CITY OF TORONTO

BILL NO. [XXXX- 2019]

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, Ulli S. Watkiss, Speaker

City Clerk

(Seal of the City)