

Authority: Toronto and East York Community Council Item 29.6, as adopted by  
City of Toronto Council on November 30, December 1, 2, 4 and 7, 2009

Enacted by Council: November 30, 2009

## CITY OF TORONTO

### BY-LAW No. 1171-2009

#### **To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 150 Bloor Street West, 175 Cumberland Street and 162-164 Cumberland 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 owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth;

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

1. Sections 2(7), 2(8), 2(9) and 2(17) of By-law No. 492-80 are deleted and replaced by the following:
  - 2(7) the owners or occupants of buildings A and B shall provide, maintain and make accessible, for their exclusive use, parking spaces in accordance with the following:
    - (a) Parking spaces for use by owners or occupants of dwelling units in buildings A and B shall be provided at the rates prescribed for such uses in Section 4(5) of By-law No. 438-86, as amended, as follows:
      - (i) A minimum of 98 parking spaces for exclusive use by residential owners or occupants of dwelling units in building A, whereby 90 parking spaces are to be provided on lot A and eight parking spaces on lot B.
      - (ii) A minimum of 20 parking spaces for exclusive use by residential owners or occupants of dwelling units in building B, to be provided on lot B.
    - (b) Parking spaces for use by non-residential owners or occupants and for residential visitor parking shall be provided at the rates prescribed for such uses in Section 4(5) of By-law No. 438-86, as amended, after meeting the requirements for residential parking in paragraph (a) of this section, as follows:
      - (i) a minimum of 87 parking spaces for use by non-residential owners or occupants of buildings A and B and for residential visitors of buildings A and B on lots A and or on lot B;

- (ii) in the event that the owners of lots A and B jointly elect to provide dedicated exclusive-use parking for the non-residential components of the project and the residential visitor components of the project in lieu of a shared pool of a minimum of 87 parking spaces, that the allocation of the minimum of 87 parking spaces required for such purposes must also be at the rates prescribed for such uses in Section 4(5) of By-law No. 438-86, as amended and include:
      - (a) a minimum of 73 parking spaces of the non-residential owners and occupants and residential visitors of building A and such spaces to be located on lots A and B or on lot B; and
      - (b) a minimum of 14 parking spaces in respect of the non-residential owners or occupants and residential visitors of building B such spaces to be located on lot A and/or lot B.
  - (c) If there exists in buildings A or B *parking spaces* in excess of the number of *parking spaces* required under paragraphs (a) and (b) of this section, from time to time, such excess *parking spaces* shall be maintained for the exclusive use of the owners or occupants of building A and B.
  - (d) For the sake of clarity, the establishment of a minimum parking requirement for the residential component of building B does not supercede or replace the provisions of the Parking Agreement between Condominium Corporation (MTCC #616) and the owners of the lot B parking garage (162 Cumberland Holdings Inc) registered on title as Instrument No. AT 2206739.
- 2(8) the owners or occupants of building A shall provide, maintain and make accessible on lot A at least two loading spaces having dimensions of not less than 11.9 metres (length) x 3.7 metres (width) x 4.3 metres (vertical), such spaces to be for the exclusive use of owners and occupants of building A;
- 2(9) a circular vehicular driveway on lot A, as shown on plan A attached hereto, with access from Cumberland Street, is provided, maintained and made accessible;
- 2(17) the owners or occupants of building B shall provide, maintain and make accessible on lot B, three loading spaces for the exclusive use of owners and occupants of building B; comprised of:
- (a) At least two loading spaces having dimensions of not less than 6.1 metres (length) x 3.7 metres (width) x 2.4 metres (vertical): and

- (b) The loading space at grade, as it existed in the year 2009 with access via a right-of-way on the west side of the site, and having approximate dimensions of 11 metres (length) x 3.7 metres (width).
2. A *parking space* or drive-aisle that existed on March 13, 2009 within building A or building B shall be deemed to conform to the dimension standards for a *parking space* and a drive-aisle prescribed in By-law No. 492-80, as amended, to a maximum of 115 parking spaces in building A and 172 parking spaces in building B, provided further that all such spaces having a length of less than 5.0 metres and/or width of less than 2.5 metres be individually signed for use by small cars only.
3. Subject to section 2 of this By-law, words or expressions italicized in this By-law shall have the same meaning as such words or expressions have in By-law No. 492-80.
4. Except as provided herein, the provisions of By-law No. 492-80 as amended shall continue to apply to lots A and B.

ENACTED AND PASSED this 30th day of November, A.D. 2009.

SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)