



## STAFF REPORT ACTION REQUIRED

### Final Report on the City-wide Zoning By-law: Supplementary Report

<b>Date:</b>	February 26, 2013
<b>To:</b>	Planning & Growth Management Committee
<b>From:</b>	Chief Planner & Executive Director, City Planning
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2013\Cluster B\PLN\PGMC\PG13019

#### **SUMMARY**

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This report highlights the changes made to the draft City-wide Zoning By-law to more accurately reflect the intent of some of the regulations based on comments received from the public and staff.

#### **RECOMMENDATIONS**

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**The Chief Planner and Executive Director, City Planning recommends that:**

1. The draft City-wide Zoning By-law be revised in accordance with the changes outlined in this report.
2. City Council enact the proposed City-wide Zoning By-law in the form dated November 8, 2012 and subject to the changes recommended by this report and the report dated January 22, 2013.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft City-wide Zoning By-law as may be required.

## **Financial Impact**

There is no financial impact associated with this approval of this report

## **DECISION HISTORY**

On October 12, 2012, the Planning and Growth Management Committee had before it a report from the Chief Planner and Executive Director, City Planning recommending changes to the revised draft City-wide Zoning By-law submitted to the Committee at its meeting held on June 18, 2012.

A revised version of the draft City-wide Zoning By-law was submitted to the Planning and Growth Management Committee as an information item for its meeting held on November 8, 2012. The revised version of the draft City-wide Zoning By-law has been available for public review since that time in advance of the statutory public meeting to be held on March 6, 2013.

## **ISSUE BACKGROUND**

On June 18, 2012, a new revised version of the draft City-wide Zoning By-law was tabled before the Planning and Growth Management Committee. The Committee directed that the draft City-wide Zoning By-law be made available to the public and that staff report back to the Committee at its meeting to be held on October 12, 2012, with any recommended changes to the draft By-law based on comments received from the public. At its meeting held on October 12, 2012, the Committee directed that the new revised version of the draft City-wide Zoning By-law, released in June 2012, be further revised and made the subject of a statutory public meeting in March 2013.

## **COMMENTS**

In the Final Report on the draft City-wide Zoning By-law, it was explained that staff received comments from the public about the draft Zoning By-law with respect to its application for specific properties as well as clarification of the intent of particular provisions. Staff from City Planning, Legal Services and Toronto Building reviewed the draft City-wide Zoning By-law for the purposes of standardizing language, clearer organization, greater consistency and clarity among the "lawfully existing" exemption clauses. This report highlights further changes made to specific clauses for the purposes of clarification. Some of these clauses as revised are reproduced in Attachment 1.

### **5.10.1.10(4) - Substantial Demolition**

The wording of this clause has been revised to accurately reflect its intent. The standard itself remains the same.

**10.5.40.40(3) - Gross Floor Area Calculations for a Residential Building Other Than an Apartment Building**

Inserted a provision that more accurately reflects the current regulation in By-law 438-86 for the areas of residential buildings that are currently excluded for the purposes of calculating the total amount of permitted gross floor area.

**10.10.80.200(1) - Exemption from Parking Space Requirements for Certain Lots**

Revised the regulation to more accurately reflect the existing rule in By-law 438-86 from which this provision was derived.

**15.20.20.100(4) - Conditions associated with some Permitted Uses**

Revised the condition with respect to community centres and libraries in the new RAC zone clarifying conditions by which these uses are permitted on the same lot as an apartment building.

**15.20.20.100(12) - Outdoor Sales or Display**

The conditions for outdoor sales or display in the new RAC zone have been revised to accurately reflect the original intent.

**15.20.20.100(13) - Place of Worship**

A revision to regulation (A) respecting places of worship in the new RAC zone. This new condition is found in Attachment 1 of the January 22, 2013 report. The change clarifies requirements for establishing a place of worship inside an apartment building compared to one that is in a separate building on an apartment building property.

**60.20.20 - Permitted Uses in the Employment Industrial Zone**

The condition associated with the body rub service has been revised to clarify that the separation distance between body rub services in an E zone is 100 metres.

**60.40.20 - Permitted Uses in the Employment Office Zone**

The condition attached to the education use in the EO zone was determined to be redundant. The use is listed as a permitted use without condition.

Ambulance depot, fire hall, and police station have been added as permitted uses in the EO zone. These uses are permitted in every zone, but were inadvertently left out of the EO zone.

## **80.40.20 and 80.50.20 - Institutional Zones**

Transportation use, which involves premises and facilities for the operation of public transit, was inadvertently left out of the IS zone and the IPW zone.

## **150.92 - Vehicle Fuel Stations**

Exemptions clauses for existing fuel stations were added. These clauses cover lawfully existing situations and are throughout the draft City-wide Zoning By-law. Some of the regulations in this section were inadvertently missed in the initial drafting of the exemption clauses.

## **Chapter 800 - Definitions**

The definition of "Student Residence" was revised to more accurately reflect current zoning by-law definitions.

## **Map Changes**

Attachment 2 is a list of properties for applications that have been filed since the release of the January 22, 2013 report and other map corrections as indicated.

## **CONTACT**

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## **SIGNATURE**

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## **ATTACHMENTS**

Attachment 1: Revised Clauses  
Attachment 2: Properties Removed From By-law Since January 1, 2013

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## Attachment 1 – Revised Clauses

### 5.10.1.10(4)

"A building is not lawfully existing if 50% or more of the main walls of the first storey, or above, are removed or replaced."

### 10.5.40.40(3)(B)

"the area of a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum gross floor area for the building"

### 10.10.80.200(1)

"Exemption from Parking Space Requirements for Certain Lots"

"In the R zone, despite the requirements of Chapter 200, Parking Space Regulations, for a lot that is a corner lot or is abutting a lane, no parking space is required if access cannot be provided to a required parking space in a side yard or rear yard, and:

(A) a lot that had not been the subject of a previous severance is severed to create a maximum of three lots each with a maximum of one dwelling unit and a lot frontage of 7.6 metres or less; or

(B) the lot frontage is 7.6 metres or less and a deed to the lot was registered on or before July 2, 1996, and a detached house, semi-detached house, duplex, triplex, or one unit of a townhouse is erected on the lot after July 2, 1996."

### 15.20.20.100(4)

"In the RAC zone:

(A) a community centre or a library may be on a lot with an apartment building, if the lot has 100 or more dwelling units in one or more apartment buildings, and

- (i) if the community centre or library is located in an apartment building, they may not,
  - (a) be above the first storey,
  - (b) in total, occupy more than 50% of the interior floor area of the first storey, and
  - (c) in total, exceed 600 square metres in interior floor area, and

(ii) if the community centre or library is not in an apartment building, they may not, in total, exceed 600 square metres in interior floor area; and

(B) if a community centre or a library is not on a lot with an apartment building, it must be on a lot with a front lot line or side lot line abutting a major street shown on the Policy Areas Overlay Map."

**15.20.20.100(12)**

"In the RAC zone, the outdoor sale or display of goods or commodities is subject to the following:

(A) the goods or commodities may not be displayed closer to a rear lot line or a side lot line than the greater of,

(i) 3.0 metres, or

(ii) the minimum required building setback for the yard in which the goods or commodities are located;

(B) the area for the outdoor sale or display of goods or commodities may not exceed 400 square metres for the first 100 dwelling units on the lot, which may be increased by 50 square metres for each additional 25 dwelling units in excess of 100, to a maximum of 1,000 square metres; and

(C) the area for the outdoor sale or display of goods or commodities may not be located in areas required by this By-law for parking, loading or driveways.

**15.20.20.100(13)**

"In the RAC zone:

(A) a place of worship may be on a lot with an apartment building, if the lot has 100 or more dwelling units in one or more apartment buildings, and

(i) if the place of worship is located in an apartment building, it may not,

(a) be above the first storey,

(b) occupy more than 50% of the interior floor area of the first storey, and

(c) exceed 600 square metres in interior floor area, and

(ii) if the place of worship is not in an apartment building, it may not exceed 600 square metres in interior floor area; ..."

**60.20.20.100(32)**

(C) at least 500 metres from a **lot** that has an **adult entertainment** use or 100 metres from a **lot** that has a **body rub service**.

**Chapter 800**

**Student Residence** "means premises owned and operated by a public school, private school, post-secondary school or educational facility, consisting of dwelling units, bed-sitting rooms or rooms, used for student accommodation."

## Attachment 2: Properties Removed From By-law Since January 1, 2013

Address	Reason for Removal
249 Scarlett Road	Development Application
91-97 Arrow Road	Development Application
1624 Queen Street West	Development Application
838 Broadview Avenue	Development Application
2213 Dufferin Street	Development Application
70 Esther Lorrie Drive	Development Application
3358 Bayview Avenue	Development Application
1303 Bayview Avenue	Development Application
2365 Bayview Avenue	Development Application
1486 Bathurst Street	Development Application
11 Raglan Avenue	
1677-1681 Weston Road	Development Application
200 Keele Street	Development Application
195 Oakmount Road	
203 Oakmount Road	
3775-4005 Dundas Street West	Development Application
2, 4, 6 Humber Hill Avenue	
2221 Yonge Street	Development Application
591 -593 Sheppard Avenue East	Development Application
20 Esandar Drive	Development Application
160 Pear Avenue	Development Application
5 Nippigon Avenue	Development Application
1000-1002 Bathurst Street	Development Application
2800 Keele Street	Development Application
6 Spadina Avenue	Development Application
120 Donlands Avenue Road	Development Application
51-57 Quebec Avenue	Development Application
40-66 High Park Avenue	
195 Wicksteed Avenue	Development Application
3039 Kennedy Road	Development Application
944-952 Queen Street West	Development Application
1 Viewmount Avenue	Development Application
2874 Eglinton Avenue East	Development Application
2131 Yonge Street	Development Application
1929 Bayview Avenue	Official Plan Compliance

### Changes in Zone Labels

Address	Change
140-144 Sixteenth Street	Revise E 1.0(x53) polygon to cover all applicable properties.



Certain lands zoned I.C2 and bounded by Horner Avenue, Judson Street, Royal York Road, Drummond Street, Dwight Avenue, Lakeshore Boulevard West and Thirteenth Street (not currently zoned E 1.0(x53), E 1.0(x54) or E 1.0(x55). Recognizing By-law 339-2012.	Change to E 1.0(x54)
Agincourt Park	OR – part of the park site had been identified as not part of this By-law
Open part of Bloor Subway east of Keele Street, west of Dorval Road	UT – this part is zoned "T" in Bylaw 438-86 but had been included in the abutting residential zone
Certain lands zoned R4 Z1.0 on both sides of Jane Street between Bloor Street and Harshaw Avenue	R(d1.0)(x7) – this area had been assigned an incorrect exception number
Certain lands zoned R2 Z0.6 abutting lands proposed to be zoned R(d0.6)(x737)	R(d0.6)(x737) – a consolidation of the exception area mapping