

## Attachment 5: Draft Zoning By-law Amendment

Authority: **Scarborough 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 468 to 480 Danforth Road and 509 Birchmount 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 39 of the Planning Act, as amended, the council of a municipality may, in 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 zone label of RS (f18.0; a613) (x53) and CR 0.4 (c0.4; r0.0) SS3 (x462) to zone labels of O and CR 0.4 (c0.4; r0.4) SS3 (x1257) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Article 995.30.1 for the lands subject to his By-law, from a lot coverage label of 33 to a lot coverage label of 33 and no value, as shown on Diagram 2 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number 1257 so that it reads:

(1257) Exception CR 1257

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 468 to 480 Danforth Road and 509 Birchmount 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) In addition to the permitted non-residential uses listed in regulation 40.10.20.10(1)(A), "car-sharing" is a permitted use on the **lot** under the letter "c" in the zone label referred to in Regulation 40.5.1.10(3)(A)(i);
- (C) Despite Regulation 150.30.20.1(1)(B), a **seniors community house** may be combined with another use;
- (D) For the purposes of this exception, Clause 40.10.30.40, regarding the permitted maximum **lot coverage**, does not apply;
- (E) 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 153.75 metres and the elevation of the highest point of the **building** or **structure**;
- (F) 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 4 of By-law [Clerks to insert By-law number];
- (G) Despite regulation 40.10.40.10(5)(A), the required minimum height of the first **storey**, measured between the floor of the first **storey** and the ceiling of the first **storey** is 4.5 metres for non-residential uses;
- (H) Despite regulations 40.5.40.10(3) to (8) and (F) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 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 cooling equipment, water supply facilities, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of .6.0 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 6.0 metres;
- (iii) **building** maintenance units and window washing equipment, by a maximum of 5.0 metres;
  - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
  - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres; and
  - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (I) Despite regulation 40.10.40.40.1(1), residential use portion of the **building** are permitted to be located on the same **storey** as non-residential use portion of the **building**;
- (J) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 41,000.0 square metres, of which:
- (i) the required minimum **gross floor area** for non-residential uses is 1,500.0 square metres;
- (K) Despite regulation 40.10.40.70(3), the required minimum **building setbacks** are as shown on Diagram 4 of By-law [Clerks to insert By-law ##];
- (L) Despite regulation 40.10.40.80(2), the minimum required separation distances of **main walls** of a **building** are as shown on Diagram 4 of By-law [Clerks to insert By-law####];
- (M) Despite Clause 40.10.40.60 and (K)and (L) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) canopies and awnings, by a maximum of 3.0 metres;
  - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
  - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.6 metres;

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- (iv) window projections, including bay windows and box windows, by a maximum of 0.6 metres;
  - (v) eaves, by a maximum of 1.0 metres;
  - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, and lighting, by a maximum of 1.0 metres; and
  - (vii) balconies, by a maximum of 2.0 metres;
- (N) Despite (M)(vii) above, no balcony may be located within 5.0 metres of an Open Space or Open Space Recreational Zone category;
- (O) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, the minimum number of required **parking spaces** is 340, of which:
- (i) a minimum of 0.40 **parking spaces** for each **dwelling unit** must be provided for occupants of the residential **dwelling units**;
  - (ii) a minimum of 128 **parking spaces** must be provided and shared between visitors of the residential **dwelling units** and the non-residential uses;
  - (iii) a minimum of 1 car-share parking space must be provided on the **lot**; and
  - (iv) a maximum of 5 spaces of the required visitor or non-residential **parking spaces** in (ii) may be car-share parking spaces;
- (P) Despite regulation 200.15.10.5, 200.15.10.10 and Table 200.15.10.5, a minimum of 15 **parking spaces** provided on the **lot** must be accessible **parking spaces**;
- (Q) Despite regulation 200.5.1.10(2)(A)(iv), a maximum of 15 percent of all **parking spaces** on the **lot** may be obstructed 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**;
- (R) Despite regulations 200.15.1(1) and (3) an accessible **parking space** must comply with the following:
- (i) accessible **parking spaces** must have the following minimum dimensions:
    - (a) length of 5.6 metres;

- (b) width of 3.4 metres; and
  - (c) vertical clearance of 2.1 metres;
- (ii) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (S) Despite regulation 200.15.1(4), an accessible **parking space** must be located within 30 metres of:
  - (i) a barrier free entrance to a **building**; or
  - (ii) a passenger elevator that provides access to the first **storey** of a **building**;
- (T) Despite Clause 220.5.10.1, a minimum of the following **loading spaces** must be provided on the **lot**:
  - (i) one (1) Type "G";
  - (ii) one (1) Type "A"; and
  - (iii) one (1) Type "C";
- (U) In addition to regulations 230.5.1.10.(4)(A) and (C), **stacked bicycle parking spaces** must have the following minimum dimensions:
  - (i) minimum length of 1.8 metres;
  - (ii) 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; and  
  
minimum vertical clearance of 1.2 metres; Despite regulation 230.5.1.10(9), "long-term" **bicycle parking spaces** and "short-term" **bicycle parking spaces** may be on any level of the **building** below-ground;
- (V) The number of **bicycle parking spaces** required by regulation 230.5.10.1(5) may be reduced, subject to the following:
  - (i) the number of "short-term" **bicycle parking spaces** reduced is not more than half the amount required by Regulations 230.5.10.1(5)(A) or (B), rounded down to the nearest whole number;

- (ii) for each **bicycle parking space** required by Regulation 230.5.10.1(5) to be reduced, the owner or occupant must provide a payment-in-lieu to the City of Toronto; and
  - (iii) the owner or occupant must enter into an agreement with the City of Toronto pursuant to Section 40 of the Planning Act;
- (W) Despite Regulation 230.5.10.1(5)(b) a minimum of 350 “long term” bicycle parking spaces are required;
- (X) For the purpose of this exception:
- (i) “car-share” or “car-sharing” means the practice whereby a number of people share the use of one or more motor **vehicles** and such “car-share” motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
  - (ii) “car-share **parking space**” means a **parking space** exclusively reserved and actively signed for a **vehicle** used only for “car-sharing” purposes;

Prevailing By-laws and Prevailing Sections: None Apply;

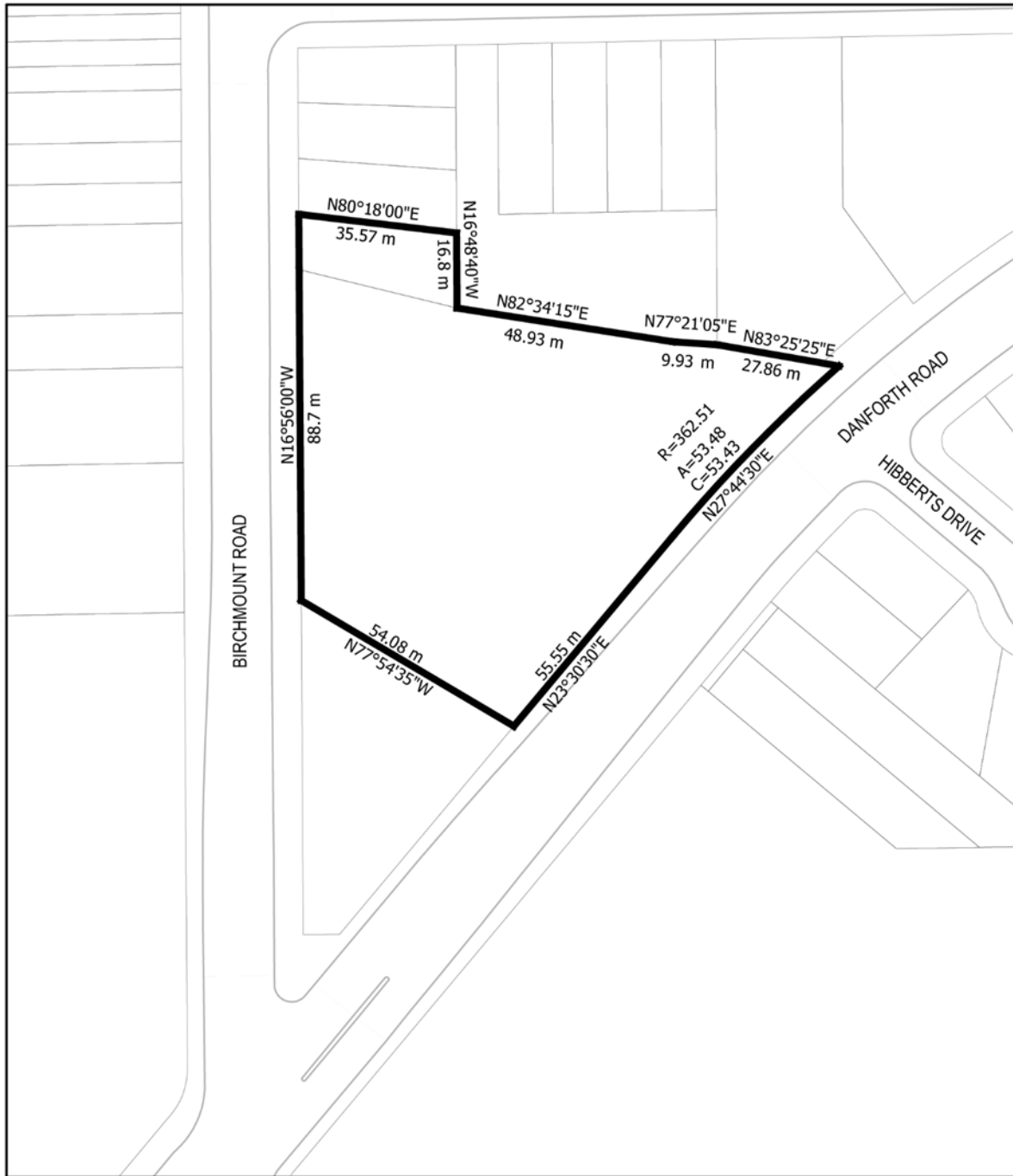
6. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
7. Temporary use(s):
- (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales office on the **lot** for a period of not more than 3 years from the date this By-law comes into full force and effect, provided the maximum height of the temporary sales office is 5 metres.

Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)



 **TORONTO**  
Diagram 1

**468 to 480 Danforth Road  
and 509 Birchmount Road**

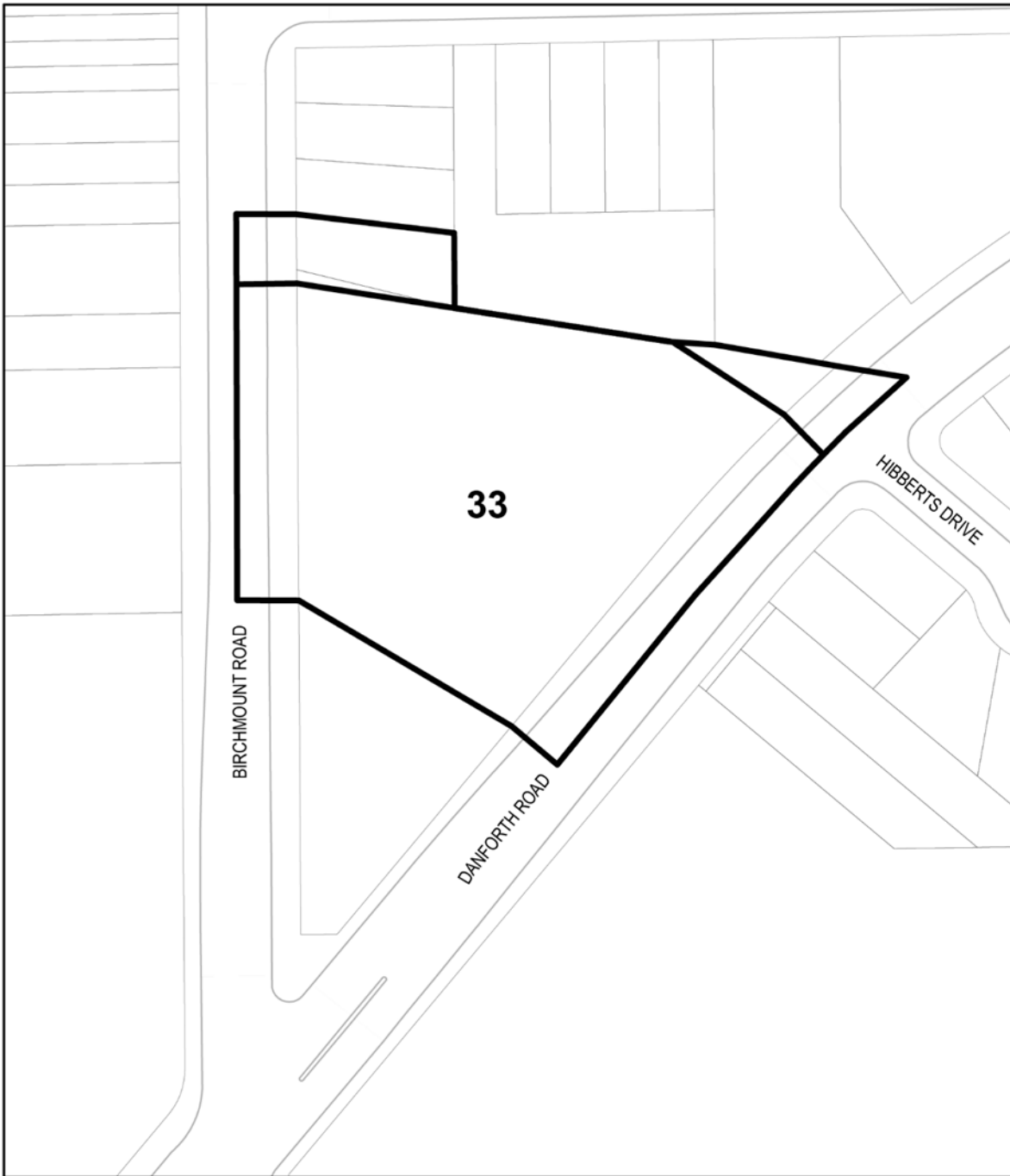
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 **TORONTO**  
Diagram 2

**468 to 480 Danforth Road  
and 509 Birchmount Road**

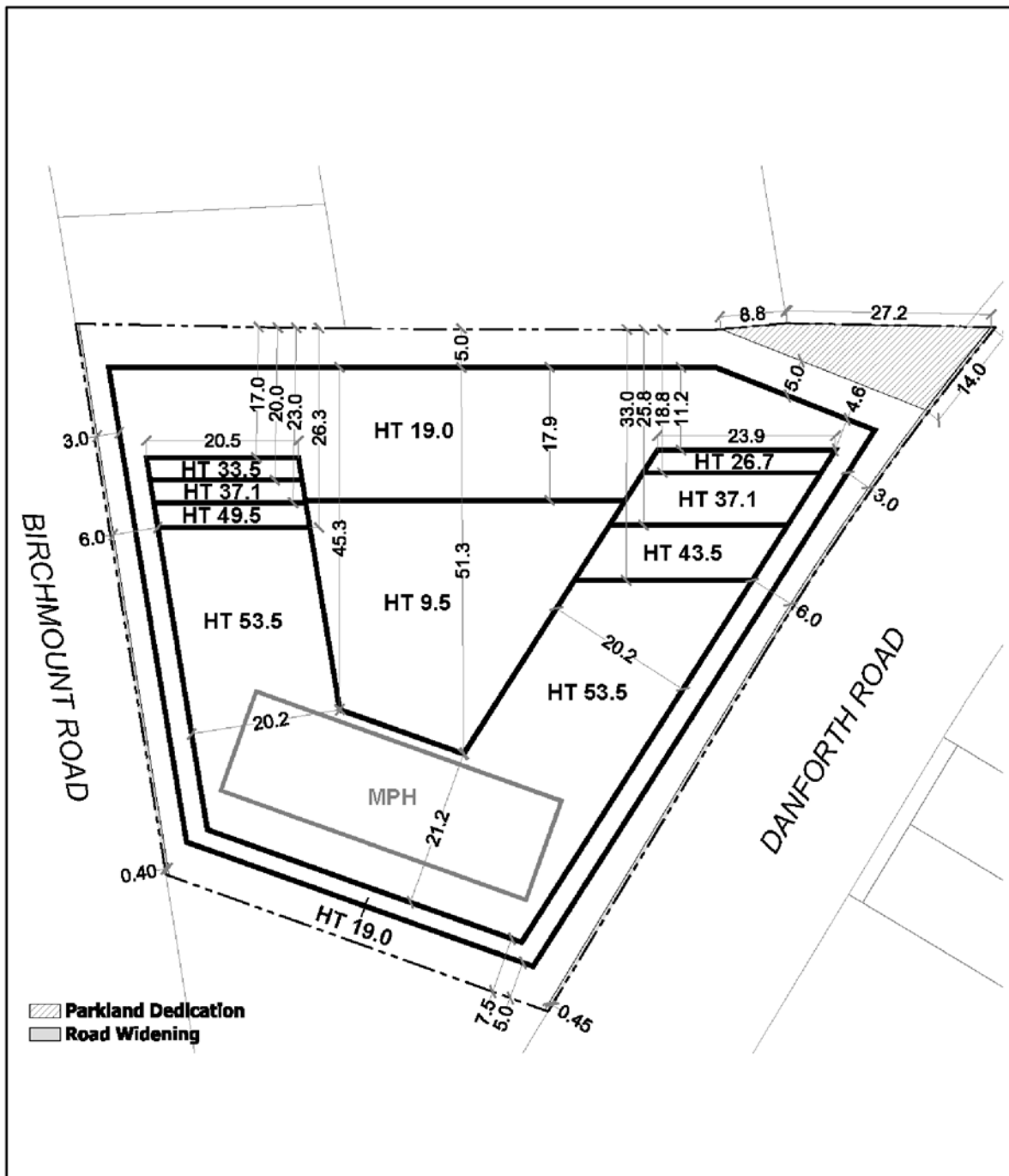
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 **TORONTO**  
Diagram 3

**468 to 480 Danforth Road  
and 509 Birchmount Road**

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**TORONTO**  
Diagram 4

468 to 480 Danforth Road  
and 509 Birchmount Road

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