

Authority: Toronto and East York Community Council Item 25.6,  
as adopted by City of Toronto Council on April 29 and 30, 2009  
Enacted by Council: May 12, 2010

## **CITY OF TORONTO**

### **BY-LAW No. 473-2010**

#### **To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 70 Melbourne Avenue.**

WHEREAS City Council at its meeting on February 1, 2 and 3, 2000 established the Parkdale Pilot Project for the purpose, among others, of regularizing the numerous bachelorette and rooming house buildings in the Parkdale area; and

WHEREAS the owner of the lands known municipally as 70 Melbourne Avenue has applied for consideration for a converted house in accordance with the Project process; and

WHEREAS the application meets the criteria and thus it is appropriate to amend Zoning By-law No. 438-86, as amended, to permit the proposed use; and

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*; and

WHEREAS the Council of the City of Toronto, at its meeting held on April 29 and 30, 2009, determined to amend Zoning By-law No. 438-86, as amended, for the former City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Subject to the requirements of this by-law, none of the provisions 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 for 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 a *residential building* on those lands outlined by heavy lines on Map 1 for the purpose of a *converted house*, provided the provisions of this by-law, save and except the items contained herein, are complied with.

#### **BUILDING ENVELOPE**

2. The provisions of Section 6(3) Part II 3-5, and 7 shall not apply to prevent the use of a *converted house* provided that any portion of the building above and below *grade* is located wholly within the area delineated by the heavy lines shown on Map 2, save and except those projections permitted by By-law No. 438-86.

### DENSITY

3. Notwithstanding the provisions of Section 6(3) Part I 1, the *residential gross floor area* of the *converted house* shall not exceed 556.91m<sup>2</sup>.

### PARKING AND LOADING

4. Notwithstanding the provisions of Section 4(4)(b) and 4(17), no *parking spaces* shall be provided and maintained on the lot.

### MINIMUM UNIT SIZE

5. Notwithstanding the provisions of Section 6(2)1(iv) and Section 12(2)70(ii), the average of the floor area of the *dwelling units* shall not be less than 22.54m<sup>2</sup>, and in no instance shall a *dwelling unit* have a floor area less than 15.64m<sup>2</sup>.

### NUMBER OF UNITS

6. No more than sixteen (16) *dwelling units* shall be erected and used on the *lot*, of which a minimum of two (2) *dwelling units* shall contain two (2) or more *habitable rooms*.

### LANDSCAPING

7. Not less than 12.88m<sup>2</sup> of the lot shall be provided and maintained as *landscape open space*.

### REAR YARD SETBACK

8. The existing fire escape may encroach into the rear yard setback.

### GENERAL

9. With the exception of any defined terms to the extent modified by this by-law, all other provisions of By-law No. 438-86 of the former City of Toronto, as amended, continue to apply.

ENACTED AND PASSED this 12th day of May, A.D. 2010.

GLORIA LINDSAY LUBY,  
Deputy Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)



