

Attachment 1: Recommended Zoning By-law Amendment for Zoning By-law Simplification and Modernization for Low-rise Residential Zones: Phase 1

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 ###-2023**

To amend Zoning By-law 569-2013, as amended, to simplify and update regulations in low-rise residential zones.

Whereas Council of the City of Toronto has the authority 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 words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
2. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 10.10.40.30(1) with the following:
 - (1) Maximum Building Depth
In the R zone, the permitted maximum **building depth** is:
 - (A) 17.0 metres for a **detached house, semi-detached house, duplex, triplex, fourplex, townhouse or apartment building**;
 - (B) despite (A) above, the permitted maximum **building depth** for a **duplex, triplex or fourplex** is 19.0 metres if the **lot**:
 - (i) has a **lot depth** of 36.0 metres or greater and a **lot frontage** of less than 10.0 metres; or
 - (ii) has a **lot depth** of 40.0 metres or greater and a **lot frontage** of 10.0 metres or greater; and
 - (C) despite (A) above, the permitted maximum **building depth** for an **apartment building** with a height of 13.0 metres or less is 19.0 metres if the **lot**:

- (i) has a **lot depth** of 36.0 metres or greater and a **lot frontage** of less than 10.0 metres; or
- (ii) has a **lot depth** of 40.0 metres or greater and a **lot frontage** of 10.0 metres or greater; and
- (iii) no portion of a **side main wall** of the **apartment building** containing a “primary window” is set back less than 5.5 metres from a **side lot line**, other than a **side lot line** that abuts a **street**; and
 - a. For the purposes of (iii) above, “primary window” means a window in a **dwelling unit** other than a window of a bedroom, kitchen, bathroom, hallway, or storage area.

3. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 10.10.40.70(3) with the following:

(3) Minimum Side Yard Setback

In the R zone, the required minimum **side yard setback** is:

(A) 0.9 metres, for:

- (i) a **detached house**;
- (ii) a **semi-detached house**;
- (iii) a **duplex**;
- (iv) a **triplex**;
- (v) a **fourplex**; and
- (vi) a **townhouse** if all the **dwelling units** front directly on a **street**; and
- (vii) an **apartment building** with a height of 13.0 metres or less;

(B) 7.5 metres, for:

- (i) a **townhouse** if a **dwelling unit** does not front directly on a **street**;
- (ii) an **apartment building** with a height of more than 13.0 metres; and
- (iii) a **non-residential building**.

4. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 10.10.40.70(4)(G) with the following:

(G) an **apartment building** with a height of 13.0 metres or less.

5. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 10.10.40.10(11), so that it reads:

(11) Maximum Height of Main Walls for a Residential Building other than an Apartment Building with a Flat or Shallow Roof

Subject to regulation 10.10.40.10(1), if a **residential building**, other than

an **apartment building**, in the R zone has a roof with a slope of less than 1.0 vertical units for every 10.0 horizontal units for more than 50% of the total horizontal roof area:

(A) despite regulation 10.10.40.10(2) above, additional **main walls** are permitted to be located above the maximum height of all **main walls** permitted in regulation 10.10.40.10(2), provided all the additional front **main walls** and rear **main walls** located above the **main walls** permitted in regulation 10.10.40.10(2) are set back a minimum of 1.4 metres from the front **main walls** and rear **main walls** permitted in regulation 10.10.40.10(2).

6. Zoning By-law 569-2013, as amended, is further amended by amending Regulation 10.40.40.10(6), so that it reads:

(6) Maximum Height of Main Walls for a Residential Building with a Flat or Shallow Roof

Subject to regulation 10.40.40.10(1), if a **residential building** in the RS zone has a roof with a slope of less than 1.0 vertical units for every 10.0 horizontal units for more than 50% of the total horizontal roof area:

(A) despite regulation 10.40.40.10(2) above, additional **main walls** are permitted to be located above the maximum height of all **main walls** permitted in regulation 10.40.40.10(2), provided all the additional front **main walls** and rear **main walls** located above the **main walls** permitted in regulation 10.40.40.10(2) are set back a minimum of 1.4 metres from the front **main walls** and rear **main walls** permitted in regulation 10.40.40.10(2).

7. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.80.40.10 a new regulation (6), so that it reads:

(6) Maximum Height of Main Walls for a Detached House or Semi-Detached House with a Flat or Shallow Roof

Subject to regulation 10.80.40.10(1), if a **detached house** or **semi-detached house** in the RM zone has a roof with a slope of less than 1.0 vertical units for every 10.0 horizontal units for more than 50% of the total horizontal roof area:

(A) despite regulation 10.80.40.10(2) above, additional **main walls** are permitted to be located above the maximum height of all **main walls** permitted in regulation 10.80.40.10(2), provided all the additional front **main walls** and rear **main walls** located above the **main walls** permitted in regulation 10.80.40.10(2) are set back a minimum of 1.4 metres from the front **main walls** and rear **main walls** permitted in regulation 10.80.40.10(2).

8. Zoning By-law 569-2013, as amended, is further amended by adding to article 10.10.20 Permitted Uses, a new clause, 10.10.20.41 Conversion of Lawfully Existing Buildings, and regulations (1), (2), (3), (4) and (5), so it reads:

10.10.20.41 Conversion of Lawfully Existing Buildings

- (1) Conversion of Detached House to a Low-rise Apartment Building
In the R zone, a **detached house** may be converted to an **apartment building**, through the construction of additional **dwelling units**, and:
- (A) if the original **building** was **lawfully** constructed prior to **[insert date of By-law enactment]**, it may continue to be considered as a **lawfully existing building** provided the additional **dwelling units** are contained entirely within the **lawfully existing building**, subject to regulations 10.10.20.41(3) and (4); and
 - (B) for the purposes of Clause 10.5.50.10, 10.5.80.10, Regulations 10.5.80.1(2), 10.10.40.10(2) and (11), 10.10.40.40(2), and 10.10.80.1(1)(B), the **building** may continue to be considered as a **detached house** despite the **building** type definitions in Chapter 800.
- (2) Conversion of a Portion of a Semi-Detached House to Multiple Dwelling Units
In the Residential Zone category, a portion of a **semi-detached house** located on one **lot** may be converted to contain more than four **dwelling units** and may continue to be considered as a **semi-detached house** despite the **building** type definitions in Chapter 800, provided:
- (A) the original **building** was **lawfully** constructed prior to **[insert date of By-law enactment]** and the additional **dwelling units** are contained entirely within the **lawfully existing building**, subject to regulations 10.10.20.41(3) and (4);
 - (B) The remaining portion of the **semi-detached house** located on an adjacent **lot** and within the same **semi-detached house** that is not subject to the conversion is considered to be located within the original **building** type for the purposes of applying the standards contained within this by-law;
 - (C) For the purpose of Clause 10.5.40.40 and Regulation 10.10.40.30(1) the portion of a **semi-detached house** located on one **lot** that is converted to contain more than four **dwelling units** referenced in this regulation may be considered to be an **apartment building** despite the **building** type definitions in Chapter 800; and
 - (D) If both **dwelling units** within a **building** originally constructed as a **semi-detached house** are converted in accordance with this regulation, the **building** is to be considered the original **building** type, subject to regulation 10.10.20.41(4).

- (3) Additions to Lawfully Existing Buildings
Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulations 10.10.20.41(1) and (2) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.
- (4) Definition of Lawfully and Lawfully Existing
For the purpose of regulations 10.10.20.41(1), (2), and (3), clauses 10.5.30.41, 10.5.40.11, 10.5.40.21, 10.5.40.31, 10.5.40.41, 10.5.40.71, 10.10.40.11, 10.10.40.61, 10.10.40.71, 10.10.40.81, and 10.10.80.200 the words **lawful**, **lawfully** and **lawfully existing**, highlighted in bold type, in addition to the definitions provided in Zoning By-law 569-2013, Chapter 800 Definitions, includes:
- (A) **buildings, structures** or uses authorized or permitted on or before **[insert date of By-law enactment]**; and
- (B) for which a building permit was **lawfully** issued before **[insert date of By-law enactment]**.
- (5) Number of Dwelling Units on a Lot
Regulations 10.5.1.10(3) and 10.10.40.1(3), do not apply to a **lawfully existing detached house** or portion of a **lawfully existing semi-detached house** converted in accordance with regulations 10.10.20.41(1) or (2); and
- (6) Secondary Suite – Not Permitted in a Converted Semi-Detached House
Despite regulations 10.10.20.1(1) and (2), a **secondary suite** may not be in the portion of a **semi-detached house** that has been converted to contain more than four **dwelling units** in accordance with regulations 10.10.20.41(2).
9. Zoning By-law 569-2013, as amended, is further amended by deleting regulation 10.10.20.1(3) Secondary Suite - Number Permitted in a Detached House or a Semi-Detached House in the R Zone.

Enacted and passed on **[month day, year]**.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)