

Authority: North York Community Council Report No. 9, Clause No. 35,
as adopted by City of Toronto Council on November 30, December 1 and 2, 2004
Enacted by Council: December 2, 2004

CITY OF TORONTO

BY-LAW No. 1056-2004

To amend former City of North York By-law No. 7625 with respect to lands municipally known as 426, 430, 434, 438, 440 and 442 Kenneth Avenue, 32 and 34 Holmes 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 HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this by-law.
2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following:

“64.20-A(151) RM6(151)

PERMITTED USES

- (a) The only permitted use shall be multiple attached dwellings.

EXCEPTION REGULATIONS

MAXIMUM NUMBER OF DWELLING UNITS

- (b) The maximum number of dwelling units shall be 71.

MAXIMUM GROSS FLOOR AREA

- (c) The maximum gross floor area is 5214 m².

LOT COVERAGE

- (d) The maximum lot coverage shall be 55%.

BUILDING HEIGHT

- (e) The maximum building height shall be as shown on Schedule “RM6(151)”.

BUILDING ENVELOPES

- (f) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelopes shown on Schedule “RM6(151)”.
- (g) Notwithstanding the above, exterior stairways may be permitted to project into the minimum rear yard setback no more than 8.2 metres.
- (h) Notwithstanding the above, balconies and porches may be permitted to project into the minimum yard setbacks no more than 1.7 metres.

PARKING

- (i) Parking spaces shall be provided within the net site in accordance with the following:
 - (i) a minimum of 1.0 parking spaces per dwelling unit, including a 0.1 parking spaces per dwelling per visitor use, and
 - (ii) a maximum of 1.4 parking spaces per dwelling unit including 0.1 spaces per dwelling unit for visitor use.

LANDSCAPING

- (j) A minimum of 1460 m² landscaping shall be provided on the net site.

YARD SETBACKS AND DISTANCE BETWEEN BUILDINGS

- (k) The minimum yard setbacks and distances between buildings shall be as shown on Schedule “RM6(151)”.

INCREASED DENSITY

- (l) Matters which are to be provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P., as amended, in order to permit the increased maximums in gross floor area authorized under subsection (m) of this exception are:
 - (i) The owner of the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P., as amended, to secure the matters and services referred to below, which agreement or agreements maybe be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner’s expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following services and or matters satisfactory to the City of Toronto:

- (a) the acquisition of density from City owned properties known municipally as 32 and 34 Holmes Avenue, with purchase proceeds to be used for the acquisition of other lands required by the City for a future service road.
- (m) Additional gross floor area permitted on the lands shown on Schedule “RM6(151)” shall be limited to the following:
 - (i) a maximum gross floor area attributable to the parcel municipally known as 32 Holmes Avenue of 1789.89 m²; and
 - (ii) a maximum gross floor area attributable to the parcel municipally known as 34 Holmes Avenue of 1193.1 m²;

OTHER REGULATIONS

- (n) The provisions of Section 6(9) (b) and (c), 15.6, 15.8, 16 and 20-A of By-law No. 7625 shall not apply.
 - (o) Notwithstanding any severance, partition or division of the site shown on Schedule “RM6(151)”, the provisions of this By-law shall apply to the whole of the site as if no severance, partition or division occurred.”
3. Section 64.16 of By-law No. 7625 is amended by adding Schedule “RM6(151)” attached to this By-law.
 4. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

61.33(77) R4(77)

EXCEPTION REGULATIONS

- (a) The maximum gross floor area shall be 0.0 m²
5. Section 64.13 of By-law No. 7625 is amended by adding the following subsection:

61.33(78) R4(78)

EXCEPTION REGULATIONS

- (b) The maximum gross floor area shall be 631.1 m².

6. Section 64.13 of By-law No. 7625 is amended by adding Schedule R4(77) and R4(78) attached to this By-law.

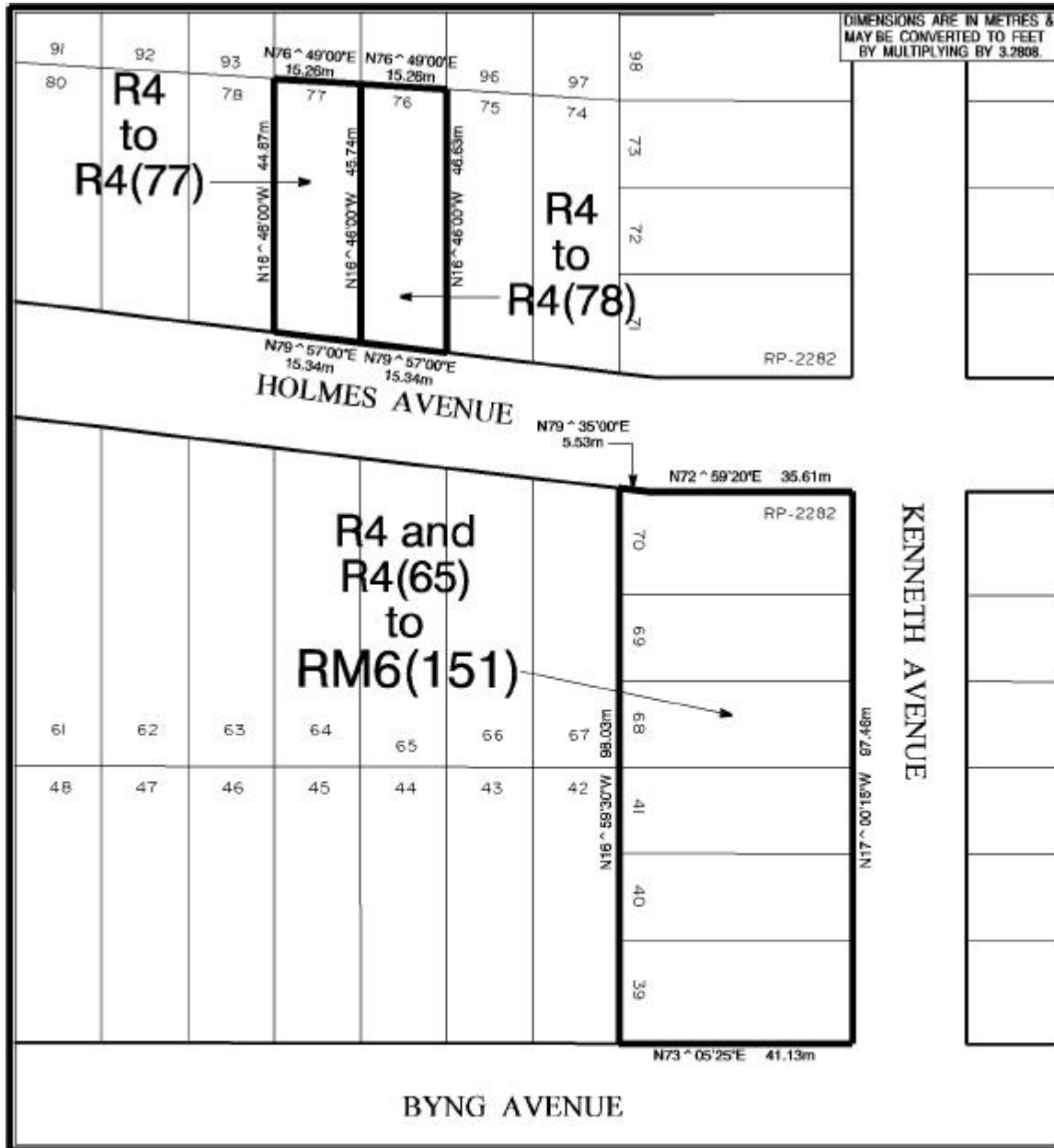
ENACTED AND PASSED this 2nd day of December, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "1"



This is Schedule " 1 " to By-Law _____
passed the _____ day of _____, 20 ____

(Sgd.) _____ (Sgd.) _____
 CLERK MAYOR

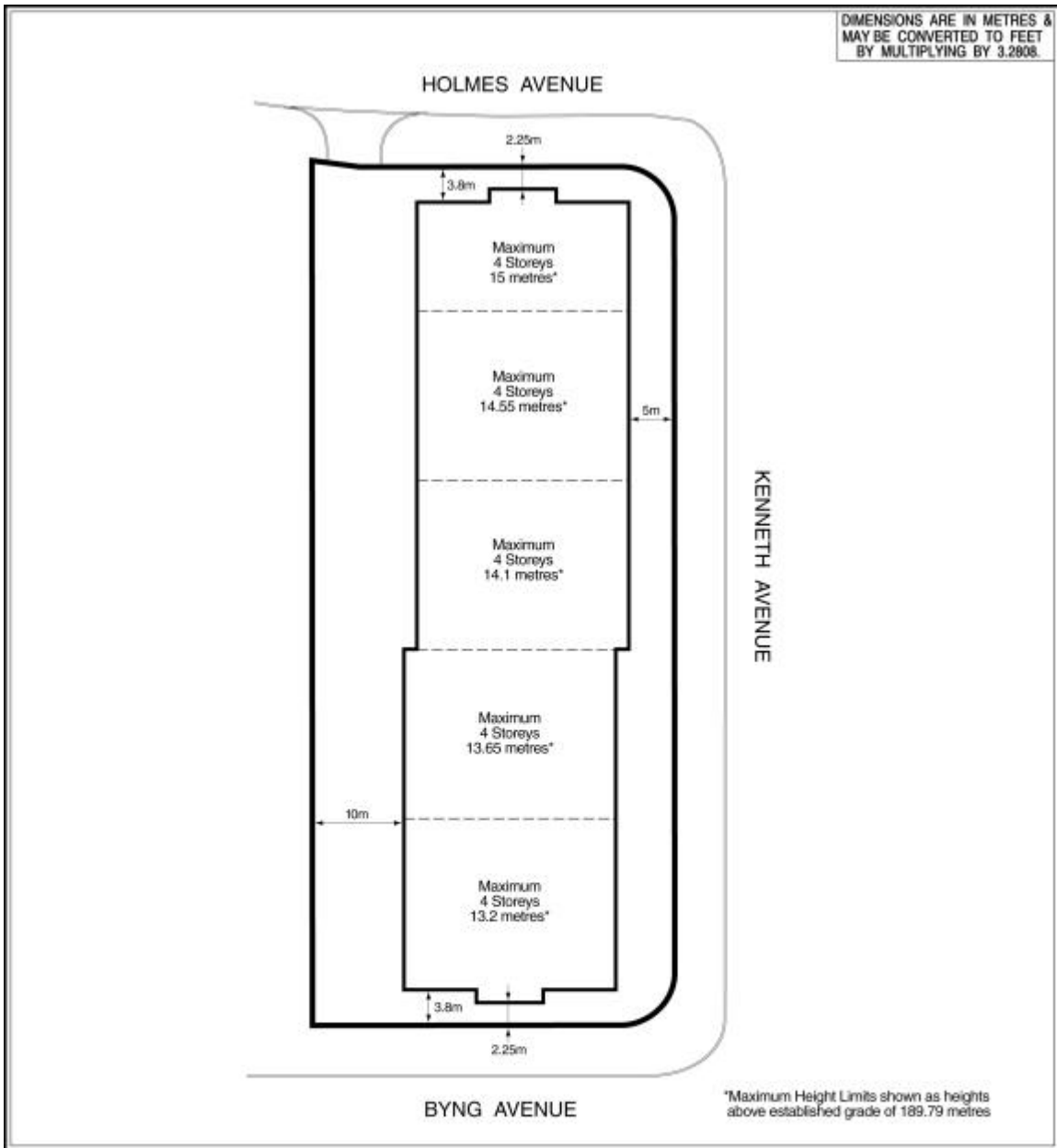
Location: Lots 39, 40, 41, 68, 69, 70, 76 & 77 Registered Plan 2282, City of Toronto

File: 04_108765 Prepared by: A.K. Approved by: K.J. Date: October 19, 2004 Filename: RM6(151)_1

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.
 Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.



SCHEDULE "RM6(151)"



<p>This is Schedule "RM6(151)" to By-Law _____</p> <p>passed the _____ day of _____, 20____</p>		 TORONTO <small>City Planning Division North District</small>
(Sgd.) _____ CLERK	(Sgd.) _____ MAYOR	
Location: Lots 39, 40, 41, 68, 69 & 70, Registered Plan 2282, City of Toronto		
File No. 04_108765	Prepared by: A.K.	Approved by: K.J.
Date: Nov 24, 2004	Filename: RM6(151).ai	
Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District. Street lines represent street dedications / road allowances and do not represent actual as-built curb lines of streets.		