

CITY OF TORONTO

Bill

BY-LAW -2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 1095 and 1111 Danforth 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 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once Council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)";

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 a zone label of CR 3.0 (c1.0; r2.5) SS2 (x2219) to a zone label of (H)CR 3.0 (c1.0; r2.5) SS2 (x1009) 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 1009 so that it reads:

(1009) Exception CR 1009

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) The land must comply with Exception 900.11.10(2219);

- (B) Despite (A) above, on 1095 and 1111 Danforth Avenue, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (S) below:
- (C) 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 114.50 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 40.10.40.10 (2), the permitted maximum height of a **building** or **structure** is the number in metres as shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (E) Despite regulation 40.10.40.1(1), residential use portions of the **building** may be located at the same level as non-residential uses for **dwelling units** with direct pedestrian access along Danforth Avenue, Byron Avenue, rear **lanes**, and for those located along the southern private pedestrian walkway;
- (F) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law ##]:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, and elevator shafts, by a maximum of 3.5 metres;
 - (ii) Chimneys and vents, by a maximum of 4.5 metres;
 - (iii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 4.0 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 4.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
- (G) 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 floor of the second **storey**, is 3.5 metres;

- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 21,500 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 19,500 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 2,000 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses is 350 square metres;
- (I) A minimum of 30 percent of **dwelling units** must contain two bedrooms or more, of which a minimum of 10 percent of those **dwelling units** must contain three or more bedrooms;
- (J) Despite regulation 40.5.40.40(3)(E), all indoor **amenity space** reduces the **gross floor area** in a **mixed use building** to a maximum of 700 square metres;
- (K) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law **[Clerks to insert By-law ##]**;
- (L) Despite Regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 4 of By-law **[Clerks to insert By-law ##]**;
- (M) Despite Clause 40.10.40.60(1) and (K) and (L) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) porches and balconies, by a maximum of 1.8 metres;
 - (ii) canopies and awnings, by a maximum of 2.5 metres;
 - (iii) vestibules, by a maximum of 2.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
 - (v) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.5 metres;
 - (vi) architectural features, such as a sill, belt course, or chimney breast, by a maximum of 1.5 metres;
 - (vii) window projections, including bay windows and box windows, by a maximum of 1.5 metres; and

- (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres;
- (N) Despite Regulation 230.40.1.20, short-term **bicycle parking spaces** may be located within the **basement** of a **mixed use building**;
- (O) 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 0.04 residential occupant **parking spaces** for each **dwelling unit**;
 - (ii) a minimum of 6 residential visitor **parking spaces**; and
 - (iii) a minimum of 2 "car-sharing parking spaces"; and
 - (iv) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car-share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
 - (v) for the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
- (P) Despite Regulation 40.10.50.10 (2), a fence is not required along the portion of a **lot line** abutting the **lot** in the Residential Zone category;
- (Q) Despite Regulation 40.10.50.10 (3), a **soft landscaping** strip is not required along the part of the **lot line** abutting the **lot** in the Residential Zone category;
- (R) Despite Regulation 40.10.100.10 (1), two **vehicle** accesses are permitted from the **lane** and a **street** which is not a major **street** on the Policy Areas Overlay Map; and
- (S) Despite Regulation 40.10.20.100 (1), the total **interior floor area** for **entertainment places of assembly** does not apply.

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

5. Holding Symbol Provision:

- (A) The lands zoned with the holding symbol ("H") delineated by heavy lines in Diagram 2 attached to this By-law must not be used for any purpose other than those uses and **buildings** existing as of the date of the passing of this By-law, until the holding symbol has been removed; and

- (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
- (i) The owner, at its sole cost and expense, shall enter into a shared facilities services agreement with the owner of 1117 Danforth Avenue securing the provision of one shared loading space – Type G for the lands municipally known in 2024 as 1095 and 1111 Danforth Avenue, and 1117 Danforth Avenue, all to the satisfaction of the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning, the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services; and
 - (ii) The owner shall register on title, an easement with 1117 Danforth Avenue for access and use of the future shared Type G loading space, to the satisfaction of the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning, the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services.

Enacted and passed on May , 2024.

Frances Nunziata,
Speaker
(Seal of the City)

John D. Elvidge,
City Clerk

Diagram 1

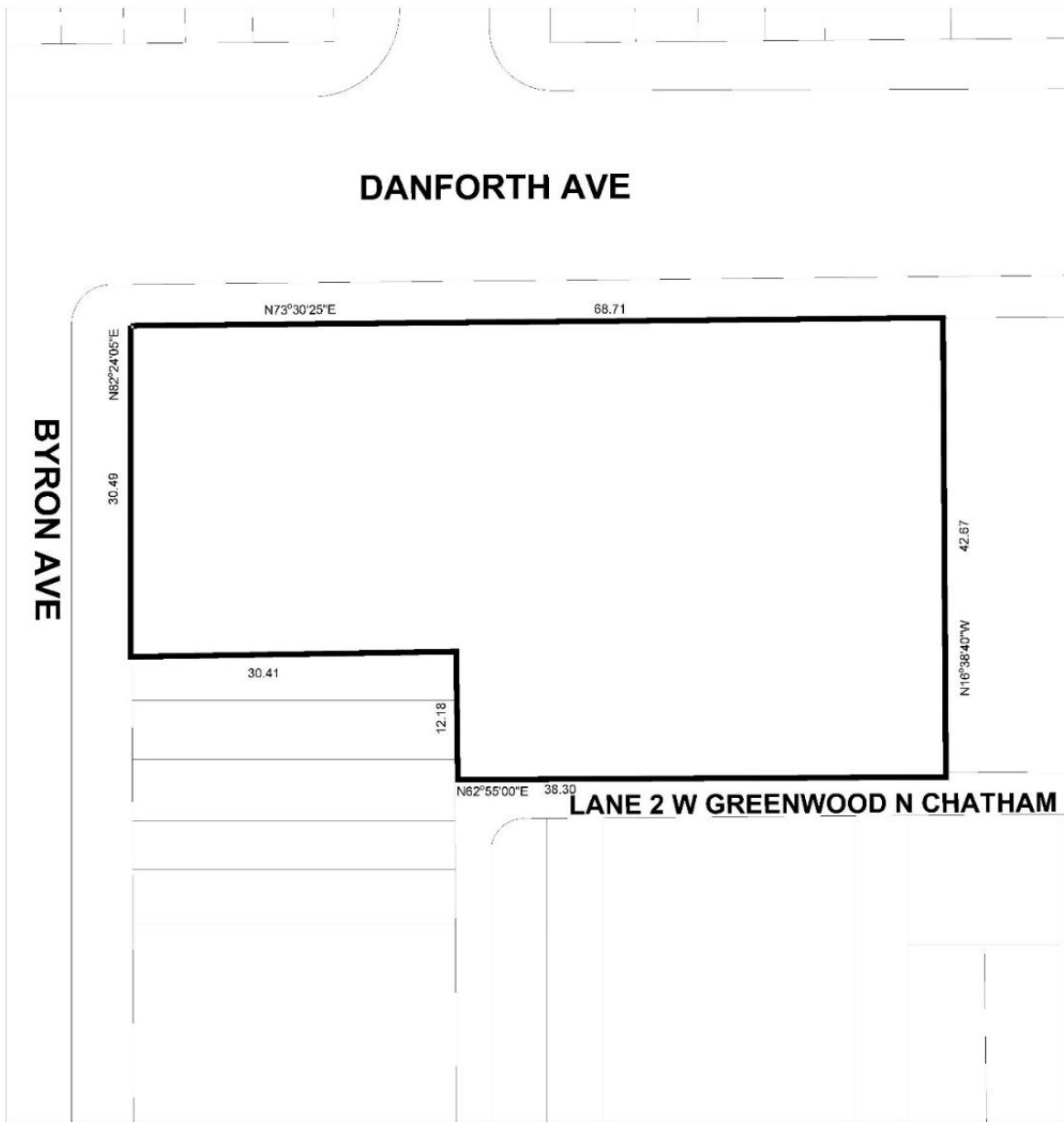
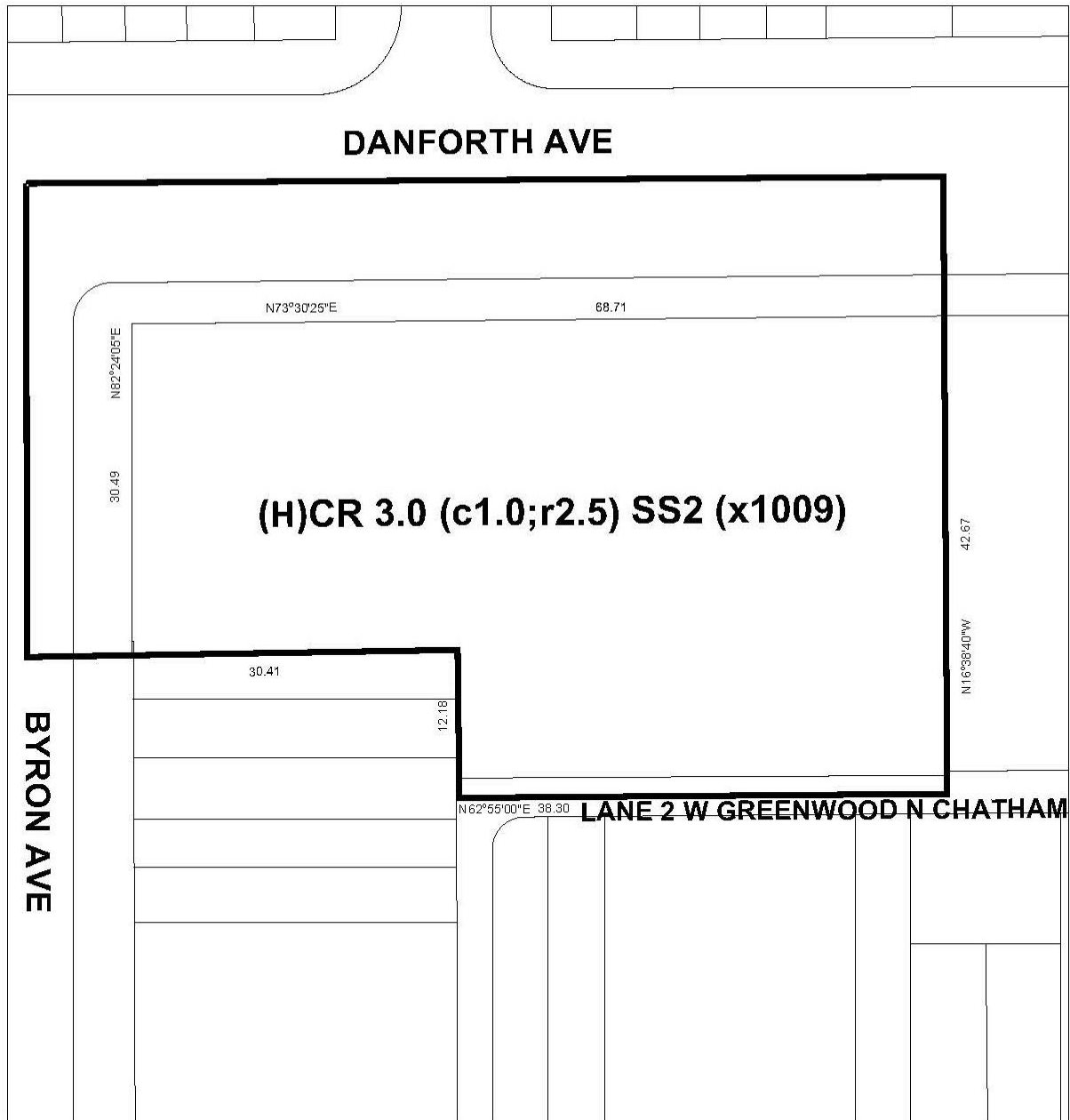


Diagram 1

1095-1111 Danforth Ave

File#

Diagram 2

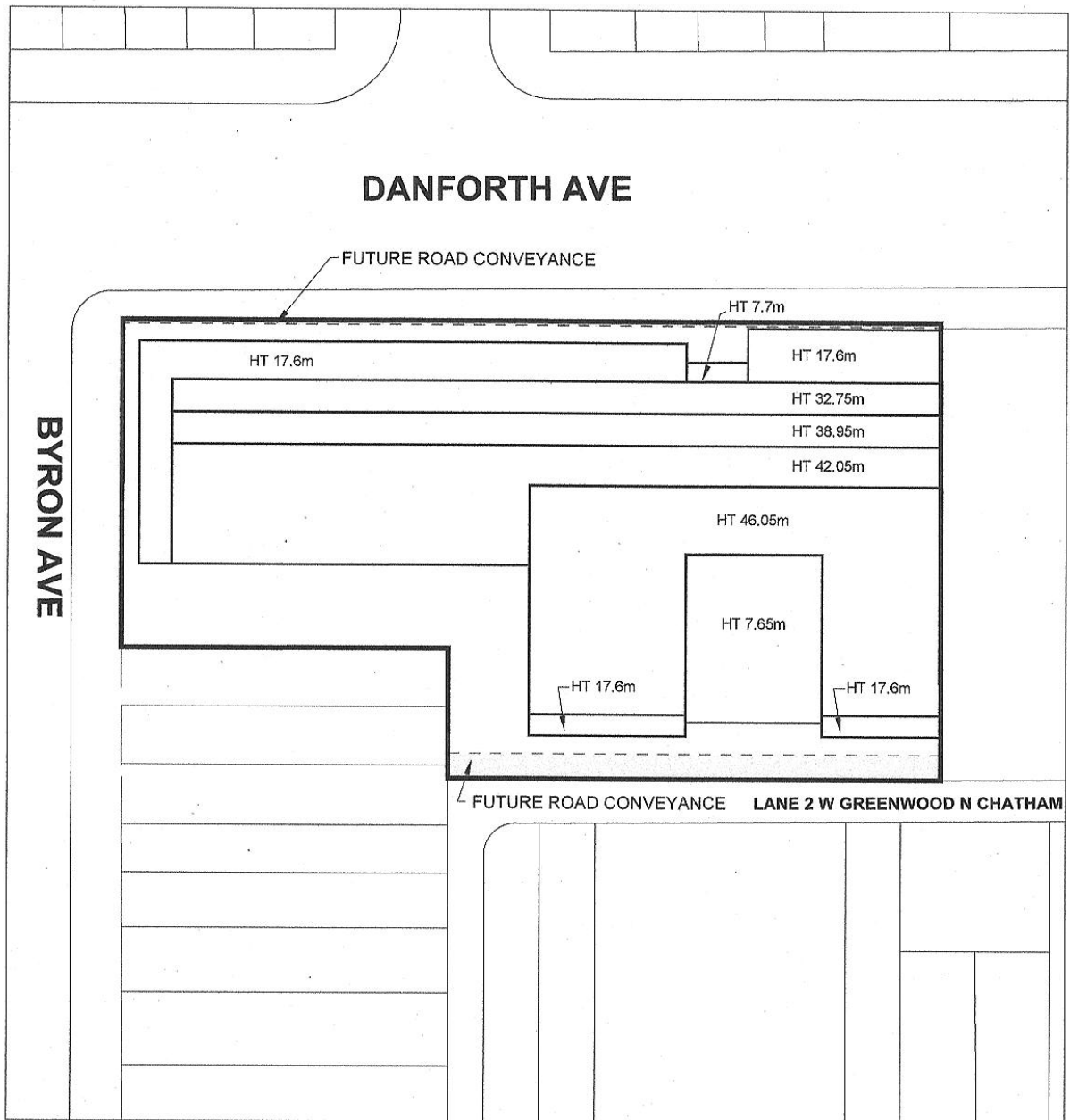


1095-1111 Danforth Ave

Diagram 2

File#



Diagram 3**1095-1111 Danforth Ave****Diagram 3**

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Diagram 4

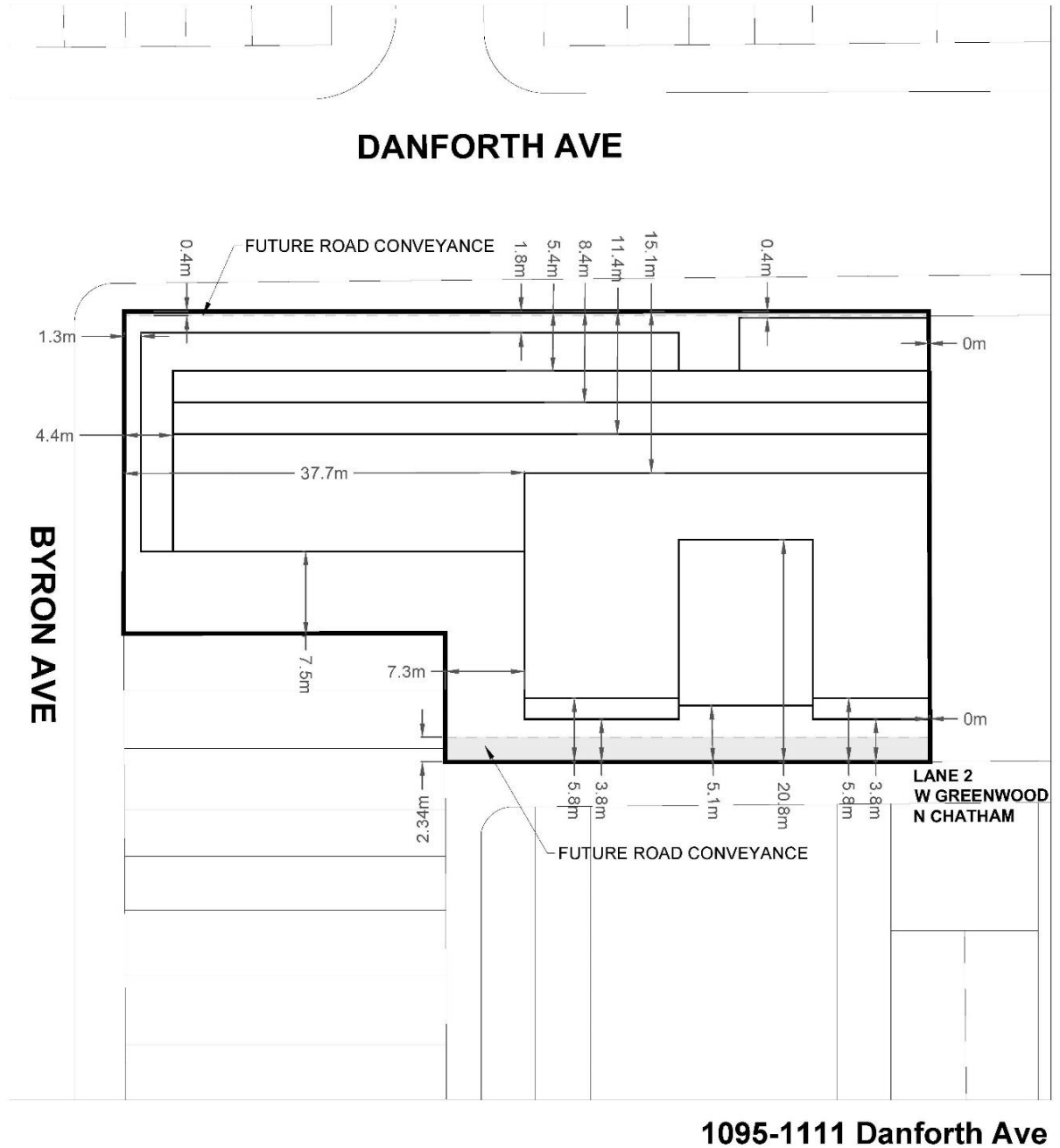


Diagram 4

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