

Authority: Toronto and East York Community Council Item TE7.14, as adopted by City of Toronto Council on July 7, 8 and 9, 2015

CITY OF TORONTO

BY-LAW No. 800-2015

To amend former City of Toronto Zoning By-law No. 438-86, as amended, respecting the lands municipally known in the year 2015 as 873 to 907 Kingston Road and 218 and 220 Balsam Avenue.

Whereas Council of the City of Toronto has the authority 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), 4(12), 4(16), 8(3) Part I, 8(3) Part II, and 8(3) Part IV 2 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 an *mixed use building* on the *lot* provided:
 - (1) the *lot* consists of those lands delineated by the heavy black broken lines on Map 1 attached to and forming part of this By-law;
 - (2) amending Appendix A, Maps 54H-313 to rezone the portion of the *lot* shown within the heavy black broken lines on Map 1 of this By-law from R1Z0.6 to MCR T2.0 C1.0 R1.5;
 - (3) no portion of any building or structure to be erected or used on the *lot* shall extend beyond the lines delineated by the heavy lines on Map 2 and heavy black broken lines on Map 3 attached to and forming part of this By-law;
 - (4) despite subsection (3) herein, eaves, cornices, lighting fixtures, window sills, landscape planters, trellises, stairs, stair enclosures, railings, awnings, canopies and other minor architectural projections shall be permitted to project no more than 0.45 metres beyond the heavy lines on Map 2;
 - (5) despite subsection (3) herein balconies are permitted to project not more than 1.8 metres beyond the heavy lines on Map 2 on the north elevation of the building and within the area above the loading space on the south elevation;
 - (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 2 attached to and forming part of this By-law;

- (7) despite subsection (6) herein, parapets, lighting fixtures, fences, safety railings, stairs, stair enclosures, terraces, landscape planters, trellises or privacy screens shall be permitted to 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 2;
- (8) a maximum of 93 dwelling units shall be permitted on the *lot*;
- (9) the maximum residential gross floor area of the building on the *lot* shall not exceed 10,400 square metres;
- (10) the maximum non-residential gross floor area of the building on the *lot* shall not exceed 4,450 square metres and the non-residential gross floor area shall be for a Y.M.C.A. and accessory uses;
- (11) Parking spaces will be provided in the following manner on the site:
 - i. A minimum of 0.5 parking spaces for each bachelor or one-bedroom unit dwelling unit and a minimum of 0.75 parking spaces for each dwelling unit containing two or more bedrooms;
 - ii. No exclusive parking spaces are required for visitors of the dwelling units or the non-residential use; and
 - iii. A minimum of 61 commercial parking spaces shall be provided and maintained within the commercial parking garage;
- (12) Despite Section 4(17) of By-law No. 438-86, the minimum dimensions for the commercial parking spaces to be provided and maintained within the commercial parking garage shall have a minimum length of 5.2 metres, provided they are accessed by a drive aisle having a width of 7.0 metres or more;
- (13) Despite Section 4(17) of By-law No. 438-86, two of the parking spaces may be no less than 2.6 metres in width, 5.6 metres in length and 2.0 metres in height while obstructed on one side;
- (14) One loading space must be provided on the lot in accordance with the following:
 - i. A minimum length of 13.0 metres;
 - ii. A minimum width of 4.0 metres; and
 - iii. A minimum vertical clearance of 6.1 metres over at least the first 8.0 metres of the loading, space measured from the entrance to the loading space, and a vertical clearance of at least 4.3 metres over the balance of the loading space;
- (15) 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:

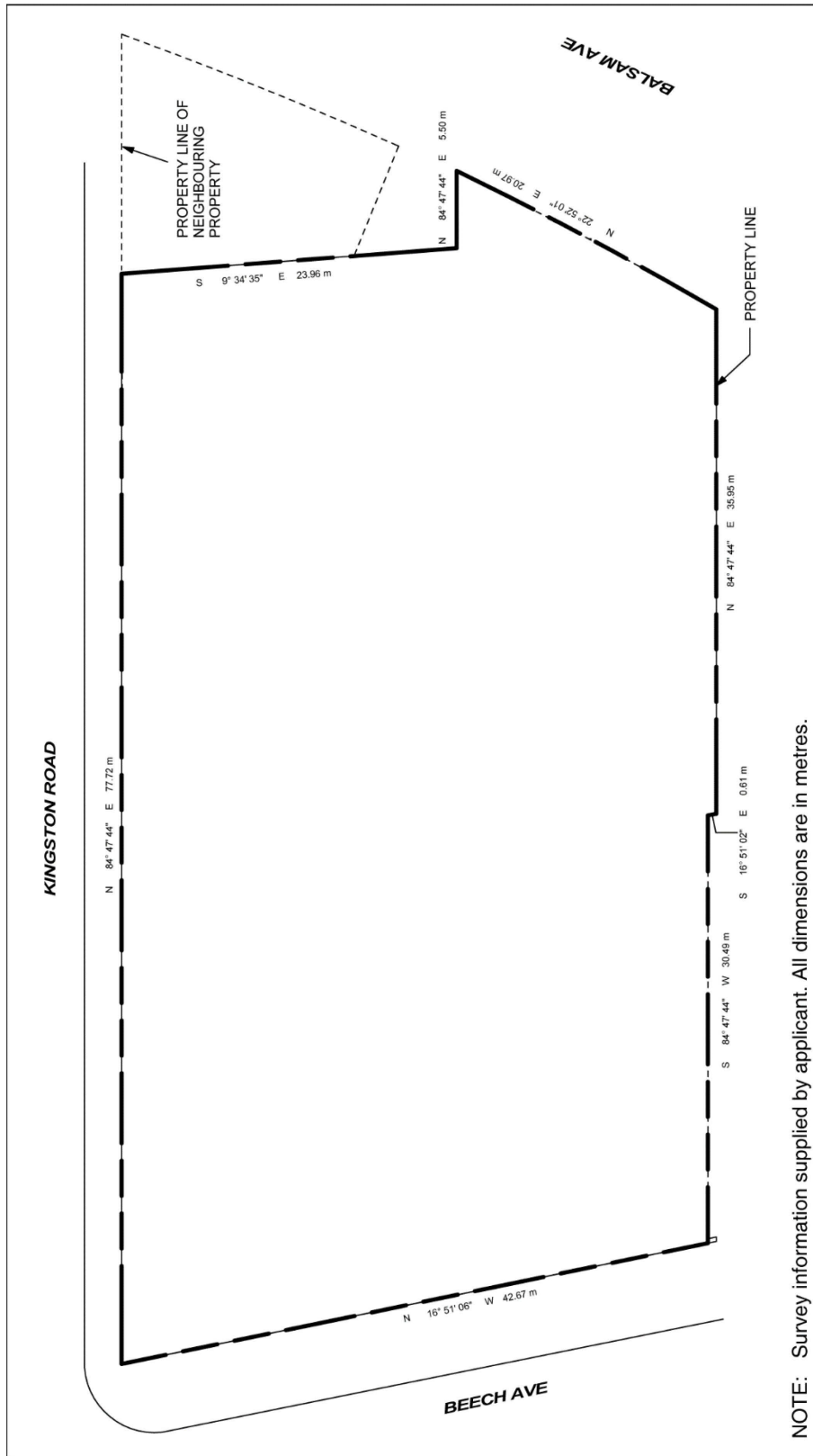
- i. "City" means the City of Toronto;
 - ii. "grade" means 128.725 metres Canadian Geodetic Datum;
 - iii. "height" means the vertical distance between grade and the highest point of the building roof shown on Map 2 and Map 3;
 - iv. "commercial parking spaces" means a parking space within a commercial parking garage that is operated and/or owned by the Toronto Parking Authority of the City;
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)



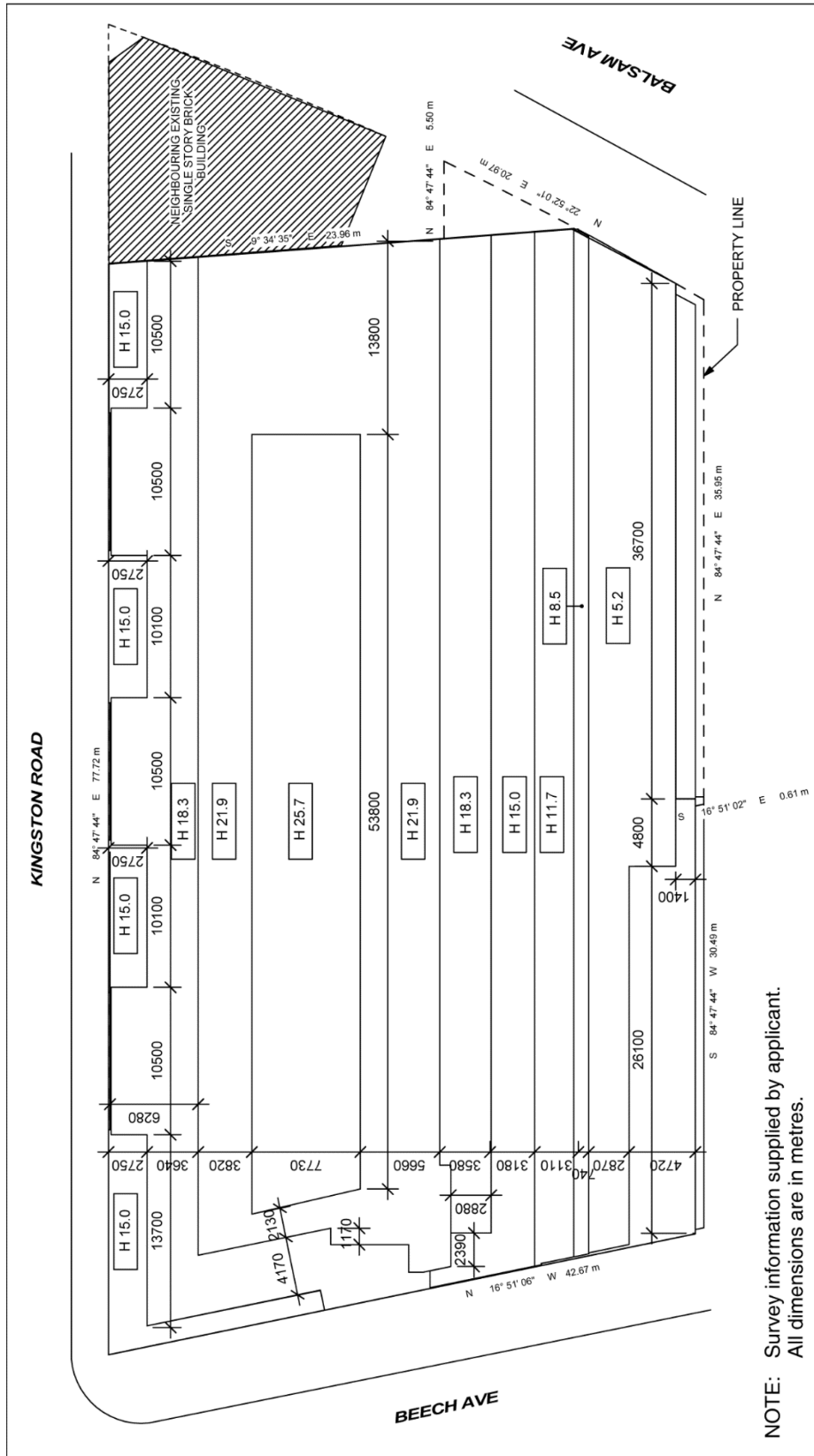
873 & 907 Kingston Road
218 & 220 Balsam Avenue

File # 13 279638 STE 32 0Z

Map 1



Not to Scale
 06/08/2015



NOTE: Survey information supplied by applicant.
All dimensions are in metres.



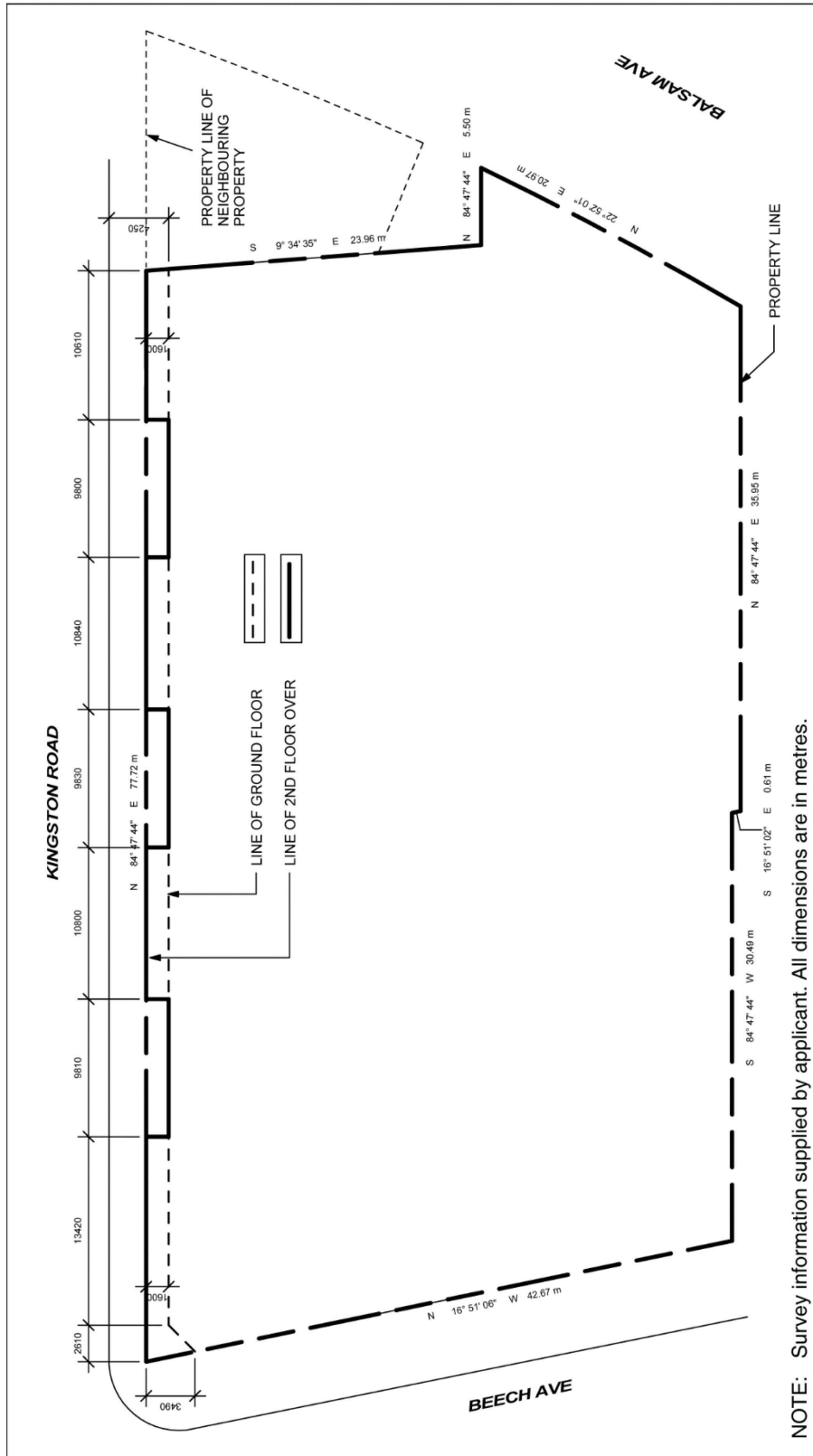
873 & 907 Kingston Road
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Map 2



Not to Scale
06/082015



Toronto City Planning

873 & 907 Kingston Road
218 & 220 Balsam Avenue

Map 3

File # 13 279638 STE 32 0Z



Not to Scale
06/082015