

Authority: Toronto and East York Community Council
Item TE34.27, as adopted by City of Toronto Council on
July 19, 20, 21 and 22, 2022
City Council voted in favour of this by-law on February 8,
2023
Written approval of this by-law was given by Mayoral
Decision 2-2023 dated February 8, 2023

CITY OF TORONTO

BY-LAW 159-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 215 Wellesley Street East.

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.
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 from a zone label of R(d1.0)(x879) to R(d1.0)(x130) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 130 so that it reads:

(130) Exception R 130

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 215 Wellesley Street East, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (AA) below;
- (B) For the purpose of this exception, for Regulations in Chapters 10, 200, 220 and 230, reference to an **apartment building** is also a reference to a **mixed use building**;

- (C) In addition to those permitted **building** types in Regulation 10.10.20.40(1), a **mixed use building** is also permitted;
- (D) Despite Regulations 10.5.40.10(3), 10.5.40.10(4), and 10.10.40.10(10), elements and **structures** on the roof of a **building** for the functional operation of a **building** are permitted subject to the following:
 - (i) equipment or **structures** such as electrical, utility, and mechanical and ventilation equipment, stairs, roof access and maintenance equipment storage, and any **structures** that enclose, screen or cover such elements, may not exceed a maximum height of 30 metres, measured from **established grade**, and must be located within the area labelled "Area A" as shown on Diagram 3 of By-law 159-2023; and
 - (ii) an elevator shaft and any **structures** that enclose, screen or cover an elevator shaft may not exceed a maximum height of 29.6 metres, measured from **established grade**, and must be located within the area labelled "Elevator Overrun" as shown on Diagram 3 of By-law 159-2023;
- (E) Despite Regulation 10.5.40.70(1) Clause 10.10.40.70, and Article 600.10.10, the required minimum **building setbacks** are shown in metres on Diagram 3 of By-law 159-2023;
- (F) Despite Regulations 10.5.40.50(2), 10.5.40.60(1)(B), 10.5.40.60(1)(D), and 10.5.40.60(1)(F), a platform without **main walls**, attached to or less than 0.3 metres from a **building**, with a floor higher than the first **storey** of the **building** above **established grade** is subject to the following:
 - (i) in a **front yard**, may encroach into the required **front yard setback** a maximum of 12.4 metres provided it is located at the fifth **storey** above **established grade** and is located no closer to a **side lot line** than the required **side yard setback** in Regulation (E) of this By-law;
 - (ii) in a **rear yard**, may encroach into the required **rear yard setback** a maximum of 2.0 metres, provided that it is no closer to a **side lot line** than the required **side yard setback** in Regulation (E) of this By-law; and
 - (iii) is not permitted in a **side yard**;
- (G) Despite Regulation 10.5.50.10(4)(A), a **mixed use building** must have a minimum 10 percent of the area of the **lot** for **landscaping**;
- (H) Regulation 10.5.50.10(4)(B) with respect to **soft landscaping**, and Regulation 10.5.50.10(5), with respect to **soft landscaping** requirements for a **lot** with a **mixed use building** abutting another **lot** in the Residential Zone category, does not apply;

- (I) Regulation 10.5.80.10(2), with respect to **parking space** location for a **mixed use building**, does not apply;
- (J) Despite Regulation 10.5.80.30(1), a surface **parking space** must be at least 1.0 metre from all **main walls** of a **mixed use building**;
- (K) Despite Regulation 10.5.100.1(4), a **driveway** measuring 3.0 metres wide and providing access to a **mixed use building** is permitted;
- (L) Regulation 10.5.100.1(5), with respect to **driveway** access to a **mixed use building**, does not apply;
- (M) In addition to the permitted uses listed in Regulation 10.10.20.10(1), a **residential care home** is permitted in a **mixed use building**;
- (N) In addition to the permitted uses with conditions listed in Regulation 10.10.20.20(1), the following additional uses with conditions are also permitted:
 - (i) Office, provided it is located on the first **storey** above **established grade**;
- (O) Section 150.15, with respect to specific use regulations for a **group home** or **residential care home**, does not apply for a **residential care home**;
- (P) Despite Regulation 10.10.20.100(3), a **community centre** or library is not required to be operated by the City of Toronto;
- (Q) Despite Regulation 10.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number following the letters "HT" in metres as shown on Diagram 3 of By-law 159-2023;
- (R) Despite Regulation 10.10.40.10(9)(A), unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the maximum permitted height for that **building** by 3.0 metres, if the **structures** are on the roof of a portion of the **building** with a permitted maximum height greater than 14.0 metres as shown on Diagram 3 of By-law 159-2023;
- (S) Clause 10.10.40.30, with respect to **building depth**, does not apply;
- (T) Despite Regulation 10.10.40.40(1), the permitted **maximum gross floor area** for a **mixed use building** is 2,120 square metres, of which:
 - (i) the permitted maximum for non-residential uses is 220 square metres; and
 - (ii) the permitted maximum for residential uses is 1900 square metres;
- (U) Regulation 10.10.40.50(1)(A) with respect to indoor **amenity space** does not apply;

- (V) Despite Regulation 10.10.40.50(1)(B), at least 84 square metres of outdoor **amenity space** must be provided, which does not need to be adjoining, or be directly accessible from, indoor **amenity space**;
- (W) Despite Regulation 10.10.40.80(1)(A), the required minimum above-ground separation distance between **main walls** with no openings to **dwelling units** is 1.6 metres;
- (X) Regulation 220.5.10.1(2), with respect to the minimum number of **loading spaces**, does not apply;
- (Y) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
 - (i) a minimum of one (1) **parking space** is required for a **residential care home**;
 - (ii) no **parking spaces** are required for an office use; and
 - (iii) no **parking spaces** are required for **dwelling units** in a **mixed use building**;
- (Z) Despite Regulations 230.5.10.1(1), 230.5.10.1(5), and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following:
 - (i) a minimum of six "short-term" **bicycle parking spaces** are required for all residential uses on the **lot**;
 - (ii) no "long-term" **bicycle parking spaces** are required for any use on the **lot**; and
 - (iii) no "short-term" **bicycle parking spaces** are required for any non-residential use on the **lot**;
- (AA) Regulation 230.10.1.20.(2), with respect to the minimum distance of a **bicycle parking space** from a pedestrian entrance to a **mixed use building**, does not apply.

Prevailing By-laws and Provisions: None Apply.

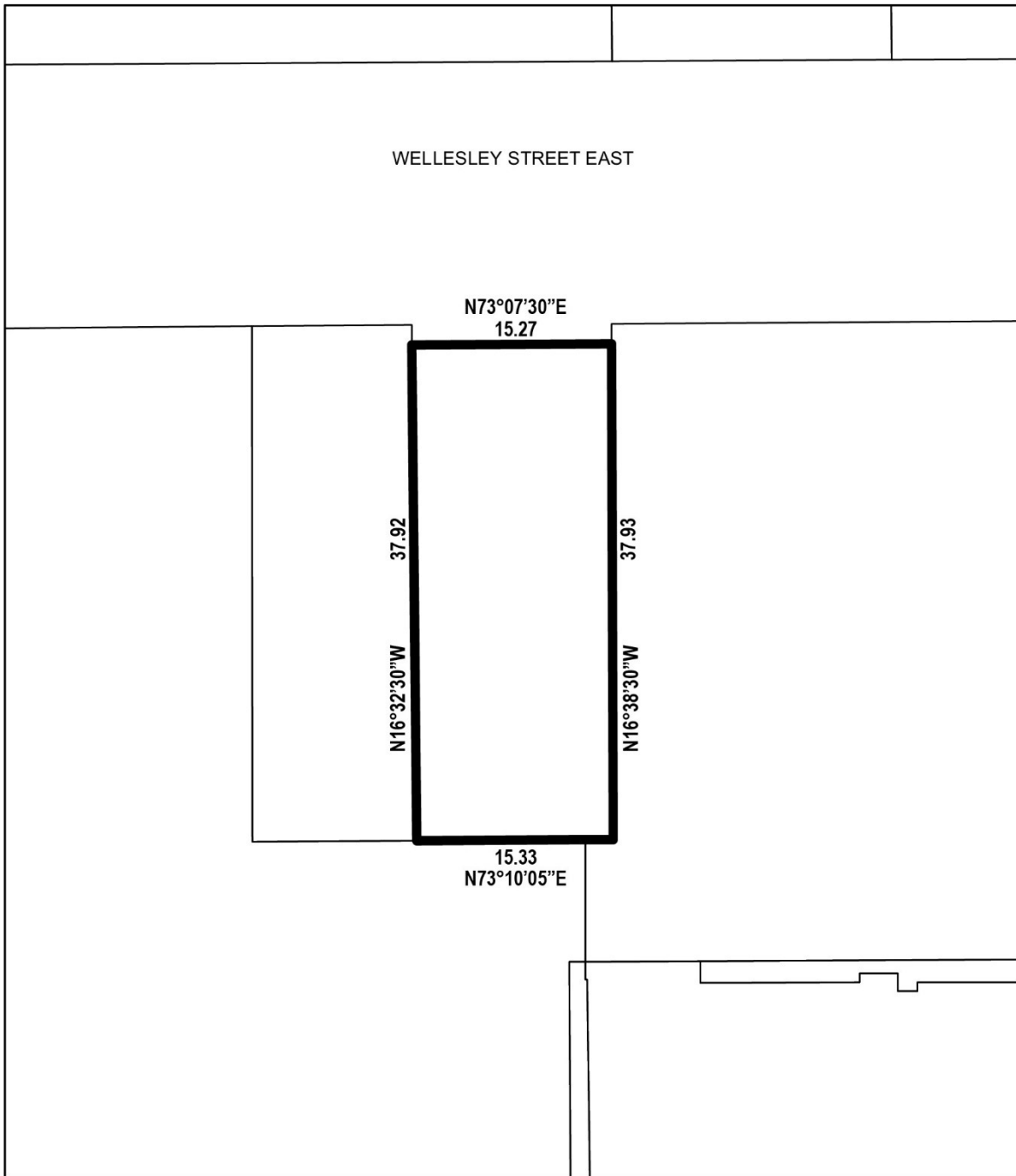
- 5. Despite any severance, partition or division of the lands, the provisions of this By-law will apply as if no severance, partition or division occurred.

Enacted and passed on February 8, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

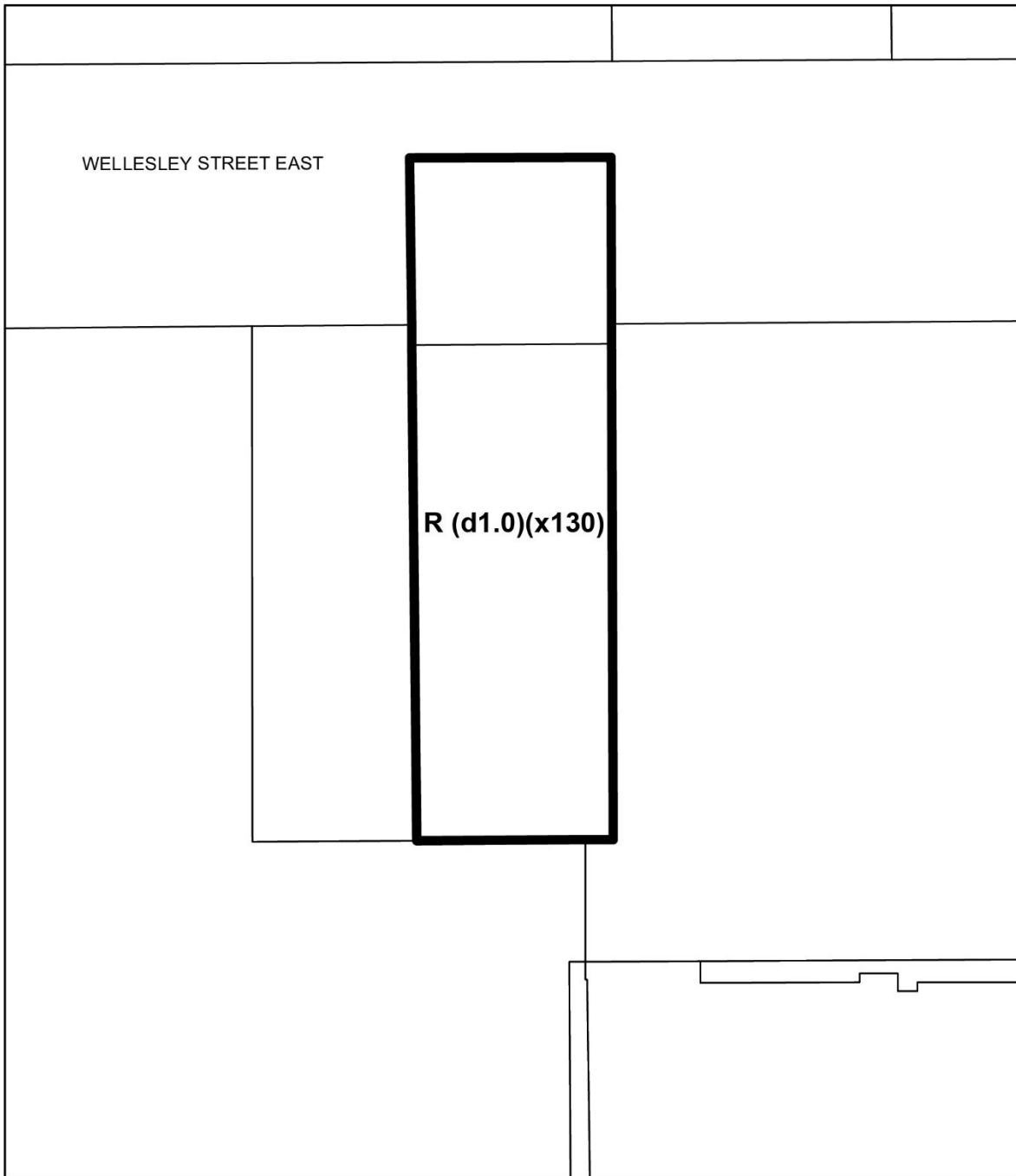
(Seal of the City)



 **TORONTO**
Diagram 1

215 Wellesley Street East

File #: 22 121898 STE 13 OZ



 **TORONTO**
Diagram 2

215 Wellesley Street East

File #: 22 121898 STE 13 0Z



