

Authority: Toronto and East York Community Council Item [-], as adopted by City of Toronto Council on ~, 202~

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 2451-2495 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 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 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 (c2.0; r2.5) x2219 to a zone label of CR 3.0 (c2.0; r2.5) SS2 (XXXXX) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number [-] so that it reads:

(-I) Exception CR (-I)

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 2451-2495 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 (Y) below;
- (B) 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 131.3 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the uses permitted by regulations 40.10.20.10(1) and 40.10.20.20(1), a **kenel** is a permitted use, but is restricted to a **premises** used for the boarding and training of dogs and cats and must be ancillary to a **retail store**;
- (D) Regulation 40.10.20.100(1), with respect to the size and location of a **recreation use** for the purposes of a fitness, exercise or health club, does not apply;
- (E) Despite regulation 40.10.20.100(1)(A), the permitted total **interior floor area** of all **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses** and **take-out eating establishments** may not exceed 1,000 square metres;
- (F) Regulation 40.10.20.100(5), with respect to the size of a beverage manufacturing use within a **retail store**, does not apply;
- (G) Regulation 40.10.20.100(21), with respect to the size and location of an **outdoor patio**, does not apply;
- (H) Despite regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same storey as non-residential use portions of the **building**;

- (I) 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];
- (J) Despite regulations 40.5.40.10(3) to (8) and (I), the following equipment and **structures** may project beyond the permitted maximum height 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, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, elevator overruns, chimneys, and vents, by a maximum of 3.0 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above by a maximum of 6.5 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 2.5 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, flagpole and satellite dishes, by a maximum of 6.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
- (K) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 42,300 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 39,000 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is

3,300 square metres;

- (L) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (M) 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];
- (N) Despite Clause 40.10.40.60 and (L) and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) decks, porches, and balconies and their associated guards, guardrails, railings, canopies and awnings by a maximum of 3.0 metres;
 - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 2.5 metres;
 - (iii) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 2.0 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.5 metres;
 - (v) eaves, by a maximum of 0.5 metres;
 - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres; and
- (O) Despite regulation 200.5.1.10(2)(A)(iv), 15% of the required **parking spaces** may be obstructed as described in regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (P) Despite regulations 200.5.1.10(2)(A) and (D), Electric Vehicle Infrastructure, including electric vehicle supply equipment, does not constitute an obstruction to a **parking space**;

- (Q) For the purpose of this exception, “car-share” or “car-sharing” means the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or nonprofit car-sharing organization and where such organization may require that use of motor vehicles be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable;
- (R) For the purpose of this exception, “car-share parking space” means a **parking space** that is reserved and actively used for “car-sharing”;
- (S) 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;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5-metre-wide accessible barrier free aisle or path on one side of the accessible **parking space**;
- (T) Despite regulation 200.15.10(1) and (2), a minimum of 13 of the required **parking spaces** are required to be accessible **parking spaces**;
- (U) Despite regulation 200.15.1(4), 13 of the required accessible **parking space** in (T) above are required to be closest to a barrier-free passenger elevator that provides access to the first **storey** of the **building** or the shortest route from the required entrance to an elevator;
- (V) For the purposes of this By-law, **parking spaces** for residential visitors and non-residential users may be shared on a non-exclusive basis.
- (W) Despite regulation 230.5.1.10 (10), a “short term” bicycle parking space may be located in a stacked **bicycle parking space**;

- (X) Despite regulation 230.40.1.20 (1), a “long term” **bicycle parking space** may be located in a secured room, enclosure or bicycle locker;
- (Y) Despite regulation 230.5.1.10 (7), no change or shower facilities are required if a **building** has uses, other than **dwelling units**, for which a "long-term" **bicycle parking space** is required, and;

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

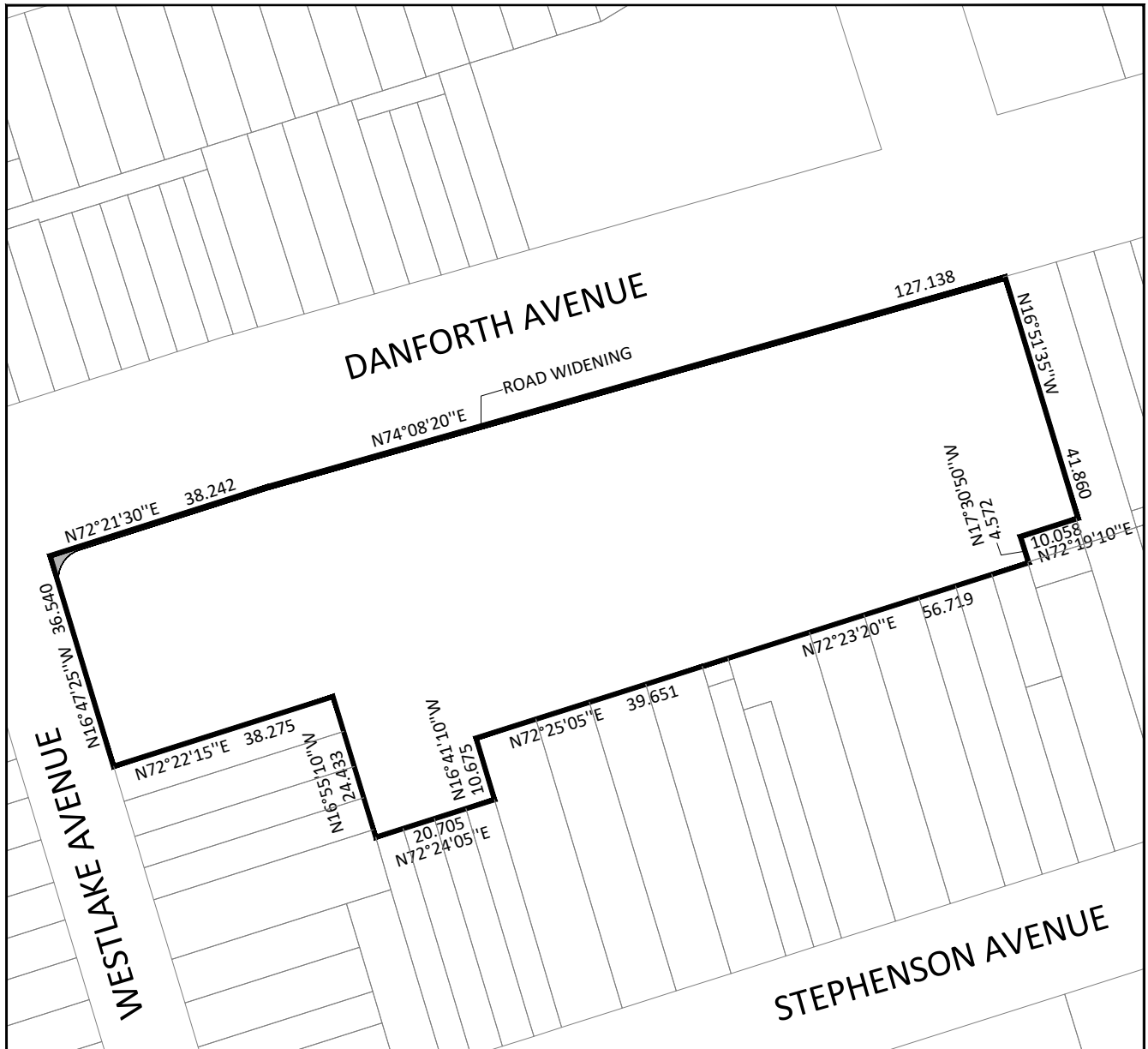
- 5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
- 6. Temporary Use:
 - (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a temporary building, structure, facility or trailer on the lot used for the purpose of the sale of dwelling units to be erected on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

Enacted and passed on [Clerks to insert date].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



2451-2459 Danforth Avenue

Diagram 1

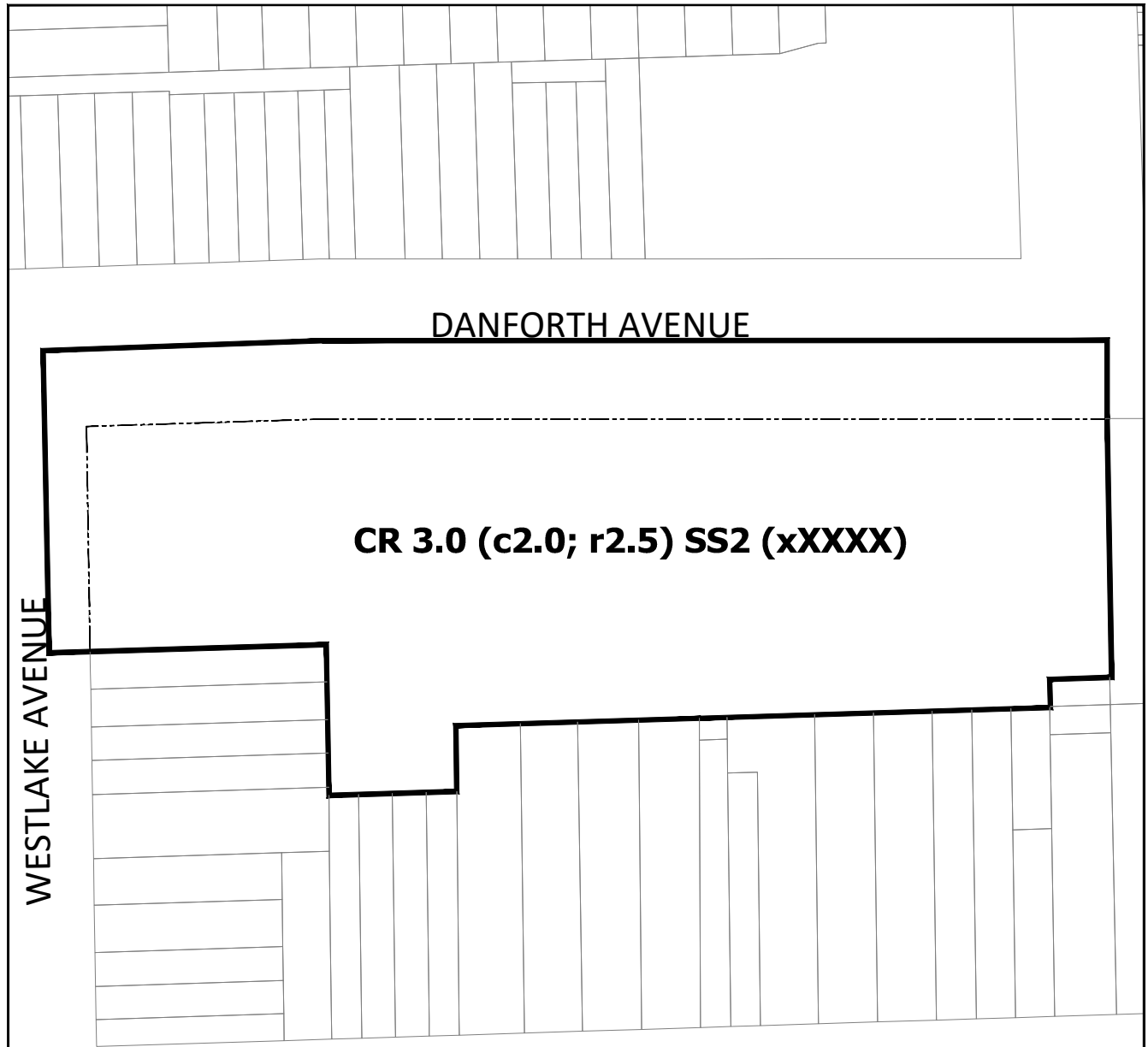
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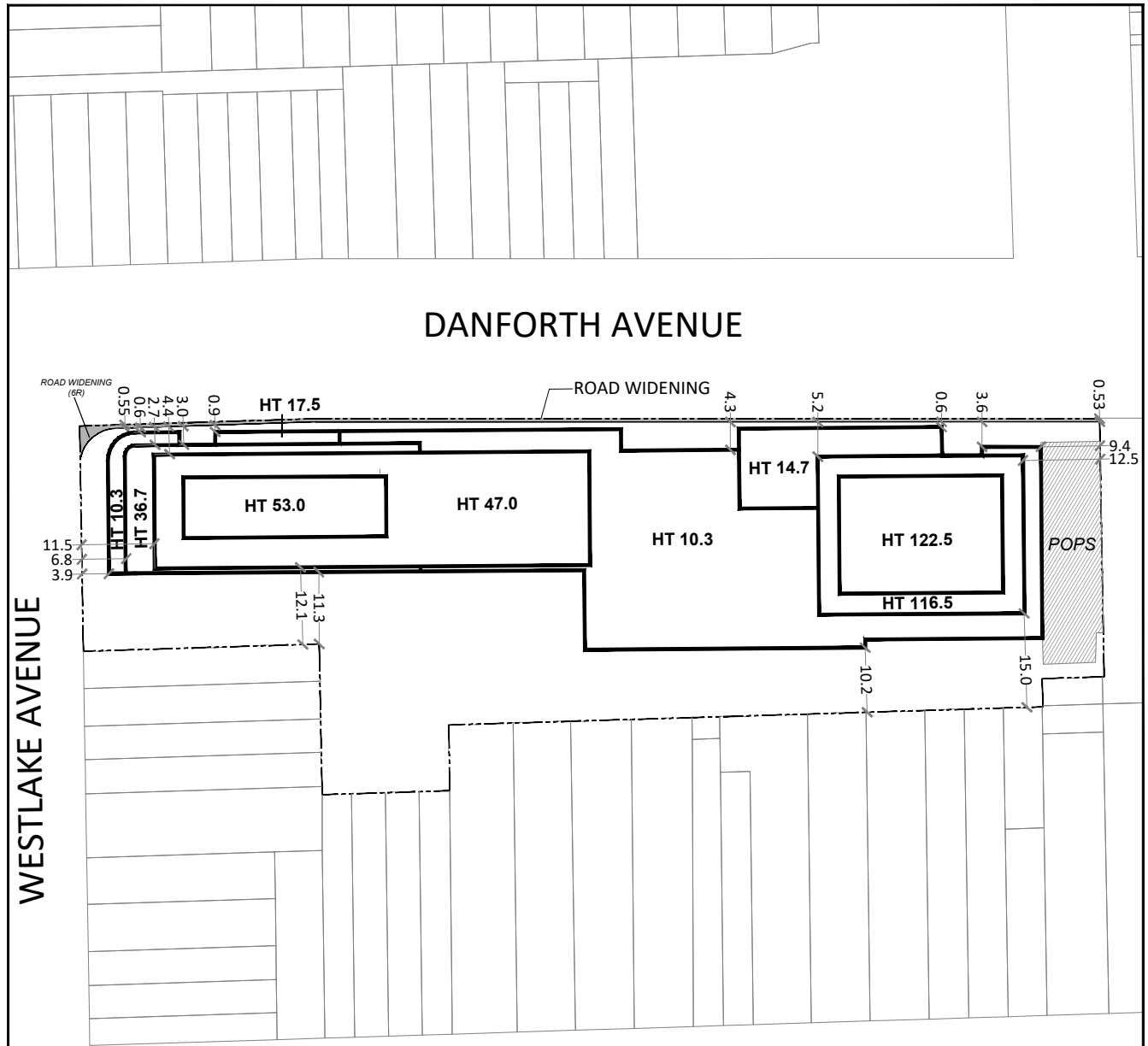


Road Widening



Not to Scale





2451-2459 Danforth Avenue

Diagram 3

File #24

-  Road Widening
-  POPS - Privately-Owned Publicly Accessible Space

