

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

CITY OF TORONTO

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

To amend Zoning By-law 1015-2022, being a by-law to amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 145 Wellington Street West and 53-55 Simcoe 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, a by-law passed under Section 34 of the Planning Act, may use a holding symbol "(H)" in conjunction with any use designation to specify the use that lands, buildings or structures may be put once council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of the holding symbol "(H)"; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas Section 37.1 of the Planning Act provides that Subsections 37(1) to (4) of the Planning Act as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force shall continue to apply to a by-law passed pursuant to the repealed Section 37(1) prior to the date that a municipality passes a community benefits charge By-law and this By-law was passed prior to that date; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; 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 this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. Diagram 1 of By-law 1015-2022 is hereby repealed and replaced with Diagram 1 of By-law [Clerks to insert By-law number];
2. Diagram 2 of By-law 1015-2022 is hereby repealed and replaced with Diagram 2 of By-law [Clerks to insert By-law number];
3. Diagram 3 of By-law 1015-2022 is hereby repealed and replaced with Diagram 3 of By-law [Clerks to insert By-law number];
4. Diagram 4 of By-law 1015-2022 is deleted;
5. Paragraph 4 of By-law 1015-2022 is amended as follows:
 - (A) Article 900.11.10 Exception Number 772 (A) is deleted and replaced as follows:

On 145 Wellington Street West and 53-55 Simcoe Street, if the requirements of By-law 1015-2022 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with regulations (B) to (EE) below;
 - (B) Article 900.11.10 Exception Number 772 (D) is deleted and replaced as follows:

Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 58,500 square metres, of which:

 - (i) the required maximum **gross floor area** for residential uses is 58,200 square metres; and

- (ii) the required minimum **gross floor area** for retail uses is 200 square metres;
- (C) Article 900.11.10 Exception Number 772 (E) is deleted.
- (D) Article 900.11.10 Exception Number 772 (F) is deleted and replaced as follows:

Despite Regulation 40.10.40.10(1) the permitted maximum height of a **building** or **structure** is as shown on Diagram 3 of By-law [Clerks to insert By-law number];

- (E) Article 900.11.10 Exception Number 772 (G) is deleted and replaced as follows:

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) mechanical penthouses, equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, stair enclosures, stairwells, roof access, roof assemblies, parapets, maintenance equipment storage, elevator shafts, elevator overruns, roof drainage components, thermal and waterproofing assembly, as well as **structures** that enclose, screen or cover such equipment, chimneys, and vents, by a maximum of 9.0 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, by a maximum of 9.0 metres;
- (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, antennae, flagpole, satellite dishes, telecommunications equipment, lightning rods, exhaust flues, vents, garbage chute overruns, by a maximum of 9.5 metres;
- (iv) **building** maintenance units and window washing equipment, by a maximum of 9.5 metres;
- (v) planters, **landscaping** features, guard rails, safety railings, fences, wind protection elements, noise mitigation elements and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;

- (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres; and
 - (vii) diagrid/lattice design elements, including exterior cladding features or protrusions, structural and non-structural, by a maximum of 20.0 metres;
- (F) Article 900.11.10 Exception Number 772 (I) is deleted and replaced as follows:
- Despite Clause 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];
- (G) Article 900.11.10 Exception Number 772 (J) is deleted and replaced as follows:
- Despite (H) and (I) above, the required minimum **building setbacks** are as follows within the grey areas shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (i) the required minimum **building setback** from the northern **lot** line for the portion of a **building** between the Canadian Geodetic Datum elevation of 83.125 metres and 89.125 metres is 1.5 metres; and
 - (ii) the required minimum **building setback** from the western **lot** line for the portion of a **building** between the Canadian Geodetic Datum elevation of 83.125 metres and 89.125 metres is 2.2 metres;
- (H) Article 900.11.10 Exception Number 772 (K) is deleted and replaced as follows:
- Despite Regulations 5.10.40.70(1), 40.5.40.60(1) and Clause 40.10.40.60 and (J) 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 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) exterior stairs, stair enclosure, access ramps and elevating devices,

to the extent of the **main wall** of the **storey** below;

- (iv) terraces, guards and guardrails, railings, parapets, privacy and wind screens, landscape planters and terrace platforms to the extent of the **main wall** of the **storey** below;
 - (v) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 metre;
 - (vi) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 2.5 metres;
 - (vii) diagrid/lattice elements, including exterior cladding features or protrusions, structural and non-structural, by a maximum of 2.5 metres;
 - (viii) diagrid/lattice elements, including exterior cladding features or protrusions, structural and non-structural, in the location identified in (vii) above, to the extent of the **main wall** to which the bottom of such elements are attached;
 - (ix) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
 - (x) eaves, by a maximum of 1.0 metres;
 - (xi) dormers, by a maximum of 2.0 metres; and
 - (xii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 3.0 metres;
- (l) Article 900.11.10 Exception Number 772 (L) is deleted and replaced as follows:
- Despite Regulation 230.5.1.10(4), a **stacked bicycle parking space** may have the following minimum dimensions:
- (i) length of 1.4 metres;
 - (ii) width of 0.4 metres; and
 - (iii) vertical clearance of 1.2 metres for each bicycle parking space;

- (J) Article 900.11.10 Exception Number 772 (M) is deleted and replaced as follows:

Despite Regulation 230.5.1.10(4)(A), a **bicycle parking space** that is not a **stacked bicycle parking space** may have the following minimum dimensions:

- (i) length of 1.6 metres;
- (ii) width of 0.4 metres; and
- (iii) vertical clearance of 1.9 metres;

- (K) Article 900.11.10 Exception Number 772 (O) is deleted and replaced as follows:

Despite Regulations 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on the **lot** in accordance with the following;

- (i) no **parking spaces** are required for residential occupants;
- (ii) no **parking spaces** are required for residential visitors;
- (iii) no **parking spaces** are required for non-residential uses; and
- (iv) **parking spaces** may be provided within an “automated parking garage”, as defined in (S)(iii) below;

- (L) Article 900.11.10 Exception Number 772 (Q) is deleted and replaced as follows:

Despite Regulations 200.15.1(1) and 200.15.10(1), 0 accessible **parking spaces** are required and a barrier free aisle or path on one side of the accessible **parking space** is not required;

- (M) Article 900.11.10 Exception Number 772 (R) is deleted and replaced as follows:

Despite Regulation 200.15.1(4), an accessible **parking space** is not required to be closest to a barrier-free passenger elevator that provides access to the first **storey** of the **building** or the shortest route from the required entrance to an elevator;

- (N) Article 900.11.10 Exception Number 772 (X) is deleted and replaced as

follows:

Despite Regulation 200.5.1.10(13), a **vehicle** elevator is not an obstruction to the access of a **parking space**, subject to the following:

- (i) a minimum of 2 **vehicle** queuing spaces must be provided in a **stacking aisle** on the **lot**; and
 - (ii) a **vehicle** queuing space must have a minimum width of 3.0 metres and minimum length of 5.5 metres;
- (O) Article 900.11.10 Exception Number 772 (Y) is deleted.
- (P) Article 900.11.10 Exception Number 772 (Z) is deleted and replaced as follows:

Despite Clause 220.5.10.1, **loading spaces** must be provided and maintained on the **lot** as follows:

- (i) one Type “G” **loading space**; and
 - (ii) one Type “C” **loading space**;
- (Q) Article 900.11.10 Exception Number 772 (AA) is deleted and replaced as follows:

Despite Regulations 40.10.40.50(1) and (2), a **building** with 20 or more **dwelling units** must provide **amenity space** on the **lot** at the following rates:

- (i) at least 1.0 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 40.0 square metres of outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent of the outdoor component may be a green roof;
- (R) Article 900.11.10 Exception Number 772 (BB) is added follows:

Despite Regulation 230.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on the **lot** in accordance with the following:

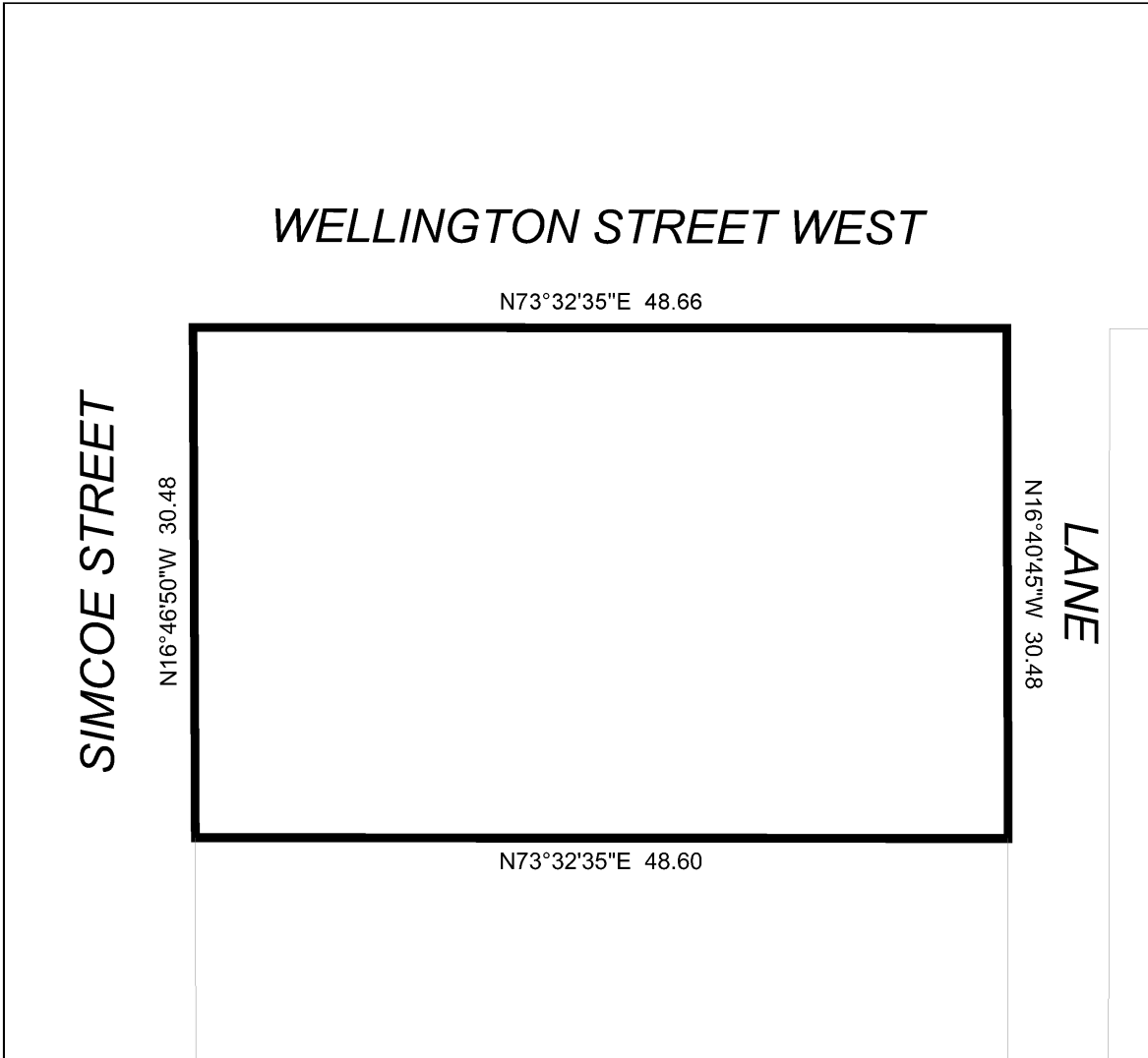
- (i) a minimum of 0.3 long-term **bicycle parking spaces** shall be provided; and
 - (ii) a minimum of 0.1 short-term **bicycle parking spaces** shall be provided;
- (S) Article 900.11.10 Exception Number 772 (CC) is added follows:
- Despite Regulation 230.5.1.10(4)(B), the minimum dimensions of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:
- (i) a minimum length or vertical clearance of 1.2 metres;
 - (ii) a minimum width of 0.6 metres; and
 - (iii) a minimum horizontal clearance from the wall of 1.2 metres;
- (T) Article 900.11.10 Exception Number 772 (DD) is added as follows:
- Despite Regulation 230.5.1.10(9)(A)(iii), a required “long-term” **bicycle parking space** for uses other than **dwelling units** may be located on any level of the **building**;
- (U) Article 900.11.10 Exception Number 772 (EE) is added as follows:
- Despite Regulation 230.5.1.10(9)(B)(iii), a required “long-term” **bicycle parking space** for uses other than **dwelling units** may be located on any level of the **building**;

Enacted and passed on [Clerks to insert date].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



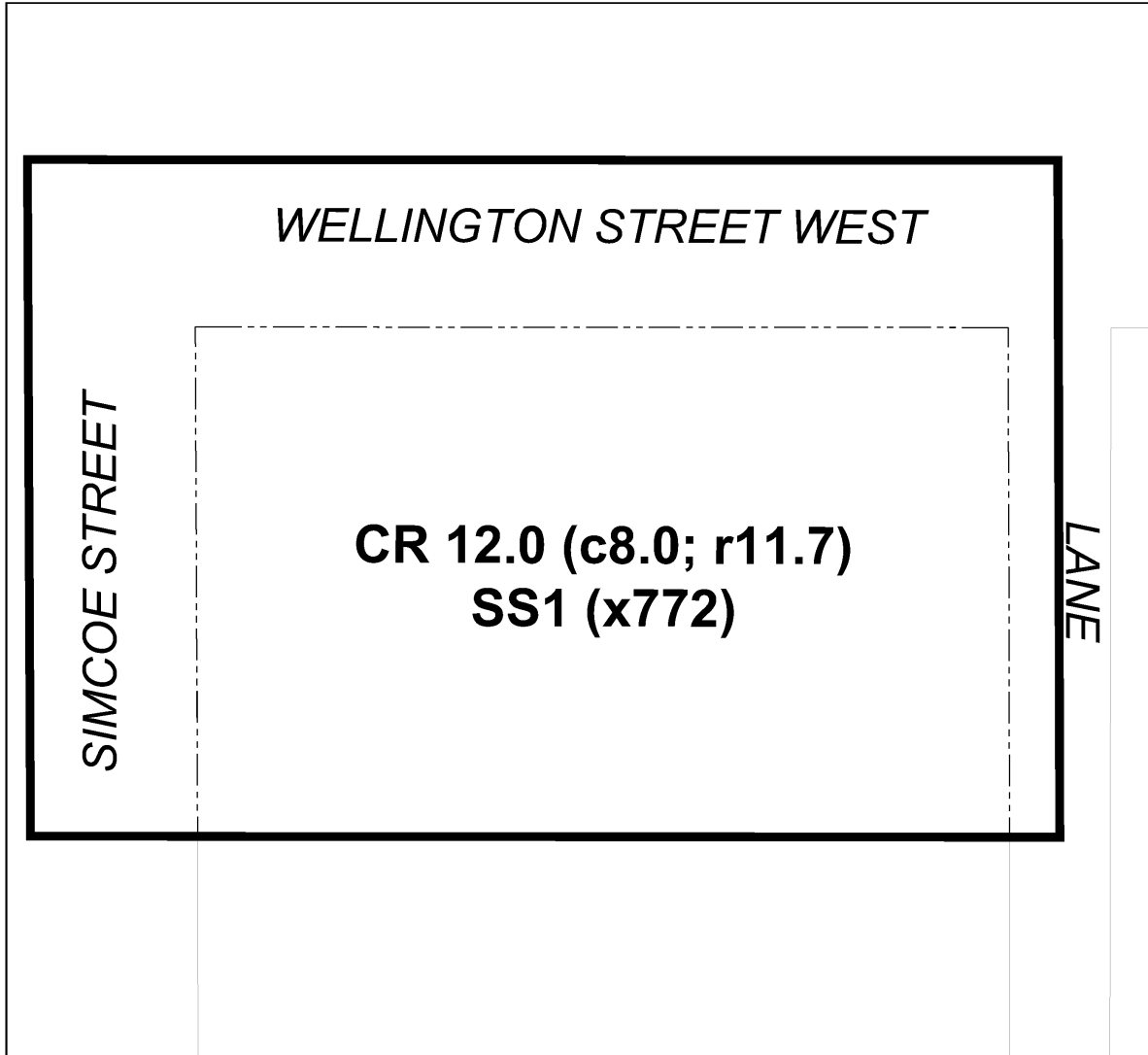
145 Wellington Street West and 53-55 Simcoe Street

Diagram 1

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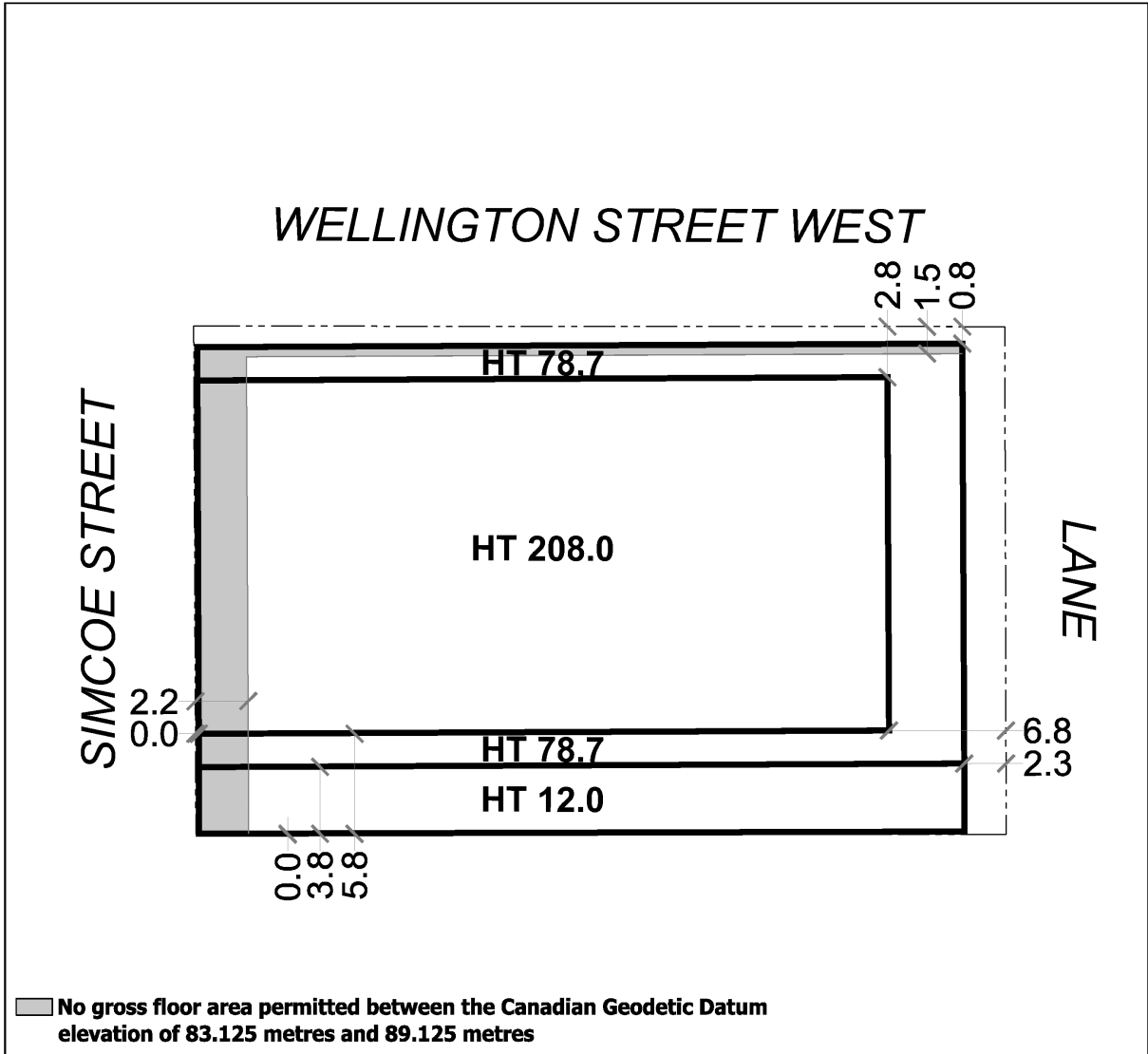
145 Wellington Street West and 53-55 Simcoe Street

Diagram 2

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145 Wellington Street West and 53-55 Simcoe Street

Diagram 3

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