

Attachment 3: Draft Amendment to former City of North York By-law 7625 to implement the Ontario Line

Authority: Planning and Housing Committee Item PHXX.X, as adopted by City of Toronto Council on ~, 2023

CITY OF TORONTO

Bill ~

BY-LAW -2023

To amend former City of North York By-law 7625, as amended, respecting lands containing buildings or structures for use as public transit uses

Whereas authority is given to Council by 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:

Former City of North York Zoning By-law 7625, as amended, is further amended as follows:

1. On Schedule C of the detailed Zoning Map, for the area in heavy black line, being 766 & 770 Don Mills Road, as shown on Schedule 1 of this By-law, change the zone classification from “O3” to “O3(5)”.
2. Section 64.39(5) of By-law 7625 is amended by amending and adding regulations b) and c) to the Site Specific Provisions, so that it reads:

O3(5)

(a) Regulation 39.2(a) does not apply to a public transit use.

(b) Regulation 6(A)2 does not apply to a public transit use.

(c) Reduction of Lot Area - Conveyance to a Public Authority

If a conveyance or dedication required by a Federal, Provincial or Municipal government, or an expropriation by an expropriating authority:

(A) causes a lot to not comply with the required minimum lot frontage, required minimum lot depth, required minimum lot area or required minimum building setback regulations of this By-law, the lot is deemed to comply with those regulations if the reduction:

(i) creates a lot frontage, lot depth or lot area, that is at least 85% of the required minimum lot frontage, required minimum lot depth or required minimum lot area for the zone in which the lot is located; or

(ii) creates a building setback that is at least 75% of the required minimum

building setback for the zone in which the lot is located;

(B) reduces the permitted maximum number of dwelling units or the permitted maximum gross floor area on a lot, the number of dwelling units or the gross floor area on the lot is the permitted maximum number of dwelling units or the permitted maximum gross floor area that was permitted on the lot on the day before the conveyance, dedication or expropriation; [By-law: 451-2022]

(C) causes required parking spaces on a lot to be removed, the required parking spaces that remain are deemed to satisfy the parking space requirements of this By-law for that building and permitted uses that were on the lot on the day before the conveyance, dedication or expropriation; and [By-law: 451-2022]

(D) reduces the area of a lot so as to cause:

(i) a lawfully existing building on a lot to exceed the permitted maximum lot coverage, the permitted maximum lot coverage on that lot is the lot coverage on the lot on the day of the conveyance, dedication or expropriation; or

(ii) a vacant lot to have a smaller lot area, the permitted maximum lot coverage for that vacant lot is based upon the lawful lot area of that vacant lot on the day before the conveyance, dedication or expropriation. [By-law: 0559-2014 (OMB PL130592)]

3. Section 64.34(17) of By-law 7625 is amended by amending and adding regulations b), c), d) and e) to the Site Specific Provisions, so that it reads:

MO (17)

- a) In addition to the uses permitted in the MO zone, a dry cleaning and laundry collecting establishment and a car washing establishment are also permitted uses ancillary to a retail store.
- b) Regulation 6(A)2 does not apply to a public transit use.
- c) Regulation 6(A)16 does not apply to a public transit use.
- d) A public transit use is permitted in addition to the uses permitted in the MO zone and regulation 64.34 (17)a.
- e) Despite regulation 34(5)(a), a maximum floor space index of 2.0 is permitted and is calculated only for the above ground portion of a building or structure with a public transit use; and
- f) Regulation 34.6(a) & (b) do not apply to a public transit use.
- g) Reduction of Lot Area - Conveyance to a Public Authority

If a conveyance or dedication required by a Federal, Provincial or Municipal government, or an expropriation by an expropriating authority:

(A) causes a lot to not comply with the required minimum lot frontage, required minimum lot depth, required minimum lot area or required minimum building setback regulations of this By-law, the lot is deemed to comply with those regulations if the reduction:

(i) creates a lot frontage, lot depth or lot area, that is at least 85% of the required minimum lot frontage, required minimum lot depth or required minimum lot area for the zone in which the lot is located; or

(ii) creates a building setback that is at least 75% of the required minimum building setback for the zone in which the lot is located;

(B) reduces the permitted maximum number of dwelling units or the permitted maximum gross floor area on a lot, the number of dwelling units or the gross floor area on the lot is the permitted maximum number of dwelling units or the permitted maximum gross floor area that was permitted on the lot on the day before the conveyance, dedication or expropriation; [By-law: 451-2022]

(C) causes required parking spaces on a lot to be removed, the required parking spaces that remain are deemed to satisfy the parking space requirements of this By-law for that building and permitted uses that were on the lot on the day before the conveyance, dedication or expropriation; and [By-law: 451-2022]

(D) reduces the area of a lot so as to cause:

(i) a lawfully existing building on a lot to exceed the permitted maximum lot coverage, the permitted maximum lot coverage on that lot is the lot coverage on the lot on the day of the conveyance, dedication or expropriation; or

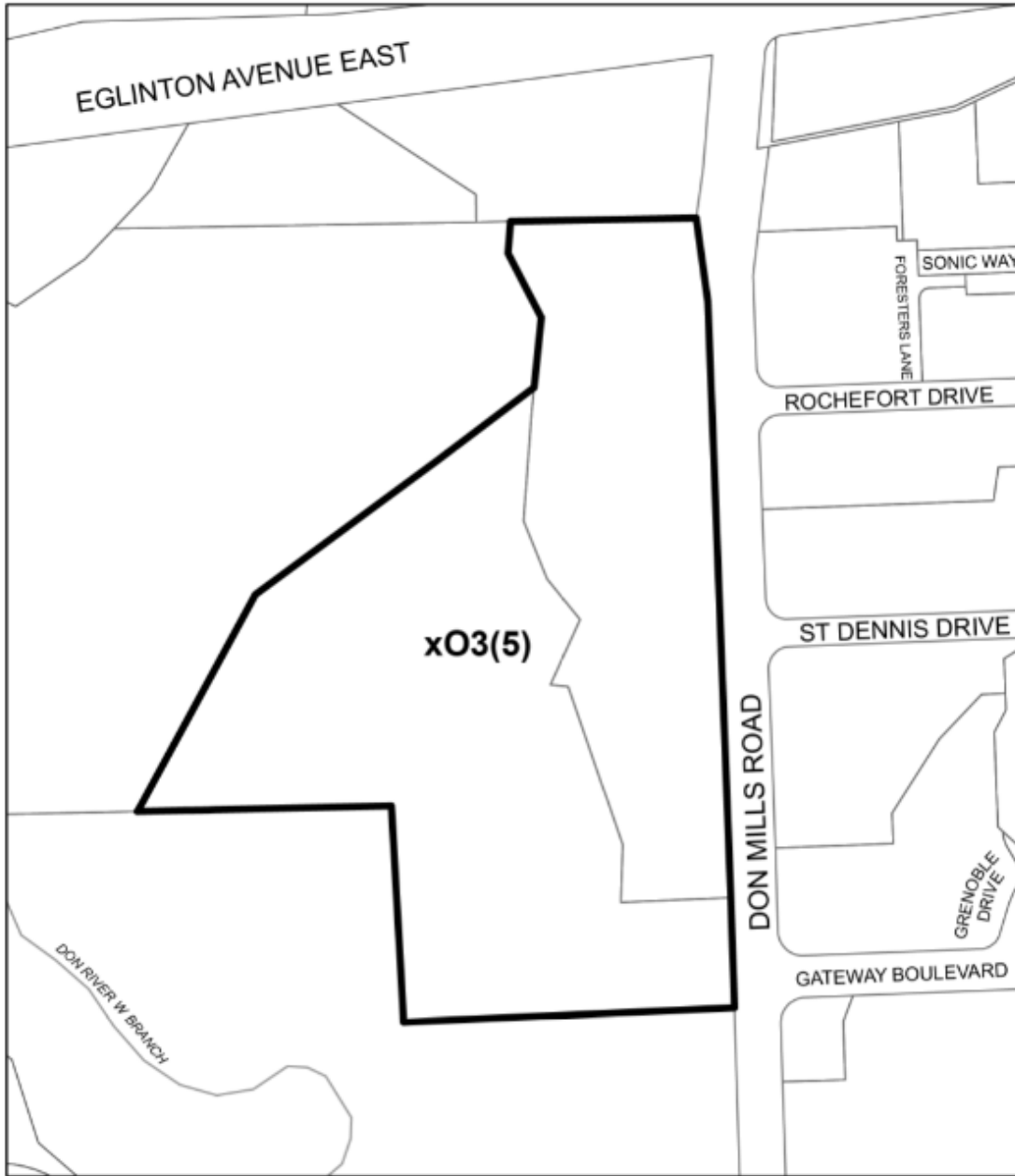
(ii) a vacant lot to have a smaller lot area, the permitted maximum lot coverage for that vacant lot is based upon the lawful lot area of that vacant lot on the day before the conveyance, dedication or expropriation. [By-law: 0559-2014 (OMB PL130592)]

Enacted and passed on _____, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



 **TORONTO**
Schedule 1

766 & 770 Don Mills Road

File #23 106639 STE 10 02


City of Toronto By-law 589-2013
Not to Scale
08/28/2023