

Authority: West Community Council Report No. 4, Clause No. 12,  
as adopted by City of Toronto Council on May 30, 31 and June 1, 2001  
Enacted by Council: June 1, 2001

## **CITY OF TORONTO**

### **BY-LAW No. 409-2001**

**To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located at the northwest corner of Kipling Avenue and Clement Road, known municipally as 1558 Kipling Avenue.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and held at least one public meeting in accordance with the *Planning Act*;

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

1. That the Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, originally attached to Township of Etobicoke By-law 11,737, be and the same is hereby amended by rezoning the lands described in Schedule 'A' annexed hereto from Limited Commercial (CL) to Group Area Fourth Density Residential (R4G) provided that the following provisions shall apply to the development of the Group Area Fourth Density Residential (R4G) lands identified in Schedule 'A' attached hereto.
2. For the purposes of this by-law, the provisions of Sections 320-70 'D', 'E' and 'F' and 320-71 of the Etobicoke Zoning Code shall not apply. Notwithstanding the foregoing, Articles II through V of the Etobicoke Zoning Code shall continue to apply except where amended by this by-law.
3. Permitted accessory uses shall include central air conditioning units and decks within the required building setback. Detached garages, tool sheds, television antennae, satellite dishes, playhouses, swimming pools and structures in conjunction with such swimming pools, shall be prohibited.
4. For the purposes of this by-law, townhouses shall mean a building comprised of group housing as defined by Section 304-3 of the Etobicoke Zoning Code, each of which may be situated on an individual lot as further defined by this by-law.
5. Notwithstanding the definition of 'lot' in Section 304-3 of the Etobicoke Zoning Code, the standards of this by-law shall apply to the (R4G) lands identified in Schedule 'A' attached hereto in their entirety and nothing in this by-law shall preclude the (R4G) lands identified in Schedule 'A' attached hereto from being divided into individual lots within the meaning of the Planning Act.
6. Notwithstanding Section 320-43N of the Etobicoke Zoning Code, central air conditioning units shall only be located a minimum of 0.9 metres behind the rear wall of dwellings and

located not less than 0.4 metres from a hypothetical line projecting out from any common wall between dwelling units and intersecting with the common driveway and not less than 2.3 metres from the street line but not including the common driveway. No minimum setback from the common driveway, is required.

7. The following development standards shall apply:

- (a) A maximum of 14 townhouse dwellings shall be permitted.
- (b) The maximum coverage of all buildings within the site area of the (R4G) lands as identified on Schedule 'A' attached hereto shall not exceed 51% of the combined site area.
- (c) The maximum floor space index of the (R4G) lands as identified in Schedule 'A' attached hereto shall be 1.05 of the combined site area.
- (d) The maximum building height shall not exceed 14.5 metres.
- (e) The minimum landscaped open space area of the (R4G) lands as identified in Schedule 'A' attached hereto shall be 30% of the combined site area (exclusive of any open and/or roofed porch).
- (f) No required building setback shall be obstructed by any construction other than the following:
  - (i) uncovered steps to grade
  - (ii) an open and/or roofed porch or veranda projecting a maximum of 1.5 metres from the exterior front wall of the dwelling unit and a maximum of 5.0 metres for decks from the exterior rear wall of the dwelling unit provided they are setback a minimum of 1.8 metres from the street line and a minimum of 0.6 metres from the common driveway.
  - (iii) chimney breasts, eaves, bay windows, or other projections projecting a maximum of 0.91 metres from any exterior wall of a building provided they are a minimum of 1.0 metre from the street line or common driveway.
  - (iv) canopies projecting a maximum of 1.5 metres from the exterior front wall of a building provided they are setback a minimum of 2.0 metres from the street line or common driveway.

In (i) and (ii) above, the only enclosure permitted shall be a wall, guard-rail or balustrade not exceeding 3.5 metres in height, save and except for any privacy screen walls/fencing erected, between dwelling units, which may project in a perpendicular direction out from the exterior rear wall of a dwelling on the raised deck area, and/or, at grade, which may project in a perpendicular direction out from the exterior rear wall of end dwellings adjacent to the street line, and which shall not exceed 1.8 metres in height and be less than 1.8 metres from the street line.

- (g) The minimum setback of the exterior side wall of end dwellings within the site area of the (R4G) lands as identified on Schedule 'A' attached hereto shall be 0.80 metres from the westerly and northerly lot lines.
  - (h) The minimum setback of the exterior walls of dwellings within the site area of the (R4G) lands as identified on Schedule 'A' attached hereto shall be 3.0 metres from the street lines, save and except the exterior side wall of end dwellings which shall be setback a minimum of 1.70 metres from the street line.
  - (i) The minimum setback of the exterior side wall of end dwellings within the site area of the (R4G) lands as identified on Schedule 'A' attached hereto shall be 1.5 metres from the common driveway.
  - (j) Notwithstanding Sections 320-18A and 320-18B of the Etobicoke Zoning Code, for each dwelling unit, one parking space shall be provided at the rear of the dwelling unit within an enclosed and attached garage with a minimum dimension of 3.0 metres by 6.0 metres and one parking space with a minimum dimension of 3.0 metres by 6.0 metres shall be provided on the driveway immediately in front of the garage of each dwelling unit.
  - (k) Not less than five visitor parking spaces shall be provided within the site area of the (R4G) lands as identified on Schedule 'A' for the exclusive use of all units. Each parking space shall have a minimum dimension of 2.7 metres by 6.0 metres and have direct access to the common driveway.
- 8.** Where the provisions of this by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.
- 9.** Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this by-law by adding the following to Section 324-1, Table of Site Specific By-laws:

<b>BY-LAW NUMBER AND ADOPTION DATE</b>	<b>DESCRIPTION OF PROPERTY</b>	<b>PURPOSE OF BY-LAW</b>
409-2001 June 1, 2001	Lands located at the north west corner of Kipling Avenue and Clement Road, municipally known as 1558 Kipling Avenue	To change the Limited Commercial (CL) zoning of the lands to Residential Group Area Fourth Density (R4G) to permit a development with 14 townhouses

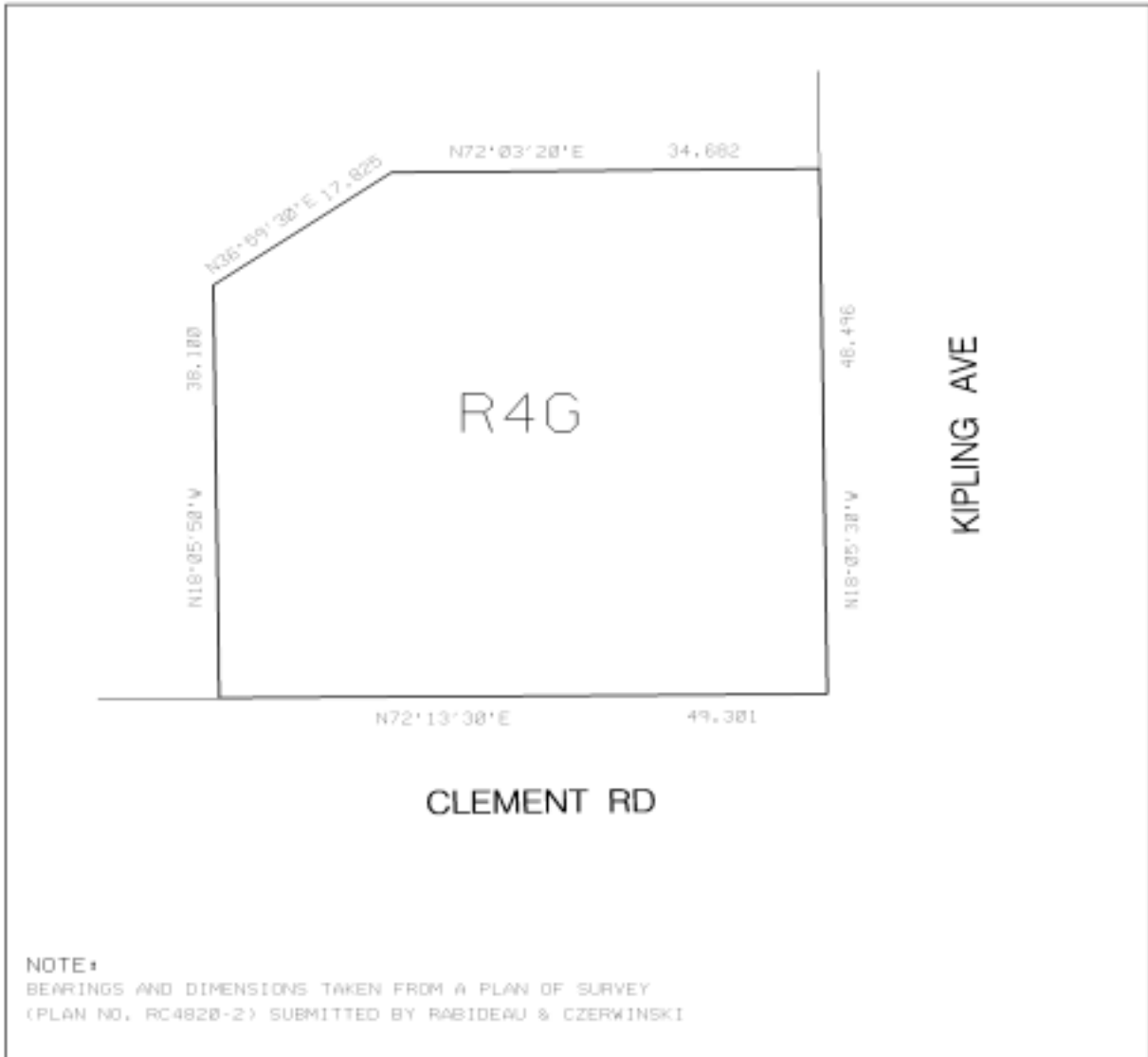
ENACTED AND PASSED this 1st day of June, A.D. 2001.

CASE OOTES,  
Deputy Mayor

(Corporate Seal)

JEFFREY A. ABRAMS,  
Acting City Clerk

**Toronto** Schedule 'A' BY-LAW



**NOTE:**  
 BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY  
 (PLAN NO. RC4828-2) SUBMITTED BY RABIDEAU & CZERWINSKI

**PART OF LOT 2  
 REGISTERED PLAN 3511**

Applicant's Name:		<b>IMPERIAL OIL</b>	
Assessment Map: F14	Zoning Code Map/s: F14s	scale:	
File No. TA CMB20010004	Drawing No. CMB20010004A		