

Authority: Clause 217-D-97 of the Seventeenth Report of the Planning and Development Committee, 1997, adopted by the Council of the former City of Etobicoke on October 6, 1997.

Intended for first presentation to Council: July 8, 1998

Adopted by Council: July 10, 1998

CITY OF TORONTO

BY-LAW No. 438-1998

To amend Chapters 304, 350 and 352 of the Zoning Code with respect to certain lands located on the east side of Kipling Avenue south of New Toronto Street, west of Seventeenth Street.

WHEREAS the matters herein set out are in conformity with the Official Plan Amendment 58-97;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. THAT the Zoning Map referred to in Section 350-7, Article II of the Zoning Code, and originally attached to the Town of New Toronto By-law No.2215, be and the same is hereby amended by changing the classification of the lands located in the former Town of New Toronto as described in Schedule 'A' annexed hereto from Class 1 Industrial (I.C1) to Second Density Residential (R2).

2. For the purposes of this by-law, Sections 350-31, 350-34 and 350-35 of the Zoning Code shall continue to apply. In addition, Articles I, II, and XI of Chapter 304, and Articles II and III of Chapter 350, of the Zoning Code, shall continue to apply except as otherwise provided for herein.

3. Nothing in this by-law shall preclude row dwelling units from being divided into individual lots within the meaning of the Planning Act.

4. Notwithstanding the definition of "lot" in Section 304-3 of the Zoning Code, the standards of this by-law shall apply to the Second Density Residential (R2) lands identified in Schedules 'A' and 'B' attached hereto in their entirety.

5. For the purposes of this by-law, the following shall apply to the Second Density Residential (R2) lands as shown on Schedule 'A' attached hereto:

- (a) A maximum of 17 dwelling units shall be permitted. In addition to the uses permitted by Section 350-34 of the Zoning Code, a maximum of 15 townhouse dwelling units shall be permitted. Notwithstanding Sections 350-34 I. and 350-30.4 of the Zoning Code, carports, detached garages, television antennae, and satellite dishes with a diameter greater than 1.0 m shall be prohibited.
- (b) Notwithstanding Section 350-31B(1) of the Zoning Code, the minimum lot area for each semi-detached unit shall be 200 m².

- (c) Notwithstanding Section 350-31B(2) of the Zoning Code, the minimum lot frontage for each semi-detached unit and for each townhouse unit shall be 6.6 m and 4.47 m, respectively.
- (d) Notwithstanding Section 350-31 of the Zoning Code, for all dwellings, the minimum front, rear, and sideyard setbacks and building separation distances are shown on Schedule 'B' and shall be measured from the main walls of the dwelling identified as Blocks 'A' and 'B' therein.
- (e) Notwithstanding Section 350-31B(7) of the Zoning Code, the minimum landscaped open space (total combined site) shall be 38 percent.
- (f) Notwithstanding Section 350-31A(8) of the Zoning Code, the maximum building height of dwellings units shall be 11 m.
- (g) Notwithstanding Section 350-31F(2) of the Zoning Code, the maximum floor space index (total combined site) shall be 1.026.
- (h) The maximum coverage (total combined site) shall be 39 percent.
- (i) Notwithstanding Section 350-13 of the Zoning Code, no required building setback shall be obstructed by any construction other than the following:
 - (i) uncovered steps to grade;
 - (ii) open, uncovered (or roofed) porch way or veranda and grade-related patios projecting a maximum of 1.6 m from the exterior front and/or rear wall of the dwelling unit;
 - (iii) uncovered decks and/or terraces projecting a maximum of 3.0 m from the exterior rear wall of the dwelling unit;
 - (iv) chimney breasts, eaves, bay windows, or other projections may project a maximum of 0.5 m from any exterior wall of a building; and
 - (v) canopies projecting a maximum of 1.1 m from the exterior front wall of any building.

In (i) and (ii) above, the only enclosure permitted shall be a wall, guardrail or balustrade not exceeding 1.07 m in height.
- (j) Notwithstanding Section 350-14N of the Zoning Code, central air conditioning units shall be located in the rear yard only and not less than 0.4 m from any side lot line.
- (k) Notwithstanding Section 350-15A of the Zoning Code, the maximum height of a fence erected for noise attenuation purposes, located on the north side lot line, shall be 2.4 m.

- (1) Notwithstanding Section 350-26 of the Zoning Code, two parking spaces per unit shall be provided, one of which shall be located within an attached garage, the other on the intervening driveway having a minimum length of 6 m between the front lot line and the face of the attached garage, and a maximum width of 3.0 m. In addition, side-by-side driveways for adjoining dwelling units shall be permitted.

6. Where the provisions of this by-law conflict with the provisions of the Zoning Code, the provisions of this by-law shall apply.

7. The bearings shown on Schedule 'A' of this by-law shall apply equally to Schedule 'B' attached hereto.

8. Chapter 352, Site Specific of the Zoning Code, is hereby amended to include reference to this by-law by adding the following to Section 352-1, Table of Site Specific By-laws:

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
438-1998 July 10, 1998	Certain lands located on the east side of Kipling Avenue, south of New Toronto Street with a portion fronting onto Seventeenth Street.	To rezone the lands from Class 1 Industrial (I.C1) to Second Density Residential (R2) specifically modified to permit a 17 unit town house and semi-detached dwelling development.

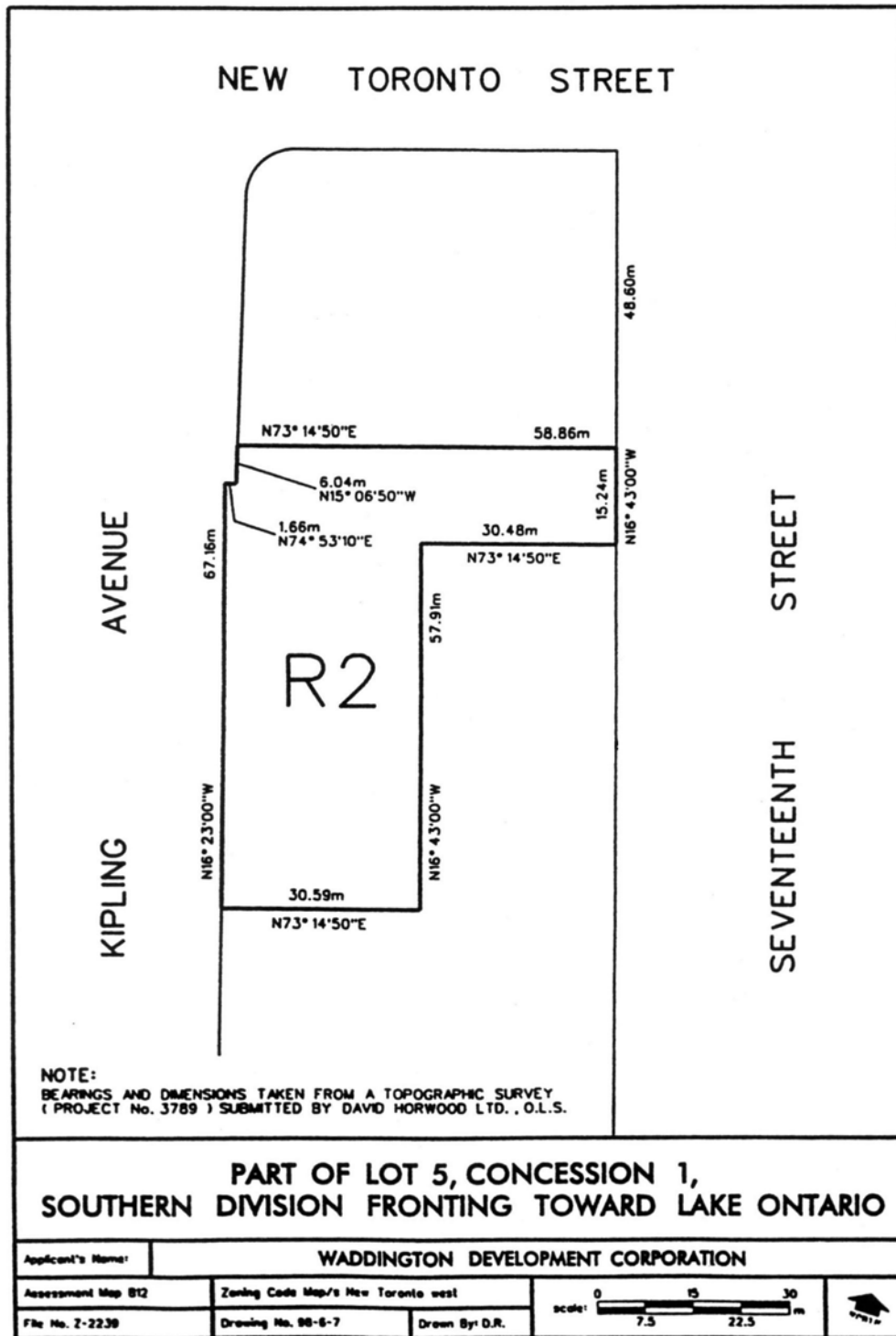
ENACTED AND PASSED this 10th day of July, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)

SCHEDULE 'A' TO BY-LAW No. 438-1998



SCHEDULE 'B' TO BY-LAW No. 438-1998

