

Draft Zoning By-law Amendment (November 3, 2023)

Authority: **North York 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 2022 as 230 – 240 The Donway West.

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;

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;

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; 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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.1, and applying the following zone label to these lands: RA (xXXX) and OR (xXXX) 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 subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying no value.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Article 995.20.1 and applying a height label of HT 16.0, as shown on Diagram 3 attached to this By-law.
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.

7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Article 995.40.1 and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Parking Zone Overlay Map in Article 995.50.1 and applying no value
9. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.7.10 Exception Number XX so that it reads:

(XXX) Exception RA (XXX)

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 230 – 240 The Donway West, 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 (EE) below;
- (B) Despite the definition of **established grade** in Regulation 800.50(240) and for the purposes of this By-law, **established grade** means the Canadian Geodetic Datum elevation of 142.00 metres;
- (C) Despite Regulation 800.50(420), the **lot** comprises all the lands outlined by heavy lines on Diagram 1 of By-law [Clerks to insert By-law number].
- (D) Despite Regulation 5.10.30.(3) a **dwelling unit** may not be entirely below the level of the finished ground surface.
- (E) In addition to the uses permitted by Regulation 15.10.20.10(1), community uses are also permitted;
- (F) In addition to Regulation 800.50(55), an **apartment building** may also contain permitted non-residential uses;
- (G) Regulations 15.10.20.100(4), 150.45.20.1(1), 150.45.40.1(1) and 150.45.50.1(1), with respect to use conditions for a **day nursery**, do not apply;
- (H) Regulation 15.10.20.100(2), with respect to use conditions for a **community centre**, does not apply;

- (I) Regulation 15.10.20.100(8), with respect to use conditions for a **place of worship**, does not apply;
- (J) Despite Regulation 15.10.40.10(1) the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (K) Despite the definition in Article 800.50(255), for the purpose of this by-law, **first floor** means the floor that is closest in elevation to the **established grade**;
- (L) Despite Regulations 15.5.40.10 (2) to (5) and (J) above, the following equipment and **structures** may project above the permitted maximum heights 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 well as stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, as well as structures that enclose, screen or cover such equipment, by a maximum of 6.0 metres;
 - (ii) architectural features, weather vanes, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
 - (iii) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
 - (iv) planters, **landscaping** features, trellises, pergolas, **structures** for outdoor **amenity space** or open air recreation, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (v) antennae, flagpoles and satellite dishes, by a maximum of 4.0 metres; and
 - (vi) **structures** providing safety or wind protection.
- (M) Despite Clause 15.5.60.40:
- (i) the height of **ancillary buildings** or **structures** is the distance between **established grade** and the highest point of the **building** or **structure**; and

- (ii) The permitted maximum height of **ancillary buildings** or **structures** is 4.0 metres.
- (N) In addition to the provisions of Clause 15.5.40.40, the **gross floor area** of a **building** is also reduced by the area in a **building** used for:
- (i) parking, loading and bicycle parking, including associated **driveways** and **drive aisles**;
 - (ii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**, where **basement** means any part of a **building** where the floor is located at or below the level of **established grade**.
- (O) Despite Regulation 15.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 22,500 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 21,750 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 750 square metres;
- (P) Despite Regulation 15.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) at least 1.5 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 1.5 square metres for each **dwelling unit** as outdoor **amenity space**; and
 - (iii) no more than 25% of the outdoor component may be a **green roof**;
- (Q) Despite Regulation 15.5.50.10(1) a minimum of 40% of that portion of the **lot** zoned RA as shown on Diagram 2 of By-law [Clerks to insert By-law number] must be provided as **landscaping**;
- (R) Despite Clause 15.10.40.70 and Regulations 15.10.40.80(1) and (2), the required minimum **building setbacks** and separation distances between **main walls** of the same **building** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];
- (S) Despite Regulation 5.10.40.70(1), Clauses 15.5.40.60, 15.5.60.20, 15.5.60.30 and (R) above, the following elements, including **accessory structures**, 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 4.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.0 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 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 1.0 metres;
 - (vii) eaves, by a maximum of 1.0 metres;
 - (viii) air conditioners, satellite dishes and antennae by a maximum of 1.0 metres; and
 - (ix) **structures** and elements used for open air recreation and **amenity space**, utility meters, vents and pipes
- (T) Regulation 15.10.40.80(3), with respect to separation of an **apartment building** from a lot in a Residential Detached zone, does not apply;
- (U) Despite Regulations 15.5. 80.1(1), 200.5.1.10(10) and 200.5.10.1(1), Table 200.5.10.1 and Regulation 200.10.1(2), **parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) a minimum of 0.0 **parking spaces** for each **dwelling unit** for residential occupants;
 - (ii) **parking spaces** for residential occupants of the **building** may be provided at a maximum rate of:
 - (a) 0.8 **parking spaces** for each bachelor **dwelling unit** up to 45 square metres and 0.9 for each bachelor **dwelling unit** greater than 45 square metres;
 - (b) 0.9 **parking spaces** for each one bedroom **dwelling unit**;
 - (c) 1.0 **parking spaces** for each two bedroom **dwelling unit**; and
 - (d) 1.2 **parking spaces** for each three or more

bedroom **dwelling unit**;

- (iii) a minimum of 2.0 **parking spaces** plus 0.05 **parking spaces** for each **dwelling unit** for residential visitors;
 - (iv) no **parking spaces** are required for non-residential uses;
 - (v) **parking spaces** provided in accordance with (iii) and (iv) may be shared with non-residential uses on a non-exclusive basis;
- (V) Despite Regulation 15.5.80.10(3) and (4) commercial **vehicle** parking is permitted in connection with a **place of worship** or community use, and such parking may be in a **parking space** outside of the **building**;
- (W) Despite Regulation 200.5.1.10(2), a maximum of ten (10) percent of the provided **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**;
- (X) Regulation 200.5.10.1(4)(C) does not apply with respect to **parking spaces** provided for a use with no parking requirement;
- (Y) Despite Regulations 200.15.1(1) and (3), accessible **parking spaces** 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 metre wide accessible barrier free aisle or path;
- (Z) Despite Regulation 200.15.1(4), accessible **parking spaces** must be within 45 metres of a barrier free entrance to a **building** or passenger elevator that provides access to the first **storey** of the **building**;
- (AA) Despite Regulations 220.5.1.10(5) and 220.5.10.1(2), one Type “G” loading space must be provided and may be shared with other permitted uses.
- (BB) Despite Regulation 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space**;

- (CC) Despite Regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **stacked bicycle parking space** is 0.3 metres;
- (DD) Despite Regulations 230.5.1.10(6) and 230.20.1.20(2), both “long-term” and “short-term” **bicycle parking spaces** may be located in the **building** and in a secured room, enclosure or bicycle locker and may be located more than 30 metres from a pedestrian entrance to the building; and
- (EE) Chapter 600.30 and any other requirements with respect to the provision of inclusionary zoning do not apply.

Prevailing By-laws and Prevailing Sections: None Apply.

10. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.42.10 Exception Number XX so that it reads:

(XXX) Exception OR (XXX)

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) In addition to the permitted uses listed in Regulation 90.30.20.10(1), on the lands zoned OR, as shown on Diagram 2 of By-law [Clerks to insert By-law number], the following uses are also permitted:
 - (i) any uses existing on the lands as of the date of the passing of By-law [Clerks to insert By-law number];
 - (ii) uses and **structures** ancillary to or associated with the construction of a building on the lands zoned RA as shown on Diagram 2 of By-law [Clerks to insert By-law number];; and
 - (iii) below ground construction tie-backsand shoring piles ancillary to a building on the lands zoned RA as shown on Diagram 2 of By-law [Clerks to insert By-law number].
11. Despite any severance, partition or division of the lands outlined in heavy lines on Diagram 1 of By-law [Clerks to insert By-law number], the provisions of this By-law shall apply to the whole of the lands as one **lot**, as if no severance, partition or division occurred.
12. 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 temporary sales or leasing office on the **lot**, used exclusively for the initial sale and/or initial leasing of

dwelling units 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.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

(Seal of the City)

[full name],
City Clerk

DRAFT

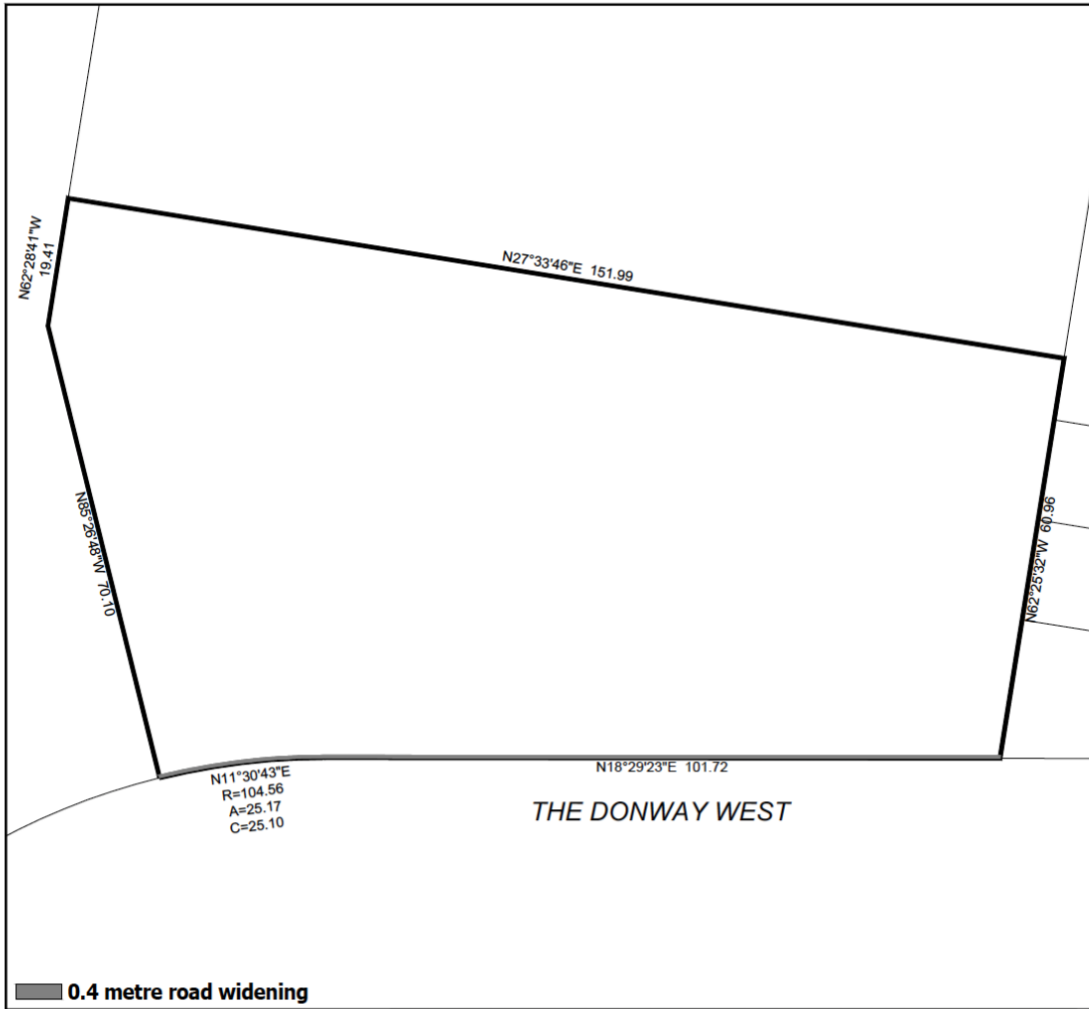


Diagram 1

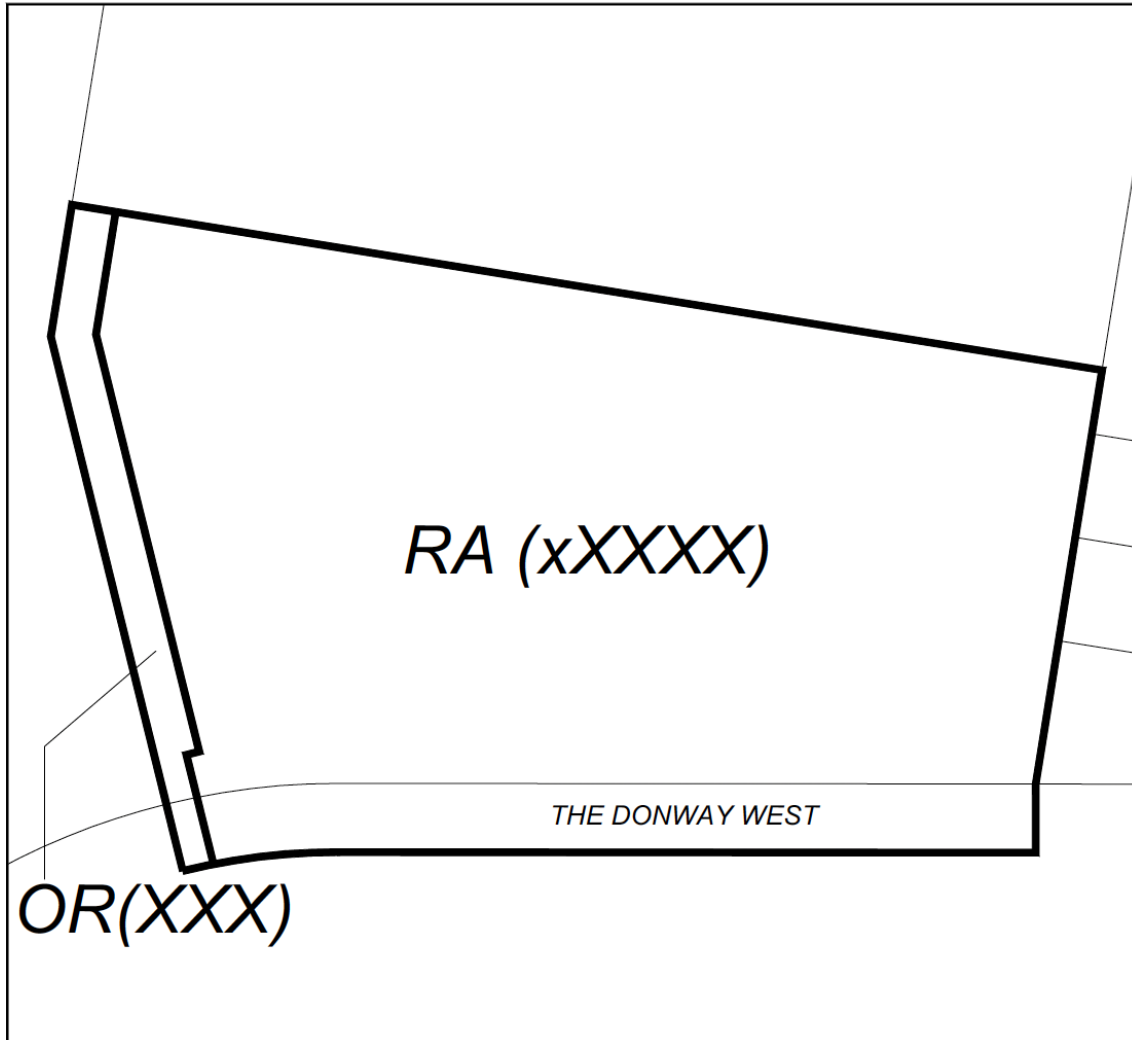
230 The Donway West

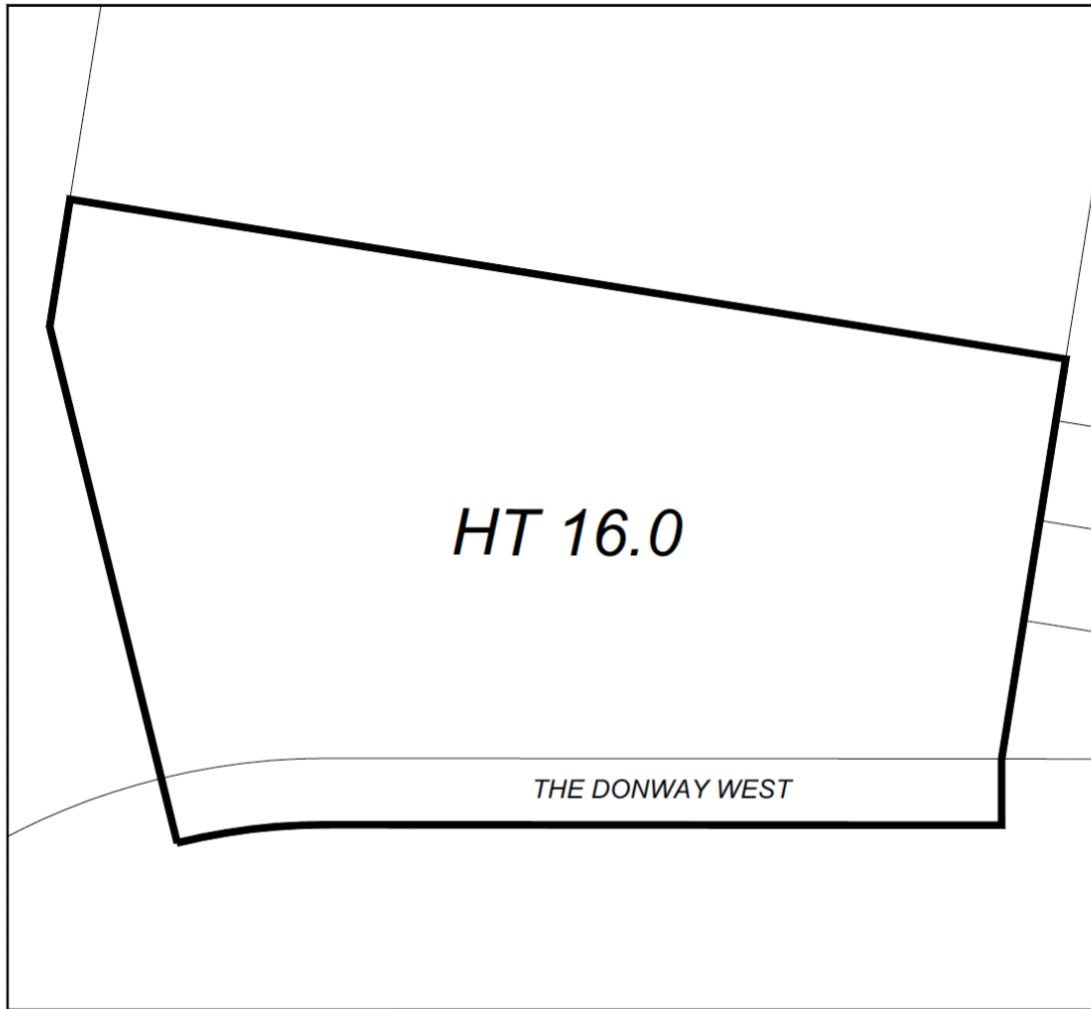
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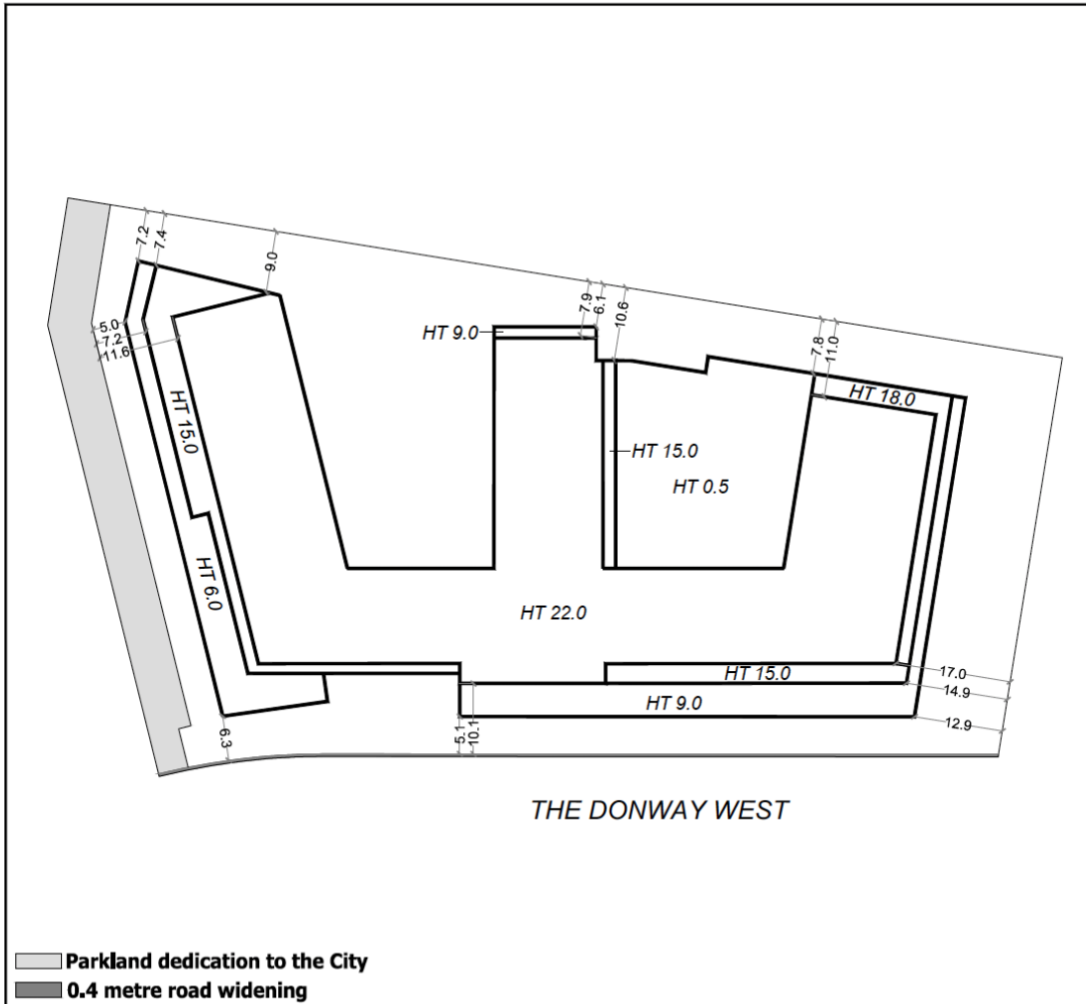
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Diagram 3

230 The Donway West

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Diagram 4

230 The Donway West

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