

Authority: Toronto and East York Community Council Item 32.11,  
as adopted by City of Toronto Council on June 10, 11, 12 and 13, 2014

## **CITY OF TORONTO**

### **BY-LAW No. 546-2014**

#### **To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 1220 - 1230 Dundas Street East.**

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*;

The Council of the City of Toronto enacts:

1. None of the provisions of Sections 2(1) with respect to the definitions of "*grade*" and Sections 4(2)(a), 4(4)(b), (c) and (d), 4(6)(b) and (c), 4(7)(b), 4(12), 9(1)(a) and (f) and 9(3) Part III of Zoning By-law No. 438-86, as amended, 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", shall apply to prevent the erection and use of a *mixed-use building* containing *dwelling units* and *non-residential* uses on the *lot* provided that:
  - (1) the *lot* is comprised of those lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
  - (2) the combined *residential gross floor area* and *non-residential gross floor area* on the *lot* does not exceed 9,900 square metres;
  - (3) the total *residential gross floor area* on the *lot* does not exceed 8,500 square metres;
  - (4) the total *non-residential gross floor area* on the *lot* is not less than 1,000 square metres;
  - (5) A maximum of 96 *dwelling units* is located on the *lot*;
  - (6) the following non-residential uses are permitted on the *lot*:
    - (i) *artist's or photographer's studio*;
    - (ii) *bake shop*;
    - (iii) *branch of a bank or financial institution*;
    - (iv) *caterer's shop*;

- (v) *clinic;*
- (vi) *commercial parking garage;*
- (vii) *commercial school;*
- (viii) *communications and broadcasting establishment;*
- (ix) *community or social agency;*
- (x) *courier service;*
- (xi) *cultural and arts facilities;*
- (xii) *custom workshop;*
- (xiii) *data processing establishment;*
- (xiv) *designer's studio;*
- (xv) *dry-cleaning shop and dry-cleaning distribution station;*
- (xvi) *duplicating shop;*
- (xvii) *newsstand;*
- (xviii) *office;*
- (xix) *performing arts studio;*
- (xx) *place of assembly;*
- (xxi) *personal grooming establishment;*
- (xxii) *premises of a charitable institution or non-profit institution;*
- (xxiii) *private art gallery;*
- (xxiv) *public art gallery;*
- (xxv) *publisher;*
- (xxvi) *restaurant and take-out restaurant;*
- (xxvii) *retail store;*
- (xxviii) *service, rental or repair shop;*

- (xxix) *showroom*;
  - (xxx) *software design and development establishment*;
  - (xxxii) *tailoring shop*; and
  - (xxxiii) *trade school*;
- (7) no portion of any *building* above finished ground level shall be located other than wholly within the areas delineated by heavy lines on Map 2, attached to and forming part of this By-law, with the exception of the following, which may extend from the heavy lines if they remain within the *lot* boundaries:
- (i) cornices, light fixtures, awnings, canopies, window washing equipment, ornamental elements, parapets, landscape features, trellises, eaves, window sills, vents, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheel chair ramps and underground garage ramps and associated structures, and
  - (ii) balconies to a maximum of 1.8 metres;
- (8) the maximum height above *grade* of any building or structure used or erected on the *lot* shall not exceed the *heights* above *grade* identified with the letter "H" in the areas delineated by heavy lines as shown on Map 2, except for:
- (i) a structure used for outside or open air recreation, safety or wind protection purposes, elements of a green roof, a chimney stack, vent or flue, window washing equipment, ornamental elements, canopies, landscaping elements, privacy walls, trellises, parapets, stairs, stair enclosures, guardrails, railings, and heating, cooling, electrical and ventilating equipment, to a maximum of 2.1 metres above the applicable *height* limits;
- (9) a minimum of 83 parking spaces are provided and maintained on the *lot* for the exclusive use of residents of the *dwelling units* with the exception that a maximum of 37 of the required 83 *parking spaces* may be provided and maintained on the adjacent lands at 345, 347 and 349 Carlaw Avenue;
- (10) a minimum of 25 *parking spaces* shall be provided and maintained in a *parking garage* or *commercial parking garage* to serve the non-residential uses on the *lot* and visitors to the *dwelling units* on the *lot* on a non-exclusive basis, and notwithstanding the definitions of *residential gross floor area* and *non-residential gross floor area* in s. 2(1) of By-law No. 438-86, as amended, the floor area of such *parking garage* or *commercial parking garage* shall be excluded from the calculation of *residential gross floor area* and *non-residential gross floor area*;
- (11) a *loading space - type G* may be provided off-site on the adjacent lands at 345, 347 and 349 Carlaw Avenue; and

- (12) a minimum of 120 square metres of indoor *residential amenity space* shall be provided and maintained on the *lot* in a multipurpose room or rooms at least one which contains a kitchen and a washroom.
2. For the purposes of this By-law, each word or expression that is italicized shall have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended except for the following:
- (1) "*grade*" shall mean 83.5 metres Canadian Geodetic Datum.
3. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
4. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot* as well as the buildings and structures on the *lot*.
5. Within the lands delineated by heavy lines on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (1) 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
- (2) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on June 13, 2014.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



