

Authority: North 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 230 and 240 The Donway 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

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) RM (f21.0; a835; d1.0) (x459) 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 the following height and storey label to these lands: HT 10.5, ST 3, as shown on Diagram 3 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 the following lot coverage label to these lands: 35, as shown on Diagram 4 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number 459 so that it reads:

(459) Exception RM (459)

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 230 and 240 The Donway 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 (KK) below;
- (B) An **apartment building** may contain one or more of the following uses: a **place of worship**, a **community centre**, a library and a **day nursery**.
- (C) Despite regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 142.00 metres, and the elevation of the highest point of the **building** or **structure**;
- (D) For the purposes of this exception, **established grade** means the Canadian Geodetic Datum of 142.0 metres;
- (E) Regulation 10.80.20.100(3), with respect to use conditions for a **community centre** or a library, does not apply;
- (F) Regulation 10.80.20.100(9) and Section 150.50 do not apply and for the purpose of this exception a **place of worship** may be provided inside an **apartment building**, and such **place of worship** will be subject to the following regulations:
  - (i) A library or reading room is permitted to be combined with a **place**

**of worship;**

- (ii) A **retail store** is permitted to be combined with a **place of worship** if:
  - (a) The **interior floor area** does not exceed 25 square metres;
  - (b) It sells only religious goods; and
  - (c) It is only accessible from inside the building
  - (d) Library or reading room if it is only accessible from inside the building;
- (iii) All waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **place of worship** is constructed pursuant to a building permit issued more than three years after May 9, 2013.
- (G) Despite Regulation 150.45.40.1(1), a **day nursery** must be on or below the first **storey** of the **building**;
- (H) On the portion of the **lot** shown as "Potential Parkland Conveyance to the City or Landscaping" on Diagram 5 of By-law [Clerks to insert By-law number], the only permitted uses are a **park**, or **landscaping** associated with a permitted use on the other portions of the **lot**;
- (I) Regulation 10.80.30.40(1) with respect to maximum **lot coverage** does not apply;
- (J) Despite regulation 10.80.40.10(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];
- (K) For the purposes of this exception, the hatched area on Diagram 5 of By-law [Clerks to insert By-law number] may be a **platform** subject to a maximum permitted height of 0.5 metres;
- (L) Despite regulation 10.80.40.10(3), the permitted maximum number of **storeys** in 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 purposes of this exception, a mechanical penthouse does not constitute a **storey**;
- (M) Despite regulations 10.5.40.10 (2) and (3), and (J) and (K) 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 and elevator shafts, 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, such as a pilaster, decorative column, cornice, sill and belt course, as well as parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
  - (iv) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
  - (v) planters, **landscaping** features, guard rails, railings and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
  - (vi) trellises, pergolas, **structures** providing safety or wind protection, **structures** for outdoor **amenity space** or open air recreation, by a maximum of 3.0 metres;
  - (vii) antennae, flagpoles and satellite dishes, and weather vanes, by a maximum of 1.5 metres;
  - (viii) balconies, retaining walls, transformers, access ramps and elevating devices, air conditioners, chimneys, vents and pipes;
- (N) Despite regulation 10.80.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 22,500 square metres, of which;
- (i) The permitted maximum **gross floor area** for non-residential uses is 800 square metres;
- (O) In addition to the elements listed in regulation 10.5.40.40(4) that reduce **gross floor area**, the following elements will also apply to reduce the **gross floor area** of a **building**:
- (i) **driveways** and **drive aisles** associated with parking, loading and bicycle parking;
  - (ii) except where such areas are provided in a **dwelling unit**, storage rooms, lockers, locker rooms, washrooms, electrical, utility,

mechanical and ventilation rooms in the **basement**;

- (P) The provision of **dwelling units** is subject to the following:
- (i) A minimum of 25 percent of the total number of **dwelling units** must contain two or more bedrooms;
  - (ii) A minimum of 6 percent of the total number of **dwelling units** must contain three or more bedrooms;
  - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (Q) For an **apartment building** with 20 or more **dwelling units**, **amenity space** must be provided at the following rate:
- (i) at least 1.5 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 1.5 square metres of outdoor **amenity space** for each **dwelling unit**; and
  - (iii) no more than 25% percent of the outdoor component may be a **green roof**;
- (R) Despite Clause 10.80.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (S) Regulation 10.80.40.80 does not apply and the required minimum separation of **main walls** of the same **building** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (T) Clauses 5.10.40.70, 10.5.40.60, 10.5.60.10, 10.5.60.20 and 10.5.60.30, do not apply and despite (R) and (S) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) balconies, by a maximum of 1.8 metres;
  - (ii) a canopy associated with the main pedestrian entrance to the **building** including structural supports, is permitted to project a maximum of 8.0 metres, provided no portion of the canopy is located closer than 3.8 metres from the Road Widening as shown on Diagram 5 of By-law [Clerks to insert By-law number];
  - (iii) decks, porches, terraces, exterior stairs, enclosed stairs, access

ramps, guard rails, railings, elevating devices, provided such elements are a minimum of 2.0 metres from the **rear lot line**, 2.0 metres from the lands shown as “Potential Parkland Dedication to the City or Landscaping” on Diagram 5 of By-law [Clerks to insert By-law number], 7.0 metres from the northerly **side lot line**, and 3.0 metres from the “Road Widening” as shown on Diagram 5 of By-law [Clerks to insert By-law number] with the exception that:

- (a) exterior stairs and railings may be a minimum of 0.5 metres from the “Road Widening”;
- (b) enclosed stairs may be a minimum of 0.7 from the **rear lot line**;
- (c) one set of enclosed stairs may be a minimum of 1.2 metres from the lands shown as “Potential Parkland Dedication to the City or Landscaping”, provided such enclosed stairs are a minimum of 10.0 metres from the “Road Widening” and 2.0 metres from the **rear lot line**, where such enclosed stairs have a maximum height of 3.3 metres measured from **average grade** and a maximum length of 8.3 metres measured parallel to the lands shown as “Potential Parkland Dedication to the City or Landscaping”;
- (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.15 metres;
- (v) architectural features, such as a pilaster, decorative column, cornice, eaves, sill, belt course, or chimney breast, by a maximum of 0.6 metres;
- (vi) air conditioners, satellite dishes, antennae, by a maximum of 1.0 metres; and
- (vii) planters, landscaping features, patios, trellises, flag poles, pergolas, **structures** and elements used for open air recreation and **amenity space**, structures providing safety or wind protection, transformers, utility meters, parapets, vents and pipes provided that:
  - (a) utility metres and vents must be setback a minimum of 3.0 metres from the “Road Widening” shown on Diagram 5 of By-law [Clerks to insert By-law number];
  - (b) a transformer must be setback a minimum 1.5 metres from the “Road Widening” shown on Diagram 5 of By-law [Clerks

to insert By-law number];

- (c) patios must be setback a minimum of 2.0 metres from the “Road Widening” shown on Diagram 5 of By-law [Clerks to insert By-law number] and setback a minimum of 7.0 metres from the northerly **side lot line**;
  - (d) **structures** and elements used for open air recreation and **amenity space** and, **structures** providing safety or wind protection must be setback a minimum of 3.0 metres from the “Road Widening” shown on Diagram 5 of By-law [Clerks to insert By-law number] and the northerly **side lot line**;
- (U) Despite Regulation 5.10.1.30.(3) a **dwelling unit** may be located below **established grade**, provided that the **dwelling unit** is not entirely below the level of the finished ground surface adjacent to the **dwelling unit**.
- (V) Despite Regulations 10.5.50.10(4) and (5) and 150.50.50.10(1) with respect to **landscaping**:
  - (i) a minimum of 40% of the **lot**, excluding the area of the “Road Widening” and the “Potential Parkland Dedication to the City or Landscaping” as shown on Diagram 5 of By-law [Clerks to insert By-law number], must be provided as **landscaping**;
  - (ii) a minimum of 50% of the **landscaping** required by (i) above must be provided as **soft landscaping**; and
  - (iii) the area of a **platform** provided within the “Platform” hatched area shown on Diagram 5 of By-law [Clerks to insert By-law number] may be included within the area provided as **landscaping**;
- (W) Regulation 150.50.50.10(2) with respect to **driveway** access across a **landscaping** area, does not apply.
- (X) Despite Clause 10.5.60.40:
  - (i) the height of **ancillary buildings** or **structures** is the distance between **established grade** and the highest point of the **building** or **structure**; and
  - (ii) The permitted maximum height of **ancillary buildings** or **structures** is 4.0 metres.
- (Y) Despite Regulations 10.5.80.1(1), 200.5.1.10(10) and 200.5.10.1(1), Table 200.5.10.1 and Regulation 200.10.1(2), **parking spaces** must be provided and maintained on the **lot** in accordance with the following:

- (i) a minimum of 0.16 **parking spaces** for each **dwelling unit** for residential occupants;
  - (ii) **parking spaces** for residential occupants of the **building** may be provided at a maximum rate of:
    - (a) 0.8 **parking spaces** for each bachelor **dwelling unit** up to 45 square metres and 0.9 for each bachelor **dwelling unit** greater than 45 square metres;
    - (b) 0.9 **parking spaces** for each one bedroom **dwelling unit**;
    - (c) 1.0 **parking spaces** for each two bedroom **dwelling unit**; and
    - (d) 1.2 **parking spaces** for each three or more bedroom **dwelling unit**;
  - (iii) a minimum of 2.0 **parking spaces** plus 0.05 **parking spaces** for each **dwelling unit** for residential visitors;
  - (iv) **parking spaces** for residential visitors may be provided at a maximum rate of 1.0 **parking space** for the first five **dwelling units** and 0.1 **parking spaces** per **dwelling unit** thereafter;
  - (v) a minimum of 2.5 **parking spaces** per 100.0 square metres of **gross floor area** for non-residential uses;
  - (vi) **parking spaces** for non-residential uses may be provided at a maximum rate of 6.0 **parking spaces** per 100.0 square metres of **gross floor area**;
  - (vii) **parking spaces** provided for residential visitors and non-residential uses in accordance with (iii) to (vi) above, may be shared and provided on a non-exclusive basis;
- (Z) Regulation 10.5.80.1(2)(B) does not apply to an **ancillary** outdoor area used for the parking of **vehicles**;
- (AA) In addition to Regulations 10.5.80.10(9) and (10), a **parking space** may be used for the parking of commercial **vehicles** operated in connection with a **place of worship, day nursery or community centre**, and such **vehicles** may be parked in a **parking space** outside of the **building**;
- (BB) Despite Regulation 10.5.100.1(4)(B), there is no maximum width for a **driveway**, provided the portion of a **driveway** within 6.0 metres of a **street** does not exceed a width of 6.0 metres.



- (CC) Despite regulation 200.5.1.10(2), a maximum of 10 percent of the provided **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**;
- (DD) Despite regulation 200.5.1.10(12)(B), within 10.0 metres of a **vehicle** entrance to a **building**, a one-way **driveway** into and out of a **building** must have a minimum width of 3.0 metres.
- (EE) Despite Regulations 200.15.1(1) and (3), accessible **parking spaces** 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; and
  - (iv) The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (FF) Despite Regulation 200.15.1(4), accessible **parking spaces** may be within 40 metres of a barrier free entrance to a **building** or passenger elevator that provides access to the first **storey** of the **building**, provided a minimum of 50% of the required accessible **parking spaces** are provided within 20 metres of such entrance;
- (GG) Despite Regulations 220.5.1.10(5) a **loading space** provided for residential uses on the **lot** may be shared with other uses on the **lot**;
- (HH) Despite Regulation 230.5.1.10(9)(B), a required “long-term” **bicycle parking space** for a **dwelling unit** may be located:
  - (i) On the first **storey** of a **building**;
  - (ii) On the second **storey** of a **building**;
  - (iii) And in the **basement** of a **building**;
- (II) Despite Regulation 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (JJ) Despite Regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **stacked bicycle parking space** is 0.5 metres; and

- (KK) Regulation 230.20.1.20(2) does not apply and despite Regulation 230.5.1.10(6), both “long-term” and “short-term” **bicycle parking spaces** may be located in the **building** and in a secured room, enclosure or bicycle locker, or may be located in a dedicated area exterior to the **building**, on the **lot**.

Prevailing By-laws and Prevailing Sections: None Apply

8. Despite any severance, partition, division or parkland dedication of the lands shown on Diagram 1 of By-law [Clerks to insert By-law number], the provisions of this By-law shall apply to the whole of such lands as one **lot**, 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 temporary sales or leasing office on the **lot**, used exclusively for the initial sale and/or initial leasing of **dwelling units** 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 City has received, reviewed and accepted an engineering submission (comprised of a Servicing Report and Sanitary Analysis Report and supporting documents/drawings) demonstrating that the City requirements can be met and sufficient capacity exists to accommodate the proposed development, all to the satisfaction of the Chief Engineer and Executive Director Engineering and Construction Services; and,
  - (ii) Should the engineering submission identify the need for upgrades or improvements to existing municipal infrastructure, and/or new municipal services, those upgrades, improvements and/or new services shall be designed and financially secured through an appropriate development agreement(s), all to the satisfaction of the

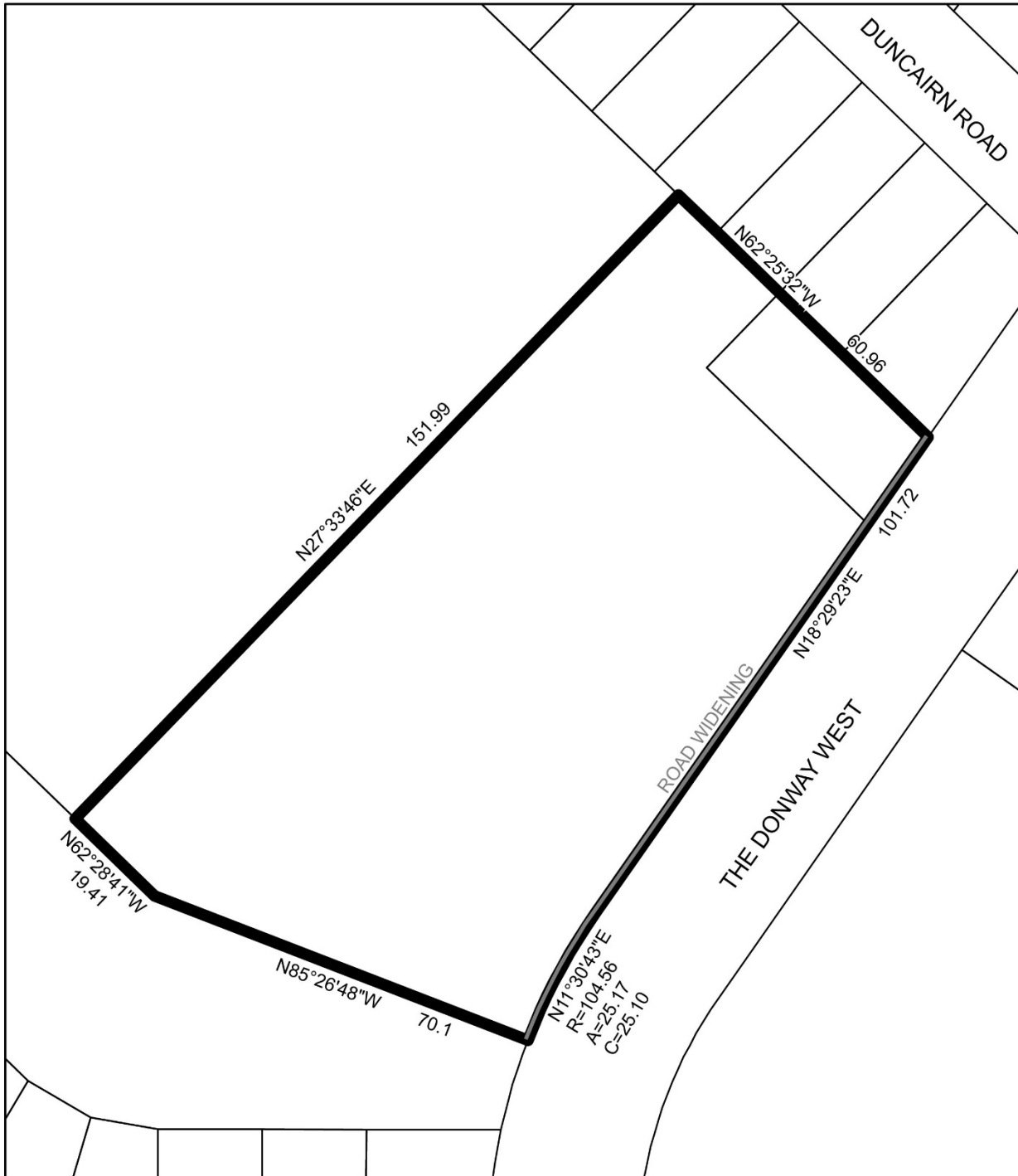
Chief Engineer and Executive Director, Engineering and  
Construction Services.

Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)



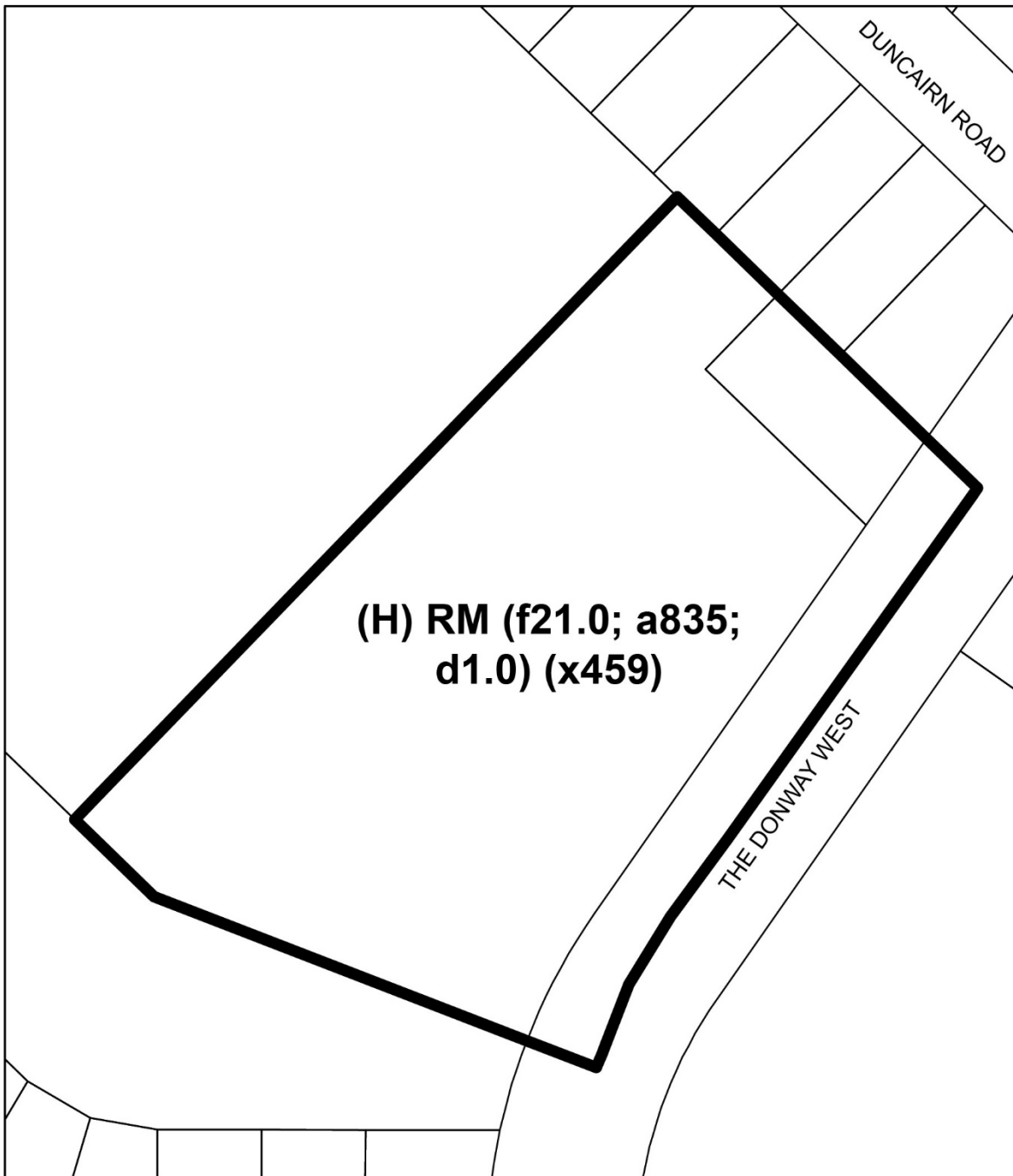
**Toronto**  
Diagram 1

**230-240 The Donway West**

File # 22 124524 NNY 16 0Z

0.4 metre road widening

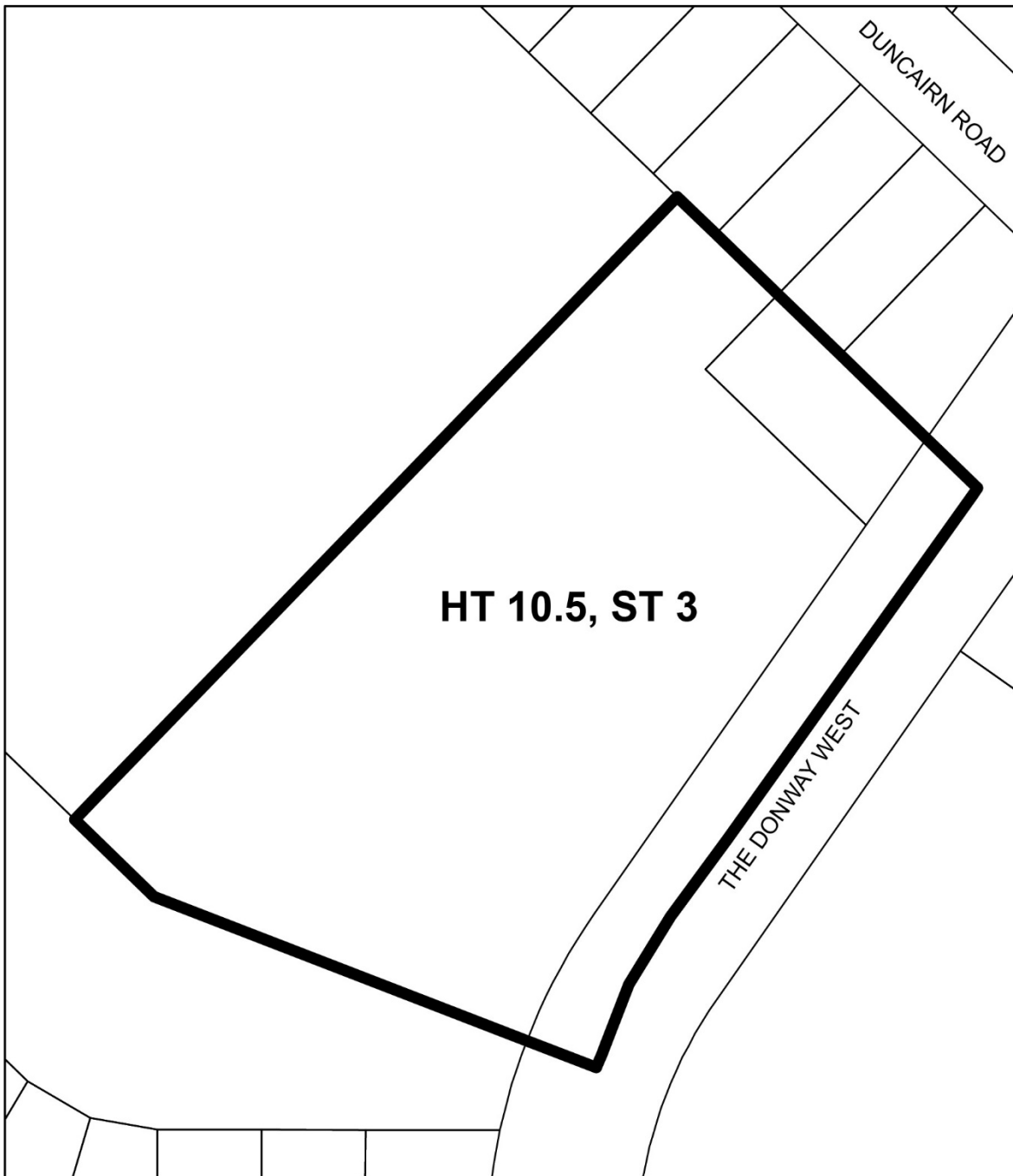




 **TORONTO**  
Diagram 2

**230-240 The Donway West**

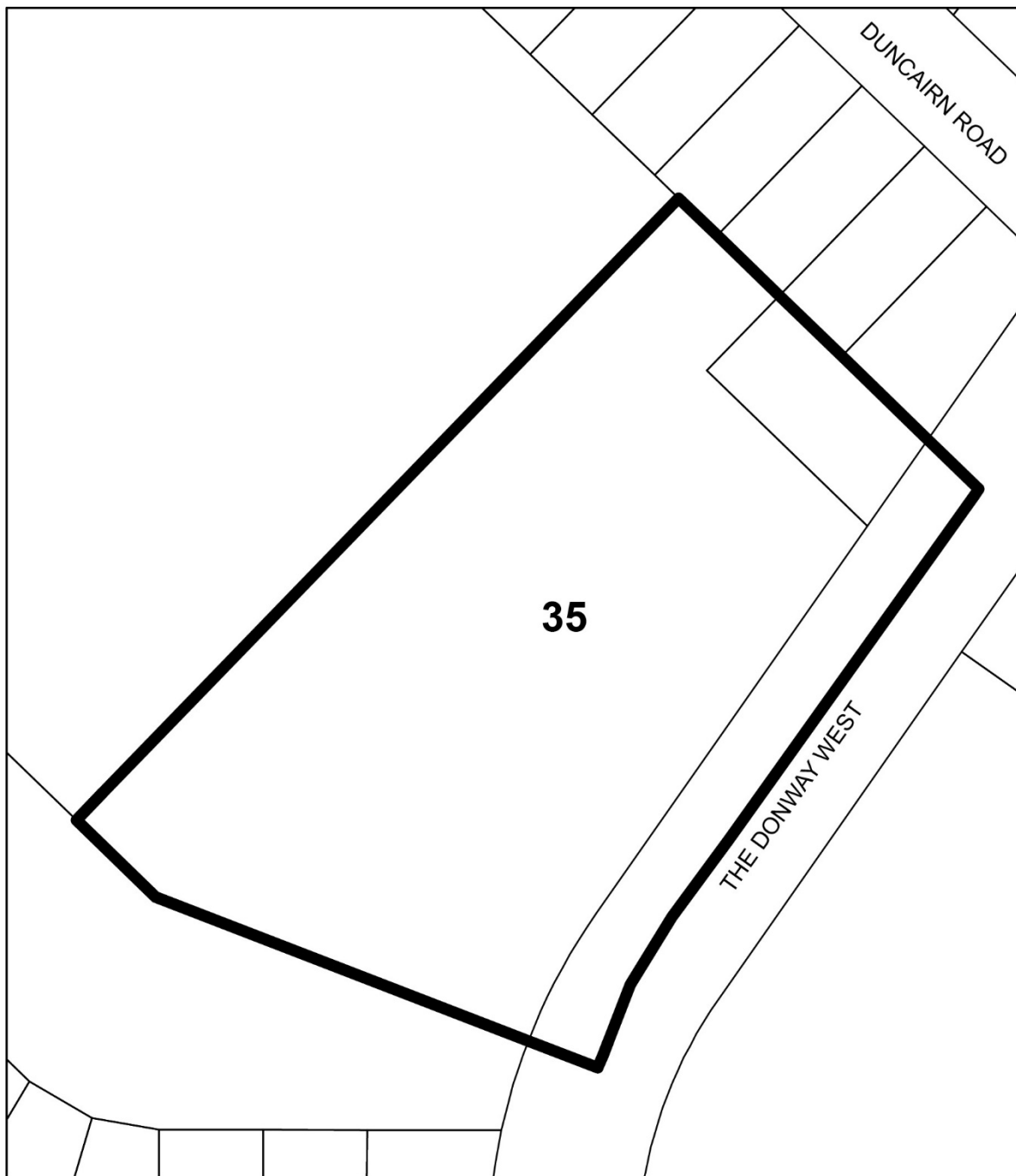
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 **TORONTO**  
Diagram 3

230-240 The Donway West

File # 22 124524 NNY 16 02



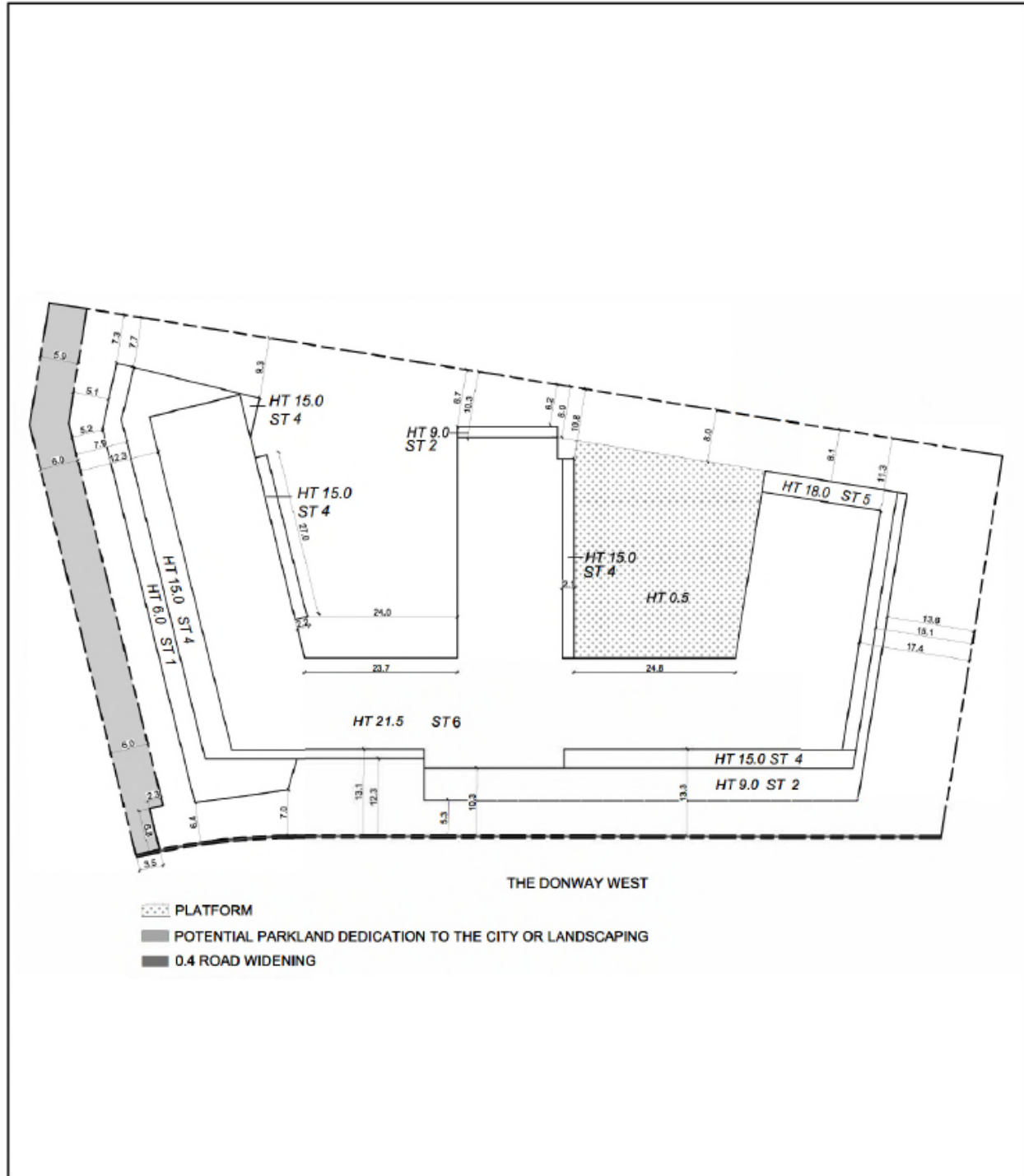
 **TORONTO**  
Diagram 4

230-240 The Donway West

File # 22 124524 NNY 16 0Z



City of Toronto By-law 569-2013  
Not to Scale  
10/11/2024



**Toronto**  
Diagram 5

230-240 The Donway West

File # 22 124524 NNY 16 02