

Authority: Toronto and East York Community Council  
Item TE14.11, adopted as amended by City of Toronto  
Council on June 26 and 27, 2024  
City Council voted in favour of this by-law on June 27,  
2024  
Written approval of this by-law was given by Mayoral  
Decision 15-2024 dated June 27, 2024

## CITY OF TORONTO

### BY-LAW 712-2024

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 9 Benlamond Avenue.**

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;

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 990.10 respecting the lands outlined by heavy black lines from a zone label of R (u4; d0.6) (x267) to a zone label of R (x203) and ON(x32) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending and replacing Article 900.2.10 Exception Number R (x203) so that it reads:

(203) **Exception R (x203)**

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 9 Benlamond Avenue, if the requirements of By-law 712-2024 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (P) below;

- (B) Despite regulations 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 131.57 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 10.10.40.10(1), 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 712-2024;
- (D) Regulation 10.10.40.1(3) does not apply;
- (E) The provision of dwelling units is subject to the following:
  - (i) a minimum of 60 percent of the total number of dwelling units must be two-bedroom dwelling units;
  - (ii) a minimum of 30 percent of the total number of dwelling units must be three-bedroom dwelling units or larger; and
  - (iii) if the calculation of the number of required dwelling units with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (F) Despite regulations 10.5.40.10(2) to (4) and (C) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 712-2024:
  - (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 3 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 3 metres;
  - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2 metres;
  - (iv) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3 metres; and
  - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3 metres;
- (G) Despite regulation 10.10.40.30 (1) (c) (ii), the permitted depth of all **building** and **structures** are as shown in metres on Diagram 3 of By-law 712-2024;

- (H) Despite regulation 10.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 1,952 square metres, of which:
  - (i) the permitted maximum **gross floor area** for residential uses is 1,952 square metres;
- (I) Despite clause 10.10.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 712-2024;
- (J) Despite regulation 10.10.40.80(1), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law 712-2024;
- (K) Despite clauses 10.5.40.60 (1), (2), (3) and (5), 10.5.40.70 (1), and clause 10.10.40.70 the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
  - (i) Platforms, decks, porches, and balconies, by a maximum of 2.5 metres;
  - (ii) The uncovered pedestrian access ramp on the western **side yard** shall have a width of 1.8 metres;
  - (iii) canopies and awnings, by a maximum of 2.5 metres;
  - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 3.8 metres;
  - (v) chimney breast, window projections, including bay windows and box windows, eaves, a dormer, air conditioners, satellite dishes, antennae, vents, and pipes to a maximum extent of 1.5 metres; and
  - (vi) Architectural features such as columns and pilasters by a maximum of 2.4 metres;
- (L) Despite regulation 10.5.40.60(3), **exterior stairs** may encroach into the **building setback**, and have no setback from the **side yard lot lines**;
- (M) Regulation 10.5.50.10(5) does not apply;
- (N) Despite regulation 10.5.100.1(4), the **driveway width** shall be 2.1 metres for each lane;
- (O) Despite regulation 200.5.1.10 (2) (A) (iv), the obstructed **parking spaces** will not have an additional 0.3 metre width for each **parking space**; and
- (P) Despite regulation 200.5.1.10 (12) (A), the permitted required **vehicle** entrance and exit for a two way **driveway** into and out of the **building** is 4.2 metres.

5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.20

Open Space - Natural Zone (x32) as shown on Attachment 2 attached in the Zoning By-law, so that it reads:

(32) **Exception ON (x32)**

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) Despite clauses 90.20.20.10 and 90.20.20.20, none of the permitted uses except the following would be permitted with the following conditions:

(i) **Park.**

(a) The **park** use is limited to conservation.

(B) Despite regulation 90.20.40.40, no **gross floor area** would be permitted.

**6.** Prevailing By-laws and Prevailing Sections:

(A) Regulation 900.2.10 (267) (A) and Section 12(1) 244 of former City of Toronto By-law 438-86 no longer apply.

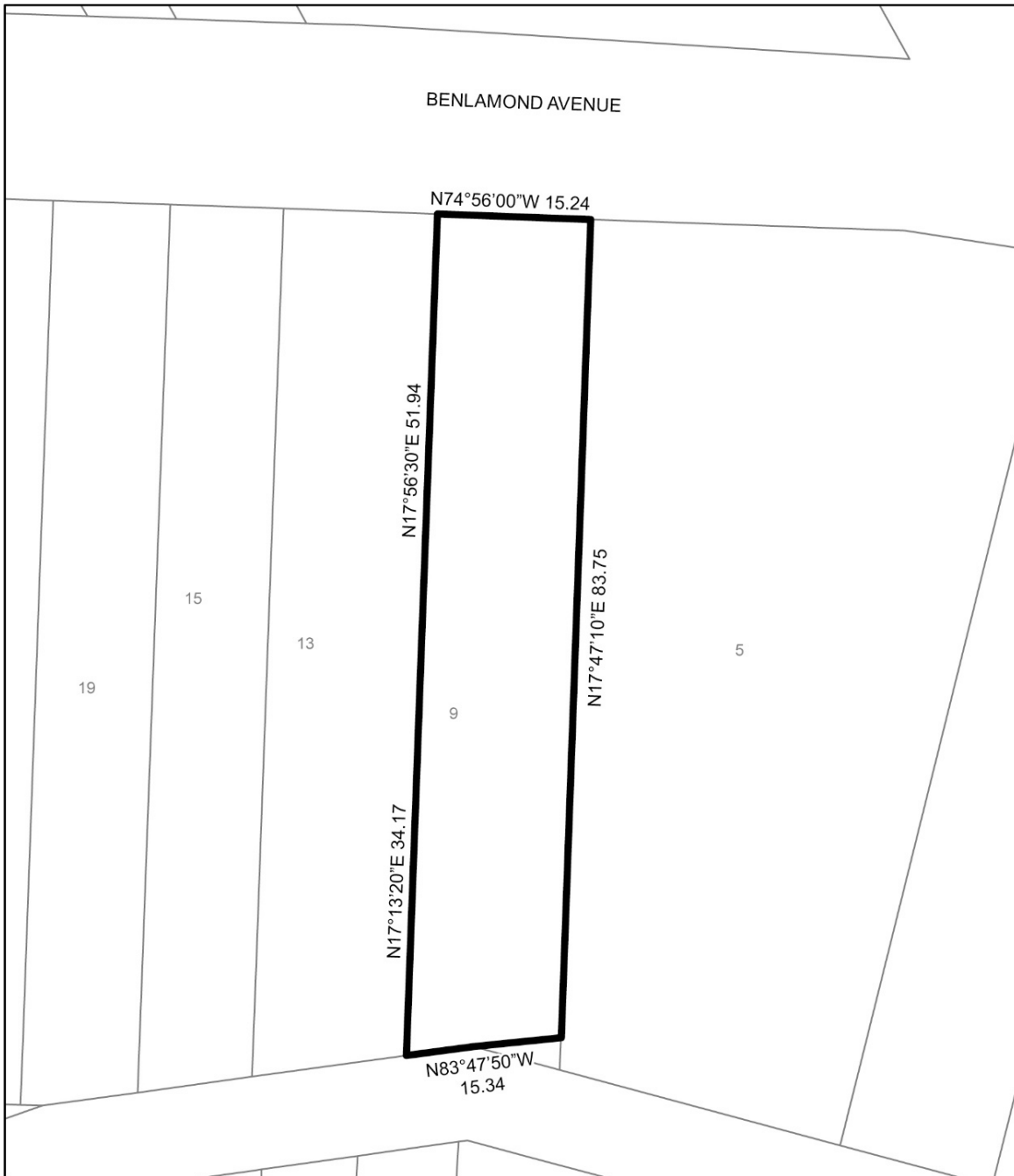
Enacted and passed on June 27, 2024.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

Diagram 1



 **TORONTO**  
Diagram 1

9 Benlamond Avenue

File # 23 131317 STE 19 0Z

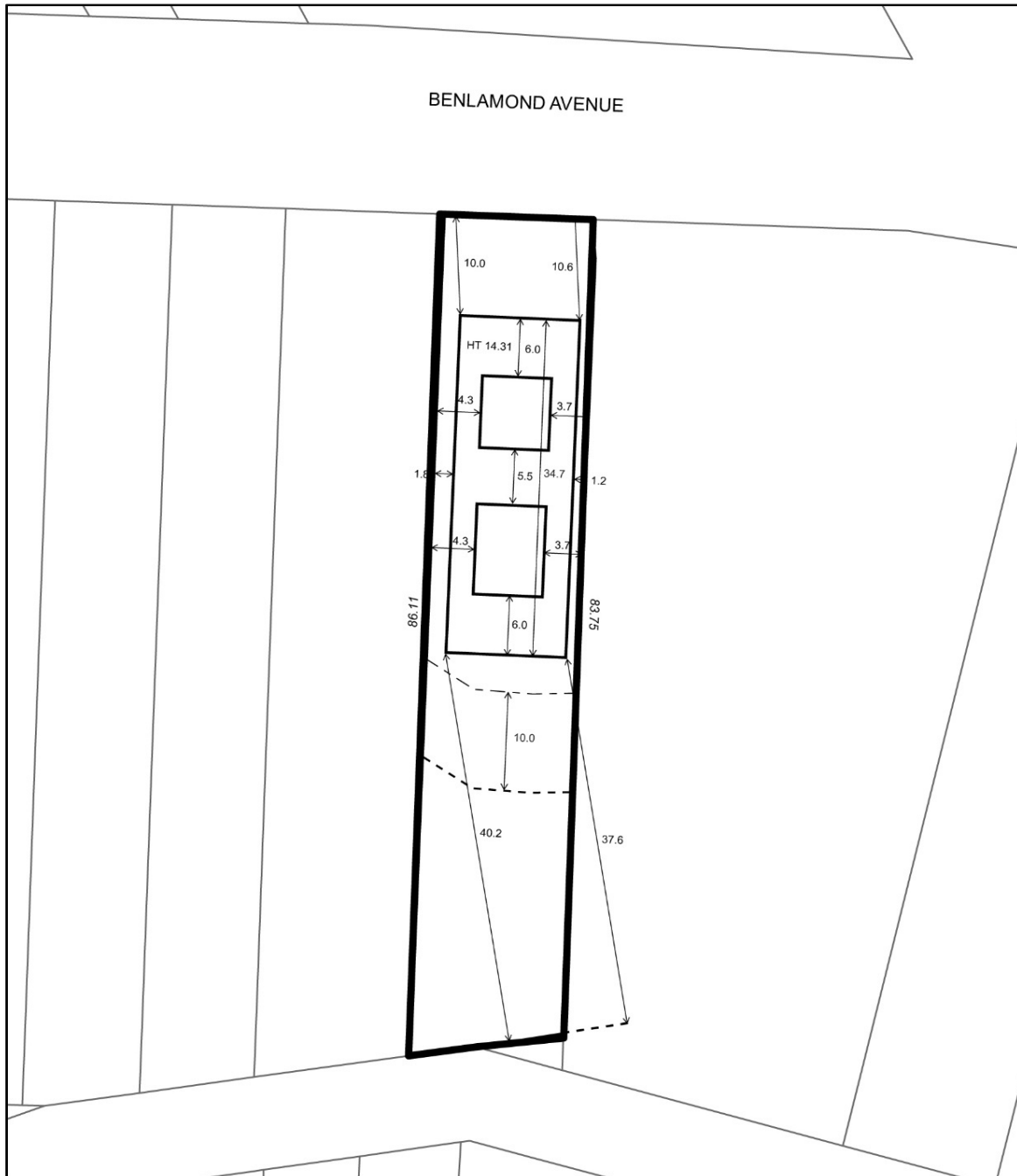
**Diagram 2**



 **TORONTO**  
Diagram 2

**9 Benlamond Avenue**

File # 23 131317 STE 19 0Z

**Diagram 3**

**Toronto**  
Diagram 3

**9 Benlamond Avenue**

File # 23 131317 STE 19 02