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 1
PLAN 2

H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE

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