

Attachment 6: Draft Zoning Bylaw Amendment

Authority: North York 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 2025 as 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375 and 377 Marlee Avenue, 2, 4 and 6 Romar Crescent, and 265 and 269 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 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, 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. 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 CR 1.0 (c1.0; r1.0) SS3 and RD (f15.0; a550) (x5) to a zone label of (H) CR 1.0 (c1.0; r1.0) SS3 (x1275) 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 10.5, ST 3 and HT 10.0, ST 2, to a height and storey label of HT 10.5, ST 3.
5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number **1275** so that it reads:

(**1275**) Exception **CR** (**1275**)

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 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375 and 377 Marlee Avenue, 265 and 269 Viewmount Avenue, and 2, 4 and 6 Romar Crescent, 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 (V) 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 173.25 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.30.40(1)(A), the maximum permitted **lot coverage**, as a percentage of the **lot area**, is 55 percent;
- (D) Despite regulation 40.10.40.1(1)(C), regulation 40.10.40.1(1)(A) does not apply to **dwelling units** that:
 - (i) face onto and has direct access to, Romar Crescent;
 - (ii) can be accessed from the interior of a mixed use **building** through a common area which gains access from Romar Crescent;
- (E) Despite regulation 40.10.40.10(3), 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 regulations 40.5.40.10(4) to (8) 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 6.5 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 7.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 4.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 3.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (G) Despite regulation 40.10.40.10(7), the permitted maximum number of **storeys** of a **building** or **structure** 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 a mechanical penthouse do not constitute a **storey**;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 58,600 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 57,800 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 770.0 square metres, and must be provided on the **first floor** or mezzanine; and

- (iii) at least 392.0 square metres of the **gross floor area** referred to in (ii) above, must be a **Community Centre** on the **first floor** of the building that is directly below “Tower A;
- (I) The permitted maximum floor area for each **storey** of a “Tower” measured from the exterior **main wall** of each floor level and inclusive of the entire floor, excluding inset and projecting balconies, is as follows:
 - (i) 800.0 square metres for ‘Tower A’;
 - (ii) 750.0 square metres for ‘Tower B’;
- (J) Despite regulation 40.10.40.50(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**;
 - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit** of which 40.0 square metres 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**;
- (K) Despite regulation 40.10.40.80(2), 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 regulation 40.10.40.70(3), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (M) Despite Clause 40.10.40.60, (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 1.8 metres;
 - (ii) Balconies may encroach by maximum of 1.5 metres, except as follows:
 - (a) within the Balcony Restriction Zone shown on Diagram 4, by a maximum of 1.0 metres;
 - (iii) canopies and awnings, by a maximum of 2.5 metres;

- (iv) exterior stairs, access ramps and elevating devices, by a maximum of 5.7 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 1.0 metres;
 - (vii) eaves, by a maximum of 1.0 metres;
 - (viii) dormers, by a maximum of 1.0 metres; and
 - (ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 2.0 metres;
- (N) 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; and
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (iii) above are not included in the provision required by (ii) above;
 - (iv) if the calculation of the number of required **dwelling units** in accordance with each of (i), and (ii), 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**;
- (O) Despite regulation 40.10.50.10(1) and (3), requiring **landscaping**:
- (i) a **landscaping** strip is not required along any **lot** line abutting a street where any portion of a **main wall** of a **building** is set back from the **front lot line** 3.0 metres or greater; and
 - (ii) a 0.5 metre **soft landscaping** strip is required along a **lot** line abutting the Residential or Residential Apartment Zone, except where it intersects a **driveway**;
- (P) Regulation 40.10.90.10(1), with regard to a **loading space** being permitted in a **side yard** or **rear yard** that abuts a **lot** in the Residential or Residential Apartment zone, does not apply;

- (Q) Regulation 40.10.90.40(2) and 40.10.100.10(2), with regard to **vehicle** access to a **loading space** or **parking space** over any part of a **lot** in the Residential Zone or Residential Apartment Zone does not apply;
- (R) Despite regulations 220.5.10.1(1) to (8) and (11), at least one Type "G" and one Type "C" **loading space** must be provided on the **lot**;
- (S) Despite regulation 200.5.1.10(2)(A), up to 5 percent of the provided **parking spaces** may be obstructed **parking spaces**;
 - (i) for the purposes of this exception, obstructed **parking spaces** may be obstructed on one or both sides, and need not be increased by 0.3 metres for each side of the **parking space** that is obstructed;
- (T) 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 metres wide accessible barrier free aisle or path, and such aisle or path may be shared by 2 accessible **parking spaces**;
- (U) Despite regulation 230.5.1.10(4)(A) to (C), a **bicycle parking** space must comply with the following:
 - (i) if a bicycle parked in a **bicycle parking space** has one wheel with a vertical clearance of at least 0.25 metres from that of an adjacent **bicycle parking space**, the minimum width of each **bicycle parking space** is 0.4 metres;
- (V) For the purposes 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) "Tower" means the portions of a **building** which collectively enclose the entirety of a **storey** higher than a height of 22.7 metres and 6 **storeys** for "Tower A" and "Tower B"; and
 - (ii) "Tower A" and "Tower B", are the "towers" identified in Diagram 3 and 4 of By-law [Clerks to insert By-law number];

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 Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a temporary sales office that is at a height no greater than one **storey** and 6.0 metres, 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.

8. 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, storm sewer system, and watermain system 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; and;

(ii) If the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above require 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,

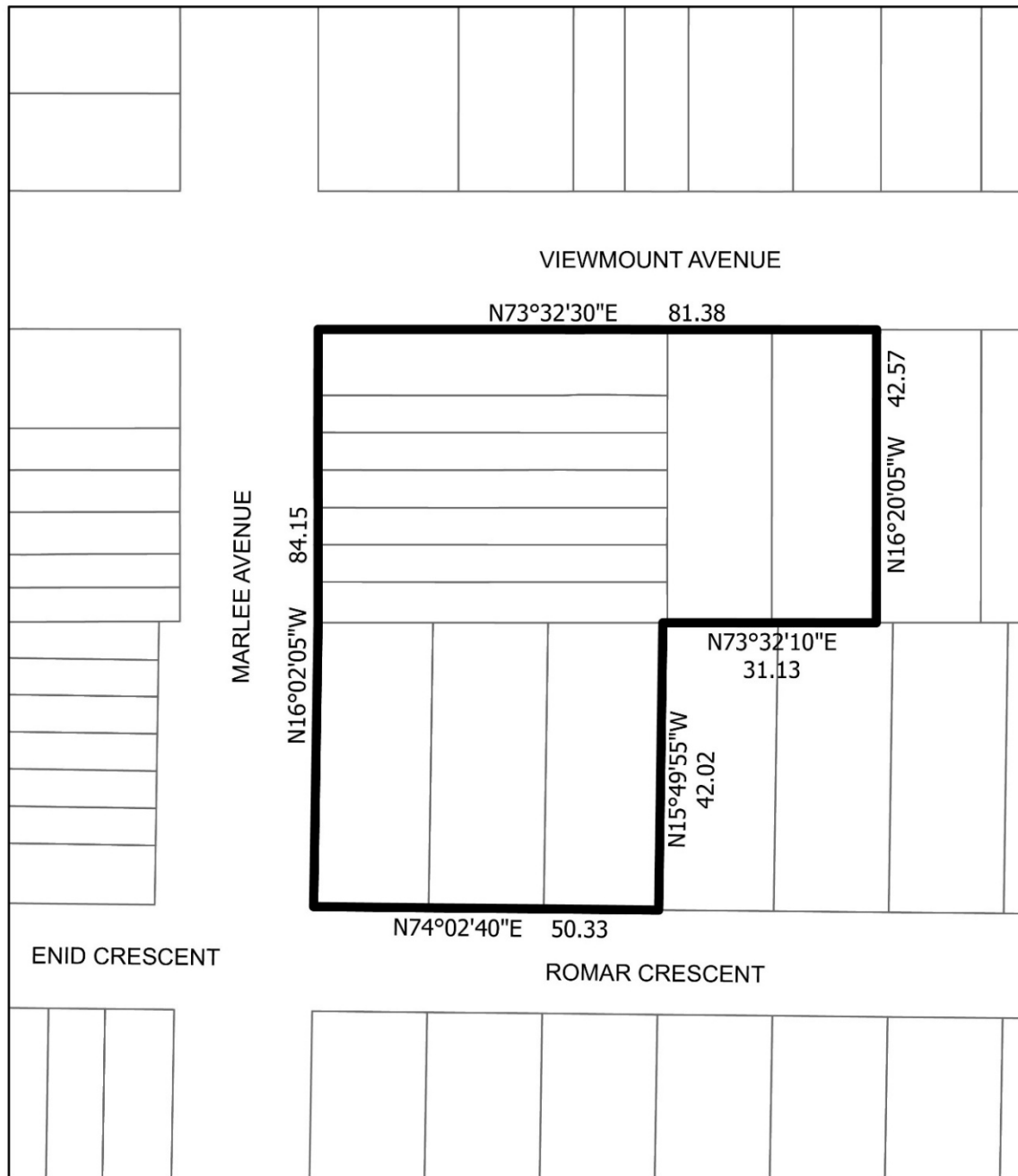
- (b) The required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report in (i) above are constructed and operational, all to the satisfaction of the Director, Engineering Review, Development Review; and
- (iii) The City has received, reviewed, and accepted the updated Transportation Impact Study, to the satisfaction of the Executive Director, Development Review in consultation with the General Manager, Transportation Services.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

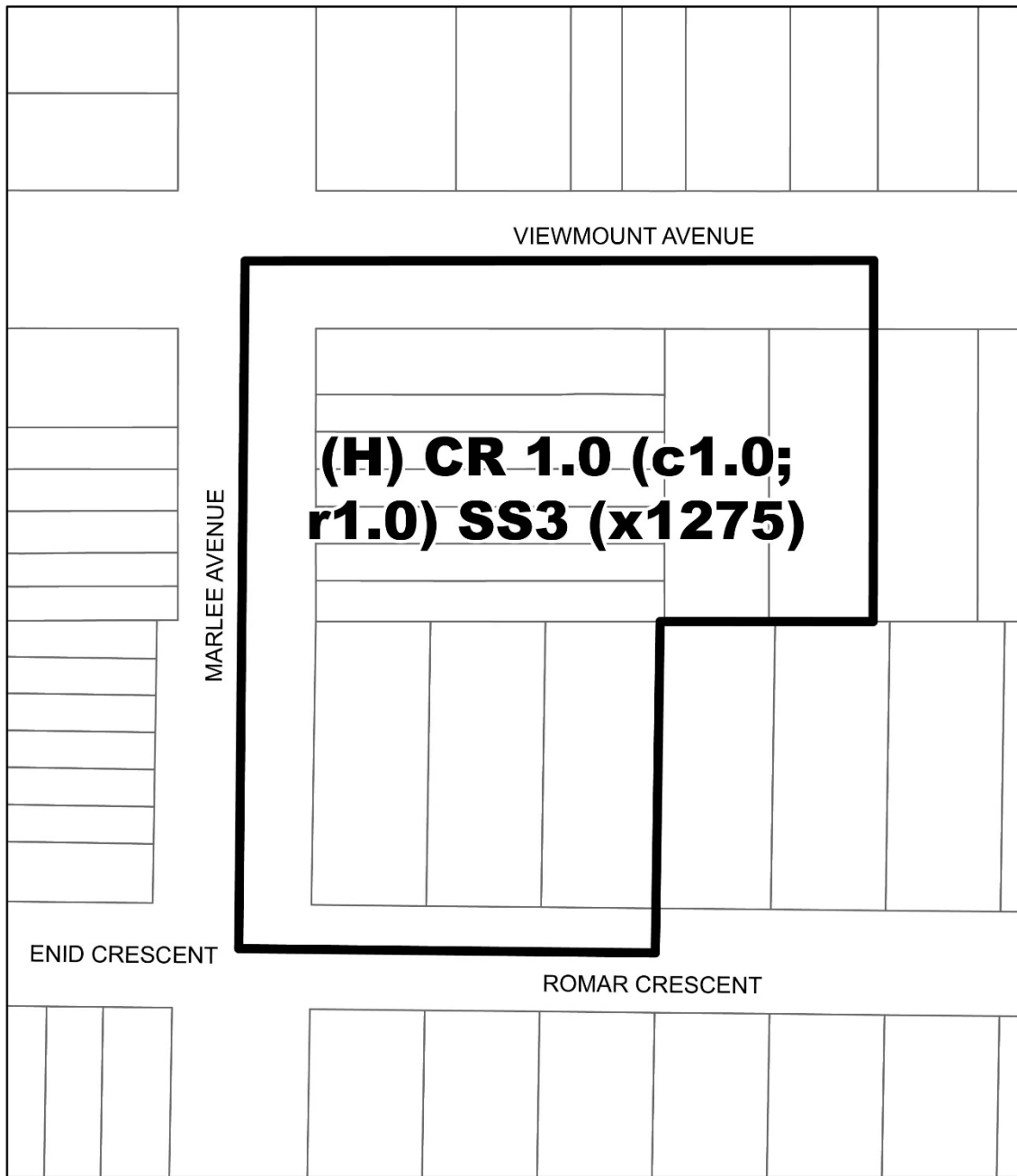
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Toronto
Diagram 1

351-377 Marlee Ave, 2-6 Romar Cr & 265-269 Viewmount Ave

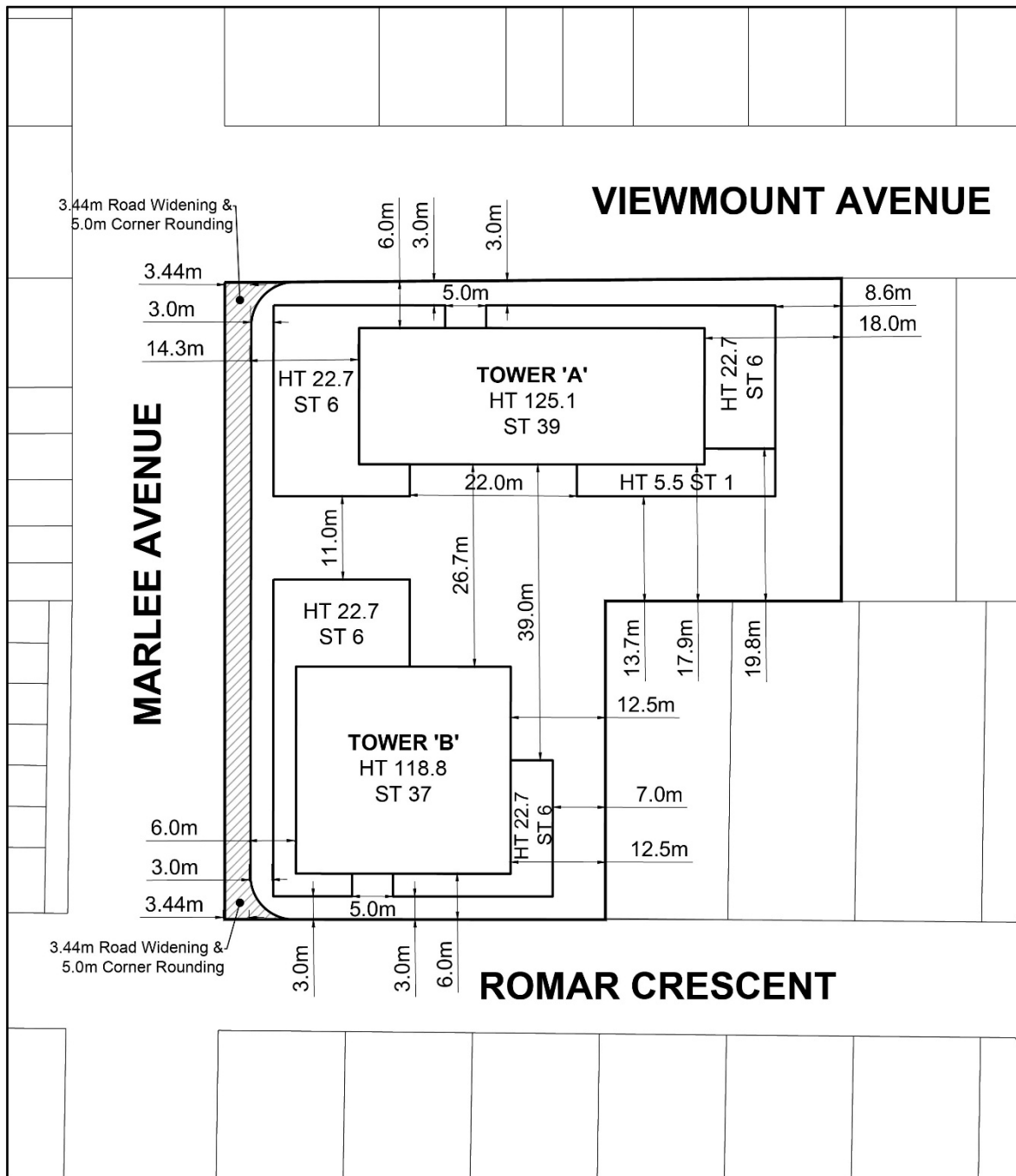
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 **TORONTO**
Diagram 2

351-377 Marlee Ave, 2-6 Romar Cr & 265-269 Viewmount Ave

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TORONTO
Diagram 3

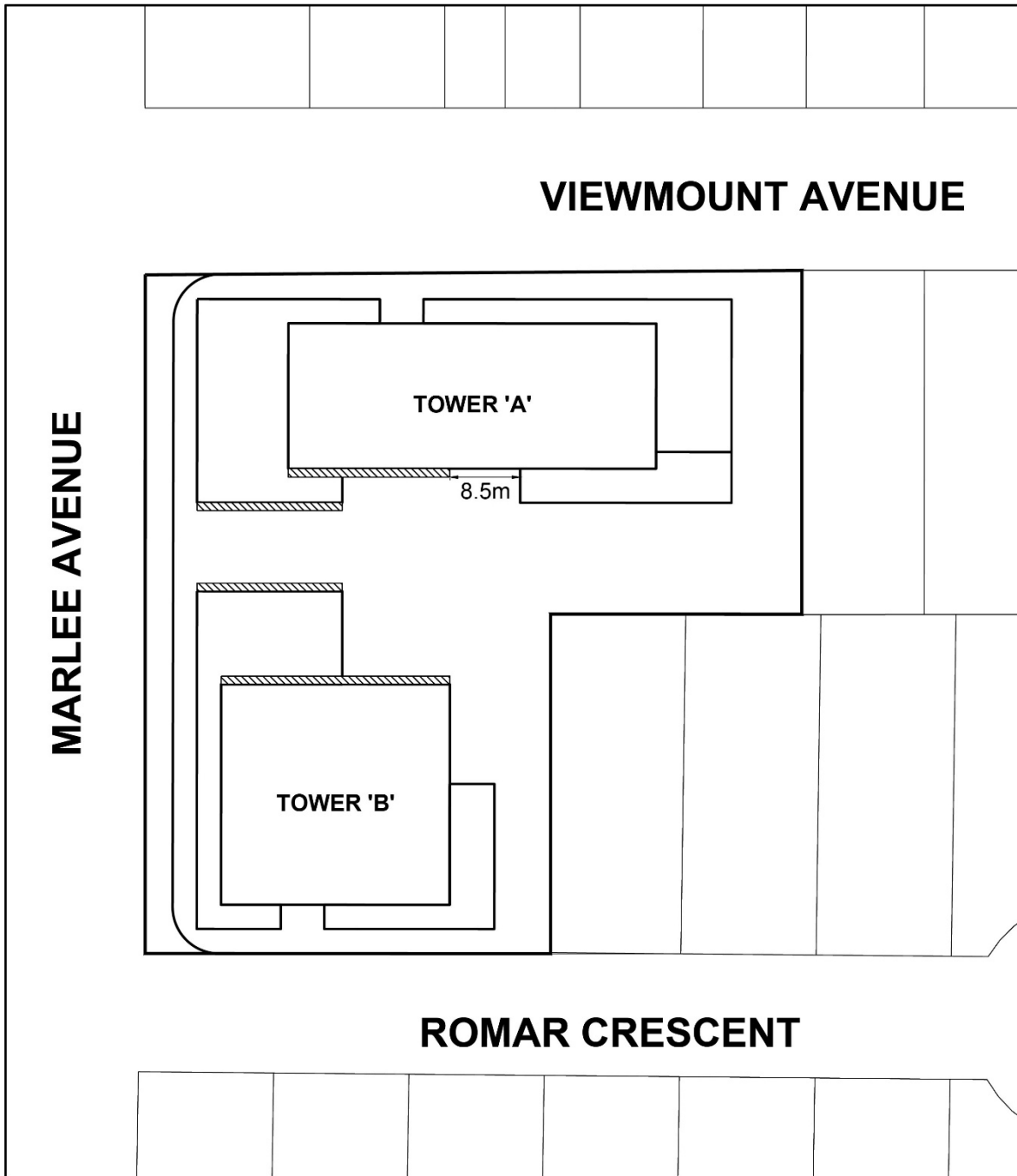
351-377 Marlee Ave, 2-6 Romar Cr & 265-269 Viewmount Ave

File # 25 198723 NNY 08 02

 Road Widening

City of Toronto By-law 569-2013
Not to Scale
06/16/2026





TORONTO
Diagram 4

351-377 Marlee Ave, 2-6 Romar Cr & 265-269 Viewmount Ave

File # 25 198723 NNY 08 02

 Balcony Restriction Zone


City of Toronto By-law 569-2013
Not to Scale
06/16/2026