

Attachment 6: Draft Zoning By-law Amendment

Authority: **Scarborough Community Council** Item [-], as adopted by City of Toronto Council on [-], 2025

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 672, 674 and 676 Birchmount Road.

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 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 amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from a zone label of RS (x49) to a zone label to RA (x273) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.7.10 Exception Number 273 so that it reads:

(273) Exception RA 273

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 672, 674 and 676 Birchmount Road, as shown on Diagram 1 of By-law [Clerks to insert By-law Number], 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 (B) to (J) 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 156.6 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 15.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (D) Despite regulation 15.10.40.10(2), the permitted maximum number of **storeys** in a **building** is the number following the letters "ST" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (E) Despite regulation 15.5.40.10(2) to (6) and (C) above, the following elements may project above the permitted **building** heights shown on Diagram 3 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 5.0 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 2.5 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.1 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 4.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 4.0 metres; and

- (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 2.5 metres;
- (E) Despite regulation 15.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 19,000.0 square metres;
- (F) Despite regulation 15.10.30.40(1), no **lot coverage** applies;
- (G) Despite clause 15.10.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (H) Despite clause 15.10.40.80, the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (I) Despite clause 15.5.40.60 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 2.8 metres;
 - (ii) canopies and awnings, by a maximum of 2.8 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.8 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.9 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 2.8 metres;
 - (vi) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
 - (vii) eaves, by a maximum of 2.8 metres;
 - (viii) a dormer, by a maximum of 1.0 metres; and
 - (ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.5 metres;
- (J) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** are permitted in accordance with the following maximum rates:

- (i) 0.3 **parking spaces** for each bachelor **dwelling unit** up to 45 square metres and 1.0 for each bachelor **dwelling unit** greater than 45 square metres;
- (ii) 0.5 **parking spaces** for each one bedroom **dwelling unit**;
- (iii) 0.8 **parking spaces** for each two bedroom **dwelling unit**; and
- (iv) 1.0 **parking spaces** for each three or more bedroom **dwelling unit**;

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

- 11. 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.
- 12. 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 office 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.
- 13. The Owner shall provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

(Seal of the City)

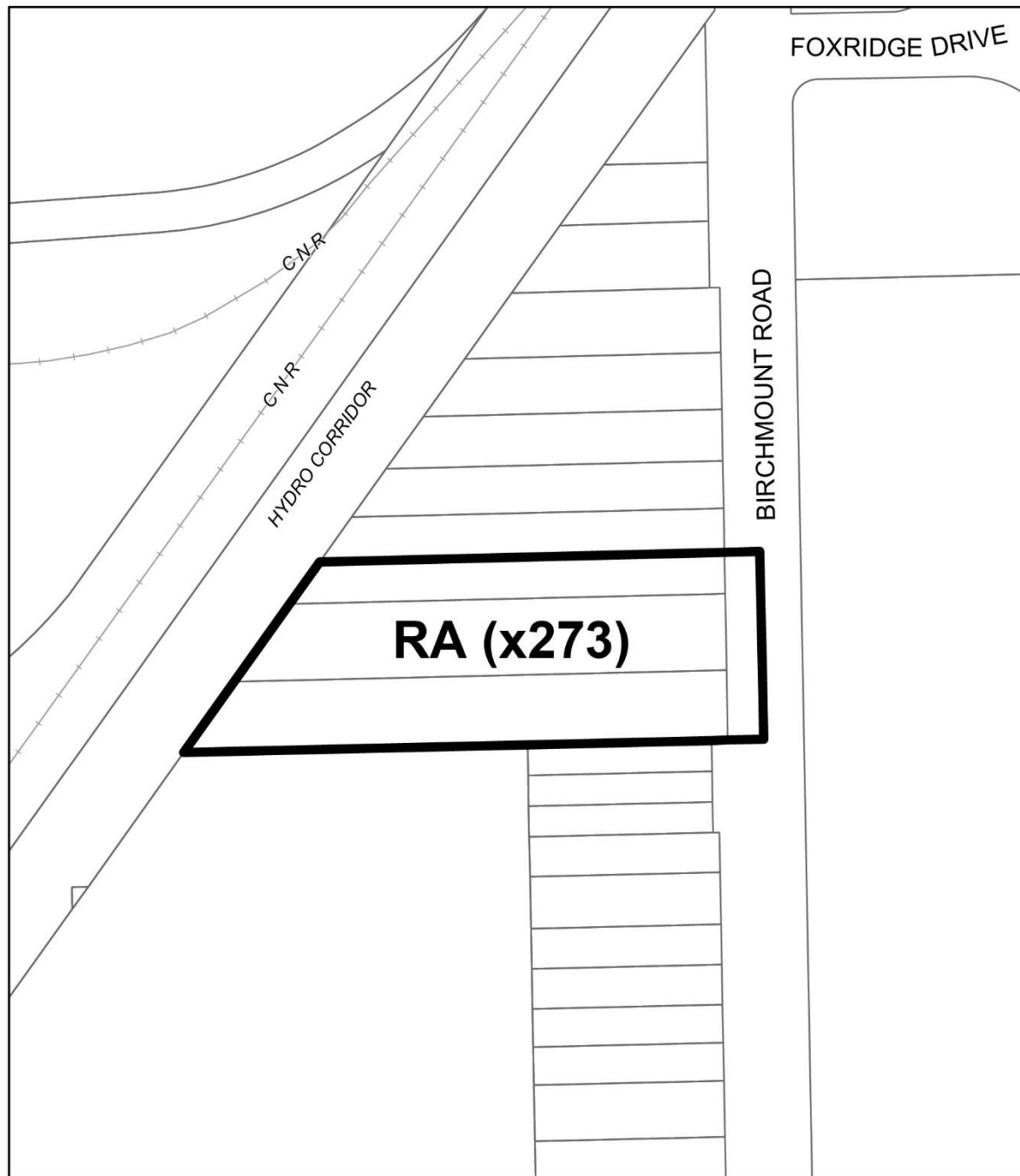
[full name],
City Clerk



Toronto
Diagram 1

672-676 Birchmount Road

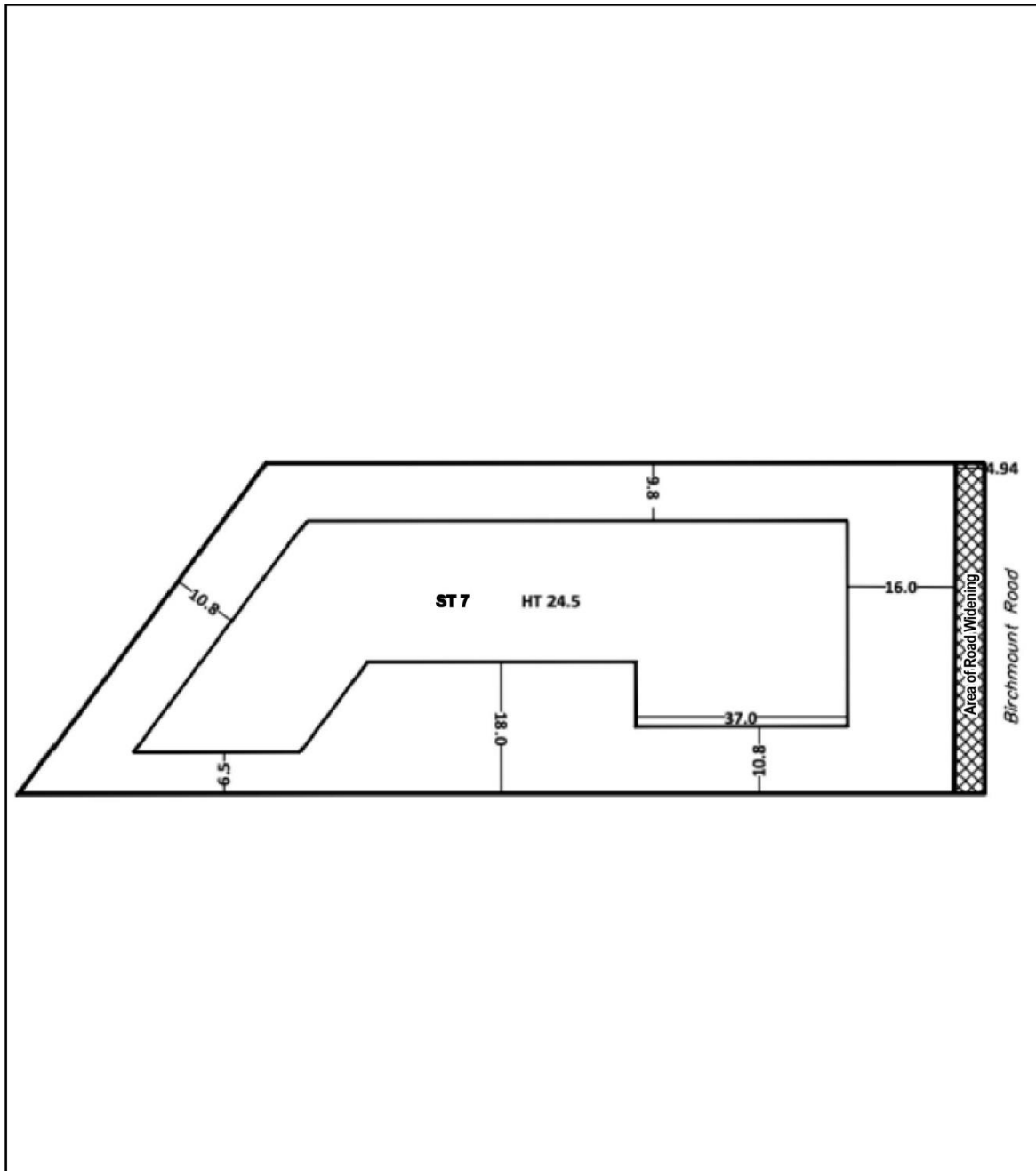
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 **TORONTO**
Diagram 2

672-676 Birchmount Road

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Toronto
Diagram 3

672-676 Birchmount Road

File #: 23 144169 ESC 20 02

City of Toronto By-law 569-2013
Not to Scale
06/03/2025