

Authority: Planning and Growth Management Committee Item 19.10,
as adopted by City of Toronto Council on November 27, 28 and 29, 2012
Enacted by Council: November 29, 2012

CITY OF TORONTO

BY-LAW No. 1598-2012

To amend City of Toronto Municipal Code Chapter 492, Green Roofs, by making technical amendments to the Green Roof Requirements.

WHEREAS under section 108 of the *City of Toronto Act, 2006* (the "Act"), the City added Chapter 492, Green Roofs, to The City of Toronto Municipal Code, through the passage of By-law No. 583-2009, thereby requiring and governing the construction of green roofs; and

WHEREAS the City wishes to make technical amendments to the requirements for green roofs;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Section 492-1, Definitions, of The City of Toronto Municipal Code is amended by deleting Subsection C in the definition of "AVAILABLE ROOF SPACE" and replacing it with the following:

"C. In the case of a residential building or a building addition to a residential building, the Required Outdoor Amenity Space."

2. Section 492-1, Definitions, of The City of Toronto Municipal Code is amended by deleting the definition of "OUTDOOR AMENITY SPACE" and inserting the following definition of "REQUIRED OUTDOOR AMENITY SPACE" after the definition of "RENEWABLE ENERGY":

"REQUIRED OUTDOOR AMENITY SPACE - means an area located on the roof of a building, intended for recreational use by the residents of the building, but does not exceed the minimum area required under the applicable zoning by-law for the building for outdoor amenity space."

3. Subsection A of § 492-2 of The City of Toronto Municipal Code is amended by adding the following sentence to the end of Subsection A:

"Notwithstanding the foregoing, where a development consists of two or more buildings under a Complete Site Plan Application and the buildings are to be constructed on a phased basis, the first phase of the development shall comply with the Green Roof requirements of this chapter for the building permit being issued and any Green Roof area provided in excess of the minimum Green Roof area required may be applied to subsequent phases of the development."

4. Subsection C of § 492-2 of The City of Toronto Municipal Code is amended by replacing the number and words "10 percent of the gross floor area" with the number and words "10 percent of the available roof space".

5. Section 492-5 of The City of Toronto Municipal Code is amended by adding the following as Subsection D:
- "D. Section 492-2 does not apply to commercial greenhouses located at grade, temporary structures and air supported structures."
6. Section 492-11 of The City of Toronto Municipal Code is amended by deleting § 492-11 and replacing it with the following:
- "§ 492-11. Exemption or variation of coverage requirement for a green roof by the Chief Planner.**
- A. If an applicant is unable to provide the green roof coverage as required in this chapter, application may be made to the Chief Planner for either a complete exemption to the requirement to provide a green roof or to provide a smaller green roof area than would otherwise be required, provided that a cash-in-lieu payment is made in accordance with this chapter, and the Chief Planner shall approve such application and shall notify the local Councillor(s) of the decision.
- B. Where an application for a reduced green roof requirement is made to the Chief Planner pursuant to Subsection A, no alteration or variance to the technical standards for construction of green roofs as provided in the Toronto Green Roofs Construction Standard shall be permitted.
- C. Where the Chief Planner has approved an exemption or variance and the cash-in-lieu payment is made, the Chief Building Official may issue a permit for the related building or building addition as though the applicant was in compliance with this chapter."
7. Subsection A of § 492-12 of The City of Toronto Municipal Code is deleted and replaced with the following:
- "A. Where less than the required green roof coverage than otherwise would be required by this chapter is provided, either because of a variance or exemption approved by the Chief Planner, the applicant shall make a payment of cash-in-lieu of construction of a green roof for the reduced or exempted area based on the average actual cost of construction of a green roof which at the time of the passing of this chapter shall be deemed to be \$200.00/m²."
8. Subsection C of § 492-12 of The City of Toronto Municipal Code is amended by deleting the words "on existing buildings".

ENACTED AND PASSED this 29th day of November, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)