

Attachment 6: Draft Zoning Bylaw Amendment

Authority: Toronto and East York Community Council Item [-], as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 1246-2022(OLT), being a by-law to amend Zoning By-law 569-2013 as amended, with respect to the lands municipally known in the year 2025 as 137-149 Church Street and 18-20 Dalhousie 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 subsection 37.1(3) subsections 37(1) to (4) of the Planning Act, as they read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, S.O. 2020, c. 18 came into force, continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) provided the by-law is not amended to remove the requirement to provide any of the facilities, services or matters secured therein or repealed; and

Whereas on August 15, 2022, City Council passed By-law 1139-2022 being the City's Community Benefits Charge By-law pursuant to Subsection 37(2) of the Planning Act; and

Whereas on July 27, 2022 the Ontario Land Tribunal approved By-law 1246-2022(OLT), being a by-law described in the repealed subsection 37(1) of the Planning Act and this By-law does not amend or remove the requirement to provide facilities, services and therefore subsections 37(1) to (4) of the Planning Act, as they read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force continue to apply; and

Whereas the Owner has elected to provide certain facilities, services and matters in return for certain increases in density and height as set out in By-law 1246-2022(OLT) and this By-law does not amend any of the services, facilities and matters set out in By-law 1246-2022(OLT); and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, is permitted in return for the

provision of the facilities, services and matters set out in 1246-2022(OLT);

The Council of the City of Toronto enacts:

1. By-law 1246-2022(OLT) is amended by deleting and replacing Diagram 3 to By-law 1246-2022(OLT) with the Diagram 2 attached to this By-law.
2. By-law 1246-2022(OLT), is amended by deleting and replacing Paragraph 4 with the following:

“4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number 448, so that it reads:”

(448) Exception CR 448

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 137-149 Church Street and 18-20 Dalhousie Street, if the requirements of By-law XXXX-2026, as amended, are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (S) below;
- (B) Despite regulations 40.5.40.10(1) and (2), the height of a **building or structure** is measured from the orthometric elevation of 87.69 metres with reference to CGVD1928:Pre1978Adj to the highest point of the **building or structure**;
- (C) Despite regulation 40.10.40.10(1) the permitted maximum height of a **building or structure** is the number in metres following the letters "HT" as shown on Diagram 2 of By-law XXXX-2026;
- (D) Despite (C) above and Clause 40.5.40.10, the following elements, structures, equipment and parts of a building are permitted to project above the permitted maximum height as shown on Diagram 2 of XXXX-2026, as follows:
 - (i) within the area shown as HT 81.0 on Diagram 2 of XXXX-2026: parapets, and elements and **structures** associated with a **green roof**, drainage, insulation and roof surface materials, parapets, vents and planters, by a maximum of 1.0 metres or an orthometric elevation of 168.69 metres with reference to CGVD1928:Pre1978Adj, whichever is less;

- (ii) within the area shown as HT 81.0 on Diagram 2 of XXXX-2026: railings and dividers, wind screens, landscaping elements, davit arms, aeronautical lighting, and light fixtures, by a maximum of 2.5 metres or an orthometric elevation of 170.40 metres with reference to CGVD1928:Pre1978Adj, whichever is less;
 - (iii) within the area shown as HT 201.5 on Diagram 2 of XXXX-2026: elements of a **green roof**, drainage, insulation and roof surface materials, parapets, railings, window washing equipment, building maintenance units, screens, lightning rods, antennae, satellite dishes, vents, aeronautical lighting, unenclosed stairs, cooling and ventilating equipment, by a maximum of 6.5 metres;
 - (iv) except where (i), (ii) and (iii) above apply, elements of a **green roof**, drainage, insulation and roof surface materials, wind screens, parapets, awnings, guard rails, railings and dividers, structures for open air recreation, pergolas, trellises, terraces, landscaping elements, planters, aeronautical lighting, light fixtures, architectural features, eaves, chimneys and vents, by a maximum of 2.5 metres; and
- (E) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 32,500 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 32,100 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 280 square metres;
- (F) Despite regulations 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
- (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 775 square metres of outdoor **amenity space** of which 40.0 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
- (G) Despite regulation 40.10.40.70(1) and Clause 600.10.10, the required minimum **building setbacks** are as shown in metres on Diagram 2 of By-law XXXX-2026;
- (H) Despite Clause 40.10.40.60 and (G) above, the following elements may

encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:

- (i) cladding, eaves, cornices, parapets, windowsills, bollards, and columns a maximum of 0.35 metres;
 - (ii) canopies, light fixtures, awnings, ornamental elements, architectural features, guardrails, railings or dividers, stairs, stair enclosures, access ramps, vents, screens and public art features, window washing equipment and building maintenance units a maximum of 1.5 metres;
 - (iii) despite (ii) above, davit arms and window washing equipment along the east and west **main walls** a maximum of 2.2 metres;
 - (iv) planters or site servicing features located at grade a maximum of 3.5 metres; and
 - (v) along the east and west **main walls** for the **storeys** located wholly above the orthometric elevation of 113.24 metres and below the orthometric elevation of 172.12 metres with reference to CGVD1928:Pre1978Adj balconies, balcony dividers and balcony railings a maximum of 1.7 metres;
 - (vi) Despite (i) to (v) above, balconies are not permitted on the north and south **main walls** of the **building**;
 - (vii) Despite (i) to (v) above, a **primary window** is not permitted on the south **main wall** of the building;
- (I) Despite Clause 40.10.40.60, and (H) above, a maximum of 20 percent of the south **main wall** of the tower, may contain windows that are not **primary windows**.
- (J) Despite regulations 220.5.10.1(1) to (8) and (11), 1 Type “G” **loading space** and 1 Type “C” **loading space** must be provided on the **lot**;
- (K) Despite regulation 200.5.1.10(12)(C), if a **mixed-use building** has an area for parking 2 or more **vehicles**, the **vehicle** entrance and exit to the **building** must be a minimum of 3.2 metres from a **lot line** abutting a **street**;
- (L) Despite regulation 200.15.1(4), an accessible **parking space** must be located no more than 41 metres from a direct route from a barrier free entrance to a passenger elevator that provides access to the first **storey** of a **building**;

- (M) Despite regulation 200.15.10.5(1) and (2) and Table 200.15.10.5, if **parking spaces** are provided on the **lot**, a minimum number of the provided **parking spaces** must be accessible **parking spaces** in accordance with the lesser of:
- (i) 2 of the provided **parking spaces**; or
 - (ii) the number of accessible **parking spaces** required by Clause 200.15.10.5, as it read on April 1, 2025;
- (N) 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**;
 - (ii) 0.1 "short-term **bicycle parking spaces** for each **dwelling unit**;
- (O) Despite regulation 230.5.1.10(4), the required minimum dimensions of a vertical **bicycle parking space** are;
- (i) length of 1.2 metres;
 - (ii) width of 0.6 metres; and
 - (iii) horizontal clearance of 1.2 metres;
- (P) Despite regulation 230.5.1.10(4), the required minimum dimensions of a **stacked bicycle parking space** are;
- (i) length of 1.8 metres;
 - (ii) width of 0.4 metres; and
 - (iii) vertical clearance of 2.4 metres;
- (Q) Despite regulations 230.5.1.10(10) and (16), all "long-term" and "short-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (R) Despite regulation 230.5.1.10(13), no **oversized bicycle parking spaces** are required;
- (S) Regulation 230.5.1.10(14), with respect to aisle widths for **bicycle parking spaces** does not apply.

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

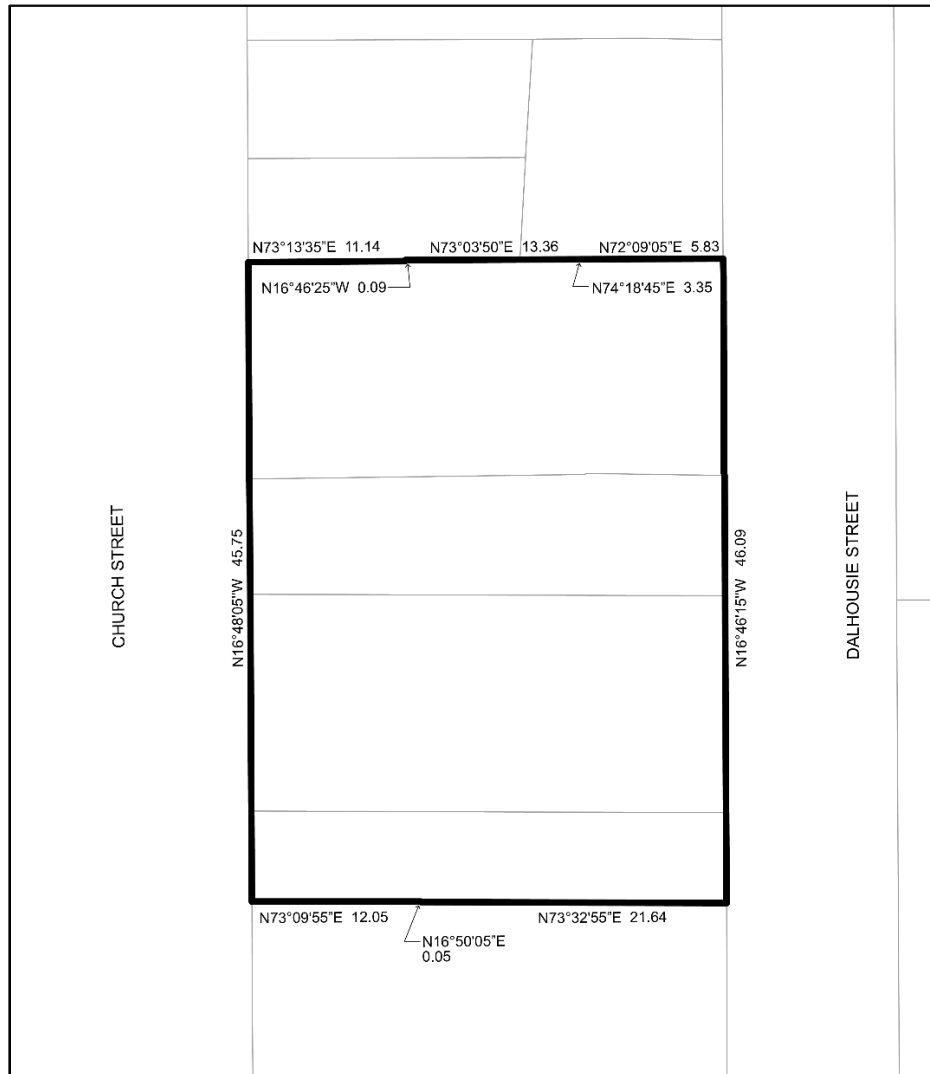
3. The provision of this By-law must comply with the requirements of By-law 1432-2017 and Zoning Order Ontario Regulation 10/24, as amended or replaced from time to time.
4. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



TORONTO
Diagram 1

**137-149 Church Street and
18-20 Dalhousie Street**

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