

Authority: Toronto and East York Community Council Item 16.10,
as adopted by City of Toronto Council on June 23 and 24, 2008
Enacted by Council: October 1, 2009

CITY OF TORONTO

BY-LAW No. 977-2009

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands municipally known as 124 Spencer Avenue.

WHEREAS City Council at its meeting of February 1, 2 and 3, 2000 established the Parkdale Pilot Project for the purpose, among others, of regularizing the numerous bachelorette and rooming house buildings in the Parkdale area; and

WHEREAS the owner of the lands known municipally as 124 Spencer Avenue has applied for consideration for a converted house in accordance with the Project process; and

WHEREAS the application meets the criteria and thus it is appropriate to amend Zoning By-law 438-86, as amended, to permit the proposed use; and

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 the Council of the City of Toronto has had referred to it a proposed Zoning By-law respecting the site; 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*; and

WHEREAS the Council of the City of Toronto, at its meeting held on June 23 and 24, 2008, determined to amend Zoning By-law No. 438-86, as amended, for the former City of Toronto;

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

- (1) Subject to the requirements of this by-law, none of the provisions 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 for lands and the erection and use of 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 for the purposes of a *converted house*, provided the provisions of this by-law, save and except the items contained herein, are complied with.

BUILDING ENVELOPE

- (2) The provisions of Section 6 (3) Part II 3-5, and 7 shall not apply to prevent the use of a *converted house* provided that any portion of the building above and below *grade* is located wholly within the area delineated by the heavy lines shown on Map 2, save and except those projections permitted by By-law No. 438-86.

DENSITY

- (3) Notwithstanding the provisions of Section 6 (3) Part I 1, the *residential gross floor area* of the *converted house* shall not exceed 377.02m².

PARKING AND LOADING

- (4) Notwithstanding the provisions of Sections 4(4)(b) and 4(17), a minimum of two *parking spaces* having a minimum unobstructed dimension of 5.9 metres in length and 2.6 metres in width shall be provided and maintained on the lot.

ACCESSORY USES

- (5) The provisions of Section 2(1), Section 6(1)(a), 6(3) Part I, and 6(3) Part II, shall not prevent the erection and use within the portion of the lot identified as Area 'A' on the attached Map 2 for the purposes of two *telephone booths*.

MINIMUM UNIT SIZE

- (6) Notwithstanding the provisions of Section 6 (2) 1 (iv) and Section 12 (2) 70 (ii), the average of the floor areas of the *dwelling units* located in a *converted house* shall not be less than 23.02m², and in no instance shall a *dwelling unit* have a floor area less than 16.77m².

NUMBER OF UNITS

- (7) No more than eleven *dwelling units* shall be erected and used on the *lot*, of which a minimum of two *dwelling units* shall contain two or more *habitable rooms*.

LANDSCAPED OPEN SPACE

- (8) Notwithstanding the provisions of Section 6 (3) Part III 1(A), a minimum *landscape open space* area equivalent to 4.97% (9.0m²) of the area of the lot shall be provided on the lot in accordance with the attached Map 2A.

DEFINITIONS

- (9) For the purpose of this by-law:
- (a) *building envelope* means the area shaded by the diagonal lines on Map 2 attached.
 - (b) *telephone booth* means a structure furnished with a telephone used for voice communication for public use.

GENERAL

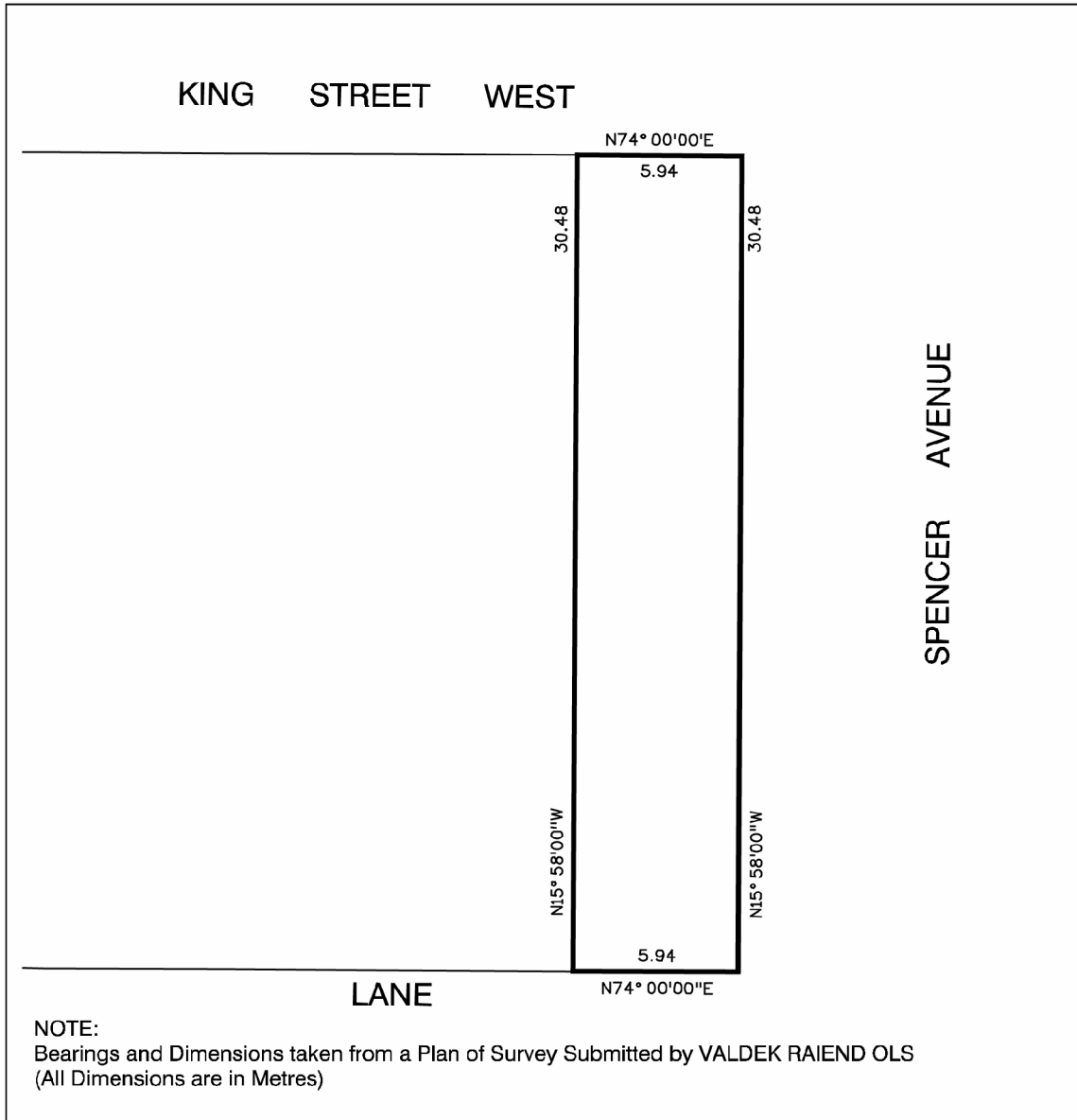
- (10) With the exception of any defined terms to the extent modified by this by-law, all other provisions of By-law No. 438-86 of the former City of Toronto, as amended, continue to apply.

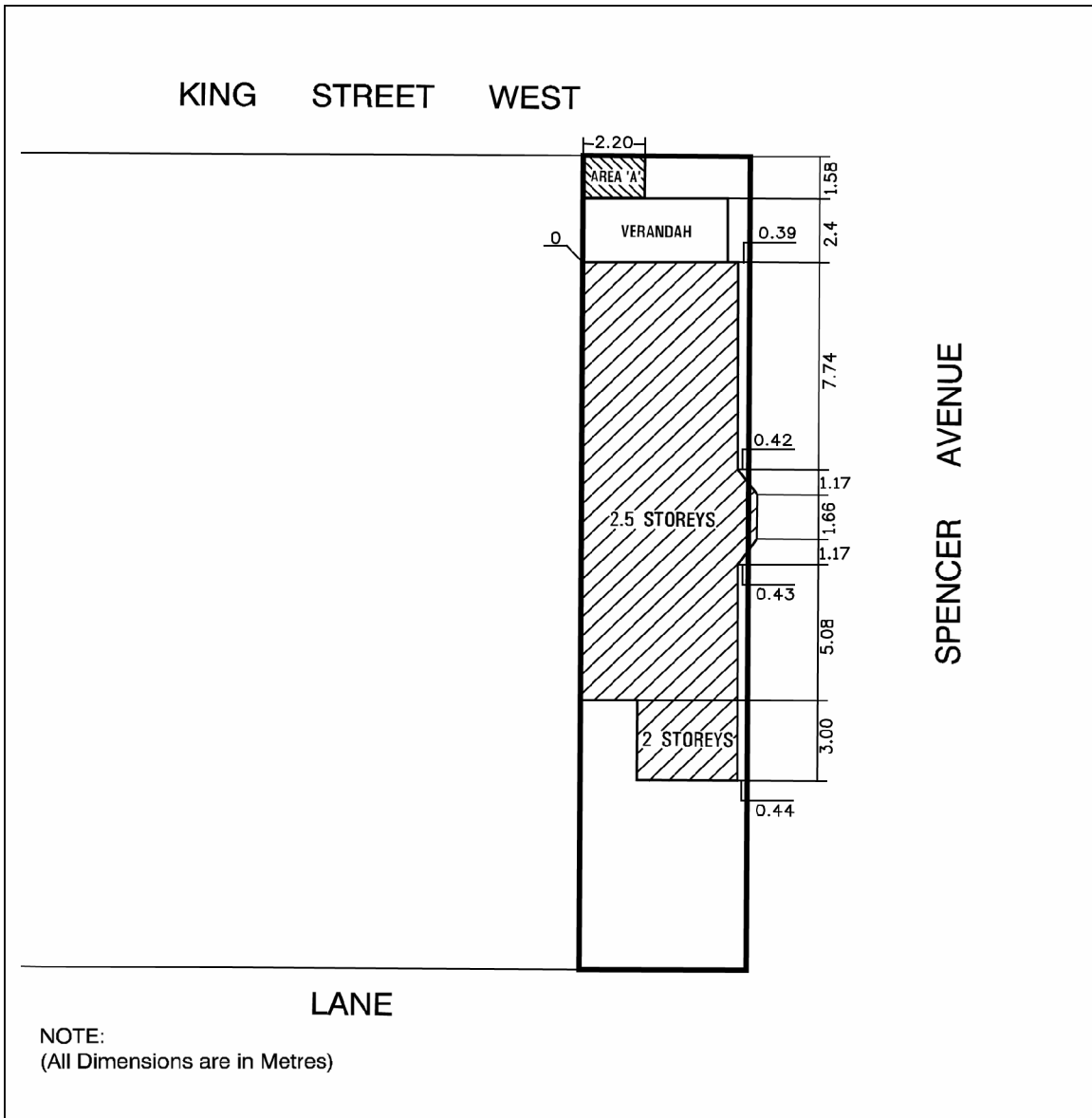
ENACTED AND PASSED this 1st day of October, A.D. 2009.

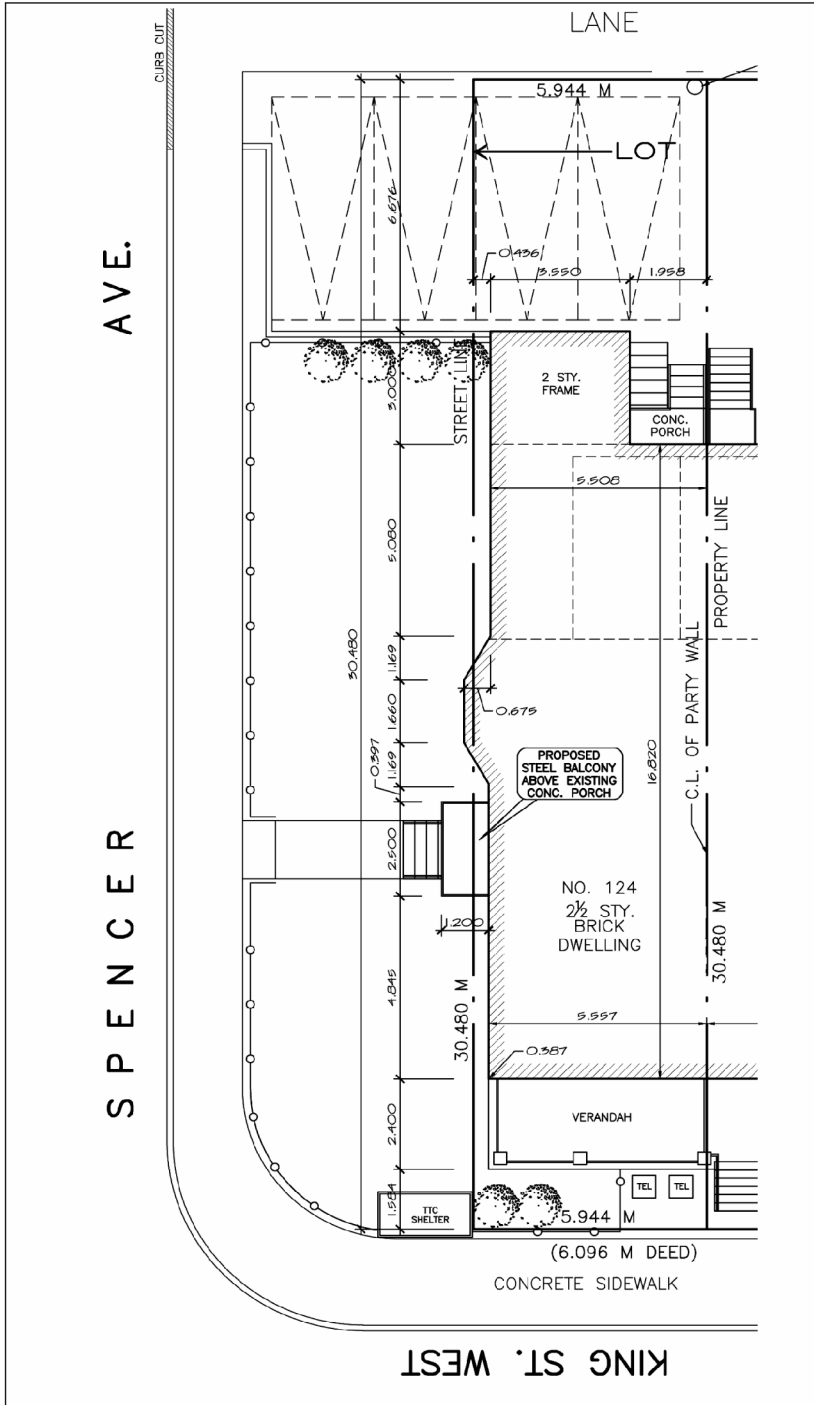
SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)







124 Spencer Avenue

File # 04_114741

TORONTO City Planning
Map 2A

←
Not to Scale
05/08/08