

Authority: Planning and Transportation Committee Report 4, Clause 2,  
as adopted by City of Toronto Council on June 27, 28 and 29, 2006  
Enacted by Council: June 29, 2006

## CITY OF TORONTO

### BY-LAW No. 588-2006

#### To amend the General Zoning By-law No. 438-86 of the former City of Toronto, with respect to the *West Don Lands – Phase 1*.

WHEREAS City of Toronto Council at its meeting held on the June 27, 28 and 29, 2006, adopted Clause 2 of Planning and Transportation Committee Report 4; and

WHEREAS this By-law is passed in implementation of the City of Toronto Secondary Plans for the *Central Waterfront* and *King-Parliament*; and

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

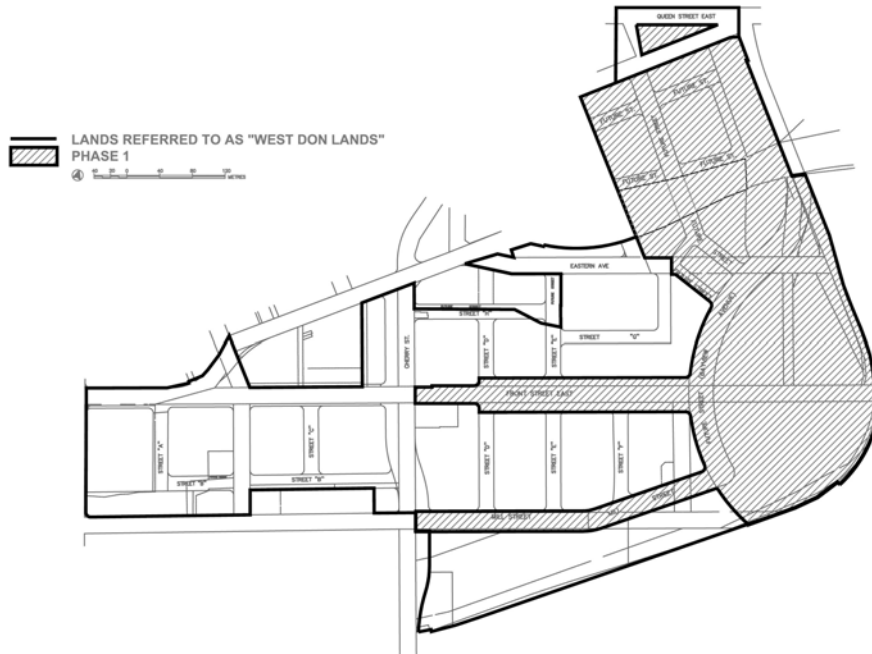
WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 2(1) of By-law No. 438-86, 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 in various areas of the City of Toronto”, as amended, is further amended by:

inserting after the definition of “*welder’s shop*”, the following:

“*West Don Lands – Phase 1*” means that part of the City of Toronto delineated by heavy lines and hatched as shown on the following map:



2. District Maps 51G-323 and 52G-321 contained in Appendix “A” of By-law No. 438-86, as amended, are hereby further amended by re-designating the lands delineated by heavy lines to “RA,” “RA(h),” “G” and “G(h)” as shown on Map 1, attached hereto.
3. Height and Minimum Lot Frontage Maps 51G-323 and 52G-321 contained in Appendix “B” of By-law No. 438-86, as amended, are hereby further amended with respect to those lands delineated by heavy lines as shown on Map 2 attached hereto.
4. Section 12(1) of By-law No. 438-86 is amended by adding the following exception:

“467. to prevent the erection of buildings or structures or the use of land in *West Don Lands – Phase 1* in accordance with the following provisions:

Permitted Uses

- (a) permitted uses shall be in accordance with section 5(1) and (2) for G districts and section 7(1) and (2) for RA districts.

Parking

- (b) parking shall be provided in accordance with section 12(2)246.

Loading

- (c) loading facilities shall be provided in accordance with sections 4(8) and 12(2)246, except that:
  - (i) for a block of land surrounded by public streets on all sides that includes more than one building containing 30 or more *dwelling units*, not more than 1 *loading space - Type G* shall be required to service all buildings containing 30 or more *dwelling units* on that block of land; and
  - (ii) a *loading space - Type G* shall only be required for a building containing 30 or more *dwelling units* when the building is greater than four *storeys* in height.

Height

- (d) maximum *height* shall be in accordance with section 4(2), except that:
  - (i) no building shall contain more than:
    - A. 8 *storeys* plus *residential penthouse* above *grade* within a 30-metre height district; or
    - B. 10 *storeys* plus *residential penthouse* above *grade* within a 36-metre height district;

- (ii) one tower may be located within each Permitted Tower Area as shown on Map 3 following this exception up to a *height* of 48 metres for a Type A Tower and 78 metres for a Type B Tower, provided that:
  - A. the *residential gross floor area*, the *non-residential gross floor area*, or any combination thereof of any floor located above the maximum *height* permitted by section 4(2) does not exceed 800 square metres, and
  - B. for a Type A tower, the exterior wall of the first *storey* of the tower that is closest to the easterly frontage of Block 24, above a *height* of 30 metres, is set back no more than 6 metres from the adjacent exterior wall of the *storey* below it;
  - C. for a Type B tower, the exterior wall of the first *storey* of the tower that is closest to Bayview Avenue, above a *height* of 36 metres, is set back no more than 6 metres from the adjacent exterior wall of the *storey* below it.
- (iii) within a Permitted Tower Area as shown on Map 3, no building shall contain more than:
  - A. 14 *storeys* plus *residential tower penthouse* above *grade* for a Type A Tower; or
  - B. 24 *storeys* plus *residential tower penthouse* above *grade* for a Type B Tower.
- (e) section (d) does not prevent the erection or use of the following:
  - (i) A stair tower, elevator shaft, or other heating, cooling or ventilating equipment or window washing equipment or electrical energy generating equipment on the roof of the building or a fence, wall or structure enclosing such elements, provided:
    - A. the maximum vertical extent of such elements or enclosure above the permitted *height* is no greater than 6 metres;
    - B. the aggregate horizontal area of such elements, including the area contained within an enclosure, does not exceed 40% of the area of the top *storey* or *residential penthouse* or *residential tower penthouse* of the building, whichever is highest; and

- C. the width of any such elements, including the width of an enclosure, located within six metres of a *lot line* that is a *street line*, does not exceed 30% of the width of the main wall of the building facing the *lot line* provided the width is to be measured parallel to the *lot line* boundary;
- (ii) structures identified in section 4(2)(a)(ii), subject to the limitations contained therein; and
- (iii) parapets to a maximum vertical projection of 1.00 metre.

### Setbacks

- (f) setbacks shall be provided in accordance with section 7(3)Part II, except that:
- (i) for the purposes of section 7(3) Part II 1(i) a building or structure in an RA district may be erected to within 5.5 metres to a *side lot line* or a *rear lot line*, excluding any part of a building or structure located within 30 metres of a *lot line* that abuts a *street*, other than a public lane, or a *public park*; and
- (ii) section 7(3)Part II 7 does not apply.
- (g) no part of a building or structure above *grade* on a *lot* abutting the street *frontages* identified on Map 4 following this exception may be located closer to those *frontages* than the number in metres identified on Map 4.

### Stepbacks

- (h) within each Height District identified in Column A in the chart below, no building or structure may exceed the *Height Above Which Stepback is Required* as set out in Column B below, unless the portion of the building or structure above such *height* set out in the corresponding row in Column B is set back a minimum of 3.0 metres from the main wall of such building or structure which faces Bayview Avenue, Block 54 (future River Street) as identified on Map 3, King Street, Old Eastern Avenue, River Square, St. Lawrence Street, the easterly *frontage* of Block 24 as identified on Map 3, or the easterly *frontage* of Block 22 as identified on Map 3.

Column A Height district	Column B <i>Height Above Which Stepback is Required</i>
26 metres	13 metres
30 metres	21 metres
36 metres	27 metres

(i) Permitted Projections

Notwithstanding sections (f), (g), and (h) above, the required building setbacks and stepbacks shall not apply to the type of structure listed in Column A in the chart below, provided any restriction set out in the corresponding row in Column B is complied with.

Column A Structure	Column B Maximum Permitted Projection
A. eaves, cornices or ornament	Maximum of 1.0 metre projection
B. fences and safety railings	No restriction on the extent of the projection provided the height of the structure does not exceed 2.0 metres
C. canopy	No restrictions
D. bay window	The projection cannot exceed 1.0 metre from the wall to which it is attached
E. balcony	The projection cannot exceed 1.5 metres from the wall to which it is attached
F. stairs	No restrictions

(j) Residential Amenity Space

*Residential amenity space* shall be provided in accordance with section 4(12) and 12(1)88.

- (k) Restrictive Exception section 12(2)95 shall not apply to the *West Don Lands - Phase 1*.
- (l) Restrictive Exception section 12(2)246(a) and section 12(2)246(b) shall not apply to the *West Don Lands - Phase 1*.
- (m) Restrictive Exception section 12(2)260 shall not apply to the *West Don Lands - Phase 1*.
- (n) Notwithstanding any of the foregoing provisions, where the provisions of this by-law or any subdivision agreement(s) require the provision of municipal services prior to issuance of a *building permit* for the proposed development, including the provision of financial securities, construction of services and conveyances of land, the *owner* may not use or erect any building or structure within *West Don Lands-Phase 1* until the *owner* has satisfied the said requirements and building permit issuance shall be dependent on the same.

- (o) *Bicycle parking* shall be provided in accordance with section 4(13).

For the purposes of this exception:

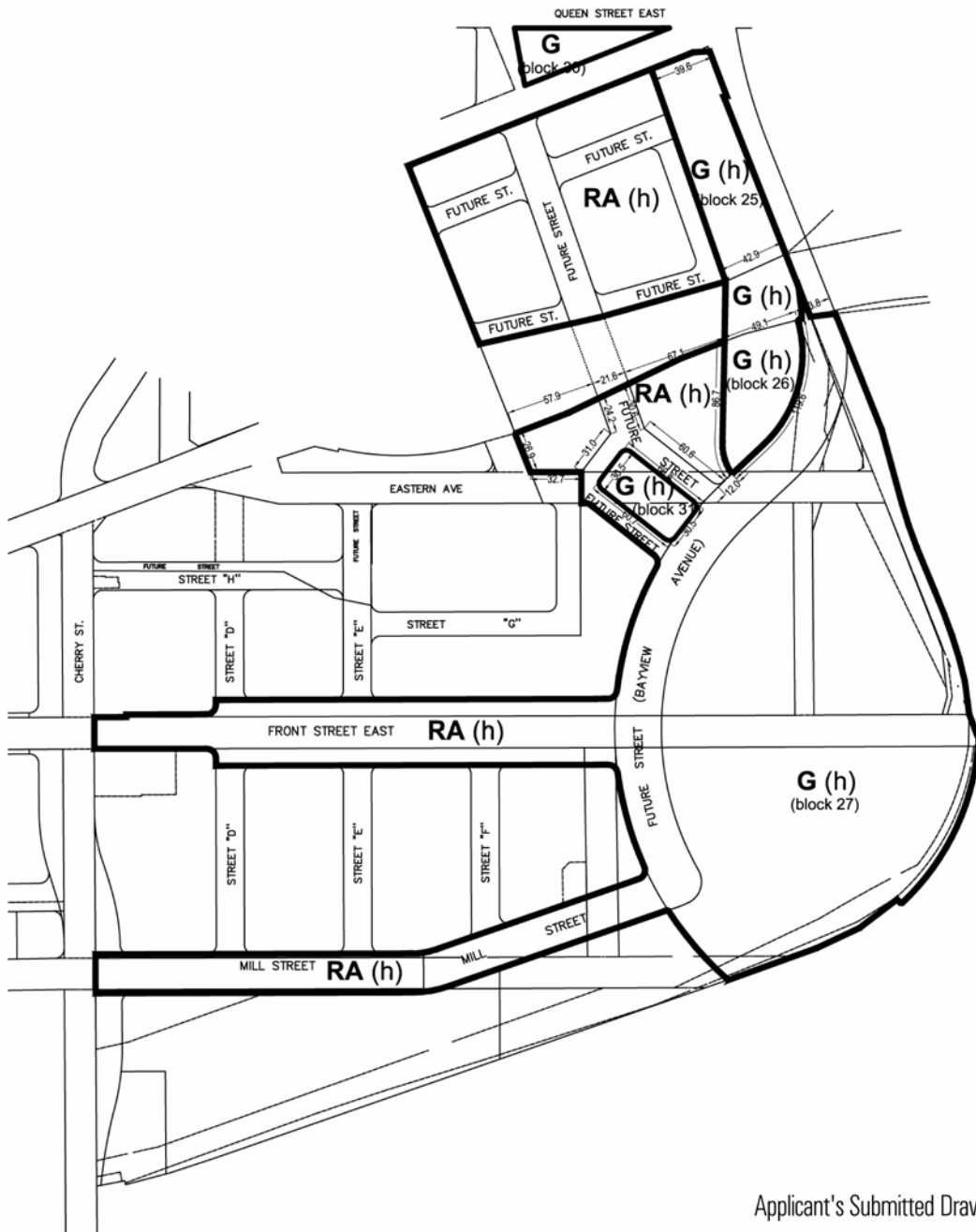
- (i) “*grade*” means the average elevation of the sidewalk or, where there is no sidewalk, of the roadway in front of the *lot* on which the building stands;
- (ii) “*height*” means the vertical distance between *grade* and the highest point of the roof or structure exclusive of those elements permitted by section (e) herein;
- (iii) “*residential penthouse*” means the uppermost storey of a building, other than a *residential tower penthouse*, which:
  - (a) is used for residential purposes;
  - (b) has an aggregate horizontal area not exceeding 50% of that part of the roof of the building which is not occupied by a tower; and
  - (c) is set back at least 3.0 metres from an outside wall of the storey below it, when such outside wall faces Bayview Avenue, Block 54 (future River Street) as identified on Map 3, King Street, Old Eastern Avenue, River Square, St. Lawrence Street, the easterly *frontage* of Block 24 as identified on Map 3, or the easterly *frontage* of Block 22 as identified on Map 3.
- (iv) “*residential tower penthouse*” means the uppermost storey of a tower permitted under section d (ii) herein, which:
  - (a) is used for residential purposes; and
  - (b) is set back at least three metres from any outside wall of the storey below it.

ENACTED AND PASSED this 29th day of June, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)



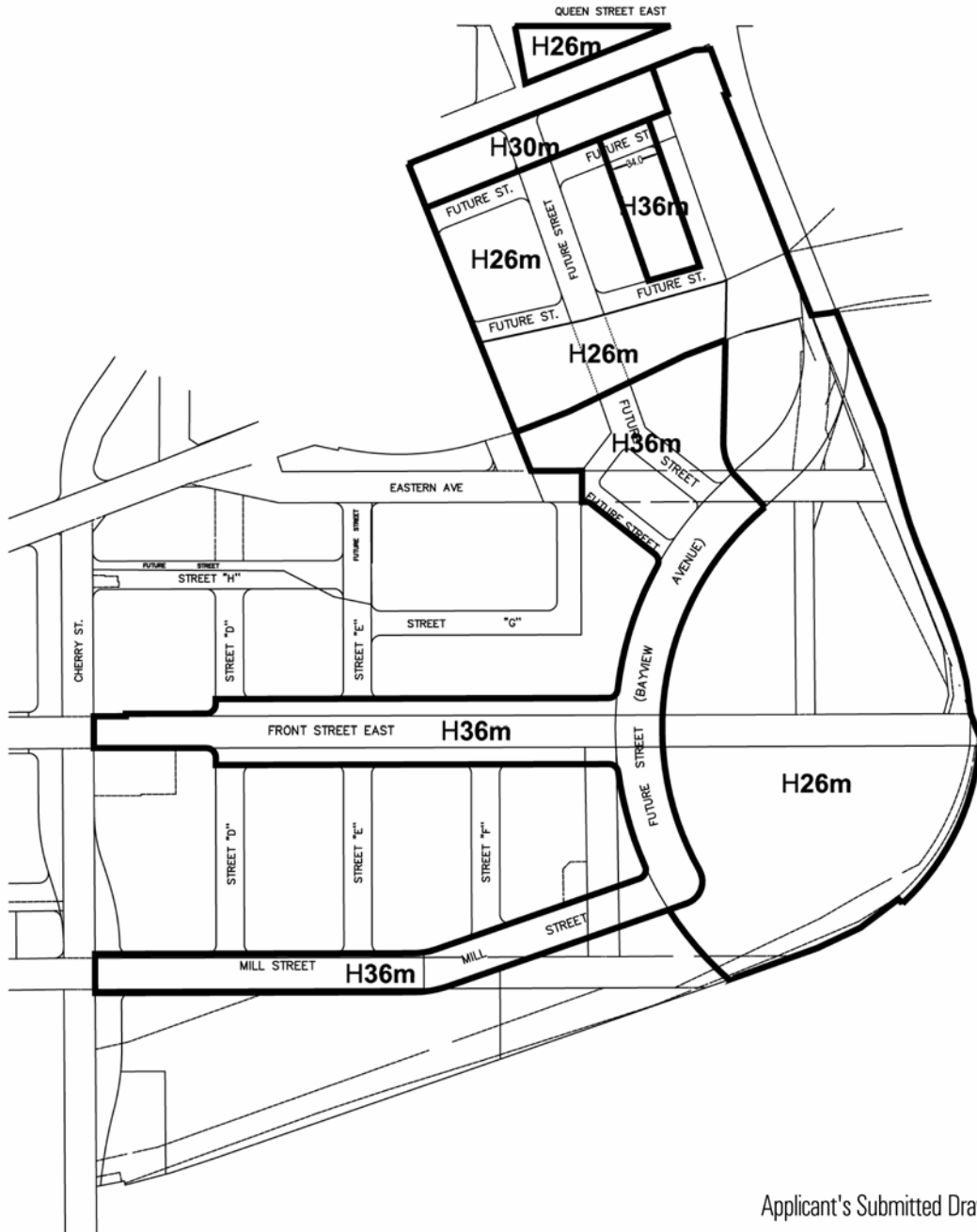
Applicant's Submitted Drawing

Map 1 District Use Map

The West Don Lands  
Phase 1

Not to Scale  
06/27/06 

File # 05\_166169



Map 2 Maximum Height Districts

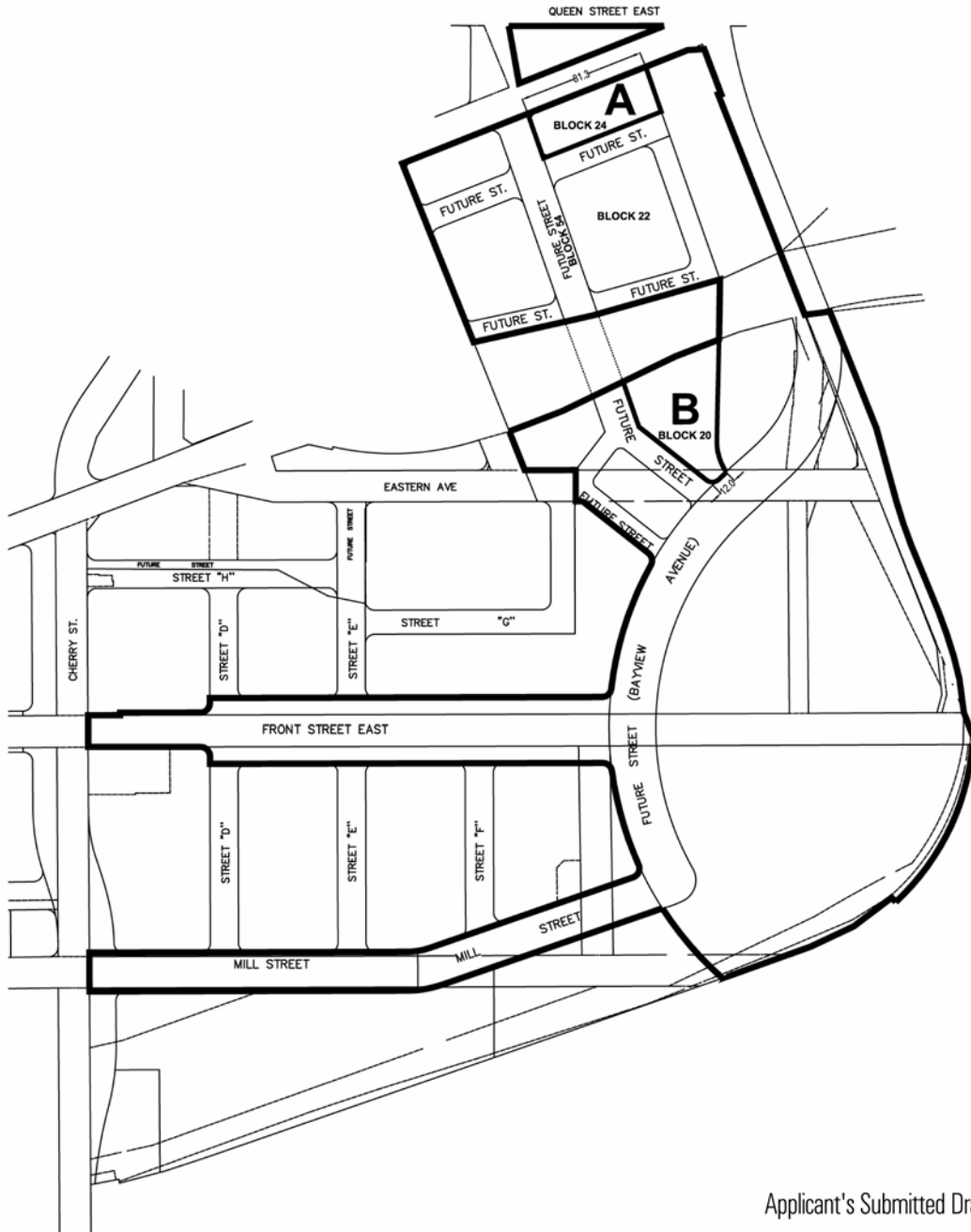
The West Don Lands  
Phase 1

Not to Scale  
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Applicant's Submitted Drawing

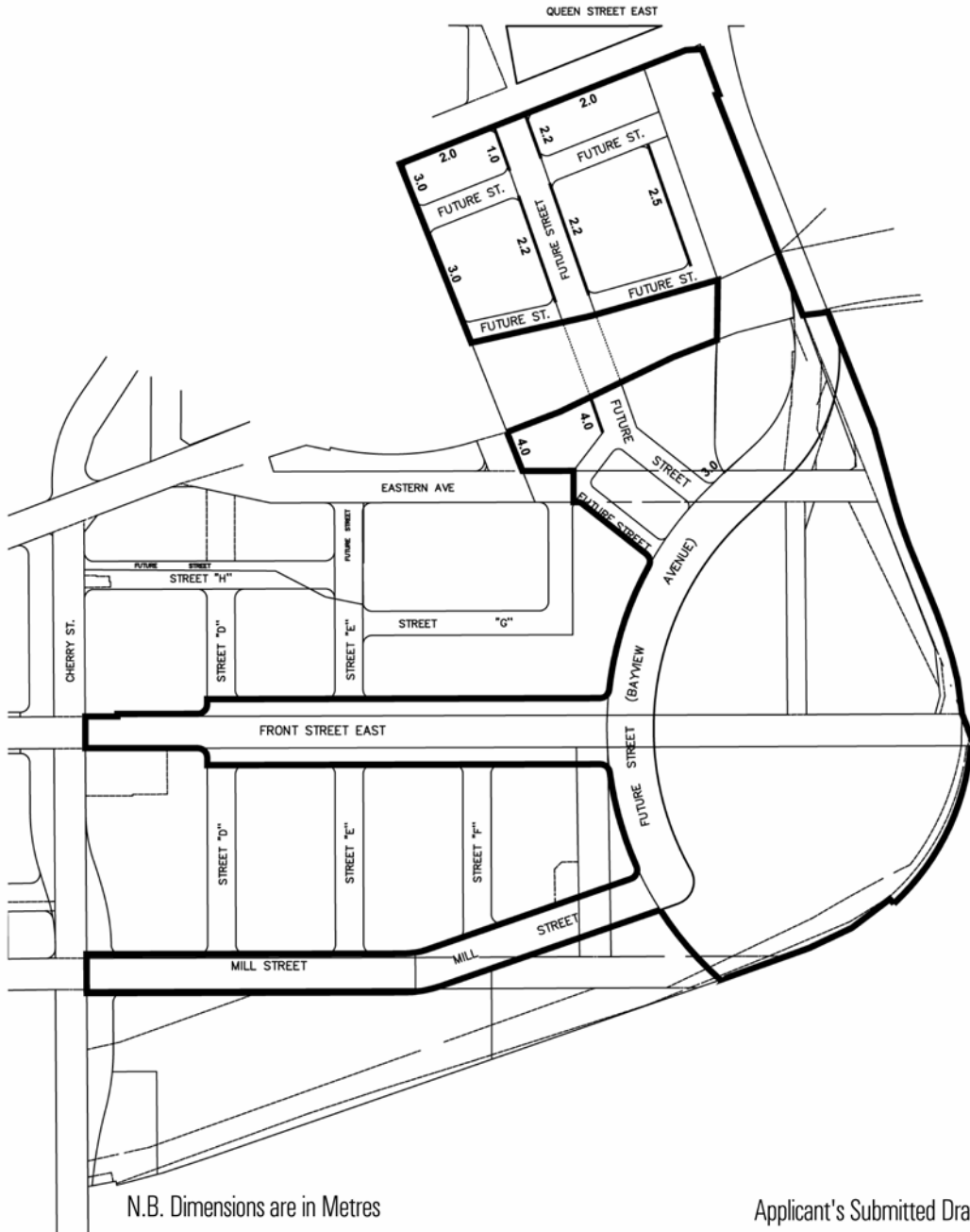
**Map 3 Permitted Tower Areas and Block Numbers  
( Tower Types A & B )**

**The West Don Lands  
Phase 1**

Not to Scale  
06/27/06



File # 05\_166169



**Map 4 Minimum Building Setbacks**

**The West Don Lands  
Phase 1**

Not to Scale  
06/27/06



File # 05\_166169