

Authority: Toronto and East York Community Council Item ##, adopted as amended by City of Toronto Council on May on ~, 20 ~

(Draft Zoning By-law Amendment, dated December 19, 2018)

CITY OF TORONTO

BY-LAW No. XXX-2018

To amend the City of Toronto By-law No. 569-2013, as amended, with respect to lands municipally known in the year 2018 as 11-25 Yorkville Avenue and 16-18 Cumberland 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*;

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 By-law [Clerks to supply by-law #];
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. By-law No. 503-77 of the former City of Toronto By-law No. 20623, as amended, is repealed;
4. Zoning By-law No. 569-2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the land subject to this By-law, from a height and storey label of HT 18.0 to HT 203.0 as shown on Diagram 3 attached to By-law [Clerks to supply by-law #];
5. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.11, respecting the lands municipally known in the year 2018 as 11-25 Yorkville Avenue and 16-18 Cumberland Street, as outlined by heavy black lines to CR (XXXXX), as shown on Diagram 2 attached to By-law [Clerks to supply by-law #];
6. Zoning By-law No. 569-2013, as amended, is further amended by adding to Article 900.11 Exception Number (XXXXX):

Exception CR (XXXXX)

Site Specific Provisions:

- (A) On 11-25 Yorkville Avenue and 16-18 Cumberland Street, if the requirements of By-law [Clerks to supply by-law #] are complied with, none of Regulations 40.10.40.70(1), 40.10.40.80(1), Sections 12(2)132, 12(2)259, 12(2)304, 12(5)(h), 12(6) of former City of Toronto By-law No. 438-86 and By-law 333-02, shall apply to prevent the use or erection of a building, structure, addition or enlargement in compliance with (B) to (K);
- (B) In addition to those uses permitted by Section 40.10.20.10(1), **guest suites** are permitted on the **lot**;

- (C) The maximum **gross floor area** for Parcel A, as shown on Diagram 3, must not exceed a maximum of 51,000 square metres, provided:
- i. the residential **gross floor area** must not exceed 47,500 square metres;
 - ii. non-residential **gross floor area** must not exceed 3,500 square metres;
- (D) The maximum non-residential **gross floor area** for Parcel B, as shown on Diagram 3, must not exceed a maximum of 850 square metres;
- (E) Despite Regulations 40.5.40.10 and 40.10.40.10, no portion of any building or structure on the **lot** may have a **height** greater than the **height** in metres specified by the number following the “H” symbol as shown on Diagram 3 attached to and forming part of this By-law, excluding:
- i. wind screens, elevator overruns, mechanical equipment and any associated enclosure structures, parapets, awnings, fences, guard rails, railings and dividers, pergolas, trellises, balustrades, eaves, screens, stairs, roof drainage, window sills, window washing equipment, chimneys, vents, terraces, lightning rods, light fixtures, architectural features, landscaping, and elements of a green roof, which may project 7.0 metres above the height limits shown on Diagram 3;
- (F) Despite Regulations 40.5.40.60 and 40.10.40.60, no portions of a building or structure on the **lot** above grade shall extend beyond the areas delineated by heavy lines on Diagram 3 attached to and forming part of this By-law, with the exception of:
- i. balconies, cornices, light fixtures, ornamental elements, parapets, art and landscape features, architectural flutes, patios, decks, pillars, pergolas, trellises, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, window washing equipment, and underground garage ramps and associated structures may extend beyond the heavy lines on Diagram 3.
- (G) Despite Regulation 200.5.10.1(1), **parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- i. a minimum of 0.3 **parking spaces** for each **dwelling unit** for the use of the residents of the building;
 - ii. a minimum of 0.028 **parking spaces** for each **dwelling unit** for the use of residential visitors;
 - iii. no **parking spaces** is required for **non-residential uses**.
- (H) Despite Regulation 230.5.10.1(1), **bicycle parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- i. a minimum of 0.90 long-term **bicycle parking spaces** for each **dwelling unit**;
 - ii. a minimum of 0.10 short-term **bicycle parking spaces** per **dwelling unit**;

- iii. a minimum of 17 **bicycle parking spaces** shall be provided for non-residential uses;
- (I) Loading must be provided and maintained on the **lot** in accordance with the following:
- i. a minimum of one Type “G” **loading space** and one Type “B” **loading space** must be provided on Parcel A, as shown on Diagram 3; and
 - ii. a minimum of one Type “C” **loading space** must be provided on Parcel B, as shown on Diagram 3;

Prevailing By-laws and Provisions:

- (J) None apply.
7. None of the provisions of By-law 569-2013 shall apply to prevent a temporary **sales office** on the lands for the sale/lease of residential **dwelling units** or non-residential **gross floor area** on the lands as of the date of the passing of this By-law.
8. 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.
9. For the purpose of this By-law, all bold-type words and expressions have the same meaning as defined in By-law 569-2013, as amended, with the exception of the following:
- (a) **amenity space** shall mean indoor or outdoor space on a **lot** that is communal and available for use by the occupants of a building on the **lot** for recreational or social activities and shall include area used as **guest suites**;
 - (b) **lot** shall mean the parcel of land outlined by heavy lines on Diagram 1 attached to and forming part of this By-law;
 - (c) **grade** shall mean 116.35 metres Canadian Geodetic Datum;
 - (d) **guest suite** shall mean a suite, other than a **dwelling unit**, that has no kitchen facilities and is available for use on a temporary basis as overnight accommodation for persons visiting residents of a building on the **lot**;
 - (e) **height** shall mean, the vertical distance between **grade** and the highest point of the structure, except for those elements otherwise expressly permitted in this By-law;
 - (f) **sales office** shall means a temporary building, structure, facility or trailer on the lands used for the purpose of the sale or lease of **dwelling units** to be erected on the lands;

ENACTED AND PASSED this ____ day of _____, 2018.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)





