

Authority: Etobicoke York Community Council Item XXX, as adopted by City of Toronto Council on XXX

**CITY OF TORONTO**

**BY-LAW XXXX-2023**

**To amend the former City of North York Zoning By-law No. 7625, as amended, with respect with lands municipally known as 2405 Finch Avenue West and 3400 Weston Road.**

Whereas authority is given to Council of the City of Toronto by 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 Schedule 1 attached hereto.
2. Schedules “B” and “C” of By-law 7625 of the former City of North York, as amended, are hereby further amended in accordance with Schedule 1 of this By-law.
3. Section RM6 of By-law 7625 of the former City of North York is further amended by adding the following subsection:

**64.20-A( ) RM6 (XXX)**

**DEFINITIONS**

For the purposes of this exception, the following definitions will apply:

- (a) “apartment house dwelling” shall mean a building containing more than four (4) dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.
- (b) “existing buildings” means the existing apartment housing dwellings municipally known as 2405 Finch Avenue West and 3400 Weston Road located on the lands in the year 2020 as shown on Schedule 2 of By-law ##### [clerks to provide by-law number], subject to alterations, additions and internal modifications that do not result in any additional gross floor area.
- (c) “new building” means the proposed existing apartment housing dwellings on the lands as shown on Schedule 2.

- (d) “established grade” shall mean 142.52 metres Canadian Geodetic Datum.
- (e) “gross floor area” shall mean the aggregate of the areas of each floor, measured between the exterior walls of the building or structure at the level of each floor, but excluding:
- (i) indoor recreational amenity area;
  - (ii) parking, loading and bicycle parking below established grade;
  - (iii) parking, loading and bicycle parking at or above established grade;
  - (iv) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement and at or above established grade;
  - (v) shower and change facilities required by this By-law for required bicycle parking spaces;
  - (vi) elevator shafts;
  - (vii) garbage shafts;
  - (viii) mechanical penthouse; and
  - (ix) exit stairwells in the building;
- (f) “recreational amenity area” shall mean indoor or outdoor space on a lot that is communal and available for use by the occupants of a building on the lot for recreational or social activities.
- (g) “Type ‘G’ loading spaces” shall mean an area used for the loading or unloading of goods or commodities from a vehicle, with the following dimensions:
- (i) minimum length of 13.0 metres;
  - (ii) minimum width of 4.0 metres; and  
minimum vertical clearance of 6.1 metres.
- (h) “site” shall mean lands zoned RM6 (XX) as shown on Schedule 1 for the purpose of Schedule ‘A’ of this exception.
- (i) “Small car parking space” means a parking space that has a minimum dimension of 2.4 metres in width and 5.0 metres in length

#### **PERMITTED USES**

- (j) The following uses shall be permitted:
- Apartment House Dwelling
  - Day Nursery

#### **EXCEPTION REGULATIONS**

### **GROSS FLOOR AREA**

- (k) A maximum permitted gross floor area for the new building shall be 32,100 square metres.
- (l) The maximum permitted non-residential gross floor area for the new building shall be 600 square metres.

### **LANDSCAPING**

- (m) The provisions of Section 15.8 (Landscaping) shall not apply.

### **LOT AREA**

- (n) The provisions of Section 20-A.2.1 (Lot Area) shall not apply.

### **LOT COVERAGE**

- (o) The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply.

### **FRONTAGE**

- (p) The provisions of Section 20-A.2.3 (Street and Lot Frontage) shall not apply.

### **RECREATIONAL AMENITY AREA**

- (q) The new building must provide recreational amenity area at a minimum rate of 4.0 square metres for each dwelling unit, of which:
  - (i) at least 2.0 square metres for each dwelling unit in the new building as indoor recreational amenity area located at or above ground; and
  - (ii) at least 40.0 square metres is outdoor recreational amenity area in a location adjoining or directly accessible to the indoor recreational amenity area; and
  - (iii) no more than 25% of the outdoor component may be a green roof;

### **YARD SETBACKS**

- (r) The minimum yard setbacks for buildings and structures above established grade shall be shown on Schedule 2.

### **PERMITTED PROJECTIONS**

- (s) Notwithstanding (s) above, the following elements shall be permitted to project beyond the building envelope shown on Schedule 2.

- (i) Architectural features, awnings, bicycle racks, bollards, canopies, cornices, eaves, elevator enclosures and overruns, fences, guardrails, lighting fixtures, ornamental elements, parapets, pipes, planters, platforms, railings, retaining walls, screens, stacks, stairs, stair enclosures, terraces, trellises, underground garage ramps and their associated structures, vents, walkways, wheel chair ramps, wind protection, window sills, and window washing equipment, which may project up to a maximum of 2.0 metres;
  - (ii) Balconies to a maximum projecting distance of 2.5 metres; and
  - (iii) Structures, elements and enclosures permitted by regulation (w) below
- (t) Notwithstanding (r) and (s) above, the minimum yard setbacks for parking structures and structures associated thereto above and below established grade shall be 0 metres from any given property line.

#### **DISTANCE BETWEEN BUILDINGS**

- (u) The provisions of Section 20-A.2.4.1 for distance between buildings and/or portions of buildings forming courts shall not apply.

#### **HEIGHT**

- (v) The building height shall not exceed the maximum building heights in storeys and in metres above established grade as shown on Schedule 2.
- (w) Notwithstanding (v) above, the following elements shall be permitted to exceed the noted height limit on Schedule 2.
  - (i) Mechanical penthouses up to a maximum of 6.5 metres;
  - (ii) Equipment used for the functional operation of a building including electrical, utility, ventilation equipment, chimneys, vents, architectural features, skylights, antennae, elevator machine rooms and parapet walls up to a maximum of 2.0 metres;
  - (iii) elements listed in subsections (x)(ii) and may project above the permitted height limit for the mechanical penthouse as set out in subsection (x)(i) up to a maximum of 1.8 metres;
  - (iv) The height of the Existing Building shall not exceed the height of such building as it existed on the lot on May 1, 2020;

#### **PARKING**

- (x) Notwithstanding Section 6A(2) (Parking Requirements) of By-law 7625, a minimum of 0.7 parking spaces per dwelling unit for residents must be provided and maintained on the lot.
- (y) Notwithstanding Section 6A(2) (Parking Requirements) of By-law 7625, a minimum of 0.1 parking spaces per dwelling unit for visitors must be provided and maintained on the lot.
- (z) Notwithstanding Section 6A(2) (Parking Requirements) of By-law 7625, a minimum of 2 parking spaces for a Day Nursery must be provided and maintained on the lot.
- (aa) Notwithstanding Section 6A(3), 10 percent of the parking spaces constructed after May 1, 2020 may be provided in small car parking spaces, and may have a minimum dimension of 2.4 metres in width and 5.0 metres in length.
- (bb) Notwithstanding Section 6A(8), a fee may be charged for visitor parking, and visitor parking spaces may be integrated in an area with parking spaces for other uses.
- (cc) A minimum of 5 parking spaces on the lot shall be accessible parking spaces.
- (dd) Accessible parking spaces will be provided with the following dimensions:
  - (i) a minimum width of 3.4 metres;
  - (ii) a minimum length of 5.6 metres;
  - (iii) a minimum vertical clearance of 2.1 metres;
  - (iv) the entire length of an accessible parking space must be adjacent to a 1.5 metre wide accessible barrier free aisle or path on one side of the accessible parking space; and
  - (v) Accessible parking spaces must be located within 30 metres of a barrier free entrance to the building or passenger elevator that provides access to the first floor of the building
- (ee) Despite any provision of this exception or By-law 7625, as amended, to the contrary, any parking spaces including accessible parking spaces, bicycle parking spaces, loading spaces, drive aisles, driveways and ramps existing on the site, as of May 1, 2020 may be maintained and are deemed to comply with the requirements of By-law 7625.

## **LOADING**

- (ff) The provisions of Sections 6A(16)(a)(iv) and 6A(16)(c)(i) for loading shall not apply.

(gg) A minimum of one Type ‘G’ loading space shall be provided on the lot.

**DIVISION OF LANDS**

(hh) Notwithstanding any severance, partition or division of the lands shown on Schedule 1 the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred

4. RM6 of By-law No. 7625 is amended by adding Schedule XXX attached to this By-law.

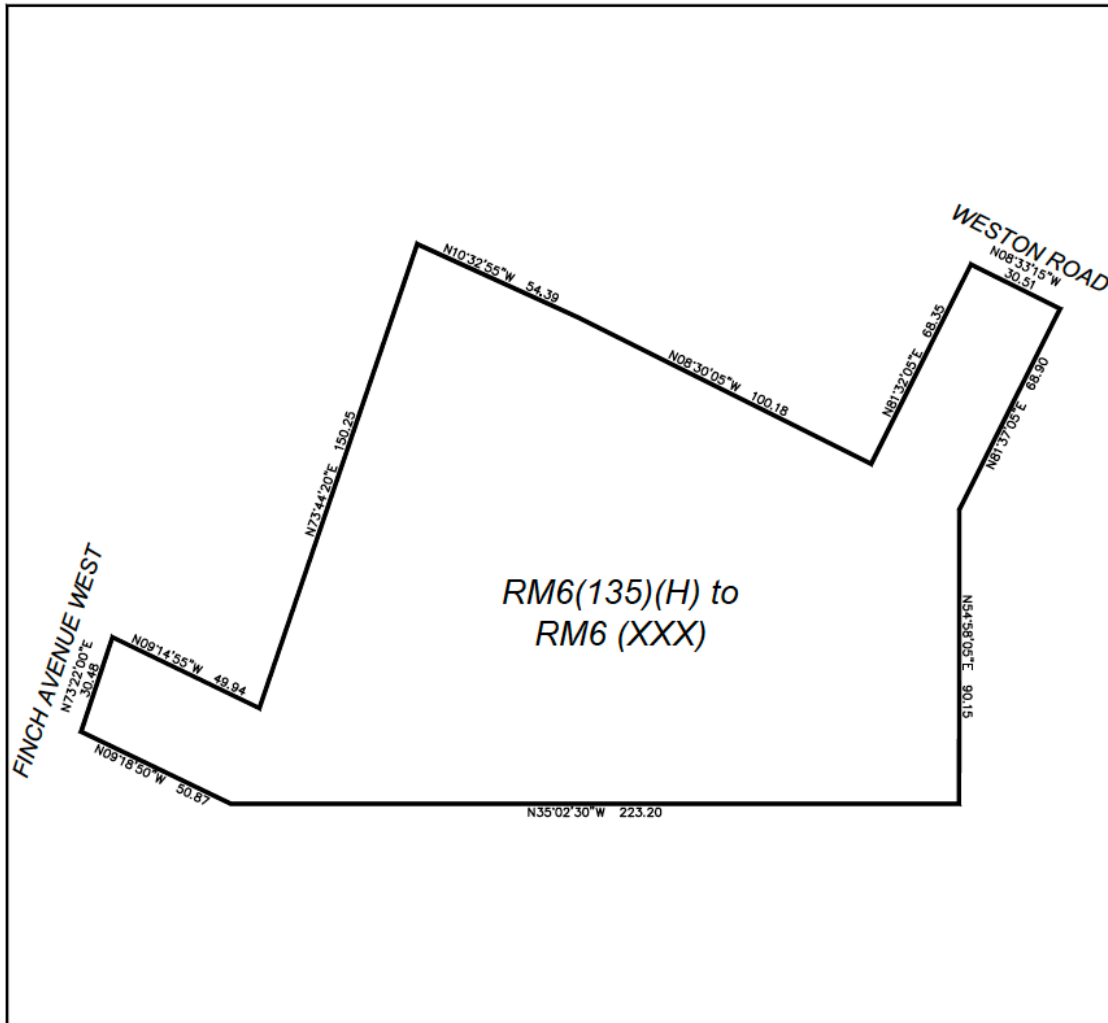
Enacted and passed on XX, 2023.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

### Schedule 1



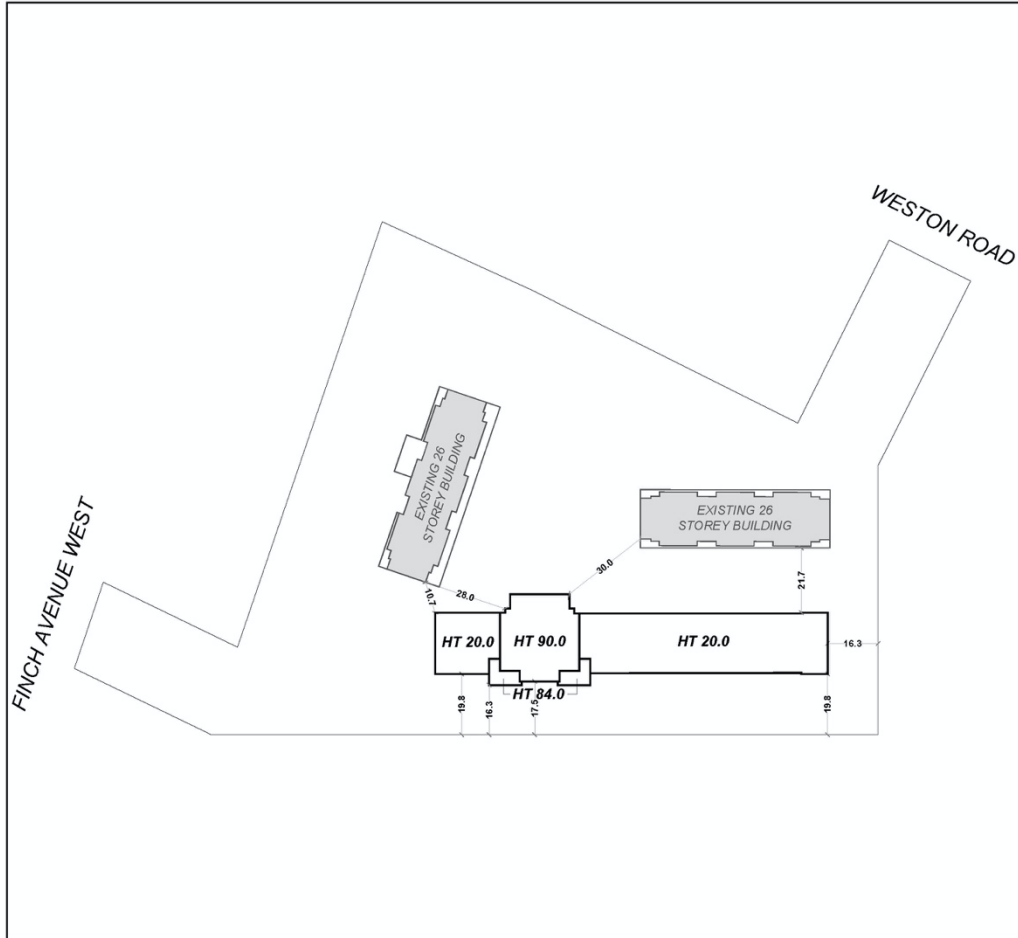
3400 Weston Road and 2405 Finch Avenue West, Toronto

File #19 \_\_\_\_\_



Not to Scale

### Schedule RM6 (XXX)



3400 Weston Road and 2405 Finch Avenue West, Toronto

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