

Authority: Toronto and East York Community Council
Item TE15.13, adopted as amended, by City of Toronto
Council on July 24 and 25, 2024
City Council voted in favour of this by-law on July 25,
2024
Written approval of this by-law was given by Mayoral
Decision 17-2024 dated July 25, 2024

CITY OF TORONTO

BY-LAW 866-2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 1650, 1660 and 1664 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

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)"; and

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law;

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 CR 2.5 (c1.0; r2.0) SS2 (x1579) to a zone label of (H) CR 2.5 (c1.0; r2.0) SS2 (x1025) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1025 so that it reads:

(1025) Exception CR 1025

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 1650, 1660 and 1664 Dupont Street, if the requirements of By-law 866-2024 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (M) 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 116.94 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number following the "HT" symbol in metres as shown on Diagram 3 of By-law 866-2024;
- (D) Despite Regulation 40.10.40.10(5)(A), the required minimum height of the first **storey**, as measured between the Canadian Geodetic Datum of 116.94 metres and the floor of the second **storey**, is 3.0 metres;
- (E) Despite Regulations 40.5.40.10(3) to (8), and (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 866-2024:
 - (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 2.5 metres;
 - (ii) architectural features, parapets, and elements and **structures**, by a maximum of 2.0 metres;
 - (iii) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
 - (iv) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop terraces or **amenity space**, by a maximum of 3.0 metres; and
 - (vi) **structures** and features associated with noise mitigation;

- (F) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 10,500.00 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 9,900.00 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 315.00 square metres;
- (G) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
- (i) at least 2 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (ii) at least 2 square metres of outdoor **amenity space** for each **dwelling unit**, of which 125 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;
- (H) Despite regulation 40.10.40.70(1)(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 866-2024;
- (I) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law 866-2024;
- (J) Despite (H) above, the required minimum **building setback** from the **lot line** abutting Osler Street to the **main wall** of the **building** at the first **storey** is 1.0 metres;
- (K) Despite Clause 40.10.40.60, and (H) and (I) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) canopies and awnings, by a maximum of 3.0 metres;
 - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres, provided it is no closer to a **lot line** than 0.3 metres;
 - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metre;
 - (iv) window projections, including bay windows and box windows, by a maximum of 1.0 metre; and
 - (v) eaves, a dormer, air conditioners, satellite dishes, antennae, by a maximum of 1.0 metre;

- (vi) vents and pipes, by a maximum of 1.0 metres, provided it is no closer to a **lot line** than 0.3 metres; and
- (vii) decks, porches, and balconies must not project into required minimum **building setbacks** and **main wall** separation distances;
- (L) Despite regulation 40.10.50.10(3), a minimum 1.5 metre wide strip of land used for **soft landscaping** is not required abutting a **lot** in the Residential Zone category;
- (M) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 3 residential occupant **parking spaces** 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**; and
- (N) 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.

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.
- 6. Temporary Use(s):
 - (A) Pursuant to Section 39(1) of the *Planning Act*, none of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a temporary sales office, leasing or construction office, which is a temporary **building or structure**, facility, or trailer or portion thereof exclusively for the purpose of marketing, leasing, or sale of a **dwelling unit** or non-residential unit on the lands. Section 6 of this By-law shall expire on July 25, 2027.
- 7. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 1 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 or applicant, at their sole cost and expense has submitted a Functional Servicing Report and Stormwater Management Report or addendums ("**Engineering Reports**"), to demonstrate that the existing municipal infrastructure and any required improvements to it, has adequate capacity to accommodate the development of the lands, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - (ii) if the Engineering Reports accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - (a) the owner or applicant has secured the 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 Engineering Reports, to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; or
 - (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Engineering Reports in (i) above are constructed and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - (iii) all necessary approvals or permits arising from (B)(ii)(a) or (B)(ii)(b) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (iv) The owner shall obtain ownership of the existing one-foot reserve that bisects the subject site at 1660 Dupont Street to the satisfaction of the Executive Director, Corporate Real Estate Management and the Chief Planner and Executive Director, City Planning; and
 - (v) The owner or applicant, has submitted a revised Noise Impact Study, demonstrating compliance with NPC-300, which will be peer reviewed at the owner or applicant's sole cost and expense, and the owner or applicant shall secure any required recommendations and/or mitigation measures, all of which shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.

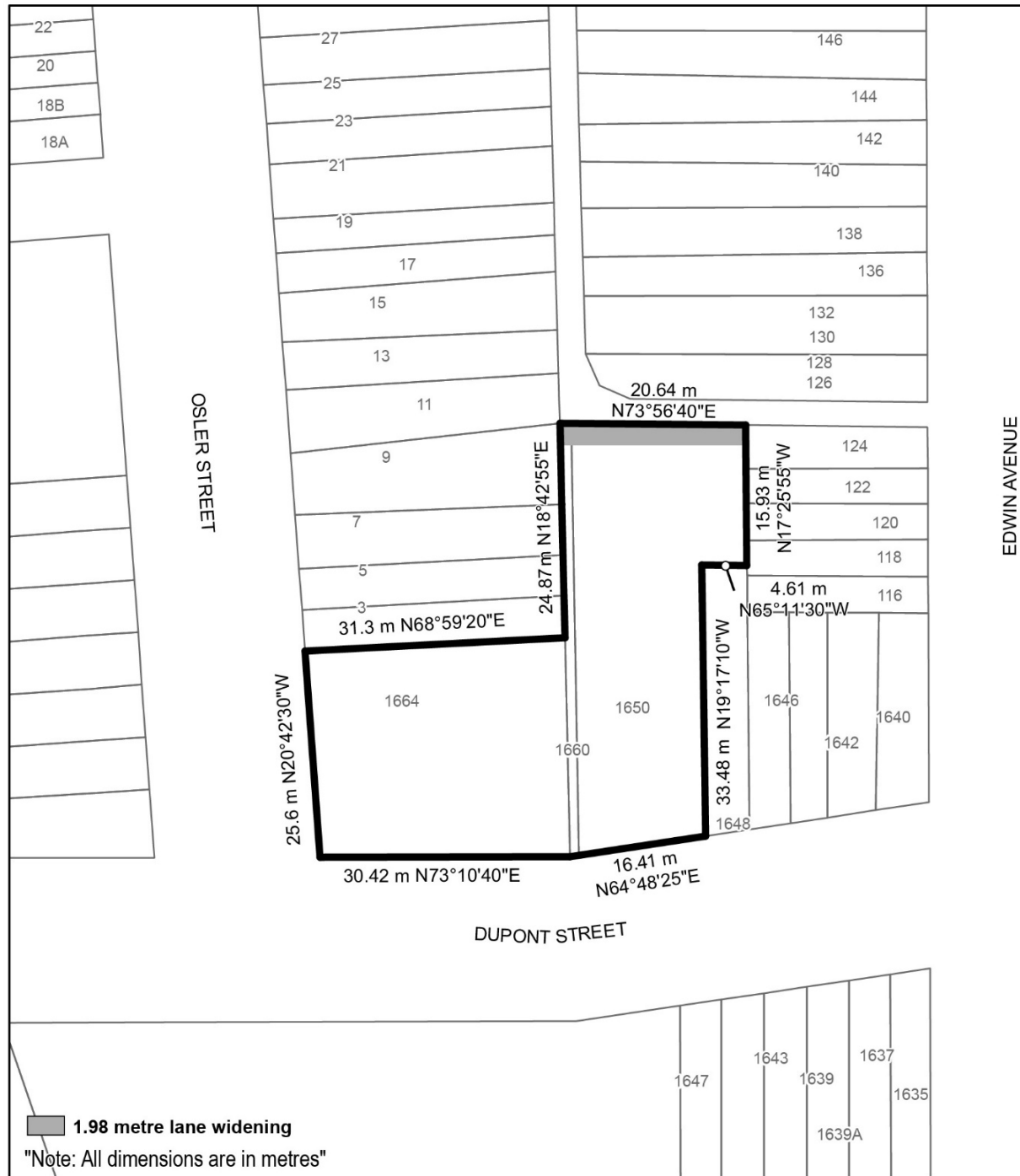
Enacted and passed on July 25, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1



Toronto
Diagram 1

1650-1664 Dupont Street

File # 23 183066 STE 09 02

Diagram 2

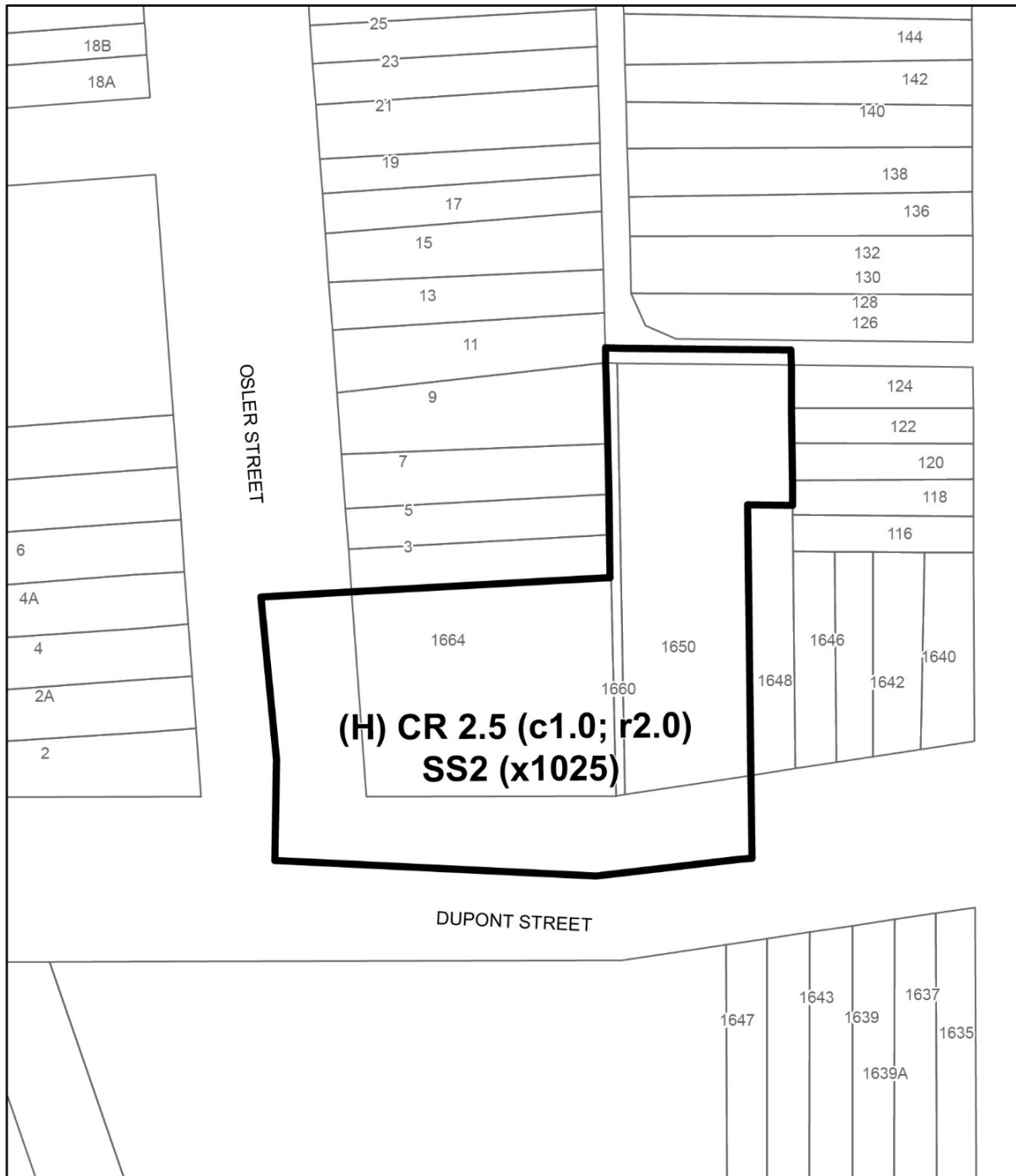
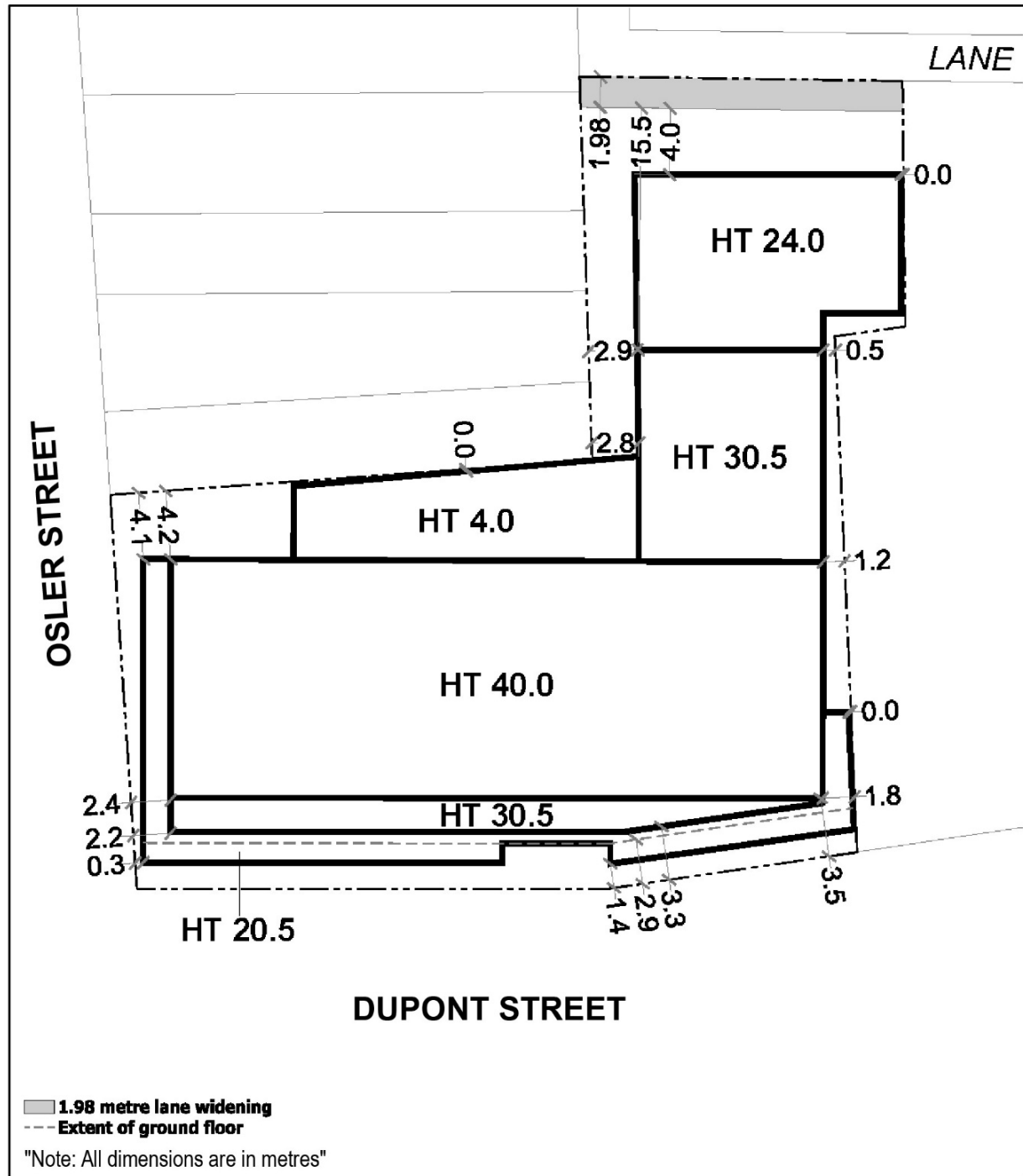


Diagram 3



Toronto
Diagram 3

1650-1664 Dupont Street

File # 23 183066 STE 09 02