

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

## CITY OF TORONTO

### BY-LAW No. XXX-2023

#### **To amend the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands municipally known as 2400-2440 Dundas Street West.**

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*;

The Council of the City of Toronto enacts:

1. None of the provisions of Sections 2(1) with respect to the definition of *grade*, *height*, and *lot*, *non-residential gross floor area* and *residential gross floor area* and Sections 4(2)(a), 4(3)(a), 4(4), 4(12), 4(13), Section 8(3) Part I 1, 2 and 3, 8 Part XI (2), Section 12(2)(247), 12(2)(347) of Zoning By-law 438-86, as amended of the former City of Toronto being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto,” shall apply to prevent the erection or use of a *mixed use building*, on the *lot* provided that:
  - a. the lot comprises the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
  - b. the provisions of By-law 1222-2009 no longer apply to the lot;
  - c. the height of any building or structure, as measured from grade, does not exceed the height in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law, with the exception of the following:
    - i. equipment used for the functional operation of the building including electrical, utility, mechanical penthouse, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents may project above the height limits to a maximum of 6.0 metres;
    - ii. structures that enclose, screen or cover the equipment, structures and parts of a building listed in (i) above, inclusive of a mechanical penthouse, may project above the height limits to a maximum of 6.0 metres;
    - iii. architectural features, parapets, and elements and structures associated with a green roof, planters, landscaping features, guard rails, and divider

- screens on a balcony and/or terrace may project above the height limits to a maximum of 2.0 metres;
- iv. building maintenance units and window washing equipment may project above the height limits to a maximum of 12.0 metres; and
  - v. trellises, pergolas, screen and unenclosed structures providing safety or wind protection to rooftop *residential amenity space* may project above the height limits to a maximum of 3.0 metres;
- d. no portion of any building or structure erected or used above *grade* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2 attached hereto, with the exception of the following:
- i. decks, porches, and balconies, to a maximum extent of 2.0 metres;
  - ii. canopies and awnings, to a maximum extent of 3.0 metres;
  - iii. exterior stairs, access ramps and elevating devices, to a maximum extent of 2.5 metres;
  - iv. cladding added to the exterior surface of the main wall of a building, to a maximum extent of 1.0 metre;
  - v. architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum extent of 1.5 metres;
  - vi. guards and guardrails, railings, parapets, terraces, privacy and wind screens, landscape planters and terrace platforms to a maximum extent of the main wall of the storey below;
  - vii. window projections, including bay windows and box windows, eaves, a dormer, air conditioners, satellite dishes, antennae, vents, and pipes to a maximum extent of 1.0 metre;
- e. the total *gross floor area* on the *lot* shall not exceed 60,000 square metres, subject to the following:
- i. the *residential gross floor area* of the building shall not exceed 55,000 square metres; and
  - ii. the *non-residential gross floor area* of the building shall not exceed 5,000 square metres;
- f. for the purposes of this By-law, the portion of a dwelling unit used for home occupation shall be considered *non-residential gross floor area*;
- g. *residential amenity space* shall be provided and maintained on the *lot* at a minimum rate of 4.0 square metres for each dwelling units, of which:
- i. at least 2.0 square metres for each dwelling unit is indoor amenity space

- ii. at least 1.2 square metres for each dwelling unit is outdoor amenity space
    - iii. no more than 25% of the outdoor component may be a green roof.
  - h. for the purpose of this By-law, PART XI (2) does not apply.
  - i. parking shall be provided and maintained on the *lot* in accordance with the following requirements:
    - i. no parking spaces are required for residents;
    - ii. a minimum of 2 parking spaces plus 0.01 parking space per dwelling unit for residential visitors;
    - iii. no parking spaces are required for non-residential uses of the buildings;
  - j. loading spaces shall be provided and maintained in accordance with the following:
    - i. a minimum of two Type “G” loading spaces;
    - ii. a minimum of two Type “B” loading spaces; and
    - iii. a minimum of one Type “A” loading space;
  - k. None of the provisions of this By-law shall apply to prevent a *temporary sales office* on the *lot*;
- 2. For the purpose of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86 of the former City of Toronto, as amended, with the exception of the following:
  - a. “*grade*” means 112.03 metres Canadian Geodetic Datum;
  - b. “*height*” means the vertical distance between grade and the highest point of the roof of any building on the *lot*, except for those elements prescribed by this By-law;
  - c. “*lot*” means the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
  - d. “*temporary sales office*” means a building or structure used for the purpose of the sale or lease of dwelling units to be erected on the lot;
  - i. “*non-residential gross floor area*” means the aggregate of the areas of each floor of a *non-residential building* or the non-residential portion of a *mixed-use building*, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
    - i. parking, loading and bicycle parking below-ground;

- ii. required *loading spaces* on the ground level and required *bicycle parking spaces* at or above-ground;
  - iii. storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
  - iv. mechanical rooms above ground;
  - v. shower and change facilities that are required by this By-law for required *bicycle parking spaces*;
  - vi. amenity space required by this By-law;
  - vii. elevator shafts;
  - viii. elevator machine rooms above ground;
  - ix. garbage shafts;
  - x. mechanical penthouse; and
  - xi. exit stairwells in the building.
- ii. “*residential gross floor area*” means the aggregate of the areas of each floor of a *residential building* or the residential portion of a *mixed-use building*, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
- i. parking, loading and bicycle parking below-ground;
  - ii. required *loading spaces* on the ground level and required *bicycle parking spaces* at or above-ground;
  - iii. storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
  - iv. mechanical rooms above and below ground;
  - v. shower and change facilities that are required by this By-law for required *bicycle parking spaces*;
  - vi. amenity space required by this By-law;
  - vii. elevator shafts;
  - viii. elevator machine rooms above and below ground;
  - ix. garbage shafts;
  - x. mechanical penthouse; and
  - xi. exit stairwells in the building.

3. Despite any existing or future severance, partition or division of the lot, the provisions of this By-law shall apply to the whole of the lot as if no severance, partition or division occurred.

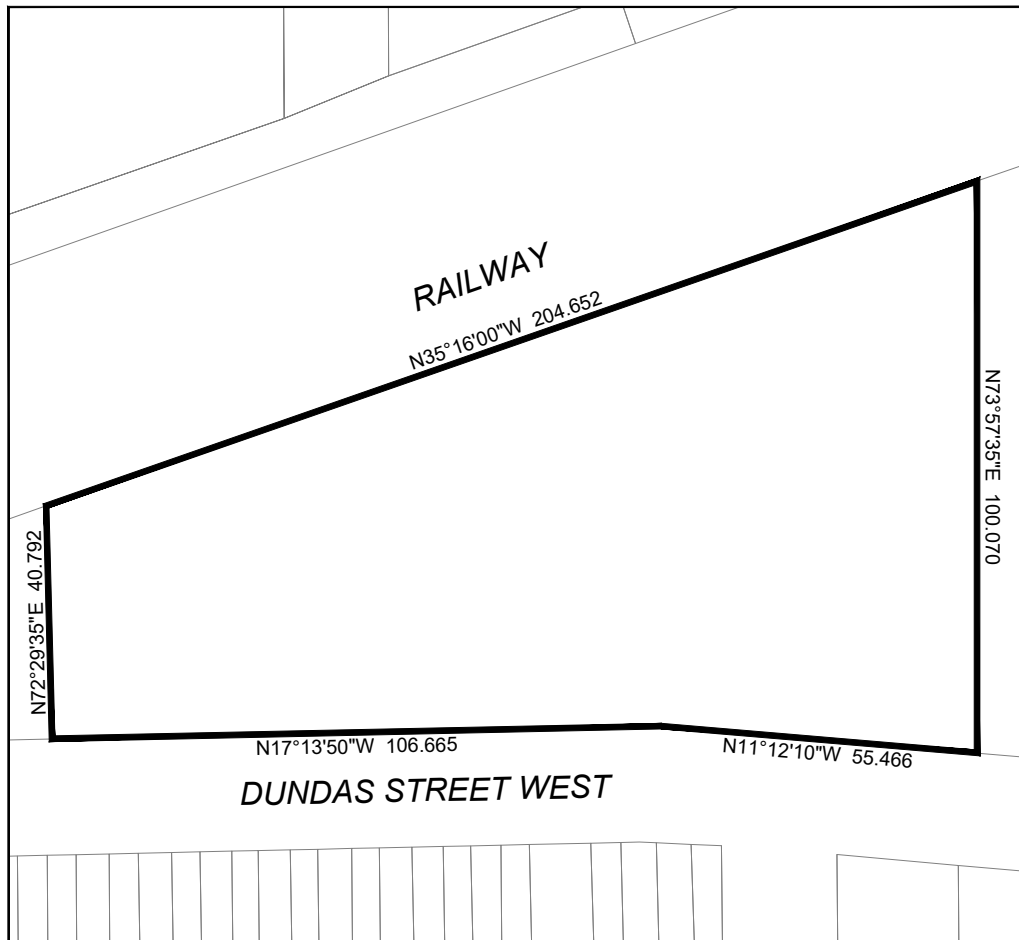
Enacted and passed on [month day, year].

[full name],  
Speaker

(Seal of the City)

[full name],  
City Clerk

City of Toronto By-law No. 1222 - 2009



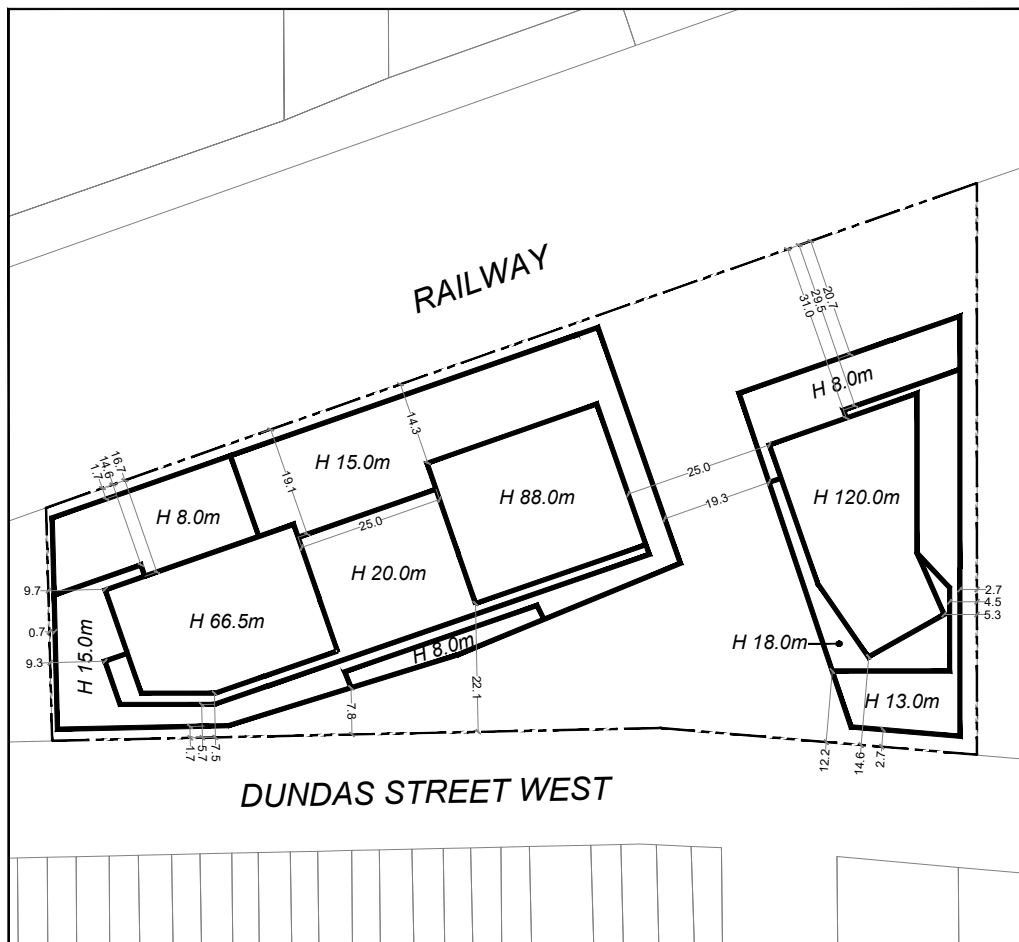
2400-2240 Dundas Street West, Toronto

Map 1

File #23



City of Toronto By-law No. 1222 - 2009



2400-2240 Dundas Street West, Toronto

Map 2

File #23 \_\_\_\_\_

