

Authority: [Planning and Housing Committee] Item [-], as adopted by City of Toronto Council on ~, 20~

**CITY OF TORONTO
Bill**

BY-LAW xxxx-2025

To amend Zoning By-law 569-2013, as amended, with respect to soft landscaping and below ground minimum required setbacks.

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, as amended; and

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, as amended, Chapter 800 Definitions.

Explanatory Note: the following amendment to the definition of “soft landscaping” clarifies that artificial turf and permeable pavements are not soft landscaping.

2. Zoning By-law 569-2013, as amended, is further amended by amending regulation 800.50(780) Soft Landscaping so that it reads:

(780) Soft Landscaping

means **landscaping** excluding hard-surfaced areas such as decorative stonework, retaining walls, walkways, artificial turf, permeable pavements, or other hard-surfaced landscape-architectural elements.

Explanatory Note: the following amendments revise how ancillary structures containing water are to be considered in Residential and Residential Apartment Zone categories. They are no longer to be considered soft landscaping, apart from artificial ponds.

3. Zoning By-law 569-2013, as amended, is further amended by amending regulation 10.5.50.10(7) so that it reads:

(7) Swimming Pools or Similar Ancillary Structures Containing Water Deemed to

not be Soft Landscaping for Specified Regulations

In the Residential Zone category, for the calculation of **soft landscaping** required by regulation 10.5.50.10(3) and (4), the area of **soft landscaping** does not include the water surface area of outdoor swimming pools, hot tubs, fountains, or other **ancillary structures** used to hold water, except for artificial ponds.

4. Zoning By-law 569-2013, as amended, is further amended by amending regulation 15.5.50.10(4) so that it reads:

(4) Swimming Pools or Similar Ancillary Structures Containing Water Deemed to not be Soft Landscaping for Specified Regulations

In the Residential Apartment Zone category, for the calculation of **soft landscaping** required by regulation 15.5.50.10(1), the area of **soft landscaping** does not include the water surface area of outdoor swimming pools, hot tubs, fountains, or other **ancillary structures** used to hold water, except for artificial ponds.

Explanatory Note: the following regulation clarifies that, in the Residential Zone category, building setbacks apply to portions of building above and below ground, apart from apartment buildings.

5. Zoning By-law 569 -2013, as amended, is further amended by adding regulation 10.5.40.70(3), as follows:

(3) Parts of a Building to which a Required Building Setback Applies

Despite regulation 5.10.40.70(2), the required minimum **building setbacks** apply to all parts of a **residential building**, not including an **apartment building**, above-ground and below-ground, excluding footings

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)