

Authority: Ontario Municipal Board Order/Decision issued on July 3, 2012 in Board File No. PL070782

CITY OF TORONTO

BY-LAW No. 1657-2012(OMB)

To amend former City of North York Zoning By-law No. 7625, as amended, respecting lands municipally known as 3035 Weston Road.

WHEREAS the Ontario Municipal Board, by way of an Order dated July 3, 2012, 2012, determined to amend the former City of North York Zoning By-law No. 7625, as amended, in respect of lands municipally known as 3035 Weston Road; and

WHEREAS authority is given to the Ontario Municipal Board under Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to amend a municipal zoning by-law;

The Ontario Municipal Board amends the former City of North York Zoning By-law No. 7625, as amended, 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:

64.14-B (18) R7(18)

PERMITTED USES

- (a) One-family detached dwelling and accessory buildings incidental thereto.
- (b) Home occupation as permitted in the R7 zone.

EXCEPTION REGULATIONS

- (c) Yard Setbacks
 - (i) The minimum front yard setback shall be 4.5 metres.
 - (ii) Notwithstanding clause (i), the minimum front yard setback to any attached garage shall be 5.7 metres.
 - (iii) The minimum rear yard setback shall be 7.5 metres.
 - (iv) The minimum side yard setback shall be 1.2 metres on one side and 0.6 metres on the other side.

(v) The minimum flankage yard setback shall be 2.4 metres. For the purpose of this by-law, "flankage yard" shall mean the space between the side wall of the building and a side lot line bounding upon a street and extending from the front lot line to the rear lot line.

(d) Lot Coverage

The maximum lot coverage shall be 47%.

(e) Building Height

The maximum building height shall be 11.0 metres or 3 storeys, whichever is the lesser.

(f) Below Grade Garages

No below grade garages shall be permitted.

(g) Maximum Garage Width

The maximum garage width shall be 6.0 metres or 50% of the lot width, measured at the widest point of the lot, whichever is the lesser.

(h) Maximum Driveway Width

The maximum driveway width shall not be greater than the width of the garage as set out in clause (g) above.

(i) Attached Garage Setback

An attached garage shall not extend more than 1.5 metres beyond the front wall of the dwelling unit.

(j) Length of Dwelling

The provisions of Section 14-B(9) shall not apply

(k) Overview

The provisions of Section 14B-(10)(a) shall apply to balconies, sundecks or porches on the rear of a dwelling unit only.

(l) Front Yard Landscaping

Notwithstanding the provisions of Section 7.4B, a minimum of 72% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping.

(m) Maximum Height of Front Porch

The maximum height of an excavated or unexcavated front porch shall not exceed 1.5 metres above adjacent grade.

(n) Height of First Floor

The provisions of Section 6(30)(a) shall not apply.

64.17(50) RM2(50)**PERMITTED USES**

- (a) Semi-Detached Dwelling and accessory buildings incidental thereto.
- (b) Home occupation as permitted in the RM2 zone.

EXCEPTION REGULATIONS

(c) Lot Area

The minimum lot area shall be 190 square metres for each semi-detached dwelling unit and 380 square metres for each semi-detached dwelling.

(d) Lot Depth

The minimum lot depth for each semi-detached dwelling unit shall be 29.5 metres.

(e) Lot Frontage

The minimum lot frontage shall be 6.55 metres for each semi-detached dwelling unit and 13.70 metres for each semi-detached dwelling.

(f) Yard Setbacks

- (i) The minimum front yard setback shall be 4.5 metres.
- (ii) Notwithstanding clause (i), the minimum front yard setback to any attached garage shall be 5.7 metres.
- (iii) The minimum rear yard setback shall be 7.0 metres.
- (iv) The minimum side yard setback shall be 1.2 metres.
 - (A) Notwithstanding clause (iv), the minimum side yard setback may be reduced to 0.6 metres provided there are no projections into the side yard setback area below a height of 3 metres and provided that the

building is setback a minimum distance of 1.8 metres from the adjacent building. For the purpose of this subsection, Section 6(9) Permitted Projections Into Minimum Yard Setback shall not apply for the side yard for the portion of the sidewall of the building below a height of 3 metres above grade.

(B) There is no minimum side yard setback required from the lot line separating the two units of a semi-detached dwelling.

(v) The minimum flankage yard setback shall be 2.4 metres. For the purpose of this by-law, "flankage yard" shall mean the space between the side wall of the building and a side lot line bounding upon a street and extending from the front lot line to the rear lot line.

(g) Lot Coverage

The provisions of Section 17(4)(d) shall not apply.

(h) Floor Area

The provisions of Section 17(4)(h) shall not apply.

(i) Building Height

(i) The maximum building height shall be 12.0 metres or 3 storeys, whichever is the lesser.

(ii) Notwithstanding clause (i)(i) above, the maximum building height on a lot adjacent to one or more lots that front onto Weston Road shall be 11.0 metres or 3 storeys, whichever is the lesser.

(j) Below Grade Garages

No below grade garages shall be permitted.

(k) Maximum Garage Width

The maximum garage width shall be 4.4 metres.

(l) Maximum Driveway Width

The maximum driveway width shall be 3.3 metres.

(m) Attached Garage Setback

An attached garage shall not extend more than 1.5 metres beyond the front of the dwelling unit.

(n) Front Yard Landscaping

Notwithstanding the provisions of Section 7.4A, a minimum of 40% of the front yard shall be maintained as landscaping. Notwithstanding the provisions of Section 7.4B, a minimum of 63% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping.

(o) Overview

The provisions of Section 17(4)(g)(i)(A) shall apply to balconies, sundecks or porches on the rear of a dwelling unit only.

The provisions of Section 17(4)(g)(i)(B) shall not apply.

(p) Maximum Height of Front Porch

The maximum height of an excavated or unexcavated front porch shall not exceed 1.5 metres above adjacent grade.

64.17(51) RM2(51)

PERMITTED USES

- (a) Semi-Detached Dwelling and accessory buildings incidental thereto.
- (b) Home occupation as permitted in the RM2 zone.

EXCEPTION REGULATIONS

(c) Lot Area

The minimum lot area shall be 163 square metres for each semi-detached dwelling unit and 340 square metres for each semi-detached dwelling.

(d) Lot Depth

The minimum lot depth for each semi-detached dwelling unit shall be 25.0 metres.

(e) Lot Frontage

The minimum lot frontage shall be 6.55 metres for each semi-detached dwelling unit and 13.70 metres for each semi-detached dwelling.

(f) Yard Setbacks

- (i) The minimum front yard setback shall be 4.5 metres.

- (ii) Notwithstanding clause (i), the minimum front yard setback to any attached garage shall be 5.7 metres.
 - (iii) The minimum rear yard setback shall be 7.0 metres.
 - (iv) The minimum side yard setback shall be 1.2 metres.
 - (A) Notwithstanding clause (iv), the minimum side yard setback may be reduced to 0.6 metres provided there are no projections into the side yard setback area below a height of 3 metres and provided that the building is setback a minimum distance of 1.8 metres from the adjacent building. For the purpose of this subsection, Section 6(9) Permitted Projections Into Minimum Yard Setback shall not apply for the side yard for the portion of the sidewall of the building below a height of 3 metres above grade.
 - (B) There is no minimum side yard setback required from the lot line separating the two units of a semi-detached dwelling.
 - (v) The minimum flankage yard setback shall be 2.4 metres. For the purpose of this by-law, "flankage yard" shall mean the space between the side wall of the building and a side lot line bounding upon a street and extending from the front lot line to the rear lot line.
- (g) Lot Coverage
- The provisions of Section 17(4)(d) shall not apply.
- (h) Floor Area
- The provisions of Section 17(4)(h) shall not apply.
- (i) Building Height
- The maximum building height shall be 12.0 metres or 3 storeys, whichever is the lesser.
- (j) Below Grade Garages
- No below grade garages shall be permitted.
- (k) Maximum Garage Width
- The maximum garage width shall be 4.4 metres.

(l) Maximum Driveway Width

The maximum driveway width shall be 3.3 metres.

(m) Attached Garage Setback

An attached garage shall not extend more than 1.5 metres beyond the front of the dwelling unit.

(n) Front Yard Landscaping

Notwithstanding the provisions of Section 7.4A, a minimum of 36% of the front yard shall be maintained as landscaping. Notwithstanding the provisions of Section 7.4B, a minimum of 60% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping.

(o) Overview

The provisions of Section 17(4)(g)(i)(A) shall apply to balconies, sundecks or porches on the rear of a dwelling unit only.

The provisions of Section 17(4)(g)(i)(B) shall not apply.

(p) Maximum Height of Front Porch

The maximum height of an excavated or unexcavated front porch shall not exceed 1.5 metres above adjacent grade.

64.16(92) RM1(92)

PERMITTED USES

- (a) The only permitted uses shall be multiple attached dwellings and accessory buildings incidental thereto.

EXCEPTION REGULATIONS

(b) Lot Area

The minimum lot area shall be 115 square metres per unit.

(c) Lot Coverage

The provisions of Section 16.2.2 shall not apply.

(d) Lot Frontage

The provisions of Section 16.2.3 shall not apply. The minimum lot frontage shall be 4.5 metres per unit.

(e) Front Yard Setbacks

The minimum front yard setback shall be 2.6 metres.

(f) Rear Yard Setback

(i) The minimum rear yard setback for a dwelling shall be 11 metres from the rear lot line.

(ii) The minimum rear yard for an accessory garage shall be 0.5 metres from the rear lot line. The minimum rear yard may be reduced to 0.2 metres where there is a corner rounding on the lot.

(iii) The provision of Section 6(17) Lot Abutting a Lane shall not apply.

(g) Side Yard Setback

(i) The provisions of Section 16.3.2 shall not apply.

(ii) The minimum interior side yard setback shall be 1.2 metres.

(iii) The minimum setback from the adjacent building is 2.4 metres.

(iv) The minimum flankage yard setback shall be 2.0 metres. For the purpose of this by-law, "flankage yard" shall mean the space between the side wall of the building and a side lot line bounding upon a street and extending from the front lot line to the rear lot line.

(v) The minimum flankage yard setback for an end garage shall be 1.2 metres. For the purpose of this by-law, "flankage yard" shall mean the space between the side wall of the building and a side lot line bounding upon a street and extending from the front lot line to the rear lot line.

(h) Height

The maximum building height shall be 12.0 metres or 3 storeys, whichever is the lesser. Where a building does not front onto a street, the established grade shall be the average grade measured at the front of the building.

(i) Floor Area

The provisions of Section 16.2.5 shall not apply.

(j) Garages and Access to Parking

- (i) The provisions of Section 6(23) shall not apply in relation to the garages.
- (ii) All parking shall be located in the rear yard, accessed from a public lane. No garages, driveways or parking spaces shall be permitted in the front yard or side yard of any dwelling.
- (iii) Minimum accessory garage height shall be 8.2 metres. Height for accessory garages shall be measured vertically from the garage floor to the peak of the roof.
- (iv) Maximum accessory garage height shall be 12.0 metres.
- (v) A minimum of 1 parking space per individual unit is required.
- (vi) Notwithstanding the provisions of Section 6A(3), the minimum width of a parking space shall be 2.6 metres.

(k) Landscaping

The provisions of Section 15.8 shall not apply.

(l) Front Yard Hard Surfaces

No more than 50% of the area located between the front lot line and the front wall or walls of the building shall be covered with driveways, parking spaces, patios, unenclosed porches, walkways or other such hard surfaces, other than rockery stone or ornamental stone which is not used or capable of being used for driveway, patio, unenclosed porch or walkway purposes.

(m) Maximum Height of Front Porch

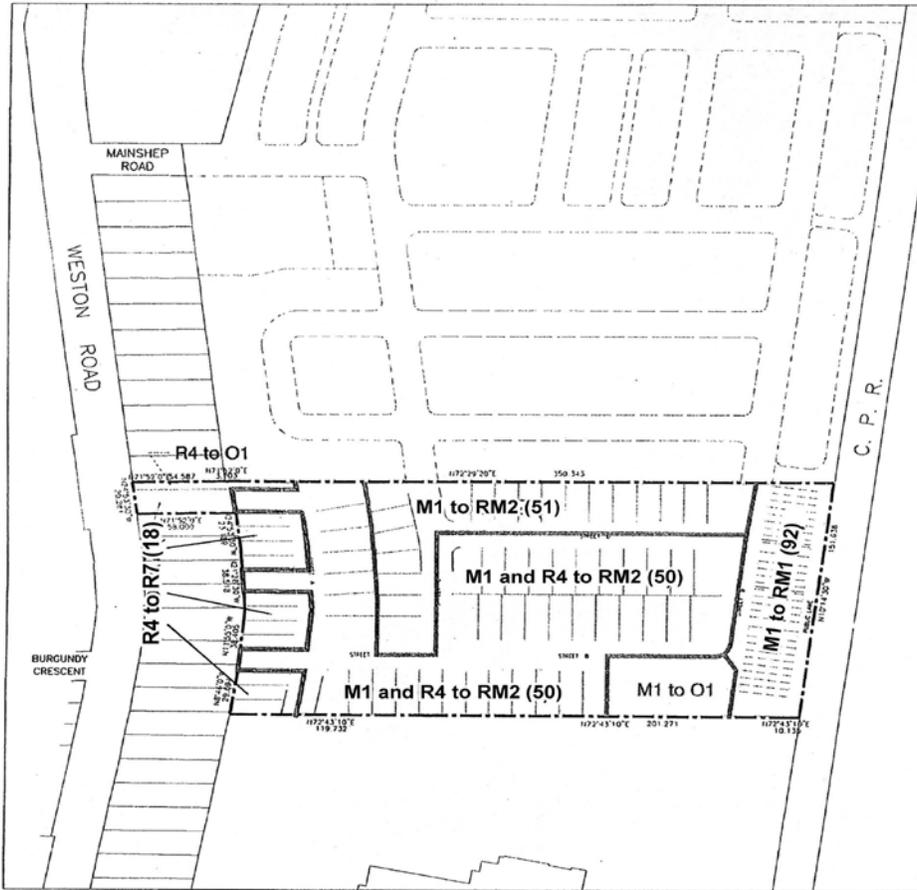
The maximum height of an excavated or unexcavated front porch shall not exceed 1.5 metres above adjacent grade.

3. Notwithstanding anything else in this by-law, the erection or use of any residential dwelling on the lands subject to this by-law shall be prohibited unless the following municipal services are available to service the lands subject to this by-law:

- (i) public roads;
- (ii) stormwater management system;
- (iii) sanitary sewers; and
- (iv) water distribution system.

4. Pursuant to Section 37 of the *Planning Act* and subject to compliance with the provisions of this By-law, the increase in height and density of development on the land is permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's sole expense:
- (i) Prior to the issuance of the final Ontario Municipal Board Order approving this By-law, the Owner shall provide to the City a \$10,000.00 cash payment or certified cheque to be used for playground improvements to Louise Russo Park at the discretion of the General Manager of Parks, Forestry and Recreation and the Local Councillor.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JULY 3, 2012 UNDER BOARD FILE NO. PL070782.



	
Location: Part of lot 14, Con. 5 West of Yonge Street. Being Parts 1, 2, 3, 4 and 5, Plan 66R-11309, City of Toronto	
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