

CITY OF TORONTO

BY-LAW No. XXXX-2020

To amend the City of Toronto By-law No. 438-86, as amended, with respect to lands municipally known in the year 2020 as 234-250 King Street East and 162 Princess Street.

WHEREAS authority is given to Council under 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 HERBY ENACTS 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 Sections 2(1) with respect to the definition of *grade*, *gross floor area*, *height*, *storey* and *lot*, Sections 4(2)(a), 4(5), 4(12), 4(13), 4(16), 4(17)(e), 8(3) Part I, 8(3) Part II, 12(2)132, 12(2)246 and 12(2)270, of Zoning By-law No. 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 building 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”, shall apply to prevent the use of the lands as outlined by heavy lines on Map 1 attached hereto for a *mixed-use building*, including *accessory* uses, provided that:
 - (a) the *lot* comprises of the lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - (b) the total of the *residential gross floor area* and *non-residential gross floor area* on the lot shall not exceed 33,950 square metres, provided:
 - (i) the maximum *residential gross floor area* shall not exceed 33,250 square metres;
 - (ii) the maximum *non-residential gross floor area* shall not exceed 630 square metres;
 - (c) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the heavy line on Map 2 attached hereto and forming part of this By-law, except for the following:

- (i) mechanical penthouse may project up to a maximum of 2.0 metres above the height limits shown on Map 2;
 - (ii) glass feature strips and associated structures for support, mechanical equipment, lightning rods, wind screens, elevator overruns, window washing equipment, chimneys, vents, pergolas, eaves, screens, stairs, stair enclosures, and elements or structures on the roof used for open air recreation, safety and wind protection purposes may project to a maximum of 3.0 metres above the height limits shown on Map 2;
 - (iii) fences and safety railings, trellises, privacy screens, balcony and terrace dividers, and roof access hatches may project to a maximum of 3.0 metres above the height limits shown on Map 2;
 - (iv) balustrades, guard rails, parapets, awnings, railings, green roof elements, and dividers, pergolas, eaves, screens, stairs, stair enclosures, roof drainage, window sills, window washing equipment, chimneys, vents, terraces, light fixtures, landscaping, may project to a maximum of 3.0 metres above the height limits shown on Map 2;
- (d) the *height* of any building to be erected shall not exceed those heights, in metres, following the symbol “H”, shown on Map 2 attached hereto with the exception of the following elements:
- (i) balconies and terraces may extend beyond the heavily lines shown on Map 2 by a maximum horizontal projection of 2.0 metres;
 - (ii) ornamental elements, parapets, pillars, trellises, eaves, and window sills may extend beyond the heavily lines shown on Map 2 by a maximum horizontal projection of 1.0 metres;
 - (iii) cornices, light fixtures, landscape features, patios, decks, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and underground garage ramps and associated structures may extend beyond the heavy lines shown on Map 2 by a maximum horizontal projection of 1.0 metres;
- (e) *Residential amenity space* for each *dwelling unit* shall be provided in accordance with the following minimums:

- (i) A minimum of 2.2 square metres of indoor *residential amenity space* for each *dwelling unit*; and
 - (ii) A minimum of 1 square metres of outdoor *residential amenity space* for each *dwelling unit*;
- (f) *Parking spaces* for *mixed-use building* shall be provided and maintained on the *lot* in accordance with the following:
- (i) a minimum of 82 *parking spaces* shall be provided for the use of residents;
 - (ii) a minimum of 31 *parking spaces* will be provided for the use of visitors;
 - (iii) no *parking spaces* are required for retail uses;
 - (iv) a minimum of 6 *parking spaces* shall be barrier free;
 - (v) a minimum of 2 *parking spaces* will be provided for car share;
- (g) *Visitor parking spaces* may be used for commercial purposes and may include a fee.
- (h) Despite requirements of Section 4(17) of By-law 438-86 respecting minimum *parking space* dimensions, three (3) compact car *parking spaces* are permitted as follows:
- (i) width of 2.44 metres; and
 - (ii) length of 4.88 metres.
- (i) A *parking space* accessed by a one-way or two-way drive aisle having a minimum width of 6.0 metres or more and obstructed on one or two sides shall have the following minimum dimensions:
- (i) length – 5.6 metres;
 - (ii) width – 2.6 metres; and
 - (iii) vertical clearance – 2.0 metres;
- (j) *Bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
- (i) A minimum of 441 long-term *bicycle parking spaces* for the use

of the residents shall be provided;

(ii) A minimum of 49 short-term *bicycle parking spaces* for the shared use of residents and visitors shall be provided;

(k) One *loading space - Type C* and one *loading space Type G* shall be provided and maintained on the *lot*.

3. For the purposes of this By-law, each word or expression that is italicized in this By-law shall have the same meaning as each word or expression as defined in the said By-law No. 438-86, as amended, except for the following:

(i) "*grade*" means 82.5 metres Canadian Geodetic Datum;

(ii) "*lot*" means the lands outlined by heavy lines on Map 1 attached to this By-law;

(iii) "*height*" means the vertical distance between *grade* and the highest point of the roof of any building on the *lot*, except for those elements prescribed by this By-law;

(iv) "*gross floor area*" means the area in an *apartment building* reduced by the area in the building used for: parking, loading, bicycle parking below-ground, required loading spaces at the ground level and required bicycle parking spaces at or above-ground, storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement, indoor amenity space, elevator shafts, garbage shafts, mechanical penthouse and exist stairwells in the building;

(v) "*storey*" means the portion of a building that is between the top of a floor and the top of the floor next above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it; and for the purpose of this by-law a mezzanine does not constitute a *storey*;

4. No person shall use any land or erect or use any building or structure on the *lot* 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.

5. 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 occurred.

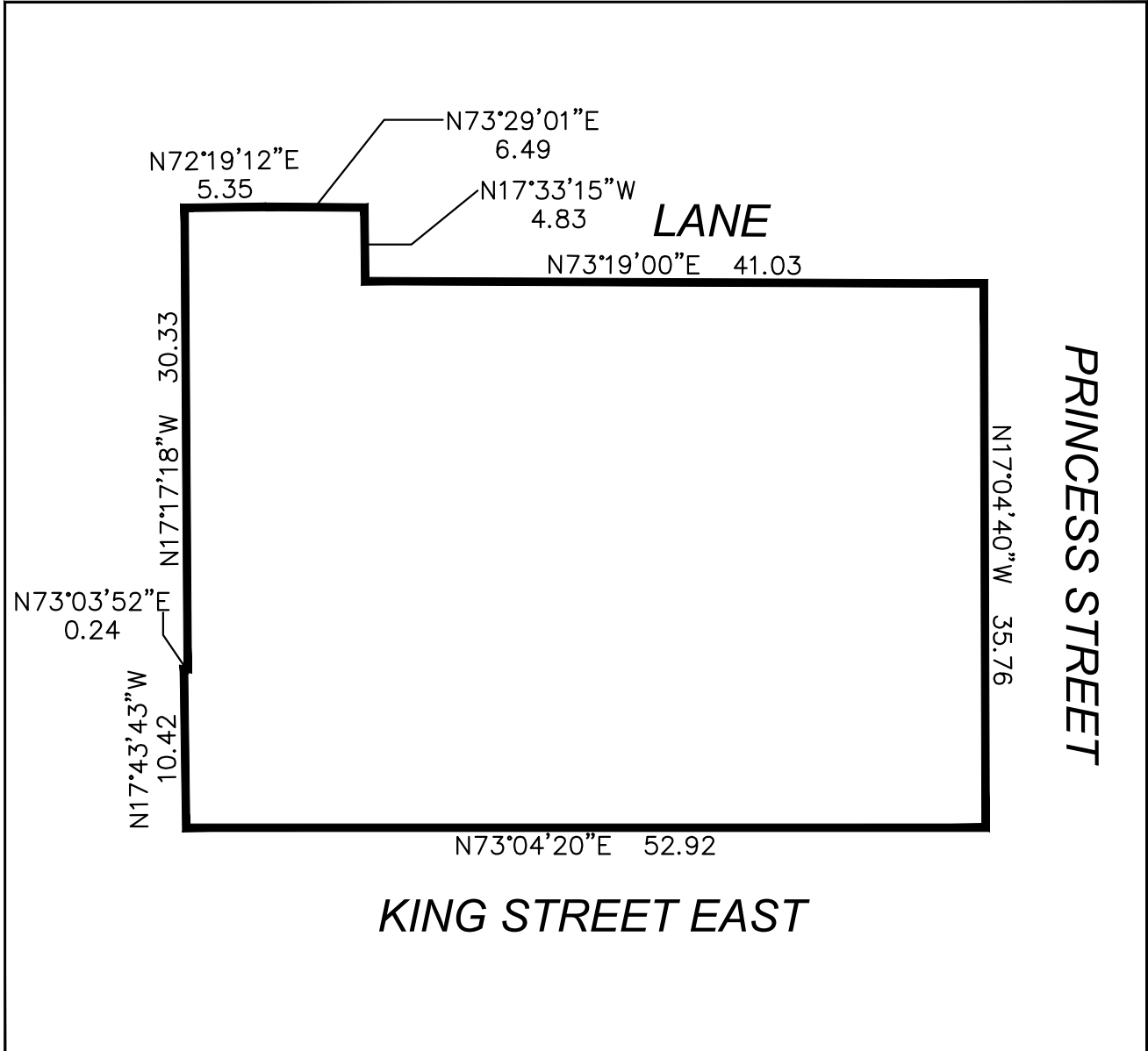
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Seal of the City)

Draft



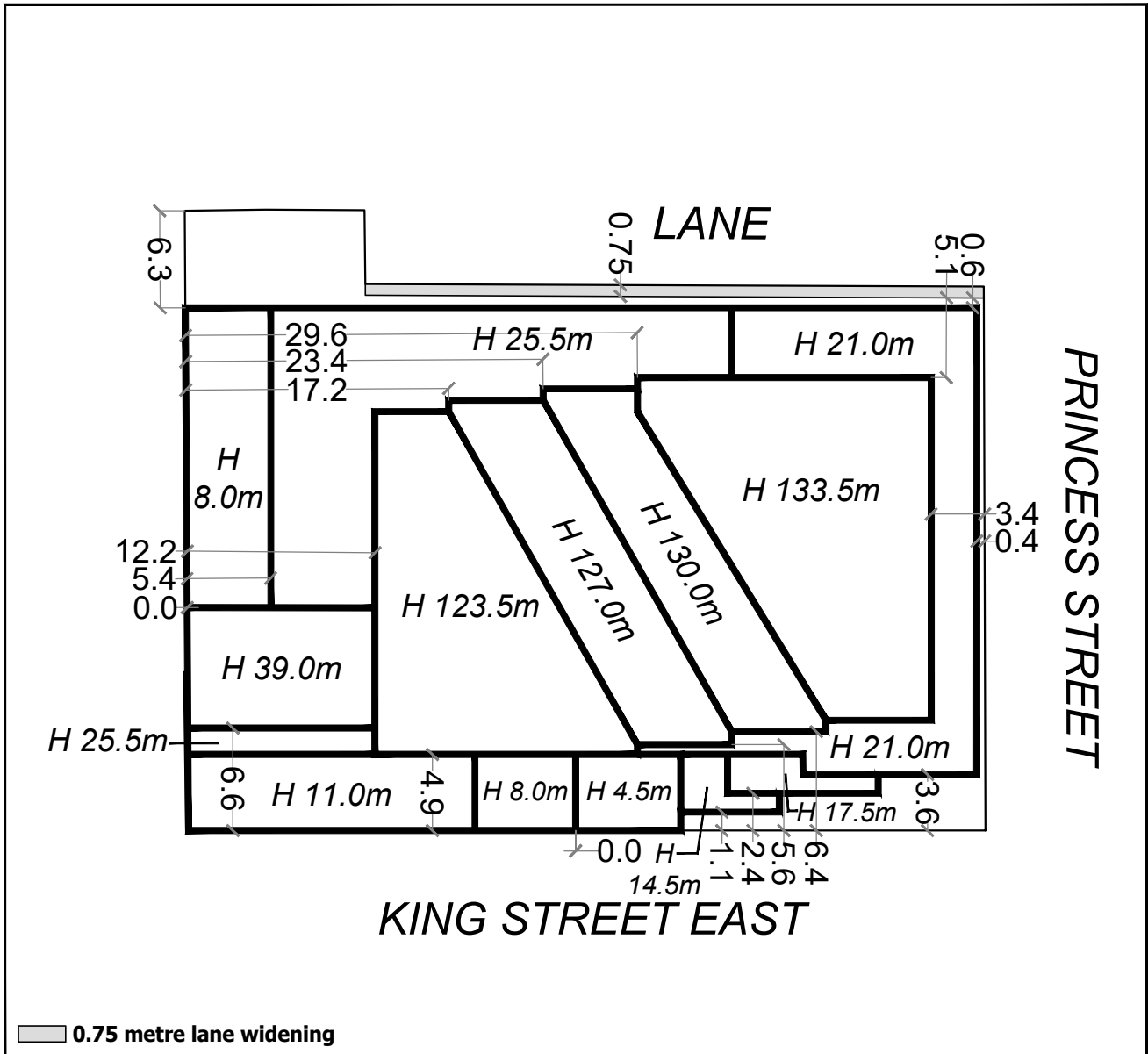
234-250 King Street East and 162 Princess Street, Toronto

Map 1

File #20 _____



Not to Scale



234-240 King Street East and 162 Princess Street, Toronto

Map 2

File #20 _____



Not to Scale