

Authority: Toronto and East York Community Council
Item TE14.10, as adopted by City of Toronto Council on
June 26 and 27, 2024
City Council voted in favour of this by-law on October 10,
2024
Written approval of this by-law was given by Mayoral
Decision 19-2024 dated October 10, 2024

CITY OF TORONTO

BY-LAW 1104-2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 135 Isabella Street.

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, as amended; and

Whereas pursuant to Section 39 of the Planning Act, as amended, 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 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 R (d2.0) (x498) to a zone label of R (d2.0) (x207), as shown in Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number (x207) so that it reads:

(207) Exception R 207

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 in the year 2023 as 135 Isabella Street, if the requirements of By-law 1104-2024 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with regulations (B) to (Z) below;
- (B) Despite regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 114.65 metres and the highest point of the **building** or **structure**;
- (C) Despite regulations 10.10.40.10(1) and (7), the permitted maximum height of a **building** or **structure**, inclusive of a mechanical penthouse, is the number following the "HT" symbol in metres shown on Diagram 3 of By-law 1104-2024. A mechanical penthouse may consist of:
- (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, maintenance equipment storage, elevator overruns, chimneys, and vents; and
 - (ii) **structures** or **main walls** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above;
- (D) Despite regulations 10.5.40.10(2) to (4), 10.10.40.10(8) to (10) and (C) above, the following equipment and **structures** may project above the permitted maximum height of a **building** or **structure**, shown in metres and specified by the numbers following the "HT" symbol shown on Diagram 3 of By-law 1104-2024:
- (i) planters, **landscaping** features, railings, guards, and parapets, by a maximum of 2.0 metres;
 - (ii) chimneys, pipes, vents, stack, flues, and roof access, by a maximum of 2.0 metres;
 - (iii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (ii) above, by a maximum of 2.0 metres;
 - (iv) lightning rods, antennae, flagpoles, and satellite dishes, by a maximum of 5.0 metres;
 - (v) window washing equipment and **building** maintenance units, by a maximum of 6.0 metres;
 - (vi) pieces of art, architectural elements, pergolas, divider screens on a balcony and/or terrace, trellises, bollards, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres; and

- (vii) elements and **structures** associated with a **green roof**, by a maximum of 0.6 metres;
- (E) In addition to the areas listed in regulation 10.5.40.40(4), the **gross floor area** of a **building** may be reduced by:
 - (i) the area of a void in a floor above **established grade** if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it;
- (F) Despite regulation 10.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 52,600 square metres;
- (G) Despite regulation 10.10.40.50(1), residential **amenity space** must be provided and maintained at a minimum rate 2.5 square metres of combined indoor and outdoor **amenity space** per **dwelling unit**, of which:
 - (i) a minimum of 1.7 square metres for each **dwelling unit** is indoor **amenity space**;
 - (ii) a minimum of 0.8 square metres per **dwelling unit** is outdoor **amenity space**;
 - (iii) at least 40 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**;
 - (iv) no more than 25 percent of the outdoor component may be a **green roof**; and
 - (v) indoor pet-friendly facilities, bicycle/stroller washing areas, and guest suites may be considered indoor **amenity space**;
- (H) Despite Clauses 10.5.40.70 and 10.10.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 1104-2024;
- (I) Despite regulation 10.10.40.80(1), the required minimum separation distance between **main walls** of **buildings** or **structures** above ground level are shown in metres on Diagram 3 of By-law 1104-2024;
- (J) Despite Clause 10.5.40.60 and (H) and (I) above, the following elements of a **building** or **structure** may encroach into a required minimum **building setbacks** and **main wall** separation distances shown on Diagram 3 of By-law 1104-2024, as follows:
 - (i) canopies and awnings by a maximum of 2.0 metres, except in the "no balcony projections zones" shown on Diagram 3 of By-law 1104-2024;

- (ii) architectural features, such as pilasters, decorative columns, belt courses, cornices, lighting fixtures, and window sills by a maximum of 1.0 metres;
 - (iii) satellite dishes, antennae, vents, and pipes, by a maximum of 0.5 metres;
 - (iv) balconies and related privacy screens by a maximum of 2.0 metres;
 - (v) window washing equipment and **building** maintenance units, by a maximum of 2.0 metres; and
 - (vi) Art, **structures** associated with outdoor amenity and children's play areas, **landscaping** features, trellises, planters, safety and wind mitigation/protection features, bollards, and wheelchair ramps;
- (K) For the purposes of this exception, regulation 10.10.40.30 with respect to **building depth** does not apply;
- (L) Despite regulation 10.5.50.10(4), a minimum of 525 square metres of **landscaping** must be provided on the **lot**, of which a minimum of 230 square metres must be **soft landscaping**;
- (M) Despite regulation 10.5.50.10(5), a 1.5 metre wide strip of **soft landscaping** is not required to be provided along any part of a **lot line** abutting another **lot** in the Residential Zone category;
- (N) Despite regulation 200.5.1.10(13), access to **parking spaces** may be provided by a **vehicle** elevator or an "automated parking system," subject to the following:
- (i) "automated parking system" means a mechanical system for the purpose of parking and retrieving **vehicles** with or without drivers in the **vehicle** during parking and without the use of ramping or **drive aisles**, and where automated maneuvering of other **vehicles** may be required for **vehicles** to be parked or retrieved;
- (O) Despite regulation 200.5.1.10(2)(A), **parking spaces** are subject to the following:
- (i) **stacked parking spaces** must have the following minimum dimensions:
 - (a) length of 5.6 metres;
 - (b) width of 2.3 metres; and
 - (c) vertical clearance of 1.6 metres;
 - (ii) **parking spaces** that are not **stacked parking spaces** must have the following minimum dimensions:
 - (a) a minimum length of 5.6 metres;

- (b) a minimum width of 2.6 metres;
 - (c) vertical clearance of 2.0 metres; and
 - (d) for a minimum of 90 percent of the total number of **parking spaces** provided that are not **stacked parking spaces**, the minimum width in (b) above must be increased by 0.3 metres for each side of the **parking space** that is obstructed, according to regulation 200.5.1.10(2)(D);
- (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 27 resident **parking spaces**, of which 2 shall be accessible **parking spaces** in accordance with (Q) below; and
 - (ii) a minimum rate of 2.0 residential visitor **parking spaces** plus 0.01 residential visitor **parking spaces** for each **dwelling unit**;
- (Q) Despite regulation 200.15.10.10(1), at least 6 accessible **parking spaces** must be provided, of which:
 - (i) 2 accessible **parking spaces** must be provided for residents; and
 - (ii) of the minimum required residential visitor **parking spaces** required in (P)(ii) above, at least 4 **parking spaces** must be provided for residential visitors;
- (R) Despite regulations 200.15.1(1) and (3), an accessible **parking space** must comply with the following:
 - (i) length 5.6 metres;
 - (ii) width 3.4 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) a 1.5 metre wide accessible barrier-free aisle or path is required along the entire length of one side of an accessible **parking space**, and such aisle or path may be shared by two accessible **parking spaces**;
- (S) Regulation 200.15.1(4) with respect to the location of accessible **parking spaces** does not apply;
- (T) Despite regulations 10.5.80.40(3)(A) and 10.10.80.40(2), **vehicle** access to a **parking space** on the **lot** may be from Isabella Street;

- (U) Regulations 10.5.100.1(4)(A) and (5), with respect to **driveway** width and **driveway** access for **apartment buildings**, do not apply;
- (V) Despite regulation 230.5.1.10(9)(B), a required "long-term" **bicycle parking space** for a **dwelling unit** may be located:
 - (i) on the first **storey** of the **building**;
 - (ii) on the second **storey** of the **building**; and
 - (iii) on levels of the **building** below-ground;
- (W) Despite regulation 230.10.1.20(2), a room containing "short-term" **bicycle parking spaces** may be no more than 35 metres from a pedestrian entrance to the **apartment building** on the **lot**;
- (X) Despite regulation 230.5.1.10(10), "long-term" **bicycle parking spaces** and "short-term" **bicycle parking spaces** may be a **stacked bicycle parking space**;
- (Y) Despite regulation 220.5.20.1(1), a **driveway** to a **loading space** must have a minimum width of 5.5 metres; and
- (Z) Article 600.10.10, with respect to the Building Setback Overlay District "A", does not apply.

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

- 5. Despite any existing or future severance, partition or division of the lands shown on Diagram 1 of this By-law, the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.
- 6. Temporary Use(s):
 - (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a temporary sales office, leasing or construction office, which is a temporary **building** or **structure**, facility, or trailer or portion thereof exclusively for the purpose of marketing, leasing, or sale of a **dwelling unit** on the **lot** for a period of not more than 3 years.

Enacted and passed on October 10, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

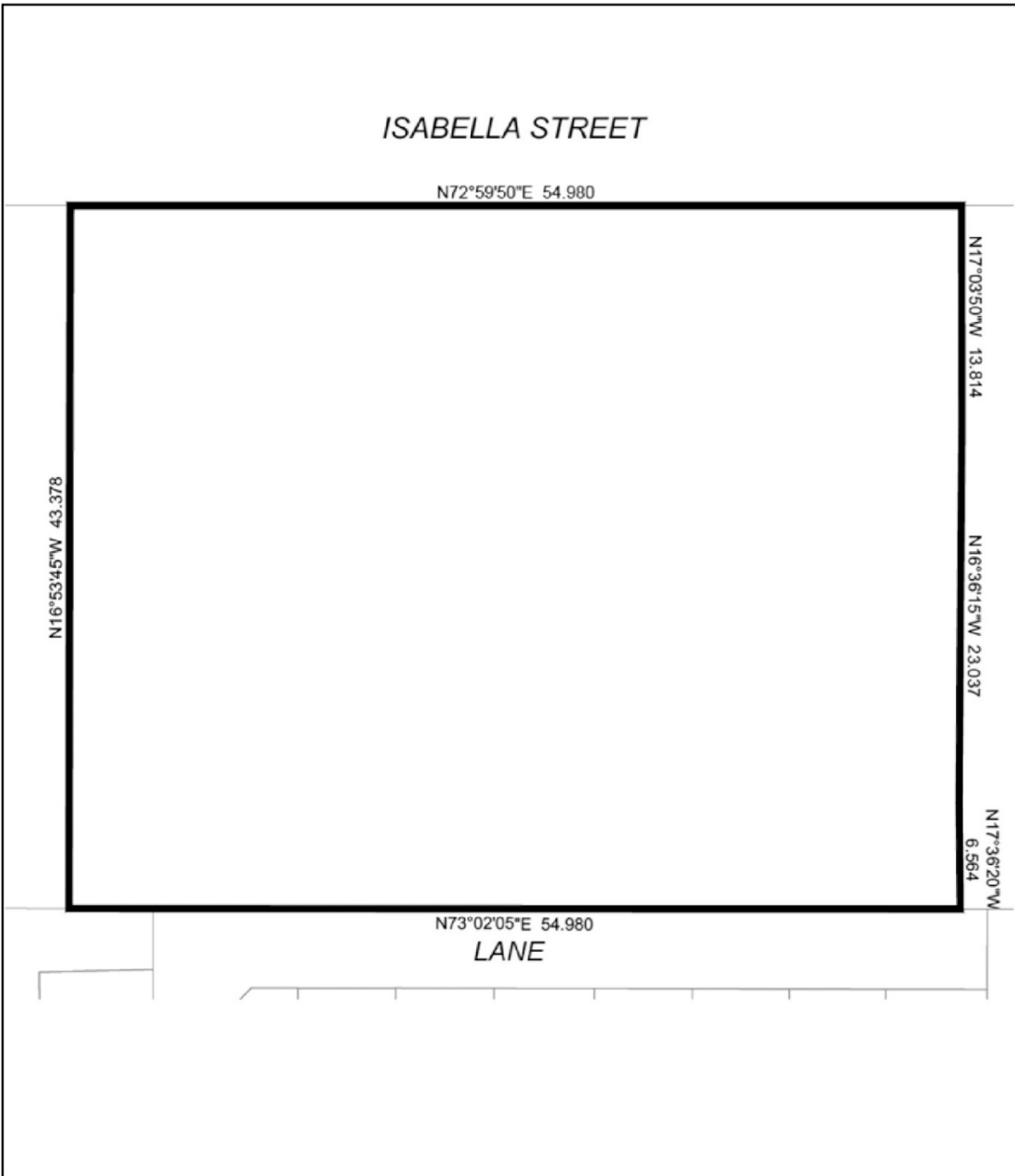


Diagram 2

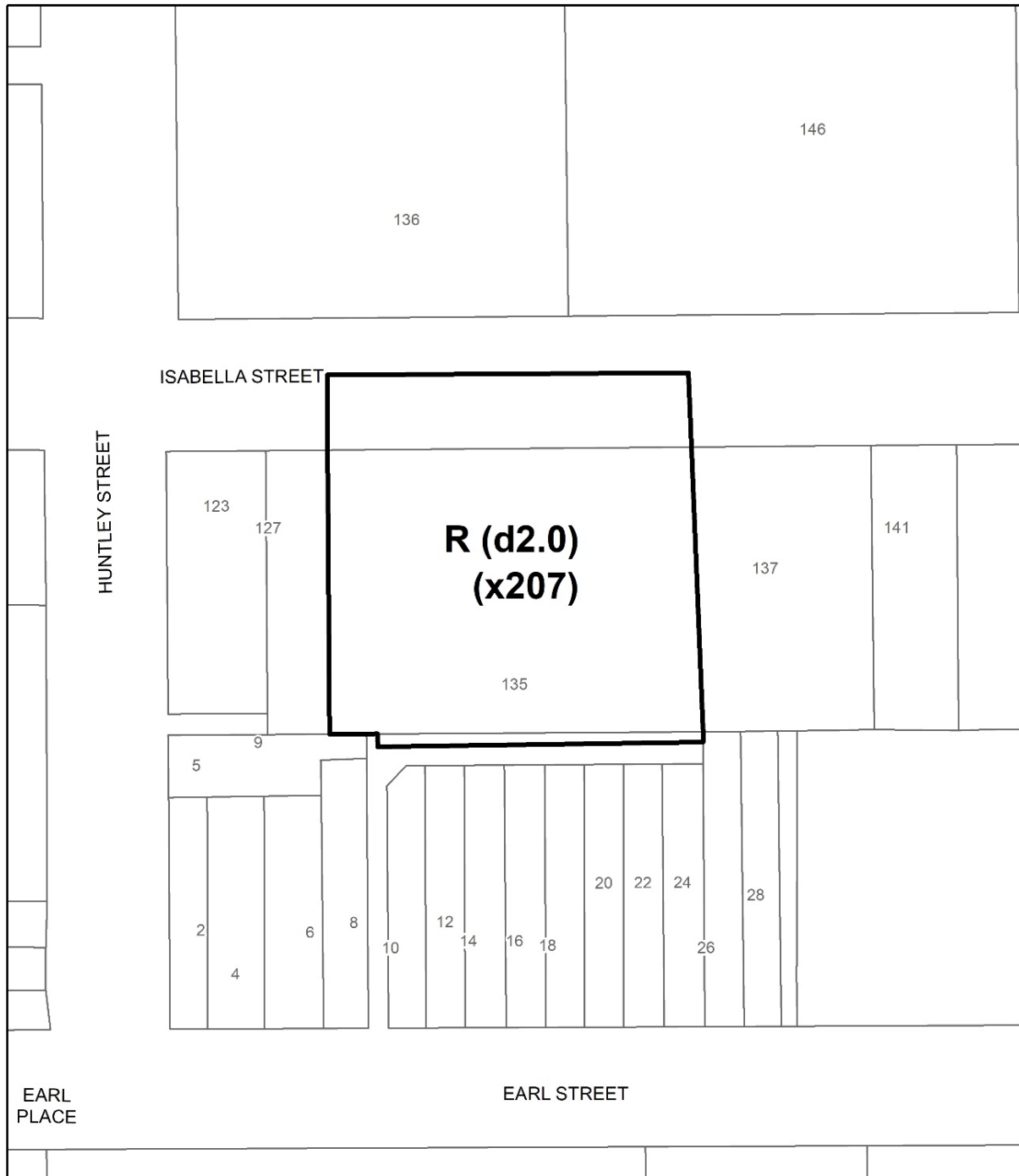
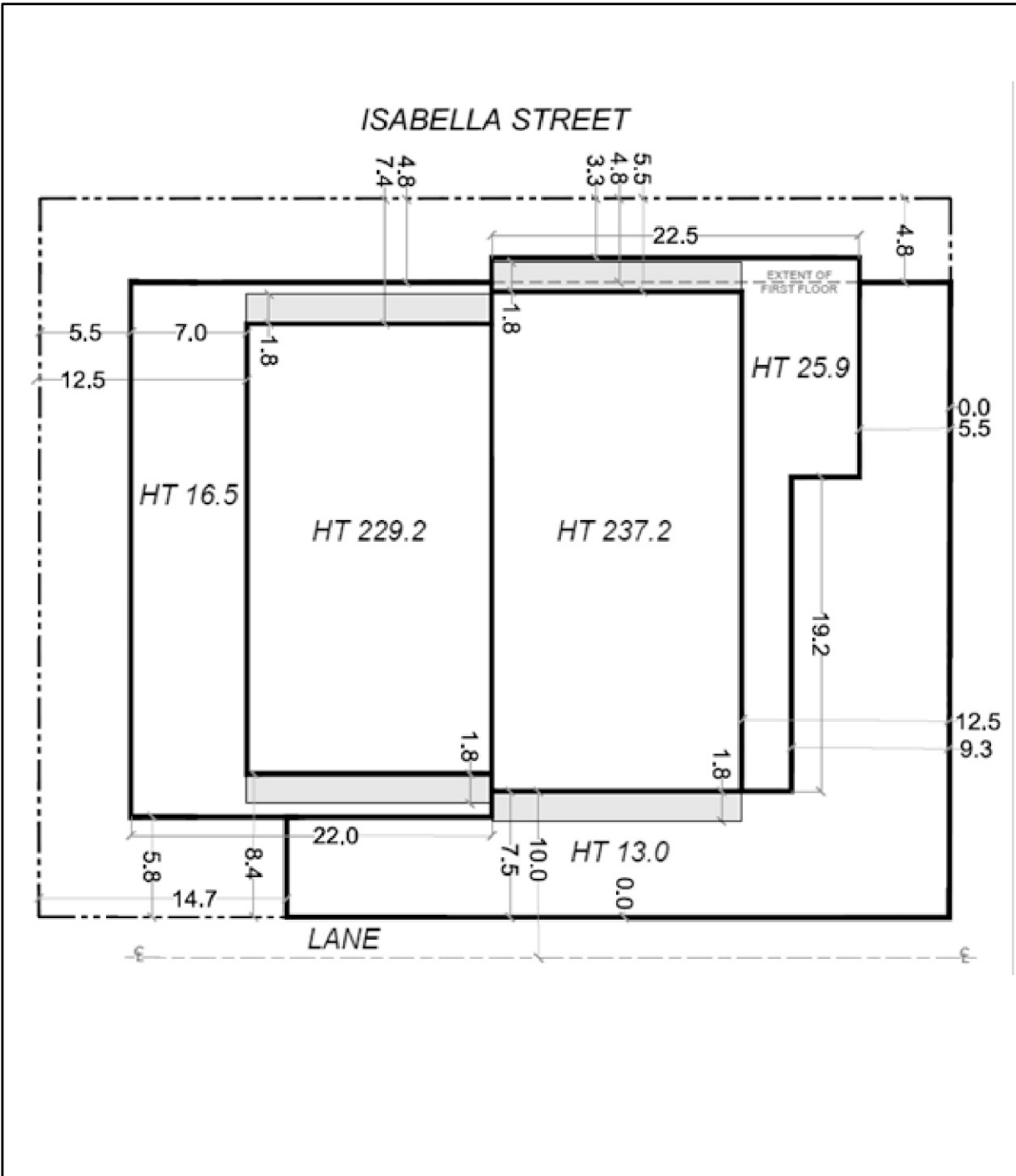


Diagram 3




 **TORONTO**
Diagram 3

135 Isabella Street

File # 23 158798 STE 10 OZ

 No Balcony Projection Zone


 City of Toronto By-law 569-2013
 Not to Scale
 10/07/2024