

Attachment 6: Draft Zoning Bylaw 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 164, 166, 168 Isabella 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)".

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) (x871) to a zone label of (H) RAC (x 240) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number 240 so that it reads:

(240) Exception RAC (240)

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 164, 166, and 168 Isabella Street, 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 (Y) below;
- (B) Despite regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 115.7 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 15.20.40.10(1) the permitted maximum height of a **building** or **structure**, is the number in metres following the letters "HT" and as shown on Diagram 3 of By-law [Clerks to insert By-law number] and includes:
 - (i) the mechanical penthouse, which may consist of:
 - (a) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, maintenance equipment storage, elevator overruns, chimneys, and vents; and
 - (b) **structures** or **main walls** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above;
- (D) Despite regulation 15.20.40.10(2), the permitted maximum number of storeys for a **building** or **structure**, excluding the mechanical penthouse, is shown on Diagram 3 of By-law [Clerks to insert By-law number] and excludes:
 - (i) the mechanical penthouse;
- (E) Despite regulation 15.5.40.10(2) to (5) and (C) 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) parapets, by a maximum of 2.0 metres;
- (F) Despite regulation 15.20.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 46,000 square metres;

- (G) Despite Clause 15.20.40.70 the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (H) Despite regulation 15.20.40.80(1), the required minimum separation distance between **main walls** of **buildings** or **structures** above ground level are shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (I) Despite regulation 15.20.40.80 and (H) above, no **primary windows** are permitted on the east side of the **building** between **storeys** 5 to 10 for those portions of the **building setback** which are less than 10 metres;
- (J) Despite Clause 15.20.40.80, a maximum of 20 percent of the east **main wall** of the **building** between **storeys** 5 and 10 may contain openings that are not **primary windows** if the **building setback** is less than 5.5 metres;
- (K) Despite Clause 15.5.40.60 and (G) and (H) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) decks and porches from the heritage portion of the **building**, as shown on Diagram 3 of By-law [Clerks to insert By-law number], by a maximum of 3.5 metres;
 - (ii) canopies and awnings from the heritage portion of the **building**, as shown on Diagram 3 of By-law [Clerks to insert By-law number], by a maximum of 3.5 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 6.0 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.4 metres;
 - (v) window projections from the heritage portion of **building**, as shown on Diagram 3 of By-law [Clerks to insert By-law number], including bay windows and box windows, by a maximum of 3.5 metres;
 - (vi) eaves, by a maximum of 0.5 metres;
 - (vii) a dormer from the heritage portion of **building**, as shown on Diagram 3 of By-law [Clerks to insert By-law number], by a maximum of 3.5 metres; and
 - (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a

maximum of 1.0 metres;

- (L) Despite (K)(i) above, no decks or porches are permitted on the south and east **main walls** of the building at storey 5 and above ;
- (M) Despite Clause 15.5.50.10(1), a minimum of 13% of the area of the **lot** must be **landscaping**, of which a minimum 50% of the **landscaping** area must be **soft landscaping**;
- (N) Despite regulation 15.5.80.1(1), a **parking space** required by this By-law for a use in the Residential Apartment Zone category must be available for the use for which it is required;
- (O) Despite regulation 15.5.80.10(1), a **parking space** must be on the same **lot** as the use for which the **parking space** is required;
- (P) Despite regulation 15.5.80.10(2), a maximum of 4 **parking spaces** for an **apartment building** on the **lot** may be surface **parking spaces**;
- (Q) Despite regulation 15.5.80.30(1), a surface **parking space** may be located a minimum 0.1 metres from a **main wall** of an **apartment building**;
- (R) Despite regulation 15.5.100.1(1)(B) the permitted maximum **driveway** width for an **apartment building**, exclusive of layby areas, **vehicle** ramps to below-ground parking areas, turnaround areas and required auxiliary turn lanes within 10.0 metres of a **lot line** abutting a **street** , is 6.1 metres;
- (S) Regulation 15.5.100.1(2), with respect to **driveway** access to **apartment buildings**, does not apply;
- (T) Despite regulation 200.15.1(1), an accessible parking space must have the following minimum dimensions:
 - (i) minimum length 5.6 metres;
 - (ii) minimum width of 3.4 metres; and
 - (iii) minimum vertical clearance of 2.1 metres;
- (U) Despite regulation 200.15.1(3), the entire length of an accessible parking space must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (V) Despite regulation 200.15.1(4), 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);
- (W) Despite regulation 230.5.1.10(14), the minimum aisle width for an **oversized bicycle parking space** is 2.5 metres, and 1.8 metres in all other cases;
- (X) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
 - (iii) an additional 15 percent of the total number of **dwelling units** must be a combination of two or three bedrooms;
 - (iv) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
 - (v) if the calculation of the number of required **dwelling units** with two or three bedrooms result in a number with a fraction, the number may be rounded down to the nearest whole number.

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

5. Holding 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 or applicant, at their sole cost and expense has submitted a revised Functional Servicing and Stormwater

Management Report to demonstrate that the existing sanitary sewer system, storm sewer system, and watermain system (municipal infrastructure) and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review, Development Review; and

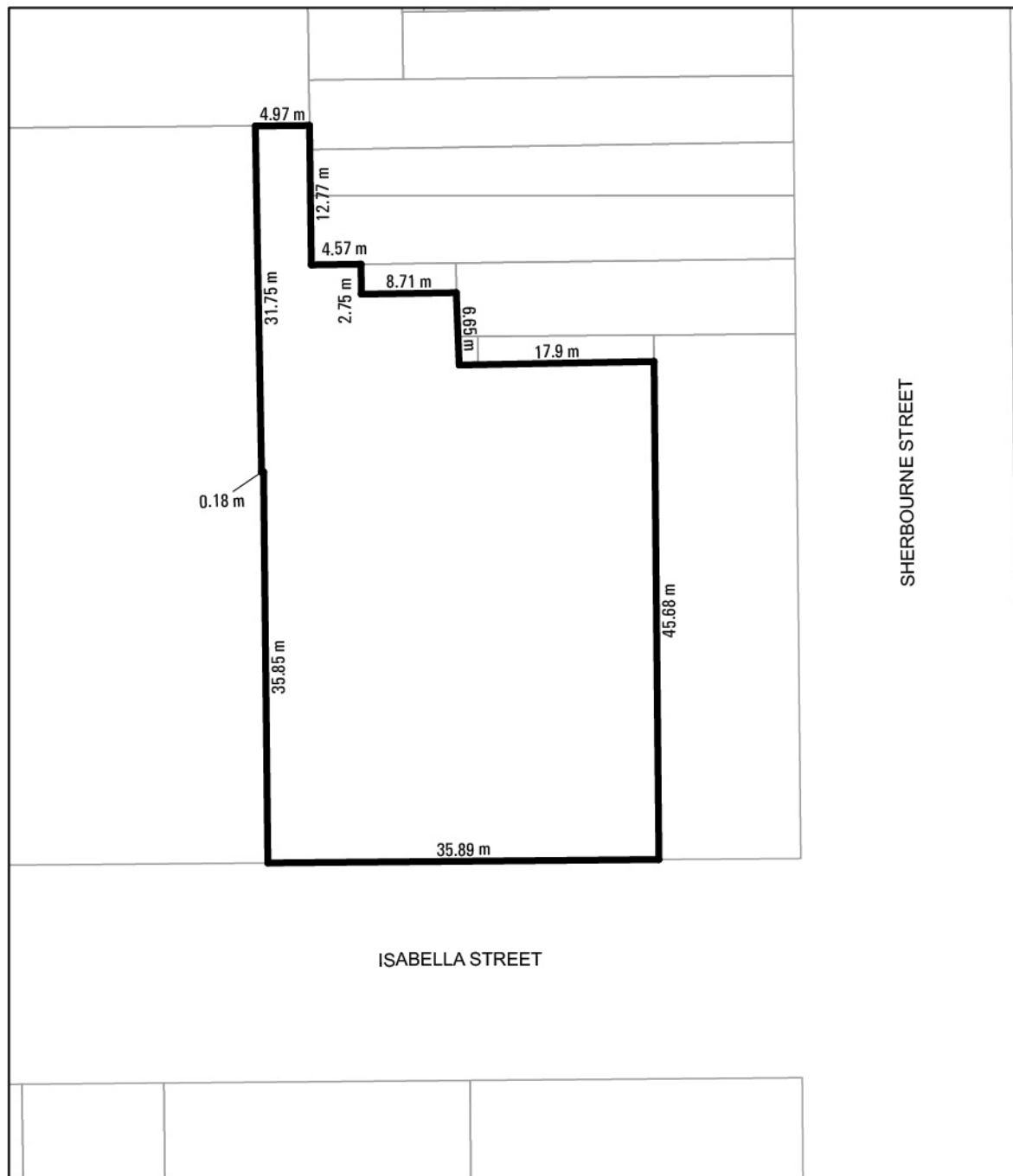
- (ii) If the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - (a) The owner or applicant has secured the design, construction, 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 and Stormwater Management 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 and Stormwater Management Report in (i) above are constructed and operational, all to the satisfaction to the Director, Engineering Review, Development Review.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

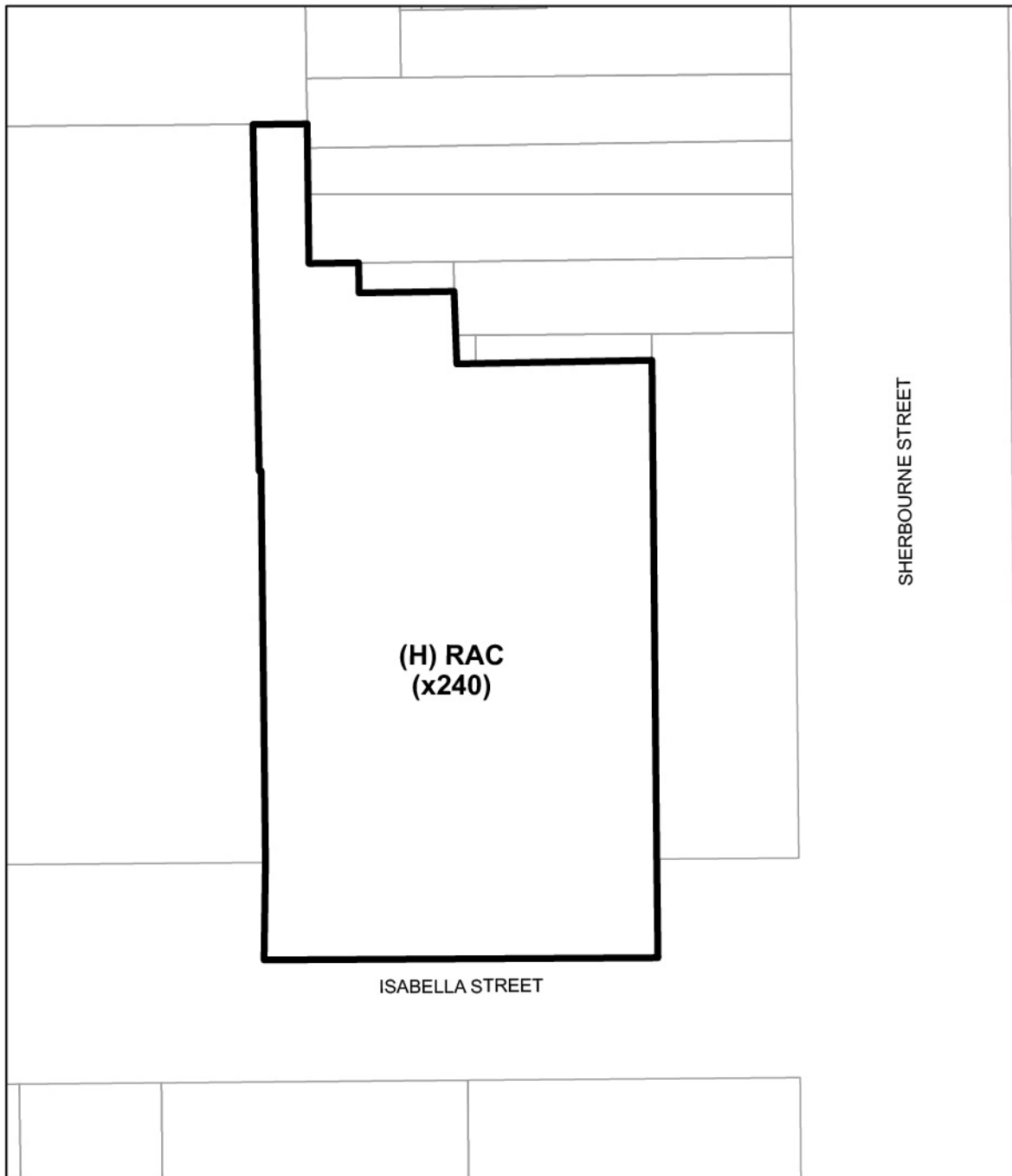
(Seal of the City)



Toronto
Diagram 1

164, 166, 168 Isabella Street

File # 25 210128 STE 13 02



Toronto
Diagram 2

164, 166, 168 Isabella Street

File # 25 210128 STE 13 0Z

