

Attachment 3: Recommended Zoning By-law Amendment for Certain Neighbourhoods within the Avenue Midtown Transit Station Area (City-wide zoning by-law 569-2013)

Authority: Planning and Housing Committee Item PH###.###, as adopted by City of Toronto Council on [insert date of Council adoption of this By-law]

**CITY OF TORONTO
BY-LAW No. #####-2022**

To amend Zoning By-law 569-2013, as amended, with respect to certain lands within the Yonge-Eglinton Secondary Plan area, including Avenue Road between Chaplin Crescent and Roselawn Avenue, Oriole Parkway between College View Avenue and Eglinton Avenue West, Burnaby Boulevard between Castle Knock Road and Avenue Road, and Highbourne Road between College View Avenue and Eglinton Avenue West.

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*;

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 569-2013, as amended, is further amended by:
 - (A) adding the lands on Diagram 2, attached to this By-law, to the Zoning By-law Map in Section 990.10 and applying the following zone label to these lands: R (f9.0; u4) (x125), as shown on Diagram 3, attached to this Bylaw; and
 - (B) amending the zone labels on the Zoning By-law Map in Section 990.10 for the lands on Diagram 1, attached to this By-law, from the zone labels of R (f9.0; d0.6) (x731) and R (f9.0; d0.6) (x760) to a zone label of R (f9.0; u4) (x125), as shown on Diagram 3, attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands on Diagram 2, attached to this By-law, to the Height Overlay Map in Section 995.20 and applying the height label, HT 9.0, as shown on Diagram 4, attached to this By-law.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands as shown on Diagram 2, attached to this By-law, to the Lot Coverage Overlay Map in Section 995.30.1, and applying no value.

4. Zoning By-law 569-2013, as amended, is further amended by adding the lands shown on Diagram 2, attached to this By-law, to the Rooming House Overlay Map in Article 995.40.1, and applying no value.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands as shown on Diagram 2, attached to this By-law, to the Policy Areas Overlay Map in Section 995.10, and applying no value.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 125, so that it reads:

(125) Exception R 125

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 lands must comply with exception 900.2.10(7).
- (B) Regulation 10.10.40.40(1) regarding the permitted maximum floor space index does not apply;
- (C) Despite regulation 10.10.40.10(1), the maximum permitted height of a **duplex, triplex, fourplex or apartment building** is 12.0 metres;
- (D) Despite regulation 10.10.40.10(3), the maximum permitted number of **storeys** in a **building** is as follows:
 - (i) 3 **storeys** for a **detached house, semi-detached house, or townhouse**; and
 - (ii) 4 **storeys** for a **duplex, triplex, fourplex and apartment building**.
- (E) Despite regulation 10.10.40.30(1)(B), the maximum permitted **building depth** is 17.0 metres for a **duplex, triplex, fourplex, townhouse or apartment building**;
- (F) Despite regulations 10.10.40.70(3)(A), 10.10.40.70(3)(B) and 10.10.40.70(4), the required minimum **side yard setback** is 1.8 metres for a permitted **residential building** type exceeding 9 metres in height;
- (G) Despite regulation 10.10.40.1(3), the permitted maximum number of **dwelling units** in an **apartment building** is 20;
- (H) A minimum of 25 percent of the total number of **dwelling units** in an **apartment building** must contain a minimum of two or more bedrooms with a minimum **interior floor area** of 90 square metres for each **dwelling unit**; and

- (i) where the calculation above results in a fraction, the number of required **dwelling units** may be rounded down to the next whole number;
- (I) The required minimum floor space index of all land uses on a **lot** is 0.8; and
- (J) If the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index less than the required minimum floor space index, the **lawful** floor space index resulting from those **lawfully existing buildings** on that lot is the minimum floor space index for those **lawfully existing buildings** on that **lot**.

Prevailing By-laws and Prevailing Sections:

- (A) On 1046 Avenue Road and 55-57 Burnaby Boulevard, former City of Toronto By-law 493-2014(OMB); and
 - (B) On 1066 Avenue Road, former City of Toronto By-law 644-2008.
7. Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a **building** or **structure** for which an application for a building permit was filed on or prior to [insert date of Council adoption of this By-law], whereby an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Article I, Building Permits of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code.
8. Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a **building** or **structure**, for which a complete application for a zoning by-law amendment was filed on or prior to [insert date of Council adoption of this By-law], whereby a "complete application for a zoning by-law amendment" means an application which satisfies the requirements set out in the City of Toronto Official Plan.
9. Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a **building** or **structure**, for which:
- (A) A complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to [insert date of Council adoption of this By-law]; or
 - (B) A complete application for a minor variance under Section 45 of the Planning Act was filed after [insert date of Council adoption of this By-law] in respect of a building permit referred to in Section 7 of By-law [Clerks to insert by-law ###].
 - (C) For the purposes of (A) and (B) above, a "complete application for a minor variance" means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act.

10. Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a **building** or **structure** for which a complete application for site plan approval was filed on or prior to [insert date of Council adoption of this By-law], whereby a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan.

Enacted and passed on MM ##, 2022.

Frances Nunziata,
Speaker

John Elvidge,
City Clerk

(Seal of the City)

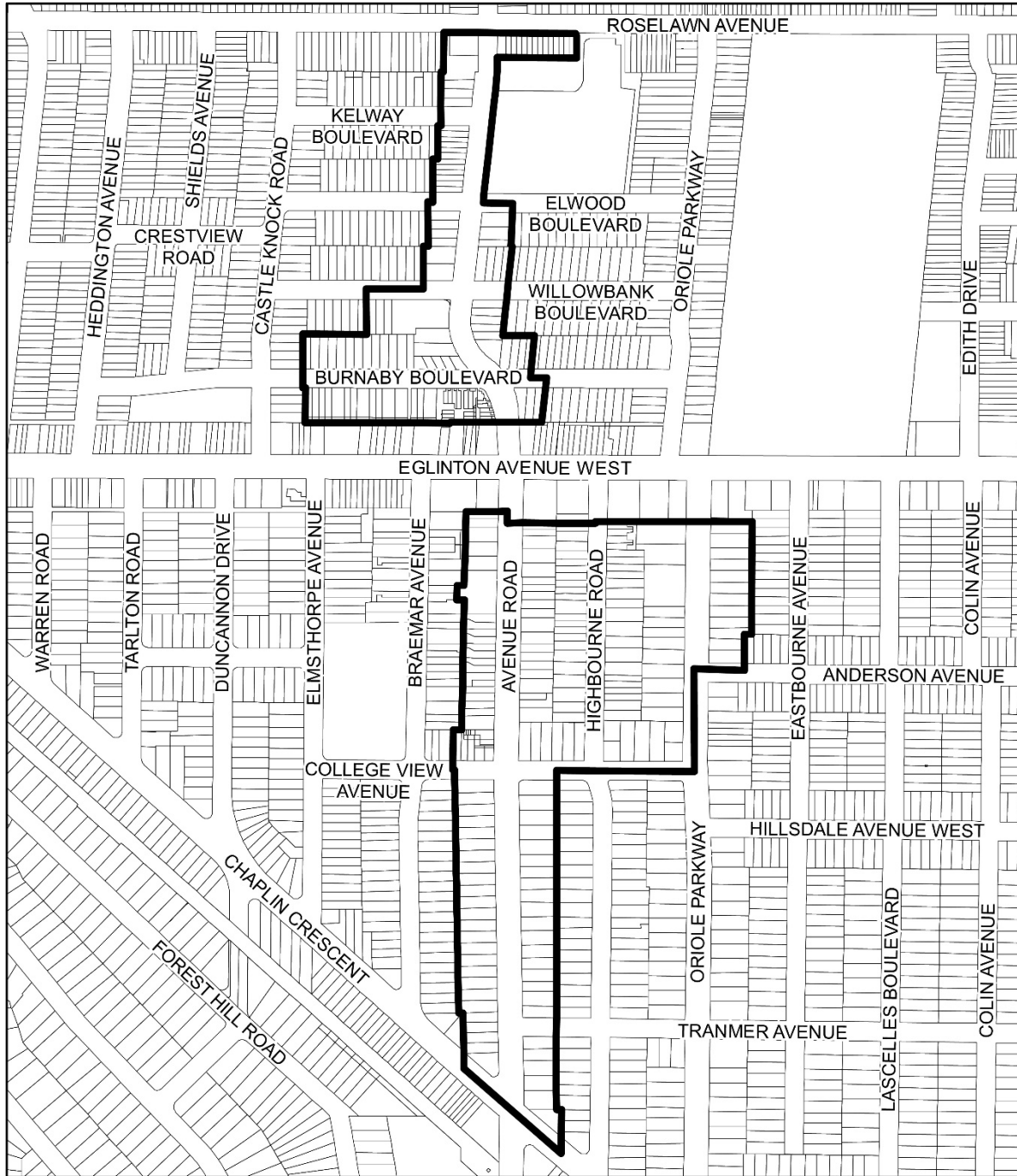
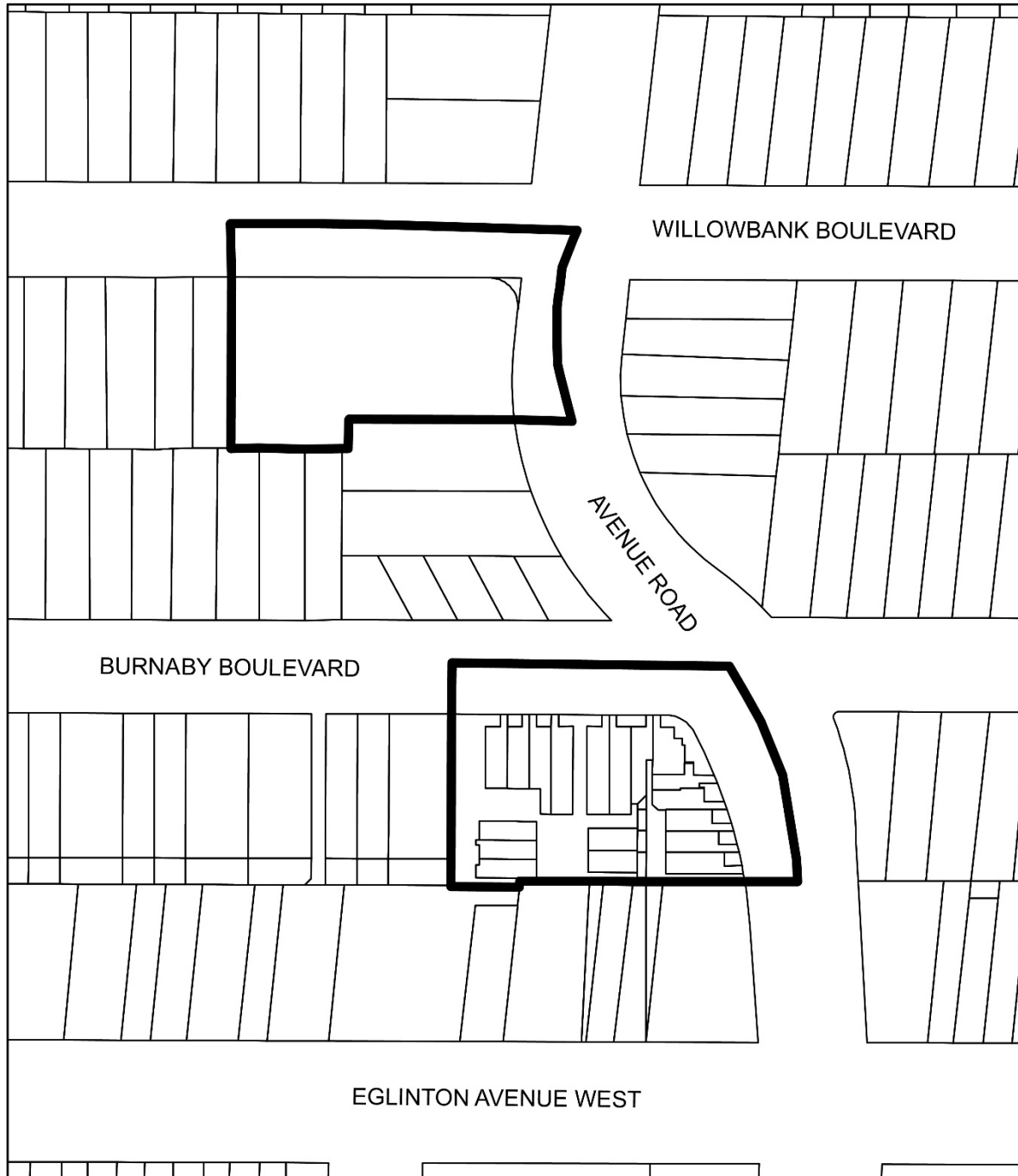



Diagram 1

Avenue Midtown Transit Station Area Neighbourhoods - Rezoning

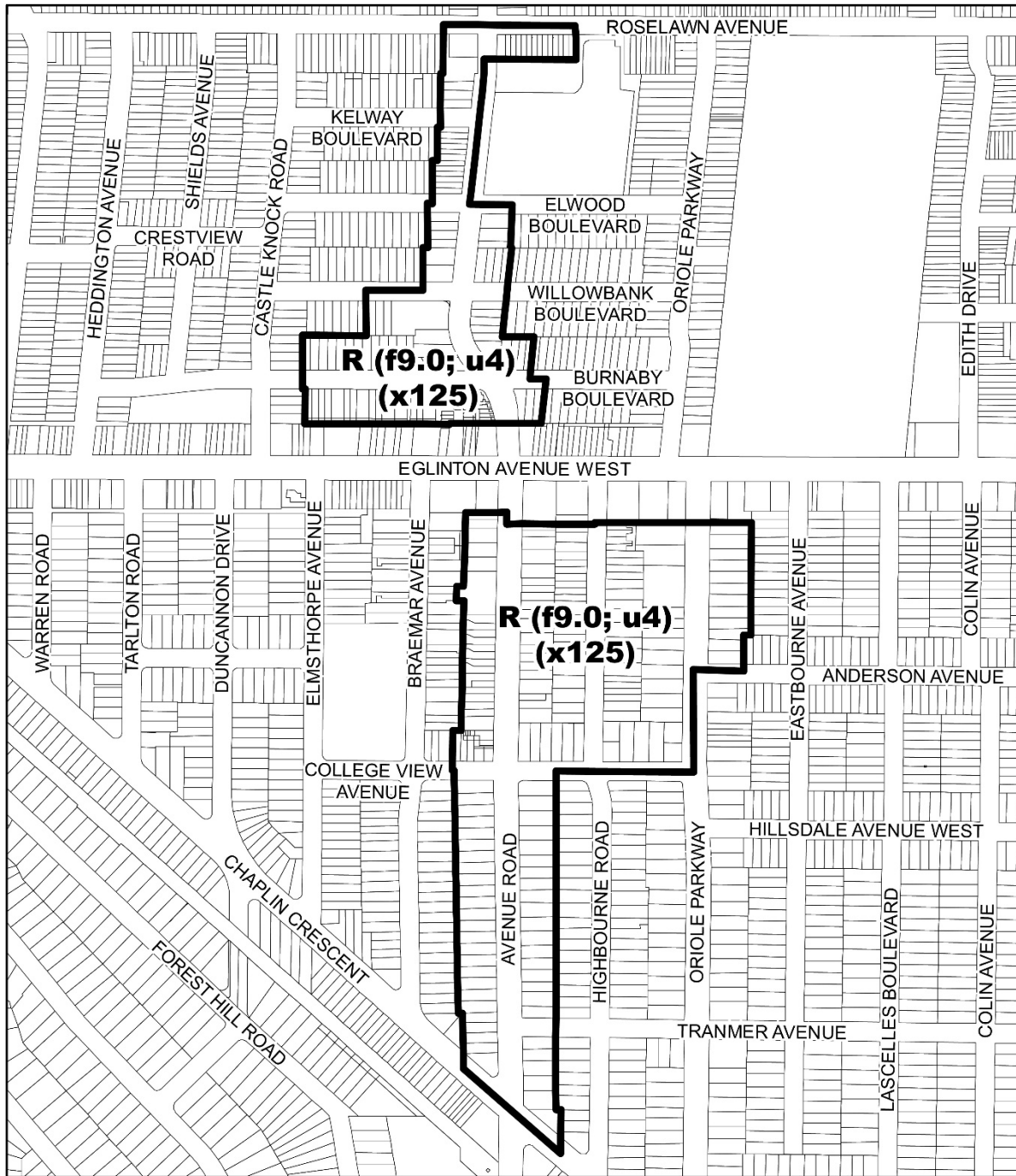
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 **TORONTO**
Diagram 2

Avenue Midtown Transit Station Area Neighbourhoods - Rezoning

File # 22 126321 CPS 00 0Z



Avenue Midtown Transit Station Area Neighbourhoods - Rezoning

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