

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 2024 as 517-523 Richmond Street East and 97-115 Berkeley 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 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; 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 CRE (x1), (x23), (x57), and (x60) and CR SS1 (x399) to a zone label of CR SS1 (x###) 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 [-] so that it reads:

([assigned exception number]) Exception **CR SS1** ([assigned exception number])

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) Regulation 900.11.10(339) applies to the lands shown on Diagram 1 of By-law ###-2024;
- (B) Despite (A) above, Regulation 900.11.10(339) does not apply to 517-523 Richmond Street East and 97-115 Berkeley Street, as shown on Diagram 1 of By-law [Clerks to insert By-law number], 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 (C) to (U) below;
- (C) 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) "Car-share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit carsharing organization and where such organization may require that use of cars 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.
 - (ii) "Car-share parking space" means a parking space that is exclusively reserved and actively used for "car-share"; and
 - (i) "geo-energy facility" means premises containing devices to generate geo-energy for the exclusive use of the **building**;
- (D) Despite Regulation 40.10.20.40(1), dwelling units are permitted in an apartment building or a mixed use building;
- (E) 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 83.32 metres and the elevation of the highest point of the **building** or **structure**;
- (F) Despite Regulation 40.10.40.1(1), residential use portions of the building are permitted to be located on the same **storey** and below non-residential use portions of the **building**;
- (G) For the purposes of this exception, a mezzanine does not constitute a storey;
- (H) Despite regulation 40.10.40.10(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];

- (I) Despite regulations 40.5.40.10(3) to (8) and (G) 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 6 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 metres;
 - (iii) elevator overrun and elevator shafts may project above the maximum heights listed in (I)(i) and (ii) above, to a maximum of 2.5 metres;
 - (iv) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2 metres; and
 - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4 metres;
- (J) Despite regulations 40.10.40.70(1) and 40.10.40.80(1) and Article 600.10.10, the required minimum building setbacks and separation distance between main walls are as shown in metres on Diagram 3 of Bylaw [Clerks to supply By-law ##];
- (K) Despite regulation 40.10.40.40(1)], the permitted maximum **gross floor area** of all **buildings** and **structures** is 44,700 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 44,000 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 700 square metres;
- (L) 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) a combined additional 15 percent of the total number of **dwelling units** must have a combination of two and three bedrooms, or units that can be converted to two and three bedroom 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) for the purpose of this exception, if the calculation of required **dwelling units** in (L)(i), (ii), and (iii) above result in a number with a fraction, the number is rounded down to the nearest whole number;
- (M) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
 - (i) at least 2.4 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 1.6 square metres of outdoor **amenity space** for each **dwelling unit** of which 590 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;
- (N) Despite regulation 40.10.40.70(1) and 40.10.40.80(1), 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];
- (O) Despite clause 40.5.40.60, 40.10.40.60, and, 40.10.40.80(1), article 600.10.10, 900.11.10(339)(I) and regulation (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) terraces and balconies, by a maximum of 1.8 metres;
 - (ii) canopies and awnings, by a maximum of 3 metres;
 - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.75 metres;
 - (iv) window projections, including bay windows and box windows, by a maximum of 0.6 metres; and
 - (v) antennae, vents, and pipes, by a maximum of 0.5 metres; and

- (P) Despite regulation 200.5.10.1, **loading spaces** must be provided in accordance with the following:
 - (i) 1 Type G” **loading space**; and
 - (ii) 1 Type “C” **loading space**;
- (Q) Despite regulations 230.5.1.10(10), “short-term” **bicycle parking spaces** must be provided in a stacked bicycle parking space;
- (R) **Short-term bicycle parking spaces** may be permitted in either vertical or horizontal orientation and may be located in a publicly accessible location at **grade**, below **grade**, or one level above grade, in a **bicycle parking area**;
- (S) Despite 230.5.1.10, 230.5.10.1 and Table 230.5.10.1(1), a minimum number of **bicycle parking spaces** must be provided and maintained on the **lot**, in accordance with the following:
 - (i) a minimum of 0.9 **bicycle parking spaces** per **dwelling unit** for long term bicycle parking; and,
 - (ii) a minimum 0.1 **bicycle parking spaces** per **dwelling unit** for short term **bicycle parking**;
- (T) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of 1.0 parking space shall be a car-share parking space.
- (U) Despite regulation 200.5.1.10(2)(A), a maximum of 20 undersized car **parking spaces** with a minimum width of 2.4 metres, length of 5.2 metres and vertical clearance of 2.0 metres may be provided.

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 Uses:
 - (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 on the lot, used exclusively for the initial sale and/or initial leasing of non-residential space areas and dwelling units proposed on the same lot, for a period of not more than three years from 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

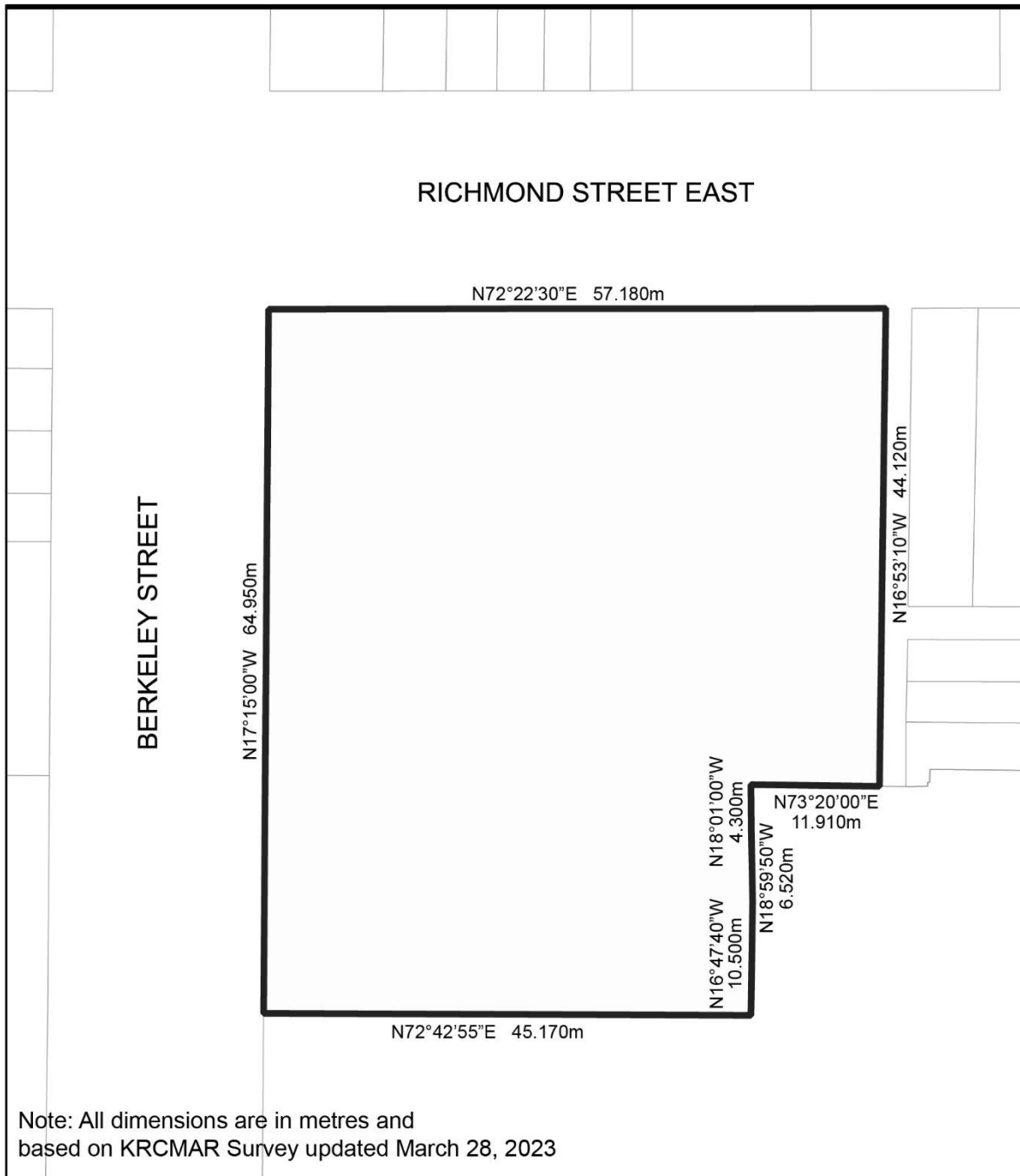
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Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

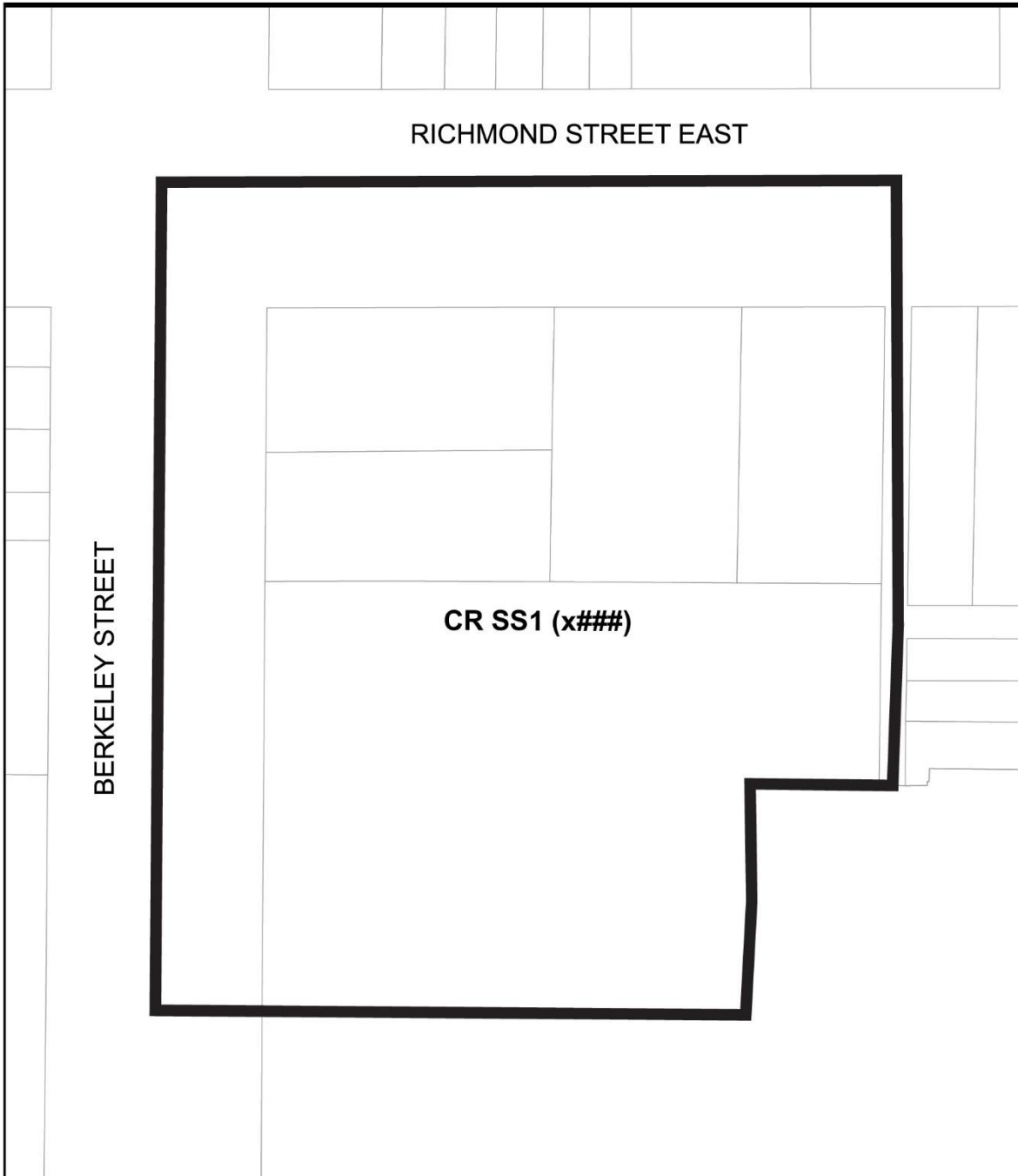
(Seal of the City)



Toronto
Diagram 1

**517 & 523 Richmond Street East and
97, 105, 111 & 115 Berkeley Street**

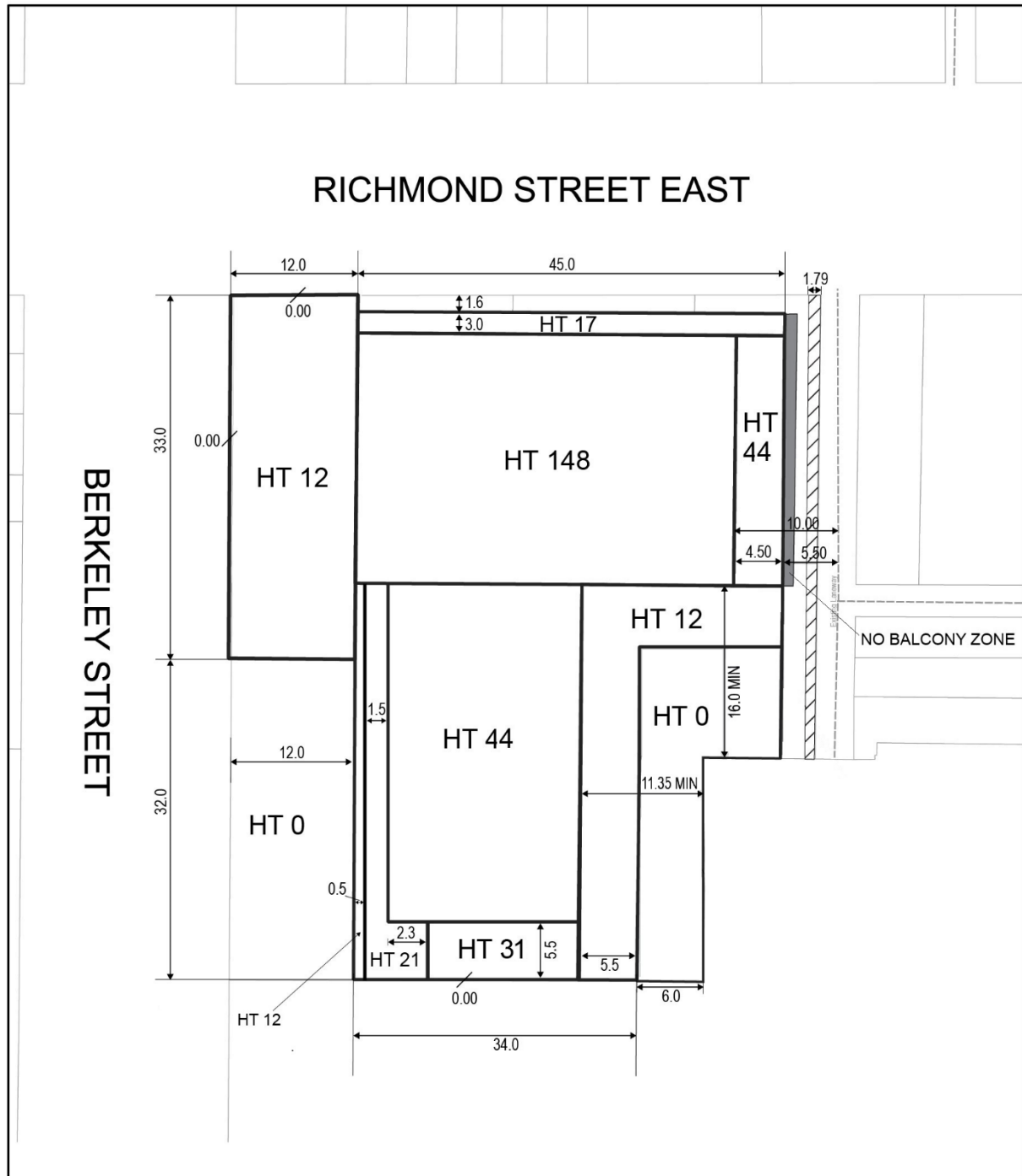
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Diagram 2

**517 & 523 Richmond Street East and
97, 105, 111 & 115 Berkeley Street**

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Toronto
Diagram 3

**517 & 523 Richmond Street East and
97, 105, 111 & 115 Berkeley Street**

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