

Authority: North York Community Council Item 9.21,  
as adopted by City of Toronto Council on October 22 and 23, 2007  
Enacted by Council: October 23, 2007

## **CITY OF TORONTO**

### **BY-LAW No. 1147-2007**

**To amend the former City of North York Zoning By-law No. 7625, as amended,  
with respect to the lands along Wilson Avenue in the vicinity of Keele Street in the west  
and Bathurst Street in the east.**

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. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedules “1” to “8” of this By-law.
2. By-law No. 7625 is amended by adding the following section:

#### **SECTION 45 AVENUES MIXED USE ZONE (AV-MU)**

##### **45.1 Prohibition**

No person shall use any lands, buildings or structures, or cause or permit a building or structure to be erected, in an Avenues Mixed use (AV-MU) zone except in accordance with the following provisions:

##### **45.2 Definitions**

For the purpose of the Avenue Mixed Use (AV-MU) zone, the following definitions will apply in addition to the definitions of By-law No. 7625:

- (i) “Apartment House Dwelling” shall mean a building containing more than four (4) dwelling units, each unit having direct access from an internal corridor, the exterior of the building or a combination thereof.
- (ii) “Live-Work Unit” shall mean an artist studio, business and professional office, commercial school, personal service shop, professional medical office, retail store, or service shop use located within a dwelling unit, provided the following conditions apply: Live work uses shall only be conducted by a member or members of a household that reside in the dwelling unit; the work component shall not exceed a maximum gross floor area of 30 percent of the total residential gross floor area of the dwelling unit; and , for an apartment house dwelling, the live work uses shall be restricted

- to the street level.
- (iii) “45° Angular Plane” shall mean a point originating at a lot line and projecting at a 45 degree angle toward the development.

**45.3 (a) Permitted Uses**

Adult Education School  
 Apartment Hotel  
 Apartment House Dwelling  
 Art Gallery  
 Artist Studio  
 Automatic Laundry Shop  
 Business and Professional Office  
 Cinema  
 Club  
 Commercial Recreation  
 Commercial Gallery  
 Community Centre  
 Custom Workshop  
 Day Nursery  
 Dry Cleaning and Laundry Collecting Establishment  
 Financial Institution  
 Fitness Centre  
 Hotel  
 Information Processing  
 Live-Work Unit  
 Multiple Attached Dwelling  
 Museum  
**Nursing Home**  
 Outdoor Café  
 Park  
 Personal Service Shop  
 Pinball and Video Games Arcade  
 Professional Medical Office  
 Public Library  
 Research Laboratory  
**Restaurant**  
 Retail Store  
 Service Shop  
 School  
 Theatre  
**Take-out Restaurant**  
 Veterinary Clinic

**(b) Use Qualifications**

- (i) Restaurant and Take-Out Restaurant uses shall be subject to Section 6(22).

- (ii) A Restaurant or Take-Out Restaurant shall not have a drive-through facility.
- (iii) Nursing Home uses shall not be subject to the provisions of Section 6(26).

## **ZONE REGULATIONS**

### **45.4 Yard Setbacks**

- (i) All buildings and structures above and below grade, to the lesser of a height of 9.6 metres or 3 storeys, shall be located a minimum of 0.0 metres and a maximum of 2.5 metres from any street lot line except:
  - A. Development that has residential uses on the first floor shall be located a minimum of 2.5 metres and a maximum of 4.5 metres from any street.
- (ii) The portion of any building or structure above 9.6 metres or 3 storeys in height shall be set back an additional 1.0 metre from the base elevation for buildings from a front lot line.
- (iii) The portion of any building or structure above 18 metres or 6 storeys in height shall be setback an additional 3.0 metres from the 6th storey elevation.
- (iv) All buildings and structures to the lesser height of 9.6 metres or 3 storeys shall be located a minimum of 2.5 metres and a maximum of 4.5 metres from a street lot line that other than the front lot line.
- (v) The portion of any building or structure above 9.6 metres or 6 storeys in height shall be set back an additional 1.0 metre from the base elevation for buildings from a street lot line other than the front lot line.
- (vi) All buildings and structures which exceed 3 storeys or 9.6 metres shall be located a minimum of 4.0 metres from a street lot line other than the front lot line.
- (vii) Notwithstanding (i), (ii), (iii), (iv), (v) and (vi) above balconies, pedestrian weather protection systems, canopies, porches, steps, bay windows, overhangs, railings, cornices, awnings or colonnades may be permitted in the area between the front wall of the building and the front lot line and the wall of the building and the street lot line.
- (viii) Where the side yard or rear yard of a property is adjacent to an “R” or “RM” zone, the minimum side yard setback shall be 1.2 metres for buildings up to a height of 9.6 metres or 3 storeys and 7.5 metres for buildings above a height of 9.6 metres or 3 storeys.

- (ix) The minimum setback for underground parking structures shall be 0.0 metres from any lot line.

#### **45.5 Height**

- (i) The maximum height for all buildings and structures shall be:
  - A. The lesser of 3 storeys and 9.6 metres for lots having a frontage of less than 30 metres.
  - B. The lesser of 6 storeys and 18 metres for lots having a frontage of 30 metres or more.
  - C. The lesser of 8 storeys and 24 metres for lots having a frontage of 30 metres or more and such lot being located at the intersection of two public streets.
    - (a) Notwithstanding (C) above, for those properties on the north side of Wilson Avenue, between Maniza Road and Dufferin Street, the maximum height of the building inclusive of any accessory component of the building shall be 8 storeys and 24 metres including, but not limited to, penthouses, towers, cupolas, steeples, antennae or other roof structures which are used only as an ornament upon or to house the mechanical equipment of the building.
- (ii) Notwithstanding (i) the maximum height for buildings and structures on lots having a frontage of 30 metres or more and such lot being located at the intersection of Keele Street and Wilson Avenue as shown on Schedule “7” shall be the lesser of 10 storeys and 30 metres.
- (iii) Notwithstanding (i) the maximum height for buildings and structures on lots having a frontage of 30 metres or more and such lot being located at the intersection of Bathurst Street and Wilson Avenue as shown on Schedule “8” shall be the lesser of 10 storeys and 30 metres.
- (iv) All buildings and structures shall maintain a 45 degree angular plane from any lot line that abuts any “R” or “RM” zone beyond which no building or structure shall be permitted. Where a public laneway abuts the development site, the laneway may be included for the purposes of establishing the 45 degree angular plane.

#### **45.6 Density**

- (i) The maximum floor space index shall be:
  - A. 1.0 FSI for a lot having a frontage of less than 30 metres.

B. 2.0 FSI for a lot having a frontage of 30 metres or more.

- (ii) Notwithstanding (i) above the maximum floor space index for buildings and structures on lots having a frontage of greater than 30 metres and such lot being located at the intersection of Bathurst Street and Wilson Avenue as shown on Schedule “8” to this by-law shall be 2.5.
- (iii) Notwithstanding (i) above the maximum floor space index for buildings and structures on lots having a frontage of 30 metres or more and such lot being located at the intersection of Keele Street and Wilson Avenue as shown on Schedule “7” to this by-law shall be 2.5.

#### **45.7 Parking**

- (i) Parking shall not be located in the front yard.
- (ii) No surface parking spaces are permitted within 2.5 metres of a front lot line or within 2.0 metres of any other lot line.
- (iii) All residential parking for apartment house dwellings which are greater than 3 storeys or 9.6 metres in height shall be provided below grade with the exclusion of visitor parking which may be provided at grade.
- (iv) A minimum of 1.25 parking spaces per apartment house dwelling unit shall be required for residential uses, of which 0.25 parking spaces per dwelling unit shall be for the use of visitors.
- (v) For all other uses, the parking provisions of By-law No. 7625 shall apply.
- (vi) All required parking spaces or portions thereof, shall be provided on the same lot as the use.

#### **45.8 Residential Recreational Amenity Area**

- (i) For apartment house dwelling uses only, a minimum of 2.0 m<sup>2</sup> per dwelling unit of above grade indoor recreational amenity area and a minimum of 2.0 m<sup>2</sup> of outdoor recreational amenity area per dwelling unit shall be provided and which may include rooftop amenity area.
- (ii) For multiple attached residential uses only, a minimum of 2.0 m<sup>2</sup> of outdoor recreational amenity area per dwelling unit for exclusive use of that unit shall be provided.

#### **45.9 Landscaping**

- (i) A minimum 2.0 metre wide landscape area shall be provided along the full length of a rear property line that abuts an “R” or “RM” zone.

**45.10 Other Provisions**

- (i) Where a lot abuts a public lane or a flanking street, the access for all vehicles shall be from the public lane or flanking street.
- (ii) Where a lot does not abut either a public lane or a flanking street, only one vehicular access point to parking and loading facilities shall be provided from the fronting street.
- (iii) The main building entrance shall front onto and be directly accessible to the street and at an elevation no greater than 0.8 metres above or below the grade of the public right-of-way at the property line.

**45.11 Holding Provisions**

On those lands subject to an 'H' as illustrated on Schedule "1", no person shall use any lot or erect or use any building or structure for any purpose except as permitted in this by-law. Upon fulfilment of the following conditions on terms satisfactory to the City of Toronto, the 'H' shall be lifted, in whole or in part, and the uses as set out in this by-law shall be the only uses permitted on such lands.

- (i) For those lands shown on Schedule "1" as AV-MU(H):
  - (A) Submission of a Transportation Study to the satisfaction of the Director of Transportation Services addressing the following criteria:
    - (a) The site layout provides adequately for the movement needs of pedestrians, automobiles and commercial vehicles without disrupting bordering streets and properties;
    - (b) The development will not increase local residential road traffic so significantly as to produce appreciable new hazards, noise, dust and fumes for nearby residential communities;
    - (c) The development provides sufficient parking while still encouraging the use of public transit, walking and cycling as alternatives to automobile use; and
    - (d) The traffic resulting from occupancy of the proposed development does not significantly contribute to reducing the level of service of nearby arterial roads and their intersections with local road to below a generally acceptable level.
  - (B) The applicant for any new development may be required to execute an agreement with the City of Toronto to ensure that necessary transportation measures and parking requirements are fulfilled.

3. Section 64.21 of By-law No. 7625 is amended by adding the following subsection:

**64.37(35) O1(35)**

**Permitted Uses**

- (i) The only permitted uses shall be park and open space uses. No buildings shall be permitted.
4. By-law No. 638-2007, being a by-law “To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands along Wilson Avenue in the vicinity of Keele Street to the west and Bathurst Street to the east”, is hereby repealed.

ENACTED AND PASSED this 23rd day of October, A.D. 2007.

SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

## SCHEDULE "1"

DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.

**Toronto**  
City Planning Division

**SUBJECT PROPERTY**

This is Schedule " 1 " to By-Law \_\_\_\_\_, passed \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Sgd.) \_\_\_\_\_ (Sgd.) \_\_\_\_\_  
CLERK MAYOR

File No. 03 194996  
Prepared by: F. L.  
Approved by: C. F.  
Date: May 22, 2007  
Filename: Z1.dgn

**Location: Wilson Avenue between Pleasant Home Boulevard and Cornelius Parkway**

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.

Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.



## SCHEDULE "2"

DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.

**This is Schedule "2" to By-Law \_\_\_\_\_, passed the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_**

(Sgt.) \_\_\_\_\_ (Sgt.) \_\_\_\_\_

CLERK \_\_\_\_\_ MAYOR \_\_\_\_\_

**Location: Wilson Avenue between Murray Road and Lady York Avenue**

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.

Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

File No. 03 194996

Prepared by: F. L.

Approved by: C. F.

Date: March 3, 2006

Filename: Z2.dgn

**Toronto**  
City Planning Division  
City of Toronto

**SUBJECT PROPERTY**

## SCHEDULE “3”

File No. 03 194996

Prepared by: F. L.

Approved by: C. F.

Date: March 3, 2006

Filename: Z3.dgn

This is Schedule " 3 " to By-Law \_\_\_\_\_, passed  
the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

(Sgd.) \_\_\_\_\_ (Sgd.) \_\_\_\_\_

CLERK \_\_\_\_\_ MAYOR \_\_\_\_\_

**Location: Wilson Avenue between Ancaster Road and Dufferin Street**

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.

## SCHEDULE “4”

File No. 03 194996

Prepared by: F. L.

Approved by: C. F.

Date: March 3, 2006

Filename: ZA.dgn

**This is Schedule " 4 " to By-Law \_\_\_\_\_, passed**

**the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_**

(Sgd) \_\_\_\_\_

(Sgd) \_\_\_\_\_

CLERK

MAYOR

**Location: Wilson Avenue between Tippet Road and Delahaye Street**

Source: Zoning By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.

## SCHEDULE “5”

**DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.**

The map shows a section of Wilson Avenue bounded by Allingham Gardens to the west and Collinson Blvd to the east. Along Wilson Avenue, there are several lots. Two specific lots are highlighted with thick black borders:

- A lot extending from C1 to AV-MU, located south of Charleswood Drive.
- A lot extending from R4 to AV-MU, located north of Charleswood Drive.

Other streets shown include King High Avenue, Wigan Cres, Charleswood Drive, Stadacona Drive, Carhartt Street, Delahaye Street, and Cadillac Avenue. A small inset map in the top right corner shows the location of the area within the City of Toronto.

<b>This is Schedule " 5 " to By-Law _____ , passed the _____ day of _____ , 20____</b>	
(Sgd.) _____	(Sgd.) _____ CLERK                      MAYOR

**Location: Wilson Avenue between Allingham Gardens and Collinson Boulevard**

File No. 03 194996  
Prepared by: F. L.  
Approved by: C. F.  
Date: March 3, 2006  
Filename: Z5.dgn

Source: Zoning By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.  
Street lines represent street dedications / road allowances and do not represent actual as-built curb lines of streets.

## SCHEDULE “6”

DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.

 City Planning Division		 SUBJECT PROPERTY
This is Schedule " 6 " to By-Law _____, passed _____,		
the _____ day of _____, 20____		
(Sgd.) _____	(Sgd.) _____	(Sgd.) _____
CLERK	MAYOR	
File No. 03 194996		
Prepared by: F. L.		
Approved by: C. F.		
Date: December 6, 2006		
Filename: Z6.dgn		
<b>Location: Wilson Avenue between Carhartt Street and Highway 401</b>		

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.  
 Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

[illegible]

This is Schedule " 8 " to By-Law _____, passed	
the _____ day of _____, 20____	
(Sgd.)	(Sgd.)
CLERK	MAYOR

File No. 03 194996
Prepared by: F. L.
Approved by: C. F.
Date: March 3, 2006
Filename: H8.dgn

**Location: Wilson Avenue and Bathurst Street**

Source: Zoning By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.

Street lines represent street dedications / road allowances and do not represent actual as-built curb lines of streets.