

Authority: Toronto and East York Community Council Report No. 8, Clause No. 3,  
as adopted by City of Toronto Council on October 26, 27 and 28, 2004  
Enacted by Council: October 28, 2004

**CITY OF TORONTO**

**BY-LAW No. 936-2004**

**To amend the General Zoning By-law No. 438-86 of the former City of Toronto, with respect to lands known municipally as 720 Wellington Street West and 17, 19 and 21 Stafford 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 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. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, 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”, shall continue to apply to the *lot*.
2. None of the provisions of Section 2(1) with respect to the definition of *loading space - type G*, Section 4(10)(d), Section 4(16), Section 6(3) PART I 1, Section 6(3) PART II 2, 3, 4, 5, 6 and 8, Section 6(3) PART III 1(b), 2 and 4, and Section 9(3) PART II 2 of By-law No. 438-86, as amended, shall apply to prevent the erection and use of an *apartment building*, provided that:
  - (1) the *lot* is comprised of at least those lands outlined by heavy lines on Map 1, attached to and forming part of this By-law;
  - (2) despite Section 9(1)(f) of By-law No. 438-86, as amended, an *apartment building* is permitted on the *lot*;
  - (3) despite Section 9(3) PART I of By-law No. 438-86, as amended, *residential gross floor area* is permitted on the *lot*;
  - (4) the aggregate of the *residential gross floor area* of the *apartment building* shall not exceed 12,160 square metres;
  - (5) despite Section 4(2) of By-law No. 438-86, as amended, the maximum *height* above *grade* of any building or structure erected or used on the *lot* shall not exceed the *heights* above *grade* as shown on Map 2, attached hereto and forming part of this By-law;

- (6) notwithstanding Section 2(5) of this By-law, building and structural elements listed within Section 4(2)(i) and (ii) of By-law No. 438-86, as amended, are permitted to exceed the maximum *height* above *grade* provided such building and structural elements comply with the requirements listed within said sections of By-law No. 438-86, as amended;
- (7) no part of any building or structure located above *grade* is located otherwise than wholly within the areas delineated by heavy lines, and such respective *heights*, as shown on Map 2, with the following exceptions;
- (i) roof top architectural features, terrace and balcony architectural features, parapets, cornices, balustrades, mullions, ornamental elements and eaves which may project above or beyond such areas and *heights* as shown on Map 2 by no more than 2.1 metres, and
  - (ii) entrance canopies, underground garage ramps and associated ramp structures, stairs and stair enclosures providing access to an underground garage, fences, landscape features, guard-rails, retaining walls, patios, decks, surface driveways and wheel chair ramps which may project above or beyond such areas and *heights* as shown on Map 2.
- (8) despite Section 4(4)(b) of By-law No. 438-86, as amended, *parking spaces* will be provided in the following amounts;
- (i) not less than 141 *parking spaces* shall be provided and maintained on the *lot* for the purposes of residents' parking;
  - (ii) not less than 20 *parking spaces* shall be provided and maintained on the *lot* for the purpose of visitor parking;
- (9) the *parking spaces* required under Section 2(8) of this By-law, shall be provided in accordance with the definition of *parking space* as contained in Section 2 of By-law 438-86, as amended, with the exception of the following:
- (i) a maximum of 2 *parking spaces* shall have minimum dimensions of 5.9 metres in length and 2.5 metres in width;
- (10) despite Section 4(12) of By-law No. 438-86, as amended, *residential amenity space* will be provided in the following amounts and with such provisions attached;
- (i) not less than 257 square metres of *residential amenity space* located indoors shall be provided in a multi-purpose room or contiguous multi-purpose rooms, at least one of which contains a kitchen and a washroom; and

- (ii) not less than 284 square metres of *residential amenity space* located outdoors shall be provided, of which at least 40 square metres is to be provided in a location adjoining or directly accessible from the indoor *residential amenity space*.
- (11) the owner of the *site* enters into one or more agreements, pursuant to Section 37 of the *Planning Act*, satisfactory to the Commissioner of Urban Development Services and the City Solicitor and that such agreement(s) be registered against the title to the lands outlined by heavy lines on Map 1 to secure the following facilities, services and matters:
- (i) in the event that the proposed closure of the portion of Stanley Terrace where it abuts the *lot* does occur;
    - A. conversion of that portion of Stanley Terrace which abuts the *lot* into parkland to expand Stanley Park, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
    - B. improvements to Stanley Park, including playground equipment, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
    - C. streetscape improvements to King Street West, Wellington Street West and Stanley Terrace, to the satisfaction of the Commissioners of Urban Development Services; Economic Development, Culture and Tourism and Works and Emergency Services; and
    - D. provision, prior to the issuance of any above-grade building permit, of a letter of credit in the amount of \$250,000.00, in a form satisfactory to the Chief Financial Officer and Treasurer, to secure the improvements in Sections 11(i)A., 11(i)B. and 11(i)C. of this By-law; or
  - (ii) in the event that the proposed closure of the portion of Stanley Terrace where it abuts the *lot* does not occur;
    - A. provision, prior to the issuance of any above-grade building permit, of a cash contribution of \$25,000.00 for the purposes of a design / consultant fee for the redesign and improvement of the playground / water feature area of Stanley Park;
    - B. provision, prior to the issuance of any above-grade building permit, of a contribution of \$200,000.00 in the form of a letter of credit satisfactory to the Chief Financial Officer and Treasurer to fund the improvements to Stanley Park in Section 11(ii)A. of this By-law;

- C. streetscape improvements to King Street West, to the satisfaction of the Commissioners of Urban Development Services; Economic Development, Culture and Tourism and Works and Emergency Services; and
  - D. provision, prior to the issuance of any above-grade building permit, of a letter of credit in the amount of \$25,000.00, in a form satisfactory to the Chief Financial Officer and Treasurer, to secure the improvements in Section 11(ii)C. of this By-law; and
- (12) the facilities, services and matters to be secured in Section 2(11) of this By-law are provided as above and beyond the requirements of Section 42 of the *Planning Act*.
3. For the purpose of this By-law:
- (1) “*loading space - type G*” means a loading space with a length of at least 13.0 metres, a width of at least 4.0 metres, and a vertical clearance of at least 6.1 metres over at least the first 8.0 metres of the loading space measured from the end of the loading space opposite the entrance to it, and a vertical clearance of at least 4.3 metres over the balance of the loading space, and is constructed of concrete and has a slope not exceeding 2.5 percent (1 cm in 40 cm).
4. For the purposes of this By-law, every word or expression that is italicized shall have the same meaning as each such word or expression as defined by By-law No. 438-86, as amended.

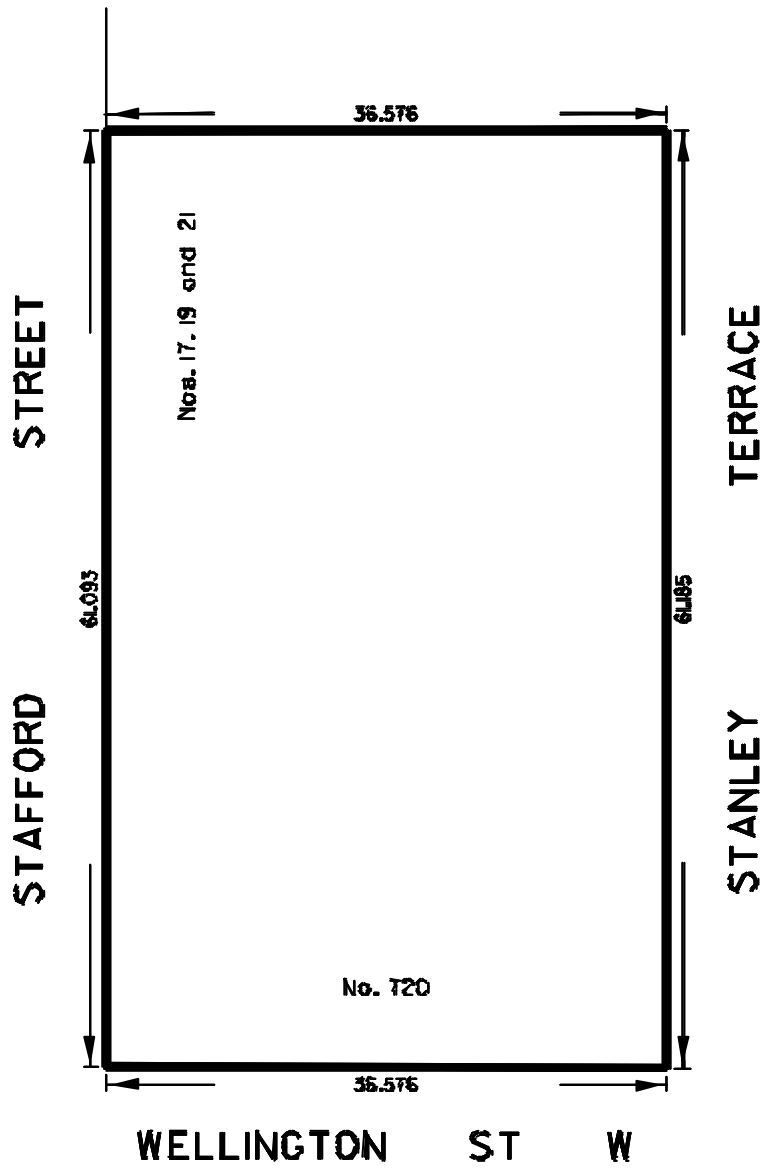
ENACTED AND PASSED this 28th day of October, A.D. 2004.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

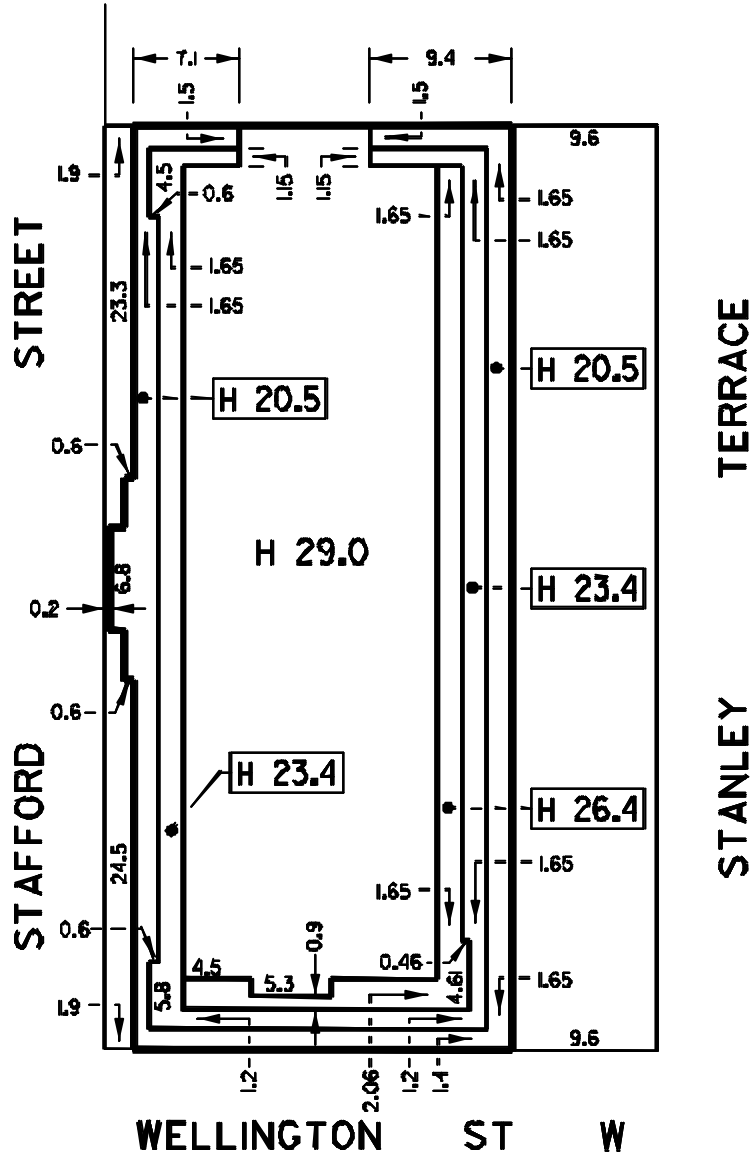
(Corporate Seal)

MAP 1



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO SEPTEMBER, 2004  
BL04/ 720WELL1.DGN  
FILE: W3-23  
MAP No. 496-323 DRAWN: D.R.

# MAP 2



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



WORKS AND EMERGENCY SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO OCTOBER, 2004  
 BL04/ T20WELL2.DGN  
 FILE: W9-29  
 MAP No. 490-323 DRAWN: D.R.