

Authority: Toronto and East York Community Council – Item TE.X, as adopted by City of Toronto Council on X

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 410 Sherbourne 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; 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 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 R (d2.0)(x970) to a zone label of RAC (x204) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.8.10 Exception Number 204 so that it reads:

(204) Exception RAC 204

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 410 Sherbourne Street, if the requirements of By-law XXX-2023 are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (AA) below;
- (B) In addition to the uses permitted in Regulation 15.20.20.20(1), an **entertainment place of assembly** is also permitted provided that it is not

located above the first **storey** of a **building**;

- (C) Despite regulation 15.20.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 103.45 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite regulation 15.20.40.10(1), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 3 of By-law XXX;
- (E) Despite regulation 15.20.40.10(2), the permitted maximum number of **storeys** in a **building** or **structure** is the number following the ST symbol as shown on Diagram 3 of By-law XXX;
- (F) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** must contain two bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
 - (iii) an additional 15 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**; and
 - (iv) convertible **dwelling units**, as described in (F)(iii) above, may be converted using accessible or adaptable design measures, such as knock-out panels;
- (G) Despite regulations 15.5.40.10(2), (3) and (6), the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law XXX-2023:
- (i) equipment used for the functional operation of the **building**, including **building** maintenance units and window washing equipment, 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) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres; and
 - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (H) Despite regulations 15.5.40.10(4)(A) and 15.5.40.10(6)(A), equipment, **structures** or parts of a **building** that exceed the maximum height for a **building**, as permitted by regulation 15.5.40.10(3) and (G)(i) and (ii) above may cover no more than 50% of the area of the roof, measured horizontally;
- (I) Despite regulation 15.20.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 31,275 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 31,035 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 240 square metres;
- (J) Despite Clauses 15.20.40.70 and 15.20.40.80, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law XXX-2023;
- (K) Despite Clause 15.5.40.60 and (J) above, the following elements may encroach into the required minimum **building setbacks** as follows:
- (i) decks, porches, and balconies, by a maximum of 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 2.5 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
 - (vi) window projections, including bay windows and box windows, by a

maximum of 0.5 metres;

(vii) eaves, by a maximum of 1.0 metres;

(viii) a dormer, by a maximum of 1.0 metres; and

(ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres;

(L) Despite regulation 15.5.50.10(1) and (2), no requirements for **landscaping** on the **lot** apply;

(M) Despite regulation 15.5.80.30(1), no requirements apply for the minimum distance of a surface **parking space** from any **main wall** of an **apartment building**;

(N) Despite regulation 15.5.100.1(2), no requirements for an unobstructed **vehicle** access between the **street** and principal pedestrian entrance to a **building** apply;

(O) Despite regulations 200.5.1(2), and 200.5.10.1(1) and (2), and Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** as follows:

(i) a minimum of 0.14 residential occupant **parking spaces** for each **dwelling unit**;

(ii) a minimum of 2 plus 0.1 residential visitor **parking spaces** for each **dwelling unit**;

(iii) no minimum **parking spaces** are required for non-residential uses; and

(iv) a minimum of 10 accessible **parking spaces** must be provided as part of the requirements in (i) above;

(P) A maximum of 2 **parking spaces** may be “car-share parking spaces” which, for the purpose of this by-law, means:

(i) the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable; and

- (ii) a **parking space** that is reserved and actively used for car-sharing;
- (Q) Despite regulations 230.5.1.10(1) and (9), required “long-term” **bicycle parking spaces** may be provided in **stacked bicycle parking spaces**;
- (R) Despite Clause 220.5.10.1, one (1) Type “C”, and one (1) Type “G” **loading space** must be provided and maintained on the **lot**; and
- (S) A privately-owned, publicly accessible midblock connection with a minimum width of 3 metres must be provided within the hatched area as shown on Diagram 3 of By-law XXX-2023.
- (T) A **lawfully existing public school** or **private school** on a **lot** in the Residential Apartment Zone category is permitted on that **lot**, and:
- (i) any expansion or addition to the lawfully existing **public school** or **private school building** must comply with Section 150.48 and the requirements for the zone in which the **lot** is located; and
 - (ii) the **lawfully existing public school** or **private school** may be replaced with a new school **building** that complies with Section 150.48 and the requirements for the zone in which the **lot** is located;
- (U) A **parking space** required by this By-law for a use in the Residential Apartment Zone category must be available for the use for which it is required;
- (V) In the Residential Apartment Zone category, a **parking space** must be on the same **lot** as the use for which the **parking space** is required;
- (W) A minimum of 50% of the required **parking spaces** for an **apartment building** in the Residential Apartment Zone category, other than required visitor **parking spaces**, must be in a **building** or underground **structure**;
- (X) A **parking space** on a **lot** in the Residential Apartment Zone category may be used for a commercial **vehicle**, if:
- (i) an owner or tenant of a **dwelling unit** on the **lot** is the owner or operator of the **vehicle**; and
 - (ii) it is located within a wholly enclosed **building**;
- (Y) A **parking space** located outside of a **building** in the Residential Apartment Zone category may not be used for:

- (i) commercially licensed **vehicles**;
- (ii) construction **vehicles**;
- (iii) dump trucks;
- (iv) agricultural **vehicles**;
- (v) repair or towing **vehicles**;
- (vi) tracked **vehicles**;
- (vii) **vehicles** with a traction engine;
- (viii) **vehicles** designed to run only on rails; and
- (ix) **vehicles** equipped with more than six wheels, excluding spare wheels;

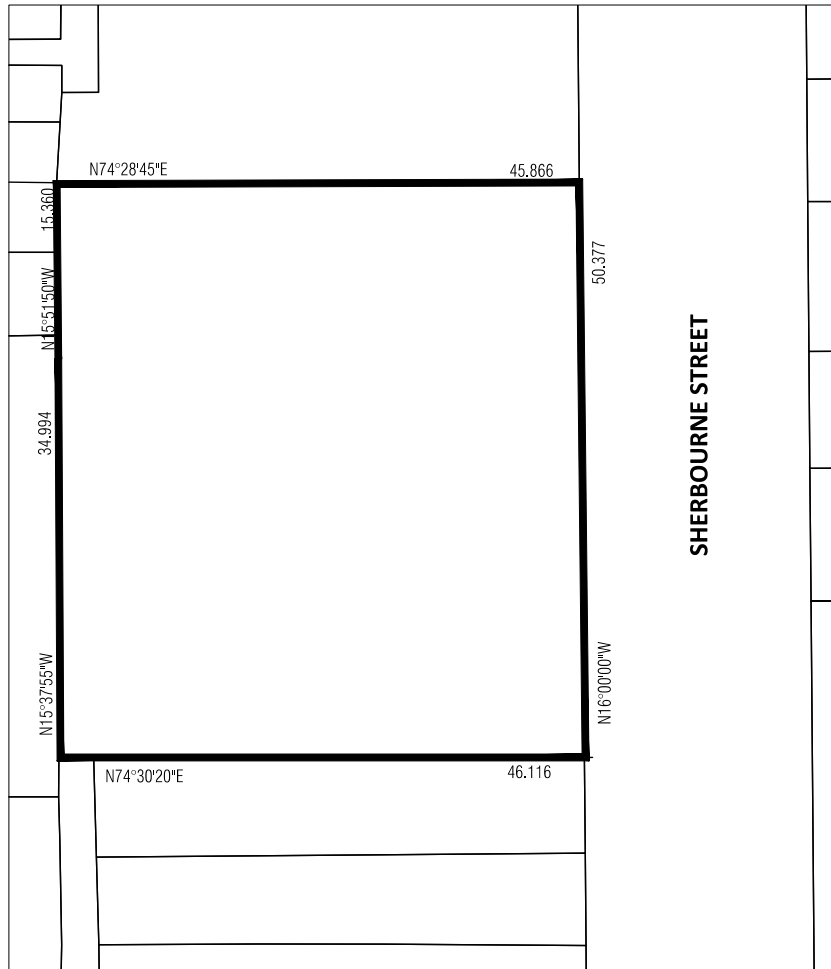
(Z) In addition to the uses permitted in Clause 15.20.20.10, the following uses are also permitted in the RAC zone if they comply with the conditions outlined as follows:

- (i) **Group Home** and **Residential Care Home**, subject to the requirements of regulation 15.20.20.100(8);

(AA) In addition to the uses permitted in Clause 15.20.20.10, a **place of worship** is permitted if it complies with the conditions outlined as follows:

- (i) a **place of worship** may be on a **lot** with an **apartment building**, if the **lot** has 100 or more **dwelling units** in one or more **apartment buildings**; and
- (ii) if the **place of worship** is inside an **apartment building**, it may not:
 - (a) be above the first **storey**;
 - (b) occupy more than 50% of the **interior floor area** of the **first storey**; and,
 - (c) exceed 110 square metres in **interior floor area**;
- (iii) if the **place of worship** is not inside an **apartment building**, it may not exceed 110 square metres in **interior floor area**;
- (iv) if a **place of worship** is not on a **lot** with an **apartment building**, it must:
 - (a) comply with the specific use regulations in Section 150.50;
 - (b) be on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map, with a **lot area** of at least 2,000 square metres; and
 - (c) be in a **building** with no more than 3,000 square metres of **gross floor area**; and
- (v) a **lawfully existing place of worship** is exempt from the requirements of AA(iv)(b) and (c) above.

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

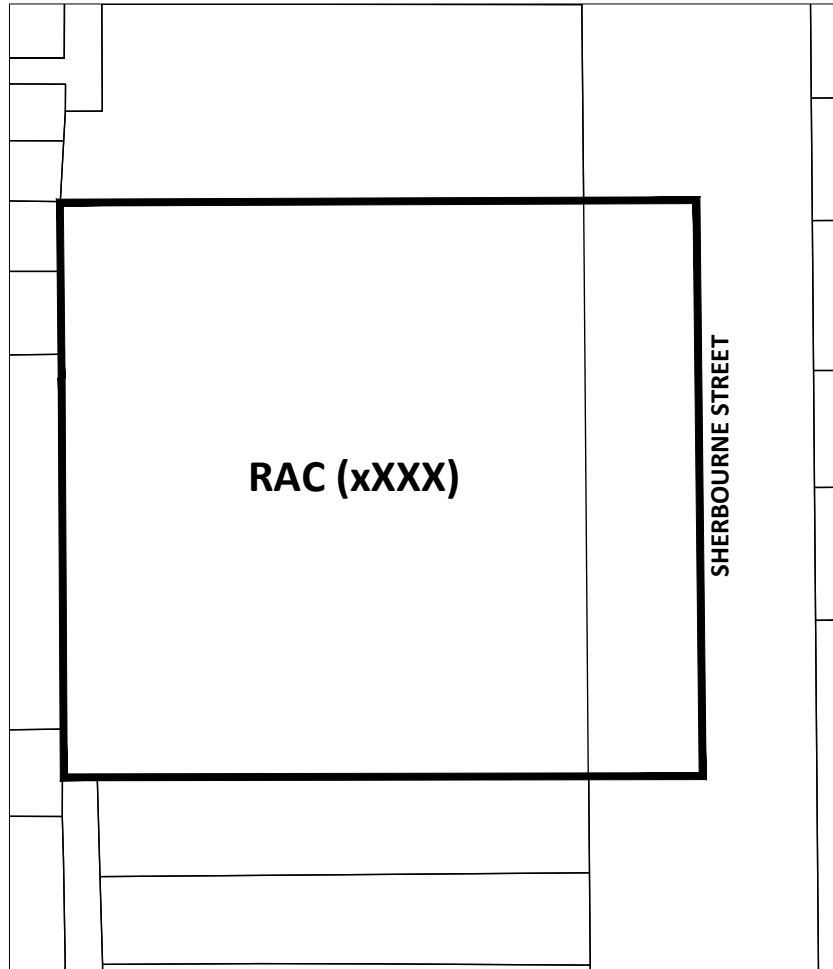


410 Sherbourne Street

Diagram 1

 Lands subject to this By-law

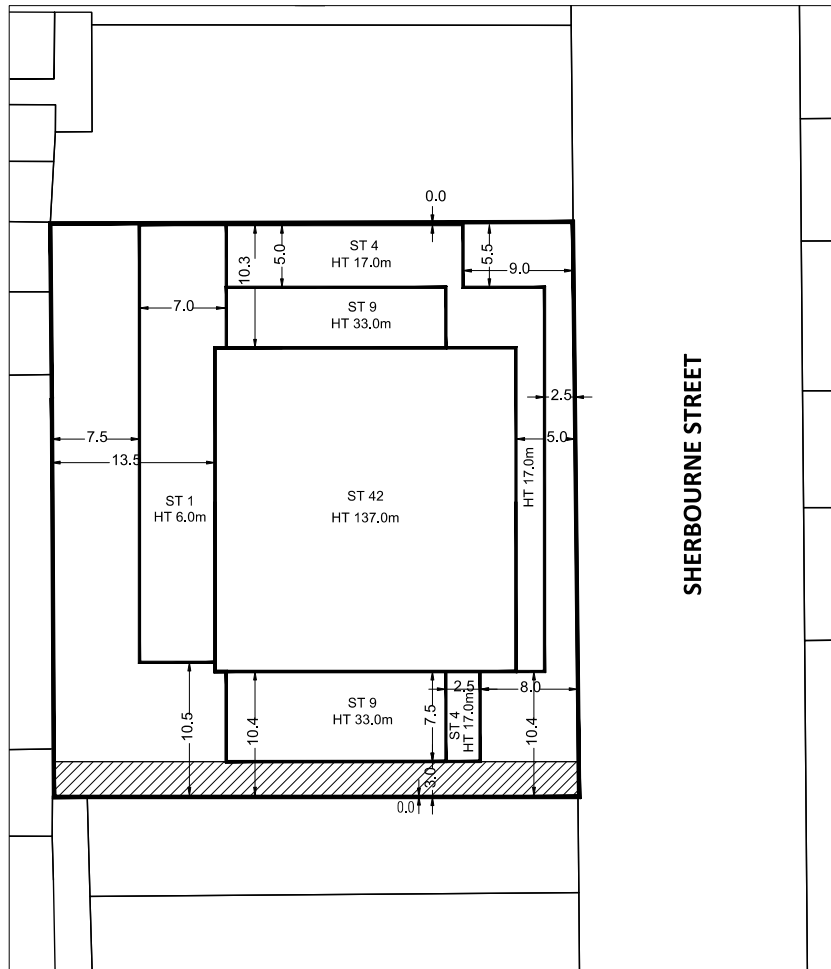




410 Sherbourne Street

 Lands subject to this By-law





SHERBOURNE STREET

410 Sherbourne Street



Diagram 3

- Lands subject to this By-law
- Area Mid Block Connection

