

Authority: North York Community Council Item NY4.9, adopted as amended, by City of Toronto Council on May 10, 11 and 12, 2023

## CITY OF TORONTO

### Bill 441

### BY-LAW -2023

#### **To amend the City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 22-36 Greenbriar 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; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use that lands, buildings or structures may be put once Council removes the holding symbol "(H)" by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)"; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

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 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 (1) respecting the lands outlined by heavy blacklines from a zoning label of RM (f21.0; a925; d0.85) to (H) RM (f21.0; a925; d0.85) (x349), as shown on Diagram 2 attached to this By-law.

4. Zoning By-law 569 -2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30 for the lands subject to this By-law, from a lot coverage label of 35 to a lot coverage label of 52 as shown on Diagram 4 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding Exception Number RM 349 to Article 900.6.10 so that it reads:

**(349) Exception RM 349**

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 22-36 Greenbriar Road, if the requirements of By-law [City Clerk to provide Bylaw#] are complied with, none of the provisions of By-law 569-2013, and none of the provisions of By-law 569-2013, shall apply to prevent the erection or use of a **building** or **structure** permitted in compliance with (B) to (O) below;
- (B) Despite Regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 171.35 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 10.80.40.10(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 [City Clerk to provide Bylaw#];
- (D) Despite Regulations 10.5.40.10(2), (3) and (4) and Section (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [City Clerk to provide Bylaw#];
  - i. parapets, roof access, chimneys, vents, ducts, pipes, roof drainage, antennae, terraces and terrace platforms, telecommunication equipment, satellite dishes, guard rails, railings, dividers, screens, balustrades, unenclosed **structures** providing safety or wind protection, privacy and wind screens, elements of a **green roof**, pergolas, trellises, light fixtures, landscape elements and landscape planters, architectural features, retaining walls, thermal and waterproofing assembly located at each of the roof levels of the **building**, **structures** on the roof of any part of the **building** used for outside or open air recreation, noise mitigation elements and partitions dividing outdoor recreational areas, all of which may project up to a maximum of 3.5 metres; and
  - ii. structural/non-structural architectural columns/piers/bands, mechanical penthouses, equipment used for the functional operation of the **building**, such as cooling tower, electrical, utility, mechanical and ventilation equipment, stair and elevator enclosures and overruns, stair access,

window washing equipment, lightning rods, exhaust flues, vents, ventilating equipment, chimney stack, air shafts, gas metres, garbage chute overruns and **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in this section, all of which may project up to a maximum of 7.5 metres.

- (E) Despite Regulation 10.80.40.40(1), the permitted maximum **gross floor area** of all buildings and structures on the lot is 24,500 square metres;
- (F) Despite Clause 10.80.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [**City Clerk to provide Bylaw#**];
- (G) Despite Clause 10.5.40.60 and Section (F) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- i. balconies, balcony platforms, guards, railings and screens, all of which may project to a maximum of 2.5 metres;
  - ii. lighting fixtures, architectural features, structural/non-structural architectural columns/piers, window washing equipment, awnings, canopies, parapets, parapet flashing, bollards, chimneys, cornices, eaves, stacks, roof and terrace scuppers, vents, walkways, roof overhang, gutter, downspout, trellises, window sills, guardrails, balustrades, railings, wheel chair ramps, mechanical exhaust and intake components, gas meters, underground garage ramps and their associated **structures** and elements, retaining walls, fences, Siamese connections, ornamental elements, all of which may project to a maximum of 2.0 metres;
  - iii. terraces and terrace platforms, guards, railings, privacy screens, wind mitigation and acoustic screens and features, planters, parapets, landscape planters and elements of a **green roof**, which may project beyond the required **building setback** to the extent of the **main wall** of the storey below to a maximum of 6.0 metres; and
  - iv. stairs, stair enclosures, air shafts, gas metres, underground garage ramps and their associated **structures**, wheelchair ramps, and window washing equipment.
- (H) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** shall be provided in accordance with the following:
- i. a minimum of 0.05 residential visitor **parking spaces** per **dwelling unit**; and
  - ii. no minimum for residential occupant **parking spaces** applies.

- I) Despite Regulation 200.5.1.10(2), a maximum of 15 percent of the required **parking spaces** may have minimum dimensions of:
- i. length of 5.1 metres;
  - ii. width of 2.4 metres; and
  - iii. vertical clearance of 1.7 metres.
- (J) Despite Regulation 200.5.1.10(2)(D), where a **parking space** is limited by a wall or other permanent obstruction, 0.3 metre is not required for each side of the **parking space** that is obstructed;
- (K) A minimum of one (1) Type "G" **loading space** be provided and maintained on the lands for the new **building** as shown on Diagram 1 of By-law [**City Clerk to provide By-law #**] with the following dimensions:
- i. minimum length of 13.0 metres;
  - ii. minimum width of 4.0 metres; and
  - iii. minimum vertical clearance of 6.1 metres.
- (L) Despite Regulation 15.10.40.50(1) a minimum of 1,280 square metres of **amenity space** shall be provided, of which:
- i. A minimum of 544 square metres is dedicated to indoor **amenity space**.
- (M) Despite Regulations 230.5.10.1(1)(3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided on the lot in accordance with the following minimum rates:
- i. 208 "long-term" **bicycle parking spaces** for residential occupants; and
  - ii. 22 "short-term" **bicycle parking spaces** for residential visitors.
- (N) Despite regulation 230.5.1.10(4) and 230.5.1.10(5) **bicycle parking space** may be provided in racks or **bicycle parking stackers** with the following minimum dimensions:
- i. minimum length of 1.7 metres;
  - ii. a minimum width of 0.4 metres; and
  - iii. a minimum horizontal clearance from the wall of 1.0 metres.

- (O) Of the **dwelling units** that are permitted on the **lot**:
- i. a minimum of 15 percent of the total number of **dwelling units** must contain two or more bedrooms;
  - ii. a minimum of 11 percent of the total number of **dwelling units** must contain three or more bedrooms;
  - iii. An additional 4 percent of the total number of **dwelling units** may be any combination of two bedroom and three bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of two and three bedroom **dwelling units**;
  - iv. **Dwelling units**, as described in (iii) above, may be converted using accessible or adaptable design measures such as knock-out panels;
  - v. any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
  - vi. if the calculation of the number of required **dwelling units** in (i) to (iii) above results in a number with a fraction, the number may be rounded down to the nearest whole number.

Prevailing By-laws and Prevailing Section: None Apply

- (P) Despite any existing or future consent, severance, partition or division of the lot, the provisions of By-law [**City Clerk to provide By-law #**], shall apply to the lands, as identified on Diagram 1, as if no consent, severance, partition or division occurred.

**6.** Temporary use(s):

None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales office on the lot for a period of not more than 2 years from the date this By-law comes into full force and effect.

**7.** Holding Provisions:

The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 1 attached to and forming part of this By-law shall not be used for any purpose other than those uses and buildings as existing on the site as of December 31, 2021 until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council when the following condition has been fulfilled to the satisfaction of City Council.

The Owner has submitted an acceptable Site Servicing Review (comprised of Functional Servicing Report, Stormwater Management Report and Hydrogeological Report) demonstrating that the City requirements can be met and sufficient capacity exists to accommodate the proposed development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Should the Functional

Servicing Report identify that any upgrades or improvements to municipal infrastructure including municipal services are required, those upgrades and improvements shall be secured by appropriate agreements as a condition of Site Plan approval, and shall be constructed prior to the issuance of any building permits for any development on the lands, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

Enacted and passed on May , 2023.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

Diagram 1

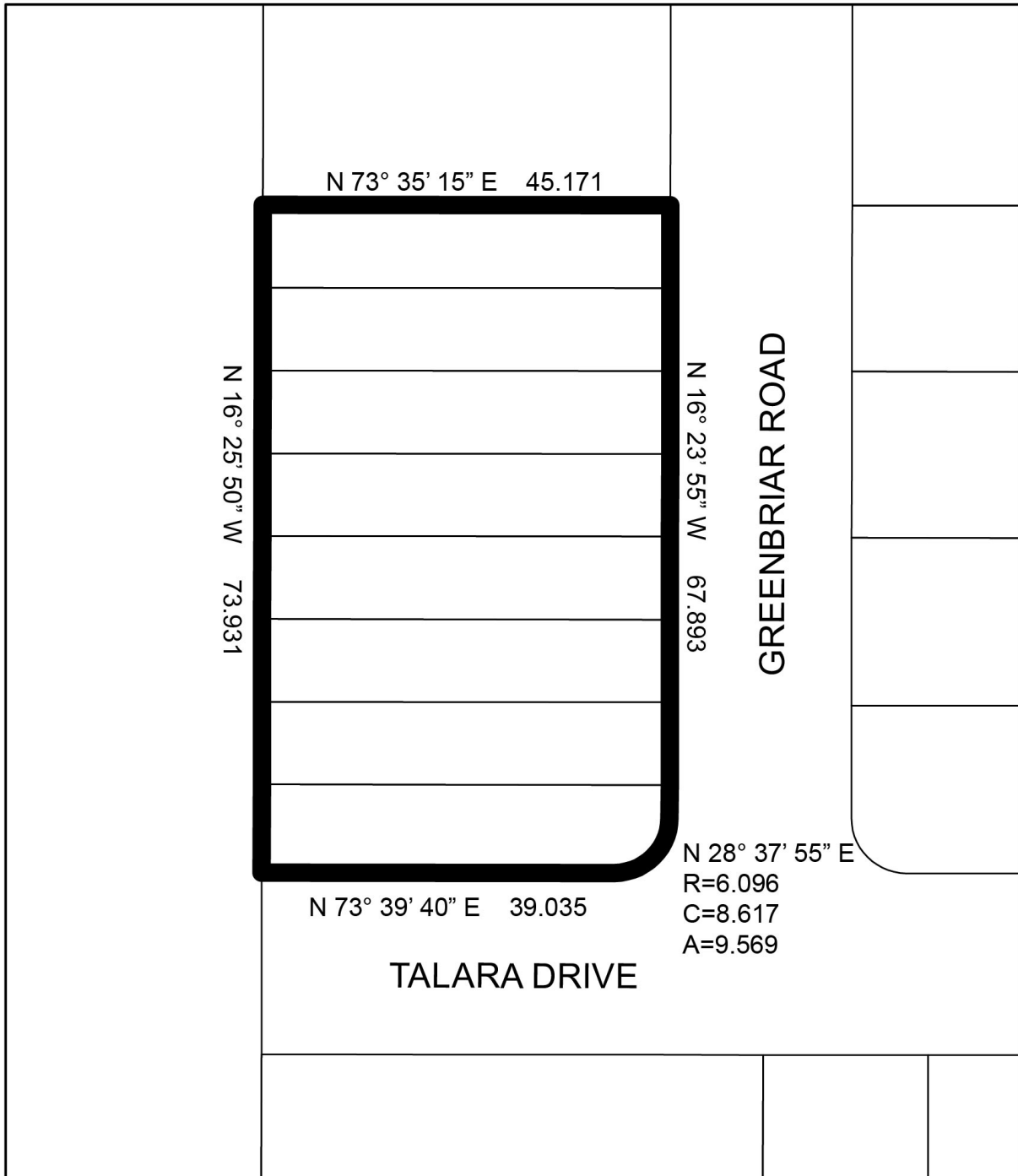


Diagram 2

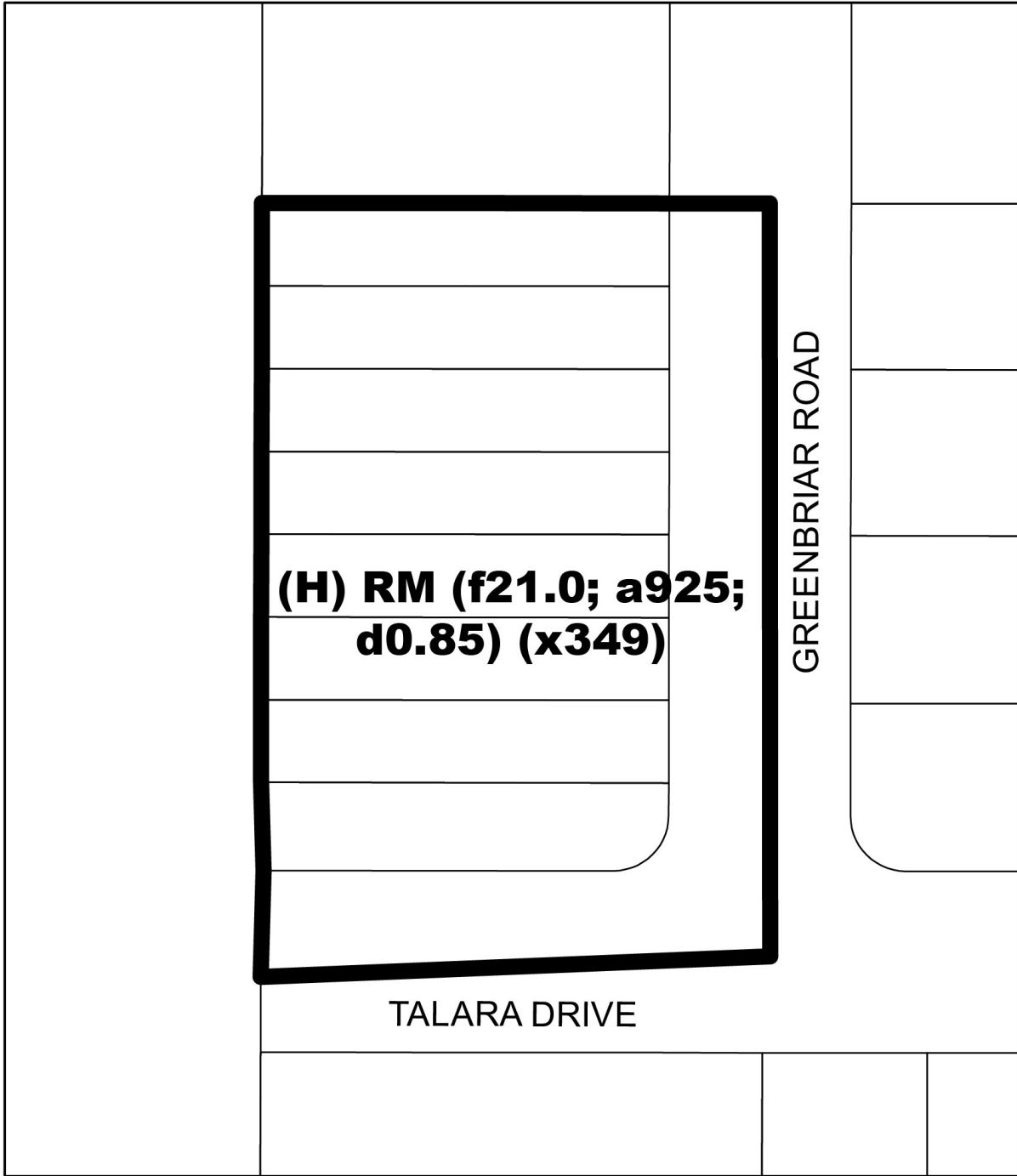




Diagram 3

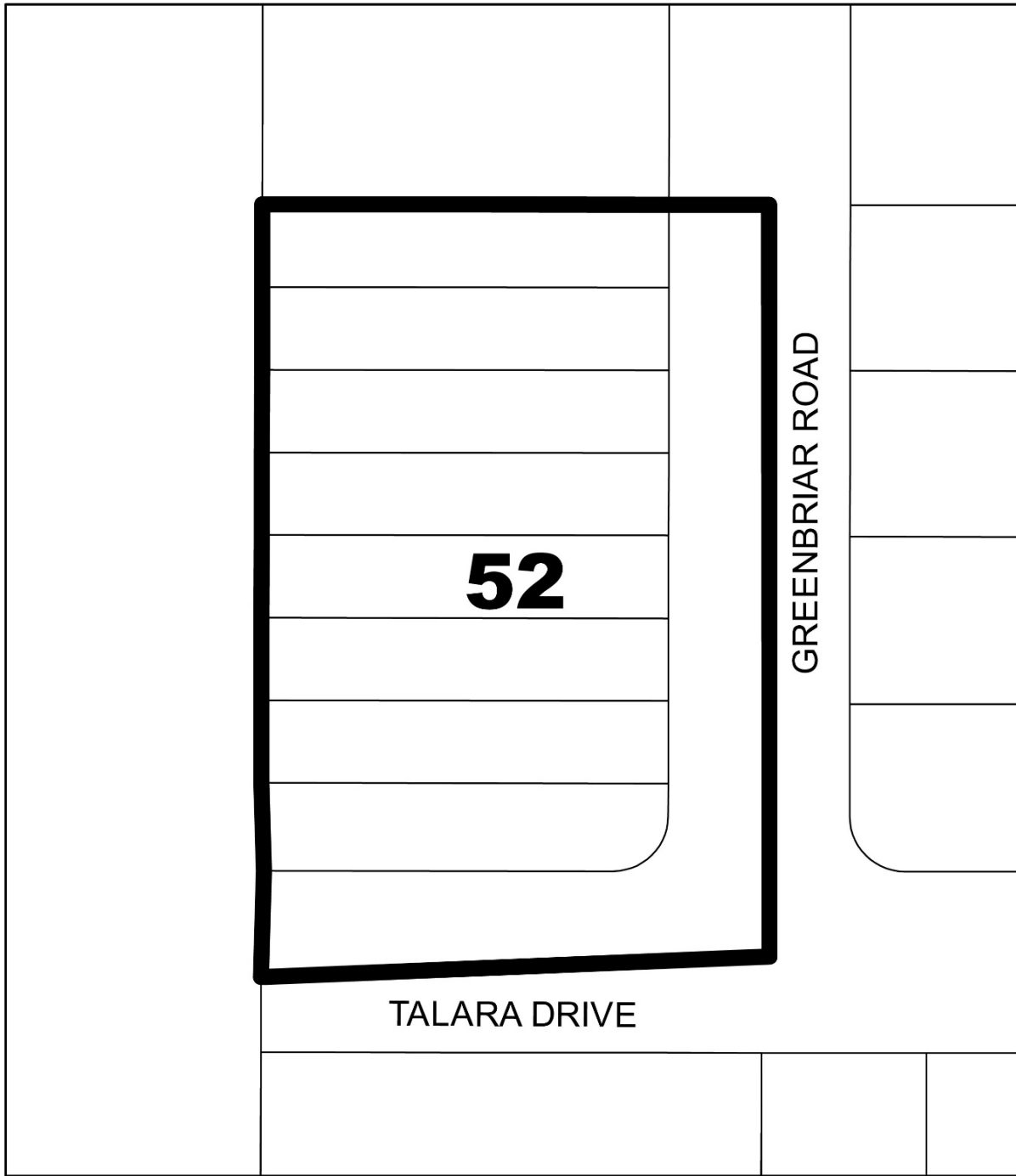


Diagram 4

