

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 87 Ethel Avenue.

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

Where as Site and Area Specific Policy 537 requires the provision of ten per cent of the residential units as affordable housing;

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 amending the boundaries of the zone label E1.0 (x285) on the Zoning By-law Map in Section 990.10 to apply to the lands outlined by heavy black lines with a zone label of E1.0 (x285) as identified on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding new zone labels on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines for the new zone labels identified on Diagram 2 attached to this By-law, as follows:

- (A) (H) CR 2.0 (c 1.0, r 1.0) SS2 (x1065); and
- (B) OR.

5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1065 so that it reads:

1065 Exception CR 1065

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 87 Ethel Avenue, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **mixed use building** may be constructed, used or enlarged in compliance with Regulations (B) to (V) below;
- (B) For the purpose of this exception, each word or expression that is in bold 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) "Building 1" and "Building 2" means the **buildings** shown on Diagram 3 of By-law [Clerks to insert By-law number];
 - (ii) "Tower A" and "Tower B" means the portions of Building 1 as identified on Diagram 3 of By-law [Clerks to insert By-law number];
 - (iii) "Tower C" and "Tower D" means the portions of a Building 2 as identified on Diagram 3 of By-law [Clerks to insert By-law number];
- (C) A rail safety crash wall must be provided along the entire south property line;
- (D) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum and the elevation of the highest point of the **building** or **structure** as follows:
 - (i) 121.25 metres for Tower A;
 - (ii) 121.25 metres for Tower B;
 - (iii) 121.30 metres for Tower C; and

- (iv) 121.30 metres for Tower D;
- (E) Despite 40.5.40.10(8), for the purposes of this exception, a "tower" is the portions of a **building** which collectively enclose the entirety of a **storey** higher than 22.0 metres above the respective Canadian Geodetic Datum referred to in (C) above, and where the maximum gross construction area of each **storey** is 750 square metres, measured from exterior of the **main walls** of each floor level located above a height of 22.0 metres, excluding balconies, and applies to Tower A, Tower B, Tower C and Tower D;
- (F) 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" on Diagram 4 and Diagram 5 of By-law [Clerks to insert By-law number];
- (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 and Diagram 5 of By-law [Clerks to insert By-law number];
- (H) 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 and 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 7.5 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 including 1.5 metres parapets above the mechanical penthouse;
 - (iii) architectural features, 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 2.5 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 2.0 metres;
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or

wind protection to rooftop **amenity space**, by a maximum of 3.0 metres; and

(viii) rail safety crash walls;

(I) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 102,399 square metres, of which:

(i) the permitted maximum **gross floor area** for residential uses is 95,232 square metres;

(ii) the required minimum **gross floor area** for non-residential uses is 7,168 square metres, provided that;

(a) for Building 1, there is a minimum of 2,230 square metres of **gross floor area** for non-residential uses; and

(b) for Building 2, there is a minimum of 4,938 square metres of **gross floor area** for non-residential uses; and

(c) the **gross floor area** devoted to **home occupation** and live work units is not to be count towards the required minimum non-residential **gross floor area** as noted in (I)(ii)(a) and (I)(ii)(b) above;

(J) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:

(i) For Building 1, at least 2.1 square metres for each **dwelling unit** as indoor **amenity space** ;

(ii) For Building 2, at least 2.2 square metres for each **dwelling unit** as indoor **amenity space** ;

(iii) for Building 1, at least 1.9 square metres of outdoor **amenity space** for each **dwelling unit** of which 50 square metres must be in a location adjoining or directly accessible to the indoor **amenity space** required for Building 1;

(iv) For Building 2, at least 1.8 square metres of outdoor **amenity space** for each **dwelling unit** of which 100 square metres must be in a location adjoining or directly accessible to the indoor **amenity space** required for Building 2;

(K) Despite Regulations 40.10.40.70(2) and 40.10.40.80(2), the required minimum **building setbacks** and required minimum separation distance between **main walls** of **buildings** are as shown, in metres, on Diagram 4

and Diagram 5 of By-law [Clerks to insert By-law number];

- (L) Despite Clause 40.10.40.60 and (K) above, the following elements may encroach into the required **building setbacks** and **main wall** separation distances as follows:
- (i) decks, porches, and balconies, by a maximum of 1.9 metres;
 - (ii) canopies and awnings, by a maximum of 2.5 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.8 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.8 metres;
 - (vi) window projections, including bay windows and box windows, by a maximum of 0.8 metres;
 - (vii) eaves, by a maximum of 0.8 metres;
 - (viii) a dormer, by a maximum of 0.8 metres;
 - (ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 0.8 metres; and
 - (x) rail safety crash walls;
- (M) Despite regulation 970.10.15.5(5) and Table 970.10.15.5, **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 0.5 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in a **mixed use building**; and
 - (ii) a minimum of 0.1 residential visitor and non-residential uses **parking spaces** for each **dwelling unit**;
- (N) Despite regulation 200.15.1(4), the nearest point of an accessible parking space, where such a point is adjacent to a drive aisle, must be located along a path that is not more than 20 metres of a barrier free entrance to a building or passenger elevator that provides access to the first storey of a building. The path may include doors or overhead doors, but must not be

obstructed by parking spaces, bicycle parking spaces, walls, fences, parking curbs, and other immovable structures or fixtures;

- (O) Despite Regulation 220.5.10.1(2), (3), (4), and (5), **loading spaces** must be provided in accordance with the following:
 - (i) a minimum of two (2) Type 'G' **loading spaces** must be provided for Building 1; and
 - (ii) a minimum of two (2) Type 'G' **loading spaces** must be provided for Building 2;
- (P) Despite Regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **bicycle parking space** is:
 - (i) width of 0.4 metres;
- (Q) Despite regulation 230.5.1.10(7), a minimum of 1 shower and change facilities for each gender must be provided in each **mixed use building**;
- (R) Despite regulations 970.30.15.5, 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) 0.2 "short-term **bicycle parking spaces** for each **dwelling unit**;
 - (iii) 3 "long term" **bicycle parking spaces** plus 0.2 "long term" **bicycle parking spaces** for each 100 square metres of **interior floor area** for all non-residential uses; and
 - (iv) 0.2 "short-term" **bicycle parking spaces** for each 100 square metres of **interior floor area** for all non-residential uses;
- (S) Despite regulation 230.90.15.2 (1), a **bicycle maintenance facility** must be provided in each **mixed use building**;
- (T) Despite 230.5.1.10(10), a "short-term" **bicycle parking space** may be located in a **stacked bicycle parking space**.
- (U) The maximum number of **dwelling units** is 1,409;
- (V) The provision of **dwelling units** in each of Building 1 and Building 2 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; and
- (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above.

Prevailing By-laws and Prevailing Sections: None Apply

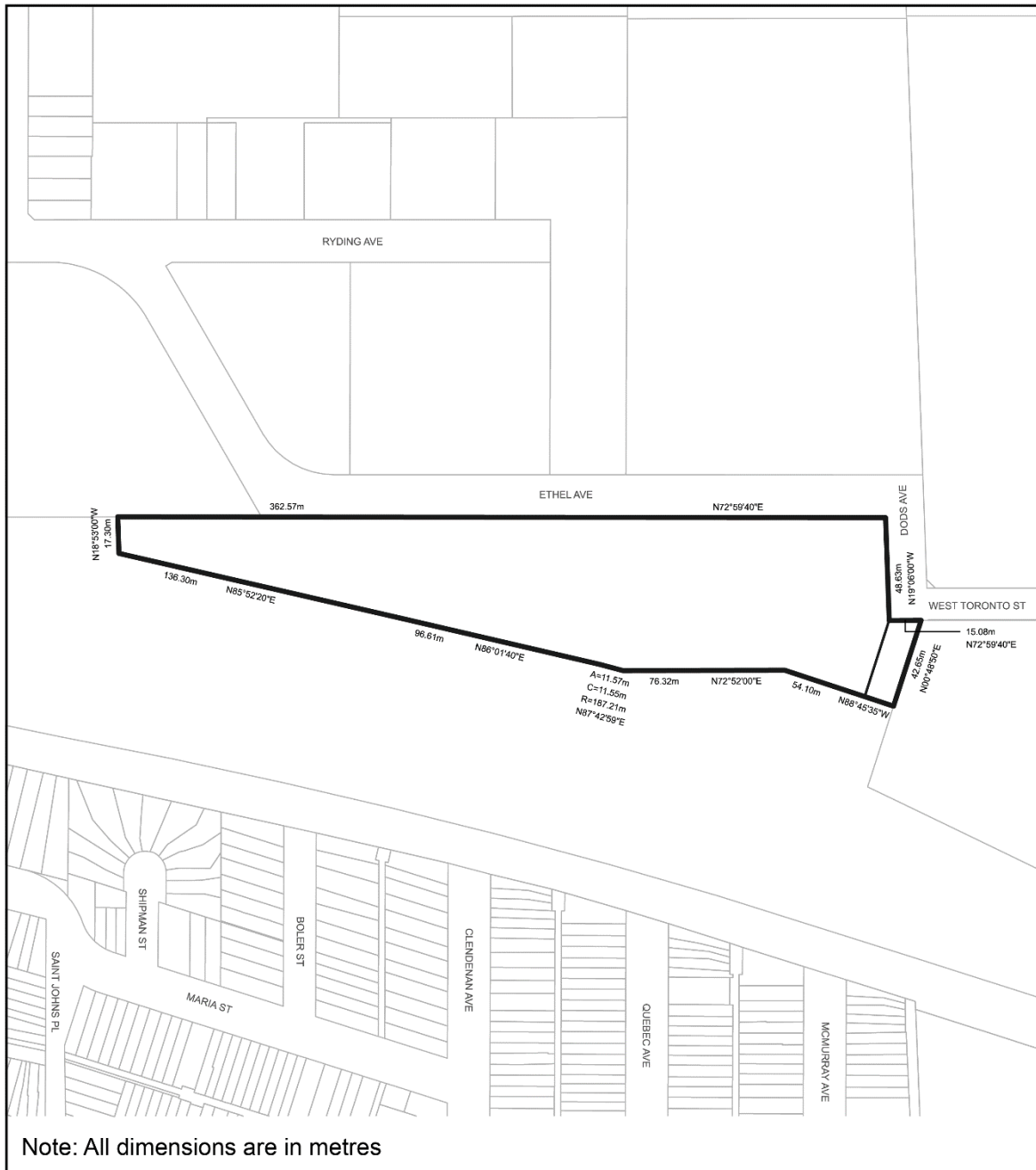
6. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
7. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law 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 conditions have been fulfilled:
 - (i) The owner has, at their sole cost and expense, entered into an agreement with the City, to construct (or cause the construction of), provide, and maintain on the Lands, in multiple new buildings on the Lands, at least 10% of the dwelling units as affordable rental housing units, on such terms and conditions satisfactory to the Chief Planner and Executive Director, City Planning, with such agreement registered on title to the lands in priority and in a manner satisfactory to the City Solicitor; and
 - (ii) The owner shall register a restriction pursuant to section 118 of the Land Titles Act agreeing not to transfer or charge the lands, comprising the affordable rental housing units, without the written consent of the Chief Planner and Executive Director, City Planning, or their designate, to ensure obligations in the agreement in (i) above continue to secure the affordable rental housing units, concurrent with, or prior to, the registration of the agreement in (i) above, in a manner satisfactory to the City Solicitor.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

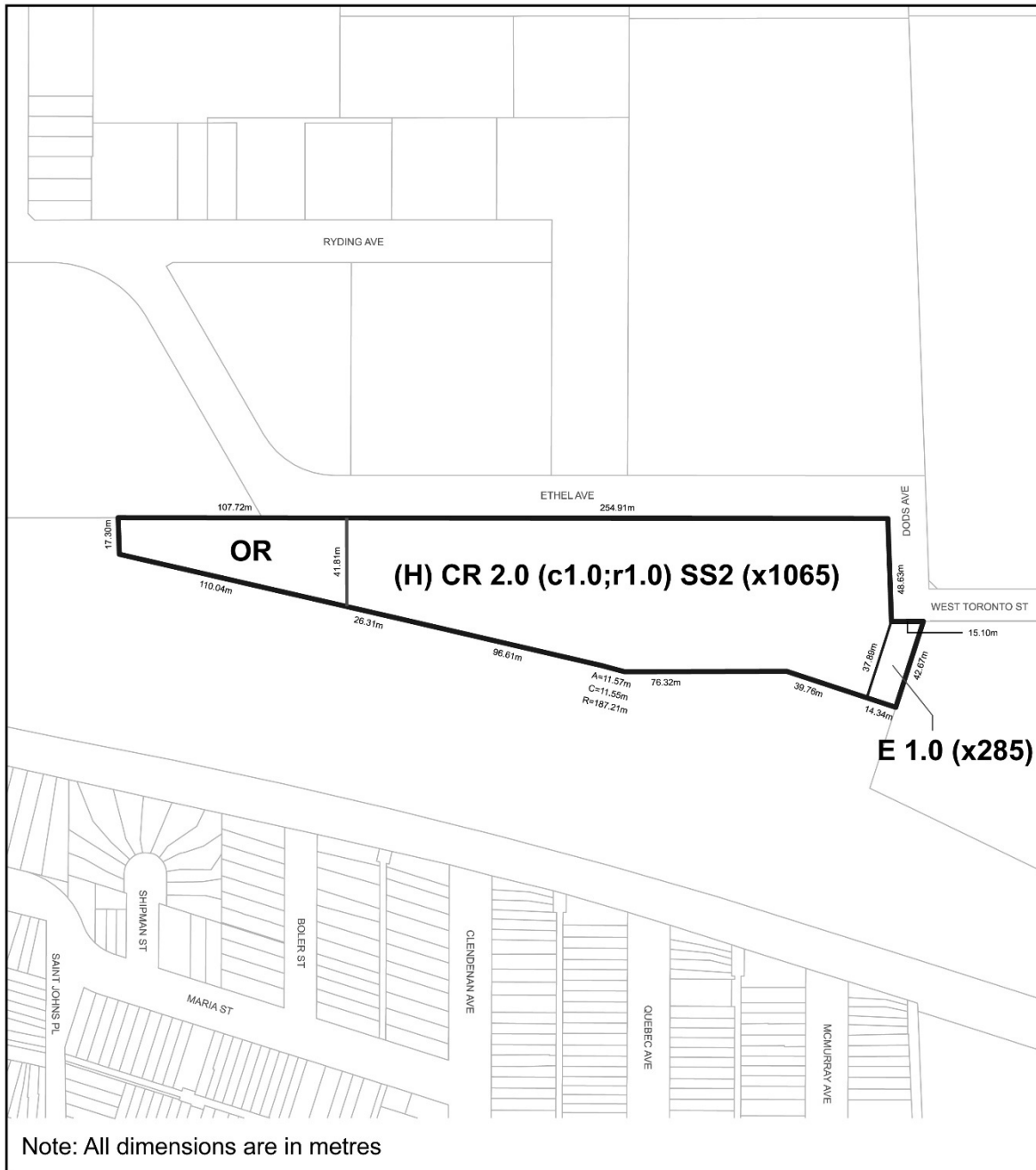


Toronto
Diagram 1

87 Ethel Avenue

File # 16 271272 WET 11 0Z

City of Toronto By-law 569-2013
Not to Scale
12/23/2024

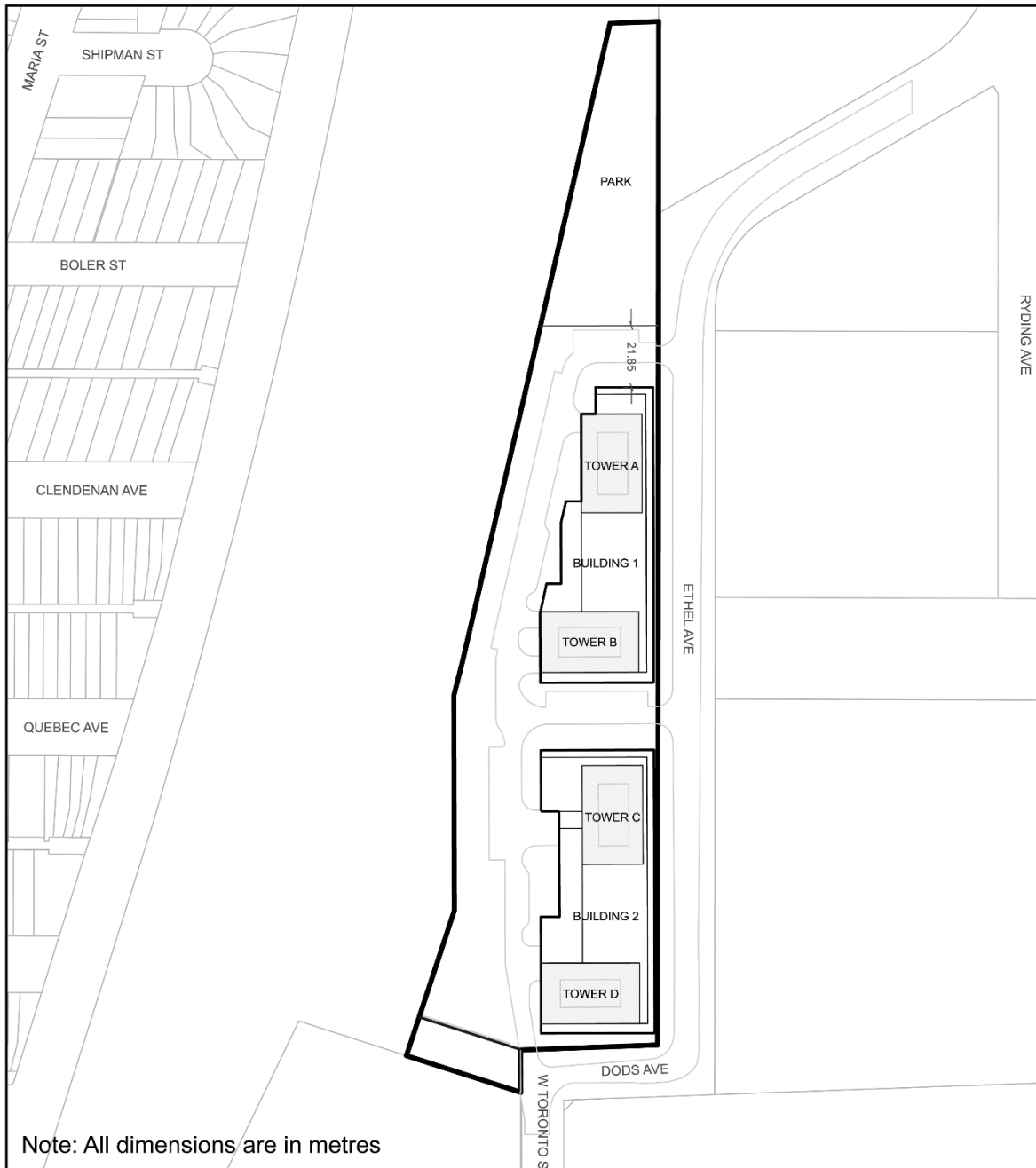


Toronto
Diagram 2

87 Ethel Avenue

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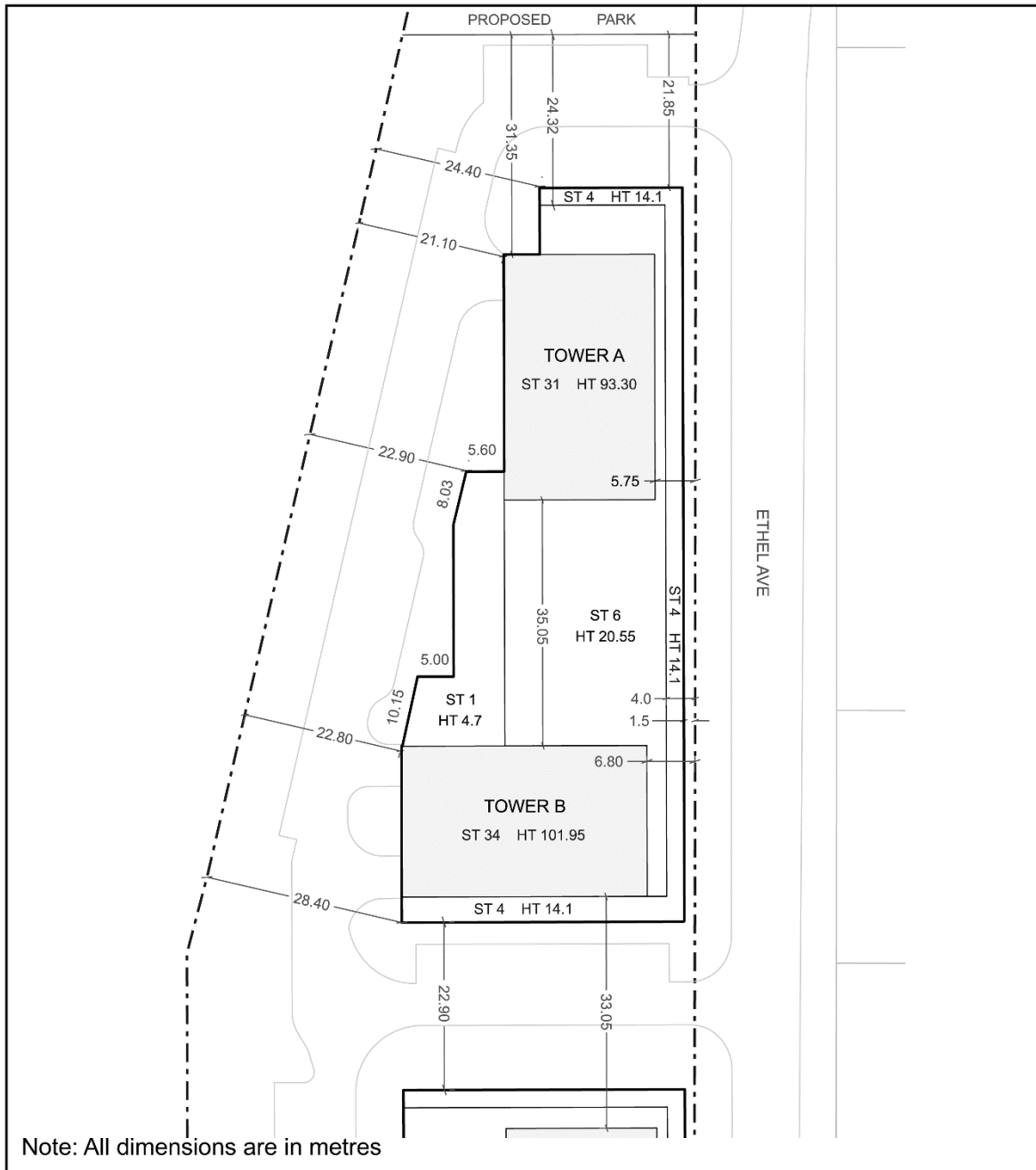
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Not to Scale
12/23/2024



TORONTO
Diagram 3

87 Ethel Avenue

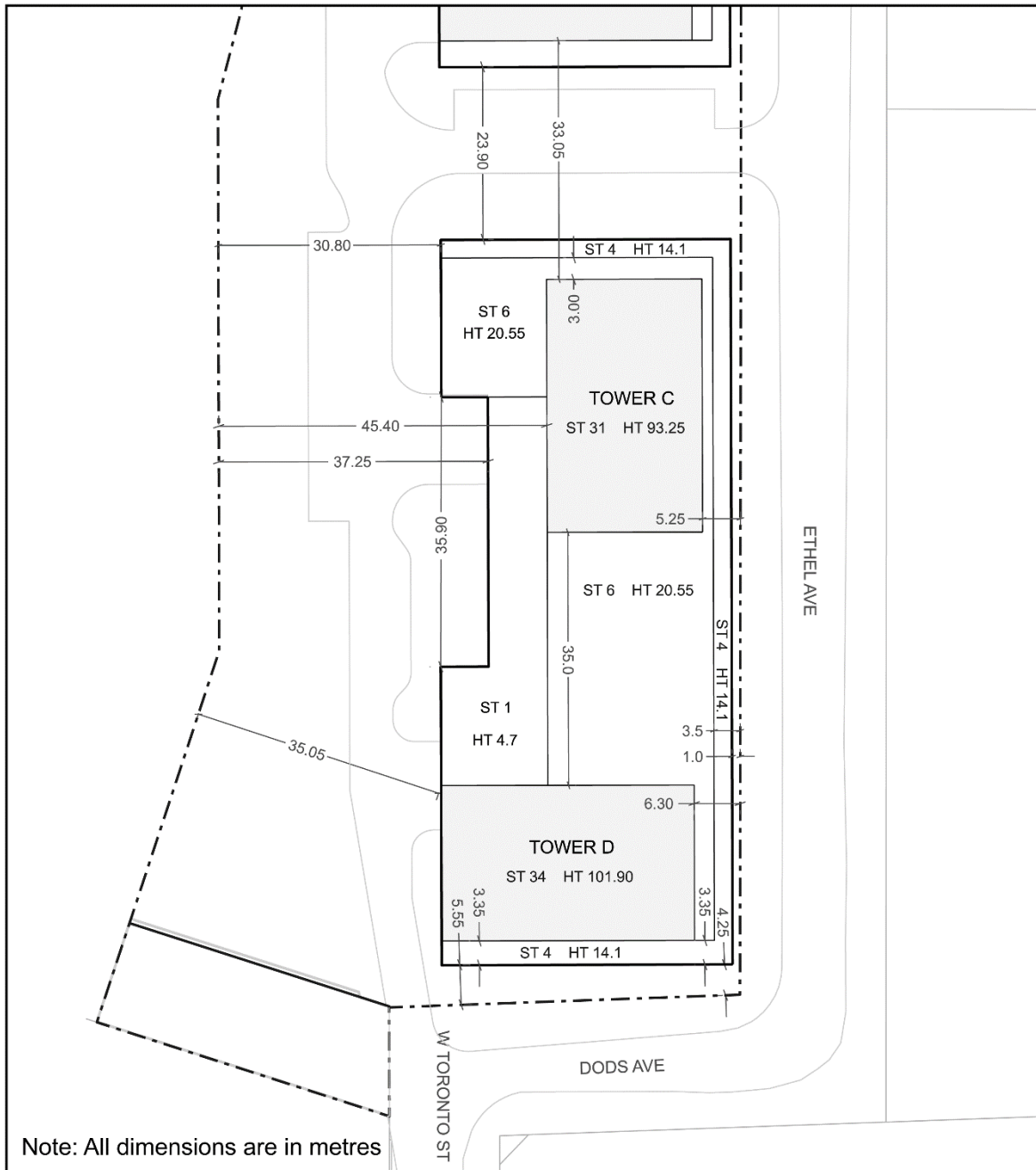
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TORONTO
Diagram 4

87 Ethel Avenue

File # 16 271272 WET 11 0Z



TORONTO
Diagram 5

87 Ethel Avenue

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