

Authority: Toronto and East York Community Council Item 7.2,
as adopted by City of Toronto Council on June 14 and 15, 2011
Enacted by Council: June 15, 2011

CITY OF TORONTO

BY-LAW No. 805-2011

To amend the General Zoning By-law No. 438-86, as amended of the former City of Toronto with respect to the lands municipally known as 486 Shaw Street.

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 *grade*, *height*, *lot* and *row house* and Sections 4(2)(a), 4(2)(d), 4(4)(b), 6(2)1(ii), 6(3) Part I 1, 6(3) Part II 2, 6(3) Part II 3A, 6(3) Part II 4, 6(3) Part II 5, 6(3) Part II 7, 6(3) Part II 8 D., 6(3) Part III 3, 6(3) Part III 4, and 6(3) Part VII 1, of By-law No. 438-86 of the former City of Toronto, 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", as amended, shall apply to prevent the erection or use of the lands known municipally in the year 2011 as 486 Shaw Street for 37 *row houses* on the *lot*, including *accessory* uses thereto, provided that:
 - (a) the *lot* consists of those lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) a maximum of 37 *row houses* are permitted on the *lot*;
 - (c) the *residential gross floor area* on the *lot* shall not exceed 10,170 square metres, of which a maximum of 7,680 square metres can be located above *grade*;
 - (d) no portion of any building or structure erected and used above *grade* (including a *private garage*) is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law;
 - (e) subsection 1(c) of this By-law does not apply to the type of structure listed in the chart in section 6(3) Part II 8 of By-law No. 438-86, as amended, provided that the restrictions set out in such chart are complied with, and subject to the following:
 - (i) stairs, heating, cooling or ventilating equipment, retaining walls, and landscape features may project beyond the heavy lines shown on Map 2;

- (ii) an uncovered platform that is *landscaped open space* and attached to a *front wall, flank wall* or rear wall of a *row house* may project beyond the heavy lines shown on Map 2, provided:
 - A. the platform does not project more than 2.5 metres from the wall to which it is attached;
 - B. the platform does not project beyond the side walls of the *row house* as projected; and
 - C. the height of the platform is no higher than the finished first floor level located at, or closest to *grade*.
- (iii) a roof over a first floor platform or terrace, which platform or terrace is attached to a wall facing a *street* and no higher than the finished first floor level located at, or closest to *grade*, may project beyond the heavy lines shown on Map 2 provided:
 - A. the roof is not more than 1.0 metres from the wall to which it is attached;
 - B. the roof, if not solely supported by the wall to which it is attached, may only be additionally supported by columns or posts;
 - C. the roof does not form part of the main building roof;
 - D. the roof does not extend beyond the side walls of the *row house* as projected; and
 - E. the top of the roof is not used or designed to be used as a deck or terrace.
- (f) no portion of any building or structure shall have a *height* in metres greater than the *height* limits specified by the numbers following the symbol H as shown on Map 2 attached to and forming part of this By-law, except for:
 - (i) projections permitted under section 4(2)(a)(i) and (ii) of By-law No. 438-86, as amended; and
 - (ii) projections identified in subsection 1(d) of this By-law subject to the restrictions contained therein;
- (g) not less than 50 per cent of the portion of the *lot* between the wall of a *row house* facing Shaw Street and the wall of a *row house* facing Roxton Road shall be provided and maintained as *landscape open space*;

- (h) the maximum width of a walkway located between any wall of a *row house* facing a *lot* line that abuts Shaw Street, Roxton Road and Dewson Street shall be:
 - (i) 2.8 metres for a building facing Roxon Road;
 - (ii) 1.2 metres for a building facing Shaw Street; and
 - (iii) 1.5 metres for each segment of a walkway located within 3.3 metres from the *lot* line that abuts Dewson Street.
 - (i) the minimum width of a *dwelling unit* is 4.2 metres; and
 - (j) 37 motor vehicle *parking spaces* shall be provided and maintained on the *lot* and located within a *private garage*.
2. Within the lands shown on Map 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.
3. For the purpose of this By-law, the following expressions shall have the following meaning:
- (a) *grade* shall mean the Canadian Geodetic Datum shown in brackets for each building as shown on Map 2 attached to and forming part of this By-law;
 - (b) *height* shall mean the vertical distance between *grade* and the highest point of the roof of the building or structure;
 - (c) *lot* shall mean the lands outlined in a heavy line as shown on Map 1 attached to and forming part of this By-law;
 - (d) *row house* shall mean one of a series of more than two attached buildings:
 - (i) each building comprising of a maximum of two *dwelling units*; and
 - (ii) each building divided vertically from another by a party wall.
 - (e) each other word or expression that is italicized shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended.

4. 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 lands identified on Map 1, as if no severance, partition or division occurred.
5. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the lands identified on Map 1.

ENACTED AND PASSED this 15th day of June, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



