

Attachment 5: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item [-], as adopted by City of Toronto Council on ~, 20~

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 62 Orchard Park 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)"; and

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 IPW 0.4 (x70) to a zone label of (H) RM (x483) 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 483 so that it reads:

483) Exception RM (483)

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 62 Orchard Park 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 (S) below;
- (B) Despite 10.80.20.20(1), a **place of worship** is permitted on the **lot**;
- (C) Despite regulations (B) above and 10.80.20.100 (9)(A), a **place of worship** may be on a **lot** with an **apartment building**, if the **lot** has fewer than 50 **dwelling units** in the **apartment building**;
- (D) Despite regulations 10.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 122.13 metres and the elevation of the highest point of the **building** or **structure**;
- (E) Despite regulation 10.5.40.10(1) and 10.80.40.10, the permitted maximum height of a **building** or **structure** on the lot
 - (i) with respect to the proposed **building** on Diagram 3 of By-law [Clerks to insert By-law number], the number in metres following the “HT” symbol on Diagram 3 of By-law [Clerks to insert By-law number]; and;
 - (ii) with respect to the lawfully existing **building** on Diagram 3 of By-law [Clerks to insert By-law number], the height of the lawfully existing **building** as it existed on the **lot** at the time of the passing of By-law [Clerks to insert By-law number];
- (F) Despite regulation 10.5.40.10(2), in the Residential Zone category, the following **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by:
 - (i) 1.5 metres for:
 - (a) parapets for a roof; and
 - (b) weather vanes; or
 - (ii) 5.0 metres for:
 - (a) antennae;
 - (b) flagpoles; and
 - (c) satellite dishes;

- (G) Despite regulation 10.5.40.40 and 10.80.40.40, the permitted maximum **gross floor area** of all **buildings** and **structures** is 3,750 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 2,450 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 1,300 square metres;
- (H) Despite regulations 10.5.40.70, 10.5.40.71, 10.80.40.70 and 10.80.40.40, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (I) Despite Clause 10.5.40.60 and (H) 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 1.5 metres;
 - (ii) canopies and awnings, by a maximum of 5.3 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.0 metre;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.5 metre;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.5 metre;
 - (vi) pergolas, by a maximum of 5.0 metres; and
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 3.0 metres;
- (J) Despite (I), a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform, is subject to the following:
- (i) if it is not above a platform, it may encroach into a required minimum **building setback** the lesser of 5.3 metres or 70% of the required minimum **building setback** for the yard in which it is located, if it is:
 - (a) covering a **driveway**, walkway or outdoor **amenity space**

adjacent to an entrance to the **building**.

- (K) Despite Clause 10.5.30.40 and 10.80.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 40 percent;
- (L) Despite Clause 10.5.80.10(2), the proposed number of **parking spaces**, other than required visitor **parking spaces**, in a **building** or underground **structure** is 0 **spaces**.
- (M) Despite Clause 10.5.80.30(1), the proposed surface **parking space** must be at least 2.0 metres from a **main wall** of an **apartment building**.
- (N) Despite Clause 10.5.100.1(4)(B), the permitted maximum driveway width for an **apartment building** may be a maximum of 6.5 metres wide.
- (O) Despite regulation 150.50.50.10(1)(A) and (C) and 10.5.50.10(1) and (2) landscaping and soft landscaping must be provided in accordance with the following:
 - (i) Where an abutting property fronts on to Kingston Road or Orchard Park Drive the following must be provided:
 - (a) a minimum 0.5-metre-wide strip of **soft landscaping** on the **lot** when abutting an adjacent property; and
 - (b) a fence.
- (P) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
 - (i) a minimum of 3 residential visitor **parking spaces** for the **apartment building**;
 - (ii) a minimum of 4 non-residential **parking spaces** for the non-residential use;
- (Q) Despite regulation 200.15.1(1) and (3), an accessible **parking space** must have the following minimum:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and,
 - (iii) vertical clearance of 2.1 metres;
 - (iv) The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017;

- (R) Despite regulation 200.15.1(4), an accessible **parking space** must be the **parking spaces** closest to a barrier free:
- (i) entrance to a **building**,
 - (ii) passenger elevator that provides access to the first **storey** of the **building**; and,
 - (iii) and shortest route from the required entrances in (i) and (ii).
- (S) Despite regulation 200.5.10.11(1)(C), the number of **lawful parking spaces** for a **lawfully existing building** may be reduced from 56 assumed **parking spaces** to 29 **parking spaces**:

Prevailing By-laws and Prevailing Sections:

None Apply

5. Holding Symbol Provision

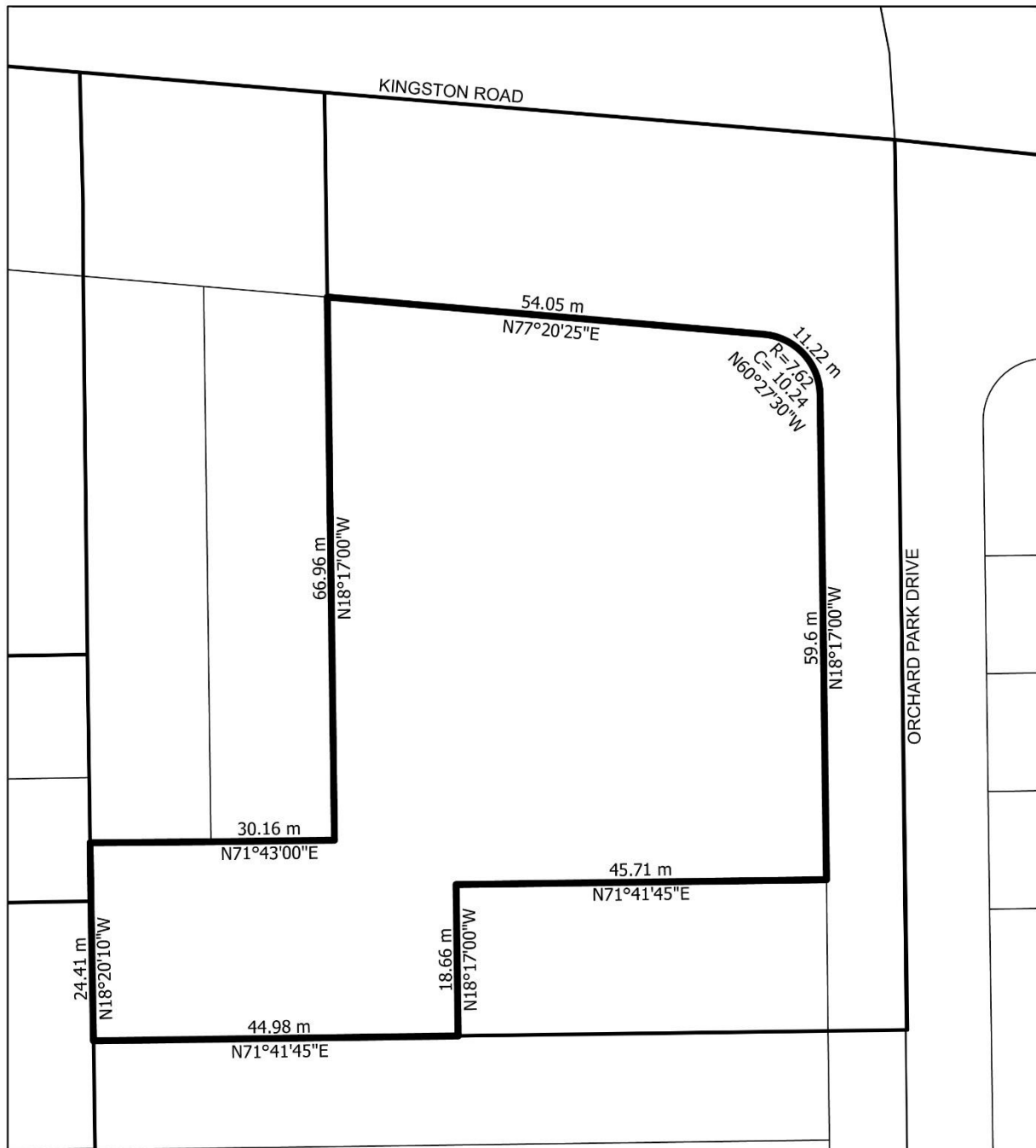
- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 1 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
- (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
- (i) That a revised Functional Servicing and Stormwater Management Report to the Chief Engineer & Executive Director of Engineering and Construction Services for review and acceptance to demonstrate whether the existing sewer and watermain systems are adequate or are required to be upgraded to support the proposed development.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

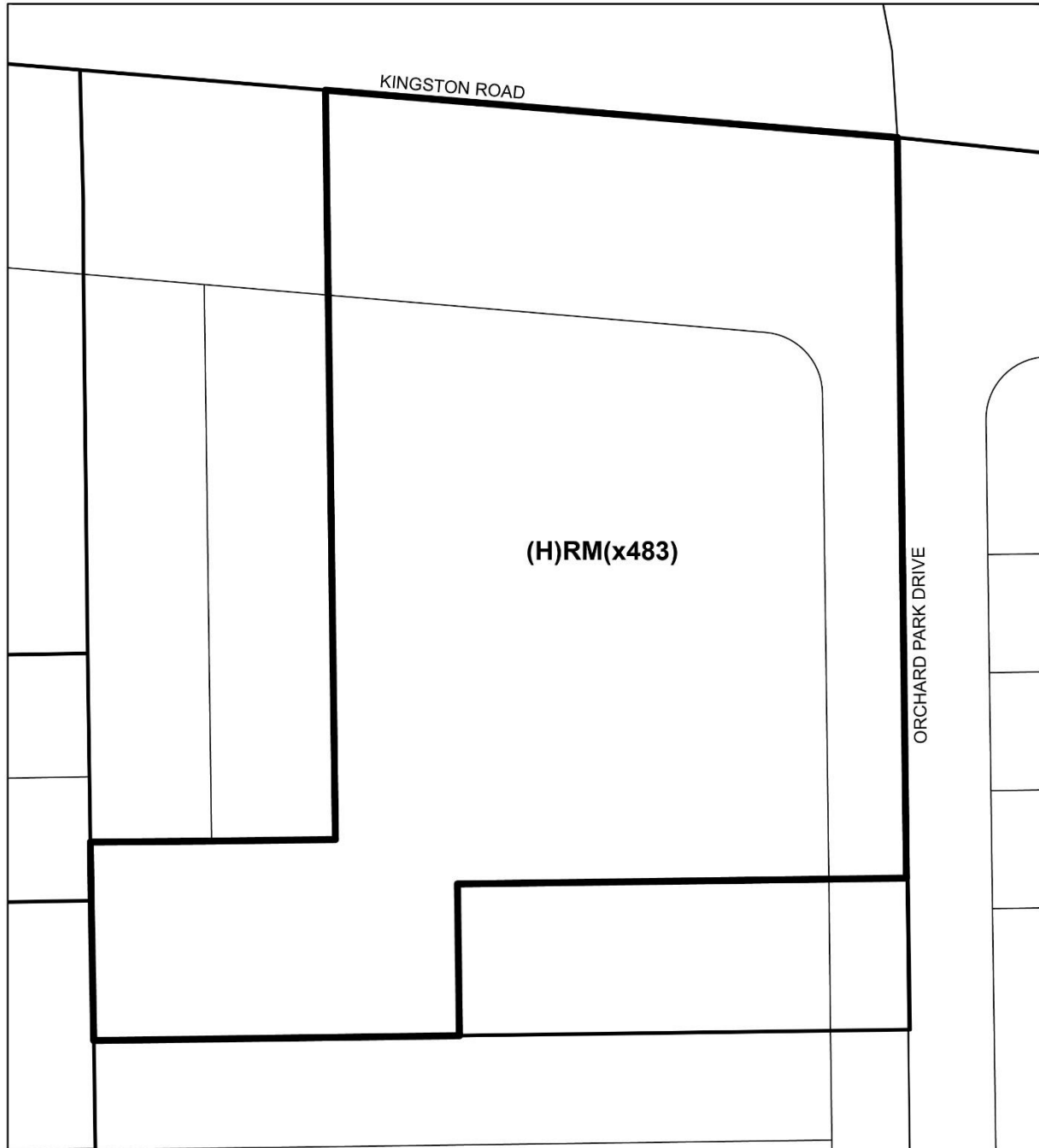
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Toronto
Diagram 1

62 Orchard Park Dr

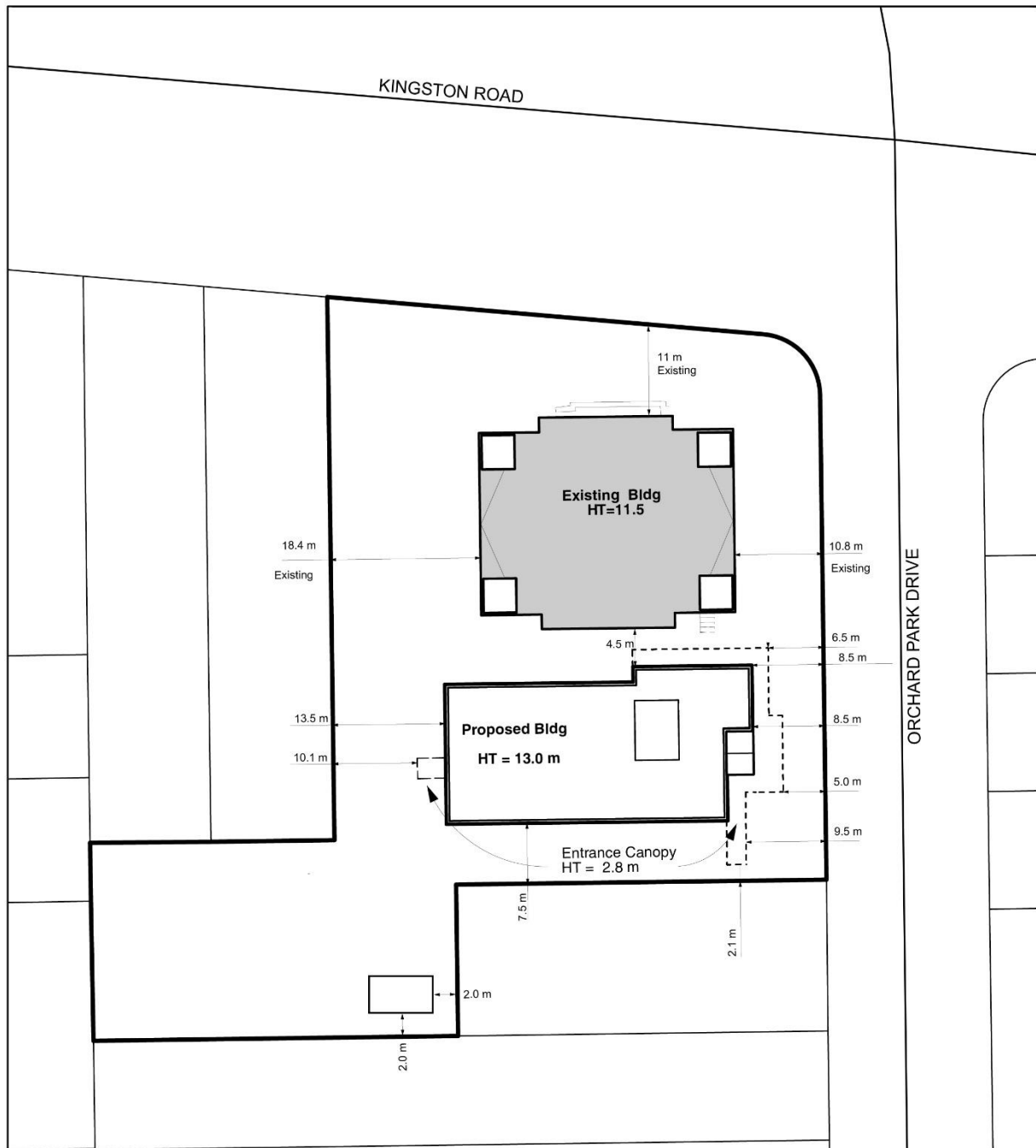
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 **TORONTO**
Diagram 2

62 Orchard Park Dr

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Diagram 3

62 Orchard Park Dr

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