CITY OF TORONTO

Bill 470

BY-LAW -2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 3326 and 3330 Bloor Street West and 1240 and 1226 Islington Avenue.

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;

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 adding the lands subject to this By-law to the Zoning By-law Maps in Section 990.10, and applying the following zone label to these lands; CR 5.0 (c4.0, r4.0) SS1 (x939), and OR as shown on Diagram 3 attached to this by-law.
- 4. Zoning By-law 569-2013, as amended is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1, for the lands subject to this By-law, and applying the following label to these lands; 2, as shown on Diagram 4 attached to this by-law.
- 5. Zoning By-law 569-2013, as amended is further amended by adding the lands subject to this By-law to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 90.0, as shown on Diagram 5 attached to this by-law.
- 6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Article 995.30.1, and applying the following lot coverage label to these lands: 33, as shown on Diagram 6 attached to this by-law.
- 7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Article 995.40.1 for the lands subject to this By-law and assigning no value.

8. Zoning By-law 569-2013, as amended, is further amended by adding article 900.11.10 Exception Number 939 so that it reads:

(939) Exception CR 939

The lands, or a portion thereof as noted blow, are subject to the following Site Specific Provisions, Prevailing By-law and Prevailing Sections:

Site Specific Provisions:

- (A) 3326 and 3330 Bloor Street West and 1240 and 1226 Islington Avenue as shown on Diagram 1 attached to By-law [Clerks to insert By-law ##], a building or structure may be constructed, used or enlarged in compliance with (B) to (NN) below;
- (B) For the purposes of this exception, the **lots** are separately comprised of "Area A" and "Area B", as shown on Diagram 2 attached to [Clerks to insert By-law ##];
- (C) For the purpose of this exception:
 - "Base Building 1", "Base Building 2" and "Base Building 3", or collectively referred to as "Base Buildings" mean the portions of a building delineated on Diagram 7a and 7b of By-law [Clerks to insert By-law ##];
 - "Building 1", "Building 2", and "Building 3", or collectively referred to as "Buildings" mean **buildings** inclusive of the "Base Buildings" as shown on Diagram 7a and 7b and "Towers" as shown on Diagram 8, of which:
 - a) "Building 1" means the entire **building**, collectively made up of "Base Building 1" and "Tower 1";
 - b) "Building 2" means the entire **building**, collectively made up of "Base Building 2" and "Tower 2"; and
 - c) "Building 3" means the entire **building**, collectively made up of "Base Building 3", "Tower 3A" and "Tower 3B";
 - (iii) "Car-Share" means the practice whereby a number of people share the use of one or more motor vehicles and such "car-share" motor vehicles are made available to at least the occupants of the building for short-term rental, including hourly rental; and
 - (iv) "Car-Share Parking Spaces" means a **parking space** exclusively reserved and signed for a **vehicle** used only for a "Car-Share" purposes;
 - (v) "Gross Construction Area" means the total area of each floor level of a building, measured from the exterior of the main wall of each floor level;

- (vi) "Streetwall" means the main wall of a "base building" which is located within 6.0 metres from a "Publicly Accessible Space" or a lot line abutting a street, as shown as "SW A", "SW B1", "SW B2", "SW C", "SW D", "SW E", "SW F1", "SW F2", "SW G1, "SW G2" on Diagrams 7a and 7b;
- (vii) "Tower 1", "Tower 2", "Tower 3A", and "Tower 3B", or collectively referred to as "Towers", mean, despite regulation 40.5.40.10(8)(C), the portion of a **building** as shown on Diagram 8 of By-law [Clerks to insert By-law ##], inclusive of the "Lower Tower Portions", "Middle Tower Portions" and the "Upper Tower Portions" which collectively enclose the entirety of a **storey** with a height greater than:
 - a) 19 metres for "Tower 1";
 - b) 38 metres for "Tower 2";
 - c) 32 metres for "Tower 3A"; and
 - d) 32 metres for "Tower 3B";
- (viii) "Lower Tower Portions", "Middle Tower Portions" and the "Upper Tower Portions" are the components of each "Tower", which collectively enclose the entirety of a **storey** with a height greater than:
 - a) For "Tower 1"
 - i. 19 metres for "Lower Tower Portion"; and
 - ii. 67.5 metres for "Upper Tower Portion";
 - b) For "Tower 2":
 - i. 38 metres for "Lower Tower Portion";
 - ii. 62 metres for "Middle Tower Portion"; and
 - iii. 105 metres for "Upper Tower Portion";
 - c) For "Tower 3A":
 - i. 32 metres for "Lower Tower Portion "; and
 - ii. 80.5 metres for "Upper Tower Portion";
 - d) For "Tower 3B":
 - i. 32 metres for "Lower Tower Portion"; and

- ii. 60 metres for "Upper Tower Portion";
- (ix) "Publicly Accessible Spaces" means areas that are open to sky and are accessible to both occupants of the **building** and non-occupants (all members of the general public), inclusive of areas A, B, C, and D at the locations shown on Diagram 7b of By-law [Clerks to insert By-law ##], except for the projections listed in 40.10.40.60;
- (D) Despite Regulation 40.10.20.100(20)(A) and (D):
 - (i) Outdoor sales and displays of goods or commodities are not required to be combined with another permitted non-residential use; and
 - (ii) The area for the outdoor sale or display of goods or commodities may be located in areas required for **landscaping**;
- (E) Despite Clause 40.10.30.40, the permitted maximum **lot coverage** is:
 - (i) 21 percent of the lot area for "Area A"; and
 - (ii) 52 percent of the **lot area** for "Area B";
- (F) Despite Regulation 5.10.30.1(1), on the lands shown on Diagram 1 attached to By-law [Clerks to insert By-law ##], no land may be used and no building or structure may be erected or used, except for below-ground structures and foundations, unless:
 - (i) For "Building 1" and "Building 2", the street identified as "Street A", as shown on Diagram 2 attached to By-law [Clerks to insert By-law ##], is constructed to a minimum base curb and base asphalt or concrete and is connected to an existing street, and all Municipal water mains and Municipal sewers, and their appurtenances, are installed within the street identified as "Street A", as shown on Diagram 2 attached to By-law [Clerks to insert By-law ##], and are operational; and
 - (ii) For "Building 3", the street identified as "Street B", as shown on Diagram 2 attached to By-law [Clerks to insert By-law ##], is constructed to a minimum base curb and base asphalt or concrete and is connected to an existing street, and all Municipal water mains and Municipal sewers, and their appurtenances, are installed within the street identified as "Street B", as shown on Diagram 2 attached to By-law [Clerks to insert By-law ##], and are operational;
- (G) In accordance with Regulation 5.10.30.20(1):
 - (i) In "Area A" the **lot line** abutting "Street A" as shown on Diagram 2 attached to By-law [Clerks to insert By-law ##] is the **front lot line;** and

- (ii) In "Area B" the lot line abutting Bloor Street West as shown on Diagram 2 attached to By-law [Clerks to insert By-law ##] is the front lot line;
- (H) Despite Regulation 40.10.40.1(1), residential use portions of the **building** located on the first to fifth **storeys** may be located on the same level as non-residential use portions of a **building**;
- (I) The provision of **dwelling units** must comply with the following:
 - (i) a minimum of 25 percent of the total number of **dwelling units** on the **lot** must contain a minimum of two bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** on the **lot** must contain three or more bedrooms; and
 - (iii) for the purpose of this exception, if the calculation of the number of required **dwelling units** in (i) and (ii) above result in a number with a fraction, the number is rounded down to the nearest whole number;
- (J) 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 121.2 metres and the highest point of the **building** or **structure**;
- (K) Despite Regulation 40.10.40.10(1), the permitted maximum height of any **building** or **structure** is as follows:
 - (i) For "Base Buildings": the height in metres as specified by the number following the HT symbol as shown on Diagram 7a and 7b of By-law [Clerks to insert By-law ##]; and
 - (ii) For "Towers": the height in metres as specified by the number following the HT symbol as shown on Diagram 8 of By-law [Clerks to insert By-law ##];
- (L) In addition to (K)(i) above, the permitted maximum "streetwall" heights of a **building** where abutting or located within 6.0 metres of:
 - a lot line abutting Islington Avenue is indicated as "SW A" on Diagram
 7b: 60 percent of this "streetwall" must not exceed a height of 22 metres;
 - (ii) in addition to (L)(i) above, a lot line abutting Islington Avenue is indicated as "SW A" on Diagram 7b: 20 percent of this "streetwall" must not exceed a height of 15 metres;
 - (iii) a lot line abutting Bloor Street West as indicated as "SW B1" on Diagram 7a and 7b: 100 percent of this "streetwall" must not exceed a height of 15 metres;

- (iv) a lot line abutting Bloor Street West as indicated as "SW B2" on Diagram
 7b: 60 percent of this "streetwall" must not exceed a height of 15 metres;
- (v) a **lot line** abutting "Street A" as indicated as "SW C" on Diagram 7a and 7b: 80 percent of this "streetwall" must not exceed a height of 19 metres;
- (vi) a lot line abutting "Street B" for Building 2 as indicated as "SW D" on Diagram 7b: the east edge of this "streetwall" must not exceed a height of 15 metres, making up no less than 15 percent of this "streetwall";
- (vii) a lot line abutting "Street B" for Building 3 as indicated as "SW E" on Diagram 7b: the east and west edge of this "streetwall" must not exceed a height of 15 metres, making up no less than 30 percent of this "streetwall";
- (viii) a "Publicly Accessible Space A" as indicated as "SW F1" on Diagram 7b: 100 percent of this "streetwall" must not exceed a height of 15 metres;
- (ix) a "Publicly Accessible Space A" as indicated as "SW F2" on Diagram 7b: 50 percent of this "streetwall" must not exceed a height of 15 metres;
- (x) a "Publicly Accessible Space B" as indicated as "SW G1" on Diagram 7b: 100 percent of this "streetwall" must not exceed a height of 15 metres; and
- (xi) a "Publicly Accessible Space B" as indicated as "SW G2" on Diagram 7b: 40 percent of this "streetwall" must not exceed a height of 15 metres;
- (M) Despite Regulations 40.5.40.10 (4), (5), (6), (8)(A), 40.10.40.60 (9), and (K) and (L) above, the following elements may project beyond the permitted maximum height of a **building**:
 - the elements listed in Regulation 40.5.40.10(4)(A)(B) and (C) may exceed the permitted maximum **building** height by a maximum of 7.0 metres provided the total area of those elements covers no more than 60 percent of the roof area for each **building**;
 - (ii) unenclosed **structures** providing safety or wind protection on the rooftop of a **building** by a maximum of 3.0 metres; and
 - (iii) an exit vestibule for a green roof located above a mechanical penthouse as listed in Regulation 40.5.40.10(4), may project an additional 2.5 metres above the permitted projection into the permitted maximum height listed in (M)(i) above;
- (N) Despite Regulation 40.10.40.70(1) and (4), the required minimum building setbacks are as shown in metres on Diagram 7a, 7b and 8 of By-law [Clerks to insert By-law ##];

- (O) Despite Regulation 40.10.40.80(1), the required separation of **main walls** are as shown in metres on Diagram 7a, 7b and 8 of By-law [Clerks to insert By-law ##];
- (P) Despite Regulations 40.5.40.60(1) and 40.10.40.60(2), and (N) and (O) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) Canopy, awning, roof over a platform, or similar **structure**, with or without structural support, by 3.0 metres;
- (Q) Despite Regulation 40.10.40.40(1), the permitted maximum and required minimum gross floor area is:
 - (i) In "Building 1": A maximum **gross floor area** of 24,250 square metres;
 - (ii) In "Building 2":
 - a) A maximum residential **gross floor area** of 38,400 square metres; and
 - b) A minimum non-residential gross floor area of 730 square metres;
 - (iii) In "Building 3":
 - a) A maximum residential **gross floor area** of 52,500 square metres is permitted "; and
 - b) A minimum non-residential **gross floor area** of 6,700 square metres;
 - (iv) In "Building 2" and "Building 3" a combined minimum required non-residential gross floor area equal to the lesser of 9,600 square metres or 10 percent of the total gross floor area for "Building 2" and "Building 3" combined;
- (R) The permitted maximum "Gross Construction Area" of each **storey** in the "Base Building" is as follows:
 - (i) For "Base Building 1" as shown on Diagram 7a of By-law [Clerks to insert By-law ##]:
 - a) 1,810 square metres on the first **storey**;
 - b) 1,364 square metres on the second **storey**;
 - c) 1,122 square metres on the third **storey**; and
 - d) 1,140 square metres on the fourth **storey**;

(ii)	For "Base Building 2" as shown on Diagram 7b of By-law [Clerks to insert By-law ##]:	
	a)	2,393 square metres on the first storey ;
	b)	2,185 square metres on the second storey ;
	c)	1,517 square metres on the third storey ;
	d)	1,439 square metres on the fourth storey;
	e)	1,439 square metres on the fifth storey ;
	f)	1,439 square metres on the sixth storey;
	g)	1,245 square metres on the seventh storey ;
	h)	1,245 square metres on the eighth storey; and
	i)	1,245 square metres on the ninth storey;
(iii)	For "Base Building 3" as shown on Diagram 7b of By-law [Clerks to insert By-law ##]:	
	a)	4,270 square metres on the first storey ;
	b)	4,270 square metres on the second storey ;
	c)	3,626 square metres on the third storey;
	d)	3,626 square metres on the fourth storey;
	e)	3,015 square metres on the fifth storey ;
	f)	3,015 square metres on the sixth storey; and
	g)	2,329 square metres on the seventh storey ;

- (iv) For the purpose of this exception, a "mezzanine" does not constitute a **storey**;
- (S) The maximum "Gross Construction Area", for each "Tower 1", "Tower 2", "Tower 3A", and "Tower 3B", measured from the exterior of the main wall of each floor level, are as follows:
 - (i) For "Tower 1":
 - a) 750 square metres for "Lower Tower Portion"; and

- b) 715 square metres for "Upper Tower Portion";
- (ii) For "Tower 2":
 - a) 825 square metres for "Lower Tower Portion";
 - b) 750 square metres for "Middle Tower Portion"; and
 - c) 650 square metres for "Upper Tower Portion";
- (iii) For "Tower 3A":
 - a) 750 square metres for "Lower Tower Portion"; and
 - b) 715 square metres for "Upper Tower Portion";
- (iv) For "Tower 3B":
 - a) 750 square metres for "Lower Tower Portion"; and
 - b) 650 square metres for "Upper Tower Portion";
- (T) "Tower 1", "Tower 2", "Tower 3A" and "Tower 3B" are only permitted in the areas shown on Diagram 8 of By-law [Clerks to insert By-law ##];
- (U) In addition to the elements that reduce **gross floor area** listed in Regulations 40.5.40.40(3) and (5), the following additional elements also reduce **gross floor area** in a **building**:
 - (i) all areas located below ground;
 - (ii) all **bicycle parking spaces** and the entirety of the room separated by demising walls containing those **bicycle parking spaces**;
 - (iii) all storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms;
 - (iv) all shower and change facilities; and
 - (v) all indoor **amenity spaces**;
- (V) Despite Regulation 40.10.40.50(1) and 40.10.40.50(2), **amenity space** must be provided on the **lot** for each **building** in accordance with the following:
 - (i) a minimum of 2.0 square metres of indoor **amenity space** per **dwelling unit**;

- (ii) a minimum of 2.0 square metres of outdoor **amenity space** per **dwelling unit**;
- (iii) at least 40 square metres of outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
- (iv) no more than 25 percent of the outdoor component may be a green roof;
- (W) A combined minimum of 2,625 square metres of "Publicly Accessible Space" must be provided on the ground level at the location shown on Diagram 7b attached to By-law [Clerks to insert By-law ##], of which:
 - A Minimum of 965 square metres in "Publicly Accessible Space A" which must form a continuous connection between the lot lines abutting "Street B" and Bloor Street West;
 - (ii) A Minimum of 490 square metres in "Publicly Accessible Space B";
 - (iii) A Minimum of 180 square metres in "Publicly Accessible Space C"; and
 - (iv) A Minimum of 215 square metres in "Publicly Accessible Space D";
- (X) Of the **landscaping** provided for in each of the "Publicly Accessible Spaces", the following minimum amount of the provided **landscaping** must be comprised of **soft landscaping**:
 - (i) 25 percent for "Publicly Accessible Space A";
 - (ii) 20 percent for "Publicly Accessible Space B";
 - (iii) 0 percent for "Publicly Accessible Space C"; and
 - (iv) 0 percent for "Publicly Accessible Space D";
- (Y) Despite Regulation 40.10.80.10(1), in "Area B", **parking spaces** are not permitted to be located above ground;
- (Z) A maximum of 15 percent of the provided **parking spaces** may be obstructed in accordance with Regulation 200.5.1.10(2)(D);
- (AA) Despite Clause 40.10.90.10, all loading spaces must be located inside a building;
- (BB) Despite Regulations 40.10.90.40(1) and 40.10.100.10(1), all **vehicle** access and access to **loading spaces** for "Area A" are required to be from "Street A" as shown on Diagram 2 of By-law [Clerks to insert By-law ##];
- (CC) Despite Regulations 40.10.90.40(1) and 40.10.100.10(1)(C), in "Area B" as shown on Diagram 2 of By-law [Clerks to insert By-law ##]:

- (i) Three vehicle access points are permitted;
- (ii) For **driveways** leading to "Building 2", **vehicle** access and access to **loading spaces** are required to be from "Street A" and "Street B"; and
- (iii) For **driveways** leading to "Building 3", all **vehicle** access and access to **loading spaces** are required to be from "Street B";
- (DD) Despite Clause 220.5.10.1 and 220.5.10.1(1), the required minimum number of **loading spaces** are as follows:
 - (i) In Area "A", 1 type "G" **loading space** which is required to be located in "Building 1"; and
 - (ii) In Area "B":
 - a) 1 type "G" and 1 type "C" **loading spaces** which are required to be located in "Building 2"; and
 - b) 1 type "G" and 2 type "C" **loading spaces** which are required to be located in "Building 3";
- (EE) Despite Regulation 200.5.1.10(12)(C), the **vehicle** entrance or exit to the **building** must be provided as follows:
 - (i) For "Building 1", regulation 200.5.10(12)(C) does not apply;
 - (ii) For "Building 2", at least 2.6 metres from the **lot line** abutting "Street A" and at least 2.5 metres from the **lot line** abutting "Street B"; and
 - (iii) For "Building 3", at least 2.5 metres from the lot line abutting "Street B";
- (FF) Despite regulation 200.5.10.1(4)(B), "Car-Share Parking Spaces" may be provided and are not required to be used by the owner, occupant or visitor to the premises;
- (GG) Despite Regulation 40.5.80.10(1), a **parking space** may be permitted on a different **lot** than the use for which the **parking space** is required, provided that:
 - (i) Accessible **parking spaces** are provided on the same **lot** as the use for which the accessible **parking space** is required;
- (HH) Article 200.25.15 and Chapter 970.10 related to **parking space** regulation transition does not apply, instead Chapter 200.5 applies;
- (II) In addition to the requirements of Regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of 0.5 parking spaces must be provided in "Area B" for each 100 square metres of community centre or club gross floor area;

- (JJ) Despite Regulation 200.15.1(1), an accessible **parking space** must have the following dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (KK) Despite Regulation 200.15.1(4), an accessible **parking space** must be located within 47 metres of a barrier free entrance to the **building** or passenger elevator that provides access to the first **storey** of the **building**;
- (LL) Despite Regulations 230.5.1.10(4)(A)(i) and (ii) and 230.5.1.10(4)(C), stacked bicycle parking spaces must be in accordance with the following:
 - (i) a stacked bicycle parking space may overlap an adjacent stacked bicycle parking space on one or both sides on the same tier to a maximum of 0.18 metres per side;
 - (ii) the required minimum length of a **stacked bicycle parking space** is 1.84 metres; and
 - (iii) the required minimum vertical clearance from the ground for a stacked bicycle parking space is 1.4 metres for the lower tier and 1.2 metres for the upper tier of stacked bicycle parking spaces in a mechanical device;
- (MM) In addition to permitted locations listed in Regulation 230.5.1.10(9)(A)(iii), in "Building 3", "long-term" **bicycle parking spaces** for a **dwelling unit** in an **apartment building** or **mixed-use building** may be located:
 - (i) Within the first two levels below-ground of the **building**;d
- (NN) In addition to the items listed in regulation 230.5.10.1(6), to calculate **bicycle parking space** requirements for other than **dwelling units**, the **interior floor area** of a **building** is reduced by the area in the **building** used for:
 - (i) all areas located below ground;
 - (ii) all **bicycle parking spaces** and the entirety of the room separated by demising walls containing those **bicycle parking spaces**;
 - (iii) all storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in common **building** areas and **community centre** or **club** uses;
 - (iv) all bicycle shower and change facilities;

- (v) all indoor **amenity space**; and
- (vi) garbage shafts.

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

- **9.** Nothing in City-wide Zoning By-law 569-2013 prevents the erection of a rail safety barrier or wall on the lands subject to this by-law.
- **10.** Despite any future severance, partition or division of lands as shown on Diagram 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on May , 2024.

Frances Nunziata, Speaker John D. Elvidge, City Clerk

(Seal of the City)

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← Street Wall

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