

Attachment 5: Draft Zoning By-law Amendment

Authority: **Planning and Housing Committee** 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 267-275 Merton 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

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 2.0 (c2.0; r2.0) SS2 (x2495) and CR 2.0 (c2.0; r2.0) SS2 (x2063)** to a zone label of **CR 2.0 (c2.0; r12.0) SS2 (xXXX)** *The Zoning By-law team will provide the exception number* 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 [-] *Zoning Section staff assign the exception number* so that it reads:

(XX) Exception CR ([assigned exception number]) *example - "(14) Exception CR 14"*

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 267-275 Merton 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 distance between the Canadian Geodetic Datum of 149.45 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 insert By-law number];
- (D) Despite regulations 40.5.40.10(3)(4)(6)(7) and (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, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, garbage chutes, chimneys, and vents, by a maximum of 10 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 10 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 8 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 10 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.3 metres;
 - (vi) antennae, flagpoles, lightning rods, and satellite dishes, by a maximum of 10.5 metres; and
 - (vii) trellises, pergolas, unenclosed podium screening walls, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
- (E) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor**

area of all **buildings** and **structures** is 32,000 square metres, of which:

- (i) the permitted maximum **gross floor area** for residential uses is 31,700 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 300 square metres;
 - (iii) the required minimum **gross floor area** for non-residential uses is 130 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) decks, porches, and balconies, by a maximum of 2.2 metres;
 - (ii) Platforms with a floor level no higher than the floor level of the second **storey** of the building by a maximum of 6.7 metres;
 - (iii) canopies and awnings, by a maximum of 3.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - (v) cladding and wall mounted lighting added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.6 metres;
 - (vi) window projections, including bay windows and box windows, by a maximum of 0.6 metres;
 - (vii) eaves, by a maximum of 0.6 metres;
 - (viii) air conditioners, satellite dishes, siamese connections antennae, vents, and pipes, by a maximum of 1.0 metres; and
- (H) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following minimum rates:
- (i) a minimum of 0 residential **parking spaces** required;
 - (ii) a minimum of 2.0 plus 0.015 residential visitor **parking spaces** for

each **dwelling unit**;

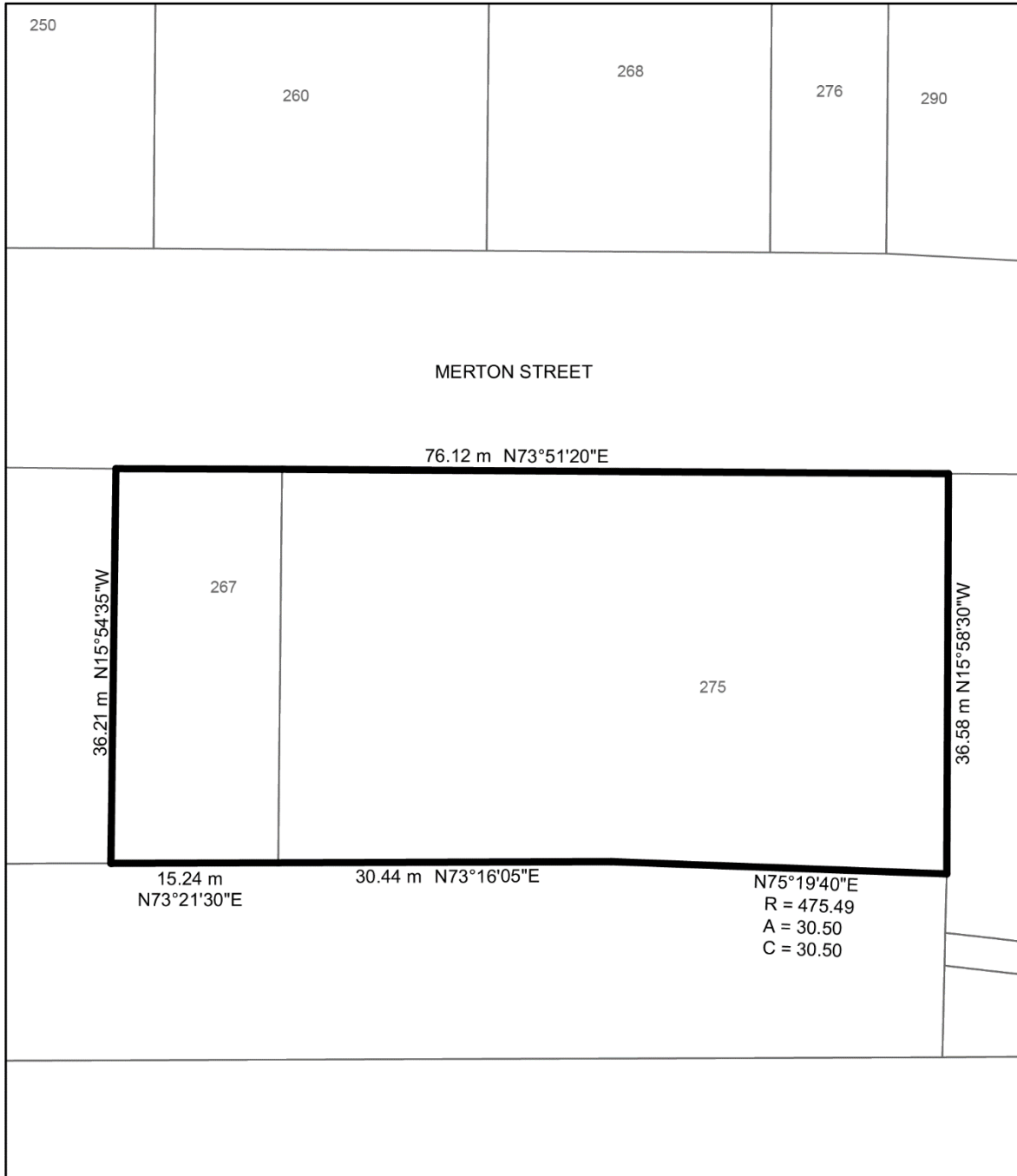
- (iii) a minimum of 0 **parking spaces** devoted to non-residential uses;
 - (iv) a minimum of 2.0 car share **parking spaces**; and,
 - (v) provide and maintain a minimum of 6.0 accessible **parking spaces** in accordance with the dimensional requirements of By-law No. 579-2017.
- (I) For the purpose of this zoning by-law,
- (i) ‘*car-share*’ or ‘*car-sharing*’ 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 car sharing organization and where such organization may require that the use of cars be reserved in advance, charge fees based upon time and / or kilometres 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 means a parking space that is reserved and actively used for car-sharing.
- (J) Despite Regulation 200.15.1(4), accessible **parking spaces** must be located no more than 35.0 metres from an access to a barrier free entrance to the building or to a passenger elevator that provides access to the first **storey** of the **building**;
- (K) Regulations 40.10.40.1(1) and 40.10.40.1(2) shall not apply.
- (L) For the purposes of Regulation 40.10.40.10(5) and despite the definition of **storey** in Chapter 800, the first **storey** may include a mezzanine.
- (M) Despite Regulation 230.5.1.10(9)(B), a required “long-term” **bicycle parking space** for a **dwelling unit** in an **apartment building** or **mixed-use** building may be located on a mezzanine level located between the first and second **storey**.
5. Despite any existing or future consent, severance, partition, or division of the lands as shown on Diagram 1 of this By-law, the provisions of this By-law and By-law 569-2013 shall apply to the whole of the lands as one lot, as if no consent, severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



 **TORONTO**
Diagram 1

267-275 Merton Street

File # 24 231134 STE 12 OZ

