

Authority: **Toronto and East York Community Council** Item [-], as adopted by City of Toronto Council on ~, 20~

## CITY OF TORONTO

### BY-LAW [Clerks to insert By-law number]

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 64-66 Wellesley Street East, 552-560 Church Street and 564-570 Church Street**

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, as amended;

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, as amended, 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 990.1 respecting the lands outlined by heavy black lines from a zone label of CR 3.0 (c1.7; r3.0) SS1 (x2545) and R (d2.5) (x878) to CR 3.0 (c1.7; r3.0) SS1 (x####) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11 Exception Number CR (x#####) so that it reads:

(XXX) 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 lands municipally known as 64-66 Wellesley Street East, 552-560 Church Street, and 564-570 Church Street, if the requirements of By-law

[Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with regulations (B) to (Z) below;

- (B) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 107.6 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (D) Despite regulations 40.5.40.10(3) to (8) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number] provided that they are not located on the area of the **building** labeled HT 104.5 metres:
  - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 6.5 metres;
  - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 6.5 metres;
  - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
  - (iv) **building** maintenance units and window washing equipment, by a maximum of 6.5 metres;
  - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
  - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 5.0 metres;
- (E) Despite (D) above, the elements listed in (D)(i) to (vi) may project above the permitted maximum **building** height of HT 104.5 metres, shown on Diagram 3 of By-law [Clerks to supply by-law #], as follows:

- (i) in the area labelled “Area A”, such elements may project by a maximum of 3.0 metres, provided they do not exceed an overall height of 107.5 metres; and
  - (ii) in the area labelled “Area B”, such elements may project by a maximum of 6.0 metres, provided they do not exceed an overall height of 110.5 metres;
- (F) Despite Regulation 40.10.40(1), the residential lobby access and related residential uses may be located on the same level as the non-residential use portions of the **building**;
- (G) Despite regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.35 metres;
- (H) Despite regulation 40.5.40.10(8)(C), a **tower** is the portions of a building which collectively enclose the entirety of a **storey** higher than 24.0 metres above the **average grade**, and where the maximum average **gross floor area** of any **storey** located above 24.0 metres does not exceed 800 square metres;
- (I) Despite regulations 40.10.40.40 (1) and (2), the permitted maximum **gross floor area** of all **buildings** and **structures** is 28,000 square metres, of which:
  - (i) the permitted maximum **gross floor area** for residential uses is 27,100 square metres;
  - (ii) the required minimum **gross floor area** for non-residential uses is 700 square metres; and
  - (iii) the permitted maximum **gross floor area** for non-residential uses is 3500 square metres;
- (J) 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 insert By-law number];
- (K) Despite regulation 40.10.40.80(1), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (L) Despite Regulation 5.10.40.70.(1), 40.5.40.60(1), Clause 40.10.40.60, and (J) and (K) above, the following elements may encroach into the required

minimum **building setbacks** and **main wall** separation distances as follows:

- (i) balconies, balcony platforms, balcony guards, dividers, canopies, awnings and railings by a maximum of 2.0 metres;
  - (ii) cornices, light fixtures, public art, architectural features, ornamental elements, parapets, art and landscape features, pillars, trellises, eaves, window sills, ventilation shafts, guard rails, balustrades, structural columns and cladding, railings, stairs, exterior stairs, doors, wheelchair ramps, fences, screens, terrace platforms, site servicing features, and underground garage ramps and associated structures by a maximum of 1.0 metres;
- (M) Regulation 40.10.40.50(2) with respect to **amenity spaces** for **buildings** with non-residential uses, does not apply;
- (N) Despite Regulations 40.10.90.40(1)(B) and 40.10.100.10(1)(B), access to a **loading space** and **vehicle** access to the **lot** may be from a major **street**;
- (O) Despite regulation 200.5.10.1(1) and Table 200.5.10.1 **parking spaces** must be provided in accordance with the following:
- (i) No minimum residential occupant parking supply is required;
  - (ii) Parking spaces for residential occupants of the building must be provided at a maximum rate of:
    - (a) 0.3 for each bachelor **dwelling unit** up to 45 square metres and 1.0 for each bachelor **dwelling unit** greater than 45 square metres; and
    - (b) 0.5 for each one bedroom **dwelling unit**;
    - (c) 0.8 for each two bedroom **dwelling unit**;
    - (d) 1.0 for each three or more bedroom **dwelling unit**;
  - (iii) A minimum of 2.0 plus 0.01 **parking spaces** per **dwelling unit** for visitors to residents of the building;
  - (iv) Parking spaces required by M(iii) may be shared with non-residential uses.

- (P) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of 1 “car-share parking space” is required;
- i. 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
  - ii. 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; and
  - iii. for the purpose of this exception, a "car-share parking space" means a **parking space** exclusively reserved and actively used for "car-share" purposes, including by non-residents;
- (Q) Despite Regulation 200.5.1.10(2)(A)(iv) and (D), a maximum of 15 percent of **parking spaces** may have a minimum width of 2.6 metres and be obstructed on one side, as described in Regulation 200.5.1.10(2)(D), without being required to provide additional width for the obstructed side of the **parking space**;
- (R) Despite Regulation 200.15.10.10(1), a minimum of 2 accessible **parking spaces** must be provided and maintained on the **lot**;
- (S) Despite Regulations 200.15.1(1) to (3), accessible **parking spaces** must have the following minimum dimensions:
- i. length of 5.6 metres;
  - ii. width of 3.4 metres;
  - iii. vertical clearance of 2.1 metres; and
  - iv. The entire length of an accessible **parking space** must be adjacent to a 1.5-metre-wide accessible and barrier-free aisle or path;
- (T) Despite regulation 230.5.10.1(5), **bicycle parking spaces** for **dwelling units** must be provided and maintained on the **lot** in accordance with the following:
- v. a minimum of 0.9 “long-term” **bicycle parking spaces** per

**dwelling unit; and**

- vi. a minimum of 0.1 “short-term” **bicycle parking spaces** per **dwelling unit;**
- (U) Despite Regulations 230.5.1.10(6) and 230.40.1.20(2), both “long-term” and “short-term” **bicycle parking spaces** may be located in the **building** on the ground floor or on one level above or below the ground floor and may be located more than 30 metres from a pedestrian entrance to the **building;**
- (V) Despite Regulation 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space;**
- (W) Despite Clause 220.5.10.1, one Type “B” **loading space** and one Type “G” **loading space** must be provided and maintained on the **lot;**
- (X) Regulation 40.10.20.100(1), with respect to the total **interior floor area** of an **eating establishment** or **take-out eating establishment** on a **lot** within 6.1 metres of a **lot** in the Residential Zone category, does not apply; and
- (Y) Regulation 40.10.50.10(3), with respect to landscaping requirements if abutting a **lot** in the Residential Zone category, does not apply.
- (Z) The provision of **dwelling units** is subject to the following, not including rental replacement units:
  - (i) A minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
  - (ii) A minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
  - (iii) An additional 15 percent of the total number of **dwelling units** must have a combination of two and three bedrooms, or units that can be converted to 2 and 3 bedroom units through the use of accessible or adaptable design measures;
  - (iv) Any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and

- (v) If the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number.

5. Despite any existing or future severance, partition or division of the lands shown on Diagram 1 of By-law [Clerks to supply by-law #] the provisions of this By-law shall apply to the whole lands as one lot as if no severance, partition, or division had occurred.

Prevailing By-laws and Prevailing Sections: (none apply)

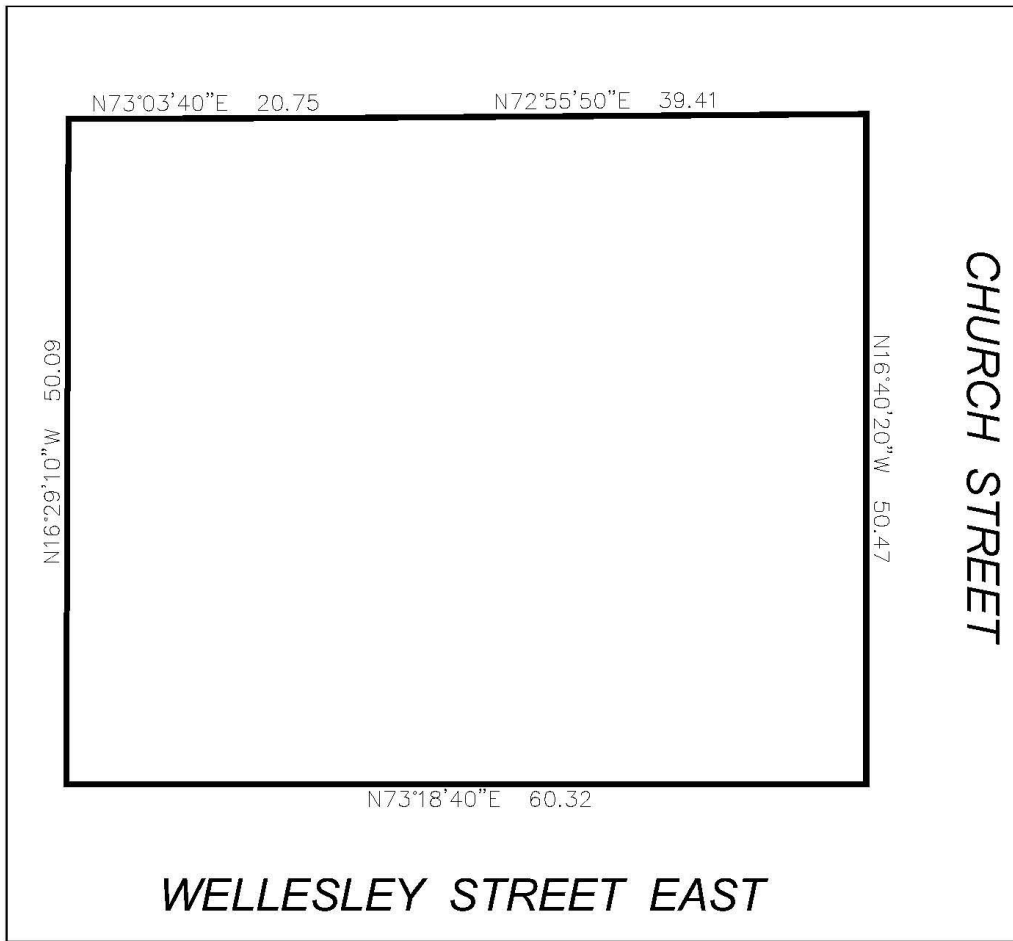
Enacted and passed on [Clerks to insert date].

Francis Nunziata  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

City of Toronto By-law No. \_\_\_\_ - 2022



**552 & 556-570 Church Street and  
64-66 Wellesley Street East, Toronto**

**Diagram 1**

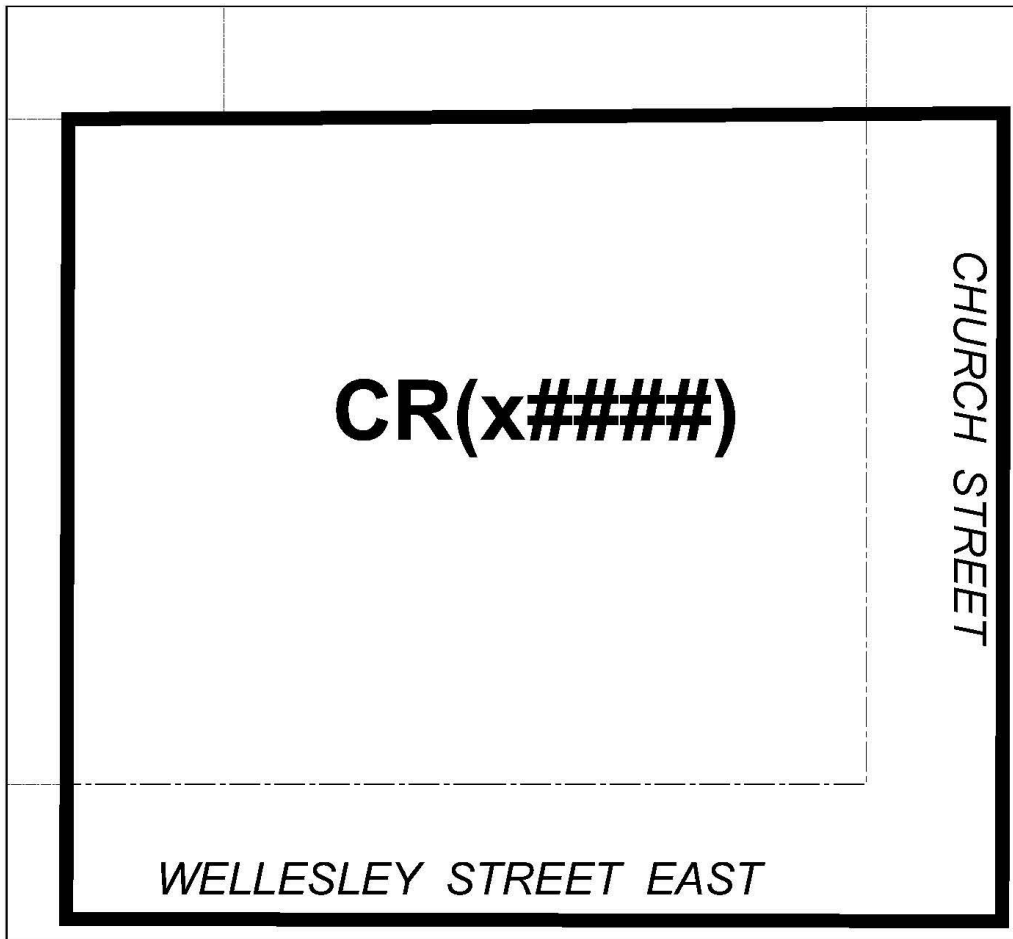
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**552 & 556-570 Church Street and  
64-66 Wellesley Street East, Toronto**

**Diagram 2**

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