

Draft: August 15, 2022

Authority: Toronto and East York Community Council Item ## as adopted by City of Toronto Council on ~ 202~

CITY OF TORONTO

BY-LAW No. XXXX-202X

To amend the City of Toronto Zoning By-law No 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 835, 837 and 839 Yonge 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 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. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law **[Clerk to provide By-law No.]**.
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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zone label to these lands CR 4.0 (c1.75; r4.0) SS1 (xXXX) as shown on Diagram 2 attached to this By-law **[Clerk to provide By-law No.]**.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2021 as 837 and 839 Yonge Street to the Policy Area Overlay Map in Section 995.10.1 and applying the following Policy Area Overlay label to these lands: PA-1, as shown on Diagram 3 attached to this By-law.

5. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2021 as 837 and 839 Yonge Street to the Height Overlay Map in Section 995.20.1 and applying the following height label to these lands: HT 30.0 as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2021 as 835 and 837 Yonge Street to the Rooming House Overlay Map in Section 995.40.1 and applying to the following Rooming House Label to these lands, B2, as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number XXX so that it reads:

Exception CR XXX

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 the lands municipally known as 835, 837 and 839 Yonge Street, as shown on Diagram 1 of By-law [Clerks to insert By-law ##], if the requirement of this By-law [Clerks to insert By-law ##] are complied with, none of the Provisions of By-law 569-2013 apply to prevent the use or erection of a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (N) below:
- (B) Despite Regulations 40.5.40.10 (1) and (2) and Regulation 40.10.40.10 (1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 114.70 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulations 40.5.40.10 (1) and (2), the permitted maximum **height** or **structure** is the numerical value in metres, following the letters HT on Diagram 4 of By-law [Clerk to provide By-law No.];
- (D) Despite Regulations 40.5.40.10 (3) to (8) and (C) 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, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents may project above the height limits to a maximum of 3.0 metres;
- (ii) **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 6.0 metres;
 - (iii) architectural features, parapets, and elements and structures associated with a **green roof** may project above the height limits to a maximum of 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment may project above the height limits to a maximum of 2.0 metres;
 - (v) 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
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may project above the height limits to a maximum of 3.0 metres;
- (E) Despite Regulation 40.10.40.40(1), the maximum permitted **gross floor area** is 96,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 78,000 square metres; and
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 18,000 square metres;
- (F) In addition to the building elements listed in regulation 40.5.40.40(3), the gross floor area of a mixed-use building is also reduced by the areas in a building used for:
- (i) All open to below areas;
- (G) Regulation 40.10.40.50(2), with respect to **amenity space** for **buildings** with non-residential uses in SS1 Areas, does not apply;

- (H) Despite Regulation 40.5.40.70 (1), Regulation 40.10.40.70 (1) and By-law 1107-2016, the minimum required **building setbacks** are as shown on Diagram 6 of By-law [Clerk to provide By-law No.];
- (I) Despite Regulation 40.5.40.60(1), Clause 40.10.40.60 and (H) above, the following may encroach into the required minimum **building setbacks** and separation distances as follows:
- (i) decks, porches, and balconies, to a maximum extent of 1.5 metres;
 - (ii) canopies and awnings, to a maximum extent of 4.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, to a maximum extent of 1.5 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum extent of 1.5 metres;
 - (v) window projections, including bay windows and box windows, to a maximum extent of 1.5 metres;
 - (vi) eaves, to a maximum extent of 1.5 metres;
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes to a maximum extent of 1.5 metres;
- (J) Despite Regulations 200.5.10.1(1), 200.15.10(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained in accordance with the following:
- (i) maximum rate of 0.3 for each bachelor **dwelling unit** up to 45 square metres and 1.0 for each bachelor **dwelling unit** greater than 45 square metres;
 - (ii) maximum rate of 0.5 for each one-bedroom **dwelling unit**;
 - (iii) maximum rate of 0.8 for each two-bedroom **dwelling unit**;
 - (iv) maximum rate of 1.0 for each three or more-bedroom **dwelling unit**; and
 - (v) minimum rate of 2.0 plus 0.01 **parking spaces** per **dwelling unit** for visitors; and

- (vi) maximum rate of 3.5 for each 100 square metres of non-residential **gross floor area**;
- (K) Despite Clause 220.5.10.1, three (3) Type “A”, two (2) Type “B” and two (2) Type “G” **loading spaces** must be provided and maintained on the **lot**;
- (L) Despite regulation 230.5.1.10(9)(B), "long term" **bicycle parking spaces** may be located on any parking level below grade;
- (M) Despite Regulations 230.5.1.10(10) and Clause 230.40.1.20, “short-term” **bicycle parking spaces** may be:
 - (i) located in a **stacked bicycle parking space** arrangement;
 - (ii) located, outdoors, indoors, or in an enclosed room or enclosure, and located on any floor of a **building**;
 - (iii) located more than 30 metres from a pedestrian entrance to the **building**.
- (N) Despite Regulation 230.5.1.10(9), both “long-term” and “short-term” **bicycle parking spaces** may be provided in a **stacked bicycle parking space** arrangement and in any combination of vertical, horizontal or stacked positions.

Prevailing By-laws and Prevailing Sections:

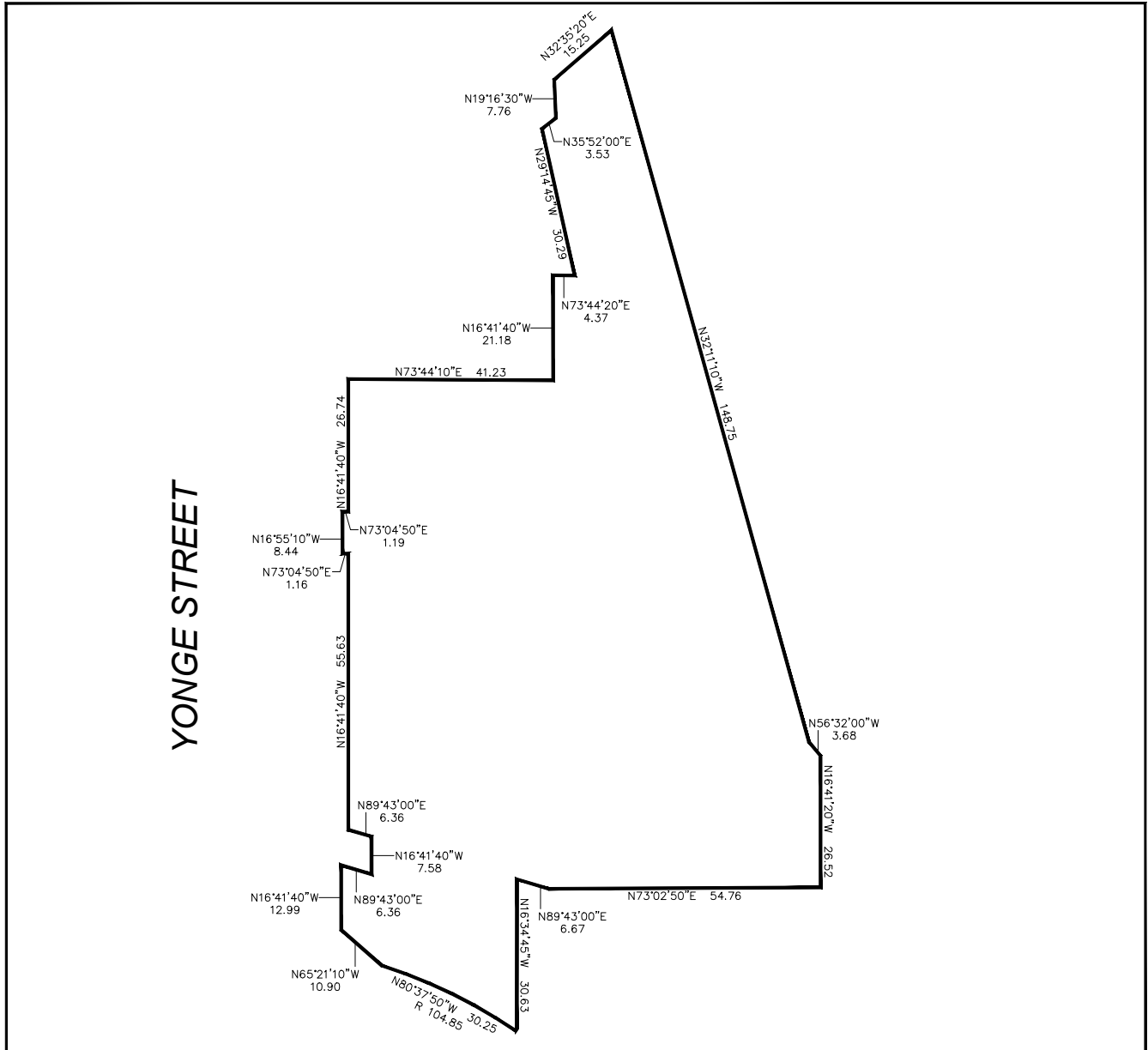
- (A) None apply.
8. None of the provisions of By-law 569-2013, as amended, apply to prevent a temporary sales office on the **lot**, used exclusively for the initial sale and/or initial leasing of **dwelling units** proposed on the same **lot**;
 9. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
 10. Applications for a minor variance are permitted to proceed for the lands identified on Diagram 1 of By-law [Clerk to provide By-law No.], including within 2 years of By-law [Clerk to provide By-law No.] coming into force, notwithstanding the prohibition under subsection 45(1.3) if the Planning Act, as amended.

Enacted and passed on [DATE]

Frances Nunziata,
Speaker

John D. Elvidge
City Clerk

DRAFT



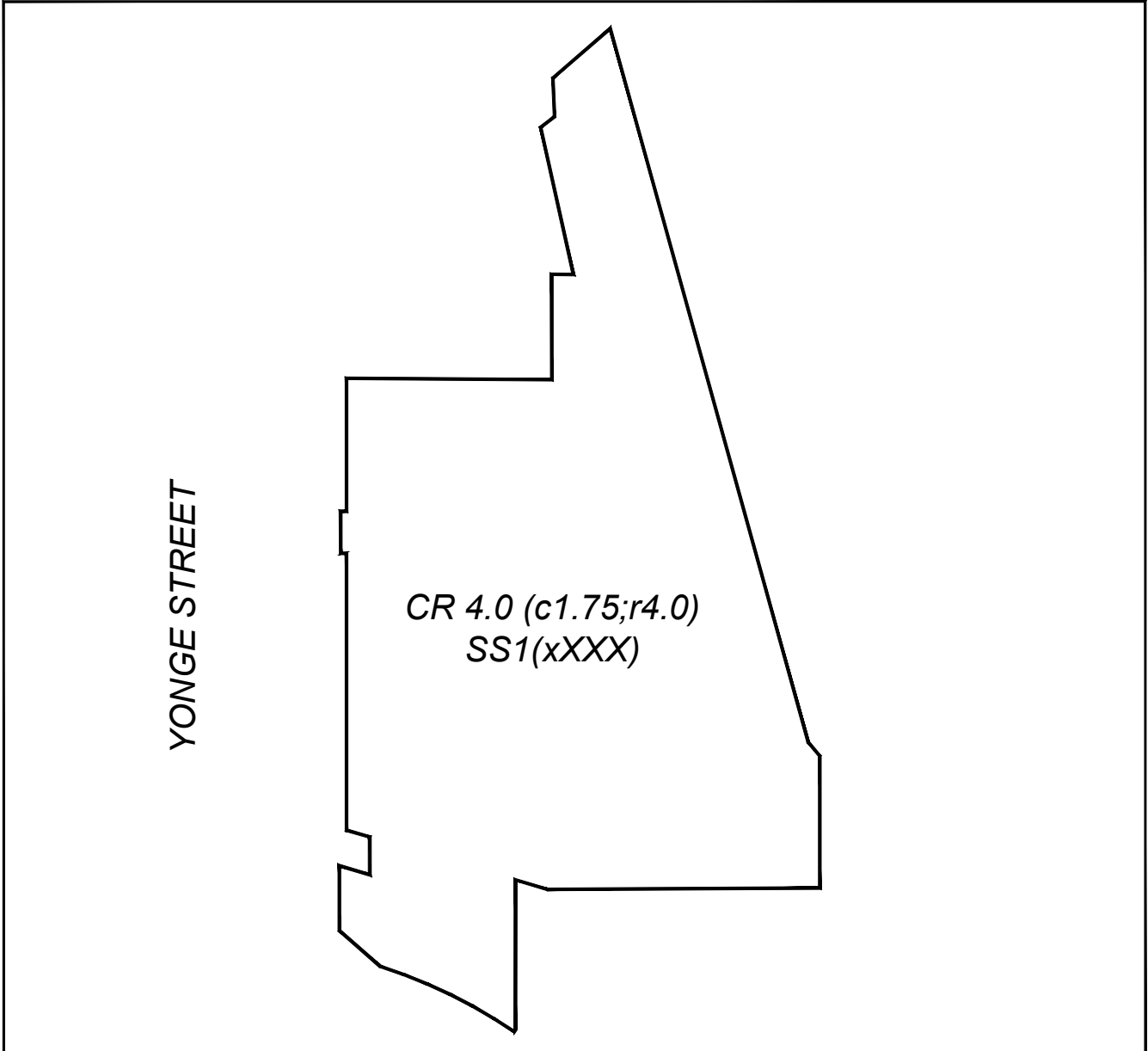
835-839 Yonge Street

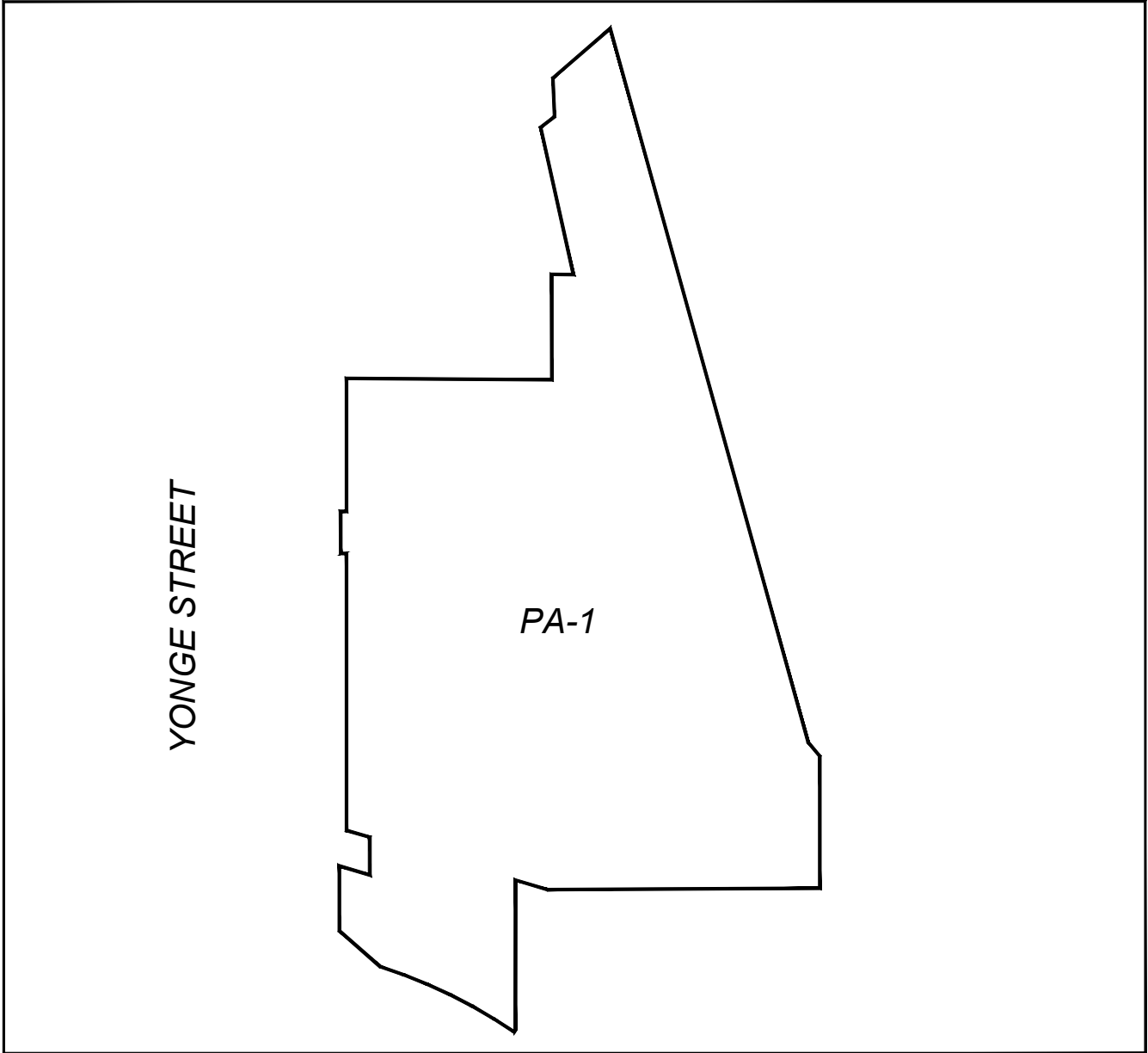
Diagram 1

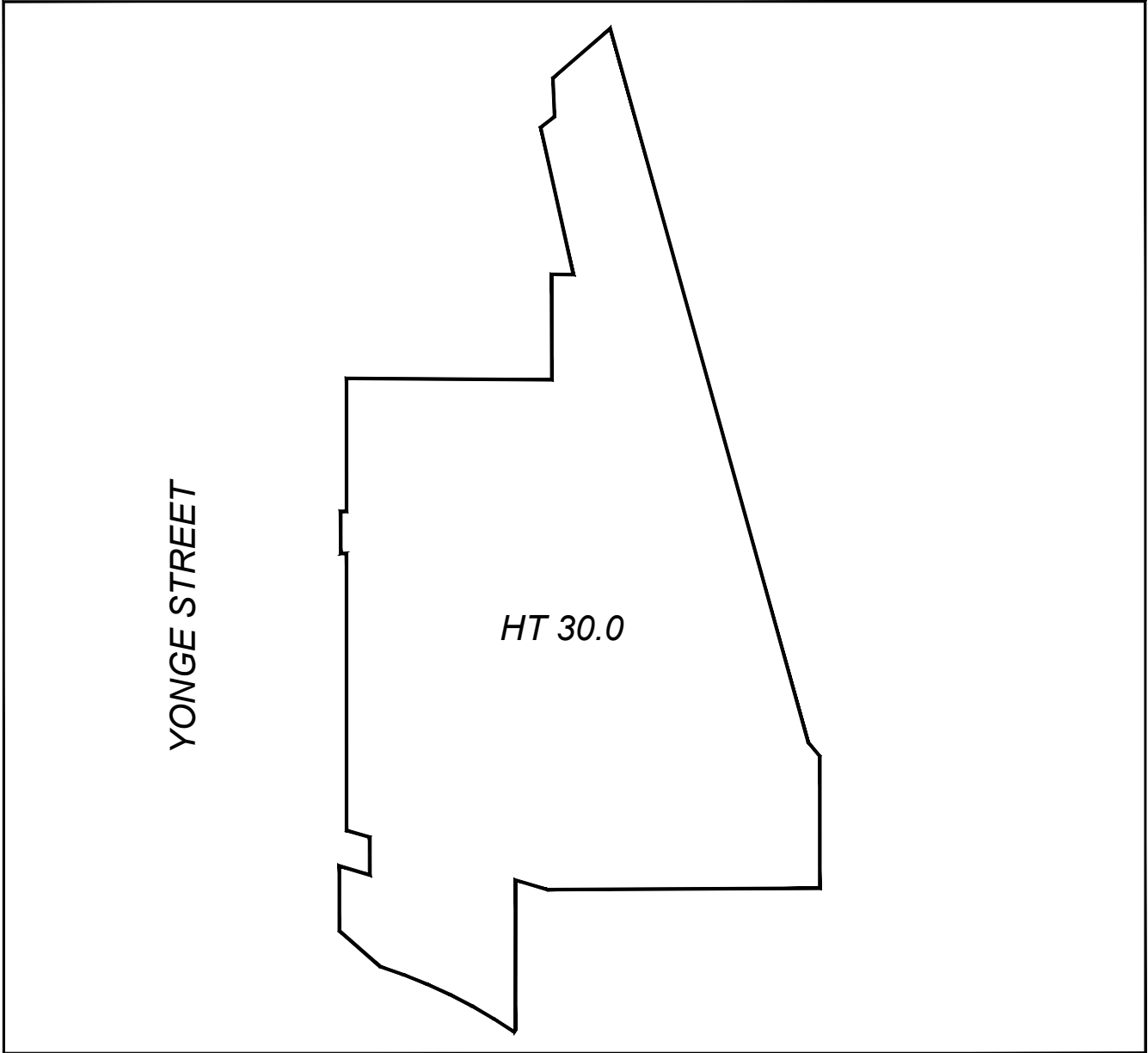
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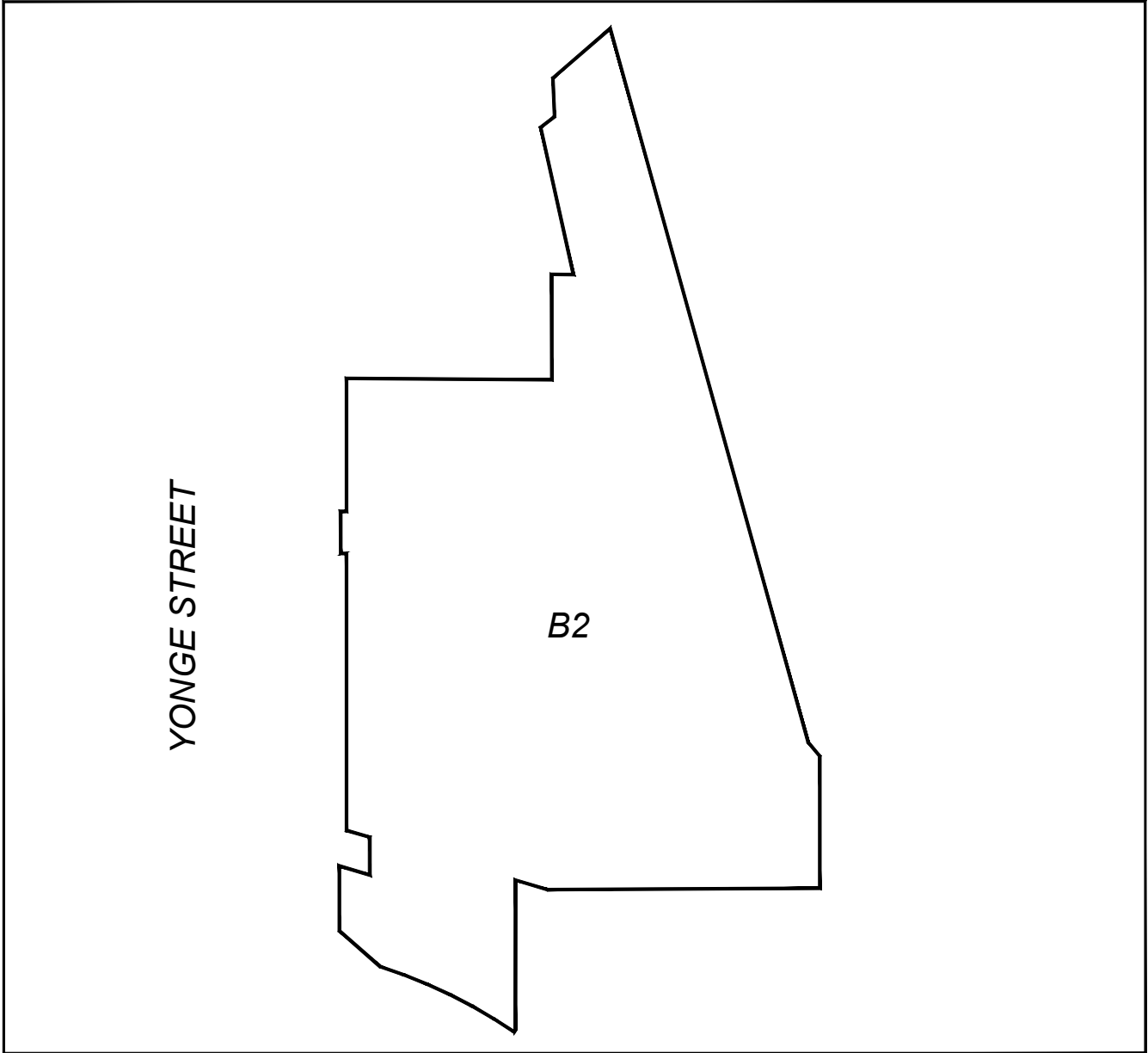


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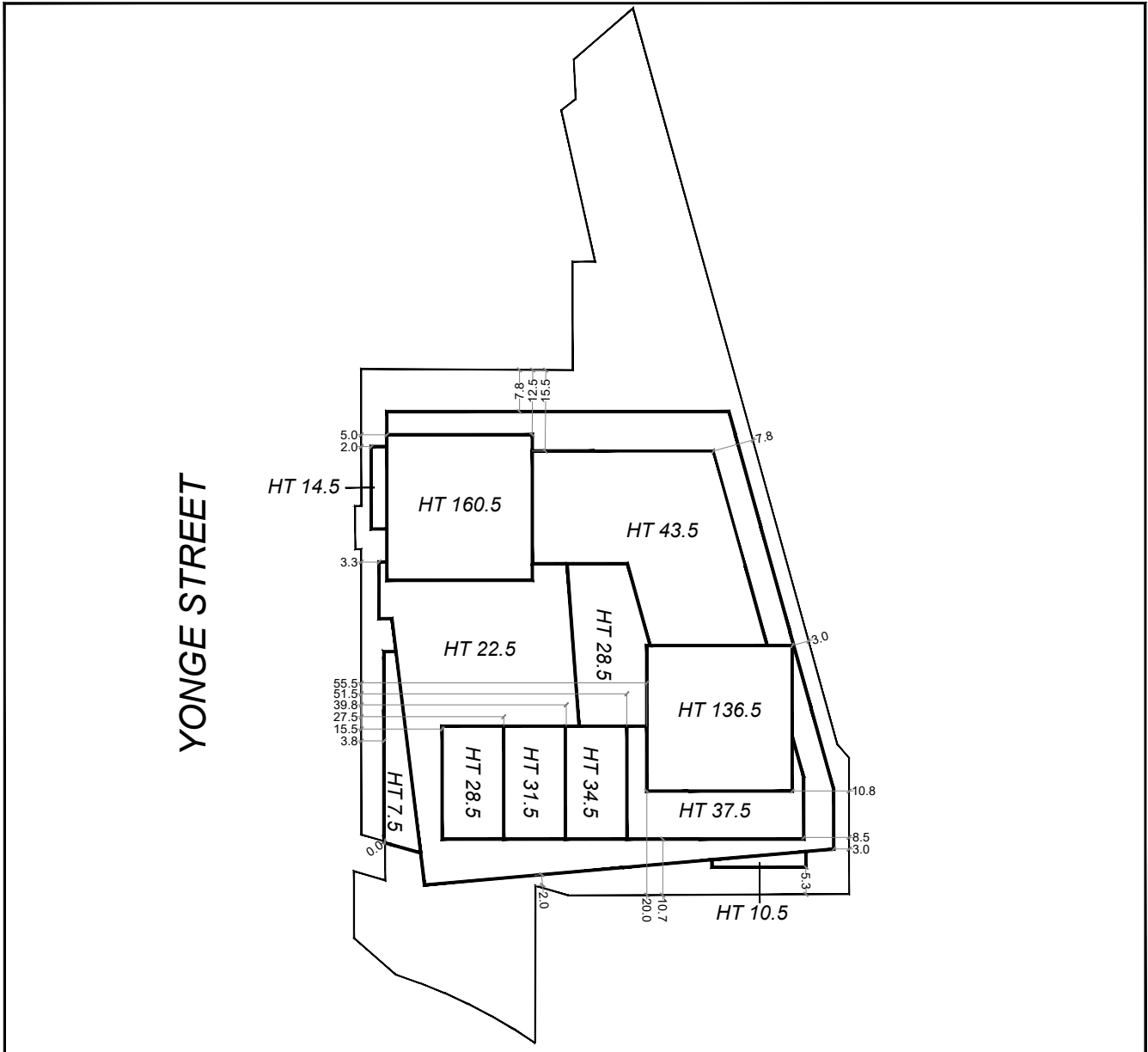


Diagram 6

835-839 Yonge Street

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