

**630 - 642 Queen Street East  
Zoning Amendment Application – Supplementary Report**

<b>Date:</b>	February 7, 2011
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 30 – Toronto-Danforth
<b>Reference Number:</b>	06-157086 STE 30 OZ

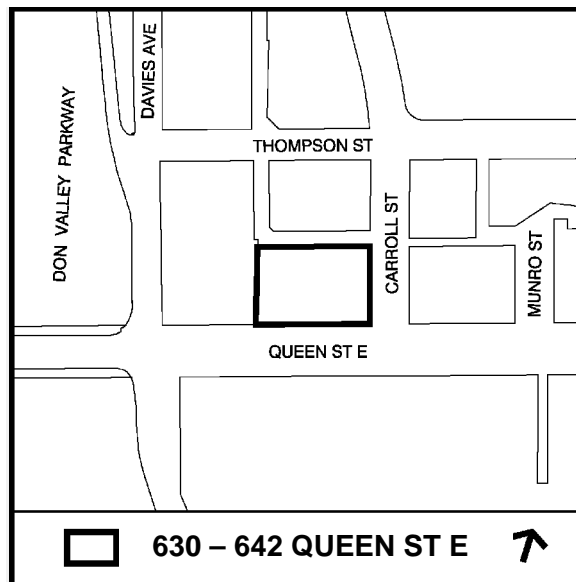
**SUMMARY**

This report includes draft Zoning By-law amendments to the Zoning By-law 438-86 of the former City of Toronto, and the new City-wide Zoning By-law 1156-2010, as described in the Final Report dated January 18, 2011, from the Director, Community Planning, Toronto and East York District, for the proposed nine-storey mixed use-building at 630 – 642 Queen Street East. The report also provides clarification with respect to the calculation of gross floor area under the respective by-laws.

**RECOMMENDATIONS**

The City Planning Division recommends that City Council replace the recommendations in Item TE 4.5 Final Report dated January 18, 2011, from the Director, Community Planning, Toronto and East York District, with the following:

1. City Council amend Zoning By-law 438-86, for the lands at 630 – 642 Queen Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 1 to the report dated February 7, 2011, by the Director, Community Planning, Toronto and East York District.



2. City Council amend Zoning By-law 1156-2010, for the lands at 630 – 642 Queen Street East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 2 to the report dated February 7, 2011, by the Director, Community Planning, Toronto and East York District.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. City Council authorize that the cash-in-lieu of parkland dedication which is in excess of 5% be directed to Don Mount Park (at Carroll and Thompson Streets).
5. City officials to take all necessary steps to give effect to the above-noted recommendations.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **COMMENTS**

The Final Report dated January 18, 2011, from the Director, Community Planning, Toronto and East York District, recommends approval and advises City Council that the draft amending zoning by-laws for the proposal were being reviewed by City Divisions and would be distributed at the public meeting.

City Planning staff, in consultation with the City Solicitor and Building staff, have prepared draft amendments to the former City of Toronto Zoning By-law and the new City-wide Zoning By-law that implement the proposal.

For clarification purposes, the calculation of gross floor area is different under each By-law, with the new City-wide Zoning By-law 1156-2010 being more inclusive. As such, the total gross floor area would be 6,950 m<sup>2</sup> under Zoning By-law 438-86, and 8,608 m<sup>2</sup> under Zoning By-law 1156-2010. The different calculations result in a floor space index of 5.12 and 6.36 under the By-laws, respectively. The draft Zoning By-law amendments are included as Attachments No. 1 and 2.

### **CONTACT**

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### **SIGNATURE**

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Gregg Lintern, MCIP, RPP, Director  
Community Planning, Toronto and East York District

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**ATTACHMENTS**

Attachment 1: Draft Zoning By-law Amendment to By-law 438-86

Attachment 2: Draft Zoning By-law Amendment to By-law 1156-2010

## **Attachment 1: Draft Zoning By-law Amendment to By-law 438-86**

Authority: Toronto and East York Community Council Item ~ as adopted by City of  
Toronto Council on ~, 2011  
Enacted by Council: ~, 2011

### **CITY OF TORONTO**

**Bill No. ~**

### **BY-LAW NO. ~ - 2011**

#### **To amend Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands municipally known in the year 2010 as 630-642 Queen Street East**

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2010 as 630-642 Queen Street East;

AND WHEREAS the Council of the City of Toronto has provided adequate information to the public and has conducted at least one public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

AND WHEREAS the Council of the City of Toronto, at its meeting on March 8 and 9, 2011, determined to amend Zoning By-law No. 438-86;

THEREFORE By-law No. 438-86, the General Zoning By-law of the former City of Toronto, as amended, is further amended as follows:

1. None of the provisions of Section 2(1) with respect to “*grade*”, “*height*”, “*lot*”, “*parking garage*”, “*parking space*”, and Sections 4 (2)(a), 4 3(a), 4 (4)(b), 4 (6)(b) and (c), 4 (10)(a), 4 (12), 4 (17), 8(3) Part I 1, 8(3) Part I 3(a), 8(3) Part II 1 (b)(ii), 8(3) Part II 4(c), 8(3) Part XI 1 and 8(3) Part XI 2 of By-law No. 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto” as amended, shall apply to prevent the erection and use of a *mixed-use* building on the *lot*, including a *commercial parking garage*, provided that:
  - (1) the *lot* on which the *mixed-use building* is located comprises at least the lands outlined by heavy lines on Map 1 attached to and forming part of this By-law;
  - (2) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* does not exceed 6950 square metres, provided:

- (i) the *residential gross floor area* does not exceed 6200 square metres;
  - (ii) the *non-residential gross floor area* for *retail stores* does not exceed 900 square metres; and
  - (iii) the *retail stores* shall only be permitted on the first *storey* above *grade*.
- (3) a maximum of 98 *dwelling units* are provided on the *lot*;
- (4) the *mixed-use building*, including all mechanical equipment, stair enclosures and elevator overruns, is located wholly within the areas delineated by heavy lines and the *height* limits specified by the numbers following the symbol “H” as shown on Map 2, attached and forming part of this By-law, with the following exceptions:
- (i) balconies provided they extend no more than 1.6 metres from the walls to which they are attached;
  - (ii) canopies, stairs, fences, landscape features, guard-rails, retaining walls, wheel chair ramps, terrace and balcony railings and dividers, lightning rods, elements of a green roof, window washing equipment, solar panels, solar hot water heaters, exhaust flues, parapets, cornices, balustrades, mullions, light fixtures, awnings, parapets, ornamental elements and eaves which may project above or beyond such areas and *heights* as shown on Map 2; and
  - (iii) none of the building elements listed in (i) and (ii) above may extend beyond the *lot* lines;
- (5) *parking spaces* are provided on the *lot* in accordance with the following minimum standards:
- (i) 0 *parking spaces* for each *bachelor dwelling unit*;
  - (ii) 0.25 *parking spaces* for each one bedroom *dwelling unit*;
  - (iii) 0.75 *parking spaces* for each two bedroom *dwelling unit*;
  - (iv) 1.2 *parking spaces* for each *dwelling unit* having three or more bedrooms;
  - (v) 0.06 *parking spaces* for each *dwelling unit* for the exclusive use of visitors to the *dwelling units*;
  - (vi) one *car-share parking space* shall be provided; and

- (vii) no *parking spaces* shall be required for the non-residential uses on the *lot*;
  - (6) a maximum of 28 *parking spaces* may be provided for use by motor vehicles whose users are not occupants of the *mixed-use* building;
  - (7) a minimum of 121 square metres of indoor *residential amenity space* shall be provided in a multi-purpose room or rooms at least one of which contains a kitchen and a washroom and the floor area devoted to indoor *residential amenity space* shall be excluded from the calculation of *residential gross floor area*;
  - (8) a minimum of 97 square metres of outdoor *residential amenity space* shall be provided on the *lot*; and
  - (9) *bicycle parking spaces* and lockers shall be excluded from the calculation of *residential gross floor area*.
2. No person shall use any land or erect or use any building or structure on the *lot* unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
  - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
3. Despite any future severance, partition or division of the *lot* as shown on Map 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.
4. 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. 438-86, as amended, with the exception of the following terms:
- (i) “*car-share*” 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 to use a *car-sharing* vehicle, a person must meet the membership requirements of the *car-sharing* organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven;
  - (ii) “*car-share parking space*” means a *parking space* exclusively for a car used only for *car-sharing* purposes;

- (iii) “*grade*” shall mean 81.60 metres Canadian Geodetic Datum;
- (iv) “*height*” shall mean, the vertical distance between *grade* and the highest point of the structure, except for those elements otherwise expressly prescribed in this By-law;
- (v) “*lot*” shall mean the parcel of land outlined by heavy lines on Map 1 and known municipally as 630-642 Queen Street East in the year 2010;
- (vi) “*parking garage*” means a building or portion of a building, other than a *private garage*, that is used for the temporary parking of motor vehicles either as an *accessory* use to the principal use or uses permitted on the *lot* or as a principal use on the *lot*; and
- (vii) “*parking space*” shall mean an unimpeded area having minimum dimensions of 5.6 metres in length, 2.6 metres in width and 2.0 metres in height which is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another motor vehicle.

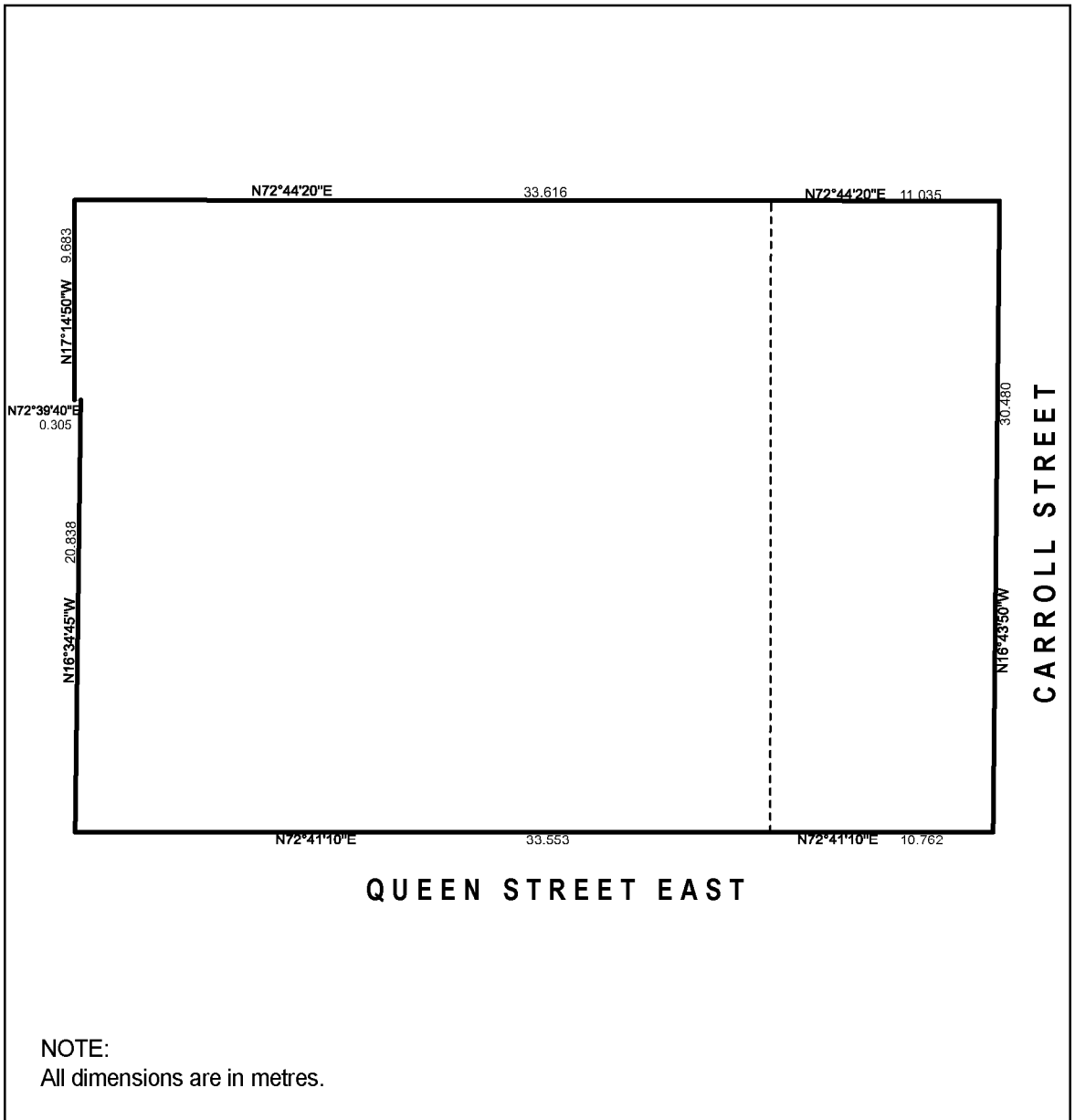
5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,  
Mayor

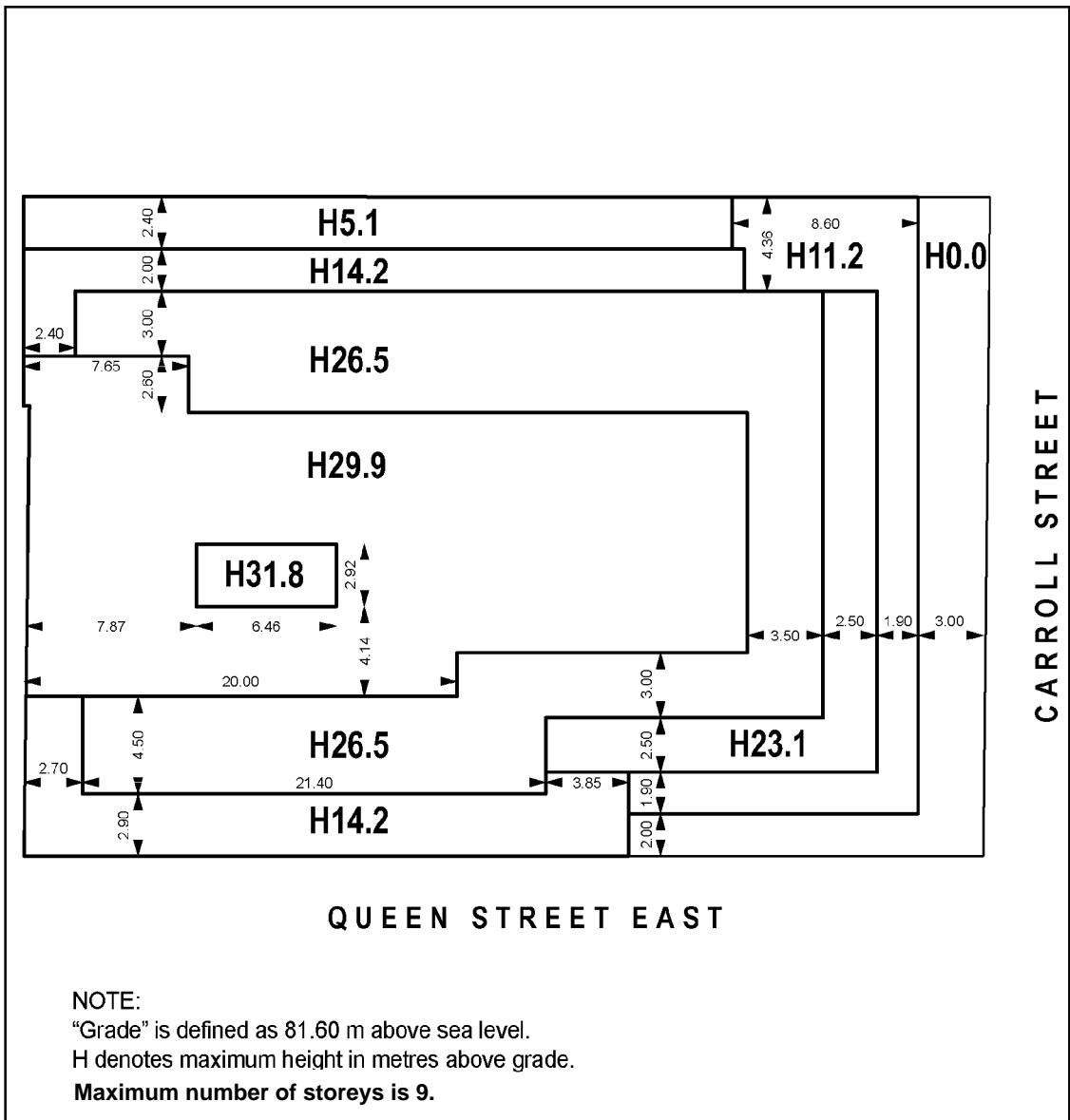
ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



NOTE:  
All dimensions are in metres.





## Attachment 2: Draft Zoning By-law Amendment to By-law 1156-2010

Authority: Toronto and East York Community Council Item ~ as adopted by City of  
Toronto Council on ~, 2011  
Enacted by Council: ~, 2011

### CITY OF TORONTO

Bill No. ~

### BY-LAW No. ~-2011

#### To amend City of Toronto Zoning By-law No. 1156-2010, as amended, with respect to lands municipally known in the year 2010 as 630 – 642 Queen Street East

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 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. The lands subject to this By-law are outlined by heavy black line on Diagram "1" attached;
2. The zoning by-law map for by-law 1156-2010 is amended by deleting Exception 2294 and adding Exception 2575 to the lands delineated by the heavy line on Diagram "1" of By-law 111-2011;
3. Zoning By-law No. 1156-2010, as amended, is further amended by adding Exception CR 2575 to Article 900.11.10, so that it reads:

#### Exception CR 2575

The lands subject to this exception must comply with the following:

None of the provisions of 5.10.40.1(1), 5.10.40.10(1), 5.10.40.70(2), 5.10.80.1.(2), 5.10.80.20.(1), 5.10.80.40(1), 5.10.90.1, 40.5.1.10.(2)(A), 40.10.20.100 7(B), 40.10.40.1.(2), 40.10.40.10.(4)(B), 40.10.40.10.(7), 40.10.40.50.(1)(A) and (B), 40.10.40.70(4), 230.5.1.10(8), 200.15.1.(1), 200.15.10.(1), 200.5.1.10.(2)(A), 200.5.10.1.(1), 200.5.1.10.(14), 220.5.10.1., 230.5.1.10.(4), 230.5.1.10.(9), 230.5.10.1, 230.5.1.10.(11), 230.40.1.10.(2), and 900.11.10.(2294), shall apply to prevent the construction of a mixed use commercial residential **building** with **98 dwelling units** and a maximum floor space index of 6.36 on the **lot**, as shown on Diagram 2 of By-law (xxx 2011), if there is compliance with the following:

- (A) A maximum of **98 dwelling units** are permitted;

- (B) **Building** height is measured from a geodetic elevation of 81.6 metres above sea level;
- (C) The maximum height of the mixed use commercial residential **building** must not exceed nine **storeys** or 31.8 metres above a geodetic elevation of 81.6 metres above sea level, including mechanical equipment;
- (D) The maximum height of any portion of the **building** or **structures** on the **lot**, excluding parapets, guard rails, balcony railings and dividers, lightning rods, landscaping and elements of a green roof must not exceed the height in metres or **storeys**, whichever is the lesser, above a geodetic elevation of 81.6 metres above sea level, as shown on Diagram 2 of By-law (xxx-2011);
- (E) The minimum height of the **first floor** is 3.45 metres, measured floor to floor;
- (F) The total **gross floor area** of the mixed use commercial residential **building** must not exceed 8,608 square metres, and:
  - (i) the **gross floor area** of **buildings** and **structures** occupied by permitted residential uses must not exceed 7,641 square metres;
  - (ii) the **gross floor area** of **buildings** and **structures** occupied by permitted non-residential uses must be no less than 727 square metres and no more than 2,708 square metres; and
  - (iii) the total cumulative **gross floor area** used for **retail stores** must not exceed 970 square metres.
- (G) A **retail store** use is only permitted on the **first floor**;
- (H) The maximum permitted **floor space index** for the area covered by this exception, notwithstanding any future severance, partition, or division of land, is 6.36, of which a maximum of 5.64 shall be for residential uses;
- (I) The minimum **building setbacks** above grade must not be less than the measurements shown on Diagram 2 of By-law (xxx-2011), excluding balconies, which may project up to 1.6 metres from the walls to which they are attached, canopies, landscape features, light fixtures, ornamental elements and eaves;
- (J) A minimum of 121 square metres of indoor **amenity space** is to be provided for the **dwelling units** in the mixed use commercial residential **building**;
- (K) A minimum of 97 square metres of outdoor **amenity space** is to be provided for the **dwelling units** in the mixed use commercial residential **building** and the outdoor **amenity space**:

- (i) must be adjoining or directly accessible from the indoor **amenity space**, and
  - (ii) may be located above grade;
- (L) The floor level of the non-residential uses on the **first floor**:
- (i) must not exceed 1.1 metres, above a geodetic elevation of 81.6 metres above sea level, measured at the street line directly opposite each pedestrian entrance, and
  - (ii) may be accessed by a ramp that has a maximum slope of 6%;
- (M) A minimum of 80 **parking spaces** shall be provided and maintained on the **lot**, of which:
- (i) a minimum of 45 **parking spaces** are required for the exclusive use of residents;
  - (ii) a minimum of six **parking spaces** are required for the exclusive use of residential visitors;
  - (iii) of the six visitor **parking spaces**, four may be provided at grade and are permitted to be located 0.0 metres from the north (rear) **lot** line; and
  - (iv) a minimum of one **parking space** dedicated to car sharing shall be provided at grade, and is permitted to be located 0.0 metres from the north (rear) **lot** line.
  - (iv) a maximum of two **parking spaces** shall be for the use of smaller vehicles, and must have a minimum width of 2.6 metres;
  - (v) a maximum of two visitor **parking spaces** may be obstructed, due to the parking control device situated adjacent to these two **parking spaces**; and
  - (vii) a maximum of 28 motor vehicle **parking spaces** located below grade may be provided for a **public parking** use;
- (N) A minimum of 75 **bicycle parking spaces** must be provided and maintained on the **lot**, of which:
- (i) 15 **bicycle parking spaces** shall be allocated for short-term bicycle parking;
  - (ii) the short term bicycle parking must be provided at grade;
  - (iii) the short term bicycle parking shall be located no more than 110 metres from the principal pedestrian entrance of the **building**;

- (iv) 60 **bicycle parking spaces** must be allocated for long-term bicycle parking, and
- (v) the long-term bicycle parking may be located below grade (on Levels P1 and P2).

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

