

Draft Zoning By-law Amendment – February 8, 2021

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

**CITY OF TORONTO
BY-LAW No. XXXX-2021**

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 5 Capri Road.

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 No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending article 900.8.10 Exception 17 so that it reads:

(107) Exception RAC 107

The lands, or portion thereof as noted below, are subject to the following Site-Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site-Specific Provisions:

- (A) On 5 Capri Road, if the requirements of By-law [Clerks to supply By-law #] are complied with, none of the provisions of the former City of Etobicoke Zoning Code, or the provisions of former City of Etobicoke By-law No. 1079 apply to prevent the erection or use of a building, structure, addition or enlargement permitted in By-law [Clerks to supply By-law #];
- (B) The **lot** shall refer to those lands delineated by a heavy black line on Diagram 1 of this By-law;

Gross Floor Area and Permitted Uses [NTD: These headings are for review purposes only]

- (C) In addition to the exclusions listed in Regulation 15.5.40.40(1), the gross floor area of an **apartment building** is also reduced by indoor **amenity space** and above-ground parking;

- (D) The existing **building** that existed on the lands as of the passing of this By-law, as identified on Diagram 2 of this By-law, has a **gross floor area** of [TBD] square metres;
- (E) The **gross floor area** of Building A as identified on Diagram 2 of By-law [Clerks to supply By-law #] must not exceed 69,000 square metres:
- (F) Regulation 15.20.30.10(2), with respect to the minimum **lot area** for each **dwelling unit** in an **apartment building**, does not apply;

Height and setbacks

- (G) Despite Regulation 15.5.40.10(1), the height of the **buildings or structures** identified on Diagram 2 are measured from the Canadian Geodetic Datum elevation of 145.9 metres and the highest point of the **buildings or structures**;
- (H) Despite Regulation 15.20.40.10(1), the permitted maximum **height** of a **building or structure** is shown in metres after the letters “HT” on Diagram 2 of this By-law;
- (I) In addition to Regulations 15.5.40.10 (2), (3), (4), (5) and (6) the following elements of a **building or structure** are permitted to exceed the maximum **height** limits shown on Diagram 2 of this By-law, as follows:
 - (i) mechanical equipment, mechanical penthouses, parapets, fences, guard rails, railings and dividers, trellises, balustrades, eaves, screens, stairs, roof drainage, window sills, columns, pillars, chimneys, vents, pipes, lightning rods, light standards and fixtures, architectural features, architectural flutes, ornamental elements, art and landscaping features, elements of a **green roof**, planters, retaining walls, decorative and divider screens, equipment used for the functional operation of a **building** including electrical, utility and ventilation equipment, cooling equipment, enclosed stairwells, roof access, elevator shafts and overruns, maintenance equipment storage, solar panels and related equipment, antennae and satellite dishes, flight warning lights, garbage chutes, site servicing features, mechanical equipment, cooling equipment, and any associated enclosure **structures**;
- (J) Despite Regulation 15.20.40.70, a **building or structure** must be entirely located within the area delineated by heavy lines on Diagram 2 of By-law [Clerks to supply By-law #];
- (K) Despite Regulations 15.5.40.50(2) and 15.5.40.60, no portions of a **building or structure** above ground may extend beyond the areas delineated by heavy lines on Diagram 2 of this By-law, which the exception of:
 - (i) Exterior stairways, cornices, canopies, chimneys, waste storage and loading space enclosures, balconies, lighting fixtures, awnings, ornamental elements, parapets, trellises, eaves, window sills, window washing equipment, guardrails, balustrades, safety railings, stairs, stair enclosures, bollards, wheelchair ramps, vents, fences, wind or privacy screens, landscape elements (including green roofs), terraces, decorative architectural features, bay windows, ramps, ramp enclosures, parking garage ramps and associated underground parking structures, retaining walls, elevator overruns, heating,

cooling or ventilating equipment, pilasters and sills, and porches and decks, either excavated or unexcavated;

Landscaping and Amenity Space

- (L) Regulation 15.5.50.10(1), with respect to landscaping, does not apply;
- (M) Despite Regulations 15.20.40.50(1), on the **lot** identified on Diagram 1 of this By-law, **amenity space** for **dwelling units** within Building A identified on Diagram 2 of this By-law must provide **amenity space** 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 is indoor **amenity space**;
 - (ii) At least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor amenity space; and
 - (iii) No more than 25% of the outdoor component may be a **green roof**;

Parking

- (N) Regulation 15.5.100.1(1)(B), with respect to the width of a driveway, only apply to driveways wholly constructed on the lot following the passing of this By-law;
- (O) Regulation 15.5.100.1(1)(B) with respect to maximum driveway width, does not apply;
- (P) Regulation 15.5.100.1(2), with respect to an unobstructed vehicle access that allows a vehicle to enter and leave the lot while driving forward in one continuous movement, does not apply;
- (Q) Regulation 200.5.1(3), with respect to minimum dimension of **drive aisle** widths, only apply to the **drive aisles** wholly constructed on the lot following the passing of this By-law;
- (R) Regulation 200.5.1.10(2), with respect to the minimum dimensions of a **parking space**, only apply to **parking spaces** wholly constructed on the **lot** following the passing of this By-law;
- (S) Despite Regulation 200.5.1.10(2), up to 10 percent of the **parking spaces** wholly constructed following the passing of this By-law may have a minimum length of 5.3 metres;
- (T) Despite Regulation 200.5.1.10(2), a maximum of 10 percent of the **parking spaces** wholly constructed following the passing of this By-law may have a minimum width of 2.6 metres if they are obstructed on one or both sides;

- (U) Despite Regulation 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**;
- (V) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, vehicle **parking spaces** must be provided on the **lot** in accordance with the following:
- (i) 0.87 resident **parking spaces** per **dwelling unit**; and
 - (ii) 0.1 visitor **parking spaces** per **dwelling unit**;
- (W) Despite Regulation 200.5, for each **parking space** exclusively reserved and signed for a car or cars used only for car-share purposes, the minimum number of resident **parking spaces** required may be reduced by four **parking spaces**, up to a maximum reduction as calculated by the following formula: $4 \times (\text{the total number of dwelling units on lands identified on Diagram 1 of this By-law divided by } 60)$, rounded down to the nearest whole number;
- (X) Despite Regulation 200.15.1(1), accessible parking space dimensions must have the following minimum distances:
- (i) Length of 5.6 metres;
 - (ii) Width of 3.4 metres;
 - (iii) 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; and
 - (v) The dimensions for accessible **parking spaces** shall only apply to accessible **parking spaces** wholly constructed after the passing of this By-law;
- (Y) Regulation 200.15.1(4), with respect to the location of accessible **parking spaces**, does not apply;

Bicycle Parking

- (Z) Regulation 230.10.1.10(2), with respect to the location of “short-term” **bicycle parking spaces**, does not apply;
- (AA) Regulation 230.5.1.10(9), with respect to the location of “long-term” **bicycle parking spaces**, does not apply;
- (BB) Despite Regulation 230.5.1.10(10), “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space**;
- (CC) Despite Regulation 230.5.10.1(1) and Table 230.5.10.1(1):
- (i) no long-term **bicycle parking spaces** are required for **dwelling units** within the existing building identified on Diagram 3 of this By-law;

- (ii) A minimum of 0.07 short-term **bicycle parking spaces** per **dwelling unit** are required for dwelling units in the existing building identified on Diagram 2 of this By-law;
- (DD) Despite 230.20.1.20(1), a long-term **bicycle parking space** may be located in a storage locker;
4. Despite any future severance, partition or division of the lands identified on Diagram 1 of By-law [Clerks to supply By-law #], the provisions of this By-law will apply as if no severance, partition or division occurred;
5. None of the provisions of this exception or By-law 569-2013, as amended, shall apply to prevent a temporary sales/leasing office on the lands as of the date of the passing of this By-law. A temporary sales/leasing office shall mean a building, structure, facility or trailer or portion thereof, on the **lot** used for the purpose of the sale/leasing of dwelling units on the **lot**;

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

ENACTED AND PASSED this _____ day of _____, 2021.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

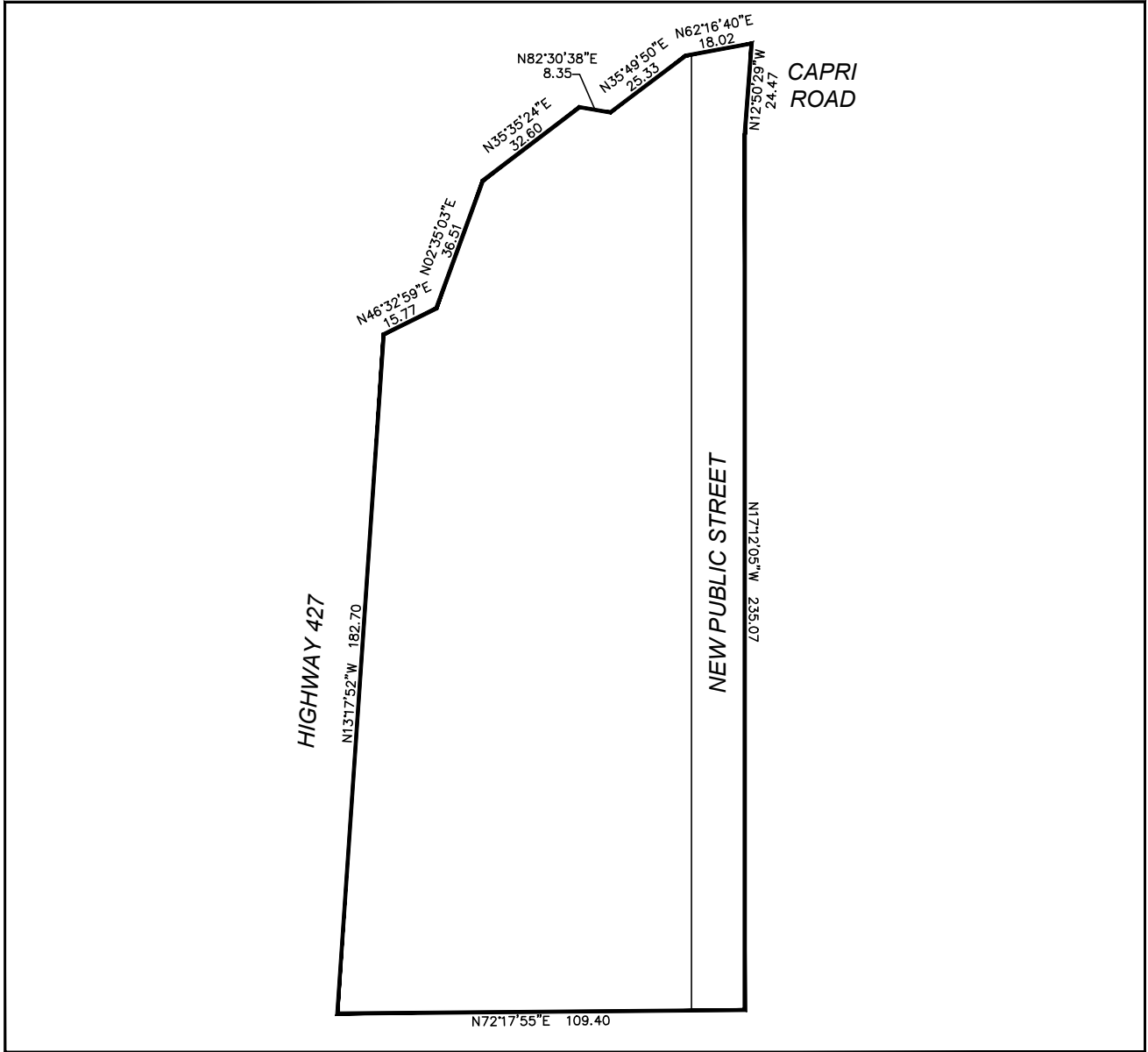


Diagram 1

5 Capri Road, Toronto

File #20 _____



Not to Scale

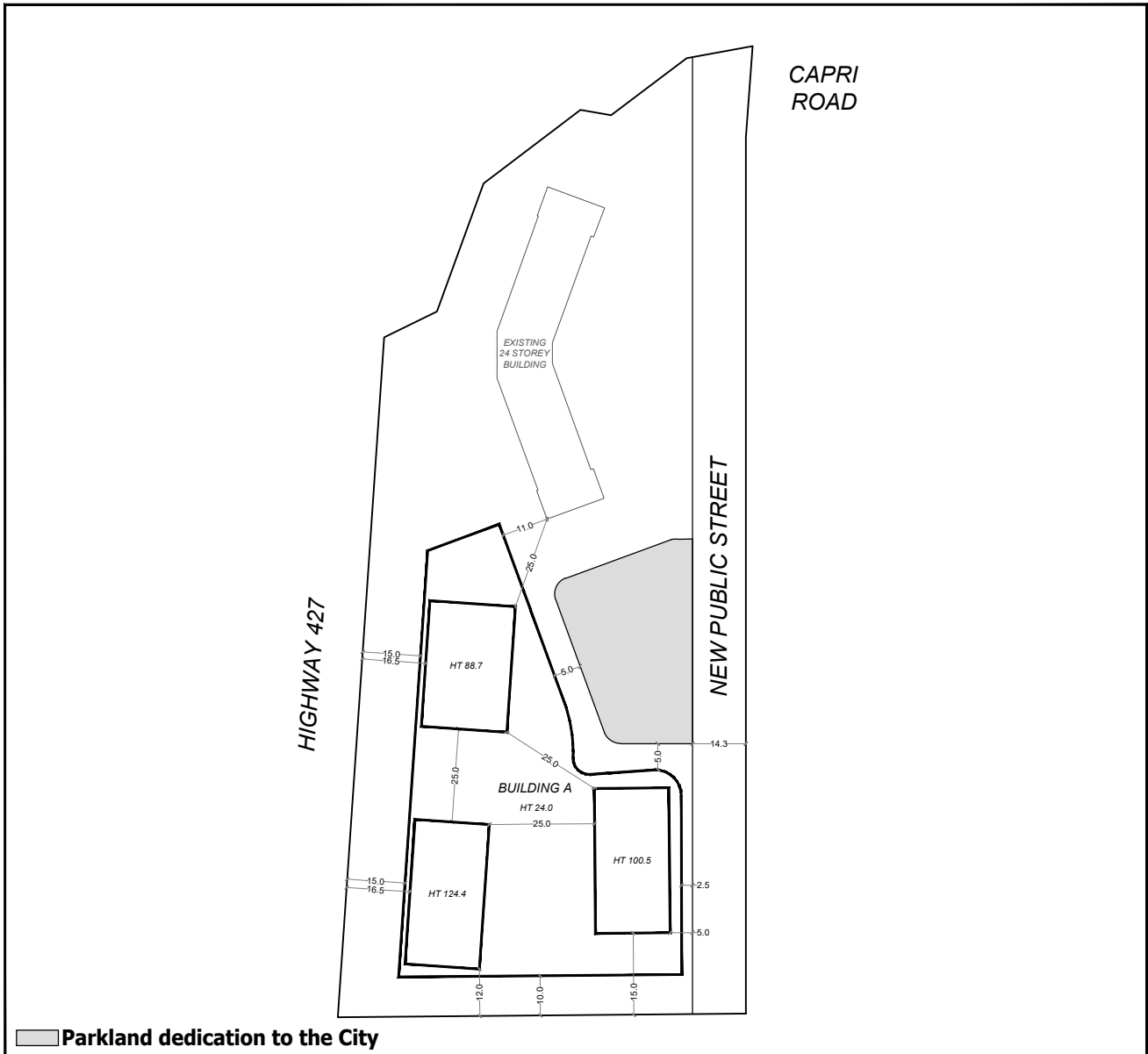


Diagram 2

5 Capri Road, Toronto

File #20 _____



Not to Scale