

Authority: Toronto and East York Community Council Item TE29.5, as adopted by City of Toronto Council on January 31, February 1 and February 2, 2018

CITY OF TORONTO

Bill 151

BY-LAW -2018

To amend By-law 729-2016 with respect to lands municipally known as 26 Ernest Avenue.

Whereas authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. City of Toronto By-law 729-2016 is amended by:
 - a. inserting the words "4(17);" after "4(13);", in Item 7, such that it reads as follows:
 7. None of the provisions of Section 2(1) "*grade*", "*height*", "*parking space*", and "*lot*";4(2); 4(4); 4(6); 4(11); 4(12); 4(13); 4(17); 6(1); 6(3) PART I, (1), PART II (2-8), PART III, PART IV (2-4), of By-law 438-86 of the former City of Toronto, being "A By-law and specific amending By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection or use of *row houses* and uses and structures *accessory* thereto on the *lot*, provided that:
 - b. deleting the words ", and must only be located on Blocks 1, 2 and 3, as shown on Map 2", in Item 7(b)(i), such that it reads as follows:
 - (i) the maximum *residential gross floor area* of the *row houses* on the *lot* shall be 11,860.0 square metres;
 - c. replacing the words "*residential building or residential structure, including all mechanical equipment, shall exceed the height measured in metres from grade*" with "*building or structure, including all mechanical equipment, erected on the lot shall be located above the building heights shown in metres specified by the number following the symbol "H"*", in Item 7(f)(i), such that it reads as follows:
 - (i) no portion of any building or structure, including all mechanical equipment, erected on the lot shall be located above the building *heights* shown in metres specified by the number following the symbol "H" as shown on Map 2;
 - d. inserting the words "*at grade*" before "*visitor parking spaces*" in Item 7(g)(i)(1), such that it reads as follows:

- (1) at *grade* visitor *parking spaces* shall have minimum dimensions of 2.6 metres in width by 7.3 metres in length;
 - e. replacing the words "for Blocks 1 and 3 means 114.13 metres above Canadian Geodetic Datum, and for Block 2 means 114.85 metres" with "means 114.40 metres" in Item 9(a), such that it reads as follows:
 - (a) "*grade*" means 114.40 metres above Canadian Geodetic Datum;
 - f. replacing the words "6.5 metres" with "5.6 metres" in Item 9(d), such that it reads as follows:
 - (d) "*parking space*" means an area that is readily available at all times for the parking and removal of a motor vehicle without the necessity of moving another motor vehicle, measuring a minimum of 5.6 metres in length and 2.6 metres in width.
 - g. replacing the words "first above-grade building permit" with "first occupancy permit issued in accordance with the Building Code Act" in Appendix 1, Item 5, such that it reads as follows:
 - 5. Prior to the earlier of the first occupancy permit issued in accordance with the Building Code Act, or any condominium approval for the development, the owner shall:
 - h. replacing Map 1 with Map 1 attached to this By-law; and
 - i. replacing Map 2 with Map 2 attached to this By-law.
2. The provisions of By-law 729-2016 shall continue to apply except as otherwise provided in this By-law.

Enacted and passed on February , 2018.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



