

Authority: Toronto and East York Community Council Item 33.2, adopted as amended, by City of Toronto Council on July 8, 9, 10 and 11, 2014

CITY OF TORONTO

BY-LAW No. 723-2014

To amend former City of Toronto Zoning By-law No. 438-86, as amended, respecting the lands municipally known as 50 and 52 Bartlett Avenue.

Whereas authority is given to Council to amend Zoning By-law No. 438-86 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to lands municipally known in the year 2014 as 50 and 52 Bartlett Avenue; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law amendment;

The Council of the City of Toronto enacts:

1. None of the provisions of Section 2(1) with respect to "*grade*", "*lot*" and "*parking stacker*", and Sections 4(4), 4(13)(c), 4(14), 4(16), 4(17), 6(3) Part I, 6(3) Part II 1-8 inclusive, 6(3) Part III 1-4 inclusive, 6(3) Part VII 1, of Zoning By-law 438-86, of the former City of Toronto, as amended, 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", shall apply to prevent the erection or use of a *residential building* on the *lot* provided that:
 - (a) the *lot* consists of those lands delineated by the broken lines on Map 1 attached to and forming part of this By-law;
 - (b) the total *residential gross floor area* on the *lot* does not exceed 3,000 square metres;
 - (c) no portion of any building or structure to be erected or used on the *lot* shall extend beyond the setback lines delineated by the heavy lines on Map 2 attached to and forming part of this By-law;
 - (d) despite subsection (c) herein, mechanical vents, eaves, cornices, lighting fixtures, window sills, landscape planters, trellises, stairs, stair enclosures, railings, awnings, canopies, and other minor architectural projections shall be permitted to project no more than 0.5 metres from the building;
 - (e) a maximum of 16 *dwelling units* shall be permitted on the *lot*;
 - (f) a minimum of 17 *parking spaces* shall be provided for the exclusive use of residents, all of which will be provided in *parking stackers*, and there shall be no *parking spaces* required for visitors;

- (g) the minimum size of a *parking space* in the *parking stackers* shall be no less than 2.5 metres in width, 5.3 metres in length, and 1.7 metres in height;
 - (h) the minimum platform plate dimensions of the *parking spaces* in the *parking stackers* shall be 2.4 metres in width and 5.0 metres in length; and
 - (i) The required bicycle parking spaces shall be provided as follows: 10 bicycle parking spaces for residents and 2 bicycle parking spaces for visitors.
- 2. For the purpose of this By-law, all words, terms and phrases appearing in italics shall have the same meaning as they have for the purpose of the aforesaid By-law No. 438-86, as amended, except as herein provided.
- 3. For the purposes of this By-law:
 - (a) "*grade*" shall mean 113.61 metres Canadian Geodetic Datum;
 - (b) "*lot*" shall mean the lands outlined in a heavy lines as shown on Map 1 attached to and forming part of this By-law;
 - (c) "*parking stacker*" shall mean a mechanical motor vehicle parking facility with parking spaces which:
 - (i) are positioned above each other or below the floor of the parking garage; and
 - (ii) may not be readily accessible at all times without maneuvering another vehicle or a mechanical device that rises above the floor grade of the parking garage;
 - (d) the *residential gross floor area of a residential building* with a height exceeding 3.5 metres measured from the top of the finished second floor level to the ceiling immediately above it.
- 4. Despite any future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole of the lot as if no severance, partition or division occurred.
- 5. 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.

Enacted and passed on July 11, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



