

Attachment 5: Draft Zoning By-law Amendment

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

To amend By-law 1176-2022 (OLT), being a by-law to amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 6 Dawes 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;

Whereas the Official Plan for the City of Toronto By-contains provisions relating to the authorization of increases in height and density of development ; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and Whereas subsection 37(3) of the Planning Act provides that where an owner of lands elects to provide facilities, services or matters, in return for an increase in height or density of development, the owner may be required to enter into one or more agreements with the municipality in respect of the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. By-law 1176-2022 (OLT) is amended by replacing Diagram 5 with Diagram 5 attached as Schedule '1' to this by-law.
2. Zoning By-law 569-2013, as amended, is further amended by adding the word washrooms after the word parapets in regulations 900.11.10(822) (F) I and adding regulations iv to v so that it reads:
 - i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access,

- maintenance equipment storage, elevator shafts, elevator machine rooms, chimneys, **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** inclusive of a mechanical penthouse, architectural features, parapets, washrooms, and elements and **structures** associated with a **green roof, building** maintenance units and window washing equipment, by a maximum of 7.5 metres;
- ii) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 5 metres; and
 - iii) for Building A located on the **lot**, any elements listed in (F)(i) above must be set back a minimum of 5 metres from the west **main wall** of the floor below.
 - iv) For Building D, the following items are permitted above a height of 132.0 metres, planters, **landscaping** features, **green roofs**, parapets guard rails, and divider screens on a balcony and/or terrace, trellises, pergolas, window washing equipment and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 5.0 metres;
 - v) For Building D, the following items are permitted above a height of 142.0 antennas, building maintenance equipment, **green roofs**, roof access for maintenance and window washing equipment by a maximum of 2.0 metres
3. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 900.11.10(822) (H) so that it reads:
8. (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the lot is 112,200 square metres, of which:
- i) the permitted maximum **gross floor area** for residential uses 111, 000 square metres.
4. Zoning By-law 569-2013, as amended, is further amended by adding regulation 900.11.10(822) (L) (iv) so that it reads:
- (i) at least a combined 4.0 square metres for each **dwelling unit** as indoor and outdoor **amenity space**;
 - (ii) a minimum of at least 40 square metres of outdoor **amenity space** must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent of the outdoor component may be a green roof.
 - (iv) Within **Building D** as shown on Diagram 5 **amenity space** shall be provided in accordance with the following minimums:

- (a) at least a combined 3.5 square metres for each **dwelling unit** as indoor and outdoor **amenity space**;
 - (b) at least 40 square metres of outdoor **amenity space** must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (c) no more than 25 percent of the outdoor component may be a **green roof**;
5. Zoning By-law 569-2013, as amended is further amended by adding regulation 900.11.10 (822) (P)(vi):
- (i) decks, porches, and balconies, by a maximum of 2.5 metres;
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) architectural features, such as a pilaster, decorative column, sill, belt course, or chimney breast, window projections, including bay windows and box windows, a dormer, by a maximum of 0.6 metres;
 - (iv) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 0.9 metres; and
 - (v) despite (P)(i) above, no balconies on the west **main wall** of Building A are permitted to encroach into a required **building setback**.
 - (vi) despite (P)(i) above, no balconies on the east **main wall** of Building D are permitted to encroach into a required **building setback** below a height of 18 metres.
6. Zoning By-law 569-2013, as amended, is further amended by adding regulations 900.11.10(822) (Q) (vi) to (viii) so that it reads:
- vi) For Building D, parking for residents is to be provided at a minimum of 0 spaces and at a maximum rate of:
 - (a) 0.3 spaces for each studio **dwelling unit** up to 45 square metres and 1.0 space for each studio **dwelling unit** greater than 45 square metres;
 - (b) 0.5 spaces for each one bedroom **dwelling unit**;
 - (c) 0.8 for each two bedroom **dwelling unit**; and
 - (d) 1.0 for each three or more bedroom **dwelling unit**;

(vii) parking for residential visitors is to be provided at a minimum rate of 0 **parking spaces** per **dwelling unit**, and at a maximum rate of 1.0 per **dwelling unit** for the first 5 **dwelling units** and 0.1 per **dwelling unit** for the sixth and subsequent **dwelling units**; and

(viii) minimum of 0 **parking spaces** for non-residential uses.

7. Zoning By-law 569-2013, as amended is further amended by adding the following regulations to 900.11.10(822) so that it reads:

(DD) Despite regulations 200.15.10.5 and 970.10.15.5(11) to (17), a minimum of 1 **parking space** for every 25 **parking spaces** or part thereof provided on the **lot** must comply with all regulations for an accessible **parking space** in regulation 200.15.1.

8. Section 37 Requirements:

(A) Pursuant to subsections 37.1(2) and (3) of the *Planning Act*, which continues subsections 37(3) and (4) of the *Planning Act* as read prior to their repeal by section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020*, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to this By-law and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

(B) Where Schedule A attached to this by-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

(C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

9. Zoning By-law 569-2013, as amended is further amended by replacing paragraph 5 of Schedule "A" to regulation 900.11.10(822) with paragraph 5 of Schedule "A" of this by-law.

Enacted and passed on [month day, year].

[full name],

Speaker

(Seal of the City)

[full name],

City Clerk

Schedule A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City by the owner at the owner's expense in accordance with this By-law and as further specified in one or more agreements or amendments to existing agreements, in a form satisfactory to the City Solicitor with conditions providing for indexing escalation of both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement in return for the increase in height and density of the proposed development on the lot, all to the satisfaction of the Chief Planner and Executive Director, City Planning:

Affordable Housing

5. The development shall include six (6) new affordable rental dwelling units (the "ARDUs") on the lands at 6 Dawes Road, in accordance with the following:
- (a) the nine (9) new ARDUs shall collectively contain a total gross floor area that is no less than 541 square metres (5823 square feet);
 - (a.1) at least three (3) of the new ARDUs shall be studio rental units with a minimum unit size that is no less than 38 square metres (409 square feet);
 - (b) at least three (3) of the new ARDUs shall be one-bedroom rental units with a minimum unit size that is no less than 50 square metres (540 square feet);
 - (c) at least two (2) of the new ARDUs shall be two-bedroom rental units with minimum unit size that is no less than 87 square metres (936 square feet);
 - (d) at least one (1) of the new ARDUs shall be a three-bedroom rental unit with minimum unit size that is no less than 100 square metres (1,067 square feet); and
 - (e) the location and layouts of the new ARDUs within the development shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.

Schedule 1



Diagram 5

6 Dawes Road

File #24 254706 STE 19 OZ

-  Privately Owned Publicly Accessible Space
-  Parkland Dedication
-  Ground Floor Setback



City of Toronto By-law 569-2013
Not to Scale