

CITY OF TORONTO

BY-LAW 805-2019

To amend Zoning By-law 569-2013, as amended, to facilitate zoning compliance for the Scarborough Subway Extension project.

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 (F), 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**;
 - (E) The requirements of (B), (C) and (D) above, do not apply to a **transportation use**; and
 - (F) Clauses 40.10.40.70 and 40.10.40.80 and regulations 40.10.30.40(1) and 40.10.40.10(5) 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) Clauses 80.5.60.20, 80.10.40.70 and 80.10.50.10, and regulations 80.10.30.20(1) and 80.10.30.40(1) do not apply to a **transportation use**;
 - (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 regulation 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 regulation 900.11.10(688) 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:
 - (i) the greater of 5.0 metres if the **lot line** abuts Eglinton Ave. and 23.0 metres from the original centreline of Eglinton Ave.; and
 - (ii) 3.0 from a **lot line** that abuts any other **street**;
 - (B) The minimum **building setback** from a **rear lot line** is 7.5 metres;
 - (C) The requirements of (A) and (B) above, do not apply to a **transportation use**;
 - (D) Clauses 40.10.30.40, 40.10.40.70, 40.10.40.80 and regulations 40.10.40.1(2), 40.10.40.10(5), and 40.10.100.10(1) do not apply to a **transportation use**;
 - (E) Despite Clause 40.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**; and
 - (F) Despite regulation 40.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.
5. By-law 569-2013 as amended, is further amended by amending regulation 900.11.10(603) under the heading 'Site Specific Provisions', to amend (D) and add new Site Specific Provisions (E), (F), (G) and (H), so that it reads:
- (A) The permitted maximum **gross floor area** is the greater of:
 - (i) 40 percent of the **lot area**; or

- (ii) the **gross floor area** that **lawfully** existed on the date of enactment of this By-law;
 - (B) The total combined maximum **gross floor area** of all **buildings** on Blocks A and B, Registered Plan 5153 must not exceed 2,089 square metres;
 - (C) The total maximum **gross floor area** of all **buildings** on Block C, Registered Plan 5153 must not exceed 7,173 square metres;
 - (D) The minimum **building setback** from a **lot line** that abuts a **street** is:
 - (i) the greater of 16.5 metres from the original centre line of Brimley Road and Danforth Road, or 3.0 metres from a **lot line** abutting Brimley Road and Danforth Road;
 - (ii) the greater of 23 metres from the original centre line of Eglinton Avenue, or 5.0 metres from a **lot line** abutting Eglinton Avenue; and
 - (iii) 3.0 metres from a **lot line** abutting any **street** other than those listed in (i) and (ii) above;
 - (E) The requirements of (A), (B), (C) and (D) above, do not apply to a **transportation use**;
 - (F) Clauses 40.10.30.40, 40.10.40.70, 40.10.40.80 and regulations 40.10.40.1(2), 40.10.40.10(5), and 40.10.100.10(1) do not apply to a **transportation use**;
 - (G) Despite clause 40.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**; and
 - (H) Despite regulation 40.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.
6. By-law 569-2013, as amended, is further amended by amending regulation 900.11.10(606) under the heading 'Site Specific Provisions', to add new Site Specific Provisions (D), (E), (F) and (G), so that it reads:
- (A) Despite land use permissions for this zone, only the following uses are permitted:
 - (i) an office if it is only used for a real estate, an insurance, a travel agent, a trust company, or a finance company;
 - (ii) a **retail store** if:
 - (a) it only sells automotive supplies, hobby supplies, furniture and lighting fixtures, photographic and art supplies, sporting goods, textiles and fabrics, and home improvement supplies; or

- (b) it is a drug store or delicatessen;
 - (iii) a **personal service shop** if it is only used for a beauty parlour, or a cleaners;
 - (iv) an **eating establishment** if the sale of foods and beverages is for consumption inside a **building**;
 - (v) a **financial institution**;
 - (vi) a **custom workshop** if it is only a custom tailor; and
 - (vii) a photographic and art studio;
- (B) The permitted maximum **gross floor area** is the greater of:
- (i) 40 percent of the **lot area**; or
 - (ii) the **gross floor area** that **lawfully** existed on the date of enactment of this By-law;
- (C) The minimum **building setback** from a **lot line** that abuts a **street** is:
- (i) the greater of 16.5 metres from the original centre line of Danforth Road, or 3.0 metres from a **lot line** abutting Danforth Road; and
 - (ii) 3.0 metres from a **lot line** abutting any other **street**;
- (D) The requirements of (A), (B), and (C) above, do not apply to a **transportation use**;
- (E) Clauses 40.10.30.40, 40.10.40.70, 40.10.40.80 and regulations 40.10.40.1(2), 40.10.40.10(5), and 40.10.100.10(1) do not apply to a **transportation use**;
- (F) Despite clause 40.5.40.40 floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**; and
- (G) Despite regulation 40.10.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.
7. By-law 569-2013, as amended, is further amended by amending regulation 900.30.10(71) under the heading 'Site Specific Provisions', to add new Site Specific Provisions (B), (C), (D) and (E), so that it reads:
- (A) The minimum **building setback** from a **lot line** that abuts a **street** is 6.0 metres;
 - (B) The requirements of (A) above, do not apply to a **transportation use**;

- (C) Clauses 80.10.30.20, 80.10.40.70 and 80.10.50.10 do not apply to a **transportation use**;
 - (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 regulation 80.20.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.
8. By-law 569-2013, as amended, is further amended by amending regulation 900.31.10(15) under the heading 'Site Specific Provisions', to add new Site Specific Provisions (D), (E), (F) and (G), so that it reads:
- (A) The minimum **building setback** from a **lot line** that abuts:
 - (i) Lawrence Avenue, is 36.0 metres, measured from the original centreline of the **street**; and
 - (ii) McCowan Avenue, is 25.0 metres, measured from the original centreline of the **street**;
 - (B) Despite the conditions for conditional permitted uses in the zone, **nursing homes**, student accommodation, living accommodation for **hospital** personnel, and offices for medical practitioners are permitted without the need to be owned or operated on behalf of the **hospital**;
 - (C) In addition to the uses permitted in the zone, a Senior's **apartment building** is also permitted;
 - (D) The requirements of (A), and (B) above, do not apply to a **transportation use**;
 - (E) Regulation 80.20.30.20(1), and clause 80.20.40.70 do not apply to a **transportation use**;
 - (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 regulation 80.20.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.
9. By-law 569-2013, as amended, is further amended by amending regulation 900.3.10(235) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (G), so that it reads:
- (A) The minimum required **lot frontage** is that which existed on the date of the enactment of this By-law;

- (B) The minimum required **lot area** is that which existed on the date of the enactment of this By-law;
 - (C) The minimum **building setback** from a **front lot line** that abuts McCowan Road, is 22.0 metres from the centreline on the original road allowance;
 - (D) The minimum **side yard setback** is 1.2 metres;
 - (E) The minimum **building setback** from a **side lot line** that abuts a **street** is 5.7 metres;
 - (F) An attached or detached garage must be set back a minimum of 0.3 metres from a **side lot line** that does not abut a **street**; and
 - (G) On 25 Durrington Crescent:
 - (i) The requirements of (A), (B), (C), (D) and (E) above, do not apply to a **transportation use**;
 - (ii) Regulations 10.5.40.70(1), 10.20.30.40(1), and clause 10.20.40.70 do not apply to a **transportation use**;
 - (iii) Despite clause 10.5.40.40 floor space index is calculated only for the above ground portion of a **building or structure** with a **transportation use**; and
 - (iv) Despite regulation 10.20.40.40(1), the maximum permitted floor space index for a **building** with a **transportation use** is 1.0.
- 10.** By-law 569-2013, as amended, is further amended by amending regulation 900.3.10(244) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (H) so that it reads:
- (A) The minimum required **lot frontage** is that which existed on the date of the enactment of this By-law;
 - (B) The minimum required **lot area** is that which existed on the date of the enactment of this By-law;
 - (C) The minimum **building setback** from a **front lot line** that abuts Brimley Road or McCowan Road, is 22.0 metres from the centreline on the original road allowance;
 - (D) The minimum **building setback** from a **front lot line** that abuts Ellesmere Road, is 30.0 metres from the centreline on the original road allowance;
 - (E) The minimum **side yard setback** is 1.2 metres;

- (F) The minimum **building setback** from a **side lot line** that abuts a **street** is 5.7 metres;
- (G) An attached or detached garage must be set back a minimum of 0.3 metres from a **side lot line** that does not abut a **street**; and
- (H) On 1072 McCowan Road:
- (i) The requirements of (A), (B), (C), (E) and (F) above, do not apply to a **transportation use**;
 - (ii) Regulations 10.5.40.70(1), 10.20.30.40(1), and clause 10.20.40.70 do not apply to a **transportation use**;
 - (iii) Despite clause 10.5.40.40 floor space index is calculated only for the above ground portion of a **building or structure** with a **transportation use**; and
 - (iv) Despite regulation 10.20.40.40(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)

Enacted and passed on May 15, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)