

Authority: Ontario Land Tribunal Oral Decision dated February 17, 2023 and Order dated May 1, 2023 in File OLT-22-004397

CITY OF TORONTO

BY-LAW 680-2023(OLT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 759-763 Queen 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 subject to this By-law from CR 2.5(c2.0; r2.0) SS2 (x2294) to CR 2.5 (c2.0; r2.0) SS2 (x2294) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 859 so that it reads:

(859) Exception CR 859

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provision, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 759-763 Queen Street East, as shown on Diagram 1 of By-law 680-2023, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (R) below;
- (B) Despite regulation 40.5.40.10(1) and (2), the height of a **building or structure** is the distance between the Canadian Geodetic Datum of 80.17 metres and elevation of the highest point of the **building or structure**;

- (C) Despite Regulations 40.5.40.10(3) to (7) and (E) above, the following equipment and **structures** may project above the permitted maximum height of a **building**:
- (i) mechanical equipment, mechanical penthouses, parapets, architectural decorative elements, cornices, canopies, balconies, lighting fixtures, awnings, ornamental elements, parapets, trellises, eaves, window sills, window washing equipment, ramp enclosures, guardrails, balustrades, safety railings, stairs, stair enclosures, bollards, wheel chair ramps, vents, stacks, fences, wind or privacy screens, landscape elements (including green roofs), terraces, thermal insulation and roof ballast, roof finishing materials, skylights, flues, access roof hatch, outdoor furniture, chimneys, structures on the roof used for outside or open air recreation, retaining walls, heating, cooling or ventilating equipment or a fence, wall or structure enclosing such elements; to a maximum of 3 metres.
- (D) Despite Regulation 40.5.40.10(4) the height of equipment and **structures** located on the roof of a **building** may exceed the permitted maximum height for that **building** by 6.0 metres for an elevator overrun;
- (E) Despite Regulation 40.5.40.60(1), Regulation 40.10.40.60, the following may encroach into the required minimum **building setbacks** as follows:
- (i) Exterior stairways, roof overhangs and cornices, canopies, chimneys, wheelchair ramps, balconies, lighting fixtures, awnings, ornamental elements, cladding, parapets, trellises, eaves, window sills, window washing equipment, guardrails, balustrades, safety railings, stairs, stair enclosures, bollards, vents, pipes, utility equipment, fences, wind or privacy screens, landscape elements (including green roofs), terraces, decorative architectural features, bay windows, ramps, parking garage ramps and associated structures, retaining walls, columns, cornices, heating and cooling and ventilating equipment, pilasters and sills, and porches and decks, either excavated or unexcavated; to a maximum of 1 metre.
- (F) Despite Regulation 40.10.40.1.(1), residential use portions of a **building** are not required to be located above non-residential use portions of a **building**;
- (G) Despite Regulation 40.10.40.10(2), the permitted maximum height of the **building** or **structure**, is the number following the symbol HT as shown on Diagram 3 of By-law 680-2023;
- (H) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey** is 4.4 metres;
- (I) Despite Regulations 40.10.40.40(1) the permitted maximum **gross floor area** is 3,110 square metres, of which:

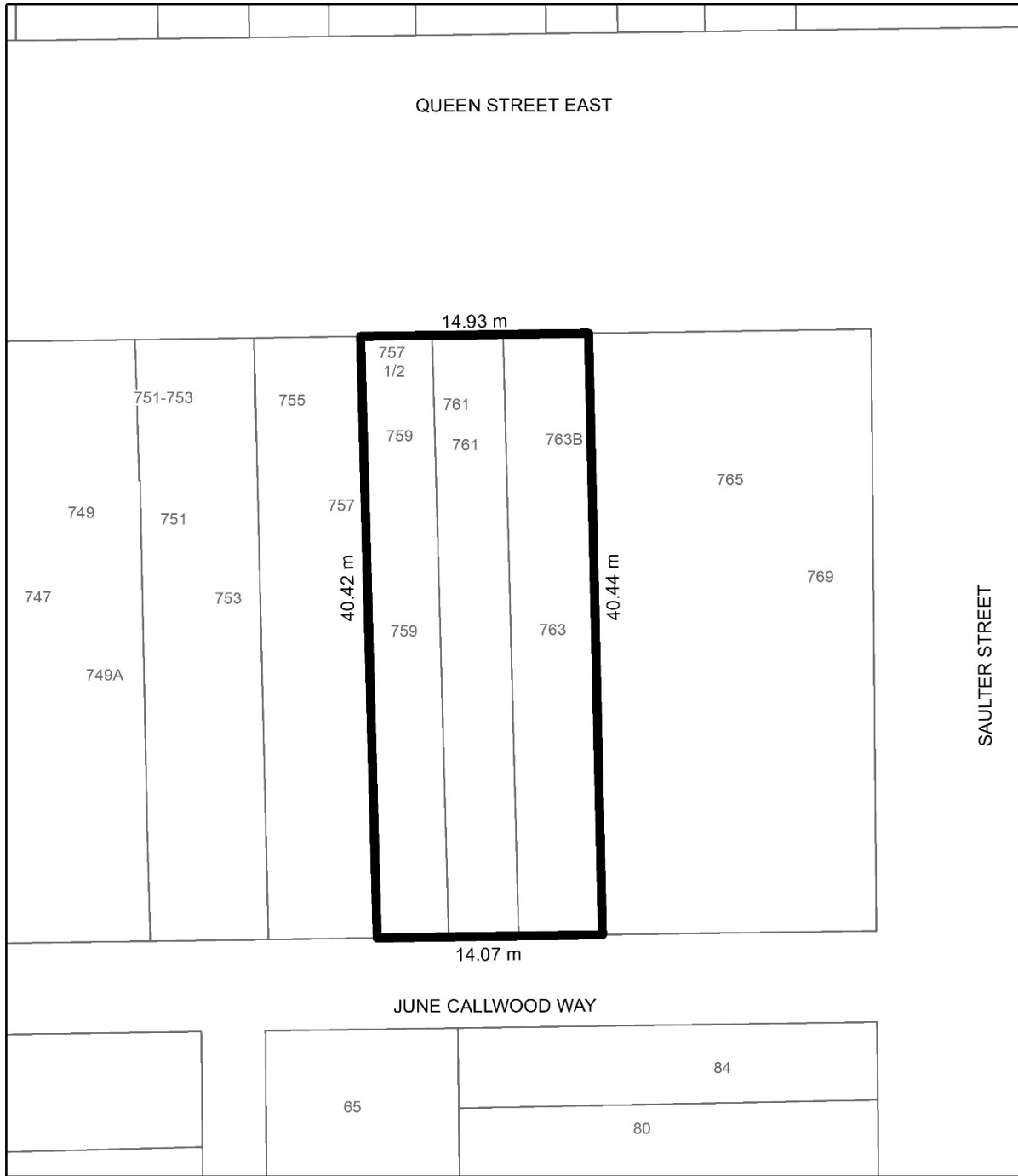
- (i) The permitted maximum **gross floor area** for non-residential uses is 175 square metres;
 - (ii) The permitted maximum **gross floor area** for residential uses is 2,935 square metres;
- (J) Despite Regulation 40.10.40.50.(1), the outdoor **amenity space** is not required to be in a location adjoining or directly accessible to the indoor **amenity space**;
- (K) Despite Regulation 40.10.40.70(2) the minimum required **building setbacks** are as shown in metres on Diagram 3 of By-law 680-2023;
- (L) Despite Regulation 40.10.40.80(2), where a main wall of the building has windows and a line projected at a right angle from that main wall intercepts another main wall with or without windows on the same lot, the required minimum above-ground distance between the main walls is 4.1 metres;
- (M) Despite Regulation 200.5.1(3), the required minimum **drive aisle** width does not apply;
- (N) Despite Regulation 200.5.1.10(2), **stacked parking spaces** must have the following minimum dimensions:
- (i) a minimum length of 5.2 metres;
 - (ii) a minimum width of 2.5 metres; and may be obstructed on one or both sides without an increase in the minimum required width;
 - (iii) a minimum vertical clearance of 1.75 metres;
- (O) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1 and Regulation 900.11.10.(2)(B), parking spaces must be provided in accordance with the following:
- (i) a minimum parking rate 0.37 **parking spaces per dwelling unit** must be provided for residents;
 - (ii) will be located in a **stacked parking space** accessed from June Callwood Way;
- (P) Regulations 200.15.1(4) and 200.15.10.5.(1), with respect to the location and requirement to provide accessible parking spaces, do not apply;
- (Q) Despite Regulations 220.5.10.1, 0 **loading space** are required on the **lot**;
- (R) Despite Regulation 230.5.1.10(4) "long-term" **bicycle parking** spaces may be located in a **stacked bicycle parking space** with a:

- (i) minimum width of 0.45 metres.

Prevailing By-laws and Prevailing Sections: (None Apply)

- 5. Despite any future severance, partition or division of the **lot** as shown on Diagram 1, the provisions of this By-law apply as if no severance, partition or division occurred.

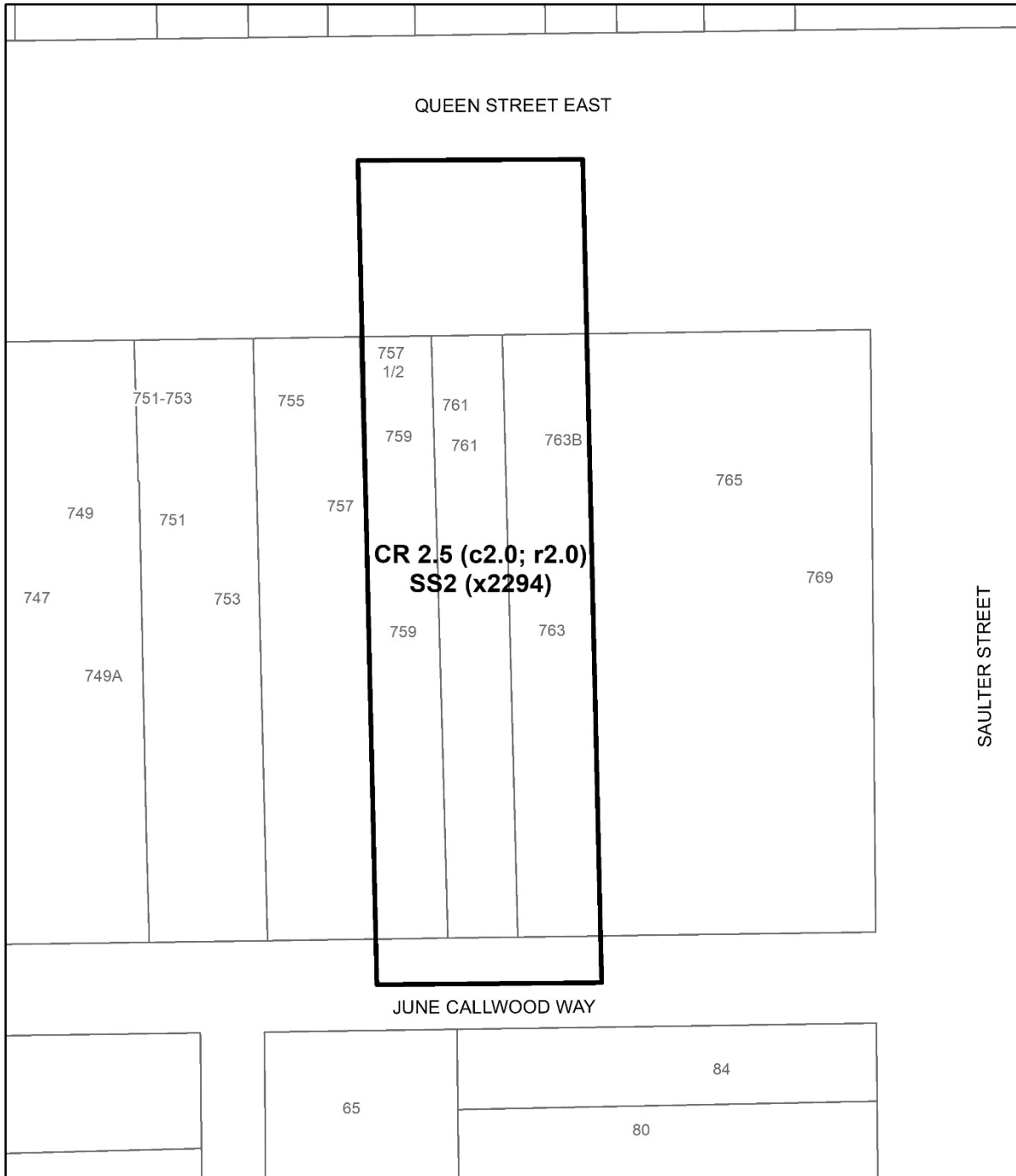
Pursuant to Ontario Land Tribunal Oral Decision issued on February 17, 2023 and Order issued on May 1, 2023 in File OLT-22-004397.

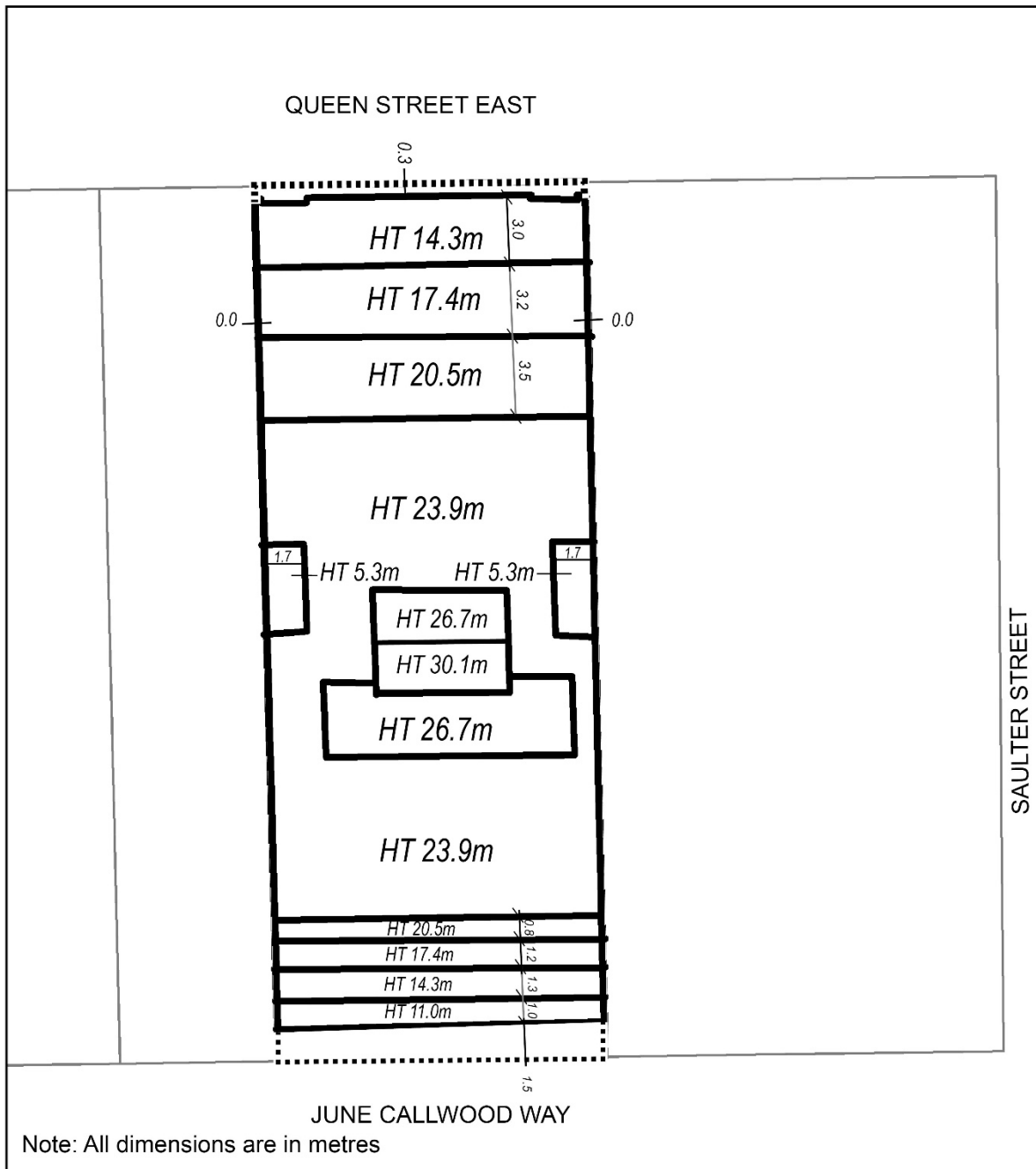


 **TORONTO**
Diagram 1

759-763 Queen Street East

File # 14 223583 STE 30 OZ





TORONTO
Diagram 3

759-763 Queen Street East

File # 14 223583 STE 30 OZ

..... SUBJECT PROPERTY

↑
 City of Toronto By-law 569-2013
 Not to Scale
 07/04/2023