

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

BY-LAW NO. XXXX-2021

To amend Zoning By-law No. 569-2013 with respect to the lands municipally known in the year 2021 as 1648-1670 Avenue Road and 405-407 Brookdale Avenue

Whereas authority is given to Council by 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 the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

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 and forming part of 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 No. 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 as 1648-1670 Avenue Road and 405-407 Brookdale Avenue to CR 4.1 (c0.3; r4.1) (xXX), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number (XX) so that it reads:

Exception CR 4.1 (c0.3; r4.1) (XX)

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 1648-1670 Avenue Road and 405-407 Brookdale Avenue, if the requirements of Section 6 and Schedule A of By-law [Clerks to supply by-law ##] are complied with, a **building, structure**, addition or enlargement may be constructed or used if it complies with (B) to (N) below:

- (B) For purposes of this exception, the **lot** shall refer to those lands delineated by a heavy black line on Diagram 1 of By-law [Clerk to supply by-law #];
- (C) Despite Regulation 40.10.40.40(1), the total residential **gross floor area** on the lot must not exceed 13,000 square metres;
- (D) Despite Regulation 40.5.40.10, the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum elevation of 175.05 metres and the elevation of the highest point of the **building** or **structure**;
- (E) Despite Regulation 40.10.40.10, the permitted maximum **height** of any **building** or **structure** is the numerical value, in metres, following the letters “HT” on Diagram 3 of By-law [Clerks to supply by-law ##];
- (F) Despite (E) above and Regulations 40.5.40.10(2), (3) & (4) and 40.10.40.10(8), (9) & (10), the following elements of **buildings** or **structures** may exceed the maximum **building** heights shown on Diagram 3 of By-law [Clerks to supply by-law ##]:
 - (i) guard rails, railings, dividers, parapets, mechanical equipment and any associated enclosure structures, wind screens, elevator overruns, awnings, fences, pergolas, trellises, balustrades, eaves, screens, stairs, stair enclosures, roof drainage, windowsills, window washing equipment, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, pool, pool deck and pool equipment, and elements of a green roof, which may project above the height limits shown on Diagram 3;
- (G) Despite Clause 40.10.40.70 and Regulation 40.5.40.70(1), the required minimum **building setbacks** is shown in metres on Diagram 3 of By-law [Clerks to supply by-law ##];
- (H) Despite (G) above and Clause 40.5.40.60, the portions of a **building** or **structure** above ground must be located within the areas delineated by heavy lines on Diagram 3, except that the following may encroach into the minimum **building setbacks**:
 - (i) cornices, light fixtures, balconies, stairs and stair enclosures, ornamental elements, art and landscape features, patios, decks, pillars, trellises, balconies, terraces, eaves, window sills, planters, ventilationshafts, guardrails, balustrades, railings, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and underground garage ramps and associated structures, which may extend beyond the heavy lines shown on Diagram 3 of this By-law;
- (I) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained in accordance with the following:

- (i) A minimum of 80 **parking spaces** shall be provided for residents;
 - (ii) A minimum of 12 **parking spaces** shall be provided for visitors;
and
 - (iii) A minimum of 13 **parking spaces** shall be provided for non-residential uses.
- (J) Despite Regulation 200.15.1(4), accessible **parking spaces** may be located anywhere in the below-grade parking garage;
- (K) Despite Regulations 230.40.1.20(2), “long-term” and “short-term” **bicycle parking spaces** may be located indoors or outdoors or in an enclosed or secured room or enclosure, or combination thereof;
- (L) Despite Regulations 230.5.1.10(4)(A) and 230.5.1.10(10) both “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space** and must comply with the size requirements in Regulation 230.5.1.10(4);
- (M) Despite (N) above, if placed in a horizontal stacked **bicycle parking space**, the stacked **bicycle parking space** must have a minimum width of 0.45 metres, minimum length of 1.8 metres, and a minimum vertical clearance of 1.2 metres; and
- (N) Regulations 40.10.50.10(1) and (3), with respect to **landscaping** requirements, does not apply;

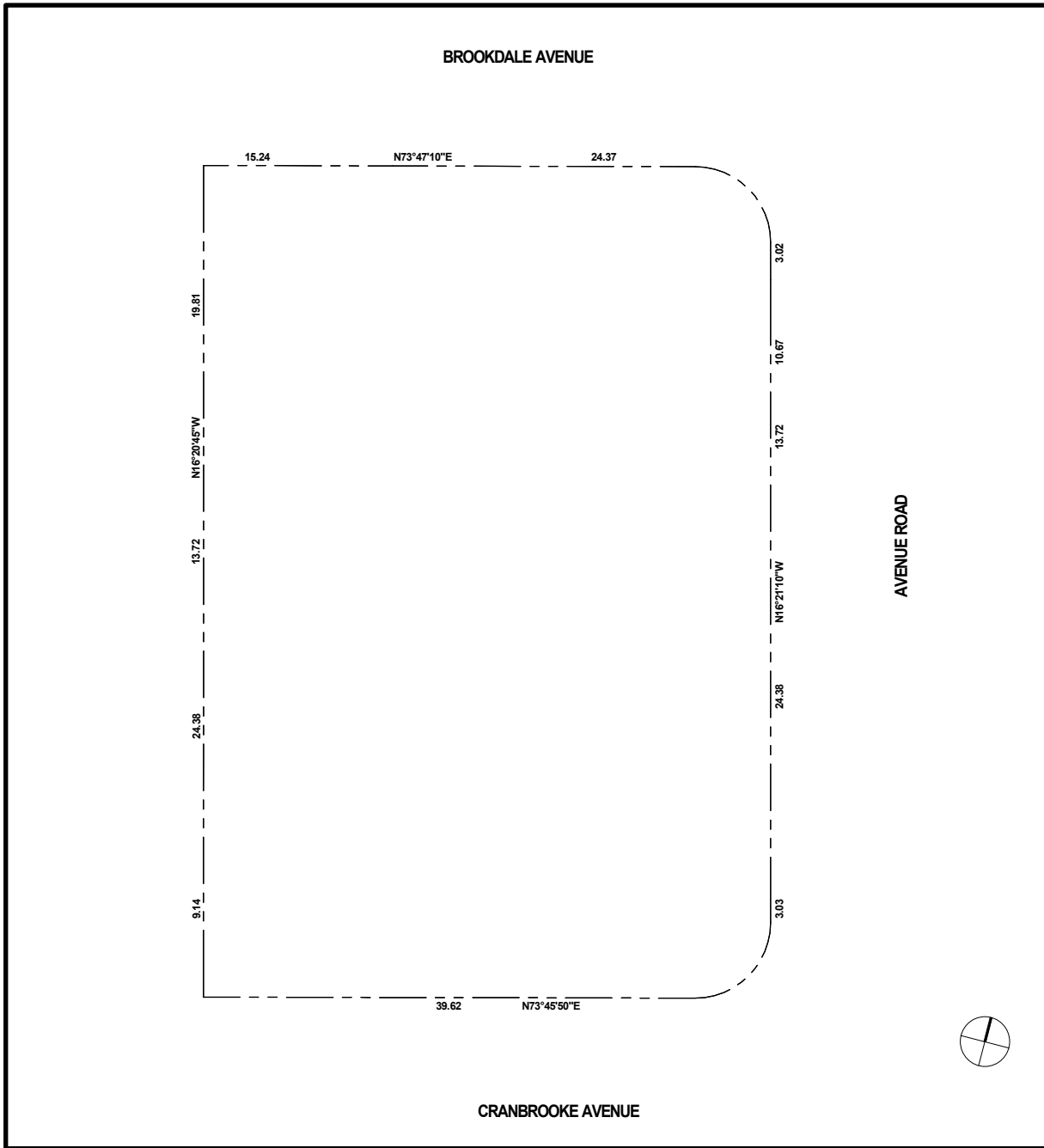
Prevailing By-laws and Provisions: (None apply)

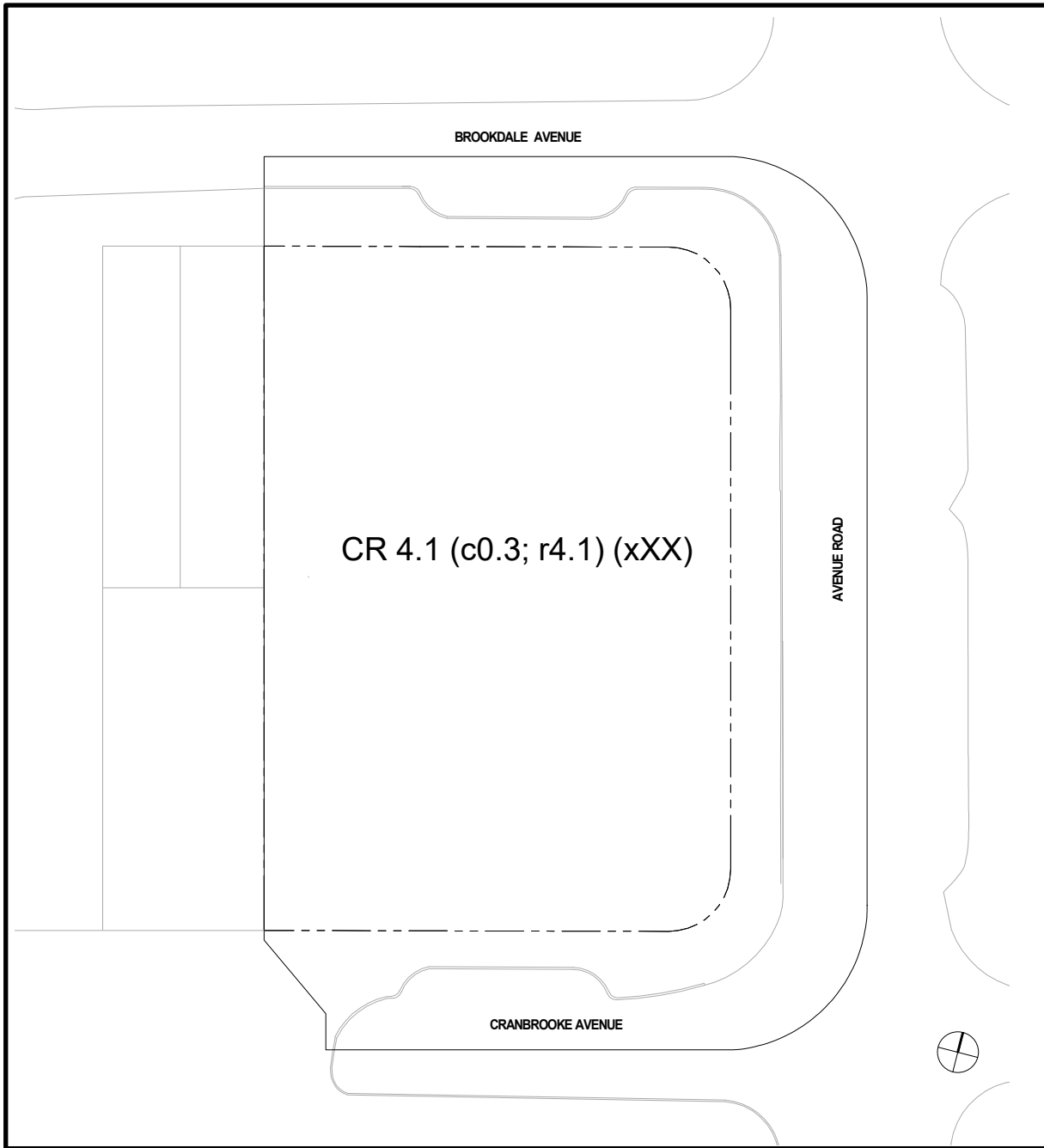
1. Despite any future severance, conveyance, partition or division of the lot as shown on Diagram 1, the provisions of this By-law will apply as if no severance, partition or division occurred;

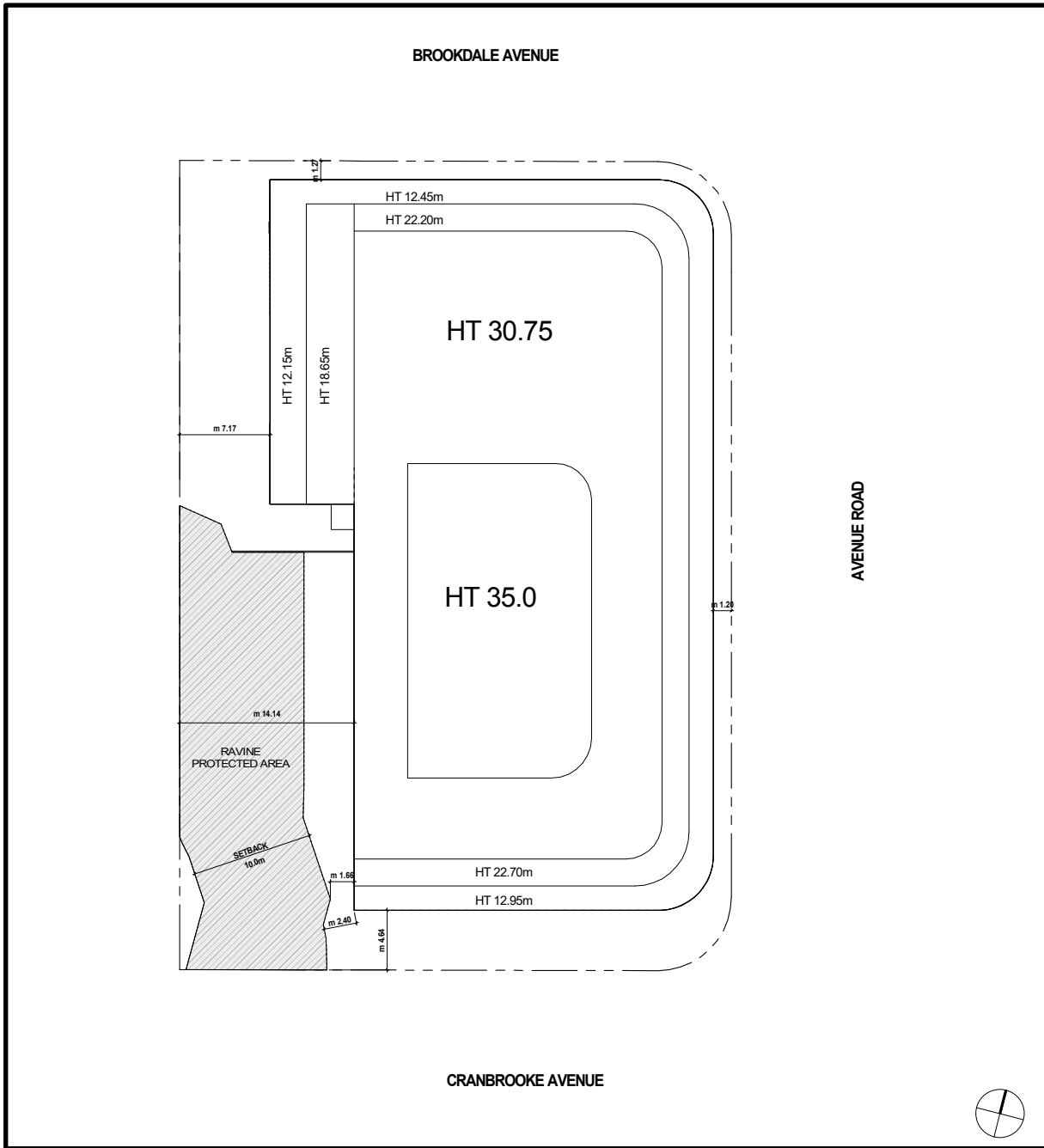
ENACTED AND PASSED this _____ day of _____, 2021.

JOHN D. ELVIDGE
INTERIM CITY CLERK

FRANCIS NUNZIATA
SPEAKER







Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2021
 Enacted by Council: ~, 2021

CITY OF TORONTO

BY-LAW NO. XXXX - 2021

To amend former City of North York Zoning By-law No. 7625 with respect to lands known municipally known in the year 2021 as 1648-1670 Avenue Road and 405-407 Brookdale 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 the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 7625, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. Schedule "B" of By-law No. 7625 of the former City of North York is hereby amended in accordance with Map 1 of this By-law.
2. Section 64.26 of By-law No. 7625 is amended by adding the following subsection:
"64.XX(XX) C4(XX)

DEFINITIONS

- (a) For the purpose of this exception "Established Grade" shall mean the elevation as fixed by the municipality, being the geodetic elevation of 175.05 metres;
- (b) For the purpose of this exception "Bicycle Parking Spaces – Long Term" shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles for long-term uses indoors;
- (c) For the purpose of this exception "Bicycle Parking Spaces – Short Term" shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles and may be located outdoors but not within a secured room, enclosure or bike locker;

- (d) For the purpose of this exception "Gross Floor Area" shall mean the sum of the total area of each floor level of a building, above and below grade, measured from the exterior main wall of each floor level. In the Commercial Residential Zone category the gross floor area of a mixed use building is reduced by the area in the building used for:
- (i) Parking, loading and bicycle parking below-ground;
 - (ii) Required loading spaces at the ground level and required 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 required by this By-law for required bicycle parking spaces;
 - (v) Amenity space required by this By-law;
 - (vi) Elevator shafts;
 - (vii) Garbage shafts;
 - (viii) Mechanical penthouse; and
 - (ix) Exit stairwells in the building.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (e) The maximum *gross floor area* shall not exceed 13,000 square metres, comprised of *residential and non-residential gross floor area*;

HEIGHT

- (f) No portion of any *building or structure* on the *lot* shall exceed the *height* in metres specified by the numbers following the "H" symbol as shown on Map 2 attached to and forming part of this By-law, with the exception of the following:
- (i) guard rails, railings, dividers, parapets, mechanical equipment and any associated enclosure structures, wind screens, elevator overruns, awnings, fences, pergolas, trellises, balustrades, eaves, screens, stairs, stair enclosures, roof drainage, windowsills, window washing equipment, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, pool, pool deck and pool equipment, and elements of a green roof, which may project above the height limits shown on Map 2;

SETBACKS

- (g) No portion of any *building or structure* above *grade* shall be located otherwise than wholly within the area delineated by heavy lines on Map 2 attached to and forming part of this By-law, with the exception of the following:
- (ii) cornices, light fixtures, balconies, stairs and stair enclosures, ornamental elements, art and landscape features, patios, decks, pillars, trellises, balconies, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, doors, wheelchair ramps, fences, screens,

site servicing features, awnings and canopies, and underground garage ramps and associated structures, which may extend beyond the heavy lines shown on Map 2

PARKING

- (h) *Parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
 - (i) A minimum of 80 *parking spaces* shall be provided for residents;
 - (ii) A minimum of 12 *parking spaces* shall be provided for visitors; and
 - (iii) A minimum of 13 *parking spaces* shall be provided for non-residential uses.
- (i) The accessible *parking spaces* required by (h) may be located anywhere in the below-grade parking garage;

BICYCLE PARKING

- (j) Notwithstanding Section 4(13), *bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
 - (i) 79 *bicycle parking spaces* for residents;
 - (ii) 7 *bicycle parking spaces* for visitors; and
 - (iii) 7 *bicycle parking spaces* for non-residential uses
- (k) Notwithstanding Section 2(1) and the definitions of *bicycle parking space – occupant* and *bicycle parking space – visitor* in Section 4(13), *bicycle parking spaces* may be provided in accordance with the following:
 - (i) *bicycle parking spaces* may be located in *stacked bicycle parking spaces* at or below grade;
 - (ii) each vertical *stacked bicycle parking space* must have a minimum width of 0.6 metres, minimum length of 1.8 metres, and a minimum vertical clearance of 1.2 metres;
- (l) One *loading space - Type "G"* shall be provided and maintained on the *lot*;

OTHER REGULATIONS

- (i) None of the provisions of By-law No. 7625 shall apply to prevent a *sales office* on the *lot*.
- (j) Despite any future severance, conveyance, partition or division of the *lot* as shown on Map 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.

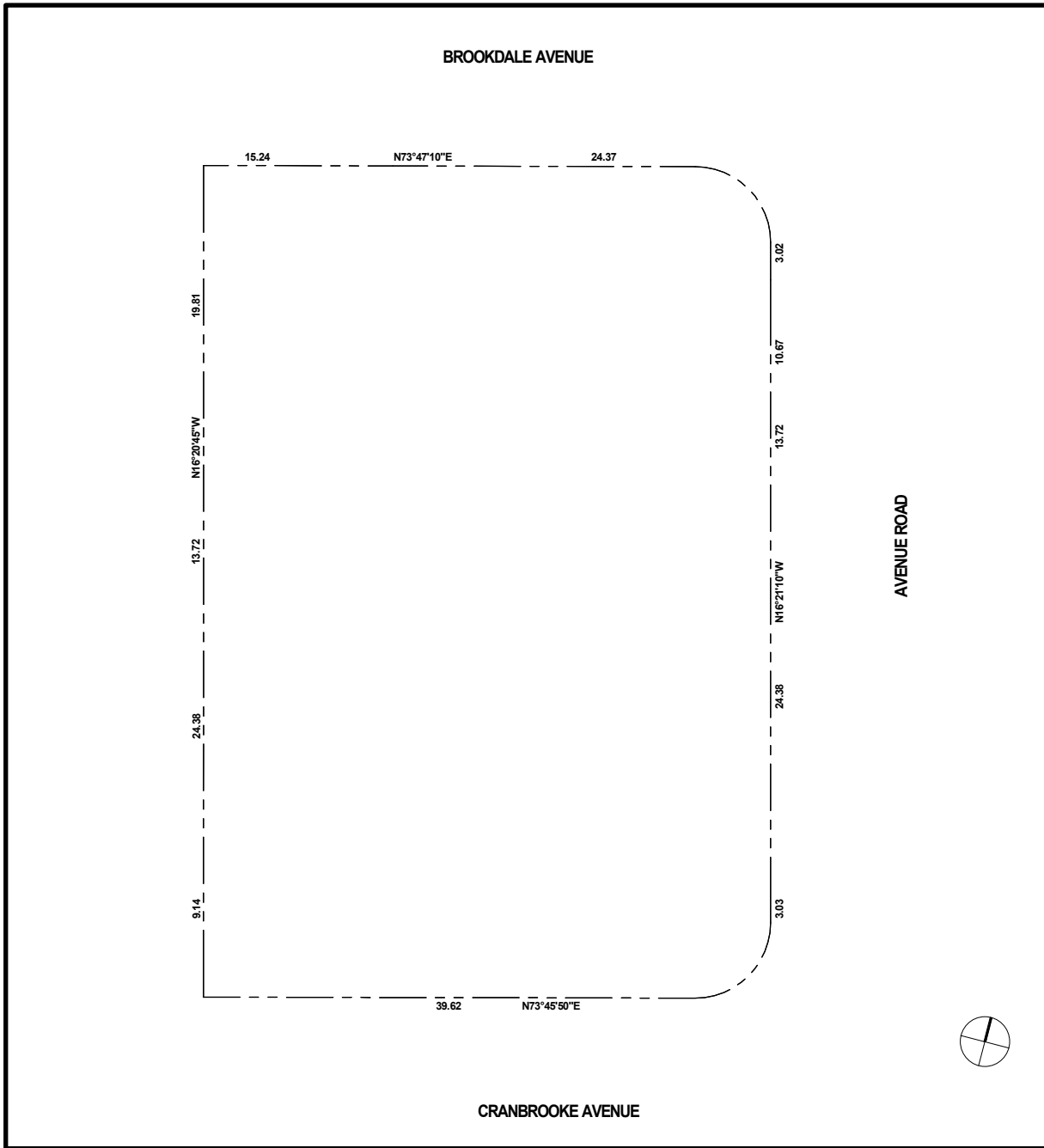
3. Except as otherwise provided herein, the provisions of By-law No. 7625, as amended, shall continue to apply to the *lot*.

ENACTED AND PASSED this _____ day of _____, 2021.

JOHN D ELVIDGE,
Interim City Clerk

FRANCES NUNZIATA
Speaker

(Corporate Seal)



1648-1670 Avenue Road and
405-407 Brookdale Avenue

MAP 1

File # _____



Not to Scale

