

## Attachment 5: Draft Zoning By-law Amendment (569-2013)

### CITY OF TORONTO BY-LAW No. \_\_\_\_-2023

**To amend the City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands known municipally as 45 and 57-93 Balliol Street, in the year 2023.**

WHEREAS Council of the City of Toronto has the authority 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

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;

The Council of the City of Toronto HEREBY ENACT AS follows:

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 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 990.10 respecting the lands outlined by heavy blacklines from a zone label of R (d2.0) (x917) to a zone label of R (d2.0) (x168) and O, as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Exception Number 168 to Article 900.2.10 so that it reads:

(168) Exception R 168

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 57-93 Balliol Street, if the requirements of By-law ### [City Clerk to provide Bylaw#] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with (B) to (Q) below;
- B. For the purposes of this exception:

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- i. **lot** means the lands outlined by black lines outlining the boundaries of "Area A" and "Area B" and the lands identified as "Parkland", as shown on Diagram 1 of By-law [Clerks to provide By-law #];
  - ii. each of "Area A" and "Area B" identified on Diagram 1 of By-law are a **lot** [Clerks to provide By-law #]; and
  - iii. "lot line" is defined to include the boundaries of "Area A" and "Area B", identified on Diagram 1 of By-law [Clerks to provide By-law #].
- C. Despite regulation 10.10.40.40(1)(A), the permitted maximum **gross floor area** is 34,000 square metres on "Area B" on Diagram 1 of By-law [Clerks to provide By-law #];
- D. Regulation 10.10.40.30(1)(B) regarding maximum permitted **building depth** does not apply to "Area B" as shown on Diagram 1 of By-law [Clerks to insert by-law number];
- E. Regulation 10.10.40.1(2) regarding the maximum number of residential **buildings** on a **lot** does not apply;
- F. Despite Clause 10.10.40.70, the required minimum **building setbacks** for **buildings** and **structures** for "Area B" are as shown in metres on Diagram 3 of By-law ### [City Clerk to provide By-law #];
- G. Despite (F) above and Clause 10.5.40.60, the following elements may encroach into the required **building setbacks**:
- i. parapets, antennae, gas meters, fire department connections, flagpoles, satellite dishes, weather vanes, eaves, cornices, columns, landscape and wheelchair ramps, light fixtures, stairs and stair enclosures, balustrades, guardrails, bollards, awnings, arcades, canopies, raised planters, patios, retaining walls, fences, vents, screens, wind mitigation screens and features, underground parking ramp and associated **structures**, damper equipment, window washing equipment to a maximum of 2.0 metres;
  - ii. balconies and bay windows to a maximum of 2.0 metres; and
  - iii. **structures** used for outside or open air recreation, safety or wind protection, to a maximum of 1.6. metres;
  - iv. ornamental, decorative or architectural elements to a maximum of 2.0 metres
- H. Despite Regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 154.94 metres and elevation of the highest point of the **building** or **structure**;

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- I. Despite regulation 10.10.40.10(1)(A), the permitted maximum height of a **building** or **structure** in “Area B” is the number following the HT symbol in metres as shown on Diagram 4 of Bylaw ### [City Clerk to provide By-law #];
- J. Despite (I) above, Regulations 10.5.40.10(2), (3) and (4), and 10.10.40.10(8) and (9), equipment and **structures** may project beyond the permitted maximum height of a **building** for “Area B” as follows:
- i. parapets, roof access, chimneys, vents, ducts, pipes, roof drainage, antennae, terraces and terrace platforms, telecommunication equipment, satellite dishes, guard rails, railings, dividers, screens, balustrades, unenclosed **structures** providing safety or wind protection, privacy and wind screens, elements of a **green roof**, pergolas, trellises, light fixtures, landscape elements and landscape planters, architectural features, retaining walls, thermal and waterproofing assembly located at each of the roof levels of the **building, structures** on the roof of any part of the **building** used for outside or open air recreation, noise mitigation elements and partitions dividing outdoor recreational areas, all of which may project up to a maximum of 3.5 metres;
  - ii. structural/non-structural architectural columns/piers/bands, mechanical penthouses, equipment used for the functional operation of the **building**, such as cooling tower, electrical, utility, mechanical and ventilation equipment, stair and elevator enclosures and overruns, stair access, window washing equipment, lightning rods, exhaust flues, vents, ventilating equipment, chimney stack, air shafts, gas metres, garbage chute overruns and **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in this section, all of which may project up to a maximum of 6.0 metres ;
  - iii. wind mitigation measures to a maximum of 2.5 metres;
- K. Despite regulation 10.10.40.50(1)(A) & (B), **amenity space** must be provided and maintained within “Area B” as follows:
- i. Indoor **amenity space** for use by the residents of the **dwelling units** must be provided at a minimum of 1.95 square metres per **dwelling unit**;
  - ii. Outdoor **amenity space** for use by the residents of the **dwelling units** must be provided at a minimum of 2.0 square metres per **dwelling unit**;
  - iii. At least 40.0 square metres of outdoor **amenity space** must be in a location adjoining or directly accessible to the indoor **amenity space**
- L. Despite Clause 220.5.10.1, A minimum of one (1) Type “C” and one (1) Type “G” **loading space** must be provided and maintained within “Area B” as shown on Diagram 1 of By-law ### [City Clerk to provide By-law #];
- M. Despite Regulation 10.5.100.1(4)(B), the maximum width of a **driveway** is 7.0 metres

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- N. Regulations 10.5.50.10(4) and (5) regarding **landscaping** and **soft landscaping** do not apply;
- O. Despite Regulation 200.5.10.1(1) and Tables 200.5.10.1, and 970.10.15.5, **parking spaces** must be provided and maintained within “Area B” as follows:
- i. No minimum for residential occupant **parking spaces** applies;
  - ii. A minimum of 0.04 residential visitor **parking spaces** per **dwelling unit**;
  - iii. A minimum of 3 “car-share parking spaces” must be provided and maintained;
  - iv. For the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car-share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
  - v. For the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes.
- P. Despite Clause 200.15.10.10, a minimum of 4 of the **parking spaces** required in (O) above must be accessible **parking spaces**;
- Q. The provision of **dwelling units** for “Area B” is subject to the following:
- i. a minimum of 15 percent of the total number of **dwelling units** must contain two or more bedrooms;
  - ii. a minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
  - iii. An additional 10 percent of the total number of dwelling units will be any combination of two bedroom and three bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of two and three bedroom **dwelling units**;
  - iv. **Dwelling units**, as described in (Q)(iii) above, may be converted using accessible or adaptable design measures such as knock- out panels; and
  - v. if the calculation of the number of required **dwelling units** in (Q)(i) to (iii) above results in a number with a fraction, the number may be rounded down to the nearest whole number.

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Prevailing By-laws and Prevailing Sections:

(A) On “Area A” as shown on Diagram 1 of By-law ## [Clerks to insert By-law number], former City of Toronto By-law 22120.

5. Despite any existing or future consent, severance, partition or division of the lot, the provisions of this by-law shall apply to the lands, as identified on Diagram 1, as if no consent, severance, partition or division occurred.
6. Temporary Use(s)

None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales office on the lot for a period of not more than 3 years from the date this By-law comes into full force and effect.

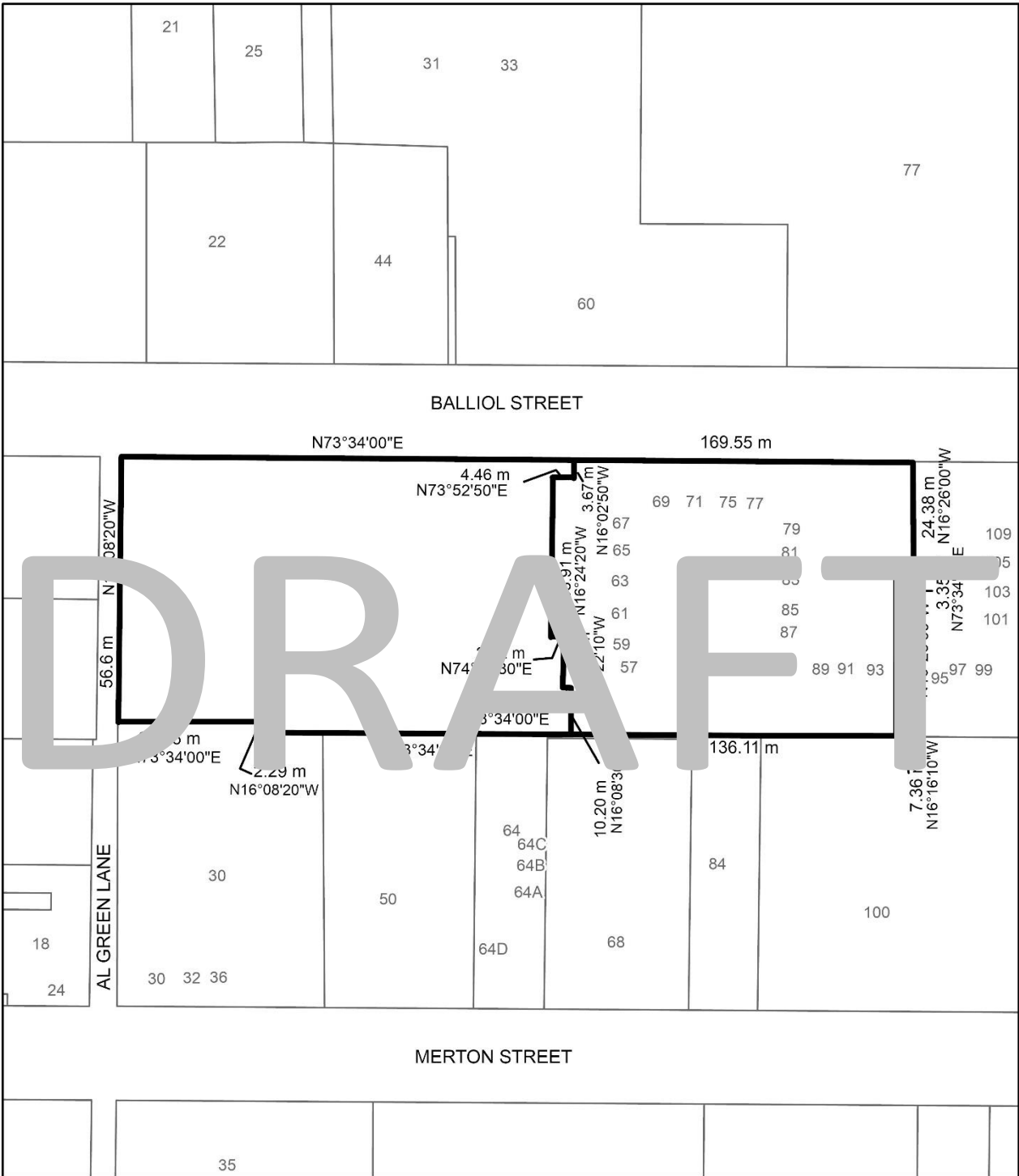
ENACTED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Frances Nunziata,  
Speaker  
(Seal of the City)

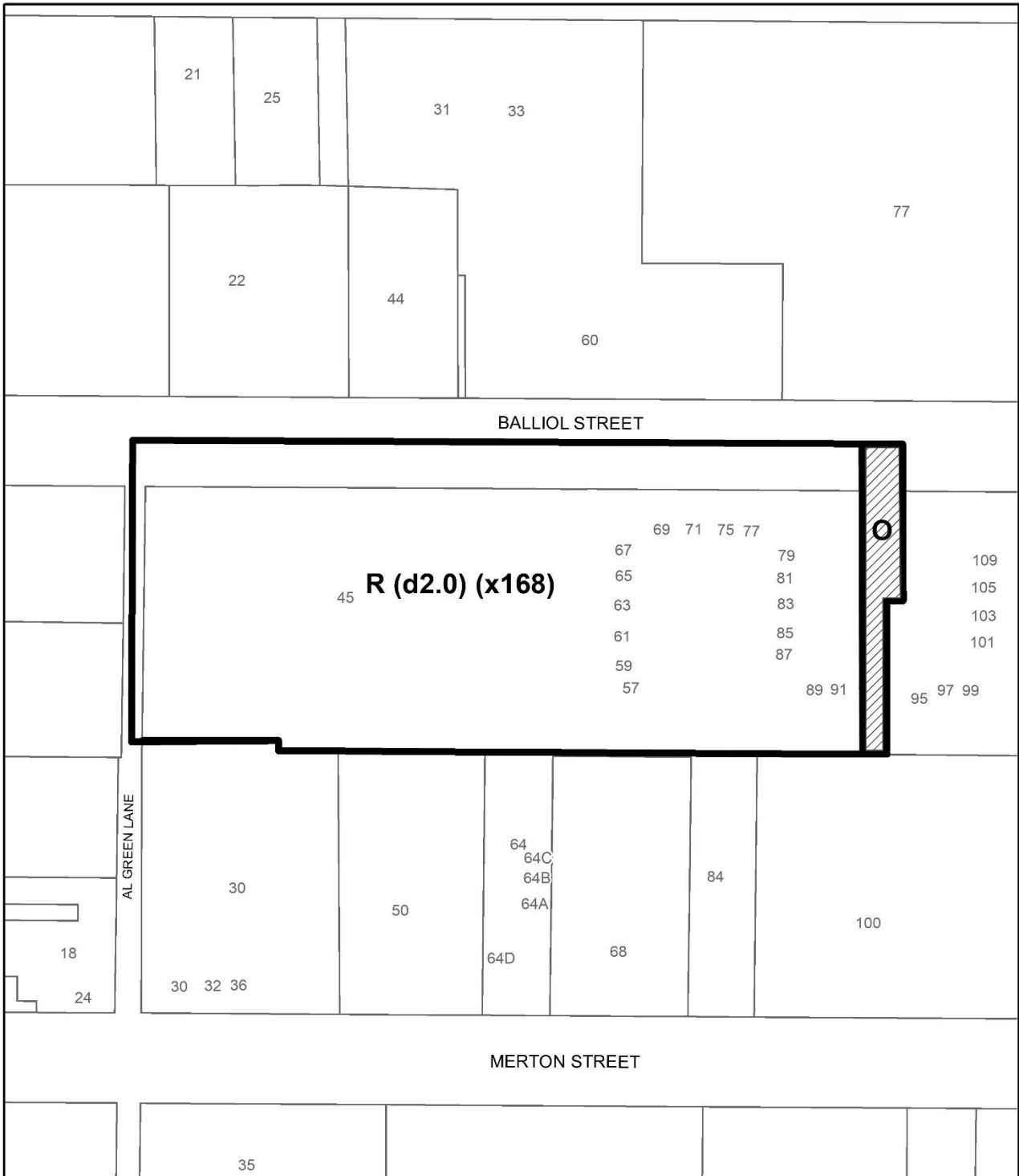
John D. Elvidge,  
City Clerk

DRAFT

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Diagram 2

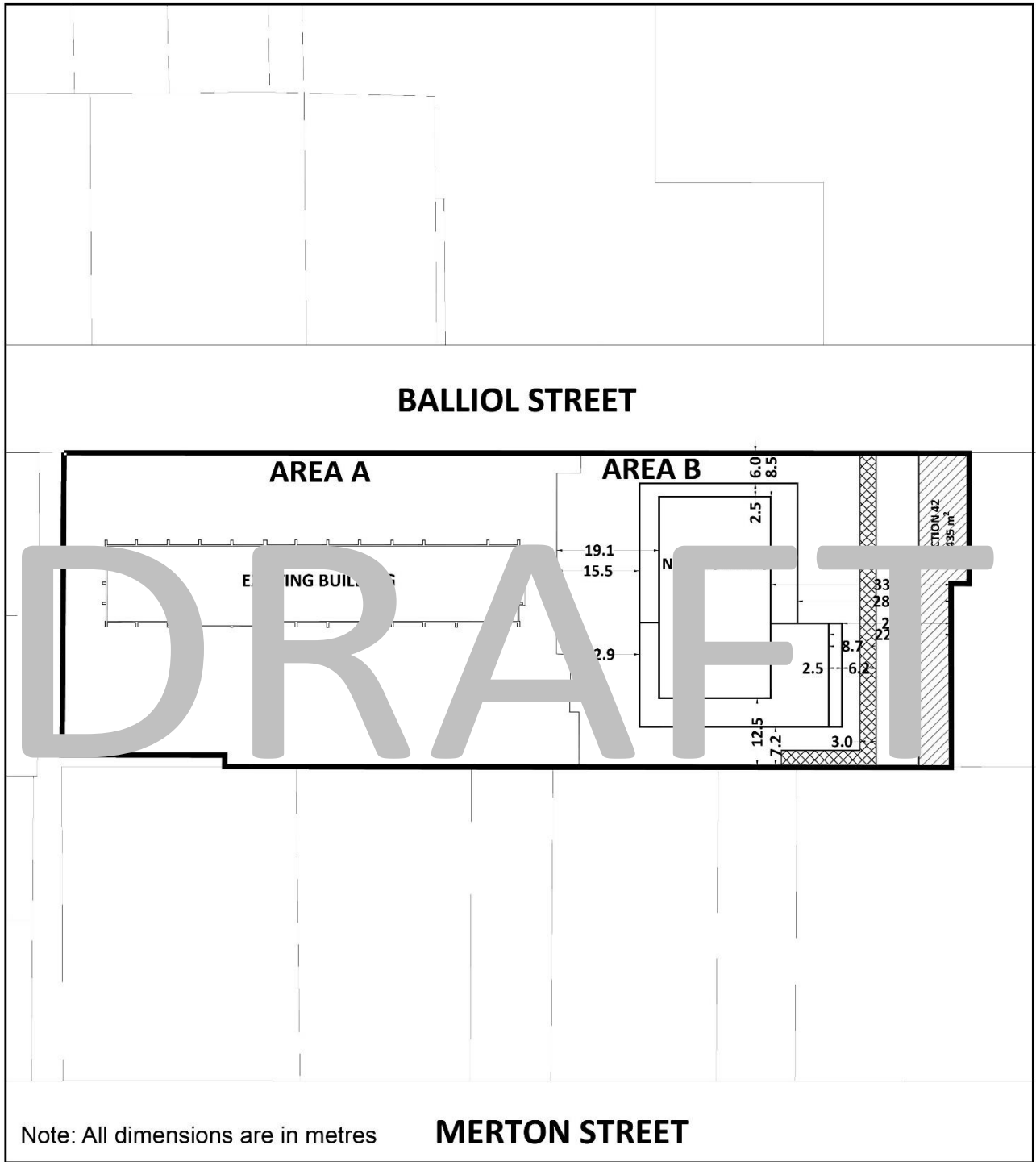
45 & 57-93 Balliol Street

File # 21 235311 STE 12 OZ

-  Area affected by this by-law
-  Area of Proposed Public Park

  
City of Toronto By-law 569-2013  
Not to Scale  
06/13/2023

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 **TORONTO**  
Diagram 3

45 & 57-93 Balliol Street

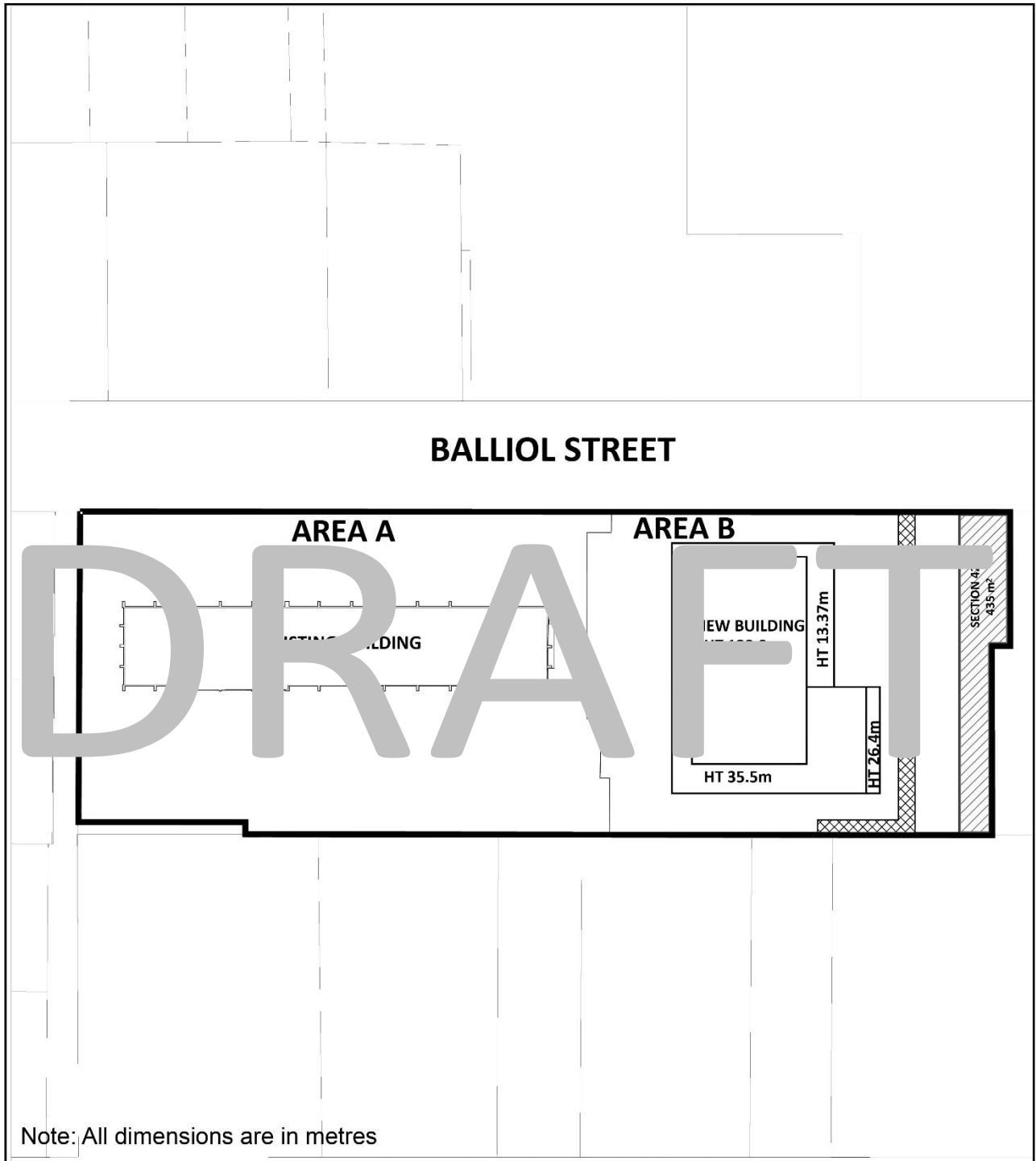
File # 21 235311 STE 12 0Z

-  Area affected by this by-law
-  Area of Mid Block Connection  
(Note: Final location and alignment of Mid Block Connection to be determined)
-  Area of Parkland – Section 42 On-site Dedication (435 m<sup>2</sup>)

  
City of Toronto By-law 569-2013  
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 **TORONTO**  
Diagram 4

45 & 57-93 Balliol Street

File # 21 235311 STE 12 0Z

-  Area affected by this by-law
-  Area of Mid Block Connection  
(Note: Final location and alignment of Mid Block Connection to be determined)
-  Area of Parkland – Section 42 On-site Dedication (435 m<sup>2</sup>)

  
City of Toronto By-law 569-2013  
Not to Scale  
06/12/2023