

# Attachment 9 regarding TE34.19

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

Enacted by Council: ~, 20~

## CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2018

**To amend ~ Zoning By-law No. 438-86, as amended, of the former City of Toronto with respect to the lands municipally known in the year 2017 as 175 Elizabeth Street**

WHEREAS authority is given to Council by 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*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. District Map 50H-313 contained in Appendix 'A' of By-law No. 438-86, as amended, is further amended by re-designating the land outlined by heavy lines on Map 1, attached to and forming part of this By-law, to "Q" district.
2. Section 12(1) 400 of By-law No. 438-86 is deleted.
3. None of the provisions of Section 2 with respect to the definitions of the terms, *bicycle parking space – occupant*, *bicycle parking space – visitor*, *grade*, *height*, *lot*, *non-residential gross floor area* and Sections 4(2), 4(5), 4(8), 8(2), 8(3) PART I, 8(3) PART II, 8(3) PART III, 12(2) 256, 12(2) 260, 12(2)380 of general Zoning By-law No. 438-86 of the former City of Toronto, being "A by-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of buildings containing non-residential uses on the *lot*, provided that:
  - (a) the *lot* consists of at least those lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
  - (b) the maximum *non-residential gross floor area* of the building erected on the *lot* shall not exceed 46,750 square metres, of which a retail and service shop use, as permitted under Section 8(1)(b)(iv) of Zoning By-law 438-86, as amended, may have an *interior floor area* of up to 500 square metres;
  - (c) no portion of the building erected or used above *grade* shall be located otherwise than wholly within the areas delineated by heavy lines on Map 3 attached to and forming part of this By-law;
  - (d) the minimum building setbacks are:
    - (i) for the first 10 metres of the building above *grade*, as shown on Map 3 of By-law [Clerks to supply by-law ##], 3.0 metres from the south *lot* line,

3.0 metres from the north *lot* line and 4.0 metres from the west *lot* line, but specifically excluding supporting columns, piers or other structural systems required for structural support of the building; and

- (ii) for the remainder of the building 10 metres above *grade*, zero (0) metres.
  - (e) no portion of the building may penetrate into the flight path Obstacle Limitation Surfaces identified in Ontario Regulation 114/16 and Schedule 1 of By-law 1432-2017 as of February 26, 2018;
  - (f) no part of a building, including a mechanical penthouse, erected or used above *grade* shall exceed the *height* limits illustrated by the numbers following the letter "H" shown on the attached Maps 3 and 4;
  - (g) the following additional uses are permitted on the *lot*:
    - (i) *club*;
    - (h) the maximum *gross floor area* of a *club* may not exceed 1,000 square metres;
    - (i) a total of 5 required loading spaces may be located on the adjacent lands municipally known as 674-686 Bay Street, 72-74 Elm Street, 85-87 Walton Street and a portion of Barnaby Place;
    - (j) zero (0) *parking spaces* shall be provided on the *lot*;
4. For the purposes of this By-law, each word or expression that is italicized shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, except for the following:
- (a) "*bicycle parking space - occupant*" means an area used for storing bicycles, having the following minimum dimensions:
    - (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
    - (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;
    - (iii) where the bicycles are to be parked in a *bicycle stacker*, has a minimum vertical clearance of 1.2 metres for each *bicycle parking space*; and
    - (iv) the *bicycle parking spaces* required by the By-law can be located in a secured room, enclosure or bicycle locker.
  - (b) "*bicycle parking space - visitor*" means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:

- (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
  - (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;
  - (iii) where the bicycles are to be parked in a *bicycle stacker*, has a minimum vertical clearance of 1.2 metres for each *bicycle parking space*; and
  - (iv) the *bicycle parking spaces* required by the By-law can be located in a secured room, enclosure or bicycle locker.
- (c) "*bicycle stacker*" means a device where by a *bicycle parking space* is positioned above or below another *bicycle parking space* and is accessed by means of an elevating device;
- (d) "*grade*" means 96.13 metres Canadian Geodetic Datum;
- (e) "*height*" means the highest point of the building or structure above *grade*;
- (f) "*interior floor area*" means the floor area of any part of a building, measured to: (A) the interior side of a main wall; (B) the centreline of an interior wall; or (C) a line delineating the part being measured.
- (g) "*lot*" means the lands outlined by heavy lines on Map 1 of this By-law;
- (h) "*non-residential gross floor area*" means the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level, exclusive of any areas in a building or structure used for:
- (i) parking, loading and bicycle parking below-ground;
  - (ii) required loading spaces at the ground level and required *bicycle parking spaces* at or above-ground;
  - (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
  - (iv) shower and change facilities required by By-law No. 569-2013 for required *bicycle parking spaces*;
  - (v) elevator shafts;
  - (vi) mechanical penthouse; and
  - (vii) exit stairwells in the building;

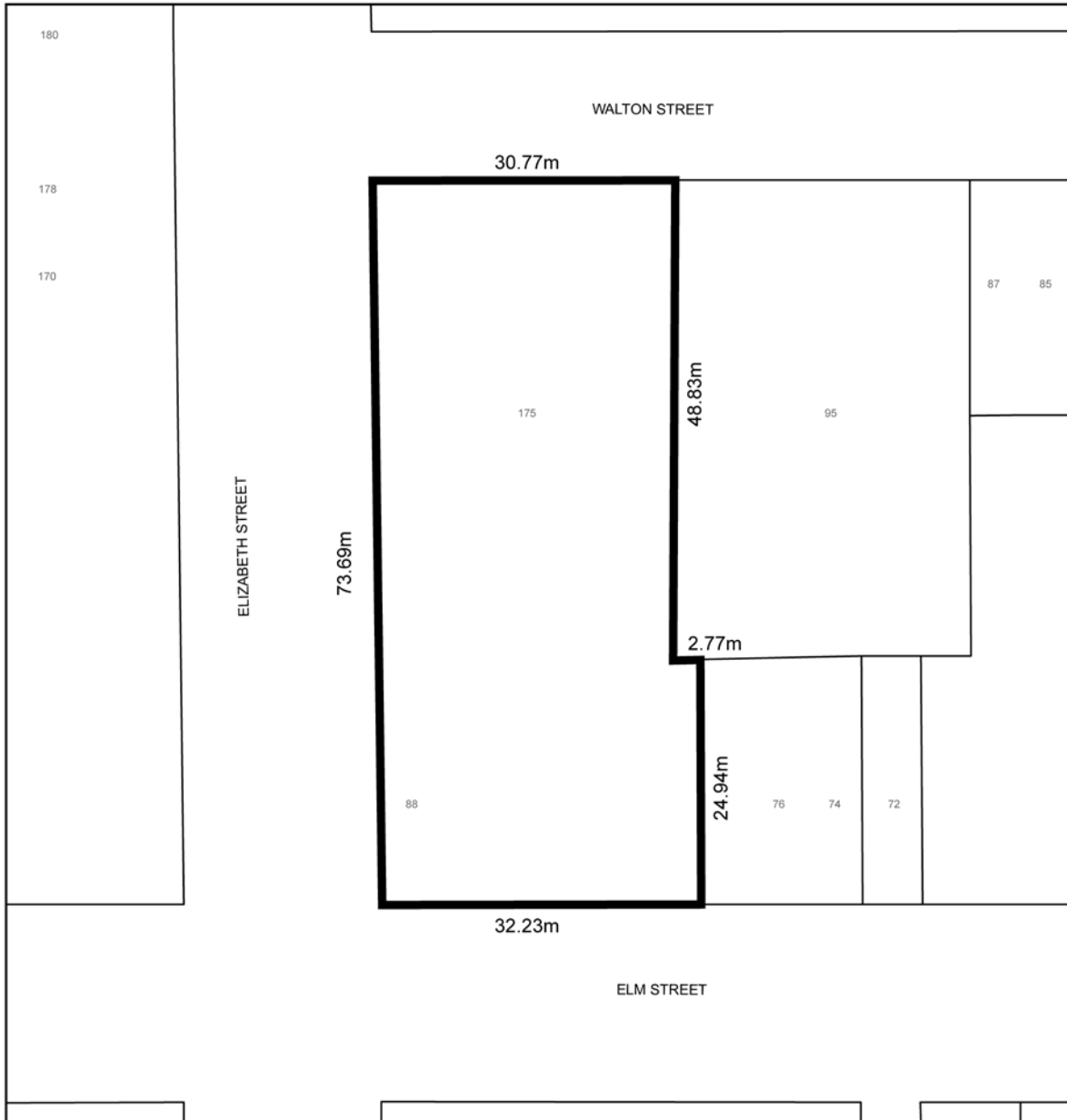
- (i) “*premises*” means the whole or part of lands, buildings or structures or any combination of these;
5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
6. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this By-law and By-law No. 438-86, as amended, shall apply to the whole of the *lot* as if no severance, partition or division had occurred.
7. Within the lands shown on Map 1 attached, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

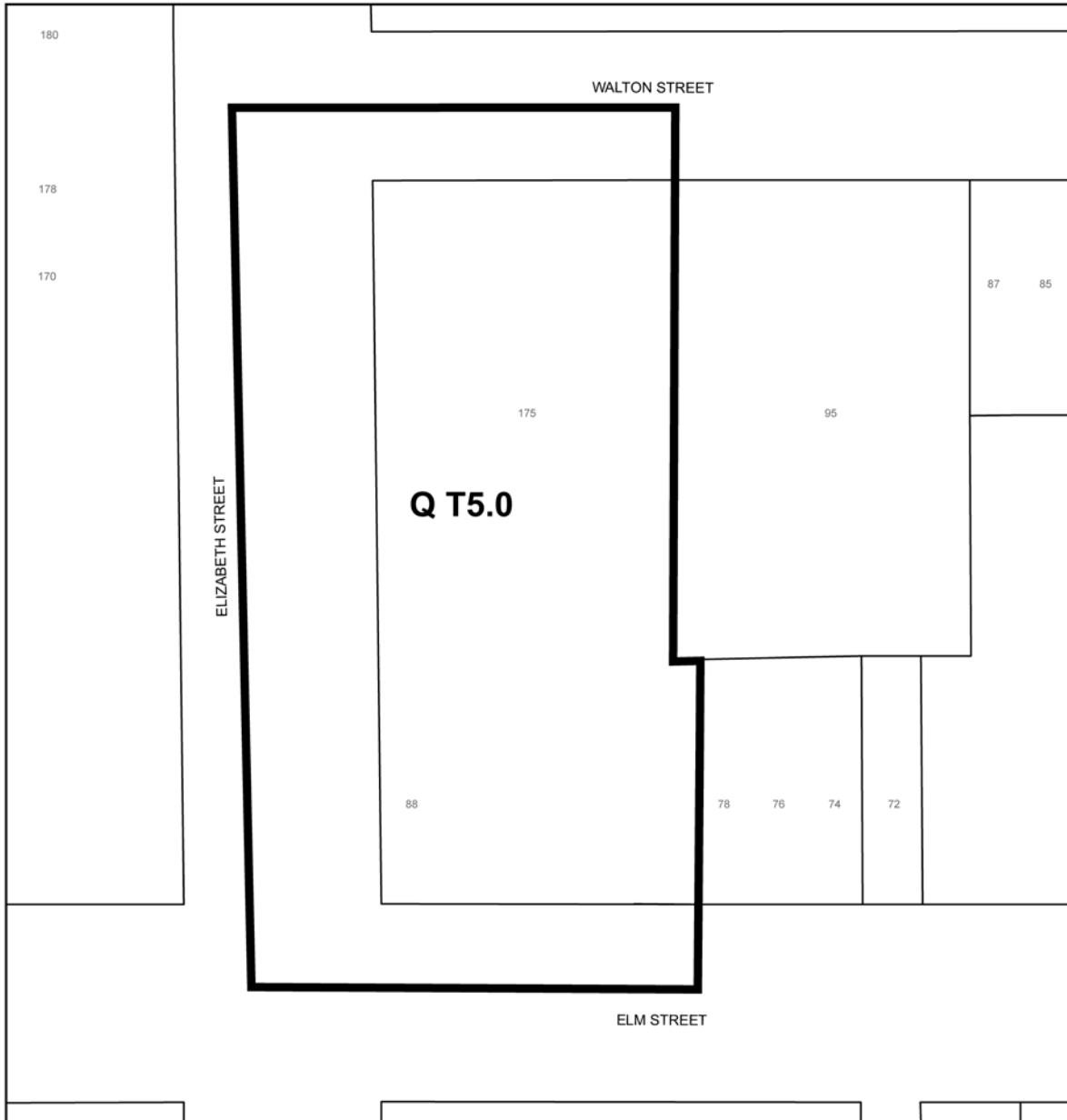
ENACTED AND PASSED this ~ day of ~, A.D. 2018.

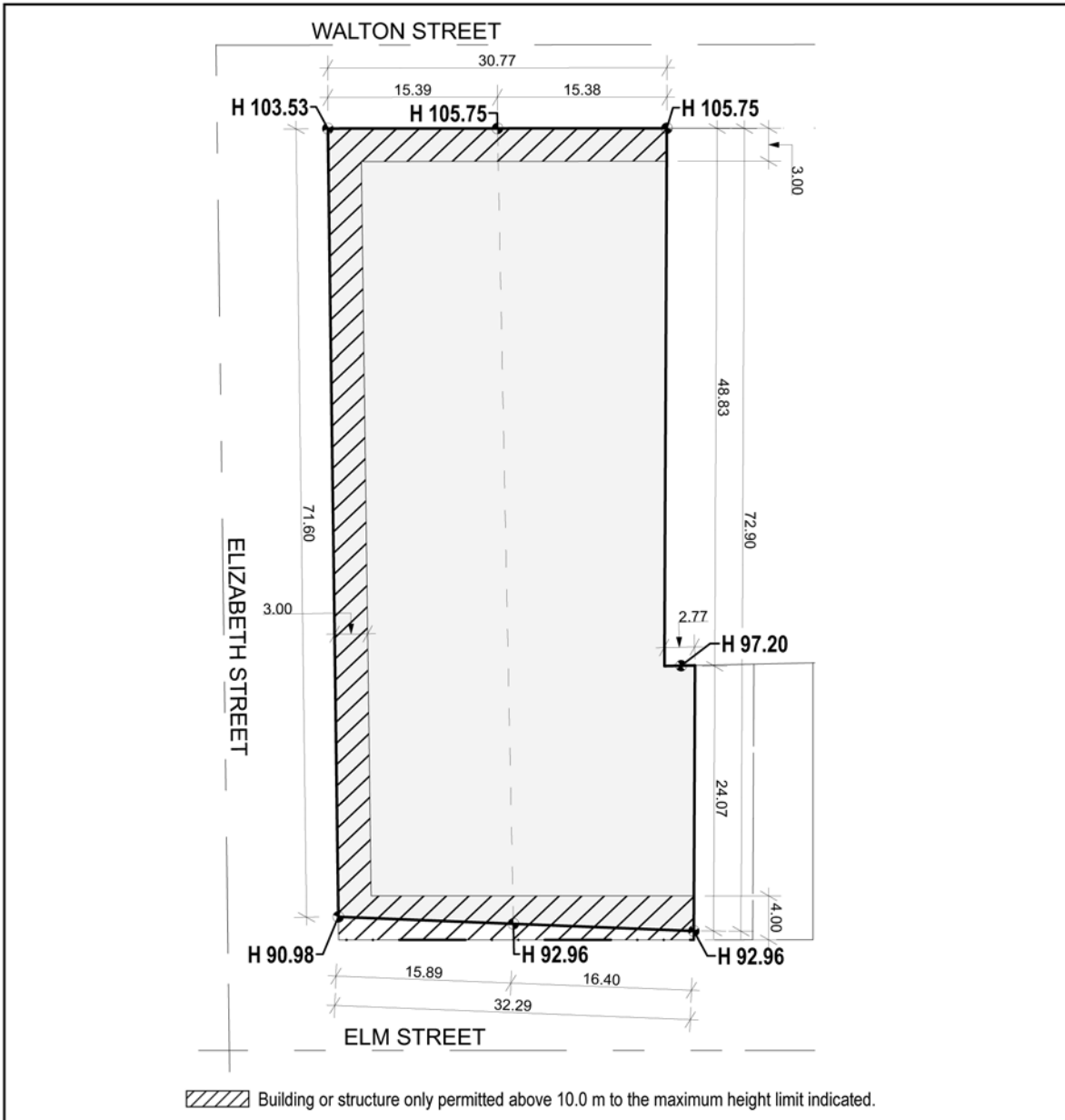
JOHN TORY,  
Mayor

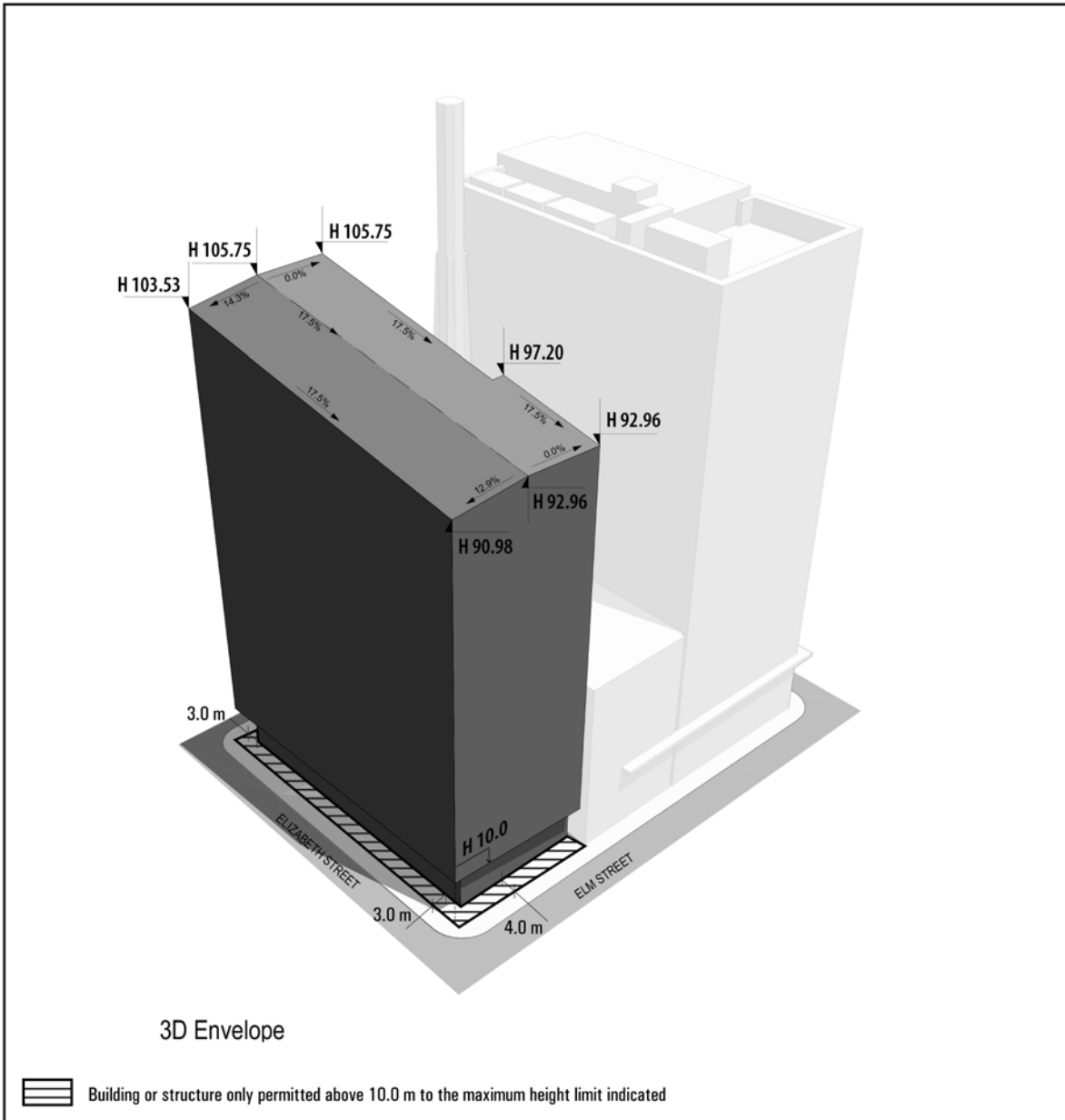
ULLI S. WATKISS,  
City Clerk

(Corporate Seal)










3D Envelope

 Building or structure only permitted above 10.0 m to the maximum height limit indicated