

CITY OF TORONTO

BY-LAW No. 468-2002(OMB)

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the north side of The Queensway, east of The East Mall, municipally known as 1608 The Queensway.

WHEREAS the matters herein set out are in conformity with Official Plan Amendment No. 86-2001 as adopted by the Council of the City of Toronto;

THEREFORE the Ontario Municipal Board hereby amends the Etobicoke Zoning Code 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 Schedules 'A' and 'B' annexed hereto from Class 1 Industrial (IC.1) to Limited Commercial (CL), provided the following provisions shall apply to these lands.
2. Notwithstanding the provisions of Sections 320-6B(2), 320-18(A,C) 320-21, 320-22, 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 Large Scale Retail Establishments, car washes, gas bars, windshield repair, propane dispensing in conjunction with a gas bar and/or large scale retail establishment, uses permitted under the CL zoning category, retail stores, restaurants, cinemas, beer and liquor stores, bingo halls, fitness clubs, outdoor garbage enclosures and outdoor retail and storage uses including: garden centres, sales areas, propane enclosures, battery enclosures, lumber enclosures, receiving/staging area and tool rental area provided that the following provisions shall apply to the development of the (CL) lands identified in Schedules 'A' and 'B' attached hereto:
 - (i) the maximum gross floor area for all uses shall not exceed 32,000 square metres;
 - (ii) at full site development a street wall comprising a minimum length equal to 55% of The Queensway frontage shall be located within 6 metres of the front property line (The Queensway). For the purposes of this By-law, street wall is defined as a building or arcade feature, or combination thereof with a minimum height of 3.5 metres. Nothing in this By-law shall require the street wall to be a solid structure without any openings;
 - (iii) within 15 metres of The Queensway no parking shall be permitted between any building and the front property line (The Queensway). In no event shall parking be permitted within 6 metres of the front property line.
 - (iv) outdoor uses as described above shall be permitted to operate 12 months a year, in conjunction with large scale retail establishments;

- (v) the maximum area for outside storage shall be 5,250 square metres, provided that the outside storage use is an accessory use;
 - (vi) minimum landscape strips of 3 metres shall be required adjacent to public streets, save and except for the areas required for driveways, parking ramps, sidewalks, canopies, building walls, arcade feature and private amenity areas such as patios;
 - (vii) all buildings and structures shall be a maximum building height of 17 metres exclusive of roof top mounted structures, such as air conditioning units and mechanical equipment;
 - (viii) canopies, stairs and stair platforms may project into the required building setback to a maximum of 1.5 metres, except along The Queensway street line;
 - (ix) maximum permitted floor space index: 0.40;
 - (x) maximum permitted building coverage: 35%;
 - (xi) minimum required landscape open space: 5%;
 - (xii) parking shall be provided at a minimum rate of 4.5 parking spaces per 100 square metres of gross floor area for all uses;
 - (xiii) the minimum dimensions for a parking stall shall be 5.5 metres by 2.7 metres;
 - (xiv) for the purposes of this By-law, vehicle stacking for a car wash shall provide a minimum of 12 vehicle spaces and the inside radius for the stacking lane shall be a minimum of 4.5 metres; and,
 - (xv) the maximum display/retail area associated with a gas bar and/or car wash shall be 100 square metres.
- 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 walls but excluding any areas used as follows:
- (a) staff facilities, public washrooms, public areas in multiple occupancy buildings, or storage areas for maintenance purposes, stairs and stairwells;
 - (b) the area used for mechanical rooms, including but not limited to electrical rooms, garbage rooms, telephone switching rooms, janitorial rooms and conveyors;
 - (c) outdoor garden centres, outdoor sales areas and accessory structures within these areas;
 - (d) warehouse platform racking areas above finished floor, including racking areas connected by catwalks;

- (e) any parking area used for inside motor vehicle storage whether below, at or above grade level; and
 - (f) the area used for mechanical purposes and access hereto 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, including but not limited to home improvement, building supply, automotive products, tool rental, having a minimum floor area of 6,500 square metres.
 5. The minimum building setbacks shall not be less than the measurements shown on Schedule ‘B’ attached hereto and shall be measured from the main wall. Building envelopes shown on Schedule ‘B’ may contain one or more buildings per cross-hatched area.
 6. A land use buffer shall be provided along the northern portion of the eastern property boundary as follows:
 - a minimum width of 2.5 metres from the northern limit of the property, southward for 120 metres; and
 - a minimum width of 5.0 metres from a point 120 metres south of the northern property limit, southward for 85 metres. Notwithstanding the preceding, the southerly limit of the 5.0 metre wide land use buffer shall terminate 10.0 metres north of any building constructed adjacent to the eastern property line.
 7. Within the building setbacks described in Section 5, uses shall be restricted to landscaped strips; sidewalks; canopies; stairs and stairwells; arcade feature; private amenity areas such as patios; areas for pedestrian circulation; access driveways; and parking areas provided such parking areas are adjacent to the east property boundary where landscaped buffers exceed 1.0 metre in width.
 8. 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 1070 square metres, and may include a body shop, vehicle repair and windshield repair.
 9. Signs and signage shall be permitted as follows:
 - ground signs and signage on a street wall as defined by this By-law shall be permitted in the Limited Commercial (CL) zone.
 - fascia signs are permitted on each wall as per the definition of the front, rear and side yards.
 10. For the purpose of this by-law the subject lands as shown on Schedule ‘A’ and ‘B’ will be considered as one property. In the event that these lands are severed, all lots shall be

deemed to be one lot for purposes of applying zoning regulations. Lots severed from the subject lands shall not be required to have frontage on a public street provided an access agreement or right-of-way is registered on title.

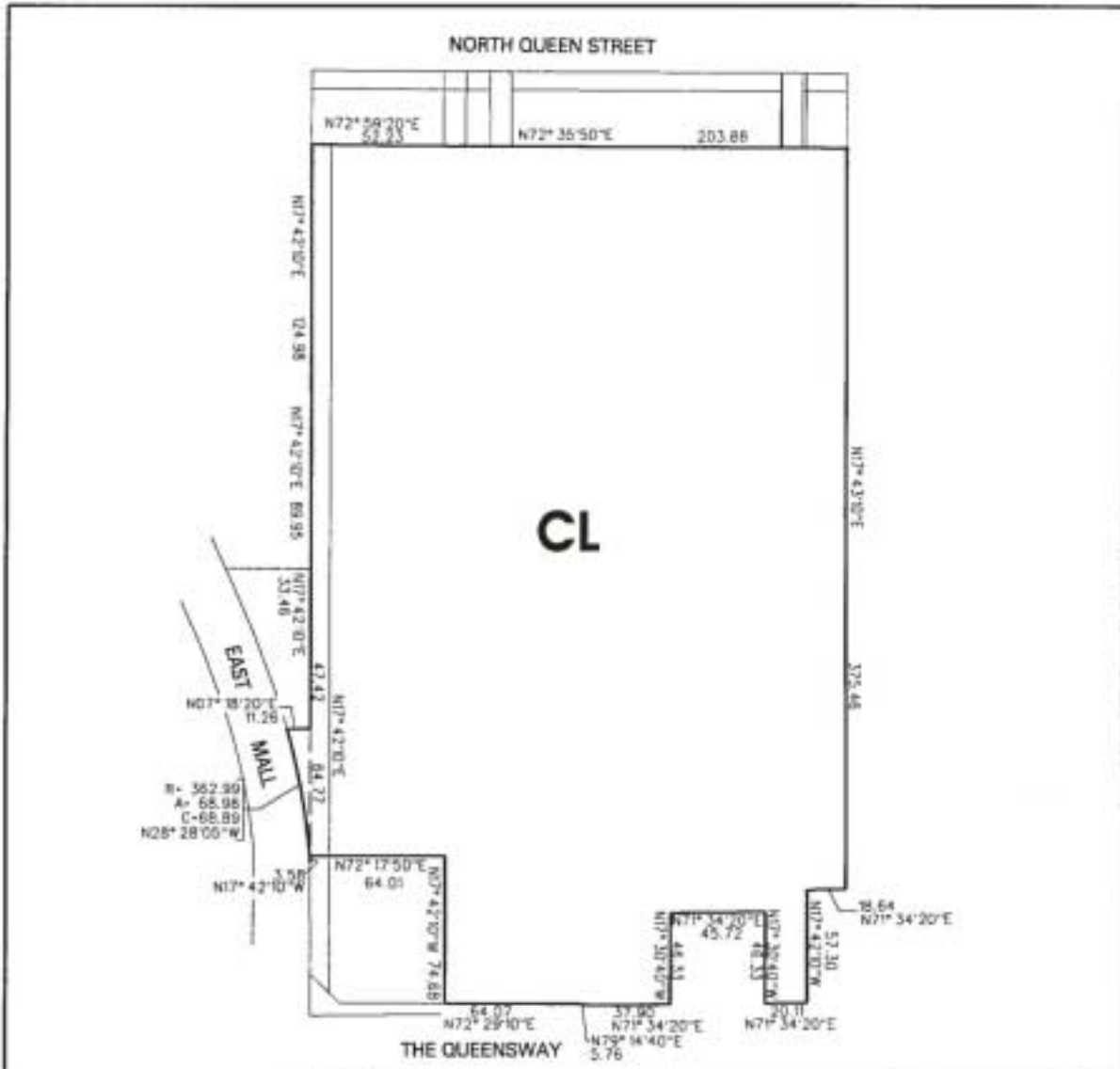
11. For the purposes of this By-law, an “arcade feature” is defined as a building wall having openings, situated adjacent to The Queensway street line.
12. Where provisions of this by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.
13. Chapter 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
468-2002(OMB) April 10, 2002	Lands located on the north side of The Queensway, east of The East Mall.	To rezone the lands from Class Industrial (IC.1) to Limited Commercial (CL) subject to area site-specific development standards.

PURSUANT TO ONTARIO MUNICIPAL BOARD ORDERS NO. 1749, ISSUED OCTOBER 26, 2001 AND NO. 0458 ISSUED APRIL 10, 2002 IN BOARD FILE NO. PL010489.



Schedule 'A' BY-LAW



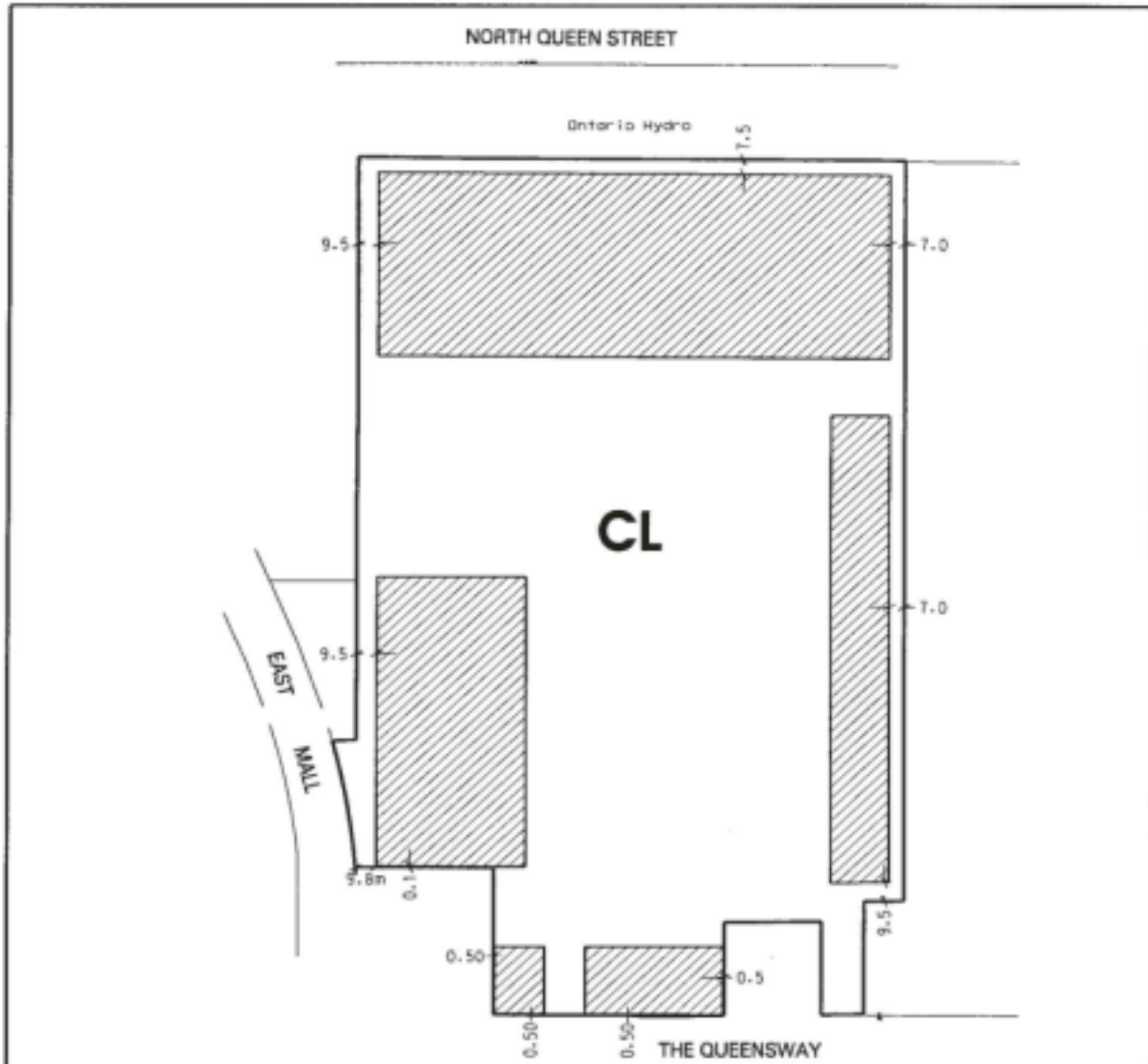
**PART OF BLOCK A, REGISTERED PLAN 2531 AND
PART OF LOT 10 CONCESSION 3, COLONEL SMITH'S TRACK
CITY OF TORONTO**

Applicant's Name:	Réno - Dépôt Inc.		
Assessment Map:	Zoning Code Map/s	Scale:	
File no.	Drawing No.	Drawn By:	





Schedule 'B' BY-LAW



PART OF BLOCK A, REGISTERED PLAN 2531 AND
PART OF LOT 10 CONCESSION 3, COLONEL SMITH'S TRACK
CITY OF TORONTO

Applicant's Name:	Rénó - Dépôt Inc.		
Assessment Map:	Zoning Code Map/s	Not to Scale	
File no.	Drawing No.	Drawn By:	