

**CITY OF TORONTO**

**BY-LAW No. 397-2000(OMB)**

**To amend the General Zoning By-law No. 438-86, as amended, respecting  
the lands known in the year 1999 as Nos. 395, 397, 399 and  
403 Brunswick Avenue and part of 10A Kendal Avenue.**

WHEREAS the owner appealed to the Ontario Municipal Board for an Order amending By-law No. 438-86, the General Zoning By-law, of the former City of Toronto; and

WHEREAS Council at its meeting held on the 26th and 27th days of October, 1999, adopted Clause No. 24 of Toronto Community Council Report No. 13 authorizing the settlement by-law; and

WHEREAS the Board having held a hearing on the matter has issued Orders dated March 31, 2000 and May 15, 2000, OMB Case No. PL990518, amending By-law No. 438-86, as amended:

**THEREFORE:**

**1.** None of the provisions of Section 6(3) PART II 3.C(I) or 12(2) 280 of By-law No. 438-86, being “A 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 a *detached house* on the lands shown as Parcel 1 on Map 1 attached hereto provided:

- (1) the *lot frontage* of Parcel 1 is at least 10.03 metres;
- (2) the building is set back at least 0.12 metres from each side *lot line* of Parcel 1; and
- (3) the *residential gross floor area* does not exceed 315 square metres.

**2.** None of the provisions of the definition of the word “*lot*” contained in Section 2, or of Sections 4(11)(b) and (c), 6(3) PART II 4, 6(3) PART II 5, 6(3) PART III 3(a) and (c) and 6(3) PART IV 4(ii) of By-law No. 438-86, as amended, shall apply to prevent the erection or use of a *converted house* and two series of *row houses* consisting of four and five houses each, all shown as Buildings 2a, 2b and 2c respectively on Map 2A attached, on the lands shown as Parcel 2 on Map 1 attached provided:

- (1) no part of any building, above *grade*, extends beyond the areas outlined by heavy lines on Map 2A;
- (2) the total *residential gross floor area* of the buildings does not exceed 2 568 square metres;
- (3) not more than 11 *dwelling units* are located on Parcel 2; and
- (4) the minimum driveway width is 5.5 metres.

3. None of the provisions of Section 6(3) PART II 4 of By-law No. 438-86, as amended, shall apply to prevent the erection or use of a *converted house* on the lands shown as Parcel 3 on Map 1 attached provided:

- (1) no part of any building or structure is located closer then 5.46 metres to the *rear lot line* of Parcel 3;
- (2) the *residential gross floor area* does not exceed 450 square metres; and
- (3) the building contains not more than 3 *dwelling units*.

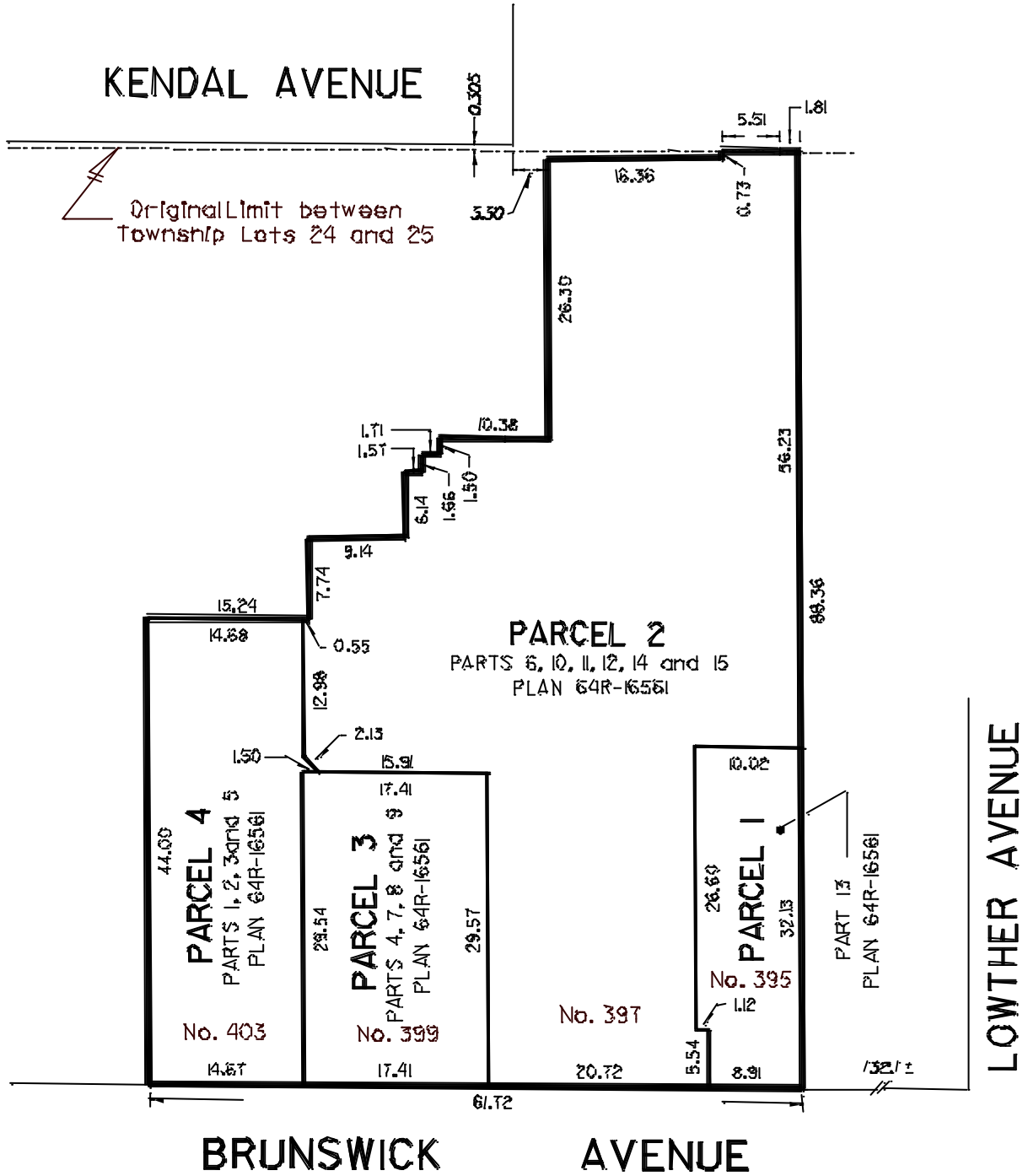
4. None of the provisions of the definition of the word "*lot*" contained in Section 2 or of Sections 6(3) PART II 3.C(I), 6(3) PART II 5(i) and 6(3) PART III 1.(b) of By-law No. 438-86, as amended, shall apply to prevent the erection or use of an *apartment building*, shown as Building 4 on Map 2B attached, on the lands shown as Parcel 4 on Map 1 attached provided:

- (1) no part of any building, above *grade*, extends beyond the area outlined by heavy lines on Map 2B;
- (2) the *residential gross floor area* does not exceed 646.7 square metres;
- (3) the building contains not more than 6 *dwelling units*;
- (4) *landscaped open space* shall be provided and maintained at least to the extent of 205 square metres; and
- (5) the *parking station* shall be setback no less than 6.0 metres, notwithstanding Section 6(2) 21 of By-law No. 438-86, as amended, from the building.

5. For the purpose of this By-law, each word and expression which is italicized shall have the same meaning as each word and expression as defined in By-law No. 438-86, as amended.

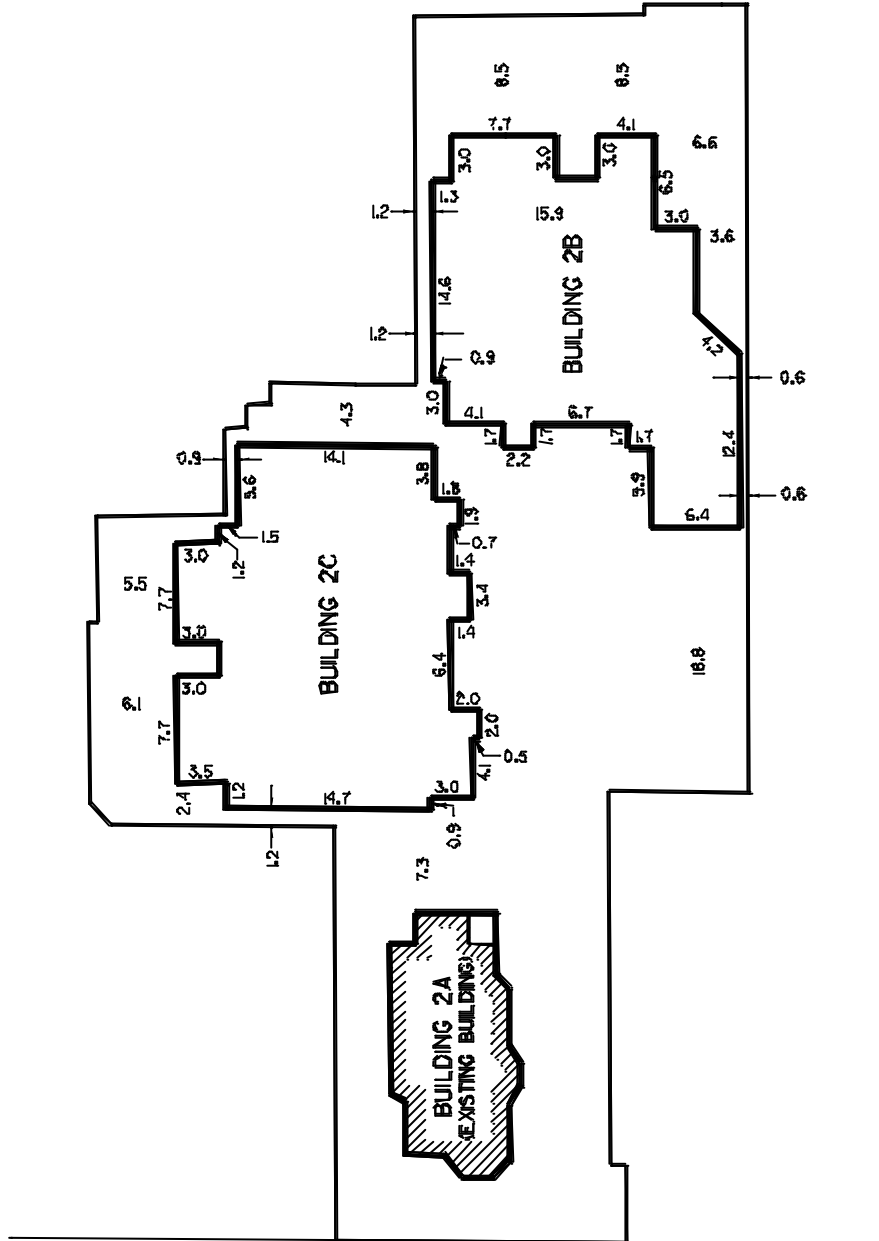
PURSUANT TO THE DECISION OF THE ONTARIO MUNICIPAL BOARD ORDERS ISSUED MARCH 31, 2000 AND MAY 15, 2000 IN BOARD FILE NO. PL990518.

# MAP 1



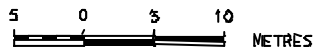
WORKS AND EMERGENCY SERVICES  
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BL2/395BRU1.DGN  
FILE: B37-25  
VAP No. 50J-311 DRAWN: WL

# MAP 2A



## BRUNSWICK AVENUE

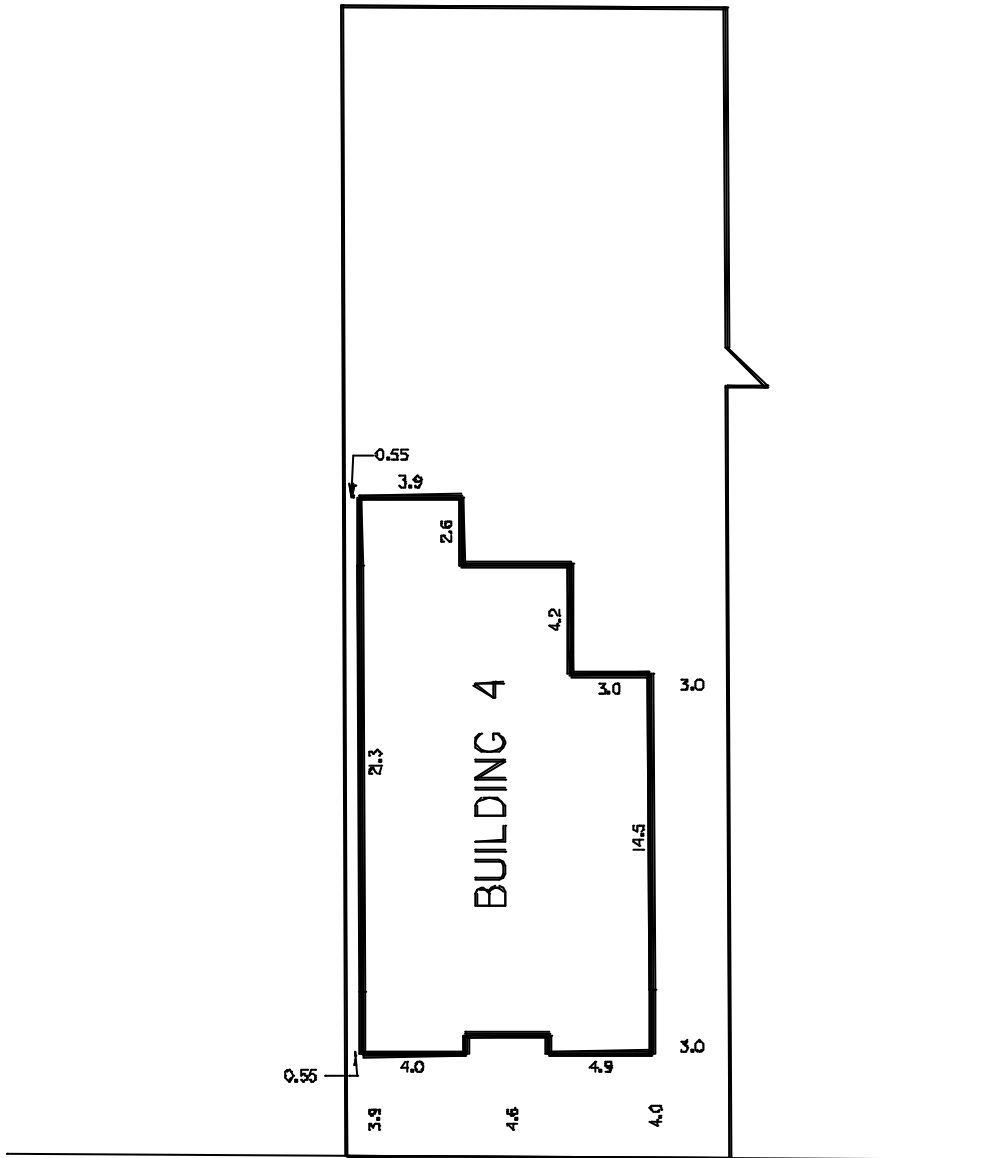
□ PARCEL 2 (for parcel dimensions, see MAP 1)




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 FILE: B37-25  
 MAP No. 50J-311

APRIL, 2000  
 DRAWN: WL

# MAP 2B



## BRUNSWICK AVENUE

 PARCEL 4 (for parcel dimensions, see MAP 1)



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SURVEY AND MAPPING SERVICES  
TORONTO FEBRUARY, 2000  
BL2/395BRU2B.DGN  
FILE: B37-Z5  
MAP No. 50J-311 DRAWN: WL