

CITY OF TORONTO

Bill 852

BY-LAW -2024

To amend the General Zoning By-law 438-86 of the former City of Toronto, as amended, with respect to lands known municipally as 61 Hanna Avenue, 75 Hanna Avenue, part of 85 Hanna Avenue and 120 Lynn Williams Street, being portions of the Garrison Common North Area, for the lands known as the Inglis Lands and Liberty Area.

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. District Map 49G-322 contained in Appendix "A" of By-law 438-86, as amended, shall be further amended by rezoning the site from "I3D3" and IC D3 N1.5" to "CR" and "G" as shown on Map 3.
2. None of the provisions of Section 2(1) with respect to the definition of bicycle parking space, *grade*, *height* and *lot*, and Sections 4(2)(a), 4(4)(b), 4(4)(c)(ii), 4(6)(a), 4(7), 4(8)(b), 4 (12), 4(13), 4(16), 8(3) Part I 1, 2 and 3, 8(3) Part III 1(a), 8(3) Part IV(1) and (2), 8(3), of the aforementioned Zoning By-law 438-86, as amended shall apply to prevent the erection or use of mixed-use buildings and uses accessory to the foregoing uses on the *lot* municipally known as 61 and 75 Hanna Avenue, part of 85 Hanna Avenue and 120 Lynn Williams Street, provided that:
 - (a) Blocks 1, 2, 3, 4 and 5 form parts of the *lot* and are shown on Map 2 attached to and forming part of this By-law;
 - (b) the *lot* comprises at least the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law, except for the lands zoned as G on Map 3 attached to and forming part of this By-law;
 - (c) the total permitted combined *residential gross floor area* and *non-residential gross floor area* on the Blocks shall be 83,200.0 square metres provided in accordance with the following:
 - (i) Block 1 may have a combined total of 57,000.0 square metres of *residential gross floor area* and *non-residential gross floor area* of which a minimum of 1,250.0 square metres of *non-residential gross floor area* shall be provided, excluding areas used for above-grade parking purposes; and

- (ii) Block 2 may have a combined total of 27,000.0 square metres of *residential gross floor area* and *non-residential gross area* of which a minimum of 400.0 square metres of *non-residential gross floor area* shall be provided;
- (d) Notwithstanding Section 8(1) and Section 5 (1)(f)(b), the following additional uses are permitted:
 - (i) *open air market*;
 - (ii) outdoor open air market located on Blocks 1, 2, 3 or 5;
 - (iii) public market;
 - (iv) outdoor sales and display; and
 - (v) temporary retail kiosk;
- (e) Notwithstanding Section 8(1), the following additional uses are permitted:
 - (i) *commercial parking garage* on Blocks 1 and 2;
- (f) *residential amenity space* is required to be provided in accordance with Section 4(12) except:
 - (i) despite Section 4(12), on Block 2, a minimum of 1.4 square metres of outdoor *residential amenity space* per *dwelling unit* shall be provided and maintained of which a minimum of 40 square metres which shall be in a location adjoining or directly accessible from the indoor *residential amenity space*;
- (g) no portion of any building or structure erected on the *lot* above *grade* shall be located otherwise than wholly within the areas delineated by heavy lines shown on Map 4 and Map 5 attached to and forming part of this By-law, except for the following:
 - (i) cornices, light fixtures, ornamental elements, parapets, art and landscape features, patios, decks, pillars, trellises, balconies, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, window washing equipment, doors, wheelchair ramps, fences, screens, site servicing features, mullions and mullion caps, awnings and canopies, and underground garage ramps and associated structures may project up to 4.0 metres; and
 - (ii) no building or structure shall be located within the hatched areas shown on Map 4 and Map 5 between *grade* and a maximum of 6 metres above *grade*;

- (h) no portion of any building or structure erected on the *lot* shall have a *height* in metres greater than the *height* limits specified by the numbers following the letters HT shown on Map 4 and Map 5 attached to and forming part of this By-law, except for the following:
 - (i) a fully enclosed level of a building, located on a roof and containing mechanical, electrical or other equipment for the require functional operation of the building may project up to 5.0 metres above the permitted building *heights* shown on Map 4 and Map 5;
 - (ii) Parapets, trellises, roof drainage, thermal insulation and roof ballast, terrace or balcony guards and dividers, terraces, balconies, planters, stairs, stair enclosures, wall or structure enclosing such elements and railings, window washing equipment, stair towers, partitions, ornamental elements, architectural elements, landscape elements, green roof elements, lighting fixtures, vents, elevator over-run, flues, screens, pipes, access roof hatch, outdoor furniture, heating, cooling or ventilating equipment or a fence, and structures located on the roof used for outside or open air recreation, safety or wind protection purposes, may project up to 3.0 metres beyond the permitted building *heights* shown on Map 4 and Map 5; and
 - (iii) Building maintenance units may project up to 4.5 metres beyond the permitted building *heights* shown on Map 4 and Map 5;
- (i) a minimum of 15 percent of the total number of *dwelling units* on the Blocks shall contain two bedrooms and a minimum of 10 percent of the *dwelling units* shall contain three or more bedrooms; in the event of a fraction, the number of required *dwelling units* shall be rounded down to the nearest whole number;
- (j) A *parking space* shall have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 2.6 metres; and
 - (iii) vertical clearance of 2.0 metres;
- (k) The side of *parking space* is obstructed if any part of a fixed object such as a wall, column, bollard, fence or pipe is situated:
 - (i) within 0.3 metres of the site of the *parking space*, measured at right angles;
 - (ii) more than 1.0 metre from the front or rear of the *parking space*; and
 - (iii) a maximum of 15 percent of the required *parking spaces* may be obstructed on one or two sides without the requirement to increase the minimum width of 0.3 metres;

- (l) *parking spaces* shall be provided in accordance with the following:
- (i) zero (0) *parking spaces* are required for the residents of the *dwelling units* located on Block 1 or Block 2;
 - (ii) for residential uses, a minimum rate of 2 *parking spaces* plus 0.05 spaces per dwelling unit shall be provided for residential visitors. The minimum residential visitor parking requirement may be provided in Block 1 or Block 2, as follows:
 - A. at a maximum rate of 1.0 per *dwelling unit* for the first five (5) dwelling units; and
 - B. at a maximum rate of 0.1 per *dwelling unit* for the sixth and subsequent *dwelling units*;
 - (iii) zero (0) *parking spaces* are required for non-residential uses located on Block 1 and Block 2;
 - (iv) a minimum of 3.0 car-share parking spaces are required, and may be provided on either Block 1 or Block 2;
 - (v) if the calculation number of required *parking spaces* results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one *parking space*;
 - (vi) *accessible parking spaces* shall be provided and maintained on the lot in accordance with the following requirements:
 - A. An *accessible parking space* shall have the following minimum dimensions:
 - i. length of 5.6 metres;
 - ii. width of 3.4 metres; and
 - iii. vertical clearance of 2.1 metres;
 - (vii) The entire length of an *accessible parking space* must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
 - (viii) *Accessible parking spaces* shall be provided as follows:
 - A. if the number of parking spaces provided is less than 13, a minimum of 1 parking space must comply with all regulations for an accessible parking space;

- B. if the number of parking spaces provided is 13 to 100, a minimum of 1 parking space for every 25 effective parking spaces or part thereof must comply with all regulations for an accessible parking space; and
 - C. if the number of parking spaces provided is more than 100, a minimum of 5 parking spaces plus 1 parking space for every 50 effective parking spaces or part thereof in excess of 100 parking spaces must comply with all regulations for an accessible parking space;
- (m) The minimum number of loading spaces shall be provided and maintained on the *lot* in accordance with the following requirements:
 - (i) A minimum of 4 loading spaces shall be provided for Block 1, as follows:
 - A. 1 *loading spaces - type B*;
 - B. 2 *loading spaces – type C*; and
 - C. 1 *loading spaces - type G*;
 - (ii) A minimum of 1 loading space shall be provided for Block 2, as follows:
 - A. 1 *loading spaces - type G*;
- (n) Bicycle parking spaces shall be provided and maintained on the *lot* in accordance with the following:
 - (i) A *bicycle parking space* shall have the following minimum dimensions:
 - A. length of 1.8 metres;
 - B. width of 0.6 metres; and
 - C. vertical clearance from the ground for 1.9 metres;
 - (ii) A *bicycle parking space* if placed in a vertical position on a wall, structure or mechanical device shall have the following minimum dimensions:
 - A. length or vertical clearance of 1.9 metres;
 - B. width of 0.6 metres; and
 - C. horizontal clearance from a wall of 1.2 metres;
 - (iii) a minimum of 0.9 bicycle parking spaces-occupant per *dwelling unit* for both Block 1 and 2;

- (iv) a minimum of 0.2 bicycle parking spaces-visitor per *dwelling unit* for visitors to the residential uses on the *lot* for both Block 1 and 2;
 - (v) for the office uses the following parking rates apply:
 - A. a minimum of 0.2 bicycle parking spaces-occupant per 100 square metres of *non-residential interior floor area*, to be used by occupants of the non-residential uses on the *lot* for both Block 1 and 2; and
 - B. minimum of 3 bicycle parking spaces-visitor plus 0.2 bicycle parking spaces-visitor for every 100 square metres of *non-residential interior floor area* for visitors or patrons of *non-residential uses* on the *lot* for both Block 1 and 2;
 - (vi) for retail uses and all other non-residential uses the following parking rates apply:
 - A. a minimum of 0.2 bicycle parking spaces-occupant per 100 square metres of *non-residential interior floor area*, to be used by occupants of the non-residential uses on the *lot* for both Block 1 and 2; and
 - B. minimum of 3 *bicycle parking spaces-visitor* plus 0.3 bicycle parking spaces-visitor for every 100 square metres of *non-residential interior floor area* for visitors or patrons of non-residential uses on the *lot* for both Block 1 and 2;
 - (vii) required bicycle parking spaces – occupant and bicycle parking spaces – visitor may be provided within a bicycle stacker;
 - (o) If the calculation of the minimum bicycle parking spaces for all uses results in a fraction of a bicycle parking space being required, the number of required bicycle parking spaces must be rounded up to the next whole number; and
 - (p) If a bicycle parking space is required for uses on a lot, other than a dwelling unit, and the total interior floor area of all such uses on the lot is 2000 square metres or less, then no bicycle parking space is required.
3. None of the provisions of By-law 566-2000, as amended, shall apply to the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law. Map 2 of By-law 566-2000, as amended by By-law 1079-2010, shall be amended to remove the lands as shown on Map 6 of this By-law.
 4. None of the provisions of By-law 438-86, as amended, or this By-law shall apply to prevent a temporary sales office on the *lot*.

5. For the purposes of this By-law, all italicized words and expressions have the same meaning as defined in By-law 438-86, as amended, except for the following:
- (a) "accessible parking space" mean a parking space free of physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005 with the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metre; and
 - (iv) and with the following minimum dimensions when adjacent and parallel to a drive aisle from which vehicle access is provided;
 - (b) "bicycle parking space" means an area used for parking or storing of bicycles having the following minimum dimensions:
 - (i) where the bicycles are to be parked on a horizontal surface, has a minimum length of 1.8 metres, a minimum width of 0.6 metres and a minimum vertical clearance from the ground of at least 1.9 metres;
 - (ii) where the bicycles are to be parked in a vertical position on a wall, structure or mechanical device, has a minimum length or vertical clearance of 1.9 metres, a minimum width of 0.6 metres and a minimum horizontal clearance from the wall of 1.2 metres; and
 - (iii) where the bicycles are to be parked in a bicycle stacker, has a minimum vertical clearance of 2.4 metres for each bicycle parking space;
 - (c) "bicycle stacker" means a device where a bicycle parking space is positioned above or below another bicycle parking space and is accessed by means of an elevating device and may have a minimum width of 0.4 metres;
 - (d) "car share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable;
 - (e) "Car share parking" means a parking space that is reserved and actively used for car-sharing;

- (f) "grade" means 89.04 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment) for Block 1 and means 87.66 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment) for Block 2;
- (g) "height" means the vertical distance between grade and the highest point of the roof of any building on the *lot*, except for those elements prescribed by this By-law;
- (h) "interior floor area" means the floor area of any part of a building, measured to:
(a) the interior side of a main wall; (b) the centreline of an interior wall; or (c) a line delineating the part being measured;
- (i) "non-residential gross floor area" excludes all area below grade but will otherwise be the same as *non-residential gross floor area* as it is defined in By-law 438-86;
- (j) "lot" means the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
- (k) "outdoor open air market" means a portion of a lot where, goods, wares, merchandise or a substance, article or thing is offered, kept or stored for retail sales, which may include food sales, retail sales and other uses from kiosks, tents, vehicles, tables or similar facilities;
- (l) "outdoor sales and display" means an area set aside out of doors, covered or uncovered, to be used in conjunction with an established use or business located in adjacent permanent premises for the display or sale of fresh produce and new goods or merchandise;
- (m) "public market" means a portion of a lot where, goods, wares, merchandise or a substance, article or thing is offered, kept or stored for retail sales, which may include food sales, retail sales and other uses from kiosks, tents, vehicles, tables or similar facilities;
- (n) "residential gross floor area" excludes all open to below areas and above grade required Bicycle Parking spaces, but will otherwise be the same *as* defined in By-law 438-86;
- (o) "temporary retail kiosk" means a stand-alone structure or booth erected for offering, keeping, or storing retail sales and goods over a short period of time; and
- (p) "temporary sales office" means a building or structure used exclusively for the sale and/or leasing of dwelling units or non-residential gross floor area to be erected on the *lot*.

6. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
7. Nothing in this By-law will apply to prevent the phased construction of the development, provided that the minimum requirements of the By-law are complied with upon full development and nothing in this By-law shall prevent the phased issuance of building permits and/or phased development on the lands.
8. None of the provisions of By-law 438-86, as amended, of the former City of Toronto and none of the provisions of this By-law shall apply to prevent the continued maintenance and use of the existing non-residential buildings located at 61 Hanna Avenue, 75 Hanna Avenue and 120 Lynn Williams Street.

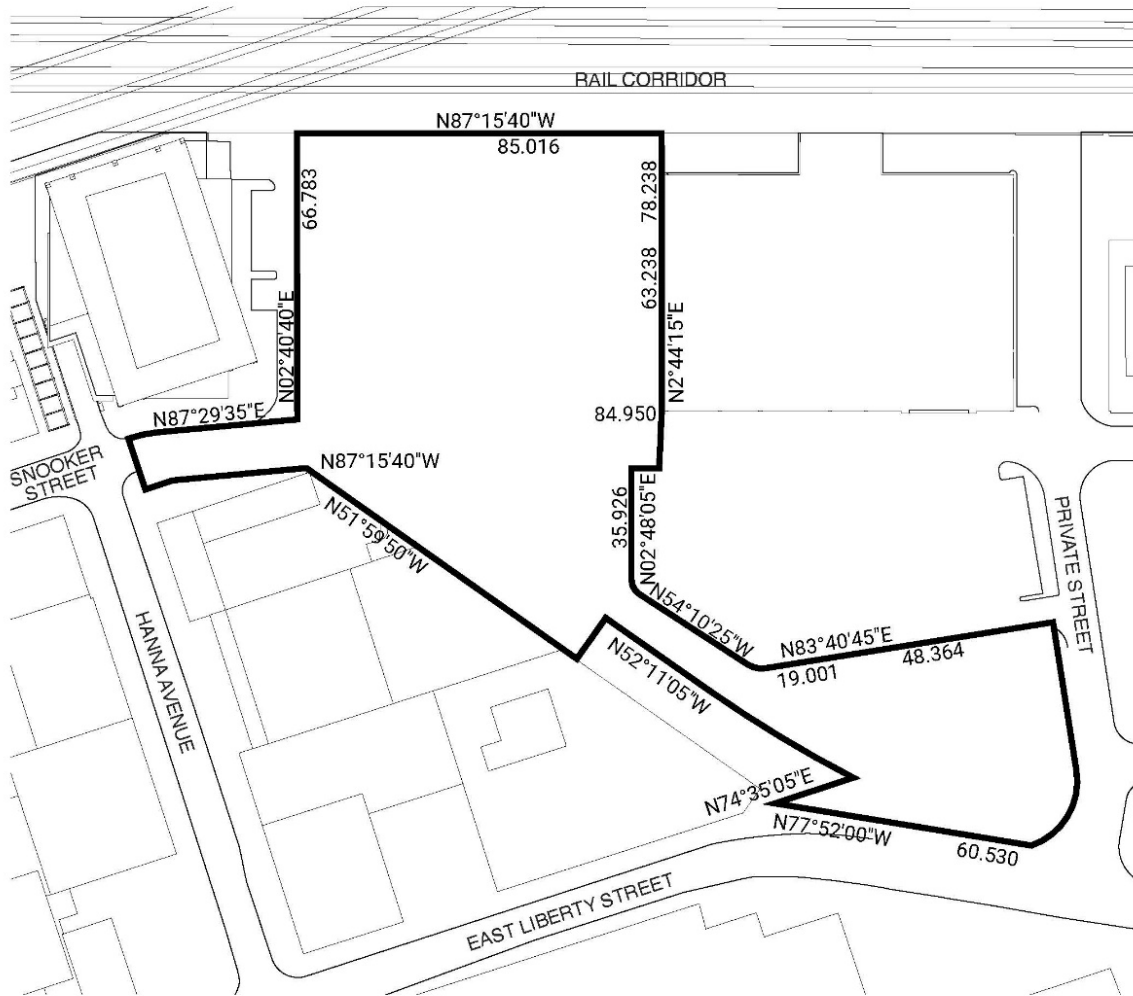
Enacted and passed on July , 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

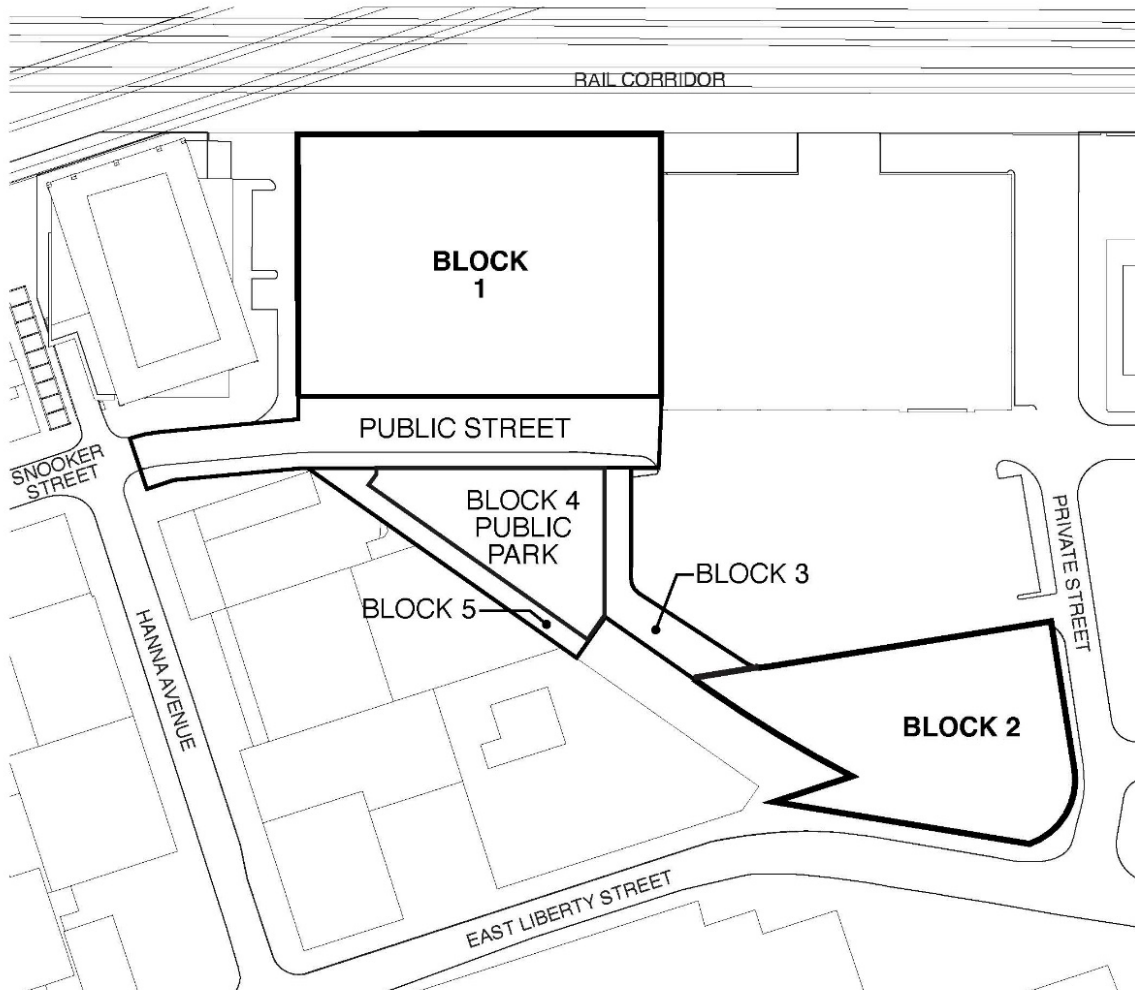
(Seal of the City)

Map 1



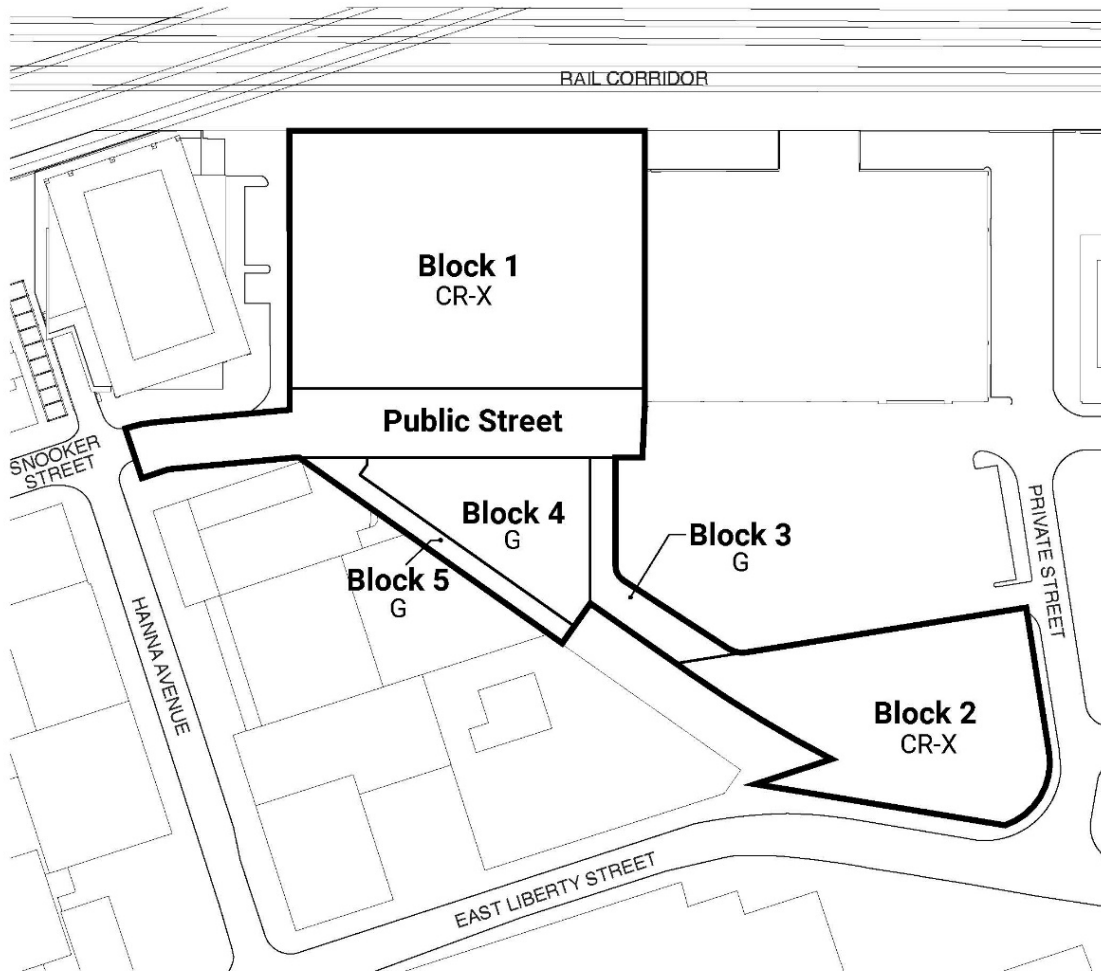
**61 Hanna Avenue, 75 Hanna Avenue, 120 Lynn
Williams Street and part of 85 Hanna Avenue**

Map 2



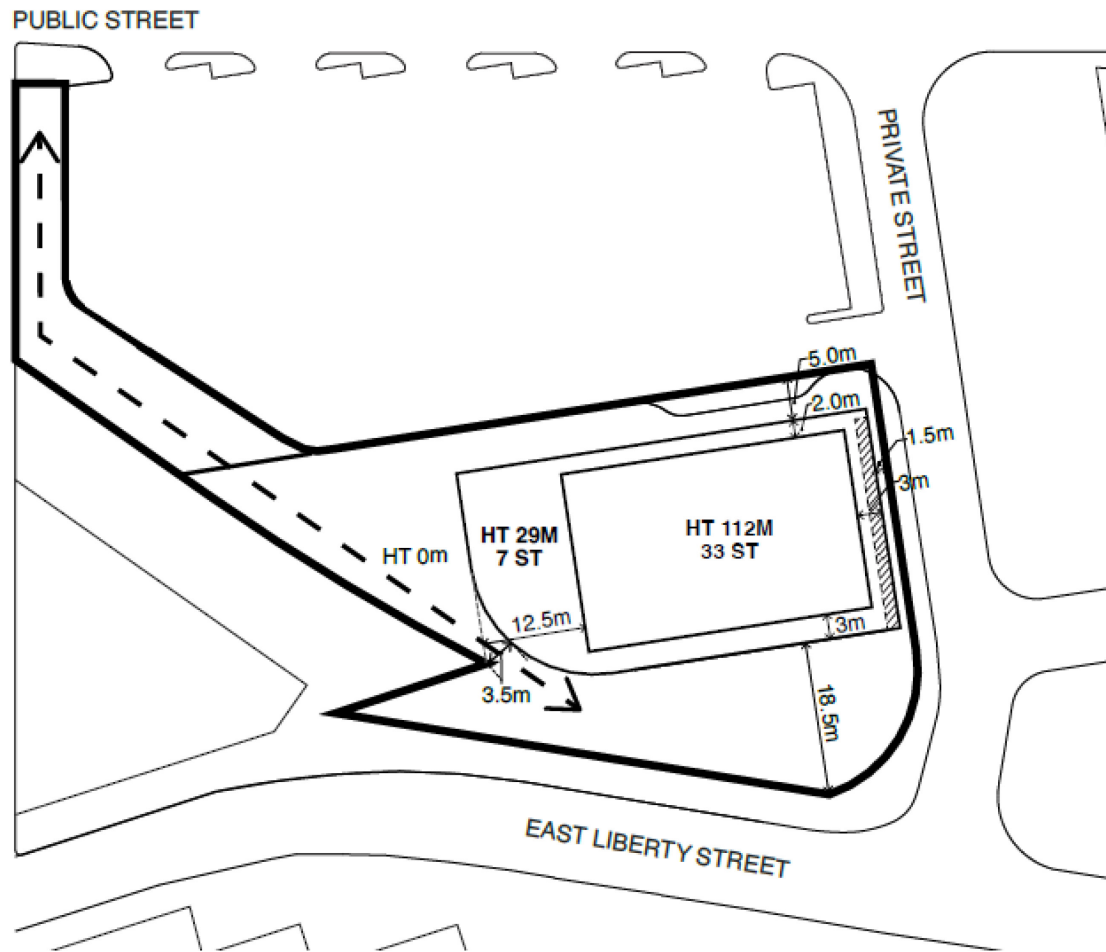
**61 Hanna Avenue, 75 Hanna Avenue, 120 Lynn
Williams Street and part of 85 Hanna Avenue**

Map 3





**61 Hanna Avenue, 75 Hanna Avenue, 120 Lynn
Williams Street and part of 85 Hanna Avenue**

Map 5



**61 Hanna Avenue, 75 Hanna Avenue, 120 Lynn
Williams Street and part of 85 Hanna Avenue**



 Inset Ground Floor
 Pedestrian Connections



Not to Scale

Map 6

