

Draft Zoning By-law Amendment (May 1, 2023)

Authority: Etobicoke York Community Council Item ##, as adopted by City of Toronto Council on XX, 20~

CITY OF TORONTO

BY-LAW No. XXX-202~

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 13-21 John Street and 36-40 South Station Street.

Whereas Council of the City of Toronto has the authority to 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; 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; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are identified as “Area A” and 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, 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 subject to this By-law from zone labels of CR 2.5 (c2.5; r2.5) SS2 (x1169) and CR 2.5 (c2.5; r2.5) SS2 (x2572) to a zone label of CR 2.5 (c2.5; r2.5) SS2 (x####) 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 ## so that it reads:

(####) Exception CR ####

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 13-21 John Street and 36-40 South Station Street, as shown on Diagram 1 of By-law [Clerks to insert By-law ##], if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (S) below:
- (B) Despite Regulations 5.10.30.20(1) and 5.10.30.20(2), the **front lot line** is the **lot line** running parallel to South Station Street;
- (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 **127.20** metres and elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same storey as non-residential use portions of the **building**;
- (E) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 3 of By-law [Clerks to supply By-law ##];
- (F) For the purposes of this exception, any portion of a **building** that is located between the Canadian Geodetic Datum elevations of **127.20** metres and **134.20** metres will be considered as one **storey**;
- (G) Despite Regulations 40.5.40.10(3) to (8) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
- (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, cooling equipment, water supply facilities, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, elevator machine rooms, chimneys, and vents may project above the height limits to a maximum of **7.0** metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, may project above the height limits to a maximum of **7.0** metres;
 - (iii) **green roof** elements and parapets located on top of the mechanical penthouse enclosure, may project above the height limits to a maximum of **7.5** metres;

- (iv) architectural features, parapets, and elements and **structures** associated with a **green roof** located below a mechanical penthouse enclosure, may project above the height limits to a maximum of **1.5** metres;
 - (v) **building** maintenance units and window washing equipment may project above the height limits to a maximum of **3.0** metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace may project above the height limits to a maximum of **2.0** metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety, noise or wind protection to rooftop **amenity space** may project above the height limits to a maximum of **3.5** metres;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** is **35,500** square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is **33,400** square metres; and
 - (ii) the permitted maximum **gross floor area** for non-residential uses is **2,100** square metres;
- (I) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law **[Clerks to supply By-law ##]**;
- (J) Despite Clause 40.10.40.60 and (I) above, the following elements may encroach into the required minimum **building setbacks** as follows:
- (i) decks and platforms situated upon a roof may encroach to the extent of the roof upon which they are situated;
 - (ii) canopies and awnings, to a maximum extent of **3.0** metres;
 - (iii) exterior stairs, access ramps and elevating devices, to a maximum extent of **1.5** metre;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, to a maximum extent of **1.0** metre;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum extent of **1.0** metre;

- (vi) eaves, to a maximum extent of **1.0** metre;
 - (vii) light fixtures, air conditioners, satellite dishes, antennae, vents, and pipes to a maximum extent of **1.0** metres; and
 - (viii) window projections including bay windows and box windows, to a maximum extent of **0.5** metres;
- (K) Despite Regulation 150.45.40, a **day nursery** in an **apartment building** or **mixed use building** may be located on the first **storey** or second **storey**;
- (L) Despite Regulation 200.5.1.10(2)(A)(iv), **5** percent of the required **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**;
- (M) Despite Regulations 200.5.1.10(2)(D), electric **vehicle** infrastructure, including electrical **vehicle** supply equipment or an **energized outlet**, does not constitute an obstruction to a **parking space**;
- (N) Despite Regulation 200.5.1.10(13), access to **parking spaces** may or may not include a gate, moveable barrier or similar security feature;
- (O) Despite Regulation 200.15.1(1) and (3) an accessible **parking space** must comply with the following:
- (i) accessible **parking spaces** must have the following minimum dimensions:
 - (a) length of **5.6** metres;
 - (b) width of **3.4** metres; and
 - (c) vertical clearance of **2.1** metres;
 - (ii) the entire length of an accessible **parking space** must be adjacent to a **1.5** metre wide accessible barrier free aisle or path;
- (P) Despite Regulation 200.15.1(4), an accessible **parking space** must be located within **45** metres of a barrier-free passenger elevator that provides access to the **first floor** of the **building** or the shortest route from the required entrance to an elevator;
- (Q) Despite Regulation 230.5.1.10(9), “long-term” **bicycle parking spaces** are permitted to be located on all levels of the **building** and **parking garage**

both above and below a Canadian Geodetic Datum elevation of 127.20 metres;

- (R) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space** arrangement; and
- (S) Despite Regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be more than 30 metres from a pedestrian entrance to the **building** on the **lot**;

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

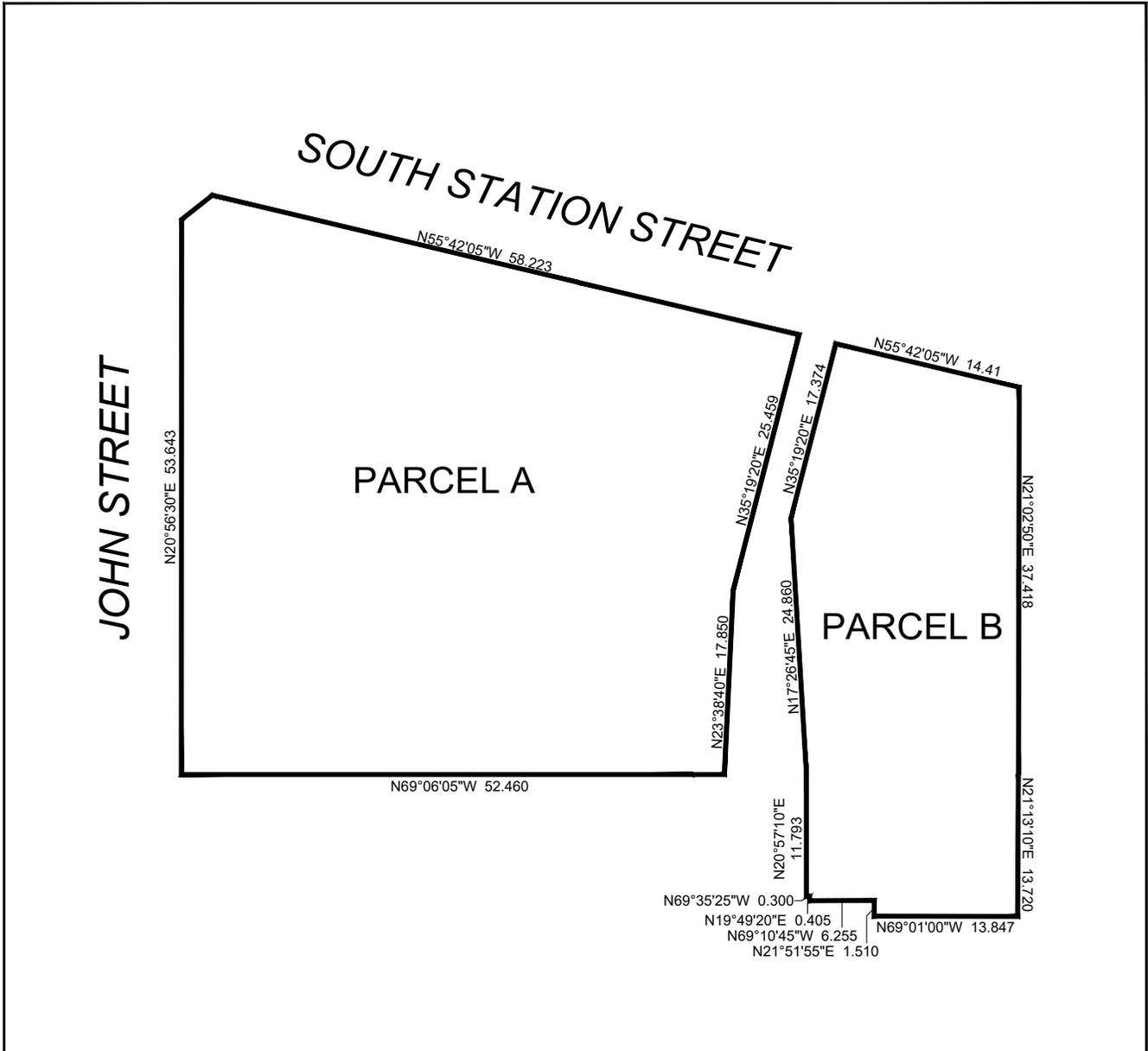
- 5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
- 6. Temporary use:
 - (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales, leasing or construction office, which is a temporary **building, structure**, facility, or trailer on the lands used exclusively for the purpose of marketing or sale of **dwelling units** or non-residential gross floor area to be erected on the **lot** for a period of not more than 3 years from the date this By-law comes into full force and effect.

Enacted and passed on [month day, year].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



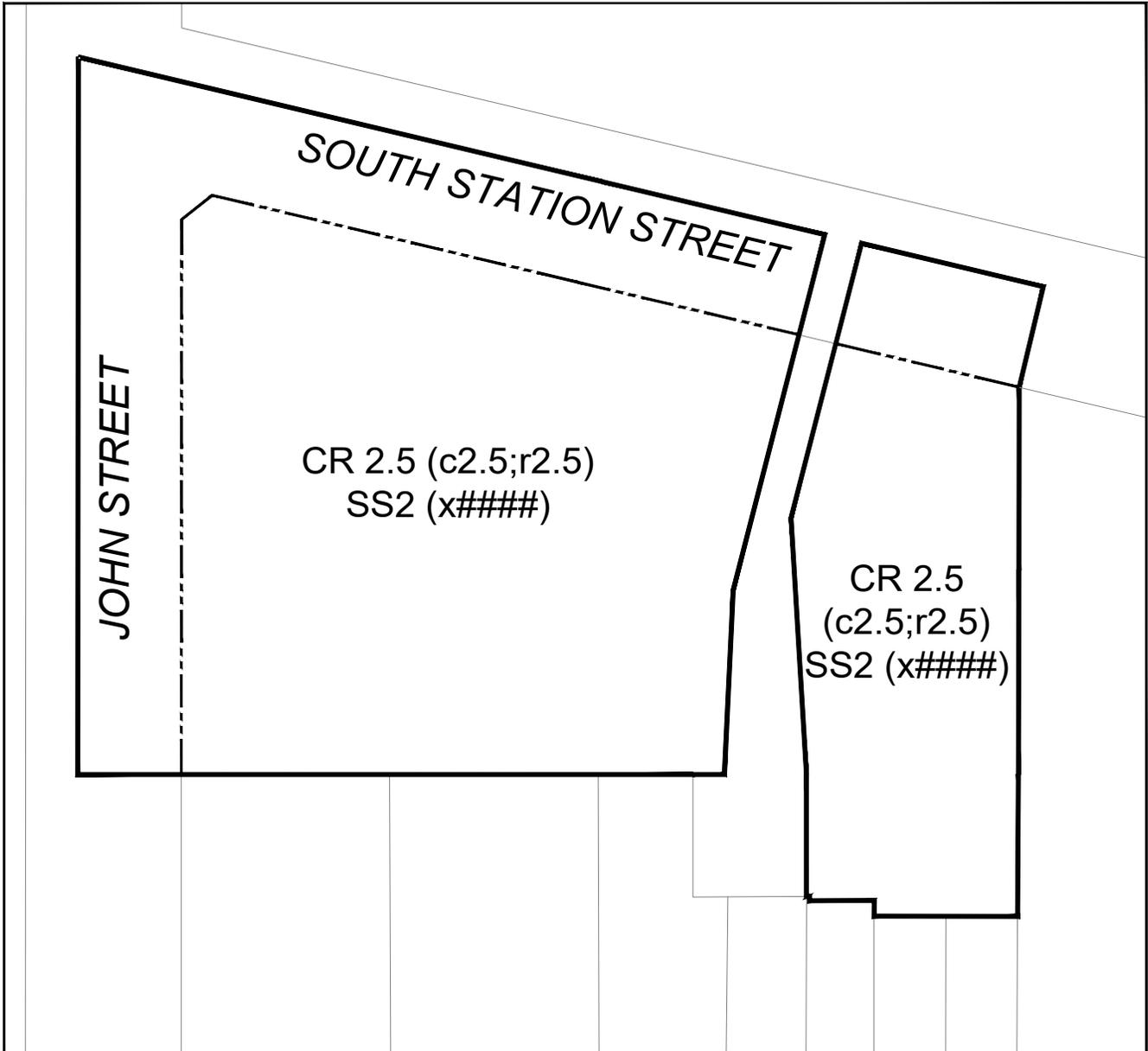
13-21 John Street & 36-40 South Station Street

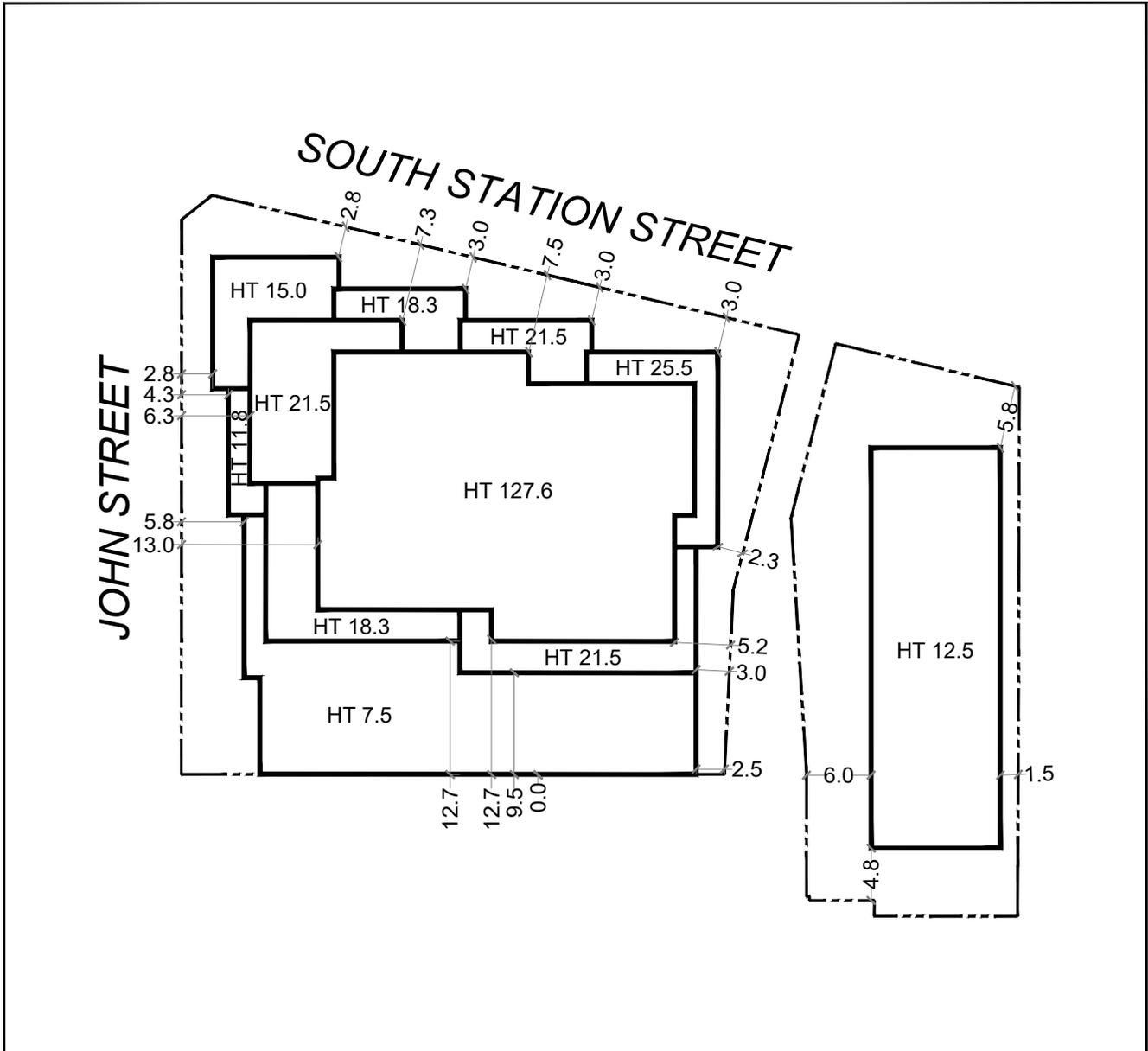
Diagram 1

File #22 218732 WET 05 OZ



Not to Scale





13-21 John Street & 36-40 South Station Street

Diagram 3

File #22 218732 WET 05 OZ



Not to Scale