

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2021

Enacted by Council: ~, 2021

**CITY OF TORONTO
BY-LAW No. ~-2021**

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 2400-2444 Yonge 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*; and

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 adding Article 900.11.10 Exception Number ____ so that it reads:

Exception CR (x)

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 2400-2440 Yonge Street, none of the requirements of 5.10.40.1(3), 5.10.40.40(1), 5.10.40.80(1), 40.5.40.10, 40.5.40.70, 40.10.40.1(1), 40.10.40.10(2), 40.10.40.40(1), 40.10.40.50(1), 40.10.40.60, 40.10.40.70(2), 40.10.50.10, 40.10.90.40(3), 40.10.100.10(1), 200.5.10.1, 220.5.10.1(1), 230.5.1.10(4), (5), (7) and (9), 230.5.10.1(1) and (5), 230.40.1.20(1)(C), and 230.40.1.20(2), apply to prevent the use or erection of a **mixed use building**, including **ancillary** uses thereto on the **lot** in accordance with Sections B. to P. below:
- B. The **lot** comprises the lands delineated by heavy lines on Diagram 1, attached to By-law ### [NTD: City Clerk to provide By-law #];

- C. Despite the uses listed in Article 40.10.20.10(1)(B) and 40.10.20.20(1)(B), the uses permitted under the letter 'r' are a **Dwelling Unit** in a **Mixed Use Building** and **Townhouses**;
- D. Despite the uses listed in Article 40.10.20.20(1), the only conditional use permitted is: **Public Parking**, which is a permitted use conditional upon being provided within a **parking garage** located below **established grade**;
- E. No portion of any **building** or **structure** erected on the **lot** must not exceed the maximum height in metres specified by the numbers following the symbol HT as shown on Diagram 2, attached to By-law ### [NTD: City Clerk to provide By-law #];
- F. No portion of any **building** or **structure** may extend beyond the minimum **building setbacks** for **buildings** and **structures** on the **lot** as shown on Diagram 2, attached to By-law ### [NTD: City Clerk to provide By-law #];
- G. Despite E) and (F) above, the following **building** elements and **structures** are permitted to exceed the maximum **heights** as delineated by the letter “HT” as shown on Diagram 2, and the following **building** elements, **structures**, and projections are permitted to extend into required **building setbacks** shown on Diagram 2 attached to By-law ### [NTD: City Clerk to provide By-law #] and beyond the heavy lines referred to herein:
 - i. Architectural features, air intake and handling units, awnings, balconies, bay windows, bicycle racks, bollards, canopies, chimneys, communication equipment, cooling tower, cornices, columns, eaves, elevator enclosures and overruns, fences, flues, green roof, guardrails, insulation and roof surface materials, landscape and public art features, lighting fixtures, mechanical penthouses, ornamental elements, parapets, pipes, planters, platforms, railings, retaining walls, satellite dishes, screens, stacks, stairs, stair enclosures, terraces, trellises, utility and mechanical equipment, underground garage ramps and their associated structures, vents, walkways, wheel chair ramps, wind protection, window sills, and window washing equipment; and
 - ii. Elements or structures on any portion of a roof used for outside or open air recreation, including required residential **amenity space**;
- H. The total **gross floor area** of all **buildings** and **structures** must not exceed a maximum of 47,300 square metres which includes:
 - i. A maximum of 41,250 square metres for residential uses;
- I. Despite Section 40.10.40.50.(1), indoor **amenity space** must be provided on the **lot** at a minimum rate of 2.0 square metres per **dwelling unit** and outdoor amenity

space must be provided on the **lot** at a minimum rate of 1.60 square metres per **dwelling unit**;

- J. Despite Sections 200.5.10.1 (1), (7), (8), (9), and (11) and 200.5.200, **parking spaces** shall be provided and maintained on the **lot** in accordance with the following minimum requirements:
 - i. For residents, a minimum of 0.3 **parking spaces** per dwelling unit; and
 - ii. For residential visitors, a minimum of 0.1 **parking spaces** per dwelling unit;
- K. Required residential visitor **parking spaces** may be shared with retail commercial uses and may be used commercially for profit.
- L. Despite Section 200.5.1.10.(2), **parking spaces** may be obstructed;
- M. Despite Section 230.5.10.(7), one shower and change facilities must be provided for each gender;
- N. A minimum of 1 Type “C” **loading space**, one Type “G” **loading space** and three Type “E” **loading spaces** shall be provided and maintained on the **lot**;
- O. Despite regulation 800.50.820, **storey** means a level of a **building**, other than a basement, located between any floor and the floor, ceiling or roof immediately above it. For the purposes of this By-law, a mezzanine is not a **storey**;
- P. Despite any provisions of By-law 569-2013, as amended, and By-law ### [NTD: **City Clerks to provide By-law #**], a temporary **sales office** shall be permitted on the **lot**;
- Q. For the purposes of this By-law, the words highlighted in bold type in this Exception have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions, save and except for:
 - i. **Car-share** means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars to be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;
 - ii. **Established Grade** means an elevation of 167.70 metres Canadian Geodetic Datum;
 - iii. **Height** means the vertical distance between **grade** and the highest point of the **building** or **structure**, subject to permitted projections;

- iv. **Long-Term Bicycle Parking Space** means an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles, and:
 - a. Where the bicycles are to be parked in a stacked horizontal manner, have dimensions of at least 2.0 m in length, a minimum width of 0.45 metres, and a minimum vertical clearance of 1.3 metres; and
 - b. May be located outdoors or indoors including within a secured room or enclosure.
 - v. **Short-Term Bicycle Parking Space** means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:
 - a. Where the bicycles are to be parked in a stacked horizontal manner, have dimensions of at least 2.0 m in length, a minimum width of 0.45 metres, and a minimum vertical clearance of 1.3 metres; and
 - b. May be located outdoors or indoors including within a secured room or enclosure.
 - vi. **Sales Office** means a building, structure, facility or trailer on the **lot** used for the purpose of the sale of **dwelling units** to be erected on the lot and/or the administration and management of construction activity related to construction on the **lot**;
- R. None of the following Prevailing Sections from City of Toronto By-law No. 438-86 shall apply to the **lot**:
- i. Section 12(2) 118
 - ii. Section 12(2) 119
 - iii. Section 12(2)269
 - iv. Section 12(2)270(a)
- S. Despite any existing or future consent, severance, partition or division of the lot, the provisions of By-law ### [NTD: City Clerks to provide By-law #], shall apply to the **lot**, as identified on Diagram 1, as if no consent, severance, partition or division occurred.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)