

Authority: **Etobicoke York Community Council** Item [-], as adopted by City of Toronto Council on [-]

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 1871, 1879 and 1885 Weston Road, and PIN 10324-0541.

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; 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 to which 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, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.1 respecting the lands outlined by heavy black lines from a zone label of CR 2.5 (c2.5; r2.5) SS2 (x1169) to a zone label of CR 2.5 (c2.5; r2.5) SS2 (x-932) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 932 so that it reads:

(932) Exception **CR** (932)

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 1871, 1879 and 1885 Weston Road, and PIN 10324-0541, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to Y 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 127.03 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulations 40.10.20.10(1)(B) and 40.10.20.20(1)(B), uses permitted under the letter "r" in the zone label must not be located in Building C as labelled on Diagram 3 of By-law [Clerks to insert By-law number];
- (D) Clause 150.50.50.10, with respect to providing **landscaping** on a **lot** that has a **place of worship**, does not apply.
- (E) Despite regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same storey as non-residential use portions of the **building** provided they do not contain **dwelling units** and are used exclusively for:
 - (i) residential lobby access; and
 - (ii) indoor **amenity spaces** required under (M) below;
- (F) 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 3 of By-law [Clerks to insert By-law number];
- (G) 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 3 of By-law [Clerks to insert By-law number]; and
 - (i) for the purpose of this exception, a mezzanine and a mechanical penthouse does not constitute a **storey**, provided they do not contain **dwelling units**;

- (H) Despite regulations 40.5.40.10(3) to (8) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number]:
- (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, chimneys, and vents, by a maximum of 5.0 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, excluding a mechanical penthouse, by a maximum of 6.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 5.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (I) Despite regulations 40.10.40.40(1) and (2), the permitted maximum **gross floor area** of all **buildings** and **structures** is 66,900 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 62,100 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 5,300 square metres;
 - (iii) the required minimum **gross floor area** for non-residential uses is 4,800 square metres;
 - (iv) no **gross floor area** for residential uses may be located in Building C as labelled on Diagram 3 of By-law [Clerks to insert By-law number].

- (J) The permitted maximum "floor plate area" of each **storey** above a height of 21.5 metres is 750 square metres for each of Tower A and Tower B as labelled on Diagram 3 of By-law [Clerks to insert By-law number];
- (K) In addition to the elements listed in regulation 40.5.40.40(3) that reduce **gross floor area**, the following elements will also apply to reduce the **gross floor area** of a **building**:
- (i) areas that have no surface on which to stand and are open to below; and
 - (ii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in a mezzanine;
- (L) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
- (i) at least 3.0 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 1.0 square metres of outdoor **amenity space** for each **dwelling unit** of which 85 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
- (M) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (N) Despite (M) above, the required minimum building setbacks to the dashed lines as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number] apply from the height in metres indicated by the HT value of the abutting area to a height of 20.5 metres;
- (O) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (P) Despite Clause 40.10.40.60 and N above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks, porches, and balconies, by a maximum of 1.2 metres;
 - (ii) despite (i) above, no balconies may encroach into the required minimum **building setbacks** in locations shown as Restricted Balcony Zones on Diagram 4 of By-law [Clerks to insert By-law number];

- (iii) canopies and awnings, by a maximum of 2.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 1.2 metres;
 - (v) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.6 metres;
 - (vi) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.6 metres;
 - (vii) eaves, by a maximum of 0.6 metres; and
 - (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.2 metres;
- (Q) Despite regulations 200.5.1.10(2)(A)(iv), 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 0.14 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding a maximum of 0.3 residential occupant **parking spaces** for each **dwelling unit**;
 - (ii) a minimum of 2 residential visitor **parking spaces** plus 0.05 residential visitor **parking spaces** for each **dwelling unit**; and
 - (iii) a minimum of 0 **parking spaces** for every 100 square metres of **gross floor area** devoted to non-residential uses, but not exceeding a maximum of 1.0 **parking spaces** for each 100 square metres of **gross floor area** devoted to non-residential uses;
 - (iv) a maximum of 2 of the required residential visitor **parking spaces** may be provided as “car share **parking spaces**”; a maximum of 10% of the required **parking spaces** may be obstructed as described in Regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (R) Despite Clause 220.5.10.1, a minimum of one Type "G" and one Type "C" **loading space** must be provided;
- (S) Despite regulations 200.25.15.2(1), 200.25.15.3(1) and 200.25.15(4), accessible **parking spaces** must be provided in accordance with Article 200.15.10;

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- (T) Despite Table 200.15.10.5, and (S) above, the Effective Parking Rate for all non-residential uses shall be calculated at the Tier 4 rate listed in Table 200.15.10.5.;
- (U) Despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (V) Despite regulations 230.5.10.1(1),(3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
- (i) 0.9 "long-term" **bicycle parking spaces** for each **dwelling unit**;
 - (ii) 0.2 "short-term **bicycle parking spaces** for each **dwelling unit**;
 - (iii) the number of required "short-term" **bicycle parking spaces** for each **dwelling unit** may be reduced by not more than half the amount required by (ii) above, in accordance with regulations 230.5.10.20(1)(B) and (C);
 - (iv) 0.2 "long term" **bicycle parking spaces** for each 100 square metres of **interior floor area** for all non-residential uses; and
 - (v) 3 "short-term" **bicycle parking spaces** plus 0.3 "short-term" **bicycle parking spaces** for each 100 square metres of **interior floor area** for all non-residential uses;
- (W) Despite regulation 230.40.1.20(2), a "short-term" **bicycle parking space** must be no more than 30 metres from a pedestrian entrance to a **building** on the **lot**;
- (X) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** must have 2 or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have 3 or more bedrooms;
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (Y) For the purpose of this exception, each word or expression that is in bold font will have the same meaning as such word or expression as defined in Chapter 800 of Zoning By-law 569-2013, as amended, except for the following:

- (i) “car share” means the practice where a number of people share the use of one or more cars 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 kilometres driven, and set membership requirements of the car-sharing organization, including payment of a membership fee that may not be refundable;
- (ii) “car share **parking space**” means a **parking space** exclusively reserved and used for “car share” purposes where the vehicle is accessible to at least the occupants of the **building**;
- (iii) “floor plate area” means the total built area measured from the exterior of the **main walls** of each floor level and inclusive of the entire floor, excluding balconies;

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.
- 6. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 1 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
 - (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted by City Council when the following are fulfilled:
 - (i) Submit to the Chief Engineer and Executive Director of Engineering and Construction Services, Engineering and Construction Services for review and acceptance, a revised Functional Servicing and Stormwater Management Report to address the comments contained in a memorandum from Development Engineering to City Planning dated October 18, 2023;
 - (ii) Submit to the Chief Engineer and Executive Director of Engineering and Construction Services, Engineering and Construction Services for review and acceptance, a revised plans, drawings and letter to address the comments contained in a memorandum from Development Engineering to City Planning dated October 18, 2023;

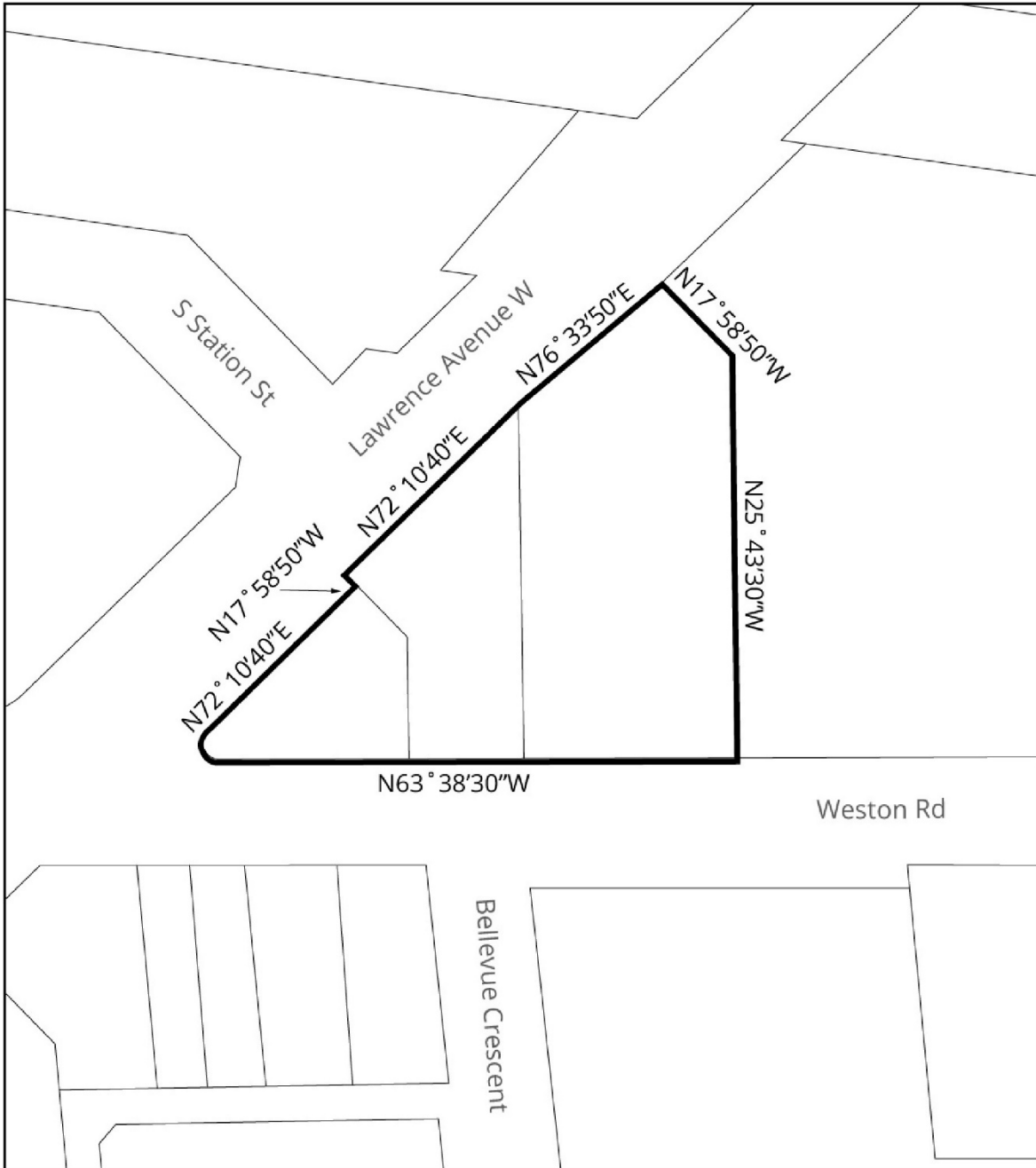
- (iii) Satisfactory arrangements are in place to secure the construction of new municipal infrastructure or any improvements to the existing municipal infrastructure, to service the proposed development, and the owner has entered into a financially secured agreement to pay for and construct any necessary municipal infrastructure to the satisfaction of the General Manager, Toronto Water, and the Chief Engineer and Executive Director, Engineering and Construction Services and the City Solicitor;
- (iv) Submit to the General Manager, Transportation Services for review and acceptance, a Functional Plan including a Pavement Marking and signage Plan for required road improvements, contained in a memorandum from Development Engineering to City Planning dated October 18, 2023; and
- (v) Submit to the Supervisor, Tree Protection and Plan Review for review and acceptance, an application to injure or destroy trees.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



 **TORONTO**
Diagram 1

**1871, 1879 and 1885
Weston Road, and
PIN 10324-0541**

File # 21 234039 WET 05 0Z



 **TORONTO**
Diagram 2

**1871, 1879 and 1885
Weston Road, and
PIN 10324-0541**




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TORONTO
Diagram 3

1871, 1879 and 1885
Weston Road, and
PIN 10324-0541

File # 21 234039 WET 05 0Z

-  Proposed Storm Sewer Easement
-  Designated Buildings under the Ontario Heritage Act
-  Main wall stepback at 4th floor, excluding required structural elements and columns

City of Toronto By-law 569-2013
Not to Scale
11/02/2023








TORONTO
Diagram 4

**1871, 1879 and 1885
 Weston Road, and
 PIN 10324-0541**

File # 21 234039 WET 05 0Z

-  Proposed Storm Sewer Easement
-  Restricted Balcony Zone under Regulation (N)(ii)
-  Designated Buildings under the Ontario Heritage Act


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 Not to Scale
 11/02/2023