Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. XXXX-2023**

**To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as, 48 Grenoble Drive.**

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; and

Whereas pursuant to Section 39 of the Planning Act, as amended, a by-law passed under Section 34 of the Planning Act, may authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the 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 the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RAC(f30.0; a1375; d1.5) (x###) and OR, as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law No. 569 -2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the lands subject to this By-law, to a height and storey label of HT 10.5, ST 3, as shown on Diagram 3 attached to this By-law;
5. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number [###] so that it reads:

(###) Exception RAC ###

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:

* 1. On 48 Grenoble Drive, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (JJ) below:
	2. Despite Regulation 15.5.40.10(1), the height of a **building** or **structure** is measured as the vertical distance between the Canadian Geodetic Datum elevation of [128.5 metres] **[NTD: To be confirmed by architects.]** and the highest point of the **building** or **structure;**
	3. Regulation 15.5.40.50(2), as it relates to platforms in relation to **building setbacks**, does not apply;
	4. In addition to the uses permitted in Regulation 15.20.20.10(1), “geo-energy facility”, public parking, “car share”, massage therapy, and wellness centre are permitted;
	5. In addition to the uses permitted with conditions listed in Regulation 15.20.20.20(1), an **outdoor patio** is permitted, provided:
		1. the permitted maximum area of an **outdoor patio** is the greater of:
			1. 30.0 square metres; or
			2. 30% of the **interior floor area** of the **premises** it is associated with;
		2. the **outdoor patio** is not used to provide entertainment such as performances, music and dancing;
	6. The following clauses or regulations do not apply with respect to the lands that are subject of this By-law [Clerks to insert By-law ##]:
		1. Regulations 15.5.50.10(1) and (2), with respect to landscaping and soft landscaping;
		2. Regulations 15.5.80.10(2), 15.5.80.20(1), and 15.5.80.30, with respect to the location of a parking space on the lot, setback from lot lines for parking spaces, separation from any main wall of the building for a surface parking space and at-grade parking separation distance;
		3. Clause 15.5.100 with respect to access to the lot;
		4. Regulations 15.20.20.100(1)(B) and (E);
		5. Regulation 15.20.20.100(7) with respect to other uses with an eating establishment; and
		6. Regulations 15.20.20.100(12)(A) and (B) with respect to the outdoor sale or display of goods or commodities; and
		7. Regulation 15.20.30.40, with respect to lot coverage; and
		8. Regulation 15.20.20.100(1)(A)(B)(E), (7), and (12)(A)(B), with respect to non-residential uses in buildings or structures.
	7. Despite Regulation 15.20.20.40(1), dwelling units are permitted in a building or structure on the lot;
	8. Despite Regulation 15.20.20.100(1)(C)(D) and (E), an **art gallery**, **artist studio**, **club**, **custom workshop**, **eating establishment**, **education use**, **financial institution**, medical office, office, **performing arts studio**, **personal service shop**, **pet services**, **production studio**, **recreation use**, **religious education use**, **retail store**, **retail service**, **service shop**, **takeout eating establishment**or a **veterinary** hospital may be located on the lot;
	9. Outdoor open air markets may provide retail sales, food sales and other uses from kiosks, tents, vehicles and such facilities are not buildings or structures;
	10. Despite Regulation 15.20.40.10(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 ##];
	11. For the purpose of this exception, a mezzanine or mechanical penthouse does not constitute a **storey**;
	12. Despite (J) above and Regulations 15.5.40.10(2), (3), (4), (5), and (6) the following elements of a **building** or **structure** may project above the permitted maximum **building** heights shown on Diagram 4 of By-law [Clerks to supply by-law ##]
	13. Elements on or above any roof used for elevator related structural elements and elevator shafts, cooling towers, antennae, building maintenance units by a maximum of 5.0 m;
	14. Elements on or above any roof used for chimneys, pipes, flues, stacks, vents, enclosed stairwells, renewable energy facilities and devices, window washing equipment, and roof access by a maximum of 3.0 m;
	15. Elements on or above any roof used for ornamental or architectural features, parapets, and elements, by a maximum of 3.0 metres;
	16. **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) and (ii) above, by a maximum of 3.0 metres;
	17. Elements on or above any roof used for lightning rods by a maximum of 5.0 metres;
	18. **structures** associated with a **green roof** by a maximum of 3.0 metres;
	19. trellises, pergolas, louvres associated with rooftop amenity space, and unenclosed structures providing safety, privacy or wind protection to rooftop amenity space by a maximum of 6.0 metres;
	20. planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace by a maximum of 3.0 metres; and
	21. stair enclosures associated with an entrance or exit from an underground parking garage, underground garage ramps, and ornamental, landscaping and architectural features, lighting fixtures, fences, railings, balustrades, trellises, pergolas, awnings, guards and guardrails, transformer vaults, wheelchair ramps, retaining walls, outdoor furniture, walkways, planters, and public art features, by a maximum of 3.0 metres;
	22. Despite Regulation 15.20.40.40(1)(A), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is **[80,000] [NTD: To be confirmed once list of deductions is settled.]** square metres, of which:
		1. the permitted maximum **gross floor area** for non-residential uses is 400 square metres;
	23. In addition to the listed elements which reduce the **gross floor area** for an Apartment Building use building in Regulation 15.5.40.40, the **gross floor area** will also be reduced by:
		1. “Geo-energy facilities”, below established grade, at, or above-ground;
		2. Storage rooms, moving rooms, mail / parcel rooms, electrical rooms, utility rooms, service corridors, mechanical and ventilation rooms, firefighter central alarm control facilities (CACF), in-unit staircases, ramps, pet wash facilities, bicycle wash stations, repair stations, and other bicycle amenity spaces, and washrooms in communal areas, below established grade, at, or above- ground;
		3. elevator lobbies below established grade; and
		4. indoor amenity space to a maximum of 2.10 square metres per residential unit
	24. Despite Clause 15.20.40.70 and Clause 15.20.40.80 and Article 600.10.10, the required minimum **building setbacks** and separation distance between **main walls** of **buildings** are as shown, in metres, on Diagram 4 of By-law [Clerks to supply by-law ##];
	25. Despite Clause 15.5.40.60 and (K) above, the following elements of a **building** or **structure** are permitted to encroach into the required minimum **building setbacks** and separation distance between main walls of buildings shown on Diagram 4 of By-law [Clerks to supply by-law ##]:
		1. exterior stairways, cornices, waste storage and loading space enclosures, wheelchair ramps, balconies, lighting fixtures, awnings, ornamental elements, trellises, eaves, window sills, window washing equipment, guardrails, balustrades, safety railings, stairs, stair enclosures, bollards, wheel chair ramps, vents, fences, wind or privacy screens, landscape elements (including **green roofs**), terraces, decorative or architectural features, bay windows, ramps, ramp enclosures, **parking garage** ramps and associated **structures**, retaining walls, heating, cooling or ventilating equipment, pilasters and sills, and porches and decks, either excavated or unexcavated, shall be permitted to project into the minimum **building setbacks** by a maximum horizontal projection of 2.0 metres;
		2. canopies by a maximum horizontal projection of 3.0 metres;
	26. Despite Regulation 15.5.40.10(6)(C), "Tower" means a **building** or portions of a **building** indicated to be a “Tower” on Diagram 4 of By-law [Clerks to supply by-law ##] which enclose the entirety of a **storey** higher than 25 metres above the Canadian Geodetic Datum elevation of **[128.5]** **[NTD: To be confirmed by architects.]** metres;
	27. Despite Regulation 15.20.40.50(1), residential **amenity space** must be provided at a minimum rate of 4 square metres for each new **dwelling unit**, of which:
		1. at least 1.75 square metres for each new **dwelling unit** is indoor **amenity space**; and
		2. at least 1.75 square metres for new each **dwelling unit** is outdoor **amenity space;**
		3. a maximum of 0.5 square metres per **dwelling unit** of the indoor **amenity space** may be located below ground level;
		4. a maximum of 25% of outdoor amenity space may be green roof.
	28. Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, for residential uses, **parking spaces** must be provided and maintained in accordance with the following minimum rates:
	29. 0.0 residential occupant **parking spaces** for each **dwelling unit;**
	30. 2.0 **parking spaces** plus 0.01 **parking spaces** for each **dwelling unit** for residential visitors; and
	31. 0.0 parking spaces for non-residential uses.
	32. Despite Regulation 15.5.80.1, the parking spaces required by (V)(ii) above may be provided on a non-exclusive basis;
	33. Despite Regulation 200.5.10.1(1), "car-share parking spaces" may replace **parking spaces** otherwise required for residential visitors, subject to the following:
		1. for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car-share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
		2. for the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
	34. Despite Regulation 200.5.1.10(2)(A)(iv), required 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;
	35. Despite Regulation 200.5.1.10(2)(B) and (C), parking spaces may have the following minimum dimensions:
		1. width of 2.4 metres;
		2. length of 5.4 metres; and
		3. vertical clearance of 1.8 metres;
	36. Despite Regulation 200.5.1.10(2), Electric Vehicle Infrastructure, including electrical **vehicle** supply and charging equipment, does not constitute an obstruction to a **parking space**;
	37. Despite Regulation 200.5.1.10(2)(E), the equipment for the charging of electric vehicles is permitted in one or more parking spaces;
	38. Regulation 200.5.1.10(12)(C), with respect to **vehicle** access to an **apartment building** with non-residential uses, does not apply;
	39. Despite Clause 220.5.10.1, **loading spaces** must be provided on the **lot** in accordance with the following minimum requirements:
		1. 1 Type "C" **loading space**; and
		2. 1 Type "G" **loading space**;
	40. Despite Regulation 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be provided in a **stacked bicycle parking space** arrangement, in any combination of vertical, horizontal or stacked positions;
	41. Despite regulation 230.5.1.10(4)(A), a bicycle parking space must have a minimum length of 1.8 metres, minimum width of 0.2 metres, and minimum vertical clearance from the ground of 1.9 metres;
	42. Despite regulation 230.5.1.10(4)(B), a bicycle parking space if placed in a vertical position on a wall, structure or mechanical device must have a minimum length or vertical clearance of 1.9 metres, minimum width of 0.4 metres, and minimum horizontal clearance from the wall of 1.2 metres;
	43. An area used to provide bicycle parking spaces must have a minimum vertical clearance of 2.4 metres if it is a stacked bicycle parking space and 1.9 metres in all other cases;
	44. The provision of **dwelling units** is subject to the following:
		1. a minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms; and
		2. in addition to (II)(i) above, a minimum of 15 percent of the total number of **dwelling units** must contain two or more bedrooms.
		3. if the calculation of the number of required dwelling units in accordance with (II)(i) and (ii) above, results in a number with a fraction, the number may be rounded down to the nearest whole number;
		4. none of (II)(i) to (ii) above apply to rental replacement dwelling units provided in accordance with Section 111 of the City of Toronto Act, 2006, and Chapter 667 of the Municipal Code
	45. For the purpose of this exception, a geo-energy facility means premises containing devices to generate geo-energy for the exclusive use of the building.
1. Despite any future severance, partition or division of the lands as shown on Diagram 1, the provisions of this By-law will apply as if no severance, partition or division occurred.
2. Pursuant to Section 39(1) of the Planning Act, none of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a retail store in a building, structure or trailer for the purpose of selling, renting or leasing of dwelling units on the lands in the RAC Zone to which this By-law applies, provided that any such building or structure does not exceed a maximum height of 7.5 metres. This Section shall expire on [Clerks to insert date three years from enactment date].

Enacted and passed on month ##, 2023.

Name, John D. Elvidge,

 Speaker City Clerk

(Seal of the City)