

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 2025 as 1439 Bloor Street West.

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

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 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 3.0 (c1.0; r.2.5) SS2 (x1277) 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: PA 3, 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 and storey label to these lands: HT 16, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1277 so that it reads:

(1277) Exception CR 1277

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 1439 Bloor 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) For the purpose of this Exception, the first storey shall be the level of a building located between a Canadian Geodetic Datum of 113.3 metres and any floor, ceiling or roof immediately above it;
- (C) 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 113.3 metres and the elevation of the highest point of the **building** or **structure**;
- (D) 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 5 of By-law [Clerks to insert By-law number];
- (E) Despite regulation 4.10.40.10(5), the height of the first **storey** shall be measured from a Canadian Geodetic Datum of 113.3 metres;
- (F) Despite 40.10.40.10(7), the permitted maximum number of storeys in a building is the numerical value following the letters "ST" as shown on Diagram 5 of By-law [Clerks to insert By-law number]; and
 - (i) For the purposes of this exception, a mechanical penthouse does not constitute a **storey**;

- (G) Despite 40.10.40.1(2)(A), the floor level of a first storey of a non-residential use may be within 1.2 metres of the ground measured at the lot line abutting the street directly opposite each pedestrian entrance.
- (H) Despite regulations 40.5.40.10(4) to (8) and (D) 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 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 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 2.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
 - (vii) **structures** providing noise protection or mitigation, by a maximum of 2.6 metres.
- (I) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 24,650 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 24,000 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 650 square metres;
- (J) Despite Clause 40.10.40.60 and (I) 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 2.0 metres;
 - (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) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.8 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.5 metres;
 - (vi) eaves, by a maximum of 0.3 metres;
- (K) Despite regulation 40.10.40.70(2) and 40.10.40.80(2), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (L) Despite regulation 40.10.80.20 (1), a **parking space** that is not in a building or structure may be 0 metres from a lot line.
- (M) Despite regulation 200.5.1.10(2)(A)(i) and (iv), a maximum of 15% of the on-site **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**, provided they have minimum dimensions of:
 - (i) 2.8 metres in width for **parking spaces** with 1 obstructed side;
 - (ii) 5.2 metres in length;
- (N) Despite regulation 200.15.10.5 (2), a minimum of one (1) of the **parking spaces** being provided for the non-residential uses are required to be accessible **parking spaces**.
- (O) 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;
 - (iv) The entire length of an accessible **parking space** must be adjacent

to 1.5 metre wide accessible barrier free aisle;

- (P) Despite regulation 200.10.1(4)(B), accessible **parking spaces** may be located within 30 metres of a barrier free passenger elevator that provides access to the first **storey** of the **building**;
- (Q) Despite regulation 220.5.10.1(1), a minimum of 1 Type "G" **loading space** must be provided and maintained;
- (R) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 25 percent of the total number of **dwelling units** must have 2 or more bedrooms
 - (ii) a minimum of 8 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) if the calculation of the number of required **dwelling units** in accordance with each of (i) and (ii) results in a number with a fraction, the number is rounded up to the nearest whole number, but there may not be less than one **dwelling unit**.

7. 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 presentation centre on the lot, which shall mean an office, showroom or sales trailer used exclusively for the initial sale and/or leasing of **dwelling units** to be erected on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

8. 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) Receipt by the City of written confirmation from Metrolinx that they

are satisfied with the submitted Rail Safety and Mitigation Report and associated City initiated peer review;

- (ii) the owner or applicant, at their sole cost and expense, has submitted a revised Functional Servicing Report to demonstrate that the existing combined sewer system and watermain system, as well as any required improvements to them, have adequate capacity and supply to support the development of the lands to the satisfaction of the Director, Engineering Review, Development Review; and
- (iii) if the accepted Functional Servicing Report from 8(B)(ii) above requires any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - (a) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing Report, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or,
 - (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing Report in 8(B)(ii). above are constructed and operational, all to the satisfaction to the Director, Engineering Review, Development Review.

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

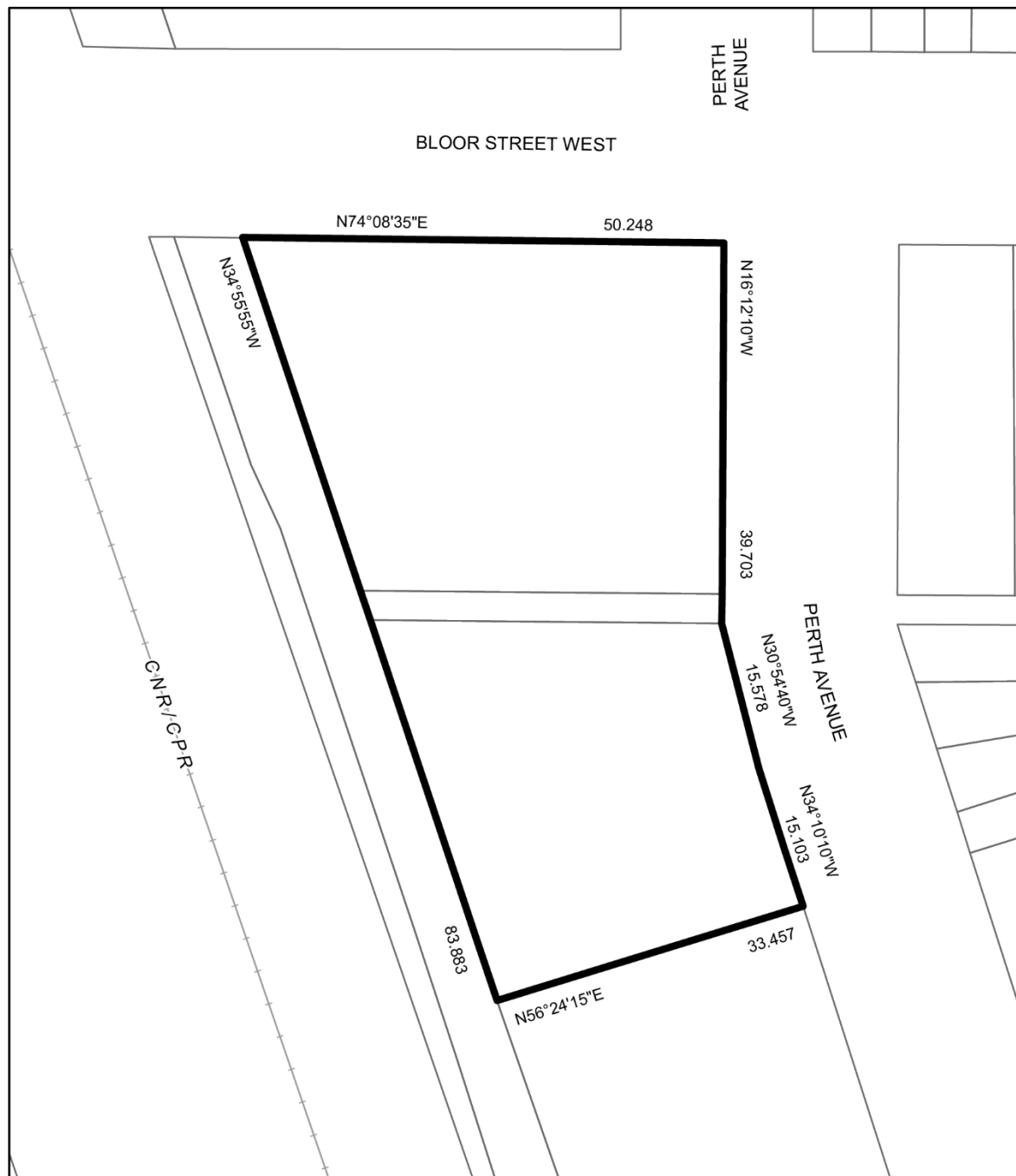
9. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

Francis Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



Toronto
Diagram 1

1439 Bloor Street West

File # 25 269654 STE 09 02



Toronto
Diagram 2

1439 Bloor Street West

File # 25 269654 STE 09 0Z

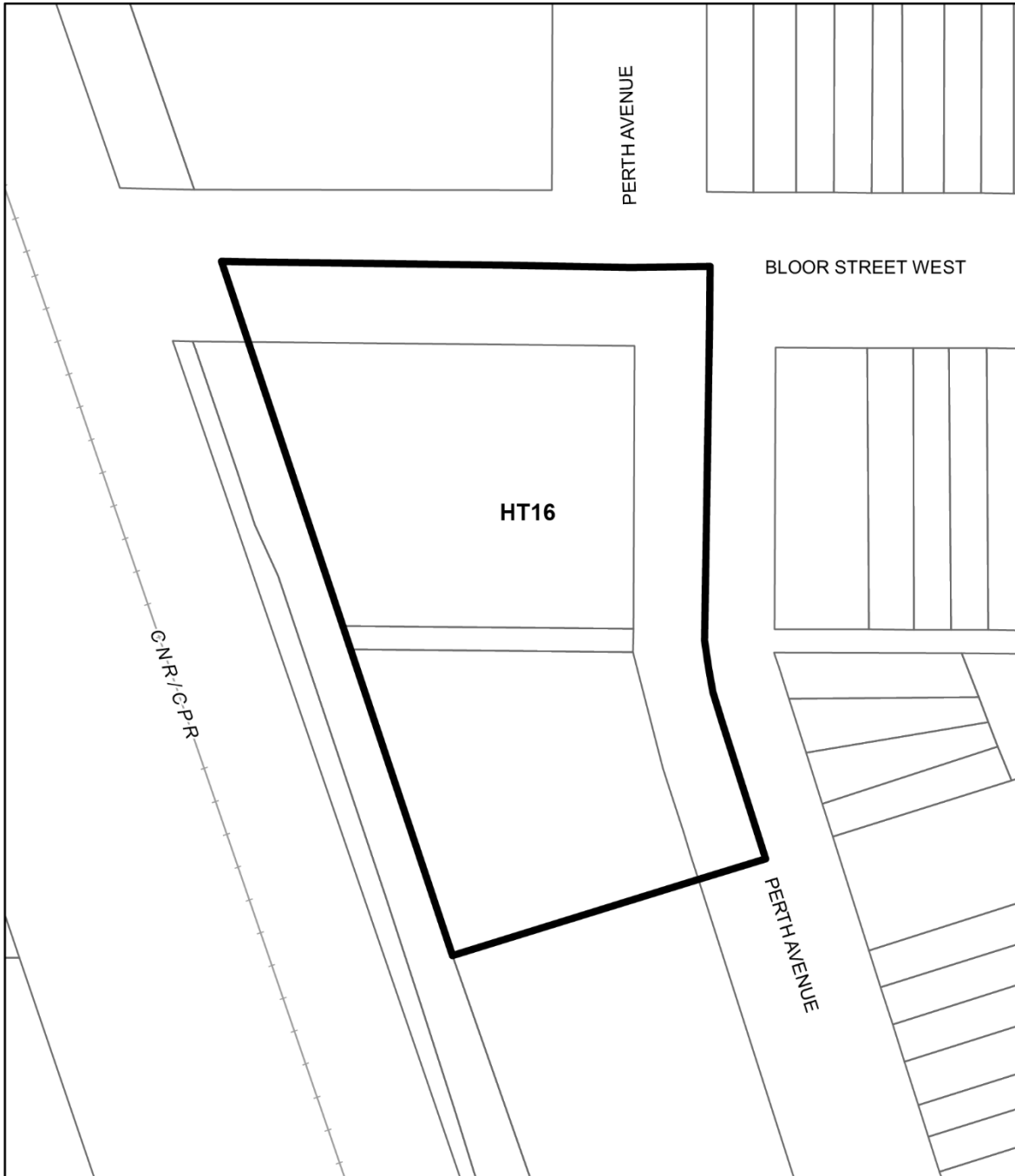




Toronto
Diagram 3

1439 Bloor Street West

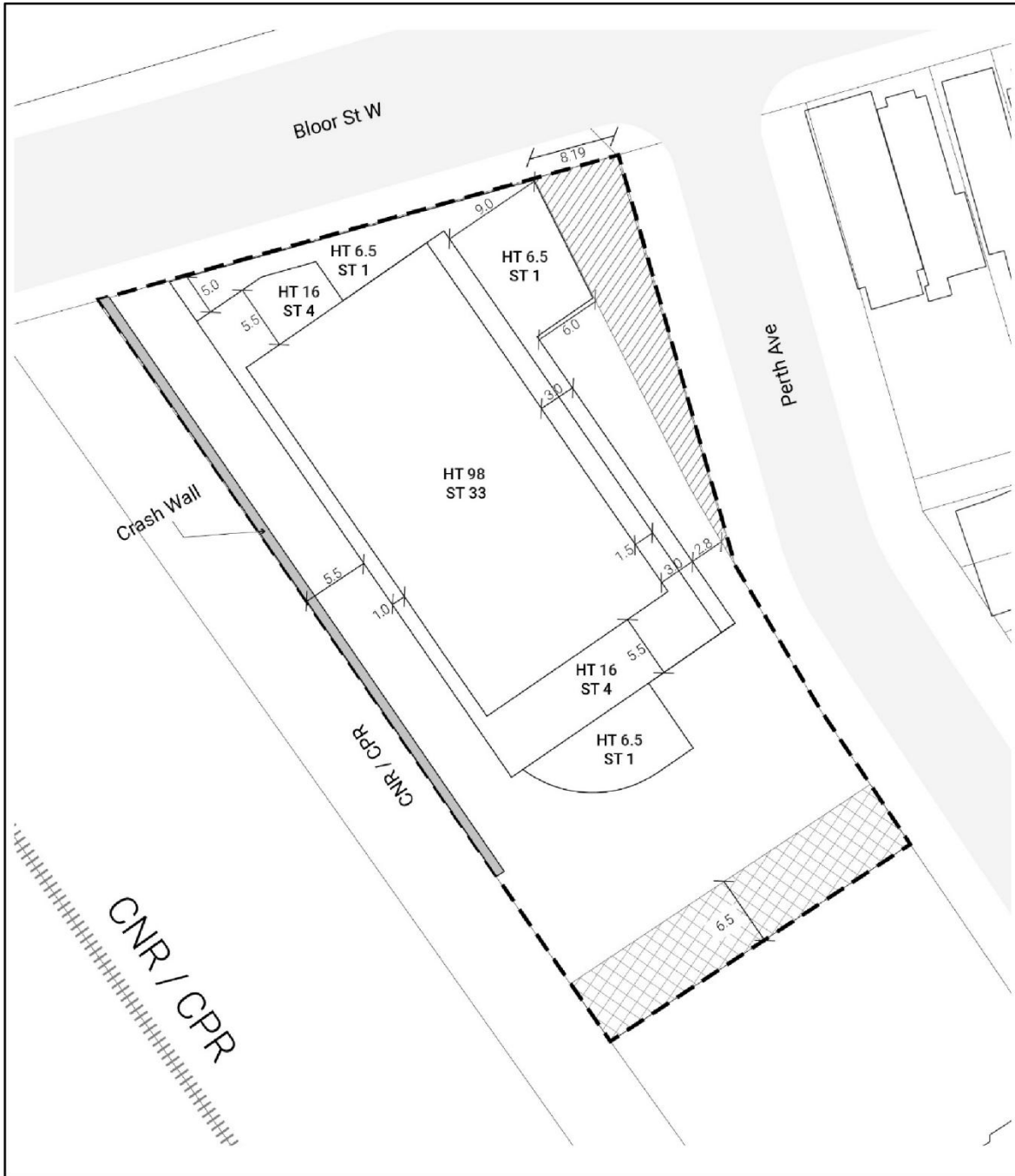
File # 25 269654 STE 09 02



 **TORONTO**
Diagram 4

1439 Bloor Street West

File # 25 269654 STE 09 0Z



Toronto
Diagram 5

1439 Bloor Street West

File # 25 269654 STE 09 02



Lands to be dedicated to the City

Proposed connection to the West Toronto Rail Path



City of Toronto By-law 569-2013
Not to Scale
06/15/2026