

Attachment 1

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 2023

CITY OF TORONTO

BY-LAW No. XXXX-2023

To amend Toronto Zoning By-law No 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 1 Herons Hill Way.

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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines as identified on Diagram 1 of By-law No. XXX-20~.
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 adding the land subject to this By-law in Map Section 990.10 and applying the following zone label CR (xXXX) to these lands as shown on Diagram 2 attached to this By-law No. XXX-20~.
4. 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 a height label of 115.0 metres.
5. 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 no value.
6. 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.

7. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.11 Exception Number [xXXX] so that it reads:

Exception CR [xXXX]

The lands, or portion thereof as noted below, are subject to a new Site-Specific Provision as listed below:

Site Specific Provision:

- (A) Despite Regulation 40.10.40.40, the permitted maximum **gross floor area** on the lot must not exceed 29,800 square metres, provided:
- (i) the maximum residential **gross floor area** does not exceed 26,400 square metres;
 - (ii) the minimum non-residential **gross floor area** shall be 3,342 square metres;
 - (iii) the minimum non-residential **gross floor area** in (ii) above shall be located on lands zoned CR (xXXX) and EO (xXXX)
- (B) Despite Regulation 40.10.40.1 a residential use in a **mixed use building** located on the ground floor may be located on the same floor as a non-residential use.
- (C) Despite Regulation 40.10.40.10, the permitted maximum height of a **building or structure** is the number following the letters "HT" as shown on Diagram 3 of By-law No. XXX-20~.
- (D) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** is the number following the letters "ST" as shown on Diagram 3 of By-law No. XXX-20~.
- (i) For the purpose of this exception, a "mezzanine" does not constitute a **storey**;
- (E) Despite Regulation 40.5.40.10 (1) the height of a **building or structure** is measured from an elevation of 175.3 metres Canadian Geodetic Datum to the highest point of a **building or structure**.
- (F) Despite Regulation 40.5.40.10 and subsection (C), (D), and (E) above, the following elements of a building may exceed the permitted maximum **building** height in metres following the HT symbol on Diagrams 3 of By-law No. XXXX-20~:

- (i) the following elements may project a maximum of 3.0 metres beyond the maximum height limits: guard rails, railings, bollards, balustrades, eaves, roof drainage, balcony and terrace guards, fences, skylights, planters, cornices, seating areas, retaining walls, balcony and terrace dividers, decorative screens, privacy screens, wheelchair ramps and ramps to underground, safety and wind protection/mitigation features and solar panels;
 - (ii) the following elements may project a maximum of 4.0 metres beyond the maximum height limits: ornamental elements, landscape elements, structures used for outside or open air recreation including pools and associated equipment, light monitors, light fixtures, pergolas, architectural features, trellises, awnings, and canopies;
 - (iii) the following elements may project a maximum of 6.0 metres beyond the maximum height limits: public art features, mechanical equipment, exoskeleton structures, stairs, stair towers and enclosures, enclosures of mechanical equipment and unenclosed heating equipment;
 - (iv) the following elements may project a maximum of 6.9 metres beyond the maximum height limits: elevator overruns, lightning rods, ventilation, or cooling equipment such as chimneys, stacks, flues, vents, air intakes, antennas, satellite dishes, cellular arrays, parapets, elements of a green roof;
 - (v) the following elements may project a maximum of 7.0 metres beyond the maximum height limits: window washing equipment including Building Maintenance Unit (BMU);
- (G) Despite Regulation 40.10.40.70, the required minimum **building setbacks** are shown in metres on Diagram 3 of By-law No. XXXX-20~.
- (H) Despite Regulation 40.10.40.80, the required separation of **main walls** is shown in metres on Diagram 3 of By-law No. XXXX-20~.
- (I) Despite Regulations 5.10.40.70(1), Clause 40.5.40.60, Clause 40.10.40.60, Clause 40.10.40.70, Clause 40.10.40.80, and subsection (G) and (H) above, the following shall be permitted to encroach outside the required minimum **building setbacks** as shown on Diagrams 3 of By-law No. XXXX-20~:
- (i) the following elements may encroach a maximum of 1.0 metre into the required setbacks: eaves, windowsills, damper equipment to reduce building movement, architectural flues, pillars, and satellite dishes;

- (ii) the following elements may encroach a maximum of 2.0 metres into the required setbacks: balconies;
 - (iii) the following elements may encroach a maximum of 3.0 metres into the required setbacks: pergolas, guardrails, balustrades, railings, decorative / acoustic doors and screens, light fixtures, awnings, and canopies;
 - (iv) the following elements may encroach a maximum of 5.0 metres into the required setbacks: trellises and planters;
 - (v) the following elements may encroach a maximum of 6.0 metres into the required setbacks: ventilation shafts, elements required for the functional operation of a building, site servicing features, stairs, stair enclosures, wheelchair ramps, fences; and
 - (vi) the following elements may encroach a maximum of 5.0 metres into the required setbacks: public art installations, art and landscape features and window washing equipment including Building Maintenance Unit (BMU) may encroach into the required setbacks;
- (J) Despite Regulations 40.10.40.50(1)(A) and (B) and (2) **amenity space** must be provided at the following:
- (i) the required minimum gross floor area for indoor **amenity space** is 705 square metres; and
 - (ii) a minimum of 705 square metres of outdoor **amenity space**
- (K) Despite Regulation 200.5.10.1 and Table 200.5.10.1, **parking spaces** must be provided and maintained in accordance with the following:
- (i) a minimum rate of 2.0 residential visitor **parking spaces** plus 0.01 **parking spaces** for each **dwelling unit** are required;
 - (ii) a minimum of 1 **parking space** per 100 square metres for non-residential uses;
- (L) For the purpose of this amendment "**car-share**" means the practice whereby several people share the use of one or more motor **vehicles** and such "**car-share**" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental;
- (M) For the purpose of this amendment, "**car-share parking space**" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "**car-share**" purposes;
- (N) Despite Regulation 200.15.10.10(1) and (2), a minimum of 10 accessible **parking spaces**

must be provided on the lot.

(O) Despite Regulation 200.5.1.10(14), 20% of the **parking spaces** must be equipped with an **energized outlet**, which is clearly marked and identified for electrical vehicle charging and is capable of **Level 2 charging** or higher to the **parking space**.

(P) Despite Regulation 200.15.1(1), accessible **parking spaces** 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

(Q) Despite Regulation 200.15.1(4), accessible **parking spaces** must be the parking spaces closest to a barrier free:

- (i) entrance to a **building**;
- (ii) passenger elevator that provides access to the first **storey** of the **building**;
- (iii) and shortest route from the required entrances in (A) and (B);
- (iv) the requirements for the location of accessible **parking spaces** in (i), (ii), and (iii), relate to the **building** located on the lands identified as CR on Diagram 2.

(R) Despite Regulation 230.5.1.10(4), stacked bicycle parking spaces shall be provided and maintained on the lot in accordance with the following:

- (i) a minimum width of 0.4;

(S) Despite Regulation 220.5.1(2), the required Type 'B' Loading Space for lands zoned EO (insert loading area) may be provided on lands zoned CR (insert exception number).

(T) For the purpose of this amendment, a 520 square metres of a privately owned publicly accessible space shall be provided as is shown on Diagram 3.

8. Exception EO [XXXX]

The lands, or portion thereof as noted below, are subject to a new Site-Specific Provision as listed below:

Site Specific Provision:

(U) In addition to the uses permitted in the EO zone, all existing uses that lawfully existed as of January 1, 2023, shall be permitted.

(V) The maximum non-residential gross floor area shall be 2,230 square metres.

(W) Regulation 200.5.10.11(1)(c) does not apply.

(X) Regulation 200.15.1(4) does not apply.

9. Prevailing By-laws and Prevailing Sections:
None Apply

10. Division of Lands:

(W) notwithstanding any severance, partition or division of the lands outlined by heavy black lines and identified on Diagram 1, the regulations of By-law XXXX-2023 shall continue to apply to the whole of said lands as if no severance, partition, or division had occurred.

Enacted and passed on ~2023.

Olivia Chow

Mayor

(Seal of the City)

John D. Elvidge,

City Clerk





