

Authority: Toronto and East York Community Council Item TE34.20, adopted as amended, by City of Toronto Council on July 23, 24, 25, 26, 27 and 30, 2018

CITY OF TORONTO

BY-LAW 1186-2018

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 187-193 Parliament Street.

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 Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

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 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 (c2.0; r2.0) SS2 x156 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 156 so that it reads:

Exception CR 156

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 187-193 Parliament Street, if the requirements of Section 5 and Schedule A of By-law 1186-2018 are complied with, none of the provisions of 40.5.40.70(1)(A), 40.10.40.10(2), 40.10.40.40(1), 600.10, 600.10.10 and 900.11.10(2283) apply to prevent the erection or use of a **mixed-use building** that complies with (B) to (Q) below;
- (B) Despite regulations 5.10.40.70(1) and 40.10.40.70(2), a **building or structure** must be located entirely within the area delineated by heavy lines shown on Diagram 3 of By-law 1186-2018;
- (C) Despite clause 40.10.40.60 and (B) above, the following are permitted to encroach into the required **building** setbacks shown on Diagram 3 of By-law 1186-2018:
- (i) architectural features, awnings, balconies, balustrades, canopies, cornices, doors, eaves, light fixtures, ornamental elements, parapets, trellises, stairs, stair enclosures, and window sills may encroach to a maximum of 0.3 metres; and
 - (ii) dog run areas, gas meter enclosures, intake grates from parking levels, landscape features, railings, underground garage ramps, ventilation shafts, walls of an underground garage; wheel chair ramps, and associated **structures** may encroach to a maximum of 2.1 metres;
- (D) Despite regulations 40.5.40.10(1) and (2), the height of a **building or structure** is the distance between the Canadian Geodetic Datum elevation of 84.50 metres in the year 2017 and the elevation of the highest point of the **building or structure**;
- (E) Despite regulation 40.10.40.10(2), no portion of the **building** may exceed the height in metres specified by the numbers following the symbol "HT" on Diagram 3 of By-law 1186-2018;
- (F) Despite article 40.5.40.10 and (E) above, the following **building** elements and **structures** are permitted to project above the heights shown on Diagram 3 of By-law 1186-2018:
- (i) fence, **green roof** elements, **landscaping**, parapet wall, privacy screen, safety railing, stair enclosures, stairs, terraces and trellises may project a maximum of 1.2 metres; and

- (ii) elevator shaft, mechanical equipment, enclosed mechanical service areas, acoustic screens, and access ladders may project a maximum of 5.0 metres;
- (G) Despite regulations 40.10.20.100(45), 150.5.20.1(1) and (6), and section 800.50(345), a **home occupation** within a **dwelling unit**:
 - (i) may have employees in the **dwelling unit** who are not the business operator; and
 - (ii) does not have to be the principal residence of the business operator for the **dwelling unit**;
- (H) Despite regulations 40.10.40.1(1):
 - (i) the following uses may be provided in combination with a **dwelling unit**: office, **artist studio**, **production studio**, **custom workshop**, **software development and processing**, research and development institute, and **personal service shop**; and
 - (ii) a **place of assembly** may be located above a **dwelling unit**;
- (I) Despite regulations 40.10.40.40(1), 40.10.20.100(1) and 40.10.20.100(17) the maximum **gross floor area** on the **lot** must not exceed 9,200 square metres, as follows:
 - (i) a maximum of 500 square metres may be for **retail store** or **retail service** uses; and
 - (ii) a maximum of 30 **dwelling units** are permitted;
- (J) Despite regulation 40.10.40.50(1), **amenity space** must be provided as follows:
 - (i) at least 60 square metres of indoor **amenity space**; and
 - (ii) at least 60 square metres of outdoor **amenity space**;
- (K) Despite regulation 40.10.40.80(2)(B), windows are permitted on Levels 8-10 of the north elevation;
- (L) Despite regulation 200.5.10.1(1) **parking spaces** must be provided on the **lot** in accordance with the following:
 - (i) a minimum of 0.6 **parking spaces** for each **dwelling unit** for occupants;
 - (ii) a minimum of 0.1 **parking spaces** for each **dwelling unit** for visitors;
 - (iii) a minimum of 0.35 **parking spaces** for each 100 square metres of **gross floor area** for office uses;

- (iv) a minimum of 0.1 **parking space** for each 100 square metres of **gross floor area** for **retail store** or **retail service** uses; and
- (v) a minimum of 2.5 **parking spaces** for each 100 square metres of **gross floor area** for **place of assembly** uses;
- (M) Despite regulations 220.5.10.1(3) and (5), a minimum of two "Type B" and two "Type C" **loading spaces** must be provided on the **lot**;
- (N) Despite clause 40.10.90.40(2), access to a **loading space** may be provided via Anna Hilliard Lane;
- (O) Despite clauses 40.10.20.100(8) and 40.10.100.10(2), access to a **parking space** may be provided via Anna Hilliard Lane, which is not within a CR Zone;
- (P) Despite regulation 230.5.1.10(8), "**short term**" **bicycle parking spaces** may be provided on the City boulevard adjacent to the **lot**;
- (Q) Regulation 40.10.50.10(3) with respect to **landscaping** when abutting a **lot** in a Residential or Residential Apartment Zoning does not apply.

Prevailing By-laws and Prevailing Sections: None Apply

5. Section 37 Provisions

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on July 27, 2018.

Glenn De Baeremaeker,
Deputy Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

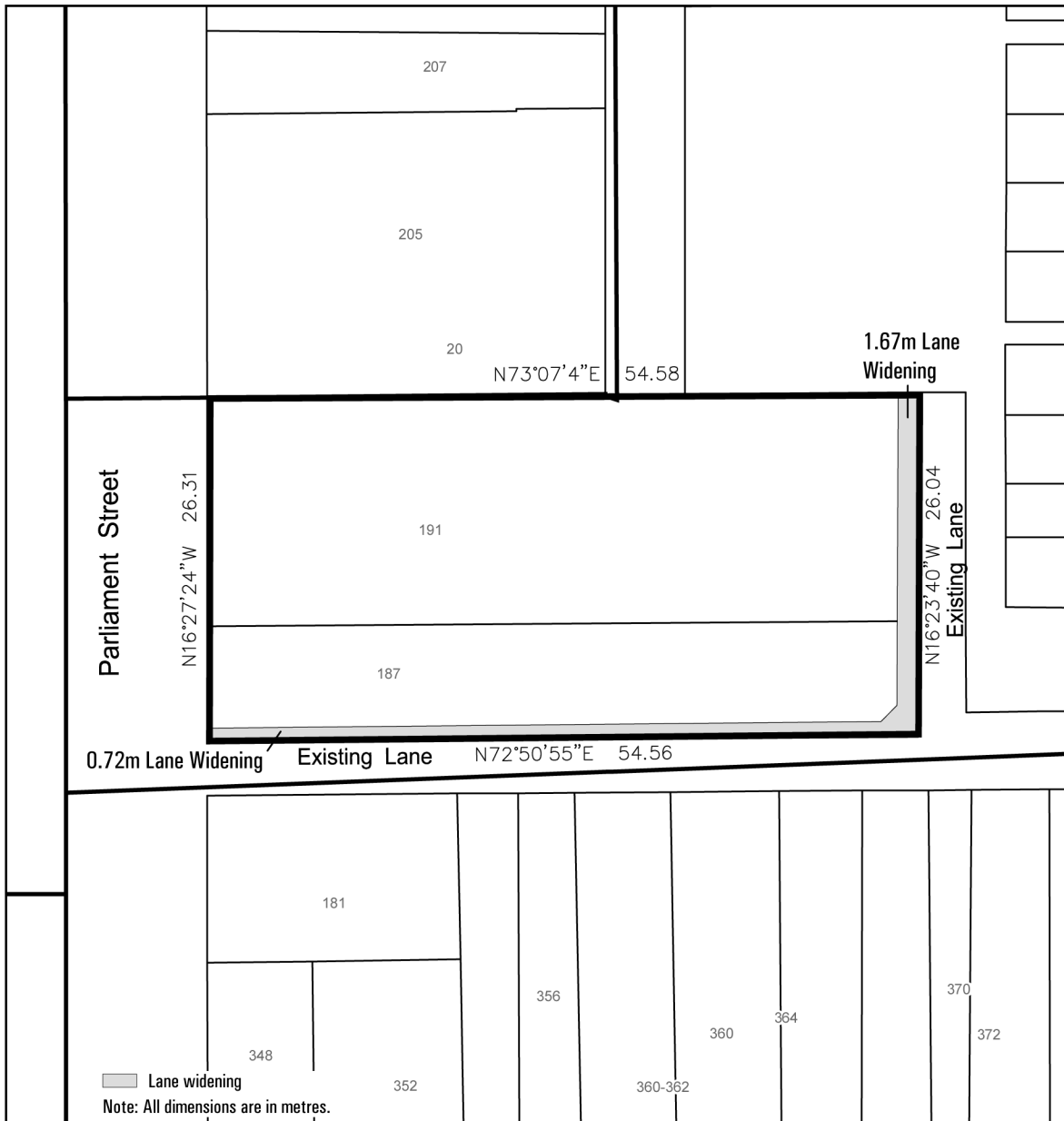
Schedule A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 2 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act in a form satisfactory to the City with conditions providing for indexing escalation of both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement:

1. Prior to issuance of an above grade building permit, other than a building permit for a temporary sales office/pavilion, the owner shall make an indexed cash contribution in the amount of \$600,000.00 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, toward any one or more of the following:
 - a. local parks improvements within proximity of the site within the boundaries of Ward 28 as it exists on July 27, 2018, or such future Ward in which the site is located; with the allocation of such funds to be determined by the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor;
 - b. local streetscape improvements within proximity of the site within the boundaries of Ward 28 as it exists on July 27, 2018, or such future Ward in which the site is located; with the allocation of such funds to be determined by the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor; and
 - c. prior to issuance of an above grade building permit, other than a building permit for a temporary sales office/pavilion, the owner shall make an indexed cash contribution in the amount of \$100,000.00 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor, toward landscaping and open space improvements to the Toronto Community Housing Corporation property located at 275, 285 and 295 Shuter Street;

The amounts referred to in sections 1. of this Schedule A are to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

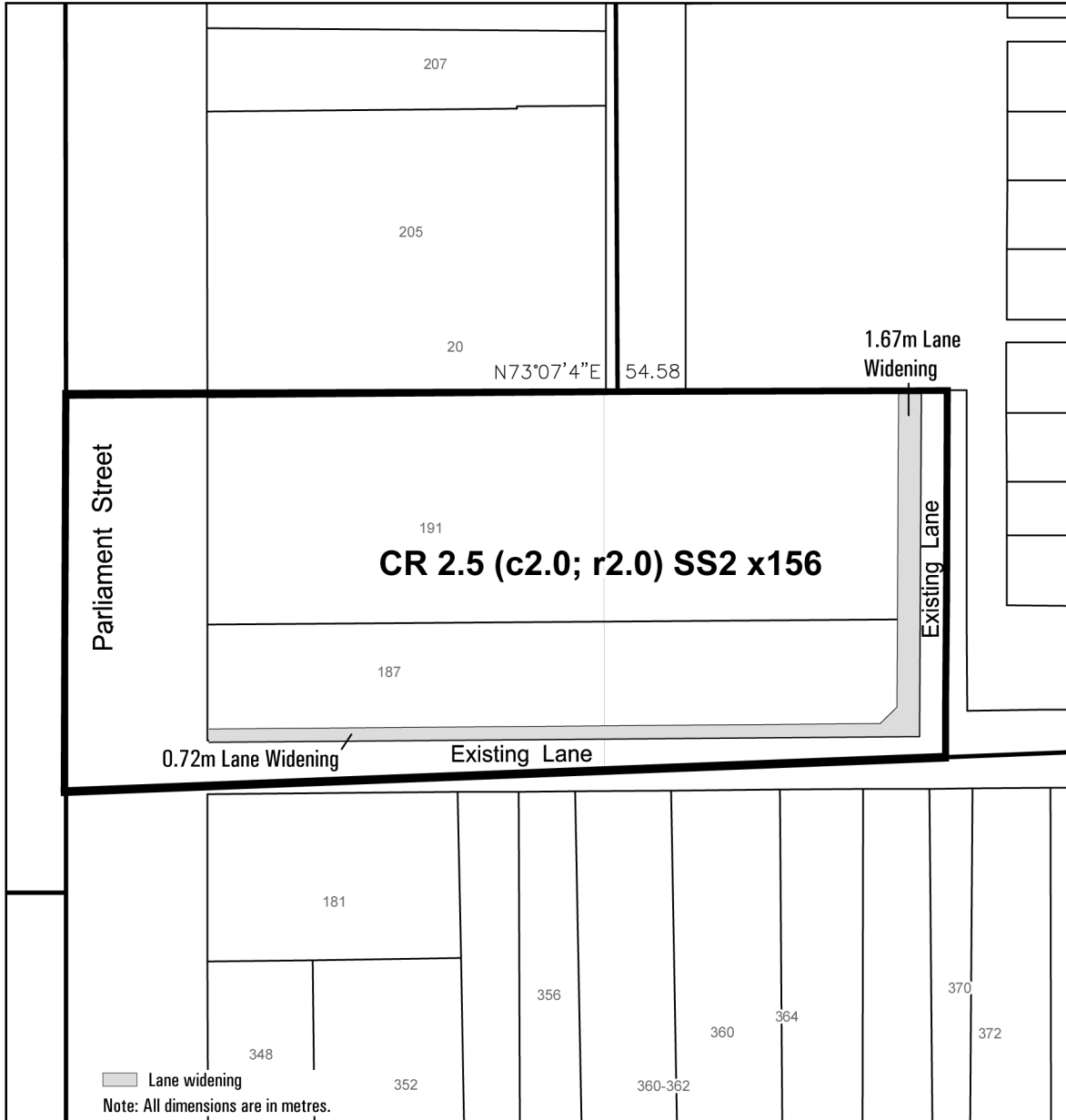
2. In the event the cash contributions referred to in Section 1 have not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.



TORONTO
Diagram 1

187-193 Parliament Street

File # 16 268586 STE 28 0Z

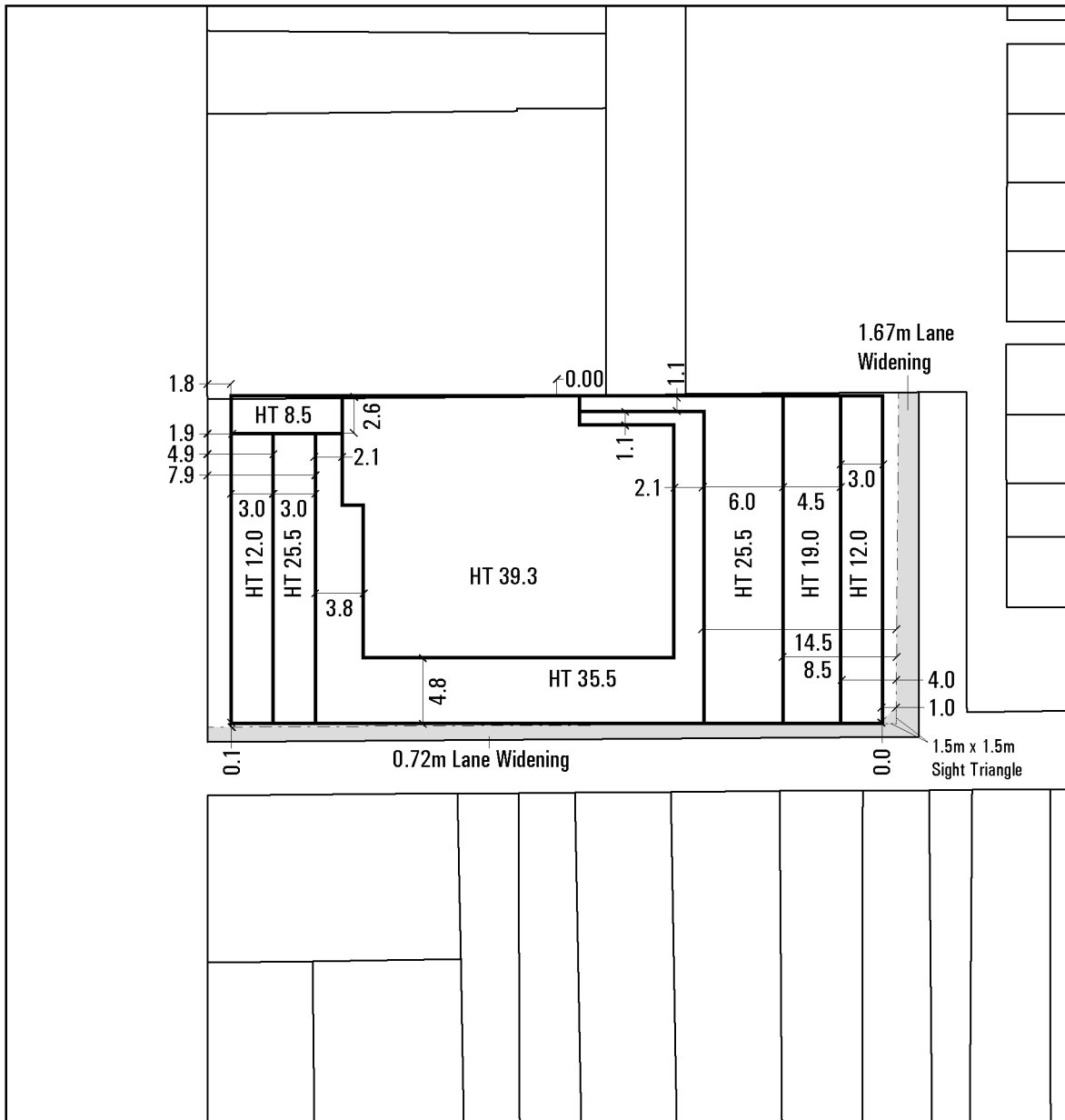


TORONTO
 Diagram 2

187-193 Parliament Street

File # 16 268586 STE 28 OZ

City of Toronto By-Law 569-2013
 Not to Scale
 07/17/2018



TORONTO
Diagram 3

187-193 Parliament Street

File # 16 268586 STE 28 OZ

City of Toronto By-Law 569-2013
Not to Scale
5/16/2018