

Authority: Toronto and East York Community Council Item TE26.10, as adopted by City of Toronto Council on October 2, 3 and 4, 2017

CITY OF TORONTO

BY-LAW 1049-2017

To amend former City of Toronto Zoning By-law 438-86, as amended, and to amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in 2016 as 125 The Esplanade.

Whereas authority is given to Council pursuant to Section 39 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended to adopt 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. For the purposes of this By-law, the *lot* or **lot** is the land outlined by heavy black lines on Diagram 1 attached to and forming part of this By-law.
2. Former City of Toronto Zoning By-law 438-86, as amended, is amended as follows:
 - a) Notwithstanding the provisions of Sections 4(5), 4(8) and 5(1) of Zoning By-law 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 buildings and structures in various areas of the City of Toronto”, nothing shall prevent the use of the *lot* as a *retail store, restaurant, showroom or community centre*, provided that:
 - i. The maximum height of any building or structure shall not exceed 11 metres measured to the peak of the roof; and
 - ii. The maximum *gross floor area* on the *lot* shall not exceed 1.0 times the area of the *lot*.
 - b) Parking and loading spaces shall not be required for any of the uses permitted in 2(a) above.
3. Zoning By-law 569-2013, as amended, is amended as follows:
 - a) Despite the provisions of Section 90.10 of Zoning By-law 569-2013, as amended, nothing prevents the use of the **lot** for a **retail store, eating establishment, showroom or community centre**, if:
 - i. The maximum height of any **building or structure** does not exceed 11.0 metres measured to the highest point on the building; and
 - ii. The maximum **gross floor area** on the **lot** does not exceed 1.0 times the area of the lot.

- b) Despite the provisions of Sections 200.5.10.1(1) and 220.5.10.1 of Zoning By-law 569-2013, as amended, **parking spaces** and **loading spaces** are not required for any of the uses permitted in Section 3 above.
4. Zoning By-law 569-2013, as amended, is amended as follows:
- Regulation 900.40.10 (210), being Exception O 210, is amended by adding under the heading 'Prevailing By-laws and Prevailing Sections' a new regulation (C) so that it reads:
- (C) On 125 The Esplanade, Section 3 of By-law 1049-2017 applies for a period of 3 years from October 4, 2017.
5. This By-law shall be in effect for a period of 3 years from the date of this by-law.

Enacted and passed on October 4, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

