

CITY OF TORONTO

BY-LAW 457-2021

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2020 as 364 Huron Street.

Whereas authority is given to Council by 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 2(1) with respect to the definitions of *grade*, *height* and *lot*, and Sections 4(2), 4(5), 4(8), 4(11), and 6(3) Part I, II, III, and IX 1(b), 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", as amended, shall apply to prevent the erection or use of a *mixed-use building* and a *laneway suite* on the *lot* provided that:
 - a. the *lot* consists of those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - b. the maximum combined *residential gross floor area* and *non-residential gross floor area* shall not exceed 430 square metres, provided:
 - i. the *non-residential gross floor area* shall not exceed 270 square metres; and
 - ii. the *residential gross floor area* located within the *laneway suite* shall be excluded from the total *gross floor area* of the *lot*;
 - c. in addition to the uses permitted by Section 6(1) of By-law 438-86, as amended, the following additional uses are also permitted, provided that they are located only in the *mixed-use building*:
 - i. *bake-shop, caterer's shop, office, patio, restaurant and take-out restaurant.*

- d. a minimum of 70 percent of the area between the rear main wall of the *mixed use building* and the front main wall of the *laneway suite* shall be for *soft landscaping*;
 - e. the *height* of any building or structure or portion thereof does not exceed the *height* limit specified by the numbers following the symbol "H", shown on Map 2, with the exception of the following:
 - i. canopies and covered outdoor bicycle parking spaces, up to a maximum *height* of 4.0 metres;
 - ii. railings, trellises and solar panels, up to a maximum *height* of 2.5 metres; and
 - iii. antennae and parapets, up to a maximum *height* of 0.7 metres;
 - f. no portion of any building or structure erected on the *lot* and used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2, except for the following:
 - i. canopies, covered outdoor bicycle parking spaces and railings may extend beyond the heavy lines by 2.0 metres; and
 - ii. eaves, cornices, window sills, chimneys, lighting fixtures, parapets and architectural elements may extend beyond the heavy lines by 0.3 metres;
 - g. no portion of the *laneway suite* may penetrate a 45 degree angular plane projected towards the rear lot line beginning from a *height* of 4.0 metres at a distance of 7.5 metres from rear main wall of the *mixed-use* building on the same lot;
 - h. despite g. above, a dormer or a vertical extension of the front main wall of an the *laneway suite* may project into the required angular plane if it occupies no more than 30 percent of the total width of the *laneway suite's* front main wall and windows or skylights may project into the required angular plane by a maximum of 0.3 metres;
 - i. zero *parking spaces* shall be provided on the *lot*;
 - j. a minimum of 8 *bicycle parking spaces – visitor* shall be provided on the *lot*; and
 - k. the provisions of the By-law shall continue to apply to the lands shown on Map 1 attached hereto, notwithstanding their division into one or more parcels.
2. Except as otherwise provided herein, the provisions of By-law 438-86 shall continue to apply to the site.
3. For the purposes of this By-law, all italicized words and expressions have the same meaning as defined in By-law 438-86, as amended, with the exception of the following:

- a. *"grade"* shall mean an elevation of 110.41 metres Canadian Geodetic Datum for a *mixed-use building* on the *lot* and 110.51 metres Canadian Geodetic Datum for an *laneway suite* on the *lot*;
 - b. *"height"* shall mean the vertical distance between *grade* and the upper limit specified by the numbers following the symbol "H" as shown on Map 2, attached to and forming part of this By-law, except for those elements prescribed by this By-law;
 - c. *"laneway suite"* shall mean a self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite and is in an ancillary building abutting a lane; and
 - d. *"lot"* shall mean the parcel of land outlined by heavy lines on Map 1 attached to and forming part of this By-law.
4. 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:
- a. 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
 - b. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on June 9, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



