

CITY OF TORONTO

BY-LAW No. 883-2010(OMB)

To amend the Tam O'Shanter Community Zoning By-law No. 12360, as amended, of the former City of Scarborough with respect to lands municipally known as 2451 Birchmount Road.

WHEREAS the Ontario Municipal Board, pursuant to its Decision/Order issued on May 7, 2010 deems it advisable to amend the Tam O'Shanter Community Zoning By-law No. 12360, as amended, of the former City of Scarborough, with respect to lands municipally known as 2451 Birchmount Road;

The Ontario Municipal Board Orders as follows:

1. **Schedule "A"** of the Tam O'Shanter Community By-law No. 12360 is amended for the lands outlined on the attached Schedule 'I' by deleting the existing Agricultural Uses (AG) Zoning and Performance Standards and replacing them with Institutional – Cemetery (I-C) Zoning and Performance Standards as shown on Schedule 'I' so that the amended zoning shall read as follows:

"I-C-40F-59-60W-79L-89-180L-190E"

2. **CLAUSE IV – ZONES** of the Tam O'Shanter Community By-law No. 12360 is amended by adding the Institutional – Cemetery (I-C) zone.
3. **CLAUSE VIII – ZONE PROVISIONS** of the Tam O'Shanter Community By-law No. 12360 is amended by adding the following:

"20. **Institutional – Cemetery (I-C) Zone**

(a) **Permitted Uses**

- Cemetery

(b) **Prohibited Uses**

- **Place(s) of Worship**
- Funeral Home
- Funeral Visitation Centre

(c) **Definition**

For the purposes of this By-law, Cemetery shall mean land set aside to be used for the interment of human remains and includes a mausoleum, columbarium or other structure intended for the interment of human remains, and may include an ancillary chapel with a maximum floor area of 66 square metres and a maximum seating capacity of 40 people."

4. **Schedule "B", PERFORMANCE STANDARDS CHART**, of the Tam O'Shanter Community By-law No. 12360 is amended by adding the following Performance Standards:

"180L. The maximum number of columbarium niches shall be 12,600.

190E. A minimum of 26 **parking spaces** shall be provided."

5. **Schedule "C", EXCEPTIONS LIST**, of the Tam O'Shanter Community By-law No. 12360 is amended for the lands outlined on the attached Schedule '2' by deleting Exception No. 8 on the accompanying Schedule "C" map as it applies to the lands as shown on Schedule '2' and substituting Exception No. 84.

6. **Schedule "C", EXCEPTIONS LIST**, of the Tam O'Shanter Community By-law No. 12360 is amended by adding Exception No. 84 as follows:

"84. On those lands identified as Exception 84 on the accompanying Schedule "C" map, the following provisions shall apply:

1. Encroachments

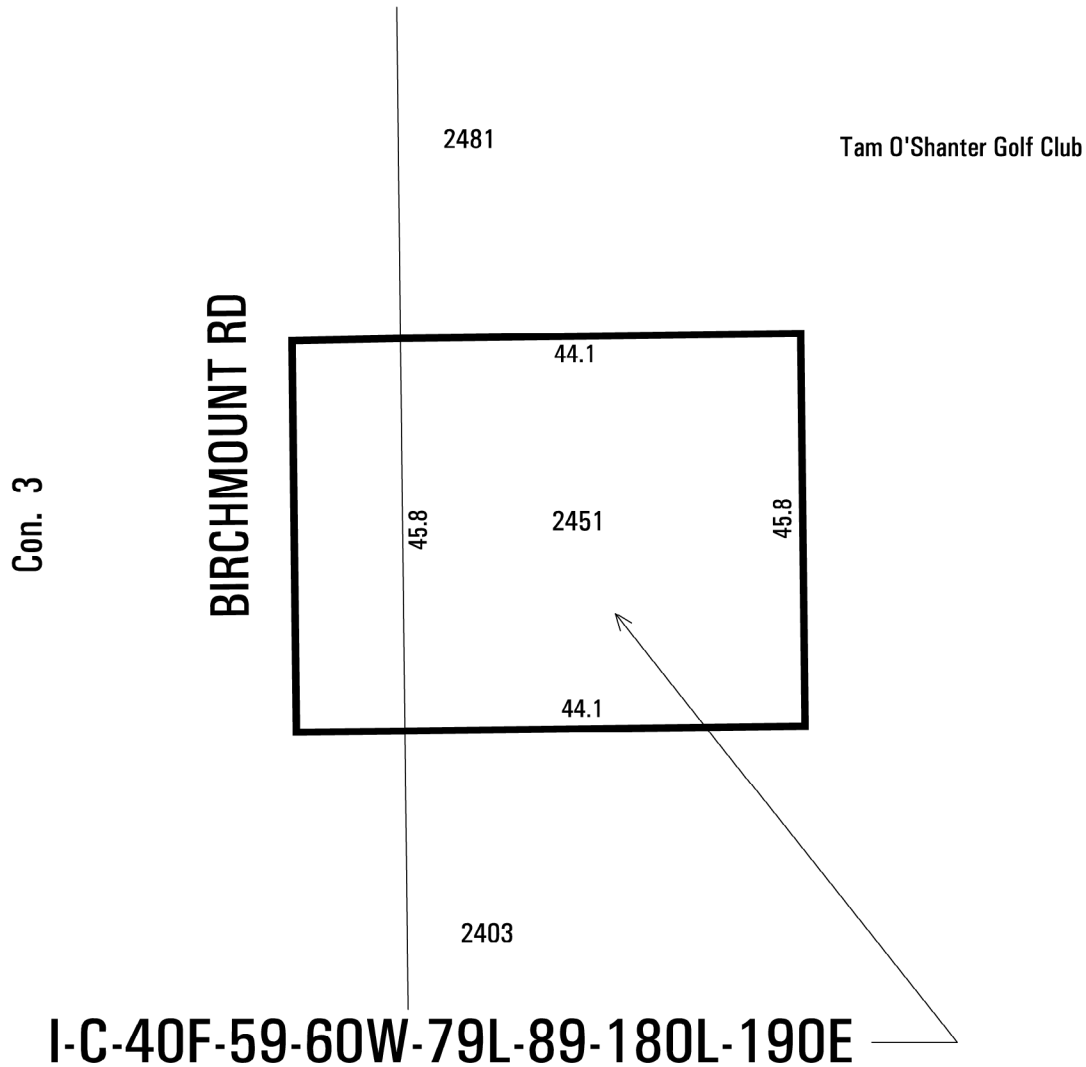
The minimum setback from the street, the minimum side yard setback, the minimum rear yard setback and the maximum building coverage shall be exclusive of any eaves or canopies.

2. Exceptions to Height

The maximum building height shall be exclusive of mechanical floors, parapets and decorative roof features."

PURSUANT TO THE DECISION/ORDER OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON MAY 7, 2010 IN BOARD CASE NO. PL090565.

Schedule '1'
Lot 30



 **TORONTO** City Planning
Division
Zoning By-Law Amendment

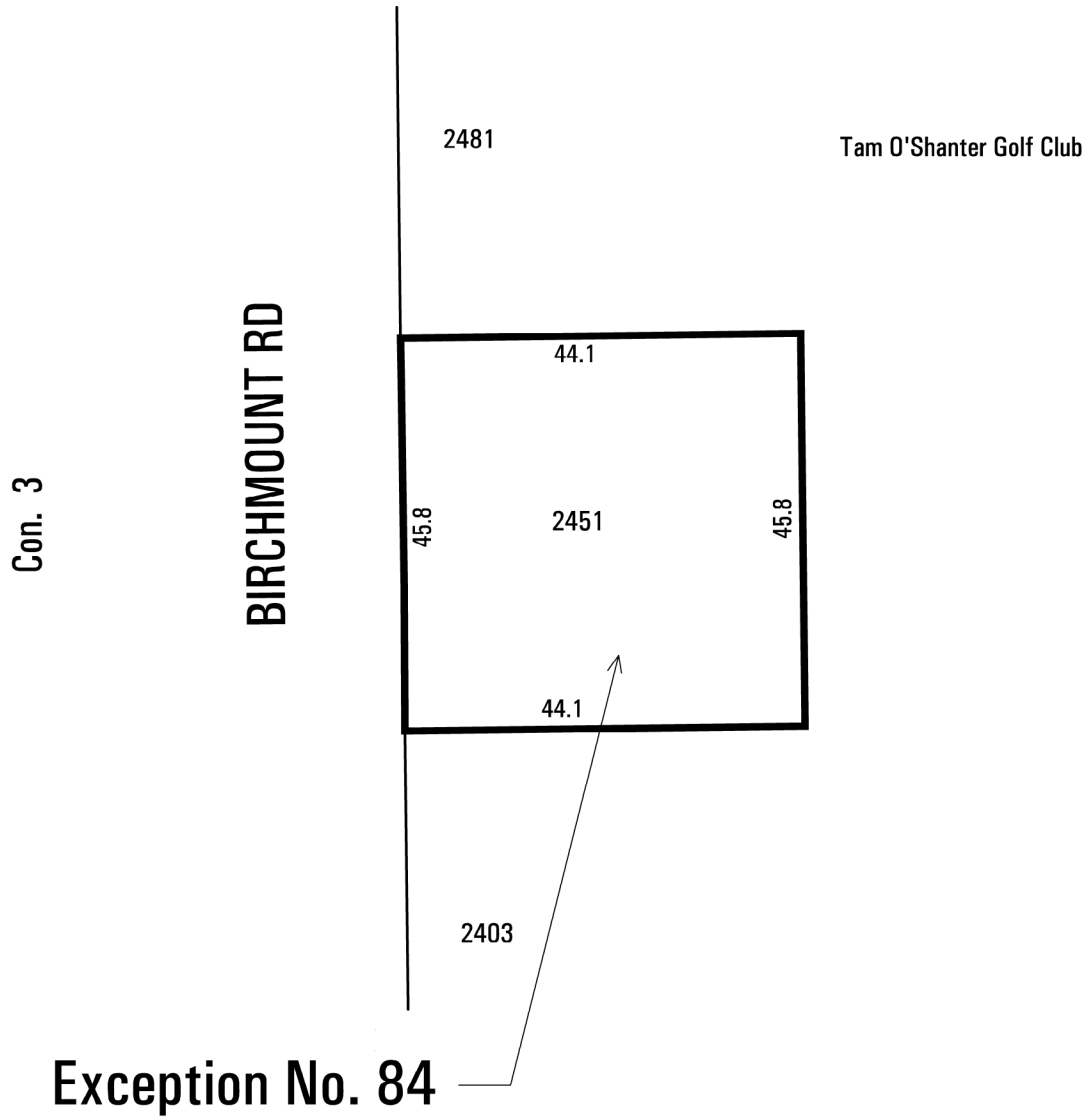
2451 Birchmount Road
File # 08-165097 0Z

 Area Affected By This By-Law

Tam O'Shanter Community Bylaw
Not to Scale
7/15/10

Schedule '2'

Lot 30



Zoning By-Law Amendment

2451 Birchmount Road

File # 08-165097 0Z



Area Affected By This By-Law

Tam O'Shanter Community Bylaw
Not to Scale
7/21/10

