

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 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; 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

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 label to these lands: CR 6.5 (c0.18; r6.0) SS2 (x 998) 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 Areas Overlay Map in Article 995.10.1 and applying no value.
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 no value.
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 the lands to the Parking Zone Overlay Map in Article 995.50.1 and applying Parking Zone A, as shown on Diagram 3 attached to this By-law.
8. 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.
9. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 998 so that it reads:

(998) Exception CR (998)

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 1911 Finch Avenue West, 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 (II) below;
- (B) Despite Regulation 40.10.20.10(1) and 40.10.20.20(1), 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;**
- (C) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum identified below for the “Blocks” shown on Diagram 8, and the elevation of the highest point of the **building** or **structure**:
 - (i) 177.74 metres for “Block” 1 and “Block” 2 on Diagram 8; and
 - (ii) 179.59 metres for “Block” 3 on Diagram 8;
- (D) 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:

- (i) The **dwelling units** are located to the rear of the non-residential uses on the first **storey**;
 - (ii) The **dwelling units** are located on the second **storey** of “Building A” and are located on the same **storey** as a “Community Space”; or
 - (iii) The **dwelling units** are located on the first **storey** of “Building C” and are located on the same **storey** as a **day nursery**;
- (E) 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 4 of By-law [Clerks to insert By-law number];
- (F) Despite Regulation 40.10.40.10(5), 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;
- (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 4 of By-law [Clerks to insert By-law number]; and
- (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**;
- (H) Despite (F) above, the required minimum height of the first **storey** abutting the OR zone is 3.0 metres;
- (I) 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 4 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 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;
- (J) Despite Regulation 40.10.40.40(1), 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**;
- (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 of a floor open to the floor below;
- (L) Despite Regulation 40.5.40.10(8)(C), the maximum “tower floorplate area” for each “tower” may not exceed 750 square metres.
- (M) Despite Regulation 40.10.40.70(2), a required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];
- (N) Despite Regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];

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- (O) Despite Clause 40.10.40.60 and (M) 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 2.0 metres;
 - (ii) Canopies and awnings, by a maximum of 2.0 metres, unless located within areas identified as “plaza canopy projection zone” as shown on Diagram 9 in which a maximum 3.0 metres is permitted;
 - (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;
- (P) In addition to Clause 40.10.40.60 and (O) above, permitted encroachments must be located at least 5.0 metres from the **lot line** abutting the OR zone, excluding children’s play area associated with a **day nursery**, which can be located no less than 3.0 metres from the lot line abutting the OR zone;
- (Q) Despite Regulation 40.10.80.20(1), existing **parking spaces**, parking **structures**, and drive aisles that are not in a **building** or **structure** and are associated with the "Existing Mall" are permitted within their **existing** dimensions as of the date of passing of this By-law;
- (R) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** for **Retail Service** and **Retail Store** must be provided at a minimum rate of 1.0 **parking space** for every 100 square metres of **gross floor area**;
- (S) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** for a **Community Centre** or “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**;
- (T) **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";
- (U) Despite Regulation 200.5.1.10(2)(A)(iv), 10 percent 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**;
- (V) Despite Regulation 200.5.1.10(12)(A) and (C), if an **apartment building, mixed use building** or a **building** with non-residential uses, has an area for parking two or more **vehicles**:
- (i) The **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 6.0 metres; and
 - (ii) The **vehicle** entrance or exit to the **building** must be at least 1.0 metres from the **lot line** abutting the **street**;
- (W) 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;
- (X) Despite Regulation 200.15.1(3), an accessible **parking space** must be adjacent to a 1.5-metre-wide accessible barrier free aisle or path;
- (Y) Despite Regulation 200.15.1(4), an accessible **parking space** 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) shortest route from the required entrances in (i) and (ii) above.
- (Z) Despite Regulation 230.5.1.10(9)(A) "long-term" **bicycle parking spaces** may also be located on a mezzanine level of the **building**;
- (AA) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces**

may also be located in a **stacked bicycle parking space**;

- (BB) 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;
- (CC) 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;
- (DD) 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;
- (EE) The average **interior floor area** for all non-residential uses located on the first **storey** will be a maximum of 125.0 square metres;
- (FF) The maximum number of **dwelling units** is 2,750;
- (GG) The provision of **dwelling units** is subject to the following:
 - (i) A minimum of 30 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) A minimum of 10 percent of the total number of **dwelling units** must have 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) 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,
 - (v) **Dwelling units**, as described in (iv) above, may be converted using accessible or adaptable design measures such as knock-out panels;
- (HH) A “Public Square” will be provided on the **lot** within the areas identified on Diagrams 4, 5 and 6 of By-law [Clerks to insert By-law number] and must provide a minimum area of:

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- (i) 1,460.0 square metres on “Block” 1;
 - (ii) 385.0 square metres on “Block” 2;
- (II) 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” means each block as shown on Diagram 8 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 Diagram 8 of By-law [Clerks to insert By-law number];
 - (ii) “Building A” means a new **mixed use building** as shown on Diagram 4 and 5 of By-law [Clerks to insert By-law number];
 - (iii) “Building B” means a new **mixed use building** as shown on Diagram 4 and 6 of By-law [Clerks to insert By-law number];
 - (iv) “Building C” means a new **mixed use building** as shown on Diagram 4 and 7 of By-law [Clerks to insert By-law number];
 - (v) “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;
 - (vi) “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;
 - (vii) “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;
 - (viii) “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”;
 - (ix) “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”;

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

10. None of the provisions of this By-law will apply to prevent the **existing building**, as of the date of passing of this By-law, on the lands outlined by heavy black lines on Diagram 1 of By-law [Clerks to insert By-law number] from being used for any purpose **existing** on such lands or for any use listed in Regulations 40.10.20.10(1) and 40.10.20.20(1) that are permitted under the letter "C" of the CR zone.
11. 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.
12. 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 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;

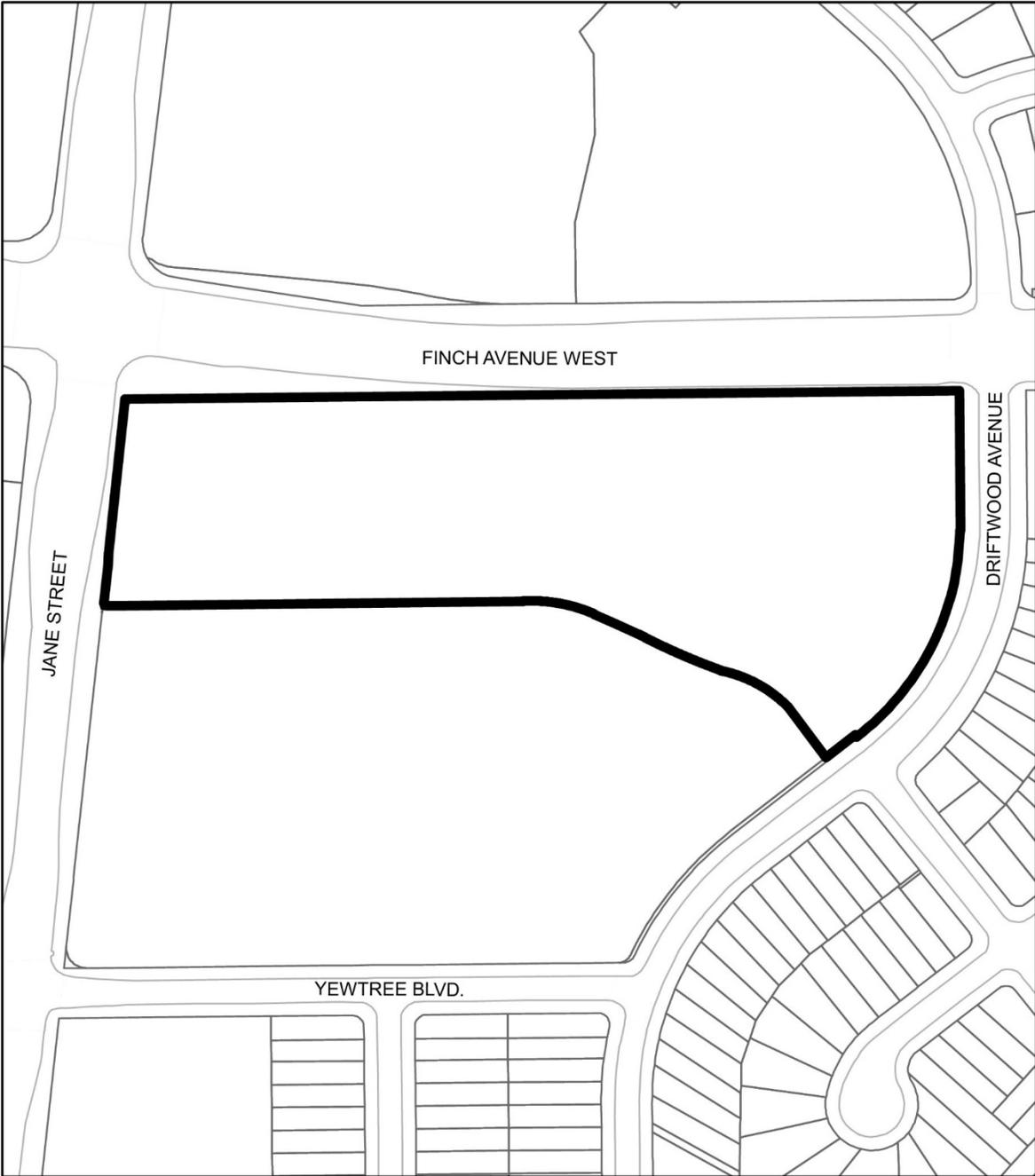
- (iv) A Transportation Impact Study, to the satisfaction of the General Manager, Transportation Services, to analyze the potential traffic impacts for each “Block” of development;
- (v) A Housing Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning, which identifies how the affordable housing policies will be met for each “Block” of development, including the unit mix and sizes of affordable housing units;

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

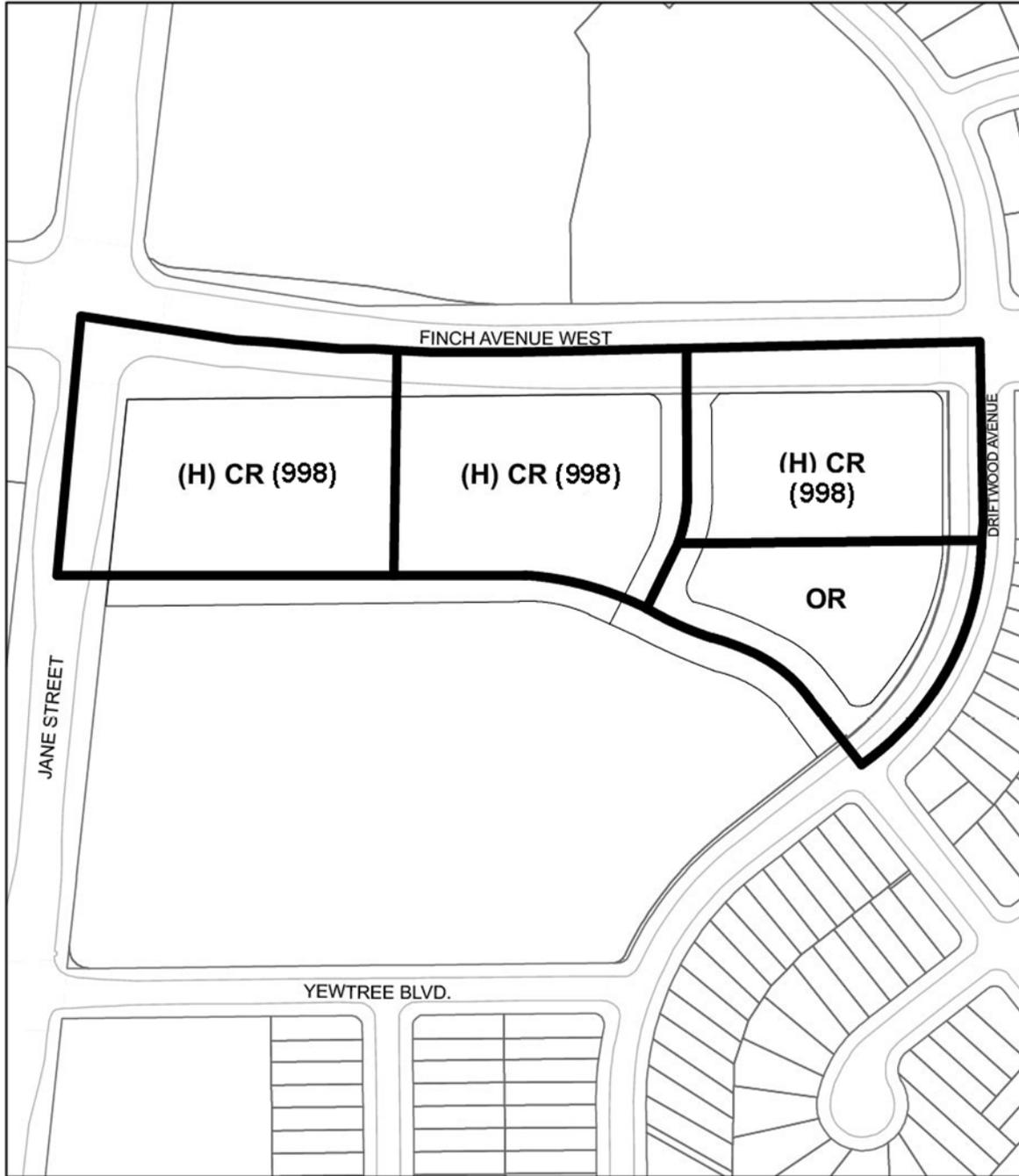
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 **Toronto**
Diagram 1

1911 Finch Avenue West

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 **TORONTO**
Diagram 2

1911 Finch Avenue West

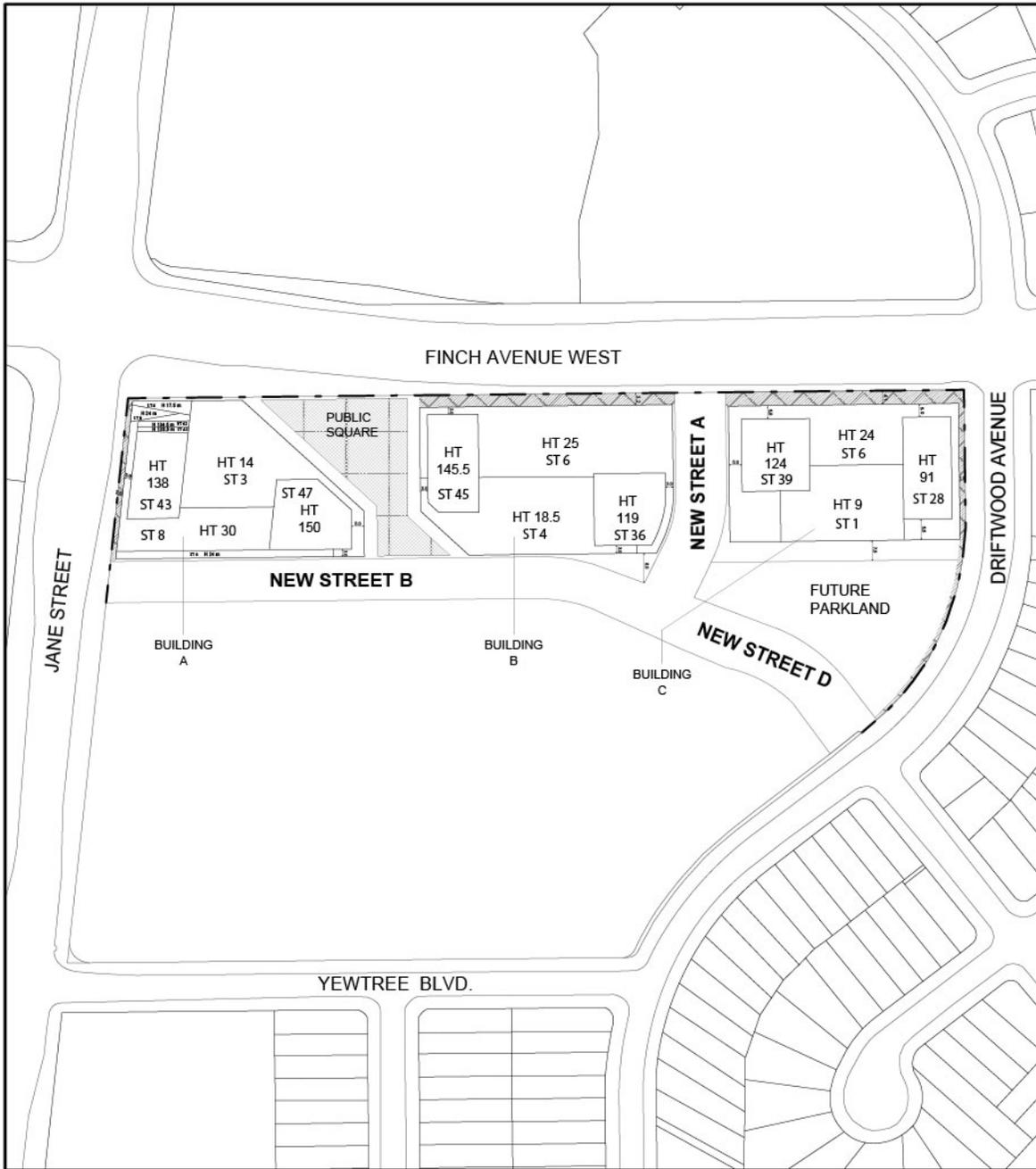
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 **TORONTO**
Diagram 3

1911 Finch Avenue West

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 **TORONTO**
Diagram 4

1911 Finch Avenue West

File # 23 184369 WET 07 0Z

 Planned Right-of-Way Widening
 Existing Property Line


 City of Toronto By-law 569-2013
 Not to Scale
 03/27/2024

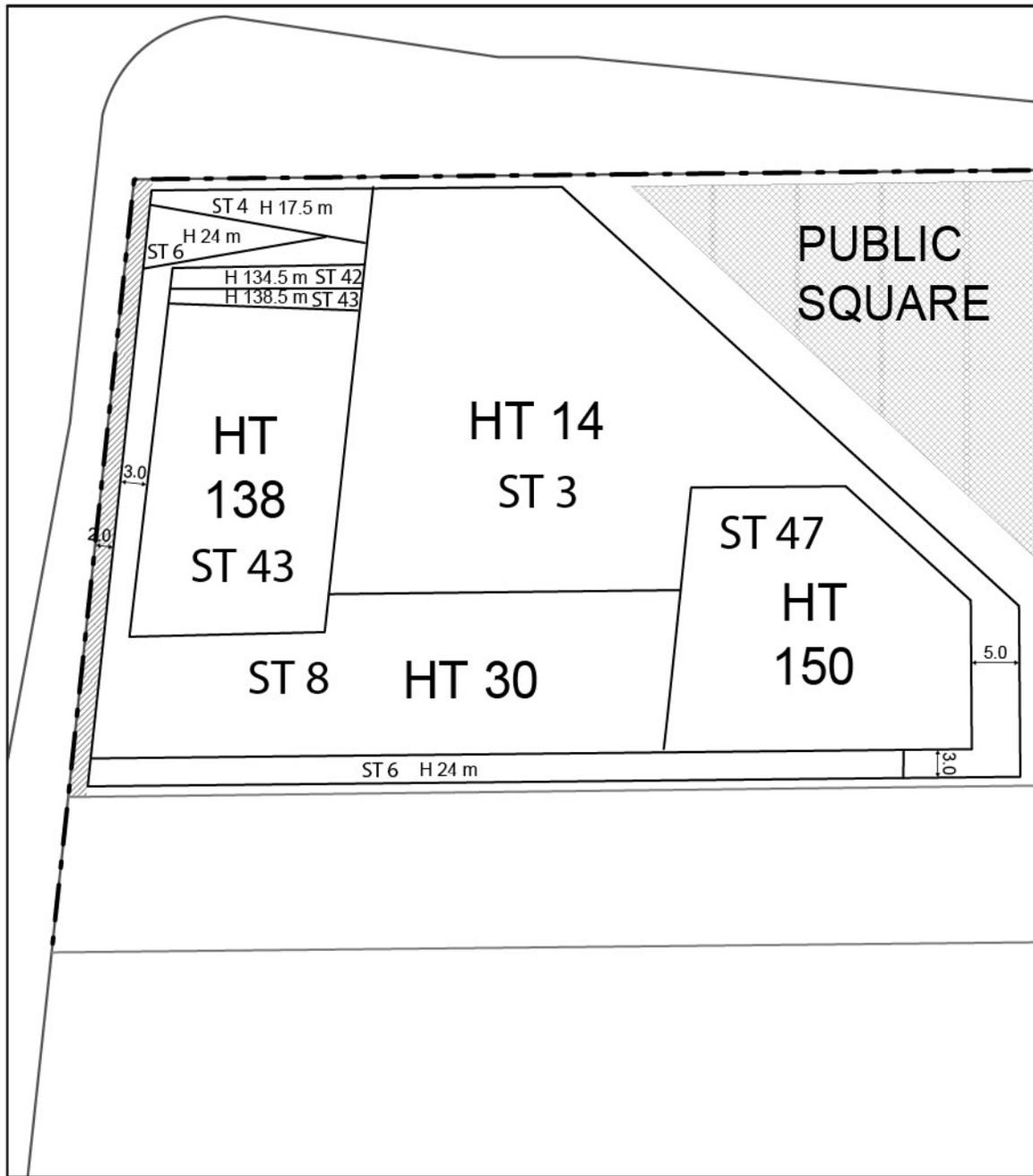


Diagram 5 - Building A

1911 Finch Avenue West

File # 23 184369 WET 07 0Z

-  Planned Right-of-Way Widening
-  Existing Property Line



City of Toronto By-law 569-2013
Not to Scale
03/27/2024

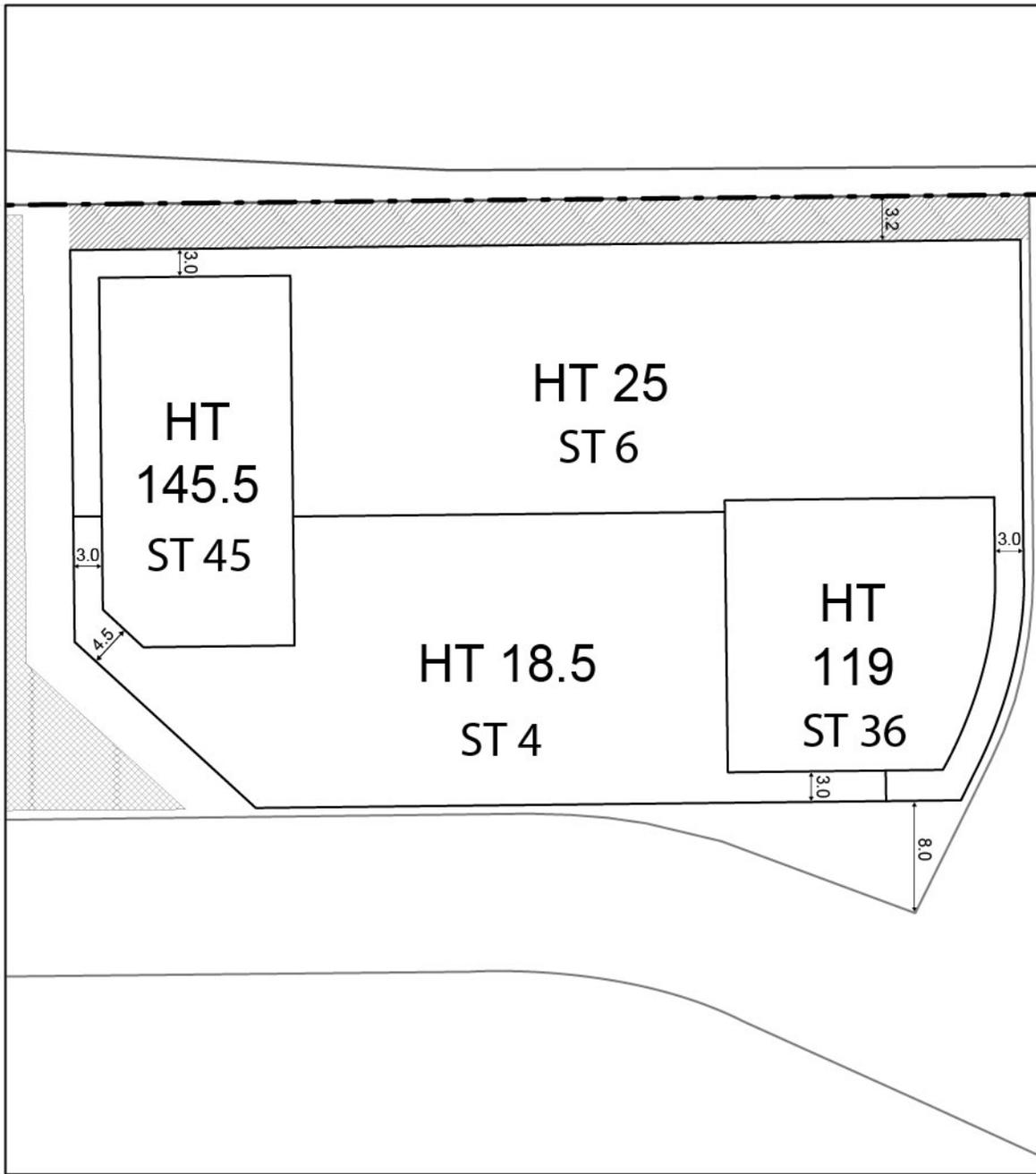


Diagram 6 - Building B

1911 Finch Avenue West

File # 23 184369 WET 07 0Z

-  Planned Right-of-Way Widening
-  Existing Property Line



City of Toronto By-law 569-2013
Not to Scale
03/27/2024

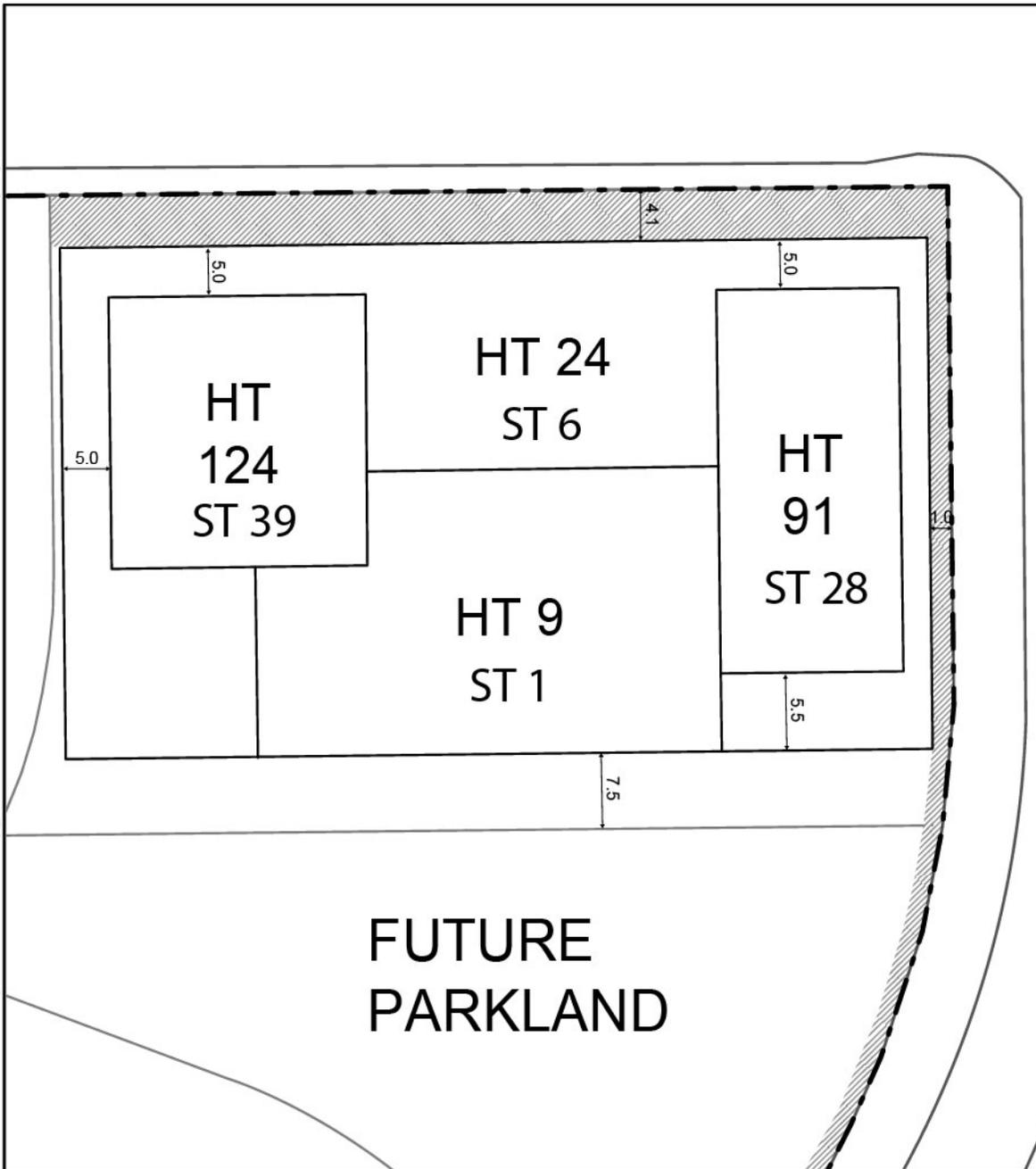


Diagram 7 - Building C

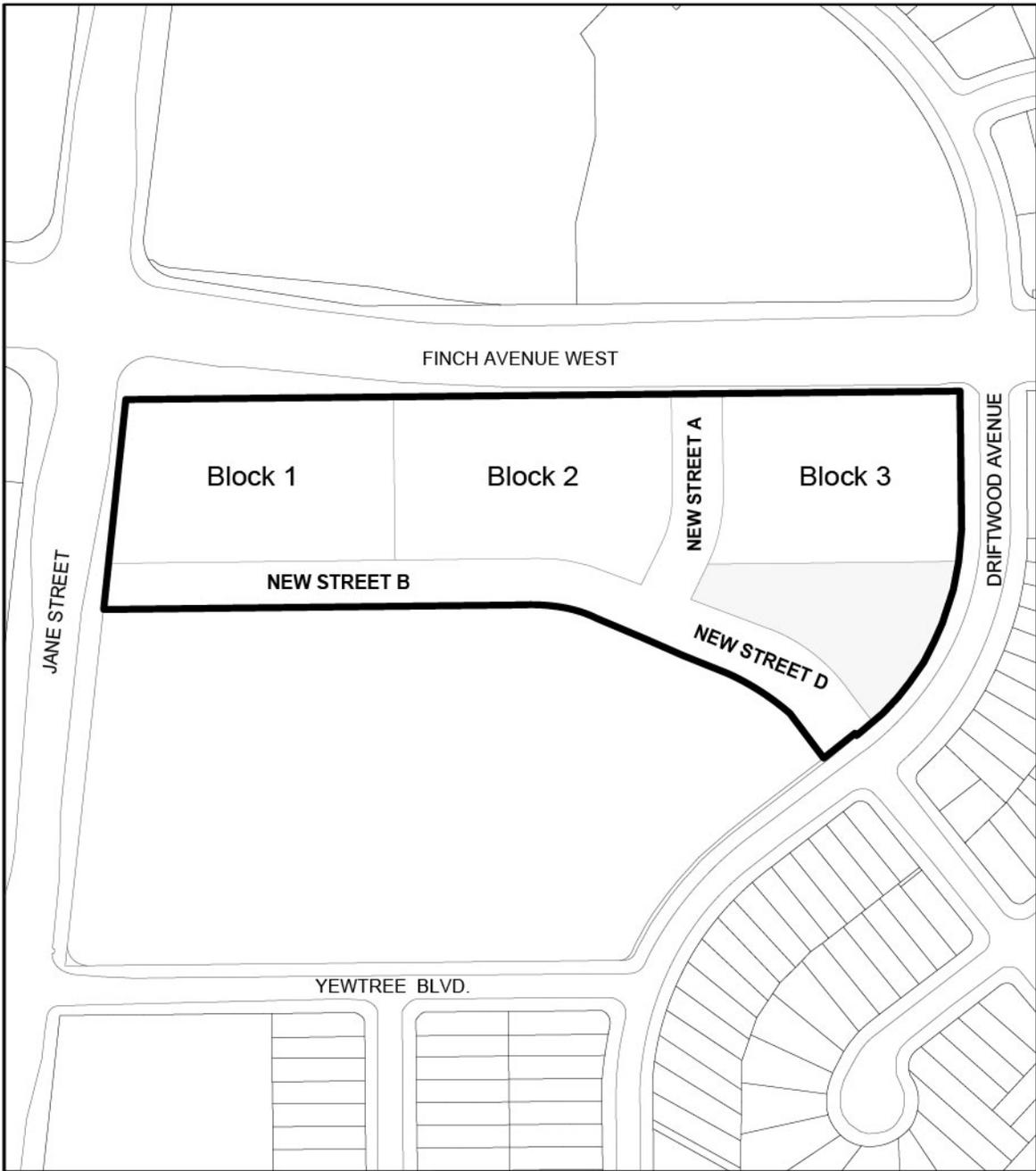
1911 Finch Avenue West

File # 23 184369 WET 07 0Z

-  Planned Right-of-Way Widening
-  Existing Property Line



City of Toronto By-law 569-2013
Not to Scale
03/27/2024



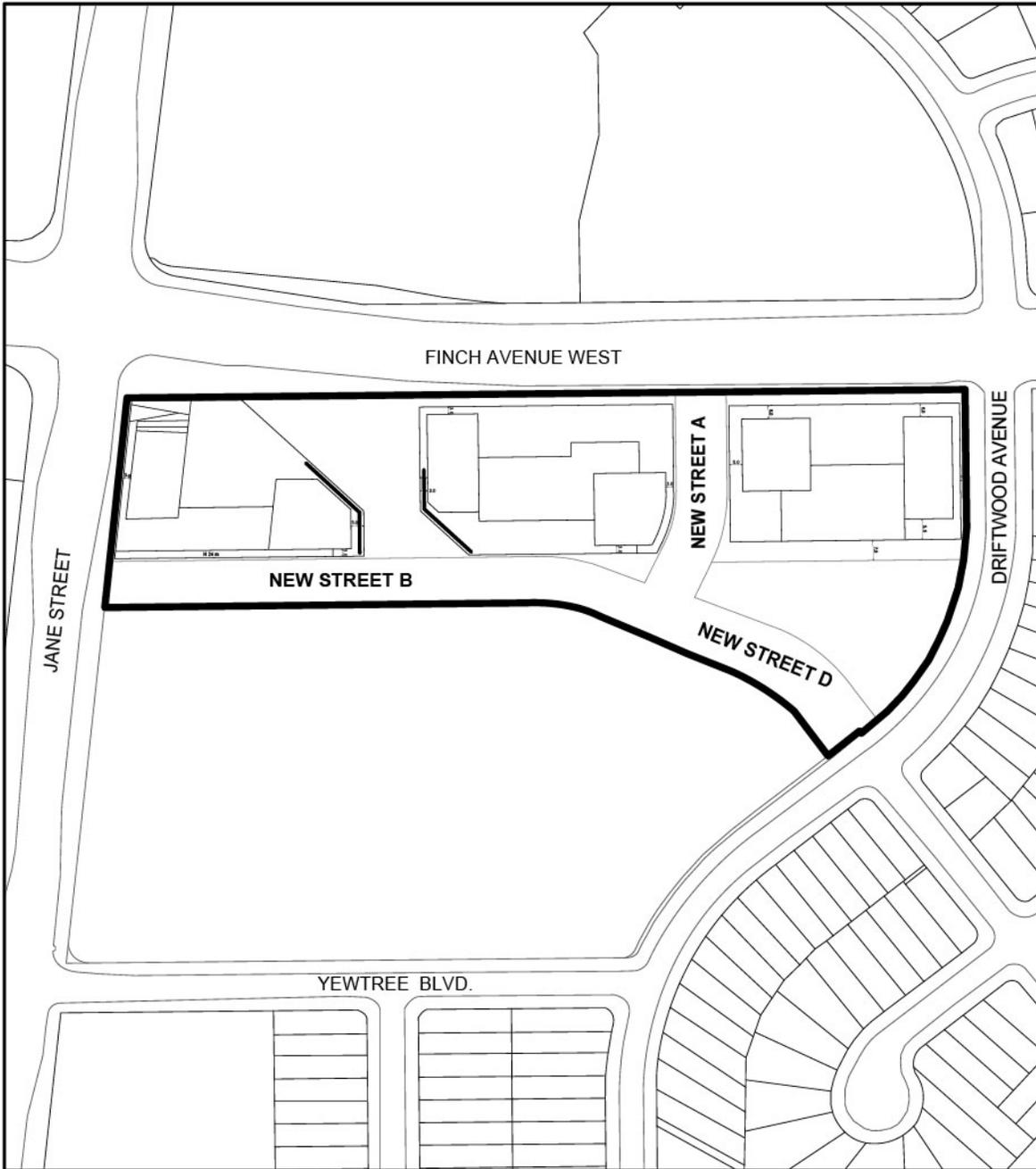
 **TORONTO**
Diagram 8

1911 Finch Avenue West

File # 23 184369 WET 07 0Z

 Subject Lands
 Public Parkland


City of Toronto By-law 569-2013
Not to Scale
03/28/2024



 **TORONTO**
Diagram 9

1911 Finch Avenue West

File # 23 184369 WET 07 0Z

 Subject Lands
 Plaza Canopy Projection Area


City of Toronto By-law 569-2013
Not to Scale
03/28/2024