

Authority: West Community Council Report No. 5, Clause No. 7, as adopted by City of Toronto Council on June 26, 27 and 28, 2001; and Notice of Motion J(20), moved by Councillor Milczyn, seconded by Councillor Jones, as adopted by City of Toronto Council on July 24, 25 and 26, 2001

Enacted by Council: July 26, 2001

CITY OF TORONTO

BY-LAW No. 698-2001

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on north side of The Queensway, east of Islington Avenue municipally known as 964 The Queensway.

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*;

THEREFORE 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 Zoning Code, and originally attached to Township of Etobicoke By-law No. 11,737, as outlined in a heavy black line on Schedule "A" attached hereto (hereinafter referred to as the "lands"), is hereby reaffirmed as Limited Commercial (CL), provided that the following provisions shall apply to the development of the (CL) lands identified in Schedule "A" attached hereto.
2. Notwithstanding any of the provisions of the Etobicoke Zoning Code, only the following shall apply to the use of the lands identified on Schedule "A":
 - (i) A four-storey residential building, containing townhouses and a live/work component, shall be permitted in the Limited Commercial (CL) zone.
 - (ii) maximum floor space index: 1.7
 - (iii) maximum building coverage: 51 %
 - (iv) minimum landscape space: 6 %
 - (v) maximum number of dwelling units: 14
 - (vi) the minimum width of each dwelling unit shall be 4.2 metres.
 - (vii) maximum building height, exclusive of roof top mounted structures, mechanical equipment and parapets: 14 metres.
 - (viii) minimum number of parking spaces: 32 parking spaces.

- (ix) all parking spaces shall be a minimum of 2.7 metres wide by 6 metres deep, except as indicated in subsection (xiv).
- (x) the internal driveway shall be a minimum of 6 metres wide.
- (xi) a minimum landscape strip of 2 metres shall be required along the northerly property line where the lands abut the Second Density Residential (R2) zone.
- (xii) the minimum building setbacks shall not be less than the measurements shown on Schedule "B" attached hereto, and shall be measured from the main walls of each townhouse dwelling, row dwelling or group dwelling.
- (xiii) the building may be extended to The Queensway streetline, as shown on Schedule "B" attached hereto.
- (xiv) for each dwelling unit, one parking space shall be provided within an enclosed and attached garage at grade with a minimum interior dimension of 2.7 metres by 5.7 metres.
- (xv) permitted accessory uses shall include private home daycare (as defined by Section 304-3 of the Etobicoke Zoning Code), central air conditioning units, decks within the required building setback, and satellite dishes not exceeding 1.2 square metres in area. Carports, detached garages, television antennae, playhouses, swimming pools and structures in conjunction with such swimming pools, shall be prohibited.
- (xvi) fences may be constructed to a maximum height of 1.9 metres, from grade along the northerly property line where the lands abut the Second Density Residential (R2) zone.
- (xvii) required building setbacks and separations shall not be obstructed by any construction other than the following:
 - (i) uncovered steps to grade;
 - (ii) chimney breasts, eaves, bay windows, balconies, cornices or other projections extending a maximum of 0.5 metres from any exterior wall of a building provided they do not encroach onto the public right-of-way or abutting properties.
 - (iii) open, uncovered (or roofed) porchway or veranda and grade-related patios projecting a maximum of 0.5 metres from the exterior front wall, or side wall abutting Rothsay and Parker Avenues.
- (xviii) the subsidiary business permitted by the live/work component of this By-law, shall be located on the ground floor level of the townhouse dwelling unit and the subsidiary business shall be grade related and directly accessible from The Queensway.

3. Notwithstanding the definition of “lot” in Section 304-3 of the Etobicoke Zoning Code, the standards of this by-law shall apply collectively to the (CL) lands identified in Schedule “A” attached hereto in their entirety and nothing in this by-law shall preclude the townhouse dwelling, row dwelling or group dwelling from being divided into individual lots within the meaning of the Planning Act.
4. For the purposes of this By-law, townhouse dwelling units shall be defined as “multiple dwellings consisting of a series of attached dwelling units each having a direct access from the outside, and shall include group dwellings and row dwellings, as well as including a live/work component”.
5. For the purposes of this By-law, the live/work component shall be defined as “a unit that contains a subsidiary business, which business is conducted only by an individual that lives/resides in the dwelling and which does not occupy any more than 35% of the entire dwelling unit. The uses allowed as a subsidiary business include restricted business offices (not including any medical, dental, medical laboratories, massage therapy, holistic office, restaurant, food preparation, food retail, video sales/rentals, automotive repair, rental or parts, printing or photo finishing, dry cleaning establishments) and retail shops (such as, but not limited to, tax preparation, accounting service, tailor, art studio and retail service shops).
6. For the purposes of this By-law, gross floor area, coverage and height are to be defined as per Section 304-3 of the Etobicoke Zoning Code.
7. The lands dedicated to the City for roadway purposes may be used in the calculation of the requirements of this By-law.
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:

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
698-2001 July 26, 2001	Lands located in the southeast and southwest corner of The Queensway and Rothsay and Parker Avenues respectively.	To rezone the Limited Commercial (CL) lands to permit 14 townhouse dwelling units, containing a live/work component, subject to site specific development standards.

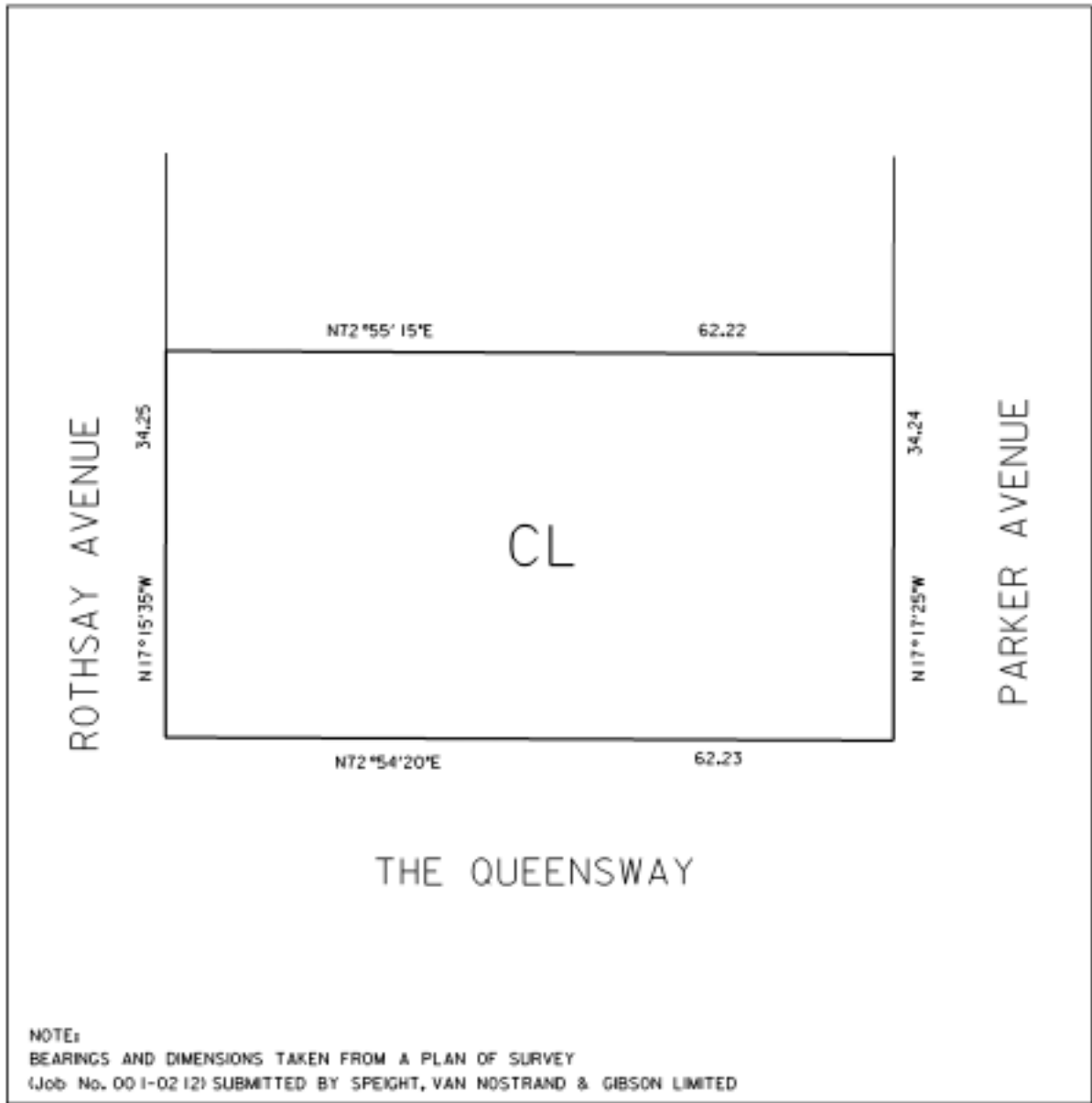
ENACTED AND PASSED this 26th day of July, A.D. 2001.

CASE OOTES,
Deputy Mayor

JEFFREY A. ABRAMS,
Acting City Clerk



(Corporate Seal)

 **TORONTO** Schedule 'A' BY-LAW



NOTE:
BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY
(Job No. 001-0212) SUBMITTED BY SPEIGHT, VAN NOSTRAND & GIBSON LIMITED

**PART OF LOTS 94,95,96 AND 97
AND PART OF LANE**

Applicant's Name:		ARCADIA QUEENSWAY DEVELOPMENT INC.	
Assessment Map: C12	Zoning Code Map/s: O25	scale: 	
File No. CMB 2000 000	Drawing No. CMB 2000 000A		

Toronto Schedule 'B' BY-LAW

