

CITY OF TORONTO

BY-LAW ____-2019

To amend the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 1637, 1639, 1641, 1643 and 1645 Bathurst Street in the year 2018

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 enacts:

1. Except as otherwise provided herein, the provisions of By-law No. 438-86, shall continue to apply to the *lot*.

None of the provisions of Section 2 with respect to the definition of *grade*, *height*, *lot* and *residential gross floor area*, and Sections 4(2)(a), 4(4)(b), 4(6), 4(7), 4(10), 4(12), 4(13), 4(16), 4(17), 6(1), 6(3) Part I, 6(3) Part II, 6(3) Part III, 6(3) Part IV, 12(1)320 and 12(1)365 of Zoning By-law No. 438-86, as amended, shall apply to prevent the erection and use of *apartment buildings* and *car-share parking spaces* on the *lot* and uses *accessory* thereto, on the lands municipally known as 1637, 1639, 1641, 1643 and 1645 Bathurst Street, in the year 2018, provided that:

- (a) The *lot* consists of the lands delineated by heavy lines on Map 1 attached to this By-law;
- (b) The permitted *residential gross floor area* erected or used on the *lot* shall not exceed 8,650 square metres;
- (c) No portion of any building or structure erected above *grade* on the *lot* is located above the maximum height in metres as indicated by the following letter "H" as shown on Map 2, attached to and forming part of this By-law;
- (d) Notwithstanding Section 1.(c) of this By-law, the following building elements, structures and projections are permitted to extend beyond the heavy lines and above the *heights* referred to therein:
 - (i) Antennae, arbours, architectural features, awnings, balustrades, bay windows, bicycle racks, bollards, canopies, chimneys, cooling towers, cooling tower perimeter walls, cornices, decks, decorative features, eaves, exhaust flues, fences, finials, garbage chute overruns, guardrails, landscape and public art features, lighting fixtures, lightning rods, monuments, ornamental elements, parapets, patios, pipes, planters, platforms, porches,

- railings, retaining walls, screens, signage, soffits, stacks, stairs, stair enclosures, stair landings, supportive columns, terraces, terrace guards, trellises, underground garage ramps and their associated structures, vents, walkways, wheel chair ramps, window sills, window washing equipment;
- (ii) Enclosures housing mechanical elements and ducts, elevators, elevator enclosures and overruns, and associated structures; and
 - (iii) Elements or structures on any roof used for outside or open air recreation, including amenity space, and for maintenance, safety, wind protection or green roof purposes;
- (e) No part of the above *grade* portion of any building or structure on the *lot* is located otherwise than wholly within the areas delineated by the heavy lines on Map 2 attached to and forming part of this By-law;
- (f) Notwithstanding Section 1.(e) of this By-law, the following structures and projections are permitted to extend into the required setback areas:
- (i) Antennae, arbours, architectural features, awnings, balustrades, bay windows, bicycle racks, bollards, canopies, chimneys, cooling towers, cooling tower perimeter walls, cornices, decks, decorative features, eaves, exhaust flues, fences, finials, garbage chute overruns, guardrails, landscape and public art features, lighting fixtures, lightning rods, monuments, ornamental elements, parapets, patios, pipes, planters, platforms, porches, railings, retaining walls, screens, signage, soffits, stacks, stairs, stair enclosures, stair landings, supportive columns, terraces, terrace guards, trellises, underground garage ramps and their associated structures, vents, walkways, wheel chair ramps, window sills, window washing equipment;
 - (ii) Enclosures housing mechanical elements and ducts, elevators, elevator enclosures and overruns, and associated structures;
 - (iii) Elements or structures on any roof used for outside or open air recreation, including amenity space, and for maintenance, safety, wind protection or green roof purposes; and
 - (iv) Balconies are permitted to project a maximum of 2.0 metres beyond the heavy lines shown on Map 2;
- (g) *Residential amenity space* shall be provided on the *lot* in accordance with the following:
- (i) A minimum of 2.0 square metres of indoor *residential amenity space* per *dwelling unit*;
 - (ii) A minimum of 2.0 square metres of outdoor *residential amenity space* per *dwelling unit*;

- (iii) At least 40.0 square metres of outdoor *residential amenity space* shall be provided in a location directly accessible via hallway from, and on the same floor as, indoor *residential amenity space*; and
 - (iv) indoor *residential amenity space* shall provide rooms which may or may not be contiguous and at least one of which shall contain a kitchenette and washroom.
- (h) *Parking spaces* shall be provided and maintained above or below grade on the *lot* as follows:
- (i) A minimum of 0.8 resident *parking spaces* for each bachelor *dwelling unit* up to 45 square metres and 1.0 for each bachelor *dwelling unit* greater than 45 square metres;
 - (ii) A minimum of 0.9 resident *parking spaces* for each one bedroom *dwelling unit*;
 - (iii) A minimum of 1.0 resident *parking spaces* for each two bedroom *dwelling unit*;
 - (iv) A minimum of 1.2 resident *parking spaces* for each three or more bedroom *dwelling unit*;
 - (v) A minimum of 0.2 visitor *parking spaces* per *dwelling unit*;
 - (vi) *Car-share parking spaces* may replace the *parking spaces* otherwise required for residential occupants at a rate of 1 *car-share parking space* per 4 required *parking spaces*; and
- (i) *Bicycle parking spaces* shall be provided and maintained on the *lot* for the residents and visitors in accordance with the following:
- (i) A minimum of 1.0 *bicycle parking spaces – occupant* per *dwelling unit*;
 - (ii) A minimum of 0.08 *bicycle parking spaces – visitor* per *dwelling unit*;
- (j) The *bicycle parking spaces – occupant* noted in subsection (i) above may be located in a storage room above *grade* and/or below *grade* parking garage in a *building* on the *lot* and may be provided in the form of *stacked bicycle parking spaces*;
- (k) One (1) *loading space – type G* shall be provided and maintained on the *lot*;
- (l) For the purposes of this By-law, every other word or expression which is italicized herein shall have the same meaning as each word or expression as defined in the aforesaid Bylaw No. 438-86, as amended, with the exception of the following:

- (i) “*car-share*” means the practice whereby a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car-sharing organization, such car-share motor vehicles to be made available for short term rental, including hourly rental, and where such organization may require that the car-share 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;
- (ii) “*car-share parking space*” means a *parking space* that is signed, reserved and actively and exclusively used only for a motor vehicle for *car-share* purposes and such *car-share* is for the use of at least the occupants of any building erected or used on the *lot*;
- (iii) “*grade*” means 174.75 metres Canadian Geodetic Datum;
- (iv) “*height*” means the vertical distance between *grade* and the highest point of the building or structure, subject to permitted projections;
- (v) “*lot*” means those lands outlined on Map 1 attached hereto;
- (vi) “*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. indoor *residential amenity space*;
 - B. parking, loading and bicycle parking below established grade;
 - C. parking, loading and bicycle parking 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 penthouse; and
 - I. exit stairwells in the building; and
- (vii) “*stacked bicycle parking spaces*” means a horizontal bicycle parking space that is positioned above or below another bicycle parking space and

equipped with a mechanical device providing floor level access to both bicycle parking spaces.

2. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole *lot* as if no severance, partition or division occurred.

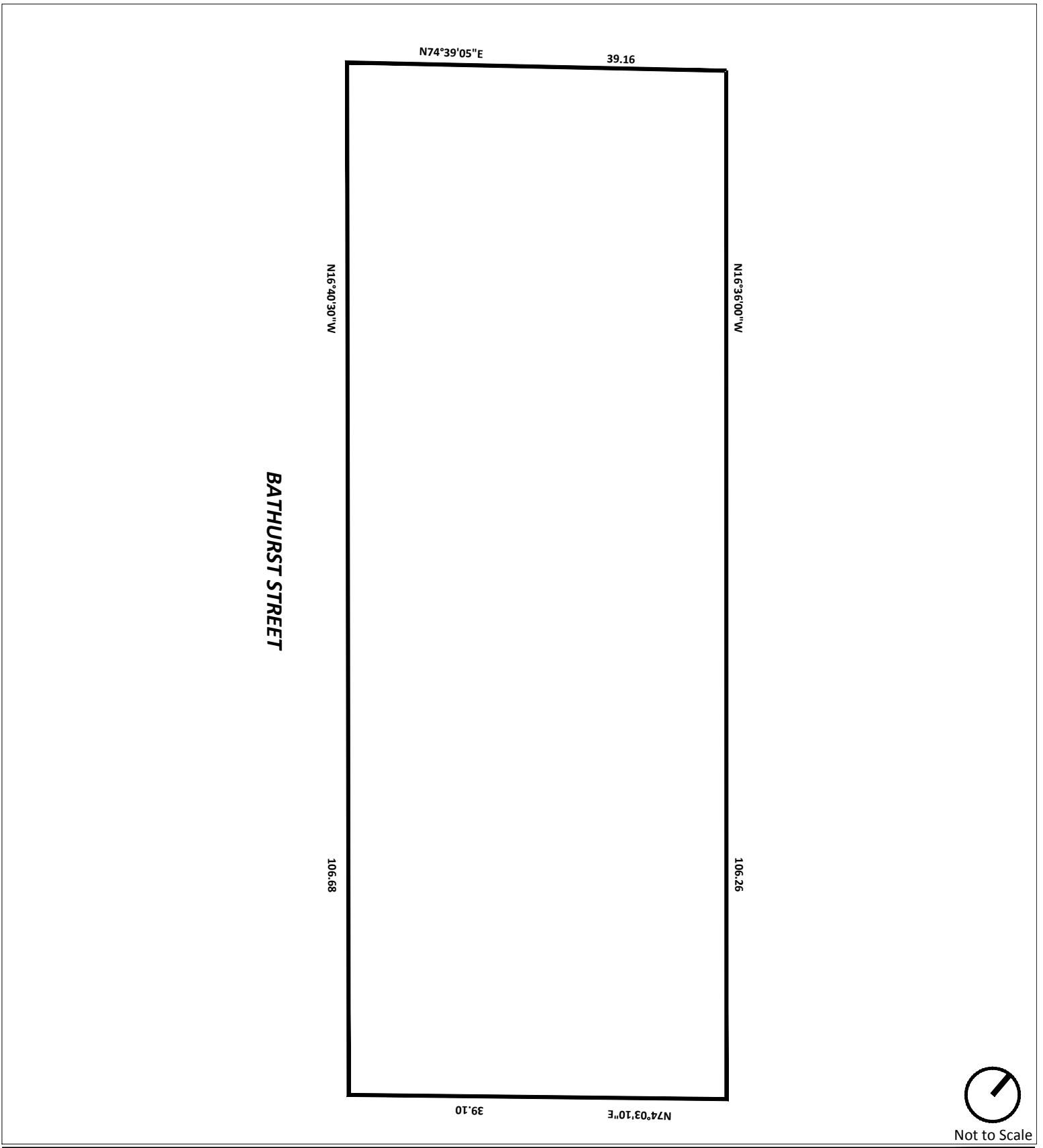
ENACTED AND PASSED this _____ day of _____, A.D. 2019.

JOHN TORY,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

[NOTE: The form and content of this draft by-law is to be revised and/or updated to reflect the proposed development, if and when it is finally approved.]

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Not to Scale

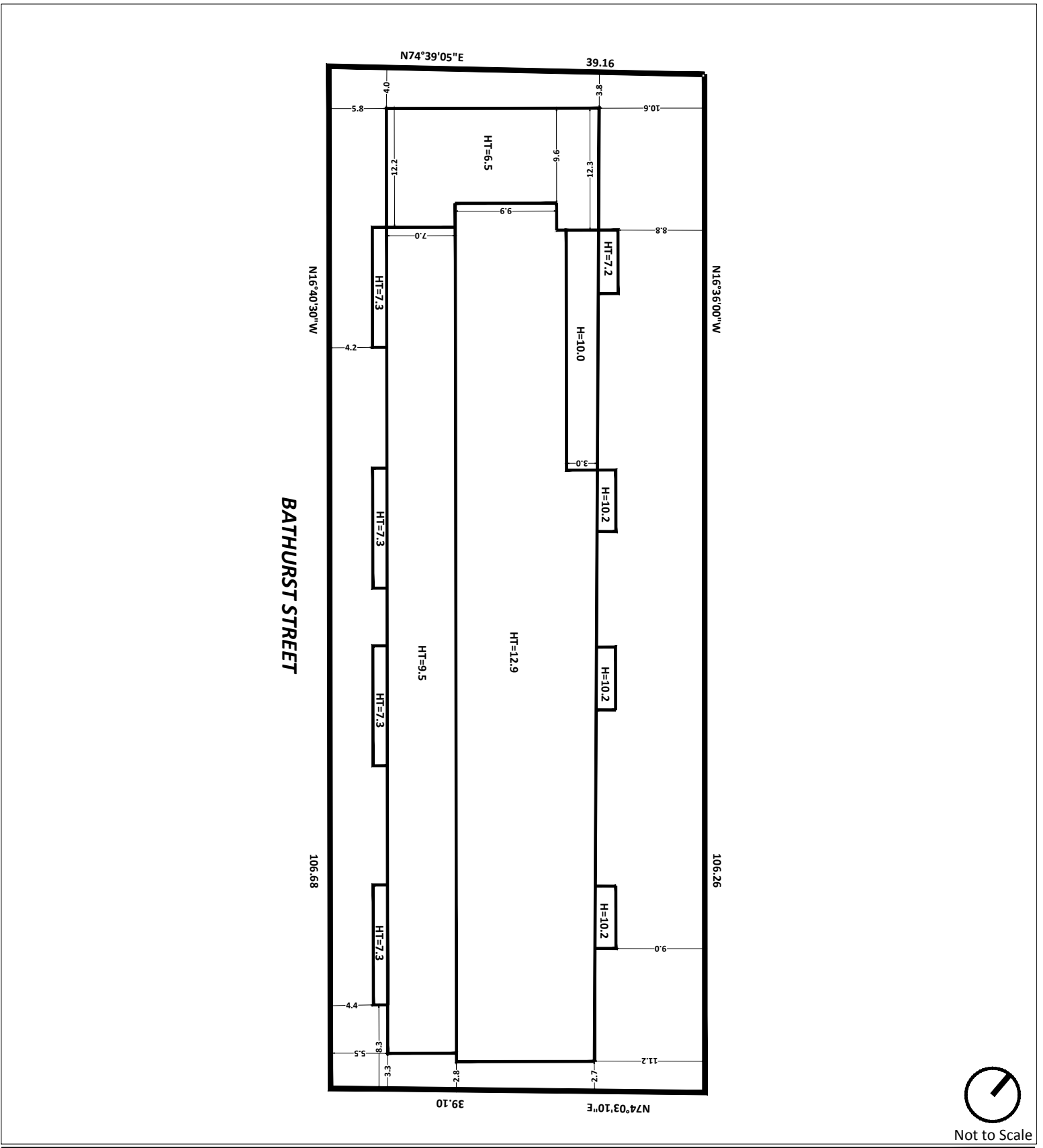
Map 1

Zoning By-law Amendment

1637-1645 Bathurst Street
 City of Toronto

Area affected by this by-law



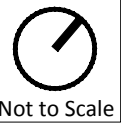


Map 2

Zoning By-law Amendment

1637-1645 Bathurst Street
 City of Toronto

Area affected by this by-law



Not to Scale

