

Authority: Etobicoke York Community Council Item EY6.4, as adopted by City of Toronto Council on July 19 and 20, 2023
City Council voted in favour of this by-law on July 20, 2023
Written approval of this by-law was given by Mayoral Decision 8-2023 dated July 20, 2023

CITY OF TORONTO

BY-LAW 755-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 5230 Dundas Street West, 3825 Bloor Street West and 0 Beamish Drive.

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 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)";

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: OR, CR 3.5 (c3.5; r2.5) SS2 (x874) and CR 3.5 (c1.0; r3.0) SS1 (x874) 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: 2, 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 15.0 and HT 60.0, 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: 33, as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 874 so that it reads:

(874) Exception CR (874)

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 5230 Dundas Street West, 3825 Bloor Street West and 0 Beamish Drive, if the requirements of By-law 755-2023 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Q) below;
- (B) Despite Regulations 40.5.40.10(1) and (2) the height of a **building** or **structure** on a Block shown on Diagram 7 of By-law 755-2023, is the distance between the Canadian Geodetic Datum elevation in the year 2022, as identified below and the elevation of the highest point of a **building** or **structure**:
 - (i) 132.61 metres on "Block 1";
 - (ii) 133.13 metres on "Block 2";
 - (iii) 134.57 metres on "Block 3"; and
 - (iv) 134.49 metres on "Block 4";
- (C) Clause 40.10.30.40 related to **lot coverage** does not apply;
- (D) Despite Regulation 40.10.40.1(1), residential lobbies and amenities of the **building** are permitted to be located on the same storey as non-residential use portions of the **building**;
- (E) Despite Regulation 40.10.40.10(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 7 of By-law 755-2023;

- (F) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** is the number following the letters "ST" as shown on Diagram 7 of By-law 755-2023; and
- (i) For the purpose of this exception, mezzanine and mechanical penthouse do not constitute a **storey**;
- (G) Despite Regulations 40.5.40.10(4), (5), (6), (7) and (8), and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 7 of By-law 755-2023:
- (i) Structures or equipment used for the functional operation of the **building** including enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, water supply facilities, electrical, utility, mechanical and ventilation equipment and structures that enclose, screen or cover these elements by a maximum of 6.0 metres;
- (ii) Terraces and balcony guards, elements of a green roof, planters, railings, parapets, and ornamental architectural features by a maximum of 3.0 metres;
- (iii) Chimneys, pipes and vents associated with items identified in (i) above, and window washing equipment, by an additional maximum of 2.0 metres; and
- (iv) Wind mitigation measures by a maximum of 3.0 metres;
- (H) Despite Regulation 40.5.40.10(8)(C), the permitted maximum floor plate for each **storey** of a "Tower" is 750 square metres, measured as the total built area from the exterior of the **main walls** on each **storey**, excluding balconies.
- (I) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 154,400 square metres, of which:
- (i) A minimum of 4,600 square metres of non-residential **gross floor area** is required to be provided, of which, each "Block" shown on Diagram 6 of By-law 755-2023 is required to achieve the following minimum non-residential **gross floor area**:
- (a) 278 square metres on "Block 1";
- (b) 1,800 square metres on "Block 3"; and
- (c) 2,600 square metres on "Block 4";
- (ii) A maximum of 150,000 square metres is residential **gross floor area**, of which, the following maximum gross floor areas are permitted on each "Block" shown on Diagram 6 of By-law 755-2023:

- (a) 62,000 square metres on "Block 1";
 - (b) 33,000 square metres on "Block 2";
 - (c) 32,500 square metres on "Block 3"; and
 - (d) 23,600 square metres on "Block 4";
- (J) The provision of dwelling units must comply with the following:
- (i) The maximum number of **dwelling units** permitted on the lands shown in Diagram 1 of By-law 755-2023 is 2,400, of which, the following maximum applies to each "Block" shown on Diagram 6 of By-law 755-2023:
 - (a) 1,000 **dwelling units** on "Block 1";
 - (b) 550 **dwelling units** on "Block 2";
 - (c) 525 **dwelling units** on "Block 3"; and
 - (d) 370 **dwelling units** on "Block 4";
 - (ii) A minimum of 15 percent of the total number of **dwelling units** on each "Block" must contain a minimum of two bedrooms; and
 - (iii) A minimum of 10 percent of the total number of **dwelling units** on each "Block" must contain a minimum of three bedrooms;
- (K) Despite Regulation 40.10.40.50(1)(A), **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit** must be provided, of which:
- (i) At least 2.0 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (ii) At least 2.0 square metres of outdoor **amenity space** for each **dwelling unit**;
- (L) Despite Regulation 40.10.40.70(1), (2) and (4), the required minimum **building setbacks** are as shown in metres on Diagram 7 of By-law 755-2023;
- (M) Despite Regulation 40.10.40.80(1) and (2), the required separation of **main walls** are as shown in metres on Diagram 7 of By-law 755-2023;
- (N) Despite Regulations 40.10.40.60 (1), (2), (3), (5), (6) and (L) and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:

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- (i) Eaves, cornices, columns, landscape features, wheelchair ramps, light fixtures, stairs and stair enclosures, balustrades, guardrails, bollards, awnings, arcades, canopies, underground parking ramp and associated structures, damper equipment, window washing equipment by a maximum of 3.0 metres;
 - (ii) Balconies and bay windows by a maximum of 2.2 metres;
 - (a) Where balconies are located on a "Tower" **main wall** that is stepped back less than 4.5 metres from a "Base Building", the balconies may encroach into the required minimum **building setbacks** and **main wall** separation distances by 1.5 metres and the total horizontal extent of balconies at each **storey** must not exceed 40 percent of the width of the **main wall** they are located on;
 - (iii) Structures used for outside or open air recreation, safety, noise mitigation and wind mitigation by a maximum of 4.0 metres;
 - (iv) Ornamental, decorative or architectural elements to a maximum of 3.1 metres; and
 - (v) Raised planters, patios, retaining walls, fences, vents, and screens by a maximum of 3.0 metres;
- (O) Despite Regulations 220.5.10.1(1), (2), (3), (4), (5), (9) and (11), **loading spaces** for all uses are to be provided and maintained on each "Block" in accordance with the following:
- (i) One "Type G" **loading space** for "Block 1";
 - (ii) One "Type G" **loading space** for "Block 2";
 - (iii) One "Type G" and one "Type B" **loading space** for "Block 3"; and
 - (iv) One "Type G" and one "Type B" **loading space** for "Block 4";
- (P) Article 200.25.15 related to **parking space** regulation transition does not apply;
- (Q) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (R) For the purpose of this exception, each word or expression that is in bold font in this exception shall have the same meaning as each word or expression as defined in Chapter 800 of this By-law, as amended, except for the following:
- (i) "Block 1", "Block 2", "Block 3", and "Block 4", comprehensively referred to as "Blocks", means the Blocks shown on Diagram 6 attached to By-law 755-2023;

- (ii) "Tower" means the tower portions of "BLDG. A", "BLDG. B", "BLDG. C", "BLDG. D", and "BLDG. F", shown on Diagram 7 attached to By-law 755-2023; and
- (iii) "Base Building" means the portion of a **building** excluding the "Towers" shown on Diagram 7 attached to By-law 755-2023.

Prevailing By-laws and Prevailing Sections: None Apply

9. Existing Uses and Buildings:

- (A) None of the provisions of this By-law or By-law 569-2013, as amended, will prevent an "Existing Building(s)" from being used for any purpose that existed on such lands as of July 20, 2023 or for any use listed as permitted under the letter "c" in Regulations 40.10.20.10(1) and 40.10.20.20(1), including that the number of **parking spaces** and **loading spaces** for such "Existing Building(s)" may be reduced or provided elsewhere on the lands outlined by heavy black lines on Diagram 1 of By-law 755-2023;
- (B) Despite the demolition of a portion or portions of an "Existing Building(s)", Section 9 will continue to apply to any portion of an "Existing Building(s)"; and
- (C) For the purpose of this By-law, "Existing Building(s)" means any **building** that existed on the lands outlined by heavy black lines on Diagram 1 to By-law 755-2023 as of July 20, 2023;

10. Holding Symbol

- (A) The uses permitted in this By-law are not permitted in respect of the lands shown on Diagram 2 attached to this By-law with a zone symbol that possesses an "H" holding symbol prefix until such time as the holding symbol is removed by amendment to this By-law. Prior to removal of the "H" the uses permitted on the Lands shall only be those uses existing as of the date of the passing of this By-law;

11. Removal of the "H" Holding Symbol

- (A) The holding symbol "H" will be removed from the lands shown on Diagram 2 attached to this By-law upon satisfaction of the following conditions:
 - (i) A Stormwater Management and Functional Servicing Report has been submitted by the owner and accepted by the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (ii) A financially secured agreement has been entered into with the City, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, for the construction of improvements that may

be required to the City's sanitary and storm sewers along Jopling Avenue South and sanitary sewer along Dundas Street West; and

- (iii) All necessary approvals to proceed with the infrastructure required, as described in Section 11(A)(ii) above have been issued, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

- 12.** Despite any future severance, partition or division of lands as shown on Diagram 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

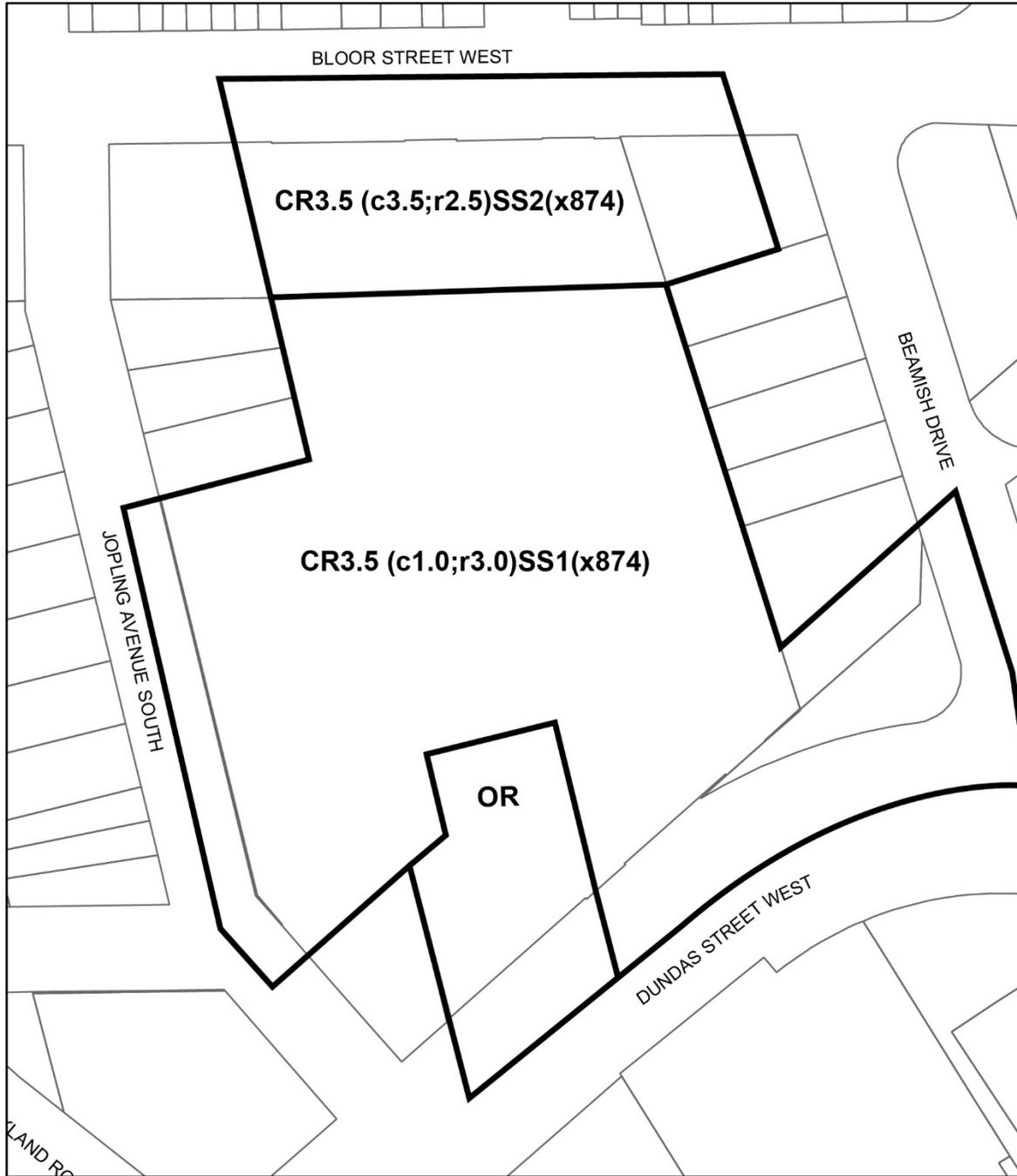
Diagram 1



**5230 Dundas Street West, 3825 Bloor Street West
and 0 Beamish Drive**

File # 21 232816 WET 03 0Z

Diagram 2

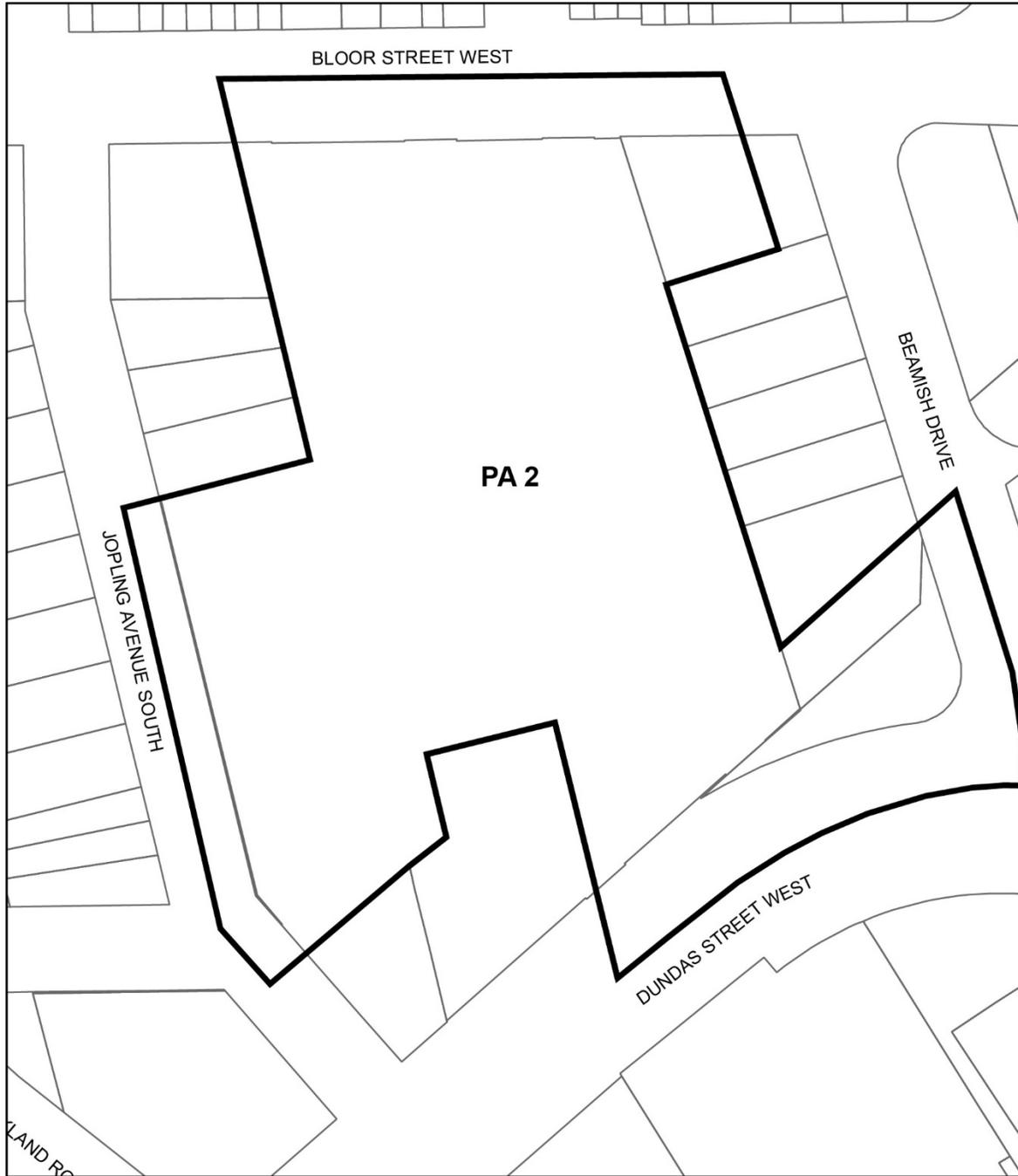


 **TORONTO**
Diagram 2

**5230 Dundas Street West, 3825 Bloor Street West
and 0 Beamish Drive**

File # 21 232816 WET 03 0Z

Diagram 3

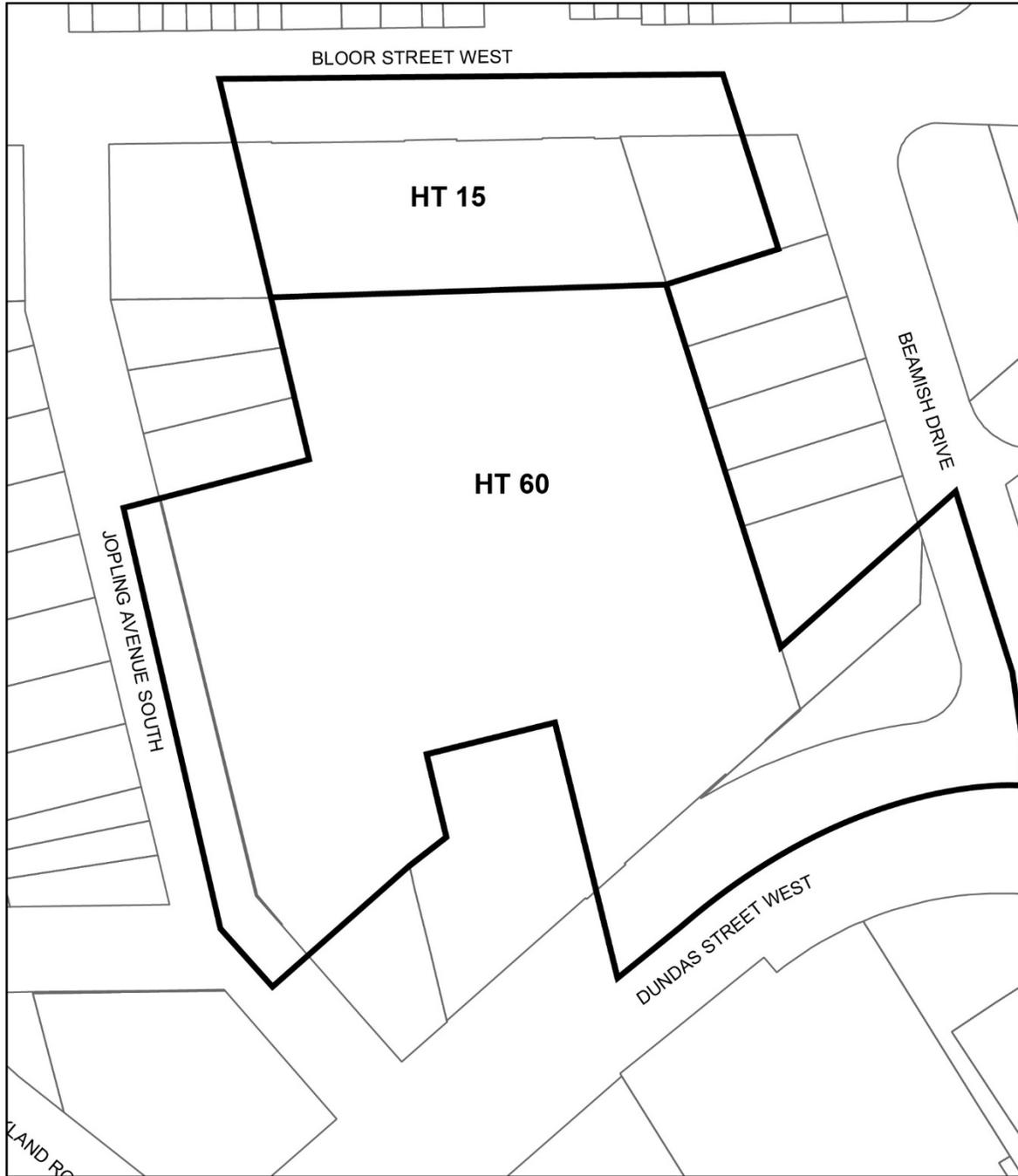


 **TORONTO**
Diagram 3

**5230 Dundas Street West, 3825 Bloor Street West
and 0 Beamish Drive**

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Diagram 4

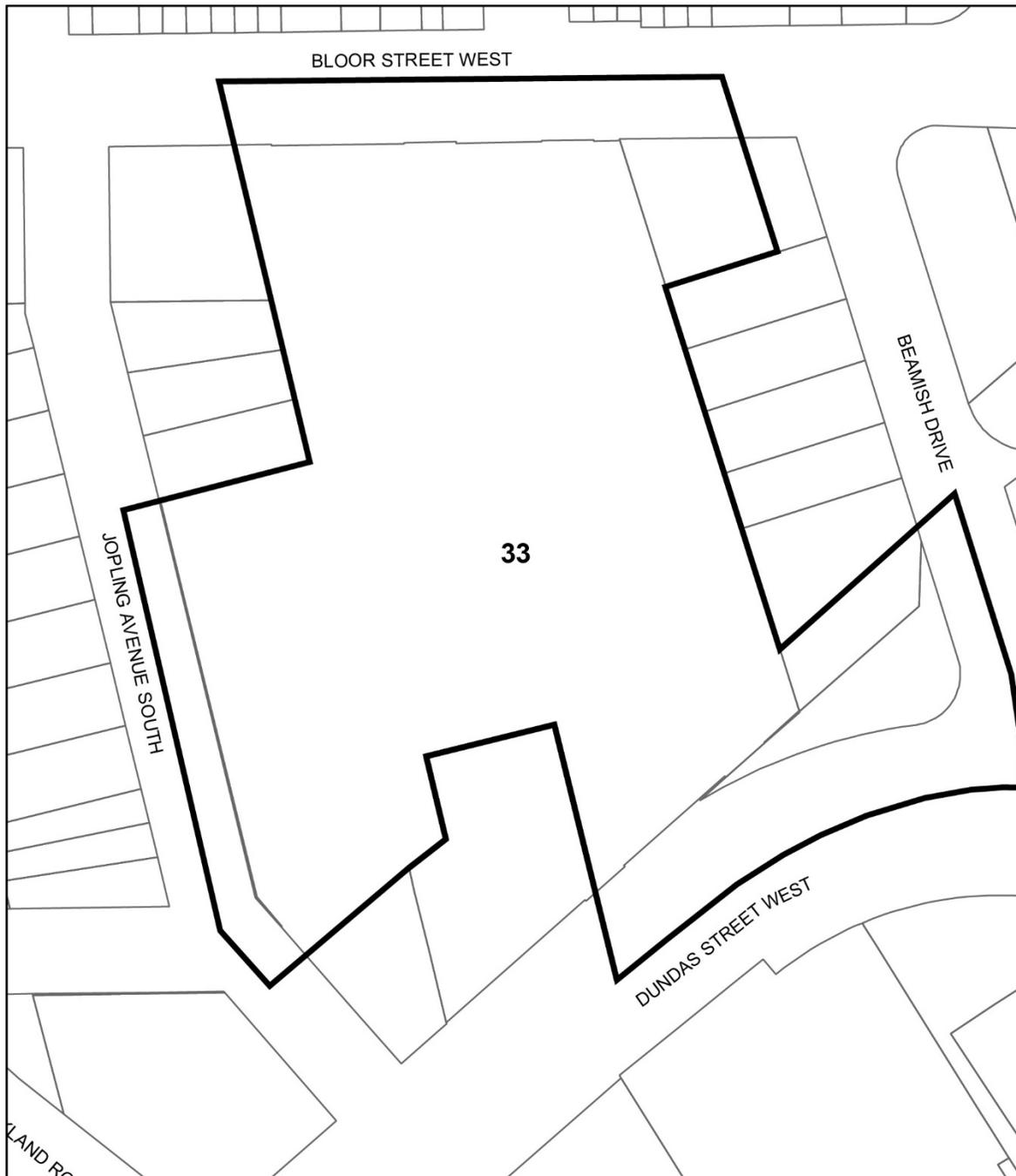


 **TORONTO**
Diagram 4

**5230 Dundas Street West, 3825 Bloor Street West
and 0 Beamish Drive**

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Diagram 5

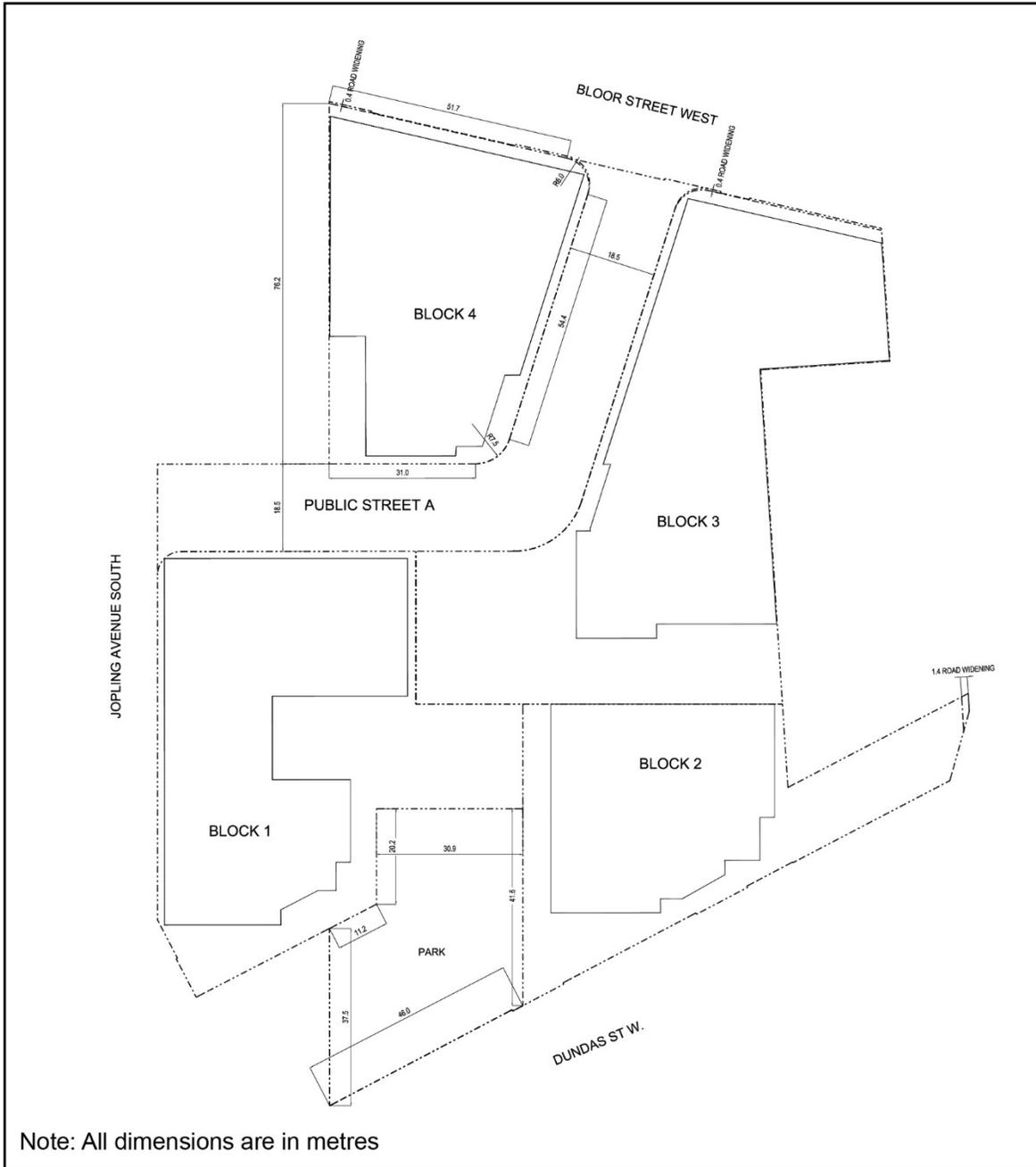


 **TORONTO**
Diagram 5

**5230 Dundas Street West, 3825 Bloor Street West
and 0 Beamish Drive**

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Diagram 6

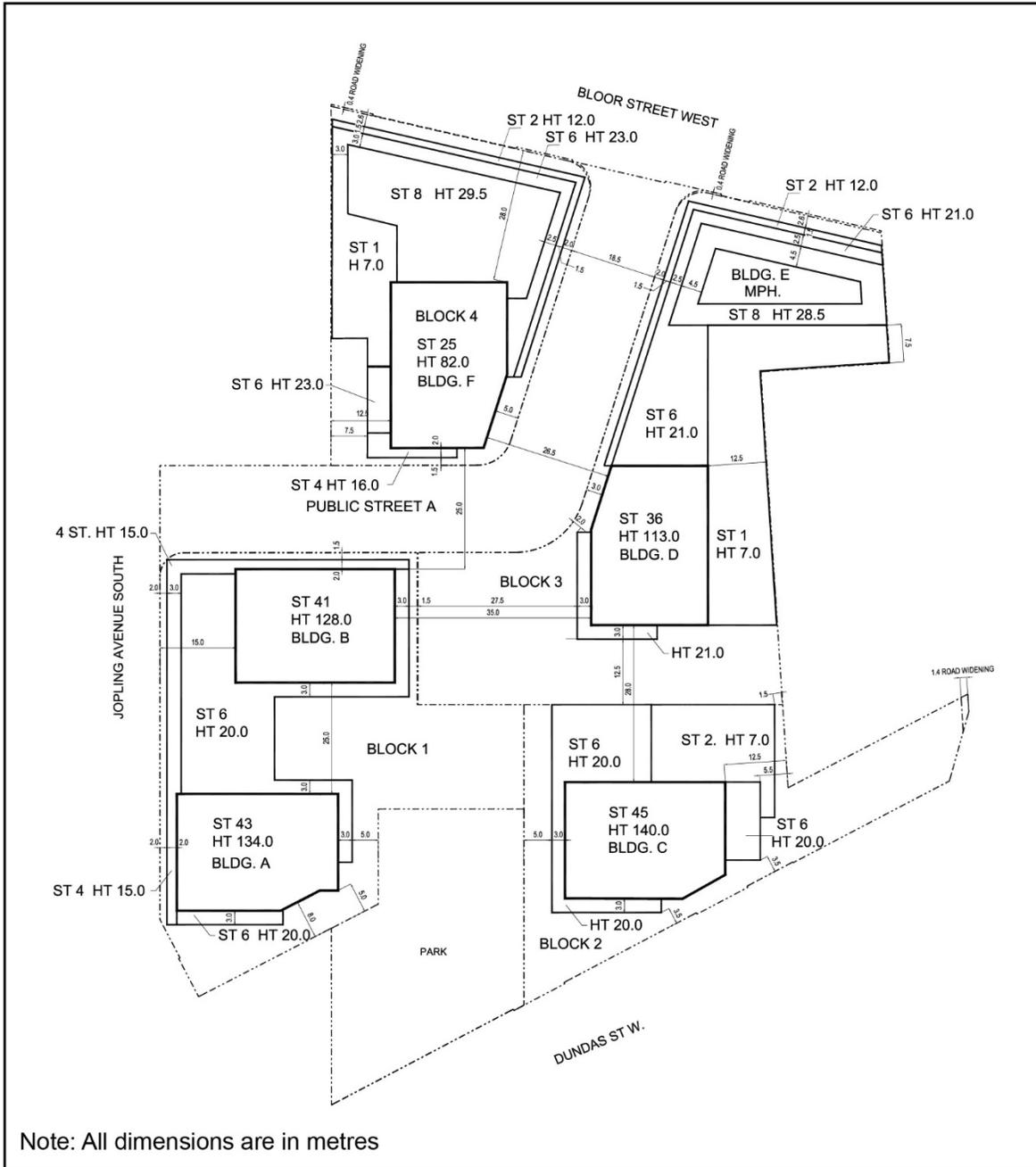


 **TORONTO**
Diagram 6

5230 Dundas Street West, 3825 Bloor Street West
and O Beamish Drive

File # 21 232816 WET 03 02

Diagram 7



5230 Dundas Street West, 3825 Bloor Street West
and O Beamish Drive

File # 21 232816 WET 03 0Z