

Authority: Toronto and East York Community Council
Item TE16.2, as adopted by City of Toronto Council on
October 9 and 10, 2024
City Council voted in favour of this by-law on October 10,
2024
Written approval of this by-law was given by Mayoral
Decision 19-2024 dated October 10, 2024

CITY OF TORONTO

BY-LAW 1114-2024

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 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; 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, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying a zone label of CR 2.5 (c1.0; r2.0) SS2 (x1034) and EL (x23) as shown on Diagram 3 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10 and applying the following Policy Area label to these lands PA4, as shown on Diagram 4 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20 and applying a height and storey label of HT 14.0 and HT 35.0, as shown on Diagram 5 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law the Lot Coverage Overlay Map in Section 995.30 and applying no value.

7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40 and applying no value.
8. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number (x1034) 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 the portion of 374-390 Dupont Street shown as Part A on Diagram 2 to By-law 1114-2024, if the requirements of By-law 1114-2024 are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (S) 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) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building** below grade and on the first **storey**;
- (D) 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 6 of By-law 1114-2024;
- (E) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 6 of By-law 1114-2024:
 - (i) mechanical and electrical equipment, structures that enclose, screen or cover equipment, elevator overruns, parapets, terrace or balcony guardrails, railings and dividers, window washing equipment, vents, lightning rods, wind screens, privacy screens, light fixtures, architectural features, roof assembly, roof drainage, vents, and elements of a **green roof**, by a maximum of 4.0 metres; and
 - (ii) **landscaping** features, pergolas, trellises, and planters, by a maximum of 2.1 metres;
- (F) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot**, shown as Part A and Part B on Diagram 2 of By-law 1114-2024 is 17,800 square metres, of which:

- (i) the permitted maximum **gross floor area** for residential uses is 16,700 square metres;
 - (ii) the permitted minimum **gross floor area** for non-residential uses is 1,000 square metres;
- (G) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 6 of By-law 1114-2024;
- (H) Despite Clause 40.10.40.60 and (G) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) architectural features, 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 1.8 metres;
 - (ii) despite (i) above, no balconies are permitted on the rear main wall of the **building**;
 - (iii) eaves, 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
- (I) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of ten (10) percent of the **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**;
- (J) Despite Regulation 970.10.15.5(5) and 200.5.10.1(1) and Table 970.10.15.5 and 200.5.10.1, **parking spaces** must be provided in accordance with the following:
 - (i) a minimum of zero (0) residential occupant **parking spaces**, but not exceeding a maximum of 65 residential occupant **parking spaces**;
 - (ii) a minimum of 10 residential visitor **parking spaces**, but not exceeding a maximum of 14 residential visitor **parking spaces**; a minimum of 0.05 residential visitor **parking spaces** for each **dwelling unit**; and
 - (iii) a minimum of zero (0) **parking spaces** for non-residential uses;
- (K) 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; and

- (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;
- (L) Despite Regulation 200.15.10(1) and (2), a minimum of 4 **parking spaces** on the **lot** are required to be accessible **parking spaces**;
- (M) Despite Regulation 200.5.10.1(1), "**car-share parking spaces**" may replace **parking spaces** otherwise required for residential occupants, excepting accessible **parking spaces**;
- (N) Despite Regulations 220.5.10.1(1) to (9), a minimum of one Type "G" **loading space** must be provided;
- (O) Despite Regulation 230.5.1.10(4)(A), the required minimum dimension of a **stacked bicycle parking space** is:
 - (i) length of 1.8 metres;
 - (ii) width of 0.35 metres; and
 - (iii) vertical clearance of 1.2 metres;
- (P) 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;
- (Q) Despite Regulations 230.5.10.1(5), **bicycle parking spaces** for **dwelling units** must be provided in accordance with the following minimum rates:
 - (i) 0.9 "long-term" **bicycle parking spaces** for each **dwelling unit**;
 - (ii) 0.1 "short-term" **bicycle parking spaces** for each **dwelling unit**;
- (R) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of fifteen percent (15 percent) of the total number of **dwelling units** on the **lot** must contain a minimum of two (2) bedrooms or more;
 - (ii) a minimum of 10 percent (10 percent) of the total number of **dwelling units** on the **lot** must contain a minimum of three (3) bedrooms or more; and
 - (iii) an additional minimum of 15 percent of the total number of **dwelling units** will be any combination of two bedroom and three bedroom dwelling units, or dwelling units that can be converted into any combination of two and three bedroom dwelling units;

- (iv) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the calculation of the required **dwelling units** with two or more bedrooms or convertible **dwelling units** in accordance with (i) or (iii) above;
 - (v) any **dwelling units** with two 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.
- (S) 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;
 - (ii) "**car-share parking space**" means a **parking space** exclusively reserved and actively used for car-sharing;

Prevailing By-laws and Prevailing Sections: (None Apply)

9. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.21.10 Exception Number (23) 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 374-390 Dupont Street shown as Part B on Diagram 2 to By-law 1114-2024, if the requirements of By-law 1114-2024 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (G) 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 1114-2024, such as required rail safety and 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 6 of By-law 1114-2024;
- (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 6 of By-law 1114-2024:
 - (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;
 - (ii) despite (i) above, projections are permitted within the area labelled "train safety derailment wall zone" on Diagram 6 of By-law 1114-2024; as;
 - (iii) crash walls or structures related to railway safety mitigation, by a maximum of 2 metres measured from the Canadian Geodetic Datum of 121.43 metres and the elevation of the highest point of such structures.
- (F) Despite Clause 60.10.40.70 the required minimum **building setbacks** are as shown in metres on Diagram 6 of By-law 1114-2024;
- (G) Despite Clause 60.5.40.60 and (F) above, the following elements may encroach into the required minimum **building setbacks** as follows:
 - (i) eaves, light fixtures, parapets, art and **landscaping** features, trellises, window sills, 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;

Prevailing By-laws and Prevailing Sections: (None Apply)

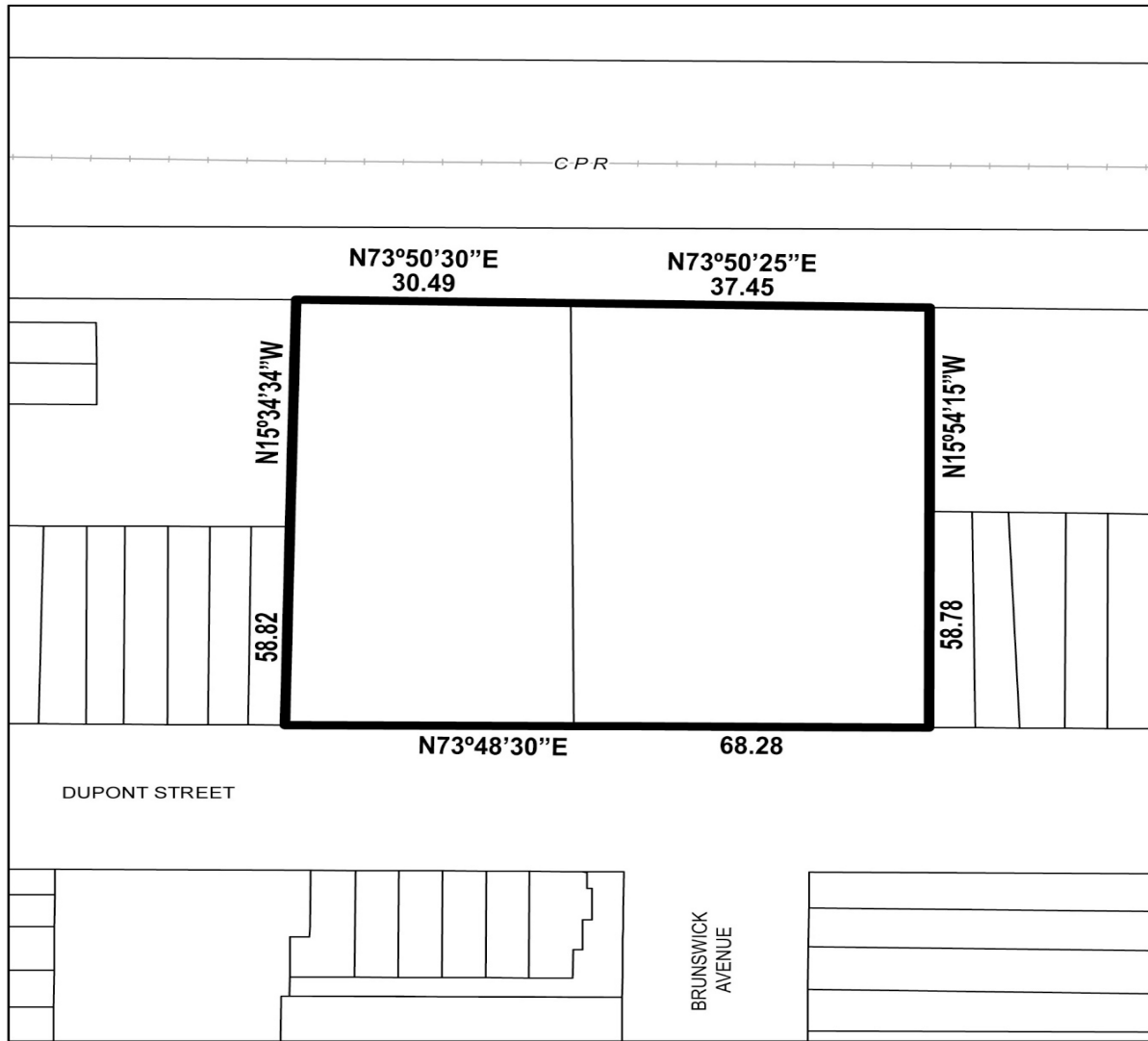
10. Despite any future severance, partition or division of the lands as shown on Diagram 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on October 10, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

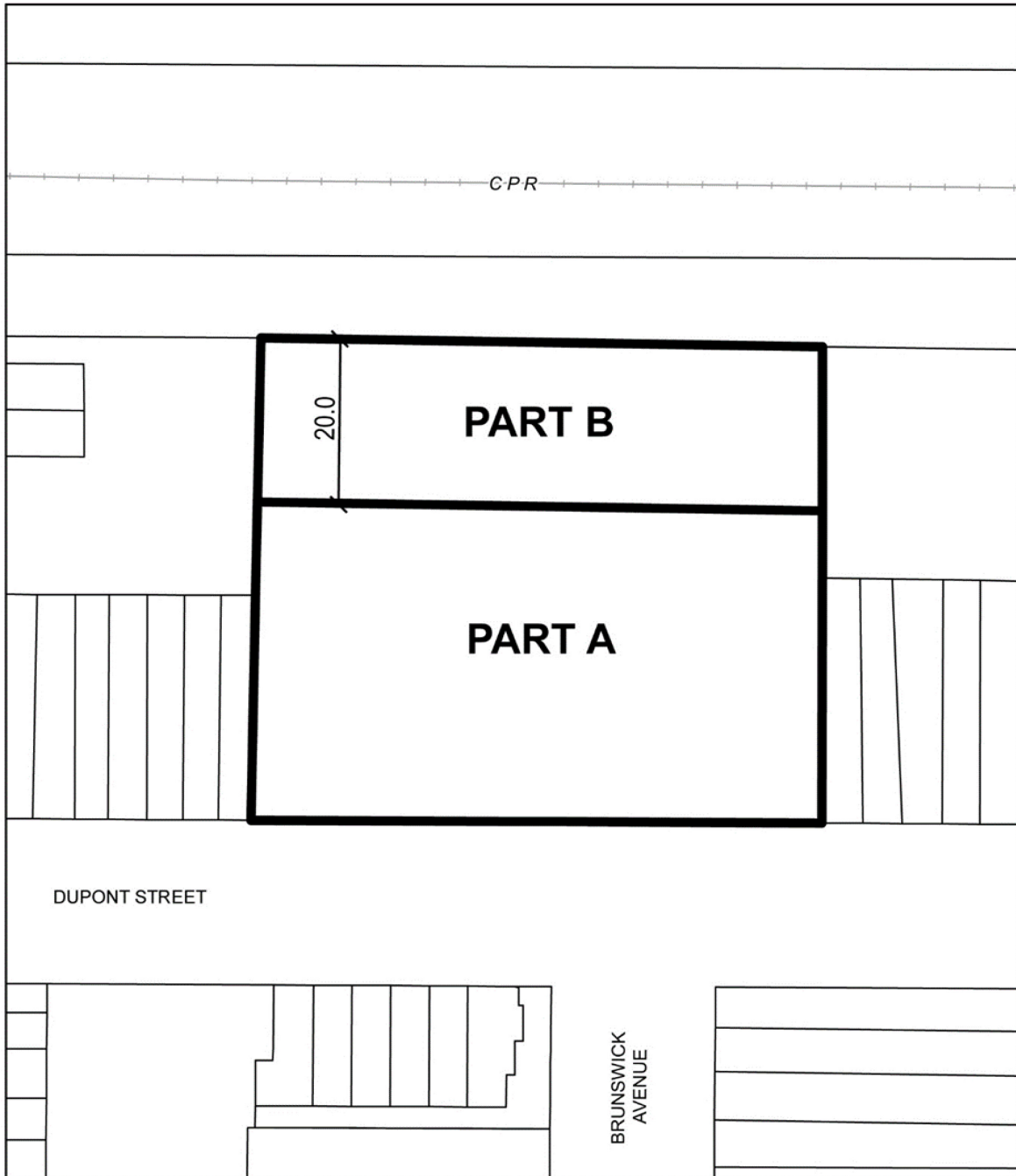
Diagram 1

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Diagram 1

374 & 388 Dupont Street

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Diagram 2

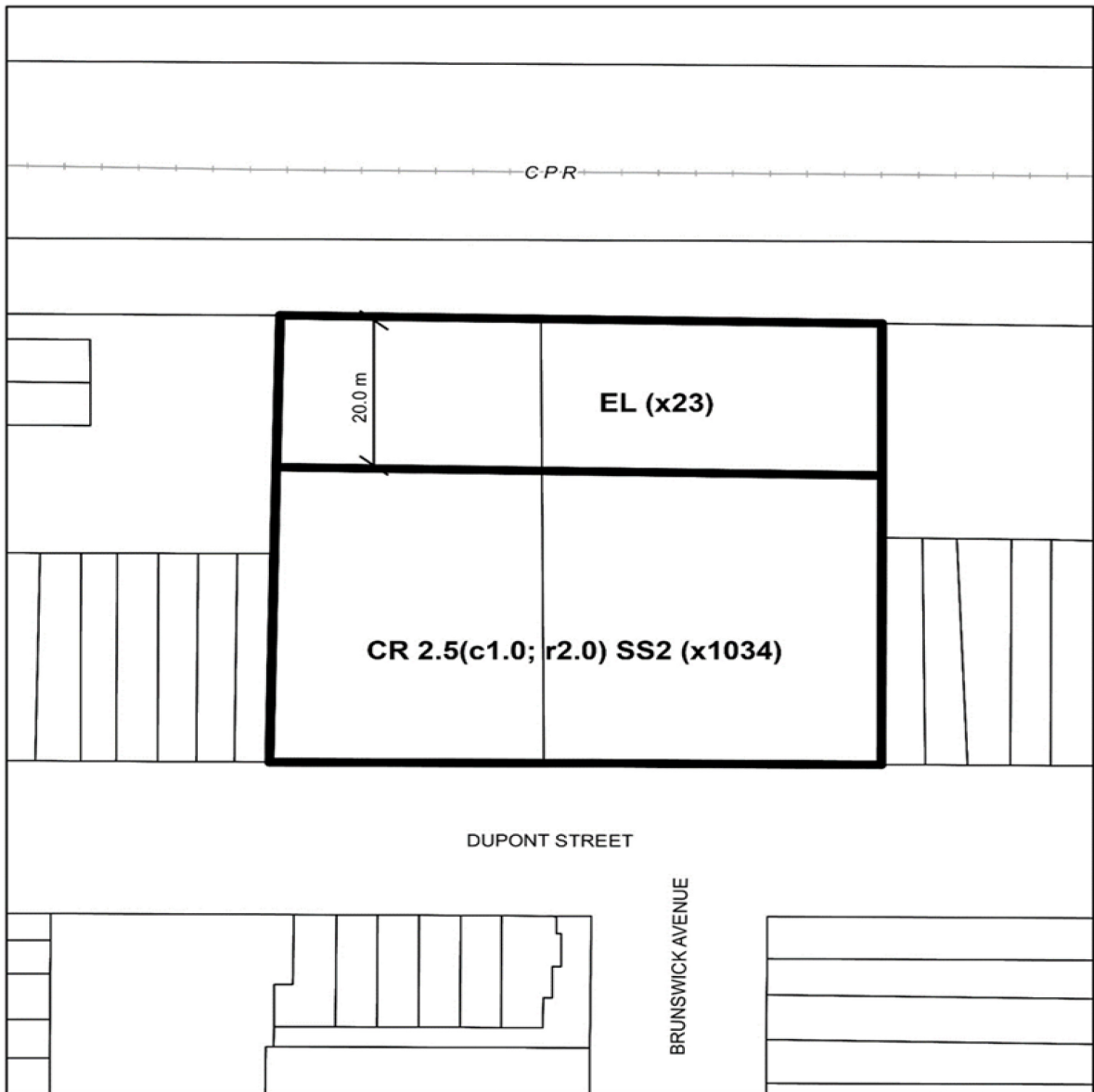


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Diagram 2

374 & 388 Dupont Street

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Diagram 3

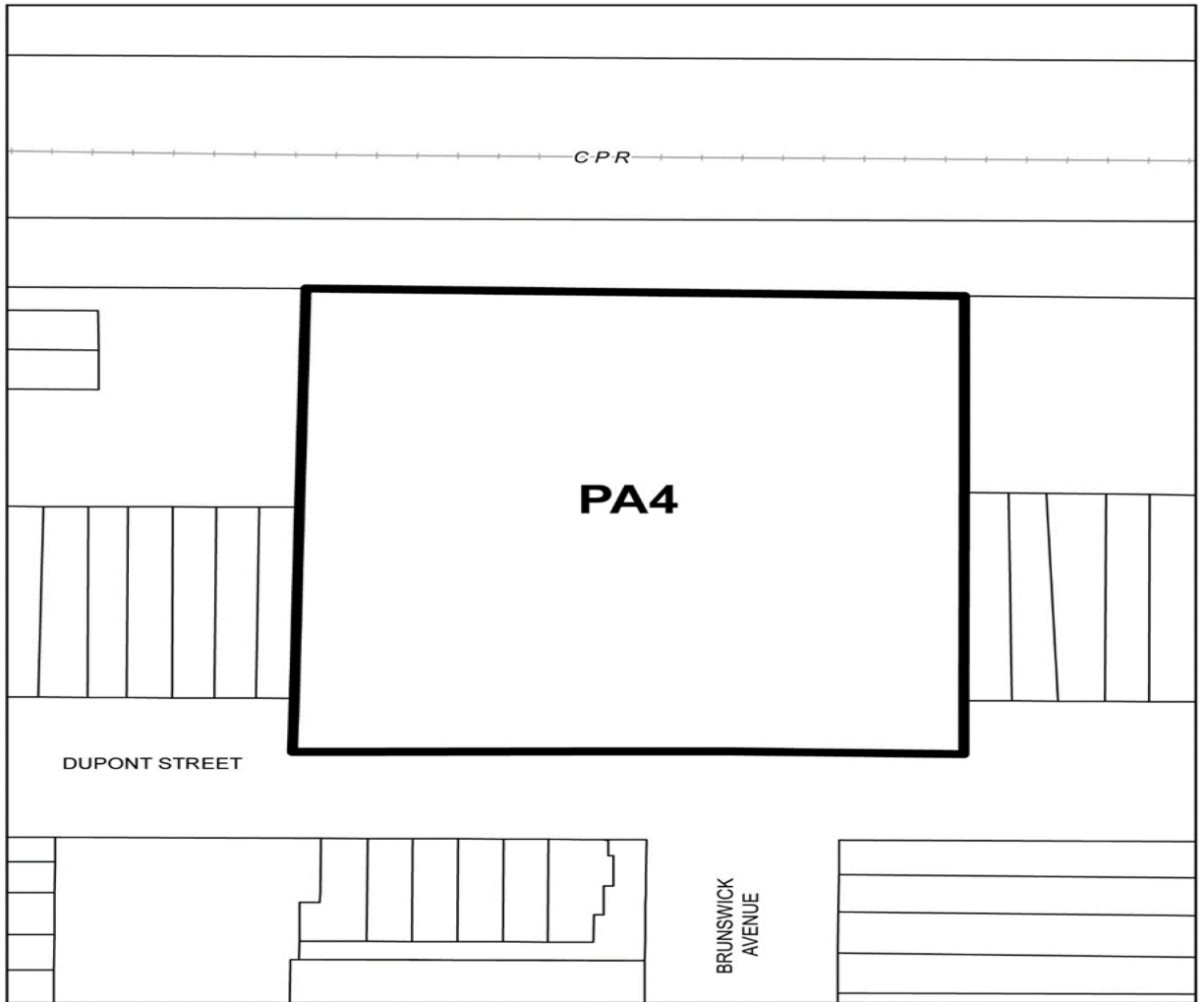


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Diagram 3

374 & 388 Dupont Street

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Diagram 4

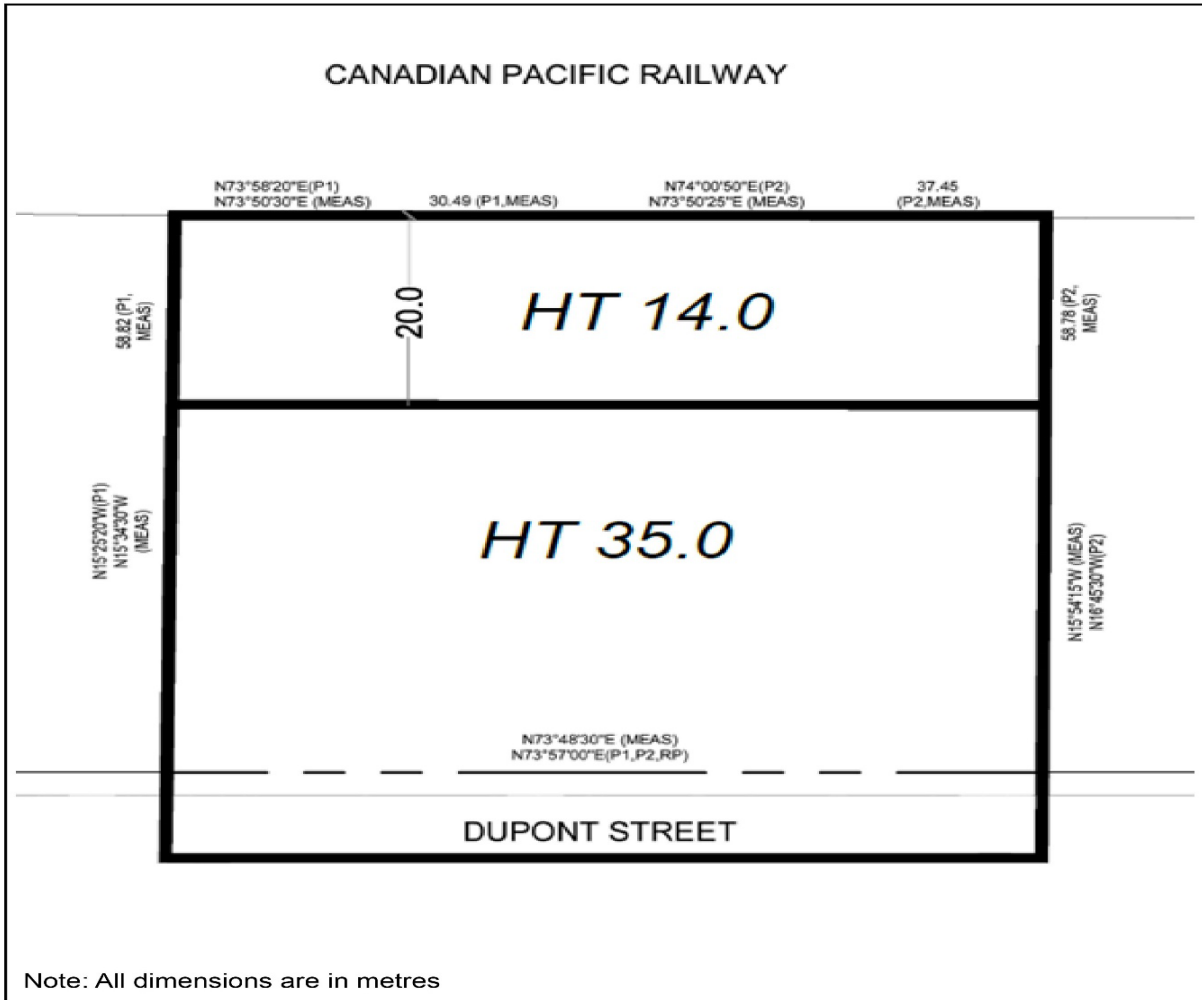


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Diagram 4

374 & 388 Dupont Street

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Diagram 5



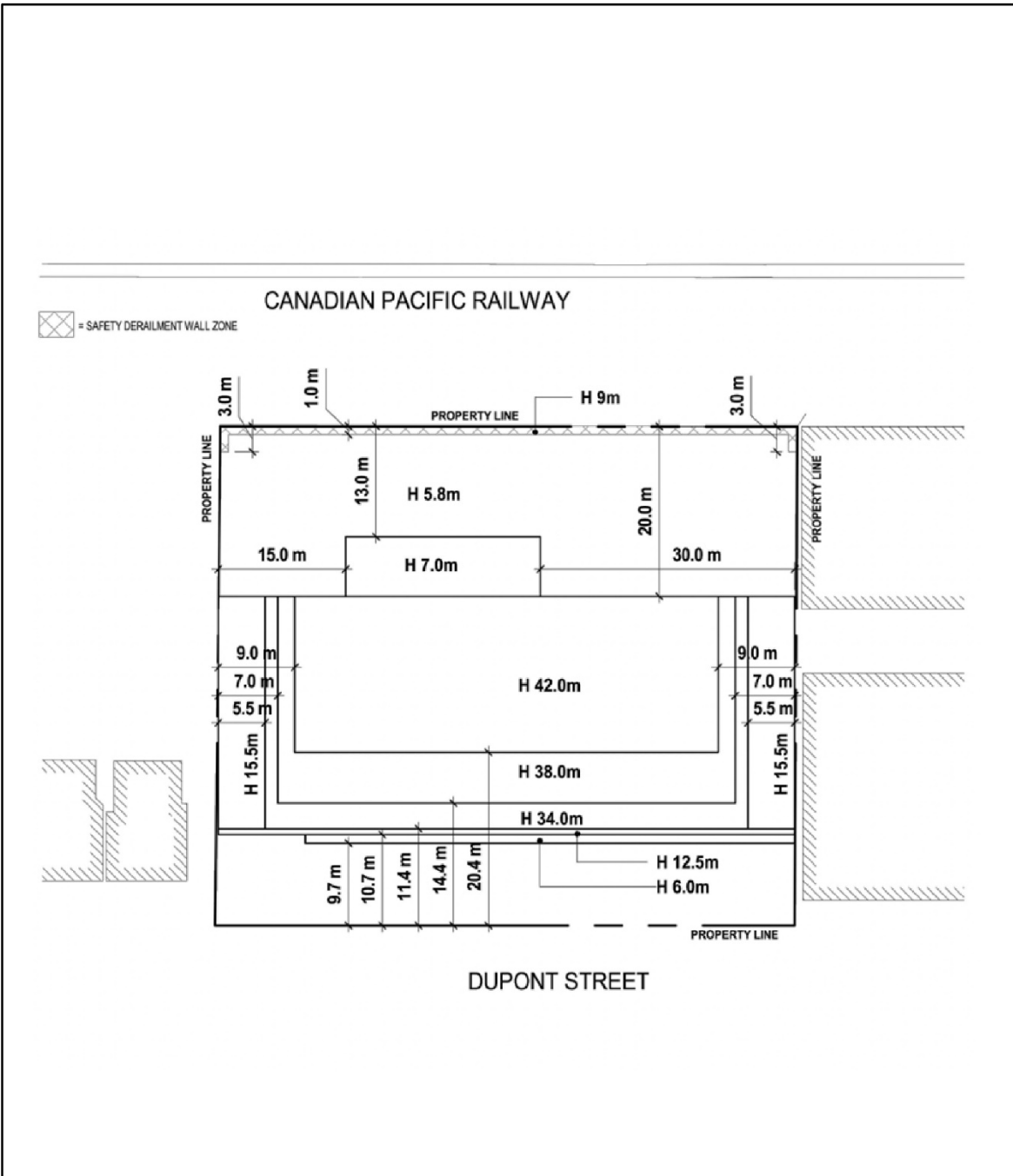
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Diagram 5

374 & 388 Dupont Street

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City of Toronto By-law 569-2013
Not to Scale
08/28/2024

Diagram 6



 **TORONTO**
Diagram 6

374 - 390 Dupont Street

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