

2240 Birchmount Road – Official Plan Amendment and Zoning By-law Amendment – Decision Report – Approval

Date: June 22, 2026

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 22 - Scarborough-Agincourt

Planning Application Number: 21 164108 ESC 22 OZ

Related Planning Application Number: 22 210126 ESC 22 SA

SUMMARY

This Report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a 10-storey (or 37 metres, inclusive of the mechanical penthouse) mixed-use building at 2240 Birchmount Road. The proposal includes 172 residential dwelling units and 375 square metres of non-residential gross floor area at grade supported by 140 bicycle parking spaces and 188 vehicular parking spaces generally contained within two levels of underground parking.

The proposed Official Plan and Zoning By-law Amendment applications are consistent with the Provincial Planning Statement (2024) and conforms with the policy direction of the City's Official Plan. The proposal would intensify an underutilized site with a building that is appropriately scaled for the site and surrounding area. It would also introduce an appropriate mix of unit sizes, including larger-sized residential units suitable for families, and improvements to the public realm.

RECOMMENDATIONS

The Director, Community Planning, Scarborough District recommends that:

1. City Council amend the Official Plan for the lands municipally known as 2240 Birchmount Road substantially in accordance with the draft Official Plan Amendment included as Attachment 5 to this Report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands municipally known as 2240 Birchmount Road substantially in accordance with the draft Zoning By-law Amendment included as Attachment 6 to this Report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

There are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

DECISION HISTORY

On November 25, 2021, Scarborough Community Council adopted the Preliminary Report for this application, directing staff to conduct an area study and evaluate the application in the context of other potential development sites on the south side of Sheppard Avenue East and west side of Birchmount Road. Community Council also directed Staff to determine, if an area-specific Official Plan and/or Zoning By-law Amendment was required, based on the area land use study. The Report is available here: <https://secure.toronto.ca/council/agenda-item.do?item=2021.SC28.5>

THE SITE AND SURROUNDING LANDS

Description

The subject site is in the southwest quadrant of Birchmount Road and Sheppard Avenue East. The site has a total site area of 4,053 square metres, and a frontage of 66 metres along Birchmount Road. See Attachment 2 for the Location Map.

Existing Use

The subject site is currently occupied by a single storey commercial building with at-grade vehicular parking. Vehicular access is provided via two driveways along Birchmount Road. The existing building is proposed to be demolished.

Surrounding Uses

North: A one-storey commercial plaza that fronts on Sheppard Avenue East. On the north side of Sheppard Avenue East is a gas station, a fire station, and residential apartment buildings ranging from 13- to 15-stories.

South: A place of worship. Further south are low-rise detached houses.

East: On the east side of Birchmount Road are 4-storey residential apartment buildings. Further east are low-rise detached houses.

West: Low-rise detached houses.

THE APPLICATIONS

Description

The proposal is for a 10-storey (or 37 metres, inclusive of the mechanical penthouse) mixed-use building with two levels of underground parking.

Density

The proposal has a density of 3.4 times the area of the lot.

Residential Component

The proposal includes 172 dwelling units, consisting of 85 one-bedroom (49%), 68 two-bedroom (40%), and 19 three-bedroom units (11%).

Non-Residential Component

The proposal includes 375 square metres of non-residential gross floor area at grade fronting Birchmount Road.

Public Realm Improvements

As part of this development, adequate setbacks are provided to secure public realm improvements on-site, such as, a new 2.1 metre pedestrian walkway, benches with seating and planters with trees along Birchmount Road. These improvements will be further secured as part of the Site Plan Control application.

Amenity Space

A total of 688 square metres of amenity space is proposed, with 344 square metres of indoor amenity space (2.0 square metres of amenity space per unit) and 344 square metres of outdoor amenity space (2.0 square metres of amenity space per unit).

Access, Parking and Loading

Vehicular and loading access to the site will be provided from Birchmount Road, at the southerly portion of the site. The northern access will be removed, and a 0.4 metre road widening land conveyance will be provided along Birchmount Road to help achieve the planned right-of-way width of 27 metres.

The proposal includes a total of 188 vehicular parking spaces, comprising of 172 residential spaces and 16 visitor spaces that will be shared with the non-residential uses.

The proposal includes 140 bicycle parking spaces, consisting of 120 long-term and 20 short-term bicycle parking spaces, and one Type 'G' loading space that would be located at the rear of the site.

Additional Information

See the attachments of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views of the proposal. Detailed project information, including all plans and reports submitted as part of the application, can be found on the City's Application Information Centre at: www.toronto.ca/2240BirchmountRd

Reasons for Application

An Official Plan Amendment is required to redesignate the subject lands from *Neighbourhoods* to *Apartment Neighbourhoods*.

A Zoning By-law Amendment to the Zoning By-law 569-2013 is required to rezone the site from Commercial Local (CL) to Residential Apartment Commercial (RAC) to permit this form of mixed-use development. An Amendment is also required to establish land use provisions and site specific performance standards, including building height, density, setbacks, and parking standards, among other standards.

APPLICATION BACKGROUND

The application was originally submitted as a 9-storey 'T'-shaped building on June 1, 2021, and deemed complete on July 2, 2021, satisfying the City's minimum application requirements. Through the application review process, the proposal was later revised to the proposed 10-storey 'L'-shaped building. The reports and studies submitted in support of this application are available on the Application Information Centre: www.toronto.ca/2240BirchmountRd

Agency Circulation Outcomes

The applications were circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application.

POLICY AND REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024), and shall conform to provincial plans.

Official Plan

The Official Plan designates the subject site as *Neighbourhoods*. See Attachment 3 of this Report for the Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

Zoning

The subject site is zoned Commercial Local (CL 0.33 (x149)) under Zoning By-law 569-2013. The Commercial Local zoning category permits uses including, but not limited to, office, service shop, retail store, and take-out eating establishment. The maximum permitted height is 10 metres. See Attachment 4 of this Report for the existing Zoning By-law Map.

Design Guidelines

The following [design guidelines](#) have been used in the evaluation of this application:

- Mid-Rise Building Performance Standards
- Growing Up: Planning for Children in New Vertical Communities
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings
- Retail Design Manual

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. In place since 2010, the TGS has contributed to building resilient communities and advanced matters related to public health, safety, sustainability and energy efficiency. Development proposals address the updated Toronto Green Standard Tier 1 as part of application materials. Development achieving higher levels of performance (Tier 2 and above) are eligible for a partial refund of development charges. Information on the Toronto Green Standard may be found at: [Toronto Green Standard](#)

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application, file no.: 22 210126 ESC 22 SA has been submitted and is currently under review.

PUBLIC ENGAGEMENT

Community Consultation

Two Community Consultation meetings were held based on the original 9-storey application. The first was a virtual meeting which was hosted by Staff on September 12, 2022. The second in-person meeting was held in December 2022 at the Council Chamber of Scarborough Civic Centre. Additional comments and concerns were received via telephone and email throughout the development review process. The following comments and issues were raised:

- concerns about the proposed height in relation to the existing Official Plan height permissions;
- concerns about the shadow, and loss of sky views, as well as privacy impacts on the neighbourhood to the west;

- concerns about increase in biking activity without new cycling lanes and associated potential safety of pedestrians walking on the sidewalk;
- questions about traffic and the possibility for new road signals;
- questions about the proposed parking rate and circulation of large vehicles on-site; and,
- questions about the impacts on the water pressures and sewer capacity.

The issues raised through the community consultation process have been considered through the review of the application and commented on as necessary in the body of this Report.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to hear the oral submissions made at the statutory public meeting held by the Scarborough Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

COMMENTS

Provincial Planning Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff have reviewed the current proposal for consistency with the PPS (2024). Staff find the proposal consistent with the PPS (2024).

Official Plan Policies and Design Guidelines

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy and Regulation Considerations Section of this Report. Staff find the application conforms with the policy direction of the City's Official Plan.

Land Use

The application is proposing to amend the Official Plan and Zoning By-law to redesignate the lands from *Neighbourhoods* to *Apartment Neighbourhoods*, and to rezone the property from Commercial Local to Residential Apartment Commercial.

The proposed 10-storey apartment building with at-grade retail uses was reviewed against Policy 3 of section 5.3.1, and the development criteria policies for *Apartment Neighbourhoods* in determining the appropriateness of the Official Plan amendment. Development criteria for *Apartment Neighbourhoods* includes, but is not limited to:

- providing an appropriate transition in scale to the surrounding areas with different levels of intensity;
- limiting shadow impacts on *Neighbourhoods* during the fall and spring equinoxes;

- providing a massing that frames the edge of the street, and includes ground floor retail that enhances the safety, amenity and animation of adjacent streets; and
- including sufficient off-street motor vehicle and bicycle parking for residents and visitors.

An analysis of the surrounding area reveals a context varied in both land uses and built form. The land use designation on the north side of Sheppard Avenue East and the east side of Birchmount Road is *Apartment Neighbourhoods*, and those lands are developed with a range of built forms and building heights as high as 15-storeys. The property directly north fronts on Sheppard Avenue East, identified as a major street, and would permit an apartment building up to 6-storeys and 30 units as of right.

Within the ground floor of the building, fronting Birchmount Road, the proposed development would provide 375 square metres of non-residential ground floor area that enhances the animation of Birchmount Road. While this does not represent a full replacement of the existing non-residential uses, it conforms to the *Apartment Neighbourhoods* policies which provide for small-scale locally serving non-residential uses that support daily life and is provided in a more pedestrian-oriented form.

As part of the application review process, Staff examined the existing and planned context within the surrounding area, and with a focus on the southwest quadrant of the Birchmount Road and Sheppard Avenue East intersection, as directed by Council during the adoption of the Preliminary Report. Overall, City Staff find the proposed Official Plan amendment to be appropriate for the site and surrounding context as it meets Section 5.3.1 and the development criteria identified in the Official Plan. Additionally, Staff find the proposed Zoning By-law Amendment appropriate, as it is in line with the proposed amendment to the Official Plan land use designation. Furthermore, Staff have also determined that no further area specific Official Plan or Zoning By-law Amendment would be required for the southwest quadrant of the intersection.

Density, Height, Massing

The proposed building is planned to have a maximum height permission of 10 storeys, with an 'L'-shaped massing design that frames the edge of Birchmount Road and the property line to the north. The proposal would result in a density of 3.4 times the lot area.

A minimum 10 metre and 6.3 metre setback would be secured from the east property line and the south property line, respectively. Additional building setbacks along the east and south elevation will also be secured at the 4th and 9th storey to further provide a better downward transition to the neighbouring low-rise buildings. The open space surrounding the proposed building are to be utilized for vehicular access, parking, loading, amenity area, and landscaped open space. Staff find that the proposed location, massing and siting of the building on the subject site would: provide for an appropriate transition to the surrounding context; limit privacy impacts on the neighbouring lower-scale developments, and limit shadow impacts on surrounding properties and the public realm.

Unit Mix

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. Furthermore, the Growing Up Guidelines require a minimum of 25% of all units to be two and three-bedroom units. The proposal includes 172 residential units, 68 two-bedroom (40%) and 19 three-bedroom (11%). The proposed unit mix meets the requirements of the Growing Up Guidelines.

Public Realm

A key objective of the Official Plan is to maintain and enhance a safe, attractive, and functional public realm, including public sidewalks, pedestrian mid-block connections, parks, and open spaces.

The proposal would support an enhanced, and more activated, streetscape design along Birchmount Road. Within the proposed minimum 5.7 metre pedestrian zone along Birchmount Road, the existing sidewalk would be widened to 2.1 metres, meeting current City standards. The two existing street trees would be preserved, and an additional eight new trees would be planted. The improved pedestrian zone also provides sufficient space for a wide private walkway, which can support potential retail spillage and café style seating.

A key element of the proposal is the activation of the public realm along Birchmount Road with active retail uses. 'Back of house' functions such as servicing, utilities and loading are located away from Birchmount Road.

Additional connectivity and open space would also be proposed across the site. Along the southern building façade, a minimum 8.9 metre setback would be provided, accommodating a 2.1 metre walkway, providing pedestrian circulation for residents to the rear of the site. Along the northern building façade, the proposed minimum 10 metre building setback would allow for the development of private residential terraces for the ground floor residential units; a 2.1 metre walkway creating pedestrian connections between the front and rear of the site; and for soft landscaping and the planting of six new trees. Along the west property line, abutting low-rise residential properties, a minimum 10 metre building setback is proposed to provide space for landscaping and passive outdoor amenities.

Shadow Impact

The applicant has submitted a Sun/Shadow Study in support of the application. Official Plan Policy 4.5.2 (d) provides for the location and massing of buildings to be planned to adequately limit shadow impacts on properties on adjacent lands designated *Neighbourhoods*, particularly during the spring and fall equinoxes. The City's Mid-rise Design Guideline further adds that proposed development should maintain at least 5 hours of sunlight on the public sidewalks at the equinoxes, generally between 9:18 AM and 6:18 PM.

During the spring and fall equinoxes, the proposed development adequately limits shadow impacts on adjacent properties designated *Neighbourhoods* and allows for a minimum of 5 hours of sunlight on the public realm, thereby meeting the intent of the Official Plan policies and Mid-rise Design Guidelines. Staff have reviewed the submitted shadow study and consider the shadow impacts to be acceptable and adequately limited.

Wind Impact

A Pedestrian Level Wind Study was submitted in support of the application, describing the anticipated wind conditions on-site and surrounding the development. The study determined that future wind conditions at grade-level areas are acceptable for intended pedestrian uses on a seasonal basis. The wind study did identify that the outdoor amenity space and private patio spaces might be less than optimal; however, with additional mitigation measures, the conditions could be improved. The effectiveness of the proposed wind control mitigations will be further evaluated and secured through the Site Plan Control application.

Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report, dated May 28, 2026, in support of the application. The report concluded that sufficient capacity exists within the existing municipal combined sewer and water supply systems. Staff will work with the applicant at the Site Plan Control stage to secure the necessary storm water management strategy for the proposed development and determine if any upgrades to the stormwater system are required to support the development. City staff have reviewed the document and are satisfied with the report's conclusions.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of Birchmount Road, a 0.4 metre road widening dedication along the Birchmount Road frontage of the site is required and is proposed to be conveyed to the City.

Access, Vehicular and Bicycle Parking, and Loading

The proposal includes two levels of underground parking with a total of 188 vehicle parking spaces, including 16 residential visitor parking spaces that will be shared with the proposed non-residential uses and 7 accessible parking spaces. Of the two existing vehicular accesses on the subject site, the access to the north would be closed, and the access to the south would be maintained from Birchmount Road. A total of 140 bicycle parking spaces would be provided, including 20 short-term spaces. One Type 'G' loading space is provided at the rear of the residential building.

The Transportation Impact Study submitted in support of the application concludes that the intersection of Birchmount Road and Sheppard Avenue East would operate within acceptable levels of service. Overall, the proposed development would introduce a

manageable number of vehicular trips on the surrounding road network. Transportation Review staff have reviewed the Transportation Impact Study and accepts the study's conclusions.

Parkland

In accordance with Section 42 of the *Planning Act*, the owner is required to satisfy the parkland dedication requirement through a cash-in-lieu of parkland payment. As per Toronto Municipal Code Chapter 415-29, the appraisal of the payment will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The proposal would require the removal of one by-law protected privately-owned tree and one city street tree located on the Birchmount Road frontage.

The planting of three replacement trees for each by-law protected privately-owned tree, and an additional planting of one replacement tree would be required for each city street tree. The replacement will be required as a condition for any future application to remove trees on the subject site.

Overall, the proposal would provide a total of 17 new trees within the private and public portions of the site, including the required number of replacement trees mentioned above.

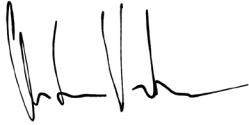
Conclusion

Staff are of the opinion that the proposal is consistent with the Provincial Planning Statement (2024). The proposal meets the intent of the Official Plan and conforms to the development criteria for *Apartment Neighbourhoods*. This development would result in appropriate intensification of an underutilized site, while also providing a suitable transition to adjacent *Neighbourhoods*. The proposal would also improve the public realm with the introduction of new soft landscaping, new sidewalks and pedestrian clearways, among other elements. The proposal also provides an appropriate mix of residential and non-residential uses on-site that would serve the community. Staff recommend that Council support approval of the Official Plan and Zoning By-law Amendment application.

CONTACT

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SIGNATURE



Christian Ventresca, M.Sc.PI, MCIP, RPP
Director, Community Planning
Scarborough District

ATTACHMENTS

City of Toronto Information/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Official Plan Amendment
- Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: Ground Floor Plan
- Attachment 9: East Elevation
- Attachment 10: South Elevation
- Attachment 11: North Elevation
- Attachment 12: West Elevation
- Attachment 13: 3D Massing Model - Looking Northeast
- Attachment 14: 3D Massing Model - Looking Southwest

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 2240 BIRCHMOUNT RD **Date Received:** June 1, 2021

Application Number: 21 164108 ESC 22 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: To permit the development of a 10-storey mixed-use building containing 172 dwelling units, 375 square metres of non-residential gross floor area, and two below-grade parking levels totalling 188 vehicular and 140 bicycle parking spaces.

Applicant	Architect	Owner
Birchmount Developments LP	CMV Group Architects	2689244 ONTARIO LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	CL 0.33 (x149)	Heritage Designation: N
Height Limit (m):	10	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m):	4,053	Frontage (m):	66	Depth (m):	59
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,337		1,042	1,042
Residential GFA (sq m):			13,432	13,432
Non-Residential GFA (sq m):	1,337		376	376
Total GFA (sq m):	1,337		13,808	13,808
Height - Storeys:	1		10	10
Height - Metres:	4		32	32

Lot Coverage Ratio (%):	39	Floor Space Index:	3.4
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	13,432	
Retail GFA:	376	
Office GFA:	0	
Industrial GFA:	0	
Institutional/Other GFA:	0	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	0	0	172	172
Freehold:	0	0	0	0
Condominium:	0	0	0	0
Other:	0	0	0	0
Total Units:	0	0	172	172

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	0	0	0	0	0
Proposed:		0	85	68	19
Total Units:		0	85	68	19

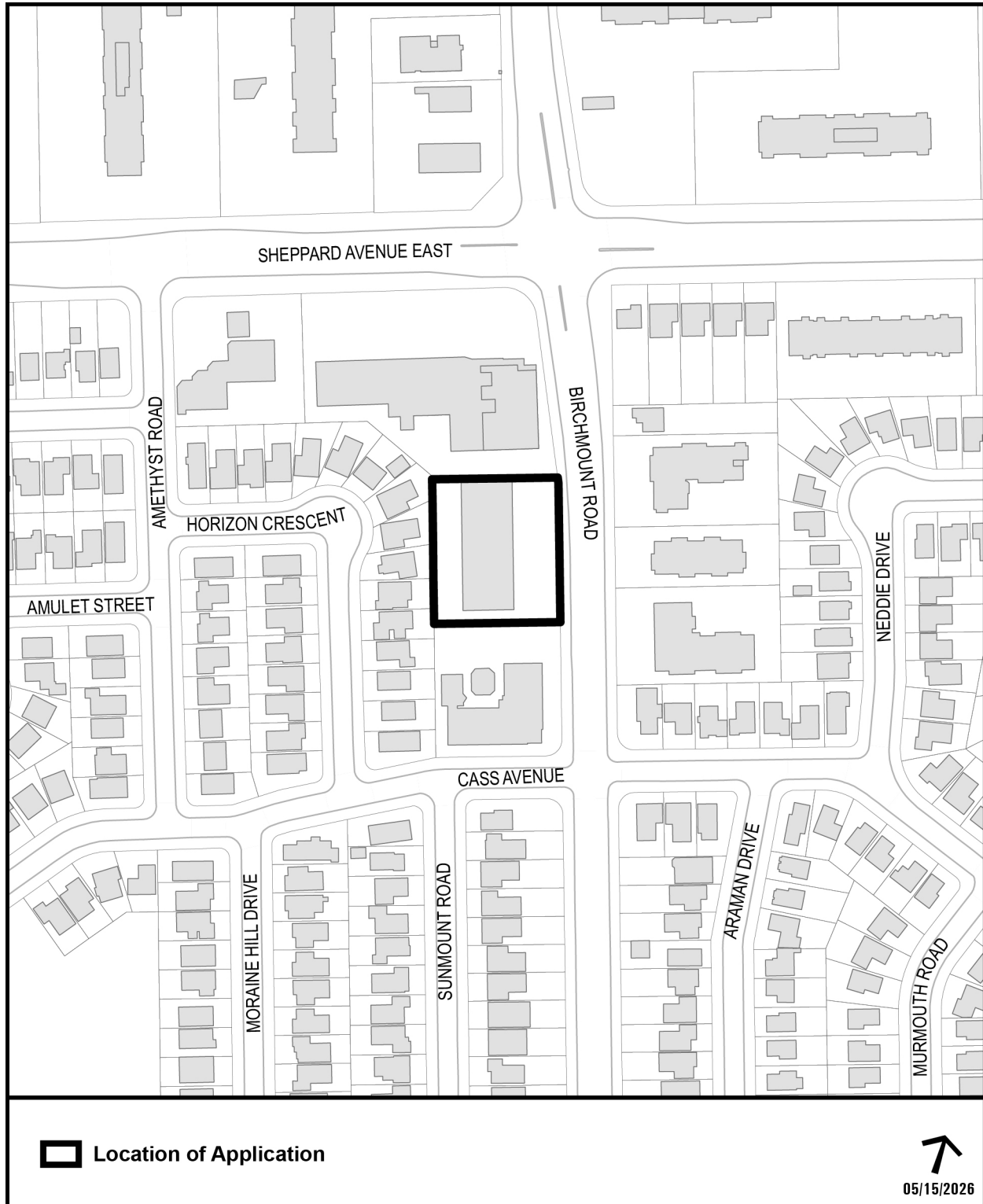
Parking and Loading

Parking Spaces: 188 Bicycle Parking Spaces: 140 Loading Docks: 1

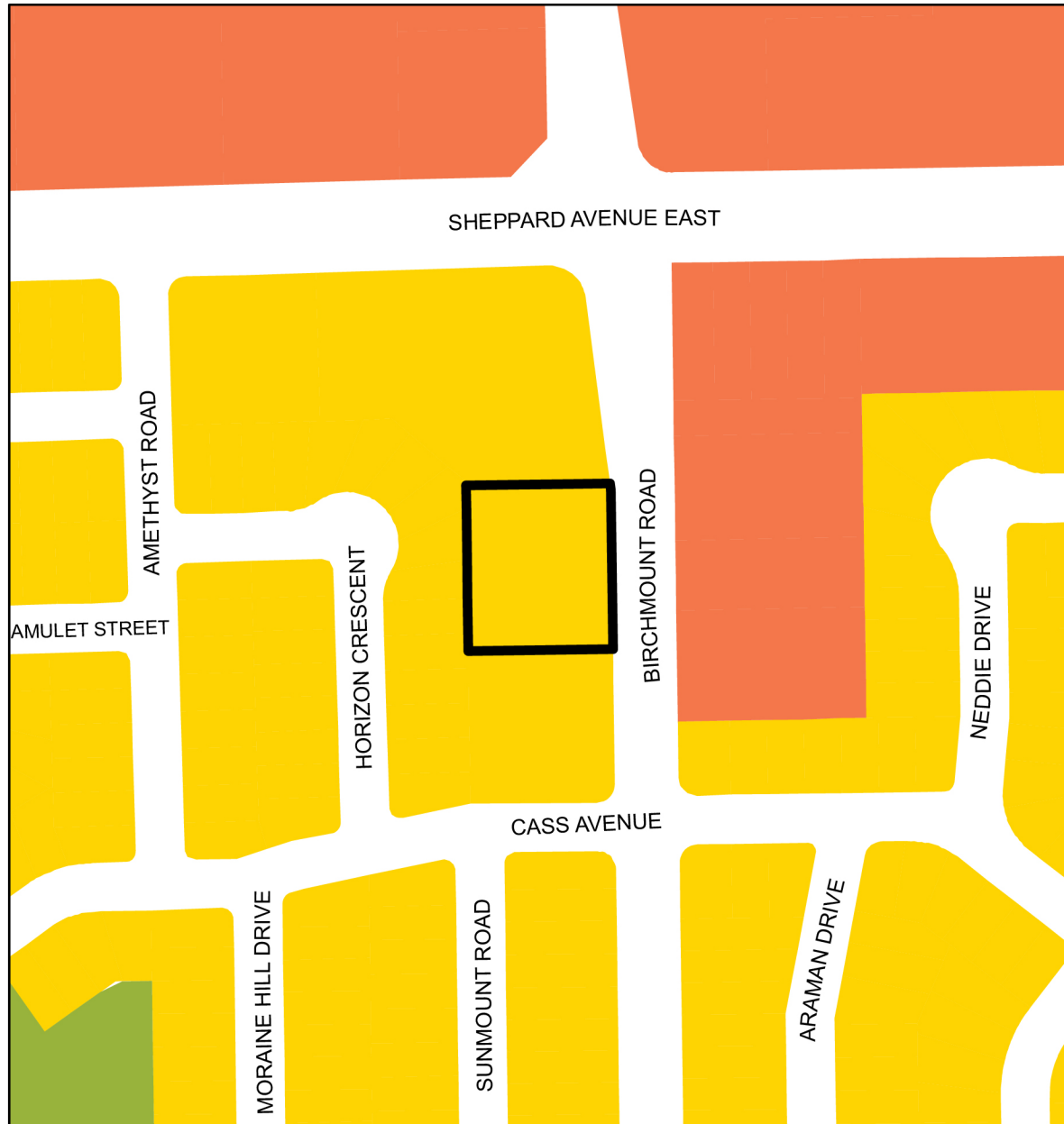
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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map 19

2240 Birchmount Road

File # 21 164108 ESC 22 0Z



Location of Application



Parks



Neighbourhoods

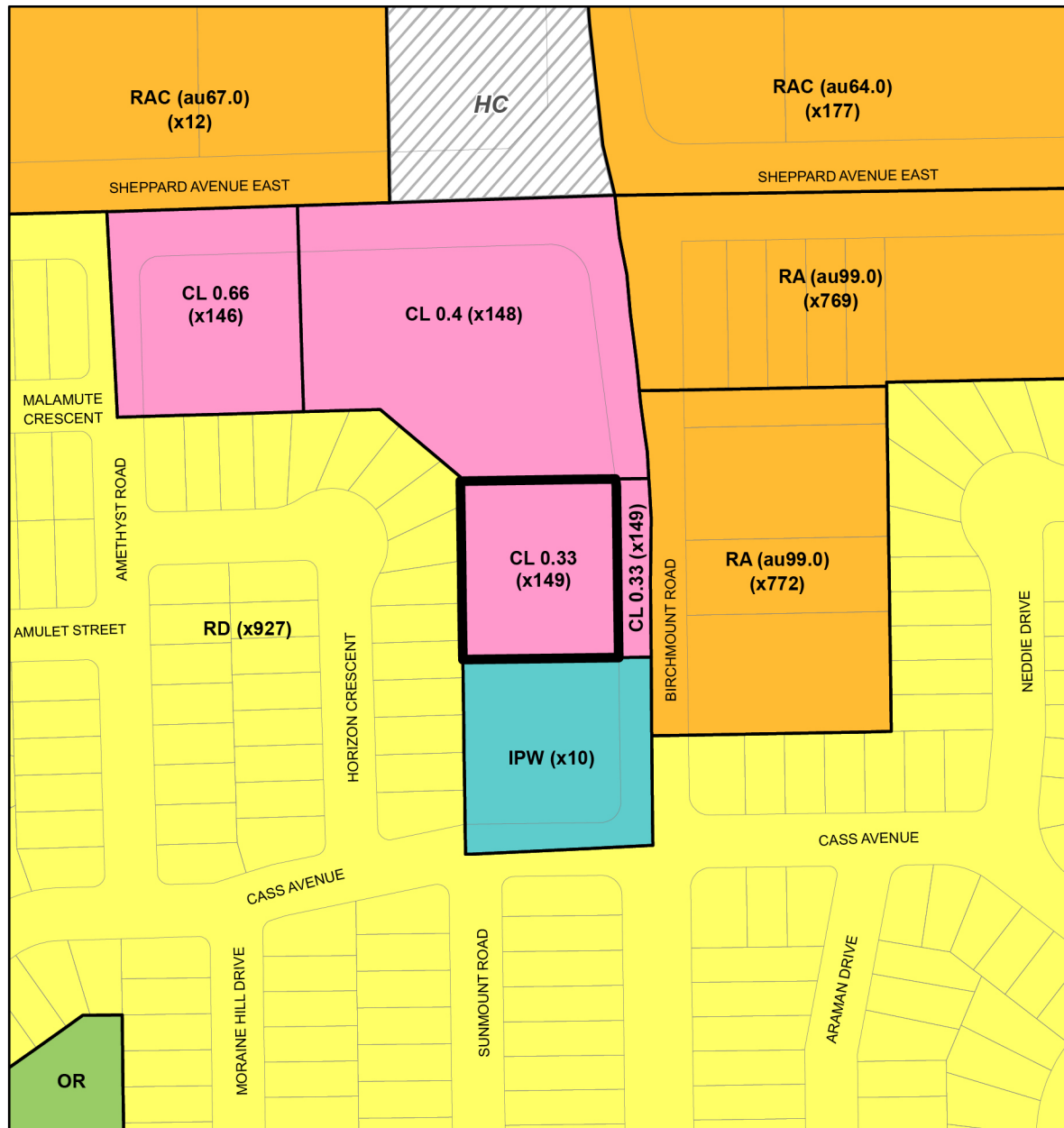


Apartment Neighbourhoods



Not to Scale
Extracted: 05/15/2026

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

2240 Birchmount Road

File # 21 164108 ESC 22 0Z

Location of Application

RD Residential Detached

RA Residential Apartment

RAC Residential Apartment Commercial

CL Commercial Local

IPW Institutional Place of Worship

OR Open Space Recreation

See Former City of Scarborough
Tam O'Shanter Community By-law No. 12360

HC Highway Commercial



Not to Scale
Extracted: 05/20/2026

Attachment 5: Draft Official Plan Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto
Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill XXX

BY-LAW ###

**To adopt Official Plan Amendment 949
for the City of Toronto
respecting the lands known municipally in the year 2025, as
2240 Birchmount Road**

Whereas authority is given to Council under 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*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 949 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT NO. 949 TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2025 AS
2240 BIRCHMOUNT ROAD**

The Official Plan of the City of Toronto is amended as follows:

1. Map 19, Land Use Plan, is amended by re-designating the lands known municipally as 2240 Birchmount Road from *Neighbourhoods* to *Apartment Neighbourhoods*, as shown on the attached Appendix 1.

Appendix 1



Official Plan Amendment #949

Revisions to Land Use Map 19 to redesignate lands from Neighbourhoods to Apartment Neighbourhoods

2240 Birchmount Road

File # 21 164108 ESC 22 02



Subject Site



Apartment Neighbourhoods



Not to Scale
06/022026

Attachment 6: 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 2240 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

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 CL 0.33 (x149) to a zone label of RAC (au 23.0) (x239) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number 239 so that it reads:

(239) Exception RAC (239)

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 2240 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 (M) below;

- (B) Despite regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 176.88 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 15.5.50.10(1), a minimum of 40 percent of the **lot area** must be **landscaping**, of which at least 45 percent of the area required for **landscaping** must be **soft landscaping**;
- (D) Despite regulation 15.20.40.10(1), the permitted maximum height of a **building** or **structure** must not exceed the height in metres following the HT symbol as shown on Diagram 4 of By-law **[Clerks to insert By-law number]**;
- (E) Despite regulation 15.20.40.10(2), the permitted maximum number of **storeys** in a **building** is the number following the letters "ST" as shown on Diagram 4 of By-law **[Clerks to insert By-law number]**; and
 - (i) for the purpose of this exception, a mechanical penthouse, stair enclosures and elevator overruns does not constitute a **storey**;
- (F) Despite regulation 15.20.30.40(1), the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 40 percent;
- (G) Despite regulation 15.20.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 14,000 square metres, of which:
 - (i) the required minimum **gross floor area** for non-residential uses is 370 square metres;
- (H) Despite Clause 15.20.40.70, the required minimum **building setbacks** are as shown in metres on Diagrams 3 and 4 of By-law **[Clerks to insert By-law number]**;
- (I) Despite Clause 15.20.40.80, the required separation of **main walls** are as shown in metres on Diagrams 3 and 4 of By-law **[Clerks to insert By-law number]**;
- (J) Despite Clauses 970.10.15, 970.10.15.5 and Table 970.10.15.5, **parking spaces** must be provided in accordance with the following:
 - (i) a minimum rate of 0.09 visitor **parking space** for each **dwelling unit**;
 - (ii) visitor **parking spaces** in (i) above may be shared with non-residential uses; and
 - (iii) no **parking spaces** are required for a **retail store**;
- (K) Despite regulation 15.5.80.30(1), a **surface parking space** must be at least 2.0 metres from any **main wall** of an **apartment building**;

- (L) A maximum of 172 **dwelling units** are permitted on the **lot**, of which:
- (i) a minimum of 35 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 (ii) are not included in the provision required by (i) above;
- (M) Despite regulation 15.20.40.50(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 for each **dwelling unit** as outdoor **amenity space**, of which a minimum of 40.0 square metres is in a location adjoining or directly accessible to the indoor residential **amenity space**; and
 - (iii) no more than 25 percent of the outdoor component may be a **green roof**.

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

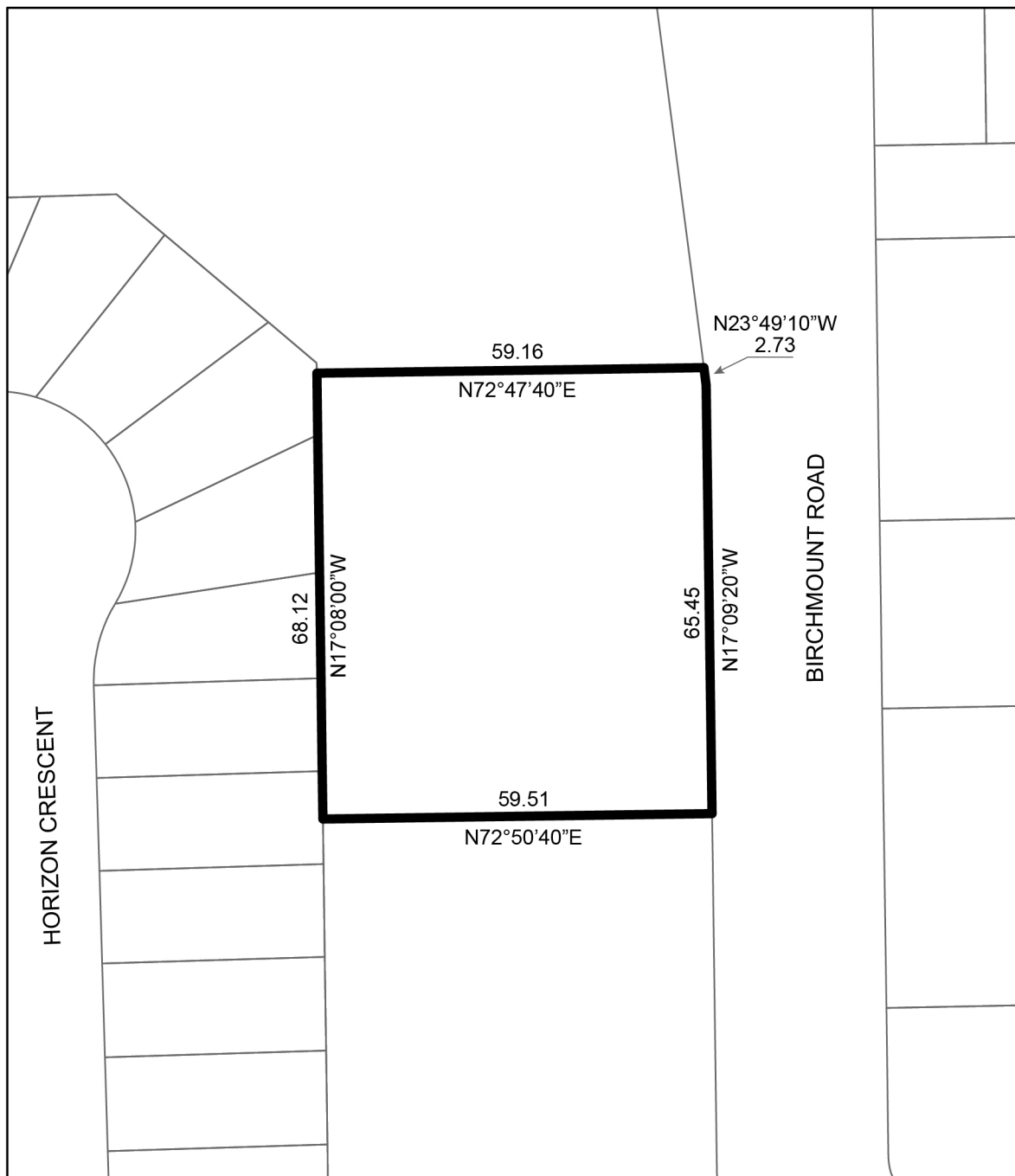
5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

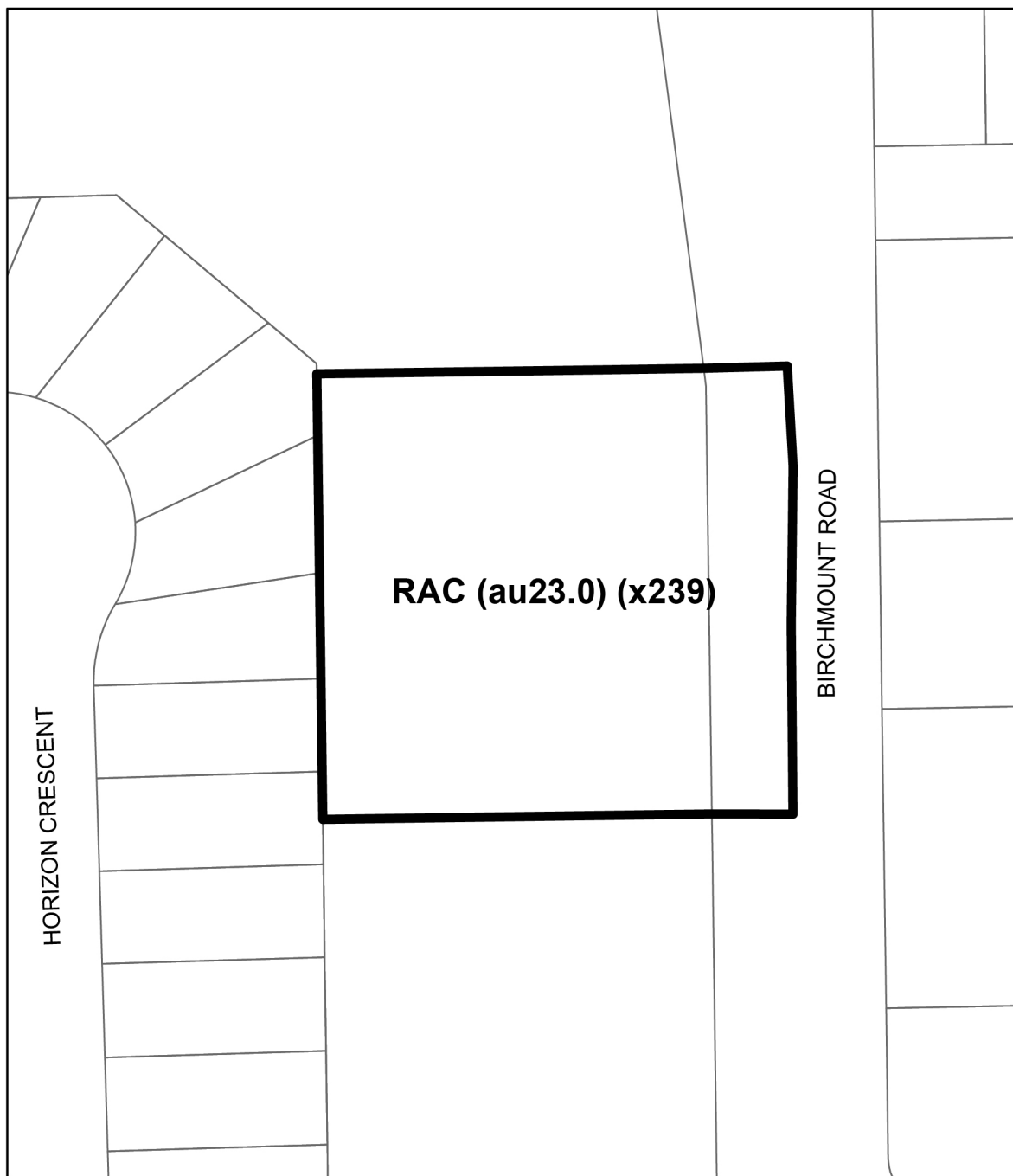


Toronto
Diagram 1

2240 Birchmount Road

File # 21 164108 ESC 22 0Z

City of Toronto By-law 569-2013
Not to Scale
05/19/2026

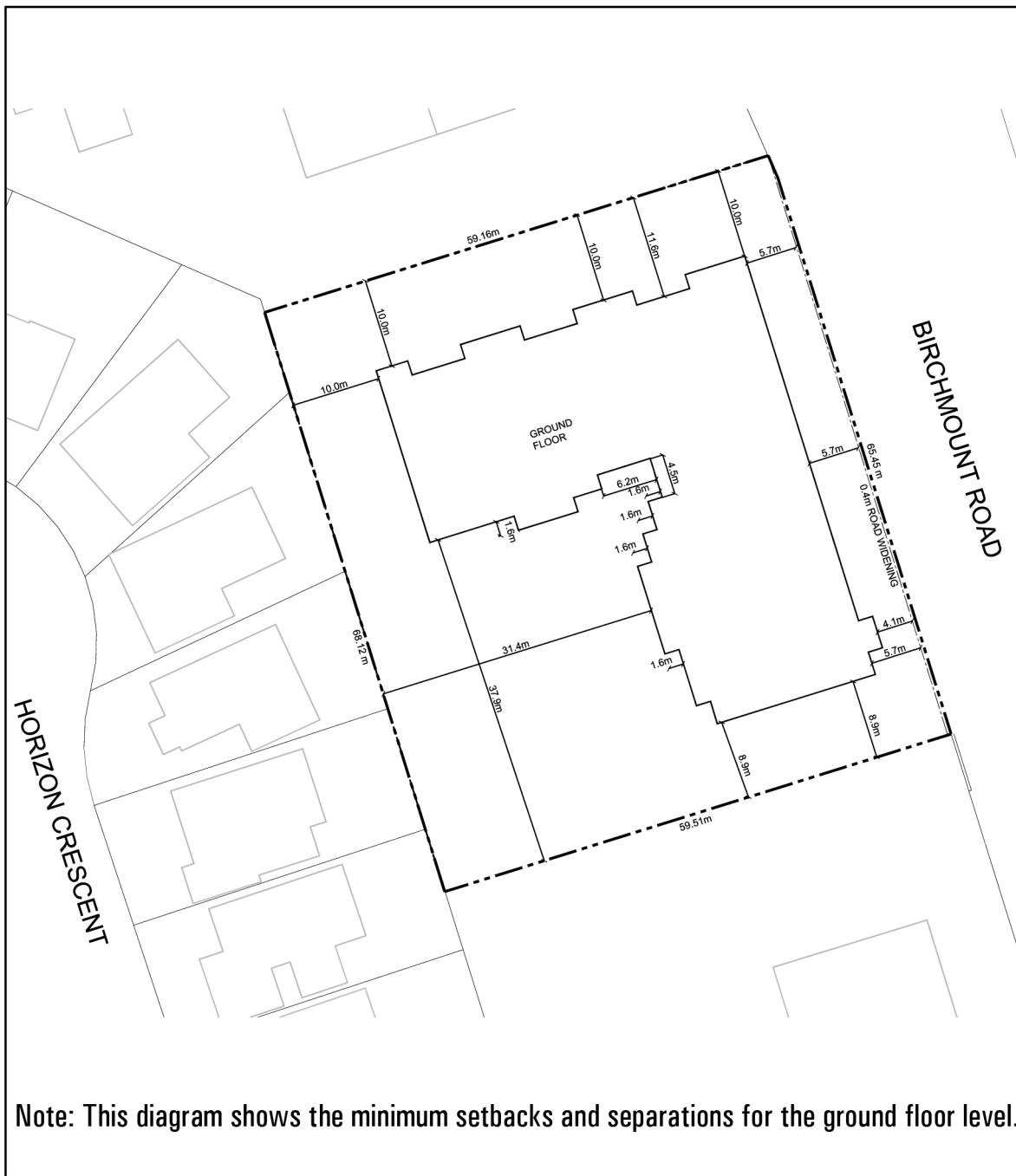


 **Toronto**
Diagram 2

2240 Birchmount Road

File # 21 164108 ESC 22 02


 City of Toronto By-law 569-2013
 Not to Scale
 06/22/2026

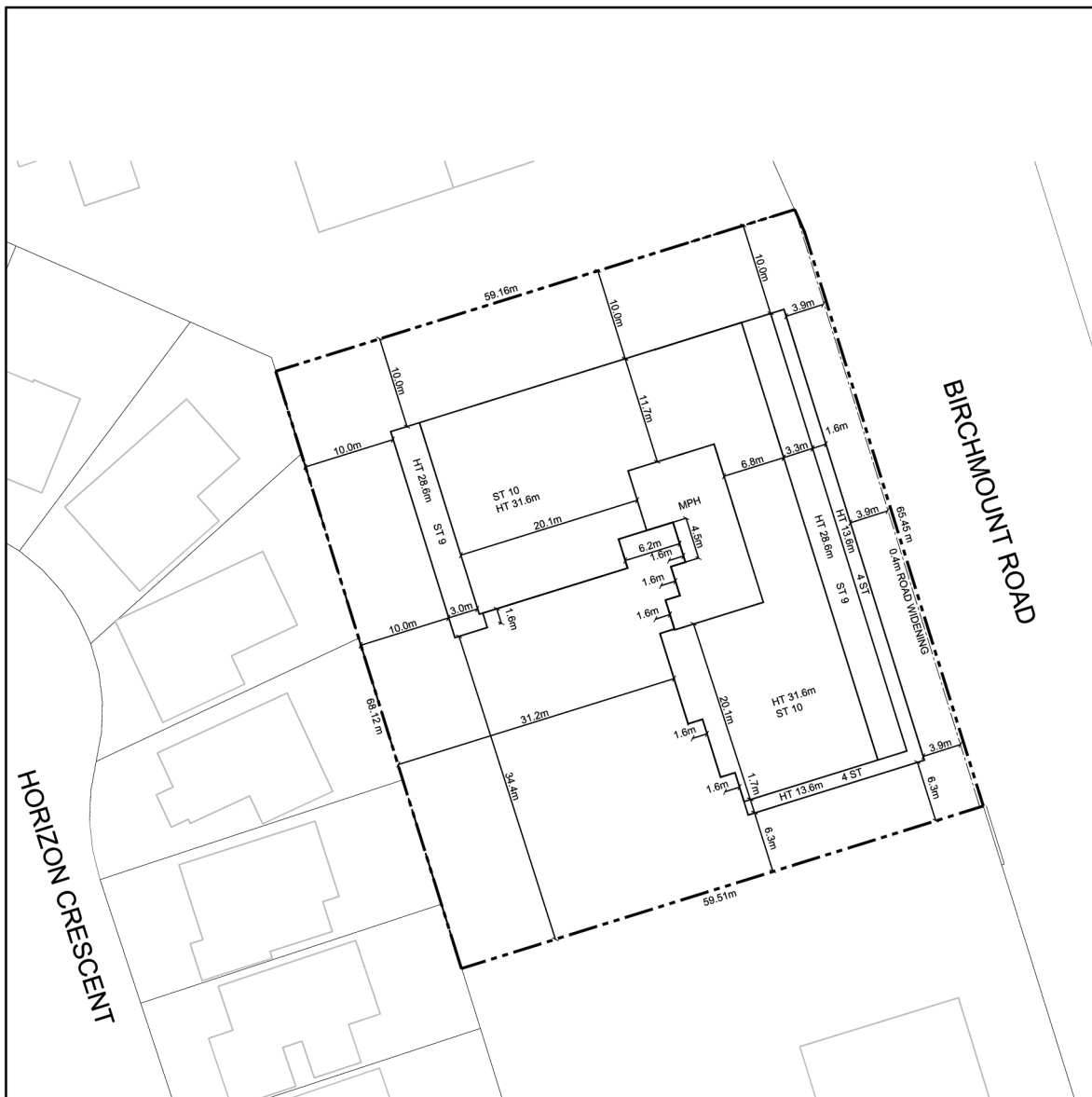


Toronto
Diagram 3

2240 Birchmount Road

File # 21 164108 ESC 22 02

City of Toronto By-law 569-2013
Not to Scale
06/12/2026



Note: This diagram shows the minimum setbacks and separations above the ground floor. The maximum height and storey requirements will apply to the entire building or structure.

Toronto
Diagram 4

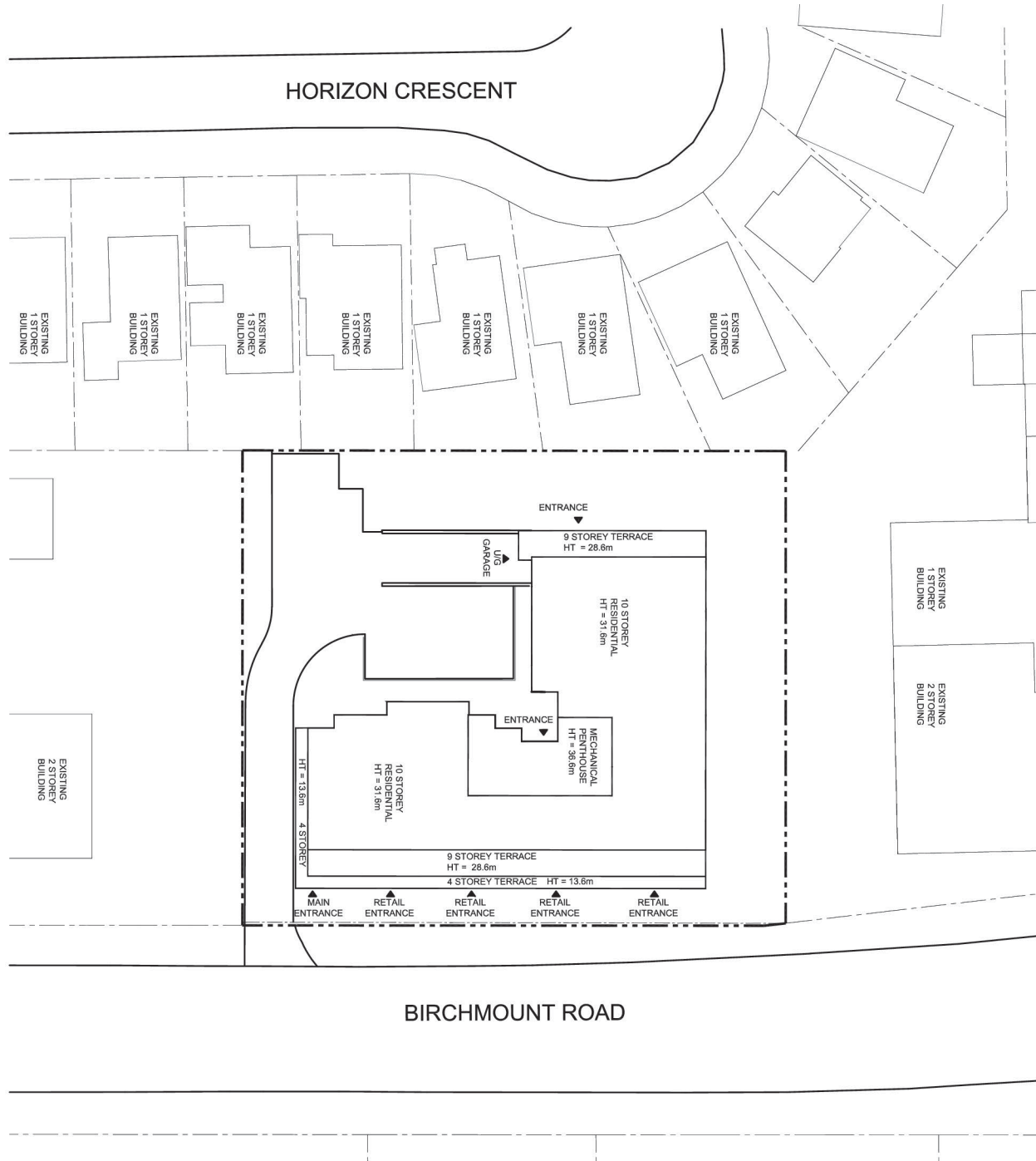
2240 Birchmount Road

File # 21 164108 ESC 22 02



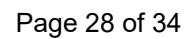
City of Toronto By-law 569-2013
Not to Scale
06/12/2026

Attachment 7: Site Plan



Site Plan ➔

Decision Report - Approval - 2240 Birchmount Road



Attachment 9: East Elevation



Attachment 10: South Elevation



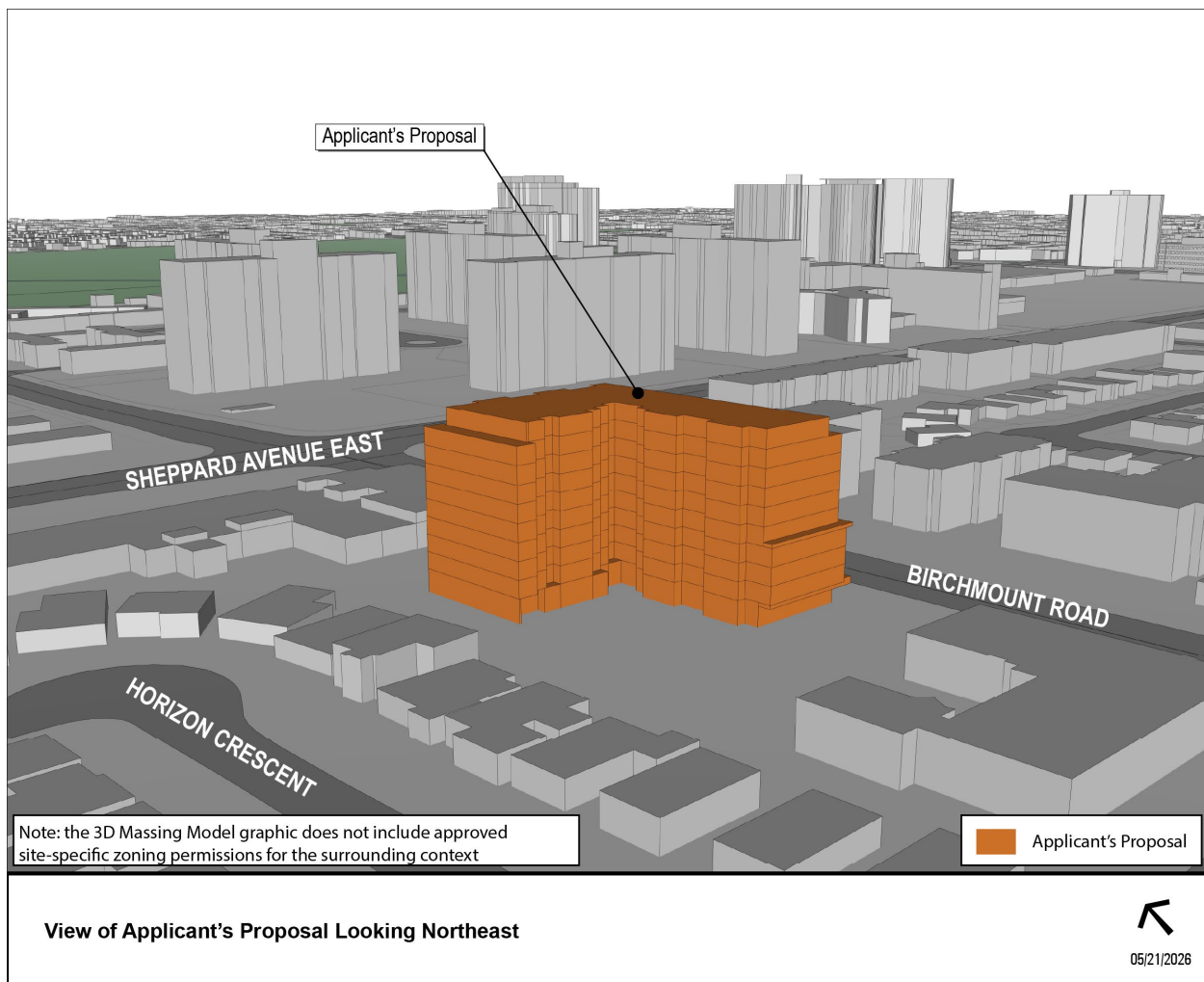
Attachment 11: North Elevation



Attachment 12: West Elevation



Attachment 13: 3D Massing Model – Looking Northeast



Attachment 14: 3D Massing Model – Looking Southwest

