

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

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 2810, 2812, 2814 and 2816 Bayview Avenue, and to repeal By-law 1168-2022(OLT).

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)".

The Council of the City of Toronto enacts:

1. By-law 1168-2022(OLT) is hereby repealed.
2. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
3. 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.
4. 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 (c0.0; r3.0) SS2 (x354) and RD (f15.0; a550) (x5) to a zone label of (H) CR 3.0 (c0.0; r3.0) SS2 (x354) as shown on Diagram 2 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by deleting and replacing Article 900.11.10 Exception Number 354 so that it reads:

(354) Exception CR 354

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 lands municipally known as 2810, 2812, 2814 and 2816 Bayview 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 (CC) below;
- (B) For the purposes of this exception, and in accordance with regulation 5.10.30.20(1), the **lot line** abutting Bayview Avenue is selected as the **front lot line**;
- (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 178.00 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 By-law [Clerks to insert By-law number];
- (E) Despite regulations 40.5.40.10(3) to (8), and (D) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building** shown on Diagram 3 of By-law [Clerks to insert By-law number]:
 - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells and maintenance equipment storage, by a maximum of 5.0 metres, provided they must not project beyond the maximum height of 145.0 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above by a maximum of 5.0 metres, provided they must not project beyond the maximum height of 145.0 metres;
 - (iii) exterior stairs, roof access, elevator shafts, chimneys, pipes and vents, by a maximum of 3.0 metres;
 - (iv) **building** maintenance units and window washing equipment, antennae, lightning protection rods, flagpoles and satellite dishes, by

- a maximum of 5.0 metres;
- (v) pergolas, trellises, and unenclosed **structures** providing safety or wind protection to rooftop terraces or outdoor **amenity space**, by a maximum of 4.0 metres;
 - (vi) planters, **landscaping** features, lighting fixtures, guard rails, divider screens, by a maximum of 3.0 metres; and
 - (vii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
- (F) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** is 31,400 square metres;
- (G) In addition to the elements listed in regulations 40.5.40.40(3) or (5) that reduce **gross floor area**, the following elements will also apply to reduce the **gross floor area** of a **building**;
- (i) parking and bicycle parking at or above-ground;
 - (ii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms, and mechanical risers and shafts at or above-ground, except where such areas are located within a **dwelling unit**;
 - (iii) **amenity space** exceeding the amount required by this By-law;
 - (iv) void spaces, and open to below areas; and
 - (v) the area used for an “alternative low-carbon energy system”;
- (H) In addition to the uses permitted in regulation 40.10.20.10(1), an “alternative low-carbon energy system” is permitted;
- (I) Despite clause 40.10.30.40, the permitted maximum **lot coverage** does not apply;
- (J) Despite regulation 40.10.40.10(5), the required minimum height of the first **storey** shall apply to the first **storey** at or above the Canadian Geodetic Datum of 178.00 metres, and the measurement of the height of the first **storey** shall not apply to a partial **storey** or mezzanine level above the first **storey**;
- (K) Despite regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** is not limited;

- (L) Despite regulation 40.10.40.50(1), **amenity space** must be provided at a minimum rate of 3.4 square metres for each **dwelling unit**, of which:
- (i) at least 1.7 square metres for each **dwelling unit** is indoor **amenity space**;
 - (ii) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (M) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (N) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (O) Despite (M) and (N) above, for the first **storey** of the **building**, the required minimum **building setback** from the **front lot line** abutting Bayview Avenue is 5.0 metres;
- (P) Despite clause 40.10.40.60, and (M), (N) and (O) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks, pergolas, trellises, divider screens, building signage;
 - (ii) utility meters and connections;
 - (iii) balconies attached to the west and south **main walls** of the **building**, by a maximum of 2.0 metres;
 - (iv) canopies and awnings, by a maximum of 2.5 metres;
 - (v) a parking ramp and associated **structures**;
 - (vi) exterior stairs, access ramps and elevating devices, by a maximum of 2.5 metres;
 - (vii) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.5 metres;
 - (viii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.5

metres; and

- (ix) window projections, eaves, air conditioners, satellite dishes, antennae, lighting fixtures, vents, and pipes, by a maximum of 1.5 metres;
- (Q) Despite regulation 40.10.50.10(2), a fence abutting a **lot** in the Residential Zone category or Residential Apartment Zone category is not required except for along the **rear lot line**;
- (R) Despite regulation 40.10.50.10(3), a minimum 1.5 metre wide strip of land used only for **soft landscaping** is not required along the part of the **lot line** abutting a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (S) Despite regulation 200.5.1.10(2)(A), up to 10 percent of the provided **parking spaces** combined may be small car **parking spaces** or obstructed **parking spaces**:
 - (i) For the purposes of this exception, small car **parking spaces** may have the following minimum dimensions:
 - (a) length of 5.2 metres;
 - (b) width of 2.4 metres; and
 - (c) vertical clearance of 2.0 metres;
 - (ii) For the purposes of this exception, obstructed **parking spaces** may be obstructed on one or both sides, and need not be increased by 0.3 metres for each side of the **parking space** that is obstructed;
- (T) Despite regulation 200.5.1.10(2)(D), electric **vehicle** infrastructure, including electrical **vehicle** supply equipment or an **energized outlet**, does not constitute an obstruction to a **parking space**;
- (U) 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;
- (V) The entire length of an accessible **parking space** must be adjacent to a

minimum 1.5 metre wide accessible barrier free aisle or path on one side of the accessible **parking space**;

- (W) Accessible **parking spaces** must be located within 30 metres of a barrier free entrance to the **building** or passenger elevator that provides access to the **first floor** of the **building**;
- (X) Despite regulations 230.5.1.10(4)(A)(ii) and (B)(ii), the required minimum width of a **bicycle parking space**, **stacked bicycle parking space**, and **bicycle parking space** placed in a vertical position on a wall, **structure** or mechanical device is 0.45 metres;
- (Y) Despite regulation 230.5.1.10(9)(B), a required “short-term” **bicycle parking space** and a required “long-term” **bicycle parking space** may be located on any level of the **building**;
- (Z) Despite regulation 230.5.1.10(10), “short-term” **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (AA) Despite regulation 230.40.1.20(2), a “short-term” **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to the **building** on the **lot**;
- (BB) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 20 percent of the total number of **dwelling units** must have 2 or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have 3 or more bedrooms; and
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy the minimum requirement in (ii) above are not included in the provision required by (i) above;
- (CC) For the purposes of this exception, “alternative low-carbon energy system” means devices and supporting equipment and systems that use sources of energy or energy conversion processes to produce power, heat and/or cooling for a **building** or complex of related **buildings** that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. “Alternative low-carbon energy system” includes, but is not limited to, systems that use **renewable energy** produced or converted on the **premises**;

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

6. Despite any severance, partition or division of the lands, the provisions of this By-

law shall apply as if no severance, partition or division occurred.

7. Holding Symbol Provisions:

- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 1 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 or applicant, at their sole cost and expense has submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - (ii) If the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - (a) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; or,
 - (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report in (i) above are constructed and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and

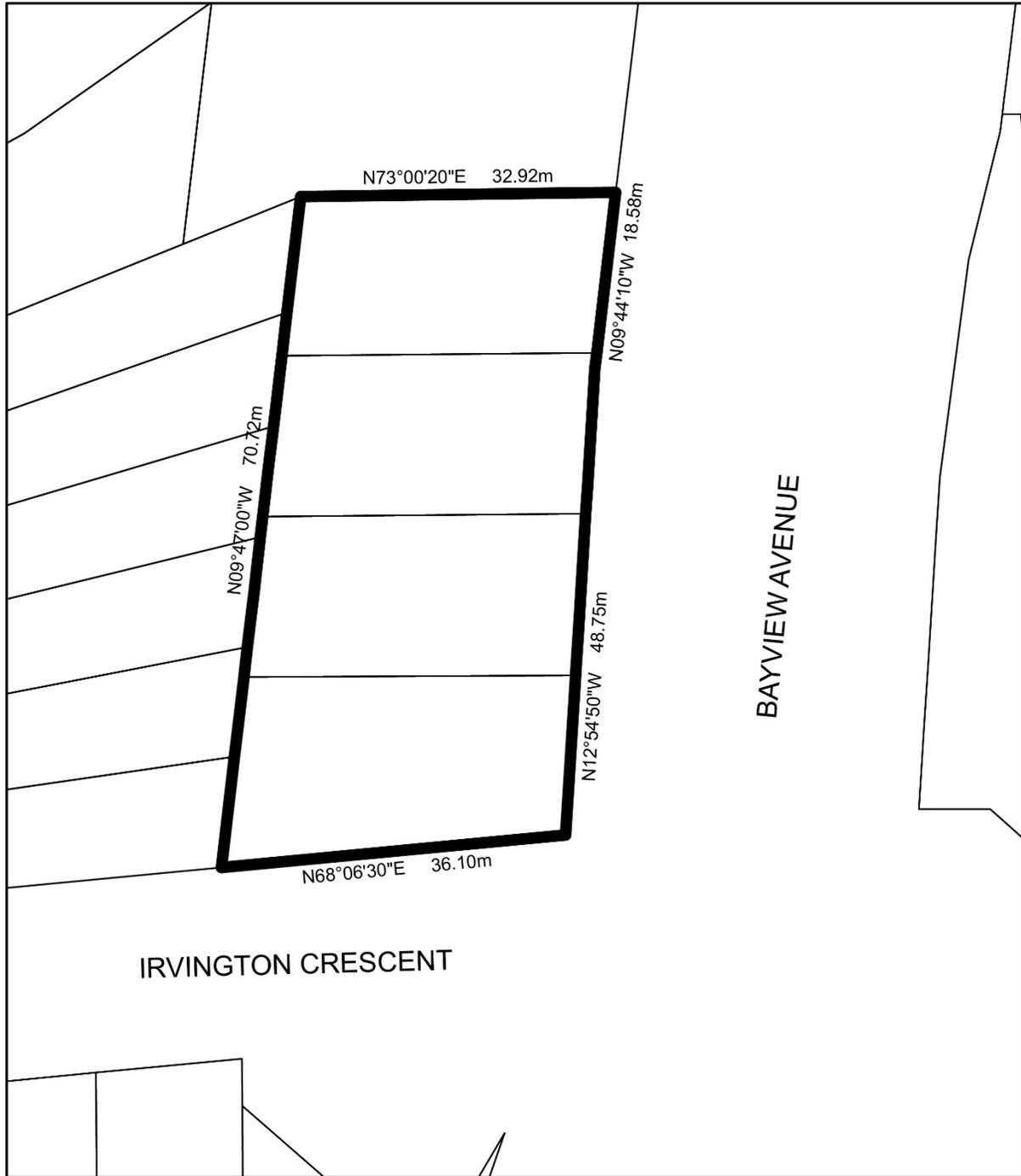
- (iii) All necessary approvals or permits arising from (B)(ii)(a) or (B)(ii)(b) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

Enacted and passed on [Clerks to insert date].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

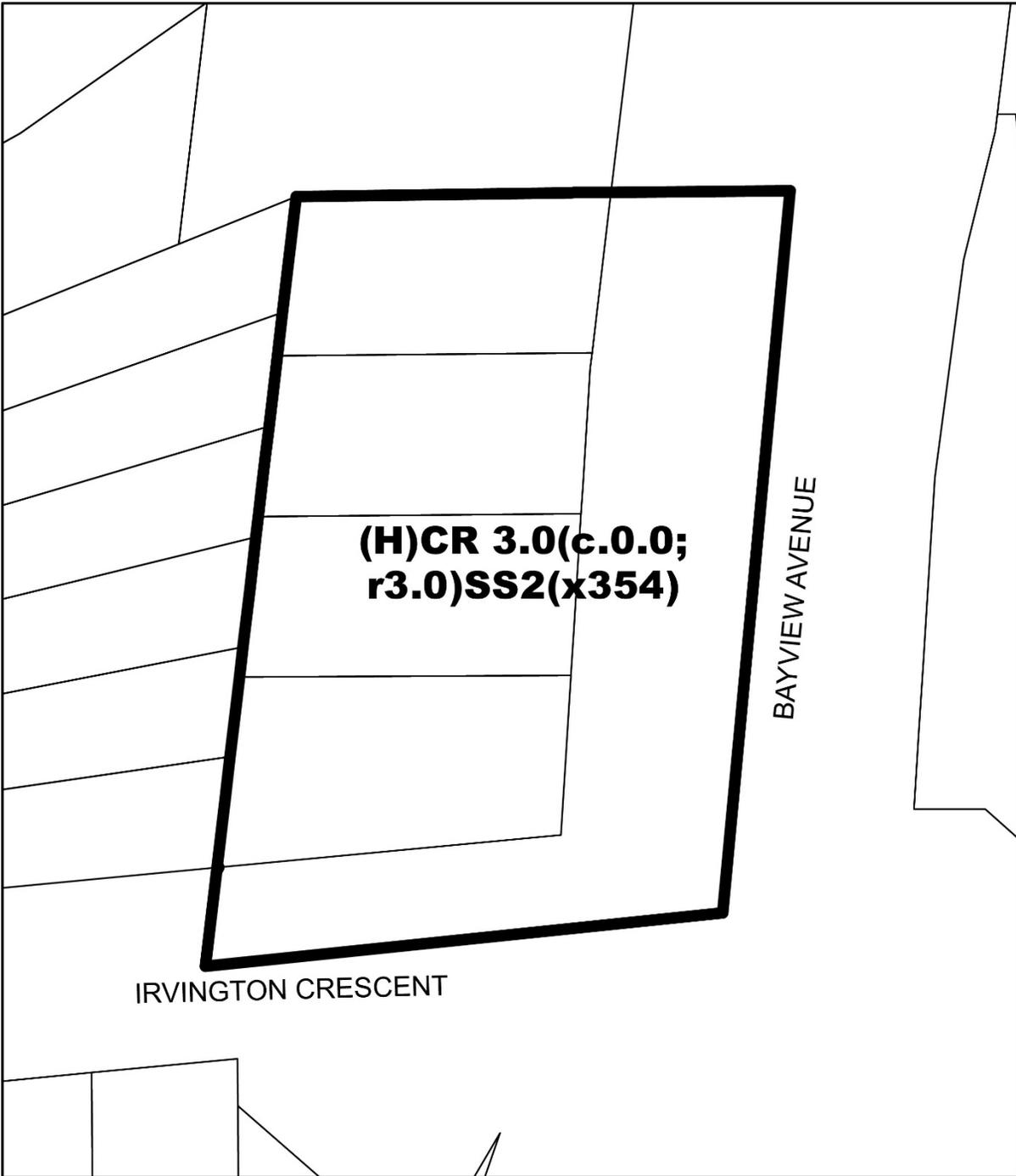
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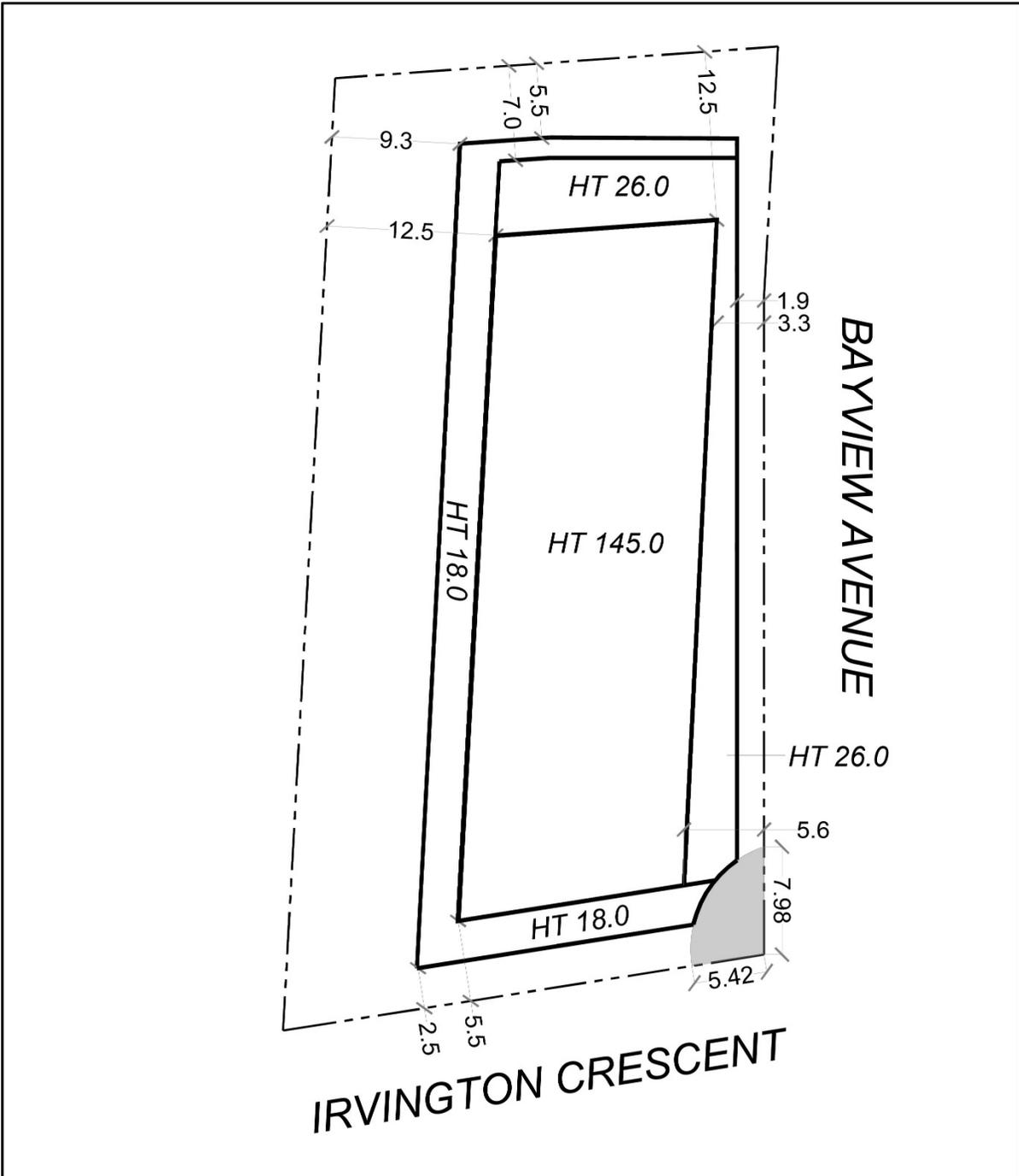


 **TORONTO**
Diagram 1

2810-2816 Bayview Avenue

File # 24 185488 NNY 18 0Z





 **TORONTO**
Diagram 3

2810-2816 Bayview Avenue

File # 24 185488 NNY 18 0Z

 MTO Setback


City of Toronto By-law 569-2013
Not to Scale
02/14/2025