

Authority: Toronto and East York Community Council
Item TE22.3, adopted as amended by City of Toronto
Council on May 21 and 22, 2025
City Council voted in favour of this by-law on May 22,
2025
Written approval of this by-law was given by Mayoral
Decision 8-2025 dated May 22, 2025

CITY OF TORONTO

BY-LAW 423-2025

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 72 Perth 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; 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 5.4 (c0.0; r5.4) SS2 (x1227) to a zone label of CR 5.4 (c0.0; r5.4) SS2 (x1089) 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 1089 so that it reads:

(1089) Exception CR (1089)

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 72 Perth Avenue, if the requirements of By-law 423-2025 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Q) 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 112.83 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 in metres following the letters "HT" as shown on Diagram 3 of By-law 423-2025;
- (D) Despite regulation 40.10.40.10(5)(A), the required minimum height of the first **storey**, measured between the average elevation of the ground along the **front lot line** and the floor of the second **storey**, is 4.0 metres;
- (E) Despite regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** is the number following the letters "ST" as shown on Diagram 3 of By-law 423-2025; and
 - (i) for the purpose of this exception, a mechanical penthouse with indoor and outdoor **amenity space** does not constitute a **storey**;
- (F) Despite regulations 40.5.40.10(4), (6), and (7) and (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 423-2025:
 - (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, and elevator shafts, by a maximum of 3.5 metres;
 - (ii) **structures** on any roof used for storage, landscaping, pergolas, canopies, swimming pools and associated decks and equipment, maintenance, safety or wind protection purposes, by a maximum of 3.5 metres;
 - (iii) **structures** on any roof used for green roof purposes, vestibules providing access to outdoor **amenity space**, cooling towers, parapets, parapet wall, mechanical and architectural screens, chimneys, vents, flues, stacks, mechanical fans, window washing equipment, **structures** and elements related to drainage, elevator overruns, **structures** and elements associated with green energy and **renewable energy** facilities, by a maximum of 3.0 metres; and
 - (iv) **structures** and architectural elements associated with terraces, balconies, and platforms, by a maximum of 0.8 metres;

- (G) Despite regulation 40.10.40.40(1), the permitted maximum residential **gross floor area** of all **buildings** and **structures** is 19,800 square metres;
- (H) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 423-2025;
- (I) Despite Clause 40.10.40.60 and (H) above, the following elements may encroach into the required minimum **building setbacks** as follows:
 - (i) eaves, cornices, lighting fixtures, fences and safety railings, guardrails, trellises, balustrades, vents, wheelchair ramps, landscape features, privacy screens, canopies, ornamental features, window washing equipment, stairs, stair landings, decks, planters, and public art features, may project horizontally up to the **lot** line as shown on Diagram 3 of By-law 423-2025;
 - (ii) platforms such as balconies, by a maximum of 1.8 metres; and
 - (iii) exterior cladding, by a maximum of 0.4 metres;
- (J) Despite regulation 200.5.1.10.12(C), the minimum **vehicle** entrance or exit to the **building** is 3.0 metres from the **lot line** abutting the **street**;
- (K) Despite Article 200.15.10, a minimum of four residential visitor **parking spaces** must be provided;
- (L) Despite Article 200.15.10, a minimum of five of the required **parking spaces** are required to be accessible **parking spaces**;
- (M) Despite Regulation 200.15.1(4), an accessible **parking space** must be located within a minimum of 25.0 metres of a barrier free entrance to:
 - (i) a **building**; or
 - (ii) a passenger elevator that provides access to the first **storey** of a **building**;
- (N) A minimum of one **car-share parking space** must be provided on the **lot**, subject to the following;
 - (i) **car-share parking spaces** are not permitted to replace a parking space that is a required occupant, visitor, or accessible parking space;
- (O) For the purposes of this exception:
 - (i) "car- share" or "car sharing" means the practice whereby a number of people share the use of one of more motor vehicles and such "car-share" motor vehicles are made available to at least the occupants of the building for short-term rental, including hourly rental; and

- (ii) "car-share parking space" means a parking space exclusively reserved and actively and signed for a vehicle used only for "car-share" purposes;
- (P) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 20 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms; and
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (Q) Regulation 230.40.1.20(2) does not apply.

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:
 - (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a temporary sales office on the lands to which this By-law applies for a period of three years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

Enacted and passed on May 22, 2025.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

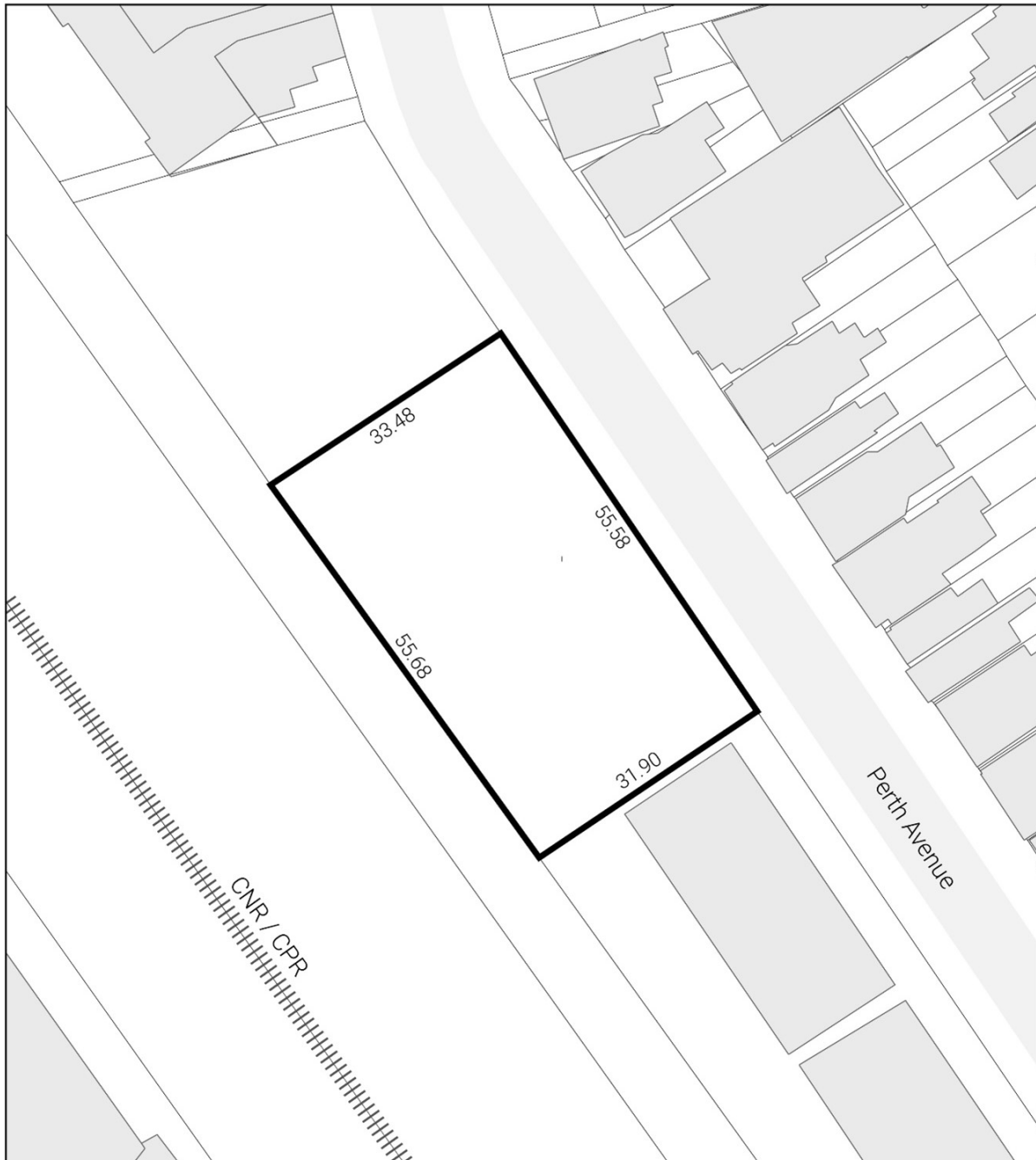
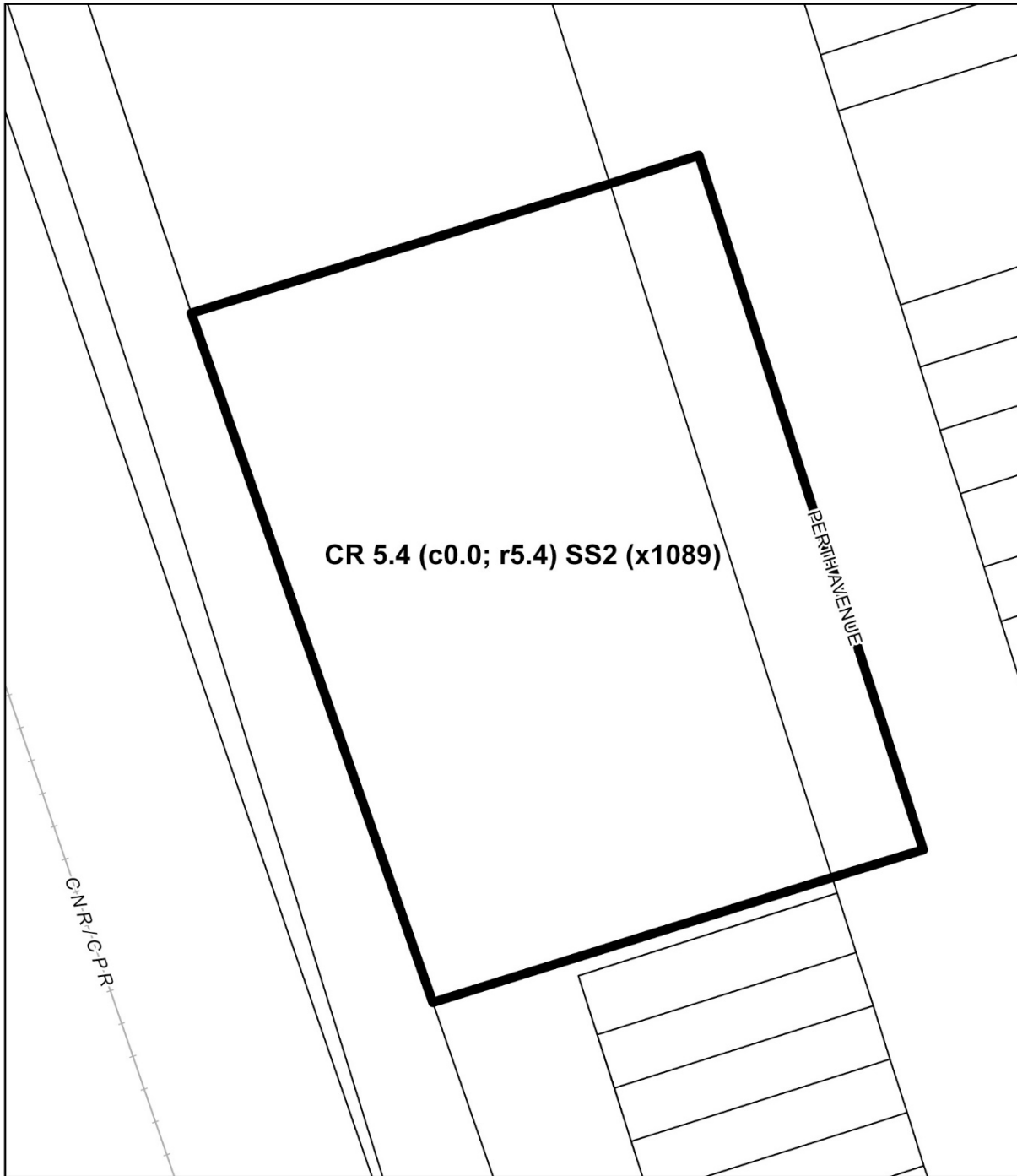


Diagram 1

72 Perth Avenue



Diagram 2



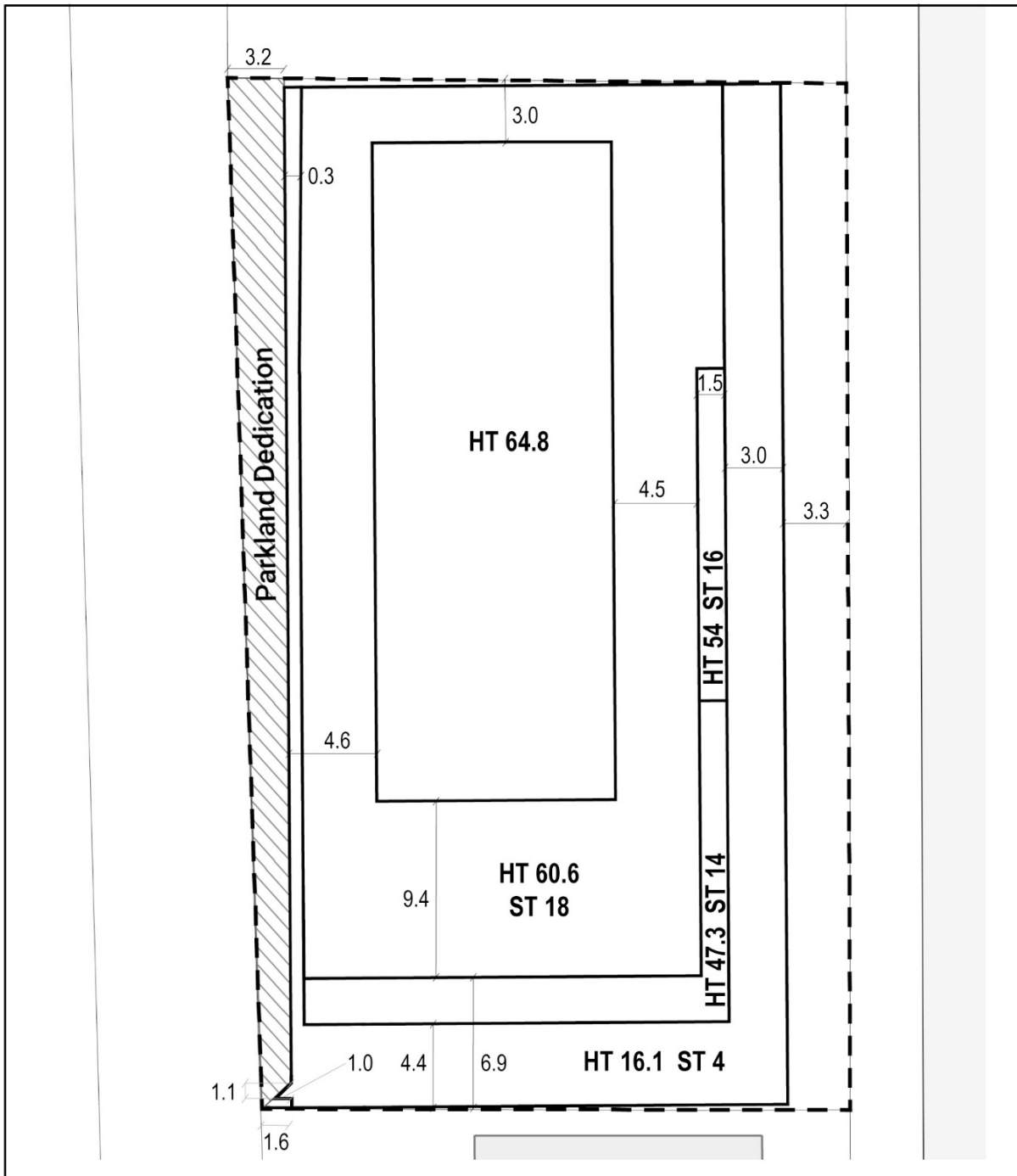
 **TORONTO**
Diagram 2

72 Perth Avenue

File #: 25 108495 STE 09 0Z



Diagram 3



 **TORONTO**
Diagram 3

72 Perth Avenue

File #: 25 108495 STE 09 0Z