

Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on ~, 2024

CITY OF TORONTO

BY-LAW NO. XXXX-2024

To amend Zoning By-law No. 569-2013 with respect to the lands municipally known in the year 2023 as 452 Bathurst Street

Whereas authority is given to Council of the City of Toronto 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*;

Whereas pursuant to Section 36 of the *Planning Act*, as amended, the council of a municipality may, in a by-law passed under Section 34 of the *Planning Act*, use a holding symbol “(H)” in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once Council removes the holding symbol “(H)” by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol “(H)”; and

The Council of the City of Toronto hereby enacts as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to and forming part of this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, 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 CR 2.5 (c2.0; r2.0) SS2 (x1579) to a zone label of (H) CR 2.5 (c2.0; r2.0) SS2 (x1056) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number (1056) so that it reads:

Exception CR 1056

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 452 Bathurst 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 (M) below;

- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum elevation of 104.55 metres and the elevation of the highest point of the **building** or **structure**;
- (C) 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" as shown on Diagram 3 of By-law [Clerks to supply by-law ##];
- (D) Despite Regulations 40.5.40.10(3) to (8) and (C) 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, stairs, as well as enclosed stairwells, roof access, roof drainage, maintenance equipment storage, elevator shafts, lightning rods, light fixtures, chimneys, and vents, by a maximum of 7.0 metres;
 - ii. **building** maintenance units and window washing equipment, **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building**, including a mechanical penthouse, antennae, flagpoles and satellite dishes, by a maximum of 7.0 metres;
 - iii. trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
 - iv. architectural features, parapets, and elements and **structures** associated with a **green roof**, planters, architectural features, **landscaping** features, pool, pool deck and pool equipment, guard rails, railings and dividers, awnings, fences, balustrades, eaves, window sills, terraces by a maximum of 3.0 metres;
- (E) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 7500 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 7000 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 250 square metres;
- (F) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (G) Despite Clause 40.10.40.60 and (F) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances

as follows:

- (i) Columns and associated structures, elements required for structural support, cornices, light fixtures, stairs and stair enclosures, ornamental elements, art and landscape features, patios, decks, pillars, trellises, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and underground garage ramps and associated structures, by a maximum of 2.0 metres;
- (H) Regulations 40.10.50.10(1) and (3), with respect to **landscaping** requirements, do not apply.
- (I) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained in accordance with the following:
 - (i) A maximum of 0.7 **parking spaces** for each bachelor **dwelling unit** up to 45 square metres and 1.0 for each bachelor **dwelling unit** greater than 45 square metres;
 - (ii) A maximum of 0.8 **parking spaces** for each one bedroom **dwelling unit**;
 - (iii) A maximum of 0.9 **parking spaces** for each two bedroom **dwelling unit**;
 - (iv) A maximum of 1.1 **parking spaces** for each three or more bedroom **dwelling unit**; and
 - (v) A minimum of 2.0 plus 0.01 **parking spaces** per **dwelling unit** shall be provided for visitors;
 - (vi) A maximum of 1.0 **parking spaces** for each 100 square metres of non-residential **gross floor area**
- (J) Despite Regulations 200.15.1, the minimum dimension for accessible parking spaces are as follows:
 - (i) width of 3.4 metres; and
 - (ii) the entire length of an accessible parking space must be adjacent to a 1.5 metre wide accessible barrier free aisle or path
- (K) Despite Regulations 230.40.1.20(1) and 230.40.1.20(2), “long-term” and “short-term” **bicycle parking spaces** may be located indoors or outdoors or in an enclosed or secured room or enclosure;
- (L) Despite Regulations 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space** and must comply with the size requirements in Regulation 230.5.1.10(4);
- (M) Despite Regulation 230.5.1.10(4)(A), the minimum dimension of a **bicycle parking space** is:

- (i) minimum length of 1.8 metres,
- (ii) minimum width of 0.45 metres, and
- (iii) minimum vertical clearance of 1.2 metres.

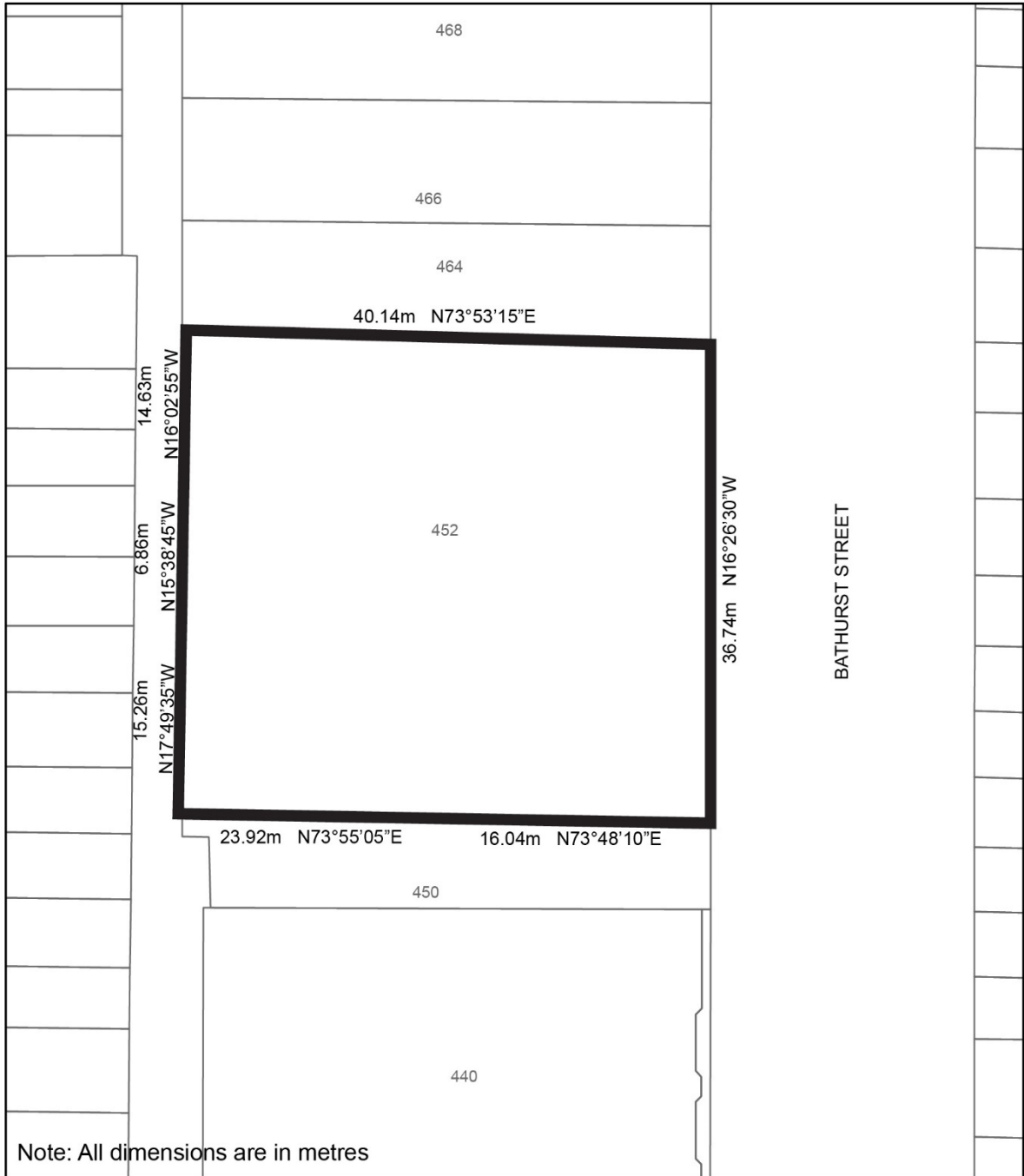
Prevailing By-laws and Provisions: (None apply)

- 5. Despite any future severance, partition or division of the lot as shown on Diagram 1, the provisions of this By-law will apply as if no severance, partition or division occurred;
- 6. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
 - (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
 - (i) The Owner has prepared and submitted a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services, for review and acceptance; and
 - (ii) Where improvements to municipal infrastructure are recommended in the Functional Servicing and Stormwater Management Report as accepted by the Chief Engineer and Executive Director, Engineering & Construction Services, the Owner has entered into a financially secured agreement with the City to secure the construction of the required improvements.

ENACTED AND PASSED this _____ day of _____, 2024.

Frances Nunziata,
Speaker
(Seal of the City)

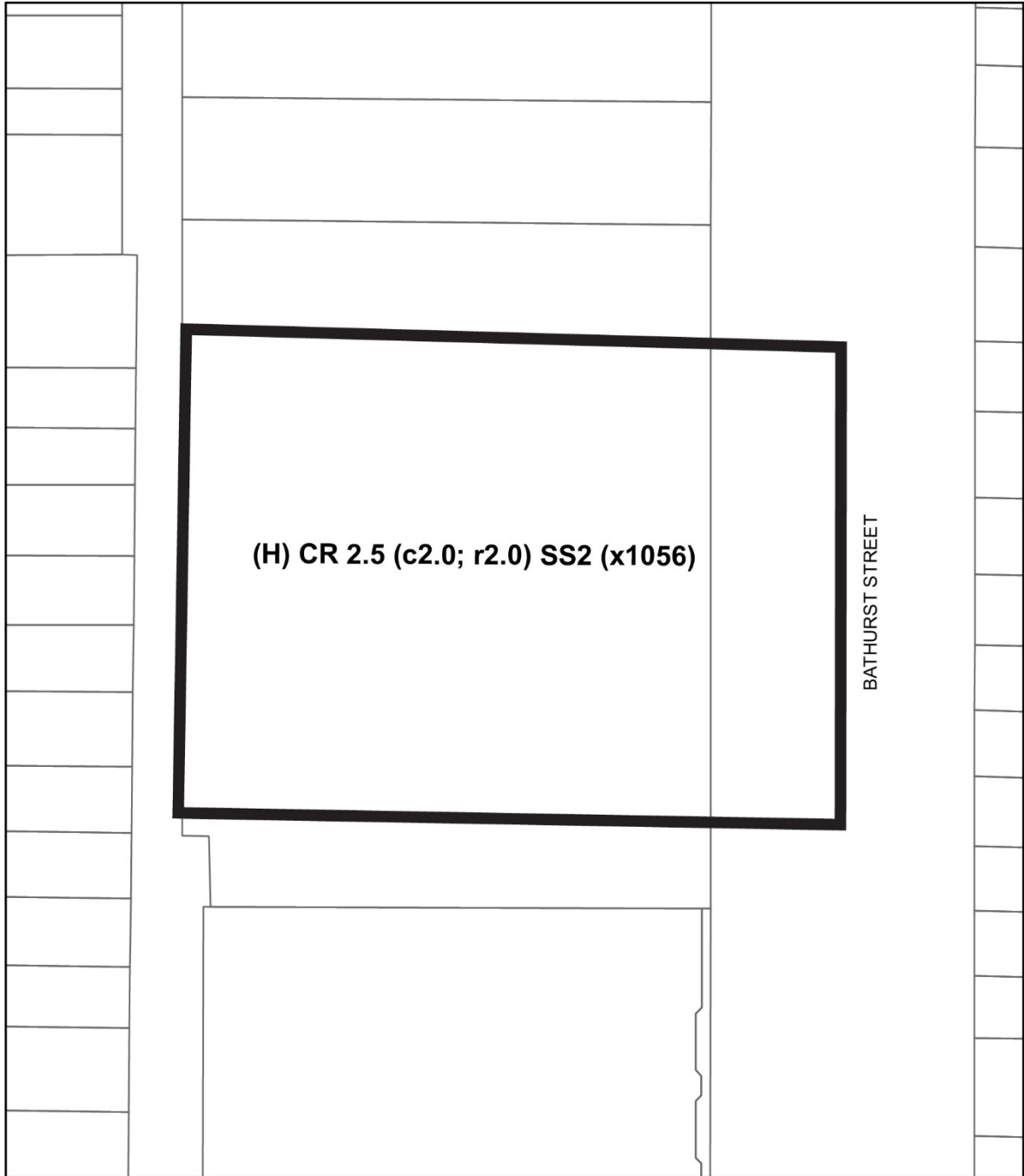
John D. Elvidge
City Clerk



 **TORONTO**
Diagram 1

452 Bathurst Street

File # 21 226199 STE 11 0Z

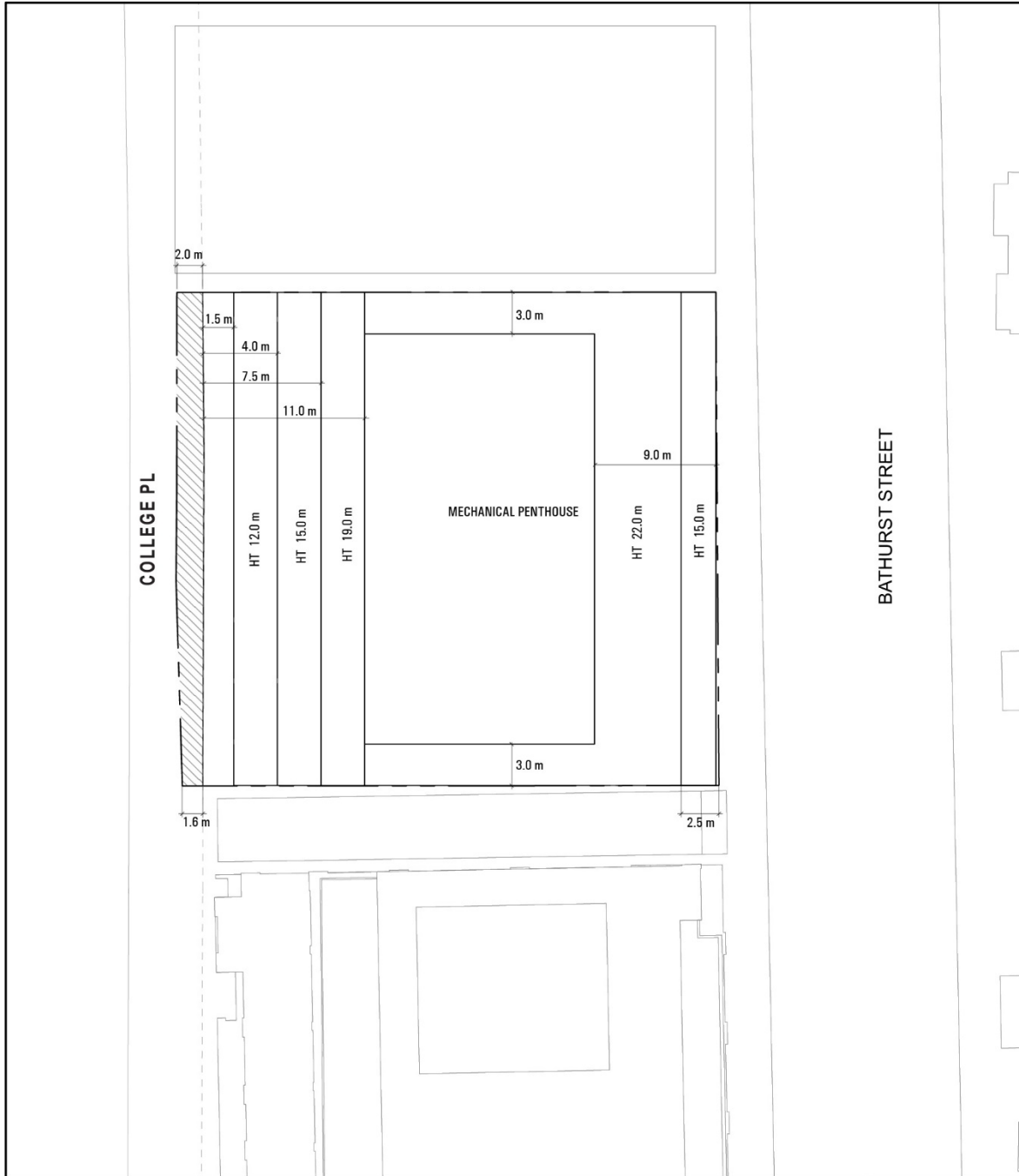


 **TORONTO**
Diagram 2

452 Bathurst Street

File # 21 226199 STE 11 0Z




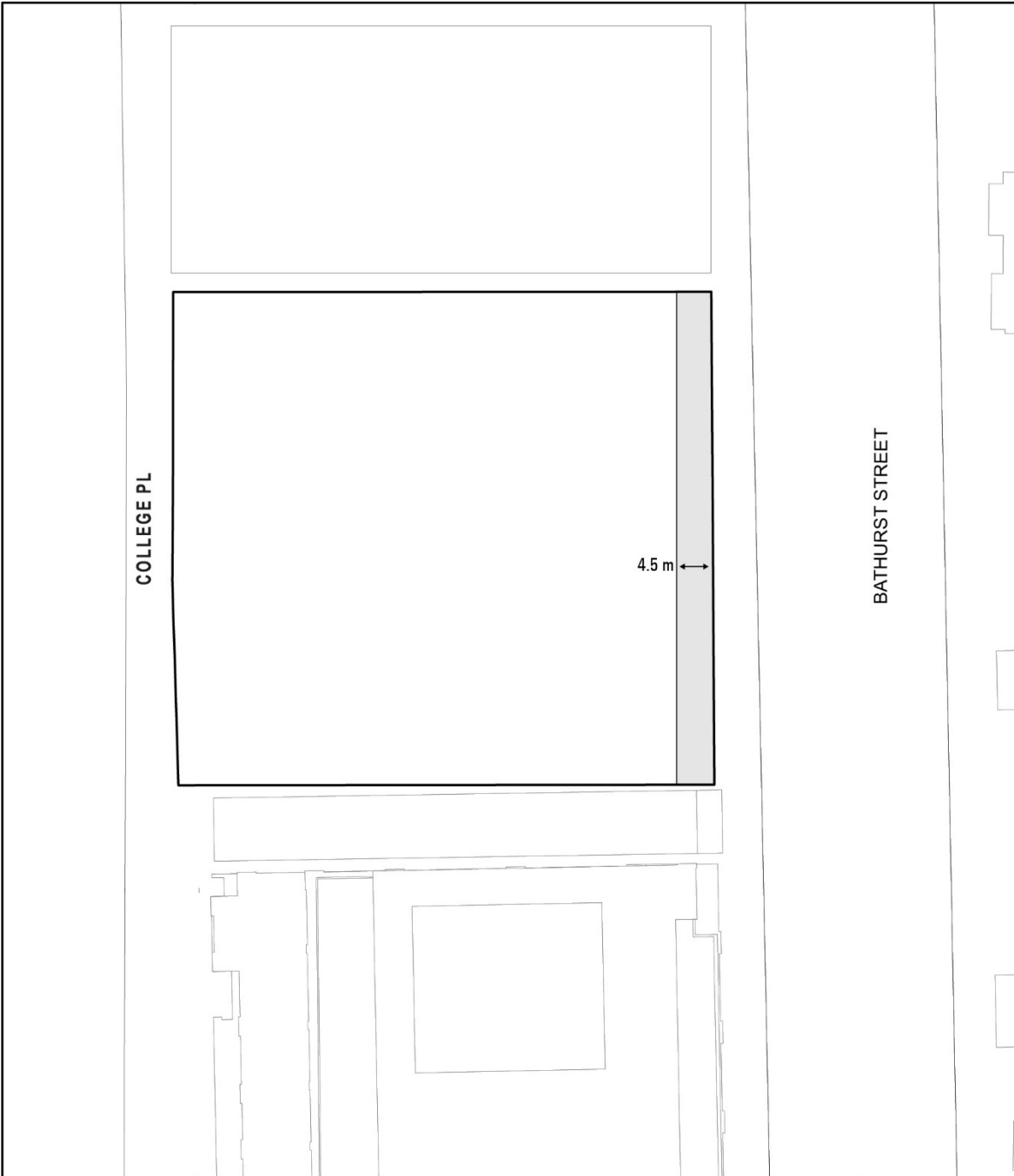


 **TORONTO**
Diagram 3

452 Bathurst Street
File # 21 226199 STE 11 0Z


 LANE WIDENING



City of Toronto By-law 569-2013
Not to Scale
11/14/2024



 **TORONTO**
Diagram 4

452 Bathurst Street
File # 21 226199 STE 11 0Z

 Note: No part of a building, except for the items listed in (G) above, and including any structural elements, associated cladding and architectural features may be located in the shaded area beginning at a Canadian geodetic datum elevation of 104.55 m, for a vertical clearance of 4.5 m in height


City of Toronto By-law 569-2013
Not to Scale
11/14/2024