

Attachment 5: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council
Item TE#.#, as adopted by City of Toronto Council on [MONTH] [DAY], 202#
City Council voted in favour of this by-law on ## ##, 202#

CITY OF TORONTO

BY-LAW ###-2025

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 101-105 Spadina Avenue and 363 Adelaide Street West.

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, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending and replacing Article 900.12.10 Exception Number 83 so that it reads:

(83) Exception CRE 83

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) For the purpose of this exception, "Parcel A" means the lands shown on Diagram 1 of By-law [Clerks to insert By-law number] starting at the Canadian Geodetic Datum elevation of 85.5 metres and extending vertically above;
- (B) For the purpose of this exception, "Parcel B" means the lands shown on Diagram 1 of By-law [Clerks to insert By-law number] including the portion extending beneath "Parcel A", below the Canadian Geodetic Datum elevation of 85.5 metres;

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- (C) None of the provisions of Regulation 900.12.10(85) apply to "Parcel A" as shown on Diagram 1 of By-law [Clerks to insert By-law number]; and
- (D) Regulation 900.12.10(85) applies to "Parcel B" as shown on Diagram 1 of By-law [Clerks to insert By-law number].

Prevailing By-laws and Prevailing Sections:

- (A) Sections 12(2)260 and 12(2)270 of former City of Toronto By-law 438-86.
4. Zoning By-law 569-2013, as amended, is further amended by amending and replacing Article 900.12.10 Exception Number 85 so that it reads:

(85) Exception CRE 85

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 the lands municipally known as 101 to 105 Spadina Avenue and 363 Adelaide Street West, 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 on "Parcel B" as shown on Diagram 1 of By-law [Clerks to insert By-law number] in compliance with Regulations (B) to (Z) below;
- (B) None of the provisions of (E) to (Z) below apply to "Parcel A" as shown on Diagram 1 of By-law [Clerks to insert By-law number];
- (C) For the purpose of this exception, "Parcel A" means the lands shown on Diagram 1 of By-law [Clerks to insert By-law number] starting at the Canadian Geodetic Datum elevation of 85.5 metres and extending vertically above;
- (D) For the purpose of this exception, "Parcel B" means the lands shown on Diagram 1 of By-law [Clerks to insert By-law number] including the portion extending beneath "Parcel A", below the Canadian Geodetic Datum elevation of 85.5 metres;
- (E) Despite Regulations 50.5.40.10(1) and (2), the height of a **building** or **structure** on is the distance between the Canadian Geodetic Datum elevation of 88.5 metres and the elevation of the highest point of the **building** or **structure**;
- (F) In addition to the uses permitted in Regulations 50.10.20.10(1) and

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50.10.20.20(1), a **public parking** facility is also permitted, provided it is located in an underground **parking garage**;

- (G) Despite Regulation 50.10.40.10(1) or (3), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 2 of By-law [Clerks to insert By-law number];
- (H) Despite Regulations 50.5.40.10(3), (4), (5), (6), (7), and (8), and (G) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 2 of By-law [Clerks to insert By-law number], except the portion of the **building** having a maximum height of 173.0 metres, which must be inclusive of all height projections:
 - (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, elevator overruns and elevator shafts, enclosed stairwells, roof access, maintenance equipment storage, chimneys, and vents, by a maximum of 6.0 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, by a maximum of 6.0 metres;
 - (iii) architectural features, parapets, roof assemblies, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;
 - (iv) **building** maintenance units and window washing equipment, and light poles by a maximum of 4.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 4.0 metres; and
 - (vi) trellises, pergolas, canopies and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres.
- (I) The permitted maximum **gross floor area** of all **buildings** and **structures** is 35,500 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 35,380 square metres;
 - (ii) the permitted maximum **gross floor area** for a **hotel** use is 14,000 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses is 120 square metres;

- (J) Despite Regulation 50.10.40.30(1), a **building** may be set back more than 50.0 metres from a **lot line** that abuts Spadina Avenue;
- (K) Despite Regulation 50.10.40.50(1), **amenity space** must be provided at a minimum rate of 3.0 square metres for each **dwelling unit** on the **lot** at the following rate:
- (i) at least 2.5 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 0.5 square metres of outdoor **amenity space** for each **dwelling unit** of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;
 - (iii) none of the outdoor component may be a **green roof**;
 - (iv) for the purposes of this exception, indoor **amenity space** may include guest suites that do not exceed an aggregate **gross floor area** of 200 square metres;
 - (v) for the purposes of this exception, guest suites do not constitute **dwelling units**; and,
 - (vi) a maximum of 450 square metres of indoor **amenity space** required in (i) above may be shared between a **hotel** use and **dwelling units** within the **building**;
- (L) Despite Regulations 50.10.40.70(1) and (5), 50.10.40.80(3) and Article 600.10.10, the required minimum **building setbacks** and the required separation of **main walls** are as shown in metres on Diagram 2 of By-law **[Clerks to insert By-law number]**;
- (M) Despite (L) above and Clauses 50.5.40.60 and 50.10.40.60, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances shown on Diagram 2 of By-law **[Clerks to insert By-law number]** as follows:
- (i) canopies and awnings, by a maximum of 3.0 metres;
 - (ii) cladding, lighting fixtures, pipes and vents, architectural features such as a pilaster, column, cornice, sill, belt course, eaves, or chimney breast, by a maximum of 1.0 metres; and

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- (iii) window projections, window washing equipment, mechanical and privacy screens, fences, trellises and railings by a maximum of 3.0 metres.
- (N) Despite Regulation 50.10.40.1(1), if a **building** is located on a **lot** in the CRE zone bounded by Queen Street West to the north, Simcoe Street to the east, Front Street West to the south, and Bathurst Street to the west, the elevation of the first **storey** of the **building** must be at or within 0.7 metres above the height of the public sidewalk abutting the **lot**;
- (O) 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 70 **parking spaces** within a **public parking** facility; and
 - (ii) no **parking spaces** are required solely for the use of residential occupants, residential visitors or non-residential uses;
- (P) Despite Regulation 200.5.1.10(2), a **parking space** for **public parking** must have the following minimum dimensions:
 - (i) length of 5.2 metres;
 - (ii) width of 2.6 metres; and
 - (iii) vertical clearance of 2.0 metres;
- (Q) Despite Regulation 200.15.1(1), an accessible **parking space** required by (R) below must have the following minimum dimensions:
 - (i) length of 5.2 metres;
 - (ii) width of 2.4 metres;
 - (iii) vertical clearance of 2.0 metres; and
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017;
- (R) Despite Clause 200.15.10.10, one accessible **parking space** must be provided for every 42 **dwelling units** and may be located anywhere within the **parking garage**, subject to (Q) above;

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- (S) Despite Regulation 230.5.1.10(4)(C), the minimum required width of a **stacked bicycle parking space** is 0.25 metres;
- (T) Despite Regulation 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located on any level of the **building** below-ground, provided that no more than 70 percent of the required **bicycle parking spaces** are located below the first level below-ground;
- (U) Despite Regulation 230.5.1.10(9) and (T) above, for a **building** on the **lot** containing a **hotel** use, "long-term" **bicycle parking spaces** may be located on any level of the **building** below-ground;
- (V) Despite Regulations 230.90.15(1) and 230.90.15.2(1) and for the purposes of compliance with Regulation 230.5.10.20(1), the number of **bicycle parking spaces** required by Regulation 230.5.10.1(5) may be reduced, subject to the following:
 - (i) the number of "short-term" **bicycle parking spaces** reduced is not more than half the amount required by Regulation 230.5.10.1(5)(A), rounded down to the nearest whole number;
 - (ii) the number of "long-term" **bicycle parking spaces** reduced is not more than half the amount required by Regulation 230.5.10.1(5)(A), rounded down to the nearest whole number;
 - (iii) for each **bicycle parking space** required by Regulation 230.5.10.1(5)(A) to be reduced, the owner or occupant must provide a payment-in-lieu to the City of Toronto; and
 - (iv) the owner or occupant must enter into an agreement with the City of Toronto pursuant to Section 40 of the Planning Act;
- (W) Despite Regulation 200.25.15.2(2) regarding vehicular parking transition requirements for zoning by-law amendment applications, Regulations 200.5.10.1(7)(C), 200.5.10.1(12), 200.15.1(5), 200.15.10.5(1), Table 200.15.10.5 – Minimum Parking Space rates for Accessible Parking Spaces, 200.15.10.5(2), (3), and (4), and 200.15.10.10(1) do not apply, provided that the **building** or **structure** complies with the provisions of 970.10.1(2) and (3), 970.10.15.5(13), (14), (15), (16), Table 970.10.15.5(1) – Parking Space Rates for Effective Parking Spaces, 970.10.15.5(17) and (18), or with the provisions of By-law 569-2013, as amended, as it read after July 22, 2022 and prior to March 31, 2025;
- (X) Despite Regulation 230.90.15.2(1) regarding bicycle parking transition requirements for zoning by-law amendment applications, Regulations 230.5.1.10(4)(D) and (E) , 230.5.1.10(7) , 230.5.1.10(13) , (14), (15), and (16) ,

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230.5.10.1(1) and Table 230.5.10.1(1), and 230.5.10.1(7) do not apply, provided that the **building** or **structure** complies with Clauses 970.30.15.5 , 970.30.15.10 , 970.30.15.15 , 970.30.15.30 , 970.30.15.40 , 970.30.15.50 , and 970.30.15.60, or with the provisions of By-law 569-2013, as amended, as it read after July 22, 2022 and prior to March 31, 2025;

- (Y) Despite Regulations 220.5.10.1(1), (2), (3), and (6) and Regulations 50.10.90.10(1), **loading spaces** must be provided in accordance with the following:
- (i) One (1) Type “G” **loading space** is required to serve all uses within the **building** that are permitted in (I), above; and
 - (ii) The required **loading space** may be located in a **front yard** or a **side yard**;
- (Z) Despite Regulation 600.20.10 (1)(A), a **hotel** use may be provided on the first **storey** of a **mixed-use building** or **non-residential building** for a minimum of 60 percent of the **lot frontage** abutting the priority retail **street**.

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.

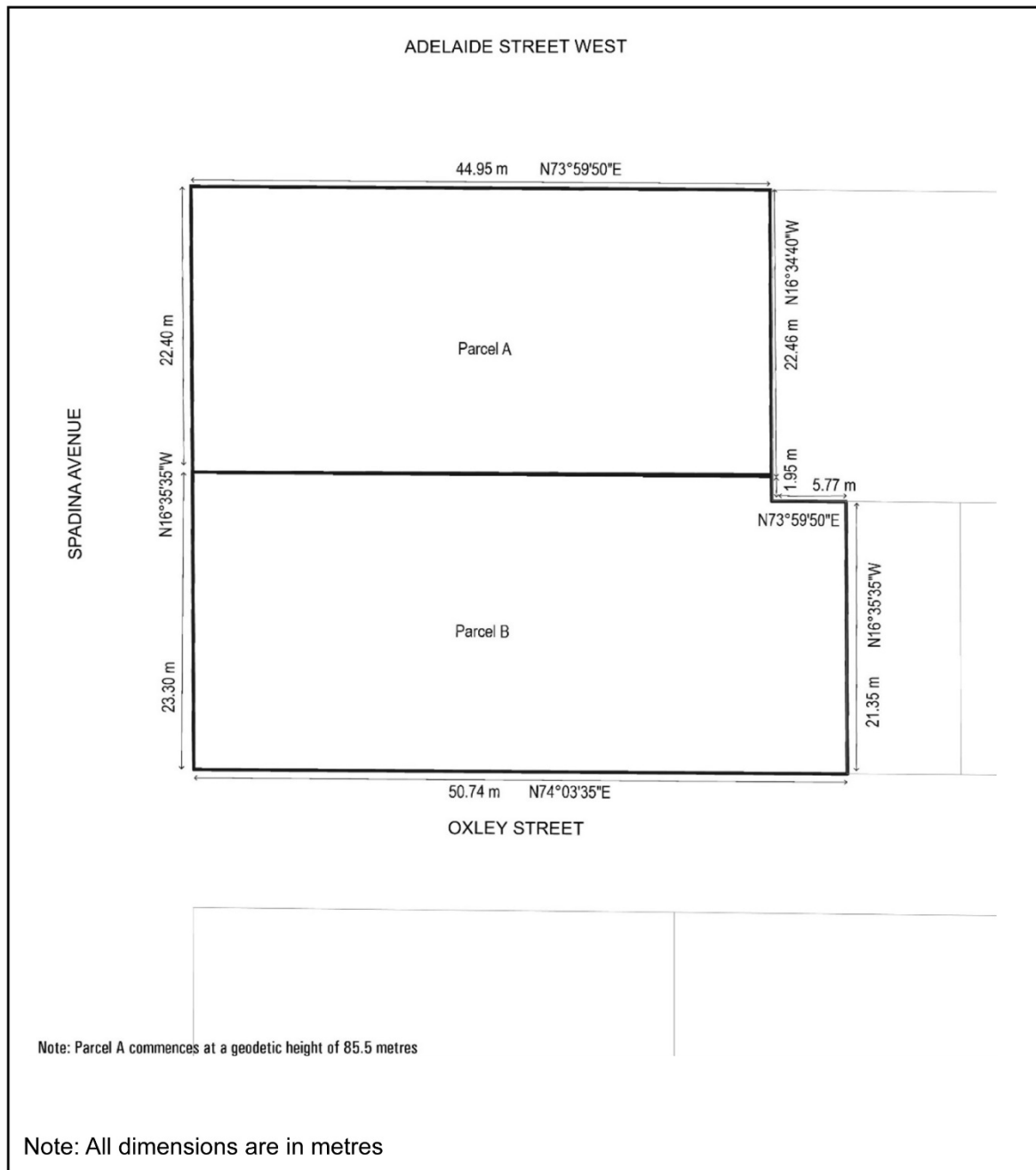
Enacted and passed on [MONTH] [DAY], 2025

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

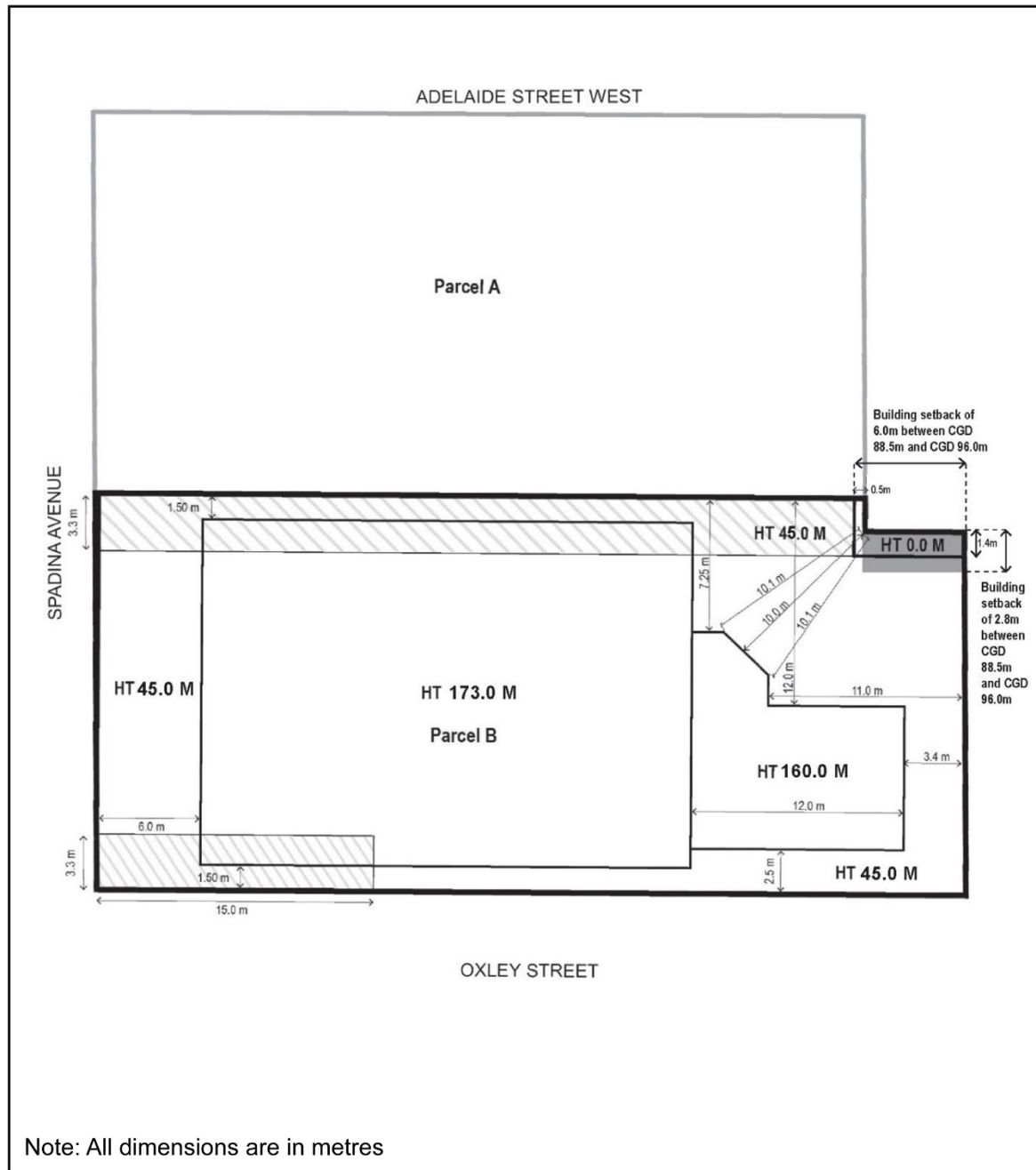
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TORONTO
Diagram 1

**101-105 Spadina Ave And
363 Adelaide Street West**



File #: 25 110349 STE 10 0Z



Toronto
Diagram 2

**101-105 Spadina Ave And
363 Adelaide Street West**

File #: 25 110349 STE 10 OZ

-  Building or structure only permitted above 7.5m to the height limit indicated
-  Privately-Owned Publicly Accessible Space (POPS) at grade.
Minimum area of 13.0 square metres.



City of Toronto By-law 569-2013
Not to Scale
07/03/2025