

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

CITY OF TORONTO

BY-LAW NO. XXXX – 20XX

To amend Zoning By-law No. 569-2013 with respect to the lands municipally known in the year 2020 as 276-290 Merton Street

Whereas authority is given to the Council of a municipality by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass Zoning By-laws;

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 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 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 900.11.10, respecting the lands municipally known in the year 2020 as 276-290 Merton Street, as outlined in heavy black line to CR 3.0 (c3.0; r1.5) SS2 (xxx), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number (xxx):

Exception CR (xxx)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions.

Site Specific Provisions:

- (A) Despite Clause 40.10.40.40, the total residential **gross floor area** of all **buildings** and **structures** on the **lot** must not exceed 7,850 square metres and the total non-residential **gross floor area** of all buildings and structures on the lot must not exceed 300 square metres, exclusive of a **commercial parking garage**;

- (B) Regulation 40.10.40.1(1) with respect to the location of residential use portions in a **mixed use building** does not apply;
- (C) The provision of **dwelling units** in a building with 60 or more residential units is subject to the following:
 - (i) a minimum of 10 percent of the total number of **dwelling units** must contain three bedrooms or more; and
 - (ii) a minimum of 15 percent of the total number of **dwelling units** must contain two bedrooms;
- (D) The provision of **dwelling units** in a building with less than 60 residential units is subject to the following:
 - (i) a minimum of 8 percent of the total number of **dwelling units** must contain three bedrooms or more; and
 - (ii) a minimum of 20 percent of the total number of **dwelling units** must contain two bedrooms;
- (E) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 147.72 metres CGVD2013 in the year 2019 and the elevation of the highest point of the **building** or **structure**;
- (F) Despite Regulations 40.5.40.10(1) and 40.10.40.10(2), no portion of any **building** or **structure** may have a **height** greater than the **height** in metres specified by the number following the “H” symbol as shown on Diagram 3 attached to and forming part of this By-law, excluding:
 - (i) wind screens, elevator overruns, mechanical equipment and any associated enclosure structures, parapets, awnings, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, eaves, screens, stairs, stair enclosures, roof drainage, window washing equipment, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, planters, and elements of a green roof, which may project a maximum of 5.0 metres above the height limits shown on Diagram 3 of this By-law;
- (G) Despite Regulations 40.5.40.70(1) and 40.10.40.70(1), the required minimum building setbacks are as shown in metres on Diagram 3 of this By-law;

- (H) Despite Clause 40.10.40.60 and (G) above the following elements of a **building** or **structure** are permitted to encroach into the required **building setbacks** shown on Diagram 3 of By-law:
- (i) cornices, light fixtures, ornamental elements, parapets, art and landscape features, pillars, trellises, balconies, balcony supporting structures or screens, terraces, eaves, window sills, planters, ventilation shafts, guardrails, railings, stairs, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and associated structures may extend a maximum of 2.5 metres beyond the heavy lines shown on Diagram 3 of this By-law;
 - (ii) despite (i) above, there shall be no balcony projections on the south facing walls, with the exception of a maximum 1.5 metre projection between heights 26.0 metres and 32.5 metres.
- (I) Despite Regulation 40.10.40.80 (2)(A), where a **main wall** of the building has windows and a line projected at a right angle from that **main wall** intercepts another **main wall** with windows on the same lot, the required minimum above-ground distance between the **main walls** is 10.0 metres;
- (J) Despite Clause 200.5.10.1 **Parking spaces** must be provided and maintained on the lands in accordance with the following:
- (i) a minimum of 0.4 **parking spaces** per **dwelling unit** for the use of the residents of the building;
 - (ii) a minimum of 0.1 **parking spaces** per **dwelling unit** for the use of residential visitors; and
 - (iii) up to 25 **parking spaces** may be located in **tandem**;
- (K) Despite Regulation 200.5.1.10.2 (A), up to 6 **parking spaces** may have the following dimensions:
- (i) a minimum width of 2.5 metres; and
 - (ii) a minimum length of 5.4 metres;
- (L) Despite Regulation 200.5.1.10 (2), the minimum requirements for obstructed **parking spaces**, in accordance with subsection (A)(iv) and (D), do not apply; and
- (M) Despite Article 220.5.10., one Type “G” **loading space** must be provided and maintained on the **lot**; and

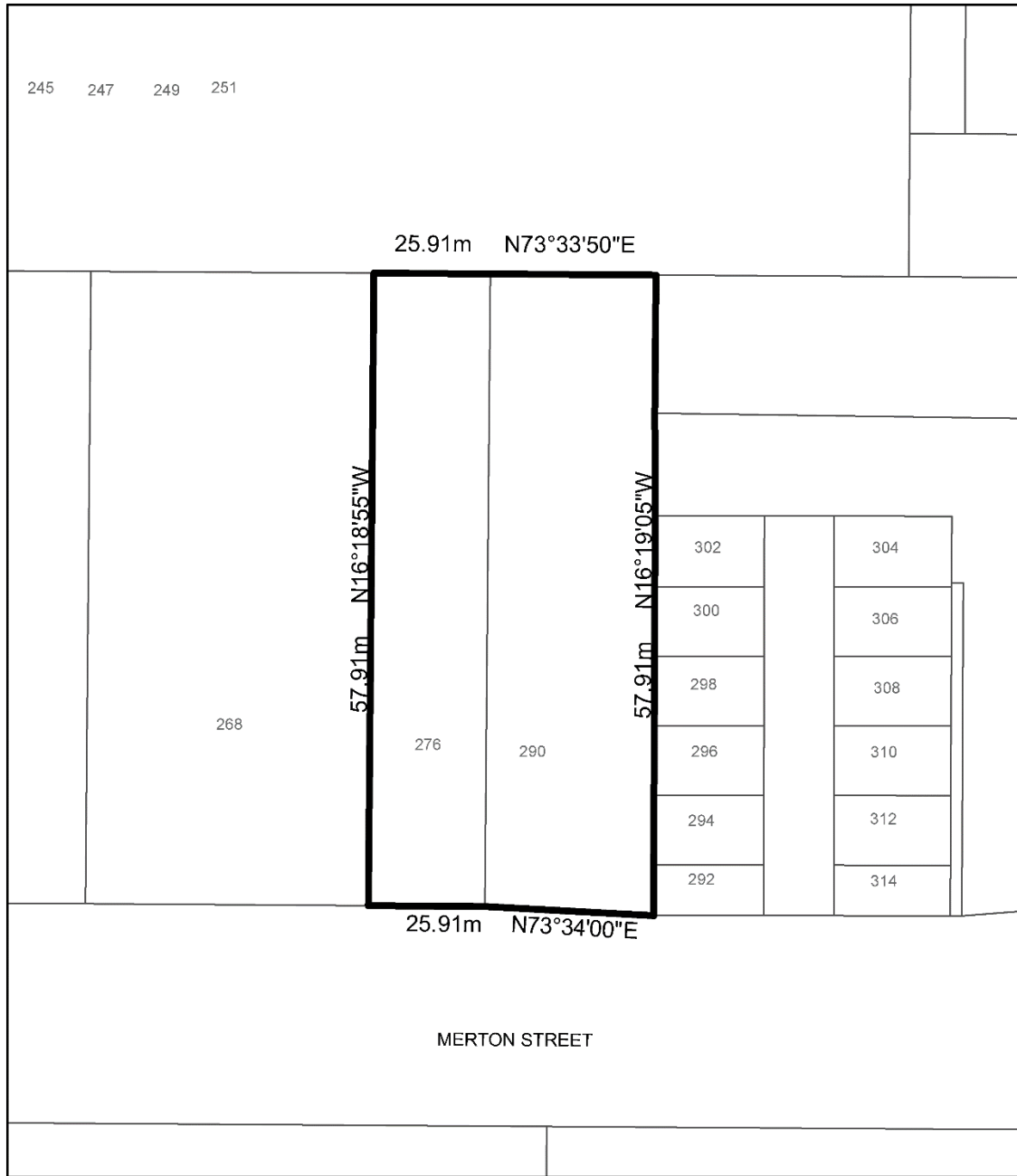
- (N) Despite 200.5.1.10 (13), access to **parking spaces** may be provided by an **automated parking system**. For the purpose of this By-law, automated parking system means a mechanical system for the purpose of parking and retrieving **vehicles** with or without drivers in the **vehicle** during parking and with or without the use of ramping or **drive aisles**. Automated maneuvering of other **vehicles** may be required in for **vehicles** to be parked or retrieved.
 - (O) Despite Clause 40.10.20.10, A **commercial parking garage** is permitted underground on the **lot**. For the purposes of this By-law a **commercial parking garage** means a parking facility used for temporary parking of motor vehicles as a principle use on a lot
5. Despite any future severance, partition or division of the **lot** as shown on Diagram 1, the provisions of this By-law must apply as if no severance, partition or division occurred.

ENACTED AND PASSED this _____ day of _____, 20XX.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



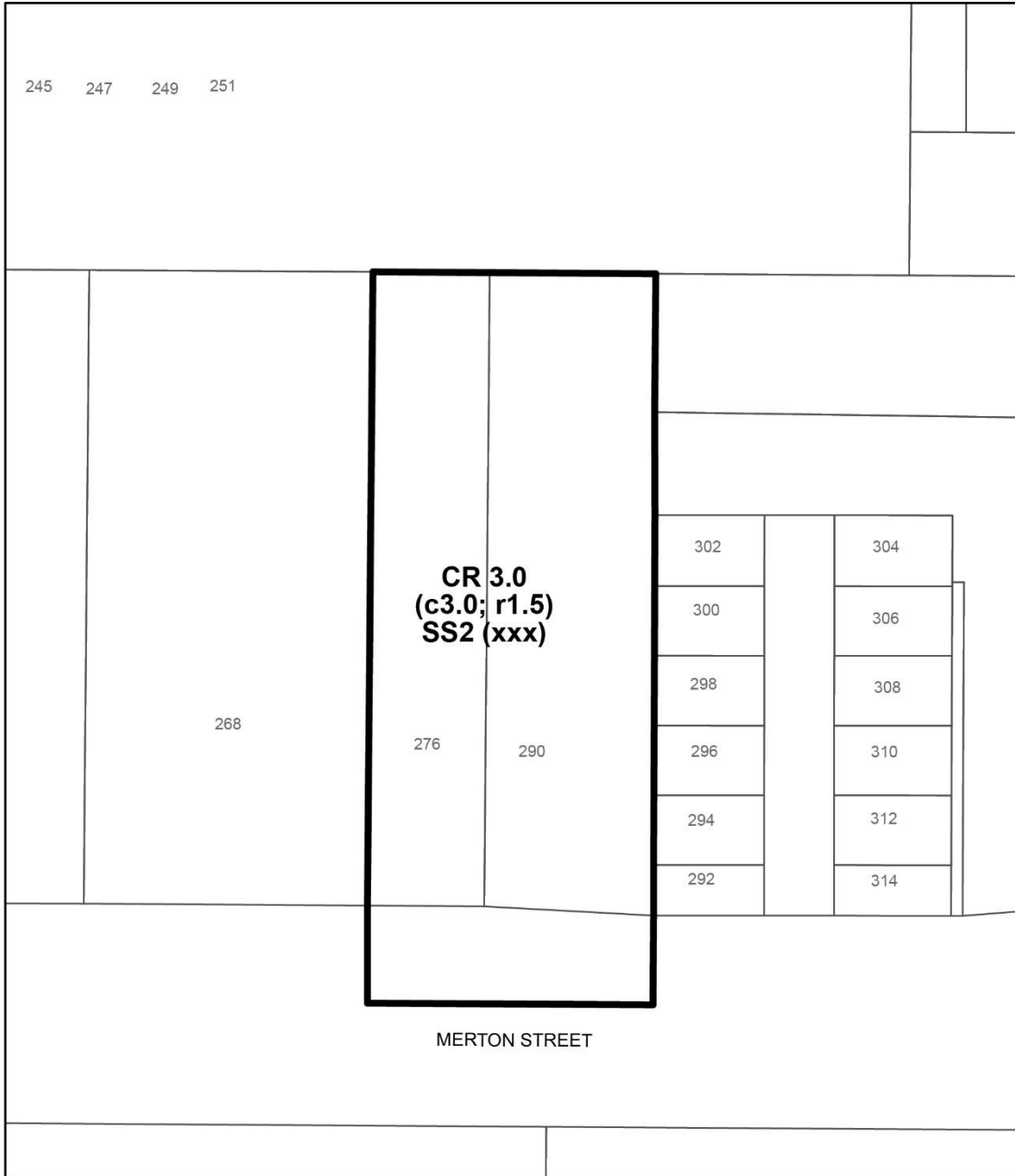
 **TORONTO**
Diagram 1

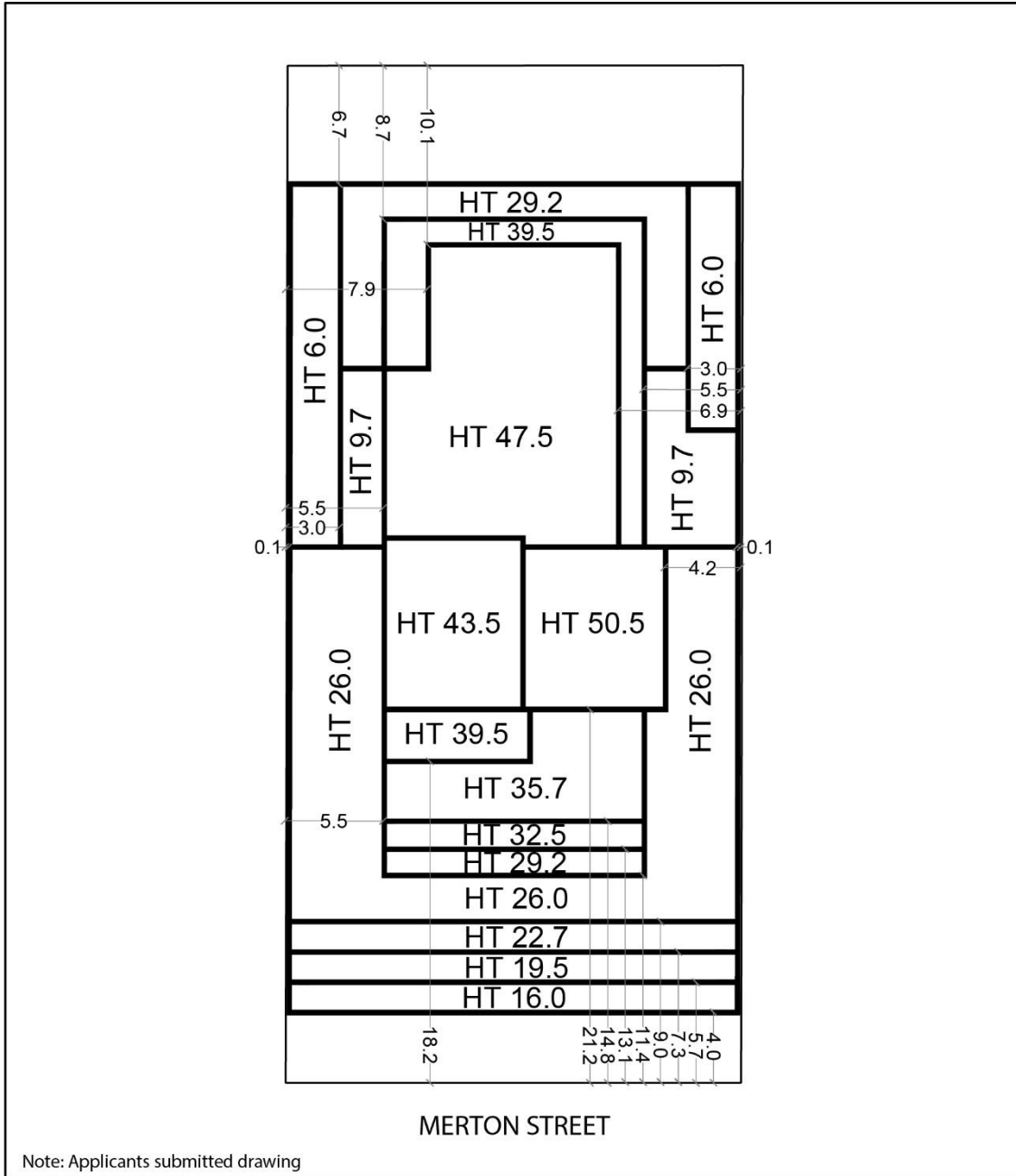
276 - 290 Merton Street

File # 18 172768 STE 22 OZ



City of Toronto By-law 569-2013
Not to Scale
10/05/2020





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Diagram 3

276 - 290 Merton Street

File # 18 172768 STE 22 0Z

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