

# Public Attachment 2

## DRAFT ZONING BY-LAW AMENDMENT (MARCH 10, 2026)

Authority: Ontario Land Tribunal Decision issued on September 8, 2023 and Ontario Land Tribunal Order issued on **XX** in Case No. OLT- 22-003301

### CITY OF TORONTO

### BY-LAW XXX-2026(OLT)

#### **To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 320 McCowan Road**

Whereas the Ontario Land Tribunal, by its Decision issued on September 8, 2023 and its Order issued on **[date]**, in respect of Tribunal File No. OLT-22-003301, upon hearing an appeal under Section 34(11) of the Planning Act, R.S.O. 1990, c.P13, as amended, determined to amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 320 McCowan Road; and

Whereas the Ontario Land Tribunal has the authority pursuant to Section 34 of the Planning Act, as amended, to pass this By-law; 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)"; 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; and

The Ontario Land Tribunal Orders:

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, 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 RA (u600)(x333) to a zone label of (H) RA (x275) 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 275 so that it reads:

**(275) Exception RA 275**

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 320 McCowan Road, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (BB) below;
- (B) The **buildings** and **structures** permitted on the **lot** include “Building A”, “Building B” and “Building C”, as follows:
- (i) for the purposes of this Exception, “Building A” means the **building** labeled as “Building A” on Diagram 3 of By-law [Clerks to insert By-law ##], including portions located below ground and any ancillary **buildings** or **structures**;
- (ii) for the purposes of this Exception, “Building B” means the **building** labeled as “Building B” on Diagram 3 of By-law [Clerks to insert By-law ##], which reflects the existing 19-storey **apartment building**, including portions located below ground and any ancillary **buildings** or **structures**, as they existed on the **lot** as of September 8, 2023; and
- (iii) for the purposes of this Exception, “Building C” means the **building** labeled as “Building C” on Diagram 3 of By-law [Clerks to insert By-law ##], which reflects the existing 1-storey amenity **building**, including portions located below ground and ancillary **buildings** or **structures**, as they existed on the **lot** as of September 8, 2023;
- (C) Despite Regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 162.25 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 15.5.50.10(1), **landscaping** must be provided in accordance with the following:
- (i) a minimum of 30 percent of the area of the **lot** for **landscaping**; and
- (ii) a minimum of 50 percent of the **landscaping** area required in (i) above, must be **soft landscaping**;

- 
- (E) Despite Regulation 15.5.100.1(1), the **drive aisles** and **driveways** existing on the **lot** as of September 8, 2023 are deemed to comply with the requirements of Zoning By-law 569-2013, as amended;
- (F) Regulation 15.5.100.1(2), with respect to **driveway** access to **apartment buildings**, does not apply;
- (G) In addition to the uses permitted in Regulation 15.10.20.10(1), a “geo-energy facility” is permitted;
- (H) Despite Clause 15.10.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 60 percent;
- (I) 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 ##];
- (J) Despite Regulations 15.5.40.10(3) to (6) and (I) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
- (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, cooling equipment, water supply facilities, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, chimneys, vents and **renewable energy** elements, by a maximum of 6.5 metres;
  - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 6.5 metres;
  - (iii) **green roof** elements and parapets located on top of the mechanical penthouse enclosure, may further exceed the permitted maximum height projection in (i) and (ii) by a maximum of 1.5 metres;
  - (iv) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
  - (v) cabanas, pergolas, trellises, screens and unenclosed **structures** providing safety, wind or noise protection to rooftop terraces or outdoor **amenity space**, by a maximum of 3.5 metres;
  - (vi) planters, **landscaping** features, guard rails, balustrades, privacy and decorative screens, terrace dividers, fences, roof drainage features and terrace walls, by a maximum of 3.0 metres;
  - (vii) architectural features, parapets and **green roof** elements located

- below a mechanical penthouse enclosure, by a maximum of 1.5 metres;
- (viii) **structures** and elements related to outdoor flooring and roofing assembly features by a maximum of 0.5 metres;
- (ix) pools, and associated elements including pool decks, **structures**, guard rails, barrier free ramps, access ladders, life safety equipment storage pavilions and mechanical rooms by a maximum of 4.5 metres in the areas labeled “HT 20.5” and “HT 25.0” on Diagram 3 of By-law [Clerks to insert By-law ##];
- (K) Despite (I) above, the maximum permitted height of “Building B” and “Building C” is the height of such **buildings** and **ancillary structures**, inclusive of all rooftop projections and equipment, as they existed on the **lot** as of September 8, 2023;
- (L) Despite Regulation 15.10.40.40(1), the permitted maximum **gross floor area** of all buildings and **structures** on the **lot** is 85,500 square metres, of which:
- (i) the permitted maximum **gross floor area** in “Building A” is 56,952 square metres; and
- (ii) the permitted maximum **gross floor area** in “Building B” and “Building C” is 28,548 square metres;
- (M) In addition to the elements listed in Regulation 15.5.40.40(1) that reduce **gross floor area**, the following element will also apply to reduce the **gross floor area** of a **building**:
- (i) indoor **amenity space** not required by this By-law;
- (N) Despite Regulation 15.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) for “Building A”, a minimum rate of 4.0 square metres for each **dwelling unit**, of which:
- (a) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space** located at or above established grade;
- (b) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
- (c) no more than 25% of the outdoor component may be a **green roof**;

- (ii) for “Building B”, a minimum of 46.0 square metres plus 0.9 square metres per **dwelling unit** in excess of 50 **dwelling units**, all of which may be provided within “Building C”;
- (O) Despite Clause 15.10.40.70, the required minimum **building setbacks** for Building A are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (P) Despite Regulations 15.10.40.80(1) and (2), the required separation of **main walls** for Building A are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (Q) The required minimum **building setbacks** and separation of **main walls** for “Building B” and “Building C” are the minimum **building setbacks** and separation of **main walls**, inclusive of all inclusive of all encroachments, as they existed on the **lot** as of September 8, 2023;
- (R) Despite Regulation 15.5.40.50(2), Clause 15.5.40.60 and in addition to (O) and (P) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
  - (i) decks and platforms situated upon a roof may encroach to the extent of the roof upon which they are situated;
  - (ii) a crash wall or train derailment protection feature;
  - (iii) canopies and awnings, by a maximum of 3.0 metres;
  - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
  - (v) at grade terrace walls, planter boxes and structural features, by a maximum of 3.0 metres;
  - (vi) balconies, balcony wing walls, guard rails and privacy screens, by a maximum of 2.1 metres;
  - (vii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course or chimney breast, in addition to louvres, or screens providing privacy, safety or wind mitigation by a maximum of 1.0 metre;
  - (viii) window projections, including bay windows and box windows, by a maximum of 1.0 metre;
  - (ix) eaves, by a maximum of 1.0 metre;

- 
- (x) light fixtures, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metre; and
  - (xi) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.5 metres;
- (S) Despite Regulation 970.10.15.5(5) and Table 970.10.15.5, **parking spaces** must be provided in accordance with the following:
- (i) **parking spaces** for “Building A” must be provided as follows:
    - (a) a maximum of 0.8 **parking spaces** for each bachelor **dwelling unit** up to 45 square metres and 1.0 **parking spaces** for each bachelor **dwelling unit** greater than 45 square metres;
    - (b) a maximum of 0.9 **parking spaces** for each one bedroom **dwelling unit**;
    - (c) a maximum of 1.0 **parking spaces** for each two bedroom **dwelling unit**;
    - (d) a maximum of 1.2 **parking spaces** for each three bedroom **dwelling unit**; and
    - (e) a minimum of 2.0 plus 0.05 **parking spaces** per **dwelling unit** for residential visitors;
  - (ii) **parking spaces** for “Building B” must be provided as follows:
    - (a) a minimum of 1.02 **parking spaces** per **dwelling unit** for residential occupants; and
    - (b) a minimum of 0.12 **parking spaces** per **dwelling unit** for residential visitors;
  - (iii) **parking spaces** for “Building A” and “Building B” may be provided in a shared parking facility;
- (T) Despite Regulation 200.5.1(2) and (S) above, the required **parking spaces** for “Building B” may be provided on any parcel of land during the period of construction for “Building A”, following the date of the issuance of the first **building** permit for “Building A”.
- (U) Despite Regulation 200.5.1.10(2)(A)(iv), 10 percent of the **parking spaces** may be obstructed on one side as described in Regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed side of the **parking space**;

- (V) Despite Regulation 200.15.1(1) and (3) an accessible **parking space** must comply with the following:
- (i) accessible **parking spaces** must have the following minimum dimensions:
    - (a) length of 5.6 metres;
    - (b) width of 3.4 metres; and
    - (c) vertical clearance of 2.1 metres;
  - (ii) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (W) Despite Regulation 200.15.1(4), an accessible **parking space** must be located within 20 metres of a barrier free entrance to the **building** or passenger elevator that provides access to the first **storey** of the **building**;
- (X) Despite Regulation 970.30.15.5(1), **bicycle parking spaces** must be provided and maintained in accordance with the following minimum rates:
- (i) 30 “long-term” **bicycle parking spaces** for residents of “Building B”;
  - (ii) 0 “short-term” **bicycle parking spaces** for residents of “Building B”;
  - (iii) 0.68 “long-term” **bicycle parking spaces** for each **dwelling unit** in “Building A”; and
  - (iv) 0.07 “short-term” bicycle parking spaces for each **dwelling unit** in “Building A”;
- (Y) Despite Regulation 230.5.1.10(4)(A)(ii), a **bicycle parking space** or **stacked bicycle parking space** may have a minimum width of 0.45 metres;
- (Z) Despite Regulation 230.5.1.10(9), “long-term” **bicycle parking spaces** may be located:
- (i) on the first to fifth **storey** of the **building**; and
  - (ii) on all levels of the **building** and **parking garage** below ground;
- (AA) Despite Regulation 230.5.1.10(10), a “long-term” and “short-term” **bicycle parking space** may be located in a **stacked bicycle parking space**; and
- (BB) For the purpose of this exception, each word or expression that is in bold font will have the same meaning as such word or expression as defined in

Chapter 800 of Zoning By-law 569-2013, as amended, except for the following:

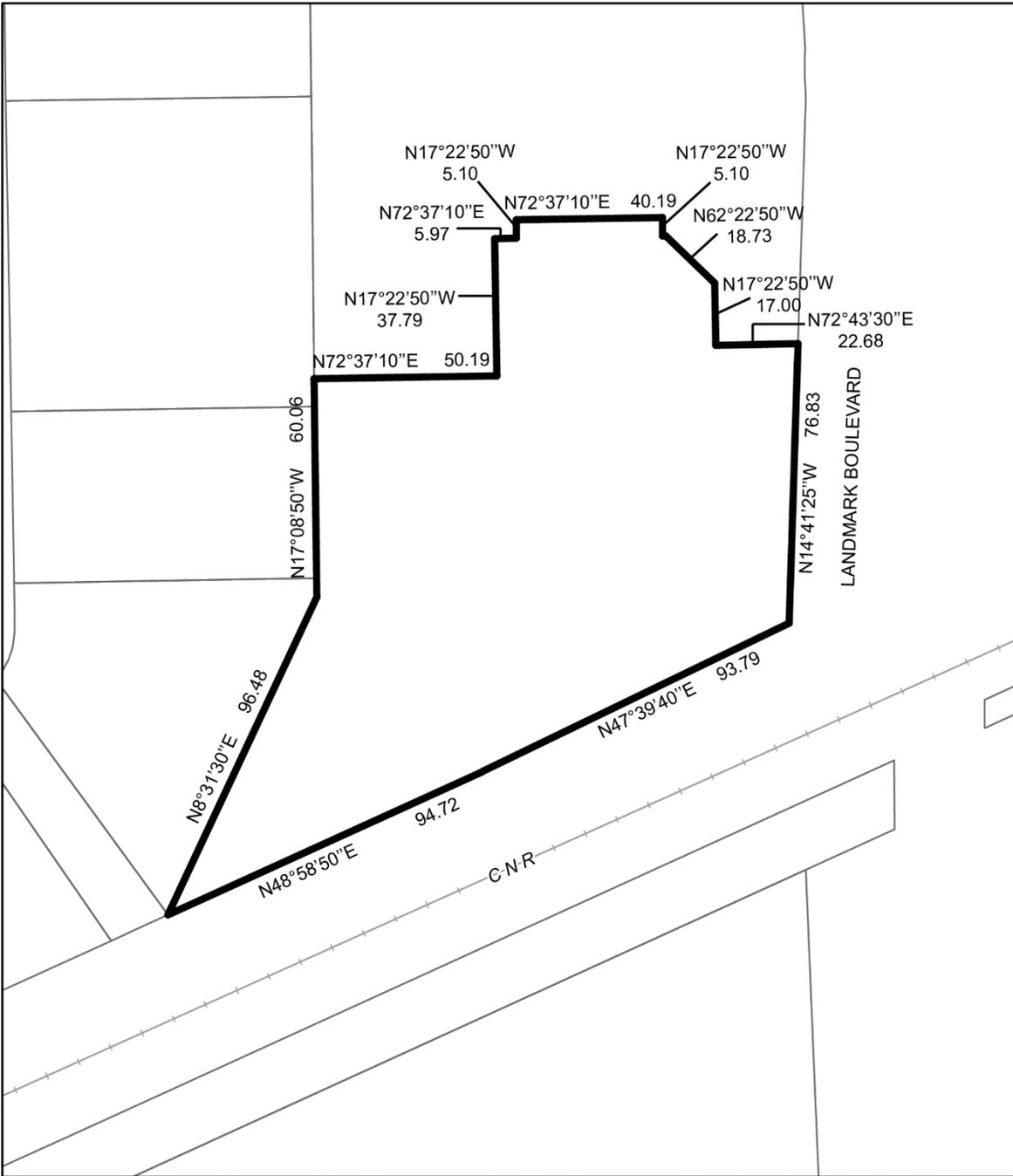
- (i) “geo-energy facility” shall mean premises containing devices to generate **geo-energy** for the exclusive use of the **building**.

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

5. 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.
6. Temporary use(s):
  - (A) None of the provisions of By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a temporary sales, leasing or construction office, which is a temporary **building, structure**, facility, or trailer on the lands used exclusively for the purpose of marketing or sale of **dwelling units** to be erected on the **lot** for a period of not more than 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.
7. 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; 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) the owner or applicant has provided a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Director, Engineering Review, Development Review;
    - (ii) 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 Director, Engineering Review, Development Review; or
    - (iii) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted Functional Servicing and Stormwater Management Report in (a) above are constructed and operational, all to the satisfaction of the Director, Engineering Review, Development Review;

- (iv) all necessary approvals or permits arising from (7)(B)(ii) or (7)(B)(iii) above are obtained, where required all to the satisfaction of the Executive Director, Development Review; and
- (v) the owner or applicant has delivered an interim parking plan and executed agreements with parking facility operators that secure off-site parking for the duration of construction, satisfactory of the Executive Director, Development Review.

Pursuant to Ontario Land Tribunal Decision issued on September 8, 2023 and Ontario Land Tribunal Order issued on XX in Tribunal File No. OLT-22-003301.

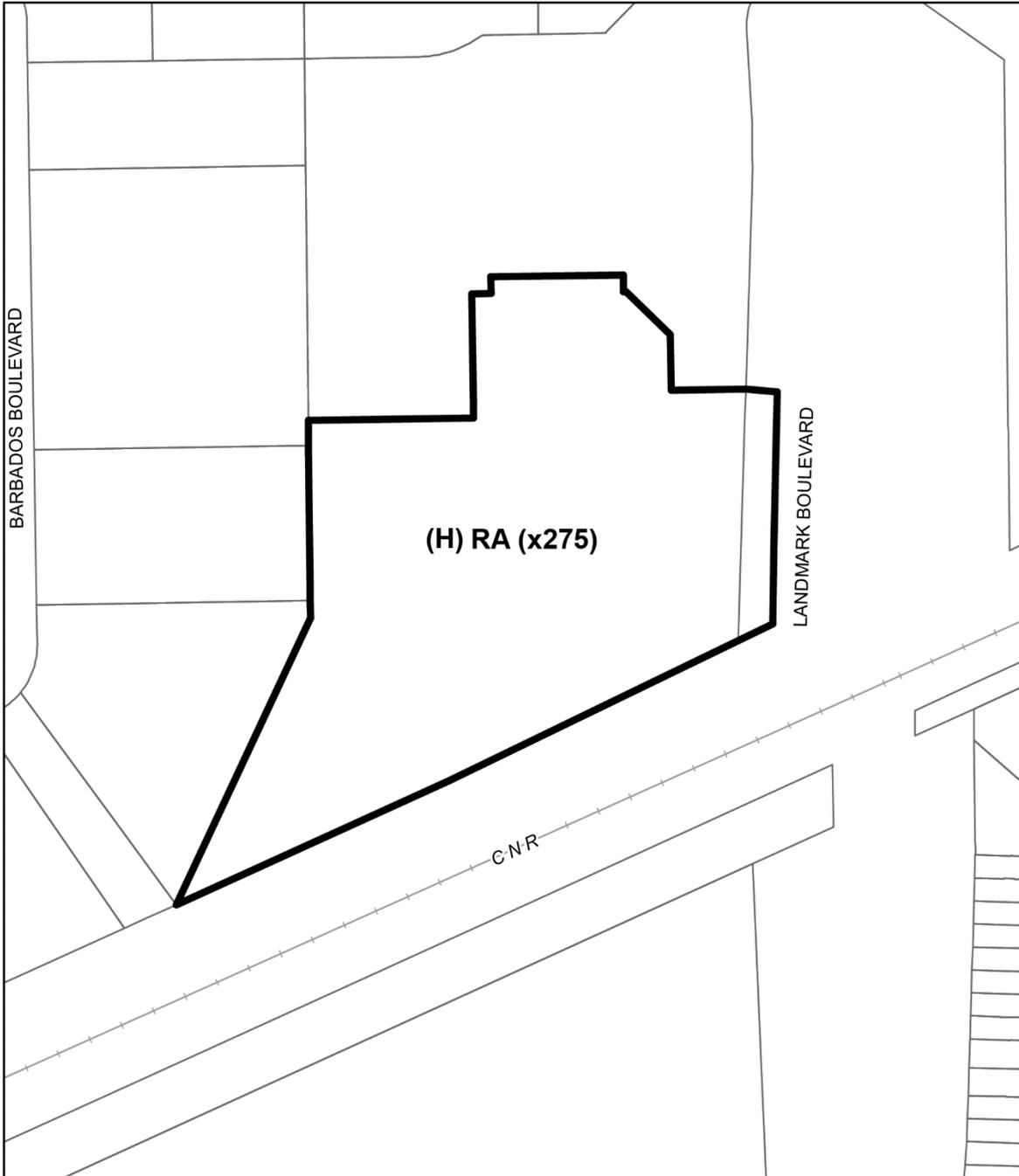


 **TORONTO**  
Diagram 1

**320 McCowan Road**

File # 20 118393 ESC 20 02

  
City of Toronto By-law 569-2013  
Not to Scale  
07/11/2025



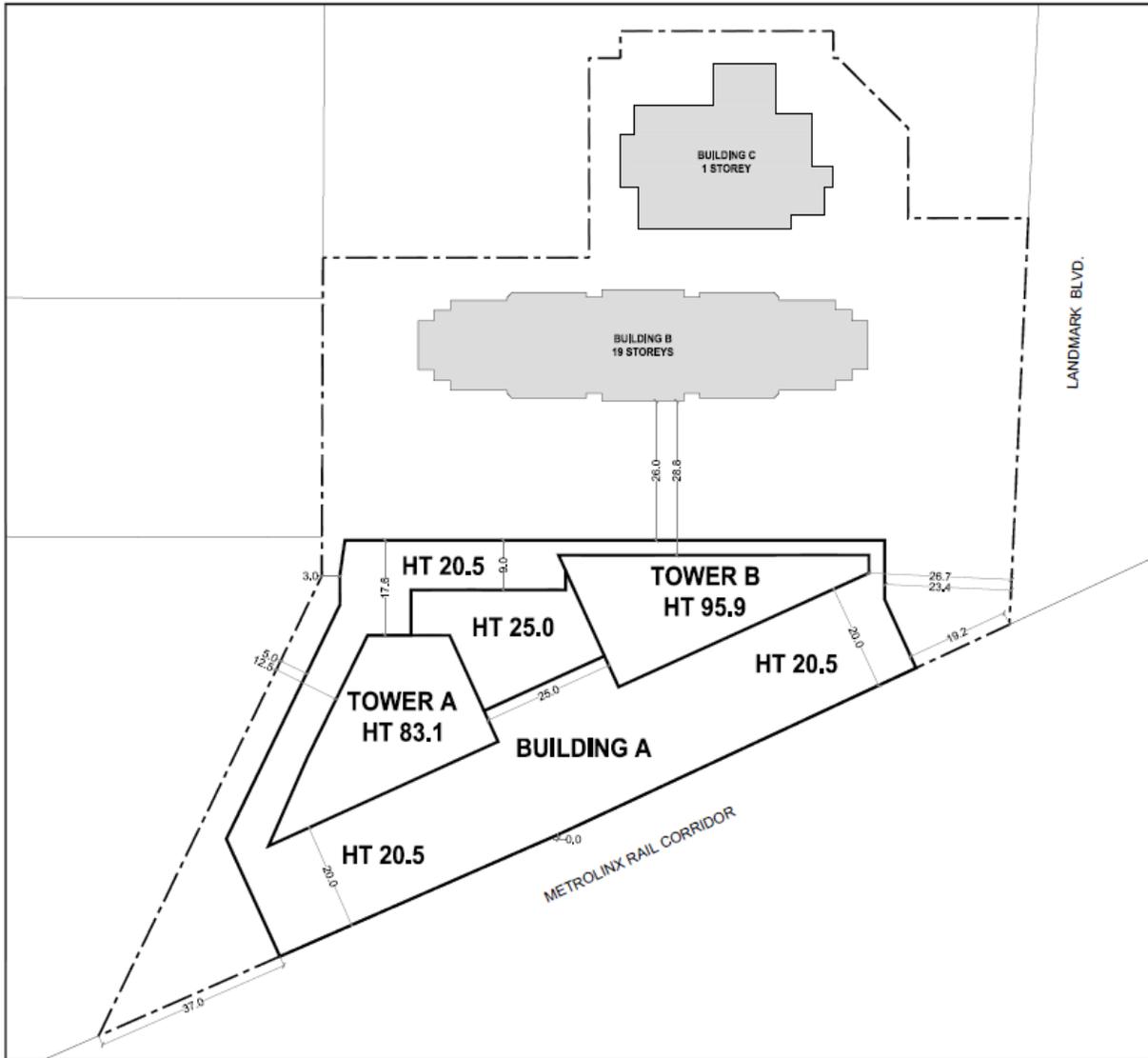
 **TORONTO**  
Diagram 2

**320 McCowan Road**

File # 20 118393 ESC 20 02



City of Toronto By-law 569-2013  
Not to Scale  
08/13/2025



**Diagram 3**

**320 McCowan Road**

File #20 118393 ESC 20 02

Not to Scale



City of Toronto By-law 569-2013