

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 16 Wilby Crescent.**

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: RA (x278) and ON 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 8, ST 2, 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 shown on Diagram 4 attached to this By-law to the Height Overlay Map in Article 995.20.1, and applying no value.
7. 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.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.7.10 Exception Number x278 so that it reads:

(278) Exception RA (x278)

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 16 Wilby Crescent, 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 (EE) below;
- (B) Despite regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 126.42 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 15.10.40.10(1) and (2), 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];
- (D) Despite regulation 15.10.40.10(2) the permitted maximum number storeys is not limited;
- (E) Despite regulations 15.5.40.10(2), (3), (5) and (6) and (C) 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, cooling equipment, water supply facilities, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, chimneys, vents, and **renewable energy** elements by a maximum of 7.0 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 7.0 metres;
  - (iii) **green roof** elements, **building** maintenance units and window washing equipment, may further exceed the permitted maximum height projection in (i) and (ii) above, by an additional maximum of 4.0 metres;
  - (iv) parapets, may further exceed the permitted maximum height projection in (i) and (ii) above, by an additional maximum of 1.5 metres;
  - (v) architectural features and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;
  - (vi) parapets, by a maximum of 1.5 metres;
  - (vii) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres; and
  - (viii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (F) Despite regulation 15.10.40.40(1)(B), the permitted maximum **gross floor area** of all **buildings** and **structures** for residential uses is 27,900 square metres;
- (G) Despite regulation 15.10.40.70(1), (2), (3) and (4), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (H) Despite regulation 15.10.40.80(3), the required separation of **main walls** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (I) Despite Clause 15.5.40.60 and regulation 15.5.40.50(2), 15.5.75.1(4)(A)(i), 15.5.75.1(5)(B) and (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, balconies, divider screens and guardrails, by a maximum of 2.0 metres;
  - (ii) outdoor amenity space and terraces, by a maximum of 3.0 metres;
  - (iii) canopies and awnings, by a maximum of 2.5 metres;
  - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 3.5 metres;
  - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
  - (vi) window projections, including bay windows and box windows, by a maximum of 2.0 metres;
  - (vii) eaves, by a maximum of 1.0 metres;
  - (viii) a dormer, by a maximum of 2.0 metres; and
  - (ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres;
- (J) Despite regulation 5.10.40.70(2), buildings or structures below ground must be setback a minimum of:
- (i) 2.0 metres from a lot line abutting an ON zone; and
  - (ii) 9.0 metres from the south lot line;
- (K) Regulations 15.5.50.10(1) and (2), with respect to the provision of **landscaping** and **soft landscaping** do not apply;
- (L) If an “automated parking garage” is provided, an “entry cabin” (or car lift) contained within an “automated parking garage” will be provided on the lands in accordance with 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) an adjacent barrier-free aisle of 1.5 metres;
- (M) Despite regulations 200.5.1.10(2) and (6), 200.10.1(3), and 200.15.1(1), (2) and (3), a **parking space** provided on a parking pallet within an “automated parking garage” is subject to the following minimum dimensions:
  - (i) width of 2.2 metres;
  - (ii) length of 5.395 metres; and
  - (iii) vertical clearance of 2.0 metres;
- (N) Despite regulation 200.5.1.10(13), access to **parking spaces** may be from a **vehicle** elevator;
- (O) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
  - (i) if **parking** spaces are provided, a minimum of 7 percent must be for residential visitor **parking spaces**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in an **apartment building** in Parking Zone A;
  - (ii) **parking spaces** may be provided within an “automated parking garage”;
- (P) Despite Article 200.25.15, if **parking spaces** are provided on the **lot**, a minimum of 7% of the provided **parking spaces** must be accessible parking spaces in accordance with Section 200.15; and
- (Q) Despite regulation 200.15.10.10(1), where a fully “automated parking garage” system is provided, and where a driver is not required to park their vehicle beyond the accessible “entry cabin”, (P) does not apply.
- (R) If an “automated parking garage” is provided on the **lot**, the “automated parking garage” is subject to the following:
  - (i) a minimum of two “entry cabins” must be provided;
  - (ii) all “entry cabins” must have **driveway** access to a **street** or **lane** that is direct and unobstructed, excluding a gate, moveable barrier, or similar security feature;
- (S) Regulation 200.5.1(3) regarding **drive aisle** width does not apply to **parking spaces** located within an “automated parking garage”;

- (T) Regulations 200.5.1.10(5) regarding requirements for **tandem parking spaces** do not apply to **parking spaces** located within an "automated parking garage";
- (U) Despite regulation 200.5.1.10(13) regarding **parking space** access:
  - (i) a **vehicle** elevator is not an obstruction to the access of a **parking space**, provided that a minimum of 2 **vehicle** queueing spaces are provided on the **lot**; and
  - (ii) **parking spaces** located within an "automated parking garage" are exempt from this regulation;
- (V) Regulation 200.15.1(1), (3) and (4) regarding accessible **parking spaces** do not apply to accessible **parking spaces** located within an "automated parking garage" having an "entry cabin" with a 1.5 metre wide accessible barrier free aisle or path on one side of the space in which the **vehicle** is deposited;
- (W) Regulation 200.10.1(1) and (2) does not apply to **parking spaces** located within an "automated parking garage";
- (X) Despite regulation 15.5.100.1(1)(B) with regards to permitted maximum **driveway** width, a driveway providing access to the **lot** may have a maximum width of 9.0 metres;
- (Y) Regulation 15.5.100.1(2) related to driveway access to **apartment buildings** does not apply;
- (Z) Despite regulation 230.5.1.10(4), a **bicycle parking space** placed in a vertical position or a **stacked bicycle parking space**, shall have a minimum width of 0.40 metres;
- (AA) In addition to regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (BB) The number of **bicycle parking spaces** required by regulation 230.5.10.1(5) above may be reduced, subject to the following:
  - (i) the number of "short-term" **bicycle parking spaces** reduced is not more than half the amount required by regulation 230.5.10.1(5), 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 regulation 230.5.10.1(5), 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;
- (CC) In the Residential Apartment Zone category, a "short-term" **bicycle parking space** may be no more than 40 metres from a pedestrian entrance to the **apartment 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 (ii) above are not included in the provision required by (i) above;
- (EE) For the purpose of this exception, each word or expression that is in bold font 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) “automated parking garage” means a mechanical system for the purpose of parking and retrieving **vehicles** without drivers in the **vehicle** during parking and without the use of ramps or **drive aisles**, and which may include but is not limited to, a vertical lift and the storage of **vehicles** on parking pallets and the automated maneuvering of other **vehicles** during parking or retrieving operations; and
  - (ii) “entry cabin” means the component of an “automated parking garage” into which the driver of a **vehicle** deposits the **vehicle**, and from which the driver retrieves their **vehicle**;
9. Prevailing By-laws and Prevailing Sections: None Apply.
10. 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.
11. 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 portion of the **lot** zoned RA, 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.

## 12. 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 and General Manager, Toronto Water; and
  - (ii) if the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above requires 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 financially secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or,
    - (b) the 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 (i) above are constructed



and operational, all to the satisfaction of the General Manager, Toronto Water; and

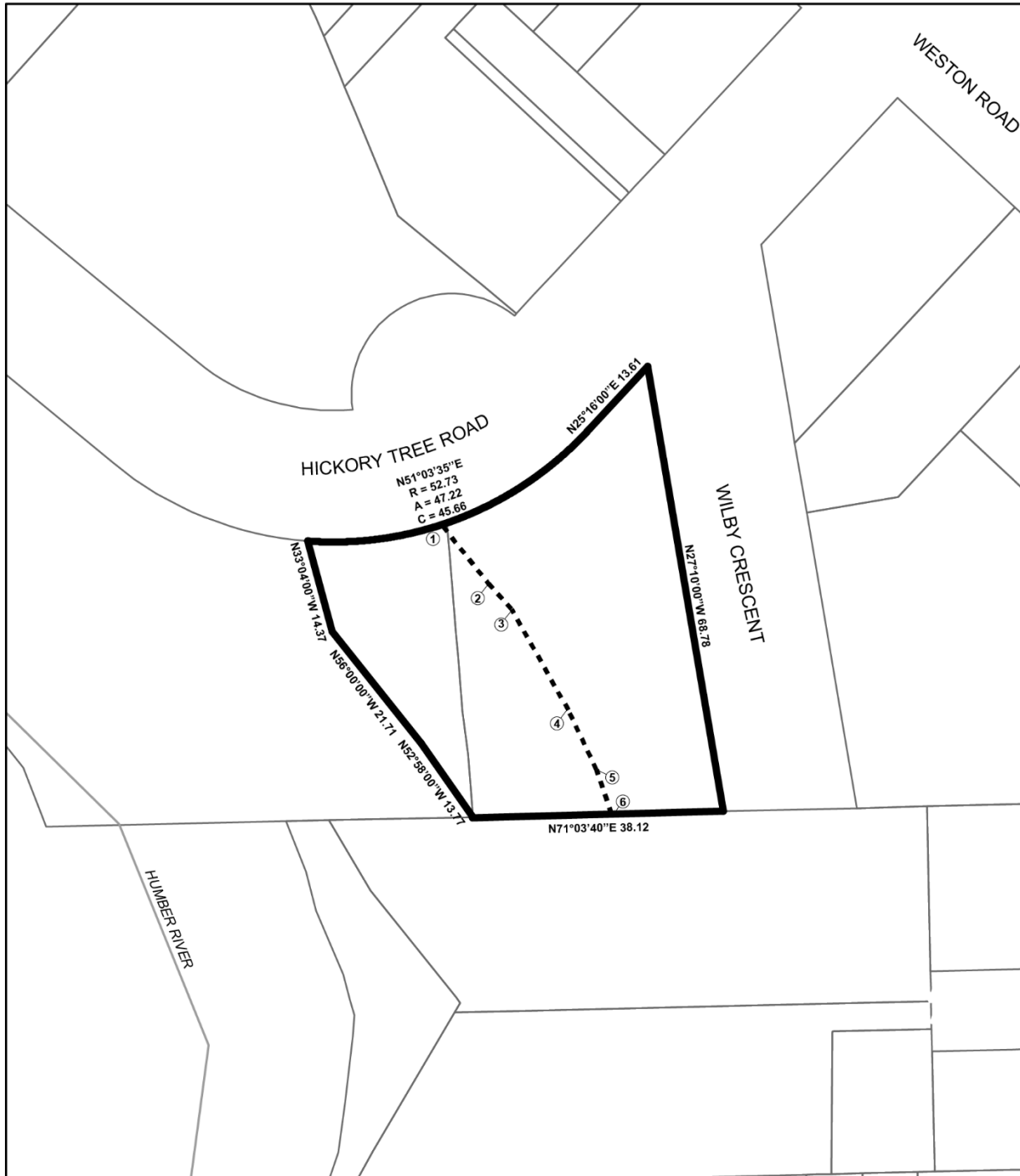
- (iii) the required realigned municipal storm sewers on Wilby Crescent and through the subject property are constructed and operational, to the satisfaction of the General Manager, Toronto Water; and
- (iv) the owner has provided an easement in favour of the City for the purpose of access, construction, maintenance and repair of the new storm sewers, and the existing storm sewer easement has been released by the City, to the satisfaction of the General Manager, Toronto Water; and
- (v) the owner is to undertake the City's environmental peer review process for the storm sewer easement, including but not limited to retaining a Qualified Person, paying all costs associated with the City retaining a third-party Peer Reviewer, preparation of all required environmental documents, and filing of any required Record of Site Condition, to the satisfaction of the Director, Engineering Review, Development Review.

Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)



**Toronto**  
Diagram 1

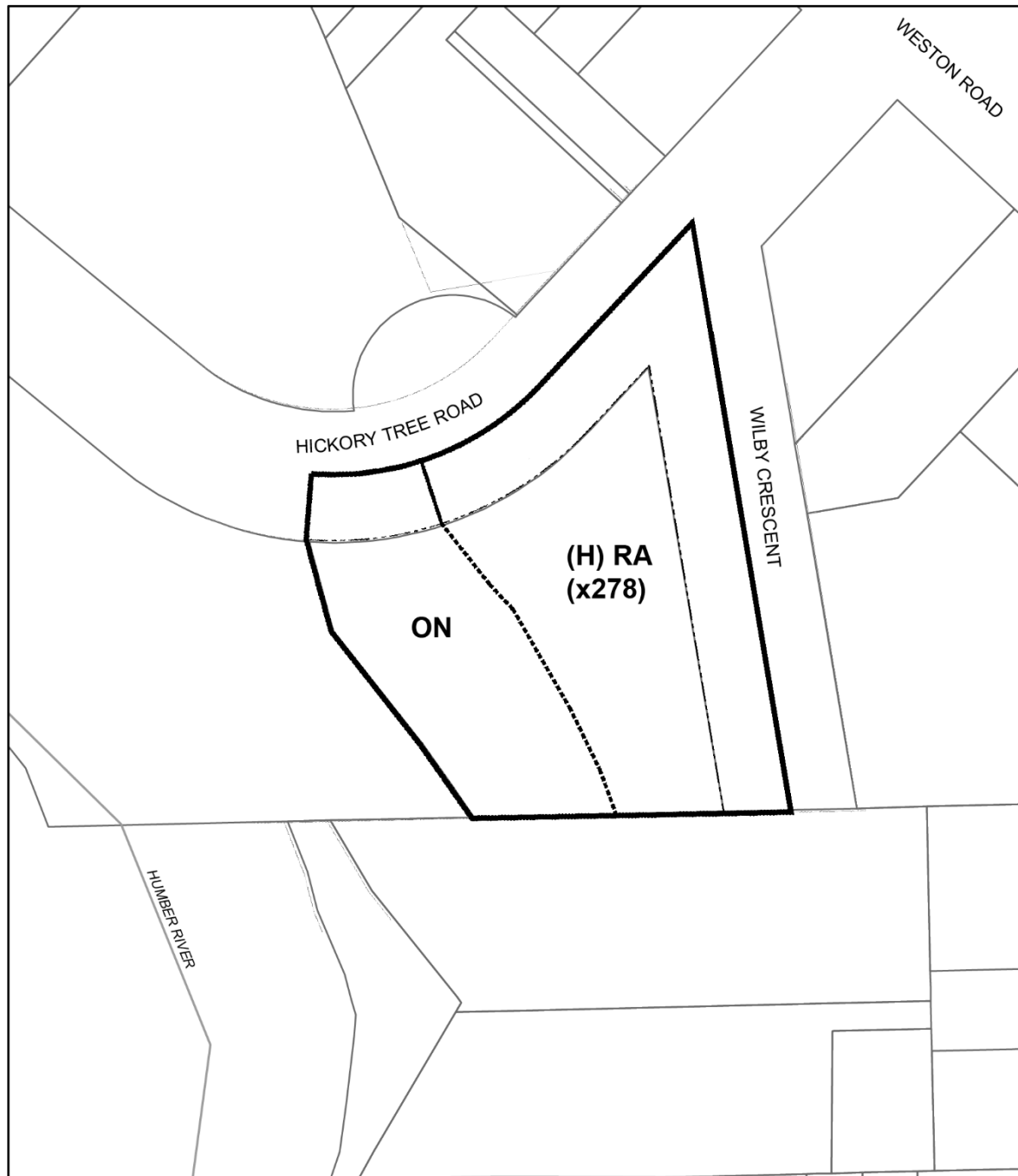
**16 Wilby Crescent**  
File # 24 243837 WET 05 02

3° MTM ZONE 10 COORDINATES		
NAD83(CSRS-2010) (CENTRAL MERIDIAN 81°00' WEST LONGITUDE)		
	NORTHING	EASTING
1	4839724.454	303847.120
2	4839717.807	303856.646
3	4839715.133	303861.227
4	4839703.235	303873.859
5	4839695.722	303880.795
6	4839689.796	303885.236

(1) THE MTM COORDINATES LISTED ABOVE ARE TO AN URBAN ACCURACY, PER SUBSECTION 14(2) OF ONTARIO REGULATION 216/10 FILED UNDER THE SURVEYORS ACT

----- New Property Line After Conveyance

City of Toronto By-law 569-2013  
Not to Scale  
11/10/2025

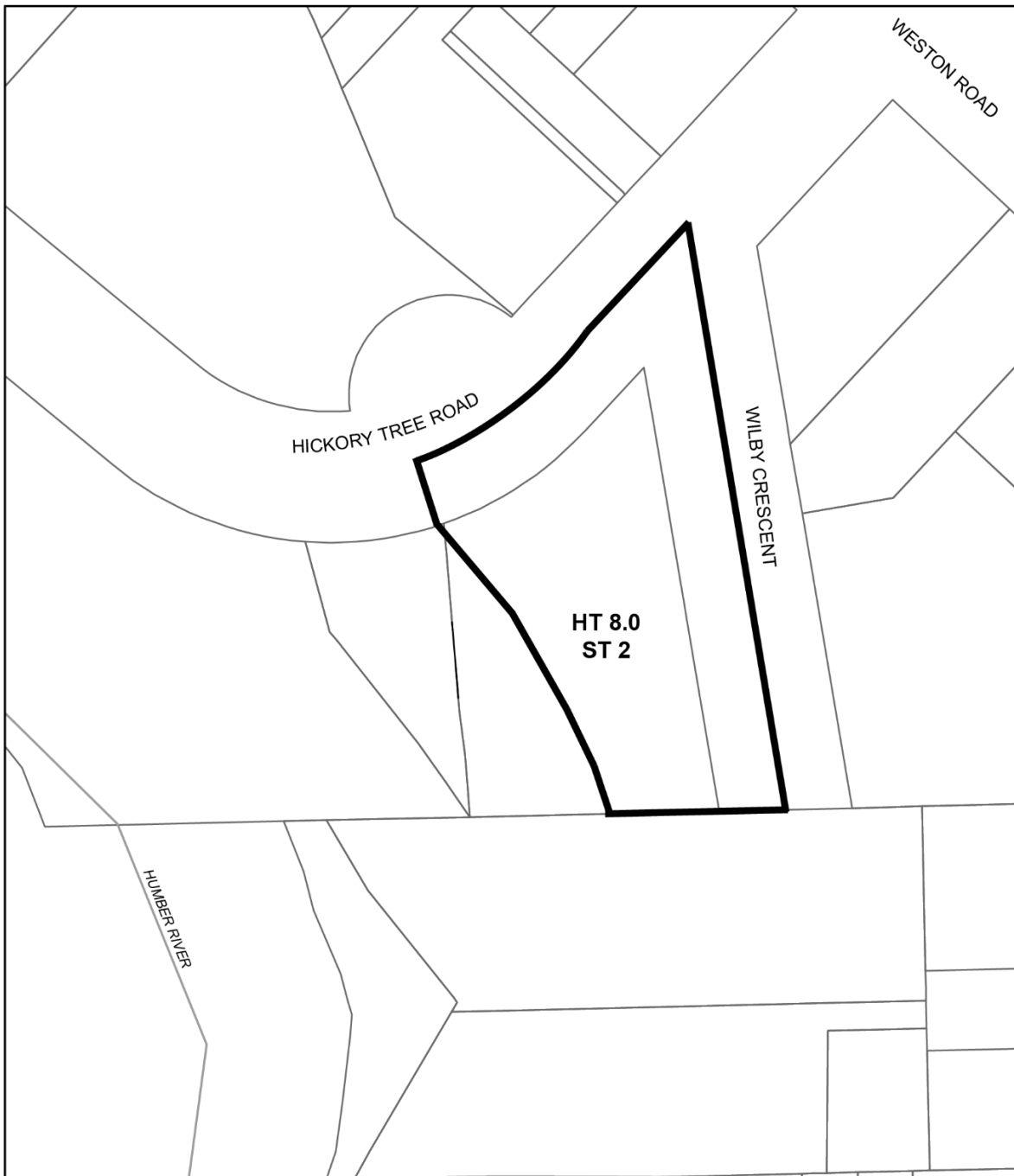


**Toronto**  
Diagram 2

**16 Wilby Crescent**  
File # 24 243837 WET 05 02

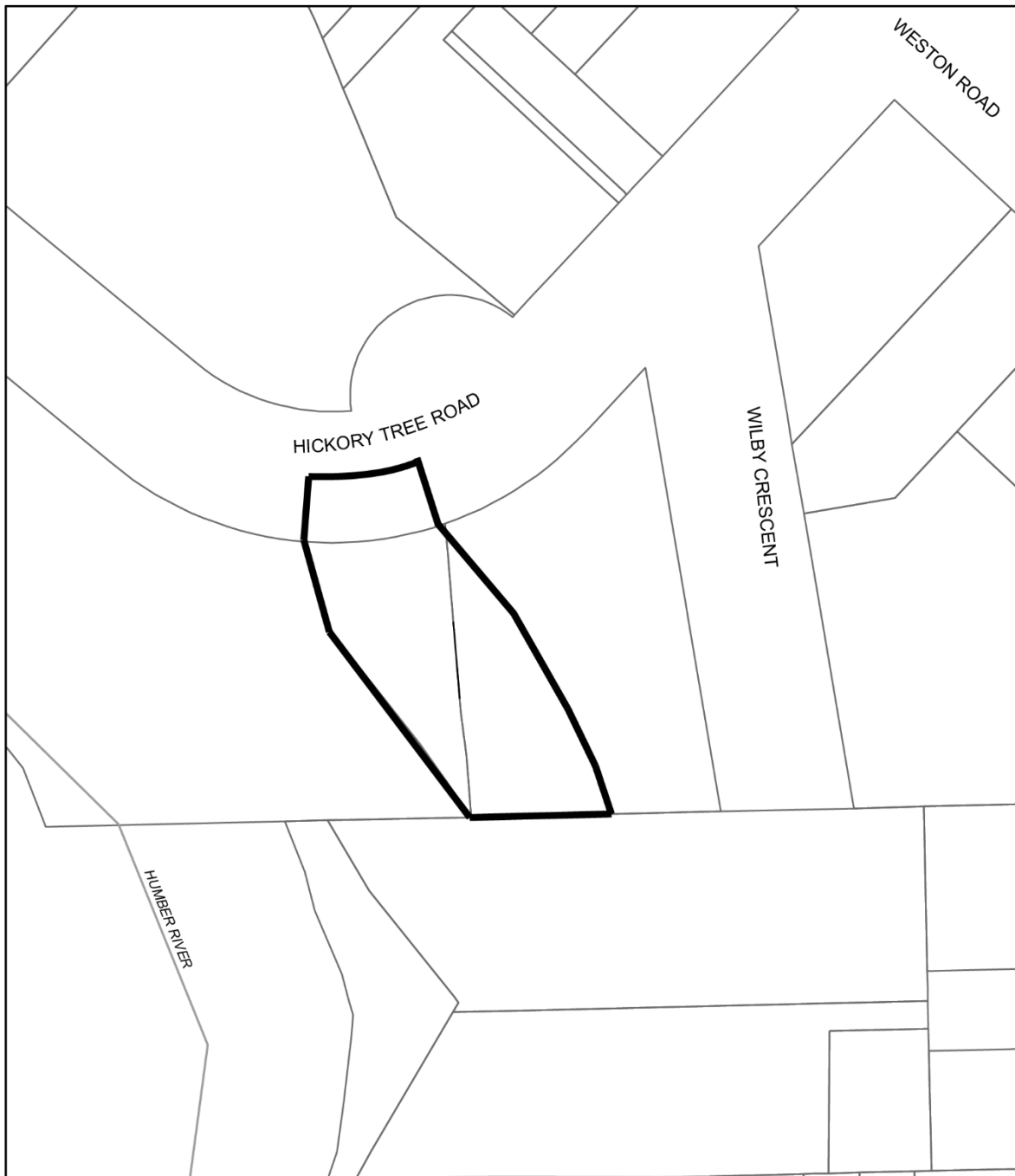
---- New Property Line After Conveyance  
— Zone Boundary

City of Toronto By-law 569-2013  
Not to Scale  
11/10/2025



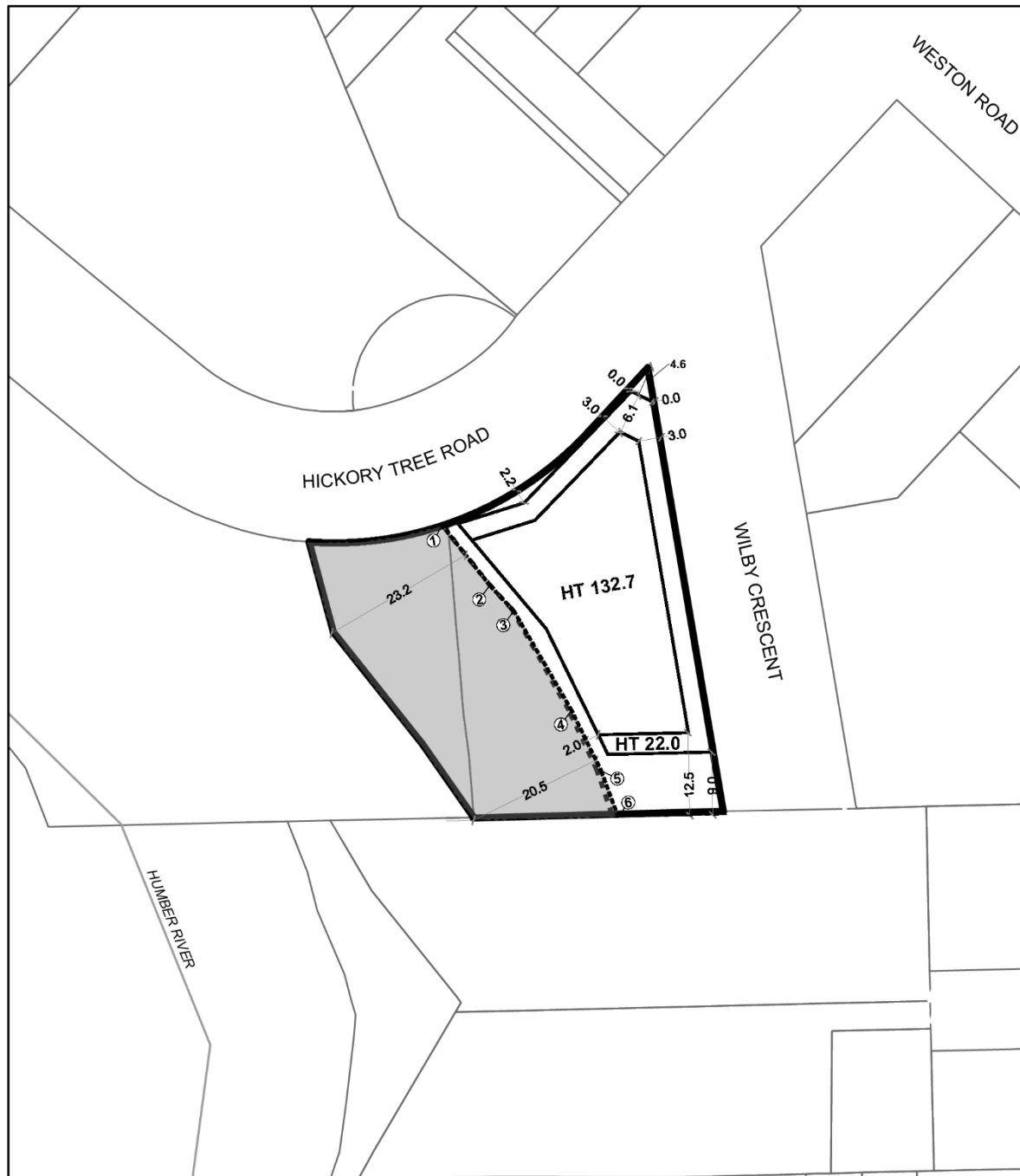
 **Toronto**  
Diagram 3

**16 Wilby Crescent**  
File # 24 243837 WET 05 02



 **TORONTO**  
Diagram 4

**16 Wilby Crescent**  
File # 24 243837 WET 05 02



**Toronto**  
Diagram 5

**16 Wilby Crescent**  
File # 24 243837 WET 05 02

--- New Property Line After Conveyance

City of Toronto By-law 569-2013  
Not to Scale  
11/13/2025