

Attachment 5: Draft Zoning Bylaw Amendment

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

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 2025 as 390, 394, 396 and 398 Spadina Road.

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, a by-law passed under Section 34 of the Planning Act, may 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 Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from a zone label of CR 2.5 (c2.0; r2.0) SS2 (x2246) to a zone label of CR 3.0 (c1.0; r3.0) SS2 (x1235) 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 1235, in its entirety, so that it reads:

(1235) Exception CR 1235

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 390, 394, 396 and 398 Spadina Road, 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 (V) 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 158.00 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 in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (D) Despite Regulations 40.5.40.10(3) to (8) and (C) above, the following equipment and **structures** may project beyond the permitted heights 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, mechanical and ventilation equipment, generators as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 5.0 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 5.0 metres;
 - (iii) architectural features, parapets, window washing equipment, antennas, chimneys, vents and flumes, exit stair overruns, elevator overruns, garbage chute overruns, and elements and structures associated with a green roof, by a maximum of 7.0 metres;
 - (iv) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (v) antennae, flagpoles and satellite dishes, by a maximum of 3.0

- metres; and,
- (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (E) Despite Regulation 40.5.40.10(5)(A), the total area of all equipment, **structures** or parts of a **building** permitted by (D)(i) above may cover no more than 85% of the area of the roof, measured horizontally, and be located within the area identified as “Footprint of Permitted Mechanical Projections” on Diagram 3 of By-law [Clerks to insert By-law number];
- (F) Regulation 40.5.40.10(5)(B), regarding the width of equipment **structures** or parts of a **building** abutting a **street**, does not apply;
- (G) Regulation 40.10.40.1(1), with respect to location of residential uses in a **mixed use building**, does not apply;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 9,500 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 8,900 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 500 square metres;
- (I) Despite any other provision of By-law 569-2013, the required minimum number of non-residential establishment entrances on the first **storey** of the east facing **main wall** of any **building** and **structure** on the lot is three (3); and
- (i) a non-residential establishment entrance must be setback a minimum of 1.0 metre from the east lot line;
- (J) 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 two bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have three 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;
- (K) Despite Regulation 40.10.40.70(2) and 40.10.40.80(2), the required

minimum **building setbacks** the required minimum **building setbacks** and minimum separation of **main walls** must be provided as shown, in metres, on Diagram 3 of By-law [Clerks to insert By-law number]

- (L) Despite Clauses 40.10.40.60 and (K) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) planters and associated **landscaping** features, by a maximum of 1.0 metres;
 - (ii) balconies, with a maximum width of 6.0 metres, above a height of 12.5 metres, according to the following:
 - (A) on the north facing **main walls** of the **building**, by a maximum of 0.9 metres;
 - (B) on the east facing **main walls** of the **building**, by a maximum of 1.5 metres;
 - (C) on the south facing **main walls** of the **building**, by a maximum of 2.44 metres;
 - (D) on the west facing **main walls** of the **building**, by a maximum of 1.5 metres;
 - (iii) canopies and awnings, by a maximum of 3.0 metres;
 - (iv) architectural features, such as a pilaster, eaves, dormers, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 0.5 metres;
 - (v) air conditioners, antennae, vents, and pipes, by a maximum of 0.5 metres;
 - (vi) structures and elements used for open air recreation and amenity space, by a maximum of 1.5 metres; and
 - (vii) planters, **landscaping**, wall mounted light fixtures, landscape features, public art and art installations;
- (M) Provide and maintain accessible **parking spaces** in accordance with the requirements of Zoning By-law No. 569-2013, as amended by By-law Nos. 579-2017 and 223-2025;
- (N) 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;
- (O) Despite Regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017, and may be shared with another accessible **parking space**;
- (P) Despite Regulation 220.5.10.1(2) and (3), one Type 'C' loading space is required;
- (Q) Despite Regulation 230.5.1.10(4)(A)(ii), the required minimum dimensions of a **stacked bicycle parking space** are:
 - (i) length of 1.6 metres;
 - (ii) width of 0.6 metres; and
 - (iii) vertical clearance for each **bicycle parking space** of 1.2 metres;
- (R) Despite Regulation 230.5.1.10(15), with respect to long-term **bicycle parking space** restriction, does not apply;
- (S) Despite Regulation 230.5.1.10(14) and By-law 225-2025, a minimum aisle width within areas used for bicycle parking in a **building** or **structure**, including **stacked bicycle parking spaces**, must be a minimum of 1.5 metres;
- (T) Despite Regulation 230.5.1.10(9), with respect to "long-term" **bicycle parking space** locational requirements, does not apply;
- (U) Despite Regulation 230.5.1.10(10), a "short-term" and "long-term" **bicycle parking space** may be located in a **stacked bicycle parking space**; and
- (V) Regulation 230.5.1.10(16)(A), with respect to path of travel, does not apply.

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 centre on the lands in **building**, **structure** or trailer for the purpose of selling,

renting or leasing of **dwelling units** and non-residential uses in a **building** or **structure** not exceeding a maximum height of 7.5 metres on the lands to which this By-law applies for period of 2 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 and Stormwater Management Report to demonstrate that the existing sanitary sewer system, storm sewer system, and watermain system (municipal infrastructure) and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review, Development Review; and
 - (ii) if the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - (a) 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 Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or,
 - (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report in (i) above are constructed and operational, all to the satisfaction to the Director, Engineering Review, Development Review.

Enacted and passed on [Clerks to insert date].

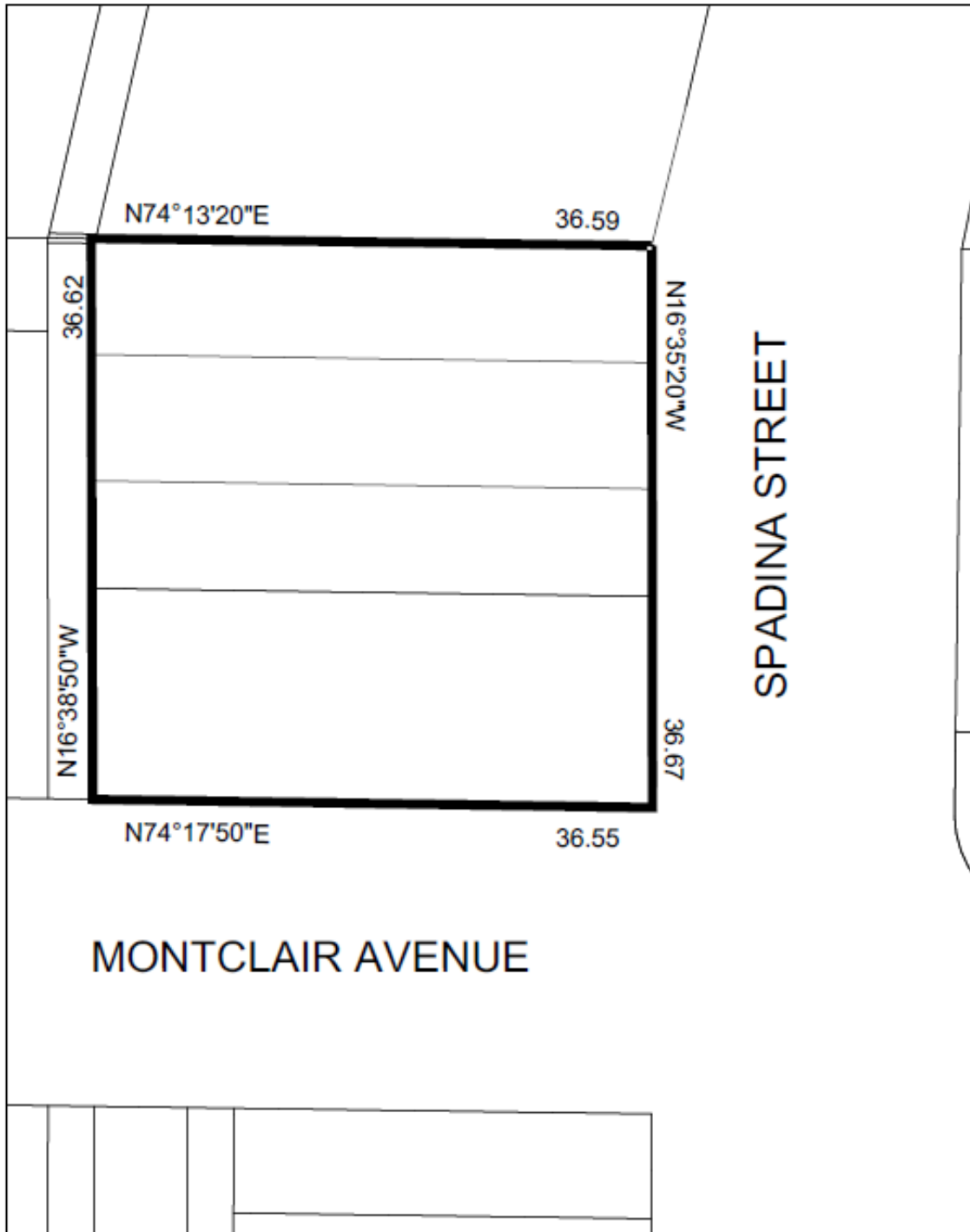
[full name],

[full name],

Speaker

City Clerk

(Seal of the City)

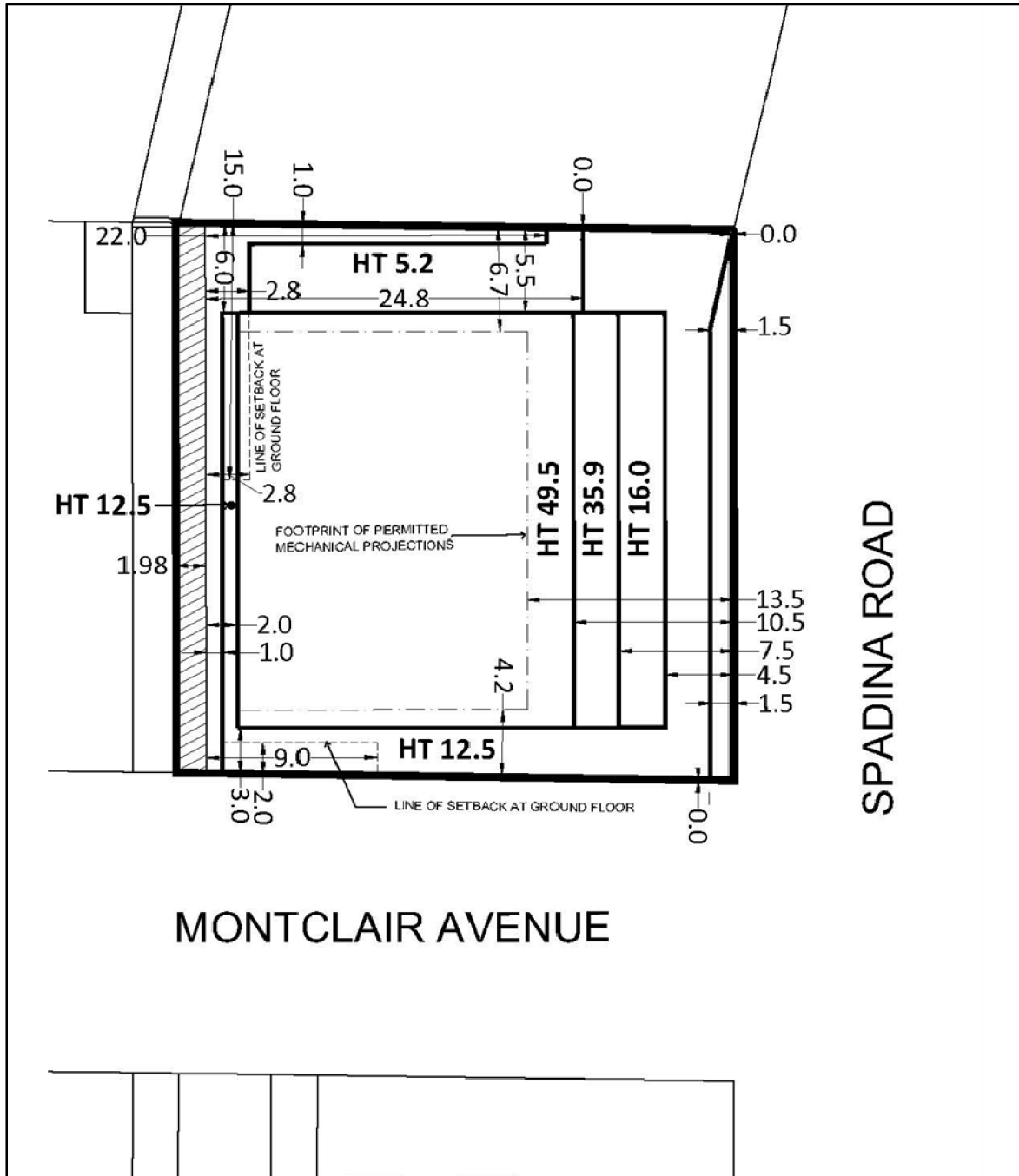


390-398 Spadina Road

File #

- Land subject to this by-law
- Area of Road Widening








Toronto
Diagram 3

390-398 Spadina Road

File # 25 266399 STE 12 OZ

-  Land subject to this by-law
-  Area of Laneway Widening


 City of Toronto By-law 569-2013
 Not to Scale
 04/15/2026