

CITY OF TORONTO

BY-LAW No. 1184-2010(OMB)

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 70-200 Russell Hill Road.

WHEREAS the Ontario Municipal Board, pursuant to its Order issued December 3, 2007, deems it advisable to amend the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands known municipally in the year 2007 as 70-200 Russell Hill Road;

THEREFORE, pursuant to the Order of the Ontario Municipal Board issued on December 3, 2007 in Board File No. PL060214, By-law No. 438-86, as amended, of the former City of Toronto, is amended as follows:

1. None of the provisions of Sections 4(2)(a), 4(4)(b) and (c), 4(10)(A), Section 6(1)(A), 6(3) Part I(1), 6(3) Part II (2)(II), (4), (5), (6)(I) and 8(B), and Section 12(2) 323 of Zoning By-law No. 438-86, being "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", as amended, shall apply to prevent the erection and use of an *apartment building* containing residential uses, including an *accessory parking garage* and uses *accessory* thereto on the *lot*, provided that:
 - (a) the *lot* comprises the lands outlined by heavy lines on the attached Map 1;
 - (b) the *residential gross floor area* of the *apartment building* shall not exceed 6,920 square metres, as measured from *grade* at the front wall of the building at 141.95 metres ASL;
 - (c) the *apartment building* shall contain a maximum of 22 *dwelling units*;
 - (d) no person shall erect or use a building or structure on the *lot* having a greater *height* in metres than the *height* limits specified by the numbers following the symbol H on the attached Map 2;
 - (e) the *apartment building* will be setback from the *rear lot line* and the *front lot line* as shown on Map 2;
 - (f) the *apartment building* will have a maximum building *depth* of 45 metres;
 - (g) a minimum distance of 8 metres will be provided between the external walls of the building;
 - (h) the height of proposed fences or safety railings that project into the proposed setback areas will not exceed heights of 2.8 metres on the south side and 5.95 metres on the north side;
 - (i) a minimum of 1.3 enclosed resident *parking spaces* per *dwelling unit* and 0.25 enclosed visitor *parking spaces* per *dwelling unit* shall be provided and maintained on the *lot*;

- (j) the driveway within a distance of 6 metres of the *street* line, as measured from the curb of the *street*, will have a maximum slope of 5%;
 - (k) *parking spaces* shall have a minimum width of 2.6 metres and minimum length of 5.9 metres; and
 - (l) enclosed driveways shall have a minimum width of 5.5 metres and unenclosed driveways shall have a minimum width of 4.5 metres.
2. None of the provisions of By-law No. 438-86 shall apply to prevent a *sales office* on the *lot* as of the date of the passing of this By-law.
3. Definitions:
- (a) For the purposes of this By-law and subject to Section 3(b) below, the terms set forth in italics shall have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended; and
 - (b) the following definitions shall apply:
 - (i) *sales office* means a building, structure, facility or trailer on the *lot* used for the purpose of the sale of *dwelling units* to be erected on the *lot*; and
 - (ii) *height* shall be defined as per Section 2(1) of the By-law and measured from the average elevation of the ground along the south *side lot line*, measured at 135.13 metres.
4. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON DECEMBER 3, 2007 UNDER BOARD CASE FILE NO. PL060214.



