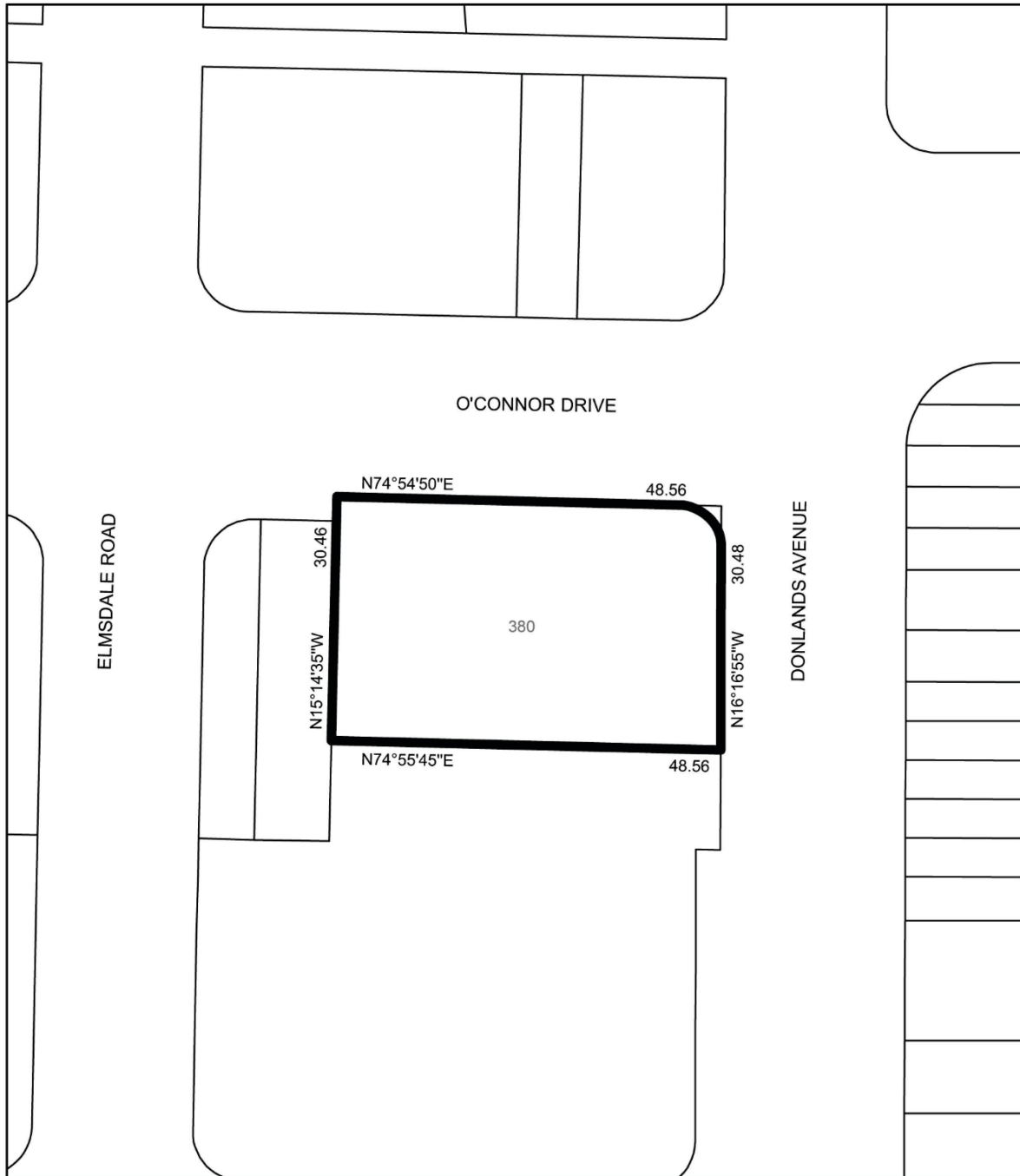


Diagram 2

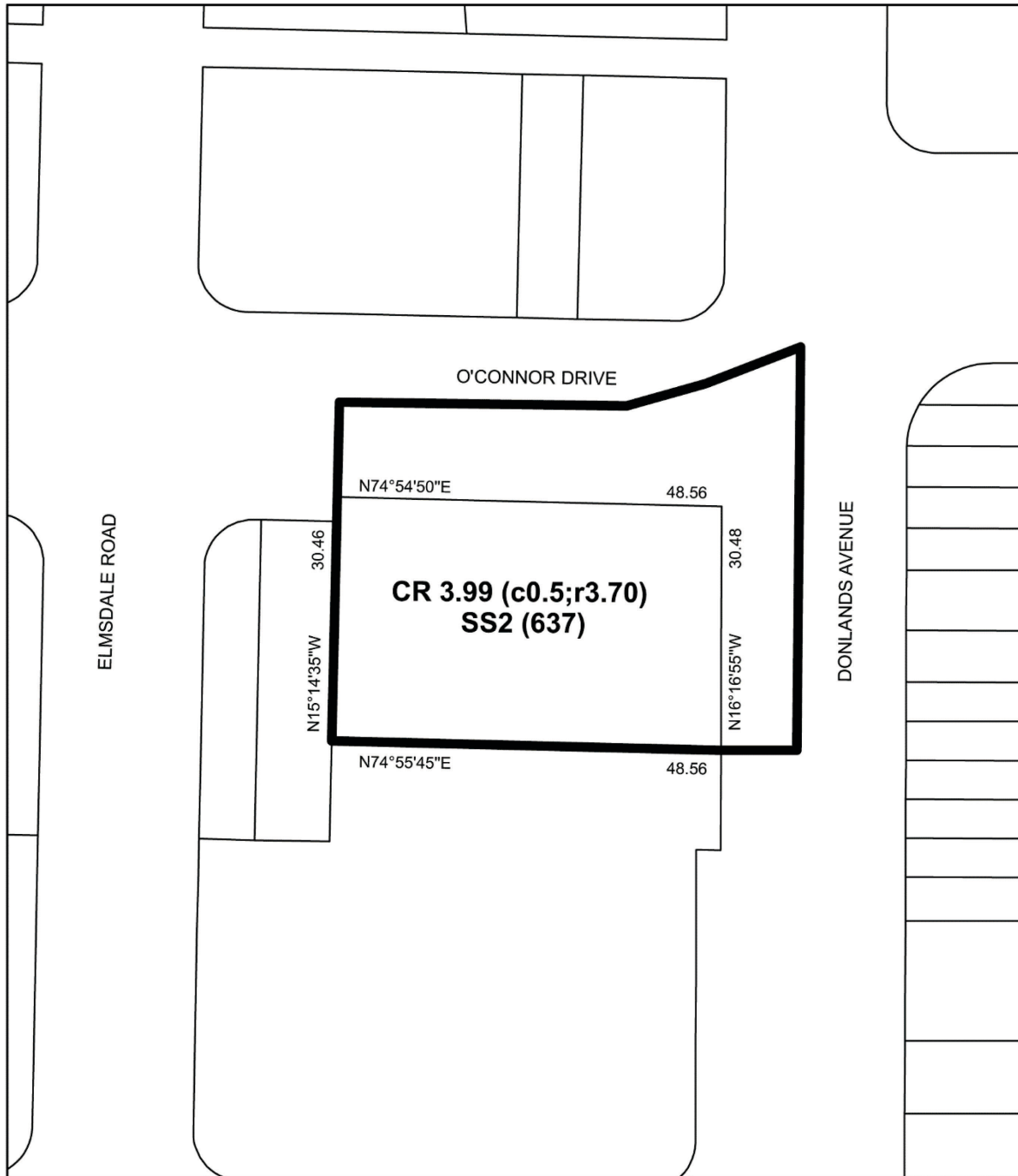


Diagram 3

