

Authority: Toronto and East York Community Council Item 12.5,
as adopted by City of Toronto Council on February 6 and 7, 2012
Enacted by Council: February 7, 2012

CITY OF TORONTO

BY-LAW No. 109-2012

To amend the General Zoning By-law No. 438-86, as amended, of the former City of Toronto with respect to the lands municipally known as 1243-1245 Dundas Street West.

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2011 as 1243-1245 Dundas Street West; and

WHEREAS the Council of the City of Toronto has provided adequate information to the public and has conducted at least one public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

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

By-law No. 438-86, the General Zoning By-law of the former City of Toronto, as amended, is further amended as follows:

1. None of the provisions of Section 4(2), 4(3), 4(4), 4(6), 4(7), 4(8), 4(12), 4(13), 8(3) Part I 1 to 3(a), 8(3) Part II (4)(a)(b)(c), 8(3) Part III (1)(a)(b), 8(3) Part IV and 8(3) Part XI (1) and (2) of 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 and use of a *mixed-use building* on the *lot*, provided that:
 - (1) the *lot* is comprised of at least those lands shown outlined by heavy lines on Map 1 attached to and forming part of this By-law;
 - (2) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* does not exceed 3,474 square metres, provided:
 - (i) the *residential gross floor area* shall not exceed 3,174 square metres; and
 - (ii) the *non-residential gross floor area* shall not exceed 300 square metres, and not less than 275 square metres of *non-residential gross floor area* shall be provided.
 - (3) not more than 43 *dwelling units* shall be provided;
 - (4) the *mixed-use building*, including all mechanical equipment, stair enclosures and elevator overruns, is located wholly within the areas delineated by heavy lines and the *height* limits specified by the numbers following the symbol "H" as shown on Map 2, attached and forming part of this By-law, with the following exceptions:

- (i) the maximum height for terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, window washing equipment, ornamental architectural features, chimney stacks and structures used for safety or wind protection purposes shall be the sum of 1.5 metres and the applicable height limit shown on Map 2;
 - (ii) the maximum height for divider screens shall be the sum of 2.0 metres and the applicable height limit shown on Map 2;
 - (iii) the maximum height for a ladder for maintenance purposes shall not exceed the sum of 1.2 metre and the applicable height limit shown on Map 2; and
 - (iv) none of the building elements listed in (i), (ii), (iii), and (iv) above may extend beyond the *lot* lines.
- (5) a minimum of 30 *parking space(s)* shall be provided;
- (6) a minimum of 33 *bicycle parking space(s)* shall be provided and maintained on the *lot*, of which;
- (i) a total of 27 *bicycle parking space(s)* shall be provided and maintained for the exclusive use of residents of the building, and shall be located on the *lot*; and
 - (ii) a total of 6 *bicycle parking space(s)* shall be provided and maintained for the exclusive use of visitors, and shall be located at ground level on the *lot*.
- (7) one *loading space – type "C"* shall be provided and maintained on the *lot*;
- (8) a minimum of 28 square metres of *residential amenity space* located indoors shall be provided on the *lot*.
2. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:
- (i) "*lot*" means at least the lands delineated by heavy lines shown on Map 1.
3. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
4. No person shall use any land or erect or use any building or structure on the *lot* unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (i) 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

- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this 7th day of February, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)







