

Authority: Toronto and East York Community Council
Item TE18.1, as adopted by City of Toronto Council on
December 17, 18 and 19, 2024

CITY OF TORONTO

Bill 1365

BY-LAW -2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 2400-2440 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 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once the holding symbol "(H)" is removed by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)";

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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: (H) CR 4.0 (c1.5; r3.0) SS2 (x1058) and O, 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 Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA3, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height label to these lands: HT 20.0, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.

7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1058 so that it reads:

(1058) Exception CR 1058

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 2400-2440 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 (R) 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 114.2 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the permitted non-residential uses listed in regulations 40.10.20.10(1)(A) and 40.10.20.20(1)(A), the following additional uses are permitted, subject to any conditions provided below:
- (i) Apparel and Textile **Manufacturing Use**, provided that it may not involve leather products or chemical dyeing of cloth;
 - (ii) Beverage **Manufacturing Use**;
 - (iii) Bindery;
 - (iv) Carpenter's Shop;
 - (v) Food **Manufacturing Use**, provided that it must be fruit and vegetable preserving, specialty food manufacturing and dairy product manufacturing, only in batch processing;
 - (vi) Furniture **Manufacturing Use**;
 - (vii) Glass Product **Manufacturing Use**, provided that only purchased glass may be used in a glass product **manufacturing use**; and
 - (viii) **Wholesaling Use**;
- (D) Despite Regulations 40.10.20.100(15) and (16):

- (i) the **interior floor area** of a **laboratory** may exceed the area equivalent to the **interior floor area** of the first **storey** of the **building**. The calculation of total **interior floor area** is reduced by the **interior floor area** used for items listed in regulations 40.5.40.40(1)(A) to (G) and 40.5.40.40(3)(A) to (I); and
 - (ii) the **interior floor area** of all **custom workshops** on the lands may exceed 400 square metres. The calculation of total **interior floor area** is reduced by the **interior floor area** used for items listed in regulations 40.5.40.40(1)(A) to (G) and 40.5.40.40(3)(A) to (I);
- (E) Despite regulation 40.10.40.1(1), the only residential use portions of the **building** permitted to be located on the same **storey** as the non-residential use portions of the **building** are **amenity space** and the lobby of the **building**;
- (F) 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 5 of By-law [Clerks to insert By-law number];
- (G) Despite regulations 40.5.40.10(3) to (8) and (F) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 5 of By-law [Clerks to insert By-law number]:
 - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical penthouse, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 7.0 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 7.0 metres;
 - (iii) 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, by a maximum of 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 5.0 metres; and
 - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 78,650 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 72,250 square metres; and

- (ii) the required minimum **gross floor area** for non-residential uses is 6,300 square metres, of which;
 - (a) the required minimum **gross floor area** for non-residential uses is 3,200 square metres, which must be uses permitted in (C) above, or an **artist studio, custom workshop, laboratory, office, production studio, or software development and processing**; and
 - (b) the required minimum **gross floor area** for non-residential uses for a grocery store is 1,850 square metres;

- (I) Despite regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
 - (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit**, and of that, at least 40 square metres of **outdoor amenity space** are adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent percent of the outdoor component may be a **green roof**;

- (J) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law **[Clerks to insert By-law number]**;

- (K) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 5 of By-law **[Clerks to insert By-law number]**;

- (L) Despite Clause 40.10.40.60 and (J) and (K) 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 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.5 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 metre;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metres;

- (vi) guards and guardrails, railings, parapets, terraces privacy and wind screens, landscape planters and terrace platforms to a maximum extent of the **main wall** of the **storey** below; and
 - (vii) window projections, including bay windows and box windows, eaves, a dormer, air conditioners, satellite dishes, antennae, vents, and pipes to a maximum of 1.0 metres;
- (M) 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 0 residential occupant **parking spaces**;
 - (ii) a minimum of 2 residential visitor **parking spaces** plus 0.01 for each residential visitor **parking space** for each **dwelling unit**;
 - (iii) a minimum of 0 **parking spaces** for non-residential uses; and
 - (iv) a minimum of 2 **parking spaces** must be "car-share parking spaces";
- (N) Despite Regulations 220.5.10.1(2), (3), (4), (5), (7) and (9) **loading spaces** must be provided in the lands as follows:
- (i) Phase 1, as shown in Diagram 6 of [Clerks to insert By-law number];
 - (a) a minimum of one Type 'A' **loading space**;
 - (b) a minimum of one Type 'G' **loading space**; and
 - (c) a minimum of one Type 'C' **loading spaces**;
 - (ii) Phase 2, as shown in Diagram 6 of [Clerks to insert By-law number];
 - (a) a minimum of one Type 'G' **loading space**;
 - (b) a minimum of one Type 'B' **loading space**; and
 - (c) a minimum of two Type 'C' **loading spaces**;
- (O) Despite Regulation 230.5.1.10(7), a minimum of 2 shower and change facilities are required;
- (P) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (Q) The provision of **dwelling units** is subject to the following:

- (i) a minimum of 15 percent of the total number of **dwelling units** must have 2 or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have 3 or more bedrooms; and
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (R) For the purpose of this exception, each word or expression that is in bold font will have the same meaning as such word or expression as defined in Chapter 800 of Zoning By-law 569-2013, as amended, except for the following:
- (i) "Car-share" or "car-sharing" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable; and
 - (ii) "Car-share parking space" means a **parking space** that is reserved and actively used for "car-sharing".

Prevailing By-laws and Prevailing Sections: None Apply.

8. 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.
9. Holding Symbol Provisions
- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
 - (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
 - (i) The owner, at its sole cost and expense, enters into one or more legal agreements to secure the affordable housing requirements to the satisfaction of the Chief Planner and Executive Director, City Planning, Executive Director, Housing Secretariat, and City Solicitor;
 - (ii) Submission and acceptance of a Housing Issues Report, to the satisfaction of the Chief Planner and Executive Director, City Planning, that identifies the unit mix, unit sizes, and how affordable housing requirements will be met;

- (iii) The owner submits a revised Functional Servicing and Stormwater Management Report to the City to demonstrate that the existing sewer systems and watermain, and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- (iv) The owner at its sole cost and expense, secures design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- (v) Satisfactory peer review of the Noise Impact and Vibration Study at the applicant's expense, to the City's satisfaction;
- (vi) Satisfactory peer review of the Rail Safety and Mitigation Report, and securing of any recommended measures, all at the applicant's expense and to the City's satisfaction, including review by the applicable rail operator; and
- (vii) The owner has secured public access from Dundas Street West to connect to the Metrolinx-owned lands at the southeast corner of the land, to the existing Metrolinx pick-up/drop-off area for the Bloor GO station on the lands, and to connect to the new, approved Metrolinx pick-up/drop-off area for the Bloor GO station at 2376 Dundas Street West to the satisfaction of the City Solicitor, Chief Planner and Executive Director, City Planning, Executive Director, Development Review and the Chief Engineer and Executive Director, Engineering and Construction Services.

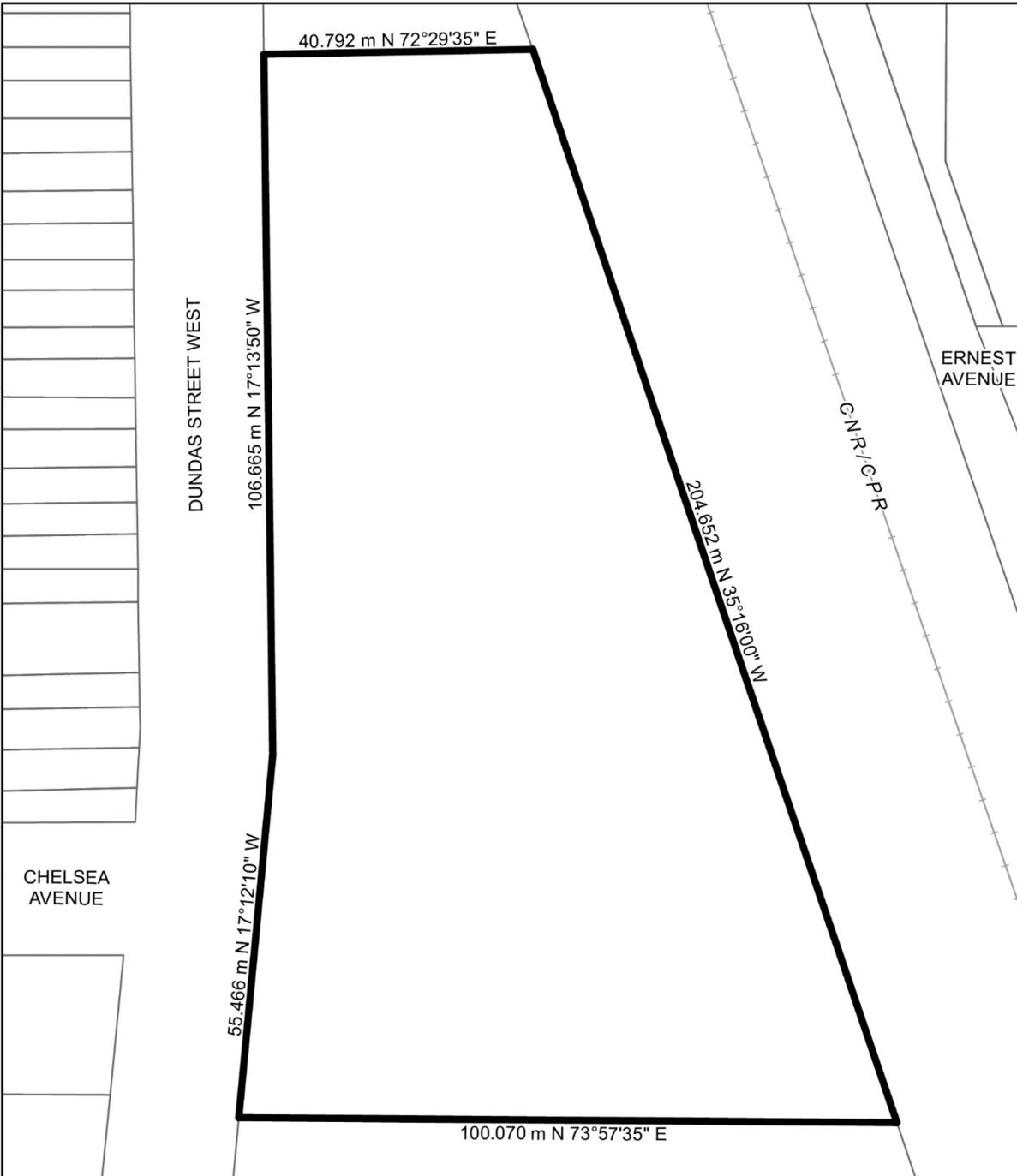
Enacted and passed on December , 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1



2400 - 2440 Dundas St. W

File # 23 124848 STE 04 0Z

Diagram 2

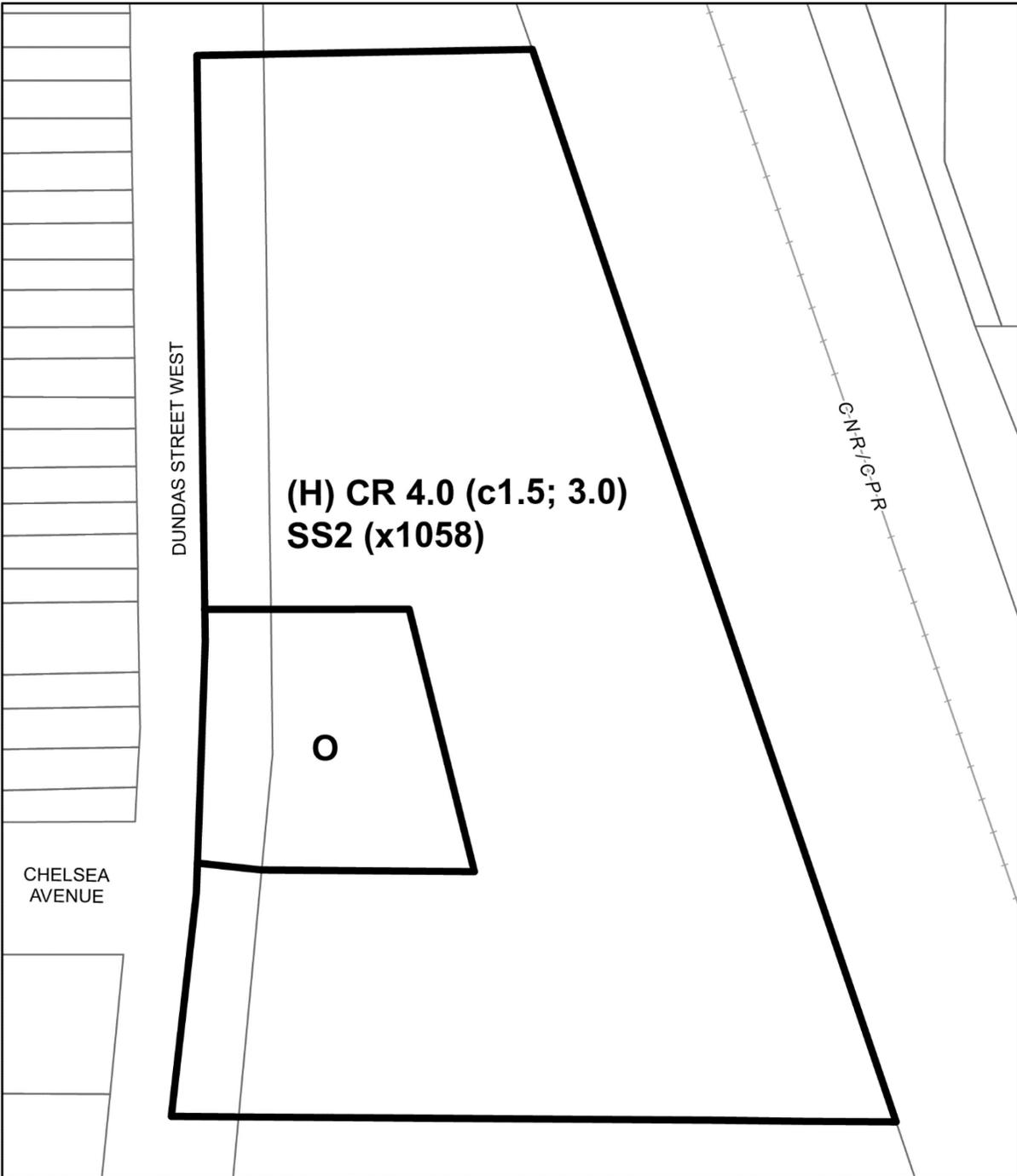


Diagram 3

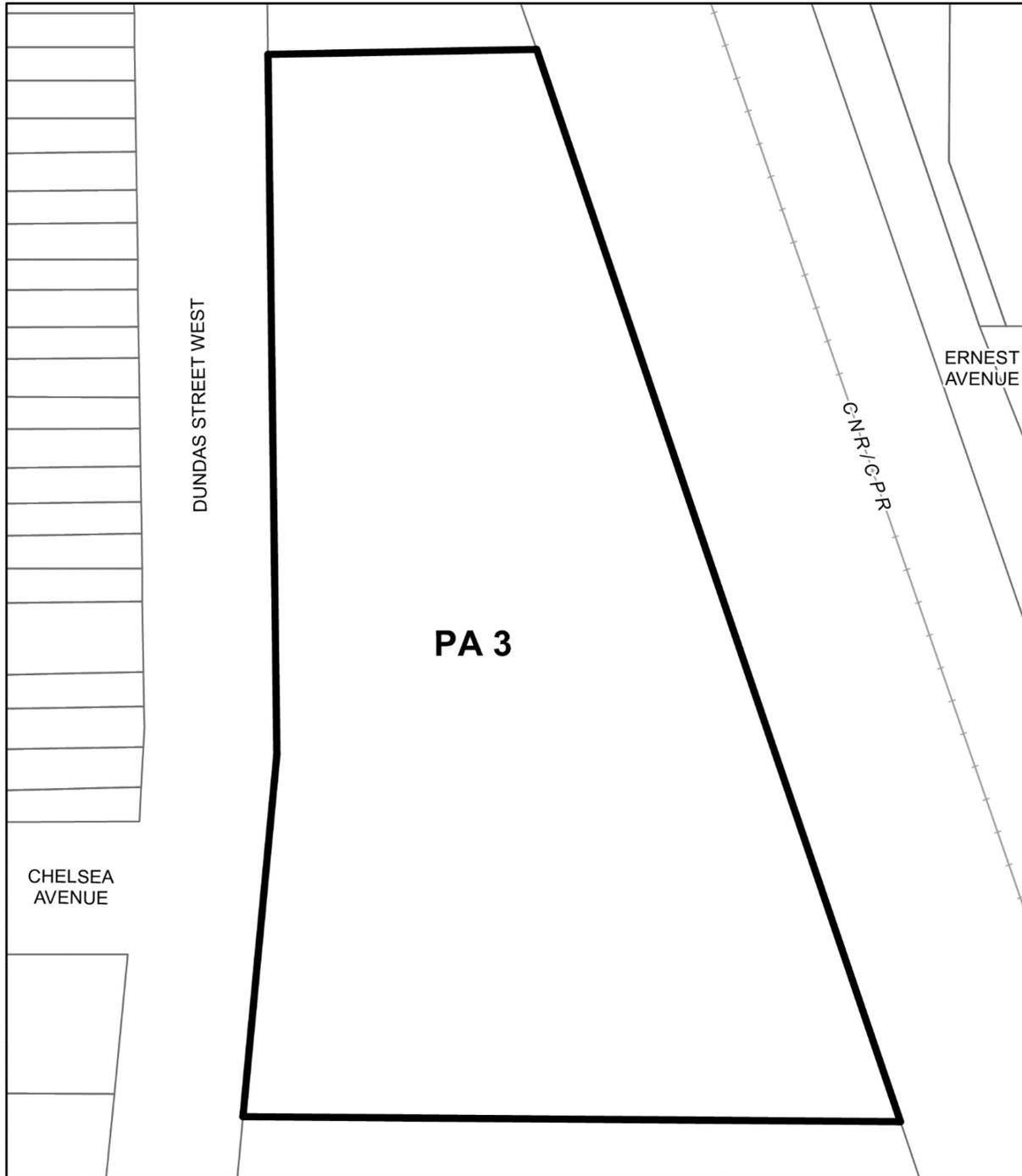


Diagram 3 - Policy Area Map

2400 - 2440 Dundas St. W

File # 23 124848 STE 04 0Z



Diagram 4

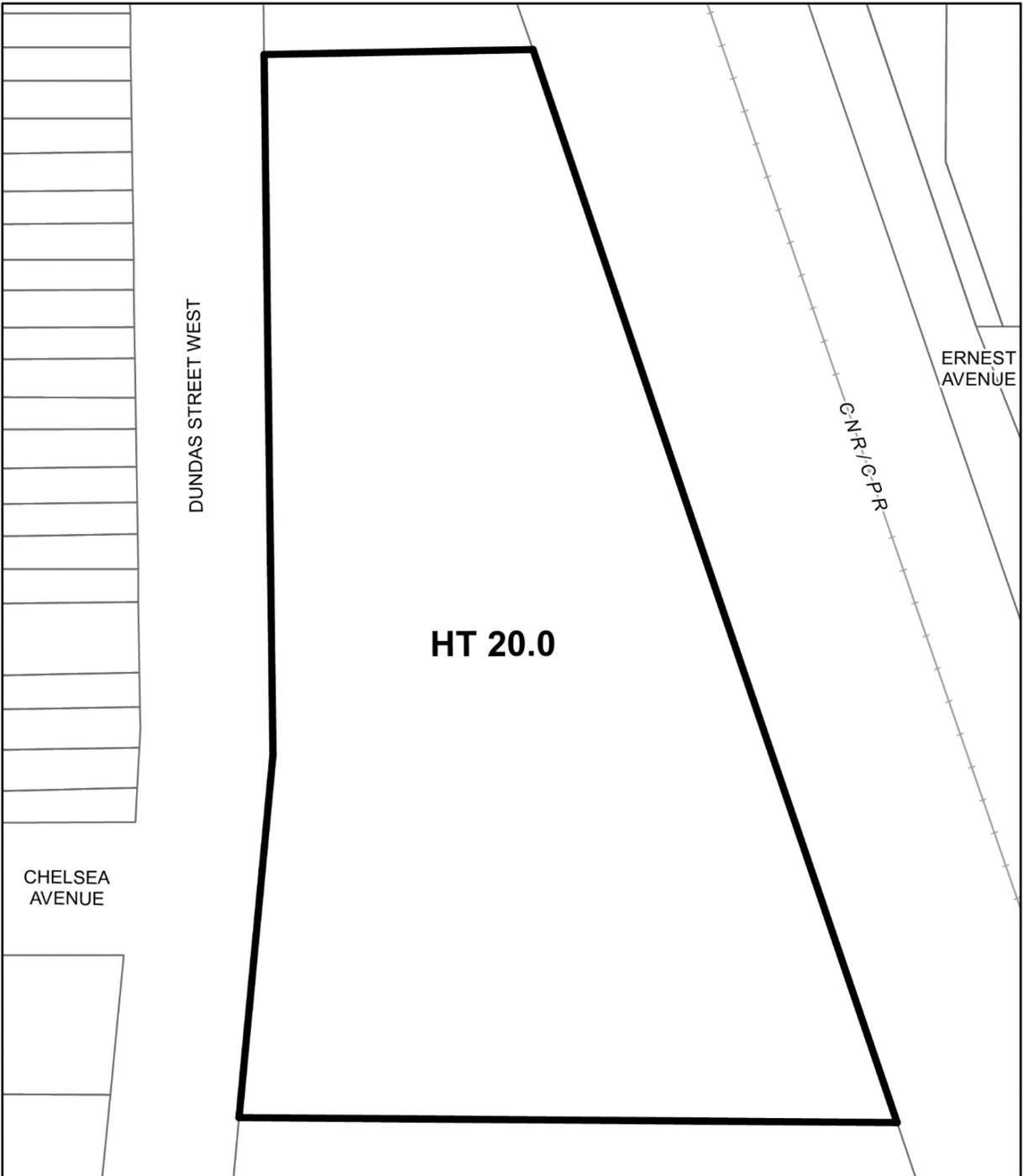


Diagram 4 - Height Map

2400 - 2440 Dundas St. W

File # 23 124848 STE 04 OZ



Diagram 5

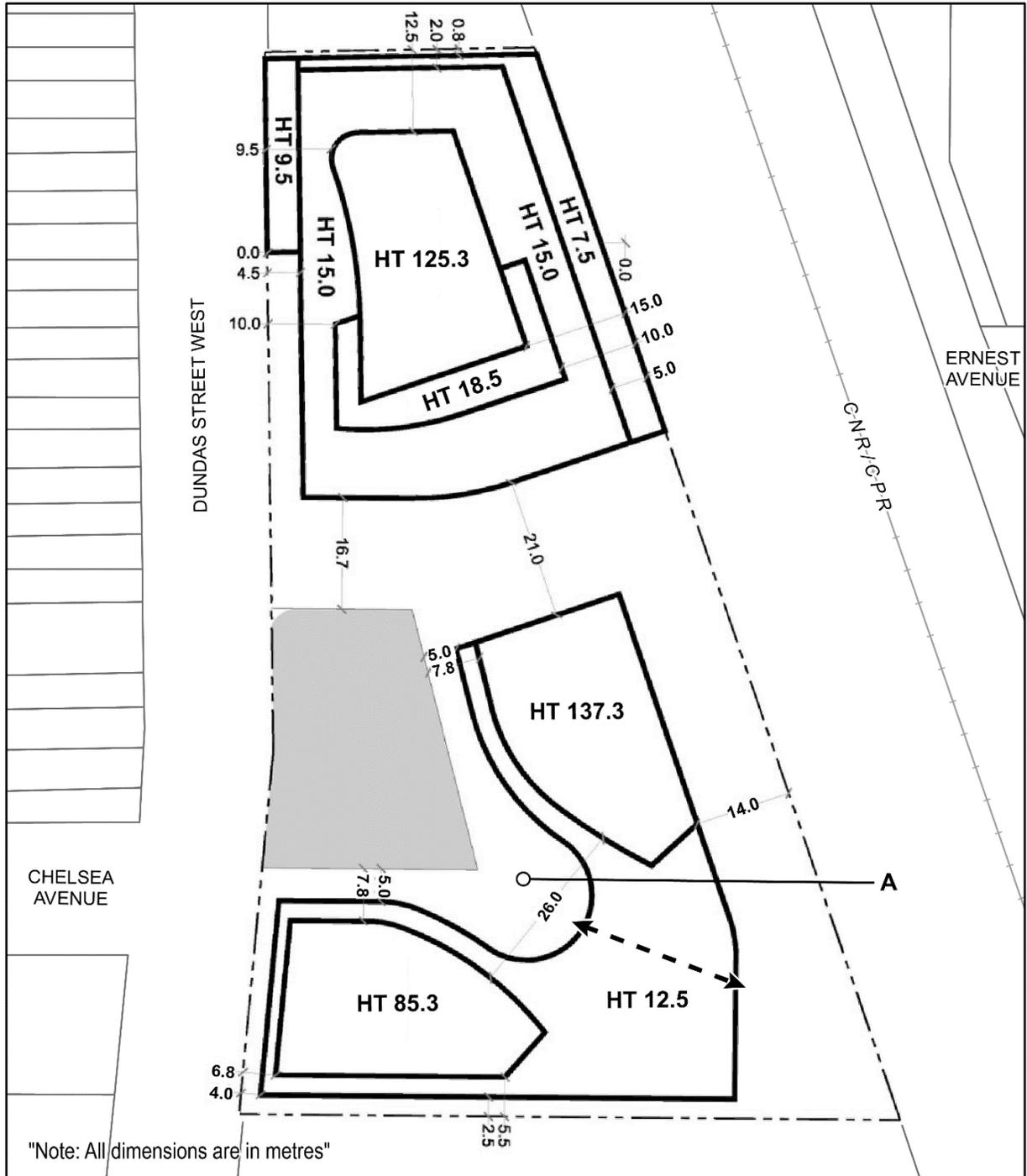


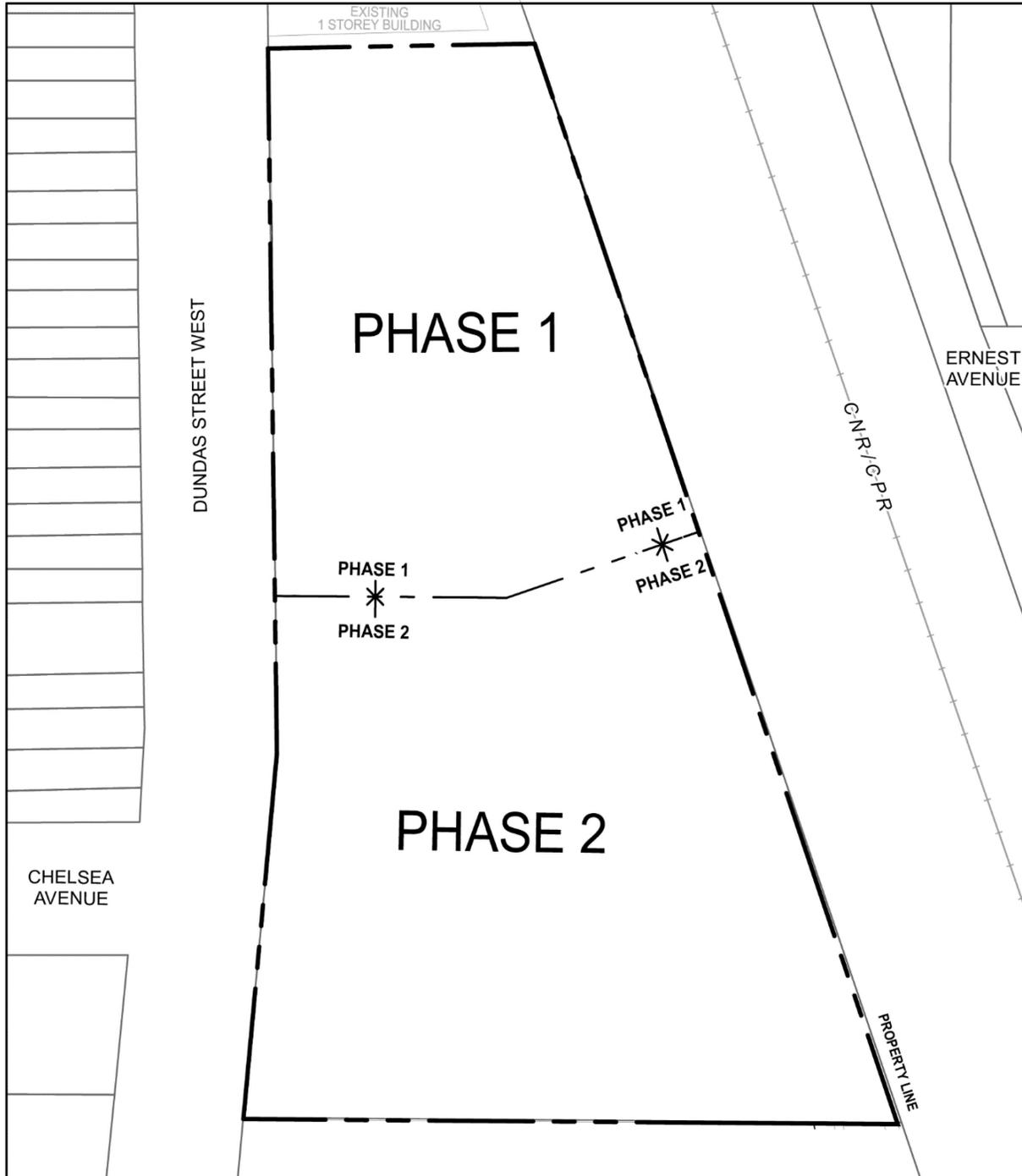
Diagram 5 - Height & Setbacks

2400 - 2440 Dundas St. W

File # 23 124848 STE 04 OZ

- Parkland Dedication
- Building Topo
- Property Boundaries
- A** Privately Owned Publicly Accessible Space | Min. 301 m²
- Conceptual Location for Pedestrian Mid-Block Connection

Diagram 6



 **TORONTO**
Diagram 6 - Phasing Plan

2400 - 2440 Dundas St. W

File # 23 124848 STE 04 0Z