

Authority Toronto and East York Community Council Report 6, Clause 5,
adopted as amended, by City of Toronto Council on July 25, 26 and 27, 2006
Enacted by Council: July 27, 2006

CITY OF TORONTO

BY-LAW No. 726-2006

To amend By-law No. 168-93 of the former City of Toronto, being the Railway Lands East Area A Zoning By-law, as amended, with respect to the lands bounded by York Street, Bremner Boulevard and Lake Shore Boulevard West (15 York Street, Block 5 Railway Lands East).

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 the Toronto and East York Community Council conducted a public meeting on July 11, 2006, under Section 34 of the *Planning Act* regarding the Zoning Amendment; and

WHEREAS the Council of the City of Toronto, at its meeting on July 25, 26 and 27, 2006, determined to amend Zoning By-law No. 168-93, as amended, of the former City of Toronto;

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

1. The Maps appended to By-law No. 168-93 of the former City of Toronto, as amended, are further amended as follows:
 - (a) Alternate Map 3 is amended, as it applies to *block 5*, in accordance with Map 1 attached hereto and forming part of this by-law;
 - (b) Alternate Map 4 is amended, as it applies to *block 5*, in accordance with Map 2 attached hereto and forming part of this by-law;
 - (c) Alternate Map 6 is amended, as it applies to *block 5*, in accordance with Map 3 attached hereto and forming part of this by-law;
 - (d) Alternate Map 10 is amended, as it applies to *block 5*, in accordance with Map 4 attached hereto and forming part of this by-law;
 - (e) Alternate Map 11 is amended, as it applies to *block 5*, in accordance with Map 5 attached hereto and forming part of this by-law;
 - (f) Alternate Height Map 50G-323 is amended, as it applies to *block 5*, in accordance with Map 6 attached hereto and forming part of this by-law;
 - (g) Alternate Map 5 is deleted and replaced with Alternate Map 5 attached hereto and forming part of this by-law; and
 - (h) Alternate Map 18 is added;

2. Section 6(4) - EXCEPTIONS TO PERMITTED USES AND RESTRICTIONS ON USE, of the said By-law No. 168-93, is amended by deleting Section 6(4)8.(1) and replacing it with the following:

- “6(4)8.(1) (a) Except as specifically set out in this paragraph 8, any use of land and any building or structure to be erected or used complies with the Alternate District Map 50G-323 Appendix “A”, Alternate Height Map 50G-323 Appendix “B” and Alternate Maps 1, 2, 3, 4, 5, 6, 6A, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.
- (b) Notwithstanding the provisions of Regulation (2) of Section 6(4)7, on *block 5*, the main floor of any commercial space located on the main floor of the building shall have:
- (i) a combined width of not less than 20% of the *street* frontage on Bremner Boulevard, having a depth of not less than 7.0 metres measured from the main front wall of the building; and
- (ii) a combined width of not less than 80% of the *street* frontage on York Street, having a depth of not less than 7.0 metres measured from the main front wall of the building.”

3. Section 6(4) 8.(2) PART I – DENSITY 1. MAXIMUM FLOOR AREA: MIXED USE, NON-RESIDENTIAL AND RESIDENTIAL BUILDINGS, of the said By-law No. 168-93, is amended with respect to *block 5* as follows:

COLUMN A BLOCK	COLUMN B MAXIMUM NON- RESIDENTIAL GROSS FLOOR AREA (square metres)	COLUMN C MAXIMUM RESIDENTIAL GROSS FLOOR AREA (square metres)	COLUMN D MAXIMUM COMBINED FLOOR AREA (square metres)
<i>Block 5</i>	47,225	59,160	106,385

4. Regulation (b) of Section 6(4)8.(2) Part I Density 3. EXCEPTION: BLOCKS 2A, 4, 5, 7A, AND 9 – STREET-RELATED RETAIL AND SERVICE USES of the said By-law No. 168-93, is deleted and replaced with the following:

- “(b) Paragraph (a) shall not apply to any *lot* upon which *street-related retail and service uses* occupy at least sixty per cent of the length of the building face as shown by the heavy line marked on Alternative Map 10; except on *block 5*, in which case, paragraph (a) shall not apply provided *street-related retail and service uses* occupy at least fifty per cent of the length of the building face as shown by the heavy line marked on Alternative Map 10”;

5. Section 6(4)8.(3) PART II HEIGHT LIMITS – BUILDINGS AND STRUCTURES - EXCEPTION, of the said By-law No. 168-93, is amended by adding a new section as follows:

“5. None of the provisions of Section 4(3)(a) shall apply to prevent within *block 5* the erection or use of:

- (i) any stair tower, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment located on the roof of a building or any fence wall or structure enclosing such elements provided that:
 - A. the maximum *height* of the top of such elements or enclosure is no higher than the sum of 12 metres plus the *height* limit otherwise applicable to *block 5*;
 - B. the aggregate horizontal area of such elements, including the area contained within any enclosure, measured at any point above the level of the said *height* limit, does not exceed fifty (50) per cent of the area of the roof of such building; and
 - C. the width of any such elements, including the width of any enclosure, located within 6 metres of a *lot* line that is a *street* line, does not exceed sixty five (65) per cent of the width of the main wall of the building facing such *lot* line, provided that such width is to be measured parallel to such *lot* line;
- (ii) any structure, located on the roof of such building, used for outside or open air recreation, safety or wind protection purposes, provided that:
 - A. the maximum *height* of the top of such structure is no higher than the sum of three metres plus the *height* limit applicable to *block 5*;
 - B. such structure may be located adjacent to an outside wall or any vertical projection of such wall; and
 - C. such structure does not enclose space so as to constitute any form of penthouse or other room or rooms.”

6. Section 6(4)8.(4) PART III — SETBACKS, 2. REQUIRED SETBACKS, of the said By-law No. 168-93, is deleted and replaced with the following:

“2. REQUIRED SETBACKS

No person shall erect or use a building or structure or a part thereof, except within a building envelope line defined by the distances:

- (a) shown on Alternate Map 3 for the portion of the building or structure between *grade* and *elevation* 96 metres with the exception of:
 - (i) *block 3*, the required setback for which shall only apply at *grade*; and
 - (ii) *block 5*, the required setback for which shall apply between *grade* and *elevation* 113.5 metres;
- (b) shown on Alternate Map 4 and Alternative Map 18 for the portion of the building or structure between *elevation* 96 metres and the *height* limit specified on Alternate Height Map 50G-323, or on Alternate Map 12 with the exception of:
 - (i) *block 5*, the required setbacks for which shall apply between *elevation* 113.5 metres and the *height* limits specified on Alternate Map 18.”

7. Regulation (i) of Section 6(4)8.(4) PART III – SETBACKS 3. EXCEPTIONS: BUILD TO LINES, BLOCKS 2A, 2B, 3, 4, 5, 7A AND 9, of the said By-law No. 168-93, is amended to delete the reference to *block 5*.

8. Section 6(4)8.(4) PART III – SETBACKS 3. EXCEPTIONS: BUILD TO LINES, BLOCKS 2A, 2B, 3, 4, 5, 7A AND 9, of the said By-law No. 168-93, is amended by replacing regulation (ii) with the following regulation (ii) and by adding the following new regulation (iii):

- “(ii) there is an area of the exterior face of such building or structure from *grade* to *elevation* 96 metres built within 1.2 metres of either side of the line identified as the Build To Line on Alternate Map 6 which area is equal to at least 90 percent of the area determined by the length of such Build To Line and the vertical distance between *grade* and *elevation* 96 metres, provided that:
 - A. in the case of *block 3* the area built is located within 1.2 metres of the Build To Line measured to the interior of the *lot* and further provided that along the westerly 35.4 metres of the southerly portion of the Build To Line on *block 3* the area built is within 5.0 metres of the Build To Line measured to the interior of the *lot*; and
 - B. in the case of *block 5*, the Build To Line shown on Alternate Map 6 shall not apply to that portion of a building on *block 5* subject to a Build To Zone as identified by the hatched area on Alternate Map 5.

- (iii) in the case of *block 5*, there is an area of the exterior face of the main floor of such building or structure built within the Build To Zone as identified by the hatched area on Alternate Map 5, which area is equal to at least 90% of the area determined by the length of such Build to Zone and the vertical distance between *grade* and the height of the main floor of the building within the Build to Zone.”

9. Regulation (b) of Section 6(4)8.(4) PART III – SETBACKS, 4. EXCEPTIONS: SETBACK LINES, BLOCKS 2A, 2B, 4, 5, 7A AND 9, of the said By-law No. 168-93, is amended by adding the words “or at or above *elevation* 113.5 metres for a building on *block 5*,” following the words “at or above *elevation* 96 metres.”

10. Regulation (c) of Section 6(4)8.(4) PART III – SETBACKS 8. EXCEPTION: PERMITTED PROJECTIONS INTO REQUIRED SETBACK AREA is deleted and replaced with the following:

- “(c) in addition to the exceptions permitted in regulation (b) above, in the case of *block 5*, vents, street furniture, *bicycle parking spaces*, structures for weather protection and landscape elements, including trellises and planters, are also permitted within a required Setback Area from *grade* to a *height* of 4.0 metres.”

11. Section 6(4)8.(4) PART III – SETBACKS 9. COLONNADE AND CANOPY REQUIREMENTS of the said By-law No. 168-93 is deleted and replaced with the following:

“9. COLONNADE AND CANOPY REQUIREMENTS

- (i) No person shall erect a building or structure on a *lot* subject to a colonnade or canopy requirement as shown on Alternate Map 11, unless the building or structure has a colonnade or a canopy around the perimeter of the building or structure, as shown on Alternate Map 11, and such colonnade or canopy complies with the standard set out in Section 6(3) Part II 8., but in the case of *block 5* the following standards shall apply:
 - A. a canopy shall have a minimum vertical clearance of 3.0 metres and a maximum vertical clearance of 5.0 metres;
 - B. a canopy shall cover an area with a minimum horizontal clear width of 3.0 metres, which shall be free of pillars and any obstructions, measured from the exterior face of the wall of the building to the exterior edge of the canopy, or such canopy may be less than 3.0 metres provided the canopy extends from the exterior face of the wall of the building to the *street* line;
 - C. up to a maximum of 15% of the length of a canopy on any one building or structure may exceed the maximum vertical clearance required by regulation A. above; and

D. the provisions of Section 6(3)PART II 8.(a)(iv) shall not apply to *block 5*.”

12. Regulation (1) (f) of Section 6(4)8.(5) PART IV – EXCEPTIONS 1. URBAN STADIUM AND MULTI-PURPOSE FACILITY, of the said By-law No. 168-93, is amended to replace the phrase “4 or 5” with the phrase “4, 5 or 9”.

13. Section 6(4)8.(5) PART IV-EXCEPTIONS of the said By-law No. 168-93, is amended to add the following sections:

“4. PEDESTRIAN BRIDGE

Notwithstanding any other provisions, an enclosed pedestrian bridge is permitted across Bremner Boulevard to connect to and span between the buildings located on *block 5* and *block 3*, provided that:

- (i) the bridge has a minimum vertical clearance of 5.3 metres above finished ground level;
- (ii) the bridge is used only for the purpose of an enclosed pedestrian walkway;
- (iii) the minimum internal width of the walkway is 3.0 metres free and clear of all physical barriers and encumbrances with the exception of supporting columns and beams; and
- (iv) the minimum internal vertical clearance of the walkway is 3.0 metres free and clear of all physical barriers and encumbrances.

5. BICYCLE PARKING SPACES

Notwithstanding the provisions of Section 4(9), in the case of *block 5*, *bicycle parking spaces* shall be provided in accordance with the following minimum requirements:

- (i) 400 *bicycle parking spaces – occupant*
- (ii) 80 *bicycle parking spaces – visitor*

6. DWELLING UNIT SIZE

A minimum of 38% of the *dwelling units* on *block 5* shall contain at least 2 *bedrooms*.

7. OPEN SPACE

In the case of *block 5*:

- (i) the provisions of Section 6(3)Part III 1. shall not apply; and

- (ii) none of the provisions of Section 6(3) Part III 2. shall apply to a *residential building* or a *mixed-use building* on *block 5* provided *residential amenity space* is provided in accordance with the following table. For the purpose of this regulation, *residential amenity space* shall mean a common area or areas on *block 5* which are provided for the exclusive use of residents for recreational or social purposes.

Type of <i>Residential Amenity Space</i> Required	Amount of <i>Residential Amenity Space</i> Required
indoor <i>residential amenity space</i> in multi-purpose room or rooms, at least one of which contains a kitchen and a washroom;	not less than 2.0 square metres of <i>residential amenity space</i> for each <i>dwelling unit</i>
<i>residential amenity space</i> located outdoors	not less than 2.0 square metres of <i>residential amenity space</i> for each <i>dwelling unit</i> , of which at least 40 square metres is to be provided in a location adjoining or directly accessible from indoor <i>residential amenity space</i> .”

14. Section 6(4)8.(7) VI-PARKING of the said By-law No. 168-93, is amended to add the following sections 3 and 4:

- “3. Notwithstanding the provisions of Section 4(5) (b), in the case of *block 5*, parking for *dwelling units* in a building containing more than 6 *dwelling units* shall be provided in accordance with the following minimum standards:
- (i) 0.3 *parking spaces* per *bachelor dwelling unit*;
 - (ii) 0.3 *parking spaces* for each 1 *bedroom dwelling unit* with a *residential gross floor area* of 56 square metres or less;
 - (iii) 0.86 *parking spaces* for each 1 *bedroom dwelling unit* with a *residential gross floor area* of greater than 56 square metres;
 - (iv) 0.92 *parking spaces* for each 2 *bedroom dwelling unit*;
 - (v) 1.2 *parking spaces* for each *dwelling unit* containing 3 or more *bedrooms*
 - (vi) 0.06 *parking spaces* for each *dwelling unit* for the exclusive use of visitors.

4. notwithstanding the provisions of Section 4(5)(i), ingress and egress to and from parking facilities required for *block 5* shall be provided by unobstructed driveways or passageways having a minimum width of 3.0 metres for one-way operation and a minimum width of 5.5 metres for two-way operation.”

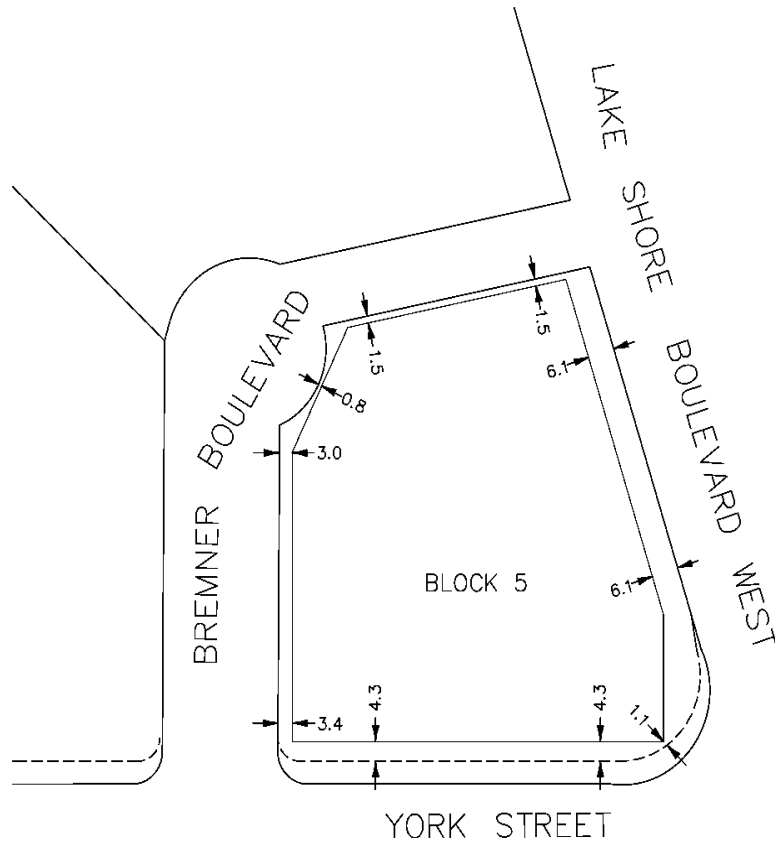
ENACTED AND PASSED this 27th day of July, A.D. 2006.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

MAP 1

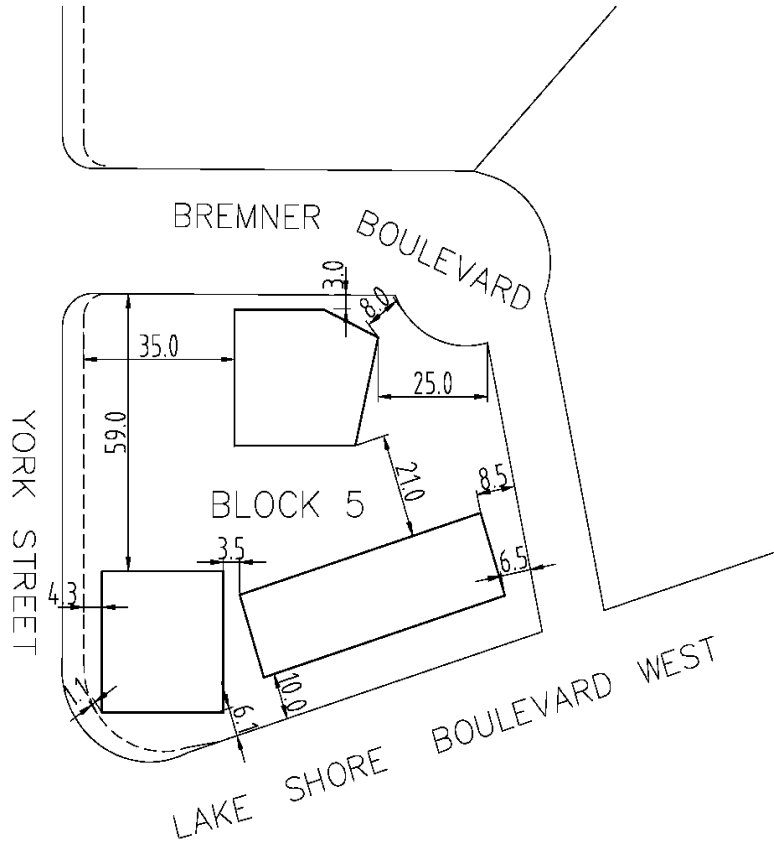


----- PROPOSED PUBLIC HIGHWAY
——— SETBACK LINE



APPLICANT'S SUBMITTED DRAWING
JULY 2006

MAP 2



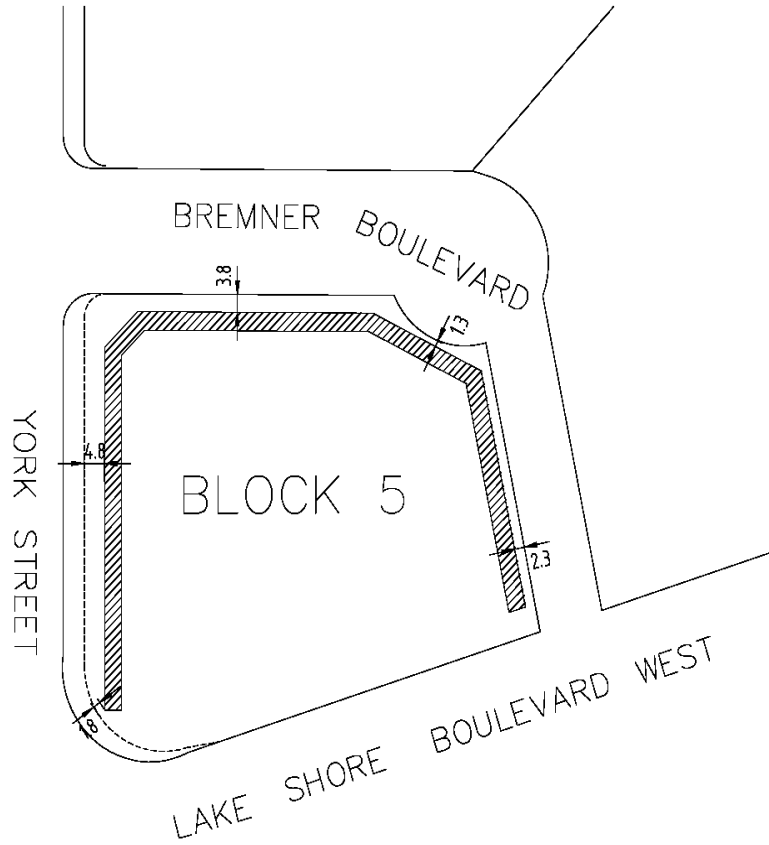
--- PROPOSED PUBLIC HIGHWAY
— SETBACK LINE



APPLICANT'S SUBMITTED DRAWING
JULY 2006

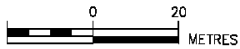


MAP 3

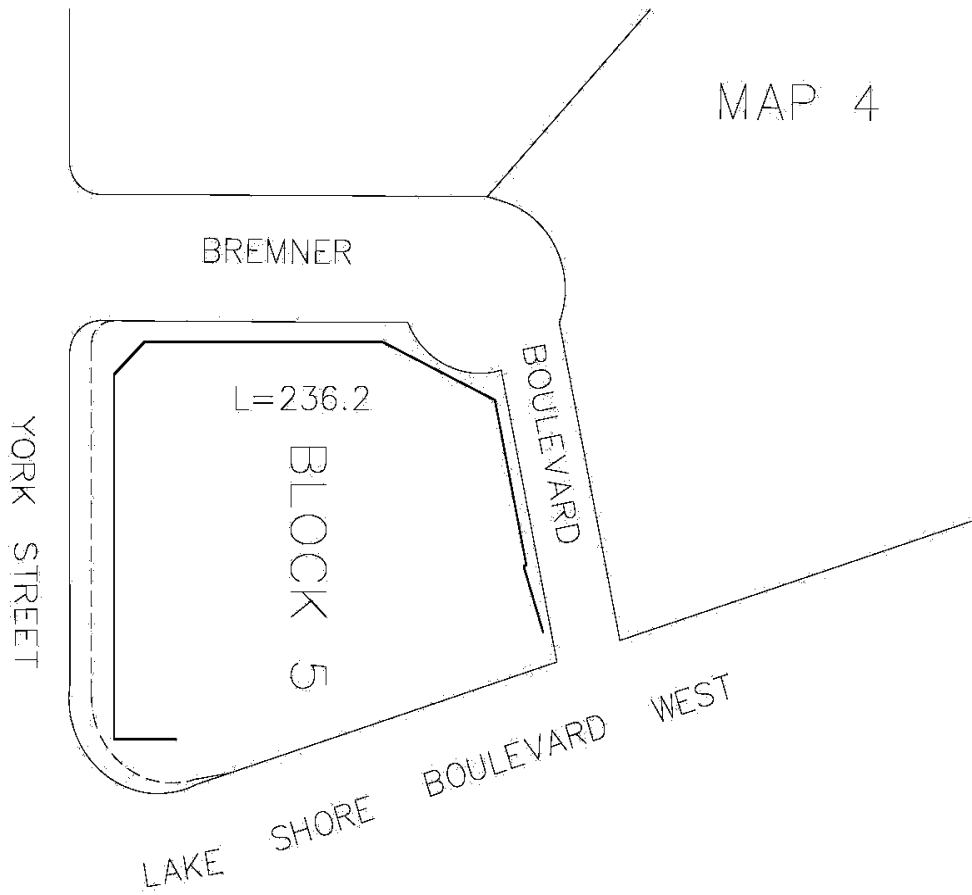


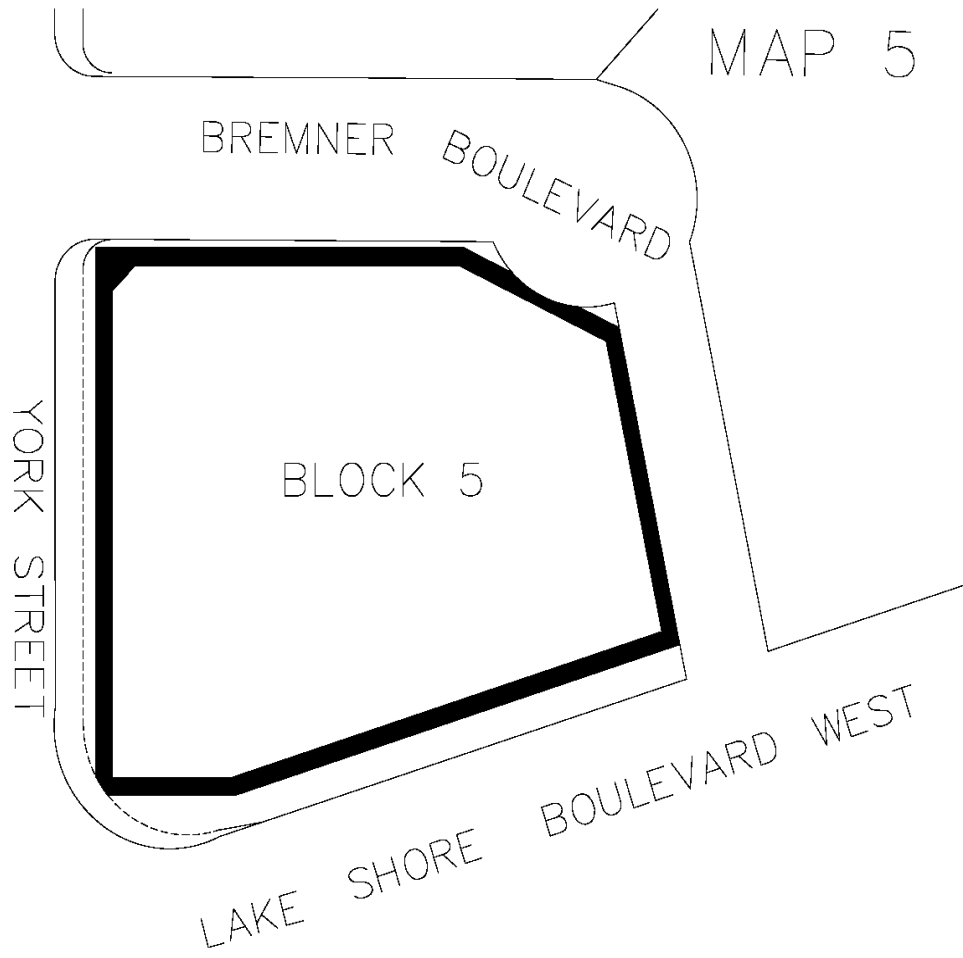
90% BUILD TO LINE
FROM GRADE TO
96.0m CANADIAN GEODETIC
DATUM

----- PROPOSED PUBLIC HIGHWAYS




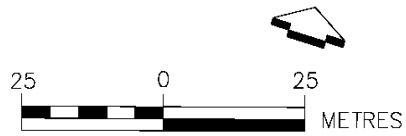
APPLICANT'S SUBMITTED DRAWING
JULY 2006





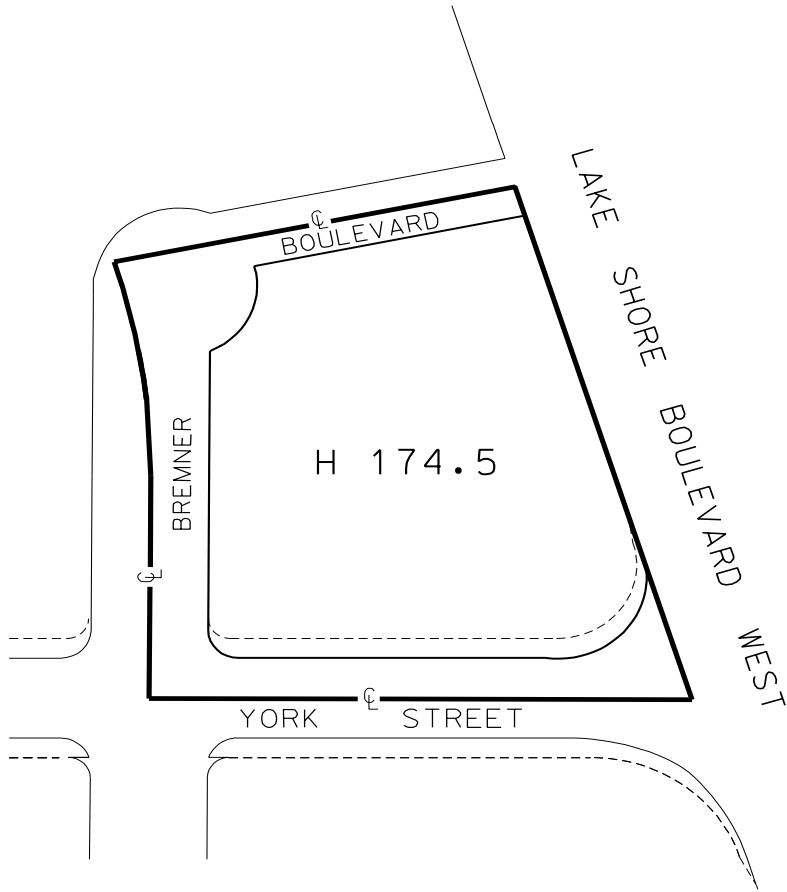
 COLONNADES OR CANOPIES

 PROPOSED PUBLIC HIGHWAYS

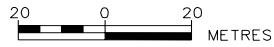


APPLICANT'S SUBMITTED DRAWING
JULY 2006

MAP 6

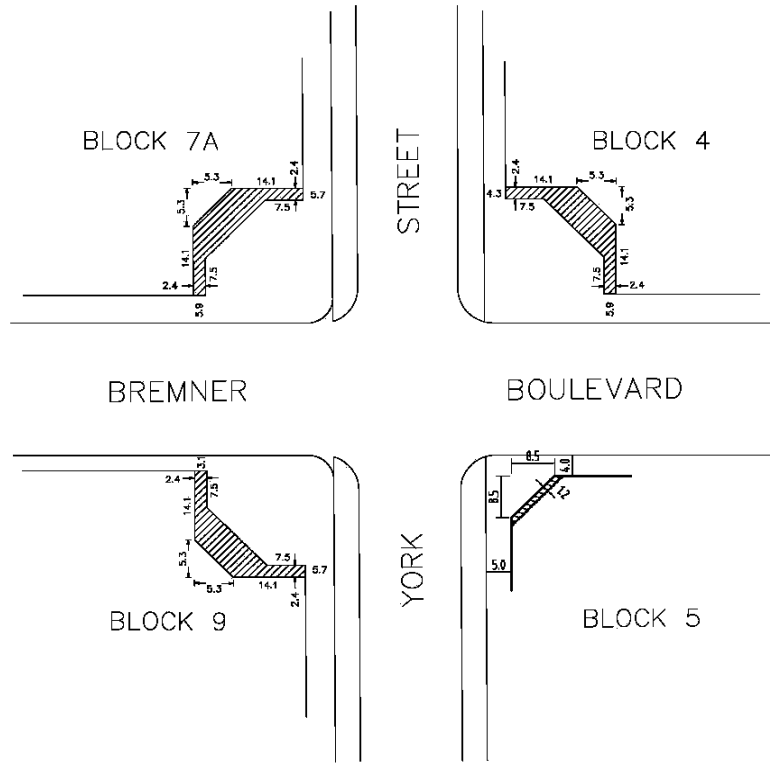




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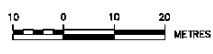


SURVEY AND MAPPING SERVICES
TORONTO JULY 2006
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FILES: Y2-Z8, 2402.42 'A'
MAP No. 50G-323 DRAWN: VG

ALTERNATE MAP 5

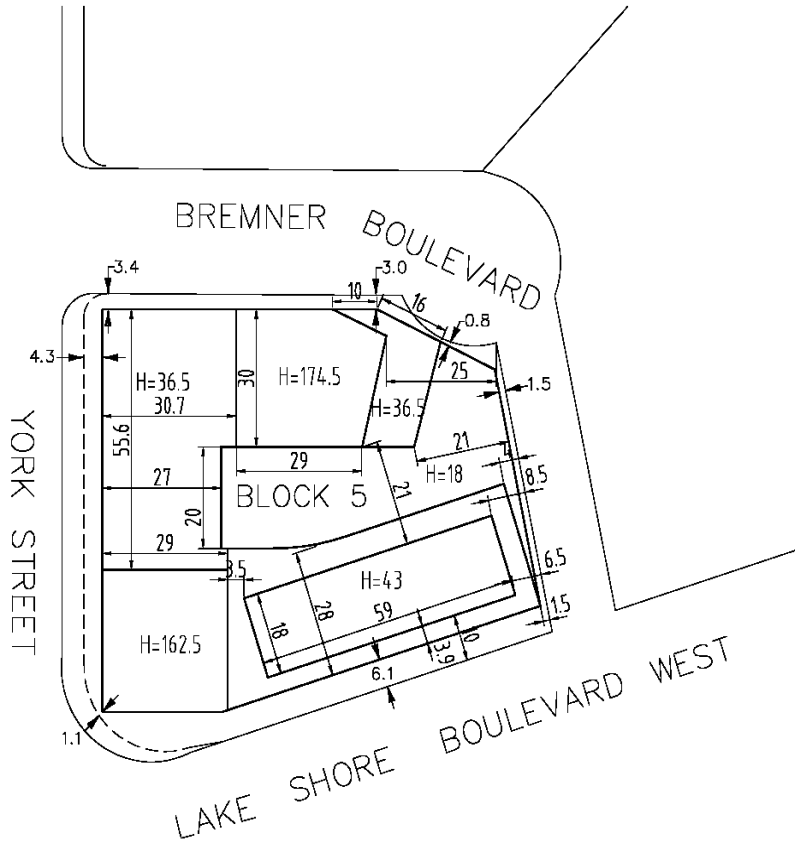


 BUILD TO ZONE
 PROPOSED PUBLIC HIGHWAYS

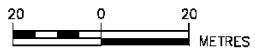


APPLICANT'S SUBMITTED DRAWING
JULY 2006

ALTERNATE MAP 18



--- PROPOSED PUBLIC HIGHWAY
— SETBACK LINE



APPLICANT'S SUBMITTED DRAWING
JULY 2006

