

Authority: Planning and Housing Committee Item PH28.2,
as adopted by City of Toronto Council on March 25 and 26,
2026
City Council voted in favour of this by-law on March 26,
2026
Written approval of this by-law was given by Mayoral
Decision 7-2026 dated March 26, 2026

CITY OF TORONTO

BY-LAW 238-2026

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 21 Windermere 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 (d0.6) (x733) to a zone label of RAC (x232) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number 232 so that it reads:

(232) Exception RAC 232

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 21 Windermere Avenue, if the requirements of By-law 238-2026 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (BB) below;

- (B) For the purpose of this exception, the **lot** is as shown on Diagram 1 attached to By-law 238-2026;
- (C) For the purposes of this exception, the **lot line** abutting The Queensway is the **front lot line**;
- (D) Despite regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum values provided in (i) and (ii) below and the elevation of the highest point of the **building** or **structure**;
- (i) For Building 1: 79.8 metres Canadian Geodetic Datum; and
 - (ii) For Building 2: 80.2 metres Canadian Geodetic Datum;
- (E) Despite regulations 15.5.50.10(1) and (2), a **lot** with an **apartment building** must have:
- (i) a minimum of 35 percent of the area of the **lot** must be **landscaping**; and
 - (ii) a minimum of 35 percent of the area required in (i), must be **soft landscaping**;
- (F) Despite regulations 15.20.40.10(1) and (2), the permitted maximum height of Building 1 and Building 2 are the numerical values in metres following the letters "HT" as shown on Diagram 3 of By-law 238-2026;
- (G) Despite regulations 15.5.40.10 (2) to (6) and (F) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 238-2026:
- (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, elevator shafts, chimneys, and vents, by a maximum of 8.0 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 8.0 metres;
 - (iii) enclosed **structures** that provide access to outdoor amenity space, by a maximum of 8.0 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 8.0 metres;

- (vi) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
- (vii) antennae, flagpoles and satellite dishes, by a maximum of 5.0 metres; and
- (viii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
- (H) Regulations 15.20.20.100(8), 150.15.20.1(1), 150.15.20.1(2), and 150.15.80.1(1) with respect to **group homes** and **residential care homes**, do not apply;
- (I) Despite regulation 15.20.20.100(1)(C), **retail store, retail service, eating establishment, art gallery, artist studio, personal service shop, pet services, recreation use, service shop, and take-out eating establishment** may occupy no more than 90 percent of the **interior floor area** of the first **storey** in an **apartment building**;
- (J) Despite regulations 15.20.20.100(1)(D) and (E), there is no maximum **interior floor area** for a **retail store, retail service, eating establishment, art gallery, artist studio, personal service shop, pet services, recreation use, service shop, and take-out eating establishment**;
- (K) Despite regulation 15.20.20.100(4)(A), a **community centre** or library may occupy no more than 90 percent of the **interior floor area** of the first **storey** in an **apartment building** and may not exceed 1,250 square metres in **interior floor area**;
- (L) Despite regulation 150.45.20.1(1), a **day nursery** is permitted in an **apartment building** or a **building** without one or more of the following uses:
 - (i) **public school**;
 - (ii) **private school**;
 - (iii) **place of worship**;
 - (iv) **community centre**; or
 - (v) **library**;
- (M) Despite regulation 150.45.50.1(1)(B), a **day nursery** is permitted to be located no closer than 3.0 metres to a **lot line** abutting a **street**;
- (N) For the purposes of this exception, **community centre** is added to the list of uses in regulation 15.20.20.100(23) with respect to an **outdoor patio**;
- (O) Despite regulation 15.20.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 75,700 square metres, of which:

- (i) the permitted maximum **gross floor area** for residential uses is 74,700 square metres; and
 - (ii) In Building 1, the required minimum **gross floor area** for non-residential uses is 1,000 square metres;
- (P) Despite regulation 15.20.40.70(1) to (4), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 238-2026;
- (Q) Despite regulations 15.20.40.80(1), (2) and (3), the required separation of **main walls** is as shown in metres on Diagram 3 of By-law 238-2026;
- (R) Despite Clause 15.5.40.60, (P) and (Q) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks, porches, and balconies, by a maximum of 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 3.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 5.0 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.5 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metre;
 - (vi) window projections, including bay windows and box windows, by a maximum of 1.0 metre;
 - (vii) eaves, by a maximum of 1.0 metre; and
 - (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metre;
- (S) Despite (R)(i) above, no balcony encroachments are permitted above a height of 27.5 metres above the established grades identified in provision (D) in the area shown on Diagram 3 of By-law 238-2026 as "Balcony Exclusion Zone";
- (T) Despite regulation 200.15.10.5(1), a minimum of 0.017 accessible **parking spaces** for each **dwelling unit** must be provided;
- (U) Despite regulation 200.5.1.10(2)(A), a maximum of 10 percent of **parking spaces** provided on the **lot** may have minimum dimensions of:
- (i) a length of 5.1 metres;

- (ii) a width of 2.6 metres; and
- (iii) a vertical clearance of 2.1 metres;
- (V) Despite regulation 200.5.1.10(2)(A)(iv), a maximum of 15 percent of the **parking spaces** provided on the **lot** 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**;
- (W) Despite regulation 200.15.1(1) and (3), an accessible **parking space** must have the following minimum dimensions:
 - (i) a length of 5.6 metres;
 - (ii) a width of 3.4 metres;
 - (iii) a vertical clearance of 2.1 metres; and
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5 metres wide accessible barrier free aisle or path;
- (X) Despite regulation 230.5.10.1(5), bicycle parking spaces must be provided in accordance with the following minimum rates:
 - (i) 0.82 "long-term" **bicycle parking spaces** for each **dwelling unit**; and
 - (ii) 0.18 "short-term" **bicycle parking spaces** for each **dwelling unit**;
- (Y) Despite regulations 230.5.1.10(4)(A) and (C), the required minimum dimensions of a **stacked bicycle parking space** are;
 - (i) length of 1.8 metres;
 - (ii) width of 0.45 metres; and
 - (iii) vertical clearance of 1.2 metres;
- (Z) Despite regulations 220.5.10.1(1) to (9), 1 Type "G" **loading space** is required;
- (AA) A "**Publicly Owned Privately Accessible Open Space**" or "POPS" with a minimum size of 750 square metres must be provided on the **lot** within the hatched area labelled "Potential Future POPS Area" shown on Diagram 3 of By-law 238-2026; and

(BB) For the purpose of this exception, each word or expression that is in bold font in this exception will have the same meaning as each word or expression as defined in Chapter 800 of Zoning By-law 569-2013, as amended, except for the following:

- (i) Privately-owned publicly-accessible open space " or "POPS" means a space on the **lot** situated at ground level within the hatched area labelled "Potential Future POPS Area" shown on Diagram 3 of By-law 238-2026 that is accessible to the public, secured through appropriate legal agreements and may include pedestrian walkways, seating areas, landscaped plazas, and ornamental structures and is used principally for the purpose of sitting, standing and other recreational uses; and
- (ii) "Building 1" and "Building 2", means the respective **buildings** as shown and labelled on Diagram 3 of By-law 238-2026;

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.

Enacted and passed on March 26, 2026.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1



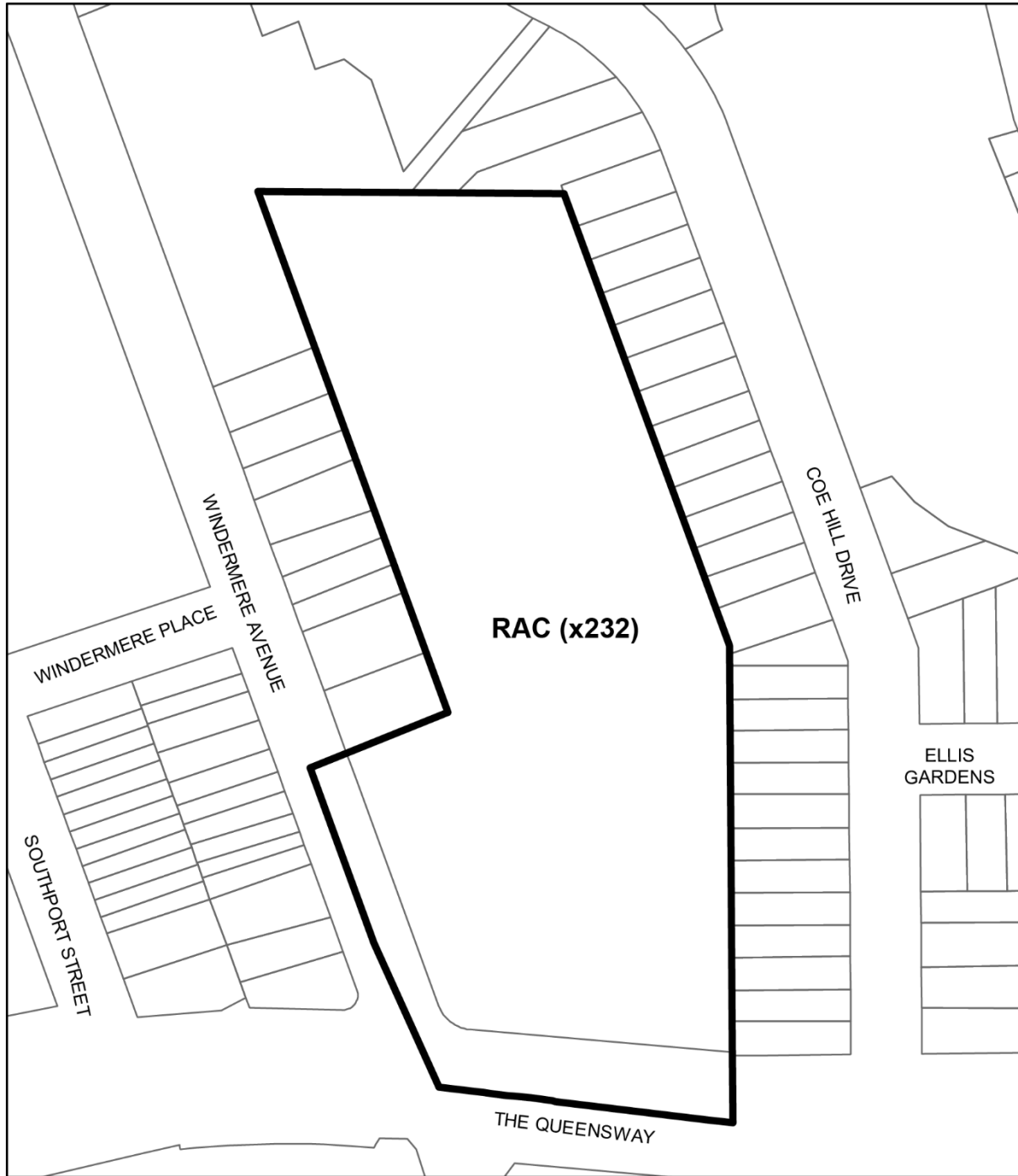
 **TORONTO**
 Diagram 1

21 Windermere Avenue

File #: 25 250881 STE 04 0Z


 City of Toronto By-law 569-2013
 Not to Scale
 02/09/2026

Diagram 2



 **TORONTO**
Diagram 2

21 Windermere Avenue

File #: 25 250881 STE 04 0Z


City of Toronto By-law 569-2013
Not to Scale
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Diagram 3

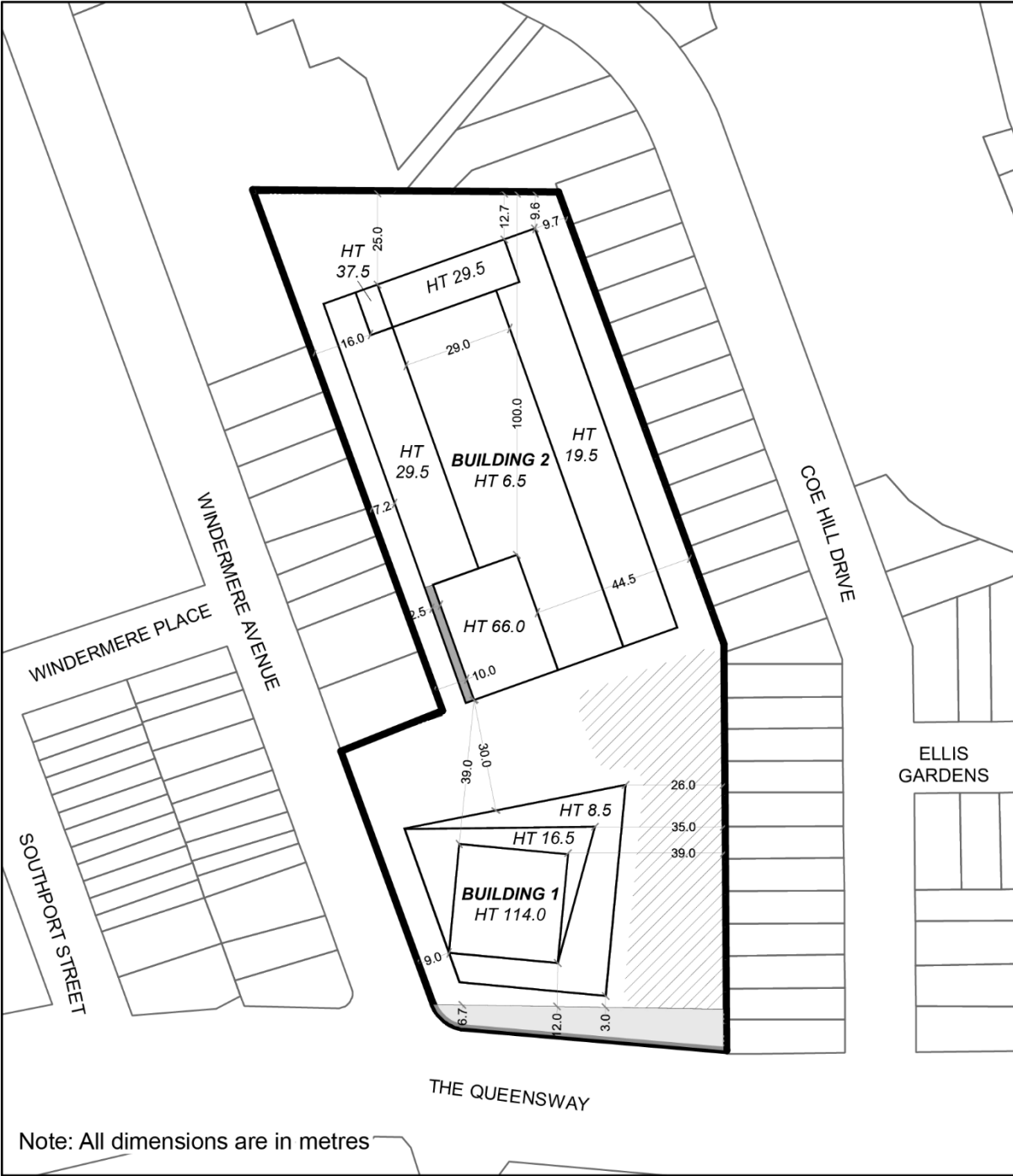






Diagram 3

21 Windermere Avenue

File #: 25 250881 STE 04 0Z

-  Road Widening
-  Balcony Exclusion Zone
-  Potential Future POPS Area


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