

Authority: North York Community Council Item [-], as adopted by City of Toronto Council on [-]

CITY OF TORONTO

BY-LAW XXX-2025

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 221, 223, 225, 227, 229, 231, 235 and 237 Finch Avenue West and 43 Finchurst Drive.

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.

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 1.5 (c0.75; r1.5) SS2 (xXXXX) 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 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.
5. 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.

6. 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 13.0, ST 4 as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number CR 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 221, 223, 225, 227, 229, 231, 235 and 237 Finch Avenue West and 43 Finchurst Drive, 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 (P) 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 193.9 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 6 of By-law [Clerks to insert By-law number];
- (D) Despite regulation 40.10.40.10(5)(B), the required minimum height of the first **storey** does not apply to the following elements and spaces,
 - (i) **amenity space**;
 - (ii) areas such as loading access, **loading spaces**, **bicycle parking spaces**, and shower and change facilities; and
 - (iii) elements for the functional operation of the **building** such as storage rooms, corridors, electrical, utility, mechanical and ventilation rooms; and
 - (iv) for the purpose of this exception, the elements and spaces listed in (i), (ii) and (iii) above may have two levels while being considered a

single **storey** for the purpose of this exception:

- (E) Despite regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** is not limited for the purpose of this exception;
- (F) 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 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 5.0 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 40.10.30.40(1), the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 70 percent.
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 37,800 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 37,200 square metres; and
 - (ii) the permitted minimum **gross floor area** for non-residential uses is 400 square metres;

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- (I) 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];
 - (J) Despite regulation 40.10.40.80(2), the required separation of **main walls** is 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 (I) and (J) 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) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.5 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course or chimney breast, by a maximum of 1.0 metre;
 - (vi) window projections, including bay windows and box windows, by a maximum of 1.0 metre;
 - (vii) eaves, by a maximum of 1.0 metre;
 - (viii) a dormer, by a maximum of 1.0 metre; and
 - (ix) air conditioners, satellite dishes, antennae, vents and pipes, by a maximum of 1.0 metre;
 - (L) Despite regulations 40.10.40.1(1)(A) and (C), **dwelling units** may be located on the first **storey** of a **mixed use building** on a **corner lot** provided:
 - (i) **dwelling units** facing a **major street** on the first **storey** of the **building** must have a direct pedestrian access to the **major street**;
 - (M) Despite Regulations 150.5.20.1(1), (2) and (6), and 150.5.40.40(1), a **home occupation** within a **dwelling unit** on the ground floor that has direct access to a **street** may:
 - (i) be a **personal service shop**, artist studio, office or medical office;

- (ii) have clients or customers attending the **premises** for consultations, receiving services, or obtaining physical goods relating to the **home occupation**;
 - (iii) have an employee working in the **dwelling unit** who is not the business operator;
 - (iv) the floor area for a **home occupation** may be 50 percent of the total **interior floor area** of the **dwelling unit** the **home occupation** is located in.
- (N) 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;
- (O) Despite regulations 200.15.1(1) to (3), accessible **parking spaces** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 2.6 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.2-metre wide accessible and barrier-free aisle or path;
- (P) Despite Regulation 230.5.1.10(6), 230.5.1.10(10), 230.5.10.19(9) and 230.40.1.20(2), both “long-term” and “short-term” **bicycle parking spaces** may be:
 - (i) provided in a **stacked bicycle parking space**;
 - (ii) located outdoors, indoors, or in an enclosed room or enclosure, and located on any floor of a **building**; and
 - (iii) located more than 30 metres from a pedestrian entrance to **building**.
- (Q) Despite Regulation 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;

Prevailing By-laws and Prevailing Sections: None Apply

8. Despite any existing or future severance, partition or division of the lands shown on Diagram 1 of By-law [Clerks to supply by-law #], the provisions of this By-law shall apply to the whole lands as one lot as if no severance, partition or division had 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;
- (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; and
 - (a) Should the above identify the need for modifications or improvements to existing transportation related infrastructure and/or new municipal infrastructure is required, the Owner shall make satisfactory arrangements with Transportation Services, including providing financial securities and payments, all to the satisfaction to the General Manager, Transportation Services.

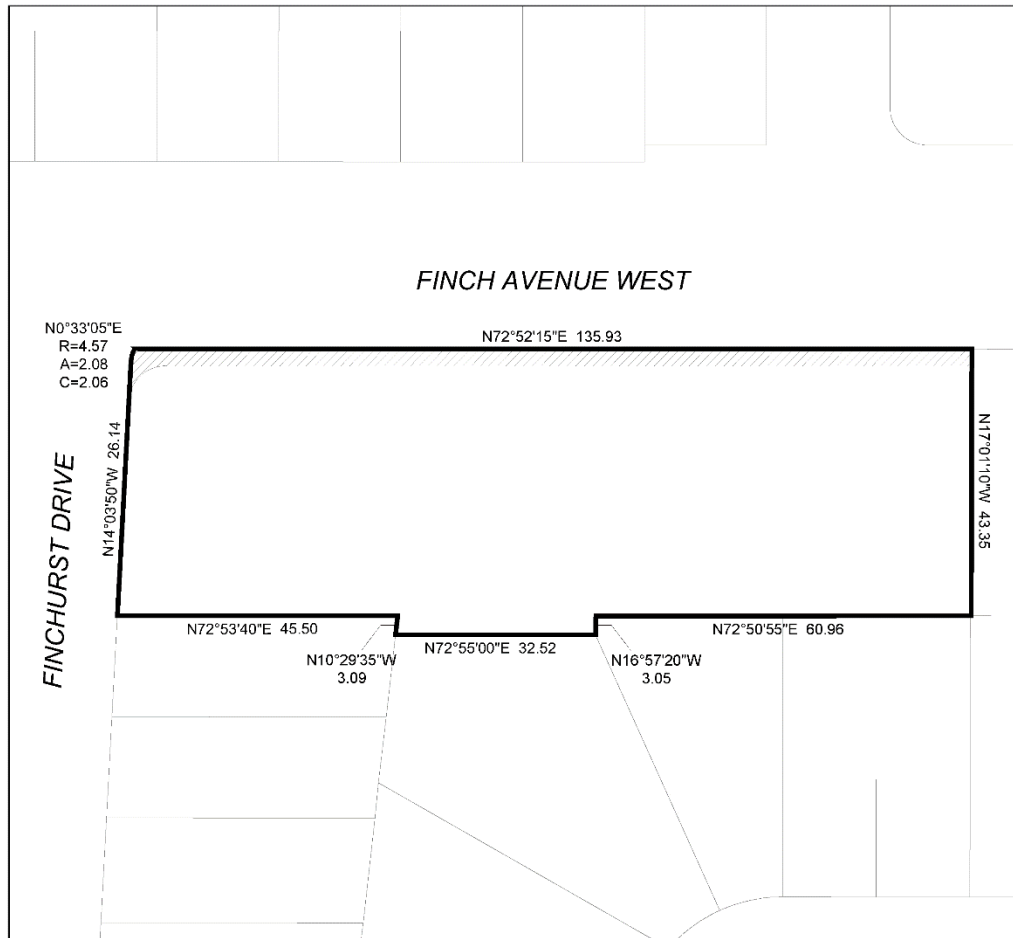
ENACTED AND PASSED this ____ day of ____, A.D. 2025.

FRANCES NUNZIATA
Speaker

JOHN ELVIDGE
City Clerk

(Seal of the City)

City of Toronto By-law No. ____ - 2025



221-237 Finch Avenue West and 43 Finchurst Drive

Diagram 1

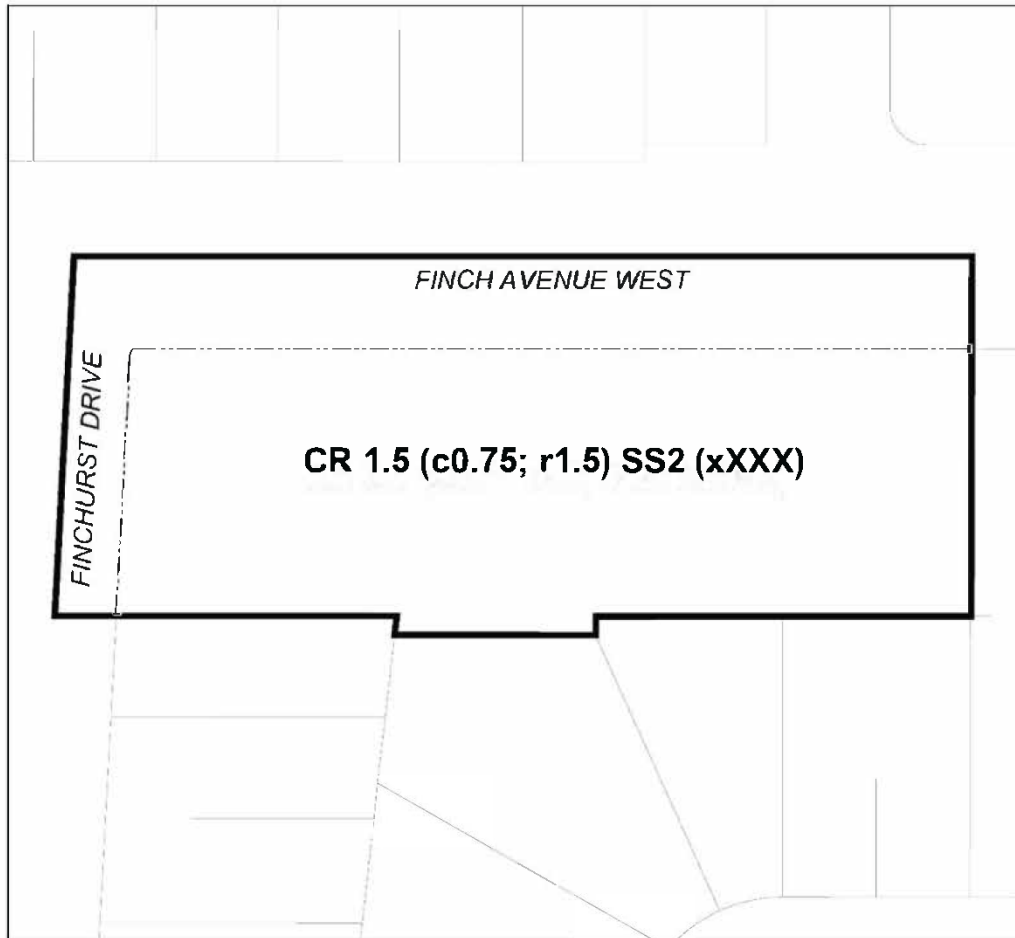
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2.76 metre road widening



Not to Scale

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221-237 Finch Avenue West and 43 Finchurst Drive

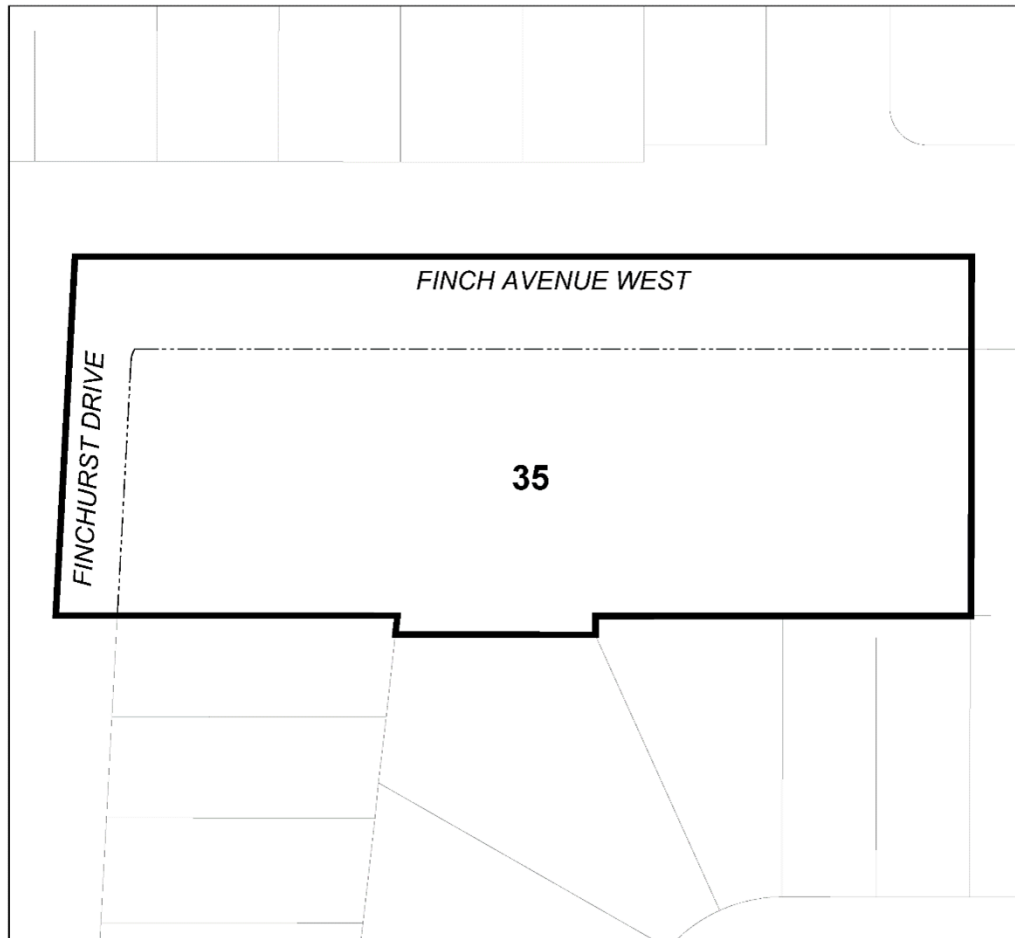
Diagram 2

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Not to Scale

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The logo of the City of Toronto, featuring a stylized building icon and the word "TORONTO" in a bold, sans-serif font.

221-237 Finch Avenue West and 43 Finchurst Drive

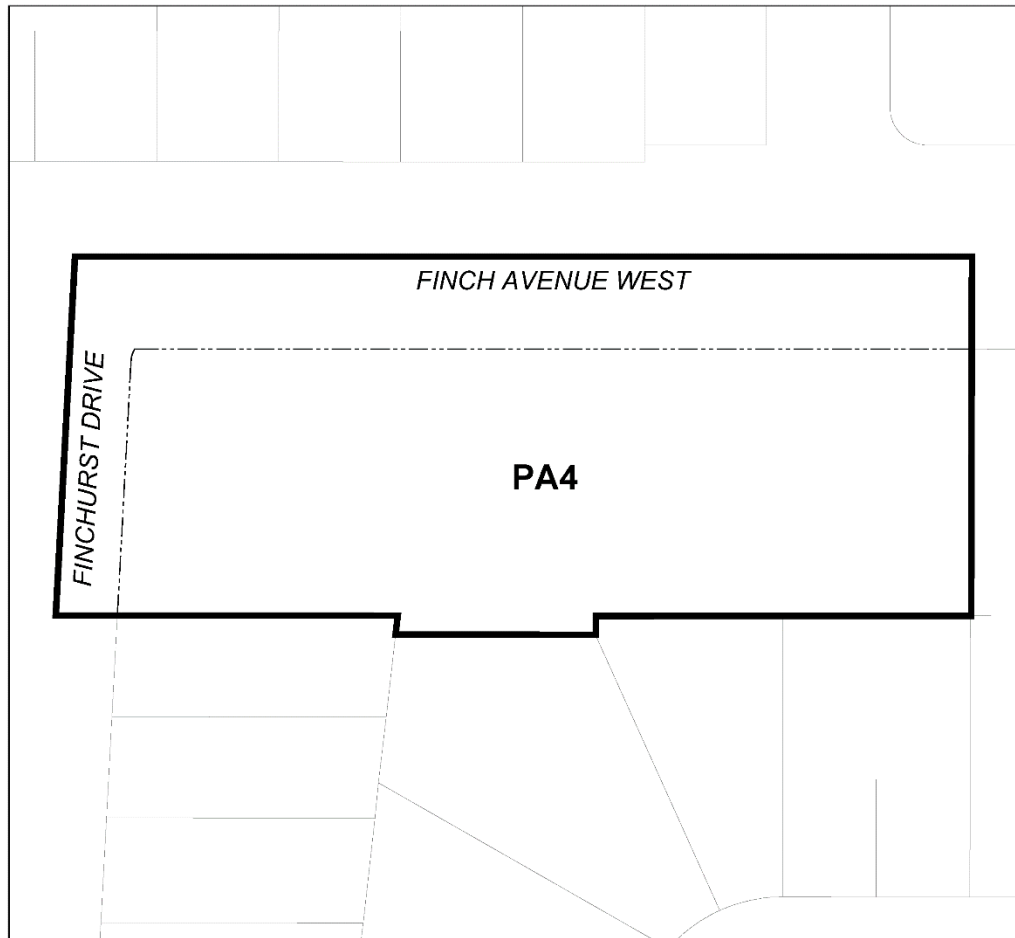
Diagram 3

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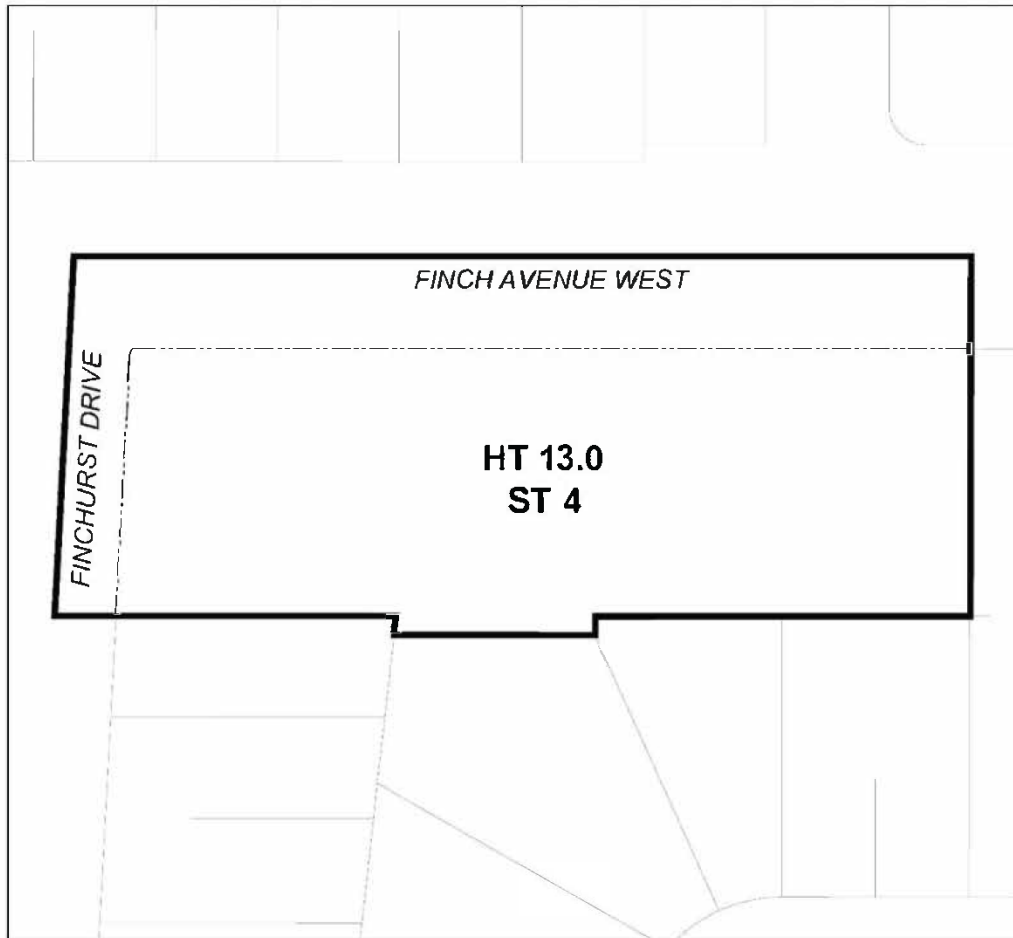
 **TORONTO****221-237 Finch Avenue West and 43 Finchurst Drive****Diagram 4**

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221-237 Finch Avenue West and 43 Finchurst Drive

Diagram 5

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