

## **Attachment 6: Draft Zoning By-law Amendment**

Authority: **Toronto and East York 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 1875, 1877, 1881, 1883, 1885, 1887, 1889, 1893, 1897, and 1901 Eglinton Avenue West, 137 Kirknewton Road and 156 Dynevor 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 Council removes the holding symbol "(H)" by amendment to the by-law;

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, 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 the following:

(A) Adding the lands municipally known as 137 Kirknewton Road that is

subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zone label to these lands: CR 2.5 (c2.5; r2.5) SS2 (x1263) as shown on Diagram 2 attached to this By-law.

(B) amending the zone label on the Zoning By-law Map in Section 990.10 and apply the following label to these lands by heavy black lines from a zone label of CR SS2 (x2643) to a zone label of CR 2.5 (c2.5; r2.5) SS2 (x1263) as shown on Diagram 2 attached to this By-law.

4. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known as 137 Kirknewton Road to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: "PA3" as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands municipally known as 137 Kirknewton Road to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: "HT 24.0, ST 8", as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1263 so that it reads:

(x1263) Exception CR (1263)

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 1875, 1877, 1881, 1883, 1885, 1887, 1889, 1893, 1897, and 1901 Eglinton Avenue West, 137 Kirknewton Road and 156 Dynevor 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 (Q) 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 168.355 metres and the elevation of the highest point of the **building** or **structure**;
- (C) 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 5 of By-law [Clerks to insert By-law number];
- (D) Despite regulations 40.5.40.10(3) to (8) and (C) above, the following

equipment and **structures** may project beyond the permitted maximum height shown on Diagram 5 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 7.0 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 6.5 metres,
  - (iii) Access ladders and associated railings an additional 1.2 metres beyond the equipment permitted in D(i) above;
  - (iv) for the purpose of (i) and (ii) above:
    - (a) the total area of all equipment, **structures**, or parts listed in (i) and (ii), on the roof of the tower portion of the **building**, may cover no more than 750.0 square metres, measured horizontally; and
    - (b) a "tower" is the portions of a **building** which collectively enclose the entirety of a **storey** higher than a height of 47.0 metres;
  - (v) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
  - (vi) **building** maintenance units and window washing equipment, by a maximum of 2.0 metres;
  - (vii) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
  - (viii) antennae, flagpoles and satellite dishes, by a maximum of 2.0 metres; and
  - (ix) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
- (E) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 33,350 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is

32,450 square metres;

- (ii) the required minimum **gross floor area** for non-residential uses is 900 square metres;
- (F) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (G) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];
- (H) Despite regulation 40.10.90.40 (1) and 40.10.100.10 (2), **vehicle access** to the **lot** may only be provided from a laneway connecting Kirknewton Road and Dynevor Road;
- (I) Despite Clause 40.10.40.60 and (G) and (H) 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 2.2 metres;
  - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
  - (iv) cladding added to the exterior surface of the main wall of a building, by a maximum of 0.5 metres;
  - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.5 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) a dormer, by a maximum of 1.0 metres; and
  - (ix) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 0.5 metres;
- (J) Despite Regulation 230.5.10.1, “long term” **bicycle parking spaces** are not required for retail uses;

- (K) Despite Regulation 230.5.1.10(7), shower and change facilities associated with non-residential uses shall not be required for a mixed use building on the **lot**;
- (L) Despite regulation 200.5.1.10(2)(A)(iv), 15% of the required **parking spaces** 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**;
- (M) Despite regulations 230.5.1.10(4)(A), the required minimum dimensions of a **bicycle parking space** are:
  - (i) length of 1.8 metres;
  - (ii) width of 0.24 metres; and
  - (iii) vertical clearance of 1.9 metres;
- (N) Despite regulation 230.5.1.10(4)(C), the required minimum dimensions of a **stacked bicycle parking space** are:
  - (i) length of 1.8 metres;
  - (ii) width of 0.46 metres; and
  - (iii) vertical clearance of 0.90 metres;
- (O) Despite Regulation 230.5.1.10 (9)(A) and (B), "long-term" **bicycle parking space** may be located in the following locations:
  - (i) On the **first floor** of the **building**;
  - (ii) On the second floor of the **building**; and
  - (iii) On levels of the **building** below the first floor.
- (P) Despite Regulation 230.40.1.20 (2) a "short-term" **bicycle parking spaces** may be located more than 30.0 metres from a pedestrian entrance, at the following locations:
  - (i) at the **first floor**; and
  - (ii) below the first floor.
- (Q) 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;
- (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) 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**."

**7. Temporary Use(s):**

- (A) 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 sales trailer, sales office, and any other buildings or accessory structure associated with a sales trailer or sales office use 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, at its sole cost and expense, shall convey to the City a minimum 6.0 metre wide laneway located south of the site, connecting Kirknewton Road and Dynevor Road, in accordance with all applicable City of Toronto by-laws and policies, for the purpose of establishing a public right-of-way, to the satisfaction of the Director, Engineering Review, Development Review, and the City Solicitor;
  - ii. The owner shall enter into a financially secured agreement with the City, in form and content satisfactory to the Director, Engineering Review, Development Review, and the City Solicitor, for the design and construction of the laneway and all associated services, and shall submit all required securities and pay all applicable

engineering and inspection fees, to the satisfaction of the Director, Engineering Review, Development Review; and

- iii. The owner shall enter into an agreement with the City and register a Section 118 restriction on title to ensure assumption of the agreement by subsequent owners, to secure the implementation of the required Tenant Assistance Plan, to the satisfaction of the City Solicitor and Chief Planner and Executive Director, City Planning.

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

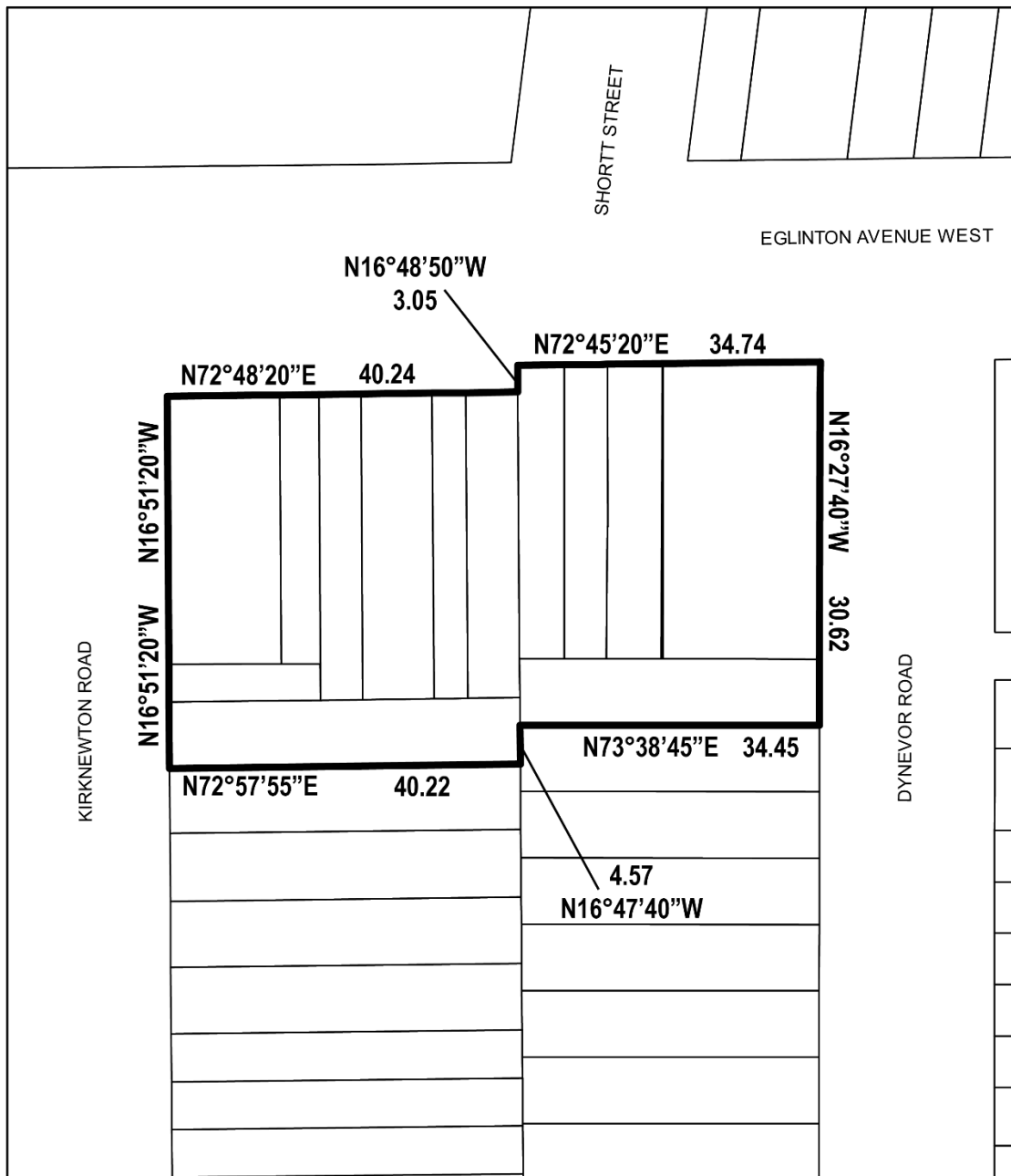
9. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

[full name],  
City Clerk

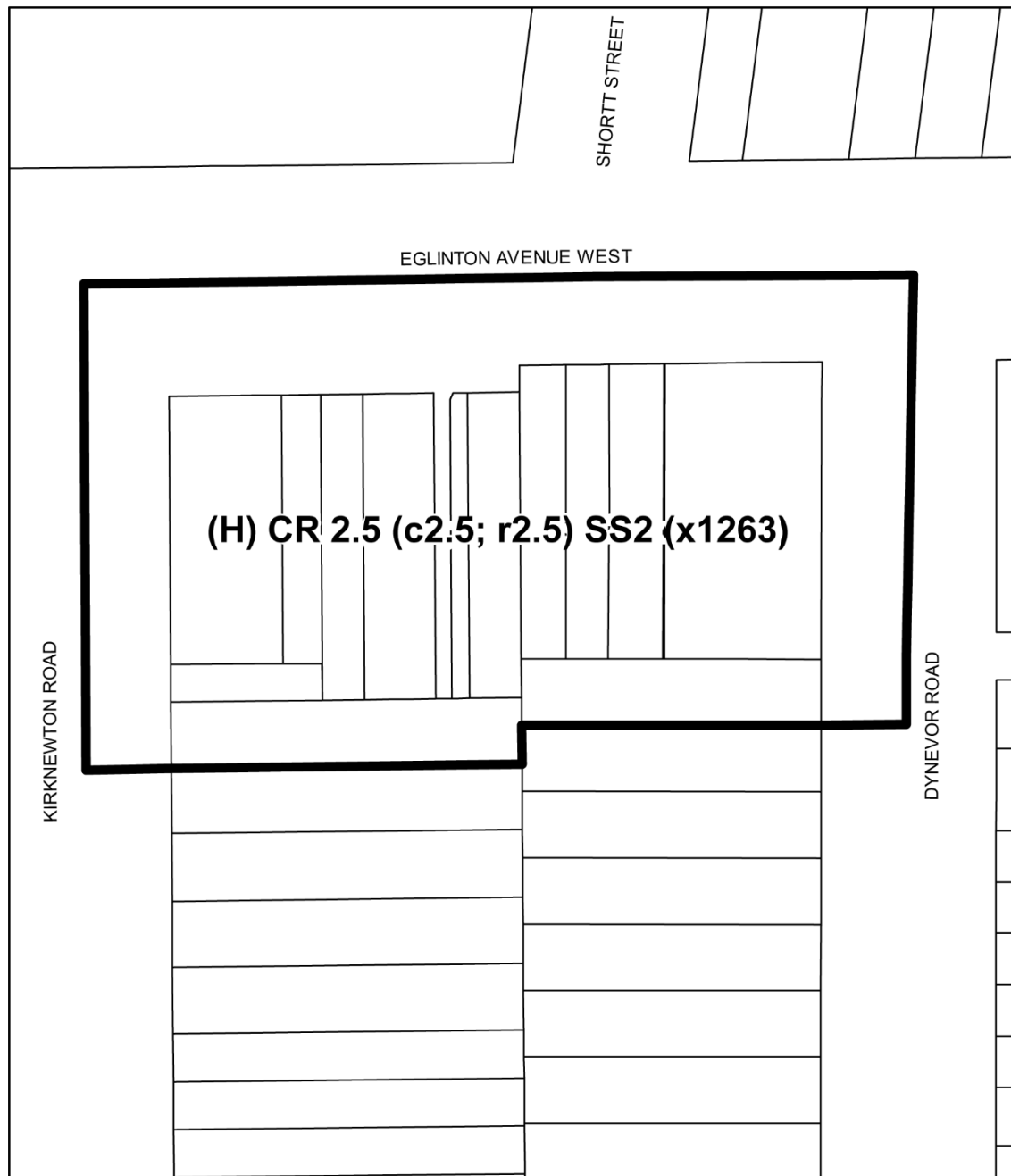
(Seal of the City)



**Toronto**  
Diagram 1

1875-1901 Eglinton Avenue West, 137 Kirknewton Road  
and 156 Dynevor Road

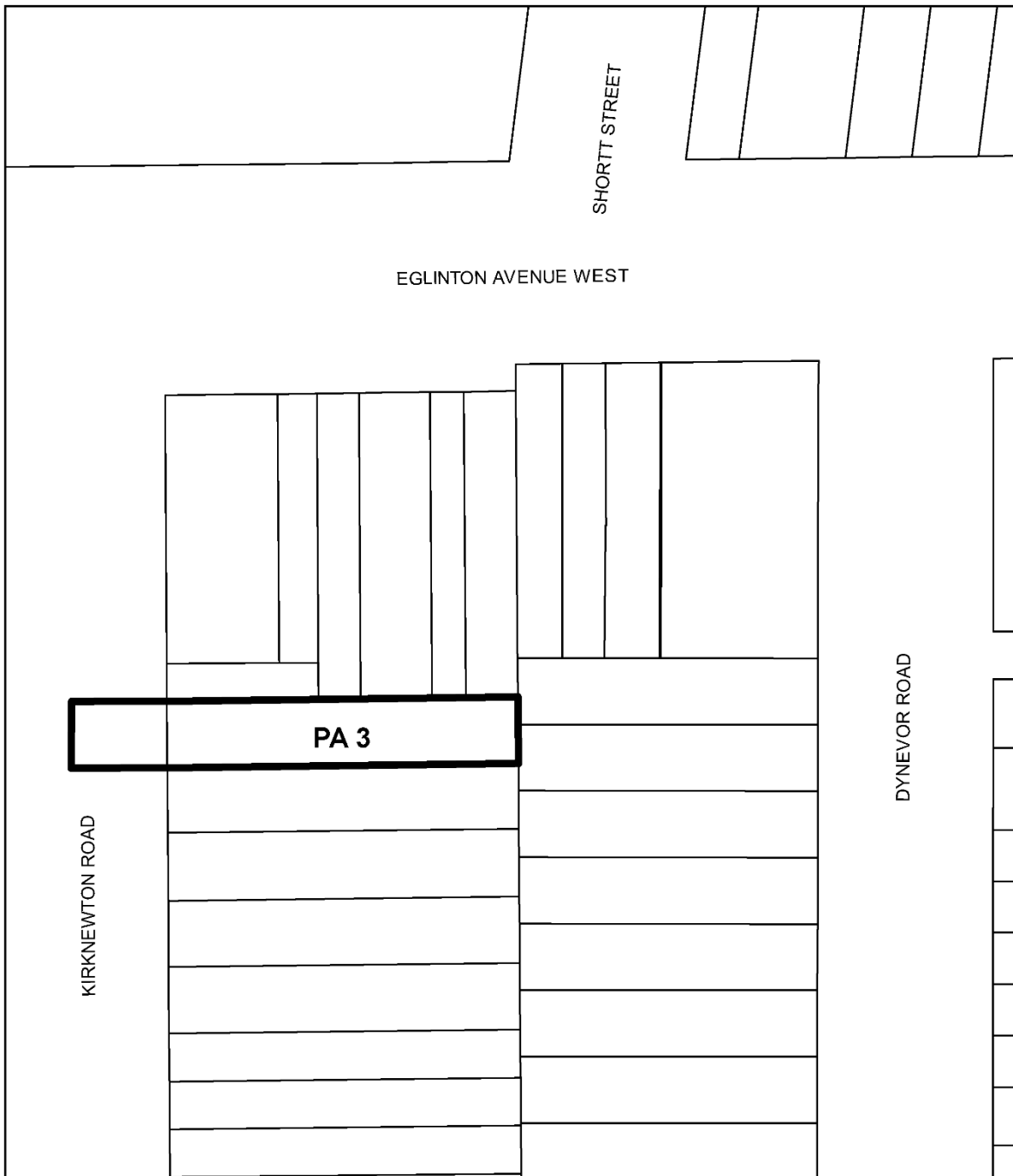
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 **TORONTO**  
Diagram 2

1875-1901 Eglinton Avenue West, 137 Kirknewton Road  
and 156 Dynevor Road

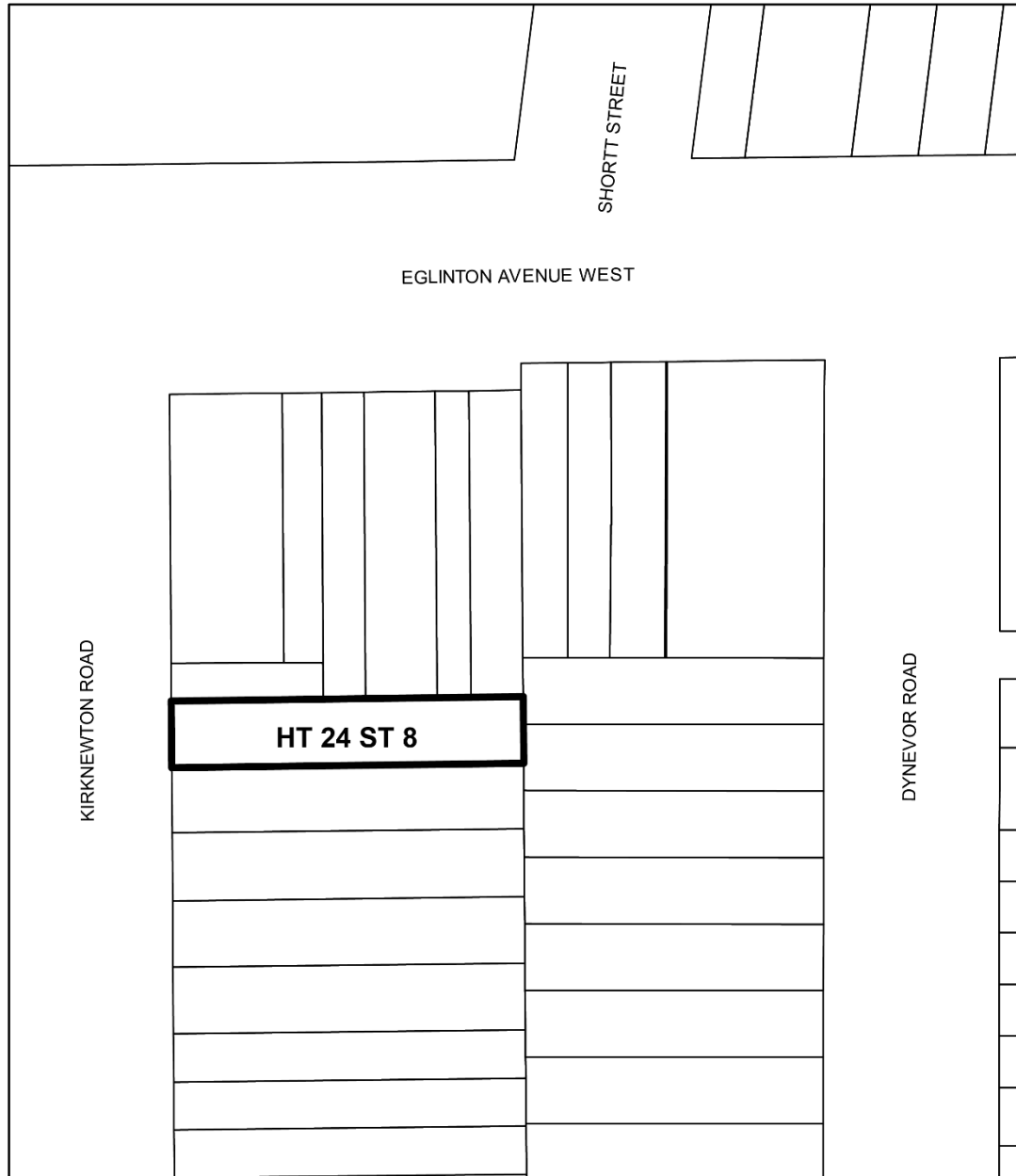
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 **Toronto**  
Diagram 3

1875-1901 Eglinton Avenue West, 137 Kirknewton Road  
and 156 Dynevor Road

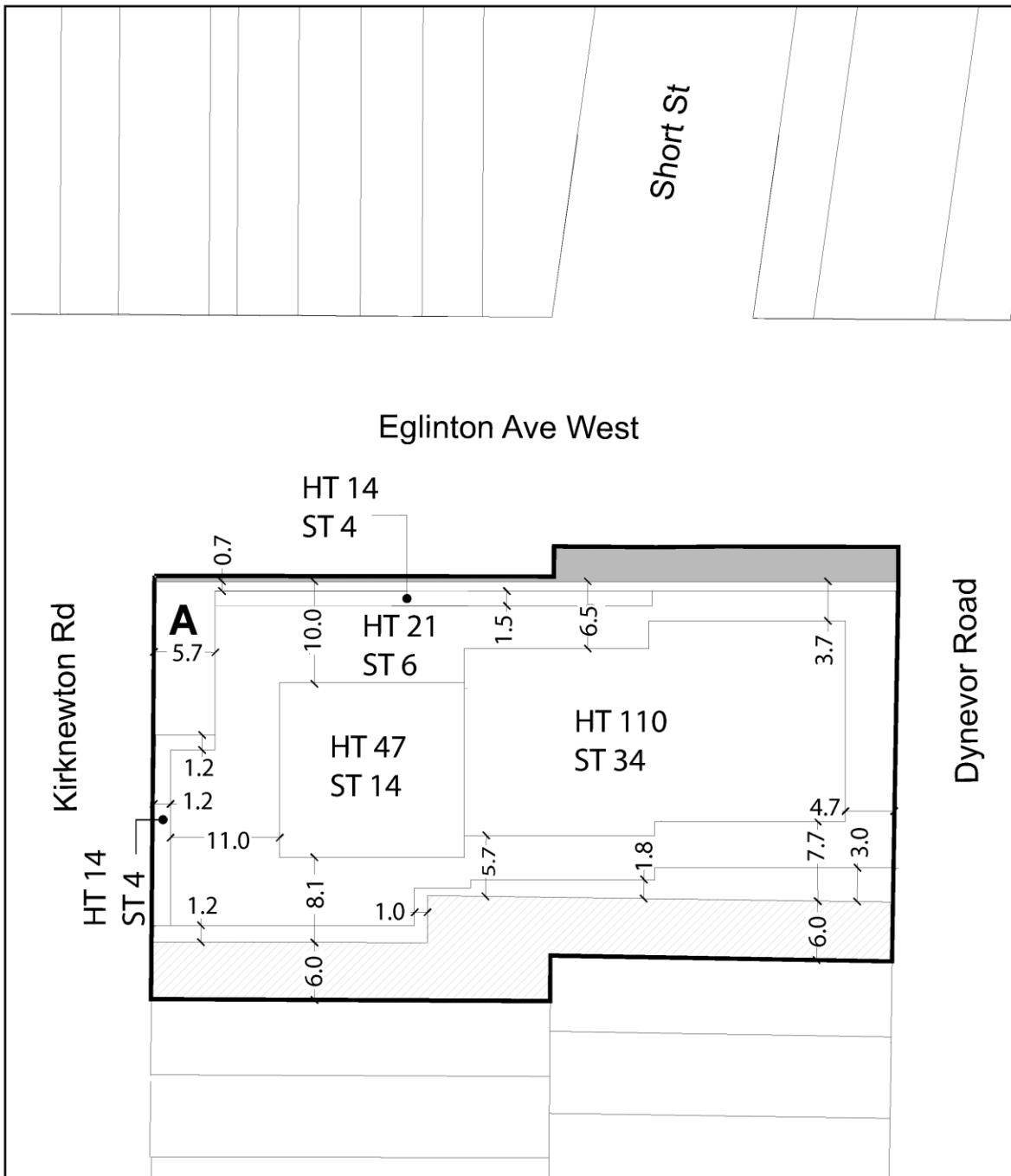
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 **TORONTO**  
Diagram 4

1875-1901 Eglinton Avenue West, 137 Kirknewton Road  
and 156 Dynevor Road

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**Toronto**  
Diagram 5

1875-1901 Eglinton Avenue West, 137 Kirknewton Road  
and 156 Dynevor Road

File #: 24 204279 STE 09 02

- Area affected by this by-law
- Area of Road Widening
- Area of Laneway Conveyance
- A** Privately Owned Publicly Accessible Space

City of Toronto By-law 569-2013  
Not to Scale  
06/18/2026

