

Authority: Toronto and East York Community Council Report 8, Clause 3,
as adopted by City of Toronto Council on October 26, 27, 28 and 31, 2005
Enacted by Council: February 14, 2006

CITY OF TORONTO

BY-LAW No. 169-2006

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 16 and 18 Kimberley 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. None of the provisions of Section 2(1) definition of “*row house*”, Section 6(3) Part I 1, Section 6(3) Part II 2, Section 6(3) Part II 4, Section 6(3) Part II 5, Section 6(3) Part II 8, Section 6(3) Part III 3 and Section 6(3) Part IX 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 7 *row houses* and 2 detached houses, on the lands known municipally in the year 2006 as 16 and 18 Kimberley Avenue, 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 1,870 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	0.45 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

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
exterior insulation and facing material, including any supporting foundation	required setback area from any lot line	0.16 metres	None
uncovered platform of a residential building excluding an uncovered platform that is landscaped open space	required setback from any lot line	not more than 2.5 metres from the rear wall	(1) height of platform not to exceed 1.2 metres above grade (2) no extension beyond the side walls of the building as projected
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) the aggregate *landscaped open space*, including *soft landscaping*, provided and maintained is not less than 34% of the lands shown on Plan 1;
- (6) no doors openings or windows shall be provided in the end wall of unit 3;
- (7) 2 visitor parking spaces shall be provided and maintained; 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.

ENACTED AND PASSED this 14th day of February, A.D. 2006.

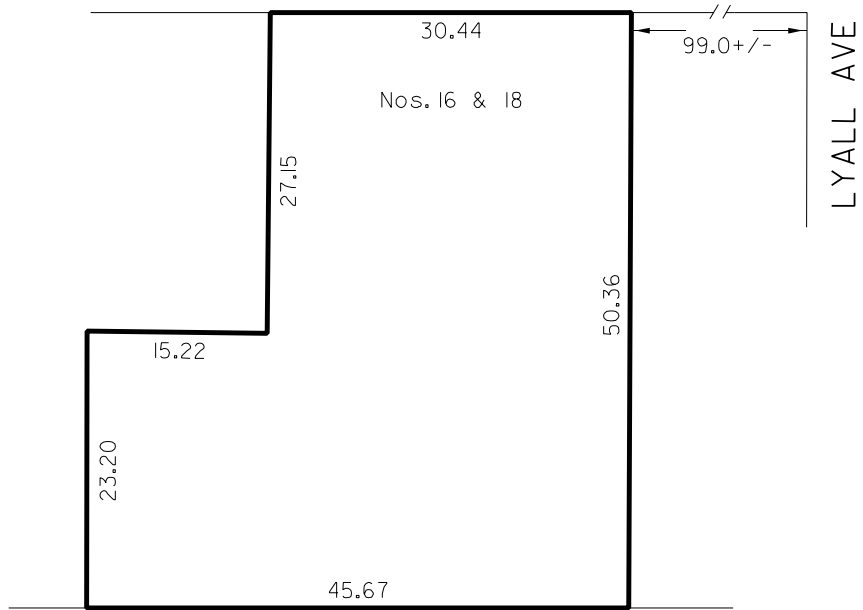
DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

PLAN I

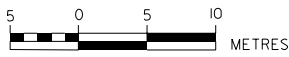
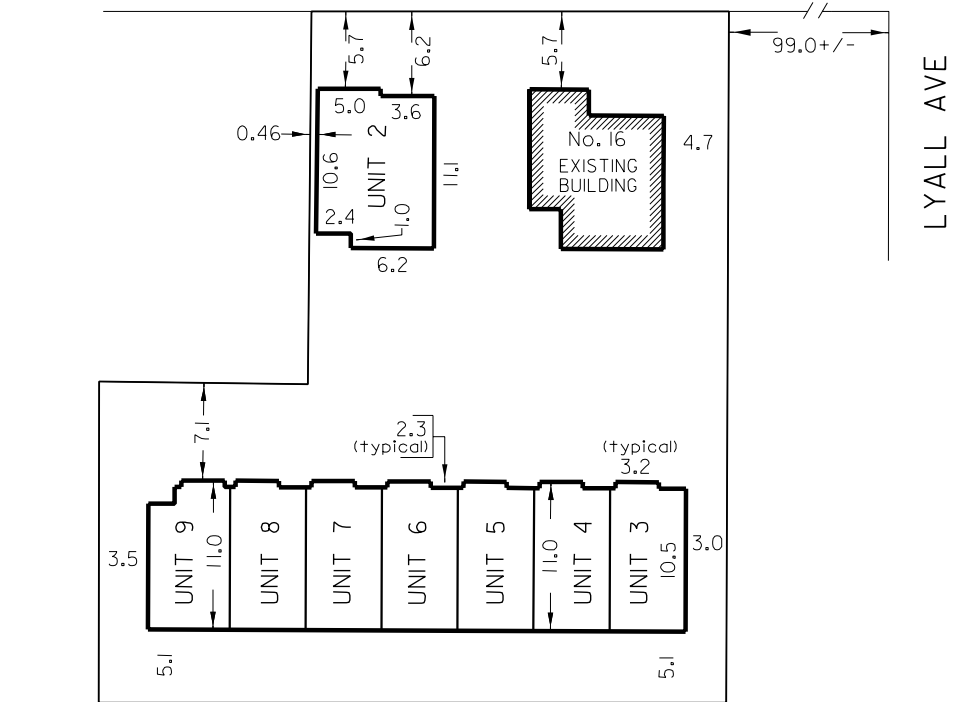
KIMBERLEY AVENUE



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO SEPTEMBER 2005
BL05/16KIMB1.DGN
FILE: K19-Z1
MAP No. 54H-323 DRAWN: VG

PLAN 2

KIMBERLEY AVENUE



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO FEBRUARY 2006
BLO6/16KIMB2.DGN
FILE: K19-Z1
MAP No. 54H-323 DRAWN: VG