

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

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 1613 St. Clair Avenue West.

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; and

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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.1, and applying the following zone label to these lands: CR 3.0 (c1.0; r2.5) SS2 (x 881) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA4, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 16.0, 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 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 to the Rooming House Overlay Map in Article 995.40.1, and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article

900.11.10 Exception Number 881 so that it reads:

(881) Exception CR (881)

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 1613 St. Clair Avenue West, 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 (U) 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 129.05 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 5 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 5 of By-law [Clerks to insert By-law number]:
 - (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 6.0 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 6.0 metres;
 - (iii) a mechanical penthouse located on the portion of the building labelled HT 57.9 as shown on Diagram 5 of By-law (Clerks to insert #) must be located no closer than 5.5 metres from the exterior face of any main wall;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;

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- (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 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 regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 18,500 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 17,000 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 1,500 square metres;
 - (iii) the required minimum **gross floor area** for non-residential uses is 1,000 square metres;
- (F) Regulations 40.10.20.100 (1) and (9), 40.10.40.1 (6), and Clause 40.10.50.10 regarding the location of certain uses, access and **landscaping** in relation to a **lot** in the Residential Zone category or Residential Apartment Zone category do not apply.
- (G) Despite regulation 40.10.40.1(1), residential use portions of the building may be located at the same level as non-residential use portions of the building;
- (H) In addition to the elements listed in regulation 40.5.40.40(3) that reduce **gross floor area**, the following elements will also apply to reduce the **gross floor area** of a **building**:
- (i) All parking, loading, and bicycle parking and associated circulation areas at the ground level and below;
 - (ii) Storage rooms, electrical, utility, mechanical, and ventilation rooms at and above the ground level; and,
 - (iii) Open-to-Below areas within the building at and below the second floor.
- (I) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (J) Despite regulations 40.10.40.60 (2), (3), (5) and (9), and (H) above, the

following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:

- (i) decks, porches, and balconies, by a maximum of 3.0 metres;
 - (ii) despite (i) above, balconies attached to a **main wall** facing a **lot line** abutting St. Clair Avenue West, as follows:
 - (a) below a height of 22.0 metres, may not encroach into the required minimum **building setback**;
 - (b) between a height of 22.0 metres and 32.6 metres, by a maximum of 0.5 metres;
 - (c) above a height of 32.6 metres, by a maximum of 3.0 metres;
 - (iii) canopies and awnings, by a maximum of 3.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 3.0 metres;
- (K) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
- (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (L) The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (M) Despite regulation 200.15.1(4), an accessible **parking space** must be located within 30.0 metres of:
- (i) Entrance to a **building**; and,
 - (ii) Passenger elevator that provides access to the first storey of the **building**.
- (N) Despite regulation 230.5.1.10(4)(B), the required minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, **structure**

or mechanical device is is:

- (i) Length or vertical clearance of **1.83** metres;
 - (ii) width of **0.46** metres; and
 - (iii) horizontal clearance from the wall of **1.10** metres;
- (O) Despite regulation **230.5.1.10(4)(A)(ii)**, the required minimum dimensions of a **stacked bicycle parking space** are;
- (i) length of **1.2** metres;
 - (ii) width of **0.6** metres; and
 - (iii) vertical clearance of **1.8** metres;
- (P) Despite regulation 230.5.1.10(9)(B)(iii), a maximum of 54 “long-term” **bicycle parking spaces** may be located below-grade.
- (Q) Despite regulation **230.5.1.10(10)**, “short-term” **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (R) Despite regulation **230.40.1.20(2)**, a “short-term” **bicycle parking space** may be no more than **30** metres from a pedestrian entrance to a **building** on the **lot**;
- (S) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 25 percent of the total number of **dwelling units** must have **2** or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have **3** or more bedrooms;
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (T) A “privately-owned publicly-accessible open space” with a minimum area of 125 square metres must be provided on the ground level, generally as shown on Diagram 5 of By-law **[Clerks to insert ##]**;
- (U) For the purpose of this exception, each word or expression that is in bold font in this exception shall have the same meaning as each word or expression as defined in Chapter 800 of this By-law, as amended, except for the following:

- (i) “privately-owned publicly-accessible open space” means a space on the **lot** situated at ground level within the shaded area shown on Diagram 5 of By-law [Clerks to insert ##], that is accessible to the public, secured through appropriate legal agreements and may include pedestrian walkways, seating areas, landscaped plazas, short-term **bicycle parking**, and ornamental **structures**, and is used principally for the purpose of sitting, standing and other recreational uses.

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

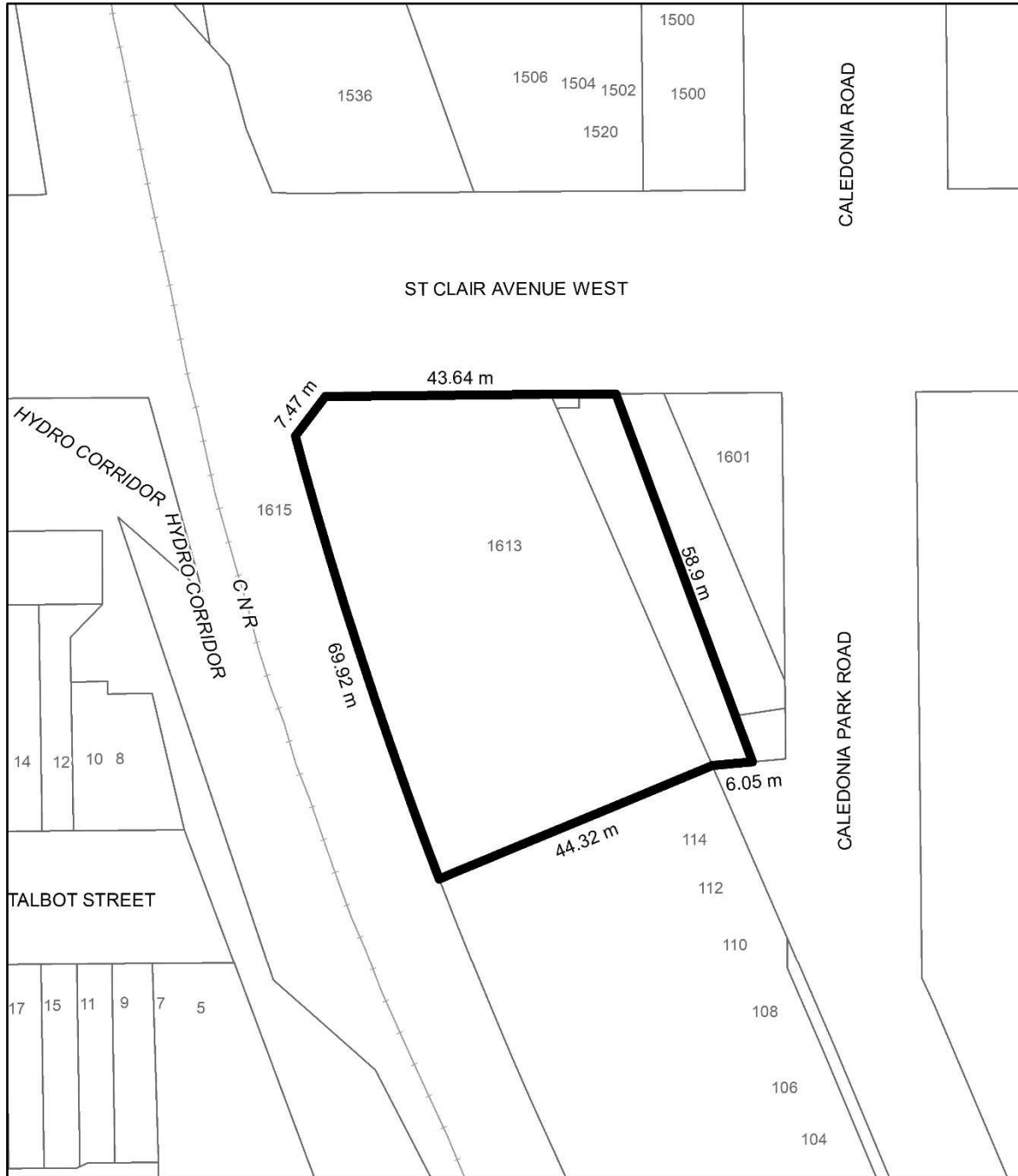
9. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
10. Temporary Use(s):
- (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of **a temporary sales office on the lands subject to this by-law, which means a building, structure, facility, trailer or portion thereof used exclusively for the purpose of the sale or rental of residential or non-residential uses to be erected** on the lands to which this By-law applies for a period of **3** years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

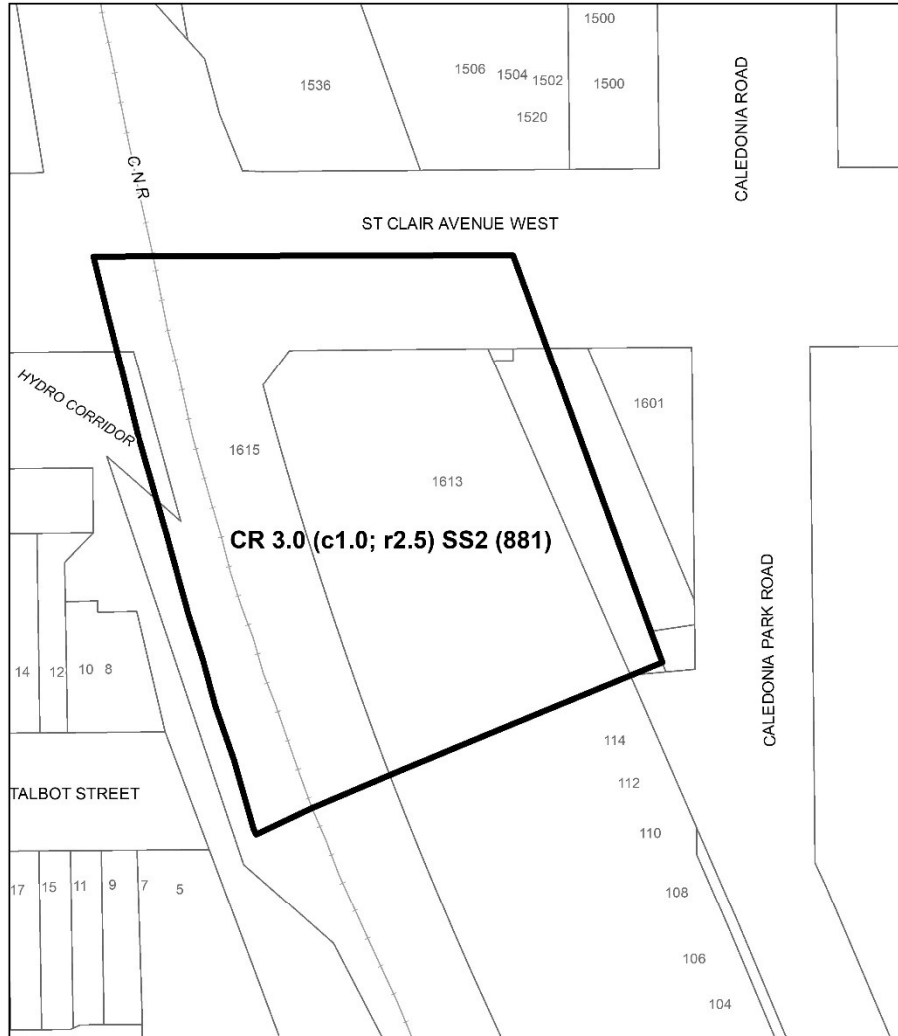
[full name],
City Clerk

(Seal of the City)



1613 St. Clair Ave West


File # 22 167486 STE 09 0Z

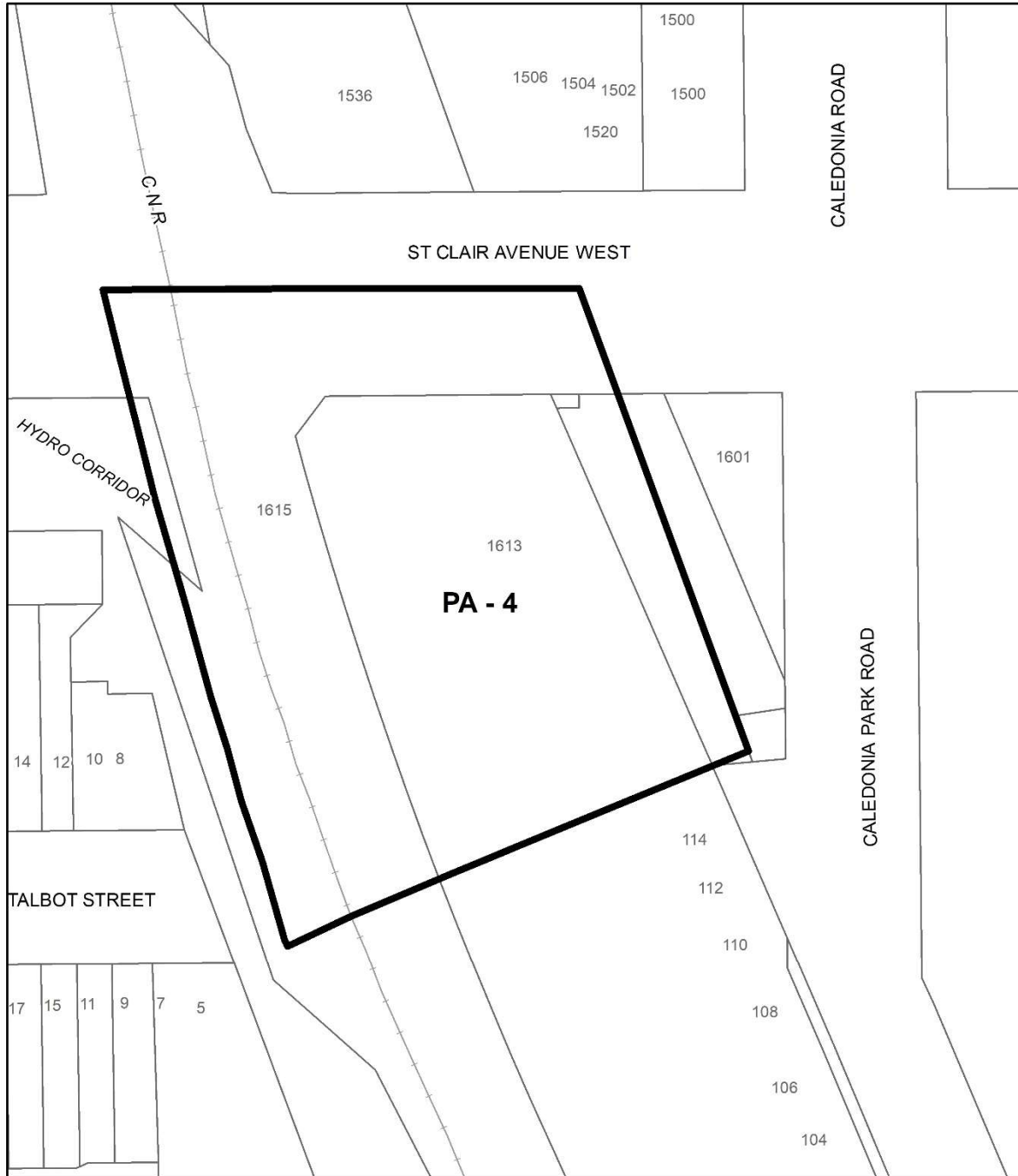


 **TORONTO**
Diagram 2

1613 St. Clair Ave West

File # 22 167486 STE 09 0Z


City of Toronto By-law 589-2013
Not to Scale
06/16/2023



 **TORONTO**
Diagram 3

1613 St. Clair Ave West

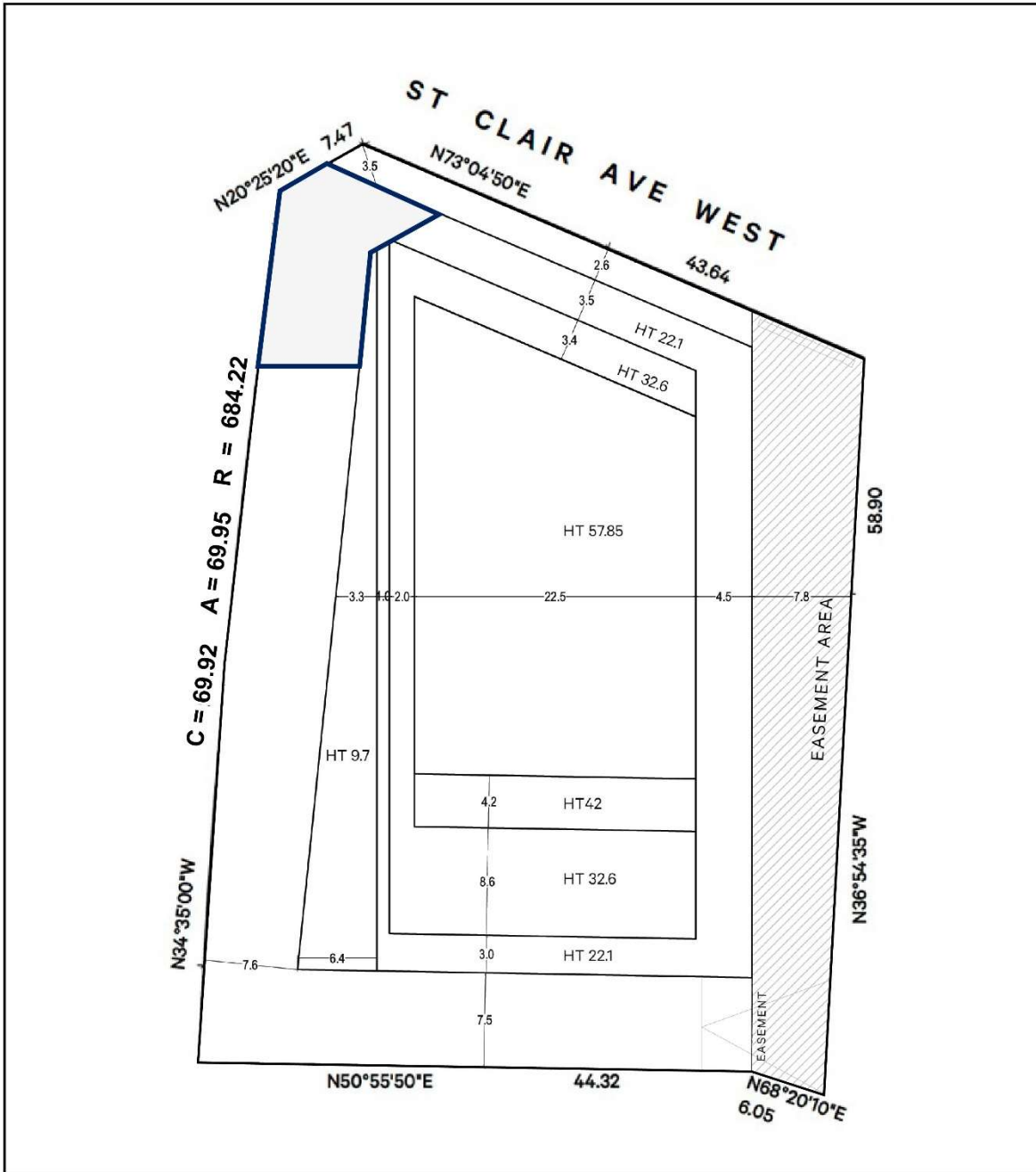
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 **TORONTO**
Diagram 4

1613 St. Clair Ave West

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Toronto
Diagram 5

1613 St. Clair Ave West

File # 22 167486 STE 09 OZ

-  PRIVATELY-OWNED PUBLICALLY-ACCESSIBLE OPEN SPACE
-  EASEMENT AREA


 City of Toronto By-law 569-2013
 Not to Scale
 06/09/2023