

Authority: North York Community Council Item NY \*\*\* as adopted by City of Toronto Council on ~, 2025

## **CITY OF TORONTO**

### **BY-LAW [Clerks to inert By-law number]**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 104, 110, 112 and 114 Finch Avenue East.**

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)".

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 2.0 (c2.0; r2.0) SS2 (x1076) 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: PA-4, as shown on Diagram 4 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 the following height and storey label to these lands: HT 36.0, ST 11.0 as shown on Diagram 5 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 the lot coverage label 35%, as shown on Diagram 3 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1 and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1076 so that it reads:

(1076) Exception CR (1076)

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 104, 110, 112 and 114 Finch Avenue East, 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 (S) 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 191.7 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.30.40, the maximum permitted lot coverage, as a percentage of the lot area, is 65 percent;
- (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 6 of By-law [Clerks to insert By-law number];
- (E) 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 6 of By-law [Clerks to insert By-law number]; and
  - (i) for the purpose of this exception, a mezzanine does not constitute a **storey**;

- (F) Despite regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 6 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 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) architectural features, parapets and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
  - (iv) **building** maintenance units and window washing equipment, by a maximum of 3.0 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;
- (G) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 12,751 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 12,312 square metres; and
  - (ii) the required minimum **gross floor area** for non-residential uses is 439 square metres;
- (H) Despite regulation 40.10.40.1(1), Despite regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same storey as non-residential use portions of the **building**.

- (I) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
  - (i) At least 2.0 metres of outdoor **amenity space** for each dwelling unit of which 97 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
- (J) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 6 of By-law [Clerks to insert By-law number];
- (K) Despite clause 40.5.40.60 and 40.10.40.60 and (H) and (I) 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 2.0 metres;
  - (ii) canopies and awnings, by a maximum of 3.0 metres;
  - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.5 metres;
  - (iv) Architectural features, such as a pilaster, decorative column, cornice, sill, belt course or chimney breast, by a maximum of 1.0 metre;
  - (v) window projections, including bay windows and box windows, by a maximum of 1.0 metre;
  - (vi) eaves, by a maximum of 1.0 metre;
  - (vii) air conditioners, satellite dishes, antennae, vents and pipes, by a maximum of 1.0 metre;
- (L) Despite regulation 200.5.1.10(2)(A)(iv), a maximum of ten percent of the required **parking spaces** may be obstructed on one or both sides as described in regulation 200.5.1.10(2)(D) without being required to increase the minimum width by 0.3 metres;
- (M) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, parking spaces must be provided on the lot in accordance with the following:
  - (i) a minimum of zero (0) 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 midrise **building** in Parking Zone B;
  - (ii) A minimum of 11 residential visitor **parking spaces**

- (N) Despite regulation 200.15.1(4), an accessible **parking space** must be the **parking spaces** located no more than 30 metres from a barrier-free entrance to a **building** or to a passenger elevator that provides access to the first **storey** of the **building**;
- (O) Despite regulation 200.15.10.5 (1) and (2), a minimum of 7 **parking spaces** of the required **parking spaces** are required to be accessible **parking spaces**;
- (P) Despite Regulations 220.5.10.1(2), (3), (4) and (5), and 40.10.90.10(1)(C), one Type "G" **loading space** must be provided on the lands and may be located in a **rear yard** located a minimum of 7.5 metres from a lot in the Residential Zone category or Residential Apartment Zone category;
- (Q) Despite regulations 230.5.1.10(6) and 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located outdoors, indoors, or in an enclosed room or enclosure, and located on any floor of a **building**; and
- (R) Despite regulation 230.40.1.20(2), "short-term" **bicycle parking spaces** may be located more than 30 metres from a pedestrian entrance to **building**.
- (S) 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.

Prevailing By-laws and Prevailing Sections: None Apply

9. Despite any existing or future severance, partition or division of the lands shown on Diagram 1 of By-law [Clerks to insert By-law number], the provisions of this By-law shall apply to the whole lands as one lot as if no severance, partition or division had occurred.

#### 10. 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;

- (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 Chief Engineer and Executive Director, Engineering and Construction Services; and
  - ii. if 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 Chief Engineer and Executive Director, Engineering and Construction Services; 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 to the Chief Engineer and Executive Director, Engineering and Construction Services; and
  - iii. all necessary approvals or permits arising from (ii)(a) or (ii)(b) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

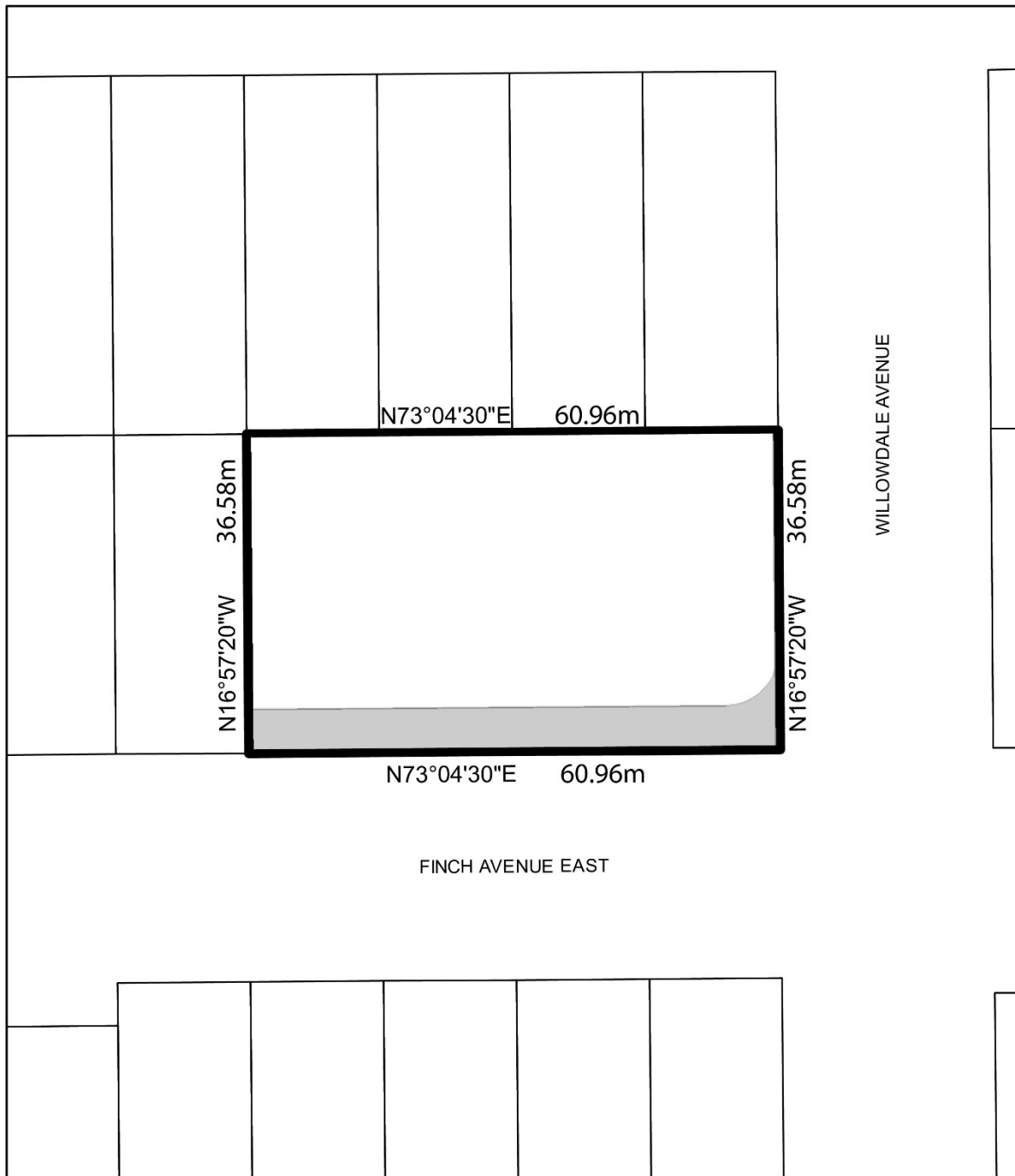
- iv. the City has received, reviewed and accepted the updated Transportation Impact Study and the Transportation Demand Management (TDM) Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services;

ENACTED AND PASSED this \_\_\_\_ day of \_\_\_\_, A.D. 2025.

FRANCES NUNZIATA  
Speaker

JOHN ELVIDGE  
City Clerk

(Seal of the City)



**Toronto**  
Diagram 1

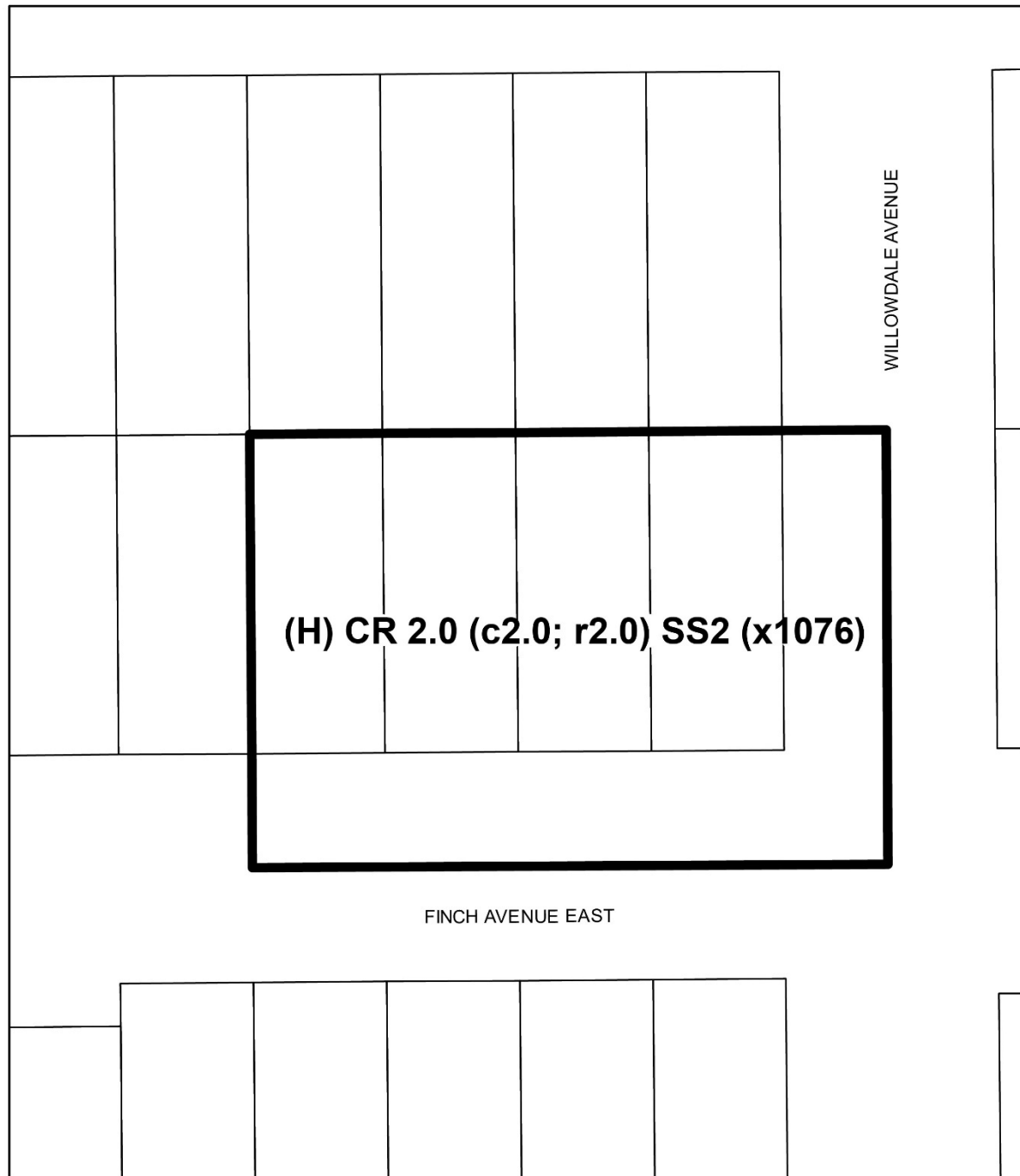
104-114 Finch Avenue East

File #: 24 171445 NNY 18 0Z

 4.89 metre road widening

  
City of Toronto By-law 569-2013  
Not to Scale  
11/13/2024

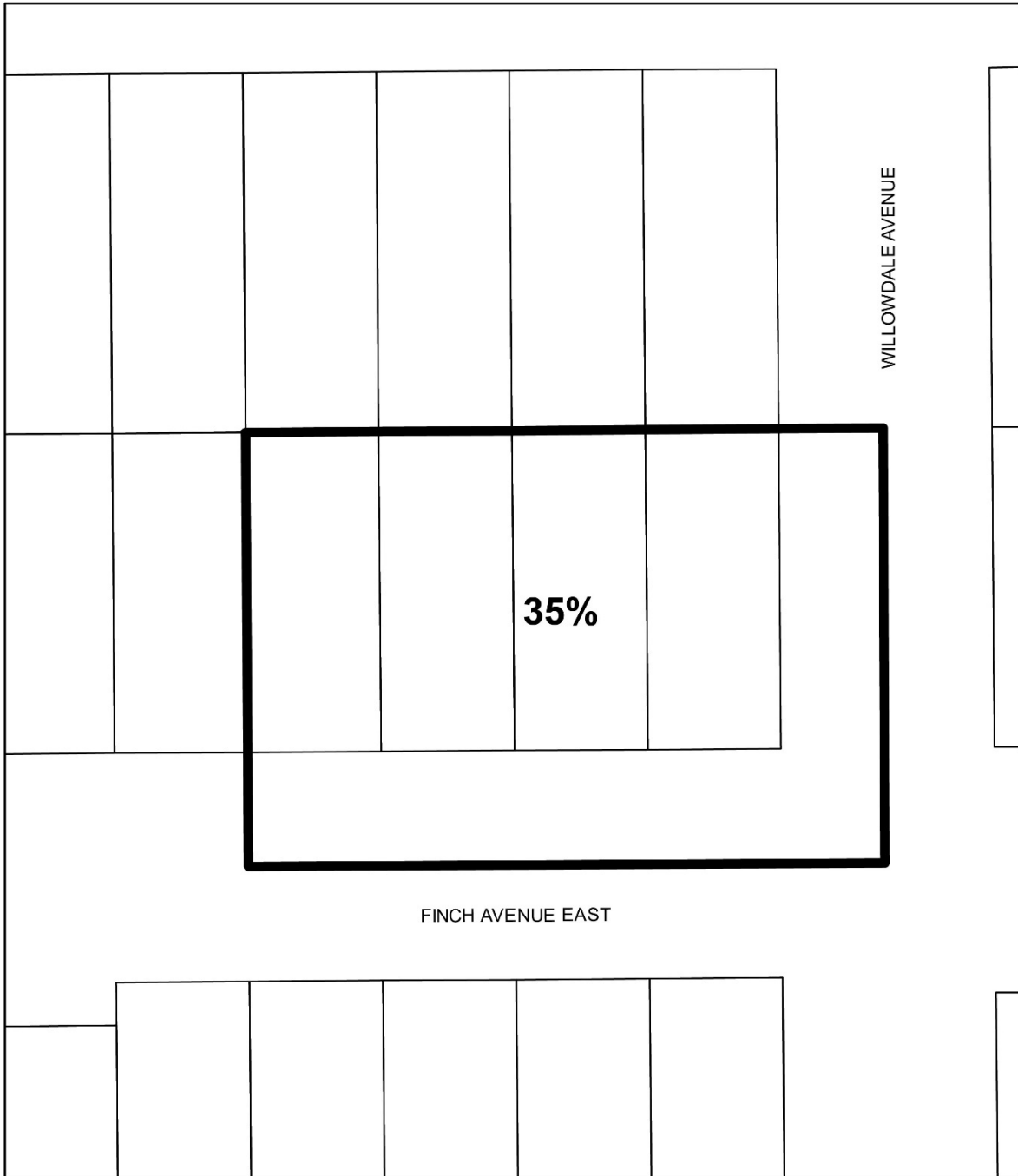




 **TORONTO**  
Diagram 2

104-114 Finch Avenue East

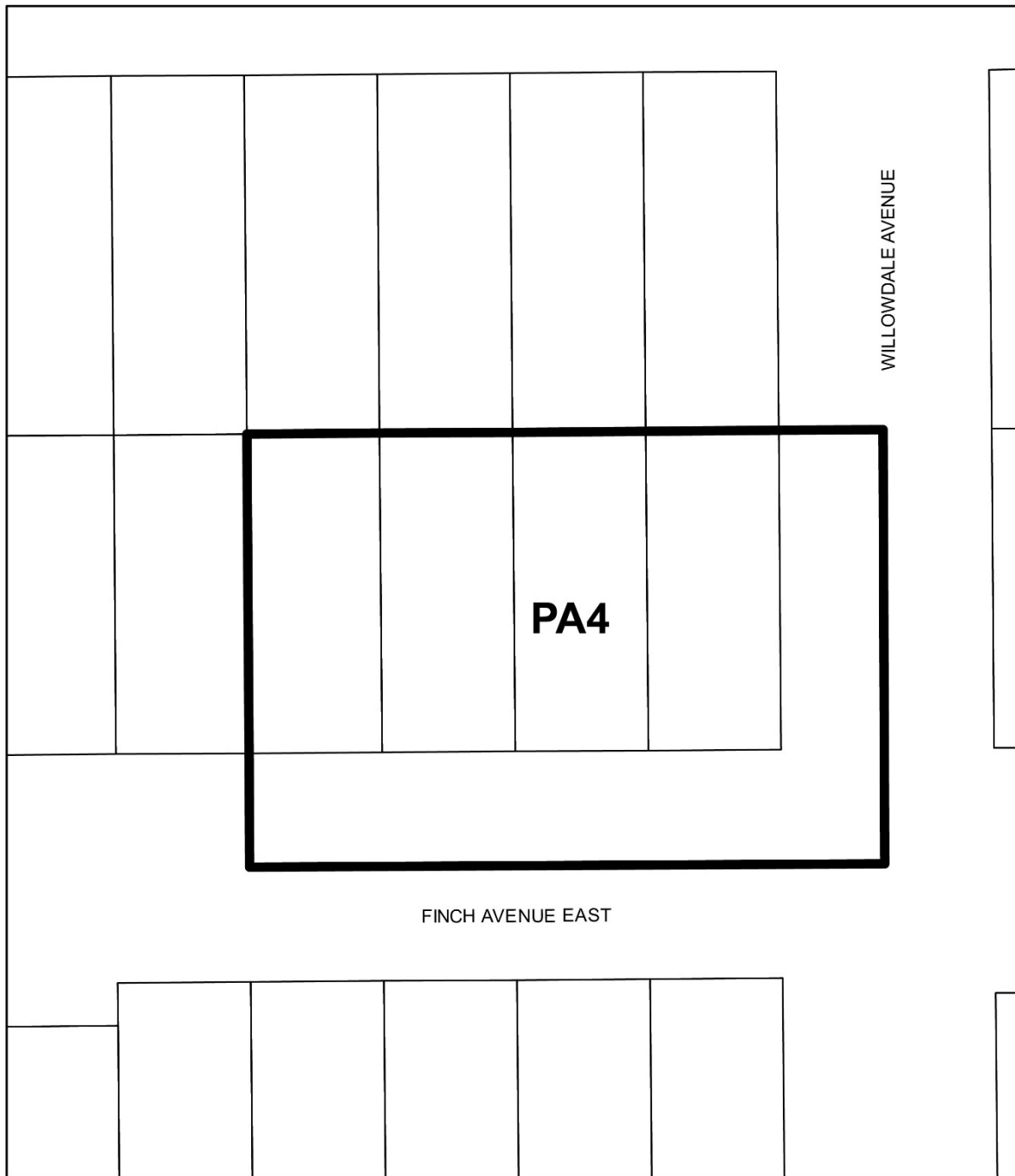
File #: 24 171445 NNY 18 0Z



 **TORONTO**  
Diagram 3

104-114 Finch Avenue East

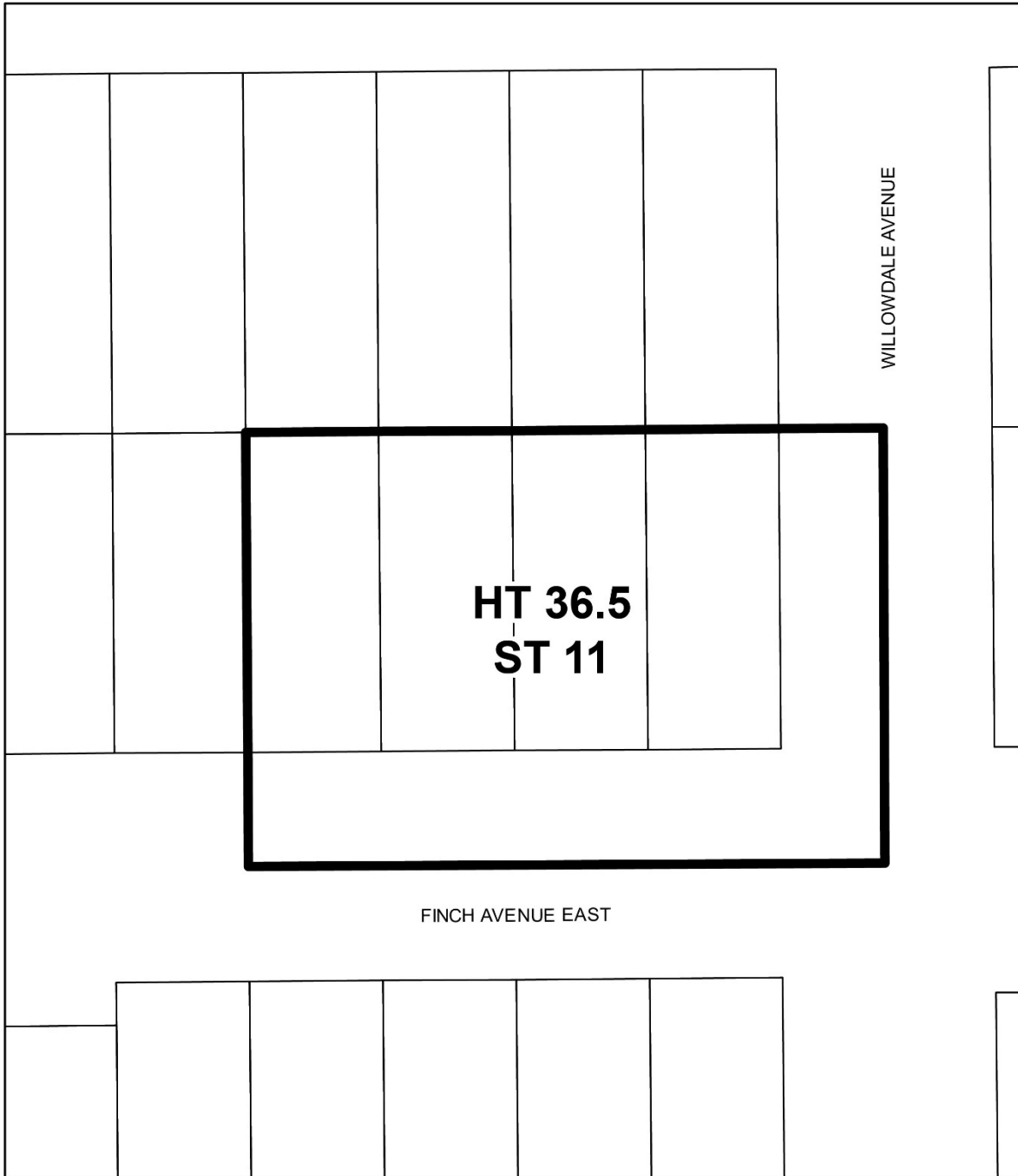
File #: 24 171445 NNY 18 0Z



 **TORONTO**  
Diagram 4

104-114 Finch Avenue East

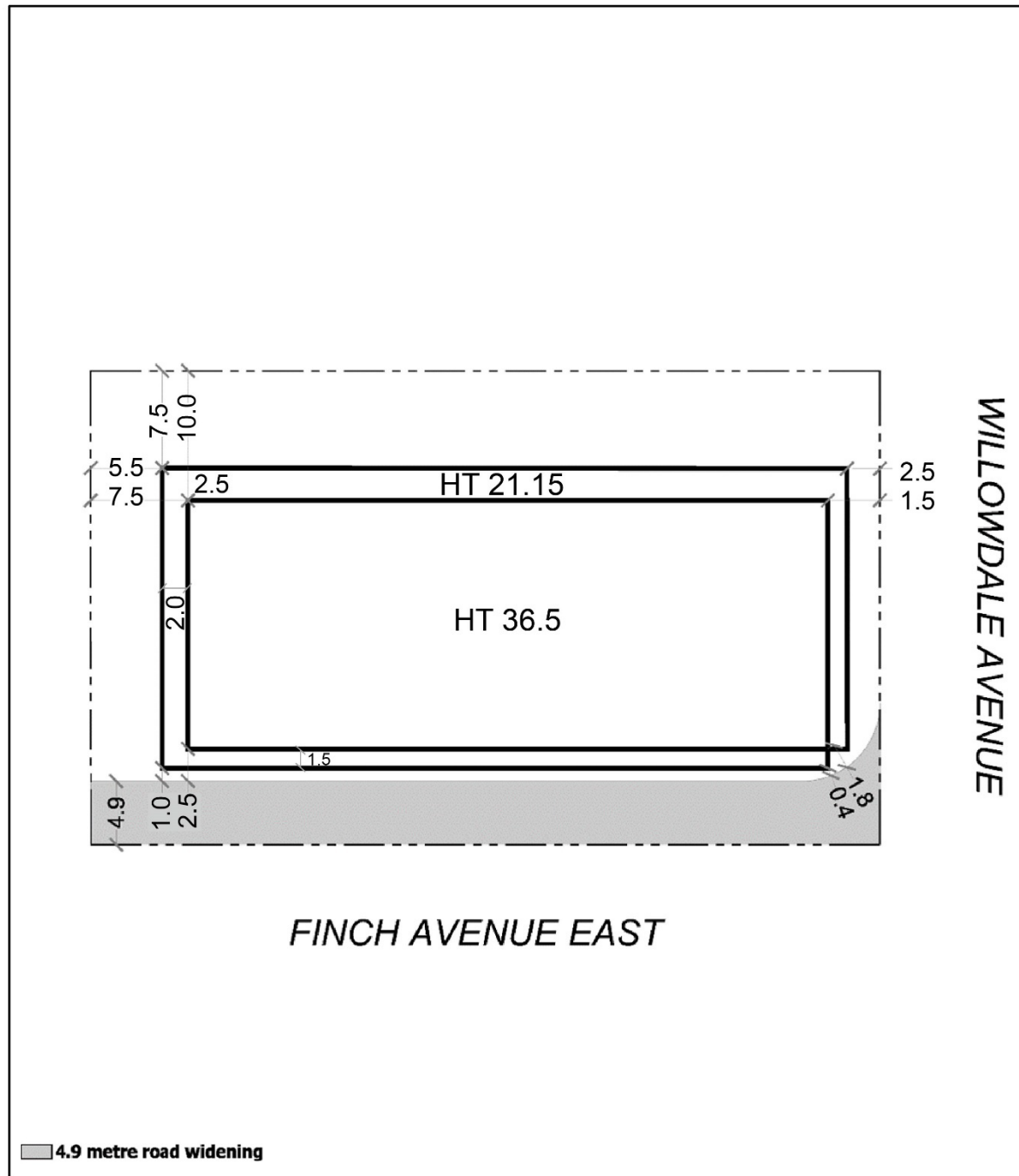
File #: 24 171445 NNY 18 0Z



 **TORONTO**  
Diagram 5

104-114 Finch Avenue East

File #: 24 171445 NNY 18 0Z



**Toronto**  
Diagram 6

104-114 Finch Avenue East

File #: 24 171445 NNY 18 02