

CITY OF TORONTO

BY-LAW No. 1193-2010(OMB)

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 17, 19, 21 and 23 Kenaston Gardens.

WHEREAS on August 17, 2010, the Ontario Municipal Board, Board File No. PL090313, issued an Order/Decision approving the Zoning By-law Amendment in principle, and on October 14, 2010, the Ontario Municipal Board issued a final order approving the form of the Zoning By-law Amendment, with respect to lands municipally known as 17, 19, 21 and 23 Kenaston Gardens;

THEREFORE pursuant to the Orders of the Ontario Municipal Board, Zoning By-law No. 7625, as amended, of the former City of North York, is amended as follows:

1. Schedules "B" and "C" of By-law No. 7625 are hereby amended in accordance with Schedule 1 of this By-law.
2. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

"64.20 –A (184) RM6(184)

DEFINITIONS

- (a) For the purpose of this exception, "apartment house dwelling" shall mean a building containing more than four (4) dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.
- (b) For the purposes of this exception, "established grade" is defined as 177.55 metres a.s.l.
- (c) For the purposes of this exception, "underground" is defined as below established grade.
- (d) For the purpose of this exception, "gross floor area" shall mean the total area of all of the floors in a building, measured between the outside walls of the building but excluding motor vehicle access, circulation or parking areas within the building.

PERMITTED USES

- (e) As shown on Schedule RM6(184), the only permitted uses shall be:
 - (i) Apartment House Dwelling including private recreational amenity areas;
and
 - (ii) Retail Stores.

(f) Use Qualifications

- (i) Outdoor private recreational amenity areas may be located on rooftop terraces.
- (ii) Permitted commercial uses shall be located on the ground floor.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (g) The provisions of Section 20-A.2.5 (Gross Floor Area) shall not apply.
- (h) The maximum permitted residential gross floor area shall be 9, 846 m² provided that indoor private recreational amenity area (up to 2.5 m² per dwelling unit) shall be exempted from the calculation of gross floor area.
- (i) The maximum permitted commercial gross floor area shall be 121 m².

DWELLING UNITS

- (j) A minimum of 25% of all dwelling units shall comply with the following maximum floor areas:
 - (i) 55 m² for bachelor units; or
 - (ii) 70 m² for one-bedroom dwelling units; or
 - (iii) 80 m² for two-bedroom dwelling units; or
 - (iv) 120 m² for three-bedroom dwelling units; or
 - (v) any combination thereof.
- (k) The maximum number of dwelling units shall be 142.

LOT COVERAGE

- (l) The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply.

LANDSCAPING

- (m) The provisions of Section 15.8 (Landscaping) shall not apply.

OUTDOOR RECREATIONAL AMENITY AREA

- (n) A minimum of 1.5 m² of outdoor private recreational amenity area per dwelling unit shall be provided.

YARD SETBACKS

- (o) The provisions of Section 20-A.2.4 (Yard Setbacks) shall not apply.
- (p) The minimum yard setbacks for all buildings and structures above established grade shall be as set out on Schedule RM6(184).
- (q) The minimum yard setbacks for underground parking structures shall be 0 metres.

HEIGHT

- (r) The provisions of Section 20-A.2.6 (Building Height) shall not apply.
- (s) The maximum building height and number of storeys shall not exceed the maximum height in metres and number of storeys shown on Schedule RM6(184).
- (t) A penthouse or other roof structure which is used only as an ornament or to house the mechanical equipment of the building does not constitute a storey and shall be disregarded in calculating the height of the building.

PARKING

- (u) The provisions of Section 6A(2)(a) (Parking Requirements) shall not apply.
- (v) A minimum of 1.1 parking spaces and a maximum of 1.3 parking spaces per dwelling unit shall be provided, of which, 0.2 parking spaces per dwelling unit shall be for the use of visitors.
- (w) Parking for retail uses shall be provided at a rate of 1 space per 56m² of retail floor area.

LOADING SPACES

- (x) The provisions of Section 6A(16)(c)(i) and 6A(16)(d)(iv) for loading shall not apply.

BICYCLE STORAGE SPACE

- (y) A minimum of 0.1 bicycle parking spaces per dwelling unit shall be provided.

OTHER

- (z) Within the lands shown on Schedule RM6(184) attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (i) all new public roads have been constructed to a minimum of base curb and

base asphalt and are connected to an existing public highway, and

- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational."

- 3. Section 64.20-A of By-law No. 7625 is amended by adding RM6(184) attached to this by-law.

PURSUANT TO ORDERS/DECISIONS OF THE ONTARIO MUNICIPAL BOARD ISSUED ON AUGUST 17, 2010 AND OCTOBER 14, 2010 IN BOARD FILE NO. PL090313.



