

Attachment 5: Draft Zoning By-law Amendment

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

CITY OF TORONTO

Bill No. ~

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 41-45 Spadina Road

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 No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 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 (x2394) to a zone label of CR 6.0 (c1.0; r6.0) SS2 (X1045), as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1045, so that it reads:

Exception CR 1045

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 41-45 Spadina Road, if the requirements of By-law **[Clerks to supply by-law ##]** are complied with, then a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (U) below;

- (B) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 10,000 square metres;
- (C) Despite Clause 40.10.30.40, the permitted maximum **lot coverage**, as a percentage of **lot area**, is 70 percent;
- (D) 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” on Diagram 3 attached to By-law [Clerks to supply by-law ##];
- (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 shown on Diagram 3 of By-law [Clerks to supply by-law ##]:
 - (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 6.0 metres;
 - (ii) **structures** that screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, excluding a mechanical penthouse, by a maximum of 3.0 metres;
 - (iii) architectural features, fin projections, 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 6.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 1.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (F) Despite regulation 40.10.40.70(2) and 600.10.10(1) the required minimum **building setbacks** are as shown in metres on Diagram 3, of By-law [Clerks to supply by-law ##], provided that:
 - (i) the first **storey** of the **building** must also comply with the required minimum **building setbacks** as shown in metres on Diagram 4 of By-law [Clerks to supply by-law ##];
 - (ii) the **storeys** of the **building** above the first **storey** but below a height of 16.0 metres must also comply with the required minimum **building setbacks** as

shown in metres on Diagram 5 of By-law [Clerks to supply by-law ##];

- (G) 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 ##], provided that:
- (i) the first **storey** of the **building** must also provide the required separation of **main walls** as shown in metres on Diagram 4 of By-law [Clerks to supply by-law ##];
 - (ii) the **storeys** of the **building** above the first **storey** but below a height of 16.0 metres must also provide the required separation of **main walls** as shown in metres on Diagram 5 of By-law [Clerks to supply by-law ##];
- (H) Despite Clause 40.10.40.60, and (F) and (G) 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 1.5 metres;
 - (ii) canopies and awnings, by a maximum of 1.5 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.75 metres;
 - (v) window projections, including bay windows and box windows, by a maximum of 1.5 metres;
 - (vi) eaves, by a maximum of 0.75 metres; and
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 0.75 metres;
- (I) Despite regulation 40.10.150.1(1), and (F) and (G) above, an **ancillary building** or **structure** containing waste and **recyclable material** may be located zero metres from the **rear lot line**.
- (J) Regulations 40.10.40.70(2), and (F) and (G) above, do not apply to an **ancillary building** or **structure** dedicated to **bicycle parking spaces**, or storage of waste and **recyclable material**, provided:
- (i) The height of the **building** or **structure** does not exceed 3.0 metres;
 - (ii) The **interior floor area** of the **ancillary building** or **structure** does not exceed 150 square metres;
 - (iii) The **ancillary building** must be weather protected with controlled access for residents via means of a secure locking systems; and

- (iv) A continuous clearway with a width of 1.3 metres must be provided between the principal **building** entrance, the **ancillary building** entrance, and the **street**;
- (K) 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 2 or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have 3 or more bedrooms;
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (L) Despite regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
 - (i) at least 0.64 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (ii) at least 2.0 square metres for each **dwelling unit** as outdoor **amenity space**;
- (M) Despite regulation 200.5.10.1(1), no residential visitor **parking spaces** are required.
- (N) Despite regulation 230.40.1.20(2), a short-term **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to the **building** on the **lot** as well as below **grade**;
- (O) In addition to the places a "long-term" **bicycle parking space** may be located as in regulations 230.5.1.10(9)(A)(i)(ii) and (iii), a "long-term" **bicycle parking space** may also be located in an **ancillary building** or **structure**.
- (P) In addition to the places required **bicycle maintenance facilities** may be located as in regulation 230.5.1.10(12), required **bicycle maintenance facilities** may also be located within an **ancillary building** or **structure** containing **bicycle parking spaces**;
- (Q) Despite Regulations 230.5.1.10(12), required **bicycle maintenance facilities** may have the following dimensions:
 - (i) A minimum length of 1.8 metres;
 - (ii) A minimum width of 0.9 metres; and
 - (iii) A minimum vertical clearance of 1.9 metres.
- (R) Despite regulation 230.5.1.10(4)(A)(ii), the required minimum dimensions of a **stacked bicycle parking space** are;

- (i) length of 1.8 metres;
- (ii) width of 0.4 metres; and
- (iii) vertical clearance of 1.2 metres;

- (S) Despite regulation 220.5.10.1, one ‘Type G’ **loading space** is required.
- (T) Despite Regulation 220.5.20.1(1)(A)(ii), a two-way **driveway** to a **loading space** must have a minimum width along its entire length of 5.0 metres.
- (U) Despite regulation 40.10.90.10(1) a **loading space** may be located within a **side-yard** abutting a **street**;

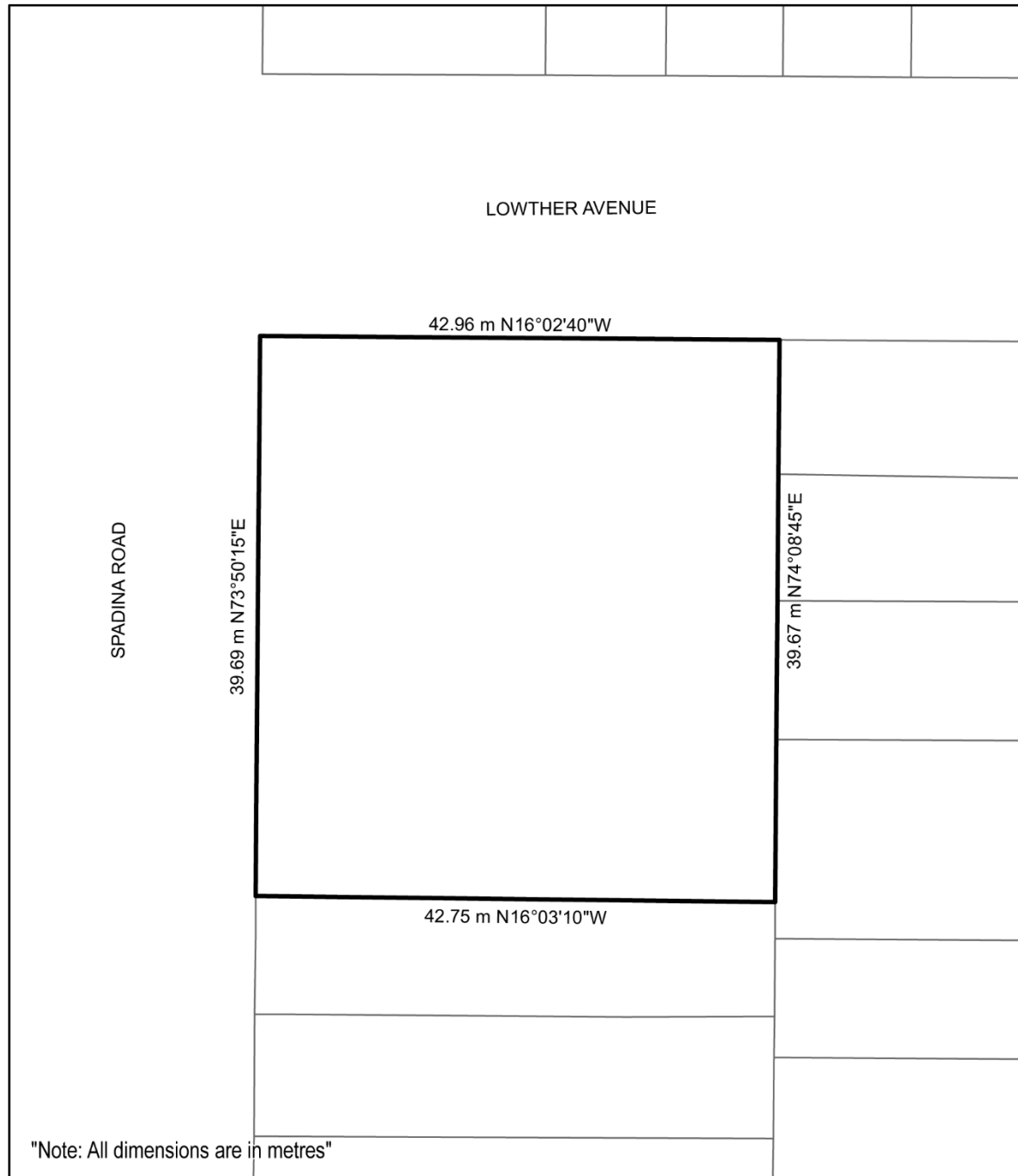
Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on month ##, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

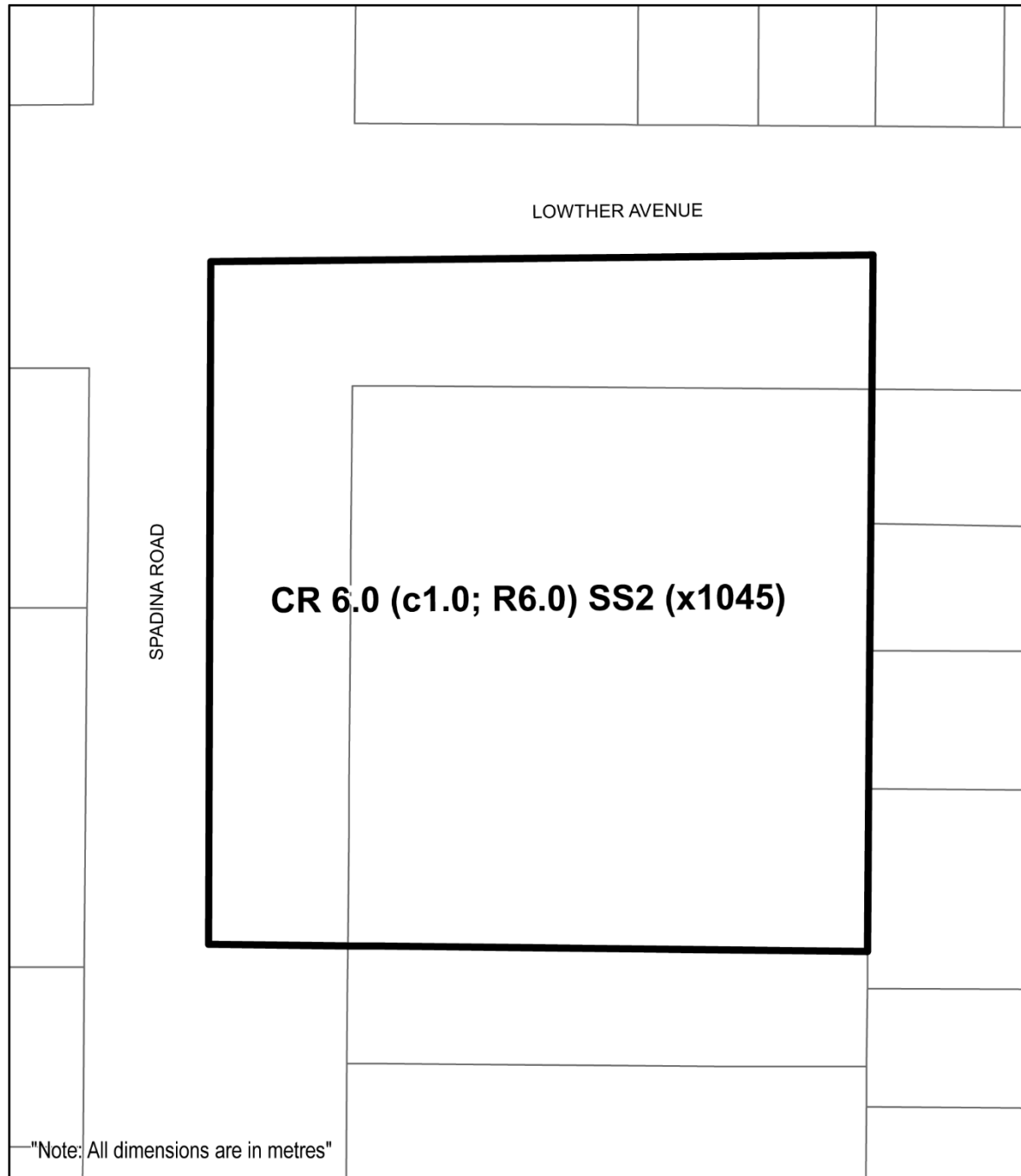
(Seal of the City)



 **Toronto**
Diagram 1

41 - 45 Spadina Avenue

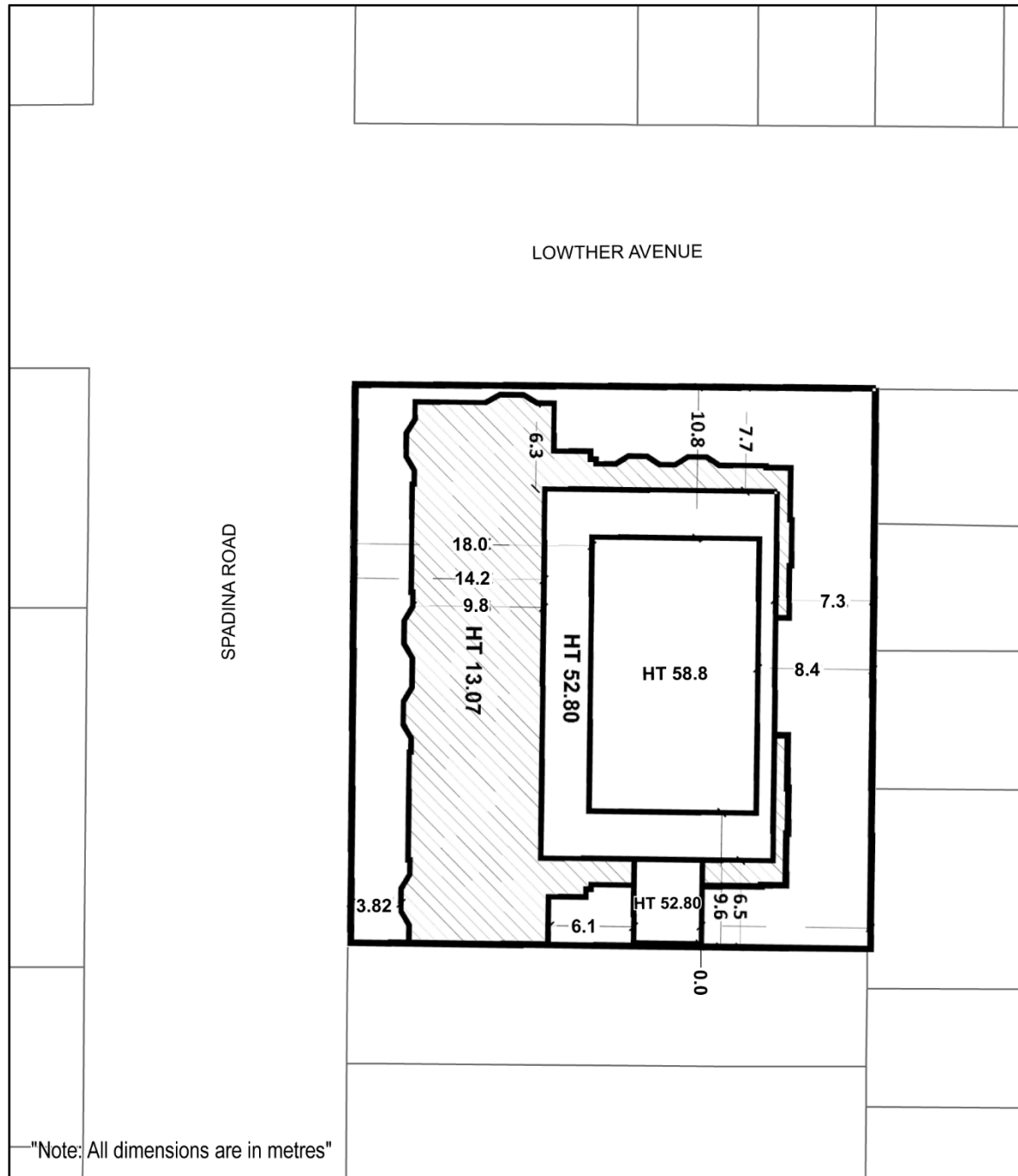
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 **Toronto**
Diagram 2

41 - 45 Spadina Avenue

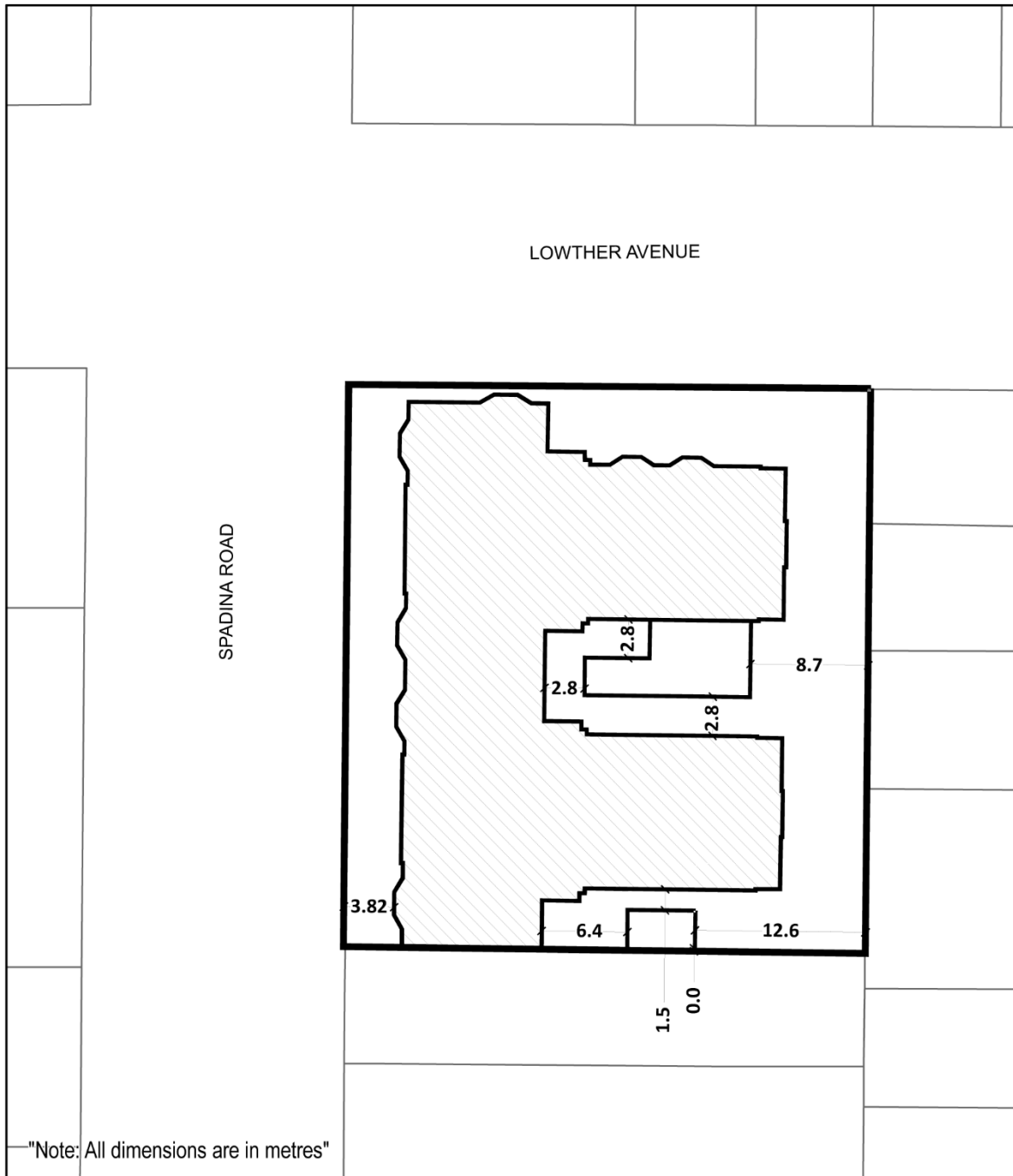
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 **Toronto**
Diagram 3

41 - 45 Spadina Avenue



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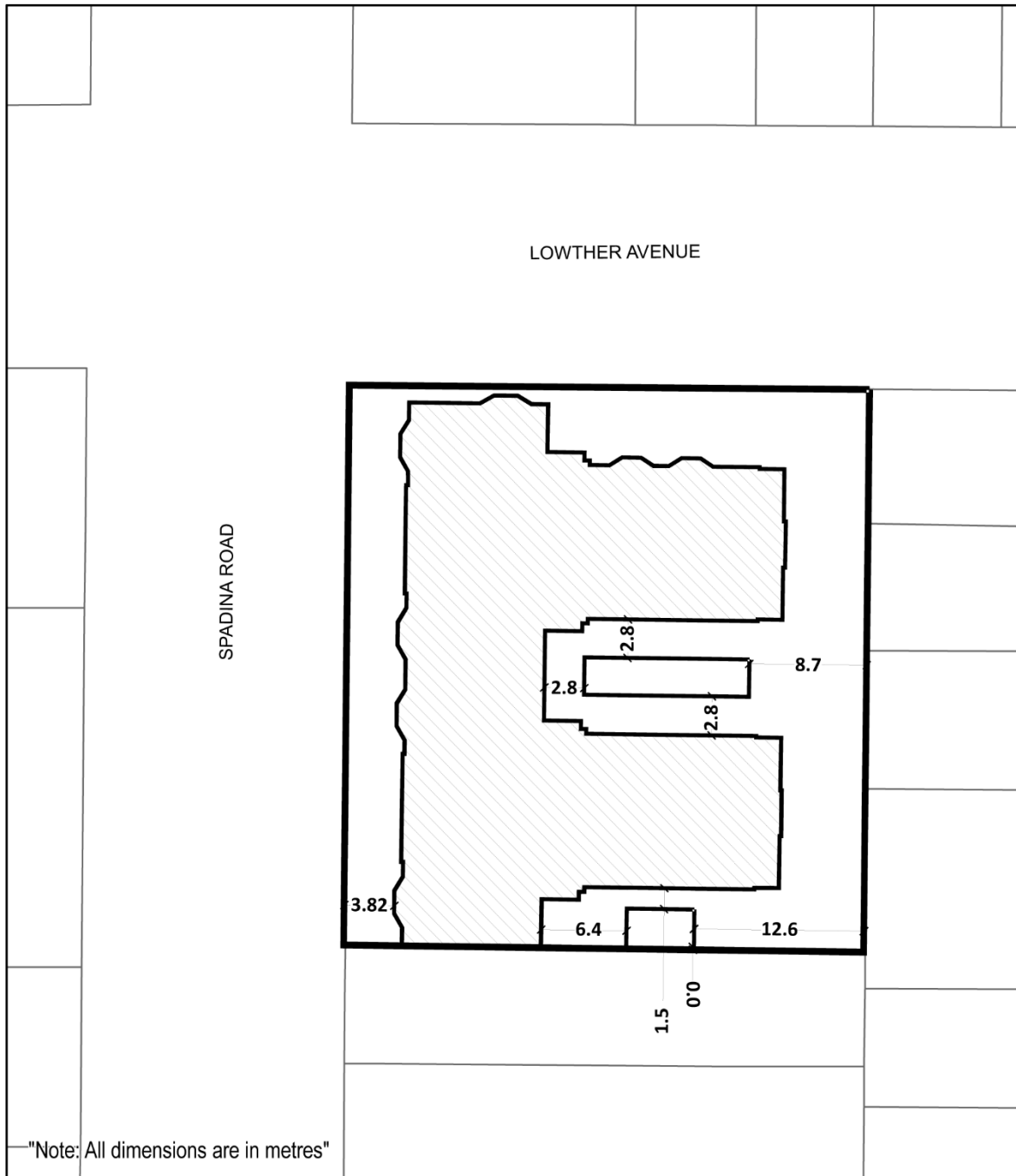
 **TORONTO**
Diagram 4

41 - 45 Spadina Avenue

File # 24 146962 STE 12 02

-  Area affected by this by-law
-  Designated Heritage Building




City of Toronto By-law 569-2013
Not to Scale
09/06/2024



 **TORONTO**
Diagram 5

41 - 45 Spadina Avenue

File # 24 146962 STE 12 0Z

-  Area affected by this by-law
-  Designated Heritage Building


City of Toronto By-law 569-2013
Not to Scale
09/06/2024