

Authority: Scarborough Community Council Item ~,  
as adopted by City of Toronto Council on Month, Day, 2021

## **CITY OF TORONTO**

### **BY-LAW XXXX-2021**

#### **To amend the City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2020 as 683-685 Warden Avenue**

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

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, 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 lands outlined by heavy black lines to CR SS3 (x#####) and OR, as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Area Overlay Map in Section 995.10.1 with no label.
5. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1 and applying the following height label to these lands: HT 23.0 as shown on Diagram 3, attached to, and forming part of this By-law.
6. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this by-law to the Lot Coverage Overlay Map in Section 995.30 with no label.
7. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this by-law to the Rooming House Overlay Map in Section 995.40.1 with no label.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number (x#####) so that it reads:

(xxx) Exception CR (-) SS3 (xXXXX)

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 683-685 Warden Avenue, if the requirements of Section 10 and Schedule A of By-law **[Clerks to supply by-law ##]** are complied with, **buildings, structures, additions or enlargements** may be constructed and used in compliance with (B) to (V) below;
- (B) Despite Regulation 40.10.40.40(1), the maximum permitted **gross floor area** of all **buildings** and **structures** must not exceed 124,500 square metres, provided:
  - (i) the residential **gross floor area** does not exceed 123,000 square metres; and
  - (ii) the non-residential **gross floor area** does not exceed 1,500 square metres;
- (C) Regulation 40.10.40.1(1), with respect to the location of residential use portions in a **mixed use building**, does not apply;
- (D) Despite Regulation 40.10.40.70(3), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law **[Clerks to supply by-law ##]**;
- (E) Despite Regulation 40.10.40.80(2), the minimum distance between **main walls** of the **buildings** are shown in metres on Diagram 4 of By-law **[Clerks to supply by-law ##]**;
- (F) Despite Clause 40.10.40.60 and (H) above, the following elements of a **building** or **structure** are permitted to encroach into the required **building setbacks** shown on Diagram 4 of By-law **[Clerks to supply by-law ##]**:
  - (i) balconies, bay windows, terraces, cornices, windowsills, parapets, trellises, pillars, patios, decks, guardrails, balustrades and railings, ornamental elements, architectural features, art and **landscape** features, pilasters, eaves, light fixtures and standards, ornamental elements and railings may encroach to a maximum of (-) metres;
  - (ii) doors, wheelchair ramps, fences, screens, site servicing features, air vents and air intakes, elevated pedestrian bridge, wind mitigation elements, and underground garage ramps and associated **structures** may encroach to a maximum of (-) metres;
  - (iii) awnings and canopies may encroach;

- (G) Despite Regulations 40.5.40.10(1) and 40.5.40.10(2), the height of a **building** or **structure** is measured from the Canadian Geodetic Datum elevation of 146.75 metres to the elevation of the highest point of the **building** or **structure**;
- (H) Despite Regulation 40.10.40.10(3), the permitted maximum **height** of a **building** or **structure** must not exceed the **height** in metres specified by the numbers following the symbol "HT" on Diagram 3 of [**Clerks to supply by-law ##**];
- (I) Despite (H) above and Regulations 40.5.40.10(4), (5), (6), (7) and (8), the following elements, **structures**, equipment, or parts of a **building**, are permitted to project above the permitted maximum **height** as shown on Diagram 3 of By-law [**Clerks to supply by-law ##**] as follows:
- (i) equipment used for the functional operation of a **building** including electrical, utility, ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, chimneys and vents, solar panels and related equipment, **building** maintenance units, site servicing features and crane **structures** by a maximum of (-) metres;
  - (ii) architectural features, parapets, planters, **landscaping** features, guard rails, screens, trellises, pergolas, pool equipment and associated decks and platforms, light standards, **green roofs**, seating areas, wheelchair ramps, retaining walls, public art, canopies and awnings, divider screens and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, flagpoles, antennae and satellite dishes by a maximum of (-) metres;
  - (iii) chillers, flues, cooling towers and window washing equipment by a maximum of (-) metres;
  - (iv) mechanical penthouse by a maximum of (-) metres;
- (J) Regulation 40.5.40.60(1), with respect to structural and height requirements for canopies and awnings, does not apply;
- (K) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained in accordance with the following:
- (i) a minimum of 0.55 **parking spaces** per **dwelling unit** for residents;
  - (ii) a minimum of 0.1 **parking spaces** per **dwelling unit** for visitors of residents; and
  - (iii) a minimum of 1 **parking space** per 100 square metres of interior floor area for non-residential uses;

- (L) For each car-share **parking space** provided on the lands, the minimum number of **parking spaces** for residents required pursuant to regulation (K)(i) above may be reduced by four (4) **parking spaces**, up to a maximum reduction as calculated by the following formula:  $4 \times (\text{the total number of dwelling units on the lands divided by } 60)$ , rounded down to the nearest whole number;
- (M) For the purposes of (L) above:
- (i) car-share means the practice whereby a number of people share the use of one or more vehicles that are owned and operated by a profit or non-profit car-sharing organization, and such car-share 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 signed for a car used only for car-share purposes;
- (N) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 10 percent of **parking spaces** may be obstructed on one or both sides in accordance with Regulation 200.5.1.10(2)(D) with no requirement to increase the minimum width by 0.3 metres;
- (O) Despite Regulations 200.5.1.10(2)(A) and (D), electric vehicle infrastructure, including electrical vehicle supply equipment, does not constitute an obstruction to a **parking space**;
- (P) Despite Regulation 200.15.1(4), an accessible **parking space** must be located no more than 35 metres from a barrier free entrance to a **building** which leads to a barrier-free elevator that provides access to the first **storey** of the **building**;
- (Q) Despite Clause 220.5.10.1, three (3) Type “B” and three (3) Type "G" **loading spaces** must be provided and maintained;
- (R) Regulation 230.5.1.10(9), with respect to the location of “long-term” **bicycle parking spaces**, does not apply;
- (S) Despite Regulations 230.40.1.20(1) and 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be:
- (i) located in a stacked **bicycle parking space** arrangement; and
  - (ii) be located indoors or outdoors in an enclosed or secured room or enclosure;

- (T) Regulations 40.10.20.100(1) and (33) and Section 150.100, with respect to specific use conditions for **eating establishments** and **take-out eating establishments**, do not apply;
- (U) Regulation 40.10.20.100(5), with respect to specific use conditions for a **retail store**, do not apply ;
- (V) Regulation 40.10.20.100(7), with respect to specific use conditions for **retail services**, does not apply;

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.

#### 10. Section 37 Provisions

- (a) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (b) Where Schedule A of this By-law required that the owner provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (c) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on \_\_\_\_\_, 2021

Frances Nunziata,  
Speaker

John D. Elvidge,  
Interim City Clerk

(Seal of the City)

**SCHEDULE A**  
**Section 37 Provisions**

The facilities, services and matters set out below are required to be provided by the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

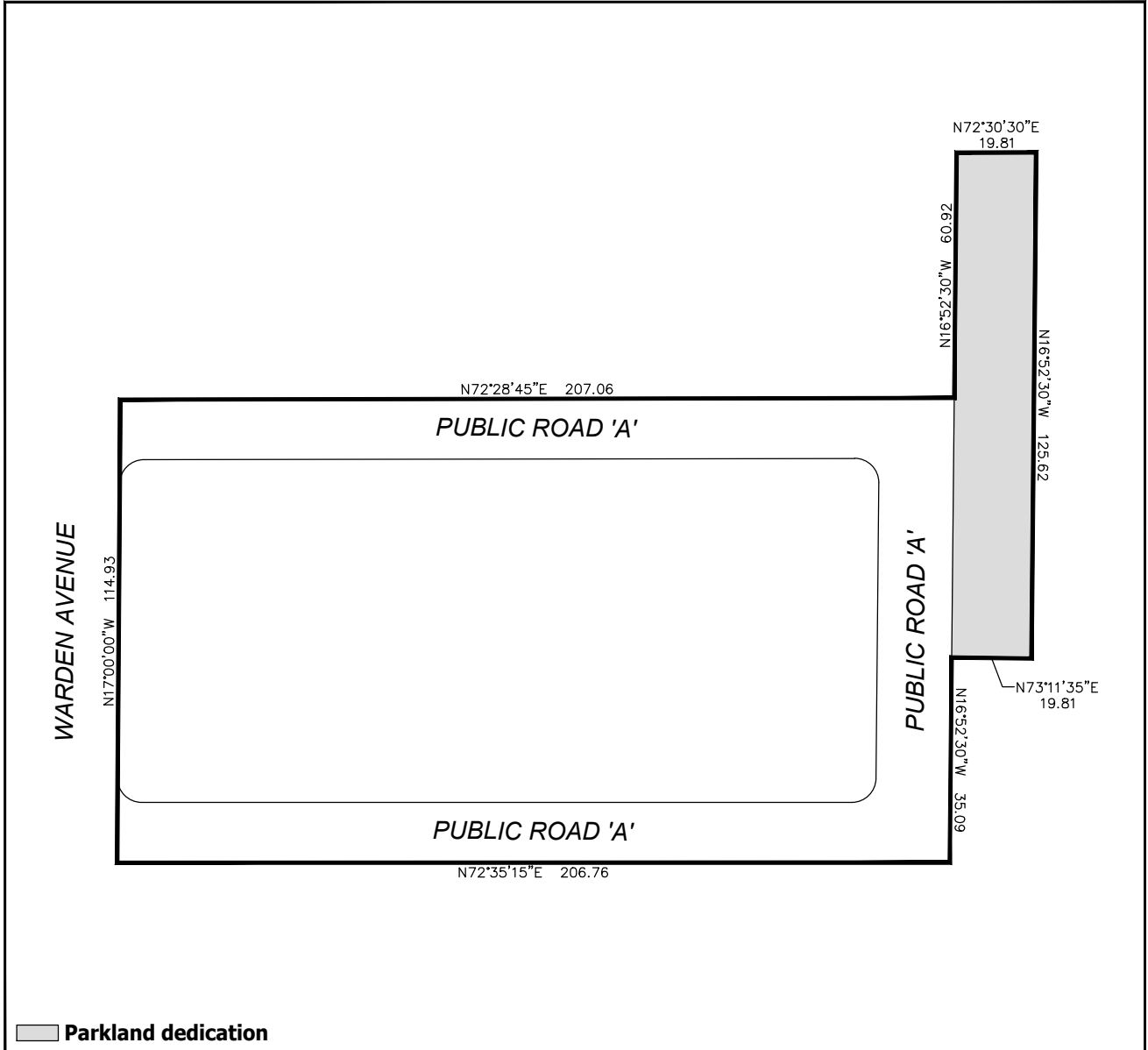


Diagram 1

685 Warden Avenue, Toronto

File #21 \_\_\_\_\_



Not to Scale

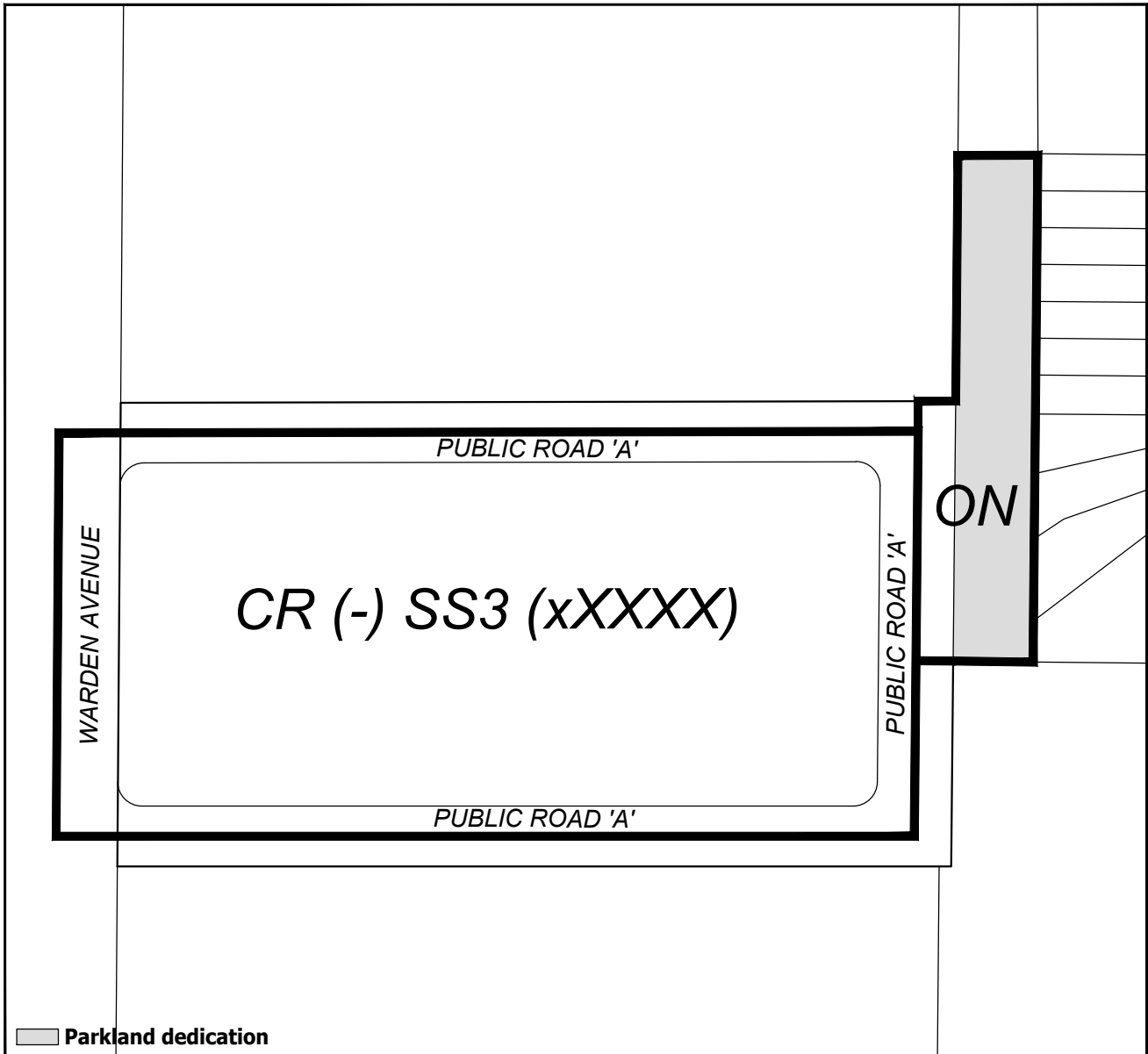


Diagram 2

685 Warden Avenue, Toronto

File #21 \_\_\_\_\_



Not to Scale



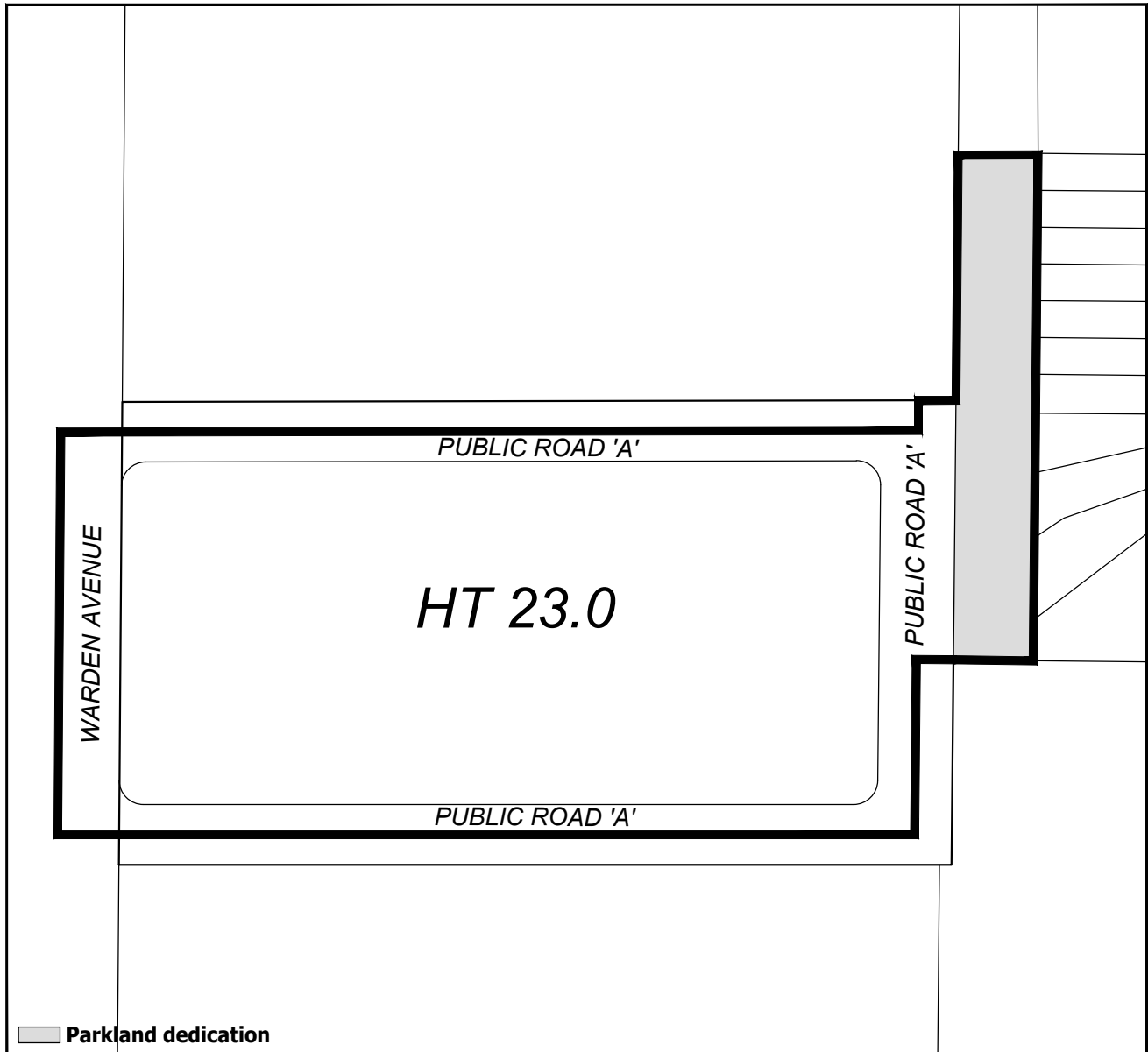


Diagram 3

685 Warden Avenue, Toronto

File #21 \_\_\_\_\_



Not to Scale

