

Authority: Etobicoke York Community Council Report No. 8, Clause No. 19,
adopted as amended, by City of Toronto Council on October 26, 27 and 28, 2004
Enacted by Council: October 28, 2004

CITY OF TORONTO

BY-LAW No. 1001-2004

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to lands municipally known as 1100 Islington Avenue and 1 and 3 Chauncey Avenue in the former City of Etobicoke.

WHEREAS authority is given to Council by Sections 34 and 37 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. 119-2004 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 the Zoning Map referred to in Section 320-5, Article II of the Zoning Code, 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 Planned Commercial Local (CPL), Residential Second Density (R2) and Class I Industrial (I.C1) to Group Area Fourth Density Residential (R4G), and Public Open Space (OS) provided that the following provisions shall apply to the development of the Group Area Fourth Density Residential (R4G) lands identified in Schedules 'A' and 'B' attached hereto.
2. 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 Group Area Fourth Density Residential (R4G) lands identified in Schedules 'A' and 'B' attached hereto in their entirety and nothing in this By-law shall preclude the single detached dwelling units and townhouse dwelling units from being divided into individual lots within the meaning of the *Planning Act*.
3. Notwithstanding Sections 320-18, 320-69, 320-70 and 320-71 of the Etobicoke Zoning Code, the following development standards shall be applicable to the R4G lands described in Schedule 'A' attached hereto:
 - (a) Permitted Uses

A maximum of 97 townhouse dwelling units, 4 single detached dwelling units and a minimum 974 square metre public park shall be permitted on the lands as shown on Schedule 'A' and 'B' attached hereto.

(b) Schedule 'B'

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 single detached dwelling and/or block of townhouse dwelling units.

(c) Permitted Encroachments

Required building setbacks and separations shall not be obstructed by any construction other than the following:

- (i) uncovered steps to grade and planter boxes;
- (ii) chimney breasts, eaves, bay windows, or other projections extending a maximum of 0.8 metres from any exterior wall of a building provided they are located a minimum of 1.0 metre from the street line or public right-of-way or internal driveway;
- (iii) within the rear yards of Blocks A, B and G, at-grade patios, french balconies projecting not more than 0.15 metres, and/or top floor balconies projecting not more than 1.85 metres. Open uncovered (or roofed) porches, verandas, decks, and balconies projecting in excess of the above figures are not permitted within rear yards of Blocks A, B and G; and
- (iv) within Blocks C, D, E, F, H, I, J and K, attached one-storey garages with decks above and no more than 4 metres in depth, provided they are located at the rear of dwellings and abut private lanes.

(d) Total Gross Floor Area

A total gross floor area of 15,256.83 square metres is permitted for residential dwellings within this exception.

(e) Building Coverage

For the purposes of this By-law, the maximum combined building coverage shall not exceed 41% of the total area of the R4G lands shown on Schedule 'A', exclusive of those provisions included within Section 3(c) of this By-law.

(f) Landscaped Open Space

For the purposes of this By-law, the minimum combined landscaped open space shall not be less than 27% of the total area of the R4G lands shown on Schedule "A", and landscaped open space shall include walkways, at-grade planter boxes and those provisions included within Section 3(c)(iii) of this By-law.

(g) Building Heights

Notwithstanding the definitions of “grade” and “height” within Section 304-3 of the Etobicoke Zoning Code, in the case of Blocks A and B, the maximum height shall be as shown below, measured at the front elevation of the blocks, from the geodetic elevations below, to the highest point of the roof, regardless of pitch of the roof:

	Height (metres)	Geodetic Elevation
Block A	12.2	116.10
Block B	12.2	116.10
Block G	11.0	116.80

Notwithstanding the definitions of grade and height within Section 304-3 of the Etobicoke Zoning Code, in the case of Blocks C, D, E, F, H, I, J and K, the maximum height shall be as shown below, measured at the front elevation of the blocks, from the geodetic elevations below, to the point midway up the surface of the pitched roof:

	Height (metres)	Geodetic Elevation
Block C	11.1	116.07
Block D	11.0	116.12
Block E	11.5	116.70
Block F	10.8	116.55
Block H	10.9	116.38
Block I	11.0	116.5
Block J	10.6	116.40
Block K	10.7	116.29

(h) Landscaped Strip

- (i) A minimum 2.0 metre landscaped strip is required where the property abuts the adjacent Industrial zone.
- (ii) A minimum 2.7 metre landscaped strip is required along the westerly side of the site running southerly from the southern boundary of the park shown on Schedule “B” to the easterly projection of the northern wall of Block B.

(i) Principal Entrances

Principal entrances to all end units flanking public streets shall be oriented to face public streets and to have direct and unobstructed access to municipal sidewalks by hard-surfaced private walkways.

(j) Retaining Walls

No retaining walls are permitted within the setbacks shown on Schedule “B”.

(k) Parking Spaces

- (i) For each dwelling unit within Blocks C, D, E, F, H, I, J and K, two stacked parking spaces shall be provided within an enclosed and attached garage at grade, each with a minimum dimension of 3.0 metres by 6.0 metres.
- (ii) For each dwelling unit within Blocks A and B, one parking space shall be provided within an enclosed and attached garage at grade with a minimum dimension of 3.0 metres by 6.0 metres and one additional parking space shall be provided on the driveway at grade immediately in front of the garage of each dwelling unit with a minimum dimension of 2.7 metres by 6.0 metres to be measured from the exterior main wall of the garage to the inside edge of the sidewalk or inside edge of the traveled portion of the road where no sidewalk exists.
- (iii) For each single detached dwelling unit, one parking space shall be provided within an enclosed and attached garage at grade with a minimum dimension of 3.0 metres by 6.0 metres and one additional parking space shall be provided on the driveway at grade immediately in front of the garage of each dwelling unit with a minimum dimension of 2.7 metres by 6.0 metres to be measured from the exterior main wall of the garage to the street line.
- (iv) For each single detached dwelling unit, driveway width shall be no more than 4.5 metres.

(l) Visitor Parking Spaces

- (i) An additional minimum 0.19 parking spaces shall be provided per dwelling unit for visitors. Perpendicular parking spaces shall each have a minimum dimension of 2.7 metres by 6.0. Parallel parking spaces shall each have a minimum dimension of 2.7 metres by 6.7 metres.

(m) Accessory Uses

Permitted accessory uses shall include private home occupations and central air conditioning units within the required building setback, and satellite dishes not exceeding 1.2 square metres in area. Carports, detached garages, tool sheds, television antennae, playhouses, swimming pools and filters, cabanas, and other accessory structures shall be prohibited.

(n) Refuse Storage

Notwithstanding Section 3(m) of this By-law and Section 320-43 N. of the Etobicoke Zoning Code, a detached building for the storage of refuse is permitted. The maximum size of this structure is 40 square metres. A minimum 20 square

metre staging area shall be provided directly in front of the garbage building. A 6 by 13 metre loading space shall be provided directly in front of the staging area. This building, its staging area and loading area shall maintain a minimum 4 metre separation distance from adjacent residential properties and a minimum separation distance of 1.0 metres from abutting residential dwelling units.

(o) Central Air Conditioning Units

Notwithstanding Section 320-43 N. of the Etobicoke Zoning Code, central air conditioning units shall be permitted in the rear of each unit or on the rear decks of each unit where a double-car garage is provided, not less than 3.0 metres from the side lot lines and/or 3.0 metres from the street lines.

(p) Fences

Fences shall be subject to Municipal Code standards.

4. Notwithstanding the above By-law and Zoning Code standards, a sales trailer and/or construction trailer is permitted without restriction during the development of the lands.

5. Section 37 Agreement

The owner of the subject lands shall enter into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to secure the facilities, service and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to the agreement referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit a maximum gross floor area not exceeding 15,256.83 square metres as authorized in Section 3(d) of this By-law:

- (a) The owner will convey a minimum additional 207 square metres of parkland, above and beyond statutory requirements, recognizing that this development is located within a priority area for parkland acquisition by the City; and
- (b) Following full occupancy of this development, the developer's traffic engineering consultant, in consultation with the Director, Transportation Services Division, West District, will conduct a traffic control signal warrant analysis at the Islington Avenue/Six Points Road intersection. If the warrant analysis shows that traffic control signals are warranted at this intersection, then the applicant is financially responsible for all costs associated with signaling the intersection. In the event that traffic control signals are not warranted, then the applicant shall make a proportionate financial contribution to the potential future signalization of this intersection in an amount acceptable to the Director, Transportation Services Division, West District.

6. Where the provisions of this 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 ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
1001-2004 October 28, 2004	Lands located on the west side of Islington Avenue, south of Chauncey Avenue, north of Six Point Road, municipally known as 1100 Islington Avenue and 1 and 3 Chauncey Avenue.	To rezone the lands from Planned Commercial Local (CPL), Residential Second Density (R2) and Class I Industrial (I.C1) to Group Area Fourth Density Residential (R4G) and Open Space (OS) to permit 97 townhouse dwelling units, 4 single detached dwelling units and a minimum 974 square metre dedicated public park, subject to site specific development standards.

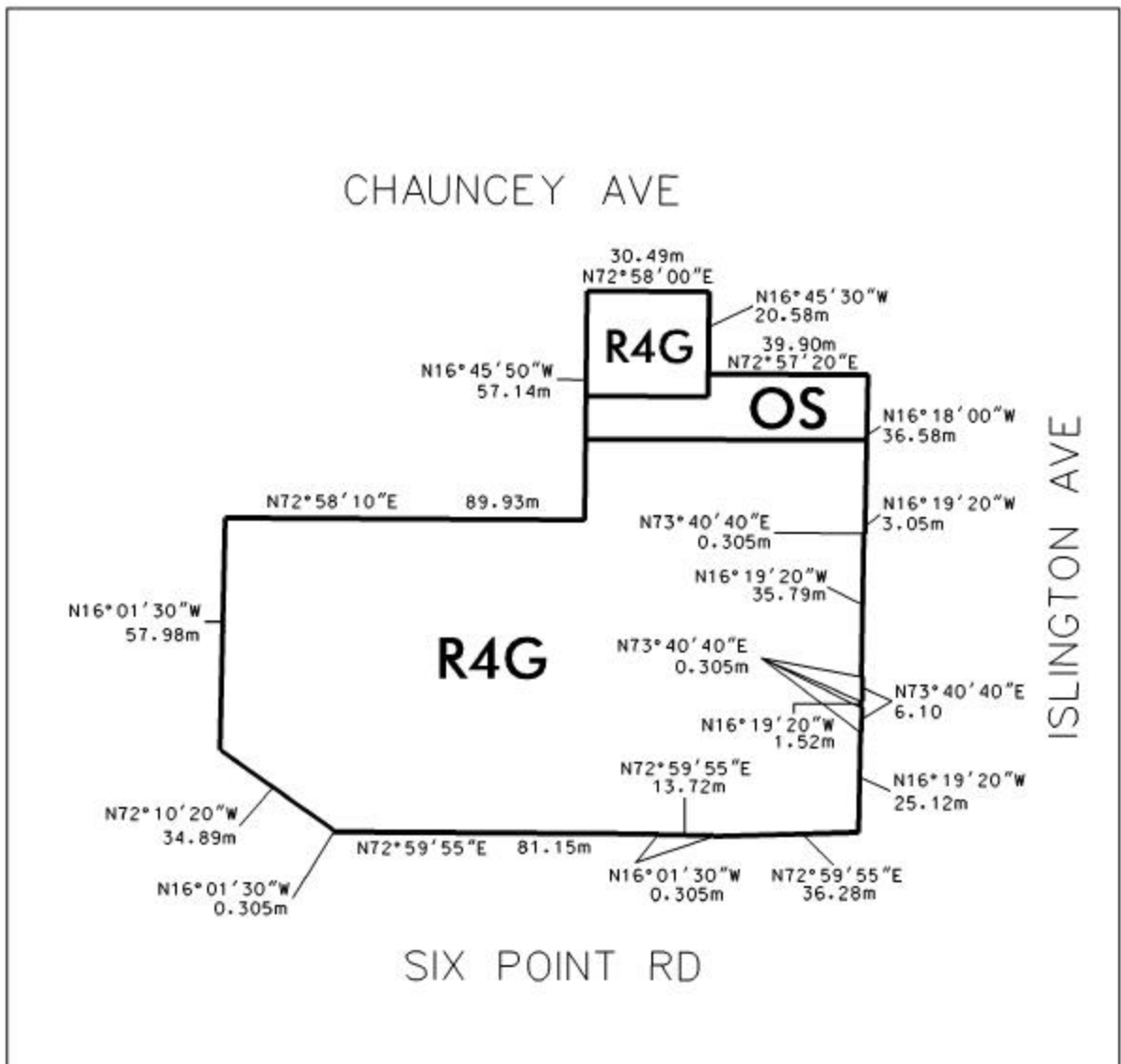
ENACTED AND PASSED this 28th day of October, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

TORONTO Schedule 'A' BY-LAW

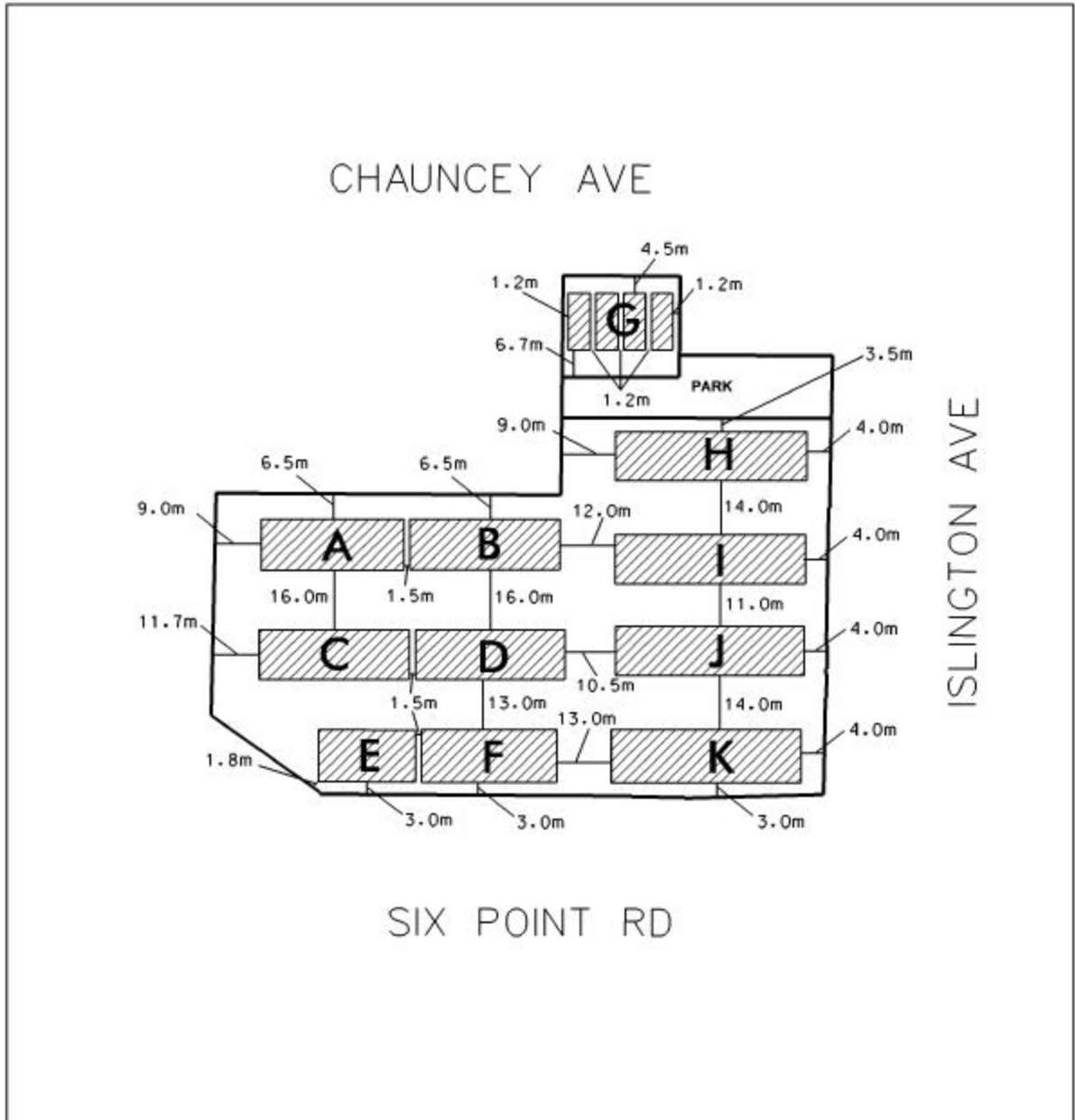


NOTE:
BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY
(PLAN No. RC5265A) SUBMITTED BY RABIDEAU & CZERWINSKI, D.L.S.

**PART OF BLOCK A REGISTERED PLAN 5274 and
LOTS 126, 127 and PART OF LOTS 129 & 130
REGISTERED PLAN 1553 and LOT 16, REGISTRAR'S COMPILED PLAN 9875
CITY OF TORONTO**

Applicant's Name:	1463290 ONTARIO INC. (TOM GIANCOS)		
Assessment Map C12	Zoning Code Map/s C12N	scale: 0 30 60 15 45 m	
File No. 03_190862	Drawing No. 03_190862A	Drawn By: K.P.	

Toronto Schedule 'B' BY-LAW



**PART OF BLOCK A REGISTERED PLAN 5274 and
 LOTS 126, 127 and PART OF LOTS 129 & 130
 REGISTERED PLAN 1553 and LOT 16, REGISTRAR'S COMPILED PLAN 9875
 CITY OF TORONTO**

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