

Authority: Toronto and East York Community Council
Item TE6.6, as adopted by City of Toronto Council on July
19 and 20, 2023
City Council voted in favour of this by-law on July 20,
2023
Written approval of this by-law was given by Mayoral
Decision 8-2023 dated July 20, 2023

CITY OF TORONTO

BY-LAW 771-2023

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 as 125 The Esplanade.

Whereas authority is given to Council by Section 39 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 as follows:

1. For the purposes of this By-law, the *lot* or **lot** shall consist of the lands 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;
 - (ii) The maximum *gross floor area* on the *lot* shall not exceed 1.0 times the area of the *lot*; and
 - (B) Parking and loading spaces shall not be required for any of the permitted uses 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 will prevent 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 3(a) 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 (by-law number to be inserted) applies for a period of 1 year from (date to be inserted).
5. This By-law shall be in effect for a period of 1 year from the date of the passing hereof.

Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

