

Authority: Toronto and East York Community Council Item 17.10,
as adopted by City of Toronto Council on July 11, 12 and 13, 2012
Enacted by Council: July 13, 2012

CITY OF TORONTO

BY-LAW No. 1028-2012

To amend the General Zoning By-law No. 438-86, as amended, of the former City of Toronto, respecting the lands municipally known as 842-856 Richmond Street West.

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. By-law No. 438-86 of the former City of Toronto, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to building 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, is further amended by amending District Map 49G-323 contained in Appendix A, as shown on Map 1 attached to this By-law for the lands subject to this By-law, to rezone the subject lands R3 for the purposes of a residential building exclusively used as dwelling units.
2. None of the provisions of Section 2(1) with respect to "*grade*", "*height*", and "*lot*", and Sections 4(2), 4(4)(b), 4(12), 6(3) Part I 1, 6(3) Part II 1-8 inclusive, 6(3) Part III 1-4 inclusive, and 6(3) Part VII 1, of By-law No. 438-86 of the former City of Toronto, as amended, shall apply to prevent the erection and use of a *residential building* on the *lot*, provided that:
 - (a) the *lot* consists of at least the lands outlined by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) the *residential gross floor area* on the *lot* shall not exceed 3,260 m²;
 - (c) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law;
 - (d) despite Section 2(c) above, the following projections are permitted in *Area A* and *Area B* identified on Map 2:
 - i. Balconies which project a maximum of 1.5 metres from a wall; and
 - ii. Eaves and ornaments which project a maximum of 1.0 metre from a wall;

- (e) within the areas identified *Area A* and *Area B* the following provisions shall apply:
 - i. The height of a fence or safety railing shall not exceed 2.0 metres in height from the platform; and
 - ii. Stairs are permitted to a height of 3.5 metres above grade;
 - (f) the *height* of the building or structure shall not exceed those heights, in metres above *grade*, following the symbol "H" shown on Map 2 except:
 - i. a stair tower, elevator shaft, chimney stack or other heating or cooling or ventilating equipment or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements, provided the maximum *height* of the top of such elements including the area contained within an enclosure is no higher than the sum of 2.0 metres and the *height* otherwise permitted herein; and
 - ii. privacy screens or dividers between terraces, provided the maximum height of such dividers is no higher than 2.0 metres;
 - (g) *parking spaces* shall comply with the standards in Section 4(17) with the exception of one undersized *parking space* may be provided with dimensions of 4.9 m X 5.6 m
 - (h) *parking spaces* shall be provided on the *lot* in accordance with the following minimum standards:
 - i. 0.3 *parking spaces* for each *bachelor dwelling unit*;
 - ii. 0.7 *parking spaces* for each one-bedroom *dwelling unit*;
 - iii. 0.95 *parking spaces* for each *dwelling unit* having two or more bedrooms;
 - iv. 0.06 *parking spaces* for each *dwelling unit* for the exclusive use of visitors of the *dwelling units*.
3. Despite any existing or future severance, partition or division of the *lot*, the provisions of this by-law shall apply to the whole of the lands identified on Map 1, as if no severance, partition or division occurred.
4. For the purposes of this By-law:
- (a) "*grade*" shall mean 89.52 metres Canadian Geodetic Datum;
 - (b) "*height*" shall mean the vertical distance between *grade* and the highest point of the roof;

- (c) "*lot*" shall mean the lands outlined in a heavy lines as shown on Map 1 attached to and forming part of this By-law; and
 - (d) each other word or expression which is italicized in this By-law has the same meaning as that word or expression contained in By-law No. 438-86 of the former City of Toronto, as amended.
5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
6. 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
 - (a) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this 13th day of July, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



