

Attachment 6: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item TE24.2, as adopted by City of Toronto Council on [DATE], 2025

CITY OF TORONTO

BY-LAW ###-2025

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 340-376R Dufferin Street and 2 Melbourne 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 990.1 respecting the lands outlined by heavy black lines from a zone label of EO 2.0 (e2.0; o2.0) (x19) to CR 4.0 (c3.0; r2.0) SS2 (x1153) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by replacing Article 900.11.10 Exception Number 1153 with the following:

(1153) Exception CR 1153

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 340-376R Dufferin Street and 2 Melbourne Avenue, 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 (JJ) 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 92.4 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the permitted uses listed in clauses 40.10.20.10 and 40.10.20.20, “car-share parking spaces” are permitted as a non-residential use;
- (D) Despite regulation 40.10.20.100(1)(A) and 40.10.20.100(16), the permitted maximum total **interior floor area** of all **cabarets, clubs, custom workshops, eating establishments, entertainment places of assembly, places of assembly, recreation uses** and **take-out eating establishments** may not exceed 2,300.0 square metres;
- (E) In addition to the permitted non-residential uses listed in regulation 40.10.20.10(1)(A), the following uses are also permitted within “Building 3”, as shown on Diagram 3, of By-law **[Clerks to insert By-law number]**, and may not exceed 500 square metres of the minimum required non-residential **gross floor area** of “Building 3”:
 - (i) **Market Garden**;
 - (ii) **Non-profit Organization**;
 - (iii) **Industrial Sales and Service Use**;
 - (iv) **Laboratory**;
 - (v) Apparel and Textile **Manufacturing Use**;
 - (vi) Beverage **Manufacturing Use**;
 - (vii) Clay Product **Manufacturing Use**;
 - (viii) Food **Manufacturing Use**; and
 - (ix) Furniture **Manufacturing Use**;
- (F) In addition to the non-residential uses permitted in regulation 40.10.20.10(1), an “alternative low-carbon energy system” is permitted;
- (G) Despite regulation 40.10.20.100(21), an **outdoor patio** is permitted within the “privately-owned publicly accessible space”;
- (H) 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]**

- (I) Despite regulations 40.5.40.10(3) to (8), and (H) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagrams 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, by a maximum of 7.0 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, excluding a mechanical penthouse, by a maximum of 7.0 metres;
 - (iii) equipment used for the functional operation of the **building** to support **alternative energy systems**, including electrical, utility, mechanical and ventilation equipment, to a maximum of 3.0 metres;
 - (iv) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (iii) above, inclusive of a mechanical penthouse, to a maximum of 3.0 metres;
 - (v) enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 5.0 metres;
 - (vi) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;
 - (vii) **building** maintenance units and window washing equipment, by a maximum of 2.0 metres;
 - (viii) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.5 metres;
 - (ix) antennae, flagpoles and satellite dishes, by a maximum of 3.0 metres;
 - (x) trellises, pergolas, and unenclosed **structures** providing safety or wind protection for the **amenity space**, by a maximum of 4.0 metres; and
 - (xi) screens, guard rails, and fences for visual, acoustical, security, mechanical, wind mitigation, or architectural purposes, by a maximum of 5.0 metres;
- (J) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 50,200 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is

47,500.0 square metres; and

- (ii) the required minimum **gross floor area** for non-residential uses is:
 - (a) 1,100.0 square metres for “Building 1”.
 - (b) 650.0 square metres for “Building 2”; and
 - (c) 900.0 square metres for “Building 3”;
- (K) In addition to the elements listed in regulation 40.5.40.40(3) that reduce **gross floor area**, the following elements will also apply to reduce the **gross floor area** of a **mixed use building**:
 - (i) all **parking spaces**, loading and **bicycle parking spaces** at any level above and below grade;
 - (ii) storage, electrical, utility, mechanical, and ventilation rooms, at any level of the **building** above and below grade; and
 - (iii) **alternative low-carbon energy system**;
- (L) Despite regulation 40.10.40.1(1), residential use portions of the **building**, including **dwelling units**, are permitted to be located on the same **storey** as non-residential use portions of a **building**;
- (M) Despite regulation 40.10.40.1(3), a **building** with a **dwelling unit** may be located so that another **building** is between any **main wall** of the **building** and the **street** on which the **building** fronts;
- (N) Despite Regulation 40.10.40.50(1), **amenity space** shall be provided at the following rates:
 - (i) for “Building 1”:
 - (a) a minimum of 2.0 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (b) a minimum of 1.93 square metres for each **dwelling unit** as outdoor **amenity space**, of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;

- (ii) for each of “Building 2” and “Building 3”:
 - (a) a minimum of 2.0 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (b) a minimum of 2.0 square metres for each **dwelling unit** as outdoor **amenity space**, of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;
- (O) A “privately-owned publicly accessible space” must be provided within the area shown on Diagram 4 of By-law [Clerks to insert By-law number], with a minimum size of 1,750 square metres, and with pedestrian walkways to Dufferin Street, Melbourne Avenue, and Milky Way Lane;
- (P) A “community greenhouse” must be provided within the area adjacent to “Building 3” as shown on Diagram 3 of By-law [Clerks to insert By-law number], and accessible from the “privately-owned publicly accessible space”;
- (Q) 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];
- (R) Despite regulation 40.10.40.80(2), the required minimum separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (S) Regulations 40.10.40.70(2)(E) and (G), with respect to a 45 **angular plane**, do not apply;
- (T) Despite clause 40.10.40.60 and (Q) and (R) 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 6.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.5 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice,

- sill, belt course, or chimney breast, by a maximum of 2.0 metres;
- (vi) window projections, including bay windows and box windows, by a maximum of 1.5 metres;
- (vii) eaves, by a maximum of 1.5 metres;
- (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres; and
- (ix) unenclosed canopies in the areas shown on Diagram 3 of By-law **[Clerks to insert By-law number]**;
- (U) 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 residential visitor **parking spaces**; and
 - (iii) a minimum of 0.01 residential visitor **parking spaces** for each **dwelling unit**; and
 - (iv) a minimum of 18 accessible **parking spaces**; and
 - (v) no **parking spaces** are required for non-residential uses; and
 - (vi) despite (i) above, a minimum of 2 **car share parking spaces** are required;
- (V) Despite regulation 200.5.1.10(2), a maximum of 10% of the total number of **parking spaces** may have the following minimum dimensions:
 - (i) minimum width of 2.5 metres;
 - (ii) minimum length of 5.2 metres; and
 - (iii) minimum vertical clearance of 1.8 metres;
- (W) Despite regulations 200.5.1.10(2)(A) and (D), equipment for electric **vehicle** charging does not constitute an obstruction to a **parking space**;
- (X) In addition to regulation 200.5.1.10(13), access to **parking spaces** may

be provided from any other **building** shown on Diagram 3 of By-law ~~[Clerks to insert By-law number]~~, provided the areas used for **parking spaces** are connected below-grade;

- (Y) If a **mixed use building** has an area for parking 2 or more **vehicles**, then the **driveway** must be from Milky Way Lane, as shown on Diagram 1 of By-law ~~[Clerks to insert By-law number]~~;
- (Z) 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; and
 - (iii) vertical clearance of 2.1 metres;
 - (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (AA) Despite regulation 200.15.1(4), accessible **parking spaces** must be located closest to a barrier free:
 - (i) entrance to a **building**;
 - (ii) passenger elevator that provides access to the first **storey** of the **building**; and
 - (iii) the shortest route from the required entrances in (i) and (ii) above;
- (BB) Despite regulation 220.5.1(2) and clause 220.5.10.1, **loading spaces** must be provided in accordance with the following:
 - (i) at least 1 Type “G” **loading space**;
 - (ii) at least 1 Type “B” **loading space**; and
 - (iii) at least 2 Type “C” **loading spaces**;
- (CC) Despite regulation 230.5.1.10(4)(C) and 230.5.1.10(5)(A), the required minimum dimensions of a **stacked bicycle parking space** are:
 - (i) length or vertical clearance of 1.2 metres;
 - (ii) width of 0.6 metres; and
 - (iii) minimum horizontal clearance from the wall of 1.2 metres;

- (DD) In addition to regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space** or in a vertical position on a mechanical device;
- (EE) Despite regulation 230.5.1.10(12)(A), **bicycle maintenance facilities** must have a minimum length of 1.4 metres;
- (FF) Despite regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be no more than 60 metres from a pedestrian entrance to a **building** on the **lot**;
- (GG) Despite regulation 40.10.40.1(6), a pedestrian access for a **lot** which abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, or is separated from a **lot** in the Residential Zone category or Residential Apartment Zone category by a **lane** or a **street** may be located within 0.0 metres of a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (HH) Despite Regulation 40.10.100.10(1)(A) to (C), **vehicle** access to the **lot** is subject to the following:
 - (i) **vehicle** access to the **lot** must be from Milky Way Lane; and
 - (ii) more than one **vehicle** access is permitted from Milky Way Lane;
- (II) The provision of **dwelling units** is subject to the following:
 - (i) a minimum of 15% of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) a minimum of 10% of the total number of **dwelling units** must have three or more bedrooms;
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
 - (iv) **dwelling units**, as described in (ii) above, may be converted using accessible or adaptable design measures such as knock-out panels;
- (JJ) For the purpose of this exception, each word or expression that is in bold font will have the same meaning as such word or expression as defined in Chapter 800 of Zoning By-law 569-2013, as amended, except for the following:
 - (i) "Alternative low-carbon energy system" means devices and supporting equipment a system that uses sources of energy or

energy conversion processes to produce power, heat and/or cooling for a **building** or complex of related **buildings** that significantly reduces the amount of harmful emissions to the environment when compared to conventional energy systems. An “alternative energy system” includes, but is not limited to, systems that use **renewable energy** produced or converted on the **premises**;

- (ii) "Building 1", "Building 2", and "Building 3" refers to the **mixed use buildings** on Diagram 3 of By-law [Clerks to insert By-law number];
- (iii) “Car-share” or “car sharing” means the practice whereby a number of people share the use of one of more motor **vehicles** and such “car-share” motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental;
- (iv) "Car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
- (v) “Community greenhouse” means an indoor or outdoor space on a **lot** that is communal and available for personal use by the occupants of a **building** on the **lot** for growing and harvesting vegetables, fruits, flowers, shrubs, trees or other horticultural uses. A community greenhouse is not **landscaping**, a **marihuana production facility**, **medical marihuana production facility**, an aquaponics or aquaculture facility, livestock operation or a mushroom operation;
- (vi) “Privately-owned publicly accessible space” means a space on the **lot** situated at ground level that is accessible to the public, secured through appropriate legal agreements and may include pedestrian walkways, seating areas, landscaped plaza, and ornamental **structures** and is used principally for the purpose of sitting, standing, and other recreational uses; and

Prevailing By-laws and Prevailing Sections: None Apply

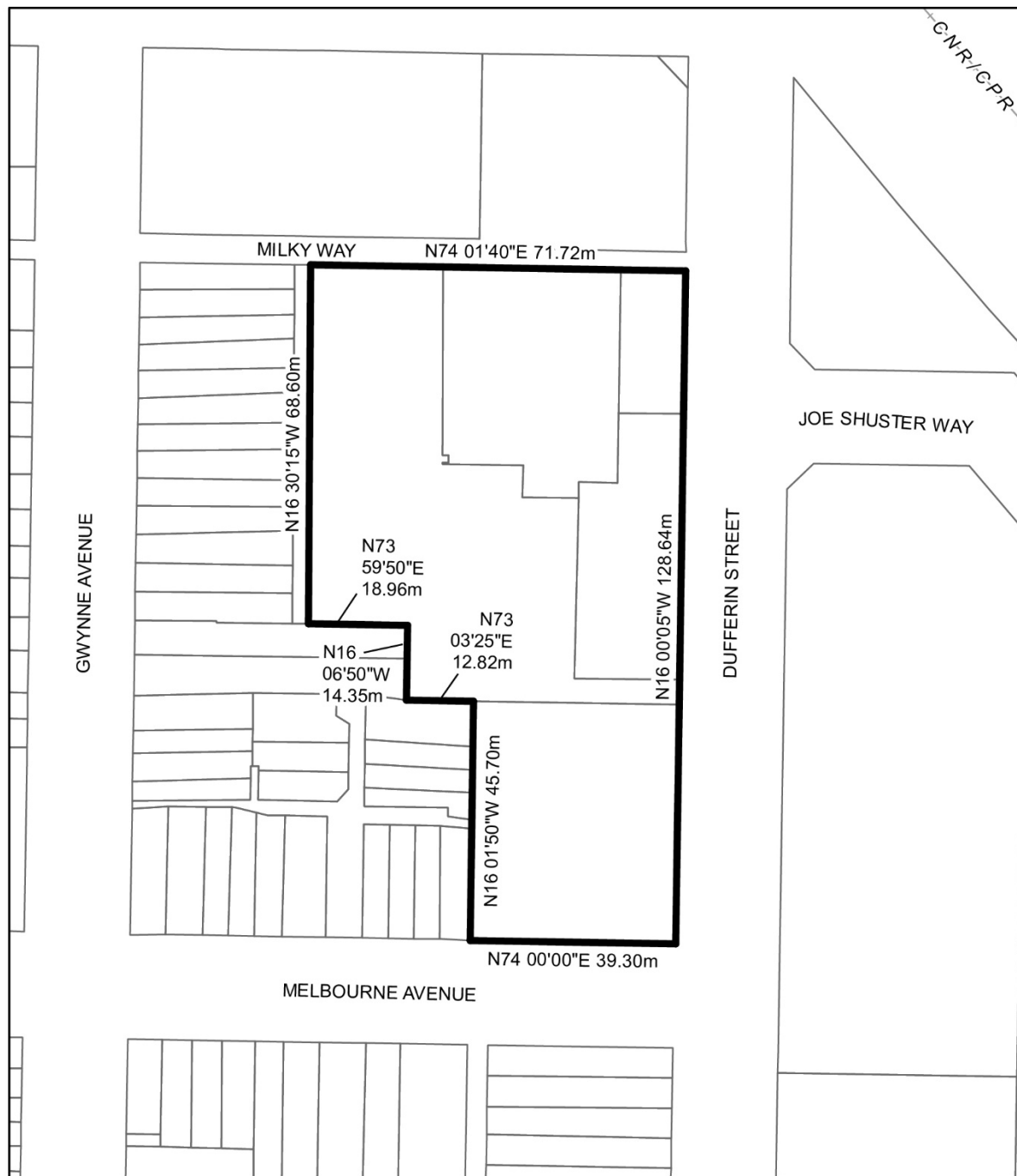
5. Despite any future severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [DATE], 2025.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

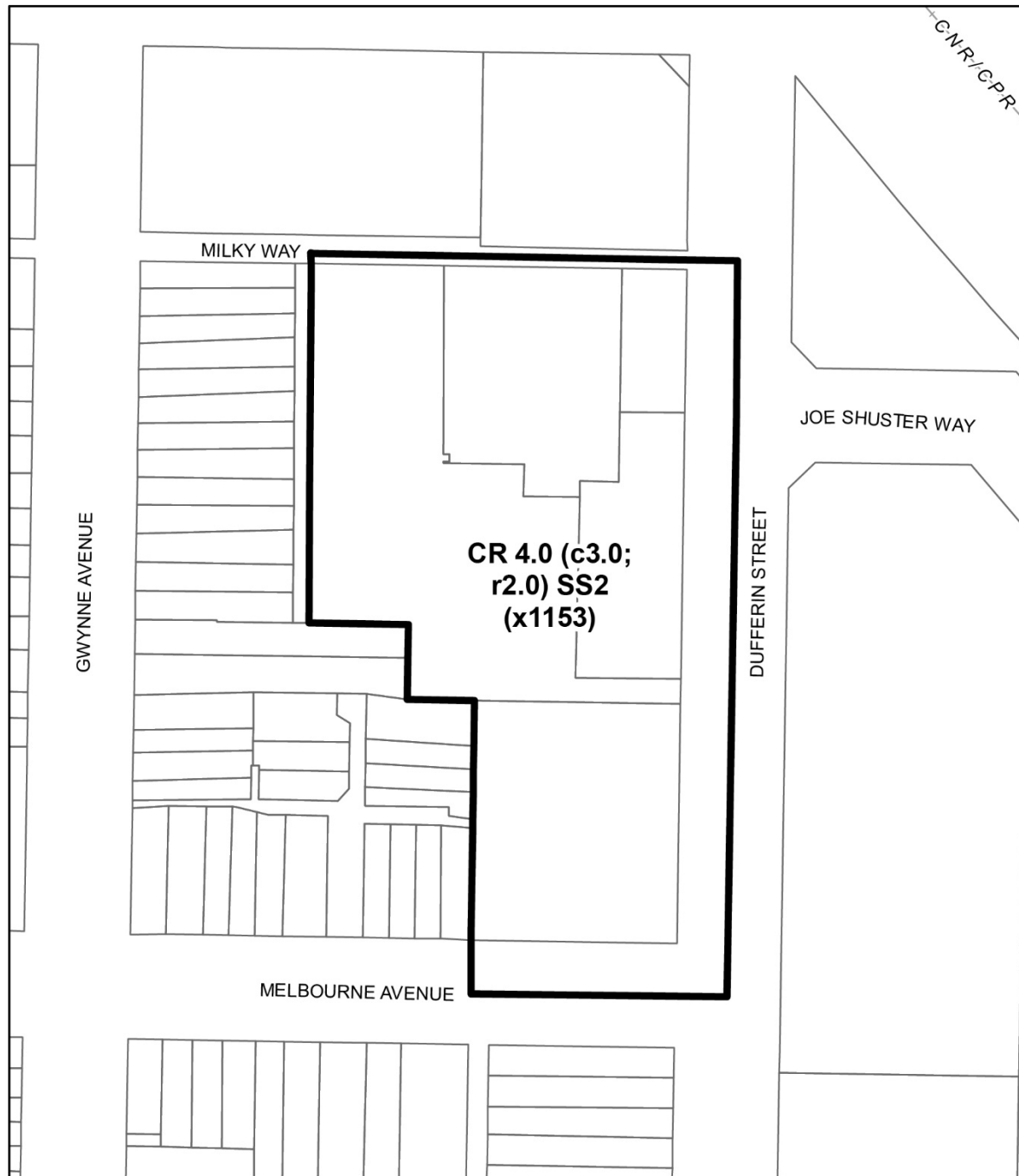
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 **Toronto**
Diagram 1

340-376R Dufferin Street
and 2 Melbourne Avenue

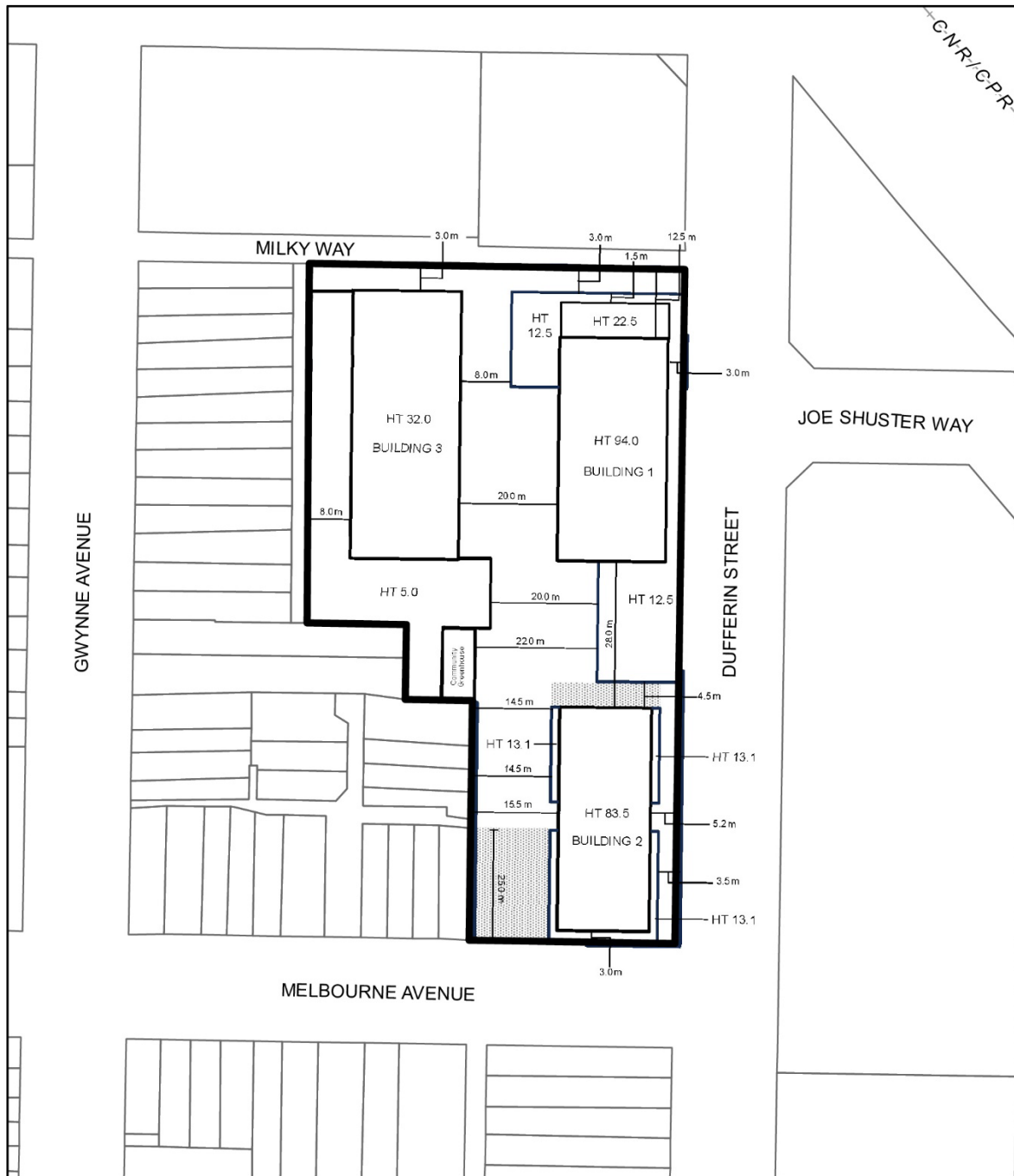
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 **Toronto**
Diagram 2

340-376R Dufferin Street
and 2 Melbourne Avenue

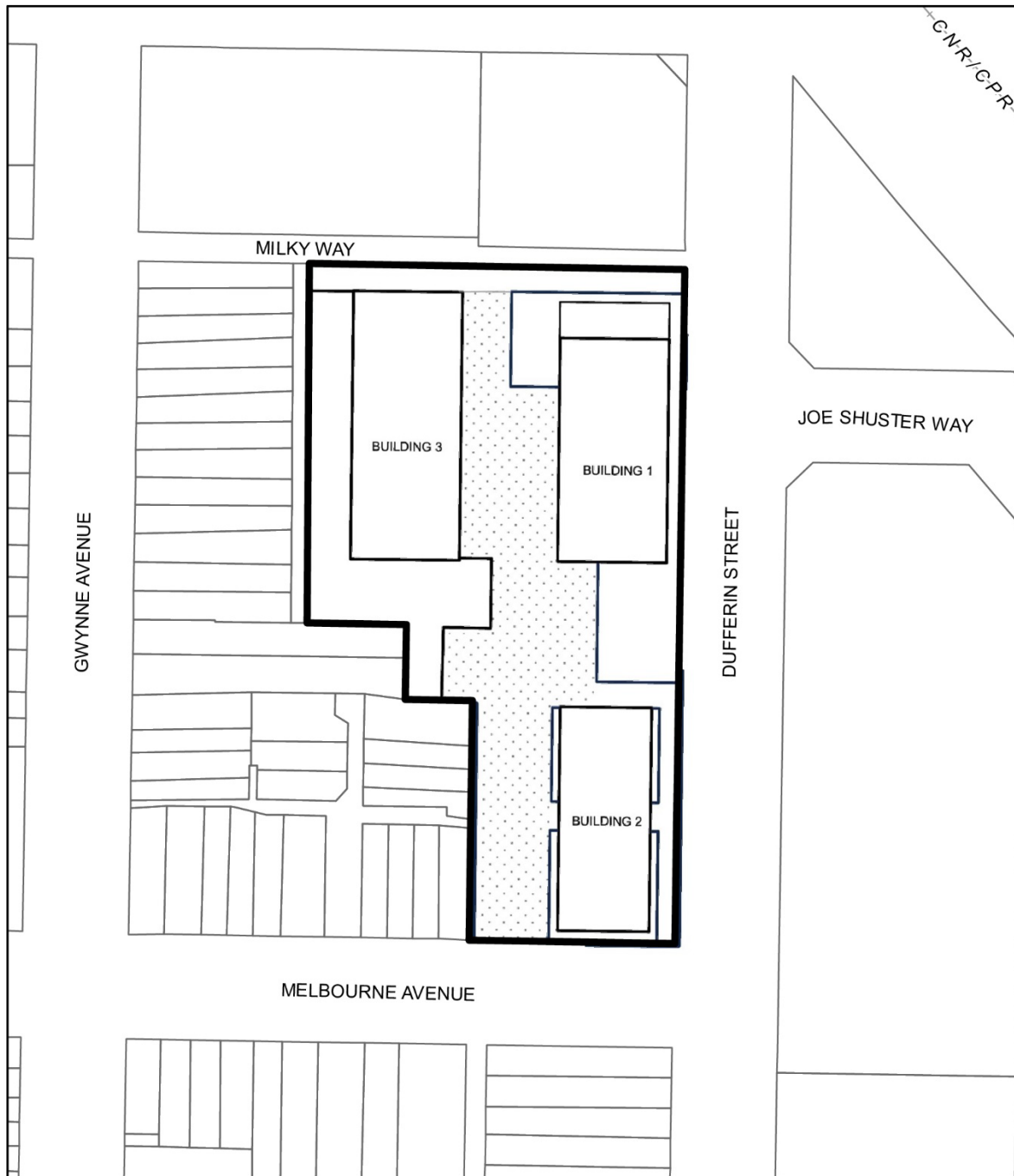
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Toronto
Diagram 3

340-376R Dufferin Street
and 2 Melbourne Avenue
File # 22 198105 STE 04 0Z

Area where unenclosed canopies are
permitted (height limit of 13.0 metres)



Toronto
Diagram 4

340-376R Dufferin Street
and 2 Melbourne Avenue
File # 22 198105 STE 04 02

Privately owned publicly accessible
space (Minimum of 1,750 sqm)

City of Toronto By-law 569-2013
Not to Scale
07/04/2025