Draft Zoning By-law Amendment

CITY OF TORONTO

BY-LAW No. XXX-2019

To amend the City of Toronto By-law No. 569-2013, as amended, with respect to a portion of the lands known municipally as 900 Dufferin Street.

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

WHEREAS subsection 37(3) of the Planning Act provides that where an owner of lands elects to provide facilities, services and matters in return for an increase in height or density of development, a 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 lands known at the date of the enactment of this by-law as 900 Dufferin Street (the “Lands”) has elected to provide the facilities, services and matters as set out in this by-law; and

WHEREAS the increase in height and density of development permitted under this by-law beyond that otherwise permitted on the Lands by Zoning By-law 569-2013, as amended, is to be permitted in return for the provision of facilities, services and matters as set out in this by-law and to be secured by one or more agreements between the owner of the Lands and the City of Toronto; 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;

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

1. This By-law applies to the lands delineated by a heavy line on Diagram 1 attached to and forming part of this By-law.

2. The lot comprises the lands delineated by a heavy line on Diagram 2 attached to and forming part of this By-law and identified as Block A, Block B, Block C, and Block D.

3. Except as otherwise provided herein, the Regulations of Zoning By-law No. 569-2013 continue to apply to the lands.
4. The Zoning By-law Diagram of By-law No. 569-2013 is amended by deleting Exception 2357 and adding Exception XXXX to the lands delineated by the heavy line on Diagram 1 of By-law No. <*>-2019;

5. Zoning By-law No. 569-2013, as amended, is further amended by adding Exception CR XXXX to Chapter 900.11.10, so that it reads:

(X) Exception CR XXXX

A building or structure may be erected on the lands delineated by the heavy line on Diagram 1 of By-law No. <*>-2019 and used for the uses permitted if the whole of the premises on those lands collectively comply with the following:

(A) Clauses and Regulations 5.10.40.70(1), (2) and (4), 40.5.40.10(1), (2) and (4)(c), 40.5.40.70(1), 40.10.20.100(17), 40.10.40.1(1), 40.10.40.10(2), 40.10.40.40(1), 40.10.40.50(1), 40.10.40.60, 40.10.40.70(2), 40.10.40.80(2), 40.10.100.10(1)(c) 200.5.1.10(12) and (13), 200.5.10.1(1) and Table 200.5.10.1, 200.5.10.1(1), 200.15.1.5(1), 200.15.10, 220.5.10.1, 230.5.1.10(4)(c) and (9) and 230.40.1.20(2) and Section 660.10 not apply to the lands:

(B) The height of a building or structure on the lands is measured as the vertical distance between grade which is Canadian Geodetic Datum elevation of 110.03 metres, and the highest point of the building or structure except for those elements prescribed in section (C) below;

(C) No portion of the building or structure erected on the lands, excluding the elements in Clause 40.5.40.10 of By-law 569-2013 and parapets, guard rails, railings and dividers, trellises, roof drainage, window washing equipment, lightning rods, landscaping and elements of a green roof is to have a height greater than the height in metres specified by the number following the HT symbol as shown on Diagram 3 of By-law No. XXX-2019;

(D) The portions of a building or structure above ground must be located within the areas delineated by heavy lines on Diagram 3 of By-law XXX-2019, except that:

(i) cornices, light fixtures, ornamental elements, parapets, art and landscape features, patios, decks, pillars, trellises, balconies, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and underground garage ramps and associated structures may extend beyond the heavy lines shown on Diagram 2 of said By-law; and

(ii) a minimum setback of 2.20 metres from grade measured to a minimum vertical clearance of 8.7 metres shall be provided from the property line of the lot adjacent to frontage of Dufferin Street;
(E) The combined gross floor area of buildings or structures on the lands must not exceed 105,000 square metres;

(F) A minimum of 2.0 square metres of indoor amenity space per dwelling unit shall be provided and a minimum of 2.0 square metres of outdoor amenity space is required for the dwelling units which may be provided in a location which is not directly accessible to the indoor amenity space;

(G) parking spaces shall be provided and maintained on the lands in accordance with the following:

(i) a minimum of 0.29 parking spaces per unit must be provided for residents;

(ii) a minimum of 1.0 parking spaces for each 100 square metres of gross floor area used for permitted non-residential uses in any portion of the mixed use buildings that contains such non-residential uses;

(H) parking spaces provided for permitted non-residential uses on the lands may be shared with residential visitors on a non-exclusive basis;

(I) parking spaces for non-residential and residential visitor uses may be provided in a commercial parking garage;

(J) A reduction of <*> resident parking spaces provided for each car-share space provided;

(K) A minimum supply bicycle parking spaces shall be provided and maintained on the lands, in accordance with the following, and long-term bicycle parking spaces may be provided in bicycle parking stackers:

(i) 0.10 bicycle parking spaces per dwelling unit shall be allocated for short-term bicycle parking; and

(ii) 0.90 bicycle parking spaces per dwelling unit shall be allocated for long-term bicycle parking spaces;

(iii) long-term bicycle parking spaces may be located on the lower levels and on mezzanine levels;

(iv) Not less than 3 plus 0.3 short-term bicycle parking spaces per 100 square metres of gross floor area for permitted non-residential uses shall be provided;

(v) Not less than 0.2 long-term bicycle parking spaces per 100 square metres of gross floor area for permitted non-residential uses shall be provided;

(L) If a stacked bicycle parking space is provided, its minimum dimensions must comply with the following:
(i) minimum length of 1.8 metres;

(ii) minimum width of 0.4 metres; and

(iii) minimum vertical clearance of 1.2 metres;

(M) A minimum of two Type “A” and three Type “B” loading spaces shall be provided on Block A, as identified on Diagram 2;

(N) A minimum of one Type “C” and one Type “G” loading space shall be provided on Block B, as identified on Diagram 2;

(O) A sales office, used exclusively for the initial sale and/or initial leasing of dwelling units or non-residential gross floor area uses proposed on the lands, is permitted;

(P) Despite any future severance, partition or division of the lot as shown on Diagram 1, the provisions of this By-law shall apply as if no severance, partition or division occurred;

(Q) Exception CR XXXX shall apply to all of the lands collectively regardless of future severance, partition or division.

(R) 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. 569-2013, as amended, with the exception of the following terms:

(i) “car-share or car-sharing” means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres drive, and set membership requirements of the car-sharing organization, including payment of a membership fee that may or may no be refundable;

(ii) “car-share parking space” means a parking space exclusively reserved and signed for a car used only for car-share purposes;

(iii) “commercial parking garage” means a building or a portion of a building used for the temporary parking of motor vehicles as a principle use on a lot;

(iv) “sales office” means a building, structure, facility or trailer on the lot used for the purpose for the initial sale and/or initial leasing of dwelling units or non-residential uses proposed on the lot.

(S) Contributions pursuant to Section 37 of the Planning Act:

(a) Pursuant to Section 37 of the Planning Act, and subject to compliance with this exception, the increase in height and density of development on the lands is permitted in return for the owner’s election to provide, at the
owner’s expense the facilities, services and matters described below which are secured by one or more agreements pursuant to Section 37 of the Planning Act which are in the form satisfactory to the City Solicitor and registered on title to the lands;

(b) Upon execution and registration of an agreement or agreements with the owner of the lot pursuant to Section 37 of the Planning Act securing the provisions of the following facilities, services and matters, the lands shall be subject to the provisions of this exception, provided that in the event that the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such buildings until the owner has satisfied the said requirements:

(i) The Owner shall provide <*> TBD

ENACTED AND PASSED on <*>, 2019.

FRANCES NUNZIATA, Speaker
ULLI S. WATKISS, City Clerk

(Corporate Seal)