

Authority: Scarborough Community Council SC33.2, as adopted by City of Toronto Council on July 19 and 20, 2022

CITY OF TORONTO

Bill 936

BY-LAW -2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 448 to 454 Markham Road.

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; 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;

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 label on the Zoning By-law Map in Section 990.10, respecting the lands outlined by the heavy black lines, from a zone label of RD (f15.0; a696) (x423) to a zone label of RT (u42) (x361), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.5.10 Exception Number 361 so that it reads:

(361) Exception RT 361

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 448 to 454 Markham Road, 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 (T) below;

- (B) Despite Regulation 10.5.40.10(1), the height of a **building** is the distance between the Canadian Geodetic Datum of 148.59 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the items listed in Regulation 10.5.40.40, the **gross floor area** of a **residential building** is also reduced by:
 - (i) Areas used to store waste; and
 - (ii) The total area used for the purpose of parking (including drive aisles, columns, bicycle parking and tractor storage), mechanical, electrical and garbage rooms, exhausts and intakes and exit stairs.
- (D) Regulation 10.5.40.50 and 10.5.40.60 with respect to decks, balconies, porches, platforms and similar **structures** does not apply;
- (E) Despite Regulation 10.5.50.10, a minimum of 39 percent of the **lot** will consist of **landscaping**;
- (F) Regulation 10.5.80.40(2) with respect to elevation of a **vehicle** entrance does not apply;
- (G) Despite Regulation 10.60.20.40(1), only **dwelling units** located in a **townhouse** are permitted on the **lot**;
- (H) Despite Regulation 10.60.30.10, the minimum required **lot area** is 7,400 square metres;
- (I) Despite Regulation 10.60.30.20, the minimum required **lot frontage** is 110 metres;
- (J) Despite Clause 10.60.30.40, the maximum permitted **lot coverage**, as a percentage of the **lot area**, is 40 percent;
- (K) Regulation 10.60.40.1(3) with respect to minimum width of a **dwelling unit** in a **townhouse** does not apply;
- (L) Despite Regulations 10.5.60.40 and 10.60.40.10(1) and (2), 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 ##**];
- (M) Despite Regulation 10.60.40.10(2), the permitted maximum number of **storeys** in a **building** is the number following the letters "ST" as shown on Diagram 3 of By-law [**Clerks to insert By-law ##**]. For the purposes of this provision, floor levels which include **parking spaces** or roof access enclosures do not constitute a **storey**;

- (N) Despite Regulation 10.60.40.10(1), 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 used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 3 metres;
 - (ii) **Structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 3.5 metres; and
 - (iii) Architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.5 metres.
- (O) Despite Regulation 10.60.40.40(1), the maximum permitted **gross floor area** is 9,600 square metres;
- (P) Despite Regulation 10.60.40.70(1)(2) or (3), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (Q) Despite Regulation 10.60.40.80(1) or (2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (R) Despite Regulation 10.5.40.60 (1) to (8) and (P) and (Q) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) Architectural features, window wells, roofing, roof drainage including gutters and leaders, vents, awnings, canopies, porches, front entry stairs, pipes and utility equipment including equipment related to natural gas, hydro and water, air conditioning units, fire walls, and access stairs for a parking garage to a maximum of 3.5 metres;
 - (ii) A platform above the first **storey** to a maximum of 1.5 metres;
 - (iii) A deck including associated stairs to a maximum of 4.0 metres;
 - (iv) Retaining walls; and
 - (v) Bay window, box window or other window projection from a **main wall** which increases floor area or enclosed space to a maximum of 1.5 metres.

- (S) 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 1 residential occupant **parking space** for each **dwelling unit**; and
 - (ii) A minimum of 0.15 residential visitor **parking space** for each **dwelling unit**.
- (T) Despite Section 800.50(435), **lot coverage** excludes projections permitted by (R) above;

Prevailing By-laws and Prevailing Sections: (None Apply)

6. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition, or division occurred.

7. Temporary Use

- (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales presentation centre in a **building** on the lands outlined by heavy black lines as shown on Diagram 2 attached to this By-law [**Clerks to insert By-law ##**] for the purpose of marketing and sale of the **dwelling units** permitted on these lands, and no other provisions of this By-law apply to prevent the temporary sales presentation centre.

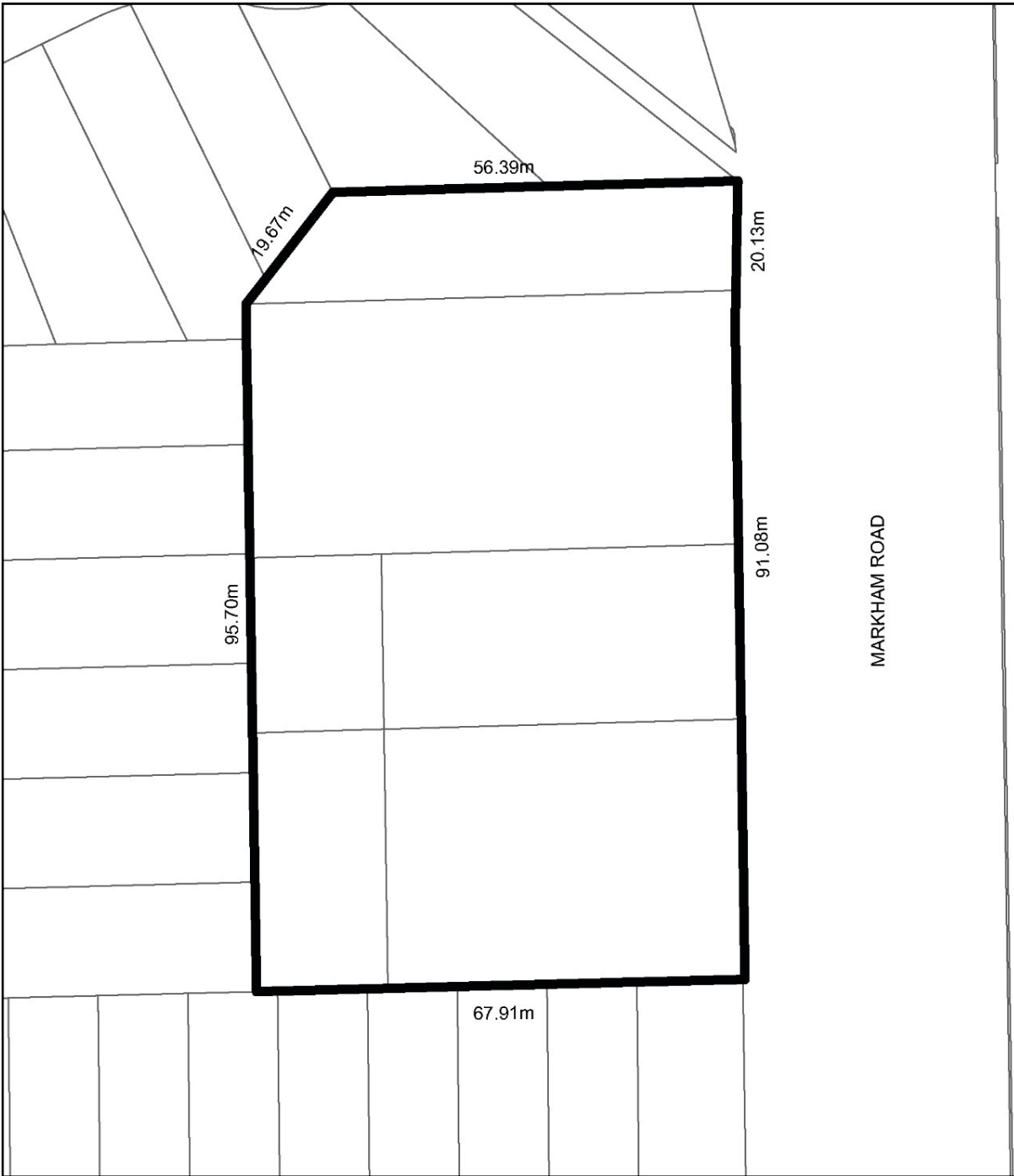
Enacted and passed on July , 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

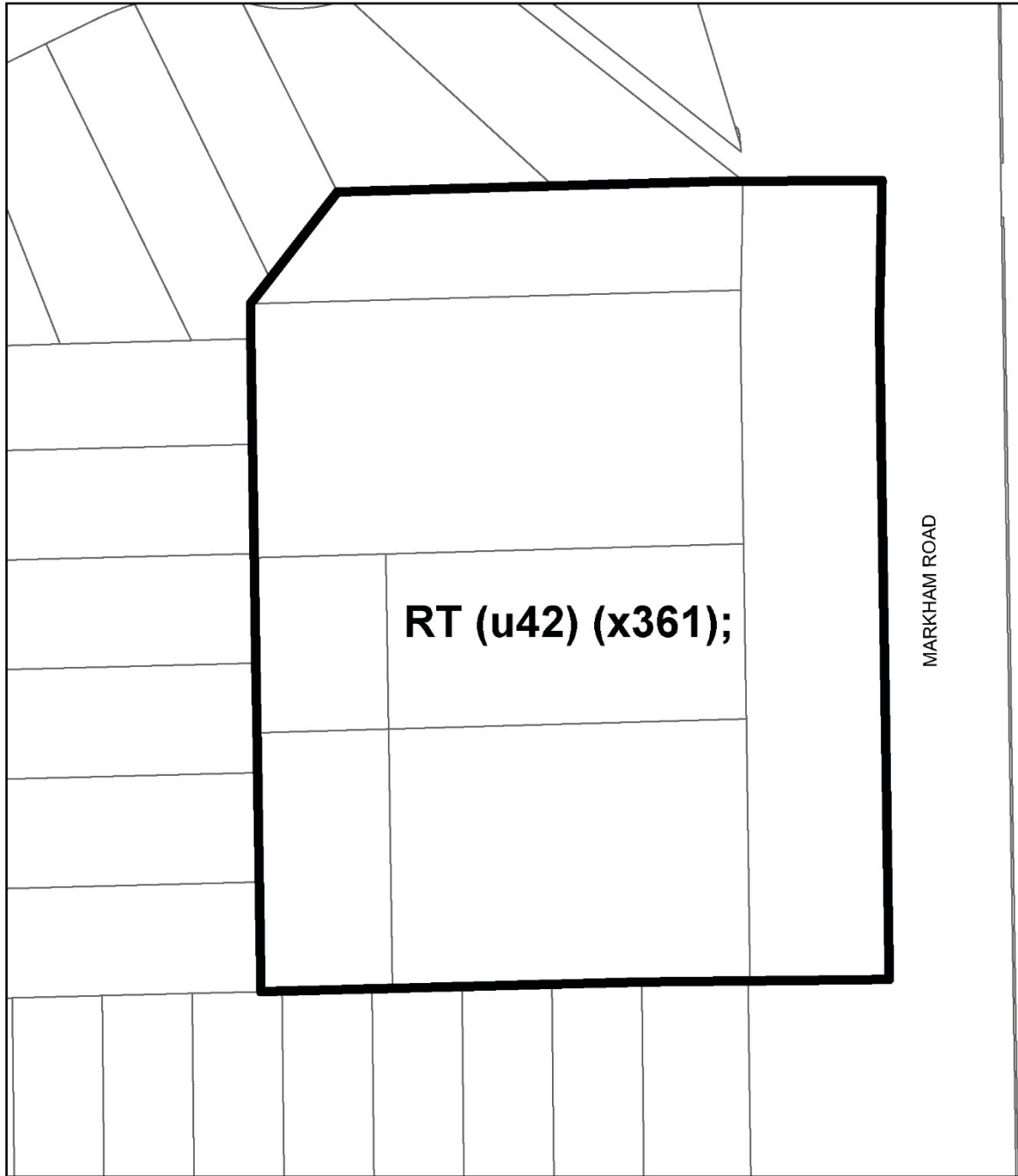


 **TORONTO**
Diagram 1

448-454 Markham Road

File # 20 196539 ESC 24 0Z

Diagram 2



 **TORONTO**
Diagram 2

448-454 Markham Road

File # 20 196539 ESC 24 0Z

Diagram 3

