

Authority: Toronto and East York Community Council Item TEXX, as adopted by City of Toronto Council on XXXX

## CITY OF TORONTO

### BY-LAW XXXX-2025

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 309-349 George 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;

Whereas pursuant to Section 36 of the Planning Act, R.S.O. 1990, c. P.13, 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

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law;

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 I (x4) to a zone label of (H) I (x758) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.30.10 Exception Number 758 so that it reads:

(758) Exception I 758

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 309-349 George Street, if the requirements of By-law [Clerk to insert by-law number] are complied with, a **mixed-use building** may be constructed, used or enlarged in compliance with Regulations (B) to (AA) below;
- (B) In addition to the permitted uses listed in Regulation 80.10.20.10(1), the following additional uses are permitted:
  - (i) **Eating Establishment**, subject to the following:
    - (a) Regulations 80.10.20.100(2) and (7), and Section 150.100, do not apply;
  - (ii) **Education Use**;
  - (iii) **Entertainment Place of Assembly**;
  - (iv) **Dwelling Unit** in an **apartment building** or **mixed use building**;
  - (v) **Group Home**, subject to the following:
    - (a) Regulation 80.10.20.100(13) and Section 150.15 do not apply;
  - (vi) **Hospice Care Home**;
  - (vii) Medical Use;
  - (viii) Office;
  - (ix) **Personal Service Shop**, subject to the following:
    - (a) Regulation 80.10.20.100(4) does not apply;
  - (x) **Pet Services**;
  - (xi) **Residential Care Home**, subject to the following:
    - (a) Regulation 80.10.20.100(13) and Section 150.15 do not apply;
  - (xii) **Retail Service**;
  - (xiii) **Retail Store**, subject to the following:
    - (a) Regulations 80.10.20.100(2) does not apply;
  - (xiv) **Seniors Community House**;

(xv) **Service Shop**; and

(xvi) **Take-out Eating Establishment**, subject to the following:

(a) Regulations 80.10.20.100(2) and (7), and Section 150.100, do not apply;

(C) Despite Regulation 80.10.30.40(1), no maximum **lot coverage** applies;

(D) Despite Regulations 80.5.40.10(1) and 80.5.60.40(1), the height of a **building** or **structure** or **ancillary building** is the distance between the Canadian Geodetic Datum of 91.58 metres and the elevation of the highest point of the **building** or **structure**;

(E) Despite Regulation 80.10.40.10(1), 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 Regulations 80.5.40.10(2) to (5), 80.5.75.1(2) and (4), 80.10.40.10(2), 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, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, pipes and vents, by a maximum of 10.0 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 10.0 metres;

(iii) architectural features and parapets, by a maximum of 5.0 metres

(iv) elements and **structures** associated with a green roof, by a maximum of 3.0 metres;

(v) **building** maintenance units and window washing equipment, by a maximum of 10.0 metres;

(vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 5.0 metres;

(vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 5.0 metres;

(viii) antennae, flagpoles and satellite dishes, by a maximum of 10.0 metres; and

(ix) **renewable energy**, **cogeneration energy**, **solar energy** and **wind energy** devices, by a maximum of 10.0 metres;

- (G) Despite Regulation 80.10.40.40(1), no maximum floor space index or **gross floor area** applies;
- (H) Despite Regulation 80.10.40.50(1), an **apartment building** and **mixed-use building** must provide combined indoor or outdoor **amenity space** at a minimum of 0.9 square metres per **dwelling unit, dwelling room, and bedsitting room**;
- (I) Despite Regulations 80.5.40.70(1), 80.10.40.70(1) and 600.10.10(1), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert by-law number];
- (J) Despite Regulations 80.5.40.60(1), 80.5.75.1(3), 80.10.40.60(1) and (2), and (J) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks and porches, by a maximum of 5 metres;
  - (ii) canopies and awnings with or without supports, retaining walls, bicycle parking **structures** or **ancillary buildings**, by a maximum of 7.0 metres;
  - (iii) exterior stairs and stair enclosures, by a maximum of 5 metres;
  - (iv) access ramps and elevating devices, by a maximum of 5 metres;
  - (v) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 metre;
  - (vi) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, chimney breast, and louvres, by a maximum of 1.5 metres;
  - (vii) eaves, by a maximum of 1.5 metres;
  - (viii) a dormer, by a maximum of 1.5 metres; and
  - (ix) air conditioners, satellite dishes, antennae, vents, pipes, and utility equipment and meters, by a maximum of 1.5 metres; and
  - (x) **solar energy** and **wind energy** devices, by a maximum of 1.5 metres;
- (K) Regulation 80.5.50.10(1), with respect to **soft landscaping** requirements abutting a **lot** in the Residential Zone category, does not apply;
- (L) Regulations 80.10.50.10(1) and (2), respecting landscaping, do not apply;
- (M) Despite Regulation 80.5.60.10(1), an **ancillary building** or **structure** may be located in a **front yard**;

- (N) Regulation 80.5.75.1(1), with respect to location restrictions for **renewable energy** or **cogeneration energy** devices, does not apply;
- (O) Regulation 80.10.150.1(1)(B), with respect to waste and **recyclable materials** storage, does not apply;
- (P) Regulation 200.5.1(3), with respect to **drive aisle** width, does not apply;
- (Q) Despite Regulations 200.5.1.10(2)(B) and (C), **parking spaces** may have the following minimum dimensions:
  - (i) width of 2.4 metres;
  - (ii) length of 5.4 metres; and
  - (iii) vertical clearance of 1.8 metres;
- (R) 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 zero (0) residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in an **Apartment Building**, Assisted Housing or **Mixed Use Building** in Parking Zone A;
  - (ii) a minimum of zero (0) residential visitor **parking spaces** for each **dwelling unit**; and
  - (iii) a minimum of zero (0) **parking spaces** for **gross floor area** devoted to other residential and non-residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for each such use in Parking Zone A;
- (S) Despite Clause 200.15.10.10, and Table 200.15.10.5, four (4) **accessible parking spaces** are required;
- (T) Despite Clause 220.5.10.1, a minimum of 1 Type “G” **loading space** must be provided;
- (U) Despite regulation 230.5.1.10(4)(A), the required minimum dimensions of a **bicycle parking space** are:
  - (i) length of 1.8 metres;
  - (ii) width of 0.4 metres; and
  - (iii) vertical clearance of 1.2 metres;
- (V) Regulation 230.5.1.10(5) with respect to vertical clearance of an area used to provide **bicycle parking spaces** does not apply;
- (W) In addition to the places a “long-term” bicycle parking space may be located as in Regulations 230.5.1.10(6) and (9), “long-term” **bicycle parking spaces** may also be located in the following locations:

- (i) on any **storey** of the **building** above-ground;
  - (ii) on any level of the **building** below-ground without first occupying 50% of the area of the level above;
  - (iii) outside of the **building**, on the **lot**;
- (X) Regulation 230.5.1.10(7), with respect to change and shower facilities, does not apply;
- (Y) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**, and may be located below ground, and at and above **established grade**;
- (Z) Regulation 230.5.1.10(12), with respect to bicycle maintenance facilities, does not apply;
- (AA) Despite Regulations 230.5.10.1(1), (3) and (5)(A), and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
- (i) 73 "long-term" **bicycle parking spaces**; and
  - (ii) 8 "short-term" **bicycle parking spaces**.

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.
- (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) A Pedestrian Level Wind Study has been submitted to the satisfaction of the Executive Director, Development Review;
  - (ii) A Servicing Report has been submitted to the satisfaction of, and accepted by, the Chief Engineer and Executive Director, Engineering and Construction Services demonstrating that the existing municipal infrastructure and any required improvements to it, has adequate capacity to accommodate the development of the lands; and
  - (iii) If the satisfactory and accepted Servicing Report from (B)(ii) above requires any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
    - (a) Satisfactory arrangements have been made with the Chief Engineer and Executive Director, Engineering and Construction Services to secure the

design, and construction for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Servicing Report, to support the development; or,

- (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development have been constructed and are operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.
6. 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.
  7. Pursuant to Section 39(1) of the Planning Act, none of the provisions of By-law 569-2013, as amended, will prevent the erection or use of a temporary sales office or temporary construction office.

Enacted and passed on XXXX, 2024.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)





