

Authority: Toronto and East York Community Council
Item TE9.21, adopted as amended, by City of Toronto
Council on December 13, 14 and 15, 2023
City Council voted in favour of this by-law on
December 15, 2023
Written approval of this by-law was given by Mayoral
Decision 30-2023 dated December 15, 2023

CITY OF TORONTO

BY-LAW 1292-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 1233-1243 Queen Street East and 77 Leslie Street.

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, as amended; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once the holding symbol "(H)" is removed by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)";

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, 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 990.1 respecting the lands outlined by heavy black lines from a zone label of CR 2.5 (c1.0; r2.0) SS2 (x2224) to a zone label of (H) CR 2.5 (c1.0; r2.0) SS2 (x933) 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 933 so that it reads:

(933) Exception CR 933

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 lands municipally known as 1233-1234 Queen Street East and 77 Leslie Street, if the requirements of By-law 1292-2023 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (M) below;
- (B) Despite regulations 40.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 77.7 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.40.10(2), 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 1292-2023;
- (D) 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:
- (i) 4.5 metres for non-residential uses;
 - (ii) 5.0 metres for the commemorative space by Queen Street East and Leslie Street; and
 - (iii) 3.0 metres for all other areas of the first **storey**;
- (E) Despite Regulation 40.10.40.1(1), residential use portions of the **building** may be located at the same level as non-residential uses for **dwelling units** with direct pedestrian access along Leslie Street and Memory Lane and for those located along the southern limit of the interior courtyard, as shown with the hatched area on Diagram 3 of By-law 1292-2023;
- (F) Despite Regulations 40.5.40.10(3) to (8) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 1292-2023:
- (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 3.0 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 3.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;

- (iv) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 3.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (G) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 10,625.0 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 10,225 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 400 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses is 350 square metres;
- (H) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) at least 3.8 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 3.8 square metres of outdoor **amenity space** for each **dwelling unit** of which 300.0 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (I) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 1292-2023;
- (J) Despite Regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law 1292-2023;
- (K) Despite Regulations 40.5.40.60(1), Clause 40.10.40.60 and (H) and (I) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks, porches, and balconies, by a maximum of 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 2.0 metres;

- (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 2.0 metres;
 - (v) window projections, including bay windows and box windows, by a maximum of 2.0 metres;
 - (vi) eaves, by a maximum of 2.0 metres;
 - (vii) dormers, by a maximum of 2.0 metres; and
 - (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- (L) Despite Regulations 200.5.10.1(1), 200.15.10(1) and (2) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) a maximum of 0.17 residential occupant **parking spaces** for each **dwelling unit**;
 - (ii) a minimum of 3.0 accessible residential occupant **parking spaces** are required;
 - (iii) a minimum of 8.0 residential visitor **parking spaces** is required;
 - (iv) **no parking spaces** will be required for the exclusive use of the non-residential uses; and
 - (v) a minimum of 2.0 "car share parking spaces" are required, subject to the following:
 - (a) "car share" or "car-sharing" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable; and
 - (b) "car share parking space" means a parking space that is reserved and actively used for car-sharing;
- (M) Despite Regulations 230.5.10.1(1), (3) and (5), **bicycle parking spaces** must be provided in accordance with the following minimum rates:

- (i) 0.90 "long-term" **bicycle parking spaces** for each **dwelling unit** and
 - (ii) 0.16 "short-term **bicycle parking spaces** for each **dwelling unit**;
- (N) Prior to occupancy of any portion of the building, the owner shall provide confirmation that the floodplain is removed from the lands and/or the Toronto Region Conservation Authority has issued a permit in respect of the building under Ontario Regulation 166/06.

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

5. Holding Symbol Provisions

- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and **buildings** existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
- (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
- (i) The Owner has addressed all outstanding comments in Section A of the memo from Engineering and Construction Services, dated August 23, 2023, in relation to functional servicing and revisions to architectural plans for solid waste management and the landscape plan for the streetscape design and soil volume system, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - (ii) The Owner has provided a commemorative strategy for implementation to acknowledge the contribution of the Lee family, the significance of this industry for the east Toronto Chinese community and any culturally significant architectural features to the satisfaction of the Senior Manager, Heritage Planning, City Planning.

Enacted and passed on December 15, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

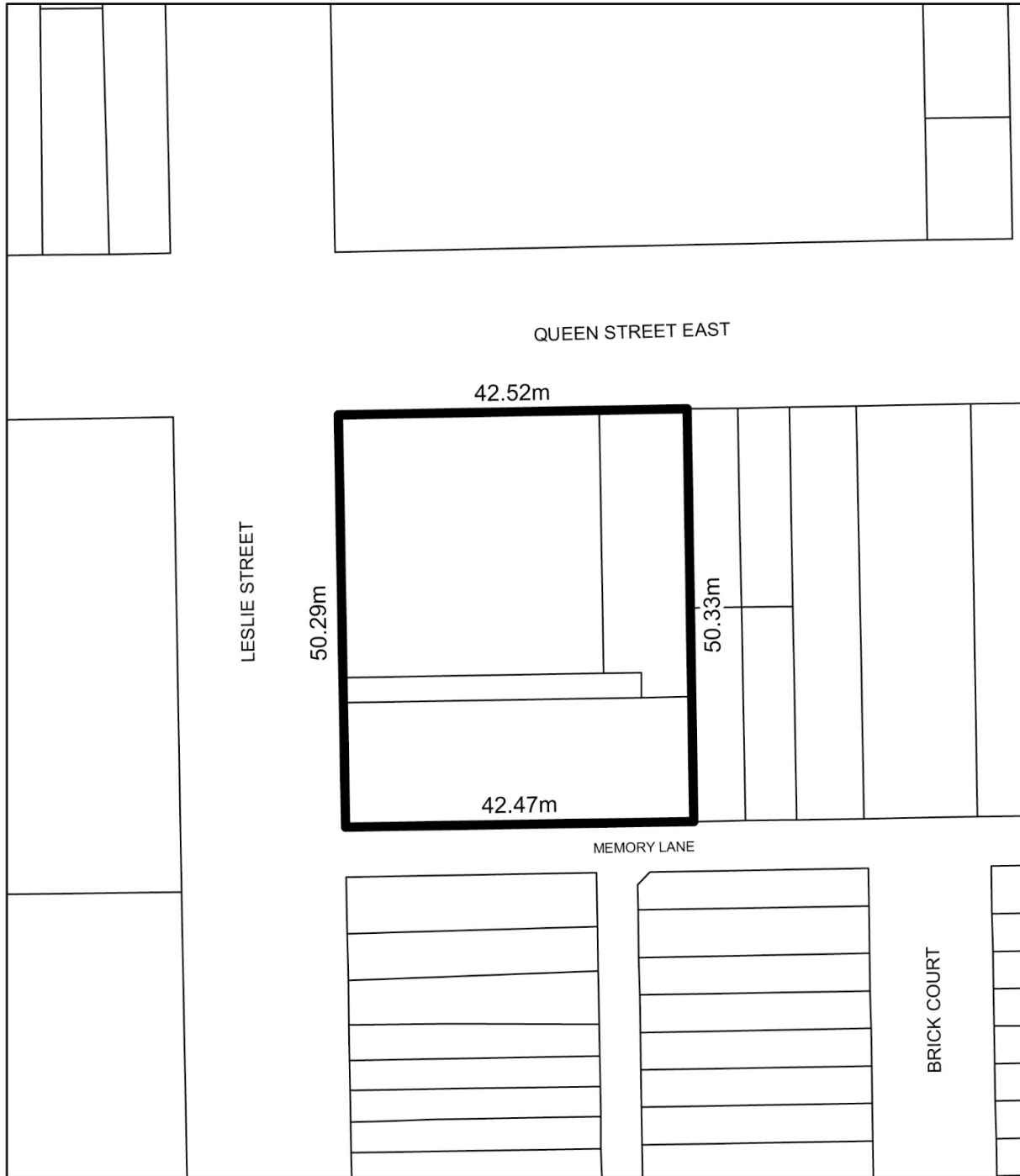


Diagram 2

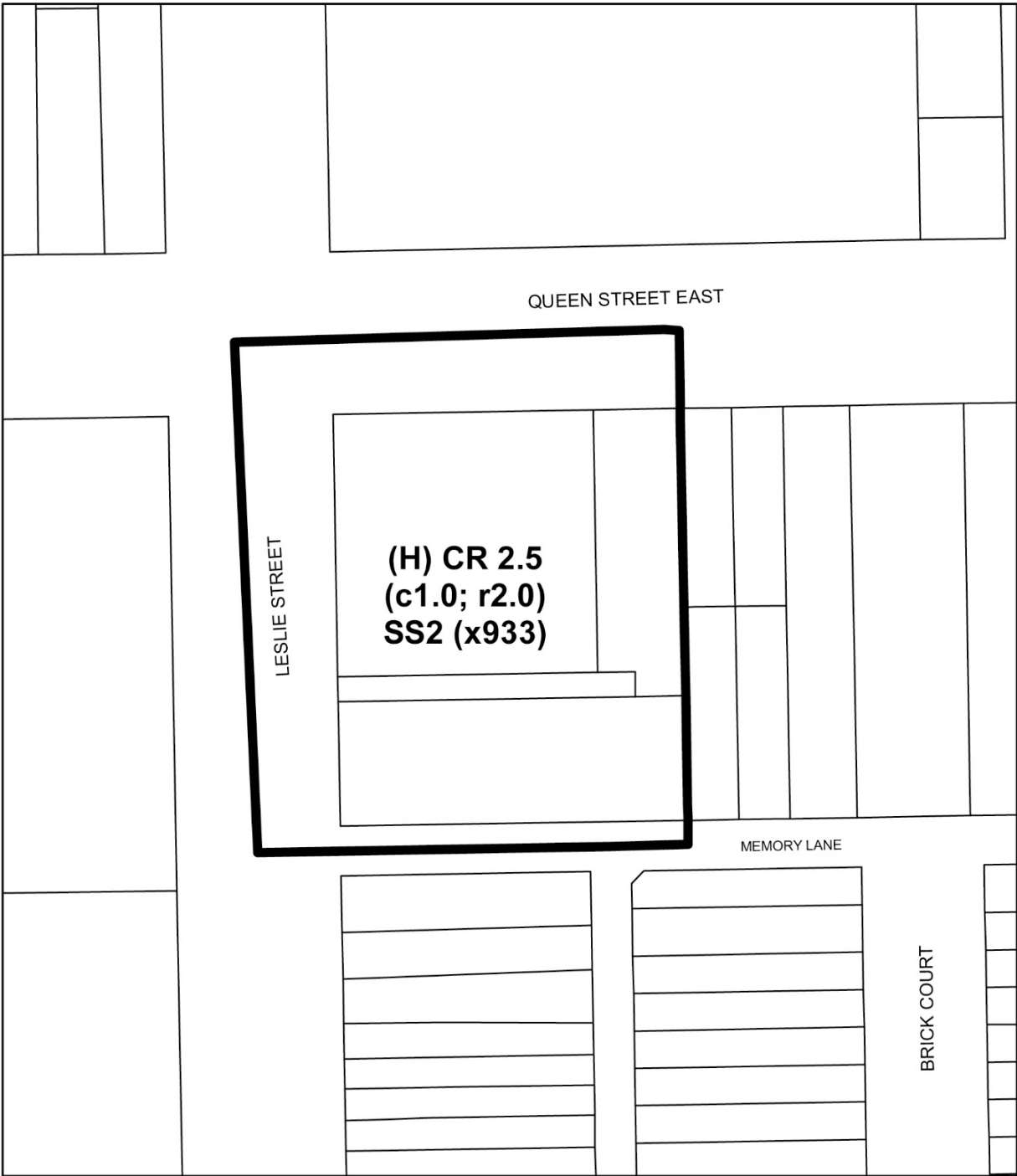


Diagram 3

