

ATTACHMENT 6: Draft Zoning By-law Amendment 438-86

Authority: Toronto and East York Community Council ~, as adopted by City of Toronto Council on ~, 2019

Enacted by Council: ~, 2019

CITY OF TORONTO

BY-LAW No. XXX-2019

To amend the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands municipally known in the year 2018 as 77 Clarendon 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 39 of the Planning Act, 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 by the By-law;

The Council of the City of Toronto enacts:

- 1.** This by-law applies to the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
- 2.** Except as otherwise provided herein, the provisions of By-law 438-86 shall continue to apply.
- 3.** None of the provisions of Section 2(1) with respect to the definition of '*front lot line*', '*height*', '*grade*', '*lot*' and '*residential gross floor area*' and Sections 4(1)(a), 4(2)(a), 4(4), 4(6), 4(10), 4(12), 4(13), 6(1)(a) and (f), 6(3) PART I, 6(3) PART II, 6(3) PART III, 6(3) PART IV, 6(3) PART VII, 12(1) 85 and 12(2) 66 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* and *accessory* uses thereto on the lot provided that;

(A) the *lot* comprises the lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;

(B) the total *residential gross floor area* of *buildings* and *structures* shall not exceed 5,475 square metres;

(C) no portion of any building or structure on the lot shall have a height in metres greater than the height limits specified by the numbers following the symbol HT on Map 2 attached to and forming part of this By-law, except for the following which may exceed the height limits by a maximum of 3.0 metres;

(i) Architectural and ornamental features, and equipment and structures used for the functional operation of the building, such as parapets, balustrades, trellises, pergolas, railings, ventilation shafts, lighting fixtures, stairs, stair enclosures, architectural screens, privacy screens, elements and structures used for open air recreation, terrace and balcony guards and dividers including fences, landscaping and green roof elements, permanent outdoor furniture and fixtures, access hatches, elevator overruns, antennae, roof topping and finishes to areas other than green roof and recreation areas, and electrical, utility, mechanical and ventilation equipment;

(D) no portion of any building or structure erected and used above grade on the lot shall be 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) platforms without main walls on exterior sides such as a deck, porch, balcony, or similar structure attached to the building, to a maximum of 3 metres, if no closer to the side lot line than 4 metres, the rear lot line than 6 metres and the front lot line than 7 metres;

(ii) canopies, awnings, roof overhangs, trellises, or similar structures to a maximum of 2 metres, if no closer to a lot line than 4 metres;

(iii) exterior stairs, access ramps, elevating devices and stand-alone ventilation shafts, if no closer to a lot line than 0.6 metres; and

(iv) window projections such as bay windows, box windows and windows sills; architectural features such as pilasters, decorative columns, cornices, belt courses eaves, balustrades, railings, lighting fixtures, or similar elements; landscaping elements such as planters; and wall mounted equipment such as vents, utilities and servicing equipment, satellite dishes, antenna or poles, and air conditioners to a maximum of 1 metre, if no closer to a lot line than 0.3 metres;

(E) residential amenity space shall be provided on the lot in accordance with the following:

(i) a minimum of 20 square metres per residential dwelling unit of indoor *residential amenity space*, which may or may not include a multi-purpose room or contiguous multi-purpose rooms, and which may or may not contain a kitchen and a washroom;

(ii) a minimum of 20 square metres of outdoor *residential amenity space*, which may or may not be in a location adjoining or directly accessible to the indoor residential amenity space;

(F) parking spaces for the apartment building shall be provided and maintained on the lot in accordance with the following:

- (i) a minimum of 0.9 parking spaces per 1-bedroom dwelling unit;
- (ii) a minimum of 1.0 parking spaces per 2-bedroom dwelling unit;
- (iii) a minimum of 1.2 parking spaces per 3-bedroom dwelling unit; and
- (iv) a minimum of 0.2 parking spaces per dwelling unit for the use of visitors;

(G) a minimum of 3 tandem parking spaces may be provided;

(H) bicycle parking spaces shall be provided and maintained on the lot in accordance with the following:

- (i) minimum of 0.9 bicycle parking spaces – occupant per dwelling unit; and
- (ii) a minimum of 0.1 bicycle parking spaces – visitor per dwelling unit;

(I) bicycle parking spaces – visitor may be located in a secured room or unsecured room;

(J) bicycle parking spaces – occupant and bicycle parking spaces – visitor may be located in a bicycle stacker with a minimum height of 1.2 metres for each space;

(K) a loading space shall be provided and maintained on the lot in accordance with the following:

- (i) minimum length of 11.0 metres;
- (ii) minimum width of 3.5 metres; and
- (iii) minimum vertical clearance of 4.0 metres;

(L) a minimum of 38% of the area of the lot must be landscaping, of which at least 90% must be soft landscaping;

4. A temporary *sales office* or temporary sales structure for the purposes of marketing and sales related to the uses permitted on the property is permitted for a maximum of 3 years. No development standards apply to the temporary sales office or structure.

5. For the purpose of this By-law each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:

(A) “*front lot line*” means the lot line along Russell Hill Road;

(B) “*grade*” means 148.35 metres Canadian Geodetic Datum;

(C) “*height*” means the vertical distance between grade and the highest point of the buildings or structures, except for those elements otherwise expressly permitted in this By-law;

(D) “*landscaping*” means an area used for trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements. Driveways and areas for loading, parking or storage of vehicles are not landscaping.

(E) “*lot*” means the parcel of land outlined by heavy lines on Map 1 attached to and forming part of this By-law;

(F) “*residential gross floor area*” shall mean the sum of the total area of each floor level of a building with a floor elevation above *grade*, measured from the exterior main wall of each floor level. The gross floor area of the *apartment building* is reduced by the area in the building used for:

- (i) parking, loading and bicycle parking below *grade*;
- (ii) *loading spaces* at the ground level and *bicycle parking spaces* at or above grade;
- (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms below *grade*;
- (iv) shower and change facilities required by this By-law for required *bicycle parking spaces*;
- (v) *residential amenity space*, including that in excess of what is required by this By-law
- (vi) elevator shafts;
- (vii) garbage shafts;
- (viii) mechanical penthouse;
- (ix) exit stairwells in the building;
- (x) all areas with a floor elevation below *grade*, except for *dwelling units*; and,
- (xi) the area in the building used for parking ramps;

(G) “*sales office*” means a building, structure, facility or trailer on the lot used exclusively for the initial sale and/or initial leasing of *dwelling units* proposed on the *lot*;

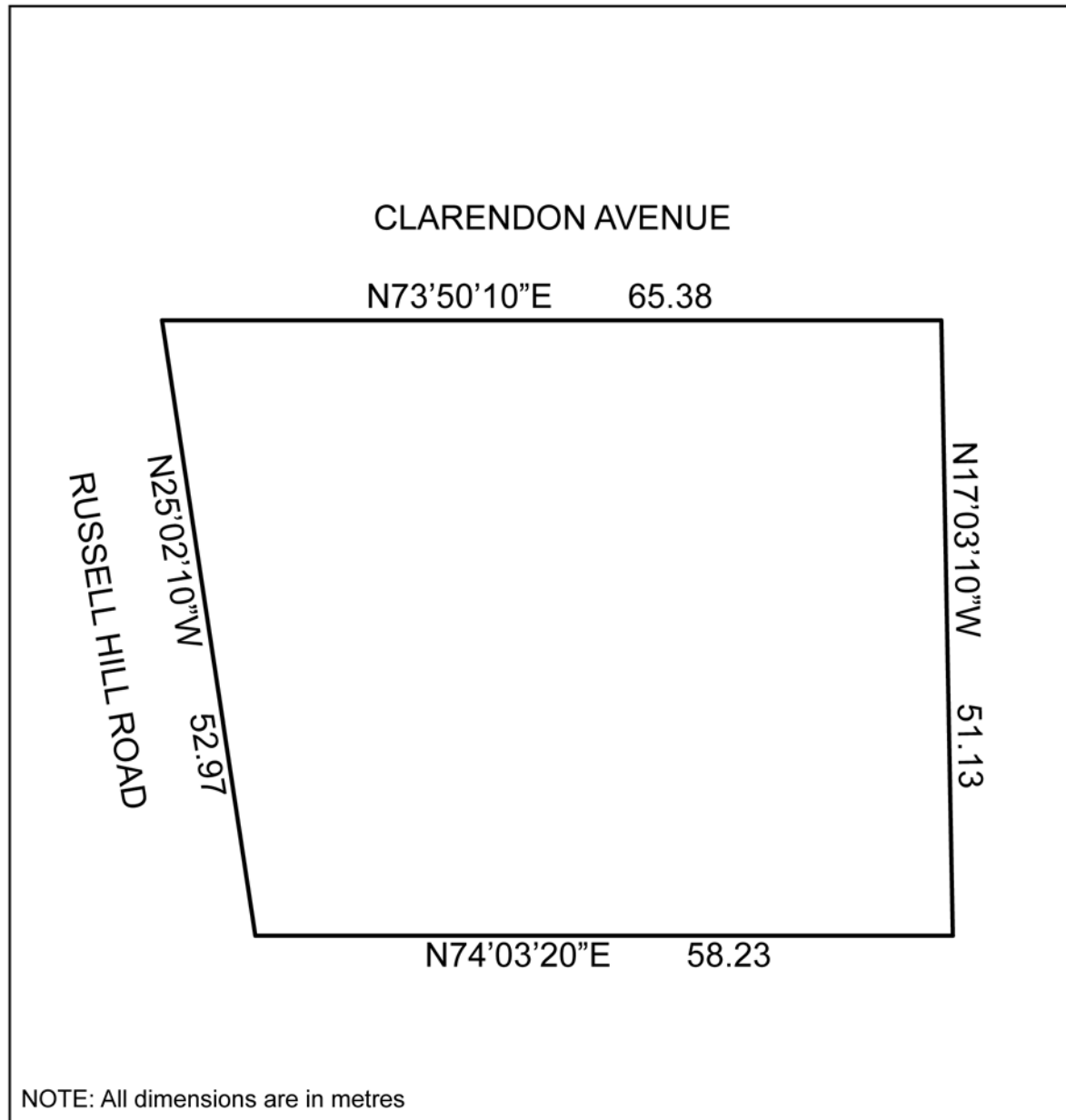
6. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

ENACTED AND PASSED this _____ day of _____, 2019.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

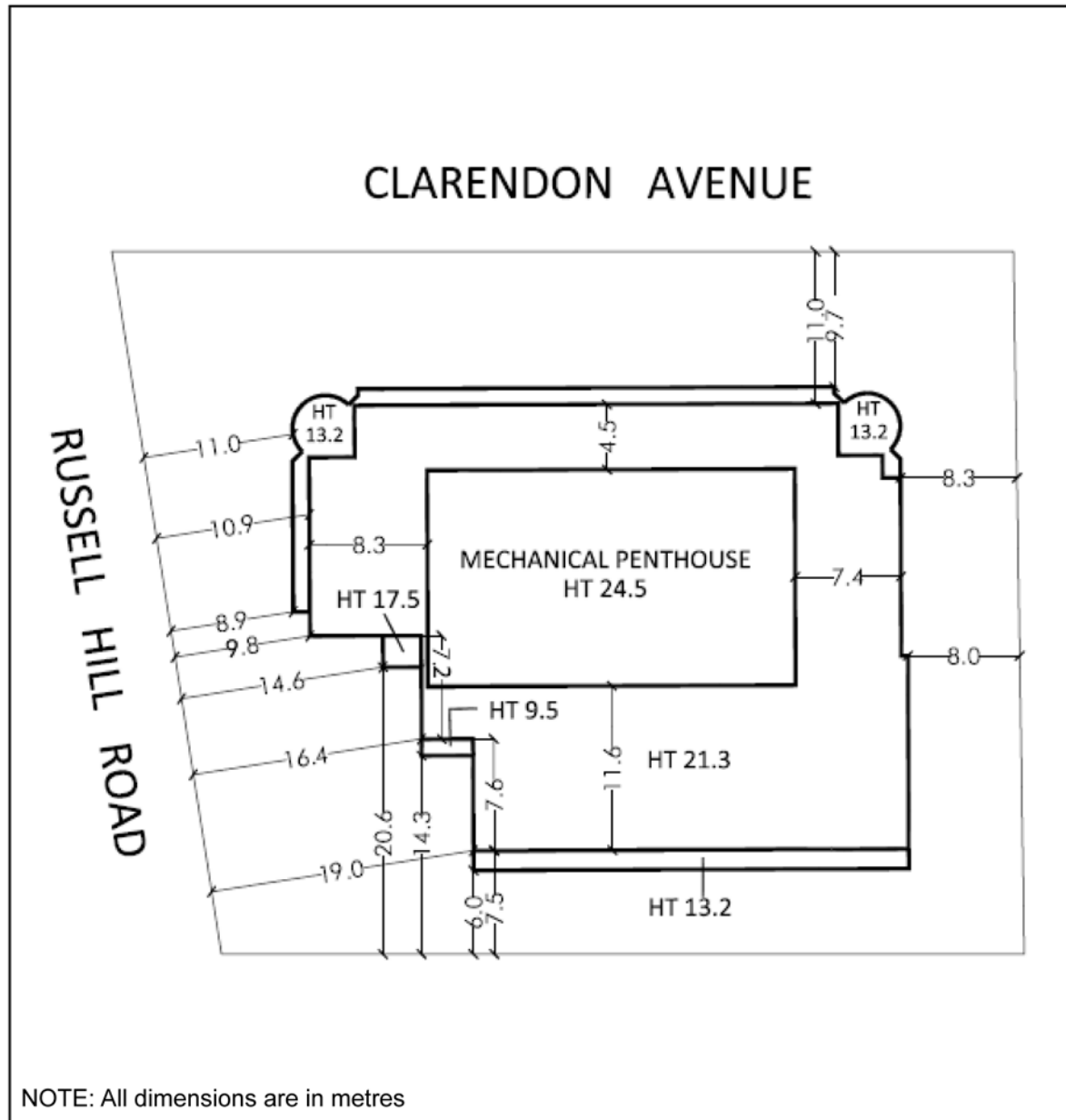


 **Toronto**
Map 1

77 Clarendon Avenue

File # 15 202792 STE 22 0Z


City of Toronto By-Law 438-86
Not to Scale
01/22/2019



Toronto
Map 2

77 Clarendon Avenue

File # 15 202792 STE 22 OZ

City of Toronto By-Law 438-86
Not to Scale
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