

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20 ~
Enacted by Council: ~, 20 ~

**CITY OF TORONTO
BY-LAW No. --20~**

To amend Zoning City of Toronto By-law 569-2013, as amended by By-law 948-2021 with respect to the lands municipally known in the year 2023 as 1365-1375 Yonge Street

WHEREAS authority is given to Council by 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*;

The Council of the City of Toronto HEREBY ENACTS as follows:

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 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 4.25 (c2.0; r3.0) SS2 (x427) to a zone label of CR 4.25 (c2.0; r3.0) SS2 (x964) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 964 so that it reads:

(964) Exception CR (964)

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 1365-1375 Yonge 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 (W) 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 141.86 metres and the

elevation of the highest point of the **building** or **structure**;

- (C) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building**;
- (D) 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];
- (E) Despite Regulations 40.5.40.10(3) to (8) and (D) 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, as well as enclosed stairwells, roof access, maintenance equipment storage, lighting rods, exhaust flues, ventilating equipment, cooling towers, elevator shafts, elevator overruns and machine rooms, chimneys, pipes, vents, garbage chute overruns, and indoor and outdoor amenity space by a maximum of 7.5 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 9.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 8.5 metres;
 - (v) planters, **landscaping** features, lighting fixtures, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (vi) antennae and other communication equipment, flagpoles and satellite dishes, by a maximum of 3.5 metres; and
 - (vii) trellises, pergolas, awnings, canopies, bollards, fences, guardrails, parapets, pipes, railings, roof drainage components, or thermal and waterproofing assembly, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
 - (viii) Notwithstanding (i) and (ii) above, the total area of all equipment, structures or parts of a building exceeding the permitted maximum height for a building, as permitted by (i) and (ii) above, may cover 100 percent of the total area of the roofs on the lot, measured horizontally;
- (F) For the purposes of this exception, a mechanical penthouse may include indoor and outdoor **amenity space**;

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- (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 metres.
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 43,850 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 43,400 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 450 square metres;
- (I) Despite Regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
- (i) at least 3.25 square metres for each **dwelling unit** of which at least 2 square meters per **dwelling unit** must be indoor **amenity space** and at least 40 square meters of outdoor **amenity space** must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (ii) no more than 25 percent of the outdoor component may be a **green roof**;
- (J) Despite Regulation 40.10.40.70(2), 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(2), 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 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 by a maximum of 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) exterior stairs, access ramps such as wheelchair ramps, underground garage ramps and their associated **structures**, and elevating devices, by a maximum of 3.0 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, structural/non-structural architectural columns/piers, 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 1.0 metres;

- (vii) eaves, by a maximum of 0.5 metres;
 - (viii) air conditioners, satellite dishes, antennae, vents, mechanical exhaust and intake components, and pipes, by a maximum of 1.0 metres;
 - (ix) lighting fixtures, bicycle parking areas, fences and safety railings, planters, balustrades, bollards, landscape and public art features, retaining walls, Siamese connections, and privacy screens, by a maximum of 3.0 metres; and
 - (x) window washing equipment, parapets, parapet flashing, roof and terrace scuppers, roof overhang, gutter, downspout, trellises, wind mitigation and acoustic screens and features, by a maximum of 2.0 metres;
- (M) Despite Regulation 200.5.1.10(2)(A), **parking spaces** must be provided and maintained on the **lot** in accordance with the following rates:
- i. a minimum of 2 **parking spaces** plus 0.01 **parking spaces** per **dwelling unit** for residential visitors and non-residential uses;
 - ii. A maximum of 0.3 **parking spaces** for each bachelor **dwelling unit**;
 - iii. A maximum of 0.5 **parking spaces** for each one bedroom **dwelling unit**;
 - iv. A maximum of 0.8 **parking spaces** for each two bedroom **dwelling unit**;
 - v. A maximum of 1.0 **parking spaces** for each three or more bedroom **dwelling unit**;
- (N) Despite Regulation 200.5.1.10(2)(A), a maximum of 25% of the **parking spaces** may have minimum dimensions as follows:
- (i) length of 5.1 metres;
 - (ii) width of 2.4 metres;
 - (iii) vertical clearance of 1.7 metres; and
- (O) Despite Regulation 200.5.1.10(2)(C) and (N) above, the side of the **parking space** that is obstructed is not required to be increased by 0.3 metres;
- (P) 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;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) a 1.5-metre-wide accessible barrier free aisle is not required for the entire length of an accessible parking space;

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- (Q) Despite Regulation 200.15.1(4), an accessible **parking space** is not required to be closest to a barrier-free passenger elevator that provides access to the first **storey** of the **building**;
- (R) Despite Regulation 230.5.1.10(4)(A), the required minimum width of a **bicycle parking space** is 0.3 metres
- (S) In addition to the locations a "long-term" **bicycle parking space** may be located as in Regulations 230.5.1.10(9)(B), "long-term" **bicycle parking spaces** may be located in the following locations:
- (i) any level above or below grade; and
 - (ii) within a secured room or enclosure or unenclosed space, or combination thereof, or bike locker;
- (T) Despite Regulation 230.5.1.10(10), "short-term" and "long-term" **bicycle parking spaces** may be located in the following locations:
- (i) a **stacked bicycle parking space** in any combination of vertical or horizontal stacked positions;
- (U) Despite Regulation 230.40.1.20(2) a "short term" **bicycle parking space** may be located in the following locations:
- (i) provided on the ground floor, mezzanine or below grade on the **lot**;
 - (ii) located outdoors or indoors including within a secured room or enclosure or unenclosed space, or combination thereof; and
 - (iii) may be located more than 30 metres from a pedestrian entrance on the **lot**;
- (V) Despite Regulations 230.5.10.1(1)(3) and (5)(A) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
- (i) 0.9 "long-term" **bicycle parking spaces** for each **dwelling unit**;
 - (ii) 0.2 "short-term **bicycle parking spaces** for each **dwelling unit**;
 - (iii) no "long term" **bicycle parking spaces** are required for non-residential uses; and
 - (iv) no "short-term" **bicycle parking spaces** are required for non-residential uses;
- (W) 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) "Ceiling" means the upper or top structural surface of a room or area which is higher than structural drop beams, structural transfer beams, mechanical ventilation ducts, gas/water pipes, drainage pipes, sanitary pipes, electrical channels below slabs, sprinkler heads or any bulkheads and/or dropped ceilings, or mezzanine level;

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 Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a Construction Office/Sales Office and associated parking on the lands identified on Diagram 1 of this By-law where a Construction Office/Sales Office means **buildings, structures**, facilities or trailers, or portions thereof, used for the purpose of the administration and management of construction activity and/or for selling or leasing dwelling units and/or non-residential **gross floor area** 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 this ___ day of _____, A.D. 20~.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)

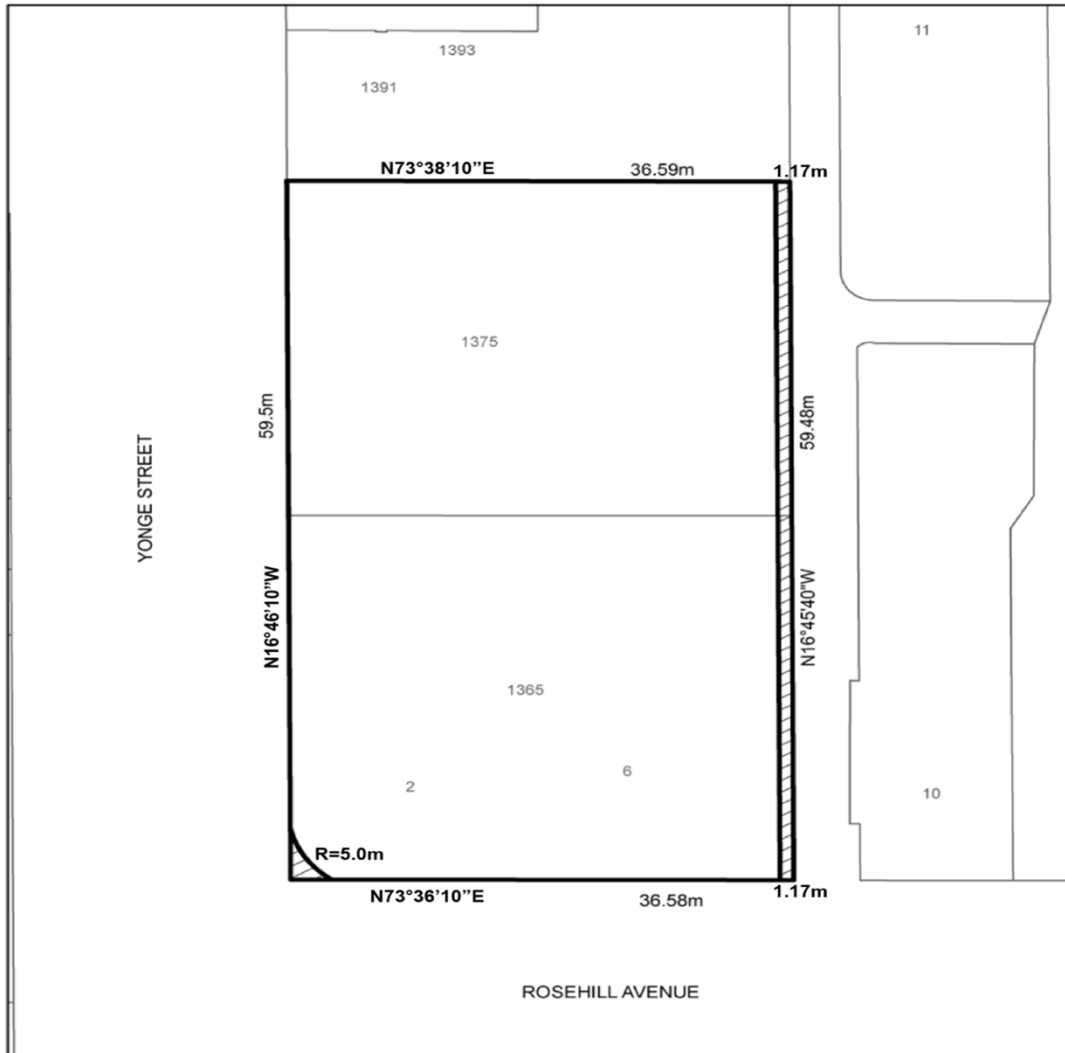
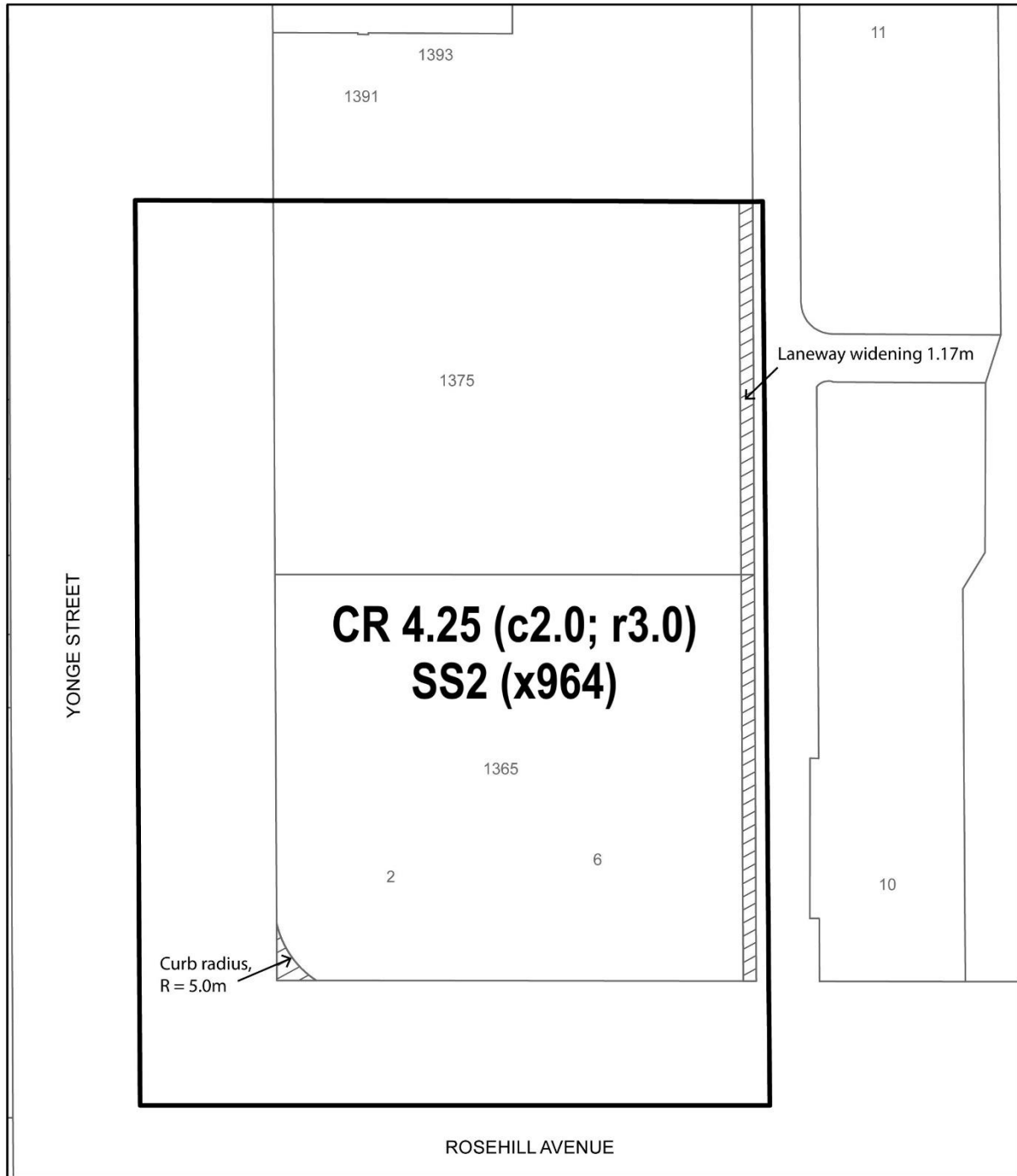


Diagram 1

Laneway Widening and Corner Rounding



Not to Scale




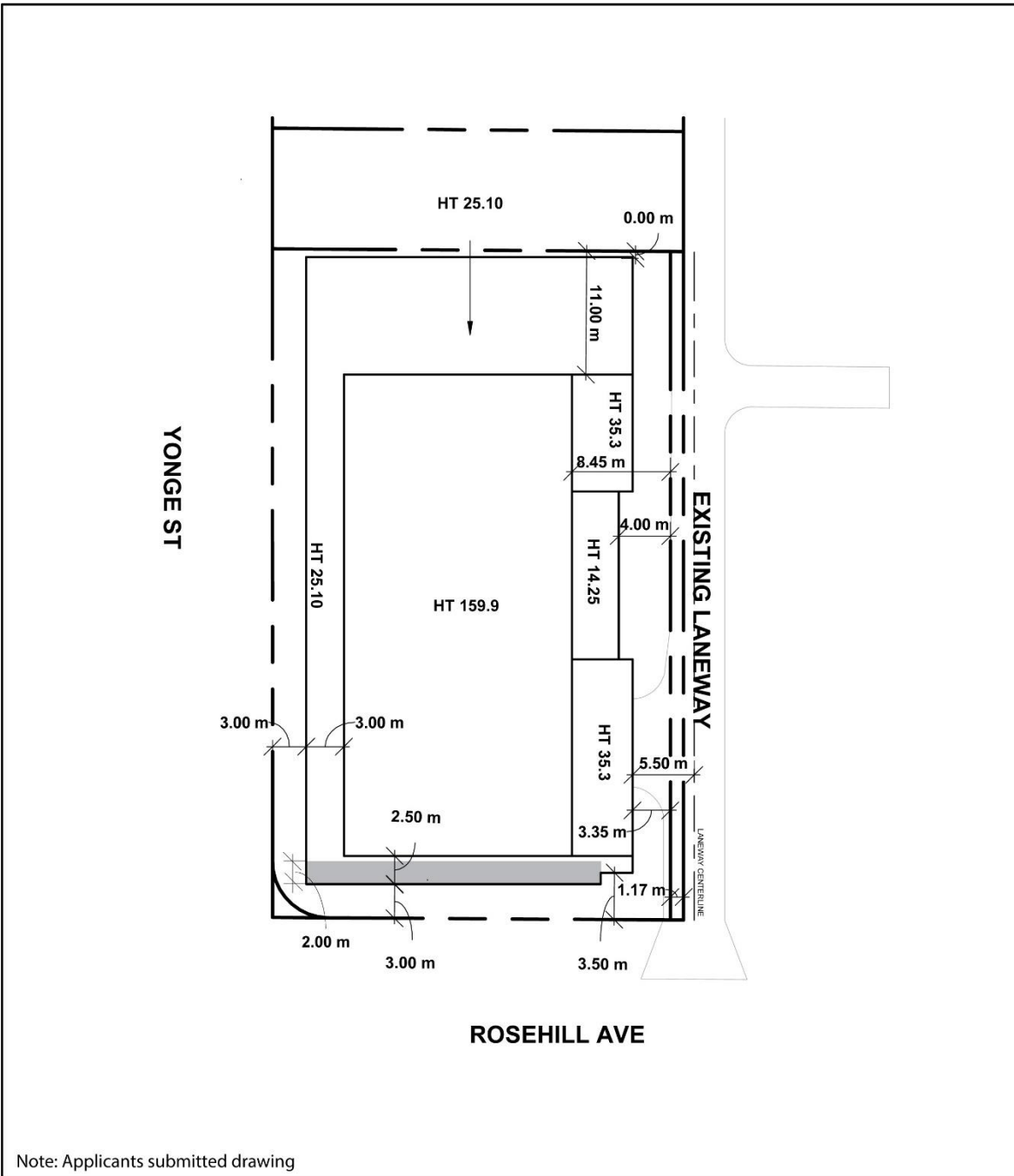
 **TORONTO**
Diagram 2

1365 - 1375 Yonge Street

File # 23 154139 STE 12 OZ

-  Location of Application
-  Laneway Widening and Corner Rounding



City of Toronto By-law 569-2013
Not to Scale
02/14/2024




 **TORONTO**
Diagram 3

1365 - 1375 Yonge Street

File # 23 154139 STE 12 OZ

 Ground Floor Setback


City of Toronto By-law 569:2013
Not to Scale
03/18/2024