

Authority: Toronto and East York Community Council Item TE7.13, as adopted by City of Toronto Council on July 7, 8 and 9, 2015

CITY OF TORONTO

BY-LAW No. 769-2015

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 622 and 646 Kingston Road.

Whereas authority is given to Council of the City of Toronto has the authority to pursuant to 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 Section 4(2), 4(4), 4(6)(c), 4(12), 4(16), 6(3) Part I, 6(3) Part II, 6(3) Part III, of 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 and to prohibit certain buildings and structures in various areas of the City of Toronto", shall apply to prevent the erection and use of a *residential building* on the *lot* provided:
 - (1) The *lot* consists of those lands delineated by the heavy lines on Map 1 attached to and forming part of this By-law;
 - (2) No portion of any *building* or structure to be erected or used on the *lot* can extend beyond the lines delineated by the heavy lines on Map 3 attached to and forming part of this By-law;
 - (3) The hatched area shown on Map 2 of this By-law shall only be used for flood or erosion control, storm water management and conservation works;
 - (4) Despite subsection (2) of this By-law, eaves, cornices, lighting fixtures, window sills, landscape planters, trellises, stairs, stair enclosures, railings, awnings, canopies and other minor architectural projections can project more than 0.45 metres beyond the heavy lines on Map 3;
 - (5) Despite subsection (2) of this By-law, balconies can project not more than 1.8 metres beyond the heavy lines on Map 3 on the north, south, and east elevations of the *building* but shall not project beyond the *lot lines* on Map 1;
 - (6) The *height* of the building on the *lot* shall not exceed the maximum *height* permitted as indicated by the letter "H" as shown on Map 3 attached to and forming part of this By-law;

- (7) Despite subsection (6) of this By-law, parapets, lighting fixtures, fences, safety railings, stairs, stair enclosures, terraces, landscape planters, trellises or privacy screens can project beyond the *height* permitted provided the *height* of the fence, safety railing or privacy fence does not exceed 2.0 metres beyond the *height* stipulated on Map 3;
 - (8) A maximum of 58 *dwelling units* is permitted on the *lot*;
 - (9) The maximum *residential gross floor area* of the building on the *lot* will not exceed 5,610 square metres;
 - (10) *Parking spaces* will be provided in the following manner:
 - i. A minimum of 0.5 *parking spaces* for each one-bedroom *dwelling unit*, 0.7 *parking spaces* for each two-bedroom *dwelling unit*, and a minimum of 1.1 *parking spaces* for each three-bedroom *dwelling unit* to be provided on the *lot*;
 - ii. A minimum of 15 visitor *parking spaces* will be provided at the *mixed-use building* known municipally in the year 2014 as 663 and 691 Kingston Road, and available for mutual use by the *apartment building* known municipally in the year 2014 as 622 and 646 Kingston Road and the *mixed-use building* known municipally in the year 2014 as 663 and 691 Kingston Road;
 - (11) A minimum of 36.0 square metres of indoor *residential amenity space* will be provided on the *lot* and available for mutual use with the *mixed-use building* known municipally in the year 2014 as 663 and 691 Kingston Road;
 - (12) For the purposes of this By-law, the terms set forth in italics shall have the same meaning as such terms have for the purposes of By-law No. 438-86 as amended except that the following definitions shall apply:
 - i. "*City*" means the City of Toronto;
 - ii. "*grade*" means 123.5 metres Canadian Geodetic Datum;
 - iii. "*height*" means the vertical distance between *grade* and the highest point of the *building* shown on Map 3.
2. 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:
- (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 July 9, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)





