

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 2024 as 13, 15, 17, 19 and 21 John Street and 40 South Station 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; and

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 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)"; and

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 CR 2.5 (c2.5; r2.5) SS2 (x1169) and CR 2.5 (c2.5; r2.5) SS2 (x2572) to a zone label of (H) CR 2.5 (c2.5; r2.5) SS2 (x1114) 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 1114 so that it reads:

(1114) Exception CR 1114

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 13, 15, 17, 19 and 21 John Street and 40 South Station 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 (W) below;
- (B) 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 127.71 metres and the elevation of the highest point of the **building** or **structure**;
- (C) The first **storey** of a **mixed-use building** must provide a minimum of 50 percent of the lot frontage abutting John Street, commencing from the **main wall** at the corner of John Street and South Station Street, for one or more of the non-residential uses as listed in regulations 40.10.20.10(1)(A) and 40.10.20.20(1)(A);
- (D) Despite regulation 40.10.40.1(1)(B), **dwelling units** are permitted on the first **storey** of a **building** along the **lot line** abutting South Station Street;
- (E) 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 insert By-law number];
- (F) Despite regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the average elevation of the ground along the **front lot line** and the floor of the second **storey**, may be reduced to 4.3 metres for any residential portions;
- (G) Regulation (F) above does not apply to **amenity space**;
- (H) Despite regulation 40.10.40.10(7), 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]; and
 - (i) for the purpose of this exception, a mezzanine or mechanical penthouse does not constitute a **storey**; and
 - (ii) **dwelling units** located on the first **storey** may have two levels within a single **storey**;

- (I) Despite regulations 40.5.40.10(3) to (8) and (E) 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, cooling equipment, water supply facilities, enclosed stairwells, maintenance equipment storage, elevator shafts and overruns, chimneys, and vents, by a maximum of 8.0 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 8.0 metres;
 - (iii) **green roof** elements and parapets may project an additional 1.0 metre above the elements set out in (i) and (ii) above;
 - (iv) **building** maintenance units, window washing equipment, and roof access equipment may project an additional 2.5 metres above the elements set out in (i) and (ii) above
 - (v) architectural features, parapets, and elements and **green roof** elements, by a maximum of 2.0 metres;
 - (vi) antennae, flagpoles, lightening rods and satellite dishes, by a maximum of 5.0 metres;
 - (vii) planters, **landscaping** features, outdoor pools and decks, guard rails, light fixtures and divider screens, by a maximum of 3.0 metres; and
 - (viii) cabanas, trellises, pergolas, and unenclosed **structures** providing safety or wind or noise protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (J) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 35,100 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 34,840 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 260 square metres;
- (K) The maximum permitted “floorplate” size for each **storey** of a **building**, that is above a metric height of 28.5 metres, is 850.0 square metres;

- (L) 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];
- (M) 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 number];
- (N) Despite clause 40.10.40.60 and (L) and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) balconies, by a maximum of 2.0 metres, except:
 - (a) encroachments below a height of 28.5 metres along the **main wall** fronting John Street and the east lot line; and
 - (b) encroachments below a height of 36.0 metres along the **main wall** fronting South Station Street;
 - (ii) canopies and awnings, by a maximum of 3.0 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 1.0 metres;
 - (v) exterior cladding, by a maximum of 0.35 metres;
 - (vi) wind mitigation and acoustic screens and features, by a maximum of 2.0 metres;
 - (vii) light fixtures, air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 0.9 metres;
 - (viii) window washing equipment, and trellises, by a maximum of 2.0 metres; and
 - (ix) parapets, parapet flashing, roof and terrace scuppers, roof overhang, gutter, and downspout, by a maximum of 0.25 metres;
- (O) Despite regulations 200.15.1(1) and (3), 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;
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5-metre-wide accessible barrier free aisle or path;
- (P) Despite regulation 200.15.10.10(1) and (2) and Table 200.15.10.5, a minimum of 3 of the required **parking spaces** are required to be accessible visitor **parking spaces**;
- (Q) Despite regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **bicycle parking space** is:
 - (i) 0.45 metres for a standard **bicycle parking space**; and
 - (ii) 0.25 metres for a **stacked bicycle parking space**;
- (R) Despite regulation 230.5.1.10(10), both "long-term" and "short-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space** configuration;
- (T) Despite regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be no more than 45 metres from a pedestrian entrance to a **building** on the **lot**;
- (U) In addition to the locations a "long-term" **bicycle parking space** may be located as in regulations 230.5.1.10(9)(B)(i)(ii) and (iii), "long-term" **bicycle parking spaces** may also be located on the first two levels on levels of the **building** below-ground;
- (V) 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 unit** must have 3 or more bedrooms;
 - (i) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (W) 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) "Floorplate" means the total area of floor level of a **building** measured from the exterior of the **main** wall of each floor level;

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. 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 or applicant, at their sole cost and expense, has submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

- (ii) if the Functional Servicing and Stormwater Management Report from (i) above is accepted and requires any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:

- (a) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; or
- (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report in (a) above are constructed

and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and

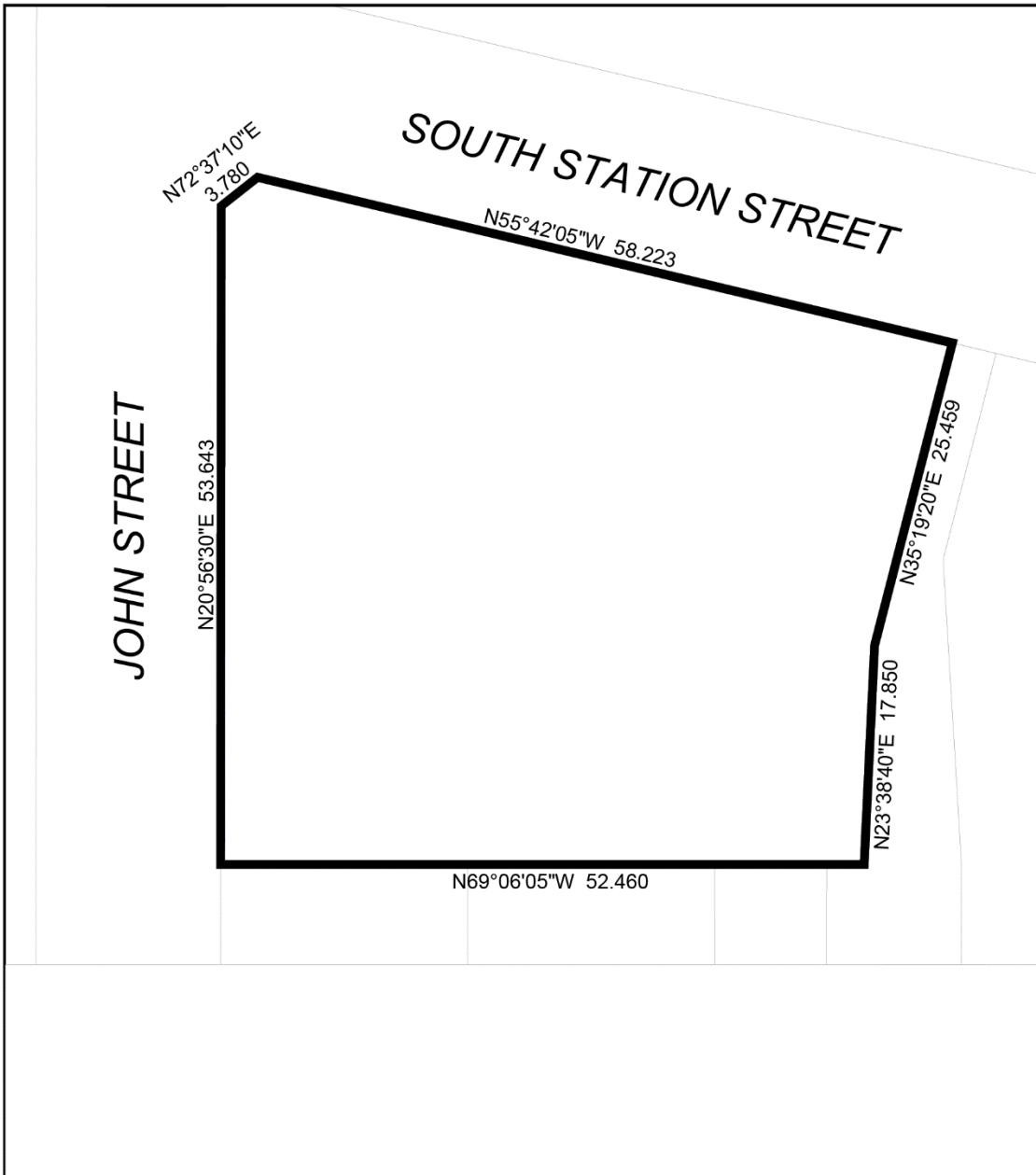
- (c) all necessary approvals or permits arising from (6)(B)(ii)(a) or (6)(B)(ii)(b) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.
- (iii) a peer review of the Air Quality and Land Use Compatibility Assessment, submitted by and at the sole cost and expense of the owner, is completed to the satisfaction of the Executive Director, Development Review; and
- (iv) a peer review of the Noise and Railway Vibration Study, submitted by and at the sole cost and expense of the owner, is completed to the satisfaction of the Executive Director, Development Review.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

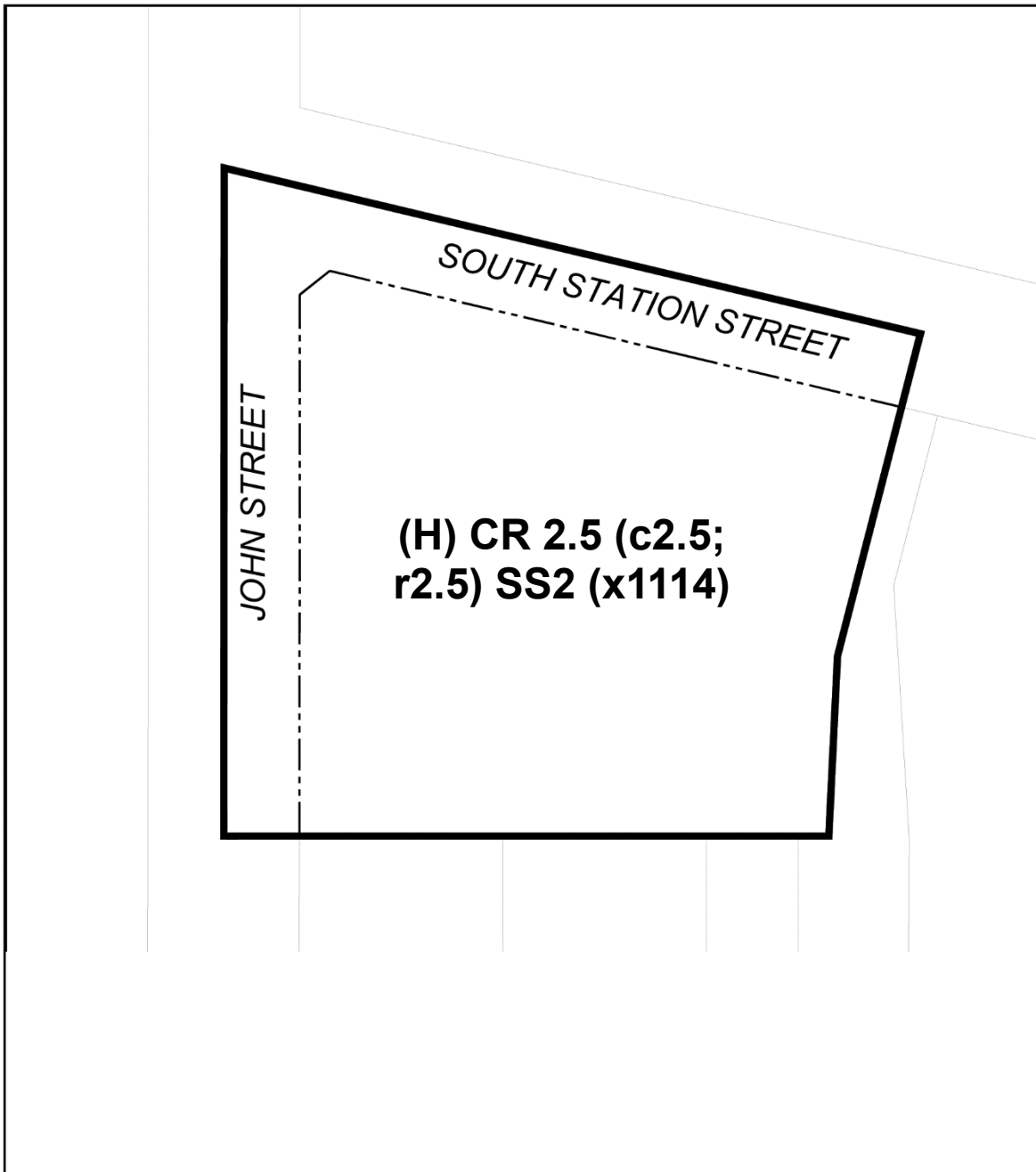
(Seal of the City)



TORONTO
Diagram 1

**13-21 JOHN STREET AND
40 SOUTH STATION STREET**

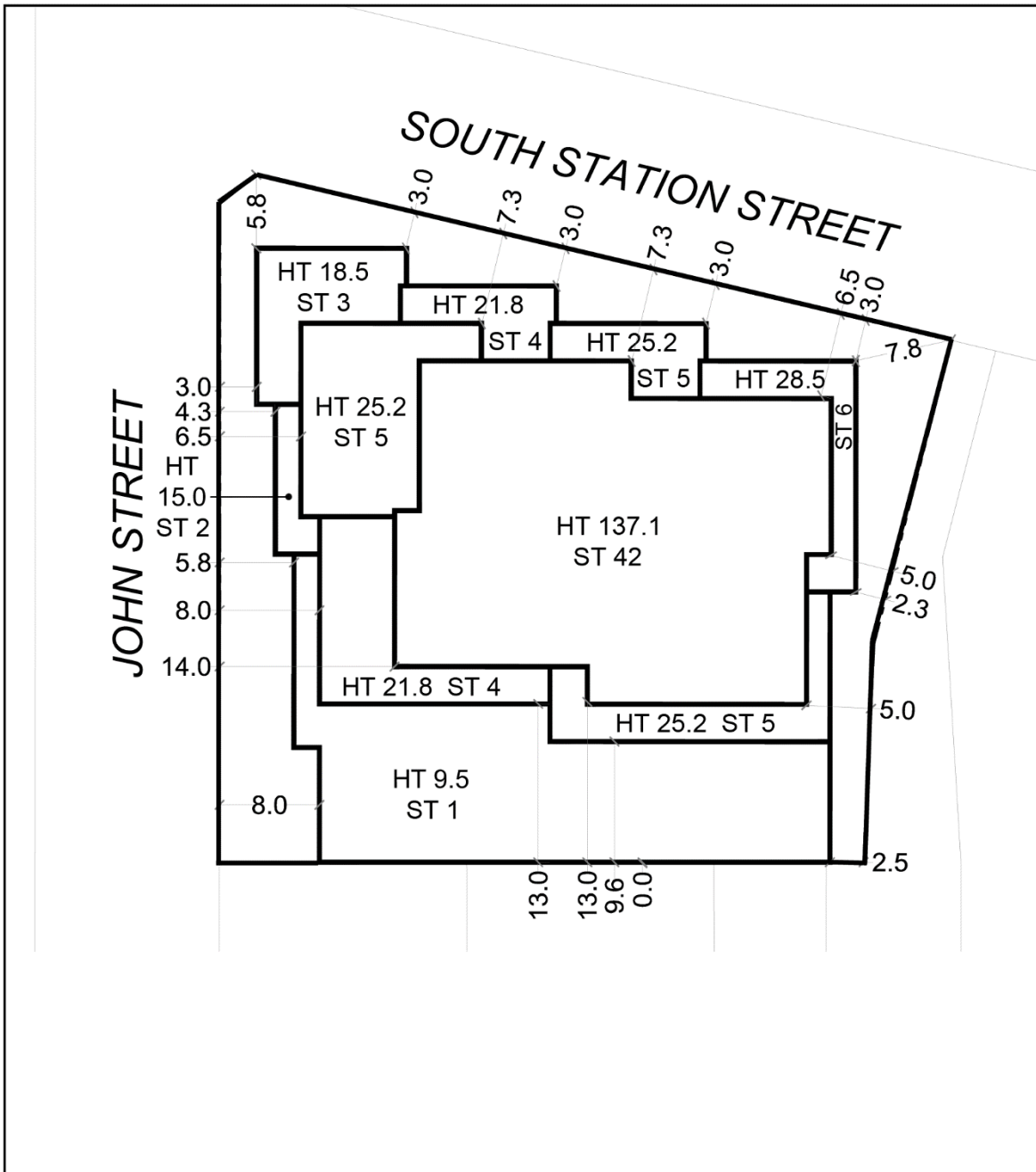
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 **TORONTO**
Diagram 2

**13-21 JOHN STREET AND
40 SOUTH STATION STREET**

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 **TORONTO**
Diagram 3

**13-21 JOHN STREET AND
40 SOUTH STATION STREET**

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