

Attachment 6: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

BY-LAW XXXX - 2023

To amend Zoning By-law No. 569-2013, as amended with respect to the lands known municipally known in the year 2022 as 1571 Sandhurst Circle

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)"; and

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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.1, and applying the following zone labels to these lands: CR 0.82 (c0.82; r0.0) SS3 (x###), (H) CR 3.0 (c1.0; r2.0) SS3 (xXXX) and OR, 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 Area Overlay Map in Article 995.10.1, and applying the following Policy Area Overlay label to these lands: PA4, 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 subject to this by-law to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 12.4 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 subject to this by-law to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
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 to Article 900.11.10 Exception Number xXXX so it reads:

Exception CR (xXXX)

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 1571 Sandhurst Circle, if the requirements of By-law [Clerks to supply by-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Y) below:
- (B) In addition to the permitted non-residential uses listed in regulation 40.10.20.10(1)(A), the following additional uses are permitted:
 - (i) “existing retail shopping centre”;
- (C) In addition to the permitted residential uses listed in regulation 40.10.20.10(1)(B), the following additional uses are permitted:
 - (i) “senior’s residence”;
- (D) Despite Regulations 40.5.1.10(3) and 40.10.40.40(1), the maximum **gross floor area** permitted on Blocks 1 through 5 as indicated on Diagram 5 of By-law [Clerks to supply by-law #] must not exceed 206,500 square metres, in accordance with the following:
 - (i) Block 1

- a. A maximum of 42,600 square metres of residential **gross floor area**;
 - b. A minimum of 2,800 square metres of non-residential **gross floor area**
 - (ii) Block 2
 - a. A maximum of 53,000 square metres of residential **gross floor area**;
 - b. A minimum of 4,500 square metres of non-residential **gross floor area**
 - (iii) Block 3
 - a. A maximum of 53,000 square metres of residential **gross floor area**;
 - b. A minimum of 4,100 square metres of non-residential **gross floor area**
 - (iv) Block 4
 - a. A maximum of 16,700 square metres of **gross floor area** of which:
 - a. A maximum of 15,700 square metres of residential **gross floor area**;
 - b. A minimum of 1,022 square metres of **interior floor area** will be a **day nursery**;
 - (v) Block 5
 - a. A maximum of 28,100 square metres of residential **gross floor area**;
 - A minimum of 250 square metres of non-residential **gross floor area**; and
 - (vi) A minimum of 15,500 square metres of residential **gross floor area** in Block 4 or Block 5 must be for a “senior’s residence”;
- (E) Despite Regulation 40.10.20.100(21)(B), the permitted maximum area of an **outdoor patio** does not apply to the “existing retail shopping centre”;
- (F) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same storey or below non-residential use portions of the **building** provided they are located on or below the second storey;
- (G) The provision of **dwelling units** is subject to the following:

- (i) a minimum of 15 percent of the total number of **dwelling units** on a **lot** must contain two bedrooms; and
 - (ii) a minimum of 10 percent of the total number of **dwelling units** on a **lot** must contain three or more bedrooms;
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
 - (iv) if the calculation of the number of required **dwelling units** with two or three bedrooms pursuant to (i) and (ii) above results in a number with a fraction, the number is rounded down to the nearest whole number; and
 - (v) The unit mix requirements described in (i) to (iv) above do not apply to **dwelling units** in a “seniors residence”;
- (H) Despite Regulations 40.5.40.10(1) and (2), for the purposes of this By-law, the height of any **building** or **structure** on Blocks 1, 2, 3, 4, and 5 is the distance between the Canadian Geodetic Datum elevation in the year 2023, in metres as identified below, and the elevation of the highest point of a **building** or **structure**:
- (i) 183.3 metres on Block 1;
 - (ii) 182.8 metres on Block 2;
 - (iii) 183.4 metres on Block 3;
 - (iv) 183.9 metres on Block 4; and
 - (v) 184.94 metres on Block 5;
- (I) Despite Regulation 40.10.40.10(3), the permitted maximum height of a **building** or **structure** is the number in metres following the letters “HT” as shown on Diagrams 6, 6A, 6B and 6C of By-law [Clerks to supply by-law #];
- (J) Despite Regulations 40.5.40.10(3) to (8) and (I) above, the following **building** elements and **structures** are permitted to project above the heights shown on Diagrams 6, 6A, 6B and 6C of By-law [Clerks to supply by-law #];

- (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 6 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 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 7 metres;
 - (v) **structures** and elements related to outdoor flooring and roofing assembly, roof drainage, safety railings, guard rails, railings, parapets, terraces, planters, **landscaping** features, eaves, balustrades, bollards, retaining walls, and ornamental or architectural features to a maximum of 2.0 metres; and
 - (vi) acoustical barriers, wind screens, privacy screens, terrace dividers, and fences to a maximum of 3.0 metres;
- (K) Despite Regulation 40.10.40.70(3), the required minimum **building setbacks** are shown in metres on Diagram 6, 6A, 6B and 6C of By-law [Clerks to supply by-law #];
- (L) Despite Regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 6, 6A, 6B and 6C of By-law [Clerks to supply by-law #];
- (M) Despite Clause 40.10.40.60 and (K) and (L) above, and in addition to the encroachments permitted in Clause 40.5.40.60, the following are permitted to encroach into the required **building setbacks** and **main wall** separation distances shown on Diagram 6, 6A, 6B and 6C of By-law [Clerks to supply by-law #];
- (i) public art features and **landscaping**;
 - (ii) wind mitigation features, up to a maximum of 3.0 metres;
 - (iii) architectural features, up to a maximum of 1.0 metres;

- (iv) awnings and canopies, up to 3.0 metres, if no part of the canopy, awning or similar **structure** is more than 5.0 metres above the elevation of the ground directly below it;
 - (v) access ramps, stair enclosures, fences, patios, and terraces, up to a maximum of 3.0 metres;
 - (vi) patios and terraces for residential uses, up to a maximum of 1.5 metres of the required minimum **building setback**;
 - (vii) balconies, up to a maximum of 1.8 metres provided the following criteria are met;
 - a. do not project within 3.0 metres of a lot line; and
 - b. balconies may not encroach into the required **building setbacks** for the portion of the **building** below the height of 7.5 metres;
- (N) Despite Clause 40.5.40.70, Regulation 40.10.40.70(3) and (K) above, the **building setbacks** of the “existing retail shopping centre” are shown on Diagram 6, 6A, 6B and 6C of By-law [Clerks to supply by-law #];
- (O) Despite Regulation 40.10.40.50 (1) and (2), **amenity space** must be provided as follows:
- (i) On Block 1, 2, 3, 4, and 5, **amenity space** shall be provided in accordance with the following minimums:
 - a. a minimum of 2.0 square metres of indoor **amenity space** for each **dwelling unit**;
 - b. a minimum of 2.0 square metres of outdoor **amenity space** for each **dwelling unit**, of which 40 square metres must be in a location adjoining or directly accessible to the indoor amenity space in each Block; and
 - c. no more than 25% of the outdoor component may be a green roof;
- (P) Despite Regulation 970.10.15.5(1) and Table 970.10.15.5, **parking spaces** must be provided and maintained in accordance with the following on Blocks 1, 2, 3, 4, and 5 as shown on Diagram 5 of By-law [Clerks to supply by-law #]:

- (ii) a minimum of 0.34 **parking spaces** for each **dwelling unit** in a “senior’s residence”;
- (iii) a maximum of 0.7 residential occupant **parking spaces** for each studio **dwelling unit** up to 45 square metres;
- (iv) a maximum of 1.0 residential occupant **parking spaces** for each studio **dwelling unit** greater than 45 square metres;
- (v) a maximum of 0.8 residential occupant **parking spaces** for each one bedroom **dwelling unit**;
- (vi) a maximum of 0.9 residential occupant **parking spaces** for each two bedroom **dwelling unit**;
- (vii) a maximum of 1.1 residential occupant **parking spaces** for each **dwelling unit** with three bedrooms or more;
- (viii) a minimum of 0.15 visitor **parking spaces** for each **dwelling unit**; and
- (ix) Non-residential **parking spaces**:
 - a. a maximum of 4.0 **parking spaces** for every 100 square metres of **gross floor area** devoted to a **retail store** or **retail service**;
 - b. a maximum of 1.0 **parking spaces** for every 100 square metres of **gross floor area** devoted to commercial office uses;
 - c. a maximum of 4.0 **parking spaces** for every 100 square metres of **gross floor area** devoted to **entertainment** uses;
 - d. a maximum of 4.0 **parking spaces** for every 100 square metres of **gross floor area** devoted to **eating establishment** uses;
 - e. a maximum of 1.0 **parking spaces** for every 100 square metres of **gross floor area** devoted to a **day nursery**;
 - f. a maximum of 4.0 **parking spaces** for every 100 square metres of **gross floor area** devoted to community and library uses;

- (Q) **Parking spaces** for residential visitors to a **dwelling unit** and the non-residential **gross floor area** on Blocks 1 through 5 required by (P) above, may be shared on a non-exclusive basis;
- (R) A minimum of 410 parking spaces must be provided for the exclusive use of the “existing retail shopping centre” which may be provided in a rooftop parking structure over the existing “existing retail shopping centre” and may not be provided within a **structure** within Blocks 1, 2, 3, 4, or 5;
- (S) Despite Regulation 230.5.1.10(10), “short-term” **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (T) 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;
 - (iii) vertical clearance of 2.1 metres;
- (U) Despite Regulations 200.15.1(4), an accessible **parking space** is permitted to be located up to a maximum of 25.0 metres from a barrier free entrance to a **building** or to a passenger elevator;
- (V) Despite Regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle;
- (W) Despite Regulation 220.5.10.1, **loading spaces** must be provided and maintained on the lot in accordance with the following:
 - (i) 5 Type “G” **loading spaces** shall be provided and maintained on Blocks, 1, 2, 3, 4 and 5;
 - (ii) 5 Type “C” **loading spaces** shall be provided and maintained on Blocks, 1, 2, 3, 4 and 5;
- (X) Five (5) Enhanced Landscape Areas must be provided and located generally within the greyed areas shown on Diagram 6 of By-law [Clerks to supply bylaw #], as follows:
 - a. A minimum of 150 square metres for Block 1;

- b. A minimum of 970 square metres for Block 2 and 3;
 - c. A minimum of 150 square metres for Block 3;
 - d. A minimum of 220 square metres for Block 4;
 - e. A minimum of 120 square metres for Block 5; and
- (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) "Block 1", "Block 2", "Block 3", "Block 4" and "Block 5" mean the parcels of land outlined by black lines and accordingly labelled, as shown on Diagram 5 of By-law [#####].
 - (ii) "car-share" means the practice whereby a number of 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;
 - (iii) "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
 - (iv) "existing retail shopping centre" means the existing **structure** of the Woodside Square Shopping Mall and any associated **gross floor area** existing on the site as of the date of the passing of this by-law.
 - (v) "seniors residence" means premises used for semi-independent living accommodation for senior citizens, primarily in **dwelling units** or a mix of **dwelling units** and **bed-sitting rooms**, with common dining and lounge areas. A senior's residence is not a **Retirement Home** or **Seniors Community House**.

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

9. Despite any existing or future severance, partition, or division of the **lot**, the provisions of By-law [Clerks to supply bylaw #] shall continue to apply to the whole of the **lot** as if no severance, partition or division occurred and in the case of such severance, there will be sharing of facilities such as **parking spaces** and **loading spaces**.

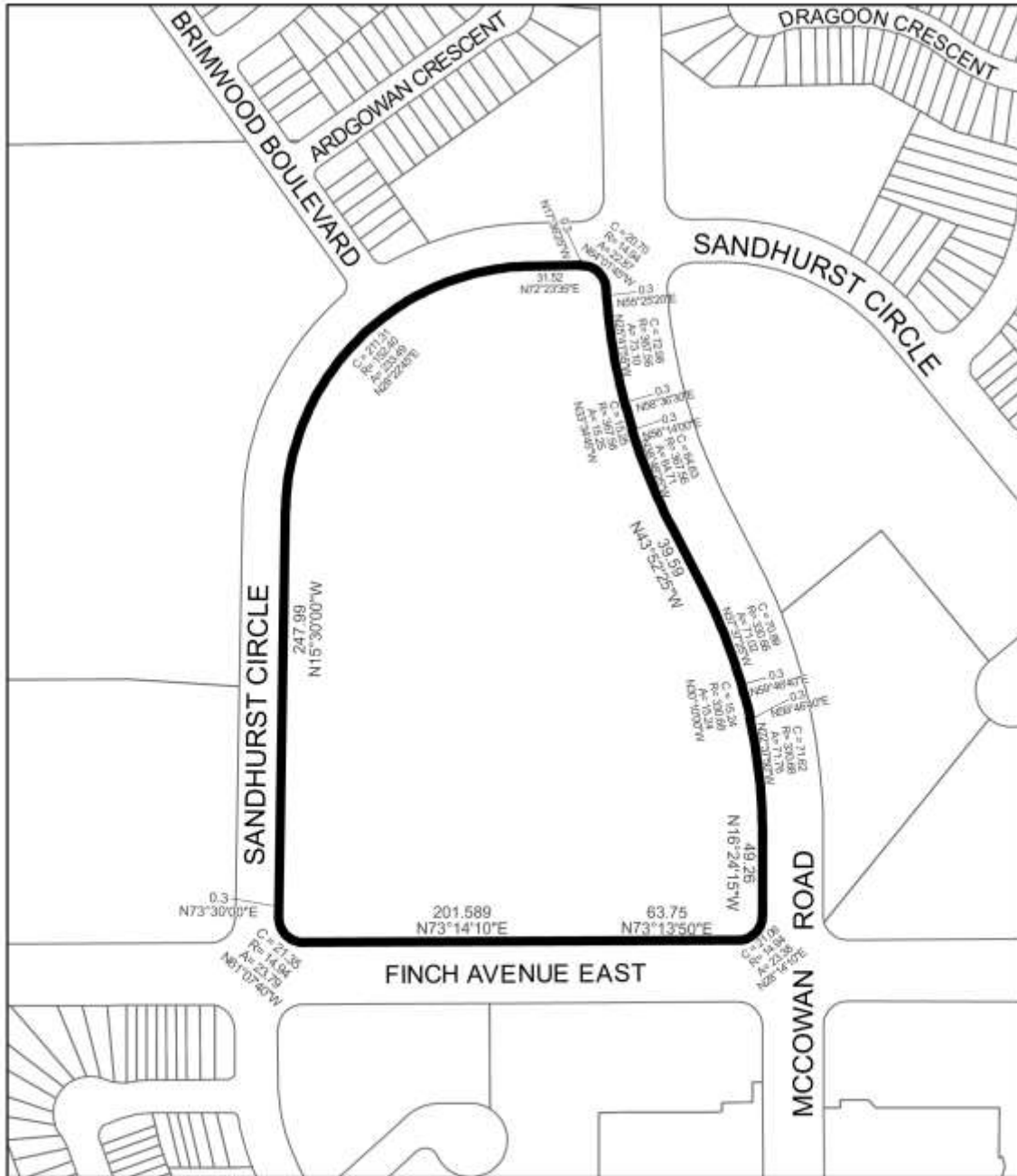
10. Nothing in By-law [Clerks to supply bylaw #] shall apply to prevent the phased construction of the development of the **lot**, provided that the minimum requirements of By-law [Clerks to supply bylaw #] are complied with upon full development of the **lot**.
11. None of the provisions of this exception or By-law 569-2013, as amended, will apply to prevent the use of **parking spaces** or **loading spaces** existing in conjunction with the use of an existing building as of [Clerks to insert date of adoption of this By-law], on the lands outlined by heavy black lines on Diagram 1 to By-law [Clerks to insert By-law #];
12. Prior to issuance of any above-grade **building** permit for any **building** on Blocks 2, 3 or 5, as shown on Diagram 5 attached to By-law [Clerks to insert By-law #], the **day nursery** referenced in (D) above must be constructed;
13. Holding Symbol Provisions
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 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, Engineering and Construction Services for review and acceptance, a revised Functional Servicing and Stormwater Management Report to confirm the location of all municipal infrastructure within the public right-of-way and to determine the water and stormwater runoff demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development; and
 - (ii) Enter into an agreement or make alternate arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services to pay for and construct any improvements to the municipal infrastructure in connection with the accepted Functional Servicing and Stormwater Management Report, should it be determined that improvements to such infrastructure are required to support this development.

ENACTED AND PASSED this _____ day of _____, 2023.

OLIVIA CHOW,
Mayor

(Corporate Seal)

John D. Elvidge,
City Clerk

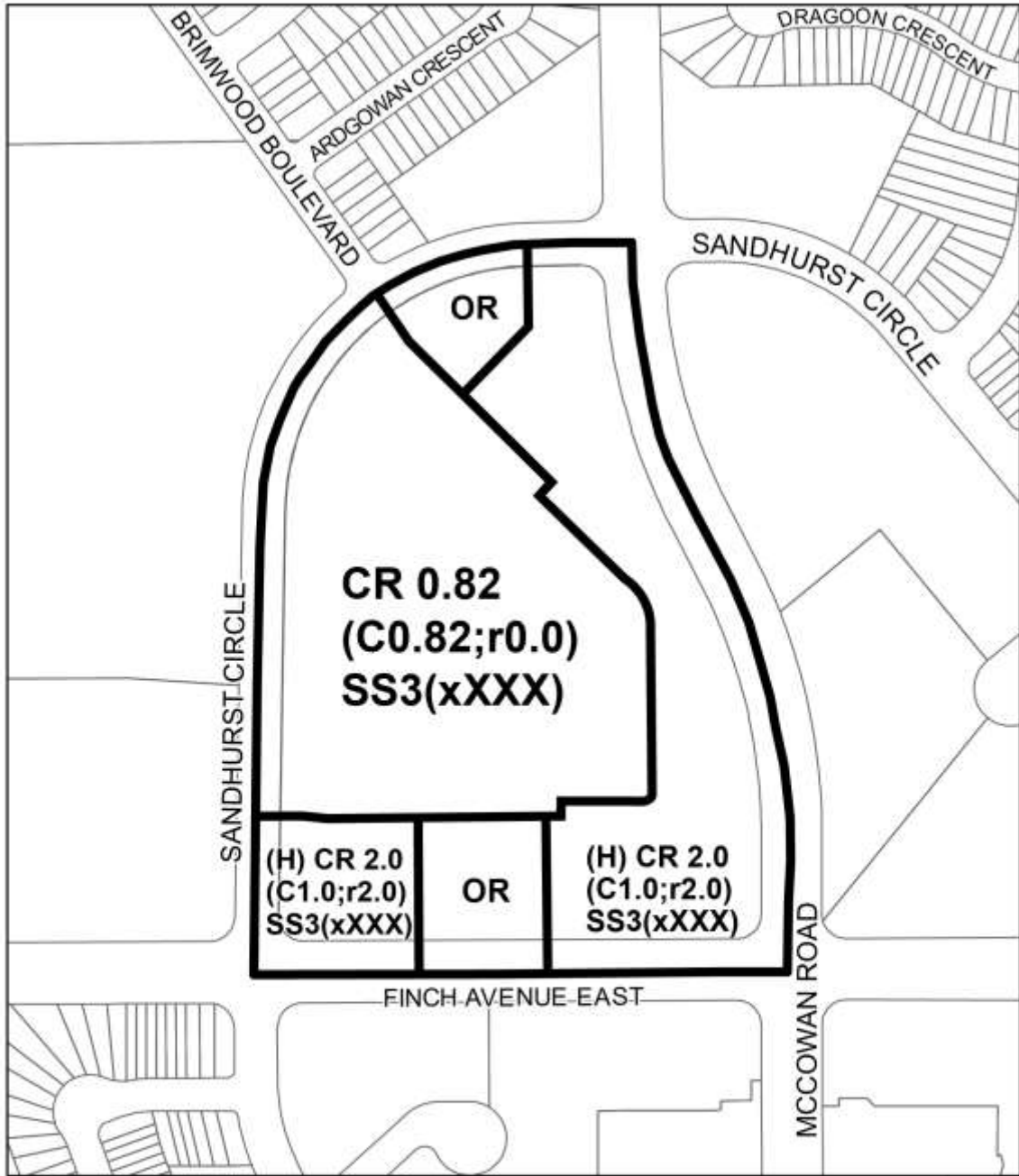


TORONTO
Diagram 1
Land Map

1571 Sandhurst Circle

File # 20 151730 ESC 23 0Z

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City of Toronto By-law 569-2013
Not to Scale
09/01/2023

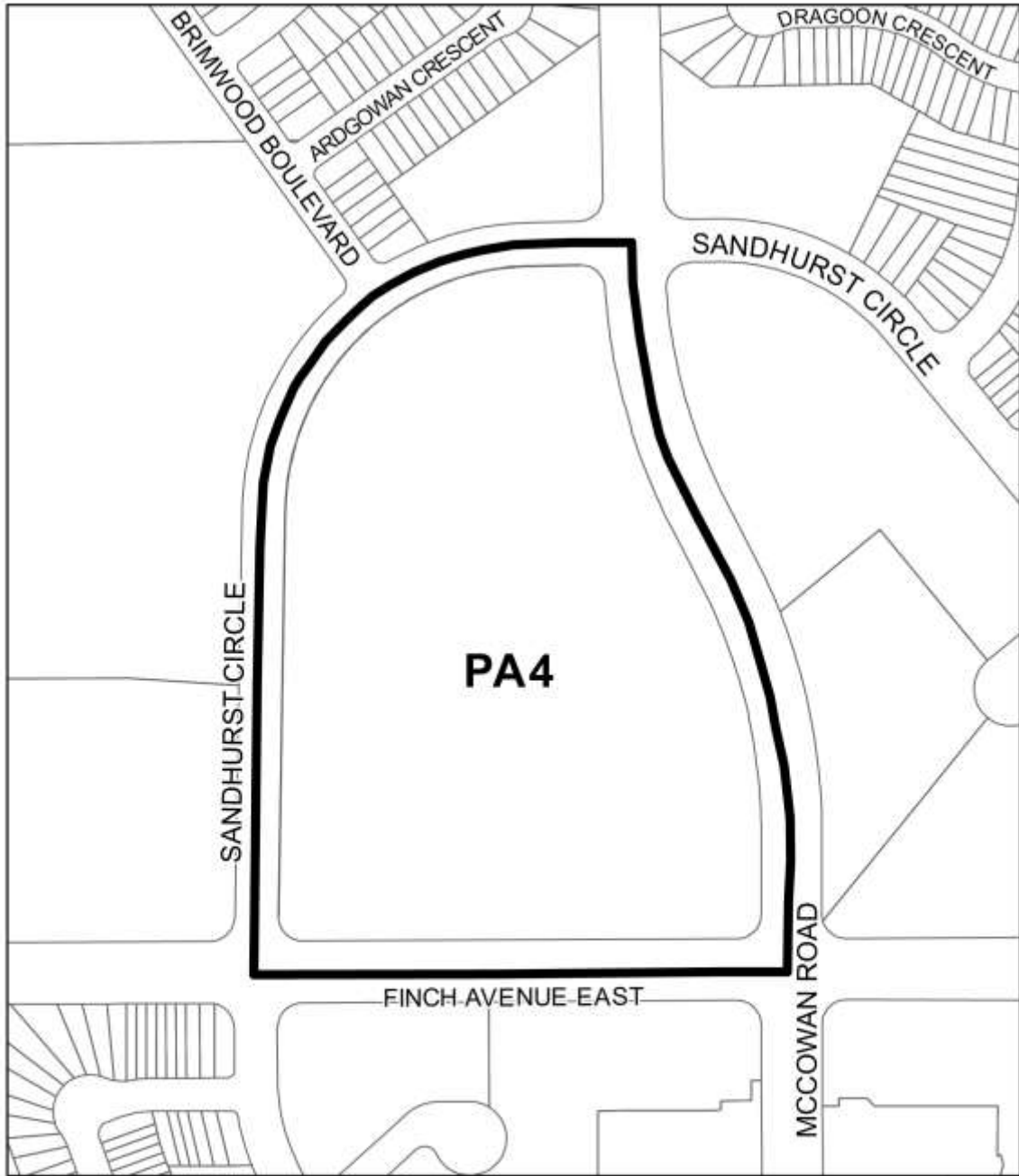


TORONTO
Diagram 2
Zoning By-law Map

1571 Sandhurst Circle

File # 20 151730 ESC 23 0Z

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City of Toronto By-law 569-2013
Not to Scale
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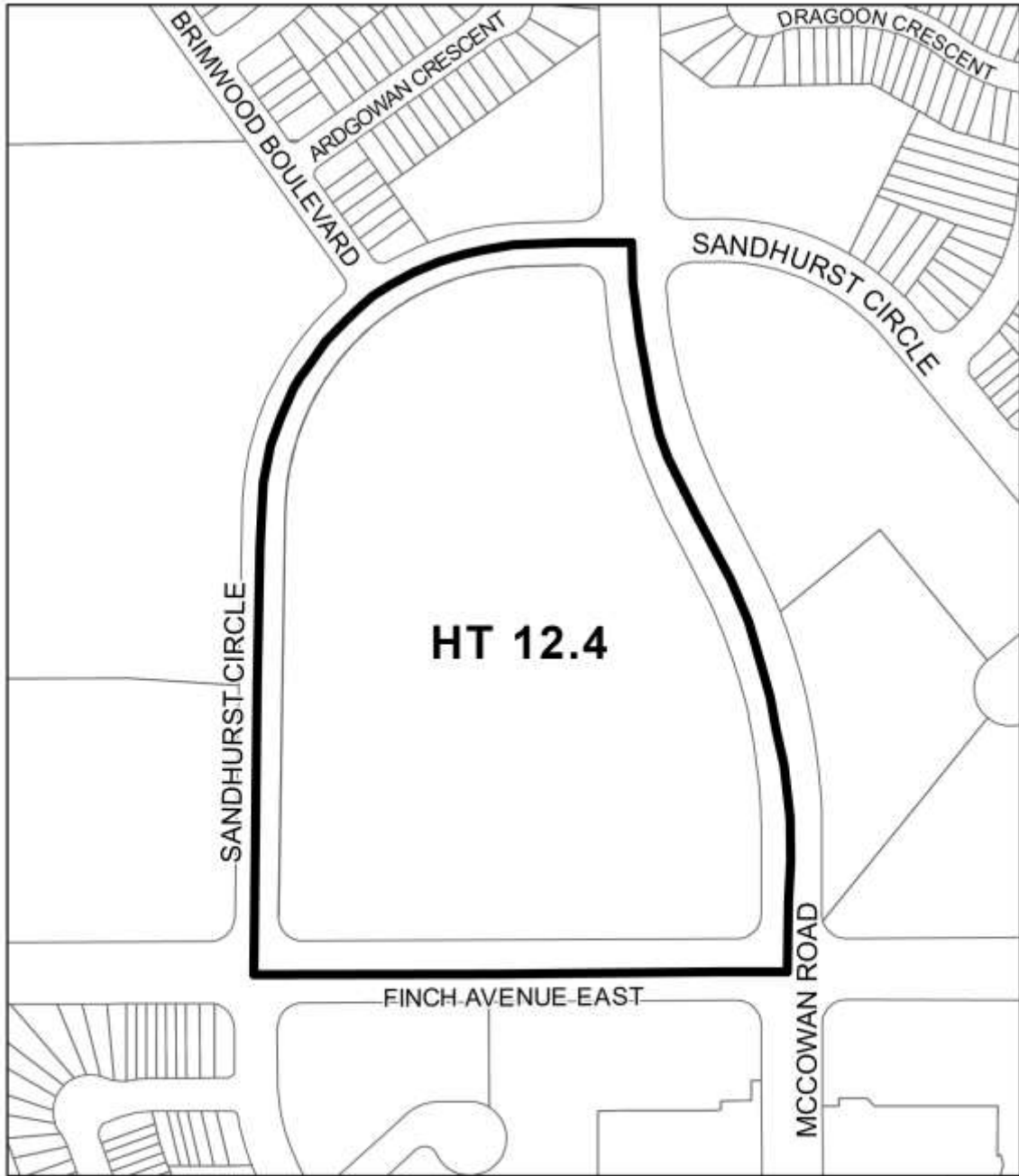


 **TORONTO**
Diagram 3
Policy Area Map

1571 Sandhurst Circle

File # 20 151730 ESC 23 0Z


City of Toronto By-law 569-2013
Not to Scale
09/01/2023

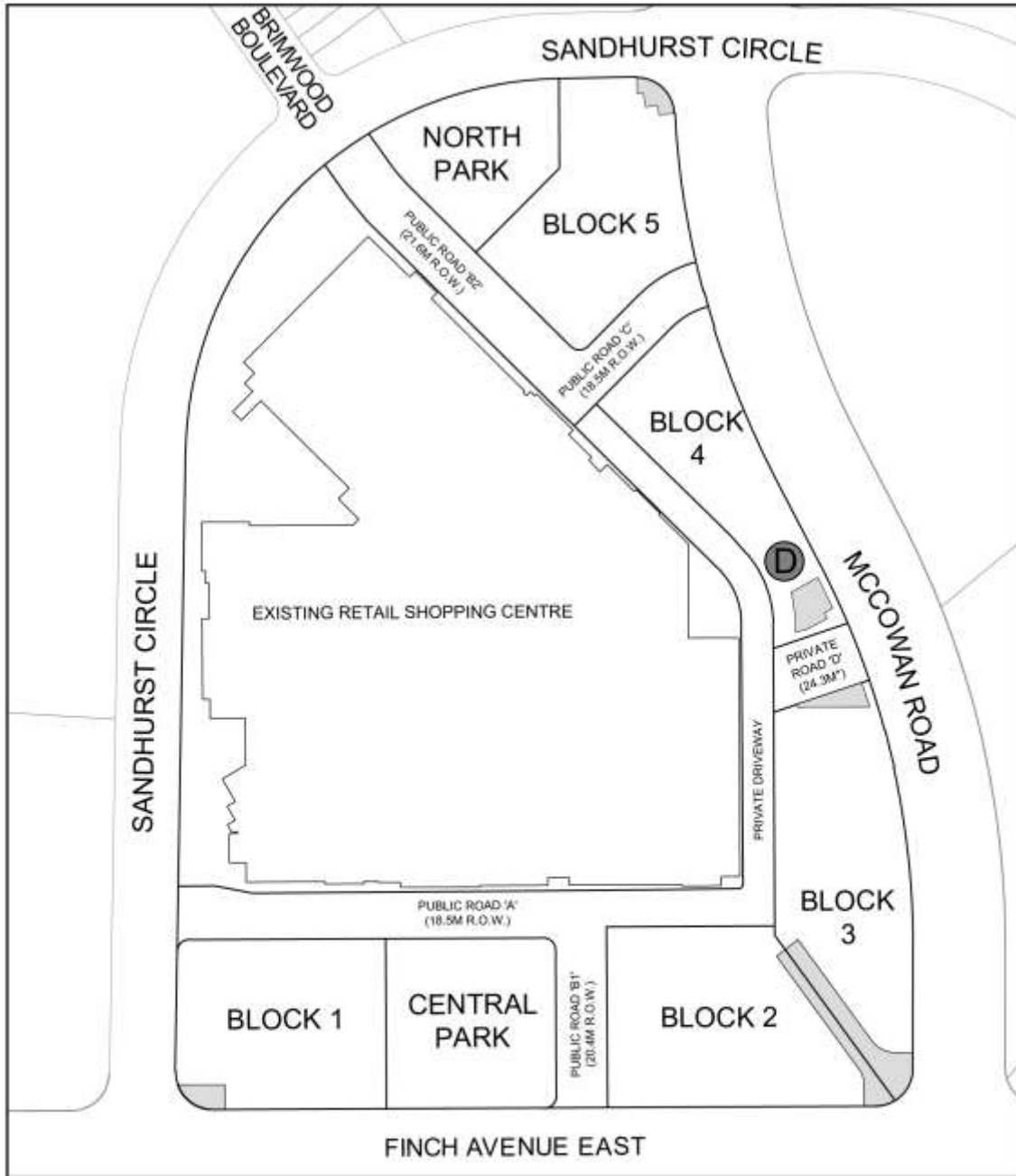


 **TORONTO**
Diagram 4
Height Overlay Map

1571 Sandhurst Circle

File # 20 151730 ESC 23 02





City of Toronto By-law 569-2013
Not to Scale
09/01/2023



TORONTO
Diagram 5
Block Plan

1571 Sandhurst Circle

File # 20 151730 ESC 23 0Z

-  Enhanced Landscape Areas
-  * To be protected for a future 24.3m R.O.W.
-  **D** Future Daycare


City of Toronto By-law 569-2013
Not to Scale
09/01/2023



TORONTO
Diagram 6
Height Map

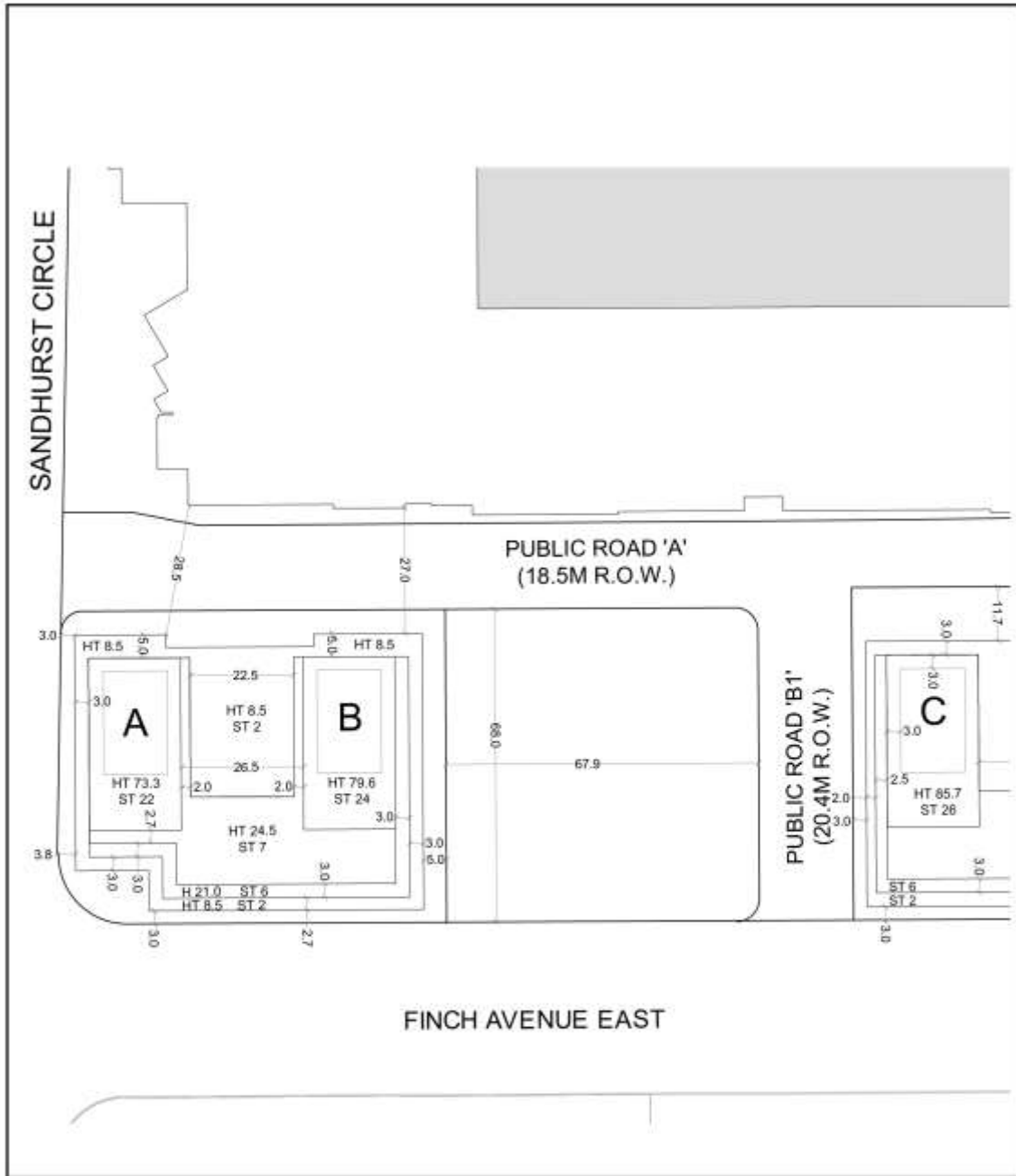
1571 Sandhurst Circle

File # 20 151730 ESC 23 02

█ Rooftop Parking Zone

* To be protected for a future 24.3m R.O.W.

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City of Toronto By-law 569-2013
Not to Scale
09/01/2023



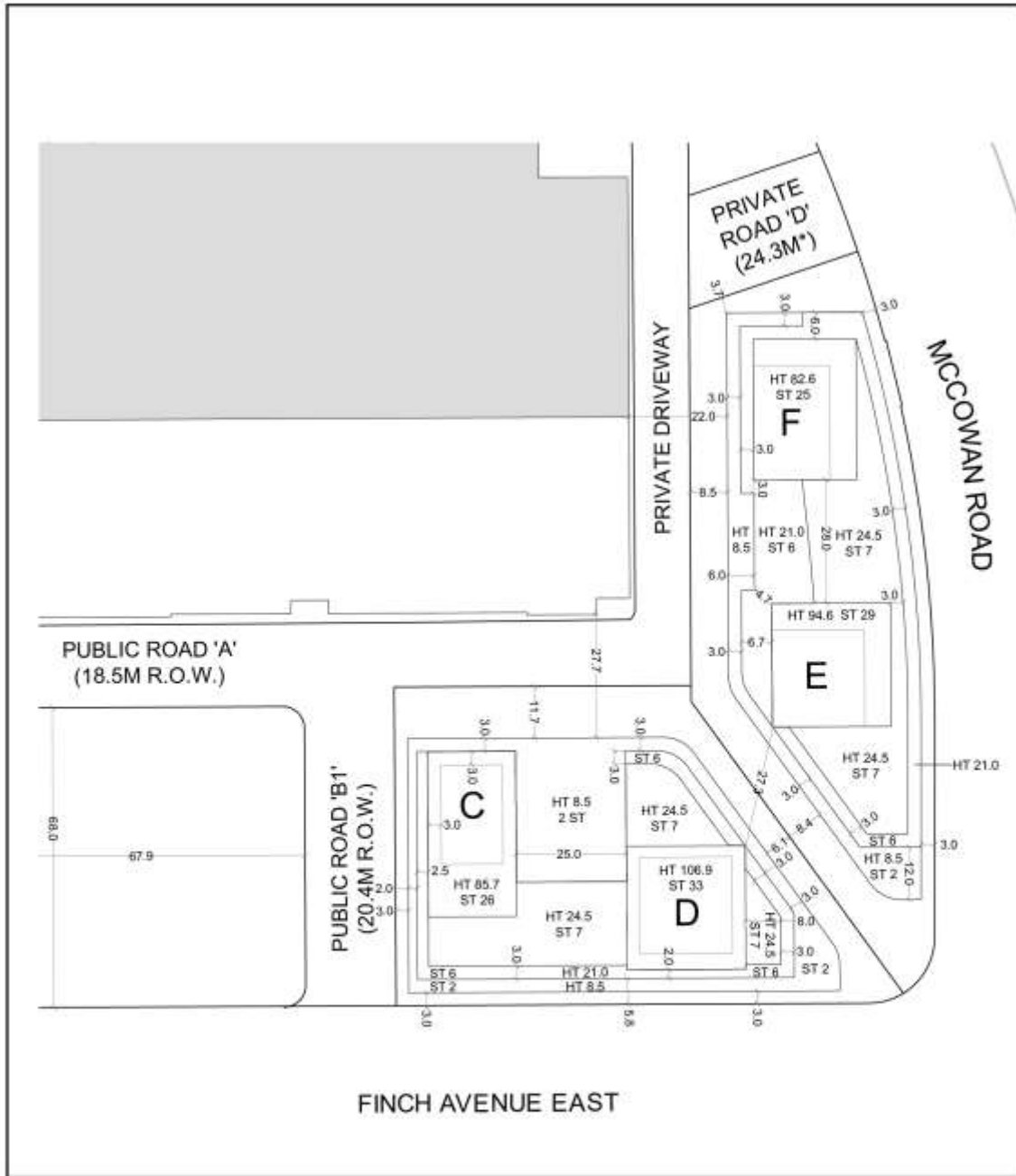
TORONTO
 Diagram 6a
 Height Map

1571 Sandhurst Circle

File # 20 151730 ESC 23 0Z

 Rooftop Parking Zone


 City of Toronto By-law 569-2013
 Not to Scale
 09/01/2023



TORONTO
Diagram 6b
Height Map

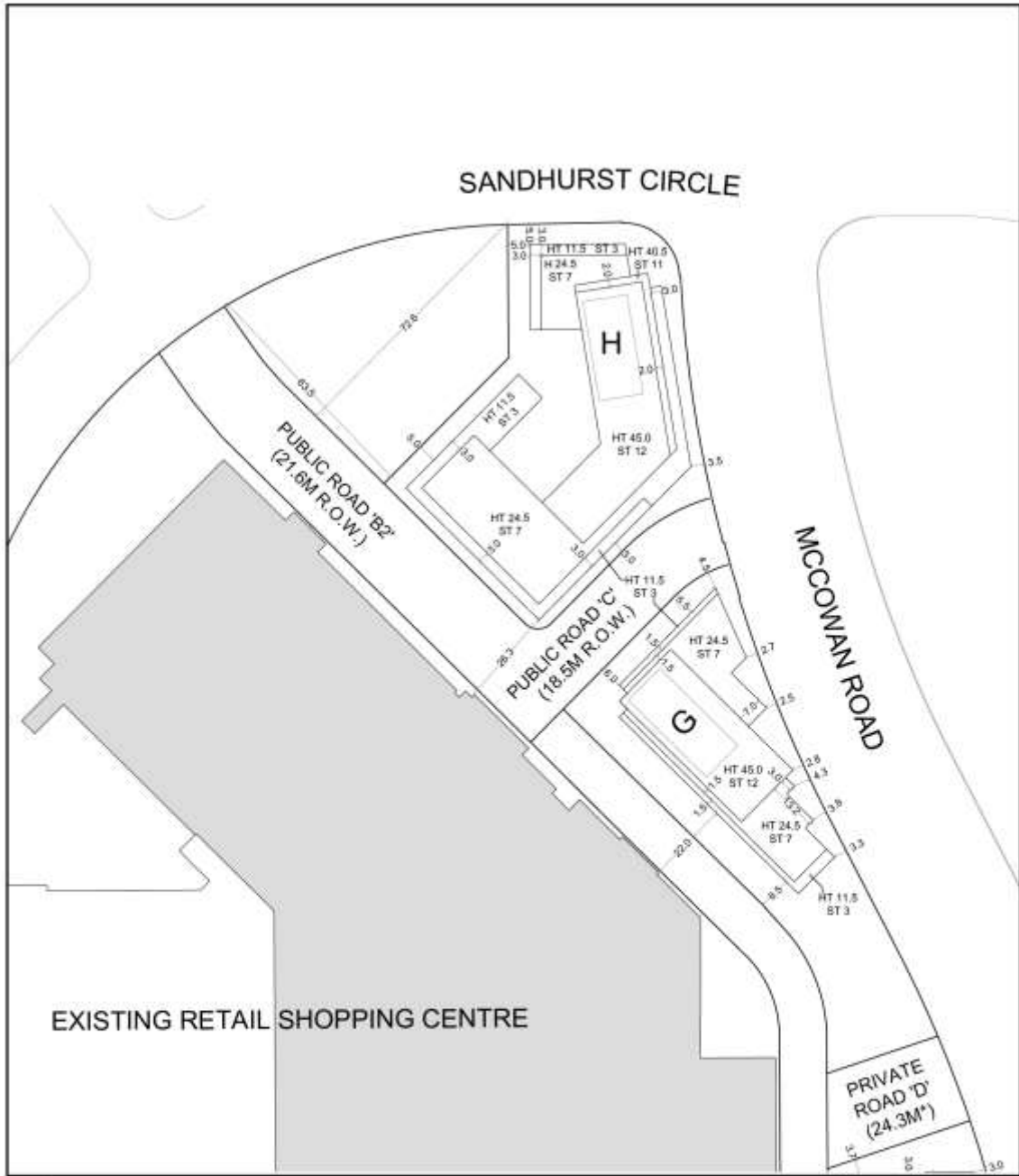
1571 Sandhurst Circle

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█ Rooftop Parking Zone

* To be protected for a future 24.3m R.O.W.

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City of Toronto By-law 569-2013
Not to Scale
09/01/2023



TORONTO
Diagram 6c
Height Map

1571 Sandhurst Circle

File # 20 151730 ESC 23 02

█ Rooftop Parking Zone

* To be protected for a future 24.3m R.O.W.

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City of Toronto By-law 569-2013
Not to Scale
09/01/2023