

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

Enacted By Council: ~2021

**CITY OF TORONTO
BY-LAW No. XXXX-2021**

Bill No. ~

To amend the City of Toronto Zoning By-law No 569-2013, as amended, with respect to the lands municipally known in the year 2020 as 147 Spadina Avenue.

Whereas authority is given to Council of the City of Toronto 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*;

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 amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CRE (xXX) as shown on Diagram 2 attached to this By-law;
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.12.10 Exception Number XX so that it reads:

CRE XX

The lands, or portions 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 147 Spadina Avenue, if the requirements of By-law **[Clerk to provide By-law No.]** are complied with, none of the Provisions of By-law 569-2013 apply to prevent the use or erection of a **building** or

structure that complies with subsections (B) to (M) below.

- (B) The maximum **gross floor area** must not exceed 20,000 square metres, provided the residential **gross floor area** does not exceed 19,500 square metres and the non-residential **gross floor area** does not exceed 500 square metres;
- (C) Despite Regulations 50.5.40.10(1) and (2), the height of a **building** or **structure** is measured from the Canadian Geodetic Datum elevation of 90.0 metres;
- (D) Despite Regulation 50.10.40.10(1), the permitted maximum height of a **building** or **structure** is the height in metres specified by the numbers following the symbol HT on Diagram 3 of By-law [Clerk to provide By-law No.];
- (E) Despite (D) above, and despite Regulations 50.5.40.10(3), (4), (5), (6), (7) and (8) and 50.10.40.10(3), the following building elements and **structures** may exceed the **height** limits show on Diagram 3 attached to By-law [Clerk to provide By-law No.]:
 - (i) Parapets, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, screens, stairs, roof drainage, columns, pillars, chimneys, vents, pipes, lighting rods, light standards and fixtures, architectural features, architectural flutes, ornamental elements, art and landscaping features, elements of a **green roof**, planters, seating areas, wheelchair ramps, decorative screens, divider screens and unenclosed structures providing safety or wind protection by a maximum of 2.0 metres; and
 - (ii) Equipment used for the functional operation of a building including electrical, utility and ventilation equipment, cooling equipment, enclosed stairwells, roof accesses, elevator shafts and overruns, elevator machine room, maintenance equipment storage, solar panels and related equipment, antennae and satellite dishes, flight warning lights, garbage chutes, site servicing features, mechanical equipment, cooling equipment, decorative screens and any associated enclosure structures including parapets and a green roof on top of the mechanical penthouse enclosure, building maintenance units, window washing equipment and crane structures by a maximum of 7.0 metres;
- (F) Despite Clause 50.10.40.70 and Regulation 600.10.10(1), the minimum required **building setbacks** are as shown on Diagram 3 of By-law [Clerk to provide By-law No.];
- (G) Despite (F) above and Regulation 5.10.40.70(1), Clauses 50.5.40.60 and 50.10.40.60 and Regulation 600.10.10(1)(D), (E) and (F), the following may encroach into the required minimum building setbacks and separation distances shown on Diagram 3 of By-law [Clerk to provide By-law No.]:

- (i) Eaves, cornices, chimney breasts, uncovered platforms, balconies, canopies, pilaster, decorative column, cornice, sill, belt course or other similar architectural features, architectural fins, awnings, lighting fixtures, ornamental elements, trellises, window sills, balustrades, stairs, stair enclosures, wheelchair ramps, underground garage ramps and associated features, air vents and air intakes, site servicing features, and landscape and public art features may extend to a maximum of 2.0 metres beyond the heavy solid lines shown on Diagram 3;
- (H) Despite Regulation 50.10.40.80(3), the minimum required above-ground distance between windows facing a lot line that does not abut a street shall be:
 - (i) 0.0 metres where the interior area is used for indoor amenity; and
 - (ii) 1.0 metre where the interior area is a dwelling unit;
- (I) Despite Clause 200.5.10.1 and Table 200.5.10.1, vehicle **parking space** for the **mixed-use building** shall be provided and maintained on the **lot** in accordance with the following:
 - (i) A minimum of 26 **parking spaces** shall be required for residents;
 - (ii) 2 **parking spaces** shall be barrier free;
 - (iii) No parking shall be required for non-residential uses; and
 - (iv) No parking shall be required for visitors;
- (J) Despite Regulation 200.15.1(4), an accessible **parking space** may or may not be the closest **parking space** to:
 - (i) A barrier free entrance to a **building**;
 - (ii) A barrier free passenger elevator that provides access to the first **storey** of the **building**; and
 - (iii) The shortest route from the required entrances in (i) and (ii) above;
- (K) A parking space required by this By-law for use in the Commercial Residential Employment Zone category must be available for the use for which is required; and
- (L) A parking space must be on the same lot as the use for which the parking space is required.

Prevailing By-laws and Prevailing Sections:

- (A) Section 12(2) 270 of former City of Toronto By-law 438-86.

5. Despite any future severance, partition or division of the lands identified on Diagram 1 of By-law [Clerk to provide By-law No.], the provisions of this By-law will apply as if no severance, partition or division occurred.

6. 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

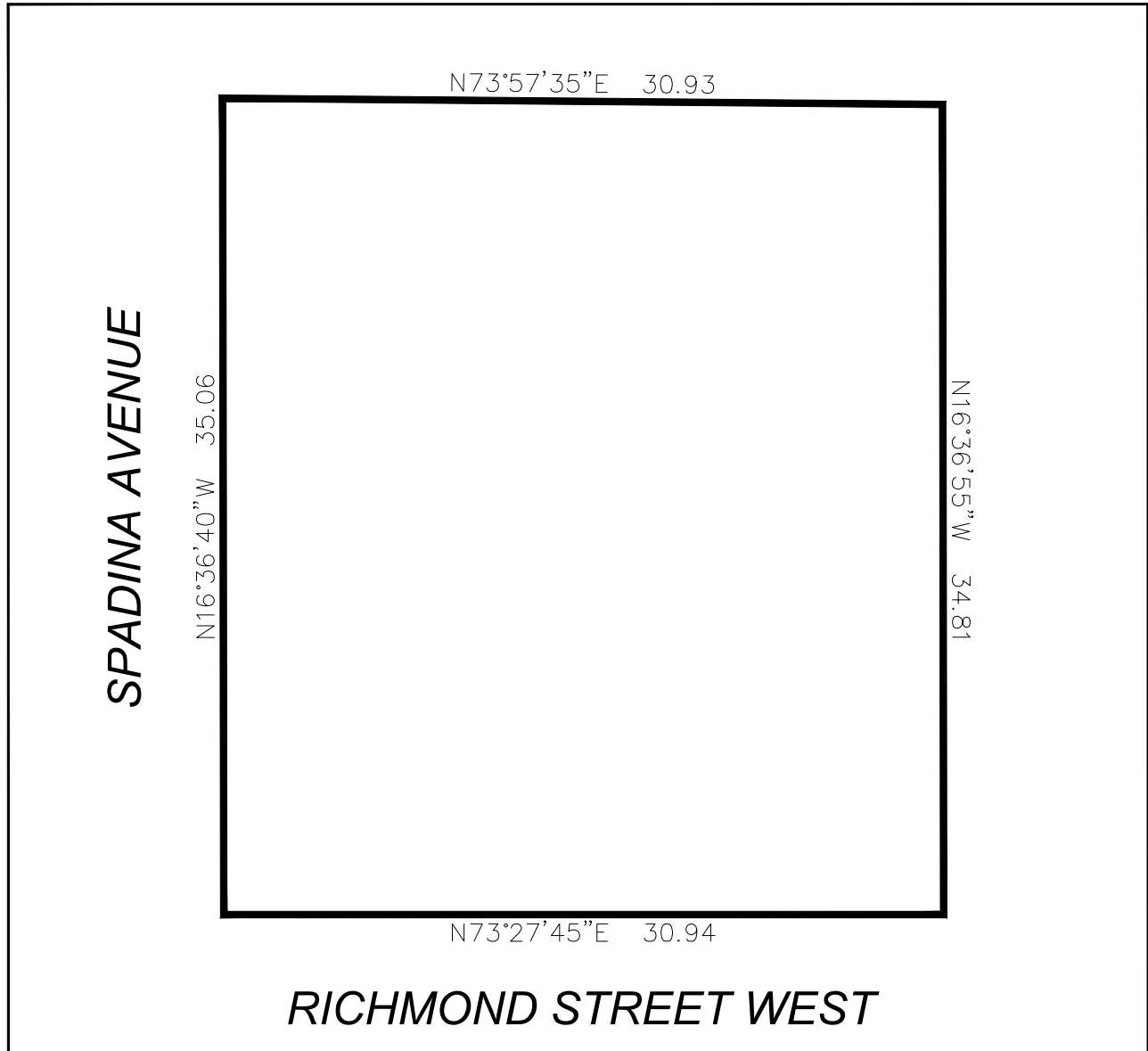


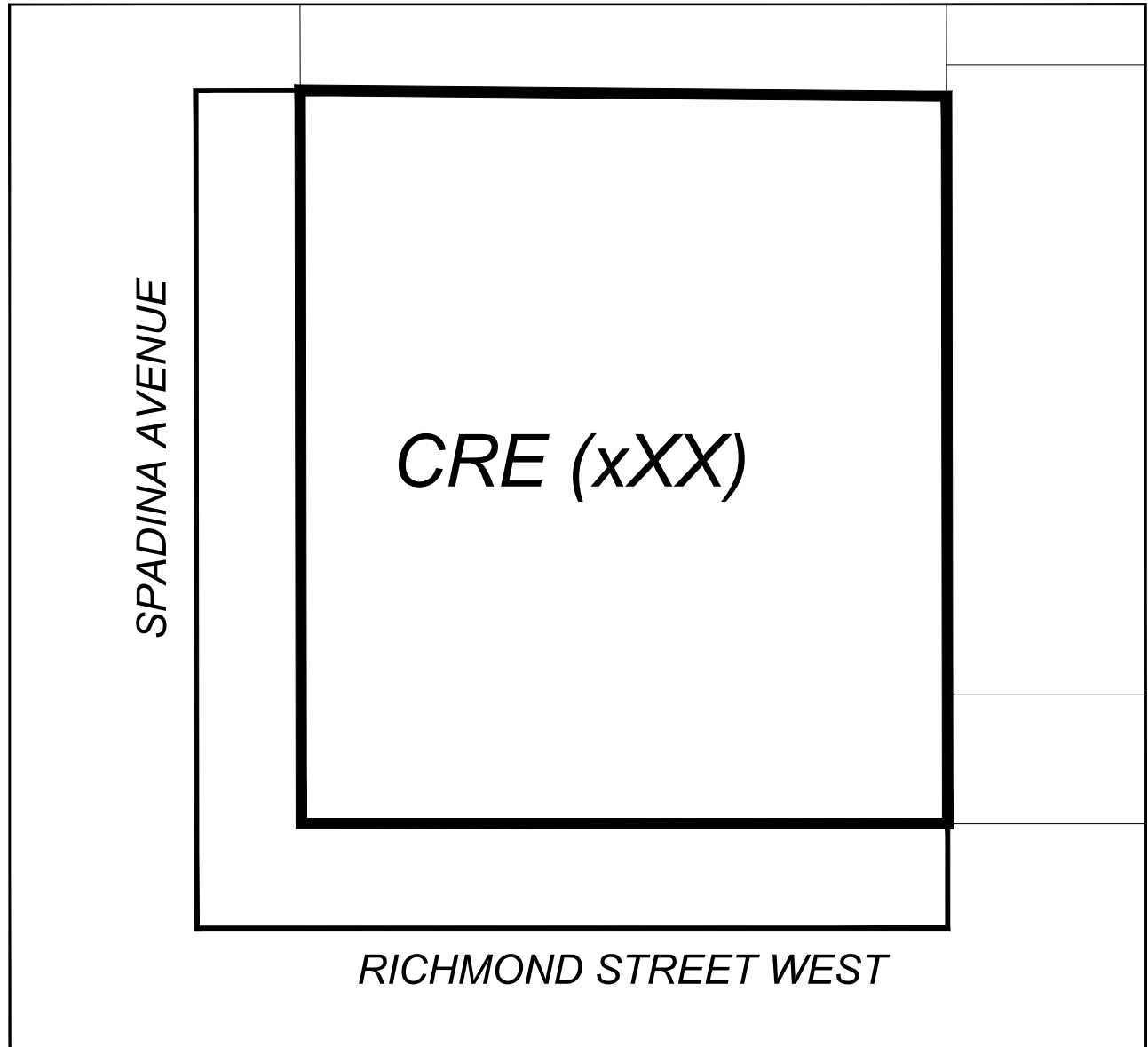
Diagram 1 - Land Map

147 Spadina Avenue, Toronto

File #21 _____



Not to Scale
City of Toronto By-law 569-2013



147 Spadina Avenue, Toronto

Diagram 2 - Zoning By-law Map

File #21_____

————— Subject Property



Not to Scale
City of Toronto By-law 569-2013

