

CITY OF TORONTO

BY-LAW No. 412-2009(OMB)

To amend the former City of Scarborough Zoning By-law No. 24982 with respect to the lands municipally known as 975 Kennedy Road.

WHEREAS the Ontario Municipal Board pursuant to its Order issued March 10, 2009 in Board Case No. PL081192, upon hearing the appeal of Inaugural Source Inc., under Section 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the former City of Scarborough Zoning By-laws, By-law No. 24982, the Employment Districts Zoning By-law (Dorset Park), and By-law No. 9508, the Dorset Park Community Zoning By-law, with respect to the lands municipally known as 975 Kennedy Road in the year 2008;

THEREFORE Zoning By-law No. 24982, Employment Districts Zoning By-law (Dorset Park), as amended, and Zoning By-law No. 9508, Dorset Park Community By-law, as amended, of former City of Scarborough, are further amended by the Ontario Municipal Board as follows:

1. Amendment to By-law No. 24982, the Employment Districts Zoning By-law (Dorset Park):

1.1 By-law No. 24982, Employment Districts Zoning By-law (Dorset Park) shall no longer apply to the lands shown outlined on the attached Schedule '1'.

2. Amendments to By-law No. 9508, the Dorset Park Community By-law:

2.1 **CLAUSE V - INTERPRETATION** is amended by adding the following definitions to sub-section (f) **Definitions**, as follows:

Landscaping

means trees, shrubs, grass, flowers, vegetables, decorative stonework, walkways, patios, screening or other horticultural or landscape-architectural elements, or any combination of these; but does not include driveways, loading or parking spaces, and directly associated elements such as curbs or retaining walls.

2.2 **SCHEDULE "A"** is amended by adding the lands shown outlined on Schedule '1' together with the following:

A - 126 - 144 - 145 - 146 - 147 - 157 - 213 - 228 - 254

2.3 **SCHEDULE "B" PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

MISCELLANEOUS

144. Maximum **coverage** is 37% of the lot area.

145. Maximum 4 **storeys** excluding underground parking structures, rooftop mechanical penthouses and rooftop **landscaping**.
146. Minimum building **setback** of 5 m from the northerly and easterly lot lines. Minimum building **setback** of 14 m from the southerly lot line.
147. Minimum 18% of the lot area shall be used for at grade **landscaping** and a minimum 50 m² of **landscaping** shall be provided on the building rooftop.

BUILDING SETBACK FROM STREET LINES

157. Minimum building **setback** of 3 m from the street line except that a window on the ground floor may project a maximum of 0.5 m into the required **street yard**.

PARKING

213. **Parking spaces** shall be provided at a minimum rate of 1.2 spaces per **dwelling unit** of which 0.2 spaces per **dwelling unit** shall be for visitors. A minimum of 0.6 spaces per **dwelling unit** shall be underground **parking spaces**.

INTENSITY OF USE

228. Maximum **gross floor area** of 1.5 times the area of the lot.

PURSUANT TO ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON MARCH 10, 2009 IN BOARD CASE NO. PL081192.

Schedule '1'
Lot 28

