

Authority: Toronto and East York Community Council Item TE21.3, as adopted by City of Toronto Council on January 31, 2017

CITY OF TORONTO

Bill 296

BY-LAW -2017

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known as 1624, 1628 and 1630 Queen Street East.

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 former City of Toronto By-law 438-86, as amended, continue to apply to the *lot*.
2. None of the provisions of Section 2 with respect to the definitions of *grade* and *height* and or sections 4(2)(a), 4(3)(a), 4(4)(b), 4(6), 4(12), 4(13), 4(17), 8(2) 5, 8(3) Part I 1, 2 and 3 and 8(3) Part II 1(b), 8(3) Part II 4(a) and (c) of By-law 438-86 of the former City of Toronto, 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" apply to prevent the erection and use of a *mixed-use building* on the *lot*, provided that:
 - (a) the *lot* comprises the lands delineated by heavy black lines on Map 1, attached and forming part of this by-law;
 - (b) the total combined *residential gross floor area* and *non-residential gross floor area* may not exceed 7,450 square metres, provided:
 - (i) the total *residential gross floor area* may not exceed 6,750 square metres; and
 - (ii) the total *non-residential gross floor area* may not exceed 750 square metres;
 - (c) no portion of the *mixed-use building* or structures erected or used above *grade* is located otherwise wholly within the areas delineated by heavy lines on the attached Map 2 with the exception of the following:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION
Eaves, cornices, window sills and ornamental elements	Required setback from <i>lot</i> line	1.2 metres from the south <i>lot</i> line and 7.0 metres from the north <i>lot</i> line.

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION
Fences, safety railings and guard rails, planters and landscape features	Required setback from <i>lot</i> line	0.0 metres from north <i>lot</i> line.
Retractable awnings	Required setback from <i>lot</i> line	0.0 metres from south <i>lot</i> line.
Balconies	Required setback from <i>lot</i> line	2.6 metres beyond north and south building walls.
Underground garage ramp and associated structures	Required setback from <i>lot</i> line	4.0 metres on from east <i>lot</i> line and 0.8 metres from north <i>lot</i> line.
Exit stairs	Required setback from <i>lot</i> line	0.0 metres from west <i>lot</i> line and 0.8 metres from north <i>lot</i> line.

- (d) the ground floor of the *mixed-use building* must be set back a minimum of 4.8 metres from the curb along Queen Street East;
- (e) no balconies may encroach into the required setback below a *height* of 10.5 metres;
- (f) no part of the *mixed-use building* may exceed the *height* limits as specified by the numbers following the symbol "H" as shown on Map 2 attached with the exception of any of the items listed below:
 - (i) parapets, guard rails, railings and dividers, screens, roof drainage, window washing equipment, lightning rods, architectural features, landscaping and elements of a green roof to a maximum height of 2.0 metres above the applicable maximum *height* limit;
 - (ii) the underground garage ramp, rooftop stairs enclosures and trellises, up to a maximum height of 3.0 metres above the applicable maximum *height* limit; and
 - (iii) a mechanical penthouse, including an indoor amenity room and washroom, up to a maximum of 5.0 metres above the applicable maximum *height* limit;
- (g) *parking spaces* must be provided and maintained on the *lot* in accordance with the following minimum requirements:
 - (i) 0.5 *parking spaces* for each *dwelling unit* containing one *bedroom*;
 - (ii) 0.75 *parking spaces* for each *dwelling unit* containing two *bedrooms*; and
 - (iii) 0.06 *parking spaces* for each *dwelling unit* for visitors;

- (h) notwithstanding section (i), the total number of *parking spaces* required to satisfy the parking requirements for residents of the *mixed-use building* may be reduced by 4 *parking spaces* for each *car-share parking space* provided and maintained on the *lot*, provided the maximum reduction does not exceed 4 *parking spaces*;
- (i) *bicycle parking spaces* must be provided and maintained on the *lot*, and may be in the form of a *stacked bicycle parking space*, in accordance with the following minimum requirements:
 - (i) 0.9 *bicycle parking spaces - occupant* for each *dwelling unit*; and
 - (ii) 0.1 *bicycle parking space - visitor* for each *dwelling unit*;
- (j) one shared *loading space – type B/G* must be provided and maintained on the *lot*;
- (k) the access ramp leading to the underground garage must be in accordance with the following:
 - (i) A maximum ramp slope of 15.0 percent; and
 - (ii) Transition areas at the top and bottom which have maximum slopes of 7.5 percent over a minimum distance of 3.65 metres;
- (l) for the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86, as amended, with the exception of the following:
 - (i) "*car-share*" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where the organization may require that use of cars to 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 which may or may not be refundable;
 - (ii) "*car-share parking space*" means a *parking space* exclusively reserved and only used for *car-share* purposes where the vehicle is accessible to at least the occupants of the building;
 - (iii) "*grade*" means an elevation of 78.85 Canadian Geodetic Datum;
 - (iv) "*height*" means the vertical distance between *grade* and the highest point of the roof except for those elements prescribed in Section 2(e)(i) and (ii) of this By-law;
 - (v) "*lot*" means those lands outlined by heavy lines on Map 1 attached hereto and forming part of this By-law;

- (vi) "*stacked bicycle parking space*" means a horizontal *bicycle parking space - occupant* which is positioned above or below another bicycle parking space, with a minimum vertical dimension of at least 2.4 metres, and may be equipped with a mechanical device providing floor level access to both bicycle parking spaces.
3. Despite any future severance, partition or division of the lands as shown on Map 1, the provisions of this exception apply as if no severance, partition or division has occurred.
4. Within the lands shown on Map 1 attached to this By-law, no person may use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on March , 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



