

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto  
Council on ~, 2019  
Enacted by Council: ~, 2019

**CITY OF TORONTO  
BY-LAW No. ~-2019**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands  
municipally known in the year 2019 as 40-44 Broadway Avenue**

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. 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 same meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 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 to R (x\_\_\_\_) as shown on Diagram 2 attached to By-law ### \_\_.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Exception Number R (x\_\_\_\_) to Article 900.2.10 so that it reads:

**Exception R (x\_\_\_\_)**

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)The **lot** comprises the lands delineated by heavy lines on Diagram 1, attached to By-law ### [NTD: City Clerk to provide By-law #];
- (B)On 40-44 Broadway Avenue, if the requirements of Section (C) to (O) of this exception are complied with, none of the provisions of By-law No. 569-2013 apply to prevent the erection or use of a **building** or **structure** on the **lot**;
- (C)In addition to the uses permitted by regulation 10.10.20, a **non-profit organization, place of assembly, religious education use, religious organization, religious residence**, and **temporary sales office** are permitted;

- (D) Despite regulations 10.5.60.50(2) and 10.10.40.40.(1), the amount of residential **gross floor area** erected or used on the **lot** shall be as follows:
- i. The total **gross floor area** shall not exceed 32,000 square metres, of which a maximum of 2,560 square metres is for a non-residential uses;
- (E) Despite regulations 10.5.40.10, and 10.10.40.10, the **height** of a **building** erected on the **lot** must not exceed the maximum height in metres permitted as indicated by the numbers following the letter “H” as shown on Diagram 2 of By-law ### [NTD: City Clerk to provide By-law #];
- (F) Despite regulations 5.10.40.70, 10.5.40.60, and 10.10.40.70, no part of a **building** or **structure** erected or used above ground is permitted to be located outside the areas delineated by heavy lines as shown on Diagram 2 of By-law ### [NTD: City Clerk to provide By-law #];
- (G) Despite (E) and (F) of this Exception, and regulations 10.5.40.10, 10.10.40.10, and 150.50.40.10, the following may exceed the **height** indicated by the numbers following the letter “H” and is permitted to be located outside the areas delineated by heavy lines as shown on Diagram 2 of By-law ### [NTD: City Clerk to provide By-law #] to the extent indicated as follow:
- i. Architectural features, arbours, awnings, balconies, balustrades, bay windows, bicycle racks, bollards, canopies, chimneys, cornices, curbs, eaves, elevator enclosures and overruns, fences, finials, green roof, guardrails, landscape and public art features, lighting fixtures, lightning rod, minaret, ornamental or architectural elements, patios, parapets, pipes, planters, platforms, railings, retaining walls, screens, stacks, stairs, stair enclosures, stair landings, steeple, supportive columns, terraces, terrace guards, trellises, underground garage ramps and their associated structures, vents, walkways, wheel chair ramps, wind protection, window sills, and window washing equipment;
  - ii. Enclosures housing mechanical elements and ducts, elevators, vent stacks, elevator enclosures and associated structures; and
  - iii. The erection or use of structures on any roof used for maintenance, safety, outside or open air recreation, including outdoor **amenity space**, wind or green roof purposes;
- (H) Despite regulation 800.50(820), for the purposes of this By-law, a mezzanine level will not be considered a separate **storey**;
- (I) Despite regulation 10.10.40.50.(1), **amenity space** must be provided on the **lot** as follows:
- i. A minimum of 796 square metres of indoor **amenity space** for each

- dwelling unit**; and
- ii. A minimum of 796 square metres of outdoor **amenity space** for each **dwelling unit**;
- (J) Despite regulation 200.5.10.1(1) **parking spaces** shall be provided and maintained on the **lot** as follows:
- i. A minimum of 0.26 **parking spaces** per **dwelling units**
- ii. A minimum of 0.03 residential visitor **parking spaces**
- iii. A minimum of 60 **parking spaces** for a **place of worship**
- (K) Required “long-term” **bicycle parking spaces** may be provided in stacked **bicycle parking spaces** and may be located in a storage room and/or a below-grade parking garage in a **building** on the **lot**;
- (L) Despite regulation 220.5.10.1, a minimum of 1 Type “G” **loading space** must be provided and maintained on the **lot** for the residential portion of the **building** and the **place of worship**;
- (M) Despite regulation 10.5.50.10(1) and 150.50.50.10, a minimum of 680 square metres of soft **landscaping** shall be provided and maintained on the **lot**;
- (N) For the purposes of this By-law, the words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions, save and except for:
- i. “**established grade**” means an elevation of 165.25 metres Canadian Geodetic Datum;
- ii. “**height**” means the vertical distance between established grade and the highest point of the **building** or **structure**;
- iii. “**temporary sales office**” means a **building, structure**, facility or trailer to be erected on the lands and used for the purpose of the sale of **dwelling units** and/or the administration and management of construction activity related to construction on the lands;
- (O) Despite any existing or future consent, severance, partition or division of the **lot**, the provisions of By-law ### [NTD: **City Clerk to provide By-law #**] shall apply to the lands, as identified on Diagram 1, as if no consent, severance, partition or division occurred.

ENACTED AND PASSED this \_\_\_day of \_\_\_\_\_, A.D. 2019.

JOHN TORY  
Mayor  
(Corporate Seal)

ULLI S. WATKISS,  
City Clerk



