

Authority: Toronto and East York Community Council
Item TE34.51, adopted as amended, by City of Toronto
Council on July 19 and 20, 2022

CITY OF TORONTO

Bill 986

BY-LAW -2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 1684, 1698, 1700 and 1702 Queen 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; and

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to impose the holding symbol (H) and authority is given to Council to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of a holding (H) symbol with conditions in the zoning by-law; and

Whereas pursuant to Section 39 of the Planning Act, as amended, the Council of a Municipality may, in a By-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the By-law;

The Council of the City of Toronto enacts:

- 1.** The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
- 2.** The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
- 3.** Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: (H) CR 2.0(c1.0; r2.0) SS2 (x762) as shown on Diagram 2 attached to this By-law.
- 4.** Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA4, as shown on Diagram 3 attached to this By-law.

5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 12.0, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and and applying no value;
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following label to these lands: B3, as shown on Diagram 5 attached to this By-law;
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 762 so that it reads:

(762) Exception CR 762

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On 1684, 1698, 1700 and 1702 Queen Street East, as shown on Diagram 1 of By-law [Clerks to insert By-law ##], if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (AA) below;
- (B) For the purposes of this exception, the **front lot line** is the **lot line** abutting Queen Street East;
- (C) Despite Regulations 40.5.40.10(1) and 40.5.40.10(2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 80.56 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Regulation 40.5.40.70(1)(B) with respect to the minimum distance to the original centreline of a **lane** does not apply;
- (E) Despite Regulation 40.10.40.1(1), if a **lot** in the CR zone has a **mixed use building**, all residential use portions of the **building** must be located above non-residential use portions of a **building**, other than:
 - (i) residential lobby access; and
 - (ii) on a **corner lot**, **dwelling units** may be located in the first **storey** of a **building** if:

- (a) the **dwelling units** are located to the rear of the non-residential uses on the first **storey**; and
 - (b) the **dwelling units** do not have direct access to Queen Street East;
- (F) Despite Regulations 40.10.20.100(1)(A) and 40.10.20.100(17), the permitted maximum **interior floor area** for each **eating establishment, retail store** and **retail service** is 400.0 square metres;
- (G) Despite Regulation 40.10.20.100(21)(B), the permitted maximum area of an **outdoor patio** is 130.0 square metres;
- (H) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 6 of By-law [Clerks to insert By-law ##];
- (I) Despite Regulation 40.10.40.10(5), in the CR zone, the required minimum height of the first **storey**, measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.5 metres;
- (J) Despite Regulations 40.5.40.10(3), 40.5.40.10(4), 40.5.40.10(6), 40.5.40.10(7), 40.5.40.10(8) and (H) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents may project above the height limits to a maximum of 5.0 metres within the area labelled as "Mechanical Penthouse" on Diagram 6 of By-law [Clerks to insert By-law ##];
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, may project above the height limits to a maximum of 5.0 metres within the area labelled as "Mechanical Penthouse" on Diagram 6 of By-law [Clerks to insert By-law ##];
 - (iii) an architectural **structure** no greater than 0.7 metres in width may project 4.0 metres above the following portions of the **building** within the areas labelled as a "4m tall architectural frame" on Diagram 6 of By-law [Clerks to insert By-law ##]:
 - (a) the second and third **storey** along the south **main wall** of the **building**;
 - (b) the third **storey** along the west **main wall** of the **building**; and
 - (c) the fourth **storey** along the east **main wall** of the **building**;

- (iv) parapets, guard rails, planters, **landscaping** features and elements of a **green roof** may project above the height limits to a maximum of 1.5 metres;
 - (v) notwithstanding (iv) above, parapets and elements of a **green roof** may project 1.0 metres above the elements listed in (i) and (ii) above;
 - (vi) window washing equipment, antennae, and lightning rods may project above the height limits to a maximum of 6.0 metres;
 - (vii) divider and privacy screens on a balcony and/or terrace may project above the height limits to a maximum of 2.5 metres;
 - (viii) a roof access or enclosed stairwell may project above the height limits of the area labelled as "Existing Building" on Diagram 6 of By-law [Clerks to insert By-law ##], to a maximum of 4.0 metres; and
 - (ix) a trellis or pergola may project above the height limits of the area labelled as "Existing Building" on Diagram 6 of By-law [Clerks to insert By-law ##], to a maximum of 3.3 metres;
- (K) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** is 10,450 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 9,250 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 1,130 square metres, to a maximum of 1,200 square metres;
- (L) A maximum of 90 **dwelling units** are permitted, of which:
- (i) a minimum of 64 percent must contain two bedrooms; and
 - (ii) a minimum of 11 percent must contain three or more bedrooms;
- (M) Despite Regulation 40.10.40.50(1), a **building** with 20 or more **dwelling units** must provide **amenity space** at the following rate:
- (i) The greater of 258.0 square metres and 2.9 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) The greater of 192.0 square metres and 2.1 square metres for each **dwelling unit** as outdoor **amenity space**, of which a minimum of 192.0 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) none of the outdoor component may be a **green roof**;

- (N) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** for the second through sixth **storeys** are as shown in metres on Diagram 6 of By-law [Clerks to insert By-law ##];
- (O) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** for the first **storey** are as shown in metres on Diagram 7 of By-law [Clerks to insert By-law ##];
- (P) Despite Clause 40.10.40.60 and (N) and (O) above, the following elements may encroach into the required minimum **building setbacks** and separation distances as follows:
- (i) Balconies, to a maximum of 2.5 metres, from:
 - (a) the south **main wall** at the fourth and fifth **storeys**, as shown on Diagram 6 of By-law [Clerks to insert By-law ##]; and
 - (b) the east **main wall** at the sixth **storey**, as shown on Diagram 6 of By-law [Clerks to insert By-law ##];
 - (ii) canopies and awnings at the ground floor, to a maximum extent of 1.5 metres, if no part of the canopy, awning or similar structure is located more than 4.0 metres above the elevation of the ground directly below it;
 - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum of 0.7 metres, if they are no closer to a **lot line** than 0.3 metres;
 - (iv) eaves, to a maximum extent of 0.6 metres, if they are no closer to a **lot line** than 0.3 metres;
 - (v) air conditioners, antennae, vents, ducts and pipes within the **building setbacks** from the area identified as the "Existing Building" on Diagram 6 of By-law [Clerks to insert By-law ##], to a maximum of 0.8 metres, if they are no closer to a **lot line** than 0.3 metres;
- (Q) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 0.6 residential occupant **parking spaces** for each **dwelling unit**; and
 - (ii) a minimum of 0.06 residential visitor **parking spaces** for each **dwelling unit**;

- (R) Despite Regulation 200.5.1.10(2)(E), equipment for the charging of one electric **vehicle** is permitted within a **parking space**, subject to the equipment being located in the same **parking space** as the **vehicle** to be charged and:
- (i) being within 0.25 metres of two adjoining sides of the **parking space** which are not adjacent and parallel to a **drive aisle** from which **vehicle** access is provided, measured at right angles; or
 - (ii) being at least 5.20 metres from a **drive aisle** from which **vehicle** access is provided, measured at right angles, and at least 1.0 metre from the ground;
- (S) A **parking space** required by this By-law for a use in the Commercial Residential Zone category must be available for the use for which it is required;
- (T) A **parking space** must be on the same **lot** as the use for which the **parking space** is required;
- (U) A surface **parking space** may not be located in the **front yard**;
- (V) Despite Regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
- (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (W) The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier-free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017;
- (X) Despite Regulation 200.15.1(4), an accessible **parking space** may be located within 15 metres of an entrance to the **building** or an elevator with access to the ground level;
- (Y) Despite Regulations 220.5.10.1(2) and 220.5.10.1(3), one 1 Type "G" **loading space** must be provided for the residential uses and may be shared with non-residential uses;
- (Z) Despite Regulations 230.5.1.10(4) and 230.5.1.10(10), **bicycle parking space** must be provided and maintained in accordance with the following:
- (i) both "long-term" and "short-term" **bicycle parking spaces** may be provided in a **stacked bicycle parking space**;

- (ii) the minimum dimension of a **bicycle parking space** is:
 - (a) minimum length of 1.8 metres;
 - (b) minimum width of 0.6 metres; and
 - (c) minimum vertical clearance from the ground of 1.9 metres;
 - (iii) the minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:
 - (a) minimum length or vertical clearance of 1.9 metres;
 - (b) minimum width of 0.6 metres; and
 - (c) minimum horizontal clearance from the wall of 1.2 metres;
 - (iv) the minimum dimension of a **stacked bicycle parking space** is:
 - (a) minimum length of 1.9 metres;
 - (b) minimum vertical clearance of 1.2 metres; and
 - (c) minimum width of 0.45 metres;
- (AA) Despite regulation 230.40.1.20(1)(C), a **bicycle parking space** for a **dwelling unit** may be located in a **stacked bicycle parking space** in a secured room, enclosure or bicycle locker.

Prevailing By-laws and Prevailing Sections: (None Apply)

9. Holding Provisions:

- (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 2 attached to and forming part of this By-law shall not be used for any purpose other than the uses and **buildings** as existed on the site as of the date of the passing of this by-law until the "(H)" symbol has been removed;
- (B) An amending by-law to remove the Holding provision in (i) above, in whole or in part, shall be enacted by City Council when the following condition(s) has been fulfilled to the satisfaction of Council:
 - (i) City Council has authorized the permanent closure and sale of the lands measuring approximately 15.2 metres long and 4.6 metres wide, forming the southerly portion of the east-west public lane that extends westerly from the north-south public lane (Penny Lane) (the "Public Lane Lands");

- (ii) an agreement of purchase and sale ("APS") between the City and the applicant, for the sale of the Public Lane Lands, on terms satisfactory to the City, is in place and the transfer as set out in the in the APS has been completed; and
 - (iii) The applicant has obtained approval under section 33 of the Ontario Heritage Act, RSO 1990, c. O. 18 for alterations at 1702 Queen Street East.
- 10.** Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
- 11.** Temporary Use(s):
- (A) None of the provisions of By-law 569-2013, as amended, shall apply to prevent a temporary sales office on the **lot** used for the purpose of the sale of **dwelling units** and non-residential units to be erected on the **lot**, provided that the temporary sales office is located in a **building, structure**, facility or trailer on the **lot** for a period of not more than 3 years from the date this By-law comes into full force and effect.

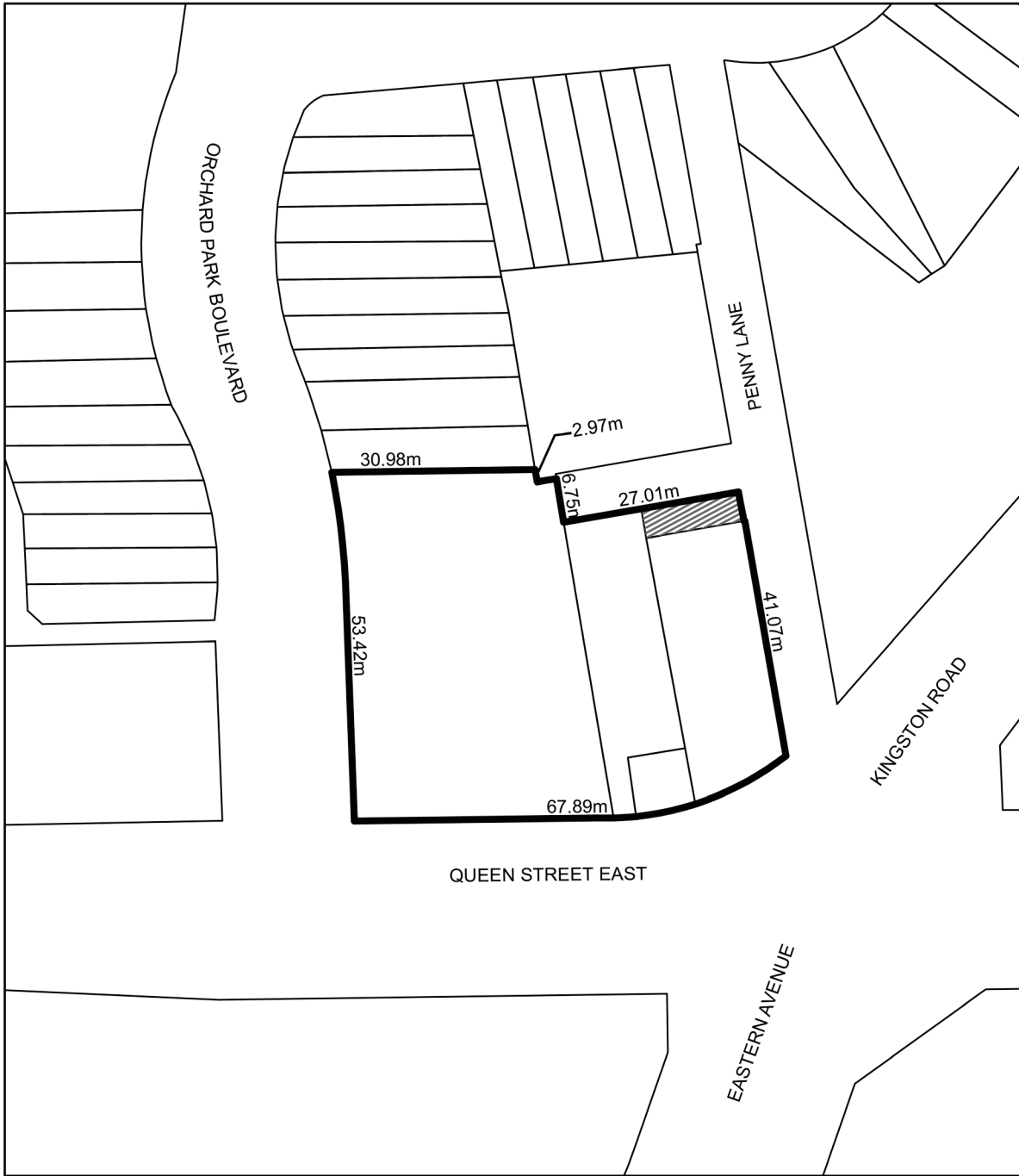
Enacted and passed on July , 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



Diagram 1



 **TORONTO**
Diagram 1

1684-1702 Queen Street East

File #: 19 242696 STE 19 0Z

-  Lands Subject to this By-Law
-  Lane Disposition Lands


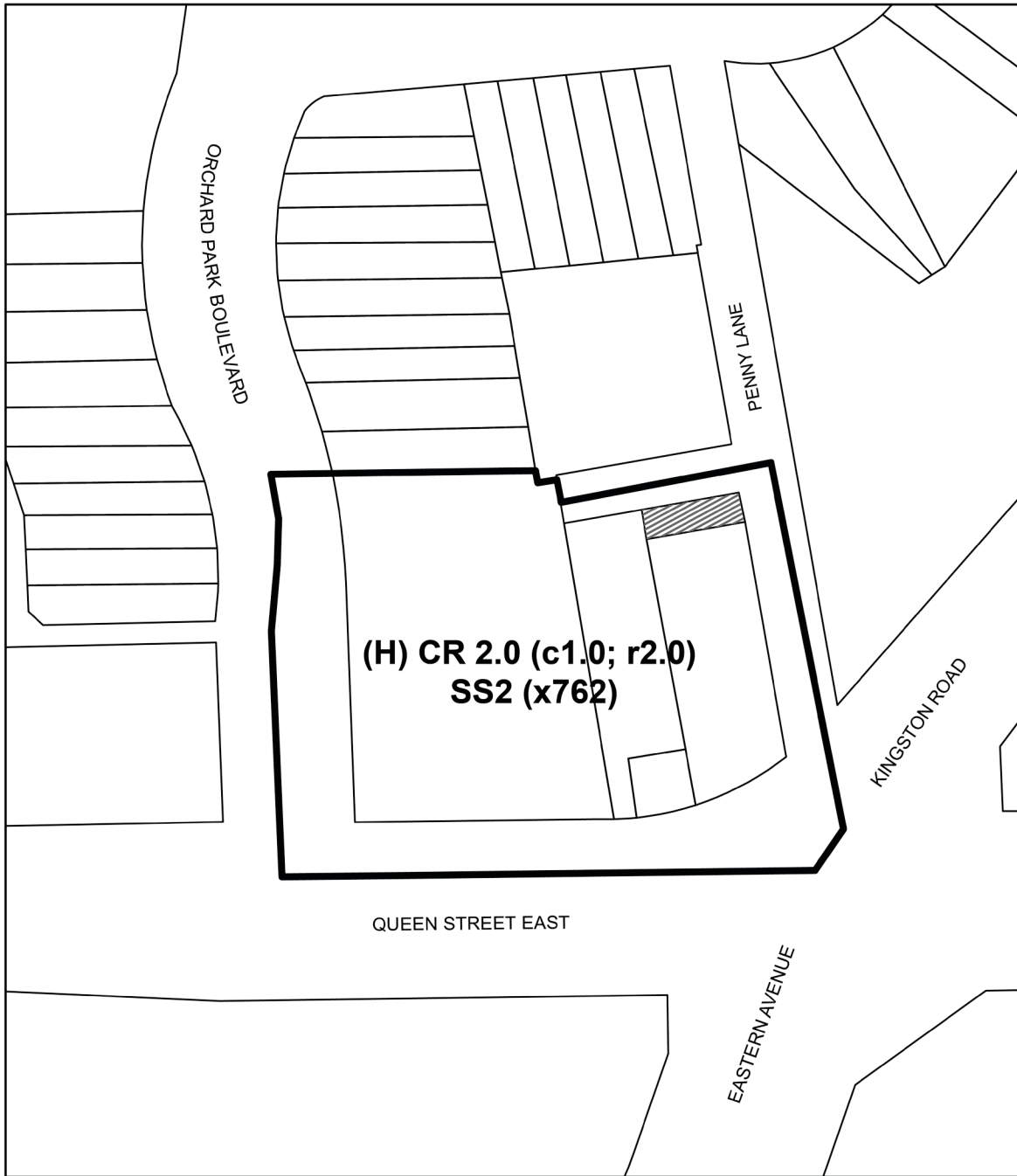

City of Toronto By-law 569-2013
Not to Scale
05/30/2022



Diagram 2



 **TORONTO**
Diagram 2

1684-1702 Queen Street East

File #: 19 242696 STE 19 0Z

-  Lands Subject to this By-Law
-  Lane Disposition Lands


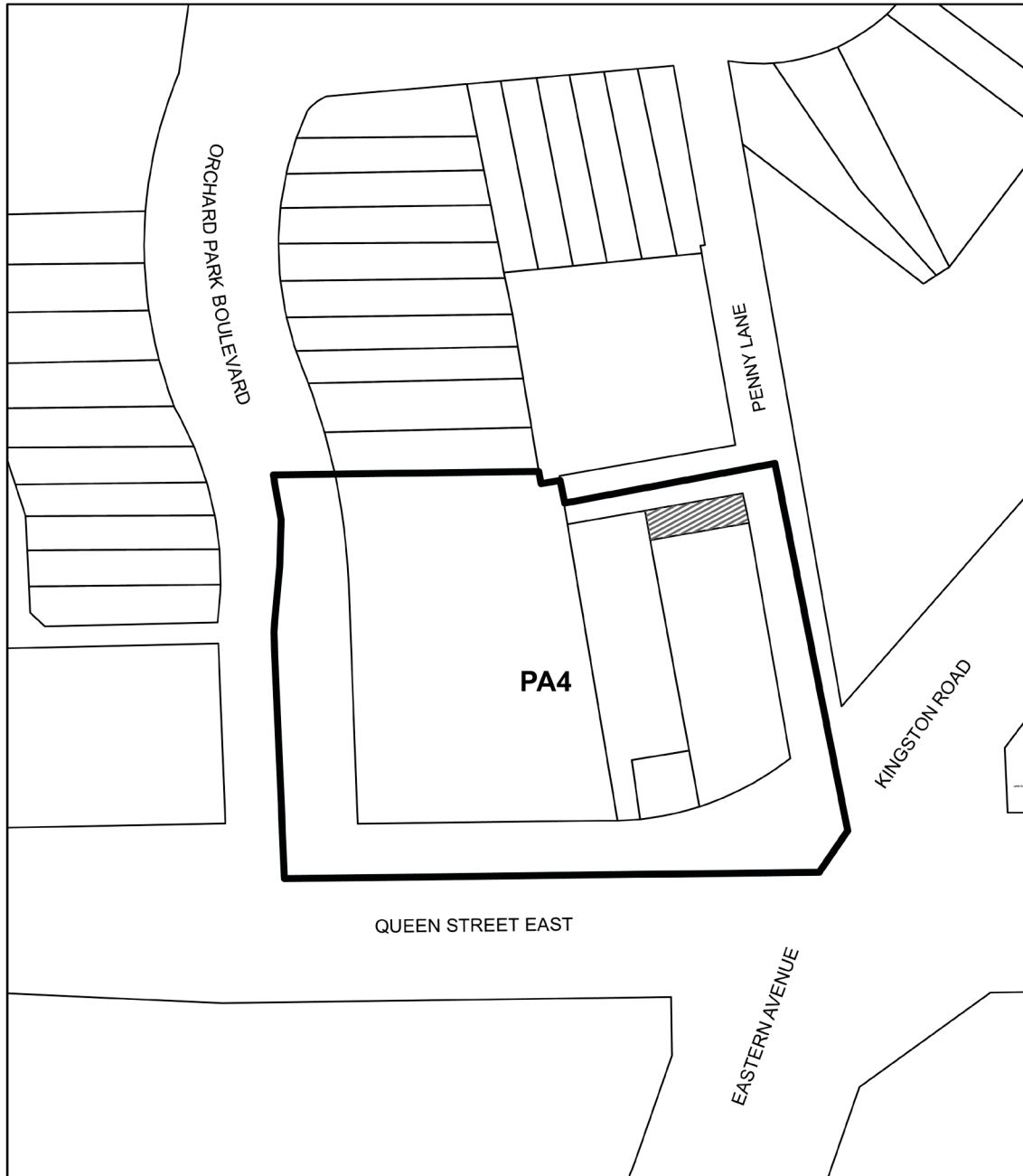

City of Toronto By-law 569-2013
Not to Scale
05/30/2022



Diagram 3



 **TORONTO**
Diagram 3

1684-1702 Queen Street East

File #: 19 242696 STE 19 0Z

-  Lands Subject to this By-Law
-  Lane Disposition Lands


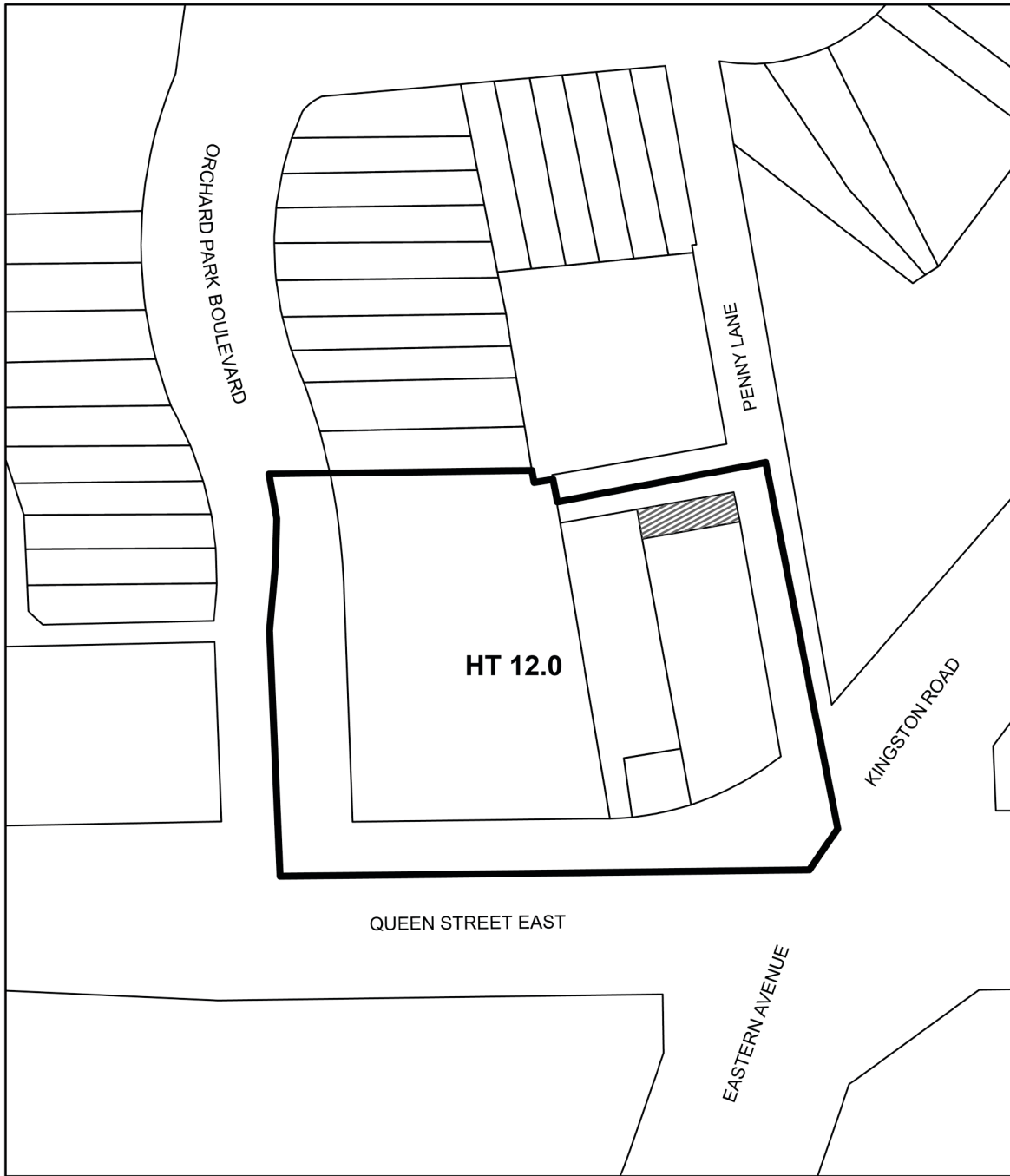

City of Toronto By-law 569-2013
Not to Scale
05/30/2022

Diagram 4



 **TORONTO**
Diagram 4

1684-1702 Queen Street East

File #: 19 242696 STE 19 0Z



Lands Subject to this By-Law

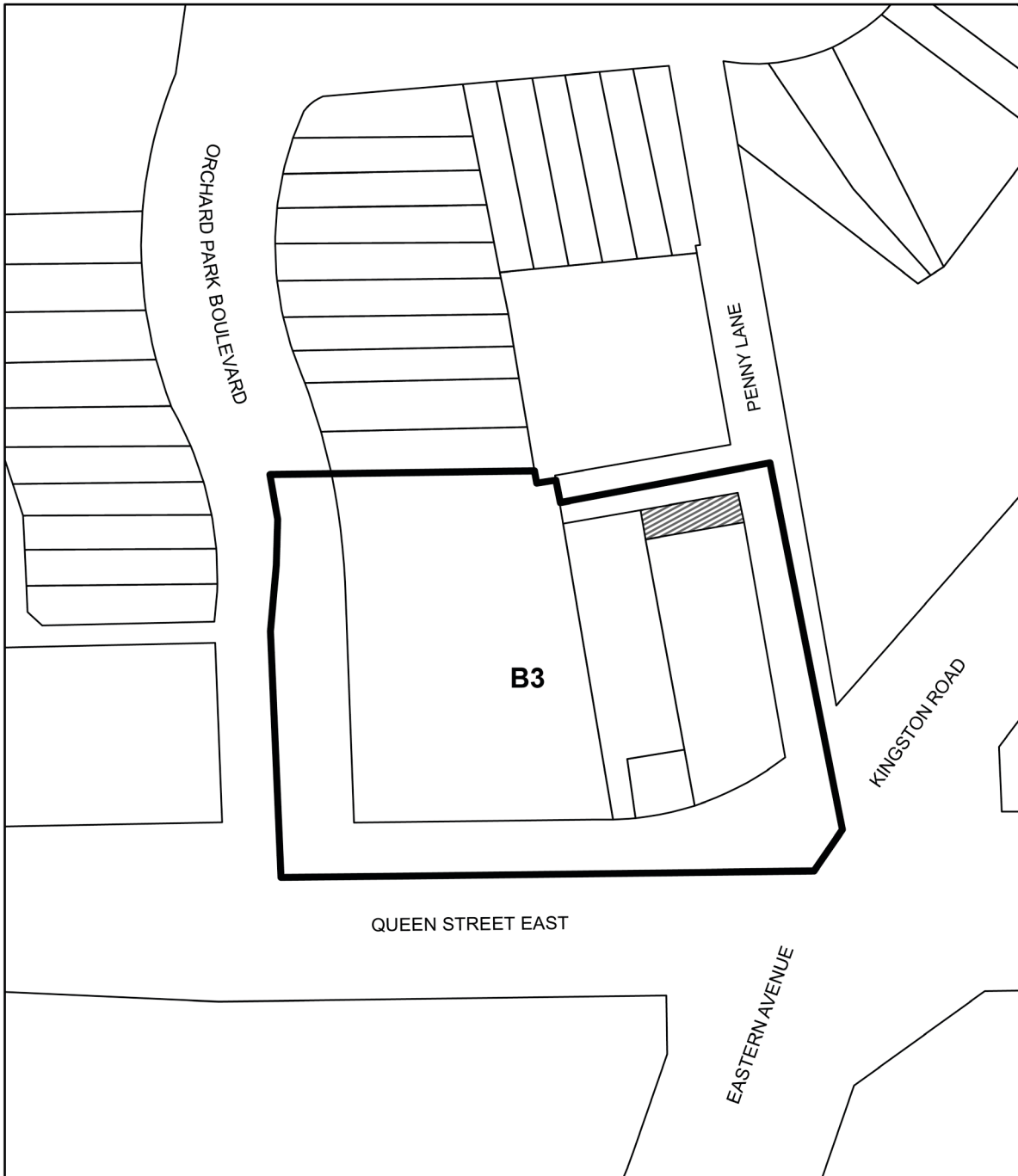


Lane Disposition Lands



City of Toronto By-law 569-2013
Not to Scale
05/30/2022



Diagram 5



 **TORONTO**
Diagram 5

1684-1702 Queen Street East

File #: 19 242696 STE 19 0Z

-  Lands Subject to this By-Law
-  Lane Disposition Lands


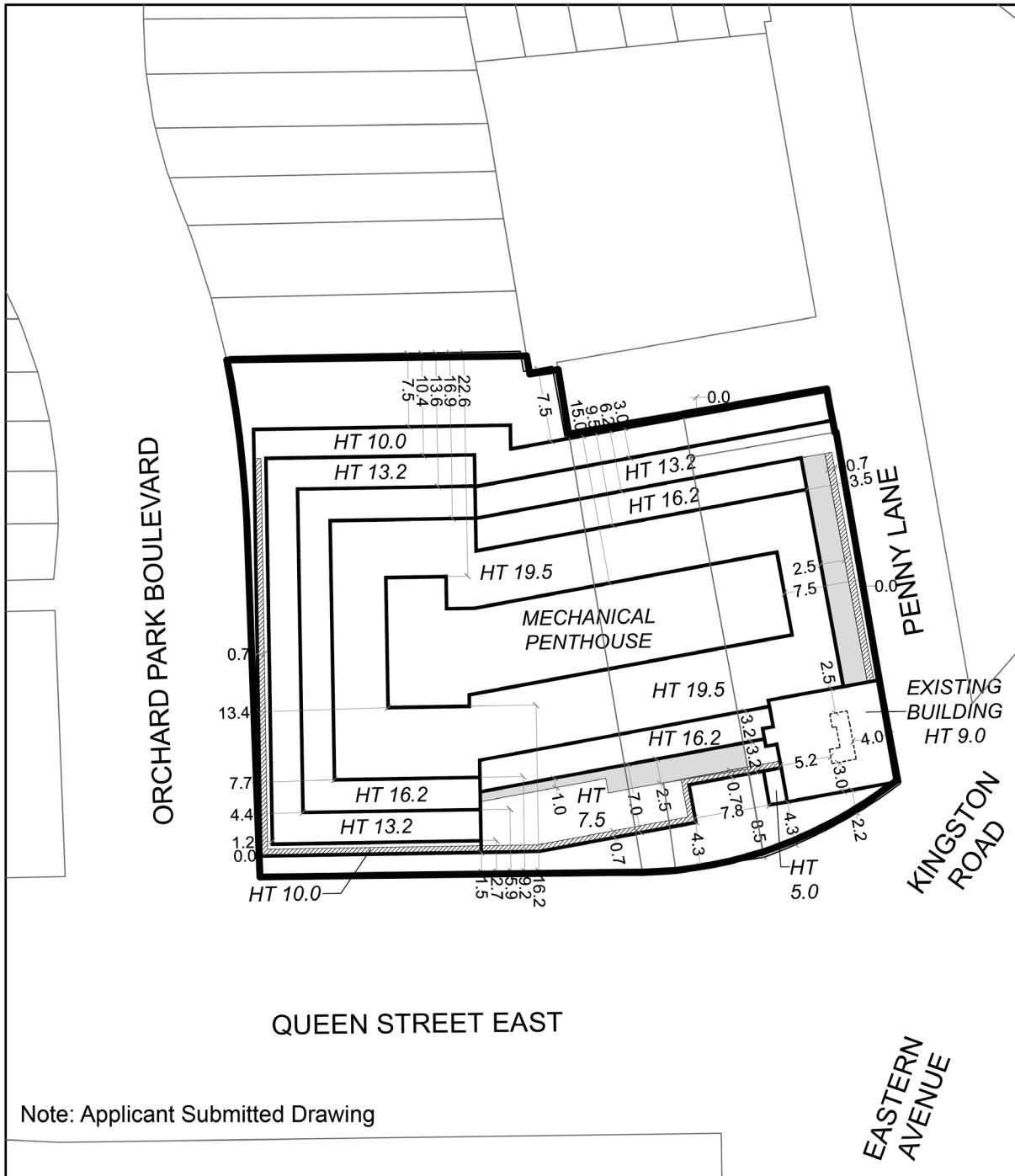

City of Toronto By-law 569-2013
Not to Scale
05/30/2022

Diagram 6



Note: Applicant Submitted Drawing

TORONTO
 Diagram 6

1684-1702 Queen Street East

File #: 19 242696 STE 19 0Z



Lands Subject to this By-Law



2.5m Deep Balcony

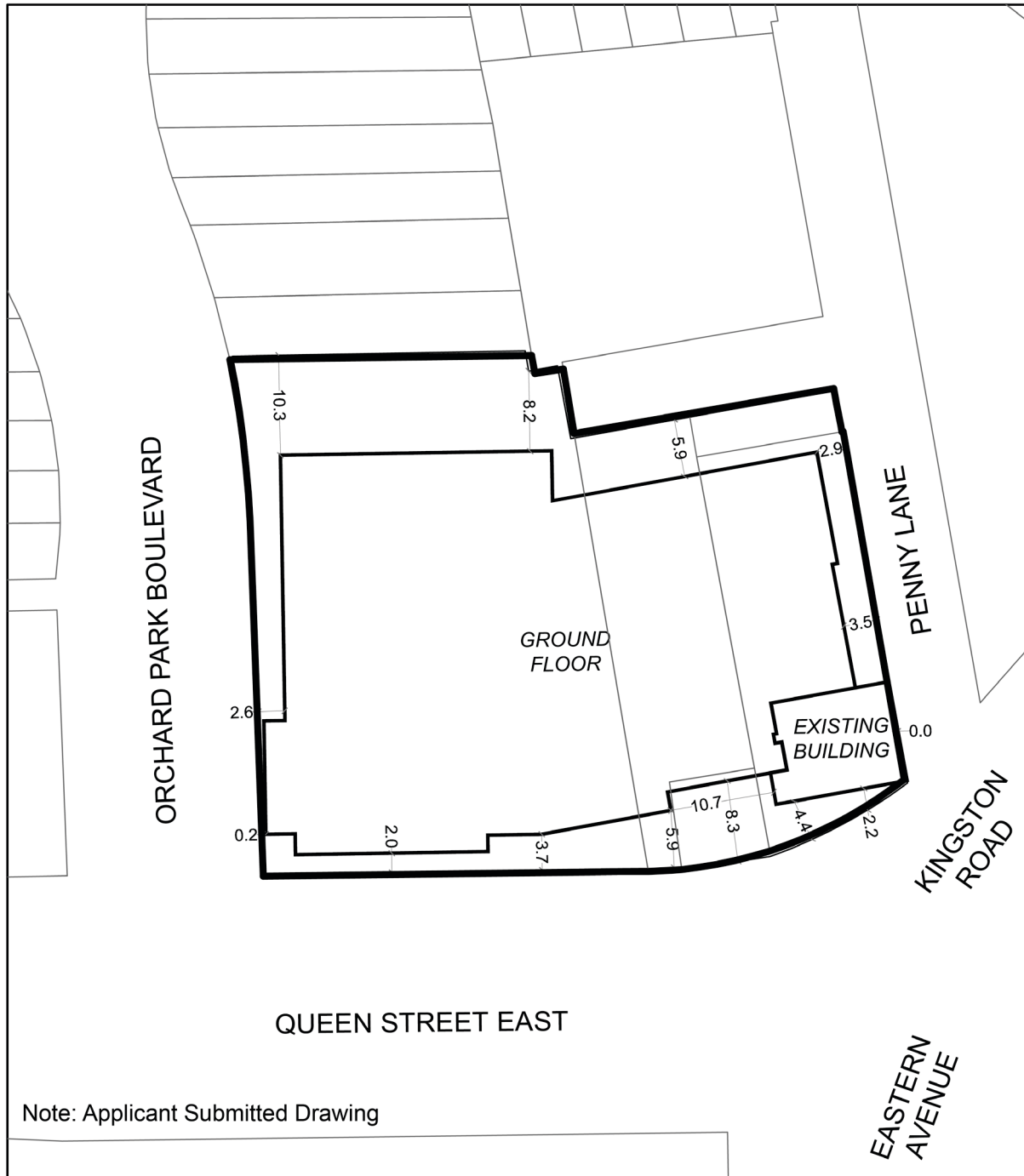


4m Tall Architectural Frame



City of Toronto By-law 569-2013
 Not to Scale
 05/30/2022

Diagram 7



 **TORONTO**
Diagram 7

1684-1702 Queen Street East

File #: 19 242696 STE 19 0Z



Lands Subject to this By-Law



City of Toronto By-law 569-2013
Not to Scale
05/30/2022