

Draft: August 21, 2019

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

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~20~

To amend the General Zoning By-law No. 438-86 of the former City of Toronto, as amended, with respect to the lands municipally known as 145 Wellington Street West

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86, as amended, with respect to lands known municipally in the year 2018 as 145 Wellington Street West, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has conducted at least one public meeting in accordance with the *Planning Act*; and

WHEREAS the Council of the City of Toronto, at its meeting on XX and XX, 2019, determined to amend Zoning By-law No. 438-86, as amended;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
2. None of the provisions of Section 2(1) Definitions with respect *grade, height, lot, and residential gross floor area, non-residential gross floor area* and Sections 4(1), 4(2)(a), 4(5), 4(8), 4(12), 4(13), 4(14), 4(17), 8(3) Part I 1, 2, and 3, Part III, 12(2)276, 12(2)380 of general Zoning By-law No. 438-86 of the former City of Toronto, being "A By-law to regular the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of the lands known municipally in the year 2018 as 145 Wellington Street West for a *mixed-use building* on the *lot*, provided that:
 - (a) The *lot* comprises at least those lands outlined by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) The total combined *gross floor area* on the *lot* shall not exceed 51,500 square metres where:
 - (i) a maximum of 36,300 square metres shall be *residential gross floor area*;
and

- (ii) a minimum of 14,800 square metres shall be *non-residential gross floor area*;
- (c) The *height* of any building or structure or portion thereof, does not exceed the *height* specified by the numbers in metres following the symbol H on Map 2 attached to and forming part of this By-law;
- (d) Notwithstanding Section 2(c) of this by-law, the following building elements and structures are permitted to extend beyond the heights shown on Map 2 by no more than 9.0 metres:
 - (i) wind screens, elevator overruns, mechanical equipment, parapets, guard rails, railings and dividers, pergolas, trellises, balustrades, screens, stairs, roof drainage, window washing equipment, chimneys, vents, lightning rods, light fixtures, and elements of a green roof;
 - (ii) the elements and structures noted in subsection (e) below;
- (e) The portions of a building or structure above ground must be located within the areas delineated by heavy lines on Map 2 attached to and forming part of this By-law, with the exception of:
 - (i) ornamental elements, pillars, trellises, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, wheelchair ramps, screens, awnings and canopies, cornices, light fixtures, eaves, and window sills; and
 - (ii) the elements and structures noted in subsection (d) above;
- (f) Notwithstanding 2(e) above, a minimum building setback of 3.5 metres is required along the western lot line between a height of 0m and 13 metres (First and Second Storeys) measured from grade;
- (g) A minimum of 66 *parking spaces* shall be provided and maintained on the *lot*.
- (h) Accessible *parking spaces* shall be provided as follows:
 - (i) Three of the *parking spaces* required by subsection (g) above, shall be provided as accessible *parking spaces*;
 - (ii) an accessible *parking space* must have the following minimum dimensions:
 - i. length of 5.6 metres;
 - ii. width of 3.4 metres; and
 - iii. vertical clearance of 2.1 metres;
 - (iii) accessible *parking spaces* must be the *parking spaces* closest to a barrier free:

- i. entrance to a building; or
 - ii. passenger elevator that provides access to the first storey of the building;
 - (iv) the entire length of an accessible *parking space* must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
 - (i) A minimum of 2,000 square metres of *residential amenity space* shall be provided as a combination of indoor and outdoor *residential amenity space*, and may be shared with non-residential uses;
 - (j) Notwithstanding 2(i) of this by-law, a total of 25% of the outdoor *residential amenity space* may be a *green roof*.
3. None of the provisions of By-law No. 438-86, as amended, shall apply to prevent a *sales office on the lot*;
4. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:
- (a) "*car-share*" shall mean the practice whereby a number of people share the use of one or more motor vehicles and such *car-share motor vehicles* are made available to the occupants of the building for short term rental, including hourly rental;
 - (b) "*car-share motor vehicle*" shall mean a motor vehicle available for short-term rental, including an option for hourly rental, for the use of at least the occupants of the building erected on the lot;
 - (c) "*car-share parking space*" shall mean a *parking space used* exclusively for the parking of a *car-share motor vehicle*;
 - (d) "*grade*" shall mean 83.125 metres Canadian Geodetic Datum;
 - (e) "*green roof*" shall mean an extension to a *building's* roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in compliance with the Toronto Green Roof Construction Standard set out in Chapter 492 of the City of Toronto Municipal Code;
 - (f) "*gross floor area*" shall mean the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level, which may be reduced by the area in the *building* used for:
 - (i) *parking spaces, loading spaces and bicycle parking spaces* below-ground;
 - (ii) required *loading spaces* at the ground level and required *bicycle parking spaces* at or above-ground;

- (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (iv) shower and change facilities required by this By-law for required *bicycle parking spaces*;
 - (v) *residential amenity space* required by this by-law;
 - (vi) elevator shafts;
 - (vii) garbage shafts;
 - (viii) mechanical penthouse; and
 - (ix) exit stairwells in the *building*.
- (g) “*height*” shall mean the vertical distance between grade as defined in this By-law and the highest point of the roof except for those elements prescribed in this By-law;
- (h) “*lot*” shall mean the parcel of land outlined by heavy lines on Map 1 attached to and forming part of this By-law;
- (i) “*sales office*” shall mean a building, structure, facility or trailer on the *lot* used exclusively for the initial sale and/or initial leasing of *dwelling units* proposed on the *lot*.
5. Notwithstanding any existing or future severance, partition or division of the *lot*, the provisions of this by-law shall apply to the whole *lot* as if no severance, partition or division occurred.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



