

Authority: Etobicoke York Community Council Item
EY16.1, as adopted by City of Toronto Council on
October 9 and 10, 2024
City Council voted in favour of this by-law on October 10,
2024
Written approval of this by-law was given by Mayoral
Decision 19-2024 dated October 10, 2024

CITY OF TORONTO

BY-LAW 1046-2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 2405 Finch Avenue West and 3400 Weston 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 lands subject to this By-law to the Zoning By-law Map in Section 990.10, and amending the zone label from (RA) (d2.5)(x180) and ON as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by replacing Article 900.7.10 Exception Number 180 so that it reads:

(180) Exception RA 180

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 2405 Finch Avenue West and 3400 Weston Road, if the requirements of By-law 1046-2024 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations to (B) to (FF) below;
- (B) The **buildings** and **structures** permitted on the **lot** are the "Existing Buildings" and "New Building" as shown on Diagram 3 of By-law 1046-2024 as follows:

- (i) for the purpose of this Exception, "Existing Buildings" means the **buildings** and **structures** municipally known as 2405 Finch Avenue West and 3400 Weston Road as shown on Diagram 3 of By-law 1046-2024, as well as ancillary structures and portions below ground as of the year 2023, and alterations and additions permitted in accordance with this exception; and
 - (ii) for the purpose of this Exception, "New Building" is shown on Diagram 3 of By-law 1046-2024, as well as **ancillary structures** and portions below ground permitted in accordance with this exception;
- (C) Despite Regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 142.52 metres, and the highest point of the **building** or **structure**;
- (D) For the purpose of this exception, established grade is 142.52 metres Canadian Geodetic Datum;
- (E) Despite Regulations 15.5.40.10(2), (3), (4), (5), (6) and (I) below, the following equipment and **structures** on the "New Building" may project beyond the permitted maximum height shown on Diagram 3 of By-law 1046-2024:
 - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and machine rooms, chimneys, and vents, by a maximum of 6.5 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment structures and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 6.5 metres;
 - (iii) elements listed in subsection (i) above may project above the permitted height limit for the mechanical penthouse as set out in subsection (ii) above, by a maximum of 1.8 metres;
 - (iv) architectural features, parapets, and elements and structures associated with a **green roof**, by a maximum of 2.0 metres;
 - (v) antennae, flagpoles and satellite dishes, by a maximum of 2.0 metres; and
 - (vi) trellises, canopies, pergolas, and unenclosed structures providing safety or wind protection measures, by a maximum of 5.0 metres;

- (F) Despite Regulations 15.5.40.60 and (N) below, the following elements of a **building or structure** may encroach into the required minimum **building setback** and a required minimum **main wall** separation distance as follows:
- (i) architectural features, awnings, bicycle racks, bollards, canopies, cornices, eaves, elevator enclosures and overruns, fences, guardrails, lighting fixtures, ornamental elements, parapets, pipes, planters, platforms, railings, retaining walls, screens, stacks, stairs, stair enclosures, terraces, trellises, underground garage ramps and their associated structures, vents, walkways, wheel chair ramps, wind protection, window sills, and window washing equipment, which may project up to a maximum of 2.0 metres;
- (G) Despite Regulation 15.5.50.10(1), the provision of **landscaping** is subject to the following:
- (i) the required minimum **landscaping** area is 17,000 square metres; and
 - (ii) a minimum of 54 percent of the **landscaping** area required in (i), above, must be **soft landscaping**;
- (H) Despite Clause 15.10.40.10, the permitted maximum height of the "Existing Buildings", is the height of those **buildings** existing as of the date By-law 1046-2024 comes into force and effect;
- (I) Despite Regulation 15.10.40.10(1), the permitted maximum height of a the "New Building" is the number in metres following the letters "HT" as shown on Diagram 3 of By-law 1046-2024;
- (J) Despite Regulation 15.10.40.10(2), the permitted maximum number of **storeys** in the "New Building" is the numerical value following the letters "ST" on Diagram 3 of By-law 1046-2024;
- (i) for the purposes of this Exception, a mechanical penthouse does not constitute a **storey**;
- (K) Despite Regulation 15.10.40.40(1), the permitted maximum **gross floor area** of the "New Building" and "Existing Buildings" is 83,400 square metres, of which;
- (i) the permitted maximum **gross floor area** for the "Existing Buildings" combined is 51,286 square metres;
 - (ii) the permitted maximum gross floor area for residential uses in the "New Building" is 31,549 square metres; and
 - (iii) the required minimum gross floor area for a **day nursery** in the "New Building" is 550 square metres;

- (L) Despite Regulation 15.10.40.50(1), **amenity space** is only required to be provided for **dwelling units** in the "New Building" and the required at grade outdoor **amenity space** must be accessible to residents of the "Existing Buildings";
- (M) Despite Regulation 15.10.40.50(1), a minimum rate of 6.0 square metres of **amenity space** for each **dwelling unit** of the "New Building" must be provided, of which:
 - (i) at least 2.0 square metres of indoor **amenity space** for each **dwelling unit** must be provided;
 - (ii) at least 1,500 square metres of outdoor **amenity space** must be provided, of which at least 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 component may be a **green roof**;
- (N) Despite Clauses 15.10.40.70 and 15.10.40.80, the required minimum **building setbacks** and the required minimum separation distances between the **main walls** of **buildings** or **structures** above finished ground are shown in metres on Diagram 3 of By-law 1046-2024;
- (O) For the purpose of this exception, a minimum of 470 square metres must be provided for a dedicated outdoor play area in a location adjoining or directly accessible to the **day nursery** in the "New Building";
- (P) The provision of **dwelling units** is subject to the following:
 - (i) the permitted maximum number of **dwelling units** in the "New Building" is 403 **dwelling units**;
 - (ii) a minimum of 15 percent of the total number of **dwelling units** in the "New Building" must have 2 or more bedrooms;
 - (iii) a minimum of 10 percent of the total number of **dwelling units** in the "New Building" must have 3 or more bedrooms; and
 - (iv) any **dwelling units** with 3 or more bedrooms provided to satisfy (iii) above are not included in the provision required by (ii) above;
- (Q) For the purpose of the Exception:
 - (i) Privately-owned publicly accessible open space means a **landscaping** and **soft landscaping** area generally within the hatched area shown on Diagram 3 of By-law 1046-2024 that is accessible to the public, secured through appropriate legal agreements and may include pedestrian walkways, seating areas, landscaped plazas, and ornamental structures and

is used principally for the purpose of sitting, standing and other recreational uses; and

- (ii) Privately-owned publicly accessible open space with a minimum area of 3,475 square metres must be provided generally as shown within the hatched area on Diagram 3 of By-law 1046-2024;
- (R) Regulation 150.45.20.1(1), with regard to **day nursery** – Permitted Locations in Specified Zone Categories, does not apply;
- (S) Despite Regulation 150.45.40.1(1) a **day nursery** in the "New Building" may be permitted on the first and second **storey**;
- (T) Despite Regulations 200.5.1(3)(A) and 200.5.1.10(2)(B), a maximum of 10 percent of the required **parking spaces** constructed after the passing of By-law 1046-2024 may have the following minimum dimensions:
 - (i) length of 5.0 metres;
 - (ii) width of 2.4 metres; and
 - (iii) vertical clearance of 2.0 metres;
- (U) Despite Clause 970.10, 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 0.85 residential occupant **parking spaces** for each **dwelling unit** of the "New Building" and "Existing Buildings";
 - (ii) a minimum of 0.15 residential visitor **parking spaces** for each **dwelling unit** of the "New Building" and "Existing Buildings"; and
 - (iii) a minimum of 0.4 **parking spaces** per 100 square metres of non-residential **gross floor area** for a **day nursery**;
- (V) Despite Regulation 220.5.10.1(2), a minimum of 1 Type "G" **loading space** must be provided in the "New Building" in accordance with the following minimum dimensions:
 - (i) Length of 13 metres;
 - (ii) Width of 4 metres; and
 - (iii) Vertical clearance of 6.1 metres;
- (W) Despite Regulation 220.5.10.1 (2), a minimum of 1 Type "B" **loading space** must be provided for each "Existing Building" in accordance with the following minimum dimensions:

- (i) Length of 11 metres;
 - (ii) Width of 3.5 metres; and
 - (iii) Vertical clearance of 4 metres;
- (X) Despite Regulations 230.5.10.1(1), (3) and (5) and Table 230.5.10(1), **bicycle parking spaces** must be provided accordance with the following minimum rates:
 - (i) 0.68 "long-term" **bicycle parking spaces** for each **dwelling unit** of the "New Building"; and
 - (ii) 0.07 "short-term" **bicycle parking spaces** for each **dwelling unit** of the "New Building";
- (Y) In addition to the locations a "long-term" **bicycle parking space** may be located as stated in Regulations 230.5.1.10(9)(B) and 230.20.1.20(1), "long-term" **bicycle parking spaces** may also be in the following locations:
 - (i) any level above or below ground; and
 - (ii) within a secured room or enclosure or unenclosed space, or combination thereof, or bike locker;
- (Z) "Short-term" **bicycle parking spaces** may be located in the following locations:
 - (i) a stacked **bicycle parking space** in any combination of vertical or horizontal stacked positions; and
 - (ii) within a secured room or enclosure or unenclosed space, or combination thereof, or bike locker;
- (AA) Despite Clause 230.20.1.20(2), "short-term" **bicycle parking spaces** required for the "New Building" may be located no more than 100 metres from a pedestrian entrance;
- (BB) 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;
- (CC) Despite Regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a minimum 1.5 metre wide accessible barrier free aisle;

- (DD) Despite Regulation 200.15.1(4), accessible **parking spaces** are required to be within 30 metres of a barrier free entrance to the **building** and passenger elevator that provides access to the first **storey** of the **building**;
- (EE) Despite Regulation 200.15.10.5(1) and (2) and Table 200.15.10.5, a minimum of 5 accessible **parking spaces** plus 1 accessible **parking space** for every 50 **parking spaces** in excess of 100 **parking spaces** must be provided for the "New Building";
- (FF) Despite any provision of this Exception or this by-law, as amended to the contrary, any accessible **parking spaces, drive aisles, driveways** and ramps existing on the **lot** as of October 10, 2024 may be maintained and are deemed to comply with the requirements of this by-law, as amended;

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.

Enacted and passed on October 10, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

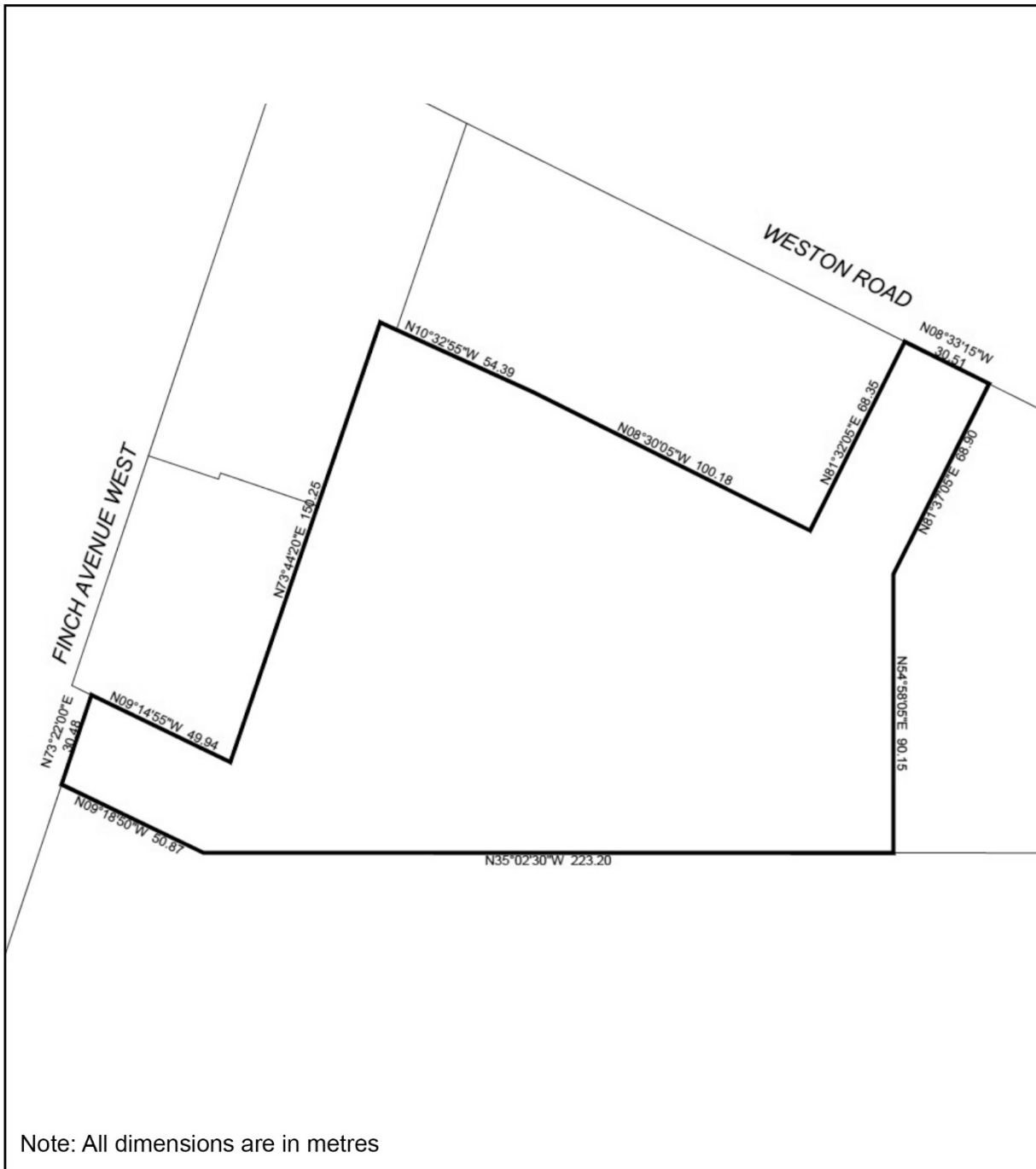


Diagram 2

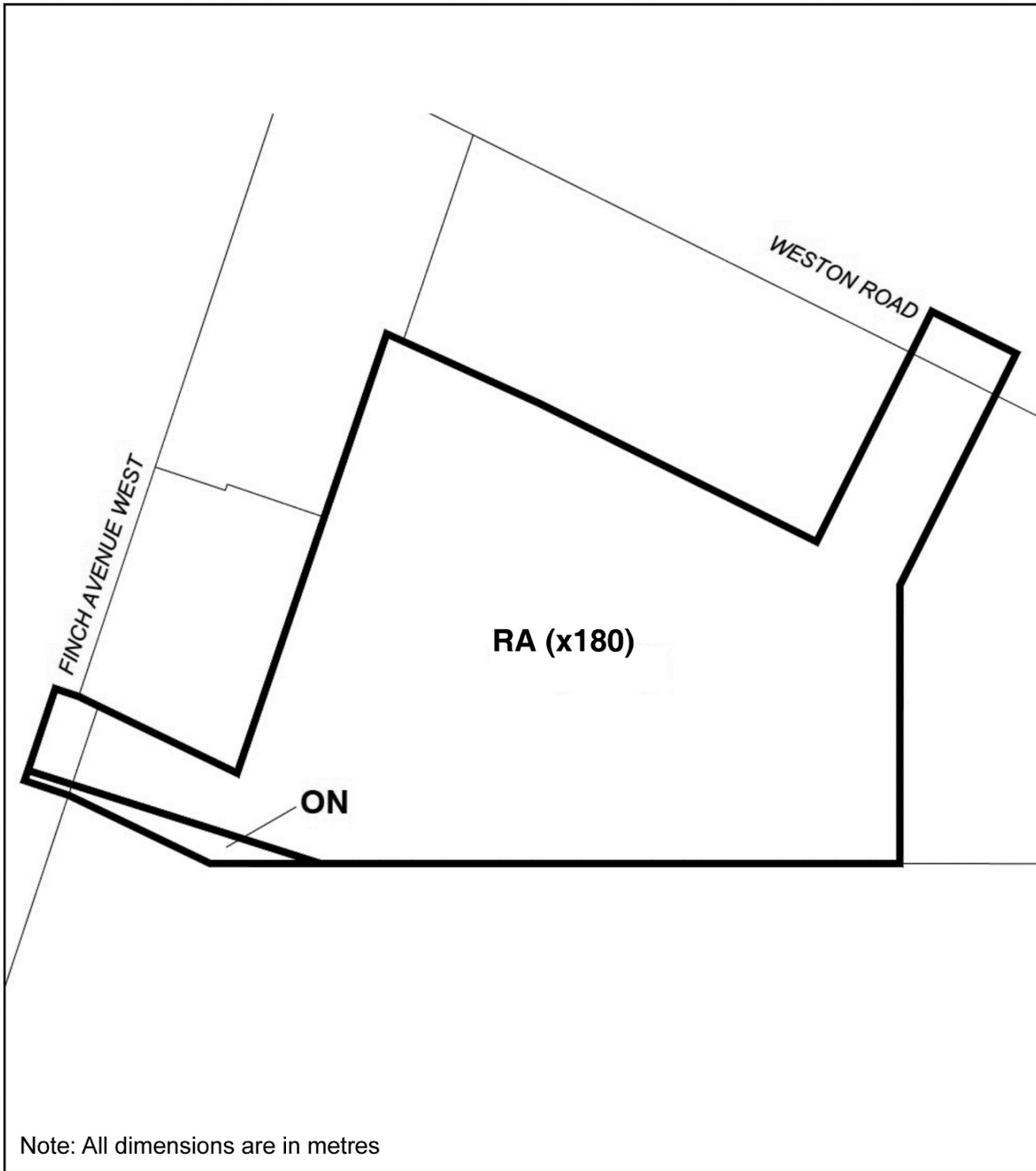
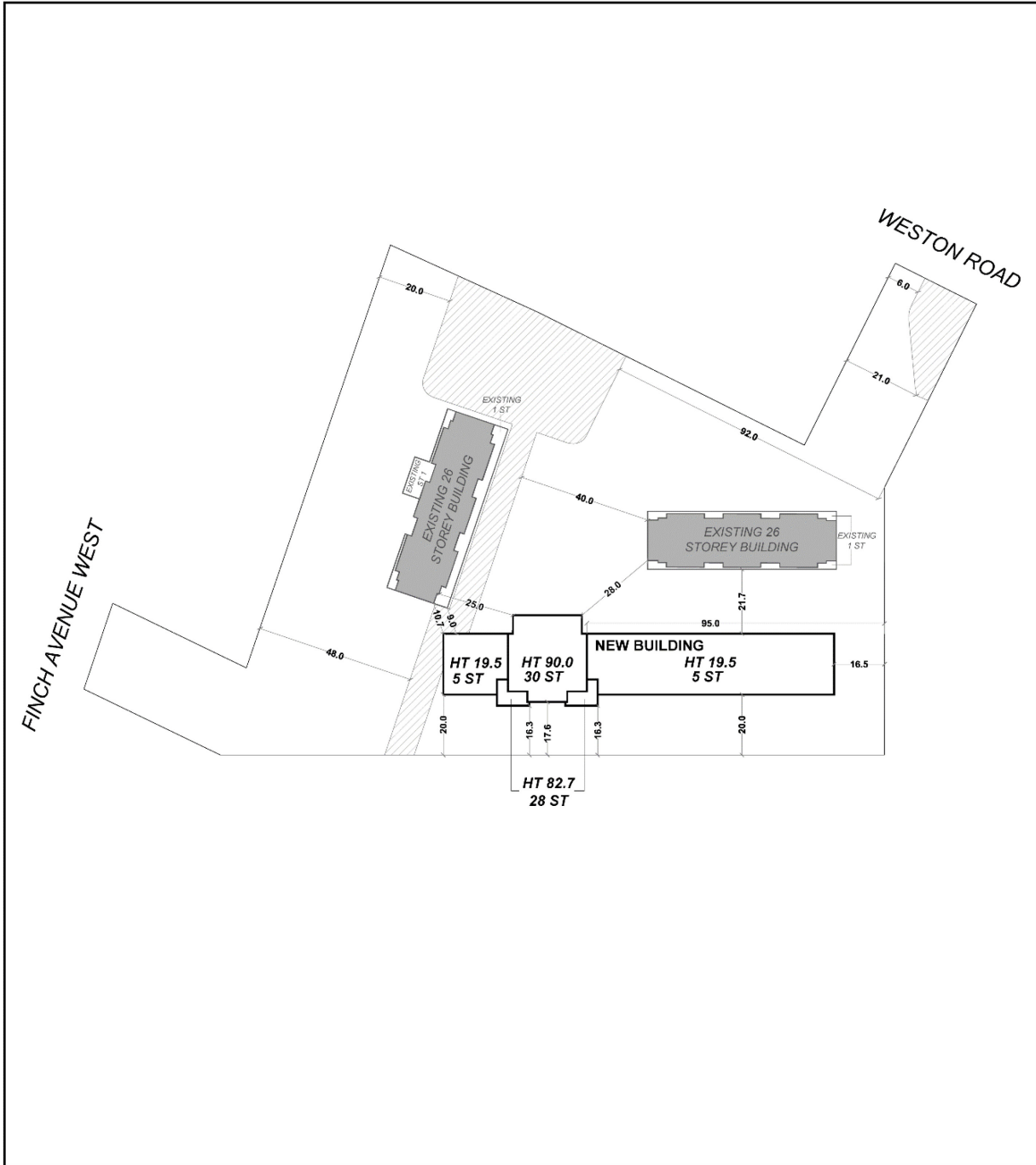


Diagram 3



 **Toronto**
Diagram 3

3400 Weston Road and 2405 Finch Avenue West

File # 20 183834 WET 07 0Z

All dimensions are in metres

 Privately Owned Publicly Accessible Space


City of Toronto By-law 569-2013
Not to Scale
06/18/2024