

# PH13.1 Attachment 6

Authority: Planning and Housing Committee ##, as adopted by City of Toronto Council on  
~, 20~

## CITY OF TORONTO

Bill No. ~

**BY-LAW No. [XXXX- 2020]**

**To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 50 Wilson Heights Boulevard.**

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*;

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 No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 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 3.99 (c2.0; r3.8) SS2 (x227) and OR, as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1, and applying the following Policy Area label to these lands: PA 3, as shown on Diagram 3 attached to this By-law; and
5. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height and storey label to these lands: HT 55.5, HT 55.3, HT 47, and HT 40, as shown on Diagram 4 attached to this By-law; and
6. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, as shown on Diagram 5 attached to this By-law; and
7. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40.1, as shown on Diagram 5 attached to this By-law; and
8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 227 so that it reads:

**(227) Exception CR 227**

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 the lands at 50 Wilson Heights Boulevard subject to this By-law, a **building, structure**, addition or enlargement may be erected or used if it complies with (B) to (KK) below.
- (B) For the purposes of this exception, the **lot** is defined as the lands outlined as Area A, Area B, Area C and Area D by heavy black lines on Diagram 1 attached to By-law [Clerks to insert number].
- (C) In addition to clauses 40.10.20.10 and 40.10.20.20, the following uses are permitted under the letter "c" in the zone label referred to in regulations 40.5.1.10(3)(A)(i) and (ii): **day nursery, eating establishment, private school, public parking, public school, and take-out eating establishment.**
- (D) The maximum **building** height must not exceed the height in metres specified by the numbers following the symbol HT as shown on Diagram 6 attached to By-law [Clerks to insert number].
- (E) Despite regulations 40.5.40.10(1) and 40.5.40.10(2), the height of a **building** or **structure** is the distance between 188.7 metres above sea level and the elevation of the highest point of the **building** or **structure**.
- (F) Despite regulations 40.5.40.10(3), any **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** as follows up to a maximum of:
  - (i) 235 metres above sea level for Area A;
  - (ii) 244 metres above sea level for Area B;
  - (iii) 244 metres above sea level for Area C; and
  - (iv) 244 metres above sea level for Area D.
- (G) Despite regulations 40.10.40.70(2) and 40.10.40.80(2), the required minimum **building setbacks** in metres are as shown on Diagram 6 of By-law [Clerks to insert number].
- (H) Despite regulation 40.10.40.70(2), no **building** or **structure** may penetrate a 45 degree **angular plane** projected from the average elevation of the ground along a **lot line** of a **lot** in the Residential Zone category.

- (I) In Area A, any portion of a **building** located within the area labelled HT 47 on Diagram 6 of By-law [Clerks to insert number], and:
- (i) having a height greater than 23.0 metres must have a minimum **main wall** setback of:
    - (i) 1.5 metres measured from the exterior of a **main wall** of any **storey** of the same **building** located entirely below a height of 23.0 metres and facing east or west;
    - (ii) 3.0 metres measured from the exterior of a **main wall** of any **storey** of the same **building** located entirely below a height of 23.0 metres and facing north or south; and
    - (iii) the above setbacks are only to be applied where the portion of the building is labelled at HT23 on Diagram 6 attached to By-law [Clerks to insert number].
  - (ii) having a height greater than 16.0 metres must have a minimum **main wall** setback of:
    - (i) 1.5 metres measured from the exterior of a **main wall** of any **storey** of the same **building** located entirely below a height of 16.0 metres and facing east or west;
    - (ii) 3.0 metres measured from the exterior of a **main wall** of any **storey** of the same **building** located entirely below a height of 16.0 metres and facing north or south; and
    - (iii) the above setbacks are only to be applied where the portion of the building is labelled at HT16 on Diagram 6 attached to By-law [Clerks to insert number].
- (J) In Area B, as shown on Diagram 1 attached to By-law [Clerks to insert number]:
- (i) the permitted maximum **gross floor area** above a height of 23 metres is 750 square metres of each **storey** of each tower;
  - (ii) each tower must be separated by at least 25.0 metres from each other tower;
  - (iii) a maximum of three towers is permitted; and
  - (iv) "tower" means the portions of a **building** which collectively enclose the entirety of a **storey** higher than 23 metres above 188.7 metres above sea level.
- (K) In Area B, any portion of a building located within the area labelled HT 55.5 on

Diagram 6 of By-law [Clerks to insert number], and:

- (i) having a height greater than 23.0 metres must have a minimum **main wall** setback of:
  - (i) 3.0 metres, measured from the exterior of the **main wall** of any **storey** of the same **building** located entirely below a height of 23.0 metres; and
  - (ii) the above setbacks are only to be applied where the portion of the building is labelled at HT23 on Diagram 6 attached to By-law [Clerks to insert number].
- (ii) having a height greater than 16.0 metres must have a minimum **main wall** setback of:
  - (i) 3.0 metres, measured from the exterior of the **main wall** of any **storey** of the same **building** located entirely below a height of 16.0 metres; and
  - (ii) the above setbacks are only to be applied where the portion of the building is labelled at HT16 on Diagram 6 attached to By-law [Clerks to insert number].
- (L) In Area C, as shown on Diagram 1 attached to By-law [Clerks to insert number], the portions of a **building** or **structure** located above the first five **storeys** of the **building** must be set back a minimum of 3 metres from the **main wall** below the first to the fifth **storeys** of the **building** excluding the **main wall** facing a lot line not abutting a street.
- (M) In Area D, as shown on Diagram 1 attached to By-law [Clerks to insert number]:
  - (i) the permitted maximum **gross floor area** of each **storey** above a height of 23 metres is 750 square metres of each **storey** of each tower;
  - (ii) a maximum of one tower is permitted; and
  - (iii) "tower" means the portions of a **building** which collectively enclose the entirety of a **storey** higher than 23 metres above 188.7 metres above sea level.
- (N) In Area D, as shown on Diagram 1 attached to By-law [Clerks to insert number], the portions of a **building** or **structure** located above the first five **storeys** of the **building** must be set back a minimum of 3 metres from the **main wall** from the first to fifth **storeys** of the **building**.
- (O) Despite regulation 40.10.40.60(1), a platform or balcony attached to the **main wall** with a floor level higher than the floor level of the first **storey** of the **building**:
  - (i) may not be provided on the **main wall** directly above and adjacent to

(within 1 metre) of the outdoor area associated with the **day nursery** use; and

- (ii) must be inset and must not be located closer to a **lot line** than the **main wall** to which it is attached:
    - (a) in Area A, between the second and sixth **storeys** of the **building** inclusive;
    - (b) in Area B, between the second and sixth **storeys** of the **building** inclusive;
    - (c) in Area C, between the second and fifth **storeys** of the **building** inclusive; and
    - (d) in Area D, between the second and fifth **storeys** of the **building** inclusive; and
  - (iii) may project a maximum of 1.5 metres from the **main wall** to which it is attached:
    - (a) in Area A, above the first six **storeys** of the **building**;
    - (b) in Area B, above the first six **storeys** of the **building**;
    - (c) in Area C, above the first five **storeys** of the **building**; and
    - (d) in Area D, above the first five **storeys** of the **building**.
- (P) The permitted maximum **gross floor area** of all **buildings** and **structures** on the lands is 129,175 square metres, excluding the area occupied by a **parking garage** or **public parking** below ground, as follows:
- (i) the permitted maximum **gross floor area** for residential uses is 123,055 square metres;
  - (ii) despite clause 40.10.20.100, a minimum of 600 square metres, and maximum of 2,000 square metres of **gross floor area** for retail, service, and entertainment uses must be provided and no individual retail, service, and entertainment use may exceed more than 1,800 square metres; retail, service and entertainment uses may include **art gallery, artist studio, automated banking machine, financial institution, eating establishment, massage therapy, medical office, personal service shop, pet services, recreation use, retail service, retail store or take-out eating establishment**;
  - (iii) a minimum **gross floor area** of 3,800 square metres must be provided for office uses;
  - (iv) a minimum **gross floor area** of 920 square metres must be provided for **community centre** uses; and
  - (v) a minimum **gross floor area** of 800 square metres must be provided for **day nursery** uses.

- (Q) The non-residential uses in Regulation P(ii) and (iii) must be located in Area A or Area B, as shown on Diagram 1 attached to By-law [Clerks to insert number].
- (R) Despite regulation 40.10.40.1(1), **dwelling units** may be located in the first **storey** of a **building** if the **dwelling units** have direct access to a **street**.
- (S) A minimum outdoor area of 278 square metres associated with the **day nursery** use must be provided contiguous with the **interior floor area** of the **day nursery** and must be set back at least 1.5 metres from a **lot line**.
- (T) Continuous surface walkways must be provided in accordance with following:
- (i) one surface walkway must located in the general location of Proposed Midblock Connection on Diagram 6 of By-law [Clerks to insert number] which abuts Wilson Avenue on the south and the **street** labelled Public Street 1 on the north;
  - (ii) one surface walkway must located in the general location of Proposed Midblock Connection on Diagram 6 of By-law [Clerks to insert number] which abuts the west **lot line** on the west and the **street** labelled Public Street 2 on the east;
  - (iii) each must remain accessible to the public at all times; and
  - (iv) each may be covered but may not be entirely enclosed.
- (U) Publicly-accessible open space comprising **landscaping** must be provided as follows:
- (i) a minimum of 200 square metres located in the general location of the Publicly-accessible Open Space adjacent to the intersection of Wilson Avenue and Wilson Heights Boulevard identified on Diagram 6 attached to By-law [Clerks to insert number]; and
  - (ii) a minimum of 1,500 square metres located in the general location of the Publicly-accessible Open Spaces adjacent to the William R. Allen Road identified on Diagram 6 attached to By-law [Clerks to insert number]. This Publicly-accessible Open Space will include the transit plaza and the William R. Allen Road Pathway.
- (V) Despite regulation 200.5.10.1(1), **parking spaces** must be provided, in accordance with the following:
- (i) A minimum of 0.48 **parking spaces** for each **dwelling unit** must be provided per **dwelling unit** for the residents;
  - (ii) A minimum of 0.1 **parking spaces** for each **dwelling unit** must be

provided for visitors to the **dwelling units**;

- (iii) The minimum required parking for residents can be reduced by up to 4 **parking spaces** for each dedicated car-share space;
  - (iv) The maximum allowable reduction in the minimum required parking for residents is calculated by  $4 * (\text{Total number of units} / 60)$ , rounded down to the nearest whole number;
  - (v) A minimum of 2 **parking spaces** must be provided for **community centre** uses;
  - (vi) A minimum of 2 **parking spaces** must be provided for **day nursery** uses; and
  - (vii) A minimum of the 146 **parking spaces** identified in (V) (i) and (ii) must be provided for non-residential uses, in addition to the **parking spaces** required for **community centre** and **day nursery** uses in (v) and (vi) above.
- (W) Despite regulation 40.5.80.1(1), a portion of the **parking spaces** required by regulations (V) (i), (ii) and (vii) above may be provided for the shared use of residents, residential visitors, non-residential uses on the lands and other uses as part of a **public parking** use, up to a maximum equivalent to:
- (i) 42 percent of the minimum **parking spaces** required by regulations (V) (i);
  - (ii) 100 percent of the minimum **parking spaces** required by regulations (V) (ii); and
  - (iii) 100 percent of the minimum **parking spaces** required by regulations (V) (vii).
- (X) Despite regulations 200.5.1.10(2) and 200.5.1(3), the **public parking parking spaces** permitted by regulation (W) above may have a minimum length of 5.2 metres, provided they are accessed by a **drive aisle** having a width of 7.0 metres or more.
- (Y) Despite regulation 200.15.1.5(1) (B), accessible **parking spaces** may be located in the **basement** parking levels.
- (Z) Regulation 40.10.100.10(1)(C) does not apply.
- (AA) Despite clause 220.5.10.1, **loading spaces** for the entirety of the **lot** must be provided in accordance with the following:

- (i) For Area A, as shown on Diagram 1 attached to By-law [Clerks to insert number], provide a minimum of 1 Type "C" **loading space**, 1 Type "G" **loading space** and 1 Type "B" **loading space**;
  - (ii) For Area B, as shown on Diagram 1 attached to By-law [Clerks to insert number], provide a minimum of 1 Type "G" **loading space** and 1 Type "C" **loading space**;
  - (iii) For Area C, as shown on Diagram 1 attached to By-law [Clerks to insert number], provide a minimum of 1 Type "G" **loading space**; and
  - (iv) For Area D, as shown on Diagram 1 attached to By-law [Clerks to insert number], provide a minimum of 1 Type "G" **loading space** and 1 Type "C" **loading space**.
- (BB) Despite regulation 230.5.1.10(4), if a **stacked bicycle parking space** is provided in a mechanical device where any portion of a bicycle is situated above or below any portion of an adjacent bicycle, the minimum required width of each such **stacked bicycle parking space** is 0.43 metres.
- (CC) A minimum of 15 percent of the total number of **dwelling units** must contain two bedrooms;
- (DD) A minimum of 10 percent of the total number of **dwelling units** must contain a minimum of three bedrooms;
- (EE) Despite regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be more than 30 metres from a pedestrian entrance to the building on the **lot**.
- (FF) Equipment, **structures** or parts of a **building** must comply with the following:
- (i) the total area of all equipment, **structures**, or parts of a **building** may cover no more than 70% of the area of the roof, measured horizontally; and
  - (ii) if any equipment, **structures**, or parts of a **building** are located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**; and
  - (iii) any such equipment or structures facing a street, must be setback from the exterior of the main wall of the storey below.
- (GG) Despite regulation 40.10.40.10(5), in Areas A, B, C and D as shown on Diagram 1 attached to By-law [Clerks to insert number], the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling



of the first **storey**, is 4.5 metres for non-residential uses and 3.0 metres for residential uses.

- (HH) Despite regulation 40.5.80.10(1), a **parking space** must be on the same **lot** as the use for which the **parking space** is required.
- (II) Despite section 200.15, accessible **parking spaces** must be provided in accordance with the following:
- (i) an accessible **parking space** must have the following minimum dimensions:
    - (a) length of 5.6 metres;
    - (b) width of 3.4 metres; and
    - (c) vertical clearance of 2.1 metres;
  - (ii) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017;
  - (iii) accessible **parking spaces** must be provided at the following minimum rates:
    - (a) if the number of required **parking spaces** is 25 to 100, a minimum of 1 **parking space** for every 25 **parking spaces** or part thereof; and
    - (b) if the number of required **parking spaces** is more than 100, a minimum of 4 **parking spaces** plus 1 **parking space** for every 50 **parking spaces** or part thereof in excess of 100 **parking spaces**; and
  - (iv) for the purpose of this exception, "accessible" means free of physical, architectural or design barriers that would restrict access of use to a person with a disability as defined in the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c.11.
- (JJ) Despite regulation 230.5.1.10(9), a required "long-term" **bicycle parking space** for uses other than **dwelling units** may be located:
- (i) on the first **storey** of the **building**;
  - (ii) on the second **storey** of the **building**; or
  - (iii) on levels of the **building** below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by **bicycle parking spaces**, until all required **bicycle parking spaces** have been provided.

- (KK) Despite regulation 5.10.30.1(1), within the lands shown on Diagram 1 attached to By-law [Clerks to insert number], no land may be used and no **building** or **structure** may be erected or used, except for below-ground **structures** and foundations, unless:
- (i) For Area A and B, the **street** identified as Public Street 1, as shown on Diagram 1 attached to By-law [Clerks to insert number], is constructed to a minimum base curb and base asphalt or concrete and is connected to an existing **street**; and
  - (ii) For Area C and D, the **street** identified as Public Street 2, as shown on Diagram 1 attached to By-law [Clerks to insert number], is constructed to a minimum base curb and base asphalt or concrete and is connected to an existing **street**;
  - (iii) For Area A and B, all Municipal water mains and Municipal sewers, and their appurtenances, are installed within the street identified as Public Street 1, as shown on Diagram 1 attached to By-law [Clerks to insert number], and are operational; and
  - (iv) For Area C and D, all Municipal water mains and Municipal sewers, and their appurtenances, are installed within the street identified as Public Street 2, as shown on Diagram 1 attached to By-law [Clerks to insert number], and are operational.

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

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

**10.** Car-share means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars 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.

**11.** Car-share **parking space** means a **parking space** that is exclusively reserved and actively used for car-sharing.

Enacted and passed on month ##, 20##.

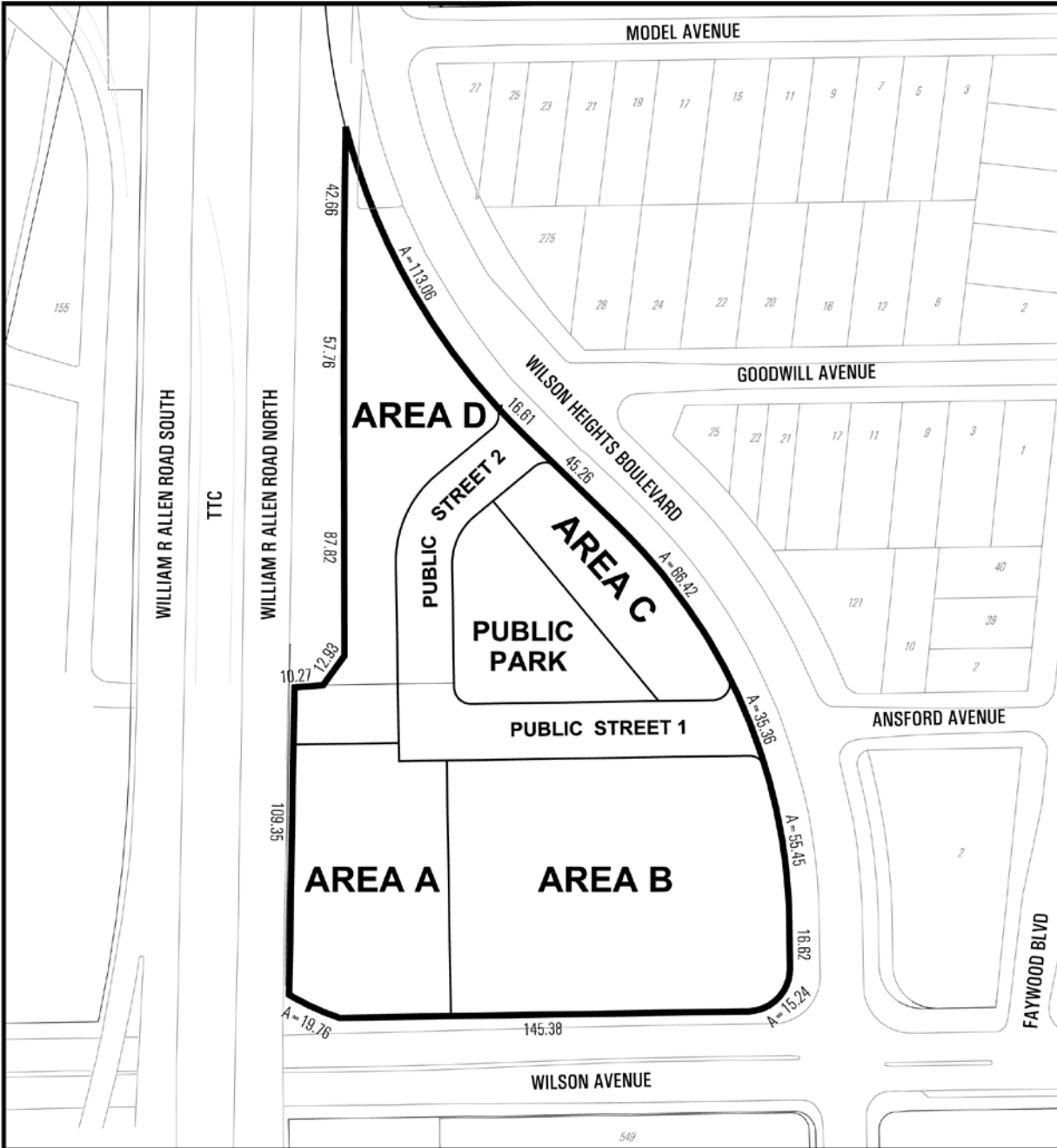
Name,

Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

Diagram 1 - Location



 **TORONTO**  
Diagram 1

**50 Wilson Heights Boulevard**

File # 19 114174 NNY 06 0Z


  
City of Toronto By-law 569-2013  
Not to Scale  
01/31/2020

Diagram 2 – Exception x227

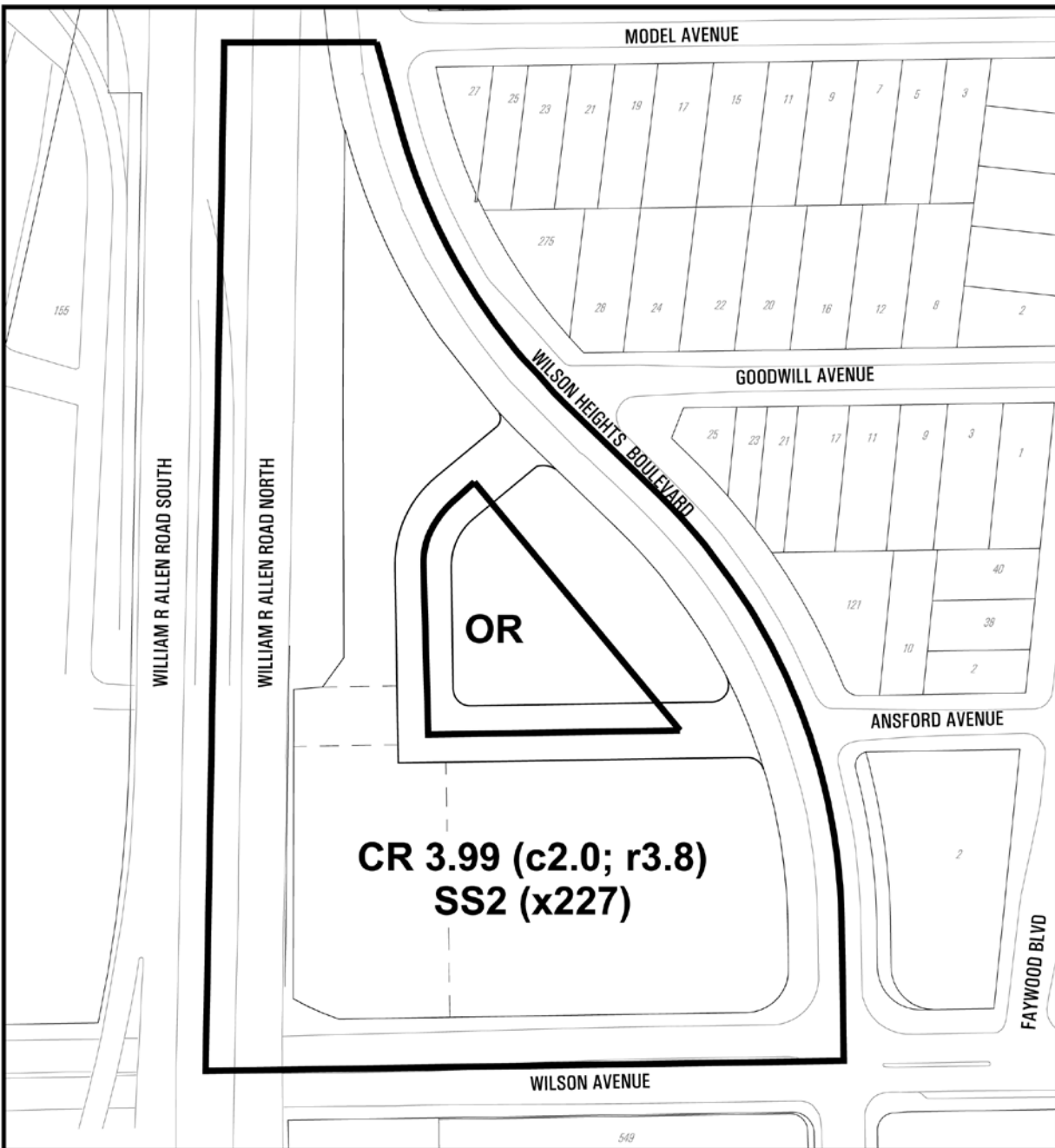


Diagram 3 – Policy Area

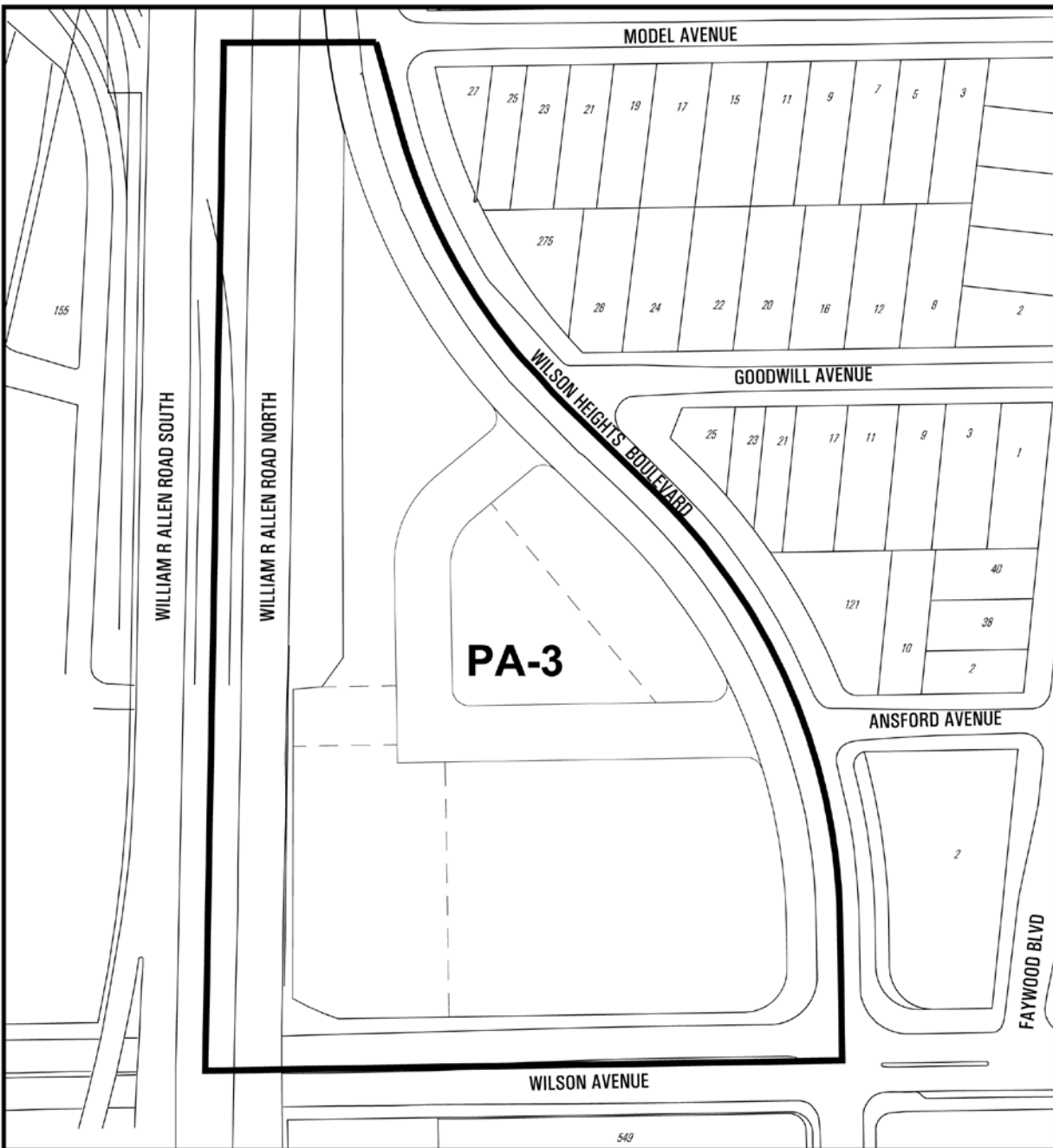


Diagram 4 – Height Overlay

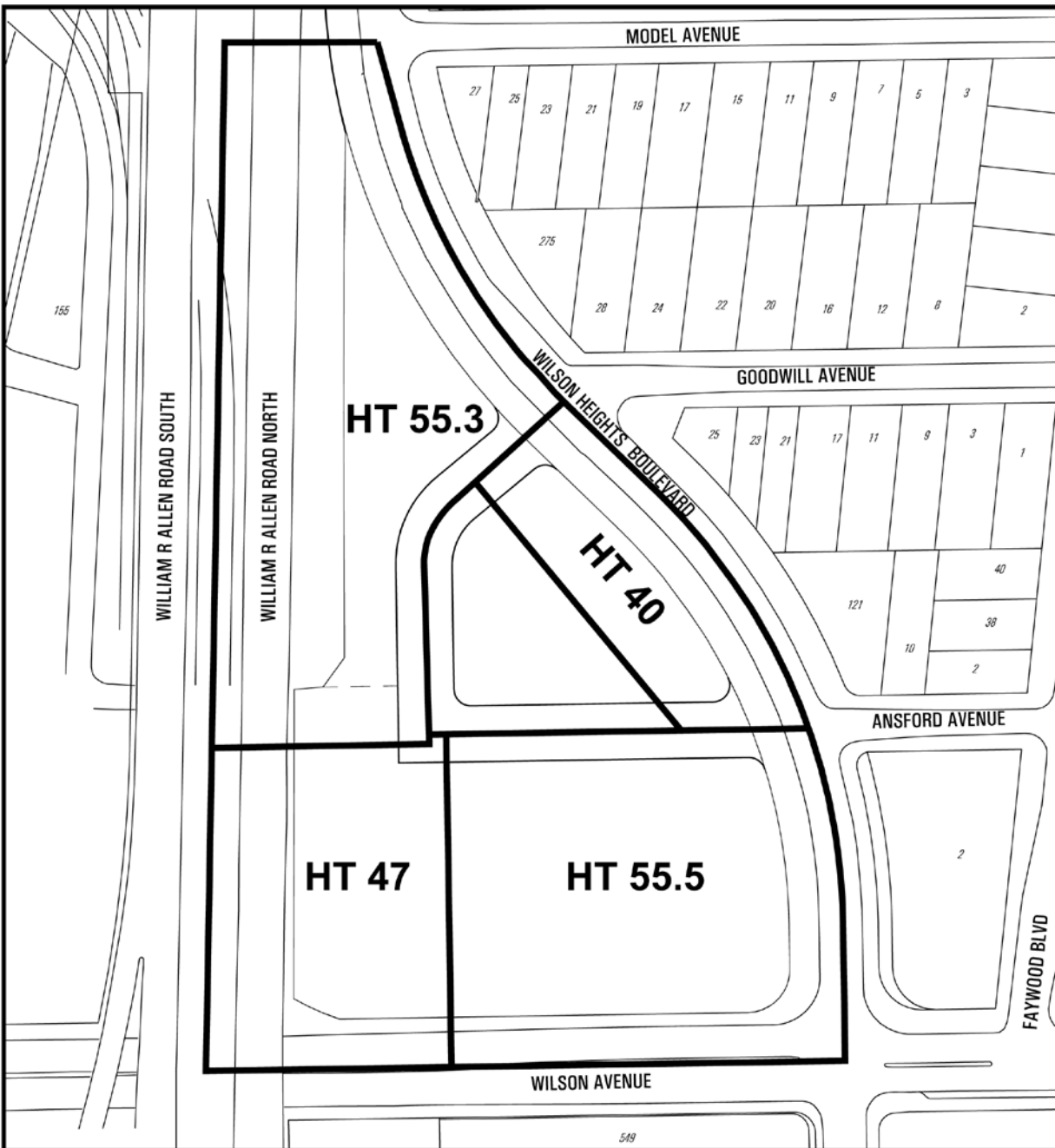


Diagram 5 – Rooming House and Lot Coverage Overlay

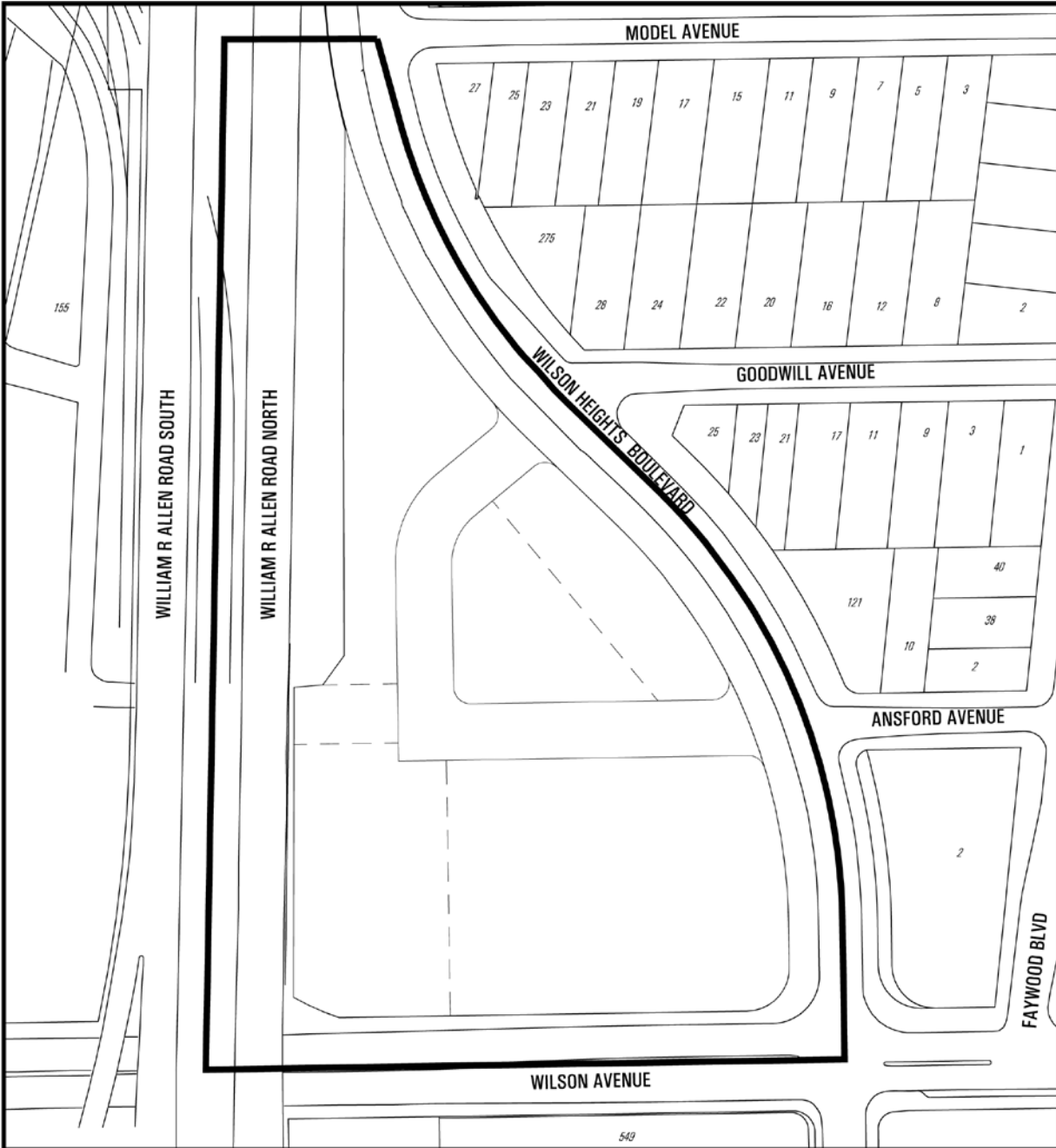


Diagram 6 – Heights and Setbacks

