

CITY OF TORONTO

BY-LAW No. 193-2001(OMB)

To amend former City of North York By-law No. 7625 in respect of lands municipally known as 39 and 45 Green Belt Drive.

WHEREAS, the Ontario Municipal Board by way of Decision issued on October 5, 2000 under Order No. 1450 determined to amend the former City of North York By-law No. 7625.

THEREFORE:

1. Schedules “B” and “C” of By-law No. 7625 are amended in accordance with Schedules “1”, “2” and “2A” of this By-law.
2. Section 64.16 of By-law No. 7625 is amended by adding the following subsection:

“64.16 (17) RM1(17)

PERMITTED USES

- (a) In addition to the uses permitted in the RM1 Zone the following uses are permitted:
 - (i) semi-detached dwellings; and
 - (ii) home office uses.

DEFINITIONS

- (b) For the purpose of this exception, “home office uses” are defined as business and professional offices that:
 - (i) do not occupy more than 30% of the total gross floor area of the dwelling unit; and,
 - (ii) are conducted only by a member or members of the household who reside in the dwelling unit and which is their principal residence.
- (c) For the purposes of this exception, “lot”, for the purposes of determining gross floor area of any building or structure, is deemed to be all of the lands zoned RM1(17) and RM6(85) inclusive of lands with an “H” holding zone appended.
- (d) For the purposes of this exception, “Gross Floor Area” shall exclude all space below grade, enclosed or unenclosed residential balconies and any part of the building used for mechanical purposes and in the case of a multiple attached dwelling any first floor uses such as furnace, laundry, storage, recreational amenity areas, recreational uses, areas used for automobile parking and other similar uses.

- (e) For the purposes of this exception, “Dwelling Width” shall mean the horizontal distance between the midpoint of the exterior walls of the dwelling unit; the distance shall be measured perpendicularly for each dwelling unit from the line joining the centre of the front and rear lot lines at a point 7.5 metres from the minimum front yard setback.

EXCEPTION REGULATIONS

(f) **Gross Floor Area**

The maximum gross floor area for all lands zoned RM1(17) and RM6(85) shall be 59,076 square metres.

(g) **Building Height**

The maximum building height shall be four storeys.

(h) **Dwelling Units**

- (i) The maximum number of dwelling units shall be 183.

(i) **Yard Setbacks**

The minimum yard setbacks to a lot line shall be as follows:

- (i) Front Yard Setback to a dwelling unit - 3 metres. Exterior stairways, wheelchair ramps, porches, decks and balconies shall be permitted to project into the minimum front yard setback not more than 3 metres.
- (ii) Front Yard Setback to a garage - 5.5 metres.
- (iii) Rear Yard Setback - 5.5 metres.
- (iv) Side Yard Setback - 1.5 metres.

(j) **Dwelling Width**

The minimum width of a dwelling unit shall be 4 metres.

(k) **Parking**

- (i) Parking spaces may be located underground and anywhere on the lot.
- (ii) A driveway shall have a minimum width of 2.7 metres.

(iii) There shall be no additional parking requirement for home office uses.

(l) **Other Requirements**

There shall be no requirements for minimum landscaping area, lot area, street frontage, floor area per dwelling unit, maximum lot coverage and minimum distance between buildings.

(m) **Provisions Apply Collectively**

The provisions of this exception, excluding Section 64.16(17)(k) shall apply collectively to the lands zoned RM1(17) notwithstanding their future severance, partition or division for any purpose.

3. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

“64.20-A(85) RM6(85)

PERMITTED USES

- (a) In addition to the uses permitted by the RM6 Zone, all uses permitted within the RM1(17) Zone are also permitted subject to the provisions of that Zone.
- (b) Where an “H” holding symbol is appended to the zone symbol, permitted uses shall be limited only to open space uses that are not located within a building.

DEFINITIONS

- (c) For the purpose of this exception, “Apartment House Dwelling” shall mean a building containing more than four (4) dwelling units where each unit has access from an internal corridor or access from the outside, or any combination thereof.
- (d) For the purposes of this exception, “lot”, for the purposes of determining gross floor area of any building or structure, is deemed to be all of the lands zoned RM1(17) and RM6(85) inclusive of lands with an “H” holding zone appended.
- (e) For the purposes of this exception, “Gross Floor Area” shall exclude all space below grade, enclosed or unenclosed residential balconies and any part of the building used for mechanical purposes and in the case of a multiple attached dwelling any first floor uses such as furnace, laundry, storage, recreational amenity areas, recreational uses, areas used for automobile parking and other similar uses.

EXCEPTION REGULATIONS

(f) **Gross Floor Area**

The maximum gross floor area for all lands zoned RM1(17) and RM6(85) shall be

59,076 square metres.

(g) **Building Height**

The maximum building height shall be eight storeys not including roof top mechanical and indoor recreation amenity space which shall not exceed 5 metres in height and shall not exceed 30% of the floor area of the roof top.

(h) **Dwelling Units**

(i) The maximum number of dwelling units shall be 192.

(ii) A minimum of 25% of the total number of dwelling units that are located within buildings containing not less than 20 dwelling units shall have a maximum gross floor area of 70m² for a one bedroom unit, 80m² for a two bedroom unit and 120m² for a three bedroom unit.

(i) **Recreational Amenity Area**

A minimum indoor recreational amenity area for all apartment house dwellings shall be provided equal to 1.5 square metres per dwelling unit.

(j) **Yard Setbacks**

The minimum yard setbacks to a lot line for apartment house dwellings shall be as follows:

(i) Front Yard Setback - 0 metres.

(ii) Rear Yard Setback - 20 metres.

(iii) Side Yard Setback - no less than the distance equal to the building height of the exterior wall of the apartment house dwelling that is nearest to that side lot line.

(iv) There shall be no minimum yard setbacks for parking structures.

(k) **Distance Between Buildings**

(i) For that portion of an apartment house dwelling having a building height of 4 storeys or less, the minimum distance between that portion of the apartment house dwelling and a dwelling unit other than an apartment house dwelling shall be 3 metres.

- (ii) For that portion of an apartment house dwelling having a building height greater than 4 storeys, the minimum distance between that portion of the apartment house dwelling and a dwelling unit other than an apartment house dwelling, measured from that portion of the apartment house dwelling on a perpendicular line, shall be no less than the distance equal to that portion of the apartment house dwelling which is greater than 4 storeys.

(l) **Parking**

- (i) Parking spaces shall have a minimum width of 2.7 meters and a minimum length of 5.5 metres.
- (ii) Parking spaces may be located underground.
- (iii) Parking spaces may be provided in the form of tandem parking per unit.

(m) **Other Requirements**

There shall be no requirements for minimum landscaping area, lot area, lot frontage and maximum lot coverage.

(n) **Provisions Apply Collectively**

The provisions of this exception, excluding Section 64.20-A(85)(k) and Section 64.20-A(85)(l) shall apply collectively to the lands zoned RM6(85) notwithstanding their future severance, partition or division for any purpose.

4. Section 64.16 of By-law No. 7625 is amended by adding the following subsection:

“64.16 (10) RM1(10)

PERMITTED USES

- (a) In addition to the uses permitted by the RM1 Zone the following uses are permitted:
 - (i) semi-detached dwellings;
 - (ii) home office uses;
 - (iii) where an “H” holding symbol is appended to the zone symbol, the permitted uses shall be limited only to open space uses that are not located within a building.

DEFINITIONS

- (b) For the purpose of this exception, “home office uses” are defined as business and professional offices that:
- (i) do not occupy more than 30% of the total gross floor area of the dwelling unit; and,
 - (ii) are conducted only by a member or members of the household who reside in the dwelling unit and which is their principal residence.
- (c) For the purposes of this exception, “lot”, for the purposes of determining gross floor area of any building or structure, is deemed to be all of the lands zoned RM1(10) and RM6(84) inclusive of lands with an “H” holding zone appended.
- (d) For the purposes of this exception, “Gross Floor Area” shall exclude all space below grade, enclosed or unenclosed residential balconies and any part of the building used for mechanical purposes and in the case of a multiple attached dwelling any first floor uses such as furnace, laundry, storage, recreational amenity areas, recreational uses, areas used for automobile parking and other similar uses.

EXCEPTION REGULATIONS

(e) **Gross Floor Area**

The maximum gross floor area for all lands zoned RM1(10) and RM6(84) shall be 49,715 square metres.

(f) **Building Height**

The maximum building height shall be four storeys.

(g) **Dwelling Units**

- (i) The maximum number of dwelling units shall be 102.
- (ii) The maximum number of dwelling units within each multiple attached dwelling shall be 9 provided that a multiple attached dwelling that abuts an RM6(84) Zone and has lot frontage that faces all or part of an RM6(84) Zone may have a maximum of 11 dwelling units.

THE CITY CONSENTS TO THE OMB RESERVING ITS DECISION ON CLAUSE (g) (ii) pending a recommendation report on appropriate conditions of site plan approval.

(h) Yard Setbacks

The minimum yard setbacks to a lot line shall be as follows:

- (i) Front Yard Setback to a dwelling unit - 3 metres provided that no more than 60% of the dwelling units within a multiple attached dwelling and no more than three adjoining dwelling units shall have the same front yard setback to a dwelling unit.

THE CITY CONSENTS TO THE OMB RESERVING ITS DECISION ON CLAUSE (h) (i) pending a recommendation report on appropriate conditions of site plan approval.

- (i) Front Yard Setback to a garage - 5.5 metres.
- (ii) Rear Yard Setback - 5.5 metres provided that a 10.0 metre setback shall be maintained from top-of-bank as shown on Schedule "2".
- (iii) Side Yard Setback - 1.5 metres.

(i) Dwelling Width

The minimum width of a dwelling shall be 4 metres provided that no more than 60% of the dwelling units within a multiple attached dwelling and no more than three adjoining dwelling units shall have the same dwelling width.

THE CITY CONSENTS TO THE OMB RESERVING ITS DECISION ON CLAUSE (i) pending a recommendation report on appropriate conditions of site plan approval.

(j) Parking

- (i) Parking spaces shall have direct access to a street, public lane or private lane by means of a driveway.
- (ii) Parking spaces may be located underground and anywhere on the lot.
- (iii) A driveway shall have a minimum width of 2.7 metres.
- (iv) There shall be no additional parking requirement for home office uses.

(k) Other Requirements

There shall be no requirements for minimum landscaping area, lot area, street frontage, floor area per dwelling unit, distance between buildings and maximum lot coverage.

(l) Provisions Apply Collectively

The provisions of this exception, excluding Section 64.16(10)(j), shall apply collectively to the lands zoned RM1(10) notwithstanding their future severance, partition or division for any purpose.

5. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

“64.20-A(84) RM6(84)**PERMITTED USES**

- (a) In addition to the uses permitted by the RM6 Zone, all of the uses permitted by the RM1(10) Zone are also permitted subject to the provisions of that Zone.
- (b) Where an “H” holding symbol is appended to the zone symbol, permitted uses shall be limited only to open space uses that are not located within a building.

DEFINITIONS

- (c) For the purpose of this exception, “Apartment House Dwelling” shall mean a building containing more than four (4) dwelling units where each unit has access from an internal corridor or access from the outside, or any combination thereof.
- (d) For the purposes of this exception, “lot”, for the purposes of determining gross floor area of any building or structure, is deemed to be all of the lands zoned RM1(10) and RM6(84) inclusive of lands with an “H” holding zone appended.
- (e) For the purposes of this exception, “Gross Floor Area” shall exclude all space below grade, enclosed or unenclosed residential balconies and any part of the building used for mechanical purposes and in the case of a multiple attached dwelling any first floor uses such as furnace, laundry, storage, recreational amenity areas, recreational uses, areas used for automobile parking and other similar uses.

EXCEPTION REGULATIONS**(f) Gross Floor Area**

The maximum gross floor area for all lands zoned RM1(10) and RM6(84) shall be 49,715 square metres.

(g) Building Height

The maximum building height shall be eight storeys not including roof top mechanical and indoor recreation amenity space which shall not exceed 5 metres in height and shall not exceed a 30% of the roof top floor area.

(h) **Dwelling Units**

- (i) The maximum number of dwelling units shall be 302.
- (ii) A minimum of 25% of the total number of dwelling units that are located within buildings containing not less than 20 dwelling units shall have a maximum gross floor area of 70m² for a one bedroom unit, 80m² for a two bedroom unit and 120m² for a three bedroom unit.
- (iii) The total number of dwelling units required by section 64.20-A(84)(h)(ii) may be located within buildings on lands zoned RM6(84) that are adjacent to a railway.

(i) **Recreational Amenity Area**

A minimum indoor recreational amenity area for all apartment house dwellings shall be provided equal to 1.5 square metres per dwelling unit.

(j) **Yard Setbacks RM6(84-1)**

The minimum yard setbacks to a lot line for apartment house dwellings on lands zoned RM6(84-1) as shown on Schedule “2A” shall be as follows:

- (i) Front Yard Setback - 0 metres.
- (ii) Rear Yard Setback - 10 metres from top-of-bank.
- (iii) Side Yard Setback - 5.0 metres.
- (iv) There shall be no minimum yard setbacks for parking structures.

(k) **Yard Setbacks RM6(84-2)(H)**

The minimum yard setbacks to a lot line for apartment house dwellings on lands zoned RM6(84-2)(H) as shown on Schedule “2” shall be as follows:

- (i) Front Yard Setback - 0 metres.
- (ii) Rear Yard Setback - 20 metres.
- (iii) Side Yard Setback - no less than the distance equal to the building height of the exterior wall of the apartment house dwelling that is nearest to that side lot line.
- (iv) There shall be no minimum yard setbacks for parking structures.

(l) Distance Between Buildings

- (i) For that portion of an apartment house dwelling having a building height of 4 storeys or less, the minimum distance between that portion of the apartment house dwelling and a dwelling unit other than an apartment house dwelling shall be 3 metres.
- (ii) For that portion of an apartment house dwelling having a building height greater than 4 storeys, the minimum distance between that portion of the apartment house dwelling and a dwelling unit other than an apartment house dwelling measured from that portion of an apartment house dwelling on a perpendicular line shall be no less than the distance equal to that portion of the apartment house dwelling which is greater than 4 storeys.

(m) Parking

- (i) Parking spaces shall have a minimum width of 2.7 metres and a minimum length of 5.5 metres.
- (ii) Parking spaces may be located underground.
- (iii) Parking spaces may be provided in the form of tandem parking per unit.

(n) Other Requirements

There shall be no requirements for minimum landscaping area, lot area, lot frontage and maximum lot coverage.

(o) Provisions Apply Collectively

The provisions of this exception, excluding Section 64.20-A(84)(l) and Section 64.20-A(84)(m) shall apply collectively to the lands zoned RM6(84) notwithstanding their future severance, partition or division for any purpose.

6. Section 64.21 of By-law No. 7625 is amended by adding the following subsection:

“64.37(19)O1(19)

PERMITTED USES

- (a) The only permitted uses are open space uses that are not located within a building.”

7. Schedule “Q” to By-law No. 7625 is amended by including the lands identified on Schedules “A1”, “A2” and “A2A” to this By-law as part of the Greenland neighbourhood.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON OCTOBER 5, 2000 IN BOARD FILE NO. PL967827.

SCHEDULE “1”

SCHEDULE “2”

SCHEDULE “2A”