

Authority: Toronto and East York Community Council Item [-], as adopted by City of Toronto Council on ~, 2024

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 2023 as 50 and 64 Merton 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 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 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 990.10 respecting the lands outlined by heavy black lines from a zone label of CR 2.0 (c2.0; r2.0) SS2 (x2495) to a zone label of CR 2.0 (c2.0; r2.0) (x963) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by Article 900.11.10 Exception Number 963 so that it reads:

(963) Exception CR (963)

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 50 and 64 Merton 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 (X) 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 153.39 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 3 of By-law [Clerks to insert By-law number];
- (D) 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 2.7 metres;
- (E) 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 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, elevator shafts, chimneys, and vents, by a maximum of 8.5 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 8.5 metres;
 - (iii) elevator overrun, by a maximum of 10.5 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 7.5 metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (vii) antennae, flagpoles and satellite dishes, by a maximum of 3.5 metres; and

- (viii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (F) Regulation 40.5.40.10(5)(A), Limits on Elements for Functional Operation of a **building**, does not apply;
- (G) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 15 percent of **dwelling units** must contain two bedrooms;
 - (ii) a minimum of 7 percent of **dwelling units** must contain three bedrooms or more;
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
 - (iv) an additional 18 percent of the total number of **dwelling units** will be any combination of 2 bedroom or 3 bedroom **dwelling units** or **dwelling units** that can be converted into any combination of 2 and 3 bedroom **dwelling units**; and;
 - (v) **dwelling units**, as described in (iv) above, may be converted using accessible or adaptable design measures such as knock-out panels;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 36,500 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 34,500 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 2,000 square metres;
 - (iii) the required minimum **gross floor area** for non-residential uses is 1,700 square metres;
- (I) Despite regulation 40.5.40.40, the **gross floor area** of a building is reduced by the area of the building used for **amenity space** up to a maximum of 2 square metres of indoor **amenity space** per **dwelling unit**.
- (J) Despite regulation 40.10.40.50(1), **amenity space** must be provided at

the following rate:

- (i) at least 1.45 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 1.0 square metres for each **dwelling unit** of outdoor **amenity space**;
 - (iii) indoor amenity space may include space adjacent to the lobby;
- (K) Despite Regulation 40.10.50.10(3), no **soft landscaping** is required along the north **lot line** abutting a **lot** in the Residential Zone category;
- (L) 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];
- (M) 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];
- (N) Despite Clause 40.10.40.60 and (L) 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, and a maximum of 10% of the balconies may extend to a maximum of 2.5 metres;
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
 - (v) window projections, including bay windows and box windows, 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 200.5.10.1(1) and Table 200.5.10.1, **parking spaces**

must be provided in accordance with the following:

- (i) a minimum of 0.11 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in a **Mixed Use Building** in Parking Zone A;
 - (ii) a minimum of 2 residential visitor **parking spaces** and a minimum of 0.01 residential visitor **parking spaces** for each **dwelling unit**; and
 - (iii) a minimum of 0.5 **parking spaces** for each 100 square metres of non-residential gross floor area, but not exceeding a permitted maximum of 1.5 **parking spaces** for each 100 square metres of non-residential gross floor area.
- (P) Despite Regulations 40.5.80.1(1), 200.5.1.10(10) and 200.10.1, the residential visitor parking spaces may be provided on a non-exclusive basis within a **public parking** use.
- (Q) Despite Regulation 200.15.1(1)(B), accessible **parking spaces** must have a minimum width of 3.4 metres;
- (R) Accessible **parking spaces** must be the **parking spaces** closest to a barrier free:
- (i) entrance to a **building**; and
 - (ii) passenger elevator that provides access to the first **storey** of the **building**.
- (S) Notwithstanding (R) above, an accessible parking space may be no greater than 40 metres from an entrance in (R)(i) and (ii) above;
- (T) Despite Regulations 200.5.1.10(2)(A), a maximum of 10 percent of the total number of **parking spaces** may have the following minimum dimensions:
- (i) Length – 5.1 metres;
 - (ii) Width – 2.6 metres;
 - (iii) Vertical Clearance – 2.0 metres; and

- (iv) The minimum Width in (ii) must be increased by 0.3 metres for each side of the **parking space** that is obstructed according to 200.5.1.10(2)(D);
- (U) Despite Regulation 200.5.1.10(2)(E), equipment for the charging of electric **vehicles** is permitted to be located within a **parking space**, subject to the equipment being located in the same **parking space** as the **vehicle** to be charged and does not constitute an obstruction;
- (V) Despite Regulations 40.10.90.1(2), 220.5.1.10(5) and 220.5.10.1(2) and (5), one Type "G" **loading space** and one Type "C" **loading space** must be provided and maintained on the **lot**; and
- (W) Despite regulations 230.5.10.1(1), (3) and (5) 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) 0.2 "long term" **bicycle parking spaces** for each 100 square metres of **interior floor area** for all non-residential uses; and
 - (iv) 3 plus 0.2 "short-term" **bicycle parking spaces** for each 100 square metres of **interior floor area** for all non-residential uses.
- (X) Despite Clause 230.40.1.20(2) "short term" **bicycle parking spaces** may be further than 30 metres from a pedestrian entrance to the **building** and may be located inside a **building**.

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

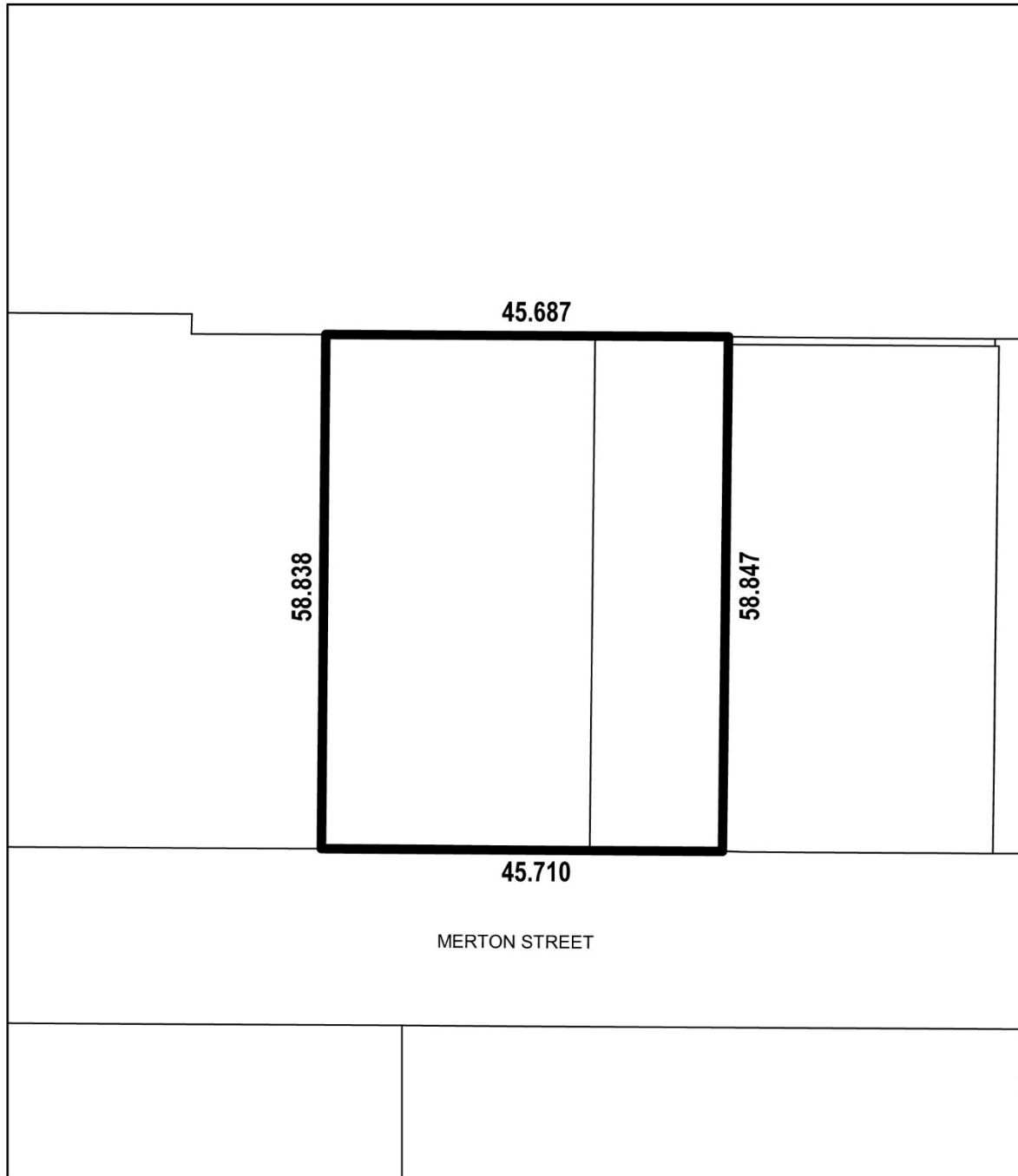
5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
6. Temporary Use(s):
 - (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a **temporary sales centre** and **construction management office** on the lands to which this By-law applies for a period of 5 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

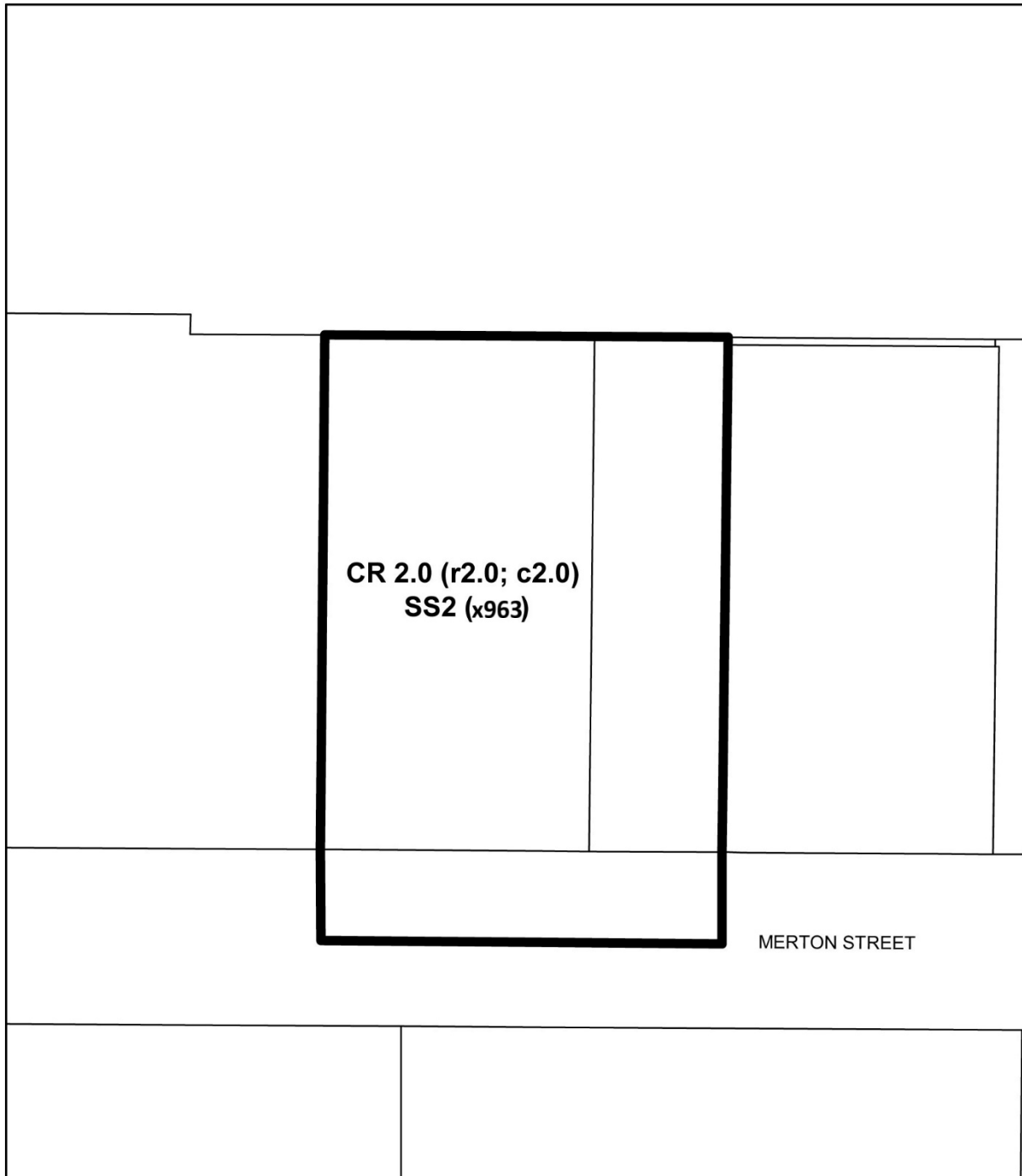
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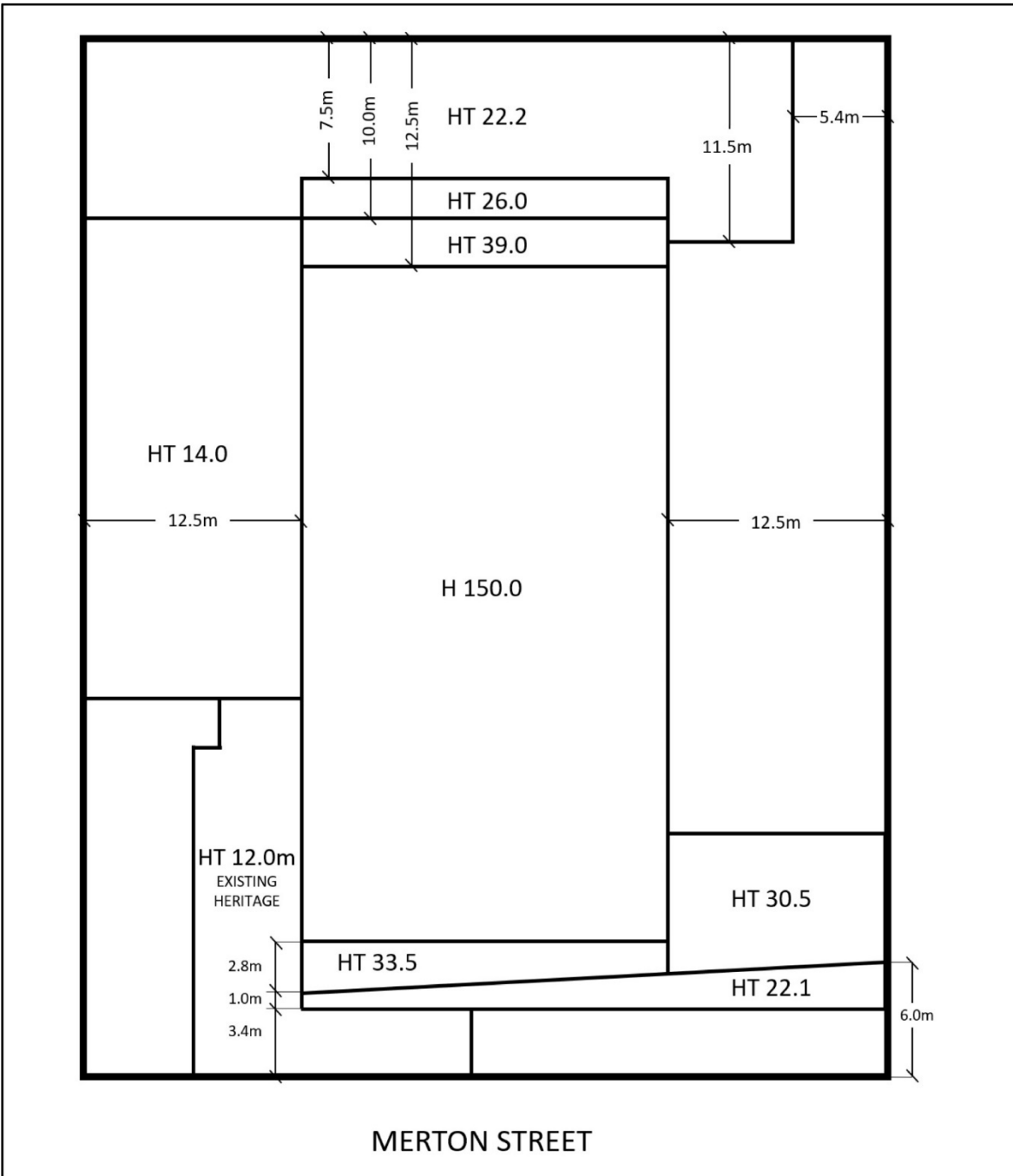


 **TORONTO**
Diagram 1

50-64 Merton Street

File #: 21 233897 STE 12 OZ





 **TORONTO**
Diagram 3

50-64 Merton Street

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