

Authority: Toronto and East York Community Council
Item TE4.8, as adopted by City of Toronto Council on May
10, 11 and 12, 2023
City Council voted in favour of this by-law on June 15,
2023

CITY OF TORONTO

BY-LAW 588-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 101-105 Spadina Avenue and 363 Adelaide Street West.

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;

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 subject to this By-law, from a zone label of CRE (x80) to a zone label of CRE (x83) and CRE (x85) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.12.10 Exception Number 83 so that it reads:

(83) Exception CRE 83

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) For the purpose of this exception, "Parcel A" means the lands shown on Diagram 1 of By-law 588-2023 starting at the Canadian Geodetic Datum elevation of 85.5 metres and extending vertically above;
- (B) For the purpose of this exception, "Parcel B" means the lands shown on Diagram 1 of By-law 588-2023 including the portion extending beneath "Parcel A", below the Canadian Geodetic Datum elevation of 85.5 metres;

- (C) None of the provisions of Regulation 900.12.10(85) apply to "Parcel A" as shown on Diagram 2 of By-law 588-2023; and
- (D) Regulation 900.12.10(85) applies to "Parcel B" as shown on Diagram 2 of By-law 588-2023.

Prevailing By-laws and Prevailing Sections:

Sections 12(2)260 and 12(2)270 of former City of Toronto By-law 438-86.

- 5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.12.10 Exception Number 85 so that it reads:

(85) Exception CRE 85

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 the lands municipally known as 101 to 105 Spadina Avenue and 363 Adelaide Street West, if the requirements of By-law 588-2023 are complied with, a **building** or **structure** may be constructed, used or enlarged on "Parcel B" as shown on Diagram 1 of By-law 588-2023 in compliance with Regulations (B) to (T) below;
- (B) None of the provisions of (E) to (T) below apply to "Parcel A" as shown on Diagram 1 of By-law 588-2023;
- (C) For the purpose of this exception, "Parcel A" means the lands shown on Diagram 1 of By-law 588-2023 starting at the Canadian Geodetic Datum elevation of 85.5 metres and extending vertically above;
- (D) For the purpose of this exception, "Parcel B" means the lands shown on Diagram 1 of By-law 588-2023 including the portion extending beneath "Parcel A", below the Canadian Geodetic Datum elevation of 85.5 metres;
- (E) Despite Regulations 50.5.40.10(1) and (2), the height of a **building** or **structure** on is the distance between the Canadian Geodetic Datum elevation of 88.5 metres and the elevation of the highest point of the **building** or **structure**;
- (F) In addition to the uses permitted in Regulations 50.10.20.10(1) and 50.10.20.20(1), a **public parking** facility is also permitted, provided it is located in an underground **parking garage**;
- (G) Despite Regulation 50.10.40.10(1) or (3), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law 588-2023;

- (H) Despite Regulations 50.5.40.10(3), (4), (5), (6), (7), and (8), and (H) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 588-2023:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, elevator overruns and elevator shafts, enclosed stairwells, roof access, maintenance equipment storage, chimneys, and vents, by a maximum of 6.0 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, by a maximum of 6.0 metres;
 - (iii) architectural features, parapets, roof assemblies, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;
 - (iv) **building** maintenance units and window washing equipment, and light poles by a maximum of 4.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 4.0 metres; and
 - (vi) trellises, pergolas, canopies and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres.
- (I) The permitted maximum **gross floor area** of all **buildings** and **structures** is 28,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 27,815 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 185 square metres.
- (J) Despite Regulation 50.10.40.30(1), a **building** may be set back more than 50.0 metres from a **lot line** that abuts Spadina Avenue;
- (K) Despite Regulation 50.10.40.50(1), **amenity space** must be provided at a minimum rate of 3.0 square metres for each **dwelling unit** on the **lot** at the following rate:
- (i) at least 2.6 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 0.4 square metres of outdoor **amenity space** for each **dwelling unit** of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;
 - (iii) none of the outdoor component may be a **green roof**;

- (iv) indoor **amenity space** may include guest suites that do not exceed an aggregate **gross floor area** of 200 square metres; and
 - (v) for the purposes of this exception, guest suites do not constitute **dwelling units**.
- (L) Despite Regulations 50.10.40.70(1), and (5), 50.10.40.80(3) and Article 600.10.10, the required minimum **building setbacks** and the required separation of **main walls** are as shown in metres on Diagram 3 of By-law 588-2023;
- (M) Despite (M) above and Clauses 50.5.40.60 and 50.10.40.60, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances shown on Diagram 3 of By-law 588-2023 as follows:
- (i) canopies and awnings, by a maximum of 3.0 metres;
 - (ii) cladding, lighting fixtures, pipes and vents, architectural features such as a pilaster, column, cornice, sill, belt course, eaves, or chimney breast, by a maximum of 1.0 metres; and
 - (iii) window projections, window washing equipment, mechanical and privacy screens, fences, trellises and railings by a maximum of 3.0 metres.
- (N) Despite Regulation 50.10.40.1(1), if a **building** is located on a **lot** in the CRE zone bounded by Queen Street West to the north, Simcoe Street to the east, Front Street West to the south, and Bathurst Street to the west, the elevation of the first **storey** of the **building** must be at or within 0.7 metres above the height of the public sidewalk abutting the site;
- (O) 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 70 **parking spaces** within a **public parking** facility; and
 - (ii) no **parking spaces** are required solely for the use of residential occupants, residential visitors or non-residential uses.
- (P) Despite Regulation 200.5.1.10(2) a **parking space** for **public parking** must have the following minimum dimensions:
- (i) Length of 5.2 metres;
 - (ii) Width of 2.6 metres; and
 - (iii) Vertical clearance of 2.0 metres.

- (Q) Despite Regulation 200.15.1(1) an accessible **parking space** required by (R) below must have the following minimum dimensions:
- (i) length of 5.2 metres;
 - (ii) width of 2.4 metres;
 - (iii) vertical clearance of 2.0 metres; and
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017.
- (R) Despite Regulation 200.15.10.10, one accessible **parking space** must be provided for every 42 **dwelling units** and may be located anywhere within the **parking garage**, subject to (Q) above;
- (S) Despite Regulation 230.5.1.10(4)(C), the minimum required width of a **stacked bicycle parking space** is 0.25 metres;
- (T) Despite Regulations 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located:
- (i) On any level of the building below-ground, provided that no more than 50 percent of the required **bicycle parking spaces** are located below the first level below-ground.

Prevailing By-laws and Prevailing Sections: None Apply

6. 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 June 18, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1



Diagram 2

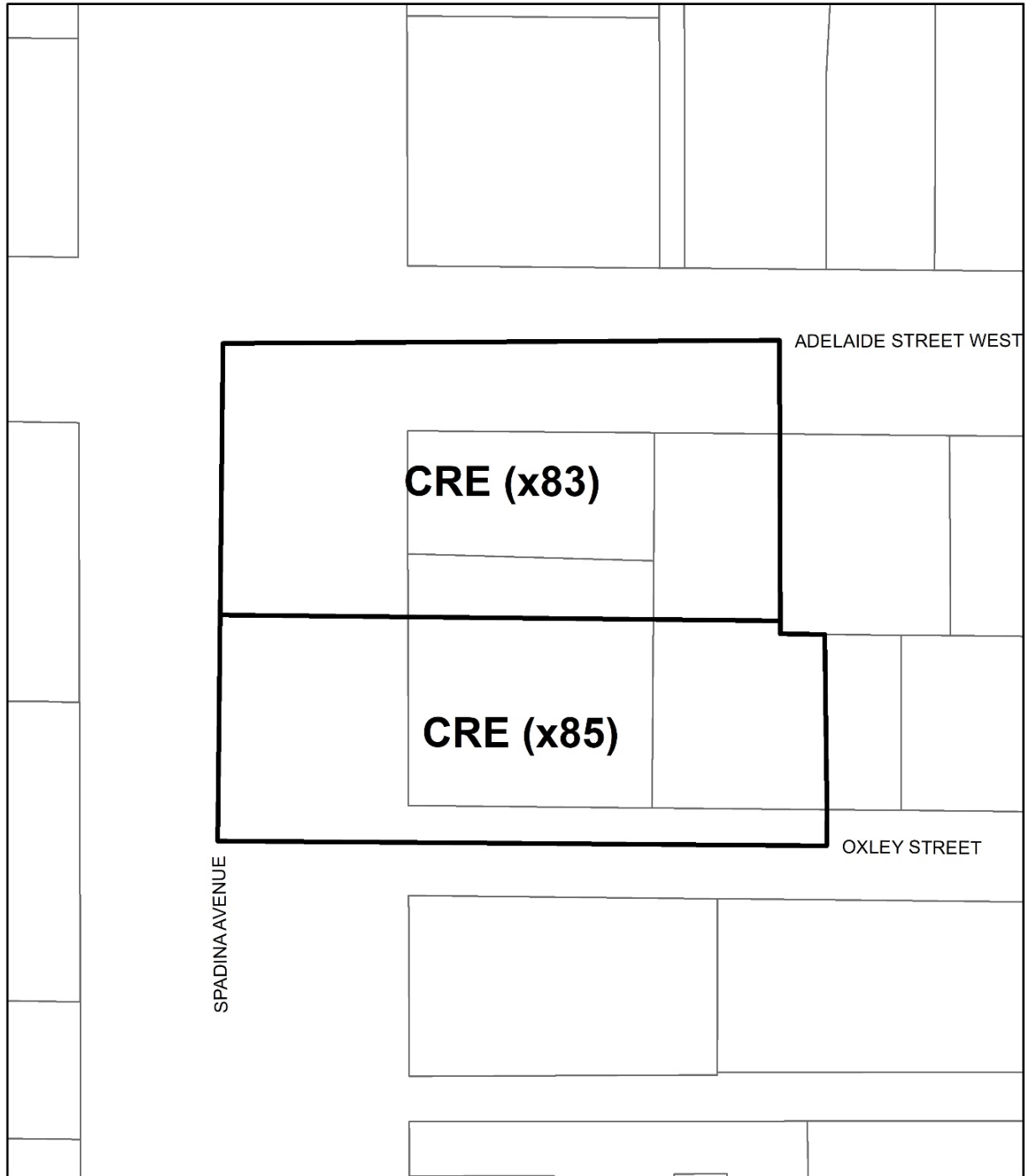
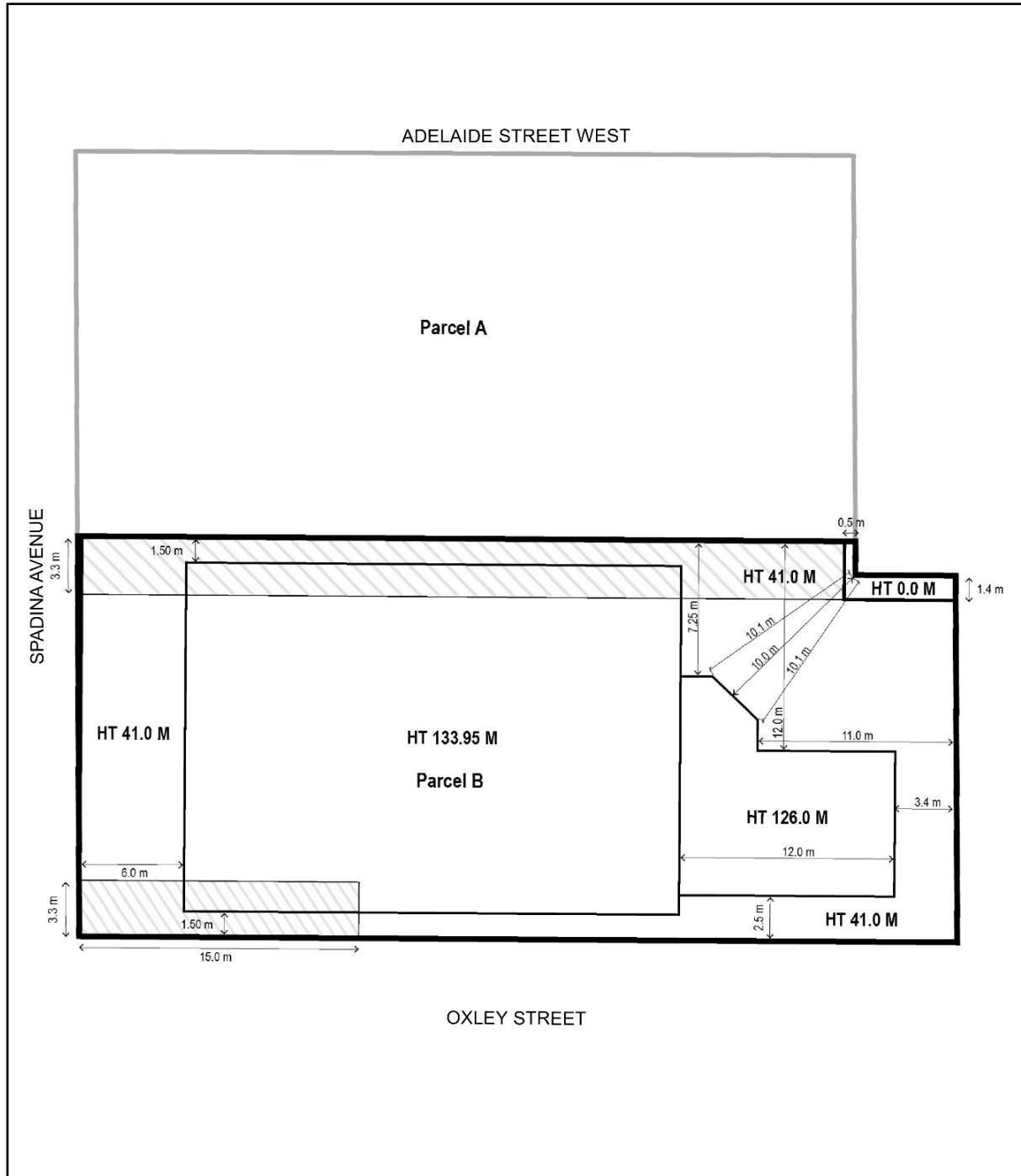


Diagram 3



 **TORONTO**
Diagram 3

101 - 105 Spadina Ave And
363 Adelaide Street West

File # 21 249603 STE 10 0Z



Building or structure only permitted above 7.5m to the height limit indicated



City of Toronto By-law 569-2013
Not to Scale
06/12/2023