

Authority: Planning and Growth Management Committee Item 35.3, adopted as amended, by City of Toronto Council on August 25, 26, 27 and 28, 2014

## CITY OF TORONTO

### BY-LAW No. 1031-2014

**To amend Zoning By-law No. 569-2013, former City of Toronto Zoning By-law No. 438-86, former Borough of East York Zoning By-law No. 1916 and former City of York Zoning By-law No. 1-83, respecting regulations applicable to buildings that are used for the operation of a transit system along Eglinton Avenue West and Eglinton Avenue East.**

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 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. By-law No. 569-2013, as amended, is further amended to:
  - (A) Add to Clause 40.10.40.11 Height Exemptions, a new regulation (7), so that it reads:
    - (7) A **building** used only for a **transportation use** that is part of a transit facility along Eglinton Avenue West or Eglinton Avenue East is not required to comply with regulation 40.10.40.10(4); and
  - (B) Add to Clause 40.10.40.71 Setbacks Exemptions, a new regulation (5), so that it reads:
    - (5) A **building** used only for a **transportation use** that is part of a transit facility along Eglinton Avenue West or Eglinton Avenue East is not required to comply with regulation 40.10.40.70(2).
2. By-law No. 1-83 of the former City of York, as amended, is further amended to add a new paragraph to section 3.1.2 PUBLIC SERVICES AND UTILITIES, so that it reads:

#### 3.1.2 PUBLIC SERVICES AND UTILITIES

The local municipal corporation or any local Board or agency thereof, may use any land or erect or use any land or erect or use any building or structure in any district except a G District, provided that such use of a building or structure located in any R District shall be in substantial compliance with the height, coverage and yard regulations prescribed for such district, but there shall be no exterior storage in yards of goods, materials or equipment in any R District. Any building erected or used under the provisions of this Section shall be of a character and maintained in general harmony with residential buildings of the type permitted in said district.

The building setback requirements, landscape open space requirements of this by-law do not apply to a building or structure constructed and used only for the operation of a mass transit system or a transportation system that is part of a transit facility along Eglinton Avenue West.

3. By-law No. 1916 of the former Town of Leaside, as amended, is further amended to add a new Section 6.1.3 - Public Transit Facilities, so that it reads:

**6.1.3 Public Transit Facilities**

Despite the requirements of Section 6.2 to 6.11, they do not apply to a building or structure constructed and used only for the operation of a mass transit system or a transportation system that is part of a transit facility along Eglinton Avenue East.

4. By-law No. 438-86 of the former City of Toronto, as amended, is further amended to add a new Exception Number 12 to Section 11(1) Permissive Exceptions, so that it reads:

Chapter 11 (1) PERMISSIVE EXCEPTIONS

12. A building or structure constructed and used only for the operation of a mass transit system or a transportation system that is part of a transit facility along Eglinton Avenue West or Eglinton Avenue East, is not required to comply with Section 8(3) Part II 2, 8(3) Part II 4, 8(3) Part III and 8(3) Part IV 2.

Enacted and passed on August 28, 2014.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)