

Authority: Ontario Land Tribunal Decision issued on August 13, 2019 and Order issued on March 24, 2023 in Tribunal File PL171178

CITY OF TORONTO

BY-LAW 236-2023(OLT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 504 Wellington Street West.

Whereas the Ontario Land Tribunal, in its Decision issued on August 13, 2019 and its Order issued on March 24, 2023, in File PL171178, upon hearing an appeal under Section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, ordered the amendment of Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 504 Wellington Street West;

The Ontario Land Tribunal, by Order, amends By-law 569-2013 as follows:

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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: CRE (x68) as shown on Diagram 2, attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA-1, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 23.0, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands: B3, as shown on Diagram 5 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.12.10 Exception Number 68 so that it reads:

(68) Exception CRE 68

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 504 Wellington Street West, if the requirements of By-law 236-2023(OLT) are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (T) below;
- (B) Despite Regulations 50.10.20.10 (1) and 50.10.20.20(1), the only permitted use is **dwelling units** in an **apartment building**;
- (C) Despite Regulations 50.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 85.79 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 50.10.40.10(1) and (2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 6 of By-law 236-2023(OLT);
- (E) For the purposes of this Exception, a mezzanine does not constitute a **storey**;
- (F) Despite Regulations 50.5.40.10(3) to (8), 50.10.40.10 (3) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 6 of By-law 236-2023(OLT):
 - i) wind screens, guard rails, railings and dividers, pergolas, screens, stairs, roof drainage, window washing equipment, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, **landscaping**, and elements of a **green roof**, which may project up to 3.0 metres above the height limits shown on Diagram 6; and
 - ii) the mechanical penthouse, elevator overruns, mechanical elements, mechanical equipment parapets may project up to 4.5 metres above the height limit shown on Diagram 6;
- (G) Despite Regulation 50.5.1.10 (3), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 5,550 square metres;
- (H) Despite Regulation 50.10.40.50(1), **amenity space** must be provided at a minimum rate of:
 - i) 2.5 square metres per of indoor **amenity space** per **dwelling unit**;
 - ii) 1.4 square metres per outdoor **amenity space** per **dwelling unit**; and

- iii) no portion of the outdoor **amenity space** may be a **green roof**;
- (I) Despite Regulations 50.10.40.70 and 50.10.40.80, the required minimum **building setbacks** and **main wall** separation distances are shown in metres on Diagram 6 of By-law 236-2023(OLT);
- (J) In addition to the requirements of (I) above, a minimum **building setback** of 4.0 metres to 12.3 metres must be provided on the north side of the **building** from the north **lot line** at the second **storey** of the **building** as shown in metres by the dashed line on Diagram 6 of By-law 236-2023(OLT);
- (K) In addition to the requirements of (I) above a minimum **building setback** of 1.6 metres from the south **lot line** and 6.5 metres from the west **lot line** must be provided on the west and south sides of the **building** at the ground floor of the **building** as shown in metres by the dashed line on Diagram 6 of By-law 236-2023(OLT);
- (L) Despite Regulations 5.10.40.70 (1), 50.10.40.60 and (I), (J) and (K) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- i) eaves, cornices, window sills, light fixtures, railings, bollards, landscape planters and other similar architectural projections by 0.6 metres;
- ii) canopies, awnings, balconies or similar structures by 2.2 metres; and
- iii) columns located in the south **building setback**;
- (M) Despite Regulations, 200.5.10.1(1) and Table 200.5.10.1, a minimum of 7 **parking spaces** must be provided and maintained on the **lot**;
- (N) Despite Regulation 200.5.1.10(2)(D), electric **vehicle** charging equipment is not considered an obstruction provided that the equipment is located in the same **parking space** as the **vehicle** to be charged;
- (O) Despite Regulation 200.5.10 (13) access to **parking spaces** may be from a **vehicle** elevator;
- (P) Despite Regulation 220.5.10.1, a minimum of one Type "C" **loading space** must be provided and maintained on the **lot**;
- (Q) Despite Regulation 200.5.20.1(3), the **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.1 metres;
- (R) Despite Regulation 230.5.1.10(4)(C) a stacked bicycle parking space may be provided in with the following minimum dimensions:
- (i) a minimum length of 1.8 metres;

- (ii) a minimum width of 0.45 metres; and
- (iii) a minimum vertical clearance for each **bicycle parking space** of 1.2 metres;
- (S) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**; and
- (T) Section 600.10 Building Setback Overlay District Map does not apply.

Prevailing By-laws and Prevailing Sections:

- (A) Section 12(2) 132 of former City of Toronto By-law 438-86; and
 - (B) Section 12(2) 204 of former City of Toronto By-law 438-86
9. 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.

Pursuant to Ontario Land Tribunal Decision issued on August 13, 2019 and Order issued on March 24, 2023 in Tribunal File PL171178.

Diagram 1

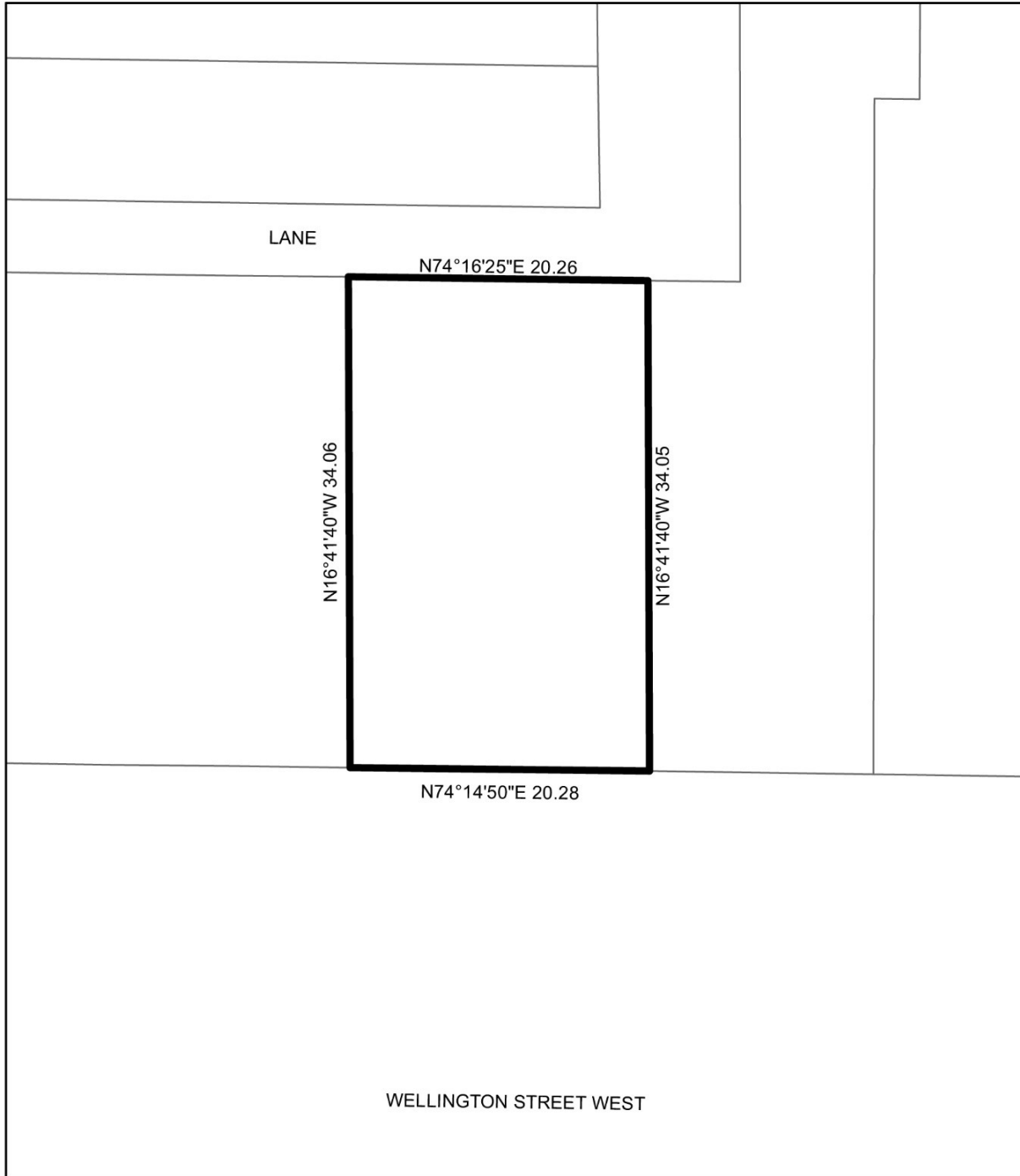


Diagram 2

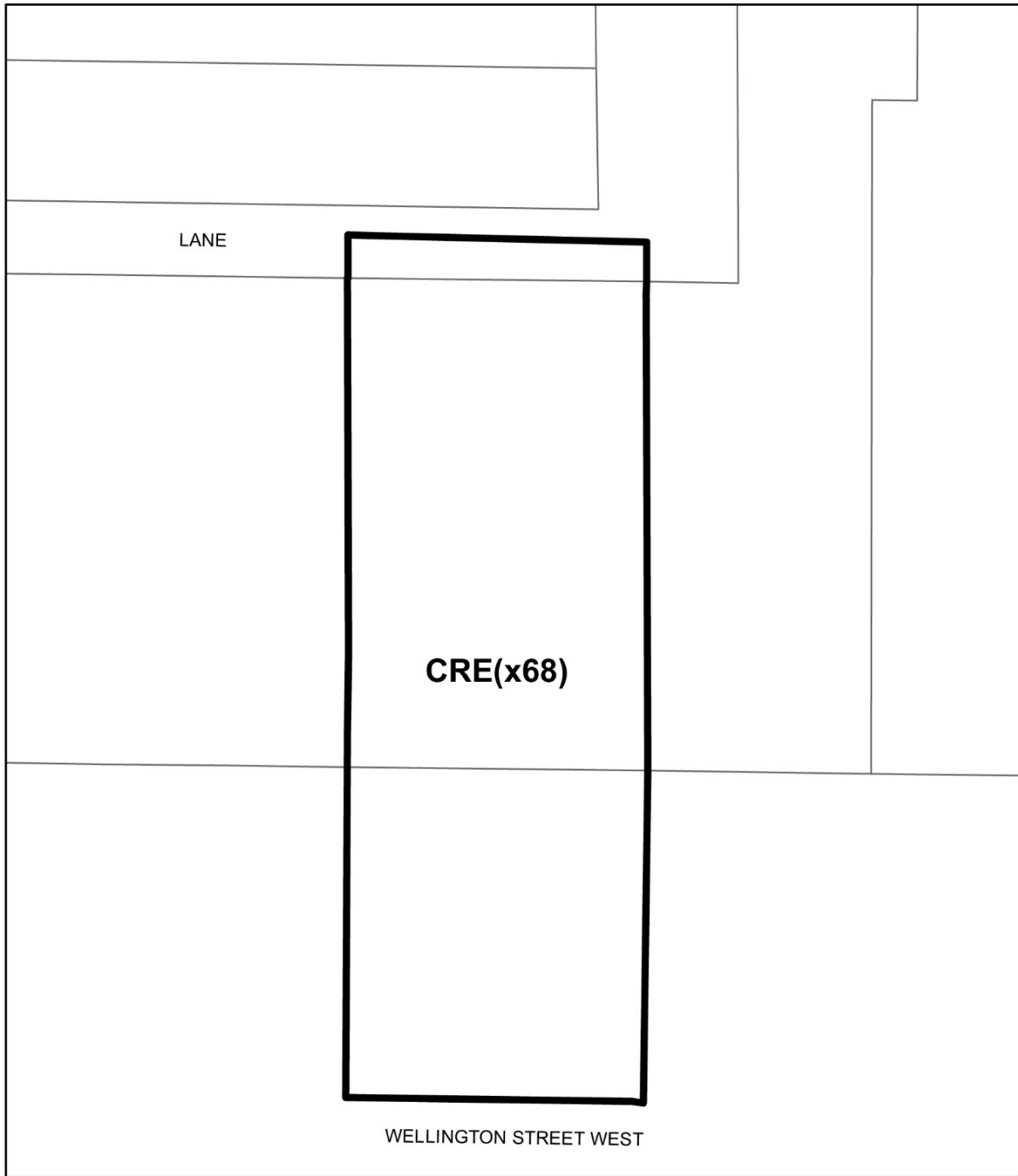


Diagram 3

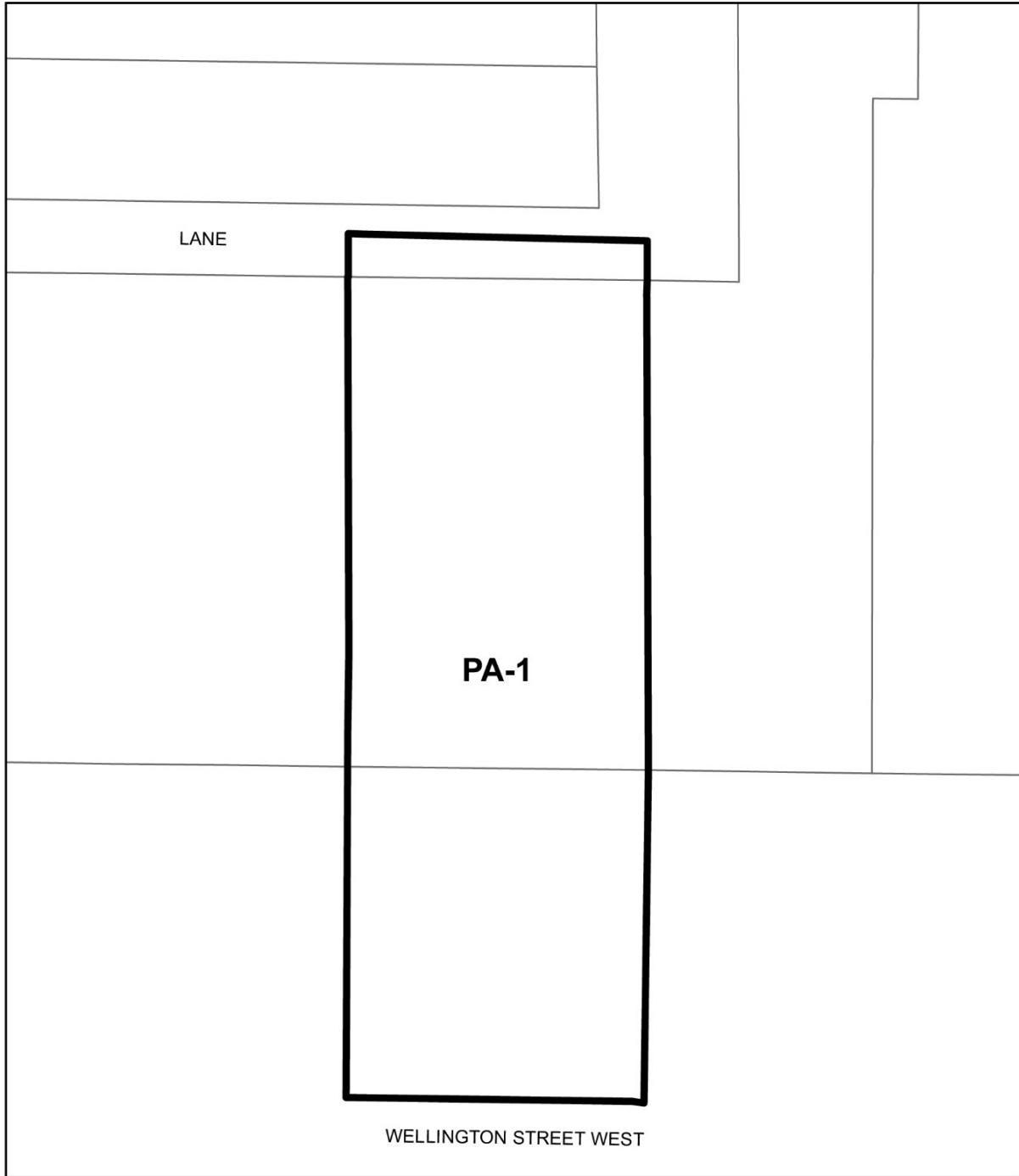


Diagram 4

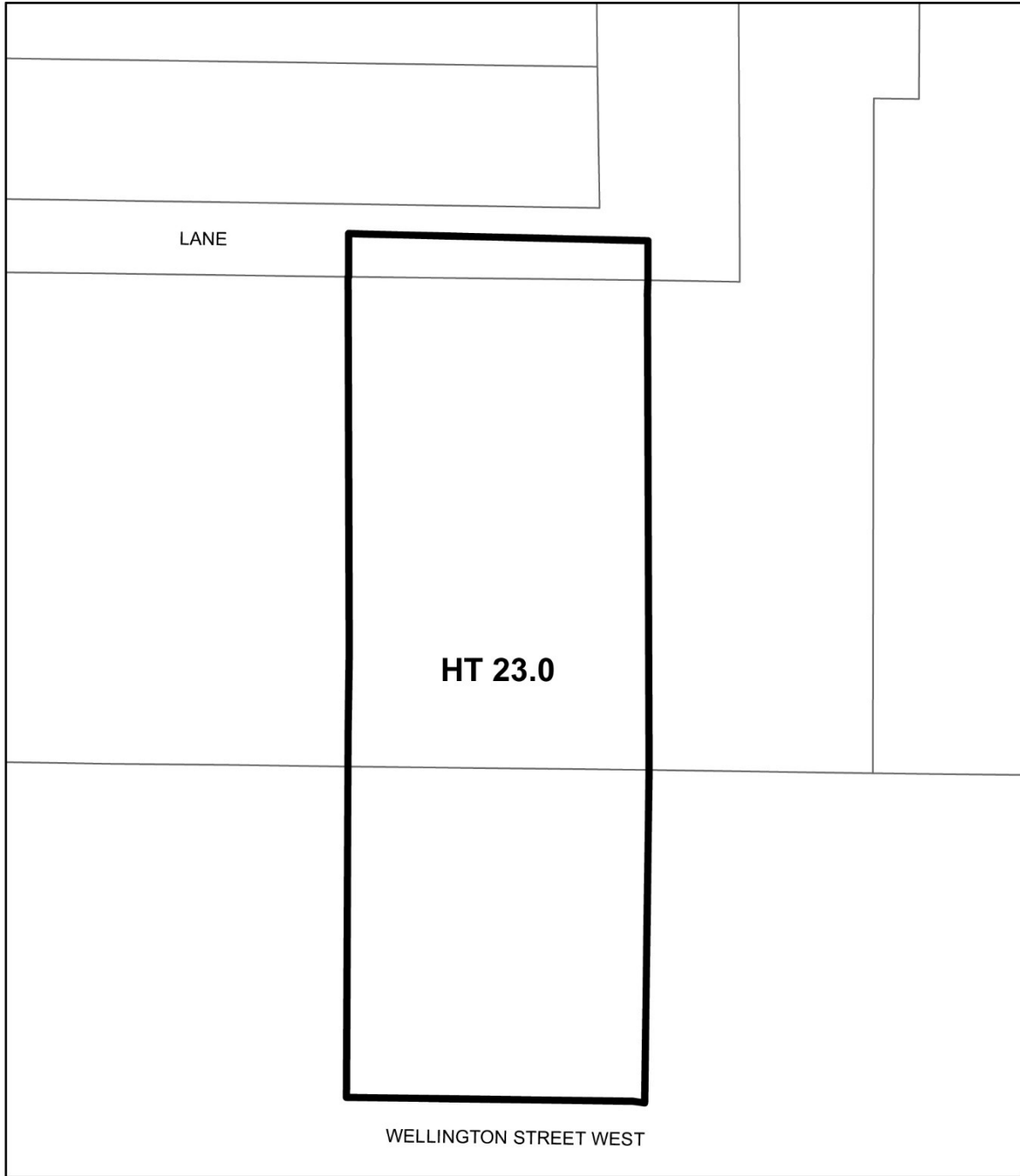


Diagram 5

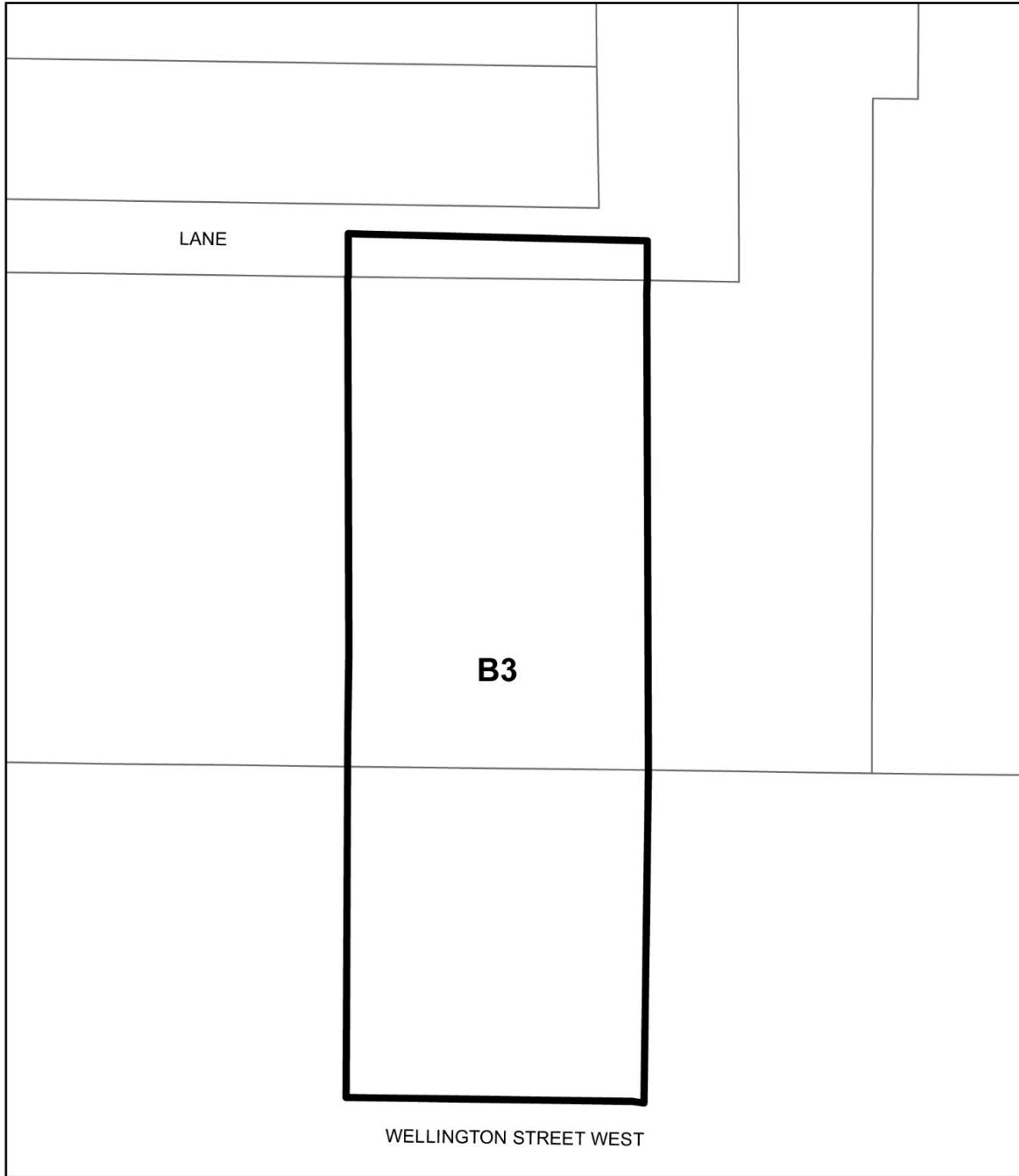


Diagram 6

