

## 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 NO. XXXX – 2023

#### To amend the former City of North York Zoning By-law 7625, 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 to 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*; and

Whereas pursuant to Section 39 of the *Planning Act*, 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 hereby enacts:

1. The lands subject to this By-law are outlined in heavy black lines and identified on Schedule 1 of this By-law.
2. Except as otherwise provided herein, the provisions of By-law 7625, as amended, shall continue to apply to the *lot* which shall be defined as those lands municipally known in the year 2022 as 230-240 The Donway West and as delineated by heavy lines on Schedule 1, attached to and forming part of this By-law.
3. Schedules "B" and "C" of the former City of North York By-law 7625, as amended, are further amended by amending the zone label with respect to the lands outlined by heavy black lines from O1(4) to RM5 (XXX) and O1(XXX), as shown on Schedule 1, attached to, and forming part of this By-law.
4. Zoning By-law 7625, as amended, is further amended by inserting a new section 64.20(XXX) as follows:

**"64.20 (XXX) RM5 (XXX)**

#### DEFINITIONS

- (a) For the purposes of this exception, the following definitions will apply:

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- (i) "Apartment House Dwelling" means a building containing more than four (4) dwelling units, each having access either from an internal corridor system or direct access at grade, or any combination thereof and may also contain permitted non-residential uses;
- (ii) "Bicycle Parking Space" shall mean an area used for the purposes of parking or storing a bicycle. A bicycle parking space shall comply with the following:
  - (a) The minimum dimensions of a bicycle parking space are 1.8 metres in length, 0.6 metres in width and a vertical clearance of 1.9 metres from the ground;
  - (b) The minimum dimensions of a bicycle parking space if placed in a vertical position on a wall, structure or mechanical device are 1.9 metres in length or vertical clearance, 0.6 metres in width and a horizontal clearance of 1.2 metres from the wall; and
  - (c) If a stacked bicycle parking space is provided, the minimum width is 0.3 metres, and the vertical clearance is 1.2 metres for each bicycle parking space;
- (iii) "Established Grade" means the Canadian Geodetic Datum elevation of 142.00 metres;
- (iv) "First Floor Elevation" means the floor of a shall mean the floor of a building approximately at or first above the established grade; approximately at or first above the established grade and means the Canadian Geodetic Datum elevation of 143.10 metres;
- (v) "Gross Floor Area" means the sum of the total area of each floor level of a building, above and below Established Grade, measured from the exterior of the main wall of each floor level, excluding:
  - (a) parking, loading and bicycle parking, including associated driveways and drive aisles;
  - (b) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
  - (c) 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**;
  - (d) shower and change facilities required by this By-law for required bicycle parking spaces;
  - (e) amenity space required by this By-law;

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- (f) elevator shafts;
  - (g) garbage shafts;
  - (h) mechanical penthouse; and
  - (i) exit stairwells in the building.
- (vi) “Height” means the vertical distance between the Established Grade and the highest point of a building or structure;
- (vii) “Interior Floor Area” means the floor area of any part of a building, measured to:
- (a) The interior side of a main wall;
  - (b) The centreline of an interior wall; or
  - (c) A line delineating the part being measured.
- (viii) “Loading Space” means an area used for the loading or unloading of goods or commodities from a vehicle, and shall have the following dimensions:
- (a) A Type ‘G’ Loading Space shall have a minimum length of 13.0 metres, a minimum width of 4.0 metres and a minimum vertical clearance of 6.1 metres.
- (ix) “Long Term Bicycle Parking Space” shall mean a Bicycle Parking Space for use by the occupants or tenants of a building;
- (x) “Lot” means the lands delineated by heavy lines on Schedule 1 attached to and forming part of this By-law;
- (xi) “Residential Recreational Amenity Area” means an area that is communal and available to all occupants of a building or a group of buildings within a zone for social and recreational purposes including indoor or outdoor space, playgrounds, indoor or outdoor swimming pools, exercise or entertainment rooms and other similar uses; and
- (xii) “Short Term Bicycle Parking Space” shall mean a Bicycle Parking Space for use by visitors to a building;

### PERMITTED USES

- (b) The following uses shall be permitted:
- (i) Apartment House Dwelling and accessory uses thereto, including Residential Recreational Amenity Areas;

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- (c) The following non-residential uses shall be permitted and are not subject to the use qualifications in Section 20.1(b):
- (i) Religious Institution or Place of Worship and accessory uses thereto, including a community hall, a residence for a caretaker or for heads of a congregation;
  - (ii) Day Nursery and accessory uses thereto where a day nursery is not subject to Section 15.12.2; and
  - (iii) Community uses and accessory uses thereto.

### EXCEPTION REGULATIONS

#### INSTITUTIONAL USES

- (d) The provisions Section 6(26) (Requirements for Institutional uses) do not apply.

#### LOT COVERAGE

- (e) The provisions Section 20.2.2 (Lot Coverage) shall not apply.

#### YARD SETBACKS

- (f) Notwithstanding the provisions of Sections 6(9) and 20.2.4 (Yard Setbacks), no portion of the building above the level of the finished ground surface shall be located other than within the area outlined by heavy lines as shown on Schedule RM5(XXX).
- (g) Notwithstanding (f) above, the following elements of the building may encroach into the required minimum yard setbacks indicated on RM5(XXX):
- 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;

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- 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; and
- viii. air conditioners, satellite dishes, antennae, by a maximum of 1.0 metres;
- ix. structures and elements used for open air recreation and amenity space, utility meters, vents and pipes;

### GROSS FLOOR AREA

- (h) The provisions of Section 20.2.5 (Gross Floor Area) shall not apply.
- (i) The maximum Gross Floor Area on the Lot is 22,500 square metres, provided that:
  - (i) The maximum non-residential gross floor area is 750 square metres;

### BUILDING HEIGHT

- (j) The provisions of Section 20.2.6 (Building Height) shall not apply.
- (k) The maximum Height of a building, in storeys and metres, as measured from Established Grade, shall not exceed the Height in metres specified by the numbers following the symbol "H" as shown on Schedule RM5(XXX).
- (l) Notwithstanding (i) above, the following elements of the building may project above the height limits shown on Schedule RM5(XXX):
  - (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

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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) Notwithstanding (j) above, the height of ancillary buildings or structures is the distance between established grade and the highest point of the building or structure; and

(n) The permitted maximum height of ancillary buildings or structures is 4.0 metres.

(o) A minimum of 40 percent of the area of the lot must be landscaping;

### RESIDENTIAL RECREATIONAL AMENITY AREA

(p) Residential Recreational Amenity Areas shall be provided as follows:

(i) indoor residential amenity areas shall be provided at a minimum rate of 1.5 square metres per dwelling unit; and

(ii) outdoor residential amenity areas shall be provided at a minimum rate of 1.5 square metres per dwelling unit;

### PARKING

(q) The provisions of Section 6A (14) (Parking Regulations for Place of Worship) shall not apply.

(r) Notwithstanding Sections 6A (2) and 6A(6)(g) vehicle parking spaces shall be provided 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** must 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**;

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- (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**;
- (vii) a minimum of 2.0 **parking spaces** plus 0.05 **parking spaces** for  
each **dwelling unit** for residential visitors;
- (viii) no parking spaces are required for non-residential uses;
- (ix) **parking spaces** required by (vi) may be shared with non-  
residential uses on a non-exclusive basis;
- (s) The provisions of Section 6A(5) (Access to Parking Spaces) does not apply;
- (t) Section 6A (8) shall not apply;
- (u) Notwithstanding Section 6A (3), a maximum of ten (10) percent of the total parking  
spaces provided on the Lot may have a minimum width of 2.6 metres, despite  
being obstructed according to Section 6A(3)(iii);
- (v) Electric Vehicle Infrastructure does not constitute an obstruction to a parking  
space;

### ACCESSIBLE PARKING SPACES

- (w) Accessible parking spaces shall have the following minimum dimensions:
  - (i) Minimum length of 5.6 metres;
  - (ii) Minimum width of 3.4 metres;
  - (iii) Minimum vertical clearance of 2.1 metres; and
  - (iv) Adjacent to a minimum 1.5 metre wide accessible barrier free aisle or path  
for the entire length of the parking space;

### BICYCLE PARKING SPACES

- (x) Bicycle parking shall be provided and maintained as follows:
  - (i) A minimum of 0.68 Long Term Bicycle Parking Spaces per dwelling unit;  
and
  - (ii) A minimum of 0.07 Short Term Bicycle Parking Spaces per dwelling unit;
- (y) Both long term bicycle parking spaces and short term bicycle parking spaces may  
be located in a stacked bicycle parking space configuration;

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### LOADING SPACES

- (z) One shared Type 'G' Loading Space shall be provided on the lot;
- (aa) The provisions of Sections 6A(16)(b), (c) and (d) shall not apply;

### LANDSCAPING

- (bb) The provisions of Section 15.8 (Landscaping) shall not apply;
- (cc) The provisions of Section 6.26(d) (Landscaping Requirements for Places of Worship) shall not apply;

### MINIMUM DISTANCE OF APARTMENT HOUSE DWELLINGS FROM R AND RM2 ZONES

- (a) The provisions of Section 15.6 (Minimum Distance of Apartment House Dwellings from R and RM2 Zones) do not apply.

### DIVISION OF LANDS

- (b) Notwithstanding any existing or future severance, partition or division of the lands shown on Schedule 1, the provisions of this By-law shall continue to apply to the whole of the lands as one lot as if no severance, partition or division had occurred.

### OTHER

- (c) None of the provisions of By-law 7625, as amended, apply to prevent the erection and use of a temporary sales office on the lot.

### **5. Zoning By-law 7625, as amended, is further amended by inserting a new section 64.37(xxx) as follows:**

**“64.37 (XXX) O1 (XXX)**

### **PERMITTED USES**

- (a) The following uses shall be permitted:
  - (i) Public Park
  - (ii) any uses existing on the lands as of the date of the passing of By-law [Clerks to insert By-law number];



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(iii) uses and **structures** ancillary to or associated with the construction of a building on the lands zoned RM5 as shown in Schedule 2 of By-Law [Clerks to insert By-law number]; and

(iv) below ground construction tie-backs and shoring piles ancillary to a building on the lands zoned RM5 as shown on Schedule 1 of By-law [Clerks to insert By-law number].

Enacted and passed on [Clerks to insert date].

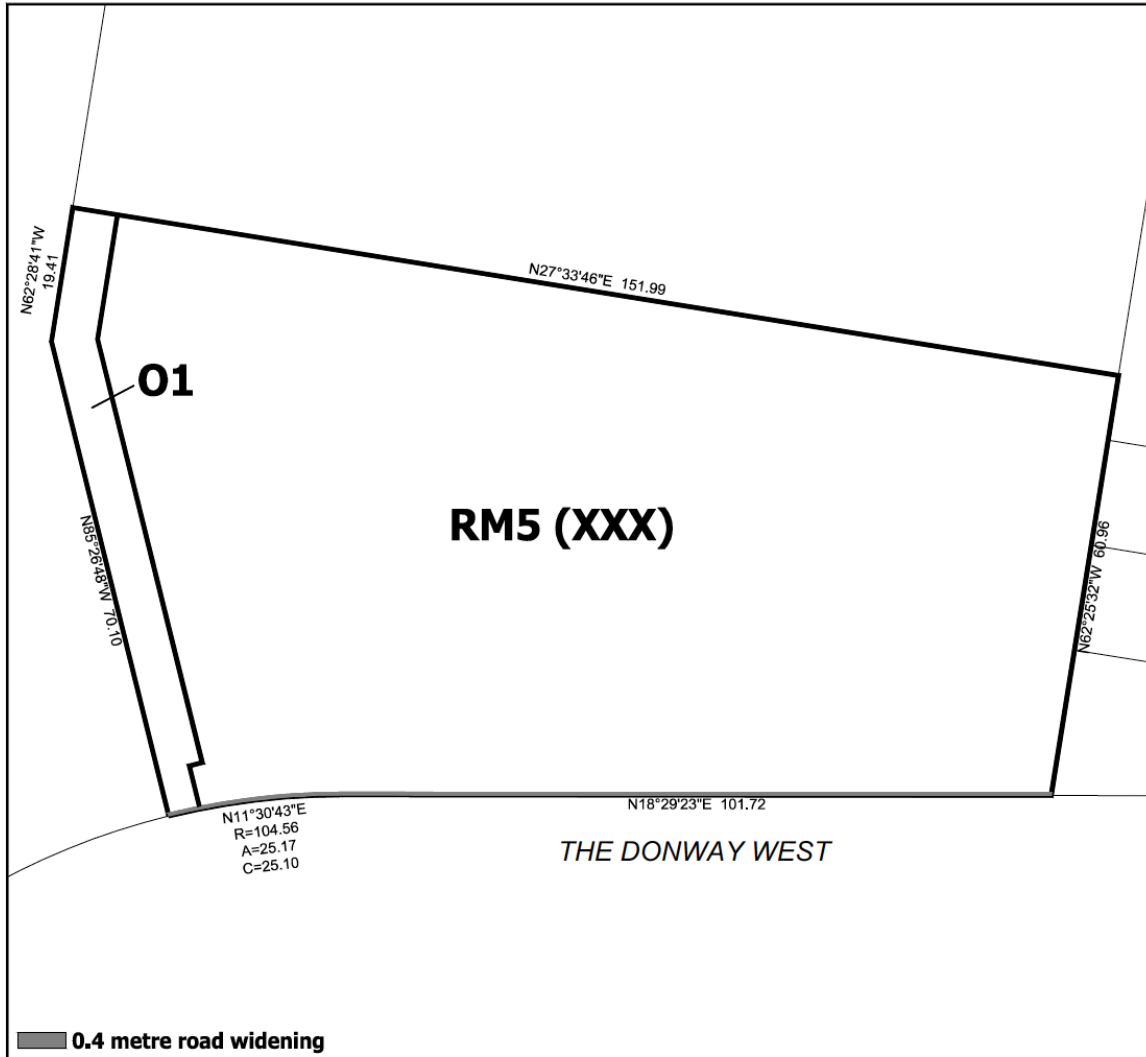
[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)

DRAFT

# Schedule 1

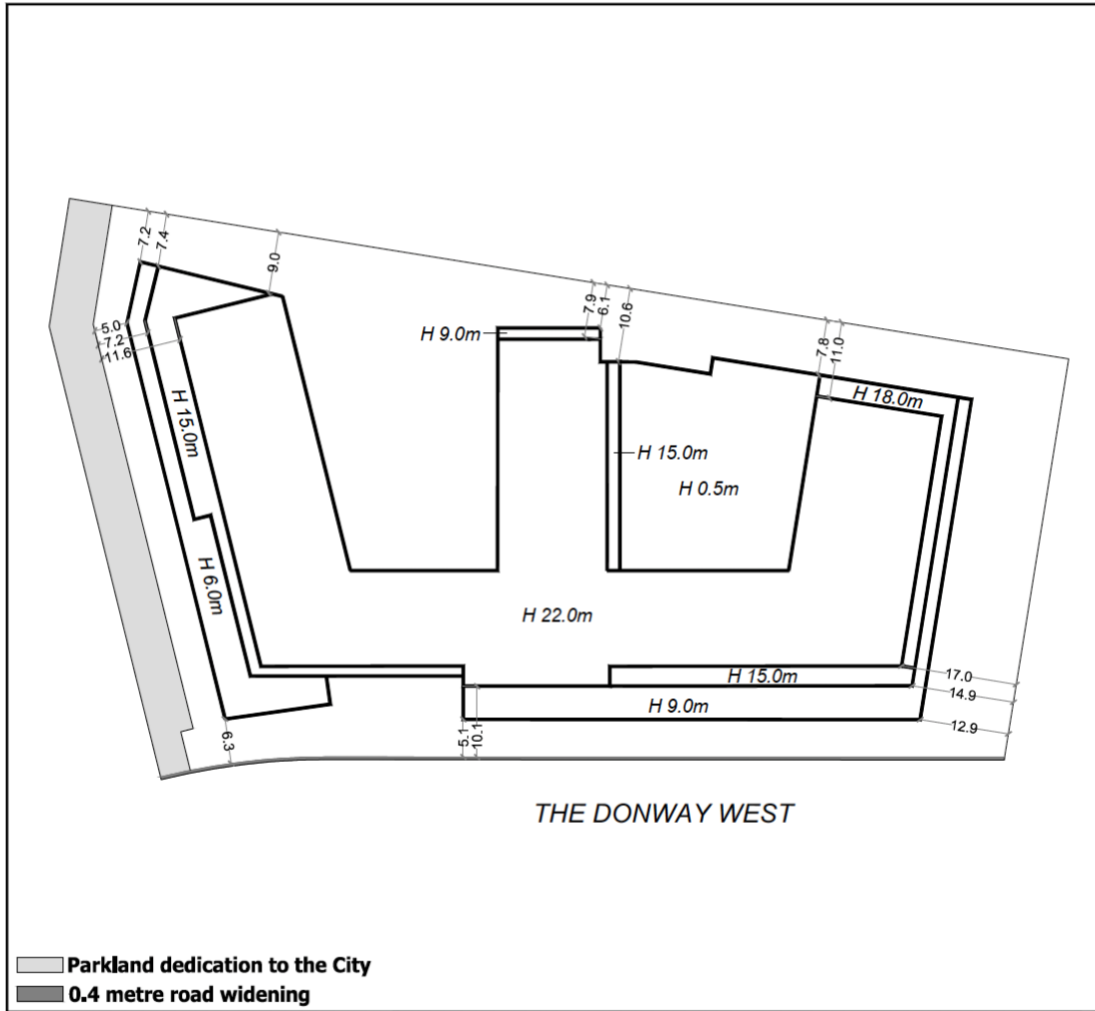


230 The Donway West

File #22 124524 NNY 16 OZ



### Schedule O1 and RM5 (XXX)



230 The Donway West

File #22 124524 NNY 16 OZ



Not to Scale