## Attachment 1: Draft Zoning By-law Amendment for Midtown Village Character Areas

Authority: Planning and Housing Committee Item PH##.##, as adopted by City of Toronto Council on [insert date of Council adoption of this By-law]

Explanatory Comment: an earlier version of this draft zoning by-law was published on March 16, 2022. This version was published on March 24, 2022 and reflects additions, corrections to errors, and input received from the public since March 16. Changes are highlighted in grey.

## CITY OF TORONTO BY-LAW No. ####-2022

To amend Zoning By-law 569-2013, as amended, with respect to certain lands within the Yonge-Eglinton Secondary Plan area, including Eglinton Avenue West between Chaplin Crescent and Oriole Parkway, Yonge Street between Alexandra Boulevard and Roselawn Avenue, Yonge Street between Berwick Avenue and Millwood Road, Mount Pleasant Road between Soudan Avenue and Millwood Road, and Bayview Avenue between Eglinton Avenue East and Merton Street.

Whereas Council of the City of Toronto has the authority to 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:

Explanatory Comment: Item 1 identifies the location of all of the potential revisions to the zoning by-law.

1. The lands subject to this By-law are outlined by heavy black lines on Diagrams 1A, 1B, 1C, 1D and 1E attached to this By-law.

## Explanatory Comment: Item 2 makes clear that certain words have defined meanings.

2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;

Explanatory Comment: Item 3 identifies those lands that are currently not part of Zoning By-law 569-2013 that are proposed to be added to 569-2013. Item 3 also refers to the proposed zoning labels for these lands. In response to comments received, note that there is no map '2D'.

**3.** Zoning By-law 569-2013, as amended, is further amended by: DRAFT – For discussion purposes only

- (A) adding the lands on Diagrams 2A, 2B, 2C, and 2E to the Zoning By-law Map in Section 990.10 and applying the zone labels shown on Diagram 3A, 3B, 3C, 3D, and 3E attached to this Bylaw; and
- (B) amending the zone labels on the Zoning By-law Map in Section 990.10 for the lands on Diagrams 1A, 1B, 1C, 1D, and 1E to the zone labels shown on Diagram 3A, 3B, 3C, 3D, and 3E attached to this By-law;

# Explanatory Comment: Item 4 adds lands to the height overlay map, and identifies the maximum height permissions in that overlay map.

- 4. Zoning By-law 569-2013, as amended, is further amended by:
  - (A) adding the lands on Diagrams 2A, 2B, 2C, and 2E to the Height Overlay Map in Section 995.20 and applying the height labels shown on Diagrams 4A, 4B, 4C, 4D, and 4E attached to this By-law; and
  - (B) amending the height labels on the Height Overlay Map in Section 995.20 for the lands on Diagrams 1A, 1B, 1C, 1D, and 1E to the height labels as shown on Diagrams 4A, 4B, 4C, 4D, and 4E attached to this By-law

Explanatory Comment: Item 5 adds lands to the policy area (PA) overlay map, which regulates a variety of areas, including smaller scale retail, prevents front yard parking, and does not permit townhouses. Further, it regulates parking (until such time as the city-wide parking standards change).

- 5. Zoning By-law 569-2013, as amended, is further amended by:
  - (A) adding the lands on Diagrams 2A, 2B, 2C, and 2E to the Policy Areas Overlay Map in Section 995.10.1, and applying the following Policy Overlay label to these lands: PA2, as shown on Diagrams 5A, 5B, 5C, 5D, and 5E attached to this Bylaw; and
  - (B) amending the Policy Overlay labels on the Policy Areas Overlay Map in Section 995.10.1 for the lands on Diagrams 1A, 1B, 1C, 1D, and 1E and applying the following Policy Overlay label to these lands: PA2, as shown on Diagrams 5A, 5B, 5C, 5D, and 5E attached to this By-law.

Explanatory Comment: Item 6 adds lands to the rooming house overlay map, which, among other things, sets the maximum number of rooms and clarifies that a rooming house is not permitted in a building originally constructed as an apartment building.

6. Zoning By-law 569-2013, as amended, is further amended by adding the lands shown in Diagrams 2A, 2B, 2C, 2E, 1C and 1D to the Rooming House Overlay Map in Section 995.40.1, and applying the following Rooming House labels to these lands: B3, as shown on Diagrams 6A, 6B, 6C, 6D, and 6E attached to this By-law.

**Explanatory Comment: Item 7 is a technical inclusion of the areas in the lot coverage overlay map of the city-wide by-law, even though lot coverage is not regulated here.** 

 Zoning By-law 569-2013, as amended, is further amended by adding the lands on Diagrams 2A, 2B, 2C and 2E to the Lot Coverage Overlay Map in Section 995.30.1, with no value.

Explanatory Comment: Item 8 is what we are currently referring to as a 'general exception' (or GX for short), which will be assigned a final exception number when the draft by-law goes before Council. This exception will apply where the zone label on a particular lot refers to that exception number. This general exception permits dwelling units, sets a minimum amount of family-sized dwelling units, restricts certain automobile uses, and sets a minimum setback from an open space area (e.g. a park). These various regulations are all included in this one exception as it is expected these regulations will apply together.

**8.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number GX1 so that it reads:

(GX1) Exception CR GX1

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) Despite Clause 40.5.40.40, floor space index is calculated only for the above ground portion of a **building** or **structure** with a **transportation use**;
- (B) Despite Regulation 40.10.20.40(1), **dwelling units** are permitted in a **mixed-use building**;
- (C) Despite 40.10.20.20(1), the following uses are not permitted: Drive Through Facility, Vehicle Dealership, Vehicle Fuel Station, Vehicle Service Shop, and Vehicle Washing Establishment.
- (D) A **building** containing 80 **dwelling units** or greater must comply with the following:

- (i) a minimum of 15 percent of the total number of **dwelling units** on the **lot** must contain two bedrooms;
- (ii) a minimum of 10 percent of the total number of **dwelling units** on the **lot** must contain three or more bedrooms; and
- (iii) in addition to the requirements of (i) and (ii) above, an additional 15 percent of the total number of **dwelling units** must include a minimum **interior floor** area of 90 square metres; and
- (E) The required minimum **building setback** from a **lot** in the Open Space Zone category is 5 metres.

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 9 is the second general exception (GX2), which will apply where the zone label on a particular lot refers to it. This general exception identifies the maximum height of a base building of a tall building (above which is the tower portion of the building). GX2 also identifies setbacks, stepbacks, and separation distances to the tower.

**9.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number GX2 so that it reads:

(GX2) Exception CR GX2

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) The **building setbacks** and separation distances identified in (B), (C), (D), and
  (E) below apply to portions of a **building** which collectively enclose the entirety of a **storey** above the following **building** heights:
  - (i) above a height of 20 metres for **buildings** on **lots** abutting Eglinton Avenue East, Eglinton Avenue West, Yonge Street, Mount Pleasant Road or Bayview Avenue:

(a) if the height of the **building** exceeds a combined height of 27 metres plus the required **front yard setback**;

- (ii) above a height of 15 metres for **buildings** on all other **lots**:
  - (a) if the height of the **building** exceeds a combined height of 20 metres plus

the required front yard setback;

- (iii) despite (i) and (ii) above, (B), (C), (D), and (E) below apply to portions of a **building** which collectively enclose the entirety of a **storey** located above a height of 26 metres, if the height of the **building** exceeds 27 metres for **lots** abutting:
  - (a) both Yonge Street and Eglinton Avenue East
  - (b) both Yonge Street and Eglinton Avenue West
  - (c) both Bayview Avenue and Eglinton Avenue East
  - (d) both Yonge Street and Davisville Avenue, or
  - (e) both Yonge Street and Chaplin Crescent; and
- (iv) despite (i) and (ii) above, (B), (C), (D), and (E) below apply to portions of a building which collectively enclose a storey above a height of 26 metres, on lots abutting Eglinton Avenue East between Yonge Street and Mount Pleasant Road, if the height of the building is greater than 36 metres.
- (B) The required minimum **side yard setback** and **rear yard setback** for the portion of the **building** specified in (A)(i) to (iv) above is 12.5 metres;
- (C) If a line projected at a right angle from a **main wall** of a **building** intercepts another **main wall**, the required minimum above-ground separation distance between the **main walls** for the portion of the **building** specified in (A)(i) to (iv) above is 25 metres from:
  - (i) another **building** on the same **lot**; and
  - (ii) another **main wall** of the same **building**;
- (D) any part of a **building** identified in (A)(i) to (iv) must be set back at least 3 metres from the **building setback** of the highest **storey** of the **building** located below that point.

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 10 is the third general exception (GX3), which will apply where the zone label on a particular lot refers to it. This general exception identifies the height at which a building must 'step back', as well as the minimum depth of that step.

**10.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number GX3 so that it reads:

(GX3) Exception CR GX3

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) Any part of a **building**, located above a height of 7.5 metres, measured from the average elevation of the ground along the **front lot line**, must be set back at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point;
- (B) If a lot has frontage on Bayview Avenue or Mount Pleasant Avenue, any part of a building located above a height of 19.5 metres, measured from the average elevation of the ground along the front lot line, must be set back at least 1.5 metres from the building setback of the highest storey of the building located below that point; and
- (C) If a lot has frontage on Yonge Street, or is located west of Yonge Street:
  - (i) any part of a **building** located above a height of 22.5 metres, measured from the average elevation of the ground along the **front lot line**, must be set back at least 1.5 metres from the **building setback** of the highest **storey** of the **building** located below that point. This regulation does not apply if a **building** must comply with Exception 900.11.10(GX2).

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 11 is the fourth general exception (GX4), which will apply where the zone label on a particular lot refers to it. This general exception includes provisions for retail streets, including limiting ground floor residential uses to upper floors only, requiring buildings to be built close to the applicable setback, requiring frequent retail entrances, and setting the minimum height of the ground floor.

**11.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number GX4 so that it reads:

(GX4) Exception CR GX4

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

Up to a height of 7.5 metres, at least 75% of the main wall of the building facing a lot line abutting Eglinton Avenue East, Eglinton Avenue West, Yonge Street, Mount Pleasant Road, or Bayview Avenue must be between 0.0 metres and 0.5

metres from the required **front yard setback**, and all of the **main wall** of the **building** facing a **lot line** abutting Eglinton Avenue East, Eglinton Avenue West, Yonge Street, Mount Pleasant Road, or Bayview Avenue must be between 0.0 metres and 5.5 metres from the **front lot line** or required **front yard setback**;

- (B) The **first floor** of the **building** may not be used for residential purposes, other than:
  - (i) residential lobby access, which must be from a flanking **street** that is not a major street on the Policy Areas Overlay Map for a **corner lot**;
- (C) Non-residential uses provided on a lot along Yonge Street, Eglinton Avenue West, Eglinton Avenue East, Mount Pleasant Road, Bayview Avenue, Redpath Avenue, Merton Street, and Pailton Crescent, must have a pedestrian entrance at the first floor:
  - (i) provided for every 10 metres of **lot frontage**, rounded down;
  - (ii) not located within 5 metres of another pedestrian entrance on the same **lot**; and
  - (iii) **lot frontage** used for residential lobby access may be excluded from the calculation in (C)(i) above.
- (D) A pedestrian entrance for a non-residential use provided on a lot with lot frontage along Eglinton Avenue East, Eglinton Avenue West, Yonge Street, Mount Pleasant Road, or Bayview Avenue must be:
  - (i) parallel to the **street**; and
  - (ii) located within 5 metres of the required **front yard setback**.
- (E) The required minimum depth of non-residential uses on the **first floor** is at least 15.0 metres from the **front wall**; and
- (F) Despite 40.10.40.10 (5), if the lot is abutting a lot with a building identified as a heritage site with a first storey height of less than 4.5 metres fronting on the same street, then the required minimum height of the first storey is equal to the existing first storey height of the abutting heritage site.
- (G) If a lawfully existing building contains lawful uses on the first storey and does not satisfy the requirements of Regulations GX4 (B) and GX4 (E), those lawful uses are deemed to satisfy the requirements of Regulations GX4 (B) and GX4 (E);

- (H) Any addition, extension or change of use on the first storey of a lawfully existing building must comply with Regulations GX4 (B) an dGX4 (E), or be authorized by a Section 45 Planning Act minor variance;
- (I) If a **lawful** main pedestrian entrance of a **lawfully existing building** is not located in accordance with Regulations GX4 (C) and GX4 (D), that **lawful** main pedestrian entrance location is deemed to satisfy the requirements of Regulations GX4 (C) and GX4 (D);
- (J) Any addition or extension to a **lawfully existing building** which requires a new main pedestrian entrance must comply with Regulations GX4 (C) and GX4 (D), or be authorized by a Section 45 Planning Act minor variance; and
- (K) For the purposes of Article 900.11.10(GX4), 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 buildings, structures or uses authorized or permitted on or before [insert date of Council adoption of this Bylaw].

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 12 is the fifth general exception (GX5), which will apply where the zone label on a particular lot refers to it. This general exception identifies the maximum size of retail on a lot.

**12.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number GX5 so that it reads:

(GX5) Exception CR GX5

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) The maximum size of a **retail store** is 1,200 square metres;

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 13 is the sixth general exception (GX6), which will apply where the zone label on a particular lot refers to it. This general exception identifies the maximum size of retail on a lot. This maximum size is larger than GX5 for those cases where a larger retail use may exist or be desirable (e.g. a major grocery store).

**13.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number GX6 so that it reads:

(GX6) Exception CR GX6

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) The maximum size of a **retail store** is 2,000 square metres.

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 14 is the seventh general exception (GX7), which will apply the zone label on a particular lot refers to it. This general exception identifies the minimum height and storeys for a building.

**14.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number GX7 so that it reads:

(GX7) Exception CR GX7

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) The required minimum height of a **building** or **structure** is 10.5 metres and it must have at least 3 **storeys**;

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 15 is the eighth general exception (GX8), which applies where the zone label on a particular lot refers to it. This general exception identifies the minimum height and storeys for a building. GX8 sets a minimum height that is a storey higher than in GX7.

**15.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number GX8 so that it reads:

(GX8) Exception CR GX8

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) The required minimum height of a **building** or **structure** is 14.5 metres and it must have at least 4 **storeys**.

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 16 lists the site specific provisions for a portion of the Eglinton Way area on Map 3A where the label is CR SS2 (x###-1). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also includes a minimum floor space index, and a site-specific exception permitting an office building.

**16.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###-1)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) These **premises** must comply with Regulation 900.11.10(GX1);
- (B) These **premises** must comply with Regulation 900.11.10(GX3);
- (C) These **premises** must comply with Regulation 900.11.10(GX4);
- (D) These **premises** must comply with Regulation 900.11.10(GX5);
- (E) These **premises** must comply with Regulation 900.11.10(GX7)
- (F) On the lands municipally known as 483-497 Eglinton Avenue West in 1968, office is permitted in a six **storey building** that exists on the site; and
- (G) The required minimum floor space index of all land uses on a **lot** is 2.0.

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 17 lists the site specific provisions for a portion of the Eglinton Way area on Map 3A where the label is CR SS2 (x###-2). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also includes a minimum floor space index. A wider setback is required here, as per the existing zoning by-law, and an existing gas station is recognized. A house exists today on a lot that was redesignated from *Neighbourhoods* to *Mixed Use Areas* in the Yonge-Eglinton Secondary Plan. Item 17 permits that house, despite the fact that the zone label would not normally permit a detached house.

**17.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###-2)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) These **premises** must comply with Regulation 900.11.10(GX1);
- (B) These **premises** must comply with Regulation 900.11.10(GX3);
- (C) These **premises** must comply with Regulation 900.11.10(GX4);
  - (i) Despite Regulation 900.11.10(GX4)(A), at least 75% of the main wall of a building facing a lot line abutting Eglinton Avenue West must be between 1.4 metres and 1.9 metres from the front lot line, and all of the main wall of the building facing a lot line abutting Eglinton Avenue West must be between 1.4 metres and 6.9 metres from the front lot line;
- (D) These **premises** must comply with Regulation 900.11.10(GX5);
- (E) These **premises** must comply with Regulation 900.11.10(GX7);
- (F) The required minimum floor space index of all land uses on a **lot** is 2.0.
- (G) A **lawfully existing Vehicle Fuel Station** is permitted at 1021 Avenue Road and 275 Eglinton Avenue West.
- (H) A dwelling unit in a lawfully existing detached house is permitted on the lands municipally known as 184 Highbourne Road, and any addition to a lawfully existing building on these lands must comply with the requirements for the respective building type in the R zone, or be authorized by a Section 45 Planning Act minor variance.

 (I) For the purposes of (G) and (H) above, 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 buildings, structures or uses authorized or permitted on or before [insert date of Council adoption of this By-law];

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 18 lists the site specific provisions for a portion of the Eglinton Way area on Map 3A where the label is R (x###). Item 18 merges two existing site-specific exceptions, removes the maximum floor space index, and sets a minimum floor space index.

**18.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number ### so that it reads:

(XX) Exception R (x###)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On the lands municipally known as 600 Eglinton Avenue West, 660 Eglinton Avenue West, 740 Eglinton Avenue West, 780 Eglinton Avenue West in 1968, an **apartment building** is a permitted **building** type;
- (B) On the lands municipally known as 765 and 777 Eglinton Ave. W. and 130 Old Forest Hill Rd. in 1968, an **apartment building** is a permitted **building** type;
- (C) Regulation 10.10.40.40 (1) does not apply; and
- (D) The required minimum floor space index of all land uses on a **lot** is 2.0.

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 19 lists the site specific provisions for a portion of the Eglinton Way area on Map 3A where the label is OR (x###). Item 19 rezones these lands to Open Space Recreational, in alignment with Yonge-Eglinton Secondary Plan land use designation to create a park on these lands. Houses and a public parking lot exist on these lands today. Item 19 permits the houses and public parking lot, despite the fact that the zone label would not normally permit houses or a public parking lot.

**19.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.42.10

Exception Number ### so that it reads:

(XX) Exception OR (x###)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) A dwelling unit in a lawfully existing detached house is permitted on the lands municipally known as 11, 15 and 17 Heddington Avenue, and any addition to a lawfully existing building on these lands must comply with the requirements for the respective building type in the RD zone, or be authorized by a Section 45 Planning Act minor variance;
- (B) A **lawfully existing public parking** use is permitted on the lands municipally known as 125 Burnaby Boulevard; and
- (C) For the purposes of (A) and (B) above, 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 buildings, structures or uses authorized or permitted on or before [insert date of Council adoption of this By-law].

Explanatory Comment: Item 20 lists the site specific provisions for a portion of the Yonge Street North area on Map 3B where the label is CR SS2 (x###). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also includes a minimum floor space index, and a site-specific exception permitting an office building. An existing larger retail use at 2265 Yonge Street is recognized. A minimum set back from any street is set at 1.5 metres. Some houses exist today on lots that were redesignated from *Neighbourhoods* to *Mixed Use Areas* in the Yonge-Eglinton Secondary Plan. Item 20 permits those houses, despite the fact that the zone label would not normally permit houses.

**20.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

(A) These **premises** must comply with Regulation 900.11.10(GX1);

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- (B) These **premises** must comply with Regulation 900.11.10(GX3);
- (C) These **premises** must comply with Regulation 900.11.10(GX4);
- (D) These **premises** must comply with Regulation 900.11.10(GX5);
- (E) These **premises** must comply with Regulation 900.11.10(GX7);
- (F) The required minimum **street yard setback** is 1.5 metres;
- (G) A **lawfully existing retail store** is permitted at 2265 Yonge Street;
- (H) A dwelling unit in a lawfully existing detached house is permitted on the lands municipally known as 7 Lytton Boulevard, and any addition to a lawfully existing building on these lands must comply with the requirements in the RD zone, or be authorized by a Section 45 Planning Act minor variance;
- (I) A dwelling unit in a lawfully existing detached house or semi-detached house is permitted on the lands municipally known as 19 and 21 Craighurst Avenue, 25 Sheldrake Boulevard, 21 Albertus Avenue, 18, 19 and 21 Briar Hill Avenue and 18 Keewatin Avenue, and any addition to a lawfully existing building on these lands must comply with the requirements for the respective building type in the R zone, or be authorized by a Section 45 Planning Act minor variance; and
- (J) For the purposes of (F), (G) and (H) above, 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 buildings, structures or uses authorized or permitted on or before [insert date of Council adoption of this Bylaw].

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 21 lists the site specific provisions for a portion of the Mount Pleasant area on Map 3C where the label is CR SS2 (x###). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also includes a minimum floor space index, and a site-specific exception which limits the size of some uses (from an existing regulation). Some houses exist today on lots that were redesignated from *Neighbourhoods* to *Mixed Use Areas* in the Yonge-Eglinton Secondary Plan. Item 21 permits those houses, despite the fact that the zone label would not normally permit houses.

**21.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) These **premises** must comply with Regulation 900.11.10(GX1);
- (B) These **premises** must comply with Regulation 900.11.10(GX3);
- (C) These **premises** must comply with Regulation 900.11.10(GX4);
- (D) These **premises** must comply with Regulation 900.11.10(GX5);
- (E) These **premises** must comply with Regulation 900.11.10(GX7);
- (F) The maximum **interior floor area** used for an **amusement arcade**, **club**, **eating establishment**, **take-out eating establishment**, or **recreation use**, is 200 square metres;
- (G) The required minimum floor space index of all land uses on a **lot** is 2.0;
- (H) A dwelling unit in a lawfully existing detached house or semi-detached house is permitted on the lands municipally known as 309 and 311 Soudan Avenue, and 308, 310 and 311 Hillsdale Avenue, and any addition to a lawfully existing building on these lands must comply with the requirements for the respective building type in the R zone, or be authorized by a Section 45 Planning Act minor variance; and
- (I) For the purposes of (H) above, 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 buildings, structures or uses authorized or permitted on or before [insert date of Council adoption of this By-law].

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 22 lists the site specific provisions for a portion of the Bayview-Leaside area on Map 3D where the label is CR SS2 (x###-1). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also includes a minimum floor space index and sets a minimum building setback. Some houses exist today on lots that were redesignated from *Neighbourhoods* to *Mixed Use Areas* in the Yonge-Eglinton Secondary Plan. Item 22 permits those houses, despite the fact that the zone label would not normally permit houses.

**22.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###-1)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) These **premises** must comply with Regulation 900.11.10(GX1);
- (B) These **premises** must comply with Regulation 900.11.10(GX3);
- (C) These **premises** must comply with Regulation 900.11.10(GX4);
- (D) These **premises** must comply with Regulation 900.11.10(GX5);
- (E) These **premises** must comply with Regulation 900.11.10(GX7)
- (F) The required minimum **front yard setback** is 3.0 metres;
- (G) The required minimum floor space index of all land uses on a **lot** is 2.0.
- (H) A dwelling unit in a lawfully existing detached house is permitted on the lands municipally known as 2, 3 and 5 Parkhurst Boulevard, and any addition to a lawfully existing building on these lands must comply with the requirements in the RD zone, or be authorized by a Section 45 Planning Act minor variance.
- (I) For the purposes of (H) above, 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 buildings, structures or uses authorized or permitted on or before [insert date of Council adoption of this By-law].

Prevailing By-laws and Prevailing Sections: (None Apply)

Explanatory Comment: Item 23 lists the site specific provisions for a portion of the Bayview-Leaside area on Map 3D where the label is CR SS2 (x###-2). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also sets a minimum building setback.

**23.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###-2)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) These **premises** must comply with Regulation 900.11.10(GX1);
- (B) These **premises** must comply with Regulation 900.11.10(GX3);
- (C) These **premises** must comply with Regulation 900.11.10(GX4);
- (D) These **premises** must comply with Regulations 900.11.10(GX5);
- (E) These **premises** must comply with Regulation 900.11.10(GX7)
- (F) The required minimum **front yard setback** is 3.0 metres;

Prevailing By-laws and Prevailing Sections: (None Apply)

Note: item 24 was newly added. Explanatory Comment: Item 24 lists the site specific provisions for a portion of the Yonge Street South area on Map 3E where the label is CR SS2 (x###-1). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also sets a minimum building setback.

**24.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###-1)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) These **premises** must comply with Regulation 900.11.10(GX1);
- (B) These **premises** must comply with Regulation 900.11.10(GX2);
- (C) These **premises** must comply with Regulation 900.11.10(GX3);
- (D) These **premises** must comply with Regulation 900.11.10(GX4);
- (E) These **premises** must comply with Regulation 900.11.10(GX5);

- (E) These **premises** must comply with Regulation 900.11.10(GX7)
- (F) The required minimum **street yard setback** is 1.5 metres;
- (G) Despite (F) above, the required **setback** from a **lot line** abutting Berwick Avenue is 5.0 metres;
- (H) A dwelling unit in a lawfully existing building is permitted on the lands municipally known as 9 and 11 Hillsdale Avenue, and 5 and 5R Glebe Road East, and any addition to a lawfully existing building on these lands must comply with the requirements in the R zone, or be authorized by a Section 45 Planning Act minor variance;
- (I) For the purposes of (H) above, 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 buildings, structures or uses authorized or permitted on or before [insert date of Council adoption of this By-law]; and
- (J) The required minimum floor space index of all land uses on a **lot** is 2.0.

Prevailing By-laws and Prevailing Sections: (None Apply)

Note: item 25 was newly added. Explanatory Comment: Item 25 lists the site specific provisions for a portion of the Yonge Street South area on Map 3E where the label is CR SS2 (x###-2). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also sets a minimum building setback.

**25.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###-2)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) These **premises** must comply with Regulation 900.11.10(GX1);
- (B) These **premises** must comply with Regulation 900.11.10(GX2);
- (C) These **premises** must comply with Regulation 900.11.10(GX3);

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- (D) These **premises** must comply with Regulation 900.11.10(GX4);
- (E) These **premises** must comply with Regulation 900.11.10(GX5);
- (E) These **premises** must comply with Regulation 900.11.10(GX7);
- (F) The required minimum street yard setback is 1.5 metres; and
- (G) The required minimum floor space index of all land uses on a **lot** is 2.0.

Prevailing By-laws and Prevailing Sections:

(A) Former City of Toronto by-law 999-2010.

Note: item 26 was newly added. Explanatory Comment: Item 25 lists the site specific provisions for a portion of the Yonge Street South area on Map 3E where the label is CR SS2 (x###-3). Note that it refers to some of the general exceptions above, which means that the regulations contained in those exceptions will apply. It also sets a minimum building setback.

**26.** Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number ### so that it reads:

(XX) Exception CR (x###-3)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) These **premises** must comply with Regulation 900.11.10(GX1);
- (B) These **premises** must comply with Regulation 900.11.10(GX2);
- (C) These **premises** must comply with Regulation 900.11.10(GX3);
- (D) These **premises** must comply with Regulation 900.11.10(GX4);
- (E) These **premises** must comply with Regulation 900.11.10(GX5);
- (E) These **premises** must comply with Regulation 900.11.10(GX7);
- (F) The required minimum **street yard setback** is 1.5 metres; and
- (G) The required minimum floor space index of all land uses on a **lot** is 2.0.

Prevailing By-laws and Prevailing Sections:

(A) Former City of Toronto by-law 236-2011.

Note: items 27 to 30 were newly added. Explanatory Comment: items 27 to 30 can be collectively thought of as 'transition clauses'. These clauses are put in place to avoid conflict between this new by-law, and any application currently under review to amend the zoning by-law or for applications for site plan or building permit.

- 27. Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a **building** or **structure** for which an application for a building permit was filed on or prior to [insert date of Council adoption of this By-law], whereby an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Article I, Building Permits of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code.
- 28. Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a building or structure, for which a complete application for a zoning by-law amendment was filed on or prior to [insert date of Council adoption of this By-law], whereby a "complete application for a zoning by-law amendment" means an application which satisfies the requirements set out in the City of Toronto Official Plan.
- **29.** Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a **building** or **structure**, for which:

(A) A complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to [insert date of Council adoption of this By-law]; or

(B) A complete application for a minor variance under Section 45 of the Planning Act was filed after to [insert date of Council adoption of this By-law] based on a building permit referred to in Section 26 of By-law [Clerks to insert by-law ###].

(C) For the purposes of (A) and (B) above, a "complete application for a minor variance" means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act.

**30.** Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a **building** or **structure** for which a complete application for site plan approval was filed on or prior to [insert date of Council adoption of this By-law], whereby a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan.

Enacted and passed on MM ##, 2022.

Frances Nunziata, Speaker John Elvidge, City Clerk

(Seal of the City)

## **Draft Zoning By-law Diagrams - Explanation:**

Diagram 1 shows the lots where changes are being proposed.

**Diagram 2** shows areas that are not currently in zoning by-law569-2013, which are proposed to be added to 569-2013.

**Diagram 3** shows the proposed zoning labels.

Note that two areas remain unchanged related to recent development applications: the northwest corner of Yonge Street and Castlefield Avenue, and a site mid-block on the west side of Bayview Avenue between Balliol Street and Merton Street.

Diagram 4 shows the proposed heights in metres.

Note that the height label remains unchanged due to a recent Ontario Land Tribunal decision for the site at the northwest corner of Yonge Street and Castlefield Avenue.

Note that the height overlay is proposed to change for the recent development mid-block on the west side of Bayview Avenue between Balliol Street and Merton Street, but the prevailing zoning by-law will regulate heights on a site-specific basis.

**Diagram 5** shows the proposed policy area overlay.

**Diagram 6** shows the areas being added to the rooming house overlay.

Note: Yonge Street South maps were added.



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