

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 149 College 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

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. 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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.1, and applying the following zone label to these lands: (H) IE (x14) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: Policy Area 1, as shown on Diagram 3 attached to this By-law.

5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 30.0 as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.32.10 Exception Number 14 so that it reads:

(14) Exception IE (14)

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 149 College Street, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (T) below;
- (B) Despite regulation 80.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 101.95 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to regulation 80.30.20.10(1), the following additional uses are permitted:
 - (i) Courts of Law;
 - (ii) **Dwelling Unit**;
 - (iii) **Education Use**;
 - (iv) **Hospice Care Home**;
 - (v) **Hospital**;
 - (vi) **Hotel**, subject to the following:
 - (a) no **hotel** room or suite may be located in the same **storey** as a **dwelling unit**;
 - (vii) **Nursing Home**;

(viii) **Outdoor Patio**, subject to the following:

- (a) an **outdoor patio** must be combined with one of the following uses and be located on the same **lot** or an abutting **lot** that permits an **outdoor patio: club; eating establishment, entertainment place of assembly, place of assembly, recreation use, retail store, sports place of assembly; and take-out eating establishment**
- (b) the permitted maximum area of an **outdoor patio** is the greater of 50.0 square metres or 50 percent of the **interior floor area** of the premises it is combined with
- (c) an **outdoor patio** may be used to provide entertainment such as performances, music and dancing, provided the **outdoor patio** is not located above the first **storey** of the **building** and the entertainment area does not exceed the greater of 10 percent of the **outdoor patio** area or 5.0 square metres; and
- (d) an **outdoor patio** must be set back at least 10.0 metres from a **lot** in the Residential Zone Category or Residential Apartment Zone Category;
- (e) despite regulation (d) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (f) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (d) or (e) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**; and

(ix) **Public School** and **Private School**, subject to the following:

- (a) a **public school** and a **private school** must comply with the specific use regulations in Section 150.48;

(x) "Private Student Residence"

(xi) **Religious Residence**;

- (xii) **Respite Care Facility**
- (xiii) **Retail Service**, subject to the following:
 - (a) the permitted maximum **interior floor area** of all **retail services** is 400 square metres;
- (xiv) **Retirement Home**
- (xv) **Service shop**, subject to the following:
 - (a) the permitted maximum **interior floor area** of all **service shops** is 400 square metres;
- (D) For the purposes of this exception, "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;
- (E) Despite regulation 80.30.40.10(1), the permitted maximum height of a **building or structure** is the number in metres following the letters "HT" as shown on Diagram 5 of By-law [Clerks to insert By-law ##];
- (F) Despite regulations 80.5.40.10(2) to (5), 80.30.40.10(2) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 5 of By-law [Clerks to insert By-law ##]:
 - (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, and vents, by a maximum of 6 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 6.5 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 4.5 metres above adjacent parapets or roof screens;

- (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3 metres;
 - (vi) antennae, and satellite dishes, by a maximum of 2 metres; and
 - (vii) trellises, pergolas, flagpoles and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.6 metres;
- (G) For the purposes of this exception, regulation 80.30.30.40(1), regarding **lot coverage**, does not apply;
- (H) Despite regulation 80.30.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 46,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for **dwelling units**, not including **student residence** or “private student residence”, is the lesser of 45% of the total **gross floor area** of the **building** or 21,500 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses, not including the uses in (C) above, is 4,500 square metres;
- (I) For the purposes of this exception, a **building** with 20 or more non-**student residence** and “private student residence” **dwelling units** must provide **amenity space** at the following rate:
- (i) at least 1.85 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 240 square metres of outdoor **amenity space** must be provided of which at least 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 regulation (I) above, **amenity space** must be provided for **student residence** and “private student residence” uses at the following rate:
- (i) at least 2.0 square metres for each **dwelling unit** in a “private student residence” or **student residence** as indoor **amenity space**; and

- (ii) no outdoor **amenity space** is required;
- (K) Despite regulations 80.30.40.70(1), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law ##];
- (L) Despite regulation 80.5.40.60(1) and (K) 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 4.0 metres;
 - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - (iii) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.6 metres;
 - (iv) architectural or artistic features, such as a pilaster, decorative column, dormer, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
 - (v) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
 - (vi) eaves, by a maximum of 1.0 metres;
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres; and
 - (viii) lighting fixtures, by a maximum of 0.6 metres;
- (M) Despite regulations 200.15.1(1) and (3), accessible **parking spaces** 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; 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 on one side of the accessible **parking space**;
- (N) Despite regulation 200.15.1(4), an accessible **parking space** 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) the shortest route from the required entrances in (i) and (ii);
- (O) Despite regulations 970.10.15.5(17) and (18), if **parking spaces** are provided on the **lot**, a percentage of the provided **parking spaces** must be accessible **parking spaces** in accordance with Section 200.15;
- (P) Despite Clause 220.5.10.1, one Type “G” and one Type “C” **loading spaces** must be provided and maintained;
- (Q) Despite regulation 230.5.1.10(4)(A), the minimum dimension of a **stacked bicycle parking space** is:
 - (i) length of 1.6 metres;
 - (ii) width of 0.45 metres; and
 - (iii) vertical clearance from the ground of 1.2 metres;
- (R) Despite regulations 230.5.10.1(3) and (5), 970.30.15.5(4), and Table 970.30.15.5 – Bicycle Parking Space Rates, **bicycle parking spaces** must be provided in accordance with the following minimum rates:
 - (i) 0.9 "long-term" **bicycle parking spaces** for each **dwelling unit**;
 - (ii) 3 plus 0.2 **bicycle parking spaces** per 100 square metres of **gross floor area** for “short-term” **bicycle parking spaces** for non-residential uses;
 - (iii) 0.2 "long-term" **bicycle parking spaces** for each 100 square metres of **gross floor area** for non-residential uses;
 - (iv) 0.3 "long-term" **bicycle parking spaces** for each **dwelling unit** in a “private student residence” or **student residence**; and
 - (v) 0.15 "short-term" **bicycle parking spaces** for each **dwelling unit** in a “private student residence” or **student residence**;
- (S) For the purposes of this exception, “long-term” **bicycle parking spaces** may be provided on levels of the **building** below-ground commencing with the first level below-ground and moving down, in one level increments when at least 45% of the area of that level is occupied by **bicycle parking spaces**, until all required **bicycle parking spaces** have been provided;

(T) The provision of **dwelling units**, not including **student residence** or “private student residence”, is subject to the following:

- (i) a minimum of 15 percent of the total number of **dwelling units** must have 2 or more bedrooms;
- (ii) a minimum of 10 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;
- (iv) an additional 15 percent of the total number of **dwelling units** will be any combination of 2 bedroom and 3 bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of 2 and 3 bedroom **dwelling units** through accessible or adaptable design measures such as knock-out panels; and
- (v) 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.

Prevailing By-laws and Prevailing Sections: "(None Apply)"

8. 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.

9. 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; 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) The owner enters into a Heritage Easement Agreement with the City for the property at 149 College Street, substantially in accordance with the plans and drawings dated May 23, 2025 prepared by Sweeney Architects Inc. and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment (HIA), dated February 24, 2025 prepared by ERA Architects, all on file with the Senior Manager, Heritage Planning, subject to and in accordance with the Conservation Plan, to the

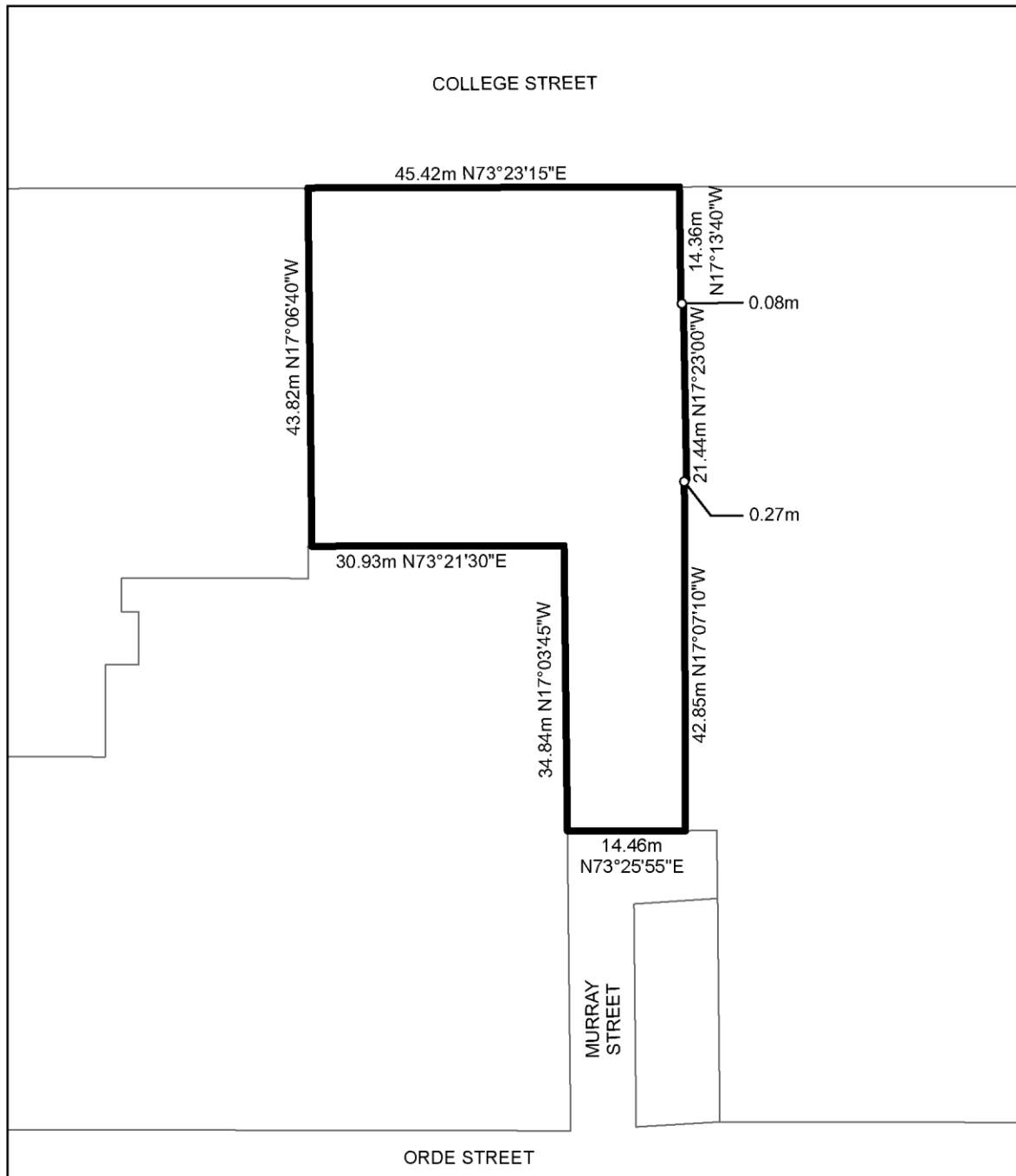
satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor;

- (ii) The owner shall prepare and submit a detailed Conservation Plan, prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for the property at 149 College Street, to the satisfaction of the Senior Manager, Heritage Planning; and
- (iii) appropriate arrangements, which may include the owner entering into an agreement, to address sufficient tower setbacks and separation to the property to the south (18 Orde Street) and west (155 College Street), to the satisfaction of the Executive Director, Development Review and the City Solicitor.

Enacted and passed on [month ##, 202##].

[full name]
Speaker

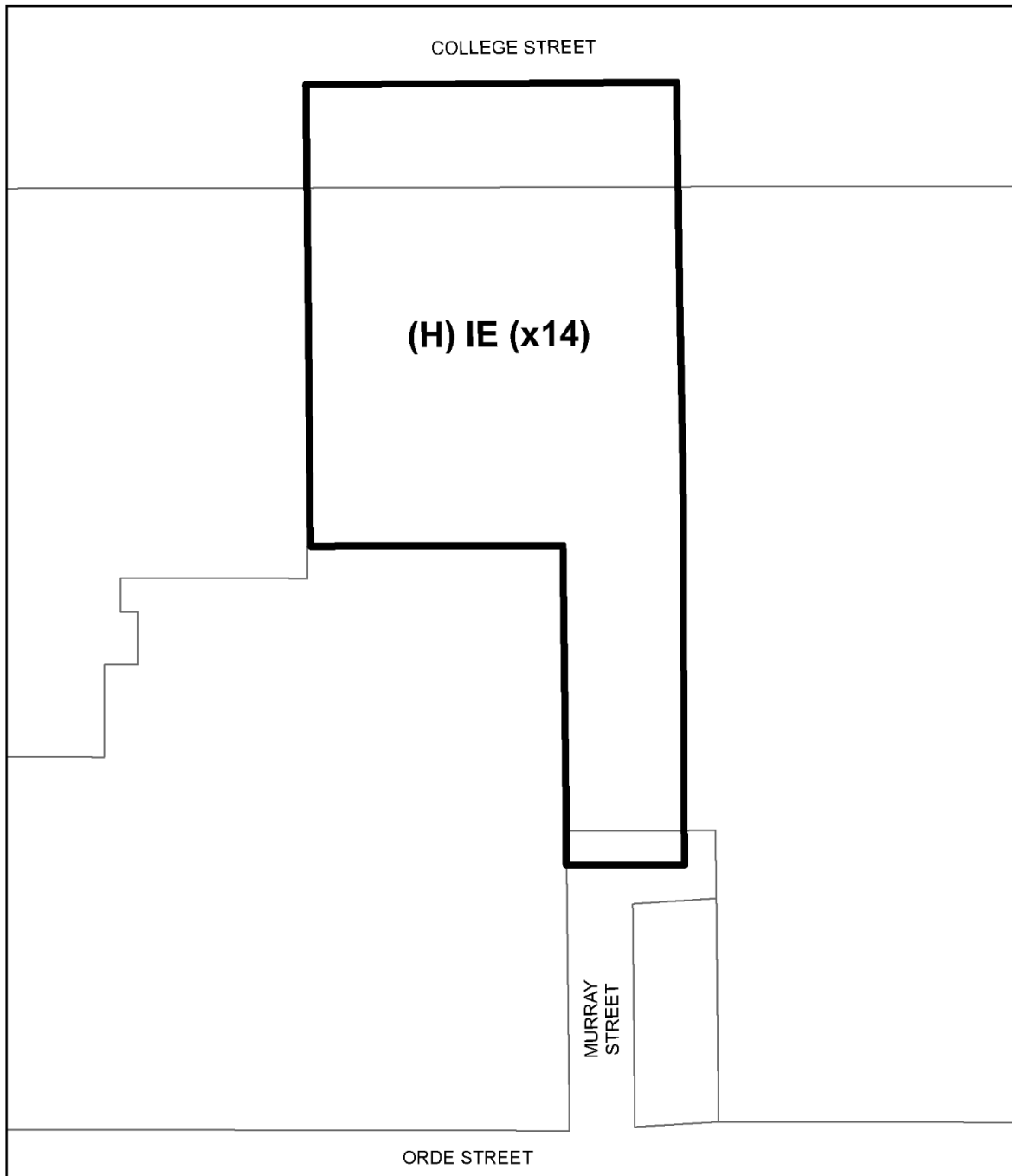
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City Clerk



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Diagram 1

149 College Street

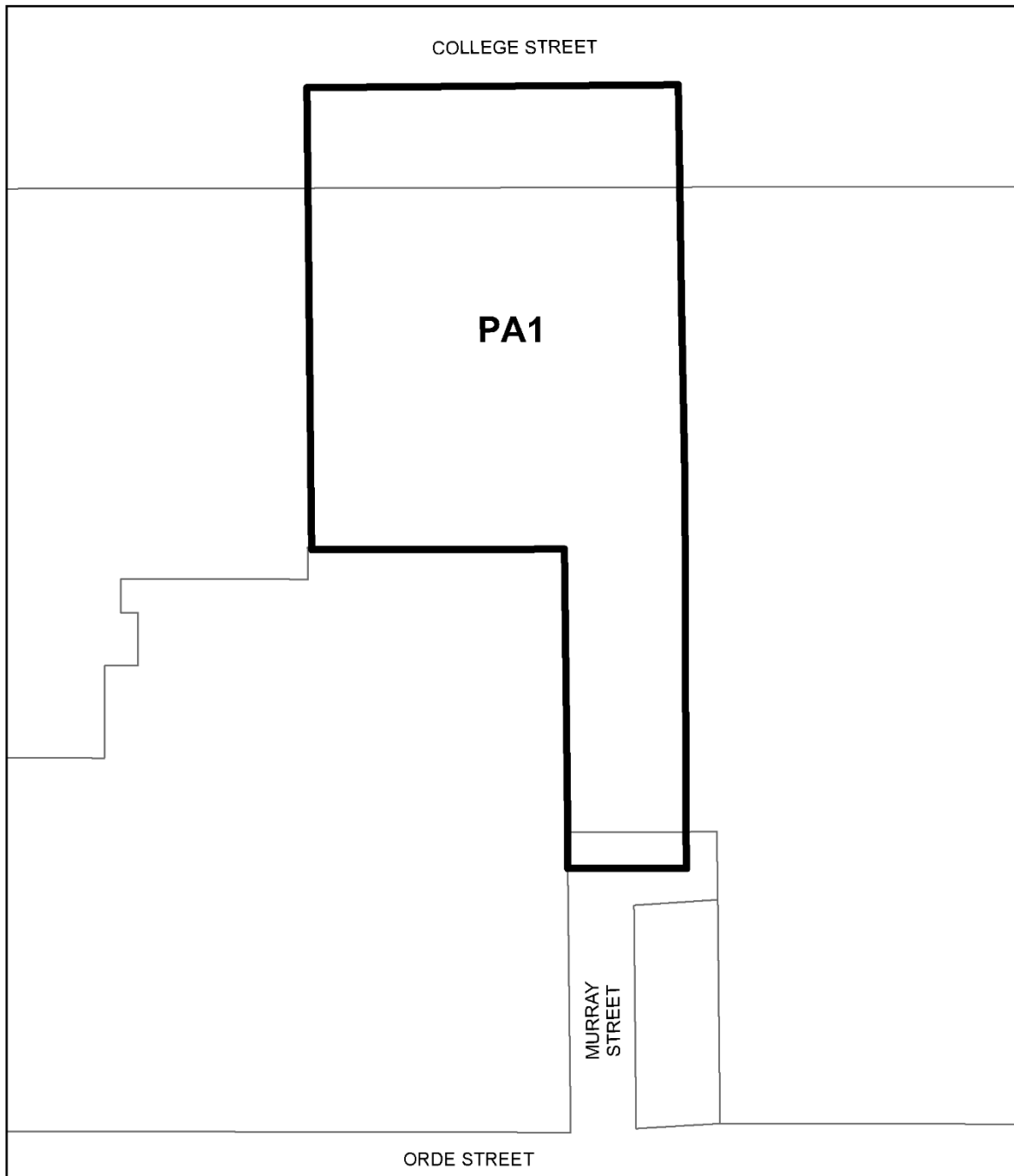
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Diagram 2

149 College Street

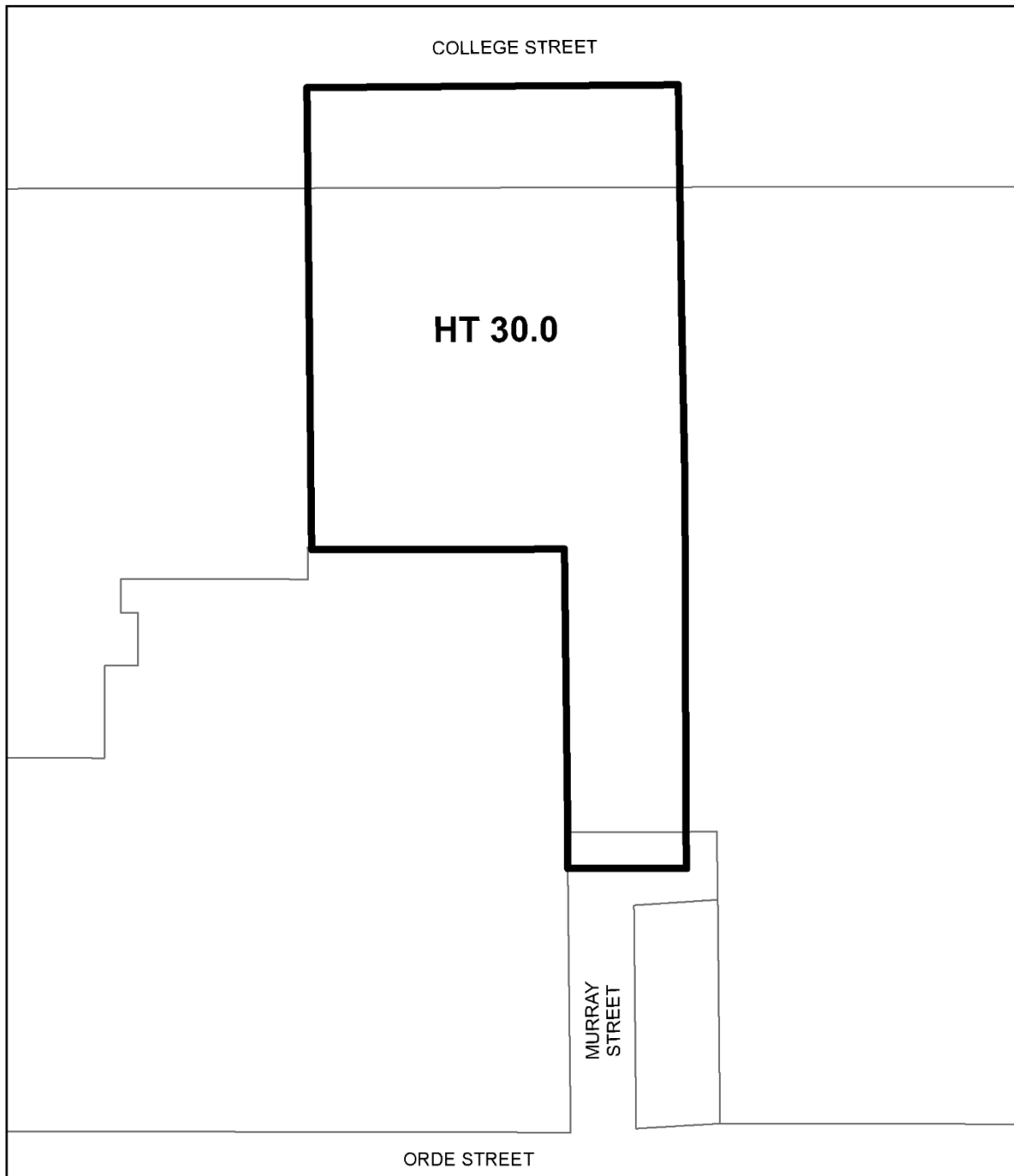
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 **Toronto**
Diagram 3

149 College Street

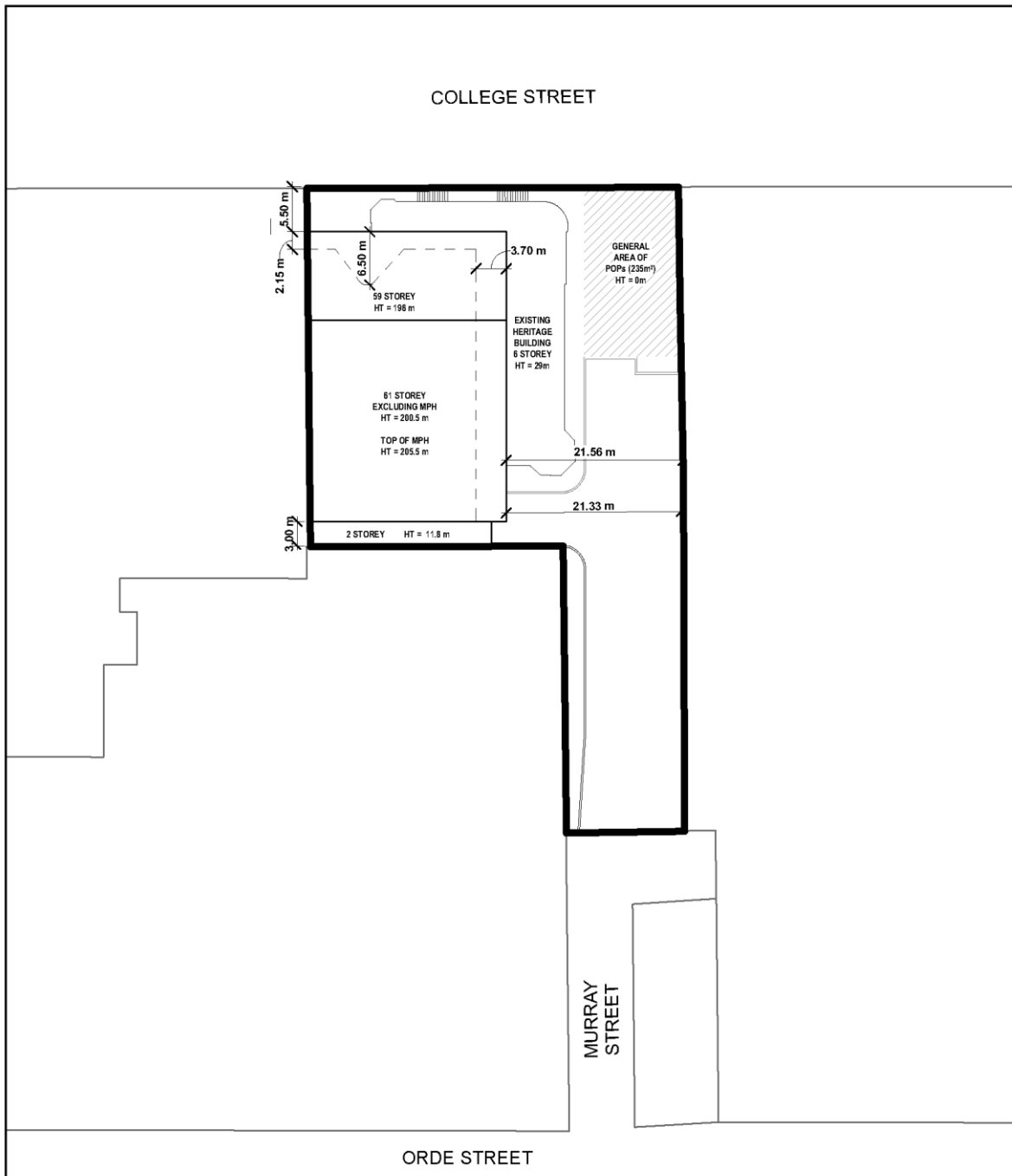
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Diagram 4

149 College Street

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Diagram 5

149 College Street

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