

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 2025 as 5280 Dundas Street 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;

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, 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 3.5 (c1.0; r3.0) SS1 (x####) 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: PA2, 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 subject to this By-law to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 24.0, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law 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 amending the Parking Zone Overlay Map in Article 995.50, and applying the following Parking

Zone label to these lands: A, as shown on Diagram 5.

8. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to Article 900.11.10 Exception Number (XXXX) so that it reads:

(XXXX) Exception CR XXXX

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 5280 Dundas Street West, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **mixed-use building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Z) below:
- (B) The **front lot line** is abutting Dundas Street West;
- (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 129.5 metres and elevation of the highest point of the **building or structure**;
- (D) Despite Regulation 40.10.40.10(1), the permitted maximum height of a **building or structure** is the numerical value, in metres, following the "HT" as shown on Diagram 6 of By-law [Clerks to insert By-law ##];
- (E) Despite Regulation 40.10.40.10(5) regarding minimum height of the first **storey**:
 - (i) the required minimum height of the first **storey**, measured between the average elevation of the ground along the **front lot line** being the Canadian Geodetic Datum of 129.5 metres and the floor of the second **storey** is 6.0 metres; and
 - (ii) the requirements of (i) above do not apply to areas located on the first **storey** for loading access, **loading spaces, bicycle parking spaces**, shower and change facilities, and elements for the functional operation of the **building** such as storage rooms, corridors, staircases, electrical, utility, and mechanical and ventilation rooms;
- (F) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum heights shown on Diagram 6 of By-law [Clerks to insert By-law ##]:

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- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment 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) enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, flues and vents by a maximum of 3.0 metres;
 - (iv) architectural features, parapets, and ornamental elements and **structures** associated with a **green roof** by a maximum of 1.5 metres;
 - (v) **building** maintenance and window washing equipment by a maximum of 3.5 metres;
 - (vi) planters, **landscaping** features, guard rails, divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection for **amenity space** located on the roof of the **building**, by a maximum of 4.0 metres;
 - (viii) elements listed in (iii) and (v) above may project above the permitted height limit for the mechanical penthouse as set out in subsections (i) and (ii) by a maximum of 3.5 metres;
- (G) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 29,135 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 29,040 square metres; and,
 - (ii) the required minimum **gross floor area** for non-residential uses is 95 square metres;
- (H) The provision of **dwelling units** must comply with the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** on the **lot** must contain minimum of two or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** on the **lot** must contain a minimum of three or more bedrooms;

- (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
 - (iv) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded up to the nearest whole number;
- (I) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at the following rates:
 - (i) a minimum rate of 4.0 square metres for each **dwelling unit** as **amenity space**, of which:
 - (a) a minimum rate of 1.4 square metres for each **dwelling unit** is required as outdoor **amenity space**;
 - (ii) no more than 25 percent of the outdoor component may be a **green roof**; and
 - (iii) for the purpose of this exception, indoor **amenity space** may include guest suites, subject to the following:
 - (a) the area of a **building** used for guest suites must not exceed an aggregate **interior floor area** of 100 square metres; and,
 - (b) the guest suites permitted by (I)(iii)(a) do not constitute a **dwelling unit** for the purposes of (H) above;
- (J) Despite Regulation 40.10.40.70(1), the required minimum **building setbacks** are as shown in metres on Diagram 6 of By-law [Clerks to insert By-law ##];
- (K) In addition to the requirements of (J) above, no part of a **building** or **structure**, other than cladding or architectural features, may be located within the hatched area shown on Diagram 7 of By-law [Clerks to insert By-law ##], having a vertical clearance of 7.0 metres, as measured from a Canadian Geodetic Datum of 129.5 metres;
- (L) Despite Regulation 40.5.40.60(1), Clause 40.10.40.60 and (J) above, the following elements may encroach into the required minimum **building setbacks** as follows:
 - (i) Balconies, terraces, balcony guards and dividers, by a maximum of 1.5 metres, except within the required minimum **building setback**

- located along the **front lot line**;
- (ii) canopies and awnings, by a maximum of 1.2 metres;
 - (iii) cornices, lighting fixtures, ornamental elements, trellises, eaves, windowsills, architectural features, planters, guardrails, balustrades, railings, stairs, stair enclosures, vents, fences and landscape features, by a maximum of 2.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
 - (v) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.45 metres;
 - (vi) window projections, by a maximum of 0.5 metres; and
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metre
- (M) A "Privately Owned Publicly Accessible Open Space" or "POPS" with a minimum area of 32 square metres must be provided within the shaded area as shown on Diagram 7 of By-law [Clerks to insert By-law ##];
- (i) for the purpose of this exception, "Privately Owned Publicly Accessible Open Space" or "POPS" means a **landscaped** open space on the lands situated at ground level within the hatched area shown on Diagram 7 of [Clerks to insert By-law ##] 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 passive uses;
- (N) Regulations 40.10.50.10(2) and (3) regarding fence and **soft landscaping** strip requirements for **lots** abutting the Residential and Residential Apartment Zone categories, do not apply;
- (O) Regulation 40.10.90.40 regarding **vehicle** access to a **loading space** from a lane does not apply;
- (P) Regulation 40.10.100.10 regarding **vehicle** access to a **lot** from a lane does not apply;
- (Q) Despite Regulations 200.5.1.10(2)(A) and (D), a maximum of 15 percent of the provided **parking spaces**, except accessible **parking spaces**, may:

- (i) have a minimum width of 2.6 metres, length of 5.2 metres and vertical clearance of 2.0 metres; or
 - (ii) be obstructed on one or two sides 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**;
- (R) 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;
 - (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 on one side of the accessible **parking space**;
- (S) Despite Article 200.25.15 and Regulations 970.10.15.5(17) and (18), if **parking spaces** are provided on the **lot**, a minimum of 6 **parking spaces** are required to be accessible **parking spaces**;
- (T) Despite Regulations 230.5.1.10(9)(B)(i)(ii) and (iii), "long-term" **bicycle parking spaces** may be located on the first **storey** of the **building** or any level below ground;
- (U) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**, in any combination of vertical, horizontal or stacked positions;
- (V) Despite Regulation 230.5.1.10(4)(A), the required minimum dimensions of a **bicycle parking space** is:
 - (i) length of 1.8 metres;
 - (ii) width of 0.45 metres; and
 - (iii) vertical clearance of 1.2 metres;
- (W) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, no visitor **parking spaces** for residential uses are required;
- (X) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, no **parking spaces** for non-residential uses are required;

- (Y) Despite Regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be no more than 40.0 metres from a pedestrian entrance to the **building** on the **lot**;
- (Z) The number of **bicycle parking spaces** required by regulation 230.5.10.1(5) may be reduced in accordance with Regulation 230.5.10.20(1) through Payment-in-Lieu of Bicycle Parking, subject to the following:
- (i) the number of "short-term" **bicycle parking spaces** reduced is not more than half the amount required by regulations 230.5.10.1(5)(A) or (B), rounded down to the nearest whole number;
 - (ii) the number of "long-term" **bicycle parking spaces** reduced is not more than half the amount required by regulations 230.5.10.1(5)(A) or (B), rounded down to the nearest whole number;
 - (iii) for each **bicycle parking space** required by regulation 230.5.10.1(5) to be reduced, the owner or occupant must provide a payment-in-lieu to the City of Toronto; and
 - (iv) the owner or occupant must enter into an agreement with the City of Toronto pursuant to Section 40 of the Planning Act.

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

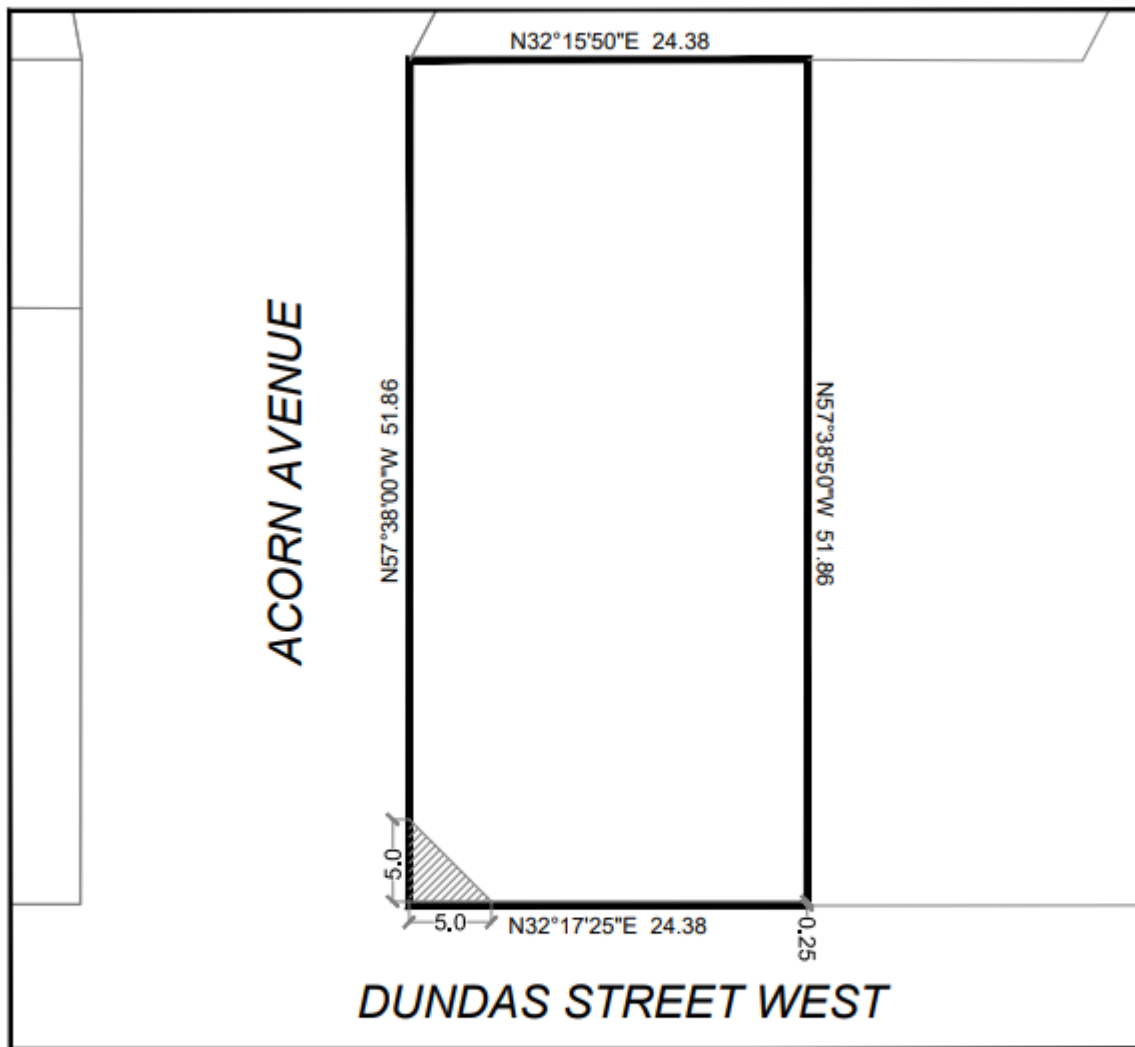
9. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



5280 Dundas Street West

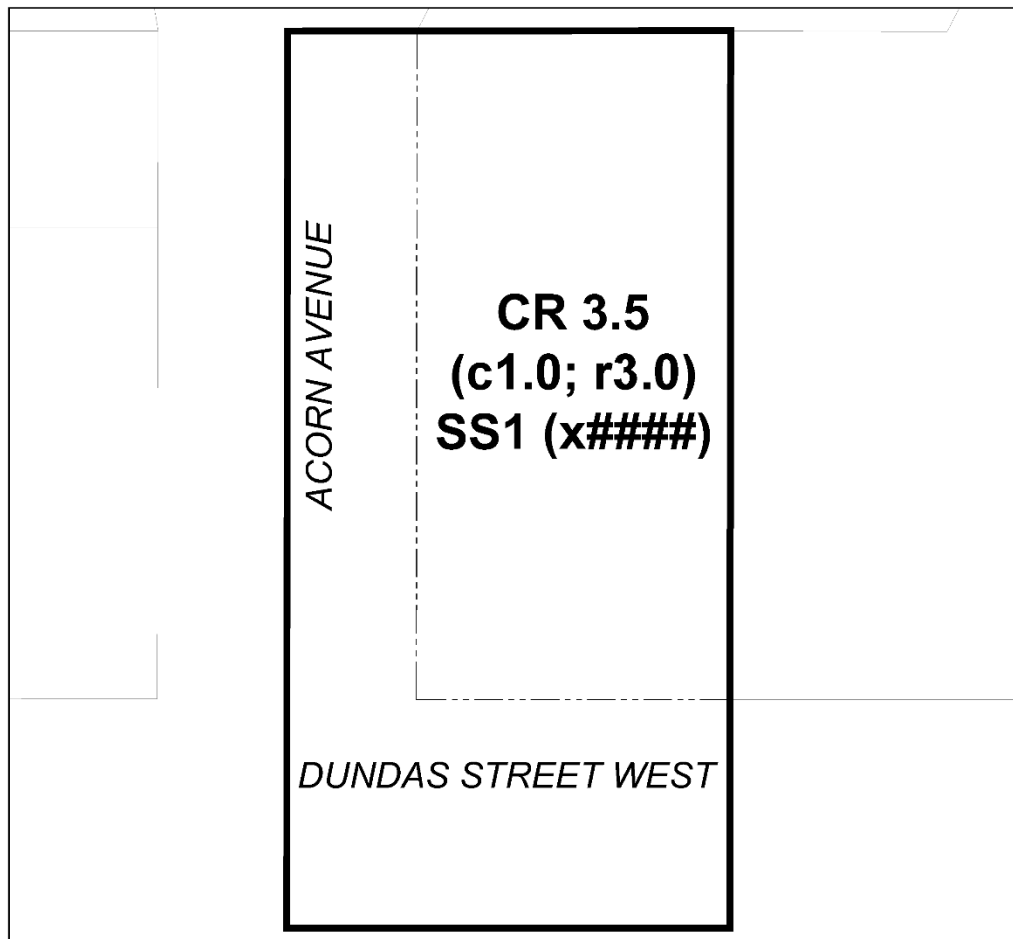
Diagram 1

File #24 235116 WET 03 OZ

-  0.25 metre road conveyance
-  5x5 metre daylight triangle to be conveyed

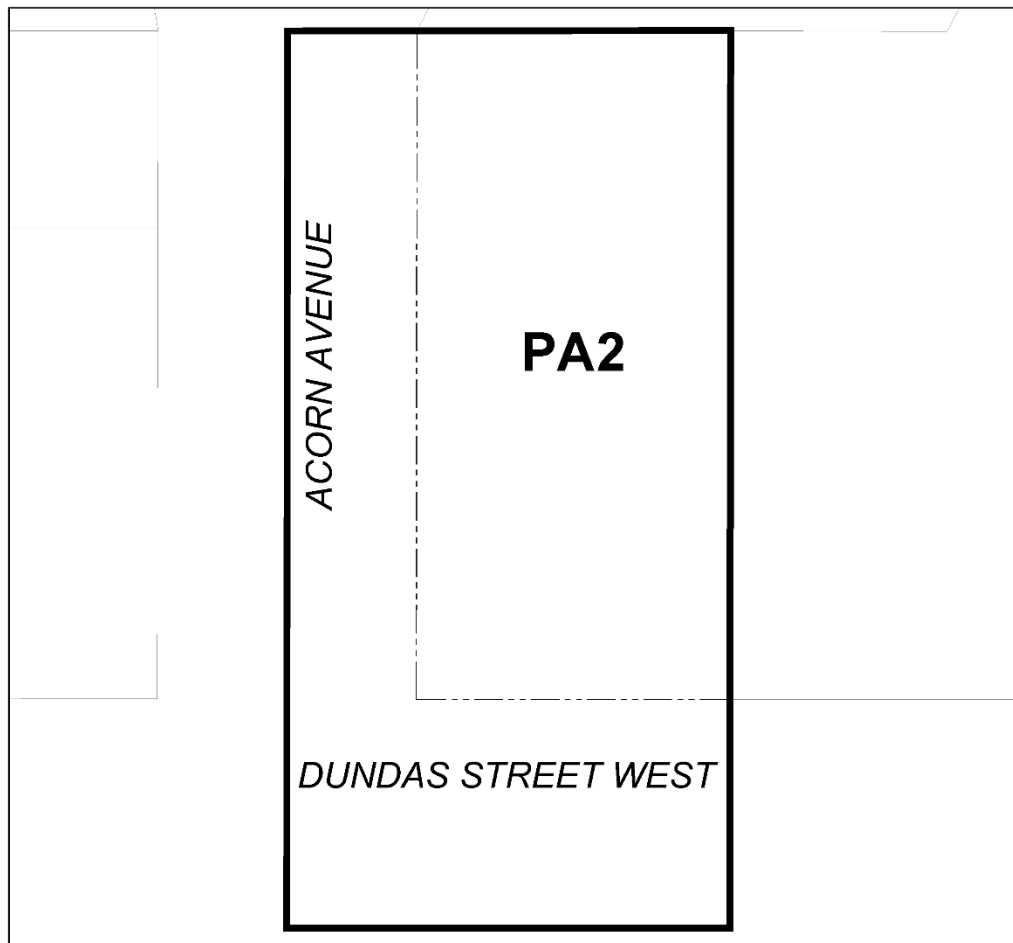


City of Toronto By-law 569-2013
Not to Scale

**Diagram 2****5280 Dundas Street West**

File #24 235116 WET 03 OZ

City of Toronto By-law 569-2013
Not to Scale



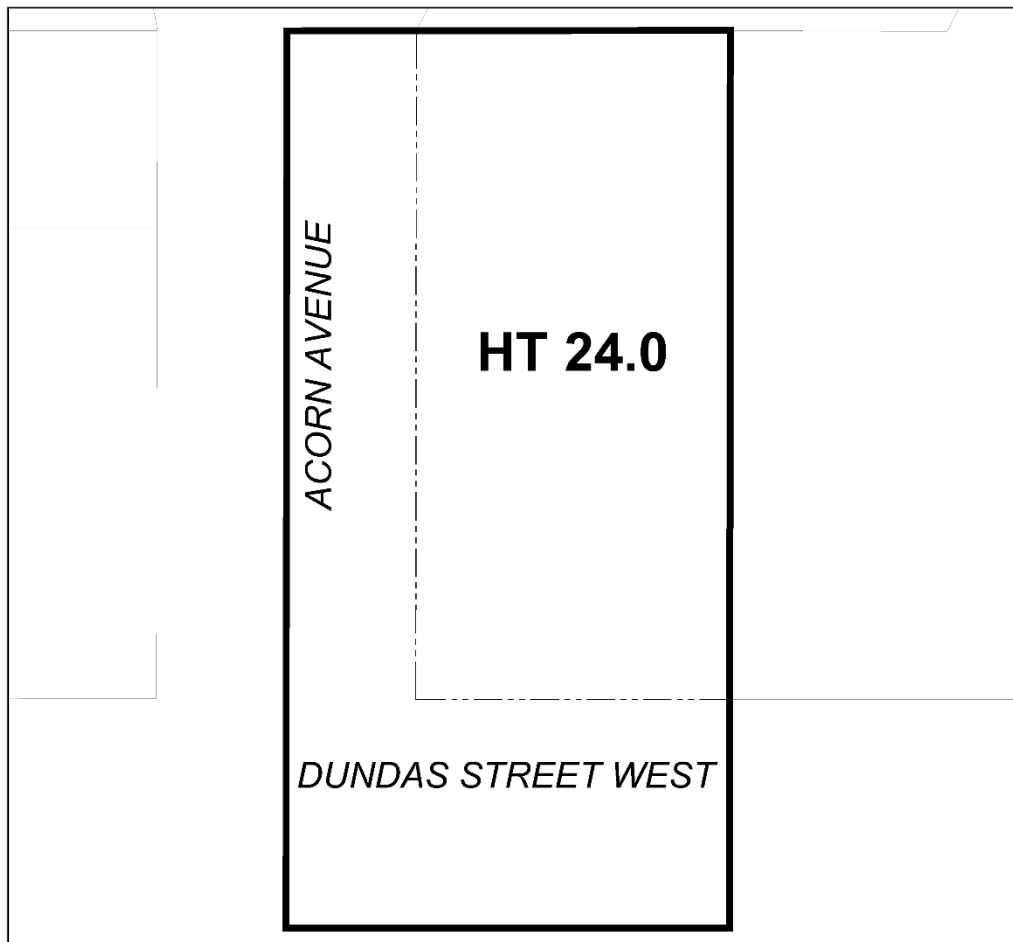
 **TORONTO**
Diagram 3

5280 Dundas Street West

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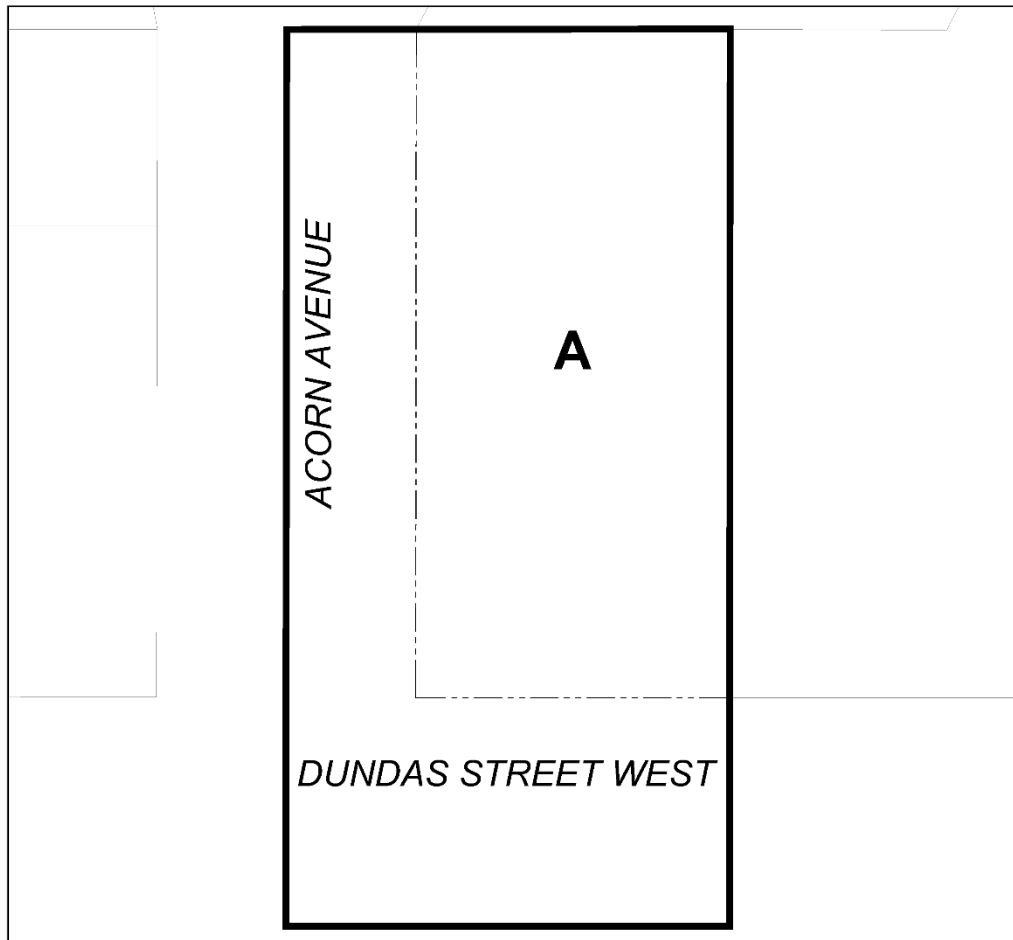


City of Toronto By-law 569-2013
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**Diagram 4****5280 Dundas Street West**

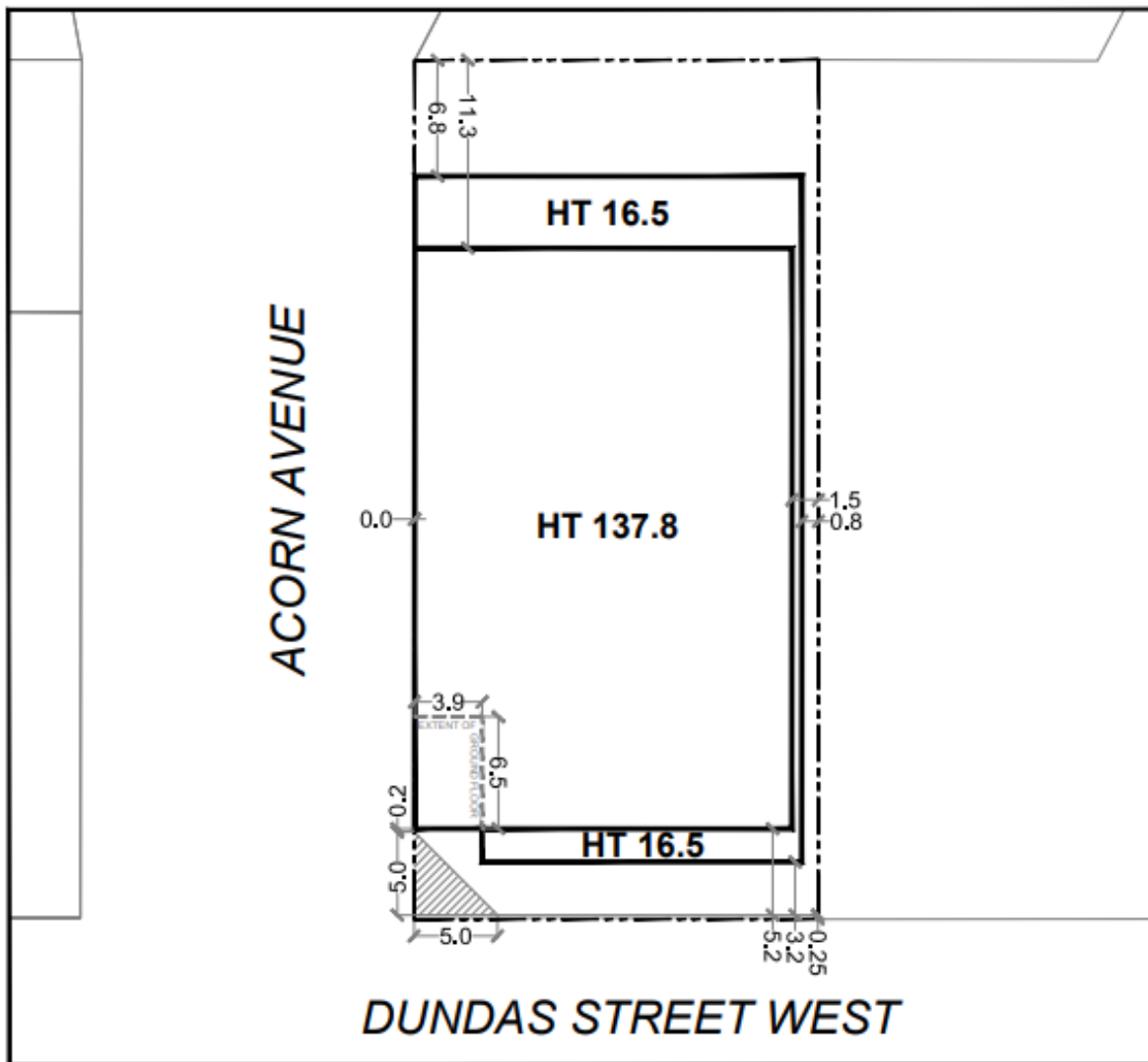
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City of Toronto By-law 569-2013
Not to Scale

**Diagram 5****5280 Dundas Street West**

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Not to Scale



5280 Dundas Street West

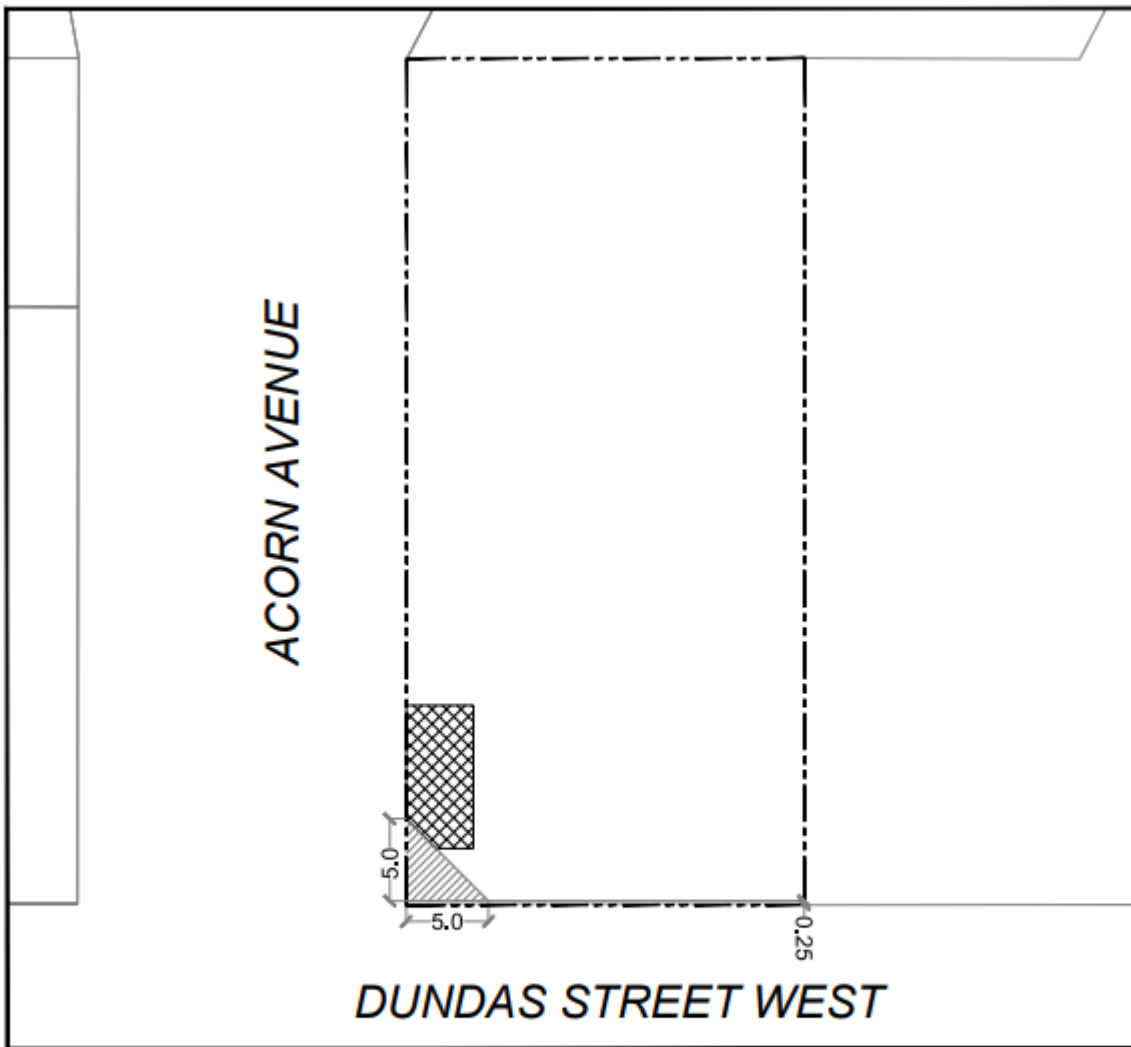
Diagram 6

File #24 235116 WET 03 OZ

-  0.25 metre road conveyance
-  5x5 metre daylight triangle to be conveyed



City of Toronto By-law 569-2013
Not to Scale



5280 Dundas Street West

Diagram 7

File #24 235116 WET 03 OZ

- 0.25 metre road conveyance
- 5x5 metre daylight triangle to be conveyed
- No part of a building, except for any structural elements, associated cladding and architectural features, may be located between grade and a minimum vertical clearance of 7.0 metres.

City of Toronto By-law 569-2013
Not to Scale