

Authority: Toronto and East York Community Council Item 35.4,
adopted as amended, by City of Toronto Council on July 6, 7 and 8, 2010
Enacted by Council: July 8, 2010

CITY OF TORONTO

BY-LAW No. 856-2010

To amend General Zoning By-law No. 1-83 of the former City of York, as amended, By-law No. 3623-97 of the former City of York, as amended, and By-law No. 12349 with respect to the lands municipally known as 1950 Bathurst Street, 89 Dewbourne Avenue and 84 Ava 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*; and

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as herein set forth;

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

1. The *lot* consists of the lands municipally known as 1950 Bathurst Street, 89 Dewbourne Avenue, and 84 Ava Road, as delineated by heavy lines on Map 1 attached hereto and forming part of this By-law.
2. The provisions of By-law No. 12349 shall not apply to the *lot*.
3. The provisions of By-law No. 3623-97, Section 7, Subsection 3 (b), regarding maximum permitted floor space index, do not apply to the *lot*.
4. District Map 15 of By-law No. 1-83 is amended in accordance with Map 1 of this By-law.
5. Section 16 General Exception of By-law No. 1-83 is amended by adding the following subsection:

Notwithstanding the provisions of this By-law, the *lot*, as delineated by heavy lines on Map 1, attached hereto, is subject to the following provisions:

EXCEPTION REGULATIONS

PERMITTED USES

- a) Notwithstanding By-law No. 1-83, a place of worship, a religious school, including uses accessory thereto, are permitted on the lands shown on Map 1 attached hereto;

MAXIMUM GROSS FLOOR AREA

- b) The total gross floor area permitted on the lands shown on Map 1 attached hereto, shall not exceed a maximum gross floor area of 10,900 m²;
- c) The maximum floor space index on the lands shown on Map 1 attached hereto, shall not exceed 1.21;

BUILDING HEIGHT

- d) The building height shall not exceed the maximum heights in metres and storeys shown on Map 2 attached hereto, excluding mechanical penthouses and rooftop equipment;

YARD SETBACKS

- e) The minimum yard setbacks shall be as set out in Map 2, attached hereto;

PARKING

- f) A minimum of 81 parking spaces shall be provided and maintained on the site;
- g) Two (2) obstructed surface parking spaces shall have minimum dimensions of 2.6m by 5.6m, one (1) obstructed parking space in the lower level parking garage shall have minimum dimensions of 2.6m x 5.6m, one (1) unobstructed parking space in the lower level parking garage shall have minimum dimensions of 2.6m x 5.4m, and ten (10) unobstructed surface parking spaces shall have minimum dimensions of 2.5m x 5.6m;

LANDSCAPING

- h) The minimum landscape buffer shall be as set out in Map 2, attached hereto.
6. The provisions of this exception shall apply collectively to the lands zoned R1 notwithstanding their future severance, partition, or division.
7. 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.

8. Nothing in this By-law shall prevent the construction and use of temporary portable classrooms on the *lot*, prior to the completion of the school addition.

ENACTED AND PASSED this 8th day of July, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



