

105 Thirty First Street – Zoning By-law Amendment Application – Adding a Holding Provision

Date: May 16, 2025

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 20 204893 WET 03 OZ

SUMMARY

At its meeting of December 13, 14 and 15, 2023, City Council adopted Item 2023.EY9.2, and approved with amendments a proposed Zoning By-law Amendment Application to permit a four-storey block of eight stacked townhouses at 105 Thirty First Street. Part 6 of Council's decision required that some conditions be fulfilled prior to introducing the necessary Bill to City Council for enactment.

To bring the review of this application to completion, staff recommend that the conditions be moved to a holding provision in the Draft Zoning By-law Amendment included as Attachment 5 to Item 2023.EY9.2, rather than prior to enactment. A holding symbol (H) would be applied to Diagram 2 of the draft Zoning By-law. The applicant has consented to this approach.

RECOMMENDATIONS

The Director, Community Planning Etobicoke York District recommends that:

1. City Council determine that the conditions below which are required to be fulfilled prior to introducing the necessary Bill to City Council for enactment of a zoning by-law amendment for the lands at 105 Thirty First Street, as proposed in Item 2023.EY9.2, are no longer required to be fulfilled prior to introduction of the bill, and shall be fulfilled through a holding provision:

- a. Provide a legal undertaking to the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, to secure the Tenant Relocation and Assistance Plan;

- b. Provide a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - c. Provide documentation to the satisfaction of the General Manager, Transportation Services and the City Solicitor that shared vehicular and parking access has been secured with the adjacent property owner at 3471 Lake Shore Boulevard West; and
 - d. Address the recommendations contained in the Noise and Vibration Study by J.E. Coulter Associates Limited, dated March 23, 2022, to the satisfaction of the Chief Planner and Executive Director, City Planning.
2. City Council amend City of Toronto By-law 569-2013 substantially in accordance with the draft Zoning By-law Amendment included as Attachment 1 to this report, for the lands municipally known as 105 Thirty First Street, being the same as Attachment 5 to the report from the Director of Community Planning, Etobicoke York District as Item 2023.EY9.2, amended to include a holding symbol (H), and conditions a to d above in the holding provision.
3. City Council determine that pursuant to Section 34 (17) of the Planning Act, no further notice is to be given in respect of the changes to the draft Zoning By-law included as Attachment 1 to this report.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

The Development Review Division confirms that there are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

DECISION HISTORY

At its meeting on December 13, 14 and 15, 2023, City Council adopted, with amendments, Item 2023.EY9.2, for the Zoning By-law Amendment Application at 105 Thirty First Street. The following is a link to the item: [Agenda Item History - 2023.EY9.2](#)

COMMENTS

In Part 6 of Item 2023.EY9.2, City Council required the applicant to address four conditions before introducing the necessary Bill for enactment. Staff met with the applicant, to discuss their timeline to fulfill the requirements prior to enactment of the

Bills. During the meeting the idea of applying a holding symbol to the draft Zoning By-law was discussed. The applicant agreed to the introduction of the holding symbol.

CONTACT

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SIGNATURE

Oren Tamir
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item [-], as adopted by City of Toronto Council on [-]

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 2022 as 105 Thirty First 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, 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;

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 that lands, buildings or structures may be put once the holding symbol "(H)" is removed 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)".

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 990.1 respecting the lands outlined by heavy black lines from a zone label of RD (f12.0; a370; d0.35) to a zone label of (H) RM (f12; a370; d0.35) (x416) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number 416 so that it reads:

(416) Exception RM 416

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 105 Thirty First 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 Regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 87.9 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 10.80.30.40(1)(B), the permitted maximum lot coverage, as a percentage of the lot area, is 36 percent;
- (D) Despite Regulation 10.80.40.10(1)(A), 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 #];
- (E) Despite Regulation 10.80.40.10(3)(B), the permitted maximum number of storeys in a **building** is the number following the letters "ST" as shown on Diagram 3 of By-law [Clerks to insert By-law number #];
- (F) Despite Regulation 10.80.40.40(1)(A), the permitted maximum **gross floor area** of all building and structures on the lot is 900 square metres;
- (G) Despite Regulation 10.80.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number #];
- (H) Despite Regulation 10.5.40.60 and (G) above, the following elements may encroach into the required minimum **building setbacks** and main wall separation distances as follows:
 - (i) decks, porches, balconies, canopies, awnings, exterior stairs, access ramps and elevating devices, architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, window projections, including bay windows and box windows, eaves, vents, and pipes, by a maximum of 1.5 metres;
- (I) 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 0.48 residential occupant **parking spaces** for each dwelling unit;
 - (ii) a minimum of 0.07 residential visitor **parking spaces** for each dwelling unit; and
 - (iii) No **parking spaces** are required non-residential uses;

- (J) Despite Regulation 200.15.10(1) and (2), a minimum of 1 of the required **parking spaces** is required to be an accessible parking space;
- (K) Despite regulation 10.5.80.1, parking spaces required by this Exception may be located on the property municipally known in 2022 as 3471 Lake Shore Boulevard West, may be shared with the uses permitted thereon, and may be provided as mechanical stacked **parking spaces**;
- (L) Despite regulation 200.5.1.10(2) and (14), where stacked **parking spaces** are provided:
 - (i) the required minimum vertical clearance is 1.8 metres; and
- (M) Despite Regulations 230.5.10.1(1)(3) and (5) and Table 230.5.10.1(1), bicycle parking spaces must be provided in accordance with the following minimum rates:
 - (i) 0.68 "long-term" bicycle parking spaces for each dwelling unit; and
 - (ii) 0.07 "short-term" bicycle parking spaces for each dwelling unit.

Prevailing By-laws and Prevailing Sections: None Apply.

5. 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) Provide a legal undertaking to the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, to secure a Tenant Relocation and Assistance Plan for tenants of the existing two rental dwelling units proposed to be demolished at 105 Thirty First Street, which will address financial compensation and other assistance to lessen hardship;
 - (ii) Provide a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (iii) Provide documentation to the satisfaction of the General Manager, Transportation Services and the City Solicitor that shared vehicular

and parking access has been secured with the adjacent property owner at 3471 Lake Shore Boulevard West; and

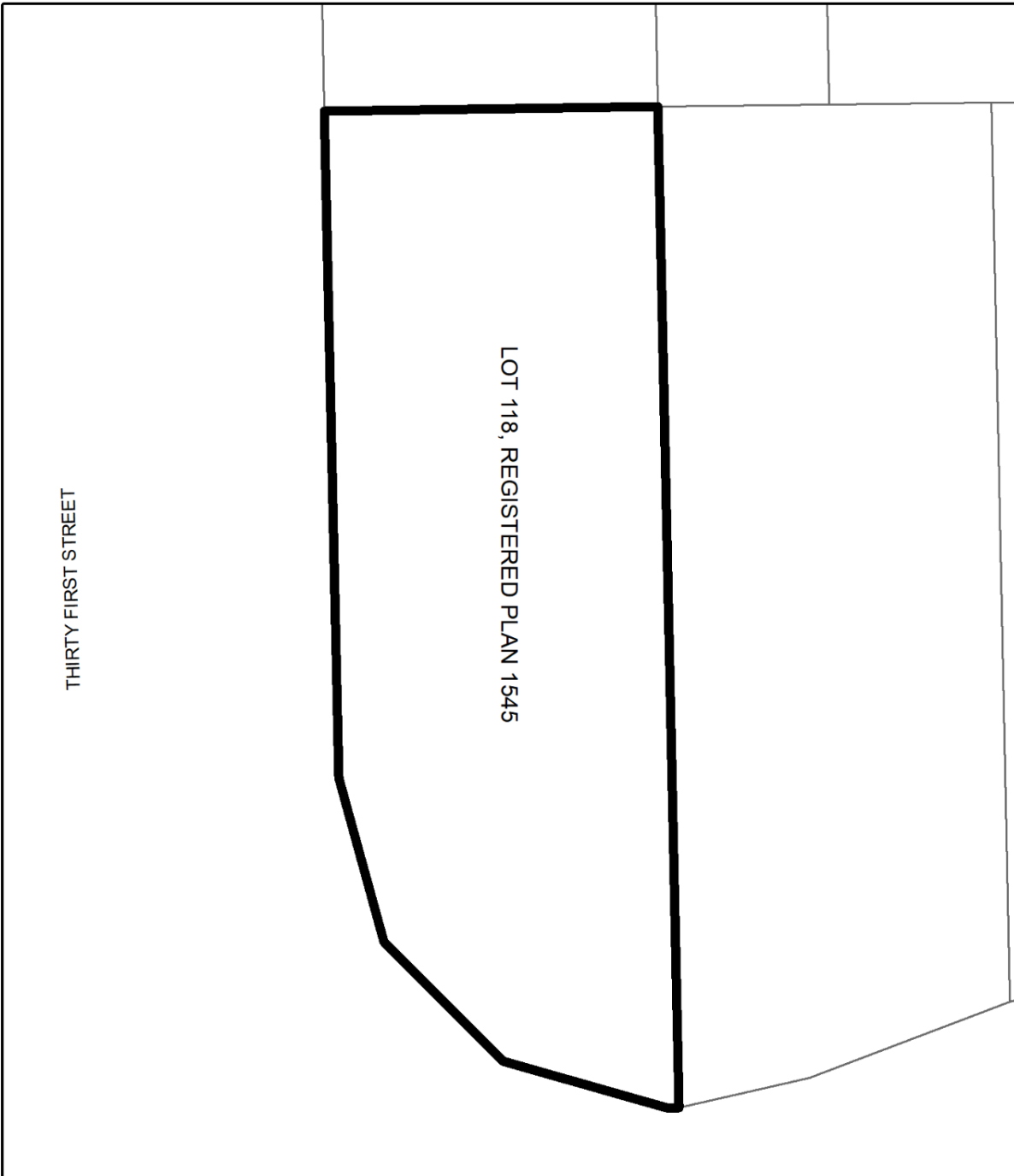
- (iv) Address the recommendations contained in the Noise and Vibration Study by J.E. Coulter Associates Limited, dated March 23, 2022, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Enacted and passed on April____, 2025.
Frances Nunziata, John D. Elvidge,
Speaker

City Clerk

(Seal of the City)

Diagram 1



 **Toronto**
Diagram 1

105 Thirty First Street

File # 20 204893 WET 03 0Z


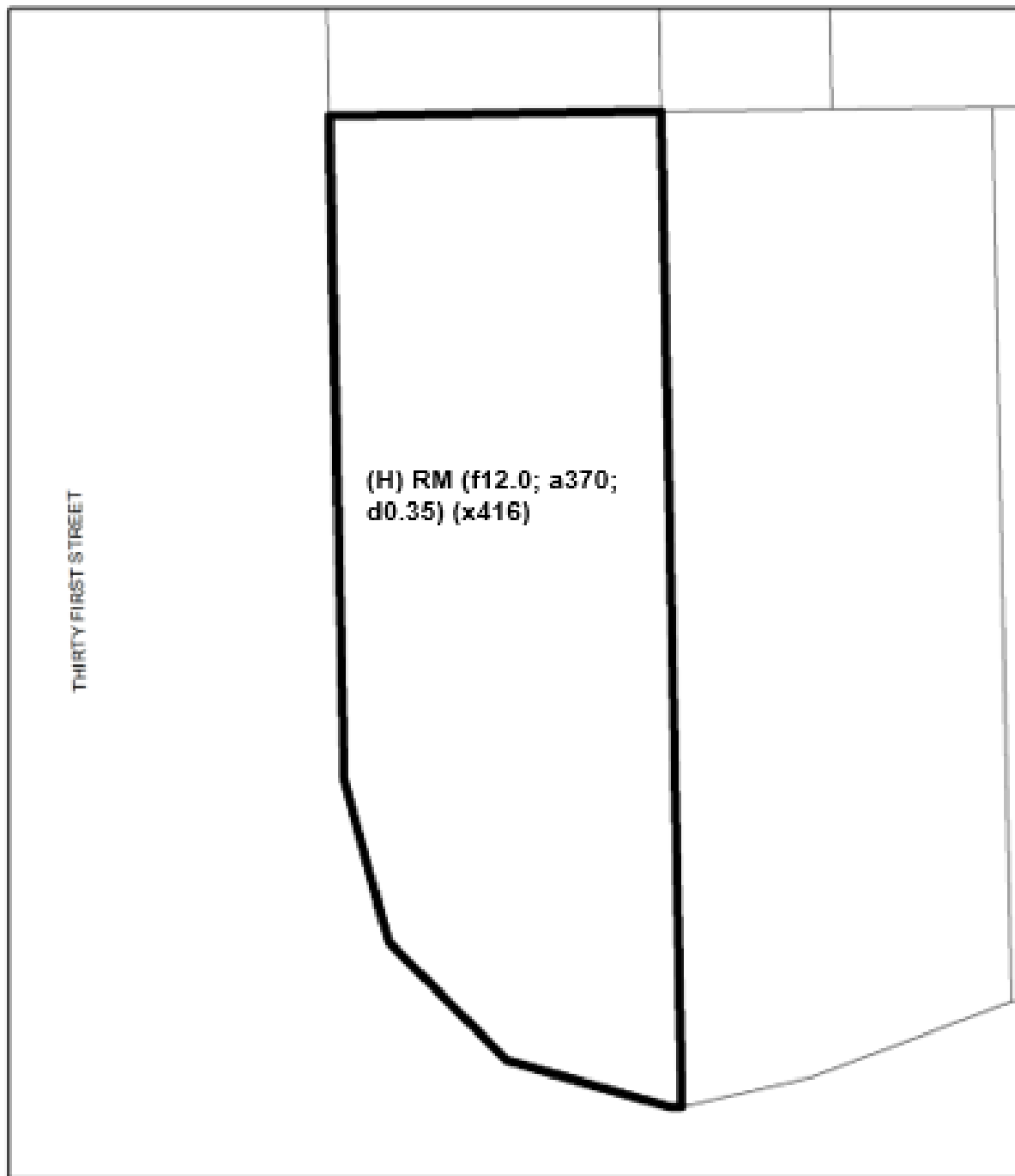

City of Toronto By-law 569-2013
Not to Scale
10/11/2023

Diagram 2



 **Toronto**
Diagram 2

105 Thirty First Street

File # 20 204893 WET 03 02


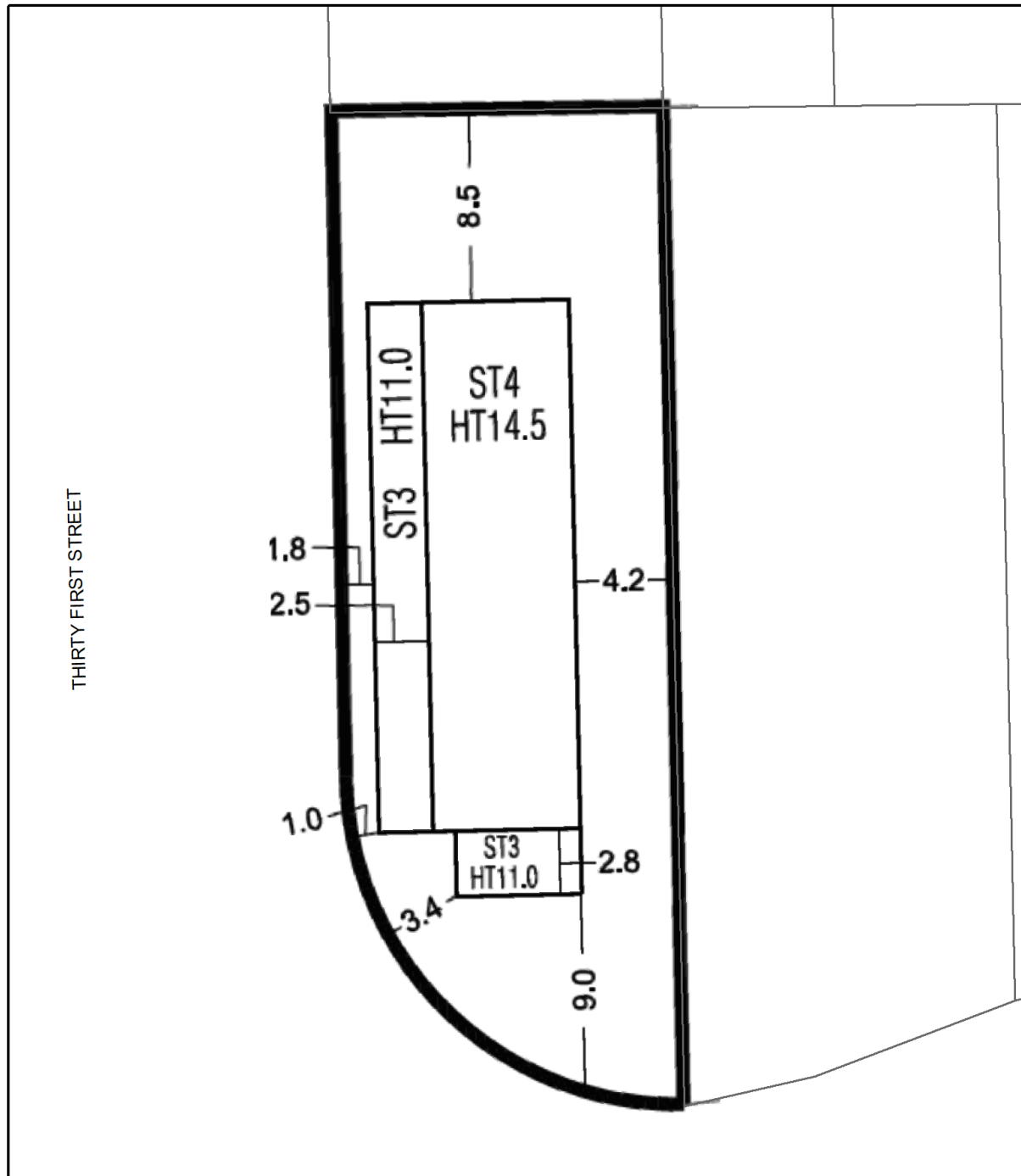

City of Toronto By-law 569-2013
Not to Scale
10/11/2023


Diagram 3



 **TORONTO**
Diagram 3

105 Thirty First Street

File # 20 204893 WET 03 02


City of Toronto By-law 569-2013
Not to Scale
10/11/2023