

Authority: Local Planning Appeal Tribunal pursuant to its
Decision issued on January 11, 2019 and Order issued
August 21, 2020 in Case File PL171395

CITY OF TORONTO

BY-LAW 961-2020(LPAT)

To amend City of Toronto By-law 438-86, as amended, with respect to lands municipally known in the year 2020 as 1285 Queen Street East.

Whereas the Local Planning Appeal Tribunal pursuant to its decision and order PL171395 issued on January 11, 2019 and August 21, 2020, upon hearing the appeal of Queen Leslie Developments under Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, deems it advisable to amend the former City of Toronto Zoning By-law 438-86 with respect to the lands municipally known in the year 2017 as 1285 Queen Street East;

The Local Planning Appeal Tribunal orders that By-law 438-86, the General Zoning By-law of the former City of Toronto as amended, is further amended as follows:

1. Except as otherwise provided herein, the provisions of former City of Toronto By-law 438-86, as amended, shall continue to apply to the lot.
2. None of the provisions of Section 2 with respect to the definitions of *grade* and *height*, *green roof*, *bicycle parking space – occupant*, *bicycle parking space – visitor*, *residential gross floor area*, and *non-residential gross floor area* and or sections 4(2)(a), 4(3), 4(4), 4(6)(B) 4(12), 4(13), 4(17) 8(3) Part I 1, 2 and 3, 8(3) Part II 1(B)(i)(ii), 8(3) Part II 4(a) and (c)(i) and (iii) and 12(2) 270(a) of By-law 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" apply to prevent the erection and use of a mixed-use building on the lot, provided that:
 - (a) the lot comprises the lands delineated by heavy black lines on Map 1, attached hereto and forming part of this by-law;
 - (b) the total combined *residential gross floor area* and *non-residential gross floor area* shall not exceed 7,300 square metres, provided:
 - (i) the total *residential gross floor area* shall not exceed 6,500 square metres; and
 - (ii) the total *non-residential gross floor area* shall not exceed 800 square metres.
 - (c) the height of any building or structure, or portion thereof, erected above *grade* within the *lot* shall have a maximum height in metres as shown following the 'H' symbol on Map 2, attached hereto and forming part of this by-law; with the exception of the following;

- (i) Eaves, cornices, lighting fixtures, ornamental elements, vents, insulation, thermal and moisture protection up to a maximum 0.45 metres;
 - (ii) Architectural features up to a maximum 3.00 metres;
 - (iii) Parapets up to a maximum 0.90 metres;
 - (iv) Planters and guardrails up to a maximum of 1.20 metres;
 - (v) Screens, elements of a green roof, exhaust flues, lighting rods, window washing equipment up to 3.00 metres;
 - (vi) Mechanical penthouse, including indoor amenity area and associated structures up to a maximum of 5.0 metres; and
 - (vii) Elevator enclosures and overruns within the area shown on Map 2 to a maximum of 6.0 metres.
- (d) no portion of a building or structure erected or used above grade is located otherwise than wholly within the areas delineated by heavy lines on Map 2, attached hereto and forming part of this By-law; with the exception of the following:
- (i) Eaves, cornices, lighting fixtures, ornamental elements, vents, insulation, thermal and moisture protection up to a maximum 0.45 metres;
 - (ii) Awnings and canopies;
 - (iii) Architectural features, columns or structural supports up to a maximum of 2.30 metres;
 - (iv) Emergency egress corridor up to a maximum 1.0 metres;
 - (v) Balconies up to a maximum 2.20 metres excluding east and west setbacks; and
 - (vi) Stairwells and landscape planters up to a maximum 1.20 metres.
- (e) parking spaces shall be provided on the and maintained on the lot in accordance with the following:
- (i) 37 parking spaces shall be required for residents, which shall have a minimum width of length of 5.6 metres, width of 2.6 metres and height of 2.0 metres;
 - (ii) notwithstanding Section 2(f)(i) of this By-law, three parking spaces may have a reduced length of 4.6 metres and a width of 2.6 metres;
 - (iii) no parking shall be required for residential visitors;

- (iv) no parking shall be required for non-residential uses; and
- (v) 1 accessible parking space shall be provided and may be located further than the shortest route from a passenger elevator that provides access to the first storey of the building.
- (f) Bicycle parking spaces shall be provided and maintained on the *lot* as follows, and may be located outdoors or indoors, within all levels of the building including within a secured room or enclosure or on a wall associated with a vehicle *parking space* in the form of a bicycle rack or *stacked bicycle parking space*:
 - (i) a minimum of 63 bicycle parking spaces – long term;
 - (ii) a minimum of 7 bicycle parking spaces – short term; and
 - (iii) no bicycle parking spaces shall be required on the lot for non-residential uses.
- (g) the minimum dimensions of a bicycle parking space placed in a horizontal position are:
 - (i) minimum length of 1.8 metres;
 - (ii) minimum width of 0.5 metres; and
 - (iii) minimum vertical clearance from the ground of 1.9 metres.
- (h) the minimum dimensions of a *bicycle parking space* placed in a vertical position on a wall, structure or mechanical device are:
 - (i) minimum length or vertical clearance of 1.9 metres;
 - (ii) minimum width of 0.5 metres; and
 - (iii) minimum horizontal clearance from the wall of 1.2 metres.
- (i) the minimum dimensions of a *bicycle parking space* parked in a bicycle rack or in a stacked manner are:
 - (i) minimum vertical clearance for each bicycle parking space is 1.20 metres.
- (j) One *loading space type – G* and one *loading space type – B* are required on the *lot*, which may be in the form of one shared loading space.
- (k) *residential amenity space* shall be provided and maintained on the *lot* as in accordance with the following requirements:
 - (i) a minimum of 2.0 square metres of outdoor residential amenity space shall be provided per *dwelling unit*, which may be provided in a location which is not directly accessible to the indoor amenity space; and

- (ii) a minimum of 2.0 square metres of indoor *residential amenity space* shall be provided per *dwelling unit*.
- (l) for the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86, as amended, with the exception of the following:
- (i) "*grade*" means an elevation of 77.61 metres Canadian Geodetic Datum;
 - (ii) "*height*" means the height of land outlined by heavy lines on Map 1 attached to and forming part of this By-law;
 - (iii) "*lot*" means those lands outlined by heavy lines on Map 1 attached hereto and forming part of this By-law; and
 - (iv) "*green roof*" shall mean an extension to a building's roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in compliance with the Toronto Green Roof Construction Standard set out in Chapter 492 of the City of Toronto Municipal Code;
 - (v) "*bicycle parking space – long term*" means an area that is equipped with a bicycle rack, caged locker or bicycle stacker for the purpose of parking and securing bicycles for residents;
 - (vi) "*bicycle parking space – short term*" means an area that is equipped with a bicycle rack, caged locker or bicycle stacker for the purpose of parking and securing bicycles for visitors;
 - (vii) "*non-residential gross floor area*" shall mean the sum of the total area of each floor level of a building, that is solely for non-residential uses, above and below the ground, measured from the exterior of the main wall of each floor level, exclusive of any areas in a building or structure used for:
 - i. Parking, loading and bicycle parking below grade;
 - ii. Loading spaces at the ground level and *bicycle parking spaces* at or above grade;
 - iii. Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms below grade;
 - iv. Shower and change facilities required by this By-law for required *bicycle parking spaces*;
 - v. *Residential amenity space* required by this By-law;
 - vi. Elevator shafts;
 - vii. Garbage shafts;

- viii. Mechanical penthouse; and
 - ix. Exit stairwells in the building.
- (viii) "*residential gross floor area*" shall mean the sum of the total area of each floor level of a building, that is solely for residential uses, above and below the ground, measured from the exterior main wall of each floor level, exclusive of any areas in a building or structure used for:
- i. Parking, loading and bicycle parking below grade;
 - ii. *Loading spaces* at the ground level and *bicycle parking spaces* at or above grade;
 - iii. Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms below grade;
 - iv. Shower and change facilities required by this By-law for required bicycle parking spaces;
 - v. *Residential amenity space* required by this By-law;
 - vi. Elevator shafts;
 - vii. Garbage shafts;
 - viii. Mechanical penthouse; and
 - ix. Exit stairwells in the building.

- 3.** Despite any future severance, partition or division of the lands as shown on Map 1, the provisions of this exception shall apply as if no severance, partition or division has occurred.

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