

Authority: Local Planning Appeal Tribunal Decision dated January 3, 2020 and Ontario Land Tribunal Order issued on June 9, 2023 in Tribunal File OLT-23-000340 (formerly PL171522)

## **CITY OF TORONTO**

### **BY-LAW 1016-2023(OLT)**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 284 King Street East.**

Whereas the Local Planning Appeal Tribunal (now continued as the Ontario Land Tribunal), by its Decision issued on January 3, 2020 in Tribunal File OLT-23-000340 (formerly PL171522) has approved a Zoning By-law amendment to amend the City of Toronto Zoning By-law 569-2013, as amended, with respect to lands municipally known in the year 2019 as 284 King Street East; and

Whereas the Ontario Land Tribunal held a hearing in accordance with the Planning Act, R.S.O. 1990, c. P.13, as amended; and

Whereas the Ontario Land Tribunal 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;

The Ontario Land Tribunal orders:

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 CR SS1 (x339) to a zone label of CR SS1 (854) 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 854 so that it reads:

(854) Exception CR 854

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, Regulation 900.11.10(339) applies to the lands shown on Diagram 1 of By-law 1016-2023(OLT);

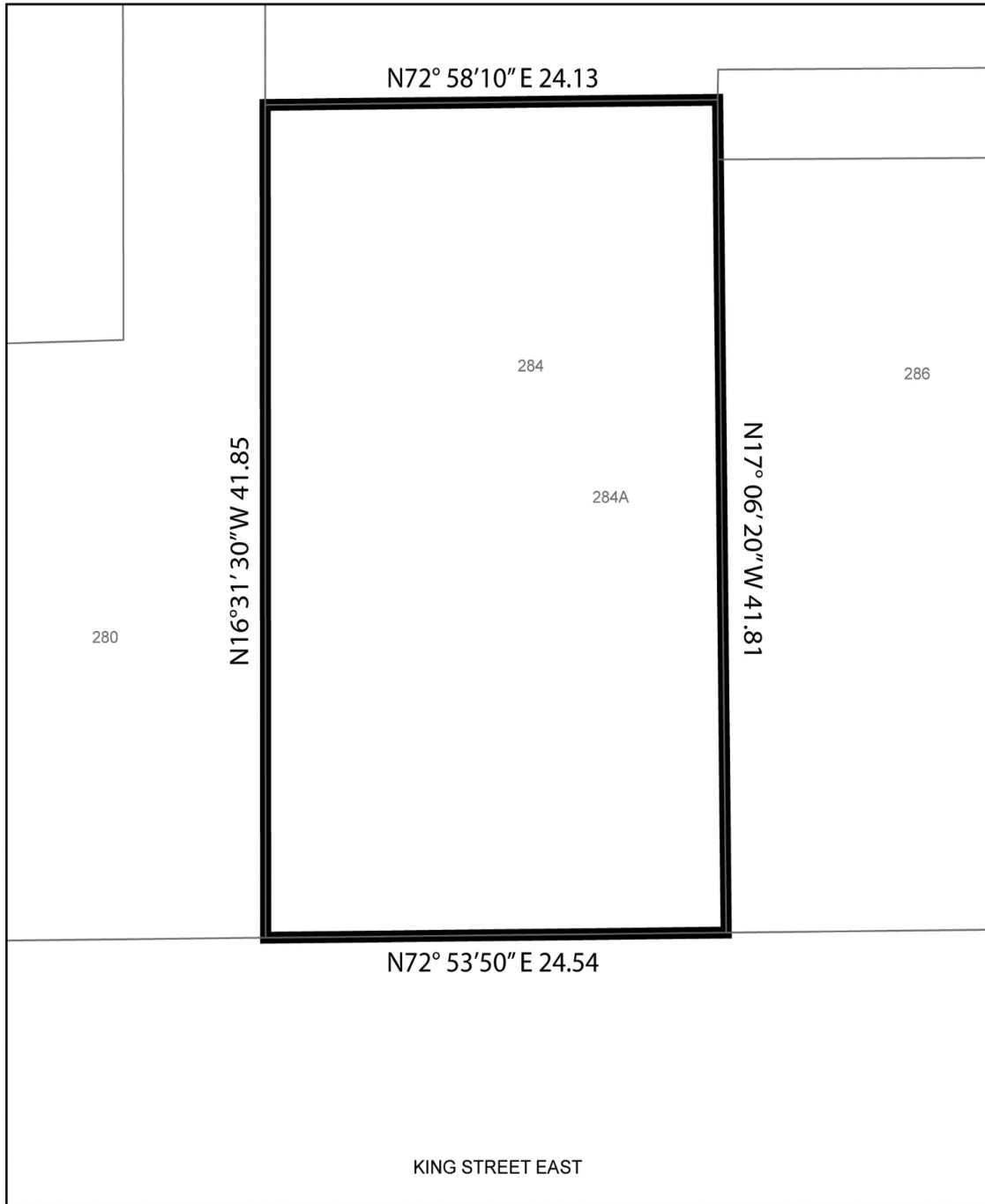
- (B) Despite (A) above, on 284 King Street East, if the requirements of By-law 1016-2023(OLT) are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (C) to (T) below;
- (C) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 81.75 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 40.10.20.40(1), **dwelling units** are permitted within a **mixed use building**;
- (E) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building** provided that those residential use portions do not include **dwelling units**;
- (F) Despite Regulation 40.10.40.10(1), 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 1016-2023(OLT);
- (G) Despite Regulations 40.5.40.10(3) to (8) and (F) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 1016-2023(OLT):
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, elevator machine room, chimneys, and vents, by a maximum of 3.6 metres;
  - (ii) pool deck, pool equipment, mechanical equipment associated with pools, and pool access stairs may project to a maximum of 1.5 metres;
  - (iii) architectural features, parapets, roof assemblies and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
  - (iv) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.2 metres;
  - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.6 metres; and
  - (vi) elements and **structures** associated with a **green roof** located on top of an elevator machine room, by a combined maximum of 5.1 metres;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 16,400 square metres, of which:

- (i) the permitted maximum **gross floor area** for residential uses is 16,100 square metres;
  - (ii) the permitted maximum **gross floor area** for non-residential uses is 300 square metres;
- (I) The permitted maximum number of **dwelling units** is 219, of which a minimum of 35 percent must be two-bedroom **dwelling units** or larger;
- (J) Despite Regulations 40.10.40.50(1)(A) and (B), a **building** with 20 or more **dwelling units** must provide **amenity space** on the **lot** at the following rate:
- (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 1.14 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**;
- (K) Despite Regulation 40.10.40.70(1) and Article 600.10.10, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 1016-2023(OLT);
- (L) Despite Clause 40.10.40.60 and (K) above, the following elements may encroach into the required minimum **building setbacks** as follows:
- (i) Balconies and terraces, by a maximum of 1.85 metres;
  - (ii) canopies and awnings, by a maximum of 1.0 metres;
  - (iii) Exterior stairs, access ramps and elevating devices, by a maximum of 1.0 metres;
  - (iv) Architectural cladding, decorative fins, architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
  - (v) window projections, including bay windows and box windows, by a maximum of 0.5 metres;
  - (vi) eaves, by a maximum of 0.5 metres;
- (M) Despite Regulation 200.5.1.10(2)(A)(ii) and (iv), (B), and (D), 10 of the required **parking spaces** may be obstructed by any part of a fixed object such as a wall, column or pipe that is within 0.3 metres of the side of the parking space, and no more than 1.1 metres from the front or rear of the parking space is 2.6 metres, without being required to provide additional width for the obstructed sides of the **parking space** and may have a length of 5.3 metres;

- (N) Despite Regulation 200.5.1.10(12)(A), if an **apartment building, mixed use building** or a **building** with non-residential uses, has an area for parking two or more **vehicles**, the **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.5 metres;
- (O) Despite Regulation 200.5.1.10(13), access to **parking spaces** will be from a **vehicle** elevator in accordance with the following:
- (i) each **vehicle** elevator must have a minimum platform width of 3.0 metres; and
  - (ii) not less than two **vehicle** elevators must be provided and maintained in the **building** for the use of residents;
- (P) 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 48 residential occupant **parking spaces**;
  - (ii) No **parking spaces** are required for residential visitors or non-residential uses;
- (Q) Despite Regulation 200.15.1(4), an accessible **parking space** may be located anywhere in the below ground **parking garage**;
- (R) Despite Regulations 230.5.1.10(4) and 230.5.1.10(10), "long-term" and "short-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space**, with a minimum required width of 0.45 metres;
- (S) Despite Regulation 230.5.1.10(9), **bicycle parking spaces** may be located on the first **storey**, second **storey**, and on levels of the **building** located below ground, and may be located in an enclosed or secured room or bicycle storage locker; and
- (T) Article 600.20.10 with respect to priority retail streets does not apply  
Prevailing By-laws and Prevailing Sections:  
None Apply.

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**Diagram 1**



**Diagram 2**

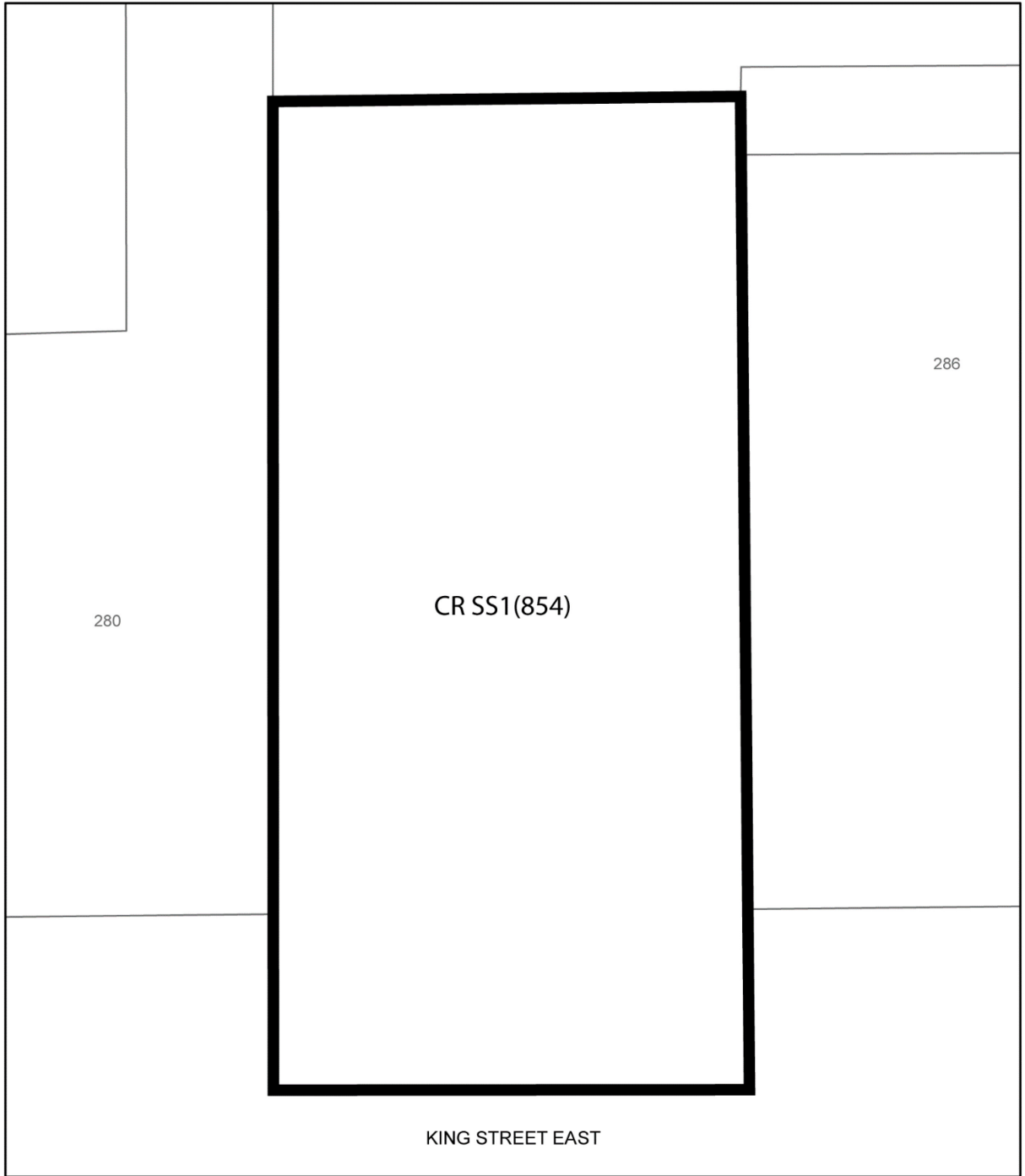


Diagram 3

