

Authority: Toronto and East York Community Council Item ##, adopted as amended by City of Toronto Council on May on ~, 20 ~

(Draft Zoning By-law Amendment, dated December 19, 2018)

## CITY OF TORONTO

### BY-LAW No. XXX-2018

**To amend the City of Toronto By-law No. 438-86, as amended, with respect to lands municipally known in the year 2018 as 11-25 Yorkville Avenue and 16-18 Cumberland Street.**

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*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provisions of former City of Toronto By-law No. 438-86, as amended, shall continue to apply to the *lot*.
2. None of the provisions of Section 2 with respect to the definitions of *lot*, *grade*, *height*, *residential amenity space*, and residential *gross floor area* and Sections 4(2)(a), 4(3)(a), 4(5)(b), 4(8), 4(12), 4(13), Section 8(3) Part I, Section 8(3) Part II(1) and Sections 12(2)132, 12(2)259, 12(2)304, 12(5)(h), 12(6) of former City of Toronto By-law No. 438-86 and By-law 333-02, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of land and the erection and use of certain buildings and structures in various areas of the City of Toronto”, apply to prevent the erection and use of a building on the *lot*, provided that:
  - (a) the *lot* comprises the lands delineated by heavy black lines on Map 1, attached hereto and forming part of this by-law;
  - (b) in addition to the uses permitted in Section 8(1), *guest suites* are permitted on the *lot*;
  - (c) the total combined *residential gross floor area* and *non-residential gross floor area* for Parcel A, as shown on Map 2, shall not exceed 51,000 square metres, provided:
    - (i) the total *residential gross floor area* shall not exceed 47,500 square metres; and
    - (ii) the total *non-residential gross floor area* shall not exceed 3,500 square metres;
  - (d) the total *non-residential gross floor area* for Parcel B, as shown on Map 2, shall not exceed 850 square metres, provided:
  - (e) no portion of any *building* or structures erected or used above *grade* is located otherwise wholly within the areas delineated by heavy lines on the attached Map 2 with the exception

of the following:

- (i) balconies, cornices, light fixtures, ornamental elements, parapets, art and landscape features, architectural flutes, patios, decks, pillars, pergolas, trellises, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, window washing equipment, and underground garage ramps and associated structures may extend beyond the heavy lines shown on the attached Map 2;
- (f) no part of any *building* shall exceed the height limits in metres specified by the numbers following the symbol “H” as shown on Map 2 attached hereto with the exception of any of the items listed below:
  - (i) wind screens, elevator overruns, mechanical equipment and any associated enclosure structures, parapets, awnings, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, eaves, screens, stairs, roof drainage, window sills, window washing equipment, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, and elements of a green roof may exceed the height limits by a maximum of 7.0 metres;
- (g) *Parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
  - (i) a minimum of 0.3 *parking spaces* per *dwelling unit* for the use of the residents of the buildings;
  - (ii) a minimum of 0.028 *parking spaces* for the use of the residential visitors of the buildings;
  - (iii) no *parking spaces* are required for non-residential uses;
- (h) *bicycle parking spaces* shall be provided and maintained on the *lot*, and may be in the form of a *stacked bicycle parking space*, in accordance with the following:
  - (i) a minimum of 0.90 *bicycle parking spaces* per *dwelling unit*; and
  - (ii) a minimum of 0.10 *bicycle parking space* per *dwelling unit* for visitors;
  - (iii) a minimum of 17 *bicycle parking spaces* shall be provided for non-residential uses.
- (i) Loading shall be provided and maintained on the *lot* in accordance with the following:
  - (i) a minimum of one *loading space – Type “G”* and one *loading space – Type “B”* shall be provided on Parcel A, as shown on Map 2; and
  - (ii) a minimum of one *loading space – Type “C”* shall be provided on Parcel B, as shown on Map 2;
- (j) *residential amenity space* shall be provided and maintained on the *lot* in accordance with the following requirements:
  - (i) a minimum of 2.0 square metres of indoor *residential amenity space* shall be provided per *dwelling unit*; and
  - (ii) a minimum of 1.0 square metre of outdoor *residential amenity space* shall be provided per *dwelling unit*;

3. Despite any future severance, partition or division of the lands as shown on Map 1, the provisions of this exception shall apply as if no severance, partition or division has occurred.
4. None of the provisions of By-law No. 438-86 shall apply to prevent a *sales office* on the *lot*.
5. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:
  - (a) "*lot*" means those lands outlined by heavy lines on Map 2 attached hereto and forming part of this By-law;
  - (b) "*grade*" means an elevation of 116.35 metres Canadian Geodetic Datum;
  - (c) "*guest suite*" means a suite, other than a *dwelling unit*, that has no kitchen facilities and is available for use on a temporary basis as overnight accommodation for persons visiting residents of a building on the *lot*;
  - (d) "*height*" means the height of land outlined by heavy lines on Map 1 attached to and forming part of this By-law;
  - (e) "*residential amenity space*" shall mean indoor or outdoor space on a *lot* that is communal and available for use by the occupants of a building on the *lot* for recreational or social activities and shall include area used as *guest suites*;
  - (f) "*residential gross floor area*" means the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
    - a. *residential amenity space* required by this By-law;
    - b. parking, loading and bicycle parking spaces below established grade;
    - c. parking, loading and bicycle parking spaces at or above established grade;
    - d. storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
    - e. shower and change facilities required by this By-law for required *bicycle parking spaces*;
    - f. elevator shafts;
    - g. garbage shafts;
    - h. mechanical rooms; and
    - i. exit stairwells in the building.
  - (g) "*sales office*" means a building, structure, facility or trailer on the *lot* used for the purpose of the used exclusively for the initial sale and/or initial leasing of *dwelling units* or *non-residential gross floor area* uses proposed on the *lot*;

ENACTED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2018.

JOHN TORY,  
Mayor  
(Corporate Seal)

ULLI S. WATKISS  
City Clerk



