

CITY OF TORONTO

BY-LAW No. 1099-2006(OMB)

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands located at the northwest corner of Finch Avenue West and York Gate Boulevard.

WHEREAS the Ontario Municipal Board pursuant to its Order No. 23456 dated September 6, 2005, as amended by Order No. 1696 dated June 14, 2006, upon hearing the appeal of Elderbrook Developments Ltd. under Section 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the former City of North York By-law No. 7625, as amended;

THEREFORE the Ontario Municipal Board HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64 of By-law No. 7625 of the former City of North York is amended by adding the following:

64.17(38) RM2(38)

PERMITTED USES

- (a) The only permitted uses shall be semi-detached dwellings and multiple attached dwellings.
- (b) The maximum number of dwelling units shall be 191.

EXCEPTION REGULATIONS FOR SEMI-DETACHED DWELLINGS

- (c) The minimum lot area shall be 144 square metres per semi-detached dwelling unit and 288 square metres per semi-detached dwelling.
- (d) The minimum lot frontage shall be 5.7 metres per semi-detached dwelling unit and 11.4 metres per semi-detached dwelling.
- (e) The minimum front yard setback shall be 3.0 metres. The minimum front yard setback for a garage shall be 5.5 metres.
- (f) The minimum side yard setback shall be 0.6 metres on one side and 1.2 metres on the other side, provided that the total setback between dwellings is 1.8 metres.
- (g) The minimum side yard setback for a yard abutting a street shall be 2.0 metres.
- (h) The minimum rear yard setback shall be 7.0 metres.
- (i) For the purposes of this exception, a bay or bow window may project up to 0.6 metres within any minimum front or rear yard setback and minimum side yard setback abutting a street.

- (j) The maximum building height shall be three storeys or 11 metres, whichever is the lesser.
- (k) The maximum dwelling length shall be 15 metres.
- (l) Porches, Balconies and Decks
 - (i) Porches may only be located in front yards, rear yards and side yards abutting a street.
 - (ii) The maximum projection of porches, canopies, and balconies from the face wall shall be 2.0 metres.
 - (iii) The maximum area of a porch located in a side yard abutting a street shall be 10 square metres.
 - (iv) Decks may only be located in rear yards and shall not occupy more than 10% of the lot area.

EXCEPTION REGULATIONS FOR MULTIPLE ATTACHED DWELLINGS

- (m) The minimum lot area shall be 121 square metres per dwelling unit.
- (n) The minimum lot frontage shall be 5.0 metres.
- (o) The minimum front yard setback shall be 3.0 metres. The minimum front yard setback for a garage shall be 5.5 metres.
- (p) The minimum side yard setback shall be 0.6 metres on one side and 1.2 metres on the other side, provided that the total setback between dwellings is 1.8 metres.
- (q) The minimum side yard setback for a yard abutting a street shall be 2.0 metres.
- (r) The minimum rear yard setback shall be 7.0 metres.
- (s) For the purposes of this exception, a bay or bow window may project up to 0.6 metres within any minimum front or rear yard setback and minimum side yard setback abutting a street.
- (t) The maximum building height shall be three storeys or 11 metres, whichever is the lesser.
- (u) The maximum dwelling length shall be 15 metres.

- (v) Porches, Balconies and Decks
 - (i) Porches may only be located in front yards, rear yards and side yards abutting a street.
 - (ii) The maximum projection of porches, canopies, and balconies from the face wall shall be 2.0 metres.
 - (iii) The maximum area of a porch located in a side yard abutting a street shall be 10 square metres.
 - (iv) Decks may only be located in rear yards and shall not occupy more than 10% of the lot area.

64.20-A(6) RM6(156)**PERMITTED USES**

- (a) The only permitted uses shall be apartment house dwellings and multiple attached dwellings.

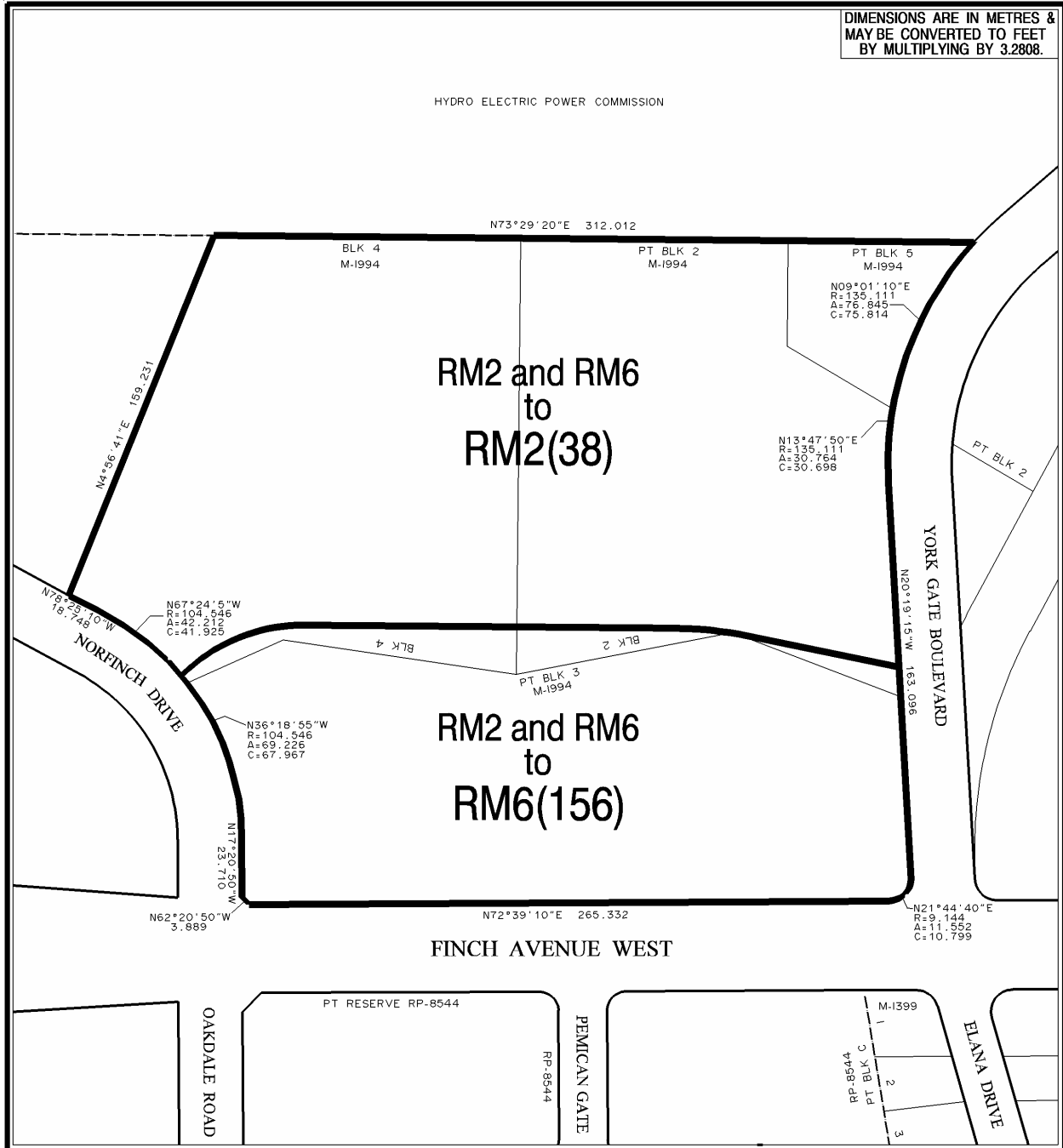
EXCEPTION REGULATIONS

- (b) The maximum lot coverage shall be 30%.
- (c) The yard setbacks shall be as shown on Schedule “RM6(156)”.
- (d) The maximum height of buildings shall be as shown on Schedule “RM6(156)”.
- (e) The gross floor area shall not exceed 88,210 square metres.
- (f) A maximum number of 780 apartment house dwelling units and 28 multiple attached dwelling units shall be permitted.
- (g) A minimum of 45% of the site shall be provided as landscaping. Landscaping may include paths, patios, walkways and existing natural treed areas, but shall not include driveways, ramps, lanes or parking areas or any space beneath, within or on top of a building.
- (h) A minimum of 1,212 square metres of indoor amenity space shall be provided.
- (i) Parking located on the surface shall be for the use of visitors only and shall not exceed 202 spaces.

- (j) A minimum of 25% of the total number of residential units constructed within an apartment house dwelling are to be provided as follows:
 - (i) bachelor units having a gross floor area of 55 square metres, or less, or
 - (ii) one bedroom units having a gross floor area of 70 square metres or less, or
 - (iii) two bedroom units having a gross floor area of 80 square metres or less, or
 - (iv) three bedroom units having a gross floor area of 120 square metres or less, or
 - (v) any combination of the above.
 - (k) The provisions of this exception shall apply collectively to the lands zoned “RM6(156)” notwithstanding their future severance, partition or division for any purpose.
- 3.** The owner of the lands zoned “RM2(38)” and “RM6(156)” as shown on Schedule “1” of this By-law shall enter into an agreement with the City of Toronto pursuant to section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to secure the following facilities, services or matters on the specific terms set out in said agreement:
- (i) the provision, prior to the issuance of the first building permit for each building containing one or more residential dwelling units to be erected on the lands, of a contribution of \$500.00 for each dwelling unit to be located within such building, to be used to provide and improve community amenities at one or more area facilities in the immediate area, and which contributions for all buildings to be erected on the lands shall not exceed \$499,500.00 in total.
- 4.** Section 64.20-A of By-law No. 7625 is amended by adding Schedule “RM6(156)” attached to this By-law.
- 5.** By-law No. 30200 of the former City of North York is amended by the deletion of Section 2.

PURSUANT TO ORDER/DECISION NO. 2345 ISSUED ON SEPTEMBER 6, 2005, AS AMENDED BY ORDER NO. 1696 ISSUED ON JUNE 14, 2006, OF THE ONTARIO MUNICIPAL BOARD IN BOARD CASE NO. PL050196.

SCHEDULE "1"



DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.

HYDRO ELECTRIC POWER COMMISSION

N73°29'20"E 312.012

BLK 4
M-1994

PT BLK 2
M-1994

PT BLK 5
M-1994

N09°01'10"E
R=135.111
A=76.845
C=75.814

**RM2 and RM6
to
RM2(38)**

N13°47'50"E
R=135.111
A=30.764
C=30.698

M4°36'41"E 189.231

YORK GATE BOULEVARD
N20°19'15"W 163.098

N78°25'10"W
18.748

N67°24'5"W
R=104.546
A=42.212
C=41.925

NORFINCH DRIVE

BLK 4

BLK 2

PT BLK 3
M-1994

**RM2 and RM6
to
RM6(156)**

N36°18'55"W
R=104.546
A=69.226
C=67.967

N17°20'50"W
23.110

N62°20'50"W
3.889

N72°39'10"E 265.332

N21°44'40"E
R=9.144
A=11.552
C=10.799

FINCH AVENUE WEST

PT RESERVE RP-8544

PENICAN GATE
RP-8544

M-1399
PT BLK C
1
2
3

ELANA DRIVE

OAKDALE ROAD

<p>This is Schedule " 1 " to By-Law _____ passed the _____ day of _____, 20 _____</p>					 City Planning Division North District
(Sgd.) _____	(Sgd.) _____	CLERK	MAYOR	 SUBJECT PROPERTY	
<p>Location: Part of Blocks 2,3,4 & 5 Registered Plan M-1994, City of Toronto</p>					
File: 04_165442	Prepared by: A.K.	Approved by: G.S.	Date: Dec. 8, 2004	RM2(38)_RM6(156)_1	
Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District. Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.					

