

Authority: Toronto and East York Community Council
Item TE9.15, as adopted by City of Toronto Council on
December 13, 14, and 15, 2023 and Toronto and East York
Community Council Item TE9.28, as adopted 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 1310-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 306, 308 and 310 Gerrard Street East.

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;

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 adding the lands identified as "Parcel B" in Diagram 7 to the Zoning By-law Map in Section 990.1, and applying the following zone label to these lands: CR 2.0 (c1.0; r2.0) SS2 (x 935) as shown on Diagram 2 attached to this By-law.
4. 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 identified as "Parcel A" and " Parcel C" on Diagram 7 from zone labels of CR 2.0 (c1.0; r2.0) SS2 (x2362) and R (d1.0)(x4), respectively, to a zone label of CR 2.0 (c1.0; r2.0) SS2 (x935) as shown on Diagram 2 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding lands identified as "Parcel B" in Diagram 7 to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: 1, as shown on Diagram 3 attached to this By-law.

6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands identified as "Parcel B" in Diagram 7 to the Height Overlay Map in Article 995.20.1, and applying the following height label to "Parcel A", "Parcel B", and "Parcel C": HT 13.0, as shown on Diagram 4 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands identified as "Parcel B" in Diagram 7 to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding the lands identified as "Parcel B" in Diagram 7 to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands B3, as shown on Diagram 5 attached to this By-law.
9. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 935 so that it reads:

(935) Exception CR (935)

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 known as 306, 308, and 310 Gerrard Street East, if the requirements of By-law 1310-2023 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (T) below;
- (B) For the purpose of this exception, the **lot** is as shown on Diagram 1 of By-law 1310-2023;
- (C) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum elevation of 91.92 metres and the highest point of the **building** or **structure**;
- (D) The provision of **dwelling units** is subject to the following:
 - (i) A minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) A minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and

- (iv) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (E) Despite regulation 40.10.40.1(1), in a **mixed-use building**, residential use portions of the **building** may be located at the same level as non-residential uses;
- (F) Despite regulation 40.10.40.1(2)(A), for any non-residential use in the CR zone, the floor level of the first **storey** must be within 1.4 metres of the ground measured at the **lot line** abutting the **street** directly opposite each pedestrian entrance;
- (G) Despite regulation 40.10.40.1(2)(B), for any non-residential use in the CR zone, the floor level of the first **storey** may have a pedestrian access accessed by a ramp which rises no more than 0.05 metres vertically for every 1.0 metre horizontally;
- (H) Despite regulation 40.10.40.1(6)(A), the pedestrian access for a **lot** which abuts a **lot** in the Residential Zone Category may be located 9 metres from a **lot** in the Residential Zone Category;
- (I) Despite regulation 40.10.40.10(2), the permitted maximum height of any **building** or **structure** is the height in metres specified by the numbers following the HT symbol, as shown on Diagram 6 of By-law 1310-2023;
- (J) 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 6 of By-law 1310-2023:
 - (i) equipment used for the functional operation of the **building**, including solar/thermal energy equipment, 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 4.5 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 6.5 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, balustrades, bollards, and divider screens on a terrace, by a maximum of 3.5 metres;

- (vi) trellises, cabanas, pergolas, and unenclosed **structures** provided safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres; and
 - (vii) wheelchair ramp and **structures** and elements related to outdoor flooring and roofing assembly may project above the height limits by no more than 0.5 metres;
- (K) Despite regulations 40.10.40.40(1) and (2), the permitted maximum **gross floor area** of all **buildings** and **structures** is 18,650 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 15,000 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 4,150 square metres;
- (L) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 6 of By-law 1310-2023;
- (M) Despite regulation 40.10.40.80 (2):
- (i) where a **main wall** of the **building** has windows and a line projected at a right from that **main wall** intercepts another **main wall** with windows on the same **lot**, the required minimum above-ground distance between the **main walls** is 10.6 metres;
- (N) Despite clause 40.10.40.60 and (I) and (M) above, the following elements may encroach into the required minimum **building setbacks** and separation distances on Diagram 6 of By-law 1310-2023:
- (i) canopies and awnings, by a maximum of 1.5 metres;
 - (ii) privacy screens, safety and wind protection guards, and railings, parapets by a maximum of 5 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.3 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.3 metres; and
 - (vi) vents and pipes, by a maximum of 0.5 metres;

- (O) Within "Area A", as shown on Diagram 6 of By-law 1310-2023, no portion of the **building** shall be located between a height of 0.0 to 5.5 metres, as measured from the **Canadian Geodetic Datum elevation** of 91.92 metres;
- (P) Regulation 40.10.50.10, with respect to **landscaping**, does not apply;
- (Q) Despite regulation 200.15.1(1), an accessible **parking spaces** must have the following dimensions:
- (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (R) Despite regulation 200.15.1(3), the entire length of an accessible **parking spaces** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (S) Despite regulation 200.15.1(4), accessible **parking spaces** must be located within 39 metres of a barrier free:
- (i) entrance to a **building**;
 - (ii) passenger elevator that provides access to the first **storey** of the **building**; and
 - (iii) and the shortest route from the required entrances in (i) and (ii).
- (T) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** shall be provided at a minimum of 2 residential visitor **parking spaces** plus 0.01 per **dwelling unit**.

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

- 10.** Despite any existing or future conveyance, severance, partition, or division of the lot, the provisions of this by-law must apply to the whole of the lot as if no severance, partition or division occurred.

Enacted and passed on December 15, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

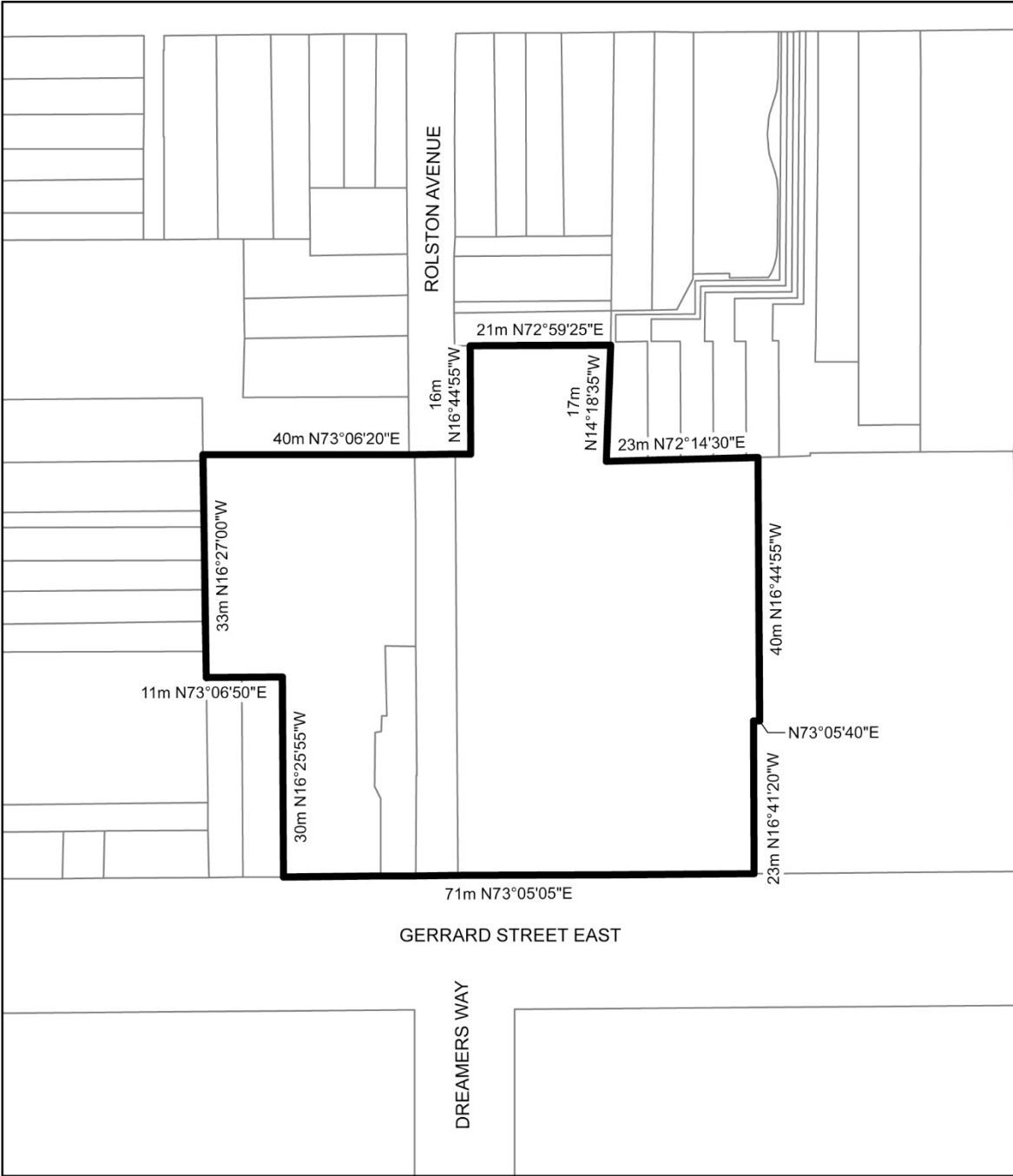


Diagram 2

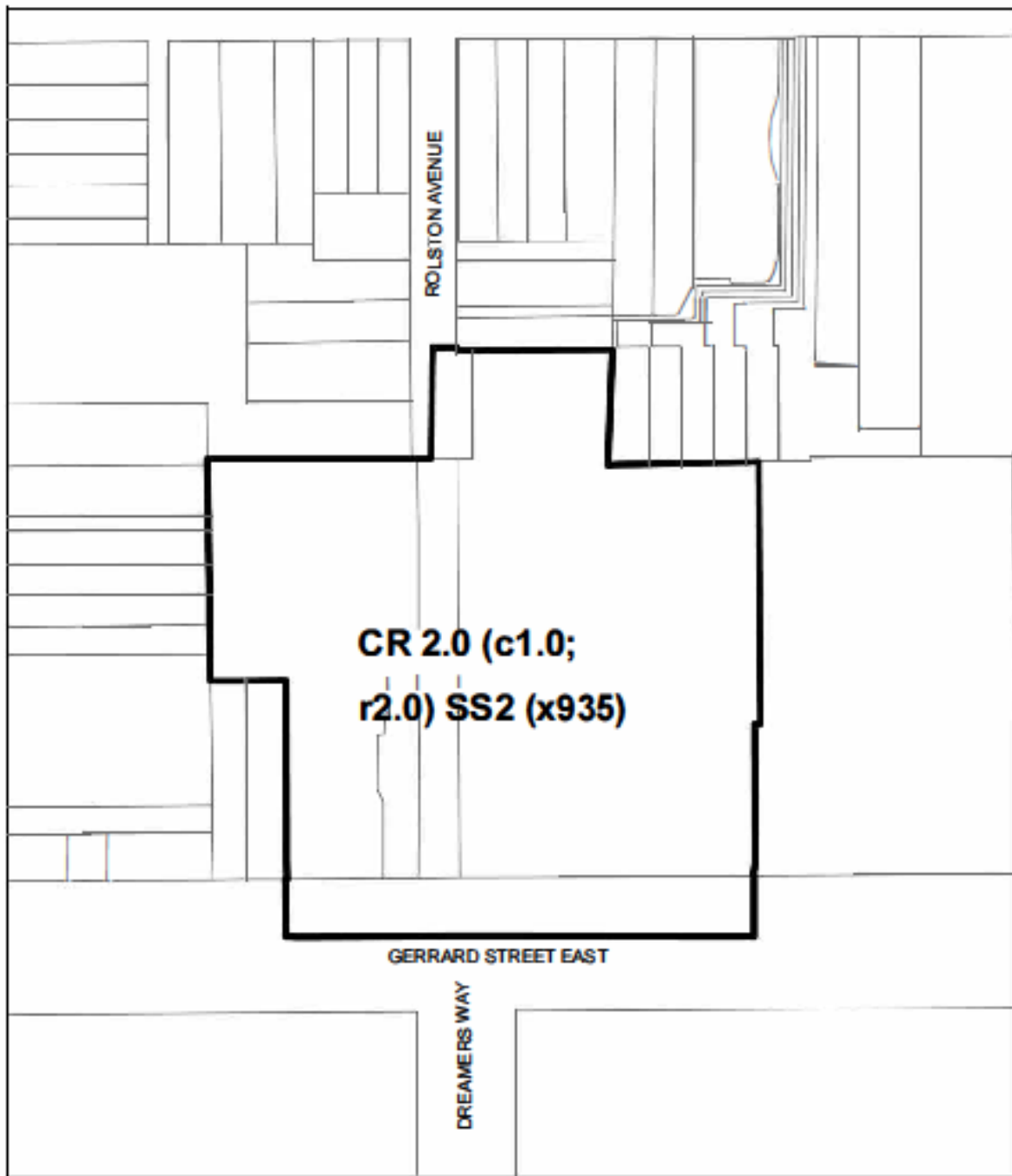


Diagram 3

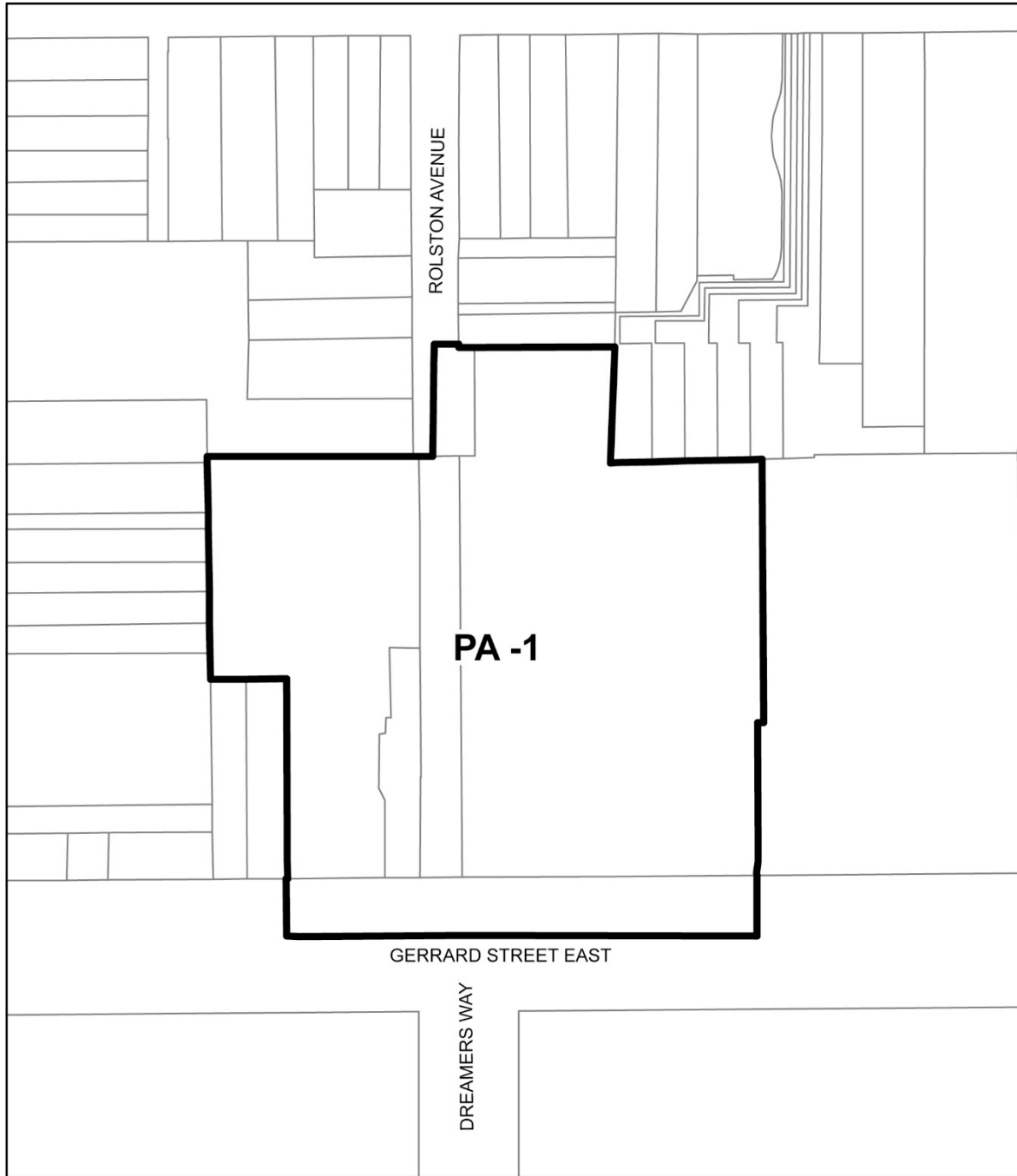


Diagram 4

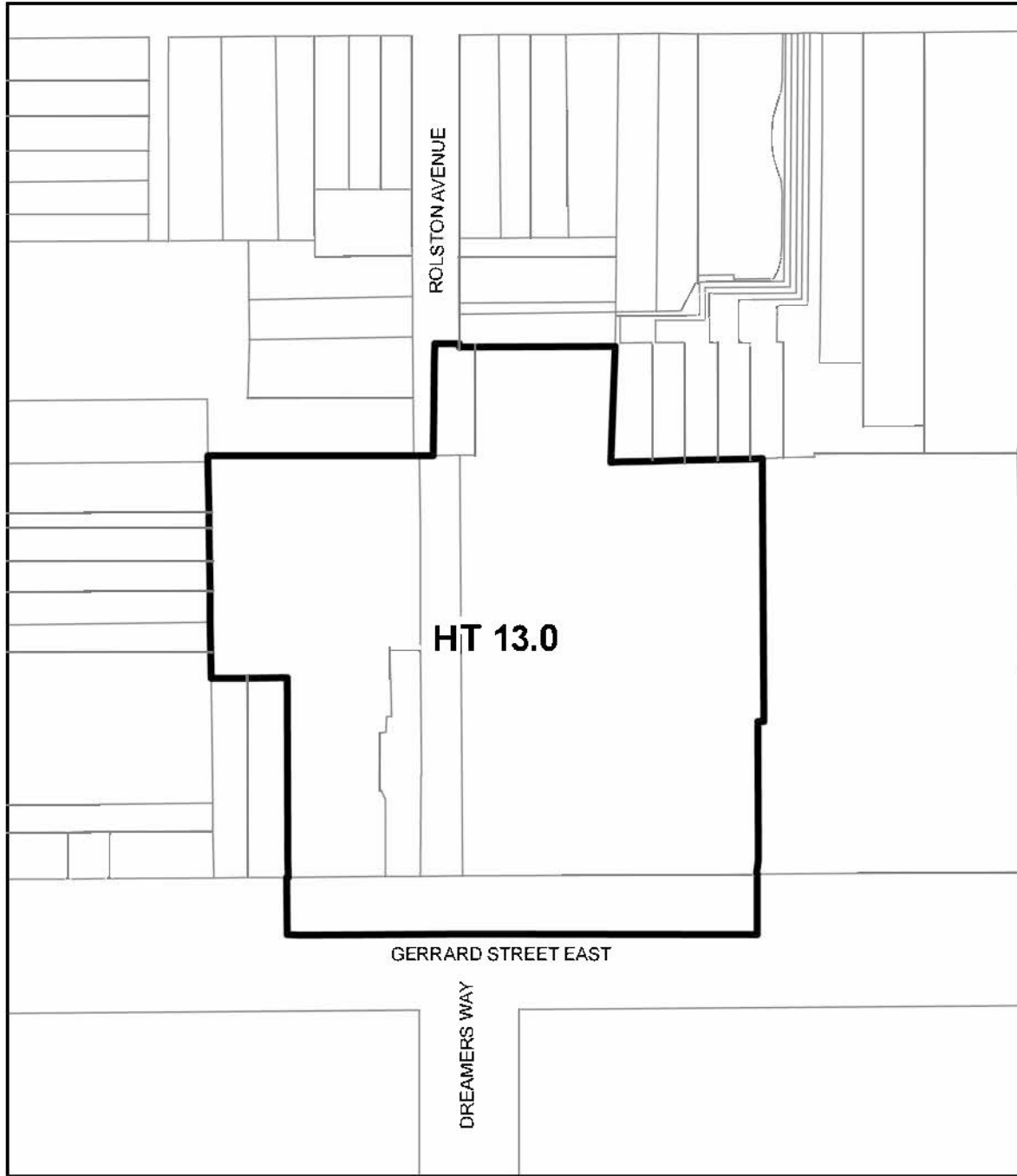


Diagram 5

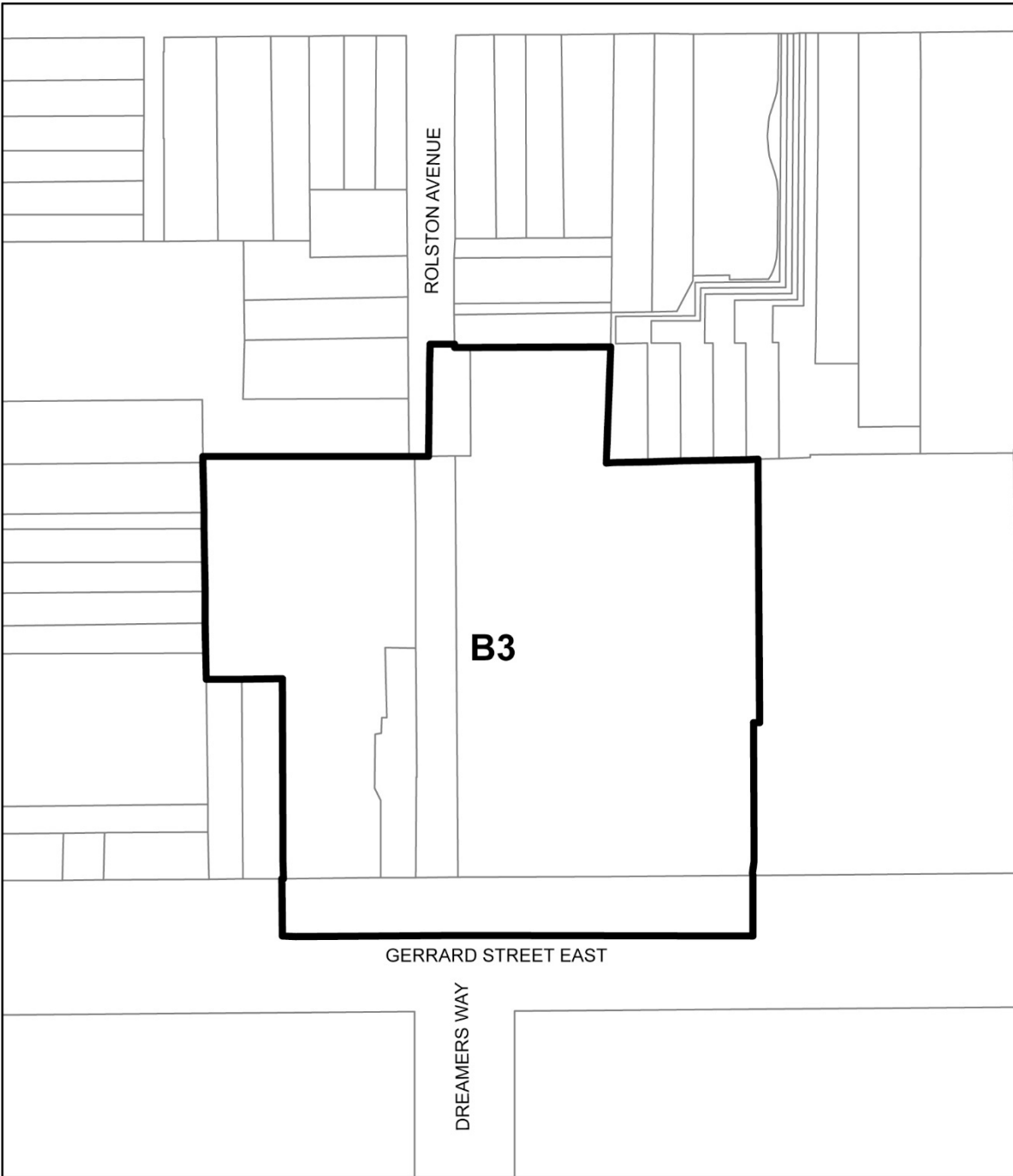


Diagram 6

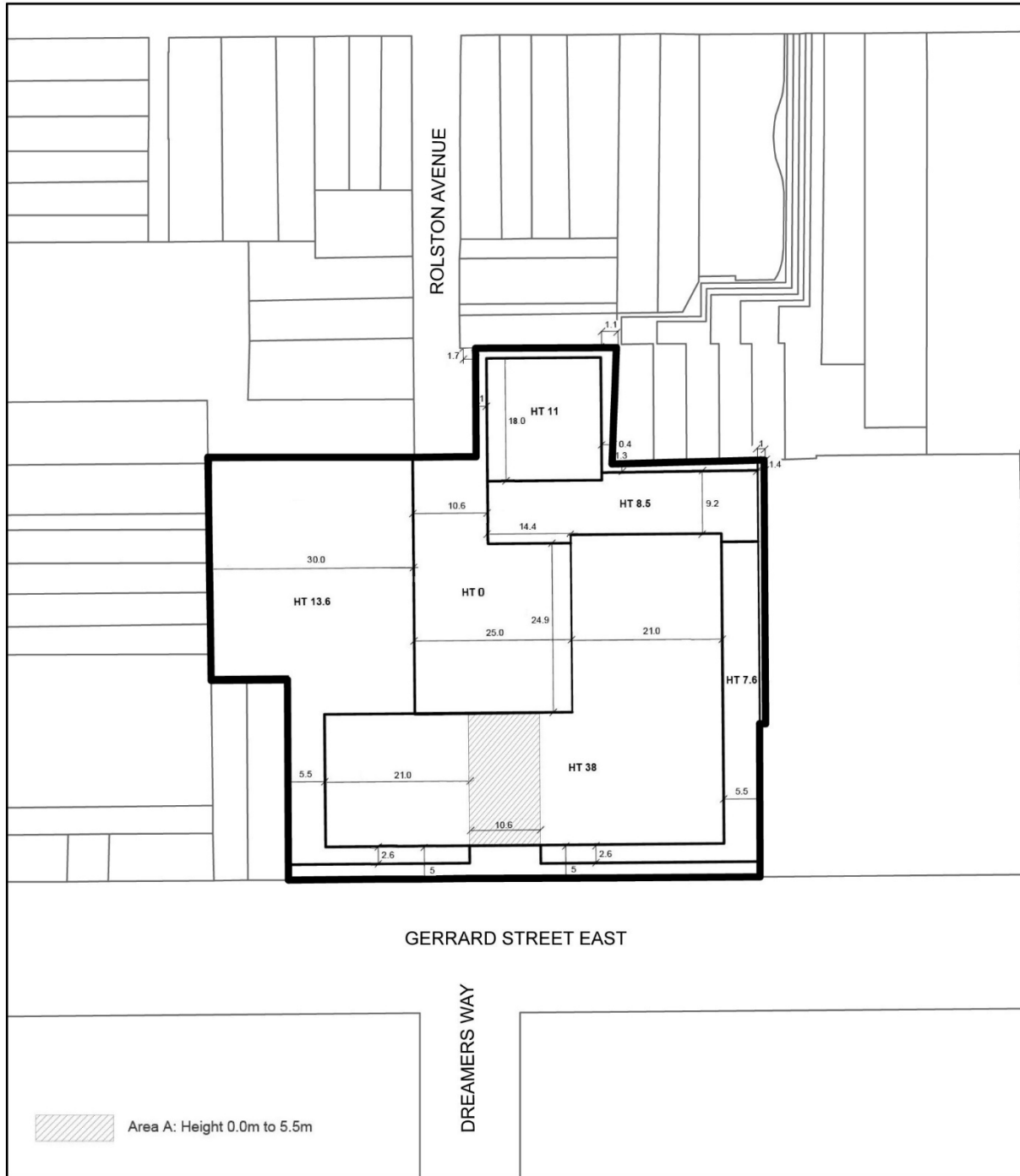


Diagram 7

