

Attachment 5: 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 5, 7, 9 and 11 Bellamy Road South.

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 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 (f13.5; a464) (x396) to a zone label of RM (x491) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number 491 so that it reads:

(491) Exception RM (491)

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 5, 7, 9 and 11 Bellamy Road South, 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) For the purposes of this exception, **established grade** is the Canadian Geodetic Datum of 176.23 metres;
- (C) Despite Clause 10.80.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 45 percent;
- (D) A maximum of 110 **dwelling units** may be located on the **lot**;
- (E) Despite regulation 10.80.40.10(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 10.80.40.10(3), 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];
- (G) Despite regulations 10.5.40.10(2) to (5) and (E) and (F) 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 3.3 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 3.3 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.5 metres;
 - (iv) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.1 metres;
 - (v) antennae, flagpoles and satellite dishes, by a maximum of 4.0

metres; and

- (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.2 metres;
- (H) Despite regulation 10.80.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 14,100.0 square metres;
- (I) Despite Clauses 10.80.40.70 and 10.80.40.80, the required minimum **building setbacks** and **main wall** separation distances are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (J) Despite Clause 10.5.40.60 and (I) 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 1.5 metres;
 - (ii) Balconies on the second storey, by a maximum of 1.5 metres;
 - (iii) canopies and awnings, by a maximum of 1.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 0.7 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 0.7 metres;
 - (vii) eaves, by a maximum of 0.7 metres; and
 - (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres;
 - (ix) terraces with railings or screens, by a maximum distance that is equal to the floor below;
- (K) Despite regulation 10.5.55.1(1), **amenity space** must be provided at the rate of at least 6.0 square metres of outdoor **amenity space** for each **dwelling unit**;

- (L) A rooftop platform or terrace may be located no closer than 1.5 metres from a **main wall** of the fourth **storey** of **buildings** A and B as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (M) Despite regulation 10.5.60.10(1), a pergola may be located within the **front yard** as long as it is no closer than 3.0 metres from the **front lot line**;
- (N) Despite regulation 10.5.50.10(4), a minimum of 32% of the **lot** must be **landscaping**, of which a minimum of 50% must be **soft landscaping**;
- (O) Despite regulation 10.5.50.10(5), a minimum of 1.5 metre wide strip of **soft landscaping** along any part of the **lot line** abutting another **lot** must be provided, except where shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (P) Despite regulation 200.5.1.10(2), **stacked parking space** must have the following minimum dimensions:
- (i) length of 5.2 metres;
 - (ii) width of 2.2 metres; and
 - (iii) vertical clearance of 1.5 metres;
- (Q) Despite regulation 200.5.1.10(14), a minimum of 26 **parking spaces** must be equipped with an **energized outlet** which is clearly marked and identified for electric **vehicle** charging, and is capable of providing Level 2 charging or higher to the **parking space**;
- (R) 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 maximum of 104 residential **parking spaces**; and
 - (ii) a maximum of 4 residential visitor **parking spaces**;
- (S) Despite regulation 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;
 - (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;

- (T) Despite regulation 200.15.1(4), an accessible **parking space** must be located no more than a 10.0 metres long direct route from a barrier free entrance to:
 - (i) a **building**; and
 - (ii) a passenger elevator that provides access to the first **storey** of a **building**;
- (U) Despite regulations 200.15.10.10 and Table 200.15.10.5, a minimum of 5 of the provided **parking spaces** are required to be accessible **parking spaces**;

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. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 1 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 combined sewer system and watermain system have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review;
 - (ii) The owner or applicant shall submit a Hydrological Report, including a Foundation Drainage Technical Brief, Groundwater Summary Form, Foundation Drainage Summary Form, and Hydrological Review Summary Form in compliance with the City of Toronto Foundation Drainage Guidelines and policies, to the satisfaction of the General Manager, Toronto Water, and the Director, Engineering Review; and

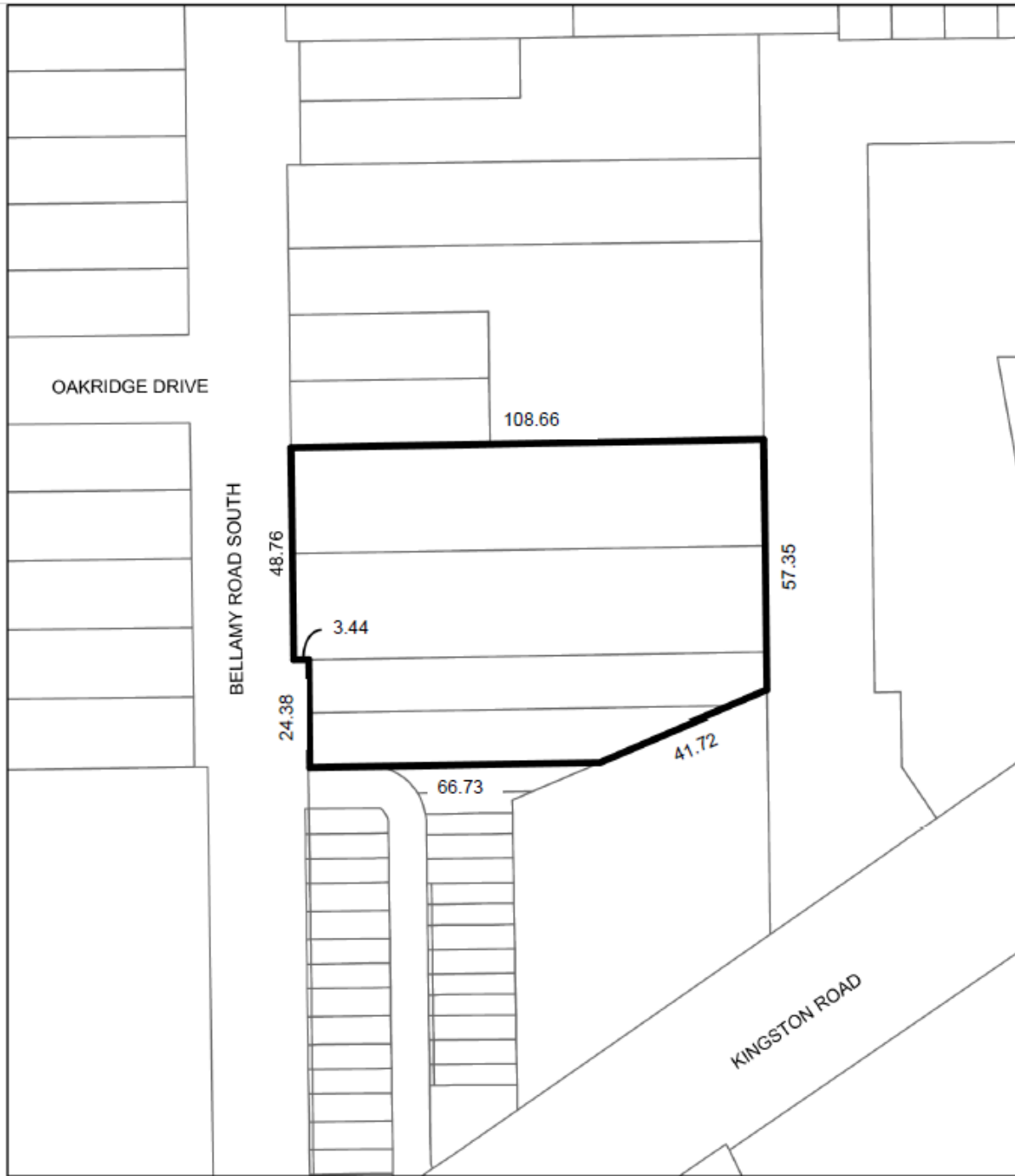
- (iii) The owner or applicant shall submit revised Site Plan drawings to address Solid Waste Management Services requirements related to solid waste access, waste storage areas and loading areas to the satisfaction of Director, Engineering Review.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

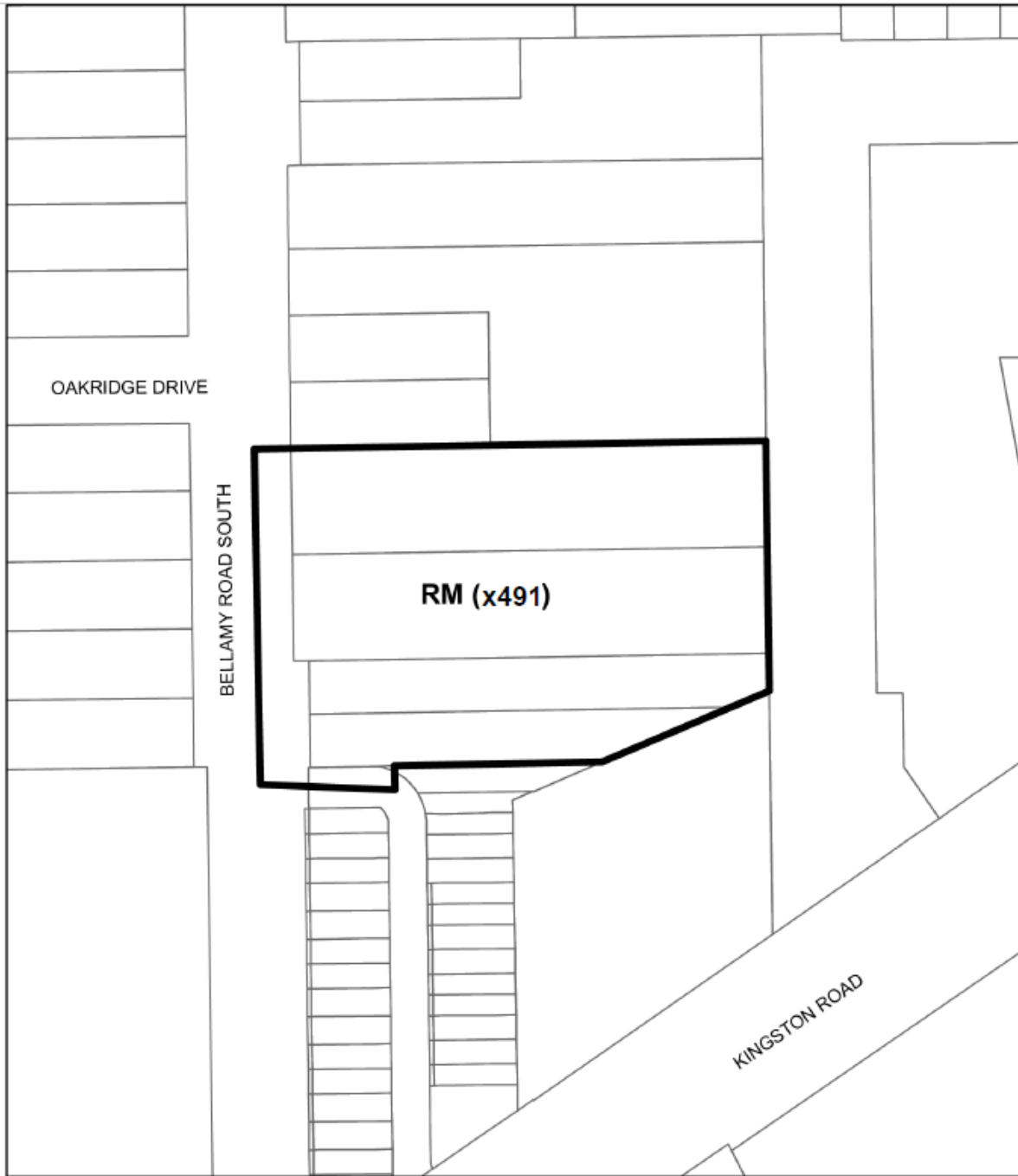
(Seal of the City)



 **TORONTO**
Diagram 1

5, 7, 9 and 11 Bellamy Road South

File #: 25 124181 ESC 20 02



 **TORONTO**
Diagram 2

5, 7, 9 and 11 Bellamy Road South

File #: 25 124181 ESC 20 0Z

