

Authority: Toronto and East York Community Council Item 19.12, adopted as amended,
by City of Toronto Council on October 29 and 30, 2008

Enacted by Council: December 4, 2009

CITY OF TORONTO

BY-LAW No. 1209-2009

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 57 and 59 Elm Grove Avenue.

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to lands known municipally in the year 2006 as 57 and 59 Elm Grove Avenue; and

WHEREAS the Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

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

1. None of the provisions of Section 4(2)(a), Section 4(4)(b), Section 4(4)(c)(i), Section 4(11)(b), Section 4(11)(c), Section 4(11)(d), Section 4(17), Section 6(3) Part I 1, Section 6(3) Part II 2(ii), Section 6(3) Part II 3(ii)(C)(I), Section 6(3) Part II 4, Section 6(3) Part II 5, Section 6(3) Part II 7, Section 6(3) Part II 8, Section 6(3) Part III 1(a), Section 6(3) Part III 3(a)(c), and (d), Section 6(3) Part IV 4, and Section 6(3) Part VII 1.(ii), Section 6(3) Part IX 1 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 in various areas of the City of Toronto”, shall apply to prevent the erection and use of a *converted house* containing three *dwelling units*, 4 *row houses* and two *semi-detached houses*, on the lands delineated by heavy lines on the attached Map 1, provided:
 - (a) The *lot* consists of at least the lands delineated by heavy lines on Map 1 attached to and forming part of this by-law.
 - (b) No portion of any of the building structures on the *lot* shall extend beyond the lines delineating the building envelope on Map 2 attached to and forming part of this by-law.
 - (c) The *height* of the buildings 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.
 - (d) A maximum of 9 *dwelling units* shall be permitted on the *lot* of which no more than 2 *dwelling units* shall be contained in *semi-detached houses*, no more than 3 *dwelling units* shall be contained in an existing *converted house* and no more than 4 *dwelling units* shall be contained in *row houses*.

- (e) The maximum permitted *residential gross floor area* of all buildings and structures on the *lot* shall be 1094 square metres.
- (f) The provisions of 6(2) 21 shall not apply to prevent surface parking spaces provided a total of 6 *residential parking spaces* are provided on the *lot*.
- (g) All *parking spaces* shall have a minimum width of 2.6 metres and a minimum length of 5.9 metres.
- (h) The minimum driveway width shall be 5.7 metres.
- (i) No door openings or windows shall be permitted on the north or south end walls of the *row houses*.
- (j) No door openings or windows shall be permitted on the north end walls of the *semi-detached houses*.
- (k) Notwithstanding (b) above, the following projections are permitted:

Structure	Location of Projection	Maximum Permitted Projection	Other Applicable Qualifications
Projecting balconies	Required setback area from any <i>lot</i> line	0.45 metres	Attached to the east elevation of the <i>row houses</i>
Fences and safety railings	Required setback area from any <i>lot</i> line	No restriction	Height of fence or safety railing not to exceed 2.0 metres
Repair, replacement or vertical extension of the existing foundation of a <i>residential building</i>	Required setback area from any <i>lot</i> line	No closer to the <i>lot</i> lines than the existing foundation	Height of existing foundation may be increased by up to 0.3 metres
Exterior insulation and facing material, including any supporting foundation for the building municipally known in 2007 as 57 Elm Grove Avenue	Required setback area from any <i>lot</i> line	0.16 metres	None
Eaves or cornices	Required setback area from any <i>lot</i> line	0.45 metres	None

Uncovered platform of a <i>residential building</i>	Required setback from any <i>lot</i> line	Not more than 2.5 metres from the <i>front wall</i> or rear wall	(I) Height of platform not to exceed 1.2 metres above <i>grade</i> (II) No extensions beyond the side walls of the building as projected
A roof over a first floor platform or terrace which platform or terrace is, not more than 1.2 metres above <i>grade</i> , attached to the <i>front wall</i> of a <i>residential building</i> other than an <i>apartment building</i>	Required setback area from any <i>lot</i> line	Not more than 2.5 metres from the wall to which it is attached (425-93)	(I) The roof, if not solely supported by such <i>front walls</i> , may only be additionally supported by columns or posts (II) The roof does not form part of the main building roof (III) The roof does not extend beyond the side walls of the building as projected (IV) The top of the roof is not used or designed to be used as a deck or terrace
Open trellis structure	At second storey level of semi-detached houses to within exterior face of second storey area	Height not to exceed 1.7 metres	None

- (l) The aggregate *landscape open space* shall be no less than 15% of the *lot* area.
- (m) Portions of the southerly row house shall be contained within a 45 degree angular plane projected over the *lot* from the south row house wall, starting from a *height* of 5.0 metres above *grade* as shown on Diagrams 1 and 2 attached to and forming part of this by-law.
- (n) Each *row house* shall have an independent entrance at *grade* and a minimum unit width of 4.9 metres.

2. For the purposes of this by-law, *semi-detached house* means one of a pair of attached buildings:
 - (i) each building comprising one *dwelling unit*; and
 - (ii) each building divided vertically from the other by a party wall.
3. For the purposes of this by-law, *row house* means one of a series of more than two attached buildings:
 - (i) each building comprising one *dwelling unit*; and
 - (ii) each building divided vertically from another by a party wall.
4. 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.
5. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this by-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.

ENACTED AND PASSED this 4th day of December, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

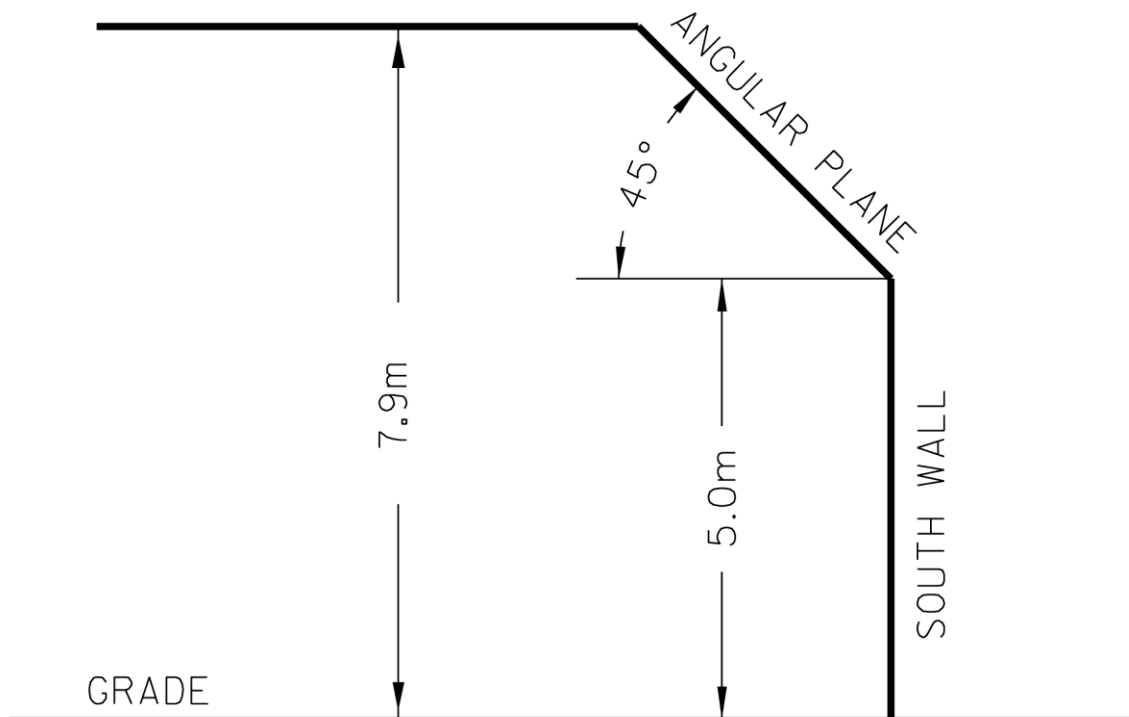


DIAGRAM 1

Angular Plane requirements shall apply generally to those areas shown with vertical stripes on Diagram 2.

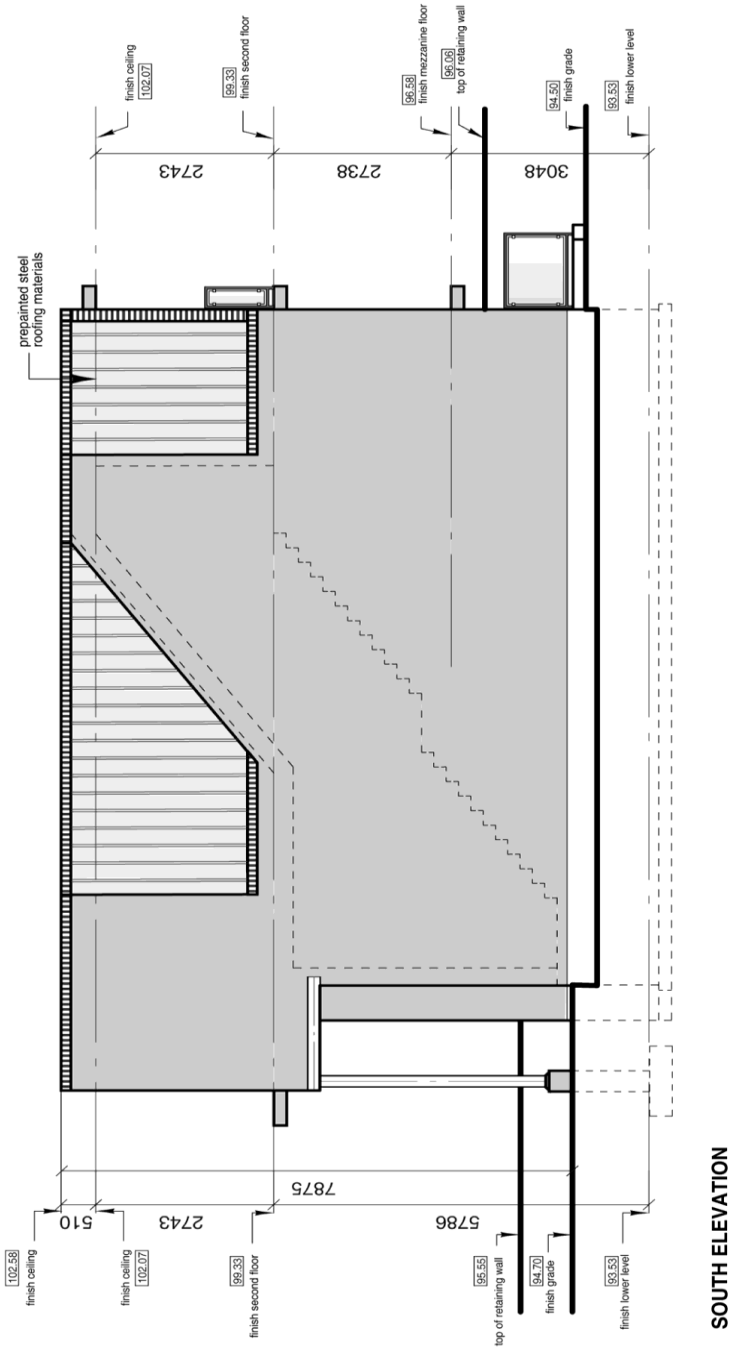
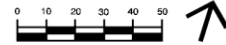
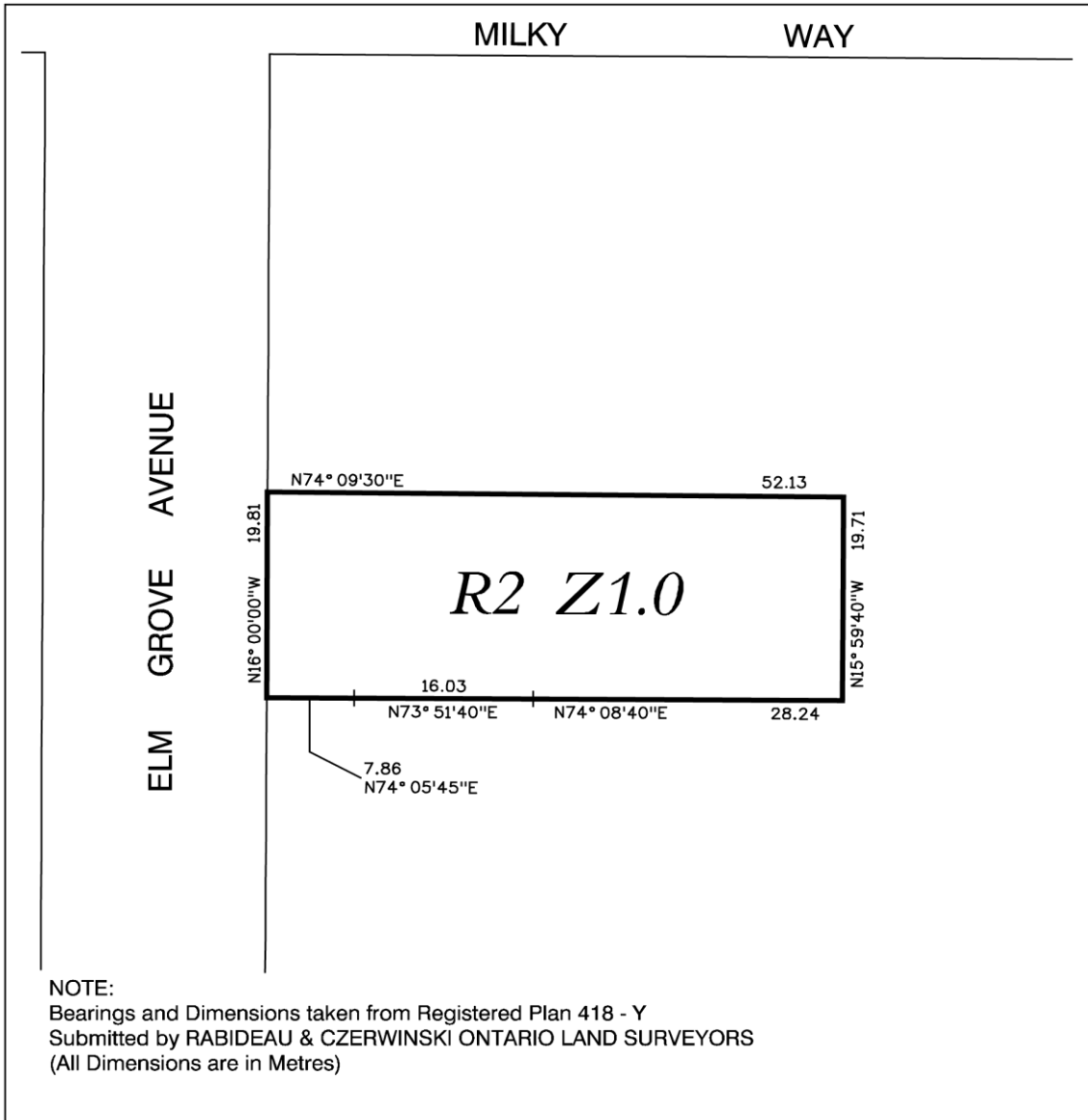
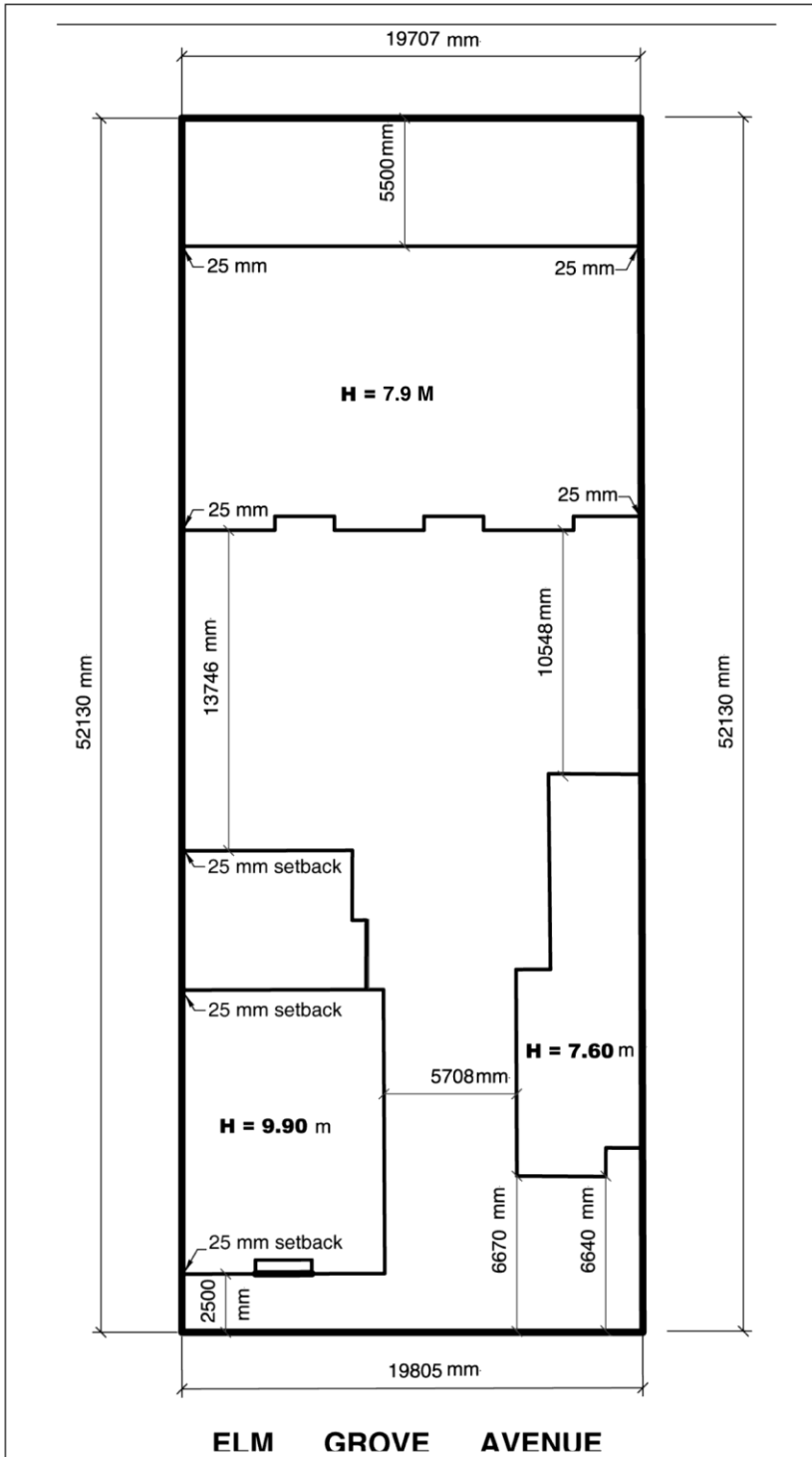


DIAGRAM 2

SOUTH ELEVATION





57 & 59 Elm Grove Avenue

Toronto City Planning
Map 2

File # 06_192138

↑
Not to Scale
06/04/07