

Authority: Local Planning Appeal Tribunal Decision/Order issued August 3, 2018 and Final Order issued January 18, 2019 in Tribunal File MM170081

## **CITY OF TORONTO**

### **BY-LAW 599-2021(LPAT)**

**To amend former City of North York Zoning By-law 7625, as amended, with respect to lands municipally known as 260, 262 and 264 Finch Avenue East.**

Whereas the owner of the lands known municipally in the year 2018 as 260, 262 and 264 Finch Avenue East has appealed a proposed Zoning By-law Amendment to the Local Planning Appeal Tribunal; and

Whereas the Local Planning Appeal Tribunal conducted a public meeting under Section 34 of the Planning Act regarding the proposed Zoning By-law amendment; and

Whereas the Local Planning Appeal Tribunal, by its decision issued August 3, 2018 in File MM170081 and its Order issued January 18, 2019 approved amendments to former City of North York Zoning By-law 7625 with respect to those lands;

Therefore pursuant to the Local Planning Appeal Tribunal Order:

1. Schedules B and C of By-law 7625 of the former City of North York are amended in accordance with Schedule 1 attached hereto.
2. Section 64.16 of By-law 7625 of the former City of North York is amended by adding the following subsection:

#### **64.16 (113) RM1(113)**

#### **DEFINITIONS**

#### **GROSS FLOOR AREA**

- (a) For the purpose of this exception, "gross floor area" of a building shall consist of the total area of all of the floors in the building above or below grade measured from the outside of the exterior walls of the building but excluding motor vehicle areas within the building.

For greater certainty, but not so as to restrict generality:

*the calculation of gross floor area shall apply to all areas in a building but not to any area within a non-habitable accessory structure;*

*the calculation of gross floor area may exclude – architectural features affixed to or extending beyond the exterior faces of exterior walls; floor slab openings and*

other voids, including pipe spaces; parking ramps and aisles to or within a parking garage; accessory uses to parking areas within a parking garage, including a car lift and related machinery; exit stairs that lead directly from a parking garage to the exterior of the building without serving any other areas; curbs adjacent to parking areas; supporting columns, walls or other like structures in a parking garage; pedestrian walkways within a parking garage; motor vehicle loading spaces and access thereto; dead areas adjacent to parking spaces between columns, in corners and around curves or provided to facilitate vehicular turnaround; other spaces in a parking garage not accessible and/or usable due to structural design; and

*the calculation of gross floor area shall include* – bicycle parking spaces; storage spaces of any kind, including lockers; mechanical or electrical rooms; garbage and recycling rooms; stairs, landings and hallways other than those that lead directly from a parking garage to the exterior of the building without serving any other areas; indoor amenity spaces;

#### **NET SITE**

- (b) For the purposes of this exception, "net site" means the gross site minus any lands conveyed to the City of Toronto for road creation and/or widening purposes, with such net site comprising an area of 0.2083 ha;

#### **MULTIPLE ATTACHED DWELLING – STACKED TOWNHOUSE**

- (c) For the purposes of this exception, "Multiple Attached Dwelling – Stacked Townhouse" shall mean a building that has five or more dwelling units, with at least one dwelling unit entirely or partially above another, and each dwelling unit has a separate entrance directly from outside or through a common inside area;

#### **ESTABLISHED GRADE**

- (d) For the purpose of this exception, "established grade" shall mean 180.80 metres Canadian Geodetic Datum;

#### **PERMITTED USES**

- (e) Despite Section 16.1(a), multiple attached dwelling – stacked townhouse, temporary sales centre, and temporary rental centre and parking area are permitted uses;

#### **EXCEPTION REGULATIONS**

#### **LANDSCAPING**

- (f) The provisions of Section 15.8 (Landscaping) shall not apply;

### **LOT AREA**

- (g) The provisions of Section 16.2.1 (Lot Area) shall not apply;

### **LOT COVERAGE**

- (h) The provisions of Section 16.2.2 (Lot Coverage) shall not apply;
- (i) The maximum lot coverage shall be 39 percent;

### **YARD SETBACKS AND PERMITTED PROJECTIONS**

- (j) The provisions of Sections 6(9)(l) (Projections) and 16.2.4 (Yard Setbacks) shall not apply;
- (k) The minimum yard setbacks for buildings and structures above established grade shall be as shown on Schedule RM1(113);
- (l) Notwithstanding the building envelopes shown on Schedule RM1(113), architectural finishes, awnings, balconies to a maximum depth of 1.5 metres, canopies, cornices, eaves, eaves troughs, fire shutter, gates, guards, intake and exhaust grills, lighting fixtures, landscape features, paved surfaces, porches, railings, rain water leaders and downspouts, ramps, retaining walls, stairs and stairwells and related enclosures, walls of an underground garage, window sills and wells, bay windows, ladders and other minor architectural projections are permitted to project into the minimum yard setbacks;

### **FLOOR AREA**

- (m) The provisions of Section 16.2.5 (Floor Area) shall not apply;
- (n) The minimum floor area for each dwelling unit is 70 square metres;

### **BUILDING HEIGHT**

- (o) The provisions of Section 16.2.6 (Building Height) shall not apply;
- (p) The maximum number of storeys above established grade and the maximum building height in metres for all buildings shall be as shown on Schedule RM1(113). The measurement of building height in metres shall exclude a parapet wall having a maximum vertical dimension of 0.6 metres, roof access ladders, individual roof-top air conditioning condenser units having a maximum vertical dimension of 1.0 metre and any roof structures used only as architectural features, ornaments or green roof elements;
- (q) The height of any part of any building or structure shown on Schedule RM1(113) shall not exceed a measurement equal to 70 percent of the horizontal distance between that part of the building or structure and the north lot line;

**GROSS FLOOR AREA**

- (r) The maximum permitted gross floor area on the gross site shall be 2,858.42 m<sup>2</sup>;

**VEHICULAR PARKING**

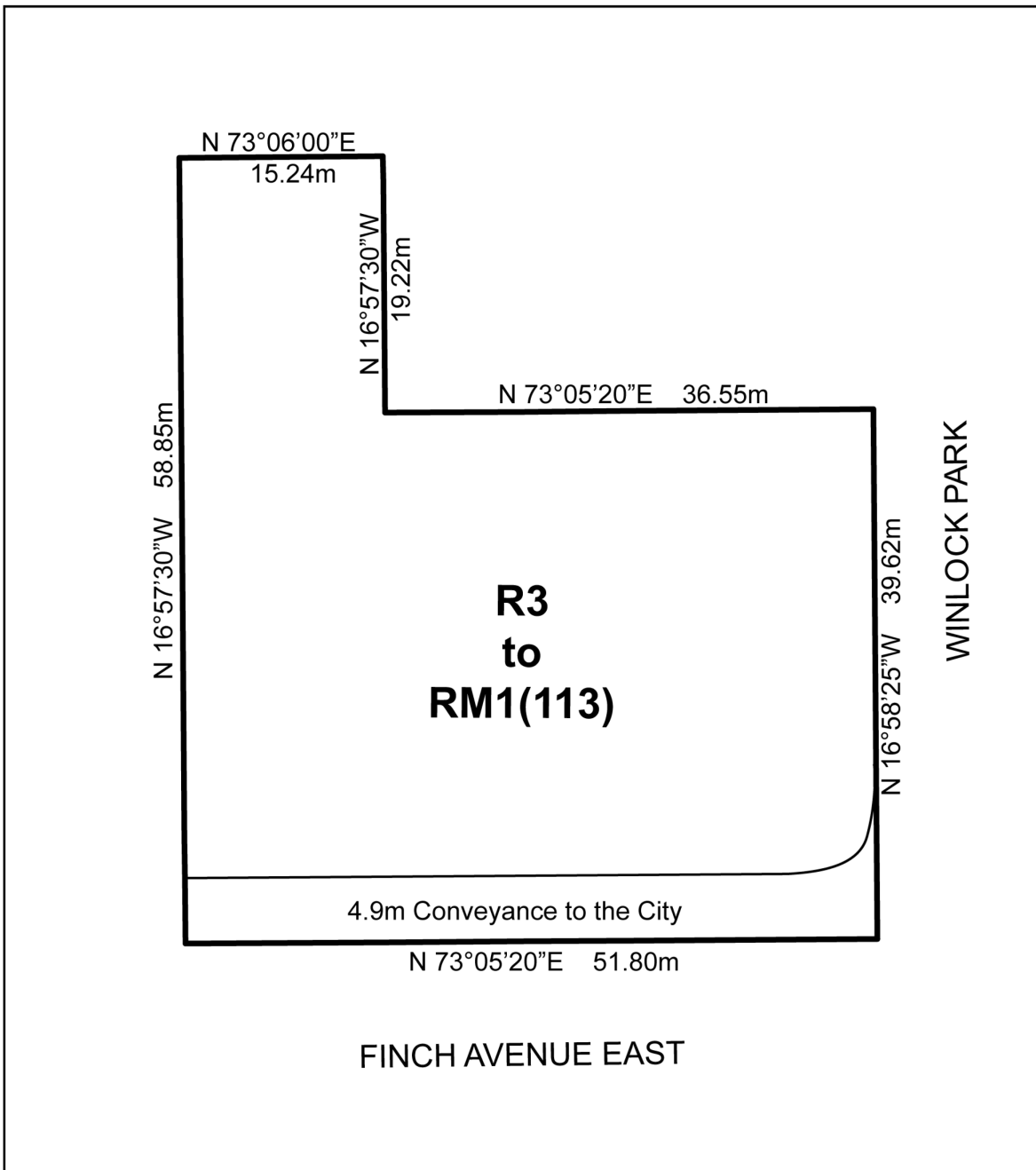
- (s) The provisions of Section 6A(2) (Parking Requirements), 6A(8)(b) and 6A(8)(e) (Parking Regulations for RM Zones other than RM2 Zones) shall not apply;
- (t) A total of 30 parking spaces shall be provided for resident use;
- (u) A total of 4 parking spaces shall be provided for visitor use;
- (v) Parking spaces for visitor use may be provided at-grade or underground; and

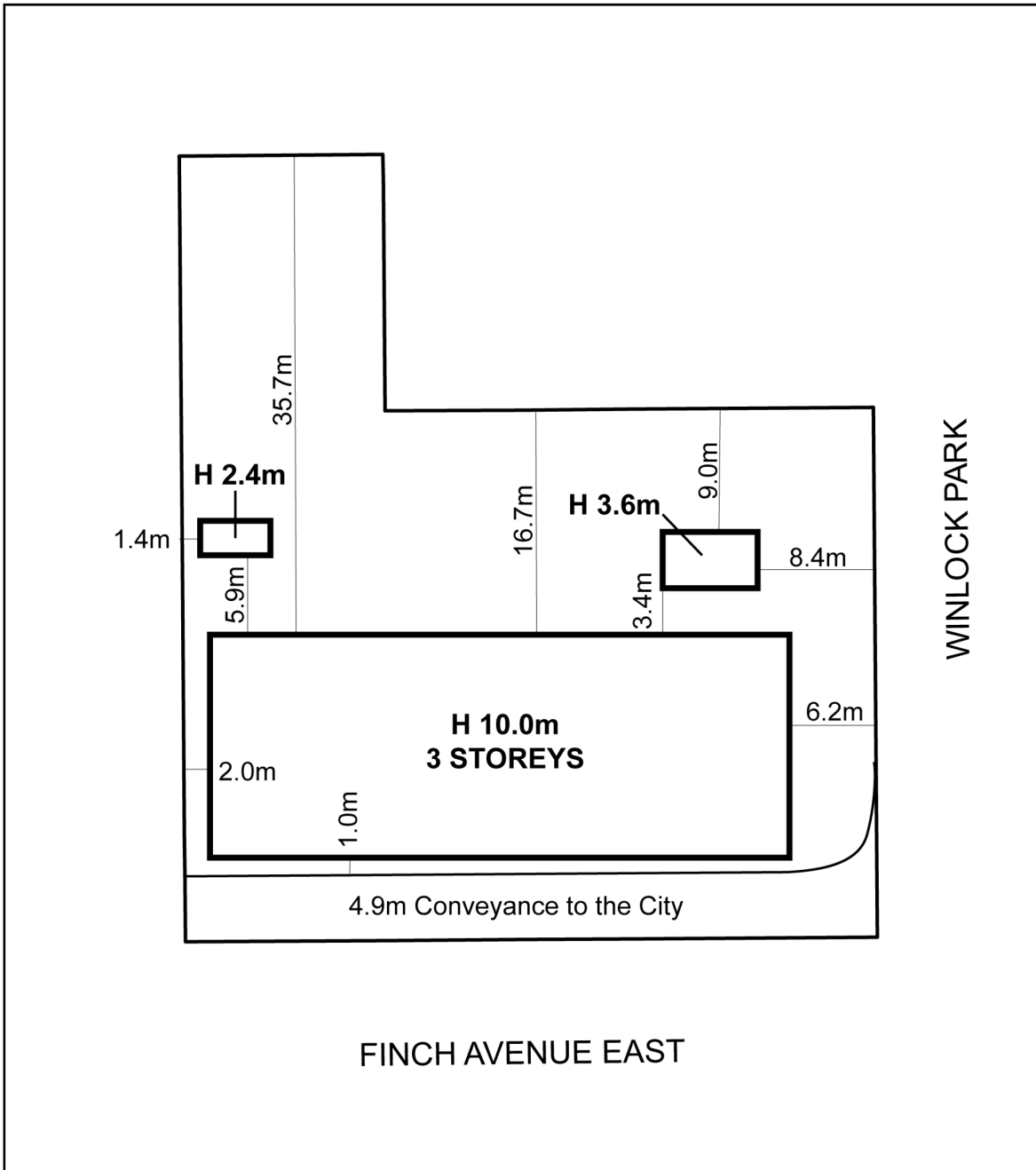
**DIVISION OF LANDS**

- (w) Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands as if it remained one lot.

3. Section 64.16 of By-law 7625 of the former City of North York is amended by adding Schedule RM1(113) attached to this By-law.

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Schedule RM1(113)

260 - 264 Finch Avenue East

File # 16 205578 NNY 24 0Z



Not to Scale  
12/20/2018