

CITY OF TORONTO

BY-LAW No. 253-2008(OMB)

To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 2996, 2998, 3000, 3002 and 3004 Bayview Avenue.

WHEREAS authority is given to the Ontario Municipal Board by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS the Ontario Municipal Board, pursuant to its Decision/Order dated January 4, 2008, has determined to amend By-law No. 7625 of the former City of North York;

THEREFORE, the Ontario Municipal Board HEREBY ORDERS 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 64.16 of By-law No. 7625 is amended by adding the following subsection:

“64.16(74) RM1(74)

DEFINITIONS

- (a) For the purpose of this exception, “established grade” for the purpose of establishing the permitted height shall mean the geodetic elevations of 178.41 metres for a building facing Bayview Avenue; 178.02 metres for a building fronting Empress Avenue; and 178.80 metres for a building fronting Kingsdale Avenue.

PERMITTED USES

- (b) The permitted uses shall include multiple attached dwellings, single family dwellings and accessory uses thereto.

EXCEPTION REGULATIONS

LOT AREA

- (c) The lot area shall be the area shown on the attached Schedule “1” of this By-law and shall be a minimum of 160 square metres per dwelling unit.

LOT COVERAGE

- (d) Maximum all buildings fifty-two (52%) per cent.
- (e) Any building or structure as identified in subsection (l) and (m) hereto permitted outside the Building Envelopes shown on Schedule “RM1(74)” shall not be included in the calculation of lot coverage for the purpose of this exception.

YARD SETBACKS AND DISTANCE BETWEEN BUILDINGS

- (f) The minimum yard setbacks and distances between buildings shall be as shown on Schedule “RM1(74)”.

FLOOR AREA

- (g) Minimum floor area for each detached dwelling shall be 250 square metres.

BUILDING HEIGHT

- (h) The building height shall not exceed the maximum heights in metres and the number of storeys specified on Schedule “RM1(74)”.
- (i) The finished first floor elevation of a single detached dwelling shall be no higher than 2.21 metres above established grade.

LANDSCAPING

- (j) A minimum landscaped area of 745 square metres shall be provided on the lot.
- (k) For the purpose of this exception, a landscaped area may include walkways, lawns, ornamental shrubs, treed areas, paths, patios, but shall not include driveways, ramps, or any parking space or any space within or on top of a building.

BUILDING ENVELOPES

- (l) No portion of any building or structure shall be located otherwise than wholly within the Building Envelopes shown on Schedule “RM1(74)” with the exception of balconies, belt courses, chimney breasts, eaves, gutters, pilasters, sills, canopies, stairways, wheelchair ramps, porches, bay windows, a cantilevered portion of the main wall, privacy screens, railings, support structures for decks and/or canopies, and fully enclosed waste and recycling storage.

DECKS

- (m) Notwithstanding the above, deck structures not exceeding a height above the first floor joists of a multiple attached dwelling may project beyond the building envelope for either or both of Blocks A and B as shown on Schedule “RM1(74)” not more than 4.8 metres from a wall of a building not facing a street and shall not be located closer to a lot line abutting Empress Avenue, Kingsdale Avenue or an R4 Zone than the setback for the building wall from such lot line to which the deck or porches are attached.

PARKING

- (n) 2 parking spaces for each dwelling unit shall be provided and maintained on the lot.

- (o) A parking space shall have a minimum dimension of:
 - (i) 5.6 metres by 2.6 metres when there are no obstructions.
 - (ii) 5.6 metres by 2.9 metres when there is an obstruction on one side.
 - (iii) 5.6 metres by 3.2 metres when there is an obstruction on both sides.

For the purpose of this by-law, the side of a parking space is obstructed when any part of a fixed object such as, but not limited to, a wall, column, bollard, fence or pipe is situated:

- (A) Within 0.3 metres of the side of the parking space, measured at right angles, and not closer than 1.0 metres to the front or rear thereof.
- (p) Parking spaces may be provided in the form of tandem parking.
- (q) Parking spaces shall have access to a street by means of a driveway.

OTHER REGULATIONS

- (r) The provisions of Sections 6A, 6(8), 6(9), 6(24), 6(30), 7.4A, 7.4B, 15, 16.1, 16.2, and 16.3 of By-law No. 7625 shall not apply.
- (s) Notwithstanding any future severance, partition or division of the lands shown on Schedule "RM1(74)", the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred."

PURSUANT TO ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JANUARY 4, 2008 IN CASE NO. PL070494.

SCHEDULE "1"



