

CITY OF TORONTO

BY-LAW 1172-2020

To amend the former City of Toronto By-law 438-86, as amended, with respect to lands known municipally as 1249-1251 Queen Street East.

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 as follows:

1. Except as otherwise provided herein, the provisions of former City of Toronto By-law 438-86, as amended, shall continue to apply to the lot.
2. None of the provisions of Section 2 with respect to the definitions of *grade* and *height* and or sections 4(2)(a), 4(3), 4(4), 4(10), 4(12), 4(13), 4(17), 8(3) Part I 1 and 3, 8(3) Part II 1(b)(ii), 8(3) Part II 4(a) and (c)(i) and (iii), 8(3) Part XI 2(2), and 12(2) 270(a) 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" apply to prevent the erection and use of a *mixed-use building* on the *lot*, provided that:
 - (a) the *lot* comprises the lands delineated by heavy black lines on Map 1, attached hereto and forming part of this by-law;
 - (b) the total combined *residential gross floor area* and *non-residential gross floor area* shall not exceed 3,290 square metres, provided:
 - (i) the total *residential gross floor area* shall not exceed 3024 square metres; and
 - (ii) the total *non-residential gross floor area* shall not exceed 266 square metres.
 - (c) no portion of the *mixed-use building* or structures erected or used above *grade* is located otherwise wholly within the areas delineated by heavy lines, and within the *heights* provided for following the symbol "HT", on the attached Map 2;
 - (d) canopies, awnings, building cornices, window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, railings, stairs, stair enclosures, air intakes and vents, ventilating

equipment, landscape and green roof elements, partitions, divisions, outdoor recreation areas and equipment, wind mitigation elements, chimney stack, exhaust flues, associated mechanical equipment overrun, elevator/stair overrun and garbage chute overruns may exceed the *height* limit areas delineated by heavy lines on the attached Map 2 by 5.9 metres vertically and 0.3 metres horizontally;

- (e) *parking spaces* shall be provided on the and maintained on the *lot* in accordance with the following:
- (i) 19 total *parking spaces* shall be required for residents;
 - (ii) no parking shall be required for residential visitors;
 - (iii) no parking shall be required for non-residential uses;
 - (iv) *Parking spaces* may be accessed from the rear lane by means of a parking elevator; and
 - (v) *Parking spaces* which are obstructed on one side may be a minimum width of 2.6 metres.
- (f) *bicycle parking spaces* shall be provided and maintained on the *lot*, and may be in the form of wall mounted bicycle racks or *stacked bicycle parking spaces*, in accordance with the following:
- (i) a minimum of 19 total *bicycle parking spaces* shall be provided for residents, which may be located in the underground parking garage;
 - (ii) a minimum of 0 *bicycle parking space* for *non-residential uses*;
 - (iii) a *bicycle parking space* will be provided in accordance with the following minimum dimensions:
 - (A) minimum length of 1.8 metres;
 - (B) minimum width of 0.6 metres; and
 - (C) minimum vertical clearance from the ground of 1.9 metres; and
 - (iv) a *bicycle parking space* will be provided in accordance with the following minimum dimensions if placed in a vertical position on a wall, structure or mechanical device:
 - (A) minimum length or vertical clearance of 1.9 metres;
 - (B) minimum width of 0.6 metres;
 - (C) minimum horizontal clearance from the wall of 1.2 metres; and

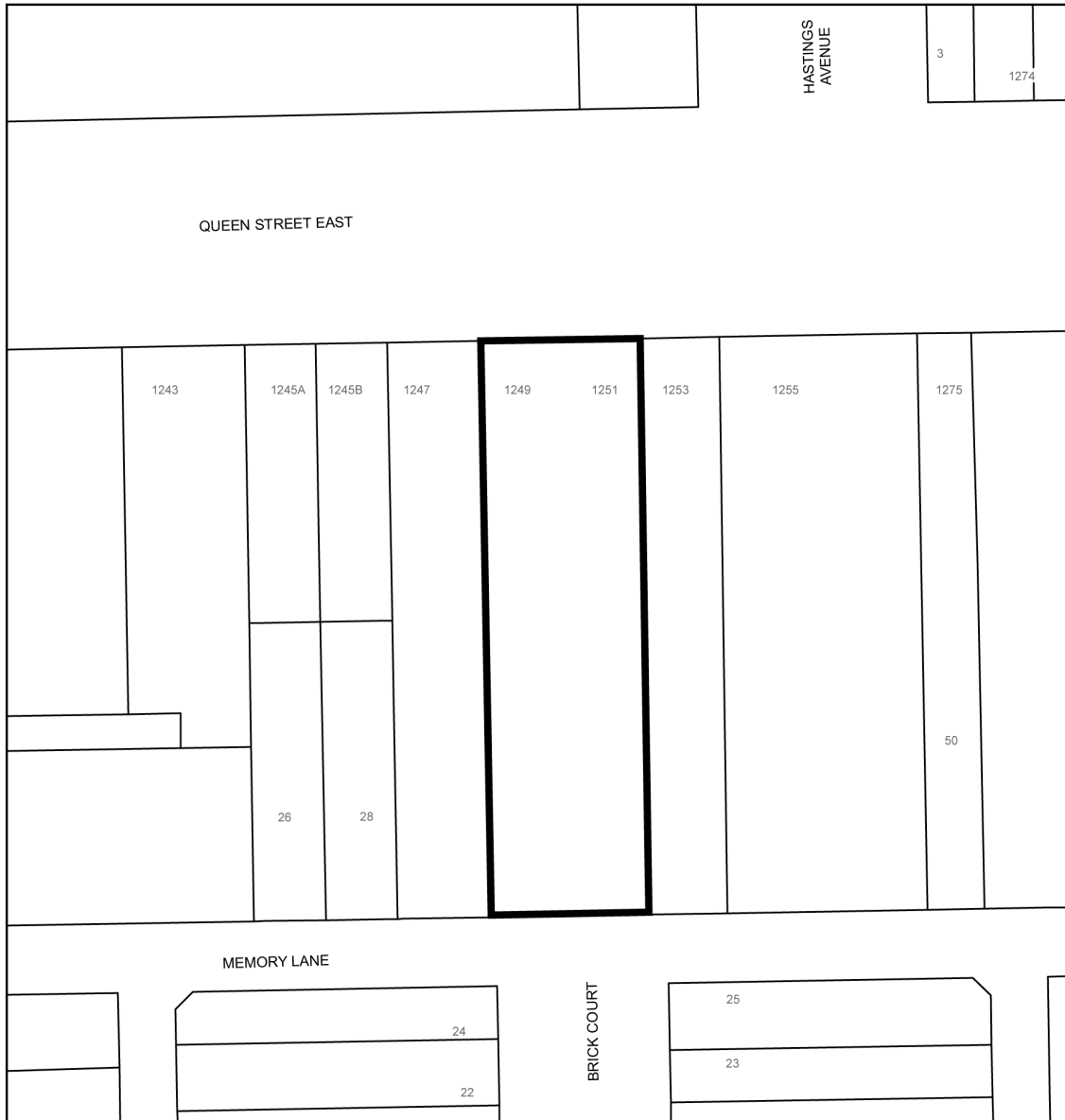
- (v) a *stacked bicycle parking space* shall have a minimum vertical clearance of 1.2m;
 - (g) *residential amenity space* shall be provided and maintained on the *lot* as in accordance with the following requirements:
 - (i) a minimum of 75 square metres of indoor *residential amenity space* shall be provided on the *lot*; and
 - (ii) a minimum of 42 square metres of outdoor *residential amenity space* shall be required on the *lot*;
 - (h) for the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86, as amended, with the exception of the following:
 - (i) "*grade*" means an elevation of 77.64 metres Canadian Geodetic Datum; and
 - (ii) "*height*" means the height of land outlined by heavy lines on Map 2 attached to and forming part of this By-law;
 - (iii) "*lot*" means those lands outlined by heavy lines on Map 1 attached hereto and forming part of this By-law;
 - (iv) "*stacked bicycle parking space*" means a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces.
3. Despite any future severance, partition or division of the lands as shown on Map 1, the provisions of this exception shall apply as if no severance, partition or division has occurred.

Enacted and passed on December 18, 2020.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)



1249-1251 Queen Street East

File # 17 247432 STE 32 OZ

