

Technical Amendments to Zoning By-law 569-2013 and By-law 1154-2023

Date: September 4, 2024

To: Planning and Housing Committee

From: Interim Chief Planner and Executive Director, City Planning

Wards: All

SUMMARY

On an ongoing basis, the City rectifies technical errors to the text and mapping of Zoning By-law 569-2013.

This report proposes technical amendments to Zoning By-law 569-2013 to correct cross references and typographical errors. Technical amendments are proposed to clarify an outdoor patio may be combined with an eating establishment in the open space golf course and marina zones. In response to a zoning enquiry by the owner of 244 Virginia Avenue, the lands are added to Zoning By-law 569-2013 to confirm its residential zoning.

For By-law 1154-2023 relating to outdoor patios located on private property that prevail over the former municipal zoning by-laws, a typographical error is corrected by separating a regulation into two regulations.

On May 22, 2024, City Council adopted By-law 499-2024 to amend the Municipal Code Chapter 415, Development of Land, and Chapter 169, City Officials, to delegate authority to approve technical amendments to Zoning By-law 569-2013 to the Chief Planner and Executive Director, City Planning or their designate, as identified in Section 5.1.10 of the Official Plan. A process to implement delegated authority is currently underway but is not yet in place.

All proposed revisions are in keeping with Council's intentions when first approved by Council, and do not affect the substance of the by-laws.

RECOMMENDATIONS

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

1. City Council enact the Zoning By-law amendments substantially in accordance with Attachment 1.

2. City Council authorise 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 this report in the current budget year or in future years.

DECISION HISTORY

Zoning By-law 569-2013, Toronto's city-wide comprehensive zoning by-law, was enacted on May 9, 2013. Through implementation of the By-law, there have been minor errors identified by staff, appellants to the by-law and the public, requiring periodic technical amendments to clarify or restore previous permissions granted by Council.

Zoning By-law 1154-2023, enacted by Council on November 9, 2023, expands a range of permissions for outdoor patios on private property that remain subject to the former general zoning by-laws.

COMMENTS

On an ongoing basis, the City rectifies technical errors to the text and mapping of Zoning By-law 569-2013.

The technical amendments to Zoning By-law 569-2013 and By-law 1154-2023 recommended in this report are in the by-law identified as Attachment 1.

Proposed technical amendments clarify the intent of regulations in the zoning by-law by correcting typographical and cross references errors. Technical amendments are proposed to clarify an outdoor patio may be combined with an eating establishment in the Open Space - Golf Course Zone (OG) and the Open Space - Marina Zone (OM).

A technical amendment to By-law 1154-2023 relating to outdoor patios located on private property in the former municipal zoning by-laws, corrects a typographical error by separating a regulation into two regulations as originally intended.

The corrections do not affect the substance of the by-laws or the intent of previous decisions.

For the 244 Virginia Avenue zoning enquiry:

Staff have concluded that 244 Virginia Avenue is zoned residential (R1C) in the former Township of East York Zoning By-law. 244 Virginia Avenue is incorrectly shown as zoned G-Conservation (parks) on the former East York Zoning By-law Map. The source of the incorrect depiction of the area zoned G (parks) is East York By-law 49-1992 which is

intended to zone municipal lands G (parks), not lands in private ownership. As such, only the area east of 244 Virginia Avenue at the Cosburn Avenue and Virginia Avenue intersection is zoned G (parks) in accordance with the intent of the East York By-law 49-1992.

244 Virginia Avenue is not in Zoning By-law 569-2013 because of an apparent Official Plan designation conflict. The Official Plan Team has confirmed that 244 Virginia Avenue is designated Neighbourhoods in the Official Plan and only the immediate area at the Cosburn Avenue and Virginia Avenue intersection is designated Parks. Since there is no Official Plan conflict, 244 Virginia Avenue is brought into Zoning By-law 569-2013 in the RD zone consistent with its R1C zoning in the former East York Zoning By-law. The area at the Cosburn Avenue and Virginia Avenue intersection is zoned in the Open Space (O) zone consistent with the G (parks) zoning of municipal land in the former East York Township Zoning By-law as intended in East York By-law 49-1992.

On May 22, 2024, City Council adopted By-law 499-2024 to amend the Municipal Code Chapter 415, Development of Land, and Chapter 169, City Officials, to delegate authority to approve technical amendments to Zoning By-law 569-2013 to the Chief Planner and Executive Director, City Planning or their designate, as identified in Section 5.1.10 of the Official Plan. A process to implement delegated authority is currently underway.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: Technical Amendment By-law to Zoning By-law 569-2013 and By-law 1154-2023