

## CITY OF TORONTO

### Bill 1173

### BY-LAW -2019

#### **To amend the Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2019 as 502 Adelaide Street West and 119-123 Portland Street.**

Whereas Council of the City of Toronto has the authority 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. The lands subject to this By-law are outlined by heavy black lines on Map 1 attached to this By-law.
2. Except as otherwise provided herein, the provisions of By-law 438-86, as amended, shall continue to apply to the *site*.
3. None of the provisions of Section 2 with respect to the definition *lot*, *grade*, and *height* and Sections 4(2), 4(5), 4(8), 4(10), 4(12), 4(13)(c)(d), 4(16), 4(17)(a)(e), 7(2)(1), 7(3)Part II (1)(3), 12(2)246(a)(e), 12(2)380 of Zoning By-law 438-86, as amended, 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* containing dwelling units and non-residential uses on the *lot*, provided that:
  - a. the *lot* comprises those lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
  - b. no portion of any building or structure shall be constructed outside of the building envelope depicted in a solid heavy line on Map 1 attached to and forming part of this By-law;
  - c. the total combined *gross floor area* on the *lot* depicted on Map 1 shall not exceed 9,800 square metres of which:
    - i. The total residential gross floor area shall not exceed 9,500 square metres; and
    - ii. The total non-residential gross floor area shall not exceed 300 square metres;

- d. any applications under Section 34 and/or Section 45 of the Planning Act seeking further increases to the *gross floor area* so that the total combined *gross floor area* for the lot is greater than 10,000 square metres will be subject to a community benefit contribution as per Section 37 of the Planning Act;
- e. a maximum of 123 *dwelling units* shall be provided on the lot;
- f. a minimum of 20 percent of all *dwelling units* provided on the *lot* shall have 3-*bedrooms*;
- g. no part of any building or structure erected or used on the *lot* shall exceed the *height* limits shown in metres and specified by the numbers following the letter H in the areas delineated by heavy lines on Map 2 attached to and forming part of this By-law;
- h. despite subsection (g) the following elements may be permitted to project vertically beyond the height limits specified on Map 2 attached to and forming part of this By-law:
  - i. Eaves, cornices, parapets, guardrails, balcony guards, railings, or balustrades to a maximum of 1.5 metres;
  - ii. Balcony dividers to a maximum of 2.0 metres;
  - iii. Window washing equipment;
  - iv. Chimneys, vents ventilation shafts, lighting, lighting rods to a maximum of 1.5 metres;
  - v. Green roof elements and landscape features within "Area A" to a maximum of 1.5 metres; and
  - vi. pergolas, awnings, and windscreens only within Area A to a maximum of 3.0 metres and must be set back a minimum of 2.5 metres from the building envelop of Area A;
- i. no portion of any building or structure erected or used on the *lot*, above *grade* or above finished ground on the *lot*, shall be located other than wholly within areas delineated by the building envelope on Map 2, with the exception of the following:
  - i. Eaves, cornices, window frames or sills, light fixtures, railings, trellises, balustrades, vent caps, wheelchair ramps, outdoor fireplaces, and landscape features;
- j. a minimum of 4 square metres of indoor and outdoor *residential amenity space* must be provided per residential unit, of which:

- i. A minimum of 200 square metres of outdoor *residential amenity space* must be provided located either adjoining or directly accessible to the indoor *residential amenity space*, which may be located one level above the indoor *residential amenity space* and is directly accessible by a stairwell and elevator;
  - k. a minimum of 32 *parking spaces* shall be provided and maintained for all residential apartment units on the lot in accordance with the following ratios:
    - i. A minimum of 24 vehicle parking spaces for residents;
    - ii. A minimum of 8 vehicle parking spaces for visitors; and
    - iii. No parking spaces shall be required for non-residential uses;
  - l. the minimum dimensions of a *parking space*, with or without a fixed object within 0.3 metres of the side of the *parking space*, may have the following minimum dimensions:
    - i. Length of 5.6 metres;
    - ii. Width of 2.6 metres; and
    - iii. Vertical clearance of 2.0 metres,
  - m. *bicycle parking spaces* shall be provided and maintained on the lot as follows:
    - i. A minimum of 0.9 *bicycle parking spaces-occupant* shall be provided for every residential apartment unit on the lot within one level from grade on the lot; and
    - ii. A minimum of 0.1 *bicycle parking spaces-visitor* shall be provided for every residential apartment unit on the lot within one level from grade on the lot; and
  - n. a minimum of one loading space - Type G shall be provided on the lot.
4. None of the provisions of By-law 438-86, as amended, shall apply to prevent a temporary *sales office* on the *lot* as of the date of the passing of this By-law.
5. 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 such word or expression as defined by said By-law 438-86, as amended, except the following:
  - a. "*lot*" means the lands outlined by heavy lines on Map 1 attached to this By-law;
  - b. "*grade*" means the established grade at 89.20 metres Canadian Geodetic Datum;

- c. "*height*" shall mean the distance between *grade* and the highest point of the building; and
  - d. "*non-residential gross floor area*" and "*residential gross floor area*" shall have the same meanings as defined in Section 2(1) of By-law 438-86 except that the area of exit stairwells above or below grade shall also be excluded.
6. Notwithstanding any existing or future severance, partition or division of the lot, the provisions of this By-law shall apply to the whole of the lot as if no severance, partition or division occurred.
7. 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.

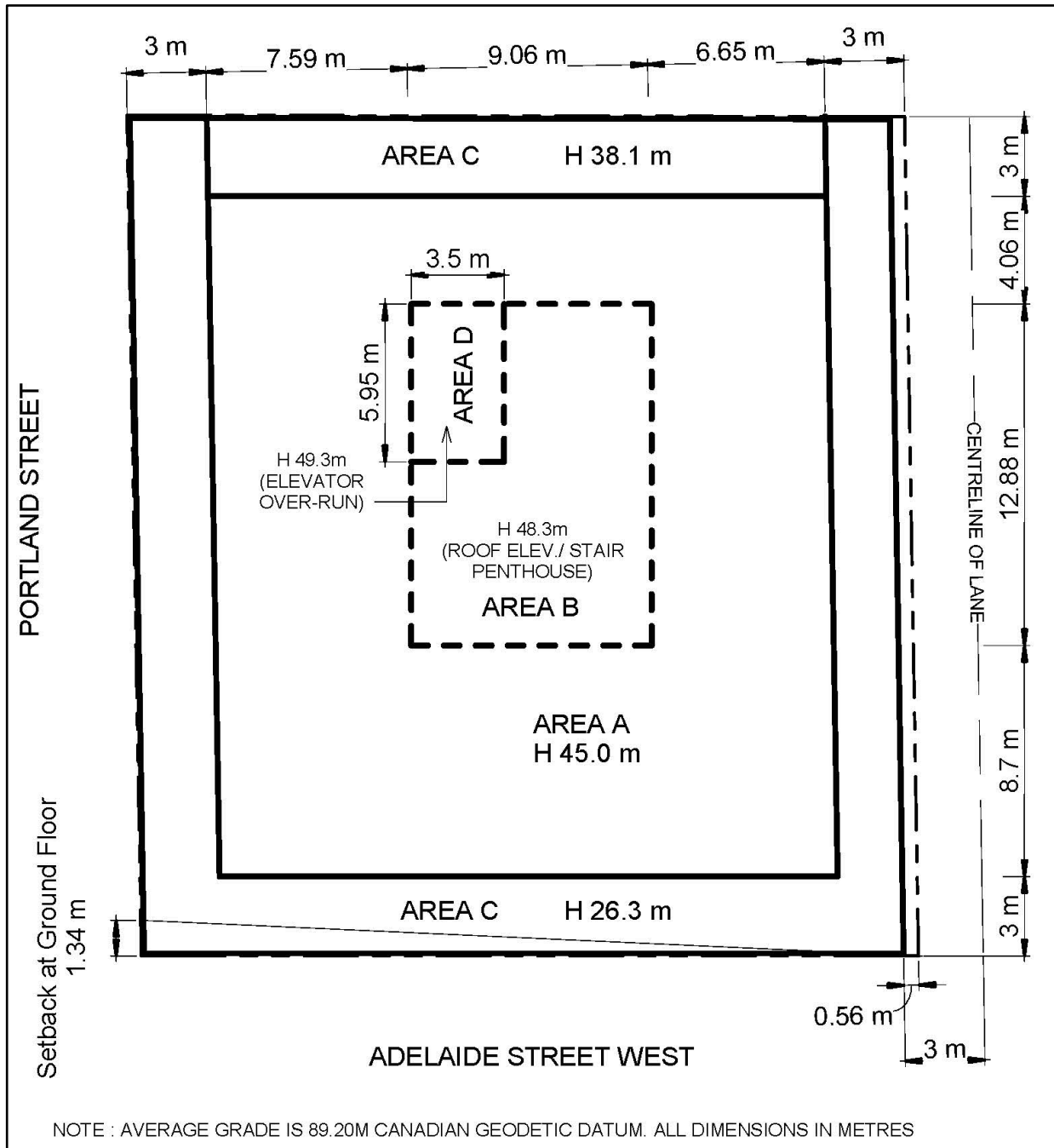
Enacted and passed on July , 2019.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)





**502 Adelaide Street West  
& 119-123 Portland Street**

File # 16 228717 STE 20 02