

Authority: Ontario Municipal Board Decision/Order issued March 7, 2014 and July 6, 2016 in Board File No. PL130311

CITY OF TORONTO

BY-LAW No. 1291-2016(OMB)

To amend former Town of Leaside By-law No. 1916, as amended, with respect to lands municipally known as 25 Malcolm Road (formerly 2 Laird Drive).

Whereas the Ontario Municipal Board, by way of its Order issued March 7, 2014 and Order issued on July 6, 2016 in Board File No. PL130311, determined to amend the former Town of Leaside By-law No. 1916 with respect to lands known municipally as 25 Malcolm Road;

The Ontario Municipal Board orders:

1. The lands subject to this by-law are those lands outlined by a heavy black line and identified on Schedule 1 attached.
2. Schedule A to By-law No. 1916, as amended, is further amended by changing the zoning category for the lands identified on Schedule 1 from "C1 - Commercial General" to "R3B - High Density Residential".
3. Zoning By-law No. 1916, as amended, is further amended by inserting the following new Section 6.8.5 immediately after 6.8.4 as follows:

"6.8.5 25 Malcolm Road

1. Area Restricted

The provisions of this section shall only apply to those lands being legally described as Lots 830 to 834 inclusive, Registered Plan 2120, City of Toronto, and as shown on Schedule 1 attached.

2. General Provisions

Notwithstanding Section 6.8.3 (Zone Requirements) of By-law No. 1916, on those lands referred to in Section 6.8.5.1 of this By-law, no person shall use, occupy, erect, alter, cause to be used, occupied, erected or altered, any Building, Structure or land or part thereof except in accordance with the following provisions:

(i) Development Requirements

- (a) Maximum gross floor area shall be 7,653 square metres;
- (b) Maximum floor space index shall be 3.6;
- (c) Maximum number of dwelling units shall be 69;
- (d) Maximum lot coverage shall be 63 percent;

- (e) Yard Setbacks
 - (i) Minimum yard setbacks for all buildings and structures above established grade shall be as shown on Schedule 2;
 - (ii) Exterior stairways, wheelchair ramps, canopies, awnings, balconies, bay windows and covered porches and decks shall be permitted to project into the minimum Yard Setbacks; and
 - (iii) Minimum yard setbacks for underground parking structures shall be 0 metres;
- (f) Height
 - (i) Maximum building heights and number of storeys shall not exceed the maximum heights in metres and number of storeys as shown on Schedule 2;
 - (ii) A penthouse or other roof structure which is used only as an architectural feature or to house the mechanical equipment of the building does not constitute a storey and shall be disregarded in calculating the height of the building; and
 - (iii) Parapets, guard rails, railings and dividers, trellises, eaves, screens, stairs, roof drainage, window washing equipment, lightning rods, architectural features, landscaping and elements of a green roof shall be disregarded in calculating the height of the building;
- (g) Off-Street Parking
 - (i) Notwithstanding the requirements of Section 5.17, parking shall be provided at the following rates:
 - (a) 0.8 spaces per bachelor unit;
 - (b) 0.9 spaces per one bedroom unit;
 - (c) 1.0 space per two bedroom unit;
 - (d) 1.2 spaces per three bedroom unit; and
 - (e) 0.20 spaces per dwelling unit for visitors;
- (h) Off-Street Loading
 - (i) One Type G loading space shall be provided having minimum dimensions of 4.0 metres in width,

13.0 metres in length and minimum vertical clearance of 6.1 metres;

- (i) Bicycle Parking
 - (i) Bicycle parking shall be provided as follows:
 - (a) Long Term - 1.08 spaces per dwelling unit; and
 - (b) Short Term - 0.15 spaces per dwelling unit;
 - (j) Recreational Amenity Area
 - (i) A minimum of 1.2 square metres of common indoor private recreational amenity area per dwelling unit shall be provided;
 - (ii) A minimum of 1.75 square metres of common outdoor private recreational amenity area per dwelling unit shall be provided; and
 - (iii) Outdoor private recreational amenity areas may be located on rooftop terraces.
3. For the purposes of this By-law, "established grade" is defined as 134.38 metres Canadian Geodetic Datum.
4. Within the lands shown on Schedule 1 attached to this By-law, no person shall occupy any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (i) 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
 - (ii) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
5. Notwithstanding anything else contained in this By-law, the provisions of Section 6.8.5.2 shall continue to apply collectively to all of the lands identified in 6.8.5.1 notwithstanding any future division of the lands into two or more parcels of land."

Pursuant to the Decision/Order of the Ontario Municipal Board issued March 7, 2014 and July 6, 2016 in Board File No. PL130311.



