

Authority: Toronto and East York Community Council
Item TE6.26, as adopted by City of Toronto Council on
July 19 and 20, 2023
City Council voted in favour of this by-law on July 20,
2023
Written approval of this by-law was given by Mayoral
Decision 8-2023 dated July 20, 2023

CITY OF TORONTO

BY-LAW 703-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 1793 and 1795 Danforth Avenue.

Whereas Council of the City of Toronto has the authority 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; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once Council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)";

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 990.11 respecting the lands outlined by heavy black lines from a zone label of CR 3.0 (c2.0; r2.5) SS2 (x2219) to a zone label of (H) CR 3.0 (c2.0; r2.5) SS2 (x883) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 883 so that it reads:

(883) Exception CR (883)

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 1793 and 1795 Danforth Avenue, if the requirements of By-law 703-2023 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (N) 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 120.4 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.1(1), all residential use portions of the **building** must be located above non-residential use portions of the **building** other than residential lobby access;
- (D) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law 703-2023;
- (E) Despite regulations 40.5.40.10(3) to (7), and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 703-2023:
 - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 2.5 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, excluding a mechanical penthouse;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 2.5 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 2.5 metres;
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to outdoor **amenity space**, by a maximum of 2.5 metres; and
 - (viii) despite (i) above, light fixtures may project by a maximum of 0.5 metres;

- (F) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 1,475 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 1,325 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 150 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses is 75 square metres;
- (G) Despite Regulations 40.5.40.70(1) and 40.10.40.70(2) the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 703-2023;
- (H) Despite Regulation 40.5.40.60(1) and Clause 40.10.40.60 and (G) above, the following elements may encroach into the required minimum **building setbacks** as follows:
- (i) canopies and awnings, by a maximum of 1.0 metres;
 - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 1.0 metres;
 - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
 - (iv) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
 - (v) eaves, by a maximum of 1.0 metres;
 - (vi) air conditioners, satellite dishes, antennae, vents, pipes and utility connections, by a maximum of 1.0 metres; and
 - (vii) guard rails, divider screens on a balcony and/or terrace, unenclosed **structures** providing safety or wind protection, parapets, terraces and terrace platforms, to a maximum extent of the **main wall** of the **storey** below;
- (I) Despite Regulations 200.5.10.11(1)(C), 970.10.15.5(5) and Table 970.10.15.5, residential occupant and residential visitor **parking spaces** are not required;

- (J) Equipment for the charging of one electric **vehicle** is permitted within a **parking space**, subject to the equipment being located in the same **parking space** as the **vehicle** to be charged and:
- (i) being within 0.25 metres of two adjoining sides of the **parking space** which are not adjacent and parallel to a **drive aisle** from which **vehicle** access is provided, measured at right angles; and
 - (ii) being at least 5.35 metres from a **drive aisle** from which **vehicle** access is provided, measured at right angles, and at least 1.0 metre from the ground;
- (K) Despite Regulations 200.15.1(1), 970.10.15.5(11), two accessible **parking spaces** must be provided on the **lot** in accordance with the following minimum dimensions:
- (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) the entire length of an accessible parking space must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (L) Despite Regulation 230.5.1.10(4), **bicycle parking spaces** located in a **stacked bicycle parking space** must have the following minimum dimensions:
- (i) length of 1.6 metres;
 - (ii) width of 0.6 metres; and
 - (iii) total vertical clearance of 1.8 metres for the **stacked bicycle parking space**;
- (M) Despite Regulations 230.5.1.10(5), an area used to provide **bicycle parking spaces** must have a minimum vertical clearance of 1.8 metres; and
- (N) Despite Regulation 230.5.1.10(12), **bicycle maintenance facilities** are not required.

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

5. Holding Symbol Provisions:

- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and

- (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted by City Council when the following are fulfilled:
- (i) Submit to the Chief Engineer and Executive Director, Engineering and Construction Services for review and acceptance, a revised Functional Servicing and Stormwater Management Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development.
 - (ii) Enter into an agreement or make alternate arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services to pay for and construct any improvements to the municipal infrastructure in connection with the accepted Functional Servicing and Stormwater Management Report, should it be determined that improvements to such infrastructure are required to support this development.

Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

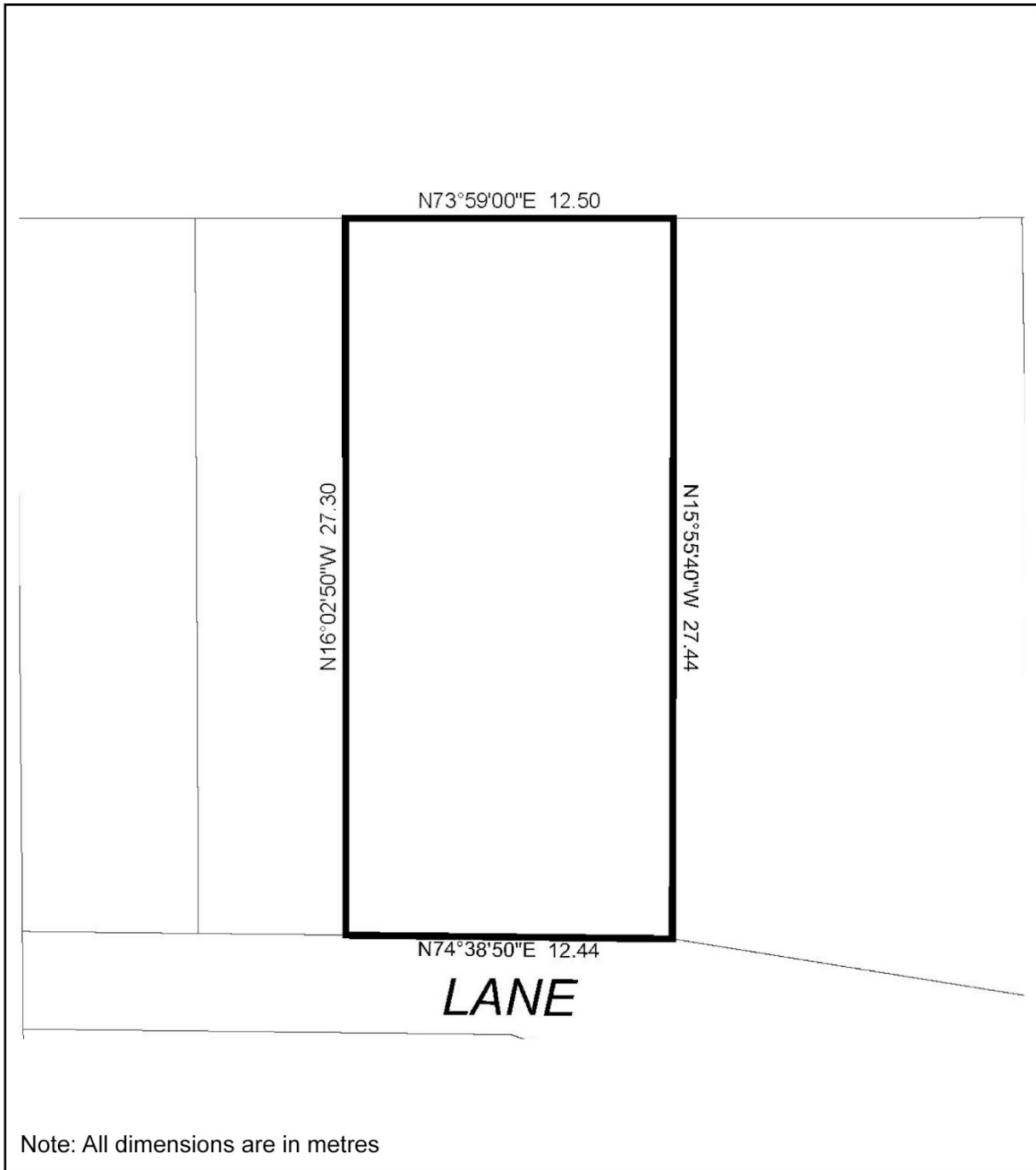


Diagram 2

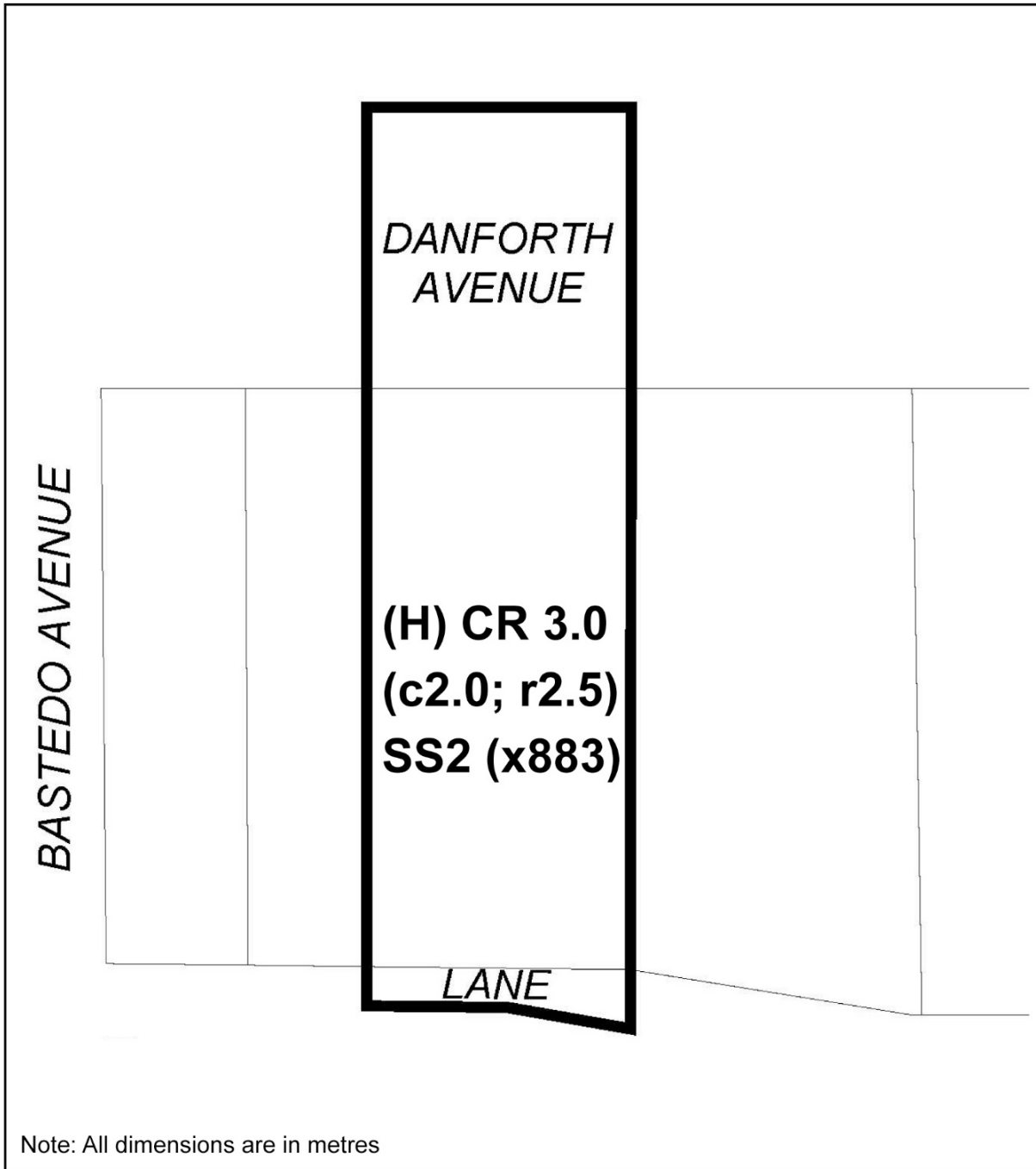


Diagram 3

