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,          ULLI S. WATKISS,
   Speaker                    City Clerk

(Corporate Seal)