

Authority: Toronto and East York Community Council Item 34.5,
as adopted by City of Toronto Council on June 8 and 9, 2010
Enacted by Council: August 27, 2010

CITY OF TORONTO

BY-LAW No. 1079-2010

To amend the General Zoning By-law No. 438-86 of the former City of Toronto as amended by By-law No. 566-2000, By-law No. 684-2003, By-law No. 600-2005 and By-law No. 853-2005 with respect to lands known as 39 East Liberty Street/14 Strachan Avenue; 51 East Liberty Street/14 Strachan Avenue; and 19 Western Battery Road being portions of the Garrison Common North Area, for the lands known as the Inglis Lands.

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. By-law No. 566-2000, is further amended as follows:

- (1) Section 2(1)(a) and (b) of By-law No. 566-2000, as amended by By-law No. 684-2003 and By-law No. 600-2005 are replaced by the following:

- "(a) On *block 1, block 1A, block 2A west, block 2A east, block 2B, block 11A, block 3, block 4, block 5, block 6, block 7, block 8 internet/computer technology use*, and any use permitted in an *IC or I3* district in Section 9(1)(f) of the aforesaid By-law No. 438-86, as amended;
- (b) On *block 1, block 1A, block 2A west, block 2A east, block 3, block 5, and block 7* any residential use permitted in section 8(1)(f)(a) of the aforesaid By-law No. 438-86; and"

- (2) Section 2(3)(a) is replaced by:

"(3) Maximum Floor Area

- (a) Despite Section 9(3) PART I of the aforesaid By-law No. 438-86, as amended, the total amount of *non-residential gross floor area, residential gross floor area* or any combination thereof, permitted in the *Inglis Lands* shall not exceed 493,741 square metres;

(b)

COLUMN A	COLUMN B	COLUMN C
BLOCK	MAXIMUM DENSITY (Sq.m)	MAXIMUM TOWER FOOTPRINT ABOVE PODIUM
2B/11A	86,684	1,395*
5	19,655	1,115
6	39,651	1,690
7	38,339	1,645
2A South	4,076	n/a

*Note: This maximum tower footprint above *podium* applies to each of the three towers to be located on blocks 2B/11A"

(3) Section 2(7) is further amended by the following:

"The amount of *non-residential gross floor area* used for *street-related retail and service uses* on each block as set out in Column A below, shall not exceed a *non-residential gross floor area* equal to the amount set out in the corresponding row in Column B;"

COLUMN A	COLUMN B
BLOCK	MAXIMUM NON-RESIDENTIAL GROSS FLOOR AREA USED FOR STREET RELATED RETAIL OR SERVICE USES (m ²)
1	2,320
1A	500
2A west	2,000
2A east	2,000
2B	2,300
11A	4,980
3	4,650
4	14,000
6	3,050
8	2,400

(4) Section 2(9) is amended by adding new paragraphs (b) and (c):

"(9) Required Building Setback – Streets

(b) By adding "no setback is required along the northern boundary of *block 1A*; and

(c) By adding "no setback is required along the southern boundary of *block 2A east*;"

- (5) Section 2(10)(a) is amended by deleting "*block 2A*" and replacing it with "*block 1A*" and "*block 2A west*" and "*block 2A east*";
- (6) Section 2(13) PARKING is further amended by adding the following provisions pertaining to (i) *block 1A* and (ii) *block 2A east*;

(i) "*Block 1A*"

A total of 250 parking spaces are provided, of which 10 parking spaces may be located off-site within 300 metres of *block 1A*. Notwithstanding, all parking spaces dedicated for visitor use must be provided on-site;

In the case of a building or structure used for any of the uses set out in Column A of the following table on *block 1A*, parking spaces shall be provided and maintained at the rate set out in the corresponding row in Column B:

USE	REQUIRED PARKING (Spaces Per Unit)
Studio/bachelor dwelling unit	0.15
One bedroom dwelling unit	0.60
Two bedroom dwelling unit	1.00
Residential visitor parking	0.10

(ii) "*Block 2A East*"

A temporary at-grade vehicular parking facility on the lands currently municipally known as 39 East Liberty Street/14 Strachan Avenue can be operated to provide for the off-site vehicular parking spaces for *block 1A* only;

The resident and visitor vehicular parking for the building to be erected on the lands municipally known in 2010 as 39 East Liberty Street/14 Strachan Avenue may be located in the underground parking facility to be provided on the lands municipally known in 2010 as 51 East Liberty Street/14 Strachan Avenue;

The underground parking facility to be provided on the lands municipally known in 2010 as 51 East Liberty Street/14 Strachan Avenue may also be used to provide off-site parking for *block 1A*, except for visitors; and

A *commercial parking garage* as defined by By-law No. 438-86, as amended is a permitted use on *block 2A east*;

Visitor parking on *block 2A east* will be provided as per the standard contained in By-law No. 566-2000, as amended by By-law No. 684-2003, as amended by By-law No. 600-2005. 50% of the visitor parking spaces shall be provided for, and signed for, the exclusive use of visitors to the

residential component of the project. Notwithstanding Section 4(4)(d) of By-law No. 438-86, the remaining 50% of the visitor spaces may be used for a *commercial parking garage* as defined by By-law No. 438-86, as amended, when these spaces are not being used by visitors;

- (7) Section 2(17) HEIGHT limits set out on Appendix "B" map 49G-322. The height limits applicable to a building or structure located on the *Inglis Lands*, is amended to provide for the height limits set out on Map 3A and Map 3B attached;

- (8) Section 2(18) AFFORDABLE HOUSING (defined by maximum unit sizes) as contained in By-law No. 566-2000 as amended by By-law No. 684-2003 and by By-law No. 600-2005 is amended by altering this section to read as follows:

"Not less than 30 percent of the *dwelling units* within each of *block 1; block 1A; block 2A west and block 2A east combined; block 3; block 5; and block 7* and not less than 30 percent of the *live-work* units within *block 2B, block 11A, block 6 and block 8* shall comply with the size requirements for each of the unit types listed...;"

- (9) Section 2(19) is amended by inserting "*block 1A*" and "*block 2A east*":

This section is further amended by adding a new section 2(19)(v) to read as follows:

"(v) On *block 1A* and *block 2A east* the maximum *height* of the *podium* shall be 16 metres measured from *grade* and the minimum height of the first *storey* above *grade* will be 4.0 metres measured from *grade*;"

- (10) Add a new Section 2(21) to read as follows:

"*Block 1A*

- (i) Notwithstanding the definition of *front lot line* contained in Section 2 of By-law No. 438-86 as amended, Western Battery Road is deemed to be the *front lot line* for *block 1A*;
- (ii) Notwithstanding the definition of *grade* contained in Section 2 of By-law No. 438-86, as amended, the average grade for *block 1A* will be 86.15 metres as taken from Western Battery Road;
- (iii) Notwithstanding Sections 2(10)(i) and (ii), the building on *block 1A* will provide a 3 metres setback above a height of 16 metres on East Liberty Street and Western Battery Road, only;
- (iv) Notwithstanding Section 2(11)(E), the depth of balconies on *block 1A* may not exceed 1.5 metres;

- (v) Notwithstanding section 4(16) of By-law No. 438-86, a hard surface driveway shall not be required to be located on site;"
- (11) Add a new Section 2(22) to read as follows:
- "Block 2A East*
- (i) Notwithstanding the definition of *front lot line* contained in Section 2 of By-law No.438-86 as amended, East Liberty Street is deemed to be the *front lot line* for *block 2A east*;
 - (ii) Notwithstanding the definition of *grade* contained in Section 2 of By-law No.438-86 as amended, the average *grade* for 39 East Liberty Street/14 Strachan Avenue will be 84.45 metres as taken from East Liberty Street;
 - (iii) Notwithstanding the definition of *grade* contained in Section 2 of By-law No. 438-86, as amended, the average *grade* for 51 East Liberty Street/14 Strachan Avenue will be 86.45 metres as taken from East Liberty Street;
 - (iv) Notwithstanding Sections 2(10)(i) and (ii), the buildings on *block 2A east* will provide a 3 metres setback above a height of 16 metres on East Liberty Street and Solidarity Way, only;
 - (v) Notwithstanding Section 2(11)(E), the depth of balconies on *block 2A east* may not exceed 1.5 metres;
 - (vi) Notwithstanding Section 4(16) of By-law No. 438-86, a hard surface driveway shall not be required to be located on the lands municipally known in 2010 as 39 East Liberty Street/14 Strachan Avenue;"
- (12) Section 5(2) is amended by inserting "*block 1A*", "*block 2A west*"; and "*block 2A east*" and mean those lands respecting designated and shown as BLOCK 1A, BLOCK 2A WEST, and BLOCK 2A EAST on Map 2, appended hereto;"
- (13) Maps 1, 2, 3A, 3B, and 4 attached to By-law No. 566-2000 as amended by By-law No. 684-2003, by By-law No. 600-2005 and by By-law No. 853-2005 are replaced by Maps 1, 2, 3A, 3B, 4 attached to this By-law.

Definitions

2. All defined terms used in this By-law shall, unless expressly stated to the contrary, have the same meanings as in By-law No. 438-86 as amended by By-law No. 566-2000, By-law No. 684-2003 and By-law No. 600-2005.

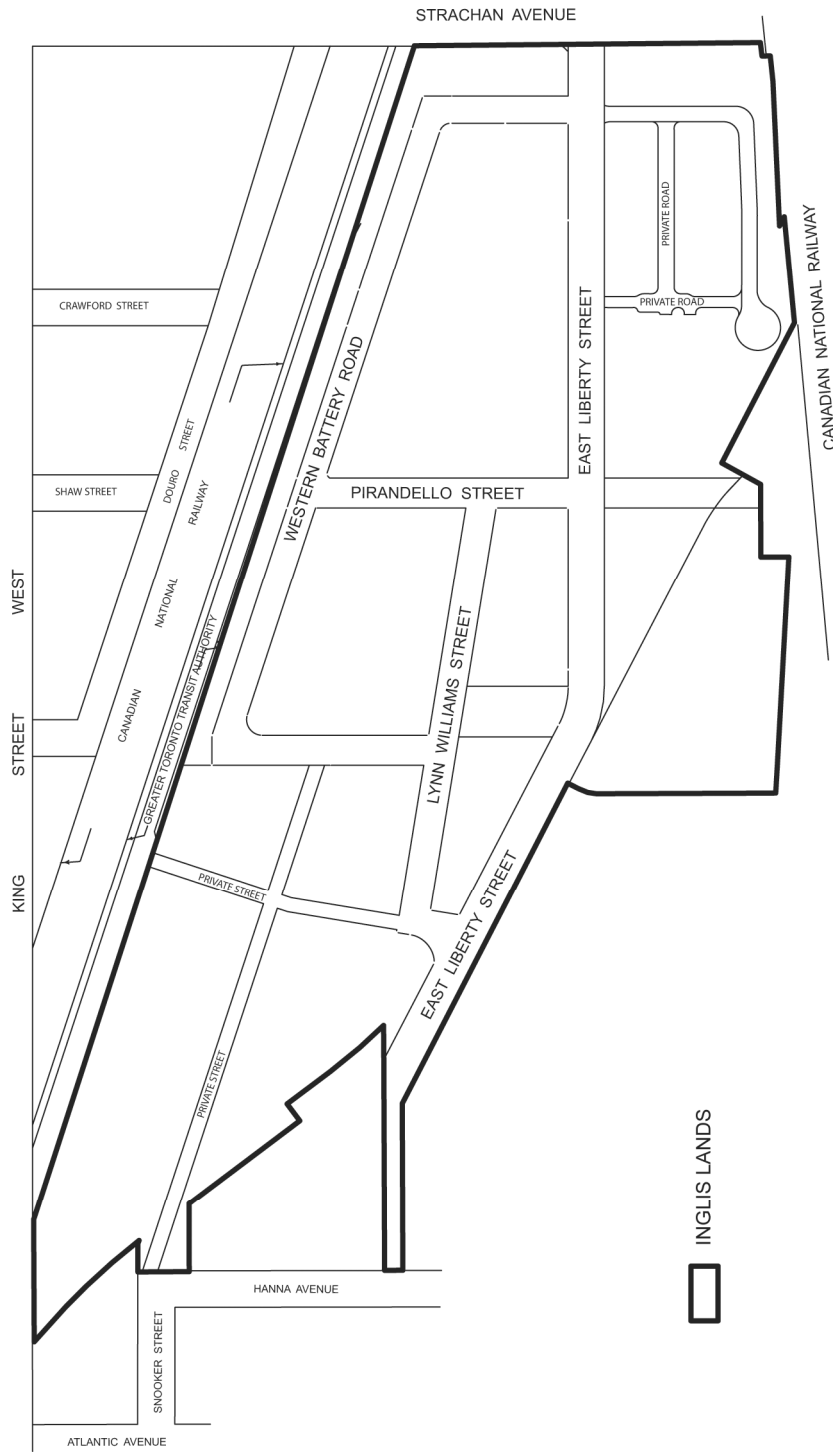
3. *Accessory* uses shall have the same meaning as in By-law No. 438-86, as amended, but for the purposes of this By-law, *accessory* uses shall also include a *commercial parking garage*.

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

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



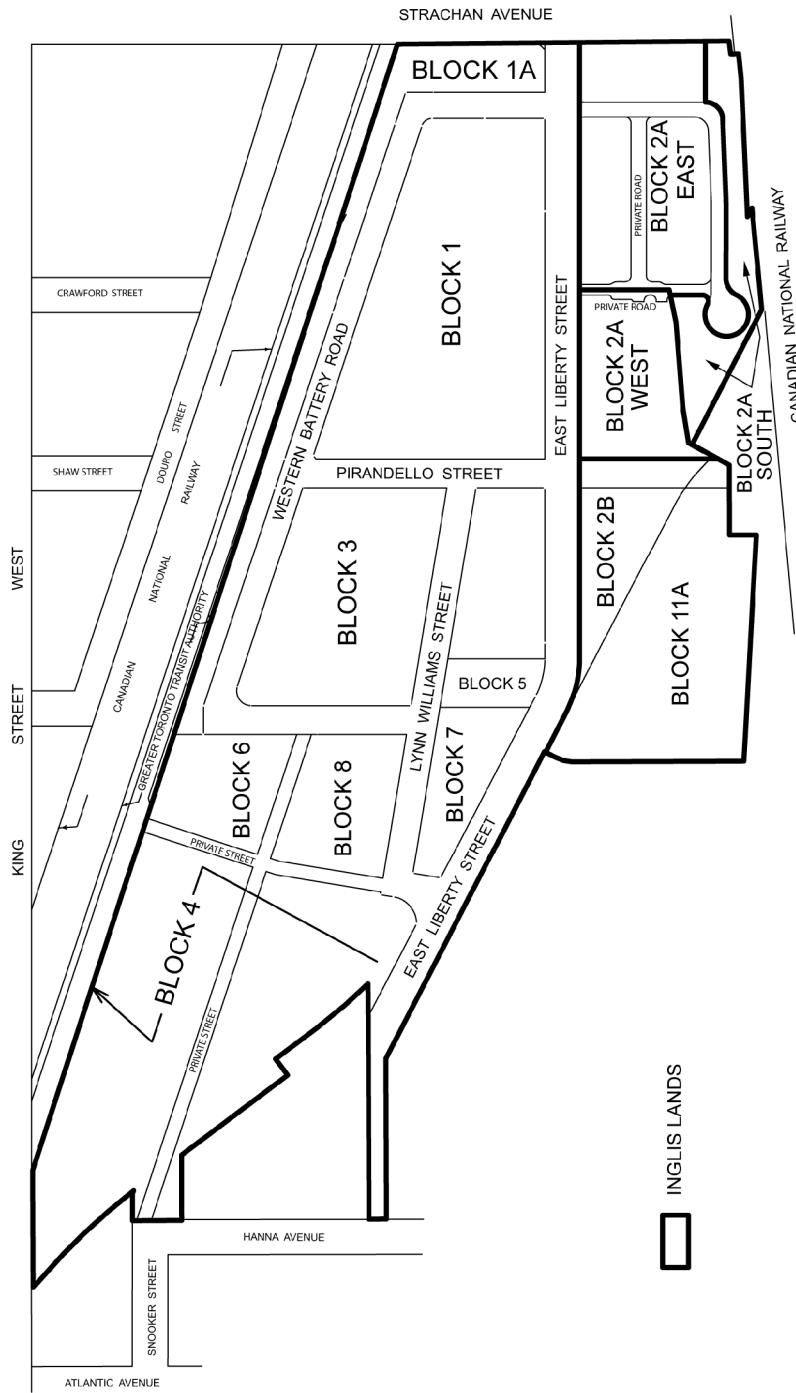
Toronto City Planning
Map 1 Boundary of Inglis Lands

**14 Strachan Avenue and 39 & 51 East Liberty Street
 and 19 Western Battery Road**

File # 09_115093



Not to Scale
 05/06/2010



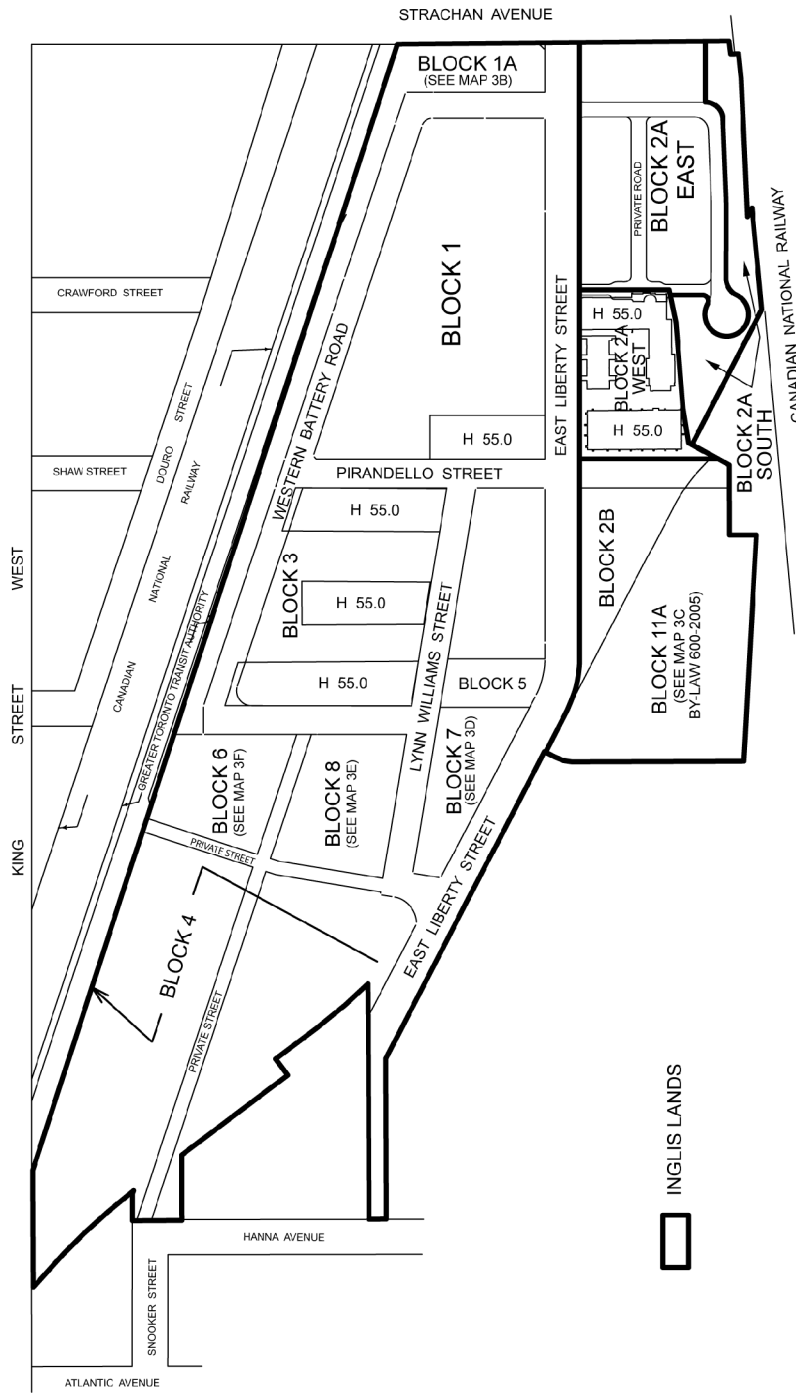
Toronto City Planning
Map 2 Inglis Lands Blocks

**14 Strachan Avenue and 39 & 51 East Liberty Street
 and 19 Western Battery Road**

File # 09_115093



Not to Scale
 06/04/2010



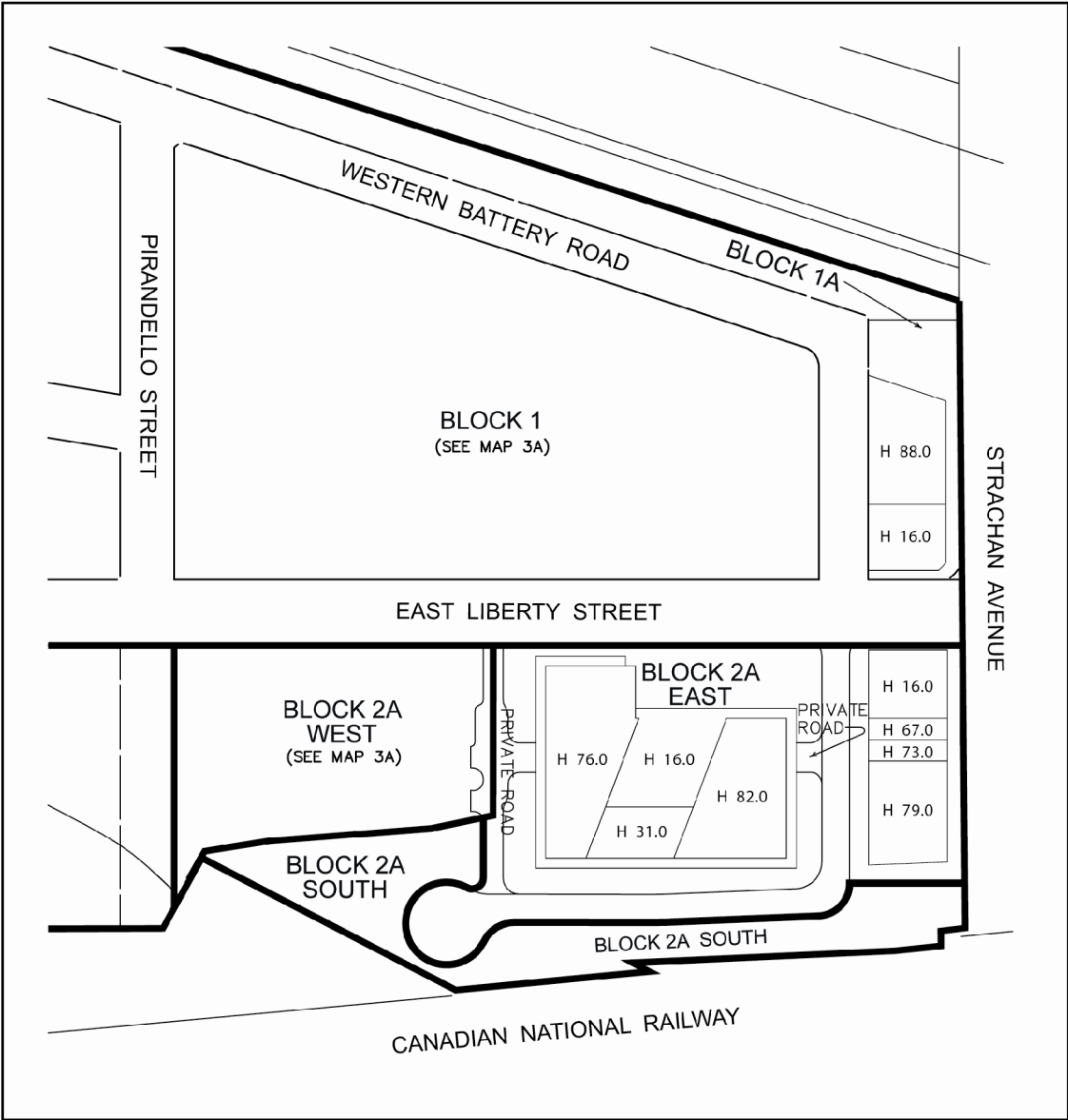
Toronto City Planning
Map 3A Inglis Lands Blocks

**14 Strachan Avenue and 39 & 51 East Liberty Street
 and 19 Western Battery Road**

File # 09_115093



Not to Scale
 06/04/2010



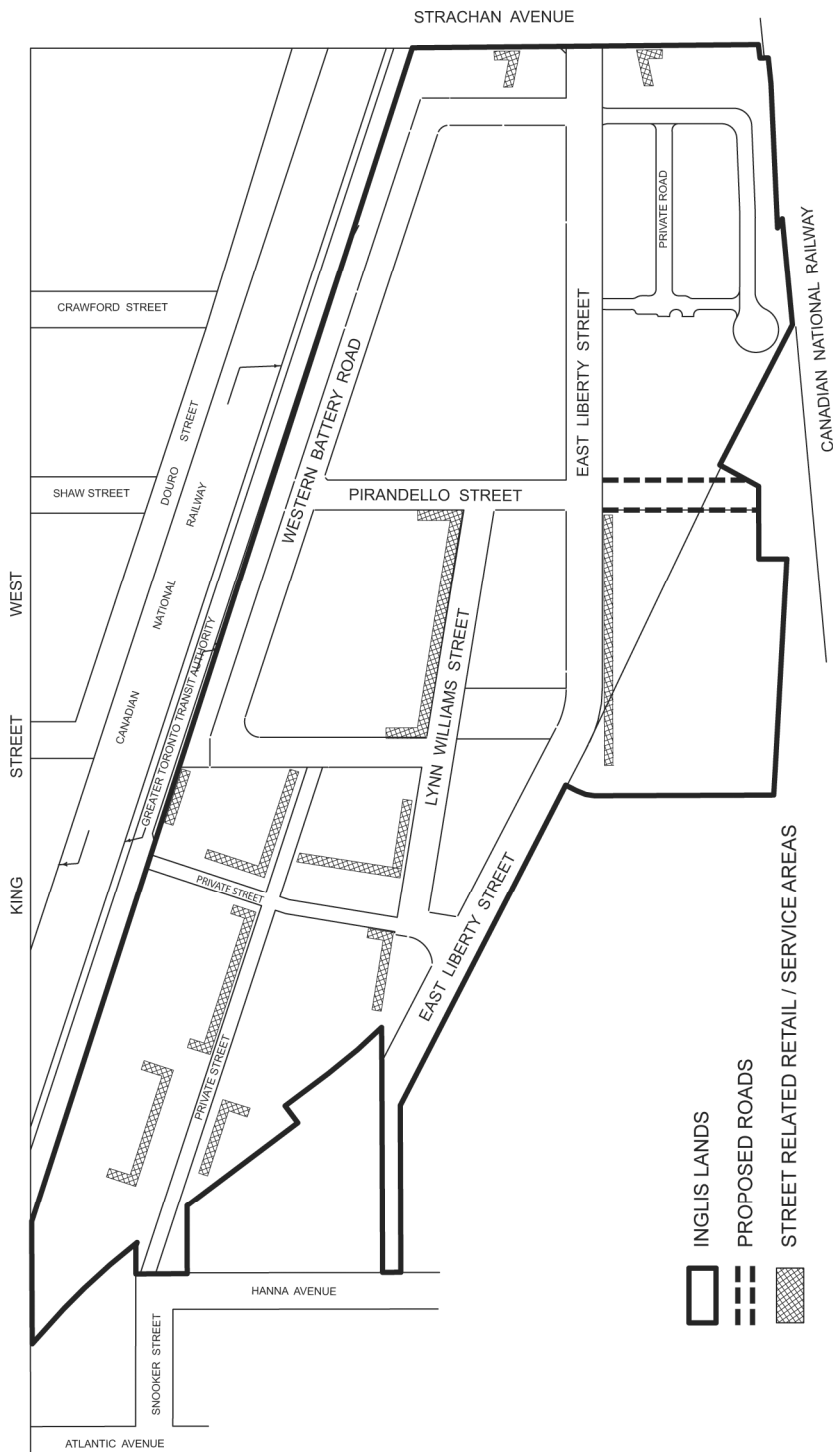
Map 3B Inglis Lands Blocks

14 Strachan Avenue and 39 & 51 East Liberty Street
and 19 Western Battery Road

File # 09_115093



Not to Scale
06/04/2010



Toronto City Planning
Map 4 Inglis Lands Blocks

**14 Strachan Avenue and 39 & 51 East Liberty Street
and 19 Western Battery Road**
File # 09 115093

↑
Not to Scale
05/06/2010