

Authority: Toronto and East York Community Council Item 4.5,  
as adopted by City of Toronto Council on March 8 and 9, 2011  
Enacted by Council: March 9, 2011

## CITY OF TORONTO

### BY-LAW No. 355-2011

#### To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands municipally known as 630-642 Queen Street East.

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to lands known municipally in the year 2010 as 630-642 Queen Street East; and

WHEREAS the Council of the City of Toronto has provided adequate information to the public and has conducted at least one public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment; and

WHEREAS the Council of the City of Toronto, at its meeting on March 8 and 9, 2011, determined to amend Zoning By-law No. 438-86;

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

1. None of the provisions of Section 2(1) with respect to "*grade*", "*height*", "*lot*", "*parking garage*", "*parking space*", and Sections 4 (2)(a), 4 3(a), 4 (4)(b), 4 (6)(b) and (c), 4 (10)(a), 4 (12), 4 (17), 8(3) Part I 1, 8(3) Part I 3(a), 8(3) Part II 1 (b)(ii), 8(3) Part II 4(c), 8(3) Part XI 1 and 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 erection and use of a *mixed-use* building on the *lot*, including a *commercial parking garage*, provided that:
  - (1) the *lot* on which the *mixed-use building* is located comprises at least the lands outlined by heavy lines on Map 1 attached to and forming part of this By-law;
  - (2) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* does not exceed 6950 square metres, provided:
    - (i) the *residential gross floor area* does not exceed 6200 square metres;
    - (ii) the *non-residential gross floor area* for *retail stores* does not exceed 900 square metres; and
    - (iii) the *retail stores* shall only be permitted on the first *storey* above *grade*.

- (3) a maximum of 98 *dwelling units* are provided on the *lot*;
- (4) the *mixed-use building*, including all mechanical equipment, stair enclosures and elevator overruns, is located wholly within the areas delineated by heavy lines and the *height* limits specified by the numbers following the symbol "H" as shown on Map 2, attached and forming part of this By-law, with the following exceptions:
  - (i) balconies provided they extend no more than 1.6 metres from the walls to which they are attached;
  - (ii) canopies, stairs, fences, landscape features, guard-rails, retaining walls, wheel chair ramps, terrace and balcony railings and dividers, lightning rods, elements of a green roof, window washing equipment, solar panels, solar hot water heaters, exhaust flues, parapets, cornices, balustrades, mullions, light fixtures, awnings, parapets, ornamental elements and eaves which may project above or beyond such areas and *heights* as shown on Map 2; and
  - (iii) none of the building elements listed in (i) and (ii) above may extend beyond the *lot* lines;
- (5) *parking spaces* are provided on the *lot* in accordance with the following minimum standards:
  - (i) 0 *parking spaces* for each *bachelor dwelling unit*;
  - (ii) 0.25 *parking spaces* for each one bedroom *dwelling unit*;
  - (iii) 0.75 *parking spaces* for each two bedroom *dwelling unit*;
  - (iv) 1.2 *parking spaces* for each *dwelling unit* having three or more bedrooms;
  - (v) 0.06 *parking spaces* for each *dwelling unit* for the exclusive use of visitors to the *dwelling units*;
  - (vi) one *car-share parking space* shall be provided; and
  - (vii) no *parking spaces* shall be required for the non-residential uses on the *lot*.
- (6) a maximum of 28 *parking spaces* may be provided for use by motor vehicles whose users are not occupants of the *mixed-use building*;
- (7) a minimum of 121 square metres of indoor *residential amenity space* shall be provided in a multi-purpose room or rooms at least one of which contains a kitchen and a washroom and the floor area devoted to indoor *residential amenity space* shall be excluded from the calculation of *residential gross floor area*;

- (8) a minimum of 97 square metres of outdoor *residential amenity space* shall be provided on the *lot*; and
  - (9) *bicycle parking spaces* and lockers shall be excluded from the calculation of *residential gross floor area*.
2. No person shall use any land or erect or use any building or structure on the *lot* unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
  - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
3. Despite any future severance, partition or division of the *lot* as shown on Map 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.
4. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:
- (i) "*car-share*" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and to use a *car-sharing* vehicle, a person must meet the membership requirements of the *car-sharing* organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven;
  - (ii) "*car-share parking space*" means a *parking space* exclusively for a car used only for *car-sharing* purposes;
  - (iii) "*grade*" shall mean 81.60 metres Canadian Geodetic Datum;
  - (iv) "*height*" shall mean, the vertical distance between *grade* and the highest point of the structure, except for those elements otherwise expressly prescribed in this By-law;
  - (v) "*lot*" shall mean the parcel of land outlined by heavy lines on Map 1 and known municipally as 630-642 Queen Street East in the year 2010;
  - (vi) "*parking garage*" means a building or portion of a building, other than a *private garage*, that is used for the temporary parking of motor vehicles either as an *accessory* use to the principal use or uses permitted on the *lot* or as a principal use on the *lot*; and

(vii) "*parking space*" shall mean an unimpeded area having minimum dimensions of 5.6 metres in length, 2.6 metres in width and 2.0 metres in height which is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another motor vehicle.

5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.

ENACTED AND PASSED this 9th day of March, A.D. 2011.

FRANCES NUNZIATA,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)



