

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 566-576 Sherbourne Street and 29-37 Linden 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.

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) (x871) to a zone label of CR 1.5 (c1.0; r1.0) SS2 (x1043) 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 1043 so that it reads:

(1043) Exception CR 1043

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 566-576 Sherbourne Street and 29-37 Linden 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 (T) below;

- (B) In addition to the permitted uses listed in clauses 40.10.20.10 and 40.10.20.20, car share parking spaces are permitted as a non-residential use;
- (C) 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 116.49 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is:
 - (i) with respect to the portion of the **building** that is not hatched on Diagram 3 of By-law [Clerks to insert By-law number], the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number]; and
 - (ii) with respect to the portion of the **building** that is hatched on Diagram 3 of By-law [Clerks to insert By-law number], the height of the **lawfully existing building** as it existed on the **lot** at the time of the passing 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 of the portion of the **building** that is not hatched 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 10.0 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 10.0 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 6.5 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; and

- (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (F) Despite regulations 40.5.40.10(3) to (8) and (E) above, **lawfully existing** equipment and **structures** above the portion of the **building** that is hatched on Diagram 3 of By-law [Clerks to insert By-law number] may vertically project above the **lawfully existing building** to the extent that they **lawfully** exist;
- (G) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 55,000 square metres;
- (H) Despite regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
 - (i) at least 2.3 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (ii) at least 0.5 square metres of outdoor **amenity space** for each **dwelling unit**, which must be in a location adjoining or directly accessible to the indoor **amenity space**;
- (I) Despite regulation 40.10.40.70(2) and Article 600.10.10, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (J) Despite Clause 40.10.40.60, regulations 600.10.10(1)(D) and (E), and (I) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances of the portion of the **building** that is not hatched as follows:
 - (i) balconies, by a maximum of 1.4 metres, subject to the following:
 - (a) balconies on the north and east **main walls** of the **building** must be located above a height of 25 metres;
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.0 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.3 metres;

- (v) eaves, by a maximum of 1.0 metres;
- (vi) vents, and pipes, by a maximum of 0.3 metres;
- (K) Despite Clause 40.10.40.60 and (J) above, **lawfully existing** elements may encroach into the required minimum **building setbacks** and **main wall** separation distances to the extent that they **lawfully** exist on the **lot** at the time of the passing of By-law [Clerks to insert By-law number];
- (L) Despite regulation 200.15.10.10(1), a minimum of 7 accessible **parking spaces** must be provided on the **lot**;
- (M) 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;
- (N) Despite regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (O) 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);
- (P) In addition to the parking requirement set out in (L) above, a minimum of 2 car share parking spaces must be provided on the **lot**, subject to the following:
 - (i) car share parking spaces are not permitted to replace a **parking space** that is a required occupant, visitor, or accessible **parking space**;
- (Q) For the purposes of this exception,
 - (i) “car share” or “car sharing” means the practice whereby a number

of people share the use of one of more motor **vehicles** and such “car-share” motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and

- (ii) “car share parking space” means a **parking space** exclusively reserved and actively signed for a **vehicle** used only for “car-share” purposes;
- (R) Despite regulation 230.5.1.10(4), the minimum width of a **stacked bicycle parking space** is 0.35 metres;
- (S) Despite regulation 230.40.1.20(2), “short-term” **bicycle parking spaces** may be located:
 - (i) in a **stacked bicycle parking space**; and
 - (ii) indoors or outdoors in an enclosed room or enclosure on the first **storey** of the **building**;
- (T) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
 - (iii) an additional 15 percent of the total number of **dwelling units** must have two and three bedrooms, or must be **dwelling units** that can be converted to two and three bedroom **dwelling units** through the use of accessible or adaptable design measures;
 - (iv) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
 - (v) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number; and
 - (vi) the calculation of **dwelling units** in (T), shall not include any **dwelling units** that are being provided for the purposes of rental replacement.

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

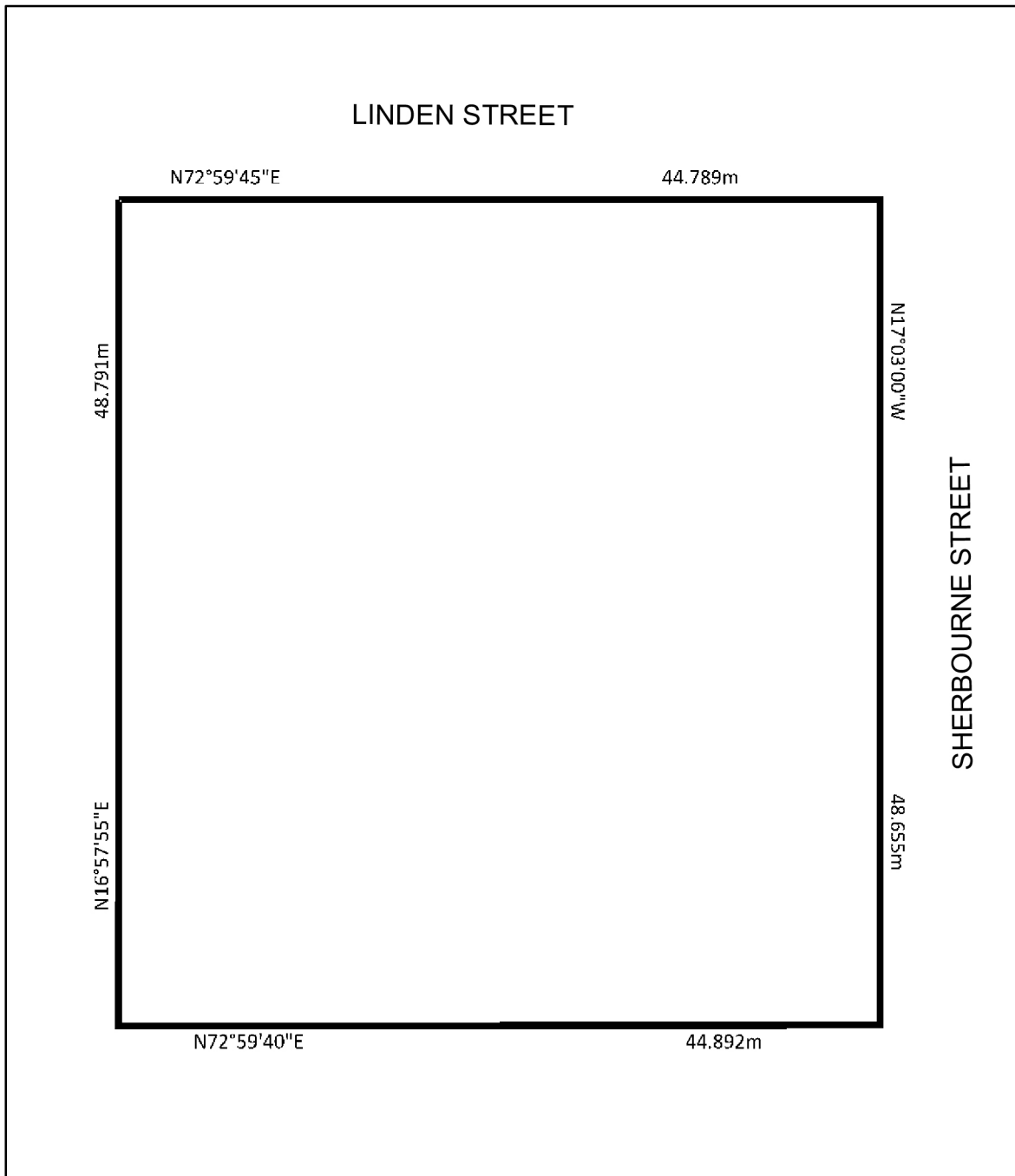
5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

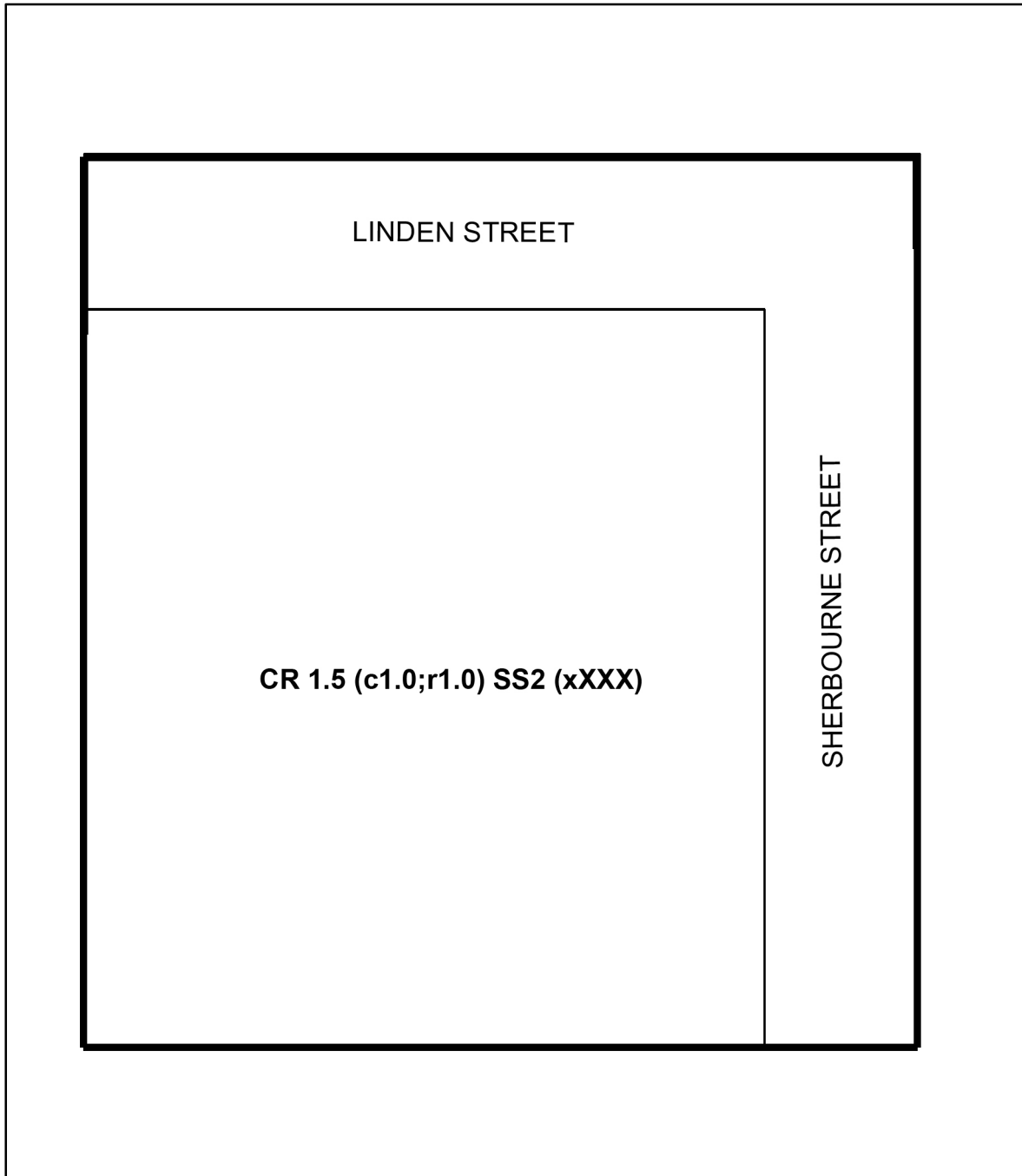
(Seal of the City)



 **TORONTO**
Diagram 1

**566-576 Sherbourne Street
and 29-37 Linden Street**

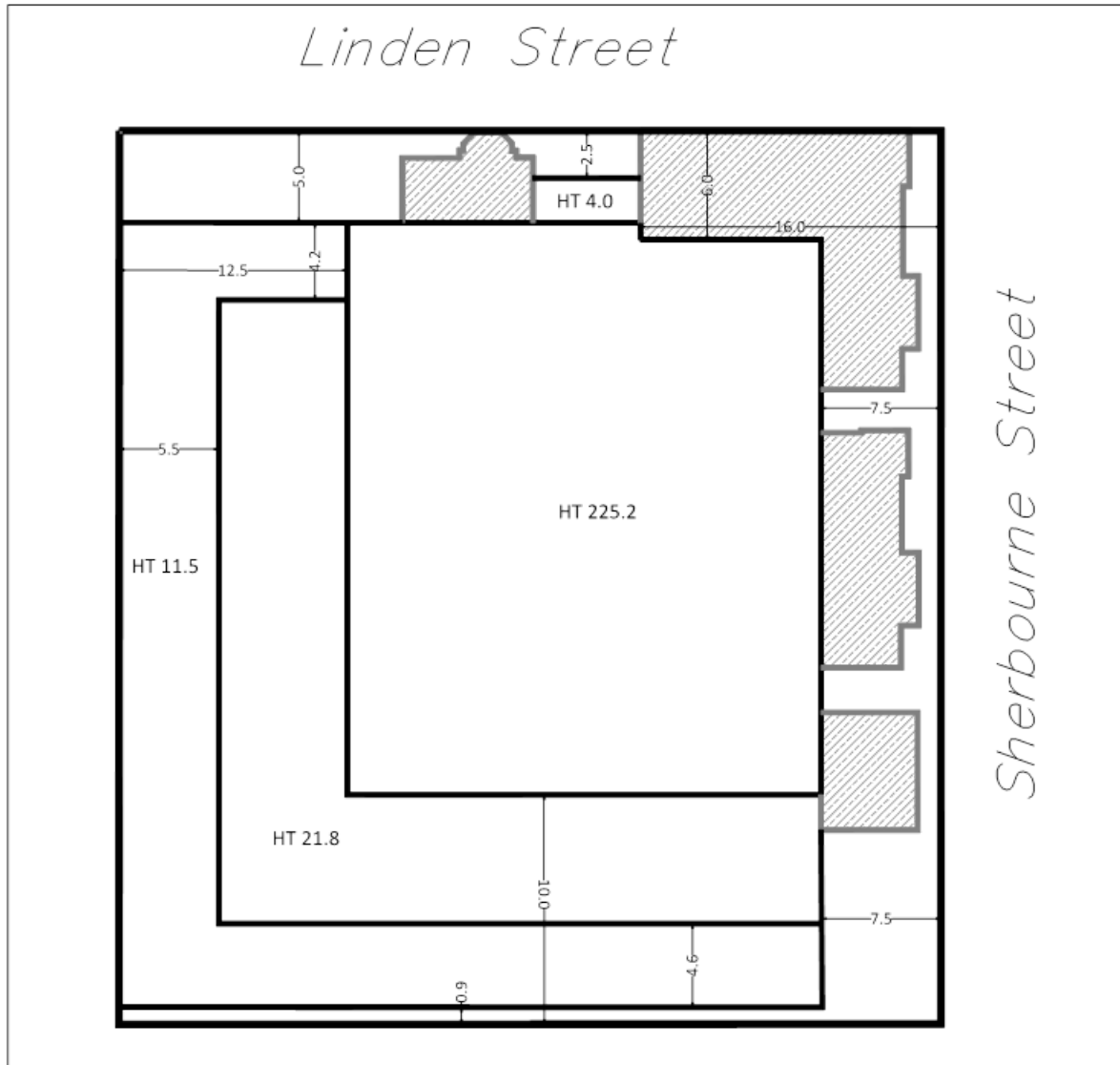
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 **TORONTO**
Diagram 2

**566-576 Sherbourne Street
and 29-37 Linden Street**

File # 23 138754 STE 13 0Z



Not to Scale

DIAGRAM 3

Zoning By-law Amendment

566-578 Sherbourne Street & 29-37 Linden Street
City of Toronto

Area Affected by this By-law



Area of Retained Heritage Elements

