

Authority: North York Community Council Item 19.25,
as adopted by City of Toronto Council on October 29 and 30, 2008
Enacted by Council: April 6, 2009

CITY OF TORONTO

BY-LAW No. 401-2009

To amend Zoning By-law No. 1-83 of the former City of York, as amended, with respect to the lands municipally known as 458 Oakwood Avenue.

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. Section 16 of By-law No. 1-83 is amended by adding the following subsection:

16(433) LANDS – 458 OAKWOOD AVENUE

Notwithstanding the provisions of Paragraph (i) of Subsection 3.2.1 of Section 3 and the provisions of Section 8 of this By-law, the lands as described in Schedule 1 hereto, may be used for a residential building with dwelling units or artist live-work units subject to the following conditions:

1. The total number of units shall not exceed six units.
2. The maximum building height shall be three (3) storeys or 13.15 metres, whichever is the lesser.
3. The minimum lot frontage shall be 11.0 metres.
4. The minimum building setbacks shall be:
 - i. front yard setback = 0.0 metres;
 - ii. side yard setbacks = 0.0 metres; and
 - iii. rear yard setback = 11.0 metres.
5. The maximum floor space index shall be 1.7.
6. A minimum of four (4) parking spaces shall be provided on the site, and such parking spaces shall be used only in conjunction with the uses provided for in this By-law.

7. The minimum dimensions of a parking space will be:

- length 5.6 metres
- height 2.0 metres
- width 2.5 metres

except that the minimum required width of a parking space shall be increased by 0.2 metres for each side of the parking space which is obstructed by a fixed object such as, but not limited to, a wall, column, bollard, fence or pipe.

8. No front yard landscaping is required if the building is at a 0.0 metre front yard setback.

9. For the purposes of this Subsection, the following definitions shall apply:

“**ARTIST LIVE-WORK UNIT**” means a dwelling unit that is also used for work purposes, provided only the resident or residents of such accommodation work in the dwelling unit, and provided the work component is restricted to an artist studio.

“**ARTIST STUDIO**” means a building or portion of a building used for producing art or craft provided it does not comprise an offensive use, and which may include an area for displaying or selling goods produced in the studio provided such area is ancillary to the production process.

2. Notwithstanding any defined terms to the extent modified by this By-law and the provisions noted herein, all other provisions and defined terms of By-law No. 1-83, as amended, continue to apply.

3. Within the lands shown on Schedule 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.

ENACTED AND PASSED this 6th day of April, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

