

Authority: Etobicoke York Community Council Item 31.5, as adopted by City of Toronto Council on November 30, December 1, 2, 4 and 7, 2009
Enacted by Council: April 1, 2010

CITY OF TORONTO

BY-LAW No. 346-2010

To amend the former City of Etobicoke Zoning Code Chapters 330 and 331 with respect to lands municipally known as 20 and 22 Marina 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 set out herein are in conformity with the 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 330-2, Article II of the Etobicoke Zoning Code, originally attached to the Village of Long Branch Zoning By-law, is hereby amended by changing the classification of the two most eastern thirds of the lands located in the former Village of Long Branch and described in Schedule 'A' annexed hereto from Commercial (C1) to Residential Multiple – 1 (RM1), provided that the following provisions shall apply to the development of the RM1 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 Residential Multiple – 1 (RM1) lands identified in Schedule 'A' attached hereto in their entirety.
3. Notwithstanding the Etobicoke Zoning Code, subsections 330-9, 330-12, 330-13, 330-15, 330-25 and 330-26, the following development standards shall be applicable to the RM1 lands described in Schedule 'A' attached hereto:

(a) Permitted Uses

A maximum of two multi-unit residential buildings containing 5 units each shall be permitted on the lands described as Part 1 on Schedule 'B' attached hereto.

A private surface parking lot to be used for parking for the retail uses on the south side of Lake Shore Boulevard West, from Long Branch Avenue to Thirty-Third Street shall be permitted on the lands described as Part 2 on Schedule 'B' attached hereto.

One sales and/or construction trailer shall be permitted on the lands described as Part 1 and Part 2 as described in Schedule 'B' attached hereto, for a period of no more than 2 years from enactment of this by-law.

(b) Setbacks

The minimum building setbacks shall not be less than the measurements shown on Schedule 'B' attached hereto.

(c) Permitted Encroachments

Required building setbacks and separations as shown on Schedule 'B' attached hereto shall not be obstructed by any construction other than the following:

- (i) chimney breasts, eaves, bay windows or other projections extending a maximum of 0.6 metres from any exterior wall of a building; and
- (ii) open uncovered and/or roofed porches, verandas, porticos, decks, balconies and accessory gateway features, projections to a maximum of 1.5 metres from the exterior rear and front walls, given that the main front wall, for the purpose of this section of the by-law, is the wall required to be setback 2.5 metres from the Marina Avenue property line, at the ground floor level.

(d) Total Gross Floor Area

A total Gross Floor Area of 840 square metres, excluding garages and covered porches, shall be permitted on Part 1 of the lands as shown on Schedule 'B' attached hereto.

(e) Landscaped Open Space

The minimum landscaped open space shall not be less than 20% Part 1 and Part 2 of the lands, as described in Schedule 'B' attached hereto.

(f) Building Heights

Notwithstanding the definitions of "grade" and "height" in Section 304-3 of the Etobicoke Zoning Code, for Part 1 of the lands shown on Schedule 'B' attached hereto, the maximum height shall be three storeys and 13.5 metres to the midpoint of the roof, measured from the established grade elevation of 86.25 metres.

(g) Parking Spaces

A minimum of 0.8 spaces shall be provided for one bedroom units (may include den) and a minimum 0.9 spaces shall be provided for two bedroom units for residents on Part 1 of the lands as shown on Schedule 'B' attached hereto. For all units, a minimum of 0.15 spaces shall be provided per unit for visitors and can be provided on both or either Part 1 and Part 2 of the lands as shown on Schedule 'B' attached hereto.

(h) Lot Area

Notwithstanding the definition of "Lot Area" in Section 304-3 of the Etobicoke Zoning Code, the lot area shall be the horizontal area within the lot lines of the lot as per schedule 'A' attached hereto.

(i) Air Conditioning Units

Notwithstanding Section 330-15 (n) of the Etobicoke Zoning Code, air conditioning units are permitted within the permitted encroachments, as per Section 3 (c) of this by-law.

4. Where the provisions of this by-law conflict with the provisions of the Etobicoke Zoning code, the provisions of this by-law shall apply.
5. Chapter 324, Site Specific, 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.
6. Notwithstanding any future severance, partition or division of the lands shown on Schedule 'B', the provisions of this by-law shall apply to the whole of the lands as if no severance, partition or division occurred.
7. On those lands subject to an "H", no person shall use any lot or erect or use any building or structure for any purposes permitted by this by-law until the "H" symbol has been removed. An Amending by-law to remove the "H" symbol shall be enacted by City Council when the owner of the lands has fulfilled all municipal service upgrade requirements of the Technical Services Division such as watermain upgrades and stormwater relocation as may be required, to the satisfaction of the Executive Director of Technical Services.

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
346-2010 April 1, 2010	Lands located at the southeast quadrant of Lake Shore Boulevard West and Long Branch Avenue, municipally known as 20, 22 Marina Avenue and 3563 Lake Shore Boulevard West.	To rezone the two most eastern thirds of the lands from C1 to RM1 and allow a surface parking lot at the rear of the site.

ENACTED AND PASSED this 1st day of April, A.D. 2010.

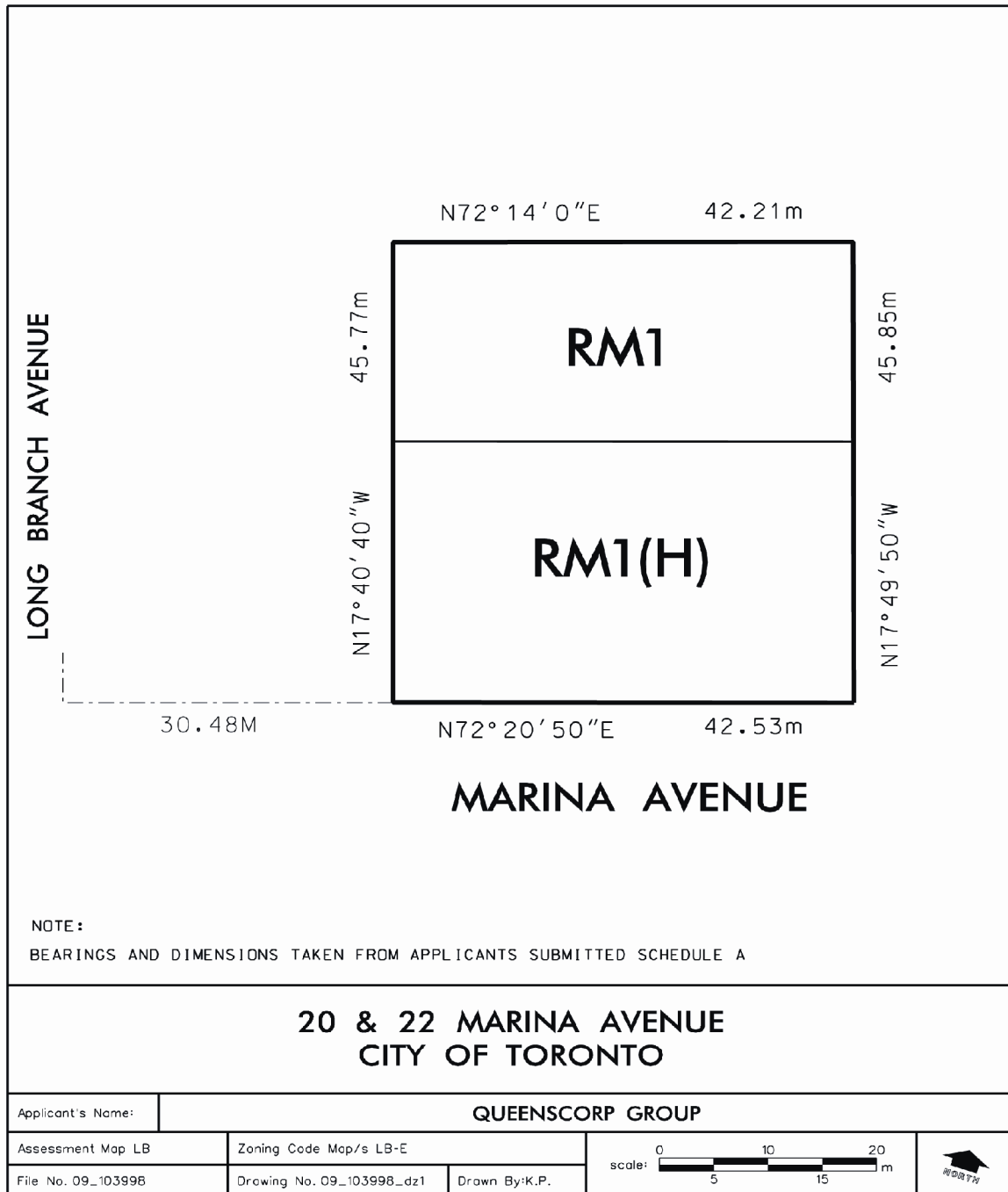
SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



Schedule 'A' BY-LAW





Schedule 'B' BY-LAW

