

Attachment 6: Draft Zoning Bylaw Amendment

Authority: **North 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 262, 266, 270, 272 and 274 Viewmount Avenue

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, 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 RD (f15.0; a550) (x5) and CR 1.0 (c1.0;r1.0) SS3 to a zone label of RA (f59.0; a2500) (x**300**) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569 -2013, as amended, is further amended by amending the Height Overlay Map in Article 995.20.1 for the lands subject to this By-law, from a height and storey label of HT 10.0, ST 2 and HT 10.5, ST 3, to a height and storey label of HT 10.5, ST 3 for the entirety of the lands.
5. Zoning By-law 569-2013, as amended, is further amended by adding 900.7.10 Exception Number **300** so that it reads:

(300) Exception RA 300

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 262, 266, 270, 272 and 274 Viewmount Avenue, 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 (U) below;
- (B) Despite regulations 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 174.30 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 15.10.30.40(1)(A), the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 65 percent;
- (D) Despite Regulation 15.5.50.10(1)(2), **landscaping** and **soft landscaping** must be provided in accordance with the following:
 - (i) a minimum of 30 percent of the **lot area** is required to be **landscaping**; and
 - (ii) a minimum of 10% of the **landscaping** area required in (i) above must be **soft landscaping**;
- (E) 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];
- (F) 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]; and
 - (i) for the purpose of this exception, a mezzanine or mechanical penthouse does not constitute a **storey**;
- (G) Despite regulations 15.5.40.10(2) to (6) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height 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 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, by a maximum of 7.5 metres;
 - (iii) parapets for a **green roof**, including those on a mechanical penthouse, by a maximum of 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 5.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 3.5 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (H) Despite regulation 15.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 30,300 square metres;
- (I) Despite regulation 15.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space** located at or above **established grade**;
 - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit** and must be located at or above **established grade**; and
 - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (J) 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];
- (K) 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];
- (L) Despite Clause 15.5.40.50(2) and 15.5.40.60 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 and porches, by a maximum of 2.0 metres;
 - (ii) balconies by a maximum of 1.8 metres;
 - (iii) canopies and awnings, by a maximum of 2.5 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;
 - (vi) window projections, including bay windows and box windows, by a maximum of 1.2 metres;
 - (vii) eaves, by a maximum of 1.5 metres;
 - (viii) a dormer, by a maximum of 2.0 metres; and
 - (ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- (M) Despite Clause 220.5.10.1, one Type "G" **loading space** and one Type "C" **loading space** must be provided and maintained on the **lot**;
- (N) 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 2 residential visitor **parking spaces** plus a minimum of 0.01 space per **dwelling unit**; and
 - (ii) a maximum of 1 visitor **parking space** for each **dwelling unit** up to a maximum of 5 **dwelling units**, and 0.1 space per **dwelling unit** thereafter; and
- (O) Despite regulation 200.15.1(1)(3), an accessible parking space must have the following minimum dimensions:
- (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;

- (iii) vertical clearance of 2.1 metres; and
 - (iv) the entire length of an accessible parking space must be adjacent to a 1.5-metre-wide accessible barrier free aisle or path, and such aisle or path may be shared by 2 accessible parking spaces;
- (P) If **parking spaces** are provided on the **lot**, a percentage of the provided **parking spaces** must be accessible **parking spaces** in accordance with Section 200.15.10.10;
- (Q) Despite Regulation 230.5.1.10(4)(C), **bicycle parking spaces** and access to **bicycle parking spaces** must comply with the following:
 - (i) a **stacked bicycle parking space** may have a minimum width of 0.40 metres, when one wheel has at least a 0.25 metre vertical clearance from that of an adjacent **bicycle parking space**; and
 - (ii) an unobstructed aisle width of 1.8 metres if it is a **stacked bicycle parking space**
- (R) Despite regulation 200.5.1.10(2)(A)(i), a maximum of 2 of the provided **parking spaces** on the **lot** may have a minimum required length of 5.0 metres and cannot be accessible **parking spaces** or visitor **parking spaces**;
- (S) Despite regulation 200.5.1.10(2)(A)(iv), (B)(iv), and (C)(iv), a maximum of 5 percent of the provided **parking spaces** may be obstructed on one or both sides as described in regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space** and cannot be visitor or accessible **parking spaces**;
- (T) Despite regulation 15.5.80.30(1), a surface **parking space** must be at least 1.6 metres from any **main wall** of an **apartment building**;
- (U) 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;
 - (iv) if the calculation of the number of required **dwelling units** in accordance with each of (i), (ii), and (iv), results in a number with a

fraction, the number is rounded up to the nearest whole number, but there may not be less than one **dwelling unit**.

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

6. 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.
7. Temporary use(s):

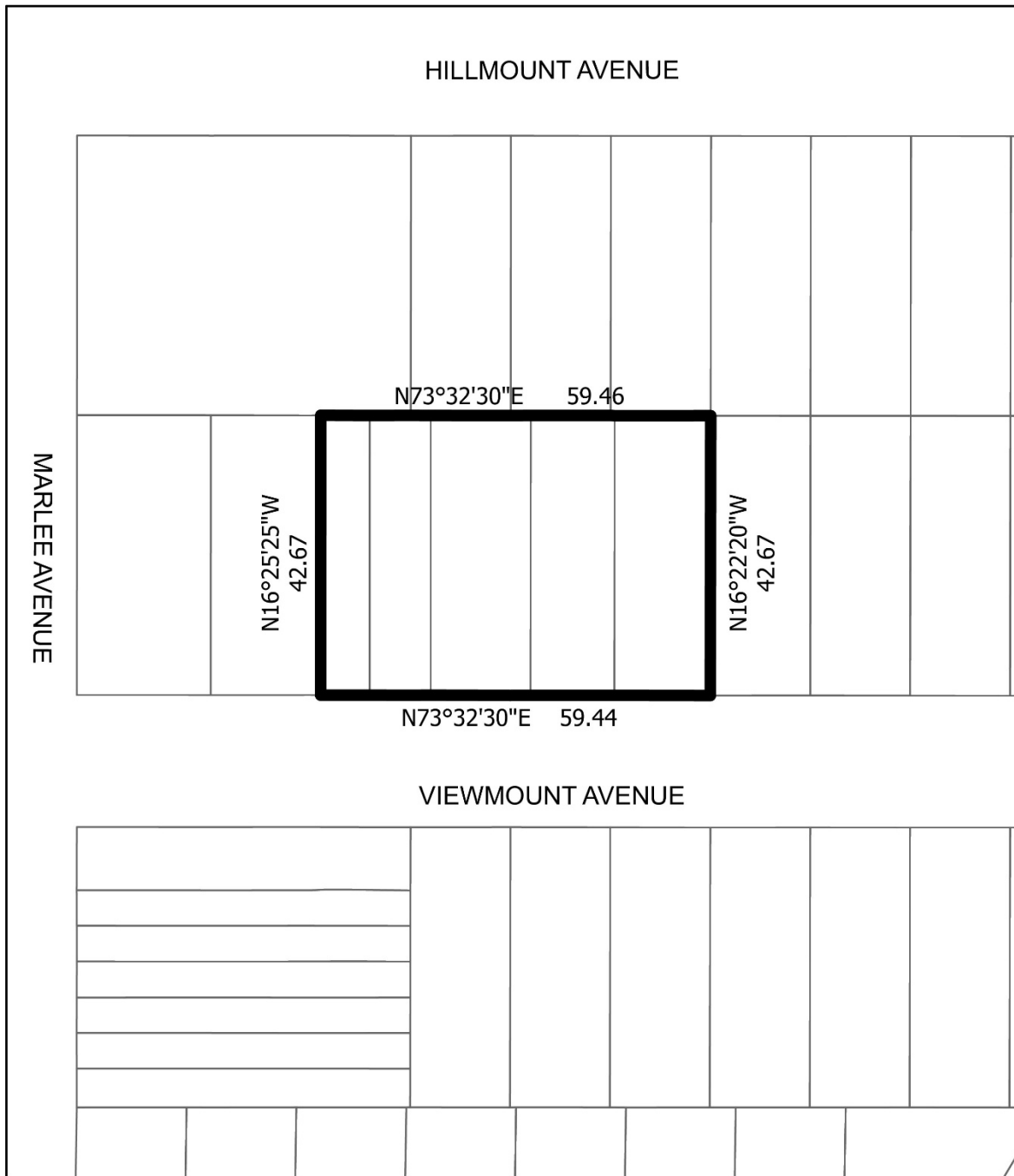
None of the provisions of By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a sales office on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

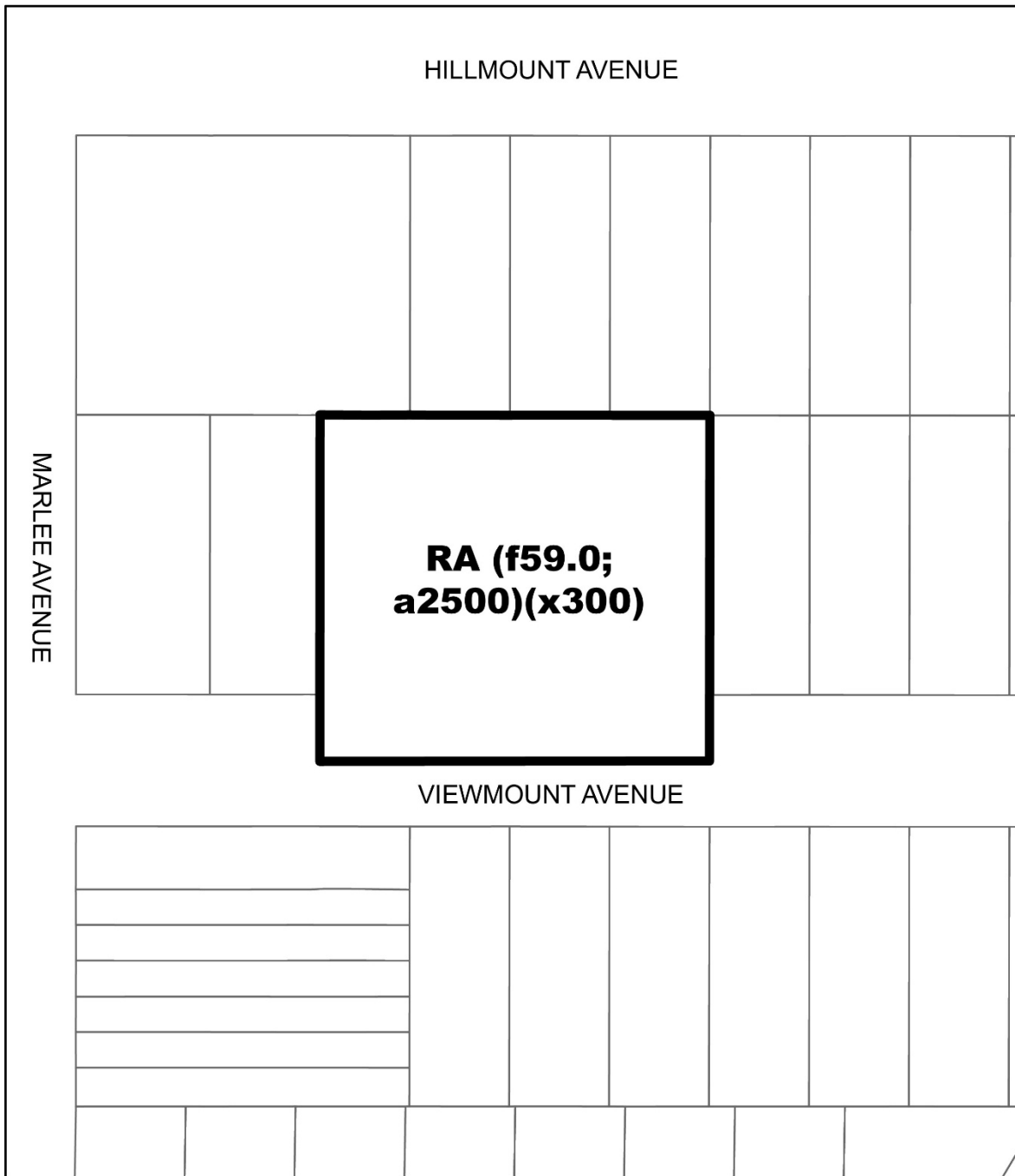
(Seal of the City)



Toronto
Diagram 1

262-274 Viewmount Avenue

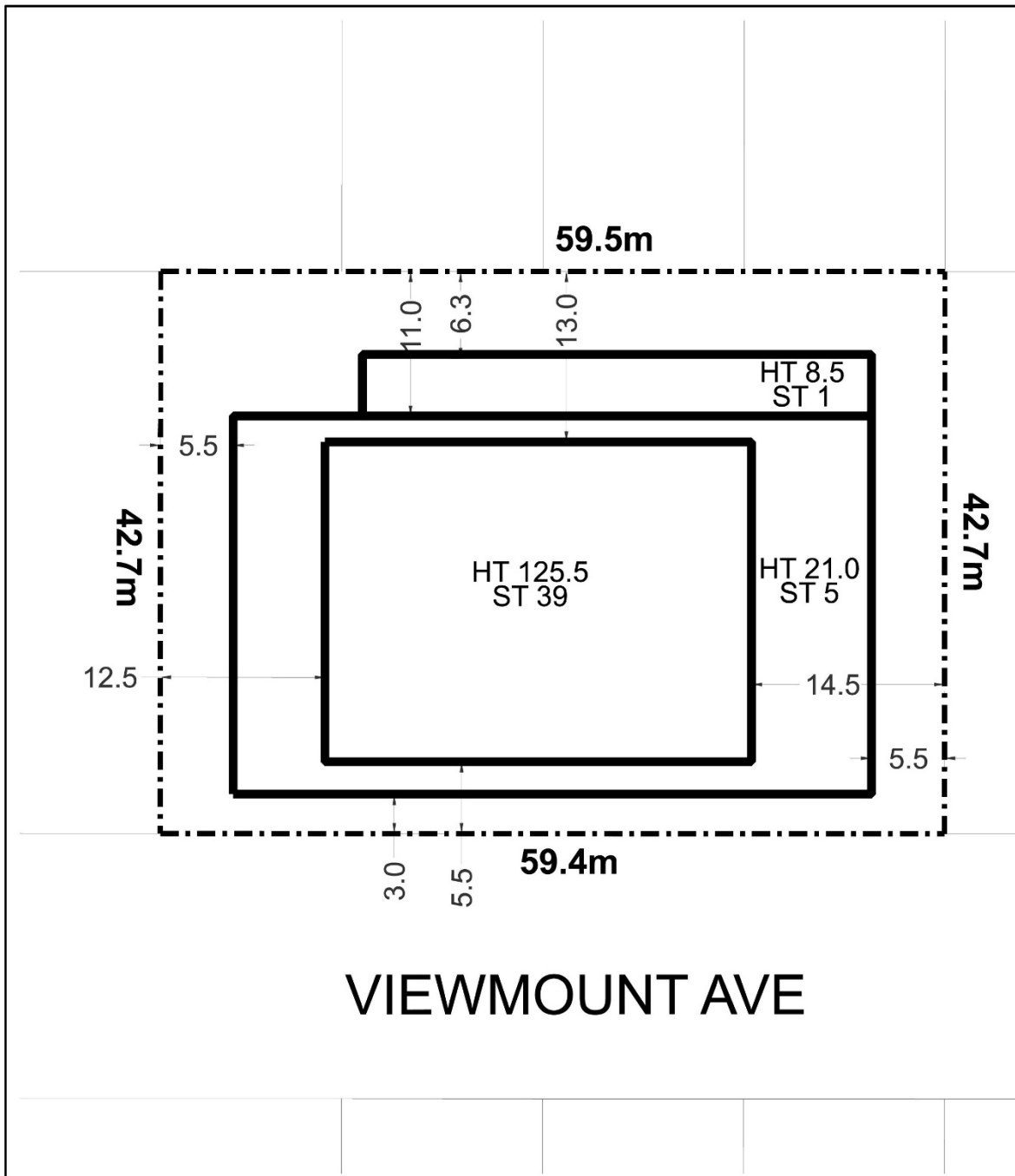
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 **TORONTO**
Diagram 2

262-274 Viewmount Avenue

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Toronto
Diagram 3

262-274 Viewmount Avenue

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