

Authority: Toronto and East York Community Council Item TE7.12, as adopted by City of Toronto Council on July 7, 8 and 9, 2015

## **CITY OF TORONTO**

### **BY-LAW No. 784-2015**

#### **To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 663 and 691 Kingston Road.**

Whereas authority is given to Council of the City of Toronto 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(3)(a), 4(4)(b), 4(6)(b), 4(12), 4(14)(A)(iii), 4(16), 8(2) 5, 8(3) Part I, 8(3) Part II, 8(3) Part IV 2, 8(3) Part XI 2(i), and 8(3) Part XI 2(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 *mixed-use 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) Within the hatched area shown on Map 2, the only uses permitted are two *dwelling units* in a *mixed-use building*, an underground *parking garage*, and the vehicular access;
  - (3) Amend Appendix A, Maps 54H-312 to rezone the portion of the *lot* shown within the heavy lines on Map 1 of this By-law from MCR T2.0 C0.5 R1.0 and R4 Z1.0 to MCR T2.0 C0.5 R1.0;
  - (4) 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 and Map 4 attached to and forming part of this By-law;
  - (5) Despite subsection (3) 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 no more than 0.45 metres beyond the heavy lines on Map 3 and Map 4;
  - (6) Despite subsection (3) of this By-law, balconies can project not more than 1.8 metres beyond the heavy lines on Map 4 on the north, south, and west elevations of the *building*;

- (7) Despite (3) and (5) above, balconies are permitted to project not more than 2.25 metres beyond the heavy lines as shown on the south elevation of Map 4 for portions of the *building* above a *height* of 4.0 metres;
- (8) 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 4 attached to and forming part of this By-law;
- (9) Despite subsection (7) 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 4;
- (10) A maximum of 49 *dwelling units* is permitted on the *lot*;
- (11) The maximum *residential gross floor area* of the *building* on the *lot* shall not exceed 4,875 square metres;
- (12) The maximum *non-residential gross floor area* of the *building* on the *lot* shall not exceed 620 square metres;
- (13) No windows are permitted on the south elevation of the *building*, at a *height* exceeding 4.8 metres, unless a minimum setback of 3.5 metres is provided between the *main wall* of the *building* and the south *lot line*;
- (14) *Parking spaces* must be provided on the lot 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*;
  - ii. A minimum of 15 visitor *parking spaces* must be provided and available for mutual use with the *apartment building* known municipally in the year 2014 as 622 and 646 Kingston Road;
- (15) A minimum of 120 square metres of indoor *residential amenity space* must be provided on the *lot* and available for mutual use with the *apartment building* known municipally in the year 2014 as 622 and 646 Kingston Road;
- (16) 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 125.5 metres Canadian Geodetic Datum;

- iii. "*height*" means the vertical distance between *grade* and the highest point of the *building* shown on Map 4;
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)







