

Authority: Ontario Municipal Board Order issued December 8, 2014 in Board File No. PL140636

## CITY OF TORONTO

### BY-LAW No. 109-2015(OMB)

#### To amend Zoning By-law No. 569-2013, as amended, with respect to the lands at 357 Birchmount Road (north-east corner of Birchmount Road and Highview Avenue).

Whereas the Ontario Municipal Board pursuant to its Order dated December 8, 2014 in Board File No. PL140636, upon hearing the appeal of Habitat for Humanity Toronto Inc., under Section 34(11) of the *Planning Act*, R.S.O. c. P.13, as amended, deems it advisable to amend the Zoning By-law for the City of Toronto, being By-law No. 569-2013;

The Ontario Municipal Board orders:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the same meaning as in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended, by amending the zone label on the Zoning By-law Map in Section 990.10 for the lands outlined by heavy black lines to RS (x33), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.4.10 Exception Number 33 so that it reads:

#### **Exception RS 33**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing Bylaws and Prevailing Sections:

Site Specific Provisions:

- (A) On 357 Birchmount Road (north-east corner of Birchmount Road and Highview Avenue) regulations 10.5.80.10 (7), 10.40.30.10 (1), 10.40.30.20 (1), 10.40.40.1 (2) and clause 10.40.40.70, do not apply to prevent the erection or use of a building, structure, addition or enlargement if it complies with (B) below;
- (B) These standards apply to the lands as a whole:
  - (i) the **lot line** abutting Birchmount Road is the **front lot line**;
  - (ii) the minimum **lot frontage** is 80.0 metres;
  - (iii) the minimum **lot area** is 3,360.0 square metres;

- (iv) the minimum **building setback** from a **lot line** that abuts Birchmount Road is 22.0 metres measured from the original centreline of Birchmount Road;
- (v) the minimum **building setback** from a **side lot line** that abuts a **street** is 2.4 metres;
- (vi) the minimum **rear yard building setback** is 14.0 metres;
- (vii) the minimum **building setback** for **dwelling units** from the north **lot line** is 30.0 metres;
- (viii) a maximum of 4 **semi-detached houses** and 1 **detached house** are permitted on the **lot**;
- (ix) the minimum separation distance between the side **main walls** of any adjacent **building** is 3.0 metres;
- (x) despite what is shown on the Height overlay map, a **detached house** may have a maximum **building** height of 9.8 metres;
- (xi) a minimum of 570.0 square metres of outdoor **amenity space** must be provided and may be in the form of **landscaping**;
- (xii) a designated area with a minimum of 4 visitor **parking spaces** must be provided on the lot;
- (xiii) a **landscaping** strip having a minimum width of 1.7 metres must be provided along the entire east **lot line**; and
- (xiv) all waste and **recyclable material** must be stored in a wholly enclosed **building**.

Prevailing By-laws and Prevailing Sections (none apply)

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD  
ISSUED DECEMBER 8, 2014 IN BOARD FILE NO. PL140636.




 **TORONTO** City Planning  
**Diagram 1**

**357 Birchmount Road**

File # 13 203636 ESC 36 0Z

Approved by: A. Reaney

  
City of Toronto By-Law 569-2013  
Not to Scale  
4/22/2014




 **TORONTO** City Planning  
Diagram 2

**357 Birchmount Road**

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