

Authority: Toronto and East York Community Council Item TE4.4, as adopted by City of Toronto Council on March 31, April 1 and 2, 2015

CITY OF TORONTO

BY-LAW No. 391-2015

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 47-55 St. George 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*;

The Council of the City of Toronto enacts:

1. Map 10 in Section 12(2)310 of By-law No. 438-86 is to be replaced with Map 2 attached to and forming part of this By-law.
2. None of the provisions of Section 2 respecting *grade* and Sections 4(2)(a), 4(5)(i)(ii), 4(8), 4 (10)(d), 4(17)(a), 12(2)309, 12(3)310(a)(1)(a), 12(2)310(a)(3), 12(2)310(a)(4), 12(2)310(b) 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 or use of a non-residential building on the *lot* provided that:
 - (a) The *lot* on which the building is to be located comprises the lands delineated by heavy line on Map 1, attached to and forming part of this By-law;
 - (b) The maximum *non-residential gross floor area* shall not exceed 15,250 square metres;
 - (c) A minimum of 50 *parking spaces* shall be provided and maintained on the *lot*;
 - (d) Of the 50 parking referenced in 2(c) above, a maximum of 6 *parking spaces* may be *small car parking spaces*;
 - (e) Two *Type B loading spaces* shall be provided and maintained on the *lot*;
 - (f) Ingress and egress to and from the parking facilities shall be accessible by a driveway having a minimum width of 3.0 metres, for one way operation;
 - (g) The *height* of any building or structure, or portion thereof, including mechanical penthouse, does not exceed the *height* limits as indicated by the numbers following the symbol H on the attached Map 2, with the exception of the following:
 - i. Parapet walls shall be permitted to exceed the *height* as shown on Map 2, provided that the maximum vertical dimension of any such element does not exceed 1.0 metre; and

- ii. Equipment or structures or parts of the building that are used for the functional operation of the building, including stair towers, elevator shafts, chimney stacks or other heating, cooling or ventilating equipment, solar equipment, or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements shall be permitted to exceed the *height* as shown on Map 2, provided that the maximum vertical dimension of any such element does not exceed the *height* by more than 3.0 metres.
 - (h) No portion of any building or structure erected and used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on Map 2 attached to and forming part of this By-law, save an except a pedestrian bridge as shown on Map 2.
3. For the purposes of this By-law:
 - (a) *grade* shall mean 107.30 metres Canadian Geodetic Datum;
 - (b) *small car parking space* shall have a minimum dimension of 2.6 metres wide by 4.8 metres long; and
 - (c) each other word or expression that is italicized shall have the same meaning as such word or expression as defined in By-law No. 438-86, as amended.
4. Within the lands shown 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:
 - (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.
5. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole *lot* as if no severance, partition or division occurred.
6. 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 on April 2, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



