

# CITY OF TORONTO

## BY-LAW No. 2-2006(OMB)

### **To amend Chapters 320 and 324 of the former City of Etobicoke Zoning Code with respect to certain lands located in the north-east quadrant of Kipling Avenue and Dundas Street West, municipally known as 977, 979 and 981 Kipling Avenue.**

WHEREAS, the Ontario Municipal Board pursuant to its Order No. 3052 issued on November 18, 2005, upon hearing the appeal of St. Andrew's Lane Inc. under Section 34(11) of the *Planning Act*, deems it advisable to amend Chapters 320 and 324 of the Etobicoke Zoning Code for the former City of Etobicoke;

THEREFORE, Chapters 320 and 324 of the Etobicoke Zoning Code, is hereby further amended as follows:

1. That the Zoning Map referred to in Section 320-5, Article II of the Etobicoke 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 "Second Density Residential (R2)" and "Limited Commercial (CL)" Zone to "Group Area Fourth Density Residential (R4G)" Zone, provided that the following provisions shall apply to the development of the (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 (R4G) lands identified in Schedules 'A' and 'B' attached hereto in their entirety, notwithstanding any future dedication of lands for road widening purposes and further, nothing in this By-law shall preclude the townhouse dwellings from being divided into individual lots within the meaning of the *Planning Act*.
3. 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."
4. For the purpose of this By-law the front lot line shall be deemed to be the portion of the property that fronts on Kipling Avenue.
5. Notwithstanding Sections 320-18, 320-70 and 320-71 of the Etobicoke Zoning Code, the following development standards shall now be applicable to the (R4G) lands described in Schedule 'A' attached hereto:
  - (a) A maximum of 20 townhouse dwelling units shall be permitted.
  - (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 townhouse dwelling.

- (c) Required building setback and separations shall not be obstructed by any construction other than the following:
- (i) uncovered steps to grade;
  - (ii) chimney breasts, eaves, bay windows or other projections extending a maximum of 0.9 metres from any exterior wall of a building; and
  - (iii) open, uncovered (or roofed) porchway, veranda, decks, balconies and grade-related patios projecting a maximum of 1.8 metres from the exterior front or rear wall (including walls facing the internal driveway).
- (d) For the purposes of this By-law, the maximum gross floor area shall not exceed 3,500 square metres.
- (e) For the purposes of this By-law, the maximum combined building coverage shall not exceed 42% of the total land area shown on Schedule 'A', exclusive of those provisions included within Section (c) of this By-law.
- (f) For the purposes of this By-law, the minimum combined landscaped open space shall not be less than 25% of the total land area shown on Schedule 'A'. For the purposes of this By-law, landscaped open space shall include walkways and those provisions included within Section (c) of this By-law.
- (g) The maximum building height of each unit shall be 12.8 metres, measured from average grade (with average grade being measured at the intersection of the side lot lines of the building and the minimum front yard setback) to the highest point of the roof.
- (h) Notwithstanding the definitions of "grade" and "height" within this bylaw, in the case of Blocks A1 and A2 and B, the maximum height shall be as shown below, measured at the front elevation of the blocks, from the elevations below, to the highest point of the roof, regardless of the pitch of the roof:

	<b>Elevation</b>	<b>Elevation</b>	Average	Actual	Top of Roof	Maximum
	A	B	Elevation	Height(m)	Elevation	Height(m)
Block A1	128.61	128.91	128.76	12.5	141.26	12.8
Block A2	C 128.96	D 129.28	129.12	12.5	141.62	12.8
Block B	A 129.20	B 129.70	129.45	12.5	141.95	12.8

- (i) A minimum of 32 parking spaces shall be provided for the dwelling units within an enclosed and attached garage at grade.
  - (i) all double car garages will have a minimum parking space measurement of 5.8metres(length) x5.6 metres(width), except unit 20 which shall have a minimum parking space measurement of 5.8metres(length) x 5.1(width).
  - (ii) all tandem parking spaces will have a minimum measurement of 11.4m(length) x 2.8m(width).
  - (iii) all single parking spaces will have a minimum measurement of 5.6metres(length) x 2.8metres(width).
- (j) A minimum of 4 visitor parking spaces shall be provided along the internal roadway, with a minimum dimension of 2.7 metres wide by 6.7 metres long.
- (k) Permitted accessory uses shall include private home daycare, and central air conditioning units within the required setback, tool shed within the required setback.
- (l) Carports, detached garages, television antennae, playhouse, swimming pools, and structures in conjunction with swimming pools, shall be prohibited as accessory uses.

**6. Permitted Uses**

A temporary sales office for the purpose of marketing and sales related to use(s) permitted on the property within a building on the same lands, without setback restrictions, until the completion of the site development.

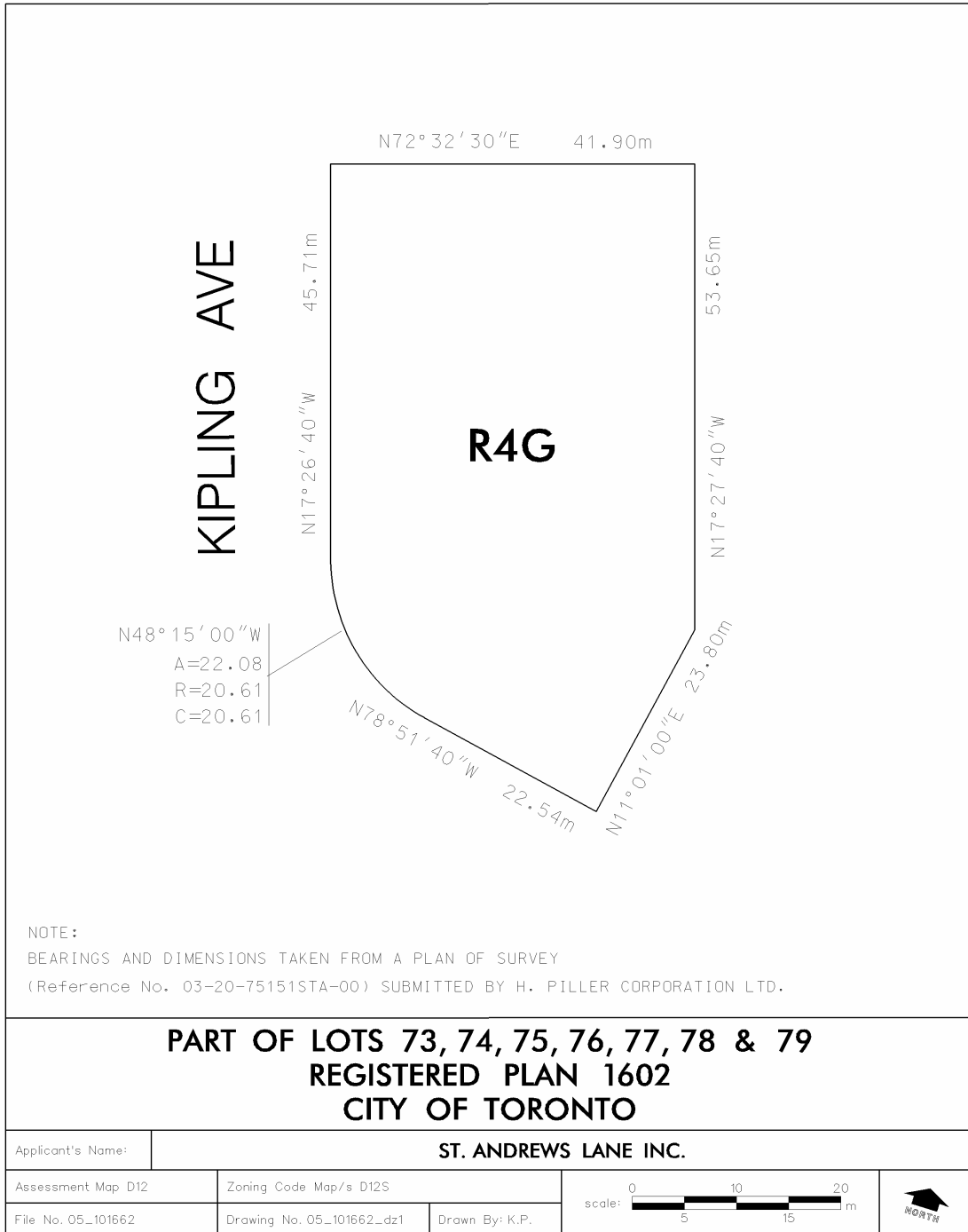
- 7.** Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.

8. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by adding to Section 324-1, 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>
2-2006(OMB) November 18, 2005	Lands located in the northeast quadrant of Kipling Avenue and Dundas Street West	To rezone the lands from “Second Density Residential (R2)” and “Limited Commercial (CL)” Zone to “Group Area Fourth Density Residential (R4G)” Zone, to permit 20 dwelling units subject to site specific development standards and to implement the former City of Etobicoke Official Plan amendment.

PURSUANT TO ORDER/DECISION NO. 3052 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON NOVEMBER 18, 2005 IN BOARD CASE NO. PL030623.

**Toronto** Schedule 'A' BY-LAW



**TORONTO Schedule 'B' BY-LAW**

