Attachment 1: Draft By-law Amendment (Amending By-law 569-2013)

Authority:

CITY OF TORONTO

Bill No. ~

BY-LAW XXX-2019

To amend Zoning By-law 569-2013, as amended, with respect to breweries and related 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:

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

1. In Regulation 40.10.20.10(1)(A) delete the use "Retail Store", and in Regulation 40.10.20.20(1)(A) add the use "Retail Store (3)", in between the uses "Retail Service" and "Service Shop".

2. Add a new Regulation 40.10.20.100(3) so that it reads:

Retail Store with Beverage Manufacturing Use for Beer, Cider or Wine
In the CR zone, a retail store may include a beverage manufacturing use for beer, cider or wine, if the interior floor area of the retail store, including the beverage manufacturing use, does not exceed 400.0 square metres.

3. In Regulation 50.10.20.10(1)(A) delete the use "Retail Store", and in Regulation 50.10.20.20(1)(A) add the use "Retail Store (6)", in between the uses "Recreation Use" and "Sports Place of Assembly".

4. Add a new Regulation 50.10.20.100(6) so that it reads:

Retail Store with Beverage Manufacturing Use for Beer, Cider or Wine Production
In the CRE zone, a retail store may include beverage manufacturing use for beer, cider or wine, if the interior floor area of the retail store, including the beverage manufacturing use, does not exceed 400.0 square metres.

5. Amend Regulation 60.10.20.100(5) so that it reads:

Retail Store – together with Manufacturing Use
In the EL zone, a retail store:
(A) must be associated with a permitted manufacturing use on the same lot; and
(B) the total interior floor area of all retail stores on a lot may not exceed 20% of the gross floor area of the permitted manufacturing use.

6. In Regulation 60.10.20.20 (1), delete "5" beside the uses "Eating Establishment" and "Take-out Eating Establishment" and replace it with "6" so that they read: "Eating Establishment (6, 14)" and "Take-out Eating Establishment (6).

7. Add a new Regulation 60.10.20.100(6) so that it reads:

   Eating Establishment and Take-out Eating Establishment
   In the EL zone, the total interior floor area of all eating establishments and take-out eating establishments on a lot may not exceed 500.0 square metres.

8. Amend Regulation 60.20.20.100(3) so that it reads:

   Retail Service
   In the E zone, the total interior floor area of retail services on a lot may not exceed the greater of:
   (A) 300.0 square metres: or
   (B) 10% of the gross floor area of the buildings on the lot to a maximum of 500.0 square metres.

9. In Regulation 60.20.20.20(1), delete "3" beside the uses "Eating Establishment" and "Take-out Eating Establishment" and replace it with "1" so that they read: "Eating Establishment (1, 19, 30)" and "Take-out Eating Establishment (1, 30).

10. Add a new Regulation 60.20.20.100(1) so that it reads:

    Eating Establishment and Take-out Eating Establishment
    In the E zone, the total interior floor area of all eating establishments and take-out eating establishments on a lot may not exceed 500.0 square metres.

11. Amend Regulation 60.20.20.100(4) so that it reads:

    Retail Store - together with Manufacturing Use
    In the E zone, a retail store:
    (A) must be associated with a permitted manufacturing use on the same lot; and
    (B) the total interior floor area of all retail stores on a lot may not exceed 20% of the gross floor area of the permitted manufacturing use.

12. Amend Regulation 60.40.20.100(6) so that it reads:

    Retail Service, Retail Store or Personal Service Shop
    In the EO zone, the total interior floor area of retail services, retail stores or personal service shops on a lot may not exceed the greater of:
    (A) 300.0 square metres: or
    (B) 10% of the gross floor area of the buildings on the lot to a maximum of 500.0 square metres.
13. In Regulation 60.40.20.20 (1)(B), delete "6" beside the uses "Eating Establishment" and "Take-out Eating Establishment" and replace it with "1" so that they read: "Eating Establishment (1, 16, 20, 28)" and "Take-out Eating Establishment (1, 20, 28)".

14. Add a new Regulation 60.40.20.100(1) so that it reads:

Eating Establishment and Take-out Eating Establishment
In the EO zone, the total interior floor area of all eating establishments and take-out eating establishments on a lot may not exceed 500.0 square metres.

15. Amend Regulation 60.40.20.100(23) so that it reads:

Retail Store - together with Manufacturing Use
In the EO zone, a retail store:
(A) must be associated with a permitted manufacturing use on the same lot; and
(B) the total interior floor area of all retail stores on a lot may not exceed 20% of the gross floor area of the permitted manufacturing use.

16. Amend Regulation 60.10.20.20(1) to add the use "Outdoor Patio (11)" in between the uses "Open Storage (12)" and "Plastic Product Manufacturing Use (9)".

17. Add a new Regulation 60.10.20.100(11) so that it reads:

Outdoor Patio
In the EL zone, an outdoor patio:
(A) is permitted in association with an eating establishment or take-out eating establishment on the same lot;
(B) must be no closer to a lot line than the required minimum building setback for a building;
(C) may not occupy more than 20% of the front yard;
(D) may not be located on land required for parking spaces, loading spaces, driveways or landscaping;
(E) may have a maximum area that is the greater of:
   (i) 30.0 square metres; or
   (ii) 30% of the interior floor area of the premises it is associated with;
(F) may not be used to provide entertainment such as performances, music and dancing;
(G) must be set back at least 30.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category;
(H) despite regulation (G) above, an outdoor patio located above the first storey of the building, must be at least 40.0 metres, measured horizontally, from a lot in the Residential Zone category or Residential Apartment Zone category;
(I) in the rear yard of a lot that abuts a lot in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the outdoor patio parallel to the rear lot line; and
(J) if a lawfully existing outdoor patio is closer to a lot than required in (G) or (H) above, that lawful distance from a lot in the Residential Zone category or
Residential Apartment Zone category is the minimum distance for that lawfully existing outdoor patio from that lot.

18. Amend Regulation 60.20.20.20(1) to add the use "Outdoor Patio (9)" in between the uses "Open Storage (10)" and "Public Utility (27, 29)".

19. Add a new Regulation 60.20.20.100(9) so that it reads:

Outdoor Patio
In the E zone, an outdoor patio:
(A) is permitted in association with an eating establishment or take-out eating establishment on the same lot;
(B) must be no closer to a lot line than the required minimum building setback for a building;
(C) may not occupy more than 20% of the front yard;
(D) may not be located on land required for parking spaces, loading spaces, driveways or landscaping;
(E) may have a maximum area that is the greater of:
   (i) 30.0 square metres; or
   (ii) 30% of the interior floor area of the premises it is associated with;
(F) may not be used to provide entertainment such as performances, music and dancing;
(G) must be set back at least 30.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category;
(H) despite regulation (G) above, an outdoor patio located above the first storey of the building, must be at least 40.0 metres, measured horizontally, from a lot in the Residential Zone category or Residential Apartment Zone category;
(I) in the rear yard of a lot that abuts a lot in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the outdoor patio parallel to the rear lot line; and
(J) if a lawfully existing outdoor patio is closer to a lot than required in (G) or (H) above, that lawful distance from a lot in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that lawfully existing outdoor patio from that lot.

20. Amend Regulation 600.50.10(1), to add a new Regulation (I) so that it reads:

(I) in the case of an eating establishment or take-out eating establishment that includes a beverage manufacturing use for beer, cider or wine, the interior floor area in (D) above may be reduced by the interior floor areas used for beverage manufacturing use for beer, cider or wine, and associated offices, storage rooms, and staff rooms.

Enacted and passed on, 2019.

Frances Nunziata, Ulli S. Watkiss,
Speaker

City Clerk

(Seal of the City)