

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: July 02, 2024

CASE NO(S): OLT-23-000232

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*,
R.S.O. 1990, c. P.13, as amended

Applicant/Appellant:	1840 Bayview Avenue LP
Subject:	Application to amend the Zoning By-law – Refusal or neglect to make a decision
Description:	To permit a 34-storey mixed use building
Reference Number:	22 210813 NNY 15 OZ
Property Address:	1840 Bayview Avenue
Municipality/UT:	City of Toronto
OLT Case No.:	OLT-23-000232
OLT Lead Case No.:	OLT-23-000232
OLT Case Name:	1840 Bayview Avenue LP v. Toronto (City)

Heard: May 27, 2024 by Written Hearing

APPEARANCES:

Parties

1840 Bayview Avenue LP

City of Toronto

Glaze Dev LP

Broadway Area Residents Association Marc Kemerer

Counsel

David Bronskill

Michelle LaFortune
Jessica Braun

Michael Foderick
Daniel Angelucci

DECISION DELIVERED BY ASTRID J. CLOS AND INTERIM ORDER OF THE TRIBUNAL

[1] The Tribunal convened a Written Settlement Hearing with respect to an Appeal brought pursuant to s. 34(11) of the *Planning Act* (“Act”) by 1840 Bayview Avenue LP due to the failure of the Approval Authority to make a decision within the statutory timeframe for a Zoning By-law Amendment (“ZBA”) Application in relation to the property municipally addressed as 1840 Bayview Avenue (“Subject Property”) located in the City of Toronto.

[2] The Subject Property is located on the southeast corner at the intersection of Bayview Avenue and Broadway Avenue, to the north of Eglinton Avenue East. The total lot area of the Subject Property is approximately 1,647.3 m² with 31 metres (“m”) of frontage on Bayview Avenue and 51 m of frontage on Broadway Avenue. The Subject Property currently contains a gas station and associated convenience store with two separate vehicular access points; one to Broadway Avenue and one to Bayview Avenue.

[3] The Revised Proposal would permit the development of a mixed-use building with a maximum height of 29 storeys plus the mechanical penthouse (105.5 metres) providing approximately 318 units, an approximate non-residential gross floor area of 320 square metres (“m²”), and approximately 71 vehicle parking spaces. The proposed ZBA which would implement the Revised Proposal includes specialized provisions related to tower setbacks, step-backs, podium height and other regulations.

[4] The Parties advised that they have reached a settlement and are requesting that the Tribunal approve in principle the Draft Zoning By-law Amendment (“DZBA”) attached to this Decision and Interim Order as **Schedule 1**, to implement the Revised Proposal.

[5] On March 20, 2024, City Council adopted a recommendation from the City Solicitor to support the DZBA, conditional on the identified prerequisite matters listed below:

- a. the final form of the zoning by-law amendment(s) is finalized, satisfactory to the City Solicitor and Chief Planner, City Planning;
- b. the Owner has satisfactorily addressed the Engineering and Construction Services matters in the Engineering and Construction Services Memorandum dated April 20, 2023, or as may be updated, in response to further submissions filed by the Owner, all to the satisfaction of the Chief Engineer & Executive Director;
- c. the Owner has satisfactorily addressed Transportation Services matters in the Transportation Services memo dated May 23, 2023, or as may be updated, in response to further submissions filed by the Owner, all to the satisfaction of the Chief Engineer & Executive Director;
- d. the Owner has submitted a revised Transportation Demand Management Plan acceptable to, and to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services, and that such matters arising from such study be secured, if required;
- e. the Owner has satisfactorily addressed matters from Urban Forestry memorandum dated January 24, 2023, or as may be updated, in response to further submissions filed by the Owner, all to the satisfaction of Urban Forestry;
- f. the Owner has submitted an updated complete Toronto Green Standards (TGS) Checklist and Statistics Template, to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- g. City Council approval of a City-initiated Official Plan Amendment to amend Map 21-8 of the Yonge-Eglinton Secondary Plan in respect of the properties known municipally as 389 Broadway Avenue, 391 Broadway Avenue and 393 Broadway Avenue to redesignate these properties as Public Park and/or Park Expansion Areas, with such Official Plan Amendment to be presented on or by the October 2024 meeting of City Council.

[6] The Parties are requesting an Interim Order allowing the Appeal in part and approving the DZBA in principle, subject to the prerequisite matters identified in paragraph [5] being satisfactorily addressed prior to a Final Order being issued by the Tribunal.

LEGISLATIVE TESTS

[7] The Tribunal, in carrying out their responsibilities shall have regard to, among other matters, matters of provincial interest as set out in s. 2 of the Act.

[8] A Decision of the Tribunal in respect of any authority that affects a planning matter, shall be consistent with the Provincial Policy Statement, 2020 (“PPS”) and shall conform with or shall not conflict with the Growth Plan for the Greater Golden Horseshoe, 2020 (“GP”) as set out in s. 3(5) of the Act.

[9] Any Decision of the Tribunal shall be made pursuant to s. 24(1) of the Act, in that where an Official Plan is in effect, no By-law shall be passed for any purpose that does not conform therewith.

PLANNING EVIDENCE

[10] The Tribunal qualified David McKay to provide expert opinion evidence in the discipline of land use planning with respect to the Revised Proposal and the implementing Draft Zoning By-law Amendment (“DZBA”). Mr. McKay’s evidence referenced his Affidavit Sworn June 12, 2024 which was entered as **Exhibit 1**.

Matters of Provincial Interest

[11] Mr. McKay provided his analysis of how the DZBA had regard for the relevant matters of provincial interest as set out in s. 2 of the Act specifically a, e, f, g, h.1, j, k, l, p, q, r, and s. Mr. McKay provided his opinion that the DZBA has had regard for the relevant matters of provincial interest that are set out in s. 2 of the Act.

Provincial Policy Statement (“PPS”)

[12] In his written Affidavit, Mr. McKay reviewed his evidence regarding the DZBA’s consistency with the PPS. Specifically, Mr. McKay provided that the DZBA will:

- allow for additional residential and retail units to be developed on underutilized lands (1.1.3.3, 1.1.3.4),
- efficiently utilize the Subject Property, (1.1.1 a),
- offer a range of housing types (1.1.1 b, d) (1.1.3.3),
- not cause undue environmental or public health and safety concerns (1.1.1 c) (1.1.3.4),
- be developed in a manner which is compatible with existing and future land uses providing “family sized units” (1.1.3.3),
- include design considerations related to accessibility (1.1.1 f),
- strengthen and enhance the pedestrian realm to support the pedestrian experience along Bayview Avenue (as well as along Broadway Avenue) and thus promoting walkability in the area (1.1.1 i); and
- allow for the efficient use of the Subject Property and available infrastructure, including municipal water and sewage services, utilities, roads and both existing and planned public transit (1.1.1 e, g) (1.1.3.3) (1.6.6.1) (1.6.6.2) (1.6.6.7) (1.6.7).

[13] Mr. McKay provided his opinion that the DZBA is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe (2020) (“GP”)

[14] Mr. McKay reviewed his evidence regard the DZBA’s conformity with the GP.

Specifically, Mr. McKay provided that the Revised Proposal will:

- provide for an appropriate built form within a defined intensification area and will contribute to creating a complete community (1.2.1) (2.2.1.4) (3.2.1),
- be compatible with surrounding land uses and implement the City’s intensification vision for Mixed Use Areas (1.2.1) (2.2.1.4),
- optimize transit infrastructure by providing an estimated density of 3,488 persons and jobs per hectare, thereby contributing to the minimum density within the MTSA and maximizing transit ridership (2.2.4.2) (2.2.4.3) (2.2.4.9),
- provide non-residential uses at the ground floor fronting onto Bayview Avenue, thereby providing for job creation and supporting active transportation and transit along a Major Street (2.2.5.1) (2.2.5.3),
- improve the public realm through the use of landscaping elements and an appropriate placement of active ground floor uses (2.2.1.4) (2.2.5.3),
- permit the development of 318 new residential units of varying sizes, supporting the housing policies set forth in the Growth Plan (1.2.1) (2.2.1.4) (2.2.6.3),
- allow for the efficient use of available infrastructure, including municipal water and sewage services, utilities, roads and both existing and planned public transit (1.2.1) (2.2.1.4) (3.2.1),
- incorporate low impact development measures, transportation demand management measures, enhanced pedestrian infrastructure to support walkability, other green infrastructure to assist in being resilient to a changing climate. (1.2.1) (2.2.1.4),
- not cause any undue environmental or public health and safety concerns. (1.2.1); and

- incorporate green design measures, such as passive and active energy conservation measures to minimize energy consumption and greenhouse gas emissions (1.2.1) (4.2.10).

[15] Mr. McKay provided his opinion that the DZBA conforms with the GP.

City of Toronto Official Plan (“OP”)

[16] Mr. McKay provided his analysis with respect to the DZBA’s conformity to the City OP. Mr. McKay summarized that the Revised Proposal will:

- promote the development of a complete community (2.2),
- encourage a more efficient and cost-effective use of existing land and infrastructure (2.2),
- provide a built form with minimal impacts to the surrounding area, a consistent podium design and pedestrian streetscape along Bayview Avenue, a 10 m tower setback to recognize the long-term intention to establish a public park in the area, an appropriate tower separation distance of 21 m (3.1.1) (3.1.3) (3.1.4),
- permit the addition of 318 units with approximately 32% of the proposed units to be two-bedrooms or larger providing for more “family sized units” (3.2.1),
- recognize the long term intention to establish a public park in the area (3.2.3),
- provide retail uses at the ground floor along Bayview Avenue (3.5.1); and
- provide residential and retail land uses, appropriate transition through tower setback, new and upgraded sidewalk conditions, transit-supportive

density, an appropriate supply of parking, including bicycle parking, appropriate indoor and outdoor amenity space, service areas within the building to minimize impacts on streets and adjacent residences (4.5) (4.5.1) (4.5.2).

[17] Mr. McKay provided his opinion that the DZBA is in conformity with the OP.

Official Plan Amendment 405 (“OPA 405”)

[18] Mr. McKay provided his analysis with respect to the DZBA’s conformity to OPA 405. Mr. McKay summarized that the Revised Proposal will:

- provide a building height of 29 storeys in keeping with transit supportive densities for the Leaside LRT Station (2.4.1.1) (2.4.2(a) ii)) (2.4.4) (5.4.3(q)) ii, and
- provide a mix of uses, incorporate a pedestrian-scaled podium along both street frontages, walkable access to the future Leaside LRT Station, appropriate amenity space, transportation demand measures, adequately mitigate wind impacts (2.1) (5.6.6) (2.5) (2.5.9) (4.29) (4.32) (5.1.1 (b)) (5.6.6) (5.6.7) (7.1)

[19] Mr. McKay provided his opinion that the DZBA is in conformity with OPA 405.

Official Plan Amendment 570 (“OPA 570”)

[20] Mr. McKay provided his analysis with respect to the DZBA’s conformity to OPA 570. Mr. McKay summarized that the Revised Proposal would introduce 318 residential units and 320 m² of grade-related commercial gross floor area, contribute to the minimum population and employment target of 200 residents and jobs per hectare, provide 13.13 FSI, which exceeds the minimum of 2.0 FSI, as directed by Map 2 – Minimum Densities, Leaside PMTSA of OPA 570 per SASP 681.

[21] Mr. McKay provided his opinion that the DZBA is in conformity with OPA 570.

Tall Building Design Guidelines (“TBG”)

[22] Mr. McKay provided his analysis that the DZBA appropriately responds to the TBG by:

- facilitating a development that complements the context of the surrounding area, ensuring that the position, height, scale and transition of the built form provides access to sunlight and an appropriate relationship to the public realm,
- Providing service rooms, public and private open spaces, pedestrian and cycling connections, to enhance the pedestrian environment,
- addressing base building scale and height to ensure that there are animated street facades with the incorporation of retail uses at grade.
- enhancing the public realm with private and public open spaces connected to neighbouring streets, communities and transit,
- limiting shadow impact on the surrounding Neighbourhood uses, as confirmed by the Shadow Study prepared by architects-Alliance,
- providing a tower floor plate size of approximately 647 m² in keeping with Section 3.2.1 of the TBG to limit adverse shadows and create a more attractive skyline, and
- providing appropriate tower separation distance of 21 m between the proposed tower on the Subject Property and the proposed tower at 2-20 Glazebrook Avenue.

[23] Mr. McKay provided his opinion that the DZBA appropriately responds to the TBG.

Growing Up Guidelines

[24] Mr. McKay opined that the DZBA has had appropriate regard for the Growing Up Guidelines as it provides a diverse range of housing units, including 22% two bedroom and 10% three bedroom units.

Pet Friendly Design Guidelines

[25] Mr. McKay outlined that the Revised Proposal incorporates pet friendly building features which will be detailed at the Site Plan Approval stage.

Retail Design Manual

[26] Mr. McKay provided his analysis that the Revised Proposal appropriately responds to the Retail Design Manual by:

- locating retail/commercial space along Bayview Avenue and Broadway Avenue, with significant clear glazing along the storefronts, creating an animated and nearly continuous at-grade pedestrian realm for the majority of the tall building podium, with a residential lobby punctuating the Broadway Avenue frontage,
- providing appropriate depths for a variety of retail uses to occur, providing an 8 m height for a variety of retail unit types, providing a wide pedestrian clearance way while allowing for potential spill out of display or patio seating to animate the street, and
- providing a setback along Bayview Avenue to accommodate a covered overhang and a setback along Broadway Avenue allowing for

canopies/weather protection to be added through the Site Plan Approval process if so desired.

[27] Mr. McKay provided his opinion that the Revised Proposal appropriately responds to the Retail Design Manual.

Bird Friendly Guidelines

[28] Mr. McKay explained that bird friendly features will be incorporated into the building design through the Site Plan Approval stage.

Conditions of Approval

[29] Mr. McKay opined that the conditions of approval, outlined in paragraph [5], are appropriate as conditions to be satisfied prior to the issuance of a Final Order by the Tribunal.

Concluding Planning Opinion

[30] Mr. McKay provided a summary of his professional planning opinion, that the DZBA represents good planning and is in the public interest as it:

- has appropriate regard to matters of provincial interest in s. 2 of the Act,
- is consistent with the Provincial Policy Statement,
- conforms to the Growth Plan for the Greater Golden Horseshoe,
- conforms to the City of Toronto Official Plan, including OPA 405 and OPA 570; and
- has had appropriate regard to City guidelines.

[31] Mr. McKay provided his recommendation to the Tribunal that the DZBA be approved in principle and that the Final Order approving the Zoning By-law be issued by the Tribunal once the conditions set out in paragraph [5] have been satisfied.

TRIBUNAL ANALYSIS AND FINDINGS

[32] The Tribunal accepts the uncontested planning opinion evidence of David McKay in its entirety and finds that the DZBA (included as **Schedule 1**) meets all the relevant tests of s. 2 of the Act, is consistent with the Provincial Policy Statement, conforms with or does not conflict with the Growth Plan, is in conformity with the Toronto Official Plan including OPA 405 and OPA 570, represents good planning and is in the public interest.

[33] The Tribunal finds that the conditions of approval, as outlined in paragraph [5], are appropriate as conditions to be satisfied prior to the issuance of a Final Order.

INTERIM ORDER

[34] **THE TRIBUNAL ORDERS THAT** the Appeal is allowed in part, on an interim basis, contingent upon confirmation, satisfaction or receipt of those pre-requisite matters identified in paragraph [35] below, and the Draft Zoning By-law Amendment set out in **Schedule 1** to this Interim Order, is hereby approved in principle.

[35] **THE TRIBUNAL** will withhold the issuance of its Final Order contingent upon confirmation of the City Solicitor, of the following pre-requisite matters:

- a. the Tribunal has received, and approved, the final form of the Zoning By-law Amendment, confirmed to be satisfactory to the City Solicitor and the Chief Planner and Executive Director, City Planning,
- b. the Tribunal is advised that the Owner has satisfactorily addressed the Engineering and Construction matters in the Engineering and Construction Services Memorandum dated April 20, 2023, or as may be updated, in

response to further submissions filed by the Owner, all to the satisfaction of the Chief Engineer & Executive Director,

- c. the Tribunal is advised that the Owner has satisfactorily addressed Transportation Services matters in the Transportation Services memo dated May 23, 2023, or as may be updated in response to further submissions filed by the Owner, all to the satisfaction of the Chief Engineer & Executive Director,
- d. the Tribunal is advised that the Owner has submitted a revised Transportation Demand Management Plan acceptable to, and to the satisfaction of, the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services, and that such matters arising from such study be secured, if required,
- e. the Tribunal is advised that the Owner has satisfactorily addressed matters from Urban Forestry memorandum dated January 24, 2023, or as may be updated, in response to further submissions filed by the Owner, all to the satisfaction of Urban Forestry,
- f. the Tribunal is advised that the Owner has submitted an updated complete Toronto Green Standards (TGS) Checklist and Statistics Template, to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- g. the Tribunal is advised of City Council approval of a City-initiated Official Plan Amendment to amend Map 21-8 of the Yonge-Eglinton Secondary Plan in respect of the properties known municipally as 389 Broadway Avenue, 391 Broadway Avenue and 393 Broadway Avenue to redesignate these properties as Public Park and/or Park Expansion Areas, with such Official Plan Amendment to be presented on or by the October 2024 meeting of City Council.

[36] The Member will remain seized, subject to availability, for the purposes of reviewing and approving the final Zoning By-Law Amendment and the issuance of the Final Order.

“Astrid J. Clos”

ASTRID J. CLOS
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

SCHEDULE 1

CITY OF TORONTO BY-LAW -2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 1840 Bayview 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; and

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, 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 1.0 (cl .0; r0.0) SS3 (x86) to a zone label of CR 14.0 (c0.5; r13.5) SS3 (xxxx) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number (xxxx) so that it reads:

(xl) Exception CR (xxxx)

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 1840 Bayview Avenue, if the requirements of By-law [Clerks to insert **By-law ##**] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (xx) 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

159.20 metres and the elevation of the highest point of the **building** or **structure**;

- (C) Despite Regulation 40.10.40.10 (2), the permitted maximum height of a **building** or **structure** is the number in metres as shown on Diagram 3 of By-law [Clerks to insert By-law##].
- (D) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law##]:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, and elevator shafts, by a maximum of 8.0 metres;
 - (ii) Chimneys and vents, by a maximum of 8.0 metres;
 - (iii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 6.0 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 4.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 6.0 metres;
- (E) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 23,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses

- is 22,500 square metres;
- (ii) the permitted maximum **gross floor area** for non-residential uses is 500 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses is 250 square metres;
- (F) Despite Regulation 40.10.40.70(3), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law##];
- (G) Despite Regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law##];
- (H) Despite Clause 40.10.40.60(1) and (F) and (G) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) porches and balconies, by a maximum of 3.0 metres;
 - (ii) canopies and awnings, by a maximum of 5.0 metres;
 - (iii) vestibules, by a maximum of 5.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
 - (v) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.5 metres;
 - (vi) architectural features, such as a sill, belt course, or chimney breast, by a maximum of 5.0 metres;
 - (vii) window projections, including bay windows and box windows, by a maximum of 1.5 metres;
 - (viii) eaves, by a maximum of 1.2 metres;
 - (ix) a dormer, by a maximum of 1.2 metres; and
 - (x) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- (I) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking**

spaces must be provided in accordance with By-law 89-2022.

- (J) Despite Regulations 200.5.10.1(2), and (3) and (L) above, **parking spaces** for non-residential uses and for **dwelling unit** visitors may be shared on a non- exclusive basis;
- (K) Despite Regulation 200.5.10.1(1), "car-share" parking spaces may replace parking spaces otherwise required for residential occupants, subject to the following:
 - (i) a reduction of four (4) resident occupant parking spaces will be permitted for each "car-share" parking space provided; and
 - (ii) the maximum reduction permitted be capped by the application of the following formula:
 - a. Four (4) multiplied by the total number of **dwelling units** divided by 60, and rounded down to the nearest whole number;
 - (iii) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car-share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
 - (iv) for the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
- (L) Despite Regulation 200.15.1(1), (3) and (4), accessible **parking spaces** must be provided as follows:
 - (i) An accessible parking space must have the following minimum dimensions:
 - a. length of 5.6 metres;
 - b. width of 3.4 metres; and
 - c. vertical clearance of 2.1 metres;
 - (ii) The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier-free aisle or path;
 - (iii) Accessible **parking spaces** must be the **parking spaces** closest to a barrier free:

- a. entrance to a **building**;
 - b. passenger elevator that provides access to the first **storey** of the **building**; and
 - c. shortest route from the entrances;
- (M) Despite Regulation 200.5.1.10(2), a maximum of 10 percent of required parking spaces provided may have the following minimum dimensions, despite that such parking spaces may be obstructed on one or two sides without a requirement to increase the minimum width by 0.3 metres and may have the following dimensions:
- (i) length of 5.2 metres;
 - (ii) width of 2.6 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (N) Despite Regulation 230.5.1.10(10) a "long-term" and "short-term" bicycle parking space may be located in a stacked bicycle parking space;

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

Frances Nunziata,
Speaker
(Seal of the City)

John D. Elvidge,
City Clerk

DRAFT 1s43
May 24, 2024

City of Toronto By-law No. xxx-20~

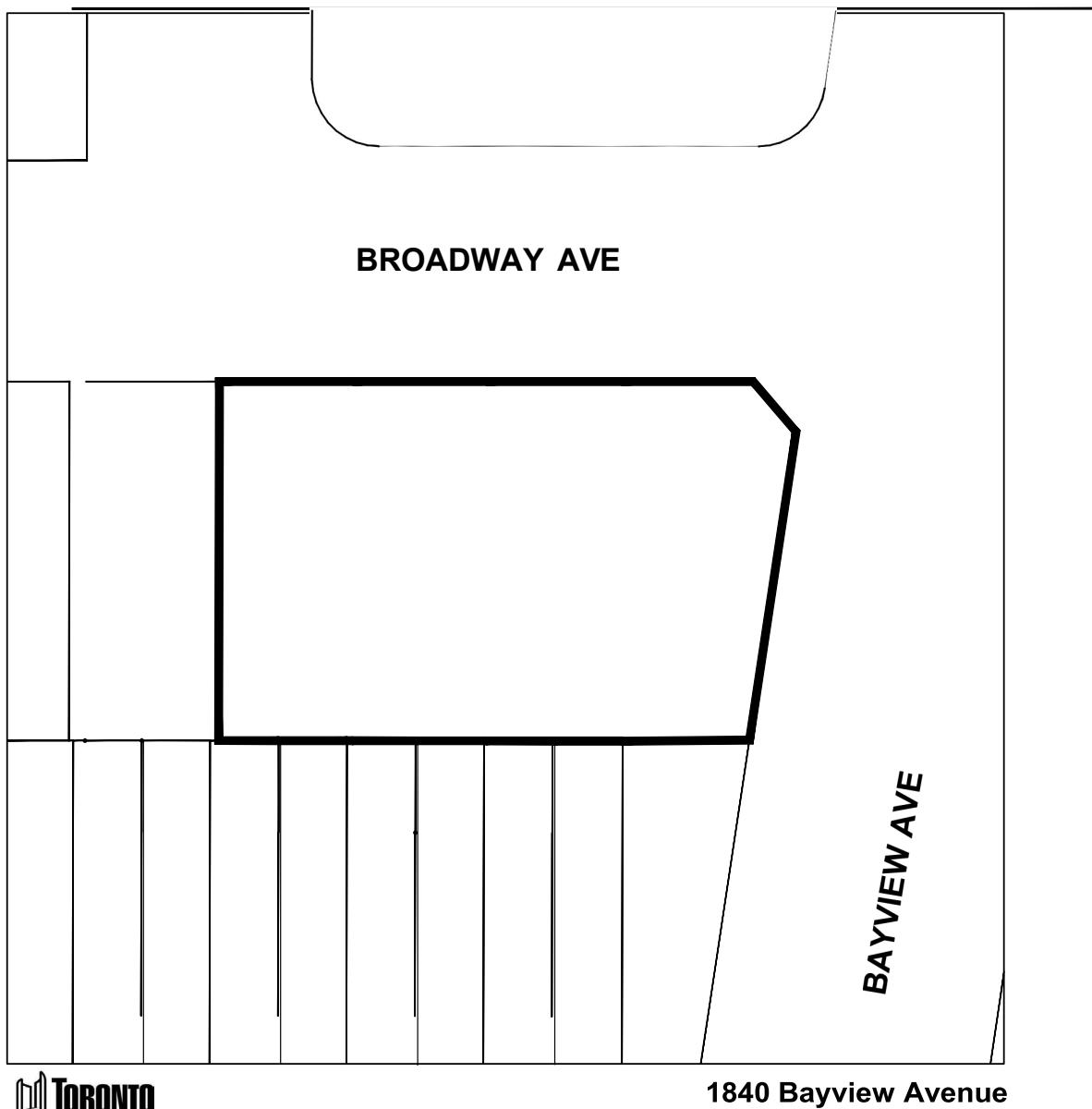


Diagram 1

City of Toronto By-Law 569-2013
Not to Scale
24/05/2024



City of Toronto By-Law 569-2013
Not to Scale
24/05/2024

City of Toronto By-law No. xxx-20~

May 24, 2024

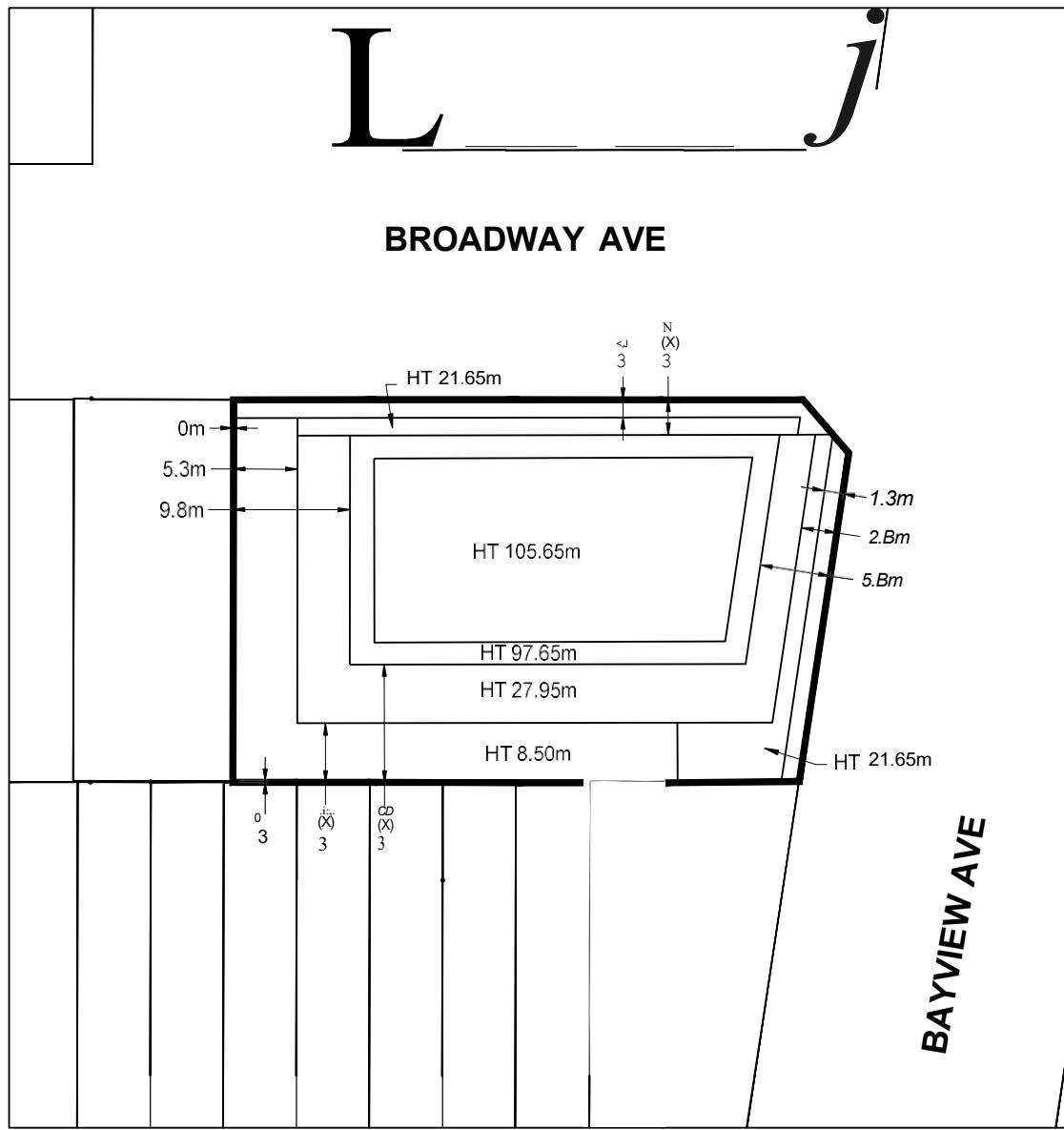


Diagram 3

City of Toronto By-Law 569-2013
Not to Scale
24/05/2024