

Authority: Planning and Housing Committee Item PHXX.X,  
as adopted by City of Toronto Council on XXX, 2021

## CITY OF TORONTO

### BY-LAW XXXX-2021

**To amend former City of Toronto By-law 1994-0805, Railway Lands - West, as amended, with respect to lands known municipally in the year 2020 as 150 Queens Wharf Road.**

Whereas authority is given to Council of the City of Toronto by Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council 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. None of the provisions of Sections 4(3)(a)(i) and (ii), 4(5), 4(6), 4(7), 4(8), 10(3), 7 PART II 1(ii), 7 Part II 4(c), (e) and (f), 7 PART II 3(b), 7 PART II (5), 7 PART IV (2)(ii), 7 PART IV(3), 10(11), 10(16), Height Map 50G-321, Map 4 – By-law 1994-0805 and Map 5 – By-law 1994-0805 of Zoning By-law 1994-0805, as amended, 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 Railway Lands - West", shall apply to prevent the erection and use of a *mixed-use building* on the *lot* provided that:
  - (a) the *lot* comprises at least the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
  - (b) no portion of any building or structure on the *lot* shall have a *height* in metres greater than the *height* limits specified by the numbers following the letters "H" identified on Map 2 attached to and forming part of this By-law, except for the following:
    - (i) within the 'Mechanical Zone' as shown on Map 2 of this By-law, mechanical and electrical room elements and structures, elevator overrun, elevator lobby and vestibule, emergency generators, heating and cooling vents, covered stairs and uses that support the adjoining outdoor *residential amenity space*, including vestibule, storage areas and a washroom may project above the *height* limits by a maximum of 7.0 metres;
    - (ii) structures located on the roof used for outside or open air recreation, safety or wind protection purposes may project above the *height* limits by a maximum of 3.0 metres;
    - (iii) despite (i) above, an exit vestibule for a green roof located within the 'Mechanical Zone' as permitted by (i) above, may project above the maximum *height* projection permitted by (i) by an additional 2 metres;

- (iv) architectural features and parapets may project above the *height* limits by a maximum of 1.0 metre;
  - (v) elements and structures associated with a green roof may project above the *height* limits by a maximum of 1.0 metre;
  - (vi) building maintenance equipment and window washing equipment may project above the *height* limits by a maximum of 6.5 metres; and
  - (vii) planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace may project above the *height* limits by a maximum of 2.5 metres; and
  - (viii) trellises, pergolas, and unenclosed structures providing safety, wind or noise protection to rooftop *residential amenity space* may project above the *height* limits by a maximum of 3.0 metres;
- (c) Despite the Table within Section 7, PART II, Subsection 5, no portion of any building or structure erected and used above *grade* on the *lot* shall be located other than wholly within the *lot* and within the areas delineated by heavy lines and by dashed lines on ground level as shown on Map 2 of this By-law, except for the following structures and elements:
- (i) cornices, light fixtures, ornamental elements, parapets, art and landscape features, patios, decks, trellises, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, and underground garage ramps and associated structures and playground and associated structures;
  - (ii) extensions of canopies, awnings, wind mitigation elements, pillars, terraces, and extensions of the roof are permitted to project 0.5 metres on the west and north main walls, 1.5 metres on the east main wall, and 3 metres on the south main wall; and
  - (iii) balconies are only permitted above a *height* of 26.65 metres, and are permitted to project a maximum of 1.5 metres on the west, east and south main walls and a maximum of 0.3 metres on the north main wall;
- (d) a minimum of 67 *parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
- (i) a minimum of 39 *parking spaces* shall be provided for residents, of which a maximum of 2 may be "*car-share parking spaces*";
  - (ii) a minimum of 28 *parking spaces* are required for visitors, of which a maximum of 2 may be used by employees of the non-residential units on the *lot*; and

- (iii) the required residential visitor *parking spaces* in (ii) above may be provided as "*public parking*" on a non-exclusive basis;
- (e) despite the definition of "*parking space*" in Section 2(1) of By-law 1994-0805, as amended, a *parking space* on the *lot* shall have the following minimum dimensions:
  - (i) width of 2.6 metres;
  - (ii) length of 5.6 metres; and
  - (iii) vertical clearance of 2.0 metres;
- (f) despite 1(e) of this By-law, a minimum of 2 accessible *parking spaces* shall be provided on the *lot* with the following minimum dimensions:
  - (i) length of 5.6 metres;
  - (ii) width of 3.4 metres;
  - (iii) vertical clearance of 2.1 metres;
  - (iv) the entire length of accessible *parking spaces* must be adjacent to a 1.5 metre wide accessible barrier free aisle or path; and
  - (v) accessible *parking spaces* must be *parking spaces* located within a distance of 15 metres of a barrier free entrance to the building or passenger elevator that provides access to the first storey of the building;
- (g) a maximum of 12 *parking spaces* of the total number of spaces required by 1(d) of this By-law may have a part of a fixed object such as a wall, column, bollard fence or pipe located:
  - (i) within 0.3 metres of the side of the *parking space*, measured at right angles; and
  - (ii) more than 1.0 metre from the front or rear of the *parking space*;
- (h) ingress and egress to and from the underground *parking garage* for the *lot* may be provided from a shared access parking ramp located on the property to the south, municipally known in the year 2020 as 170 Fort York Boulevard;
- (i) one shared *loading space – type G* shall be provided and maintained on the *lot*;
- (j) despite Section 4(6) and the definition of "*loading space – type G*" in Section 2(1) of By-law 1994-0805, as amended, *loading space – type G* shall have the following dimensions:
  - (i) minimum length of 13.0 metres;

- (ii) minimum width of 4.0 metres; and
- (iii) minimum vertical clearance of 6.1 metres;
- (k) despite Section 4(7) and the definition of "*residential amenity space*" in Section 2(1) of By-law 1994-0805, as amended, *residential amenity space* for each *dwelling unit* may include pet-oriented facilities and shall be provided in accordance with the following:
  - (i) a minimum of 1.5 square metres of indoor *residential amenity space* shall be provided for each *dwelling unit*; and
  - (ii) a minimum of 1.5 square metres of outdoor *residential amenity space* shall be provided for each *dwelling unit*;
- (l) a minimum of 339 *bicycle parking spaces* shall be provided and maintained on the *lot* of which:
  - (i) a minimum of 305 *bicycle parking spaces – occupant*;
  - (ii) a minimum of 34 *bicycle parking spaces - visitor* shall be located indoors on the first storey above *grade* or outdoors; and
  - (iii) a maximum of 200 *bicycle parking spaces - occupant* are permitted to be provided on first two storeys below-*grade*;
- (m) despite the definition in Section 2(1) of By-law 1994-0805, as amended, *bicycle parking spaces – visitor* may be located in a secured room or enclosure;
- (n) all *bicycle parking spaces* that are located indoors may be provided in a *stacked bicycle parking space* with a horizontal dimension of 0.45 metres and a vertical dimension of 1.2 metres;
- (o) a total of 40 percent of the *dwelling units* must be provided as multi-*bedroom* units, of which:
  - (i) a minimum of 15 percent of the *dwelling units* in the building must contain two *bedrooms*;
  - (ii) a minimum of 10 percent of the *dwelling units* in the building must contain three *bedrooms*; and

if the calculation to determine the required percentage of multi-*bedroom dwelling units* in (i) and (ii) above results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (p) a minimum of 50 percent of the minimum required amount of multi-*bedroom dwelling units* in the building must be located below the fifteenth storey;

- (q) if the calculation to determine the required percentage of multi-*bedroom dwelling units* located below the fifteenth storey in 1(p) above results in a number with a fraction, the number shall be rounded down to the nearest whole number.
- (r) despite the definitions in Section 2(1) of By-law 1994-0805, as amended, *bedrooms* may be less than 7 square metres in size;
- (s) despite Sections 5(1)(a), (c) and (e) and Subsection (b) of the Chart within Section 5(1)(f) of By-law 1994-0805, as amended, only the following non-residential uses are permitted on the *lot*:
  - (i) *club*;
  - (ii) *place of assembly*;
  - (iii) *clinic*;
  - (iv) *community centre*;
  - (v) *day nursery*;
  - (vi) *municipal community centre*;
  - (vii) premises of a *charitable institution*,
  - (viii) *non-profit institution* or other community or social agency;
  - (ix) *public art gallery*;
  - (x) *public museum*;
  - (xi) *union hall*;
  - (xii) *bake-shop*;
  - (xiii) *caterer's shop*;
  - (xiv) *entertainment facility*;
  - (xv) *personal grooming establishment*;
  - (xvi) *private art gallery*;
  - (xvii) *restaurant/licensed facility*;
  - (xviii) *retail store*;
  - (xix) *service, rental or repair shop*;

- (xx) *tailoring shop*;
  - (xxi) *take-out restaurant*;
  - (xxii) *artist's or photographer's studio*;
  - (xxiii) *communications and broadcasting establishment*;
  - (xxiv) *custom workshop*;
  - (xxv) *publisher*;
  - (xxvi) *office*;
  - (xxvii) *pedestrian walkway*;
  - (xxviii) *commercial school*;
  - (xxix) *trade school*;
  - (xxx) *public parking*; and
  - (xxxi) *ornamental structure*;
- (t) despite Sections 5(1)(b) and (d) of By-law 1994-0805, as amended, the non-residential uses permitted in 1(s) of this By-law are not required to comply with the qualifications in Section 5(2) of By-law 1994-0805 before the use is permitted;
- (u) despite the definitions in Section 2(1) of By-law 1994-0805, as amended, "*residential gross floor area*" and "*non-residential gross floor area*" means the aggregate of the areas of each floor and the spaces occupied by walls and stairs, above or below-grade in a *mixed-use building*, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, exclusive of the following areas:
- (i) *parking and loading*;
  - (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;
  - (iv) *shower-change facilities* required by this By-law for required *bicycle parking spaces*;
  - (v) elevator shafts;
  - (vi) garbage shafts;

- (vii) mechanical penthouse;
  - (viii) exit stairwells in the building;
  - (ix) all areas below-*grade*;
  - (x) all bike rooms/storage areas whether located above or below-*grade*; and
  - (xi) all *residential amenity space*;
- (v) despite Section 7, Part I, Subsection 1 of By-law 1994-0805, as amended, additional *residential gross floor area* is permitted up to a maximum of 22,000 square metres;
- (w) despite Section 7, Part I, Subsection 2 of By-law 1994-0805, as amended:
- (i) a minimum of 300 square metres is required for non-residential uses, excluding outdoor space *accessory* to the non-residential uses; and
  - (ii) a maximum of 500 square metres is permitted for non-residential uses, excluding outdoor space *accessory* to the non-residential uses;
- (x) in addition to the gross floor area requirements of 1(v) and 1(w) of this By-law, the portions of a building or structure located above a *height* of 26.65 metres within the area labelled "H 89" on Map 2 attached to this By-law must not exceed a maximum floor area of 750 square metres measured from the exterior of the main walls of each floor level and inclusive of the entire floor;
- (y) despite Section 10(3) of By-law 1994-0805, as amended, the required setback from the south edge of the rail corridor is 23 metres;
- (z) in addition to the uses permitted in Section 10(3) of By-law 1994-0805, as amended outdoor space accessory to the non-residential uses are permitted within the rail corridor setback;
- (aa) publicly-accessible open space comprised of *landscaping* must be provided in the form of a minimum 1.5 metre wide pedestrian connection in the general location of the Publicly-Accessible Pedestrian Connection identified on Map 2 – Heights and Setbacks attached to this By-law. Door swings may encroach into this area; and
- (bb) the definitions of "*public garage*" and "*private garage*" in Section 2(1) of By-law 1994-0805, as amended, do not apply.
2. For the purpose of this By-law each word or expression that is italicized shall have the same meaning as that word or expression as defined in By-law 1994-0805, as amended, with the exception of the following word or expression which will have the meaning stated below:
- (a) "*grade*" shall mean 84.2 metres Canadian Geodetic Datum;

- (b) "*height*" shall mean the vertical distance between *grade* and the highest point of the building or structure, excluding permitted projections identified in section 1(b) of this By-law;
  - (c) "*lot*" means the lands outlined by heavy lines on Map 1 attached to and forming part of this By-law;
  - (d) "*car share*" means 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 the 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 which may or may not be refundable, and "*car share parking space*" means a *parking space* exclusively reserved and used for car share purposes where the vehicle is accessible to at least the occupants of the building;
  - (e) "*public parking*" means premises having an area for the parking of one or more vehicles and the parking of a vehicle is available for public use with or without a fee;
  - (f) "*stacked bicycle parking space*" means a horizontal *bicycle parking space* that is positioned above or below another *bicycle parking space*; and
  - (g) "*landscaping*" means a paved area used for walkways and which may contain plants, planters, trees, retaining walls, or other landscape or architectural elements. Areas for loading parking or storing of vehicles are not *landscaping*.
3. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole *lot* as if no severance, partition or division occurred.
4. Within the lands shown on Map 1 of this By-law, 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 water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

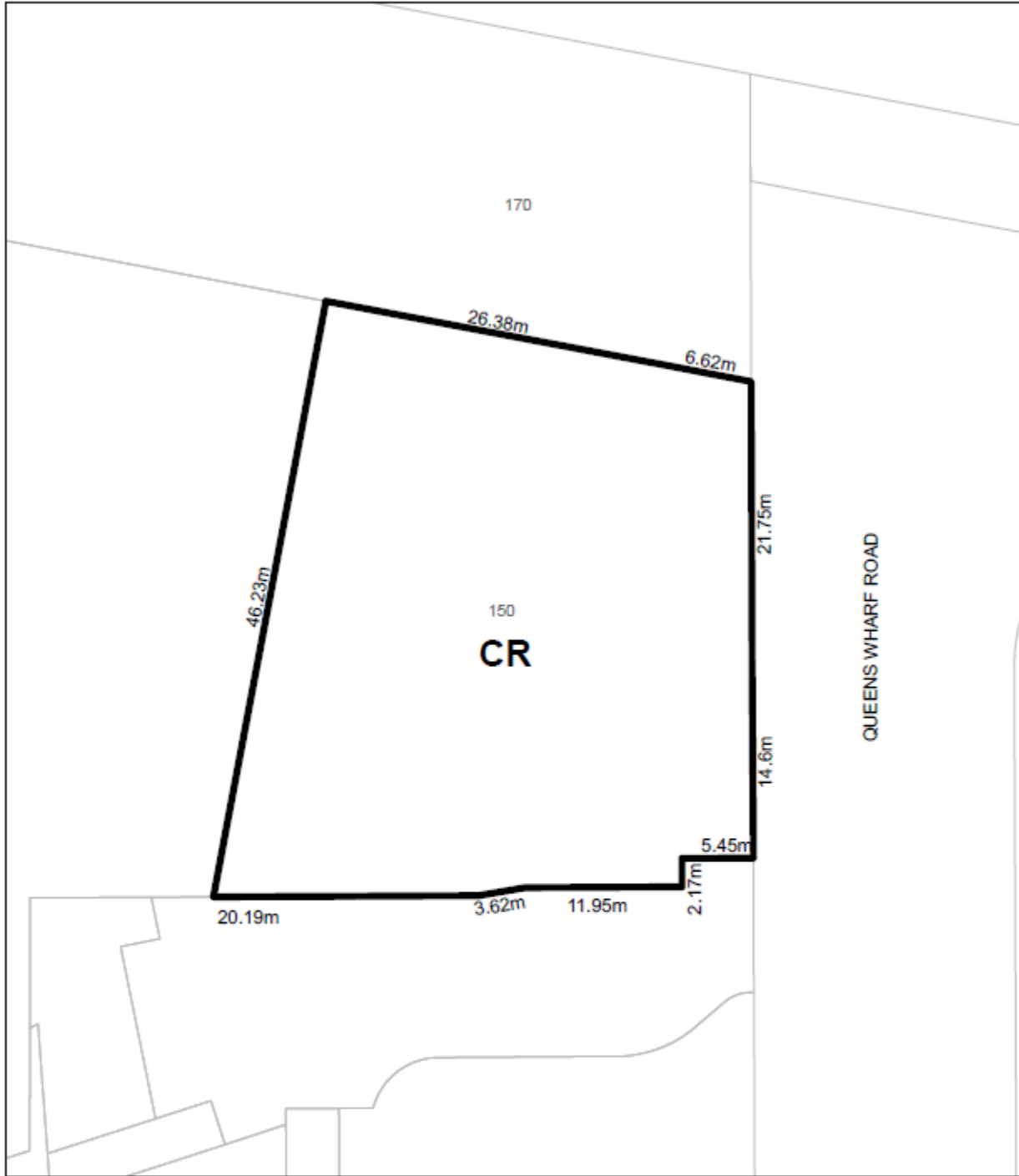
Enacted and passed on October , 2021.

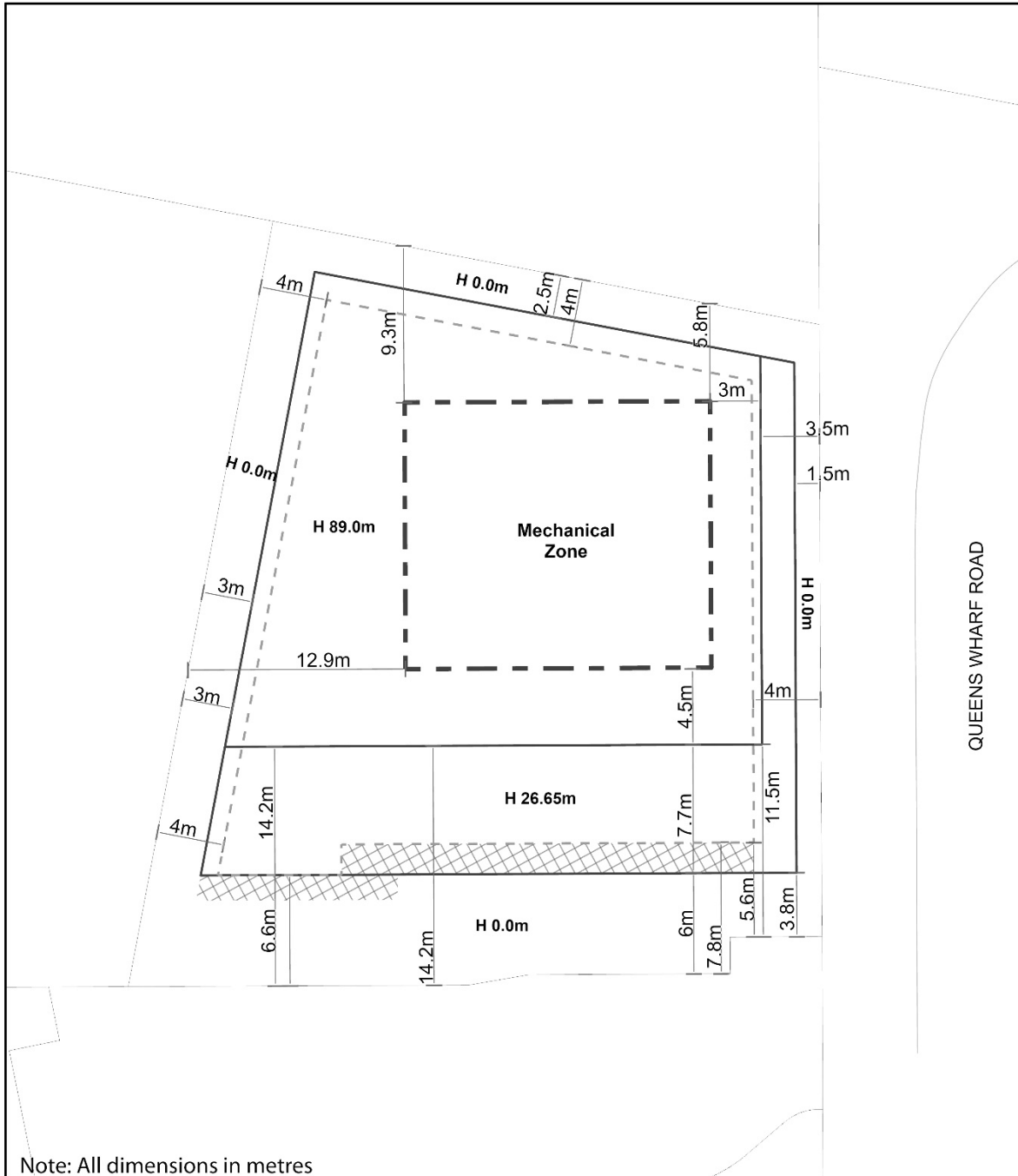
Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)










Map 2 - Height and Setbacks

150 Queens Wharf Road

File # 21 146703 STE 10 OZ

-  Building extent at ground floor level
-  Mechanical Zone
-  Publicly Accessible Pedestrian Connection

  
 Railway Lands West Zoning By-law 1994-0805  
 Not to Scale  
 09/29/2021