

Authority: Toronto and East York Community Council Item TE18.5, as adopted by City of Toronto Council on October 5, 6 and 7, 2016

CITY OF TORONTO

BY-LAW No. 976-2016

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 897 and 899 Queen 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 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 owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are municipally known in the year 2016 as 897 and 899 Queen Street East, as delineated by heavy black lines on Diagram 1 attached to and forming part of this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CR 2.5 (c1.0; r2.0) SS2 (x74), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding a new Exception 74 to Article 900.11.10 so that it reads:

Exception CR 74

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions.

Site Specific Provisions:

- (A) On 897 & 899 Queen Street East, if the requirements of By-law 976-2016 are complied with, none of the provisions of Clause and Regulations 40.5.40.10.(4), 40.5.40.10.(6), 40.5.40.70.(1), 40.10.40.1.(1), 40.10.40.10.(2), 40.10.40.10.(5), 40.10.40.40, 40.10.40.60.(1), 40.10.40.70.(2), 40.10.40.70.(4), 40.10.40.80.(2), 200.5.10.1.(1) [**Dwelling Unit in a Mixed Use Building and Dwelling Unit in a Mixed Use Building Visitor Parking**], 200.15.1.5.(1), 220.5.1.10.(8), 220.5.20.1.(1) and 900.11.10(2) apply to prevent the erection or use of a **building**,

structure, addition or enlargement and **ancillary** uses, permitted in By-law 976-2016;

- (B) A maximum of 60 **dwelling units** shall be permitted on the **lot**;
- (C) The total **gross floor area** of all **buildings** and **structures** on the **lot** must not exceed 5,700 square metres of which:
 - (i) The total **gross floor area** for residential uses must not exceed 5,375 square metres;
 - (ii) The total **gross floor area** for non-residential uses must not exceed 325 square metres;
- (D) **Average grade** is Canadian Geodetic Datum elevation 79.8 metres. The height of a **building** or **structure** must not exceed the height in metres specified by the numbers following the symbol "H" as shown on Diagram 3 of By-law 976-2016;
- (E) Despite (D) above, canopies, awnings, building cornices, window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, railings, stairs, stair enclosures, air intakes and vents, ventilating equipment, landscape and green roof elements, partitions dividing outdoor recreation areas, wind mitigation elements, chimney stack, exhaust flues, enclosed areas used for mechanical, electrical, heating or rooftop access purposes, outdoor mechanical, electrical, ventilation or heating equipment, rooftop surfacing, mechanical equipment, stair overrun and garbage chute overruns may exceed the permitted maximum height for the associated portion of the building specified by the number following the "H" symbol as shown on Diagram 3 of By-law 976-2016 by 4.0 metres;
- (F) Despite (D) above, the elevator overrun may exceed the permitted maximum height specified by the number following the "H" symbol as shown on Diagram 3 of By-law 976-2016 by 6.2 metres, provided that the overrun is set back 18.5 metres from the south property line and is no larger than 35 square metres in area;
- (G) Minimum **building** height setbacks must be provided as shown on Diagram 3 of By-law 976-2016;
- (H) The required minimum **building** setbacks must be provided as shown on Diagram 3 of By-law 976-2016;
- (I) Despite (G) and (H) above, awnings, building cornices, lighting fixtures, window washing equipment, ornamental elements, lightning rods, trellises, parapets, eaves, window sills, guardrails, railings, stairs, stair enclosures, wheel chair ramps, air intakes and vents, landscape and green roof elements, partitions dividing outdoor recreation area, wind mitigation elements, and other minor architectural façade details may project no more than 0.3 metres beyond the heavy lines shown on Diagram 3 of By-law 976-2016;

- (J) Despite (G) and (H) above, balconies, guard rails and balcony dividers, above a height of 5.0 metres above **average grade**, may project beyond the heavy lines shown on Diagram 3 of By-law 976-2016 a maximum of 1.5 metres;
- (K) Despite (G) and (H) above, canopies above a height of 3.5 metres above **average grade**, may project beyond the heavy lines shown on Diagram 3 of By-law 976-2016 a maximum of 1.5 metres;
- (L) Despite (G) and (H) above, the rear wall/fence adjacent to the ground floor patio and the rear transformer, may project beyond the heavy lines shown on Diagram 3 of By-law 976-2016 to a maximum of 4.0 metres;
- (M) **Despite** 40.10.40.50(1) in Zoning By-law 569-2013 outdoor **amenity space** does not need to be in a location adjoining or directly accessible to the indoor **amenity space**;
- (N) Despite Table 200.5.10.1, **Parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) A minimum total of 37 **parking spaces** must be provided for the **dwelling units** and 4 of which must be provided as resident visitor **parking spaces**. No **parking spaces** shall be required for any non-residential use;
- (O) Despite 200.5.1.10(2)(A)(iv), 200.5.1.10(2)(B)(iv), 200.5.1.10(2)(C)(iv) and 200.5.1.10(2)(D), a maximum of two (2) obstructed **parking spaces** are permitted to have a minimum width of 2.6 metres, with no further minimum dimension requirements applied to the side or sides of said **parking space** if it is obstructed, including being adjacent to any part of a fixed object such as a wall, column, bollard, fence or pipe;
- (P) Despite 230.5.10.1(1) and (5), **Bicycle parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) A minimum of 59 long-term **bicycle parking spaces** must be provided for occupants; and
 - (ii) A minimum of 9 short-term **bicycle parking spaces** must be provided for visitors;
- (Q) **Dwelling units** are not permitted on any floor below **average grade**;
- (R) The minimum required height of the non-residential portion of the first **storey**, measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.3 metres exclusive of any structural elements;
- (S) The **lot** is delineated by heavy lines on Diagram 1 of By-law 976-2016;
- (T) None of the provisions of this By-law shall apply to prevent a temporary sales

office on the **lot**, which shall mean a **building** or **structure** used for the purpose of the sale of **dwelling units**; and

- (U) 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.

Prevailing By-law and Prevailing Sections:

- (A) Section 12(2)270(a) of former City of Toronto By-law 438-86

Enacted and passed on October 7, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)





