

Authority: Toronto and East York Community Council  
Item TE31.4, as adopted by City of Toronto Council on  
April 22 and 23, 2026  
City Council voted in favour of this by-law on April 23,  
2026  
Written approval of this by-law was given by Mayoral  
Decision 9-2026 dated April 23, 2026

## CITY OF TORONTO

### BY-LAW 359-2026

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 3459-3461 Dundas Street West.**

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 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: CR 2.5 (c2.0; r2.0) SS2 (x1229) 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 label to these lands: HT14, as shown on Diagram 3 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 Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA4, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1229 so that it reads:

**(1229) Exception CR (1229)**

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 3459 and 3461 Dundas Street West, if the requirements of By-law 359-2026 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (P) 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 120.39 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite clause 40.10.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 80 percent;
- (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 5 of By-law 359-2026;
- (E) Despite regulation 40.10.40.10(7), and for the purpose of this exception, a mechanical penthouse and a mezzanine does not constitute a **storey**;
- (F) 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 5 of By-law 359-2026:
  - (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 3.0 metres;
  - (ii) **structures** that enclose, screen, or cover the equipment including a mechanical penthouse, by a maximum of 3.0 metres;
  - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.0 metres;
  - (iv) **building** maintenance units and window washing equipment, by a maximum of 5.0 metres;
  - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
- (G) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 2,520 square metres, of which:

- (i) the permitted maximum **gross floor area** for residential uses is 2,455 square metres;
  - (ii) the required minimum **gross floor area** for **retail store** uses is 65 square metres;
- (H) Despite regulation 40.5.40.40(3)(A), the **gross floor area** of a **mixed use building** is reduced by the area in the **building** used for parking, loading and bicycle parking at, above-ground or below-ground;
- (I) Despite regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) at least 1.7 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 1.7 square metres for each **dwelling unit** of outdoor **amenity space**, of which minimum 50.0 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
  - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (J) Despite regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 5 of By-law 359-2026;
- (K) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 5 of By-law 359-2026;
- (L) Despite Clause 40.10.40.60 and (J) and (K) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 metre;
  - (ii) window projections, including bay windows and box windows, by a maximum of 0.6 metres;
  - (iii) window wells may encroach into the **rear yard setback** by a maximum of 1.7 metres; and
  - (iv) eaves, by a maximum of 0.6 metres;
- (M) Where a **dwelling unit** is located in the first **storey** and the **basement**, a **home occupation**:
- (i) despite 150.5.20.1(6), may have one (1) employee in the **dwelling unit** who is not the business operator;

- (ii) despite regulation 150.5.20.1 (1)(A),(B),(C) and (D), may:
  - a. sell, rent or lease physical goods directly from the **dwelling unit**;
  - b. be a **personal service shop**;
  - c. be an office or medical office for a professional regulated under the College of Physicians and Surgeons of Ontario;
  - d. be an office or medical office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended;
- (iii) despite regulation 150.5.20.1 (2), may have clients or customers attending the **premises** for:
  - a. consultations;
  - b. receiving services; or
  - c. obtaining physical goods;
- (iv) despite regulation 150.5.40.40(1), the floor area for a **home occupation** must have a minimum of 25percent of the **interior floor area** of the **dwelling unit** the **home occupation** is located in;
- (N) Despite regulations 220.5.10.1(2) to (3) and (11), zero (0) **loading space** is required on the **lot**;
- (O) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, zero (0) **parking spaces** are required on the **lot**;
- (P) Despite regulations 230.5.10.1(1)(3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
  - (i) 0.9 "long-term" **bicycle parking spaces** for each **dwelling unit**; and
  - (ii) 0.2 "short-term **bicycle parking spaces** for each **dwelling unit**.

Prevailing By-laws and Prevailing Sections: None Apply

7. 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.

**8.** Temporary Use(s):

- (A) Pursuant to Section 39(1) of the Planning Act, 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 Construction Office or Sales Office and associated parking on the lands to which this By-law applies, where a Construction Office or Sales Office means a building, structure, facility, or trailer, or portions thereof, used for the administration and management of construction activity and/or for the selling or leasing of dwelling units and/or non-residential gross floor area on the lands, provided that any such Construction Office or Sales Office does not exceed a maximum height of 4.0 metres. Section 9 of this by-law shall expire on April 23, 2029.

Enacted and passed on April 23, 2026.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**Diagram 1**

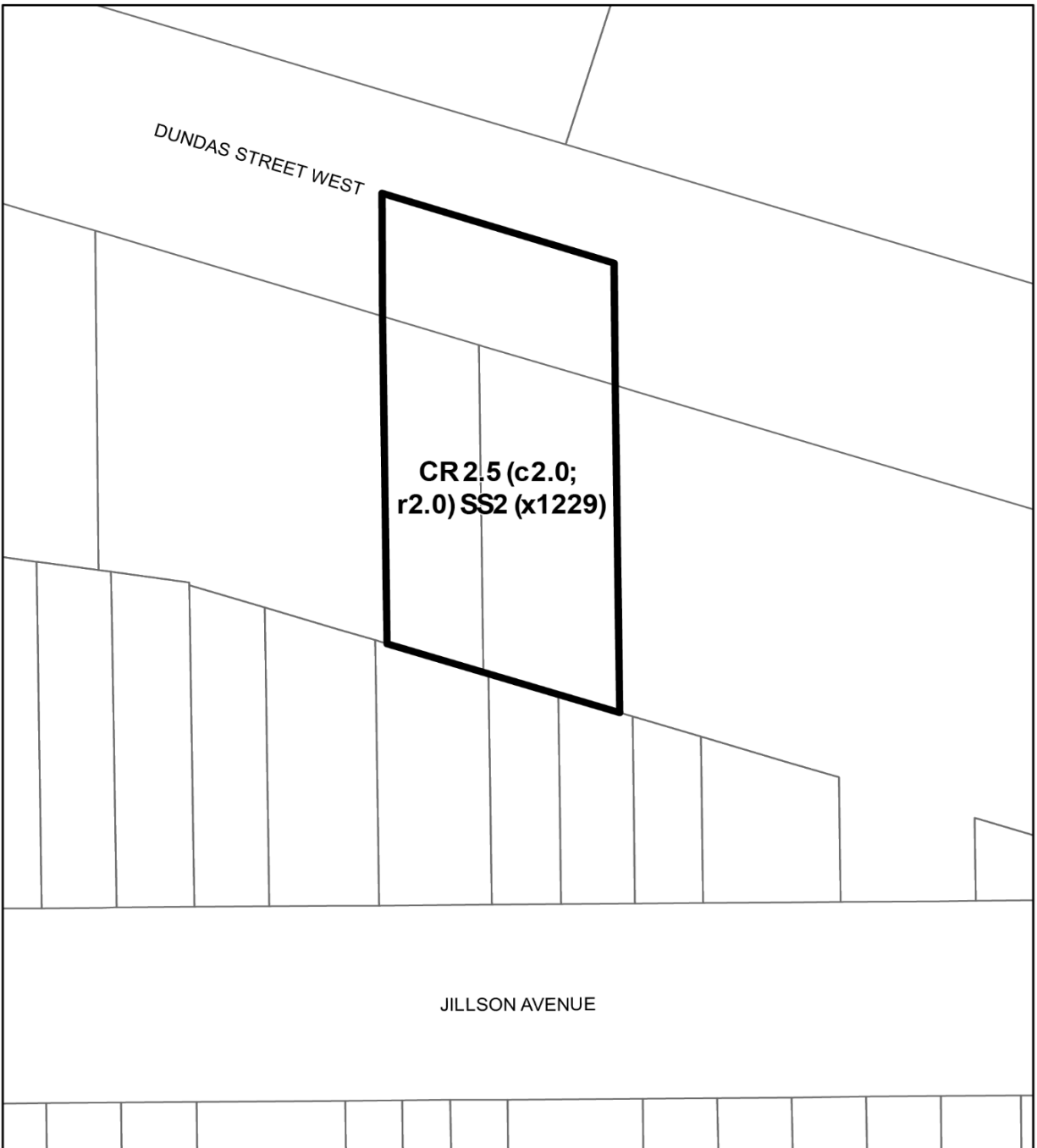


 **TORONTO**  
Diagram 1

**3459-3461 DUNDAS STREET WEST**

File # 25 124531 STE 04 0Z

**Diagram 2**



**Diagram 3**



 **TORONTO**  
**Diagram 3**

**3459-3461 DUNDAS STREET WEST**

File # 25 124531 STE 04 0Z

**Diagram 4**

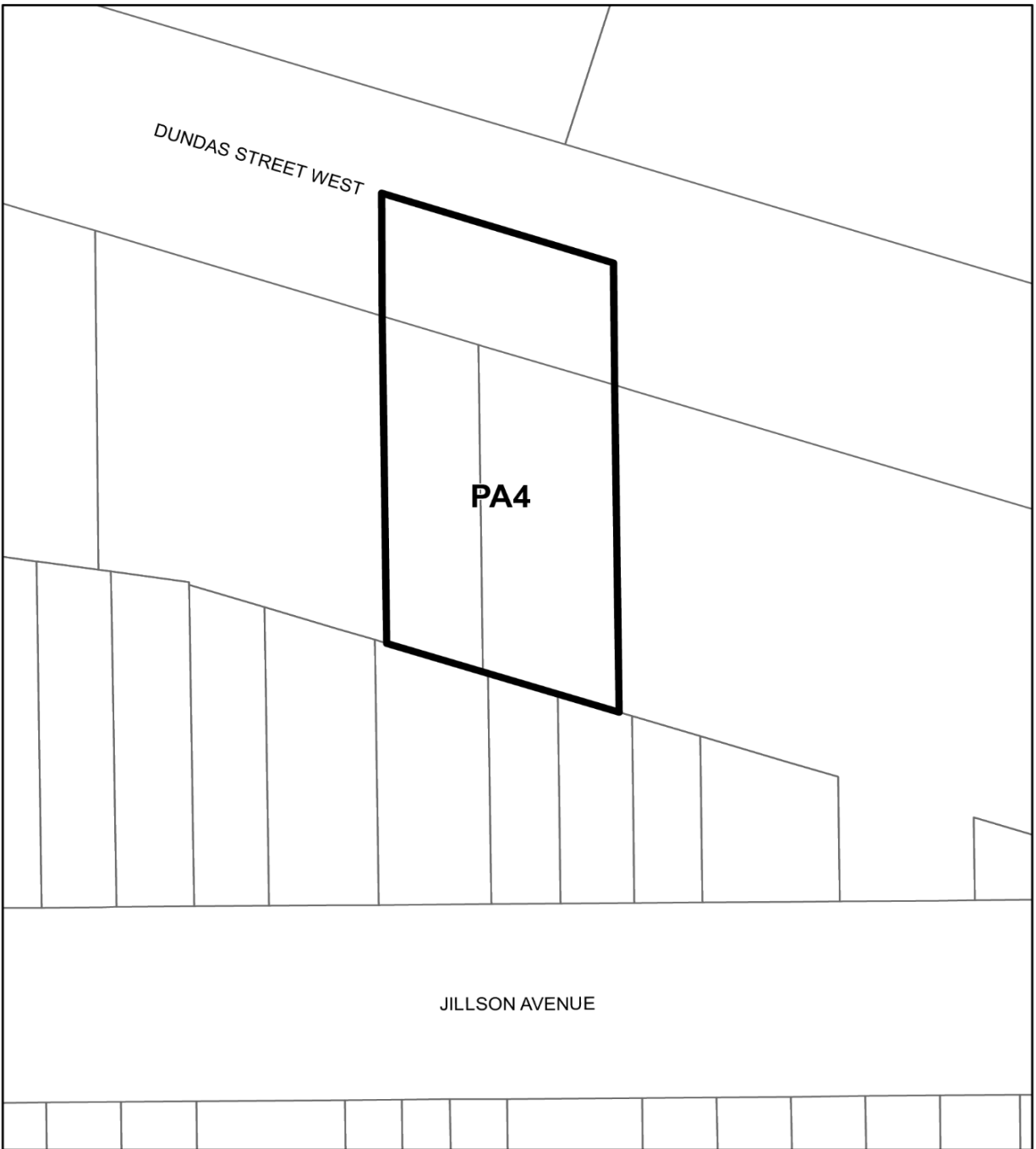


Diagram 5

