

Authority: Planning and Housing Committee Item PH8.2,
adopted as amended, by City of Toronto Council on
December 13, 14 and 15, 2023
City Council voted in favour of this by-law on
December 15, 2023
Written approval of this by-law was given by Mayoral
Decision 30-2023 dated December 15, 2023

CITY OF TORONTO

BY-LAW 1330-2023

To repeal former City of Toronto By-law 1996-0332, former City of Toronto By-law 1996-0270, former City of Toronto By-law 1994-0521 and former City of Toronto By-law 1987-0068 and to amend former municipal general zoning by-laws with respect to bars, restaurants and other entertainment venues, which by-laws include:

By-law 438-86 (being the Zoning By-law of the former City of Toronto), as amended, By-law 291-68 (being the Forest Hill Zoning By-law), as amended, and By-law 278-73 (being the Swansea Zoning By-law), as amended, The Harbourfront Zoning By-law 289-93, as amended, The Railway Lands - Central Zoning By-law 1994-0806, Railways Lands - West Zoning By-law 1994-0805, as amended, The Railway Lands East Area A Zoning By-law 168-93, as amended, and predecessor zoning by-laws as applicable;

By-law 7625 (being the Zoning By-law of the former City of North York), as amended, and predecessor zoning by-laws as applicable;

By-law 1-83 (being the Zoning By-law of the former City of York), as amended, and predecessor zoning by-laws as applicable;

Zoning Code of The City of Etobicoke, Canada, V131 (being the Zoning Code of the former City of Etobicoke), as amended, and predecessor zoning by-laws as applicable;

Borough of East York Zoning By-law 1916 (Town Of Leaside), as amended, and By-law 6752 (Township Of East York), as amended, (being the Zoning By-laws of the former Borough of East York), and predecessor zoning by-laws as applicable; and

The Corporation of the City of Scarborough By-laws 10076 (Agincourt); 12797 (Agincourt North); 8786 (Birchcliff); 9350 (Bendale); 9174 (Birchmount Park); 9396 (Cliffcrest); 12077 (Centennial); 8978 (Clairlea); 9364 (Cliffside); 9508 (Dorset Park); 10048 (Eglinton); 9676 (Guildwood); 10827 (Highland Creek); 9089 (Ionview); 9276 (Kennedy Park); 12466 (L'amoreaux); 14402 (Malvern); 12181 (Malvern West); 842-2004 (Midland St. Clair); 17677 (Milliken); Morningside Heights; 11883 (Morningside); 9366 (Maryvale); 9812 (Oakridge); 15907 (Rouge); 10010 (Scarborough Village); 16762 (Steeles); 10717 (Sullivan); 12360 (Tam O'Shanter); 25278 (Upper Rouge - Hillside); 950-2005 (Warden Woods); 9511 (Wexford); 10327 (West Hill); 9510 (Woburn); Employment Districts Zoning By-law 24982; Industrial District By-law 12790 (Centennial Industrial District); The Corporation Of The Township Of Pickering By-law 1978; By-law 3036 (Highway 2 Area in Rouge Community), (being the Zoning By-laws of the former City of Scarborough), all as amended, and predecessor zoning by-laws as applicable.

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, as amended; and

Whereas it is appropriate that Council of the City of Toronto repeal Former City of Toronto By-law 1996-0332, Former City of Toronto By-law 1996-0270, Former City of Toronto By-law 1994-0521, and Former City of Toronto By-law 1987-0068;

The Council of the City of Toronto enacts:

1. Despite any regulation in any **former general zoning by-law** to the contrary, except for any area-specific or site-specific exception, an **amusement arcade, cabaret, or entertainment place of assembly** is permitted in a **community entertainment area** if it meets the following conditions:
 - (A) It is located on a **lot** abutting a **major street**;
 - (B) the permitted maximum **interior floor area**, if it is on a **lot** within 6.1 metres of a **lot** that is **exclusively residential zoned**, is 400 square metres; and
 - (i) the **interior floor area** size restriction above does not apply to **amusement arcades, cabarets, or entertainment places of assembly** on a **lot** that is more than 6.1 metres from a lot that is **exclusively residential zoned**.
 - (C) the calculation of total **interior floor area** is reduced by:
 - (i) parking, loading and bicycle parking below-ground;
 - (ii) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
 - (iii) washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
 - (iv) shower and change facilities and **bicycle maintenance facilities** for required **bicycle parking spaces**;
 - (v) elevator shafts;
 - (vi) garbage shafts;
 - (vii) required **amenity space**;
 - (viii) mechanical penthouse;

- (ix) exit stairwells in the **building**; and
 - (x) associated offices, storage rooms, and staff rooms located in the **basement** or on a different **storey**.
2. Despite any regulation in any **former general zoning by-law** to the contrary, except for any area-specific or site-specific exception, if an **eating establishment** is located in a **community entertainment area** on a **lot** abutting a **major street**, or an **employment industrial restaurant area** on a **lot** abutting a **major street**, the following may occupy a maximum of 25 percent of the total **interior floor area** of the **eating establishment** to a maximum of 250 square metres:
- (A) an **amusement arcade**;
 - (B) dance floor;
 - (C) stage;
 - (D) standing audience area;
 - (E) disc jockey area;
 - (F) sound room or karaoke room;
 - (G) a **recreation use**; and
 - (H) any other entertainment area.
3. Despite any regulation in any **former general zoning by-law** to the contrary, except for any area-specific or site-specific exception, if an **eating establishment** is located in a **neighbourhood entertainment area** on a **lot** abutting any **street**, or an **employment industrial restaurant area** that is on a **lot** that is not abutting a **major street**, the following may occupy a maximum of 6 percent of the total **interior floor area** of the **eating establishment** to a maximum of 50 square metres:
- (A) an **amusement arcade**;
 - (B) dance floor;
 - (C) stage;
 - (D) standing audience area;
 - (E) disc jockey area;
 - (F) sound room or karaoke room;
 - (G) a **recreation use**; and

- (H) any other entertainment area.
4. Despite any regulation in any **former general zoning by-law** to the contrary, except for any area-specific or site-specific exception, a **nightclub** is permitted in a **community entertainment area** if it meets the following conditions:
- (A) it must be located on a **lot** abutting a **major street**;
- (B) it must be located in a **non-residential building**;
- (C) the permitted maximum **interior floor area** for each **nightclub** located on a **lot** within 6.1 metres of a **lot** that is **exclusively residential zoned** is 400 square metres;
- (i) the **interior floor area** size restriction above does not apply to a **nightclub** on a **lot** that is more than 6.1 metres from a **lot** that is **exclusively residential zoned**.
- (D) the calculation of total **interior floor area** is reduced by:
- (i) parking, loading and bicycle parking below-ground;
- (ii) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (iv) shower and change facilities and **bicycle maintenance facilities** for required **bicycle parking spaces**;
- (v) elevator shafts;
- (vi) mechanical penthouse;
- (vii) exit stairwells; and
- (viii) associated offices, storage rooms, and staff rooms located in the **basement** or on a different **storey**;
- (E) it must be the only **nightclub** in the **building**; and
- (F) it must not be located above the first **storey**, except for:
- (i) associated offices, storage rooms and staff rooms; and
- (ii) a mezzanine does not constitute a **storey**.

5. Despite any regulation in any **former general zoning by-law** to the contrary, except for any area-specific or site-specific exception, a **recreation use** is permitted in either a **neighbourhood entertainment area** or **community entertainment area** if it meets the following conditions:
- (A) all **recreation uses** must be within a wholly enclosed **building**.
6. For the purpose of this By-law, the following words highlighted in bold-type have the following meaning:
- (A) **Adult entertainment** means **premises** used for entertainment including activities, facilities, performances, exhibitions, viewings or encounters designed to appeal to erotic or sexual appetites or inclinations which a principal feature or characteristic is the nudity or partial nudity of any person. A **body rub service** is not an **adult entertainment**.
- (B) **Amenity** means indoor or outdoor space on a **lot** that is communal and available for use by the occupants of a **building** on the **lot** for recreational or social activities.
- (C) **Amusement arcade** means **premises** for entertainment with **amusement devices**, such as arcade games. An **eating establishment**, an **entertainment place of assembly**, or **recreation use** is not an **amusement arcade**.
- (D) **Amusement device** means a machine or electronic device used for games of skill or chance other than:
- (i) billiards;
- (ii) bowling; and
- (iii) any gaming or lottery device regulated under Province of Ontario legislation.
- (E) **Ancillary** means naturally and normally incidental, subordinate in purpose or floor area, and exclusively devoted to a permitted use, **building** or **structure**.
- (F) **Apartment building** means a **building** that has five or more **dwelling units**, with at least one **dwelling unit** entirely or partially above another, and each **dwelling unit** has a separate entrance directly from outside or through a common inside area. A **building** that was originally constructed as a **detached house**, **semi-detached house** or **townhouse** and has one or more **secondary suites** is not an **apartment building**.
- (G) **Basement** means any part of a **building** where the elevation of the midpoint between the lowest part of a floor and the bottom of the joists directly above it is lower than the elevation of:

- (i) **established grade** on any **exclusively residential zoned lot**; and
 - (ii) in all other zone categories, the average elevation of the ground along the **front lot line**.

- (H) **Bicycle maintenance facilities** means an area for bicycle repairs and maintenance which may include work space, a repair stand and an air pump for inflating bicycle tires.

- (I) **Bicycle parking space** means an area used for parking or storing a bicycle.

- (J) **Body rub service** means **premises** used for services involving the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body for the purposes of appealing to erotic or sexual appetites or inclinations. An **adult entertainment**, **massage therapy**, or **wellness centre** is not a **body rub service**.

- (K) **Building** means a wholly or partially enclosed **structure** with a roof supported by walls, columns, piers or other structural systems. A **vehicle** is not a **building**.

- (L) **Cabaret** means **premises** used to provide entertainment such as a dinner theatre or comedy club, where patrons are seated at tables and where food or beverages may be offered for sale. An **adult entertainment**, an **eating establishment**, a **nightclub**, or an **entertainment place of assembly** is not a **cabaret**.

- (M) **Community entertainment area** means:
 - (i) The following zones in By-law 438-86 (being the Zoning By-law of the former City of Toronto), as amended, and their predecessor zoning by-laws as applicable:
 - (a) CR;
 - (b) MCR; and
 - (c) RA;
 - (ii) The following zone in By-law 291-68 (being the Forest Hill Zoning By-law), as amended, and their predecessor by-laws as applicable:
 - (a) C1S;
 - (iii) The following zone in By-law 278-73 (being the Swansea Zoning By-law), as amended, and their predecessor by-laws as applicable:
 - (a) C1;

- (iv) The following zone in The Harbourfront Zoning By-law 289-93, as amended, and predecessor zoning by-laws as applicable:
 - (a) CR;
- (v) The following zone in Railway Lands - Central Zoning By-law 1994-0806, as amended:
 - (a) CR;
- (vi) The following zone in Railways Lands East Area A Zoning By-law 168-93, as amended:
 - (a) CR;
- (vii) The following zone in Railway Lands West Zoning By-law 1994-0805, as amended:
 - (a) CR;
- (viii) The following zones in By-law 7625 (being the Zoning By-law of the former City of North York), as amended, and predecessor zoning by-laws as applicable:
 - (a) C1 - General Commercial;
 - (b) C2- Local Shopping Centre; and
 - (c) C3- District Shopping Centre;
- (ix) The following zones in 1-83 (being the Zoning By-law of the former City of York), as amended, and predecessor zoning by-laws as applicable:
 - (a) LCR - Local Commercial Residential; and
 - (b) MCR - Main Street Commercial/Residential;
- (x) The following zones in Zoning Code of The City of Etobicoke, Canada, V131 (being the Zoning Code of the former City of Etobicoke), as amended, and predecessor zoning by-laws as applicable:
 - (a) CPR - Regional Planned Commercial, for Division B (Chapter 320), Township of Etobicoke;
 - (b) CPP - Planned Commercial Preferred, for Division B (Chapter 320), Township of Etobicoke;

- (c) AV - Limited Commercial - Avenues, for Division B (Chapter 320), Township of Etobicoke;
 - (d) EC2 - Etobicoke Centre 2, for Division B (Chapter 320), Township of Etobicoke, as amended by City of Toronto By-law 1088-2002;
 - (e) C1-AV-Commercial Avenues, for Division C (Chapter 330), Village of Long Branch;
 - (f) C- Commercial, for Division D (Chapter 340), Town of Mimico; and
 - (g) C- Commercial, for Division E (Chapter 350), Town of New Toronto;
- (xi) The following zones in Borough of East York Zoning By-law 1916 (Town Of Leaside), as amended, and By-law 6752 (Township Of East York), as amended, (being the Zoning By-laws of the former Borough of East York), and their predecessor zoning by-laws as applicable:
- (a) C.1. Commercial - General as it applies to Borough of East York Zoning By-law 1916 (Town of Leaside), as amended; and
 - (b) C- Commercial as it applies to By-law 6752 (Township Of East York), as amended, (being the Zoning By-laws of the former Borough of East York);
- (xii) The following zones in Corporation of the City of Scarborough By-law Number: 10076 (Agincourt); 12797 (Agincourt North); 8786 (Birchcliff); 9350 (Bendale); 9174 (Birchmount Park); 9396 (Cliffcrest); 12077 (Centennial); 8978 (Clairlea); 9364 (Cliffside); 9508 (Dorset Park); 10048 (Eglinton); 9676 (Guildwood); 10827 (Highland Creek); 9089 (Ionview); 9276 (Kennedy Park); 12466 (L'amoreaux); 14402 (Malvern); 12181 (Malvern West); 842-2004 (Midland-St.Clair); 17677 (Milliken); Morningside Heights; 11883 (Morningside); 9366 (Maryvale); 9812 (Oakridge); 15907 (Rouge); 10010 (Scarborough Village); 16762 (Steeles); 10717 (Sullivan); 12360 (Tam O'Shanter); 25278 (Upper Rouge - Hillside); 950-2005 (Warden Woods); 9511 (Wexford); 10327 (West Hill); 9510 (Woburn); Employment Districts Zoning By-law 24982; Industrial District By-law 12790 Centennial Industrial District; The Corporation Of The Township Of Pickering By-law 1978; By-law 3036 (Highway 2 Area in Rouge Community) (being the Zoning By-laws of the former City of Scarborough), all as amended, and their predecessor zoning by-laws as applicable:
- (a) CC- Community Commercial Zones, as they apply to all Community District By-laws;

- (b) CR- Commercial Residential Zones, as they apply to all Community District By-laws; and
 - (c) CCC- City Centre Commercial Zone, as it applies to Employment Districts Zoning By-law 24982, as it applies to the Progress Employment District.

- (N) **Detached house** means a **building** that has one **dwelling unit** occupying the entire **building**.

- (O) **Duplex** means a **building** that has two **dwelling units**, with one **dwelling unit** entirely or partially above the other. A **detached house** that has a **secondary suite**, is not a **duplex**.

- (P) **Dwelling Unit** means living accommodation for a person or persons living together as a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the unit.

- (Q) **Eating establishment** means **premises** where food or beverages are prepared and offered for sale to patrons for immediate consumption on the **premises** while they are seated, and which may include an incidental take-out service.

- (R) **Employment Industrial Restaurant Area** means:
 - (i) The following zones in By-law 438-86 (being the Zoning By-law of the former City of Toronto), as amended, By-law 291-68 (being the Forest Hill Zoning By-law), as amended, and By-law 278-73 (being the Swansea Zoning By-law), as amended, and their predecessor zoning by-laws as applicable:
 - (a) I2- Industrial District;
 - (b) I3- Industrial District; and
 - (c) IC- Industrial District;

 - (ii) The following zones in By-law 7625 (being the Zoning By-law of the former City of North York), as amended, and predecessor zoning by-laws as applicable:
 - (a) M2 - Industrial Zone Two;
 - (b) M3 - Industrial Zone Three;
 - (c) MC - Industrial-Commercial Zone; and
 - (d) MO - Industrial-Office Business Park;

- (iii) The following zones in 1-83 (being the Zoning By-law of the former City of York), as amended, and predecessor zoning by-laws as applicable:
 - (a) PE- Prestige Employment; and
 - (b) CE- Commercial Employment;
- (iv) The following zones in Zoning Code of The City of Etobicoke, Canada, V131 (being the Zoning Code of the former City of Etobicoke), as amended, inclusive of each Division B, Chapter 320, Township of Etobicoke, Division C, Chapter 330, Village of Long Branch, Division D, Chapter 340, Town of Mimico, Division E, Chapter 350, Town of New Toronto ,and predecessor zoning by-laws as applicable:
 - (a) I.C1 - Class 1 Industrial;
 - (b) I.C2 - Class 2 Industrial; and
 - (c) I.C3 - Class 3 Industrial;
- (v) The following zones in Borough Of East York Zoning By-law 1916 (Town Of Leaside), as amended, and By-law 6752 (Township Of East York), as amended, (being the Zoning By-laws of the former Borough of East York), and their predecessor zoning by-laws as applicable:
 - (a) MC2- Industrial Commercial, as it applies to Borough of East York Zoning By-law 1916 (Town of Leaside), as amended; and
 - (b) MCI- Mixed Commercial Industrial, as it applies to By-law 6752 (Township Of East York), as amended, (being the Zoning By-laws of the former Borough of East York);
- (vi) The following zones in Corporation of the City of Scarborough By-law Number: Employment Districts Zoning By-law 24982; (being the Zoning By-law of the former City of Scarborough), all as amended, and their predecessor zoning by-laws as applicable:
 - (a) ME- Mixed Employment;
 - (b) OU- Office Uses;
 - (c) MDC- Industrial District Commercial Zone;
 - (d) HC- Highway Commercial Zone; and
 - (e) CC- Community Commercial Zone.

- (S) **Entertainment place of assembly** means **premises** used to provide entertainment and performing arts, such as a theatre, cinema, opera, ballet, concert hall, or live music venue. Food or beverages may be offered for sale. An **adult entertainment** use, a **cabaret**, an **eating establishment**, a **place of assembly**, or a **nightclub** is not an **entertainment place of assembly**.
- (T) **Established grade** means the average elevation of the ground measured at the two points where the projection of the required minimum **front yard setback** line is 0.01 metres past each **side lot line**.
- (U) **Exclusively residential zoned** means lands upon which a **former general zoning by-law**, or Zoning By-law 569-2013, permits residential uses, including but not limited to **dwelling units**, houses, or apartments, and an **eating establishment** is not permitted.
- (V) **Former General Zoning By-law** has the same meaning provided in Regulation 800.50(260) of Zoning By-law 569-2013, as amended; including:
- (i) The Harbourfront Zoning By-law 289-93, as amended, The Railway Lands - Central Zoning By-law 1994-0806, Railways Lands - West Zoning By-law 1994-0805, as amended, The Railway Lands East Area A Zoning By-law 168-93, as amended.
- (W) **Fourplex** means a **building** that has four **dwelling units**, with at least one **dwelling unit** entirely or partially above another. A **detached house**, **semi-detached house** or **townhouse** that has one or more **secondary suites** is not a **fourplex**.
- (X) **Front lot line** means the **lot line** or contiguous lines dividing a **lot** from a **street**.
- (Y) **Gaming establishment** means **premises** used for the purpose of wagering on games of chance under Province of Ontario legislation, excluding bingo or other lottery events licensed by the City of Toronto for charitable purposes.
- (Z) **Interior floor area** means:
- the floor area of any part of a **building**, measured to:
- (i) the interior side of a **main wall**;
 - (ii) the centreline of an interior wall; or
 - (iii) a line delineating the part being measured.

- (AA) **Lawful and lawfully** means:
- (i) authorized or permitted before a zoning or restrictive by-law applied;
 - (ii) in compliance with the provisions of the applicable **former general zoning by-law**; or
 - (iii) authorized pursuant to a Section 45 Planning Act minor variance.
- (BB) **Lawfully existing** means:
- (i) existing **lawfully** on May 9, 2013;
 - (ii) for which a building permit was **lawfully** issued before May 9, 2013; or
 - (iii) for which a building permit was **lawfully** issued within five years of May 9, 2013 pursuant to Article 2.1.3, Transition Clauses.
- (CC) **Loading space** means an area used for the loading or unloading of goods or commodities from a **vehicle**.
- (DD) **Lot** means a single parcel or tract of land that may be conveyed in compliance with the provisions of the Planning Act.
- (EE) **Lot line** means any boundary of a **lot**.
- (FF) **Main wall** means any exterior wall of a **building** or **structure**, including all structural members essential to the support of a roof over a fully or partly enclosed area.
- (GG) **Major Streets** are those **streets** which are delineated as "major streets" in Section 995.10 of Zoning By-law 569-2013.
- (HH) **Massage therapy** means **premises** providing **massage therapy** by persons who are medical or health professionals licensed or registered under Province of Ontario legislation. A **body rub service** or **wellness centre** is not a **massage therapy**.
- (II) **Mixed use building** means a **building** with a **dwelling unit** and a non-residential use. A **residential building** is not a **mixed use building**.
- (JJ) **Neighbourhood entertainment area** means:
- (i) The following zones in By-law 7625 (being the Zoning By-law of the former City of North York), as amended, and predecessor zoning by-laws as applicable:
 - (a) C4- Mixed Use Commercial; and

- (b) C5- Mixed Use Commercial;
- (ii) The following zones in Zoning Code of The City of Etobicoke, Canada, V131 (being the Zoning Code of the former City of Etobicoke), as amended, and predecessor zoning by-laws as applicable:
 - (a) CN- Neighbourhood Commercial, for Division B (Chapter 320), Township of Etobicoke;
 - (b) CL- Limited Commercial, for Division B (Chapter 320), Township of Etobicoke;
 - (c) CG- General Commercial, for Division B (Chapter 320), Township of Etobicoke;
 - (d) CP- Local Planned Commercial, for Division B (Chapter 320), Township of Etobicoke;
 - (e) EC1- Etobicoke Centre 1, for Division B (Chapter 320), Township of Etobicoke, as amended by City of Toronto By-law 1088-2002; and
 - (f) EC3- Etobicoke Centre 3, for Division B (Chapter 320), Township of Etobicoke, as amended by City of Toronto By-law 1088-2002;
 - (iii) The following zones in Borough Of East York Zoning By-law 1916 (Town Of Leaside), as amended and predecessor zoning by-laws as applicable:
 - (a) C.2.- Commercial Local; and
 - (b) CC- Commercial Centre;
 - (iv) The following zones in Corporation of the City of Scarborough By-law Number: 10076 (Agincourt); 12797 (Agincourt North); 8786 (Birchcliff); 9350 (Bendale); 9174 (Birchmount Park); 9396 (Cliffcrest); 12077 (Centennial); 8978 (Clairlea); 9364 (Cliffside); 9508 (Dorset Park); 10048 (Eglinton); 9676 (Guildwood); 10827 (Highland Creek); 9089 (Ionview); 9276 (Kennedy Park); 12466 (L'amoreaux); 14402 (Malvern); 12181 (Malvern West); 842-2004 (Midland-St.Clair); 17677 (Milliken); Morningside Heights; 11883 (Morningside); 9366 (Maryvale); 9812 (Oakridge); 15907 (Rouge); 10010 (Scarborough Village); 16762 (Steeles); 10717 (Sullivan); 12360 (Tam O'Shanter); 25278 (Upper Rouge - Hillside); 950-2005 (Warden Woods); 9511 (Wexford); 10327 (West Hill); 9510 (Woburn); Employment Districts Zoning By-law 24982; Industrial District By-law 12790 Centennial Industrial District); The Corporation Of The Township Of Pickering By-law 1978; By-law 3036 (Highway 2 Area in Rouge Community) (being the Zoning By-laws of the

former City of Scarborough), all as amended, and their predecessor zoning by-laws as applicable:

- (a) NC- Neighbourhood Commercial Zones, as they apply to all Community District By-laws;
 - (b) CCO- City Centre Office Zone, as it applies to Employment Districts Zoning By-law 24982, as it applies to the Progress Employment District; and
 - (c) CCTS- City Centre Town Square Zone, as it applies to Employment Districts Zoning By-law 24982, as it applies to the Progress Employment District.
- (KK) **Nightclub** means **premises** used to provide amplified music for patron entertainment and dancing, such as a dance hall, dance club, or disco, and where food and beverages may be served. A **cabaret**, an **eating establishment**, an **entertainment place of assembly**, a **place of assembly**, or an **adult entertainment** use is not a **nightclub**.
- (LL) **Non-residential building** means a **building** that does not have a **dwelling unit**.
- (MM) **Outdoor patio** means an outdoor patron area that is **ancillary** to a non-residential use.
- (NN) **Place of assembly** means **premises** used for social, cultural, educational or trade events, such as a banquet hall, convention or trade centre, or a hall used for bingo or other lottery events licensed by the City of Toronto for charitable purposes. A **cabaret**, an **eating establishment**, an **entertainment place of assembly**, or a **nightclub** is not a **place of assembly**.
- (OO) **Premises** means the whole or part of lands, **buildings** or **structures**, or any combination of these.
- (PP) **Rear lot line** means, in the case of:
- (i) a square or rectangular **lot**, the **lot line** opposite the **front lot line**;
 - (ii) a three-sided **lot**, the point where two **lot lines** meet the furthest from the **front lot line**; or
 - (iii) any other type of **lot**, the furthest **lot line** opposite the **front lot line**, including any contiguous line adjoining it at an angle of less than 45 degrees.
- (RR) **Recreation use** means **premises** used for sports, physical play or exercise, such as a fitness club, bowling alley, billiards hall or pool hall, swimming pool or

skating rink. An **amusement arcade** and a **sports place of assembly** is not a **recreation use**.

- (i) **Residential building** includes the following types of **buildings**:
 - (ii) **apartment building**;
 - (iii) **detached house**;
 - (iv) **duplex**;
 - (v) **fourplex**;
 - (vi) **semi-detached house**;
 - (vii) **townhouse**; or
 - (viii) **triplex**.
- (SS) **Retail store** means **premises** in which goods or commodities are sold, rented or leased.
- (TT) **Semi-detached house** means a **building** that has two **dwelling units**, and no **dwelling unit** is entirely or partially above another.
- (UU) **Side lot line** means any **lot line** other than a **front lot line** or a **rear lot line**.
- (VV) **Sports place of assembly** means **premises** used for spectator sporting events, such as a stadium or arena.
- (WW) **Storey** means a level of a **building**, other than a **basement**, located between any floor and the floor, ceiling or roof immediately above it.
- (XX) **Street** means a public right-of-way for general traffic circulation.
- (YY) **Structure** means anything that is erected, built or constructed of one or more parts joined together. A **vehicle** is not a **structure**.
- (ZZ) **Take-out eating establishment** means **premises** where seating is not provided to patrons and where food or beverages are prepared and offered for sale to patrons for consumption off the **premises**.
- (AAA) **Townhouse** means a **building** that has three or more **dwelling units**, and no **dwelling unit** is entirely or partially above another. A **detached house** or **semi-detached house** that has one or more **secondary suites** is not a **townhouse**.

(BBB) **Triplex** means a **building** that has three **dwelling units**, with at least one **dwelling unit** entirely or partially above another. A **detached house** or **semi-detached house** that has one or more **secondary suites** is not a **triplex**.

(CCC) **Vehicle** means a wheeled or tracked device, either self-propelled or capable of being pulled by a self-propelled device, for moving persons or objects, or used for construction or agriculture.

(DDD) **Wellness centre** means **premises** providing services for therapeutic and wellness purposes. A **massage therapy**, medical office or **body rub service** is not a **wellness centre**.

7. Where any of the above regulatory standards conflict with a more permissive regulatory standard in the **former general zoning by-law**, the more permissive regulatory standard prevails.
8. Former City of Toronto By-law 1996-0332, with respect to amending the general zoning by-law respecting those properties fronting on Queen Street East, between Woodbine Avenue and the City limit, is hereby repealed on the coming into force of this By-law 1330-2023.
9. Former City of Toronto By-law 1996-0270, with respect to amending By-law 438-86, the Zoning By-law, as amended, to allow the establishment of patios in front of restaurants fronting on Queen Street East, between Woodbine Avenue and Nursewood Road, is hereby repealed on the coming into force of this By-law 1330-2023.
10. Former City of Toronto By-law 1994-0521, with respect to amending the general zoning by-law 438-86 in respect of places of amusement, places of assembly, and restaurant uses on Kingston Road, between Hannaford Street/Beech Avenue and Victoria Park Avenue, is hereby repealed on the coming into force of this By-law 1330-2023. For greater certainty, the repeal of By-law 1994-0521 does not affect the prior repeal of By-law 1994-0103 by Council of the City of Toronto and By-law 1994-0103 shall remain repealed.
11. Former City of Toronto By-law 1987-0068, with respect to amending By-law 180-86 respecting eating establishments located on lots adjacent to Queen Street East, east of Woodbine Avenue, is hereby repealed on the coming into force of this By-law 1330-2023.
12. Section 12(2) 174 of former City of Toronto Zoning By-law 438-86 is hereby deleted on the coming into force of this By-law 1330-2023.
13. Section 12(2) 289 of former City of Toronto Zoning By-law 438-86 is hereby deleted on the coming into force of this By-law 1330-2023.

14. This By-law comes into force and effect on January 1, 2025.

Enacted and passed on December 15, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)