

Authority: Toronto and East York Community Council  
Item TE23.16, as adopted by City of Toronto Council on  
March 10, 2021

## CITY OF TORONTO

### BY-LAW 346-2021

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 968 O'Connor Drive.**

Whereas Council of the City of Toronto has the authority to 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, except as specified otherwise.
3. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number 312 so that it reads:

#### **(312) Exception CR 312**

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 968 O'Connor Drive, a **mixed use building** may be erected or constructed in compliance with regulations (B) to (W) below;
- (B) 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 126.26 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulations 40.5.40.10(3)-(7) and 40.10.40.10(3), the permitted maximum height of the **mixed use building** is the height in metres specified by the number following the "HT" symbol as shown on Diagram 2 attached to and forming part of By-law 346-2021, which includes equipment and **structures** used for the functional operation of the **building** and the screening of these equipment and **structures**;

- (D) Despite (C) above, the following may project above the permitted maximum heights shown on Diagram 2 attached to and forming part of By-law 346-2021:
- i. Parapets, cornices, roof drainage, lightning rods, elements of a **green roof**, insulation and roof surface materials, and underground garage ramps and associated structures, to a maximum additional height of 0.75 metres;
  - ii. Guard rails, **landscaping**, planters, flues, eaves and vents, to a maximum additional height of 1.5 metres;
  - iii. Railing and dividers, pergolas, trellises, window washing equipment, awnings, generator, light fixtures, screens, safety or wind protectors, roof access hatch or stair, elements or structures used for outside open air recreation, cooling and ventilating equipment and structures used for safety, to a maximum additional height of 3.0 metres;
  - iv. Mechanical penthouse, to a maximum additional height of 3.6 metres; and
  - v. Parapets, roof assembly, flues, vents, insulation, and roof surface materials, to a maximum additional height of 1.5 metres above the mechanical penthouse;
- (E) Equipment, **structures** or parts of the **mixed use building** exceeding the permitted maximum height for a **building**, as permitted by (D) above, must comply with the following:
- i. the total area of all equipment, **structures**, or parts of a **building** may cover no more than 30 percentage of the area of the roof, measured horizontally; and
  - ii. if any equipment, **structures**, or parts of a **building** are located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20 percentage of the width of the **building's main walls** facing that **street**;
- (F) Despite regulation 40.10.40.10(1), all residential use portions of the **mixed use building** must be located above non-residential use portions of the **building**, other than:
- i. residential lobby access;
  - ii. residential **amenity space**; and
  - iii. on a **corner lot**, dwelling units may be located in the first **storey** of a **building** if:
    - (a) the **dwelling units** have direct access to a **street** which is not a major street on the Policy Areas Overlay Map; and

- (b) the **dwelling units** are located to the rear of the non-residential uses on the first **storey**;
- (G) Despite regulation 40.10.40.10(5), the minimum height of the first **storey**, measured between the floor of the first **storey** and the ceiling of the first **storey**, is 2.73 metres, provided that the minimum height of the first **storey** fronting onto O'Connor Drive is 4.5 metres;
- (H) Despite regulation 40.10.40.40(1), the total **gross floor area** must not exceed 9,750 square metres, provided:

  - i. At least 360 square metres of non-residential uses shall be provided and the permitted maximum non-residential **gross floor area** is 450 square metres; and
  - ii. The permitted maximum residential **gross floor area** is 9,300 square metres;
- (I) The permitted maximum number of **dwelling units** is 126, provided further that:

  - i. a minimum of 25 percent of all **dwelling units** must be two-bedroom **dwelling units**;
  - ii. a minimum of 10 percent of all **dwelling units** must be three-or-more bedroom **dwelling units**; and
  - iii. if the calculation of the number of required **dwelling units** pursuant to (I)(i) and (I)(ii) above results in a number with a fraction, the number is rounded down to the nearest whole number;
- (J) Despite regulations 40.10.40.60, 40.10.40.70(3), and 40.10.40.80(2), the portions of a **building** or **structure** above ground must be located within the areas delineated by heavy lines on Diagram 2 attached to and forming part of By-law 346-2021;
- (K) Despite (J) above, the following may horizontally encroach beyond the areas delineated by heavy lines on Diagram 2 attached to and forming part of By-law 346-2021:

  - i. A pilaster, decorative column, cornice, sill, belt course or other similar architectural feature, to a maximum of 0.6 metres, if the architectural feature is no closer to a **lot line** than 0.3 metres;
  - ii. Parapets, landscape features, elements required for the functional operation of a building, cornices, lighting fixtures, ornamental elements, parapets, thermal insulation, eaves, window sills, planters, ventilation shafts, railings, stairs, stair enclosures, wheelchair ramps, screens, site

- servicing features, awnings and canopies and gas manifolds, to a maximum of 1.0 metre;
- iii. Guardrails and screens, to a maximum of 2.0 metres; and
  - iv. Balconies, to a maximum of 2.0 metres beyond the north side **main wall**, provided they do not collectively occupy more than 50 percentage of the width of the north side **main wall**;
- (L) Despite the permitted projections and encroachments in (D) and (K) above, permitted projections and encroachments may not penetrate into an **angular plane** projected towards the **rear lot line** beginning from a height of 21.6 metres measured from the **front lot line**;
- (M) Despite regulation 40.10.40.50(1), **amenity space** shall be provided in accordance with the following:
- i. a minimum of 2.0 square metres per **dwelling unit** must be provided as indoor **amenity space**; and
  - ii. the greater of 192 square metres and the amount equal to 1.5 square metres per **dwelling unit** must be provided as outdoor **amenity space**;
- (N) Despite regulations 40.10.50.10(2) and 40.10.50.10(3), where the lands subject to By-law 346-2021 abut a **lot** in the Residential Zone category:
- i. no fence is required along the part of the **lot line** abutting a **lot** in the Residential Zone category; and
  - ii. no **soft landscaping** is required along the part of the **lot line** abutting the **lot** in the Residential Zone category;
- (O) Despite regulation 200.5.10.1 and Table 200.5.10.1, **parking spaces** for the **mixed use building** must be provided and maintained in accordance with the following:
- i. A minimum of 0.65 **parking spaces** for each **dwelling unit**;
  - ii. A minimum of 0.11 **parking spaces** for each **dwelling unit** shall be provided for visitors to the residential portions of the **mixed use building** and for the non-residential uses; and
  - iii. 2 **car share parking spaces** shall be provided;
- (P) Despite regulation 200.5.1.10(2), a maximum of 5 **parking spaces** that are obstructed on one or two sides may be provided with a minimum width of 2.6 metres;

- (Q) Despite regulation 40.5.80.1(1), a **parking space** must be on the same **lot** as the use for which the **parking space** is required;
- (R) Despite regulation 40.5.80.10(1), a **parking space** required by By-law 346-2021 for a use in the Commercial Residential Zone category must be available for the use for which it is required;
- (S) Despite regulation 200.15.1(1), an accessible **parking space** shall have a minimum length of 5.6 metres, a minimum width of 3.9 metres and a vertical clearance of 2.1 metres;
- (T) Despite regulation 230.5.1.10(4)(A):
  - i. a "long-term" **bicycle parking space** shall have a minimum length of 1.8 metres, a minimum width of 0.45 metres and a minimum vertical clearance from the ground of 1.45 metres; and
  - ii. a "short-term" **bicycle parking space** shall have a minimum length of 1.8 metres, a minimum width of 0.26 metres, and a minimum vertical clearance from the ground of 1.9 metres.
- (U) Despite regulation 230.5.1.10(4)(C), a "long-term" **bicycle parking space** in a **stacked bicycle parking space** shall have a minimum vertical clearance of 1.1 metres;
- (V) Despite regulation 230.5.1.10(9), the required "long-term" **bicycle parking spaces** for a **dwelling unit** in a **mixed use building** may be located on levels of the **building** belowground; and
- (W) For the purposes of this exception, the following terms have the following meanings:
  - i. **Car-share vehicle** shall mean a **vehicle** available for short-term rental, including an option for hourly rental, for the use of at least the occupants of the **building** erected on the **lot**; and
  - ii. **Car-share parking space** shall mean a **parking space** used exclusively for the parking of a **car-share vehicle**.

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

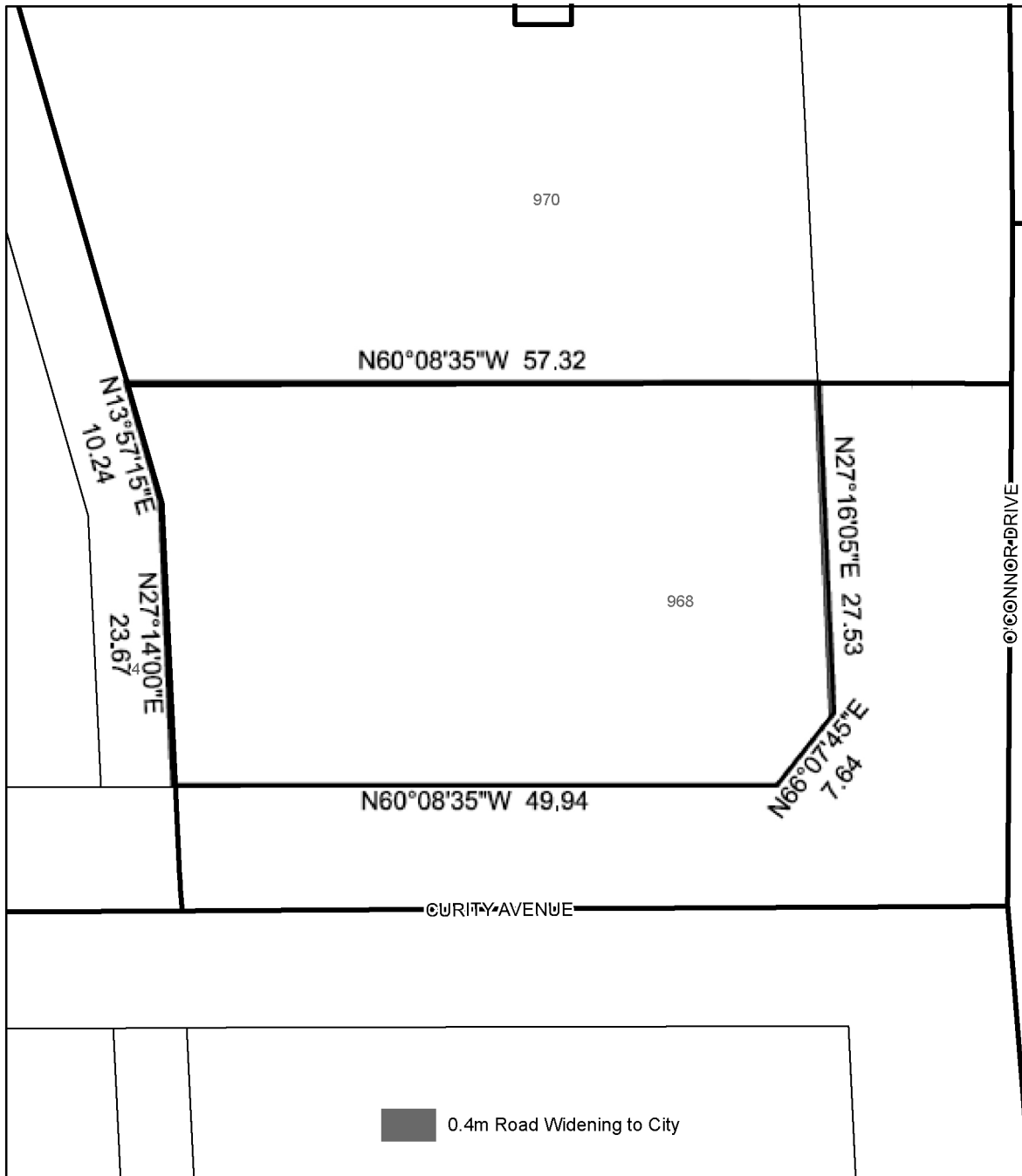
- 4. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on May 6, 2021.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

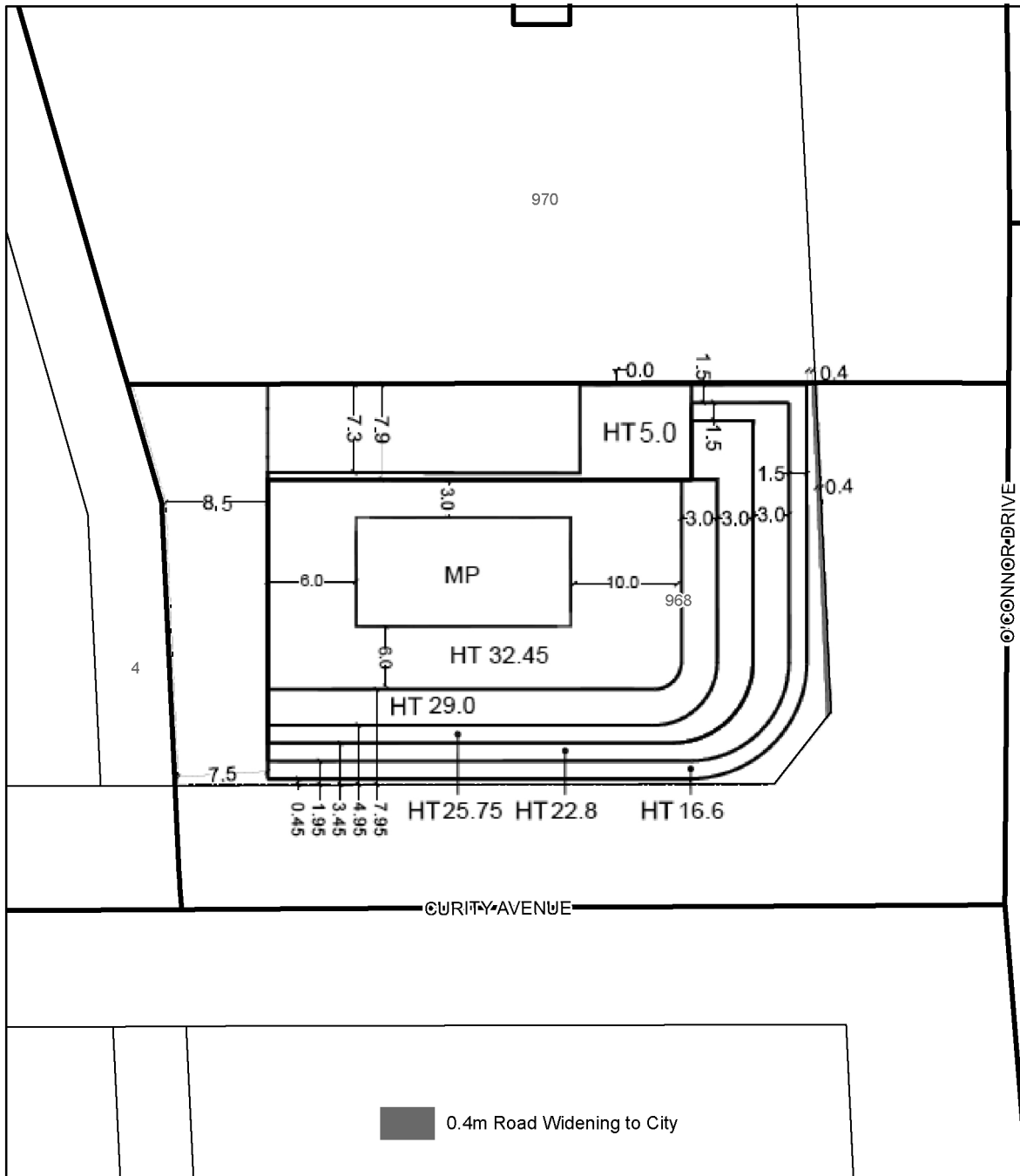


 **TORONTO**  
Diagram 1

**968 O'Connor Drive**

File # 18 271310 STE 19 0Z





 **TORONTO**  
Diagram 2

968 O'Connor Drive

File # 18 271310 STE 19 0Z

