

Authority: Toronto and East York Community Council Item 36.4,  
as adopted by City of Toronto Council on August 25, 26 and 27, 2010  
Enacted by Council: August 27, 2010

## **CITY OF TORONTO**

### **BY-LAW No. 1026-2010**

#### **To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1205 Queen Street West.**

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 the following sections:

Section 4(2)(a)(i), (ii) and (iii)  
Section 4(3)(a)  
Section 8(3) Part I (1)  
Section 8(3) Part I (2)  
Section 8(3) Part I (3)  
Section 8(3) Part XI (2)(ii)

of Zoning By-law No. 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", as amended, shall apply to prevent the erection or use of a *mixed-use building* on the lot for:

(a) not more than 66 residential units

provided that:

- (1) the *lot* on which the proposed building is to located comprises at least those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
- (2) no portion of any building or structure located wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law, and provided the following paragraphs are complied with:
  - (a) No person may erect or use a building or structure on the lands shown on Map 1, having a greater height in metres than the height limit specified by the numbers following the symbol "H" as shown on Map 2 that form part of this by-law;

- (b) Despite paragraph (a) above no building elements may exceed the height limits on Map 2 except a stair tower and/or elevator enclosure provided that the maximum height of the top of the stair tower and/or elevator enclosure is no higher than 1.0 metres above the applicable height limit.
- (c) Despite paragraph (a) above, parapets, guard rails and screens may exceed the height limits on Map 2 by a maximum of 0.5 metres.
- (d) Notwithstanding subsection a) and Map 2, the minimum yard setbacks for parking structures, and structures associated thereto below grade shall be 0.0 metres.
- (e) Notwithstanding subsection a) above, the following building elements may project beyond the heavy lines shown on Map 2:

PROJECTING ELEMENTS	MAXIMUM PERMITTED PROJECTION
Stairs, landscape features, and wheelchair ramps	May project into the required yard, up to the lot line
Eaves, cornices, ornamental elements, architectural details	0.5 metres from the wall to which it is attached
Canopy	1.8 metres from the wall to which it is attached
Balconies (facing Street)	1.7 metres from the wall to which it is attached
Balconies (not facing Street)	3.0 metres from the wall to which it is attached.

- (3) the residential gross floor area of the building erected on the lot does not exceed 5,260 square metres;
  - (4) non-residential gross floor area of the building erected on the lot does not exceed 450 square metres;
  - (5) a loading space – type G be provided;
2. The definitions for *grade*, *height*, *lot*, and *small parking space* in Section 2 of Zoning By-law No. 438-86 are replaced by the definitions of Section 7 of this exception;
3. **PERMITTED USES**

Notwithstanding Section 8(1)(a) of Zoning By-law No. 438-86, all of the uses permitted in an MCR zone are permitted on the site with the following addition qualifications: *Custom Workshop* and *Designer's Studio*;

#### **4. USES AT GRADE**

No person shall erect or use a building or structure on the lot for any purpose unless:

- (a) street related non-residential uses are provided; and
- (b) the main floor level has street related non-residential uses addressing at least 25 metres of any street frontage.

#### **5. PARKING**

Notwithstanding the provisions of Section 4(4)(b) of Zoning By-law No. 438-86, as amended, the minimum number of parking spaces for residents shall be provided in accordance to the following:

- (a) A minimum of 0.7 parking space for each 1 Bedroom Unit;  
A minimum of 1.0 parking space for each 2 Bedroom Unit; and  
A minimum of 0.12 parking space per unit for visitors to the residential portion of the building must be provided and maintained on the lot.  
No parking spaces are required for the non-residential uses on the lot.
- (b) Pursuant to subsection a) above, up to 10% of the *parking spaces* required may be small car parking spaces.

#### **6. AMENITY SPACE**

Notwithstanding the provisions of Section 4(12) of Zoning By-law No. 438-86, as amended:

- (a) A minimum of 1.1 square metres per dwelling unit of indoor *residential amenity space* shall be provided; and
- (b) No outdoor *residential amenity space* is required.

#### **7. DEFINITIONS**

Notwithstanding the definitions contained in Zoning By-law No. 438-86, as amended, the following definitions apply for the purposes of this by-law:

*Grade* means 89.03 metres above sea level, which is the combined average of the average elevation of the sidewalks along Queen Street West and Dufferin Street;

*Height* means the vertical distance between *Grade* and the highest point of the structure.

*Lot* means the parcel of land municipally known as 1205-1207 Queen Street West in the year 2009 and identified on Map 1.

*Small car parking space* means a parking space having a minimum unobstructed area 2.4 metres wide by 5.0 metres long which is readily accessible at all times for parking and removal of a motor vehicle without the necessity of moving another motor vehicle, the width of the parking space must be:

- 2.7 metres wide where there is an obstruction on one side of the space; or
  - 3.1 metres wide where there are obstructions on both sides of the space.
- 8.** 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 this 27th day of August, A.D. 2010.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)



