

Authority: Toronto and East York Community Council Item ##, as adopted by City of Toronto Council on ~, 2022

**CITY OF TORONTO**

**BY-LAW XXXX-2022**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 561 Jarvis Street and 105-120 Earl 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 pursuant to Section 39 of the *Planning Act*, as amended, the council of a municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

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.
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 labels on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from zone labels of R (d2.0) (x504) and R (d2.0) (x644) to a zone label of CR SS1 (x####) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number (x####) so that it reads:

~ Exception CR (x####)

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 known as 561 Jarvis Street and 102-120 Earl Place, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a

**building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Q) below:

- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 102.5 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulations 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (D) Despite (C) above and Regulations 40.5.40.10(1), (3), (4), (5), (6), (7) and (8), the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law ##]:
  - (i) equipment and **structures** used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment, mechanical penthouse, elevator overruns, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities and window washing equipment, to a maximum of 6.2 metres; and
  - (ii) structures that enclose, screen or cover the elements listed in (i) above;
  - (iii) elements or **structures** associated with outdoor **amenity space**, including but not limited to fences, screens and fixed outdoor furniture, privacy screens, dividers, railings, guardrails, fences, canopies, awnings and elements associated with a green roof to a maximum of 3.0 metres;
  - (iv) architectural features and ornamental elements, parapets, exterior wall surfaces, window projections, flues, stacks, lighting fixtures, transformer vaults, fire safety equipment and servicing and gas meters, to a maximum of 2.0 metres; and,
  - (v) ramps or elevating devices providing barrier free access;
- (E) Despite Regulations 40.5.40.60(1), 40.10.40.70(1) and Article 600.10.10, the required minimum **building setbacks** and minimum above ground separation distance are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (F) Despite (E) above and Regulations 40.5.40.60(1) and Clause 40.10.40.60,

the following elements may encroach into the required minimum **building setbacks** and **minimum** above ground separation distance as follows:

- (i) balconies, railings, divider screens and balcony platforms, to a maximum of 2.0 metres;
  - (ii) terraces, terrace platforms, elements or structures associated with outdoor **amenity space**, including but not limited to fences, screens and fixed outdoor furniture, privacy screens, dividers, railings, guardrails, parapets, landscape planters to a maximum extent of the **main wall** of the **storey** below;
  - (iii) architectural features and ornamental elements, exterior wall surfaces, window projections, flues, stacks, lighting fixtures, transformer vaults, fire safety equipment and servicing and gas meters, and canopies and awnings, to a maximum of 2.0 metres; and,
  - (iv) ramps or elevating device providing barrier free access;
- (G) Despite Regulation 40.10.40.40 (1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** must not exceed 43,500 square metres, of which;
- (i) the residential gross floor area must not exceed 43,300 square metres;
  - (ii) the non-residential gross floor area must not exceed 200 square metres;
- (H) Despite Regulation 40.10.40.50(2), no **amenity space** will be required for non-residential uses in the building;
- (I) Regulations 10.40.50.10(1) and (3) shall not apply to a lot in the CR zone that abuts a **lot** in the Residential Zone or Residential Apartment Zone category;
- (J) 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 of 0.09 residential occupant **parking spaces** for each **dwelling unit**;
  - (ii) a minimum of 0.01 residential visitor **parking spaces** for each **dwelling unit**; and

- (iii) no **parking spaces** shall be required for the non-residential uses of in the building;
  
- (K) Despite Regulations 200.15.1(1), a minimum of 13 accessible **parking spaces** must be provided and maintained on the lands in accordance with the following:
  - (i) a minimum length of 5.6 metres;
  - (ii) a minimum width of 3.4 metres;
  - (iii) a minimum 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 or path;
  
- (L) Despite regulations 230.5.1.10(9), 230.5.1.10(10) and 230.40.1.20(2), “long-term” and “short term” bicycle parking spaces may be located on the first or second **storey** of the **building** and anywhere below ground, within an enclosed room and in a **stacked bicycle parking space**;
  
- (M) Despite regulation 230.5.1.10(4)(C), a **stacked bicycle parking space** may be provided in with the following minimum dimensions:
  - (i) a minimum length of 1.8 metres;
  - (ii) a minimum width of 0.6 metres; and
  - (iii) a minimum vertical clearance of 1.2 metres;
  
- (N) Despite Regulation 230.5.1.10(7), shower and change facilities are not required;
  
- (O) Despite Regulation 220.5.10.1(2), a minimum of 1 Type "G" and 1 Type "C" **loading space** must be provided and maintained;
  
- (P) None of the provisions of By-law No. 569-2013 shall apply to prevent a temporary sales office for the purposes of marketing, rental, leasing and sale of the **dwelling units** on the lands;

Prevailing By-laws and Prevailing Sections: (none apply)

5. Despite any existing or future severances, partition, or division of the lands subject to this Exception, the provisions of this Exception will apply to the whole

of the lands as if no severance, partition or division had occurred.

6. Temporary use(s):
7. None of the provisions of By-law 569-2013, as amended, shall apply to prevent the erection and use of a temporary sales office or temporary construction office on the lands from the date this By-law comes into full force and effect.

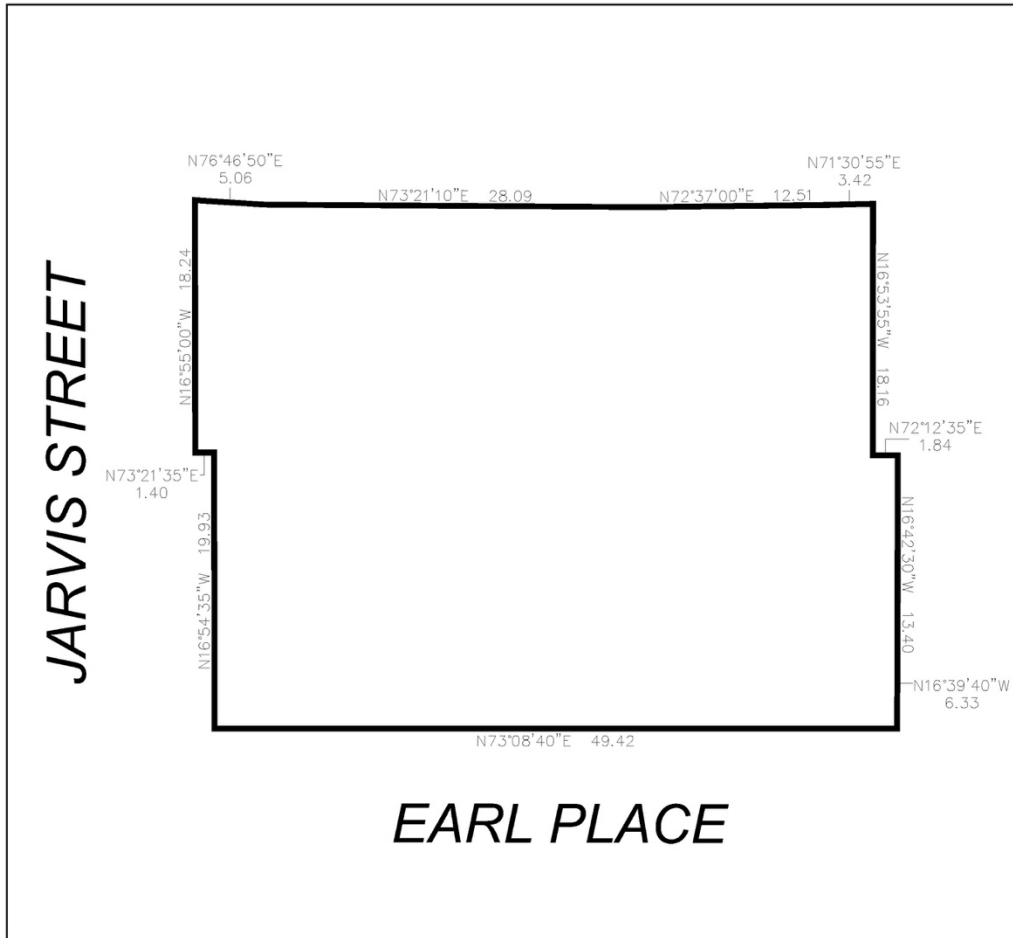
Enacted and passed on [month day, year].

Frances Nunziata,  
Speaker

John Elvidge,  
City Clerk

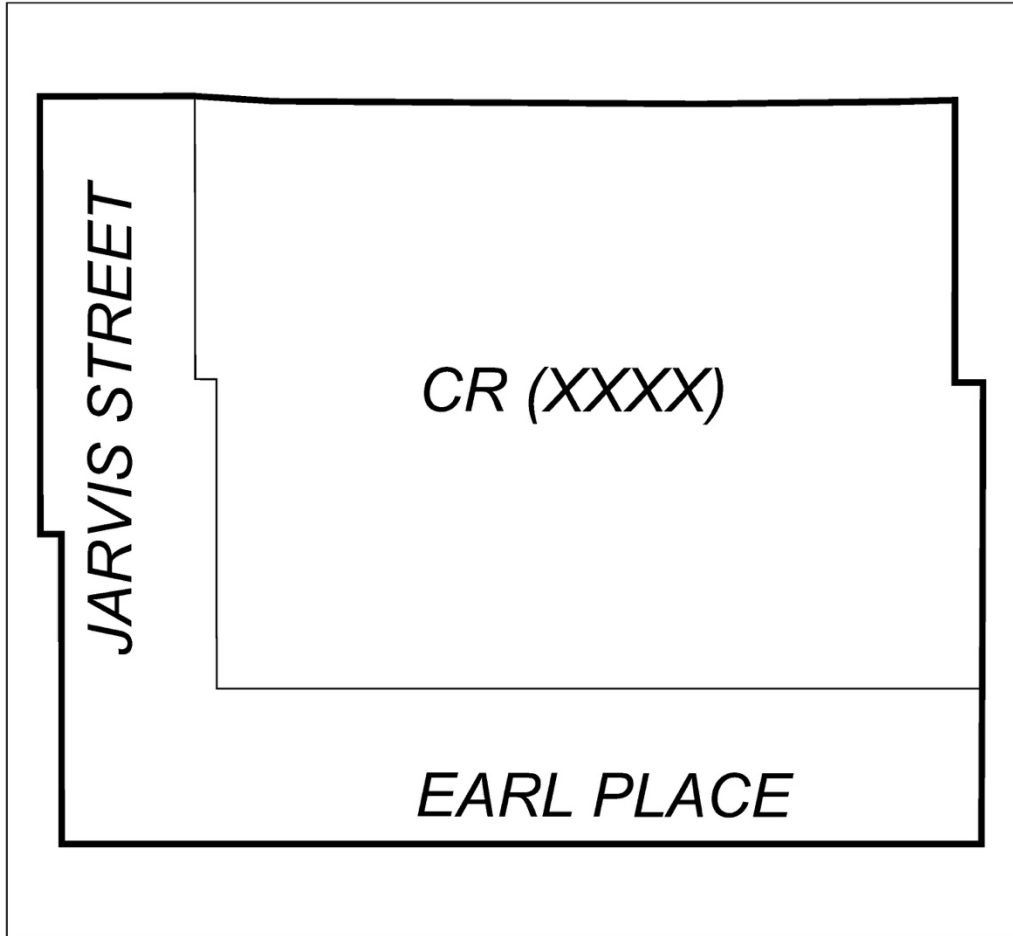
(Seal of the City)

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