

Authority: Toronto and East York Community Council  
Item TE20.3, as adopted by City of Toronto Council on  
November 25 and 26, 2020

## CITY OF TORONTO

### BY-LAW 1169-2020

**To amend Zoning By-law 569-2013 with respect to the lands municipally known in the year 2020 as 276-290 Merton Street.**

Whereas authority is given to the Council of a municipality by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass Zoning By-laws; 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 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 on the Zoning By-law Map in Section 900.11.10, respecting the lands municipally known in the year 2020 as 276-290 Merton Street to CR 3.0 (c3.0; r1.5) SS2 (299), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number 299:

(299) Exception CR 299

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions.

Site Specific Provisions:

- (A) On 276-290 Merton Street, a **mixed used building** may be constructed, used or enlarged in compliance with Sections (B) to (R) below;
- (B) Despite Clause 40.10.40.40(1), the permitted maximum **gross floor area** for all uses on the **lot** is 7,850 square metres, of which:
  - (i) the permitted maximum **gross floor area** for residential uses is 7,850 square metres; and

- (ii) the permitted maximum **gross floor area** for non-residential uses on the **lot** is 300 square metres, exclusive of a **parking garage** used for **public parking**;
- (C) Regulation 40.10.40.1(1) with respect to the location of residential use portions in a **mixed use building** does not apply;
- (D) The provision of dwelling units in a building with 60 or more dwelling units is subject to the following:
  - (i) a minimum of 10 percent of the total number of **dwelling units** must contain three bedrooms or more; and
  - (ii) a minimum of 15 percent of the total number of **dwelling units** must contain two bedrooms;
- (E) The provision of **dwelling units** in a building with less than 60 residential units is subject to the following:
  - (i) a minimum of 8 percent of the total number of **dwelling units** must contain three bedrooms or more; and
  - (ii) a minimum of 20 percent of the total number of **dwelling units** must contain two bedrooms;
- (F) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 147.72 metres CGVD2013 in the year 2019 and the elevation of the highest point of the **building** or **structure**;
- (G) Despite Regulations 40.5.40.10(1) and 40.10.40.10(2), the maximum height of any portion of a **building** or **structure** on the **lot** is the numerical value, in metres, following the letters "HT" as shown on Diagram 3 attached to this By-law, excluding:
  - (i) wind screens, elevator overruns, mechanical equipment and any associated enclosure structures, parapets, awnings, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, eaves, screens, stairs, stair enclosures, roof drainage, window washing equipment, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, planters, and elements of a green roof, which may project a maximum of 5.0 metres above maximum permitted heights shown on Diagram 3 of this By-law;
- (H) Despite Regulations 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of this By-law;

- (I) Despite Clause 40.10.40.60 and (H) above, the following elements of a **building** or **structure** are permitted to encroach into the required **building setbacks** shown on Diagram 3 of By-law:
- (i) cornices, light fixtures, ornamental elements, parapets, art and landscape features, pillars, trellises, balconies, balcony supporting structures or screens, terraces, eaves, window sills, planters, ventilation shafts, guardrails, railings, stairs, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and associated structures may extend a maximum of 2.5 metres beyond the heavy lines shown on Diagram 3 of this By-law;
  - (ii) despite (i) above, no balcony projections are permitted on the south-facing walls, with the exception of a maximum 1.5 metre projection between heights of 22.0 metres and 32.5 metres.
- (J) Despite Regulation 40.10.40.80 (2)(A), where a **main wall** of the building has windows and a line projected at a right angle from that **main wall** intercepts another **main wall** with windows on the same lot, the required minimum above-ground distance between the **main walls** is 10.0 metres;
- (K) Despite Regulation 40.10.50.10(3), there is no requirement for a strip of soft landscaping along the **lot line** abutting a lot in a Residential zone;
- (L) Despite Regulation 40.10.50.10(2), there is no fence required on the portion of a **lot line** abutting a **lot** in the Residential zone;
- (M) Despite Clause 200.5.10.1, **parking spaces** must be provided and maintained on the lands in accordance with the following:
- (i) a minimum of 0.4 **parking spaces** per **dwelling unit** for the use of the residents of the building;
  - (ii) a minimum of 0.1 **parking spaces** per **dwelling unit** for the use of residential visitors; and
- (N) Despite Regulation 200.5.1.10 (5), up to 25 of the required **parking spaces** may be **tandem parking spaces**;
- (O) Despite Regulation 200.5.1.10.2 (A), up to 6 **parking spaces** may have the following dimensions:
- (i) a minimum width of 2.5 metres;
  - (ii) a minimum length of 5.4 metres; and
  - (iii) a minimum vertical clearance of 2.0 metres.

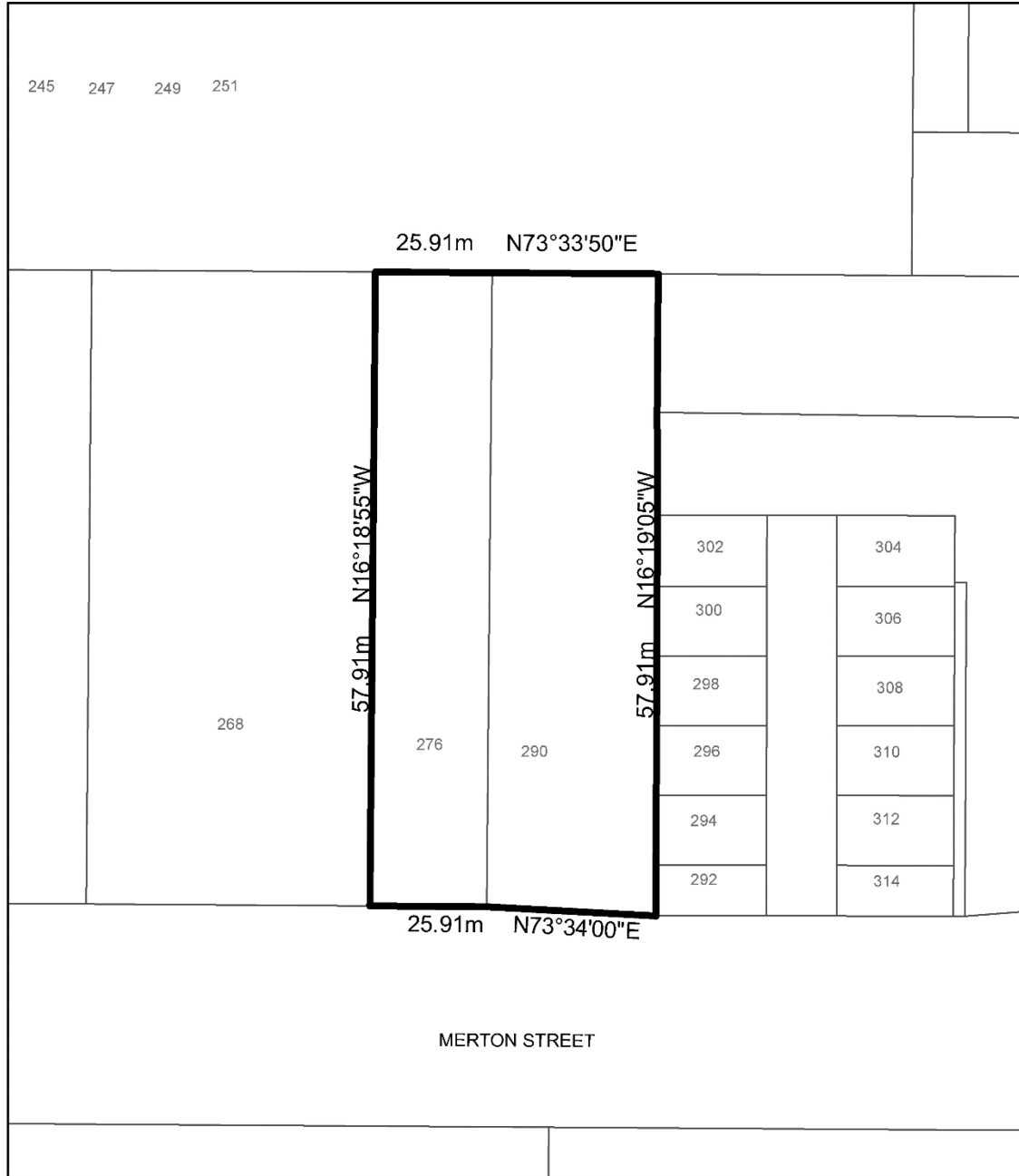
- (P) Despite Regulations 200.5.1.10 (2)(A)(iv), the minimum requirements for obstructed **parking spaces** do not apply;
  - (Q) Despite Article 220.5.10,. one Type "G" **loading space** must be provided and maintained on the **lot**; and
  - (R) Despite 200.5.1.10 (13), access to **parking spaces** may be provided by an automated parking system. For the purpose of this By-law, "automated parking system" means a mechanical system for the purpose of parking and retrieving **vehicles** with or without drivers in the **vehicle** during parking and with or without the use of ramping or **drive aisles**. Automated maneuvering of other **vehicles** may be required for **vehicles** to be parked or retrieved.
5. Despite any future severance, partition or division of the **lot** as shown on Diagram 1, the provisions of this By-law must apply as if no severance, partition or division occurred.

Enacted and passed on December 18, 2020.

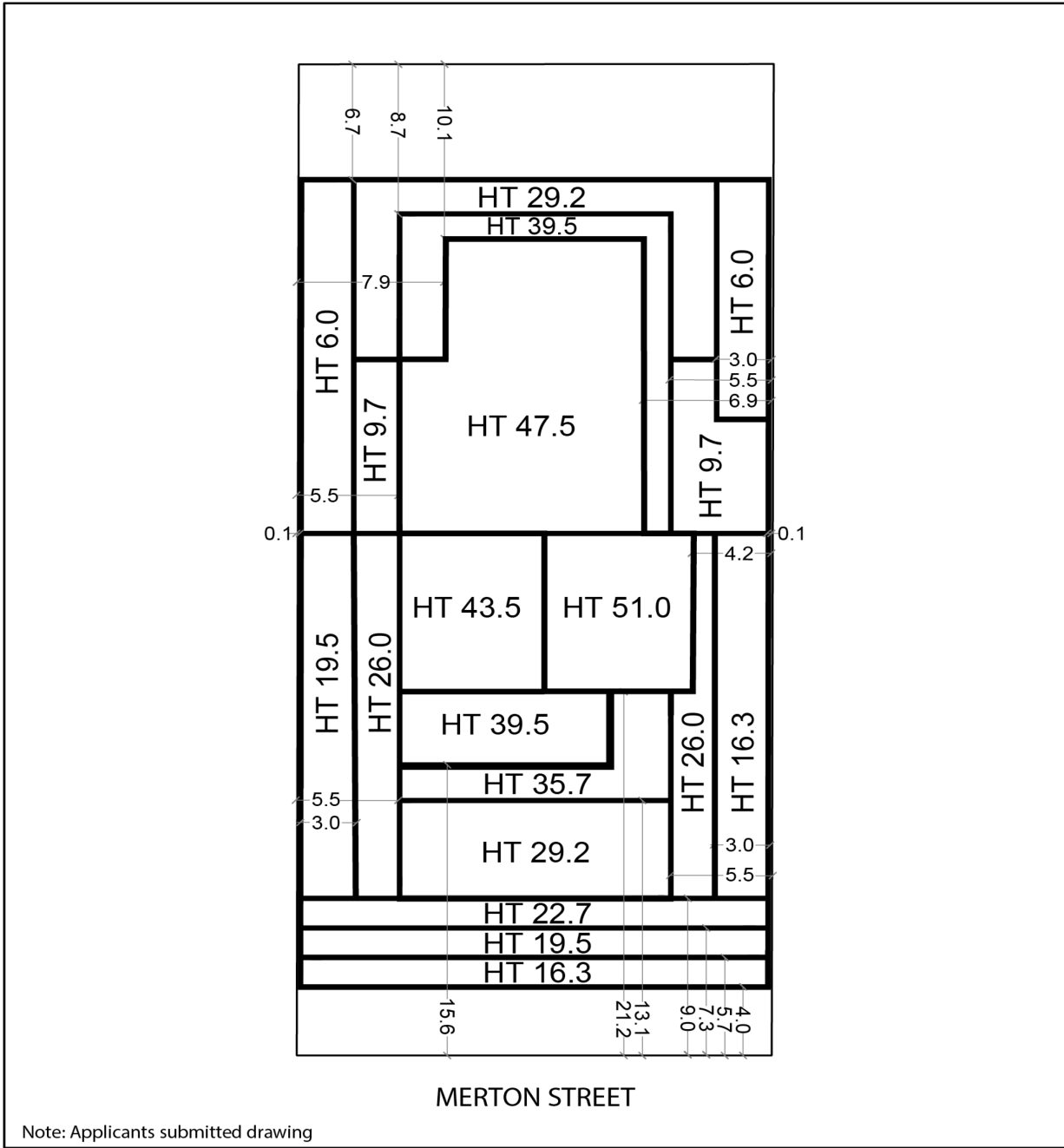
Frances Nunziata,  
Speaker

John D. Elvidge,  
Interim City Clerk

(Seal of the City)







276 - 290 Merton Street

File # 18 172768 STE 22 0Z