Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-20XX

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2017 as, 1117 and 1119 Gerrard Street East

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*; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto (hereinafter referred to as the "City");

Whereas the Council of the City has required the owner of the aforesaid lands to enter into one or more agreements for the provision of certain facilities, services and matters in return for the increases in height and density permitted by this By-law;

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 by the by-law;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are municipally known in 2017 as 1117 & 1119 Gerrard Street East, as outlined by heavy black lines on Diagram 1 attached to and forming part

of this By-law.

2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

3. Zoning By-law No. 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 on Diagram 1 to R (d3.6) (x35), as shown on Diagram 2 attached to this By-law; and

4. Zoning By-law No. 569-2013, as amended, is further amended by adding a new exception 35 to Article 900.2.10 so that it reads:

Exception R 35

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 1117 and 1119 Gerrard Street East, if Section 5 and Schedule A of by-law [Clerks to supply by-law ##], are complied with, none of the provisions of Clause and Regulations 10.5.40.40(4), 10.5.40.60(3)(B), 10.5.40.70, 10.5.50.10(4) and (5), 10.5.80.1(2), 10.5.80.10(2), 10.5.80.30(1), 10.5.100.1(5), 10.10.20.100(3), 10.10.40.10(1), 10.10.40.30(1)(B), 10.10.40.40(1), 10.10.40.50(1)(A)(B), 10.10.40.70(1)(2)(3), 10.10.40.80, 200.5.1, 200.5.1.10(2)(A)(B)(D) and (12), apply to prevent the erection or use of a **building**, **structure**, addition or enlargement permitted in (B) to (R) below;

(B) The **lot** consists of the lands delineated by heavy lines on Diagram 1 of by-law[Clerks to supply by-law ##];

(C) The **building** is comprised of the existing **building** and the **building** addition as show on the attached Diagram 2 of by-law[Clerks to supply by-law ##];

(D) The total **gross floor area** of all **buildings** and **structures** must not exceed 4,700 square metres and:

(i) The total **gross floor area** for residential uses must not exceed 4,400 square metres;

(ii) The total **gross floor area** for non-residential uses must be a minimum of 235 square metres and not exceed 290 square metres;

(E) The residential **gross floor area** is comprised of 65 social housing

dwelling units on the **lot**;

(F) The **gross floor area** for non-residential uses must be comprised of a minimum 235 square metres for a Community Centre use that is operated by a local non-profit organization;

(G) The height of a **building** or **structure** is measured from the Canadian Geodetic Datum elevation of 89.00 metres

(H) The total height of the **building** or **structure** must not exceed the height in metres specified by the numbers following the symbol "H" as shown on Diagram 3 of By-law [Clerks to insert By-law ##];

(I) Despite (H) above, parapets, green roof elements, stair shafts, roof anchors, a roof top air cooler chiller and a roof top unit for ventilation and associated mechanical penthouse and equipment overrun may exceed the permitted maximum height specified by the number following the "H" symbol as shown on Diagram 3 of By-law [Clerks to insert By-law ##] by 3.5 metres;

(J) The height of the existing **building** must not exceed the height of that **building** as it existed on the date of the enactment of by-law [Clerks to supply by-law ##];

(K) Minimum **building setbacks** must be provided as shown on Diagram 3 of By-law [Clerks to insert By-law ##];

(L) Despite (K) above, canopies may encroach beyond the heavy lines shown on Diagram 3 of By-law [Clerks to insert By-law ##] by 1.5 metres;

(M) Despite (K) above, benches and planters may encroach beyond the heavy lines shown on Diagram 3 of By-law [Clerks to insert By-law ##] by 2.0 metres;

(N) Despite 10.10.40.50(1), **amenity space** must be provided and maintained in accordance with the following:

(i) Indoor **amenity space** at a minimum of 2 square metres for each **dwelling unit.** The indoor **amenity space** may be in a multi-purpose room or rooms and at least one room must contain a kitchen and a washroom; and

(ii) Outdoor **amenity space** at a minimum of 2 square metres for each **dwelling** unit. The outdoor **amenity space** must be provided and maintained on the **lot** in a location that may or may not adjoin or be directly accessible from indoor **amenity space**;

(O) Despite regulation 230.5.10.1 (1) **Bicycle parking spaces** must be provided and maintained on the **lot** in accordance with the following:

(i) A minimum of 6 long-term **bicycle parking spaces** must be provided below grade for residents; and

(ii) A minimum of 6 short-term **bicycle parking spaces** must be provided at grade for visitors;

(P) Despite 200.5.10.1(1) and Section 200.15, **parking spaces** must be provided and maintained in accordance with the following:

(i) A minimum of 5.0 **parking spaces** must be provided, subject to the following:

(ii) One (1) accessible **parking space** must be provided with minimum parking dimensions of:

Length – 6.0 metres;
Width – 3.7 metres;

(iii) Four (4) **parking spaces** must be provided with minimum parking dimensions of:

Length – 6.0 metres;
Width – 2.6 metres;

(Q) A minimum of 14% of the area of the **lot** shall be maintained as **landscaping**;

(R) A temporary sales office is permitted on the lot for a maximum of 3 years.

5. By-law [Clerks to insert By-law ##] shall apply to all of the lands collectively regardless of future severance, partition or division.

Prevailing By-law and Prevailing Sections:

(A) The lands must comply with exception 900.2.10(7).

6. Section 37 Provisions

(A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

(B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and

(C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on month ##, 20##.

Name,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

i. The owner shall provide and maintain on the site or on the lands known as 1117-1119 Gerrard Street East 36 replacement Social Housing Units, comprising of 36 one-bedroom dwelling units, from the date of first occupancy and for a period of at least 25 years, as generally shown on the plans dated August 26, 2016 for that site submitted to the City Planning Division. Any revision to these plans must be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

ii. The owner shall provide at least thirty-six (36) one-bedroom replacement Social Housing Units at 1117-1119 Gerrard Street East with rents-geared-to-income for at least 25 years;

iii. The Owner shall provide and maintain the 29 existing Social Housing Units at 1119 Gerrard Street East as rental housing for the period of at least 25 years, from the date of the Zoning By-Law coming into full force and effect, with all associated facilities and amenities building improvements to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;

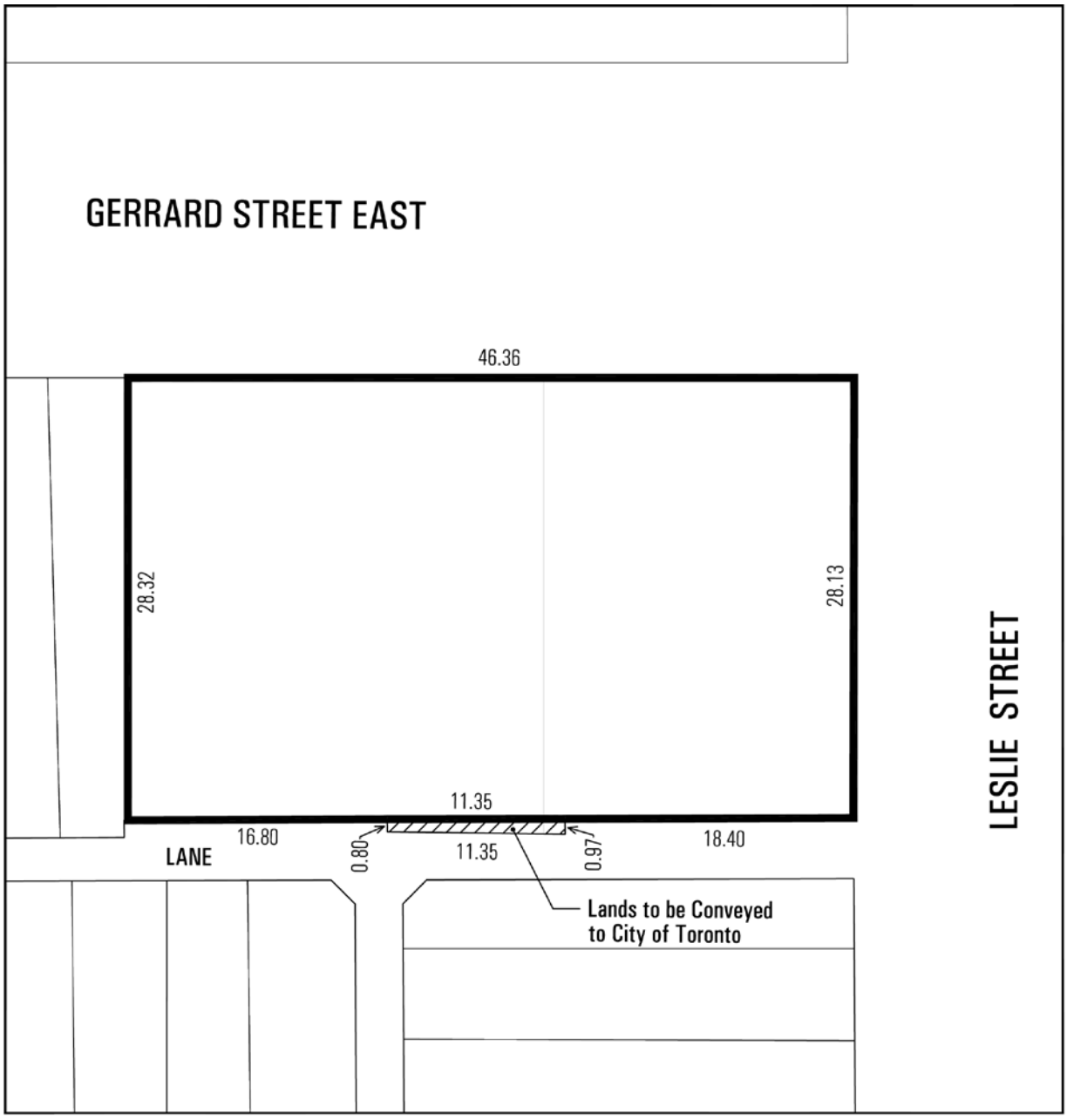
iv. The Owner shall expand the existing laundry room at 1119 Gerrard Street East to include at least four washers and 4 dryers prior to occupancy of the new building at 1117 Gerrard Street East;

v. The Owner shall renovate the existing rooftop at 1119 Gerrard Street East as illustrated in the August 26, 2016 Floor Plans to include at least two BBQs and patio furniture prior to occupancy of the new building at 1117 Gerrard Street East;

vi. The Owner shall make available all indoor and outdoor amenity spaces as illustrated in the August 26 Floor Plans for the new building at 1117 Gerrard Street East to tenants of both 1117 Gerrard Street East and 1119 Gerrard Street East without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings;

vii. The Owner shall provide a Construction Mitigation Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

viii. The Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

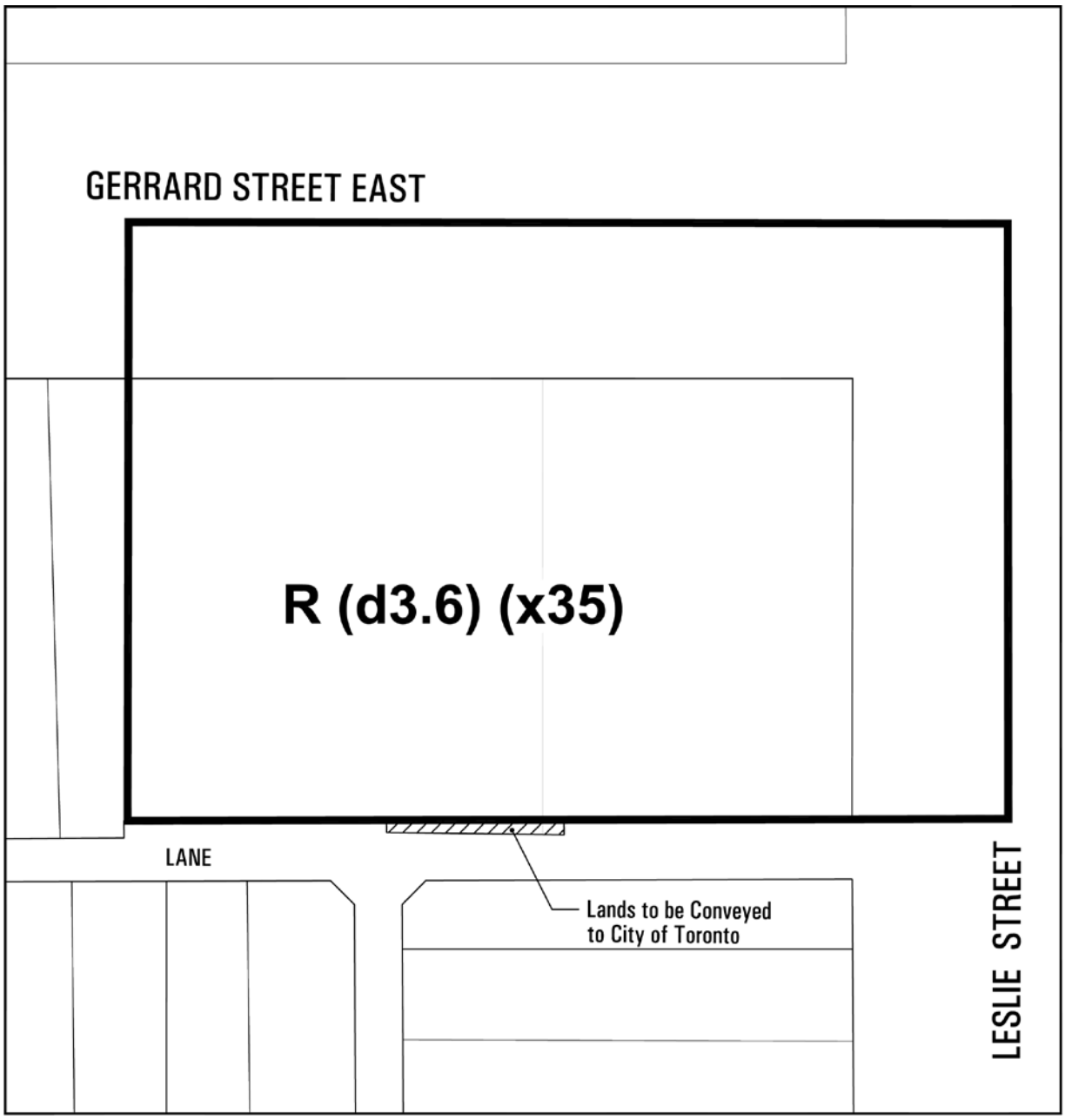


TORONTO
Diagram 1

1117 and 1119 Gerrard Street East

File # 15 256717 STE 30 OZ

City of Toronto By-Law 569-2013
Not to Scale
02/17/2017

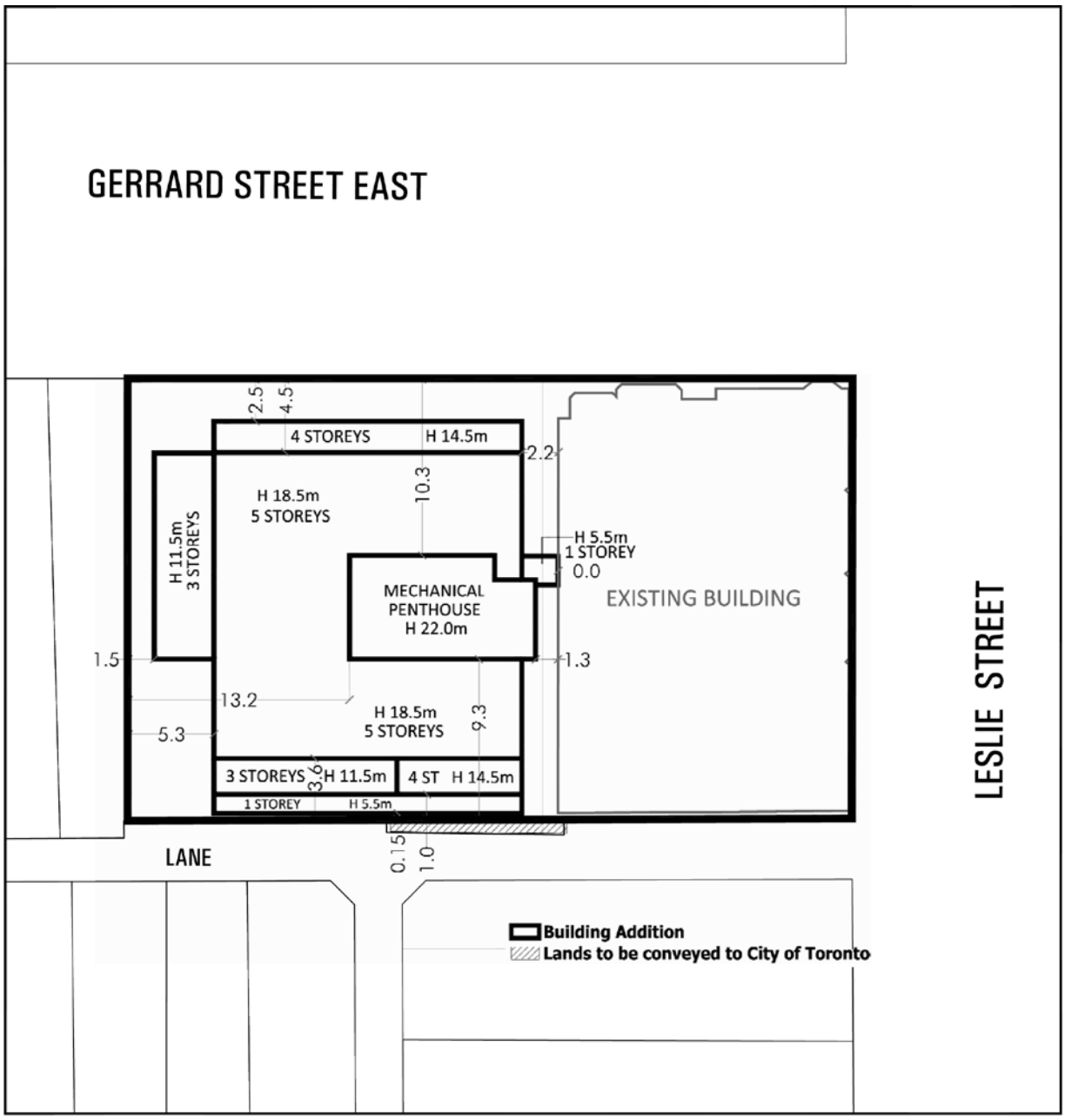


TORONTO
Diagram 2

1117 and 1119 Gerrard Street East

File # 15 256717 STE 30 OZ

City of Toronto By-Law 569-2013
Not to Scale
02/17/2017



TORONTO
Diagram 3

1117 and 1119 Gerrard Street East

File # 15 256717 STE 30 OZ

City of Toronto By-Law 569-2013
Not to Scale
02/17/2017