

Authority: Toronto and East York Community Council Report No. 1, Clause No. 4,
adopted as amended, by City of Toronto Council on February 1, 2 and 3, 2005
Enacted by Council: February 16, 2005

CITY OF TORONTO

BY-LAW No. 141-2005

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the *Regent Park Area*.

WHEREAS Council at its meeting held on February 1, 2 and 3, 2005, adopted as amended, Toronto East York Community Council Report 1, Clause 4; and

WHEREAS this By-law is passed in implementation of the City of Toronto Secondary Plan for the *Regent Park Area*; and

WHEREAS authority is given to Council by 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*; and

WHEREAS the Council may, in a by-law passed under Section 34 of the *Planning Act*, by the use of the holding symbol “h” in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the By-law; and

WHEREAS Council of the City may in a By-law passed under Section 34 of the *Planning Act*, authorize density and height increases not otherwise permitted in the by-law in return for the provisions of facilities, services or matters as are set out in the By-law;

NOW THEREFORE the Council of the City of Toronto ENACTS as follows:

Section 2(1) of By-law No. 438-86, being “A By-law to regulate the use of land in the erection, use, bulk, height, spacing of/and other matters relating to buildings and structures in various areas of the City of Toronto”, as amended, is further amended by:

1. inserting after the definition of “*recycling yard*”, the following:

“‘*Regent Park Area*’ means that part of the City of Toronto delineated by heavy lines shown on the map attached hereto”;

2. District Map 51H-313 contained in Appendix ‘A’ of By-law No. 438-86, as amended, is hereby further amended by re-designating the lands delineated by heavy lines to ‘CR(h)’, ‘G(h)’ and ‘R4A(h)’ as shown on Map 1 and Map 2, attached hereto.
3. Height and Minimum Lot Frontage Map 51H-313 contained in Appendix ‘B’ of By-law No. 438-86, as amended, is hereby further amended by redesignating the lands delineated by heavy lines as shown on Map 3 and Map 4 attached hereto.

4. Section 12(1) of By-law No. 438-86 is amended by adding the following exception:

“465. to prevent the erection of buildings or structures or the use of land in the *Regent Park Area* in accordance with the following provisions:

Permitted Uses

- (a) An *automobile leasing operation, district energy, heating and cooling plant, outdoor art structure, ornamental structure*, and a temporary structure used for the purposes of display, information and sale of residential units within the *Regent Park Area* shall be permitted within any district within the *Regent Park Area*.
- (b) The following uses shall be permitted within a G District:
 - (i) those uses permitted within a G District in section 5(1)(f);
 - (ii) community related uses, *underground parking garage*, below grade facilities for storm water retention, uses permitted by paragraph (m) herein and *accessory* uses thereto.
- (c) The following uses shall be permitted within a R4A District:
 - (i) those uses permitted within a R4A District in section 6(1)(f), except that only the qualifications in section 6(2)4, 6(2)6, 6(2)20, and 6(2)21 shall apply;
 - (ii) a *residential building*, an *artist live/work studio*, *senior citizens' housing*, a non-profit agency that provides community services such as but not limited to employment, immigration, counselling, welfare, or legal services, one *retail store* located on the ground floor or basement of an *apartment building*, *parking stacker* and *accessory* uses thereto.
- (d) The following uses shall be permitted within a CR District:
 - (i) those uses permitted within a CR District in section 8(1)(f), except that only the qualifications in section 8(2)1, 8(2)3 and 8(2)11 shall apply;
 - (ii) a *residential building*, a *parking stacker*, *live-work unit* which is a *dwelling unit* that is also used for work purposes where the resident or residents of such accommodation and any number of employees of the residents work in the *dwelling unit*, *designer's studio*, *recycling depot*, and *accessory* uses thereto.

- (e) A *temporary open air market* will be permitted within an area 5 metres south of Oak Street and within 5 metres north of Oak Street, or on lands zoned as “G” fronting on Oak Street.

Residential Amenity Space

- (f) *Residential amenity space* shall be provided in accordance with section 4(12) except that:
- (i) no *residential amenity space* located outdoors will be required;
 - (ii) *residential amenity space* provided indoors may be provided in rooms which are not contiguous; and
 - (iii) *residential amenity space* shall only be required for buildings containing 20 or more *dwelling units* where access to *dwelling units* is by means of a common internal corridor.

Parking

- (g) Parking facilities shall be provided in accordance with sections 4(5), except that:
- (i) notwithstanding Schedule 1 in section 4(5), the following uses shall be subject to the following minimum standards:
 - A. 0.4 *parking space* for each *dwelling unit* that is a *social housing building*;
 - B. 1 *parking space* for each *dwelling unit* (other than *alternative housing* or *social housing*) in a building containing up to 6 *dwelling units* including those that are *alternative housing* or *social housing*;
 - C. *parking spaces* for each *dwelling unit* (other than *alternative housing* or *social housing*) in a building containing more than 6 *dwelling units* including those that are *alternative housing* or *social housing* shall be provided and maintained at the rate of:
 - (1) 0.3 *parking space* for each *bachelor dwelling unit*;
 - (2) 0.35 *parking space* for each one *bedroom dwelling unit*;
 - (3) 0.5 *parking space* for each two *bedroom dwelling unit*;

- (4) 0.9 *parking space* for each three or more *bedroom dwelling unit*.
- D. 0.06 visitor parking spaces shall be required in respect of residential uses;
- E. Notwithstanding D above, no visitor parking spaces shall be required in respect of dwelling units which are *social housing* building; and
- F. Notwithstanding (g) above, no parking facilities will be required in connection with the building known in the year 2004 as 14 Blevins Place.
- (ii) parking facilities may be provided on the same *lot*, or on a *lot* within 300 metres thereof.
- (h) section 6(3) PART IV 3 and section 6(3) PART IX 1 shall apply within an R4A District.

Loading

- (i) loading facilities shall be provided in accordance with Section 4(8), except that:
 - (i) for a block of land surrounded by public streets on all sides that includes more than one building containing 30 or more *dwelling units*, not more than 1 *loading space - Type G* shall be required to service all buildings containing 30 or more *dwelling units* on that block of land; and
 - (ii) a *loading space - Type G* shall only be required for buildings containing 30 or more *dwelling units* where access to *dwelling units* is by means of a common internal corridor.

Setbacks

- (j) (i) Buildings or structures located within an R4A or CR District within the Regent Park Area containing *dwelling units* or *dwelling rooms* shall comply with the window separation requirements in Section 8(3) PART II 1(a).
- (ii) section 4(14) shall apply within the Regent Park Area.

Height

- (k) Maximum *height* shall be in accordance with section 4(2), except that:
- (i) Buildings or structures located within a Height Transition Zone as shown on Map 1 of 2 may exceed the permitted *heights* provided they do not penetrate a plane extended between the highest and lowest *heights* permitted immediately adjacent to the boundaries of the Height Transition Zone on the same block of land surrounded by *streets* on all sides; and
 - (ii) One tower may be located within each Permitted Tower Area as shown on Map 1 of 2 up to a *height* of 60 metres for a Type A Tower, 75 metres for a Type B Tower and 88 metres for a Type C Tower, provided that the *residential gross floor area*, the *non-residential gross floor area*, or any combination thereof of any floor located above a *height* of 30 metres does not exceed 800 square metres.
 - (iii) No building shall contain more than:
 - (A) 6 *storeys* above *grade* within a 22 metre height district;
 - (B) 8 *storeys* above *grade* within a 30 metre height district.
 - (iv) Within a Permitted Tower Area as shown on Map 1 of 2, no building shall contain more than:
 - (A) 16 *storeys* above *grade* for a Type A Tower;
 - (B) 22 *storeys* above *grade* for a Type B Tower; or
 - (C) 25 *storeys* above *grade* for a Type C Tower.
- (l) Subsection (k) does not prevent the erection or use of the following:
- (i) A stair tower, elevator shaft, or other heating, cooling or ventilating equipment or window washing equipment or electrical energy generating equipment on the roof of the building or a fence, wall or structure enclosing such elements, provided:
 - A. the maximum vertical extent of such elements or enclosure above the permitted *height* is no greater than 6 metres;
 - B. the aggregate horizontal area of such elements, including the area contained within an enclosure, does not exceed 40% of the area of the roof of the building; and

- C. the width of any such elements, including the width of an enclosure, located within six metres of a *lot line* that is a *street line*, does not exceed 30% of the width of the main wall of the building facing the *lot line* provided the width is to be measured parallel to the *lot line* boundary.
- (ii) structures identified in Section 4(2)(a)(ii), subject to the limitations contained therein;
- (iii) parapets to a maximum vertical projection of 1.00 metre; and
- (iv) a chimney stack for a *district energy, heating and cooling plant*, which has been approved by the Ministry of Environment.
- (m) Where the zoning for an R4A, G or CR District within the Regent Park Area is followed by an “h” holding symbol, permitted uses prior to the removal of the “h” shall be limited to those uses permitted by paragraphs (a), (b), (c), (d) and (e) above for the respective Districts, provided:
 - (i) Such uses are:
 - A. located within a building existing on February 1, 2 and 3, 2005, or an addition thereto not exceeding 10% of the *residential gross floor area, non-residential gross floor area*, or any combination thereof; or
 - B. located within a new building of less than 750 square metres in *residential gross floor area, non-residential gross floor area*, or any combination thereof.
 - (ii) All other provisions of this exception are complied with.
- (n) Section 8(3) PART II 3, 8(3) PART XI 1, and 8(3) PART XI shall apply within a CR District.
- (o) Sections 4(10), 4(11) and 4(13) and section 6(3) PART IX 1 shall apply within the Regent Park Area.

For the purposes of this exception:

- (i) “*automobile leasing operation*” means an underground garage including an office space where motor vehicles are hired or kept or used for hire including facilities that provide for the sharing of automobiles;
- (ii) “*district energy, heating and cooling plant*” means a building or structure that is used for the production of electrical power, heating and cooling which is generated/converted at one or more linked locations and then is distributed to the users;

- (iii) “*grade*” means the Canadian Geodetic Datum value indicated for each sub area on Map 2 of 2 as follows:

Sub-area	Grade
A	91.80 m.
B	90.2 m.
C	90.4 m.
D	89.80 m
E	88.5 m
F	88.3 m
G	87.1 m
H	85.6 m
I	86.2m
J	86.3 m
K	84.9 m
L	85.5 m

- (iv) “*height*” means the vertical distance between *grade* and the highest point of the roof or structure.
- (v) “*recycling depot*” means a building which is used for the deposit, collection and handling of paper, metal (ferrous and non ferrous), glass, plastic and rubber which are to be delivered wholesale to other operations for reclamation, processing or salvage, but shall not include any such salvage or processing on the same *lot* or within any building used as a recycling depot;
- (vi) “*temporary open air market*” means an area where goods, wares, merchandise, substances, articles, or things are offered for retail sale on a temporary basis;
- (vii) “*underground parking garage*” means a below ground structure that is used for the parking of motor vehicles which, if located in a CR or R4A District, shall be *accessory* to the principle use or uses permitted on the *lot*.”

5. The owner of the subject lands shall at its expense enter into one or more agreements with the City of Toronto pursuant to section 37 of the *Planning Act* R.S.O. 1990, c.P. 13, as amended, to secure the facilities, services, and matters referred to below.
6. The owner of the subject lands, in accordance with, and subject to the aforesaid section 37 agreements, shall provide at its expense the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit the increase in gross floor area and height authorized in this By-law Amendment:
- (a) Full replacement of social housing units that are removed as a result of redevelopment and full replacement of rent-geared-to-income subsidies that are removed as a result of redevelopment, in accordance with the following requirements:

- (i) At least 2,083 social housing units will be provided and maintained, including replacement social housing units that replace those demolished or converted to uses other than social housing as a result of the redevelopment of the lands. At least 1,771 of the replacement social housing units will be provided either within the Regent Park Secondary Plan area, or, within that area, together with the lands known in the year 2004 as 30 Regent Street;
- (ii) Each replacement social housing unit will be maintained as a social housing unit for not less than 25 years from the date on which it was first occupied;
- (iii) The replacement social housing units will generally be of a similar mix of sizes and unit types by bedroom type as the social housing units they are replacing and will be provided subject to (iv);
- (iv) The 2,083 replacement social housing units will consist of:
 - (A) at least 1,000 units will be 3, 4 or 5 bedroom units, of which;
 - (B) at least 300 will be in town-houses or low-rise buildings or will have direct access to grade, of which;
 - (C) at least 250 will be provided within the Regent Park Secondary Plan Area or on the lands known as 30 Regent Street, of which
 - (D) at least 200 will be 4 or 5 bedroom units;
- (v) Social housing units existing in Regent Park Area in 2004 that are not redeveloped or converted to other uses will be maintained as social housing for not less than 25 years from the date the Zoning By-law comes into effect;
- (vi) 2,083 replacement rent-geared-to-income subsidies will be provided in conjunction with the redevelopment of Regent Park. At least 1,354 of the replacement RGI subsidies will be provided either within the Secondary Plan area or, within that area, together with the lands known in the year 2004 as 30 Regent Street;
- (vii) The 2,083 replacement RGI subsidies will be provided for a period of not less than 25 years, subject to the continued provision of funding from federal, provincial and/or municipal government programs providing such subsidies;
- (viii) Replacement social housing units that do not have rent-geared-to-income subsidies will be affordable rental housing;

- (ix) As redevelopment proceeds, progress toward full replacement of the 2,083 replacement social housing units and the 2,083 replacement rent-geared-to-income subsidies will be monitored. Replacement social housing units will be constructed and replacement rent-geared-to-income subsidies will be provided consistent with the pace of housing development in the Regent Park Secondary Plan Area;
 - (x) Replacement social housing units and replacement rent-geared-to-income subsidies that are not within the Secondary Plan Area or on the lands known as 30 Regent Street will be located within the area generally bounded by the Don Valley, Bloor Street, Yonge Street, and the lakeshore; and
 - (xi) All tenant households that are displaced from Regent Park as a result of the redevelopment process will have the right to return to a replacement social housing unit within Regent Park within a reasonable time period;
- (b) A Tenant Relocation and Assistance Plan satisfactory to the Commissioner of Urban Development Services which requires the following:
- (i) advance notice to tenants of the relocation due to demolition beyond the four months notice of termination required by the *Tenant Protection Act*;
 - (ii) continued provision of Rent-Geared-To-Income Subsidies subject to continued eligibility, the right to be relocated to a social housing unit, and the right to return to a replacement social housing unit in Regent Park;
 - (iii) all tenants receiving notice of termination for demolition shall receive assistance to mitigate the hardship of disruption, including at least costs associated with moving to both temporary and permanent relocation units, including utility connection charges, and additional assistance, as appropriate, for people requiring additional help, especially those with disabilities and special needs; and
 - (iv) tenants choosing to move out independently, ceasing to be TCHC tenants, are eligible for the same mitigation assistance outlined in sub-paragraph 6(b)(iii) above, or an equivalent allowance, as those relocating within the TCHC portfolio, and to help with the costs of transition to providing their own alternative accommodation, these tenants shall receive additional assistance;
- (c) A Tenant Relocation and Assistance Implementation Plan satisfactory to the Commissioner of Community and Neighbourhood Services, to be updated to the satisfaction of the Commissioner from time to time during the period of Regent Park's redevelopment, as appropriate; and

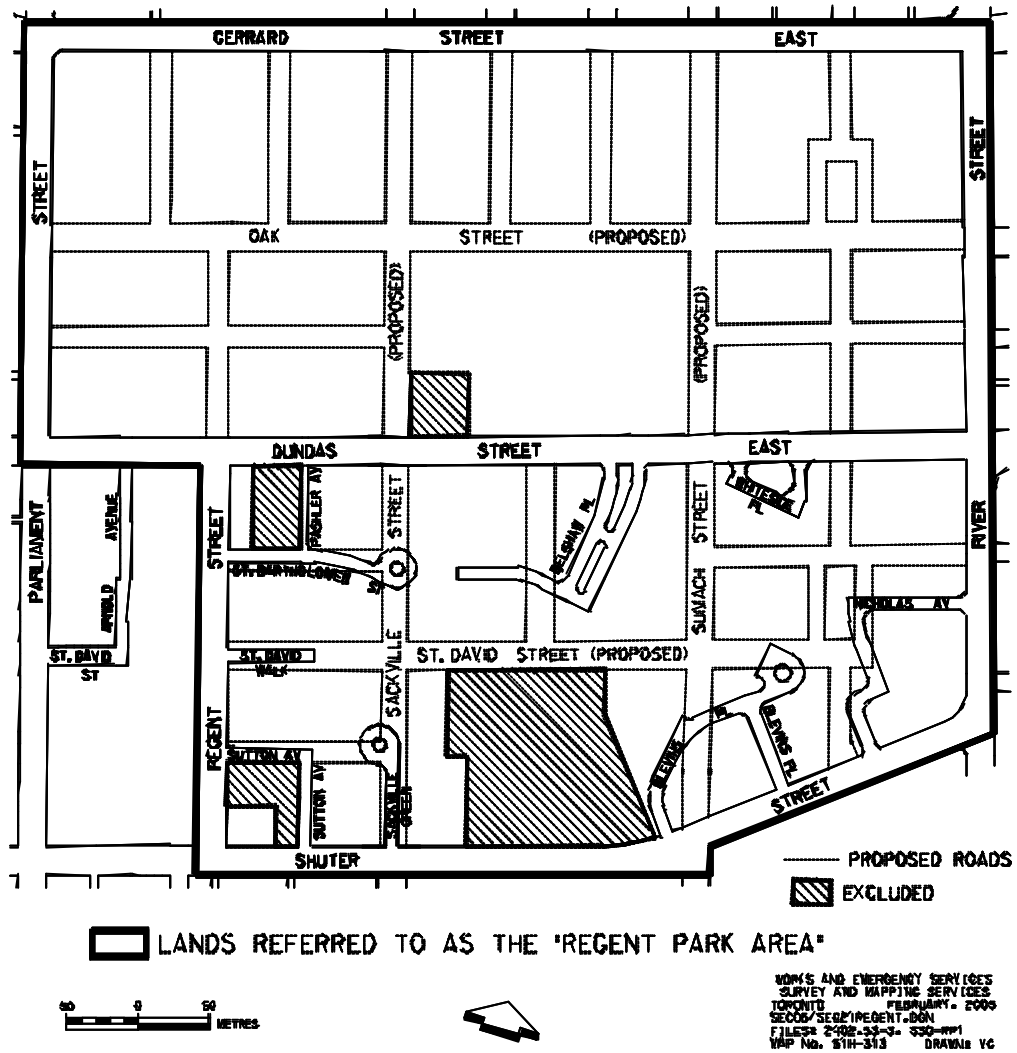
- (d) A Construction Mitigation and Tenant Communication Strategy satisfactory to the Commissioner of Community and Neighbourhood Services, to be updated as appropriate during the period of Regent Park's redevelopment.

ENACTED AND PASSED this 16th day of February, A.D. 2005.

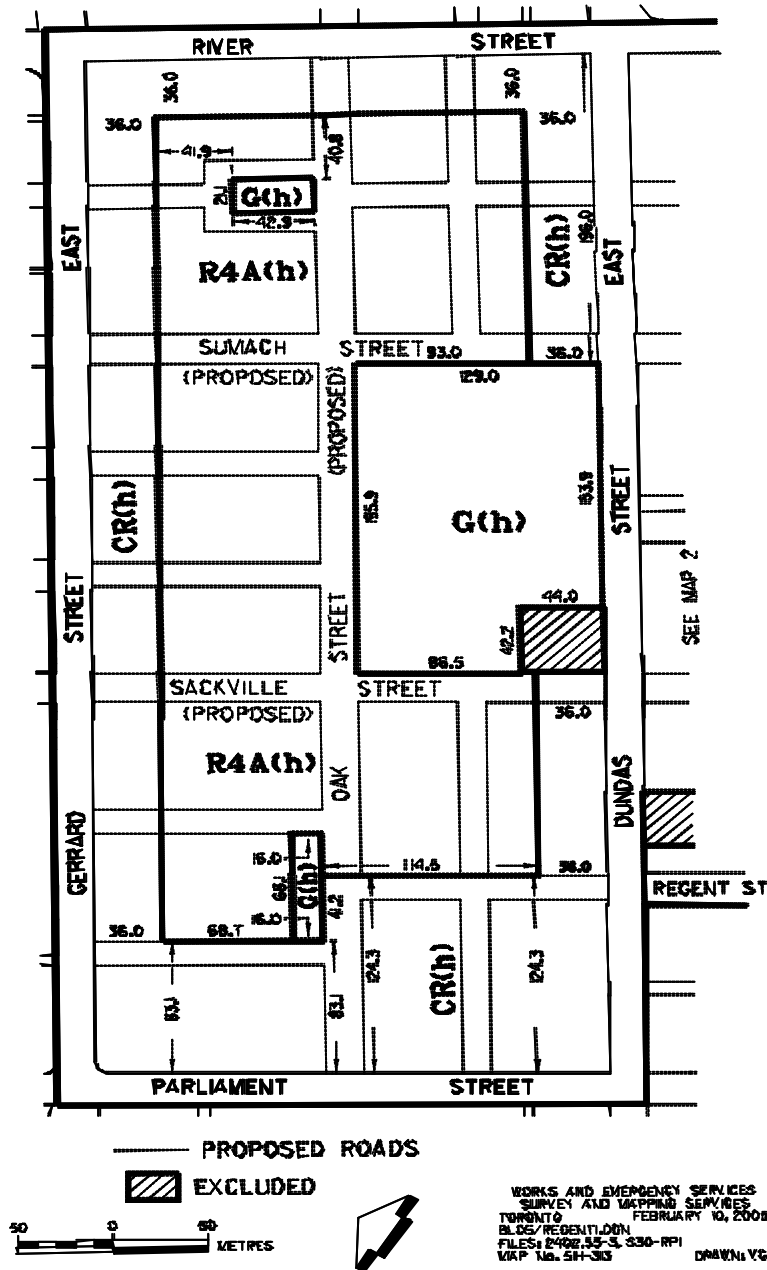
DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

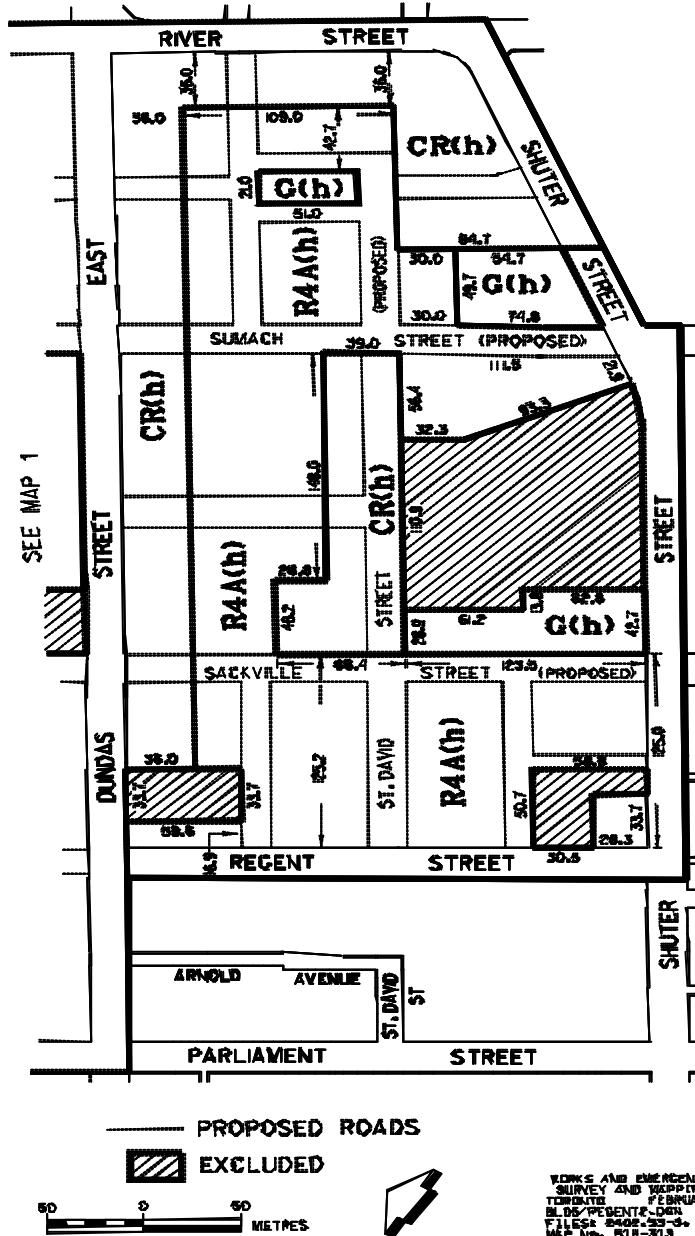
(Corporate Seal)



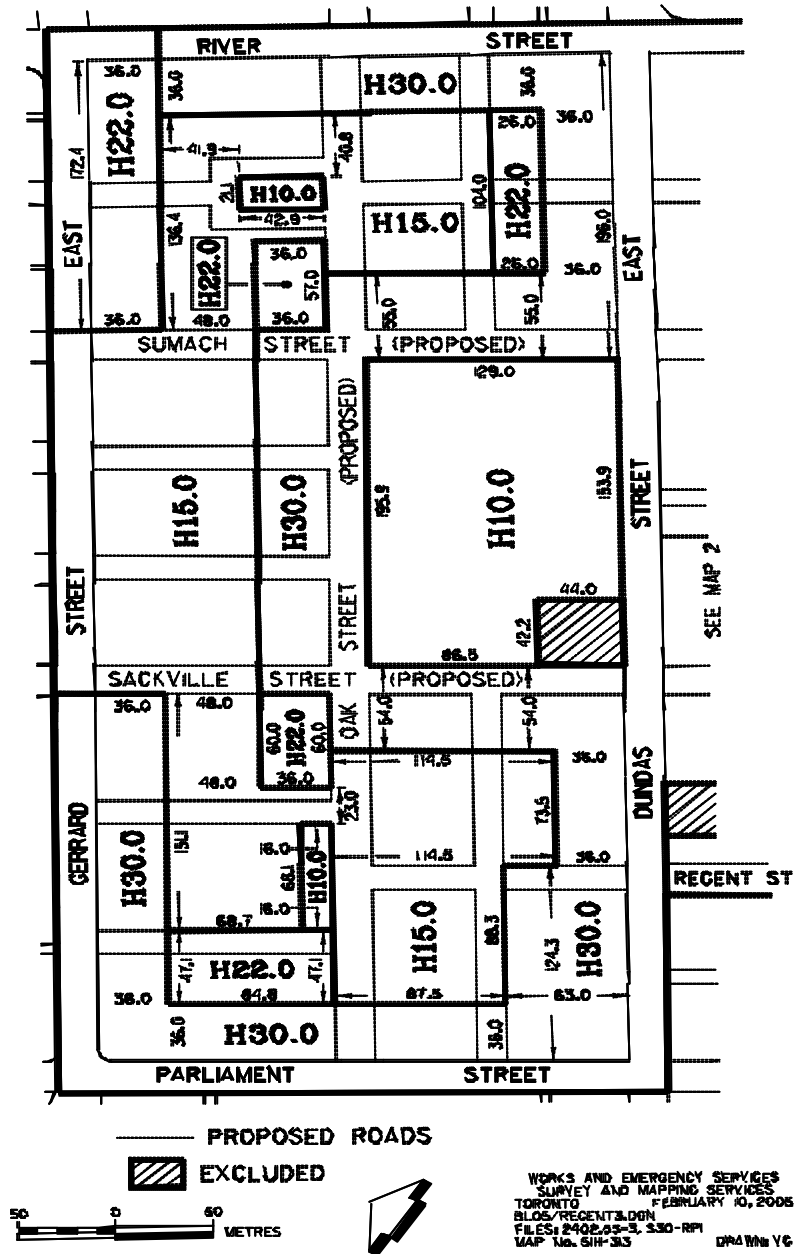
MAP 1



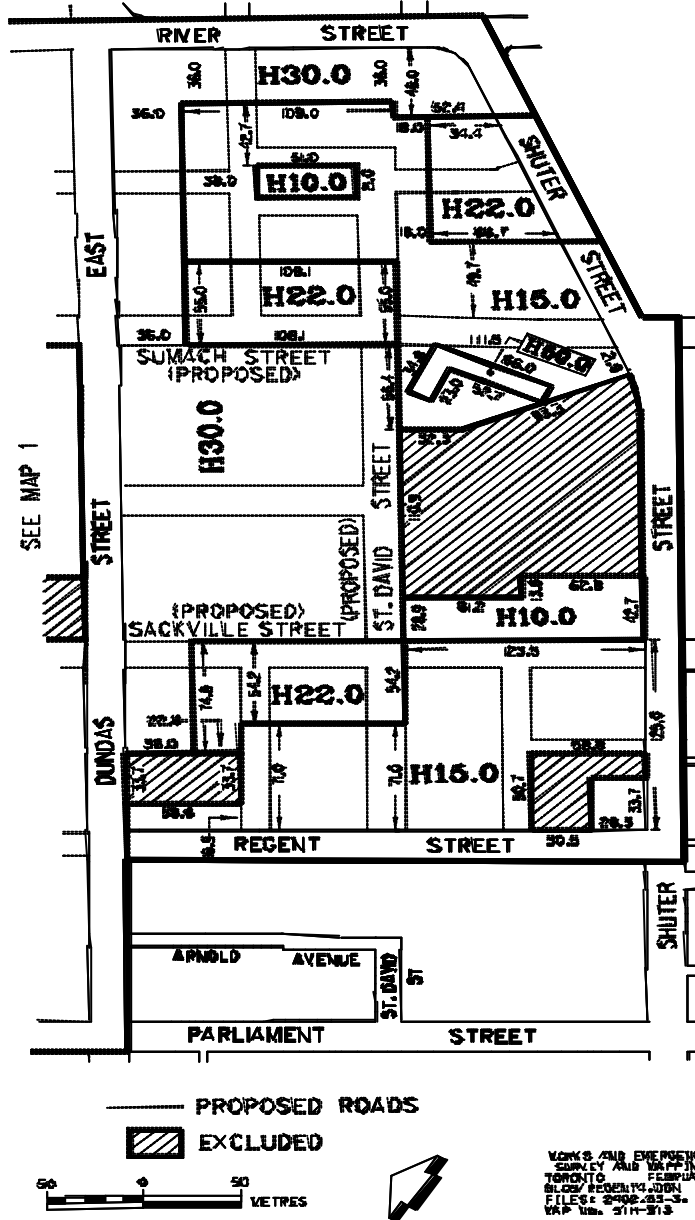
MAP 2



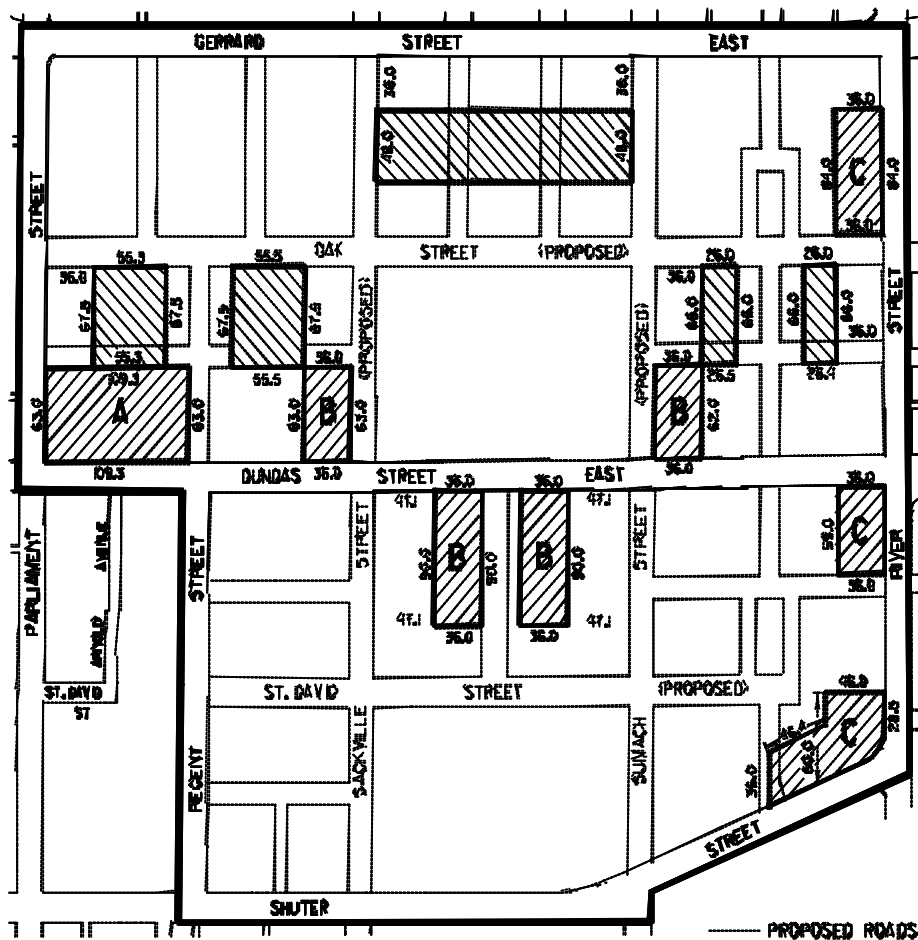
MAP 3



MAP 4



MAP 1 of 2



 HEIGHT TRANSITION ZONES REFERRED TO IN SECTION 12(1)(465(K))

 TYPE A TOWER

 TYPE B TOWER

 TYPE C TOWER



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO, FEBRUARY 10, 2005
SERIES: S1210866, DCU
FILES: 2005-03-0, S121-PP1
MAP NO. S11-S13 DRAWN: VC

