

CITY OF TORONTO

BY-LAW No. 1180-2010(OMB)

To amend Chapters 320 and 324, of the Etobicoke Zoning Code, with respect to certain lands located on the west side of Park Lawn Road, north of Lakeshore Boulevard West, municipally known as 60 - 80 Park Lawn Road.

Whereas, the Ontario Municipal Board by way of an Order No. 2919, dated October 18, 2006, determined to amend the Etobicoke Zoning Code in respect of the lands municipally known as 60-80 Park Lawn Road in the year 2006;

THEREFORE the Ontario Municipal Board Orders as follows:

1. That the Zoning Map referred to in Section 320-5, Article II of the Zoning Code, 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 Industrial Class 1 (IC.1) to Sixth Density Residential (R6), provided the following provisions shall apply.

2. Definitions

The provisions of Section 304-3 Definitions of the Zoning Code shall apply unless inconsistent with the provisions of this By-law. For the purposes of this By-law, the following definitions shall apply:

- 2.1 Grade – shall mean, with respect to each building including an attached podium, erected within a Building Envelope, the average elevation of the finished exterior ground level adjoining the front wall of the building;
- 2.2 Gross Floor Area – shall have the same meaning as the Zoning Code definition in Section 304-3, except that the following areas shall also be excluded: Mechanical Floor Area; indoor Recreational Amenity Areas; unenclosed balconies; and any buildings or structures erected and used for public open space uses;
- 2.3 Height – shall mean, with respect to each building erected, the vertical distance between the Grade of such building, but shall exclude mechanical equipment, mechanical penthouses, parapets, architectural elements, stairs and stair enclosures located on the roof of such building, provided the maximum height of the top of such elements is no higher than 9 metres above the height limit otherwise applicable to the said building;
- 2.4 Lands – shall mean the lands described in Schedule 'A' annexed hereto and, for the purpose of this By-law shall be based on the lands prior to all land dedications and conveyances;
- 2.5 Mechanical Floor Area – shall mean a room or enclosed area, including its enclosing walls, within a building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical (other than escalators) or telecommunications equipment that serves only such building;

- 2.6 Recreational Amenity Area – shall mean a common area or areas which are provided for the exclusive use of residents of a building for recreational or social purposes;
- 2.7 Residential Building – shall mean an apartment building or a seniors citizen's apartment building;
- 2.8 Top-of-bank – shall mean the top of valley slope as illustrated on Schedule 'A'.
3. The following development standards shall apply to the (R6) lands described in Schedule 'A' attached hereto:

3.1 Permitted Uses

No buildings or structures shall be erected or used on the Lands, except for the following uses:

- i) Apartment buildings; senior citizen apartment buildings; recreational amenity areas; pedestrian walkways; neighbourhood stores (see the definition of "neighbourhood store" in 320-3B); bakery shops; banks; clothes cleaning agencies or pressing establishments; confectionary stores; custom dressmaking and millinery shops; florist and gift shops; hotels; jewellery stores; laundry agencies; offices, business and professional; photographers; shoe stores and shoe repair shops; tailor; clothing and wearing apparel shops; theatres; public parking areas; bowling-alleys; customer-operated automatic laundries; nursery schools and day nurseries; health centres; commercial schools; athletic clubs; social clubs; amusement devices; game establishment – Types A, B and C (see the definition of "amusement device" in 320-3B); convenience restaurants; take-out restaurants; standard restaurants; medical centres; and medical and dental offices; schools (public, separate, private and nursery); and day nurseries and nursery schools; private garages; neighbourhood garages and television antennae.
- ii) Accessory structures, including any of the accessory structures permitted under Section 320.76.F of the Zoning Code, podiums, covered ramps, exterior stairs, garbage enclosures, stair enclosures, gatehouses and ventilation shafts shall be permitted.
- iii) A temporary sales office shall be permitted anywhere on the Lands, notwithstanding the provisions of the Zoning Code.
- iv) Notwithstanding the foregoing, within the portion of the Lands indicated by hatchmarks on Schedule 'A' to this By-law, the uses permitted shall be limited to public parks and their related recreational facilities and conservation works provided that no buildings shall be permitted.

3.2 Maximum Height

The maximum building height shall be 80 metres.

3.3 Maximum Number of Residential Units

Not more than 588 Dwelling Units shall be permitted on the Lands.

3.4 Maximum Gross Floor Area

The maximum Gross Floor Area permitted on the Lands zoned R6 shall be 56,660 square metres.

3.5 Maximum Floor Space Index

For the purposes of this By-law, the maximum gross Floor Space Index (FSI) permitted on the Lands shall be 3.5 times the lot area, calculated based on the gross site area, inclusive of any lands to be dedicated to any public authority for any purposes.

3.6 Setbacks

With the exception of Accessory structures listed in Section 3.1ii), no building or structure on the Lands shall be located within the following building setbacks:

- i) a minimum 0.0 metre setback from the Park Lawn Road property line;
- ii) a minimum 10.0 metre setback from the established top-of-bank (Mimico Creek);
- iii) a minimum 10.0 metre setback from the south property line;
- iv) a minimum 22.0 metre setback from the north property line (C.N.R.); and
- v) notwithstanding the foregoing, a Residential Building shall maintain a minimum 38.0 metre setback from the Park Lawn Road property line and a minimum 30.0 metre setback from the north property line (C.N.R.).

3.7 Permitted accessory structures, canopies, underground parking structures, wheelchair ramps, exterior stairs, parapets and railings related to underground parking structures, vents, gatehouses, temporary sales offices, safety railings and other landscape features or structures shall be exempt from any provisions with respect to setbacks.

3.8 Notwithstanding any of the required building setbacks, minor projections including building cornices, mouldings and other architectural elements shall be permitted to encroach into the required building setbacks up to a maximum of 1.5 metres.

3.9 Parking and Loading Requirements

Notwithstanding the provisions of Section 320-18.B and Section 320-76.G of the Zoning Code, the following requirements shall apply to the Lands:

- (i) Parking spaces shall be provided at a minimum rate of 1.20 parking spaces per dwelling unit, of which 0.10 spaces shall be reserved for visitor parking.
- (ii) Parking spaces shall have the following minimum dimensions:
 - Length – 5.6 metres
 - Width – 2.6 metres
 - Aisle Width – 6 metres
- (iii) For the purposes of this By-law the reserved on-site residential visitor parking required in subsection (i) above can be shared with and used to meet the parking requirements for non-residential uses within the same buildings or structures.
- (iv) Notwithstanding the above, parking for restaurant uses shall be in accordance with Section 320-26.
- (v) No person shall use any portion of a lot located between the front wall of a building and the street, at or above the natural ground level of the ground, for the purpose of parking or storing a motor vehicle, with the exception of interior courtyards.
- (vi) Every Residential building shall provide a loading space with dimensions of 12 metres in length and 3.0 metres in width, with a vertical clearance of 4.5 metres.
- (vii) For a Residential building, a den and personal office shall not be considered a bedroom and shall be exempt from all parking requirements.

3.10 Area Requirements

Notwithstanding the provisions of the Etobicoke Zoning Code, the following area requirements shall apply to the Lands:

- i) Landscaped Open Space: a minimum 30% of the lot area shall be reserved for Landscaped Open Space.
- ii) Indoor Residential Amenity Space: a minimum 1.5 square metres per dwelling unit of indoor Residential Amenity Space shall be provided.

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 Specifics, of the 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
1180-2010(OMB) OCTOBER 18, 2006	Lands located on the west side of Park Lawn Road north of Lake Shore Boulevard West, known as 60 – 80 Park Lawn Road.	To rezone 60 - 80 Park Lawn Road from Industrial Class 1 (IC.1) to Sixth Density Residential (R6) to permit a residential/commercial and office development.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON OCTOBER 18, 2006 IN BOARD FILE NO. PL040456.

Toronto

Schedule 'A' BY-LAW

