

Authority: Planning and Growth Management Committee Item PG30.3, adopted as amended, by City of Toronto Council on June 26, 27, 28 and 29, 2018

CITY OF TORONTO

BY-LAW 1115-2018

To amend Zoning By-law 569-2013 to accommodate public transit uses.

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. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
2. By-law 569-2013, as amended, is further amended by amending regulation 900.11.10(572) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (E), so that it reads:
 - (A) Despite land use permissions for this zone, a **vehicle fuel station** and a **vehicle service station** are not permitted uses;
 - (B) The permitted maximum **gross floor area**, not including the area of **basements**, is 40 percent of the **lot area**;
 - (C) The minimum **building setback** from a **lot line** that abuts a **street** is:
 - (i) the greater of 23.0 metres from the original centre line of Eglinton Avenue, or 5.0 metres from a **lot line** abutting Eglinton Avenue; and
 - (ii) 3.0 metres from a **lot line** abutting any **street** other than Eglinton Avenue;
 - (D) The minimum **building setback** is 7.5 metres from a **rear lot line**; and
 - (E) The requirements of (B), (C) and (D) above, do not apply to a **transportation use**.
3. By-law 569-2013, as amended, is further amended by amending regulation 900.30.10(28) under the heading 'Site Specific Provisions', to add new Site Specific Provisions (C), (D), (E) and (F), so that it reads:
 - (A) The minimum **building setback** from a **lot line** that abuts a **street** is 18.0 metres;
 - (B) The minimum **building setback** from a **side lot line** is a distance equal to half the height of the **building**;

- (C) The requirements of (A) and (B) above, do not apply to a **transportation use**;
 - (D) For a **transportation use**:
 - (i) the following regulations and clauses do not apply: 80.5.60.20, 80.10.30.20, 80.10.40.70 and 80.10.50.10; and
 - (ii) despite 80.5.50.10(1) a minimum 0.3 metre wide strip of **soft landscaping** must be provided along the part of the **lot line** abutting a **lot** in the Residential Zone category;
 - (E) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**; and
 - (F) Despite 80.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.
4. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2640) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (E), so that it reads:
- (A) The maximum height of a **building** or **structure** is 25.5 metres;
 - (B) At least 75 percent of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0 metres and 0.5 metres from the front lot line, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0.0 metres and 5.5 metres from the **front lot line**;
 - (C) Any part of a **building** located above the point, measured at 13.5 metres above the average elevation of the grade of the **lot line** abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point;
 - (D) **Dwelling units** are only permitted above the **first floor**; and
 - (E) The requirements of (B) above, do not apply to a **transportation use**.
5. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2507) under the heading 'Site Specific Provisions', to replace Site Specific Provision (C) and add new Site Specific Provisions (D) and (E), so that it reads:
- (A) Despite regulation 40.10.20.100(2), a **Nightclub** is not a permitted use; and
 - (B) In a Commercial Residential zone, where the maximum **lawfully** permitted height exceeds the width of the right-of-way of the street it abuts then:
 - (i) The **angular plane** requirements of regulations 40.10.40.70(2)(E) and 40.10.40.70(2)(G) do not apply;

- (ii) The **rear yard setback** requirements of regulation 40.10.40.70(2)(B) do not apply; and
 - (iii) If the rear **main wall** of a **building** does not contain windows or openings;
 - (a) The **building** must be set back at least 3.0 metres from any **rear lot line** that abuts a **lot** in the Residential Zone category; and
 - (b) No **building setback** is required from any other zone category;
 - (C) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**;
 - (D) Despite 80.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0; and
 - (E) These **premises** must comply with Exception 900.11.10(2).
6. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2627) under the heading 'Site Specific Provisions', to replace Site Specific Provision (E) and add a new Site Specific Provision (F), so that it reads:
- (A) The maximum height of a **building** or **structure** is 22.5 metres;
 - (B) At least 75 percent of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 1.4 metres and 1.9 metres from the **front lot line**, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 1.4 metres and 6.9 metres from the **front lot line**;
 - (C) Any part of a **building** located above the point, measured at 13.5 metres above the average elevation of the grade of the **lot line** abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point;
 - (D) The **first floor** of the building may not be used for residential purposes, other than lobby access;
 - (E) The requirements of (B) above, do not apply to a **transportation use**; and
 - (F) These **premises** must comply with Exception 900.11.10(2).
7. By-law 569-2013 as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to CR 3.0 (c0.5; r3.0) SS2 (x143) as shown on Diagram 1 attached to this By-law.
8. By-law 569-2013 as amended, is further amended by adding Article 900.11.10, Exception Number (x143), so that it reads:

Exception CR (x143)

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) The replacement of any **building** existing as of February 28, 1977 with a height exceeding the maximum permitted height is permitted, if the height of the new **building** does not exceed the height of the **building** being replaced; [TO: 438-86; 12(1)320]
- (B) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**;
- (C) Despite 80.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0; and
- (D) These **premises** must comply with Exception 900.11.10(2).

Prevailing By-laws and Prevailing Sections: (None Apply)

- 9. By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to CR 2.5 (c2.5; r2.5) SS2 (x142) as shown on Diagrams 2, 3, 4, 5 and 6 attached to this By-law.
- 10. By-law 569-2013, as amended, is further amended by adding Article 900.11.10, Exception Number (x142), so that it reads:

Exception CR (x142)

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) In a Commercial Residential zone, where the maximum **lawfully** permitted height exceeds the width of the right-of-way of the **street** it abuts then:
 - (i) the **angular plane** requirements of regulations 40.10.40.70(2)(E) and 40.10.40.70(2)(G) do not apply;
 - (ii) the **rear yard setback** requirements of regulation 40.10.40.70(2)(B) do not apply; and
 - (iii) if the **rear lot line** abuts a RD Zone or a RM Zone with a "u" value of less than 6 **dwelling units**, then the height of any portion of the **building** cannot be greater than 70 percent of the horizontal distance that portion of the **building** is from the **rear lot line**; or

(iv) if the **rear lot line** abuts a **lane** and the **lots** on the opposite side of the **lane** are in a RD Zone or a RM Zone with a "u" value of less than **6 dwelling units**, then the height of any portion of the **building** cannot be greater than 70 percent of the horizontal distance that portion of the **building** is from the closer of the **rear lot line** or **side lot line**, of the **lots** in the RD Zone or RM zone; and

(B) The requirements of (A)(iii) and (A)(iv) above, do not apply to a **building** with a **transportation use**.

Prevailing By-laws and Prevailing Sections: (None Apply)

11. By-law 569-2013, as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2624) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (D), so that it reads:

(A) The maximum height of a **building** or **structure** is 25.5 metres;

(B) At least 75 percent of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0.5 metres and 1.0 metres from the **front lot line**, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0.5 metres and 6.0 metres from the **front lot line**;

(C) Any part of a **building** located above the point, measured at 13.5 metres above the average elevation of the grade of the **lot line** abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point; and

(D) The requirements of (B) above, do not apply to a **building** with a **transportation use**.

12. By-law 569-2013, as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2622) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (D), so that it reads:

(A) The maximum height of a **building** or **structure** is 25.5 metres;

(B) At least 75 percent of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 2.3 metres and 2.8 metres from the **front lot line**, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 2.3 metres and 7.8 metres from the **front lot line**;

(C) Any part of a **building** located above the point, measured at 13.5 metres above the average elevation of the grade of the **lot line** abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point; and

(D) The requirements of (B) above, do not apply to a **transportation use**.

13. By-law 569-2013, as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2621) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (C) so that it reads:
- (A) At least 75 percent of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0.0 metres and 0.5 metres from the **front lot line**, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0.0 metres and 5.5 metres from the **front lot line**;
 - (B) Any part of a **building** located above the point, measured at 13.5 metres above the average elevation of the grade of the **lot line** abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point; and
 - (C) The requirements of (A) above, do not apply to a **transportation use**.
14. By-law 569-2013, as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2641) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (D), so that it reads:
- (A) At least 75 percent of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 1.4 metres and 1.0 metres from the **front lot line**, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 1.4 metres and 6.9 metres from the **front lot line**;
 - (B) Any part of a **building** located above the point, measured at 13.5 metres above the average elevation of the grade of the **lot line** abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point;
 - (C) The **first floor** of the **building** may not be used for residential purposes, other than lobby access; and
 - (D) The requirements of (A) above, do not apply to a **transportation use**.
15. By-law 569-2013, as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2629) under the heading 'Site Specific Provisions', to replace Site Specific Provision (E) and add a new Site Specific Provision (F), so that it reads:
- (A) The maximum height of a **building** or **structure** is 25.5 metres;
 - (B) At least 75 percent of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0 metres and 0.5 metres from the **front lot line**, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0.0 metres and 5.5 metres from the **front lot line**;
 - (C) Any part of a **building** located above the point, measured at 13.5 metres above the average elevation of the grade of the **lot line** abutting Eglinton Avenue, must have

a step-back of at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point;

- (D) The **first floor** of the **building** may not be used for residential purposes, other than lobby access;
 - (E) The requirements of (B) above, do not apply to a **transportation use**; and
 - (F) Properties located at 253, 253 ½, 257, 265 Eglinton Avenue West and 187, 189, 191 Highbourne Road must comply with Exception 900.11.10(2).
16. By-law 569-2013, as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(913) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (B), so that it reads:
- (A) In a Commercial Residential zone, where the maximum **lawfully** permitted height exceeds the width of the right- of-way of the **street** it abuts then:
 - (i) the **angular plane** requirements of regulations 40.10.40.70(2)(E) and 40.10.40.70(2)(G) do not apply;
 - (ii) the **rear yard setback** requirements of regulation 40.10.40.70(2)(B) do not apply;
 - (iii) if the **rear lot line** abuts a RD Zone or a RM Zone with a "u" value of less than 6 **dwelling units**, then the height of any portion of the **building** cannot be greater than 70 percent of the horizontal distance that portion of the **building** is from the **rear lot line**; and
 - (iv) if the **rear lot line** abuts a **lane** and the **lots** on the opposite side of the **lane** are in a RD Zone or a RM Zone with a "u" value of less than 6 **dwelling units**, then the height of any portion of the **building** cannot be greater than 70 percent of the horizontal distance that portion of the **building** is from the closer of the **rear lot line** or **side lot line**, of the **lots** in the RD Zone or RM zone; and
 - (B) The requirements of (A)(iii) and (A)(iv) above, do not apply to a **transportation use**.
17. By-law 569-2013, as amended, is further amended by amending regulation 900.22.10(42) to delete "None Apply" after the heading 'Site Specific Provisions' and to add a new regulation (A), so that it reads:
- Site Specific Provisions:
- (A) Regulations 60.30.30.20(1) and 60.30.40.70(3) do not apply to a **transportation use**:

18. By-law 569-2013, as amended, is further amended by amending regulation 900.22.10(9) to delete "None Apply" after the heading 'Site Specific Provisions' and to add a new regulation (A), so that it reads:

Site Specific Provisions:

- (A) The following regulations and clauses do not apply to a **transportation use**: 5.10.30.1, 60.30.30.20(1), and 60.30.40.70(3).

19. By-law 569-2013 as amended, is further amended by amending regulation 900.31.10(6) under the heading 'Site Specific Provisions', to add new Site Specific Provisions (D), (E), (F) and (G), so that it reads:

- (A) The maximum floor space index is 0.75;
- (B) The permitted maximum height must not exceed the height of the tallest **lawfully existing building or structure** on the **lot**;
- (C) The minimum required **building setback** from each **lot line** is the distance between that **lot line** and the nearest **main wall** of a **lawfully existing building** on the **lot**; [By-law: 559-2014]
- (D) The requirements of (A), (B) and (C) above, do not apply to a **building or structure** with a **transportation use**;
- (E) For a **transportation use**:
- (i) the following regulations and clauses do not apply: 5.10.30.1, 80.5.60.20, 80.10.30.40, 80.20.30.20, and 80.20.40.70; and
- (ii) despite 80.5.50.10(1) a minimum 0.3 metre wide strip of **soft landscaping** must be provided along the part of the **lot line** abutting a **lot** in the Residential Zone category;
- (F) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a **building or structure** with a **transportation use**; and
- (G) Despite 80.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.

20. By-law 569-2013, as amended, is further amended by amending regulation 900.7.10(112) to delete "None Apply" after the heading 'Site Specific Provisions' and to add new Site Specific Provisions (A), (B), (C) and (D), so that it reads:

- (A) Despite Prevailing By-law 1099-2006, a **Transportation Use** is permitted;
- (B) The requirements for lot coverage, building setbacks, building height, gross floor area, landscaping, and parking spaces in Prevailing By-law 1099-2006 to not apply to a **transportation use**;

- (C) the following regulations and clauses do not apply to a **transportation use**: 15.5.80.10(3), 15.5.80.10(4), 15.10.30.10(1)(B), 15.10.30.20(1)(B), and 15.10.40.70;
- (D) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**; and
- (E) Despite 80.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.

21. By-law 569-2013 as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to IPW (x5) as shown on Diagram 7 attached to this By-law.

22. By-law 569-2013 as amended, is further amended by adding Article 900.34.10, Exception Number (x5), so that it reads:

Exception IPW (x5)

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) For a **transportation use**:
- (i) the following regulations and clauses do not apply: 80.5.60.20, 80.10.30.40, 80.50.30.20, 80.50.30.40, 80.50.40.70(4), 80.50.40.70(4), 80.50.50.10(1) and 80.50.80.10; and
- (ii) despite 80.5.50.10(1) and 80.50.50.10(2) a minimum 0.3 metre wide strip of **soft landscaping** must be provided along the part of the **lot line** abutting a **lot** in the Residential Zone category.

Prevailing By-laws and Prevailing Sections: (None Apply)

23. By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to I (x6) as shown on Diagram 8 attached to this By-law.

24. By-law 569-2013, as amended, is further amended by adding Article 900.30.10, Exception Number (x6), so that it reads:

Exception I (x6)

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) The following regulations and clauses do not apply to a **transportation use**: 80.5.60.20, 80.10.30.20, 80.10.30.40, 80.10.40.70(2), and 80.10.50.10;

- (B) Despite 80.10.40.40(1), a maximum floor space index of 1.0 is permitted and is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**;
- (C) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**; and
- (D) Despite 80.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.

Prevailing By-laws and Prevailing Sections: (None Apply)

- 25. By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to RD (f18.0;a690) (x593) as shown on Diagram 9 attached to this By-law.
- 26. By-law 569-2013 as amended, is further amended by adding Article 900.3.10 Exception Number (x593), so that it reads:

Exception RD (x593)

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) The following regulations and clauses do not apply to a **transportation use**: 10.20.30.10, 10.20.40.70, 10.5.40.70(1), and 10.20.40.10(6);
- (B) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**; and
- (C) Despite 80.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.

Prevailing By-laws and Prevailing Sections: (None Apply)

- 27. By-law 569-2013, as amended, is further amended by amending regulation 900.8.10(162) to delete "None Apply" after the heading 'Site Specific Provisions' and to add new regulations (A), (B) and (C), so that it reads:
 - (A) The following regulations and clauses do not apply to a **transportation use**: 15.20.30.10(1)(B), 15.20.30.20(1)(B), and 15.20.40.70;
 - (B) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**; and
 - (C) Despite 80.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.

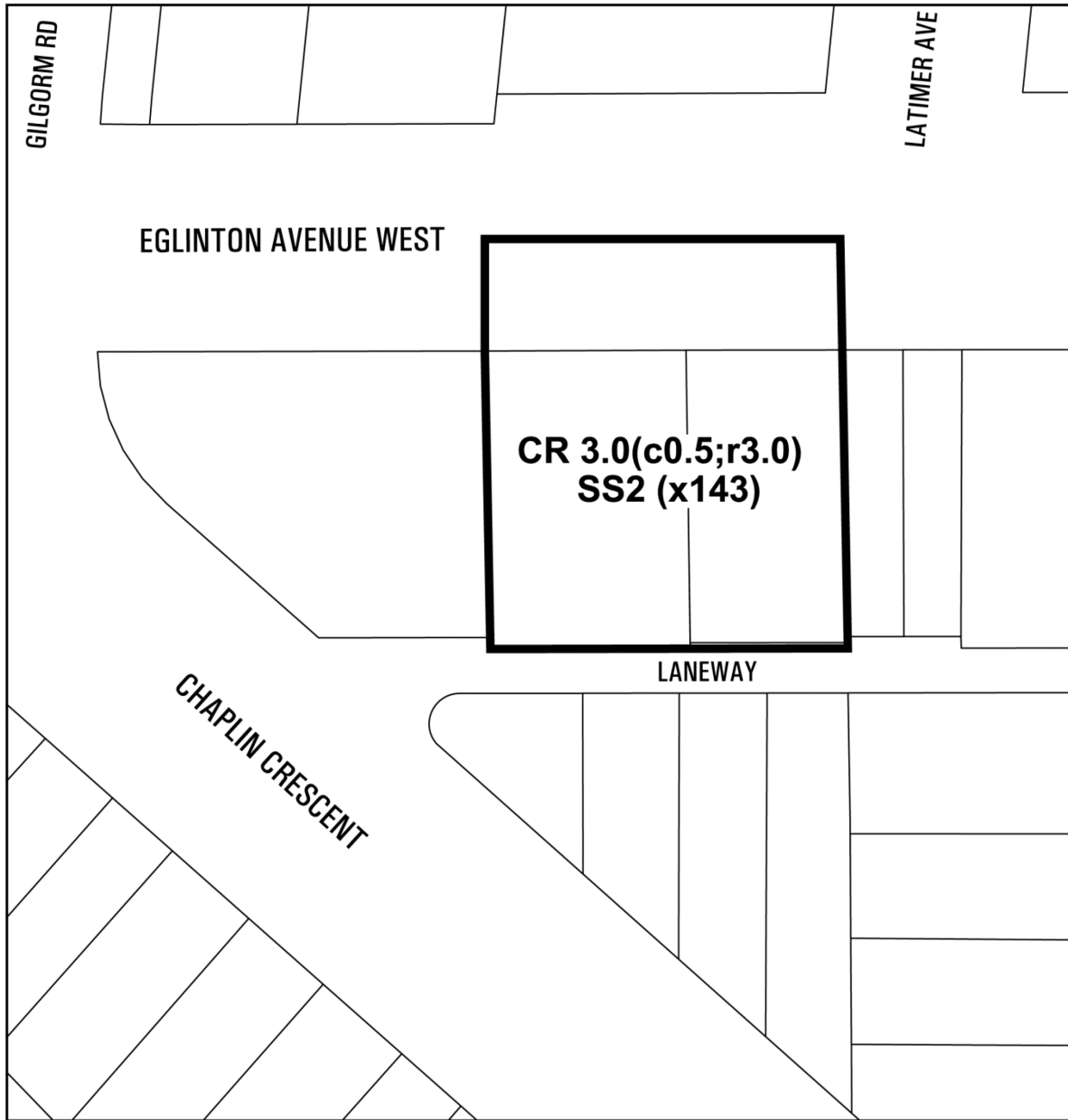
28. By-law 569-2013, as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2636) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (E), so that it reads:
- (A) The maximum height of a **building** or **structure** is 13.5 metres;
 - (B) At least 75 percent of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0.0 metres and 0.5 metres from the front lot line, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue must be between 0.0 metres and 5.5 metres from the **front lot line**;
 - (C) Any part of a **building** located above the point, measured at 13.5 metres above the average elevation of the grade of the **lot line** abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point;
 - (D) The **first floor** of the **building** may not be used for residential purposes, other than lobby access; and
 - (E) The requirements of (B) above, do not apply to a **transportation use**.

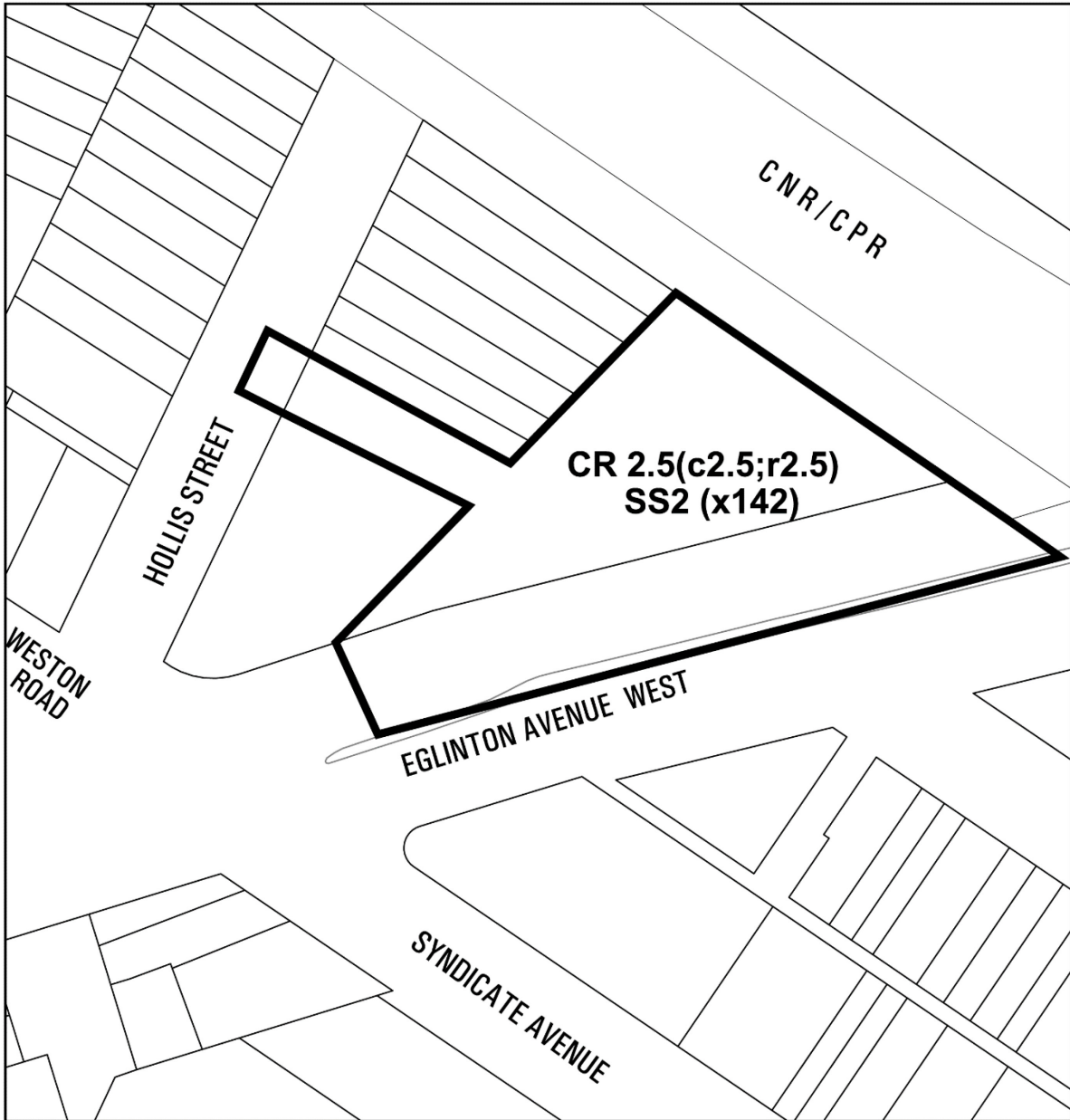
Enacted and passed on July 27, 2018.

Glenn De Baeremaeker,
Deputy Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)





 **Toronto**
Diagram 2

**3520 Eglinton Avenue West
and 1, 9 Hollis Street**
ECLRT and FWLRT Zoning By-law Amendments

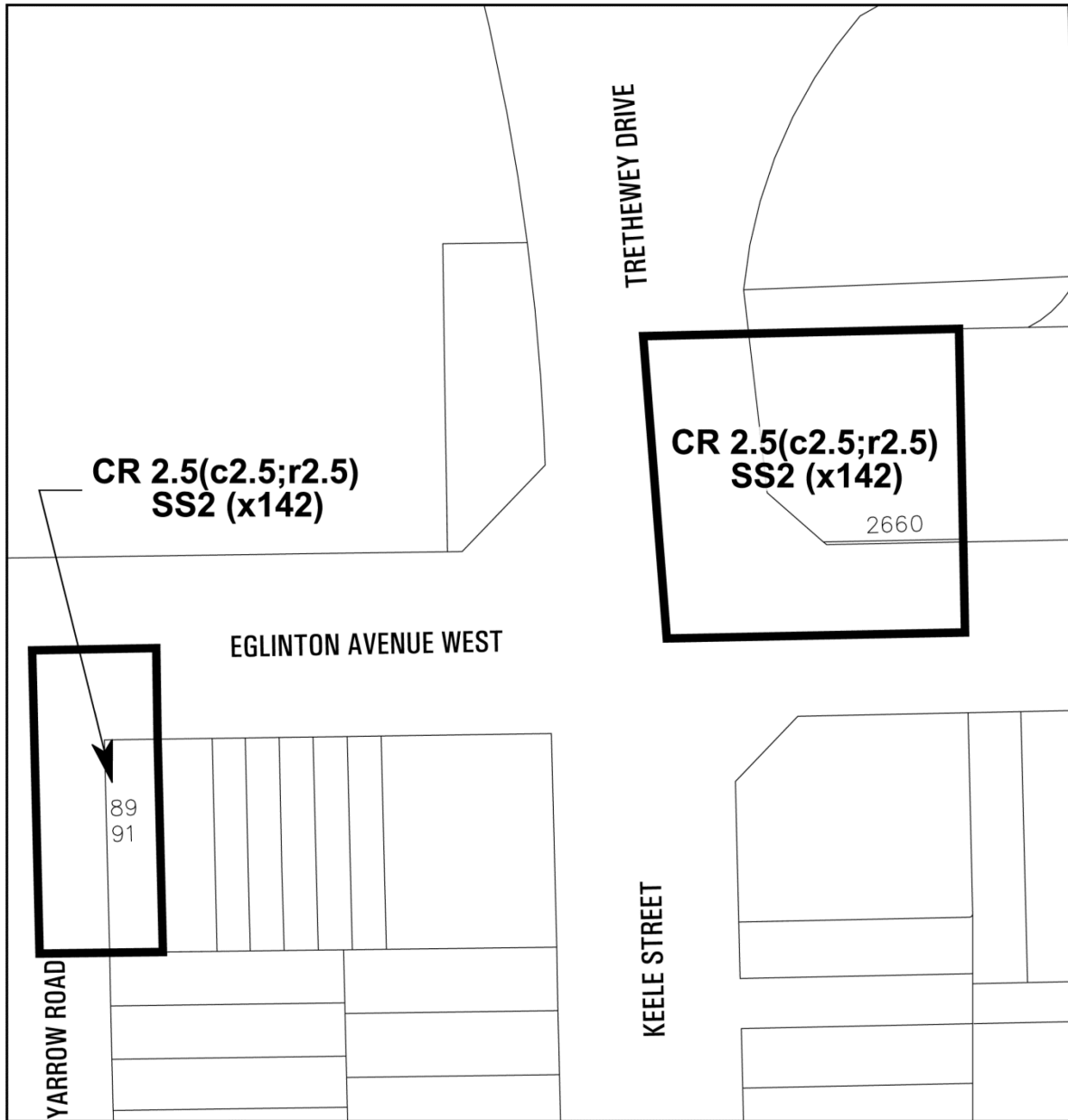



Diagram 3

**89, 91 Yarrow Road and
2660 Eglinton Avenue West**
ECLRT and FWLRT Zoning By-law Amendments

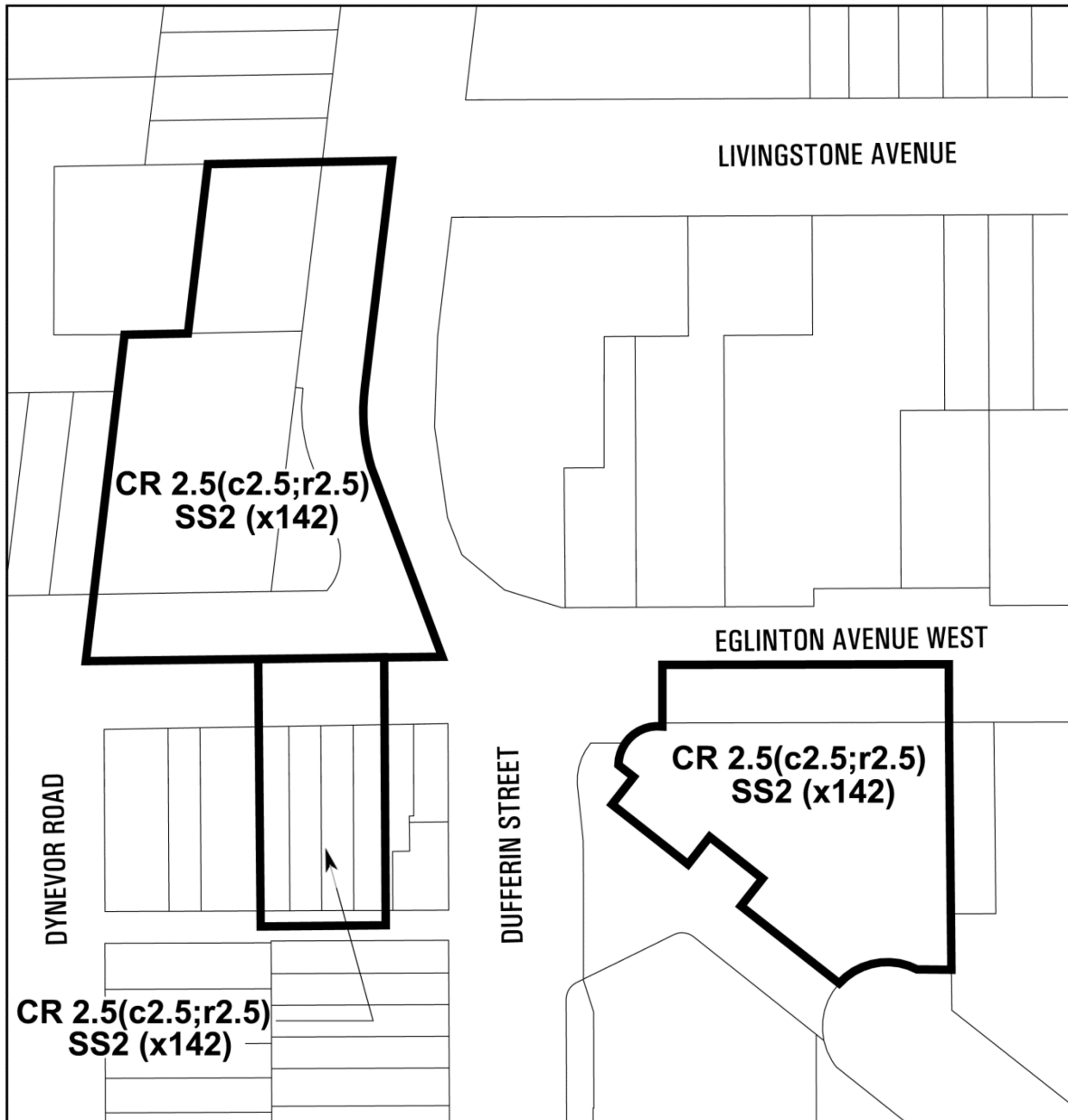
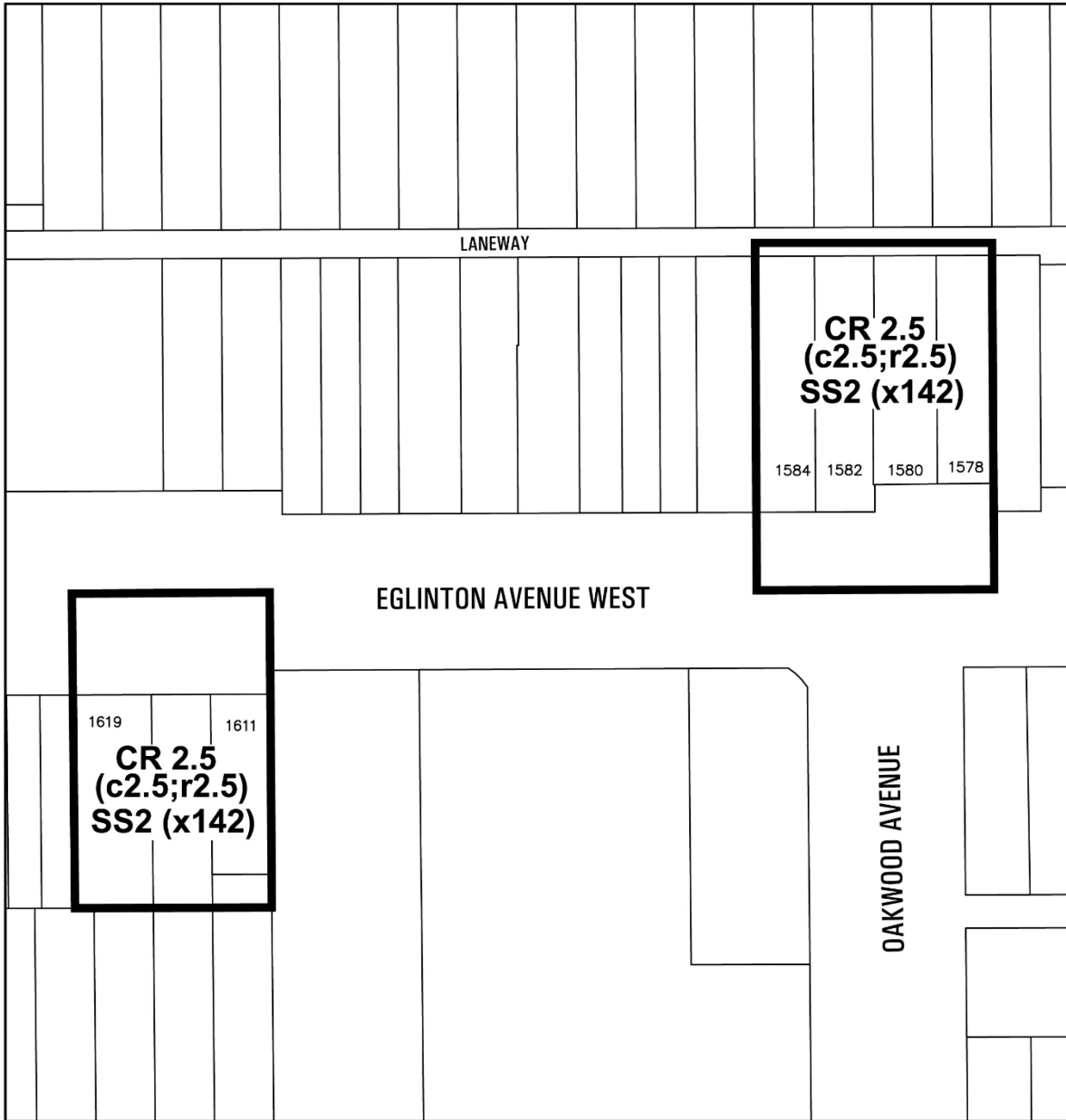



Diagram 4

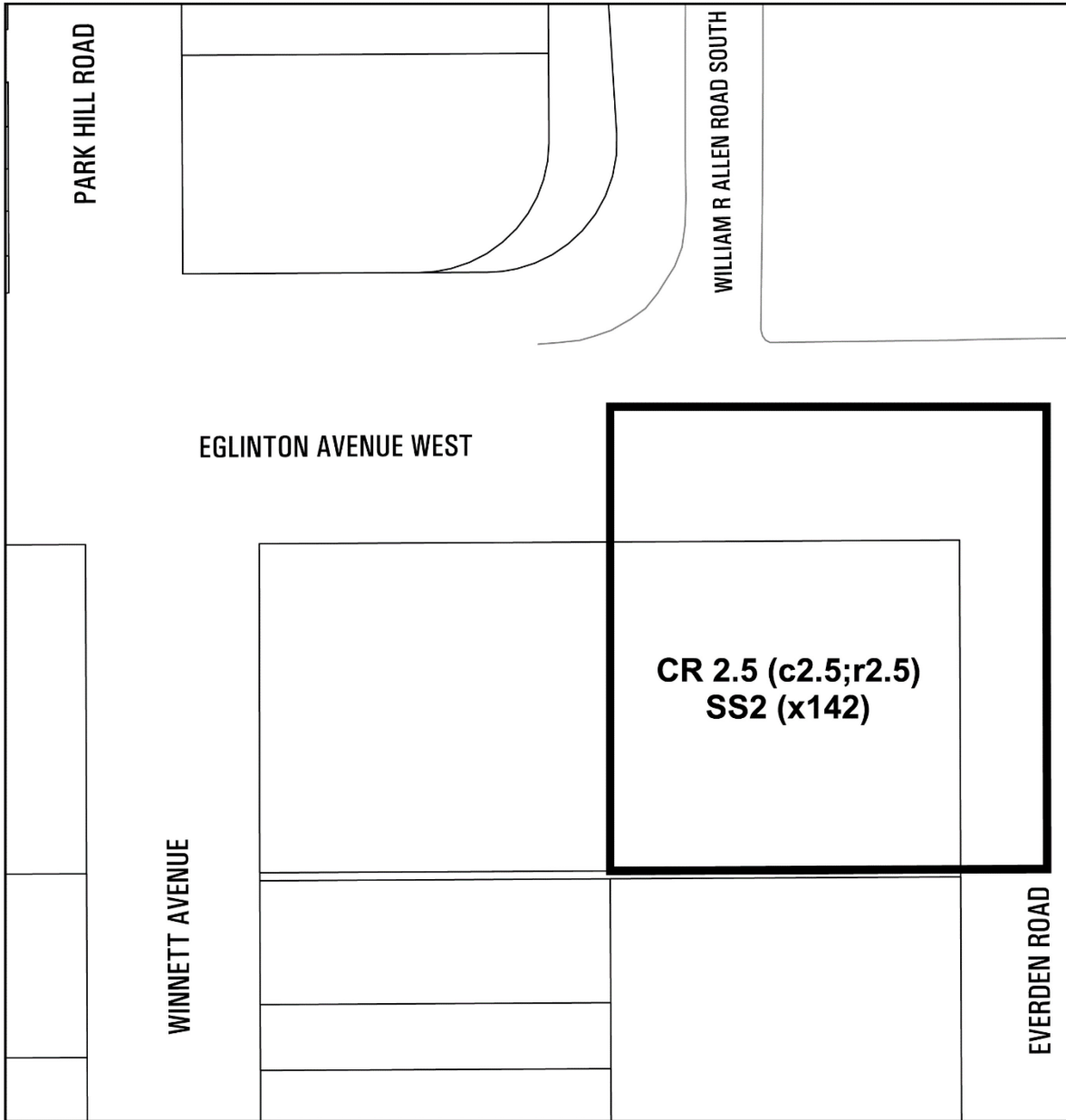
1815, 1817, 1840, 1839-1849 Eglinton Avenue West
and 2380 Dufferin Street

ECLRT and FWLRT Zoning By-law Amendments



1578-1584 and 1611-1619 Eglinton Avenue West

ECLRT and FWLRT Zoning By-law Amendments



 **TORONTO**
Diagram 6

1435 Eglinton Avenue West

ECLRT and FWLRT Zoning By-law Amendments

