

Revised Attachment 6: Draft Zoning By-law 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 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 64-66 Wellesley Street East, and 552-570 Church 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 CR 3.0 (c1.7; r3.0) SS1 (x2545) and R (d2.5) (x878) to (H) CR 3.0 (c1.7; r3.0) SS1 (x1301) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1301 so that it reads:

(1301) Exception CR (1301)

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 64-66 Wellesley Street East and 552-570 Church Street, if the requirements of By-law [Clerks to insert By-law number], including Section 6, are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (AA) below;
- (B) 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 107.6 metres and the elevation of the highest point of the **building** or **structure**;
- (C) A minimum of three areas for non-residential units, separated by interior walls, must be provided on the ground floor of the **building** facing a **lot line** adjacent to Church Street for the uses listed in regulations 40.10.20.10(1)(A) and 40.10.20.20(1)(A);
- (D) Regulation 40.10.20.100(1), with respect to the total **interior floor area** of an **eating establishment** or **take-out eating establishment** on a **lot** within 6.1 metres of a **lot** in the Residential Zone category, does not apply;
- (E) Regulation 40.10.50.10(3), with respect to **soft landscaping** requirements for the portion of a **lot** abutting a **lot** in the Residential Zone category, does not apply;
- (F) 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 3 of By-law [Clerks to insert By-law number];
 - (i) In addition to the above, within the hatched area shown on Diagram 3 of By-law [Clerks to insert By-law number], the permitted maximum height is 23 metres, occupying an area of up to a maximum of 10 percent of the area of the roof, for use as indoor amenity space ancillary to a pool; [Clerks to insert By-law number];
- (G) Despite Regulation 40.10.40.1(1), residential use portions of the building can be located on the same **storey** as the non-residential use portions of the **building**;

- (H) Despite regulation 40.10.40.10(5)(A), 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 4.30 metres;
- (I) Despite regulations 40.5.40.10(3) to (8) and (F) 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 and **structures** for a **green roof**, by a maximum of 6.5 metres;
 - (iii) vents, flues, garbage chutes, lighting protection, and roof access equipment may project above the heights listed in (i) above by a maximum of 1.5 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 6.5 metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 5.0 metres;
 - (viii) pool decks and associated ramps by a maximum of 2.5 metres;
 - (ix) roof construction assembly elements, by a maximum of 0.6 metres;
- (J) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 32,900 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 31,800 square metres;

- (ii) the permitted maximum **gross floor area** for non-residential uses is 3,500 square metres;
 - (iii) the required minimum **gross floor area** for non-residential uses is 800 square metres;
- (K) In addition to the areas of a **building** listed in regulation 40.5.40.40(3), the **gross floor area** of a **mixed use building** may also be reduced by:
 - (i) any non-structural architectural grid system or ornamental features that are attached to, and project from the **main wall** of a **building**, or any areas that are partially enclosed by such features;
- (L) Despite regulation 40.10.40.70(1), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (M) Despite regulation 40.10.40.80(1), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (N) Despite regulation 40.5.40.60(1) and Clause 40.10.40.60 and (L) and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) canopies and awnings, by a maximum of 2.0 metres;
 - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 1.0 metre;
 - (iii) architectural features, such as cornices, parapets, ornamental elements, window sills, pilasters, piers and structural columns by a maximum of 1.0 metre; and
 - (iv) art and landscape features, ramps, fences, screens, terrace platforms, wheelchair ramps, lighting, fences, screens, eaves, ventilation equipment, site servicing features, and underground garage ramps and associated structures by a maximum of 1.0 metre;
 - (v) cladding by a maximum of 0.6 metres;
- (O) Despite Regulations 40.10.90.40(1)(B) and 40.10.100.10(1)(B), access to a **loading space** and **vehicle** access to the **lot** may be from a major **street**;

- (P) Despite Regulations 200.5.1.10(2)(A)(iv) and (D), a maximum of 15 percent of **parking spaces** may have a minimum width of 2.6 metres and be obstructed on one side, as described in Regulation 200.5.1.10(2)(D), without being required to provide additional width for the obstructed side of the **parking space**;
- (Q) For any **parking spaces** provided on the **lot**, a percentage of the provided parking spaces must be accessible **parking spaces** in accordance with Section 200.15;
- (R) Despite Regulations 200.15.1(1) to (3), accessible **parking spaces** 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-metre-wide accessible and barrier-free aisle or path;
- (S) Despite regulation 220.5.10.1(1), a minimum of one (1) Type “G” and one (1) Type “C” **loading space** are required;
- (T) Despite regulations 230.5.1.10(9)(B)(i), (ii), (iii), and 230.5.1.10(10), “long-term” and “short term” **bicycle parking spaces** may be located in any combination of vertical or horizontal positions, or **stacked bicycle parking spaces**, and may also be located in the following locations:
 - (i) on the first **storey** of the **building**;
 - (ii) on the second **storey** of the **building**; and
 - (iii) on levels of the **building** below-ground;
- (U) Despite regulations 230.5.1.10(4)(A) and (C), the required minimum dimensions of a **stacked bicycle parking space** are:
 - (i) length of 1.6 metres;
 - (ii) width of 0.36 metres; and

- (iii) vertical clearance of 1.2 metres;
- (V) Despite regulation 230.5.1.10(13), no oversized **bicycle parking spaces** are required;
- (W) Regulation 230.5.1.10(14), with respect to minimum required aisle widths for **bicycle parking spaces**, does not apply;
- (X) Regulation 230.5.1.10(15), with respect to the maximum number of “long-term” **bicycle parking spaces** that may be provided in a **stacked bicycle parking space**, does not apply;
- (Y) Regulation 230.5.1.10(16), with respect to requirements related to path of travel for **bicycle parking spaces**, does not apply;
- (Z) Regulation 230.5.10.20(1) may also be applied to reduce the amount of bicycle parking required by regulation 230.5.10.1(5);
- (AA) 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) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
 - (iv) an additional 15 percent of the total number of **dwelling units** will be any combination of two bedroom and three bedroom dwelling units, or **dwelling units** that can be converted into any combination of two and three bedroom **dwelling units**;
 - (v) **dwelling units** as described in (iv) above, may be converted using accessible or adaptable design measures such as knock-out panels; and
 - (vi) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number;

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
6. 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 with respect to any **building** when the following are fulfilled:
 - (i) the owner or applicant has submitted, at their sole cost and expense, a Servicing Report, a Stormwater Management Report, and a Hydrogeological Review, including the Foundation Drainage Report or addendums and any required materials and analysis to address stormwater, sanitary and water capacity matters and infrastructure improvements and/or new municipal infrastructure, including the design of such infrastructure, determined to be required to support the development of a **building** and/or block to which the amending by-law to remove the "(H)" symbol applied ("Engineering Reports"), satisfactory and acceptable to the Director, Engineering Review and the General Manager, Toronto Water;
 - (ii) arising from the accepted and satisfactory Engineering Reports from (i) above regarding any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - (a) the owner or applicant, at their sole cost and expense, 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 Engineering Reports, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering Review and the General Manager, Toronto Water; or
 - (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Engineering Reports in (i) above are constructed and operational, all to the satisfaction to the Director, Engineering Review and the General

Manager, Toronto Water;

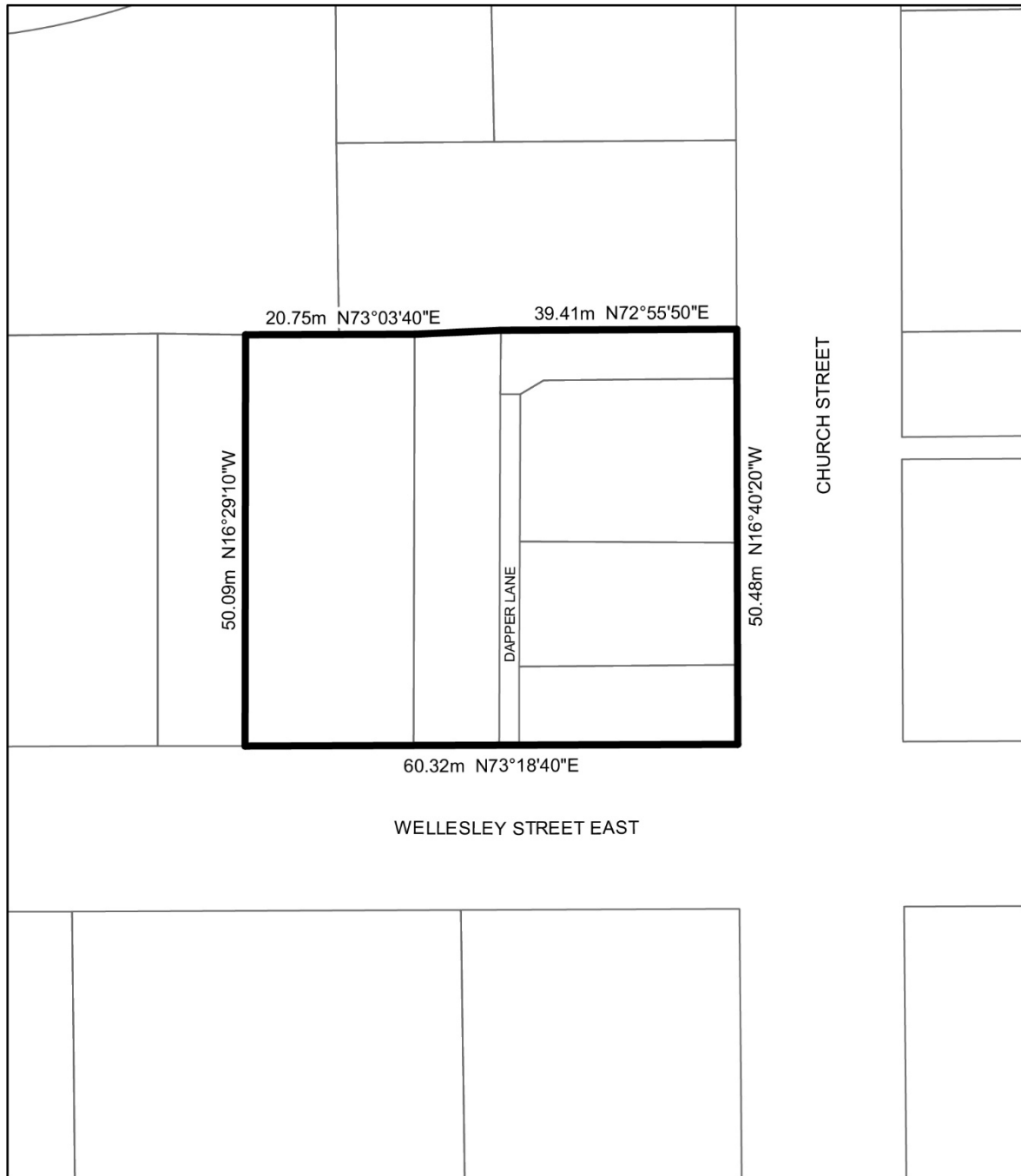
- (iii) all necessary approvals or permits arising from (ii)(a) or (ii)(b) above are obtained, where required all to the satisfaction to the Director, Engineering Review and the General Manager, Toronto Water;
- (iv) the owner shall have entered into an agreement to purchase the public lane known as Dapper Lane (the "Lane") from the City, conditional upon City Council approving the permanent closure of the Lane, and subject to the necessary approvals being granted by the appropriate City authorities to declare the Lane surplus and authorize the sale of the Lane to the Owner, to the satisfaction of the Director, Real Estate Services, in consultation with the City Solicitor;
- (v) the owner shall provide evidence that it has acquired good title to the privately-owned 1-foot reserve located within the Lane, to the satisfaction of Director, Real Estate Services in consultation with the City Solicitor.
- (vi) the owner has provided a detailed Conservation Plan, prepared by a qualified heritage consultant for 64 Wellesley Street East to the satisfaction of the Senior Manager, Heritage Planning, substantially in accordance with the approval granted by City Council pursuant to the Ontario Heritage Act through TEY Decision Item 2026 referring to the heritage alteration approval; and
- (vii) the owner has entered into and registered on title to the lands an amended Heritage Easement Agreement pursuant to Section 37 of the Ontario Heritage Act acceptable and satisfactory to the Chief Planner and Executive Director, City Planning, and the Senior Manager, Heritage Planning and the City Solicitor.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

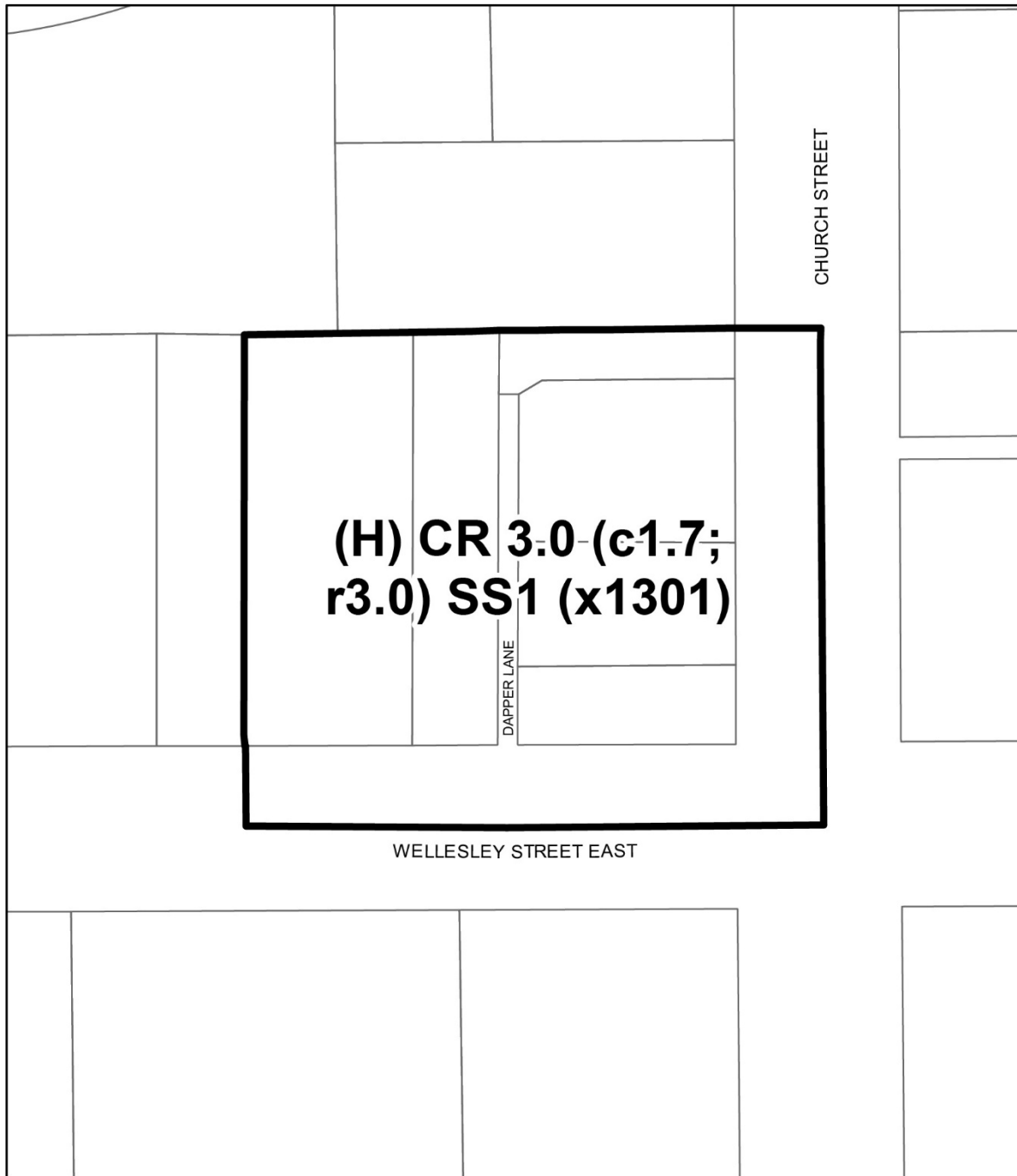


 **TORONTO**
Diagram 1

**64-66 Wellesley Street East
and 552-570 Church Street**

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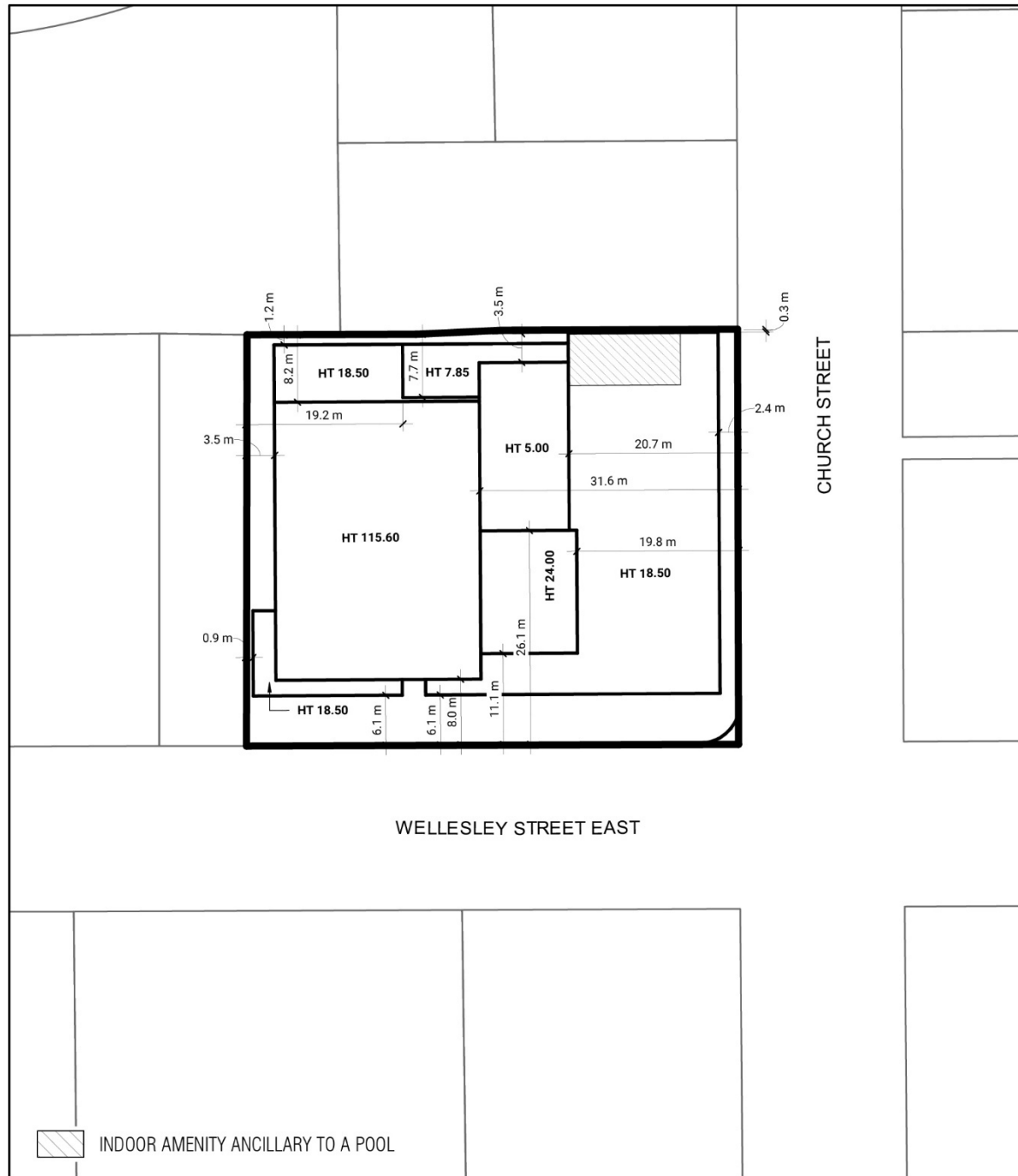




 **TORONTO**
Diagram 2

**64-66 Wellesley Street East
and 552-570 Church Street**

File # 26 119147 STE 13 0Z



Toronto
Diagram 3

**64-66 Wellesley Street East
and 552-570 Church Street**
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