

Explanatory Comment: This by-law updates definitions, permissions, and performance standards for buildings containing five or six dwelling units in Residential zones in Ward 23. Buildings containing five or six dwelling units are to be reviewed in a similar fashion as Multiplex buildings, and not as apartment buildings.

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 ###-2025**

To amend Zoning By-law 569-2013, as amended, to update permissions and performance standards for Fiveplexes and Sixplexes for the lands generally bounded by Steeles Avenue to the north, Nelson Road and Rouge River to the east, Highway 401 to the south, and Midland Avenue to the west.

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 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 569-2013, as amended, Chapter 800 Definitions, unless otherwise specified.
3. Zoning By-law 569-2013, as amended, is further amended by inserting Section 600.60, so that it reads:

Explanatory Comment: The Fiveplex and Sixplex Overlay Map section below defines where in Toronto this by-law applies.

600.60 Fiveplex and Sixplex Overlay Map

600.60.10 Fiveplex and Sixplex Overlay District “Ward 23”

- (1) The areas within the heavy lines on the Ward 23 Multiplex Study area in Diagram 1 of By-law [Clerks to insert number of this By-law] identified as

Ward 23 Scarborough North are subject to the following.

Explanatory Comment: The Definitions section below introduces new definitions into City-wide Zoning By-law 569-2013 and alters existing definitions for the Ward 23 Multiplex Study area.

600.60.20 Definitions

(1) Defined Terms Applying to Section 600.60

(A) For the purposes of Section 600.60:

- (i) Apartment Building** means a **building** that has seven or more **dwelling units**, with at least one **dwelling unit** entirely or partially above another, and each **dwelling unit** has a separate entrance directly from outside or through a common inside area. A **building** that was originally constructed as a **detached house**, **semi-detached house** or **townhouse** and has one or more **secondary suites** is not an **apartment building**.
- (ii) Fiveplex** means a **building** that has five **dwelling units**, with at least one **dwelling unit** entirely or partially above another. A **detached house**, **semi-detached house** or **townhouse** that has one or more **secondary suites** is not a **fiveplex**. A **fiveplex** is not an **apartment building**.
- (iii) Lawful and lawfully**, 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 [Clerks to insert the date of enactment of this By-law]; and
 - (b) for which a building permit was lawfully issued before** [Clerks to insert the date of enactment of this By-law].
- (iv) Residential Building** includes the following types of **buildings**:
 - (a) apartment building;**
 - (b) detached house;**
 - (c) duplex;**
 - (d) fiveplex;**
 - (e) fourplex;**
 - (f) semi-detached house;**

- (g) **sixplex**;
- (h) **townhouse**; or
- (i) **triplex**.

- (v) **Sixplex** means a **building** that has six **dwelling units**, with at least one **dwelling unit** entirely or partially above another. A **detached house**, **semi-detached house** or **townhouse** that has one or more **secondary suites** is not a **sixplex**. A **sixplex** is not an **apartment building**.

Explanatory Comment: Of the Residential zone categories in Ward 23, the RM zone permits apartment buildings. The Interpretation section below confirms the performance standards for RM zone apartment buildings, as defined above (e.g. seven or more dwelling units), as well as how buildings containing five or more dwelling units prior to the by-law's passing are to be regulated.

600.60.30 Interpretation

(1) Apartment Buildings

For the purposes of Section 600.60, an **apartment building** with 7 or more **dwelling units** in the RM Zone, in accordance with the definition in regulation 600.60.20(1)(A(i), must comply with regulations 10.80.20.40(1)(F), 10.80.30.10(1)(B) and (2), 10.80.30.20(1)(B) and (C), 10.80.40.70(3)(C), 10.80.40.80(1) and all other regulations in this By-law.

(2) Lawfully Existing Apartment Buildings

A **lawfully existing apartment building** in accordance with the definition provided in Regulation 800.50(55), existing or authorized prior to [**Clerks to insert the date of enactment of this By-law**], is not subject to the regulations of Section 600.60, and must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Fiveplexes and Sixplexes

In addition to the regulations in Article 600.60.40, and in cases other than those set out in Regulation 600.60.40(2)(D), a **fiveplex** or **sixplex** must comply with all other regulations in this By-law, including those applicable to a **fourplex**, or be authorized by a Section 45 Planning Act minor variance.

600.60.40 Fiveplex and Sixplex Requirements

Explanatory Comment: The Permitted Building Types section below contains provisions pertaining to zone categories which contain “u” values, the permission for the dwelling units to be located within a fiveplex and sixplex, and the permission for a fiveplex and sixplex to be permitted residential building types in RD, RS, RT, and RM zone categories.

(1) Permitted Building Types

- (A) Regulations 10.5.1.10(3)(D), 10.60.40.1(2) and 10.80.40.1(2) regarding the letter “u” in the zone label and a numerical value indicating the permitted maximum number of **dwelling units** on a **lot** does not apply to a **fiveplex** or **sixplex**.
- (B) Despite regulations 10.20.20.40(1), 10.40.20.40(1), 10.60.20.40(1), and 10.80.20.40(1), a **dwelling unit** is permitted in a **fiveplex** and **sixplex**.
- (C) Despite regulations 900.1.10(3) and 900.1.10(4)(A), a **fiveplex** or **sixplex** is a permitted **residential building** type if it complies with the regulations of the respective RD, RS, RT or RM Zone and all other requirements of this By-law, or is authorized by a Section 45 Planning Act minor variance.

Explanatory Comment: The Conversion of Lawfully Existing Buildings section below relates to converting an existing detached house to a fiveplex or sixplex. These new rules allow buildings converted to a fiveplex or sixplex to maintain the existing setbacks, depth, height, size, etc. Current rules require that conversions of existing buildings need to follow the new rules for setbacks, depth, height, size, etc. which may require variances at the Committee of Adjustment to allow the existing building to be reused. This will enable the reuse of existing residential buildings to fiveplexes and sixplexes through renovation and additions without having to go to the Committee of Adjustment, thereby shortening approval timelines.

(2) Conversion of Lawfully Existing Buildings

- (A) Despite regulation 10.5.20.40(1), in the Residential Zone category, a **detached house** may be converted to a **fiveplex** or **sixplex** through the construction of additional **dwelling units**, and:
 - (i) if the original **building** was constructed prior to [**Clerks to insert the date of enactment of this By-law**], 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 600.60.40(2)(B) and (C).

- (B) Despite regulation 10.5.20.40(4), any addition or extension to a **lawfully existing building** or structure on a **lot** referred to in regulation 600.60.40(2)(A) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.
- (C) Despite regulation 10.5.20.40(5), the words **lawful** and **lawfully** highlighted in bold type, in addition to the definitions provided in Zoning By-law 569-2013, Chapter 800 Definitions, includes:
- (i) **buildings, structures** or uses authorized or permitted on or before [Clerks to insert the date of enactment of this By-law]; and
 - (ii) for which a building permit was **lawfully** issued before [Clerks to insert the date of enactment of this By-law].
- (D) Despite regulations 10.5.20.40(2) and 10.5.20.40(3), in the Residential Zone category, a **semi-detached house** or a **townhouse** may not be converted to a **fiveplex** or **sixplex** through the construction of additional **dwelling units**.

Enacted and passed on [month day, year].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

CITY OF
MARKHAM

Steeles Ave E

McNicoll Ave

Middlefield Rd

Finch Ave E

Tapscott Rd

Neilson Rd

Morningside Ave

Sewells Rd

McLevin Ave

Milner Ave

Highway 401

Progress Ave

Ellesmere Rd

Bellamy Rd N

Markham Rd

Sheppard Ave E

Nugget Ave

McCowan Rd

Huntingwood Dr

Brimley Rd

Midland Ave

Kennedy Rd

Ward 23 Multiplex Study

Page 6