

Authority: Ontario Land Tribunal Order issued on February 8, 2023 and Local Planning Appeal Tribunal Order issued on May 20, 2020 in File PL171261

CITY OF TORONTO

BY-LAW 679-2023(OLT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 444-450 Richmond Street West.

Whereas the Ontario Land Tribunal pursuant to its Order issued on February 8, 2023 and Local Planning Appeal Tribunal Order issued on May 20, 2020 in File PL171261, in 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 444-450 Richmond Street West;

The Ontario Land Tribunal Orders:

1. The lands subject to this By-law are outlined by heavy black lines 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, as amended, 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 (x77) to a zone label of CRE (x45) as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.12.10 Exception Number 45 so that it reads:

Exception CRE (45)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Section:

Site Specific Provisions:

- (A) On 444-450 Richmond Street West, as shown on Diagram 1 of By-law 679-2023, if the requirements of by-law 679-2023 are complied with, a **building** or **structure** may be constructed, used, or enlarged in compliance with Regulations (B) to (U) below;
- (B) 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 90.85 metres and elevation of the highest point of the **building** or **structure**;

- (C) Despite Regulations 50.10.40.10(1) the permitted maximum height of a building or **structure** is the number following the HT symbol in metres as shown on Diagram 3 of By-law 679-2023;
- (D) Despite Regulations 50.5.40.10 (3) to (8) and 50.10.40.10(3), and (C) above, the following equipment and structures may project beyond the permitted maximum height of a **building**:
- (i) Wind screens, parapets, terrace or balcony guardrails, ornamental elements, pavers, balustrades, railings and dividers, pergolas, trellises, planters, eaves, privacy screens, stair enclosures, skylights, mechanical equipment, mechanical and architectural screens, access hatches, roof assemblies, roof drainage, chimneys, vents, lightning rods, light fixtures, pavers, elements of a **green roof, structures** located on the roof used for outside or open air recreation, chillers, air vents and exit hatch, by no more than 2.5 metres;
 - (ii) Elevator overrun, by no more than 4.0 metres;
 - (iii) Despite D (i) above, privacy screening for outdoor **amenity space**, by no more than 3.0 metres;
- (E) The total permitted maximum **gross floor area** for all uses on the **lot** is 8,150 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 7,850 square metres; and
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 400 square metres;
- (F) Despite Regulations 50.10.40.50 (1), a building with 20 or more **dwelling units** must provide **amenity space** at the following rate:
- (i) at least 2.82 square metres for each **dwelling unit** as indoor **amenity space** must be provided and a portion may be allocated to a pet wash area, a guest suite or as a multi-purpose room or rooms; and
 - (ii) at least 0.94 square metres of outdoor **amenity space** for each **dwelling unit** must be provided in a location adjoining or directly accessible to an area containing indoor **amenity space**;
- (G) Despite Regulation 50.5.40.40(3) the **gross floor area** of a **building** may be further reduced by the area of the **building** used for a pet wash area and a guest suite;
- (H) A maximum of 1 guest suite may be permitted as **amenity space**, provided that it:

- (i) has no food preparation facilities; and
 - (ii) is available for use on a temporary basis as overnight accommodation exclusively for persons visiting residents of the building;
- (I) Despite Regulations 50.5.40.70(1) and 50.10.40.70(1)(3) and (5) and 50.10.40.80(1) and (3) and Section 600.10 the required minimum **building setbacks and minimum distance between main walls must be provided** as shown in metres on Diagram 3 of By-law 679-2023;
- (J) Despite Clause 50.5.40.60(1) and 50.10.40.60, and (I) above, the following elements may encroach into the required minimum **building setbacks** and separation distances as follows:
- (i) Cornices, eaves, light fixtures, parapets, **landscaping** features, trellises, window sills, ornamental elements, ventilation shafts, balustrades, guardrails, railings, wheelchair ramps, screening, stair enclosures, doors, underground garages ramp and associated **structures**, wheelchair ramps, damper, window washing equipment, up to a maximum of 0.5 metres;
 - (ii) Canopies, awnings and balconies are permitted up to a maximum of 1.5 metres. However, balconies along the south elevation are not permitted above a height of 36.15 metres;
 - (iii) Private terraces at all levels up to a maximum of 4.0 metres; and
 - (iv) **Structures** used for outside or open air recreation, safety or wind protection, up to a maximum of 1.6 metres;
- (K) Despite Regulation 200.5.1.10 (1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) **parking spaces** are not required for residential uses;
 - (ii) **parking spaces** are not required for non-residential uses;
 - (iii) **parking spaces** are not required for residential visitor uses;
 - (iv) a minimum of 1 **parking space** must be provided and marked for short-term delivery and service **vehicles**; and
 - (v) a minimum of 3 **parking spaces** must be provided and marked for short-term drop-off **vehicles**;

- (L) Despite Regulation 200.5.1.10(2), **parking spaces** required by (K) (iv) and (v) above, **parking spaces** with a minimum width of 2.6 metres and a minimum length of 5.6 metres do not need to be increased by 0.3 metres for each side of the **parking space** that is obstructed;
- (M) Regulation 50.10.80.1 (1) Outdoor Parking Restriction does not apply;
- (N) Despite Regulation 50.10.80.20.(1) **parking space** to be set back from a **lot line** does not apply;
- (O) Despite Regulations 220.5.1.10 (1) and 220.5.10.1(2), a minimum of one Type "C" **loading space** must be provided;
- (P) Despite Regulations 200.15.10(1)(2) and Clauses 200.15.10.5 and 200.15.10.10, no accessible **parking spaces** are required to be provided on the **lot**;
- (Q) Despite Regulation 230.5.1.10(10), "long-term" and "short-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (R) Despite Regulations 230.5.1.10 (4)(B) and 230.5.1.10 (5)(A), a **bicycle parking space** in a vertical position may be provided with the following dimensions:
- (i) a minimum vertical length of 1.9 metres;
 - (ii) a minimum width of 0.45 metres; and
 - (iii) a minimum horizontal clearance from the wall of 1.2 metres;
- (S) Despite Regulations 230.5.1.10(4)(A)(C) and 230.5.1.10 (5)(A), a **stacked bicycle parking space** may be provided with the following dimensions:
- (i) a minimum length of 1.8 metres;
 - (ii) a minimum width of 0.45 metres;
 - (iii) a minimum vertical clearance of 1.2 metres; and
 - (iv) a combined vertical dimension for two stacked bicycle parking spaces of at least 2.4 metres;
- (T) Despite Regulation 230.50.1.20(1), a "short-term" **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to the **building** on the **lot** and may be located inside the **building**;
- (U) A minimum of twenty percent of the total number of **dwelling units** on the **lot** must contain a minimum of two bedrooms, and a minimum of eleven percent of the total number of **dwelling units** on the **lot** must contain a minimum of three or more bedrooms.

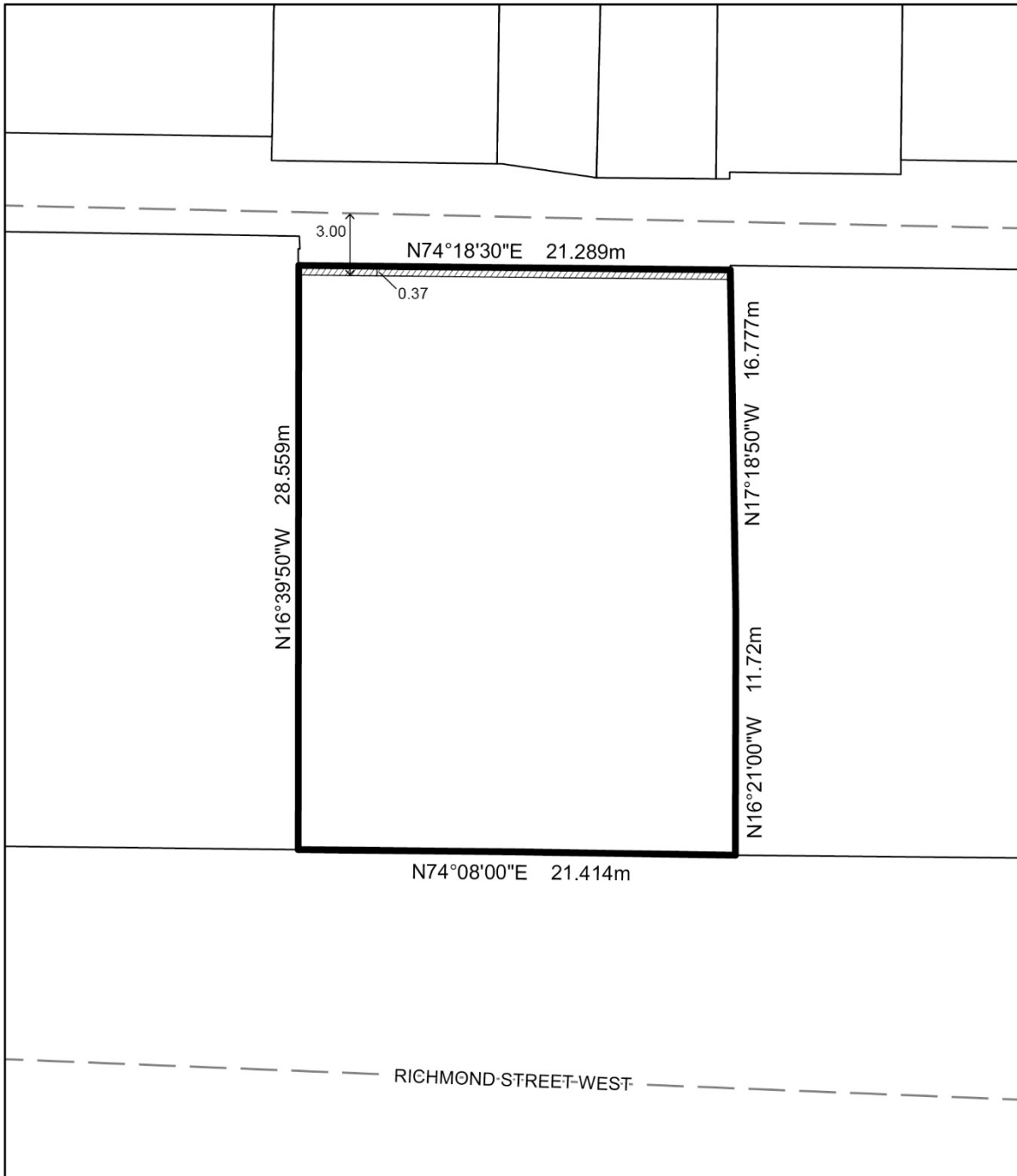
Prevailing By-laws and Prevailing Sections:

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

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

Ontario Land Tribunal Order issued on February 8, 2023 and Local Planning Appeal Tribunal Order issued on May 20, 2020 in File PL171261.

Diagram 1



 **TORONTO**
Diagram 1

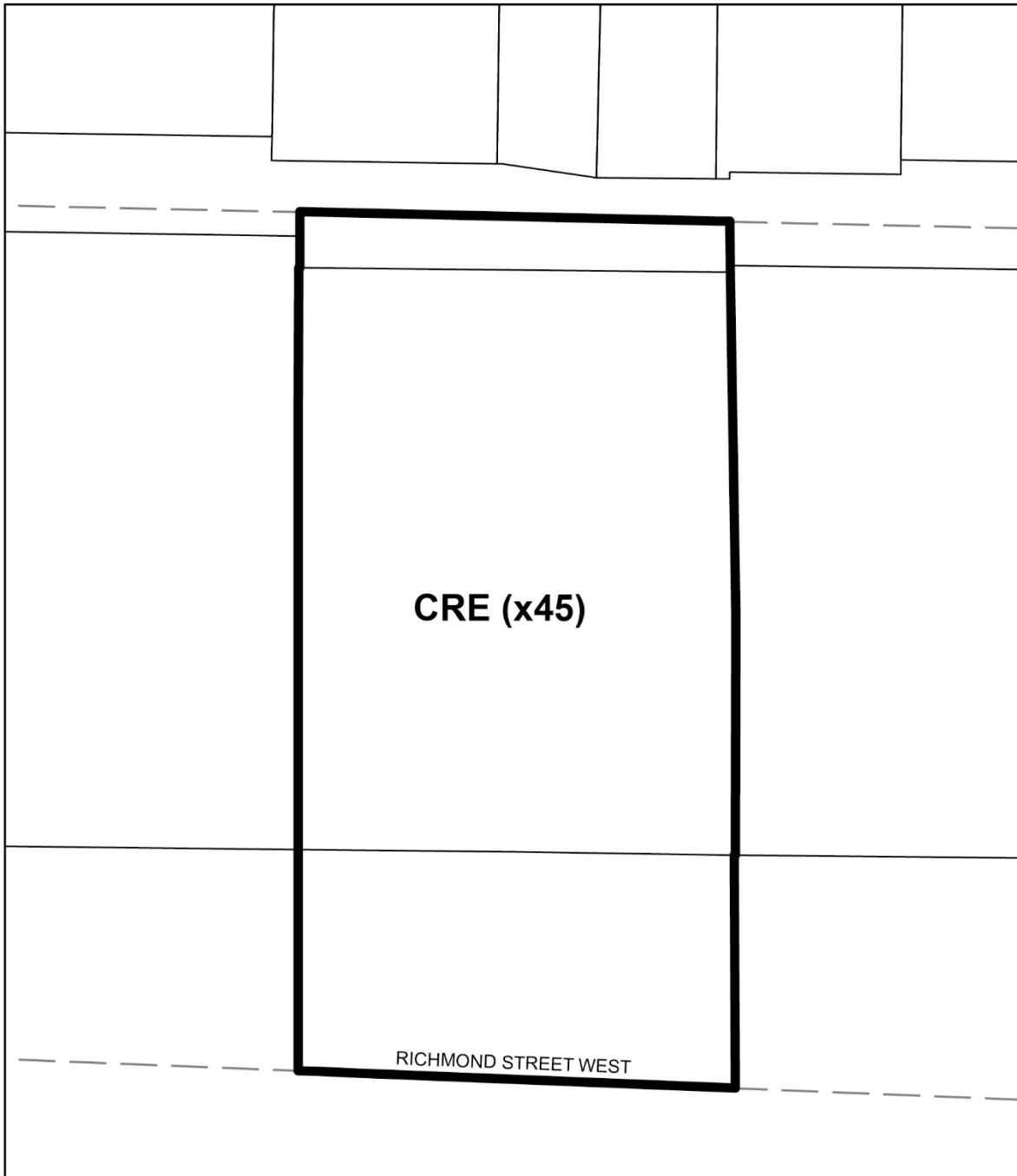
444-450 Richmond Street West

File # 17 192881 STE 20 0Z

----- Road Centreline  Lane Widening


City of Toronto By-law 569-2013
Not to Scale
09/16/2022

Diagram 2



 **TORONTO**
Diagram 2

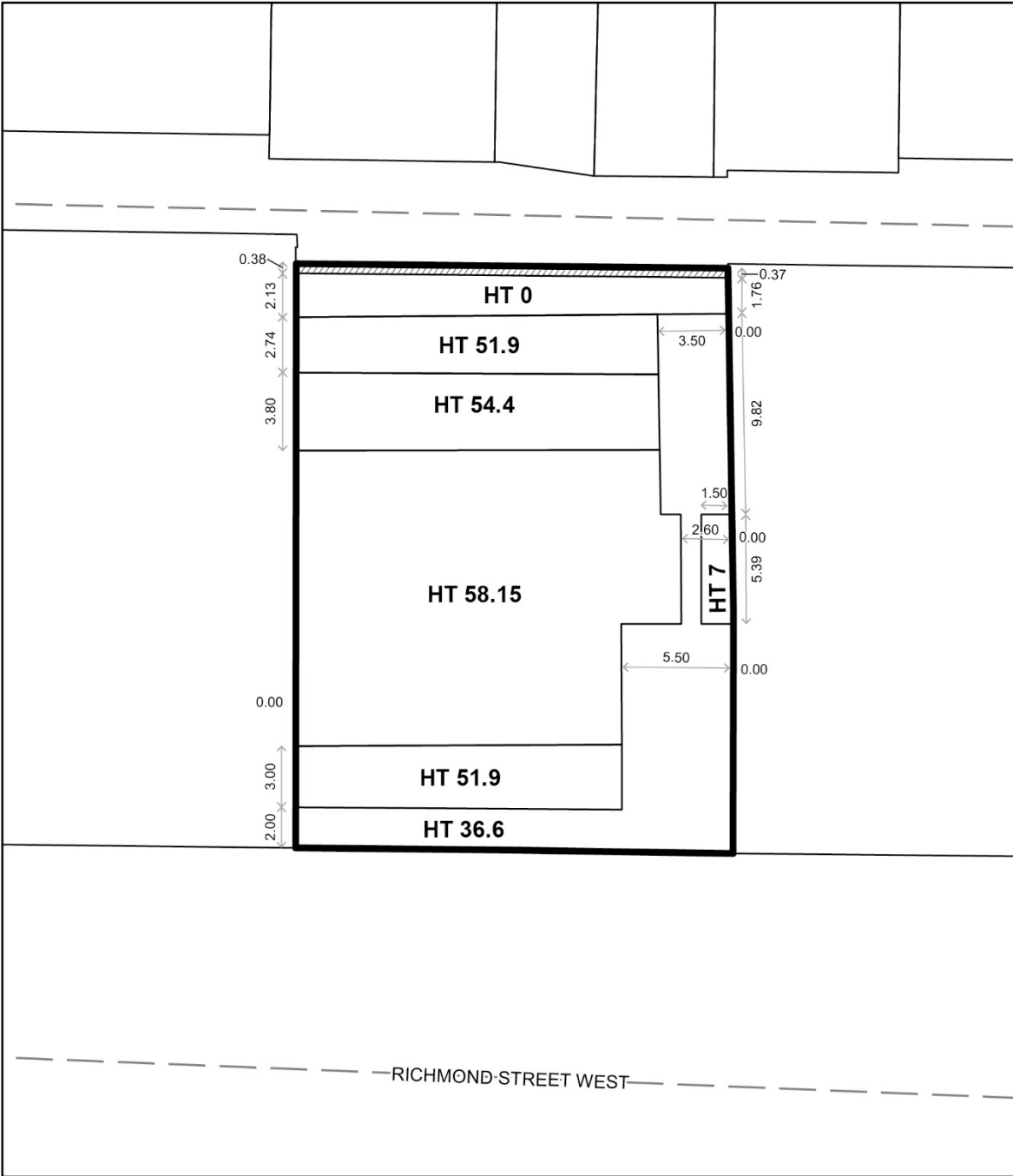
444-450 Richmond Street West

File # 17 192881 STE 20 0Z

----- Road Centreline


City of Toronto By-law 569-2013
Not to Scale
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Diagram 3




TORONTO
 Diagram 3

444-450 Richmond Street West

File # 17 192881 STE 20 OZ

--- Road Centreline  Lane Widening


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 Not to Scale
 09/19/2022