

Attachment 2: Draft Amendment to former City of Toronto By-law 438-86 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 Toronto By-law 438-86, 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:

1. The provisions of Section 12(1) of By-law 438-86, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto," as amended, are amended to insert a new permissive exception, as follows:
 490. a) to prevent the use of the lands or the erection of a building or structure for a public transit use as delineated by the heavy lines on Schedule 1 and 2, being lands municipally known in the year 2023 as:
 - i. A portion of 130 Queen Street West; and
 - ii. A portion of 10 Ordnance Street.
 - b) If a conveyance or dedication required by a Federal, Provincial or Municipal government, or an expropriation by an expropriating authority:
 - (i) 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;
 - (ii) 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;

- (iii) 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
- (iv) Reduces the area of a lot so as to cause:
 - 1. 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
 - 2. 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.

Enacted and passed on _____, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



