

Authority: Toronto and East York Community Council Item TE16.3, as adopted by City of Toronto Council on June 7, 8 and 9, 2016

## CITY OF TORONTO

### BY-LAW No. 765-2016

#### **To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2015 as 178R Ossington 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. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
2. None of the provisions of Sections: 2(1) with respect to "*lot*" and "*bicycle parking space - occupant*", 4(4), 4(6), 4(7), 4(10), 4(13), 4(14), 6(1), 6(3), 6(3) Part II 2, 3, 4, 5 and 6; 6(3) Part III 2; 6(3) Part IV 1(a), 8(3) Part IV 1, 8(3) Part IV 1; 8(3) Part IV 1 8(3) Part XI 2; 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 non-residential use of the *lot*:
  - (a) The *lot* is comprised of those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
  - (b) In addition to the uses permitted by Section 6(1), the following additional uses are permitted within the building which existed on the *lot* on January 1, 2016:
    - (i) *artist's or photographer's studio*;
    - (ii) *custom workshop*;
    - (iii) *bake-shop*;
    - (iv) *caterer's shop*;
    - (v) *custom workshop*;
    - (vi) *office*;
    - (vii) *performing arts studio*;
    - (viii) *private art gallery*; and
    - (ix) *public art gallery*;
  - (c) In addition to the uses permitted in 2(b) above, a *restaurant and take-out restaurant* are permitted within the building which existed on the *lot* on January 1, 2016 provided:

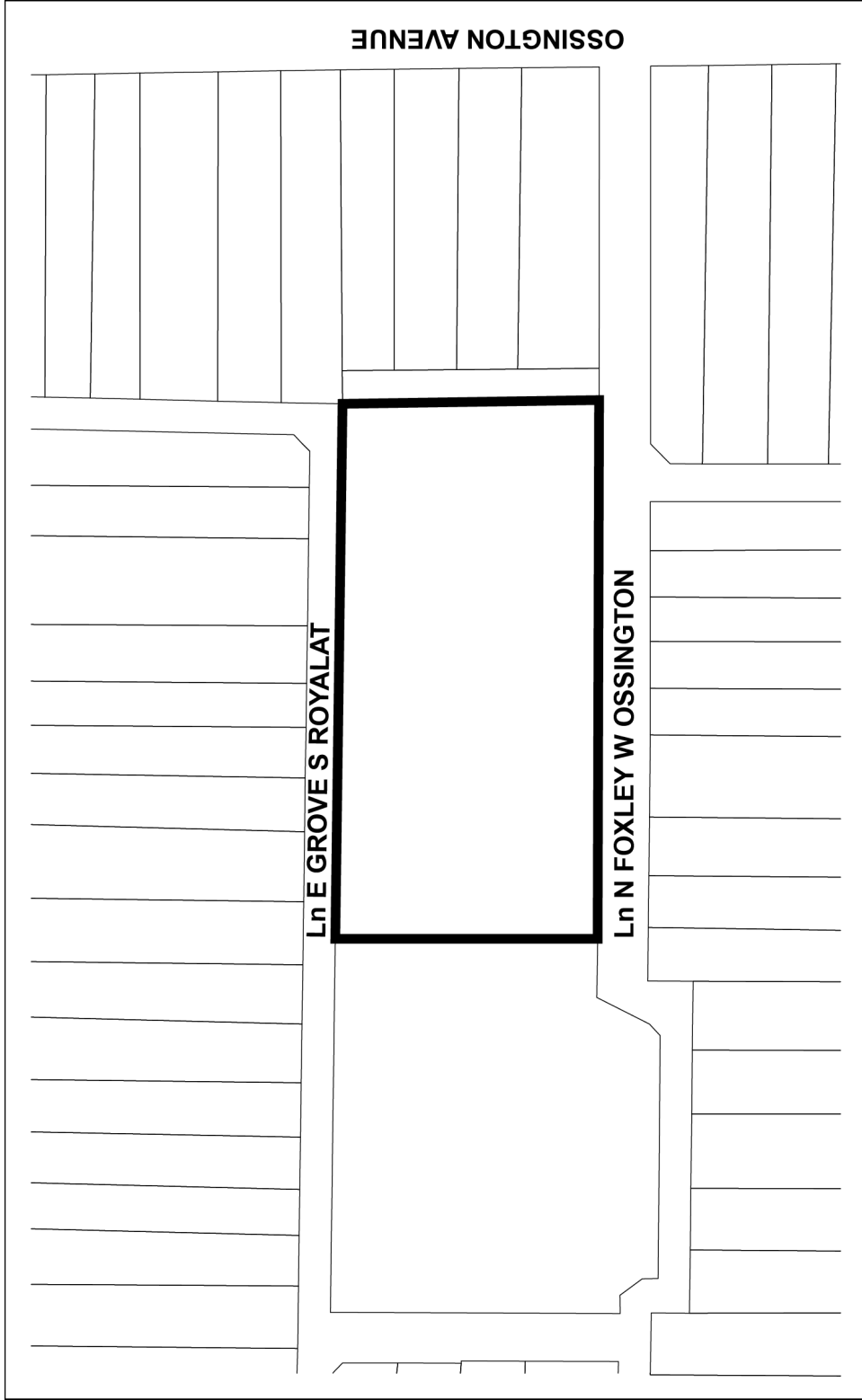
- (i) the total *non-residential gross floor area* of the *restaurant and take-out restaurant* does not exceed 75 square metres; and
  - (ii) the *restaurant* or *take-out restaurant* is accessible only from the interior of the existing building;
- (d) An outdoor patio that is used for commercial purposes is not permitted on the *lot*;
  - (e) No *landscaped open space, open space* or amenity space is required on the *lot*;
  - (f) In total, a minimum of 3 *parking spaces*, of which 1 *parking space* shall be accessible, shall be provided for any or all of the *non-residential uses* of the *lot*;
  - (g) A minimum of two *loading spaces - type "C"* shall be provided on the *lot*; and
  - (h) A minimum of 11 *bicycle parking spaces* shall be provided for the *non-residential use* of the *lot*, to consist of:
    - (i) a minimum of 4 *bicycle parking spaces - occupant* provided on the *lot*; and
    - (ii) a minimum of 7 *bicycle parking spaces - visitor* provided on the *lot*.
3. Despite any other provision of By-law No. 438-86, no person shall use any land or erect or use any building or structure on the *lot* unless all water mains and sanitary sewers, and appropriate appurtenances have been installed and are operational.
4. Definitions:
- For the purposes of this By-law, each word or expression that is italicized in this By-law shall have the same meaning as each such word or expression as defined by the said By-law No. 438-86, as amended, except for the following:
- (a) "*bicycle parking space - occupant*" means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, but the bicycle rack is not located in a secured room or area; and
  - (b) "*lot*" means the whole of the lands delineated by the heavy line on Map 1, attached to and forming part of this By-law.

Enacted and passed on July 15, 2016.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



 **Toronto**  
**Map 1**

**178R Ossington Avenue**

File # 15 167325 STE 19 0Z



City of Toronto By-Law 438-86  
 Not to Scale  
 04/21/2016