

Authority: Toronto and East York Community Council Report No. 5, Clause No. 10,
as adopted by City of Toronto Council on June 14, 15 and 16, 2005
Enacted by Council: June 16, 2005

CITY OF TORONTO

BY-LAW No. 537-2005

To amend the General Zoning By-law No. 438-86 of the former City of Toronto respecting restaurants and related uses on College Street between Bathurst Street and Ossington Avenue.

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 held at least one public meeting in accordance with the *Planning Act*;

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

1. The text of Section 12(2) 318 of By-law No. 438-86, as amended, is hereby deleted and replaced with the following:

“318. No person shall, within the area shown within the heavy lines on the map at the end of this exception,

- (1) use land or erect or use a building, addition, or structure for the purpose of a bake-shop, club, place of amusement, place of assembly, restaurant, take-out restaurant or patio provided in connection therewith unless:
 - (a) the *front lot line* of such *lot* is on College Street;
 - (b) any such use located at or above *grade* is limited to the ground floor only;
 - (c) the aggregate area of all operable windows and doors located in any ground floor wall facing a street other than College Street shall not be greater than 3.3 square metres, except to the extent a greater area is required by the Ontario Building Code, as amended; and
 - (d) the *patio*, if any, is located,
 - (i) between the *front wall* of the building or structure housing the principal use and the *front lot line* of the *lot*, or
 - (ii) between the wall facing the *side lot line* of the building or structure housing the principal use and the *side lot line* of the *lot*, and not closer than 10 metres from the *rear lot line* of the *lot*; and

- (2) erect or use any building or structure for the purpose of a *restaurant, take-out restaurant, bake-shop, place of amusement, place of assembly or club*, unless the total *non-residential gross floor area* used for any one or a combination of two or more of those purposes in a building or structure does not exceed 300 square metres.

For the purposes of this exception, the *non-residential gross floor area* of a *take-out restaurant, bakeshop, place of amusement, place of assembly or club* means the aggregate of the areas of each floor and the spaces occupied by walls and stairs, measured above and below *grade*, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, exclusive of only a room or enclosed area that is used exclusively for heating, cooling, ventilating, electrical, mechanical (other than escalators) or telecommunications equipment that services the building, storage or washrooms.”

2. By-law No. 882-2004 being “A By-law to effect interim control in the MCR district along College Street between Bathurst Street and Ossington Avenue” is hereby repealed upon the coming into force of this by-law.

ENACTED AND PASSED this 16th day of June, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)