

CITY OF TORONTO

Bill 1038

BY-LAW -2026

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 374-390 Dupont 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, as amended; 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, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is amended by replacing Article 900.11.10 Exception Number (x1034) so that it reads:

(1034) Exception CR (1034)

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 374-390 Dupont Street shown as Part A on Diagram 2, 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 (Y) 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 121.43 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the permitted uses listed in 40.10.20.10(1), "car-share parking spaces" are permitted as a non-residential use;
- (D) Despite Regulation 40.10.40.1(1), residential use portions of the **building** other than **dwelling units** are permitted to be located on the same **storey** as non-residential use portions of the **building** below grade and on the first **storey**;

- (E) 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 4 of By-law [Clerks to insert By-law number];
- (F) Despite regulations 40.10.40.10(5)(A) and (B), the required minimum height of the first **storey**, inclusive of **amenity space**, as measured between the Canadian Geodetic Datum of 121.43 metres and the top of structural floor of the second **storey**, is 5.5 metres;
- (G) Despite regulations 40.5.40.10(3) to (8) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 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 and elevator overrun, chimneys, and vents, by a maximum of 3.0 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, by a maximum of 3.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 2.5 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres; and
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 2.1 metres;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 18,200 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 17,400 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 810 square metres;
- (I) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
 - (i) at least 2.4 square metres for each **dwelling unit** as indoor **amenity space**; and

- (ii) at least 1.6 square metres of outdoor **amenity space** for each **dwelling unit**;
- (J) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law **[Clerks to insert By-law number]**;
- (K) Despite Clause 40.10.40.60, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) architectural features, columns, patios, balconies, terraces, ventilation shafts, guardrails, balustrades, stair enclosures, accessible ramps, site servicing features, awnings and canopies, window washing equipment and underground garage ramps and associated structures, by a maximum of 2.5 metres;
 - (ii) despite (i) above, no balconies are permitted on the rear main wall of the building; and
 - (iii) light fixtures, parapets, art and landscaping features, trellises, windowsills, mullions, ventilation shafts, mechanical equipment and screens, architectural screens, ornamental elements, balustrades, by a maximum of 0.5 metres;
- (L) Despite regulations 220.5.10.1(1) to (9), a minimum of one Type "G"**loading space** must be provided on the **lot**;
- (M) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 10 percent of **parking spaces** provided 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**;
- (N) Despite Regulation 200.15.10.5(1), 200.15.10.10(1) and Table 200.15.10.5, a minimum of 4 parking spaces on the lot are required to be accessible parking spaces;
- (O) Despite Regulation 200.15.1(1) and (3), an accessible **parking space** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre accessible barrier free aisle or path on one side of the accessible parking space;

- (P) Despite Regulation 200.15.1(4), accessible **parking spaces** must be the parking spaces located a maximum of 20 metres from a barrier free:
- (i) entrance to a **building**;
 - (ii) passenger elevator that provides access to the first storey of a **building**; and
 - (iii) the shortest route between the required entrances in (i) and (ii);
- (Q) Despite Regulation 200.5.1.10(14), a minimum of 20 percent of all **parking spaces** provided must be equipped with an **energized outlet** capable of providing **Level 2 charging** or higher to the **parking space**;
- (R) Despite regulations 230.5.10.1(5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
- (i) 0.9 "long-term" **bicycle parking spaces** for each **dwelling unit**; and
 - (ii) 0.2 "short-term"**bicycle parking spaces** for each **dwelling unit**;
- (S) Despite regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **stacked bicycle parking space** is 0.35 metres, and the required minimum length of a **stacked bicycle parking space** is 1.7 metres;
- (T) Despite regulation 230.5.1.10(10), "long-term"and "short-term"**bicycle parking spaces** may be located in a **stacked bicycle parking space**, and in a secured room, enclosure or bicycle locker;
- (U) The number of **bicycle parking spaces** required by Regulation 230.5.10.20(1) may be reduced, subject to the following:
- (i) the number of "short-term"**bicycle parking spaces** reduced is not more than half the amount required by Regulations 230.5.10.1(5)(A) or (B), rounded down to the nearest whole number;
 - (ii) the number of "long-term"**bicycle parking spaces** reduced is not more than half the amount required by Regulations 230.5.10.1(5)(A) or (B), rounded down to the nearest whole number;
 - (iii) for each **bicycle parking space** required by Regulation 230.5.10.1(5) to be reduced, the owner or occupant must provide a payment-in-lieu to the City of Toronto; and
 - (iv) the owner or occupant must enter into an agreement with the City of Toronto pursuant to Section 40 of the Planning Act;

- (V) Regulation 200.15.1(5), 230.5.1.10(4)(D) and (E), 230.5.1.10(13), (14), (15) and (16) and 230.5.10.1(7) do not apply;
- (W) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** on the **lot** must contain a minimum of 2 bedrooms or more;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** on the **lot** must contain a minimum of 3 bedrooms or more;
 - (iii) an additional minimum of 15 percent of the total number of **dwelling units** will be any combination of 2 bedroom and 3-bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of 2- and 3-bedroom **dwelling units**;
 - (iv) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the calculation of the required **dwelling units** with 2 or more bedrooms or convertible **dwelling units** in accordance with (i) or (iii) above;
 - (v) any **dwelling units** with 2 bedrooms provided to satisfy (i) above are not included in the calculation of the required convertible **dwelling units** in accordance with (iii) above;
 - (vi) convertible **dwelling units**, as described in (iii) above may be converted using accessible or adaptable design measures such as knock-out panels; and
 - (vii) if the calculation of the number of required **dwelling units** in accordance with (i), (ii), and (iii) above, results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (X) 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" 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 to be reserved in advance, charge fees based on time and/or kilometers 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** exclusively reserved and actively used for car-sharing;

- (Y) For the purposes of this exception, the calculation of **gross floor area** on the **lot** is calculated across both lands subject to "Exception CR 1034" and "Exception EL 23" permitted in By-law [Clerks to insert By-law number].
4. Zoning By-law 569-2013, as amended, is further amended by replacing Article 900.21.10 Exception Number (x23) so that it reads:

(23) Exception EL (23)

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 the portion of the lands municipally known as 374-390 Dupont Street, shown as Part B on Diagram 3, 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 (I) below;
- (B) Despite Regulations 60.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 121.43 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the uses permitted in Clauses 60.10.20.10 and 60.10.20.20, the following uses are also permitted:
- (i) Uses that are **ancillary** to the residential and retail uses on the lands shown as Part A on Diagram 2 of By-law [Clerks to insert By-law number], including bicycle parking and storage areas, vehicle parking spaces, loading spaces, parking ramps, transformers, and required rail safety, noise, or vibration mitigation structures;
- (D) Despite Regulation 60.10.40.10(1) and (2), the permitted maximum height of a **building** or **structure** is the number on metres following the letters "HT" as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (E) Despite Regulation 60.5.40.10(3) to (6) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 of By-law [Clerks to insert By-law number]:
- (i) enclosed stairwells, roof access, maintenance equipment storage, chimneys, vents, architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;
- (F) Despite Regulation 60.5.40.10(3) to (6), crash walls or structures related to railway safety mitigation, by a maximum of 9 metres measured from the Canadian Geodetic Datum of 121.43 metres and the elevation of the highest point of such structures;

- (G) Despite Clause 60.10.40.70 (1) to (4) the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];
- (H) Despite Clause 60.5.40.60 (1) and (G) above, the following elements may encroach into the required minimum **building setbacks** as follows:
- (i) light fixtures, parapets, art and landscaping features, trellises, windowsills, mullions, ventilation shafts, mechanical equipment and screens, architectural screens, ornamental elements, balustrades, by a maximum of 0.5 metres; and
 - (ii) train safety derailment walls.
- (I) For the purposes of this exception, the calculation of **gross floor area** on the **lot** is calculated across both lands subject to "Exception CR 1034" and "Exception EL 23" permitted in By-law [Clerks to insert By-law number].

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.

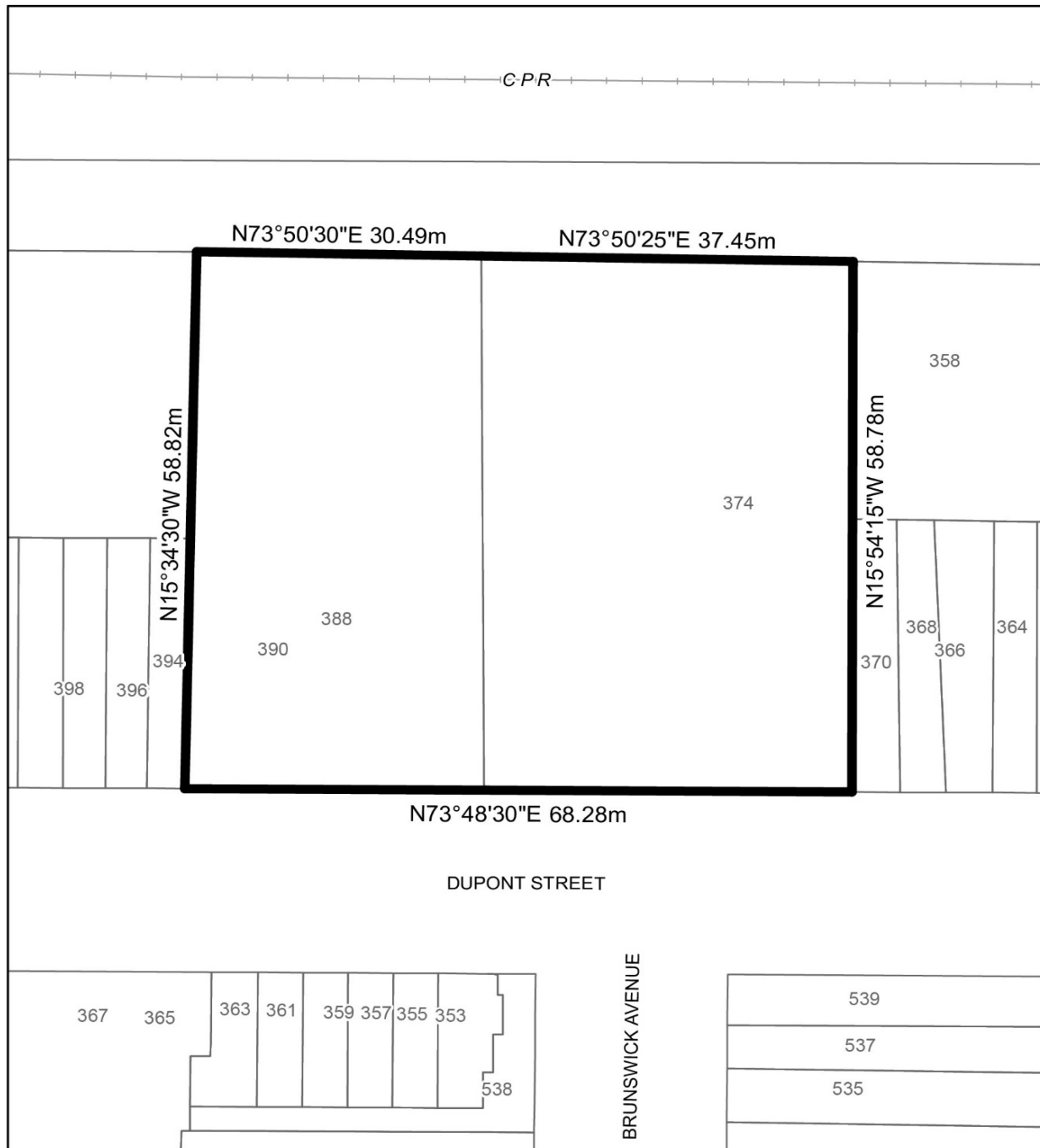
Enacted and passed on July , 2026.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

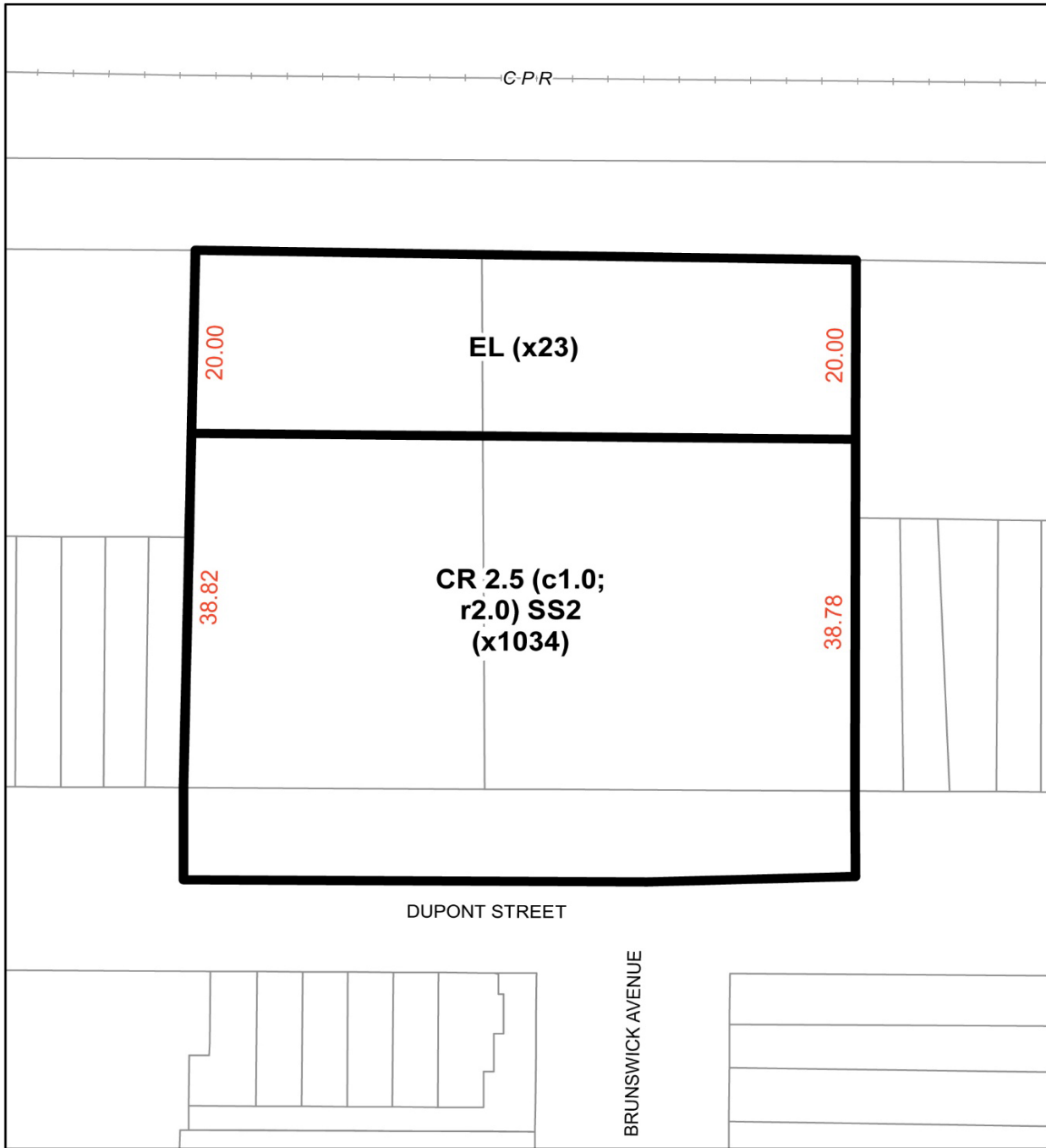


 **TORONTO**
Diagram 1

374-390 Dupont Street

File #: 26 115440 STE 11 0Z

Diagram 2

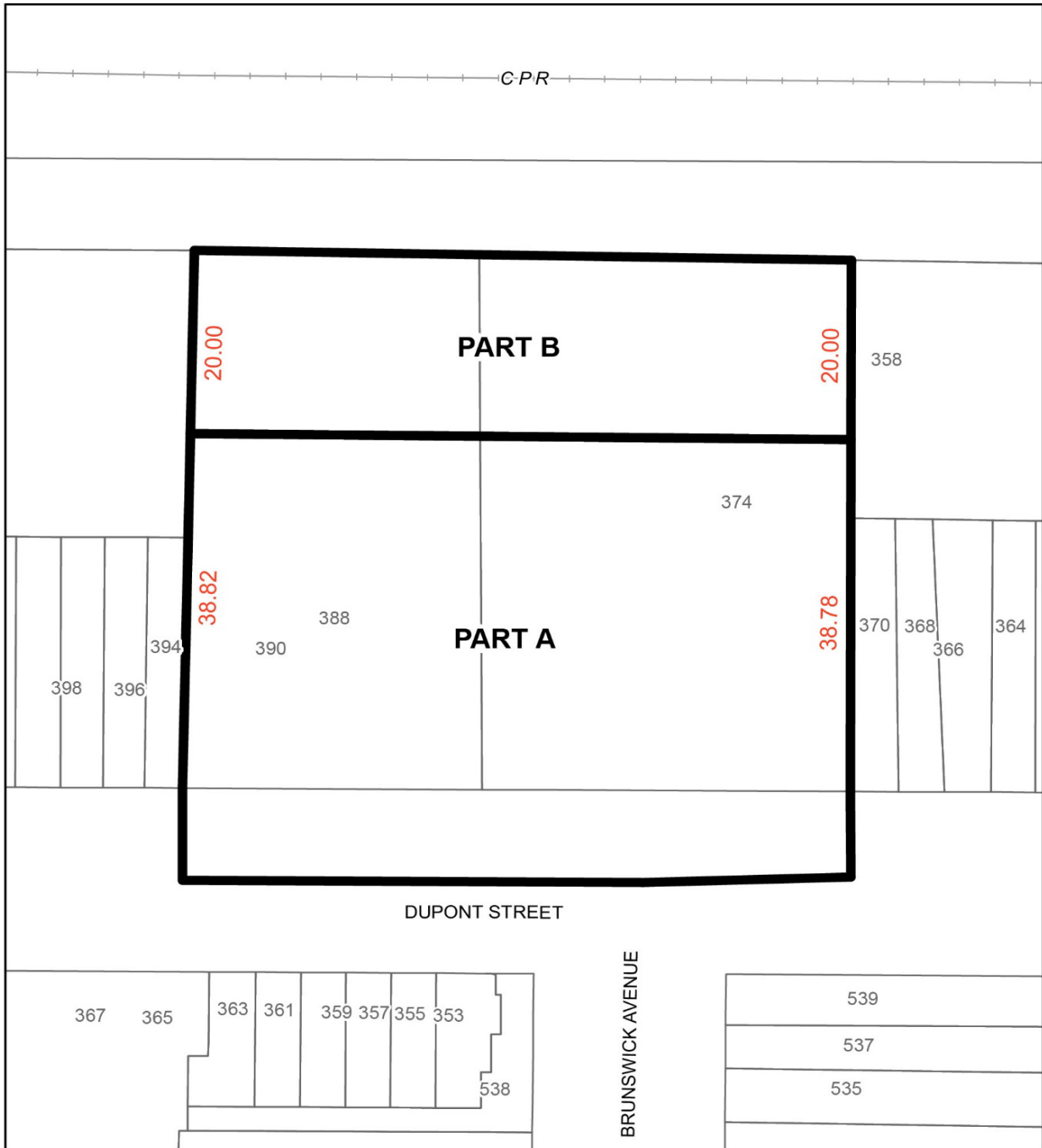


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Diagram 2

374-390 Dupont Street

File #: 26 115440 STE 11 OZ

Diagram 3



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Diagram 3

374-390 Dupont Street

File #: 26 115440 STE 11 0Z

Diagram 4

