

Authority: Toronto and East York Community Council Item ~, as adopted by City of Toronto Council on ~, 20 ~

**CITY OF TORONTO  
BY-LAW ~-20~**

**To amend the City of Toronto Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2023 as 239 to 255 Dundas Street East**

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;

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 No. 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 1.5 (c1.0; r1.0) SS2 (x2389) to a zone label of **[CR 1.5 (c1.0; r1.0) SS2] (x 1016)** 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 **1016** so that it reads:

**(1016) Exception CR (1016)** -

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 239 to 255 Dundas Street East, 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 **(BB)** below;

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- (B) For the purposes of this exception, the **front lot line** is Dundas Street East;
- (C) 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 88.75 metres and the elevation of the highest point of the **building** or **structure**;
- (D) 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**;
- (E) Despite regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure**, including a mechanical penthouse, is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (F) Despite regulations 40.5.40.10(3) to (8) and (E) 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] provided that such projections do not exceed a permitted maximum height of 163.6 metres;:
- (i) enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, chimneys, vents, and mechanical equipment including heating, cooling or ventilating equipment, by a maximum of **3.0** metres;
  - (ii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of **2.0** metres;
  - (iii) planters, **landscaping** features, lighting fixtures, guard rails, privacy screens and divider screens on a balcony and/or terrace, by a maximum of **3.0** metres;
  - (iv) antennae and other communication equipment, flagpoles and satellite dishes, by a maximum of **3.5** metres; and
  - (v) trellises, pergolas, awnings, canopies, bollards, guardrails, parapets, pipes, railings, and unenclosed **structures** providing safety or wind and noise protection to rooftop **amenity space**, by a maximum of **3.5** metres;
- (G) Despite regulations 40.5.40.10(3) to (8) and (F) above, the following equipment and **structures** may project above the area with a permitted maximum height of 163.6 metres as shown on Diagram 3 of By-law [Clerks to insert By-law number]:
- (i) ladders and hatches, by a maximum of **1.5** metres;
  - (ii) building maintenance units and window washing equipment, by a maximum of **6.5** metres; and,
  - (iii) lightning rods, by a maximum of **7.0** metres;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 37,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 36,825 square metres;

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- (ii) the permitted minimum **gross floor area** for non-residential uses is 45 square metres; of which a minimum of 45 square meters must be for one or more of the uses permitted by (I) below; and
- (iii) the permitted maximum **gross floor area** for non-residential uses is 300 square metres;
- (I) Despite Regulation 600.20.10(1)(A), the first **storey** of a **mixed-use building** must provide a minimum of 28 percent of the **lot frontage** abutting the priority retail **street** for one or more of the following uses, provided that any use must be otherwise permitted on that **lot** by this By-law:
- Art Gallery**
  - Artist Studio**
  - Automated Banking Machine**
  - Clinic
  - Club**
  - Community Centre**
  - Custom Workshop**
  - Day Nursery**
  - Eating Establishment**
  - Education Use**
  - Entertainment Place of Assembly**
  - Financial Institution**
  - Library
  - Massage therapy**
  - Medical Office
  - Office
  - Performing Arts Studio**
  - Personal Service Shop**
  - Pet Services**
  - Place of Assembly**
  - Place of Worship**
  - Private School**
  - Production Studio**
  - Recreation Use**
  - Retail Service**
  - Retail Store**
  - Service Shop**
  - Sports Place of Assembly**
  - Take-out Eating Establishment**
  - Veterinary Hospital**
  - Wellness centre**
- (J) Despite Regulation 40.10.40.10(5), in the CR zone, 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 **3.0** metres.

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- (i) For the purpose of this exception, “ceiling” means the upper or top structural surface of a room or area which is higher than the following elements:
- a. structural drop beams, structural transfer beams, mechanical ventilation ducts, gas/water pipes, drainage pipes, sanitary pipes, electrical channels below slabs, sprinkler heads or any bulkheads and/or dropped ceilings;
- (K) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at a minimum rate of
- (i) **2.0** square metres for each **dwelling unit** in any combination of indoor and outdoor **amenity space** of which: at least 0.27 square meters of amenity space for each dwelling unit is outdoor amenity space; and,
  - (ii) at least 40.0 square metres of outdoor **amenity space** 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 Diagrams 3 and 4 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 Diagrams 3 and 4 of By-law [Clerks to insert By-law number];
- (N) Despite Clause 40.10.40.60 and (L) and (M) 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 such as wheelchair ramps, garage ramps and their associated **structures**, and elevating devices, by a maximum of 3.5 metres;
  - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.5 metres;
  - (iv) a dormer, by a maximum of 1.0 metres; and
  - (v) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metres;
  - (vi) lighting fixtures, bicycle parking areas, and safety railings, planters, balustrades, bollards, landscape and public art features, by a maximum of 3.0 metres;
- (O) Regulation 40.10.50.10(3) with respect to required **landscaping** does not apply;
- (P) Despite Clause 200.5.10.1 and Table 200.5.10.1 and regulation 900.11.10(2)(B),

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**parking spaces** must be provided in accordance with the following:

- (i) 0 **parking spaces** are required for residential uses;
  - (ii) 0 **parking spaces** are required for non-residential uses;
  - (iii) a minimum total of 5 visitor **parking spaces** are required for residential and non-residential uses on the **lot**, of which 1 **parking space** is required to be an accessible **parking space**;
- (Q) Despite regulations 200.15.1(1) and (3), an accessible **parking space** must comply with the following minimum dimensions:
- a. a length of 5.6 metres;
  - b. a width of 3.9 metres;
  - c. a vertical clearance of 2.1 metres;
- (R) Despite Regulation 200.5.1.10(2)(A)(iv), **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**;
- (S) 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**;
  - (ii) 0.2 "short-term **bicycle parking spaces** for each **dwelling unit**;
  - (iii) a total of 1 "long term" **bicycle parking space** for all non- residential uses; and
  - (iv) a total of 4 "short-term" **bicycle parking spaces** for all non-residential uses;
- (T) Despite regulation 230.5.1.10(4)(A), the required minimum width of a **bicycle parking space** is:
- (i) length of 1.8 metres;
  - (ii) width of 0.43 metres; and
  - (iii) vertical clearance of 1.9 metres;
- (U) Despite regulation 230.5.1.10(4)(A)(ii), the required minimum dimensions of a **stacked bicycle parking space** are:
- (i) length of 1.8 metres;
  - (ii) width of 0.43 metres; and
  - (iii) vertical clearance of 1.0 metres;

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- (V) In addition to the locations 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 above or below grade, outdoors or indoors including within a secured room or enclosure or unenclosed space, or combination thereof, or bike locker;
- (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 contain 2 or more bedrooms;
  - (ii) a minimum of 10 percent of the total number of **dwelling units** must contain 3 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;
  - (iv) An additional 15 percent of the total number of **dwelling units** will be any combination of 2 bedroom and 3 bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of 2 and 3 bedroom **dwelling units**;
  - (v) **dwelling units**, as described in (iv) above, may be converted using accessible or adaptable design measures such as knock- out panels; and
  - (vi) If the calculation of the number of required **dwelling units** in (i),(ii), and (iv) results in a number with a fraction, the number must be rounded up to the nearest whole number;
- (X) Despite provision (W) above, [11] **dwelling units**, provided for the purposes of rental replacement, shall not be included in the calculation of the number of required **dwelling units** that are required in (W) above.
- (Y) Despite regulation **230.5.1.10(10)**, "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space** and may also be located above or below grade, outdoors or indoors including within a secured room or enclosure or unenclosed space, or combination thereof, or bike locker;
- (Z) Despite Regulation 230.40.1.20(2) a "short term" **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to a **building** on the **lot**;
- (AA) Despite Regulation 220.5.10.1, a minimum of 1 Type "G" loading space must be provided on the **lot**;
- (BB) Despite regulation 800.50(820), and for the purposes of this By-law, a mezzanine level will not be considered a separate **storey**;

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(s):**

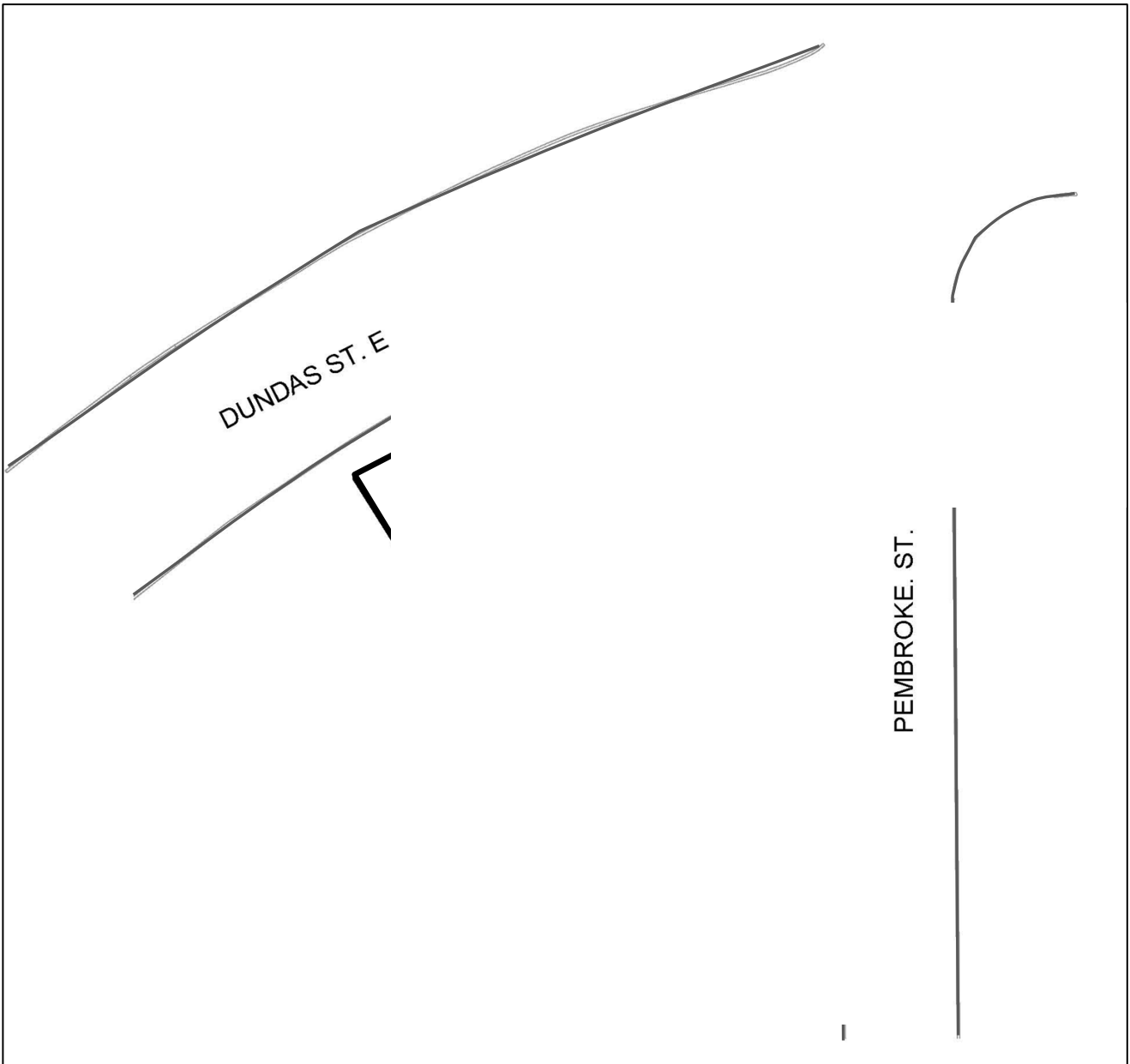
(A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a Construction Office/Sales Office and associated parking on the lands identified on Diagram 1 of this By-law where a Construction Office/Sales Office means **buildings, structures**, facilities or trailers, or portions thereof, used for the purpose of the administration and management of construction activity and/or for selling or leasing dwelling units and/or non-residential **gross floor area** on the lands identified on Diagram 1 of 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 this \_\_day of \_\_\_\_\_, A.D. 20~.

[full name],  
Speaker

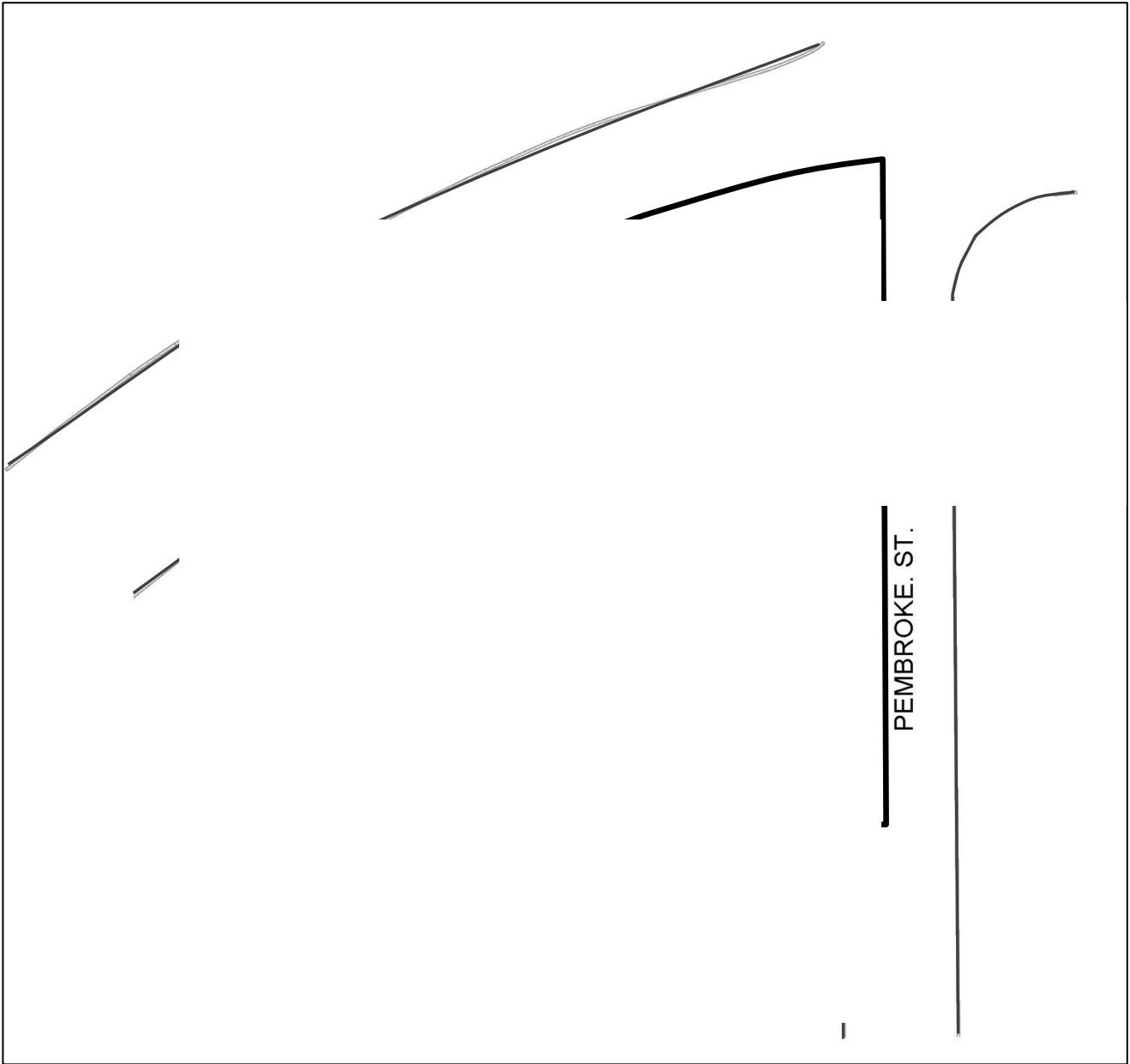
[full name],  
City Clerk

(Seal of the City)

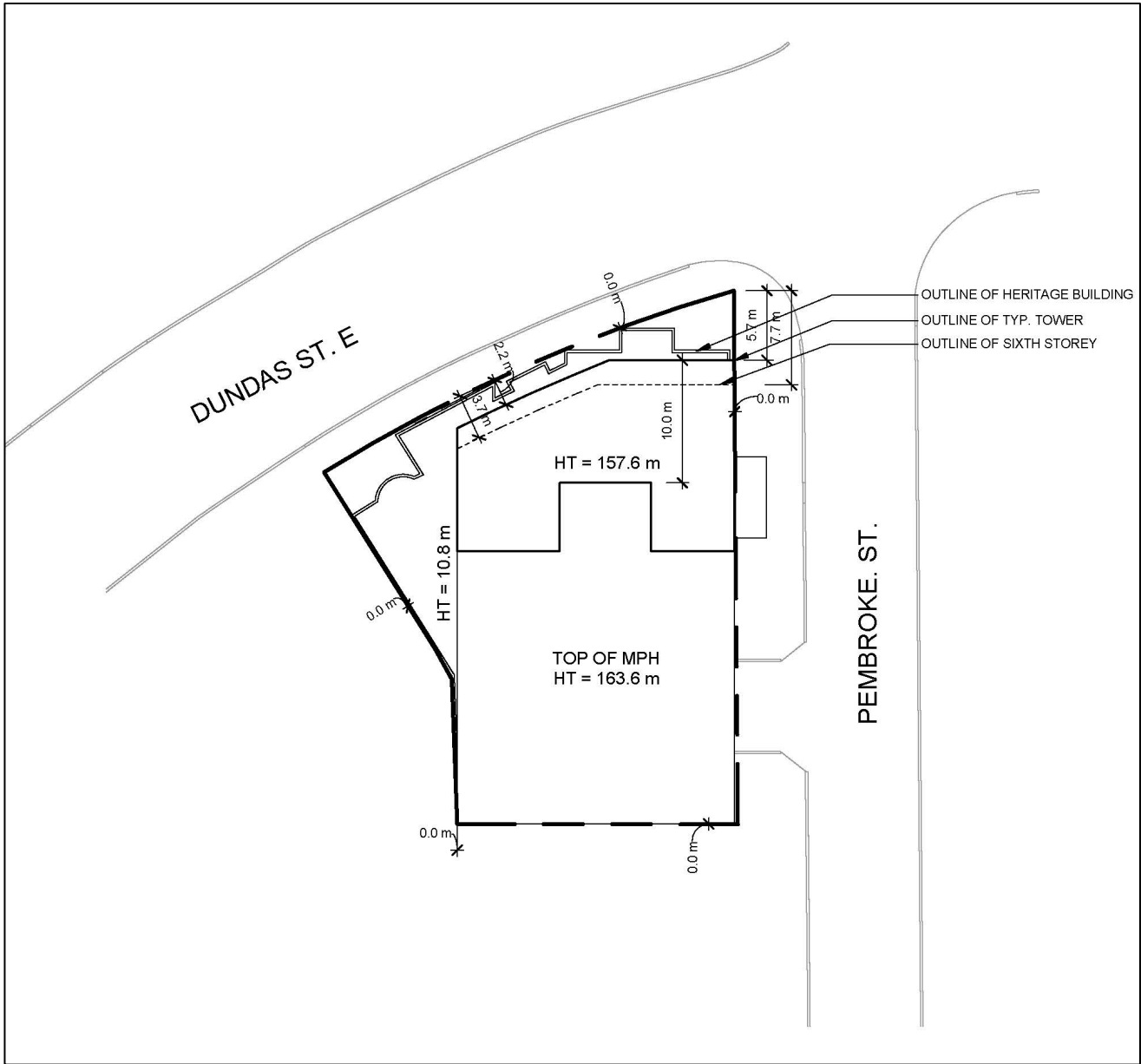


**235-255 Dundas Street East**





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File # 22 124214 STE 13 OZ

**Diagram 3**



