

Authority: Planning and Housing Committee Item PH7.2,
adopted as amended, by City of Toronto Council on July
16, 17 and 18, 2019

CITY OF TORONTO

BY-LAW 1198-2019

To amend Zoning By-law 569-2013, as amended, with respect to breweries and related 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:

By-law 569-2013, as amended, is further amended as follows:

1. In Regulation 40.10.20.10(1)(A) delete the use "**Retail Store**", and in Regulation 40.10.20.20(1)(A) add the use "**Retail Store (3)**", in between the uses "**Retail Service**" and "**Service Shop**".

2. Add a new Regulation 40.10.20.100(3) so that it reads:

Retail Store with Beverage Manufacturing Use for Beer, Cider or Wine

In the CR zone, a **retail store** may include a beverage **manufacturing use** for beer, cider or wine, if the **interior floor area** of the **retail store**, including the beverage **manufacturing use**, does not exceed 400.0 square metres.

3. In Regulation 50.10.20.10(1)(A) delete the use "**Retail Store**", and in Regulation 50.10.20.20(1)(A) add the use "**Retail Store (6)**", in between the uses "**Recreation Use**" and "**Sports Place of Assembly**".

4. Add a new Regulation 50.10.20.100(6) so that it reads:

Retail Store with Beverage Manufacturing Use for Beer, Cider or Wine Production

In the CRE zone, a **retail store** may include beverage **manufacturing use** for beer, cider or wine, if the **interior floor area** of the **retail store**, including the beverage **manufacturing use**, does not exceed 400.0 square metres.

5. Amend Regulation 60.10.20.100(5) so that it reads:

Retail Store – together with Manufacturing Use

In the EL zone, a **retail store**:

- (A) must be associated with a permitted **manufacturing use** on the same **lot**; and

- (B) the total **interior floor area** of all **retail stores** on a **lot** may not exceed 20 percent of the **gross floor area** of the permitted **manufacturing use**.
6. In Regulation 60.10.20.20 (1), delete "5" beside the uses "**Eating Establishment**" and "**Take-out Eating Establishment** and replace it with "6" so that they read: "**Eating Establishment (6, 14)**" and "**Take-out Eating Establishment (6)**".
7. Add a new Regulation 60.10.20.100(6) so that it reads:
- Eating Establishment and Take-out Eating Establishment
In the EL zone, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on a **lot** may not exceed 500.0 square metres.
8. Amend Regulation 60.20.20.100(3) so that it reads:
- Retail Service
In the E zone, the total **interior floor area** of **retail services** on a **lot** may not exceed the greater of:
- (A) 300.0 square metres: or
- (B) 10 percent of the **gross floor area** of the **buildings** on the **lot** to a maximum of 500.0 square metres.
9. In Regulation 60.20.20.20(1), delete "3" beside the uses "**Eating Establishment**" and "**Take-out Eating Establishment** and replace it with "1" so that they read: "**Eating Establishment (1, 19, 30)**" and "**Take-out Eating Establishment (1, 30)**".
10. Add a new Regulation 60.20.20.100(1) so that it reads:
- Eating Establishment and Take-out Eating Establishment
In the E zone, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on a **lot** may not exceed 500.0 square metres.
11. Amend Regulation 60.20.20.100(4) so that it reads:
- Retail Store - together with Manufacturing Use
In the E zone, a **retail store**:
- (A) must be associated with a permitted **manufacturing use** on the same **lot**; and
- (B) the total **interior floor area** of all **retail stores** on a **lot** may not exceed 20 percent of the **gross floor area** of the permitted **manufacturing use**.

12. Amend Regulation 60.40.20.100(6) so that it reads:

Retail Service, Retail Store or Personal Service Shop

In the EO zone, the total **interior floor area** of **retail services, retail stores or personal service shops** on a **lot** may not exceed the greater of:

- (A) 300.0 square metres: or
 - (B) 10 percent of the **gross floor area** of the **buildings** on the **lot** to a maximum of 500.0 square metres.
13. In Regulation 60.40.20.20 (1)(B), delete "6" beside the uses "**Eating Establishment**" and "**Take-out Eating Establishment**" and replace it with "1" so that they read: "**Eating Establishment (1, 16, 20, 28)**" and "**Take-out Eating Establishment (1, 20, 28)**".

14. Add a new Regulation 60.40.20.100(1) so that it reads:

Eating Establishment and Take-out Eating Establishment

In the EO zone, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on a **lot** may not exceed 500.0 square metres.

15. Amend Regulation 60.40.20.100(23) so that it reads:

Retail Store - together with Manufacturing Use

In the EO zone, a **retail store**:

- (A) must be associated with a permitted **manufacturing use** on the same **lot**; and
 - (B) the total **interior floor area** of all **retail stores** on a **lot** may not exceed 20 percent of the **gross floor area** of the permitted **manufacturing use**.
16. Amend Regulation 60.10.20.20(1) to add the use "Outdoor Patio (11)" in between the uses "Open Storage (12)" and "Plastic Product **Manufacturing Use** (9)".

17. Add a new Regulation 60.10.20.100(11) so that it reads:

Outdoor Patio

In the EL zone, an **outdoor patio**:

- (A) is permitted in association with an **eating establishment** or **take-out eating establishment** on the same **lot**;
- (B) must be no closer to a **lot line** than the required minimum **building setback** for a **building**;
- (C) may not occupy more than 20 percent of the **front yard**;

- (D) may not be located on land required for **parking spaces, loading spaces, driveways or landscaping**;
 - (E) may have a maximum area that is the greater of:
 - (i) 30.0 square metres; or
 - (ii) 30 percent of the **interior floor area** of the **premises** it is associated with;
 - (F) may not be used to provide entertainment such as performances, music and dancing;
 - (G) must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
 - (H) despite regulation (G) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;
 - (I) in the **rear yard** of a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**;
 - (J) if a **lawfully** existing **outdoor patio** is closer to a **lot** than required in (G) or (H) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**; and
 - (K) is not permitted on a **lot** located in the area bounded by Laird Avenue on the west, Vanderhoof Avenue and the Don River to the north, Don Mills Road to the east and Overlea Boulevard to the south.
18. Amend Regulation 60.20.20.20(1) to add the use "Outdoor Patio (9)" in between the uses "Open Storage (10)" and "**Public Utility (27, 29)**".
19. Add a new Regulation 60.20.20.100(9) so that it reads:

Outdoor Patio

In the E zone, an **outdoor patio**:

- (A) is permitted in association with an **eating establishment** or **take-out eating establishment** on the same **lot**;
- (B) must be no closer to a **lot line** than the required minimum **building setback** for a **building**;
- (C) may not occupy more than 20 percent of the **front yard**;

- (D) may not be located on land required for **parking spaces, loading spaces, driveways or landscaping**;
- (E) may have a maximum area that is the greater of:
 - (i) 30.0 square metres; or
 - (ii) 30 percent of the **interior floor area** of the **premises** it is associated with;
- (F) may not be used to provide entertainment such as performances, music and dancing;
- (G) must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (H) despite regulation (G) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (I) in the **rear yard** of a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**;
- (J) if a lawfully **existing outdoor patio** is closer to a **lot** than required in (G) or (H) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**; and
- (K) is not permitted on a **lot** located in the area bounded by Laird Avenue on the west, Vanderhoof Avenue and the Don River to the north, Don Mills Road to the east and Overlea Boulevard to the south.

20. Amend Regulation 600.50.10(1), to add a new Regulation (I) so that it reads:

- (I) in the case of an **eating establishment** or **take-out eating establishment** that includes a beverage **manufacturing use** for beer, cider or wine, the **interior floor area** in (D) above may be reduced by the **interior floor areas** used for beverage **manufacturing use** for beer, cider or wine, and associated offices, storage rooms, and staff rooms.

Enacted and passed on July 18, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)