

CITY OF TORONTO

Bill 857

BY-LAW -2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 429 Walmer Road.

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, as amended;

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 subject to this By-law from a zone label of RA (d2.5) to a zone label of RA (x229) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.7.10 Exception Number 229 so that it reads:

(229) Exception RA x229

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 lands municipally known as 429 Walmer Road, if the requirements of By-law **[Clerks to insert By-law number]** are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (P) below;
- (B) Despite Regulations 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 159.65 metres and the elevation of the highest point of the **building** or **structure**;

- (C) For the purposes of this exception, the area of a **building** between the Canadian Geodetic Datum of 159.65 metres and 168.65 metres is considered the first storey;
- (D) Despite Regulation 15.10.20.100(13), and in addition to the uses permitted in Clause 15.10.20.20, the following uses are also permitted, provided that such uses are located on the first **storey** of an **apartment building**:
 - (i) **Retail Store**, subject to the following:
 - (a) More than one **retail store** is permitted;
 - (b) Pedestrian access may be provided from both within the **apartment building** and the **front lot line** abutting Walmer Road; and
 - (c) the **interior floor area** does not exceed 250 square metres;
 - (ii) Office;
 - (iii) **Personal Service Shop**;
 - (iv) Medical Office;
 - (v) **Retail Service**;
 - (vi) **Eating Establishment**;
 - (vii) **Art Gallery**; and
 - (viii) **Club**;
- (E) Despite Regulation 15.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the "HT" symbol on Diagram 3 as shown on By-law [Clerks to supply By-law ##];
- (F) Despite Regulations 15.5.40.10(2) to (6) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to supply 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 5.5 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 5.5 metres;

- (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 4.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 1.8 metres; and
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (G) The maximum permitted **gross floor area** is 18,500 square metres, of which:
 - (i) the required minimum **gross floor area** for non-residential uses is 200 square metres;
- (H) Despite Regulation 15.10.40.50(1), a **building** with 20 or more **dwelling units** must provide **amenity space** at the following rate:
 - (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 2.0 square metres for each **dwelling unit** as outdoor **amenity space**, of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent of the outdoor **amenity space** may be a **green roof**;
- (I) Despite Clauses 15.10.40.70 and 15.10.40.80, the required minimum **building setbacks** and the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to supply By-law ##];
- (J) Despite Regulation 15.10.40.80(2) and 600.10.10, no minimum aboveground distance between main walls of a building shall apply for main walls associated with inset balconies;
- (K) Despite Clause 15.10.40.60 and Regulation (I) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) decks, porches, and balconies, by a maximum of 3.0 metres;
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;

- (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.5 metres;
 - (v) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres; and
 - (vi) art and landscape features, pillars, trellises, eaves, windowsills, planters, ventilation shafts, guardrails, balustrades, railings doors, fences, screens, site servicing features and underground garage ramps and associated **structures**, by a maximum of 3.0 metres;
- (L) Despite Regulation 15.5.50.10(1) a minimum of 464 square metres of **landscaping** must be provided on the **lot**, of which a minimum of 124 square metres of the required **landscaping** must be comprised of **soft landscaping**;
- (M) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, and Regulation 200.15.10(1), **parking spaces** must be provided in accordance with the following:
- (i) For residential occupant **parking spaces**:
 - (a) A minimum of 0 residential occupant **parking spaces** for each **dwelling unit**; and
 - (b) A maximum of 130 residential occupant **parking spaces**;
 - (ii) A maximum of 0.1 residential visitor **parking spaces** for each **dwelling units**;
 - (iii) No **parking spaces** are required for non-residential uses;
 - (iv) A minimum of 4 accessible **parking spaces**;
 - (v) A minimum of 1 car-share parking space;
 - (vi) For the purpose of this exception, "Car-share" means the practice where a number of people share the use of one or more cars that are owned by a for-profit or non-profit car-sharing organization and where such organization may require that use of cars to be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable; and
 - (vii) For the purpose of this exception, "Car-share parking space" means a **parking space** that is reserved and actively used for "car-share";
- (N) Despite Regulation 230.5.1.10(10), both "short-term" and "long-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space** and may be located in a storage room and/or a below ground **parking garage** in a building on

the **lot**;

- (O) Despite Clause 220.5.10.1, one Type "G" **loading space** must be provided and maintained on the **lot**;
- (P) The provision of **dwelling units** is subject to the following:
 - (i) A minimum of 20 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) A minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
 - (iii) Any **dwelling units** with three or more bedrooms provided to satisfy (ii) above may not be used to satisfy the requirements of (i) above; and
 - (iv) If the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number;

Prevailing By-laws and Prevailing Sections: None Apply

- 5. 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.
- 6. Temporary Use:
 - (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use a sales office for the purpose of the sale and leasing of **dwelling units** on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.
 - (i) the **building** or **structure** is limited to a maximum height of one **storey** or 3.0 metres.

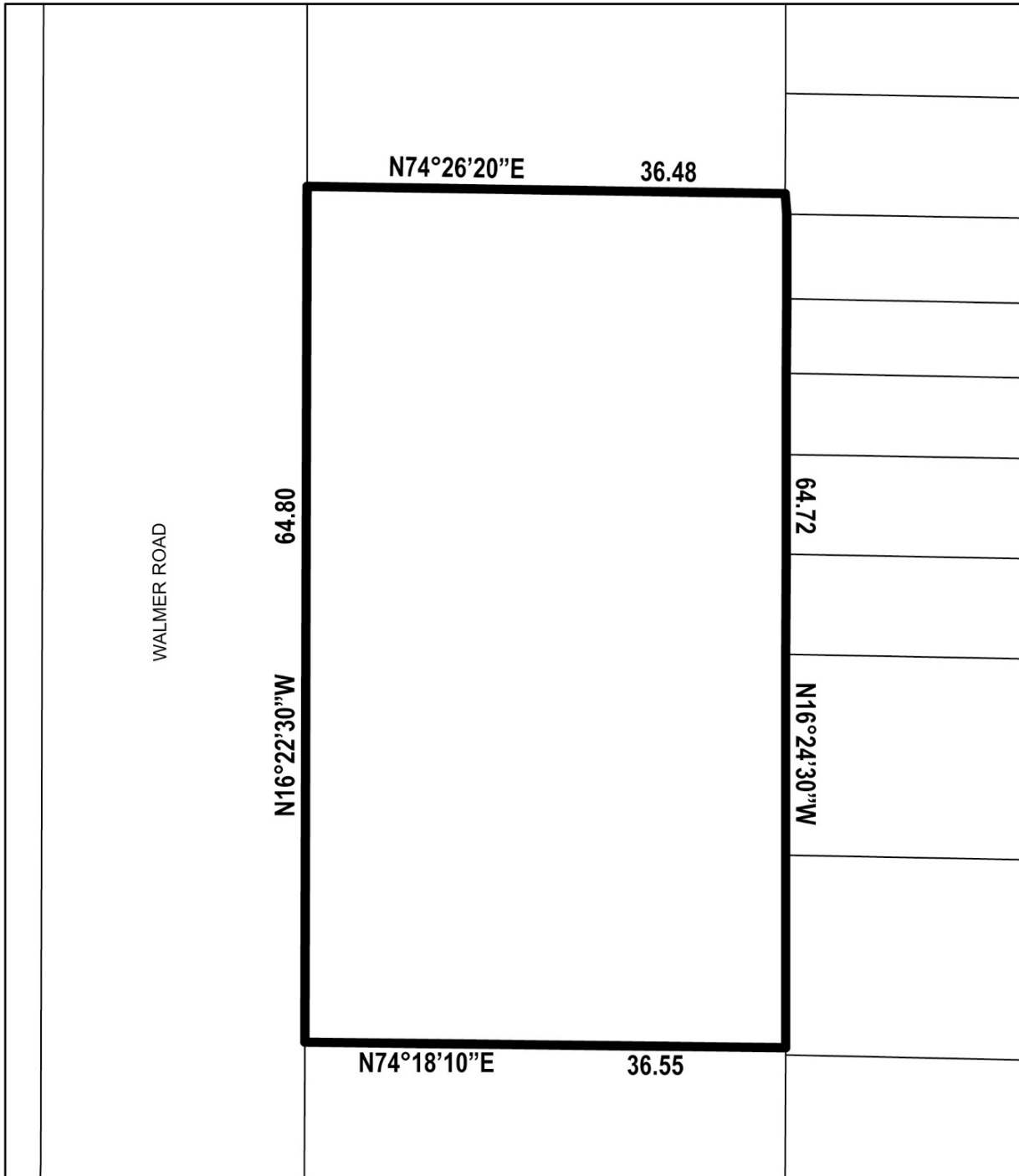
Enacted and passed on October , 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

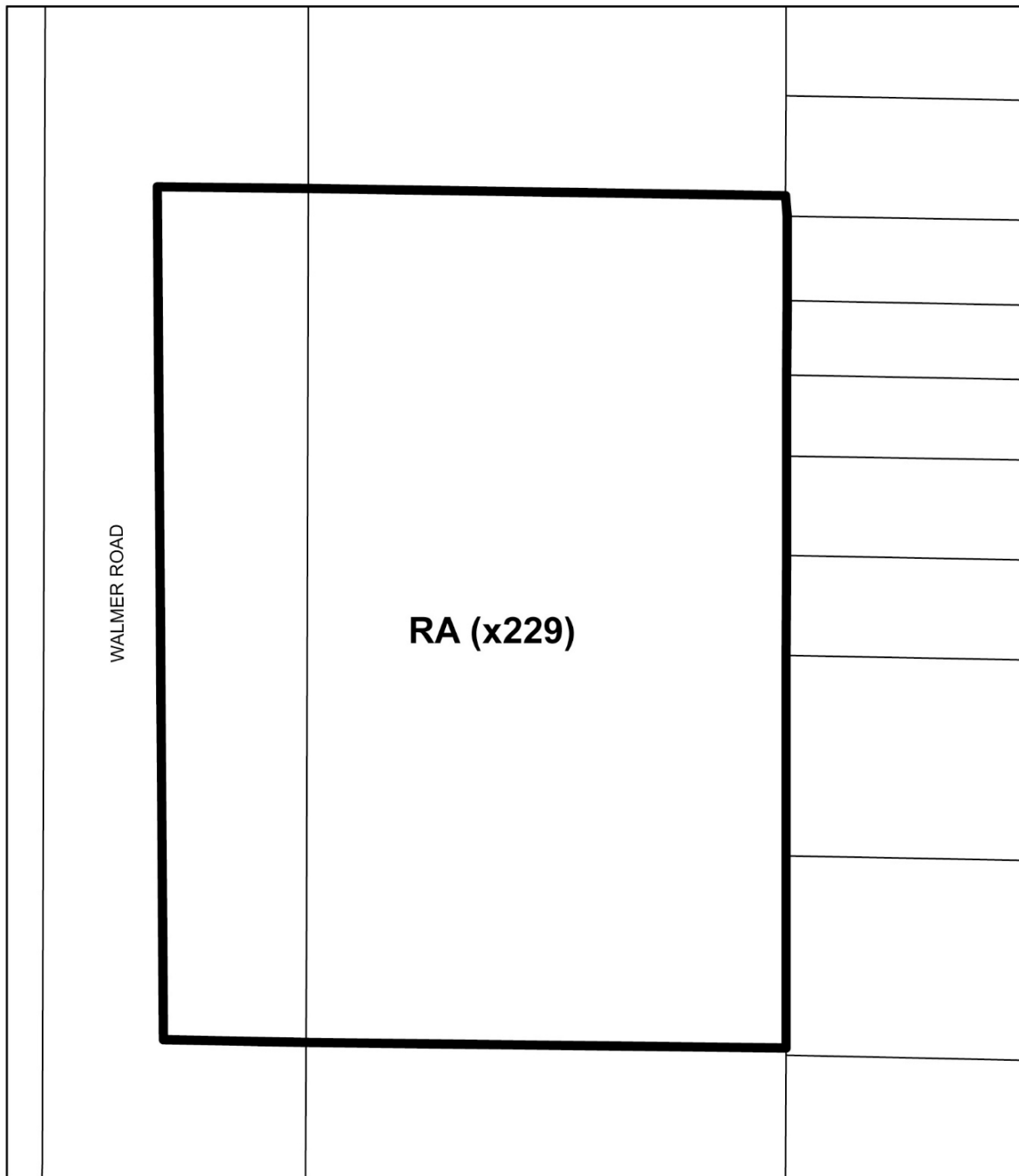


 **Toronto**
Diagram 1

429 Walmer Road

File #: 22 192578 STE 12 0Z



Diagram 2

 **TORONTO**
Diagram 2

429 Walmer Road

File #: 22 192578 STE 12 0Z



Diagram 3

