

Authority: Toronto and East York Community Council Item 8.4, as adopted by City of Toronto Council on September 26 and 27, 2007 and Motion M174, moved by Deputy Mayor Pantalone, seconded by Councillor Rae, as adopted by City of Toronto Council on November 19 and 20, 2007
Enacted by Council: November 20, 2007

CITY OF TORONTO

BY-LAW No. 1276-2007

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands municipally known as 701 and 703 Dovercourt 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*;

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

1. None of the provisions of Section 2(1) with respect to the definition of an *apartment building*, Section 4(2)(a), Section 4(4)(b), Section 4(4)(c)(ii), Section 4(12), Section (16), Section 4(17), Section 6(3) Part I, Section 6(3) Part II 3.F(I)1, Section 6(3) Part II 4 & 5, Section 6(3) Part III 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 of lands and the erection and use of certain buildings and structures and to prohibit 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 the *lot* provided:
 - (1) the *lot* consists of those lands delineated by the heavy lines on Map 1 attached to and forming part of this By-law;
 - (2) no portion of any building or structure to be erected or used on the *lot* shall extend beyond the lines delineated by the heavy lines on Map 2 attached to and forming part of this by-law;
 - (3) despite subsection (1) herein, eaves and cornices shall be permitted to project no more than 0.45 metres beyond the heavy lines on Map 2;
 - (4) The *height* of the building(s) on the *lot* shall not exceed the maximum *height* permitted as indicated by the letter “H” as shown on Map 2 attached to and forming part of this By-law;
 - (5) despite subsection (4) herein, skylights, fences, safety railings, or privacy screens shall be permitted to project beyond the *height* permitted provided the *height* of the fence, safety railing or privacy fence does not exceed 2.0 metres;

- (6) despite subsection (5) herein, a projection into the height limit for mechanical equipment or access stairs are permitted provided that the following restrictions are met:
- (a) the height of the mechanical equipment or access stairs does not exceed 3.0 metres;
 - (b) the total amount of mechanical equipment on the rooftop portion of the building does not exceed 30% of the roof area; and
 - (c) the mechanical equipment must be set back a minimum of 4.0 metres from the side wall of the portion of the roof on which it is located;
- (7) despite subsection 6(c) herein, a minimum setback of 3.0 metres is permitted on the north and south sides of the portion of the roof delineated with a height of 16.9 metres on the attached Map 2;
- (8) these provisions shall not apply to any rooftop mechanicals existing prior to the date of by-law;
- (9) the areas on Map 2 labelled with heights of H7.8, H3.5 and H10.7 may be used only for the purposes of balconies, roof terraces and porchways;
- (10) a maximum of 28 dwelling units shall be permitted on the *lot*;
- (11) the maximum *residential gross floor area* of the building on the *lot* shall not exceed 3,200 square metres;
- (12) despite Section 2(1) of By-law No. 438-86, as amended, with respect to the definition of *parking space*, a minimum of 23 *parking spaces* shall be provided on the *lot* having minimum dimensions in accordance with the following standards:

Number & Type	Width	Length
1 small vehicle <i>parking space</i>	2.4 metres	5.5 metres
1 small vehicle <i>parking space</i>	2.6 metres	5.2 metres
21 vehicles <i>parking spaces</i>	2.6 metres	5.6 metres

- (13) ingress and egress to and from the parking facility shall be provided by unobstructed driveways or passageways providing access to a public highway and having a minimum width of 2.4 metres for one-way operation and a minimum width of 4.7 metres for two-way operation;
- (14) a minimum of 56 square metres of indoor amenity space shall be provided within the building of which 34 square metres shall be located in a multi-purpose room containing a kitchen and a washroom; and

- (15) the existing church building shall be maintained in accordance with the provisions of a Heritage Easement Agreement between the City of Toronto and the owner of the *lot* pursuant to the *Ontario Heritage Act*.
2. For the purposes of this by-law all words, terms and phrases appearing in italics shall have the same meaning as they have for the purpose of the aforesaid By-law No. 438-86, as amended, except as herein provided.

ENACTED AND PASSED this 20th day of November, A.D. 2007.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



