

Authority: Toronto and East York Community Council
Item TE11.6, as adopted by City of Toronto Council on
March 20, 21, and 22, 2024

CITY OF TORONTO

Bill 278

BY-LAW -2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 211-219 Gerrard Street East.

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 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 holding symbol "(H)"; 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;

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.
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 CR 1.5 (c1.0; r1.0) SS2 (x1906) to a zone label of (H) CR 1.5 (c1.0; r1.0) SS2 (x966) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 966 so that it reads:

(966) Exception CR (966)

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 211-219 Gerrard Street East, 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 (P) below;
- (B) In addition to the uses permitted in Regulation 40.10.20.10(1), a "geo-energy facility" is permitted;
- (C) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum elevation of 93.94 metres and the highest point of the **building** or **structure**;
- (D) Despite Regulation 40.10.40.1(1), residential lobby access and related residential uses such as a mail room, management office, and storage may be located at the same **storey** as non-residential use portions of the **building**;
- (E) Despite Regulation 40.10.40.10(2), 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 40.5.40.10(3) to (8), and (E) above, the following equipment, elements and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number]:
- (i) Electrical, utility, ventilation equipment, cooling tower, emergency generator, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, by a maximum of 4 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, by a maximum of 4 metres;
 - (iii) architectural features, parapets, vents, chimneys, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 3 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2 metres; and
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4 metres;

- (G) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 3,950 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 3,700 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 250 square metres;
- (H) Despite Regulation 40.10.40.50(1)(B), a minimum of 25 square metres of outdoor **amenity space** is required to be in a location adjoining or directly accessible to the indoor **amenity space**;
- (I) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (J) Despite Regulations 40.10.40.70(2)(E) and (G), and (I) above;
- (i) a minimum **building setback** of 1.5 metres at grade for the first **storey**, shall be provided for the portion of **main wall** with frontage on Gerrard Street East, as shown on Diagram 3 of By-law [Clerks to insert By-law number];
 - (ii) where the **main wall** of a **building** has windows or openings, the **main wall** must be setback a minimum of 2.0 metres from a **side lot line** that is not a **street** or **lane**, otherwise no **building setback** is required;
- (K) Despite Clause 40.10.40.60, Regulation 40.10.40.80(2), and (I) and (J) 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;
 - (ii) canopies and awnings, by a maximum of 3 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2 metres;
 - (iv) architectural features added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.75 metres;
 - (v) window projections, including bay windows and box windows, by a maximum of 1 metres; and
 - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2 metres;

- (L) Regulation 40.10.50.10(2) with respect to a required fence does not apply;
- (M) Regulation 40.10.50.10(3) with respect to a required **soft landscaping** strip does not apply;
- (N) Despite Regulation 40.10.80.20(2), a **parking space** must be setback at least 6 metres from a **lot** in the Residential (R) Zone;
- (O) Despite Regulation 220.5.10.1 (2), **loading spaces** are not required; and
- (P) For the purpose of this exception, each word or expression that is in bold font 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**.

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

5. Despite any severance, widening, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
6. 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 by City Council when the following are fulfilled:
 - (i) The owner shall satisfy all Functional Servicing Report required edits/updates and provide all required additional information, including but not limited to, prepare and submit a revised Hydrogeological Summary Form and Servicing Report Groundwater Summary Form for review and acceptance, all to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services;
 - (ii) The owner shall prepare and submit a revised Functional Servicing Report to determine the overall impact on the local municipal service capacities such as local storm, sanitary and combined sewer systems, stormwater management facilities, and local watermains, determine the necessary improvements to private and municipal servicing infrastructure required to support proposed level of development, and determine the mitigation measures required to minimize any negative impacts of the development, to the satisfaction of the Chief Engineer and Executive Director,

Engineering & Construction Services; and

- (iii) The owner shall make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate financially secured agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineering & Construction Services.

Enacted and passed on March , 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

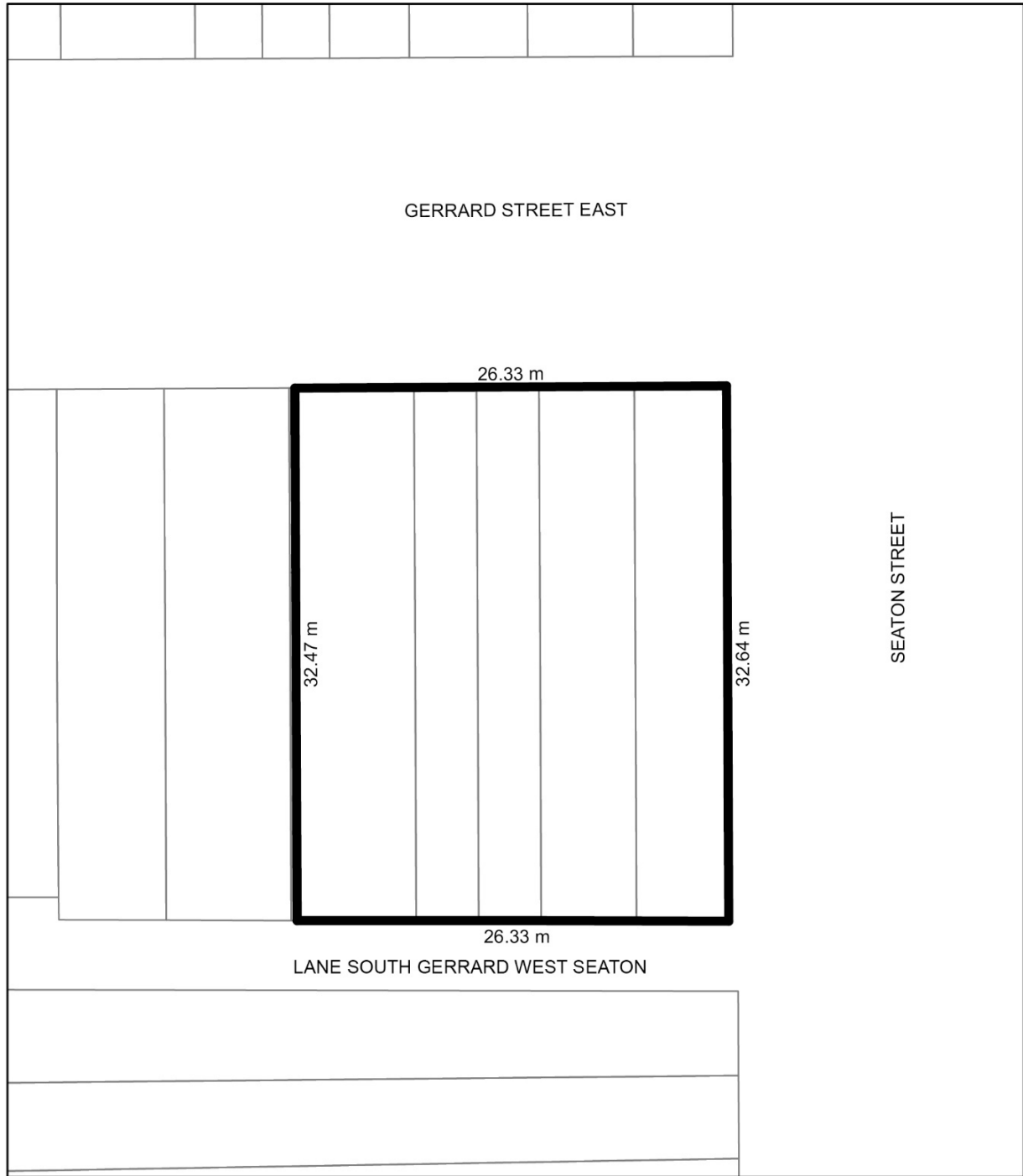


Diagram 2

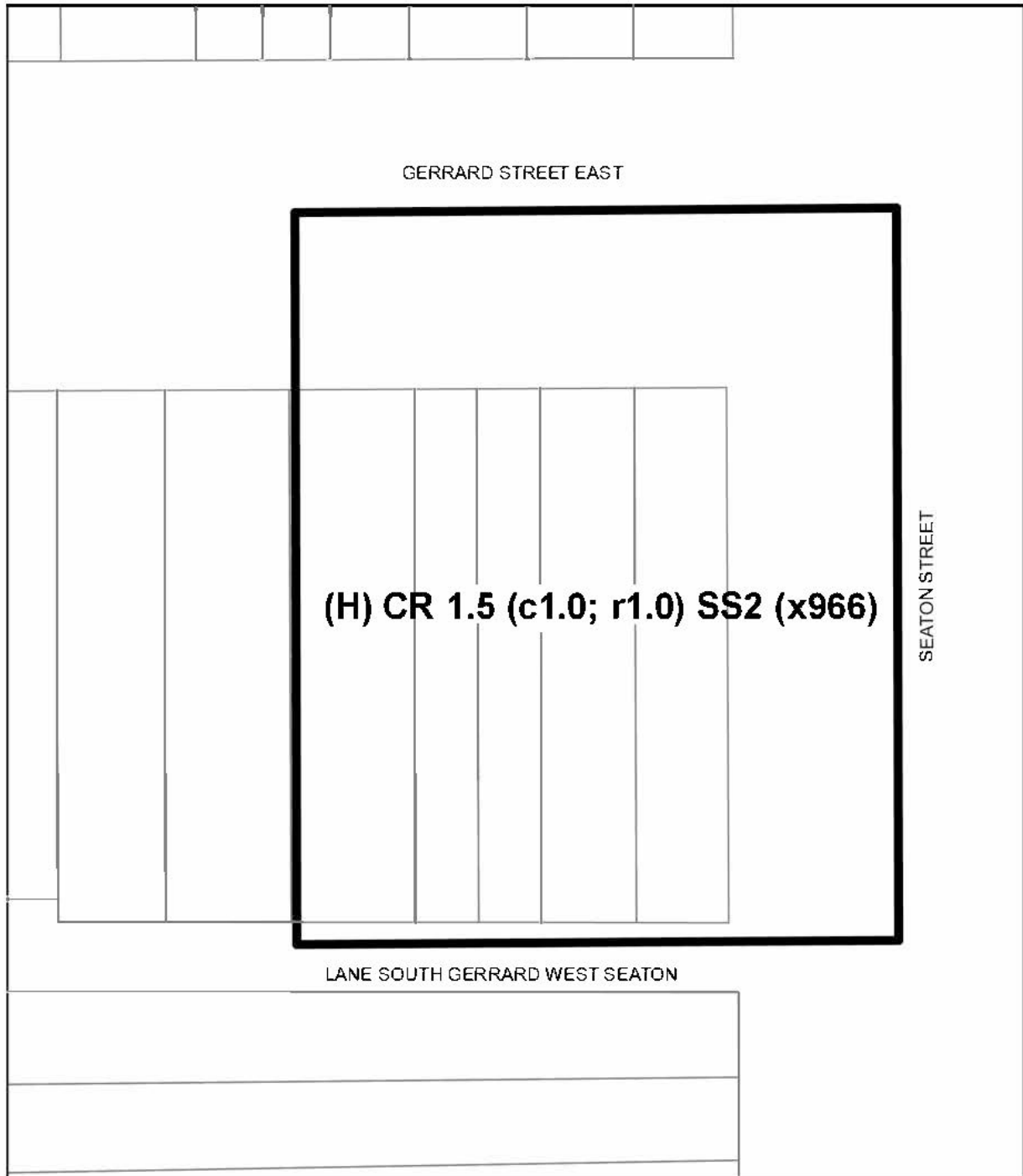
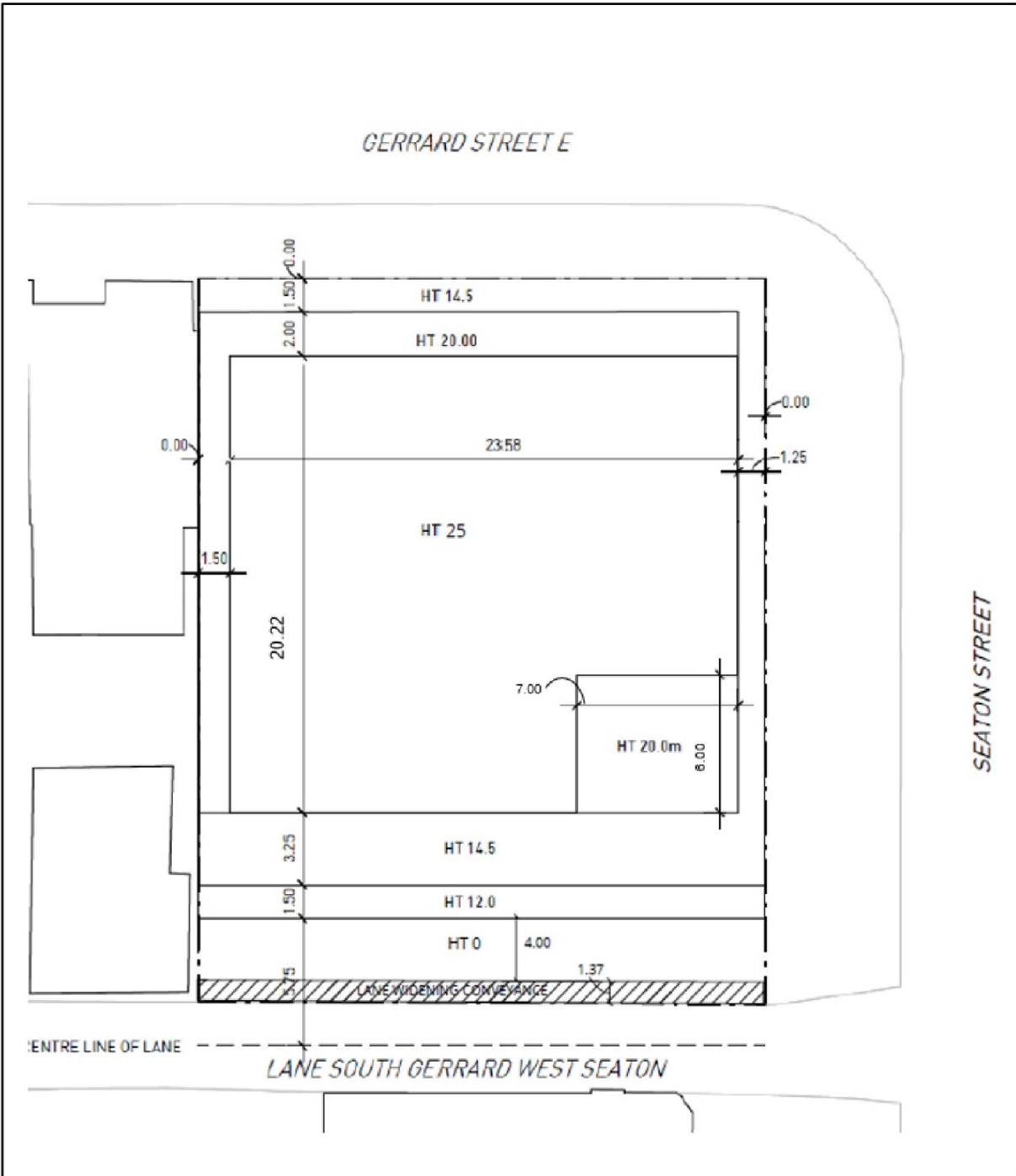


Diagram 3



 **TORONTO**
Diagram 3

211-219 Gerrard Street East

23 192767 STE 13 OZ