

Authority: Etobicoke York Community Council Item 39.4, adopted as amended, by City of Toronto Council on August 25, 26 and 27, 2010 and Motion MM10.6, moved by Councillor Doucette, seconded by Councillor Milczyn, as adopted by City of Toronto Council on July 12, 13 and 14, 2011

Enacted by Council: July 14, 2011

CITY OF TORONTO

BY-LAW No. 976-2011

To amend By-law No. 1163-2010, to amend General Zoning By-law No. 438-86 of the former City of Toronto and By-law No. 1-83 of the former City of York with respect to lands forming part of lands municipally known as 1 Old Mill Drive.

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;

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

1. The first paragraph of Section 6 of By-law No. 1163-2010 is deleted and replaced with the following Section 6, first paragraph:
 6. None of the provisions of Section 2 with respect to the definitions of *grade*, *lot*, and *storey* and Sections 4(2)(a); 4(4)(b); 4(6)(b); 4(6)(c); 4(10)(a); 4(12); 8(3) PART I, 1 and 3(a); and 8(3) PART II, 1(a)(i) of former City of Toronto By-law No. 438-86, as amended, titled "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", and none of the provisions of the former City of York Zoning By-law No. 1-83, as amended, titled "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 use of lands and the erection and use of certain buildings and structures in various areas of the City of York", shall apply to prevent the erection or use of a *mixed-use building* on the *lot*, provided that:
2. Section 6(h) of By-law No. 1163-2010 is deleted and replaced with the following Section 6(h):
 - (h) no *dwelling unit* or portion thereof shall be located more than 0.6 metres below *grade*, or above an elevation of 39.95 metres above *grade*;
3. Section 6(i) of By-law No. 1163-2010 is deleted and replaced with the following Section 6(i):
 - (i) the maximum number of *storeys* above *grade* of any building on the *lot* shall be 12 and, for the purposes of this section of the By-law, up to 2 *storeys* located from *grade* to within 6 metres from *grade* shall count as only one *storey*, provided that if there are 2 *storeys* located within 6 metres of *grade*, one of those *storeys* shall have no more than 1,715 square metres of *gross floor area*;

4. Section 9(a) of By-law No. 1163-2010 is deleted and replaced with the following Section 9(a):
- (a) The following definitions shall apply:
- (i) "*grade*" means 104.35 metres Canadian Geodetic Datum;
- (ii) "*lot*" means the lands outlined by heavy lines on Schedule A attached to this By-law;
- (iii) "*owner*" has the same meaning as in Zoning By-law No. 438-86, as amended, except that it shall not include the City;
- (iv) "*storey*" has the same meaning as for By-law No. 438-86, as amended, but for the purposes of this By-law, excludes enclosed roof top mechanical spaces, enclosed elevator/stair overruns and enclosed roof top sanitary facilities; and,
- (v) "*temporary sales office*" means a building, structure, facility or trailer used for the purpose of the sale of *dwelling units* to be erected on the *lot*.
5. Schedule 'B' of By-law No. 1163-2010 is deleted and replaced with Schedule 'B' attached to this By-law.

ENACTED AND PASSED this 14th day of July, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Toronto Schedule 'B' BY-LAW

