

Authority: Toronto and East York Community Council  
Item TE24.11, as adopted by City of Toronto Council on  
May 5, and 6, 2021

## CITY OF TORONTO

### BY-LAW 394-2021

**To amend Zoning By-law 569-2013, as amended, with respect to certain lands within the King-Parliament area, fronting Queen Street East between Jarvis Street and Bayview Avenue, and 155 George Street, 8-52 Britain Street, 120-122 Sherbourne Street, 107-111 Ontario Street, 145 and 153 Berkeley Street, 8 Trefann Street, and 91-97 and 104 Sackville 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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1A 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:
  - (A) adding the lands on Diagram 2A to the Zoning By-law Map in Section 990.10 and applying the zone labels shown on Diagram 3A attached to this Bylaw;
  - (B) amending the zone labels on the Zoning By-law Map in Section 990.10 for the lands on Diagram 1A to the zone labels shown on Diagram 3A attached to this By-law;
  - (C) adding the lands on Diagram 2A to the Height Overlay Map in Section 995.20 and applying the height labels shown on Diagram 4A attached to this By-law; and
  - (D) amending the height labels on the Height Overlay Map in Section 995.20 for the lands on Diagram 1A to the height labels to the height labels shown on Diagram 4A attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands shown in Diagram 2A to the Policy Areas Overlay Map in Section 995.10.1, and applying the following Policy Overlay label to these lands: PA1, as shown on Diagram 5A attached to this By-law.

5. Zoning By-law 569-2013, as amended, is further amended by adding the lands shown in Diagram 2A to the Rooming House Overlay Map in Section 995.40.1, and applying the following Rooming House labels to these lands: B3, as shown on Diagram 6A attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands on Diagram 2A to the Lot Coverage Overlay Map in Section 995.30.1, with no value.
7. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.2.10 Exception Number CR 331 so that it reads:

**(331) Exception CR 331**

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) In the CR zone, a **drive-through facility** is not permitted.
- (B) On a **lot**, a **building** or **structure** that has assisted housing has a minimum parking rate of 0.3 spaces per **dwelling unit** [TO: 438-86; 12(2)207];
- (C) These **premises** must comply with Exception 900.11.10(2);
- (D) Despite regulation 40.5.40.10 (4), equipment and **structures** on the roof of a **building** may not exceed the permitted maximum height;
- (E) If a **lot** with a **building** is identified as a **heritage site**, any portion of a **building** that exceeds the height of the conserved heritage **building**, whether an addition above the conserved heritage **building** or as a separate **building** on the same **lot**, must be set back from a **lot line** that abuts a **street** a distance equal to the original **building setback** of the conserved heritage **building** from that **lot line** that abuts a **street**, plus 5.0 metres;
- (F) Despite regulation 40.10.40.10 (5), if a **lot** is abutting a **lot** with a **building** identified as a **heritage site** fronting on the same **street**, the height of the first **storey** may be less than 4.5 metres provided it is no less than 3.7 metres;
- (G) Despite regulations 40.10.40.70 (2) (E) and (F):
  - (i) if a **lot** abuts a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment zone, no **building** or **structure** may penetrate a 45 degree **angular plane** projected over the **lot** along the entire

**rear yard setback**, starting at a height of 10.5 metres above the average elevation of the ground along the **rear lot line**; or

- (ii) if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category by a **lane**, no **building** or **structure** may penetrate a 45 degree **angular plane** projected over the **lot** along the entire **rear yard setback**, starting at a height of 10.5 metres above the average elevation of the ground along the entire rear **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**.

Prevailing by-laws and Prevailing Sections:

- (A) Section 12 (2) 132 of former City of Toronto By-law 438-86;
- (B) Section 12 (2) 270 (a) of former City of Toronto By-law 438-86.

8. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number 333 so that it reads:

**(333) Exception CR 333**

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) In the CR zone, a **drive-through facility** is not permitted.
- (B) On 163 Queen Street East, 351 Queen Street East and 167 Parliament Street, 363, 371 and 373 Queen Street East, a **seniors community house** or an emergency shelter is not a permitted use; [TO: 438-86; 12 (2) 98]
- (C) On even numbered addresses of 8-34 Britain Street, 120-122 Sherbourne Street and 155 George Street, despite regulation 40.10.20.40 (1), **dwelling units** are permitted in **building** types with less than 5 **dwelling units**.
- (D) On odd numbered addresses of 315-321 Queen Street East and 145 Berkeley Street, no **building** or **structure** is to exceed a height of 12.0 metres within a distance of 12.0 metres from a **lot line** that abuts Berkeley Street; [TO:438-86; 12 (2) 94]
- (E) These **premises** must comply with Exception 900.11.10(2);
- (F) Despite regulation 40.5.40.10 (4), equipment and **structures** on the roof of a **building** may not exceed the permitted maximum height;
- (G) On a **lot** with a **lot line** that abuts Britain Street, no **building** or **structure** may penetrate a 45 degree **angular plane** projected over the **lot** along the **lot line**

abutting Britain Street, starting at a **height** of 16 metres above the average elevation of the ground at the **front lot line** of abutting **lots** fronting Queen Street East.

- (H) If a **lot** with a **building** is identified as a **heritage site**, any portion of a **building** or **structure** that exceeds the **height** of the conserved heritage **building**, whether an addition above the conserved heritage **building** or as a separate **building** on the same **lot**, must be set back from a **lot line** that abuts a **street** a distance equal to the original **building setback** of the conserved heritage **building** from that **lot line** that abuts a **street**, plus 5.0 metres.
- (I) Despite regulation 40.10.40.10 (5), if a **lot** is abutting a **lot** with a **building** identified as a **heritage site** fronting on the same **street**, the height of the first **storey** may be less than 4.5 metres provided it is no less than 3.7 metres.

Prevailing By-laws and Prevailing Sections:

- (A) Section 12 (2) 132 of former City of Toronto By-law 438-86;
  - (B) Section 12 (2) 270 (a) of former City of Toronto By-law 438-86.
9. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 335 so that it reads:

**(335) Exception CR 335**

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) In the CR zone, a **drive-through facility** is not permitted;
- (B) These **premises** must comply with Exception 900.11.10 (2);
- (C) Despite regulation 40.5.40.10 (4), equipment and **structures** on the roof of a **building** may not exceed the permitted maximum height;
- (D) If a **lot** with a **building** is identified as a **heritage site**, any portion of a **building** that exceeds the height of the conserved heritage building, whether an addition above the conserved heritage building or as a separate building on the same **lot**, must be set back from a **lot line** that abuts a **street** a distance equal to the original **building setback** of the conserved heritage building from that **lot line** that abuts a **street**, plus 5.0 metres.
- (E) Despite regulation 40.10.40.10 (5), if a **lot** is abutting a **lot** with a **building** identified as a **heritage site** fronting on the same **street**, the height of the first **storey** may be less than 4.5 metres provided it is no less than 3.7 metres.

- (F) Despite regulation 40.10.40.70 (2) (E) and (F),
- (i) if a **lot** abuts a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment zone, no **building** or **structure** may penetrate a 45 degrees **angular plane** projected over the **lot** along the entire required **rear yard setback**, starting at a height of 10.5 metres above the average elevation of the ground along the **rear lot line**; or
  - (ii) if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category by a **lane**, no **building** or **structure** may penetrate a 45 degrees **angular plane** projected over the **lot**, starting at a height of 10.5 metres above the average elevation of the ground along the entire rear **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**.

Prevailing By-laws and Prevailing Sections:

- (A) Section 12 (2) 132 of former City of Toronto By-law 438-86;
- (B) Section 12 (2) 270 (a) of former City of Toronto By-law 438-86.

10. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 337 so that it reads:

**(337) Exception CR 337**

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) In the CR zone, a **drive-through facility** is not permitted;
- (B) Despite regulation 40.10.20.40 (1), **dwelling units** are permitted in **building** types with less than 5 **dwelling units**;
- (C) These **premises** must comply with Exception 900.11.10(2);
- (D) Despite regulation 40.5.40.10 (4), equipment and **structures** on the roof of a **building** may not exceed the permitted maximum height;
- (E) If a **lot** with a **building** is identified as a **heritage site**, any portion of a **building** that exceeds the height of the conserved heritage building, whether an addition above the conserved heritage building or as a separate building on the same **lot**, must be set back from a **lot line** that abuts a **street** a distance equal to the original **building setback** of the conserved heritage building from that **lot line** that abuts a **street**, plus 5.0 metres;

- (F) Despite regulation 40.10.40.10 (5), if a **lot** is abutting a **lot** with a **building** identified as a **heritage site** fronting on the same **street**, the height of the first **storey** may be less than 4.5 metres provided it is no less 3.7 metres;
- (G) Despite regulation 40.10.40.70 (2) (E) and (F),
- (i) if a **lot** abuts a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment zone, no **building** or **structure** may penetrate a 45 degrees **angular plane** projected over the **lot** along the entire required **rear yard setback**, starting at a height of 10.5 metres above the average elevation of the ground along the **rear lot line**; or
- (ii) if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category by a **lane**, no **building** or **structure** may penetrate a 45 degrees **angular plane** projected over the **lot**, starting at a height of 10.5 metres above the average elevation of the ground along the entire rear **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**.
11. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 338 so that it reads:

**(338) Exception CR 338**

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) In the CR zone, a **drive-through facility** is not permitted;
- (B) These **premises** must comply with Exception 900.11.10 (2);
- (C) Despite regulation 40.5.40.10 (4), equipment and **structures** on the roof of a **building** may not exceed the permitted maximum height;
- (D) If a **lot** with a **building** is identified as a **heritage site**, any portion of a **building** that exceeds the height of the conserved heritage building, whether an addition above the conserved heritage building or as a separate building on the same **lot**, must be set back from a **lot line** that abuts a **street** a distance equal to the original **building setback** of the conserved heritage building from that **lot line** that abuts a **street**, plus 5.0 metres;
- (E) Despite regulation 40.10.40.10 (5), if a **lot** is abutting a **lot** with a **building** identified as a **heritage site** fronting on the same **street**, the height of the first **storey** may be less than 4.5 metres provided it is no less 3.7 metres;
- (F) Despite regulation 40.10.40.70 (2) (E) and (F),

- (i) if a **lot** abuts a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment zone, no **building** or **structure** may penetrate a 45 degrees **angular plane** projected over the **lot** along the entire required **rear yard setback**, starting at a height of 10.5 metres above the average elevation of the ground along the **rear lot line**; or
- (ii) if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category by a **lane**, no **building** or **structure** may penetrate a 45 degrees **angular plane** projected over the **lot**, starting at a height of 10.5 metres above the average elevation of the ground along the entire rear **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**.

Prevailing By-laws and Prevailing Sections:

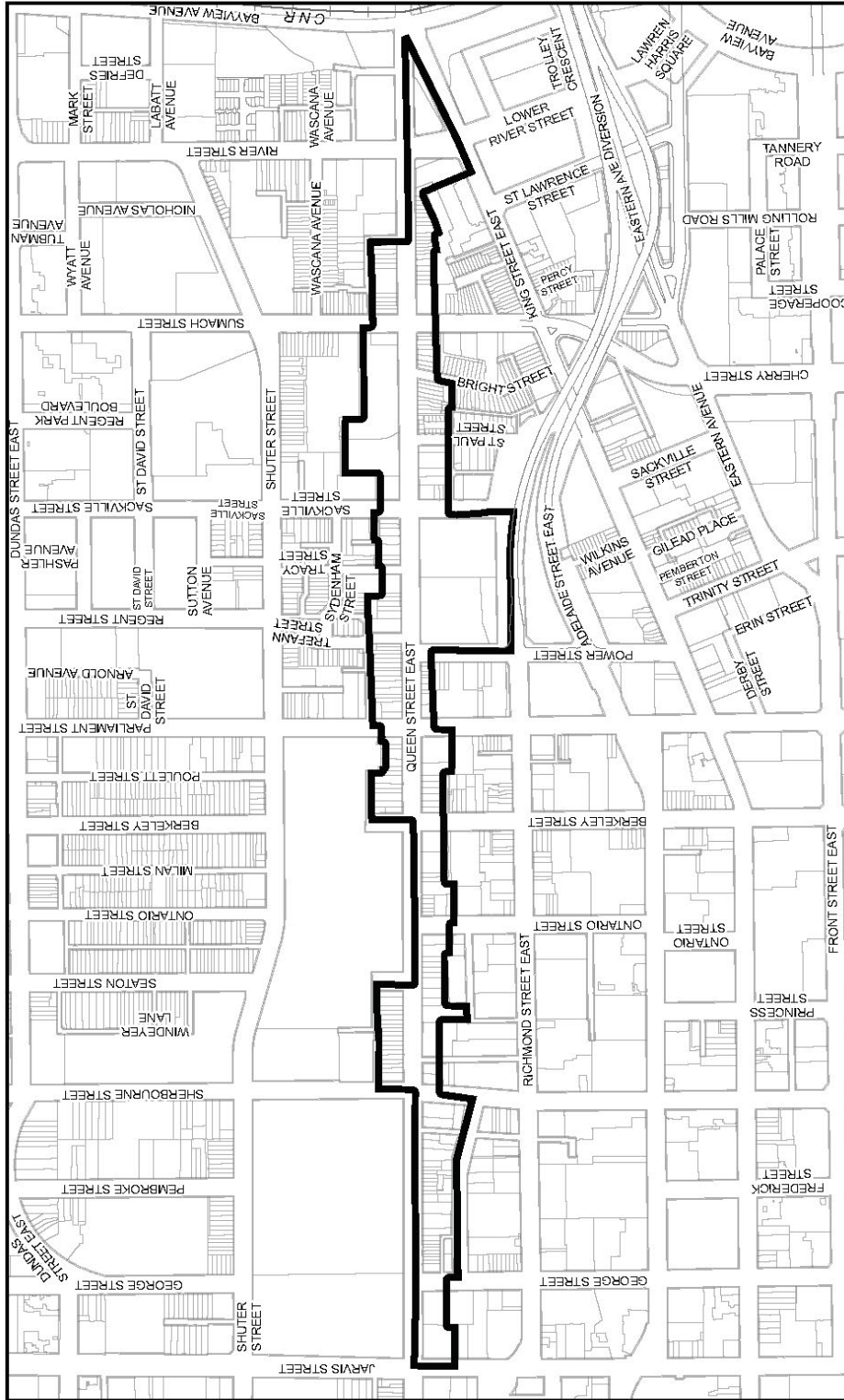
- (A) Section 12 (1) 352 of former City of Toronto By-law 438-86;
  - (B) Section 12 (2) 132 of former City of Toronto By-law 438-86;
  - (C) Section 12 (2) 156 of former City of Toronto By-law 438-86;
  - (D) Section 12 (2) 270 (a) of former City of Toronto By-law 438-86;
  - (E) Former City of Toronto by-law 532-78;
  - (F) Former City of Toronto by-law 59-82;
  - (G) Former City of Toronto by-law 546-83;
  - (H) Former City of Toronto by-law 547-83; and
  - (I) Former City of Toronto by-law 1990-0049.
- 12.** In Article 900.11.10 delete Exception Numbers 1291, 1628, 1723, 2104, 2107, 2171, 2172, 2281, 2351, and 2381.

Enacted and passed on May 6, 2021.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)



**Diagram 1A**

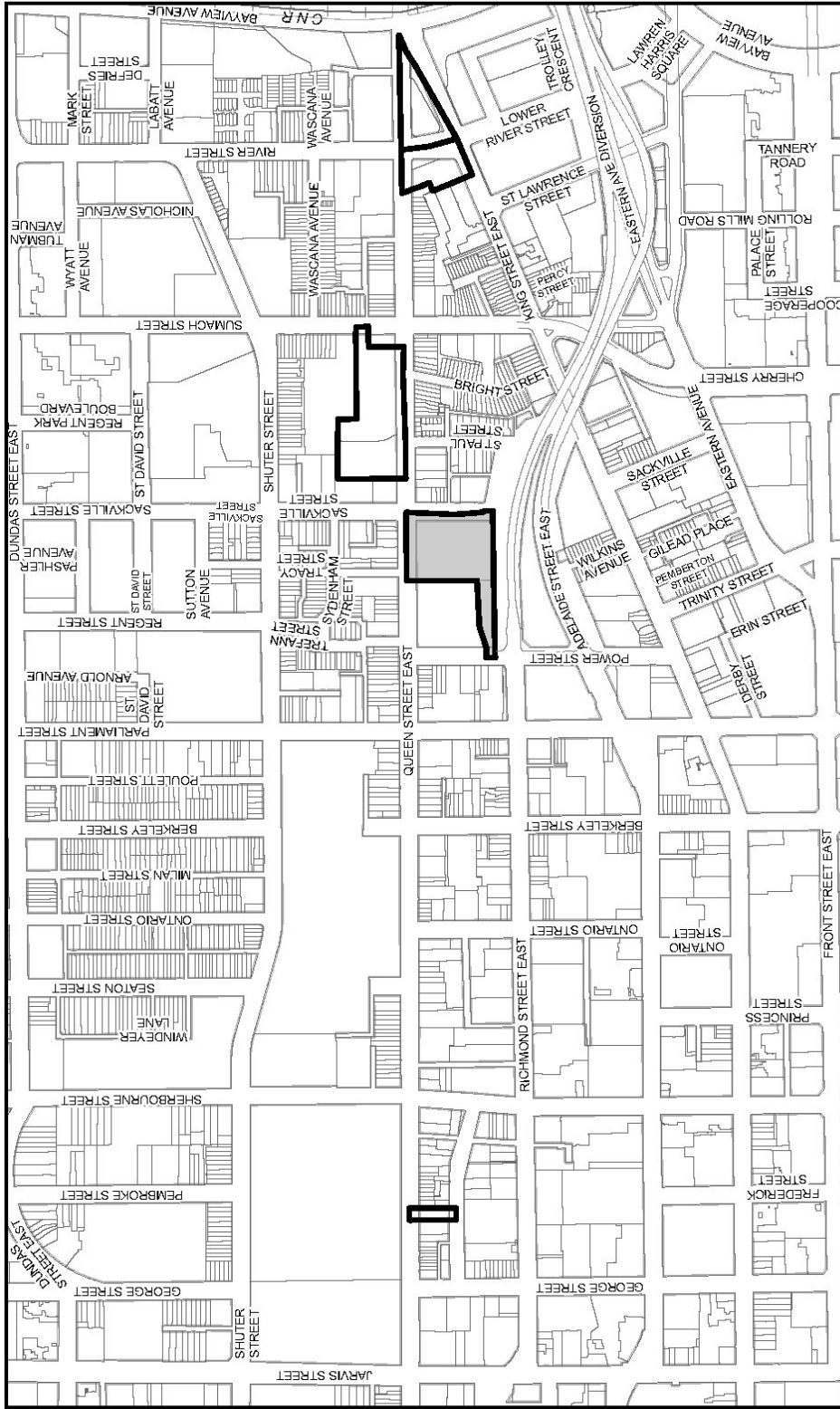
□ Lands Subject To This By-law

**King-Parliament Zoning By-law Amendment**  
**Queen Street Policy Area**



Not to Scale  
 Extracted 03/28/2021






**Diagram 2A**

**King-Parliament Zoning By-law Amendment**

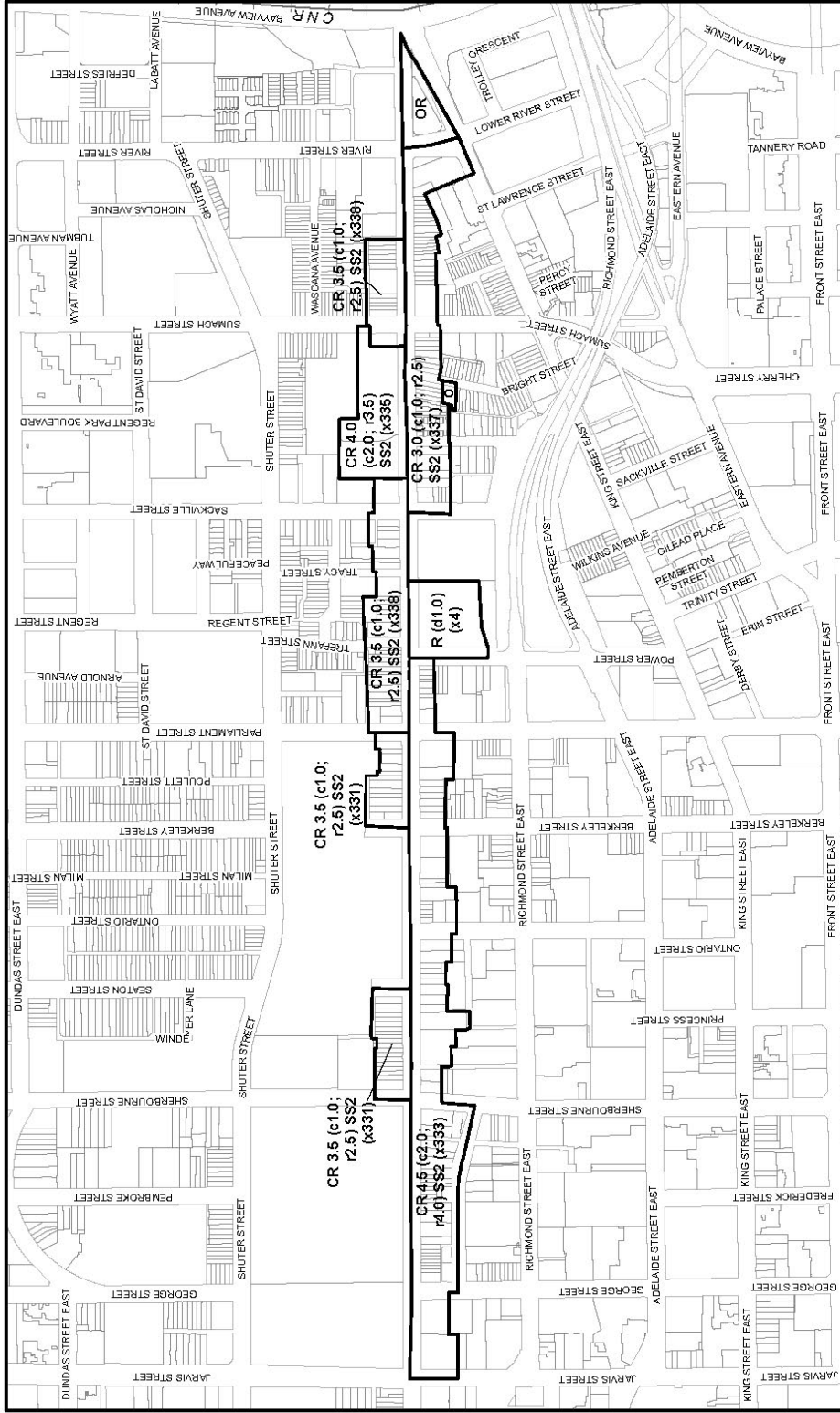
**Queen Street Policy Area**

 Lands to be added to Zoning By-law 569-2013, Sec. 990, 10 Map

 Lands to remain in City of Toronto By-law No. 438-86



Not to Scale  
Extracted: 04/09/2021

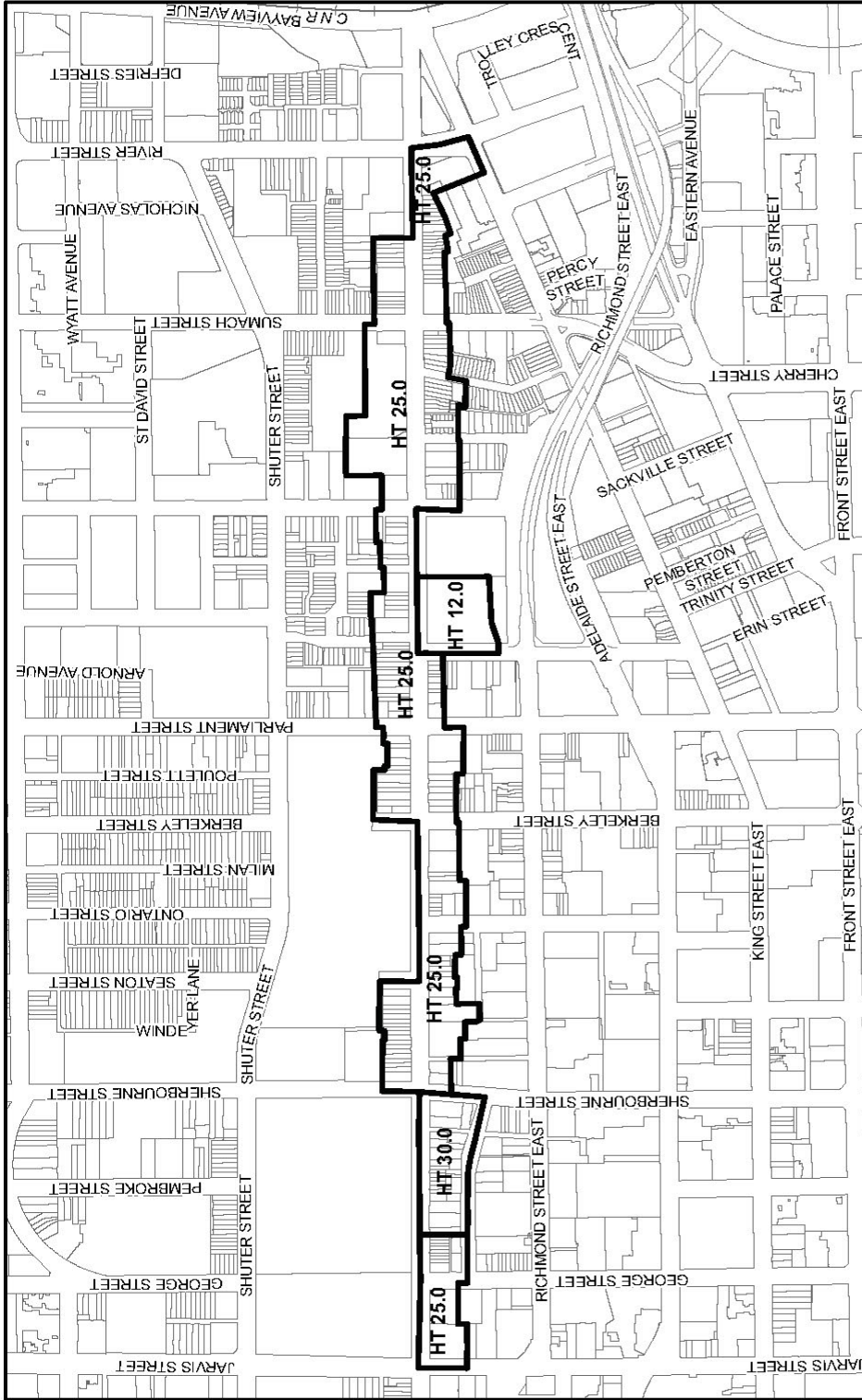


**King-Parliament Zoning By-law Amendment**  
**Queen Street Policy Area**

**Toronto**  
**Diagram 3A**

□ Lands to be added to Zoning By-law 569-2013, Sec. 990, 10 Map

↑  
 Not to Scale  
 Extracted: 04/09/2021



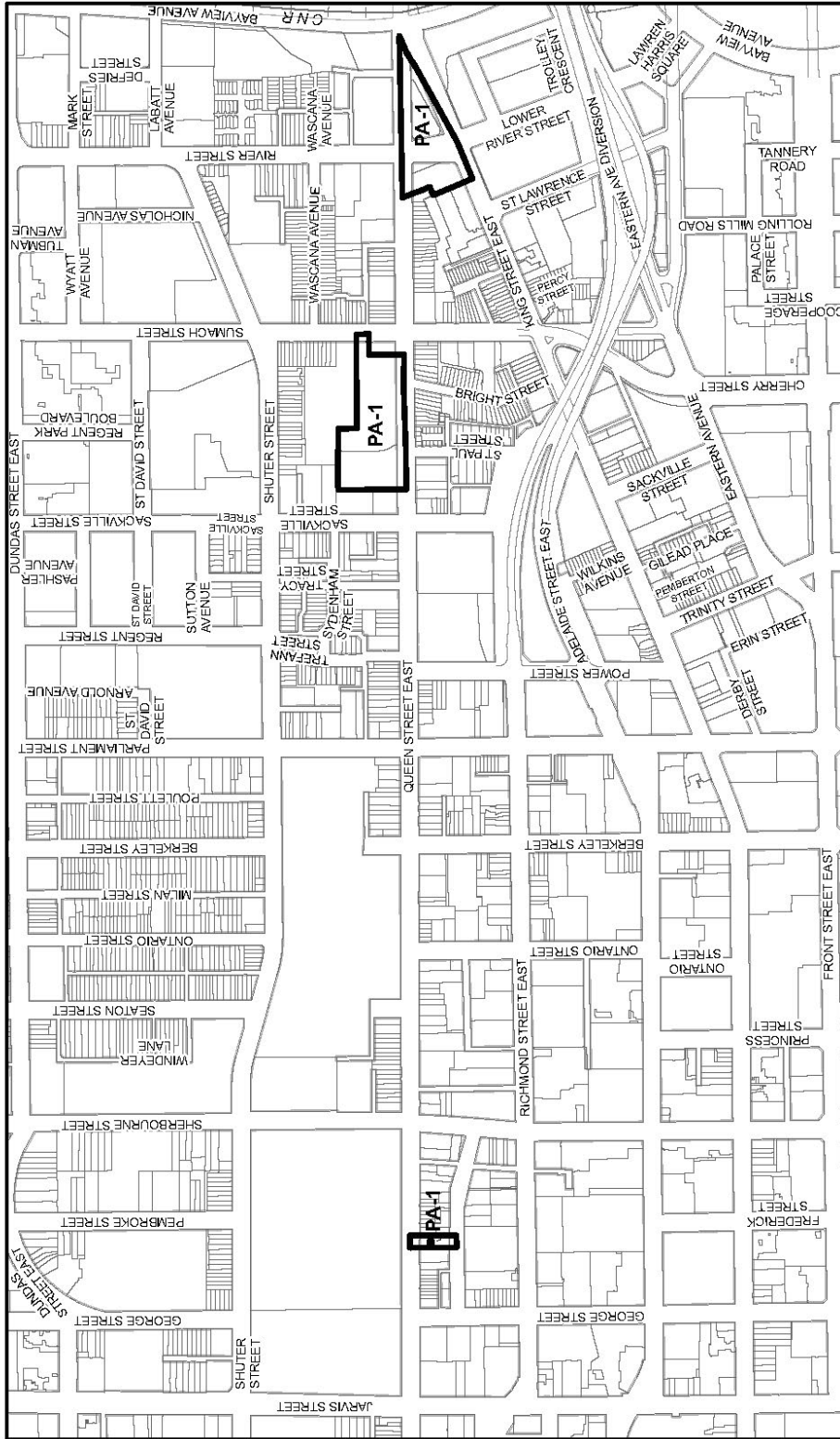
**King-Parliament Zoning By-law Amendment**  
**Queen Street Policy Area**

**Diagram 4A - Height Overlay**

 Lands to be added to Zoning By-law 569-2013, Sec.995.20 Map



Not to Scale  
Extracted: 04/08/2021



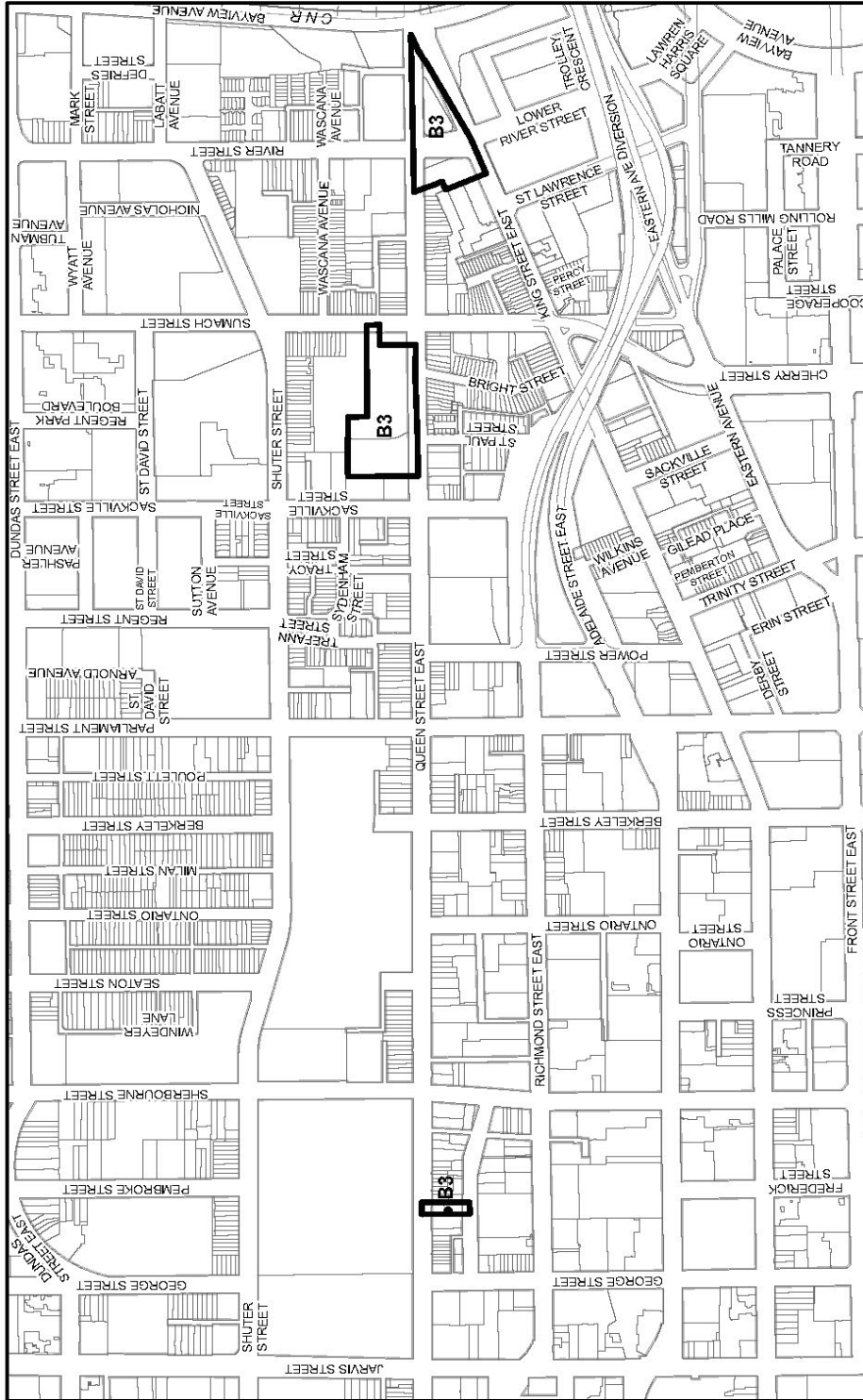
**Toronto**  
 King-Parliament Zoning By-law Amendment  
 Queen Street Policy Area

**Diagram 5A - Policy Area Overlay**

□ Lands to be added to Zoning By-law 569-2013, Sec. 995.10.1 Map



Not to Scale  
 Extracted: 04/08/2021



**Diagram 6A - Rooming House Overlay**

**King-Parliament Zoning By-law Amendment**  
**Queen Street Policy Area**

 Lands to be added to Zoning By-law 569-2013, Sec. 995.40.1 Map



Not to Scale  
 Extracted: 04/08/2021