

Authority: Toronto and East York Community Council  
Item TE28.1, adopted as amended by City of Toronto  
Council on February 4, 2026  
City Council voted in favour of this by-law on February 4,  
2026  
Written approval of this by-law was given by Mayoral  
Decision 3-2026 dated February 4, 2026

## CITY OF TORONTO

### BY-LAW 81-2026

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 409 Huron 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)";

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 adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: (H) Residential Zone R (d1.0) (x226) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 13, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 226 so that it reads:

(226) Exception R 226

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 409 Huron Street, if the requirements of By-law 81-2026 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (N) below;
- (B) Despite Regulation 10.5.40.10(1), the height of a building or structure is the distance between the Canadian Geodetic Datum of 114.75 metres and the elevation of the highest point of the building or structure;
- (C) Despite Regulations 10.5.50.10(4)(A) and (B), the permitted minimum **landscaping requirement for an apartment building** shall be provided at the following rates:
  - (i) The minimum area of the lot for landscaping shall be 20 percent;
  - (ii) The minimum area of the lot for landscaping, as required above, shall be permitted as soft and hard landscaping;
- (D) Despite Regulation 10.5.50.10(5), the permitted minimum strip of **soft landscaping** along any part of a lot line abutting another lot in the Residential Zone category is not required;
- (E) 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 4 of By-law 81-2026;
- (F) Despite Regulations 10.5.40.10 (2) and (3), and 10.10.40.10 (8), (9), and (10), and (E) above, the following equipment and structures may project beyond the permitted maximum height shown on Diagram 4 of By-law 81-2026;
  - (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, generators elevator shafts, elevator overruns, stairwell overruns, chimneys, and vents, by a maximum of 6.2 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 6.2 metres;
  - (iii) architectural features, parapets, and elements and structures associated with a roof, green roof, terrace, or balcony, by a maximum of 2.0 metres;
  - (iv) building maintenance units and window washing equipment, by a maximum of 3.0 metres;
  - (v) planters, landscaping features, guard rails, and divider screens on a balcony or terrace, trellises, pergolas, and unenclosed structures providing safety or wind protection to rooftop amenity space, by a maximum of 3.5 metres;
  - (vi) antennae, flagpoles, and satellite dishes, or similar structures, by a maximum of 1.5 metres;
  - (vii) structures on the roof of any part of the building used for outside or open air recreation, trellises, pergolas, acoustical barriers, wind mitigation features, landscape elements and features, and fencing, by a maximum of 3.0 metres;
  - (viii) structures containing indoor amenity space, by a maximum height of 6.2 metres; and
  - (ix) the building elements and structures listed in (i) to (viii) above may not exceed the maximum building height of 43.7 metres;
- (G) Despite Regulations 10.10.20.100(12)(B) to (D), a **retail store** may be in an **apartment building** with 100 or more **dwelling units**, subject to the following:
- (i) it may not be above the second **storey** of the **apartment building**;
  - (ii) access does not need to be from within the **apartment building**; and
  - (iii) there may be outside display of goods;
- (H) Despite Regulation 10.10.40.10(7), all floor levels within an addition, extension, or enlargement to the rear of a **residential building** may be higher than the uppermost floor level of the **building** that is being added to, extended, or enlarged;
- (I) Despite Regulation 10.10.40.30(1)(A), the permitted maximum **building depth** is 58 metres;
- (J) Despite Regulation 10.10.40.40(1), the permitted maximum **floor space index** is 8.0;

- (K) Despite Regulations 10.5.40.70(1) and (2) and 10.10.40.70(1) to (4), 10.10.40.80(1)(A) and (B), and 600.10.10(1), the required minimum building setbacks are as shown on Diagram 4 of By-law 81-2026;
- (L) Despite Regulations 10.5.40.60(2), (3), (5), (6), (7), and (8), and (J) 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 3.0 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) eaves, by a maximum of 1.0 metre; and
  - (v) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 3.0 metres;
- (M) Despite Regulation 230.5.1.10(4)(A)(ii), the permitted minimum width for a bicycle parking space is 0.45 metres;
- (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 two or more bedrooms;
  - (ii) a minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
  - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
  - (iv) if the calculation of the number of required dwelling units in accordance with each of (i) and (ii) results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one dwelling unit.
6. 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.

7. Holding Symbol Provisions:

- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 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 has entered into a Heritage Easement Agreement with the City for the property at 409 Huron Street, substantially in accordance with the plans and drawings dated July 17, 2025 prepared by MAR Architect Inc. and the Heritage Impact Assessment (HIA), dated October 28, 2025 prepared by ERA Architects Inc., all on file with the Senior Manager, Heritage Planning, subject to and in accordance with the Conservation Plan, to the satisfaction of the Senior Manager, Heritage Planning, including execution of such agreement to the satisfaction of the City Solicitor;
  - (ii) the owner has submitted a detailed Conservation Plan, prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for the property at 409 Huron Street, to the satisfaction of the Senior Manager, Heritage Planning;
  - (iii) the owner, at their sole cost and expense, has submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system, storm sewer system, and watermain system (municipal infrastructure), and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands, to the satisfaction of the Director, Engineering Review, Development Review; and
  - (iv) if the accepted and satisfactory Functional Servicing and Stormwater Management Report from (i) above recommends 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 to support the development, as identified in the accepted Functional Servicing and Stormwater Management Report, in a financially secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or

- b. the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report in (i) above are constructed and operational, all to the satisfaction to the Director, Engineering Review, Development Review.

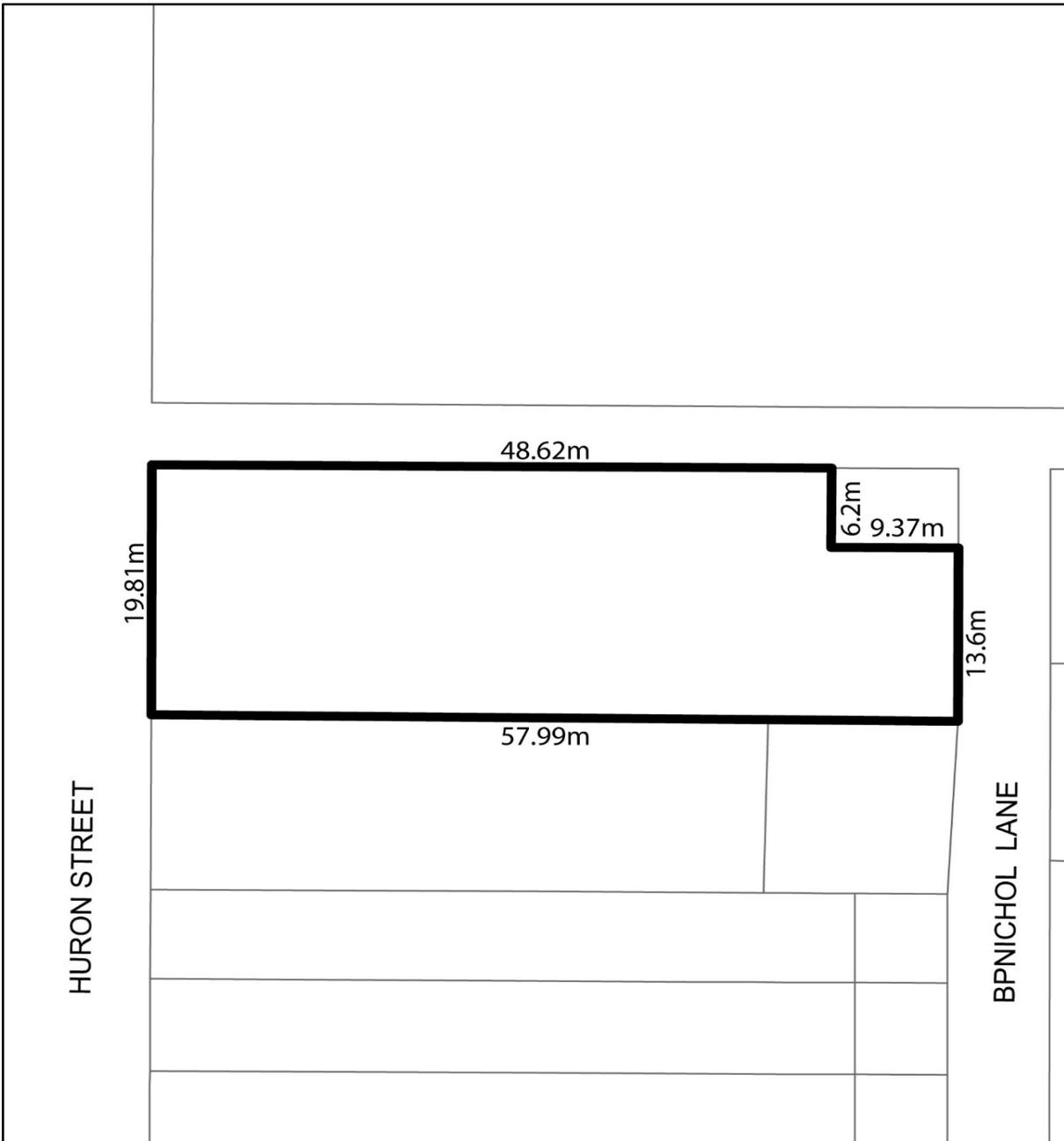
Enacted and passed on February 4, 2026.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

Diagram 1



**Diagram 2**

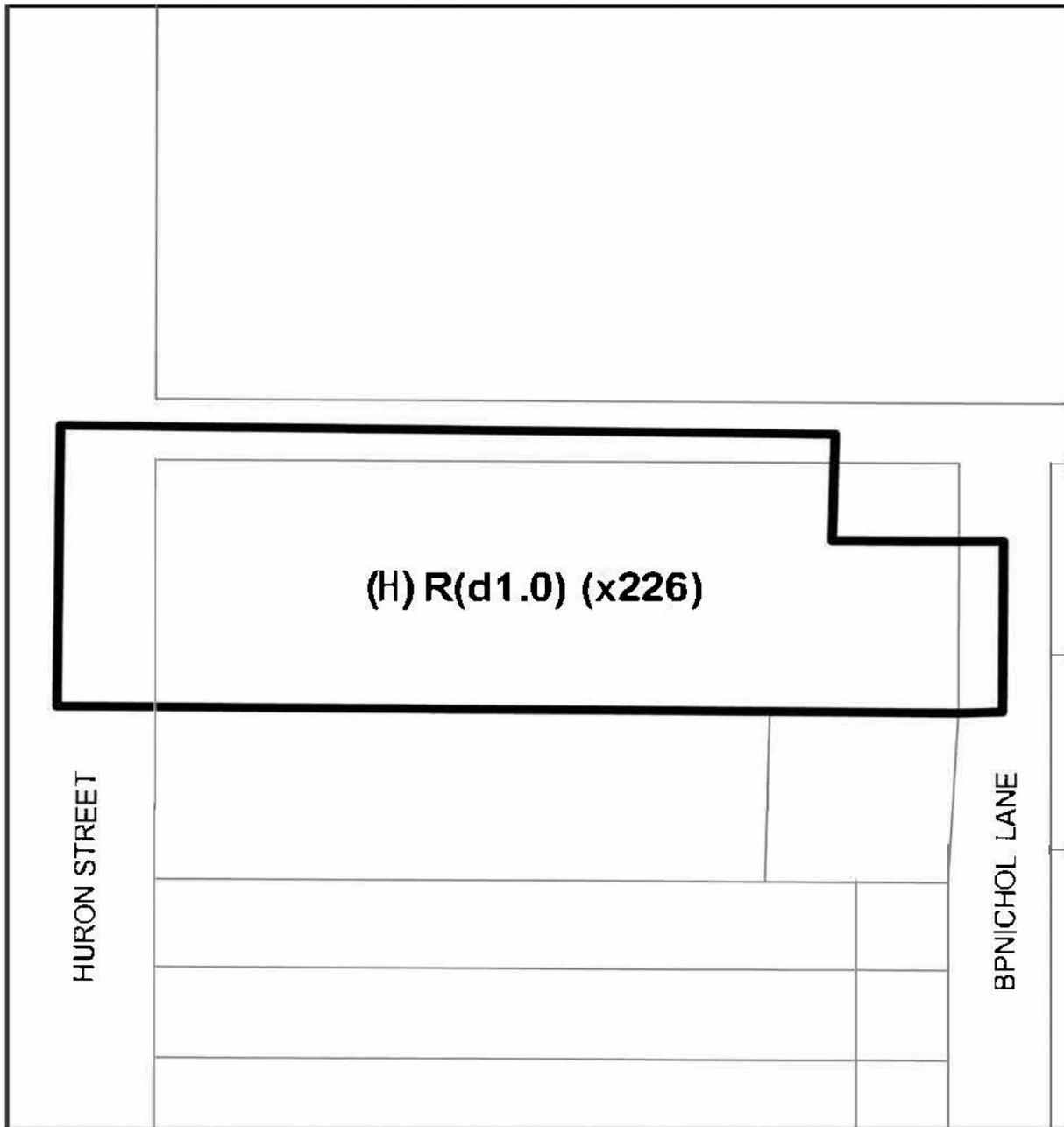


Diagram 3

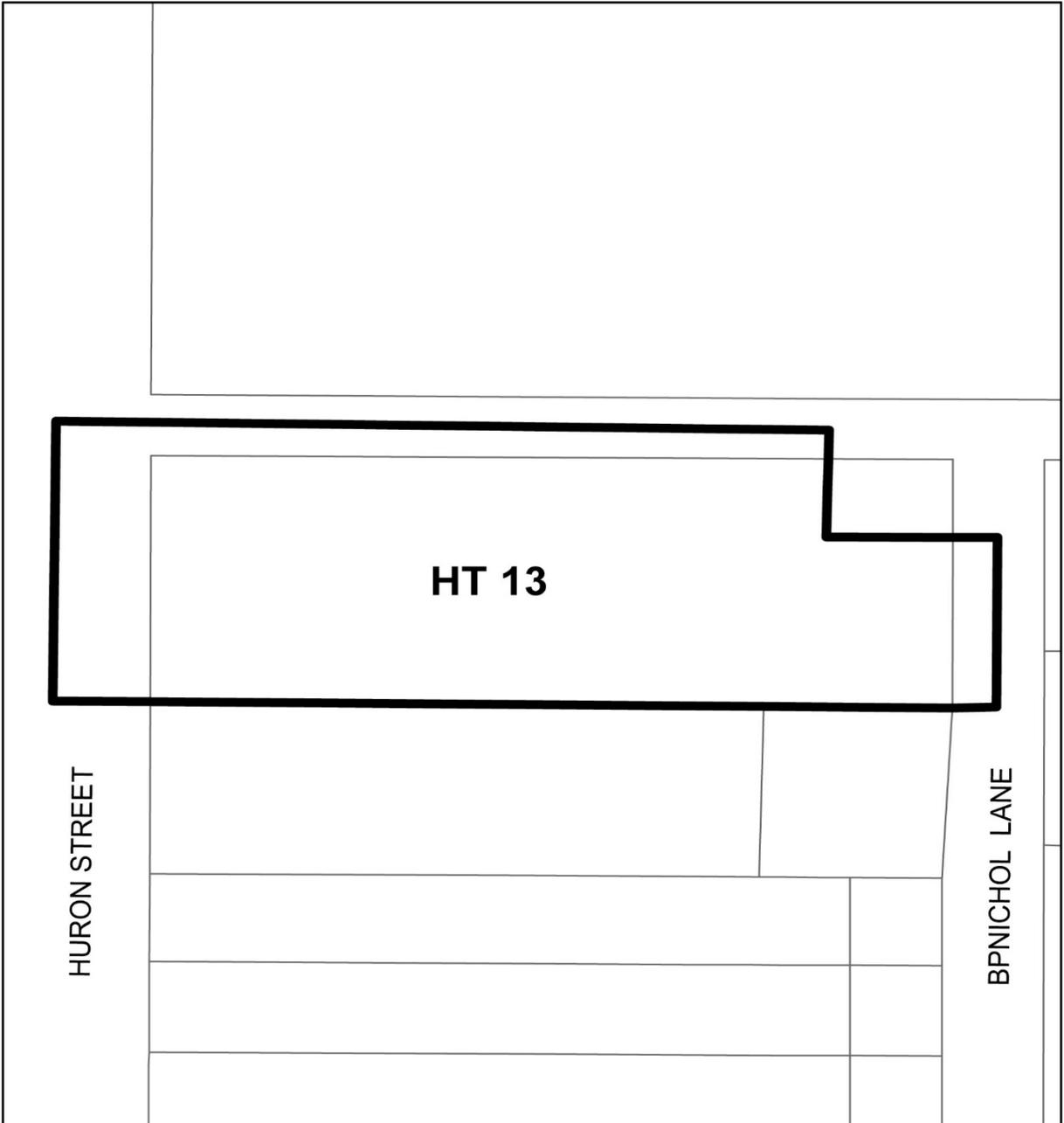


Diagram 4

