**Introductory Guidance – Template Lands-Out OLT**

**\*Delete this guidance box in its entirety to finalize this document\***

Template last updated: March 2024

For general guidance and for the purpose of the use of a screen reader:

○ Text in \*blue font\* or text with the asterisk symbol on each side are intended to provide guidance or instruction and must be deleted when that guidance or instruction is no longer required.

○ Text in [red font] or text with the square bracket symbol on each side require user input or verification. After the text has been verified, the bracket on either side of the text must be removed, and the font colour must be changed to black.

○ This template is written based on the "CR-Commercial Residential" Zone. Amend this template as necessary if the proposed development is not located in this zone.

○ Provisions can be removed or additional provisions can be added where site specific context dictates.

Authority: Ontario Land Tribunal Decision issued on [date] and Ontario Land Tribunal Order issued on [date] in Tribunal File [-]

**CITY OF TORONTO**

**\*This template is for lands that are not currently subject to Zoning By-law 569-2013, which are those lands that currently do not appear on the Zoning By-law 569-2013 zoning map\***

**BY-LAW [Clerks to insert By-law number]**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year [-] as [include ALL municipal addresses].**

Whereas the Ontario Land Tribunal, by its Decision issued on [date] and its Order issued on [date], in respect of Tribunal File [-], upon hearing an appeal under Section 34(11) of the Planning Act, R.S.O. 1990, c. P13, as amended, determined to amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year [insert year] as [insert all addresses]; and

Whereas the Ontario Land Tribunal has the authority pursuant to Section 34 of the Planning Act, as amended, to pass this By-law; and

\*Delete the following two recitals if a holding symbol on the zoning map is not being used\*

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once the holding symbol "(H)" is removed by amendment to the by-law; and

Whereasthe Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)"; and

\*Delete the following one recital if a temporary use is not being permitted\*

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law.

The Ontario Land Tribunal Orders:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram [-] attached to this By-law. \*This Section identifies the lands to which this zoning by-law amendment applies\*
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.
3. \*Use this section only if you are amending the zoning map, such as by changing the zone label or adding a new exception number\* Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: [insert complete zone label to be shown on the zoning map] (x [insert exception number) \*The Zoning By-law team will provide the exception number\* as shown on Diagram [-] attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: [insert Policy Area label], as shown on Diagram [-] attached to this By-law. \*If the intention is to bring the lands into Zoning By-law 569-2013, but it is not required to update the Policy Area Overlay Map, then replace "and applying the following Policy Area label to these lands" with "and applying no value" (in this case a diagram does not need to be prepared)\*
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT [-], ST [-], as shown on Diagram [-] attached to this By-law. \*If the intention is to bring the lands into Zoning By-law 569-2013, but it is not required to update the Height Overlay Map, then replace "and applying the following height and storey label to these lands: HT [-], ST [-]" with "and applying no value" (in this case a diagram does not need to be prepared)\*
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying the following lot coverage label to these lands: [-] \*Insert the number which represents the maximum lot coverage as a percentage, which will appear on the lot coverage overlay map, or insert "no value"\*, as shown on Diagram [-] attached to this By-law. \*If the intention is to bring the lands into Zoning By-law 569-2013, but it is not required to update the Lot Coverage Overlay Map, then replace "and applying the following lot coverage label to these lands" with "and applying no value", and in this case a diagram does not need to be prepared\*
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands [-] \*Insert A1, B1, B2, B3, C1 or "no value"\*, as shown on Diagram [-] attached to this By-law. \*If the intention is to bring the lands into Zoning By-law 569-2013, but it is not required to update the Rooming House Overlay Map, then replace "and applying the following rooming house label to these lands" with "and applying no value" (in this case a diagram does not need to be prepared)\*
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.[-].[-] Exception Number [-] \*Zoning Section staff assign the exception number\* so that it reads:

([assigned exception number])Exception[zone symbol] ([assigned exception number]) \*Example - "(14) Exception CR 14"\*

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:

* 1. On lands municipally known as [insert all municipal addresses], if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to ([insert final letter of these site specific provisions]) below;
	2. Despite regulations [40.5.40.10(1) and (2)], the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of [-] metres and the elevation of the highest point of the **building** or **structure;**
	3. Despite regulation [40.5.40.70(1)], a **building** or **structure** may be no closer than [-] metres from the original centreline of a **lane**;
	4. Despite Clause [40.10.30.40], the permitted maximum **lot coverage**, as a percentage of the **lot area**, is [-] percent;
	5. Despite regulation [40.10.40.10(1)(2) or (3)], the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram [-] of By-law [Clerks to insert By-law ##];

\*The above will relate to the height and setback restrictions diagram prepared for the development\*

* 1. Despite regulation [40.10.40.10(5)], the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is [-] metres;
	2. Despite regulations [40.5.40.10(3) to (8) and ([-]) \*Insert the letter of the regulation above that establishes the permitted maximum **building** height\* above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram [-] of By-law [Clerks to insert By-law ##]:
		1. equipment used for the functional operation of the **building,** including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of [-] metres;
		2. **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of [-] metres;
		3. architectural features, parapets, and elements and **structures** associated with a **green roof**,by a maximum of [-] metres;
		4. **building** maintenance units and window washing equipment, by a maximum of [-] metres;
		5. planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of [-] metres;
		6. antennae, flagpoles and satellite dishes, by a maximum of [-] metres; and
		7. trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**,by a maximum of [-] metres;
	3. Despite regulation [40.10.40.40(1)], the permitted maximum **gross floor area** of all **buildings** and **structures** is [-] square metres, of which:
		1. the permitted maximum **gross floor area** for residential uses is [-] square metres;
		2. the permitted maximum **gross floor area** for non-residential uses is [-] square metres;
		3. the required minimum **gross floor area** for non-residential uses is [-] square metres;
		4. the permitted maximum **interior floor area** for [insert uses] is [-] square metres; and \*Use this regulation to control the permitted maximum area for certain uses, like an eating establishment or retail store- delete if not required\*
		5. the required minimum **interior floor area** for [insert uses] is [-] square metres; \*Use this regulation to control the required minimum area for certain uses, like a day nursery- delete if not required\*
	4. Despite regulation [40.10.40.50(1) and (2)], a **building** with 20 or more **dwelling units** must provide **amenity space** at the following rate:
		1. at least [-] square metres for each **dwelling unit** as indoor **amenity space**;
		2. at least [-] square metres of outdoor **amenity space** for each **dwelling unit** of which [-] square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
		3. no more than [-] percent of the outdoor component may be a **green roof**;
	5. Despite regulation [40.10.40.70(1)(2) or (3)], the required minimum **building setbacks** are as shown in metres on Diagram [-] of By-law [Clerks to insert By-law ##];

\*The above will relate to the height and setback restrictions diagram prepared for the development\*

* 1. Despite regulation [40.10.40.80(1) or (2)], the required separation of **main walls** are as shown in metres on Diagram [-] of By-law [Clerks to insert By-law ##];

\*The above will relate to the height and setback restrictions diagram prepared for the development\*

* 1. Despite Clause [40.10.40.60] and ([-]) \*Insert letter(s) of the regulation above which states minimum building setbacks and separation distances\* above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
		1. decks, porches, and balconies, by a maximum of [-] metres;
		2. canopies and awnings, by a maximum of [-] metres;
		3. exterior stairs, access ramps and elevating devices, by a maximum of [-] metres;
		4. cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of [-] metres;
		5. architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of [-] metres;
		6. window projections, including bay windows and box windows, by a maximum of [-] metres;
		7. eaves, by a maximum of [-] metres;
		8. a dormer, by a maximum of [-] metres; and
		9. air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of [-] metres;
	2. Despite regulation [200.5.10.1(1)] and [Table 200.5.10.1], **parking spaces** must be provided in accordance with the following:
		1. a minimum of [-] residential occupant **parking spaces** for each **dwelling unit**, but not exceeding the permitted maximum in Table 200.5.10.1 for **dwelling units** in a[insert building type] in [insert Parking Zone];
		2. a minimum of [-] residential visitor **parking spaces** for each **dwelling unit**; and
		3. a **parking spaces** for every [-] square metres of **gross floor area** devoted to non-residential uses, but not exceeding the permitted maximum in Table 200.5.10.1 for [insert Tier number] for a [insert non-residential use(s)] in [insert Parking Zone];
	3. Despite regulations [230.5.10.1(1)(3) and (5)] and [Table 230.5.10.1(1)], **bicycle parking spaces** must be provided in accordance with the following minimum rates:
		1. [-] "long-term" **bicycle parking spaces** for each **dwelling unit**;
		2. [-] "short-term **bicycle parking spaces** for each **dwelling unit**;
		3. [-] "long term" **bicycle parking spaces** for each 100 square metres of **interior floor area** \*Zoning By-law 569-2013, as amended, calculates these types of **bicycle parking spaces** based on **interior floor area**\* for all non-residential uses;
		4. [-] "short-term" **bicycle parking spaces** for each 100 square metres of **interior floor area** \*Zoning By-law 569-2013, as amended, calculates these types of **bicycle parking spaces** based on **interior floor area**\* for all non-residential uses.

Prevailing By-laws and Prevailing Sections: \*List the prevailing By-laws and their sections from a former municipal By-law below, as applicable, or delete the list below and write "(None Apply)"\*

1. [insert prevailing By-law and prevailing section];
2. [insert prevailing By-law and prevailing section]; and
3. [insert prevailing By-law and prevailing section].
4. \*This Section is a place holder for an additional site specific exception, as applicable. Delete this entire numbered section if it is not needed\* Zoning By-law 569-2013, as amended, is further amended by [adding / amending / amending and replacing] Article 900.[-].[-] Exception Number [-]\*Zoning Section staff assign the exception number\* so that it reads:

([assigned exception number])Exception[zone symbol] ([assigned exception number]) \*Example - "(14) Exception CR 14"\*

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:

* 1. On lands municipally known as [insert all municipal addresses], if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to ([insert final letter of these site specific provisions]) below;
	2. [text];
	3. [text];
	4. [text];
	5. [text];
	6. [text];
		1. [text];
		2. [text]; and
		3. [text];
	7. [text];
	8. [text];
	9. [text];
		1. [text];
			1. [text]; \*Further subsections cannot be added after this as set out at regulation 1.20.1(2)\*
			2. [text]; and
			3. [text];
		2. [text];
			1. [text];
			2. [text]; and
			3. [text];
	10. [text];
	11. [text]; and
	12. [text].

Prevailing By-laws and Prevailing Sections: \*List the prevailing By-laws and their sections below, as applicable, or delete the list and write "(None Apply)"\*

1. [text];
2. [text]; and
3. [text].
4. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
5. Temporary Use(s): \*Delete this Section in its entirety if a temporary use is not contemplated\*
	1. None of the provisions of By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of [-] \*Insert specific use(s) permitted with complete description of location, including buildings and structures as applicable\* on the lands to which this By-law applies for a period of [-] years \*Cannot exceed 3 years\* from the date this By-law comes into full force and effect, after which this temporary use permission expires.
6. Holding Symbol Provisions \*Delete this Section in its entirety if the By-law does not include the use of a holding symbol \*
	1. The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram [-] attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
	2. An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
		1. [condition 1]; and \*Insert nature of condition including City Official required to be satisfied to clear\*
		2. [condition 2]. \*Insert nature of condition including City Official required to be satisfied to clear\*
7. \*Space holder Section – delete if not required\*

Ontario Land Tribunal Decision issued on [date] and Ontario Land Tribunal Order issued on [date] in Tribunal File [-]

**[Insert Diagram 1]**

**[Insert Diagram 2]**

**[Insert Diagram 3]**

**[Insert Diagram 4]**

**[Insert Diagram 5]**