

124 Belsize Drive - Zoning Amendment and Site Plan Control Applications - Request for Direction Report

Date:	December 5, 2014
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 22 – St. Paul's
Reference Number:	P:\2014\Cluster B\PLN\CC14142 (13 161141 STE 22 OZ & 13 161362 STE 22 SA)

SUMMARY

The purpose of this report is to seek City Council's direction with respect to the position of the City at the Ontario Municipal Board (OMB) hearing for the proposed development at 124 Belsize Drive.

The applicant has appealed the Zoning By-law Amendment and Site Plan Control applications to the OMB due to the City of Toronto's failure to make a decision within the time prescribed by the *Planning Act*. A two-day hearing has been set for January 22-23, 2014 and it is urgent that City Council consider this matter at the December 11, 2014 Council meeting.

The application proposes to amend the former City of Toronto Zoning By-law No. 438-86 to permit the development of six, 3-storey semi-detached dwellings, at the northeast corner of Belsize Drive and Thurloe Avenue. Parking will be located underground and accessed via a common driveway off Belsize Drive. The church that existed on the site has been demolished.

City Planning staff have reviewed the applications and support approval subject to the conditions in the Recommendations section of this report.



RECOMMENDATIONS

The Chief Planner recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to attend the Ontario Municipal Board hearing in support of the Zoning By-law Amendment and Site Plan Control applications for the lands at 124 Belsize Drive on the condition that the applicant apply for and obtain the necessary Tree Injury/Removal Permits to the satisfaction of the Supervisor of Urban Forestry, Tree Protection and Plan Review.
2. City Council authorize the City Solicitor and the Chief Planner and Executive Director, City Planning to continue to work with the applicant on the final form of the draft Zoning By-law Amendment to be presented to the Ontario Municipal Board.
3. In the event that the Ontario Municipal Board allows the appeal in whole or in part, City Council direct staff to request that the Board withhold any order to approve a Zoning By-law Amendment for the subject lands until such time as a site plan agreement has been entered into between the City and the owner and any preconditions to site plan approval are fulfilled.
4. In the event that the applicant does not obtain the necessary Tree Injury/Removal Permits mentioned in Recommendation No. 1, City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff, to oppose the Zoning By-law Amendment and Site Plan Control applications at the Ontario Municipal Board for the lands at 124 Belsize Drive.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

A Preliminary Report was adopted by Toronto & East York Community Council on October 17, 2013, and a copy is available at:

<http://www.toronto.ca/legdocs/mmis/2013/te/bgrd/backgroundfile-62089.pdf>

On July 29, 2014, the City Clerk's Office received notification that the applicant filed an appeal to the OMB citing Council's failure to make a decision on the application within the time prescribed by the Planning Act.

ISSUE BACKGROUND

Proposal

The proposed development is comprised of six, 3-storey semi-detached dwellings at the corner of Belsize Drive and Thurloe Avenue connected below grade by a garage with a common drive aisle accessed off of Belsize Drive. The buildings will have a total gross floor area of 1727 square metres, a density equal to 1.4 times the area of the lot, and heights ranging from 10.4 to 11.4 metres. Each semi-detached dwelling will have front door access facing Thurloe Avenue, 3 bedrooms split between the second and third floors, and its own private outdoor amenity areas.

Detailed statistics can be found on the Application Data Sheet, attached as Attachment No. 10 to this report. Drawings showing the proposal can be found as Attachment Nos. 1 to 4 of this report.

Site and Surrounding Area

The site is located on the northeast corner of Belsize Drive and Thurloe Avenue, 1 block west of Mount Pleasant Road and 2 blocks north of Davisville Avenue. The irregular-shaped lot is approximately 1217.3 square metres in area and has approximately 9.2 metres of frontage on Belsize Drive and approximately 47.5 metres on Thurloe Avenue. The site is currently vacant but was previously occupied by the Glebe Presbyterian Church, which has been demolished.

Within the immediate context, are the following uses:

North: 3-storey residential apartment building and 2- and 3-storey detached and semi-detached dwellings.

South: 2- and 3-storey detached and semi-detached dwellings.

West: 2- and 3-storey detached and semi-detached dwellings.

East: 2- and 3-storey detached and semi-detached dwellings; 2- and 3-storey mixed use buildings are located further east along Mount Pleasant Avenue – these buildings have been identified, however, they were not considered in the analysis of the neighbourhood character due to the different land use designation and zoning regulations.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated as *Neighbourhoods* in the Official Plan which are considered physically stable areas and are made up of low scale residential uses along with parks, schools and local institutions. The stability of the physical character of *Neighbourhoods* is one of the keys to Toronto's success.

Policies and development criteria aim to ensure that physical changes to established neighbourhoods are sensitive, gradual and generally "fit" the existing physical character. Development criteria in Section 4.1.5 of the Official Plan state that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, in particular:

- a. Patterns of streets, blocks and lanes, parks and public building sites;
- b. Size and configuration of lots;
- c. Height, massing, scale and dwelling type of nearby residential properties;
- d. Prevailing building type(s);
- e. Setbacks of buildings from the street or streets;
- f. Prevailing patterns of rear and side yard setbacks and landscaped open space;
- g. Continuation of special landscaped or built-form features that contribute to the unique physical character of a neighbourhood; and
- h. Conservation of heritage buildings, structures and landscapes.

This proposal has been reviewed against the policies described above as well as the policies of the Official Plan as a whole.

See Attachment No. 6 for the Official Plan map.

Yonge-Eglinton Secondary Plan

The site is located within the *Neighbourhoods* designation of the Yonge-Eglinton Secondary Plan.

A primary objective of the Yonge-Eglinton Secondary Plan is to promote development that is contextually appropriate and compatible with the existing character of the neighbourhood while maintaining and encouraging a range of housing forms and tenure suitable for family and other households.

See Attachment No. 7 for the Yonge-Eglinton Secondary Plan map.

Zoning

Former City of Toronto Zoning By-law 438-86

The site is subject to Zoning By-law 438-86. The area is zoned Residential, R2 Z0.6, which permits detached dwellings, semi-detached dwellings, townhouses, duplexes, triplexes, apartment buildings, parks, schools, places of worship and home occupations. The permitted density is 0.6 times the area of the lot and the maximum building height is 9.0 metres.

See Attachment No. 5 for the Zoning By-law map.

City of Toronto Zoning By-law 569-2013

On May 9, 2013, City Council enacted a new city-wide Zoning By-law for the City of Toronto. Zoning By-law 569-2013 has been appealed in its entirety and is now before the OMB. While the By-law is under appeal, the provisions of both the former zoning by-laws and the new zoning by-law are in effect for sites that are subject to Zoning By-law 569-2013.

The site is located in an area zoned Residential, R (d0.6)(x931) H9.0, however, the applications were submitted prior to the enactment of Zoning By-law 569-2013 and are exempt from its requirements. It should be noted that the uses, densities and height limits are generally consistent with those outlined in Zoning By-law 438-86.

Site Plan Control

The Site Plan Control application (13 161362 STE 22 SA), submitted in conjunction with the application for Zoning By-law Amendment, has also been appealed.

Reasons for the Application

The proposed development requires relief from Zoning By-law 438-86, as amended, with respect to a number of provisions including gross floor area, front yard setback, rear yard setback, side yard setback, landscaped open space, minimum lot frontage and height.

Community Consultation

A community consultation meeting was held on November 26, 2013. In attendance were the local Councillor, Planning staff, the applicant and approximately 22 members of the public. Concerns raised by the public at the meeting included:

- proposed building density, mass and height;
- physical character of the neighbourhood not being respected;
- garage access and safety;
- deficient outdoor amenity space;
- traffic impacts;
- unit tenure and site maintenance; and
- tree preservation and protection.

Application Revisions

Following the community consultation meeting, the applicant implemented a number of staff recommendations including: reduced building heights; increased side and rear third floor step backs; increased rear yard setbacks; and additional tree protection.

Agency Circulation

The applications were circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the applications and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the proposal and have determined that it is consistent with the PPS and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The proposed residential uses are permitted in the *Neighbourhoods* designation of the Official Plan and are therefore appropriate.

Physical Character

There are 2- and 3-storey residential apartment buildings within the block where the proposed development is located. The existing physical character is mixed and the introduction of a hybrid form of development on this site under these circumstances respects and reinforces that mixed physical character. The development has a design that is compatible with the character and streetscape of the neighbourhood and complies with *Neighbourhoods* Policy 4.1.5 in the Official Plan.

Building Type

The proposed residential development has been reviewed by Toronto Building staff as a residential apartment building based on the Zoning By-law definition that an apartment is a building that contains 5 or more dwelling units. The above grade portion of the development resembles three pairs of semi-detached dwellings and City Planning staff are satisfied with the unit configuration.

Density, Height, and Massing

The proposed heights of the semi-detached dwellings range from 10.4 to 11.4 metres and all are 3 storeys. The third storey is set back further from the front and rear property lines than the first 2 storeys. The third floor of the southernmost unit (Unit F) also steps back at the side wall facing Belsize Drive. The step backs reduce the perceived height of the building from adjacent properties and at sidewalk level, and improve the transition to adjacent low-rise residential buildings. The proposed heights do not have any adverse impacts on adjacent properties and are appropriate for the site.

Tree Protection and Preservation

The applicant is proposing to remove 2 privately owned trees (Trees T10 and T11 on Attachment No. 1: Site Plan) that meet the criteria for protection under the City of Toronto's Private Tree By-law or Chapter 813, Article II of the City of Toronto Municipal Code and 2 City owned street trees (Trees T5 and T8 on Attachment 1: Site Plan) which are protected under the provisions of the City's Street Tree By-law or Chapter 813, Article III of the City of Toronto Municipal Code.

At the time of this report, the applicant had yet to apply for the injury or removal of any trees. It is important that the applicant apply for and obtain the necessary Tree Injury/Removal Permits for the 4 trees mentioned above in order for the City to support the development in its current form.

Vehicular Access and Parking

Parking for each dwelling will be located below grade and accessed by a common driveway off of Belsize Drive at the southern portion of the subject property where the site grading is naturally lower than the rest of the site. Transportation Services and City Planning staff have accepted this access arrangement.

The application includes 13 residential vehicular parking in the single level underground parking garage. The following chart represents the proposed parking space dedication for each dwelling:

Unit	Parking Spaces Provided
A	3 (2 of which are in tandem)
B	3 (2 of which are in tandem)
C	3 (2 of which are in tandem)
D	2
E	1
F	1

None of the 13 parking spaces are allocated for visitors whereas the Zoning By-law requires a minimum of 1 parking space for this purpose. Transportation Services staff do not object to the visitor parking space deficiency, however, it is recommended that the site specific by-law include a provision for the relief of the on-site visitor parking space requirement.

Servicing

As part of the application process a Functional Servicing Report, a Stormwater Management Report, a Site Servicing Plan, and a Site Grading Plan were submitted, reviewed by staff and have been accepted by Engineering and Construction Services staff.

Garbage, recycling and organic waste will be collected at the curb by the City. The plans designate a specific, screened location for each unit at either the front of the property or in a storage area in the underground garage.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The development proposes 6 residential units on a site with an area of 1,217.3 square metres. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.008 hectares (80 square metres) or 6.57% of the net site area.

The applicant is requested to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as the parkland requirement is too small to be of a useable size.

The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit by the Facilities and Real Estate Division.

Land Division

The applicant intends to submit Part Lot Control and Common Element Condominium applications to create 6 separate lots and a common element underground garage driveway.

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. The applicant is required to meet Tier 1 of the TGS which will be secured through the Site Plan Approval process.

Conclusion

The development has a design that is compatible with the existing physical character and streetscape of the neighbourhood, complies with the *Neighbourhoods* policies in the Official Plan and is appropriate development for the site. This report recommends that the City Solicitor, together with Planning staff and any other appropriate staff, attend the OMB hearing in support of the current proposal subject to the applicant obtaining any necessary Tree Injury/Removal Permits.

CONTACT

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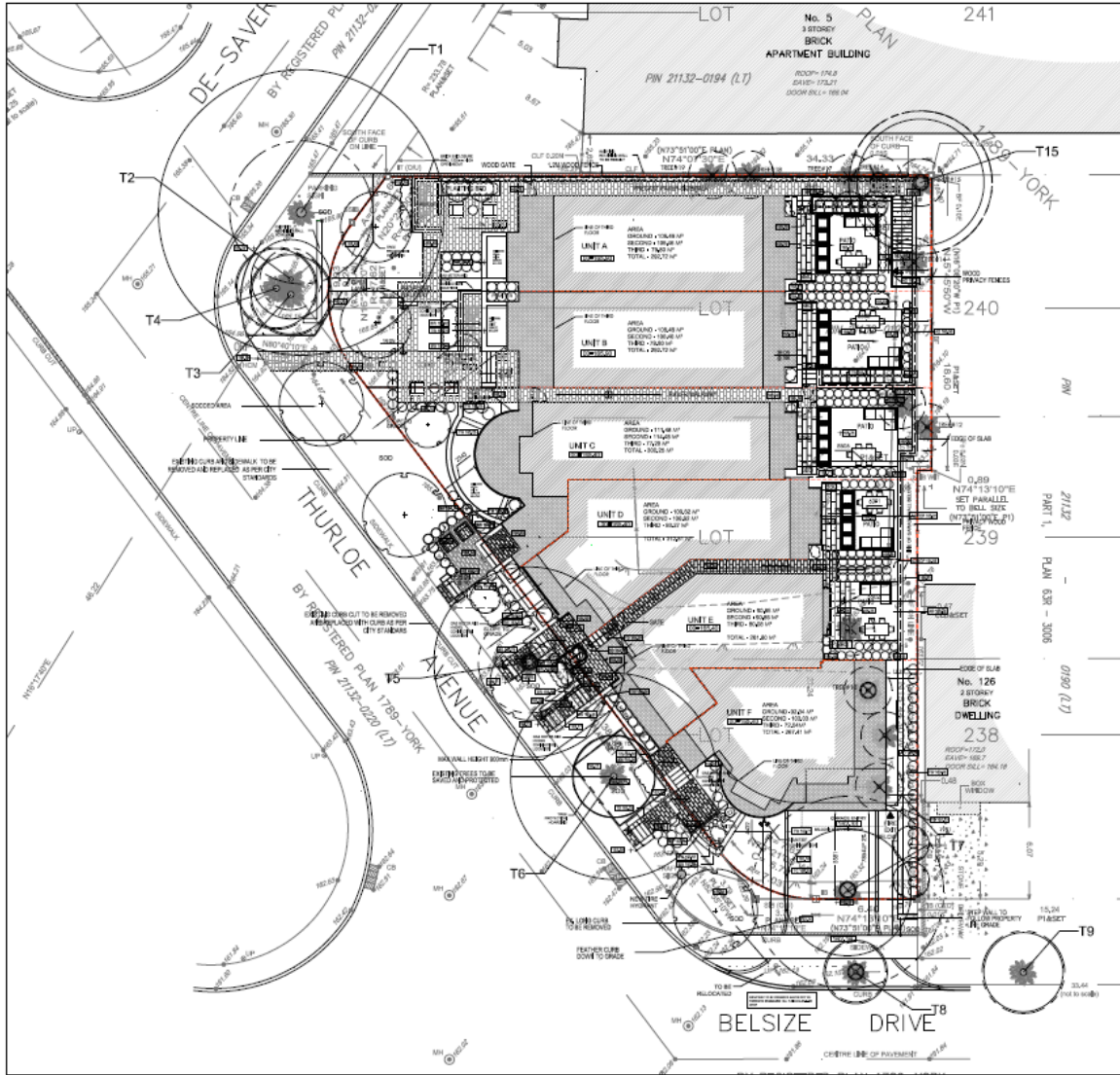
SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Unit A & B Elevations
Attachment 3: Unit C & D Elevations
Attachment 4: Unit E & F Elevations
Attachment 5: Zoning
Attachment 6: Official Plan
Attachment 7: Yonge-Eglinton Secondary Plan
Attachment 8: Draft Zoning By-law Amendment (By-law 438-86)
Attachment 9: Draft Zoning By-law Amendment (By-law 569-2013)
Attachment 10: Application Data Sheet

Attachment 1: Site Plan



Site Plan

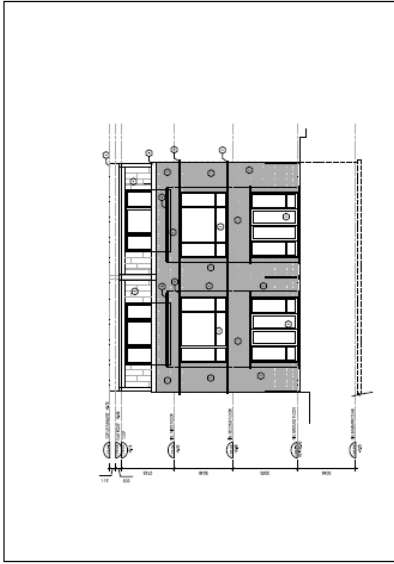
Applicant's Submitted Drawing

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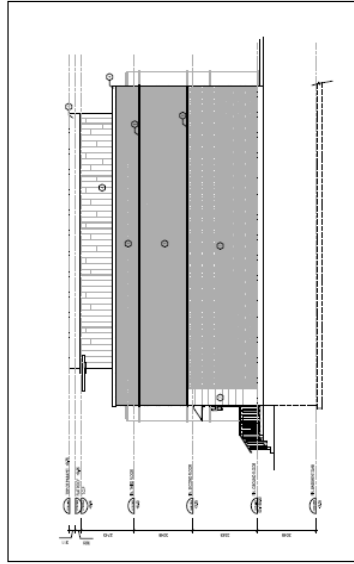
124 Belsize Drive

File # 13 161141 OZ

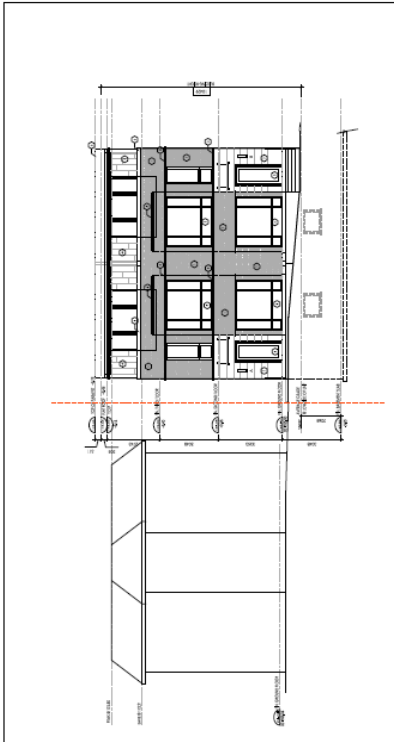
Attachment 2: Unit A & B Elevations



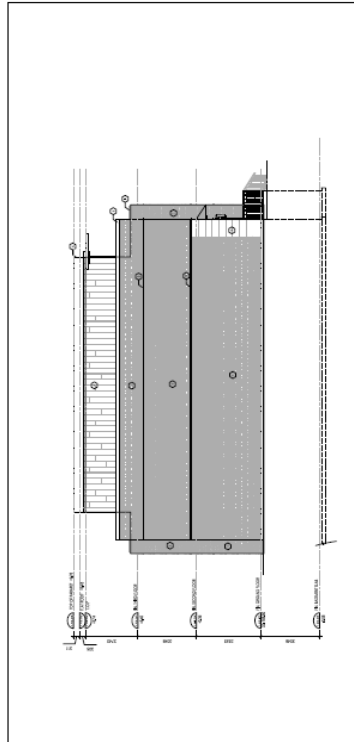
Rear Elevation



North Elevation



Front Elevation



South Elevation

124 Belsize Drive

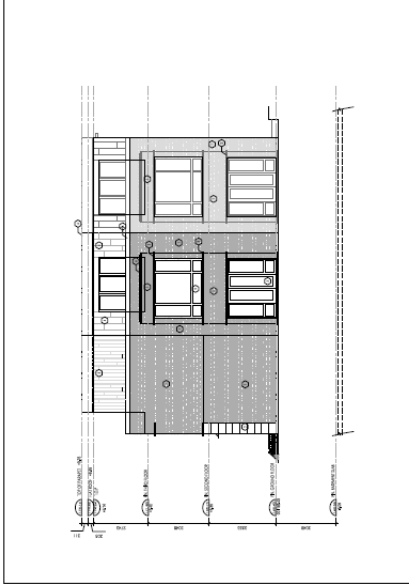
Elevations: Units A/B

Applicant's Submitted Drawing

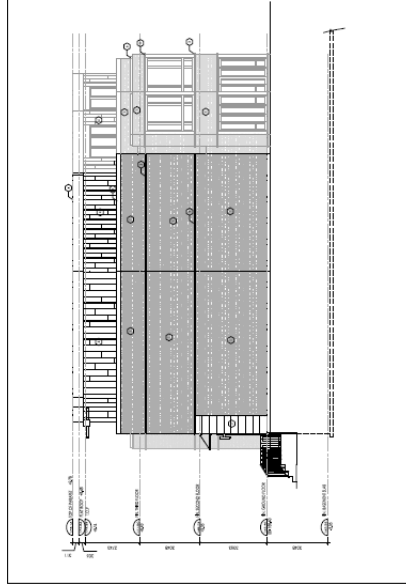
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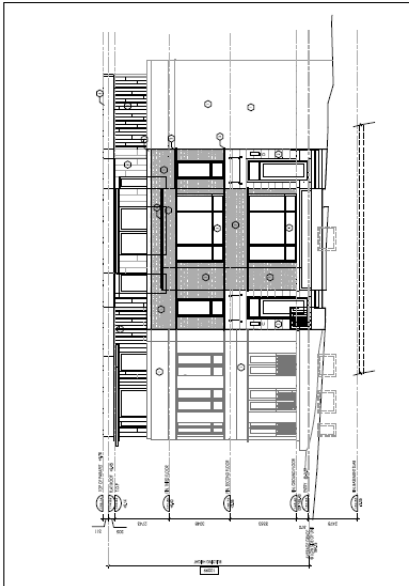
Attachment 3: Unit C & D Elevations



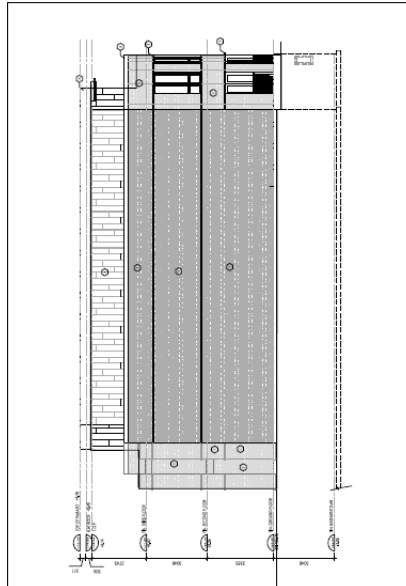
Rear Elevation



North Elevation



Front Elevation



South Elevation

124 Belsize Drive

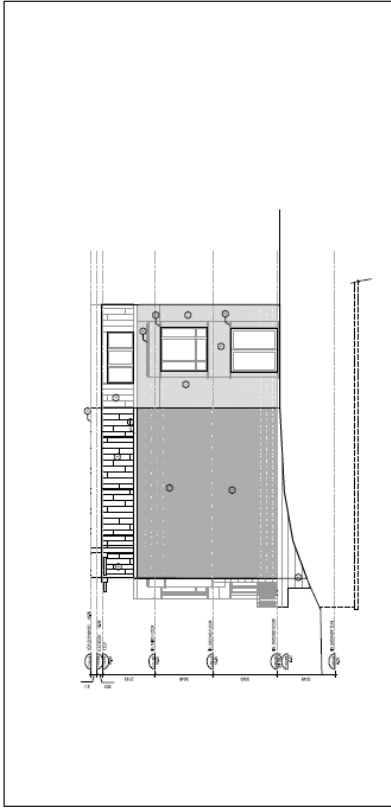
Elevations: Units C/D

Applicant's Submitted Drawing

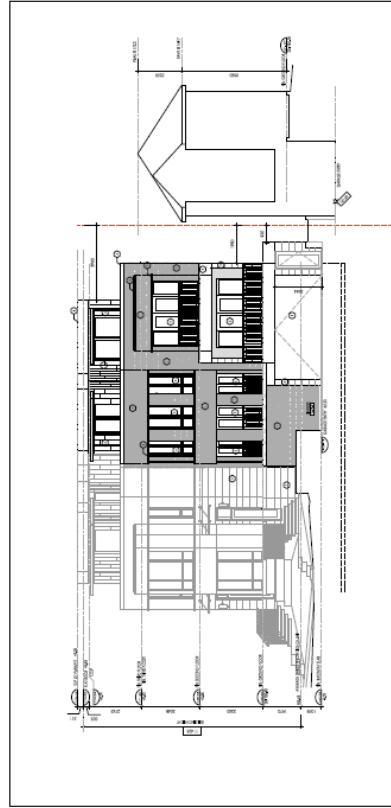
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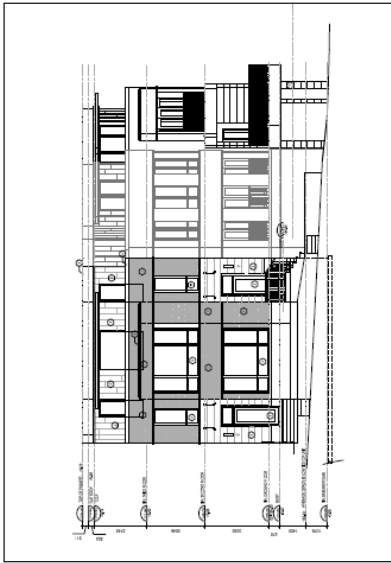
Attachment 4: Unit E & F Elevations



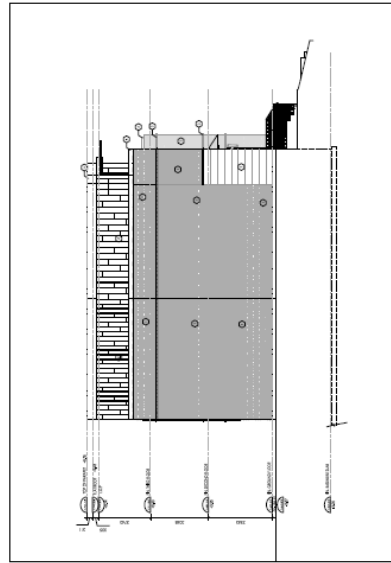
Rear Elevation



North Elevation



Front Elevation



South Elevation

124 Belsize Drive

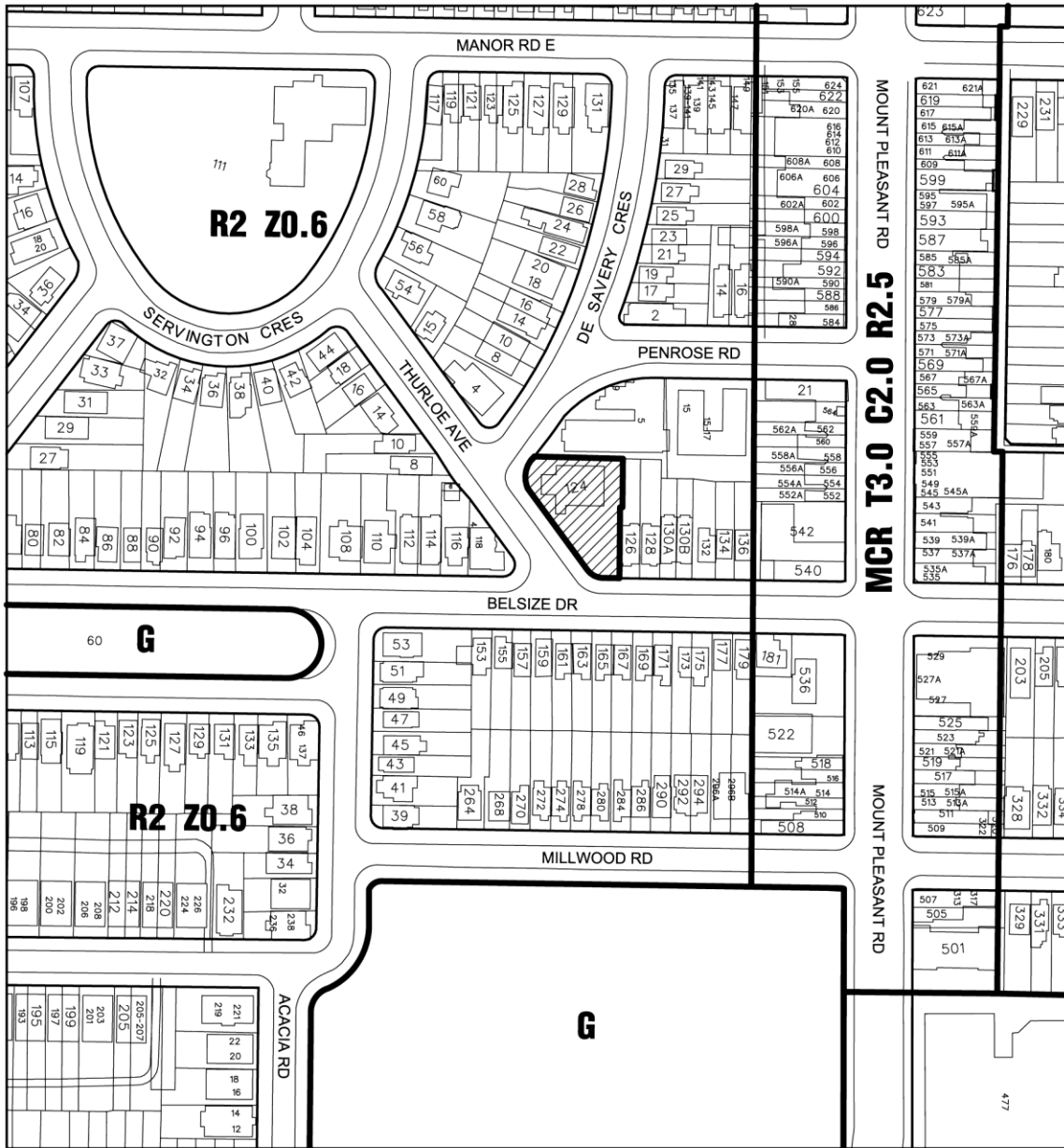
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Elevations: Units E/F

Applicant's Submitted Drawing

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09/18/2013

Attachment 5: Zoning

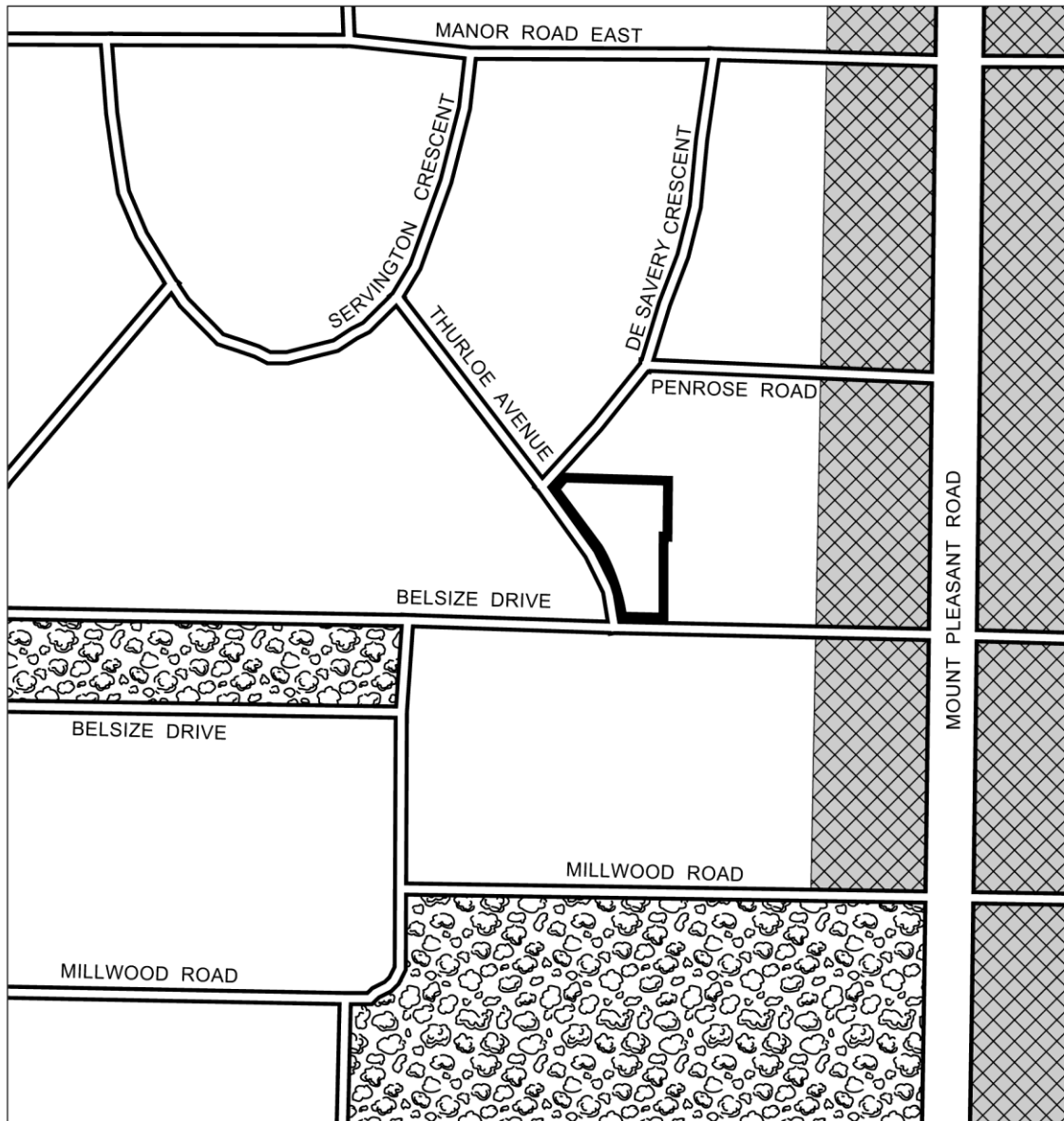


124 Belsize Drive
File # 13 161141 0Z

- R2 Residential District
- MCR Mixed-Use District
- G Parks District

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Zoning By-law 438-86 (as amended)
Extracted 09/18/2013

Attachment 6: Official Plan



TORONTO City Planning
Official Plan

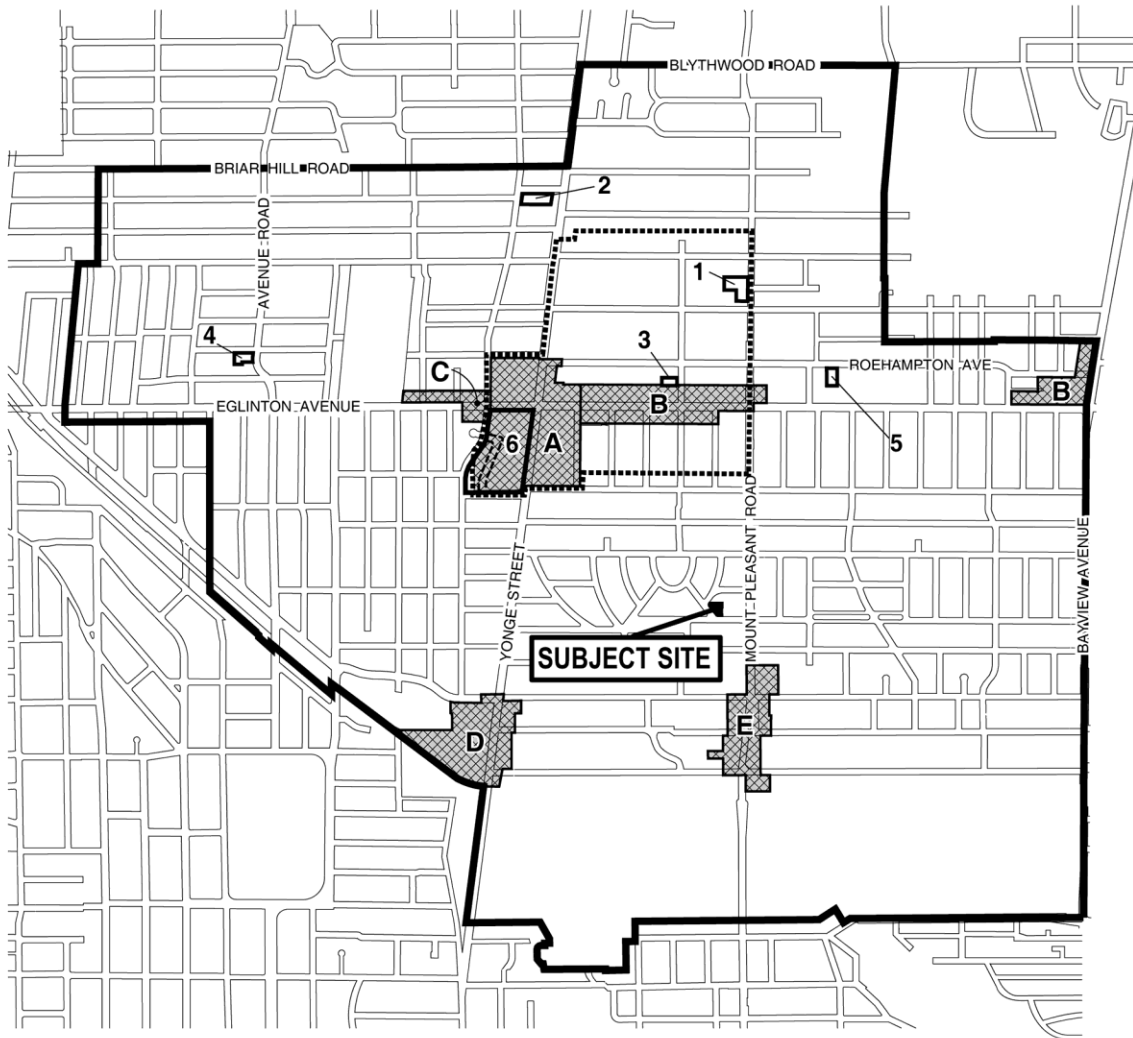
124 Belsize Drive

File # 13 161141 0Z

- | | |
|---|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Mixed Use Areas | |


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Attachment 7: Yonge-Eglinton Secondary Plan








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Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

-  Secondary Plan Boundary
-  Yonge-Eglinton Centre
-  Mixed Use Areas
-  Site and Area Specific Policies
-  Proposed Road

December 2010

Attachment 8: Draft Zoning By-law Amendment (By-law 438-86)

BY-LAW No. ~-2014(OMB)

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands municipally known as 124 Belsize Drive

WHEREAS the Ontario Municipal Board by Decision/Order issued on _____, 2014, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, determined to amend the former City of Toronto Zoning By-law No. 438-86 with respect to lands known municipally in the year 2014 as 124 Belsize Drive; and

The Ontario Municipal Board orders as follows:

1. None of the provisions of Section 2 with respect to “*grade*”, “*height*”, “*landscaped open space*”, “*lot*”, and “*semi-detached house*”, and Section 4(2), Section 4(17), Sections 6(3) Part I 1, 6(3) Part II 1-8 inclusive, 6(3) Part III, 6(3) Part IV 2., 6(3) Part IV 3., 6(2) Part IV 4., 6(3) Part VII 1.(i), 12(2)63 of By-law No. 438-86 being, “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of the lands known municipally in the year 2014 as 124 Belsize Drive for 6 *semi-detached* houses on the *lot*, provided that:
 - (a) the *lot* consists of those lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) no portion of any *semi-detached house*, including terraces and balconies, erected on the *lot* above *grade* is located otherwise than wholly within the areas delineated by heavy lines and building envelopes shown on Map 2, attached to and forming part of this By-law;
 - (c) a maximum of 6 *semi-detached houses* are permitted on the *lot*;
 - (d) the *height* of any *semi-detached house*, or portion thereof including terraces and balconies, erected on the *lot* does not exceed those *height* limits, in metres as shown on Map 2, attached to and forming part of this By-law;
 - (e) the following elements and structures are permitted to extend above the heights shown on Map 2, attached to and forming part of this By-law, by no more than 1.8 metres:
 - (i) roof top mechanical equipment that includes a chimney stack or other heating, cooling or ventilating equipment, a fence, wall or structure enclosing such elements, access hatches, planters and other

landscaping structures, terraces and balcony guards, elements of a green roof, insulation and roof surface materials, railings, staircases, ornamental architectural features, solar panels, ladders, structures used for safety or wind protection, and parapets; and

- (ii) wood privacy fences, and balcony railings;
- (f) the following elements and structures are permitted to extend beyond the heavy lines shown on Map 2, attached to and forming part of this By-law, to a maximum horizontal projection of no more than 1.5 metres:
 - (i) lighting fixtures, cornices, sills, eaves, canopies, parapets, railings, planters, balustrades, bollards, stairs, covered stairs or stair enclosures, awnings, fences and safety railings, trellises, guardrails, chimneys, vents, stacks, mechanical fans, wheel chair ramps, ornamental or architectural features, structures and elements related to outdoor terraces, and landscape features may extend beyond the lines shown on Map 2 within the *lot*;
- (g) *landscaped open space* is permitted to extend above the heights shown on Map 2, attached to and forming part of this By-law;
- (h) the maximum width of a front yard walkway shall be 1.25 metres;
- (i) the *landscaped open space* in the front yard shall be no less than 230 square metres;
- (j) *landscaped open space* is permitted in the required setback shown on Map 2 attached to and forming part of this By-law;
- (k) the minimum dimensions of a *parking space*, accessed by a one-way or two-way drive aisle having a width of 6.0 metres shall be:
 - length 5.6 metres
 - width 2.6 metres
 - height 2.0 metres

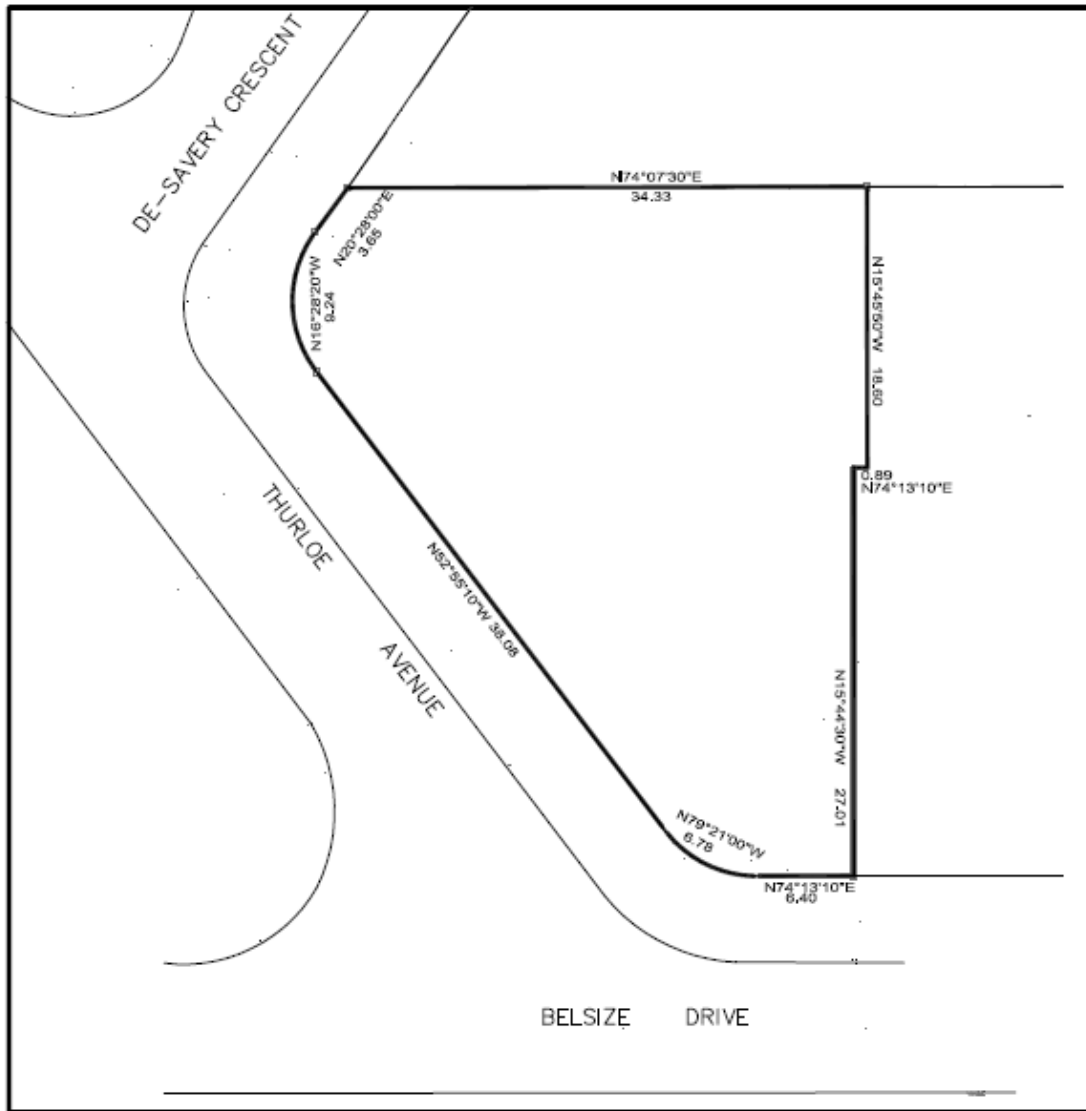
2. For the purposes of this By-law, the terms set forth in italics shall have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended, except that the following definitions shall apply:

- (a) “*brick enclosure wall*” means an accessory structure, a wall, located at the front of each row house with a maximum height of 1.25 metres, measured from the ground immediately adjacent in front of the brick enclosure wall, and a maximum ground area of 3.6 square metres, that is used for the purposes of screening the garbage and recycling bins located behind it;

- (b) “*height*” means the vertical distance between *grade* and the highest point of the roof, building or structure, as shown on Map 2, exclusive of any elements described in 1(e)(i) herein up to a maximum of 1.8 metres;
- (c) “*grade*” means 163.23 metres Canadian Geodetic Datum;
- (d) “*landscaped open space*” means open, unobstructed space in the front yard that is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping including any surfaced walk, patio, external stairs, driveway, window wells, *brick enclosure wall*, or similar area;
- (e) “*lot*” means those lands outlined on Map 1 attached hereto; and
- (f) “*semi-detached house*” means one of a pair of attached buildings:
 - (i) each building comprising one *dwelling unit*;
 - (ii) each building divided vertically from the other by a party wall; and
 - (iii) each building being connected to a shared underground *parking garage* located on the *lot*;

3. Notwithstanding any existing or future severance, partition or division of the *lot*, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

PURSUANT TO THE DECISION/ORDER OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON _____, 2014 IN BOARD FILE NO. PL _____.

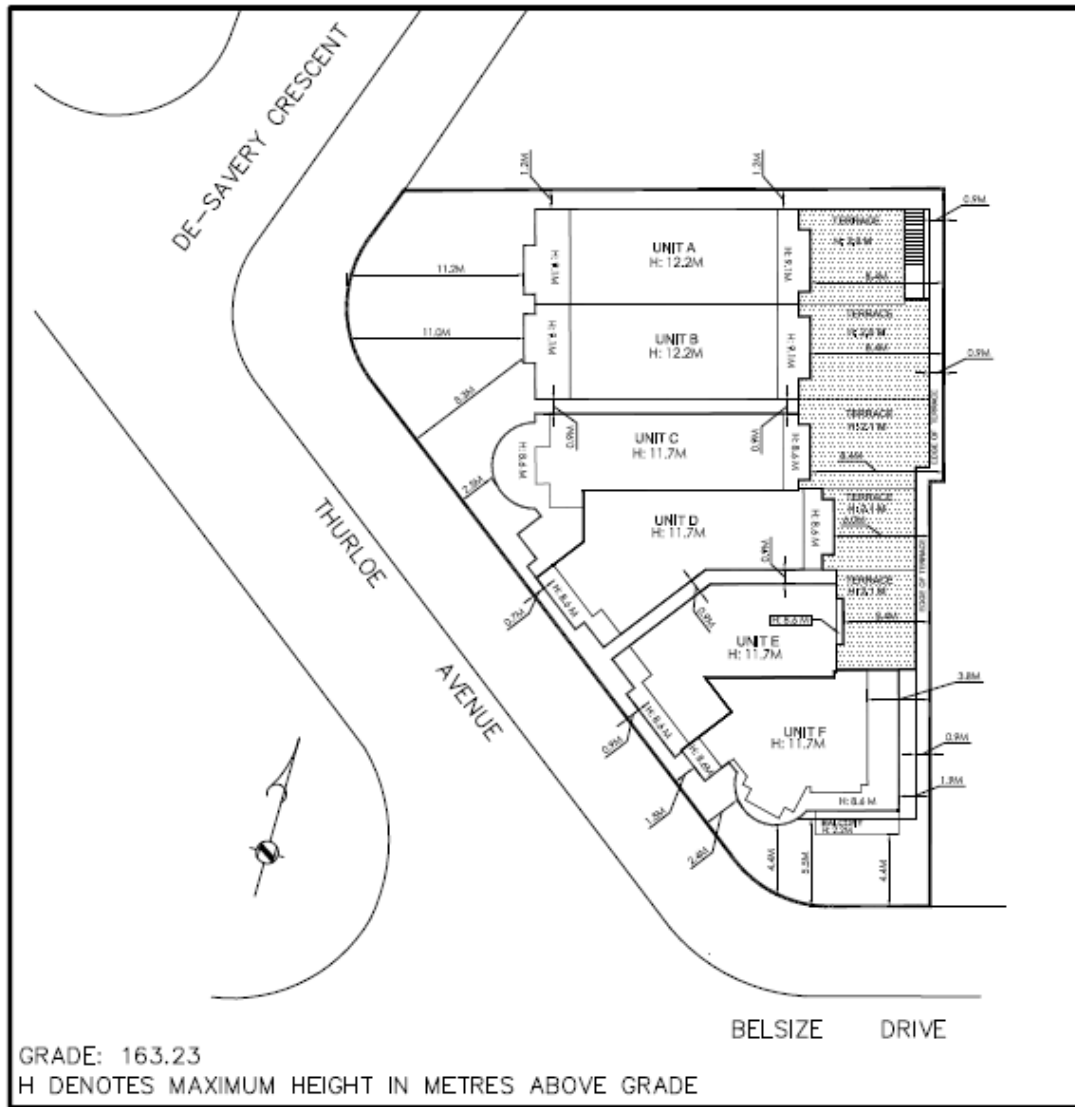


124 BELSIZE DRIVE
MAP 1

File # _____



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124 BELSIZE DRIVE
MAP 2

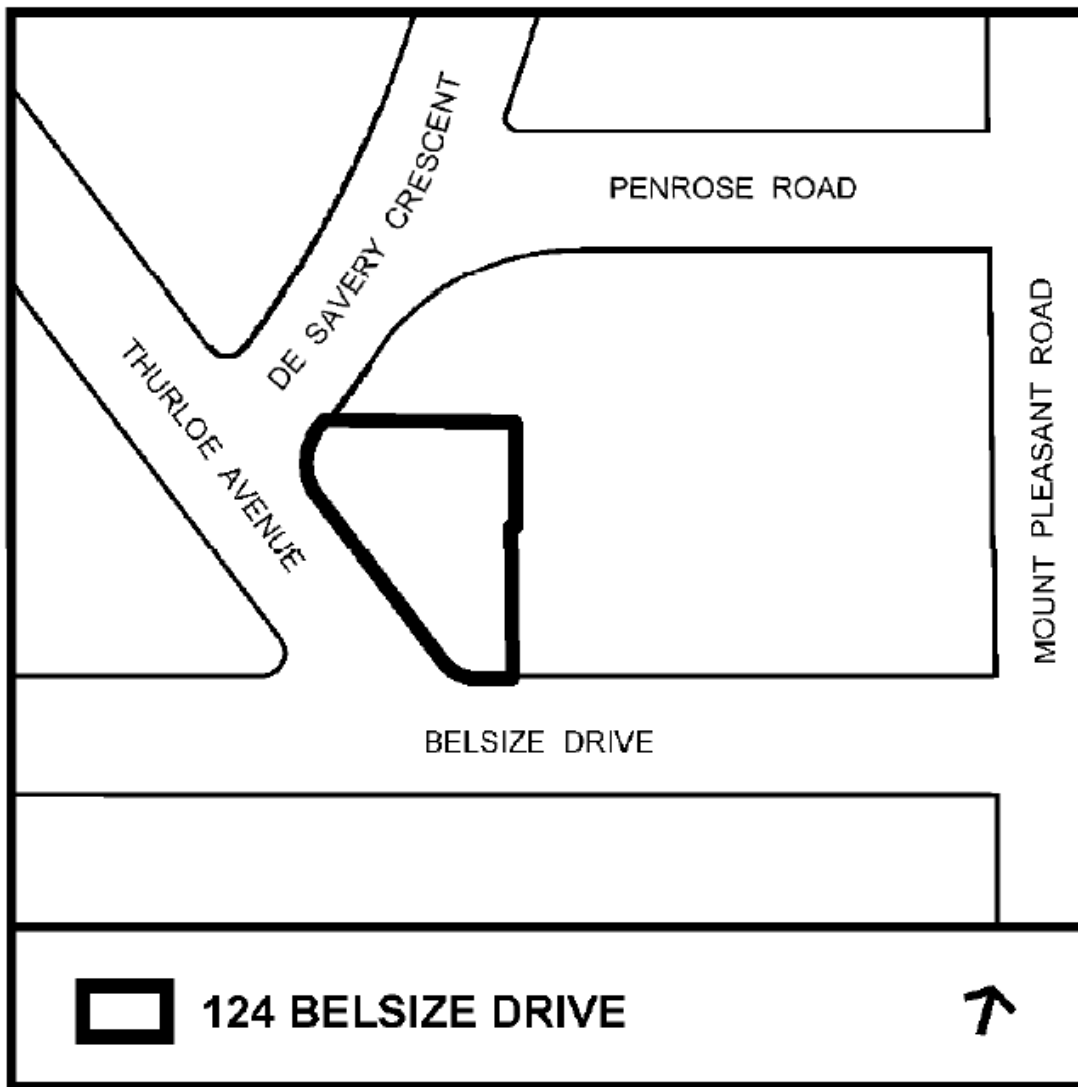
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EXPLANATORY NOTE

The lands subject to this By-law are located on the northeast corner of Belsize Drive and Thurloe Avenue, being Part 1: Plan of Part of Lots 238, 239 & 240 Registered Plan, 1789-YORK in the City of Toronto.

The purpose of this By-law is to amend the zoning standards for the R2 Residential District zone to permit the proposed residential uses consisting of six (6) semi-detached dwelling units on the Subject Lands. This by-law includes site specific development standards relating to height, setbacks, gross floor area, landscaping, and permitted encroachments.



Attachment 9: Draft Zoning By-law Amendment (By-law 569-2013)

BY-LAW No. ~-2014(OMB)

To amend the General Zoning By-law No. 569-2013 of the City of Toronto with respect to the lands municipally known as 124 Belsize Drive

WHEREAS the Ontario Municipal Board by Decision/Order issued on _____, 2014, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, determined to amend the former City of Toronto Zoning By-law No. 569-2013 with respect to lands known municipally in the year 2014 as 124 Belsize Drive; and

The Ontario Municipal Board orders as follows:

1. The lands subject to this By-law are outlined by heavy lines on Diagram 1, attached to this By-law;
2. Zoning By-law No. 569-2013, as amended, is hereby further amended by replacing, for the subject lands, Exception 900.2.10(931) with Exception 900.2.10(XXXX), as follows:

(###) Exception [R][XXXX]

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- A. On 124 Belsize Drive none of the provisions of 5.10.40.70(2), 10.5.1.10(3), 10.5.30.40(2), 10.5.40.10, 10.5.40.50, 10.5.40.60, 10.5.40.70, 10.5.50.10, 10.5.80.40(2), (3), 10.10.30.10, 10.10.40.1(2), 10.10.40.10(1), (2), (6), 10.10.40.30, 10.10.40.40, 10.10.40.70, 10.10.80.40(2), 200.5.1.10(3), (5), 800.50(240), 800.50(395), 800.50(420), 800.50(745), of the City of Toronto By-law No. 569-2013, as amended, shall apply to prevent the erection and use of six (6) **semi-detached houses** with a shared **parking garage** on the lot;
- B. For the purposes of this By-law, the terms set forth in bold shall have the same meaning as such terms have for the purposes of By-law No. 569-2013, as amended, except that the following definitions shall apply:
 - (i) **Brick enclosure wall** means an **ancillary structure**, a wall, located at the front of each row house with a maximum height of 1.25 metres, measured from the ground immediately adjacent in front of the brick enclosure wall, and a maximum ground area of 3.6 square metres, that is used for the purposes of screening the garbage and recycling bins located behind it;

- (ii) **Height** means the vertical distance between **established grade** and the highest point of the roof, **building** or **structure**, as shown on Diagram 2, exclusive of any elements described in (G) herein up to a maximum of 1.8 metres.
- (iii) **Established grade** means 163.23 metres Canadian Geodetic Datum;
- (iv) **Landscaping** means an area used for trees, plants, flowers, grass, decorative stonework, retaining walls, masonry walls, fences, wood screens, walkways, patios, terraces, external stairs, window wells, **brick enclosure walls**, or other landscape or architectural elements. Driveways and areas for loading, parking or storing of vehicles are not **landscaping**.
- (v) **Lot** means those lands outlined by heavy lines on Diagram 1, attached to this By-law;
- (vi) **Semi-detached house** means one of a pair of attached **buildings**:
 - i. each **building** comprising one **dwelling unit**;
 - ii. each **building** divided vertically from the other by a party wall; and
 - iii. each **building** being connected to a shared underground **parking garage** located on the **lot**;

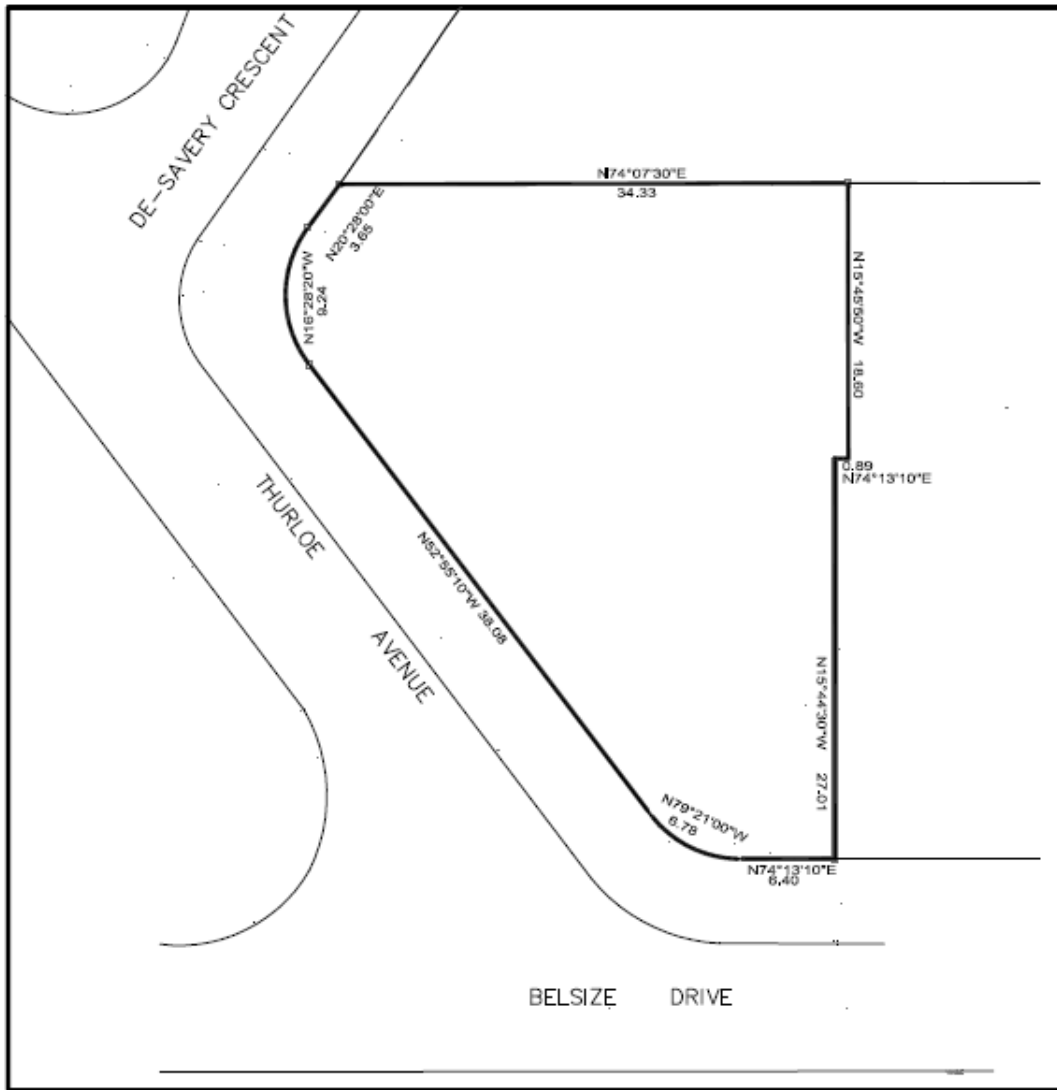
C. The **buildings** or **structures** erected on the **lot** above **grade** must be located within the areas delineated by heavy lines and building envelopes shown on Diagram 2, attached to this By-law, except that:

- (i) lighting fixtures, cornices, sills, eaves, canopies, parapets, railings, planters, balustrades, bollards, stairs, covered stair or stair enclosures, awnings, fences and safety railings, trellises, guardrails, chimneys, vents, stacks, mechanical fans, wheel chair ramps, **landscaping**, underground garage ramps and their associated structures, ornamental or architectural features, structures and elements related to outdoor terraces, and landscape features may extend beyond the heavy lines and building envelopes shown on Diagram 2, attached to this By-law;
- (ii) rear raised uncovered platforms and balconies may be located outside of the heavy lines and building envelopes shown on Diagram 2, attached to this By-law, provided that they comply with

the minimum setbacks as shown on Diagram 2, attached to this By-law;

- D. No portion of any **building** or **structure** erected on the **lot** is to have a height in metres greater than the height in metres specified by the numbers following the symbol H on Diagram 2, attached to this By-law, except that:
- (i) roof top mechanical equipment that includes a chimney stack or other heating, cooling or ventilating equipment, a fence, wall or structure enclosing such elements, access to hatches, planters and other landscaping structures, terraces and balcony guards, elements of a green roof, insulation and roof surface materials, railings, staircases, ornamental architectural features, solar panels, ladders, structures used for safety or wind protection, parapets, wood privacy fences and balcony railings are permitted to extend above the heights shown on Diagram 2, attached to this By-law, by no more than 1.8 metres;
 - (ii) **landscaping** is permitted to extend above the heights shown on Diagram 2, attached to this By-law;
- E. The **landscaping** in the front yard shall be no less than 230 square metres;
- F. The maximum permitted number of **dwelling units** is six (6);
- G. Despite Section 200.5.1.10(2)(A)(iv) and (D), an additional 0.3 metre widening for one or more obstructions is not required;
- H. Notwithstanding any existing or future severance, partition or division of the **lot**, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

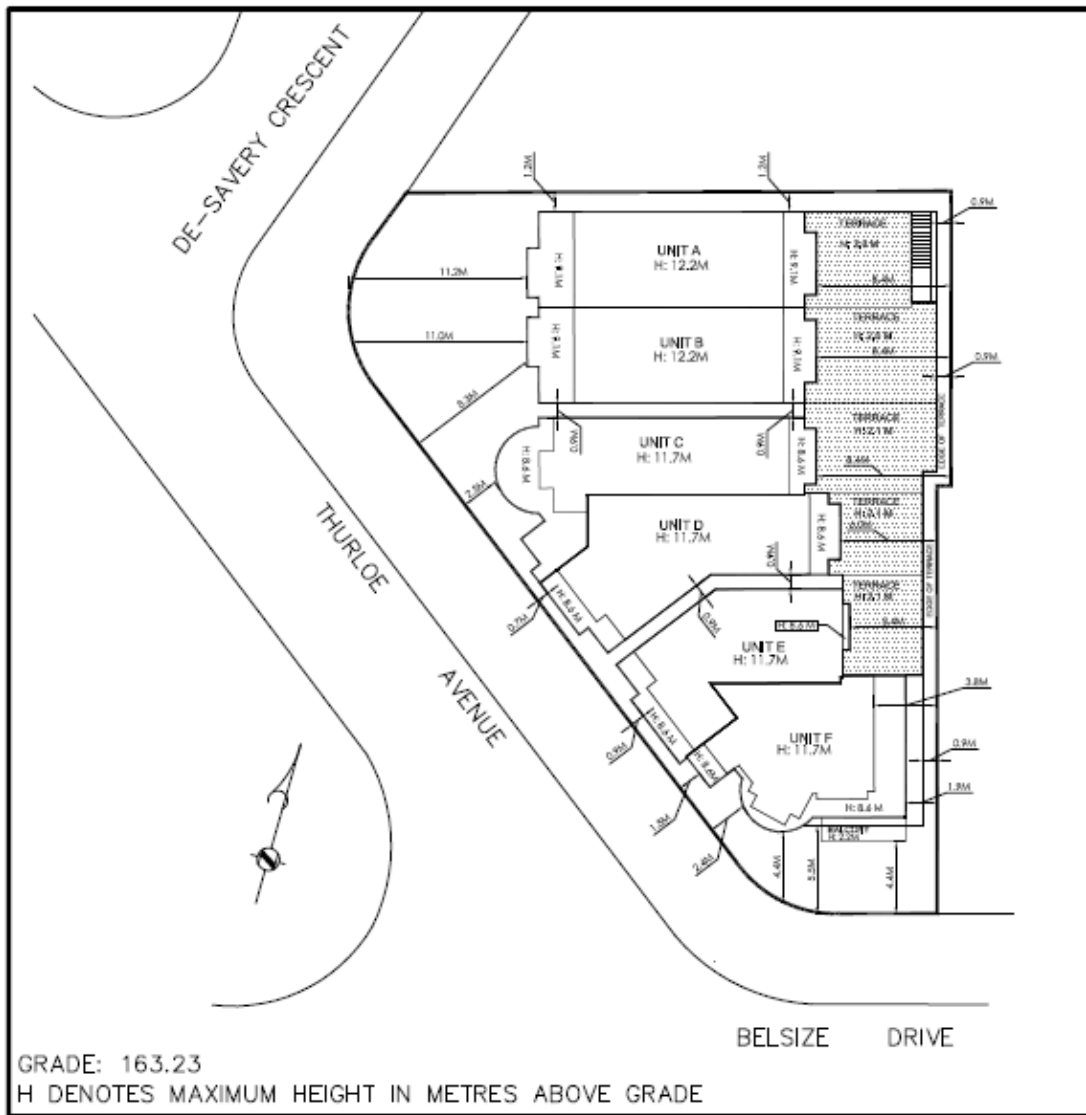
PURSUANT TO THE DECISION/ORDER OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON _____, 2014 IN THE BOARD FILE NO. PL_____.



124 BELSIZE DRIVE
DIAGRAM 1

File # _____





124 BELSIZE DRIVE
DIAGRAM 2

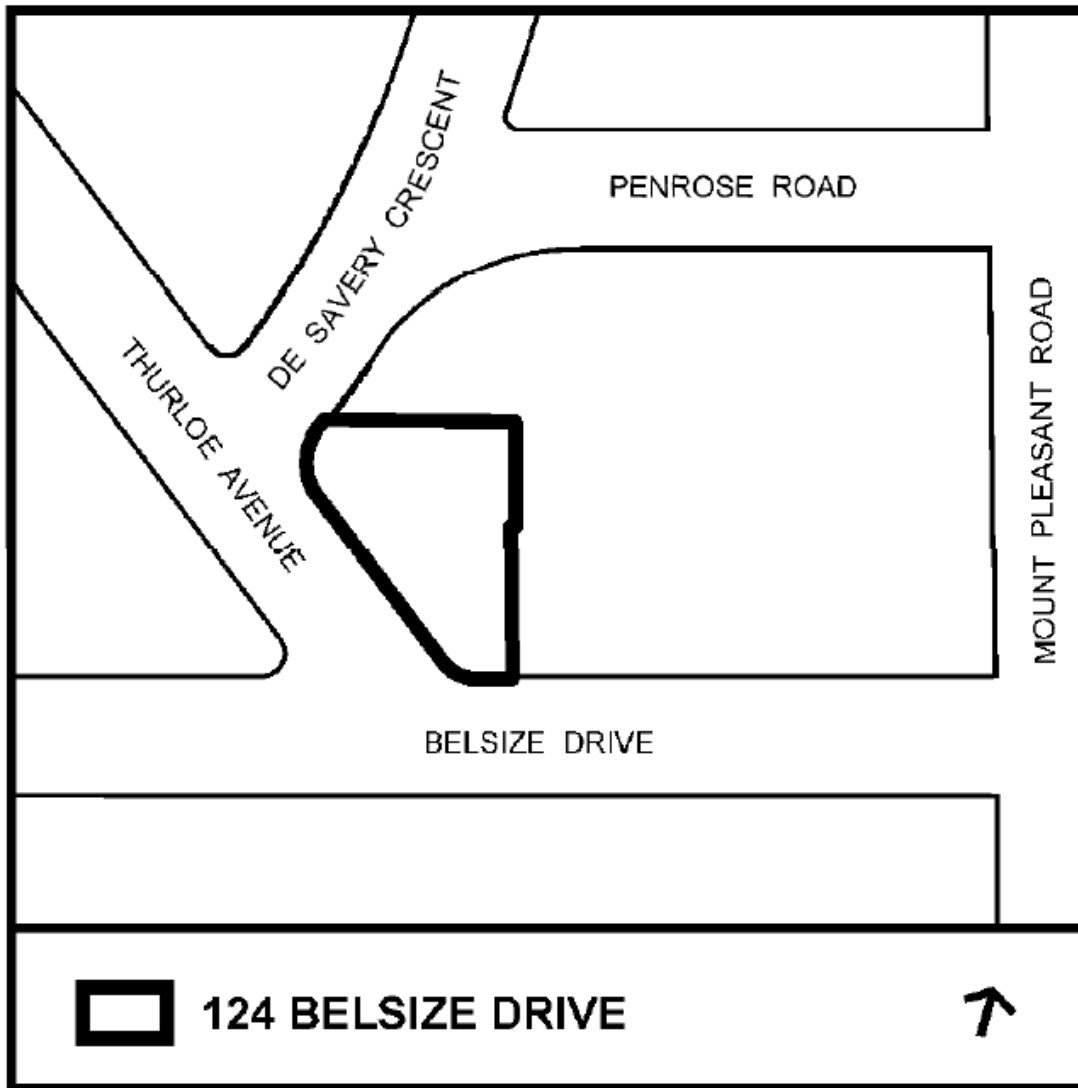
File # _____

↑
Not to Scale

EXPLANATORY NOTE

The lands subject to this By-law are located on the northeast corner of Belsize Drive and Thurloe Avenue, being Part 1: Plan of Part of Lots 238, 239 & 240 Registered Plan, 1789-YORK in the City of Toronto.

The purpose of this By-law is to amend the zoning standards for the Residential (R) Zone to permit the proposed residential uses consisting of six (6) semi-detached dwelling units on the Subject Lands. This by-law includes site specific development standards relating to height, setbacks, gross floor area, landscaping, and permitted encroachments.



Attachment 10: Application Data Sheet

Application Type	Rezoning	Application Number:	13 161141 STE 22 OZ
Details	Rezoning, Standard	Application Date:	May 2, 2013
Municipal Address:	124 BELSIZE DR		
Location Description:	PLAN 1789 LOTS 238 239 240 **GRID S2204		
Project Description:	Application for Zoning By-law Amendment to permit 6 new 3-storey semi-detached dwellings with a common underground garage. Access for the underground garage is from Belsize Drive.		

Applicant:	Agent:	Architect:	Owner:
Michael Goldberg	Adam Brown	Richard Wengle	124 Belsize Drive Inc

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R2 Z0.6	Historical Status:	
Height Limit (m):	9	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1217.3	Height: Storeys:	3
Frontage (m):	103.13	Metres:	11.43
Depth (m):	38		
Total Ground Floor Area (sq. m):	617		Total
Total Residential GFA (sq. m):	1727	Parking Spaces:	13
Total Non-Residential GFA (sq. m):	0	Loading Docks:	0
Total GFA (sq. m):	1727		
Lot Coverage Ratio (%):	50.7		
Floor Space Index:	1.4		

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	1727	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	6	Institutional/Other GFA (sq. m):	0	0
Total Units:	6			

CONTACT: PLANNER NAME: Kevin Friedrich, Assistant Planner
TELEPHONE: (416) 338-5740