

CITY OF TORONTO

BY-LAW No. XXX-2017

To amend the General Zoning By-law No. 438-86 of the former City of Toronto, as amended, with respect to lands known municipally as 321 Davenport Road.

Whereas authority is given to Council of the City of Toronto by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this by-law; and

Whereas Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

The Council of the City of Toronto enacts:

1. None of the provisions of Sections 2(1) with respect to the definitions of “*bicycle parking space – occupant*”, “*bicycle parking space – visitor*”, “*grade*”, “*height*”, “*lot*”, “*parking space*” and “*residential gross floor area*”, 4(2), 4(5)(b), 4(5)(g), 4(5)(i)(ii), 4(10), 4(12), 4(13), 4(16), 4(17), 8(3) PART I 1 and 3, 8(3) PART II 1(a), 8(3) PART IV 1, 12(2)380 and Height Map 50J-312 of Zoning By-law No. 438-86, as amended, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, shall apply to prevent the erection and use of an *apartment building*, *residential building* and *accessory* uses to all such permitted uses on the *lot*, provided that:
 - a) the *lot* on which the building is to be located comprises at least those lands within the heavy lines on Map 1, attached to and forming part of this By-law;
 - b) the total *residential gross floor area* of any building or structure erected on the *lot* shall not exceed 4,250 square metres;
 - c) no portion of any building or structure on the *lot* shall have a *height* in metres, above *grade*, greater than the *height* limits specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law, except for:
 - (i) mechanical penthouse, cooling tower, elevator over run, balconies, cornices, eaves, parapets, trellises, roof drainage, thermal insulation and roof ballast, roofing material, waterproofing membranes, elevator machine room, terrace or balcony guards and dividers, planters, stairs, stair enclosures, balustrades, window washing equipment, stair towers, partitions, screens, fences, retaining walls, ornamental elements, architectural elements, landscape elements, green roof elements, lighting fixtures, vents, flues, screens, pipes, access roof hatch,

outdoor furniture, elevated pool, elevated pool deck, heating, cooling or ventilating equipment, wheel chair ramps and vehicular parking ramps, and structures located on the roof used for outside or open air recreation, safety or wind protection purposes, which may project to a maximum of 5.0 metres;

- d) no portion of any building or structure erected and used above *grade* on the *lot* is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2 attached to and forming part of this By-law, except for:
- (i) cornices, light fixtures, ornamental elements, parapets, art and landscape features, landscaping, architectural flutes, patios, decks, columns, piers, pillars, pergolas, trellises, terraces, window sills, ventilation shafts, guardrails, balustrades, railings, stair enclosures, stairs, fences, screens, site servicing features, awnings and canopies, retaining walls, window washing equipment, wheel chair ramps and vehicular parking ramps, which may project to a maximum of 0.5 metres; and
 - (ii) terraces, balconies, terrace or balcony platforms, terrace or balcony guards and dividers, and planters, which may project to a maximum 3.5 metres.
- e) *residential amenity space* shall be provided in accordance with the following:
- (i) a minimum of 2 square metres of indoor *residential amenity space* for each *dwelling unit* shall be provided;
 - (ii) no outdoor *residential amenity space* shall be required;
- f) a minimum number of *parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
- (i) 0.3 *parking spaces* for each bachelor *dwelling unit*;
 - (ii) 0.5 *parking spaces* for each one bedroom *dwelling unit*;
 - (iii) 0.8 *parking spaces* for each two bedroom *dwelling unit*;
 - (iv) 1.0 *parking spaces* for each three bedroom *dwelling unit*; and
 - (v) 0.1 visitor *parking spaces* for each *dwelling unit*;
- g) a maximum of 2.1 *parking spaces* for each *dwelling unit* shall be provided and maintained on the *lot*;
- h) for the purposes of *parking space* calculations, if the calculation of the number of required *parking spaces* results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one *parking space*;

- i) notwithstanding any provision of By-law No. 438-86, as amended, *parking spaces* may be provided in a *parking stacker*;
 - j) no *loading space* shall be required;
 - k) *bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
 - (i) a minimum of 1.0 *bicycle parking spaces* for each *dwelling unit*, comprised of 0.9 long-term *bicycle parking spaces* and 0.1 short-term *bicycle parking spaces*;
 - (ii) a *bicycle parking space* may be provided in a horizontal or vertical position, and/or in a rack or bicycle stacker; and
 - (iii) despite the definition of *bicycle parking space – visitor* in Section 2(1)(iii) of Zoning By-law No. 438-86, as amended, a *bicycle parking space* for visitors may be provided within a secure area;
2. None of the provisions of By-law No. 438-86, as amended, shall apply to prevent a *sales office* on the *lot*, and a *sales office* shall be exempt from the requirements of By-law No. 438-86, as amended, and this By-law to provide *parking spaces*.
3. For the purpose of this By-law, all italicized words and expression have the same meanings as defined in By-law No. 438-86, as amended, with the exception of the following:
- (a) "*bicycle parking space*" means an area that is equipped for the purpose of parking and securing bicycles, and:
 - (i) where bicycles are to be parked horizontally, has horizontal dimensions of at least 0.45 metres by 1.65 metres and a vertical dimension of at least 1.10 metres; and
 - (ii) where bicycles are to be parked vertically, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.8 metres;
 - (b) "*grade*" means the Canadian Geodetic Elevation of 119.9 metres;
 - (c) "*residential gross floor area*" means the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level excluding:
 - (i) parking, loading and bicycle parking below-ground;

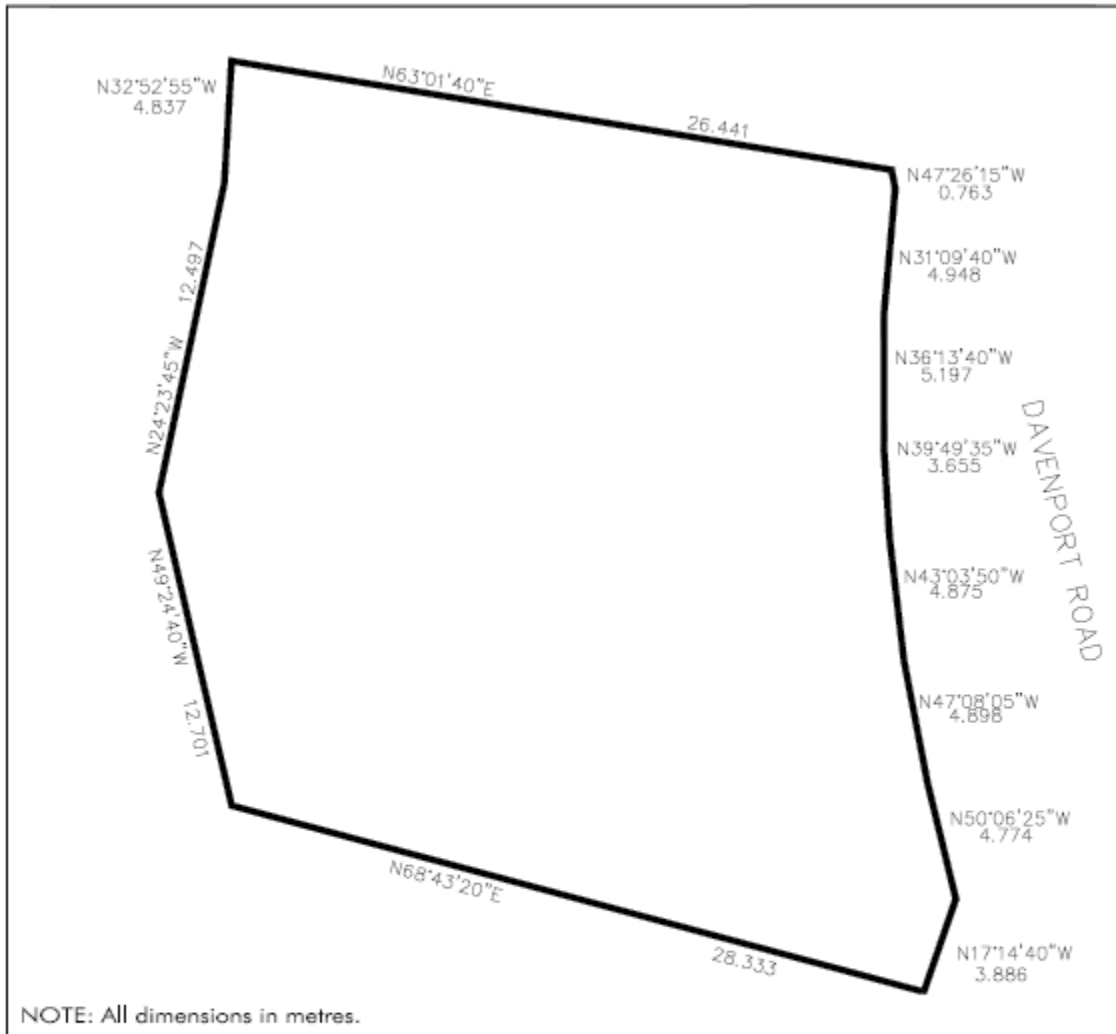
- (ii) loading spaces at the ground level and bicycle parking spaces at or above ground;
 - (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (iv) shower and change facilities for bicycle parking spaces;
 - (v) amenity space;
 - (vi) elevator shafts;
 - (vii) garbage shafts;
 - (viii) mechanical penthouse; and
 - (ix) exit stairwells in the building;
- (d) “*height*” means the vertical distance between *grade* and the highest point of the building or structure;
- (e) “*lot*” means the parcel of land outlined by heavy lines on Map 1 attached to and forming part of this By-law;
- (f) “*parking space*” means an area used for the parking or storing of a motor vehicle;
- (g) “*sales office*” means a building, structure, facility or trailer on the *lot* used for the purpose of the sale and/or leasing of *dwelling units* to be erected on the *lot*;
- (h) “*parking stacker*” means a mechanical motor vehicle facility with *parking spaces* that are positioned above or below other *parking spaces*, are accessed only by means of an elevating device, and each *parking space* has dimensions of not less than 2.5 metres by 5.2 metres;
4. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole *lot* as if no severance, partition or division occurred.

ENACTED AND PASSED this ____ day of _____, A.D. 2017.

JOHN TORY
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



Map 1

321 Davenport Road

File # 16 145386 STE 20 OZ



