

Authority: North York Community Council Item **XX**, as adopted by City of Toronto Council on **XXXXXXX XX, 202X**

CITY OF TORONTO

BY-LAW **XXXX-2024**

To amend City of Toronto Zoning By-law 569-2013, as amended, with respect to lands municipally known in the year 2024 as 3 Swift Drive.

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 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 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 RM (f21.0; a835; d1.0) to a zone label of RAC (f30.0; a1375; d1.5)(x208) and O (x7) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number **[208]** so that it reads:

(208) Exception RAC [208]

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 3 Swift Drive, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (X) 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 132.6 metres and the elevation of the highest point of the **building** or **structure**;

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- (C) In addition to the permitted uses listed in Regulation 15.20.20.10 (1), a “car-share” use is also permitted;
 - (D) Despite Regulation 15.20.30.40 (1) (A), the permitted maximum **lot coverage** is 62 percent;
 - (E) Despite Regulation 15.5.50.10 (1) (A) and (B), a minimum of 23 percent of the area of the **lot** must be **landscaping**, of which a minimum of 37 percent must be **soft landscaping**.
 - (F) Despite Regulation 15.5.50.10 (2), no **soft landscaping** strip abutting the **lot** to the north is required.
 - (G) 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” on Diagram 3 of By-law [Clerks to insert By-law #];
 - (H) The maximum permitted “Tower” floorplate areas, as measured from the exterior face of the main walls of each floor level, are as follows:
 - (i) Tower A: 789 square metres; and
 - (ii) Tower B: 792 square metres.
 - (I) Despite Regulations 15.5.40.10 (2), (3), (5) and (6), and (B) and (G) above, the following equipment and **structures** may project above the permitted maximum height shown on Diagram 3 of this By-law [Clerks to insert 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 6.2 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 6.2 metres;
 - (iii) chimneys, pipes, and vents located on the roof of a “Tower” portion of the **building**, may further exceed the permitted maximum height in (ii) by 3.0 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 6.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
 - (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 6.0 metres;
 - (vii) antennae, flagpoles and satellite dishes, by a maximum of 6.0 metres; and
 - (viii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.5 metres;
 - (J) Despite Regulation 15.5.40.10 (4) (A), mechanical penthouse **structures** permitted by (I)(ii) above may cover no more than 60 percent of the total area of the “Tower” roofs, measured horizontally.

- (K) Despite Regulation 15.20.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 55,888 square metres;
- (L) Despite Regulation 15.20.40.50 (1), **amenity space** must be provided at the following rates:
 - (i) At least 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) At least 1.4 square metres for each **dwelling unit** as outdoor **amenity space**;
- (M) Despite Clause 15.20.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (N) Despite Regulation 15.20.40.80 (1), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law #];
- (O) Despite Regulation 15.5.40.50(2) and Clause 15.5.40.60, 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) despite (i) above, balconies are not permitted to encroach into a building setback within 2.0 metres of all corners of “Tower A” or “Tower B” as shown on Diagram 3 of this By-law [Clerks to insert By-law #];
 - (iii) platforms with a floor no higher than the first **storey** of the **building**, by a maximum of 4.0 metres;
 - (iv) canopies and awnings, by a maximum of 4.5 metres;
 - (v) exterior stairs and stair enclosures, access ramps and elevating devices, by a maximum of 6.0 metres;
 - (vi) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.5 metre;
 - (vii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
 - (viii) eaves, by a maximum of 0.5 metres;
 - (ix) air conditioners, satellite dishes, antennae, vents, pipes and damper equipment to reduce **building** movement, to a maximum of 1.0 metres; and
 - (x) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
- (P) Despite Regulation 200.5.1.10(14), a minimum of 20% of all **parking spaces** provided must be equipped with an **energized outlet** capable of providing **Level 2 charging** or higher to the **parking space**;

- (Q) Despite Regulations 200.5.10.1(1) and 200.15.10.10(1), and Table 200.5.10.1, **parking spaces** must be provided and maintained in accordance with the following:
- (i) A minimum of 0.24 residential occupant **parking spaces** for each **dwelling unit**;
 - (ii) A minimum of 2.0 plus 0.01 residential visitor **parking spaces** for each **dwelling unit**, which may include “car-share parking spaces”;
 - (iii) A minimum of 10 accessible **parking spaces**;
- (R) Despite Regulation 200.15.1 (4), accessible **parking spaces** are to be located a minimum of 30 metres to the passenger elevators.
- (S) 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) 0.1 “short-term” **bicycle parking spaces** for each **dwelling unit** ;
- (T) In addition to the places a "long-term" **bicycle parking space** may be located as in regulations 230.5.1.10(9)(B)(i),(ii) and (iii), "long-term" **bicycle parking spaces** may also be located in the following locations:
- (i) an above-ground mezzanine level; and
 - (ii) on a second level below-ground, without at least 50% of the area of the first level below-ground being occupied by **bicycle parking spaces**.
- (U) Despite regulation 230.20.1.20(2), a "short-term" **bicycle parking space** may be more than 30 metres from a pedestrian entrance to a **building** on the **lot**, provided the **bicycle parking space**;
- (i) is located on the first level of the **building** below-ground;
 - (ii) has access to a **street** that is direct and unobstructed, excluding a gate, moveable barrier or similar security feature, operable by a visitor to the **building**; and
 - (iii) is no more than 30 metres from a passenger elevator that provides access to the first **storey** of the **building**;
- (V) Despite regulation 230.5.1.10(4)(B)(ii), the required minimum width of a **bicycle parking space** placed in a vertical position on a wall, **structure** or mechanical device is 0.5 metres;
- (W) 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; and

- (X) 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 whereby a number of people share the use of one or more motor **vehicles** that are owned by a profit or non-profit carsharing organization, with such car-share motor **vehicles** to be made available for short term rental, including hourly rental. Car-share organizations may require that the carshare motor **vehicles** be reserved in advance, charge fees based on time and/or kilometers driven, and set membership requirements of the carsharing organization, including the payment of a membership fee that may or may not be refundable;
 - (ii) "car-share parking space" means a **parking space** exclusively reserved and used only for "car-share" purposes whereby the **vehicle** is accessible to at least the occupants of the **buildings**;
 - (iii) "Tower" means the portions of a **building** which collectively enclose the entirety of a **storey** higher than 27.8 metres above the Canadian Geodetic Datum of 132.6 metres, and that are identified as "Tower A" and "Tower B" on Diagram 3 of By-law [Clerks to insert By-law #]

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

5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.40.10 Exception Number **[7]** so that it reads:

(7) Exception O [7]

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) Despite Regulation 90.10.40.10(1), the permitted maximum **height** of a chimney swift tower **structure** is 28 metres;
- (B) Despite Regulation 90.10.40.70(1), the required minimum **building setback** for a chimney swift tower **structure** is 0 metres.

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

6. No person shall erect on any of the lands shown on Diagram 1 of this By-law any **building** or **structure** until the following municipal services are provided to the property line and the following provisions are complied with:
- (A) all water mains, sanitary sewers and storm sewers and appropriate appurtenances have been installed and are operational, that are required to service the parcel of the land that the **building** or **structure** resides on;

7. 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;

8. Temporary Use(s):

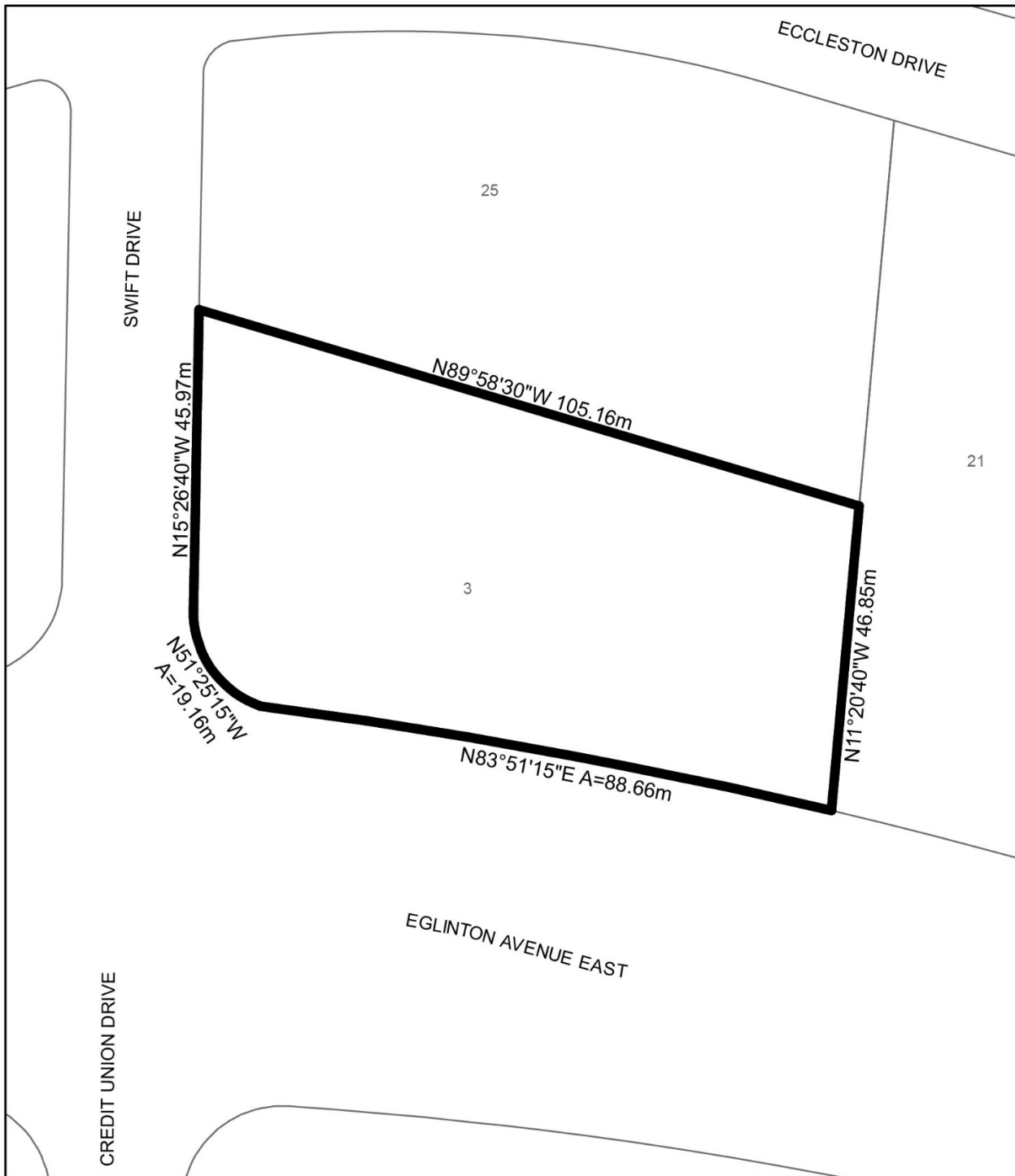
- (A) None of the provisions of By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a sales or leasing office, which means a **building, structure** or trailer used exclusively for the purpose of the sale, rental or leasing of new **dwelling units** or non-residential space, 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.

ENACTED AND PASSED this _____ day of _____, A.D. 202X.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

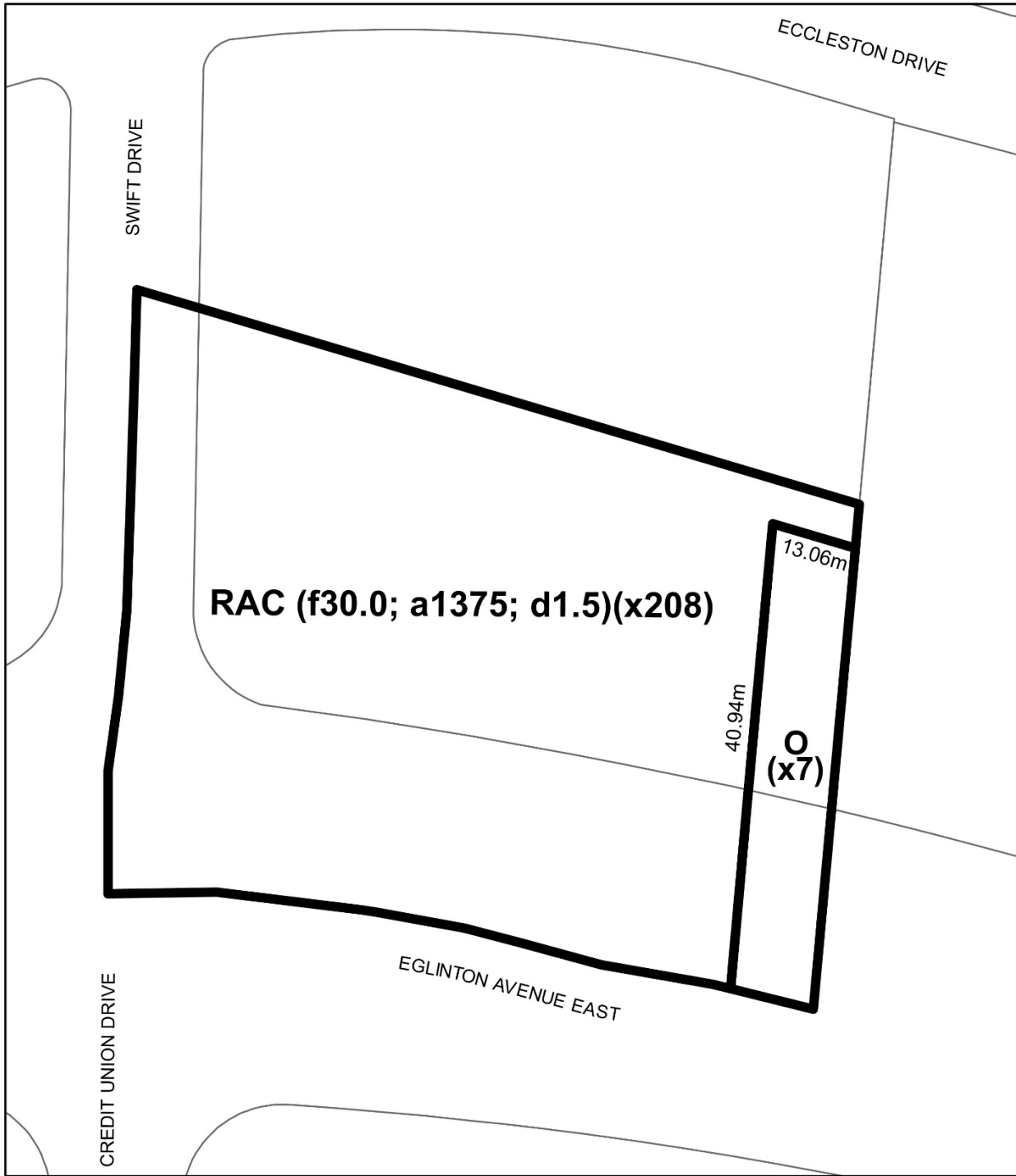


 **Toronto**
Diagram 1

3 Swift Drive

File # 21 251397 NNY 16 0Z


City of Toronto By-law 569-2013
Not to Scale
08/16/2023



 **Toronto**
Diagram 2

3 Swift Drive

File # 21 251397 NNY 16 02


City of Toronto By-law 569-2013
Not to Scale
01/08/2024

