

CITY OF TORONTO

BY-LAW No. 878-2001(OMB)

To amend By-law No. 15,383 and Chapters 320 and 324, Site Specifics, of the Zoning Code, as amended, with respect to certain lands at the southwest corner of Richgrove Drive and Martin Grove Road (Etobicoke).

WHEREAS 1078806 Ontario Inc. appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law No. 15,383 of the former City of Etobicoke to rezone lands respecting 7 and 21 Richgrove Drive from Fourth Density Residential (R4) to Sixth Density Residential (R6) and to Third Density Residential (R3) to permit an apartment building in conjunction with two existing apartment buildings, and to permit eighteen (18) semi-detached dwellings; and

WHEREAS the Ontario Municipal Board held a hearing and allowed the appeal in part and, in doing so, amended By-law No. 15,383 and Chapters 320 and 324 of the Zoning Code of the former City of Etobicoke;

NOW THEREFORE pursuant to the Order of the Ontario Municipal Board issued July 31, 1998, OMB File No. Z960103, being Decision/Order No. 1939;

1. That the Zoning Map referred to in Section 320-5, Article II of the Zoning Code, originally attached to the Township of Etobicoke Zoning By-law No. 11,737, as amended, be and the same is hereby amended by changing the classification of the lands shown as Part One and Part Two in Schedule "A" attached hereto from Fourth Density Residential (R4) to Sixth Density Residential (R6) and to Third Density Residential (R3), respectively.
2. The provisions of By-law No. 15,383, and the previously applicable Fourth Density Residential (R4) provisions contained in Comprehensive Zoning By-law No. 11,737, shall not apply to the lands zoned Sixth Density Residential (R6) described as Part One in Schedule "A" annexed hereto, provided that:
 - (i) For the purpose of this by-law, not more than three (3) apartment buildings with accessory structures may be erected or maintained on the lands described as Part One in Schedule "A" attached hereto.
 - (ii) The maximum height of the apartment buildings permitted on the lands described as Part One in Schedule "B" annexed hereto shall be as follows:

Buildings "A" & "B"	-	11 storeys
Building "C"	-	19 storeys with a maximum elevation above sea level of 209 m (exclusive of mechanical penthouses and roof parapets not exceeding 5.8 m and 2.2 m, respectively).

- (iii) Notwithstanding the provision of Section 320-77A of the Zoning Code, the total number of dwelling units permitted on the lands described as Part One in Schedule “B” shall be as follows:

Building “A”	-	129 units
Building “B”	-	129 units
Building “C”	-	<u>185 units</u>
<i>Total</i>		<u>443 units</u>

- (iv) Notwithstanding the provisions of Section 320-18B and Section 320-76G of the Zoning Code, parking for the apartment buildings shall be provided as follows:

Buildings “A” and “B” 1.25 parking spaces per dwelling unit, of which not less than 0.20 spaces per dwelling unit shall be reserved for the exclusive use of visitors. A minimum of 257 spaces shall be provided within buildings or underground structures.

Building “C” 1.6 parking spaces per dwelling unit, of which not less than 0.20 spaces per dwelling unit shall be reserved for the exclusive use of visitors. A minimum of 265 spaces shall be provided within buildings or underground structures.

- (v) Notwithstanding the provisions of Sections 320-40 to 42 and 320-77 of the Zoning Code, the buildings shall be located within the building envelopes illustrated on Schedule “B” annexed hereto. The astronomical bearings shown on Schedule “A” shall apply to the corresponding lines and dimensions shown within Schedule “B”.
- (vi) All below grade parking structures shall maintain a minimum setback of 0.0 m from all street lines as shown on Schedule “A”. No setback requirement shall be required from all other property lines for below grade parking structures. Accessory structures shall maintain a 0.4 m setback from all other property lines and shall not be located closer to any street line than 10.0 m.
- (vii) All surface parking areas shall maintain a minimum setback of 3.0 m from Martin Grove Road.
- (viii) Notwithstanding the provision of Section 320-76F. of the Zoning Code, permitted accessory structures shall include covered ramps, exterior stairs, cabanas and garbage enclosures.
- (ix) Notwithstanding the provisions of Section 320-77B of the Zoning Code, a minimum landscaped open space area of 57% of the said lands described as Part One in Schedule “A” annexed hereto shall be maintained.

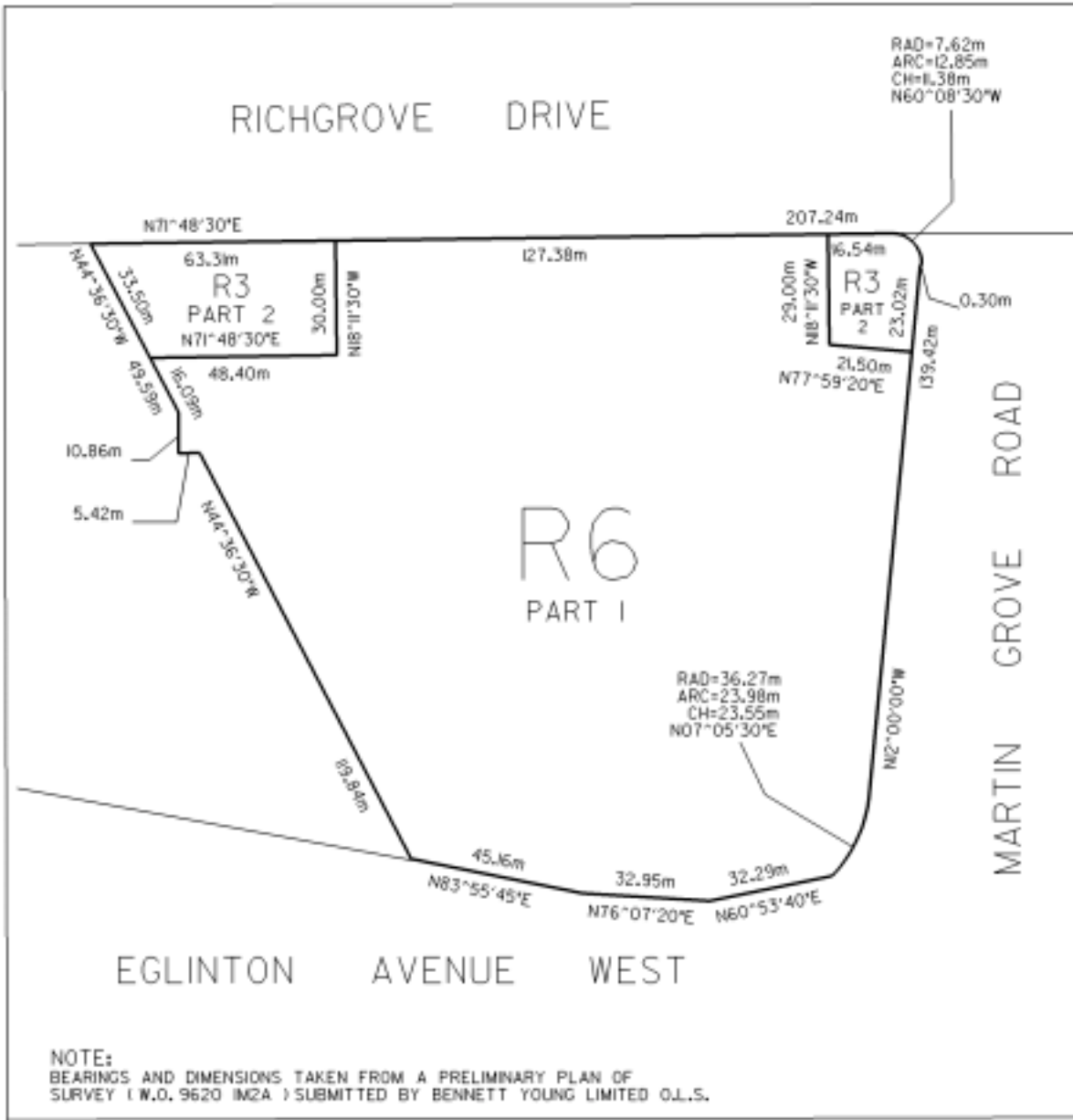
- (x) For the purpose of this by-law, the maximum floor space index (FSI) of the apartment buildings on the said lands shown as Part One in Schedule “A” annexed hereto shall not exceed 1.85, provided that Building “C”, as shown on Schedule “B”, shall not exceed a gross floor area of 17,800 square metres.
3. The provisions of By-law No. 15,383, and the previously applicable Fourth Density Residential (R4) provisions contained in Comprehensive Zoning By-law No. 11,737, shall not apply to the lands zoned Third Density Residential (R3), and described as Part Two in Schedule “A” annexed hereto, provided that:
- (i) For the purposes of this by-law, not more than six (6) semi-detached dwellings with accessory structures may be erected on the lands described as Part Two on Schedule “A” annexed hereto.
- (ii) Notwithstanding the provisions of Section 320-61 to 63 of the Zoning Code, the buildings shall be located within the building envelopes illustrated on Schedule “B” annexed hereto. The astronomical bearings shown on Schedule “A” shall apply to the corresponding lines and dimensions shown within Schedule “B”.
- (iii) The maximum height of a semi-detached dwelling is two (2) storeys, but in no event greater than eleven (11) metres in height.
- (iv) The minimum lot area for a semi-detached dwelling is two hundred and sixty-five (265) square metres.
- (v) The maximum lot coverage of the main building is forty-three percent (43%).
- (vi) The minimum ground floor area of a semi-detached dwelling is seventy (70) square metres.
- (vii) The minimum dwelling unit area of a semi-detached dwelling is one hundred and fifty (150) square metres; the maximum dwelling unit area of a semi-detached dwelling is two hundred and fifty-five (255) square metres.
- (viii) The minimum side yard is 1.7 metres.
- (ix) Notwithstanding the provisions of Section 320-18B(1) of the Zoning Code, parking for each semi-detached dwelling shall be provided at a rate of one (1) parking space within an attached and enclosed garage, and one (1) surface parking space located at grade, in the front yard.
4. Where the provisions herein conflict with the Zoning Code, the provisions of this by-law shall take precedence, otherwise the Zoning Code shall continue to apply.
5. This by-law shall apply collectively to the lands zoned Sixth Density Residential (R6) and Third Density Residential (R3), described as Part One and Part Two in Schedule “A” annexed hereto, notwithstanding their division into parcels, and shall be deemed to have an area of 27,875 m².

6. Chapter 324, Site Specifics, of the Zoning Code is hereby amended to include reference to this by-law by adding the following to Section 324-1, Table of Site Specific By-laws:

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
878-2001(OMB) JULY 31, 1998	Lands located on the southwest corner of Richgrove Drive and Martin Grove Road.	To rezone lands from (R4) to (R6) to permit an additional apartment building in conjunction with two existing apartment buildings and to (R3) to permit the construction of six (6) semi-detached dwellings.

PURSUANT TO THE ONTARIO MUNICIPAL BOARD ORDER NO. 1939, ISSUED JULY 31, 1998.

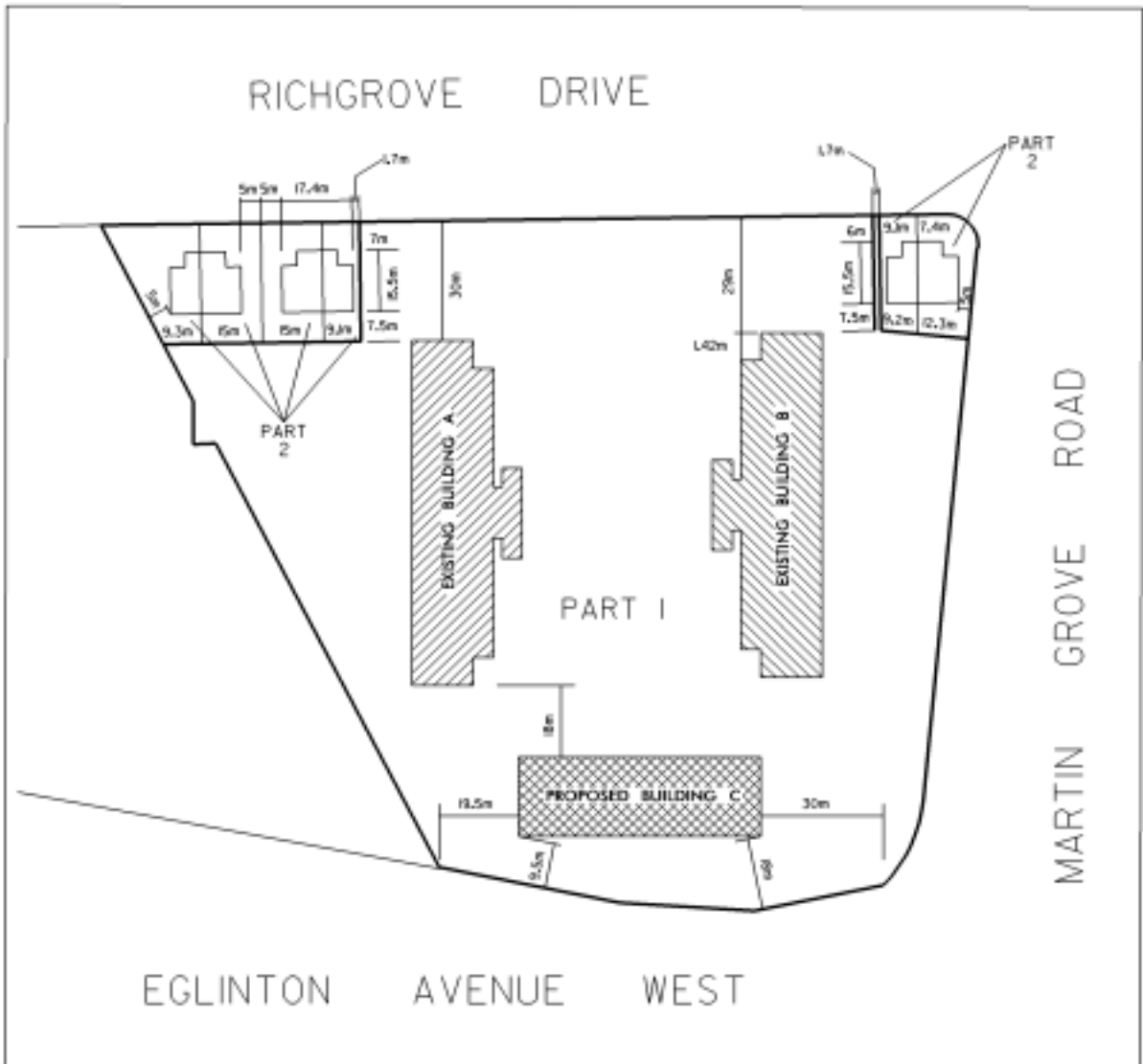
TORONTO Schedule 'A' BY-LAW



PART OF LOT 17, CONCESSION 2, F.T.H.R.

Applicant's Name	1078806 ONTARIO INC.		
Assessment Map F#	Zoning Code Map/s E# north & F# south	Scale	
File No. 2-2175	Drawing No. 98-9-2A	Drawn By: D.R.	

Toronto Schedule 'B' BY-LAW



NOTE:
 SETBACKS HAVE BEEN TAKEN FROM AN OMB DECISION/ORDER No. 1939 ISSUED JULY 31/1998
 N.B. DISTANCES SHOWN ARE MINIMUM SETBACKS

PART OF LOT 17, CONCESSION 2, F.T.H.R.

Applicant's Name:		1078806 ONTARIO INC.	
Assessment Map F14	Zoning Code Map/s E14 north & F14 south		scale: 0 30 60 15 45 m
File No. Z-2175	Drawing No. 98-9-28	Drawn By: O.R.	