

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

CITY OF TORONTO

BY-LAW [XXXX]-2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 135 Isabella Street.

Whereas Council of the City of Toronto has the authority to 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 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 R (d2.0) (x498) to a zone label of R (d2.0) (xxx), as shown in Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number xxx so that it reads:

(xxx) Exception R xxx

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 in the year 2023 as 135 Isabella Street, as shown on Diagram 1 of By-law [Clerks to insert By-law ##], 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 (X) below:

- (B) Despite regulations 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 114.65 metres and the highest point of the **building** or **structure**;
- (C) Despite regulation 10.10.40.10(1) and (7), the permitted maximum height of a **building** or **structure**, inclusive of a mechanical penthouse, is the number following the “HT” symbol in metres as shown on Diagram 3 of By-law [Clerks to insert By-law ##]. A mechanical penthouse may consist of:
- (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 overruns, chimneys, and vents; and
 - (ii) **structures** or **main walls** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above;
- (D) Despite regulations 10.5.40.10(2) to (4), 10.10.40.10(8) to (10), and (C) above, the following equipment and **structures** may project above the permitted maximum height of a **building** or **structure**, shown in metres and specified by the numbers following the “HT” symbol shown on Diagram 3 of By-law [Clerks to insert By-law ##]:
- (i) planters, **landscaping** features, railings, guards, and parapets which may project above the permitted maximum heights by a maximum of 2.0 metres;
 - (ii) chimneys, pipes, vents, stack, and flues, and roof access by a maximum of 5.0 metres;
 - (iii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (ii) above, by a maximum of 5.0 metres;
 - (iv) lightning rods, antennae, flagpoles, and satellite dishes, to a maximum of 5.0 metres;
 - (v) window washing equipment and **building** maintenance units may project above the permitted maximum height by a maximum of 3.0 metres;
 - (vi) pieces of art, architectural elements, pergolas, divider screens on a

- balcony and/or terrace trellises, and unenclosed structures providing safety or wind protection to rooftop **amenity space** may project above the permitted maximum height by a maximum of 2.5 metres; and
- (vii) elements and **structures** associated with a **green roof**, by a maximum of 0.5 metres.
- (E) Despite regulation 10.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 52,250 square metres;
- (F) Despite regulation 10.10.40.50(1), residential **amenity space** must be provided and maintained at a minimum rate 2.5 square metres of combined indoor and outdoor **amenity space** per **dwelling unit**, of which:
- (i) a minimum of 1.7 square metres for each **dwelling unit** is indoor **amenity space**;
 - (ii) a minimum of 0.8 square metres per **dwelling unit** is outdoor **amenity space**;
 - (iii) at least 256 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**;
 - (iv) no more than 25% of the outdoor component may be a **green roof**; and
 - (v) indoor pet friendly facilities and bicycle/stroller washing areas are included in the calculation of indoor **amenity space**;
- (G) despite Clauses 10.5.40.70 and 10.10.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to supply By-law ##];
- (H) Despite regulation 10.10.40.80(1), the required minimum separation distance between **main walls** of **buildings** or **structures** above ground level are shown in metres on Diagram 3 of By-law [Clerks to insert by-law ##];
- (I) Despite Clause 10.5.40.60 and (G) and (H) above, the following elements of a **building** or **structure** may encroach into a required minimum **building setbacks** and **main wall** separation distances shown on Diagram 3 of By-law [Clerks to supply By-law ##] as follows:
- (i) canopies and awnings, by a maximum of 2.0 metres, except in the “no balcony projection zones” shown on Diagram 3 of By-law

[Clerks to supply By-law ##];

- (ii) architectural features, such as a pilaster, decorative column, cornice, sill, lighting fixtures, or belt course, by a maximum of 0.5 metres;
 - (iii) satellite dishes, antennae, vents, and pipes, by a maximum of 0.5 metres;
 - (iv) balconies and related privacy screens, by a maximum of 2.0 metres;
 - (v) window washing equipment **building** maintenance units, by a maximum of 9.0 metres; and
- (J) For the purposes of this exception, regulation 10.10.40.30, with respect to **building depth**, does not apply;
- (K) Despite regulation 10.5.50.10(4), a minimum of 525 square metres of **landscaping** must be provided on the **lot**, of which a minimum of 256 square metres must be **soft landscaping**;
- (L) Despite regulation 10.5.50.10(5), a 1.5 metre wide strip of **soft landscaping** is not required to be provided along any part of a **lot line** abutting another lot in the Residential Zone category;
- (M) Despite regulation 200.5.1.10(42~~13~~), access to **parking spaces** may be provided by a **vehicle** elevator ;
- (N) Despite regulation 200.5.1.10(2)(A) and (D), **parking spaces** are subject to the following:
- (i) **parking spaces** that are not **stacked parking spaces** must have the following minimum dimensions:
 - (a) a minimum length of 5.6 metres;
 - (b) a minimum width of 2.6 metres; and
 - (c) vertical clearance of 2.0 metres;
 - (ii) **stacked parking spaces** must have the following minimum dimensions:
 - (a) length of 5.6 metres;
 - (b) width of 2.6 metres;

- (c) vertical clearance of **2.0 metres**;
- (iii) a maximum of 10 percent of the total number of **parking spaces** that are not stacked **parking spaces**, must have the following minimum dimensions, within 0.3 metres of one or both sides of the **parking space**, measured at right angles:
 - (a) length of 5.6 metres;
 - (b) width of 2.6 metres; and
 - (c) vertical clearance of 2.1 metres;
- (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 27 resident **parking spaces** for rental replacement **dwelling units**, of which 2 shall be accessible **parking spaces** and
 - (ii) a minimum rate of 2.0 residential visitor **parking spaces** plus 0.01 **parking spaces** for each **dwelling unit** are required;
- (P) Despite regulation 200.15.10.10(1), at least 4 accessible **parking spaces** must be provided;
- (Q) Despite regulations 200.15.1(1) and (3), an accessible **parking space** must comply with the following:
 - (i) an accessible **parking space** must have the following minimum dimensions:
 - (a) length of 5.6 metres;
 - (b) width of 3.4 metres;
 - (c) vertical clearance of 2.1 metres; and
 - (ii) a 1.5 metre wide accessible barrier-free aisle or path is required along the entire length of one side of an accessible **parking space**, and such aisle or path may be shared by two accessible **parking spaces**;
- (R) Regulation 200.15.1(4) with respect to the location of accessible **parking spaces** does not apply;
- (S) Despite regulations 10.5.80.40(3)(A) and 10.10.80.40(2), **vehicle** access to a **parking space** on the **lot** may be from Isabella Street;

- (T) Regulations 10.5.100.1(4) and (5) do not apply with respect to **driveway** width and **driveway** access for **apartment buildings**;
- (U) Despite regulation 230.5.1.10(9)(B), a required “long-term” **bicycle parking space** for a **dwelling unit** may be located:
 - (i) on the first **storey** of the **building**;
 - (ii) on the second **storey** of the **building**; and
 - (iii) on levels of the **building** below-ground;
- (V) Regulation 230.10.1.20(2) with respect to the location of “short-term” **bicycle parking spaces** does not apply;
- (W) Despite regulation 230.5.1.10(10), “long-term” bicycle parking spaces and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (X) Article 600.10.10 does not apply with respect to the Building Setback Overlay District “A”;

Prevailing By-laws and Prevailing Sections: [\(None Apply\)](#)

- 5. Despite any existing or future severance, partition or division of the lands shown on Diagram 1 of this By-law, the provisions of this By-law shall apply to the whole of the lands 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 office, leasing or construction office, which is a temporary **building** or **structure**, facility, or trailer or portion thereof exclusively for the purpose of marketing, leasing, or sale of a **dwelling unit** on the **lot** for a period of 3 years.

Enacted and passed on June 11, 2024.

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

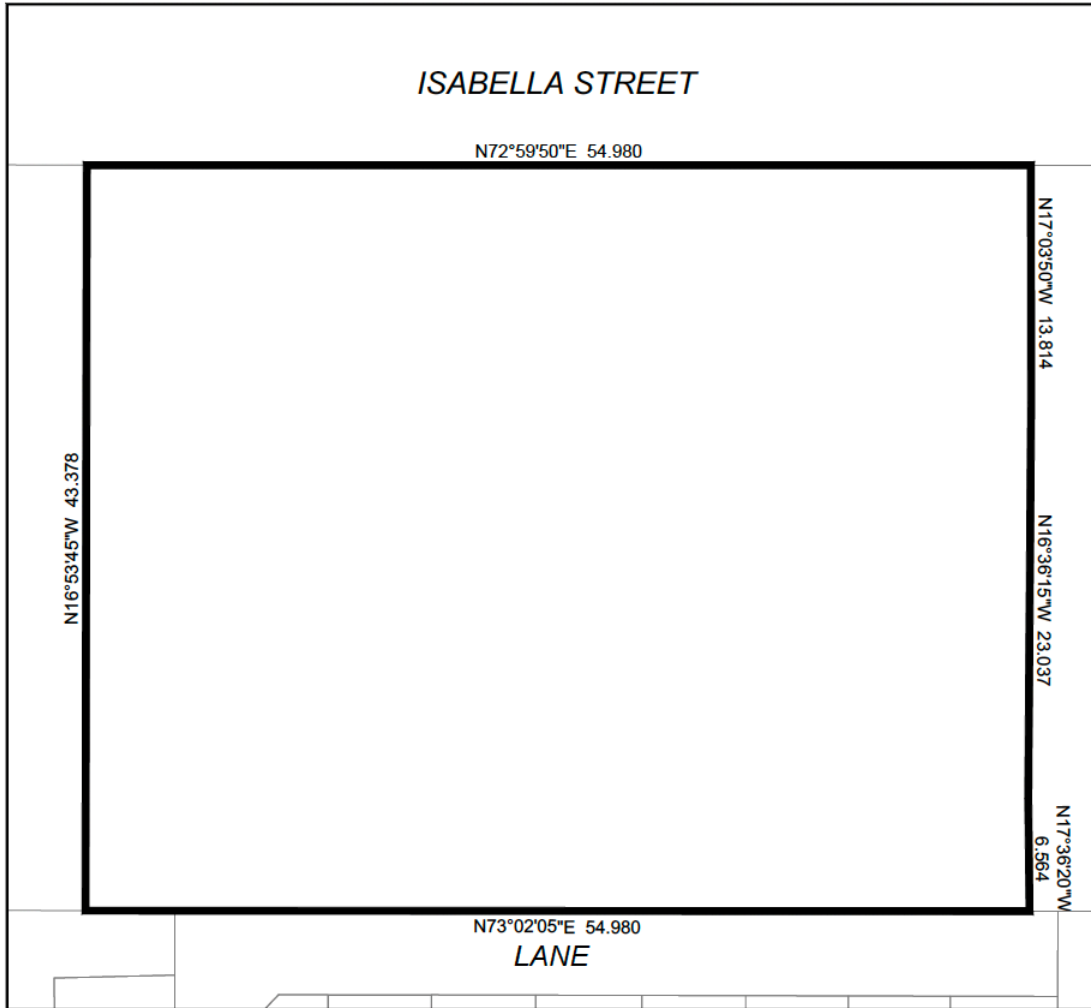


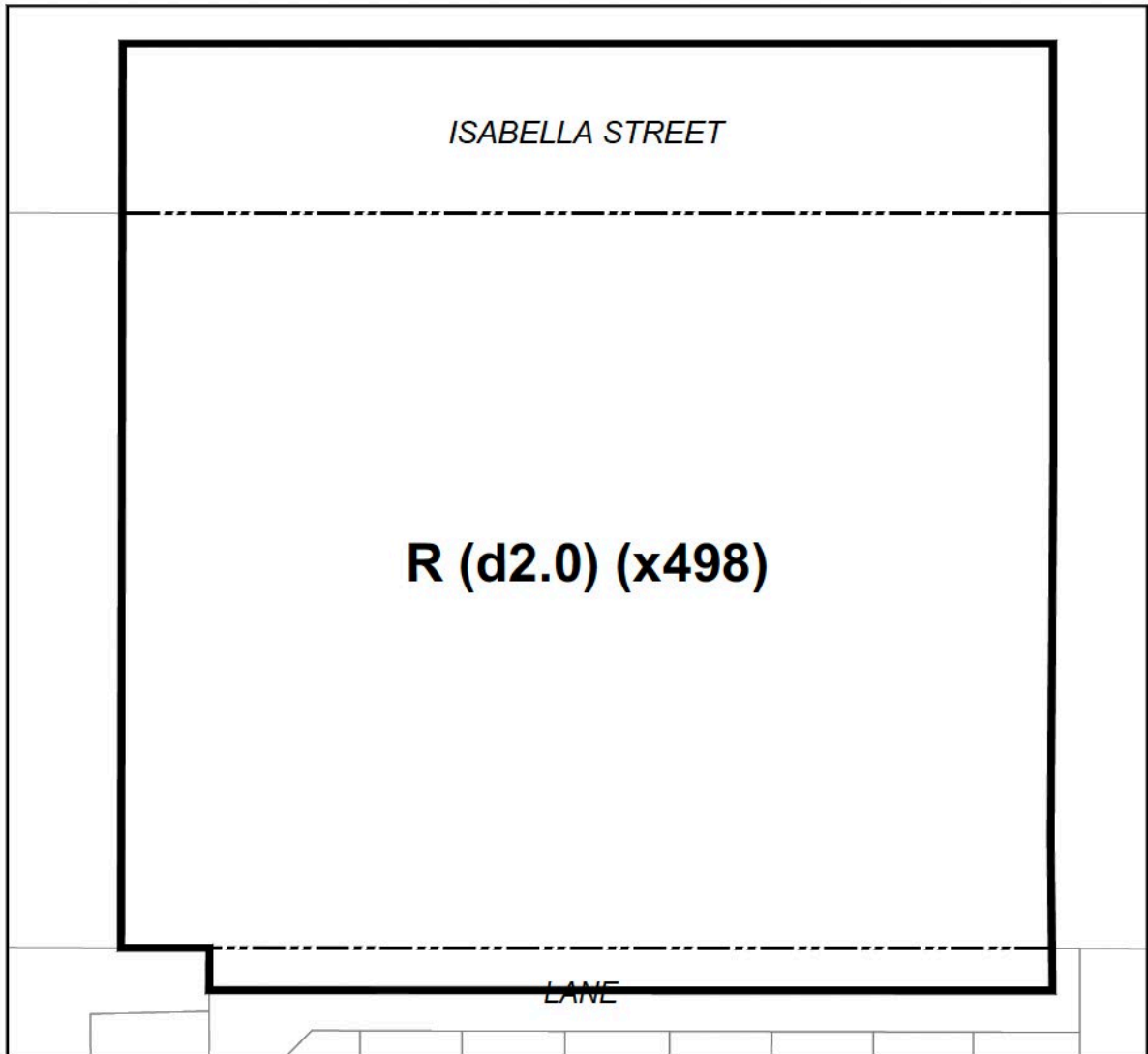
Diagram 1

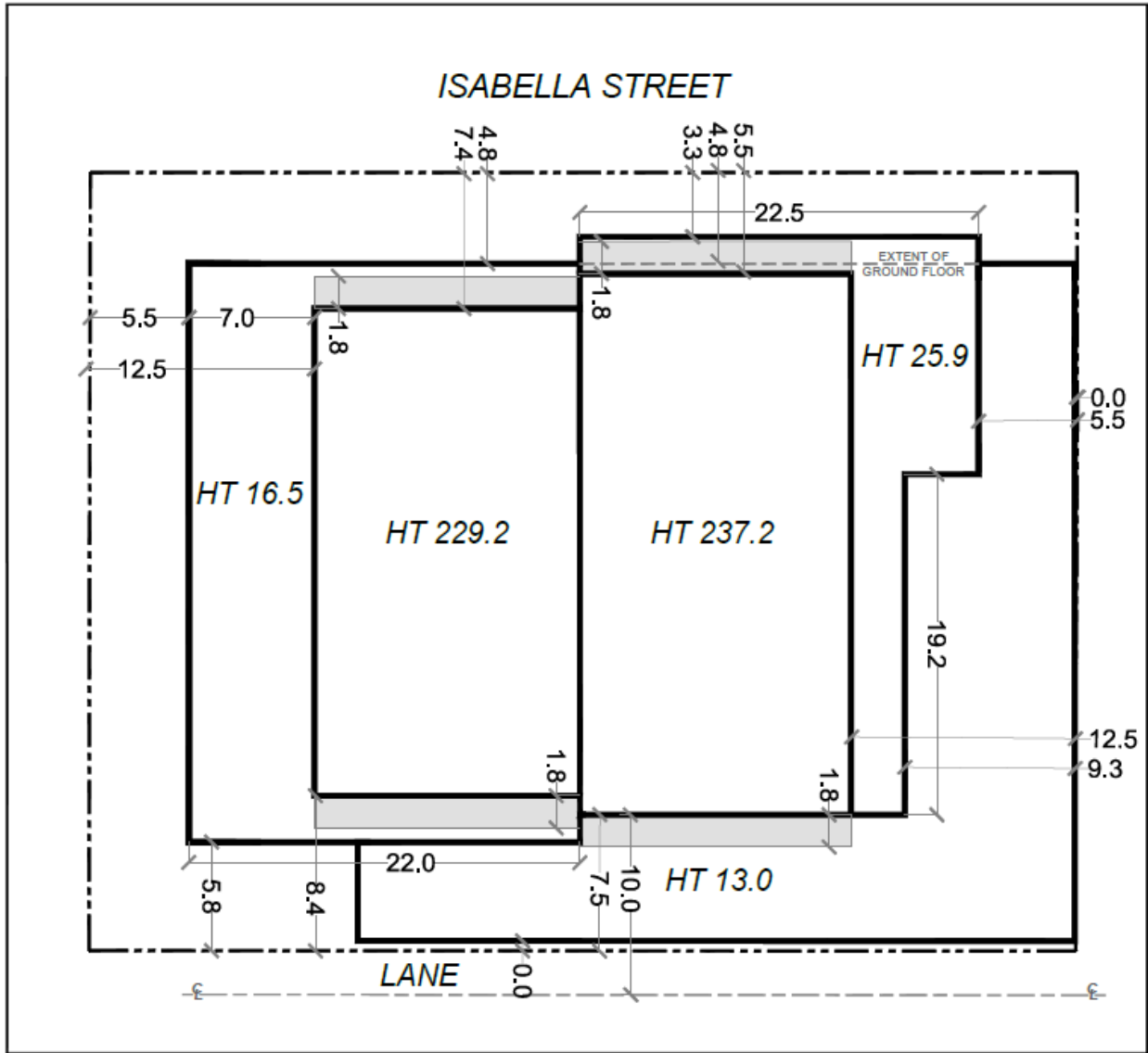
135 Isabella Street, Toronto

File #24 _____



Not to Scale





135 Isabella Street, Toronto

Diagram 3

File #24 _____

■ No Balcony Projection Zone



Not to Scale