Attachment 1: Draft Amendments to the City of Toronto Zoning By-law 569-2013

Authority: Planning and Growth Management Committee Item PGXX.X, as adopted by City of Toronto Council on Month Date, 2018.

CITY OF TORONTO

Bill

BY-LAW -2018

To amend Zoning By-law 569-2013, to accommodate public transit uses.

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;

The Council of the City of Toronto enacts:

1. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.

2. By-law 569-2013 as amended, is further amended by amending regulation 900.11.10(572) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (E), so that it reads:

   (A) Despite land use permissions for this zone, a vehicle fuel station and a vehicle service station are not permitted uses;

   (B) The permitted maximum gross floor area, not including the area of basements, is 40 percent of the lot area;

   (C) The minimum building setback from a lot line that abuts a street is:

      (i) the greater of 23.0 metres from the original centre line of Eglinton Avenue, or 5.0 metres from a lot line abutting Eglinton Avenue; and

      (ii) 3.0 metres from a lot line abutting any street other than Eglinton Avenue;

   (D) The minimum building setback is 7.5 metres from a rear lot line; and

   (E) The requirements of (B), (C) and (D) above, do not apply to a transportation use.

3. By-law 569-2013 as amended, is further amended by amending regulation 900.30.10(28) under the heading 'Site Specific Provisions', to add new Site Specific Provisions (C), (D), (E) and (F), so that it reads:

   (A) The minimum building setback from a lot line that abuts a street is 18.0 metres;

   (B) The minimum building setback from a side lot line is a distance equal to half the height of the building;

   (C) The requirements of (A) and (B) above, do not apply to a transportation use; and

   (D) For a transportation use:

      (i) the following regulations and clauses do not apply: 80.5.60.20, 80.10.30.20, 80.10.40.70 and 80.10.50.10; and
(ii) despite 80.5.50.10(1) a minimum 0.3 metre wide strip of soft landscaping must be provided along the part of the lot line abutting a lot in the Residential Zone category.

(E) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use; and

(F) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0.

4. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2640) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (E), so that it reads:

(A) The maximum height of a building or structure is 25.5 metres;

(B) At least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 0 metres and 0.5 metres from the front lot line, and all of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 0.0 metres and 5.5 metres from the front lot line;

(C) Any part of a building located above the point, measured at 13.5 metres above the average elevation of the grade of the lot line abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the building setback of the highest storey of the building located below that point;

(D) Dwelling units are only permitted above the first floor; and

(E) The requirements of (B) above, do not apply to a transportation use.

5. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2507) under the heading 'Site Specific Provisions', to replace Site Specific Provision (C) and add new Site Specific Provisions (D) and (E), so that it reads:

(A) Despite regulation 40.10.20.100(2), a Nightclub is not a permitted use; and

(B) In a Commercial Residential zone, where the maximum lawfully permitted height exceeds the width of the right-of-way of the street it abuts then:

(i) The angular plane requirements of regulations 40.10.40.70(2)(E) and 40.10.40.70(2)(G) do not apply;

(ii) The rear yard setback requirements of regulation 40.10.40.70(2)(B) do not apply; and

(iii) If the rear main wall of a building does not contain windows or openings;

(a) The building must be set back at least 3.0 metres from any rear lot line that abuts a lot in the Residential Zone category; and

(b) No building setback is required from any other zone category;

(C) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use;

(D) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0; and

(E) These premises must comply with Exception 900.11.10(2).

6. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2627) under the heading 'Site Specific Provisions', to replace Site Specific Provision (E) and add a new Site Specific Provision (F), so that it reads:
(A) The maximum height of a building or structure is 22.5 metres;
(B) At least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 1.4 metres and 1.9 metres from the front lot line, and all of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 1.4 metres and 6.9 metres from the front lot line;
(C) Any part of a building located above the point, measured at 13.5 metres above the average elevation of the grade of the lot line abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the building setback of the highest storey of the building located below that point;
(D) The first floor of the building may not be used for residential purposes, other than lobby access;
(E) The requirements of (B) above, do not apply to a transportation use; and
(F) These premises must comply with Exception 900.11.10(2).

7. By-law 569-2013 as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to CR (x143) as shown on Diagram 1 attached to this By-law.

8. By-law 569-2013 as amended, is further amended by adding Article 900.11.10, Exception Number (x143), so that it reads:

Exception CR (x143)

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:

(A) The replacement of any building existing as of February 28, 1977 with a height exceeding the maximum permitted height is permitted, if the height of the new building does not exceed the height of the building being replaced; [TO: 483-86; 12(1)320]
(B) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use;
(C) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0; and
(D) These premises must comply with Exception 900.11.10(2).

Prevailing By-laws and Prevailing Sections: (None Apply)

9. By-law 569-2013 as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to CR (x142) as shown on Diagrams 2, 3, 4, 5 and 6 attached to this By-law.

10. By-law 569-2013 as amended, is further amended by adding Article 900.11.10, Exception Number (x142), so that it reads:

Exception CR (x142)
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:

(A) In a Commercial Residential zone, where the maximum lawfully permitted height exceeds the width of the right-of-way of the street it abuts then:

(i) the angular plane requirements of regulations 40.10.40.70(2)(E) and 40.10.40.70(2)(G) do not apply;

(ii) the rear yard setback requirements of regulation 40.10.40.70(2)(B) do not apply; and

(iii) if the rear lot line abuts a RD Zone or a RM Zone with a "u" value of less than 6 dwelling units, then the height of any portion of the building cannot be greater than 70% of the horizontal distance that portion of the building is from the rear lot line; or

(iv) if the rear lot line abuts a lane and the lots on the opposite side of the lane are in a RD Zone or a RM Zone with a "u" value of less than 6 dwelling units, then the height of any portion of the building cannot be greater than 70% of the horizontal distance that portion of the building is from the closer of the rear lot line or side lot line, of the lots in the RD Zone or RM zone; and

(B) The requirements of (A)(iii) and (A)(iv) above, do not apply to a building with a transportation use.

Prevailing By-laws and Prevailing Sections: (None Apply)

11. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2624) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (D), so that it reads:

(A) The maximum height of a building or structure is 25.5 metres;

(B) At least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 0.5 metres and 1.0 metres from the front lot line, and all of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 0.5 metres and 6.0 metres from the front lot line;

(C) Any part of a building located above the point, measured at 13.5 metres above the average elevation of the grade of the lot line abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the building setback of the highest storey of the building located below that point; and

(D) The requirements of (B) above, do not apply to a building with a transportation use.

12. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2622) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (D), so that it reads:

(A) The maximum height of a building or structure is 25.5 metres;

(B) At least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 2.3 metres and 2.8 metres from the front lot line, and all of
the main wall of the building facing a lot line abutting Eglinton Avenue must be between 2.3 metres and 7.8 metres from the front lot line;
(C) Any part of a building located above the point, measured at 13.5 metres above the average elevation of the grade of the lot line abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the building setback of the highest storey of the building located below that point; and
(D) The requirements of (B) above, do not apply to a transportation use.

13. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2621) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (C) so that it reads:

(A) At least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 0.0 metres and 0.5 metres from the front lot line, and all of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 0.0 metres and 5.5 metres from the front lot line;
(B) Any part of a building located above the point, measured at 13.5 metres above the average elevation of the grade of the lot line abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the building setback of the highest storey of the building located below that point; and
(C) The requirements of (A) above, do not apply to a transportation use.

14. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2641) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (D), so that it reads:

(A) At least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 1.4 metres and 1.0 metres from the front lot line, and all of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 1.4 metres and 6.9 metres from the front lot line;
(B) Any part of a building located above the point, measured at 13.5 metres above the average elevation of the grade of the lot line abutting Eglinton Avenue, must have a step-back of at least 1.5 metres from the building setback of the highest storey of the building located below that point;
(C) The first floor of the building may not be used for residential purposes, other than lobby access; and
(D) The requirements of (B) above, do not apply to a transportation use.

15. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(2629) under the heading 'Site Specific Provisions', to replace Site Specific Provision (E) and add a new Site Specific Provision (F), so that it reads:

(A) The maximum height of a building or structure is 25.5 metres;
(B) At least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 0 metres and 0.5 metres from the front lot line, and all of the main wall of the building facing a lot line abutting Eglinton Avenue must be between 0.0 metres and 5.5 metres from the front lot line;
(C) Any part of a building located above the point, measured at 13.5 metres above the average elevation of the grade of the lot line abutting Eglinton Avenue, must have a
step-back of at least 1.5 metres from the building setback of the highest storey of the building located below that point;

(D) The first floor of the building may not be used for residential purposes, other than lobby access;

(E) The requirements of (B) above, do not apply to a transportation use; and

(F) Properties located at 253, 253 ½, 257, 265 Eglinton Avenue West and 187, 189, 191 Highbourne Road must comply with Exception 900.11.10(2).

16. By-law 569-2013 as amended, is further amended by amending Site Specific Provisions in regulation 900.11.10(913) under the heading 'Site Specific Provisions', to add a new Site Specific Provision (B), so that it reads:

(A) In a Commercial Residential zone, where the maximum lawfully permitted height exceeds the width of the right-of-way of the street it abuts then:

   (i)  the angular plane requirements of regulations 40.10.40.70(2)(E) and 40.10.40.70(2)(G) do not apply;

   (ii)  the rear yard setback requirements of regulation 40.10.40.70(2)(B) do not apply;

   (iii)  if the rear lot line abuts a RD Zone or a RM Zone with a "u" value of less than 6 dwelling units, then the height of any portion of the building cannot be greater than 70% of the horizontal distance that portion of the building is from the rear lot line; and

   (iv)  if the rear lot line abuts a lane and the lots on the opposite side of the lane are in a RD Zone or a RM Zone with a "u" value of less than 6 dwelling units, then the height of any portion of the building cannot be greater than 70% of the horizontal distance that portion of the building is from the closer of the rear lot line or side lot line, of the lots in the RD Zone or RM zone; and

(B) The requirements of (A)(iii) and (A)(iv) above, do not apply to a transportation use.

17. By-law 569-2013 as amended, is further amended by amending regulation 900.22.10(42) to delete "None Apply" after the heading 'Site Specific Provisions' and to add a new regulation (A), so that it reads:

Exception EH (x42)

Site Specific Provisions:

(A) For a transportation use:

   (i)  the following regulations and clauses do not apply: 60.30.30.20(1) and 60.30.40.70(3).

Prevailing By-laws and Prevailing Sections:

(A) Section 16(350), former City of York zoning by-law 1-83.

18. By-law 569-2013 as amended, is further amended by amending regulation 900.22.10(9) to delete "None Apply" after the heading 'Site Specific Provisions' and to add a new regulation (A), so that it reads:

Exception EH (x9)
Site Specific Provisions:

(A) For a transportation use:
   (i) the following regulations and clauses do not apply: 5.10.30.1, 60.30.30.20(1), and 60.30.40.70(3).

Prevailing By-laws and Prevailing Sections:
(A) Section 64.32(12), North York zoning by-law 7625.

19. By-law 569-2013 as amended, is further amended by amending regulation 900.31.10(6) under the heading "Site Specific Provisions", to add new Site Specific Provisions (D), (E), (F) and (G), so that it reads:

(A) The maximum floor space index is 0.75;
(B) The permitted maximum height must not exceed the height of the tallest lawfully existing building or structure on the lot;
(C) The minimum required building setback from each lot line is the distance between that lot line and the nearest main wall of a lawfully existing building on the lot; [By-law: 0559-2014]
(D) The requirements of (A), (B) and (C) above, do not apply to a building or structure with a transportation use;

(E) For a transportation use:
   (i) the following regulations and clauses do not apply: 15.5.80.10(3), 15.5.80.10(4), 15.10.30.10(1)(B), 15.10.30.20(1)(B), and 15.10.40.70.
   (ii) despite 80.5.50.10(1) a minimum 0.3 metre wide strip of soft landscaping must be provided along the part of the lot line abutting a lot in the Residential Zone category.

(F) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use; and
(G) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0.

20. By-law 569-2013 as amended, is further amended by amending regulation 900.7.10(112) to delete "None Apply" after the heading "Site Specific Provisions" and to add new Site Specific Provisions (A), (B), (C) and (D), so that it reads:

(A) Despite City of Toronto By-law 1099-2006, a transportation use is permitted and does not need to comply with the lot coverage, building setbacks, building height, gross floor area, landscaping, and parking space requirements in By-law 1099-2006;
(B) For a transportation use:
   (i) the following regulations and clauses do not apply: 15.5.80.10(3), 15.5.80.10(4), 15.10.30.10(1)(B), 15.10.30.20(1)(B), and 15.10.40.70.
   (ii) despite 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use; and

(D) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0.
21. By-law 569-2013 as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to IPW (x5) as shown on Diagram 7 attached to this By-law.

22. By-law 569-2013 as amended, is further amended by adding Article 900.34.10, Exception Number (x5), so that it reads:

Exception IPW (x5)

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:

(A) For a transportation use:
   (i) the following regulations and clauses do not apply: 80.5.60.20, 80.10.30.40, 80.50.30.20, 80.50.30.40, 80.50.40.70(4), 80.50.40.70(4), 80.50.50.10(1) and 80.50.80.10; and
   (ii) despite 80.5.50.10(1) and 80.50.50.10(2) a minimum 0.3 metre wide strip of soft landscaping must be provided along the part of the lot line abutting a lot in the Residential Zone category.

Prevailing By-laws and Prevailing Sections: (None Apply)

23. By-law 569-2013 as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to I (x6) as shown on Diagram 8 attached to this By-law.

24. By-law 569-2013 as amended, is further amended by adding Article 900.30.10, Exception Number (x6), so that it reads:

Exception I (x6)

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:

(A) For a transportation use:
   (i) the following regulations and clauses do not apply: 80.5.60.20, 80.10.30.20, 80.10.30.40, 80.10.40.70(2), and 80.10.50.10; and
   (ii) despite 80.10.40.40(1), a maximum floor space index of 1.0 is permitted and is calculated only for the above ground portion of a building or structure with a transportation use.

(B) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use; and

(C) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0.

Prevailing By-laws and Prevailing Sections: (None Apply)
25. By-law 569-2013 as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined in heavy dark lines to RD (f18.0;a690) as shown on Diagram 9 attached to this By-law.

26. By-law 569-2013 as amended, is further amended by adding Article 900.3.10 Exception Number (x593), so that it reads:

Exception RD (x593)

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:

(A) For a transportation use:
   (i) the following regulations and clauses do not apply: 10.20.30.10, 10.20.40.70, 10.5.40.70(1), and 10.20.40.10(6);
(B) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use; and
(C) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0.

Prevailing By-laws and Prevailing Sections: (None Apply)

27. By-law 569-2013 as amended, is further amended by amending regulation 900.7.10(127) to delete "None Apply" after the heading 'Site Specific Provisions' and to add new regulations (A), (B) and (C), so that it reads:

(A) For a transportation use:
   (i) the following regulations and clauses do not apply: 15.10.30.10(1)(B), 15.10.30.20(1)(B), and 15.10.40.70.
(B) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use; and
(C) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0.

28. By-law 569-2013 as amended, is further amended by amending regulation 900.8.10(162) to delete "None Apply" after the heading 'Site Specific Provisions' and to add new regulations (A), (B) and (C), so that it reads:

(A) For a transportation use:
   (i) the following regulations and clauses do not apply: 15.20.30.10(1)(B), 15.20.30.20(1)(B), and 15.20.40.70;
(B) Despite Clause 80.5.40.40 floor space index is calculated only for the above ground portion of a building or structure with a transportation use; and
(C) Despite 80.10.40.40(1), the maximum permitted floor space index for a building with a transportation use is 1.0.
Enacted and passed on , 2018.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)
CR 3.0(c0.5;r3.0)
SS2 (x143)

625-641 Eglinton Avenue West

ECLRT and FWLRT Zoning By-law Amendments
Diagram 2

3520 Eglinton Avenue West and 1, 9 Hollis Street

ECLRT and FWLRT Zoning By-law Amendments

City of Toronto By-law xxx-2018
City of Toronto By-law xxx-2018

Diagram 3

89, 91 Tarrow Road and 2660 Eglinton Avenue West
ECLRT and FWLRT Zoning By-law Amendments

City of Toronto By-Law 589-2013
Not to Scale
05/31/2018
Diagram 4

1815, 1817, 1840, 1839-1849 Eglinton Avenue West and 2380 Dufferin Street

ECLRT and FWLRT Zoning By-law Amendments
City of Toronto By-law xxx-2018

Diagram 9

1725 Finch Avenue West

ECLRT and FWLRT Zoning By-law Amendments