

Authority: Toronto and East York Community Council
Item TE9.4, as adopted by City of Toronto Council on
December 13, 14 and 15, 2023

CITY OF TORONTO

Bill 365

BY-LAW -2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 2760 Dundas Street West.

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, as amended; 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;

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, as amended, 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 990.1 respecting the lands outlined by heavy black lines from a zone label of CR 2.5 (c2.0; r1.5) SS2 (x2222) to a zone label of CR 2.5 (c2.0; r1.5) SS2 (x936.) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 936 so that it reads:

(936) Exception CR (936)

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 lands municipally known as 2760 Dundas Street West, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (V) 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 118.21 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.5.40.70(1), a **building** or **structure** may be no closer than 3.4 metres from the original centreline of a **lane**;
- (D) Despite regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (E) Despite regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.2 metres;
- (F) Despite regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number]:
- (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 5.5 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 5.5 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 3.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (G) Regulation 40.5.40.10 (5)(B) does not apply to any **building** or **structure** on the **lot**;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 2,280 square metres, of which:

- (i) the permitted maximum **gross floor area** for residential uses is 2,030 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 250 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses is 100 square metres;
- (I) Despite Regulation 40.10.40.1(1), residential **amenity space**, residential lobby access and residential storage space may be located on the same **storey** as non-residential use portions of a **mixed use building**;
- (J) Despite Regulation 40.10.40.1(2), the floor level of the first **storey** is not required to be within 0.2 metres of the ground measured at the **lot line** abutting the **street** directly opposite each pedestrian entrance and is not required to be level with the public sidewalk;
- (K) Despite regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
 - (i) at least 1.0 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (ii) at least 0.71 square metres for each **dwelling unit** as outdoor **amenity space**;
- (L) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law;
- (M) Despite regulation 40.10.40.80(2), the required minimum separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (N) Despite Clause 40.10.40.60 and (L) and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) decks, porches, and balconies, by a maximum of 1.8 metres;
 - (ii) canopies and awnings, by a maximum of 1.0 metres;
 - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.2 metres;
 - (iv) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres; and

- (v) rooftop terraces are permitted to the same extent of the roof it is covering;
- (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 minimum of zero (0) residential occupant **parking spaces** for each **dwelling unit**;
 - (ii) to a maximum rate of:
 - (a) 0.7 for each bachelor **dwelling unit** up to 45 square metres and 1.0 for each bachelor **dwelling unit** greater than 45 square metres;
 - (b) 0.8 for each one bedroom **dwelling unit**;
 - (c) 1.0 for each two bedroom **dwelling unit**; and
 - (d) 1.1 for each three or more bedroom **dwelling unit**;
 - (iii) a minimum of zero (0) residential visitor **parking spaces** for each **dwelling unit**; and
 - (iv) a minimum of zero (0) **parking spaces** for non-residential uses;
- (P) Despite Table 200.15.10.5, **accessible parking spaces** are not required on the lot;
- (Q) Despite regulations 200.5.1.10(2)(B) and 200.5.1.10(6), **stacked parking spaces** may have a minimum width of 2.2 metres, a minimum length of 5.0 metres, and a minimum vertical clearance of 1.7 metres;
- (R) Regulation 200.5.1.10(2)(B)(iv) does not apply to **stacked parking spaces**;
- (S) Regulation 200.5.1.10(2)(E) does not apply to a **stacked parking space** or **tandem parking space**;
- (T) Despite regulation 230.5.1.10(4)(A)(ii), the minimum dimensions of a **stacked bicycle parking space in the CR (936) Zone** are as follows:
 - (i) a minimum length of 1.6 metres;
 - (ii) a minimum width of 0.5 metres; and
 - (iii) a minimum vertical clearance of 0.90 metres;
- (U) Despite Table 230.5.10.1(1), a minimum of zero "short-term" **bicycle parking spaces** and "long-term" **bicycle parking spaces** are required for non-residential use in the **mixed use building**; and

- (V) Despite Regulations 230.40.1.20(2) a "short term" **bicycle parking space** may be located no more than 50 metres from a pedestrian entrance.

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 Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a temporary sales office, sales trailer or similar structure with no required parking on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

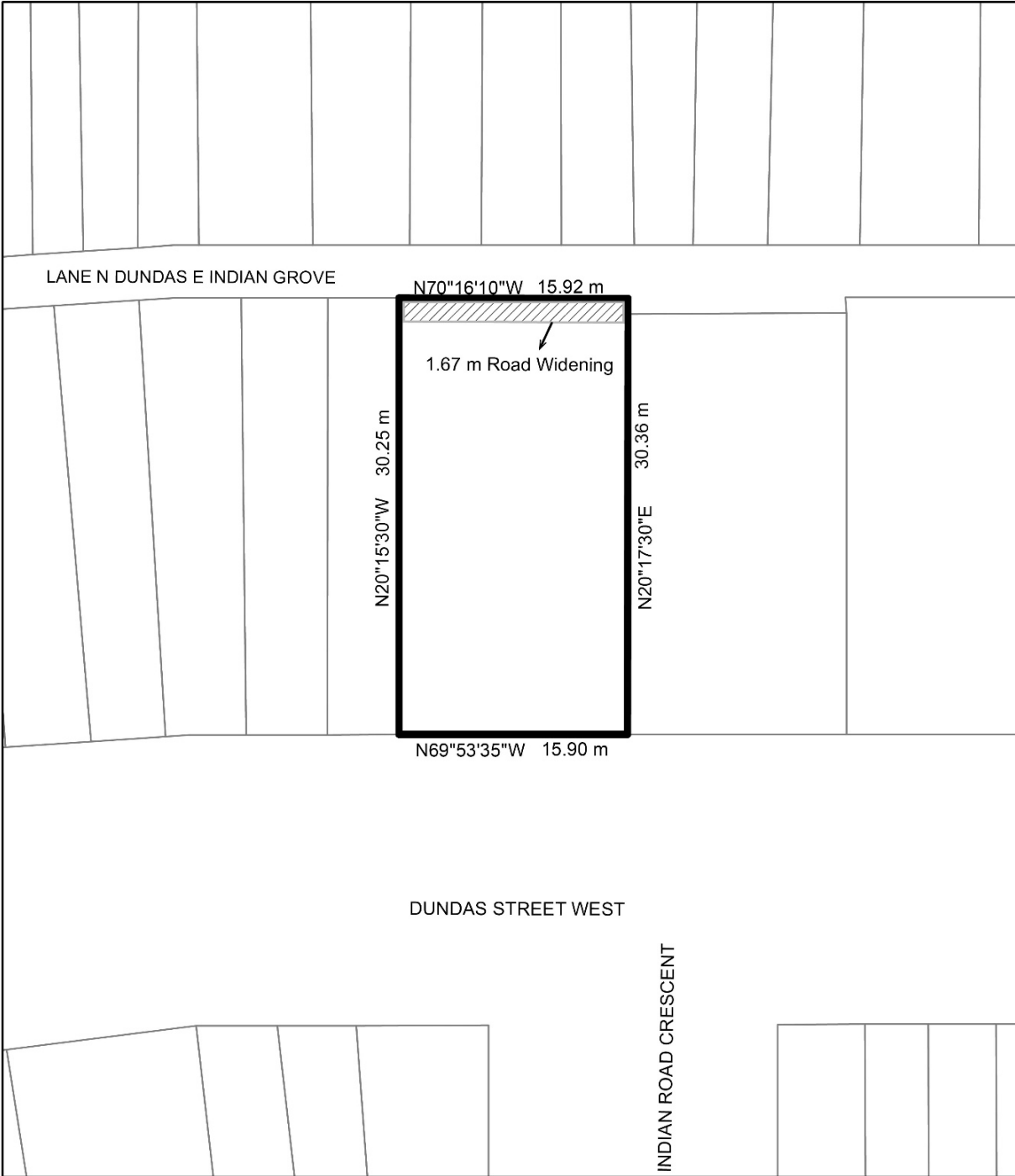
Enacted and passed on April , 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



Diagram 1



 **TORONTO**
Diagram 1

2760 Dundas Street West

File # 23 109996 STE 04 0Z

-  Area affected by this by-law
-  Area of road widening



City of Toronto By-law 569-2013
Not to Scale
10/19/2023

Diagram 2



Diagram 3

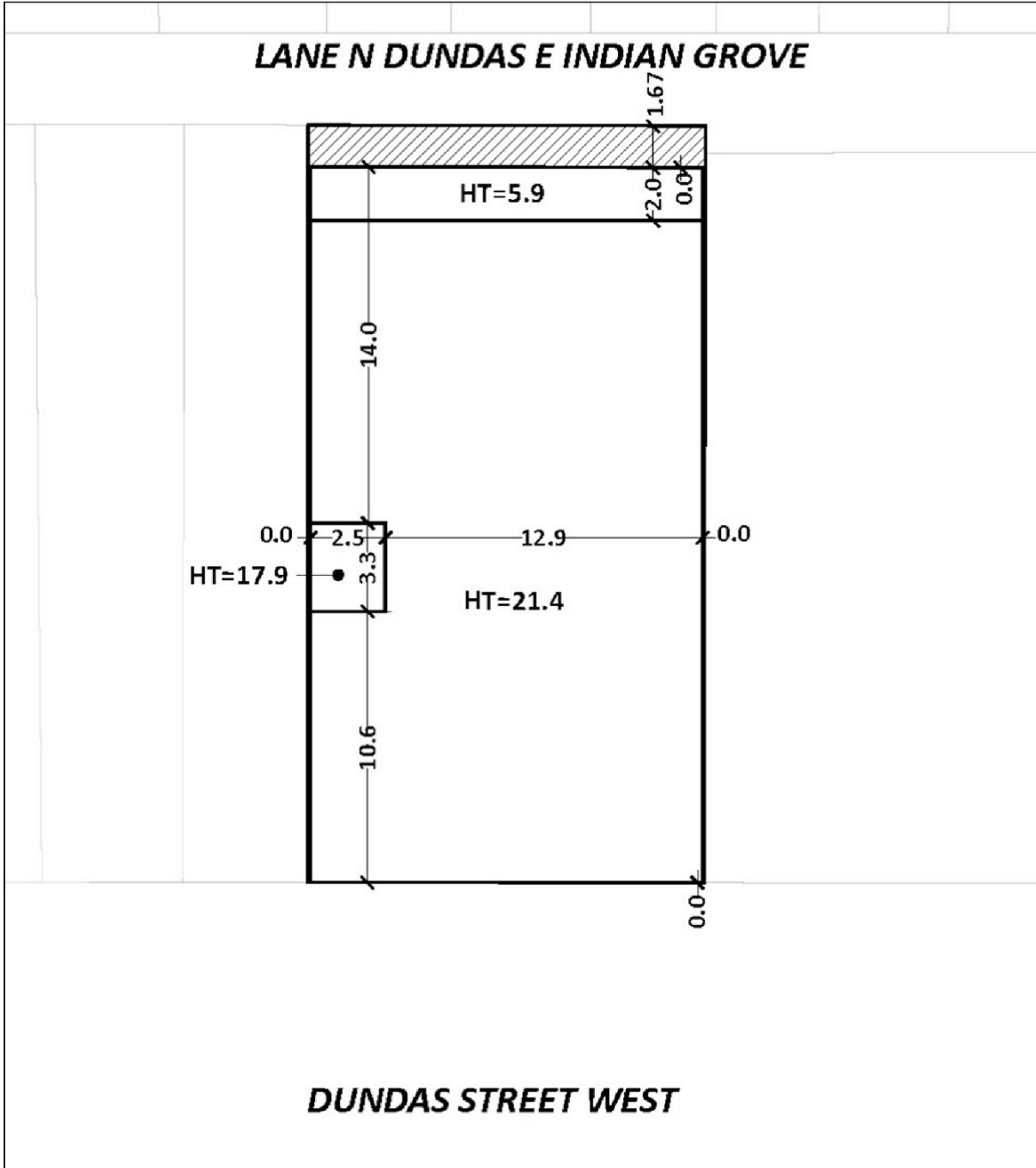





Diagram 3

2760 Dundas Street West

File # 23 109996 STE 04 0Z

-  Area affected by this by-law
-  Area of road widening


City of Toronto By-law 569-2013
Not to Scale
10/19/2023