

Authority: Toronto and East York Community Council  
Item TE32.1, as adopted by City of Toronto Council on  
May 11 and 12, 2022 and MM45.39, by Councillor Gord  
Perks, seconded by Councillor Mike Layton, as adopted by  
City of Toronto Council on June 15 and 16, 2022

## CITY OF TORONTO

### BY-LAW 602-2022

**To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to lands municipally known in the year 2021 as 406-410 Keele Street.**

Whereas City 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. Except as otherwise provided herein, the provisions of former City of Toronto By-law 438-86, as amended, shall continue to apply to the *lot*.
2. District Map 47J-323 contained in Appendix "A" of By-law 438-86, being "A By-law to regulate the use of land and the erection, use, bulk, height, spaces of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto" as amended, is further amended by redesignating from "I1 D2" to "R4A" the lands delineated by heavy black on Map 1 attached to and forming part of this By-law.
3. None of the provisions of Section 2 with respect to the definitions of *grade*, *height*, *lot*, and *residential gross floor area* and/or Sections 4(2)(a), 4(4), 4(6), 4(10), 4(13), 6(3) Part I 1 and 3, 6(3) Part II, 6(3) Part III 1 and 2, and 12(2) 270(a) of By-law 438-86 of the former City of Toronto, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto" apply to prevent the erection and use of an *apartment building* on the *lot*, provided that:
  - (a) the *lot* comprises the lands delineated by heavy black lines on Map 1, attached hereto and forming part of this by-law;
  - (b) the total *residential gross floor area* on the *lot* shall not exceed 4,800 square metres;
  - (c) The maximum number of dwelling units is 65;

- (d) A minimum of 25 percent of the total number of *dwelling units* on the *lot* must contain two or more bedrooms and a minimum of 10 percent of the total number of *dwelling units* on the *lot* must contain three or more bedrooms;
- (e) no portion of the *apartment building* or structures erected or used above *grade* is located otherwise wholly within the areas delineated by heavy lines on the attached Map 2 with the exception of the following:
  - (i) landscape planters by a maximum of 1.4 metres;
  - (ii) balconies, screens, and underground garage ramps by a maximum of 1.8 metres;
  - (iii) eaves, cornices, light fixtures, railings and window sills, by a maximum of 0.6 metres;
  - (iv) wheelchair ramps, stairs, stair enclosures, covered walkways and ramps, patios by a maximum of 0.8 metres; and
  - (v) canopies, awnings, ornamental and architectural elements, or similar structures by a maximum of 0.8 metres;
- (f) no part of the *apartment building* shall exceed the permitted maximum *height* in metres specified by the numbers following the symbol "H" as shown on Map 2 attached hereto with the exception of any of the items listed below:
  - (i) skylights/clerestory roofs, parapets, guard rails, railings and dividers, and roof drainage up to a maximum of 1.5 metres;
  - (ii) screens up to a maximum of 2.3 metres;
  - (iii) window washing equipment, lightning rod up to a maximum of 3.0 metres;
  - (iv) planters, landscaping and elements of a green roof up to 0.8 metres; and
  - (v) mechanical equipment, elevator overruns and associated parapets and landscaping up to a maximum of 3.5 metres;
- (g) provided that the area identified as "PENTHOUSE." on Map 2 attached to this By-law complies with (e) regarding building setbacks and (f) regarding building height, above, it does not constitute a storey;
- (h) *parking spaces* shall be provided on and maintained on the *lot* in accordance with the following:
  - (i) a minimum of 0.40 *parking spaces* for each *dwelling unit* for residents; and

- (ii) a minimum of 0.09 *parking spaces* for each *dwelling unit* for visitors;
- (i) *Accessible parking spaces* shall be provided as follows:
  - (i) of the required *parking spaces*, a minimum of 2 *accessible parking spaces* shall be provided in the underground parking garage;
  - (j) 5 percent of the total number of *parking spaces* may be obstructed on one or two sides in accordance with Section 4(17)(e) without a requirement to increase the minimum width by 0.3 metres;
  - (k) a minimum of one *loading space* – with a minimum length of 13.0 metres, a minimum width of 4.0 metres, and a minimum vertical clearance of 4.4 metres shall be provided on the *lot*;
  - (l) a *vehicle* entrance and exit for a two-way *driveway* may have a minimum width of 4.5 metres;
  - (m) *bicycle parking spaces* shall be provided and maintained on the *lot*, and may be in the form of a *stacked bicycle parking space*, in accordance with the following:
    - (i) a minimum of 0.9 *bicycle parking spaces* for each *dwelling unit* for residents;
    - (ii) a minimum of 0.1 *bicycle parking space* for each *dwelling unit* for visitors; and
    - (iii) a *bicycle parking space* may have a minimum width of 0.38 metres if placed in a vertical position;
  - (n) the required minimum *soft landscaping* is 18.15 square metres, located as shown on Map 2 attached to this By-law; and
  - (o) for the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86, as amended, with the exception of the following:
    - (i) "*grade*" means an elevation of 117.53 metres Canadian Geodetic Datum;
    - (ii) "*height*" means the vertical distance between *grade* and the highest point of the building or structure, except for those elements prescribed in this By-law;
    - (iii) "*lot*" means those lands outlined by heavy lines on Map 1 attached hereto and forming part of this By-law;
    - (iv) "*residential gross floor area*" shall mean the sum of the total area of each floor level of a building, above and below the ground, measured

from the exterior main wall of each floor level. The gross floor area of the *apartment building* is reduced by the area in the building used for:

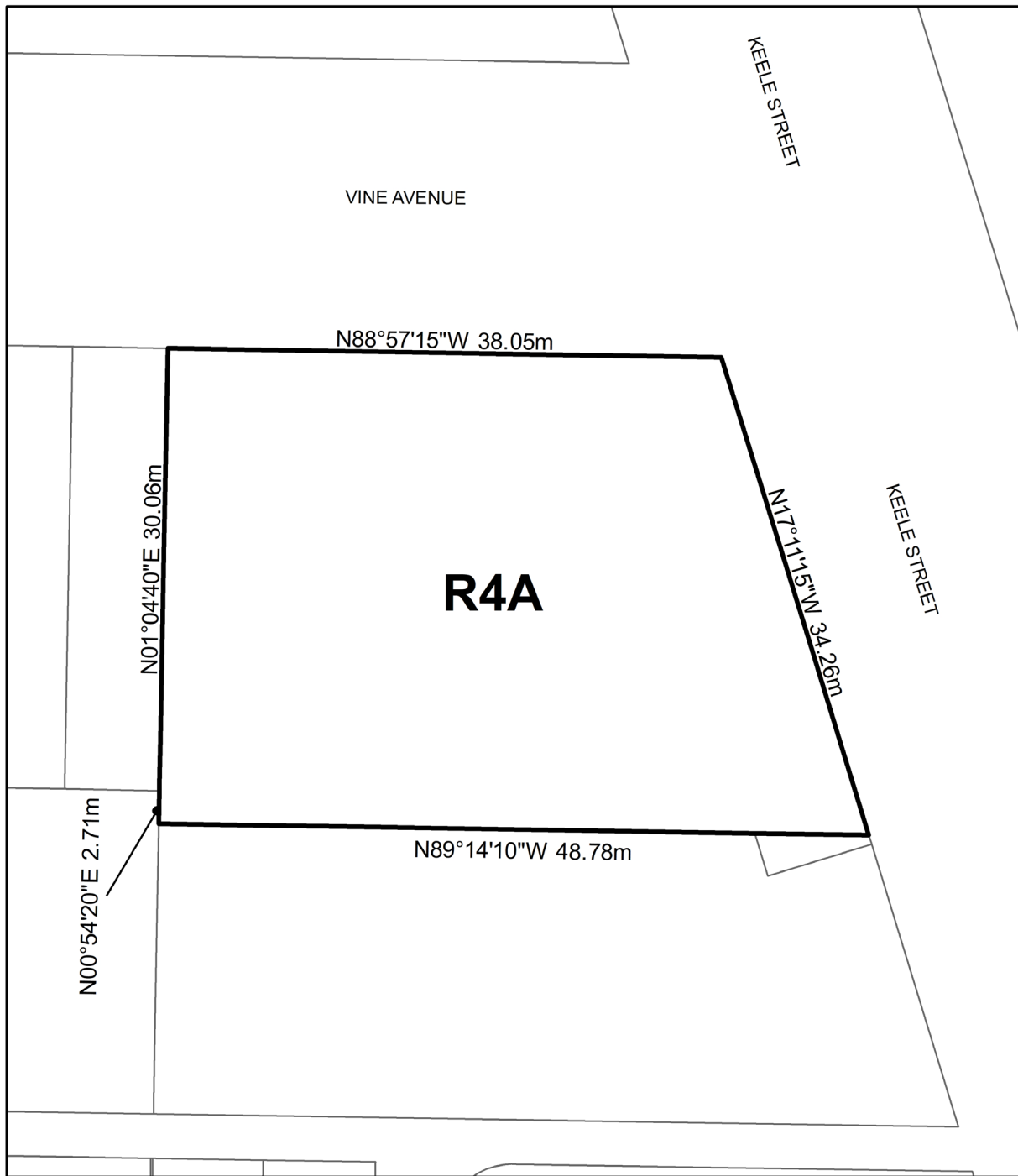
- (a) Parking, loading and bicycle parking below-ground;
  - (b) *Loading spaces* at the ground level and *bicycle parking spaces* at or above-ground;
  - (c) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
  - (d) Shower and change facilities required by this By-law for required *bicycle parking spaces*;
  - (e) *Residential amenity space* required by this By-law;
  - (f) Elevator shafts;
  - (g) Garbage shafts;
  - (h) Mechanical penthouse; and
  - (i) Exit stairwells in the building.
4. Despite any future severance, partition or division of the lot, the provisions of this By-law shall apply as if no severance, partition or division had occurred.
5. Within the lot no person shall use any land or erect or use any building or structure unless the following municipal sewers are provided to the lot line and the following provisions are complied with:
- (i) all new public roads have been constructed to a minimum base curb and base asphalt and are connected to an existing public highway; and
  - (ii) all water mains and sanitary sewers and appropriate appurtenances have been installed and are operational.

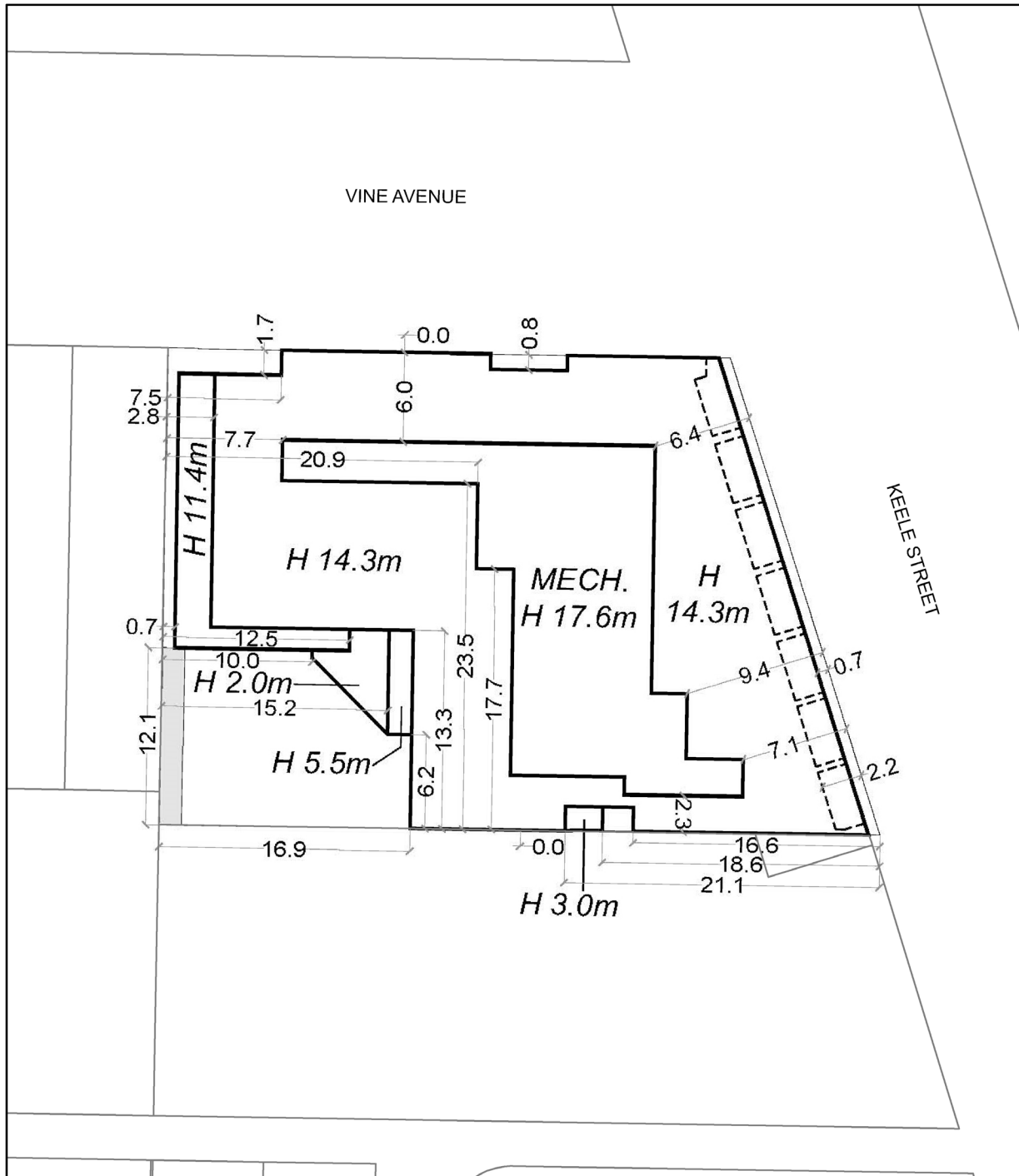
Enacted and passed on June 16, 2022.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)








 **TORONTO**  
Map 2

**406-410 Keele Street**

File # 20 233328 STE 11 OZ

-  A minimum 1.5 metre wide soft landscape strip
-  Setback at ground level

  
 Former City of Toronto By-law 438-86  
 Not to Scale  
 04/08/2022