

Authority: Toronto East York Community Council Report No. 2, Clause No. 3,  
as adopted by City of Toronto Council on February 24, 25, 26, 27 and 28, 2003  
Enacted by Council: April 16, 2003

## **CITY OF TORONTO**

### **BY-LAW No. 192-2003**

**To amend By-law No. 438-86 of the former City of Toronto, as amended with respect to lands known municipally as Nos. 76, 88R, 92 and 100 Yorkville Avenue and Nos. 95, 115, 119 and 121R Scollard Street.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Section 2(1) with respect to the definitions of *grade*, *height*, *residential amenity space* and *lot* and Sections 4(2)(a), 4(5), 4(8), 4(12), 4(14), 8(2)1., 8(3)Part I, 8(3) Part III, 8(3) Part XI (2) and 12(2)259 of By-law No. 438-86, 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 a *mixed-use building*, and *dwelling units*, provided:
  - (1) the *lot* on which the proposed building is to be located comprises the lands outlined by heavy lines on Plan 1, attached to and forming part of this By-law;
  - (2) no portion of the building above *grade* is located otherwise than wholly within the areas delineated by heavy lines as shown on Plans 2A and 2B, with the exception of:
    - (i) cornices, balustrades, canopies, covered walkways, underground garage ramps, stairs, stair enclosures, terraces, mullions, ornamental elements, parapets, eaves, window sills, guard-rails, landscaped decks, surface driveways and wheel chair ramps which may extend beyond the heavy lines shown on Plans 2A and 2B;
    - (ii) bay windows to a maximum horizontal projection of 0.5 metres beyond the heavy lines shown on Plans 2A and 2B;
    - (iii) fences, screens, walls and railings which may extend beyond the heavy lines shown on Plans 2A and 2B to a maximum vertical projection of 2.0 metres;
    - (iv) open balconies extending to a maximum horizontal projection of 1.9 metres beyond the heavy lines show on Plans 2A and 2B;

- (3) the *height* of any buildings shall not exceed the height limits specified by the numbers following the symbol H on Plans 2A and 2B, subject to:
  - (i) parapets to a maximum height of 1.2 metres above the *height* limits shown on Plans 2A and 2B;
  - (ii) a cooling tower on *Parcel A* to a maximum height of 1.2 metres above the *height* limits shown on Plan 2A;
  - (iii) items identified in Section 4(2)(a)(i); and
  - (iv) the provisions of Section 4(2)(a)(ii)A. and C.;
- (4) the combined *residential gross floor area* and *non-residential gross floor area* of all the buildings erected on the *lot* shall not exceed 24 715 square metres, of which the *non-residential gross floor area* shall not exceed 2 880 square metres, and the *residential gross floor area* shall not exceed 21 835 square metres, provided that:
  - (i) the *residential gross floor area* on *Parcel A* shall not exceed 13 340 square metres and the *non-residential gross floor area* on *Parcel A* shall not exceed 1 375 square metres; and
  - (ii) the *residential gross floor area* on *Parcel B* shall not exceed 8 495 square metres and the *non-residential gross floor area* on *Parcel B* shall not exceed 1 505 square metres.
- (5) a minimum number of *parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
  - (i) 0.3 *parking spaces* for each *bachelor dwelling unit*;
  - (ii) 0.7 *parking spaces* for each *one-bedroom dwelling unit*;
  - (iii) 1.0 *parking spaces* for each *two-bedroom dwelling unit*; and
  - (iv) 1.2 *parking spaces* for each *three-bedroom dwelling unit*.
- (6) in addition to the requirement of Section (5) above, not more than 150 *parking spaces* are provided and maintained for the use of the general public;
- (7) loading spaces shall be provided and maintained as follows:
  - (i) one *loading space-type G* on *Parcel A*; and
  - (ii) one *loading space-type G* on *Parcel B*.

- (8) *residential amenity space* shall be provided and maintained as follows:
- (i) indoor *residential amenity space* shall be provided in a multi-purpose room or a number of rooms located on the same or on a separate *storey* not more than one *storey* apart, at least one of which contains a kitchen and a washroom, as follows:
    - (a) on *Parcel A* - a minimum of 304 square metres; and
    - (b) on *Parcel B* - a minimum of 90 square metres.
  - (ii) outdoor *residential amenity space* shall be provided and maintained in a location that is within 25 metres of an exit door from the indoor *residential amenity space* to the outdoors as follows:
    - (a) on *Parcel A* - a minimum of 90 square metres; and
    - (b) on *Parcel B* - a minimum of 108 square metres.
- (9) a minimum of 165 square metres of *common outdoor space* shall be provided and maintained on *Parcel B* in connection with a *mixed-use building*;
- (10) the non-residential uses adjacent to the Mount Sinai Heritage façade on *Parcel B* shall be located within 1.3 metres of finished ground level;
- (11) the main floor level on *Parcel A* shall contain only those non-residential uses listed in Section 8(1)(f)(b)(i)(ii) and (iv), and the area occupied by such uses shall have a depth of not less than 7.5 metres measured from the main front wall of the building and a width equal to at least 55% of the *Parcel A* Yorkville Avenue *frontage*;
- (12) the main floor level on *Parcel B* shall contain only those non-residential uses listed in Section 8(1)(f)(b)(i)(ii) and (iv), and the area occupied by such uses shall have a depth of not less than 7.5 metres measured from the main front wall of the building and a width equal to at least 60% of the *Parcel B* Yorkville Avenue *frontage*;
- (13) no building or structure, erected or used at or above the finished ground level on *Parcel B* shall be closer than 1.5 metres to the original centre line of the public lane shown on Plan 1;
- (14) the owner of the *lot* enters into one or more agreements, pursuant to Section 37 of the *Planning Act*, to secure the following facilities, services and matters:
- (i) the owner of the *lot* shall provide, prior to the issuance of a Building Permit for the development of *Parcel A*, Letters of Credit in a form satisfactory to the Chief Financial Officer and in an amount determined by

the Manager, Heritage Preservation Services and as more particularly described in the Section 37 Agreement;

- (ii) the owner of the *lot* shall provide and maintain two mid-block, pedestrian routes through the properties from Scollard Street to Yorkville Avenue, satisfactory to the Commissioner of Urban Development Services and substantially in accordance with the plans prepared by Hariri Pontarini Architects; and
- (iii) the provision and maintenance of building materials and design of buildings substantially in accordance with the plans prepared by Hariri Pontarini Architects;

- 2. “*grade*” shall mean 116.41 metres Canadian Geodetic Datum.
- 3. “*height*” shall mean the vertical distance between *grade* and the highest point of the buildings or structures.
- 4. “*lot*” shall mean *Parcel A* and *Parcel B*.
- 5. “*Parcel A*” and “*Parcel B*” means the areas identified as *Parcel A* and *Parcel B* on Plan 1.
- 6. “*residential amenity space*” shall mean a common area or areas within the *lot* which are generally, although not exclusively, provided for the use of residents of the building for recreational and social purposes.
- 7. With the exception of any defined terms to the extent modified by this By-law and provisions noted herein, all other provisions and defined terms of By-law No. 438-86 of the former City of Toronto, as amended, continue to apply.
- 8. By-law No. 382-93 of the former City of Toronto is hereby repealed and Section 13 of By-law No. 438-86, as amended, is amended by deleting the reference to By-law No. 382-93.

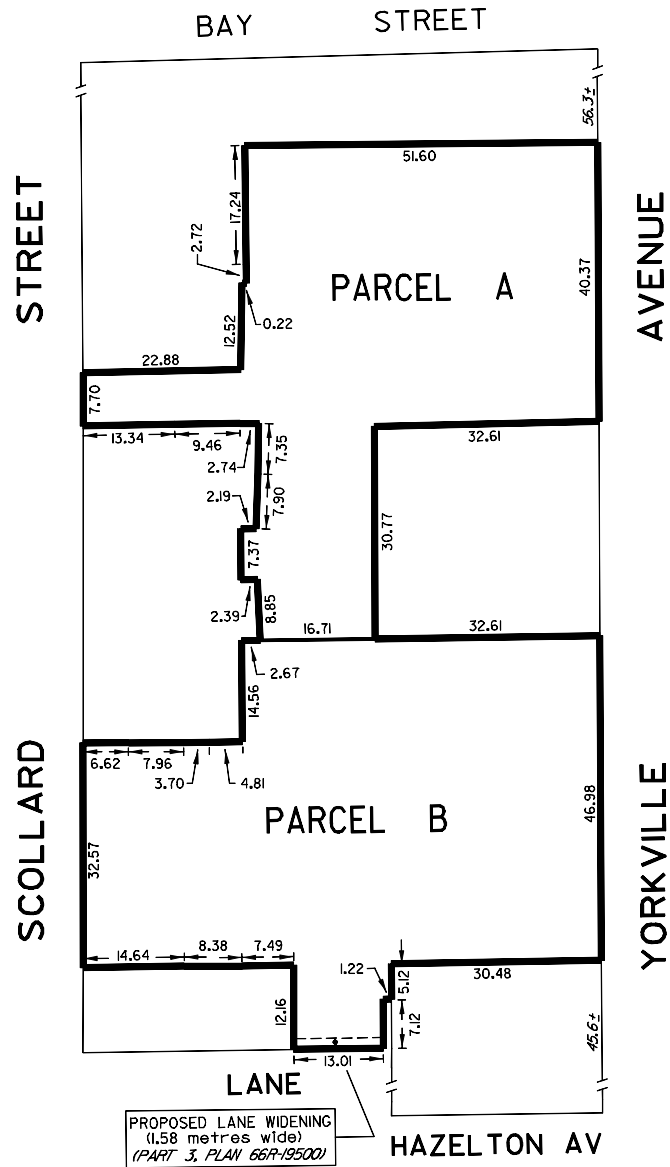
ENACTED AND PASSED this 16th day of April, A.D. 2003.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

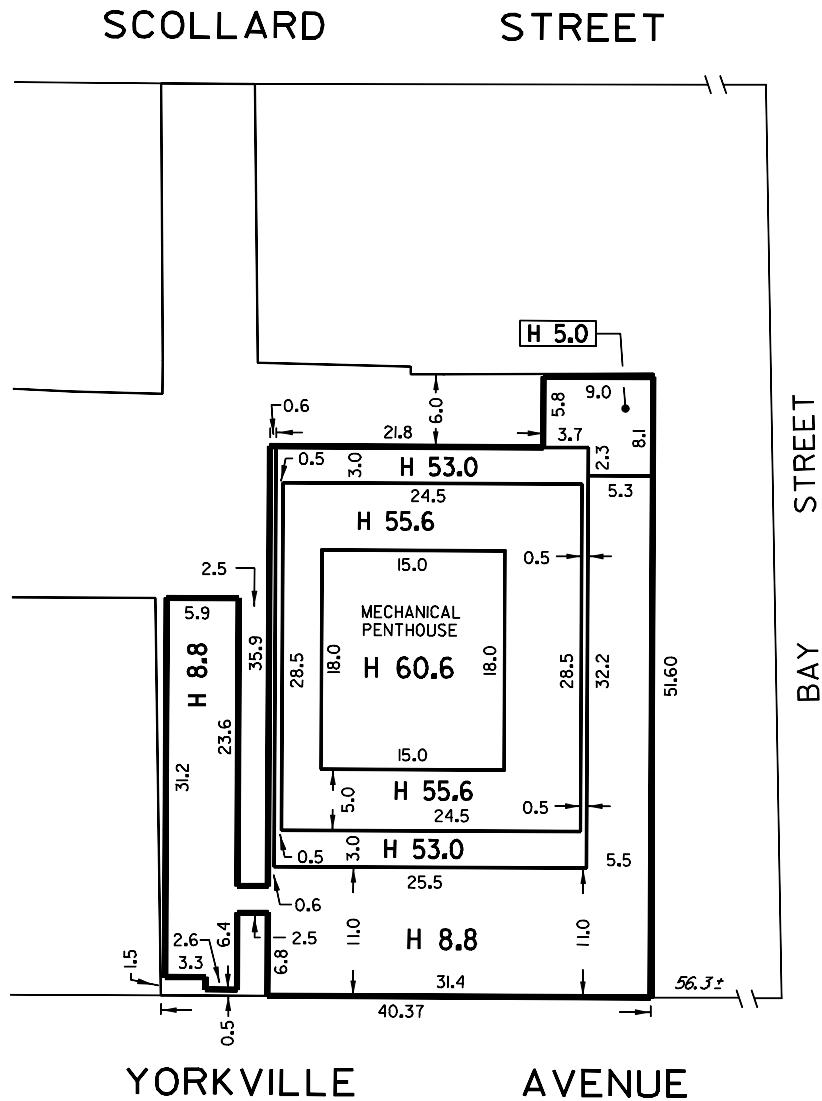
(Corporate Seal)

## PLAN 1



WORKS AND EMERGENCY SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO APRIL 9, 2003  
 BLO3/T6YORK1.DGN  
 FILE: Y6-210  
 MAP No. 50J-313 DRAWN: D.R.

# PLAN 2A (PARCEL A)



WORKS AND EMERGENCY SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO APRIL 9, 2003  
 BL03/76YORK2A.DGN  
 FILE: Y6-Z10  
 MAP No. 50J-313 DRAWN: D.R

