

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

CITY OF TORONTO

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

To amend Zoning By-law 569-2013, as amended, to update permissions and performance standards for mid-rise buildings on certain Avenues.

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;

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:

This By-law amends the zone labels on the Zoning By-law Map in Section 990.10 and Height labels on the Height Overlay Map in Section 995.20 for affected properties along the Avenues. The provisions to update these maps can be found after the provisions updating the text regulations.

Explanatory Note:

Provision 2 of this by-law introduce a new general provision that clarifies the application of the zoning by-law in the event of a conflict between a zoning standard, such as a front building setback, and prevailing requirements set out in a heritage permit.

2. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 5.10.40.1(6), so that it reads:

“(6) Application of Building Regulations to Heritage Designated Sites”

On a **heritage designated site**, any alteration, erection or placing of, or addition or extension to, a **building** or **structure** that requires authorization by issuance of a Heritage Permit must be in accordance with the following:

- (i) the alteration, erection or placing of, or addition or extension to, the **building** or **structure** must comply with any requirements governing the bulk, massing, form and location of the **building** or **structure** to ensure the conservation of the cultural heritage value of the **heritage**

designated site, as set out in a Heritage Permit;

- (ii) the **building** regulations for the zone in which the **building** or **structure** is located do not apply to prevent the alteration, erection or placing of, or addition or extension to, the **building** or **structure** in compliance with a Heritage Permit as described in (i) above; and
- (iii) for the purpose of this regulation, “Heritage Permit” has the meaning given to the term “permit” in Section 1 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended.”

Explanatory Note:

This By-law creates two new Development Standard Sets (SS4 & SS5) for the CR zone, which implement the removal of the rear angular plane in the updated Mid-rise Building Rear Transition performance standards. Existing regulations referencing the SS2 or SS3 standard sets are also amended to add references to the SS4 or SS5 standard sets where appropriate—where an existing regulation is otherwise substantially unchanged, these additions have been indicated by *italicized blue text* for ease of reference.

Provision 3 of this by-law adds SS4 & SS5 to the CR zone’s list of standard sets.

3. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.1.10(2), so that it reads:

“(2) CR Zone Development Standard Sets

In the CR zone there are *five* Development Standard Sets: SS1, SS2, SS3, *SS4 and SS5*, which form part of the zone label.”

Explanatory Note:

Provisions 4 to 10 of this by-law amend the CR zone’s Use Conditions by adding references to SS4 where conditions reference the SS2 standard set, and to SS5 where conditions reference the SS3 standard set.

4. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.20.100(1)(A), so that it reads:

“(A) the total **interior floor area** of all **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments** on a **lot** within 6.1 metres of a **lot** in the Residential Zone category or Residential Apartment Zone category and on a **lot** which is subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)* may not exceed 400 square metres;”

5. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.20.100(1)(C), so that it reads:

“(C) the **interior floor area** size restriction in regulation (A) above does not apply to **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments**, on a **lot** that is more than 6.1 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category, nor on a **lot** in the CR zone and subject to Development Standard Set 3 (SS3) *or Development Standard Set 5 (SS5)*.”
6. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.20.100(6), so that it reads:

“(6) Service Shop

In the CR zone, the permitted maximum **interior floor area** of all **service shops** on a **lot** which is subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)* is 400 square metres. The calculation of total **interior floor area** is reduced by the area the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I).”
7. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.20.100(7), so that it reads:

“(7) Public Parking - Location

(A) may not be in an above-ground **parking garage** on a **lot** subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)*; and

(B) is not subject to any location conditions on a **lot** subject to Development Standard Set 3 (SS3) *or Development Standard Set 5 (SS5)*.”
8. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.20.100(16), so that it reads:

“(16) Custom Workshop

In the CR zone, the permitted maximum **interior floor area** of all **custom workshops** on a **lot** which is subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)* is 400 square metres. The calculation of total **interior floor area** is reduced by the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I).”
9. Zoning By-law 569-2013, as amended, is further amended by replacing

Regulation 40.10.20.100(17), so that it reads:

“(17) Retail Service

In the CR zone, the permitted maximum **interior floor area** of all **retail services** on a **lot** which is subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)* is 400 square metres. The calculation of total **interior floor area** is reduced by the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I).”

10. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.20.100(21)(D), so that it reads:

“(D) an outdoor patio must be set back at least:

- (i) 10.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone Category, if it is on a **lot** subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)*; or
- (ii) 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone Category, if it is on a **lot** subject to Development Standard Set 3 (SS3) *or Development Standard Set 5 (SS5)*.”

Explanatory Note:

Provision 11 of this by-law would require that adequate servicing capacity be demonstrated prior to construction of a new building or addition within the areas subject to the SS4 and SS5 standard sets.

11. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 40.10.30.1 new regulations (2) and (3) so that they read:

(2) Water Main and Sewer Capacity Requirements for Apartment Buildings and Mixed-Use Buildings subject to SS4 and SS5

In the CR Zone subject to Development Standard Set 4 (SS4) and Development Standard Set 5 (SS5), in addition to the requirements of Regulation 5.10.30.1(1), no **townhouse, apartment building or mixed-use building** may be erected or used on a lot unless all municipal water mains and municipal sewers, and their appurtenances, have adequate capacity to service the **building**, to the satisfaction of the General Manager, Toronto Water; and

- (3) Exemptions for Water Main and Sewer Capacity Requirements for Apartment Buildings and Mixed-Use Buildings subject to SS4 and SS5
Regulation (2) above does not apply to the construction, erection or placing

of:

- (A) a **townhouse, apartment building or mixed-use building**, or combination thereof, if the **lot** will contain 10 or fewer **dwelling units, dwelling rooms, or bed-sitting rooms**, or any combination thereof;
- (B) an addition of less than 50 square metres in **gross floor area** to a **lawfully existing building**, if the **lawfully existing building** is:
 - (i) on a **lot** that will contain or contains no more than 10 **dwelling units, dwelling rooms, and bed-sitting rooms** or a combination thereof; and
- (C) the replacement or reconstruction of a **building or structure**, or part of a **building or structure**, destroyed or damaged by fire, explosion, flood or other similar cause, or replacement, reconstruction, or compliance due to an order of the City of Toronto if the **gross floor area** and height of the **building or structure** are not increased, no **building or structure** setback is reduced, and the use of the land is not changed.

Explanatory Note:

Provision 12 of this by-law amends the CR zone regulations controlling residential uses on the first storey (as revised by OLT Order issued April 19, 2024 in Case No. OLT-22-002465) to add references to the SS4 and SS5 standard sets.

12. Zoning By-law 569-2013, as amended, is further amended by amending Regulation 40.10.40.1(1)(C)(ii) to delete the words “or Development Standard Set 3 (SS3)” and replace them with the words “, Development Standard Set 3 (SS3), Development Standard Set 4 (SS4) or Development Standard Set 5 (SS5)”, so that its first paragraph reads:

- “(ii) on a lot subject to Development Standard Set 2 (SS2), Development Standard Set 3 (SS3), *Development Standard Set 4 (SS4) or Development Standard Set 5 (SS5)*, if:”

Explanatory Note:

Provisions 13 and 14 of this by-law add new regulations to the CR zone setting out a default maximum permitted height for the SS4 and SS5 standard sets where a property does not have a Height label on the Height Overlay Map.

The default values are 20 metres for SS4 reflecting the 20 metre right-of-way width of the narrowest Avenues in areas where SS4 would apply, and 27 metres for SS5 reflecting the 27 metre right-of-way width of the narrowest Avenues in areas where SS5 would apply.

13. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 40.10.40.10(8), so that it reads:

“(8) Development Standard Set 4 – Maximum Height

In the CR zone subject to Development Standard Set 4 (SS4), the permitted maximum height of a **building** or **structure** on a **lot** is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 20.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map.”

14. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 40.10.40.10(9), so that it reads:

“(9) Development Standard Set 5 – Maximum Height

In the CR zone subject to Development Standard Set 5 (SS5), the permitted maximum height of a **building** or **structure** on a **lot** is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 27.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map.”

Explanatory Note:

Provision 15 of this by-law amends encroachment regulations to add a new regulation setting out balcony projection permissions for SS4 & SS5 permitting inset balconies only on street-facing main walls below the fourth storey, and permitting balcony projections of 1.5 metres above that height and on other side or rear building faces.

15. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 40.10.40.60(1)(D), so that it reads:

“(D) in the CR zone subject to Development Standard Set 4 (SS4) or Development Standard Set 5 (SS5), a platform with a floor level higher than the floor level of the first **storey** of the **building**, attached to a **main wall** of the **building** facing a **street**, must comply with the following:

- (i) a platform located below the fourth **storey** of the **building** above-ground must:
 - (a) encroach no closer to a **lot line** that abuts a **street** than the

- closest **main wall** of the **building** to that **lot line**;
 - (b) be located behind at least 75% of the **main wall** of the **building** facing the **lot line** that abuts a **street**; and;
 - (b) not project more than 1.5 metres from the **main wall** to which it is attached.
- (ii) a platform located above the first three **storeys** of the **building** above-ground must:
- (a) be located entirely behind the front **main wall** of the first three **storeys** of the **building** above-ground; ; and
 - (b) not project more than 1.5 metres from the **main wall** to which it is attached.”

Explanatory Note:

Provision 16 of this by-law adds SS4 and SS5 to a regulation controlling first floor residential use setbacks which currently applies to the SS1 and SS2 standard sets.

16. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.40.70(4), so that it reads:

“(4) Minimum Building Setback from Front Lot Line for Residential Uses on the First Storey

Despite regulations 40.10.40.70(1)(A), 40.10.40.70(2)(A), [40.10.40.70\(7\)\(A\)](#), and [40.10.40.70\(8\)\(A\)](#) for a **building** constructed pursuant to a building permit issued three years after May 9, 2013, any portion of a **building** with **dwelling units** located in the first **storey** of a **building** must be set back:

- (A) at least 4.5 metres from the **front lot line**; or
- (B) at least 3.0 metres from the **front lot line** if that the floor level of the first **storey** is located at least 0.9 metres and a maximum of 1.2 metres above the average elevation of the ground along the **front lot line**.”

Explanatory Note:

Provision 17 of this by-law adds a regulation providing guidance for the identification of the front lot line and rear lot line in various different lot configurations, and the application of setbacks where conveyance will be required for a road widening described in the City’s Official Plan.

17. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 40.10.40.70(6), so that it reads:

“(6) Interpretation of Lot Lines abutting a Major Street – Development Standard Sets 4 and 5

(A) Designated Front Lot Line and Rear Lot Line

Despite Clause 5.10.30.20, if a **lot** in the CR zone subject to Development Standard Set 4 (SS4) or Development Standard Set 5 (SS5) has more than one **lot line** abutting a **street**:

- (i) if the **lot** abuts a **major street**, the **front lot line** is the **lot line** abutting the major **street**;
- (ii) if the **lot** has two or more **lot lines** that abut a **major street**, then the **front lot line** is the **lot line** abutting the major **street** with the widest **street** right-of-way;
- (iii) if the **lot** abuts a **lane** that runs parallel to a major **street**, the **lot line** abutting the **lane** is the **rear lot line**;

(B) Measurement of Street Yard Setbacks for Buildings on Major Streets

On a **lot** in the CR zone subject to Development Standard Set 4 (SS4) or Development Standard Set 5 (SS5) that abuts a **major street**, the required **front yard setback** or **side yard setback** of a **building** from a **major street** is measured from either:

- (i) the **lot line** abutting a **major street**, provided that the right-of-way width of the **major street** abutting the **lot** has been built to the width planned on Map 3 of the Official Plan; or
- (ii) the **lot line** abutting a **major street** as it would be following the conveyance of the right-of-way widening required to achieve the planned right-of-way width of that **major street**, provided that the **major street** has not been built to the right-of-way width planned on Map 3 of the Official Plan.

Explanatory Note:

Provision 18 of this by-law adds building setback regulations for SS4, implementing the updated mid-rise building rear transition performance standards, updating certain other setbacks to better align with the 2010-2016 Mid-rise Guidelines, and carries forward other setbacks from the SS2 or SS3 standard sets such as front yard and side yard setbacks. The new standards do not require a mid-rise building abutting a Residential, Residential Apartment or Open Space zone to include a 45 degree rear angular plane, and instead rely on more permissive rear yard setbacks. The standards also clarify interpretation of the front lot line for buildings with frontage on multiple streets where one is an Avenue.

18. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 40.10.40.70(7), so that it reads:

“(7) Development Standard Set 4 – Building Setbacks

In the CR zone subject to Development Standard Set 4 (SS4), a **building** or **structure** is subject to the following:

(A) Front Yard Setback

at least 75% of the **main wall** of the **building** facing a **front lot line** must be at or between the **front lot line** and a maximum of 3.0 metres from the **front lot line**;

(B) Side Yard Setbacks

the **building** must be set back:

- (i) where the **main wall** of a **building** has windows or openings, the **main wall** must be set back at least 5.5 metres from a **side lot line** that is not adjacent to a **street** or **lane**, otherwise no **building setback** is required;
- (ii) where the **main wall** of a **building** does not have windows or openings, the **main wall** must be set back at least 3.0 metres from a **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, otherwise no **building setback** is required;

(C) Building Setback for Upper Level Facing a Street

the **building** must be set back:

- (i) above a height of 20 metres the **main wall** of the **building** must be set back at least 1.5 metres from a **lot line** that abuts a **street**;
- (ii) the **building** may not penetrate a 45 degree **angular plane**, measured at a line parallel to and at a height above a **lot line** that abuts a **street** and is not a **rear lot line**, equal to 80% of the width of the **street** right-of-way on which the **lot** fronts; and
- (iii) if a **lot** has two or more **lot lines** that abut a **street**, then the **front lot line** as defined in Regulation 40.10.40.70(6)(A) is the **lot line** to which (ii) applies;

Explanatory Note:

Provision (D) sets out the rear yard setback for situations where the building does not abut a park, and where it is serviced by a lane.

(D) Rear Yard Setback

the **building** must be set back:

- (i) at least 7.5 metres from the **rear lot line**;
- (ii) the portions of the **building** or **structure** on the **lot** exceeding a height of 20.0 metres above the average elevation of the ground along the **rear lot line** must be set back at least 10.0 metres from the **rear lot line**; and
- (iii) where the **rear lot line** abuts a **lane**, the setbacks required by (i) and (ii) above are measured from the **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**;

Explanatory Note:

Provision (E) sets out the rear yard setback for situations where the building is located on a corner lot, abuts a residential zone and is not serviced by a lane, and permits a 4 storey extension of the building addressing the flanking street.

(E) Rear Yard Setback from a Lot in the Residential Zone Category for a Corner Lot Not Serviced by a Lane

Despite Regulation 40.10.40.70(7)(D)(i), on a **corner lot** that abuts a **lot** in the Residential Zone category, a portion of the **building** may extend into a required **rear yard setback** abutting a **lot** in the Residential Zone category, provided:

- (i) the portion of the **building** extending into the required **rear yard setback** does not exceed a height of 14 metres above the average elevation of the ground along the **rear lot line** and a maximum of four **storeys**;
- (ii) the portion of the **building** extending into the required **rear yard setback** is at least 2.5 metres from the **rear lot line**;
- (iii) the depth of the **building** extension, measured along a line drawn perpendicular to the **lot line** abutting the **street** on which the abutting **lot** in the Residential Zone category fronts, does not exceed the maximum permitted **building depth** for a permitted **residential building** type on the abutting **lot** in the Residential Zone category; and
- (iv) the other portions of the **building** are set back at least 7.5 metres from the **rear lot line**;

Explanatory Note:

Provision (F) sets out the rear yard setback for situations where the building abuts a park but presents a driveway, lane or loading area along that face.

(F) Rear Yard Setback for a Building Abutting a Park or a Lot in the O, ON or OR Zones

Despite Regulation 40.10.40.70(7)(D), if a **lot** abuts a **park** or a **lot** in the O, ON or OR zone, or is separated from a **park** or **lot** in the O, ON or OR zone by a **lane**, a **building** or **structure** on the **lot** in the CR zone must be setback:

- (i) at least 10.0 metres from the **rear lot line**;
- (ii) the portions of the **building** or **structure** on the **lot** in the CR zone exceeding a height of 20.0 metres above the average elevation of the ground along the **rear lot line** must be set back at least 12.5 metres from the **rear lot line**; and
- (iii) where the **rear lot line** abuts a **lane**, the setbacks required by (i) and (ii) above are measured from the **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**;

Explanatory Note:

Provision (G) sets out the rear yard setback for situations where the building abuts a park but presents active uses such as primary residential entrances, amenity spaces or retail units facing the park.

(G) Rear Yard Setback for a Building with Main Pedestrian Entrances Abutting a Park or a Lot in the O, ON or OR Zones

Despite Regulations 40.10.40.70(7)(D) and (F), if a **corner lot** abuts a **park** or a **lot** in the O, ON or OR zone, and the first **storey** of the **building** or **structure** on the **lot** in the CR zone presents an “active façade” along the **main wall** facing the **lot line** abutting the **park** or **lot** in the O, ON or OR Zone:

- (i) the **building** or **structure** on the **lot** in the CR zone must be set back at least 6.0 metres from the **rear lot line**;
- (ii) the portions of the **building** or **structure** on the **lot** in the CR zone exceeding a height of 20.0 metres above the average elevation of the ground along the **rear lot line** must be set back:

- (a) at least 12.5 metres from the **rear lot line**, if those portions of the **building** are located south of the **park** or **lot** in the O, ON or OR zone; or
 - (b) in all other cases, at least 8.5 metres from the **rear lot line**;
 - (iii) Despite Regulation 40.10.40.1(1)(C)(ii)(a), access to the **dwelling units** facing the **lot line** abutting the **park** or **lot** in the O, ON or OR zone may be through a common outside area which has direct access to a **street**; and
 - (iv) for the purpose of regulation 40.10.40.70(7)(G), an “active façade” means a **main wall** of a **building** that abuts premises used for **amenity space**, residential lobbies, **dwelling units** or non-residential uses for a minimum of 60 percent of its length, and having windows or openings and direct access by a main pedestrian entrance through the **main wall**.
- (H) Rear Yard Setback for Elements for the Functional Operation of a Building from a Lot in the Residential Zone Category
 In addition to the requirements of Regulation 40.5.40.10(5)(B), if a **lot** abuts a **lot** in the Residential Zone category, or is separated from a **lot** in the Residential Zone category by a **lane**, then equipment, **structures** or parts of a **building** exceeding the permitted maximum height for a **building**, as permitted by regulation 40.5.40.10(4), must also comply with the following:
- (i) **structures** that enclose, screen or cover equipment used for the functional operation of the **building**, and **structures** or parts of the **building** used for the functional operation of the **building**, may not penetrate a 45 degree **angular plane** projected from the top of the exterior face of the **main wall** facing the **rear lot line**;

Explanatory Note:

Provision 16 of this by-law adds building setback regulations for the SS5 standard set, which duplicate those proposed for the SS4 standard set in Provision 15 above.

19. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 40.10.40.70(8), so that it reads:

“(8) Development Standard Set 5 – Building Setbacks

In the CR zone subject to Development Standard Set 5 (SS5), a **building** or

structure is subject to the following:

(A) Front Yard Setback

- (i) at least 75% of the **main wall** of the **building** facing a **front lot line** must be at or between the **front lot line** and a maximum of 3.0 metres from the **front lot line**; and
- (ii) on a **lot** that is subject to a Chapter 900 Site Specific Exception in Section 900.11, if the Site Specific Provisions require a minimum **front yard setback**, the maximum distances in (i) are measured from the required minimum **front yard setback** instead of the **front lot line**.

(B) Side Yard Setbacks

the **building** must be set back:

- (i) where the **main wall** of a **building** has windows or openings, the **main wall** must be set back at least 5.5 metres from a **side lot line** that is not adjacent to a **street** or **lane**, otherwise no **building setback** is required;
- (ii) where the **main wall** of a **building** does not have windows or openings, the **main wall** must be set back at least 3.0 metres from a **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, otherwise no **building setback** is required;

(C) Building Setback for Upper Levels Facing a Street

the **building** must be set back:

- (i) above a height of 20 metres, the **main wall** of the **building** must be set back at least 1.5 metres from a **lot line** that abuts a **street**;
- (ii) the **building** may not penetrate a 45 degree **angular plane**, measured at a line parallel to and at a height above a **lot line** that abuts a **street** and is not a **rear lot line**, equal to 80% of the width of the **street** right-of-way on which the **lot** fronts; and
- (iii) if a **lot** has two or more **lot lines** that abut a **street**, then the **front lot line** as defined in Regulation 40.10.40.70(6)(A) is the **lot line** to which (ii) applies;

(D) Rear Yard Setback

the **building** must be set back:

- (i) at least 7.5 metres from the **rear lot line**;
 - (ii) the portions of the **building** or **structure** on the **lot** exceeding a height of 20.0 metres above the average elevation of the ground along the **rear lot line** must be set back at least 10.0 metres from the **rear lot line**; and
 - (iii) where the **rear lot line** abuts a **lane**, the setbacks required by (i) and (ii) above are measured from the **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**;
- (E) Rear Yard Setback from a Lot in the Residential Zone Category for a Corner Lot Not Serviced by a Lane
Despite Regulation 40.10.40.70(8)(D)(i), on a **corner lot** that abuts a **lot** in the Residential Zone category, a portion of the **building** may extend into a required **rear yard setback** abutting a **lot** in the Residential Zone category, provided:
- (i) the portion of the **building** extending into the required **rear yard setback** does not exceed a height of 14 metres above the average elevation of the ground along the **rear lot line** and four **storeys**;
 - (ii) the portion of the **building** extending into the required **rear yard setback** is at least 2.5 metres from the **rear lot line**;
 - (iii) the depth of the **building** extension, measured along a line drawn perpendicular to the **lot line** abutting the **street** on which the abutting **lot** in the Residential Zone category fronts, does not exceed the maximum permitted **building depth** for a permitted residential **building** type on the abutting **lot** in the Residential Zone category; and
 - (iv) the other portions of the **building** are set back at least 7.5 metres from the **rear lot line**;
- (F) Rear Yard Setback for a Building Abutting a Park or a Lot in the O, ON or OR Zones
Despite Regulation 40.10.40.70(8)(D), if a **lot** abuts a **park** or a **lot** in the O, ON or OR zone, or is separated from a **park** or **lot** in the O, ON or OR zone by a **lane**, a **building** or **structure** on the **lot** in the CR zone must be set back:
- (i) at least 10.0 metres from the **rear lot line**;
 - (ii) the portions of the **building** or **structure** on the **lot** in the CR zone

exceeding a height of 20.0 metres above the average elevation of the ground along the **rear lot line** must be set back at least 12.5 metres from the **rear lot line**; and

- (iii) where the **rear lot line** abuts a **lane**, the setbacks required by (i) and (ii) above are measured from the **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**;

(G) Rear Yard Setback for a Building with Main Pedestrian Entrances Abutting a Park or a Lot in the O, ON or OR Zones

Despite Regulations 40.10.40.70(8)(D) and (F), if a **corner lot** abuts a **park** or a **lot** in the O, ON or OR zone, and the first **storey** of the **building** or **structure** on the **lot** in the CR zone presents an “active façade” along the **main wall** facing the **lot line** abutting the **park** or **lot** in the O, ON or OR Zone:

- (i) the **building** or **structure** on the **lot** in the CR zone must be set back at least 6.0 metres from the **rear lot line**;
- (ii) the portions of the **building** or **structure** on the **lot** in the CR zone exceeding a height of 20.0 metres above the average elevation of the ground along the **rear lot line** must be set back:
 - (a) at least 12.5 metres from the **rear lot line**, if those portions of the **building** are located south of the **park** or **lot** in the O, ON or OR zone; or
 - (b) in all other cases, at least 8.5 metres from the **rear lot line**; and
- (iii) Despite Regulation 40.10.40.1(1)(C)(ii)(a), access to the **dwelling units** facing the **lot line** abutting the **park** or **lot** in the O, ON or OR zone may be through a common outside area which has direct access to a **street**; and
- (iv) for the purpose of regulation 40.10.40.70(8)(G), an “active façade” means a **main wall** of a **building** that abuts premises used for **amenity space**, residential lobbies, **dwelling units** or non-residential uses for a minimum of 60 percent of its length, and having windows or openings and direct access by a main pedestrian entrance through the **main wall**.

(H) Rear Yard Setback for Elements for the Functional Operation of a Building from a Lot in the Residential Zone Category

In addition to the requirements of Regulation 40.5.40.10(5)(B), if a **lot** abuts a **lot** in the Residential Zone category, or is separated from a **lot**

in the Residential Zone category by a **lane**, then equipment, **structures** or parts of a **building** exceeding the permitted maximum height for a **building**, as permitted by regulation 40.5.40.10(4), must also comply with the following:

- (i) **structures** that enclose, screen or cover equipment used for the functional operation of the **building**, and **structures** or parts of the **building** used for the functional operation of the **building**, may not penetrate a 45 degree **angular plane** projected from the top of the exterior face of the **main wall** facing the **rear lot line**;

Explanatory Note:

Provision 20 of this by-law provides front yard setback exemptions for places of worship on CR SS4 & SS5 properties (similar to an existing exemption in SS2), and to facilitate infill buildings in commercial parking lots behind other buildings that do meet the required maximum front yard setback in the SS5.

20. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 40.10.40.71(6), so that it reads:

“(6) Uses Exempt from Complying with Front Yard Setback – SS4 and SS5

In the CR zone subject to:

(A) Development Standard Set 4 (SS4):

- (i) Regulation 40.10.40.70(7)(A) does not apply to a **place of worship**;

(B) Development Standard Set 5 (SS5):

- (i) Regulation 40.10.40.70(8)(A) does not apply to a **place of worship**;
- (ii) On a **lot** that contains multiple **buildings**, Regulation 40.10.40.70(8)(A) does not apply to the erection of a **building** where, for at least 75% of the length of the front **main wall** of the **building**, a line measured from and drawn perpendicular to the **front lot line** would first intersect another **building** on the **lot**.”

Explanatory Note:

Provision 21 of this by-law ensures that Eglinton Crosstown LRT-related permissions continue to apply to the SS4 and SS5 standard sets.

21. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.40.71(5), so that it reads:

“(5) Transportation Use Exemption

Regulations 40.10.40.70(1), (2), (3), (7) and (8) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the setbacks are between 0 and 110 metres.”

Explanatory Note:

Provision 22 of this by-law applies the SS2/SS3 main wall separation requirements to the SS4 & SS5 standard sets.

22. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.40.80(2), so that it reads:

“(2) Separation of Building Walls - SS2, SS3, SS4 and SS5 Areas

For a **lot** in the CR zone, subject to Development Standard Set 2 (SS2), Development Standard Set 3 (SS3), *Development Standard Set 4 (SS4) or Development Standard Set 5 (SS5)*, the portion of a **building** which has a height equal to or less than the width of the right-of-way of the **street** it abuts must comply with the following:

- (A) where a **main wall** of the **building** has windows and a line projected at a right angle from that **main wall** intercepts another **main wall** with windows on the same **lot**, the required minimum above-ground distance between the **main walls** is 11.0 metres;
- (B) where a **main wall** of the **building** has windows facing another **main wall** on the same **lot** which does not have windows and a line projected at a right angle from one of these **main walls** intercepts the other **main wall**, the required minimum above-ground distance between the **main walls** is 5.5 metres; and
- (C) Regulations 40.10.40.80(2) (A) and (B) do not apply to **main walls** around architectural recesses in a **main wall** having a depth of 1.0 metres or less, inset balconies and recessed **building** entrances.”

Explanatory Note:

Provision 23 of this by-law applies the SS2 landscaping requirements to the SS4 & SS5 standard sets.

Provision 24 adds a new regulation requiring a soft landscaping strip be provided where a lot subject to the SS4 & SS5 standards abuts an Open Space zone.

23. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.50.10(1)(A), so that it reads:
- “(A) subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2), *Development Standard Set 4 (SS4)*, or *Development Standard Set 5 (SS5)*, no **landscaping** is required unless regulation 40.10.50.10(3) or (4) applies;”
24. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 40.10.50.10(4), so that it reads:
- “(4) Landscaping Requirement if Abutting a Lot in the O, ON or OR Zone – Development Standard Set 4 and Development Standard Set 5
- If a **lot** in the CR zone subject to Development Standard Set 4 (SS4) or Development Standard Set 5 (SS5) abuts a **lot** in the O, ON or OR zone, or is separated from a **lot** in the O, ON or OR zone by a **lane**, a minimum 2.5 metre wide strip of land used only for **soft landscaping** must be provided along the entire length of the **lot line** abutting the **lot** in the O, ON or OR zone or the **lane**, except where crossed by a **driveway** having a width of no more than 6.0 metres that provides **vehicle** access to the **building** or a walkway that provides pedestrian access to the **building**.”

Explanatory Note:

Provisions 25 and 26 of this by-law apply the SS2 location requirements for parking spaces to the new SS4 standard set. This has not been applied to the SS5 standard set due to the common presence of front yard parking in suburban commercial plazas, which would otherwise become non-conforming.

25. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.80.10(1), so that it reads:
- “(1) Location of Outdoor Surface Parking- SS1, SS2 and SS4 Areas
- In the CR zone subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) or *Development Standard Set 4 (SS4)*, a surface **parking space** may not be located in the **front yard**.”
26. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.80.20(2), so that it reads:
- “(1) Location of Outdoor Surface Parking – Corner Lots in SS2 and SS4 Areas
- On a **corner lot** in the CR zone subject to Development Standard Set 2 (SS2) or *Development Standard Set 4 (SS4)*, a **parking space** must be set back at least 7.5 metres from a **lot** in the Residential Zone category,

Residential Apartment Zone category or Open Space zone category.”

Explanatory Note:

Provisions 27, 28 and 29 of this by-law apply the SS2 restrictions about vehicle and loading space access from lanes/streets to the new SS4 standard set. This has not been applied to the SS5 standard set due to the common presence of front yard vehicular access in suburban commercial plazas, which would otherwise become non-conforming.

27. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.90.40(1), so that it reads:

“(1) Access to Loading Space – Restrictions

In a CR zone, for a **lot** subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)*:

- (A) if the **lot** abuts a **lane**, **vehicle** access to a **loading space** must be from the **lane**; and
- (B) if the **lot** is a **corner lot**, does not abut a **lane** and has at least one **lot line** abutting a **street** which is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to a **loading space** must be from a **street** which is not a major **street**.”

28. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.90.40(3), so that it reads:

“(3) Conditional Combined Access to a Loading Space

In a CR zone, for a **lot** subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)*, access to a **loading space** is permitted across a **lot line** that abuts a **street** if:

- (A) a **loading space** cannot be provided on the **lot** in accordance with the requirements of regulation 40.10.90.40 (1); and
- (B) the access to the **loading space** is combined with the **vehicle** access permitted in 40.10.100.10(1)(C).”

29. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 40.10.100.10(1), so that it reads:

“(1) Vehicle Access – Restrictions

In a CR zone, for a **lot** subject to Development Standard Set 1 (SS1), Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)*:

- (A) if the **lot** abuts a **lane**, **vehicle** access must be from the **lane**;
- (B) if the **lot** is a **corner lot**, does not abut a **lane** and has at least one **lot line** abutting a **street** which is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to the **lot** must be from a **street** which is not a major **street**;
- (C) only one **vehicle** access is permitted; and
- (D) regulations (A), (B) and (C) above do not apply to restrict the following uses:
 - (i) Ambulance Depot
 - (ii) City Services, referred to in regulation 5.10.20.1(1);
 - (iii) Fire Hall;
 - (iv) Police Station; or
 - (v) **Vehicle Fuel Station.**

Explanatory Note:

Provision 30 of this by-law applies the SS2 parking space exemptions for change-of-use within an existing building to the new SS4 standard set.

30. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 200.5.200.40(3), so that it reads:

“(3) Parking Space Requirements for Change of Non-residential Use

If a **lot** in the CR zone subject to Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)* has a **building** constructed pursuant to a **building** permit issued on or before March 1, 1994, and the **building** covers a minimum of 75% of the lot area, for a change of non-residential uses in that **building**:

- (A) no additional **parking spaces** are required for a non-residential use with a higher **parking space** requirement; and
- (B) the number of **parking spaces** existing on the **lot** on March 1, 1994 or the number of **parking spaces** pursuant to the **building** permit may not be reduced for a non-residential use with a lower **parking space** requirement.”

Explanatory Note:

Provision 31 of this by-law applies the SS2 loading space exemptions for small lots to the new SS4 standard set.

31. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 220.5.200.40(1), so that it reads:

“(1) Loading Space Exemption – SS2 and SS4 Areas

For a **lot** in the CR zone subject to Development Standard Set 2 (SS2) *or Development Standard Set 4 (SS4)*, the **loading space** requirements for any non-residential uses do not apply to a **lot** that has **lot** area of less than 1,000 square metres.”

Explanatory Note:

Provision 32 of this by-law adds “**heritage designated site**” as a defined term and Provision 33 of this by-law updates the existing “**heritage site**” definition to reflect current terminology, in association with the regulations about the relationship between heritage instruments and zoning regulations set out in Provision 2 of this by-law.

32. Zoning By-law 569-2013, as amended, is further amended by adding to Section 800.50 a new regulation 800.50(329), so that it reads:

“(329) Heritage Designated Site

means **premises** included in the City of Toronto Heritage Register designated as being of cultural heritage value or interest under Part IV, or as part of a **Heritage District** under Part V, pursuant to the Ontario Heritage Act R.S.O. 1990, as amended.”

33. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 800.50(335), so that it reads:

“(335) Heritage Site

means **premises** included in the City of Toronto Heritage Register, listed or designated as being of cultural heritage value or interest pursuant to the Ontario Heritage Act R.S.O. 1990, as amended.”

Explanatory Note:

Provision 34 of this by-law updates the zone labels on the Zoning By-law Map for the subject areas to replace Development Standard Set symbols SS2 and SS3 with SS4 and SS5, respectively, and to increase the permitted maximum floor space index to align with the proposed height increases, generally in keeping with the table below:

| Building Height | | Proposed Floor Space Index (FSI) by Context | | | |
|--------------------------|---------------------------|---|---------------------------------|---------------------------------|---|
| Building Height (metres) | Building Height (storeys) | Existing Public Lane at Rear | No Existing Public Lane at Rear | Abutting Park or O, ON, OR Zone | Located south of a Park or O, ON, OR Zone |
| 20 | 6 | 5.0 | 4.0 | 4.0 | 4.0 |
| 23 | 7 | 5.5 | 4.4 | 4.6 | 4.4 |
| 27 | 8 | 6.5 | 5.0 | 5.2 | 4.9 |
| 30 | 9 | 7.0 | 5.6 | 5.8 | 5.4 |
| 33 | 10 | 7.5 | 6.2 | 6.4 | 6.0 |
| 36 | 11 | 8.2 | 6.7 | 7.0 | 6.5 |

34. Zoning By-law 569-2013, as amended, is further amended by amending the zone labels on the Zoning By-law Map in Section 990.10 respecting the lands subject to this by-law, as shown on Schedule A attached to this By-law and generally in accordance with the following:
- (A) For lands in the CR zone subject to this by-law with a zone label containing the Development Standard Set symbol “SS2”, amend the zone label to replace the symbol “SS2” with the symbol “SS4”;
 - (B) For lands in the CR zone subject to this by-law with a zone label containing the Development Standard Set symbol “SS3”, amend the zone label to replace the symbol “SS3” with the symbol “SS5”; and
 - (C) For lands in the CR zone subject to this by-law, amend the numbers following the zone symbol in the zone label representing the permitted maximum floor space index for all land uses, non-residential land uses and residential land uses on a **lot**.

Explanatory Note:

Provision 35 of this by-law updates the height labels and storey labels, where applicable, on the Height Overlay Map to permit a building height that corresponds to the planned right-of-way width set out on Map 3 of the Official Plan, in keeping with how the Official Plan and Urban Design Guidelines define the maximum height for a mid-rise building.

35. Zoning By-law 569-2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20 respecting the lands subject to this by-law, as shown on Schedule B attached to this By-law and generally in accordance with the following:

- (A) For **lots** with a height label containing the letters HT, amend the height label to replace the numerical value after HT with a numerical value generally equal to the planned right-of-way width in metres shown on Map 3 of the Official Plan for the **major street** on which it fronts, to maximum of 36.0; and
- (B) For **lots** with a storey label containing the letters ST, amend the storey label to replace the numerical value after ST with values as follow:
- (i) "6" where the height label is "HT 20.0" as amended by (A) above;
 - (ii) "7" where the height label is "HT 23.0" as amended by (A) above;
 - (iii) "8" where the height label is "HT 27.0" as amended by (A) above;
 - (iv) "9" where the height label is "HT 30.0" as amended by (A) above;
 - (v) "10" where the height label is "HT 33.0" as amended by (A) above; and
 - (vi) "11" where the height label is "HT 36.0" as amended by (A) above.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

Schedule A

Maps showing amendments to Zoning By-law Map in Section 990.10

[Under Separate Cover]

Schedule B

Maps showing amendments to Height Overlay Map in Section 995.20

[Under Separate Cover]