

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 2023 as 1828, 1828A, 1830, 1832, 1834, 1834A, 1836, 1836A, and 1844 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; 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 the holding symbol "(H)" is removed 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

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law.

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 990.10, and applying the following zone label to these lands: (H) RAC (d2.5) (x217) 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 Areas Overlay Map in Article 995.10.1 and applying the following Policy Area 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 to the Height Overlay Map in Article 995.20.1 and applying the following height and storey label to these lands: HT 24.0, ST 8, 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 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 Article 900.8.10 Exception Number [x217] so that it reads:

(217) Exception (H) RAC (217)

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 1828, 1828A, 1830, 1832, 1834, 1834A, 1836, 1836A, and 1844 Weston Road, 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 (BB) below;
- (B) Despite regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 126.825 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the permitted non-residential uses listed in regulation 15.20.20.10(1), the following additional uses are permitted:

Art Gallery
Artist Studio
Automated Banking Machine
Community Centre
Financial Institution
Library
Medical Office
Office
Performing Arts Studio
Personal Service Shop

Pet Services
Production Studio
Veterinary Hospital

- (D) Despite regulation 15.20.20.20(1), the following uses are permitted in the RAC zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 15.20.20.100:

Club (1)
Cogeneration Energy (3)
Crisis Care Shelter (5)
Custom Workshop (1)
Day Nursery (6)
Eating Establishment (1, 7)
Education Use (1)
Group Home (8)
Home Occupation (9)
Multi-tenant House (18)
Market Garden (10)
Nursing Home (11)
Outdoor Patio (23)
Outdoor Sales or Display (12)
Place of Worship (13)
Private Home Daycare (14)
Public Utility (15, 16)
Recreation Use (1)
Religious Education Use (1)
Renewable Energy (3)
Residential Care Home (8)
Respite Care Facility (17)
Retail Store (1)
Retail Service (1)
Retirement Home (11)
Secondary Suite (19)
Seniors Community House (20)
Service Shop (1)
Short-term Rental (22)
Take-out Eating Establishment (1)
Transportation Use (21)

- (E) Despite regulation 15.5.50.10(1), **landscaping** must be provided in accordance with the following:
- (i) A minimum of 20% of the area of the **lot** for **landscaping**; and;
 - (ii) A minimum of 50% of the **landscaping** area required in (E)(i),

above, must be **soft landscaping**.

- (F) Despite regulation 15.20.40.10 (1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 5 of By-law [Clerks to insert By-law number];
- (G) Despite regulation 15.20.40.10 (2), the permitted maximum number of **storeys** of a **building** is the number following the letters "ST" as shown on Diagram 5 of By-law [Clerks to insert By-law number]; and
 - (i) for the purpose of this exception, a mezzanine or mechanical penthouse does not constitute a **storey**;
- (H) Notwithstanding G(i) above, the required minimum floor to ceiling height of the first floor non-residential space, exclusive of any mezzanine, is 4.5 metres;
- (I) Despite regulations 15.5.40.10(2), (3) and (5) and (F) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 5 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 7.0 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 7.0 metres;
 - (iii) **building** maintenance units and window washing equipment, by a maximum of 8.0 metres;
 - (iv) rooftop guard rails on the same level as the mechanical penthouse, by a maximum of 5.0 metres; and
 - (v) divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
- (J) The permitted maximum **gross floor area** for each **storey** of a **building**, that is between a height of 26.0 metres and 59.9 metres, is 790 square metres, measured from the exterior of the **main wall** of each floor level and inclusive of the entire floor, excluding inset and projecting balconies;
- (K) The permitted maximum **gross floor area** for each **storey** of a **building**, that is above a height of 60.0 metres, is 750 square metres, measured

from the exterior of the **main wall** of each floor level and inclusive of the entire floor, excluding inset and projecting balconies;

- (L) Despite regulation 15.20.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 35,499 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 35,000 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 428 square metres; and
 - (iii) the permitted maximum **gross floor area** for non-residential uses is 499 square metres;
- (M) The permitted maximum number of **dwelling units** is 565;
- (N) Despite regulation 15.20.20.100(1)(E), the **interior floor area** of an individual establishment may not exceed 499 square metres;
- (O) Despite Clause 15.20.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (P) Despite Clause 15.20.40.80(1), the required separation of **main walls** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (Q) Despite Clause 15.5.40.60 and (O) and (P) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) Balconies along the south **main wall** between a height of 11.5 metres and 62.4 metres, by a maximum of 2.0 metres;
 - (ii) Balconies on the east **main wall**, where indicated on Diagram 6 in Area A, between a height of 26.0 metres and 60.0 metres, by a maximum of 4.5 metres;
 - (iii) Balconies on the west **main wall** above a height of 29.0 metres, by a maximum of 1.5 metres;
 - (iv) canopies and awnings, by a maximum of 1.3 metres; and
 - (v) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.35 metres;

- (R) Despite Clause 15.5.40.60 and (Q) above, no balcony projections are permitted below a height of 26.1 metres along the north, east and west **main walls**;
- (S) Windows or window openings on the west **main wall** below a height of 26.1 metres, must be provided in accordance with the following:
- (i) "primary windows" are at least 5.0 metres from the west **lot line**;
 - (ii) windows other than "primary windows" are at least 2.4 metres from the west **lot line**;
- (T) Despite 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 0.14 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in an **apartment building** in Parking Zone B;
 - (ii) a minimum of 2.0 residential visitor **parking spaces**, plus 0.05 residential visitor **parking spaces** for each **dwelling unit**; and
 - (iii) a minimum of 1.0 **parking spaces** for every 100 square metres of **gross floor area** devoted to non-residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for Tier 4 for a non-residential use(s) in Parking Zone B;
 - (iv) if the calculation of the number of required **parking spaces** in T(i), (ii) and (iii) results in a number with a fraction, the number is rounded down to the nearest whole number;
- (U) Despite regulation 200.15.10.10(1) and (2), accessible **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 5 of the required **parking spaces** must be accessible **parking spaces** for residential occupants; and
 - (ii) a minimum of 2 of the required **parking spaces** must be accessible **parking spaces** for residential visitors and non-residential uses;
- (V) 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;
- (W) A maximum of 1 of the required **parking spaces** may be provided as "car share **parking spaces**";
- (X) Despite regulation 15.5.100.1(1)(B), In the Residential Apartment Zone category, a **driveway** exclusive of layby areas, **vehicle** ramps to below-ground parking areas, turnaround areas and required auxiliary turn lanes within 10.0 metres of a **lot line** abutting a **street** must have a maximum width of 7.3 metres;
- (Y) Despite regulations 230.5.1.10(4)(A) and (B), a **bicycle parking space** must comply with the following:
 - (i) the minimum dimension of a **bicycle parking space** is:
 - (a) minimum length of 1.8 metres;
 - (b) minimum width of 0.45 metres; and
 - (c) minimum vertical clearance from the ground of 1.8 metres; and
 - (ii) the minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:
 - (a) minimum length or vertical clearance of 1.8 metres;
 - (b) minimum width of 0.45 metres; and
 - (c) minimum horizontal clearance from the wall of 1.2 metres; and
- (Z) Despite Regulation 230.5.1.10(10), "long-term" and "short-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space**
- (AA) 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; and
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;

- (BB) 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 parking" means the practice where 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; and
 - (ii) "car share parking space" means a parking space exclusively reserved and actively signed for a vehicle used only for car-sharing;
 - (iii) "primary window" means a window in a **dwelling unit** other than a window of a bedroom, kitchen, bathroom, hallway, or storage area;

Prevailing By-laws and Prevailing Sections: None Apply.

- 8. 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.
- 9. Temporary Use(s):
 - (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a sales office in a **building, structure** or trailer for the purpose of selling, renting or leasing of **dwelling units**, provided that any such **building** or **structure** does not exceed a maximum height of 7.5 metres, on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.
- 10. 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 when the following are fulfilled:
 - (i) the owner or applicant, at their sole cost and expense has submitted a revised *Functional Servicing and Stormwater Management Report* to demonstrate that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the

development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

- (ii) if the *Functional Servicing and Stormwater Management Report* accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - (a) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted *Functional Servicing and Stormwater Management Report*, to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; or,
 - (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory *Functional Servicing and Stormwater Management Report* in (i) above are constructed and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and
- (iii) all necessary approvals or permits arising from (B)(ii)(a) or (B)(ii)(b) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

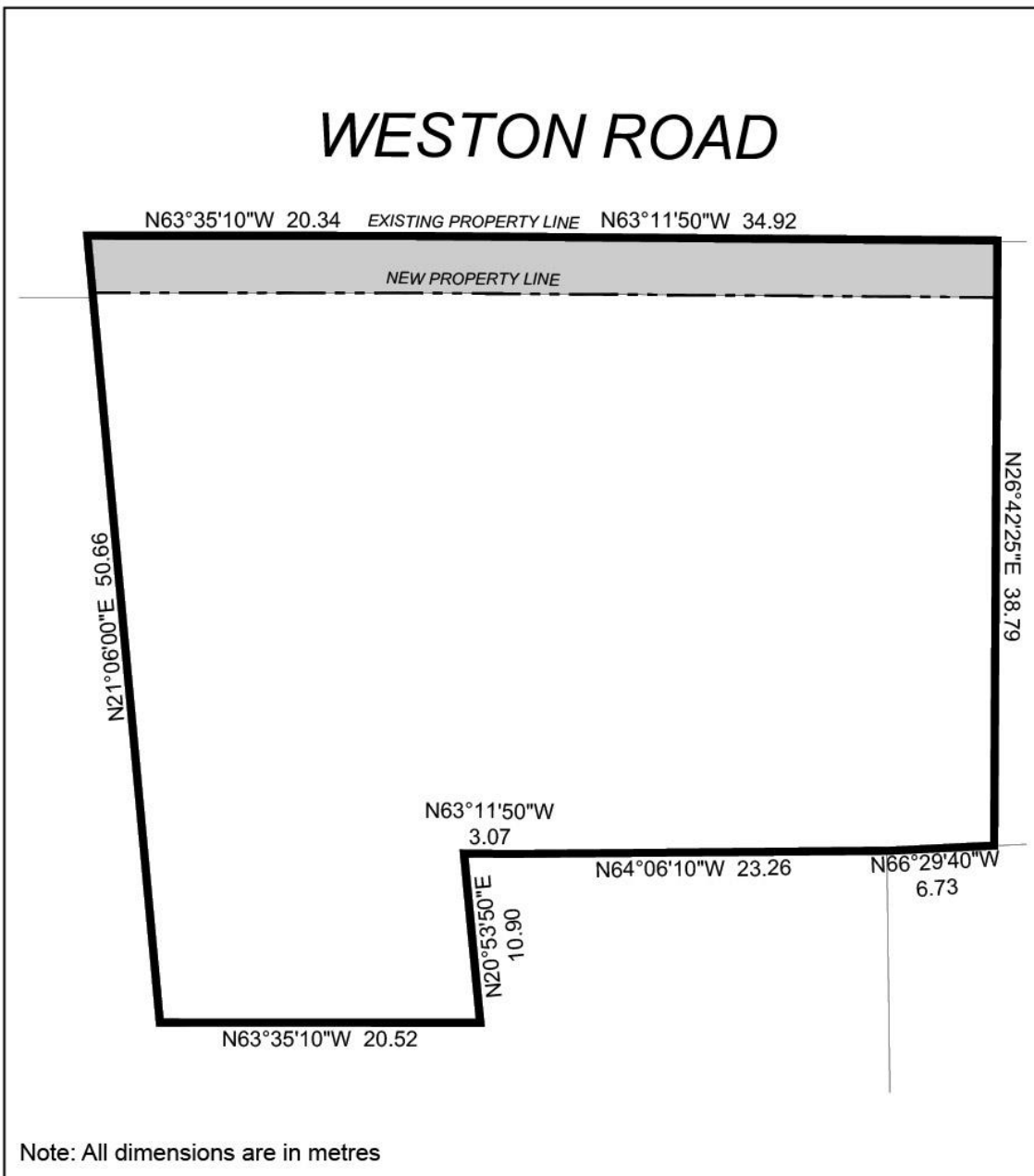
Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

Diagram 1



Toronto
Diagram 1

1828-1844 Weston Road

File # 22 242091 WET 05 0Z

3.65 metre road widening
New property line

City of Toronto By-law 569-2013
Not to Scale
10/24/2024

Diagram 2

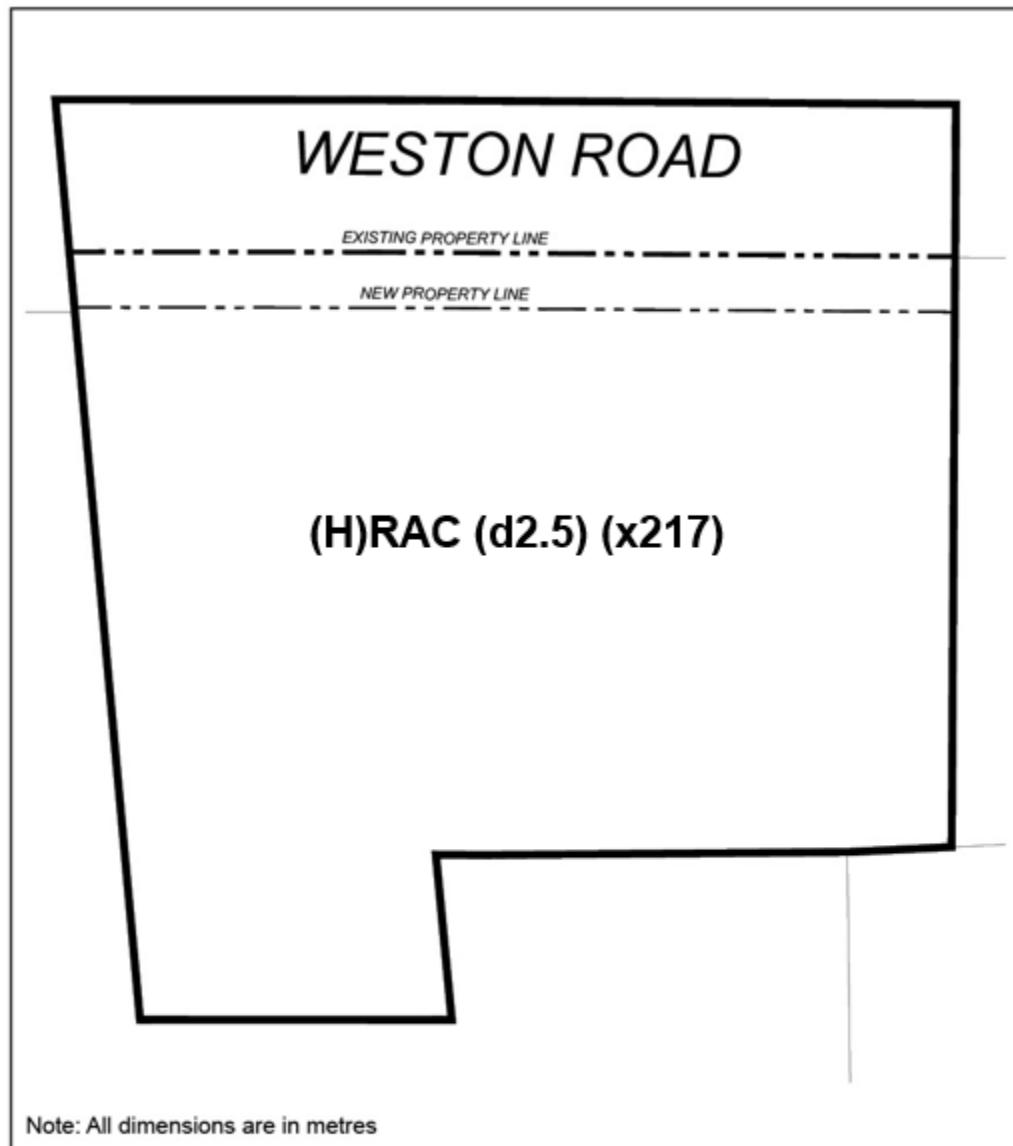


Diagram 3

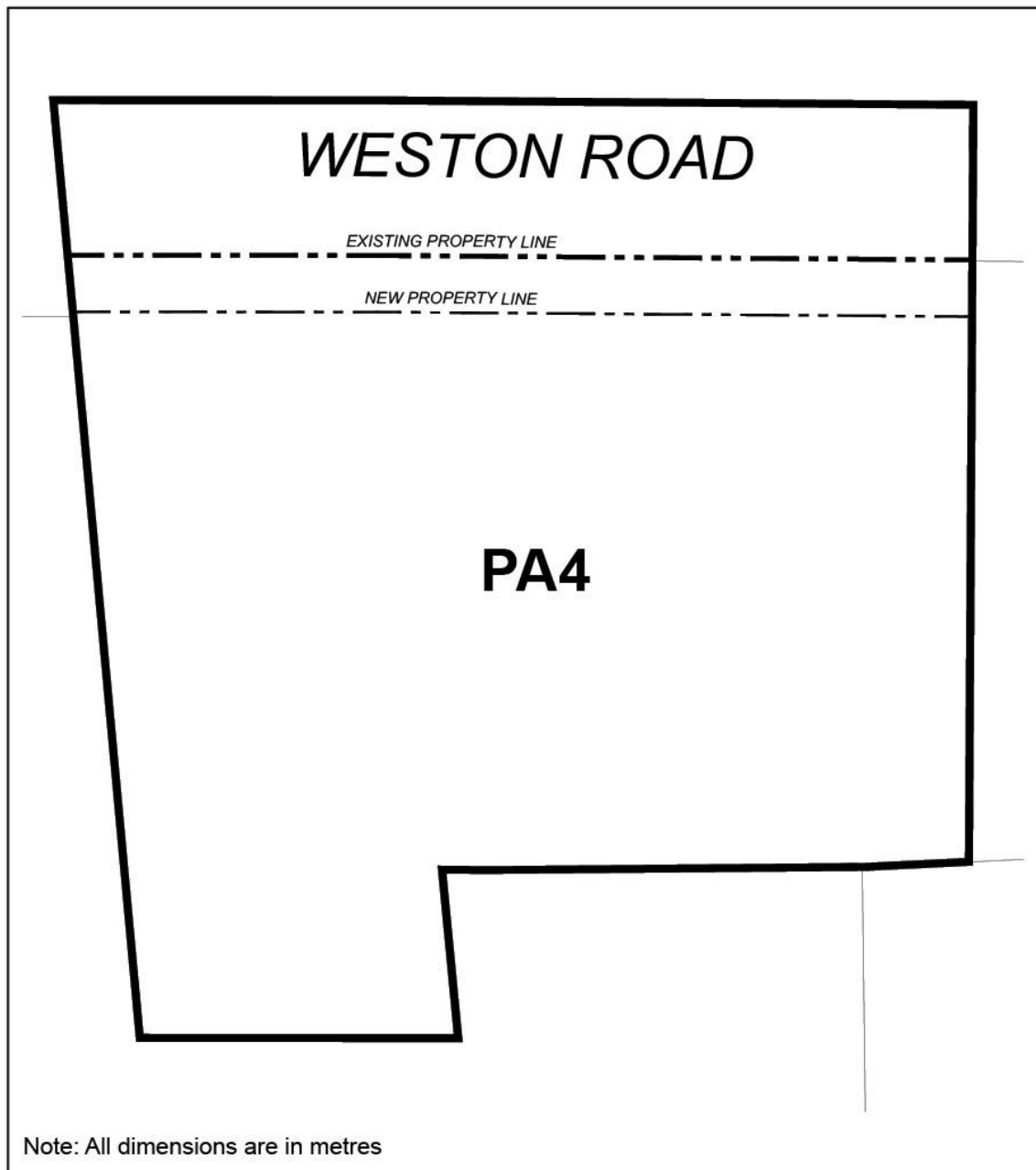


Diagram 4

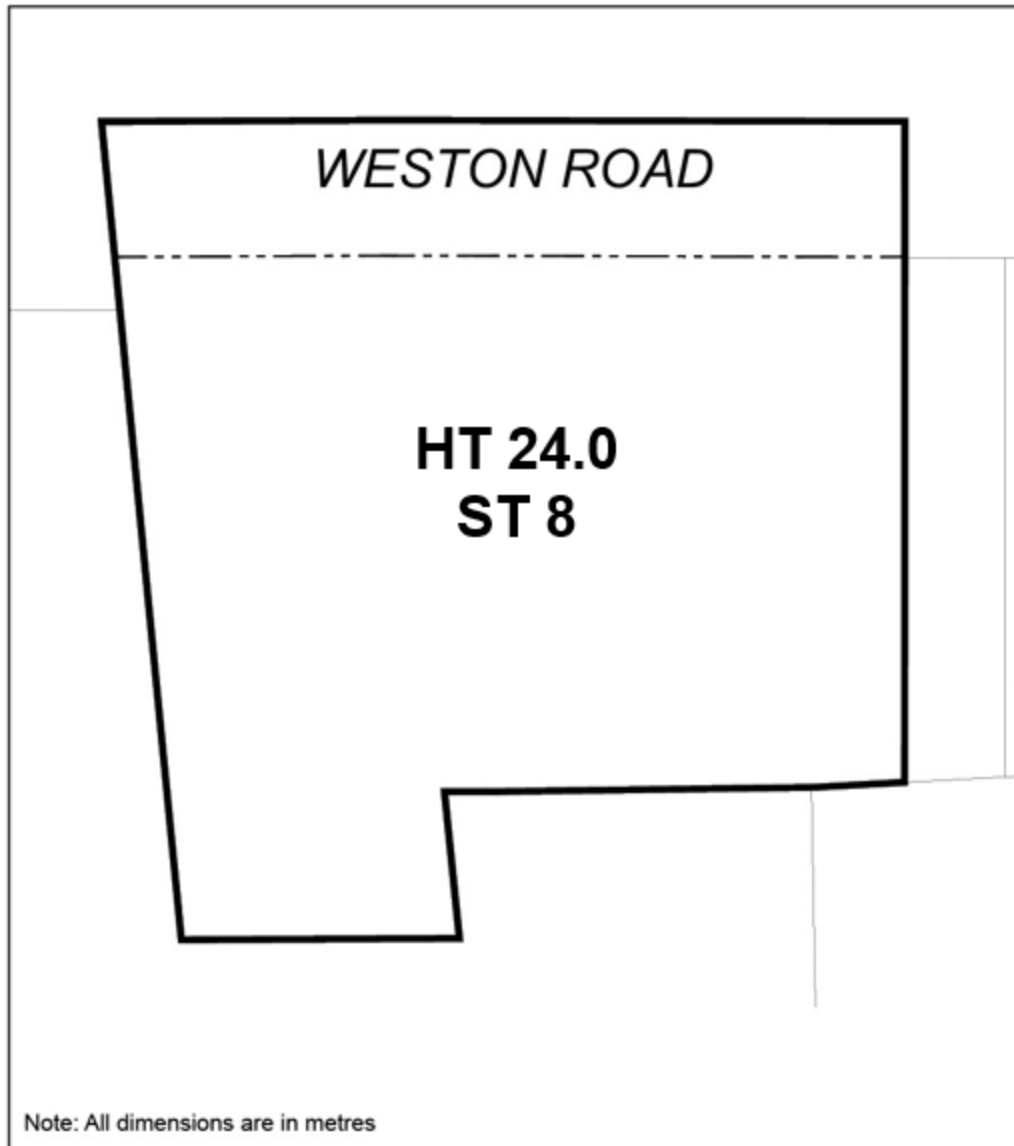
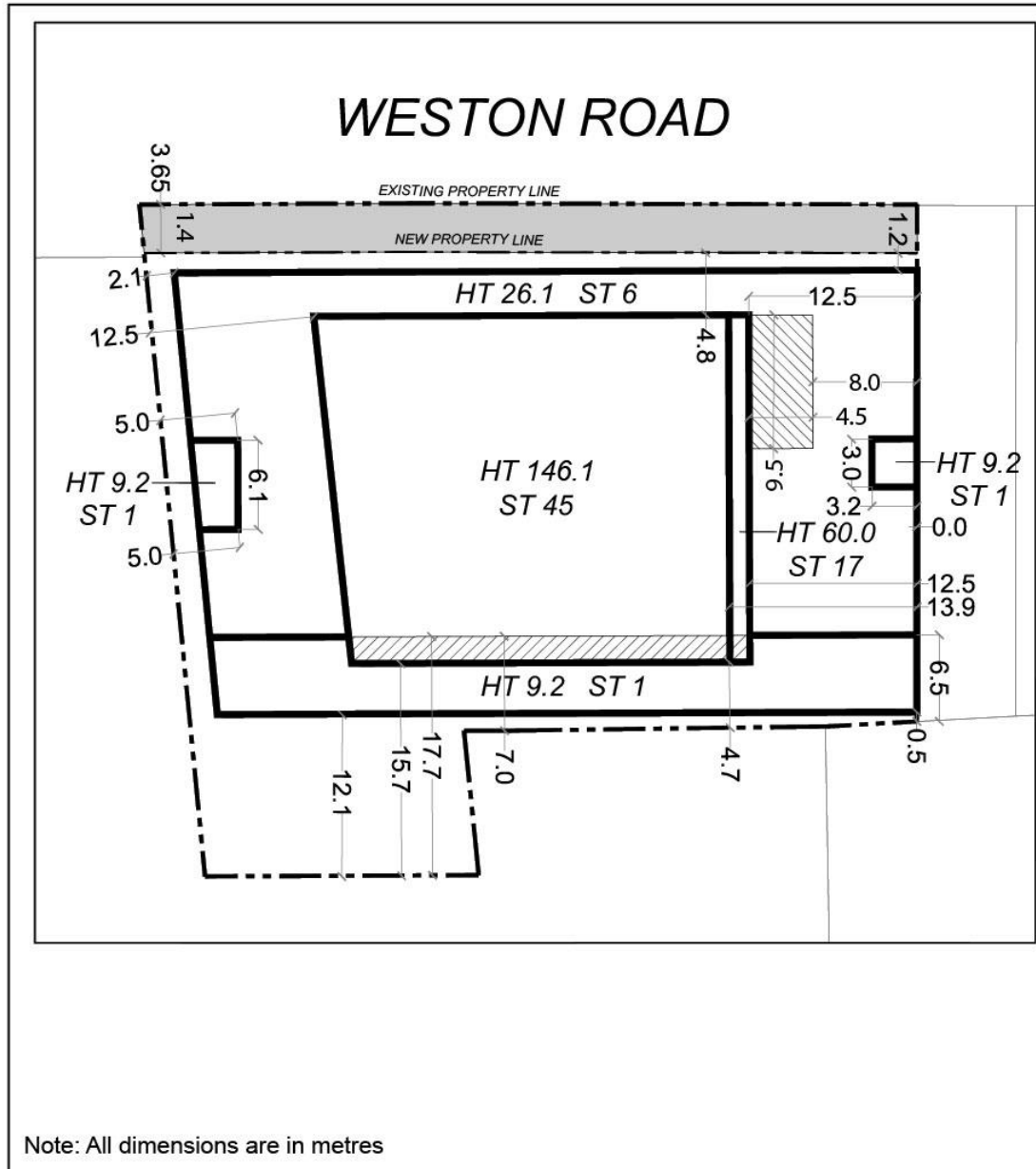


Diagram 5



TORONTO
Diagram 5

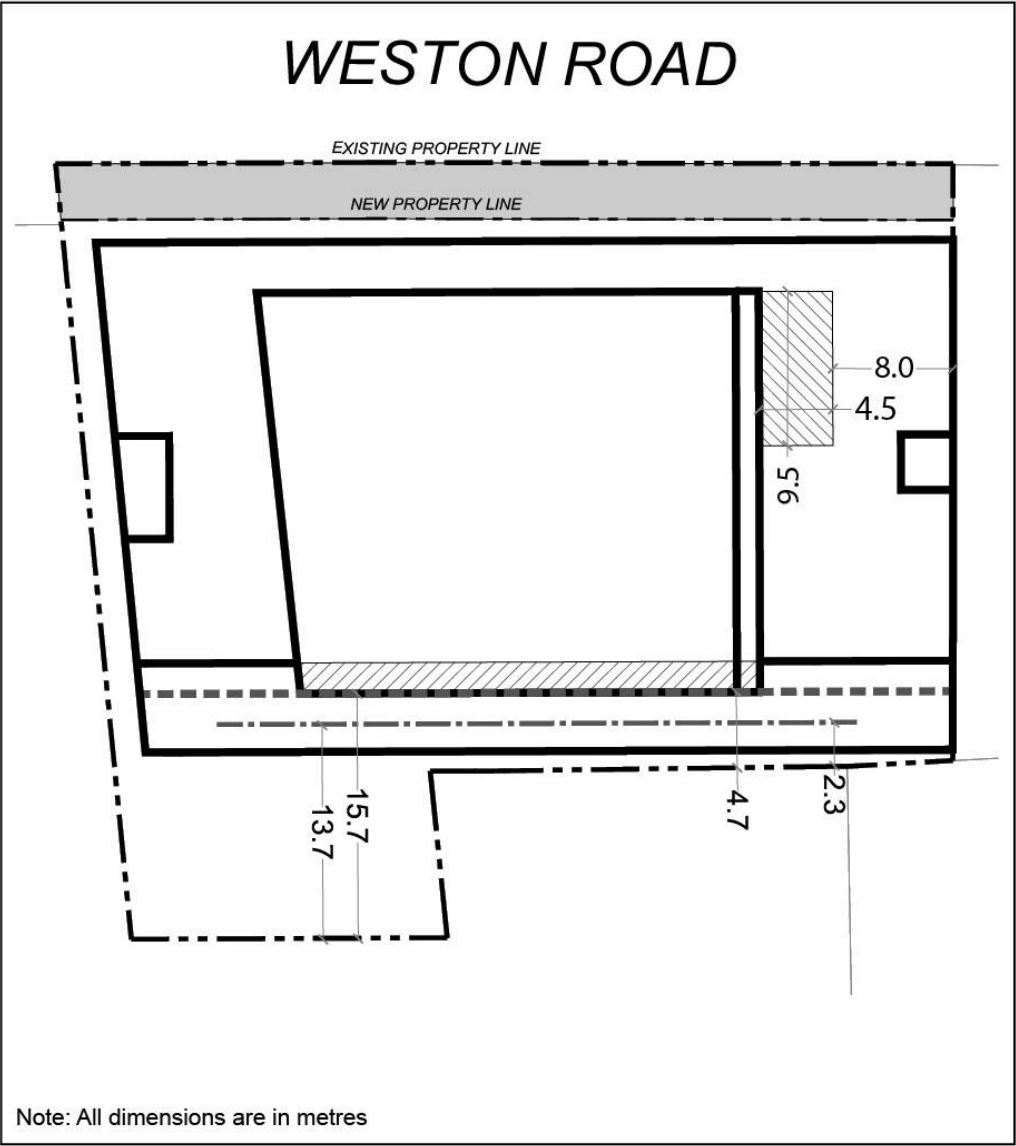
1828-1844 Weston Road

File # 22 242091 WET 05 02

- 3.65 metre road widening
- New property line
- No gross floor area permitted between a height of 10.0 metres and 25.0 metres
- No gross floor area permitted above a height of 25.0 metres

City of Toronto By-law 569-2013
Not to Scale
10/24/2024

Diagram 6



Toronto
Diagram 6

1828-1844 Weston Road

File # 22 242091 WET 05 0Z

- 3.65 metre road widening
- New property line
- No gross floor area permitted between a height of 10.0 metres and 25.0 metres
- Area A
- Balcony projection on levels 3-6
- Balcony projection on level 7

City of Toronto By-law 569-2013
Not to Scale
10/24/2024