

Authority: Toronto and East York Community Council
Item TE34.38, as adopted by City of Toronto Council on
July 19, 20, 21 and 22, 2022
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 781-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 110, 112, 114, and 116 Avenue Road.

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 outlined by heavy black lines from CR 1.5 (c1.0; r1.0) SS2 (x1923) to CR 1.5 (c.1.0; r1.0) SS2 (x763), 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 763 so that it reads:

(763) Exception CR 763

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 110, 112, 114, and 116 Avenue Road, if the requirements of By-law 781-2023 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Sections (B) to (Q) 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 118.60 metres and the highest point of the **building** or **structure**;
- (C) Despite Regulations 40.5.40.10(4) and (5), and 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 781-2023;
- (D) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
 - (iv) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (E) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.8 metres;
- (F) Despite Regulations 40.5.40.10(3) to (8) and (C) above, the following elements of a **building** may project above the permitted maximum height in Diagram 3 of By-law 781-2023:
 - (i) lightning rods, water supply facilities, window washing equipment, satellite dishes, mechanical screens, landscape and ornamental features, trellises, cabanas, light fixtures, antennae, flagpoles, and garbage chute overruns by a maximum of 2.5 metres;
 - (ii) elevator/stair overruns, cooling towers, generators, air cooled chillers and associated mechanical equipment by a maximum of 3.0 metres;
 - (iii) wind mitigation, vents, roof access, solar panels, mechanical exhausts, flues, pipes, vents, fans, and chimneys on the rooftop by a maximum of 2.0 metres;
 - (iv) terrace and balcony dividers/privacy screens by a maximum of 2.5 metres;
 - (v) guardrails, railings, masonry pilasters, wheelchair ramps, roofing assembly and drainage, elements of **green roof**, parapets, cornices, balustrades and bollards by a maximum of 1.5 metres; and

- (vi) the total area of all equipment, **structures**, of parts of a **building** exceeding the permitted maximum height for the **building**, as permitted by (i) to (v) above, may cover no more than 39 percent of the area of the roof, measured horizontally;

- (G) Despite Regulation 40.5.1.10(3)(A) and 40.10.40.40(1) and (2), the permitted maximum **gross floor area** of all **buildings** and **structures** on the lot is 5,100 square metres of which:
 - (i) The permitted maximum **gross floor area** for residential uses is 4,750 square metres; and
 - (ii) The permitted maximum **gross floor area** for non-residential uses is 350 square metres;

- (H) Despite Regulation 40.10.40.1(1), residential **amenity space** and **residential dwelling units** may be located on the same **storey** as non-residential use portions of a **mixed use building**;

- (I) Despite Regulation 40.10.40.1(2), the **floor** level of the first **storey** is not required to be within 0.2 metres of the ground measured at the **lot line** abutting the **street** directly opposite each pedestrian **entrance** and is not required to be level with the public sidewalk;

- (J) Despite Regulation 40.10.40.50(1), no outdoor **amenity space** is required to be in a location adjoining or directly accessible to indoor **amenity space**;

- (K) Despite Clause 40.5.40.70 and Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 781-2023;

- (L) Despite Regulations 40.10.40.60(1) to (9) and Regulation (K) above, the following elements may encroach into the required minimum **building setbacks** on Diagram 3 of By-law 781-2023:
 - (i) pilasters, vertical and horizontal architectural cladding or similar features, including **building**-related materials interior to the banding, to a maximum of 0.2 metres;
 - (ii) Balconies are permitted within the balcony zones identified on Diagram 4 of By-law 781-2023 and the provision of balconies within each Zone is subject to the following:
 - (a) balconies may encroach up to a maximum of 0.5 metres at or above the 5th **storey** in Balcony Zone 1;
 - (b) balconies may encroach up to a maximum of 1.8 metres at or above the 2nd **storey** in Balcony Zone 2;

- (c) balconies may encroach up to a maximum of 1.8 metres at or above the 5th **storey** in Balcony Zone 3;
 - (d) balconies may encroach up to a maximum of 1.8 metres at or above the 2nd **storey** in Balcony Zone 4; and
 - (e) balconies may encroach up to a maximum of 1.8 metres at or above the 8th **storey** in Balcony Zone 5;
 - (iii) canopies, window washing equipment, satellite dishes, cornices, eaves, window sills, light fixtures/features, railings, and antennae by a maximum of 0.6 metres;
 - (iv) trellises, guardrails, balustrades, awnings, and vents by a maximum of 1.5 metres;
 - (v) landscape and ornamental elements by a maximum of 2.0 metres;
 - (vi) Despite (L)(ii) above, balconies which do not project into a required **building setback** are permitted at each **storey**; and
 - (vii) Despite (L)(ii) above, terraces are permitted above rooftop areas and may project into the required **building setbacks**;
- (M) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 0.87 residential occupant **parking spaces** per **dwelling unit**;
 - (ii) a minimum of 0.08 residential visitor **parking spaces** per **dwelling unit**; and
 - (iii) a minimum of 3 **parking spaces** are required for non-residential uses;
- (N) Despite Regulations 40.10.90.10(1) and Clause 40.10.90.40, **vehicle** access to a **loading space** may be provided from a **street, laneway**, or private **driveway**;
- (O) Despite Regulation 40.10.100.10, **vehicle** access to the **lot** may be provided from a **street, laneway**, or private **driveway**;
- (P) Despite Regulations 200.15.1(1) to (4) and By-law 579-2017, accessible **parking spaces** must be provided in accordance with the following:
- (i) an accessible **parking space** must have the following minimum dimensions:
 - (a) length of 5.6 metres;

- (b) width of 3.4 metres; and
- (c) vertical clearance of 2.1 metres;
- (ii) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017;
- (iii) accessible **parking spaces** must be located within 16 metres of a barrier free entrance to the **building** or passenger elevator that provides access to the first **storey** of the **building**; and
- (Q) Despite Regulation 200.5.1.10(13), **parking spaces** may be accessed from a parking elevator and the parking elevator must have access provided from either a **street, laneway or private driveway** for when it is located on the ground floor.

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

5. Notwithstanding any severance, partition or division of the lands, the provisions of this By-law shall apply to the whole of the lands, if no severance, partition or division had occurred.

Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

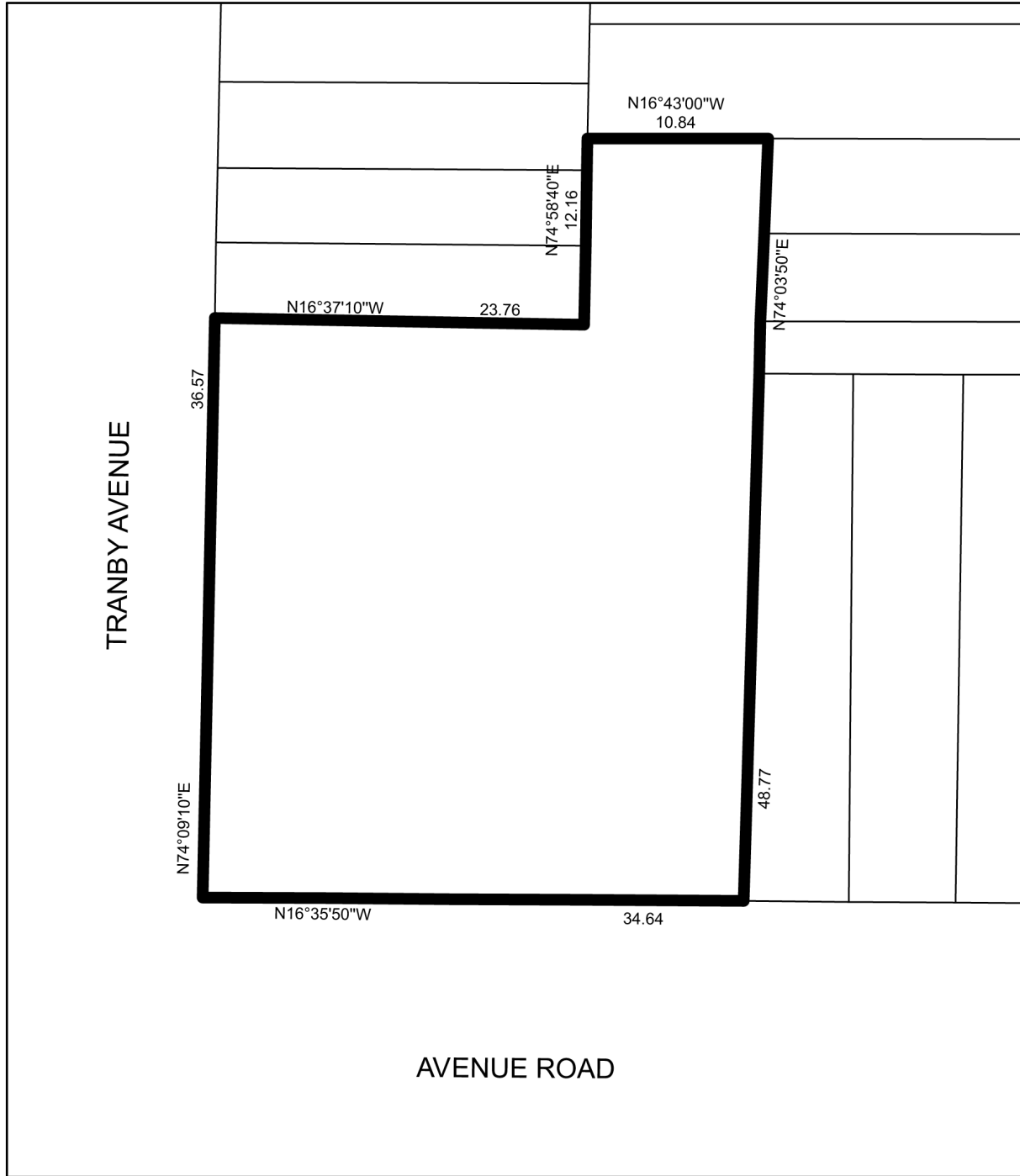


Diagram 2

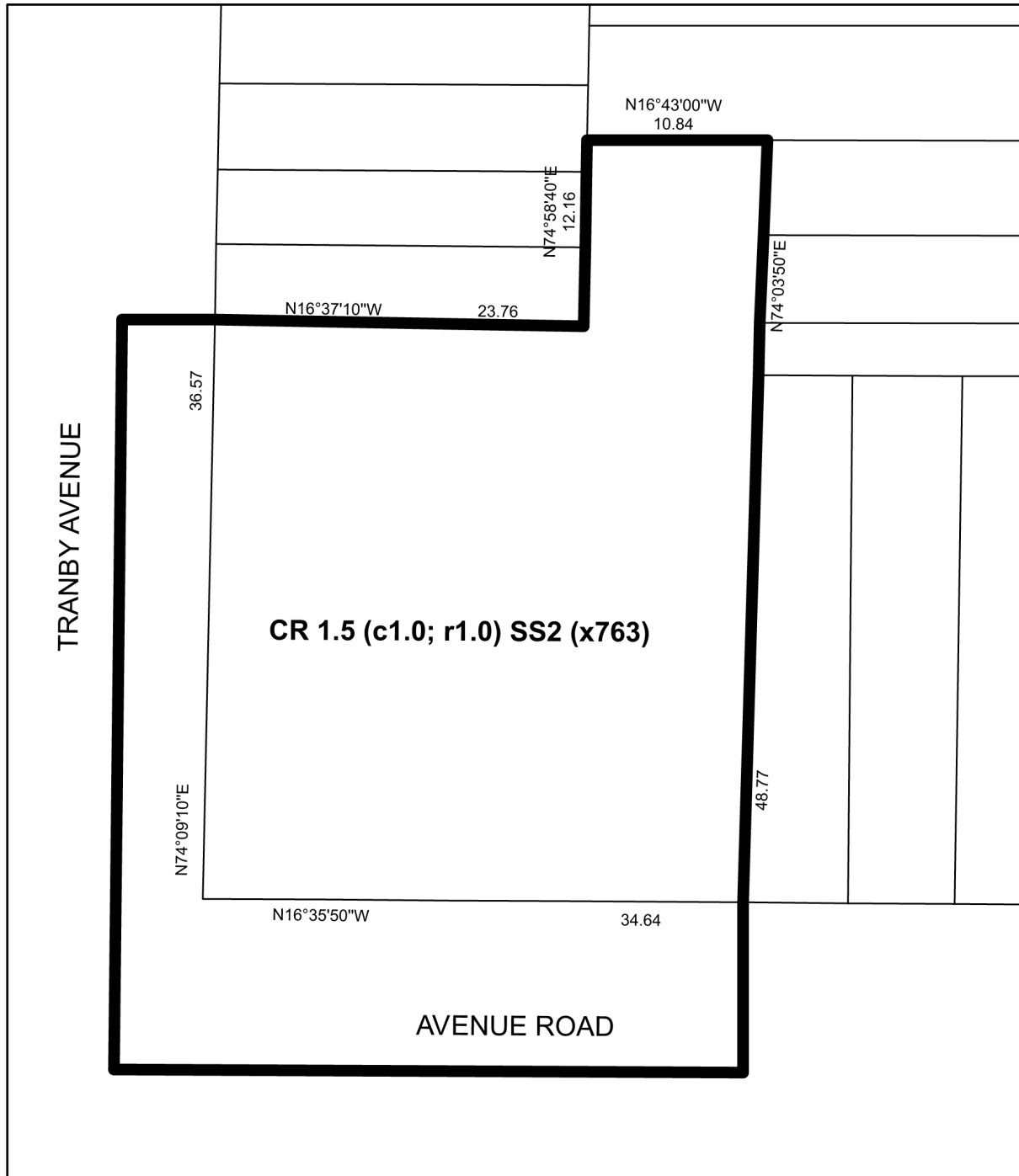


Diagram 4

