

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 2024 as 2335 St. Clair 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 990.10, and applying the following zone label to these lands: (H) CR 3.0 (c1.0; r2.5) SS2 (x1162) 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 20.0 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 no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number CR (x1162) so that it reads:

(1162) Exception CR (x1162)

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 2335 St. Clair 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 (N) below;
- (B) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 121.58 metres and the elevation of the highest point of the **building** or **structure**;
- (C) 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];
- (D) Despite regulations 40.5.40.10(3) to (8) and (C) 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 5.0 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 5.0 metres;
  - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.2 metres;

- (iv) **building** maintenance units and window washing equipment, by a maximum of 2.0 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 5.0 metres; and
  - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (E) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 5,600 square metres;
- (F) Despite regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) at least 2.18 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 1.82 square metres of outdoor **amenity space** for each **dwelling unit** of which 60 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
  - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (G) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];
- (H) 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];
- (I) Despite Clause 40.10.40.60 and Regulations (G) and (H) 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 1.5 metres;
  - (ii) terraces on levels 9 and 10, by a maximum of 2.25 metres;
  - (iii) canopies and awnings, by a maximum of 1.5 metres;

- (iv) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
  - (v) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.2 metres;
  - (vi) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.6 metres;
  - (vii) window projections, including bay windows and box windows, by a maximum of 0.2 metres;
  - (viii) eaves, by a maximum of 0.3 metres;
  - (ix) a dormer, by a maximum of 0.3 metres; and
  - (x) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 0.3 metres;
- (J) Despite regulations 200.15.1(1) and (3), an accessible **parking space** must comply with the following:
- (i) minimum length of 5.6 metres;
  - (ii) minimum width of 3.4 metres;
  - (iii) minimum vertical clearance for each **parking space** is 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;
- (K) Despite regulation 200.15.10.10(1), one accessible **parking space** is required;
- (L) Despite regulation 230.5.1.10 (4) a **bicycle parking space** must comply with the following:
- (i) minimum length of 1.8 metres;
  - (ii) minimum width of 0.46 metres; and
  - (iii) minimum vertical clearance for each **bicycle parking space** is 1.2 metres;
- (M) The provision of **dwelling units** is subject to the following:

- (i) a minimum of 40 percent of the total number of **dwelling units** must have 2 or more **bedrooms**; and
- (ii) a minimum of 8 percent of the total number of **dwelling units** must have 3 or more **bedrooms**;
- (N) Regulation 40.10.50.10(3) regarding a required **soft landscaping** strip does not apply.

Prevailing By-laws and Prevailing Sections:

(None Apply).

8. 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.

9. 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 owner or applicant, at their sole cost and expense has submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review, Development Review.
  - (ii) The Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
    - (a) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering

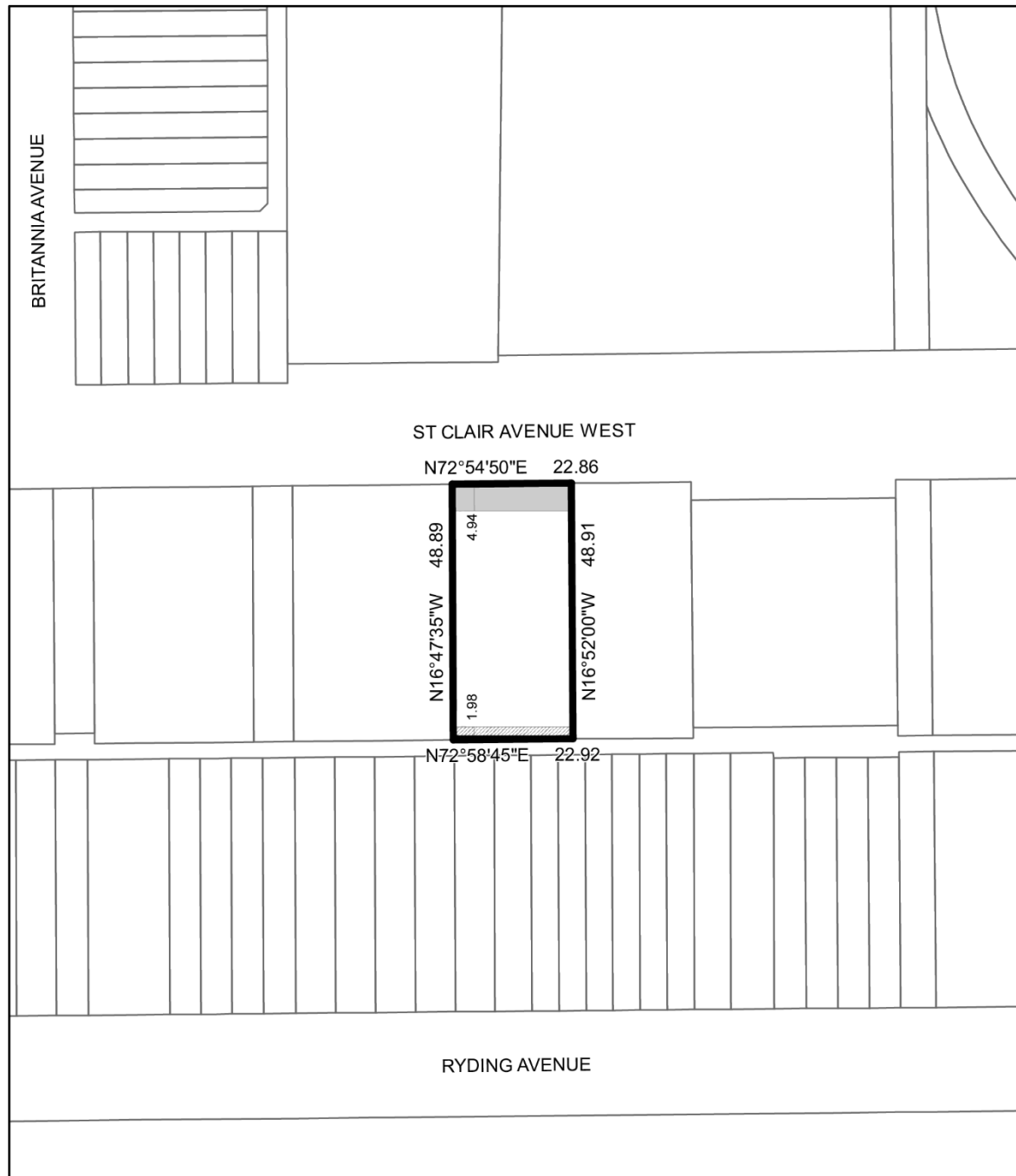
- Review, Development Review.  
or,
- (b) required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report in (a) above are constructed and operational, all to the satisfaction of the Director, Engineering Review, Development Review.
  - (iii) All necessary approvals or permits arising from 9(B)(ii)(a) or 9(B)(ii)(b) above are obtained, where required all to the satisfaction to the Director, Engineering Review, Development Review;
  - (iv) A peer review of the Air Quality Assessment submitted by the Owner for the development is completed to the satisfaction of the Executive Director, Development Review;
  - (v) A peer review of the Compatibility Mitigation Study submitted by the Owner for the development is completed to the satisfaction of the Executive Director, Development Review;
  - (vi) A peer review of the Noise and Vibration Study submitted by the Owner for the development is completed to the satisfaction of the Executive Director, Development Review.

Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)



 **TORONTO**  
Diagram 1

**2335 ST CLAIR AVENUE WEST**

File #: 24 117894 WET 05 02

 1.98 metre lane widening  
 4.94 metre road widening

  
City of Toronto By-law 569-2013  
Not to Scale  
08/05/2025



 **TORONTO**  
Diagram 2

**2335 ST CLAIR AVENUE WEST**

File #: 24 117894 WET 05 02



**Toronto**  
Diagram 3

**2335 ST CLAIR AVENUE WEST**

File #: 24 117894 WET 05 02

