

Authority: Etobicoke York Community Council Report 3, Clause 57, adopted as amended, by City of Toronto Council on April 25, 26 and 27, 2006, and Notice of Motion F(5), moved by Deputy Mayor Bussin, seconded by Councillor Carroll, adopted as amended, by City of Toronto Council on June 14, 2006
Enacted by Council: June 29, 2006

CITY OF TORONTO

BY-LAW No. 569-2006

To amend Chapters 320 and 324 of the Etobicoke Zoning Code respecting lands located on the north side of Bering Avenue, west of Islington Avenue, municipally known as 252, 270, 272 and 276 Bering Avenue.

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. 141-2006 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 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 Class I Industrial (I.C1) to Group Area Fourth Density Residential (R4G), 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 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 74 townhouse dwelling units shall be permitted on the lands shown on Schedules "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 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 2.0 metres from the street line or public right-of-way or internal driveway.
- (iii) Within the rear yards of Blocks A, B, and H French balconies projecting not more than 0.15 metres, and first floor decks projecting not more than 3.0 metres. Within the rear yards of Blocks C, D, E, and F French balconies projecting not more than 0.15 metres, and attached 1 storey garages with decks above projecting not more than 3.25 metres. Within the rear yards of Block G French balconies projecting not more than 0.15 metres, and first floor decks projecting not more than 6.0 metres. Open uncovered porches, verandas, decks, and balconies projecting in excess of the above figures are not permitted within rear yards.

(d) Total Gross Floor Area

A total gross floor area of 11,556 square metres is permitted for residential dwellings.

(e) Building Coverage

For the purposes of this By-law, the maximum combined building coverage shall not exceed 38% 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 23% of the total area of the R4G lands shown on Schedule “A”, and landscaped open space shall include walkways and at-grade planter boxes.

(g) Building Heights

- (i) Notwithstanding, the definition of “grade” and “height” within Section 304-3 of the Etobicoke Zoning Code and subject to Section 3(g)(ii) below, the maximum building height for Blocks A, B,C, D, E, F and G shall be 12.6 metres measured from the finished first floor main front door sill of the front elevation of the dwelling unit to the highest point of the roof. The maximum building height for Block H shall be 12.6 metres measured from the elevation of the finished garage slab of the dwelling unit to the highest point of the roof.
- (ii) Notwithstanding Section 3(g)(i) of this by-law, the maximum building height of the easterly end unit in Block G shall be 10.0 metres measured from the finished first floor main front door sill of the front elevation of the dwelling unit to the highest point of the roof.

(h) Parking Spaces

- (i) For each dwelling unit within Blocks A, B, C, D, E, F, and G, two stacked parking spaces shall be provided within an enclosed and attached garage at grade, each with a minimum dimension of 3.0 metres wide by 6.0 metres long.
- (ii) For each dwelling unit within Block H, one parking space shall be provided within an enclosed and attached garage at grade with a minimum dimension of 3.0 metres wide by 6.0 metres long 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 wide by 6.0 metres long 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.

(i) Visitor Parking Spaces

A minimum of 10 visitor parking spaces shall be provided on the subject lands. Perpendicular parking spaces shall each have a minimum dimension of 2.7 metres wide by 6.0 metres long. Parallel parking spaces shall each have a minimum dimension of 2.7 metres wide by 6.7 metres long.

(j) Townhouse Dwelling Unit Width

The minimum townhouse dwelling unit width shall be 4.2 metres.

(k) 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.

(l) 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.

(m) 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, services 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 an increase in density of 11,556 square metres, as specified in the implementing Zoning Code amendment:

Section 37 Benefit:

- (i) The owner is required to provide free monthly Metropasses to each townhouse unit in the project for twelve consecutive months.

Section 37 Condition:

- (i) Prior to the issuance of the superstructure building permit, the owner shall provide to the City a Letter of Credit or certified cheque in an amount satisfactory to the City Solicitor to secure the full value of twelve monthly Metropasses for each of the 74 townhouse units.

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. Site Specific By-law Nos. 127, 1351, 1508, 13,911, 15,699 and 1989-224 are hereby repealed.
8. 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
569-2006 June 29, 2006	Lands located on the north side of Bering Avenue, west of Islington Avenue, municipally known as 252, 270, 272 and 276 Bering Avenue.	To rezone the lands from Class I Industrial (I.C1) to Group Area Fourth Density Residential (R4G) to permit 74 townhouse dwelling units subject to site specific development standards.

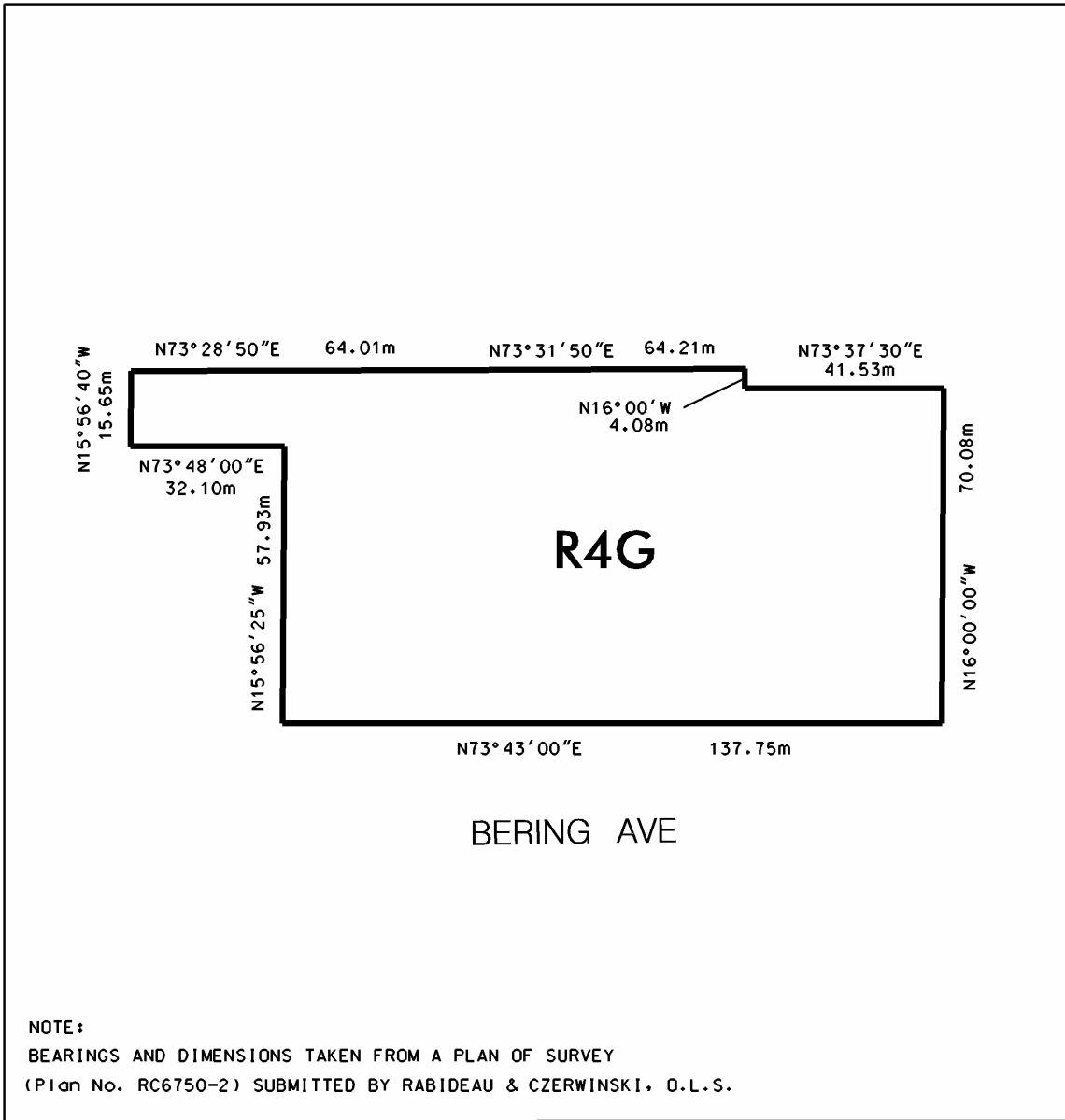
ENACTED AND PASSED this 29th day of June, A.D. 2006.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

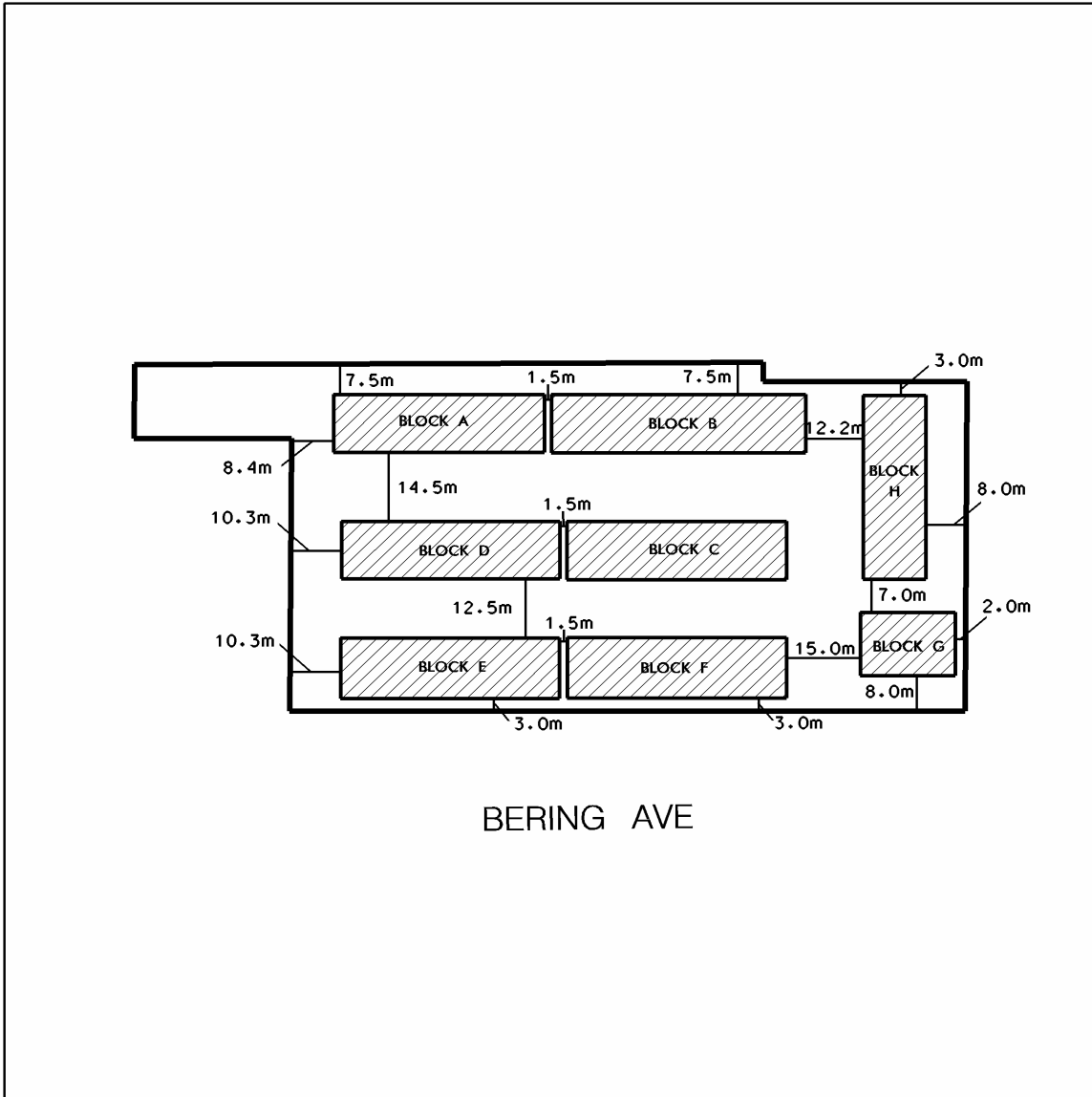
TORONTO Schedule 'A' BY-LAW



**PART OF LOTS 41 & 42
 REGISTERED PLAN 1553, CITY OF TORONTO**

Applicant's Name:	ZANINI DEVELOPMENTS		
Assessment Map C12	Zoning Code Map/s C12N		scale: m
File No. 05_151115	Drawing No. 05_151115_DZ1	Drawn By: K.P.	

Toronto Schedule 'B' BY-LAW



BERING AVE

**PART OF LOTS 41 & 42
REGISTERED PLAN 1553, CITY OF TORONTO**

Applicant's Name:		ZANINI DEVELOPMENTS	
Assessment Map C12	Zoning Code Map/s C12N		scale:
File No. 05_151115	Drawing No. 05_151115_DZ2	Drawn By: K.P.	