



Technical Amendments to Zoning By-law 569-2013 resulting from the recent Technical Amendments to York Zoning By-law 1-83 and for Retail Store Permissions in Employment Industrial Office Zones

Date: September 3, 2020

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Wards: All

SUMMARY

This report proposes technical amendments to Zoning By-law 569-2013 that are required as a result of the recent technical amendments to York Zoning By-law 1-83 enacted by Council on June 30, 2020 by By-laws 522-2020 and 523-2020. None of these amendments affect the substance of By-law 569-2013.

This report also proposes a technical amendment to the Employment Industrial Office (EO) zone, which is required as the result of a drafting error in the Cask Force Zoning By-law (By-law 1198-2019). This amendment deals with the condition for retail store uses in combination with manufacturing uses.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council enact the zoning by-law amendments substantially in accordance with Attachments 1 and 2.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the zoning by-law amendments as may be required.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

Zoning By-law 569-2013, Toronto's comprehensive city-wide zoning by-law, was enacted on May 9, 2013. At its June 30, 2020 meeting, Council enacted By-laws 522-2020 and 523-2020 which make technical amendments to the former City of York Zoning By-law 1-83 based on a review and consolidation of By-law 1-83.

On July 16, 2019, Council enacted By-laws 1197-2019 and 1198-2019 as part of the Cask Force initiative, which amended the zoning permissions for breweries, restaurants, and related uses to help support and grow the craft brewery industry.

COMMENTS

Technical Amendments resulting from Technical Amendments to City of York Zoning By-law 1-83

Staff have reviewed the recent technical amendments in By-laws 522-2020 and 523-2020 to the former City of York Zoning By-law 1-83 (which are now in force), with the view of identifying the required corresponding technical amendments to Zoning By-law 569-2013. The technical amendments to Zoning By-law 569-2013 identified and recommended are in Attachment 1.

The technical amendments include:

- A number of technical amendments correct references to prevailing by-laws and prevailing sections in York Zoning By-law 1-83 that are either modified, deleted, or added in accordance with the technical amendments to York Zoning By-law 1-83.
- At 601, 603 and 605 Oakwood Avenue, site-specific Zoning By-law 593-2008 is added as a prevailing by-law in accordance with the technical amendment to York Zoning By-law 1-83, which renumbered York Zoning By-law Section 16(432) to 16(432a). Site-specific Zoning By-law 593-2008 permits six dwelling units in a building with commercial uses on the ground floor.
- New exception RA 146 at 2089-2099 Lawrence Avenue West adds York Zoning By-law 90 as a prevailing by-law to recognize the two apartment buildings on the site in accordance with the technical amendment to York Zoning By-law 1-83.
- The technical amendment to York Zoning By-law 1-83 recognizes site-specific Zoning By-law 1360-2015 as new Section 16(454a) of By-law 1-83. Section 16(454a) permits mixed residential-commercial developments at 33 King Street and 22 John Street. The technical amendment to Zoning By-law 569-2013 adds new exception CR 272 at 22 John Street to recognize York By-law Section 16(454a) as a prevailing section.

Cask Force Technical Amendment

Previous to the Cask Force zoning amendments, Zoning By-law 569-2013 included use condition 23 in the EO zone, with the qualification that this condition only applied where a retail store was on the same lot as a manufacturing use. The EO zone use permissions also allowed stand-alone retail stores subject to the size limitations found in another condition for the zone. This stand-alone retail use permission is appropriate in the EO zone, which is generally applied to office parks, and may also include some light industrial uses.

As amended by the Cask Force By-law (1198-2019), the qualification that condition 23 in the EO zone only applies where a retail store is on a lot with a manufacturing use was inadvertently deleted. Erroneously, the resulting language of this condition means that a retail store is only permitted if it is associated with a manufacturing use on the same lot, which effectively removed the permission for stand-alone retail stores in the EO zone. This was not the intent of the Cask Force amendment. The final Cask Force report that Council considered when adopting the amendment does not refer to a change to retail store conditions in the EO zone, and specifically states that "no changes are proposed with respect to retail stores."

The technical amendment to Zoning By-law 569-2013 (Attachment 2) is required to restore the stand-alone retail permission in the EO zone.

CONTACT

Michael Mizzi, Director, Zoning and Committee of Adjustment,
City Planning Division, Tel: 416-392-0888, Michael.Mizzi@toronto.ca

Kyle Knoeck, Manager, Zoning Section,
City Planning Division, Tel: 416-392-0871, Kyle.Knoeck@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Technical Amendment By-law to Zoning By-law 569-2013 resulting from the Technical Amendment By-laws to the former City of York Zoning By-law 1-83, being City of Toronto By-law 522-2020 and 523-2020.

Attachment 2: Technical Amendment By-law to Zoning By-law 569-2013 resulting from the Cask Force Zoning By-law 1198-2019.