

Authority: Toronto and East York Community Council
Item TE34.27, as adopted by City of Toronto Council on
July 19, 20, 21 and 22, 2022
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 158-2023

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2021 as 215 Wellesley Street East.

Whereas Council of the City of Toronto has the authority to 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. None of the provisions of Section 2 with respect to the definition of "*grade*", "*height*" "*lot*", and "*residential care facility*", Sections 4(2), 4(5), 4(8), 4(10), 4(12), 4(13), 6(1)(f)(a), 6(1)(f)(b), and 6(3), 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 land and other matters relating to buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of the lands known municipally as 215 Wellesley Street East for a *mixed-use building* provided:
 - (a) The *lot* consists of the lands delineated by heavy lines on Map 1 attached hereto and forming part of this by-law;
 - (b) The total aggregate *residential gross floor area* and *non-residential gross floor area* on the *lot* shall not exceed 2060 square metres, of which:
 - i. the *non-residential gross floor area* for an *office* shall not exceed 220 square metres and shall be located on the first *storey*; and
 - ii. the *residential gross floor area* shall not exceed 1840 square metres;
 - (c) No portion of any building or structure erected or used above *grade* shall be located otherwise wholly within the areas delineated by heavy lines on the attached Map 2, with the exception of the following:
 - i. a south-facing balcony located at the third *storey* above *grade*, to a maximum of 2.0 metres measured from the rear wall to which it is attached; and

- ii. a north-facing terrace located at the fifth *storey* above *grade*, to a maximum of 12.4 metres measured from the front wall to which it is attached;
- (d) No portion of any building or structure erected or used above *grade* shall exceed the permitted maximum *height* in metres specified by the numbers following the symbol "HT" as shown on Map 2 attached hereto, except:
 - i. parapets, guard rails, safety railings, trellises, and wind screens, up to 2.0 metres above the height limits shown on Map 2;
- (e) Equipment or structures such as electrical, utility, and mechanical and ventilation equipment, stairs, roof access and maintenance, equipment storage, and any structures that enclose, screen or cover such elements, must be located within the area identified as "Area 'A'" on Map 2 attached hereto;
- (f) A *residential care facility* is permitted within a *mixed-use building* with no minimum required distance between another *residential care facility* or *crisis care facility*;
- (g) *Residential amenity space* shall be provided in accordance with the following:
 - i. A minimum of 84 square metres of outdoor *residential amenity space*, which does not need to be adjoining or directly accessible from indoor *residential amenity space*; and
 - ii. No indoor *residential amenity space* is required;
- (h) The required minimum *landscaped open space* on the *lot* shall be no less than 58 square metres;
- (i) *Parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
 - i. A minimum of 1 *parking space* for the *residential care facility*;
 - ii. No *parking spaces* are required for an *office*; and
 - iii. No *parking spaces* are required for residents or visitors of *dwelling units* in a *mixed-use building*;
- (j) No loading spaces are required on the *lot*;
- (k) *Bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
 - i. a minimum of 6 *bicycle parking spaces* – *visitor*; and

- ii. no *bicycle parking spaces - occupant* are required for residents of *dwelling units* or offices on the *lot*;
 - (l) A driveway having a width of 3.0 metres and providing access to a *mixed-use building* is permitted;
2. For the purposes 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* means 110.00 metres Canadian Geodetic Datum;
 - (b) *Height* means the vertical distance between *grade* and the highest point of the roof, building or structure, exclusive of any elements described in 1(d) herein;
 - (c) *Lot* means those lands outlined on Map 1 attached hereto;
 - (d) *Residential Care Facility* means a supervised living accommodation that may include associated support services and:
 - i. is licensed or funded under Province of Ontario or Government of Canada legislation;
 - ii. is for persons requiring semi-independent or supervised group living arrangements; and
 - iii. is for more than ten persons, exclusive of staff.
3. Despite any future severance, partition, or division of the *lot*, the provisions of this By-law shall apply as if no severance, partition or division had occurred.
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 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)



