

Authority: Toronto South Community Council Report No. 3, Clause No. 2,  
as adopted by City of Toronto Council on April 15 and 16, 2004  
Enacted by Council: April 28, 2004

## CITY OF TORONTO

### BY-LAW No. 345-2004

#### To amend General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known municipally in the year 2004 as 732, 734, 738 and 740 Spadina Avenue.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Sections 4(2), 4(4)(b), 4(5)(b), 4(12), 4(14)(a), 8(3) PART I 1, 8(3) PART I 3(a), 8(3) PART II 1(a)(ii), 8(3) PART II 4(a), 8(3) PART II 4(c)(ii), and 8(3) PART II 4(c)(iii) of Zoning By-law No. 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 a *mixed-use building* on the *lot*, provided:
  - (a) the *lot* comprises those lands delineated by heavy lines on Map 1 attached hereto;
  - (b) the combined *residential gross floor area* and *non-residential gross floor area* shall not exceed 20,502 square metres, of which total the *residential gross floor area* shall not exceed 19,604 square metres and the *non-residential gross floor area* shall not exceed 898 square metres;
  - (c) the *mixed-use building* contains not more than 273 dwelling units.
  - (d) no portion of the building above *grade* is located otherwise than wholly within the areas delineated by heavy lines as shown on Map 2;
  - (e) open balconies may extend up to 1.5 metres beyond the building envelope as shown on Map 2 and in no case beyond either the current *lot* boundaries or the proposed lane widening lands as indicated on Map 1;
  - (f) the *height* of the building to the top of the roof slab shall not exceed those heights, in metres above grade, following the symbol “H” shown on Map 2, but this paragraph does not prevent the erection or use of:
    - (i) a mechanical penthouse to a maximum height no higher than the sum of 6.5 metres and the applicable height limits shown on Map 2 and with an aggregate horizontal area not exceeding 40% of the area of the main roof of the building.
    - (ii) safety structures such as railings or wind protection may be permitted 0 metres from an adjacent outside wall; and
    - (iii) an elevator lobby and vestibule with accessory use area that provides direct access to the roof amenity area.

- (g) a total of no fewer than 174 *parking spaces*, inclusive of 3 handicapped parking spaces, shall be provided of which total number of parking spaces, 16 parking spaces may be 2.6 metres by 5.0 metres and 3 parking spaces may be 2.5 metres by 5.9 metres; and of which total number of parking spaces, 12 parking spaces shall be designated for non-residential and visitor parking spaces;
  - (h) one *loading space – type G* shall be provided and maintained on the *lot*;
  - (i) the minimum separation distance of a window from the south lot line shall be at least 2.5 metres;
  - (j) the owners and the City and the owners of 750 Spadina Avenue enter into a limiting distance agreement pursuant to Section 8(a) of the *Ontario Building Code, 1997*;
  - (k) for the purposes of this Exception the lands known municipally as 732, 734, 738 and 740 Spadina Avenue shall be deemed to be one *lot*;
  - (l) the Owner of the *lot* enters into an agreement pursuant to Section 37 of the *Planning Act* to secure the following facilities, services and matters:
    - (i) the contribution of improved capital facilities and/or cash tied to specific capital facility improvements within the Miles Nadal Jewish Community Centre at 750 Spadina Avenue at a total value of \$870,000; and
    - (ii) the contribution of funds to the City, to occur not later than 15 days after the zoning bylaw becomes final and binding and prior to the issuance of a building permit, in the amount of \$130,000 to be used for capital improvements to nearby open spaces and/or heritage studies to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.
2. For the purposes of this By-law each word or expression which is italicized has the same meaning as each word or expression contained in By-law No. 438-86, as amended.

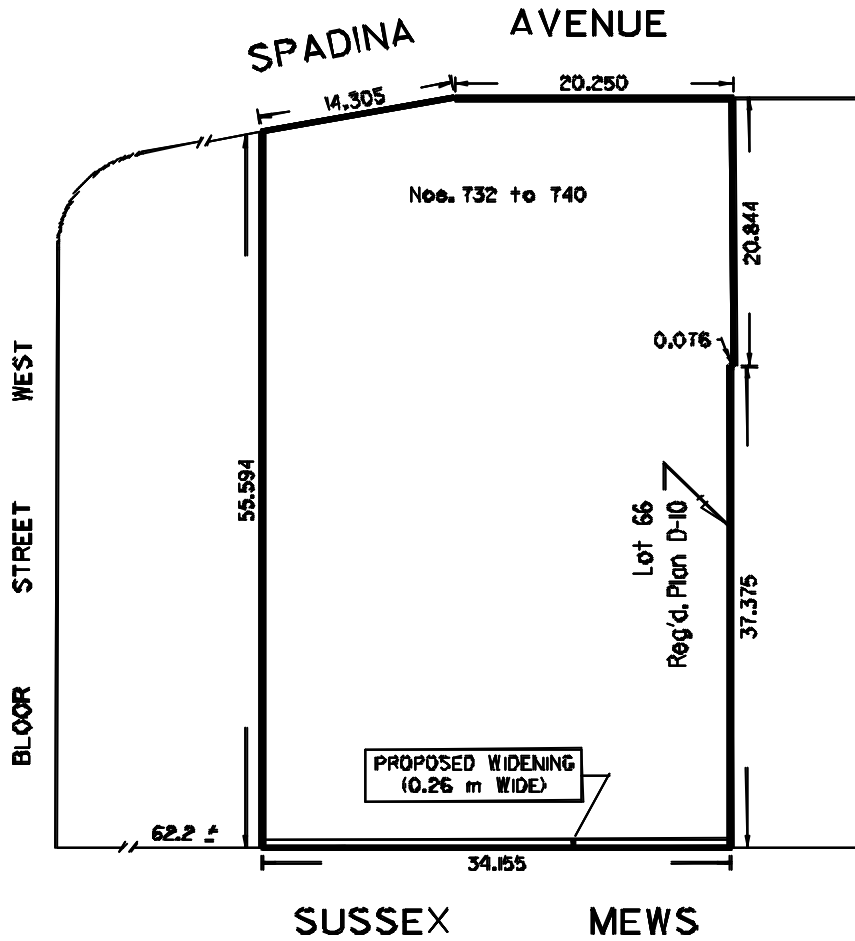
ENACTED AND PASSED this 28th day of April, A.D. 2004.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

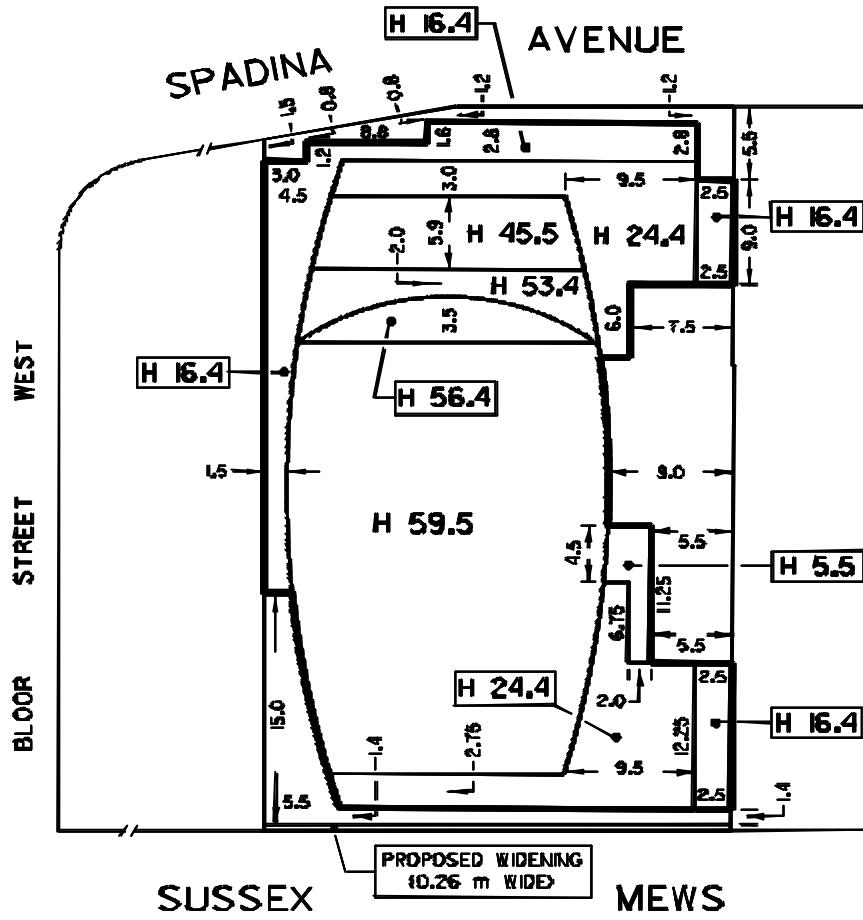
(Corporate Seal)

MAP 1



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO APRIL, 2004  
BLOO/732SPAD1.DGN  
FILE: 320-233  
MAP No. 50H-321 DRAWN: D.R.

MAP 2



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



WORKS AND EMERGENCY SERVICES  
 SUPPLY AND MAINTENANCE SERVICES  
 TORONTO APRIL 20, 2004  
 BL04/T32SPAD2.DGN  
 FILE# S20-755  
 WKP No. 50H-321 DRAWN: D.P.