

# CITY OF TORONTO

## BY-LAW No. 59-2011(OMB)

**To amend Chapters 320 and 324, of the Etobicoke Zoning Code, with respect to certain lands located on the north side of Lake Shore Boulevard West, west of Park Lawn Road, municipally known as 2200 Lake Shore Boulevard West and 10 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 2200 Lake Shore Boulevard West and 10 Park Lawn Road in the year 2006;

The Ontario Municipal Board Orders as follows:

1. That the Zoning Map referred to in Section 320-5, Article II of the 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 Industrial Class 1 (IC.1) to Sixth Density Residential (R6) and Limited Commercial (CL), 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, spires canopied areas, stairs and stair towers and enclosures, elevator shafts, chimney stacks, window washing equipment, structures used for outside or open air recreation purposes and indoor amenity area 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;

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.
- 3.0** Notwithstanding any of the required building setbacks, minor projections including building eaves, cornices, balustrades, mullions and parapets, mouldings and other architectural elements, uncovered platforms attached to a building, balcony or roof over a first floor platform or terrace attached to a building, canopies and wind screens shall be permitted to encroach into the required building setbacks up to a maximum of 1.5 metres.
- 3.1** The parking required for uses within the (R6) lands and the (CL) lands may be provided anywhere within the Lands.
- 4.** 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 or structures shall be permitted.
- 5.** Notwithstanding Sections 320-18, 320-76 and 320-77 of the Etobicoke Zoning Code, the following development standards shall apply to the (R6) lands described in Schedule 'A' attached hereto:

**5.1** Permitted Uses

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

- (i) Apartment buildings, townhouses, senior citizen apartment building, recreational amenity areas, pedestrian walkways, public parks and their related recreational facilities and conservation works, and any of the Commercial Limited (CL) uses permitted under Section 320-91 B. of the Zoning Code with the exception of undertaking establishments, service stations, public garages, dry cleaning plants and new and used car sales.
- (ii) Accessory structures, including any of the accessory structures permitted under Section 320.76.F of the Zoning Code, canopies, landscape features, 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.

**5.2** Maximum Height

The maximum building height shall be 124 metres.

**5.3** Maximum Number of Residential Units

Not more than 1,200 Dwelling Units shall be permitted on the Lands.

**5.4 Maximum Gross Floor Area**

The maximum Gross Floor Area permitted on the Lands zoned R6 shall be 92,175 square metres.

**5.5 Setbacks**

No building or structure within the Lands shall be located within the following building setbacks, with the exception of Accessory structures listed in Section 5.1 (ii):

- (i) a 0.5 metre setback from the Park Lawn Road property line.
- (ii) a 20.0 metre setback from the west property line (Mimico Creek).
- (iii) a 2.0 metre setback from the Lake Shore Boulevard West property line.
- (iv) a 3.0 metre setback from the CL zone.

**5.6 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 main 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.

**5.7 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 25% 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.

**6. Notwithstanding Sections 320-91 A, B, C, D and E and 320-93 of the Etobicoke Zoning Code, the following development standards shall apply to the (CL) lands described in Schedule 'A' attached hereto:****6.1 Permitted Uses**

No building or structures shall be erected or used on the Lands, except for business and professional offices, and municipal, provincial or federal buildings, conference centres, public parks and their related recreational facilities and conservation works, and any of the Commercial Limited (CL) uses permitted under Section 320-91 B. of the Zoning Code with the exception of undertaking establishments, service stations, public garages, dry cleaning plants and new and used car sales.

**6.2 Maximum Height**

The maximum building height shall be 38 metres.

**6.3 Maximum Gross Floor Area**

The maximum Gross Floor Area permitted on the Lands zoned CL shall be 18,500 square metres.

**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 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>
59-2011(OMB) October 18, 2006	Lands located on the north side of Lake Shore Boulevard West, west of Park Lawn Road, known as 2200 Lake Shore Boulevard West and 10 Park Lawn Road.	To rezone 2200 Lake Shore Boulevard West and 10 Park Lawn Road from Industrial Class 1 (IC.1) to Residential Sixth Density (R6) and Limited Commercial (CL) to permit a residential/commercial and office development

PURSUANT TO ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON OCTOBER 18, 2006 IN BOARD FILE NOS. PL040456 AND PL050003.

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

