

Authority: Toronto and East York Community Council Report 4, Clause 5,  
as adopted by City of Toronto Council on May 23, 24 and 25, 2006  
Enacted by Council: May 25, 2006

## CITY OF TORONTO

### BY-LAW No. 394-2006

#### To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1639 Yonge Street.

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 By-law No. 438-86, Sections 2 (1) with respect to the definition of *parking space*, and 4(2)(a), 4(4), 4(4)(c)(ii), 8(3) Part I 2, 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 a commercial building on the *lot*, provided:
  - (a) the *lot* comprises the lands outlined by heavy lines on Plan 1 attached to and forming part of this By-law;
  - (b) no portion of the building or structure above *grade* is located outside the heavy lines shown on Plan 2 attached to a forming part of this By-law, with the exception of the cornices and ornamental elements;
  - (c) no portion of the building or structure above *grade* extends beyond those *heights*, in metres above *grade* following the symbol “H” shown on Plan 2, with the exception of:
    - (i) stair tower, elevator shaft, chimney stack, mechanical penthouse, or other heating, cooling or ventilating equipment or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements to a maximum of 3 metres.
  - (d) the total *non-residential gross floor area* of the building erected on the *lot* shall not exceed 3,289 square metres;
  - (e) the *owner* shall provide and maintain a minimum of 29 *parking spaces*, on site;
  - (f) the *parking spaces* will have minimum dimensions of 5 metres by 2.6 metres;
  - (g) the *owner* shall provide and maintain a minimum driveway width of 5.0 metres.

2. For the purpose of this By-law,
- (a) the following definition shall apply:
    - (i) notwithstanding *parking space* as defined in Zoning By-law No. 438-86, as amended, a *parking space* may have minimum dimensions of 5.0 metres by 2.6 metres.
    - (b) each other italicized word or expression shall have the same meaning as each word or expression as defined in By-law No. 438-86.
3. In cases where there is a conflict between this By-law and the provisions of By-law No. 438-86, as amended, this By-law shall apply.

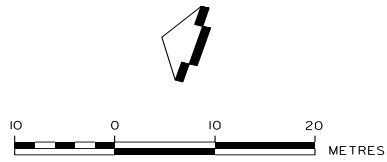
ENACTED AND PASSED this 25th day of May, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

# PLAN I

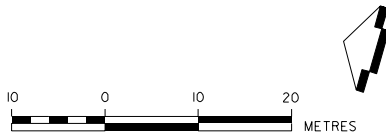


SURVEY AND MAPPING SERVICES  
TORONTO APRIL 2006  
BL06/1639YON1.DGN  
FILE: Y1-248  
MAP No. 51K-311 DRAWN: VG

# PLAN 2



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



SURVEY AND MAPPING SERVICES  
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BLO6/1639YON2.DGN  
FILE: Y1-Z48  
MAP No. 51K-311 DRAWN: VG