

## City of Toronto By-law XXXX-2022

Authority: Toronto and East York Community Council Item XX, as adopted by City of Toronto Council on XXX

**CITY OF TORONTO****BY-LAW XXX-2022****To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 450, 452, and 458 Dufferin Street.**

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 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 HEREBY ENACTS as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to and forming part of this By-law.
2. The regulations of former City of Toronto Zoning By-Law 438-86 no longer apply to the lands shown on Diagram 1 attached to this By-law.
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and adding the zone label CR 2.5 (c1.0; r2.0) SS2 (x####) respecting those lands, as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Article 995.20.1 and applying to these lands the Height label shown on Diagram 4 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Article 995.40.1 and applying to these lands the Rooming House label shown on Diagram 5 attached to this By-law.
6. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number #### so that it reads:

**Exception CR (####)**

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:

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- (A) On 450, 452, and 458 Dufferin Street, if the requirements of By-law XXXX-2022 [clerks to supply by-law number] are complied with, a **mixed use building** or **structure** may be erected and used in compliance with regulations (B) to (T) below;
- (B) For the purpose of this exception, the **lot** comprises the lands outlined by heavy lines on Diagram 1 of By-law XXXX-2022;
- (C) Regulation 40.10.40.1(1) with respect to the location of commercial uses in a **mixed use building** does not apply;
- (D) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** for all **buildings** and **structures** is 11,450 square metres, allocated as follows:
- (i) The permitted maximum **gross floor area** for residential uses is 10,500 square metres; and
  - (ii) The permitted maximum **gross floor area** for non-residential uses is 950 square metres;
- (E) A **building, structure**, addition, or enlargement that contains more than 80 dwelling units is subject to the following:
- (i) A minimum of 20 percent of the total number of **dwelling units** must contain two bedrooms
  - (ii) A minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
- (F) Despite regulation 40.5.40.10(1), the height of the **building** or **structure** is measured as the vertical distance between **established grade** and the elevation of the highest point of the **building** or **structure**;
- (G) For the purpose of this Exception, **established grade** is the Canadian Geodetic Datum elevation of 94.10 metres;
- (H) For the purpose of this exception, a partial mezzanine is not a **storey**;
- (I) Despite regulation 40.10.40.10(1) the permitted maximum height of a **building** or **structure** on the **lot** is the numerical value, in metres, following the symbol “HT” as shown on Diagram 3 of **By-law XXXX-2022**;
- (J) Despite clause 40.5.40.10 the following elements of a **building** or **structure** may project above the permitted maximum **building** height limits as shown on Diagram 3 of **By-law XXXX-2022**:
- (i) **structures**, elements and enclosures permitted by Regulation (L) below;
  - (ii) **structures** on any roof used for outdoor **amenity space** or open air recreation, maintenance, visual screens, acoustical screens, safety or

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wind protection purposes provided such projections are limited to a maximum vertical projection of 5.0 metres above the permitted **building** heights shown on Diagram 3 of **By-law XXXX-2022**;

- (iii) **structures** on any roof used for green roof purposes, vestibules providing access to outdoor **amenity space**, cooling towers, parapets, mechanical and architectural screens, visual screens, acoustical screens, chimneys, vents, flues, stacks, mechanical fans, exit stairs, guardrails, decking, pavers, landscape elements and features, telecommunication equipment, antennas, elevators and related structural elements, window washing equipment, **structures** and elements related to drainage, **structures** and elements associated with green energy and renewable energy facilities provided such projections are limited to a maximum vertical projection of 3.0 metres above the permitted **building** heights shown on Diagram 3 of **By-law XXXX-2022**;
- (K) Despite regulation 40.10.40.70(2) the required minimum **building setbacks** and the required minimum separation distances between **main walls** of **buildings** or **structures** above finished ground must be provided as shown in Diagram 3 of **By-law XXXX-2022**;
- (L) Despite clause 40.10.40.60 and regulation 40.5.40.60(1) and regulation (J) above, the following elements of a **building or structure** may encroach into the required minimum **building setbacks** and the required separation distances between **main walls** of **buildings** or **structures** above finished ground as shown on Diagram 3 of **By-law XXXX-2022** as follows:
  - (i) architectural features, eaves, cornices, light fixtures, parapets, fences and safety railings, pillars, trellises, guardrails, balustrades, chimneys, vents, thermal insulation, wheelchair ramps, retaining walls, landscape features, privacy screens, ornamental structures, structures for outside or open air recreation, frames, underground garage ramps, walkways, window washing equipment, stairs, covered stairs and or stair enclosures, doors, stair landings, decks, planters, pool, decking, and public art features to a maximum horizontal projection of 2.0 metres;
  - (ii) canopies to a maximum horizontal projection of 3.0 metres;
  - (iii) balconies and terraces, to a maximum horizontal projection of 3.0 metres;
  - (iv) **structures**, elements and enclosures permitted by regulation (J) above.
- (M) Regulation 40.10.40.70(2)(G) does not apply to the lands municipally known in the year 2021 as 450, 452, and 458 Dufferin Street, as shown on Diagram 1 attached to this by-law;
- (N) Despite regulation 40.10.40.70(2)(C), a **main wall** of a **building** that has windows or openings must be set back at least 1.2 metres from the north lot

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line;

- (O) Despite regulation 40.10.40.70(2)(C), a **main wall** of a **building** that has windows or openings must be set back at least 3.2 metres from the west lot line;
- (P) Despite regulations 40.5.80.1(1), 200.5.1(2) and 200.5.1.10(10) and 200.5.10.1(1), 200.10.1(1) and (2), 200.15.1(1), and Table 200.5.10.1, **parking spaces** shall be provided and maintained on the **lot** in accordance with the following:
  - (i) **Parking spaces** must be provided for residents of **dwelling units** at a maximum rate of 0.2 per **dwelling unit**;
  - (ii) **Parking spaces** must be provided for residential visitors at a maximum rate of 0.1 per **dwelling unit**;
  - (iii) No exclusive **parking spaces** are required commercial uses;
  - (iv) The **parking spaces** for residential visitors may be shared on a non-exclusive basis with users of the commercial uses;
- (Q) Despite regulation 200.5.1(3) and 200.5.1.10(2), a **parking space** may be obstructed by a structural wall, structural column, or a **loading space** without requiring additional width to be provided on the obstructed side, and a **drive aisle** is not required.
- (R) Despite regulation 200.15.1(1) an accessible parking space must have the following minimum dimensions:
  - (i) Length of 5.6 metres;
  - (ii) Width of 3.4 metres; and
  - (iii) Vertical clearance of 2.1 metres;
- (S) Despite regulations 200.15.1(3) and (4)
  - (i) The entire length of an accessible parking space must be adjacent to a 1.5-metre wide accessible barrier free aisle or path; and
  - (ii) accessible parking spaces must be located within 22 metres of a barrier free entrance to the building or passenger elevator that provides access to the first storey of the building;
- (T) Despite regulation 230.5.1.10 (4) and (5);
  - i. The minimum dimension of a **bicycle parking space** if placed in a vertical position on a mechanical device is:
    - a. minimum vertical clearance of 1.9 metres;
    - b. minimum width of 0.45 metres; and
    - c. minimum horizontal clearance of 1.2 metres.

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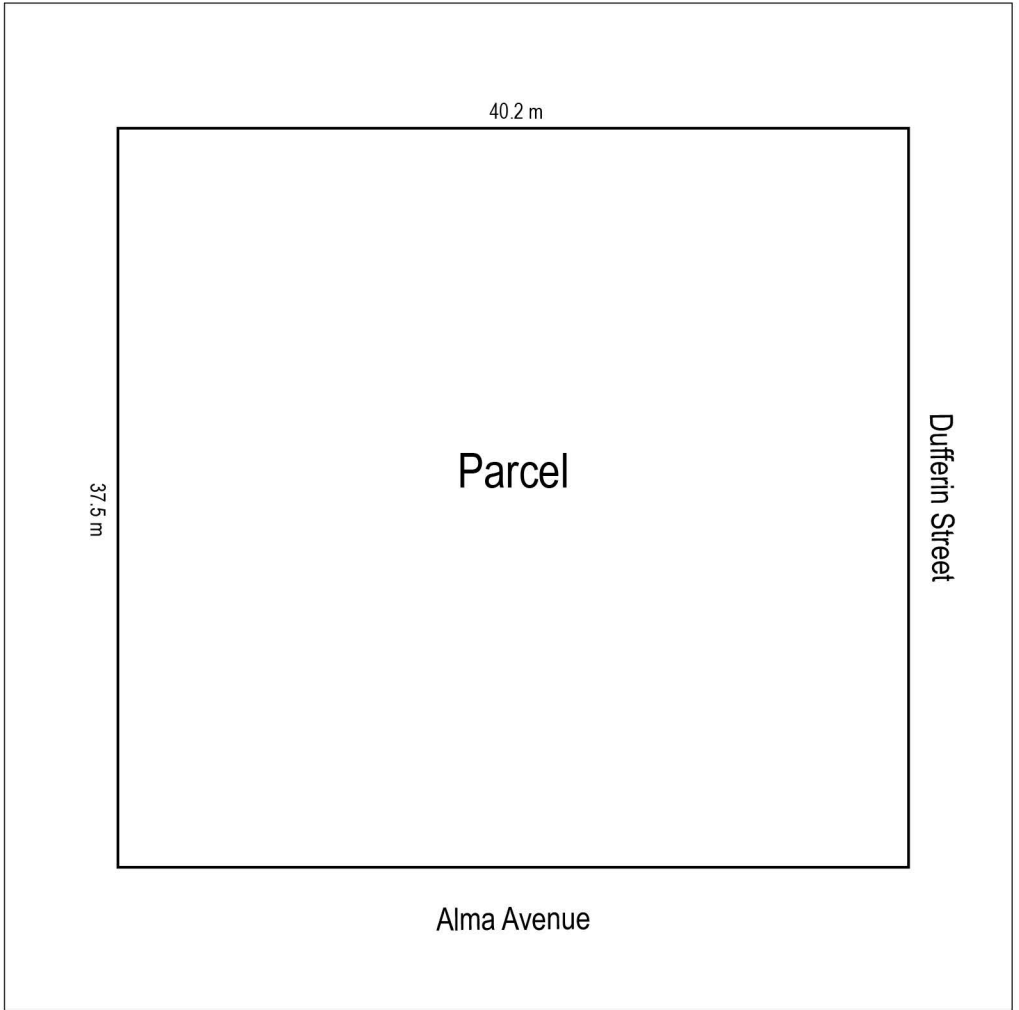
- ii. The minimum dimension of a **stacked bicycle parking space** is:
  - a. minimum vertical clearance of 2.5 metres;
  - b. minimum width of 0.45 metres; and
  - c. minimum horizontal clearance of 1.8 metres.
  
8. Notwithstanding any severance, partition or division of the lands, the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division had occurred.

Prevailing By-laws and Prevailing Sections: NONE

Enacted and passed on XXXX, 2022.

Name,  
Speaker  
(Seal of the City)

John D. Elvidge,  
City Clerk



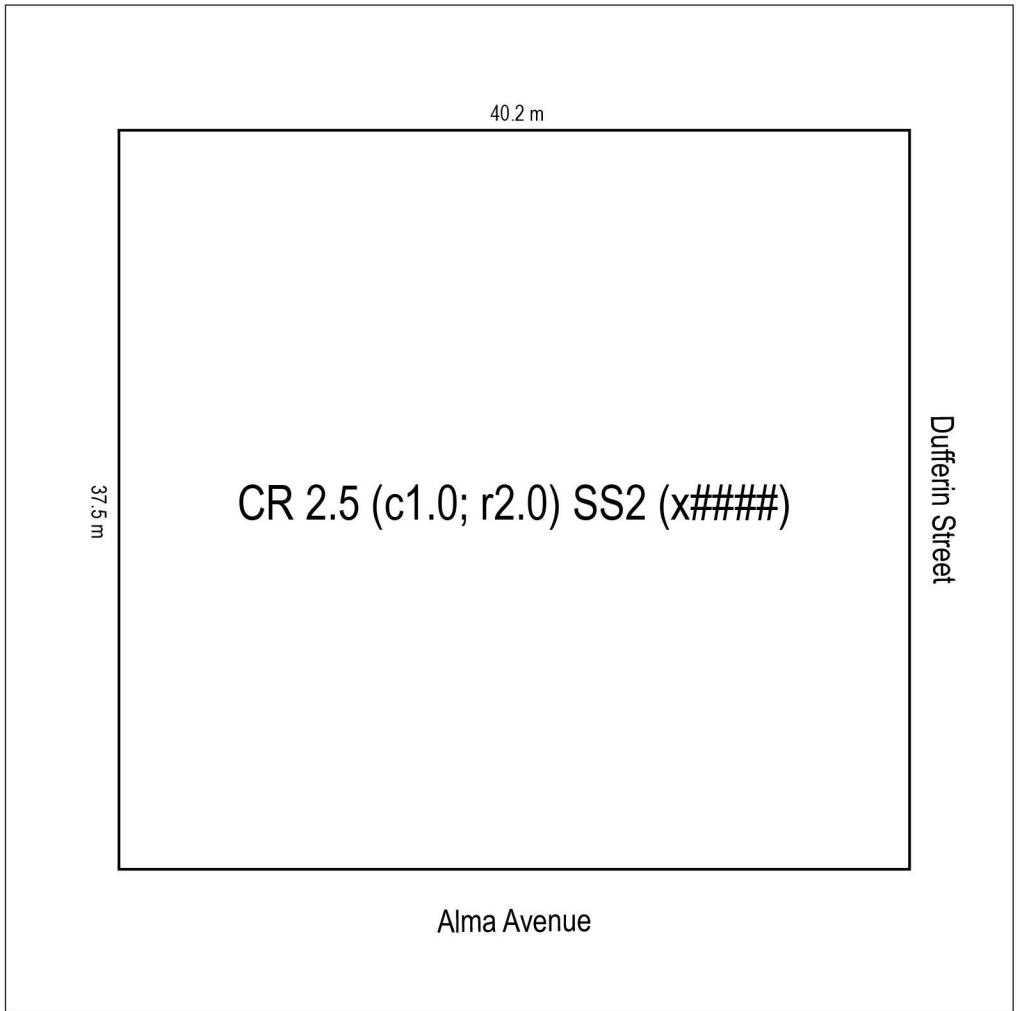
450 Dufferin Street

Diagram 1

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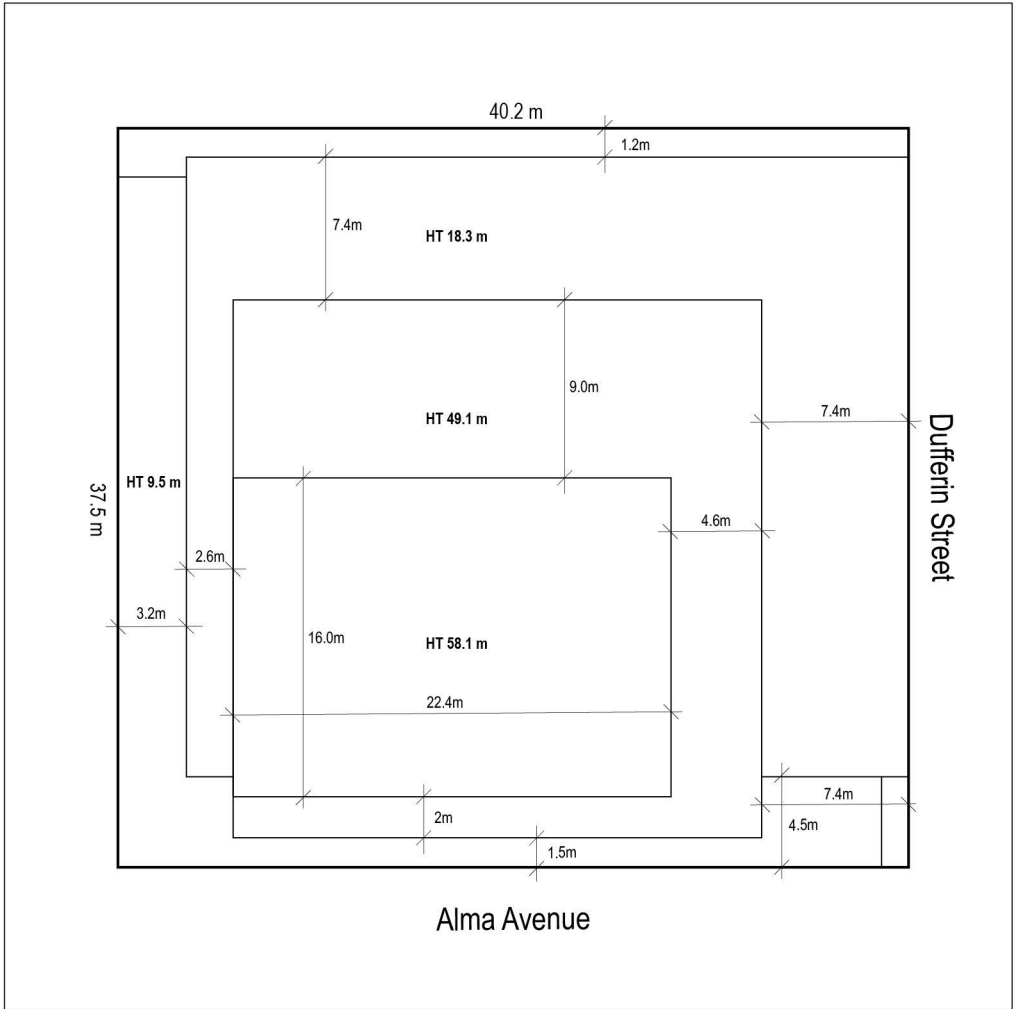
450 Dufferin Street

Diagram 2

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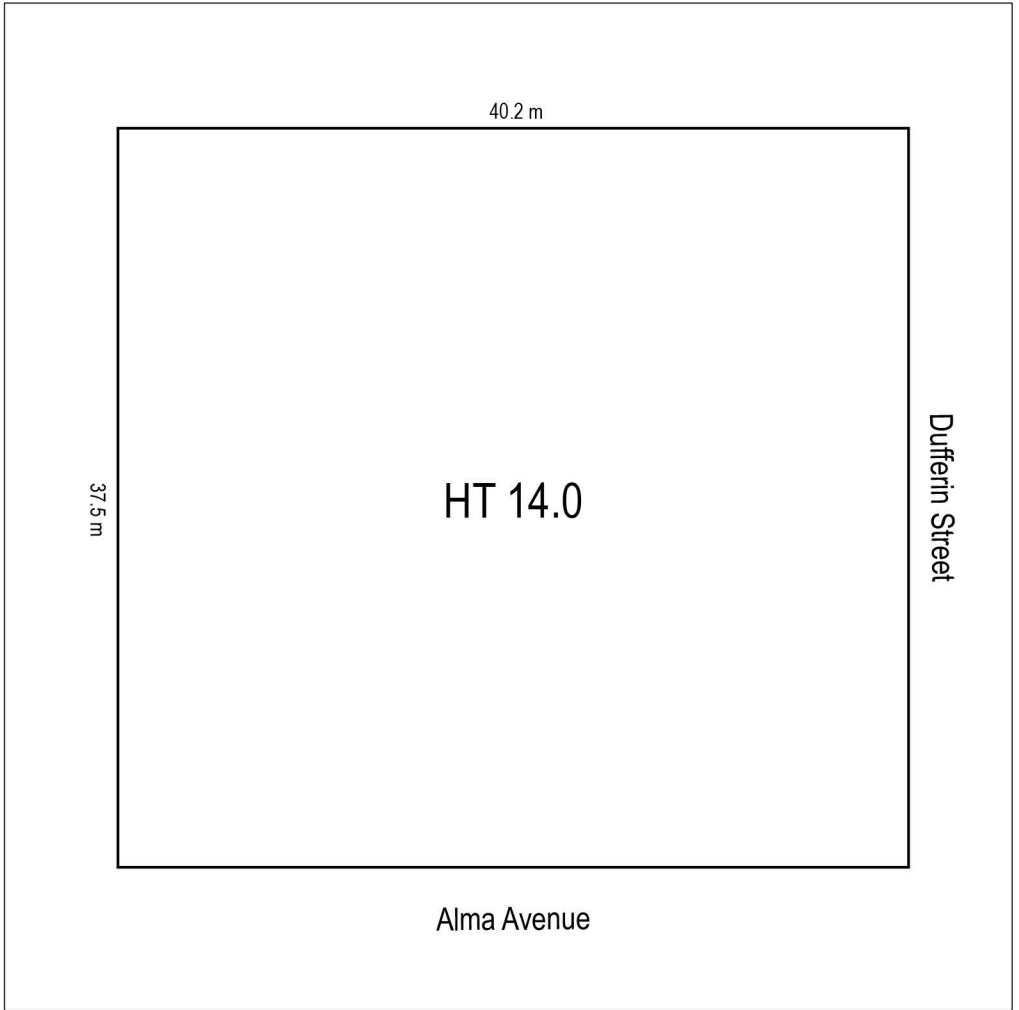


450 Dufferin Street

Diagram 3

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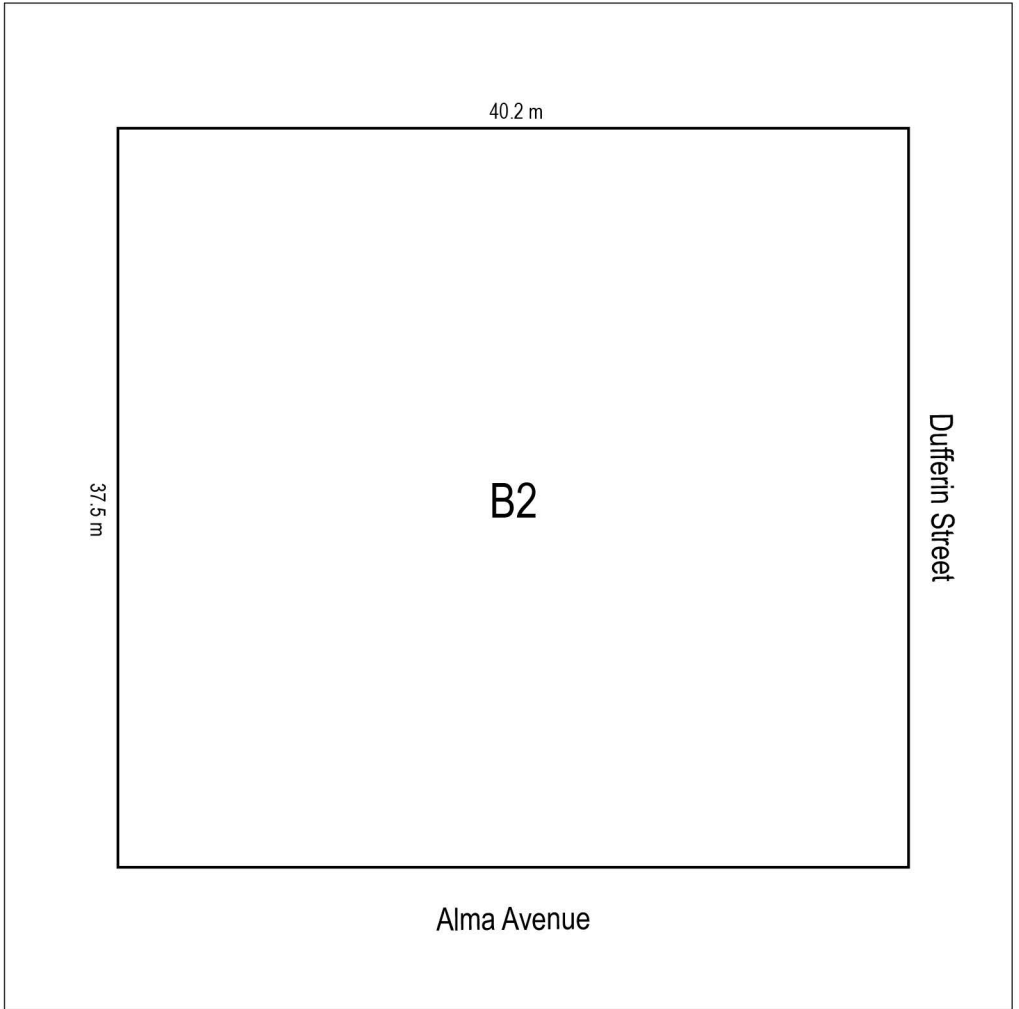
450 Dufferin Street

Diagram 4

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Diagram 5

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