

Authority: Toronto and East 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 530-550 Yonge Street, 6 and 8 Breadalbane Street, and 145 St Luke Lane.**

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 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 CR 3.0 (c2.0; r3.0) SS1 (x2546) to a zone label of CR 3.0 (c2.0; r3.0) SS1 (x1198) 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 1198 so that it reads:

(1198) Exception CR (1198)

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 530-550 Yonge Street, 6-8 Breadalbane Street, and 145 St Luke Lane, 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 (AA) 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 106.09 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.5.40.70(1), a **building** or **structure** may be no closer than 2.7 metres from the original centreline of a **lane**;
- (D) Despite regulation 40.10.40.1(1), residential use portions of the **building** can be located in the same **storey** and below non-residential use portions of the **building**;
- (E) Despite regulation 40.10.40.10(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 regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the floor of the mezzanine, is 3.8 metres;
- (G) 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) mechanical penthouse, equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, roof assemblies, maintenance equipment storage, elevator shafts, elevator overruns, by a maximum of 12.5 metres above a height of 213.5 meters;
  - (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 12.5 metres above a height of 213.5 meters;
  - (iii) roof access, roof assemblies, roof drainage components, thermal and waterproofing assembly, chimneys, and vents, by a maximum of 1.5 metres, including above the mechanical penthouse;

- (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.2 metres;
  - (v) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
  - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres;
  - (vii) antennae, flagpoles and satellite dishes, by a maximum of 3.0 metres; and
  - (viii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.5 metres;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 53,400 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 52,200 square metres; and
  - (ii) the required minimum **gross floor area** for non-residential uses is 550 square metres;
- (I) The provision of dwelling units is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** must contain two or more bedrooms;
  - (ii) a minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
  - (iii) an additional 15 percent of the total number of **dwelling units** must have a combination of two and three bedrooms, or units that can be converted to two and three bedroom units through the use of accessible or adaptable design measures; and
  - (iv) for the purpose of this exception, if the calculation of required **dwelling units** in (I)(i), (ii), and (iii) above result in a number with a fraction, the number may be rounded down to the nearest whole number.
- (J) Despite regulations 40.10.40.50(1) and (2), **amenity space** must be

provided at the following rate:

- (i) at least 0.6 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**;
  - (ii) at least 2.0 square metres of indoor **amenity space** for each **dwelling unit**; and
  - (iii) no more than 25% of the outdoor component may be a green roof;
- (K) Despite regulations 40.5.40.70(1), 40.10.40.70(1), 40.10.40.80(1), and 600.10.10(1)(A), (D), (E) and(F), the required minimum **building setbacks** and the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (L) Despite Clause 40.10.40.60 and (K) 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 1.6 metres;
    - (a) despite L(i) above, projecting balconies are prohibited below an elevation of 19.7 metres;
  - (ii) canopies and awnings, by a maximum of 7.7 metres ;
  - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 5.0 metres;
  - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.6 metres;
  - (v) window projections, including bay windows and box windows, by a maximum of 3.0 metres; and
  - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres;
- (M) Despite (K) above, and in addition to the encroachments permitted by (L) above, a canopy may be located in the area shown as “Porch Canopy” on Diagram 3 of By-law [Clerks to insert By-law number], in accordance with the following:
- (i) no part of the canopy may be located above a height of 14.0 metres

- above the Canadian Geodetic Datum of 106.09 metres;
  - (ii) the canopy must be a minimum of 8.0 metres above the Canadian Geodetic Datum of 106.09 metres;
  - (iii) structural supports for the canopy, located below the height in (ii) above, must not encroach more than 7.2 metres from a main wall of the building; and
  - (iv) amenity space may not be located on the canopy roof;
- (N) Despite regulations 200.10.1(3) and 200.5.1.10(2)(A)(iv), 20% of the **parking spaces** may be obstructed as described in regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (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 0 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units**;
  - (ii) a minimum of 0 residential visitor **parking spaces** for each **dwelling unit**; and
  - (iii) a minimum of 0 **parking spaces** for every 100 square metres of **gross floor area** devoted to non-residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for non-residential uses;
- (P) Despite regulation 200.5.1.10(12), vehicle access to the parking spaces within the **building** may be provided by a car elevator or an “automated parking system”, subject to the following:
- (i) the access to the elevating mechanism enclosure of the "automated parking system" must have the following minimum dimensions:
    - (a) length of 5.6 metres;
    - (b) width of 3.4 metres;
    - (c) vertical clearance of 2.1 metres; and
    - (d) the entire length of the elevating mechanism enclosure must be adjacent to a 1.5-metre-wide accessible barrier free aisle

or path;

- (Q) Despite regulation 220.5.1.10(1), a minimum of one 1 Type “G” and one 1 Type “C” **loading space** are required.
- (R) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
  - (i) width of 3.4 metres;
  - (ii) vertical clearance of 2.1 metres; and
  - (iii) be adjacent to a 1.5-metre-wide accessible barrier free aisle;
- (S) Despite regulation 200.15.1(4), an accessible parking space must be located within 75 metres of a barrier free entrance to a building or vestibule entrance to a passenger elevator that provides access to the first storey of the building;
- (T) 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 regulations 230.5.10.1(5)(A) or (B), 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 regulations 230.5.10.1(5)(A) or (B), rounded down to the nearest whole number;
  - (iii) for each bicycle parking space required by regulation 230.5.10.1(5) 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.
- (U) Regulation 200.5.1.10(14)(B) does not apply;
- (V) Despite regulation 200.15.10.10(1) and (2), if **parking spaces** are provided on the lot, a minimum of 2 of the **parking spaces** are required to be an accessible **parking space**;
- (W) Despite regulation 230.5.1.10(14), the required minimum aisle width for the **stacked bicycle parking** space is 1.8 metres;

- (X) Despite regulation 230.5.1.10(4)(B), the required minimum dimensions of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:
- (i) minimum length of 1.85 metres; and
  - (ii) minimum vertical clearance of 1.2 metres;
- (Y) Despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (Z) Despite regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to a **building** on the **lot**;
- (AA) 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) for the purpose of this exception, an "automated parking system" means a mechanical system for the purpose of parking and retrieving vehicles with or without drivers in the **vehicle** during parking and without the use of ramping or drive aisles, and where automated maneuvering of other **vehicles** may be required for **vehicles** to be parked or retrieved;

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. Temporary Use(s):
- (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a temporary sales office, leasing or construction office, which is a temporary building or structure, facility, or trailer or portion thereof exclusively for the purpose of marketing, leasing, or sale of a dwelling unit or non-residential unit on the lot for a period of 3 years.

Enacted and passed on [Clerks to insert date].

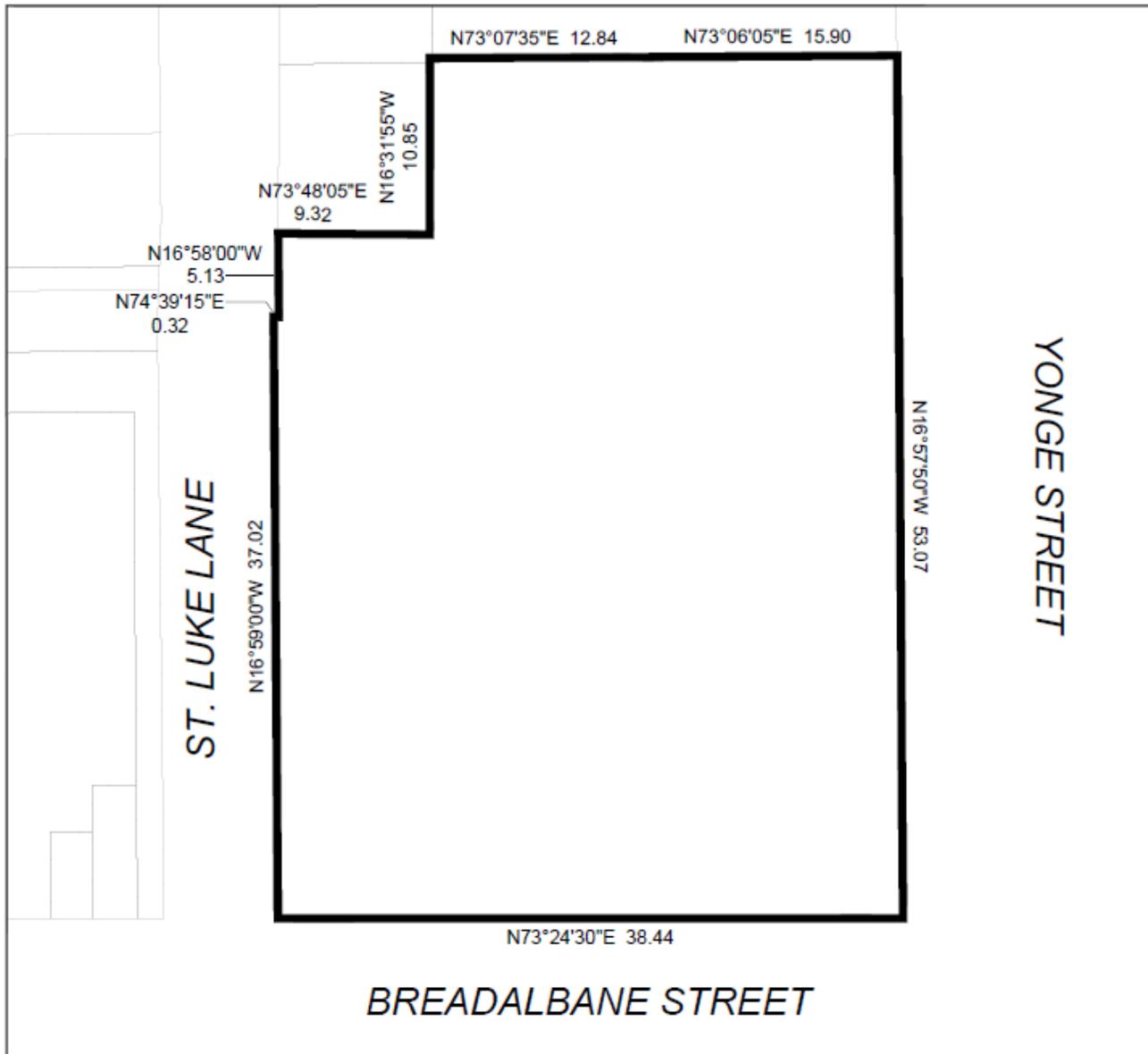
[full name],

[full name],

Speaker

City Clerk

(Seal of the City)



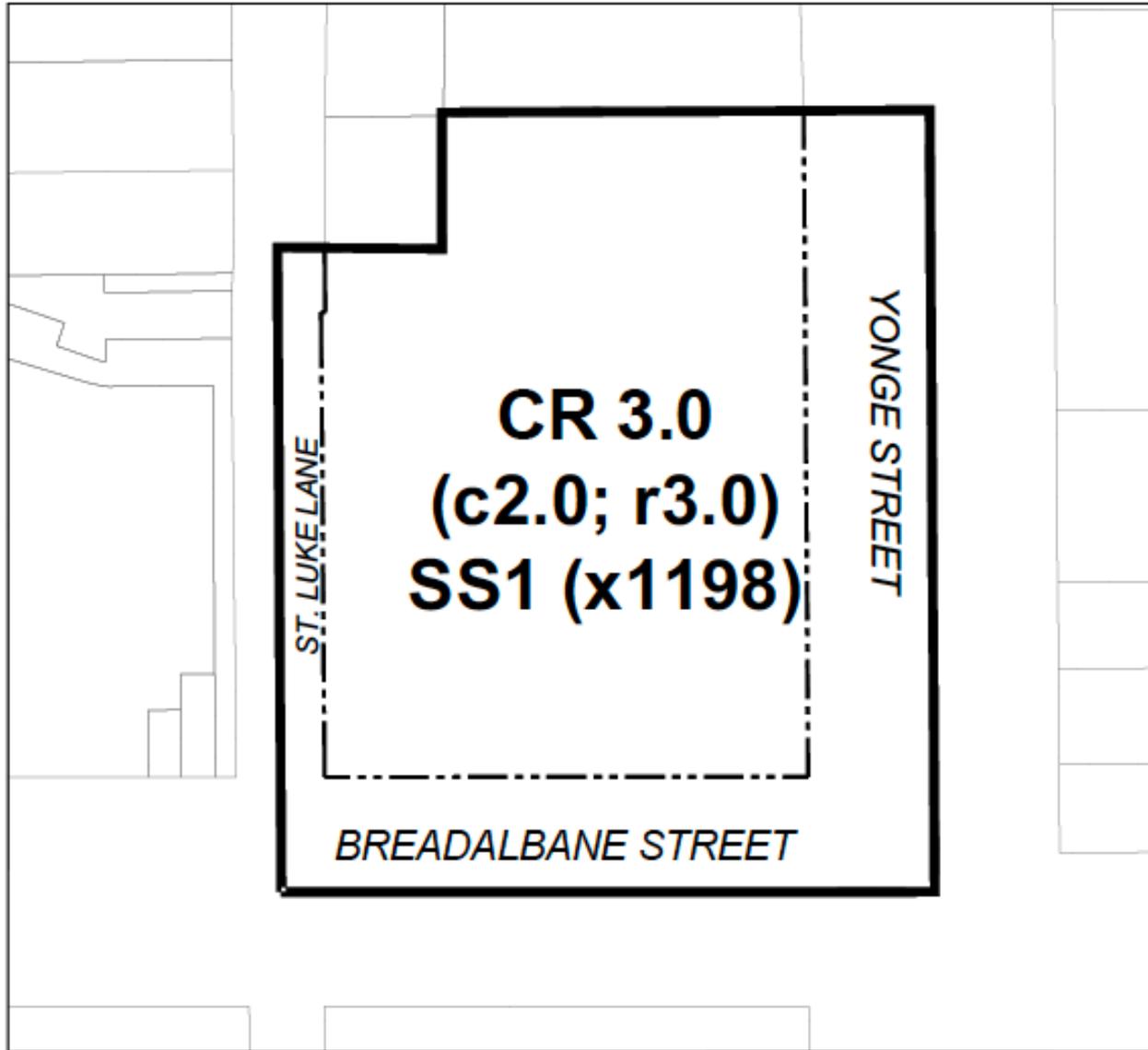
530-550 Yonge Street, 6 & 8 Breadalbane Street and 145 St. Luke Lane

Diagram 1

File #24 237044 STE 13 OZ



City of Toronto By-law 569-2013  
Not to Scale



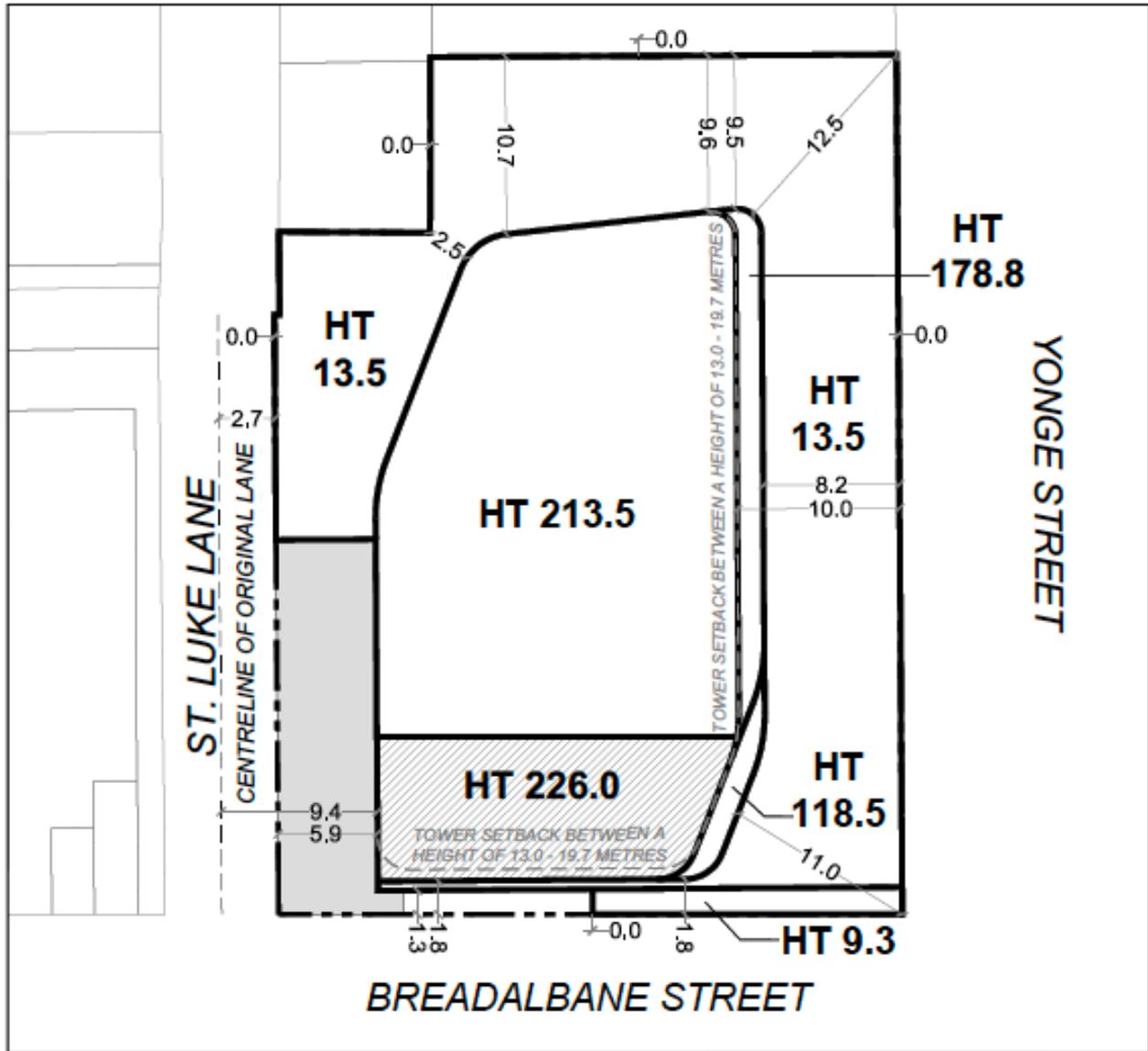
530-550 Yonge Street, 6 & 8 Breadalbane Street and 145 St. Luke Lane

Diagram 2

File #24 237044 STE 13 OZ



City of Toronto By-law 569-2013  
Not to Scale



530-550 Yonge Street, 6 & 8 Breadalbane Street and 145 St. Luke Lane

Diagram 3

File #24 237044 STE 13 OZ

- Grey shaded area: Porch canopy
- Hatched area: Sky amenity



City of Toronto By-law 569-2013  
Not to Scale