

Authority: North York Community Council Item [-], as adopted by City of Toronto Council on [-]

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 3309 and 3317 Dufferin 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 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 on Diagram 2 from a zone label of CR 1.0 (c1.0; r1.0) SS3 (x77) and zone label of CR 1.0 (c1.0; r1.0) SS2 (x2620) to a zone label of CR 1.0 (c1.0; r1.0) SS2 (x1037) 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 1037 so that it reads:

(1037) Exception CR 1037

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 3309 and 3317 Dufferin Street, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (W) 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 188.38 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.20.100(1)(A), the permitted total **interior floor area** of all **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses** and **take-out eating establishments** may not exceed 500 square metres;
- (D) Despite Clause 40.10.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 68 percent;
- (E) 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** provided it is for:
 - (i) residential lobby access;
 - (ii) related residential uses such as mail room, management office, and storage; and
 - (iii) indoor **amenity space**;
- (F) 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 [Clerks to insert By-law number];
- (G) Despite regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 3.4 metres;
- (H) 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 [Clerks to insert By-law number]; and
 - (i) for the purpose of this exception, a mechanical penthouse does not constitute a **storey**;
- (I) Despite regulations 40.5.40.10(3) to (8) and (F) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number]:

- (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 6.5 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 6.5 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 1.7 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 2.5 metres;
 - (v) planters, **landscaping** features, guard rails, acoustic barriers, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres; and
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
- (J) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 12,950 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 12,450 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 400 square metres;
- (K) Despite regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) at least 1.8 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit**, of which 40 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**;
- (L) Despite regulation 40.10.40.70(2), the required minimum **building**

setbacks are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];

- (M) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (N) Despite Clause 40.10.40.60, (L) and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) balconies, by a maximum of 1.8 metres;
 - (ii) canopies and awnings, by a maximum of 2.1 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.8 metre;
 - (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 0.3 metres; and
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metre;
- (O) Despite regulation 40.10.50.10(3), a minimum 0.5 metre wide strip of land used only for soft landscaping must be provided along the part of the **lot line** abutting the **lot** in the Residential Zone category.
- (P) Despite regulation 200.5.1.10(2)(A)(iv), 10% of the required **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**;
- (Q) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
 - (i) a minimum of 0 residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in a **Mixed Use Building** in Parking Zone B;

- (ii) a minimum of 2.0 residential visitor **parking spaces**;
 - (iii) in addition to (Q)(ii) above, a minimum of 0.05 residential visitor **parking spaces** for each **dwelling unit**; and
 - (iv) a minimum of 0 **parking spaces** for every 100 square metres of **gross floor area** devoted to non-residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for Tier 4 for non-residential uses in Parking Zone B;
- (R) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (S) Despite regulation 200.15.1(4), the nearest point of an accessible **parking space**, where such a point is adjacent to a drive aisle, must be located as follows:
 - (i) no more than a 30.0 metres path from a barrier free entrance to a **building** or passenger elevator that provides access to the first storey of a **building**; and
 - (ii) the path as described in (i) above, may include swing doors or overhead doors, but must not be obstructed by **parking spaces**, **bicycle parking spaces**, walls, parking curbs, and other immovable structures or fixtures;
- (T) Despite regulation 200.15.10(1) and (2), a minimum of 7 **parking spaces** are required to be accessible **parking spaces**;
- (U) In addition to the places a "long-term" **bicycle parking space** may be located as in regulations 230.5.1.10(9)(B)(i)(ii) and (iii), "long-term" **bicycle parking spaces** may also be located in the following locations:
 - (i) On all levels of the **building** below ground;
- (V) Despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;

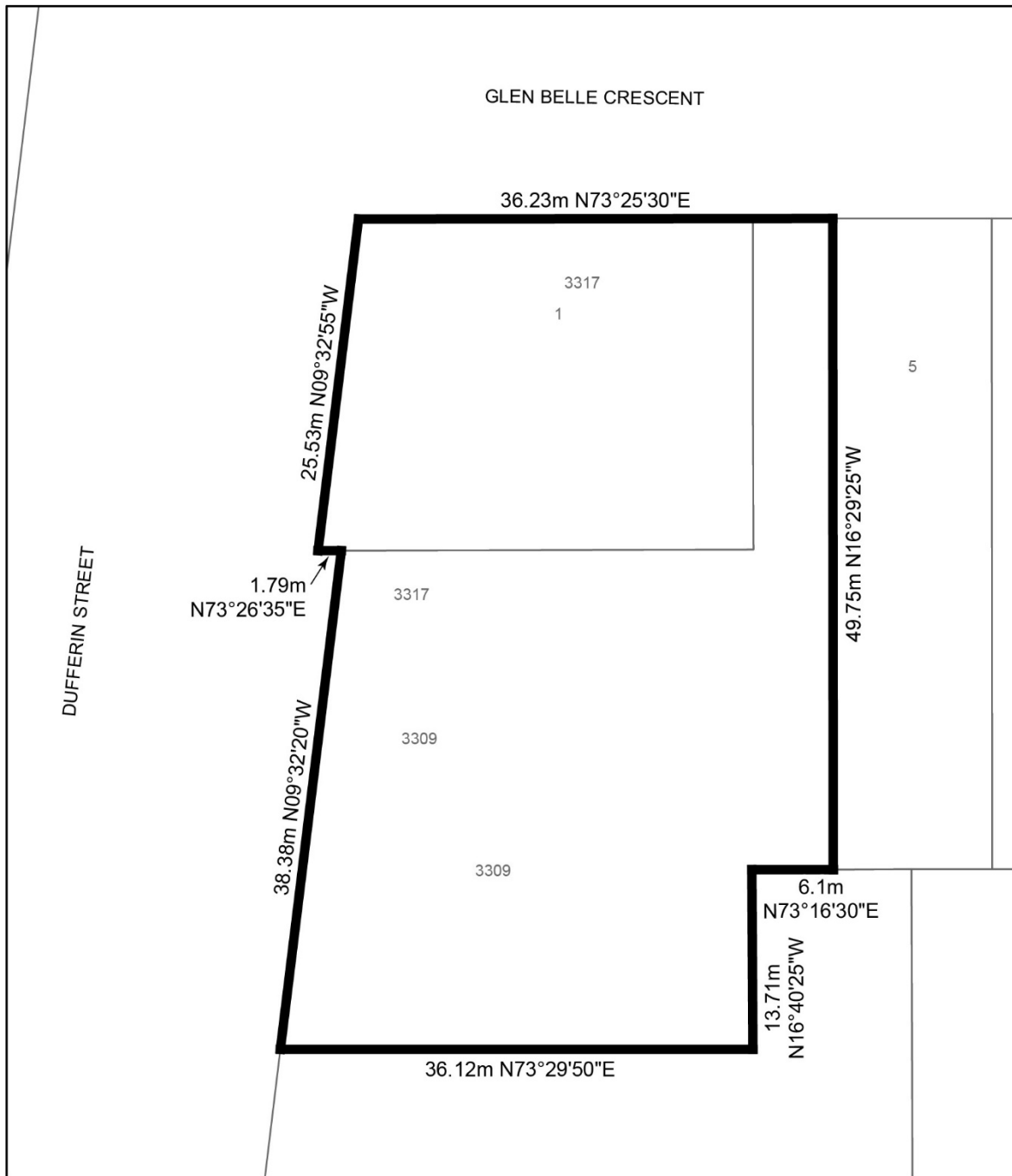
- (W) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** must have 2 or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have 3 or more bedrooms; and
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
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. Prevailing By-laws and Prevailing Sections:
- (None Apply)
7. Temporary Uses:
- (A) None of the provisions of By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a sales centre or office for the sale and leasing of dwelling units constructed on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

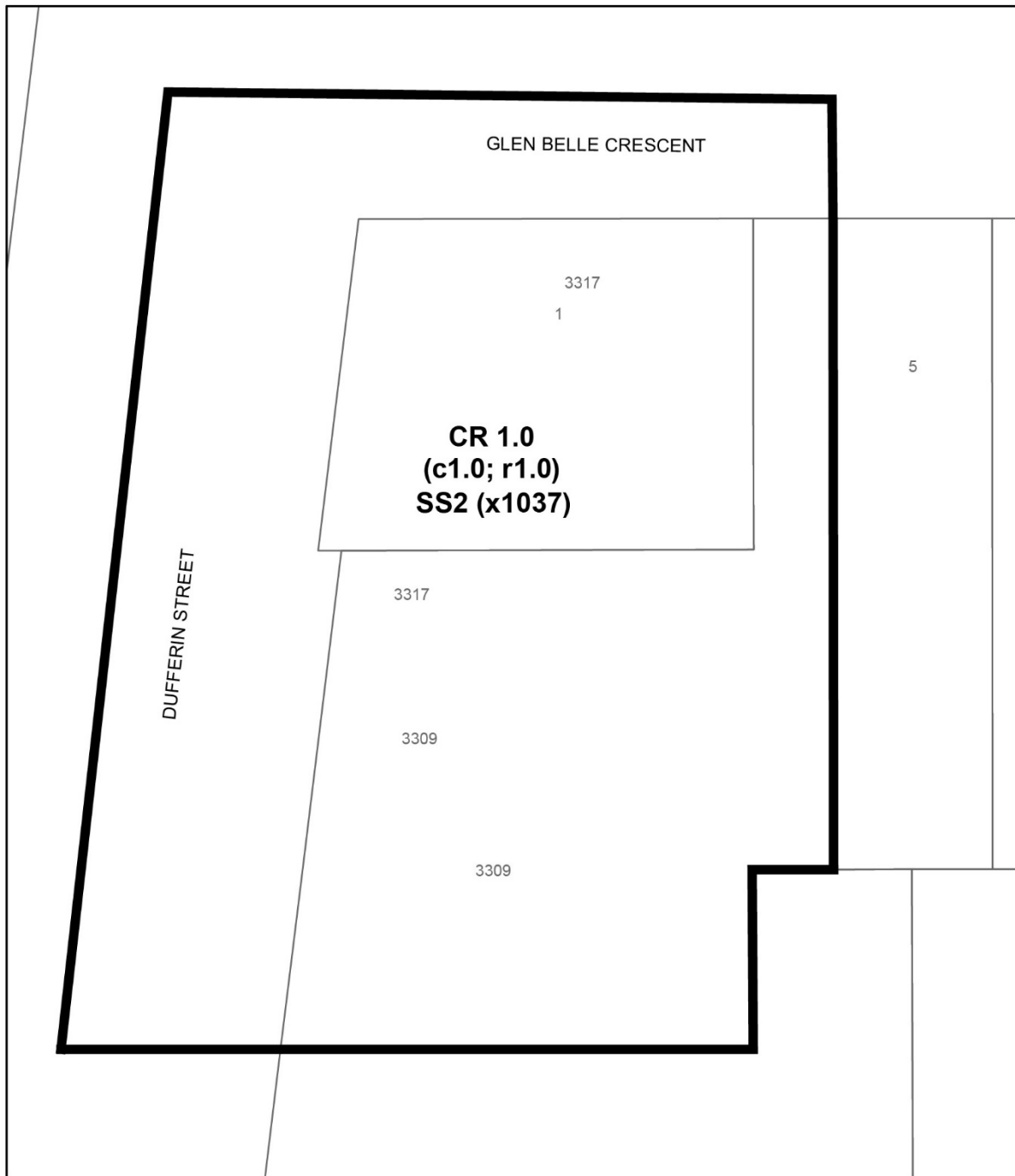
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Diagram 1

3309-3317 Dufferin Street

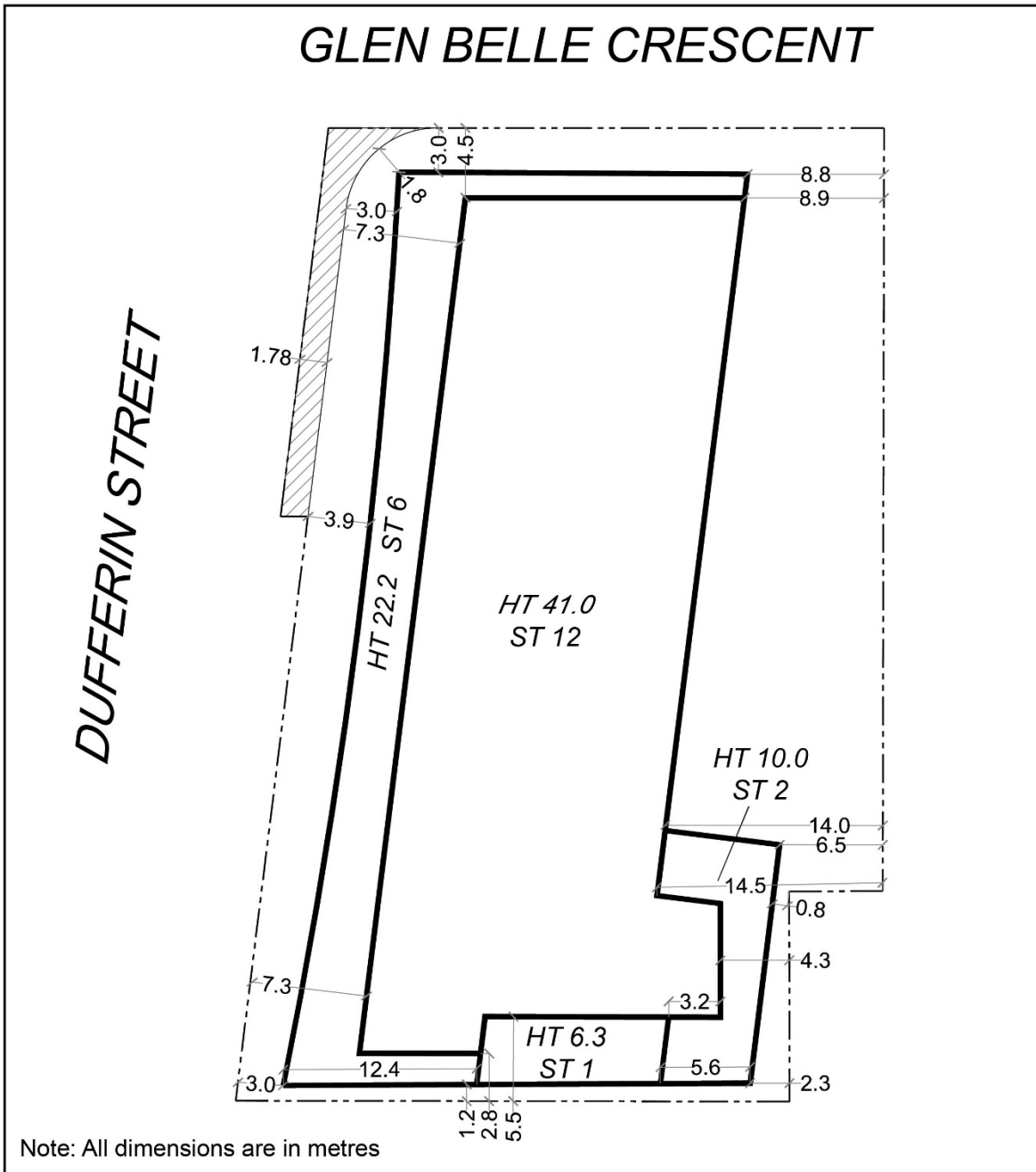
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 **TORONTO**
Diagram 2

3309-3317 Dufferin Street

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TORONTO
Diagram 3

3309-3317 Dufferin Street

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Road Widening

City of Toronto By-law 569-2013
 Not to Scale
 08/27/2024