

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 2345 Finch Avenue West and 3415-3499 Weston Road (Phases 3 and 4).

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

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: CR 2.5 (c2.5; r2.5) SS2 (x1178) and O 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 the following Policy Area label to these lands: PA4 as shown on Diagram 3 attached to this By-law.
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 and applying the following Parking Zone Area label to these lands: Parking Zone A as shown on Diagram 4 attached to this By-law.

8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1178 so that it reads:

(1178) Exception CR (1178)

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 2345 Finch Avenue West and 3415-3499 Weston Road, 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 (FF) below;
- (B) Despite Regulation 5.10.30.20(1), the **front lot line** is the **lot line** running parallel to Weston Road;
- (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 of 149.86 metres and the elevation of the highest point of the **building** or **structure**;
- (D) 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 5;
- (E) Despite Regulations 40.5.40.10(3) to (8), in addition to (D) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building** shown on Diagram 5:
 - (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) despite (i) and (ii) above, for the **building** identified as Building E on Diagram 5, those elements listed in (i) and (ii) above, by a maximum of 13.0 metres;

- (iv) **building** maintenance units, lightning protection rods, and window washing equipment may project above the height limits, by a maximum of 5.0 metres;
 - (v) cabanas, pergolas, trellises, privacy screens and fences, and unenclosed **structures** providing safety or wind protection to rooftop terraces or outdoor **amenity space**, by a maximum of 4.0 metres;
 - (vi) planters, **landscaping** features, vents, stacks, lighting fixtures, guard rails, balustrades, privacy and decorative screens, terrace dividers, fences, exterior stairs, roof drainage features and terrace walls, by a maximum of 2.0 metres;
 - (vii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres; and
 - (viii) **structures** and elements related to outdoor flooring and roofing assembly features, by a maximum of 0.5 metres;
- (F) In addition to the elements listed in regulation 40.5.40.40(3) and (5), the **gross floor area** of a **mixed use building** and an **apartment building** is also reduced by the areas in a **building** used for:
- (i) Bicycle parking at or above-ground;
 - (ii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms, and mechanical risers and shafts at or above-ground, except where such areas are located within a **dwelling unit**; and
 - (iii) **amenity space** exceeding the amount required by this By-law;
- (G) Despite Regulation 40.10.20.100(7)(A), **public parking** may be located at or above-ground;
- (H) Despite Regulation 40.10.40.1(1)(C)(ii), **dwelling units** may be provided on the first **storey** of Building E as shown on Diagram 5, and access to such **dwelling units** may be provided from a pedestrian connection to a **street**;
- (I) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey** is 4.5 metres measured from the floor of the first **storey** to the ceiling of the first **storey** and shall only apply to non-residential uses

- (J) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 163,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 159,500 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 3,500 square metres.
- (K) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 5;
- (L) Despite Clause 40.10.40.60 and (K) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) outdoor **amenity space**, porches, terraces, decks, associated **landscaping**, fences, screens, stairs and other **structures**, planters, light fixtures, guards, handrails, building signage, bike parking, and retaining walls;
 - (ii) ventilation shafts, maintenance access holes, sampling ports, gas meters and enclosures, fire department connections;
 - (iii) balconies by a maximum of 1.5 metres;
 - (iv) canopies and awnings, by a maximum of 3.0 metres;
 - (v) exterior stairs, access ramps and elevating devices, by a maximum of 2.5 metres;
 - (vi) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.5 metres;
 - (vii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.5 metres; and
 - (viii) window projections, eaves, air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres.
- (M) A " Privately Owned Publicly Accessible Open Space" or "POPS" with a minimum area of 4,600 square metres must be provided generally within the shaded area as shown on Diagram 6;
- (i) For the purpose of this exception, " Privately Owned Publicly

Accessible Open Space" or "POPS" means a space on the **lot** situated at ground level generally within the hatched area shown on Diagram 6 that is accessible to the public, secured through appropriate legal agreements 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;

- (N) Regulation 40.10.40.80(2) shall not apply to inset balconies;
- (O) Despite Regulation 40.10.90.40(1), **loading spaces** may be accessed from Finch Avenue West and from Zappacosta Drive;
- (P) Despite Regulation 40.10.100.10(1)(B), **vehicle** access is permitted from Finch Avenue West and from Zappacosta Drive;
- (Q) Despite Regulation 40.10.100.10(1)(C), up to two **vehicle** accesses are permitted;
- (R) Despite Regulation 200.5.1.10(2)(A), up to 10 percent of the provided **parking spaces** may be small car or obstructed **parking spaces**:
 - (i) For the purposes of this exception, small car **parking spaces** may have the following minimum dimensions
 - (a) length of 5.2 metres;
 - (b) width of 2.4 metres; and
 - (c) vertical clearance of 2.0 metres.
 - (ii) For the purposes of this exception, obstructed **parking spaces** may be obstructed on one or both sides, and need not be increased by 0.3 metres for each side of the **parking space** that is obstructed;
- (S) Despite Regulations 200.5.1.10(2)(D), electric **vehicle** infrastructure, including electrical **vehicle** supply equipment or an **energized outlet**, does not constitute an obstruction to a **parking space**;
- (T) Clause 200.5.10.1(1), regarding general **parking space** rates, does not apply;
- (U) 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.
- (V) Despite Clause 200.15.10.5 and 200.15.10.10, a minimum of fourteen of the provided **parking spaces** on the lot are required to be accessible **parking spaces**;
- (W) Despite Regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a minimum 1.5 metre wide accessible barrier free aisle or path on one side of the accessible **parking space**;
- (X) Despite Regulation 200.15.1(4), accessible **parking spaces** must be located within 30 metres of a barrier free entrance to the **building** or passenger elevator that provides access to the **first floor** of the **building**;
- (Y) Despite Clause 220.5.10.1, the minimum number of **loading spaces** required on the **lot** are:
- (i) 2 Type “G” **loading spaces**;
 - (ii) 4 Type “C” **loading spaces**;
 - (iii) 1 Type “A” **loading space**; and
 - (iv) 2 Type “B” **loading spaces**.
- (Z) Despite Regulations 230.5.1.10(4)(A)(ii) and (B)(ii), the required minimum width of a **bicycle parking space**, **stacked bicycle parking space**, and **bicycle parking space** placed in a vertical position on a wall, **structure** or mechanical device is 0.45 metres;
- (AA) Despite Regulation 230.5.1.10(9)(B) a required “short-term” **bicycle parking space** and a required “long-term” **bicycle parking space** may be located on any level of the **building**;
- (BB) Despite Regulation 230.5.1.10(10), “short-term” **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (CC) Despite Regulation 230.40.1.20(2), a “short-term” **bicycle parking space** may be located more than 50 metres from a pedestrian entrance to a residential or non-residential use within a **building** on the **lot**;
- (DD) 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**;
- (iii) Any **dwelling units** with 3 or more **bedrooms** provided to satisfy the minimum requirement in (ii) above are not included in the provision required by (i) above; and
- (iv) If the calculation of the number of required **dwelling units** results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one **dwelling unit**;

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

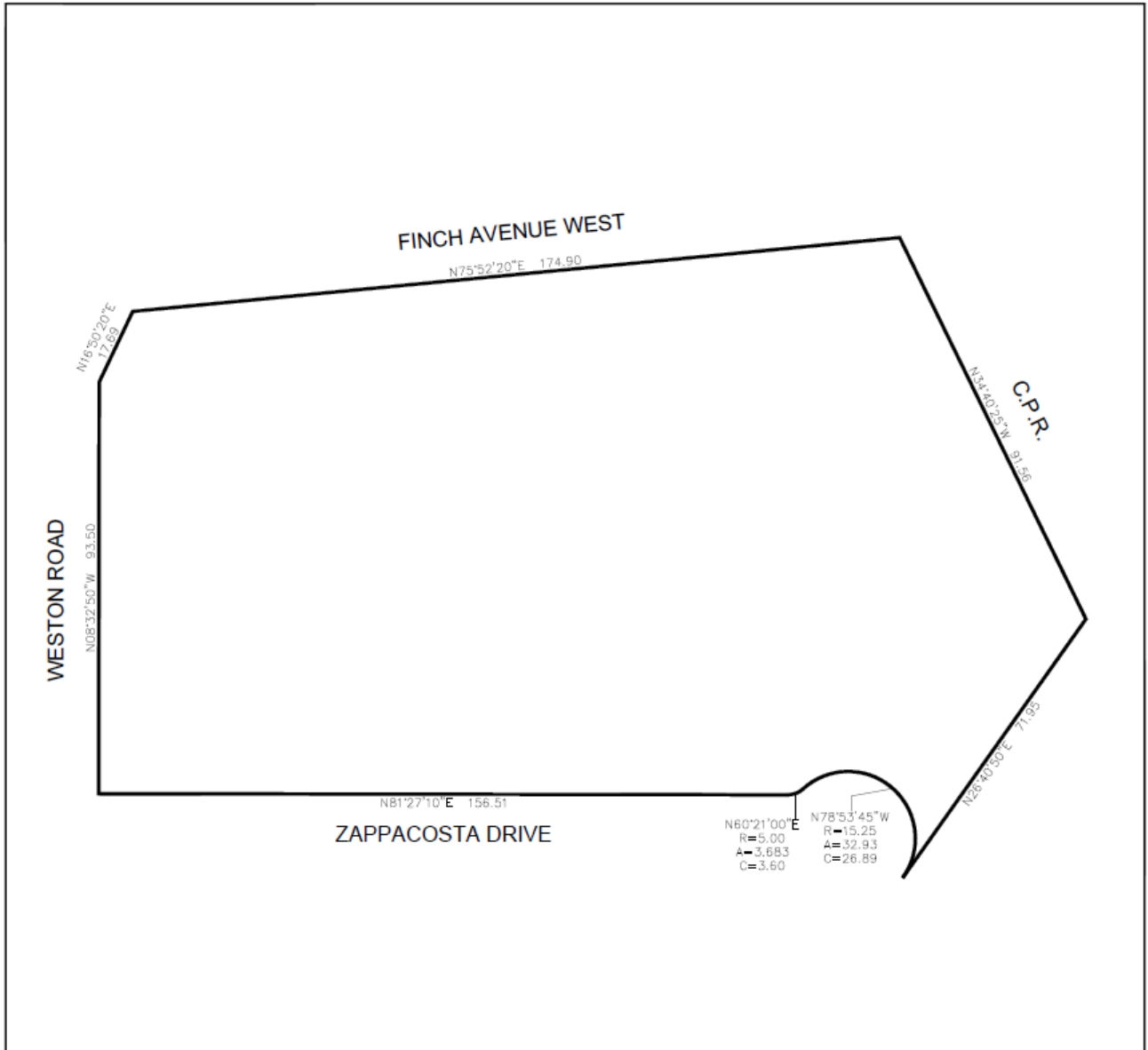
9. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



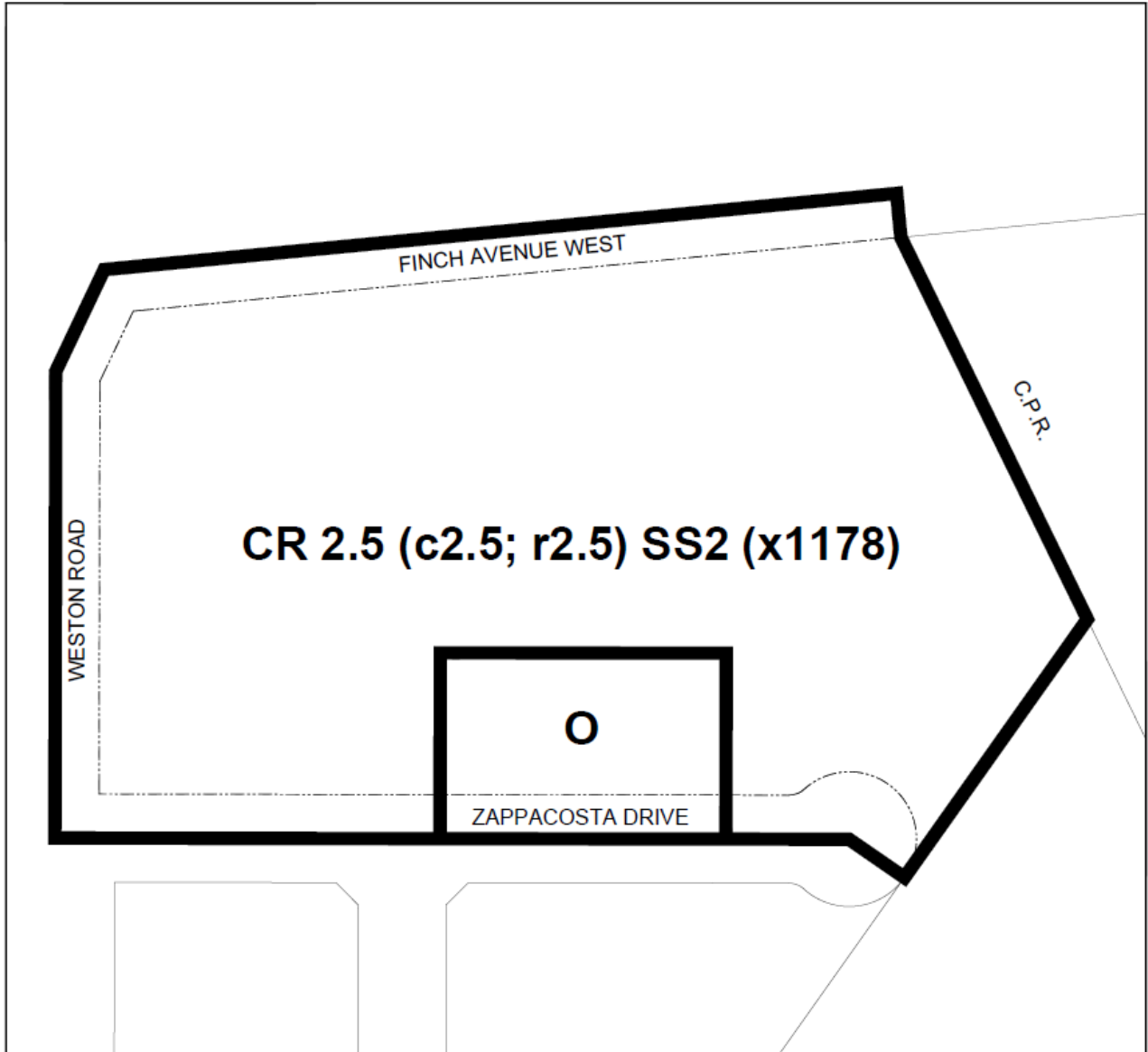
2345 Finch Avenue West and 3415-3499 Weston Road

Diagram 1

File #20 230600 WET 07 OZ



Not to Scale



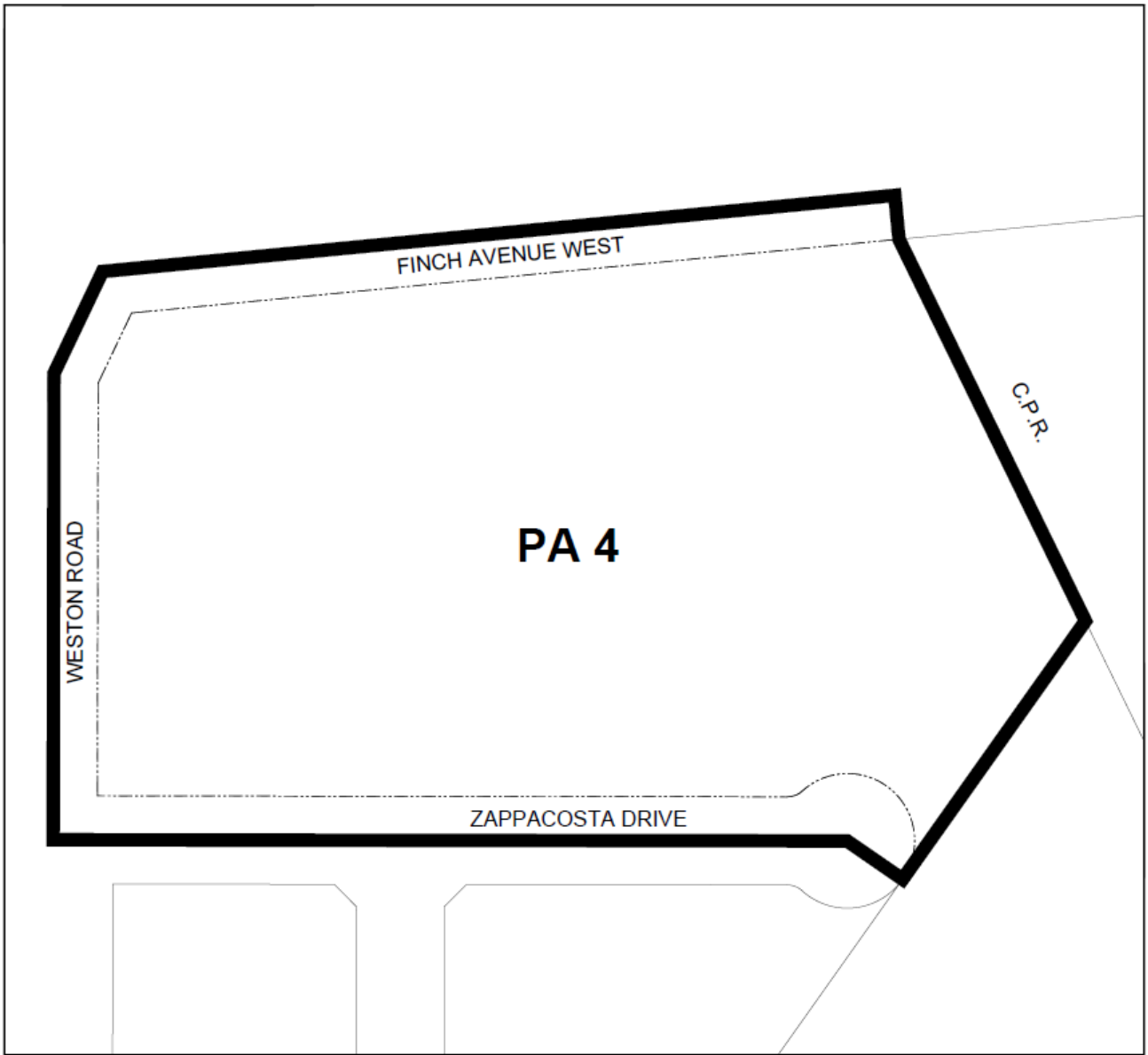
2345 Finch Avenue West and 3415-3499 Weston Road

Diagram 2

File #20 230600 WET 07 OZ



Not to Scale



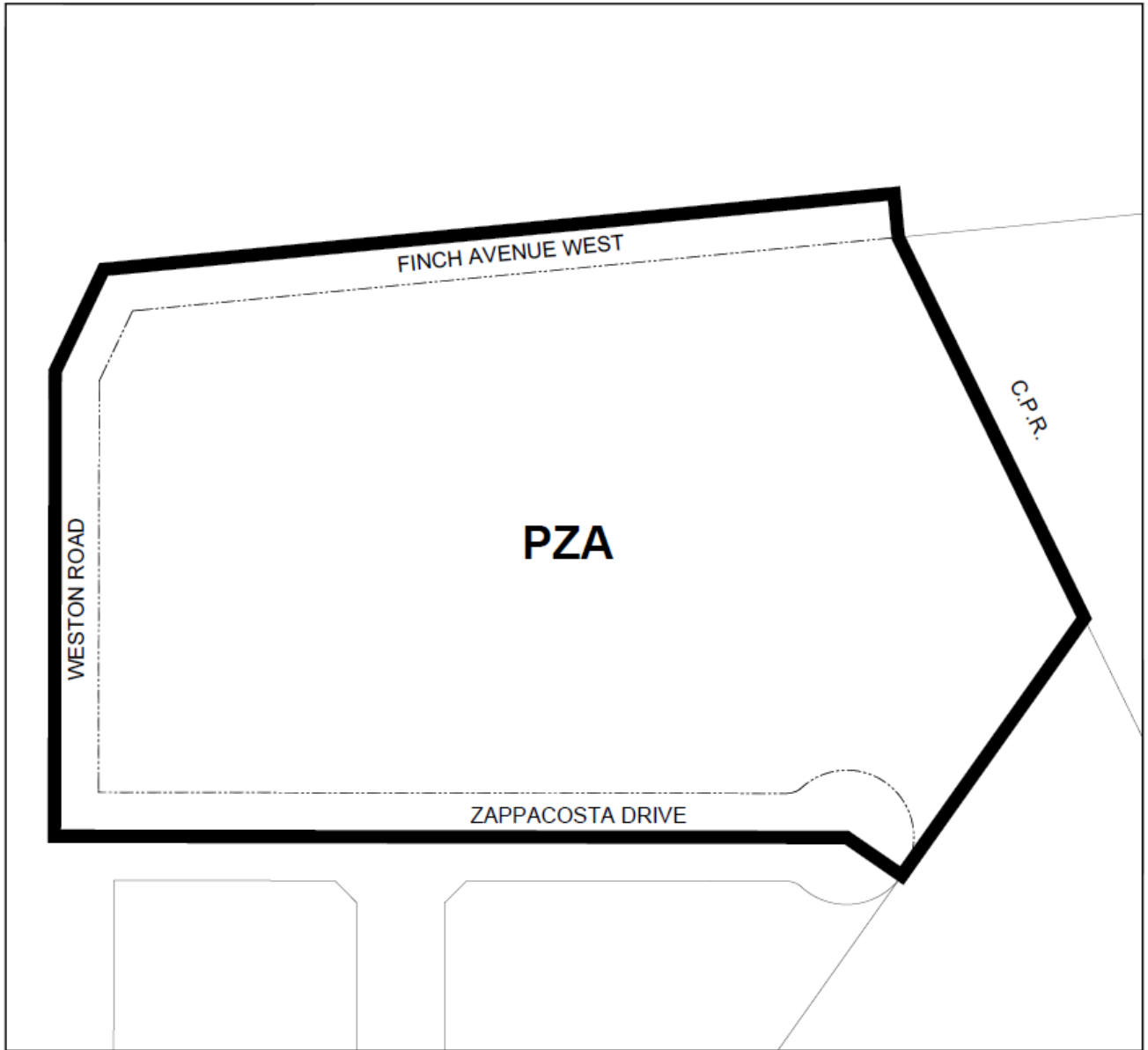
2345 Finch Avenue West and 3415-3499 Weston Road

Diagram 3

File #20 230600 WET 07 OZ



Not to Scale



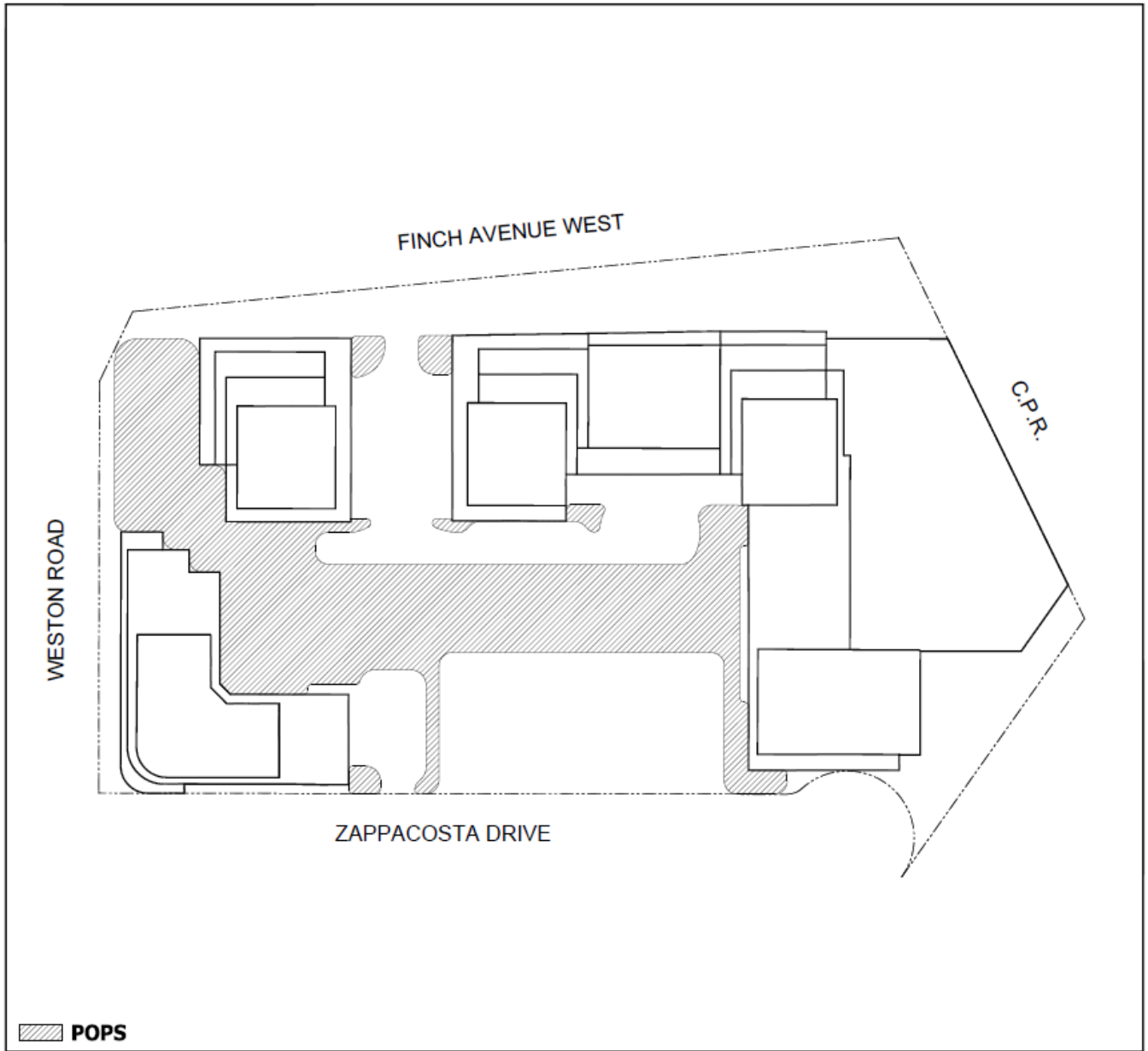
2345 Finch Avenue West and 3415-3499 Weston Road

Diagram 4

File #20 230600 WET 07 OZ



Not to Scale



2345 Finch Avenue West and 3415-3499 Weston Road

Diagram 6

File #20 230600 WET 07 OZ



Not to Scale