

Attachment 5: Draft Zoning By-law Amendment

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 307 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

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once Council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)";

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. 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 1.5 (c1.0; r1.0) SS2 (x219) to a zone label of: (H) CR 1.5 (c1.0; r1.0) SS2 (x219) as shown on Diagram 2 attached to this By-law.
3. 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.
4. Zoning By-law 569-2013, as amended, is further amended by amending and replacing Article 900.11.10 Exception Number 219 so that it reads:

(219) Exception CR 219

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 307 Sherbourne 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 (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 94.02 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the permitted non-residential uses listed in Regulation 40.10.20.10(1)(A), a “geo-energy facility” is permitted;
- (D) In addition to the permitted residential uses with conditions listed in regulation 40.10.20.20(1)(B), a “private student residence” is permitted, provided:
 - (i) The use includes all **dwelling units** in the **building**; and
 - (ii) A maximum of 200 **dwelling units** are provided for the “private student residence”;
- (E) Despite Clause 40.10.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 78 percent;
- (F) 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 3 of By-law [Clerks to insert By-law number];
- (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 3.8 metres;
- (H) Despite regulations 40.5.40.10(3) to (8), and (F) 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]:
 - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, by a maximum of 3.0 metres, but not exceeding the permitted maximum height of 48.0 metres;
 - (ii) enclosed stairwells, roof access, maintenance equipment storage,

- elevator shafts, chimneys, and vents, by a maximum of 3.0 metres;
- (iii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, excluding a mechanical penthouse, by a maximum of 3.0 metres, but not exceeding the permitted maximum height of 48.0 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 3.5 metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres;
 - (vii) antennae, flagpoles and satellite dishes, by a maximum of 2.5 metres; and
 - (viii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
 - (ix) the total area of all equipment, structures, or parts of a building noted in (i), (ii), (iii) and (v) above may cover is no more than 30% of the area of the roof, measured horizontally.
- (I) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 8,450 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 8,429 square metres;
 - (J) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
 - (i) A minimum of 450 square metres as indoor **amenity space**;
 - (ii) A minimum of 140 square metres of outdoor **amenity space**;
 - (K) Despite regulations 40.10.40.70(2) and 600.10.10(1)(A), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
 - (L) Despite regulation 40.10.50.10 (3), no soft landscape strip is required abutting a lot in the Residential zone category;

- (M) Despite regulation 40.10.40.80 (2), and 600.10.10(1)(B) and (C), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (N) Despite Clause 40.10.40.60, and regulations 600.10.10(1)(D), (E) and (F), and (K) and (M) 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 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 2.0 metres;
 - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, or belt course by a maximum of 1.0 metres;
 - (iv) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
 - (v) eaves, by a maximum of 1.0 metres; and,
 - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres; and
- (O) 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;
- (P) Despite regulation 200.15.1(4), an accessible **parking space** must be located within 30.0 metres of an entrance to a **building**.
- (Q) 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.
- (R) 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**;
- (S) The provision of **dwelling units** is subject to the following:

- (i) A minimum of 21 **dwelling units** must contain two bedrooms;
 - (ii) A minimum of 12 **dwelling units** must contain three 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) 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 that have no surface on which to stand within the building at and below the second floor.
- (U) For the purpose of this exception, each word or expression that is in bold font will have the same meaning as such word or expression as defined in Chapter 800 of Zoning By-law 569-2013, as amended, except for the following:
- (i) “geo-energy facility” means **premises** containing devices to generate **geo-energy** for the exclusive use of the **building**.
 - (ii) “private student residence” means **premises** owned or operated by a third party under agreement with one or more **post-secondary schools** or educational facilities, consisting of **dwelling units, bed-sitting rooms** or rooms, used for student accommodation.

5. Holding Symbol Provisions

- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
- (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:

- (i) The owner has prepared and submitted a revised Functional Servicing and Stormwater Management Report to Chief Engineer and Executive Director, Engineering and Construction Services, for review and acceptance to demonstrate that the domestic water system and any required improvements to it, has adequate capacity to accommodate the development of the lands; and
 - (ii) Where improvements to the domestic water system are recommended in the Functional Servicing and Stormwater Management Report as accepted by the Chief Engineer and Executive Director, Engineering and Construction Services, the owner has entered into a financially secured agreement with the City to secure the construction of the required improvements.
- 6.** 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.

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

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



307 Sherbourne Street

DIAGRAM 1

File #



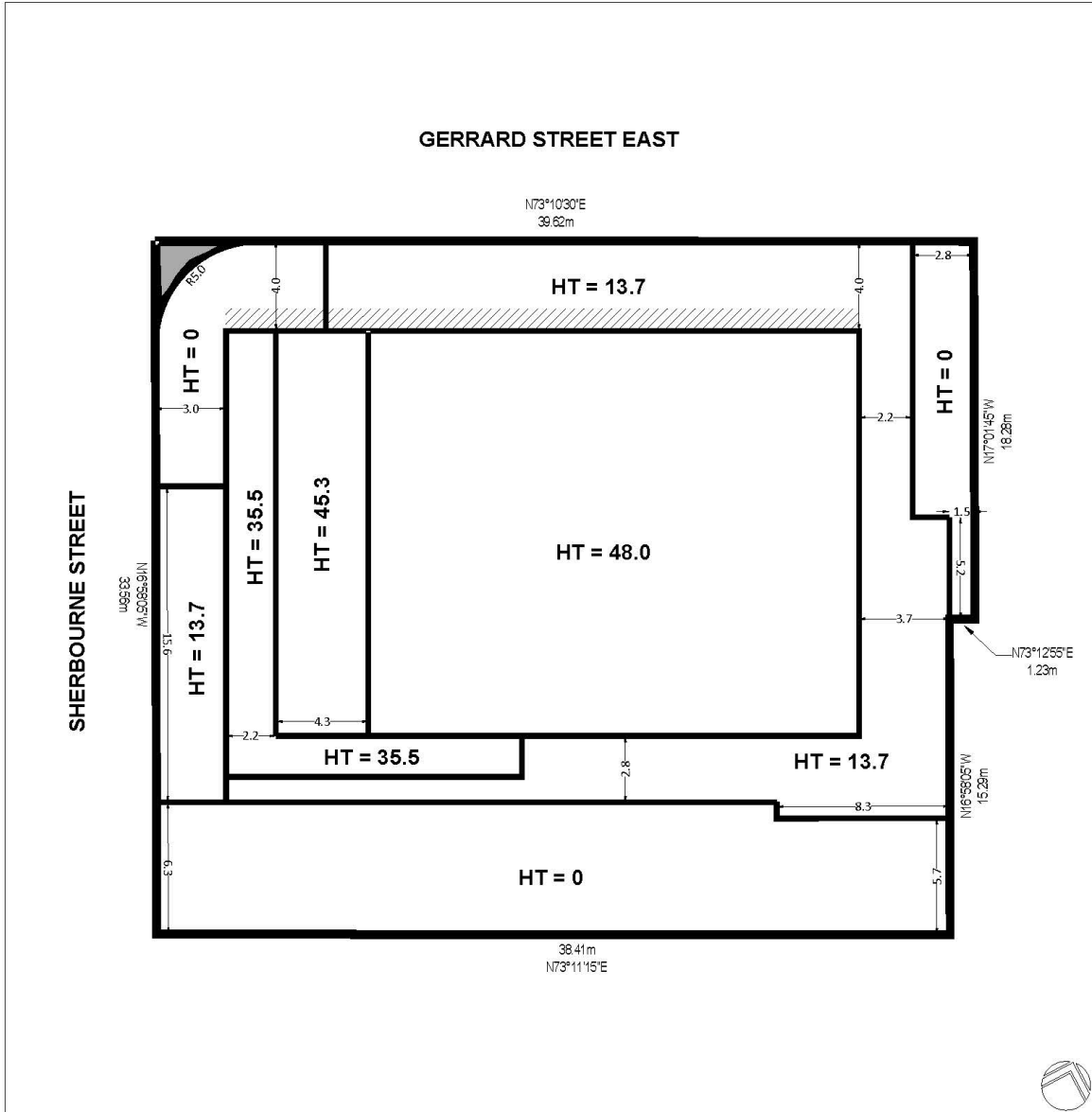


307 Sherbourne Street

Diagram 2

File #





Not to Scale



Diagram 3

307 Sherbourne Street
File # 23 201185 STE 13 OZ

- Area affected by this by-law
- Main wall where balcony projections are permitted on storeys 7-11 (inclusive)
- 5 metre corner rounding