

Authority: Toronto and East York Community Council Item [#] as Adopted by City of Toronto Council on [date]

**CITY OF TORONTO  
BY-LAW No. ~-2023**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 16, 20 and 26 Cosburn Avenue in the City of Toronto**

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 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 same meaning provided 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 black lines from a Zone label of RA (d2.0) to RA (x228) 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 RA (x228 ) to Article 900.7.10 so that it reads:

**(228) Exception RA (x228)**

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 16, 20 and 26 Cosburn Avenue, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building, or structure**, may be constructed, used or enlarged in compliance with Regulations (B) to (N) below;
- (B) Despite regulation 15.5.40.10 (1) the height of a **building or structure** is the distance between the Canadian Geodetic Datum of 122.01 metres and the elevation of the highest point of the **building or structure**.

- (C) Despite regulation 15.10.40.10 (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 ##];
- (D) Despite Regulations 15.5.40.10 (2) to (6) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building** as shown on Diagram 3 of [Clerks to insert By-law ##], in accordance with the following:
- i. elements on the roof of the **building** or **structure** used for **green roof** technology, elevator overrun, window washing equipment, safety anchors, lightning rods, safety railings, guard rails, railings, terraces, patios, landscape features, parapets, terrace guards/landscape planters, ladders, garbage chute vents, balustrades, ornamental or architectural features, to a maximum of 2.0 metres;
  - ii. **structures** on any roof used for maintenance or wind mitigation purposes, to a maximum of 3.0 metres;
  - iii. satellite dishes, antennae, acoustical barriers, signage, cabanas and trellises, to a maximum of 3.5 metres; and
  - iv. mechanical penthouses or rooftop mechanical equipment and screening, to a maximum of 7.5 metres;
- (E) Despite Regulations 15.5.40.10 (4), and D above, **structures** or parts of a **building** that exceed the maximum height for a building as shown on Diagram 3 of [Clerks to insert By-law ##], must comply with the following:
- i. their total area may cover no more than 80% of the area of the roof, measured horizontally;
- (F) Despite Regulation 15.10.40.40 (1), the amount of **gross floor area** erected or used on the lands shall not exceed 19,400 square metres;
- (G) The provision of **dwelling units** is subject to the following:
- i. A minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms; and
  - ii. A minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms.
- (H) The maximum permitted gross buildable floor area of any **storey** above a height of 28.5 metres, measured from the Canadian Geodetic Elevation of 122.01 metres, is 798 metres.

- (I) Despite Clauses 15.10.40.70 and 15.10.40.80 the required minimum **building setbacks** and the required **main wall** separation distances are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (J) Despite Clauses 15.10.40.70 and 15.10.40.80 and (I) above the **main wall** of the 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> floors must be setback 1.4 metres from the 8<sup>th</sup> floor along the Cosburn Avenue **lot** line.
- (K) Despite Clause 15.5.40.60 and (I) and (J) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- i. communication equipment, cornices, lighting fixtures, ducts, eaves, energy devices, fences, guardrails, landscape and public art features, lighting fixtures, ornamental or architectural elements, pipes, planters, satellite dishes, terrace guards, vents, wind protection, window sills, and window washing equipment, to a maximum of 1.5 metres;
  - ii. wind mitigation features including canopies and awnings, to a maximum of 3.0 metres;
  - iii. balconies must be setback a minimum of 2.2 metres from the front yard **lot** line;
  - iv. balconies projecting from the east **main wall** in the “Balcony Restriction Area” as shown on Diagram 3 of By-law [Clerks to insert By-law number] to a maximum of 1.5 metres and no balcony projections are permitted closer than 3.0 metres to an outer most exterior corner intersection of the **main walls** of the **building** in the Balcony Restriction Zone;
  - v. no balcony projections are permitted closer than 2.0 metres to an outermost exterior corner intersection of **main walls** of the **building** as shown on Diagram 3 of By-law [Clerks to insert By-law number] above a height of 28.5 metres measured from the Canadian Geodetic Elevation of 122.01 metres.
- (L) Despite Regulation 15.5.50.10(1), a minimum of 15 percent of the area of the **lot** must have **landscaping** of which a minimum of 35 percent of the required **landscaping** must be comprised of **soft landscaping**.
- (M) Despite regulation 200.5.10.1(1) and Table 200.5.10.1 a minimum of 2 **parking spaces** must be car share **parking spaces**;
- (N) Despite Clause 200.15.10.5, Table 200.15.10.5 and Regulation 200.15.10.10(1), a minimum of two (2) **parking spaces** must be accessible **parking spaces**;

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

5. 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.

6. Temporary use(s):

(A) None of the provisions of 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 to which this By-law applies for a period of three years from the date this By-law comes into full force and effect, after which this temporary use permission expires, provided that:

- i. the **building** or **structure** is limited to one storey

7. For the purposes of interpreting this by-law, the following definitions shall apply:

(A) “car-share” means the practice whereby a number of people share the use of one or more **vehicles** that are owned by a profit or non- profit car-sharing organization, such car-share **vehicles** are to be made available for short term rental, including hourly rental. Car- share organizations may require that the carshare **vehicles** be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable.

(B) “car-share parking space” means a **parking space** that is reserved and actively used for “car-share”

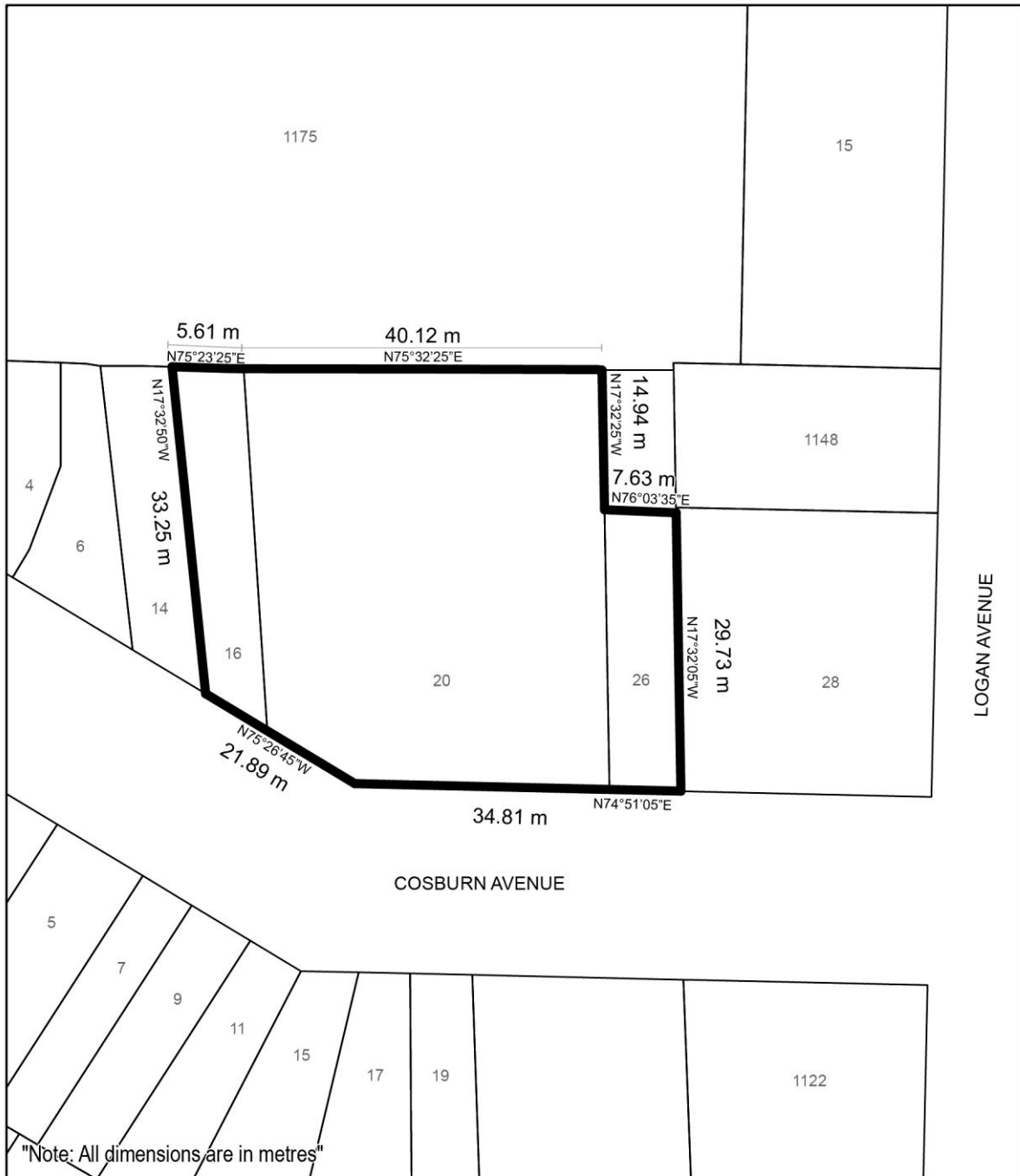
(C) “temporary sales office” means a building, structure, facility or trailer to be erected on the lands and used for the purpose of the sale of **dwelling units** and/or the administration and management of construction activity related to construction on the lands;

ENACTED AND PASSED this ~ day of ~, A.D. 2023.

XX,  
Mayor

JOHN ELVIDGE,  
City Clerk

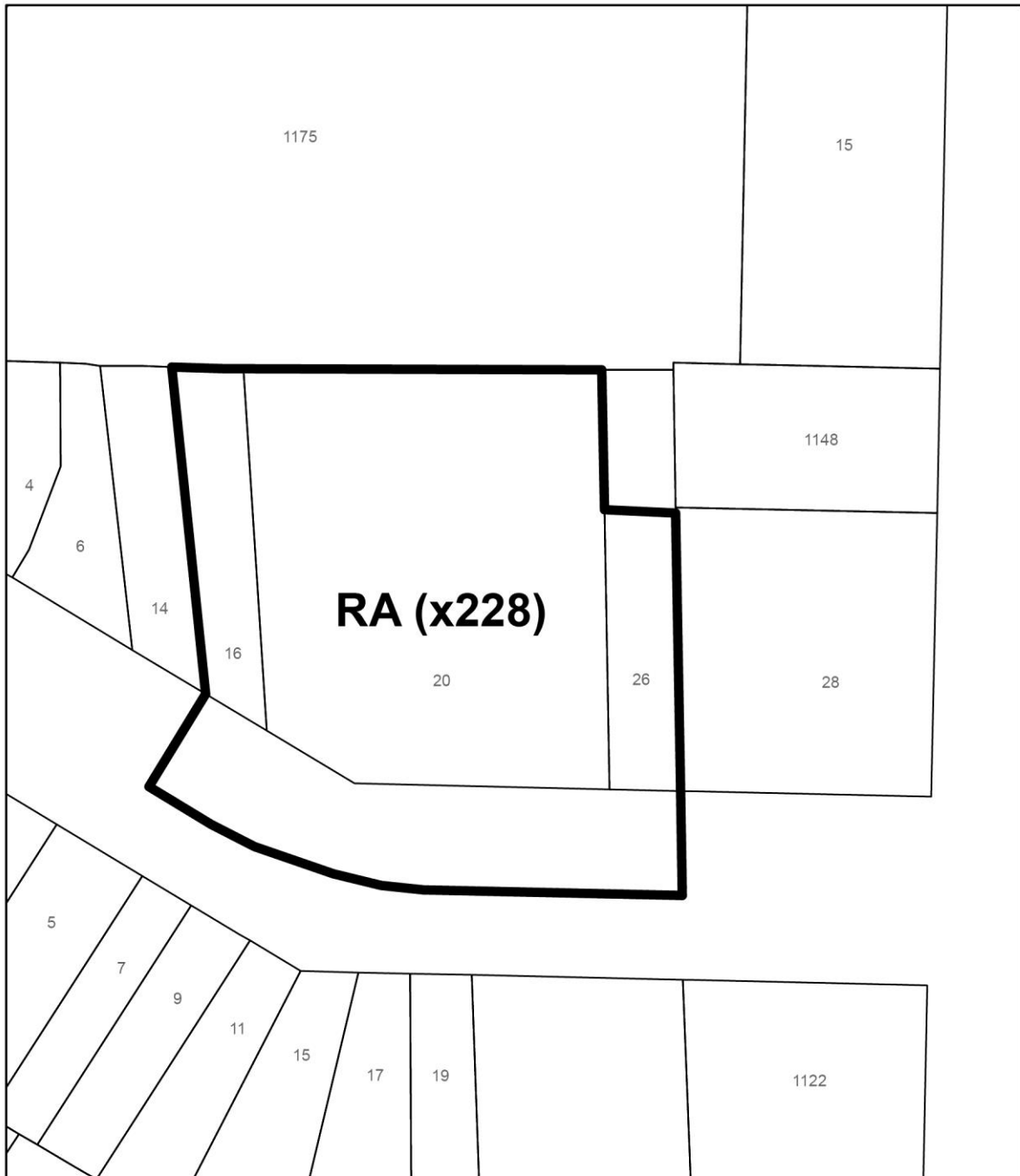
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 **TORONTO**  
Diagram 1

**16-26 Cosburn Ave**

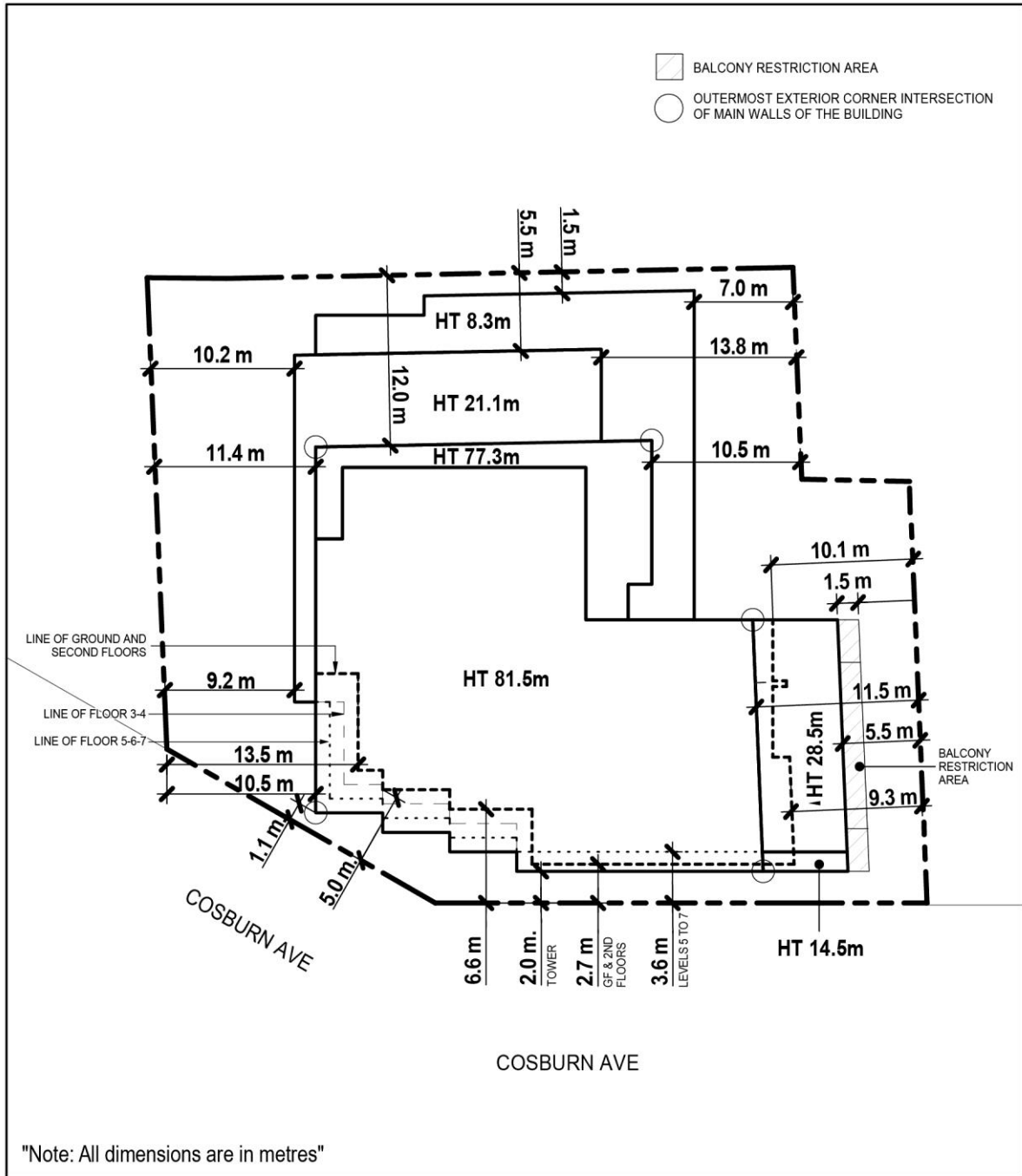
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 **TORONTO**  
Diagram 2

**16-26 Cosburn Ave**

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**TORONTO**  
 Diagram 3

16-26 Cosburn Ave

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