

Authority: Planning and Housing Committee Item PH29.3, adopted as amended, by City of Toronto Council on December 15, 16 and 17, 2021 and Section 169-5.2B of City of Toronto Municipal Code Chapter 169, Officials, City; MM47.70, by Councillor Ana Bailão, seconded by Councillor Paula Fletcher, as adopted by City of Toronto Council on July 19 and 20, 2022

CITY OF TORONTO

Bill 1016

BY-LAW -2022

To amend City of Toronto By-law 89-2022, being a by-law to amend Zoning By-law 569-2013, as amended, to update parking standards for automobiles.

Whereas authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990 c. P.13, as amended to pass this By-law; and

Whereas pursuant to Chapter 169-5.2(B) of the City of Toronto Municipal Code, the City Solicitor has authority to correct technical errors in by-laws; and

Whereas on February 3, 2022 the City of Toronto Council enacted By-law 89-2022 to update parking standards for automobiles in the City of Toronto; and

Whereas By-law 89-2022 amended Zoning By-law 569-2013, as amended, by further amending the accessible parking space rates;

Whereas By-law 89-2022 amended Zoning By-law 569-2013, as amended, by adding transition clauses for building permit, minor variance, zoning by-law amendment and site plan control applications with respect to the requirements of By-law 89-2022; and

Whereas Sections 30 and 31 of By-law 89-2022, relating to accessible parking space rates and transition clauses for building permit, minor variance, zoning by-law amendment and site plan control applications, as enacted on February 3, 2022, contained certain technical errors and therefore did not implement Council's intent;

The Council of the City of Toronto enacts:

1. City of Toronto By-law 89-2022 is amended by deleting the words "effective" and "accessible" in Regulations 200.15.10.10(1) and (2) in Section 30, so that Regulations 200.15.10.10(1) and (2), as amended, reads:

200.15.10.10 Parking Rate – Accessible Parking Spaces

(1) Accessible Parking Rates – General

In accordance with Table 200.15.10.5, if the number of **parking spaces** associated with **dwelling units** is 5 or more, or if the number of **parking spaces** associated with uses in Tiers 1, 2, 3, or 4, excluding medical offices and clinics, is 1 or more, clearly identified

off **street** accessible **parking spaces** must be provided on the same **lot** as every **building** or **structure** erected or enlarged, as follows:

- (A) if the number of effective **parking spaces** is less than 13, a minimum of 1 **parking space** must comply with all regulations for an accessible **parking space** in Section 200.15;
- (B) if the number of effective **parking spaces** is 13 to 100, a minimum of 1 **parking space** for every 25 effective **parking spaces** or part thereof must comply with all regulations for an accessible **parking space** in Section 200.15; and
- (C) if the number of effective **parking spaces** is more than 100, a minimum of 5 **parking spaces** plus 1 **parking space** for every 50 effective **parking spaces** or part thereof in excess of 100 **parking spaces** must comply with all regulations for an accessible **parking space** in Section 200.15.

(2) Accessible Parking Rates – Medical Offices and Clinics

In accordance with Table 200.15.10.5, if the number of **parking spaces** associated with medical offices and clinics is 1 or more, **parking spaces** which comply with all regulations for an accessible **parking space** in Section 200.15 must be provided, as follows:

- (A) the minimum number of accessible **parking spaces** is 10 percent of the number of effective **parking spaces**, rounded up; and
- (B) any accessible **parking spaces lawfully existing** on the **lot** must be retained.

2. City of Toronto By-law 89-2022 is amended by replacing all instances of "200.15.10(1)" and "200.15.10(2)" in Section 31 with "200.15.10.5(1), (2), and (3)", "Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces" and "200.15.10.10(1) and (2)", so that Section 31, as amended, reads:

31. Zoning By-law 569-2013, as amended, is further amended by inserting Section 200.25 so that it reads:

200.25 Compliance with Parking Space Regulations

200.25.1 General

(1) Lawfully Existing Buildings Exempt from Complying

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space

Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) apply to prevent the erection or use of a **lawfully existing building** or **structure**.

(2) Definition of Lawful

For the purposes of Regulation 200.25.1(1), the words **lawful** and **lawfully** highlighted in bold type, in addition to the definitions provided in Zoning By-law 569-2013, Chapter 800 Definitions, includes existing or authorized on or before [insert date of Council adoption of this By-law].

200.25.15 Transition: Parking Space Regulations

- (1) An application submitted before [insert date of Council adoption of this By-law] that is eligible to proceed under Clauses 200.25.15.1, 200.25.15.2, 200.25.15.3 and 200.25.15.4 must comply with the requirements of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to [insert date of Council adoption of this By-law].

200.25.15.1 Transition: Building Permit Applications

(1) Building Permit Applications

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) will prevent the erection or use of a **building** or **structure** for which an application for a building permit was filed on or prior to [insert date of Council adoption of this By-law], if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to [insert date of Council adoption of this By-law] and all finally approved minor variances.

(2) Building Permit Applications

For the purposes of regulation 200.25.15.1(1), an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Article I, Building Permits of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code.

200.25.15.2 Transition: Zoning By-law Amendment(1) Zoning By-law Amendment

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) will prevent the erection or use of a **building** or **structure** for which a complete application for a zoning by-law amendment application was filed on or prior to [insert date of Council adoption of this By-law], if the project in question complies with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to [insert date of Council adoption of this By-law].

(2) Zoning By-law Amendment

For the purposes of Regulation 200.25.15.2(1), a "complete application for a zoning by-law amendment" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2.

200.25.15.3 Transition: Minor Variance Applications(1) Minor Variance Applications

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) will prevent the erection or use of a **building** or **structure**, for which:

- (A) A complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to [insert date of Council

adoption of this By-law]; or

- (B) A complete application for a minor variance under Section 45 of the Planning Act was filed after [insert date of Council adoption of this By-law] in respect of a building permit referred to in Regulation 200.25.15.1(1).

(2) Minor Variance Applications

For the purposes of Regulation 200.25.15.3(1), a "complete application for a minor variance" means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act.

(3) Minor Variance Applications

Where a project qualifies under Clause 200.25.15.3:

- (A) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60 or with the provisions of By-law 569-2013, as amended, as it read prior to [insert date of Council adoption of this By-law]; and
- (B) a building permit for that project may be issued after final approval is received for the minor variance if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to [insert date of Council adoption of this By-law] and all finally approved minor variances.

200.25.15.4 Transition: Site Plan Applications

(1) Site Plan Applications

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) will prevent the erection or use of a **building** or **structure** for a project for which a complete application for site plan approval was filed on or prior to [insert date of Council adoption of this By-law], if the project in question complies with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40,

970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to [insert date of Council adoption of this By-law] and all finally approved minor variances.

(2) Site Plan Applications

For the purposes of Regulation 200.25.15.4(1), a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2.

(3) Site Plan Applications

Where a project qualifies under Clause 200.25.15.4:

- (A) the Notice of Approval Conditions and final site plan approval may be granted if the project complies with regulations Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60 or with the provisions of By-law 569-2013, as amended, as it read prior to [insert date of Council adoption of this By-law], all requirements of the Planning Act, and Section 114 of the City of Toronto Act, 2006, S.O. 2006, c.11 Schedule. A; and
- (B) after a Notice of Approval Conditions or final site plan approval is received for a project that qualifies under Clause 200.25.15.4, a building permit for that project may be issued if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to [insert date of Council adoption of this By-law], the site plan approval, and all finally approved minor variances.

Enacted and passed on July , 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)