

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

## CITY OF TORONTO

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

**To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known in the year 2023 as 1911 Finch Avenue West.**

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;

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

The Council of the City of Toronto enacts:

1. Schedule "C" Map 37a is hereby amended in accordance with Schedule 1 attached to this by-law.
2. Section 64.26 of By-law No. 7625 of the former City of North York is amended by adding subsection 64.26(20), with the provisions herein:

**64.26(20)**

**C4 (20)**

### DEFINITIONS

- a) BLOCK means each block as shown on Schedule 2 of By-law [Clerks to insert By-law number], each independently forming a lot for the purpose of this by-law and further delineated as Block 1, Block 2 and Block 3 on Schedule 2 of By-law [Clerks to insert By-law number];
- b) BUILDING A means a new mixed use building as shown on Schedule C4(20)

- of By-law [Clerks to insert By-law number];
- c) BUILDING B means a new mixed use building as shown on Schedule C4(20) of By-law [Clerks to insert By-law number];
  - d) BUILDING C means a new mixed use building as shown on Schedule C4(20) of By-law [Clerks to insert By-law number];
  - e) COMMUNITY SPACE means exclusive space for local community service programs such as, but not limited to, recreation, employment training, settlement services, youth and seniors' programs, arts and cultural activities and other community service programs for local residents;
  - f) EXISTING MALL means the existing building situated on the southern portion of the lands municipally known in the year 2023 as 1911 Finch Avenue West;
  - g) PUBLIC SQUARE means a large space on the lot situated at ground level that is accessible to the public and may include pedestrian walkways, seating areas, landscaped plazas, and ornamental structures, and is used principally for the purpose of sitting, standing and other recreational uses, and civic uses;
  - h) TOWER means the portions of a building which collectively enclose the entirety of a storey higher than the eighth storey for "Building A," the sixth storey for "Building B," and the sixth storey for "Building C";
  - i) TOWER FLOORPLATE AREA means the gross horizontal floor area of a single floor measured from the exterior walls of a building or structure above eighth storey for "Building A," the sixth storey for "Building B," and the sixth storey for "Building C";

## **PERMITTED USES**

- a) Section 26(2) (Permitted Uses) shall not apply.
- b) The uses permitted under Regulation 40.10.20.10(1) of City of Toronto Zoning By-law 569-2013, as amended, are permitted.
- c) The uses permitted with conditions under Regulation 40.10.20.20(1) of City of Toronto Zoning By-law 569-2013, as amended, are permitted.
- d) The following uses are not permitted as non-residential uses:
  - i) Passenger Terminal;
  - ii) Drive Through Facility;

- iii) Vehicle Fuel Station;
- iv) Vehicle Service Shop;
- v) Vehicle Washing Establishment;

### EXCEPTION REGULATIONS

- e) The minimum **yard setbacks** for all **buildings** and **structures** shall be as shown on Schedule C4(20) of By-law [Clerks to insert By-law number].
- f) The required separation of main walls are delineated on Schedule C4(20) of By-law [Clerks to insert By-law number].
- g) No portion of any **building** or **structure** erected or used above grade shall be located outside the building footprint area delineated on Schedule C4(20) of By-law [Clerks to insert By-law number], excluding:
  - (i) Decks, porches, and balconies, by a maximum of 2.0 metres;
  - (ii) Canopies and awnings, by a maximum of 2.0 metres;
  - (iii) Exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
  - (iv) Architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
  - (v) Eaves, by a maximum of 0.5 metres;
  - (vi) Air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- h) Canopies and awnings are permitted to encroach beyond the property line by a maximum of 2.0 metres;
- i) In addition to (g) above, permitted encroachments must be located at least 5.0 metres from the **lot line** abutting the O1 zone, excluding any outdoor **amenity space** associated with a **day nursery**, which can be located no less than 3.0 metres from the lot line abutting the O1 zone;
- j) Notwithstanding (g) above, permitted encroachments must be located at least 5.0 metres from the lot line abutting the O1 zone.
- k) The maximum number of **storeys** (labelled "ST") and the maximum **building** height as measured from established grade in metres (labelled "HT") is

shown on Schedule C4(20) of By-law [Clerks to insert By-law number].

- (i) For the purpose of this exception, a mechanical penthouse does not constitute a **storey**.
  - (ii) For the purpose of this exception, a mezzanine does not constitute a **storey**.
  - (iii) For the purpose of this exception, the second **storey** of any at-grade **dwelling units** containing two levels does not constitute a **storey**;
- l) 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 6.5 metres.
- m) Notwithstanding (l) above, the required minimum height of the **first storey** abutting the O1 zone is 3.0 metres.
- n) Notwithstanding (j) above, no portion of any **building** or **structure** on the lands is to have a height greater than the height in metres specified by the number following the "HT" symbol as shown on Schedule C4(20) of By-law [Clerks to insert By-law number], excluding:
- (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 6.0 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 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 equipment, window washing equipment, and lightening rods by a maximum of 6.5 metres;
  - (v) Planters, landscaping features, guard rails, and divider screens on a balcony and/or, by a maximum of 2.75 metres;
  - (vi) Trellises, pergolas, and unenclosed structures providing safety or wind protection to rooftop amenity space, by a maximum of 3.5 metres;
- o) Section 26(5) (Gross Floor Area) shall not apply.

- p) The permitted maximum **gross floor area** is 197,200.0 square metres, of which:
- (i) The permitted maximum **gross floor area** for residential uses is 191,540.0 square metres;
  - (ii) The required minimum **gross floor area** for non-residential uses is 5,660.0 square metres, of which:
    - a) The required minimum **gross floor area** for a “Community Space” is 460.0 square metres; and
    - b) The required minimum **gross floor area** for a **day nursery** is 500.0 square metres, of which at least an additional 200.0 square metres will be outdoor space in a location adjoining or directly accessible to the **day nursery**;
- q) The maximum “tower floorplate area” for each “tower” may not exceed 750 square metres.
- r) A minimum of 60 percent of the surface area of the **main wall** of the first **storey** facing Street B and the “Public Square” must be windows or doors;
- s) The maximum unit width for each non-residential use on the first **storey** fronting onto Street B or the “Public Square” is 15.0 metres;
- t) Each non-residential use on the first **storey** fronting onto Street B and abutting the “Public Square” must have a main pedestrian entrance:
- (i) Located parallel to and within 5.0 metres of the **street** and the “Public Square”; and,
  - (ii) Within 0.2 metres of the ground measured at the **street** and the “Public Square” directly opposite the entrance;
- u) The average **interior floor area** for all non-residential uses located on the first **storey** will be a maximum of 125.0 square metres;
- v) The maximum number of **dwelling units** is 2,750.
- w) The provision of **dwelling units** is subject to the following:
- (iii) A minimum of 30 percent of the total number of **dwelling units** must have two or more bedrooms;
  - (iv) A minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;

- (v) Any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
  - (vi) 15 percent of the total number of **dwelling units** in (i) above will be any combination of two bedroom and three or more bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of two and three or more bedroom **dwelling units**; and,
  - (vii) **Dwelling units**, as described in (iv) above, may be converted using accessible or adaptable design measures such as knock-out panels;
- x) A Public Square will be provided on the **lot** within the areas identified on Schedule C4(20) of By-law [Clerks to insert By-law number] and must provide a minimum area of:
- (i) 1,460.0 square metres on “Block” 1;
  - (ii) 385.0 square metres on “Block” 2;
- y) A Public Square will be provided on the **lot** within the areas identified on Schedule C4(20) of By-law [Clerks to insert By-law number] and must have a minimum area of 1460 square metres.
- z) **Parking spaces** for **Service Shop** and **Retail Store** must be provided at a minimum rate of 1.0 **parking space** for every 100 square metres of **gross floor area**;
- aa) **Parking spaces** for a “Community Space” must be provided in accordance with the following:
- (i) A minimum rate of 0.5 **parking spaces** for every 100 square metres of **gross floor area**; or,
  - (ii) A maximum rate of 1.3 **parking spaces** for every 100 square metres of **gross floor area**;
- bb) **Parking spaces** provided for non-residential uses and **dwelling unit** visitors may be:
- (i) Shared on a non-exclusive basis; and,
  - (ii) Provided off-site if located on the lands subject to this By-law or those lands which contain the “Existing Mall”;

- cc) **Parking spaces** for the non-residential uses shall be provided at a minimum rate of 2.44 spaces per 100 square metres of **gross floor area** and a maximum rate of 3.5 spaces per 100 square metres of **gross floor area**.
- dd) Accessible Parking Spaces shall be provided in accordance with the minimum requirements stipulated in Section 200.15 of City of Toronto Zoning By-law 569-2013.
- ee) Accessible Parking Spaces shall be provided as part of the parking supply and will have a length of 5.6 metres, a width of 3.4 metres, and a vertical clearance of 2.1 metres.
- ff) 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 City of Toronto By-law 579-2017.
- gg) 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**; and
  - (iii) And shortest route from the required entrances in (A) and (B).
- hh) **Existing parking spaces** and **parking aisles** that are not proposed to be modified or reconfigured are permitted within their **existing** dimensions as of the date of passing of this By-law.
- ii) Loading spaces shall be provided in accordance Section 220.5 of City of Toronto Zoning By-law 569-2013.
- jj) None of the provisions of this By-law will apply to prevent the existing **buildings** as of the date of passing of this By-law from being used for any purpose **existing** on such lands as of the date of passing of this By-law or for any use listed in subsection 64.24(15) within the **existing building**.

### EXCLUSIONS

- kk) Sections 6(9), 6A, 6A, 22.10, 26(5), 26(6), 26(7), and 26(8) shall not apply.
3. Section 64.24 of By-law No. 7625 of the former City of North York is amended by adding the following provisions herein to subsection 64.24(15):

**64.24(15) C2 (15)**

- a) **Existing parking spaces, parking structures, and parking aisles** that are not in a **building** or **structure** and are associated with the Existing Mall are permitted within their **existing** locations and dimensions as of the date of passing of this By-law.
- b) Notwithstanding the provisions of Sections 6A, **parking spaces** shall be provided at a minimum rate of 1.78 **parking space** per 100 square metres and a maximum rate of 3.5 **parking spaces** for every 100 square metres of **gross floor area** devoted to non-residential uses;

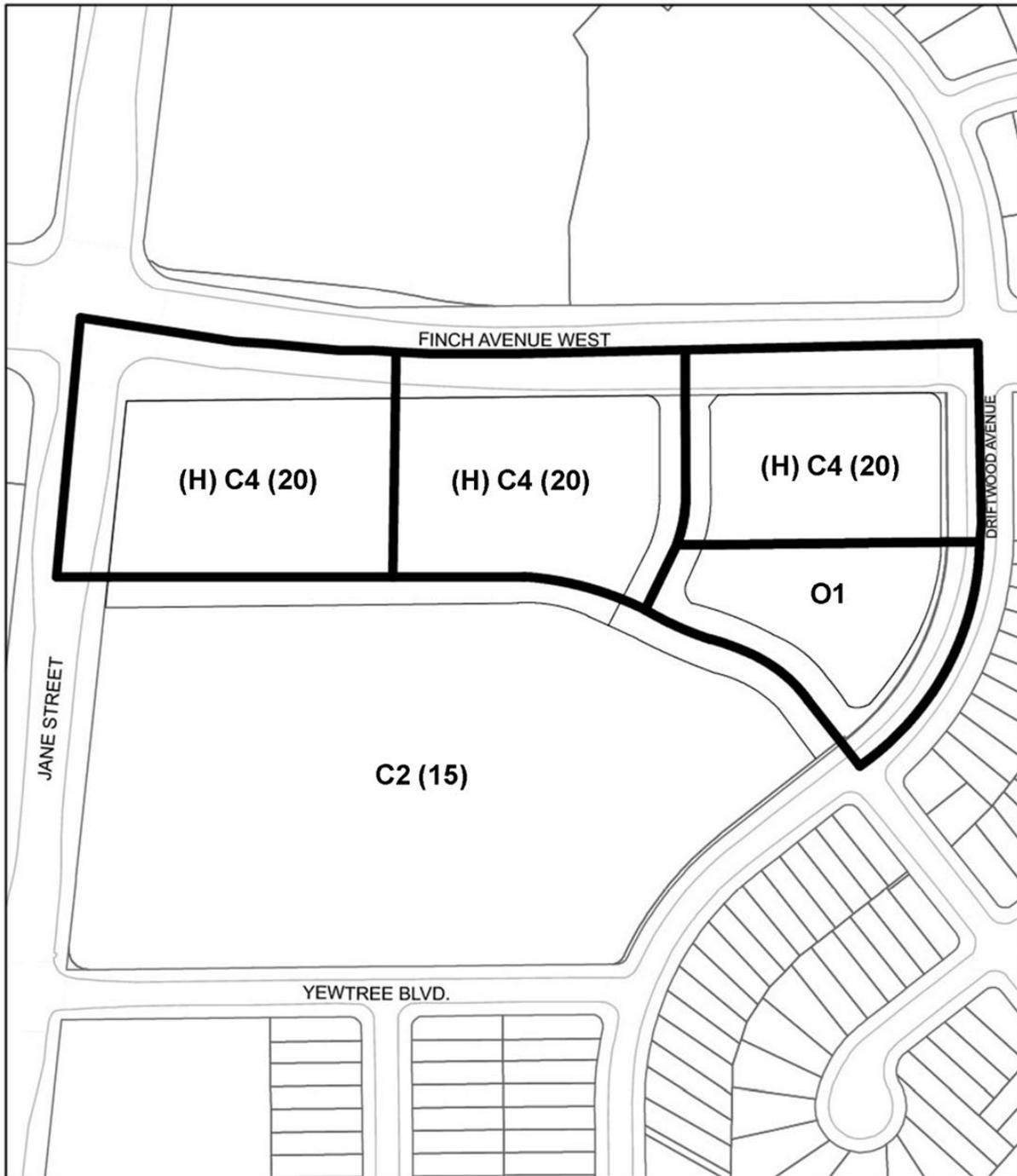
#### 4. Holding Symbol Provisions

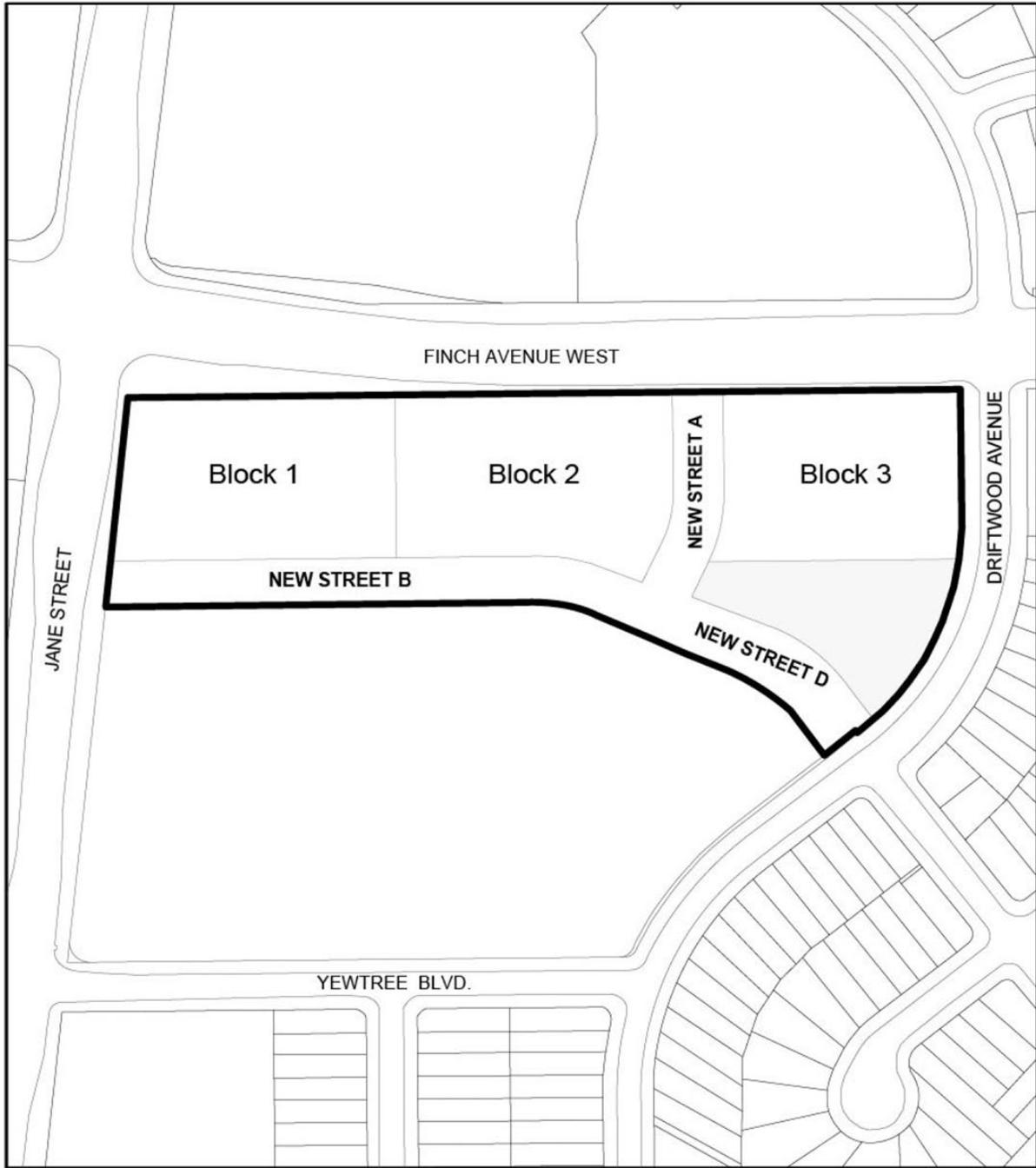
- a) The lands zoned with the holding symbol "(H)" on Schedule 1 attached to this By-law must not be used for any purpose other than those uses and **buildings** existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
- b) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
  - (i) Enter into and execute a subdivision agreement(s), as appropriate and to the satisfaction of the Chief Planner and Executive Director, City Planning, applying to the entire site and providing for, amongst other things, new public streets, municipal services and infrastructure, stormwater management facilities, parks, and development blocks as may be applicable, and removed for each "Block" of development;
  - (ii) A Functional Servicing and Stormwater Management Report, to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services, to demonstrate that the sanitary and water mains have adequate capacity to accommodate the development of the lands;
  - (iii) A Hydrological Assessment Report, and Hydrological Review Summary Form, Servicing Report Groundwater Summary Form and Foundation Drainage Summary Form, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Toronto Water Services, to determine the quality and quantity of groundwater that may be required to be discharged to the City sewage works as a result to of a proposed development and comply with Foundation drainage policy and guidelines;
  - (iv) a Transportation Impact Study, to the satisfaction of the General Manager, Transportation Services, to analyze the potential traffic

impacts for each “Block” of development;

- (v) A Housing Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning, which identifies how the affordable housing policies will be met for each “Block” of development, including the unit mix and sizes of affordable housing units;

5. Despite any existing or future severance, partition or division of the lot, the provisions of this By-law shall apply to the whole lot as if no severance, partition, or division occurred.



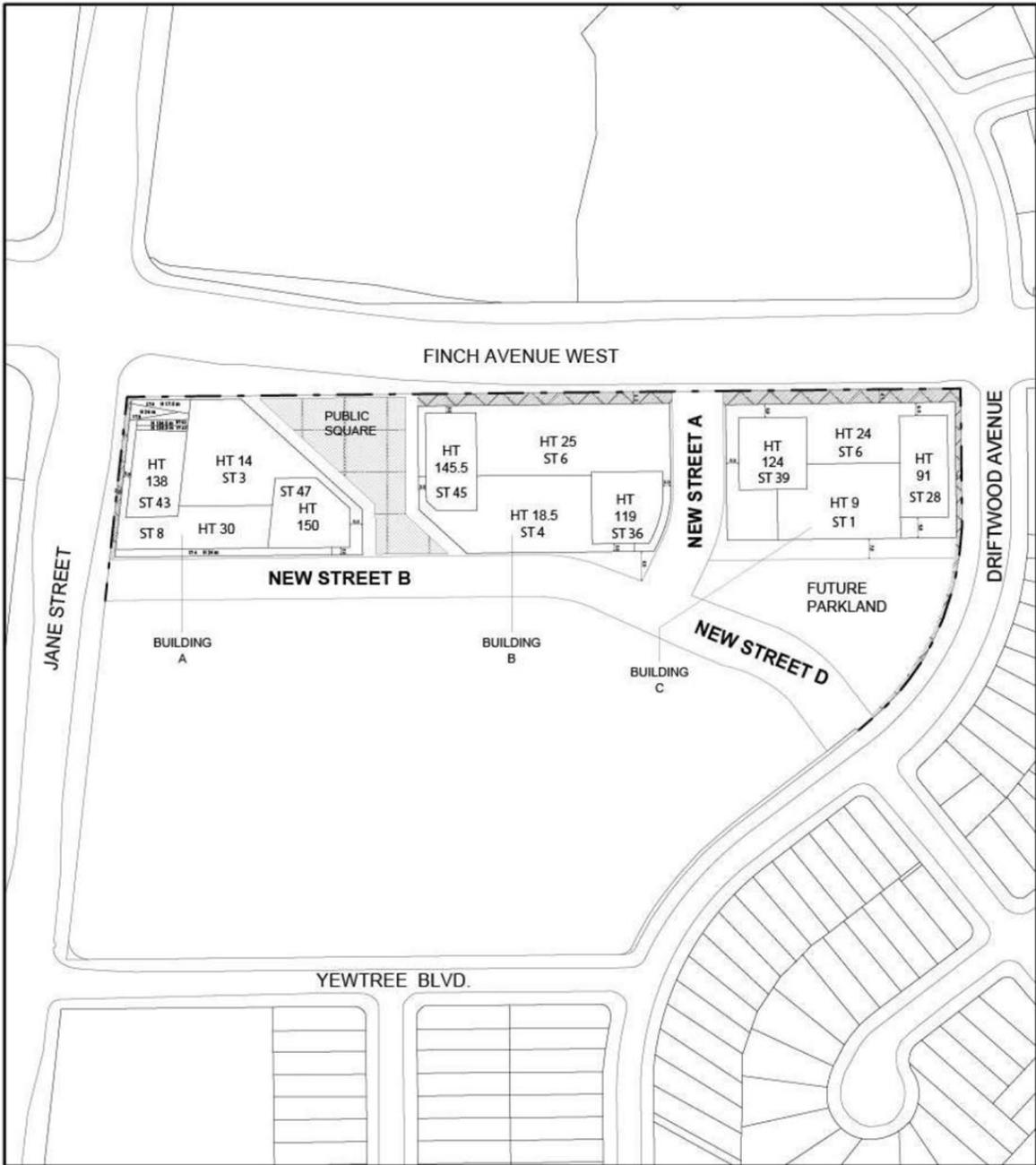


 **TORONTO**  
Schedule 2

1911 Finch Avenue West

File # 23 184369 WET 07 0Z

  
Former City of North York By-law 7625  
Not to Scale  
04/02/2024



 **TORONTO**  
Schedule C4(20)

1911 Finch Avenue West

File # 23 184369 WET 07 0Z

  
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