

Authority: Toronto and East York Community Council Item 12.4, as adopted by City of Toronto Council on February 6 and 7, 2012 and MM37.57, moved by Councillor Layton, seconded by Councillor Bailão, as adopted by City of Toronto Council on July 16, 17, 18 and 19, 2013

CITY OF TORONTO

BY-LAW No. 1100-2013

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 854, 856 and 858 Dundas Street West and 217 and 219 Manning Avenue.

Whereas the Council of the City of Toronto has been requested to amend its Zoning By-law 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 2011 as 854, 856 and 858 Dundas Street West and 217 and 219 Manning Avenue; and

Whereas the Council of the City of Toronto conducted a 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 has determined to amend Zoning By-law No. 438-86, as amended, of the former City of Toronto;

The Council of the City of Toronto enacts:

1. None of the provisions of Sections 4(2), 4(3), 4(4), 4(11)(b)(c)(e), 4(12), 4(13), 4(14), 6(3), 8(3) Part I (1), (2), (3)(a), 8(3) Part II (4)(a)(b)(c), 8(3) Part III (1)(a)(b), 8(3) Part IV, 8(3) Part V (1), and 8(3) Part XI (1) of *By-law No. 438-86* shall apply to prevent the erection and use of a *mixed-use building* within *Part A* and *townhouses* within *Part B*, provided that:
 - (a) the *lot* on which the *mixed-use building* is located comprises all of *Part A*;
 - (b) the *lot* on which the *townhouses* are located comprises all of *Part B*;
 - (c) the total combined *residential gross floor area* and *non-residential gross floor area* on the *site* does not exceed 8,505 square metres and:
 - (i) the *residential gross floor area* of *Part A* does not exceed 6,450 square metres;
 - (ii) the *residential gross floor area* of *Part B* does not exceed 1,610 square metres;
 - (iii) the *non-residential gross floor area* of *Part A* does not exceed 500 square metres; and
 - (iv) the *non-residential uses* shall only be permitted on the first *storey* above *grade* on *Part A*;

- (d) a maximum of 82 *dwelling units* shall be permitted within *Part A*;
- (e) a maximum of 10 *dwelling units* shall be permitted within *Part B*;
- (f) no part of the *mixed-use building* located within *Part A*, including all mechanical equipment, stair enclosures and elevator overruns, shall be located above *grade* otherwise than wholly within the areas delineated by heavy lines as shown on Map 2, and no part shall be located above the *height* limits in metres specified by the numbers following the symbol "H" also as shown on Map 2, with the following exceptions:
 - (i) the maximum height for terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, window washing equipment, ornamental architectural features, chimney stacks and structures used for safety or wind protection purposes shall be the sum of 1.5 metres and the applicable *height* limit shown on Map 2;
 - (ii) the maximum height for divider screens shall be the sum of 2.0 metres and the applicable *height* limit shown on Map 2;
 - (iii) the maximum height for a ladder for maintenance purposes shall be the sum of 1.2 metres and the applicable *height* limit shown on Map 2;
 - (iv) balconies and canopies provided they extend no more than 2.0 metres beyond the areas delineated by heavy lines on Map 2; and
 - (v) none of the building elements listed in (i), (ii), (iii) and (iv) above may extend beyond the *lot* lines;
- (g) no part of the *townhouses* located within *Part B*, including all mechanical equipment, stair enclosures and elevator overruns, shall be located above *grade* otherwise than wholly within the areas delineated by heavy lines as shown on Map 2, and no part shall be located above the *height* limits in metres specified by the numbers following the symbol "H" also as shown on Map 2;
- (h) *parking spaces* are provided on *Part A* and *Part B* in accordance with the following standards:
 - (i) a minimum of 0.5 *parking space* for each *bachelor dwelling unit*;
 - (ii) a minimum of 0.5 *parking space* for each one bedroom *dwelling unit*;
 - (iii) a minimum of 0.75 *parking space* for each *dwelling unit* having 2 or more bedrooms;
 - (iv) a minimum of 0.06 *parking space* for each *dwelling unit* for the exclusive use of visitors to the *dwelling units*; and

- (v) a maximum of four (4) *parking spaces* provided on the *site* may be *small car parking spaces*;
 - (i) a minimum of 106 *bicycle parking spaces* shall be provided and maintained on *Part A* and *Part B*, of which:
 - (i) a total of 80 *bicycle parking spaces* shall be provided and maintained for the exclusive use of residents of the building, and shall be located on the parking levels below ground level in the building located within either *Part A* or *Part B*;
 - (ii) a total of 12 *bicycle parking spaces* shall be provided and maintained for the exclusive use of residents of the building, and shall be located at ground level within either *Part A* or *Part B*; and
 - (iii) a total of 14 *bicycle parking spaces* shall be provided and maintained for the exclusive use of visitors, and shall be located at ground level within either *Part A* or *Part B*, or accessed via the building vestibule or lobby within *Part A*;
 - (j) a minimum of 1.7 square metres per *dwelling unit* 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, within *Part A*;
 - (k) a minimum of 14.0 square metres of outdoor *residential amenity space* shall be provided within *Part A*;
 - (l) a minimum of 6.0 square metres of outdoor *residential amenity space* shall be provided for each of the *townhouses* located within *Part B*.
2. No person shall use any land or erect or use any building or structure on the *site* unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (a) 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
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
3. Despite any future severance, partition or division of *Part A* or *Part B*, 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*, with the exception of the following terms:
- (a) "*By-law No. 486-86*" means By-law No. 438-86, as amended, of the former City of Toronto;
 - (b) "*grade*" means:
 - (i) the Canadian Geodetic elevation of 102.8 metres, for *Part A*; and
 - (ii) the Canadian Geodetic elevation of 103.4 metres, for *Part B*;
 - (c) "*Part A*" shall mean the parcel of land outlined by heavy lines and shown as PART A on Map 1 and known municipally as 854, 856 and 858 Dundas Street West in the year 2011;
 - (d) "*Part B*" shall mean the parcel of land outlined by heavy lines and shown as PART B on Map 1 and known municipally as 217-219 Manning Avenue in the year 2011;
 - (e) "*site*" means those lands outlined by heavy lines on Map 1 attached hereto;
 - (f) "*small car parking space*" means a *parking space* with a minimum width of 2.6 metres, a minimum length of 5.6 metres, and which may be obstructed on one side; and
 - (g) "*townhouses*" shall mean a series of one or more attached buildings, where each building comprises of one *dwelling unit*, and each building is divided vertically from one another by a party wall, but no *dwelling unit* is entirely or partially above another.
5. Except as otherwise provided herein, the provisions of *By-law No. 438-86* shall continue to apply to the *site*.

Enacted and passed on July 19, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



