

Authority: North York Community Council Item 20.44,
as adopted by City of Toronto Council on December 1, 2008
Enacted by Council: September 22, 2011

CITY OF TORONTO

BY-LAW No. 1121-2011

To amend Zoning By-law No. 1-83 for the former City of York, as amended, with respect to the lands municipally known as 416-418 Oakwood Avenue.

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. Section 16 of By-law No. 1-83 is amended by adding the following subsection:

16(434) LANDS – 416-418 OAKWOOD AVENUE

Despite the provisions of Paragraph (i) of Subsection 3.2.1 of Section 3 and the provisions of Section 8 of this By-law, the lands shown delineated by heavy lines on Schedule 1 hereto, may be used for a residential and commercial building comprising retail uses, dwelling units and artist live-work units subject to the following conditions:

1. Retail uses are permitted only on the ground floor of the building.
2. The total number of dwelling units and artist live-work units erected or used on the lands shall not exceed nine (9), of which one (1) may be located on the ground floor of the building provided it comprises an artist live-work unit.
3. The maximum building height shall be the lesser of three (3) stories or 11.05 metres.
4. The minimum lot frontage shall be 15.25 metres.
5. The minimum setbacks shall be:
 - i. front yard setback = 0.0 metres;
 - ii. south side yard setback = 0.0 metres;
 - iii. north side yard setback = 2.85 metres; and
 - iv. rear yard setback = 8.75 metres.

6. The maximum floor space index shall be 1.5.
7. A minimum of two (2) parking spaces shall be provided on the site, and such parking spaces shall be used only for the retail uses provided for in this By-law. No parking spaces are required for the residential uses of this proposal, including an artist live-work unit.
8. Parking is prohibited in the front yard.
9. For the purposes of this Subsection, the following definitions shall apply:

"ARTIST LIVE-WORK UNIT" means a dwelling unit that is also used for work purposes, provided only the resident or residents of such accommodation work in the dwelling unit, and provided the work component is restricted to an artist studio.

"ARTIST STUDIO" means a building or portion of a building used for producing art or craft provided it does not comprise an offensive use, and which may include an area for displaying or selling goods produced in the studio provided such area is ancillary to the production process.
2. With the exception of any defined terms to the extent modified by this By-law and the provisions noted herein, all other provisions and defined terms set forth in By-law No. 1-83, as amended, shall continue to apply to the lands delineated by heavy lines on Schedule 1 attached to this By-law.
3. Within the lands shown delineated by heavy lines on Schedule 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.

ENACTED AND PASSED this 22nd day of September, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

