Bill No. 763

BY-LAW No. -2016

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2015 as 178R Ossington Avenue.

Whereas Council of the City of Toronto has the authority to pursuant to 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. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the lot.

2. None of the provisions of Sections: 2(1) with respect to "lot" and "bicycle parking space – occupant", 4(4), 4(6), 4(7), 4(10), 4(13), 4(14), 6(1), 6(3), 6(3) Part II 2, 3, 4, 5 and 6; 6(3) Part III 2; 6(3) Part IV 1(a), 8(3) Part IV 1, 8(3) Part IV 1; 8(3) Part IV 1 8(3) Part XI 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 non-residential use of the lot:

   (a) The lot is comprised of those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;

   (b) In addition to the uses permitted by Section 6(1), the following additional uses are permitted within the building which existed on the lot on January 1, 2016:

      (i) artist's or photographer's studio;
      (ii) custom workshop;
      (iii) bake-shop;
      (iv) caterer's shop;
      (v) custom workshop;
      (vi) office;
      (vii) performing arts studio;
      (viii) private art gallery; and
      (ix) public art gallery;

   (c) In addition to the uses permitted in 2(b) above, a restaurant and take-out restaurant are permitted within the building which existed on the lot on January 1, 2016 provided:
(i) the total non-residential gross floor area of the restaurant and take-out restaurant does not exceed 75 square metres; and,

(ii) the restaurant or take-out restaurant is accessible only from the interior of the existing building;

(d) An outdoor patio that is used for commercial purposes is not permitted on the lot;

(e) No landscaped open space, open space or amenity space is required on the lot;

(f) In total, a minimum of 3 parking spaces, of which 1 parking space shall be accessible, shall be provided for any or all of the non-residential uses of the lot;

(g) A minimum of two loading spaces — type “C” shall be provided on the lot; and

(h) A minimum of 11 bicycle parking spaces shall be provided for the non-residential use of the lot, to consist of:

   (i) a minimum of 4 bicycle parking spaces – occupant provided on the lot; and

   (ii) a minimum of 7 bicycle parking spaces – visitor provided on the lot.

3. Despite any other provision of By-law No. 438-86, no person shall use any land or erect or use any building or structure on the lot unless all water mains and sanitary sewers, and appropriate appurtenances have been installed and are operational.

4. Definitions:

For the purposes of this By-law, each word or expression that is italicized in this By-law shall have the same meaning as each such word or expression as defined by the said By-law No. 438-86, as amended, except for the following:

(a) "bicycle parking space — occupant" means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, but the bicycle rack is not located in a secured room or area; and

(b) "lot" means the whole of the lands delineated by the heavy line on Map 1, attached to and forming part of this By-law.

Enacted and passed on July , 2016.

Frances Nunziata,                  Ulli S. Watkiss,
    Speaker                      City Clerk

(Seal of the City)