

Authority: Toronto and East York Community Council
Item TE17.9, as adopted by City of Toronto Council on
November 13 and 14, 2024
City Council voted in favour of this by-law on
November 14, 2024
Written approval of this by-law was given by Mayoral
Decision 21-2024 dated November 14, 2024

CITY OF TORONTO

BY-LAW 1239-2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 2026-2040 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, 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 subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label of CR (c1.0; r2.0) SS2 (x1035) 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 Section 995.10 and applying no value.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20, and applying a height label of HT 12.0, 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 subject to this By-law to the Lot Coverage Overlay Map in Section 995.30, and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1035 so that it reads:

(1035) Exception CR (1035)

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 2026-2040 Queen Street East, if the requirements of By-law 1239-2024 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (T) 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 84.0 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 4 of By-law 1239-2024;
- (D) 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 4 of By-law 1239-2024:
 - (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 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 5.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 2.5 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres; and
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (E) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 5,843 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 4,680 square metres;

- (ii) the permitted maximum **gross floor area** for non-residential uses is 1,163 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses is 1,000 square metres;
- (F) Despite regulation 40.10.40.50(1), **amenity space** must be provided at a minimum rate of 4.0 square metres for each **dwelling unit** of which:
 - (i) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**; and
 - (ii) at least 40 square metres is outdoor **amenity space** and must be in a location adjoining or directly accessible to the indoor **amenity space**;
- (G) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law 1239-2024;
- (H) Despite regulation 40.10.40.80(2):
 - (i) where a **main wall** of the **building** has windows and a line projected at a right angle from one of these **main walls** intercepts another **main wall** with windows on the same **lot**, the required minimum above-ground distance between the **main walls** must be 1.5 metres; and
 - (ii) where a **main wall** of the **building** has windows facing another **main wall** on the same **lot** which does not have windows and a line projected at a right angle from one of these **main walls** intercepts the other **main wall**, the required minimum above-ground distance between the **main walls** is 1.5 metres;
- (I) Despite Clause 40.10.40.60 and (G) 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) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.5 metres;
 - (v) window projections, including bay windows and box windows, by a maximum of 0.5 metres; and

- (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 0.5 metres;
- (H) Despite regulations 40.10.50.10(1) and (3), 30 square metres soft landscaping must be provided;
- (I) For the purposes of this exception, regulation 40.10.50.10(2), with respect to fencing, does not apply;
- (J) Despite regulation 200.5.1.10(2)(A)(iv), 25 percent of the required **parking spaces** may be obstructed as described in regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (K) 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 0 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in a **mixed use building** in Parking Zone B;
 - ii. a minimum of three (3) residential visitor **parking spaces** must be provided; and
 - iii. a minimum of 0 **parking spaces** for every 100 square metres of **gross floor area** devoted to non-residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for Tier 4 uses in Parking Zone B;
- (L) Despite regulation 200.5.1.10(13), all areas used for **parking spaces** may be accessed by a **vehicle** elevator;
- (M) Despite Article 200.15.10, three (3) of the **parking spaces** on the **lot** are required to be accessible **parking spaces**, of which one (1) must be for residential visitors;
- (N) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
 - i. length of 5.6 metres;
 - ii. width of 3.4 metres; and
 - iii. vertical clearance of 2.1 metres;
- (O) Despite regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;

- (P) Despite regulation 200.15.1(4), an accessible **parking space** must be no more than 15.0 metres from a vestibule which leads to a barrier free passenger elevator that provides access to the first **storey** of the **building**;
- (Q) Despite Clause 220.5.10.1, a minimum of one (1) Type "B" or Type "G" **loading space** and one (1) Type "C" **loading space** must be provided and maintained on the **lot**;
- (R) Despite regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **stacked bicycle parking space** is 0.4 metres;
- (S) In addition to regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may be a **stacked bicycle parking space**; and
- (T) Despite regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be no more than 106 metres from a pedestrian entrance to a **building** on the **lot**.

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

- 8. 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.

Enacted and passed on November 14, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

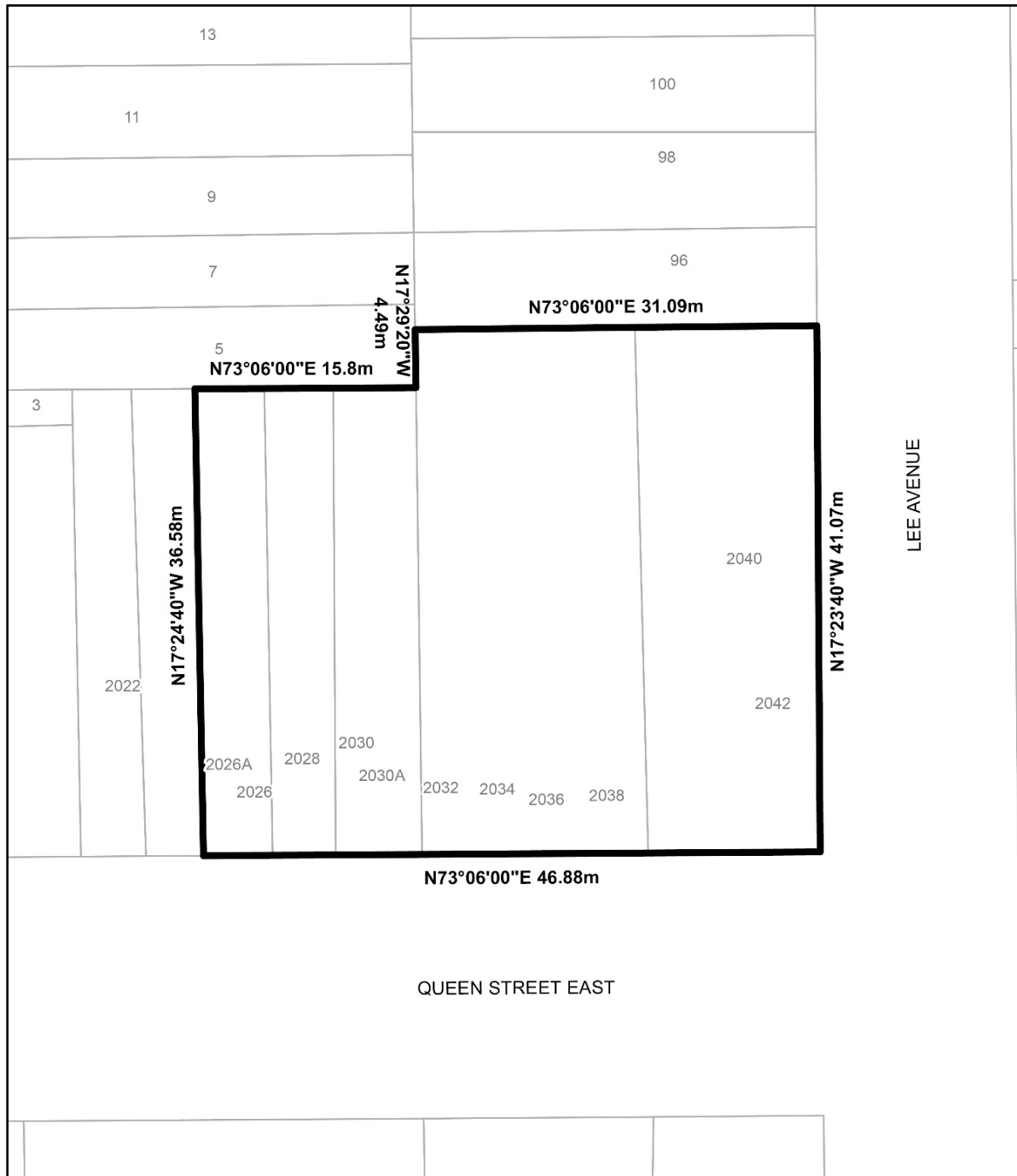


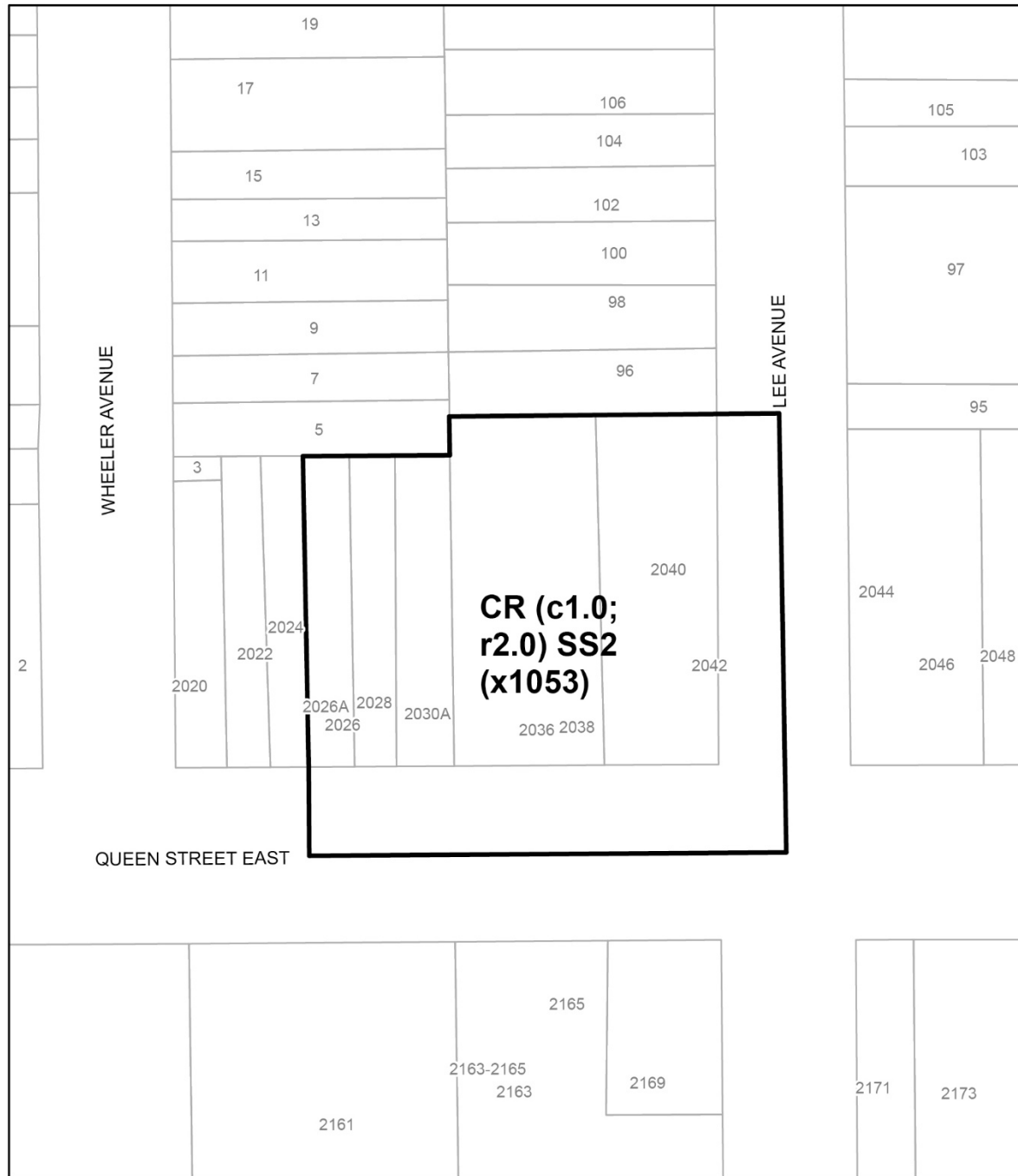
Diagram 2

Diagram 3

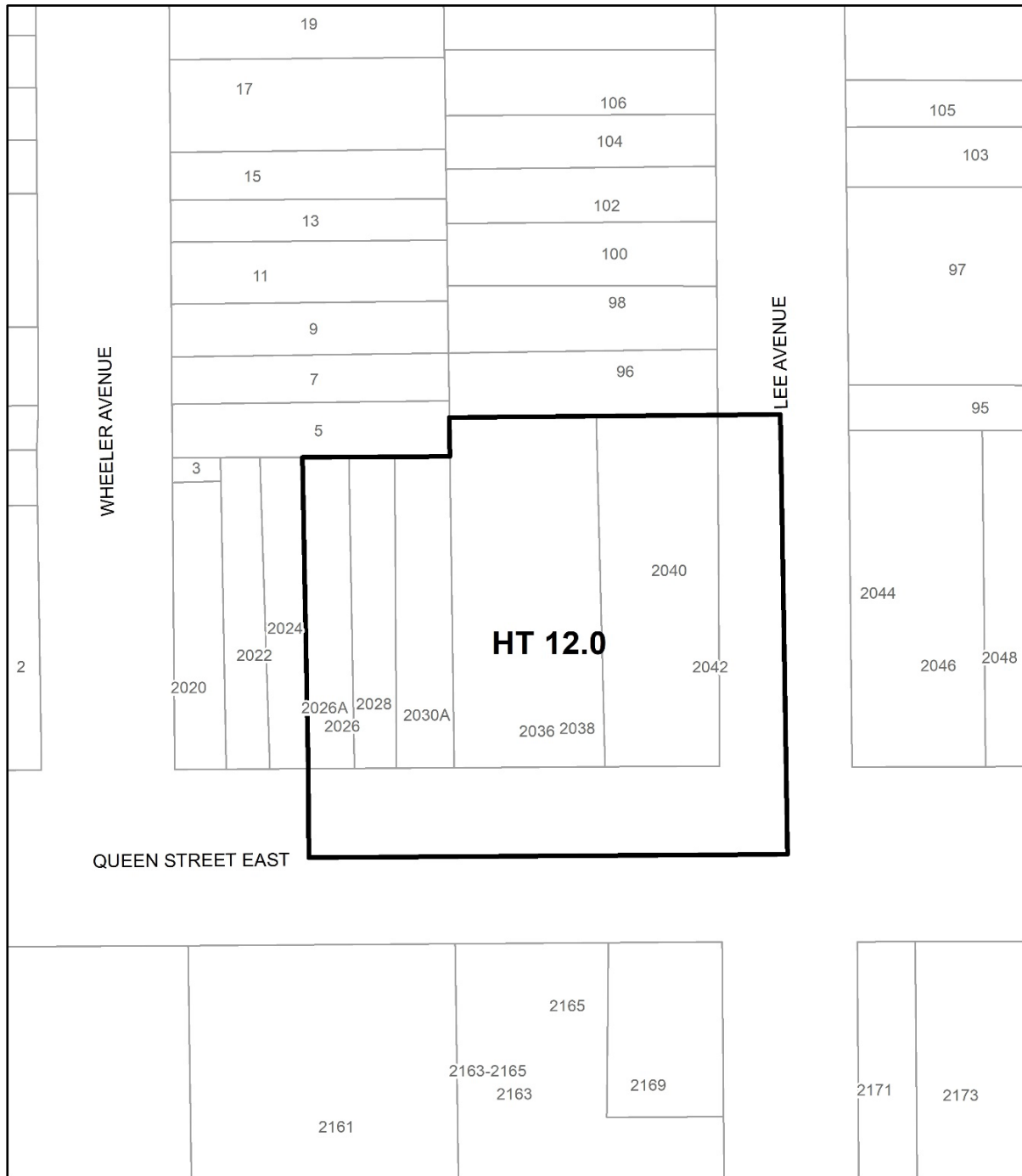


Diagram 4