

Authority: Toronto and East York Community Council
Item TE7.18, as adopted by City of Toronto Council on
July 16, 17 and 18, 2019

CITY OF TORONTO

BY-LAW 1350-2019

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known as 263 Logan Avenue and 15 Busy Street.

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; and

Whereas the Council of the City of Toronto has determined to amend Zoning By-law 438-86, as amended, of the former City of Toronto;

The Council of the City of Toronto hereby enacts as follows:

1. Except as otherwise provided herein, the provisions of By-law 438-86, as amended shall continue to apply to the *lot*.
2. None of the provisions of Sections 2(row house), 2(lot), 2(grade), 4(2), 4(4), 4(11)(b)(c)(e), 4(13), 4(14), and 6 of By-law 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 6 *row houses* on the *lot*, provided that:
 - a. the permitted maximum *residential gross floor area* on the *lot* is 1,900 square metres;
 - b. in addition to the building elements in Section 2 (*residential gross floor area*) of By-law 438-86, the *gross floor area* of a *residential building* is also reduced by the areas in a building used for a *parking space* on the first floor or basement floor;
 - c. a maximum of 6 *dwelling units* shall be permitted;
 - d. no part of the *row houses* shall be located above the *height* limits in metres specified by the numbers following the symbol H as shown on Map 2, with the following exceptions:
 - i. the maximum *height* of parapets, vents, landscape features, railings, balcony guards, handrails, bollards, mechanical equipment, bollards, and

- stairs shall be the sum of 1.5 metres and the applicable *height* limit shown on Map 2;
- ii. the maximum *height* of *green roof* and associated elements including parapets shall be the sum of 2.0 metres and the applicable *height* limit shown on Map 2;
 - iii. the maximum *height* for divider screens, sound barriers, acoustical screens, and privacy screens shall be the sum of 2.00 metres and the applicable *height* limit shown on Map 2; and
 - iv. the maximum *height* of a stair access tower, walls or structures enclosing such elements and any mechanical equipment, exhausts and vents on top of these elements shall be the sum of 3.25 metres and the applicable *height* limit shown on Map 2 if such elements are located a minimum of 6.0 metres from the west *lot line* and 3.0 metres from the north *lot line*;
- e. beginning at a height of 9.74 metres above established grade, the main wall adjacent to the *lot line* abutting Logan Avenue must be set back at least 2.0 metres from the *lot line* abutting Logan Avenue;
- f. the *row houses* shall be located wholly within the building setback areas as shown on Map 2, with the following exceptions that may project into setback areas:
- i. Lighting, window frames, ornamental architectural features and architectural cladding by not more than 0.60 metres;
 - ii. Stairs by not more than 1.4 metres; and
 - iii. Balconies and associated elements, including screens and planters, attached to the east main wall of the building may encroach into building setbacks, if:
 - A. they project no more than 2.5 metres;
 - B. any exterior flooring, associated elements to exterior flooring, and structural elements do not exceed a height of 0.30 metres;
 - C. any walls, sound barriers, acoustical screens, dividers, guardrails, screens or planters do not exceed a height of 2.0 metres, measured from the surface of the balcony; and
 - D. such balconies are at least 2.4 metres above 80.20 metres Canadian Geodetic Datum;

- g. *parking spaces* must be provided on the *lot* in accordance with the following standards:
 - i. A minimum of 1 *parking space* per *dwelling unit* for residents of the *dwelling units*; and
 - ii. No *parking spaces* are required for visitors to the *dwelling units*;
 - h. a minimum of 20 square metres of *soft landscaping* shall be provided on the *lot*; and
 - i. a *temporary sales presentation centre* may be permitted on the *lot*, and none of the other provisions of By-law 1350-2019 and By-law 438-86 apply to such use, provided that this use does not exceed a period of 3 years.
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 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.
4. Despite any future severance, partition or division of the *lot*, the provisions of this By-law shall apply as if no severance, partition or division occurred.
5. 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 438-86*, with the exception of the following terms:
- a. "*By-law 486-86*" means By-law 438-86, as amended, of the former City of Toronto;
 - b. "*grade*" means the Canadian Geodetic elevation of 80.01 metres;
 - c. "*green roof*" means an extension to a *building's* roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in compliance with the Toronto Green Roof Construction Standard set out in Chapter 492 of the City of Toronto Municipal Code;
 - d. "*lot*" means the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;

- e. "*row house*" means one of a series of more than two attached buildings:
 - i. Each building comprising of one *dwelling unit*; and
 - ii. Each building divided vertically from another by a party wall; and
 - f. "*temporary sales presentation centre*" shall mean an office provided exclusively for the marketing or selling of *dwelling units* located or to be located on the *lot*.
6. Except as otherwise provided herein, the provisions of *By-law 438-86* shall continue to apply to the *lot*.

Enacted and passed on October 3, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



263 Logan Avenue & 15 Busy Street

File # 18 104539 STE 30 0Z

