

Authority: Etobicoke York Community Council Report 7, Clause 22, adopted, as amended,  
by City of Toronto Council on September 25, 26, 27 and 28, 2006  
Enacted by Council: September 28, 2006

## CITY OF TORONTO

### BY-LAW No. 1096-2006

**To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located between Oxford Street and Evans Avenue, east of Islington Avenue, municipally known as 829, 833 and 839 Oxford Street and 156 and 160 Evans 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. 145-2006 to the Etobicoke Official Plan 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 1 Industrial (IC.1) 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 177 townhouse dwelling units and 1,400 m<sup>2</sup> public park shall be permitted on the lands 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 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, planter boxes, retaining walls and corner turrets;
- (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 all townhouse blocks, at-grade patios, French balconies projecting not more than 0.15 metres, and/or top floor balconies projecting not more than 1.85 metres, and first floor decks projecting not more than 3.5 metres into the rear yards. Open uncovered porches, verandas, decks, and balconies projecting in excess of the above figures are not permitted within rear yards; and
- (iv) within all Blocks, 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. Cantilevered decks at the rear of dwellings shall be no more than 3.5 metres in depth.

(d) Total Gross Floor Area

A total gross floor area of 29,000 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 48 percent 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 22.5 percent 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

Notwithstanding the definitions of “grade” and “height” within Section 304-3 of the Etobicoke Zoning Code, the maximum building height from the finished basement floor of the front elevation of the dwelling unit to the highest point of the roof shall be 12.6 metres.

(h) Landscaped Strip

(i) minimum of 2.0 metre landscape strip is required where the property abuts the adjacent IC.1 Zone; and

(ii) A minimum of 2.0 metres landscape strip is required where the property abuts the adjacent R2 and R4G Zones.

(i) Principle Entrances

Principle 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) Accessory Uses

Permitted accessory uses shall include private home occupations and central air conditioning units within the required building setback. Carports, detached garages, tool sheds, television antennae, satellite dishes, playhouses, swimming pools and filters, cabanas, and other accessory structures shall be prohibited.

(k) 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, not less than 3.0 metres from the side lot lines and/or 3.0 metres from the street lines.

(l) Parking Spaces

For each dwelling unit within all Blocks, two tandem 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.

(m) Visitor Parking Spaces

For each dwelling unit 0.2 visitor parking spaces shall be provided. Visitor parking shall be permitted on one side of the 8.0 metre wide roads. Perpendicular parking spaces shall each have a minimum dimension of 2.7 metres by 6.0 metres. Parallel parking spaces shall each have a minimum dimension of 2.7 metres by 6.7 metres. Ten of the required visitor parking spaces shall be located to the south of Block N.

(n) Fences

Fences shall be subject to Municipal Code Chapter 447 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 a maximum gross floor area not exceeding 29,000 square metres as authorized in clause 3.(d) of this By-law:

- (i) The owner shall convey to the City an on-site parkland dedication of 1,400 square metres, prior to the issuance of the first above grade building permit, save and except for any conditional building permits;
- (ii) The owner shall post a letter of credit with the City prior to issuance of the first building permit to secure such improvements to the dedicated public park to the satisfaction of the Parks, Forestry and Recreation Division;
- (iii) The owner shall ensure that all lands to be conveyed for parkland purposes shall meet Ministry of the Environment standards for that use;
- (iv) The owner and subsequent purchasers (the condominium corporation) shall be responsible for the cost of the maintenance of the public park (i.e. landscaping, lawncare, maintenance of all aspects, including park facilities);
- (v) The owner shall contribute to the City \$125,000.00 towards Ourland Park improvements;

- (vi) The owner shall contribute to the City \$80,000.00 towards the improvement to the north side of Oxford Street abutting the site, which improvements shall include landscaping, tree planting, etc.;
- (vii) The owner shall contribute to the City \$125,000.00 towards the above base park improvements for the new public park provided as part of this development prior to first building permit issuance; and
- (viii) Prior to Site Plan Approval, the owner shall submit all Environmental Site Assessment Reports prepared in accordance with the Record of site Condition Regulation (O. Reg. 153/04), a Detailed Noise and Vibration Study, and air quality study, to the satisfaction of City Planning.
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:

<b>BY-LAW NUMBER AND ADOPTION DATE</b>	<b>DESCRIPTION OF PROPERTY</b>	<b>PURPOSE OF BY- LAW</b>
1096-2006 September 28, 2006	Lands located on the north side of Evans Avenue, south of Oxford Street, municipally known as 829, 833 and 835 Oxford Street and 156 and 160 Evans Avenue	To rezone the lands from Class 1 Industrial (IC.1) to Group Area Fourth Density Residential (R4G) and open Space (OS) to permit 177 townhouse dwelling units, and a minimum 1,400 square metres dedicated public park, subject to site specific development standards

ENACTED AND PASSED this 28th day of September, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**Schedule 'A' BY-LAW**



