

CITY OF TORONTO

BY-LAW No. 467-2002(OMB)

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the south and east side of North Queen Street, west of Highway No. 427, municipally known as 165 North Queen Street.

WHEREAS the matters herein set out are in conformity with Official Plan Amendment No. 87-2001 as adopted by the Ontario Municipal Board;

THEREFORE the Ontario Municipal Board 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, be and the same is hereby amended by changing the classification of the lands located in the former Township of Etobicoke as described in Schedule 'A' annexed hereto from Class Industrial 2 (IC.2) to 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 the provisions of Sections 320-6B(2), 320-18B,C,D,E and F, 320-23 (A,B,C,D,E,G,H,I,L,M,N), 320-78, 320-79, 320-82, 320-83, 320-91, 320-92 and 320-93 of the Zoning Code, the use of the lands on Schedule 'A' shall be restricted to the following uses: Large Scale Retail Establishments as defined in this By-law; other types of retail uses; shoe stores; home decorating stores; home furnishings; electronics stores; office equipment and supplies stores; home appliances stores; computers and computer equipment and accessories stores; home entertainment and/or video stores; clothing and wearing apparel stores; arts and crafts stores; fabric yarn and textiles and accessories stores; toys and accessories stores; baby goods and accessories stores; fine art and graphic supplies stores; antique stores; bookstores; camera and accessories stores; sporting goods stores; lawn and garden supplies and furniture stores; card stationary and accessories stores; commercial/recreational uses and ancillary retail uses; health and fitness centres; beer and liquor stores; pet, grooming and related products stores; convenience restaurants; take-out restaurants and standard restaurants; personal service shops, banks and financial institutions; dry cleaning establishments; offices, service shops, medical and dental offices, day nurseries, commercial schools, and ancillary uses, with associated parking, provided that:
 - (i) the maximum gross floor area for all uses shall not exceed 24 500 square metres;
 - (ii) notwithstanding Subsection (i), a minimum of 1 000 square metres shall be reserved for restaurants, excluding those ancillary to and located in a large scale retail establishment, financial institutions, offices, health centres/fitness clubs, medical and dental offices, day nurseries and commercial schools;
 - (iii) notwithstanding Subsection (i), a minimum of 3 250 square metres shall be located in one or more buildings along the westerly property line, abutting North Queen Street, shown hatched on Schedule 'A';
 - (iv) the minimum gross floor area of any building shall be 232 square metres;

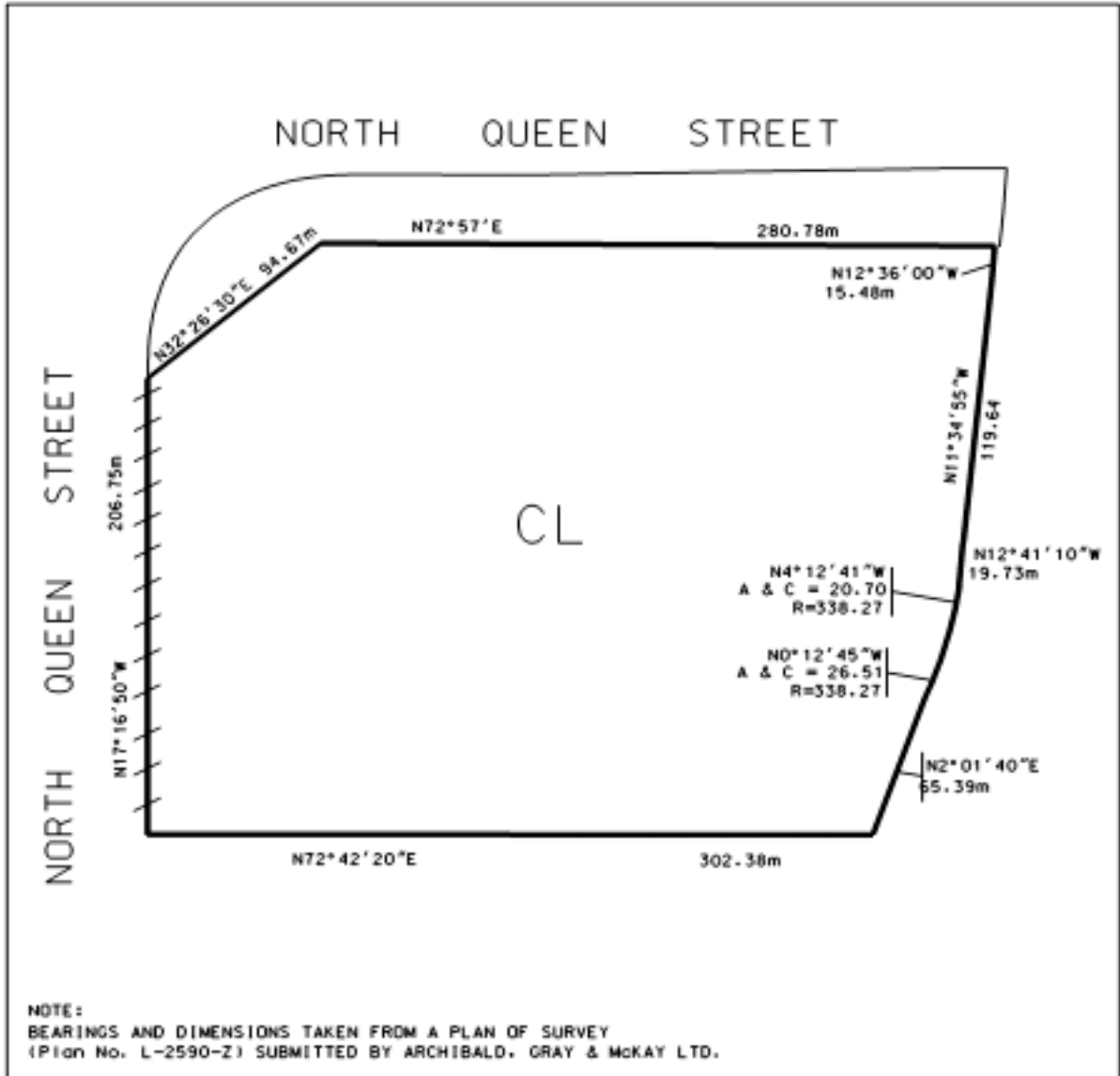
- (v) for buildings abutting North Queen Street along the westerly property line, shown hatched on Schedule 'A', the minimum building setback shall be 2 metres, and the maximum building setback shall be 5 metres, measured from the main walls of each building. A minimum street wall of 60% of the street frontage shall be achieved at full development of the site;
- (vi) within the building setback described in Section 2(v), uses shall be restricted to landscaped strips; sidewalks; canopies; private amenity areas such as patios; areas for pedestrian circulation and east-west access driveways connecting to North Queen Street;
- (vii) for buildings abutting Highway No. 427 along the easterly property line, the minimum building setback shall be 14 metres;
- (viii) no outside product storage shall be permitted, except as part of a detached outdoor accessory retail garden centre, subject to Section 320-78 (A) 1, 2 and 5, which is ancillary to a principal use subject to Section 2(v) and located in an area that does not interfere with driveway access or fire routes;
- (ix) minimum landscape strips of 2 metres shall be required adjacent to public streets, save and except for the areas required for ingress and egress driveways, sidewalks, canopies and private amenity areas such as patios;
- (x) all buildings and structures shall be a maximum building height of 14.5 metres exclusive of roof top mounted structures and mechanical equipment;
- (xi) canopies may project into the required building setback to a maximum of 1.5 metres;
- (xii) maximum permitted floor space index: 0.30;
- (xiii) maximum permitted building coverage: 30 %;
- (xiv) minimum required landscape space: 5 %;
- (xv) parking shall be provided at a minimum rate of 4.5 parking spaces per 100 square metres of gross floor area for all uses; and
- (xvi) shared parking and access arrangements shall be permitted between adjoining sites/properties and the parking spaces are to be considered as required parking for the site/property they are located on.

3. For the purposes of this By-law, “Gross Floor Area” is defined as the total floor area of a building measured from and including the outside wall to outside wall or where multiple units exist the centre line of common walls between them but excluding the following:
- (a) any area used as follows:
 - (i) staff facilities (above or below grade), public washrooms, common areas of pedestrian circulation in an enclosed mall for access to and from establishments permitted in Section 2 above, or storage areas for maintenance purposes;
 - (ii) the area used for mechanical rooms, including but not limited to electrical rooms, garbage rooms, telephone switching rooms, janitorial rooms and conveyors whether below, at or above grade level;
 - (b) any parking area used for inside motor vehicle storage whether below, at or above grade level; and
 - (c) the area used for mechanical purposes and access thereto located on the roof of the building.
4. For the purposes of this By-law, “Large Scale Retail Establishment” is defined as a retail store having a minimum gross floor area of 11 000 square metres which includes a discount department store which may have ancillary uses such as, but not limited to, a restaurant, food supermarket, grocery store, financial institution and drug store.
5. For the purposes of this By-law, an automotive service use, in conjunction with a Large Scale Retail Establishment is deemed to be an ancillary use and shall have a maximum gross floor area of 470 square metres.
6. Where the provisions of the by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.
7. 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 ENACTMENT DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
467-2002(OMB) May 17, 2002	Lands located on the south and east side of North Queen Street, west of Highway No. 27.	To rezone the lands from to Limited Commercial (CL) subject to site-specific development standards.

PURSUANT TO ORDER NO. 0618 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON MAY 17, 2002 IN BOARD FILE NO. PL001074.

Toronto Schedule 'A' BY-LAW



**PART OF LOT 11, CONCESSION 3 COLONEL SMITH'S TRACT
 CITY OF TORONTO**

Applicant's Name:	FIRST PROFESSIONAL MANAGEMENT INC.		
Assessment Map C15	Zoning Code Map/s C16s	scale:	
File No. CMB2000 0007	Drawing No. CMB2000 0007A	Drawn By: K.P.	