

Authority: Toronto and East York Community Council
Item TE24.4, as adopted by City of Toronto Council on
May 5, and 6, 2021 and MM36.44, by Councillor Ana Bailão,
seconded by Councillor Frances Nunziata, as adopted by City of
Toronto Council on October 1, and 4, 2021

CITY OF TORONTO

BY-LAW 950-2021

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 646-648 Dufferin Street and 1-3 Boland Lane.

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;

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, as outlined in heavy black lines from R (d1.0)(x810) to CR 2.5 (c1.0; r2.0) SS2 (x419) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by Article 900.11.10 Exception Number CR 419 so that it reads:

(419) Exception CR 419

The lands are subject to the following Site-Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 646- 648 Dufferin Street and 1-3 Boland Lane, if the requirements of Section 6 and Schedule A of By-law 950-2021 are complied with, an **apartment building** may be constructed, used or enlarged in compliance with Sections (B) to (M) below;
- (B) Despite Regulation 40.10.40.40(1) the permitted maximum **gross floor area** of an **apartment building** is 9,450 square metres;

- (C) **Dwelling units** must be provided in accordance with the following:
- i. A minimum of 25 percent of the total number of **dwelling units** must contain 2 bedrooms; and
 - ii. a minimum of 10 percent of the total number of **dwelling units** must contain at least 3 bedrooms;
- (D) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum elevation of 105.0 metres and the highest point of the **building** or **structure**;
- (E) Despite Regulation 40.10.40.10(2), the permitted maximum height of any **building** or **structure** is the number following the "HT" symbol as shown on Diagram 3 of By-law 950-2021;
- (F) Despite Regulation 40.10.40.10(5), the minimum height of the first **storey** is 3.6 metres;
- (G) Despite regulation 40.10.40.10(2) and (E) above, parapets, guard rails, railings and dividers, trellises, eaves, screens, stairs, roof drainage, window washing equipment, lightning rods, architectural features, roof assembly, **landscaping** and elements of a **green roof** may exceed the height limits specified by the "HT" symbol by 2.1 metres on Diagram 3 of By-law 950-2021;
- (H) Despite Clause 40.10.40.60 and Regulations 40.10.40.70(2)(B)(C)(D)(E) and (F) and 40.10.40.80(2)(B), the required **building setbacks** and **building** separation distances are as shown on Diagram 3 of By-law 950-2021, except for the following elements:
- i. eaves, building cornices, light fixtures, ornamental and architectural elements, parapets, railings and fences, planters, trellises, windowsills, underground garage ramps, **landscaping** and public art features; and
 - ii. balconies, which may encroach into the required **building setbacks** to a maximum of 1.8 metres;
- (I) Despite Regulation 40.10.40.50(1)(A), a minimum of 1.9 square metres of indoor **amenity space** is required for each **dwelling unit**;
- (J) Despite Regulation 220.5.10.1(2), one Type "G" **loading space** must be provided and located on the lands subject to By-law 950-2021 and may be shared for the use of loading activities for any **building** on the lands municipally known in 2021 as 1494-1502 Dundas Street West;
- (K) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** in accordance with the following:

- i. a minimum 36 **parking spaces** for residents of the **apartment building**;
and
 - ii. a minimum 4 **parking spaces** for visitors of the **apartment building**;
- (L) Despite Regulations 200.5.1.10(2)(A)(iv) and (D)(i), a maximum of 5 **parking spaces** may be obstructed by a fixed object such as a wall, column, bollard, fence or pipe located within 0.3 metres of one side of the **parking space** without requiring an additional 0.3 metres of width for the side of the **parking space** that is obstructed; and
- (M) Despite Regulation 230.5.1.10(4), a **stacked bicycle parking space** must have a minimum width of 0.45 metres, a minimum length of 1.8 metres and a minimum vertical clearance of 1.1 metres.

Prevailing By-laws and Prevailing Sections:

- (A) Section 12(2)270(a) of By-law 438-86

5. Despite any future severance, partition or division of the lands shown on Diagram 1, the regulations of this By-law will apply as if no severance, partition or division had occurred.

6. Section 37 Provisions:

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, an increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services, or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this by-law unless all provisions of Schedule A are satisfied.

Enacted and passed on November 12, 2021.

Frances Nunziata,
Speaker

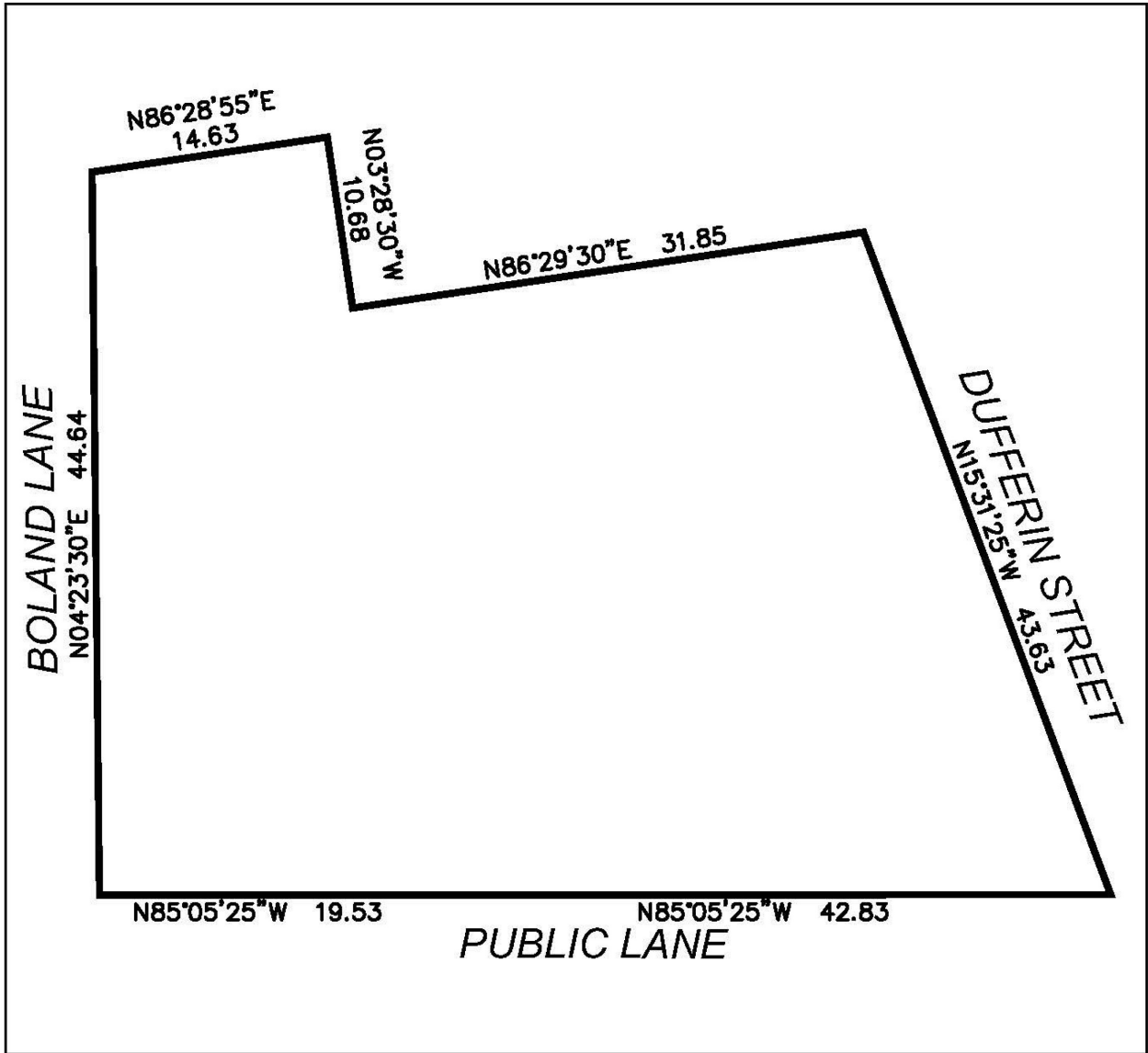
John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the Owner's expense in return for the increase in height and density of the proposed development on the lot and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. An indexed cash contribution of one hundred and twenty-five thousand (\$125,000.00) dollars to be paid by the owner prior to the issuance of the first above-grade building permit for the new residential building to be allocated towards community improvements in the surrounding area provided that purpose is identified in the Toronto Official Plan and will benefit the community, to the satisfaction of the Chief Planning and Executive Director, City Planning, in consultation with the Ward Councillor;
2. In the event that the cash contribution referred to in 1. above has not been used for the intended purpose set out in the Section 37 Agreement, within three (3) years of the Zoning By-law Amendments coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;
3. Prior to the issuance of the first above grade building permit, the owner shall enter into an off-site services agreement securing the provision of one shared loading space – Type G for the lands municipally known in 2021 as 1494-1502 Dundas Street West, to the satisfaction of the General Manager, Transportation Services; and
4. Prior to the earlier of six (6) months after condominium registration, or three (3) years after the issuance of the first above-grade permit, the owner of 646-648 Dufferin Street and 1-3 Boland Lane shall register, on title, easements to provide access to and use of one shared loading space- Type G on the lands shown on Diagram 1 by the owner of the lands municipally known as 1494-1502 Dundas Street West, to the satisfaction of the General Manger, Transportation Services.



646 - 648 Dufferin Street and 1 - 3 Boland Lane, Toronto

Diagram 1

File #19 101834 STE 09 02



Not to Scale

