

Authority: Toronto and East York Community Council
Item TE9.12, as adopted by City of Toronto Council on
December 13, 14 and 15 2023

CITY OF TORONTO

Bill 272

BY-LAW -2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 828, 834, 836 and 838 Richmond Street West.

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, as amended; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once Council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of a holding symbol "(H)"; and

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, as amended, Chapter 800 Definitions, with the exception of **grade**, which shall be defined as the Canadian Geodetic Datum of 88.21 metres.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.1 respecting the lands outlined by heavy black lines from a zone label of R (d1.0) (x77) to a zone label of (H) R (d1.0) (x185) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 185 so that it reads:

(185) Exception R (d1.0) 185

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 lands municipally known as 828, 834, 836 and 838 Richmond Street West, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Z) below;
- (B) In addition to the uses permitted in Regulation 10.10.20.10(1), a “geo-energy facility” is permitted;
- (C) Despite Regulations 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 88.21 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 10.10.30.10(1), the minimum **lot area** is 700 square metres.
- (E) Despite Regulations 10.5.40.10(1), 10.10.40.10(1) and (B) above, the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (F) Despite Regulations 10.5.40.10(2) to (4), 10.10.40.10(1), (8), (9) and (10), and (D) above, the following equipment and **structures** may also project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number]:
- (i) Equipment, structures, or parts of the **building** used for the functional operation of the **building**, by a maximum of 4.0 metres, including:
 - (a) electrical, mechanical and ventilation equipment;
 - (b) enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
 - (c) structures that enclose, screen, or cover the equipment, structures and parts of a building listed in (a) and (b) above.
 - (ii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
 - (iii) **building** maintenance units and window washing equipment, by a maximum of 1.5 metres;
 - (iv) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 1.5 metres;
 - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (G) Despite (E) and (F) above, no projections are permitted beyond a height of 30.7 metres;
- (H) Despite Regulation 10.5.40.10(4)(A), the total area of all equipment and

structures used for the functional operating of the building may cover no more than 35 percent of the area of the roof, measured horizontally;

- (I) Despite Regulation 10.10.40.40(1), the permitted maximum **residential gross floor area** of all **buildings** and **structures** on the lot is 3,075 square metres.
- (J) Despite Regulation 10.5.40.40(4)(A) and (B), the **gross floor area** of all **buildings** and **structures** is reduced by the area in the **building** used for:
 - (i) “Geo-energy facility”, below ground, at, or above ground;
 - (ii) Parking and loading areas, including a stacked parking space that is at, below, or above **established grade**;
 - (iii) Bicycle parking spaces at, below, or above **established grade**;
- (K) Despite Regulation 10.10.40.30(1), the maximum depth of an apartment building is 30 metres.
- (L) Despite Regulations 10.5.40.70(1) and (2), 10.10.40.70(1) to (3), and 10.10.40.80(1), the required minimum **building setbacks** and separation distances are as shown in metres on Diagram 3 of By-law **[Clerks to insert By-law number]**;
- (M) Despite Subsection (J) above, the required minimum **building setback** from the west **lot line**, measured to the window surface, is 5.5 metres.
- (N) Despite Clause 10.5.40.50 and Regulations 10.5.40.60(1), (2), (5), (7), and (8), and Subsections (J) and (K) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) balconies, by a maximum of 2.5 metres;
 - (a) none permitted on the south or west **main wall**; and,
 - (b) on the east **main wall** shall have a maximum width of 5 metres,
 - (ii) **terraces** are permitted on areas with enclosed GFA below and may encroach to the extent of the main wall of the storey below it, except for the following location:
 - (a) at the third storey above the parking stacker on the west facade;
 - (iii) canopies and awnings, by a maximum of 2.5 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.5 metres;
 - (v) eaves, by a maximum of 0.5 metres;

- (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 0.5 metres;
- (O) Regulation 10.5.40.60(3)(B)(iii) shall not apply.
- (P) Despite Regulation 10.5.50.10 (4), a minimum of 15 percent of the **lot** shall consist of **landscaping**, of which 40 percent must be **soft landscaping**.
- (Q) Regulation 10.5.50.10(5) shall not apply.
- (R) Regulations 10.5.100.1 (4) and (5) shall not apply.
- (S) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, no visitor **parking spaces** are required.
- (T) Despite Regulation 200.5.1.10(2)(D), a stacked **parking space** does not constitute an obstructed **parking space**.
- (U) Despite Regulation 200.15.10.10(1), no accessible **parking spaces** are required.
- (V) Despite Regulation 200.5.1.10(2), **parking spaces** may be provided as **stacked parking spaces** with the following minimum dimensions:
 - (i) length: 5.7 metres
 - (ii) width: 2.7 metres
 - (iii) vertical clearance: 1.9 metres
- (W) Despite regulation 230.5.1.10(4) and 230.5.1.10(10), long-term and short-term **bicycle parking spaces** may be located in a **stacked bicycle parking space** having the following minimum dimensions:
 - (i) length or vertical clearance of 1.2 metres;
 - (ii) width of 0.4 metres; and
 - (iii) horizontal clearance from the wall of 1.8 metres;
- (X) Despite Regulation 230.5.1.10(4), the minimum dimensions of a **bicycle parking space** if placed in a vertical position on a wall, structure or mechanical device is:
 - (i) length or vertical clearance of 1.7 metres;
 - (ii) width of 0.4 metres; and
 - (ii) horizontal clearance from the wall of 0.9 metres;

- (Y) Despite Regulations 230.5.1.10(10) and 230.20.1.20, a "long-term" and "short-term" **bicycle parking space** may be located in a **stacked bicycle parking space**, which may be located within the building or outside, including within a secured room, enclosure or unenclosed space or any combination thereof, or bicycle locker;
- (Z) For the purpose of this exception, each word or expression that is in bold will have the same meaning as such word or expression as defined in Chapter 800 of Zoning By-law 569-2013, as amended, except for the following:
- (i) "geo-energy facility" means premises containing devices to generate geo-energy for the exclusive use of the building.
5. 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.
6. Every use of land and every erection, location and use of any building or structure shall be in accordance with this by-law.
7. Nothing in this by-law prevents the use of any land, building or structure for any use prohibited by this by-law if the land, building or structure is lawfully so used on the day this by-law comes into force.
8. Nothing in this by-law prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.
9. Nothing in this by-law prevents the strengthening or restoration to a safe condition of any building or structure.
10. Temporary Use:
- (A) None of the provisions of Zoning By-law 569-2013, as amended, or this by-law apply to prevent the erection and use of a sales office for the purpose of the sale and leasing of dwelling units on the lands to which this by-law applies for a period of 3 years from the date this by-law comes into full force and effect, after which this temporary use permission expires.
11. Holding Symbol Provisions:
- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this by-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this by-law, until the holding symbol "(H)" has been removed; and
- (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:

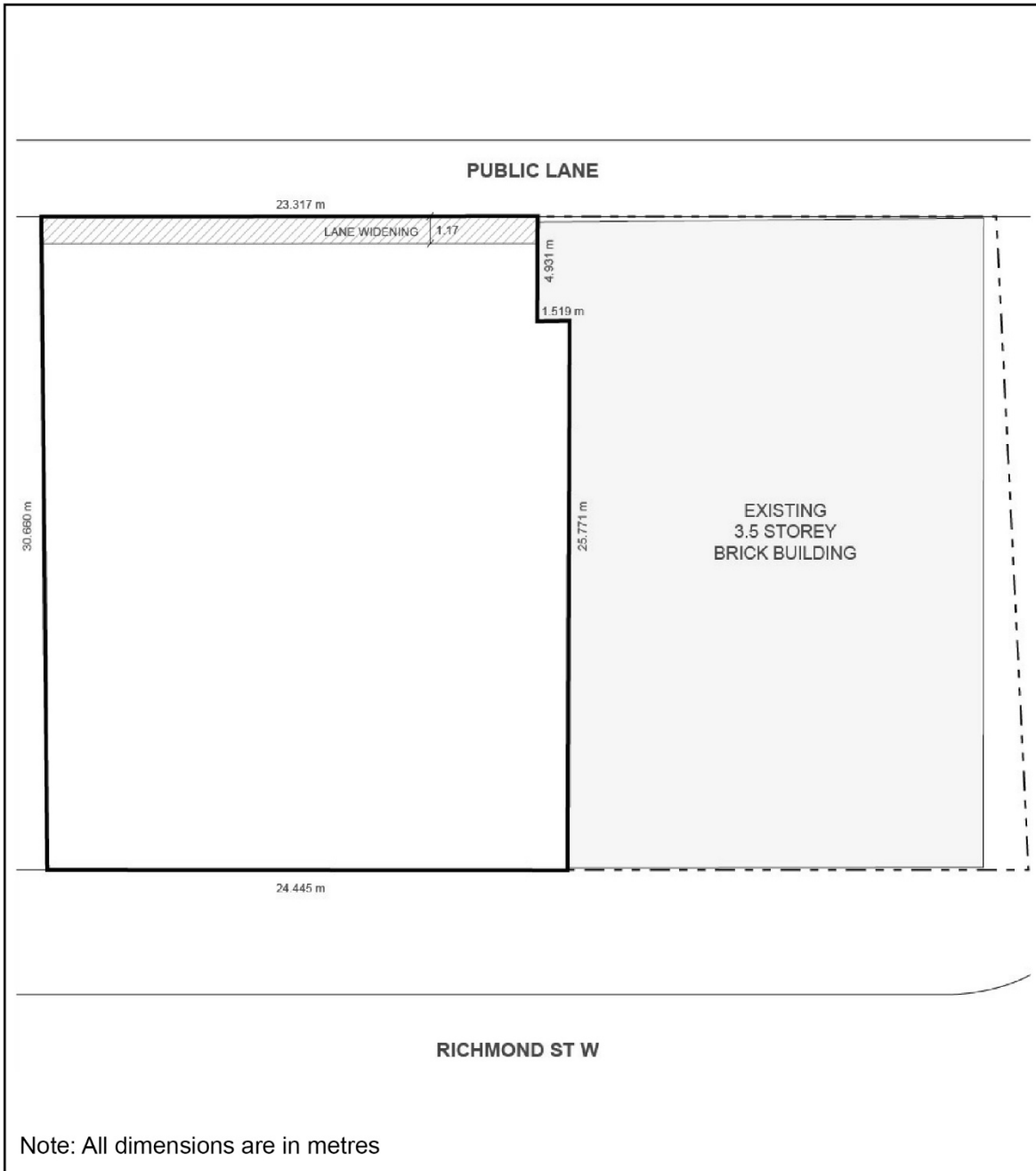
- (i) The owner has, at its sole cost and expense, submitted a Functional Servicing and Stormwater Management Report, including confirmation of water and fire flow, sanitary and storm capacity to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water; and
- (ii) In the event it is determined that improvements or upgrades are required to support the development as may be identified in the accepted Functional Servicing and Stormwater Management Report, the owners have entered into an agreement or have otherwise secured the design, construction, and provided financial securities for such upgrades to the existing municipal infrastructure to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water.

Enacted and passed on March , 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



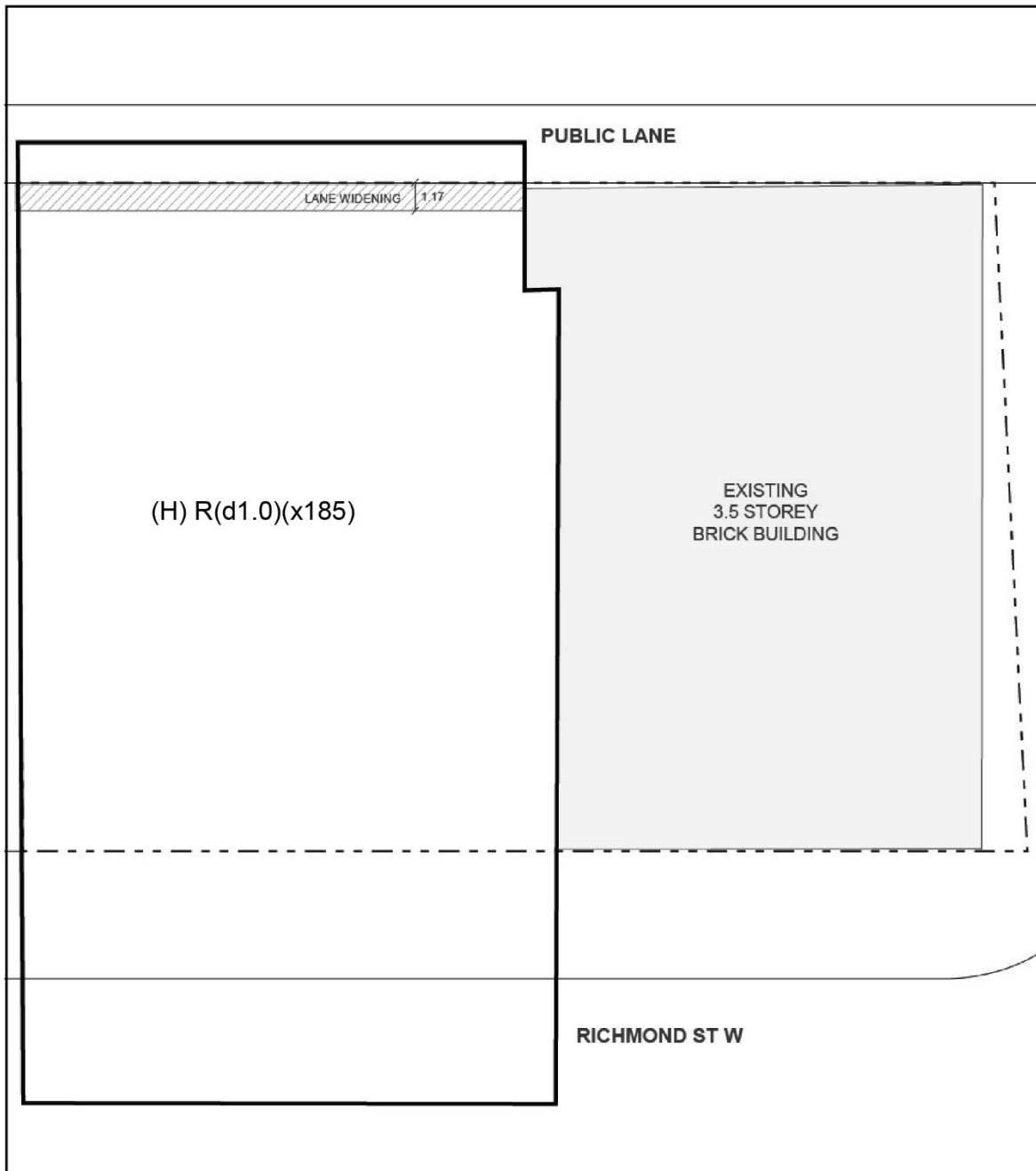
 **TORONTO**
Diagram 1

822-833 Richmond Street West

File # 22 175863 STE 10 0Z



City of Toronto By-law 569-2013
Not to Scale
11/14/2023



 **TORONTO**
Diagram 2

822-833 Richmond Street West

File # 22 175863 STE 10 OZ


City of Toronto By-law 569-2013
Not to Scale
02/09/2024

