

Authority: Toronto and East York Community Council Report No. 6, Clause No. 13,  
as adopted by City of Toronto Council on July 20, 21 and 22, 2004  
Enacted by Council: July 22, 2004

## CITY OF TORONTO

### BY-LAW No. 701-2004

#### To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known municipally as 60 Bathurst Street.

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 held at least one public meeting in accordance with the *Planning Act*;

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

1. None of the provisions of Section 2(1) pertaining to the definition of “*lot*”, and of Sections 4(2)(a)(i) and (ii), 4(4)(b), 4(6)(b), 4(12), 4(13)(c), 8(3) PART I(1), (2), 3(a), 9(1)(a), (c), (d) and (f), and 9(3) PART II 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 Parcel A, an *apartment building* on Parcels B and D and a *parking garage* on Parcel A, Parcel B, Parcel C and Parcel D of the *lot*, provided:
  - (1) the *lot* comprises those lands delineated by heavy lines on Map 1 attached to and forming part of this by-law, on which are erected one or more buildings, whether they are connected above or below the natural level of the ground and whether they are erected simultaneously or at intervals;
  - (2) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on Map 2 attached to and forming part of this by-law;
  - (3) despite Section 1(2) of this by-law, walls and fences enclosing pedestrian and vehicular access routes to the *parking garage*, and other landscaping features are permitted on any portion of the *lot*;
  - (4) the combined *residential gross floor area and non-residential gross floor area* for all the buildings on Parcels A, B and D shall not exceed 19,687 square metres, of which total:
    - (a) the *residential gross floor area* for the *mixed-use building* on Parcel A shall not exceed 13,741 square metres;
    - (b) the *residential gross floor area* for the *apartment building* on Parcel B shall not exceed 4,300 square metres,

- (c) the *non-residential gross floor area* for the mixed use building on Parcel A shall not exceed 674 square metres which shall be used for no purpose other than *street related retail and service uses*; and
  - (d) the *residential gross floor area* for the *apartment building* on Parcel D shall not exceed 972 square metres;
- (5) the *mixed-use building* on Parcel A contains not more than 152 *dwelling units*;
  - (6) the *apartment building* on Parcel B contains not more than 30 *dwelling units*;
  - (7) the *apartment building* on Parcel D contains not more than 6 *dwelling units*;
  - (8) the *height* of any building to be erected including any mechanical penthouse, shall not exceed those *heights* following the symbol “H” shown on Map 2;
  - (9) despite Section 1(8) of this by-law and notwithstanding the definition of height in Section 2 of Zoning By-law No. 438-86, the height of the apartment building on Parcel D shall be the vertical distance between grade and the highest part of the structure, including the mechanical penthouse;
- (1) despite Section 1(8) of this by-law, the height of any structure, on the roof of the buildings erected on Parcels B and D used for outside or open air recreation, safety or wind protection purposes, may exceed those maximum heights permitted by Section 1(8) of this by-law provided:
    - (a) the maximum height of such structure is no higher than the sum of three metres and the height limit, following the symbol “H” shown on Map 2;
    - (b) with the exception of guard rails, no part of any structure is less than two metres from an adjacent outside wall or vertical projection of the wall; and
    - (c) the structure does not enclose space so as to constitute a form of penthouse or other room or rooms;
  - (2) the owner provides and maintains on the *lot* a minimum of 185 *parking spaces* to serve the development, calculated as either:

- (3) 154 *parking spaces* for residents, 24 *parking spaces* for residential visitors and 7 *parking spaces* for the retail use; or

(a) <i>Bachelor dwelling units</i>	0.3 <i>parking spaces</i> per unit
1-bedroom <i>dwelling units</i>	0.7 <i>parking spaces</i> per unit
2-bedroom <i>dwelling units</i>	1.0 <i>parking spaces</i> per unit
3-bedroom <i>dwelling units</i>	1.2 <i>parking spaces</i> per unit
All <i>dwelling units</i>	0.12 <i>visitor parking spaces</i> per unit; and
Retail Use	7 <i>parking spaces</i>

whichever is greater;

- (4) a least one *loading space* – type “G” is provided and maintained on the *lot* and may be provided on a surface laneway;
- (5) the *mixed-use building* to be erected on Parcel A shall contain a minimum of 120 square metres of indoor residential amenity space, which shall include a kitchen and washroom, and shall have direct access to an outdoor amenity area with a minimum size of 180 square metres;
- (6) the *apartment building* on Parcel D shall be setback at least 1.2 metres from the west property line as shown on Map 2;
- (7) 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 funds tied to specific community improvements within the Garrison Common North neighbourhood having a total value of \$370,000.
  - (ii) improvements to adjacent sidewalks, public boulevards and streetscaping to the satisfaction of the City; and
  - (iii) public access secured by way of a grant of easement to a parkette to be constructed on Parcel C

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.

3. By-law No. 1994-0529, being “A By-law to amend the General Zoning By-laws Nos. 438-86 and 425-93 respecting lands known as 60 Bathurst Street and 60 Niagara Street” is hereby repealed.

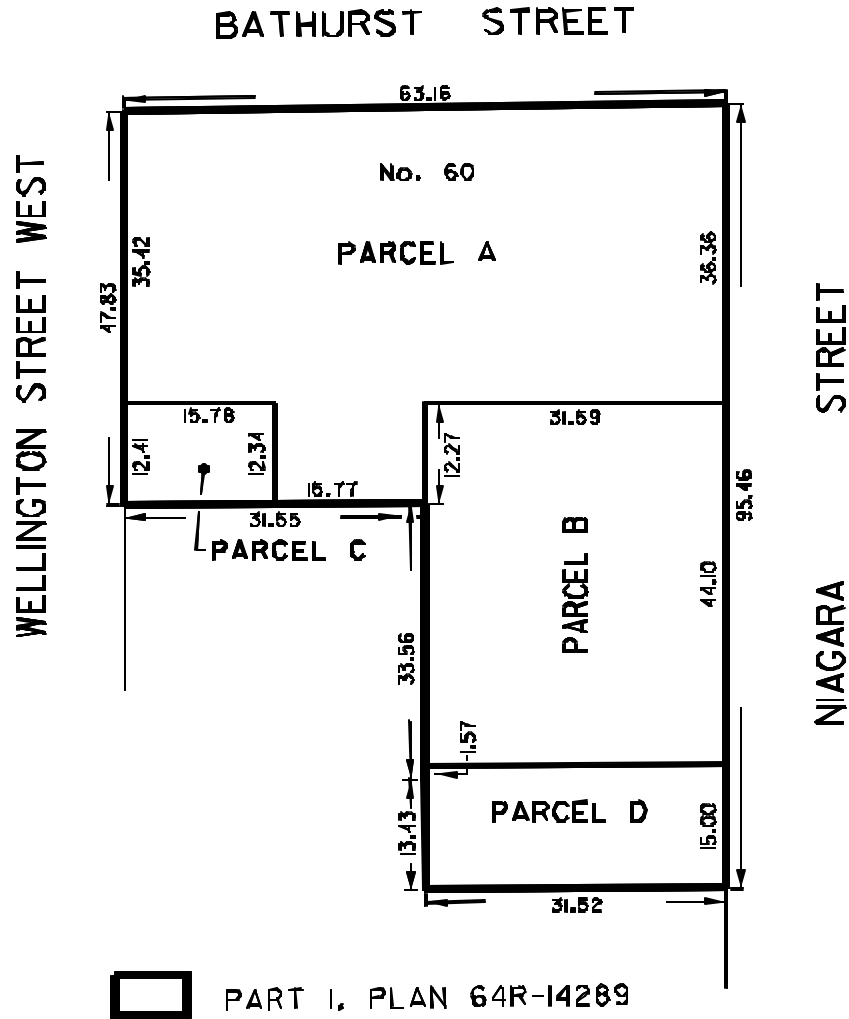
ENACTED AND PASSED this 22nd day of July, A.D. 2004.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

# MAP I

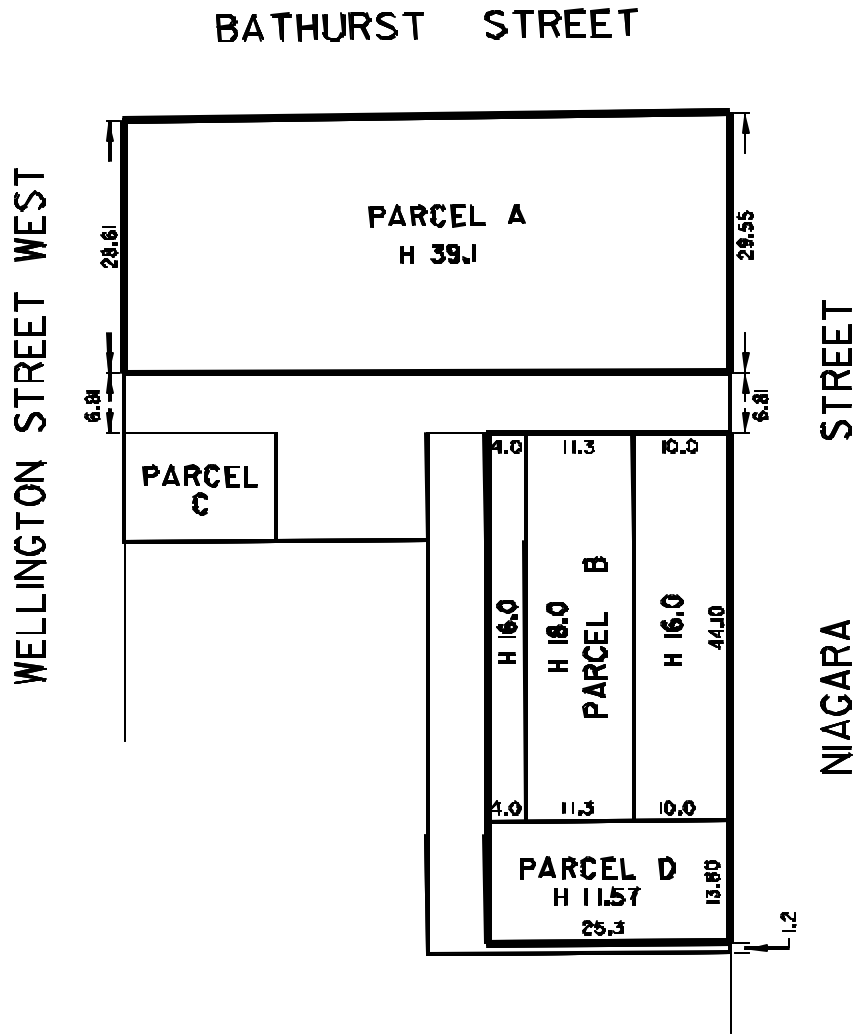


 PART I, PLAN 64R-14289



WORKS AND EMERGENCY SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO JULY, 2004  
 BLD4/60BATH1.DGN  
 FILE: B5-Z38  
 MAP No. 48G-323 DRAWN: DR/VG

# MAP 2



H<sub>i</sub> DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



WORKS AND EMERGENCY SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO JULY, 2004  
 BLC4/60BATH2.DGN  
 FILE: B5-238  
 MAP No. 450-323 DRAWN: DR/VG