

Authority: Etobicoke York Community Council Item EY18.3, as adopted by City of Toronto Council on December 13, 14 and 15, 2016

CITY OF TORONTO

BY-LAW 96-2017

To amend former City of Toronto Zoning By-law 438-86 with respect to lands known municipally as 2115-2117 Bloor Street West and 19 Harcourt Road.

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 enacts:

1. None of the provisions of Section 2 with respect to the definitions of grade and lot, and Sections 4(2)(a); 4(4)(b); 4(6)(b); 4(6)(c); 4(10)(a); 4(12); 4(16) 8(3) PART I, 1, 2 and 3(a); and 8(3) PART II, 1(a)(i); 8(3) Part II 4; 12 (2) 257; of former City of Toronto By-law 438-86, as amended, titled "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", shall apply to prevent the erection or use of a mixed use building on the lot, provided that:
 - (a) the *lot* comprises the lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - (b) despite any existing or future consent, partition or division of the *lot*, the provisions of this By-law shall apply to the *lot* as if no consent, partition or division occurred;
 - (c) no above *grade* portion of a building or structure erected or used on the *lot* shall be located other than wholly within the areas delineated by heavy lines on Map 2, attached to and forming part of this By-law, except for the following:
 - (i) cornices, lighting fixtures, awnings, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, wheel chair ramps, stairs, stair enclosures, vents, elevator cores, underground garage ramps and their associated structures, fences, safety railings, screens, landscape features; and
 - (ii) balconies, which may extend to a maximum horizontal projection from an exterior building wall of 2.3 metres on the second and third residential levels, 2.5 metres on the sixth residential level and 1.5 metres for all other residential levels, beyond the heavy lines shown on Map 2;
 - (d) no part of any building or structure erected or used on the *lot*, shall exceed the *heights* in metres specified by the numbers following the symbol "H" on the

attached Map 2, including any mechanical space and elevator/stair overrun, with the exception of the following:

- (i) structures on any roof used for outside or open air recreation, maintenance, safety, or wind protection purposes, including green roofs, parapets, terrace guards, screens, and window washing equipment, except on areas identified as H 4.5 and H 7.5 on Map 2 attached hereto, which may be used for green roofs only, provided:
 - (1) no part of such structures is higher than the sum of 3.0 metres and the *height* limits specified on Map 2; and
 - (2) the structures do not enclose space so as to constitute a form of penthouse;
- (e) the total combined *residential gross floor area* and *non-residential gross floor area* erected or used on the *lot* shall not exceed 6,500 square metres;
- (f) the *residential gross floor area* erected or used on the *lot* shall not exceed a total of 5,550 square metres and the total number of *dwelling units* shall not exceed 60 on the *lot*;
- (g) the *non-residential gross floor area* erected or used on the *lot* shall:
 - (1) not exceed a total of 1,000 square metres; and
 - (2) only be used for one or more of the uses listed in the chart set forth in Section 8(1)(f)(b)(iv) "Retail and Service Shops" and a maximum 200 square metres for a restaurant, take-out restaurant or bake shop of *By-law 438-86*, as amended, and subject to the qualifications listed in such chart as are applicable in a CR district for such use;
- (h) *residential amenity space* shall be provided as follows:
 - (i) a minimum of 108 square metres of indoor *residential amenity space* for use by residents of the *mixed-use building* shall be provided in a multi-purpose room or rooms, within the building erected on the *lot*; and
 - (ii) a minimum of 115 square metres of outdoor *residential amenity space* shall be provided on the *lot* for use by residents, accessible to, and adjoining a multi-purpose indoor residential amenity area;
- (i) the minimum number of *parking spaces* shall be:

Residential Dwelling Unit Parking:

0.5 *parking space* for each *bachelor and one-bedroom dwelling unit*; and

0.75 *parking space* for each *two-bedroom* or more *dwelling unit*;

Visitor Parking:

0.06 *parking space* for each *dwelling unit*;

Retail and Commercial Parking:

1 *parking space* per 100 square metres of gross floor area;

- (j) if the calculation of the number of required *parking spaces* results in a number containing a fraction, the number must be rounded down to the nearest whole number, but in no case may it be less than one *parking space*;
- (k) the parking facilities required for residential visitors and all driveways or passageways providing ingress thereto shall be shared by the parking facilities and driveways required for residential occupants;
- (l) a minimum of one *loading space-type G* (13m long by 4m wide with a vertical clearance of 6.1m) shall be provided for both residential and non-residential uses;
- (m) a minimum of 54 *bicycle parking spaces- occupant* and a minimum of 2 *bicycle parking spaces - visitors* shall be provided and maintained on the *lot*.

2. For the purposes of this By-law the following definitions shall apply:

- (i) "*By-law 438-86*" means By-law 438-86, as amended, of the former City of Toronto being, "A By-law to regulate the use of land and the erection, use, bulk, height, spacing 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";
- (ii) "*grade*" means an elevation of 109.1 metres Canadian Geodetic Datum;
- (iii) "*height*" means the vertical distance between *grade* and the highest point of the building or structure;
- (iv) "*lot*" means the lands outlined by heavy lines on Map 1 attached to this By-law; and
- (v) each other word or expression, which is italicized in this By-law shall have the same meaning as each such word or expression as defined in *By-law 438-86*.

3. 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:

- (a) all new public roads have been constructed to a minimum 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.
4. Except as otherwise provided herein, the provisions of *By-law 438-86*, as amended, shall continue to apply to the *lot*.

Enacted and passed on January 31, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



