

Authority: Toronto and East York Community Council
Item TE5.6, as adopted by City of Toronto Council on June
14 and 15, 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 739-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 555 Davenport Road.

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 39 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law;

The Council of the City of Toronto enacts:

1. The lands subject to the 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 adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 14.0, as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands B1 as shown on Diagram 3 attached to this By-law.
5. 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 from a zone label of IE 2.5 (x10) to a zone label of RA (x226) as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.7.10 Exception Number 226 so that it reads:

(226) Exception RA 226

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 555 Davenport Road, as shown on Diagram 1 of By-law 739-2023, if the requirements of By-law 739-2023 are complied with, a **building or structure** may be constructed, used or enlarged in compliance with regulations (B) to (R) below;
- (B) Despite Regulation 15.5.40.10(1), the height of a **building or structure** is the distance between the Canadian Geodetic Datum elevation of 129.0 metres and the elevation of the highest point of the **building or structure**;
- (C) Despite Regulation 15.10.40.10(1)(A), the permitted maximum height of a **building or structure** on the lands is the number in metres following the "HT" as shown on Diagram 5 of this By-law 739-2023;
- (D) Despite Regulations 15.5.40.10 (2) to (6), and (C) above, the following elements may project above the permitted maximum height as shown on Diagram 5 of this By-law 739-2023 as follows:
 - (i) window washing equipment, chimneys, vents, and lightning rods, by a maximum of 5.0 metres;
 - (ii) wind screens, elevator overruns and stair overruns, by a maximum of 2.0 metres;
 - (iii) pergolas, trellises, pool equipment, fences, dividers, screens, and light fixtures, by a maximum of 3.0 metres; and
 - (iv) parapets, guard rails, railings, balustrades, eaves, roof drainage, roof assemblies, and elements of a **green roof**, by a maximum of 1.5 metres.
- (E) Despite (C) above, no portion of a **building** shall be located within "Area A" as shown on Diagram 5 of By-law 739-2023, between finished grade and 2.9 metres above finished grade;
- (F) Despite Regulation 15.10.40.40(1), the permitted maximum **gross floor area** of all **buildings and structures** is 12,000.0 square metres;
- (G) For the purpose of (E) above, parking, electrical, utility, mechanical and ventilation rooms on the **first floor** are excluded from the calculation of **gross floor area**;

- (H) The provision of **dwelling units** is subject to the following:
- (i) A minimum of 15 percent of the **dwelling units** in the **building** must have two bedrooms; and
 - (ii) In addition to the **dwelling units** that have two bedrooms, a minimum of 10 percent of the **dwelling units** in the **building** must have three or more bedrooms.
- (I) Despite Regulation 15.10.40.50(1), an **apartment building** with 20 or more **dwelling units** must provide **amenity space** according to the following:
- (i) at least 2.0 square metres for each **dwelling unit** of indoor **amenity space** located at or above **established grade**; and
 - (ii) at least 30.0 square metres of outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**;
- (J) Despite Clauses 15.10.40.70 and 15.10.40.80, the required minimum **building setbacks** and separation distances between **main walls** are as shown in metres on Diagram 5 of By-law 739-2023;
- (K) Despite Clause 15.5.40.60, and (I) above, the following elements may encroach into the required minimum building **setbacks** and **main wall** separation distances as follows:
- (i) Cornices, light fixtures, stairs, ornamental elements, art and landscape features, pillars, windowsills, eaves, planters, ventilation shafts, guardrails, balustrades, railings, doors, fences, screens, site servicing features, awnings and canopies, by a maximum of 0.6 metres;
 - (ii) Stairs and stair enclosures, by a maximum of 2.0 metres; and
 - (iii) Terraces, to the extent of the **main wall** of the **storey** below.
- (L) Despite Regulation 15.5.50.10(1):
- (i) a minimum of 7 percent of the area of the **lot** must be for **landscaping**; and
 - (ii) a minimum of 35 percent of the **landscaping**, required by (K)(i) above, must be **soft landscaping**.
- (M) Despite Regulation 15.5.50.10(2), a minimum 1.5 metre wide strip of land for **soft landscaping** along any part of a **lot line** abutting a **lot** in the Residential Zone category is not required;

- (N) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) a minimum of 0.0 **parking spaces** for each **dwelling unit** for residential occupants;
 - (ii) a maximum of 0.5 **parking spaces** for each one bedroom **dwelling unit**, 0.8 **parking spaces** for each two bedroom **dwelling unit**, and a maximum of 1.0 **parking space** for each three or more bedroom **dwelling unit** for residential occupants;
 - (iii) a minimum of 2.0 **parking spaces** plus 0.01 **parking spaces** for each **dwelling unit** for residential visitors; and
 - (iv) a maximum of 1.0 **parking space** per **dwelling unit** for the first five **dwelling units**, and a maximum rate of 0.1 **parking space** per **dwelling unit** for the sixth and subsequent **dwelling units** for residential visitors.
 - i. a minimum of 1.0 "car-share parking space"; and
 - a. for the purpose of this exception, "car-share" 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 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
 - b. for the purpose of this exception, "car-share parking space" means a parking space that is reserved and actively used for car-sharing.
- (O) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 10 percent of the total **parking spaces** may be obstructed on one or both sides in accordance with 200.5.1.10(2)(D) without a requirement to increase the minimum width by 0.3 metres;
- (P) Despite Regulation 230.5.1.10(4), if a **stacked bicycle parking space** is provided in a mechanical device where any portion of a bicycle is situated above or below any portion of an adjacent bicycle, the minimum required width of each such **stacked bicycle parking space** is 0.45 metres;
- (Q) Despite Regulation 230.5.1.10(10), both "long-term" and "short-term" **bicycle parking spaces** may be provided in a **stacked bicycle parking space**; and

- (R) Despite Regulation 230.5.10.1(5)(A), a minimum of 1.0 **bicycle parking spaces** for each **dwelling unit**, allocated as 0.9 "long-term" **bicycle parking space** per **dwelling unit** and 0.1 "short-term" **bicycle parking space** per **dwelling unit** is required.

Prevailing By-laws and Prevailing Section(s): (None Apply)

7. 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.
8. Temporary use(s):
- (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales office on the **lot** for a period of not more than 1 year from the date this By-law comes into full force and effect, provided:
- (i) The permitted maximum height does not exceed 6.0 metres; and
- (ii) The number of storeys does not exceed 1.

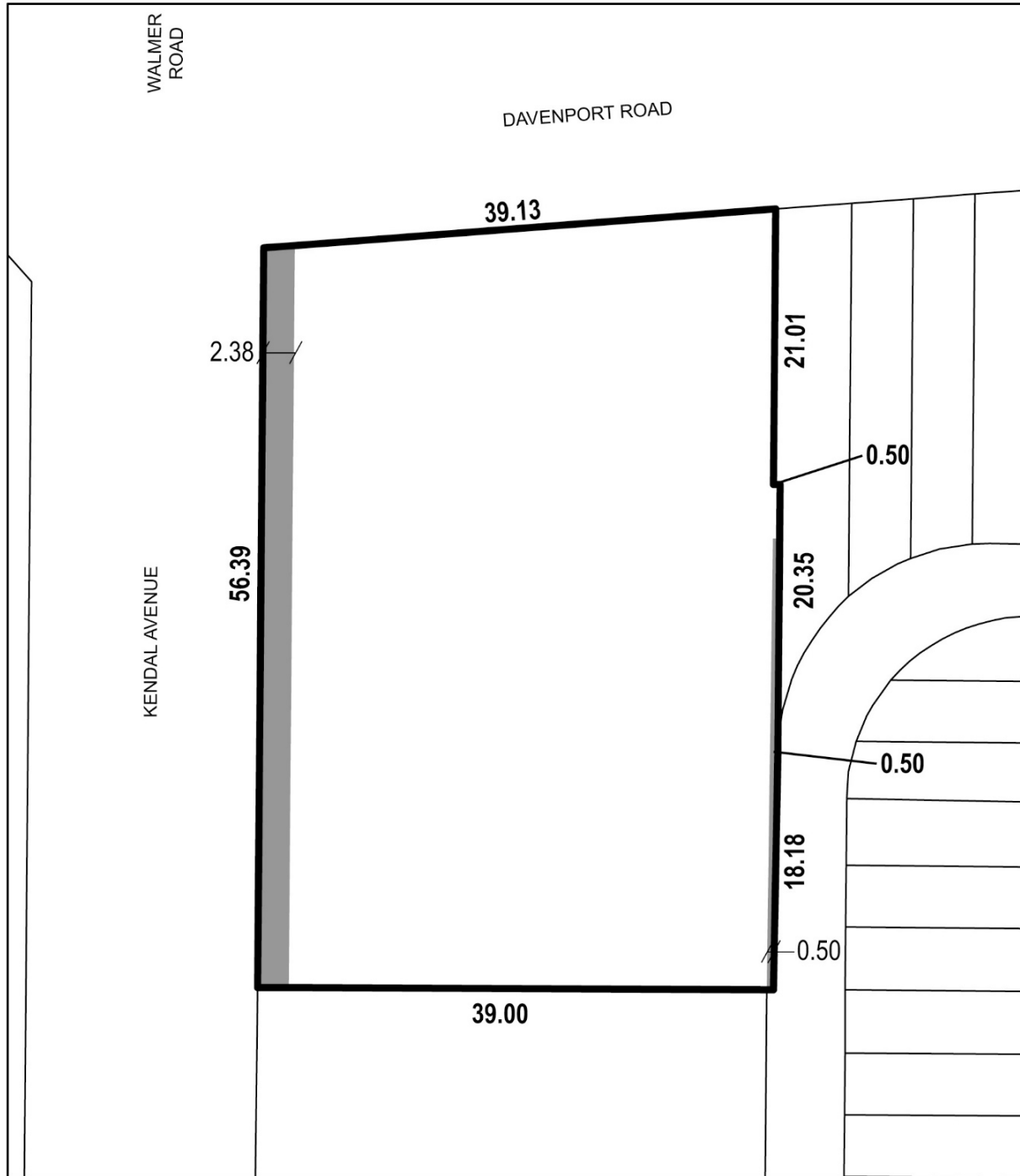
Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)


Diagram 1



 **TORONTO**
Diagram 1

555 Davenport Road

File #: 22 137948 STE 12 OZ

 Road and Lane Widening


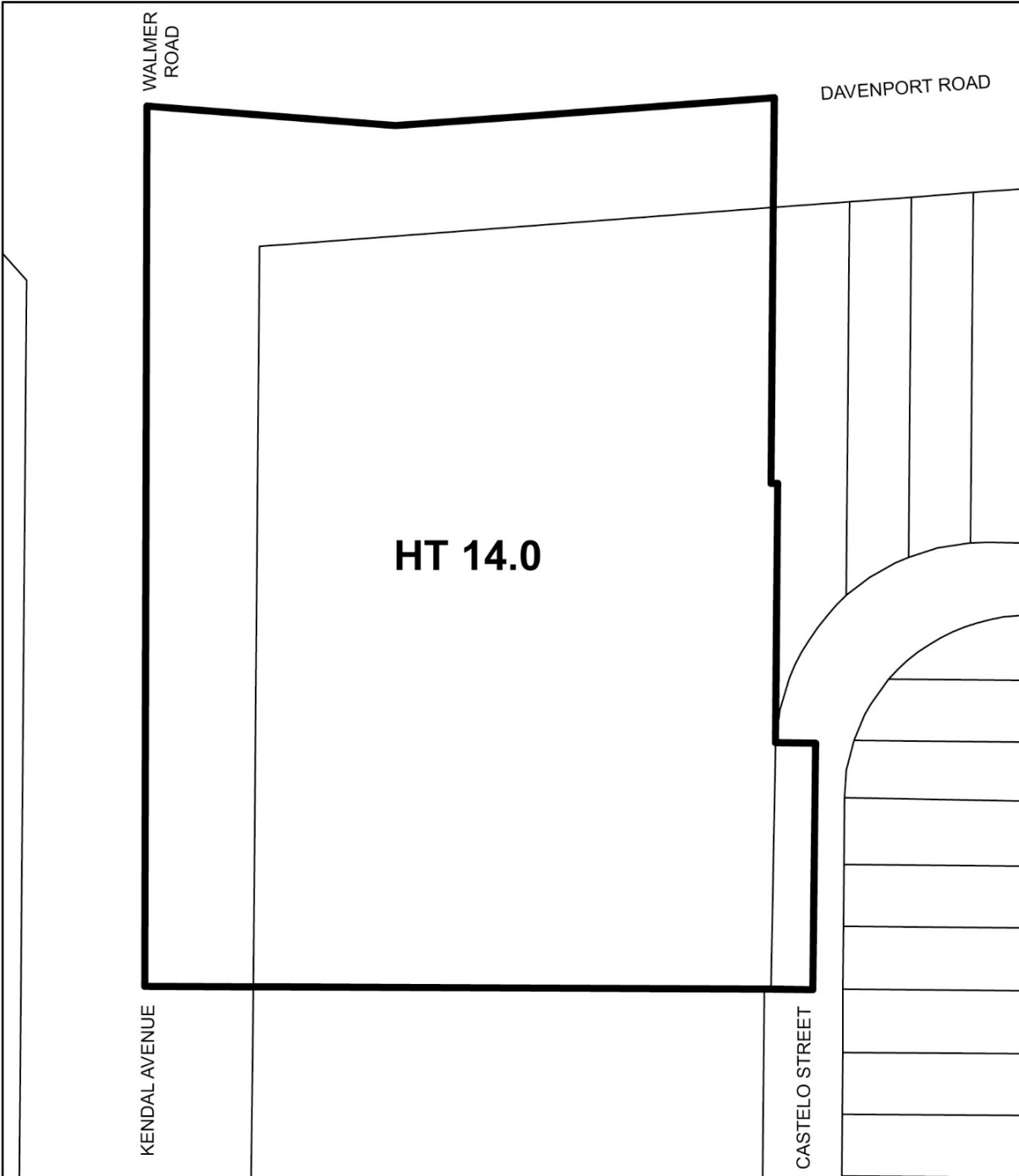

City of Toronto By-law 569-2013
Not to Scale
04/11/2023

Diagram 2



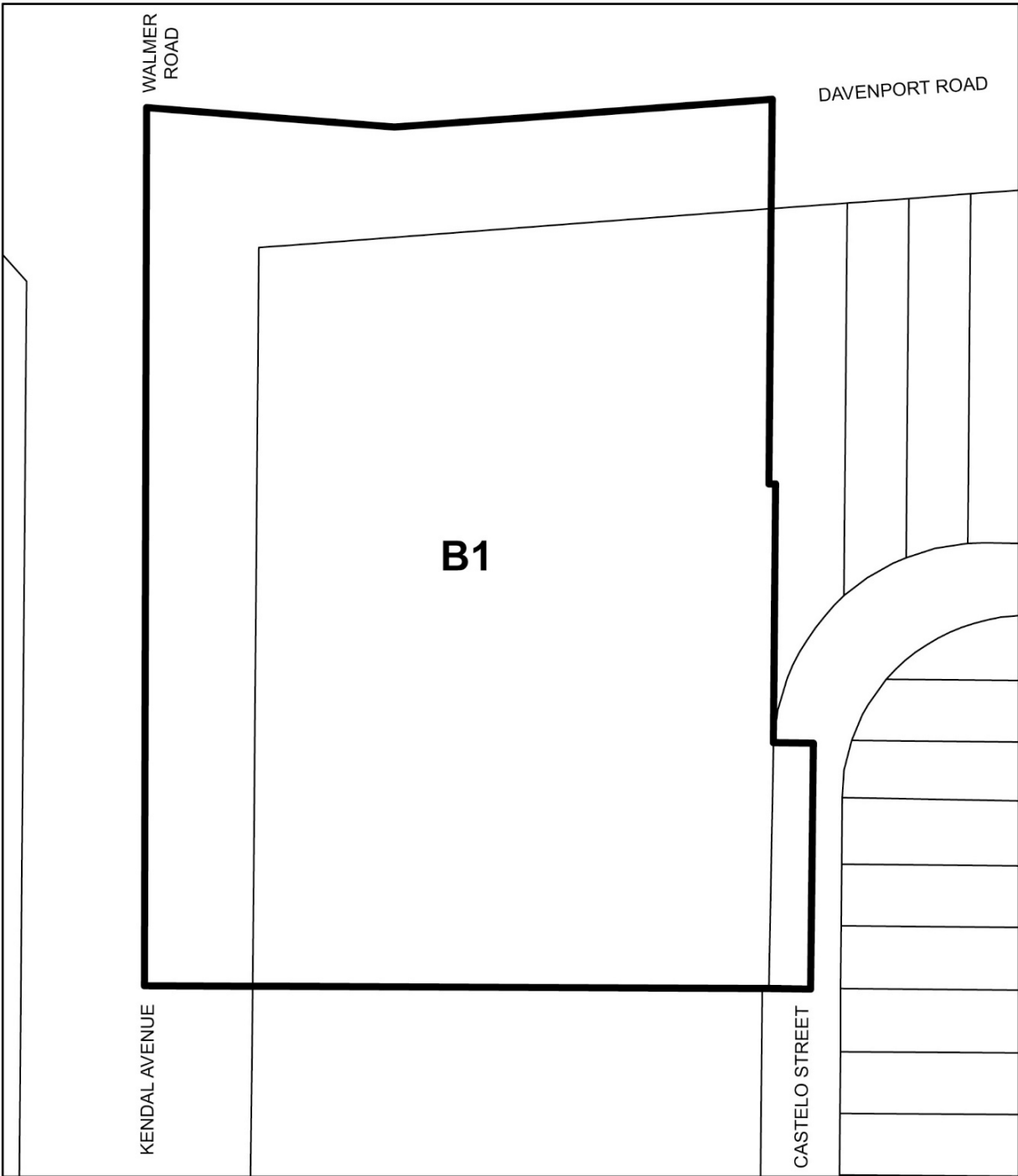
 **TORONTO**
Diagram 2

555 Davenport Road

File #: 22 137948 STE 12 OZ



Diagram 3



 **TORONTO**
Diagram 3

555 Davenport Road

File #: 22 137948 STE 12 0Z

Diagram 4

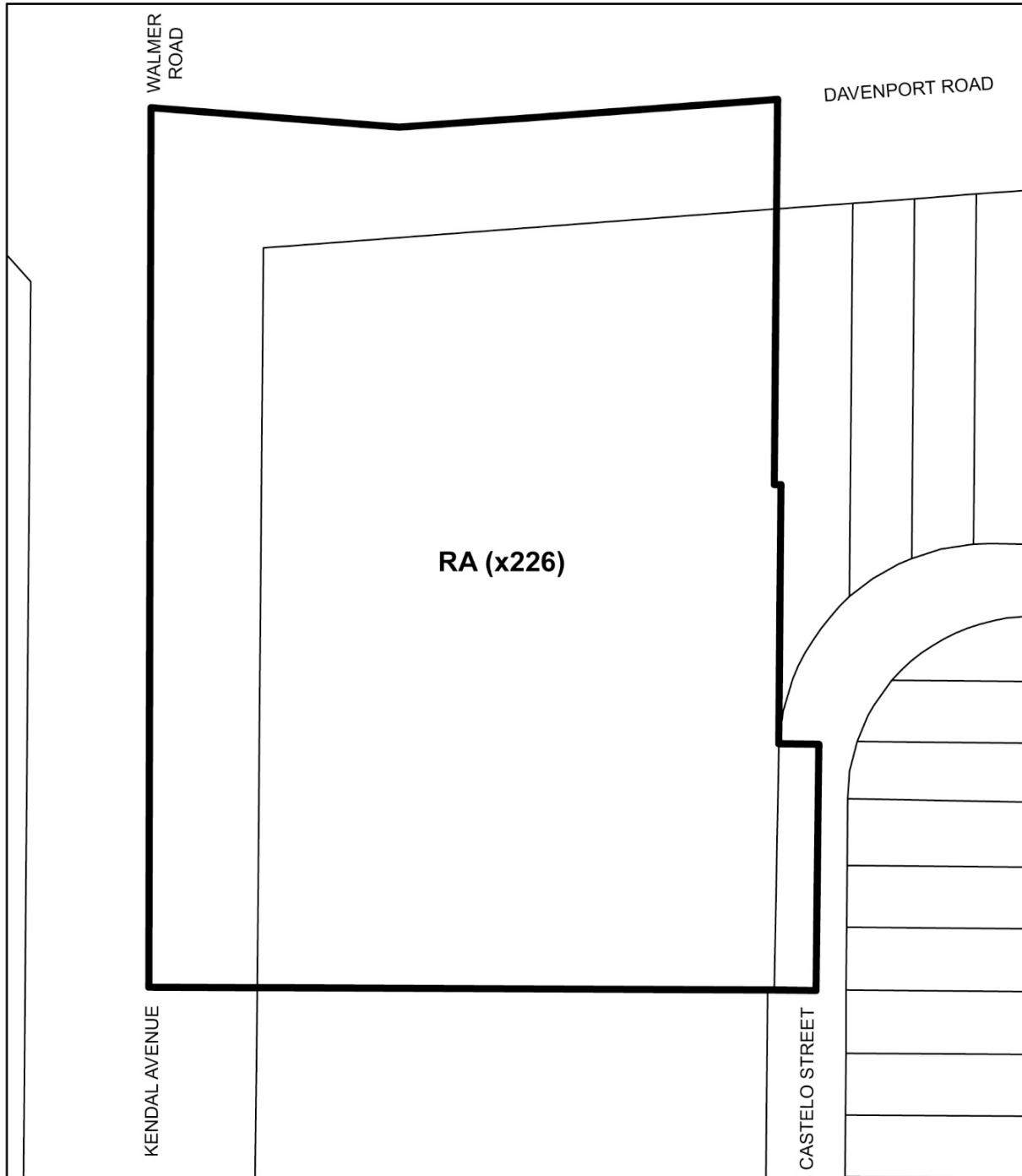


Diagram 5

