

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; r2.0) SS2 (x1072) 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 **1072** so that it reads:

(1072) Exception CR (1072)

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 (N) 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) 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, 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;

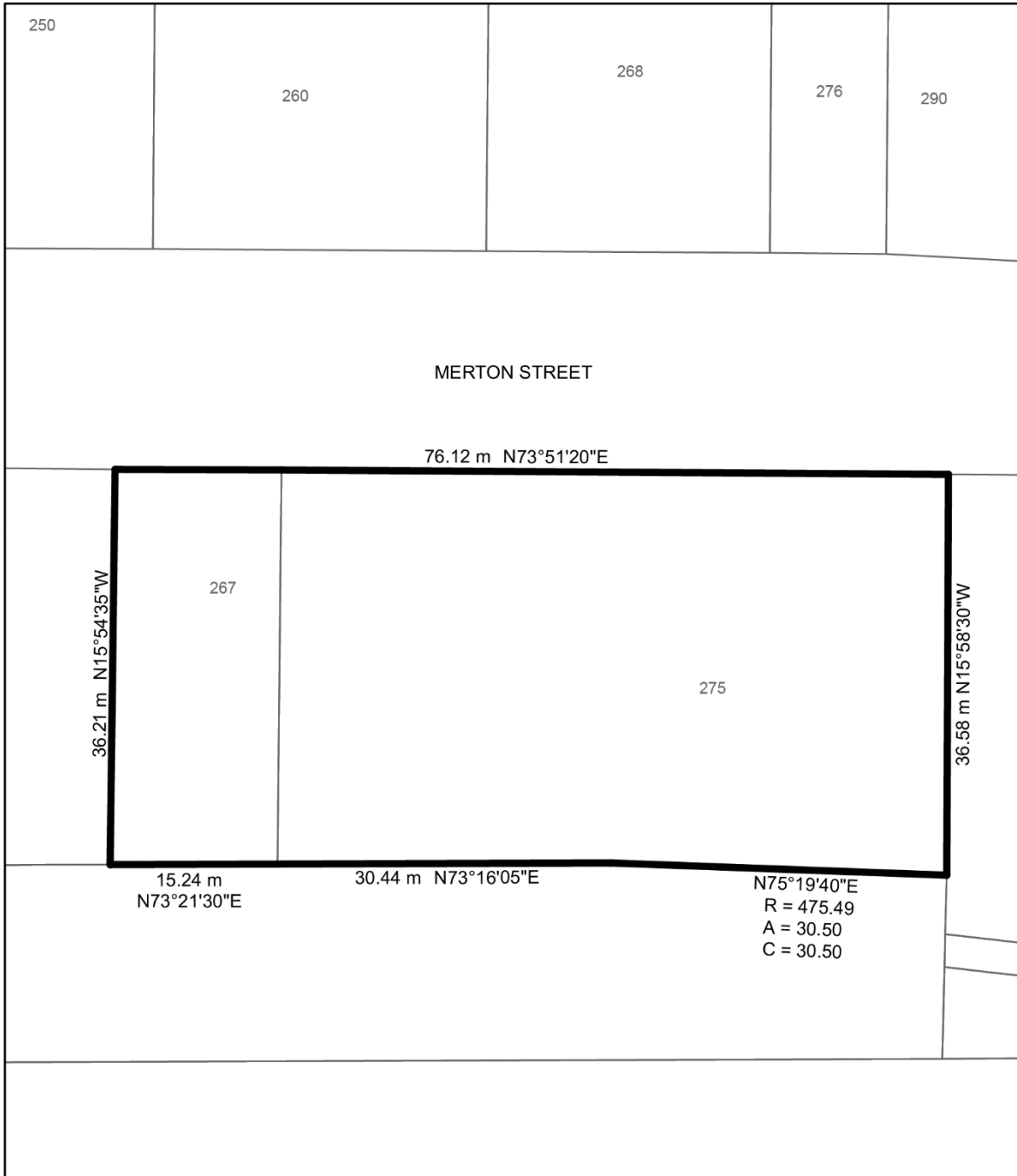
- (iv) a minimum of 2.0 car share **parking spaces**; and,
 - (v) provide and maintain a minimum of 6.0 accessible **parking spaces** in accordance with the dimensional requirements of By-law No. 579-2017.
- (I) For the purpose of this zoning by-law,
- (i) "car-share" or "car-sharing" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car-share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and,
 - (ii) "car-share" parking means a **parking space** exclusively reserved and actively signed for a **vehicle** used for car-share purposes.
- (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) Regulation 40.10.40.1(1) with respect to location of commercial uses in a **mixed use building**, does not apply.
- (L) Regulation 40.10.40.1(2) with respect to location of entrances and **first floor** elevation relating to commercial uses, does not apply.
- (M) Despite regulation 800.50(820), for the purposes of Regulation 40.10.40.10(5), the first **storey** may include a mezzanine.
- (N) In addition to the places 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 in the following locations:
- (i) a mezzanine level located between the first and second **storeys**.
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. Prevailing By-laws and Prevailing Sections: (None Apply)

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 0Z

