

CITY OF TORONTO

BY-LAW No. 620-2009(OMB)

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 1 Botham Road.

WHEREAS authority is given to the Ontario Municipal Board by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS the Ontario Municipal Board, pursuant to its Decision/Order No. 1908 issued July 5, 2006 has determined to amend By-law No. 7625 of the former City of North York;

THEREFORE:

1. **Schedules ‘B’ and ‘C’** of By-law No. 7625 of the former City of North York are amended in accordance with **Schedule A** of this By-law by rezoning approximately 1,066 square metres of the Site zoned “One Family Detached Dwelling Sixth Density Zone (R6)” to “Multiple Family Dwellings Fourth Density (RM4)” and approximately 29,375 square metres of the Site from “Multiple Family Dwellings Fourth Density (RM4)” to “Open Space (O1)”.
2. Section 64.19 of By-law No. 7625 is amended by adding the following subsection:

“64.19 (19) RM4(19)

PERMITTED USES

- (a) The following uses shall be permitted:
 - (i) An apartment house dwelling;
 - (ii) A park.

EXCEPTION REGULATIONS

- (b) **Gross Floor Area**

The maximum *gross floor area* shall be 0.85 times the area of the lot.

- (c) **Recreational Amenity Area**

A minimum of 1.8 square metres per unit shall be provided for *recreational amenity area*.

- (d) **Dwelling Units**

A maximum of 298 *dwelling units* are permitted.

(e) **Yard Setbacks**

The minimum yard setbacks shall be as set out in Schedule RM4(19).

(f) **Building Height**

The maximum building heights shall be as set out in Schedule RM4(19).

(g) **Parking**

(i) Parking shall be provided at a minimum rate of 1.5 spaces per *dwelling unit*, including 0.25 visitor parking spaces per *dwelling unit*.

(ii) All visitor and occupant parking shall have a minimum width of 2.7 metres and a maximum length of 5.5 metres.

(iii) Driveway aisles shall have a minimum width of 6.0 metres.

(h) There shall be no requirements for maximum lot coverage and minimum landscaping area.

(i) Notwithstanding any future severance, partition or division of the lands shown on RM4(19), the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred.”

PURSUANT TO DECISION/ORDER NO. 1908 OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON JULY 5, 2006 IN CASE NO. PL050392.

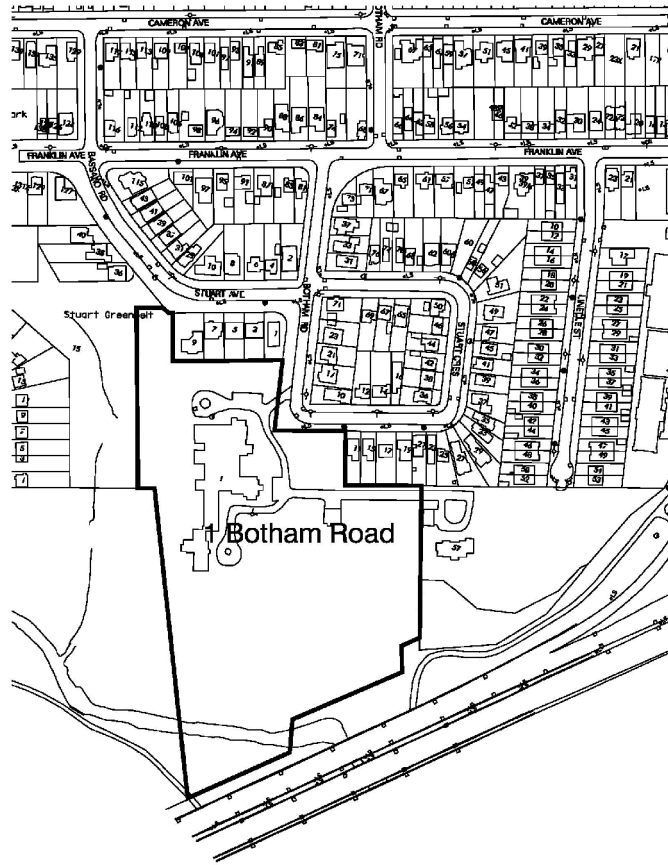
**EXPLANATORY NOTE OF AN APPLICATION FOR A ZONING BY-LAW AMENDMENT
RESPECTING THE PROPERTY MUNICIPALLY KNOWN AS 1 BOTHAM ROAD**

This is an application to amend the former City of North York Zoning By-law No. 7625, as amended, to rezone lands municipally known as 1 Botham Road which is located south and west side of Botham Road, west of Yonge Street and north of Highway 401 in the former City of North York (“The Site”).

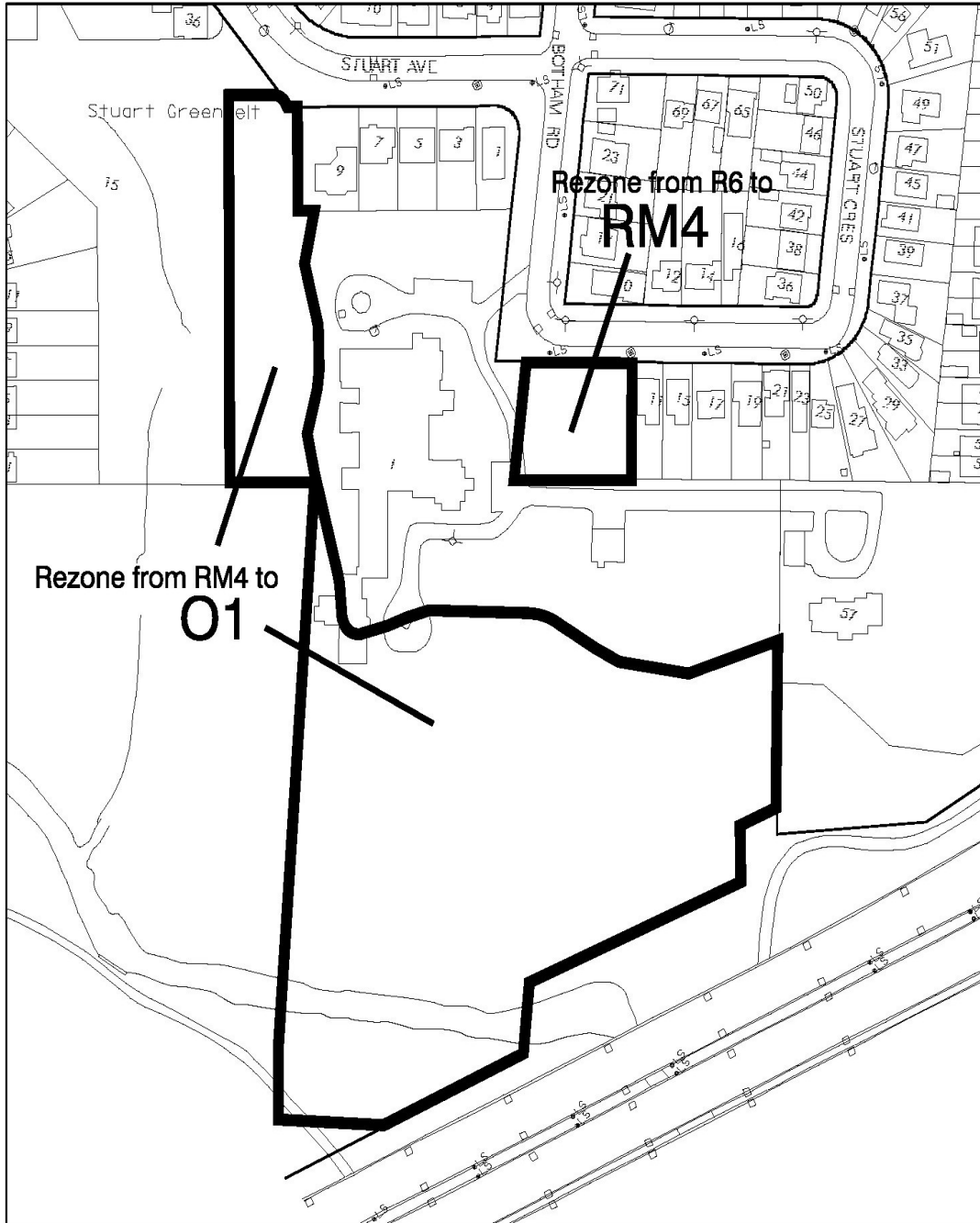
The Site is currently zoned “Multiple Family Fourth Density (RM4)” and “One Family Detached Dwelling Sixth Density Zone (R6)” pursuant to the former City of North York Zoning By-law No. 7625, as amended (the “By-law”). Approximately 2600 square metres of the subject land will be conveyed as parkland dedication; the current “R6” zone and a portion of the “RM4” zone will fall within this proposed parkland dedication area. A City-owned and operated park is permitted in all residential zones. A portion of the Site below the long term stable slope line will be rezoned from “RM4” to “Open Space Zone (O1)”. The remaining “RM4” zoning permits Apartment House Dwellings; however building height is restricted to 11.5 metres.

The proposed Zoning By-law Amendment includes the rezoning of the “R6” portion of the site to “RM4”, the rezoning of a portion of the “RM4” zone to “O1” and the introduction of a site-specific amendment to permit the proposed residential development. The purpose of the Zoning By-law is to permit the siting of the proposed apartment house dwelling at a maximum height of seven storeys (24.0 metres).

LOCATION MAP OF THE LANDS SUBJECT TO ZONING BY-LAW AMENDMENT



Schedule A



Zoning Bylaw Amendment

1 Botham Road

File # 04.668

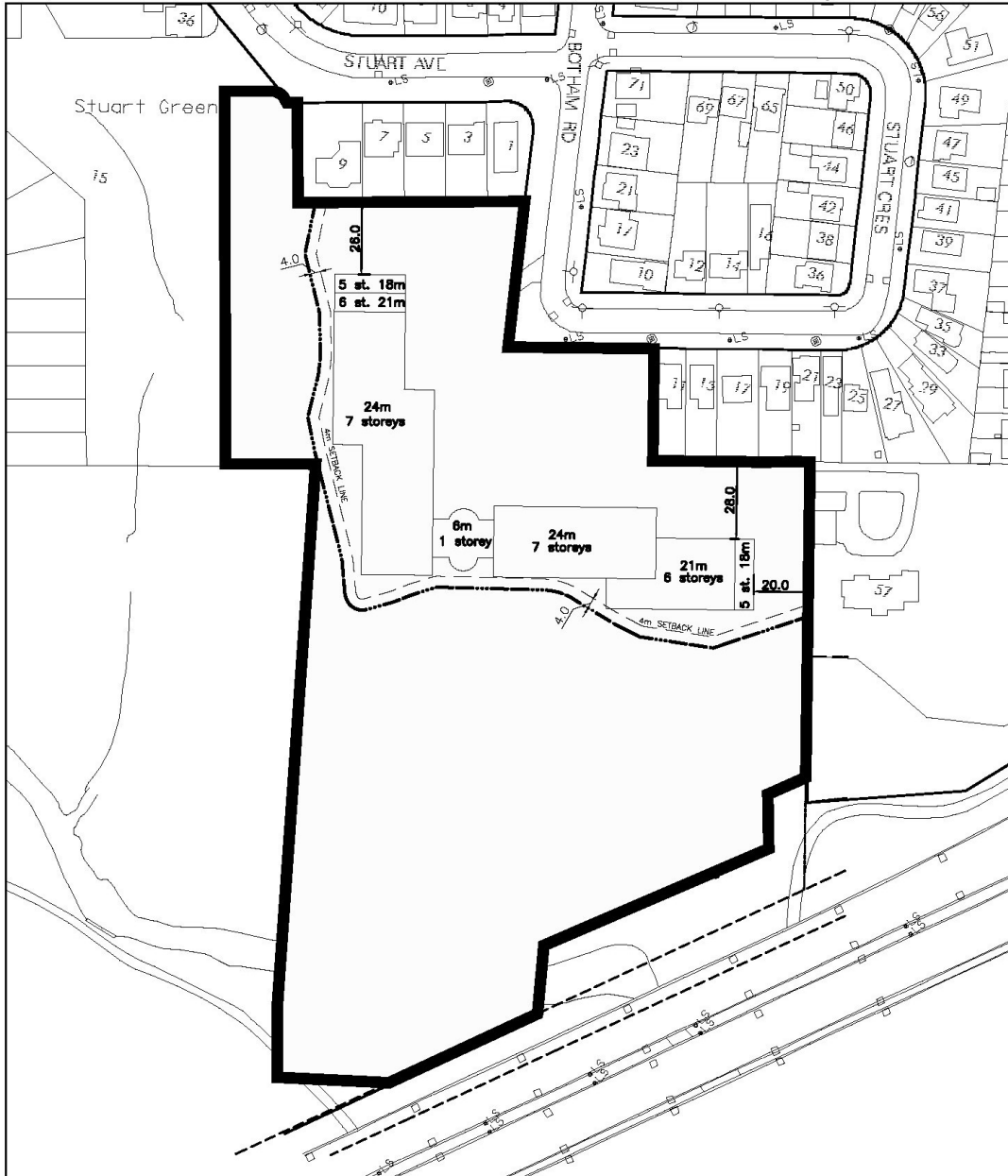
 Area Affected By This Bylaw


Not to Scale

Schedule B

Schedule RM4()

Exception to RM4 Zone



Heights measured from By-law "established grade" of 171.75 A.S.L. to top of main roof slab, excluding height of the mechanical penthouse.