



## STAFF REPORT ACTION REQUIRED

### Proposed Technical Amendments to By-law 569-2013

<b>Date:</b>	October 14, 2015
<b>To:</b>	Planning and Growth Management Committee
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	All
<b>Reference Number:</b>	P:\2015\ClusterB\PLN\PGMC\PG15126

### SUMMARY

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This report proposes amendments to By-law 569-2013 identified during the Ontario Municipal Board appeal process which will resolve concerns raised by some appellants and address concerns of other individuals that may otherwise seek party status at the hearing. The corrections are technical in nature and will restore previous permissions approved by Council for certain lands.

In addition, the proposed amendment corrects a number of minor typographical errors and makes corrections to zoning labels and zoning boundaries as they apply to certain lands. The proposed technical amendments will also address typographical errors in By-law 559-2014 which amended By-law 569-2013.

### RECOMMENDATIONS

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

1. City Council enact zoning by-law amendments to Zoning By-law 569-2013 substantially in accordance with Attachment 1 to the report of the Chief Planner and Executive Director, City Planning dated October 14, 2015.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the amendments to the Zoning By-law as may be required.

## **Financial Impact**

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

## **ISSUE BACKGROUND**

During the Ontario Municipal Board hearing process there have been a number of technical errors identified by staff and appellants to the by-law and the public. These errors include references to previously approved by-laws that were not completely carried forward on all of the lots that made up a development parcel. In some cases, previously approved by-laws were incorrectly applied to lots. This technical amendment corrects and restores those previous permissions granted by Council.

The amendments proposed in this by-law also include clarification and correction of mapping references for specific properties involving the Zoning By-law Map, Height Overlay Map and the Lot Coverage Overlay Map.

In addition, corrections are proposed for a small number of minor typographical errors and omissions in Zoning By-law 569-2013 to accurately reflect the regulations and by-law references carried forward from the former general zoning by-laws.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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

[P:\2015\ClusterB\PLN\PGMC\PG15126]

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

### CITY OF TORONTO

Bill No.

BY-LAW No. -2015

**To technically amend Zoning By-law No. 569-2013, as amended, with respect to the correction of typographical errors and omissions and to correct the zoning and overlay mapping for specific properties.**

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:

By-law 569-2013, as amended, is further amended as follows:

1. In regulation 10.10.40.50(1)(A) insert the word "square" after the number "2.0", so that it reads:  
(A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**;
2. In regulation 15.10.40.50(1)(A) insert the word "square" after the number "2.0", so that it reads:  
(A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**;
3. In regulation 15.20.40.50(1)(A), as amended by By-law 572-2014, insert the word "square" after the number "2.0", so that it reads:  
(A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space** located at or above **established grade**;
4. In regulation 40.10.40.50(1)(A) insert the word "square" after the number "2.0", so that it reads:  
(A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**;
5. In regulation 50.10.40.50(1)(A) insert the word "square" after the number "2.0", so that it reads:  
(A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**;
6. In clause 30.20.40.10 add a new regulation (2), so that it reads:  
(2) Maximum Number of Storeys  
The permitted maximum number of **storeys** in a **building** on a **lot** in the CL zone is:

- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
  - (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.
7. In clause 40.10.40.10 add a new regulation (7), so that it reads:  
 (7) Maximum Number of Storeys  
 The permitted maximum number of **storeys** in a **building** on a **lot** in the CR zone is:
- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
  - (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.
8. In clause 50.10.40.10 add a new regulation (4), so that it reads:  
 (4) Maximum Number of Storeys  
 The permitted maximum number of **storeys** in a **building** on a **lot** in the CRE zone is:
- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
  - (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.
9. In Site Specific Exception 900.2.10 (218), under the heading 'Prevailing By-laws and Prevailing Sections', replace the period at the end of regulation (A) with "; and", and add new regulation (B), so that it reads:
- (A) Section 12 (2) 227 of former City of Toronto By-law 438-86; and
  - (B) On 226 Soudan Avenue, City of Toronto by-law 718-1999.
10. In Site Specific Exception 900.2.10(4), under the heading 'Prevailing By-laws and Prevailing Sections', replace the period at the end of regulation (A) with "; and", and add new regulation (B), so that it reads:
- (A) Section 12(1) 232 of former City of Toronto By-law 438-86; and
  - (B) on 310 to 320 Gerrard Street East, former City of Toronto by-law 664-1991.
11. In regulation 60.40.10.100 (11) replace the number '2.0' with '1.5', so that it reads:  
 (11) Place of Assembly  
 In the EO zone, a **place of assembly** must be on a **lot** that has a zone symbol with an "o" value of 1.5 or greater.

12. Exception 900.5.10(351) (A) and (C) are amended to add the words 'per hectare' after the number 100 in 900.5.10(351) (A) and to add '30 metres' after the word 'setback', so that they now read:  
(A) The maximum number of **dwelling units** is 100 per hectare;  
  
(C) A **residential building** must be set back 30 metres from a railway property line;
13. In regulation 60.30.20.100 (3) as amended by by-law 00403-2014, amend the reference to 'E zone' to 'EH zone', so that it reads:  
(3) In the EH zone, a **medical marihuana production facility** must comply with the specific use regulations in Section 150.60.
14. In Site Specific Exceptions 900.11.10(710), 900.11.10(711), 900.11.10(713), 900.11.10(717), 900.11.10(718), 900.11.10(719), 900.11.10(720), 900.11.10(721), 900.11.10(722), 900.11.10(723), 900.11.10(724), 900.11.10(725), 900.11.10(726), and 900.11.10(727) under the heading 'Site Specific Exceptions', revise regulation (K) to replace the word "and" with "or", so that it reads:  
  
(K) A **dwelling unit** must be a minimum of 18.0 metres from a **lot line** that abuts a **street** or it must be located on the second **storey** above grade or higher;
15. In Site Specific Exception 900.11.10 (728), under the heading 'Site Specific Provisions', amend regulations (K) and (P), so that they read:  
  
(K) On 2154 Lawrence Avenue East, a **dwelling unit** must be a minimum of 18.0 metres from a **lot line** that abuts a **street** or it must be located on the second **storey** above grade or higher;  
  
(P) Despite the uses listed in Article 40.10.20, the only uses permitted are: **dwelling unit** in a **building** type permitted by Clause 40.10.20.40, **day nursery, education use, financial institution club, hotel, office, medical office, nursing home, personal service shop, entertainment place of assembly, private home daycare, recreation use, sports place of assembly, eating establishment, take-out eating establishment, retail store, retail service, retirement home, private school, public school, municipally owned public parking, transportation use, ambulance depot, fire hall, police station, and public utility.**
16. In Site Specific Exceptions 900.11.10(707), 900.11.10(708), 900.11.10(709), 900.11.10(808), 900.11.10(810), 900.11.10(811), 900.11.10(812), 900.11.10(815), and 900.11.10(818) under the heading 'Site Specific Provisions', revise regulation (E) by deleting the phrase "commercial residential category", so that it reads:

- (E) The minimum **building setback** from a **lot line** that abuts a **lot** in the Residential Zone category, or Institutional Zone category is 7.5 metres;
17. In Site Specific Exception 900.11.10(2158) under the heading 'Prevailing By-laws and Prevailing Sections', delete regulation (B) and replace "; and" in (A) with ".", so that it reads:  
 (A) Section 12(2) 256 of former City of Toronto By-law 438-86.
18. In Table 200.5.10.1 Parking Space Rates and Parking Space Occupancy, amend the heading "**Dwelling Unit** in an **Apartment Building** (Tenant requirement)" so that it reads "**Dwelling Unit** in an **Apartment Building** (Resident requirement)".
19. In regulation 900.11.10(1590) under the heading 'Prevailing By-laws and Prevailing Sections', delete regulation (C), replace "; and" in regulation (B) with "." and add "and" at the end of regulation (A), so that it reads:  
 (A) Section 12(1) 366 of former City of Toronto By-law 438-86; and  
 (B) Section 12(2) 270(a) of former City of Toronto By-law 438-86.
20. In regulation 40.10.20.20(1) amend the permitted use list so that the use:  
 (a) "**Secondary Suite** (58)" appears in the use list in (B) after the use 'Rooming House (48)' and before the use '**Seniors Community House** (42)', and remove it from the use list in (A);  
 (b) **Amusement Arcade** (23, 46, 47) has the number "46" removed so that it reads: **Amusement Arcade** (23, 47).
21. In regulation 900.2.10(7), amend (C) to replace the period at the end with "; and", and add a new (D), so that it reads:  
 (C) A **religious residence**, unless it is in the same **building** as a **place of worship**, must occupy the whole of the **building** and not be combined with any other permitted use, and must:  
 (i) be located in a **building** that was originally constructed and used as a **detached house**, a **semi-detached house**, or a **townhouse**; or  
 (ii) be on a **lot** that has a **front lot line** or **side lot line** abutting:  
 (a) a major **street** on the Policy Areas Overlay Map; or  
 (b) a **street** that intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection; and [TO: 438-86; 6(1)(f)(a)(ii)] and [TO:438-86; 6(2) 7.]  
 (D) Despite regulation 10.10.20.100(3), a community centre or a library is not required to be operated by or on the behalf of the City of Toronto.
22. In 80.20.20.20(1) remove the use "**Education Use** (12)" and insert the use "**Education Use**" in 80.20.20.10 (1) before the use "**Hospice Care Centre**"

23. On 1 York Gate Boulevard, as identified on Diagram 1 by a heavy black outline, amend the zone label for these lands on the Zoning By-law Map in Section 900.10, so that it reads: CR 1.0 (c1.0; r0.0) SS3 (x205).
24. On 490-534 Lawrence Avenue West, and 3090-3130 Bathurst Street, as identified on Diagram 2 by a heavy black outline, amend the zone label for these lands on the Zoning By-law Map in Section 900.10, so that it reads: CR 1.0 (c1.0; r1.0) SS3 (x76).
25. On 1-51 Tapscott Road, as identified on Diagram 3 by a heavy black outline, amend the zone label for these lands on the Zoning By-law Map in Section 900.10, so that it reads: CR 2.0 (c2.0; r0.0) SS3 (x483) for the northwest portion and CR 0.4 (c0.4; r0.0) SS3 (x484) for the rest of the lands.
26. On 12 Riverdale Drive, as identified on Diagram 4 by a heavy black outline, amend:
  - (a) the zone label on the Zoning By-law Map in Section 990.10, so that it reads: RD (f16.5; a 650; d0.45) (x9);
  - (b) the Height Overlay Map in Section 995.20, so that it reads: HT 9.5; and
  - (c) the Lot Coverage Overlay Map in Section 995.30, so that it reads: 33.
27. On 23 Hedgewood Road and 17 Beechwood Avenue, as identified on Diagram 5 by a heavy black outline, amend the zone label for these lands on the Zoning By-law Map in Section 990.10 so that it reads: RD (f21.0; a 690).
28. On 165 Tapscott Road, as identified on Diagram 6 by a heavy black outline, amend the Height Overlay Map to show no height or storey requirement on the property.
29. By-law 559-2014 is amended in Section 48 by replacing "(x190)" in clause (a) with "(x910)" and by replacing the phrase "amend to the Height Overlay Map" in clause (b) with "amend the Height Overlay Map", so that it reads:
  48. On 16 Westwood Avenue, as identified on Schedule '34' by a heavy black outline, amend:
    - (a) the zone label on the Zoning By-law Map in Section 990.10, so that it reads: RD (f6.0; a190; d0.75) (x910);
    - (b) the Height Overlay Map in Section 995.20, so that it reads: HT 8.5; and
    - (c) the Lot Coverage Overlay Map in Section 995.30, so that it reads: 35.

30. By-law 559-2014 is amended in Section 51 by replacing "160 Varsity Road" with "169 Varsity Road" and by replacing "RS (f18.0: a550; d0.6)" with "RM (f12.0; a370; u2; d0.6) (x123)", so that it reads:
51. On 169 Varsity Road, as identified on Schedule '37' by a heavy black outline, amend the zone label on the Zoning By-law Map so that it reads: RM (f12.0; a370; u2; d0.6) (x123).
31. By-law 559-2014 is amended in Section 52 by replacing "71 Priscilla Avenue and 662 Willard Avenue" with "67 and 69 Priscilla Avenue and on 660A and 660B Willard Avenue", so that it reads:
52. On 67 and 69 Priscilla Avenue and 660A and 660B Willard Avenue, as identified on Schedule '38' by a heavy black outline, amend the zone label on the Zoning By-law Map so that it reads: RT (x281).
32. By-law 559-2014 is amended by replacing Schedule 34 with Schedule 34 attached hereto.
33. By-law 559-2014 is amended by replacing Schedule 40 with Schedule 40 attached hereto.
34. In Regulations 900.11.10(710)(O), 900.11.10(711)(O), 900.11.10(713)(P), 900.11.10(717)(P), 900.11.10(718)(Q), 900.11.10(719)(P), 900.11.10(720)(Q), 900.11.10(721)(P), 900.11.10(722)(P), 900.11.10(723)(P), 900.11.10(724)(O), 900.11.10(725)(P), 900.11.10(726)(P), and 900.11.10(727)(P) under the heading 'Site Specific Exceptions' revise the permitted list of uses in the regulations above to include 'medical office', so that they read:

" Despite the uses listed in Article 40.10.20, the only uses permitted are: **dwelling unit** in a **building** type permitted by Clause 40.10.20.40, **day nursery, education use, financial institution club, hotel, office, medical office, nursing home, personal service shop, entertainment place of assembly, private home daycare, recreation use, sports place of assembly, eating establishment, take-out eating establishment, retail store, retail service, retirement home, private school, public school**, municipally owned **public parking, transportation use, ambulance depot, fire hall, police station, and public utility.**"

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



Diagram 1

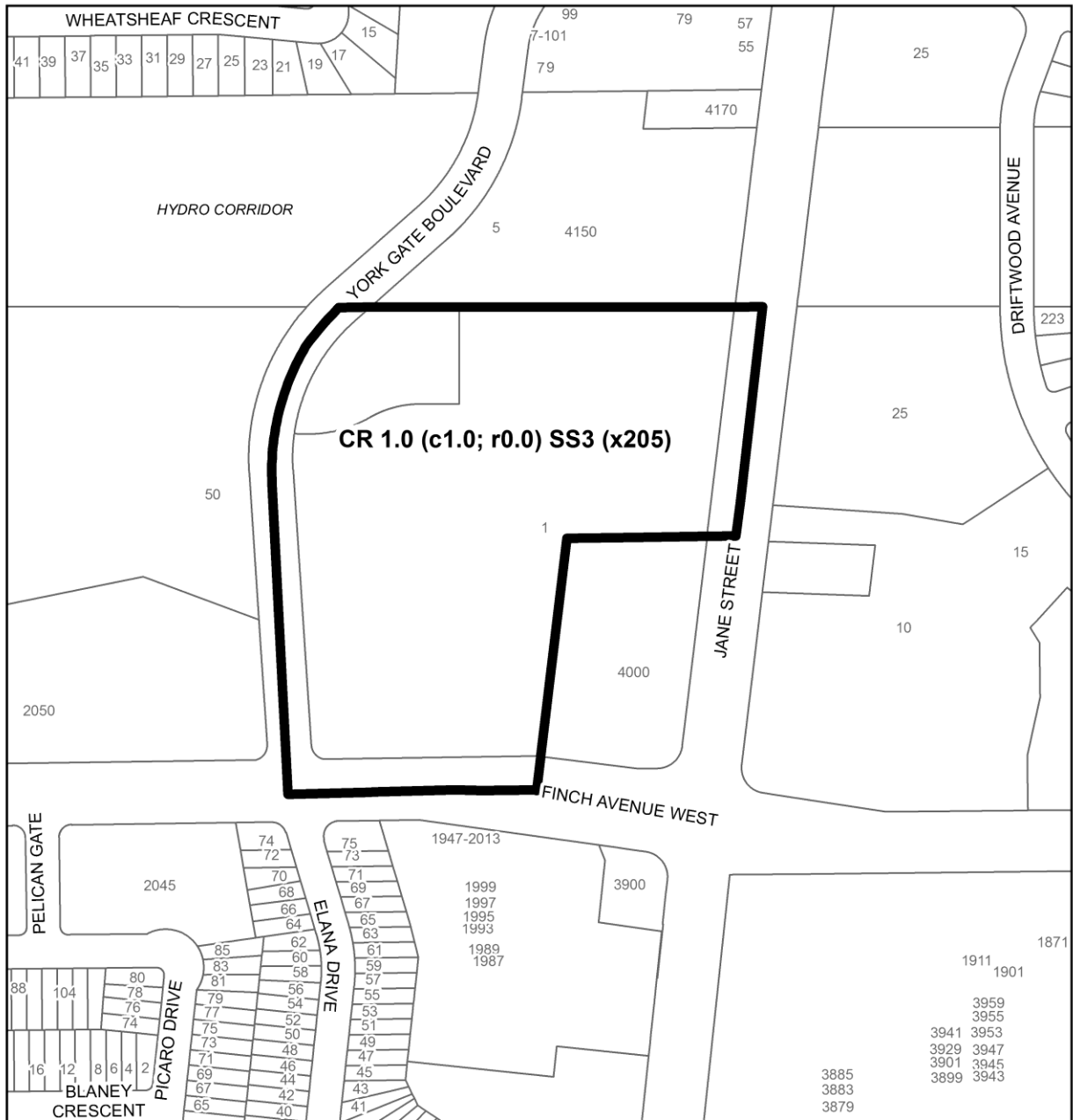
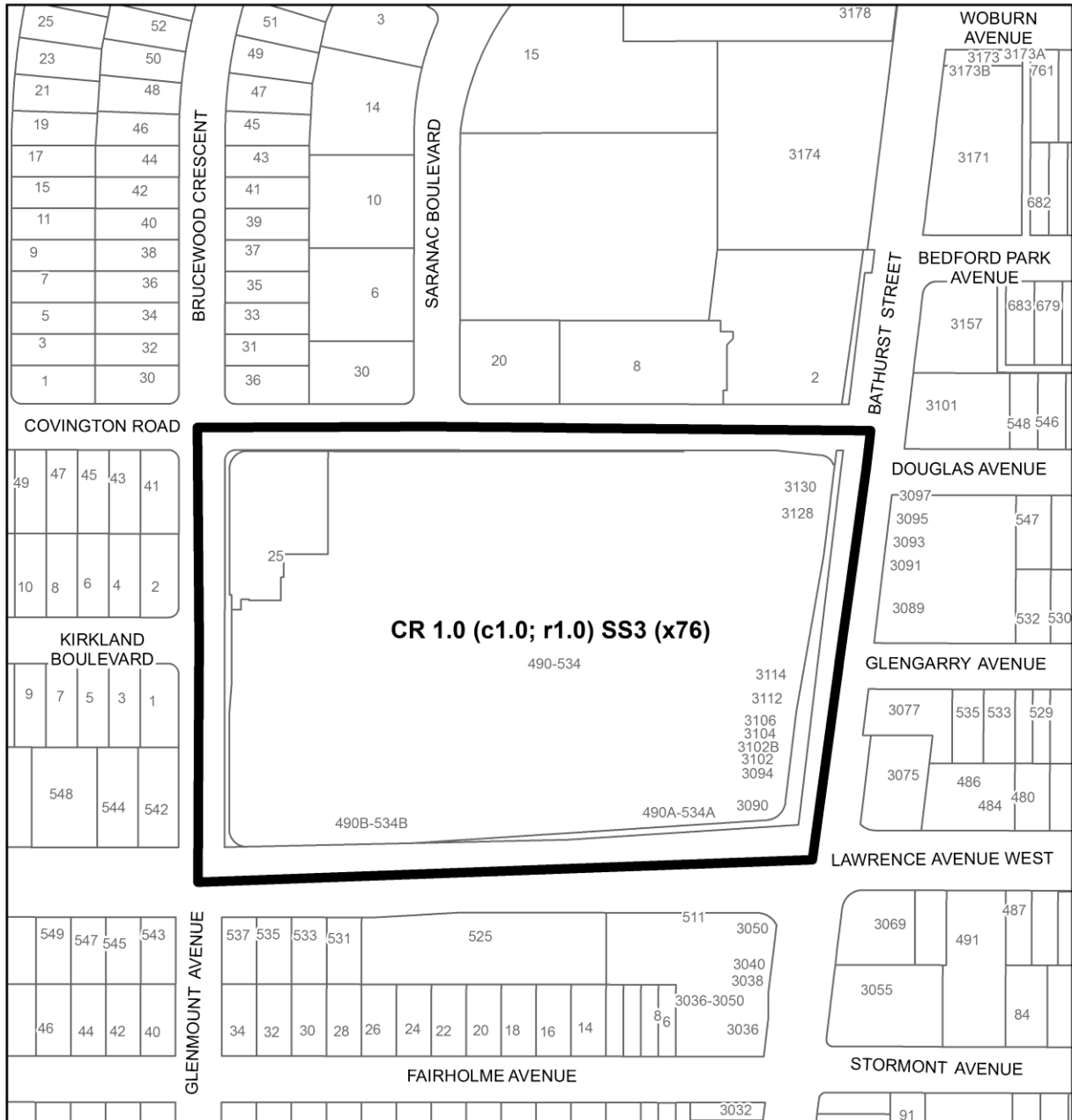


Diagram 2



**TORONTO** City Planning  
**Diagram 2**

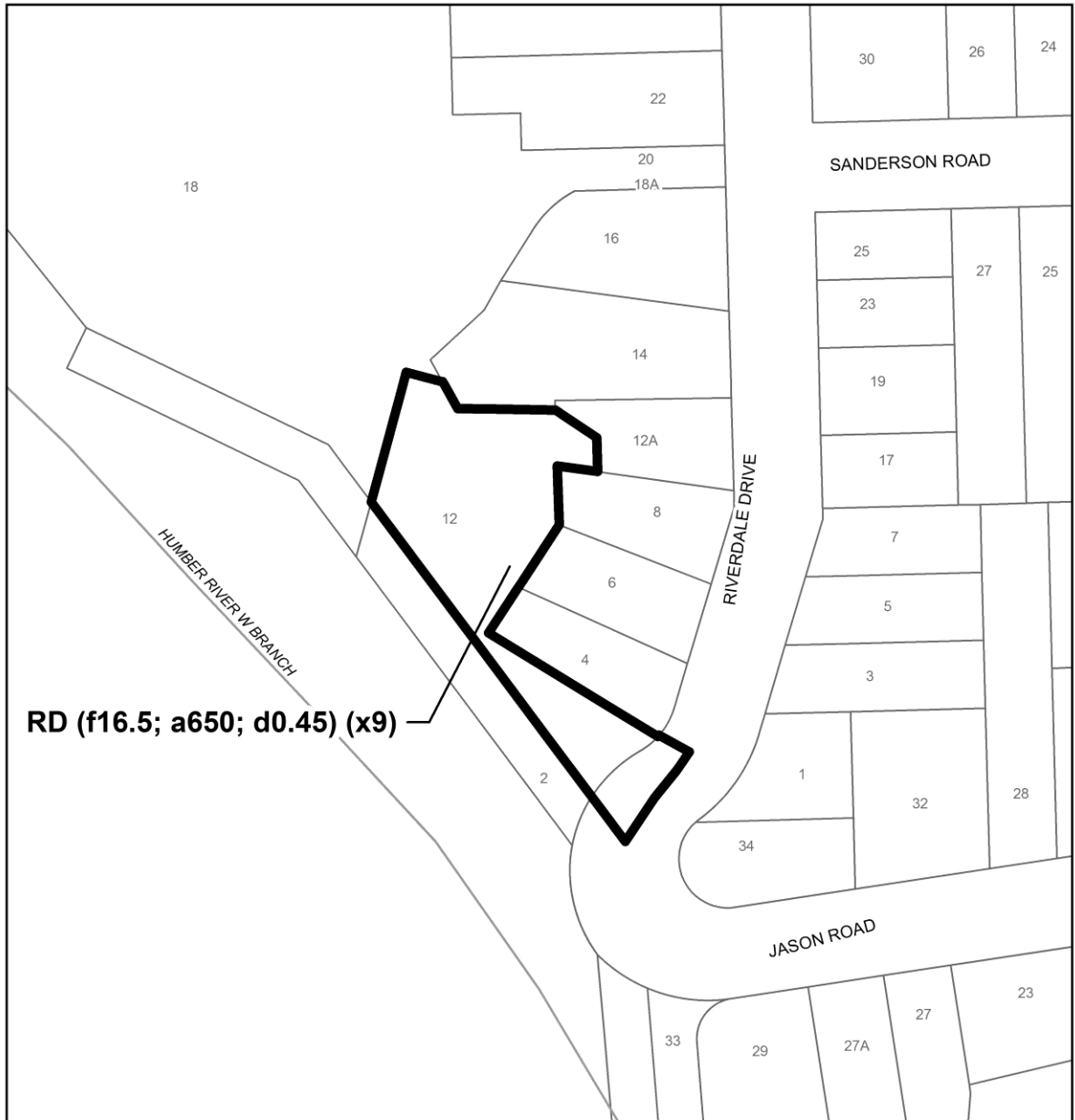
**490-534 Lawrence Ave. W.,  
 3090-3130 Bathurst St. and 25 Brucewood Cres.**

Approved by: C. Perez-Book

City of Toronto By-Law 569-2013  
 Not to Scale  
 9/25/2015



Diagram 4



**TORONTO** City Planning  
Diagram 4

12 Riverdale Drive

Approved by: A. Theobald

City of Toronto By-Law 569-2013  
Not to Scale  
10/6/2015

Diagram 5



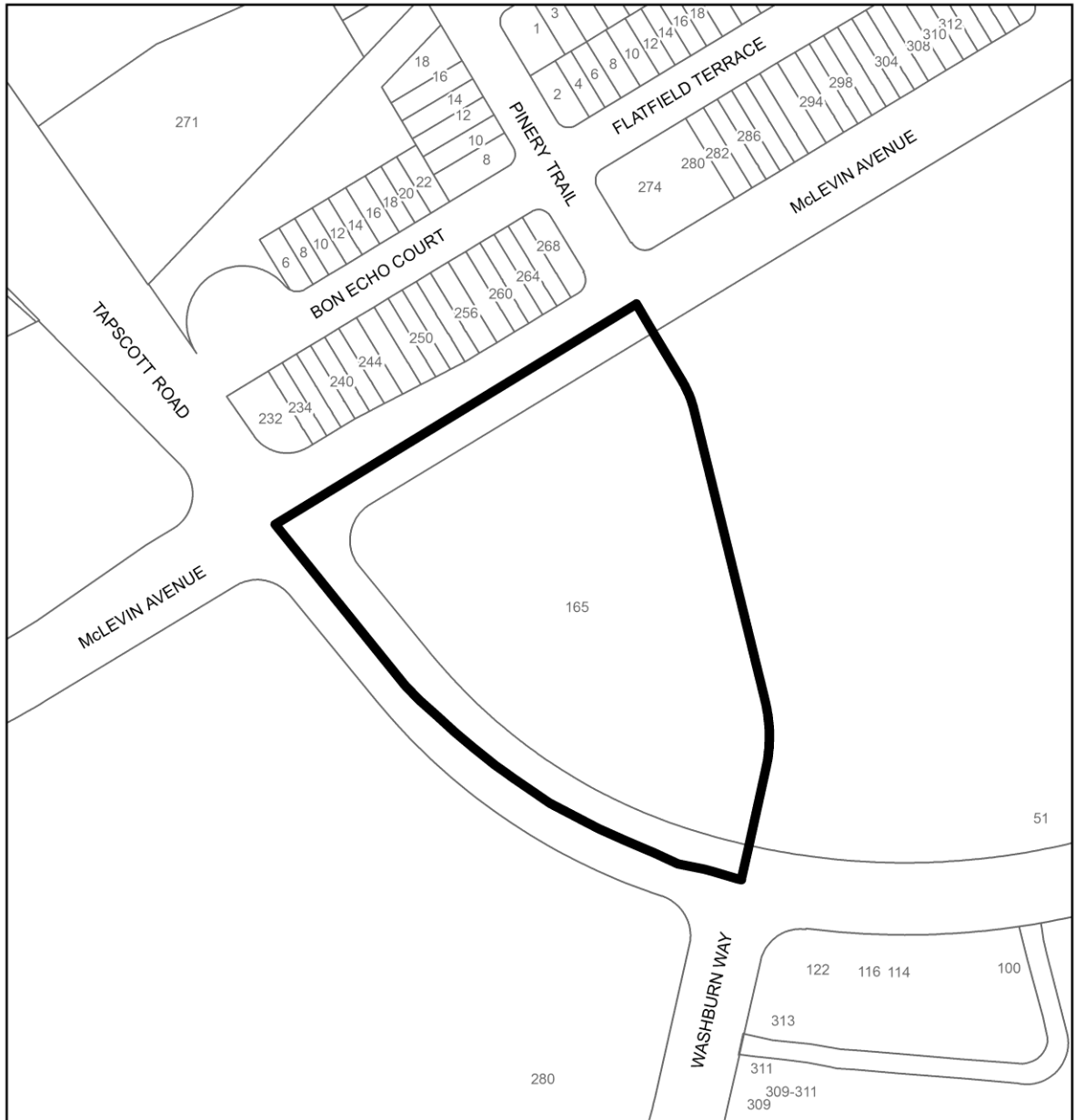
 **TORONTO** City Planning  
Diagram 5

23 Hedgewood Road and 17 Beechwood Avenue

Approved by: A. Theobald

  
City of Toronto By-Law 569-2013  
Not to Scale  
10/6/2015

Diagram 6



 **TORONTO** City Planning  
Diagram 6

**165 Tapscott Road**

Approved by: K. Lehmann

  
City of Toronto By-Law 569-2013  
Not to Scale  
10/6/2015


Schedule 34



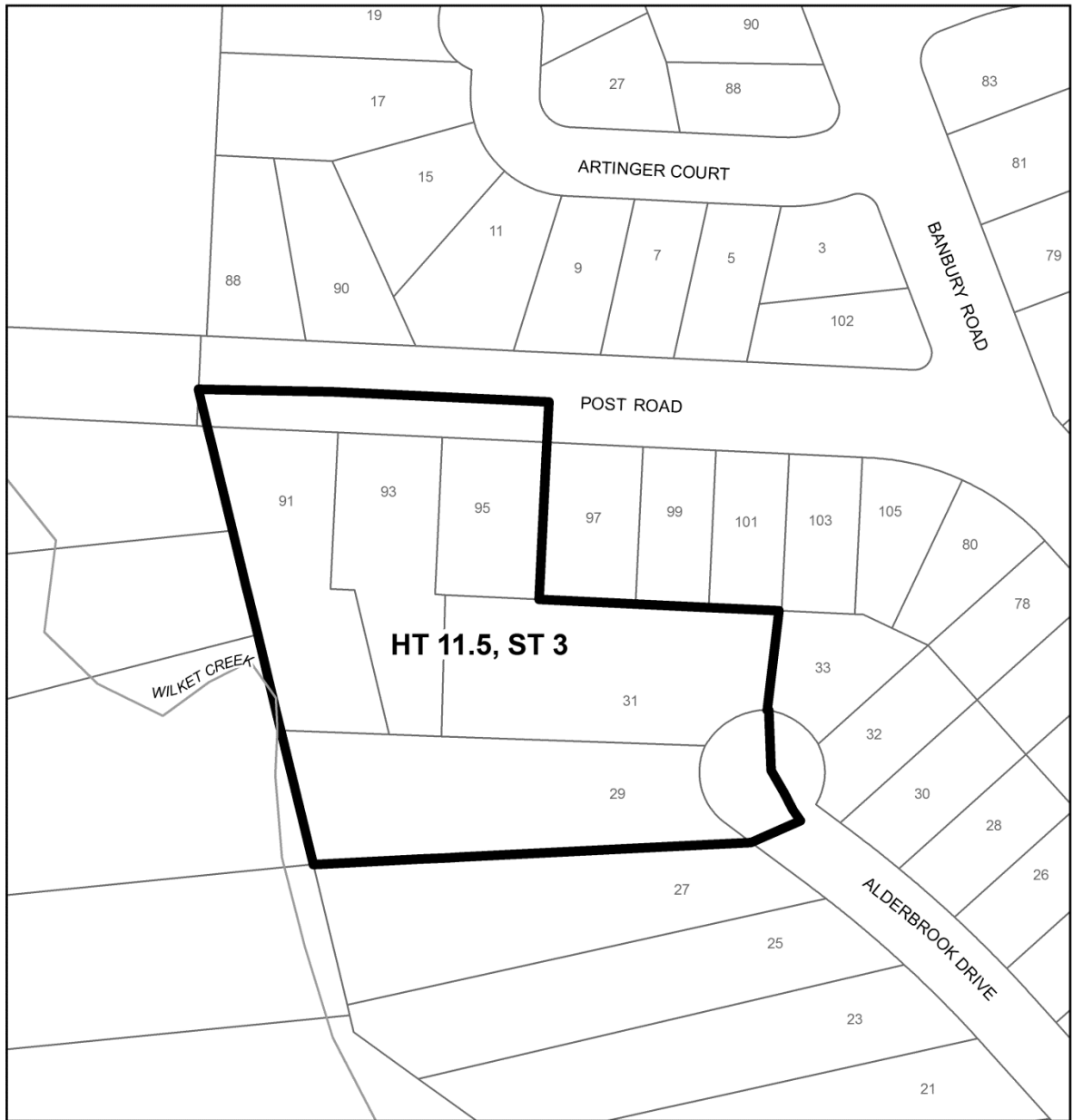
 **TORONTO** City Planning  
Schedule '34'

**16 Westwood Avenue**

Approved by: A. Theobald

  
City of Toronto By-Law 569-2013  
Not to Scale  
5/2/2014


Schedule 40



 **TORONTO** City Planning  
Schedule '40'

**91-95 Post Road and  
29-31 Alderbrook Drive**

Approved by: A. Theobald

  
City of Toronto By-Law 569-2013  
Not to Scale  
5/2/2014