

Authority: Etobicoke York Community Council Report No. 9, Clause No. 25,
as adopted by City of Toronto Council on November 30, December 1 and 2, 2004
Enacted by Council: December 2, 2004

CITY OF TORONTO

BY-LAW No. 1055-2004

To amend Chapter 330 of the Etobicoke Zoning Code with respect to certain lands fronting on the north and south side of Lake Shore Boulevard West, between Twenty Third Street and Etobicoke Creek (Long Branch) to introduce an Avenues zoning area and associated development standards.

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. 124 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*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. That the Zoning Map referred to in Section 330-2, Article II of the Zoning Code, originally attached to the Village of Long Branch By-law No. 23/64 as amended, be and the same is hereby amended by changing the classification of the lands located in the former Village of Long Branch as described in Schedules 'A1' and 'A2' annexed hereto from Commercial (C1), Residential Multiple Apartments (RMA), Residential Multiple (RM1) to Commercial-Avenues (C1-AV).
2. The following uses shall be permitted in the Commercial-Avenues (C1-AV) zone:
 - A. All uses permitted under the Commercial (C-1) zone and shall also include: live/work units; and mixed use buildings, which shall include apartment buildings with grade related commercial uses.
 - B. Notwithstanding A. above, the following uses shall be prohibited: all vehicle related uses, including public garages and rental agencies, but public parking lots will be permitted; service stations; drive through-facilities; monuments related to cemeteries; and adult video, massage parlours and adult entertainment facilities.
3. Notwithstanding Sections 330-23, 330-26, 330-32 and 330-40, 41 and 42, the following development standards shall be applicable to the (C1-AV) lands described on Schedules 'A1' and 'A2' - Zoning Map, attached hereto:
 - A. Building Setbacks
 - (1) Front Yard:
 - (i) The minimum front yard building setback shall be 0 metres.

(ii) The maximum front yard building setback shall be 1.5 metres.

(2) Rear Yard:

(i) The minimum rear yard building setback shall be 7.5 metres.

(ii) A minimum 2.0 metre landscape strip shall be provided along the rear lot lines abutting RS, RM1 and RMA zones.

(iii) Notwithstanding Section (2) (ii) above, where a laneway abuts a development site, the landscape strip shall not be required.

(3) Side Yard:

(i) No side yard setback is required for properties that front onto Lake Shore Boulevard West.

(ii) Notwithstanding (i) above, a flanking street side yard setback of 1.5 metres shall be required.

(4) Balconies and architectural elements are permitted provided they comply with (1), (2) and (3) above.

B. Density

(1) The maximum Gross Floor Area (GFA) shall be 3.0 times the lot area.

C. Build-to Line

(1) The Build-to Line, as defined, shall be a minimum of seventy (70) percent of the lot frontage abutting a public street.

D. Lot Frontage

(1) No minimum or maximum lot frontage is required.

E. Lot Coverage

(1) No minimum or maximum lot coverage is required.

F. Building Heights

(1) The maximum building height permitted on lands zoned Commercial-Avenues (C1-AV), as shown on Schedules 'A1' and 'A2', is six (6) storeys or 20 metres, excluding the mechanical penthouse.

- (2) All buildings and structures, excluding attendant booths and monuments, shall maintain a minimum building height of two (2) storeys or 7.5 metres, excluding the mechanical penthouse.

G. Angular Plane

- (1) All buildings and structures shall be within a 45 degree angular plane measured from any lot line of an adjacent low-scale residential property or public open space beyond which no building or structure shall be permitted. Where a public laneway abuts the development site, the laneway may be included for the purposes of establishing the 45 degree angular plane.
- (2) In cases where a development has been constructed and a laneway is deemed surplus and sold by the City, the development shall be deemed to comply with the 45 degree angular plane provision.

H. Miscellaneous

- (1) For the purposes of the Commercial-Avenues (C1-AV) zone, lawful non-conforming uses shall be subject to Section 330-6 of the Etobicoke Zoning Code.
- (2) Main building entrances shall abut and be directly accessible to the public street.
- (3) All vehicular access shall be restricted to the flanking street or laneway, unless the only available access is direct access to Lake Shore Boulevard West.
- (4) Buildings containing 20 or more dwelling units shall be required to provide two (2) square metres of indoor residential amenity space, as defined, for each dwelling unit.
- (5) Buildings containing 20 or more dwelling units shall be required to provide two (2) square metres of outdoor residential amenity space for each dwelling unit, of which at least 40 square metres is to be provided in a location adjoining or directly accessible from the indoor residential amenity space.

4. Notwithstanding Section 330-16, the following parking standards shall be applicable to the (C1-AV) lands described on Schedules 'A1' and 'A2' - Zoning Map, attached hereto:

A. Vehicular Parking

- (1) Where a development consists of a mix of residential and commercial uses, parking for residential uses shall be required on the basis of one (1) parking space per residential dwelling unit where there are two bedrooms or less, and 1.2 spaces per residential dwelling unit where there are three or more bedrooms.
- (2) A minimum of 0.2 visitor parking spaces shall be required per residential dwelling unit.
- (3) Where a development is residential only, parking shall be provided subject to sections 330-9 B.
- (4) Parking for commercial uses shall be required at 2.5 parking spaces per 93 square metres of gross floor area.
- (5) Parking for hotels, motels, theatres, undertaking establishments, bowling alleys/curling rinks, day nurseries and nursery schools, clubs, lodges, churches and similar places of public assembly, all public uses such as post offices and firehalls, billiard or pool rooms, lodging houses and other permitted uses not listed above, shall comply with the parking standards listed under section 330-16 of the Zoning Code.
- (6) Parking for medical centres or medical and dental offices shall be required on the basis of 4.0 parking spaces per 93 square metres of gross floor area.
- (7) For the purposes of this by-law, residential visitor and commercial parking may be shared. The total number of residential visitor and commercial parking spaces shall be the greater of either the residential visitor parking requirement or the commercial parking requirement on the same parcel of land and/or situated within the same building or structure.
- (8) Parking for all restaurants shall be required to comply with the parking standards listed under section 330-43 of the Zoning Code.
- (9) Parking stall sizes shall be required to comply with section 330-9A. of the Zoning Code.
- (10) Handicapped parking shall be required to comply with section 330-17 of the Zoning Code.

B. Bicycle Parking

- (1) Buildings containing 10 or more dwelling units, other than senior citizens' housing, shall be required to provide 0.75 bicycle parking spaces for each dwelling unit, or a fraction thereof equal to or greater than 0.5, to a maximum of 200 bicycle parking spaces.
- (2) The requirements of paragraph 5.B.(1) above shall not apply to any floor space used on or before October 12, 2004.
- (3) The bicycle parking spaces required by paragraph 5.B.(1) above shall be provided in the following proportion: 80 percent of bicycle parking spaces shall be for occupants and 20 percent for visitors.
- (4) Not more than 50 percent of bicycle parking spaces for occupants shall be provided in a manner that requires a person to park the bicycle in a vertical position.
- (5) Bicycle parking spaces required by paragraph 5.B.(1) above shall not be provided within a dwelling unit or a balcony nor within commercial suites.

5. For the purposes of the By-law, the following definitions shall apply:

- (1) "Minor projections" means minor building elements which may project from the main wall of the building into required yards, including but not limited to roof eaves, window sills, railings, cornices, guard rails, balustrades, porches, balconies and bay windows.
- (2) "Height" shall mean the vertical distance between grade and the highest point of the roof surface of the building, but shall exclude mechanical equipment, mechanical penthouses, parapets, stairs and stair enclosures located on the roof of the building.
- (3) "Grade" shall mean the average elevation of the natural, unaltered elevation of the ground level at the intersection of the side lot lines and the minimum front yard setback.
- (4) "Live/work" shall mean a unit that contains a subsidiary business, which business is conducted only by an individual that lives/resides in the dwelling. 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.
- (5) "Mixed Use Building" shall mean a building containing grade related commercial or retail uses, including live/work uses, with residential units above.

- (6) “Build-to Line” shall mean the area of the lands within which a streetwall of a building or structure shall be located.
- (7) “Streetwall” shall mean any exterior wall of a building abutting a public street.
- (8) “45 degree Angular Plane” shall mean a point originating at a lot line at-grade and projecting at a 45 degree angle toward the development.
- (9) “Indoor Residential Amenity Space” shall mean a multi-purpose room or contiguous multi-purpose rooms, at least one of which contains a kitchen and a washroom.
- 6.** All provisions regarding fencing shall be subject to the City of Toronto Municipal Code Chapter 447, Fences.
- 7.** The provisions of the Etobicoke Zoning Code shall continue to apply, except that where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall prevail.
- 8.** By-law No. 1988-27, as it applies to lands located on the north side of Lake Shore Boulevard West, between Thirtieth and Thirty Second Streets, shall continue to apply notwithstanding the provisions of this By-law.
- 9.** By-law No. 1984-199, as it applies to certain lands located on the south side of Lake Shore Boulevard West, west of the southerly terminus of Brown’s Line, shall continue to apply notwithstanding the provisions of this By-law.
- 10.** By-law No. 1997-77, as it applies to certain lands located north of Lake Shore Boulevard West and east of Thirtieth Street, shall continue to apply notwithstanding the provisions of this By-law.
- 11.** By-law No. 1981-218, as it applies to certain lands located on the north side of Lake Shore Boulevard West, east of Twenty Ninth Street, shall continue to apply notwithstanding the provisions of this By-law.
- 12.** By-law No. 2754, as it applies to certain lands situated on the south side of Lake Shore Boulevard West, west of Thirty Fifth Street, shall continue to apply notwithstanding the provisions of this By-law.
- 13.** By-law No. 2762, as it applies to certain lands situated on the south side of Lake Shore Boulevard West, west of Thirty Fifth Street, shall continue to apply notwithstanding the provisions of this By-law.
- 14.** By-law No. 366-1999, as it applies to certain lands located on the south side of Lake Shore Boulevard West, west of Thirty Third Street, shall continue to apply notwithstanding the provisions of this By-law.

- 15.** By-law No. 4031, as it applies to certain lands located at the south west corner of Lake Shore Boulevard West and Thirty First Street, shall continue to apply notwithstanding the provisions of the By-law.
- 16.** By-law No. 1997-78, as it applies to certain lands located north of Lake Shore Boulevard West and east of Thirtieth Street (Long Branch), shall continue to apply notwithstanding the provisions of this By-law.
- 17.** 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
1055-2004 December 2, 2004	Lands located on the north and south side, fronting onto Lake Shore Boulevard West, between Etobicoke Creek and Twenty-Third Street.	To rezone the lands from Commercial (C1), Residential Multiple Apartments (RMA) and Residential Multiple (RM1) to Commercial-Avenues (C1-AV).

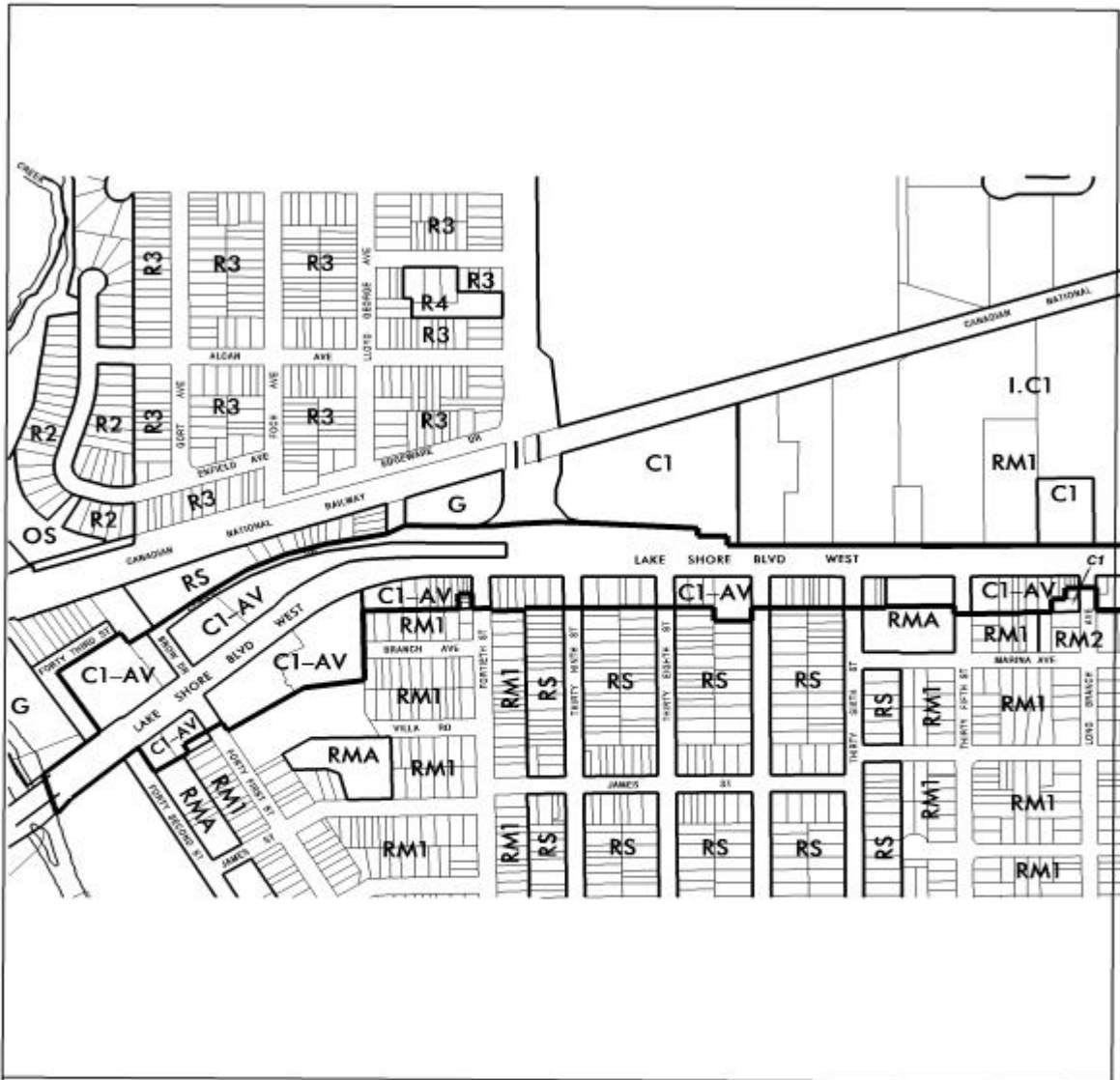
ENACTED AND PASSED this 2nd day of December, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

TORONTO Schedule 'A1' BY-LAW

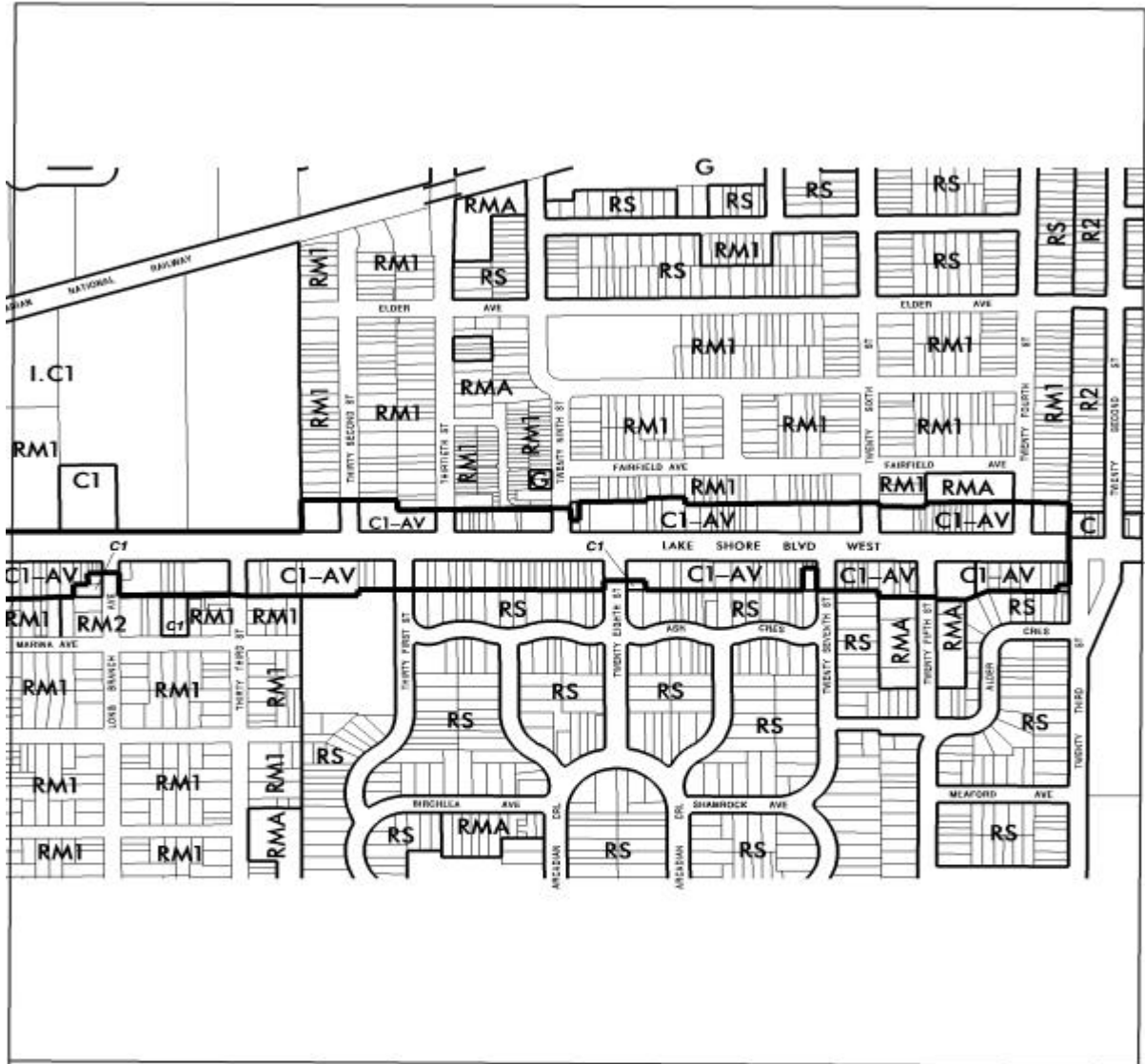


**THE AVENUES – LAKE SHORE BOULEVARD WEST
ZONING MAP**

Applicant's Name:		CITY OF TORONTO	
Assessment Map L.B.	Zoning Code Map/s L.B.	scale:	
File No.	Drawing No.		



Toronto Schedule 'A2' BY-LAW



THE AVENUES – LAKE SHORE BOULEVARD WEST ZONING MAP

Applicant's Name:		CITY OF TORONTO	
Assessment Map L.B.	Zoning Code Map/s L.B.		scale:
File No.	Drawing No.	Drawn By: K.P.	

