

Authority: Planning and Housing Committee 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 1631 and 1641 Queen Street East and a portion of 1080 and 1090 Eastern Avenue.

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 R (d1.0) to a zone label of CR 2.0 (c1.0; r2.0) SS2 (x1205), 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 Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: CR 2.0 (c1.0; r2.0) SS2 (x1205) 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 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: PA 4, 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 Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 13.0, as shown on Diagram 5 attached to this By-law.
7. 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 and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1205 so that it reads:

(1205) Exception CR 1205

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 1631 and 1641 Queen Street East and a portion of 1080 and 1090 Eastern 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 (GG) below;
- (B) For the purpose of this exception:
 - (i) the **lot** is as shown on Diagram 1 of By-law [Clerks to insert By-law number];
 - (ii) A maximum of one **building** or part thereof is permitted on the lands shown as “Area A” on Diagram 7 of By-law [Clerks to insert By-law number];
 - (iii) A maximum of one **building** or part thereof is permitted on the lands shown as “Area B” on Diagram 7 of By-law [Clerks to insert By-law number];
 - (iv) A minimum 4.0 metre wide mid-block connection must be provided between the two **buildings** permitted by (i) and (ii) above; and
 - (v) The mid-block connection in (iv) above must provide a minimum 2.1 metre wide unobstructed walkway;
- (C) For the purpose of this exception and in accordance with regulation 5.10.30.20(2), the **lot line** abutting Queen Street East is the **front lot line**;
- (D) The provision of **dwelling units** must comply with the following:

- (i) A minimum of 15 percent of the total number of **dwelling units** on the **lot** must contain two bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** on the **lot** must contain three or more bedrooms;
 - (iii) any **dwelling units** provided to satisfy (D)(i) above are not included in the provision required by (D)(ii) above; and
 - (iv) for the purpose of this exception, if the calculation of the number of required **dwelling units** in (i) and (ii) above results in a number with a fraction, the number is rounded down to the nearest whole number;
- (E) 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 78.6 metres and the elevation of the highest point of the **building** or **structure**;
- (F) Regulations 40.10.20.100(20)(A) and (C), regarding the outdoor sale or display of goods or commodities, do not apply;
- (G) Despite regulation 40.10.20.100(21)(A), an **outdoor patio** may be combined with any permitted use provided in compliance with Clauses 40.10.20.10 and 40.10.20.20;
- (H) Residential and non-residential uses provided on the lands shown as “Area A” on Diagram 7 of By-law [Clerks to insert By-law number] must have main pedestrian entrances on the **first floor** facing Queen Street East;
- (I) 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 6 of By-law [Clerks to insert By-law number];
- (J) Despite 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** on a **lot** in the CR zone is the numerical value following the letters “ST” as shown on Diagram 6 of By-law [Clerks to insert By-law number], of which;
 - (i) for the purpose of this exception, a mezzanine level and a mechanical penthouse do not constitute a **storey**;
- (K) Despite regulation 40.10.40.10(5), on the lands shown as “Area B” on Diagram 7 of By-law [Clerks to insert By-law number], the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 3.0 metres;

- (L) Despite regulations 40.5.40.10(3) to (8) and (I) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 6 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 [7.0] 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 [7.0] metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of [4.5] metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of [6.5] metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of [4.5] metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of [6.0] metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of [5.0] metres;
- (M) Despite regulations 40.5.75.1(2)(A)(ii) and (I) above, no part of a photovoltaic **solar energy** device or a thermal **solar energy** device may be higher than 2.5 metres beyond the permitted maximum height shown on Diagram 6 of By-law [Clerks to insert By-law number]:
- (N) Regulation (L) and (M) does not apply above the 7th **storey** of a **building** on the lands shown as “Area A” on Diagram 7 of By-law [Clerks to insert By-law number];
- (O) On the lands shown as “Area B” on Diagram 7 of By-law [Clerks to insert By-law number], the **building** must comply with the requirements of (P) below for the portions of the **building** which collectively enclose the entirety of a **storey** above the lesser of the following heights:
- (i) the top of the 7th **storey** of the **building**; and

- (ii) 22.5 metres;
- (P) On the lands shown as “Area B” on Diagram 7 of By-law [Clerks to insert By-law number], the permitted maximum tower floor plate for each **storey** of a **building**, as specified in (O) above, as measured from the exterior of the **main wall** of each **storey** and inclusive of the total built area of the floor, including inset and projecting balconies, is 855 square metres;
- (Q) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 25,600 square metres;
- (R) The required minimum **interior floor area** for all non-residential uses on the lands shown as “Area A” on Diagram 7 of By-law [Clerks to insert By-law number] is 1,070 square metres, of which:
 - (i) a portion of the required minimum **interior floor area** for non-residential uses must be for a **day nursery**; and
 - (ii) the required minimum **interior floor area** for non-residential uses other than a **day nursery** is 150 square metres;
- (S) On the lands shown as “Area A” on Diagram 7 of By-law [Clerks to insert By-law number], the permitted maximum **interior floor area** of the 7th **storey** is 225 square metres exclusive of **interior floor area** used for mechanical equipment such as a mechanical penthouse, of which:
 - (i) Only indoor **amenity space** is permitted;
- (T) Despite regulation 40.5.40.40(3), the following elements apply to reduce the **gross floor area** of a **building**:
 - (i) all areas located below ground;
 - (ii) **loading spaces**;
 - (iii) **bicycle parking spaces** and the entirety of the room separated by demising walls containing those **bicycle parking spaces**;
 - (iv) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms that are not within a **dwelling unit**;
 - (v) shower and change facilities not within a **dwelling unit**;
 - (vi) indoor **amenity space**;
 - (vii) elevator shafts;

- (viii) garbage shafts;
 - (ix) mechanical penthouse;
 - (x) exit stairwells; and
 - (xi) areas open to below or voids in the floor;
- (U) Despite regulation 40.10.40.60(1)(C), a platform with no roof, such as a deck, porch, balcony, or similar **structure**, attached to or less than 0.3 metres from a **building**:
- (i) must not encroach into any **building setback** or **main wall** separation distance required by (W), (X) and (Z) below; and
 - (ii) must not be located below a height of 15.0 metres above an outdoor play area associated with a **day nursery** use;
- (V) Regulation 40.10.40.60(9), regarding permitted encroachments into required angular planes, does not apply;
- (W) Despite regulation 40.10.40.80(2)(A), where a line projected at a right angle from the **main wall** of a **building** intercepts another **main wall** of a **building** on the same **lot**, the required minimum above-ground distance between the **main walls** is as follows:
- (i) Between the **main wall** of the first **storey** of a **building** or part thereof in “Area A” as shown on Diagram 7 of By-law [Clerks to insert By-law number] and the **main wall** of a **building** or part thereof in “Area B”, as shown on Diagram 7 of By-law [Clerks to insert By-law number], 12.0 metres; and
 - (ii) Between the **main wall** above the first **storey** of a **building** or part thereof in “Area A” as shown on Diagram 7 of By-law [Clerks to insert By-law number] and the **main wall** of a **building** in “Area B”, as shown on Diagram 7 of By-law [Clerks to insert By-law number] 14.5 metres;
- (X) Despite regulation 40.10.40.70(2), on the lands shown as “Area A” on Diagram 7 of By-law [Clerks to insert By-law number], the **main wall** of a **building** or **structure** must be set back as follows:
- (i) from the **lot line** abutting Queen Street East:
 - (a) at the first **storey** of the **building**, at least 4.0 metres;
 - (b) above the first **storey** of the **building**, at least 3.0 metres;

- (ii) up to a height of 15.0 metres, at least 75% of the **main wall** of the **building** facing the **front lot line** must be between 0.0 metres and 0.5 metres from the required **building setback** in (i) above, and all of the **main wall** of the **building** facing the **front lot line** must be between 0.0 metres and 5.5 metres from the required **building setback** in (i) above;
 - (iii) from the west **lot line**:
 - (a) where a west facing **main wall** of a **building** has windows or openings and is not adjacent to a **street** or **lane**, at least 5.5 metres;
 - (b) where a west facing **main wall** of a **building** has no windows or openings or is adjacent to a **street** or **lane**, no **building setback** is required;
 - (iv) any part of a **main wall** at or above the 7th **storey** must be set back as follows:
 - (a) from the **main wall** facing Queen Street East, at least 5.0 metres from the **main wall** of the **building** below;
 - (b) from the **main wall** facing Kishigo Lane, at least 5.0 metres from the **main wall** of the **building** below;
- (Y) Regulation 40.10.40.70(2)(E) shall not apply;
- (Z) Despite regulation 40.10.40.70(2), on the lands shown as “Area B” on Diagram 7 of By-law [Clerks to insert By-law number], the **main wall** of a **building** or **structure** must be set back as follows:
- (i) from the **lot line** abutting Eastern Avenue, at least 3.0 metres;
 - (ii) from the west **lot line**, at least 11.0 metres;
 - (iii) for the portions of the **building** above the lesser of the following heights, at least 92% of the **main wall** of the **building** facing Eastern Avenue must be set back at least 1.5 metres from the **main wall** of the **building** below:
 - (a) the top of the 7th **storey** of a **building**; and
 - (b) 22.5 metres;
 - (iv) For the portions of the **building** above the lesser of the following heights, at least 90% of the **main wall** of the **building** facing

Kishigo Lane must be set back at least 1.5 metres from the **main wall** of the **building** below:

- (a) the top of the 7th **storey** of a **building**; and
 - (b) 22.5 metres; and
- (v) any part of a **building** facing Queen Street East located above a height of 22.5 metres must be set back at least 5.0 metres from the **building setback** of the highest **storey** of the **building** located below;
- (AA) Regulations 40.10.50.10(2) and (3), regarding fencing and **soft landscaping** strip requirements, do not apply;
- (BB) Despite regulation 40.10.90.10(1)(C), a **loading space** may be located in a **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (CC) Despite regulation 40.10.90.40(1), **vehicle** access to a **loading space** is permitted from a **lane** or from a **driveway** connecting to Eastern Avenue;
- (DD) Despite regulation 40.10.90.40(3), access to a **loading space** is permitted across a **lot line** that abuts Eastern Avenue;
- (EE) Despite regulation 40.10.100.10(1), **vehicle** access:
 - (i) may be from both a **lane** and Eastern Avenue; and
 - (ii) two **vehicle** accesses are permitted;
- (FF) Despite regulation 150.45.40.1(1), a **day nursery** in an **apartment building** on the lands shown as "Area B" on Diagram 7 of By-law [Clerks to insert By-law number] may be located on the first or second **storeys**;
- (GG) Despite regulations 230.5.10.1(1)(3) and (5) and Table 230.5.10.1(1), **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**; and
 - (ii) 0.1 "short-term" **bicycle parking spaces** for each **dwelling unit**;
- (HH) In addition to the requirements of Regulation 5.10.30.1(1), no land may be used and no **building** or **structure** may be erected or used on the land unless all municipal water mains and municipal sewers, and their

appurtenances have adequate capacity to service the **building** or structure, to the satisfaction of the City; and

- (II) Regulation (HH) above does not apply to the construction, erection or placing of:
 - (i) of a **residential building** or **structure** for residential purposes on a **lot** if that **lot** will contain 10 or fewer **dwelling units**, **dwelling rooms**, or **bed-sitting rooms**;
 - (ii) an **ancillary building** associated with a permitted **residential building**;
 - (iii) an **ancillary building** not cited in Regulation (II)(ii) above, if the **ancillary building** is less than 50 square metres in **gross floor area**;
 - (iv) a **building** used as a temporary sales pavilion, model home, or construction office associated with a **building** that will not be constructed on the same **lot**;
 - (v) a tent, marquee, or air supported **structure**;
 - (vi) an addition of less than 50 square metres in **gross floor area** to a **lawfully existing building**, if the **lawfully existing building** is:
 - (a) on a **lot** that will contain or contains no more than 10 **dwelling units**, **dwelling rooms**, and **bed-sitting rooms**;
 - (b) an **ancillary building** associated with a permitted **residential building**, **mixed use building** or **non-residential building**; or
 - (c) a **non-residential building**; and
 - (vii) the replacement or reconstruction of a **building** or **structure**, or part of a **building** or **structure**, destroyed or damaged by fire, explosion, flood or other similar cause, or replacement, reconstruction, or compliance due to an order of the City of Toronto if the **gross floor area** and height of the **building** or **structure** are not increased, no **building** or **structure** setback is reduced, and the use of the land is not changed.

9. 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.

10. Nothing in this By-law shall apply to prevent the phased construction of the

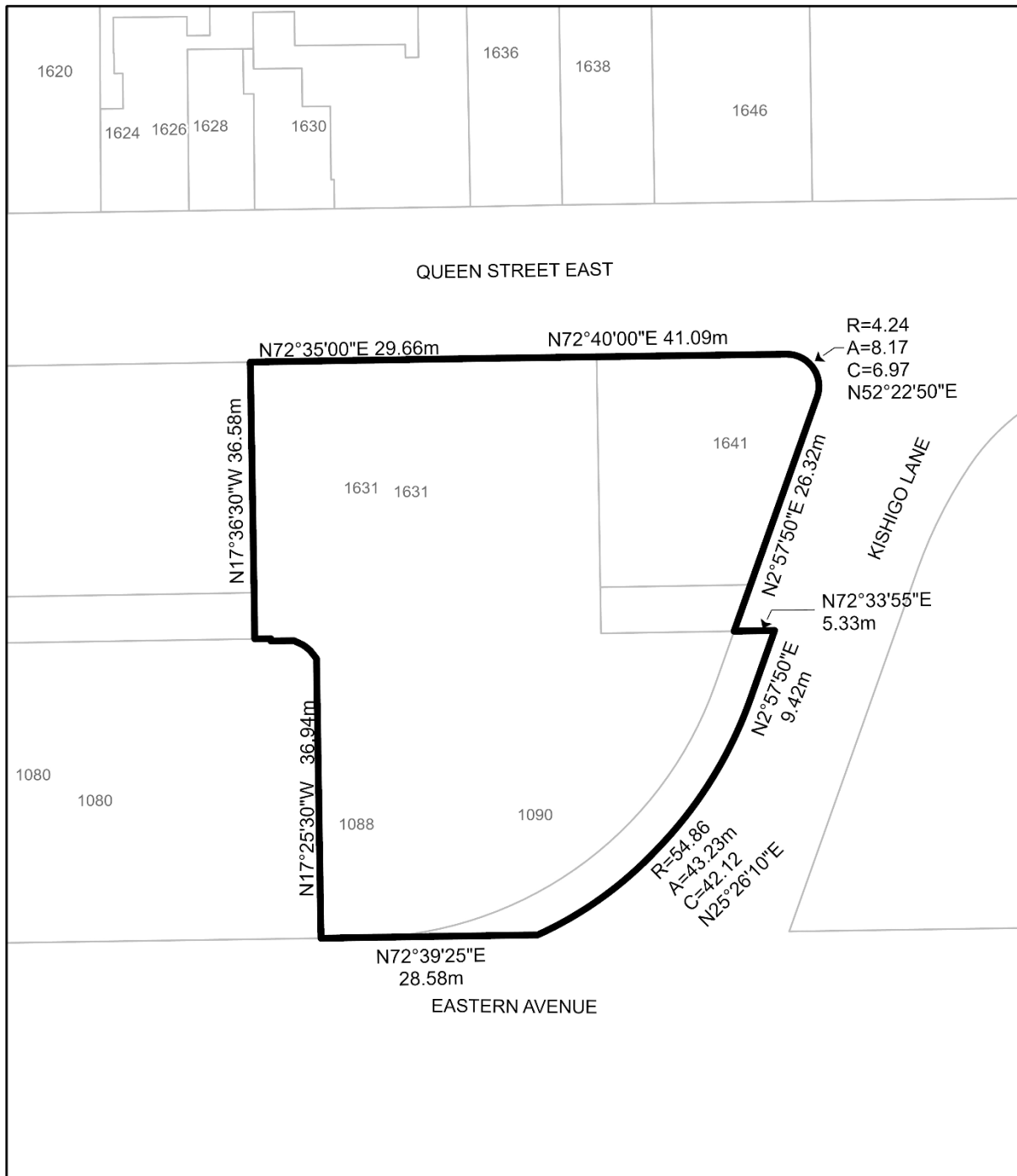
development, provided that the minimum requirements of the By-law are complied with upon full development.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

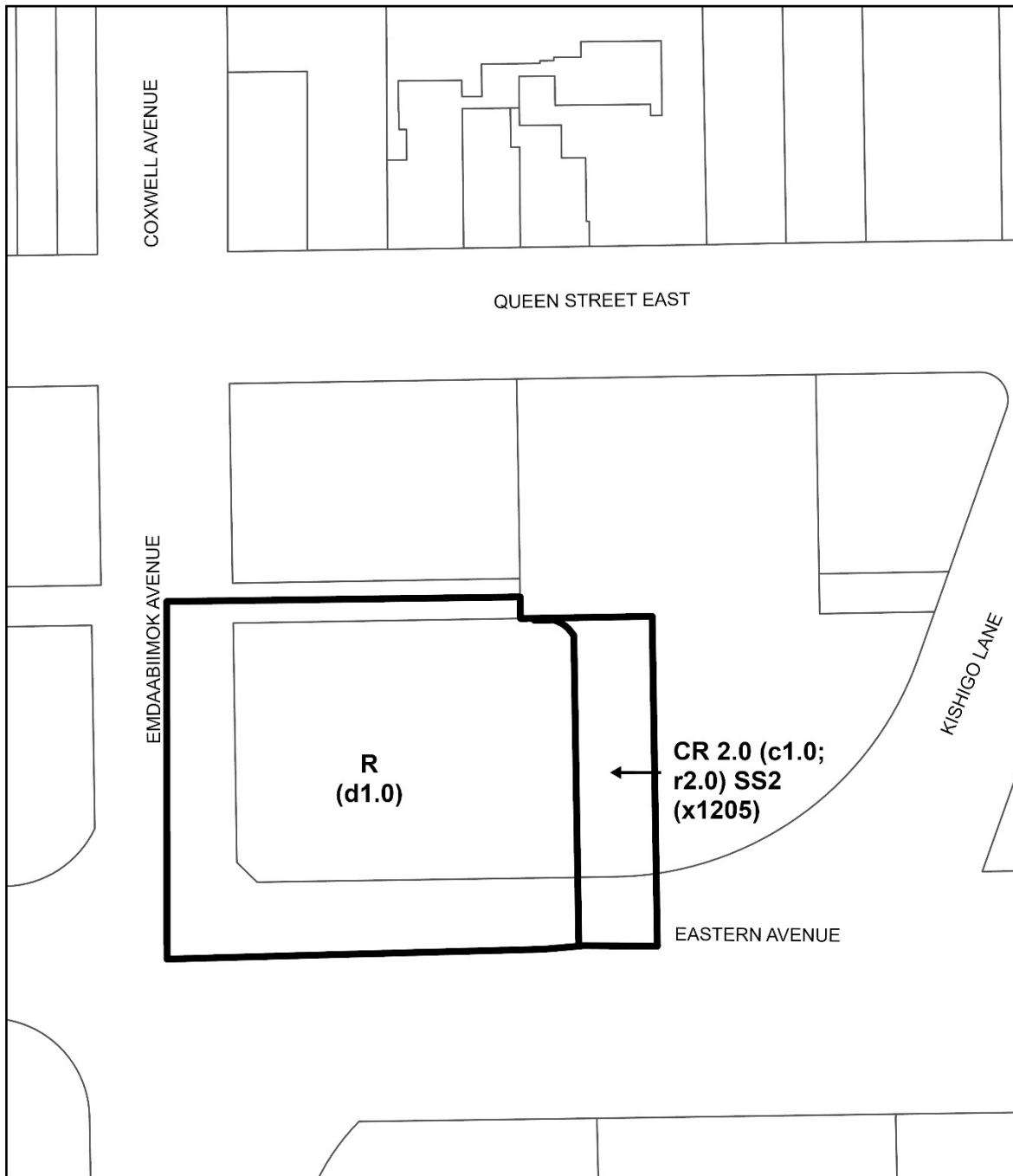


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Diagram 1

1631 and 1641 Queen Street East,
and 1080 (portion) and 1090 Eastern Avenue

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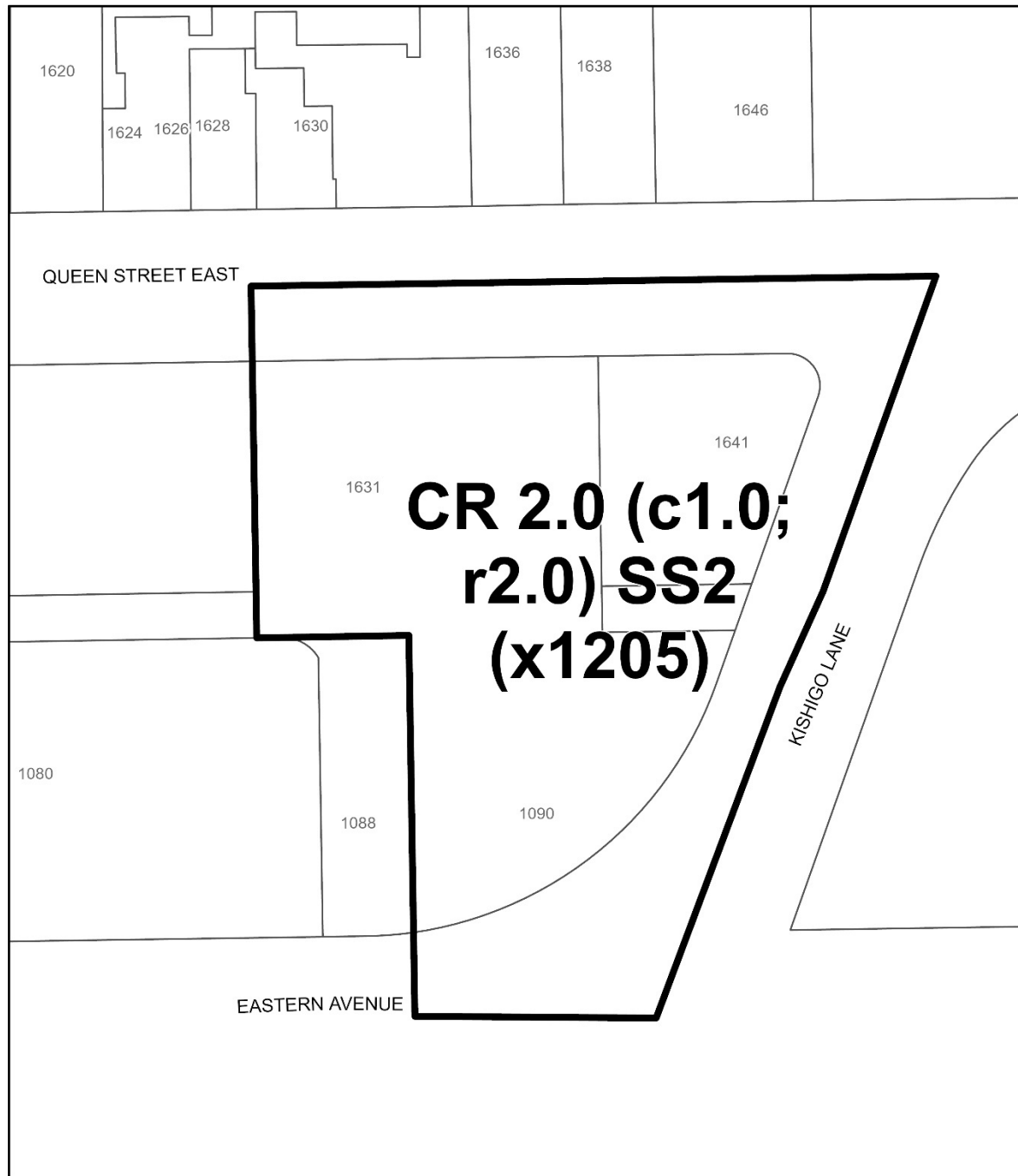




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Diagram 2

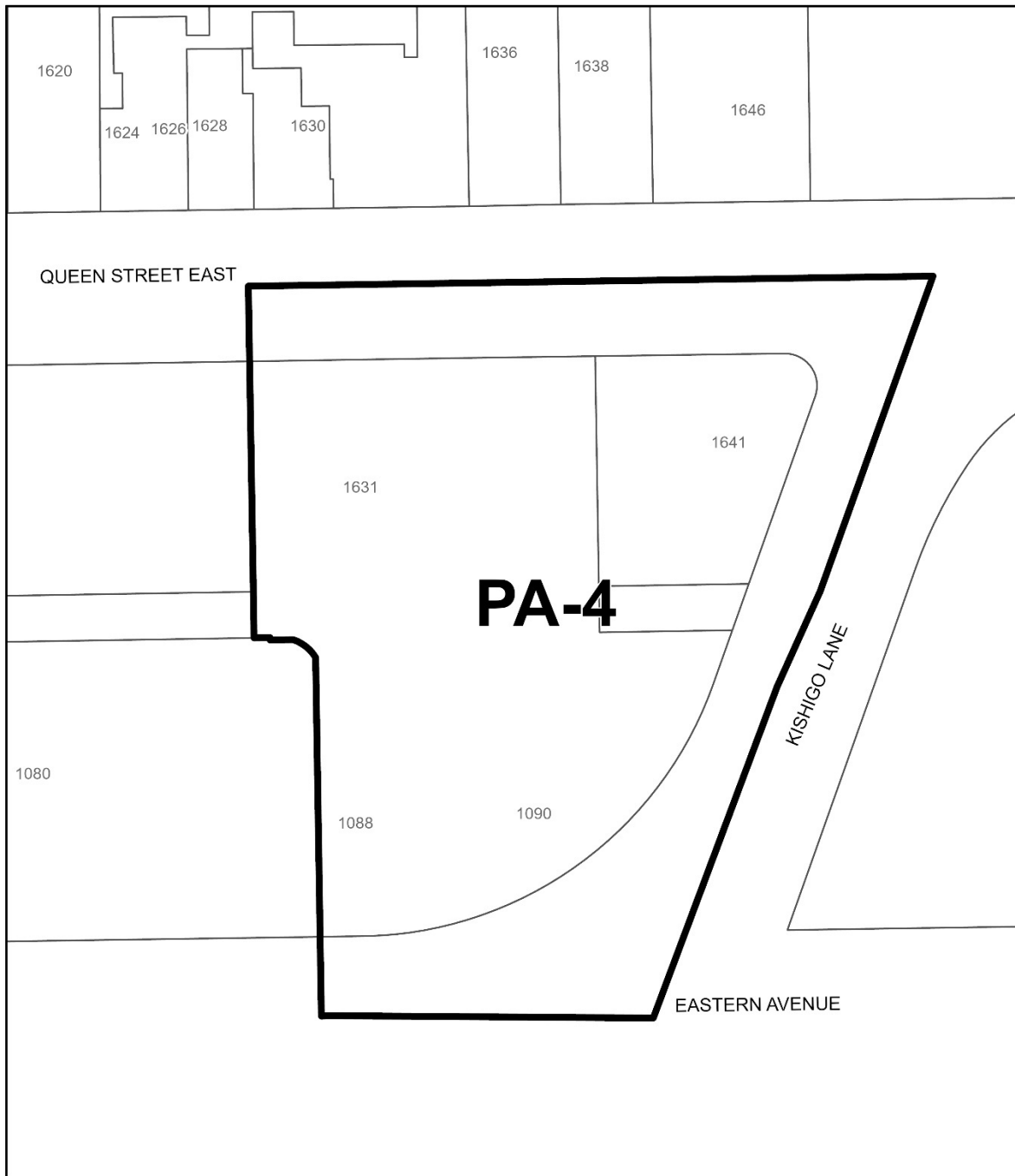
1080 Eastern Avenue

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Diagram 3

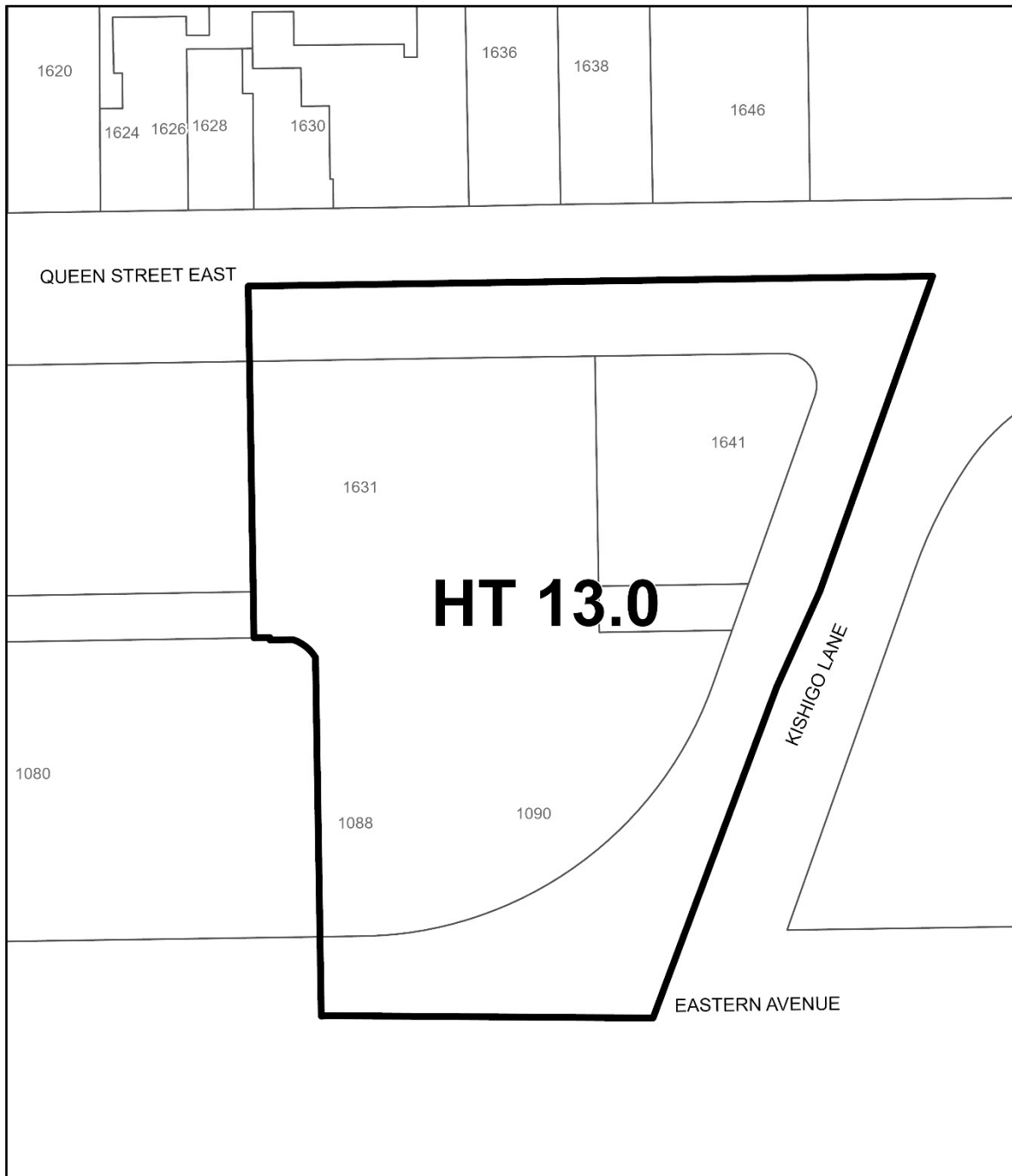
1631 and 1641 Queen Street East
and 1090 Eastern Avenue
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 **Toronto**
Diagram 4

1631 and 1641 Queen Street East,
and 1080 (portion) and 1090 Eastern Avenue

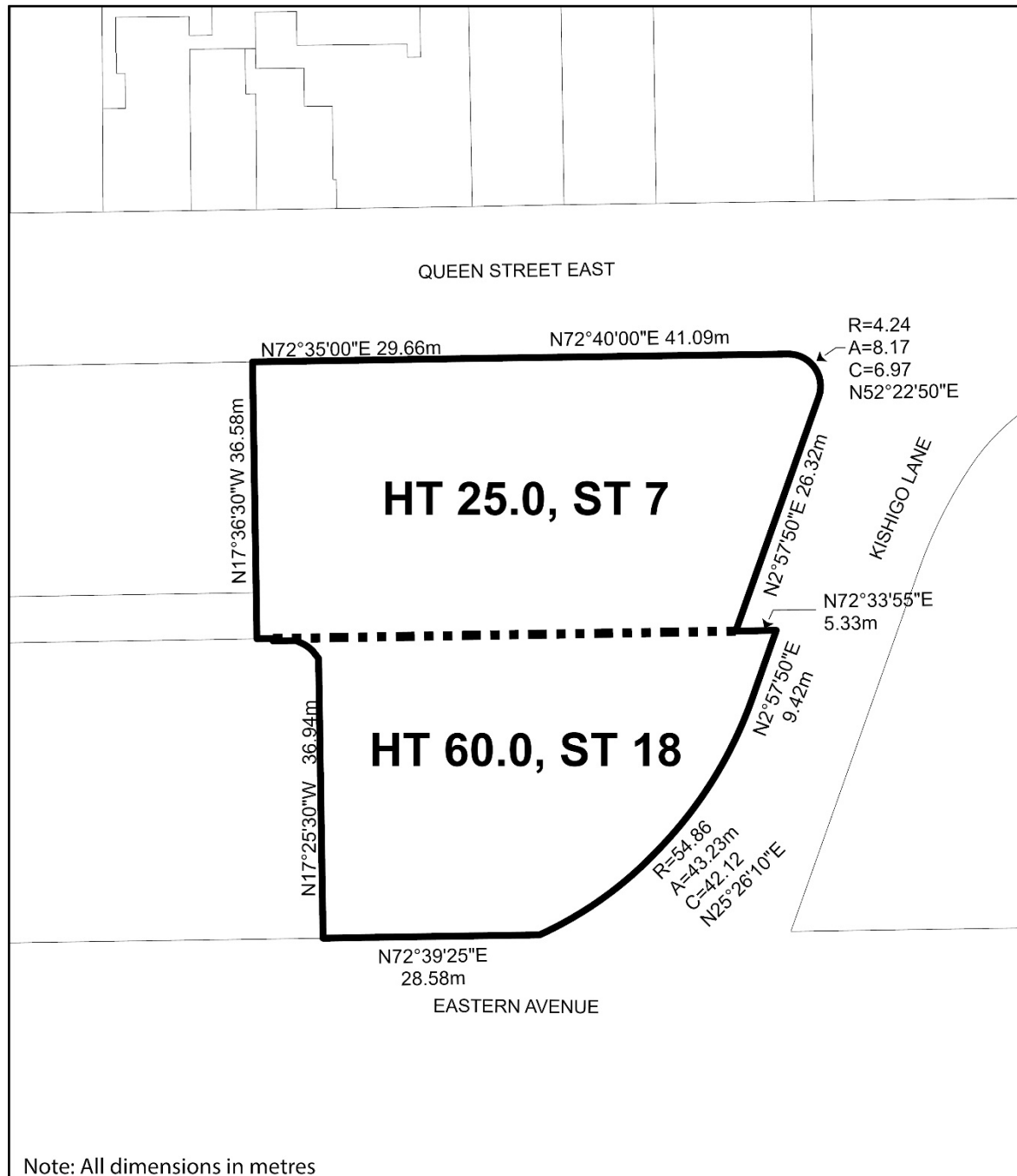
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 **TORONTO**
Diagram 5

1631 and 1641 Queen Street East,
and 1080 (portion) and 1090 Eastern Avenue

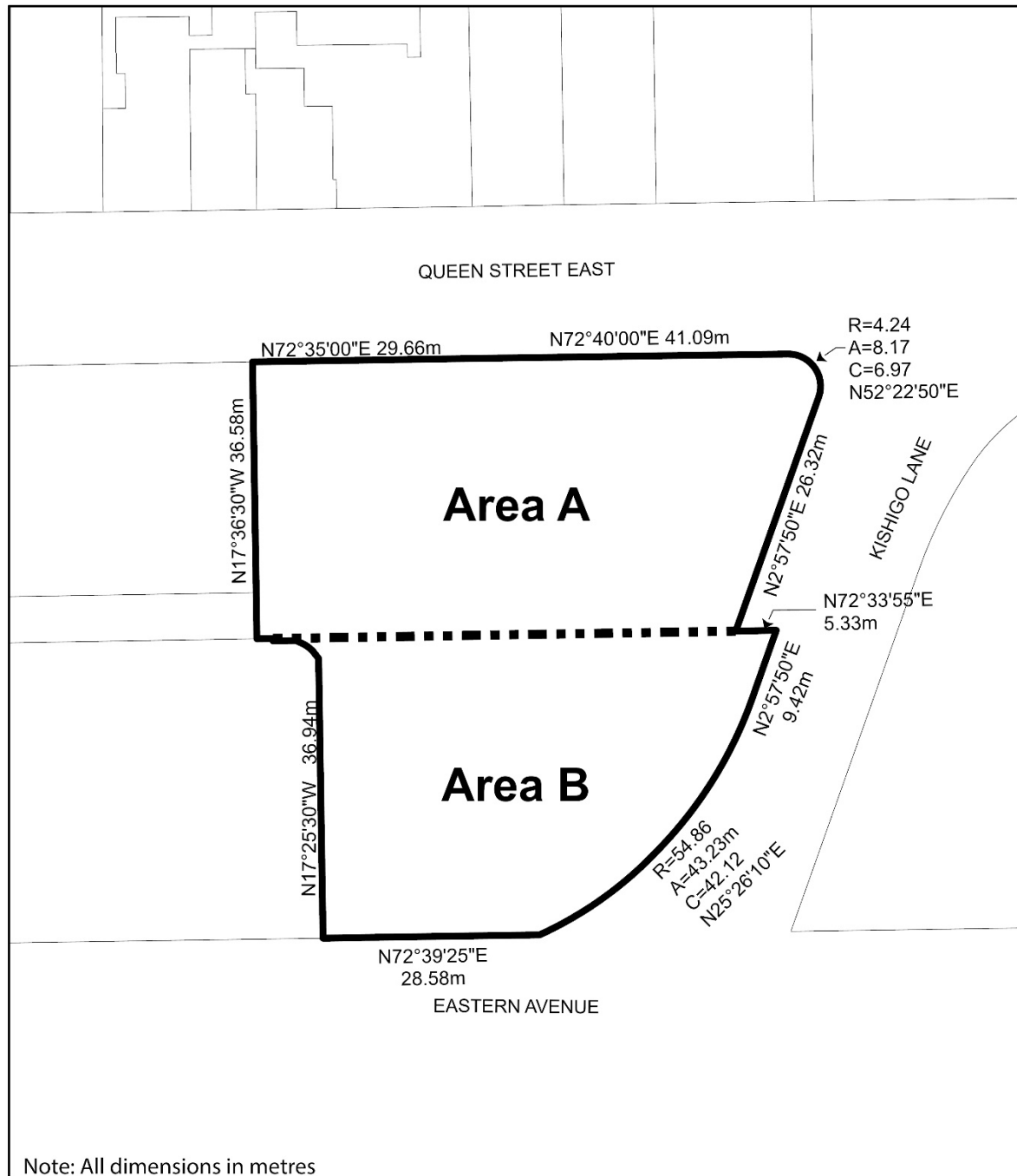
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Diagram 6

1631 and 1641 Queen Street East,
and 1080 (Portion) and 1090 Eastern Avenue

File # 21 136860 STE 19 0Z



Toronto
Diagram 7

1631 and 1641 Queen Street East,
and 1080 (Portion) and 1090 Eastern Avenue

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