

Attachment 6 – Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~ 202X

CITY OF TORONTO

BY-LAW No. XXXX-202X

To amend the City of Toronto Zoning By-law No 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 1235 and 1255 Bay Street.

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

Whereas pursuant to Section 39 of the *Planning Act*, as amended, the council of a municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law;

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 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding and amending the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: CR 7.8 (c4.5; r7.8) SS1(x847), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding and amending the lands subject to this By-law to the Policy Area Overlay Map in Article 995.10.1 and applying the following Policy Area Overlay label to these lands: PA-1, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding and amending the lands subject to this By-law to the Height Overlay Map in Article

995.20.1 and applying the Height label: HT 61.0 as shown on Diagram 4 attached to this By-law.

6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.

7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Article 995.40.1 and applying to the following Rooming House Label to these lands, B3, as shown on Diagram 5 attached to this By-law.

8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 847 so that it reads:

(847) Exception CR 847

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

Site Specific Provisions:

(A) On the lands municipally known as 1235 and 1255 Bay Street Avenue, if the requirements of By-law [Clerk to provide By-law No.] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (R) below;

(B) For the purpose of this exception, the **lot** shall refer to those lands delineated by heavy black lines as shown on Diagram 1 attached to By-law [Clerk to provide By-law No.];

(C) Despite regulation 40.10.40.40(1) the permitted maximum **gross floor area** of the all **buildings** and **structures** on the **lot** is 35,600 square metres, provided:

(i) The permitted maximum residential **gross floor area** is 24,100 square metres; and

(ii) The permitted non-residential **gross floor area** is 11,500 square metres;

(D) **Dwelling units** are only permitted above the ground floor;

(E) In addition to the elements listed in regulation 40.5.40.40(3), the **gross floor area** of a **mixed use building** is also reduced by the areas in a **building** used for:

(i) the area of a void in the floor;

(F) Despite Regulations 40.5.40.10 (1) and (2) the height of a **building** or **structure**

is the vertical distance between the Canadian Geodetic Datum elevation of 116.35 metres and the elevation of the highest point of the **building** or **structure**;

(G) Despite Regulation 40.10.40.10(1), the permitted maximum **height** of a **building** or **structure** is the numerical value in metres, following the letters HT on Diagram 7 of By-law [Clerk to provide By-law No.];

(H) Despite (G) above, and Regulations 40.5.40.10 (3), (4), (5), (6), (7) and (8), the following elements of a **building** or **structure** are permitted to project above the permitted maximum **building** heights shown on Diagram 7 of By-law [Clerk to provide By-law No.];

(i) elements on the roof of the **building** or **structure** used for **green roof** technology and related roofing material, window washing equipment, safety anchors, lightning rods, safety railings, guard rails, railings, terraces, patios, landscape features, parapets, terrace guards/landscape planters, vents, stacks, ladders, garbage chute vents, balustrades, bollards, ornamental or architectural features may project a maximum of 2.0 metres;

(ii) **structures** on any roof used for maintenance or wind mitigation purposes may project a maximum of 3.0 metres;

(iii) satellite dishes, antennae, acoustical barriers, signage, cabanas and trellises may project a maximum of 4.0 metres;

(iv) mechanical penthouses or rooftop mechanical equipment and screening may project a maximum of 7.5 metres;

(I) Despite Regulation 40.5.40.70(1), Regulation 40.10.40.70(1), and Section 600.10, the minimum required **building setbacks** are as shown on in metres on Diagram 6 and Diagram 7 of By-law [Clerk to provide By-law No.];

(J) Despite (I) above, Regulation 40.5.40.60(1) and Clause 40.10.40.60, the following may encroach into the required minimum **building setbacks** and **main wall** separation distances shown in Diagram 6 and Diagram 7 of By-law [Clerk to provide By-law No.]:

(i) cornices, lighting fixtures, awnings, ornamental elements, commercial signage, parapets, eaves, guardrails, balustrades, railings, vents, fences, screens, landscaping, planter boxes, intake and exhaust vents may encroach up to a maximum of 1.5 metres;

(ii) projecting balconies are not permitted within the hatched area shown on Diagram 7;

(iii) projecting balconies along Bay Street and Yorkville Avenue, may project beyond the main walls by a maximum of 1.25 metres and balconies on the east **main wall** and south **main wall** on the cantilevered portion of the **building** may project beyond the **main walls** by a maximum of 1.55 metres;

(iv) wind mitigation features including canopies and awnings may encroach up to a

maximum of 4.0 metres;

(K) Despite Regulation 40.10.40.50(1) and (2), a **building** with 20 or more **dwelling units** must provide **amenity space** at the following rate:

(i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**; and

(ii) at least 1.6 square metres of outdoor **amenity space** for each **dwelling unit** of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;

(L) Despite Regulation 40.10.40.80(1)(A), the required minimum distance between the **main wall** of a **building** with windows to another **main wall** of a **building** with windows on the same **lot** shall be 5.4 metres;

(M) Despite Regulation 40.10.40.80(1)(B), the required minimum distance between the **main wall** of a **building** with windows to another **main wall** of a **building** without windows on the same **lot** shall be 1.5 metres as shown on Diagram 6;

(N) Despite Clause 200.5.10.1, Table 200.5.10.1 **parking space** must be provided and maintained on the **lot** in accordance with the following minimum requirements:

(i) No **parking spaces** are required for residential occupants;

(ii) 1 **parking space** is required for residential visitors;

(iii) No **parking spaces** are required for non-residential uses;

(O) Despite regulation 200.5.1(3), the required minimum **drive aisle** width is 4.0 metres;

(P) Equipment for the charging of electric vehicles is permitted to be located within a **parking space** and does not constitute an obstruction;

(Q) Despite regulation 230.5.1.10(9)(B), "long term" **bicycle parking spaces** may be located on any parking level below ground; and

(R) The existing office **building, structures**, uses, vehicular parking, bicycle parking and loading supply on the parcel at 1235 Bay Street, as shown on Diagram 1 of this By-law is deemed to comply.

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

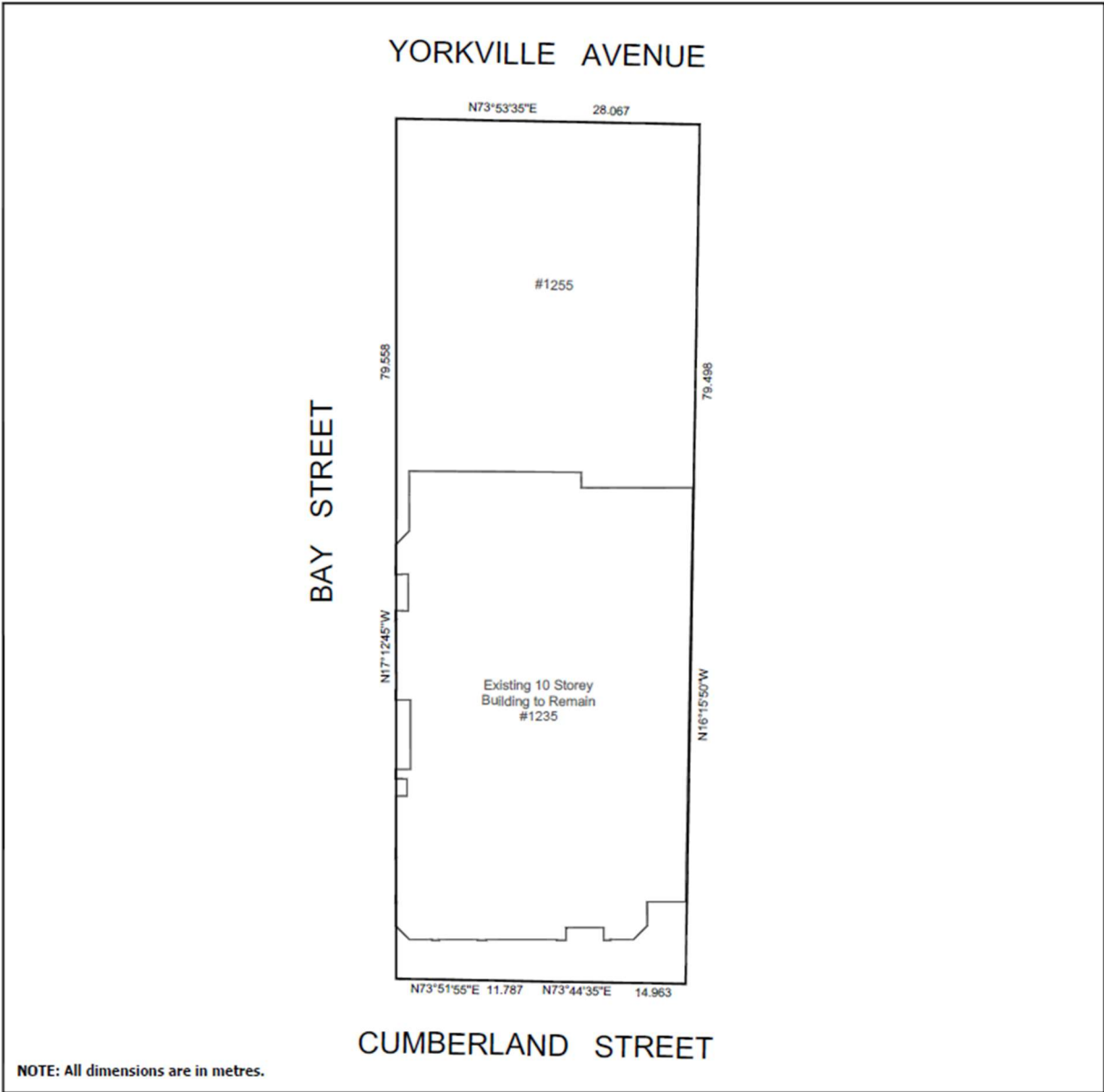
9. None of the provisions of By-law 569-2013, as amended, apply to prevent a temporary sales office on the **lot**, used exclusively for the initial sale and/or initial leasing of non-residential space areas and **dwelling units** proposed on the same **lot**, for a period of not more than three years from the date this By-law comes into full force and effect;

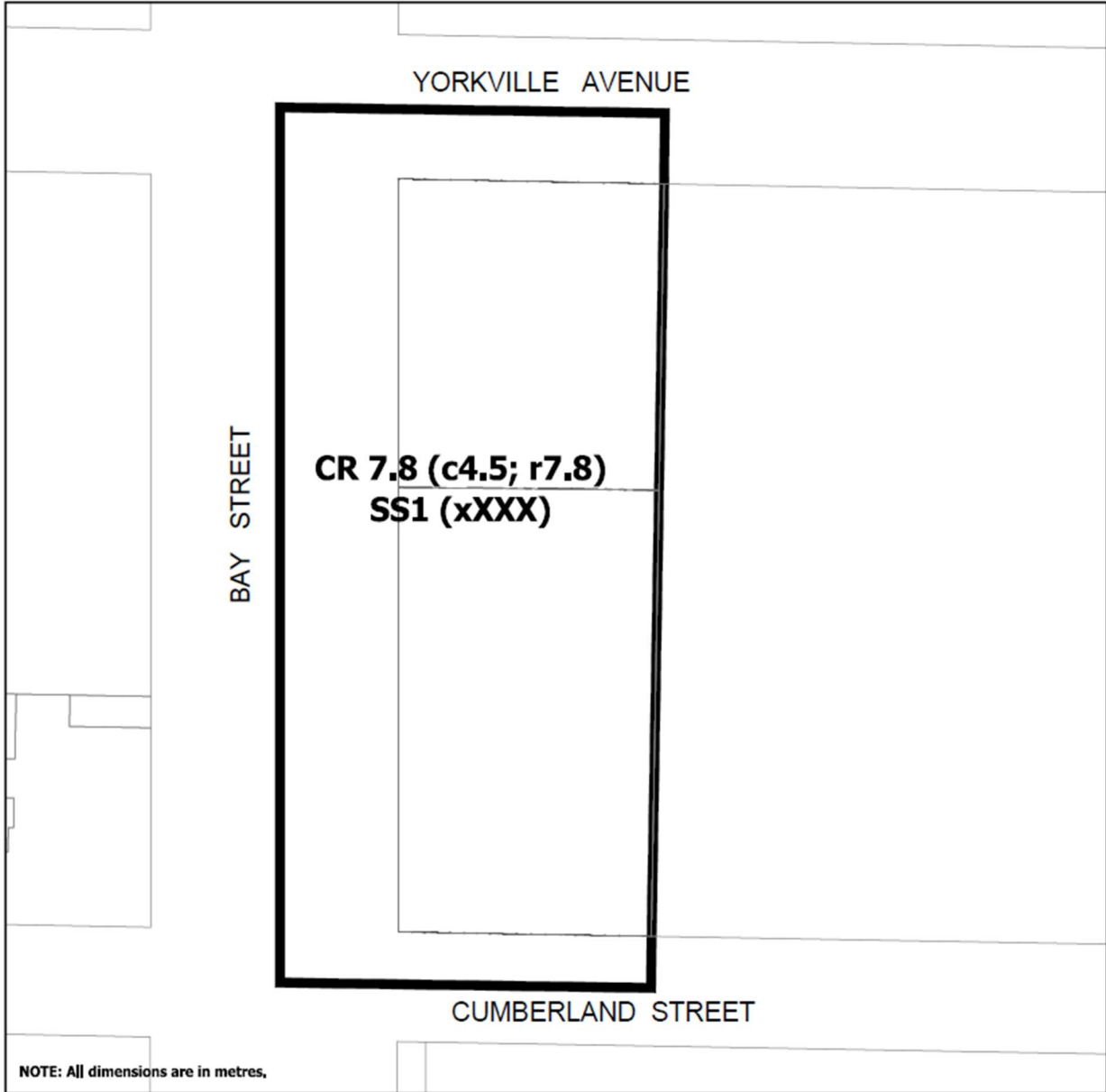
10. Despite any future severance, partition or division of the lands subject to this By-law, the provisions of this By-law will apply as if no severance, partition or division occurred.

Enacted and passed on [DATE]

Frances Nunziata,
Speaker

John D. Elvidge
City Clerk

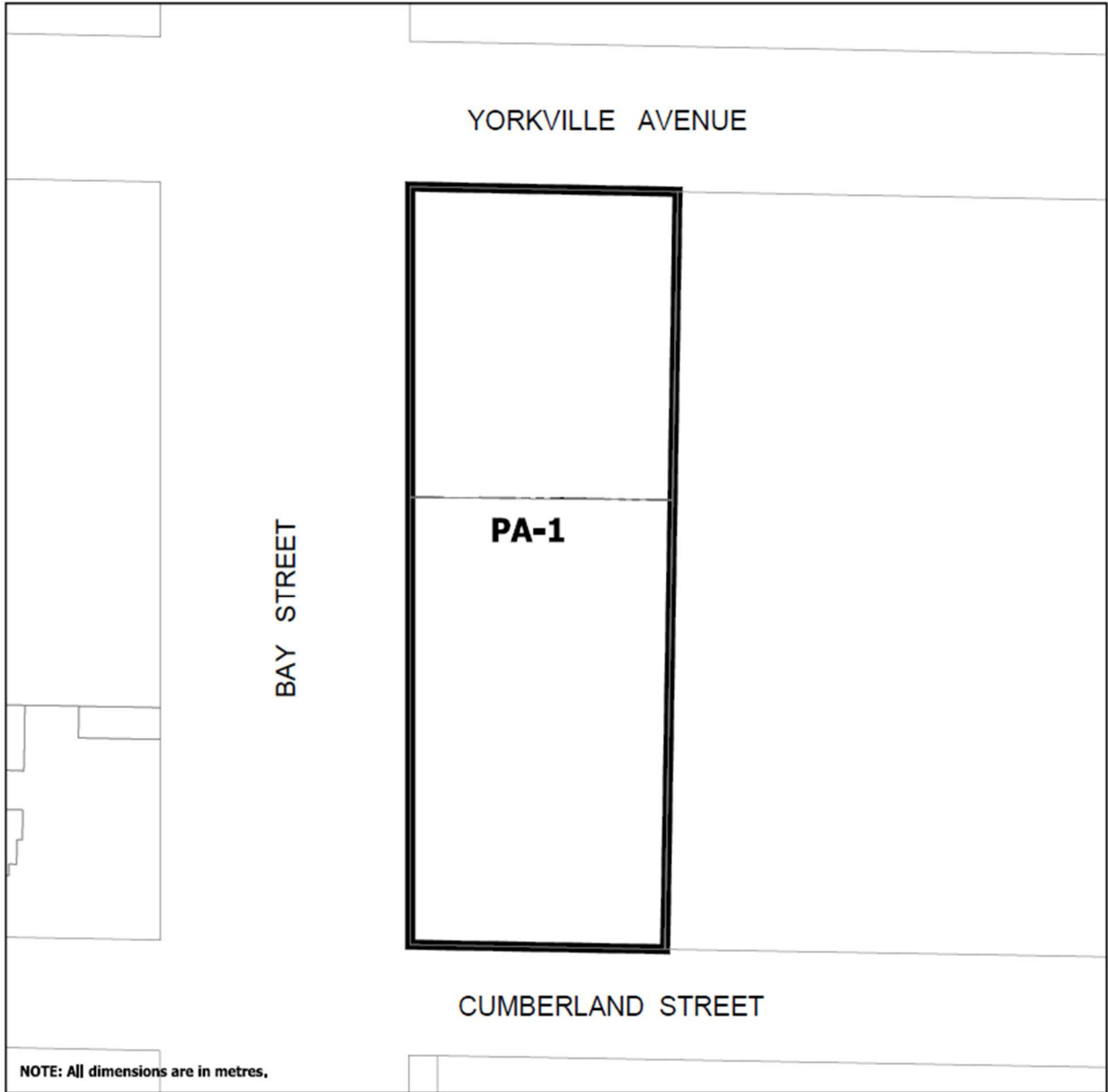


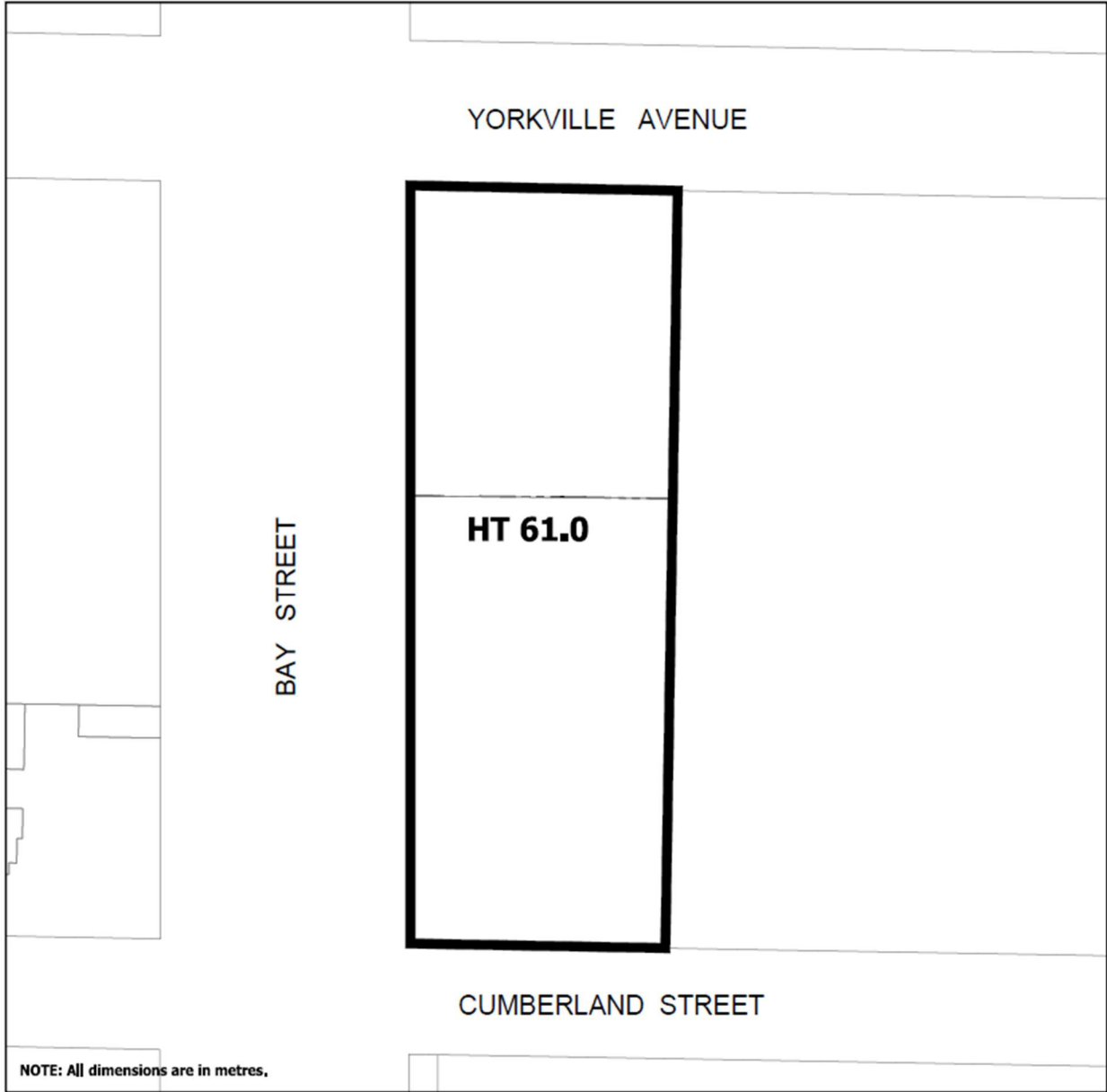


1235 & 1255 Bay Street, Toronto

Diagram 2 - Zoning By-law Map

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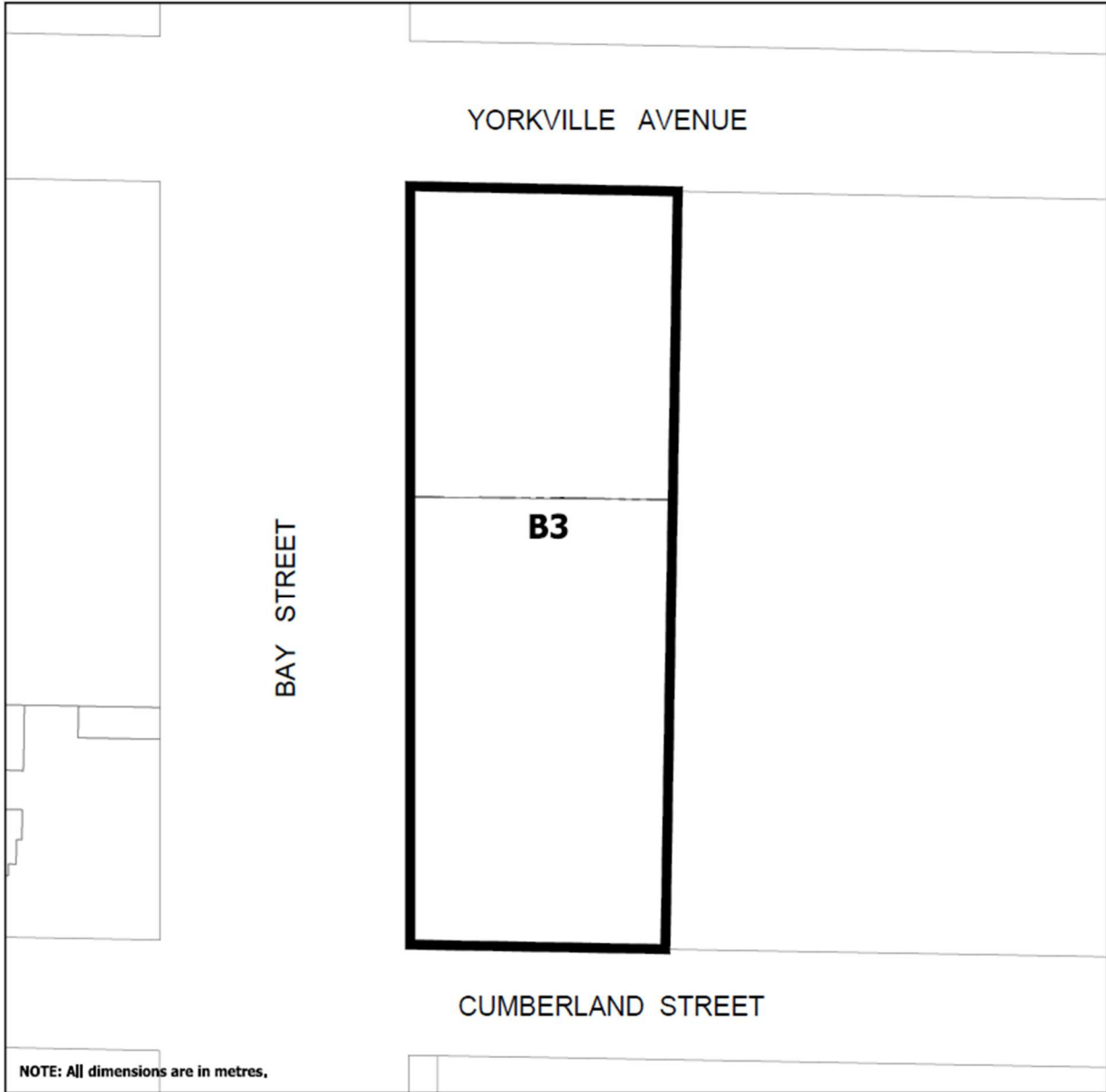
NOTE: All dimensions are in metres.



1235 & 1255 Bay Street, Toronto

Diagram 4 - Height Overlay

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1235 & 1255 Bay Street, Toronto

Diagram 5 - Rooming House Overlay

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