

## Attachment 6: Draft Zoning By-law Amendment

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 333 College Street and a part of 303 Augusta Avenue and to repeal By-law 1444-2017.**

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 to repeal by-law 1444-2017 for the lands municipally known in the year 2024 as 333 College Street and part of 303 Augusta Avenue; 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 36 of the Planning Act, 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

The Council of the City of Toronto enacts:

1. By-law 1444-2017, being a by-law to amend “Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2017 as 333 College Street and part of 303 Augusta Avenue”, is hereby repealed as it applies to the lands identified on Diagram 1 attached to this By-law on the effective date of this By-law.
2. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
3. 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.
4. 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 to: (H) CR 3.0 (c2.0; r2.5) SS2 (x122) as shown on Diagram 2 attached to this By-law.

5. Zoning By-law 569-2013, as amended, is further amended by amending and replacing Article 900.11.10 Exception Number 122 so that it reads:

**(122) Exception CR (122)**

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 333 College Street and a part of 303 Augusta Avenue, 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 (EE) below;
- (B) For the purposes of this exception, the **lot** shall refer to those lands delineated by a heavy black line on Diagram 1 of By-law [Clerks to insert by-law number];
- (C) In addition to the permitted residential uses listed in regulation 40.10.20.10(1)(B), the following additional use is permitted:
  - (i) "Private Student Residence";
- (D) 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 104.53 metres and the elevation of the highest point of the **building** or **structure**;
- (E) 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];
- (F) Despite regulation 40.10.40.10.10(6) the height of the first storey, measured between the floor of the first storey and the ceiling of the first storey, is 4.4 metres.
- (G) Despite regulations 40.5.40.10(3) to (8) and (F) 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, building maintenance units, water supply facilities, by a maximum of 5.2 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 5.2 metres;
  - (iii) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres;
  - (iv) antennae, flagpoles and satellite dishes, by a maximum of 3.0 metres; and
  - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
  - (vi) Elevator overruns, elevator shafts, architectural features, parapets, and elements and **structures** associated with a **green roof** lightning rods, window washing equipment, chimneys, vents, and roof access, by a maximum of 8.2 meters;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 17,750 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 17,650 square metres; and
  - (ii) the required minimum **gross floor area** for non-residential uses is 60 square metres;
- (I) In addition to regulation 40.10.40.50(1), for a **building** containing a “private student residence” **amenity space** may be provided at the following rate:
- (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 90 square metres of outdoor **amenity space** of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
  - (iii) no more than 25 percent of the outdoor component may be a **green roof**;

- (J) Despite regulations 40.10.40.70(2) and 600.10.10(1)(A) and (B), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (K) Despite regulation 40.10.40.80(2), 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, Regulations 600.10.10(1)(D) and (E), and (H) and (I) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
  - (i) canopies and awnings, by a maximum of 3.5 metres;
  - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 5.5 metres;
  - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.4 metres;
  - (iv) window projections, including sills bay windows and box windows, light fixtures, by a maximum of 0.4 metres;
  - (v) eaves, by a maximum of 0.4 metres; and
  - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres;
  - (vii) railing, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features by a maximum of 5.5 metres;
- (M) Regulation 40.10.40.1(6), respecting the location of entrances when abutting Residential Zone category, does not apply;
- (N) Regulation 40.10.50.10(2), respecting fence requirements abutting a **lot** in the Residential Zone category, does not apply;
- (O) Regulation 40.10.50.10(3), respecting landscaping requirements abutting a Residential Zone category, does not apply;
- (P) Regulation 200.5.1.10(12)(C), with respect to a **vehicle** entrance or exit to the **building**, does not apply;
- (Q) Despite Regulation 200.5.1.10(2)(A)(iv) 1 of the required **parking spaces** may be obstructed on one side in accordance with regulation

200.5.1.10(2)(D), without a requirement to increase the width by 0.3 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 0 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding a maximum rate of:
    - (a) 0.3 for each bachelor **dwelling unit** up to 45 square metres and 1.0 for each bachelor **dwelling unit** greater than 45 square metres; and,
    - (b) 0.5 for each one bedroom **dwelling unit**; and,
    - (c) 0.8 for each two bedroom **dwelling unit**; and,
    - (d) 1.0 for each three or more bedroom **dwelling unit**; and
  - (ii) a minimum of 4 residential visitor **parking spaces**;
- (S) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
- (i) length of 5.6 metres;
  - (ii) width of 3.4 metres; and
  - (iii) vertical clearance of 2.1 metres;
- (T) 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;
- (U) Accessible **parking spaces** must be the **parking spaces** closest to a barrier free:
- (i) entrance to a **building**;
  - (ii) passenger elevator that provides access to the first **storey** of the **building**; and
  - (iii) and shortest route from the required entrances in (i) and (ii).
- (V) Despite regulation 200.15.10.5(1) and Table 200.15.10.5 – Minimum Parking Space Rates for Accessible Parking Spaces, a minimum of 1 **parking space** is required to be an accessible **parking space**;

- (W) Despite regulation 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (X) Despite regulation 230.5.1.10(4)(A) and (C), the required minimum dimensions of a **stacked bicycle parking space** is:
  - (i) length of 1.8 metres;
  - (ii) width of 0.35 metres; and
  - (iii) vertical clearance of 1.0 metres;
- (Y) Despite regulation 230.5.10(4)(B), the minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, structure, or mechanical device is:
  - (i) A minimum length of 1.8 metres;
  - (ii) A minimum width of 0.5 metres; and
  - (iii) A minimum horizontal clearance from the wall of 1.2 metres;
- (Z) In addition to regulations 230.5.10.1(1)(3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** may be provided for a “private student residence” use in accordance with the following minimum rates for a “private student residence” use:
  - (i) 0.5 “long-term” **bicycle parking spaces** for each **dwelling unit**; and,
  - (ii) 0.05 “short-term” **bicycle parking spaces** for each **dwelling unit**;
- (AA) Regulation 230.40.1.20(2), with respect to the location of “short-term” **bicycle parking spaces**, does not apply;
- (BB) The provision of **dwelling units** is subject to the following:
  - (i) a minimum of 20 percent of the total number of **dwelling units** **must have 2** or more bedrooms;
  - (ii) a minimum of 2 percent of the total number of **dwelling units** **must have 3** or more bedrooms;
  - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and

- (iv) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (CC) For the purpose of this exception a "private student residence" means premises owned or operated by a third party consisting of **dwelling units, bed-sitting rooms** or rooms, used for student accommodation. A **group home, multi-tenant house, residential care home, nursing home, retirement home, seniors community house, religious residence, student residence, tourist home, or hotel** are not a private student residence;
- (DD) Despite Regulation 600.20.10(1)(A), the first **storey** of a **mixed-use building** or **non-residential building** must provide a minimum of 59 percent of the **lot frontage** abutting the priority retail **street**, excluding the width of a **driveway**, for one or more of the following uses:

Ambulance Depot  
**Art Gallery**  
**Artist Studio**  
**Automated Banking Machine**  
 Clinic  
**Club**  
**Community Centre**  
**Custom Workshop**  
**Day Nursery**  
**Eating Establishment**  
**Education Use**  
**Entertainment Place of Assembly**  
**Financial Institution**  
 Fire Hall  
**Hospital**  
 Library  
**Massage therapy**  
 Medical Office  
**Museum**  
 Office  
**Performing Arts Studio**  
**Personal Service Shop**  
**Pet Services**  
**Place of Assembly**  
**Place of Worship**  
 Police Station  
**Post-Secondary School**  
**Private School**  
**Production Studio**

**Public School**  
**Recreation Use**  
**Retail Service**  
**Retail Store**  
**Service Shop**  
**Sports Place of Assembly**  
**Take-out Eating Establishment**  
**Veterinary Hospital**  
**Wellness centre;**

- (EE) For the purposes of (DD) above, If the calculation of the retail and service above results in a number with a fraction, the number shall be rounded down to the nearest whole number.
- (FF) Despite Regulation 600.20.10(1)(A), the first **storey** of a **mixed-use building** or **non-residential building** must provide a minimum of 60 percent of the **lot frontage** abutting the priority retail **street**, excluding the width of a **driveway**, for one or more of the following uses:

Prevailing By-laws and Prevailing Sections: [None Apply](#)

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. Holding Symbol Provisions:
- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 4 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; and
- (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) Appropriate arrangements, which may include entering into an agreement with the neighbouring land owner, have been made to address sufficient building setbacks and separation to the property to the west (335 College Street) to the satisfaction of the Executive Director, Development Review and the City Solicitor.



Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)

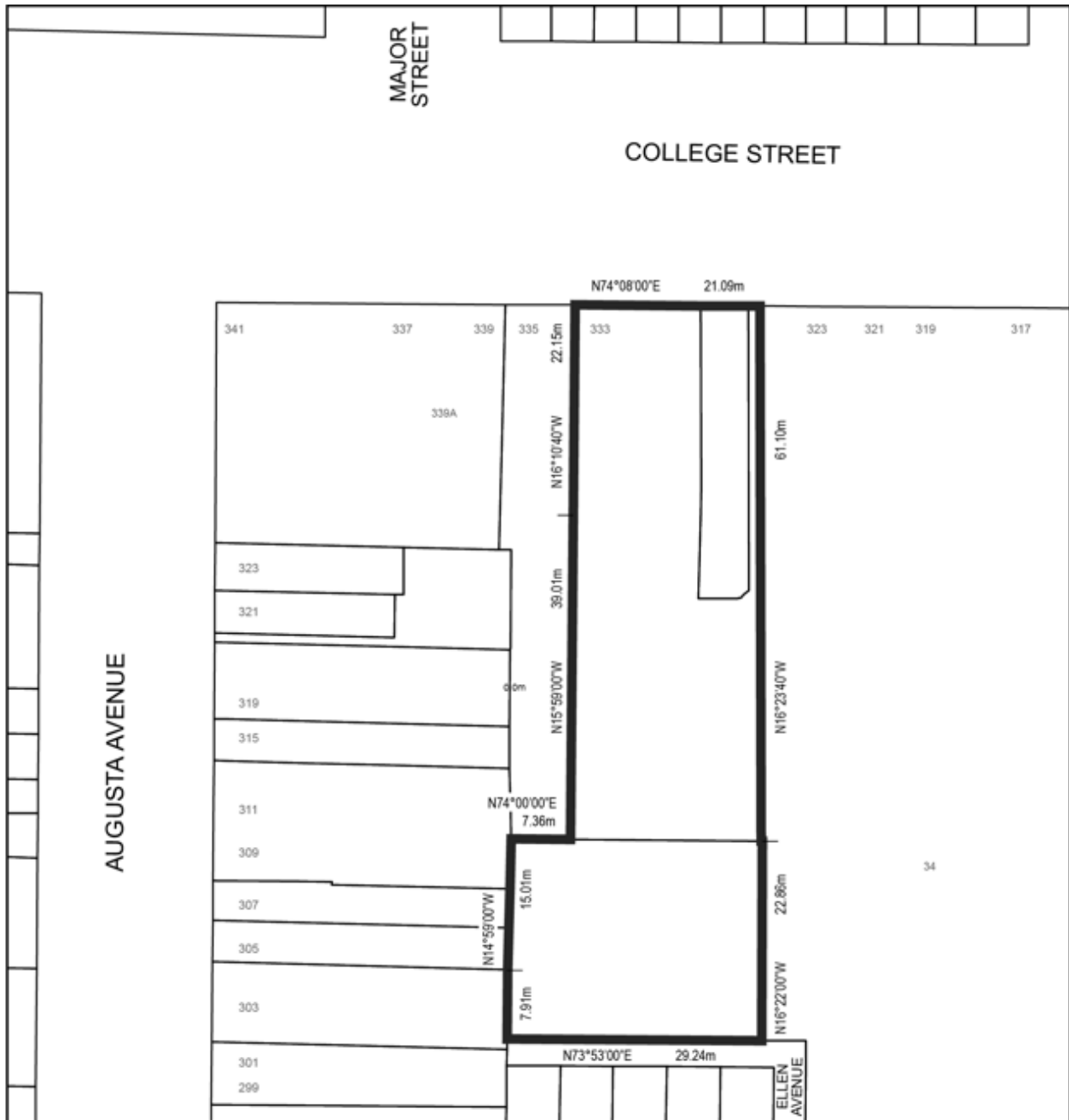


Diagram 1

333 College Street & Part of 303 Augusta Avenue  
File #



Not to Scale

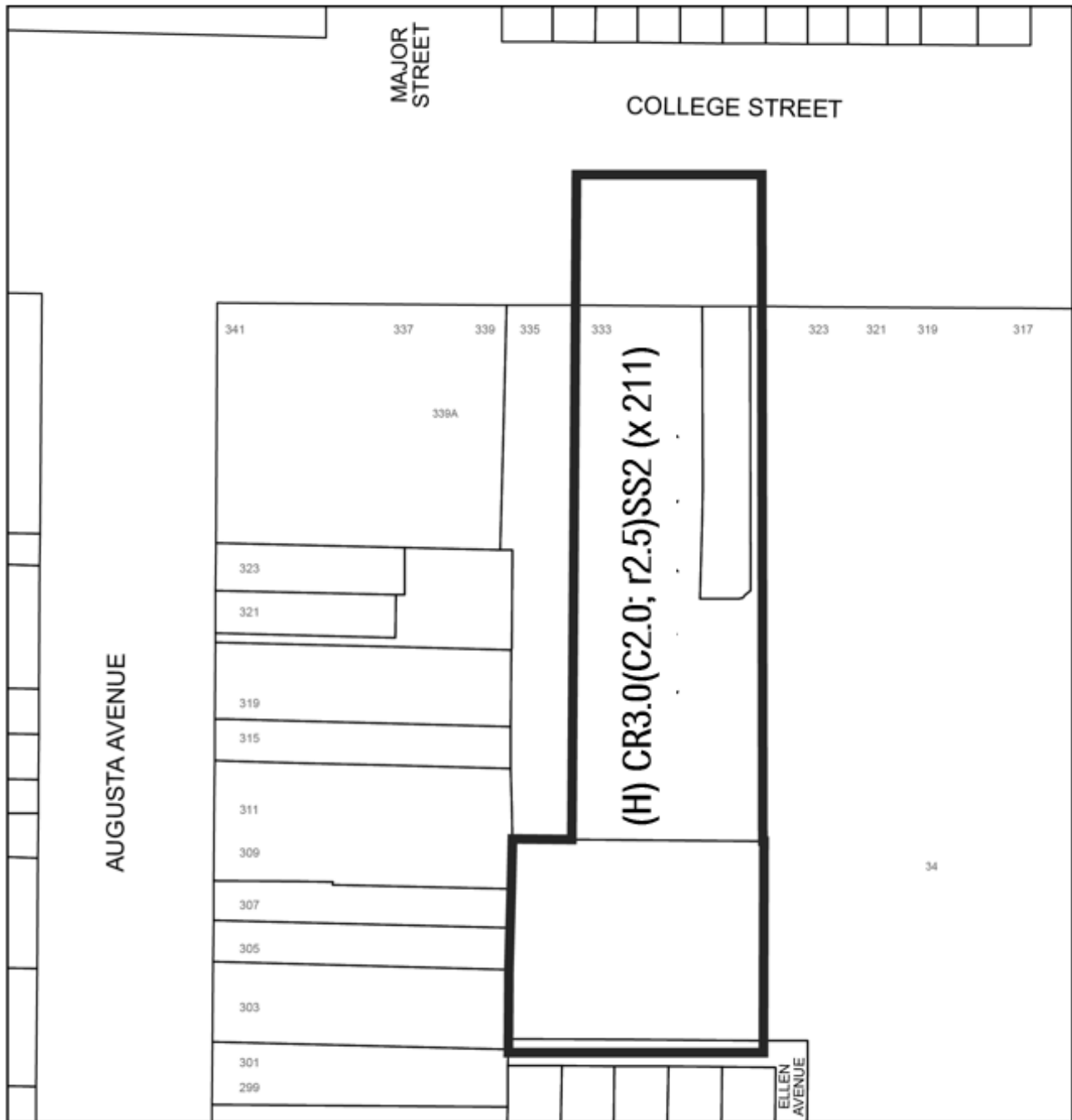


Diagram 2

333 College Street & Part of 303 Augusta Avenue

File #



Not to Scale

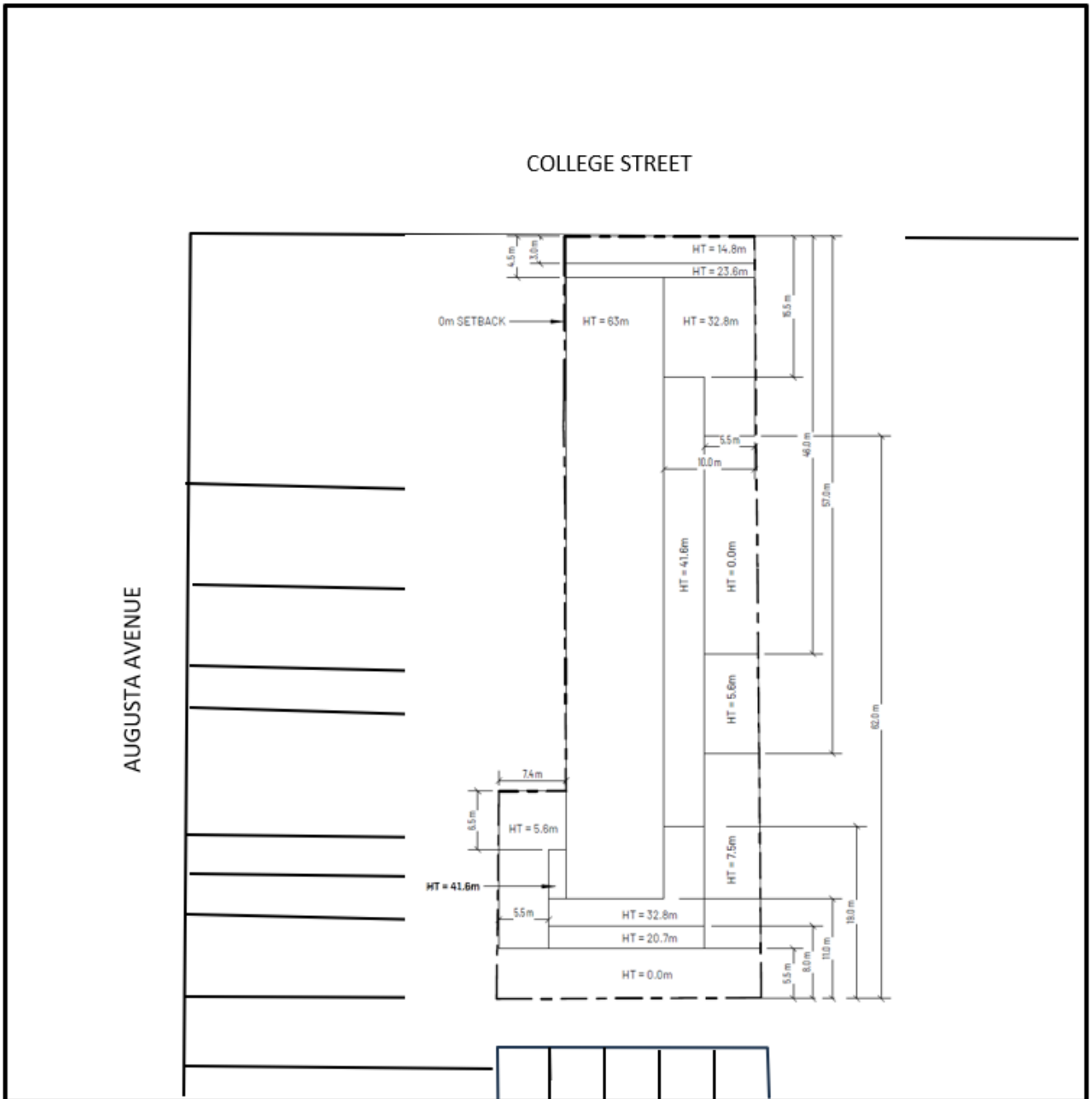


Diagram 3

333 College Street &amp; Part of 303 Augusta

File #

Avenue



Not to Scale