

Authority: Etobicoke Community Council Report No. 3, Clause No. 3, as adopted by City of Toronto Council on March 4, 5, 6, 7 and 8, 2002, and Notice of Motion J(21), moved by Councillor Jones, seconded by Councillor Flint, as adopted by City of Toronto Council on April 16, 17 and 18, 2002

Enacted by Council: April 18, 2002

**CITY OF TORONTO**

**BY-LAW No. 329-2002**

**To amend Site Specific By-law Nos. 1991-27 and 1997-173, with respect to certain lands located on north side of Lake Shore Boulevard West, between Ninth and Thirteenth Streets.**

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 the matters herein set out are in conformity with Official Plan Amendment No. 99-2002 as adopted by the Council of the City of Toronto; 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 By-law No. 1991-27, as amended by the Ontario Municipal Board, be further amended by deleting the Holding (H) designation from the lands known as Parcels C and D, as described in Schedule 'A' attached hereto, so that the lands may be developed in accordance with the underlying Mixed Use (MU) zoning in accordance with the aforementioned By-law, as amended.
2. That By-law No. 1991-27, as amended by the Ontario Municipal Board, be further amended by changing the classification of a portion of the lands known as Parcels C and D, from Mixed Use (MU) to Park (G), and by reaffirming the Mixed Use (MU) zone on Parcels B, E and N, as described in Schedule 'A'.
3. Notwithstanding the provisions of site-specific By-law No. 1991-27, Schedule 'B' of site-specific By-law No. 1991-27 shall be amended for the purpose of this site specific By-law by deleting the development standards for Parcels H and I, excluding the building height, and substituting the following:

| <u>Parcels</u> | Non-Senior<br>and/or<br><u>Seniors Units</u> | Total<br><u>Units</u> | Residential<br><u>GFAM2</u> | Total<br><u>GFAM2</u> |
|----------------|--|-----------------------|-----------------------------|-----------------------|
| H and I        | 200  | 200                   | 18 580                      | 18 580                |

4. Withstanding the provisions of site-specific By-law No. 1991-27, Schedule 'B' of site-specific By-law No. 1991-27 shall be amended for the purpose of this site specific By-law to read as follows:

| <u>Maximum<br/>Non-Senior Units</u> | <u>Minimum\<br/>Seniors Units</u> | <u>Total<br/>Units</u> |
|-------------------------------------|-----------------------------------|------------------------|
| 840                                 | 390                               | 1,230                  |

5. Notwithstanding the provisions of By-law No. 1991-27 and By-law No. 1997-173, By-law No. 1991-27 and By-law No. 1997-173 are further amended by adding the following provisions for the lands described in Schedule 'A':

(i) only townhouse dwelling units and live/work units shall be permitted in the Mixed Use (MU) zone on Parcels B, C, D, E and N. The live/work component shall be restricted to the units fronting onto Lake Shore Boulevard West.

(ii) maximum number of townhouse dwelling units: 168

(iii) minimum building height for units fronting onto Lake Shore Boulevard West shall be 3 storeys. Maximum building height for all other units shall be 3 storeys.

(iv) the maximum floor space index for each Parcel of land, as referenced on Schedule 'A', shall be as follows:

|           |     |
|-----------|-----|
| Parcel B- | 1.2 |
| Parcel C- | 1.1 |
| Parcel D- | 1.1 |
| Parcel E- | 1.2 |

(v) the maximum building coverage for each Parcel of land, as referenced on Schedule 'A', shall be as follows:

|           |            |
|-----------|------------|
| Parcel B- | 58 percent |
| Parcel C- | 51 percent |
| Parcel D- | 51 percent |
| Parcel E- | 58 percent |

(vi) the building setbacks shall be as follows:

(a) for units fronting onto Lake Shore Boulevard West, a maximum building setback of 1.5 metres

(b) front yard for all other streets, a minimum of 1.5 metres.

(c) for units facing the public park, a minimum of 1.5 metres.

- (d) no building setbacks are required for the side yard except that the provisions contained in article (xii) below will not apply, and this shall include street flankage properties.
- (e) for the purposes of this by-law, internal private roads shall be used for determining the rear yard or side yard.
- (f) between individual townhouse blocks, a minimum distance separation of 10.5 metres is required for units sited back to back.
- (g) between individual townhouse blocks, a minimum distance separation of 12 metres is required for units sited front to front.
- (vii) the minimum building setbacks shall not be less than the measurements referred to in (vi) (a), (b), (c), (d), (e), (f) and (g) above, and shall be measured from the main walls of each townhouse dwelling, row dwelling or group dwelling.
- (viii) vehicular parking for the entire development will be provided at a rate of 1.9 parking spaces per dwelling unit, including the live/work component, within an enclosed and attached garage.
- (ix) for the purposes of this By-law, the minimum parking space dimension shall be 2.6 metres in width by 6 metres in depth for each parking space. Stair encroachments shall be permitted within the 6 metre depth of the parking space provided that a vehicle can be accommodated in that space.
- (x) visitor parking shall be provided at a rate of 0.2 parking spaces per unit for the entire development.
- (xi) a 22.7 metre walkway/open space connection shall be provided on Parcel N connecting Lake Shore Boulevard West with the park.
- (xii) 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 may project into the required building setback from the exterior front wall, or side wall provided that it does not encroach onto the public boulevard.

6. 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 (MU) lands identified in Schedule ‘A’ of By-law No. 1991-27 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*.
7. 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, and may include a live/work component”.
8. For the purposes of this By-law, the live/work unit 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 30 percent of the entire dwelling unit. The subsidiary business use shall be restricted to the ground/ main floor only. 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), but shall exclude retail stores.
9. 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.
10. For Parcels H and/or I, as contained on Schedule ‘A’ of site-specific By-law No. 1991-27, balconies shall be prohibited along the westerly property line where buildings face onto lands zoned for industrial uses.
11. Section 4 (c) of site-specific By-law No. 1991-27 is to be amended by deleting the reference to Parcel N.
12. Where the provisions of this by-law conflict with the provisions of the Etobicoke Zoning Code, or By-law No. 1991-27, or By-law No. 1997-173, the provisions of this by-law shall apply.

- 13.** Chapter 352, Site Specifics, of the Etobicoke 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:

| <b>BY-LAW NUMBER AND ADOPTION DATE</b> | <b>DESCRIPTION OF PROPERTY</b>  | <b>PURPOSE OF BY-LAW</b>  |
|--|---|---|
| 329-2002<br>April 18, 2002             | Lands located on the north side of Lake Shore Boulevard West, between Ninth and Thirteenth Streets. | To modify the requirements of By-law No. 1991-27 and By-law No. 1997-173, to permit the construction of 168 townhouse dwelling units which may include a live/work space, subject to certain site specific development standards. |

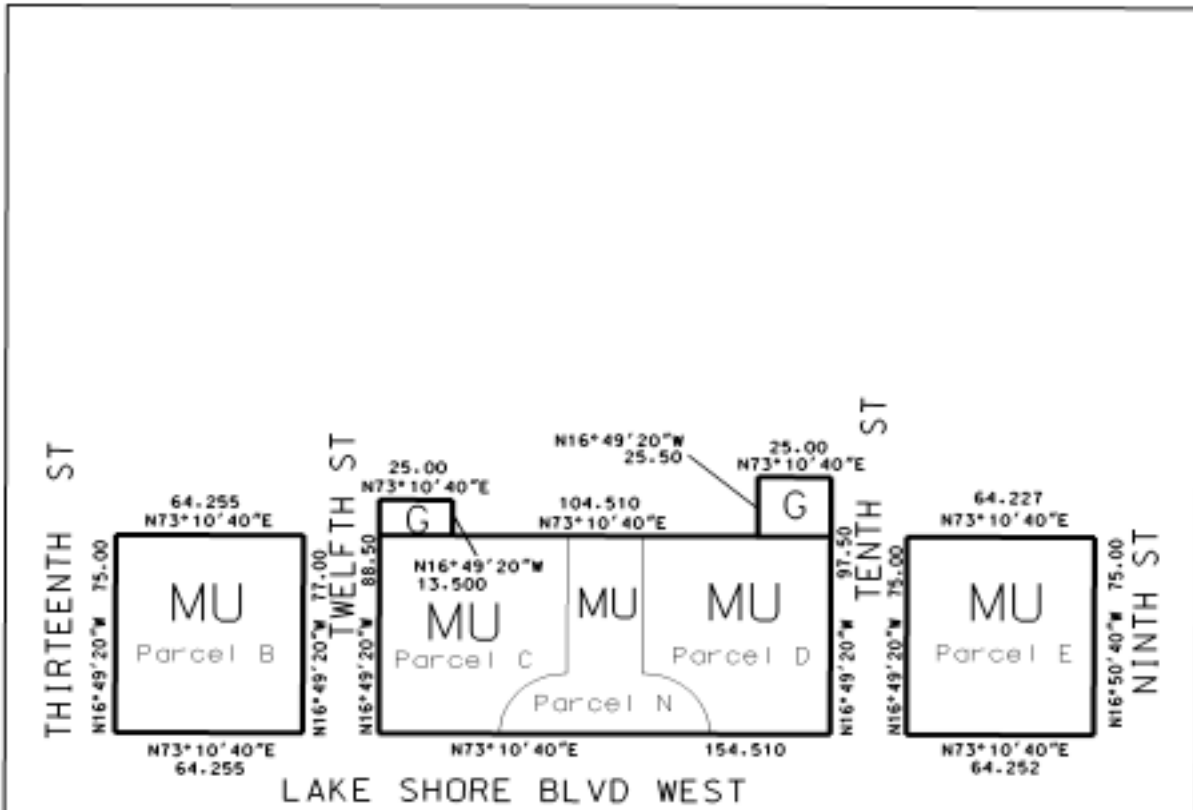
ENACTED AND PASSED this 18th day of April, A.D. 2002.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

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



NOTE:  
 BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY  
 (JOB No: 8966TOP) SUBMITTED BY VLADIMIR KRCMAR LTD. OLS

PART OF LOTS 4,5 AND 27, LOTS 28 TO 33 INCLUSIVE and PART OF THE RESERVE ADJOINING LOTS 4,5,30,31,32 AND 33 ALL IN BLOCK 18, PART OF LOTS 1 TO 5 INCLUSIVE, PART OF LOTS 12,24,25,26 AND 27, LOTS 6 TO 11 INCLUSIVE, LOTS 28 TO 33 INCLUSIVE AND THE LANES (CLOSED BY BY LAW No. 128A, ALL IN BLOCK 19) PART OF LOTS 1 TO 5 INCLUSIVE, PART OF LOTS 15 TO 19 INCLUSIVE, LOTS 6 TO 14 INCLUSIVE, LOTS 20 TO 33 INCLUSIVE AND THE LANES (CLOSED BY BY LAW 128A, ALL IN BLOCK 20) PART OF LOTS 1 TO 5 INCLUSIVE, LOTS 6 TO 33 INCLUSIVE AND THE LANES (CLOSED BY BY LAW 128A, ALL IN BLOCK 21) PART OF LOTS 1 TO 5 INCLUSIVE, LOTS 6 TO 33 INCLUSIVE AND THE LANES (CLOSED BY BY LAW 128A, ALL IN BLOCK 22) PART OF TENTH STREET, ELEVENTH STREET, TWELFTH STREET AND THIRTEENTH STREET (CLOSED BY BY LAW 128A, REGISTERED PLAN NO. 1101, CITY OF TORONTO

|                          |                                    |                      |        |
|--------------------------|------------------------------------|----------------------|--------|
| Applicant's Name:        |                                    | DAVIES HOWE PARTNERS |        |
| Assessment Map A12       | Zoning Code Map/s New Toronto West |                      | scale: |
| File No. TA CMB2001 0019 | Drawing No. CMB2001 0019A          | Drawn By: K.P.       |        |

