

Authority: Toronto and East York Community Council Item TE19.4, as adopted by City of Toronto Council on November 8 and 9, 2016

CITY OF TORONTO

BY-LAW No. 1096-2016

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 377 Spadina Road and 17 Montclair Avenue.

Whereas Council of the City of Toronto has the authority pursuant to 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. The lands subject to this By-law are outlined by heavy lines on Diagram 1, attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.3.10 Exception Number 1404 by replacing (B) under "Prevailing By-laws and Prevailing Sections" with the following, so that it reads:

"(B) On or between the even numbered addresses of 4-46 Montclair Avenue, and the odd numbered addresses of 5-15 Montclair Avenue, former City of Toronto By-law 223-79."
4. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines on Diagram 2 attached to this By-law to "R (d1.3) (x26)" as shown on Diagram 2.
5. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.2.10 Exception Number 26 so that it reads:

Exception R 26

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) The **front lot line** is the **lot line** along Spadina Road;
- (B) A maximum of 4 dwelling units are permitted;
- (C) Despite Clause 10.10.40.40 the permitted maximum gross floor area is 1,548 square metres;

- (D) Despite regulation 10.5.40.10(1) the height of the **building** is the distance between the Canadian Geodetic Datum elevation of 162.05 and the elevation of the highest point of the **building**;
- (E) Structural elements for **landscaping** purposes may extend above the height of the basement and **parking garage**;
- (F) Despite regulation 10.5.40.60(1)(C) in a **rear yard**, a platform with a floor no higher than the first **storey** of the **building** above **established grade** may encroach into the required **rear yard setback** 4.5 metres;
- (G) Despite regulation 10.5.40.60(2)(B)(i) a canopy, awning or similar **structure** that does not cover a platform may encroach into a required minimum **building setback** in a **rear yard** 4.5 metres;
- (H) Despite regulation 10.5.40.60(3)(A)(iii) exterior stairs may encroach into a minimum **building setback** if the stairs are no closer to a **lot line** than 0.0 metres;
- (I) Despite regulation 10.5.40.60(3)(B)(iii) an uncovered ramp may encroach into a minimum **building setback** if the ramp is no closer to a **lot line** than 0.3 metres;
- (J) Despite regulation 10.5.40.60(4) cladding added to the original exterior surface of the **main wall** of a **building** may encroach into a required minimum **building setback** a maximum of 0.2 metres, if the added cladding is no closer to a **lot line** than 0.3 metres;
- (K) Despite regulation 10.5.40.60(5)(A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature may encroach into a minimum **building setback** a maximum of 1.2 metres, if it is no closer to a **lot line** than 0.3 metres;
- (L) Despite regulation 10.5.40.60(7)(B) the eaves of a roof may encroach into a required minimum **building setback** a maximum of 1.2 metres, if they are no closer to a **lot line** than 0.2 metres;
- (M) Despite regulations 10.5.40.70 and 10.10.40.70 the required minimum **building setbacks** are as shown on Diagram 3 of By-law 1096-2016;
- (N) Despite regulation 10.5.50.10(1) the **front yard** must have a minimum of 120 square metres of **landscaping**;
- (O) Despite regulation 10.5.50.10(2)(A) a **townhouse** must have a minimum of 50 percent of the **side yard** abutting a **street** for **landscaping**;
- (P) Despite regulation 10.5.100.1(2)(B) and 10.5.100.1(3)(B) a **driveway** may have a maximum width of 6.1 metres;
- (Q) Despite regulation 10.10.40.10(1) the permitted maximum height of a **building** or **structure** is the height in metres specified by the numbers following the symbol HT on Diagram 3 of By-law 1096-2016;

- (R) Regulations 10.10.40.10(2), 10.10.40.30, and 200.5.1.10(2)(A)(iv) do not apply; and
 - (S) Despite regulation 200.5.1.10(3)(A) the maximum length for a **parking space** is 6.1 metres.
 - (T) Prevailing By-laws and Prevailing Sections: (None Apply)
6. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines on Diagram 4 attached to this By-law to "RD (f15.0 d0.35) (x453)", as shown on Diagram 4.
7. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.3.10 Exception Number 453 so that it reads:

Exception RD 453

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) Despite regulation 10.5.40.10(1) the height of the **building** is the distance between the Canadian Geodetic Datum elevation of 161.40 metres and the elevation of the highest point of the **building**;
- (B) Despite regulation 10.5.40.60(1)(D) in a rear yard, a platform with a floor higher than the first storey of the building above established grade may encroach into the required rear yard setback 2.5 metres;
- (C) Despite regulation 10.5.40.60(3)(A)(ii) exterior stairs may be no wider than 2.8 metres;
- (D) Despite regulation 10.5.40.60(3)(A)(iii) exterior stairs may be no closer to a lot line than 0.2 metres;
- (E) Despite regulation 10.5.40.60(5)(A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature may encroach into a minimum **building setback** a maximum of 1.2 metres, if it is no closer to a **lot line** than 0.3 metres;
- (F) Despite regulation 10.5.40.60(7)(B) the eaves of a roof may encroach into a required minimum **building setback** a maximum of 1.2 metres, if they are no closer to a **lot line** than 0.2 metres;
- (G) Despite regulations 10.5.40.70 and 10.20.40.70 the required minimum **building setbacks** are as shown on Diagram 5 of By-law 1096-2016;

- (H) Despite regulation 10.5.50.10(1) a minimum of 20 square metres of the **front yard** must be **soft landscaping**;
- (I) Despite regulation 10.5.50.10(3) a minimum of 90 square metres of the **rear yard** must be **soft landscaping**;
- (J) Regulations 10.5.60.1(4), 10.20.40.10(2), 10.20.40.10(4), and 10.20.40.50 do not apply;
- (K) Despite regulations 10.5.60.20(2) and 10.5.60.20(3) the required minimum **rear yard** setback and **side yard setback** for an **ancillary building** are as shown on Diagram 5 on By-law 1096-2016;
- (L) Despite regulation 10.5.60.50(2) the permitted maximum floor area of Building "B", as shown on Diagram 5 of By-law 1096-2016 is 88 square metres;
- (M) Despite regulation 10.5.60.70(1)(B) the area of the **lot** covered by all **ancillary buildings** and **structures** may not exceed 15 percent of the **lot area**;
- (N) Despite regulation 10.20.40.10(1) the permitted maximum height of a **building** or **structure** is the height in metres specified by the numbers following the symbol HT on Diagram 5 of By-law 1096-2016;
- (O) Despite regulation 10.20.40.10(5) a parapet on a **detached house** may exceed the permitted maximum height of a **building** by 1.0 metres;
- (P) Despite regulation 10.20.40.10(6) the permitted maximum height of the **first floor** above **established grade** is 1.5 metres;
- (Q) Despite regulation 10.20.40.20(1) the permitted maximum **building length** for a detached **house** is 22.0 metres;
- (R) Despite Clause 10.20.40.30 the rear **main wall** of a **detached house**, not including a one-storey extension that complies with regulation 10.20.40.20(2), may be no more than 22.0 metres from the required **front yard setback**; and
- (S) Despite Clause 10.20.40.40 the permitted maximum **gross floor area** for Building "A", as shown on Diagram 5 of By-law 1096-2016, is 530 square metres.

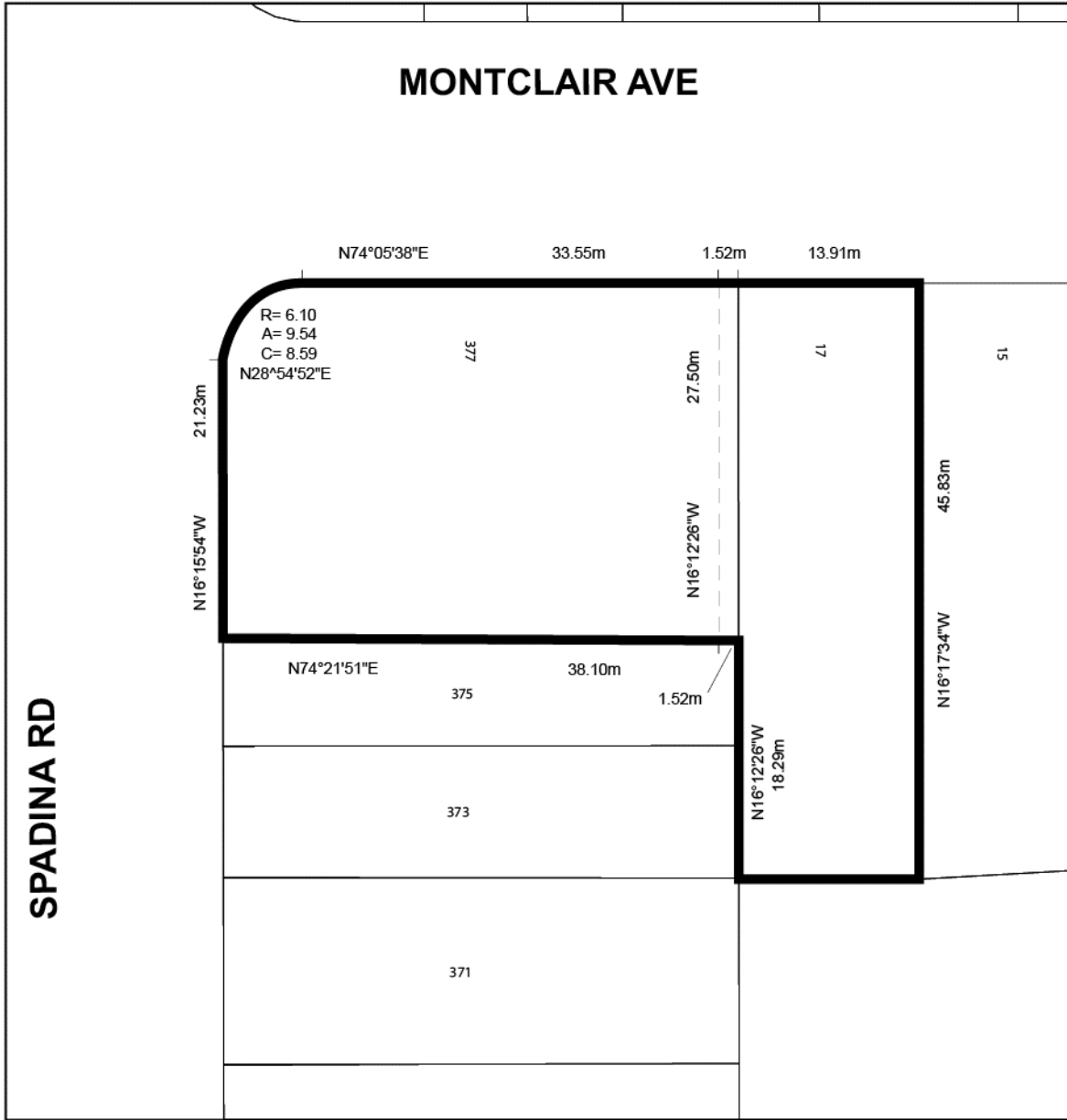
Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on November 9, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



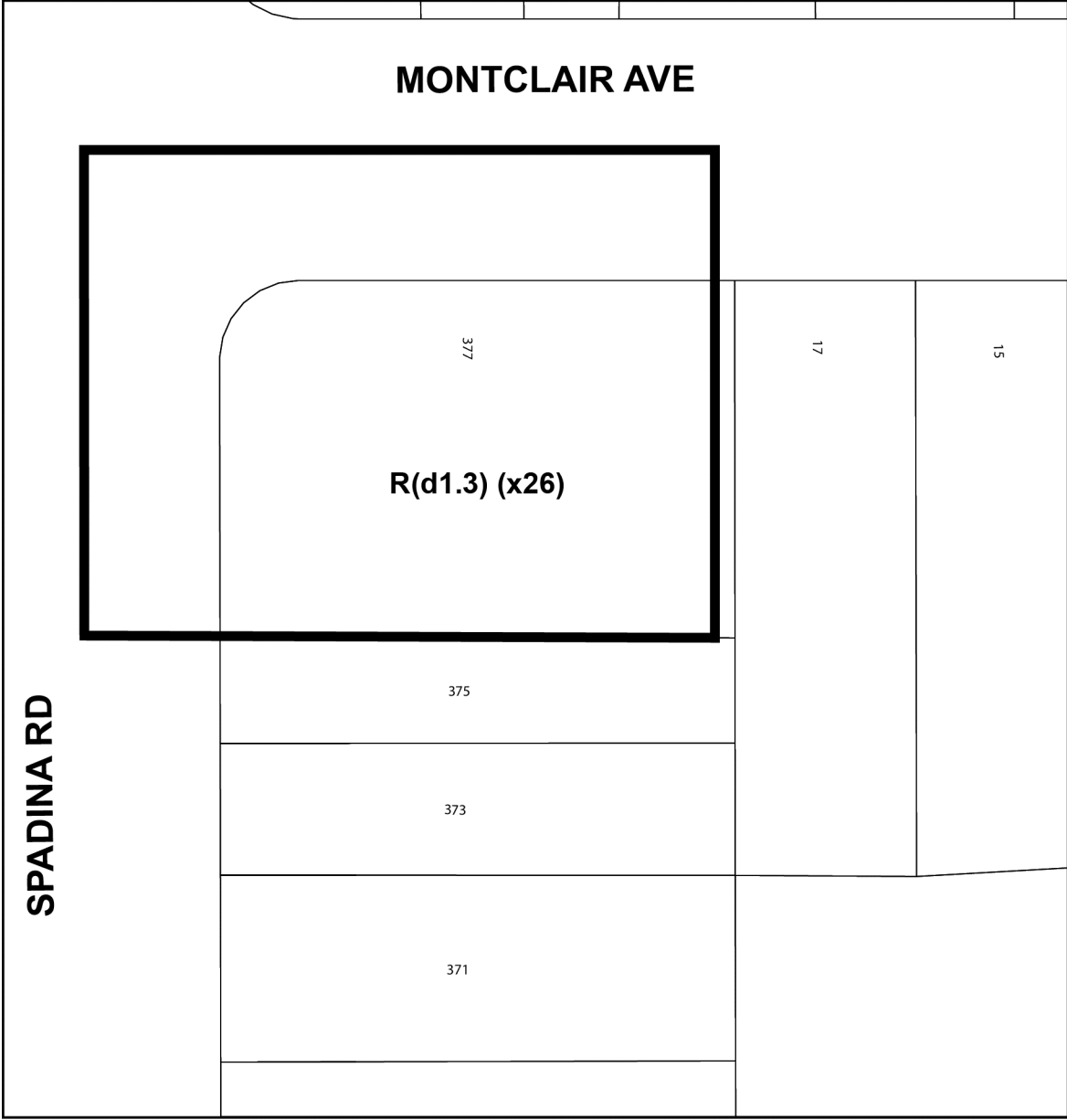
 **TORONTO**
Diagram 1

377 Spadina Road & 17 Montclair Avenue

File # 15 131139 STE 22 OZ



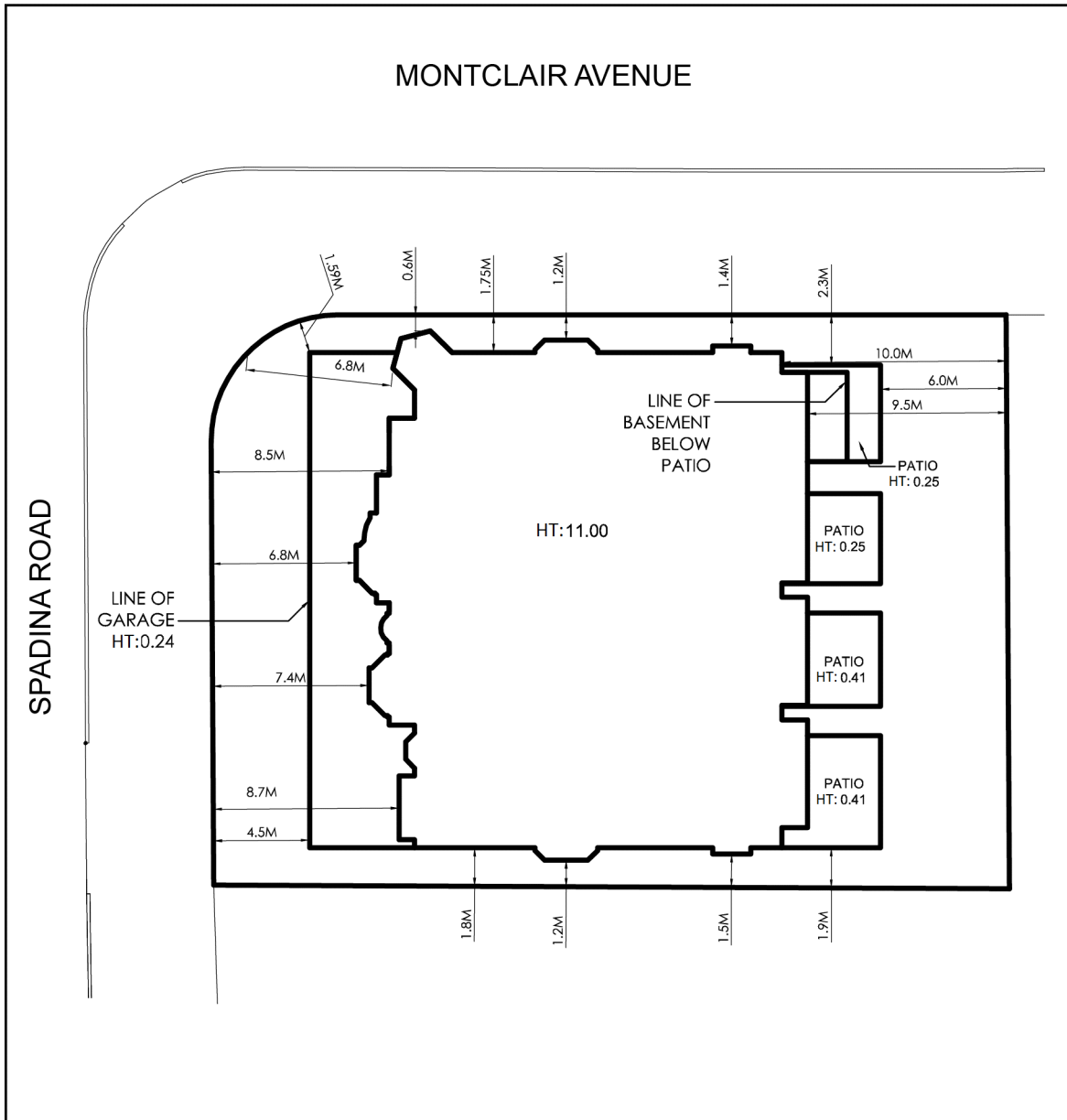
City of Toronto By-Law 569-2013
Not to Scale
09/15/2016



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Diagram 2

377 Spadina Road & 17 Montclair Avenue

File # 15 131139 STE 22 0Z



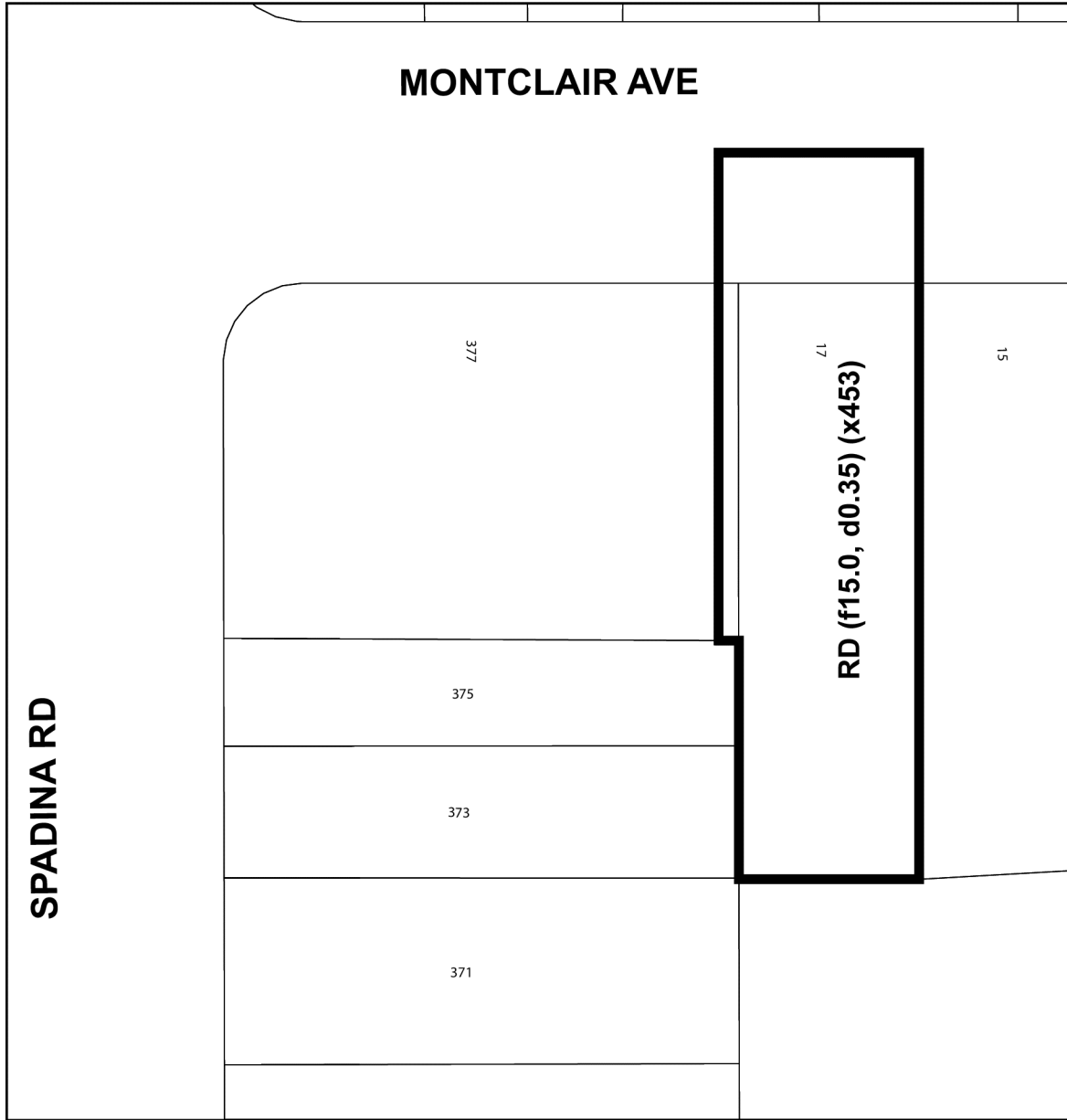
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Diagram 3

377 Spadina Road & 17 Montclair Avenue

File # 15 131139 STE 22 0Z



City of Toronto By-Law 569-2013
Not to Scale
11/07/2016



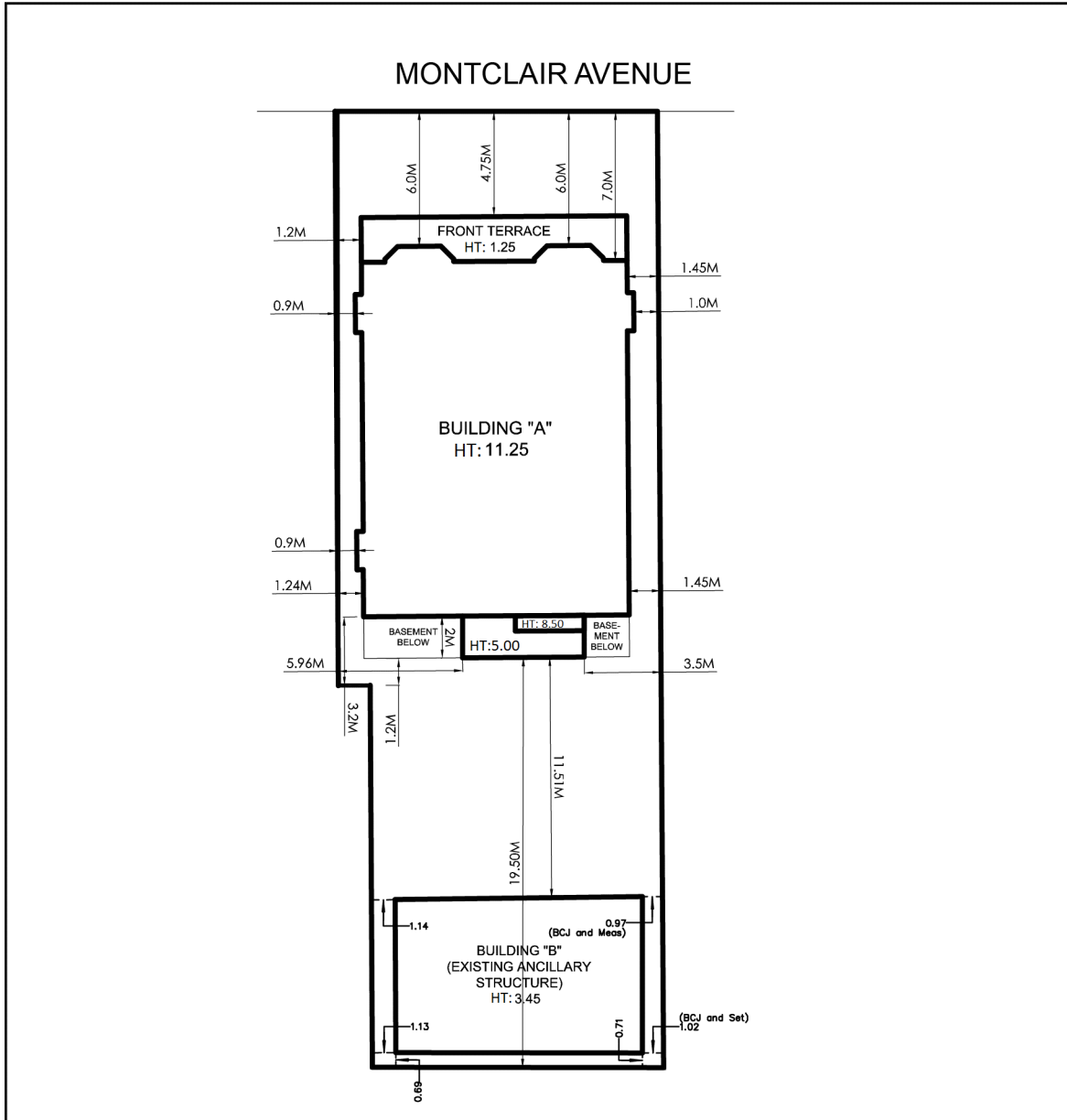
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Diagram 4

377 Spadina Road & 17 Montclair Avenue

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Diagram 5

377 Spadina Road & 17 Montclair Avenue

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11/07/2016