

Authority: Toronto Community Council Report No. 17, Clause No. 4,
as adopted by City of Toronto Council on October 3, 4 and 5, 2000
Enacted by Council: October 5, 2000

CITY OF TORONTO

BY-LAW No. 866-2000

To amend Zoning By-law No. 438-86 of the former City of Toronto respecting lands municipally known as 66 Roncesvalles Avenue and 163 to 173 Marion Avenue.

WHEREAS authority is given to Council by Section 34 of the Planning Act 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 HEREBY ENACTS as follows:

1. None of the provisions of Sections 4(2)(a), 4(4)(b), 6(1)(a), 6(3) PART I 1, 6(3) PART II 4, 6(3) PART II 5(i) and 6(3) PART III 1(a) of Zoning By-law No. 438-86 of the former City of Toronto, as amended, shall apply to prevent the erection and use on the lands delineated by heavy lines on Plan 1, attached to and forming part of this By-law, of a building containing *senior citizens' housing, nursing home* and *non-residential* uses, provided:

- (1) the *lot* on which the building is located comprises at least those lands delineated by heavy lines on Plan 1;
- (2) no portion of the building, above *grade*, is located otherwise than wholly within the area delineated by heavy lines on Plan 2, attached to and forming part of this By-law, except as permitted by Section 6(3) Part II 8 of By-law No. 438-86;
- (3) the *height* of each portion of the building above *grade* does not exceed the maximum *height* limits identified on Plan 2. This subsection does not, however, apply to prevent the erection or use of a mechanical penthouse, provided the maximum *height* of the top of such structure is no higher than the sum of 2.8 metres and the *height* limit applicable to the portion of the building immediately above which the mechanical penthouse is located and provided the mechanical penthouse complies in all other respects with Section 4(2)(a)(i) of By-law No. 438-86;
- (4) a minimum of 51 *parking spaces* are provided and maintained on the *lot*, of which 4 are clearly designated for exclusive use by handicapped persons;
- (5) the portion of the building that is used as a *nursing home* contains not more than 228 beds;
- (6) the portion of the building that is used as *senior citizens' housing* contains not more than 150 *dwelling units*;

- (7) the total combined *residential gross floor area* and *non-residential gross floor area* of the building does not exceed 29,500 square metres;
- (8) the *non-residential gross floor area* of the building does not exceed 2,315 square metres;
- (9) the *non-residential* portion of the building contains no uses other than an *accessory* health centre, adult daycare, *community centre*, *day nursery*, physician's office, and a *retail store* (subject to subsection 1(10) of this By-law);
- (10) the building may contain a *retail store*, provided that:
 - (a) the *retail store* is located on the ground level;
 - (b) the entrance to the *retail store* is exclusively from within the building; and
 - (c) no exterior window of either the *retail store* or the building is used for the display of goods or advertising; and
- (11) a minimum of 2,640 square metres of *landscaped open space* is provided and maintained on the *lot*.

2. In this By-law, *grade* means 92.51 Canadian Geodetic Datum;

3. Every word or expression that is italicized in this By-law shall have the same meaning as in Zoning By-law No. 438-86 of the former City of Toronto, as amended.

4. Site-Specific Zoning By-law No. 738-80 of the former City of Toronto is repealed upon this By-law coming into force.

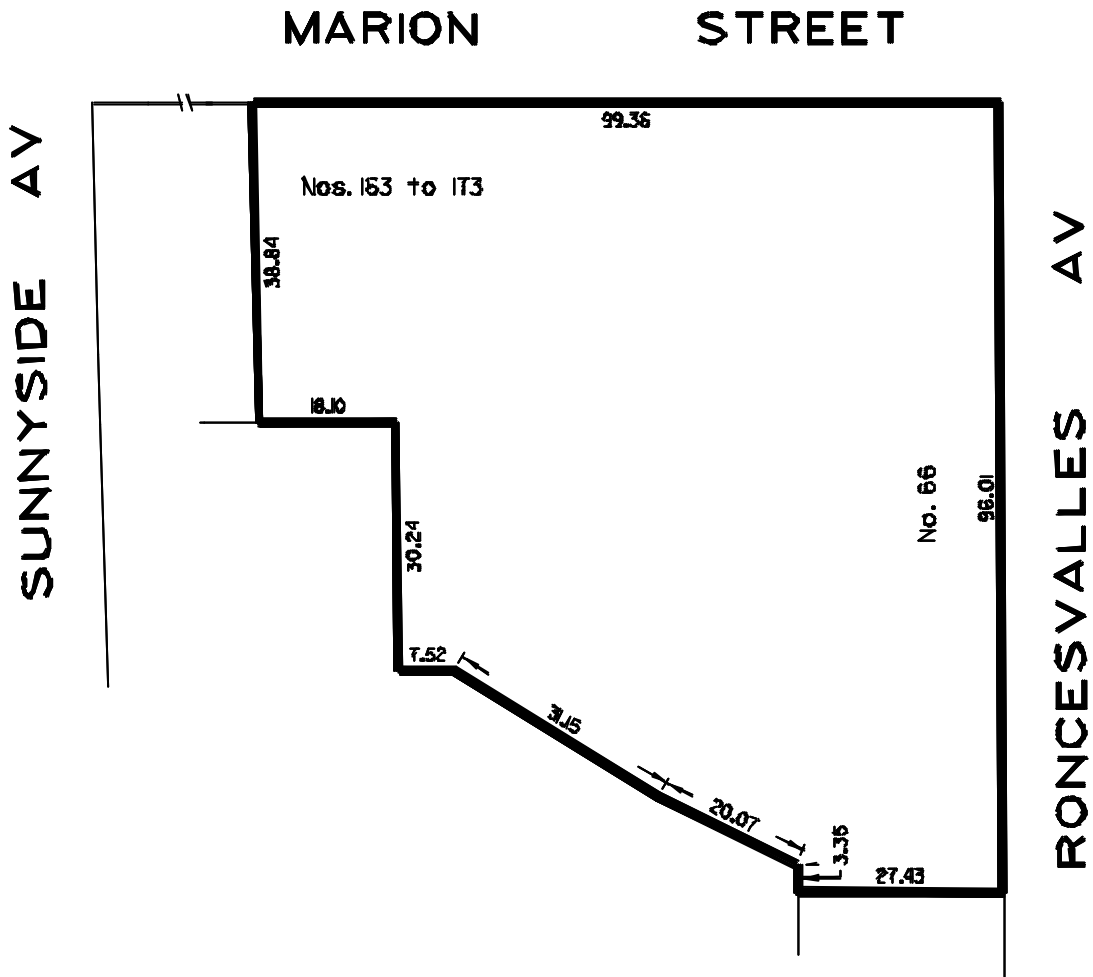
ENACTED AND PASSED this 5th day of October, A.D. 2000.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

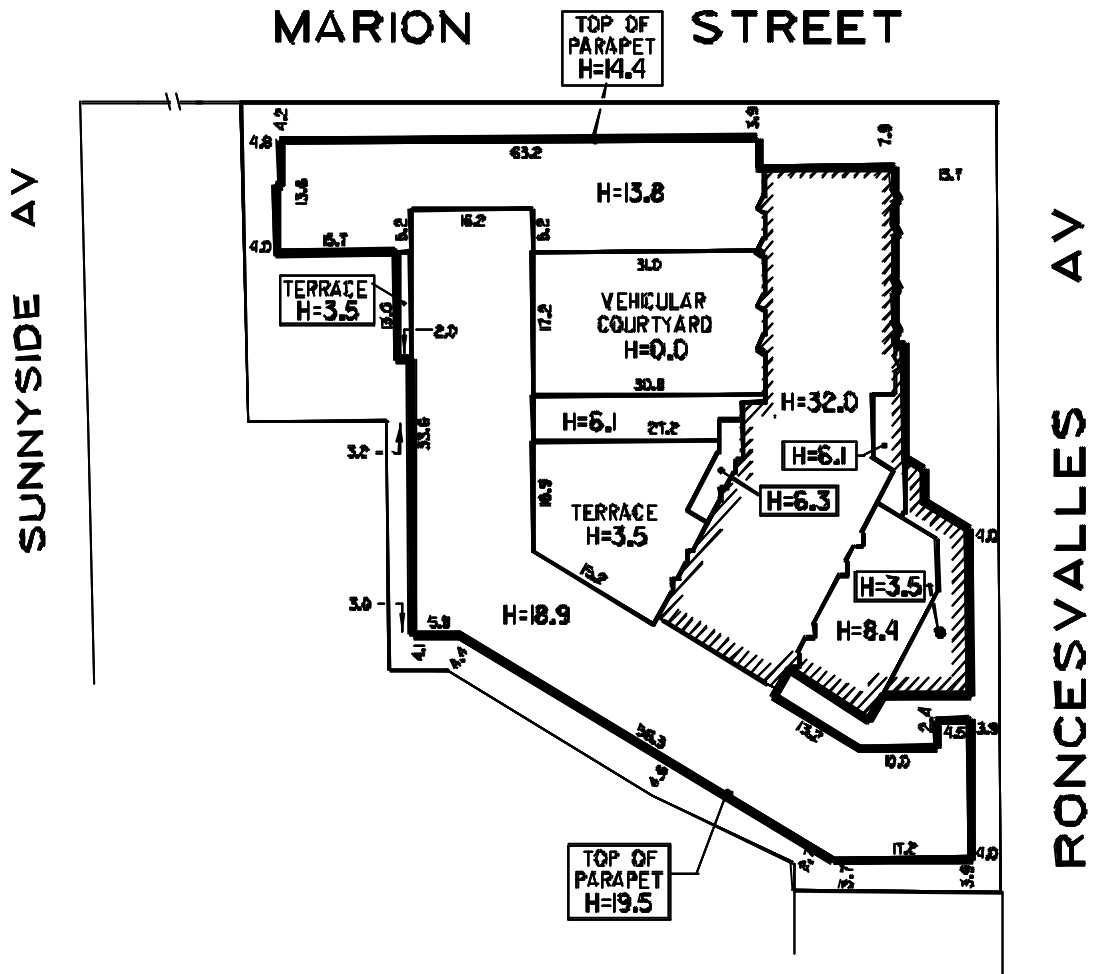
(Corporate Seal)

PLAN 1



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO SEPTEMBER, 2000
BLOCK/ 66RONE1.DGN
FILE: R22-Z1
MAP No. 48W-311 DRAWN: D.R.

PLAN 2



H_i DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO OCTOBER, 2000
 BLOD/66RONC2.DGN
 FILE: R22-Z1
 WAP No. 48H-311 DRAWN: WL