

Authority: Ontario Municipal Board Decision/Order issued on December 23, 2015 in Board File PL141163

CITY OF TORONTO

BY-LAW 1326-2018(OMB)

To amend former City of Scarborough Zoning By-law 9350, the Bendale Community Zoning By-law, as amended, with respect to portions of the lands municipally known as 1555 Midland Avenue.

Whereas the Ontario Municipal Board, by its Order issued on December 23, 2015 in Board File PL141163, determined to amend Zoning By-law 9350, as amended, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 with respect to portions of the lands municipally known in the year 2015 as 1555 Midland Avenue;

Pursuant to the Order of the Ontario Municipal Board issued on December 23, 2015 in Board File PL141163 the Ontario Municipal Board orders as follows:

1. **SCHEDULE "A"** of the Bendale Community Zoning By-law 9350, as amended, is further amended by deleting the current zoning and replacing it with the following zoning on the lands as shown outlined on Schedule '1':

S – 20D – 34 – 56B – 128 – 133 – 135

S – 20E – 34 – 56C – 129 – 133 – 134 – 135

T – 20F – 34 – 56C – 129 – 133 – 134 – 135

T – 20F – 34 – 56C – 130 – 133 – 134 – 135

T – 20F – 34 – 56C – 128 – 133 – 135

M – 20G – 35 – 56A – 128 – 131 – 135

M – 20H – 40 – 132 – 134 – 135 – 136

M – 20I – 40 – 132 – 134 – 135 - 136

P

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

INTENSITY OF USE

20D. One **Single-Family dwelling** per lot having a minimum frontage of 9.0 metres and a minimum lot area of 300 square metres.

20E. One **Single-Family dwelling** per lot having a minimum frontage of 13.0 metres and a minimum lot area of 430 square metres.

- 20F. One **Two-Family dwelling** per lot having a minimum frontage of 15.0 metres and a minimum lot area of 400 square metres.
- 20G. Maximum 8 **townhouse dwelling units** having an attached garage and a minimum unit width of 6.0 metres.
- 20H. Maximum 46 **townhouse dwelling units** having a rear attached garage and a minimum unit width of 4.2 metres.
- 20I. Maximum 42 **townhouse dwelling units** having a rear attached garage and a minimum unit width of 4.5 metres.

FRONT YARD

34. Minimum building **setback** 4.5 metres from the **street** line, except that the garage **main wall** containing the vehicular access shall have a minimum **setback** of 6.0 metres from the **street** line.
35. Minimum building **setback** 3.0 metres from the **street** line except that the garage **main wall** containing the vehicular access shall have a minimum **setback** of 6.0 metres from the **street** line.

SIDE YARD

- 56A. Minimum **side yard setback** 1.5 metres for non-shared end walls.
- 56B. Minimum **side yard setback** 1.2 metres on one side and 0.6 metres on the other side.
- 56C. Minimum **side yard setback** 1.2 metres.

MISCELLANEOUS

128. Minimum **rear yard setback** 7.0 metres.
129. Minimum 6.0 metres from the rear **main wall** to the detached garage.
130. Minimum 3.0 metres from the rear **main wall** to the detached garage.
131. Maximum **height** 14 metres and 3 **storeys**, excluding **basements**, as measured from the average finished grade along the **main wall** of the **dwelling unit** facing any **street** line.
132. Maximum **height** 14 metres and 4 **storeys**, excluding **basements**, as measured from the average finished grade along the **main wall** of the **dwelling unit** facing any **street** line.

133. Maximum **height** 10 metres and 2 **storeys**, excluding **basements**, as measured from the average finished grade along the **main wall** of the **dwelling unit** facing any **street** line.

MISCELLANEOUS

134. Where an attached or detached garage is serviced by a rear **lane**, a minimum of 0.5 metre **setback** from a **lane** having a minimum width of 6.0 metres.
135. Measurement of required **yard** and building **setbacks** shall be from the **street** or **lane** line, and shall not be affected by required corner roundings.
136. Where garages, accessed from a **lane**, are attached to a **dwelling unit** there shall be a minimum 15 square metres of outdoor amenity area provided on the roof of the attached garage.
3. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 5. **Landscaping Requirements**, 6. **Coverage**, 7. **Day Nurseries**, and 16. **Regulations for Single-Family, Duplex and Two-Family Dwellings** shall not apply.
4. **CLAUSE VII – GENERAL PARKING REGULATIONS FOR ALL ZONES**, Sub-Clause 1.3 **Parking Space and Driveway Dimensions**, 2.1.4 **Garages, Carports and Accessory Buildings**, and 2.2 **Regulations for Single-Family Dwellings, Semi-Detached and Two-Family Dwellings, Duplexes and Street Townhouse Dwellings** shall not apply.
5. **SCHEDULE 'C', EXCEPTIONS LIST and EXCEPTIONS MAP**, is amended by adding Exception 11 to the lands outlined on Schedule '2', so that it reads as follows:
11. On those lands identified as Exception 11 on the accompanying Schedule 'C' Map, the following provisions shall apply:
- (a) Additional Permitted Uses:
- a. **Townhouse dwelling unit**
 - b. Temporary sales trailer for the sale of residential **dwelling units**
 - c. **Model home**
- (b) The following definitions shall apply to the lands encompassed by Exception 11:
- a. **Lane** – shall mean a public or private right-of-way which is not for general traffic circulation and which may provide an alternate means of access to abutting lots.
 - b. **Model Home** - shall mean a finished **dwelling unit** for temporary display to the public prior to occupancy for residential purposes.

- c. **Townhouse dwelling unit** – shall mean a **building** containing three or more **dwelling units** in which **dwelling units** are separated from each other vertically, and each of which has a separate entrance directly from outside.

6. **SCHEDULE 'C', EXCEPTIONS LIST and EXCEPTIONS MAP**, is amended by adding Exception 12 to the lands outlined on Schedule '2', so that it reads as follows:

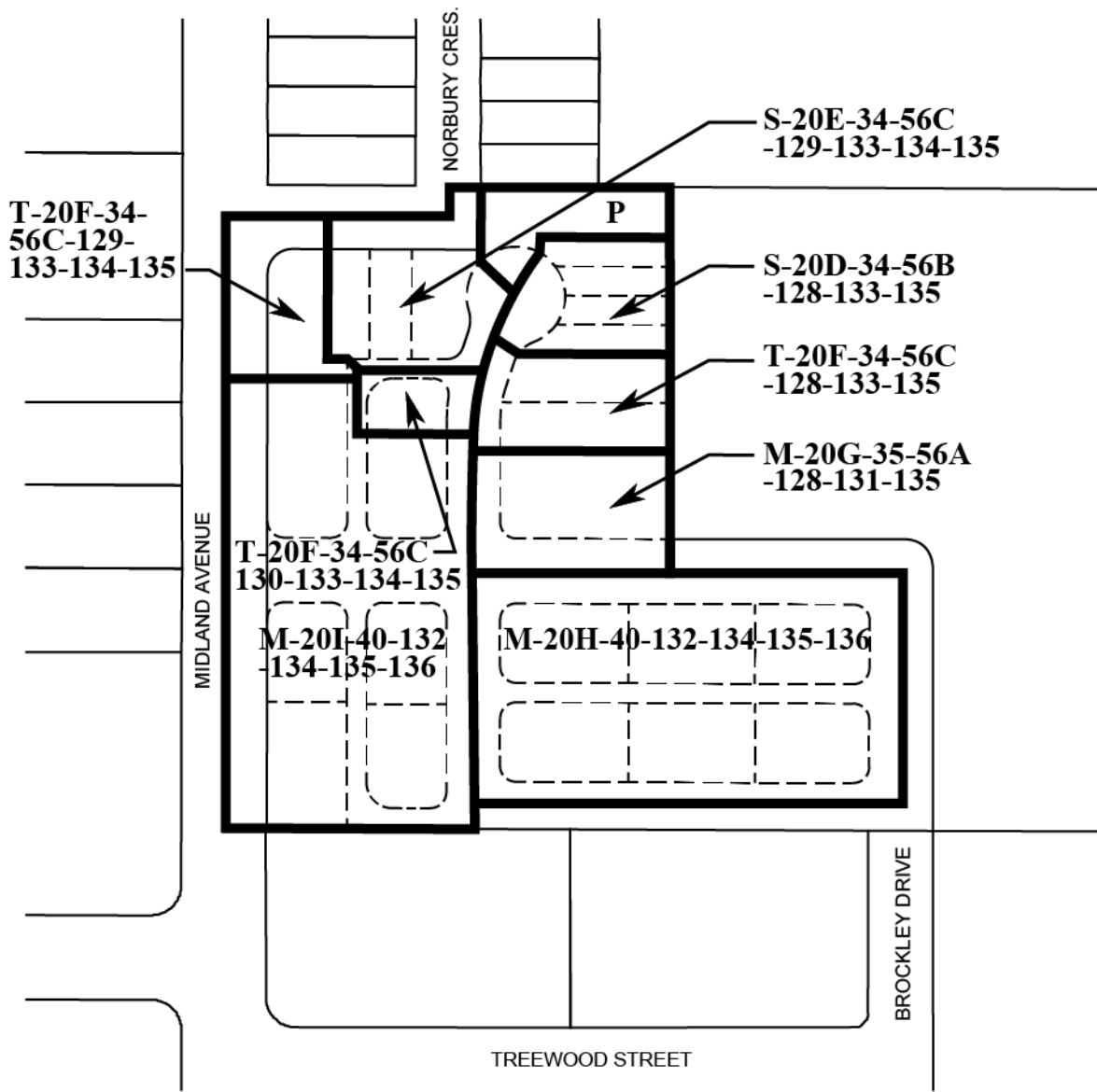
12. On those lands identified as Exception 12 on the accompanying Schedule 'C' map, the following provisions shall apply:

- (a) The following definition shall apply to the lands encompassed by Exception 12:
- a. **Height** – shall mean the vertical distance measured from the average finished grade along the **main wall** of the **dwelling unit** facing any **street line**, excluding chimneys, skylights, vents, antennae, elevator machine rooms, and parapet walls.
- (b) **Permitted Projections** – the following projections, to the maximum distance shown below, shall not be considered part of the **main wall**, except that no such projection shall extend into a public **street** or **lane**:

Projections	Distance
Deck, porch, balcony or similar structure	1.5 metres
Decorative or screen wall	1.0 metre
Exterior steps or ramps	3.0 metres
Bay window, box window or other projecting window	0.6 metres
Roof overhang, eave or roof of dormer window	0.6 metres provided they are no closer to a lot line than 0.3 metres
Chimney, pilaster and projecting columns	0.6 metres

- (c) 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:
- (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.

Schedule '1'



Schedule '2'

