

Authority: North York Community Council Item 13.19, adopted as amended, by City of Toronto Council on March 3, 4 and 5, 2008, and Motion MM22.20, moved by Councillor Stintz, seconded by Councillor Saundercook, as adopted by City of Toronto Council on June 23 and 24, 2008

Enacted by Council: June 24, 2008

CITY OF TORONTO

BY-LAW No. 644-2008

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1066 Avenue Road.

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) Definitions of *grade*, *height*, *parking space* and Sections 4(2)(a), 4(4)(b), 4(10)(a), 4(13), 6(1)(a), 6(3) Part I 1, 6(3) Part II and 6(3) Part III 1 and 3 of 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”, shall apply to prevent the use of a *retirement residence*, including uses *accessory* thereto including a *parking garage* on the *lot* known municipally in the year 2008 as 1066 Avenue Road, provided:
 - (a) the *lot* consists of at least the lands shown within the heavy lines on the attached Map 1;
 - (b) the total *residential gross floor area* erected and used on the *lot* does not exceed 6,395 square metres;
 - (c) no portion of the building above *grade* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2 with the exception of cornices, lighting fixtures, awnings, canopies, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, bay windows, vents, wheel chair ramps, ramp enclosures, underground garage ramps and their associated structures, retaining walls and landscape features, all of which may extend beyond the heavy lines on the attached Map 2;
 - (d) the *height* of any building or structure erected on the *lot* shall not exceed the *height* shown in metres on Map 2, except for the following:
 - i. a mechanical penthouse, elevator shaft and associated equipment, chimney stack or other heating, cooling or ventilating equipment, may exceed the maximum height limits as shown on the Map 2 by no more than 1.0 metre;

- (e) no portion of the building, excluding dormer windows and those items listed in (d)(i) above, shall penetrate a 45 degree angular plane measured horizontally over the *lot* commencing at a base height of 9 metres above *grade*;
 - i. at a distance of 7.5 metres from the west *lot* line;
 - ii. at a distance of 3.5 metres from the north *lot* line; and
 - iii. at a distance of 0.26 metres from the south *lot* line for the portion of the building where a building setback of less than 6.0 metres is provided, but for the portion of the building where a setback from the south *lot* line of 6.0 metres or more is provided for, no angular plane requirement shall apply.
- (f) that the building contain not more than 87 *dwelling rooms*;
- (g) Section 4(12) Residential Amenity Space of By-law No. 438-86, as amended, shall apply as if the 87 *dwelling rooms* were *dwelling units*;
- (h) a minimum of 17 *parking spaces* shall be provided and maintained below *grade* on the *lot*; and
- (i) that the owner provide and maintain one *loading space – type G* on the *lot*.

2. For the purposes of this By-law:

- a. *grade* means 181.95 Canadian Geodetic Datum;
- b. *height* means the vertical distance between *grade* and the highest point of the roof;
- c. a *parking space* shall have the following minimum dimensions:
 - i. The minimum dimensions of a *parking space*, accessed by a one-way or two-way drive aisle having a width of 6.0 metres or more measured at the entrance to the *parking space* shall be:
 - 1. 5.6 metres in length;
 - 2. 2.6 metres in width;
 - 3. 2.0 metres in vertical clearance;

except that the minimum required width of a *parking space* shall be increased by 0.3 metres for each side of the *parking space* that is obstructed in accordance with paragraph (iii) below;

- ii. The minimum dimensions of a *parking space*, accessed by a one-way or two-way drive aisle having a width of less than 6.0 metres measured at the entrance to the *parking space*, shall be:
 - 1. 5.6 metres in length;
 - 2. 3.0 metres in width;
 - 3. 2.0 metres vertical clearance;

except that the minimum required width of a *parking space* shall be increased by 0.3 metres when one or both sides of the *parking space* is obstructed in accordance with (iii) below;
 - iii. For the purposes of this definition, the side of a *parking space* is obstructed when any part of a fixed object such as, but not limited to, a wall, column, bollard, fence or pipe is situated:
 - 4. within 0.3 metres of the side of the *parking space*, measured at right angles; and
 - 5. more than 1.0 metres from the front or rear of the *parking space*;
 - iv. Every *parking space* shall have a minimum unobstructed vertical clearance of 2.0 metres for the entire length and width of the parking space.
 - d. *retirement residence* means a building that provides living accommodation for residents in a semi-independent living arrangement and shall contain dwelling rooms where each dwelling room has a separate entrance from a common hall and contains sanitary facilities but no electrical service for a stove or oven, and where common facilities are provided including for the preparation and consumption of meals; and
 - e. unless otherwise defined in this By-law, each other word or expression which is italicized has the same meaning as such word or expression as defined in By-law No. 438-86, as amended.
3. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and

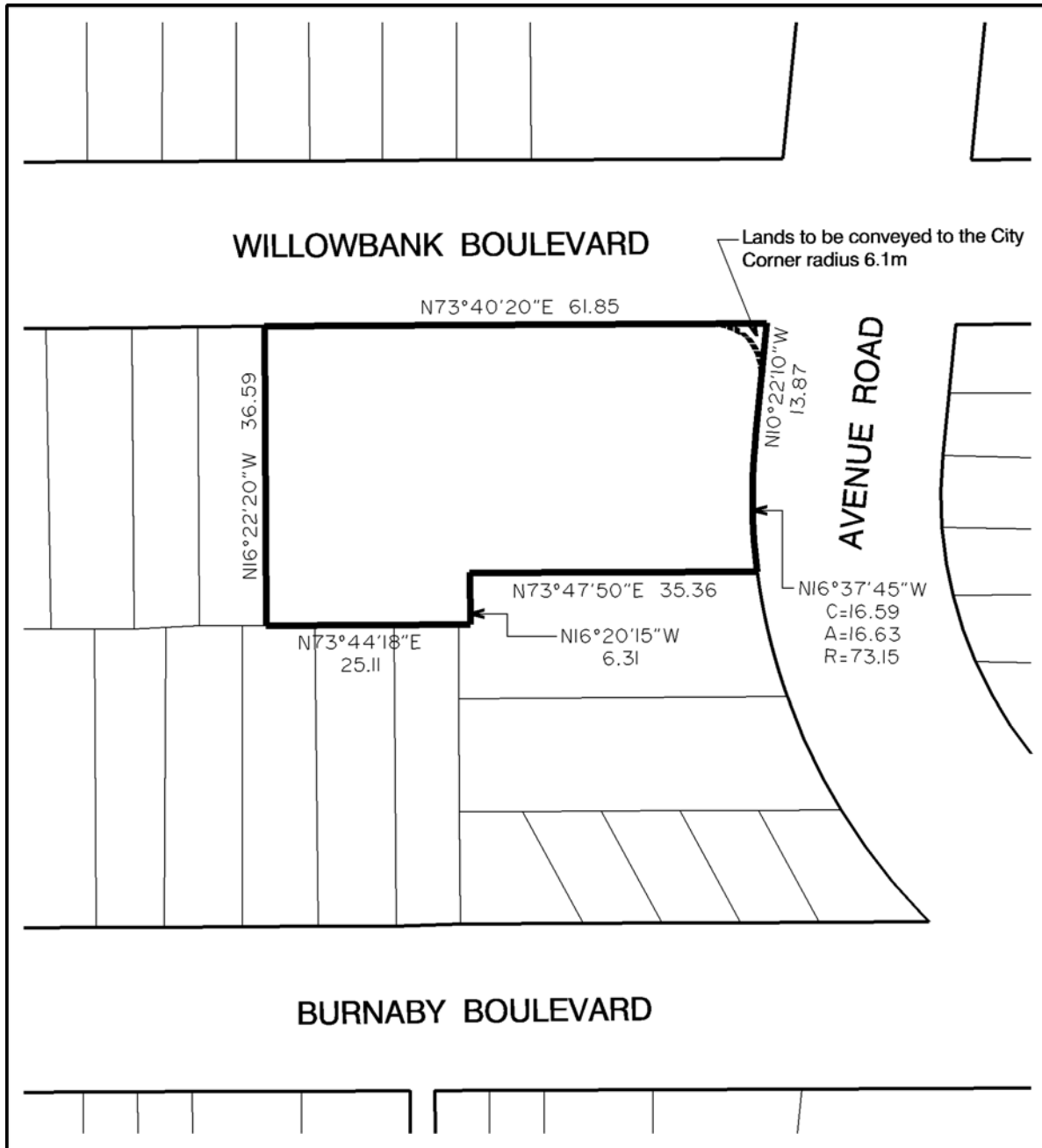
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

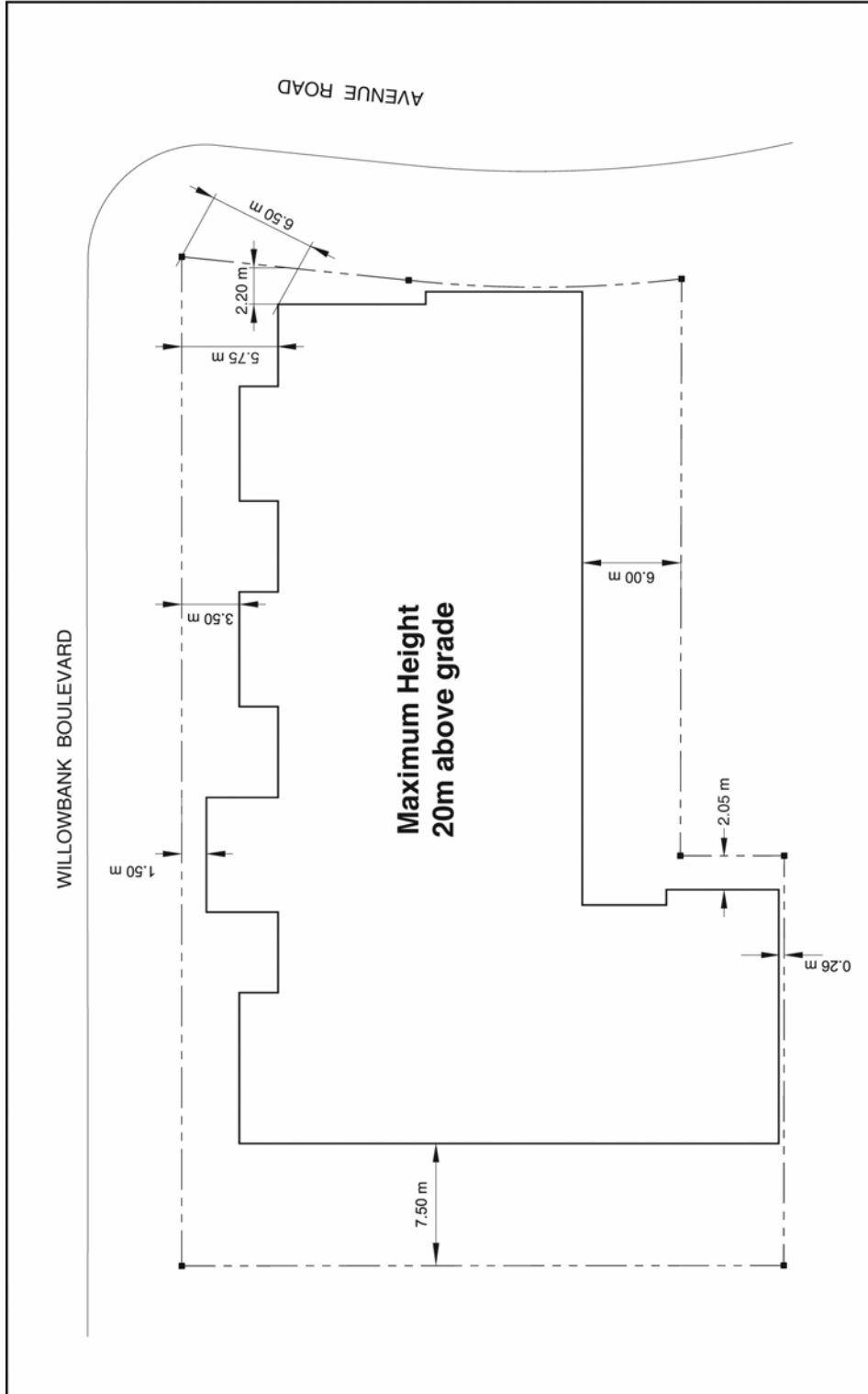
ENACTED AND PASSED this 24th day of June, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)





Map 2

File # 06_191791



Part of Block M Registered Plan M-423 and Part of Lot 77 Registered Plan M-512 City of Toronto

Applicant's submitted drawing

Date: 01/25/2008

Approved by: C.F.