

Authority: North York Community Council Item 27.18,
as adopted by City of Toronto Council on November 13, 14, 15 and 18, 2013

CITY OF TORONTO

BY-LAW No. 1466-2013

**To amend the former City of North York Zoning By-law No. 7625, as amended,
with respect to the lands municipally known as 448 and 456 Kenneth 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 enacts:

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 1 attached to this By-law.
2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (217) RM6 (217)

DEFINITIONS

BICYCLE ROOM

- (a) For the purposes of this exception, "bicycle room" shall mean a common indoor space that is designed and equipped exclusively for the purpose of parking and securing bicycles.

ESTABLISHED GRADE

- (b) For the purposes of this exception, "established grade" shall mean a geodectic elevation of 192.00 metres.

GROSS FLOOR AREA

- (c) For the purposes of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
 - (i) Any part of the building used for mechanical floor area;
 - (ii) Any space in a parking garage at or below grade used exclusively for motor vehicle and bicycle parking and access thereto; and
 - (iii) The floor area of any unenclosed residential balconies.

LANDSCAPING

- (d) For the purposes of this exception, "landscaping" shall mean trees, shrubs, grass, flowers and other vegetation, decorative stonework, walkways, patios, screening or other horticultural or landscape architectural elements, or any combination of these, but not driveways or parking areas, nor directly associated elements such as curbs or retaining walls.

LOT

- (e) For the purposes of this exception, lot shall mean the lands zoned RM6(217) on Schedule 1.

MECHANICAL FLOOR AREA

- (f) For the purposes of this exception, "mechanical floor area" shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, including but not limited to heating, ventilation, air conditioning, electrical, plumbing, storm water storage, irrigation, fire protection, stair enclosures providing access to the roof of the building or structure, and elevator equipment.

MULTIPLE ATTACHED DWELLING - STACKED TOWNHOUSE

- (g) For the purposes of this exception, "multiple attached dwelling - stacked townhouse" shall mean a dwelling divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

PERMITTED USES

- (h) The only permitted uses shall be a multiple attached dwelling - stacked townhouse and accessory uses thereto.

EXCEPTION REGULATIONS**LANDSCAPING AND LOT COVERAGE**

- (i) A minimum area of 750 square metres of landscaping shall be provided on the lot.

YARD SETBACKS

- (j) The minimum front, side, and rear yard setbacks for buildings and structures above established grade shall be as shown on Schedule RM6(217).
- (k) The minimum west yard setback for parking structures and structures associated thereto below established grade or to any portion of the building below established grade shall be 0.55 metres.

- (l) The minimum north yard setback for parking structures and structures associated thereto below established grade or to any portion of the building below established grade shall be 0.505 metres.
- (m) The provisions of Schedule RM6(217) shall apply to accessory gazebo structures with respect to setbacks.
- (n) Nothing shall be permitted outside of the building envelopes as shown on Schedule RM6(217), except for the following:
 - (i) An exterior stairway and wheelchair ramp;
 - (ii) A porch (covered or uncovered);
 - (iii) A patio; and
 - (iv) A court.

DISTANCE BETWEEN BUILDINGS AND/OR PORTIONS OF BUILDINGS FORMING COURTS

- (o) The distance between buildings shall be as shown on Schedule RM6(217).

GROSS FLOOR AREA

- (p) A maximum gross floor area of 3,100 square metres shall be permitted.

DWELLING UNITS

- (q) The maximum number of dwelling units shall be 29.

PARKING

- (r) Motor Vehicle parking for residential uses within the lot shall be provided at a minimum rate of 1.2 parking spaces per dwelling unit, of which 0.2 parking spaces per dwelling unit shall be for the use of visitors.
- (s) The provisions of Sections 6A(8)(b), (c) and (d) (Parking Regulations for RM Zones other than RM2 Zones) shall not apply to parking spaces within parking structures located below established grade.

BICYCLE PARKING

- (t) A minimum of 30 square metres of area shall be provided in one or more bicycle rooms in an underground parking garage.

LOADING

- (u) No loading space shall be required.

BUILDING HEIGHT

- (v) The maximum building height of any portion of the building or structure shall not exceed the height in metres above established grade shown for that portion of the building or structure on Schedule RM6(217).
- (w) Enclosures for rooftop mechanical and stairwells may exceed the maximum building height shown on Schedule RM6(217) by a maximum 3.0 metres provided such enclosures are located within the area shown as 'Rooftop Mechanical/Stairwell' on Schedule RM6(217).
- (x) Notwithstanding provisions (v) and (w), parapets may exceed the height limits by a maximum of 1.5 metres.
- (y) Notwithstanding provisions (v) and (w), rooftop guardrails and landscape features may exceed the maximum building height shown on Schedule RM6(217).
- (z) The provisions of Schedule RM6(217) shall apply to the height of accessory gazebo structures.
- (aa) Except as provided herein, Section 2.10 shall continue to apply.

FIRST FLOOR HEIGHT

- (bb) The finished first floor elevation shall be no higher than 0.51 metres above established grade.

EXCLUSIONS

- (cc) Section 15 - General Provisions for Multiple-Family Dwelling Zones (RM) shall not apply.
 - (dd) The provisions of Sections 20-A shall not apply.
- 3.** Within the lands shown 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.
- 4.** Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding Schedule RM6(217) attached to this By-law.

5. Except as provided herein, By-law No. 7625 of the former City of North York shall continue to apply.
6. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

Enacted and passed on November 15, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

