

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

**CITY OF TORONTO**

**BY-LAW [XXXX]-2022**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 340-370 Dufferin Street.**

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

Whereas pursuant to Section 39 of the Planning Act, as amended, the Council of a Municipality may, in a By-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the By-law; 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 the lands subject to this By-law from a zone label of EO 2.0 (e2.0; o2.0) (x19) to a zone label of CR xxxX as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by replacing Article 900.24.10 Exception Number 19 so that it reads:

(xxxX) Exception CR xxxX

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 340-370 Dufferin Street, as shown on Diagram 1 of By-law [Clerks to insert By-law ##], if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (P) below:
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 92.43 metres and elevation of the highest point of the **building** or **structure**;
- (C) Despite Clause 40.10.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 62 percent;
- (D) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 3 of By-law [Clerks to supply By-law ##];
- (E) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
- (i) architectural features, parapets, and elements and structures associated with a **green roof**, planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace may project above the height limits to a maximum of 2.5 metres;
  - (ii) **building** maintenance units and window washing equipment may project above the height limits to a maximum of 3.5 metres;
  - (iii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may project above the height limits to a maximum of 4.0 metres;
  - (iv) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents may project above the height limits to a maximum of 5.5 metres; and
  - (v) chimneys may project above the height limits to a maximum of 7.0 metres.
- (F) Despite Regulation 40.10.40.1(1) residential lobby access and residential dwelling units are permitted on the same level as non-residential use portions of a building;
- (G) Despite Regulation 40.10.40.1(6) a service entrance and an entrance to a residential use may be located within 12.0 metres of the Residential Zone

category or Residential Apartment Zone category;

- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** is 45,500 square metres, of which:
  - (i) the permitted maximum **gross floor area** for residential uses is 41,500 square metres;
  - (ii) the permitted maximum **gross floor area** for non-residential uses is 4,000 square metres;
- (I) Regulations 40.10.20.100(45), 150.5.40.40(1) and Clause 150.5.2.1, with respect to the specific use conditions for a **home occupation** use do not apply;
- (J) Despite Regulation 40.10.40.50(1) and (2), a **building** with 20 or more **dwelling units** must provide **amenity space** at the following rate:
  - (i) at least 3.0 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 0.97 square metres of outdoor **amenity space** for each **dwelling unit**
- (K) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to supply By-law ##];
- (L) Despite Regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to supply By-law ##];
- (M) Despite Regulations 40.10.50.10(2) and (3) a fence and a 1.5 metre wide landscape strip are not required along the lot line abutting a Residential Zone and Apartment Residential Zone category;
- (N) Despite Clause 40.10.40.60 and (J) and (K) above, the following elements may encroach into the required minimum **building setbacks** and separation distances as follows:
  - (i) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, cladding added to the exterior surface of the **main wall** of a **building**, eaves, window projections, including bay windows and box windows, air conditioners, satellite dishes, antennae, vents, and pipes to a maximum extent of 1.0 metre;
  - (ii) canopies and awnings, to a maximum extent of 1.5 metres;

- (iii) exterior stairs, access ramps, elevating devices, wind mitigation features and balconies, to a maximum extent of 3.0 metres;
- (O) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
  - (i) a maximum of 0.26 residential **parking spaces dwelling unit**;
  - (ii) a maximum of 0.09 residential visitor **parking spaces** for each **dwelling unit**; and

Prevailing By-laws and Prevailing Sections: (None Apply)

- 5. 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.
- 6. Temporary use(s):
  - (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of **Temporary Sales Office** on the **lot** for a period of not more than 3 years from the date this By-law comes into full force and effect.

Enacted and passed on [month day, year].

Frances Nunziata,  
Speaker

(Seal of the City)

John D. Elvidge,  
City Clerk





