

Attachment 5: Draft Zoning By-law 569-2013 Amendment

Authority: Toronto and East York Community Council ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2019]

To amend Zoning By-law 569-2013, as amended, with respect to eating establishments and related uses in Kensington Market

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 adding a new regulation (E) under the heading "Site Specific Provisions" in regulations 900.11.10(1175), 900.11.10(1483), 900.11.10(2212), 900.11.10(2457), and 900.11.10(2473), to read as follows:

(E) An **eating establishment, take-out eating establishment, club, a retail store** that sells baked goods, **place of assembly, cabaret, and recreation use** that is not a swimming pool or skating rink, is subject to the following:

(i) the **interior floor area** of any of the uses listed above, may not exceed 100 square metres;

(ii) the calculation of **interior floor area** is reduced by the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I) and in the case of an **eating establishment or take-out eating establishment**, the **interior floor areas** used for associated offices, storage rooms, and staff rooms located in the **basement**;

(iii) None of the uses listed in (E) may be located above the first **storey** in a **building or structure**;

(iv) A **building or structure** may contain a maximum of one of the uses listed in (E); and

(v) A **building** or **structure** used for any of the uses listed in (E) must be located on a **lot** as such **lot** existed on [the date of the enactment of the by-law].

4. Zoning By-law No. 569-2013, as amended, is further amended by deleting regulation (D) under the heading Prevailing By-laws and Prevailing Sections in regulation 900.11.10(2457) and re-naming the remaining regulations so that it reads as follows:

Prevailing By-laws and Prevailing Sections:

- (A) Section 12(1) 279 of former City of Toronto By-law 438-86;
- (B) Section 12(2) 56 of former City of Toronto By-law 438-86;
- (C) Section 12(2) 132 of former City of Toronto By-law 438-86;
- (D) Section 12(2) 270(a) of former City of Toronto By-law 438-86; and
- (E) On 54 Kensington Ave., former City of Toronto by-law 655-86.

5. Zoning By-law No. 569-2013, as amended, is further amended by deleting regulation (D) under the heading Prevailing By-laws and Prevailing Sections in regulation 900.11.10(2473) and re-naming the remaining regulations so that it reads as follows:

Prevailing By-laws and Prevailing Sections:

- (A) Section 12(1) 279 of former City of Toronto By-law 438-86;
- (B) Section 12(2) 56 of former City of Toronto By-law 438-86;
- (C) Section 12(2) 132 of former City of Toronto By-law 438-86;
- (D) Section 12(2) 270(a) of former City of Toronto By-law 438-86;
- (E) On 260 Augusta Ave., former City of Toronto by-laws 638-76, 480-78, 481-78, 482-78, and 768-84; and
- (F) On 64 Oxford St., former City of Toronto by-law 638-76, 190-81, 368-81, 369-81, and 370-81.

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

Name,

Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

