

CITY OF TORONTO

BY-LAW No. 944-2015(OMB)

To amend former Borough of East York Zoning By-law No. 6752, as amended, with respect to the lands municipally known as 120 Donlands Avenue.

Whereas the Ontario Municipal Board, pursuant to its order issued September 8, 2015 in Board File No. PL140462 upon hearing the appeal of Louisville Homes Limited under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, deems it advisable to amend Zoning By-law No. 6752 of the former Borough of East York;

The Ontario Municipal Board orders:

1. The lands subject to this By-law are those lands outlined by a heavy black line on Map 1 of this By-law.
2. Map "1" to former Borough of East York Zoning By-law No. 6752, as amended, is further amended by changing the zoning category for the lands outlined by a heavy black line on Map 1 of this By-law from R2A to R2A.44.
3. The former Borough of East York Zoning By-law No. 6752, as amended, is further amended by adding a new Section 7.5.4.44 immediately after Section 7.5.4.43 as follows:

"7.5.4.44 **120 Donlands Avenue (R2A.44)**

7.5.4.44.1 Area Restricted

The provisions of this section shall only apply to the Lot.

7.5.4.44.2 General Provisions

On the Lot, no person shall use, occupy, erect, alter or cause to be used occupied, erected or altered any Building, Structure or land or part thereof except in accordance with the following provisions:

(1) Definitions:

For the purposes of Section 7.5.4.44:

(a) **BICYCLE PARKING SPACE**

Means an area used for the purpose of parking and storing a bicycle.

(b) **GRADE**

Means the elevation above the geodetic elevation of 118 metres above sea level.

(c) **GROSS FLOOR AREA**

Means the aggregate of the areas of each storey above Grade measured between the exterior faces of the exterior walls of a Building at the level of each storey and including the floors below Grade unless they are used only for storage, washrooms, heating equipment, parking, loading and/or other Accessory uses.

(d) **LOT**

Means the lands outlined by a heavy black line as identified on Map 1 attached to this By-law.

(e) **PARKING SPACE**

Means an area for the parking and storing of a vehicle with a minimum dimension of:

Length – 5.6 metres

Width – 2.6 metres

Vertical clearance – 2.0 metres

Except that the minimum required width of a Parking Space must be increased by 0.3 metres for each side of the Parking Space that is obstructed by a fixed object such as a wall, column, bollard, fence or pipe, if it is situated within 0.3 metres of the side of the Parking Space, measured at right angles and more than 1.0 metres from the front or rear of the Parking Space.

(f) **RESIDENTIAL AMENITY SPACE – OUTDOOR**

Means an outdoor common area or areas on the Lot, which are provided for the exclusive use of residents of a Building on the Lot for recreational or social purposes.

(g) **SMALL CAR PARKING SPACE**

Means an area for the parking and storing of a smaller vehicle with a minimum dimension of:

Length – 5.6 metres

Width – 2.5 metres

Vertical clearance – 2.0 metres

Except that the minimum required width of a Parking Space must be increased by 0.3 metres for each side of the Parking Space that is obstructed by a fixed object such as a wall, column, bollard, fence or pipe, if it is situated within 0.3 metres of the side of the Parking Space, measured at right angles and more than 1.0 metres from the front or rear of the Parking Space.

- (h) **PARALLEL SMALL CAR PARKING SPACE**
Means an area for the parking and storing of a smaller vehicle that is parallel to the driveway, with a minimum dimension of:

Length – 5.6 metres

Width – 2.5 metres

Vertical clearance – 2.0 metres

(2) Permitted Uses, Buildings and Structures

APARTMENT HOUSE and MULTIPLE ATTACHED DWELLINGS

(3) Developable Area

For the purpose of this By-law, the development requirements shall only apply to the Lot.

(4) Development Requirements

- | | |
|---|--|
| (a) Minimum Lot Area | 784 square metres |
| (b) Maximum No. of Dwelling Units | 17 units |
| (c) Maximum Residential Gross Floor Area | 1,775 square metres |
| (d) Maximum Coverage | 90 percent |
| (e) Maximum Floor Space Index | 2.3 times the Lot area |
| (f) Maximum Building Height | As shown on Map 2 of this By-law |
| (g) Maximum No. of Storeys | As shown on Map 2 of this By-law |
| (h) Minimum Residential Amenity Space – Outdoor | 2 square metres per dwelling unit |
| (i) Minimum setback of all Buildings and Structures | As shown on Map 2 of this By-law |
| (j) Minimum Vehicle Parking(resident) | 13 Parking Spaces, 1 Small Car Parking Space and 3 Parallel Small Car Parking Spaces |

(k) Minimum Vehicle Parking (visitor)	None
(l) Minimum Bicycle Parking (visitor)	4 Bicycle Parking Spaces
(m) Minimum Bicycle Parking (resident)	10 Bicycle Parking Spaces
(n) Maximum Building Length	As shown on Map 2 of this By-law
(o) Landscape Open Space and Front Yard Landscaping	To be provided in the Areas not occupied by the Building or driveway on the Lot
(p) Driveway Width	Minimum width of 3.5 metres

(5) Other Provisions

- (a) Nothing in Section 7.5.4.44.2(4)(f) shall prevent:
- (i) Parapet walls to a maximum vertical projection of 1.5 metres.
 - (ii) Building elements, equipment or Structures that are used for the functional operation of the Building, such as stair towers, elevator overruns, mechanical penthouses, roof access, vents, towers, antennas, maintenance equipment, storage and water supply facilities provided that the maximum Height of the top of the Building element or Structure is no higher than the sum of 3.5 metres and the maximum permitted Height of that part of the Building on which it is located as indicated by the number following the symbol "H" shown on Map 2.
 - (iii) A Structure, on the roof of the Building, used for outside or open air recreation, safety or wind protection purposes, provided:
 - i. the maximum Height of the top of the Structure is no higher than the sum of three metres and the Height limit applicable to the Lot.
 - (iv) No part of any Building or Structure on the Lot erected or used above finished ground level is

located other than wholly within the areas delineated by heavy lines shown on Map 2 of this By-law with the following applicable exceptions:

- i. cornices, awnings, skylights, ornamental elements, trellises, window sills, balustrades, stairways and railings, stair enclosures, wheelchair ramps, underground and above grade garage ramps, retaining walls, landscape and public art features may project to a maximum of 1.5 metres beyond the heavy lines shown on Map 2 of this By-law; and
- ii. canopies and balconies may project to a maximum of 1.0 metres beyond the heavy lines shown on Map 2 of this By-law.

- (b) Notwithstanding Sections 7.5.4.44.2(4)(l) and 7.5.4.44.2(4)(m), the required minimum number of Bicycle Parking Spaces for both residents and visitors may be provided outdoors, uncovered, and off the Lot within a distance of 5.0 metres from the Lot.

(6) Additional Permitted Uses

A temporary sales pavilion which shall only be used to sell the residential units located within the Lot.

(7) Use Restrictions

There shall be no roof or projecting signs.

4. Within the Lot, 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:

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

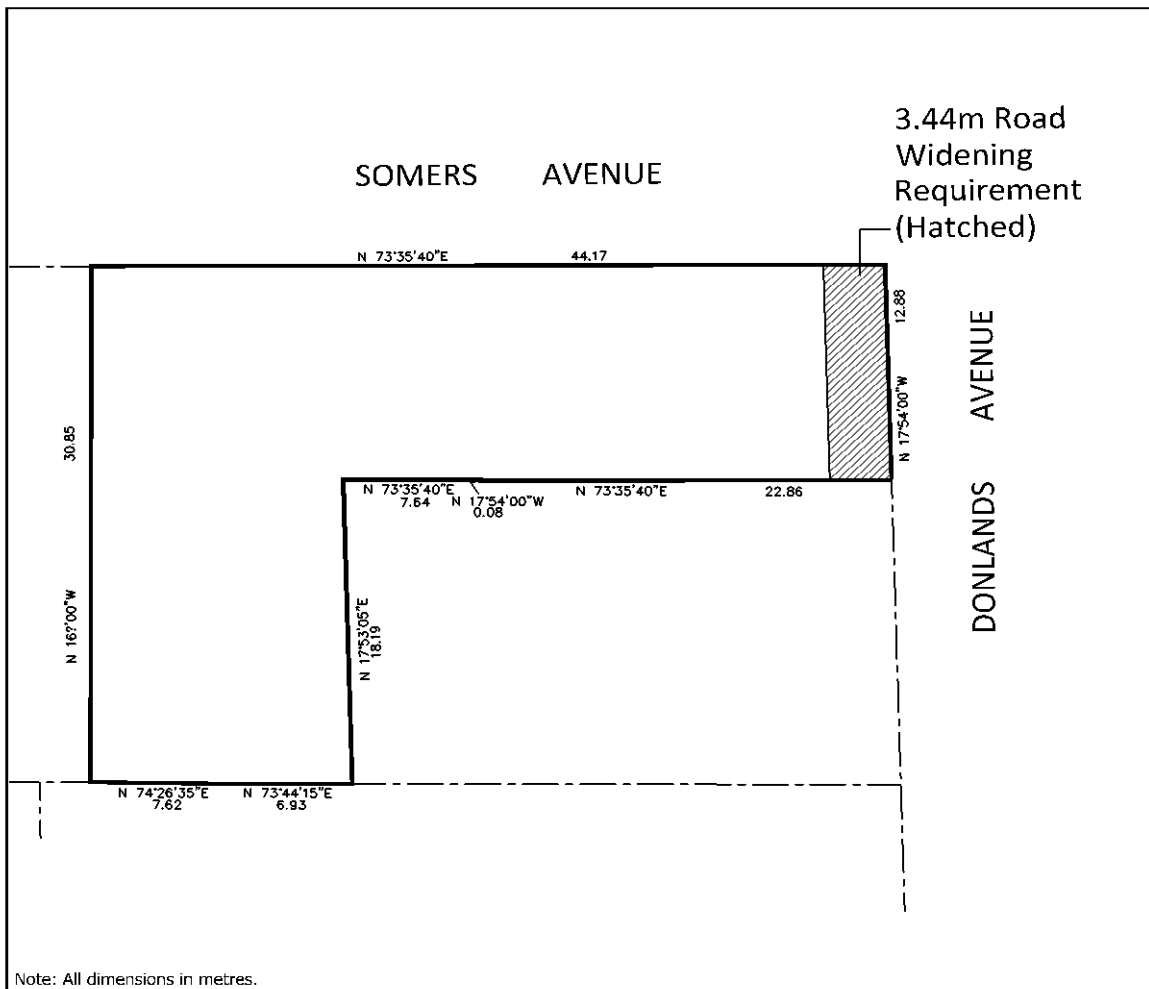
5. Division of Lands:

Notwithstanding any existing or future severance or division of the Lot, the regulations of this By-law shall continue to apply to the Lot.

6. Other provisions of the By-law:

Except the amendments contained in this By-law, all the other provisions of former Borough of East York Zoning By-law No. 6752, as amended, shall apply to the Lot.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON SEPTEMBER 8, 2015 UNDER BOARD FILE NO. PL140462.



120 Donlands Avenue, Toronto

Map 1

File #15 _____



Not to Scale

