

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

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 2025 as 829 The Queensway.

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 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: (H) CR 3.0 (c3.0; r3.0) SS2 (x1211) 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 subject to this By-law to the Policy Areas Overlay Map in Section 995.10 and applying the following Policy Area label to these lands: PA4, 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 to the Height Overlay Map in Section 995.20, and applying the following height label to these lands: HT 21.0, 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 Lot Coverage Overlay Map in Section 995.30, and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number x1211 so that it reads:

(x1211) Exception CR (x1211)

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 829 The Queensway, 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 (Q) 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 106.55 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same storey as non-residential use portions of the **building**, provided it is for:
 - (i) residential lobby access;
 - (ii) mail room;
 - (iii) management office;
 - (iv) waste room;
 - (v) storage;
 - (vi) **dwelling units**, provided they are setback a minimum of 21.0 metres from front **lot** line; and
 - (vii) indoor **amenity space**;
- (D) 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 5 of By-law [Clerks to insert By-law number];

- (E) Despite regulations 40.10.40.10(5)(A) and (B), the required minimum height of the first **storey**, inclusive of **amenity space**, as measured between the Canadian Geodetic Datum of 106.55 metres and the floor of the second **storey**, is 4.5 metres;
- (i) provision (E) above does not apply to areas such as loading access, **loading spaces**, **bicycle parking spaces**, and shower and change facilities, and elements for the functional operation of the **building** such as storage rooms, corridors, electrical, utility, mechanical and ventilation rooms;
- (F) Despite regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 5 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 7.0 metres;
- (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse and an indoor **amenity space**, by a maximum of 7.0 metres;
- (iii) equipment and **structures** listed in (i) and (ii) above, by a maximum of 3.0 metres, when located within the area labelled “HT 49.5” on Diagram 5 of By-law [Clerks to insert By-law number];
- (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.0 metres;
- (v) **building** maintenance units and window washing equipment, by a maximum of 4.0 metres;
- (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
- (vii) antennae, flagpoles and satellite dishes, by a maximum of 4.0 metres;
- (viii) acoustic barriers and unenclosed **structures** providing safety, wind or noise protection by a maximum of 4.0 metres; and
- (ix) trellises, pergolas, and unenclosed **structures** associated with rooftop **amenity space**, by a maximum of 3.0 metres;

- (G) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 26,100 square metres, of which:
- (i) the required minimum **gross floor area** for non-residential uses is 590.0 square metres;
- (H) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** must have 2 or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have 3 or more bedrooms;
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
 - (iv) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number will be rounded up to the nearest whole number;
- (I) Despite regulation 40.10.40.50(1), a **building** with 20 or more **dwelling units** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:
- (i) at least 1.55 square metres for each **dwelling unit** as indoor **amenity space**;
- (J) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (K) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (L) Despite Clause 40.10.40.60 and (J) and (K) 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 1.9 metres;
 - (ii) canopies and awnings, by a maximum of 1.5 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;

- (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.3 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.6 metres;
 - (vi) window projections, including bay windows and box windows, by a maximum of 0.5 metres;
 - (vii) eaves, by a maximum of 0.6 metres;
 - (viii) air conditioners, satellite dishes, vents, and pipes, by a maximum of 0.9 metres; and
 - (ix) antennas by a maximum of 2.0 metres;
- (M) Despite regulations 200.15.1(1) and (3), an accessible **parking space** must have the following minimum dimensions:
- (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (N) In addition to the locations a "long-term" **bicycle parking space** may be located as in regulations 230.5.1.10(9)(A)(i) and (ii) and despite regulation 230.5.1.10(9)(A) (iii), "long-term" **bicycle parking spaces** may also be located in the following locations:
- (i) first and second level below ground.
- (O) Despite regulation 230.5.1.10(4), a **bicycle parking space** must be provided as follows:
- (i) 136 **bicycle parking space** must comply with the following minimum requirements:
 - (a) Length of 1.8 metres
 - (b) Width of 0.4 metres, and
 - (c) minimum vertical clearance from the ground of 1.9 metres;
- (P) Regulation 230.40.1.20(2), with respect to a "short-term" **bicycle parking space** location, does not apply.

- (Q) Despite Regulation 220.5.10.1(2) and (3), **loading spaces** must be provided and maintained as follows:
- (i) one shared Type "G" and Type "B" **loading space**.

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

8. 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.
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; 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, 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 Director, Engineering Review, Development Review;
 - (ii) if the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above requires 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 Director, Engineering Review, Development Review; 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

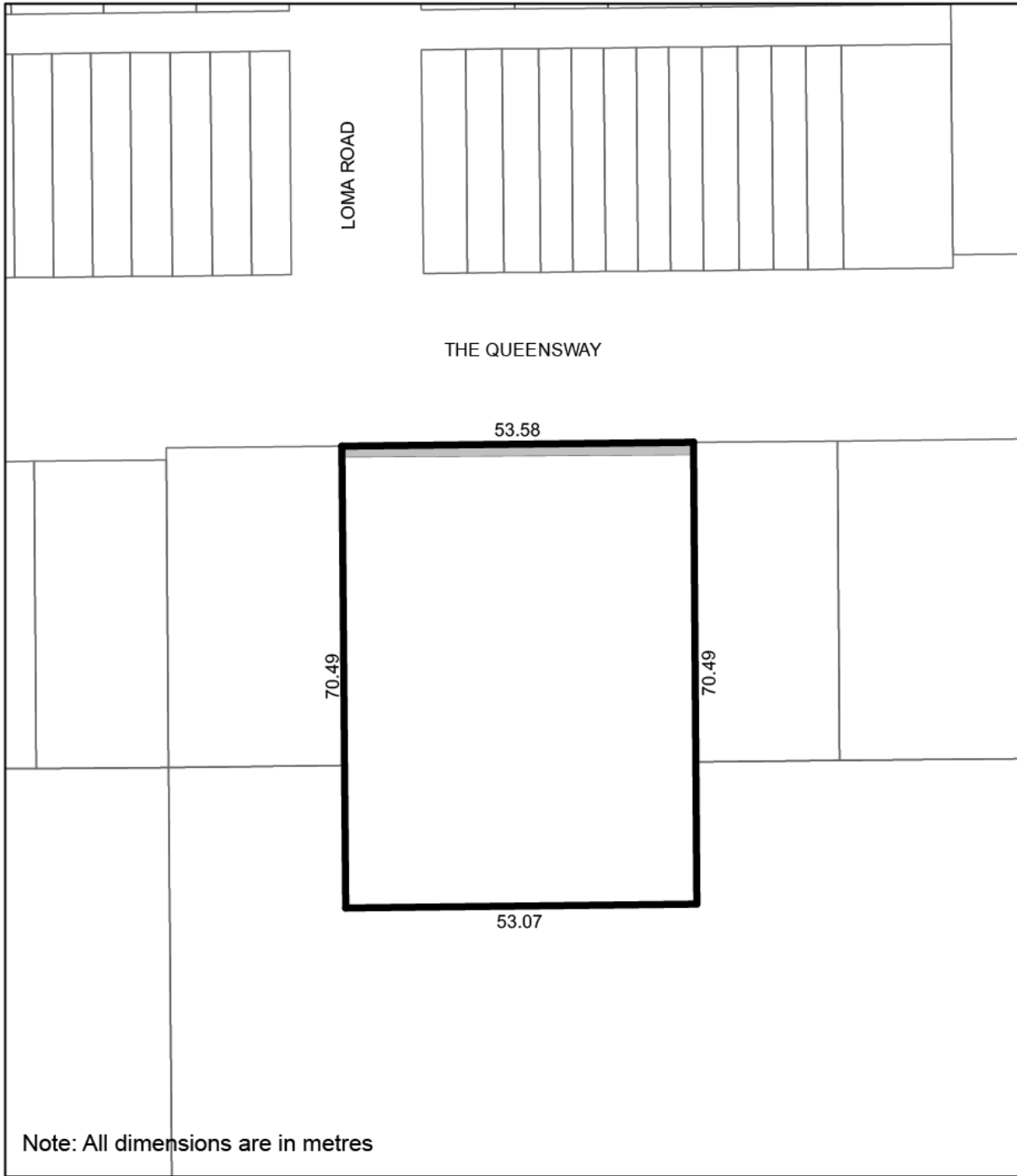
Stormwater Management Report in (i) above are constructed and operational, all to the satisfaction to the Director, Engineering Review, Development Review.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)




Note: All dimensions are in metres

 **TORONTO**
Diagram 1

829 THE QUEENSWAY

File # 25 189153 WET 03 0Z


 Area of Conveyance

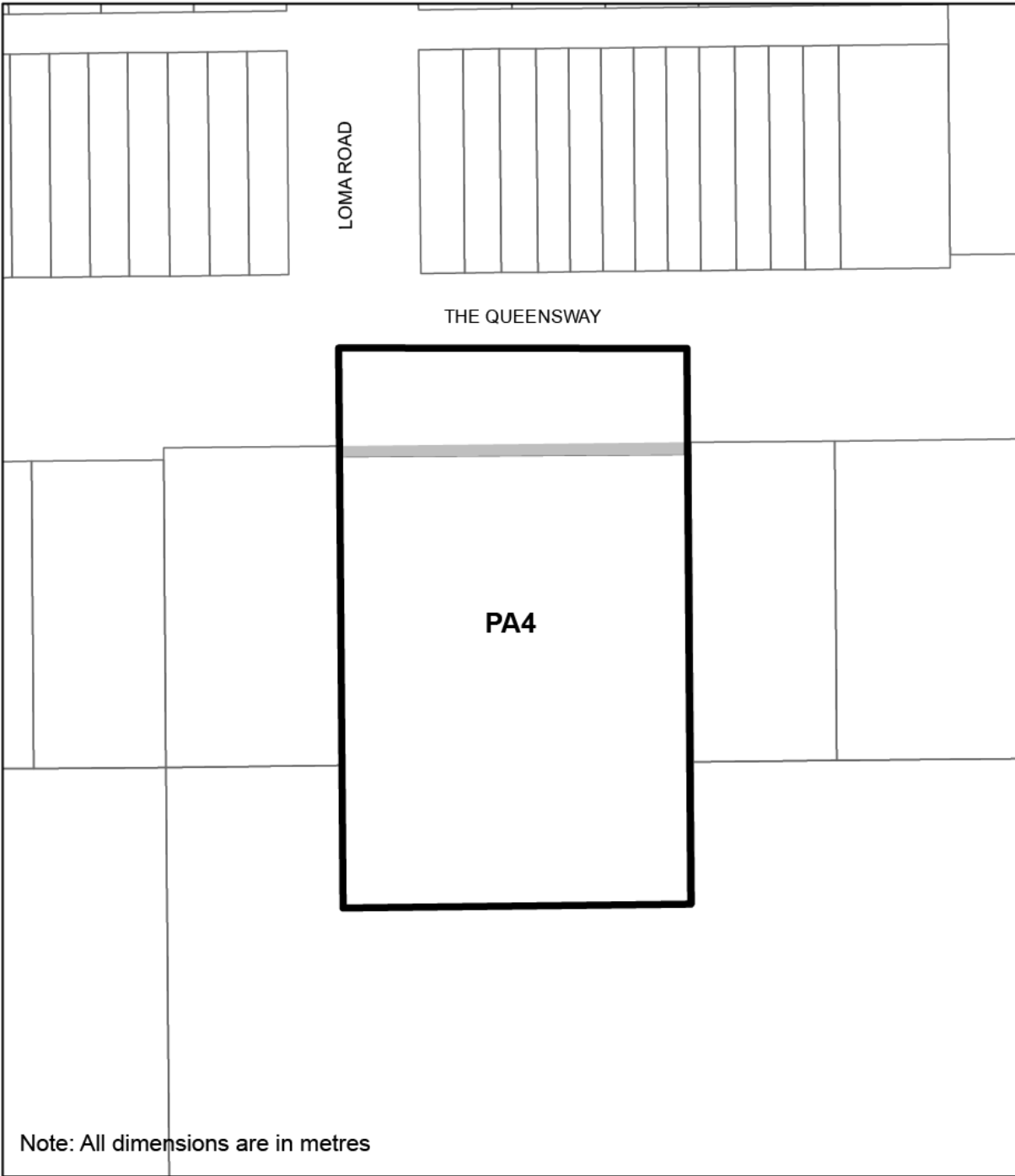


 **TORONTO**
Diagram 2

829 THE QUEENSWAY

File # 25 189153 WET 03 0Z

 Area of Conveyance




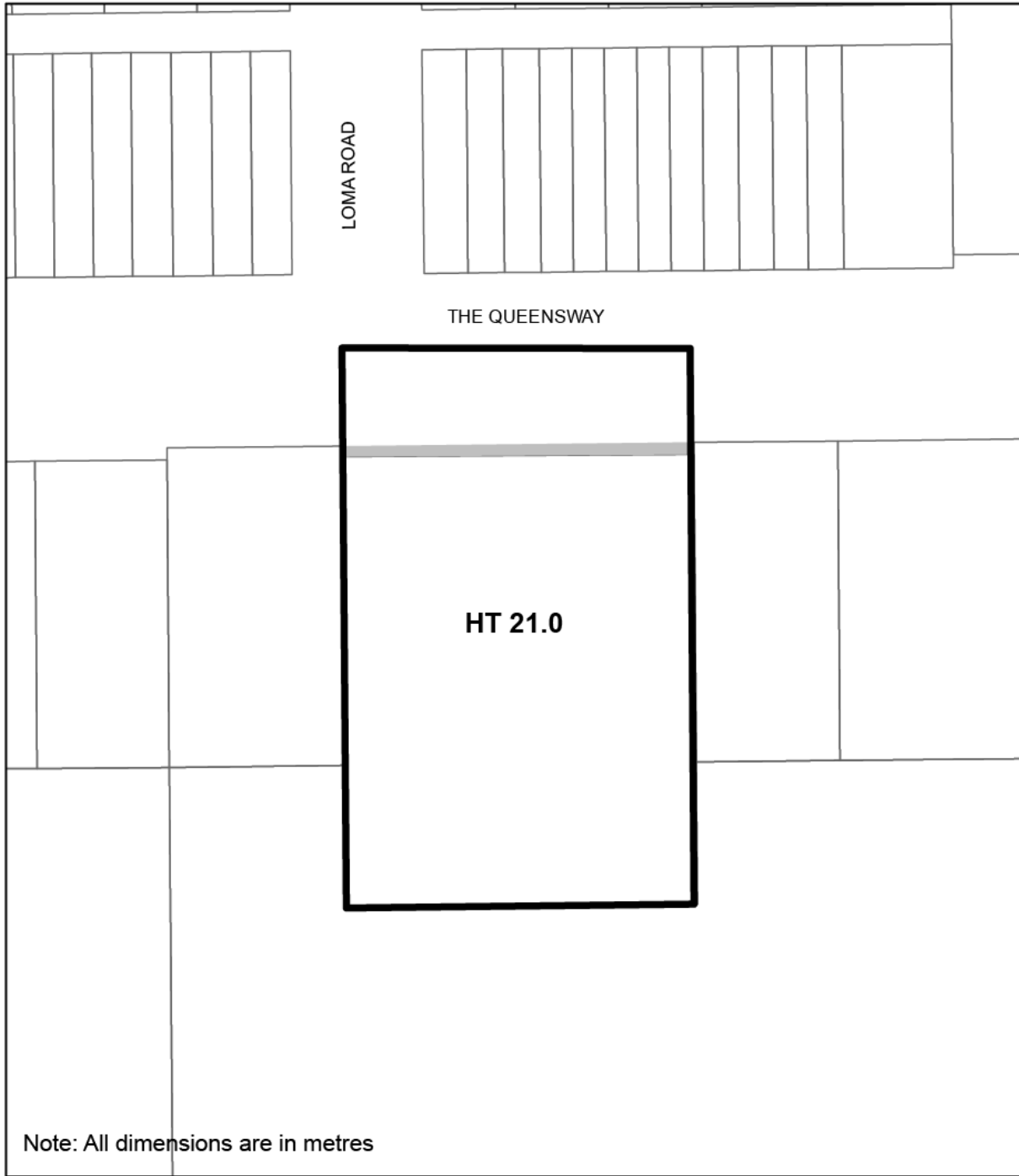
Note: All dimensions are in metres

 **TORONTO**
Diagram 3

829 THE QUEENSWAY

File # 25 189153 WET 03 0Z


 Area of Conveyance

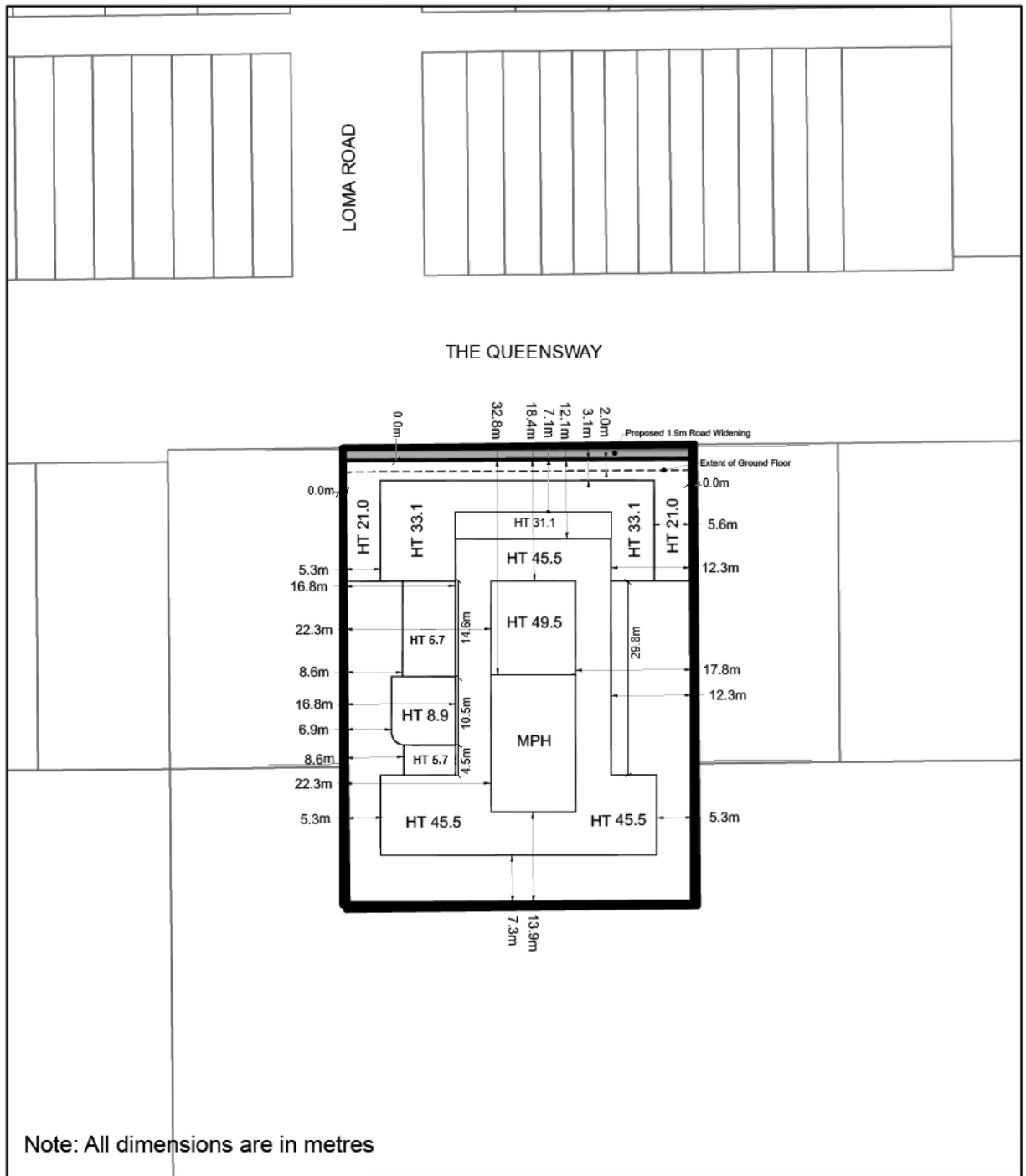


 **TORONTO**
Diagram 4

829 THE QUEENSWAY

File # 25 189153 WET 03 0Z


 Area of Conveyance



 **TORONTO**
Diagram 5

829 THE QUEENSWAY

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 Area of Conveyance