

Authority: Toronto and East York Community Council
Item TE6.8, as adopted by City of Toronto Council on July
19 and 20, 2023
City Council voted in favour of this by-law on
November 9, 2023
Written approval of this by-law was given by Mayoral
Decision 23-2023 dated November 9, 2023

CITY OF TORONTO

BY-LAW 1107-2023

To amend City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 148 to 158 Avenue Road and 220 to 234 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, as amended;

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 municipally known in the year 2022 as 148-158 Avenue Road and 220-234 Davenport Road, as outlined by heavy black lines from CR 2.5 (c1.5; r2.0) SS2 (x1778) and CR 2.5 (c1.5; r2.0) SS2 (x.1893) to CR 2.5 (c1.5; r2.0) SS2 (x882), 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 882 so that it reads:

(882) Exception CR 882

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 148-158 Avenue Road and 220-224 Davenport Road, if the requirements of By-law 107-2023 are complied with, a **building or structure**, addition or enlargement may be constructed and used in compliance with (B) to (V) below;

- (B) Despite regulations 40.5.40.10(1), and 40.5.40.10(2), the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum elevation of 117.89 metres and the highest point of the **building** or **structure**;
- (C) Regulation 40.5.40.60(1), with respect to structural and height requirements for canopies and awnings, does not apply;
- (D) Regulation 40.5.40.70(1) with respect to **building** or **structure** setbacks from the centerline of a **lane** does not apply;
- (E) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building**, provided non-residential uses are located on or below the second **storey**;
- (F) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 24,750 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 24,250 square metres; and
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 500 square metres;
- (G) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of fifteen percent (15 percent) of the total number of **dwelling units** on the **lot** must contain a minimum of two (2) bedrooms or more;
 - (ii) a minimum of 10 percent (10 percent) of the total number of **dwelling units** on the **lot** must contain a minimum of three (3) bedrooms or more;
 - (iii) an additional minimum of 15 percent of the total number of **dwelling units** will be any combination of two bedroom and three bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of two and three bedroom **dwelling units**;
 - (iv) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the calculation of the required **dwelling units** with two or more bedrooms or convertible **dwelling units** in accordance with (i) or (iii) above;
 - (v) any **dwelling units** with two bedrooms provided to satisfy (i) above are not included in the calculation of the required convertible **dwelling units** in accordance with (iii) above;

- (vi) convertible **dwelling units**, as described in (iii) above, may be converted using accessible or adaptable design measures such as knock-out panels; and
 - (vii) if the calculation of the number of required **dwelling units** in accordance with (i), (ii), and (iii) above, results in a number with a fraction, the number may be rounded down to the nearest whole number;
- (H) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at a minimum rate of 3.2 square metres for each **dwelling unit**, of which:
- (i) a minimum of 1.5 square metres per **dwelling unit** is indoor **amenity space**; and
 - (ii) a minimum of 1.5 square metres per **dwelling unit** is outdoor **amenity space**;
- (I) Despite Regulations 40.10.40.70(2) and 40.10.40.80(2), and Article 600.10.10, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 1107-2023;
- (J) Despite Regulation 40.5.40.60(1), Clause 40.10.40.60 and (I) above, the following elements may encroach into the required **building setbacks** and **main wall** separation distances as shown on Diagram 3 of By-law 1107-2023 as follows:
- (i) balconies and related **structures** and elements such as balcony dividers, guardrails, railings and soffit cladding may encroach into the required **building setbacks** and **main wall** separation distances within the area identified as "Balcony Encroachment Zones" on Diagram 4 of By-law 1107-2023;
 - (ii) cornices, light fixtures, ornamental and architectural features, projecting panel system at exterior walls, parapets, art and landscape features, patios, decks, pillars, pergolas, trellises, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, covered walkways, screens, site servicing features, awnings and canopies including support **structures**, equipment used for the exterior maintenance of the **building** and window washing equipment, bicycle parking facilities and underground garage ramps and associated **structures**, may encroach up to a maximum of 2.0 metres; and
 - (iii) guards, railings, parapets, terraces, privacy and wind screens, landscape planters and terrace platforms may project beyond the required **building setback** to the extent of the **main wall** of the **storey** below;

- (K) Despite Regulations 40.10.40.10(1) 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 1107-2023;
- (L) Despite Regulations 40.5.40.10(3) to (8) and (K) above, the following **building** elements and **structures** may project beyond the permitted maximum **height** as shown on Diagram 3 of By-law 1107-2023 as follows:
- (i) equipment used for the functional operation of the **building** and **structures** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, cooling towers, generators, chimneys and vents, and mechanical penthouse by a maximum of 5.5 metres; and
 - (ii) cornices, light fixtures, ornamental and architectural features, vertical screen elements at balconies, projecting panel system at exterior walls, parapets, art and landscape features, patios, decks, pillars, pergolas, trellises, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, covered walkways, screens, site servicing features, awnings and canopies including support **structures**, equipment used for the exterior maintenance of the **building**, window washing equipment, underground garage ramps and associated **structures**, by a maximum of 3.0 metres;
- (M) Despite Regulation 40.10.40.10(5), the minimum **height** of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 3.0 metres;
- (N) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** for the **building** must be provided and maintained in accordance with the following:
- (i) a minimum of 0 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the following permitted maximums:
 - (a) 0.3 for each bachelor **dwelling unit** up to 45 square metres and 1.0 for each bachelor **dwelling unit** greater than 45 square metres;
 - (b) 0.5 for each one bedroom **dwelling unit**;
 - (c) 0.8 for each two bedroom **dwelling unit**; and
 - (d) 1.0 for each three or more bedroom **dwelling unit**;
 - (ii) a minimum of 7 accessible **parking spaces** for the shared use of residential and non-residential visitors;
 - (iii) a minimum of 2 "car share parking spaces";

- (iv) a minimum of 0.1 **parking spaces per unit** must be provided for the use of visitors of residents and non-residential uses;
- (v) for the purpose of this exception, "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 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
- (vi) "car-share parking space" means a **parking space** that is exclusively reserved and actively used for car-sharing;
- (O) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 20 percent of **parking spaces** may be obstructed on one or two 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 200.5.1.10(2)(D), electric **vehicle** infrastructure, including electrical **vehicle** supply equipment, does not constitute an obstruction to a **parking space**;
- (Q) Despite Clause 220.5.10.1, one Type "G" **loading space** must be provided and maintained on the **lot**;
- (R) Despite Regulation 200.15.1(4), an accessible **parking space** must be located within 20 metres of the nearest door of a vestibule or lobby which leads to a barrier-free elevator providing access to the first **storey** of the **building**;
- (S) Despite Regulation 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located up to three levels below-ground;
- (T) Despite Regulations 230.40.1.20(1), "long-term" **bicycle parking spaces** may be located indoors in an enclosed or secured room or enclosure;
- (U) Despite Regulations 230.40.1.20(1) and (2), 230.5.1.10(4)(A), and 230.5.1.10(10), "short-term" **bicycle parking spaces** may:
 - (i) be located in a stacked **bicycle parking space**; and
 - (ii) be located indoors in an enclosed or secured room or enclosure on ground floor and one level below-ground, or outdoors on the **lot**;
- (V) Despite regulation 230.5.1.10(4)(A)(ii) a **stacked bicycle parking space** may have a minimum width of 0.45 metres.

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

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

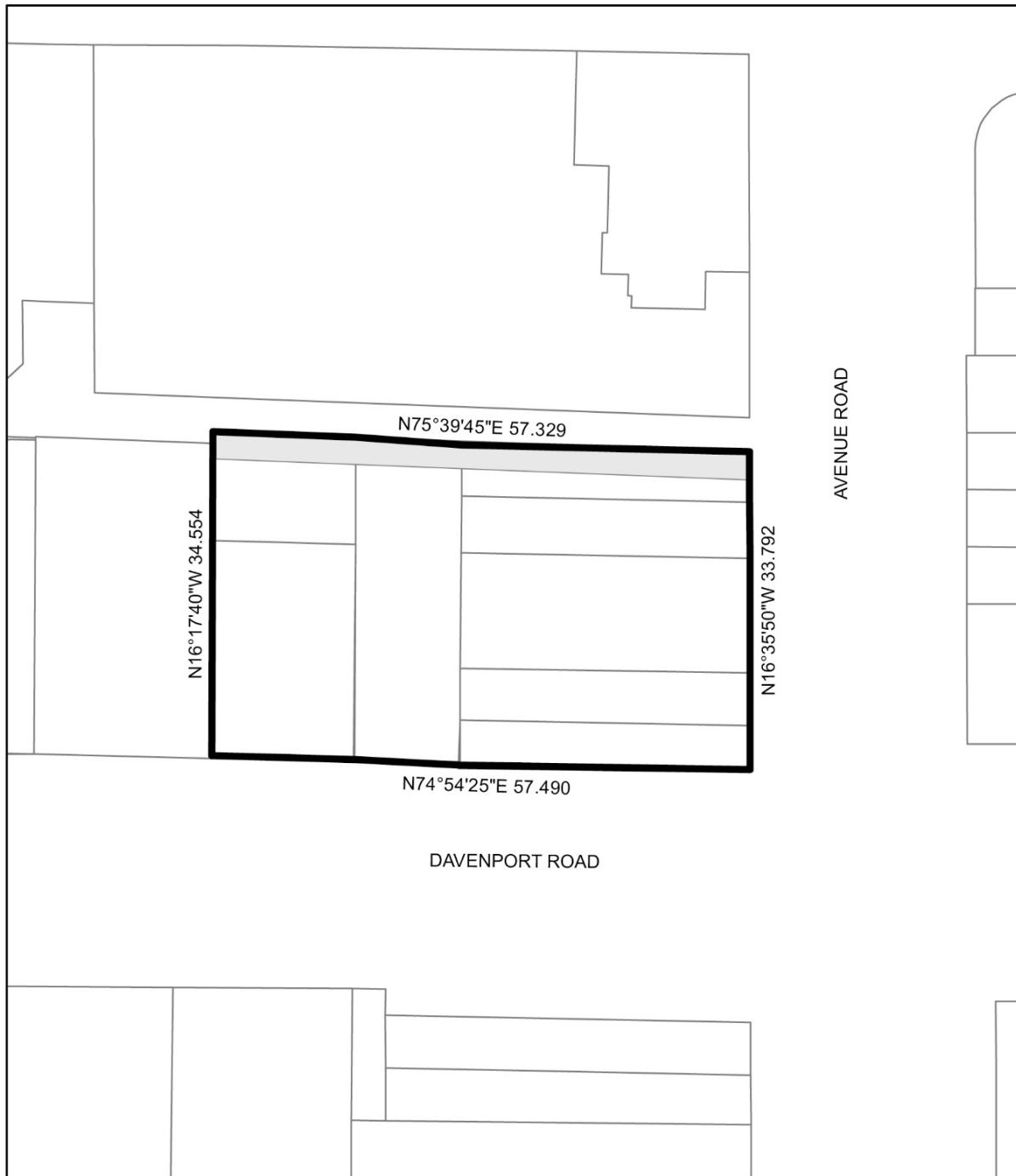
Enacted and passed on November 9, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)


Diagram 1



 **TORONTO**
Diagram 1

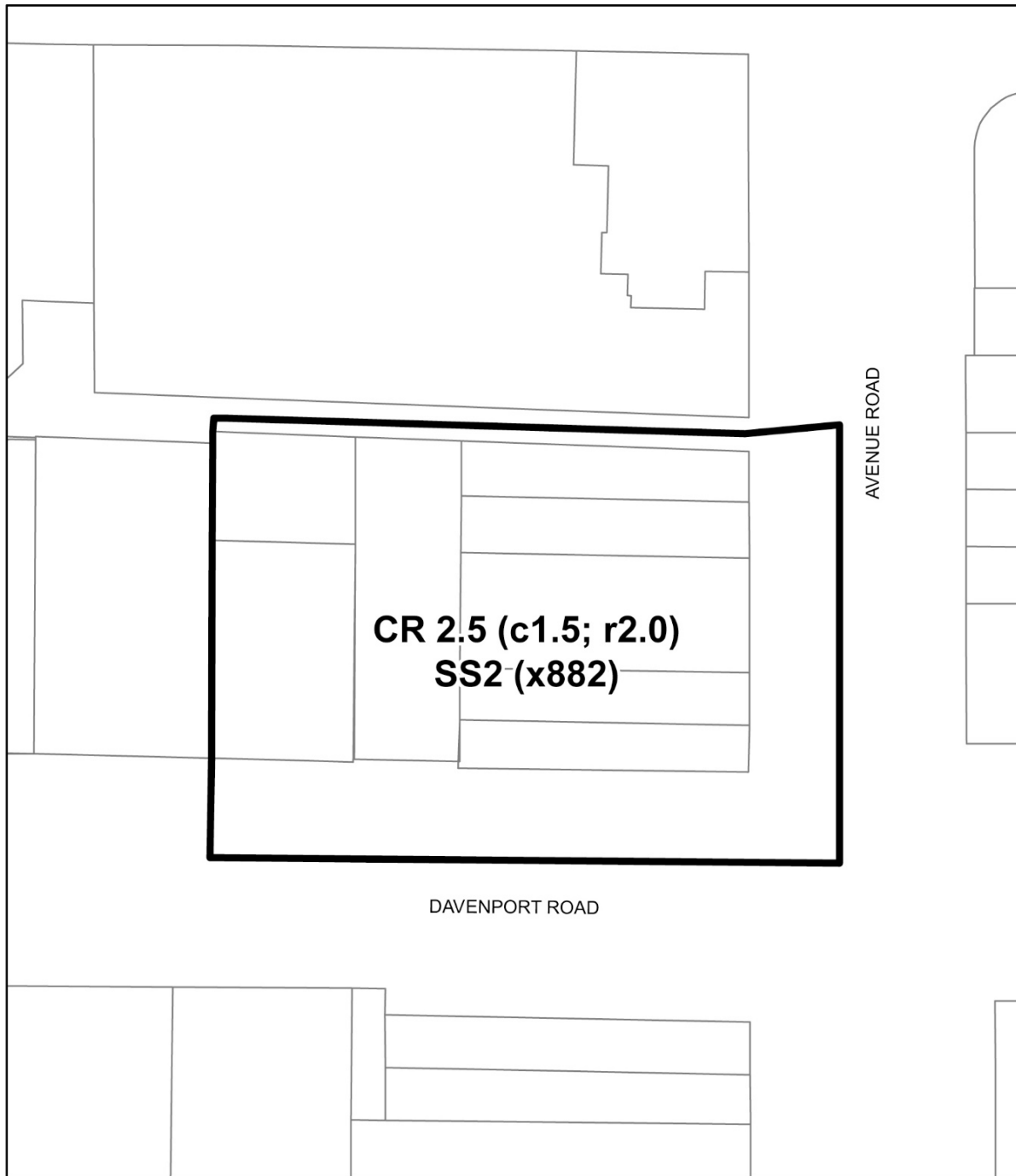
148-158 Avenue Road and 220-234 Davenport Road

File # 21 178720 STE 11 0Z

 2.94 metre stratified lane widening


City of Toronto By-law 569-2013
Not to Scale
06/20/2023

Diagram 2

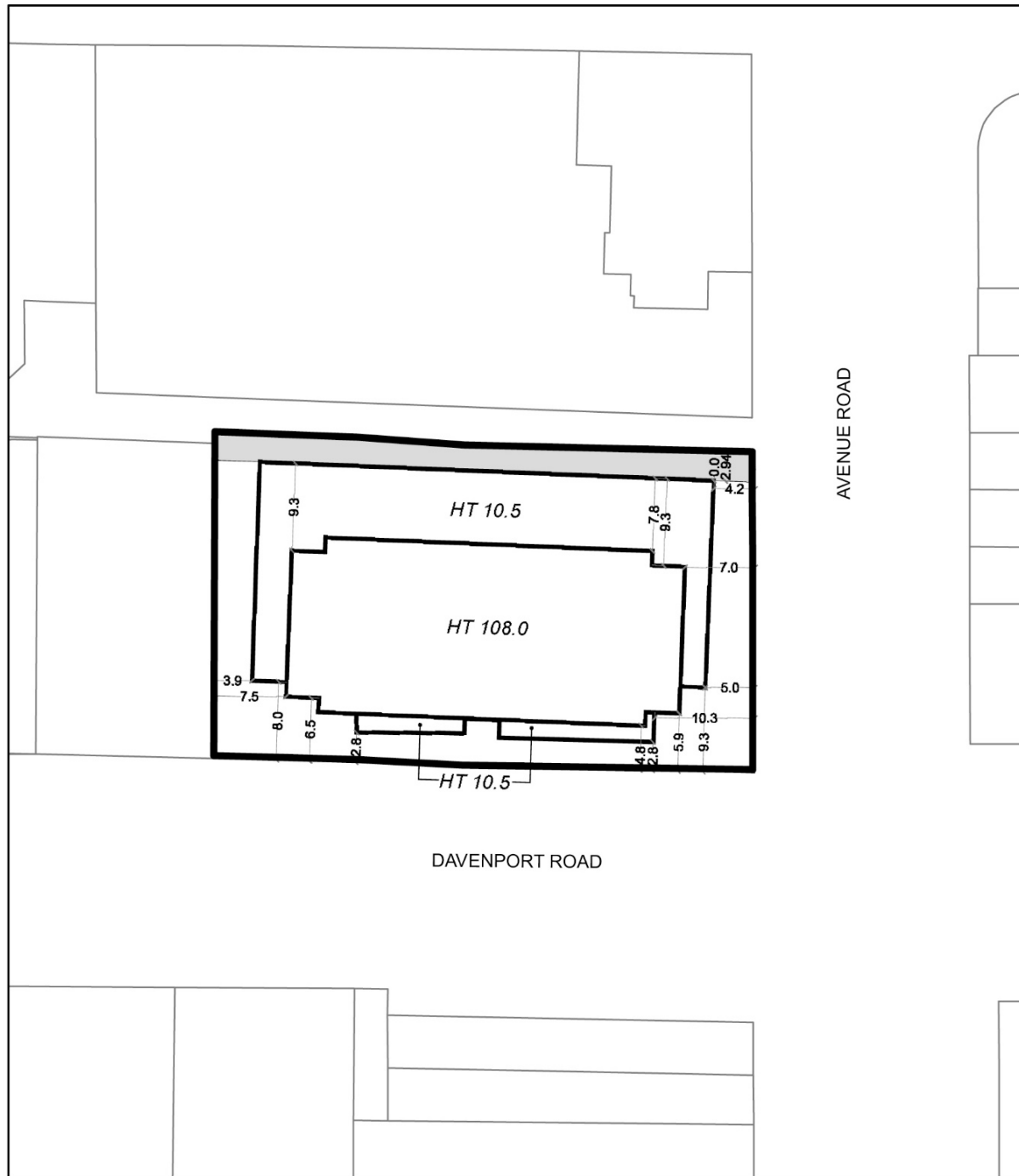


 **TORONTO**
Diagram 2

148-158 Avenue Road and 220-234 Davenport Road

File # 21 178720 STE 11 0Z

Diagram 3



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Diagram 3

148-158 Avenue Road and 220-234 Davenport Road

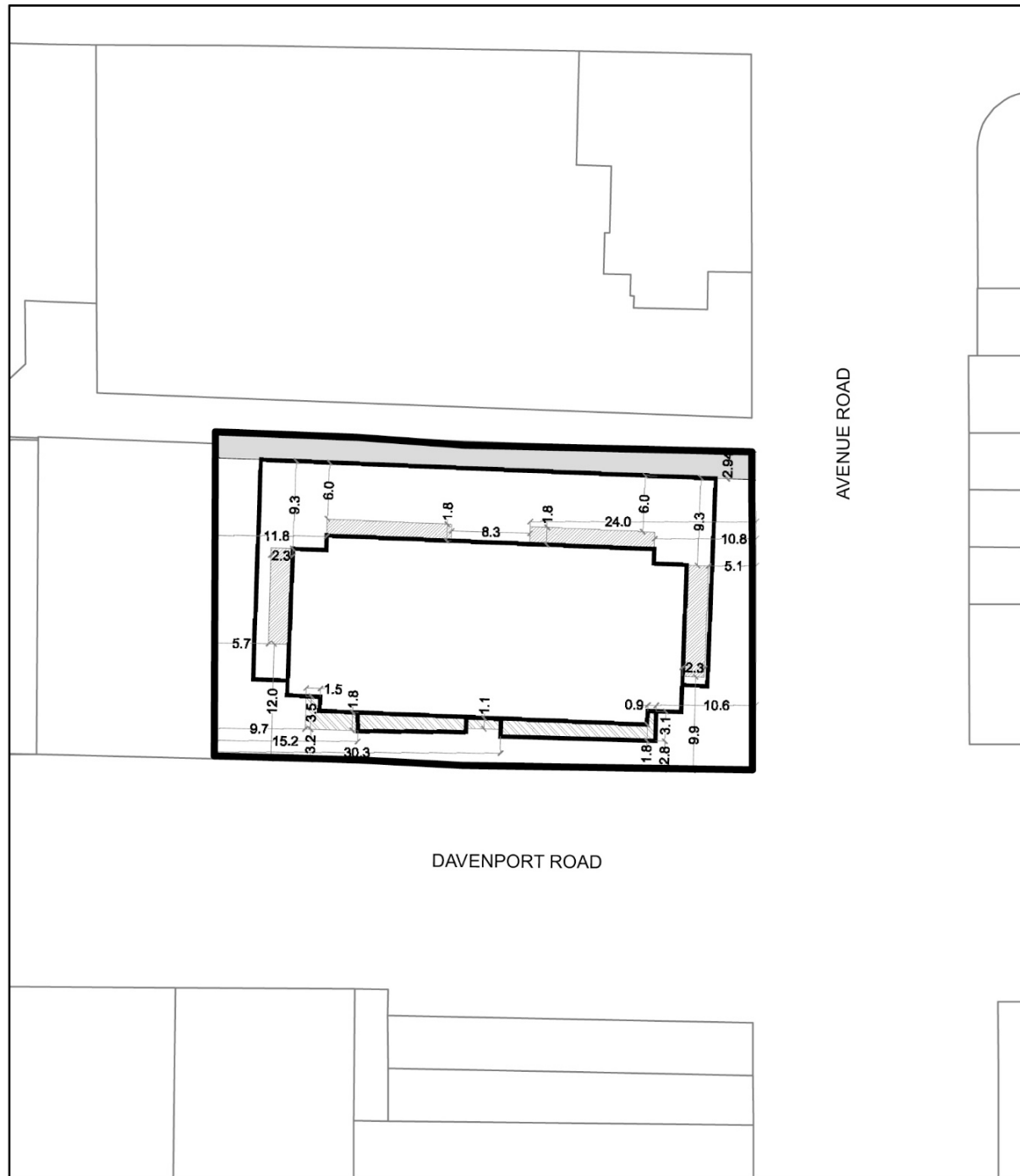
File # 21 178720 STE 11 0Z

2.94 metre stratified lane widening



City of Toronto By-law 569-2013
Not to Scale
06/20/2023

Diagram 4



 **TORONTO**
Diagram 4

148-158 Avenue Road and 220-234 Davenport Road

File # 21 178720 STE 11 OZ

-  2.94 metre stratified lane widening
-  Balcony encroachment zone above a Canadian Geodetic Datum elevation of 135.35 metres
-  Balcony encroachment zone above a Canadian Geodetic Datum elevation of 130.93 metres



City of Toronto By-law 569-2013
Not to Scale
06/20/2023