

Attachment 5: Draft Zoning By-law Amendment

Authority: Toronto and East 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, and By-law 866-2024, with respect to the lands municipally known in the year 2024 as 1648, 1650, 1660, 1664 Dupont 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 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once the holding symbol "(H)" is removed by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)"; 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 outlined by heavy black lines from a zone label of CR 2.5 (c1.0; r2.0) SS2 (x1579) and (H) CR 2.5 (c1.0; r2.0) SS2 (x1025) to a zone label of (H) CR 2.5 (c1.0; r2.0) SS2

(x1025) 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 1025 with the following:

(1025) Exception CR 1025

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 1648, 1650, 1660 and 1664 Dupont 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 (Q) 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 116.94 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number following the “HT” symbol in metres as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (D) Despite Regulation 40.10.40.10(5)(A), the required minimum height of the first **storey**, as measured between the Canadian Geodetic Datum of 116.94 metres and the floor of the second **storey**, is 2.9 metres;
- (E) Despite Regulations 40.5.40.10(3) to (8), and (C) 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:
 - (a) 6.0 metres in the area shown as HT 41.5 on Diagram 3 of By-law [Clerks to insert By-law number]; and
 - (b) 3.25 metres in all other areas;
 - (ii) architectural features, parapets, and elements and **structures**, by a maximum of 2.0 metres;

- (iii) **building** maintenance units and window washing equipment, by a maximum of 3.0 metres;
 - (iv) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (v) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop terraces or **amenity space**, by a maximum of 3.0 metres;
 - (vi) **structures** and features associated with noise mitigation by a maximum of 5.0 metres;
- (F) For the purpose of this exception, the mechanical penthouse does not constitute a **storey**;
- (G) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 10,930 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 10,600 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 330 square metres;
- (H) Despite regulation 40.10.40.1(1), residential use portions of the **building**, including **dwelling units**, lobby access and **amenity space**, are permitted to be located on the same **storey** as non-residential use portions of a **building**;
- (I) Despite regulation 40.10.40.50(1) and (2), **amenity space** must be provided at the following rate:
 - (i) at least 2 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (ii) at least 2 square metres of outdoor **amenity space** for each **dwelling unit**, of which 125 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**;
- (J) 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];
- (K) 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];

- (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) canopies and awnings, by a maximum of 3.0 metres;
 - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres, provided it is no closer to a **lot line** than 0.3 metres;
 - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.0 metre;
 - (iv) window projections, including bay windows and box windows, by a maximum of 1.0 metre; and
 - (v) eaves, a dormer, air conditioners, satellite dishes, antennae, by a maximum of 1.0 metre;
 - (vi) vents and pipes, by a maximum of 1.0 metres, provided it is no closer to a **lot line** than 0.3 metres; and
 - (vii) decks, porches, and balconies must not project into required minimum **building setbacks** and **main wall** separation distances;
- (M) Despite regulation 40.10.50.10(3), a minimum 1.5 metre wide strip of land used for **soft landscaping** is not required abutting a **lot** in the Residential Zone category;
- (N) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 5 residential occupant **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**;
- (O) 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;
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (P) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1 with respect to visitor requirements, a minimum of 2.0 plus 0.02 spaces per dwelling unit

of residential visitor **parking spaces** must be provided;

- (Q) Despite Regulation 200.15.10.10(1) and Table 200.15.10.5, a minimum of 0.02 spaces per dwelling unit of accessible **parking spaces** must be provided.

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 temporary sales office, leasing or construction office, which is a temporary **building** or **structure**, facility, or trailer or portion thereof exclusively for the purpose of marketing, leasing, or sale of a **dwelling unit** or non-residential unit on the on the lands to which this By-law applies for a period of three years from the date this By-law comes into full force and effect, after which this temporary use permission expires.
7. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 1 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
 - (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
 - (i) the owner or applicant, at their sole cost and expense has submitted a revised Functional Servicing Report and Stormwater Management Report or addendums ("**Engineering Reports**"), to demonstrate that the existing municipal infrastructure and any required improvements to it, has adequate capacity to accommodate the development of the lands, to the satisfaction of the Director, Engineering Review, Development Review;
 - (ii) if the Engineering Reports accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then the owner or applicant has secured the design, construction and provision of financial securities for any new municipal infrastructure, or any

upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, in a financial secured agreement, and has submitted the required engineering and inspection fees all to the satisfaction of the Director, Engineering Review, Development Review;

- (iii) all necessary approvals or permits arising from (B)(ii) above are obtained, where required all to the satisfaction of the Director, Engineering Review, Development Review;
- (iv) the owner has entered into an agreement to purchase the existing one-foot reserve bisecting the subject site at 1660 Dupont Street from the City, subject to the necessary approvals being granted by the appropriate City authorities to declare the reserve surplus and authorize the sale of the reserve to the owner and all conditions being fulfilled, all of the satisfaction of the City Solicitor and the Executive Director, Corporate Real Estate Management or designate; and
- (v) the owner shall prepare and submit, for peer review at the owner's expense, a revised Compatibility and Noise Impact Study, to the satisfaction of the Executive Director, Development Review.

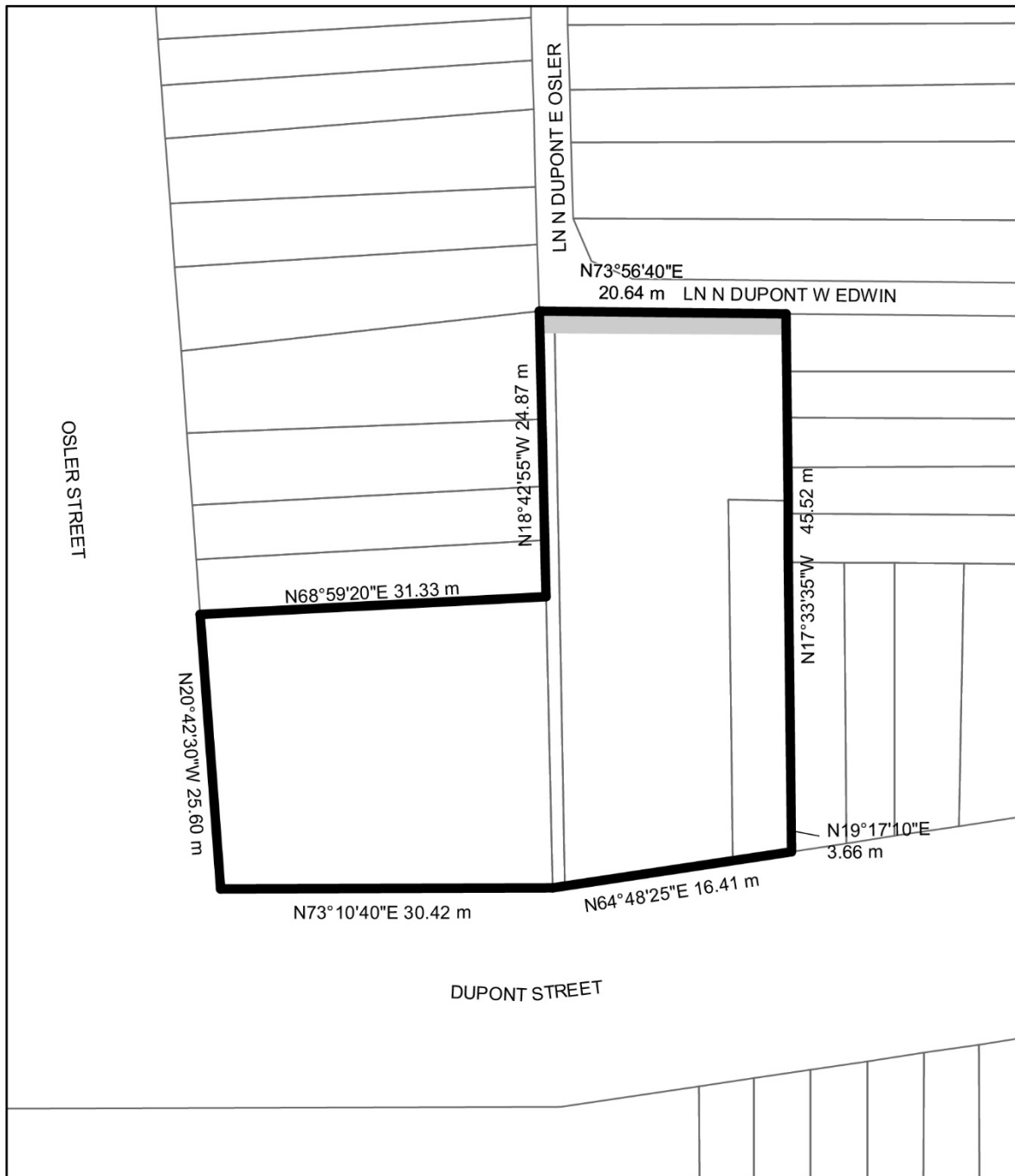
8. By-law 866-2024 is amended by deleting Provisions 5, 6 and 7 of by-law 866-2024, on the date on which all of provisions 1 to 7 of this By-law come into force and effect.

Enacted and passed on [Clerks to insert date].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



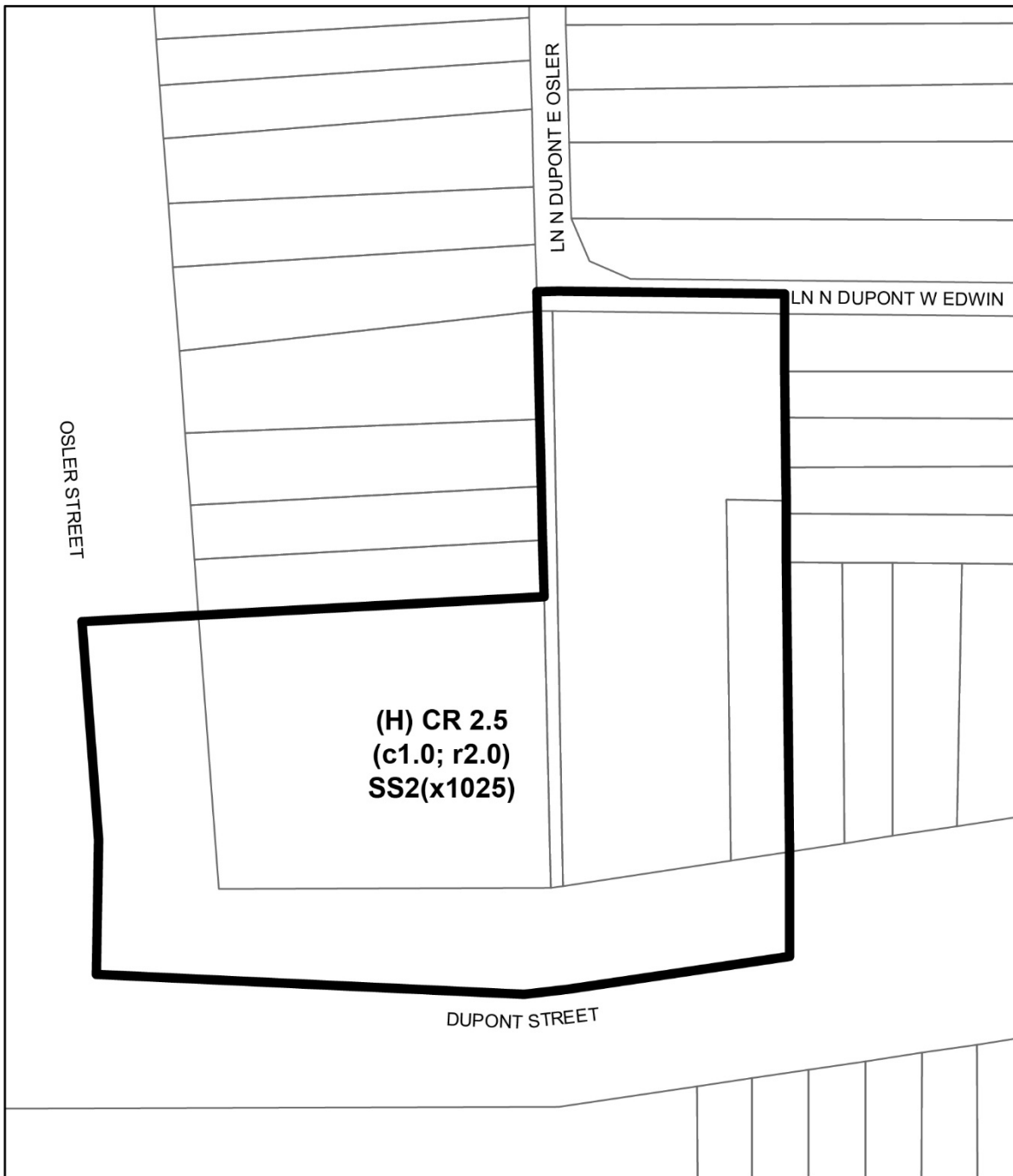
Toronto
Diagram 1

1648-1664 Dupont Street

File # 25 151849 STE 09 02

1.98 metre lane widening

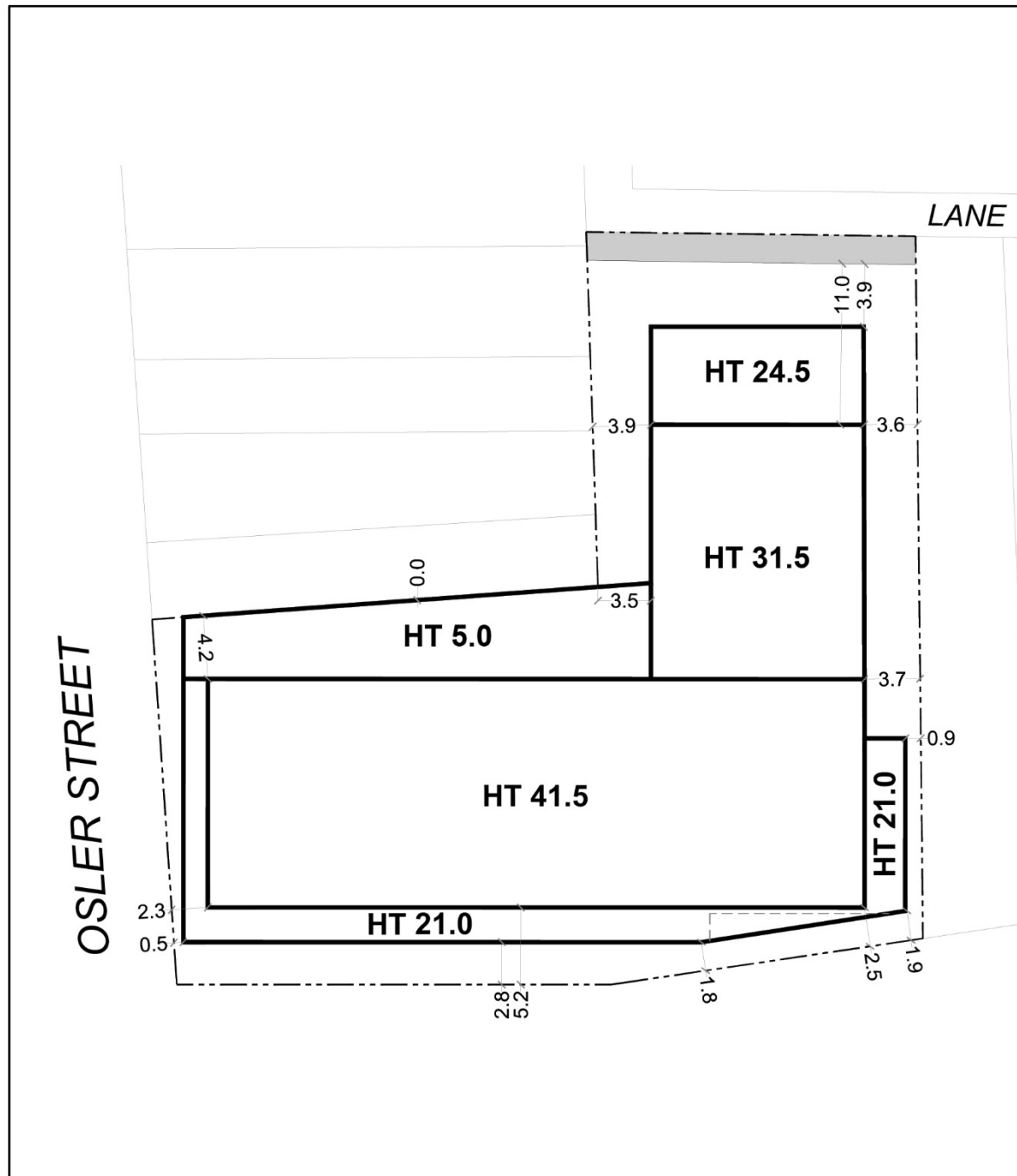
City of Toronto By-law 569-2013
Not to Scale
09/16/2025



Toronto
Diagram 2

1648-1664 Dupont Street

File # 25 151849 STE 09 0Z



Toronto
Diagram 3

1648-1664 Dupont Street

File # 25 151849 STE 09 0Z

1.98 metre lane widening
Extent of ground floor

City of Toronto By-law 569-2013
Not to Scale
09/16/2025