

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 2023 as 214-230 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 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 (d1.0) (x864) and R (d1.0) (x984) to a zone label of RAC (x215) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending and replacing Article 900.8.1 Exception Number 215 so that it reads:

(215) Exception RAC 215

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 214 – 230 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 (DD) below;
- (B) The **lot** consists of the lands delineated by heavy lines on Diagram 1 of By-law [Clerks to insert By-law number];
- (C) In addition to the permitted uses listed in regulation 15.20.20.10(1) and permitted uses with conditions listed in regulation 15.20.20.20(1), the following additional uses are permitted:
- (i) “car-share **parking spaces**”;
 - (ii) **Massage Therapy**, provided it complies with the conditions in 15.20.20.100(1);
 - (iii) **Wellness Centre**, provided it complies with the conditions in 15.20.20.100(1);
- (D) Despite regulations 15.20.20.100(1)(A), (B) and (E), (4)(A)(i)(a) and (b), and (12):
- (i) the uses listed in 15.20.20.100(1) may be located on the first or second **storey** of an **apartment building**;
 - (ii) a **service shop** or **veterinary hospital** may be located in a **residential building** on the **lot**;
 - (iii) the **interior floor area** of an individual establishment may not exceed 500 square metres;
 - (iv) a **community centre** or a library may be located on the first or second **storey** of an **apartment building**; and
 - (v) the **Outdoor Sales or Display** of goods or commodities is not permitted in combination with a **Retail Store**;
- (E) Despite regulations 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum (CGVD28Pre78) elevation of 88.80 metres or the Canadian Geodetic Datum (CGVD2013) elevation of 88.28 metres and the elevation of the highest point of the roof structure, **building** or **structure**;
- (F) Despite regulation 15.20.40.10(1), 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 regulations 15.5.40.10(2) to (6), 15.5.75.1(4)(A)(ii) and 15.5.75.1(5)(C), and (F) above, the following equipment and **structures** may project beyond the permitted maximum height as shown on Diagram 3 of By-law [Clerks to insert By-law number]:
- (i) a mechanical penthouse and cooling equipment, and **structures** that enclose, screen or cover them must not project beyond the permitted maximum height as shown on Diagram 3 of By-law [Clerks to insert By-law number];
 - (ii) in the area with a permitted maximum height of HT 149.45:
 - (a) parapets, by a maximum of 1.1 metres;
 - (b) garbage chutes, chimneys and vents, by a maximum of 1.5 metres;
 - (c) **building** maintenance units and window washing equipment, by a maximum of 2.0 metres;
 - (iii) in areas up to a permitted maximum height of HT 143.25:
 - (a) 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 2.9 metres;
 - (b) stacks, stairs, skylights, roof finishing materials, garbage chute, lightning rods, flues, ornamental architectural elements by a maximum of 2.9 metres
 - (c) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (a) above, excluding a mechanical penthouse, by a maximum of 2.9 metres;
 - (d) **renewable energy** facilities and devices, by a maximum of 2.9 metres;
 - (e) parapets, light fixtures, acoustical and privacy screens, and elements and **structures** associated with a **green roof**, by a maximum of 2.5 metres;
 - (f) **building** maintenance units and window washing equipment, by a maximum of 2.9 metres;

- (g) planters, **landscaping** features, and divider screens on a balcony and/or terrace and acoustical and privacy screens, by a maximum of 2.5 metres;
 - (h) guard rails and bollards, by a maximum of 2 metres;
 - (i) antennae, flagpoles and satellite dishes, by a maximum of 2.9 metres; and
 - (j) unenclosed **structures** providing safety or wind protection, by a maximum of 2.5 metres;
- (iv) in areas up to a permitted maximum height of HT 128: metres;
 - (a) trellises, pergolas, **structures** for open air recreation, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4 metres;
- (H) Despite regulation 15.20.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 42,330 square metres, of which the permitted maximum non-residential **gross floor area** is 500 square metres;
- (I) Despite regulation 15.20.40.50(1), **amenity space** must be provided in accordance with the following:
 - (i) at least 1.9 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 1.4 square metres of outdoor **amenity space** for each **dwelling unit**, of which 40.0 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (J) Despite clause 15.20.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (K) Despite Regulations 15.20.40.80(1), (2), and (3), the required minimum separation distance of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to supply by-law ##];
- (L) Despite Clause 15.5.40.60, and (J) and (K) above, the following elements may encroach into the required minimum **building setbacks** and **main**

wall separation distances as shown on Diagram 3 of By-law [Clerks to insert By-law number]:

- (i) In the area with a permitted maximum height of HT 149.45:
 - (a) **building** maintenance units and window washing equipment, by a maximum of 2.0 metres;
 - (b) architectural features such as decorative columns, pilasters, cornices, sills, belt courses, or other similar architectural features by a maximum of 1.0 metre;
 - (c) eaves and roof overhangs, by a maximum of 1.0 metre;
- (ii) In areas up to a permitted maximum height of HT 143.25:
 - (a) equipment used for the functional operation of the **building**, including light fixtures, air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres;
 - (b) canopies and awnings, by a maximum of 2.5 metres from the east **main wall**;
 - (c) exterior stairs, access ramps, guardrails, and elevating devices, by a maximum of 1.6 metres;
 - (d) architectural features such as decorative columns, pilasters, cornices, sills, belt courses, or other similar architectural features by a maximum of 1.0 metre;
 - (e) eaves, by a maximum of 1.0 metre;
 - (f) balconies, related privacy screens, eaves or canopies above a balcony, and architectural features, by a maximum of 2.5 metres;
 - (g) **building** maintenance units and window washing equipment, by a maximum of 2.0 metres;
- (M) In addition to the requirements of Regulation 5.10.40.10(2), and despite any provisions of By-law [Clerks to insert By-law number], elements listed in (F), (G), ((J)), (K) and (L) above, and in Clauses 15.5.40.10 and 15.5.75.1, must conform to the requirements of By-law 1432-2017 and O. Reg. 10/24, as amended or replaced from time to time;
- (N) Despite regulation 15.5.50.10(1), the **lot** must have:

- (i) a minimum of 20% of the area of the **lot** for **landscaping** and
 - (ii) a minimum of 20% of the **landscaping** area required in (i) above, must be **soft landscaping**;
- (O) Despite regulation 15.5.50.10(2), a 1.5 metre wide strip of **soft landscaping** is not required to be provided along any part of a **lot** line abutting a **lot** in the Residential Zone category;
- (P) Despite regulation 15.5.100.1(2), an unobstructed vehicular access between the **street** and the principal entrance so that a **vehicle** can enter and leave the **lot** while driving forward in one continuous movement is not required;
- (Q) Despite regulation 200.5.1.10(2)(A)(iv), a maximum of 10 percent of the total number of **parking spaces** provided, excluding **stacked parking spaces**, may be obstructed as described in regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (R) Despite regulation 200.5.1.10(2)(A) and (D), a **parking space** provided as a **stacked parking space** must have the following minimum dimensions:
 - (i) a minimum length of 5.6 metres;
 - (ii) a minimum width of 2.6 metres;
 - (iii) a minimum vertical clearance of 1.6 metres;
 - (iv) a minimum of 2.1 metre vertical clearance at the point of ingress and egress to and from the parked **vehicle**; and
 - (v) parking stacker mechanisms and equipment may be located within 0.3 m of the **parking space** without being required to provide additional width for the obstructed sides of the **parking space**;
- (S) Despite regulation 200.5.1.10(13), **vehicle** access from a **street** or **lane** to an area used for **parking spaces** may be provided by a **vehicle** elevator or an “automated parking system”;
- (T) 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 zero **parking spaces** for every 100 square metres of **gross floor area** devoted to non-residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for the applicable Tier in Parking Zone A;
 - (ii) A minimum of zero residential occupant **parking spaces** for residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in an **Apartment Building** in Parking

- Zone A;
- (iii) A minimum of 2.0 residential visitor **parking spaces** plus 0.01 **parking spaces** per **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in an **Apartment Building** in Parking Zone A; and
 - (iv) A minimum of 2 “car-share **parking spaces**”;
- (U) Despite regulations 200.15.10.10(1), a minimum of 2 accessible **parking spaces** must be provided;
- (V) Despite regulations 200.15.1(1) and (3), accessible **parking spaces** must comply with the following provisions:
- (i) an accessible **parking space** must have the following minimum dimensions:
 - (a) a length of 5.6 metres;
 - (b) a width of 3.4 metres;
 - (c) a vertical clearance of 2.1 metres; and
 - (ii) The entire length of an accessible **parking space** must be adjacent to a 1.5m-wide accessible barrier aisle or path;
- (W) Despite regulation 200.15.1(4), accessible **parking spaces** must be the **parking spaces** closest to a barrier free:
- (i) entrance to a **building**;
 - (ii) passenger elevator that provides access to the first **storey** of the **building**; and
 - (iii) shortest route from the required entrances in (i) and (ii);
- (X) Despite regulation 230.5.1.10(4)(A) and (C), the required minimum dimensions of a **stacked bicycle parking space** are:
- (i) minimum length of 1.8 metres;
 - (ii) minimum width of 0.4 metres; and
 - (iii) minimum vertical clearance for each **bicycle parking space** of 1.2 metres;
- (Y) 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) On the first **storey** of the **building**
 - (ii) On the second **storey** of the **building**
 - (iii) On all levels of the **building** below-ground without the requirement that 50% of the area of the level of the floor above is occupied by **bicycle parking spaces**;
- (Z) Despite regulation 230.5.1.10(10), “short-term” **bicycle parking spaces**

may also be located in a **stacked bicycle parking space**;

- (AA) Despite Regulation 230.20.1.20(2), a “short-term” **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to the **building**;
- (BB) 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 or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
 - (iv) 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**;
 - (v) **dwelling units** as described in (iv) above, may be converted using accessible or adaptable design measures such as knock-out panels; and
 - (vi) if the calculation of the number of required **dwelling units** in (i) to (iv) above results in a number with a fraction, the number may be rounded down to the nearest whole number;
- (CC) Article 600.10.10 with respect to the Building Setback Overlay District “A” does not apply; and
- (DD) For the purpose of this exception, each word or expression that is in bold font in this exception shall have the same meaning as each word or expression as defined in Chapter 800 of this By-law, as amended, except for the following:
- (i) “automated parking system” means a mechanical system for the purpose of parking and retrieving **vehicles** with or without drivers in the **vehicle** during parking and without the use of ramping or drive aisles, and where automated maneuvering of other **vehicles** may be required for **vehicles** to be parked or retrieved;
 - (ii) “car-share” means the practice whereby a number of people share the use of one or more **vehicles** that are owned by a profit or non-profit car-sharing organization, such car-share **vehicles** are to be made available for short term rental, including hourly rental. Car-share organizations may require that the carshare **vehicles** be reserved in advance, charge fees based on time and/or kilometers 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,

- (iii) “car-share **parking space**” means a **parking space** that is reserved and actively used for “car-share”.

Prevailing By-laws and Prevailing Sections: (none)

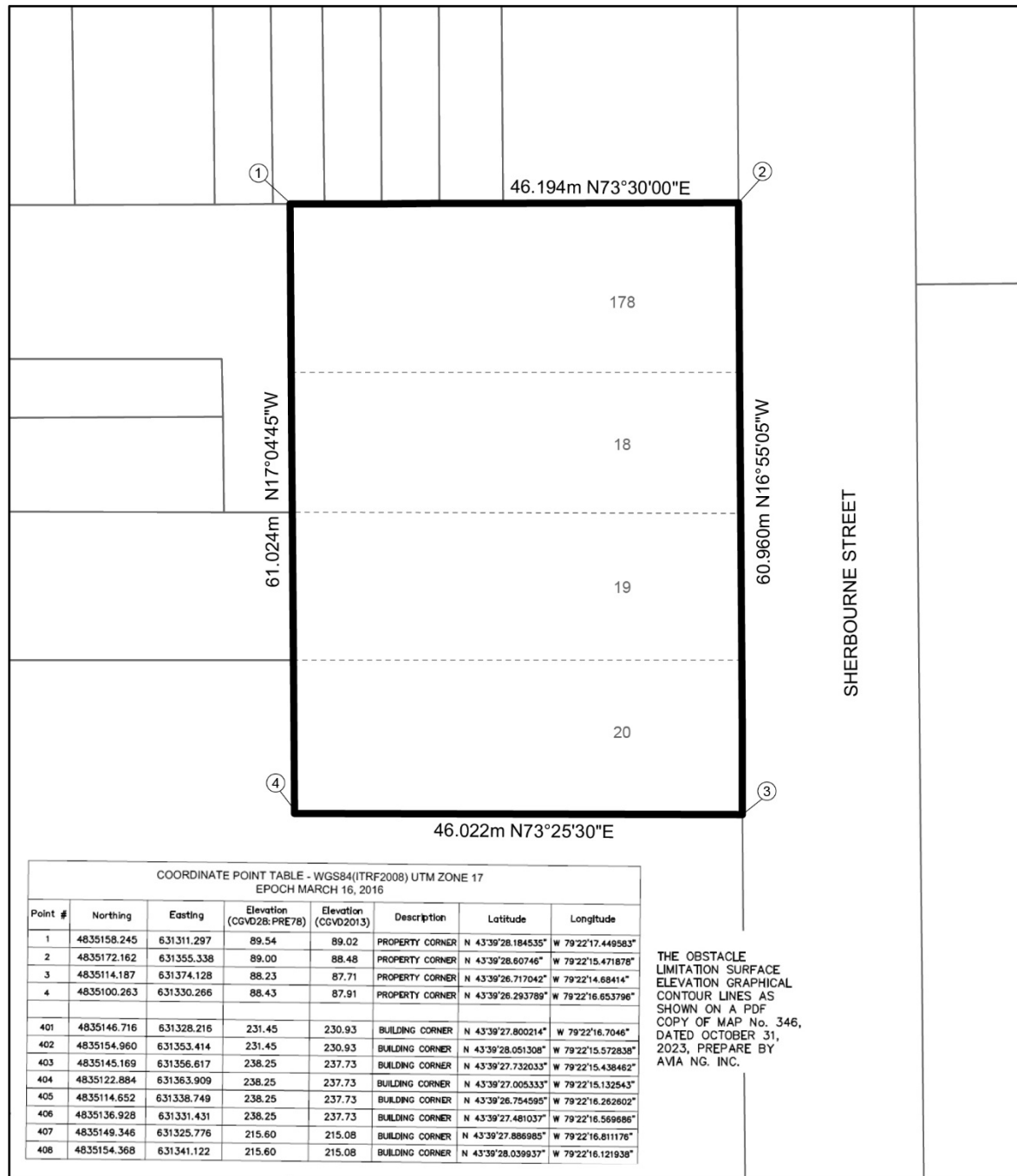
5. Despite any existing or future severance, partition or division of the lands shown on Diagram 1 of By-law [Clerks to supply by-law ##], the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.
6. Temporary Use(s):
- (A) None of the provisions of this Exception as amended, or By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales, leasing or construction office, which is a temporary **building, structure, facility, trailer or portion thereof**, used exclusively for the purpose of construction, marketing, sales and leasing of **dwelling units** and non-residential uses to be constructed on the lands to which this By-law applies for a period of three (3) years from the date this By-law comes into full force and effect.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

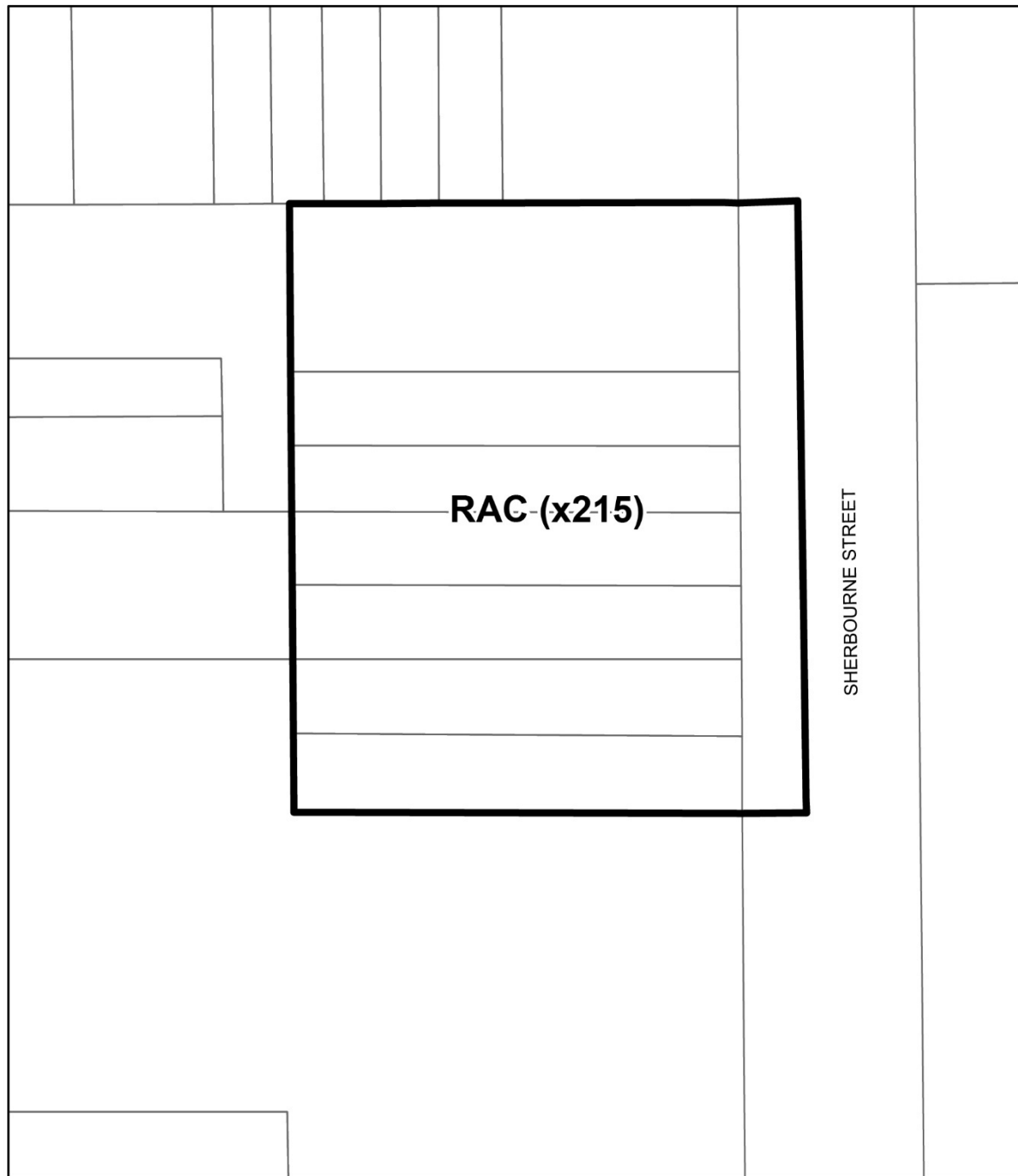
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Toronto
Diagram 1

214-230 Sherbourne Street

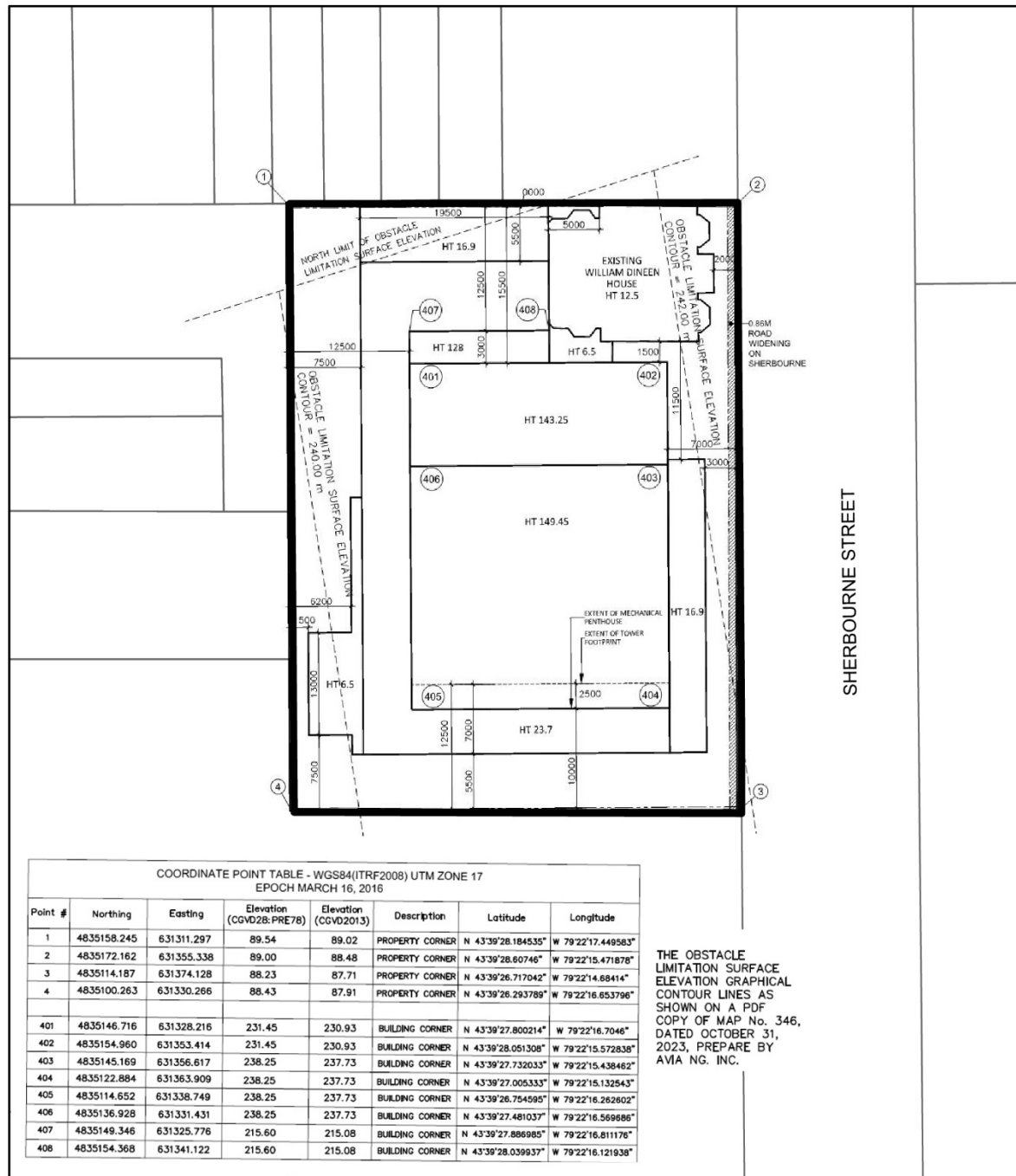
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 **TORONTO**
Diagram 2

214-230 Sherbourne Street

File # 22 204780 STE 13 0Z



Toronto
Diagram 3

214-230 Sherbourne Street

File # 22 204780 STE 13 0Z

City of Toronto By-law 569-2013
Not to Scale
09/20/2024