

Authority: Planning and Growth Management Committee Item PG9.7, as adopted by City of Toronto Council on February 3 and 4, 2016

CITY OF TORONTO

BY-LAW No. 103-2016

To amend By-law No. 1031-2014, 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. Section 1(A) of By-law No. 1031-2014, is amended by deleting regulation (7) and replacing it with the following:

(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 regulations 40.10.40.10(4) and 40.10.40.10(5).

and

Section 1(B) of By-law No. 1031-2014, is amended by deleting regulation (5) and replacing it with the following:

(5) Regulations 40.10.40.70(1)(2) and (3) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the setbacks are between 0 and 110 metres.

2. Section 1 of By-law No. 1031-2014, is further amended by inserting Provisions (C) to (R) as follows:

(C) Add a new Clause 10.10.40.71, Setback Exemptions, and a new regulation (1) Setback Exemptions for **Transportation Use**, so that it reads:

10.10.40.71 Setback Exemptions

(1) Regulation 10.5.40.70(1) and Regulations 10.10.40.70 (1)(2)(3) and (4) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 10.5 metres.

- (D) Add to Clause 15.5.40.71, Setback Exemptions, a new regulation (3) Setback so that it reads:
- (3) Regulations 15.10.40.70 (1)(2)(3) and (4) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 15 metres.
- (E) Add to Regulation 40.10.40.1(2) Commercial Uses - Location of Entrances and First Floor Elevation, a new Regulation (C), so that it reads:
- (C) Regulations 40.10.40.1(2)(A) and (B) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the **building** is accessible to persons with disabilities.
- (F) Add to Clause 40.10.40.41 Floor Area Exemptions, a new Regulation (2), so that it reads:
- (2) Regulation 40.10.40.40(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the lot.
- (G) Add a new Clause 40.10.50.11, Landscaping Exemptions, and a new regulation (1), Landscaping Exemptions for **Transportation Use**, so that it reads:
- 40.10.50.11 Landscaping Exemptions
- (1) Regulations 40.10.50.10(1) and (3) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East.
- (H) Add to Clause 60.30.40.71, a new Regulation (3), Setback Exemptions, so that it reads:
- (3) Regulations 60.30.40.70(1)(2)(3) and (4) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue West, provided that setbacks are between 0 and 300 metres.
- (I) Add a new Clause 80.10.40.41, Floor Area Exemptions, and add a new regulation (1) Floor Area Exemptions for **Transportation Use**, so that it reads:
- 80.10.40.41 Floor Area Exemptions
- (1) Regulation 80.10.40.40(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton East, provided that the maximum floor area is no greater than 2 times the area of the lot.

- (J) Add a new Clause 80.10.40.71, Setback Exemptions; and a new regulation (1), Setback Exemptions for **Transportation Use**, so that it reads:
- 80.10.40.71 Setback Exemptions
- (1) Regulations 80.10.40.70(1) and (2) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East provided that the setbacks are between 0 and 40 metres.
- (K) Add a new Clause 80.10.50.11, Landscaping Exemptions; and a new regulation (1), Landscaping Exemptions for **Transportation Use**, so that it reads:
- 80.10.50.11 Landscaping Exemptions
- (1) Regulations 80.10.50.10(1) and (2) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East.
- (L) Add a new Clause 90.10.40.11, Height Exemptions, and a new regulation (1), Height Exemptions for **Transportation Use**, so that it reads:
- 90.10.40.11 Height Exemptions
- (1) Regulation 90.10.40.10(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum **building** height is no greater than 10.5 metres.
- (M) Add a new Clause 90.10.40.41, Floor Area Exemptions, and a new regulation (1), Floor Area Exemptions for **Transportation Use**, so that it reads:
- 90.10.40.41 Floor Area Exemptions
- (1) Regulation 90.10.40.40(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the lot.
- (N) Add a new Clause 90.10.40.71, Setback Exemptions; and a new regulation (1), Setback Exemptions for **Transportation Use**, so that it reads:
- 90.10.40.71 Setback Exemptions
- (1) Regulation 90.10.40.70(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the setbacks are between 0 and 15 metres.

- (O) Add a new Clause 90.20.40.11, Height Exemptions, and a new regulation (1), Height Exemptions for **Transportation Use**, so that it reads:

90.20.40.11 Height Exemptions

- (1) Regulation 90.20.40.10(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum **building** height is no greater than 10.5 metres.

- (P) Add a new Clause 90.20.40.41, Floor Area Exemptions, and a new regulation (1), entitled Floor Area Exemptions for **Transportation Use**, so that it reads:

90.20.40.41 Floor Area Exemptions

- (1) Regulation 90.20.40.40(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the lot.

- (Q) Add a new Clause 90.20.40.71, Setback Exemptions; and a new regulation (1), Setback Exemptions for **Transportation Use**, so that it reads:

90.20.40.71 Setback Exemptions

- (1) Regulation 90.20.40.70(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 15 metres.

- (R) Add to Clause 220.5.10.11, a new Regulation (5), Loading Space Exemptions, so that it reads:

- (5) Regulation 220.5.10.1(8) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East.

3. Section 2 of By-law No. 1031-2014, is amended by inserting a third paragraph under heading 3.1.2 PUBLIC SERVICES AND UTILITIES as follows:

Further, a **building** or a **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 is permitted in all zones and is not required to comply with zoning provisions provided in this By-law.

4. Section 3 of By-law No. 1031-2014, is amended to also insert a new regulation (f) under heading 5.11 Special Use Permitted in By-law No. 1916 of the former Town of Leaside as follows:

- (f) a **building** or **structure** constructed and used for the operation of a mass transit system that is part of a transit facility along Eglinton Avenue.

5. Section 4 of By-law No. 1031-2014, is deleted and replaced with a new Section 4 so that it reads:

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 permitted in all zones and is not required to comply with zoning provisions provided in this By-law.

6. By-law No. 1031-2014, is further amended by inserting Sections 5 to 8 as follows:

5. By-law No. 7625 of the former City of North York, as amended, is further amended to add a new Section 6(2)(m) - Public Transit Facilities, so that it reads:

6(2)(m) Public Transit Facilities

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 and Eglinton Avenue East, is permitted in all zones and is not required to comply with zoning provisions provided in this By-law.

6. By-law No. 9276 of the former City of Scarborough, as amended, is further amended to add Zoning Provision (21) to Clause VI - Public Transit Facilities, so that it reads:

Clause VI (21) Public Transit Facilities in all Zones

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, is permitted in all zoning districts and is not required to comply with zoning provisions provided in this By-law.

7. By-law No. 9089 of the former City of Scarborough, as amended, is further amended to add Zoning Provision (21) to Clause VI - Public Transit Facilities, so that it reads:

Clause VI (21) Public Transit Facilities

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, is permitted in all zoning districts and is not required to comply with zoning provisions provided in this By-law.

8. By-law No. 24982 of the former City of Scarborough, as amended, is further amended to add Zoning Provision (26) to Clause V - Public Transit Facilities, so that it reads:

Clause V (26) Public Transit Facilities

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, is permitted in all zoning districts and is not required to comply with zoning provisions provided in this By-law.

Enacted and passed on February 4, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)