Authority: Toronto and East York Community Council Item\_\_\_\_\_\_\_, as adopted by City of Toronto Council on \_\_\_\_\_\_\_\_\_\_\_\_\_, 2022

**CITY OF TORONTO BY-LAW XXX-2022**

**To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2022 as 15-17 Elm Street.**

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

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in the density of development; and

The Council of the City of Toronto enacts:

1. Except as otherwise provided herein, the provisions of former City of Toronto By-law 438-86, as amended, shall continue to apply to the *lot*.
2. The provisions of this By-law shall apply to the lands outlined in heavy lines on Map 1 attached.
3. None of the provisions of Section 2(1) with respect to the definition of the terms *lot*, *grade*, *height*, *residential gross floor area*, *bicycle parking space - occupant*, *bicycle parking space - visitor* and Sections 4(2),4(4), 4(5), 4(11), 4(12), 4(13), 4(17), 6(1), 6(2)(11)(12)(19), 6(3) Part I 1, 6(3) Part II, and 6(3) Part III, 6(3) Part IV of By-law 438-86, 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 lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of the lands municipally known as 15-17 Elm Street for an *apartment building* containing dwelling units provided that:
   1. the *lot* consists of the lands shown on Map 1 attached hereto and forming part of this by-law;
   2. The total *residential gross floor area* on the *lot* shall not exceed 14,500 square metres
   3. The total *non-residential gross floor area* on the *lot* shall not exceed 300 square metres;
   4. Notwithstanding (b) above, no portion of the building as shown on Map 2, including a mechanical penthouse containing equipment and structures used for the functional operations of the building, shall be located above the *heights* shown on Map 2 attached to and forming part of this By-law, with the exception of the following;
      1. Architectural features, air intake and air handling units, communication equipment, cooling tower, elevator overruns, exit stairs, stairs, stair enclosures, fences, flues, landscape and public art features, noise attenuation walls, pipes, window washing equipment, and elevator machine room;
      2. Awnings, chimneys, bicycle racks, bollards, guardrails, lighting fixtures, planters, ornamental elements, cornices, platforms, railings, retaining walls, parapets, railings, balustrades, roof drainage systems, screens, stacks, terraces, green roof, trellises, insulation and roof surface materials, vents, wind protection, and window sills;
   5. No portion of Building as shown on Map 2 erected or used above grade shall be located otherwise than wholly within the areas delineated by heavy lines shown on Map 2 attached to and forming part of this By-law, except for the following:
      1. Architectural features, air intake and air handling units, chimneys, lighting fixtures, communication equipment, flues, window washing equipment, screens cornices, architectural elements, pilasters and eaves, bay windows, window sills and light fixtures;
      2. Balconies, stairs, stair enclosures, doors, wheelchair ramps, screens, site servicing features and underground garage ramps and associated structures;
   6. *Residential amenity space* shall be provided on the *lot* in accordance with the following:
      1. A minimum rate of 2.0 square metres of indoor *residential amenity space* for each dwelling unit;
      2. A minimum rate of 1.7 square metres of outdoor *residential amenity space*for each dwelling unit;
   7. *Parking spaces* shall be provided and maintained on the *lot* in accordance with the following requirements:
   8. A maximum of 22 *parking spaces* for residents shall be provided;
   9. *Parking spaces* may be located within a fully automated parking garage.
   10. *Bicycle parking spaces* shall be provided on the *lot* in accordance with the following:
       1. a minimum of 0.9 *bicycle parking spaces* shall be provided for each dwelling unit allocated as long term *bicycle parking spaces*;
       2. a minimum of 0.1 *bicycle parking spaces - visitor* for each dwelling unit allocated as short term *bicycle parking spaces*; and
       3. Bicycle parking spaces may be provided may be provided in a *stacked bicycle parking space* arrangement, in any combination of vertical, horizontal or stacked positions, may be located indoors or outdoors, may be located in a secured room or enclosure or area on any floor of a building and may be located below, at or above *grade* and may be located more than 30 metres from a pedestrian entrance*.*
   11. *Loading spaces* *shall* be provided and maintained on the *lot* in accordance with the following:
       1. One – loading space - Type ‘G’; and
4. 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 438-86, as amended, with the exception of the following terms:

* 1. *Bicycle parking space* means an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles, and:
  2. where the bicycles are to be parked on a horizontal surface, dimensions shall be as follows:
     1. minimum length of 3.9 metres
     2. minimum width of 0.7 metres, and
     3. minimum vertical clearance of 2 metres
  3. where the bicycles are to be parked in a vertical position, dimensions shall be as follows:

1. minimum length or vertical clearance of 3.9 metres
2. minimum width of 0.7 metres, and
3. minimum horizontal clearance from the wall of 2 metres
   1. where bicycles are to be parked in a *stacked bicycle parking space*, dimensions shall be as follows:
4. minimum length of 3.9 metres
5. minimum width of 0.7 metres, and
6. minimum vertical clearance for each bicycle parking space of 2.0 metres; and
7. *grade* means 93.9 metres Canadian Geodetic Datum;
8. *Height* means the vertical distance between *grade* and the highest point of the building, as shown on Map 2, exclusive of any elements described in 3(c) above;
9. lot *means* those lands identified in heavy line on Map 1 attached to and forming part of this By-law; and
10. *Residential Gross Floor Area* means the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the buildingor structure at the level of each floor, but excluding:
11. Parking, loading and bicycle parking below grade;
12. Required *loading spaces* at the ground level and *bicycle parking spaces* at or above *grade*;
13. Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms below *grade*;
14. *Residential amenity space* required by this by-law;
15. Elevator shafts;
16. Garbage chutes;
17. Stair shafts;
18. exit stairwells in the building
19. Despite any existing or future severance, partition, division, dedication or conveyance of the lot, the provisions of this By-law shall apply to the whole lot as if no severance, partition, division, dedication or conveyance occurred.

Enacted and passed on \_\_\_\_\_\_\_\_\_\_\_\_, 2022.

Speaker City Clerk

(Seal of the City)



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**Map 1**

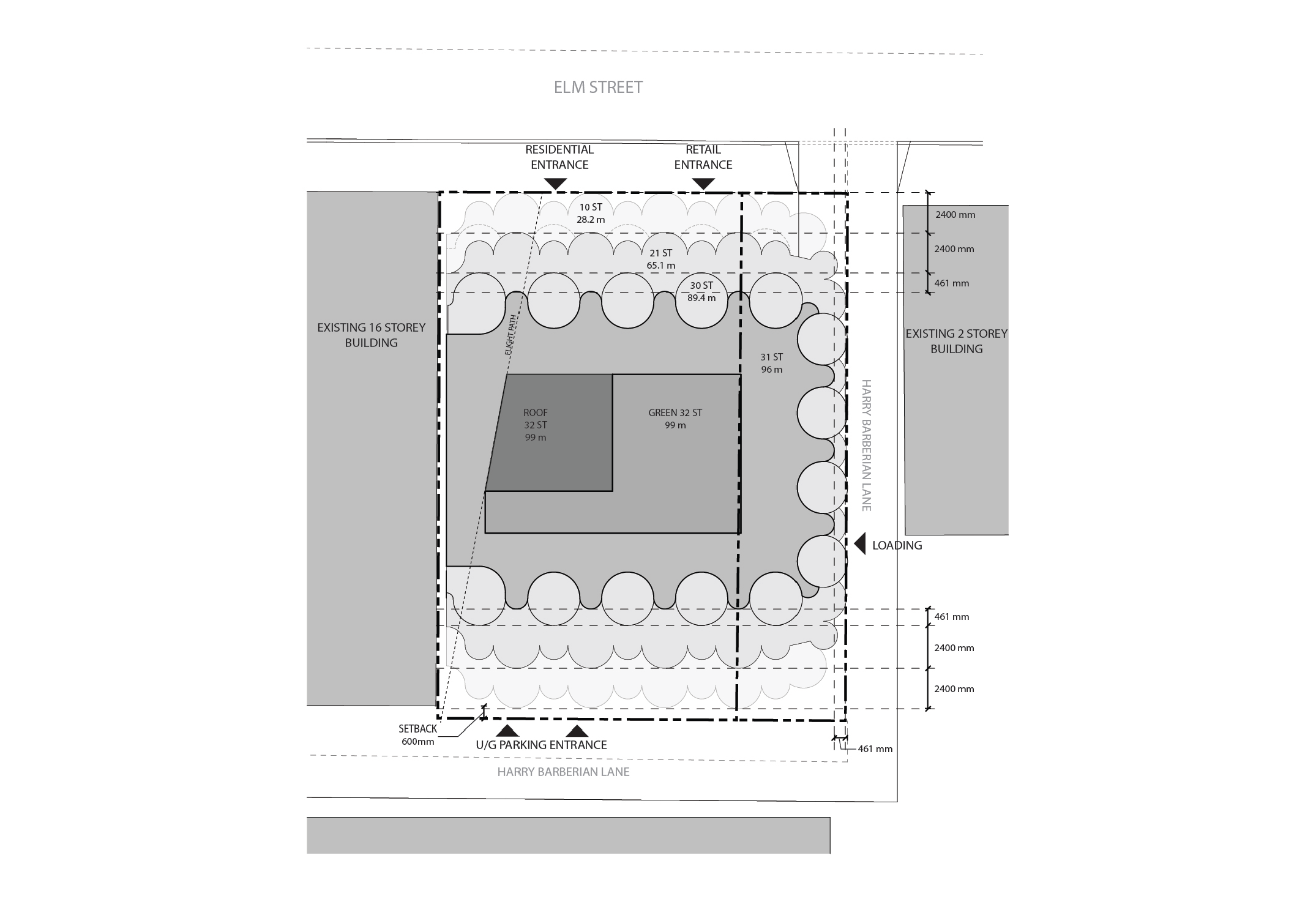
Not to Scale

File #

**15-17 Elm Street**



**(CR xXXX)**



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**Map 2**

Not to Scale

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**15-17 Elm Street**