

*Draft Zoning By-law Amendment,
 May 25, 2022*

**CITY OF TORONTO BY-
 BY-LAW No. ~-20~(OLT)**

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 572 Church Street.

Whereas the Ontario Land Tribunal pursuant to its order No. PL171367 issued on ~, 2020, upon hearing the appeal of Church Welldun Developments Limited under Sections 17(40) and 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, deems it advisable to amend the City of Toronto Zoning By-law No. 569-2013 with respect to the lands municipally known in the year 2020 as 572 Church Street;

The Ontario Land Tribunal, by Order, amends By-law 569-2013 as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to By-law [Clerks to supply 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 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 from CR 3.0 (c1.7; r3.0) SS1 (x2545) to CR 3.0 (c1.7; r3.0) SS1 (xXXX), as shown on Diagram 2, attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number CR XX so that it reads:

Exception CR XXXX

The lands, or portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 572 Church Street a **mixed use building** may be erected or used in compliance with Sections (B) to (X) below:
- (B) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** is 6,650 square metres, of which:
 - i. a maximum residential **gross floor area** of 6,450 square metres is permitted;
- (C) A maximum of 126 **dwelling units** are permitted on the **lot**, of which;
 - i. a minimum of 10% of all **dwelling units** must have 2 bedrooms; and
 - ii. a minimum of 10% of all **dwelling units** must have 3 bedrooms, of which:
 - a. a minimum of 5 **dwelling units** must be constructed with 3 bedrooms; and

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- b. the remaining 3 bedroom **dwelling units** may be achieved through the combination of **dwelling units** using adaptable design measures such as knock-out panels;
 - iii. any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (D) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is measured between the Canadian Geodetic Datum 2013 elevation of 108.52 metres and the highest point of a **building** or **structure**;
- (E) Despite regulation 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 3 of By-law [Clerks to supply by-law #];
- (F) Despite regulations 40.5.40.10(4), (5), (6), and (7) and (E) above, the following equipment and **structures** are permitted to project vertically beyond the height limits specified on Diagram 3 of By-law [insert by-law #]:
- i. mechanical equipment and any associated enclosed **structures**, to a maximum of 6.0 metres; and
 - ii. lightning rods, window washing equipment, stair enclosures, elevator overruns, parapets, **green roof** and architectural features, trellises, pergolas, railings, cornices, lighting fixtures, ornamental elements, planters, landscaping, partitions dividing outdoor amenity spaces, guard rails, wheelchair ramps, fences, screens, furniture, and elements or **structures** providing safety or wind protection to rooftop amenity space, to a maximum of 3.0 metres;
- (G) Despite regulation 40.10.40.70(1), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to supply by-law ##];
- (H) Despite clause 40.10.40.60 and (G) above, the following are permitted to encroach into the required **building setbacks** shown on Diagram 3 of By-law [Clerks to supply by-law #];
- i. Canopies, site servicing features, balconies, lighting fixtures, awnings, ornamental elements, architectural features, window sills, planters, guardrails, railings, stairs, wheelchair ramps, vents, screens, and landscape features, to a maximum extent of 2.0 metres; and
 - ii. Balconies to a maximum extent of 1.5 metres;
- (I) Despite (I)(ii) above, within the “Balcony Zones” identified on Diagram 3 of By-law [insert by-law #] the total horizontal extent of balconies at each **storey** must not exceed 30% of the width of the **main wall** from which they project;
- (J) Despite any other regulation in this exception, no portion of any **building** or **structure** on the **lot** may penetrate a 44 degree **angular plane** projected over the **lot**, along the **lot line** abutting Church Street, starting at the Canadian Geodetic Datum 2013 elevation of 124.52 metres, with the exception of:
- i. roof parapets, balcony or terrace guardrails, and **green roof** elements to a maximum penetration of 3.0 metres

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- ii. elevator overrun, exit stairwells and associated parapet and **green roof** elements located in the area denoted as HT 39.0 on Diagram 3 of By-law [insert by-law #] to a maximum penetration of 5.2 metres;
- (K) Despite Regulations 40.10.40.50(1) and (2), **amenity space** must be provided at a minimum rate of:
 - i. 2.5 square metres per **dwelling unit** of indoor **amenity space**; and
 - ii. 0.76 square metres per **dwelling unit** of outdoor **amenity space**;
- (L) For the purpose of this exception, indoor **amenity space** also includes a maximum of 3 guest suites with a total maximum **interior floor area** of 100 square metres, and the guest suites do not constitute a **dwelling unit**;
- (M) Regulation 40.10.50.10(3) with regards to **landscaping** when abutting a **lot** in the Residential or Residential Apartment Zone does not apply;
- (N) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** in accordance with the following:
 - i. a minimum of 13 **parking spaces** must be provided for residents;
 - ii. No **parking spaces** are required for visitors;
 - iii. No **parking spaces** are required for non-residential uses;
- (O) Despite regulation 200.5.1.10(2)(A)(iv), a maximum of 4 **parking spaces** may be obstructed on one or two sides in accordance with 200.5.1.10(2)(D) without a requirement to increase the minimum width by 0.3 metres;
- (P) Regulation 200.5.1.10(13) respecting **parking space** access does not apply to prevent the use of a **vehicle** elevator;
- (Q) Despite regulation 200.15.1(4), accessible **parking spaces** must be the **parking spaces** located within 10.0 metres from a barrier free entrance to a **building** or a passenger elevator that provides access to the first **storey** of the **building**;
- (R) Accessible **parking spaces** must be provided and maintained on the **lot** in accordance with the following minimum dimensions
 - i. minimum length of 5.6 metres;
 - ii. minimum width of 3.9 metres; and
 - iii. minimum vertical clearance from the ground of 2.1 metres;
- (S) Despite regulation 220.5.10.1(2), a minimum of one Type “G” **loading space** must be provided and maintained on the **lot**;
- (T) Despite Regulations 230.5.10.1(1) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** for the **mixed use building** must be provided and maintained in accordance with the following:
 - i. a minimum of 0.9 “long term” **bicycle parking spaces** for each **dwelling unit**;
 - ii. a minimum of 0.1 “short term” **bicycle parking spaces** for each

dwelling unit; and

- iii. no **bicycle parking spaces** are required for non-residential uses.
- (U) Despite regulations 230.5.1.10(4), (5) and (10), **bicycle parking spaces** must be provided and maintained in accordance with the following:
- i. both "long-term" and "short-term" **bicycle parking spaces** may be provided in a **stacked bicycle parking space** and for the purposes of this exception a **stacked bicycle parking space** may include horizontal or vertical **bicycle parking spaces**;
 - ii. "short-term" **bicycle parking spaces** may be located indoors or outdoors in an enclosed or secured room or enclosure;
 - iii. if a **stacked bicycle parking space** is provided in a mechanical device where any portion of a bicycle is situated above or below any portion of an adjacent bicycle, the required minimum width of each stacked bicycle parking space is 0.35 metres;
- (V) Regulation 230.5.1.10(9) with respect to the location of "long term" **bicycle parking spaces** does not apply;
- (W) Despite regulations 230.5.1.10(6) and 230.5.1.10(9) **bicycle parking spaces** may be located indoors or outdoors, including within a secured room or enclosure;
- (X) Section 600.10 with respect to Building Setback Overlay District "A", does not apply;

Prevailing By-laws and Prevailing Sections: (None Apply)

5. Despite any severance, partition or division of the lands shown on Diagram 1, the regulations of By-law [Clerks to supply by-law #] shall continue to apply to the whole of said lands as if no severance, partition or division had occurred.

PURSUANT TO THE ORDER/DECISION OF THE LOCAL PLANNING APPEAL TRIBUNAL
ISSUED ON XX, 2020, IN LPAT CASE NO. PL171367.





