

Authority: Toronto South Community Council Report No. 5, Clause No. 3,
as adopted by City of Toronto Council on June 22, 23 and 24, 2004
Enacted by Council: June 24, 2004

CITY OF TORONTO

BY-LAW No. 490-2004

To amend the General Zoning By-law No. 438-86 for the former City of Toronto with respect to lands known municipally as 1435 and 1471 Queen Street East.

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 HEREBY ENACTS as follows:

1. None of the provisions of Section 2(1) definition of “*row house*”, Section 4 (2), 4(11)(a), 4(11)(b), Section 4(14)(a), and Section 8(3) Part VII 1 (ii) of By-law No. 438-86, as amended, 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”, shall apply to prevent the erection and use of 18 *row houses* on the lands known municipally in the year 2004 as 1435 and 1471 Queen Street East, provided:
 - (1) the lands comprise the area shown on Plan 1 attached hereto;
 - (2) the aggregate *residential gross floor area* erected or used on the lands shown on Plan 1 does not exceed 3,200 square metres;
 - (3) no portion of any of the buildings shall extend beyond the lines delineating the building footprints on Plan 2 attached hereto;

(4) notwithstanding (3), the following projections are permitted:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
eaves or cornices	Required setback area from any lot line	0.40 metres	none
fences and safety railings	Required setback area from any lot line	no restriction	height of fence or safety railing not to exceed 2.0 metres
exterior insulation and facing material, including any supporting foundation	Required setback area from any lot line	0.16 metres	None
repair, replacement or vertical extension of the existing foundation of a residential building	Required setback area from any lot line	no closer to the lot lines than the existing foundation	height of existing foundation may be increased by up to 0.3 metres

- (5) an open deck is permitted to be erected at the rear of Units 1 through 4, provided that the open deck does not project more than 1 metre from the rear wall of the unit;
- (6) the *height* of the buildings to the top of the roof slab shall not exceed 13 metres above *grade*, but this paragraph does not prevent the erection or use of:
- (i) a stair tower to a maximum *height* of up to 2.5 metres above and beyond the *height* limit; and
 - (ii) safety structures such as railings to a maximum *height* of up to 2.0 metres above and beyond the *height* limit;
- (7) the aggregate *landscaped open space*, including *soft landscaping*, provided and maintained is not less than 6% of the lands shown on Plan 1; and
- (8) the provisions of this By-law shall continue to apply to the lands shown on Plan 1 attached hereto notwithstanding their division into one or more separate lots.

2. For the purposes of this By-law each word or expression that is italicized shall have the same meaning as each such word or expression as defined by By-law No. 438-86, as amended.

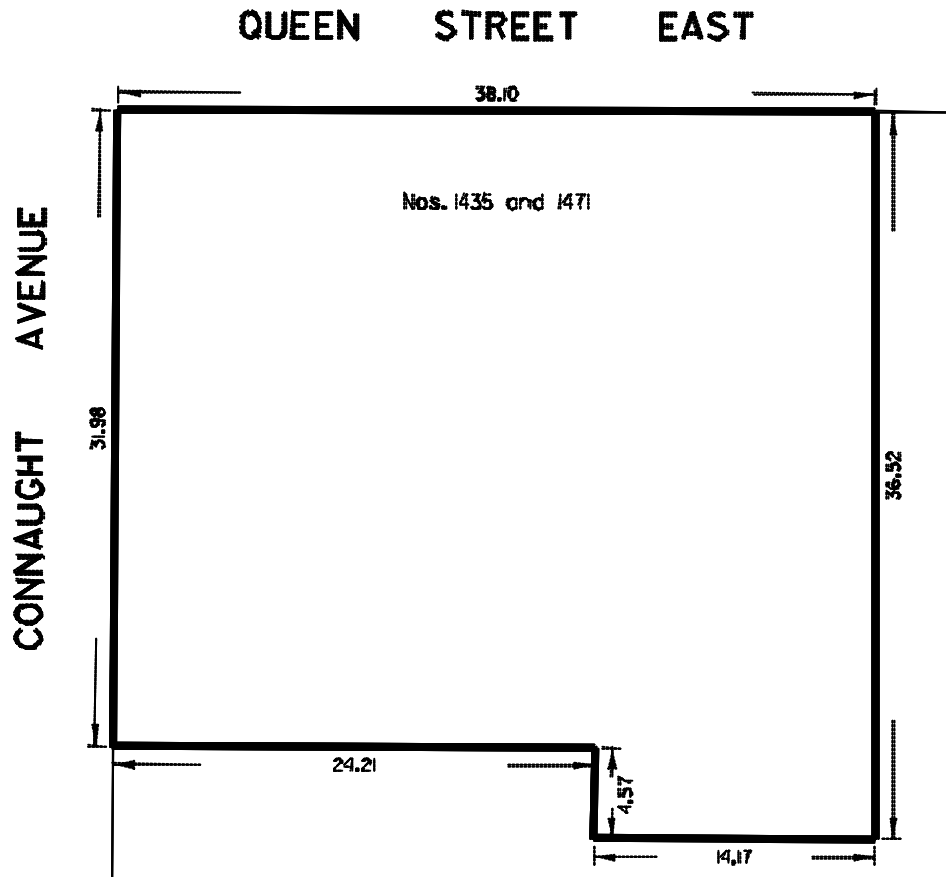
ENACTED AND PASSED this 24th day of June, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

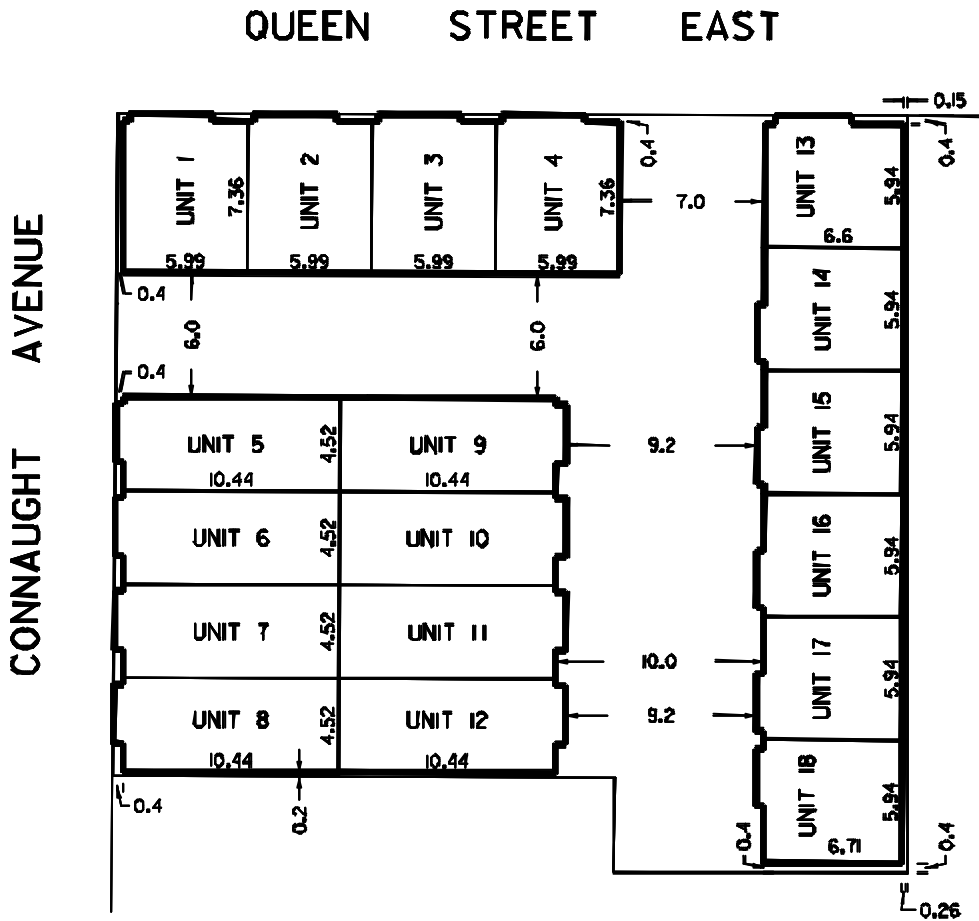
(Corporate Seal)

PLAN 1



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JUNE, 2004
BL 04/1435QUE1.DGN
FILE# 01-2131
MAP No. 536-321 DRAWN: D.R

PLAN 2



 BUILDING FOOTPRINT



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO JUNE, 2004
BL04/14350UE2.DGN
FILE# 01-2131
MAP No. 536-321 DRAWN# D-R