

Attachment 7: Draft Zoning By-law Amendment

Authority: Scarborough 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 3307 and 3313 Ellesmere 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; 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

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; a696) (x701)** to a zone label of **(H) CR (C0.2, R2.0) SS2 (x1242)** as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1242 so that it reads:

(1242) Exception CR 1242

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 3307 and 3313 Ellesmere Road, 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 (X) 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 131.75 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.30.40(1), the permitted maximum lot coverage does not apply;
- (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 3 of By-law [Clerks to insert By-law number];
- (E) Despite Regulation 40.10.40.10(7), 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];
- (F) Despite Regulations 40.5.40.10(3) to (8) and (D) 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, vents, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 5.0 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 labelled "MPH" on Diagram 3, by a maximum of 6.0 metres;
 - iii. architectural features, parapets, elements and **structures** associated with a **green roof**, trellises, and pergolas, by a

- maximum of 3.0 metres;
- iv. **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
 - v. planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres; and,
 - vi. **structures** on any roof used for outdoor **amenity space**, by a maximum of 4.0 metres;
- (G) Regulation 40.10.40.1(1), regarding the location of residential use portions of a **mixed use building**, does not apply;
- (H) Regulation 40.10.40.10 (5), regarding the required minimum height of the first **storey**, does not apply;
- (I) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 18,200 square metres, of which:
- i. the permitted maximum **gross floor area** for residential uses is 18,060 square metres; and
 - ii. the required minimum **gross floor area** for non-residential uses is 140 square metres;
- (J) 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 two or more **bedrooms**;
 - ii. A minimum of 10 percent of the total number of **dwelling units** must have three or more **bedrooms**; and
 - iii. any **dwelling units** with 3 or more **bedrooms** provided to satisfy (ii) above are not included in the provision required by (i) above;
- (K) Despite Regulations 40.10.40.70(2) and (4), the required minimum **building setbacks** are shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (L) Regulation 40.10.40.80(2) does not apply for inset balconies;
- (M) Despite Regulation 40.10.40.80(2), required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law

number];

- (N) Despite Clause 40.10.40.60 and (M) 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 2.0 metres;
 - ii. canopies and awnings, by a maximum of 2.0 metres;
 - iii. exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - iv. architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 2.5 metres;
 - v. window projections, including bay windows and box windows, by a maximum of 0.9 metres;
 - vi. eaves, by a maximum of 0.9 metres; and
 - vii. air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres;
- (O) Despite Regulation 40.10.40.1(6), regarding the location of pedestrian access for a lot which abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, or is separated from a **lot** in the Residential Zone category or Residential Apartment Zone category by a **lane** or a **street**, does not apply;
- (P) Despite Regulation 40.10.50.10 (3), outdoor seating areas and pet relief areas may be located within the 1.5 metre wide strip of land used for **soft landscaping**;
- (Q) Regulation 40.10.90.10(C) regarding the location of a loading space in any side yard or rear yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category does not apply;
- (R) Despite Regulation 200.15.1(1)(B), the minimum width of an accessible **parking space** shall be 3.4 metres;
- (S) Despite Regulation 230.5.1.10(4)(A)(ii) and (B)(ii) a **bicycle parking space** in a horizontal position, vertical position, or stacked position must have a minimum width of 0.45 metres;

- (T) Despite (S) above, a short-term **bicycle parking space** located outdoors at grade and in a horizontal position must have a minimum width of 0.25 metres;
- (U) Despite Regulation 230.5.1.10(14)(A), an unobstructed aisle width of 1.8 metres is required if it is a **stacked bicycle parking space**. An **oversized bicycle parking space** will require an unobstructed aisle width of 2.5 metres;
- (V) Despite Regulation 230.5.1.10(15), if a building has uses for which 8 or more "long-term" **bicycle parking spaces** are required, a minimum of 4 percent of the required "long-term" **bicycle parking spaces**, rounded up to the nearest whole number, must not be a **stacked bicycle parking space** that is positioned above another **bicycle parking space** or placed in a vertical position on a wall, structure, or mechanical device.;
- (W) Regulation 230.40.1.20(2), regarding a **bicycle parking space** location relative to building entrances, does not apply; and
- (X) Despite Regulations 200.15.10.5(1), **accessible parking spaces** shall be provided at a rate of 0.025 for each **dwelling unit**.

Prevailing By-laws and Prevailing Sections: None Apply.

10. 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.
11. 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:
1. 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 any required improvements to it, has adequate capacity and supply to accommodate the development of the lands or required improvements to them to the satisfaction of the Director, Engineering Review,

Development Review; and

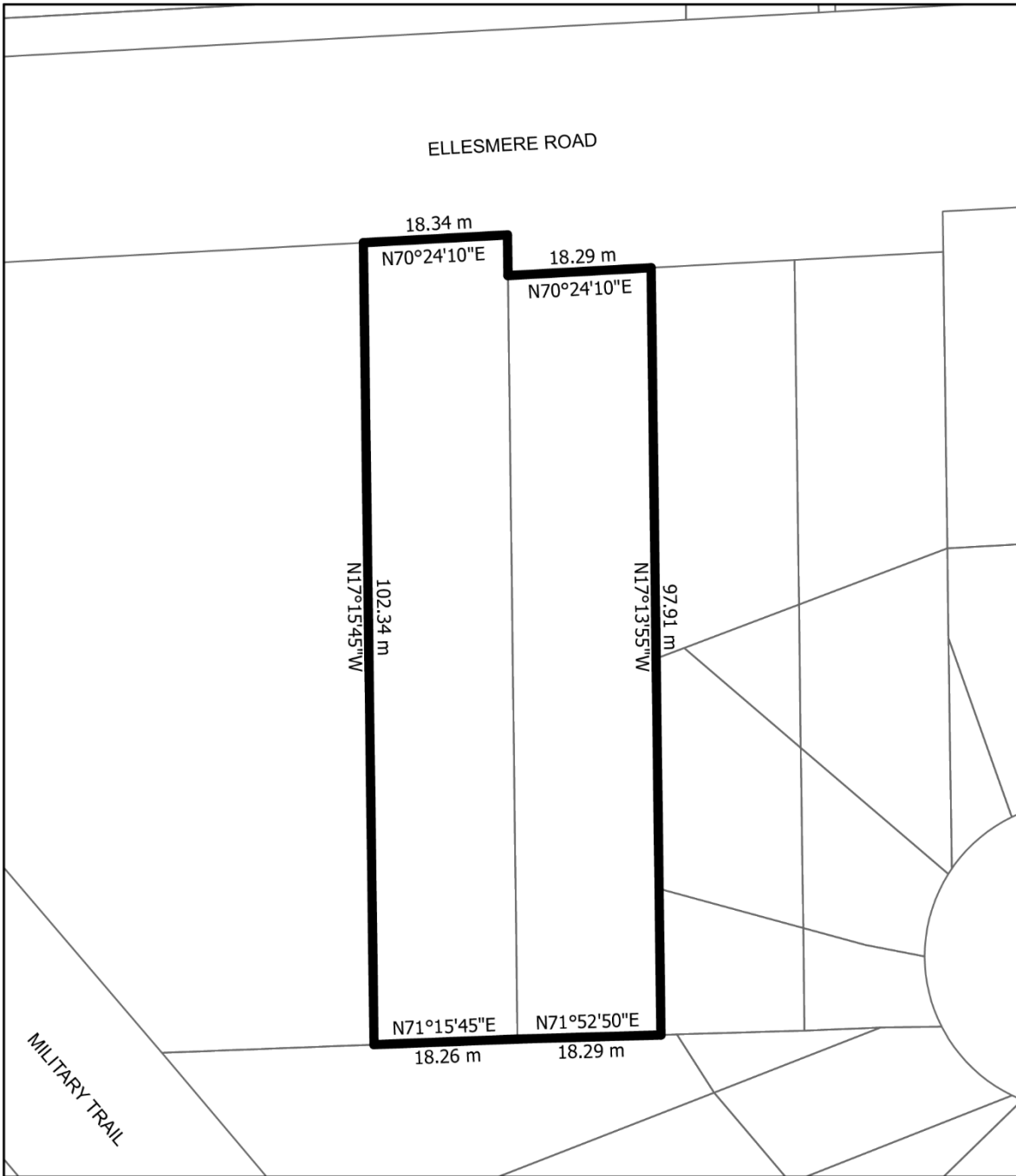
2. if the Functional Servicing and Stormwater Management Report accepted and satisfactory from (1) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - i. the owner or applicant has secured the design, construction, 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,
 - ii. the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development identified in the accepted and satisfactory Functional Servicing and Stormwater Management Report in (1) 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

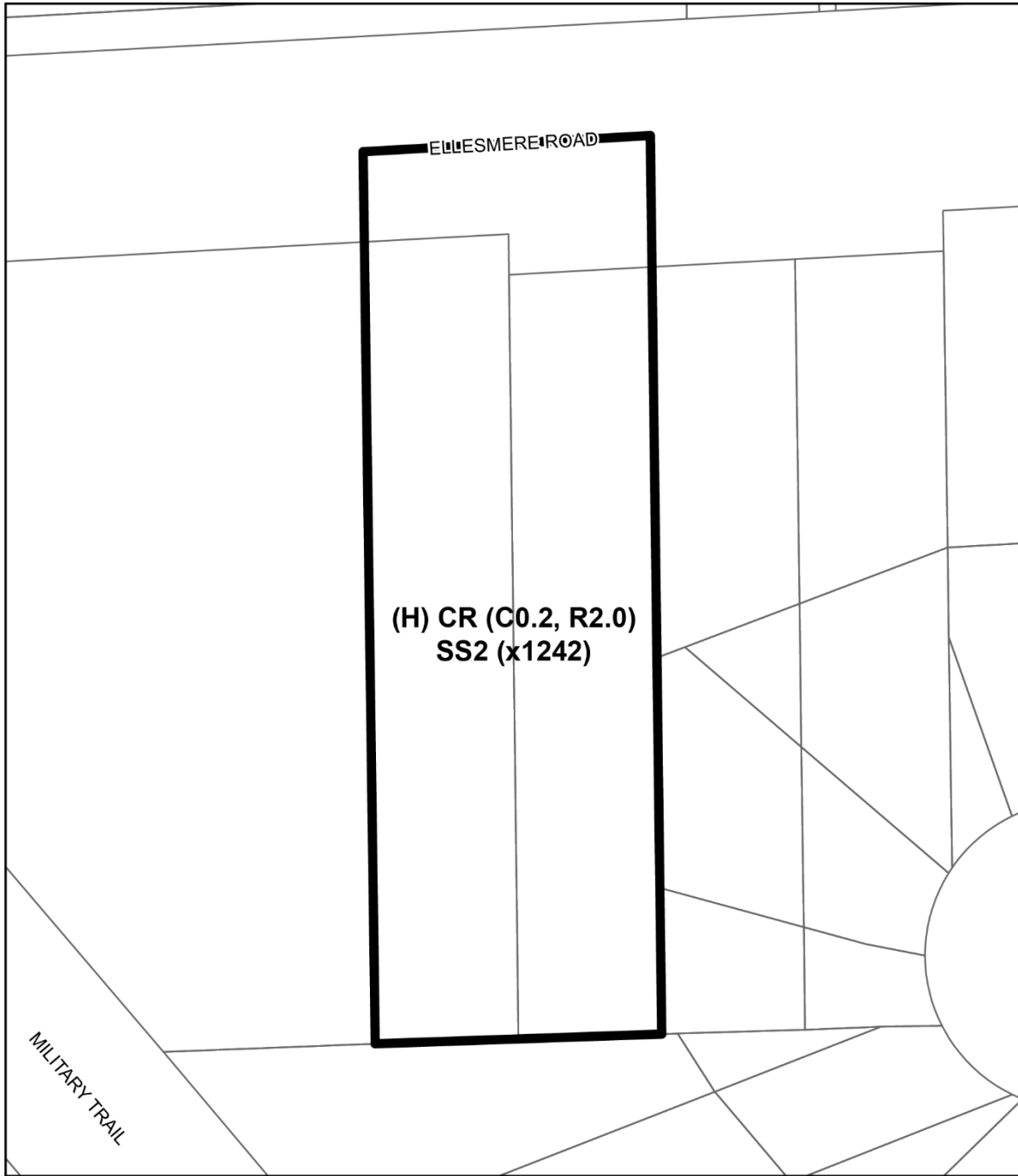
(Seal of the City)



 **TORONTO**
Diagram 1

3307-3313 Ellesmere Road

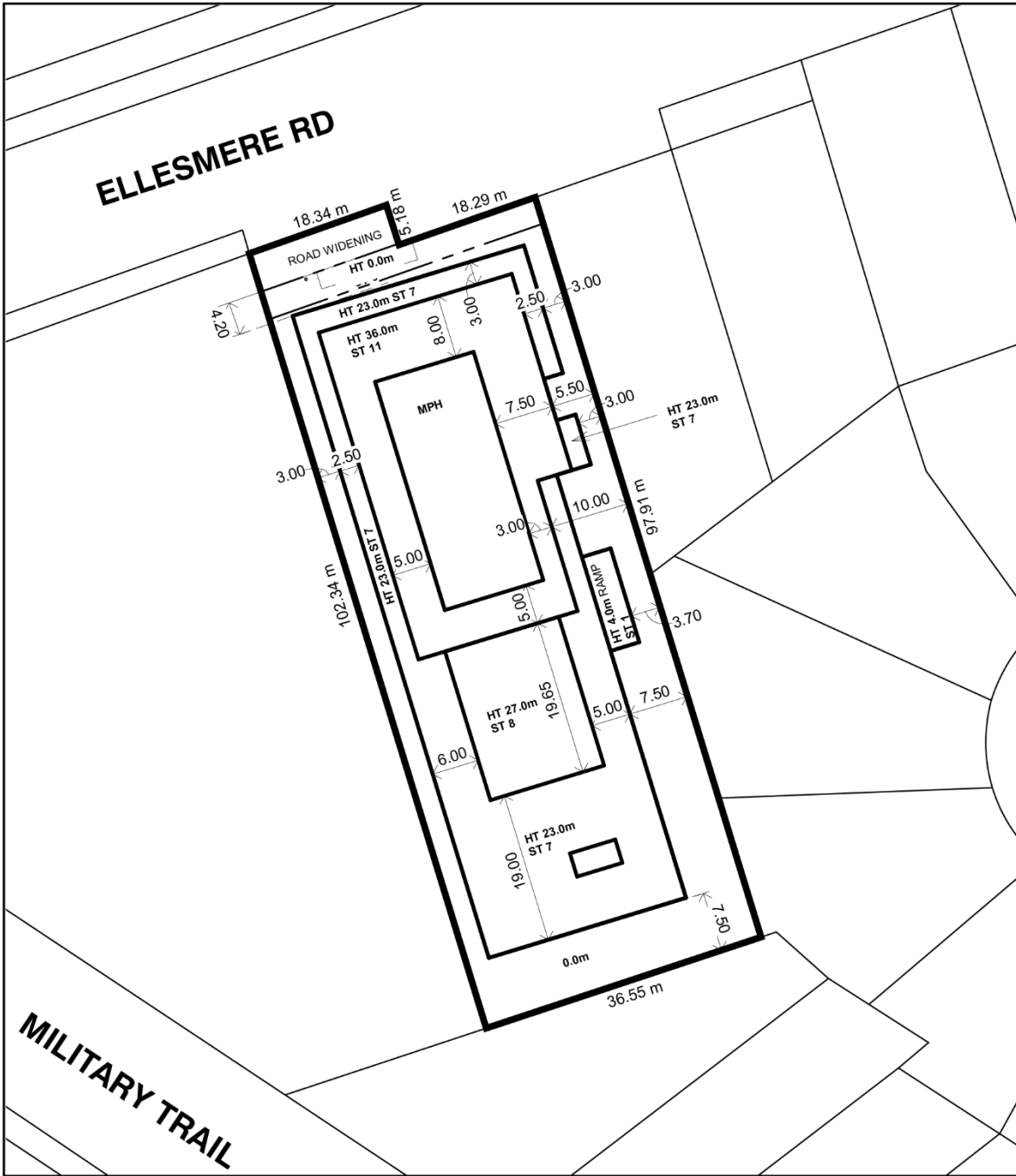
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 **TORONTO**
Diagram 2

3307-3313 Ellesmere Road

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 **Toronto**
Diagram 3

3307-3313 Ellesmere Road

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