

Attachment 6: Draft Zoning By-law Amendment

Authority: Toronto and East York Community 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 79, 81, and 93 Ontario 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)"; 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 CR SS1 (x339) to a zone label of CR SS1 (x1296) 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 1296 so that it reads:

(1296) Exception CR 1296

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) A **building** or **structure** not constructed, used or enlarged in compliance with Regulations (B) to (U) below, must comply with Regulation 900.11.10(339).
- (B) On lands municipally known as 79-93 Ontario 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 (C) to (U) below;
- (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 84.15 metres and the elevation of the highest point of the **building** or **structure**;
- (D) 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];
- (E) For the purpose of this exception, a mezzanine does not constitute a **storey**;
- (F) Despite regulations 40.5.40.10(3) to (8), 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) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, stair roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 6.0 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, excluding a mechanical penthouse, by a maximum of 6.0 metres;

- (iii) architectural features, parapets, by a maximum of 2.0 metres;
 - (iv) elements and **structures** associated with a **green roof**, by a maximum of 2.5 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 4.0 metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres;
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
- (G) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 8,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 7,925 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 75.0 square metres;
- (H) Despite regulation 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 1.6 square metres of outdoor **amenity space** for each **dwelling unit** of which 150 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
- (I) Despite regulations 40.10.40.70(1), 40.10.40.80(1), and 600.10.10(1)(A), (B) and (C), the required minimum **building setbacks** and separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (J) Despite regulation 40.10.40.70(1), and in addition to (I) above, no **main wall** of a **building** may have windows or openings unless it is set back at least 5.5 metres from any **lot line** that is not adjacent to a **street** or **lane**;
- (K) 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 1.8 metres, provided that;
 - (a) Despite (i) above, balconies may encroach into a **building setback** by a maximum of 0.75 metres from a **main wall** of the **building** facing west in the area labeled “Juliet Balcony Zone” shown on Diagram 4 of By-law [Clerks to insert By-law number];
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
 - (iv) architectural features, such as a decorative column, pilaster, cornice, sill, belt course, or chimney breast, by a maximum of 2.0 metres; and
 - (v) satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- (L) The provision of **dwelling units** is subject to the following:
- (i) A minimum of 15 percent of the total number of **dwelling units** must contain two or more bedrooms;
 - (ii) A minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
 - (iii) An additional 15 percent of the total number of **dwelling units** must be any combination of two bedroom dwelling units and three or more bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of two bedroom **dwelling units** or three or more bedroom **dwelling units**;
 - (iv) Convertible **dwelling units** as described in (L)(iii) above may be converted using accessible or adaptable design measures, such as knock-out panels; and
 - (v) If the calculation of the number of required **dwelling units** in accordance with (L)(i) to (iii) above results in a number with a fraction, the number may be rounded down to the nearest whole number;
- (M) Despite Article 200.25.15, if **parking spaces** are provided on the **lot** for residential or non-residential uses, a percentage of the provided **parking**

spaces must be accessible **parking spaces** in accordance with Section 200.15;

- (N) Despite regulations 220.5.10.1(1) to (8) and (11), 1 Type "G" **loading space** must be provided on the **lot**;
- (O) Despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a stacked **bicycle parking space**;
- (P) Despite regulation 230.5.1.10(9)(A), the required "long-term" **bicycle parking spaces** may be located on any level of the **building**, including below grade;
- (Q) Despite regulation 230.5.1.10(12), a **bicycle maintenance facility** must be provided in the **building** with the following minimum dimensions:
 - (i) minimum length of 1.5 metres; and
 - (ii) minimum width of 2.4 metres.
- (R) Despite Regulation 230.5.1.10(14)(A), within areas used for bicycle parking, access to **bicycle parking spaces** must be provided by an unobstructed aisle that complies with the following:
 - (i) Minimum of 2.0 metres width if it is a **stacked bicycle parking space** or an **oversized bicycle parking space**;
- (S) Regulation 230.5.1.10(15) regarding long-term **bicycle parking space** restrictions shall not apply.
- (T) Despite Regulation 230.40.1.20(2), a "short-term" bicycle **parking space** may be no more than 45 metres from a pedestrian entrance to a **building** on the **lot**.
- (U) Despite any provision in this exception, the use of land and the erecting, locating or using of any **building** or **structure** on land subject to this By-law is prohibited where:
 - (i) the site is a significant archaeological resource; and
 - (ii) the identified archaeological resource(s) is required to be retained on-site in accordance with the approved Archeological Assessment required in Section 7(v) of By-law [Clerks to insert by-law 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. None of the provisions of By-law 569-2013, as amended, apply to prevent a temporary sales office on the lot, used exclusively for the initial sale and/or initial leasing of non-residential space areas and dwelling units proposed on the same lot, for a period of not more than three years from the date this By-law comes into full force and effect.
7. 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) the owner or applicant, at their sole cost and expense, has submitted Functional Servicing Report, Stormwater Management Report, and Hydrogeological Review, including the Foundation Drainage Report or addendums ("**Engineering Reports**"), to demonstrate that the existing municipal infrastructure and any required improvements to it, has adequate capacity to accommodate the development of the lands, to the satisfaction of the Director, Engineering Review, Development Review;
 - (ii) if the Engineering Reports 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 Engineering Reports, 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 Engineering Reports in (i) above are constructed and operational, all to the satisfaction

to the Director, Engineering Review, Development Review.

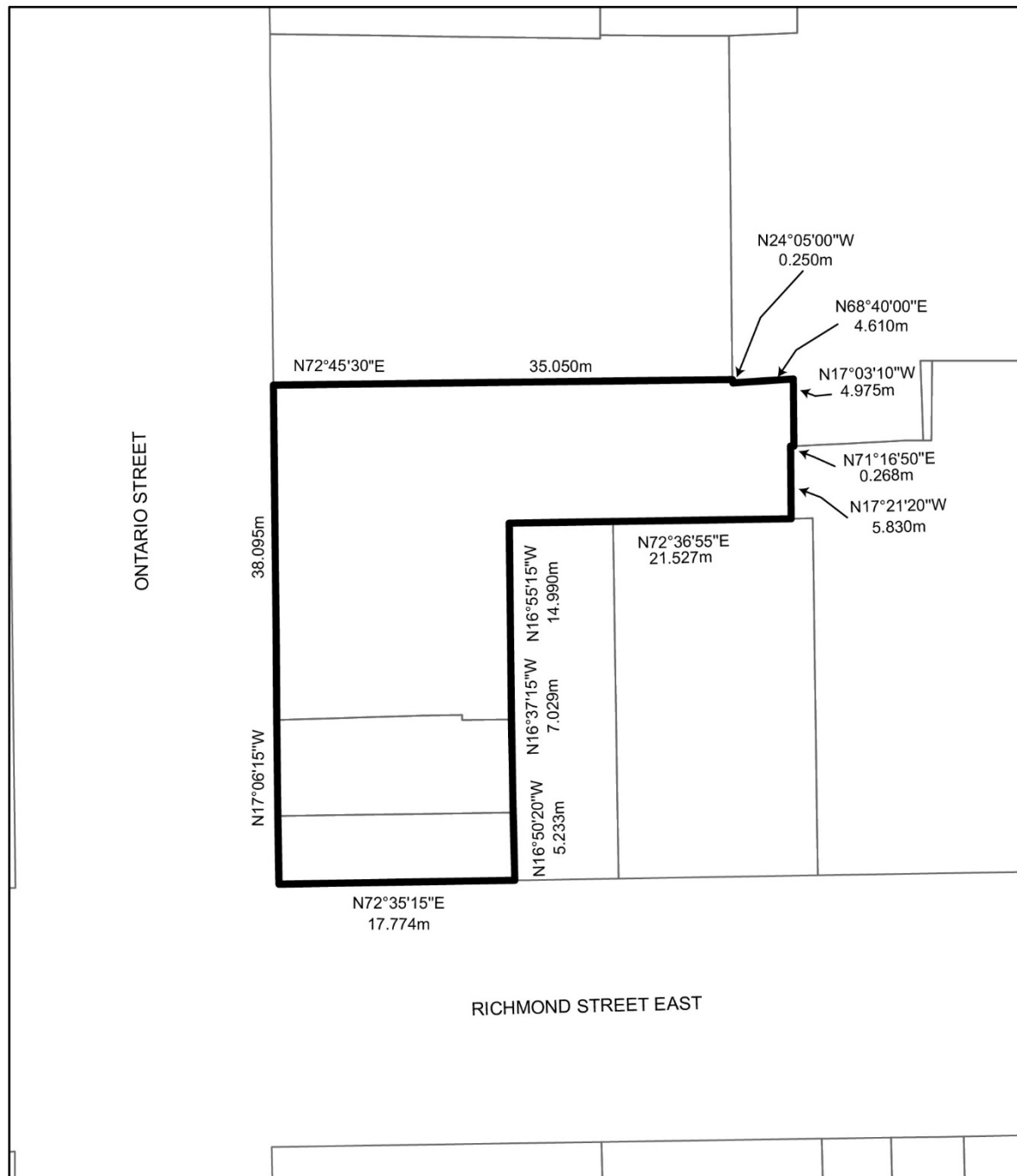
- (iii) the owner has provided a Tenant Assistance Plan for tenants of the existing rental dwelling units proposed to be demolished to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (iv) the owner has provided a lawyer's undertaking to the City, or alternatively, entered into a legal agreement and registered a Section 118 restriction on title to ensure the assumption of the agreement by subsequent owners, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, securing the implementation of the Tenant Assistance Plan required by (iii) above; and
- (v) the owner has submitted a Stage 2 Archeological Assessment, prepared by a consultant archaeologist, licensed by the Ministry of Citizenship and Multiculturalism, under the provisions of the Ontario Heritage Act, and followed through on recommendations to mitigate, through preservation on-site or resource removal and documentation, adverse impacts to any significant archaeological resources found through applicable Stage 3 and Stage 4 Archeological Assessment, all satisfactory and as approved by the Senior Manager, Heritage Planning.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

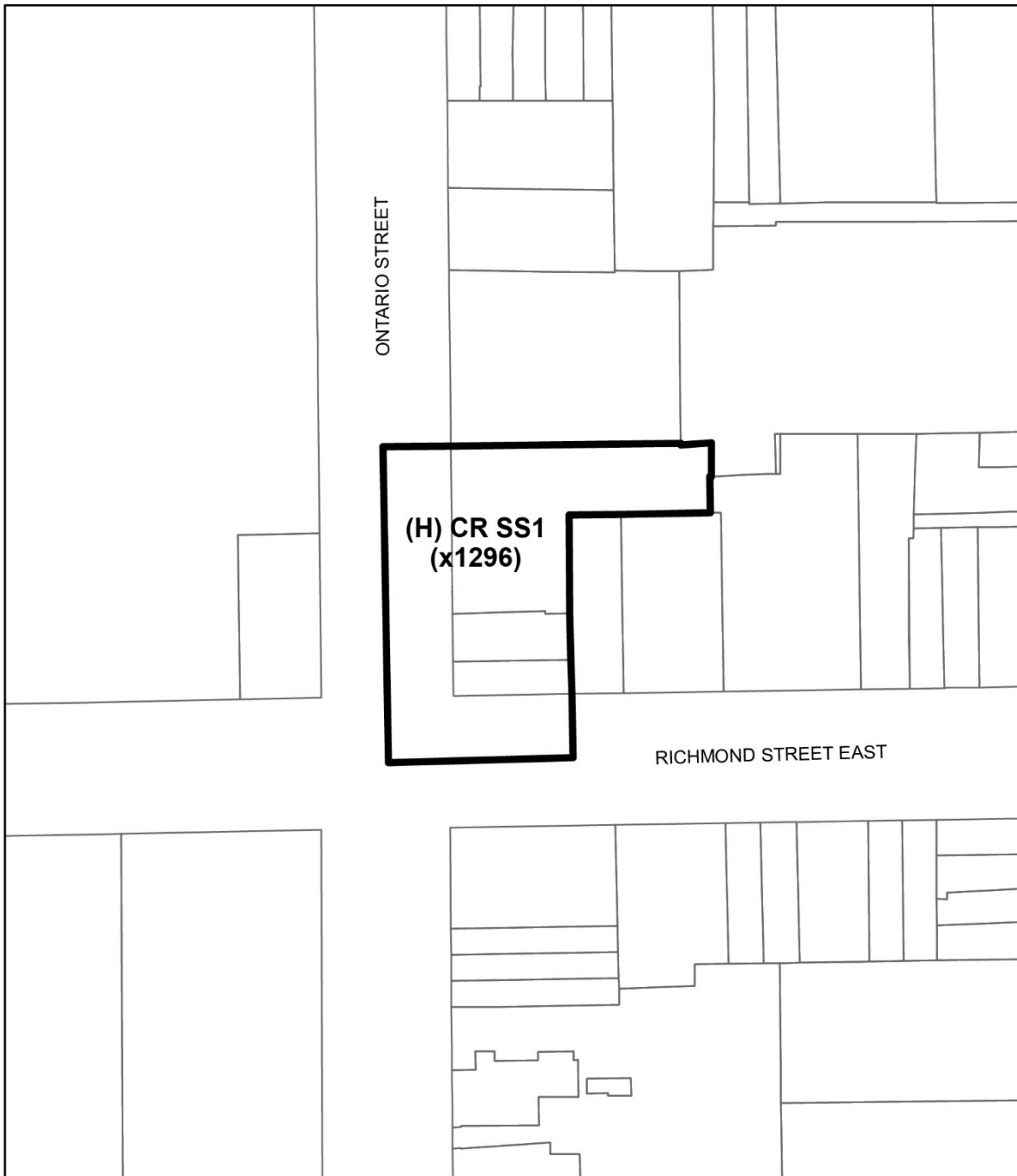
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Toronto
Diagram 1

93 Ontario Street

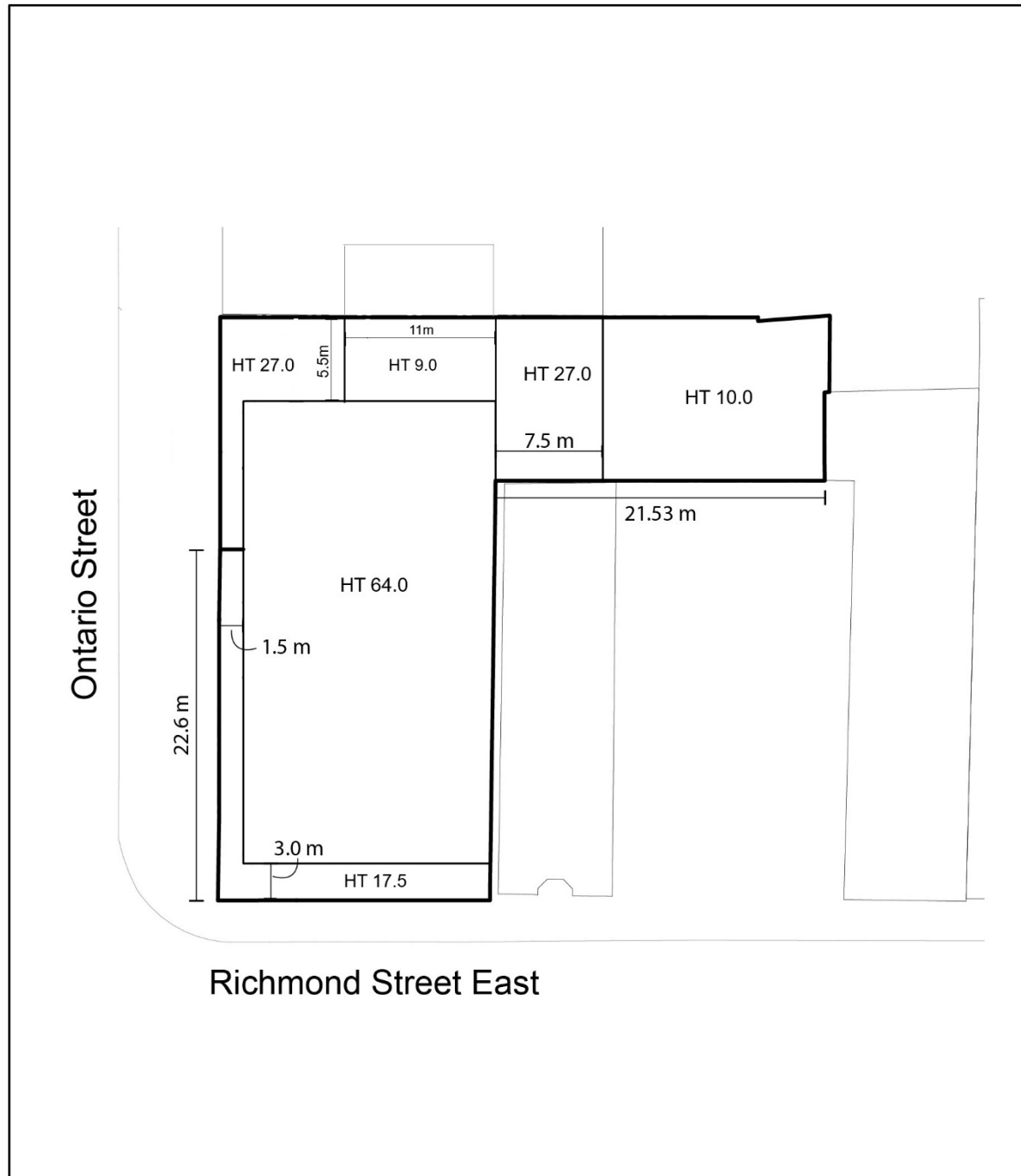
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Diagram 2

93 Ontario Street

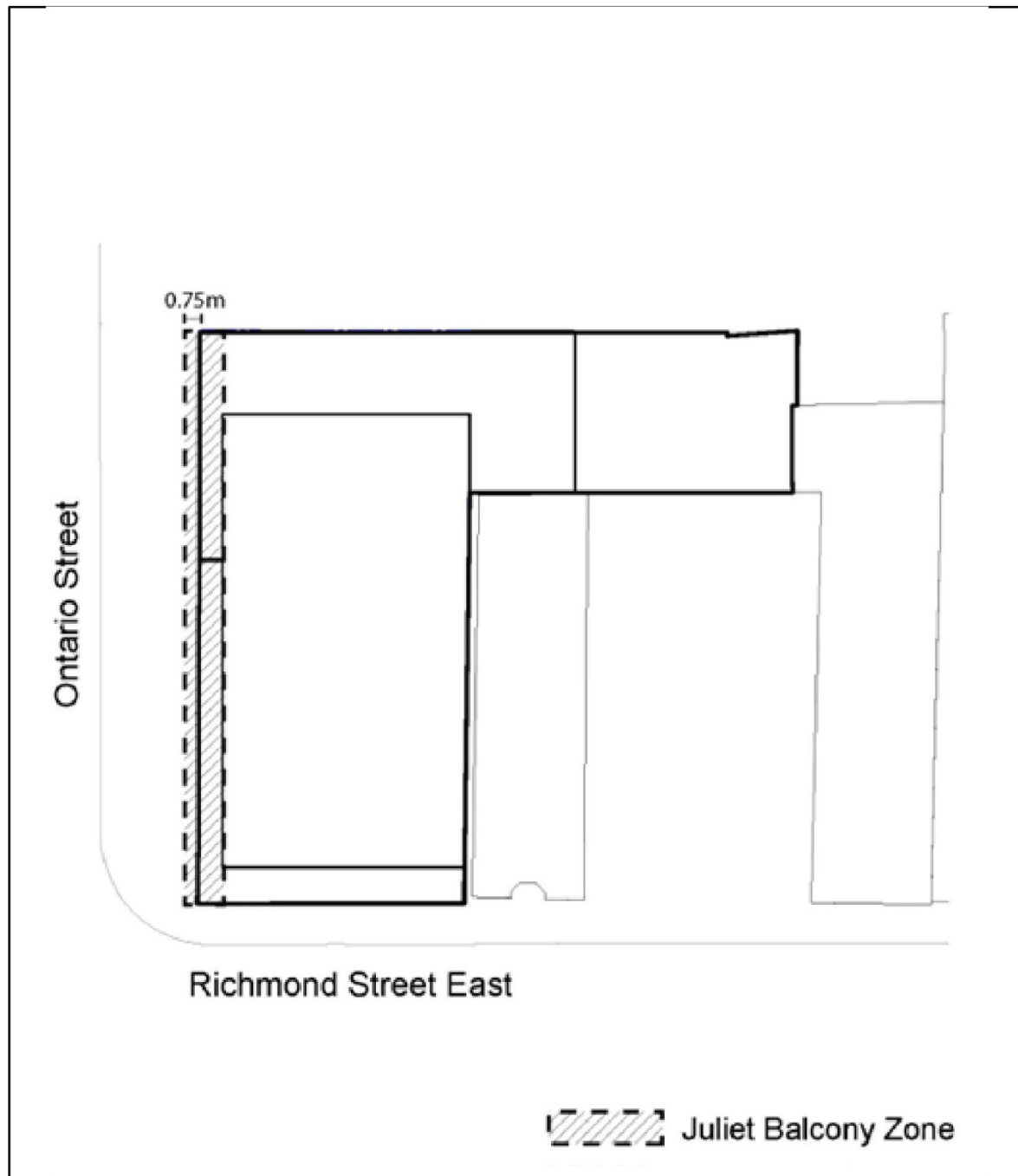
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Toronto
Diagram 3

93 Ontario Street

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Toronto
Diagram 4

93 Ontario Street

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