

Authority: Toronto and East York Community Council Item [##], as adopted by City of Toronto Council on ~, 2025

## CITY OF TORONTO

### BY-LAW XXX-2025 [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 126-130 Avenue Road in the City of Toronto**

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

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 CR 1.5(c1.0; r1.0) SS2 (x1895) to a zone label of CR 1.5 (c1.0; r1.0) SS2 (xXXX), 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 XXX so that it reads:

#### **(XXX) Exception CR XXX**

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 the lands municipally known as 126-130 Avenue Road, if the requirements of By-law XXX-2025 [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 (T) below:

- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum of 118.82 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.1(1), **dwelling units** and all other residential uses listed in regulations 40.10.20.10(1)(B) and 40.10.20.20 (1)(B) must be located above the first **storey** in the **building**, except that this regulation does not apply to areas **ancillary** to residential uses, such as lobby access and **amenity space**;
- (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 XXX-2025 [Clerks to insert By-law number];
- (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 4.3 metres;
- (F) Despite (E) above, a minimum height of 3.07 metres is permitted for the area of a Type "C" **loading space**;
- (G) Despite Regulations 40.5.40.10 to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law XXX-2025[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, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 5.0 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 5.0 metres;
  - (iii) elevator and stair overruns, generators, ladders, ladder railings, pipes and flumes may project 2.0 metres above the height of the parts of a **building** listed in (i) above;
  - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.5 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 2.0 metres; and

- (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection and noise mitigation to rooftop **amenity space**, by a maximum of 3.0 metres;
- (H) Despite Regulation 40.5.40.10(5)(A), the total area of all equipment, **structures** or parts of a **building** of elements for the functional operation of a **building** exceeding the permitted maximum height for a **building**, as permitted by (F)(i) to (v) above may cover up to 40% of the area of the roof, measured horizontally;
- (I) Despite Regulation 40.5.40.10(5)(B), the horizontal distance of any equipment, **structures**, or parts of a **building** of elements for the functional operation of a **building** may exceed 65% of the width of the **building's main walls** facing the **front lot line** and 50% facing the south **side lot line**;
- (J) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 4,200 square metres of which:
  - (i) The permitted maximum **gross floor area** for residential uses is 4,010 square metres; and
  - (ii) The required minimum **gross floor area** for non-residential uses is 167 square metres;
- (K) The provision of **dwelling units** is subject to the following:
  - (i) a minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
  - (ii) a minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
  - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
  - (iv) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (L) Despite Regulation 40.10.40.70 (2) and Article 600.10.10, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law **XXX-2025** [Clerks to insert By-law number];
- (M) Despite Clause 40.10.40.60 and (L) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:

- (i) decks, porches, and balconies, by a maximum of 1.5 metres; and
  - (ii) supported or unsupported canopies and awnings by a maximum of 2 metres;
  - (iii) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.15 metres;
  - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, chimney breast or window projections, by a maximum of 1.0 metres;
  - (v) eaves, by a maximum of 0.5 metres; and
  - (vi) a dormer, air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres;
- (N) Despite regulation 40.10.100(1)(2), vehicle access to the **lot** may be provided from a **street**, or **lane** over a surface easement.
- (O) Despite Regulation 200.5.1.10(13), **parking spaces** may be accessed from a parking elevator and the parking elevator must have **driveway** access to a **street**, at the ground floor;
- (P) 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 zero (0) residential occupant **parking spaces** for each **dwelling unit**;
  - (ii) a minimum of zero (0) residential visitor **parking spaces** for each **dwelling unit**; and
  - (iii) a minimum of zero (0) **parking spaces** for non-residential uses;
- (Q) Despite Clause 200.15.10, a minimum rate of 0.02 accessible **parking spaces** for each **dwelling unit** must be provided;
- (R) Despite Regulations 200.15.1 (1) to (4), accessible **parking spaces** must be provided in accordance with the following:
- (i) An accessible **parking space** must have the following minimum dimensions:
    - (a) length of 5.6 metres;

- (b) width of 3.4 metres; and
    - (c) vertical clearance of 2.1 metres;
  - (ii) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path; and
  - (iii) accessible **parking spaces** must be located within 25 metres of a barrier free entrance to the **building** or passenger elevator that provides access to the first **storey** of the **building**;
- (S) Despite Clause 220.5.10.10, **loading spaces** will be provided as follows:
- (i) One (1) Type “C” **loading space** must be provided; and
  - (ii) If the number of **dwelling units** is above 60, one (1) Type “G” **loading space** must be provided and a Type “C” **loading space** is not required;
- (T) Despite Regulation 230.5.1.10(4), a **stacked bicycle parking space** must have the following minimum dimensions:
- (i) Length of 1.6 metres;
  - (ii) Width of 0.36 metres; and
  - (iii) Vertical height of 1.1 metres.

Prevailing By-laws and Prevailing Sections (None apply)

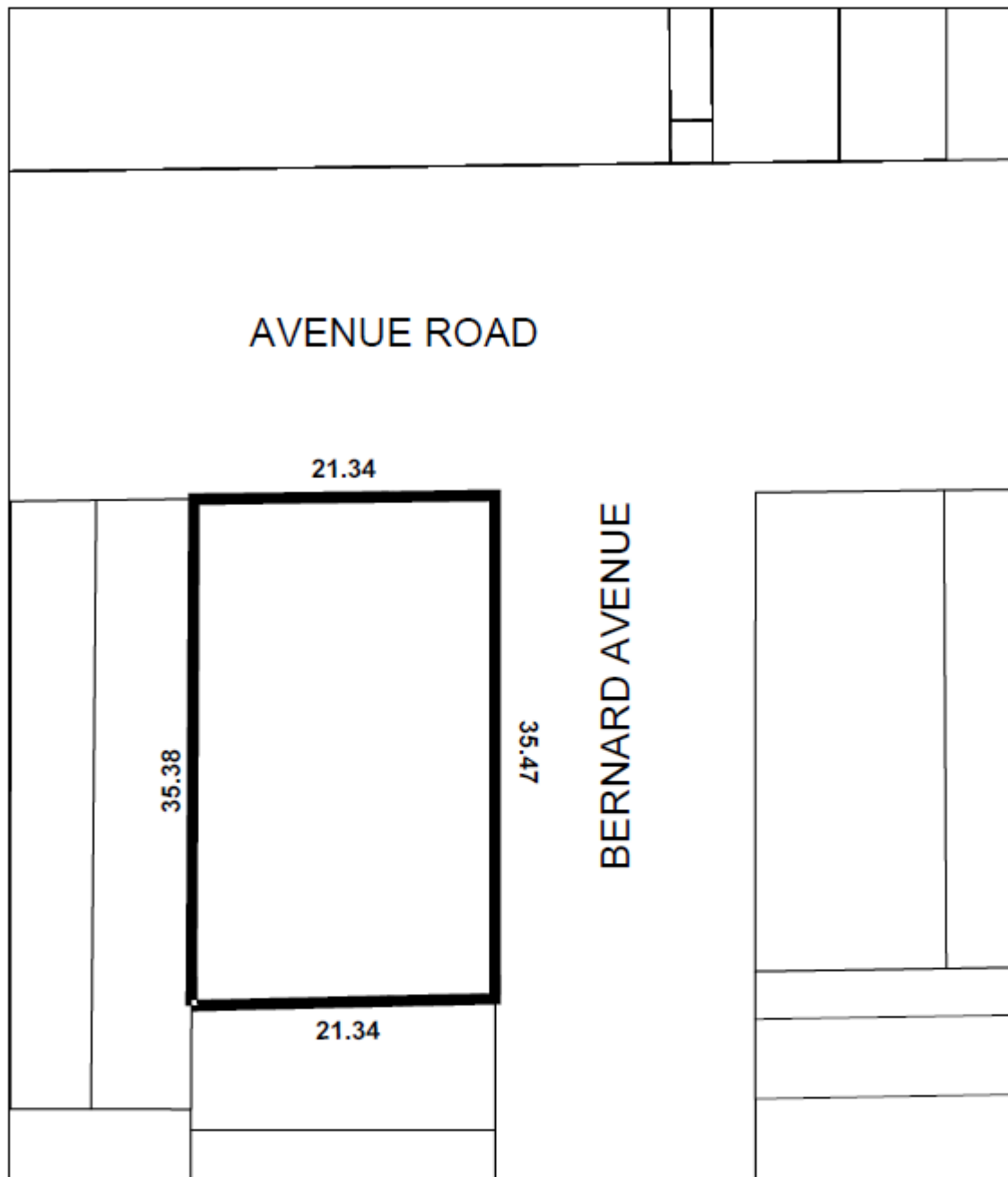
5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.  
Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on **XXX XXX**, 2025.

Frances Nunziata,  
Speaker


John D. Elvidge,  
City Clerk

(Seal of the City)



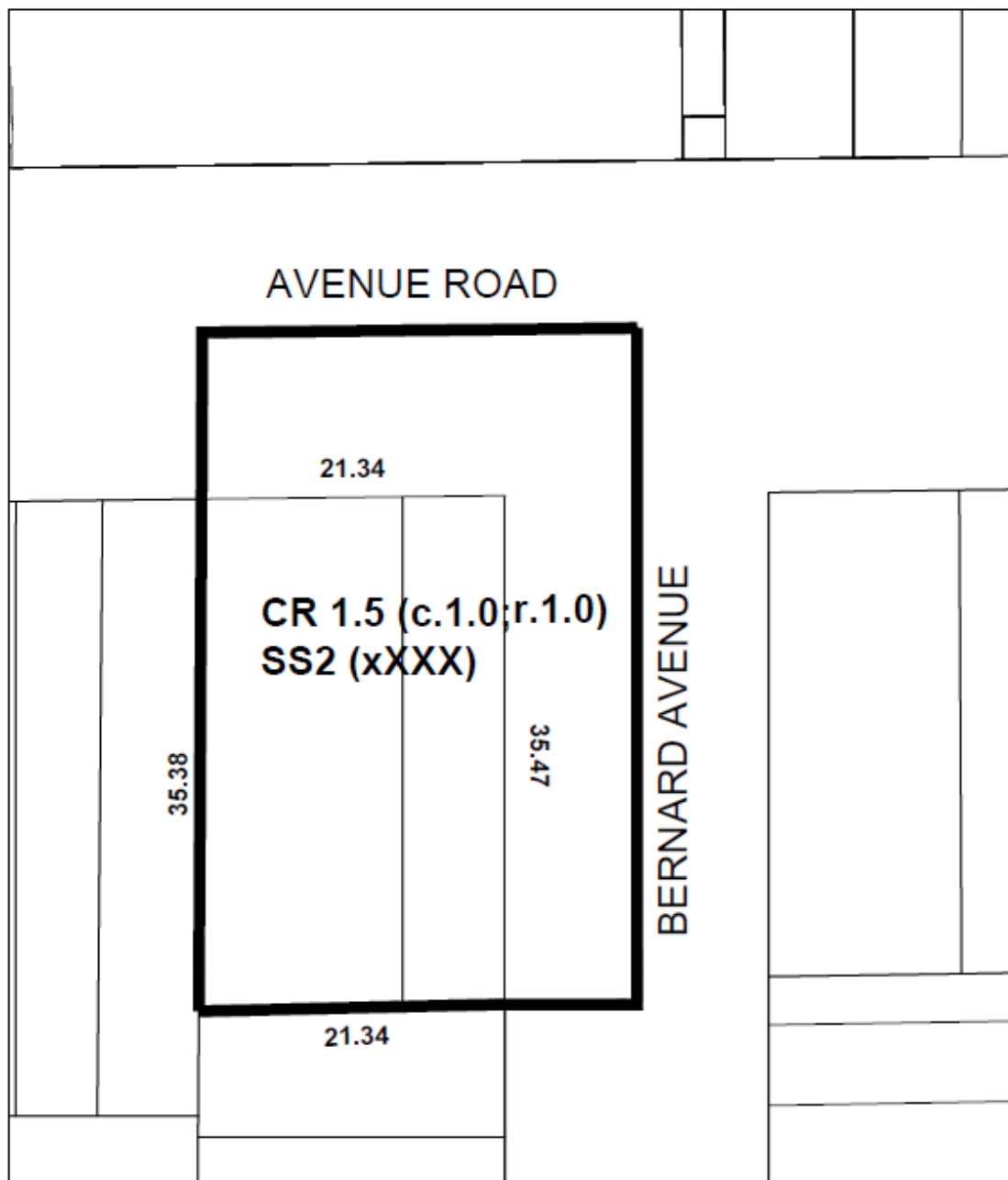
 **Toronto**  
Diagram 1

126-130 Avenue Road

 Area affected by this by-law




City of Toronto By-law 569-2013  
Not to Scale

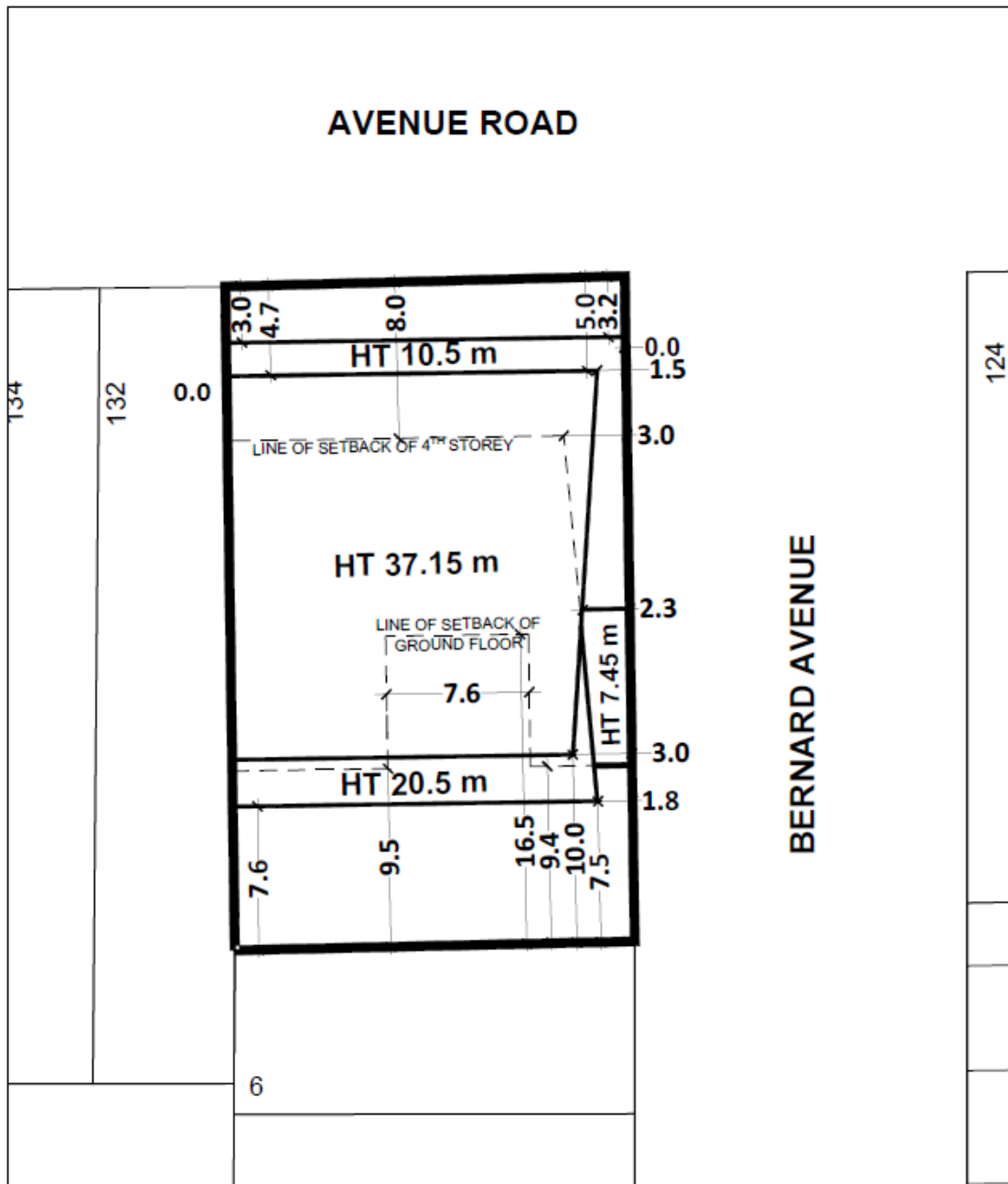


**Toronto**  
Diagram 2

126-130 Avenue Road

 Area affected by this by-law


City of Toronto By-law 569-2013  
Not to Scale



 **Toronto**  
Diagram 3

**126-130 Avenue Road**

File # 23 119287 STE 11 OZ

 Area affected by this by-law



City of Toronto By-law 569-2013  
Not to Scale  
07/07/2025