

Authority: Toronto and East York Community Council
Item TE10.10, adopted as amended, by City of Toronto
Council on February 6 and 7, 2024
City Council voted in favour of this by-law on February 7,
2024
Written approval of this by-law was given by Mayoral
Decision 2-2024 dated February 7, 2024

CITY OF TORONTO

BY-LAW 78-2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 1134 Queen 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; and

Whereas pursuant to Section 36 of the Planning Act, 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 Council removes the holding symbol "(H)" 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)"; and

Whereas pursuant to Section 39 of the Planning Act, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law;

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 subject to this By-law to the Zoning By-law Map in Section 990.1, and applying the following zone label to these lands: CR 2.5 (c1.0; r2.0) SS2 (x944) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA-4, as shown on Diagram 3 attached to this By-law.

5. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 14.0, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands 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.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 944 so that it reads:

(944) Exception CR (944)

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 1134 Queen Street East, if the requirements of By-law 78-2024 are complied with, a **building** or **structure** may be constructed, used, or enlarged in compliance with Regulations (B) to (L) below;
- (B) 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 78.65 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 6 of By-law 78-2024;
- (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 3.2 metres;
- (E) 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 78-2024:
 - (i) Indoor **amenity space**, 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, chimneys, and vents, by a maximum of 4.0 metres;

- (ii) elevator shafts by a maximum of 6.5 metres;
 - (iii) **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 4.0 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 4.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (F) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 2,070.0 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 1,770.0 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 300.0 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses is 200.0 square metres;
- (G) Despite Regulation 40.10.40.50(1)(B), the outdoor **amenity space** does not have to adjoin or be directly accessible to the indoor **amenity space**;
- (H) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 6 of By-law 78-2024;
- (I) Despite Regulation 40.10.40.60 and (H) 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) 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 0.5 metres;
 - (vi) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
 - (vii) eaves, by a maximum of 0.6 metres;
 - (viii) a dormer, by a maximum of 1.0 metres; and
 - (ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- (J) Despite Regulation 40.10.50.10(3), **soft landscaping** is not required along portions of the east **lot line** abutting a **lot** in the Residential Zone Category;
- (K) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, no **parking spaces** are required; and
- (L) Despite Regulation 200.15.10.10(1), no accessible **parking spaces** are required.

Prevailing By-laws and Prevailing Sections: (None apply).

9. 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 November 1, 2023, in relation to functional servicing, stormwater management, geohydrology and adequate sizing of waste storage area, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

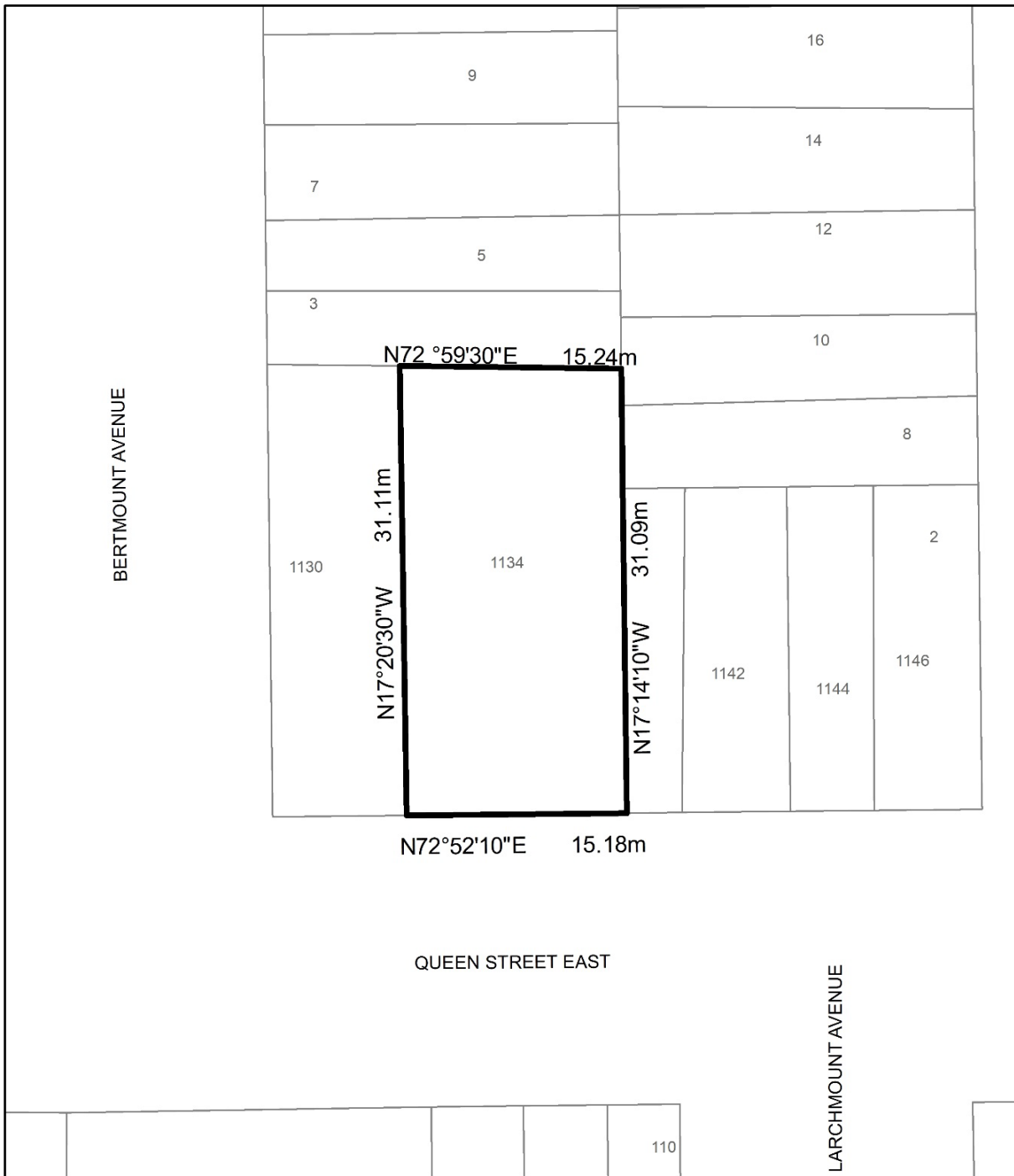
- 10.** Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition, or division occurred.
- 11.** Temporary use(s):
- (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a sales office for the purposes of marketing, rental, leasing and sale of **dwelling units** and non-residential uses on the **lot** for a period of not more than 3 years from the date this By-law comes into full force and effect.

Enacted and passed on February 7, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

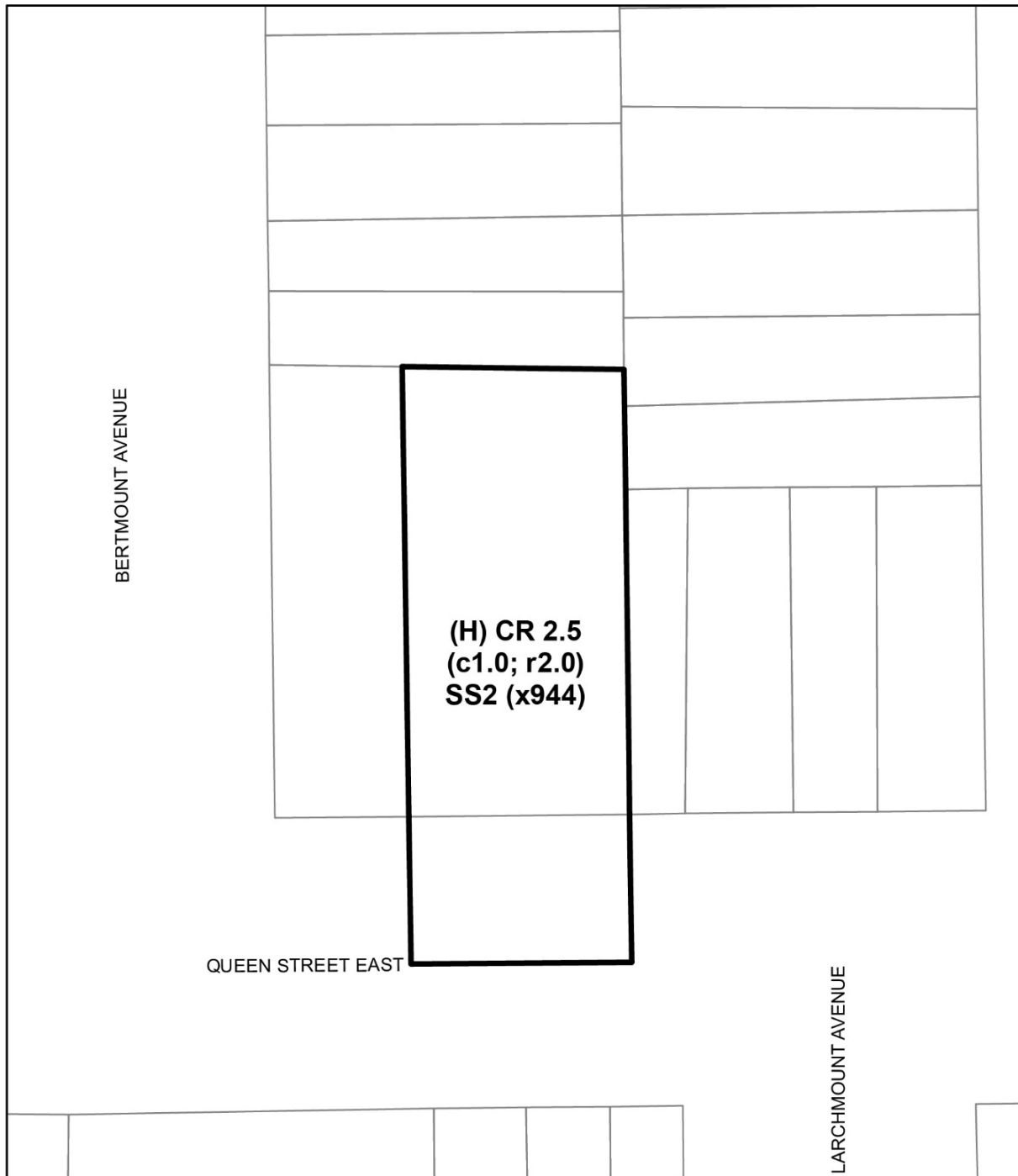
Diagram 1

Toronto
Diagram 1

1134 Queen Street East

File # 23 198001 STE 14 0Z

Diagram 2



 **TORONTO**
Diagram 2

1134 Queen Street East

File # 23 198001 STE 14 0Z

Diagram 3

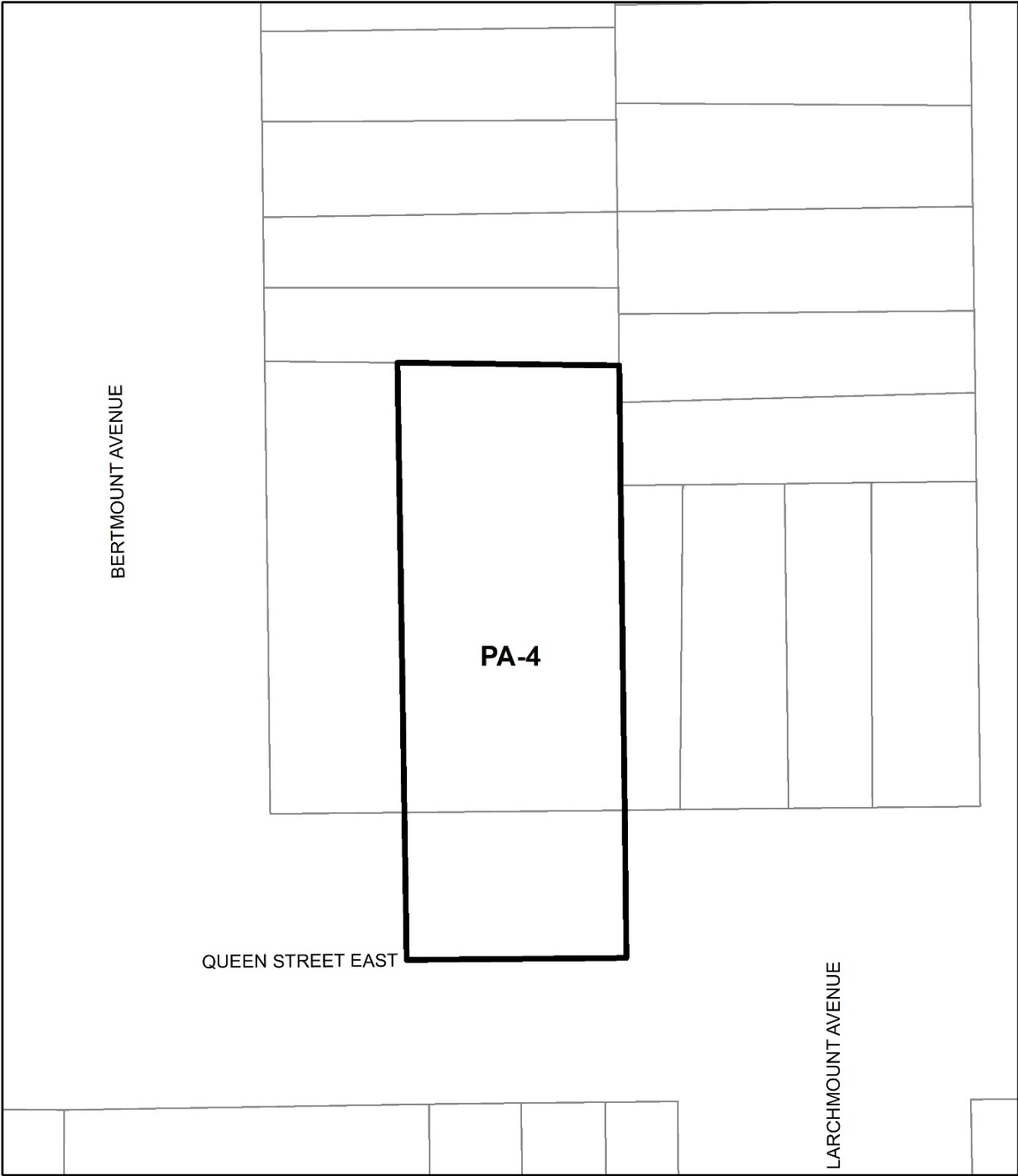
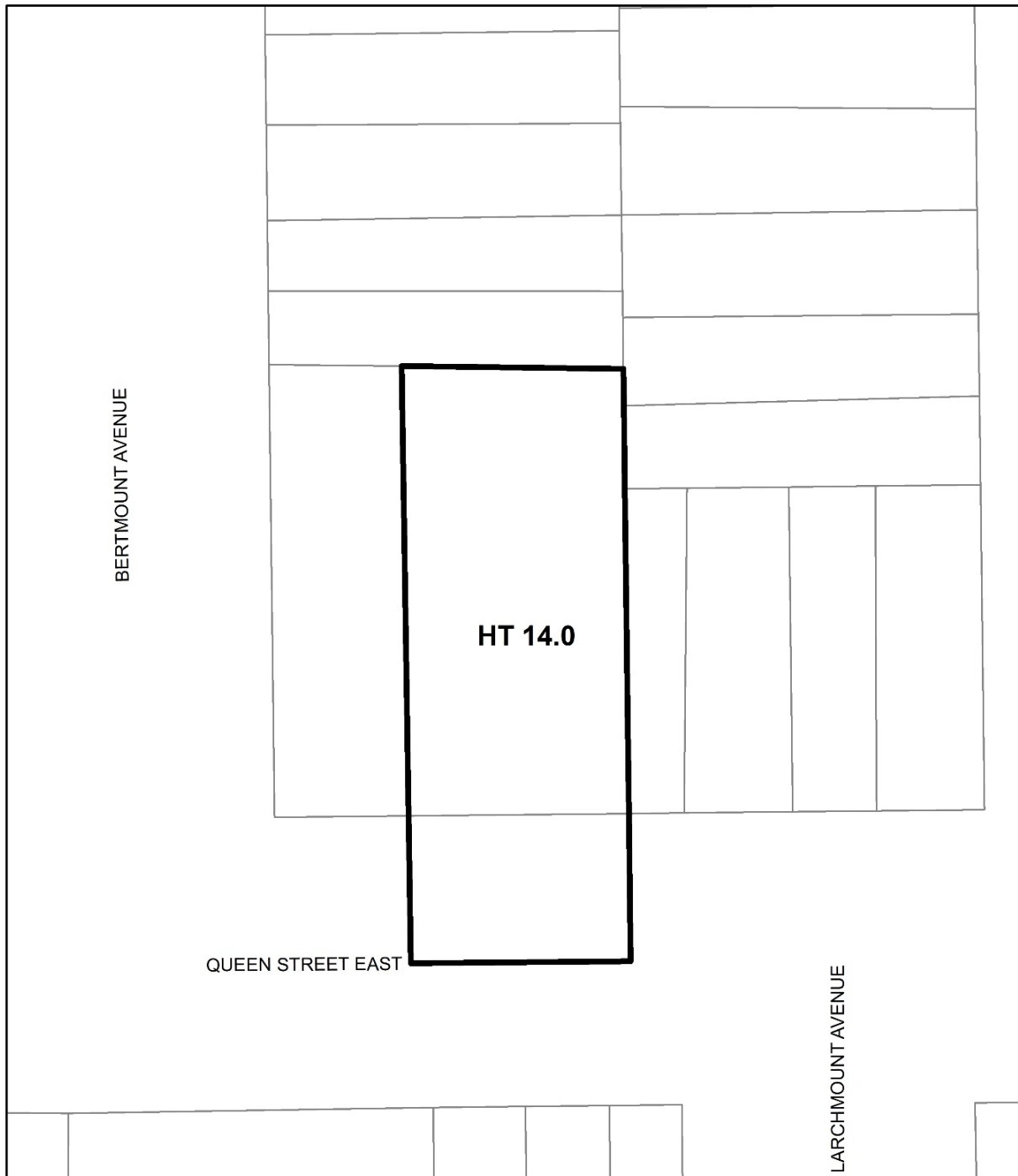


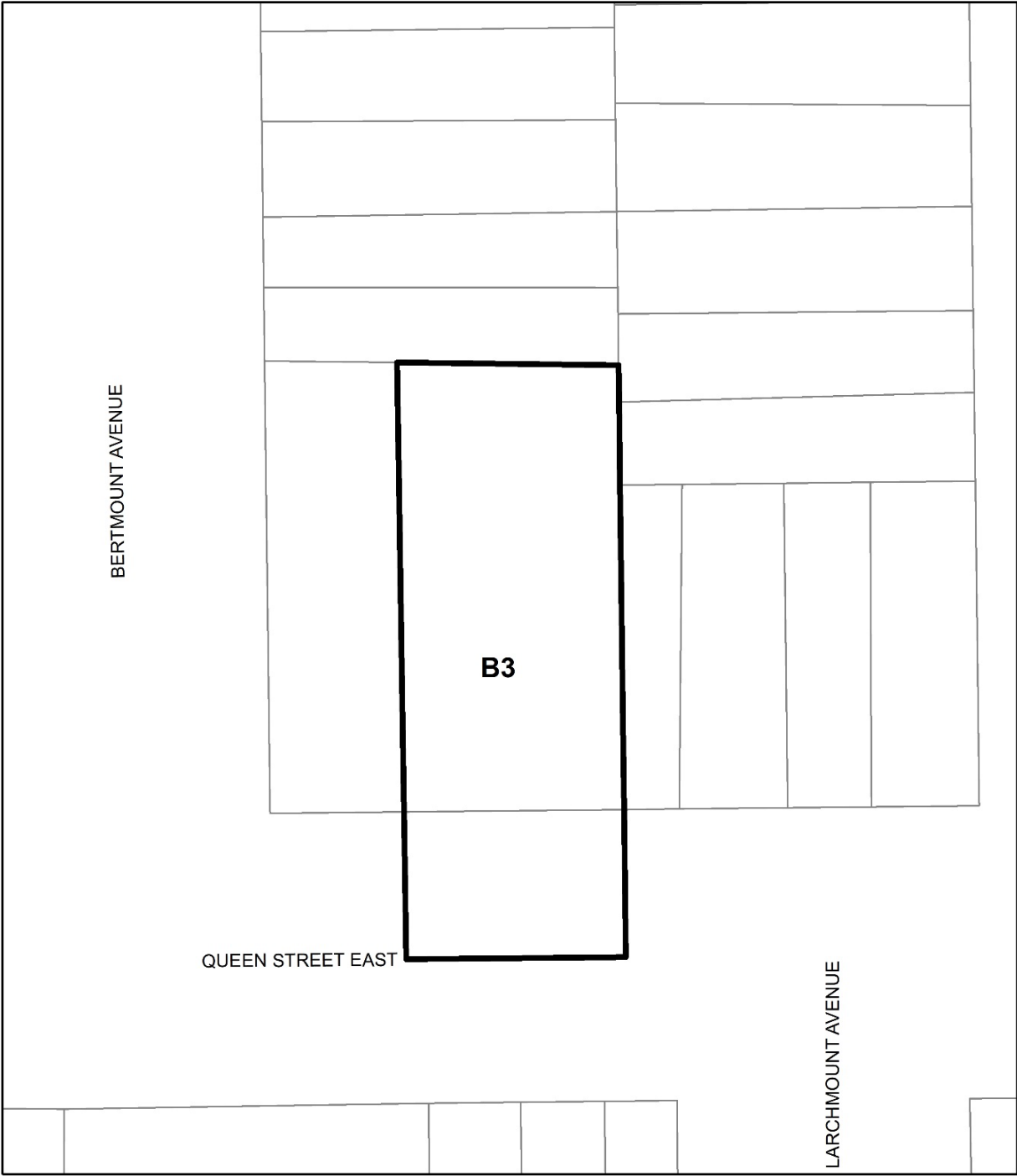
Diagram 4

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Diagram 4

1134 Queen Street East

File # 23 198001 STE 14 0Z

Diagram 5



 **TORONTO**
Diagram 5

1134 Queen Street East

File # 23 198001 STE 14 0Z

Diagram 6

