

Authority: Toronto and East York Community Council Item TE34.18, as adopted by City of Toronto Council on July 23, 24, 25, 26, 27 and 30, 2018

CITY OF TORONTO

BY-LAW 1224-2018

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2018 as 1982-1984 Yonge 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; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and/or density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto (the "City"); and

Whereas Council of the City, at its meeting on July 23, 24, 25, 26, 27 and 30, 2018, determined to amend Zoning By-law 569-2013 with respect to lands known municipally, in the year 2018, as 1982-1984 Yonge Street; and

Whereas the Council of the City has required the owner of the aforesaid lands to enter into one or more agreements for the provision of certain facilities, services and matters in return for the increases in height and density permitted by this 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 amending the zone label for 1984 Yonge Street on the Zoning By-law Map in Section 990.10 to "CR 3.0 (c2.0; r2.5) SS2 (x157)", and by adding 1982 Yonge Street to the Zoning By-law Map in Section 990.10 with the zone label "CR 3.0 (c2.0; r2.5) SS2 (x157)", all as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding 1982 Yonge Street to the Policy Areas Overlay Map in Section 995.10.1, and applying the following Policy Area label to 1982 Yonge Street: PA3, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding 1982 Yonge Street to the Height Overlay Map in Section 995.20.1, and applying the following height label to 1982 Yonge Street: HT 16.0, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding 1982 Yonge Street to the Lot Coverage Overlay Map in Section 995.30.1, and applying no lot coverage label to 1982 Yonge Street, as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding 1982 Yonge Street to the Rooming House Overlay Map in Section 995.40.1, and applying the following Rooming House label of B3 to 1982 Yonge Street, as shown on Diagram 6 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 157 so that it reads:

Exception CR 157

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 1982-1984 Yonge Street, if the requirements of Section 10 and Schedule A of By-law 1224-2018 are complied with, none of the provisions of regulations 40.10.40.10(2) and 40.10.40.40(1) apply to prevent the use of erection of a **mixed-use building** if it complies with (B) to (O) below;

- (B) Despite regulation 40.10.40.40(1), the maximum permitted **gross floor area** of all **buildings** and **structures** must not exceed 3,300 square metres, of which:
- (i) The total residential **gross floor area** must not exceed 2,700 square metres; and
 - (ii) The total non-residential **gross floor area** must not exceed 600 square metres;
- (C) Despite regulation 40.5.40.10(1), the height of a **building** is measured from the Canadian Geodetic Datum elevation of 156.18 metres;
- (D) Despite regulation 40.10.40.10(2), the permitted maximum height is as shown on Diagram 7 of By-law 1224-2018;
- (E) Despite Regulation 40.5.40.10 (4) and (C) above the following elements of a **building** may exceed the maximum height as follows:
- (i) Canopies, lightning rods, window washing equipment, satellite dishes, eaves, screens, landscape and ornamental features, trellises, cabanas, light fixtures, antennae, flag poles, associated mechanical equipment overrun, elevator/stair overrun and garbage chute overruns rods may project above the height limits shown on Diagram 7 of By-law 1224-2018 by no more than 4.0 metres;
 - (ii) Wind mitigation, vents, roof access, solar panels, mechanical exhausts, flues, fans, chimneys, and parapets around the mechanical elements on the rooftop may project above the height limits shown on Diagram 7 of By-law 1224-2018 by no more than 2.0 metres;
 - (iii) Terrace and balcony dividers/privacy screens may project above the height limits shown on Diagram 7 of By-law 1224-2018 by no more than 2.5 metres;
 - (iv) Guardrails, railings, retaining walls, wheelchair ramps, roofing assembly and drainage, elements of **green roof**, parapets, cornices, balustrades, bollards, landscape and ornamental features may project above the height limits shown on Diagram 7 of By-law 1224-2018 by no more than 1.5 metres;
- (F) Despite Regulation 40.5.40.10(5), a mechanical penthouse may occupy the entire "Mechanical Penthouse Area" as illustrated on Diagram 7 of By-law 1224-2018;
- (G) Minimum **building** height setbacks must be provided as shown on Diagram 7 of By-law 1224-2018;
- (H) Despite Regulation 40.5.40.70 and 40.10.40.70 (2), minimum **building** setbacks must be provided as shown on Diagram 7 of By-law 1224-2018;

- (I) Despite Regulations 40.5.40.60 (1) and 40.10.40.60 and (G) above:
- (i) Canopies, lightning rods, window washing equipment, satellite dishes, eaves, screens, landscape and ornamental features, trellises, cabanas, , light fixtures, antennae, and flag poles may project into the required **building setback** shown in Diagram 7 of By-law 1224-2018 by no more than 0.6 metres; and
 - (ii) Cornices, lighting features, trellises, eaves, window sills, guardrails, balustrades, railings, vents, and balconies above a height of 14 metres may project into the required **building setback** shown in Diagram 7 of By-law 1224-2018 by no more than 1.5 metres;
 - (iii) awnings, screens, and landscape and ornamental elements may project into the required **building setback** shown in Diagram 7 of By-law 1224-2018 by no more than 3.0 metres;
- (J) Despite Regulation 40.10.40.50, the minimum of 60 square metres of indoor **amenity space** and 60 square metres of outdoor **amenity space** must be provided and maintained on the **lot**;
- (K) Despite 40.10.40.1(1) all residential use portions of the **building** must be located above non-residential use portions of a **building**, other than following:
- (i) the residential lobby access, residential garbage room and associated corridors;
 - (ii) for clarity, the non-residential uses at the eighth and ninth **storey** of this **building** do not otherwise prevent residential uses at or below the ninth **storey** subject to (A) above;
- (L) **Dwelling units** are not permitted on the first **storey** of the **building** or any floor below-ground;
- (M) Despite regulation 230.5.1.10(1), 230.5.1.10(9), 230.5.10.1(1), 36 **bicycle parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) Minimum 30 **bicycle parking spaces** for residential **dwelling units** may be located on the first **storey** of the **building** or on the first level below-ground; and
 - (ii) Minimum of 6 short-term **bicycle parking spaces** may be located at ground level;
- (N) Despite Table 200.5.10.1, 40.5.80.1(1) and 200.5.10.1(1) there is no minimum **parking space** requirement for **dwelling units**, visitor or non-residential uses;

- (O) A minimum of two car-share **parking spaces**, being a parking space that is reserved for car-share purposes, shall be provided. Car-share means the practice where a number of people share the use of one or more motor vehicles. Such car-share motor vehicles shall be made available for short term rental, including hourly rental. Car-share operators may require that the car-share motor vehicles be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing operator, including the payment of a membership fee that may or may not be refundable.

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

9. Section 37 Provisions

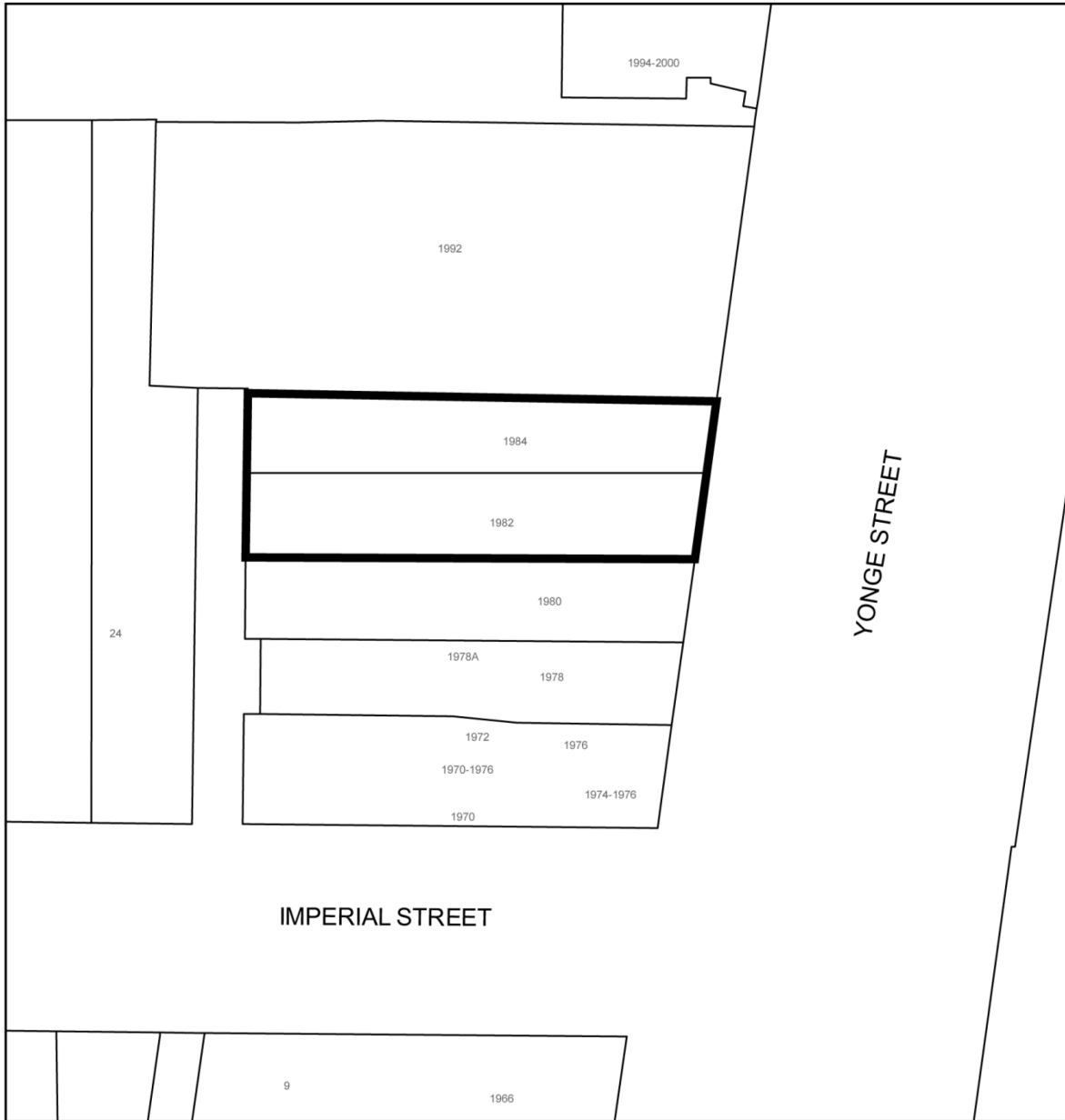
- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner shall not use, or permit the use of, a **building** or **structure** on the site erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on July 27, 2018.

Glenn De Baeremaeker,
Deputy Speaker

Ulli S. Watkiss,
City Clerk


(Seal of the City)



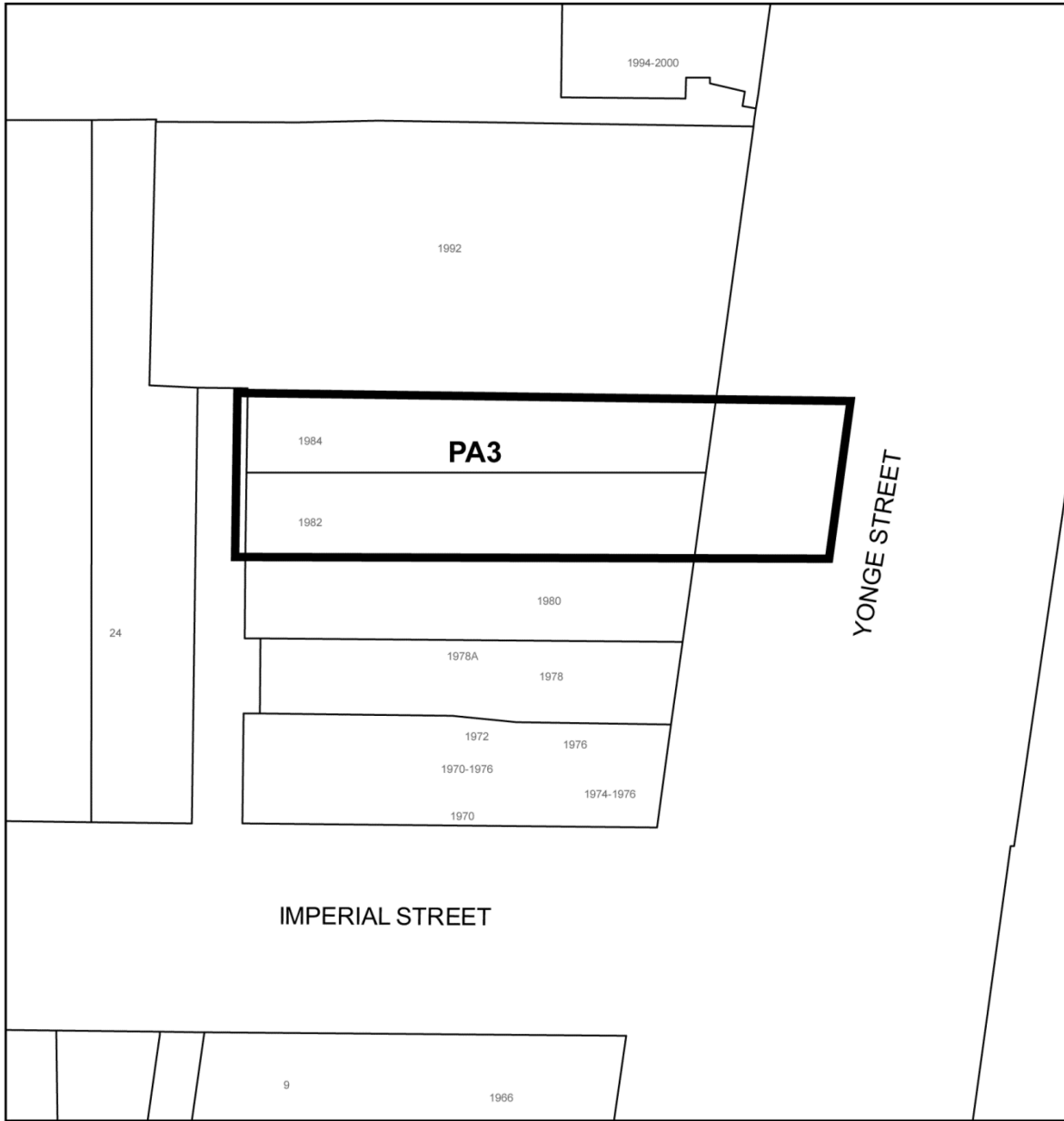
 **TORONTO**
Diagram 1

1982-1984 Yonge Street

File # 16 270106 STE 22 OZ


City of Toronto By-Law 569-2013
Not to Scale
6/26/2018




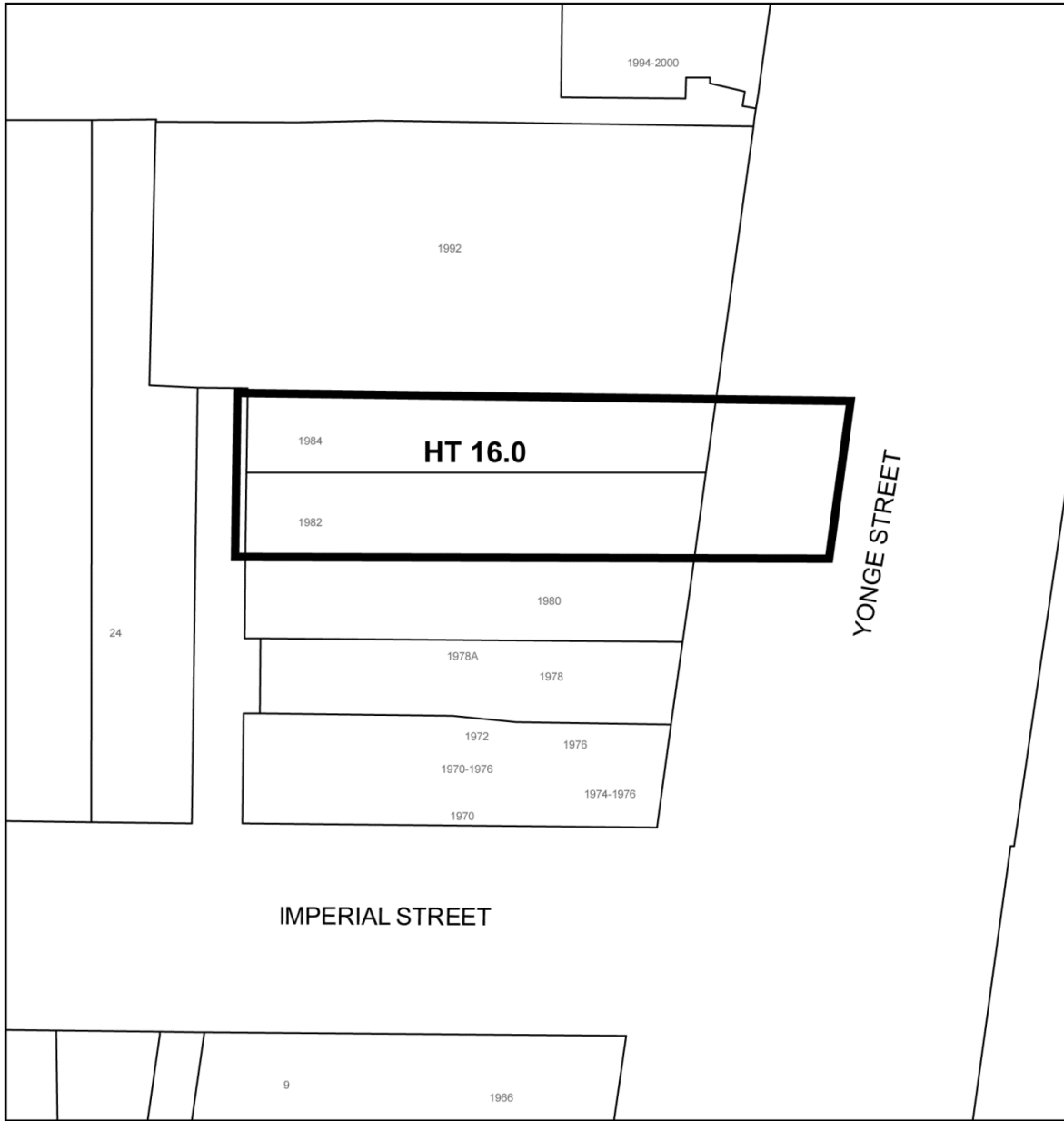


 **TORONTO**
Diagram 3

1982-1984 Yonge Street

File # 16 270106 STE 22 OZ



City of Toronto By-Law 569-2013
Not to Scale
6/26/2018

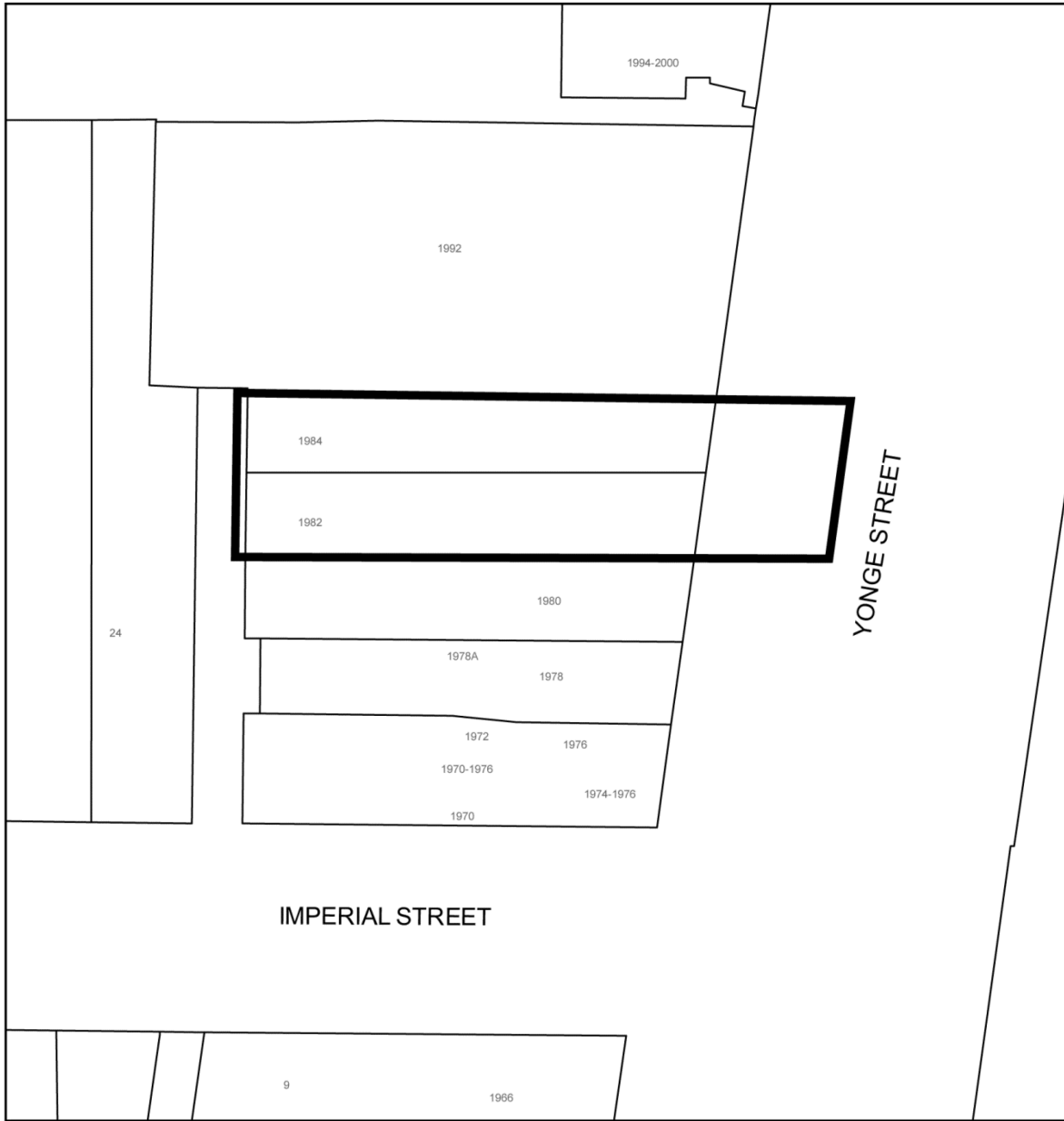


 **TORONTO**
Diagram 4

1982-1984 Yonge Street

File # 16 270106 STE 22 OZ


City of Toronto By-Law 569-2013
Not to Scale
6/26/2018



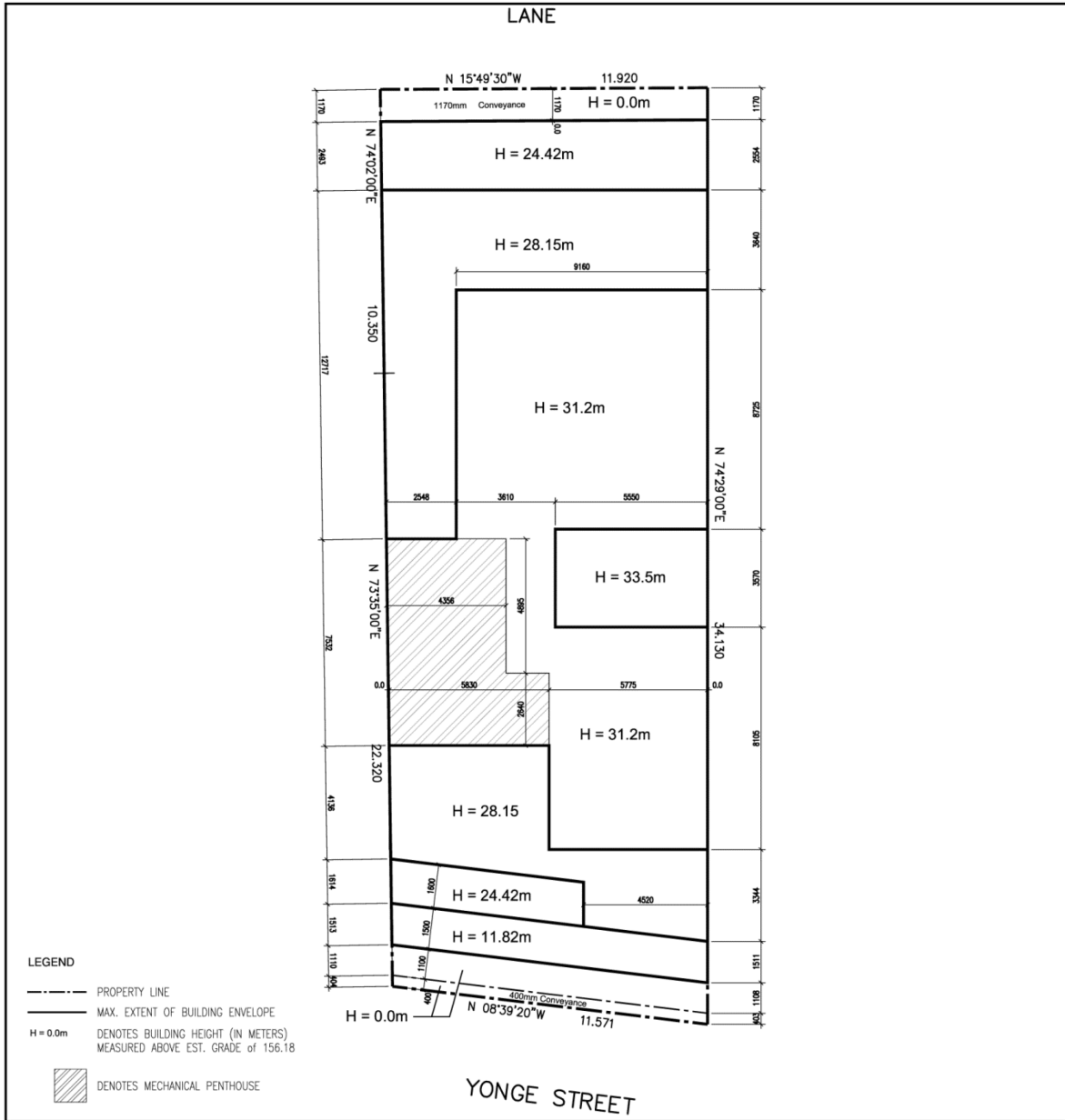
 **TORONTO**
Diagram 5

1982-1984 Yonge Street

File # 16 270106 STE 22 OZ


City of Toronto By-Law 569-2013
Not to Scale
6/26/2018





1982-1984 Yonge Street

File # 16 270106 STE 22 OZ

SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense to the City in accordance with an agreement or agreements, pursuant to Section 37(3) of the Planning Act, in a form satisfactory to the *City* and the *owner* with conditions providing for termination and unwinding, and registration and priority of agreement in return for the increase in height and/or density of the proposed development on the lot, as follows, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division:

1. Prior to first residential use of any residential building the owner shall enter into an agreement to provide and maintain 30 new secured rental dwelling units at 1982-1984 Yonge Street for the period of at least 20 years beginning from the date that each new secured rental dwelling unit is first occupied. Any revisions shall be to the satisfaction of the Chief Planner and Executive Director, City Planning; and
2. Prior to first residential use of any residential building the owner shall enter into an agreement to provide one new secured rental dwelling unit at affordable rent for a period of at least 10 years beginning from the date that such new secured rental dwelling unit is first occupied.