1. Draft Zoning By-law Amendment (April 26, 2022)

CITY OF TORONTO

BY-LAW NO. XXX-2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 241 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*; 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 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/or 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 hereby enacts as follows:

2. The lands subject to this by-law are outlined by the heavy back lines on Diagram 1 attached to this By-law.

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3. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

4. Zoning By-law No. 569-2013, as amended, is further amended by replacing Article 900.11.10 Exception Number x2402 so that it reads:

Exception CR 2402

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 241 Church Street, if the requirements of Section 6 and Schedule A of By-law [Clerks to supply by-law ##] are complied with, a **building** or **structures** may be constructed or used on the lands in compliance with (B) to (W) below;

(B) For purposes of this exception, the **lot** is as shown on Diagram 1 of By-law [Clerk to supply by-law ##];

(C) Despite Regulation 40.10.40.40(1), the total **gross floor area** on the lot must not exceed a maximum of 36,200 square metres, provided:

(i) the residential **gross floor area** does not exceed 36,100 square metres; and

(ii) a minimum non-residential **gross floor area** of 250 square metres is provided;

(D) Despite Regulation 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between a Canadian Geodetic Datum (CGVD2013) of 88.68 metres and the elevation of the highest point of the **building** or **structure**;

(E) Despite Regulation 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number following "HT" in metres as shown on Diagram 3 of By-law [Clerks to supply by-law ##];

(F) Despite Regulations 40.5.40.10(4), (5), (6), and (8), and (E) above, the following **equipment** and **structures** may project beyond the permitted maximum height of a **building**:

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(i) stair enclosures, boiling rooms, F.A.U.s, chillers, generators, elevator overruns and machine rooms, telecommunications equipment, cooling towers, **building** maintenance units, chimneys, stacks, heating and cooling equipment, ventilation equipment, air shafts, maintenance and safety equipment, window washing equipment, antennae, lightning rods, exhaust flues, and garbage chute overruns, to a maximum of 8 metres or a Canadian Geodetic Datum (CGVD2013) of 261.5 metres, on any portion of the **building** with a maximum height of 164 metres as specified by the numbers following the symbol HT on Diagram 3 of By-law [Clerks to supply by-law ##];

(ii) roof top access hatches, wind and privacy screens, railings, elements of a green roof, parapets, architectural features, roof drainage components, and thermal and waterproofing assembly to a maximum of 4 metres or a Canadian Geodetic Datum (CGVD2013) of 261.5 metres, on any portion of the **building** with a maximum height of 164 metres as specified by the numbers following the symbol HT on Diagram 3 of By-law [Clerks to supply by-law ##];

(iii) trellises, railings, lighting fixtures, ornamental elements, planters, landscaping, guard rails, wheelchair ramps, structural/non-structural architectural columns/piers, roof overhangs, privacy screens, parapets, roof drainage components, thermal and waterproofing assemblies, and elements or structures providing safety or wind protection to rooftop amenity space to a maximum of 4.0 metres on any portion of the **building** with a maximum height of 23 metres or below as specified by the numbers following the symbol HT on Diagram 3 of By-law [Clerks to supply by-law ##];

(G) Despite Regulations 40.10.40.70(1), 40.10.40.80(1), and 600.10.10, the required minimum **building setbacks** and required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to supply by-law ##];

(H) Despite Regulation 40.10.40.80(1), no minimum above-ground distance between **main walls** containing windows of a **building** shall apply for **main walls** associated with inset balconies.

(I) Despite Clause 40.10.40.60, and (G) above, the following elements of a **building** may encroach into a required **building setback** and separation distance between **main walls to** a maximum of:

(i) 5.0 metres, for window sills, lighting fixtures, awnings, canopies, architectural features, ornamental elements, parapets, terraces,

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canopies, trellises, guardrails, balustrades, railings, wheel chair ramps, stairs, stair enclosures, vents, shafts, chimneys, mechanical fans, satellite dishes, antennae, curbs, stairs, stairs landings, stair enclosures or covers, privacy screens, mechanical and architectural screens, building maintenance units, window washing equipment, or bicycle parking;

(ii) 2.0 metres for balconies and balcony roofs, windowsills, lighting figures, parapets, and guardrails; and

(iii) 0.3 metres for Juliet Balconies;

(J) Despite clauses (E), (F) and (H) above, or any other clause of this by-law, no elements of the building are permitted to project above a Canadian Geodetic Datum (CGVD2013) of 261.50 metres;

(K) Despite Regulation 40.10.40.1(1), all residential use portions of the **building** must be located above non-residential use portions of a **building**, other than residential lobby access;

(L) The required minimum height of the first **storey**, is measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.5 metres.

(M) Despite Regulation 40.10.40.50(1) and (2), **amenity space** must be provided at a minimum rate of 3.2 square metres per unit for each **dwelling unit**, of which:

(i) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**;

(ii) at least 1.2 square metre for each **dwelling unit** is outdoor **amenity space**;

(iii) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**;

(N) The provision of **dwelling units** is subject to the following:

(i) a minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;

(ii) a minimum of 15 percent of the total number of **dwelling units** must contain two bedrooms;

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(iii) 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; and

(iv) convertible **dwelling units**, as described in (N)(iii) above, may be converted using accessible or adaptable design measures such as knock- out panels;

(O) Despite Regulation 200.5.1(3), the minimum **drive aisle** width shall be 5.5 metres for a drive aisle which does not provide direct **vehicle** access to a **parking space**.

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

(i) a minimum rate of 0.10 residential occupant **parking spaces** for each **dwelling unit**;

(ii) no residential visitor **parking spaces** are required; and

(iii) no **parking spaces** are required for non-residential uses;

(Q) Despite Regulation 200.5.1.10(2), a maximum of 25% of the **parking spaces** may have minimum dimensions of:

(iv) length of 5.1 metres;

(v) width of 2.4 metres;

(vi) vertical clearance of 1.7 metres; and

(vii) if the side of the parking space is obstructed it is not required to be increased by 0.3 metres;

(R) Despite Regulation 200.5.1.10(12), the minimum width of a one-way driveway must be 3 metres;

(S) Despite Regulation 200.5.1.10(13), access to parking spaces in the **building** may be provided by vehicle elevators, in accordance with the following:

(i) each vehicle elevator must have a minimum platform width of 2.4 metres;

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(ii) not less than two vehicle elevators must be provided and maintained in the building for the use of residents;

(T) Despite Regulation 200.15.1(1), an accessible **parking space** must comply with the following minimum dimensions:

(i) A length of 5.6 metres;

(ii) A width of 3.4 metres;

(iii) A 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 barrier free aisle;

(U) Despite regulations 200.15.1.5(1) and 200.15.1(4), the nearest point of an accessible **parking space** must be located no more than 12.0 metres, from the nearest point of a barrier-free elevator that provides access to the first storey of the **building**;

(V) Despite Regulation 230.40.1.20(2), "short-term" **bicycle parking spaces** may be located in a **building** in an enclosed room;

(W) Despite Regulation 230.5.1.10(4)(A) and (5), the minimum dimensions of a **stacked bicycle parking space** are:

(i) minimum length of 1.6 metres;

(ii) minimum width of 0.2 metres; and

(iii) minimum vertical clearance from the ground of 1.2 metres.

(X) Despite Regulation 600.20.10(1)(A), the requirement for a minimum lot frontage to be occupied by the listed uses does not apply.

(Y) Despite Regulation 600.20.10 (1) (C), no main pedestrian entrance shall be required along the priority retail street.

(Z) The provisions of this By-law respecting the height of any building or structure, including permitted exceptions, are subject to any further limitations as may be set out in a by-law passed under an agreement pursuant to Section 5.81 of the Aeronautics Act, R.S.C. 1985, c. A-2.

Prevailing By-laws and Provisions: (None apply)

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5. Despite any future severance, partition or division of the lot as shown on Diagram 1, the provisions of this By-law will 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 **dwelling units** proposed on the same **lot**;

7. Section 37 Provisions

(A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and/or density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

(B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and

(C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height or density pursuant to this By-law unless all provisions of Schedule A are satisfied

ENACTED AND PASSED this_____day of_____, 2022.

JOHN TORY,
Mayor

JOHN ELVIDGE
City Clerk

(Corporate Seal)

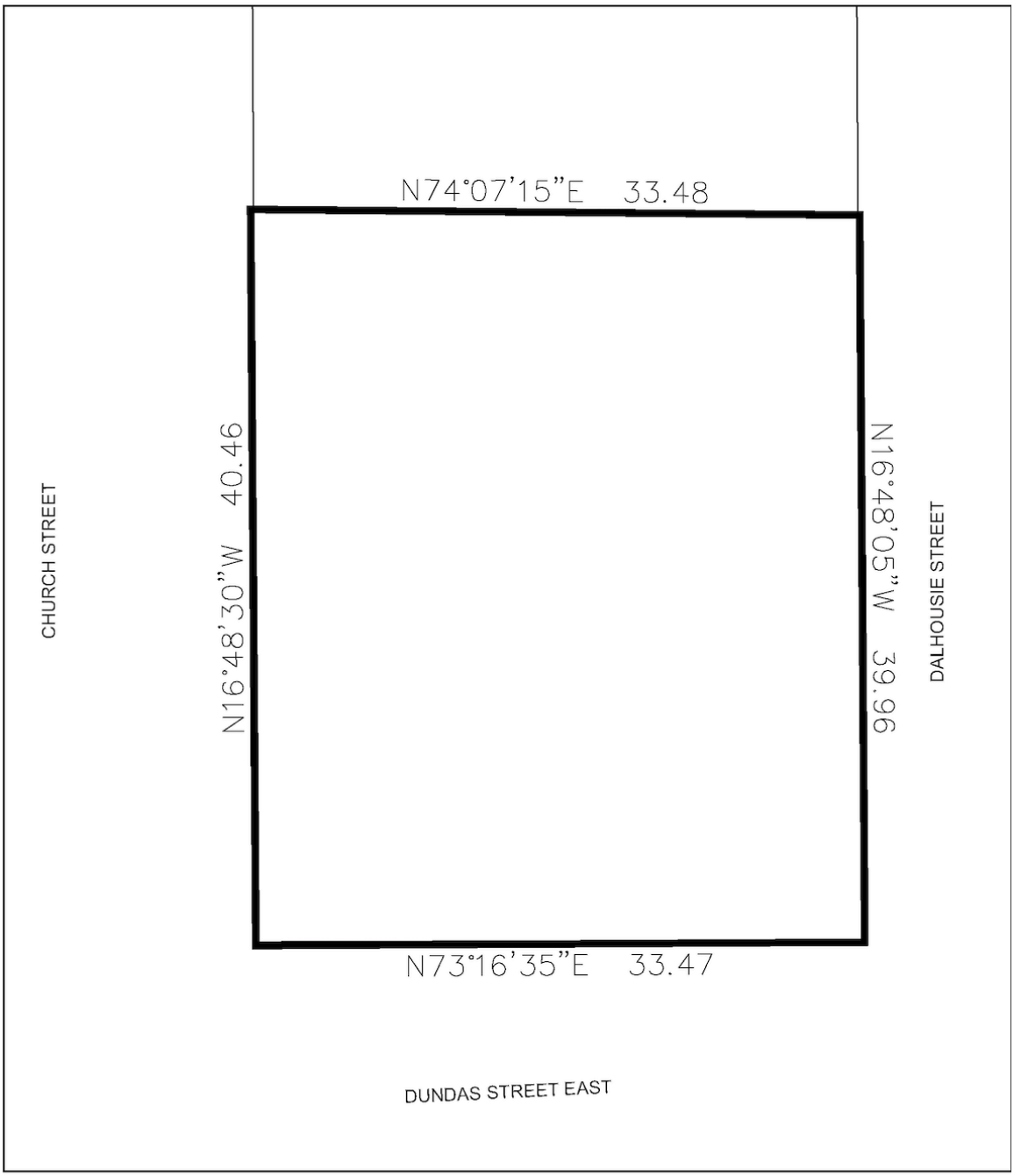
SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagrams 1a, 1b and 2 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

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Prior to the issuance of the first *above-grade building permit* for all or part of the lot, the owner shall pay to the City the sum of $ xxxx, to be allocated as follows

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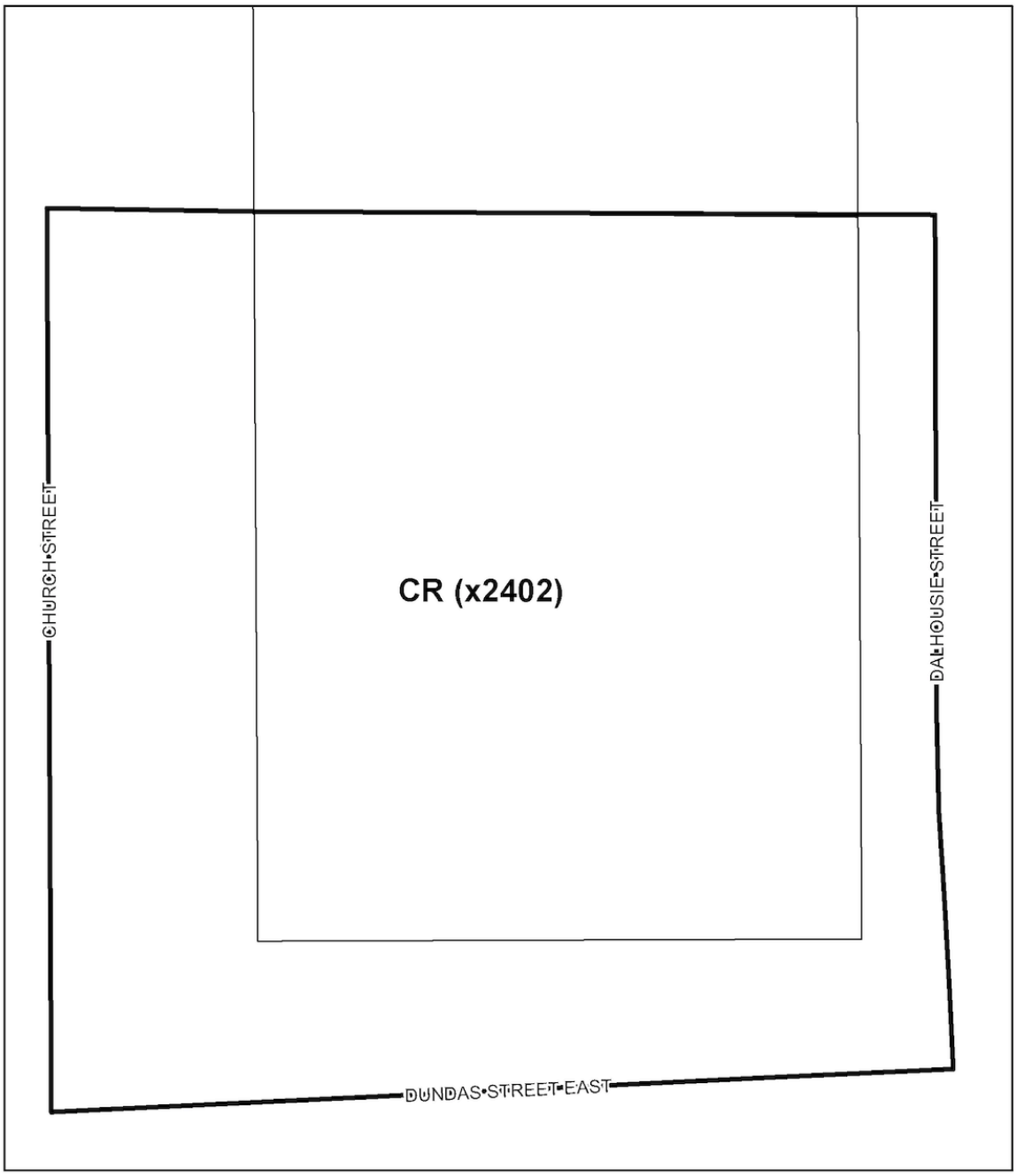


TORONTO
Diagram 1

241 Church Street

File # 20 230569 STE 13 OZ

City of Toronto By-law 569-2013
Not to Scale
03/16/2022

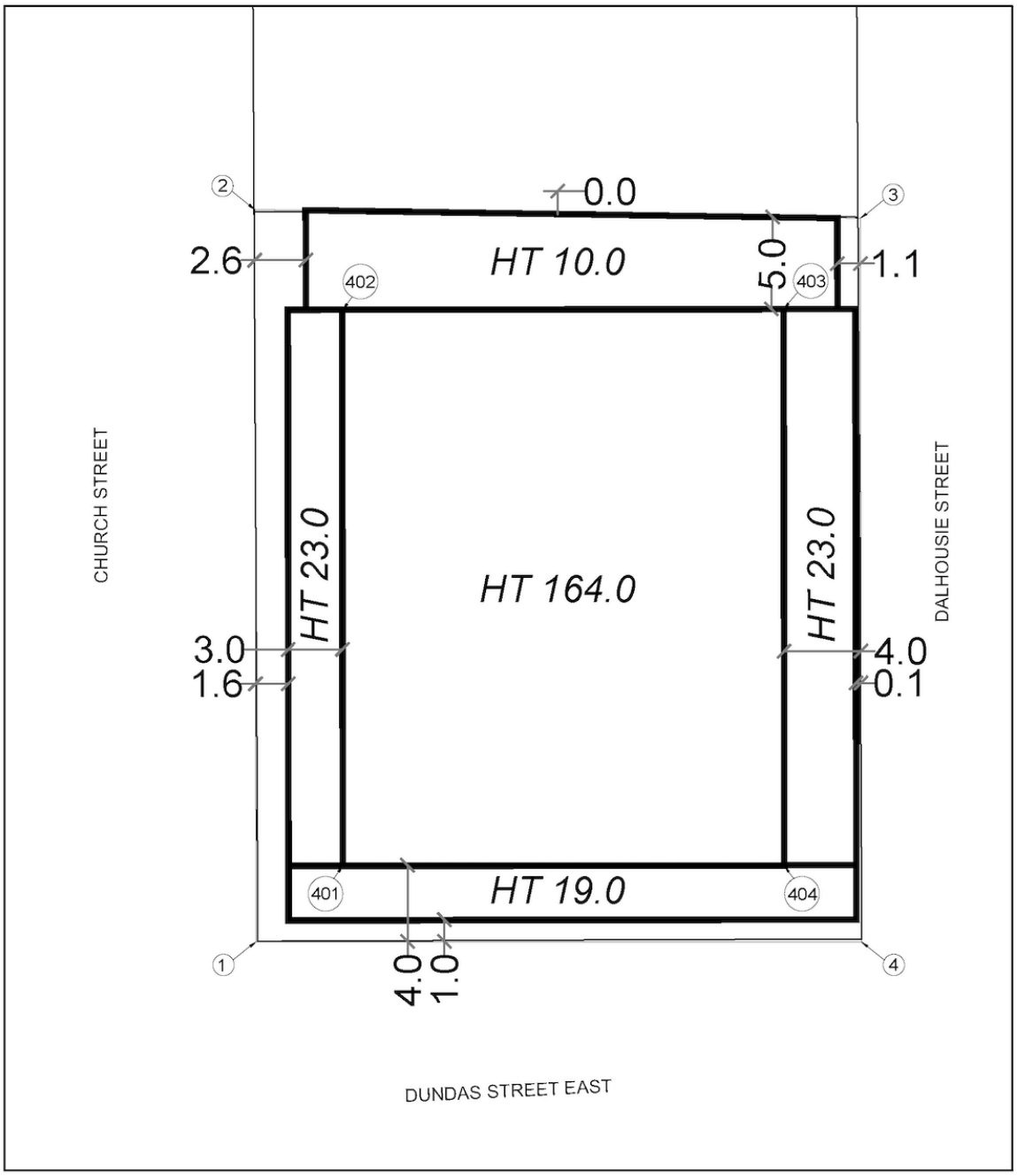


TORONTO
Diagram 2

241 Church Street

File # 20 230569 STE 13 OZ

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Not to Scale
03/16/2022



TORONTO
Diagram 3

241 Church Street

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Not to Scale
03/16/2022