

Authority: Toronto and East York Community Council
Item TE26.6, as adopted by City of Toronto Council on
July 14, 15 and 16, 2021
City Council voted in favour of this by-law on February 8,
2023
Written approval of this by-law was given by Mayoral
Decision 2-2023 dated February 8, 2023

CITY OF TORONTO

BY-LAW 129-2023

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known as 73 Queen's Park Crescent East.

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. Section 12(2)310 of Zoning By-law 438-86, as amended, is further amended by deleting from paragraph (b)(2) the number "175" and substituting the number "160".
2. None of the provisions of Section 2(1) with respect to the definition of *grade*, *height*, and *lot*, and Sections 4(2)(a), 4(5), 4(8), 8(3) Part I, 12(2)309, 12(2)310(a) and 12(2)310(b)(2) of Zoning By-law 438-86, 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 and use of a *non-residential building* on the *lot*, provided that:
 - a. the *lot* on which the building is to be located comprises at least those lands within the heavy line on Map 1, attached to and forming part of this By-law;
 - b. the maximum *non-residential gross floor area* shall not exceed 7,100 square metres;
 - c. no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on Map 2, attached to and forming part of this By-law, except for cornices, canopies, awnings, skylights, ornamental elements, trellises, lighting fixtures, balconies, fences, landscape planters and seating areas, retaining walls, stairways and railings, which may extend beyond the heavy lines by 3.0 metres;
 - d. the *height* of any building or structure to be erected shall not exceed the *height* limit, in metres, specified by the numbers following the symbol "H", shown on Map 2, attached to and forming part of this By-law, except for the following;

- i. the structures, elements and enclosures set out in 2.c. above, up to a maximum *height* of 3.0 metres;
 - ii. parapets, railings, roof drainage, thermal insulation and roof ballast terraces, terraces, terrace or balcony guards and dividers, planters, stairs, stair enclosures, walls or structures enclosing such elements and railings, up to a maximum *height* of 1.5 metres; and
 - iii. window washing equipment, stair towers, elevator enclosures, elevator overruns, partitions, landscape elements, green roof elements, lighting fixtures, vents, flues, pipes, access roof hatch, outdoor furniture, heating, cooling or ventilating equipment or a fence, and structures located on the roof used for outside or open air recreation, safety or wind protection purposes, up to a maximum *height* of 5.0 metres.
 - e. the portion of any building or structure erected above *grade* within the hatched area identified and shown on Map 2, attached to and forming part of this By-law, shall have:
 - i. a minimum setback of 10.0 metres from the property line of the *lot* adjacent to the frontage of Queen's Park Crescent (East Branch) up to a *height* of 4.0 metres above *grade*;
 - ii. a minimum setback of 8.0 metres from the property line of the *lot* adjacent to the frontage of Queen's Park Crescent (East Branch) from a *height* of 4.0 metres above *grade* up to a *height* of 20.0 metres above *grade*; and
 - iii. a minimum setback of 10.5 metres from the property line of the *lot* adjacent to the frontage of Queen's Park Crescent (East Branch) from a *height* of 20.0 metres above *grade*.
 - f. zero *parking spaces* shall be provided on the *lot*;
 - g. a minimum of 90 *bicycle parking spaces - visitor* shall be provided on the *lot*;
 - h. any building or structure erected above *grade* or below *grade* on the lands shown on Map 1, attached to and forming part of this By-law, shall maintain a minimum setback of 3.0 metres from all TTC infrastructure; and
 - i. the provisions of the By-law shall continue to apply to the lands shown on Map 1, attached to and forming part of this By-law, notwithstanding their division into one or more parcels.
3. For the purpose 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 438-86, as amended, except that the following definitions shall apply:
- a. "*grade*" shall mean 111.5 metres Canadian Geodetic Datum;

- 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; and
 - c. "*lot*" shall mean the lands delineated 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.

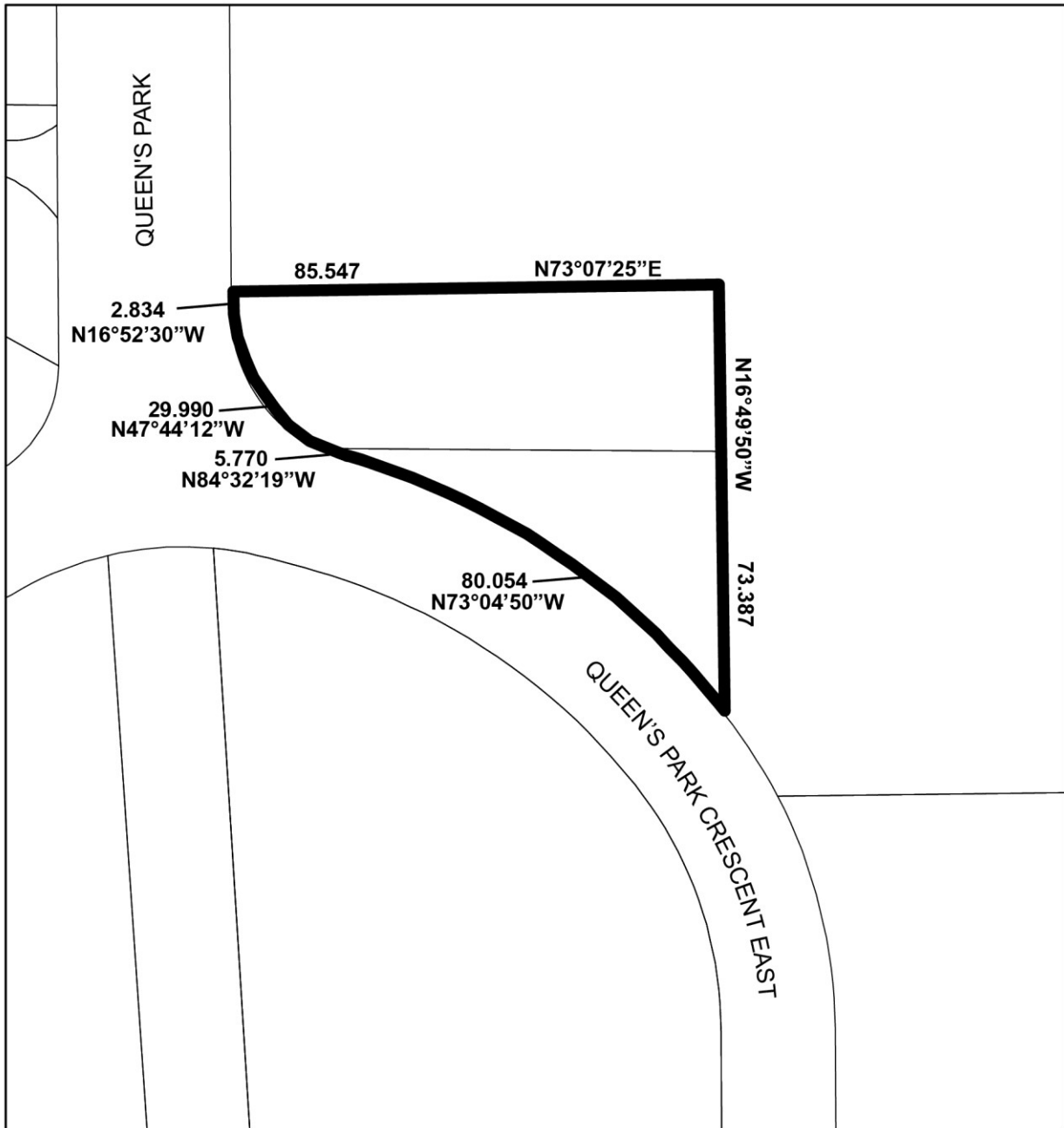
Enacted and passed on February 8, 2023.

Frances Nunziata,
Speaker

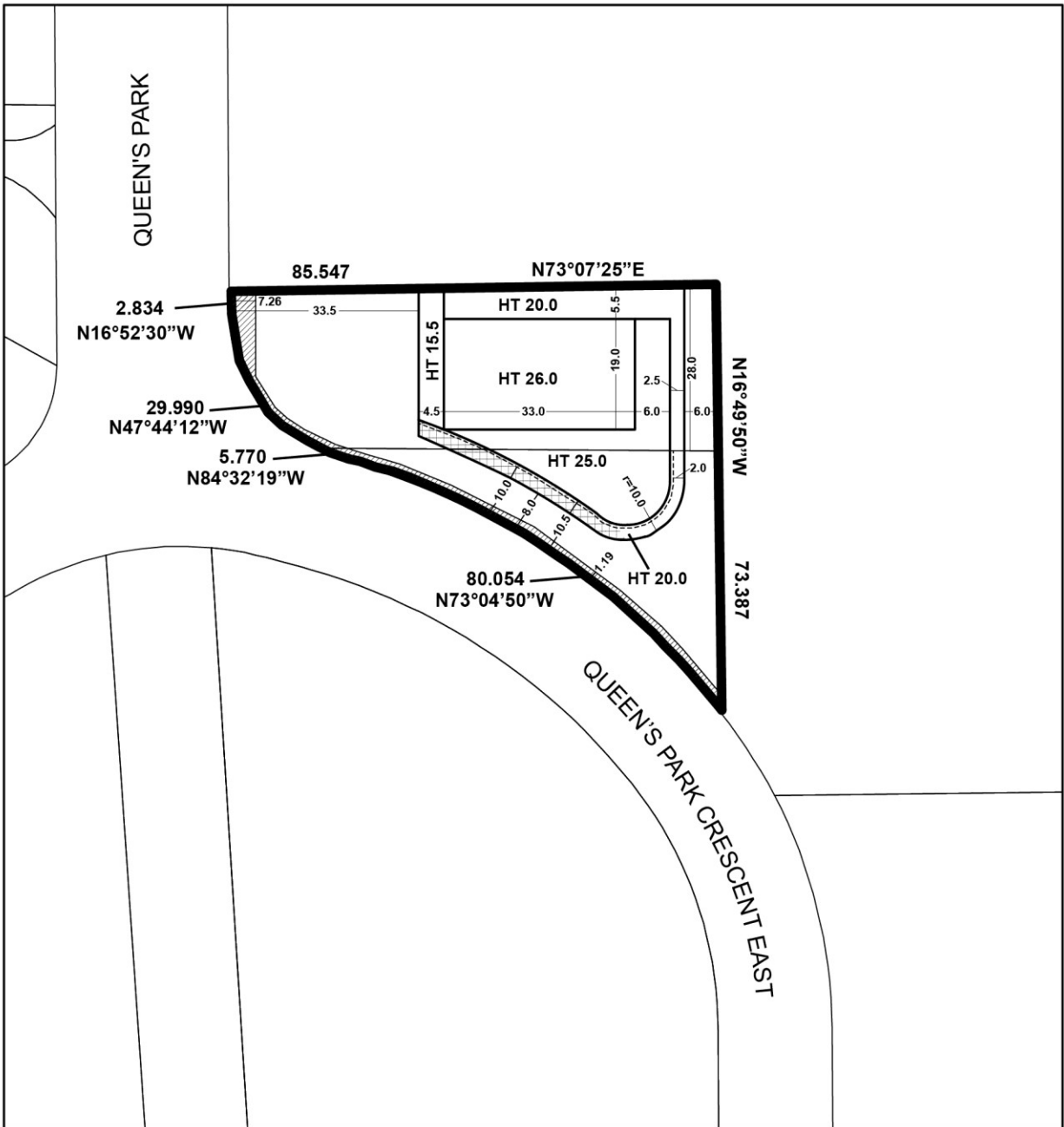
John D. Elvidge,
City Clerk


(Seal of the City)


Map 1



Map 2



 Area of road widening to be conveyed to the City of Toronto

 Minimum Setbacks are referred to in 2(e) of this by-law