

Authority: Etobicoke York Community Council Item
EY2.1, as adopted by City of Toronto Council on February
7 and 8, 2023
City Council voted in favour of this by-law on February 8,
2023
Written approval of this by-law was given by Mayoral
Decision 2-2023 dated February 8, 2023

CITY OF TORONTO

BY-LAW 141-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 3353-3359 Lake Shore Boulevard West.

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;

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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: CR 3.0 (c2.5; r3.0) SS2 (x825) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA4, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 14.0 as shown on Diagram 4 attached to this By-law.

6. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying the following lot coverage label to these lands and applying no value.
7. Zoning By-law 569-2013, as amended, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 825 so that it reads:

(825) Exception CR 825

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 3353-3359 Lakeshore Boulevard West, if the requirements of By-law 141-2023 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (U) 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 88.80 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 5 of By-law 141-2023;
- (D) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, excluding any ceiling mechanical equipment, is 4.3 metres;
- (E) Despite Regulations 40.5.40.10(3) to (8) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 5 of By-law 141-2023:
 - (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, elevator overrun, chimneys, vents, enclosed washrooms and interior access to outdoor amenity terraces, by a maximum of 6.0 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 6.0 metres;

- (iii) architectural features, parapets, elements and **structures** associated with a **green roof**, planters, **landscaping** features, outdoor seating, fire pits, guards and guardrails, and railings, by a maximum of 2.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
 - (v) trellises, pergolas, unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, divider screens, wind and privacy screens, and fences by a maximum of 4.0 metres; and
 - (vi) solar panels, by a maximum of 0.5 metres;
- (F) Despite Regulation 40.10.40.1(1), residential use portions of the **building**, except for **dwelling units**, are permitted to be located on the same **storey** as non-residential use portions of the **building**;
- (G) Regulation 40.10.40.1(6) with regard to the location of entrances does not apply;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 5,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 4,700 square metres; and
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 300 square metres;
- (I) In addition to the elements which reduce **gross floor area** listed in Regulation 40.5.40.40(3), the following elements also reduce the **gross floor area** of a **building**:
- (i) elevator machine rooms above and below-ground;
- (J) **Dwelling units** must be provided as follows:
- (i) A minimum of 10 percent of **dwelling units** must be three bedroom **dwelling units**; and
 - (ii) A minimum of 15 percent of **dwelling units** must be two bedroom **dwelling units**;
- (K) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law 141-2023;
- (L) No **building** or **structure** on the **lot** may penetrate a 45 degree **angular plane** projected 7.5 metres from the entire **rear lot line**, starting at a height of 10.5

metres above the average elevation of the ground along the **rear lot line**; except for:

- (i) equipment and the associated **structures** that enclose, screen, or cover the equipment used for the functional operation of the **building** including solar panels, elevator shafts, elevator overrun, guards and guardrails on the roof terrace, parapets on the roof terrace, divider screens, wind and privacy screens, and the fourth **storey** terrace;
- (M) Despite Regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 5 of By-law 141-2023;
- (N) Despite Regulation 40.10.40.60 and (K), (L), and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) canopies, awnings, trellises, window washing equipment and exterior signage, by a maximum of 2.5 metres;
 - (ii) balconies, balcony platforms, guards and guardrails, railings, terraces, privacy and wind screens and fences, by a maximum of 1.5 metres;
 - (iii) architectural and ornamental features, cladding added to the exterior surface of the **main wall** of a **building**, window projections, including bay windows and box windows, light fixtures, antennae and eaves, by a maximum of 1.0 metres;
 - (iv) guards and guardrails, railings, parapets, terraces, divider screens, wind and privacy screens, landscape planters, and terrace platforms, to a maximum extent of the **main wall** of the **storey** below; and
 - (v) exterior stairs, access ramps and elevating devices, elevator overrun equipment used for the functional operation of the **building**, such as electrical, utility, ventilation, maintenance, safety and **green roof** purposes and outdoor seating;
- (O) 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 0.47 residential occupant **parking spaces** for each **dwelling unit**;
 - (ii) a minimum of 0.15 residential visitor **parking spaces** for each **dwelling unit**;
 - (iii) no **parking spaces** are required for non-residential uses of the **building**; and

- (iv) parking spaces required by (ii) above can be used for non-residential uses of the **building**;
- (P) For the purposes of this exception, equipment for the charging of one electric **vehicle** is permitted within a **parking space**, subject to the equipment being located in the same **parking space** as the **vehicle** to be charged, and:
 - (i) Being within 0.25 metre of two adjoining sides of the **parking space** which are not adjacent and parallel to a **drive aisle** from which **vehicle** access is provided, measured at right angles; or
 - (ii) Being at least 5.35 metres from a **drive aisle** from which **vehicle** access is provided, measured at right angles, and at least 1.0 metre from the ground.
- (Q) Despite Regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (R) For the purposes of this exception, the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (S) Despite Regulation 200.15.10(1) and (2), a minimum of 2 of the required **parking spaces** on the **lot** are required to be accessible **parking spaces**;
- (T) Despite Regulation 230.5.1.10(7), shower and change facilities are not required; and
- (U) Despite Regulation and 230.40.1.20(1), "long-term" **bicycle parking spaces** may be located in a secured room for dedicated bicycle storage, enclosure or bicycle locker.

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

- 9. 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.
- 10. Temporary use(s):
 - (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales office and/or temporary construction office on the **lot** for a period of not more than 3 years from the date this By-law comes into full force and effect.

Enacted and passed on February 8, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

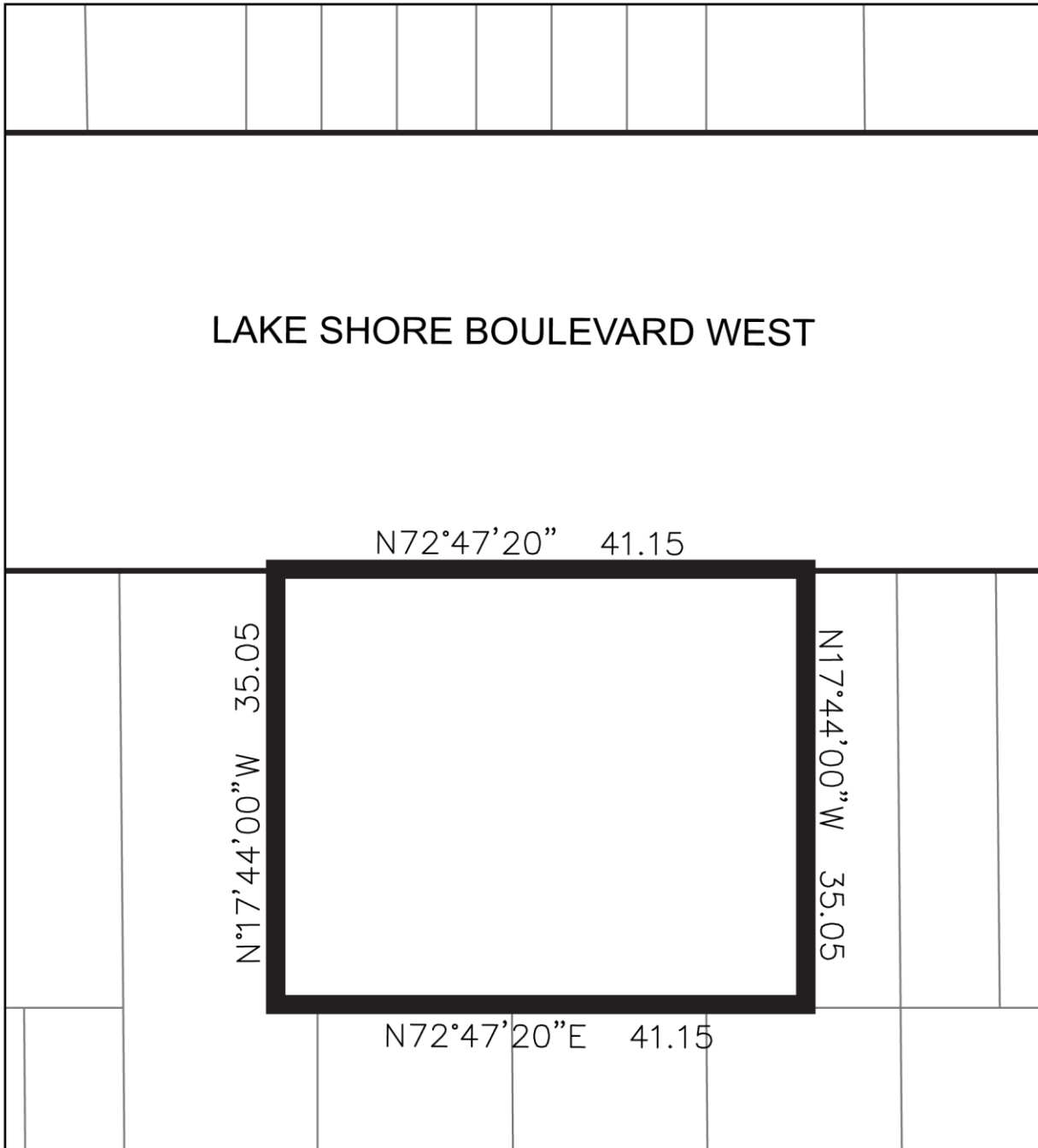


Diagram 2

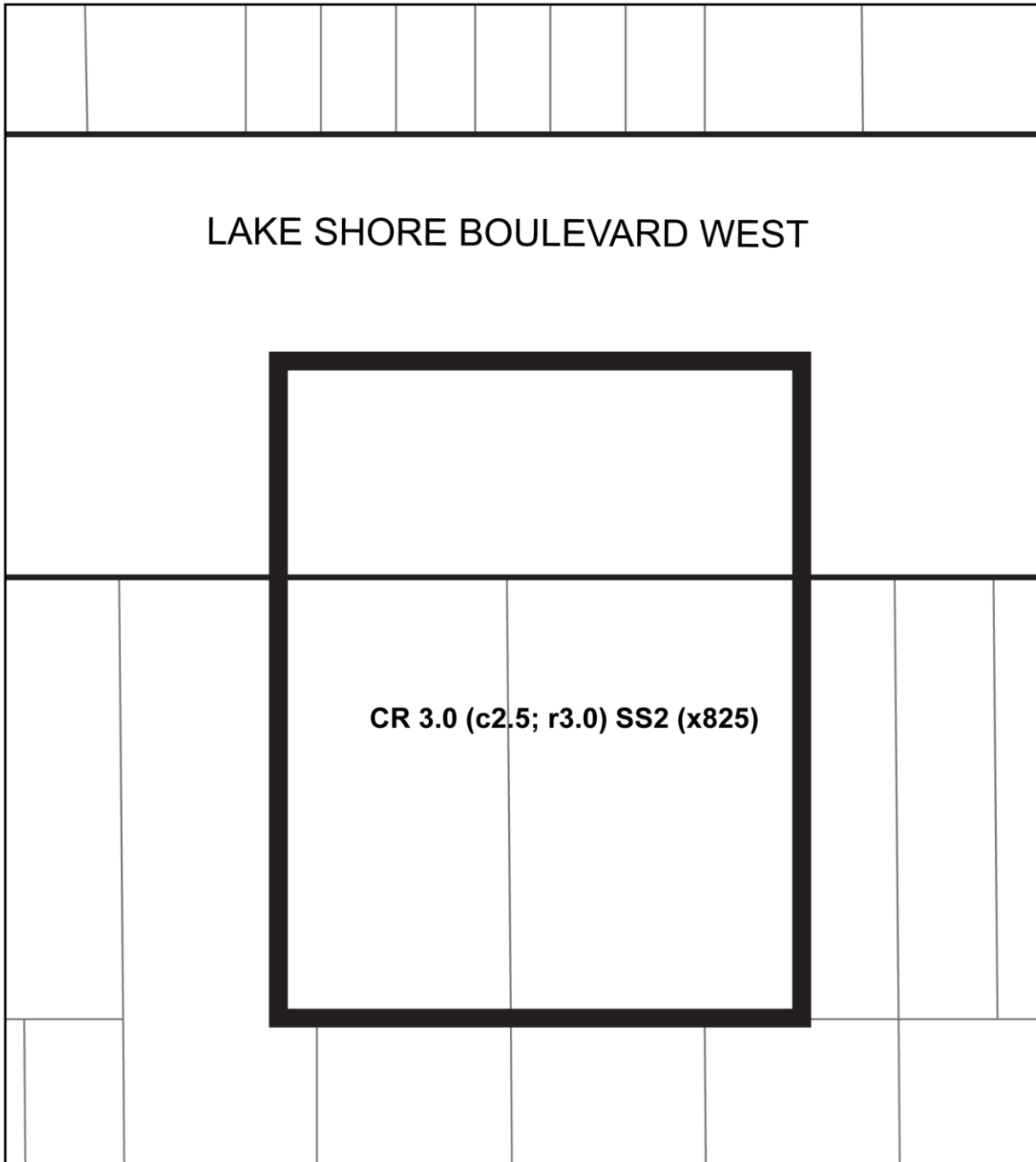


Diagram 3

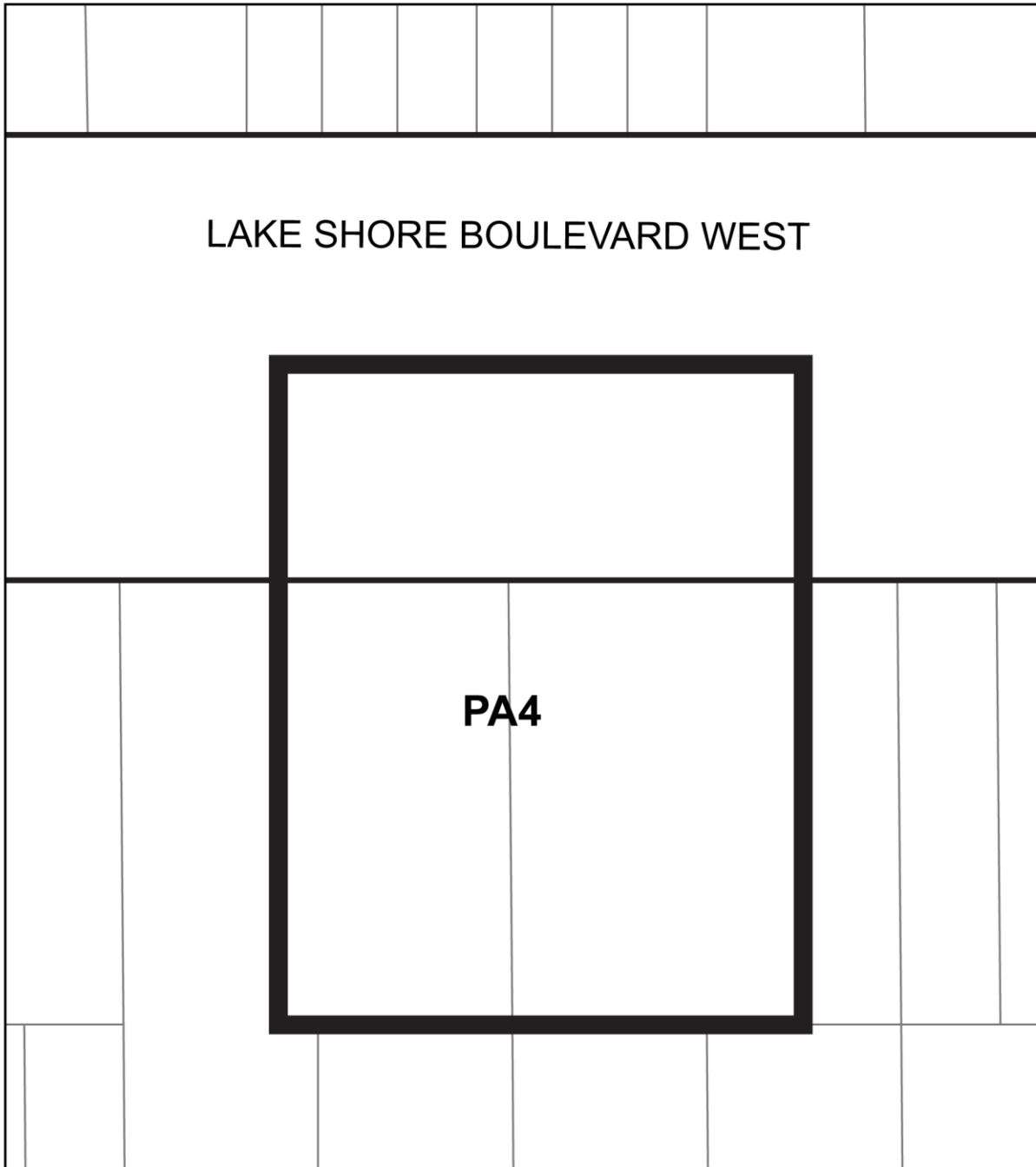


Diagram 4

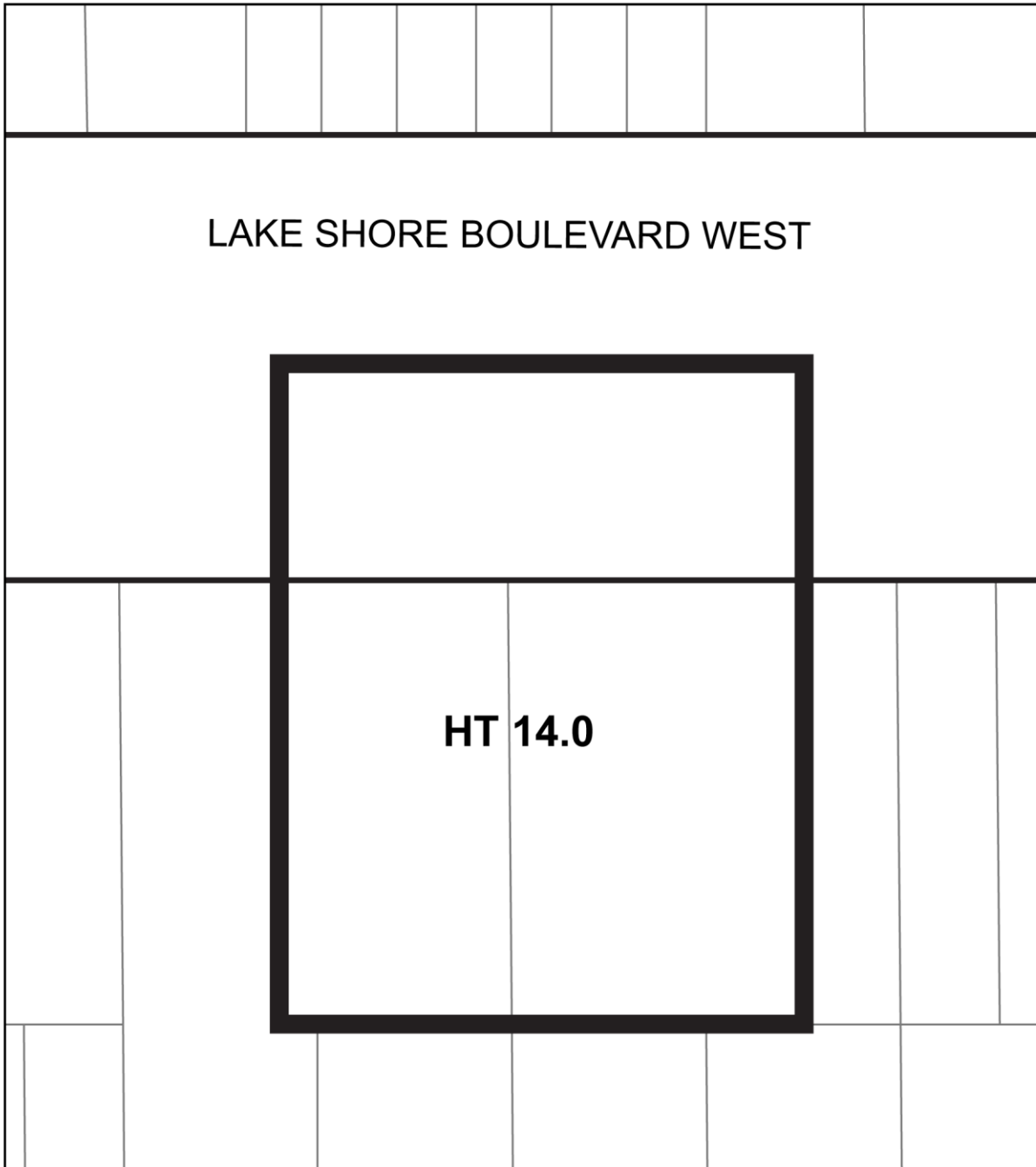


Diagram 5

