

Authority: Toronto and East York Community Council Item [-], as adopted by City of Toronto Council on [-]

## CITY OF TORONTO

### BY-LAW [###-2024]

#### To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 1117 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*; as amended; 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 the holding symbol "(H)" is removed 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)"; and

Whereas pursuant to Section 39 of the *Planning Act*, as amended, 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 in the by-law.

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, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy black lines from a zone label of **CR 3.0 (c2.0; r2.5) SS2 (x2219)** to a zone label of **(H)CR 3.0 (c2.5; r2.5) SS2 (x1008)** 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 **1008** so that it reads:

(1008) Exception CR (1008)

The lands, or portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) The lands must comply with Exception 900.11.10(2219);
- (B) Despite (A) above, on lands municipally known as **1117 Danforth Avenue**, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (U) below:
- (C) Despite regulation 40.5.40.10(1), the height of the **building or structure** is the distance between the Canadian Geodetic Datum 115.38 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 following the letters "HT", as shown on Diagram **3** of this By-law;
- (E) 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 ceiling of the first **storey**, is **3.2** metres;
- (F) Regulations 40.10.40.70.(2), (F) and (G), with respect to a 45 degree **angular plane**, do not apply.
- (G) Despite regulations 40.5.40.10(3) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram **3**, of By-law [###]:
- (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of **3.5** metres;
  - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of **4.0** metres;
  - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of **4.0** metres;
  - (iv) **building** maintenance units and window washing equipment, by a maximum of **3.0** metres;

- (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of **3.0** metres;
  - (vi) antennae, flagpoles and satellite dishes, 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 **3.0** metres;
- (H) Despite regulations 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is **7,280** square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is **7,200** square metres;
  - (i) the permitted maximum **gross floor area** for non-residential uses is **80** square metres.
- (I) A minimum of 20% of **dwelling units** must contain two bedrooms and a minimum of 9% of **dwelling units** must contain three bedrooms;
- (J) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram **3** of By-law **[###-2024]**.
- (K) Despite regulation 5.10.40.70(2) and (J) above, the required minimum **building setback**, including all below and above ground **structures**, to any **buildings** or **structures** associated with a **transportation use** is 3.0 metres.
- (L) Despite regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) at least **2.0** square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least **1.7** square metres of outdoor **amenity space** for each **dwelling unit**, of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and

(M) Despite (J) above, and despite Clauses 40.5.40.60 and 40.10.40.60, the following **building** elements and **structures** may encroach into a required **building setback**:

- (i) On the front main wall abutting Danforth Avenue and at a height equal to or lesser than 40 metres, balconies, by a maximum of 3.6 metres;
- (ii) On the front main wall abutting Danforth Avenue, and above a height of 40 metres, balconies, by a maximum of 8.6 metres;
- (iii) On the rear main wall, balconies, by a maximum of 2.0 metres;
- (iv) canopies and awnings, by a maximum of 4.5 metres;
- (v) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
- (vi) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast by a maximum of 1.0 metres;
- (vii) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
- (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres.

(N) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:

- (i) no **parking spaces** are required for residential occupants or non-residential uses; and
- (ii) a minimum of 5 visitor **parking spaces**.

(O) Despite Regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:

- (i) Length of 5.6 metres;
- (ii) Width of 3.4 metres; and
- (iii) Vertical clearance of 2.1 metres.

(P) Despite regulation 40.10.80.20(1), **parking spaces** which are not in a **building** or **structure** must be setback at least 0.35 metres from the south **lot line**.

- (Q) Despite regulation 40.10.100.10(1)(C), more than one **vehicle** access may be directly from the **lane**.
- (R) Despite Clauses 40.10.90.1 and 220.5.10.1, one Type “G” **loading space** must be provided and maintained and that **loading space** may be provided on the lands municipally known in the year 2023 as 1095 and 1111 Danforth Avenue.
- (S) Despite regulation 200.15.10(1) and (2), a minimum of **1.0** of the required **parking spaces** on the **lot** are required to be an accessible **parking space**;
- (T) Despite regulation 230.5.10.1(5), **bicycle parking space** requirements for **dwelling units** in an **apartment building** or **mixed use building** are:
- (i) a minimum of **0.9** long-term **bicycle parking spaces** for each **dwelling unit**; and
  - (ii) a minimum of **0.03** short-term **bicycle parking spaces** for each **dwelling unit**.
- (U) Despite regulation 230.5.1.10(4), the required minimum dimensions of a **stacked bicycle parking space** are:
- (i) minimum length of 1.4 metres;
  - (ii) minimum width of 0.4 metres; and
  - (iii) minimum vertical clearance from the ground of 2.4 metres.

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

**5. Temporary Use(s):**

(A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a **temporary sales, leasing or construction office** on the lands to which this By-law applies for a period of three years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

- 6.** Despite any existing or future consent, severance, partition, or division of the lands as shown on Diagram **1** of this By-law, the provisions of this Exception and By-law 569-2013 shall apply to the whole of the lands as one lot, as if no consent, severance, partition or division occurred.

**7. Holding Symbol Provisions:**

(A) The lands zoned with the holding symbol “(H)” delineated by heavy lines on 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 “(H)” 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:

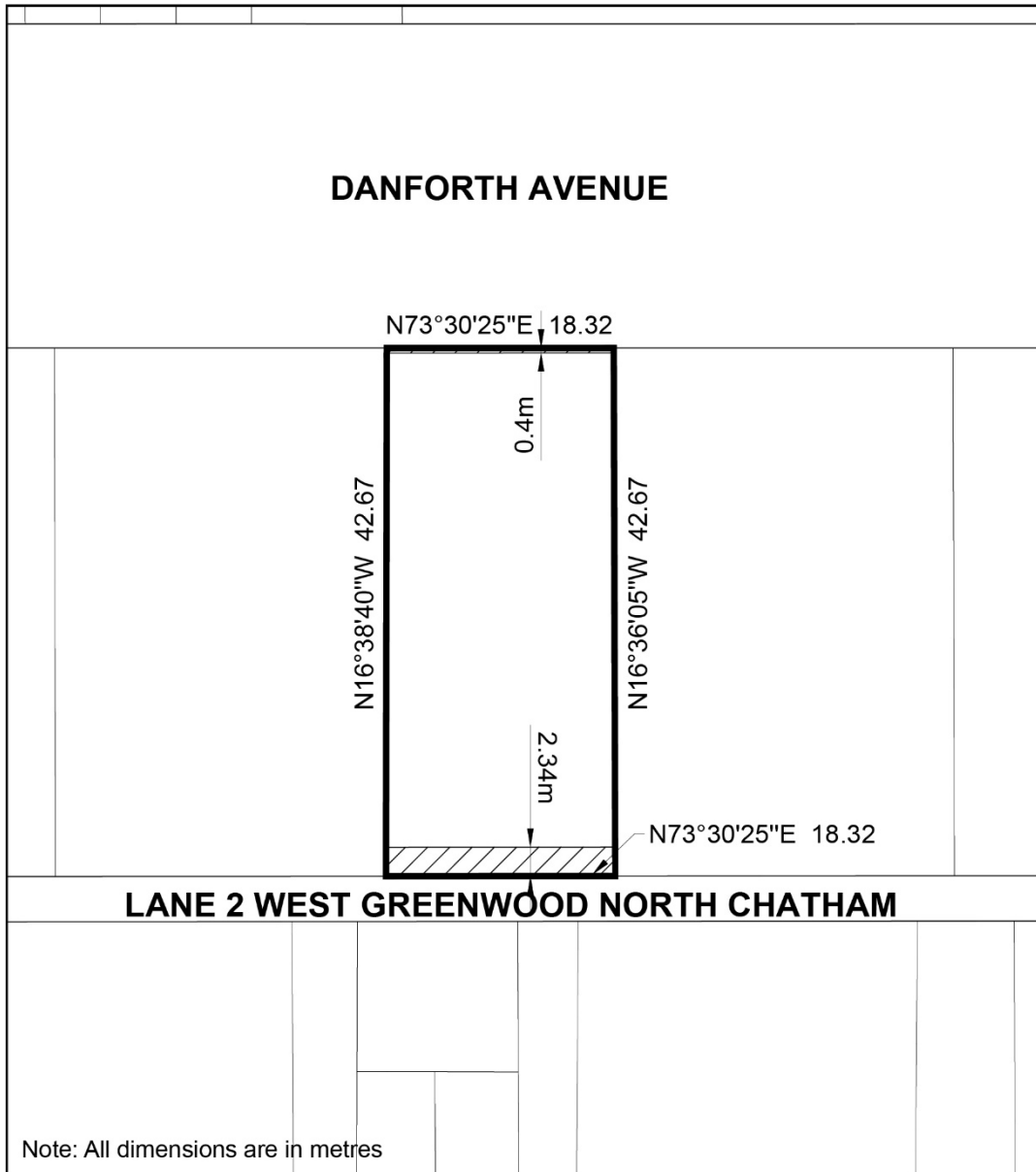
- (i) The owner, at its sole cost and expense, shall enter into a shared facilities services agreement with the owner of 1095 and 1111 Danforth Avenue securing the provision of one shared loading space – Type G for the lands municipally known in 2023 as 1111 Danforth Avenue, and 1117 Danforth Avenue, 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 obtain an easement from the owner of 1095 and 1111 Danforth Avenue for access and use of the future Type G loading space for the development at 1095 and 1111 Danforth Avenue, 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 [Clerks to insert date].

Frances Nunziata  
Speaker

(Seal of the City)

John D. Elvidge  
City Clerk

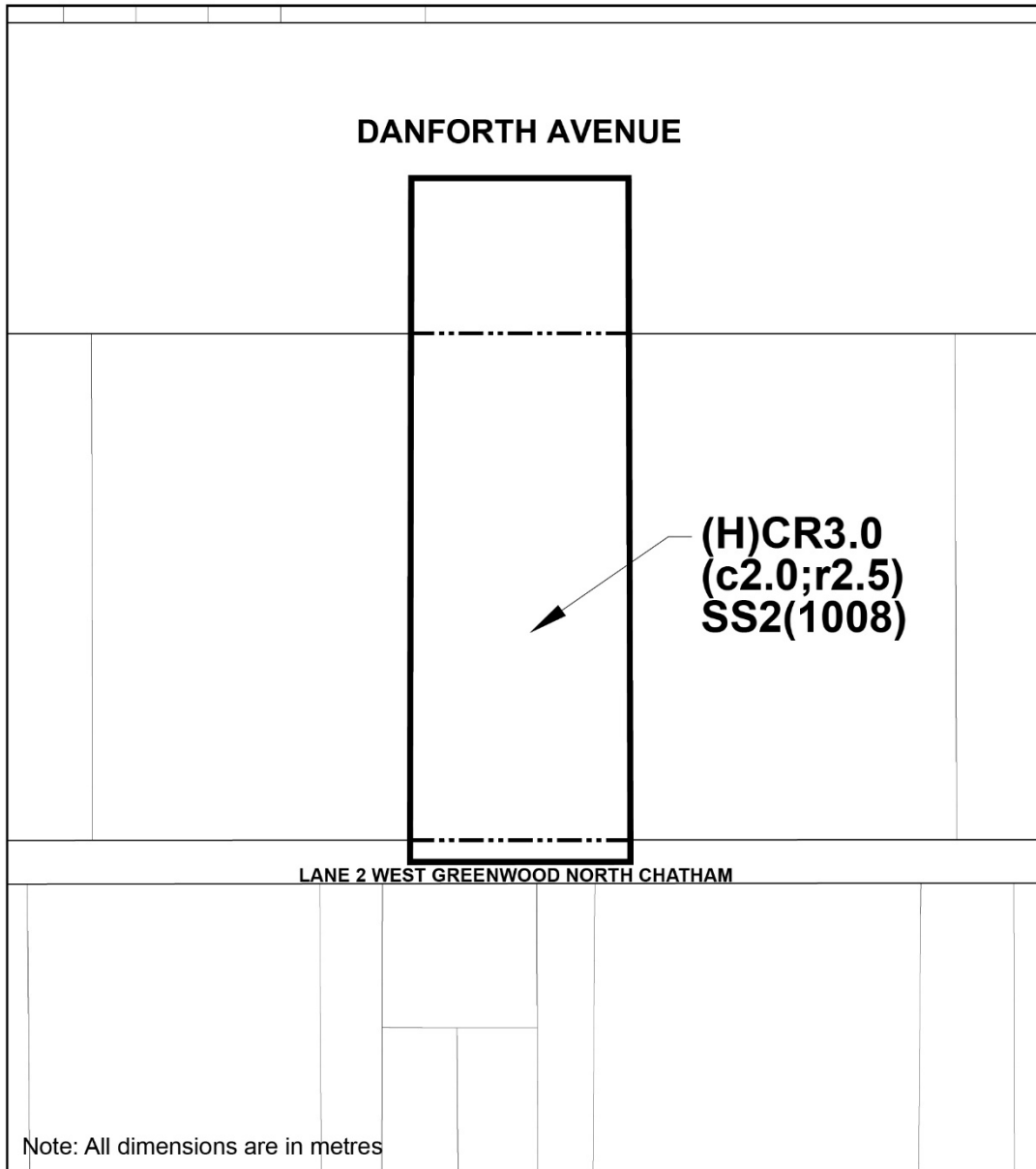


 **TORONTO**  
Diagram 1

1117 Danforth Avenue  
File # 24 120936 STE 14 0Z

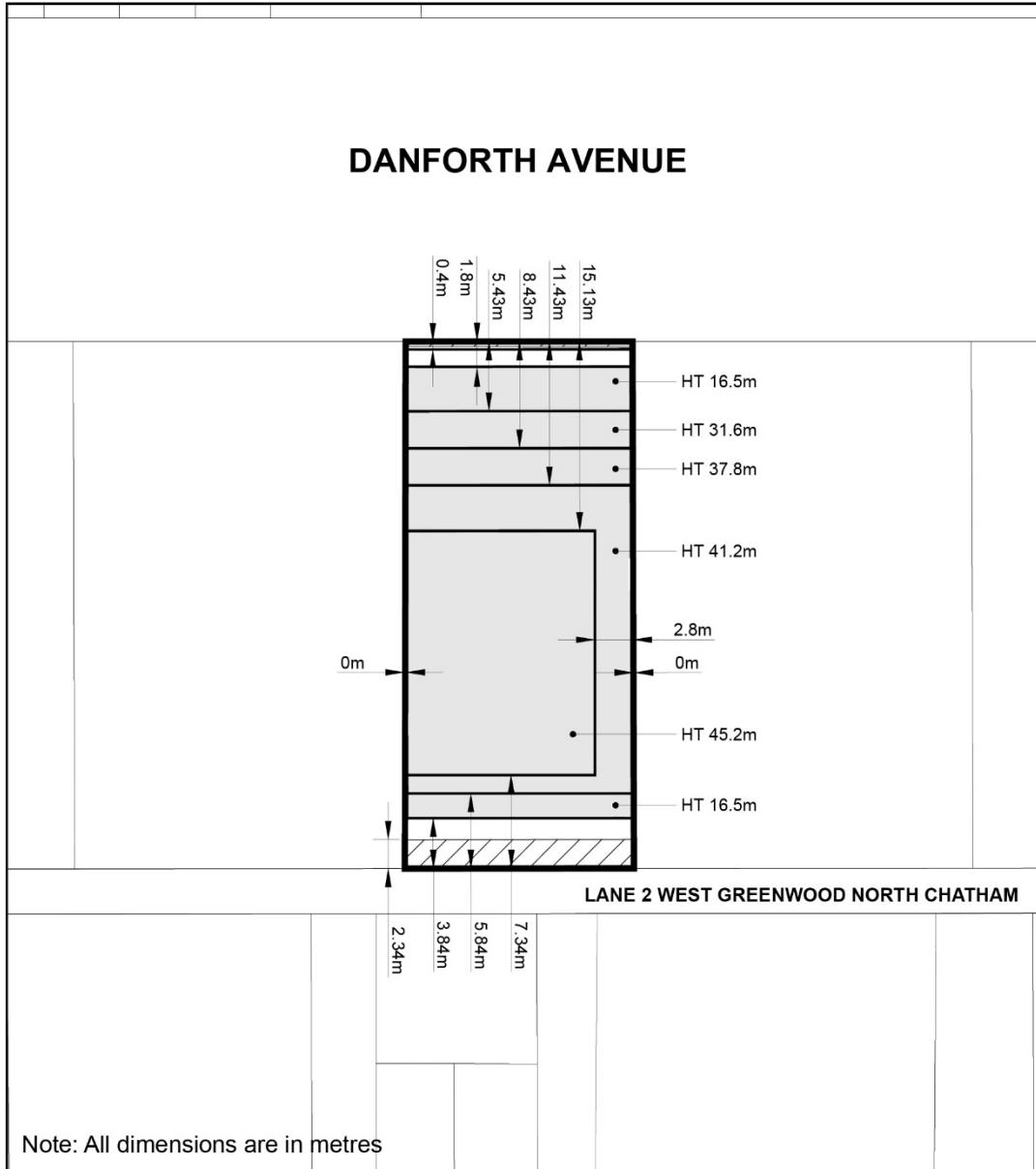
 Lands to Be Conveyed to the City

  
City of Toronto By-law 569-2013  
Not to Scale  
04/29/2024



 **TORONTO**  
Diagram 2


1117 Danforth Avenue  
File # 24 120936 STE 14 0Z



 **TORONTO**  
**Diagram 3**

**1117 Danforth Avenue**  
File # 24 120936 STE 14 0Z

 Lands to Be Conveyed to the City

  
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Not to Scale  
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