

Authority: Toronto and East York Community Council Item 24.3,
as adopted by City of Toronto Council on April 6, 2009
Enacted by Council: January 27, 2010

CITY OF TORONTO

BY-LAW No. 110-2010

To amend the General Zoning By-law No. 438-86 for the former City of Toronto with respect to the lands municipally known as 2 Eastern Avenue and 90 Trinity 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. None of the provisions of Section 2 with respect to *height* and *grade* and Sections 4(2)(a), 4(5)(B), 4(8), 4(12), 4(13), 4(17), 9 and 12(2)246(a) of By-law No. 438-86, being "A By-law and specific amending 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* and uses and structures *accessory* thereto, on the *lot*, provided:
 - (1) the *lot* consists of those lands delineated by heavy lines on MAP 1 attached to and forming part of this By-law;
 - (2) the *residential gross floor area* of the *apartment building* on the *lot* shall not exceed 5,620 square metres;
 - (3) the *non-residential gross floor area* on the *lot* shall not exceed 360 square metres, to be located in the retail unit at-grade (260 square meters) and the associated mezzanine area (100 square meters) above the rear section of the retail unit;
 - (4) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* shall not exceed 5,980 square metres;
 - (5) the *mixed use building* contains not more than 61 *dwelling units*;
 - (6) no portion of the *mixed use building* or structures above *grade* are located otherwise than wholly within the area delineated by heavy lines on the attached MAP 2, with the exception of the following:
 - (i) cornices, sills, pilasters, parapets, light fixtures, ornamental elements, eaves, and balustrades which may project 0.4 metres outside of the heavy lines on the attached MAP 2;

- (ii) canopy, which may project 2 metres outside of the heavy lines on the attached MAP 2; and
 - (iii) bollards, bicycle racks, underground garage ramps and their associated structures, retaining walls, fencing, decks, railings, air vents or intake grills and planters, which may extend beyond the heavy lines on the attached MAP 2 of this By-law.
- (7) no person shall erect or use a building or structure on the *lot* having a greater *height* in metres than the *height* limits specified by the numbers following the symbol H on the attached MAP 2 with the exception of the following:
 - (i) the maximum height for parapets, terrace and balcony guards and dividers, planters, railings, decorative screens, window washing equipment, and ornamental architectural features shall be the sum of 1.8 metres and the applicable height limit shown on MAP 2; and
 - (ii) the maximum height for chimney stacks shall be the sum of 2.5 metres and the applicable height limit shown on MAP 2.
- (8) *residential amenity space* shall be provided in accordance with the following:
 - (i) a minimum of 98 square metres of *indoor residential amenity space* shall be provided; and
 - (ii) a minimum of 140 square metres of *outdoor residential amenity space* shall be provided.
- (9) a maximum of 15 square metres of *indoor amenity space* may not be contiguous or adjacent to the *outdoor amenity space* and may be located within the ground floor lobby;
- (10) a minimum of 37 *parking spaces* shall be provided and maintained at or below *grade* on the lot in accordance with the following:
 - (i) 0.3 *parking spaces* for each bachelor dwelling unit;
 - (ii) 0.5 *parking spaces* for each one bedroom dwelling unit;
 - (iii) 0.7 *parking spaces* for each two bedroom dwelling unit;
 - (iv) 0.95 *parking spaces* for each three bedroom dwelling unit; and
 - (v) 0.06 *parking spaces* for every dwelling unit for visitor use.
- (11) *Parking spaces* required in Section 1(10) shall be a minimum *parking space* dimension of 3.05 m wide and 5.6 m long, with the exception of 6 *parking spaces*, which may be a minimum *parking space* dimension of 2.9 m wide and 5.6 m long;

- (12) One (1) *parking space*, with a minimum *parking space* dimension of 3.2 m wide and 5.8 m long, shall be provided at grade for *car sharing*;
- (13) A loading space, with minimum dimensions of 5 m wide, 6.1 m high and 13 m long, shall be provided and maintained on the *lot*;
- (14) A minimum of 44 *bicycle parking spaces* be provided, 34 for occupants located at grade and 10 for visitors located at grade;
- (15) *Bicycle parking spaces* shall be common element and not combined with storage lockers;
- (16) Continuous and solid weather protection with a minimum depth of 2 metres, in the form of a canopy, is provided along the entire Eastern Avenue and Trinity Street frontages of the building; and
- (17) No person shall use a lot or erect or use a building within the site for any purpose except one or more of the following uses:
 - (i) an *apartment building*;
 - (ii) *live work unit*;
 - (iii) *any use permitted in the MCR zone Section 8 (1) b*); and
 - (iv) uses accessory thereto, including a *parking area* located below and above finished ground level.

2. Definitions

- (i) For the purposes of this By-law, the terms set forth in italics, subject to Section 2.(i) and (ii) of this By-law, have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended; and
- (ii) the following definitions shall apply:

grade means 79.87 metres above Canadian Geodetic Datum;

temporary sales office means a building, structure, facility or trailer on the lot use for the purpose of the sale of *dwelling units* to be erected on the *lot*; and

car sharing means the practice of a number of people sharing the use of one or more cars that are owned by a profit or non-profit car sharing organization; cars are reserved in advance and fees for use are normally based on time and/or kilometres driven.

3. None of the provisions of By-law No. 438-86, as amended, or of this By-law shall apply to prevent the erection or use within the lot of a temporary sales office.

ENACTED AND PASSED this 27th day of January, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



