

CITY OF TORONTO

BY-LAW No. 604-2006(OMB)

To amend former City of York Zoning By-law No. 1-83, as amended, with respect to lands municipally known as 21 Oak Street.

WHEREAS the Ontario Municipal Board pursuant to its Order No. 0052 dated January 6, 2006, and Order No. 1784 dated June 21, 2006 (PL030399), upon hearing the appeal of 426898 Ontario Ltd., under Section 34 (11) of *the Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend Zoning By-law No. 1-83, as amended, of the former City of York;

Therefore Zoning By-law No. 1-83, as amended, of the former City of York, is further amended as follows:

SECTION 6 – AMENDED

1. That Section 6 of Zoning By-law No. 1-83 as amended, of the former City of York, is hereby further amended by adding the following as a new subsection (74):

(74) MAP 2

By changing the area on District Map 2, municipally known as 21 Oak Street and more particularly shown on the plan attached as Schedule “A” hereto, from PE – Prestige Employment to a PE – 16 (422) zone as shown on Schedule “A” hereto, and by changing District Map 2 accordingly.

SECTION 16 – AMENDED

2. That Section 16 of Zoning By-law No. 1-83, as amended, of the former City of York, is hereby amended by adding the following new subsection (422):

(422) LANDS – 21 Oak Street

Permitted residential uses shall be developed in accordance with the RM2 Zone provisions except as provided for in this subsection. Notwithstanding any other provisions in Section 3 and Section 10.1 of Zoning By-law No. 1-83 as amended, the lands municipally known as 21 Oak Street, and more particularly shown on the plan attached as Schedule “A” hereto, may be used only for townhouse units in accordance with the RM2 Zone provisions provided that the following conditions are complied with:

The maximum number of dwelling units permitted on the site described in the attached plan and shown on Schedule “B” hereto, shall be ninety-nine (99).

- (a) A maximum total Floor Space Index shall not exceed 1.5.
- (b) A minimum of 15 % of the lot shall be landscaped open space.

- (c) Nothing in this by-law shall prevent the subdivision or severance an individual townhouse into freehold ownership provided the minimum lot frontage on a public street or private condominium road shall be 3.75 metres.
- (d) Each dwelling unit shall provide a minimum of 1 parking space in an enclosed garage. A minimum of 36 visitor and 3 handicapped surface parking spaces shall be provided on the subject site.
- (e) The permitted townhouse units shall be located within the areas marked “Buildable Area” as shown on the plan attached as Schedule “B” hereto, so as to provide the minimum setbacks from property lines and minimum distances between buildings and measured to the base of the building. Building walls above the first floor may project a maximum of 0.61 metres beyond the building envelope.
- (f) The maximum height of any residential building shall be 14.0 m. and not more than 3 storeys.
- (g) The individual lots for any townhouse shall front on a public street or a private condominium road which has direct access to a public street. No individual direct vehicular access to Oak Street shall be permitted.
- (h) Dwelling units may be used for model homes and may be used for the sales and marketing of dwelling units on the lands.
- (i) A temporary construction/sales trailer shall be permitted and shall be removed once the residential dwelling units have been constructed.
- (j) No incineration of garbage shall be permitted on the lands.
- (k) Two accessory buildings may be erected for waste storage near the east and west side lot lines, as shown on Schedule “B”, subject to the following:
 - (1) Each building shall not exceed a maximum coverage of 41 square metres; and
 - (2) The maximum height of each building shall be 4.95 metres to the midpoint of the pitched roof.
- (l) For the purposes of this subsection a townhouse means a series of more than two (2) attached buildings where each building contains one dwelling unit and each building fronts onto a public street or a private road and each building is separated from each adjoining building by a division wall without opening.

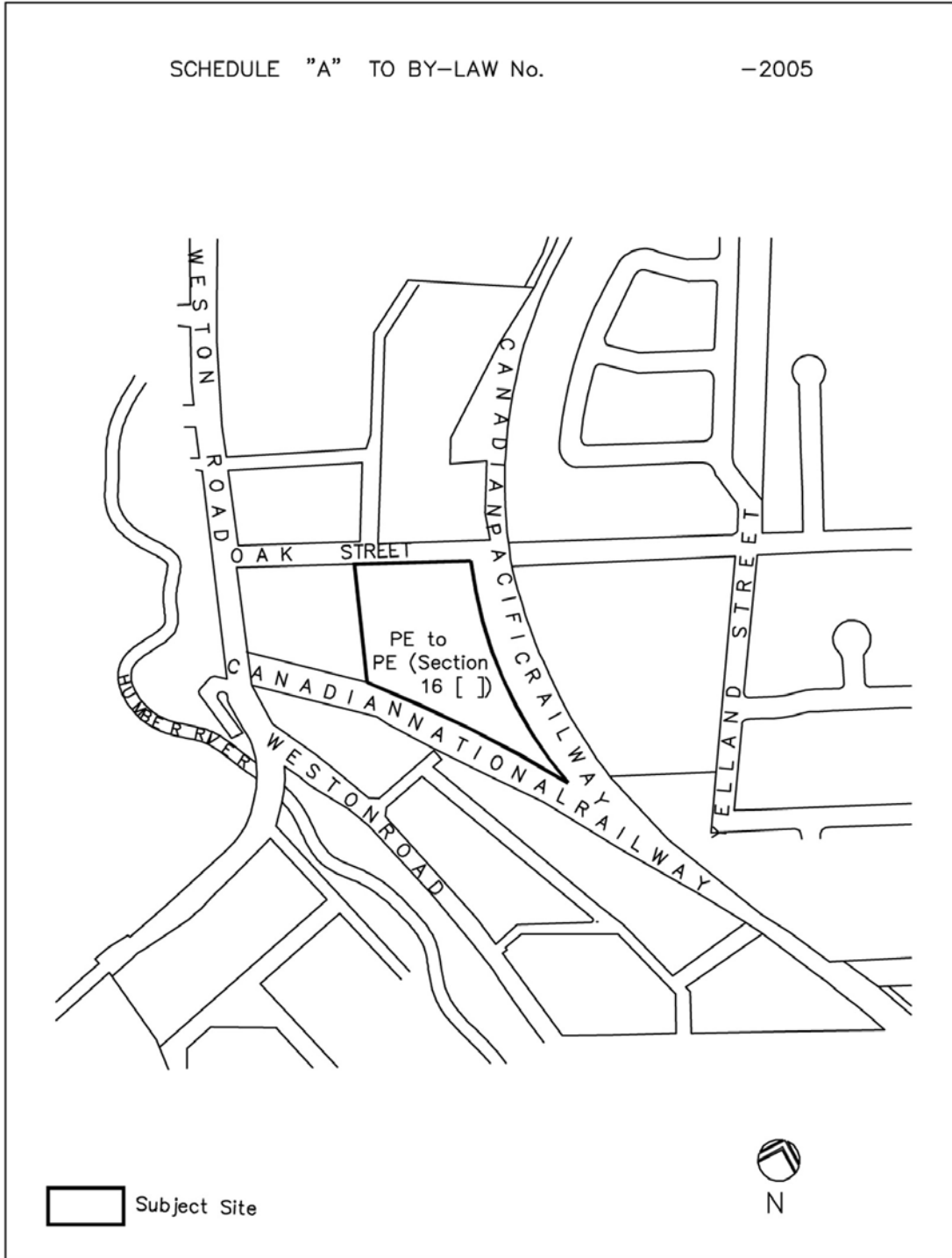
3. All other provisions of Section 3 and 10.1 shall apply except in cases where the provisions of this Subsection are in conflict, in which case the provisions and Schedules of this Subsection shall prevail.

PURSUANT TO ORDER/DECISION NO. 0052 ISSUED ON JANUARY 6, 2006 AND ORDER/DECISION NO. 1784 ISSUED ON JUNE 21, 2006, OF THE ONTARIO MUNICIPAL BOARD IN BOARD FILE NO. PL030399.

SCHEDULE "A"

SCHEDULE "A" TO BY-LAW No.

-2005



SCHEDULE "B"

