

Authority: Midtown Community Council Report No. 7, Clause No. 29,
as adopted by City of Toronto Council on October 2, 3 and 4, 2001
Enacted by Council: October 4, 2001

CITY OF TORONTO

BY-LAW No. 856-2001

To amend By-law No. 438-86 of the former City of Toronto with respect to lands known as 39 and 65 Shel Drake Boulevard.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Section 2(1) respecting the definitions of “*apartment building*” and “*parking space*” and of Sections 4(2)(a), 4(6)(c), 4(12), 6(1)(a), 6(3) PART I 1, 6(3) PART II 5 and 6(3) PART II 6 of Zoning 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 and use of an *apartment building* on the *lot*, including the incorporation therein of portions of buildings existing on the *lot* on the day of enactment of this By-law, provided:
 - (1) the *lot* comprises those lands delineated by heavy lines on Plan 1 attached hereto;
 - (2) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the heavy lines on Plan 2 except outdoor terraces, the underground parking garage, ramp access to the garage, eaves and cornices;
 - (3) the *residential gross floor area* does not exceed 5593 square metres;
 - (4) the maximum *height* of the building shall not exceed 13.62 metres exclusive of rooftop facilities, elements and structures otherwise permitted in Section 4(2)(a) (i) of By-law No. 438-86;
 - (5) *residential amenity space* is provided in accordance with Section 4(12) of By-law No. 438-86 except that outdoor *residential amenity space* is not required to be adjoining or directly accessible from the indoor *residential amenity space*; and
 - (6) A *loading space – type G* is provided in accordance with Section 4(6)(c) of By-law No. 438-86 except that this *loading space – type G* is not required to be wholly on the same *lot* as the building.
2. For the purposes of this By-law:
 - (1) “*apartment building*” shall have the same meaning as such definition contained in By-law No. 438-86 except to the extent of deleting therefrom the words “originally constructed”;

- (2) “*parking spaces*” shall have the same meaning as such definition contained in By-law No. 438-86 except that any *parking spaces* in excess of 61 may be in the form of “tandem” spaces (space behind a space); and
- (3) each other word or expression which is italicized in this By-law has the same meaning as each such word or expression contained in By-law No. 438-86, as amended.

ENACTED AND PASSED this 4th day of October, A.D. 2001.

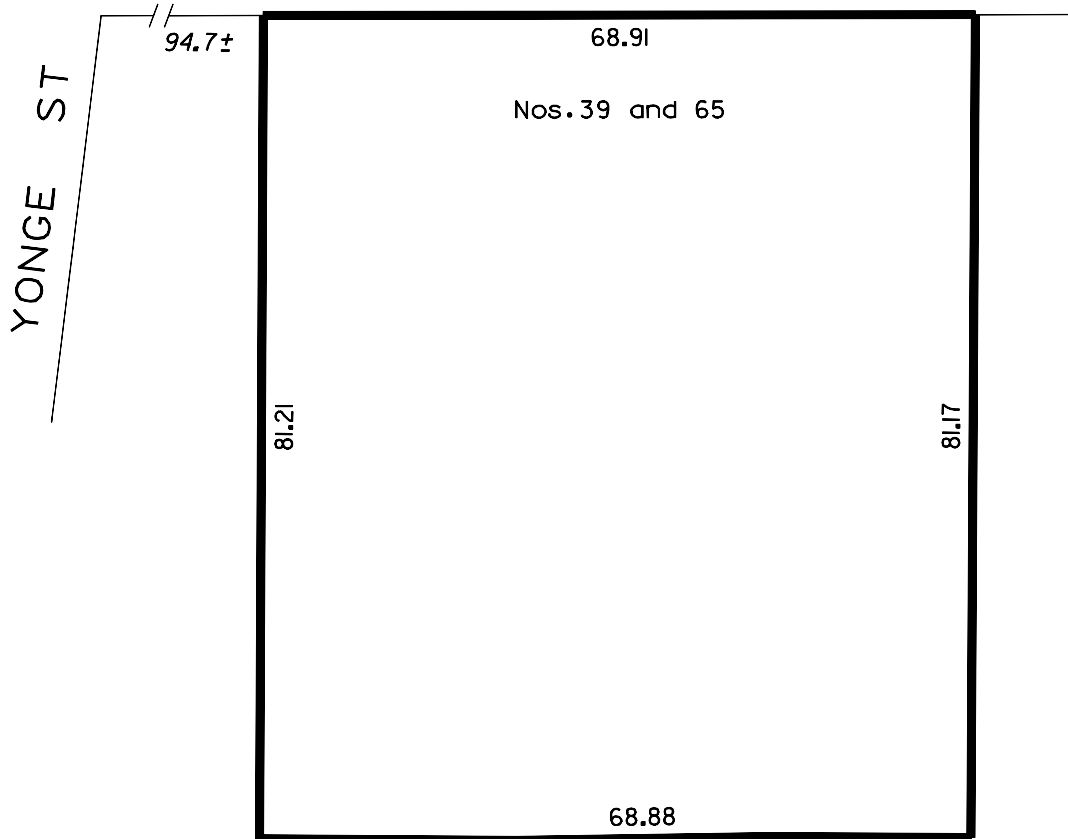
CASE OOTES,
Deputy Mayor

ULLI WATKISS
City Clerk

(Corporate Seal)

PLAN 1

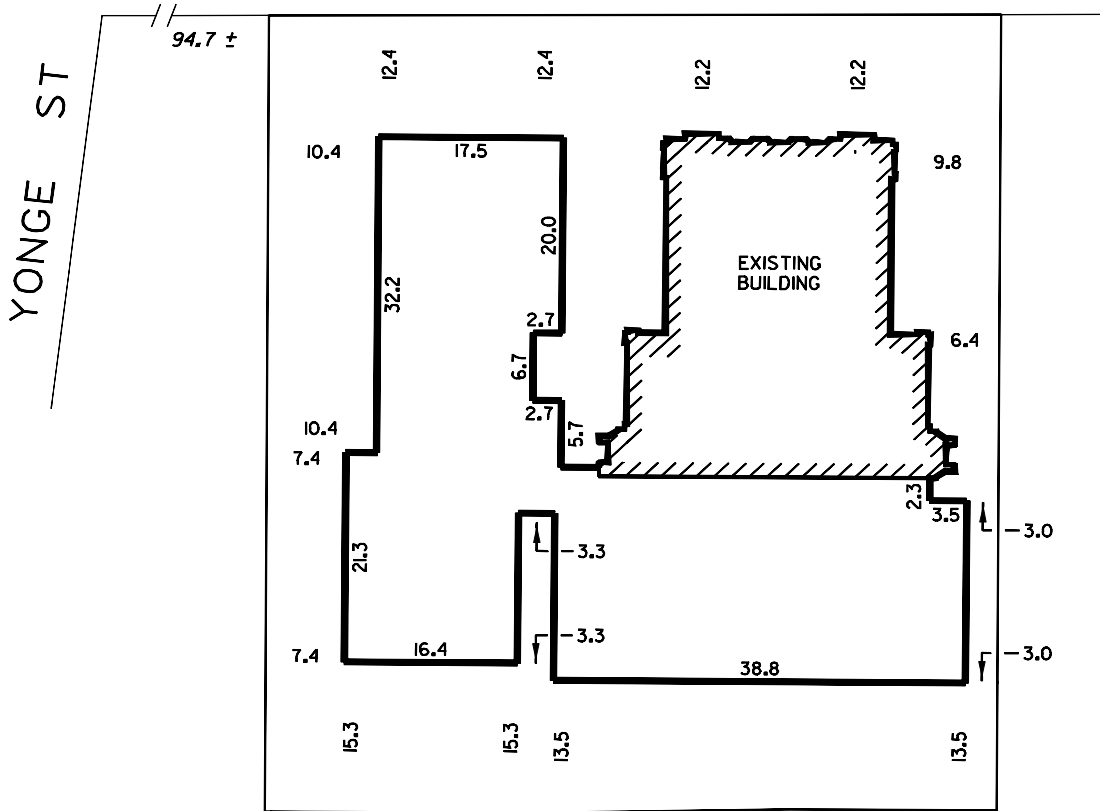
SHELDRAKE BLVD



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PLAN 2

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