

Technical Amendments to By-law 569-2013

Date:	November 8, 2013
To:	Planning & Growth Management Committee
From:	Chief Planner & Executive Director, City Planning Division
Wards:	All
Reference Number:	P:\2013\Cluster B\PLN\PGMC\PG13093

SUMMARY

As part of the process of enacting the new City-wide Zoning By-law, the Transition Protocol was established with criteria to determine which properties would be left out of new Zoning By-law. One category in the Protocol refers to sites with complete applications for a zoning by-law amendment. Another involves lands with complete applications for site plan approval. Due to the time required to produce the Zoning By-law Map for the May 7-10, 2013 meeting of City Council, staff were unable to remove sites that had submitted complete applications just prior to the City-wide Zoning By-law enactment on May 9, 2013.

This report proposes technical amendments to remove lands from Zoning By-law 569-2013 that had complete applications and met the Transition Protocol criteria, but were not removed prior to Council enactment. In addition, the correction of a number of minor typographical errors is recommended through this amending by-law.

RECOMMENDATIONS

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

1. City Council enact zoning by-law amendments substantially in accordance with Attachment 1 and Attachment 2.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to each Zoning By-law amendment as may be required.

Financial Impact

There is no financial impact associated with approval of this report, Technical Amendments to By-law 569-2013.

ISSUE BACKGROUND

In preparing the City-wide Zoning By-law, the Transition Protocol was established to remove properties from the new Zoning By-law with complete applications for zoning by-law amendment and site plan approval prior to its enactment. Consistent with this Protocol, properties were removed from the draft Zoning By-law until approximately two weeks before the May 7-10, 2013 City Council meeting. Additional complete applications were submitted while the Zoning By-law document was printed for Council. Staff was unable to remove the subject properties from the Zoning By-law Map prior to enactment. It is proposed that those properties that met the Transition Protocol requirements now be removed from By-law 569-2013, so that the applications may proceed under the former general zoning by-laws in keeping with the Transition Protocol.

In addition, corrections to a small number of minor typographical errors and omissions in the new Zoning By-law are recommended to accurately reflect the regulations in the former general zoning by-laws.

CONTACT

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SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1 - Amendments to Zoning By-law 569-2013
Attachment 2 - Amendments to Zoning By-law 569-2013

[P:\2013\Cluster B\PLN/pg13093]

Attachment 1 - Amendments to Zoning By-law 569-2013

Authority: Planning and Growth Management Committee ~ as adopted by City of Toronto
Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To technically amend Zoning By-law No. 569-2013, as amended,
with respect to the removal of lands from the By-law that meet Transition Clause 2.1.3 and
to correct errors and omissions**

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 HEREBY ENACTS as follows:

(1) In accordance with the City of Toronto Transition Protocol, By-law 569-2013 is amended to remove the following lands:

- (A) area of 321 King Street West, as outlined by a thick black line on Schedule 1;
- (B) area of 240 Danforth Road, as outlined by a thick black line on Schedule 2;
- (C) area of 10 Adelaide Street West and 132 Yonge Street, as outlined by a thick black line on Schedule 3;
- (D) area of 431-445 Richmond Street West, as outlined by a thick black line on Schedule 4;
- (E) area of 233 College Street, as outlined by a thick black line on Schedule 5;
- (F) area of 3052 Bayview Avenue, as outlined by a thick black line on Schedule 6;
- (G) area of 4650 Eglinton Avenue West, as outlined by a thick black line on Schedule 7;
- (H) area of 416-418 Eglinton Avenue West, as outlined by a thick black line on Schedule 8;
- (I) area of 280 Carlingview Drive, as outlined by a thick black line on Schedule 9;
- (J) area of 77 Quebec Avenue, as outlined by a thick black line on Schedule 10;

- (K) area of 484 Spadina Avenue, as outlined by a thick black line on Schedule 11
- (L) area of 2779 -2781 Yonge Street and area of 15-21 Strathgowan Avenue, as outlined by a thick black line on Schedule 12;
- (M) area of 1973 Victoria Park Avenue (1955-1991 Victoria Park Avenue) as outlined by a thick black line on Schedule 13;
- (N) the lands along St. Clair Avenue West between Runnymede Road and Symes Road and more specifically as outlined by a thick black line on Schedule 14;
- (O) area of 935 The Queensway, as outlined by a thick black line on Schedule 15;
- (P) area of 15 Shuter Street and 178 and 180 Victoria Street, as outlined by a thick black line on Schedule 16;
- (Q) area of 306 to 316, 320 and 322 Richmond Street West, as outlined by a thick black lines on Schedule 17;
- (R) area of 861 Eglinton Avenue West, as outlined by a thick black line on Schedule 18;
- (T) area of 278, 280 and 282 Strathallan Woods, as outlined by a thick black line on Schedule 19;
- (U) area of 291 The Kingsway and 1, 3, 5 and 7 St. Stevens Court, as outlined by a thick black line on Schedule 20; and
- (V) area of 515 Chaplin Crescent, as outlined by a thick black line on Schedule (23);
- (2) On 694 Sheppard Avenue West as outlined by a thick black line on Schedule 21, correct the zone label on the Zoning By-law Map by replacing '(x9)' with '(x5)' so that it reads RD (f15.0; a550)(x5) and merge the zone with the same zone to the rear of the property.
- (3) On 1830 Finch Avenue West as outlined by a thick black line on Schedule 22, correct the zone label on the Zoning By-law Map by replacing '(x9)' with '(x5)' so that it reads RD (f15.0; a550)(x5) and merge the zone with the zone to the rear of the property.
- (4) In Site Specific Exception 900.3.10 (9) under the heading "Prevailing By-laws and Prevailing Sections" delete '(A) Schedule 'D' Airport Hazard Map from City of North York zoning by-law 7625.' and add '(None Apply)' so that it reads:
 'Prevailing By-laws and Prevailing Sections: (None Apply)'.
- (5) In Site Specific Exception 900.7.10 (96) under the heading "Prevailing By-laws and Prevailing Sections" add to regulation (A) 'and 120' after the number '73' so that it reads:
 (A) On the lands municipally known as 53-73 and 120 Widdicombe Hill Blvd., former City of Etobicoke by-law 811.
- (6) In Site Specific Exception 900.6.10 (252) under the heading "Prevailing By-laws and Prevailing Sections" delete '(None Apply)' and add regulation (A) so that it reads:

(A) On the lands municipally known in the year 2009 as 1500 Weston Road, City of Toronto By-law 1268-2009(OMB).

- (7) In regulation 2.1.3.6(1) replace the reference to '2.1.3.5(3)' with '2.1.3.6(3)' so that it reads:

Nothing in this By-law will prevent the erection or use of a **building** or **structure** for which a complete application was filed on or prior to May 9, 2013, for any of the following applications, in the circumstances set out in regulation 2.1.3.6(3):

- (A) a consent to sever;
- (B) an approval of draft plan of subdivision;
- (C) a plan of condominium approval;
- (D) a payment in lieu of parking agreement pursuant to Section 40 of the Planning Act; or
- (E) a part lot control exemption approval pursuant to Section 50 of the Planning Act.

- (8) Delete Site Specific Exception 900.11.10 (1763);

- (9) Add to the Table of Contents after the reference to Section 990.1 General, 'Section 990.10 Zoning By-law Map'.

- (10) Add Section 990.10 Zoning By-law Map and relocate regulation 990.1 (1) to Section 990.10 and so that it reads:
990.10 Zoning By-law Map
(1) Zoning By-law Map
The Zoning By-law Map for this By-law is located in a separately bound Zoning By-law Map booklet with the individual map sheets identified on the index map located at the front of the map book.

- (11) Amend Site Specific Exception 900.6.10 (462), as it applies to 1055-1991 Victoria Park Avenue by replacing the contents of regulation (A) under the heading 'Prevailing By-Laws and Prevailing Sections' with a reference to 'City of Toronto by-law 1077-2010.', so that it reads:

Prevailing By-Laws and Prevailing Sections
(A) City of Toronto by-law 1077-2010 as amended.

- (12) Amend Article 800.50(620) 'Public Parking' so that it reads:
means **premises** having an area for the parking of one or more **vehicles** as a principal use and the parking of a **vehicle** is available for public use with or without a fee.

- (13) In Site Specific Exception 900.2.10 (290) under the heading 'Prevailing By-Laws and Prevailing Sections' regulation (B), add to the end 'Section 12(1) 484, former City of Toronto by-law 438-86', so that it reads:

(B) On 314 Roncesvalles Ave., City of Toronto by-law 479-2010 and Section 12(1) 484, City of Toronto By-law 438-86; and

- (14) Add Site Specific Exception 900.2.10 (988) so that it reads:
Exception R 988

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions (None Apply)

Prevailing By-laws and Prevailing Sections:

(A) Section 12(2) 70 of former City of Toronto By-law 438-86.

- (15) Add regulation 150.48.50.11 entitled 'Landscaping Exemptions' so that it reads:
150.48.50.11 Landscaping Exemptions
(1) Landscaping Exemptions - Existing Buildings, CR and CRE Zones
The requirements of 150.48.50.10(1) do not apply:
(A) to a **lawfully existing building**; or
(B) to a **building** in the CR zone or CRE zone.
- (16) Amend Site Specific Exception 900.6.10 (267) under the heading of "Site Specific Provisions" so that it reads:
(G) (iv) the swimming pool is not closer than 12.0 metres to a **lot line** that abuts a **lot** in the RD zone; and
(H) a **townhouse building** is permitted.
- (17) In Site Specific Exception 900.5.10(259) under the heading 'Prevailing By-laws and Prevailing Sections', replace the contents of regulation (A) so that it reads:
Prevailing By-laws and Prevailing Sections:
(A) Section 64.16(27) of the City of North York By-law 7625.
- (18) In Site Specific Exception 900.2.10(722), under the heading 'Prevailing By-laws and Prevailing Sections', add to the end of regulation (E) 'and City of Toronto by-law 607-1998' so that it reads:
(E) On 9 Hillside Ave. E., former City of Toronto by-law 809-84 and City of Toronto by-law 607-1998.
- (19) In Site Specific Exception 900.2.10(931), under the heading 'Prevailing By-laws and Prevailing Sections', in regulation (D) after the words 'On 21 Hillside Ave. E., add 'and 12-20 Manor Road"', and add to the end of regulation (D) 'and City of Toronto by-law 607-1998', so that it reads:
(D) On 21 Hillside Ave. E. and 12-20 Manor Road, former City of Toronto by-law 809-84 and City of Toronto by-law 607-1998.
- (20) In Site Specific Exception 900.11.10(2409), under the heading 'Prevailing By-laws and Prevailing Sections', add to the end of regulation (D) 'and City of Toronto by-law 607-1998', so that it reads:
(D) On 2087 Yonge St., former City of Toronto by-law 809-84 and City of Toronto by-law 607-1998.
- (21) In Site Specific Exception 900.11.10(2425), under the heading 'Prevailing By-laws and Prevailing Sections', add to the end of regulation (E) 'and City of Toronto by-law 607-1998', so that it reads:

(E) On the odd numbered addresses of 2079-2085 Yonge St., and the odd numbered addresses of 2093-2111 Yonge St., former City of Toronto by-law 809-84 and City of Toronto by-law 607-1998.

- (22) Add to the end of regulation 10.5.50.10(1)(D) 'and if a **lot** does not have a permitted **driveway** in the **front yard**, a minimum of 75% of the **front yard** must be **soft landscaping** ', so that it reads:
(D) a minimum of 75% of the **front yard landscaping** required in (A), (B), and (C) above, must be **soft landscaping**, and if a **lot** does not have a permitted **driveway** in the **front yard**, a minimum of 75% of the **front yard** must be **soft landscaping**.

- (23) In Site Specific Exception 900.6.10(18) delete '(None Apply)' after the heading 'Prevailing By-laws and Prevailing Sections:', and add regulations (A) and (B) so that it reads:

Prevailing By-laws and Prevailing Sections:

(A) On lands in the zone 'RM', and located between Kipling Ave. on the east, Brown's Line on the West, Evans Ave. to the north and Horner Ave. to the south, former City of Etobicoke by-laws 1979-67 and 1981-272; and

(B) On the lands in the zone 'RM', and located between Brown's Line on the east, Etobicoke Creek on the west, Horner Ave. on the north and Lake Shore Blvd. W. to the south, former City of Etobicoke by-laws 1979-67 and 1981-272.

- (24) In Site Specific Exception 900.7.10(445) delete the phrase ' On 1400 Weston Rd.,'.

- (25) Amend Site Specific Exception 900.2.10(334) under the heading 'Prevailing By-laws and Prevailing Sections', so that it reads:

Prevailing By-laws and Prevailing Sections

(A) On the lands east of Pacific Avenue, former City of Toronto by-laws 171-67, and 188-71; and

(B) Former City of Toronto by-law 22318.

- (26) In Table 200.5.10.1 - Parking Space Rates and Parking Space Occupancy, for a **Dwelling unit** in a **Mixed Use Building**, under the column for 'Parking Rate' delete '(tenant parking)', so that it reads:

Parking spaces are to be provided at the same rate as a **Dwelling unit** in an **Apartment Building**.

- (27) Amend Site Specific Exception 900.11.10(2) under the heading 'Site specific Provisions', by adding regulation (C) so that it reads:

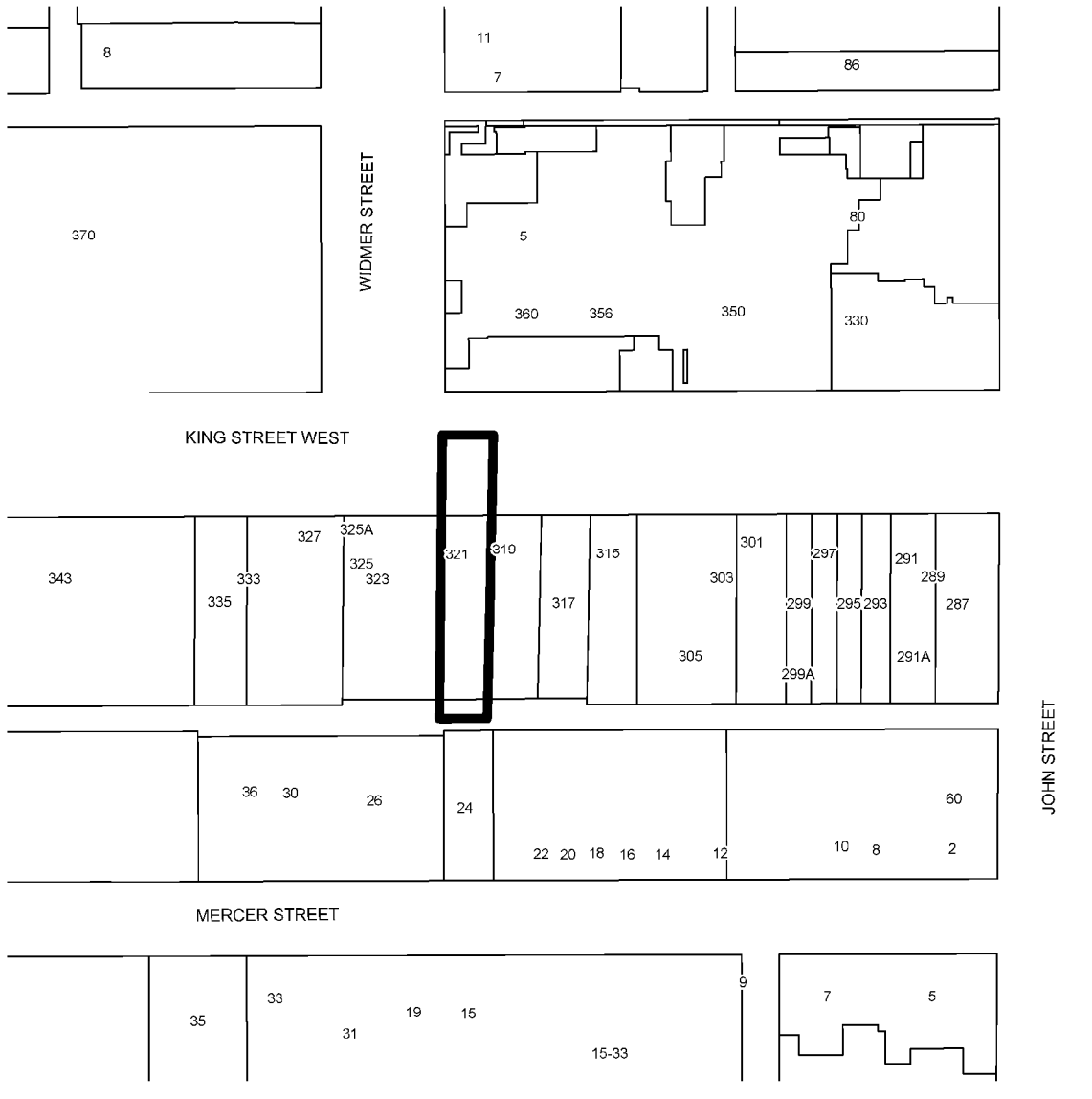
(C) regulations (A) and (B) above do not apply if an alternative parking space rate requirement was applied to the site in a zoning by-law amendment enacted after December 31, 1994.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

Schedule '1'




Schedule '2'



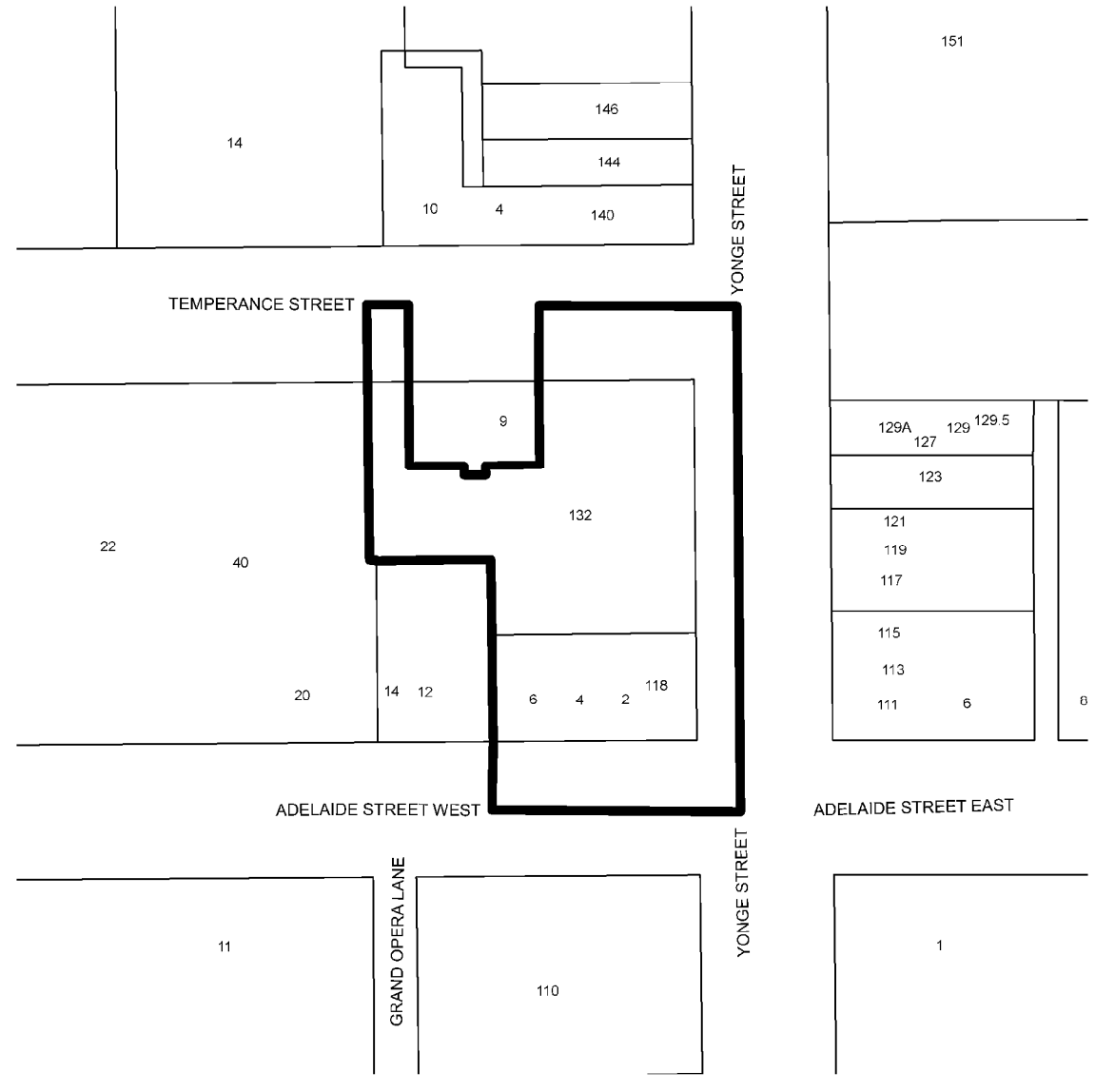
TORONTO City Planning
Zoning By-Law Amendment

240 Danforth Road

 **Area Affected By This By-Law**


 **Not to Scale**
 08/20/13

Schedule '3'

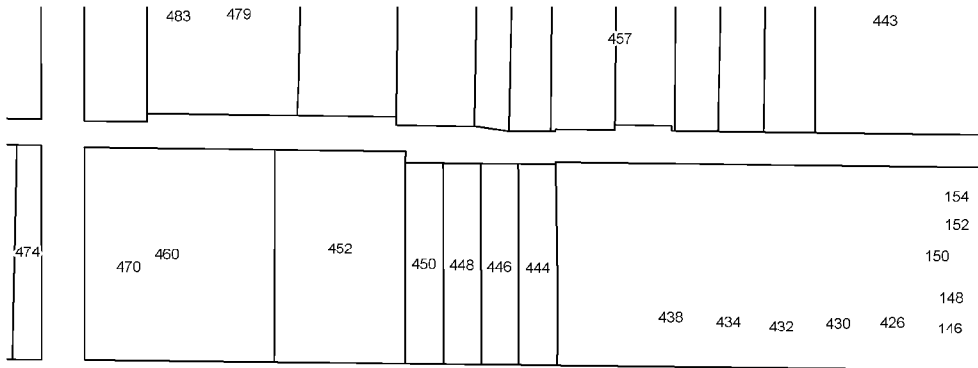


10 Adelaide Street West and 132 Yonge Street Zoning By-Law Amendment

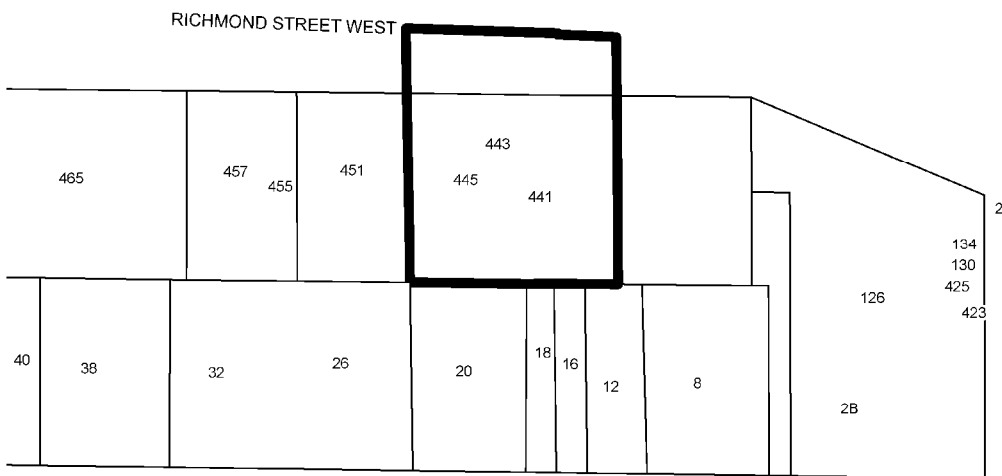
 Area Affected By This By-Law

 Not to Scale
08/20/13

Schedule '4'

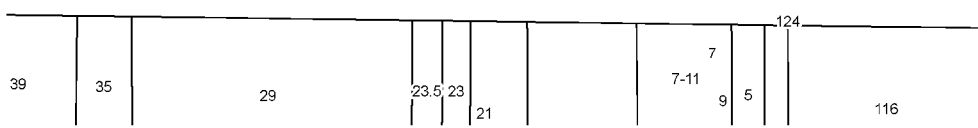


SPADINA AVENUE



RICHMOND STREET WEST

CAMDEN STREET



Zoning By-Law Amendment

431-445 Richmond Street West

 Area Affected By This By-Law


↑ Not to Scale
08/20/13

Schedule '5'



TORONTO City Planning **231-237 College Street and 177-189 Huron Street**
Zoning By-Law Amendment

 **Area Affected By This By-Law**

 **Not to Scale**
08/20/13


Schedule '6'



 **TORONTO** City Planning
Zoning By-Law Amendment

3052 Bayview Avenue

 **Area Affected By This By-Law**

 **Not to Scale**
08/20/13


Schedule '7'



TORONTO City Planning
Zoning By-Law Amendment

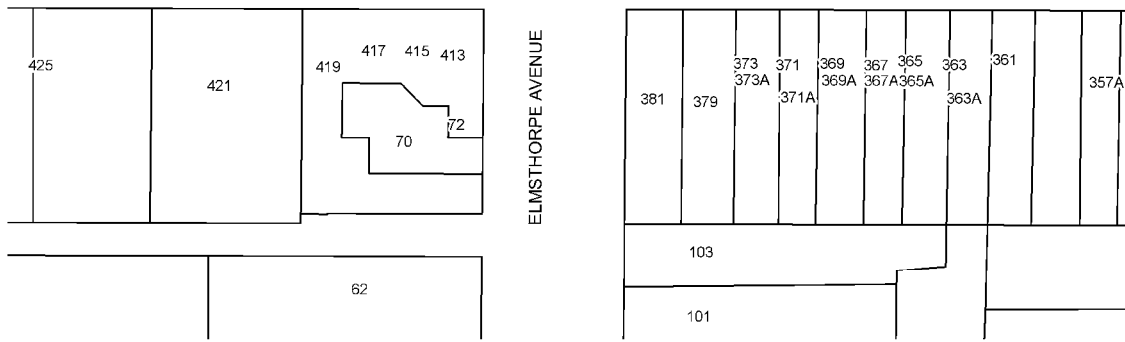
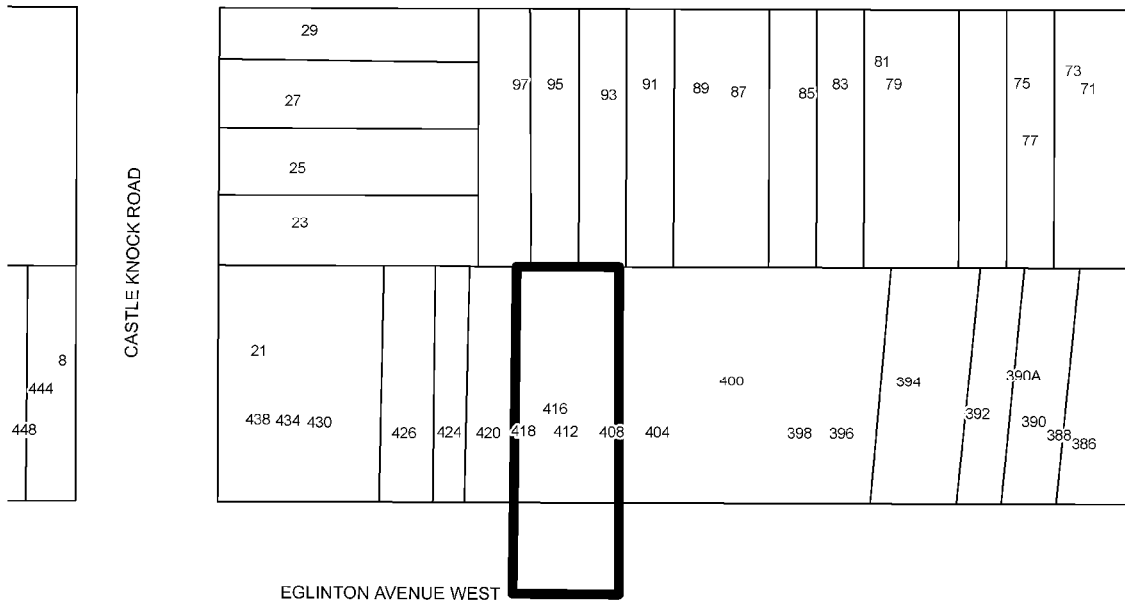
4650-4750 Eglinton Avenue West

 **Area Affected By This By-Law**

 **Not to Scale**
 08/20/13

Schedule '8'

BURNABY BOULEVARD



Zoning By-Law Amendment

416-418 Eglinton Avenue West



Area Affected By This By-Law



Not to Scale
08/20/13


Schedule '9'



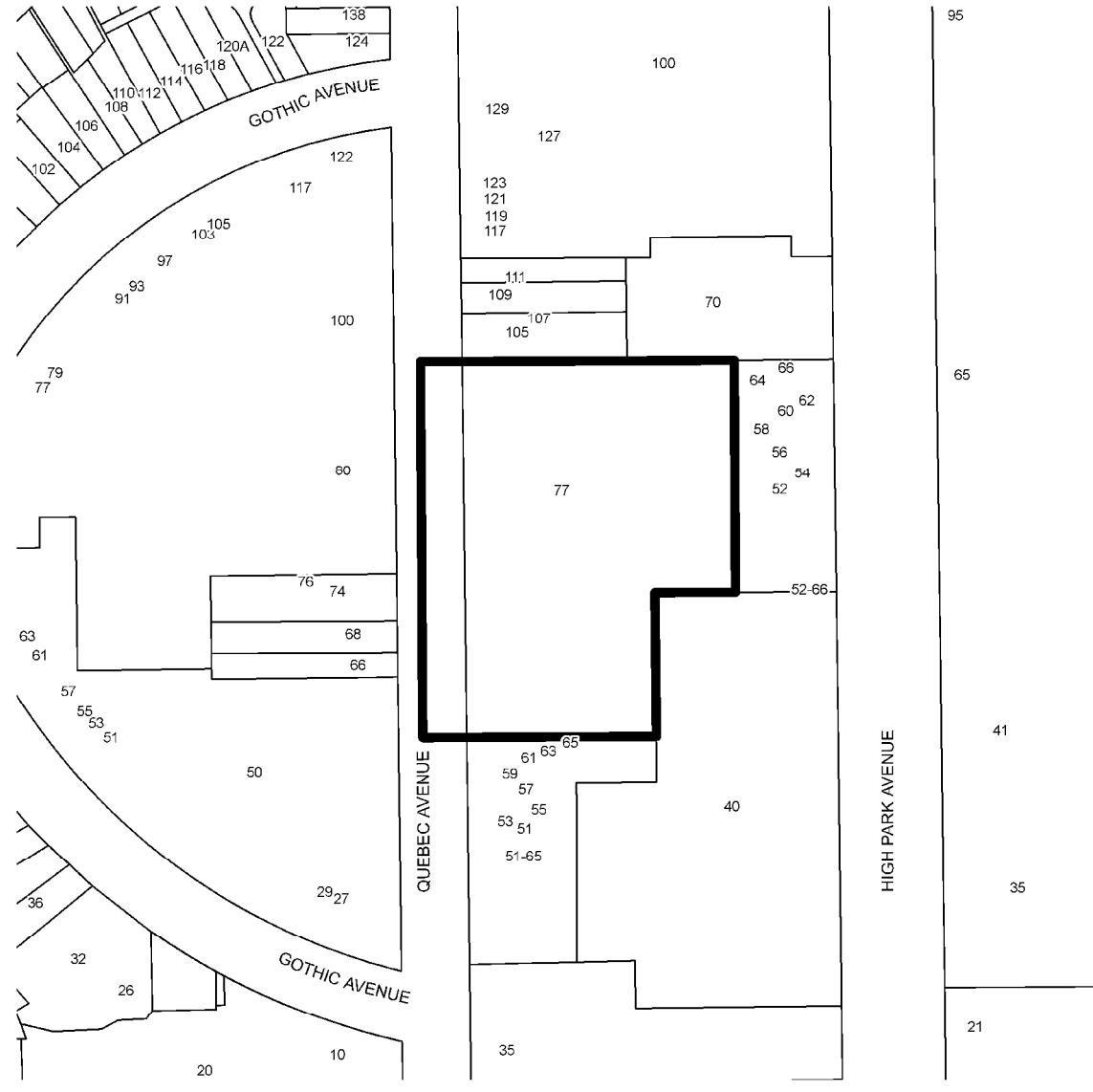
 **TORONTO** City Planning
Zoning By-Law Amendment

280 Carlingview Drive

 **Area Affected By This By-Law**

 **Not to Scale**
08/20/13


Schedule '10'



TORONTO City Planning
Zoning By-Law Amendment

77 Quebec Avenue

 **Area Affected By This By-Law**

 **Not to Scale**
 08/20/13


Schedule '11'



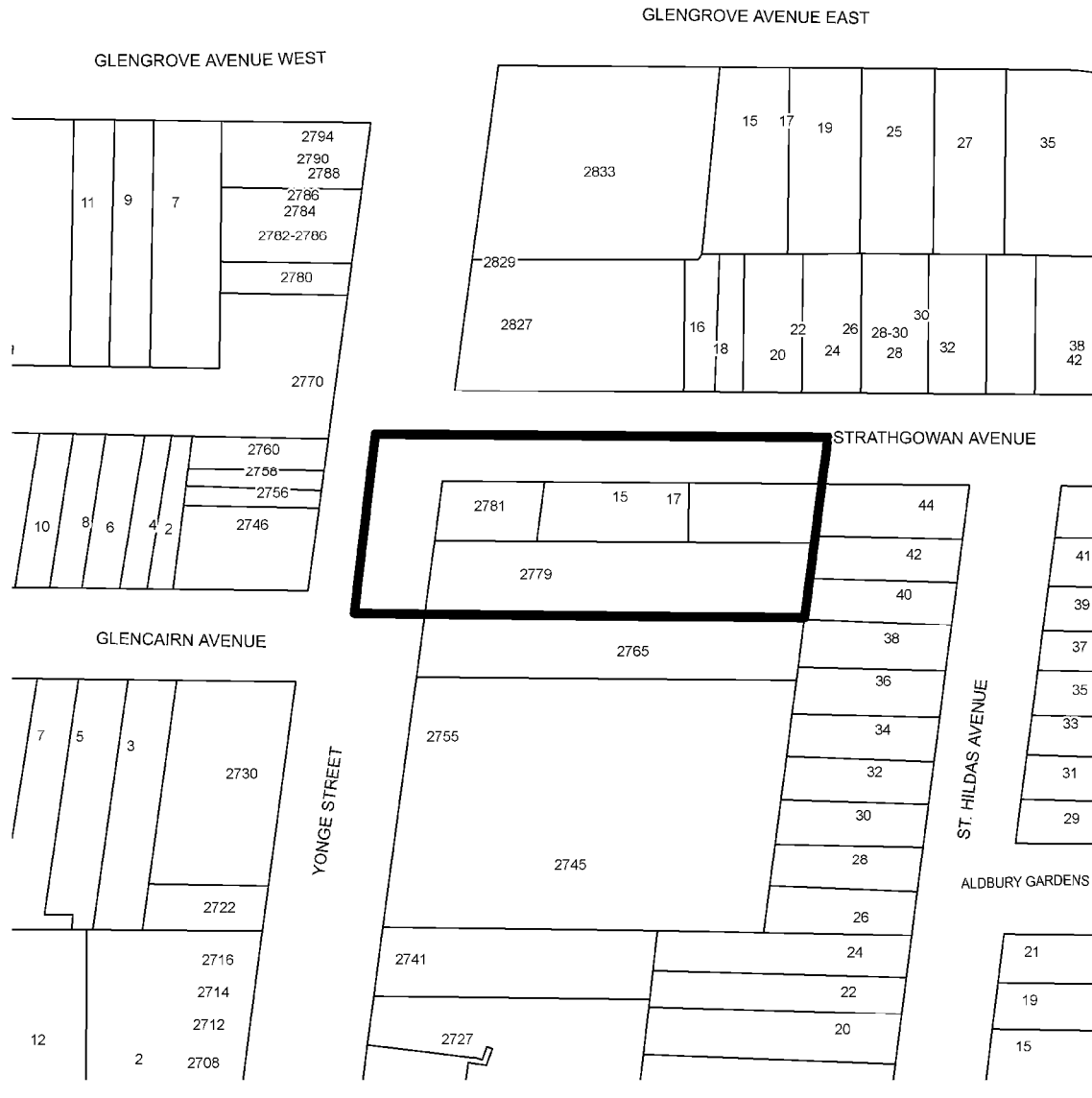
TORONTO City Planning Zoning By-Law Amendment

484 Spadina Avenue

 Area Affected By This By-Law


 Not to Scale
08/20/13

Schedule '12'



2779, 2781 Yonge Street & 15-21 Strathgowan Avenue Zoning By-Law Amendment

 Area Affected By This By-Law

 Not to Scale
08/20/13


Schedule '13'



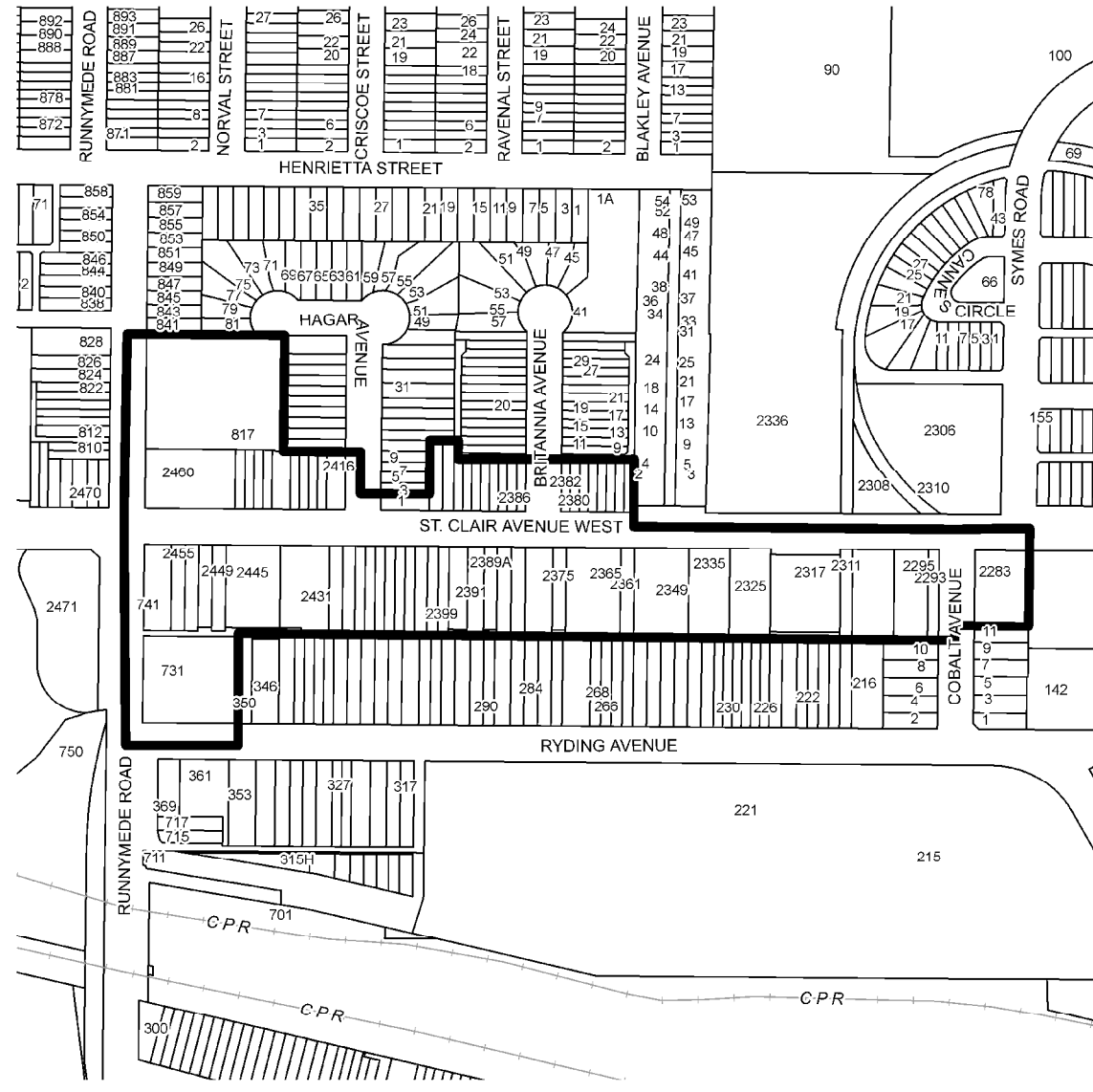
TORONTO City Planning
Zoning By-Law Amendment

1955-1991 Victoria Park Avenue

 **Area Affected By This By-Law**

 **Not to Scale**
 09/17/13

Schedule '14'



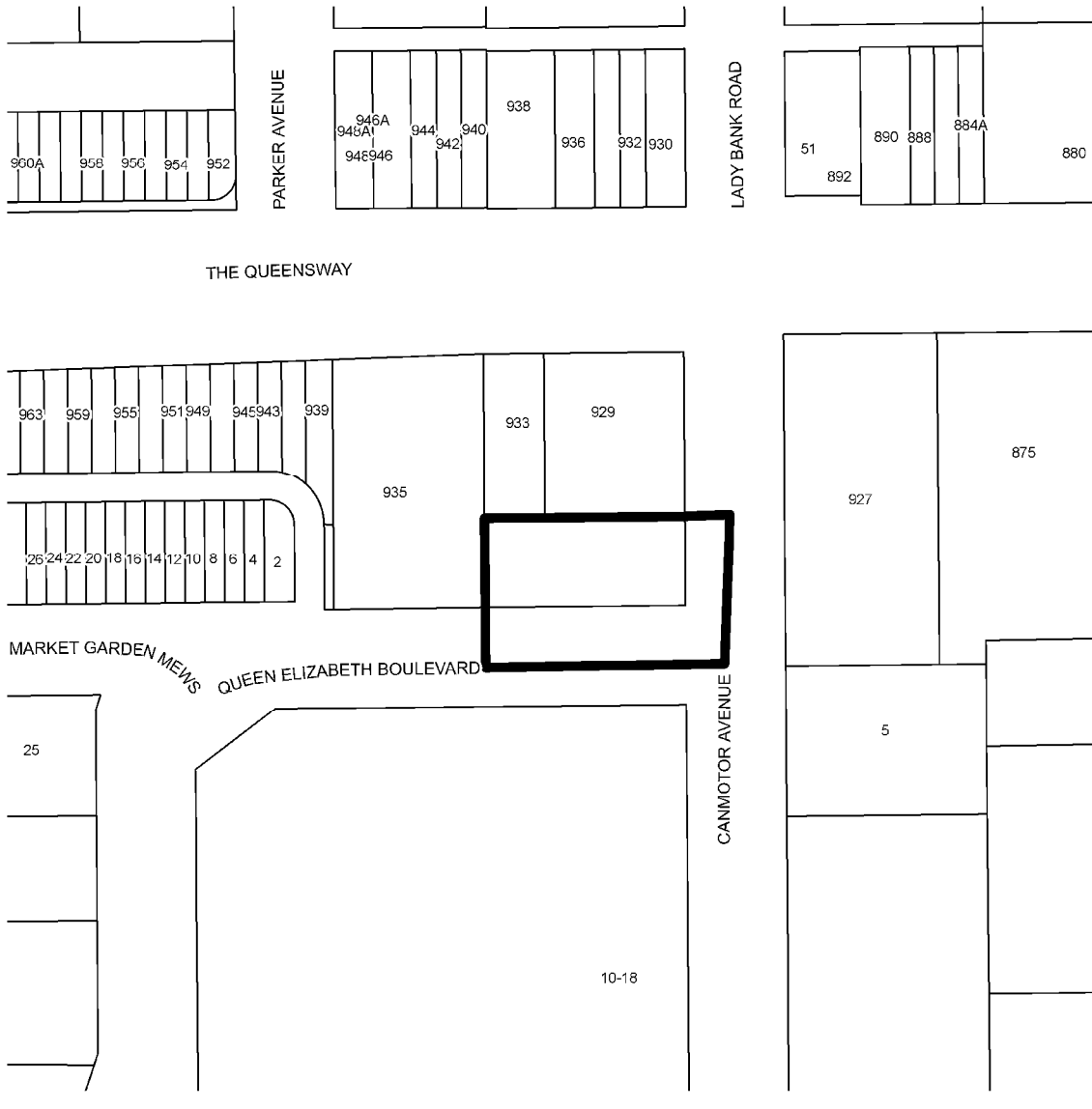
Zoning By-Law Amendment

St. Clair Avenue West between Runnymede Road and Symes Road

 Area Affected By This By-Law

↑ Not to Scale
09/18/13


Schedule '15'



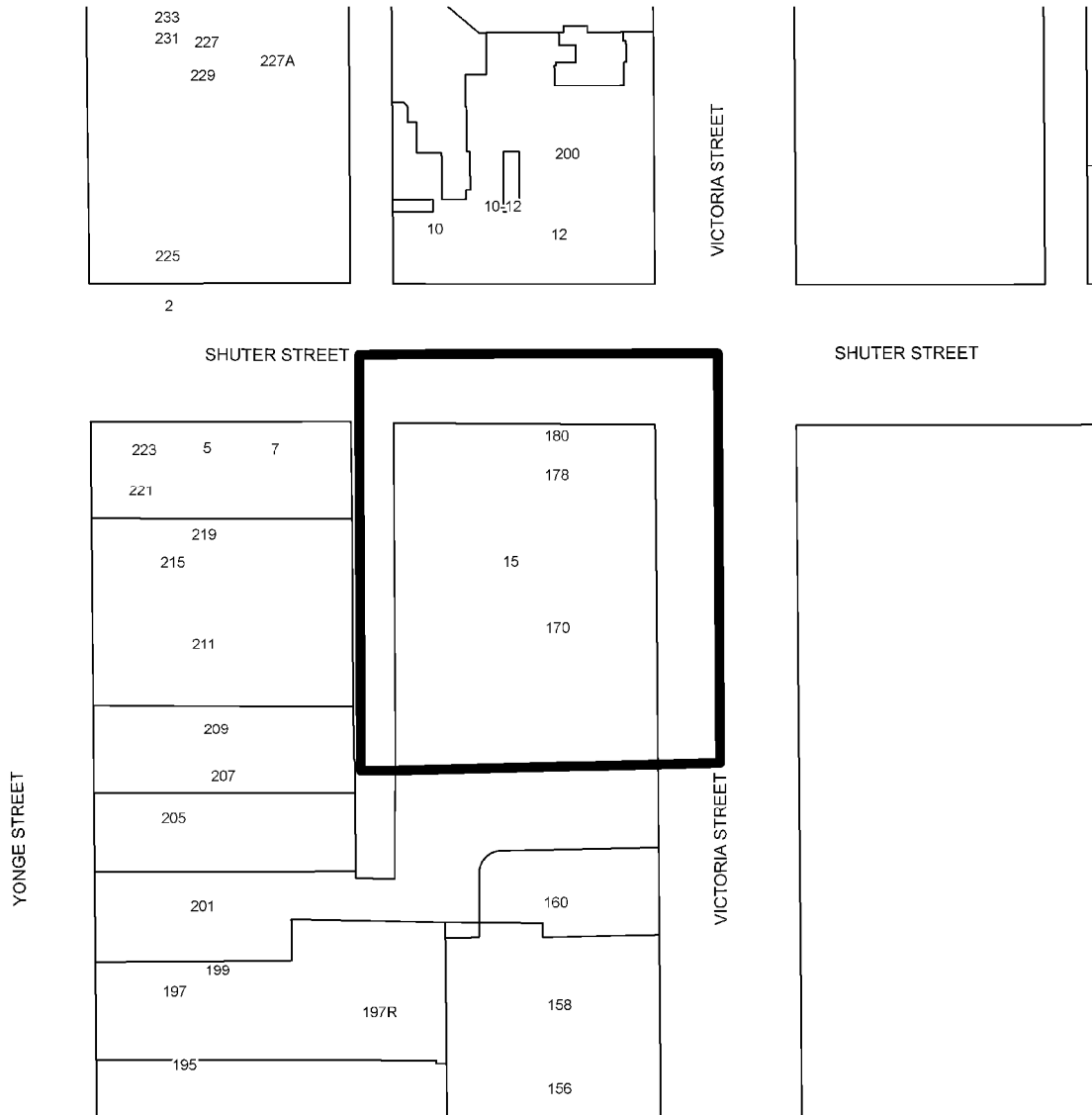
TORONTO City Planning
Zoning By-Law Amendment

935 The Queensway

 **Area Affected By This By-Law**

 **Not to Scale**
 09/17/13

Schedule '16'



Zoning By-Law Amendment

15 Shuter Street and 178-180 Victoria Street

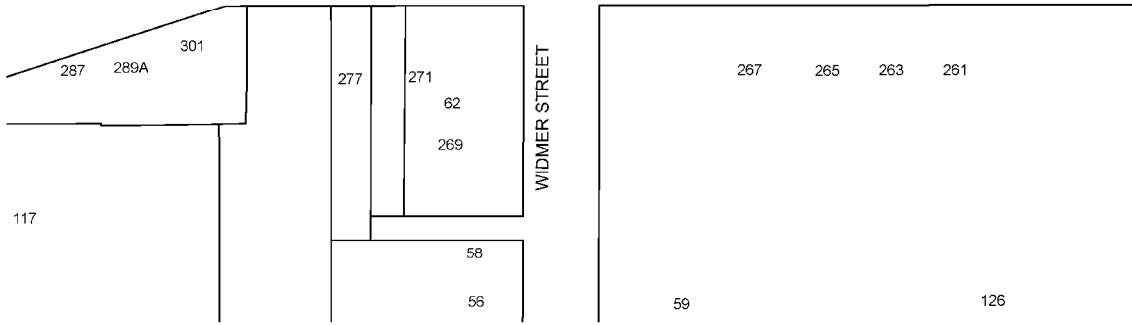


Area Affected By This By-Law



Not to Scale
09/17/13


Schedule '17'



Zoning By-Law Amendment

306-310 and 320-322 Richmond Street West

 Area Affected By This By-Law

 Not to Scale
10/30/13


Schedule '18'



TORONTO City Planning
Zoning By-Law Amendment

861 Eglinton Avenue West

 Area Affected By This By-Law

 Not to Scale
 09/17/13


Schedule '19'



 **TORONTO** City Planning
Zoning By-Law Amendment

278, 280 & 282 Strathallan Wood

 **Area Affected By This By-Law**

 **Not to Scale**
09/17/13

Schedule '20'

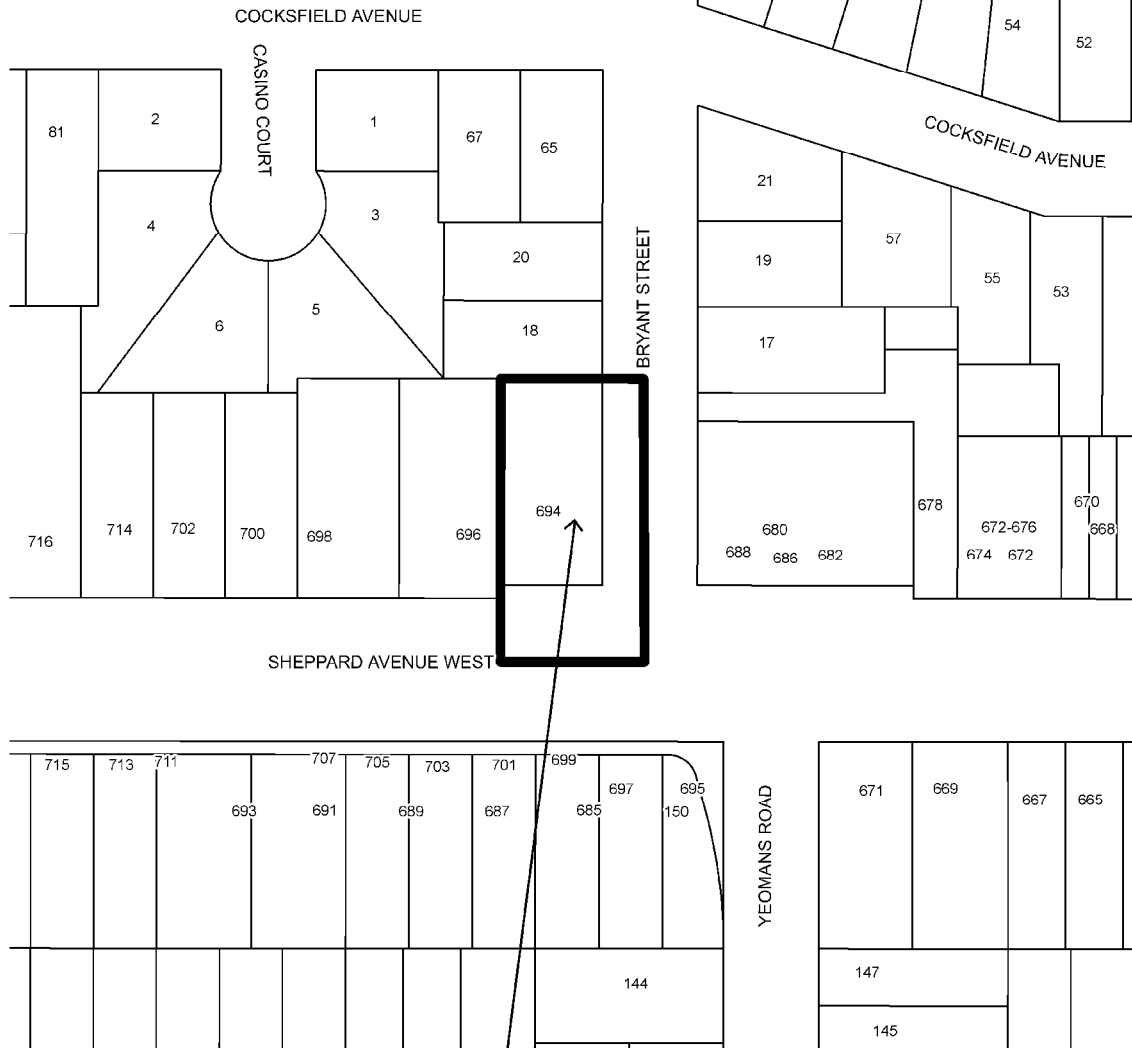


TORONTO City Planning 289 & 291 The Kingsway and 1, 3, 5 & 7 St. Stevens Court
Zoning By-Law Amendment

 Area Affected By This By-Law

↑ Not to Scale
 09/17/13

Schedule '21'




RD (f15.0; a550) (x5)

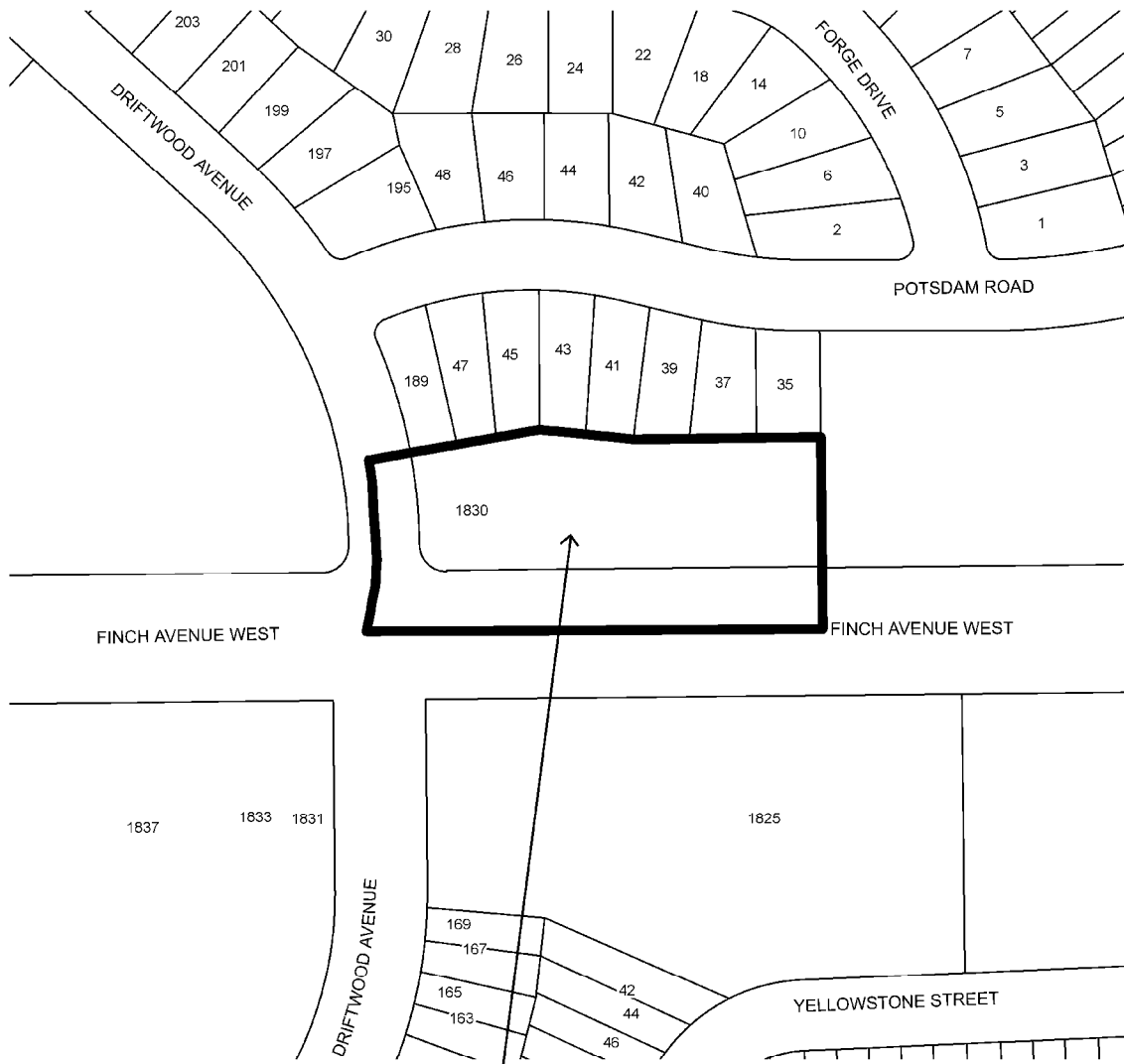
TORONTO City Planning
Zoning By-Law Amendment

694 Sheppard Avenue West

 **Area Affected By This By-Law**

 **Not to Scale**
 09/24/13

Schedule '22'




RD (f15.0; a550) (x5)

TORONTO City Planning
Zoning By-Law Amendment

1830 Finch Avenue West


 **Area Affected By This By-Law**

 **Not to Scale**
 09/24/13

Schedule '23'



 **Area Affected By This By-Law**

 **Not to Scale**
 10/30/13

Attachment 2 - Amendments to Zoning By-law 569-2013

Authority: Planning and Growth Management Committee ~ as adopted by City of Toronto Council on ~, 20~
 Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To technically amend Zoning By-law No. 569-2013, as amended, to correct errors and omissions and to clarify regulation wording.

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 HEREBY ENACTS as follows:

- (1) In Table 200.5.10.1 - Parking Space Rates and Parking Space Occupancy, for a **Dwelling unit** in a Multiple Dwelling Unit Buildings – Visitor **Parking Space**, under the column for 'Parking Rate' replace the reference to 0.5 with 0.2 so that it reads:
 Parking spaces must be provided at a minimum rate of 0.2 for each **dwelling unit**.
- (2) In Table 200.5.10.1 - Parking Space Rates and Parking Space Occupancy, add the following row of parking standards after the row entitled "**Dwelling unit** in a **Mixed Use Building**".

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Dwelling unit in a Mixed Use Building Visitor Parking	For a dwelling unit in an Apartment Building, parking spaces for visitors must be provided: (A) in Policy Area 1 (PA1) at a minimum rate of 0.1 for each dwelling unit ; (B) in Policy Area 2 (PA2) at a minimum rate of 0.1 for each dwelling	10%	35%	100%

	<p>unit; (C) in Policy Area 3 (PA3) at a minimum rate of 0.1 for each dwelling unit; (D) in Policy Area 4 (PA4) at a minimum rate of 0.15 for each dwelling unit; and (E) in all other areas of the City at a minimum rate of 0.2 for each dwelling unit.</p>			
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- (3) In regulations 40.10.20.100 (21) (C) and (D), replace the word 'it' with the words 'an **outdoor patio**' so that it reads:
- (C) an **outdoor patio** may not be used to provide entertainment such as performances, music and dancing;
 - (D) an **outdoor patio** must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (4) In regulation 40.10.20.100 (21) (E), replace the contents of (E) with the following so that it reads:
- (E) despite regulation (D) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres:
 - (i), measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (5) In regulation 50.10.20.100 (21) (C), replace the word 'it' with the words 'an **outdoor patio**' so that it reads:
- (C) an **outdoor patio** may not be used to provide entertainment such as performances, music and dancing;
- (6) In regulation 50.10.20.100 (21) (D), replace the contents of (D) with the following so that it reads:
- (D) an **outdoor patio** must be set back at least 30.0 metres from :
 - (i) a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (7) In regulation 50.10.20.100 (21) (E), replace the contents of (E) with the following so that it reads:
- (E) despite regulation (D) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres:
 - (i), measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;

(8) Replace the definition of 'First Floor' in Article 800.50(255) with the following so that it reads:

(255) First Floor

means the floor of the **building**, other than an area used for parking, that is closest in elevation to the elevation of **established grade**.

(9) Amend Clause 10.5.40.10 to add regulation (5), so that it reads:

(4) ; and

(5) First Floor Location Requirement

A minimum of 10.0 square metres of the **first floor** must be within 4.0 metres of the front **main wall**.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk