

Authority: Toronto and East York Community Council Item TE20.6, as adopted by City of Toronto Council on December 13, 14 and 15, 2016

## CITY OF TORONTO

### BY-LAW No. 1261-2016

#### **To amend former City of Toronto By-law No. 1994-0805, Railway Lands - West, as amended, with respect to lands known municipally as 20 Brunel Court and 95 Fort York Boulevard.**

Whereas authority is given to Council of the City of Toronto by Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council 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 enacts:

1. None of the provisions of Sections 4(3)(a)(i) and (ii) 4(5), 4(6), 7 PART I 2(ii), 4 (b) and (c), 7 PART II 2, 3(a), 4(a), (b), (c), (d), (e) and (f), 5, and 6, 7 PART III 1, 7 PART IV 5, 10(4), (5), (6) and (8) of Zoning By-law No. 1994-0805, 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 Railway Lands - West", shall apply to prevent the erection and use of facility containing *community centre*, *day nursery*, and *public school* uses and *accessory* uses thereto on the *lot* provided that:
  - (a) the *lot* on which the facility is to be located comprises the lands within the heavy lines on Map 1, attached to this By-law;
  - (b) notwithstanding Section 7 Part I 1 of By-law No. 1994-0805, as amended, additional *non-residential gross floor area* for *community centre*, *day nursery*, and *public school* uses is permitted up to a maximum of 20,000 square metres;
  - (c) no portion of any building or structure on the *lot* shall have a *height* in metres greater than the *height* limits specified by the numbers following the letter H on Map 2 attached to this By-law, except for:
    - (i) parapets, trellises, roof drainage, thermal insulation and roof ballast, terrace guards and dividers, terraces, planters, stairs, stair enclosures, wall or structure enclosing such elements and railings, window washing equipment, stair towers, partitions, ornamental elements, architectural elements, landscape elements, green roof elements, lighting fixtures, vents, elevator over-run, flues, screens, pipes, access roof hatch, outdoor furniture, heating, cooling or ventilating equipment, a fence or solar panels;
    - (ii) structures located on the roof used for outside or open air recreation, safety or wind protection purposes to a maximum height of 6.0 metres above the applicable height limit on Map 2 attached to this By-law; and

- (iii) a mechanical penthouse, to a maximum height of 5.0 metres above the applicable height limit on Map 2 attached to this By-law;
  - (d) no portion of any building or structure erected and used above *grade* on the *lot* is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2 attached to this By-law, subject to the following:
    - (i) awnings and canopies, cornices, an extension of the roof, light fixtures, ornamental elements, parapets, art and landscape features, patios, decks, pillars, trellises, balconies, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, and underground garage ramps and associated structures and playground and associated structures;
    - (e) the bridge connection situated in the area identified as 'bridge' on Map 2 attached to this By-law shall extend from the second level between the north and south portions of the building;
    - (f) a minimum of 40 *parking spaces* shall be provided and maintained on the *lot*;
    - (g) despite the definition of "*parking space*" in Section 2(1) of By-law No. 1994-0805, as amended, a parking space on the *lot* shall have the following dimensions:
      - (i) a minimum width of 2.6 metres;
      - (ii) a minimum length of 5.6 metres; and
      - (iii) a minimum vertical clearance of 2.0 metres;
    - (h) despite the definition of "*parking space*" in Section 2(1) of By-law No. 1994-0805 as amended, a parallel *parking space* on the *lot* shall have the following dimensions:
      - (i) a minimum width of 2.6 metres;
      - (ii) a minimum length of 6.7 metres; and
      - (iii) a minimum vertical clearance of 2.0 metres; and
    - (i) one shared *Type B/G loading space* shall be provided and maintained on the *lot*.
2. For the purpose of this By-law each word or expression that is italicized shall have the same meaning as that word or expression as defined in By-law No. 1994-0805, as amended, with the exception of the following word or expression which will have the meaning stated below:

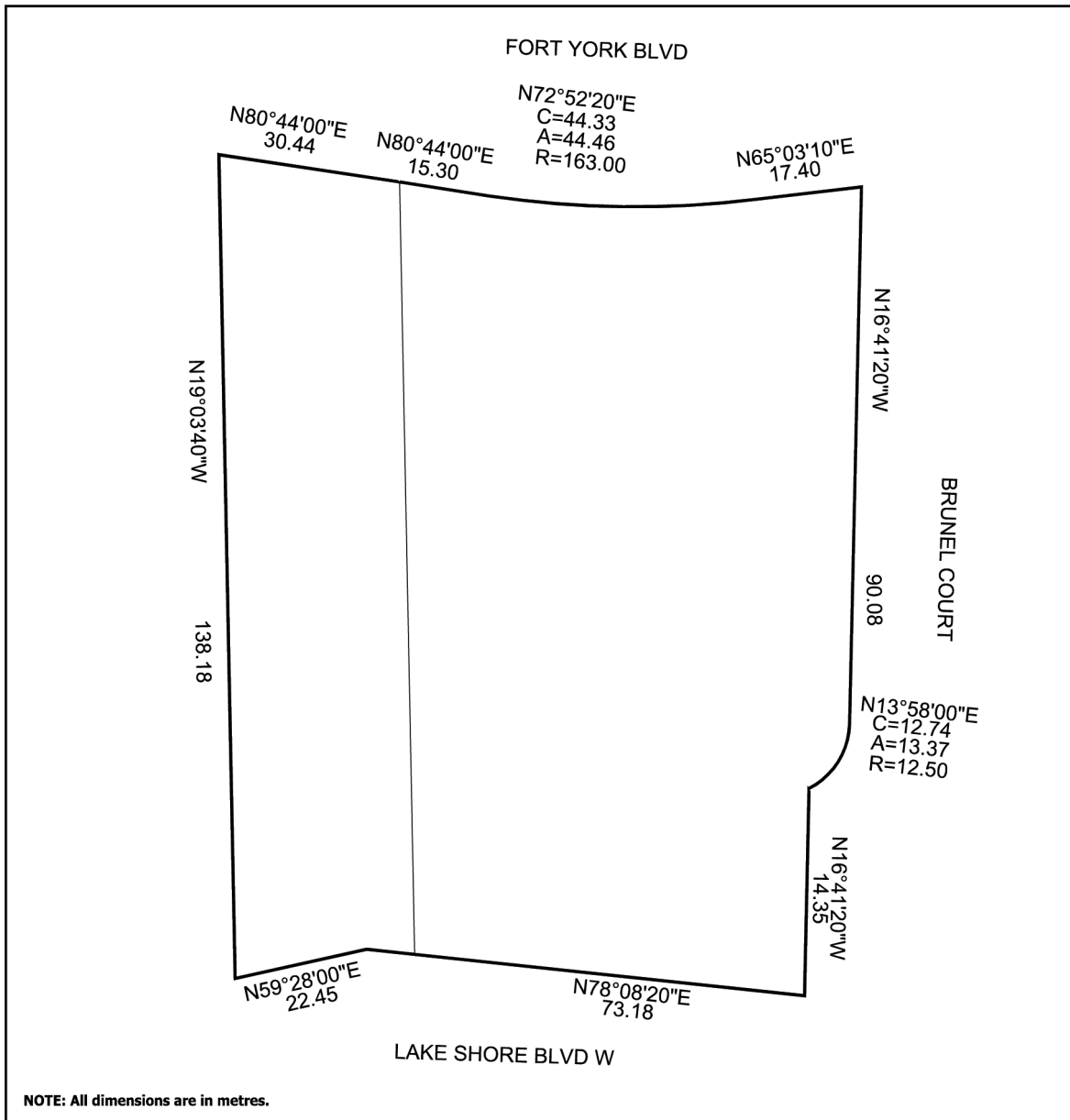
- (a) "*grade*" shall mean 86.16 metres Canadian Geodetic Datum;
  - (b) "*height*" shall mean the vertical distance between *grade* and the highest point of the building or structure, excluding permitted projections identified in section 1(c) and 1(d) of this By-law;
  - (c) "*lot*" means the parcel of land outlined by heavy lines on Map 1 attached to this By-law.
3. Nothing in this By-law amends District Map 50G-321, Appendix A, of By-law No. 1994-0805, as amended, as it applies to the "h (CR Block 31)" and "G" zoning of the *lot*.
4. Despite any existing or future severance, partition or division of the lot, the provisions of this By-law shall apply to the whole lot as if no severance, partition or division occurred.
5. Within the lands shown on Map 2 attached to this By-law, no person shall 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 on December 15, 2016.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



### 20 Brunel Court & 95 Fort York Boulevard

File # 09 142634 STE 20 0Z



City of Toronto By-Law 438-86  
Not to Scale  
MO/DA/2016

