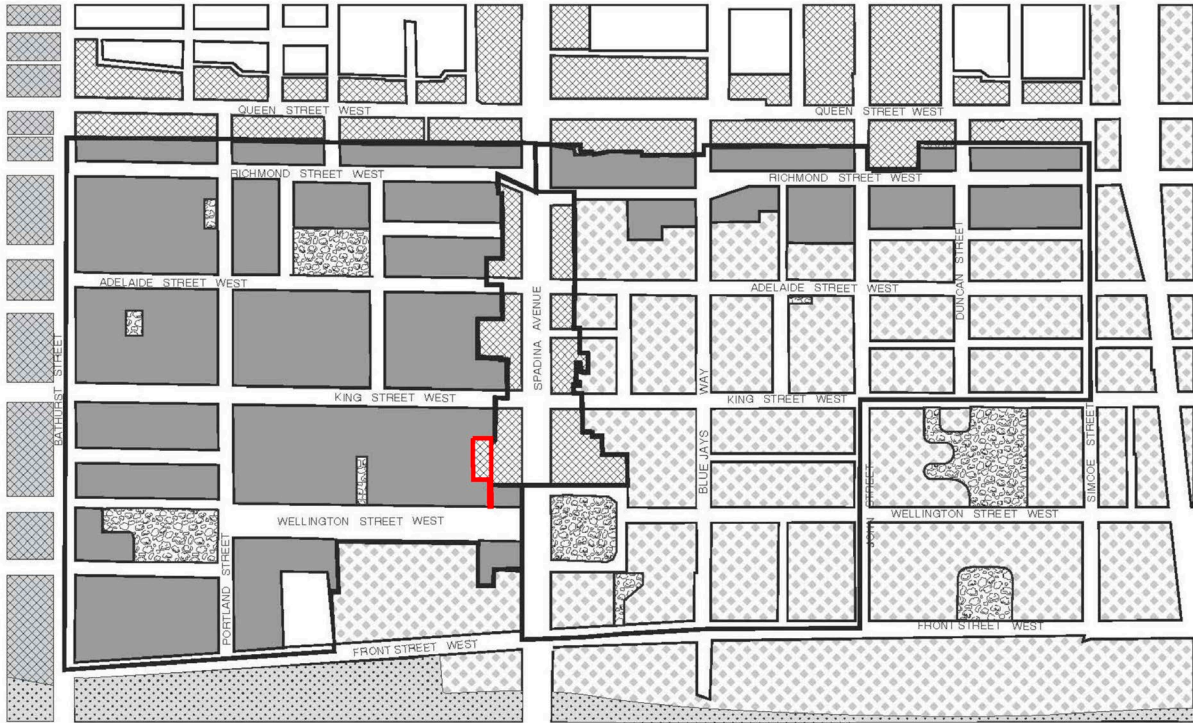











Official Plan Amendment Schedule D
King-Spadina Secondary Plan Map 16-1 Secondary Plan Area and Precincts

-  Secondary Plan Boundary
-  Proposed change to Spadina Precinct Boundary



Official Plan Amendment Schedule E
King-Spadina Secondary Plan Map 16-2 Land Use Map

	Secondary Plan Boundary		Mixed Use Area 2		Neighbourhoods		Mixed Use Areas (Official Plan)
	Mixed Use Area 1		Mixed Use Area 3		Parks		Utility Corridors
	Lands to be redesignated from <i>Mixed Use Area 2</i> to <i>Mixed Use Area 3</i>						

APPENDIX D

Authority: Ontario Land Tribunal Decision issued on [date] and Ontario Land Tribunal Order issued on [date] in Tribunal File [-]

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 2025 as 40-62 Spadina Avenue and 378 Wellington Street West.

Whereas the Ontario Land Tribunal, by its Decision issued on [date] and its Order issued on [date], in respect of Tribunal File OLT-24-000742, upon hearing an appeal under Section 34(11) of the Planning Act, R.S.O. 1990, c. P13, as amended, determined to amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 40-62 Spadina Avenue and 378 Wellington Street West; and

Whereas the Ontario Land Tribunal has the authority pursuant to Section 34 of the Planning Act, as amended, to pass this By-law; and

The Ontario Land Tribunal Orders:

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 CRE (x64) to a zone label of CRE (xXXX) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.12.10 Exception Number [-] so that it reads:

(XXX) Exception CRE XXX

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 40-62 Spadina Avenue and 378 Wellington 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 in compliance with Regulations (B) to (R) below;

- (B) Despite regulations 50.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 86.0 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 50.5.40.70(1), a **building** or **structure** may be no closer than 1.1 metres from the original centreline of a **lane**;
- (D) Despite regulation 50.10.40.10(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]**;
- (E) Despite regulations 50.5.40.10(3) to (8), 50.10.40.10(2) and (3), and (D) 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, and vents, by a maximum of 6.5 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 3.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 3.5 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; and
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (F) Regulation 50.10.40.30(1), with respect to **building** depth, does not apply;
- (G) Despite regulation 50.5.1.10(3) and 50.5.40.40(3), the permitted maximum **gross floor area** of all **buildings** and **structures** is 39,250 square metres, of which:

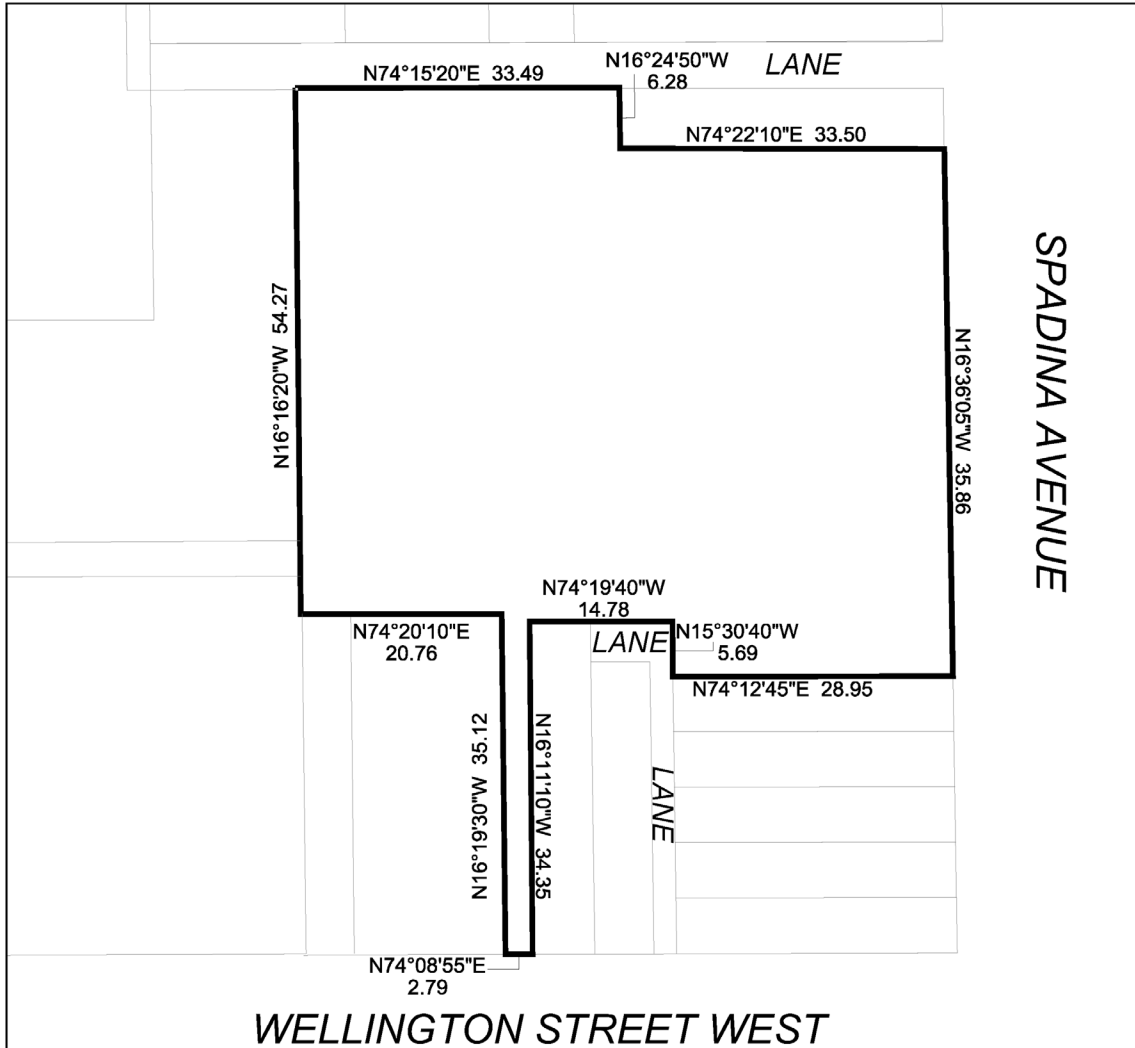
- (i) the permitted maximum **gross floor area** for residential uses is 38,500 square metres; and
- (ii) the permitted maximum **gross floor area** for non-residential uses is 750 square metres;
- (H) Despite Clause 50.10.40.70 and regulations 600.10.10(1)(A)(i)(ii) and (iii), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (I) Despite Clause 50.10.40.80, the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (J) Despite Clause 50.10.40.60, regulation 600.10.10(1)(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) balconies, by a maximum of 1.7 metres, except as follows:
 - (a) Between a height of 18.5 metres and 28.2 metres within the “balcony restriction zone” along Spadina Avenue shown on Diagram 3 of By-law [Clerks to insert By-law number]; and
 - (b) Below a height of 16.0 metres within the “balcony restriction zone” along the west façade as shown on Diagram 3 of By-law [Clerks to insert By-law number];
 - (ii) canopies and awnings, by a maximum of 2.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metre;
 - (v) window projections, including bay windows and box windows, by a maximum of 1.5 metres; and
 - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metre;
- (K) Respite regulation, 50.10.90.40, a **loading space** may be accessed from a major street;
- (L) Despite regulations 220.5.10.1(1) to (8) and (11), 1 Type B **loading space** and 1 Type G **loading space** must be provided on the **lot**;

- (M) Despite regulation 200.15.1(1) and (3), an accessible **parking space** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5 metres wide accessible barrier free aisle or path;
- (N) Despite regulation 200.15.1(4), accessible **parking spaces** must be located no more than a 20 metres long direct route from a barrier free entrance to a passenger elevator that provides access to the first **storey** of a **building**;
- (O) Despite regulation 200.15.10.5(1) and (2) and Table 200.15.10.5, a minimum of 5 of the required **parking spaces** are required to be accessible **parking spaces**;
- (P) Despite regulation 230.5.1.10(10), all "short-term" and long-term **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (Q) Despite regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be no more than 50 metres from a pedestrian entrance to a **building** on the **lot**;
- (R) Despite regulation 600.20.10(1)(A), the first **storey** of a **mixed-use building** or **non-residential building** must provide a minimum of 57 percent of the **lot frontage** abutting the priority retail **street** for one or more of the uses listed in regulation 600.20.10(1)(A).

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.

Ontario Land Tribunal Decision issued on [date] and Ontario Land Tribunal Order issued on [date] in Tribunal File OLT-24-000742.

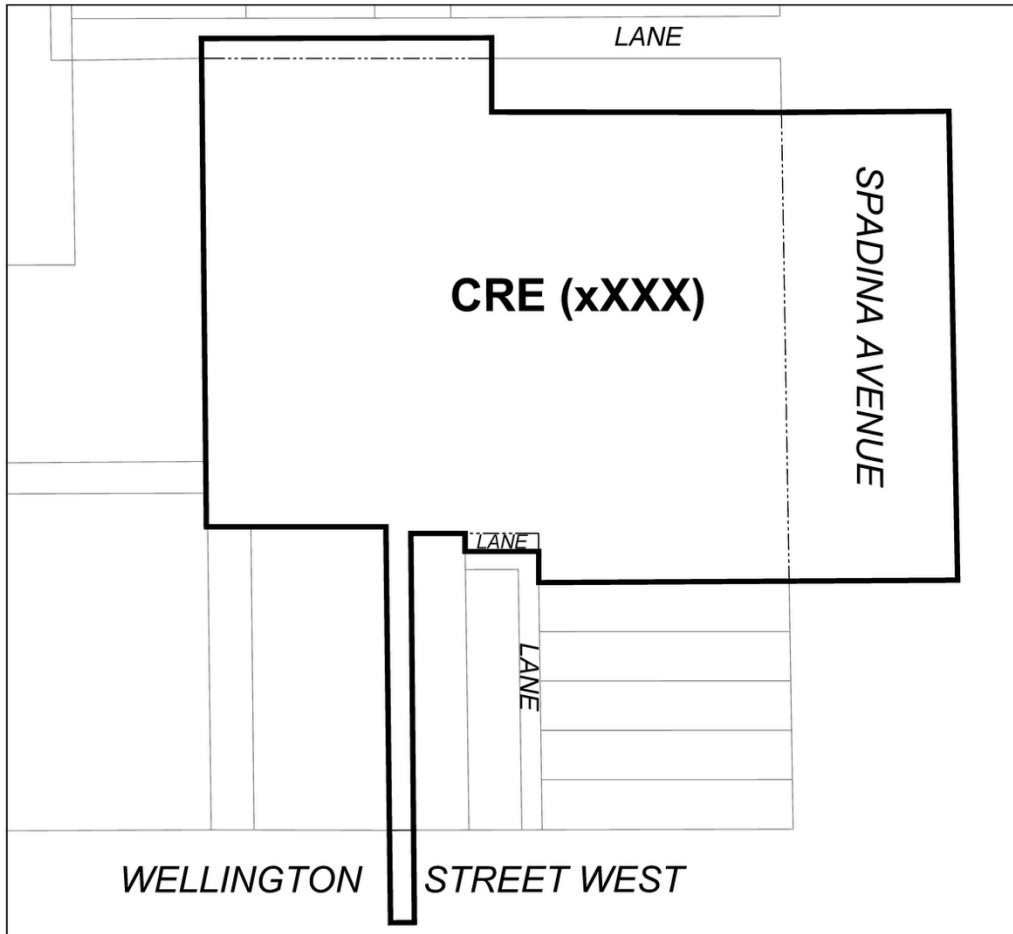


 **TORONTO**
Diagram 1

40-62 Spadina Avenue & 378 Wellington Street West

File #22 188521 STE 10 OZ


Not to Scale



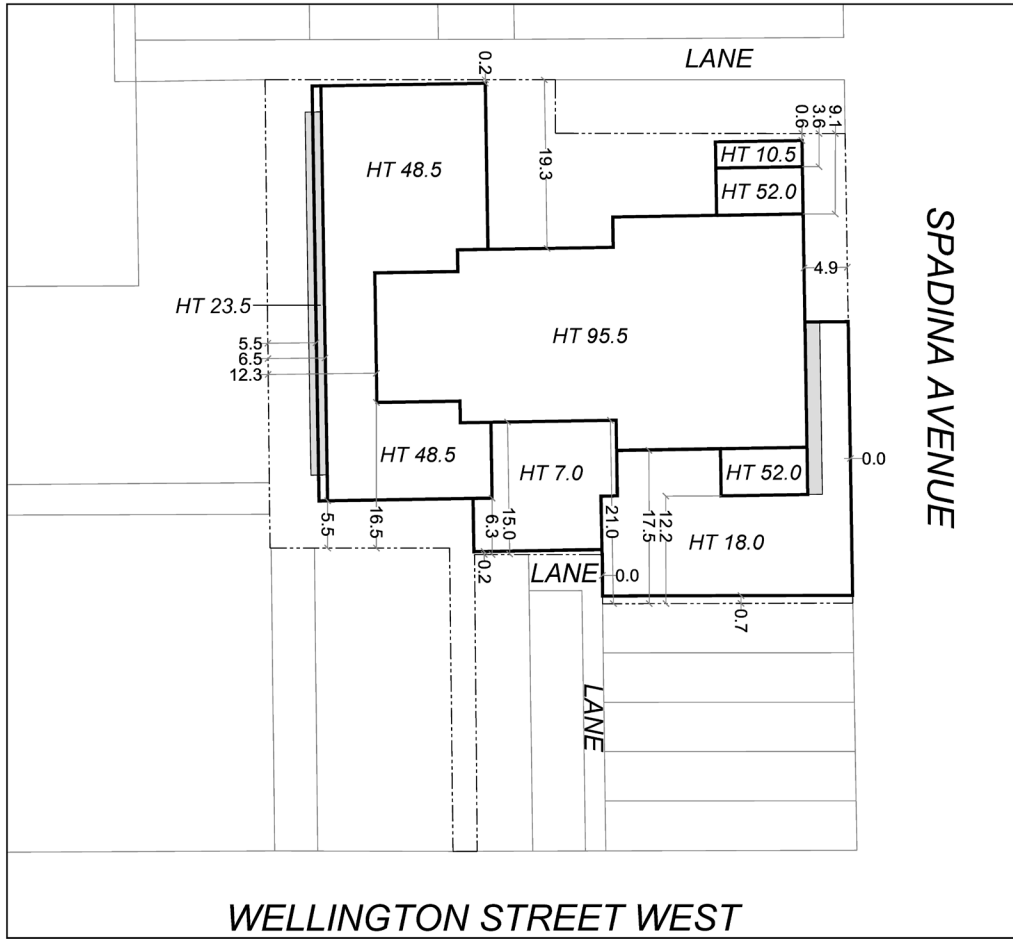
 **TORONTO**
Diagram 2

40-62 Spadina Avenue & 378 Wellington Street West

File #22 188521 STE 10 OZ



Not to Scale



40-62 Spadina Avenue & 378 Wellington Street West

Diagram 3

File #22 188521 STE 10 OZ

 Balcony Restriction Zone



Not to Scale