CITY OF TORONTO

BY-LAW No. [XXXX- 2016]

To amend Zoning By-law No. 569-2013, as amended, with respect to tall buildings setbacks in the downtown area of the City.

Whereas Council of the City of Toronto has the authority to 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; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;

2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;

3. Zoning By-law No. 569-2013, as amended, is further amended by inserting Section 600.10 and Regulation 600.10.10(1) so that it reads:

600.10 Building Setback Overlay District Map

(1) For the purposes of 600.10, tower shall mean any portion of a building enclosing a storey higher than 24.0 metres above average grade.

600.10.10 Building Setback Overlay District "A"

(1) District "A" Building Setback

The areas within the heavy lines on the Building Setback Overlay District Map in Diagram 1 of By-law [Clerks to insert By-law number]-2016 identified as area "A" are subject to the following:

(A) Despite regulations 40.5.40.71(2), 40.10.40.70 (1), 50.5.40.71(2) and 50.10.40.70 (1), every tower must be set back:

(i) at least:

(a) 3.0 metres from a lot line that abuts a street; and
(b) 12.5 metres from the centre line of that abutting street;

(ii) at least 12.5 metres from the centre line of an abutting lane; and

(iii) at least 12.5 metres from a lot line having no abutting street or lane.
(B) Despite regulations 40.10.40.80 (1) and 50.10.40.80 (1), (2), (3) and (5), each tower must be separated by at least 25.0 metres from each other tower on the same lot.

(C) If a line projected at a right angle from a main wall of a tower intercepts another main wall of the same tower, those main walls must be separated by a minimum of 25.0 metres.

(D) Despite regulations 40.10.40.60 (6) and 50.10.40.60 (6), the following projections which are attached to a tower must not encroach into the building setbacks required in regulations 600.10.10 (1) (A) or into the distances required in regulations 600.10.10 (1) (B) and 600.10.10 (1) (C):

(i) bay windows;

(ii) box windows; and/or

(iii) other window projections.

(3) None of the provisions of this Section 600.10.10 Building Setback Overlay District "A" shall apply to prevent the continued use of a tower constructed pursuant to a building permit issued prior to July 11, 2016.

(4) None of the provisions of this 600.10.10 Building Setback Overlay District "A" shall apply to prevent the erection or use of a tower permitted by the following site specific by-laws [Staff to list].

(5) Where an exception on a property includes a reference to one of the following Section 12(2) exceptions of former City of Toronto By-law No. 438-86, those Section 12(2) exceptions prevail over the building setbacks required in regulations 600.10.10(1)(A), the distances required in regulations 600.10.10(1)(B) and 600.10.10(1)(C), and the projections prohibited by regulations 600.10.10 (1)(D):

(A) Section 12(2) 122 of former City of Toronto By-law 438-86;

(B) Section 12(2) 141 of former City of Toronto By-law 438-86;

(C) Section 12(2) 229 of former City of Toronto By-law 438-86;

(D) Section 12(2) 250 of former City of Toronto By-law 438-86;

(E) Section 12(2) 297 of former City of Toronto By-law 438-86;

(F) Section 12(2) 302 of former City of Toronto By-law 438-86; and

(G) Section 12(2) 310 of former City of Toronto By-law 438-86.

Enacted and passed on month ##, 20##.

Name, Speaker

Ulli S. Watkiss, City Clerk

(Seal of the City)