

Authority: Etobicoke York Community Council Item 8.1, adopted as amended,  
by City of Toronto Council on July 12, 13 and 14, 2011  
Enacted by Council: July 14, 2011

## CITY OF TORONTO

### BY-LAW No. 995-2011

**To amend Chapters 340 and 342 of the Etobicoke Zoning Code with respect to certain lands located on the northwest corner of Lake Shore Boulevard West and Superior Avenue, municipally known as 2388-2390, 2392-2398 Lake Shore Boulevard West and 13 Superior 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 Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Notwithstanding Section 340-36 and 340-40 of the Etobicoke Zoning Code, the following development standards shall now be applicable to the lands described in Schedule 'A' and Schedule 'B' attached hereto:
  - (a) A maximum of 134 dwelling units shall be permitted on the lands shown on Schedule 'A' and Schedule 'B' attached hereto.
  - (b) A maximum of 362 m<sup>2</sup> of retail space shall be permitted on the ground floor of the mixed use building.
  - (c) The maximum building heights, envelopes and minimum setbacks shall be in accordance with the measurements shown on Schedule 'B' attached hereto. For clarity purposes, all below-grade structures and ramps shall be exempt from the Schedule 'B' setbacks.
  - (d) The minimum ground floor setback shall be 0.8 metres along the Lake Shore Boulevard West frontage.
  - (e) No ground floor portion of the building shall be located within a triangular piece of land measuring 5 metres by 5 metres at the southeast corner of the property abutting the Lake Shore Boulevard/Superior Avenue intersection.
  - (f) 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 0.4 metres from any exterior wall of a building;
    - iii. Open, uncovered (or roofed) decks, porchways or verandas and grade-related patios.
  - (g) The development of the lands shown on Schedule 'A' shall not exceed a maximum permitted gross floor area of 9,800 square metres.
  - (h) The development on the lands shown on Schedule 'A' shall require the ground floor units fronting Superior Avenue to contain a front door entrance directly onto Superior Avenue.
  - (i) The development on the lands shown on Schedule 'A' shall not exceed a maximum building coverage of 80% of the site area.
  - (j) The maximum building height shall be in accordance to the figures indicated on Schedule 'B', whereby the maximum height of the building containing residential units shall be 27.8 metres, the level containing the residential common amenity area shall be a maximum height of 31.5 metres, and a maximum height of 33.5 metres to the top of the additional required roofed mechanical/stairs overrun space.
  - (k) A minimum of 127 bicycle parking spaces shall be provided for use by the owners of the dwelling units and a minimum of 10 bicycle parking spaces shall be provided for visitors.
2. Notwithstanding the provisions of Sections 340-31 and 340-40 of the Zoning Code, the following requirements shall apply to the Lands:
- a) The following minimum parking ratios shall apply for the residential component of the proposed development:
    - (i) 0.70 resident parking stalls for each bachelor dwelling unit;
    - (ii) 0.80 resident parking stalls for each one-bedroom dwelling unit;
    - (iii) 0.90 resident parking stall for each two-bedroom dwelling unit; and
    - (iv) 1.10 resident parking stalls for each dwelling unit providing three or more bedrooms.
  - b) An additional minimum parking ratio of 0.15 parking stalls for each dwelling unit shall be provided for the exclusive use of visitors.
  - c) Parking for the retail component of the proposed development shall be provided at a minimum ratio of 1.0 stall per 28 m<sup>2</sup> of gross floor area.

- d) As an alternative to providing exclusive retail parking, the retail parking provision may be included in the total visitor parking requirement provided that the visitor/retail parking stalls are shared.
  - e) Parking for the physically disabled shall be provided at a minimum ratio of one parking stall for every 100 parking stalls required or part thereof.
  - f) A minimum of one loading space to be shared between the residential and commercial uses of the proposed development shall be provided. The loading space must provide minimum dimensions of 11.0 metres in length and 3.5 metres in width, with a minimum vertical clearance of 4.0 metres.
  - g) Notwithstanding Section 320-18 of the Etobicoke Zoning Code, a maximum of 8 parking spaces may have a minimum length of 5.0 metres.
3. Where the provisions of the by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.
4. That By-law No. 971-2003 be repealed and reference to By-law No. 971-2003 in Chapter 342, Site Specifics, of the Etobicoke Zoning Code be deleted.

5. **Section 37**

The development as shown on Schedule 'B' and permitted by this By-law is subject the following:

- (i) The Owner shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure at the Owner's expense, the facilities, services and matters set forth in (a) below, which agreement or agreements shall be registered against the title of the Lands, in whole or in part, as may be applicable to which this By-law applies in the manner and to the extent specified in the agreements. The Owner, in accordance with, and subject to the agreements referred to herein, shall provide and fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit the increase in gross floor area and height authorized under this exception regulation:
  - a. The Owner agrees to provide a cash payment in the amount of \$150,000 to be directed towards local parks improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the local Councillor.

6. Chapter 342, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this by-law by adding the following to Section 342-1, Table of Site Specific By-laws;

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
995-2011 July 14, 2011	Lands located on the northwest corner of Superior Avenue and Lake Shore Boulevard West, municipally known as 2388-2390, 2392-2398 Lake Shore Boulevard West and 11-13 Superior Avenue.	To permit an eleven storey building with 134 dwelling units and 362 m <sup>2</sup> of ground floor retail space in the C Zone on this site.

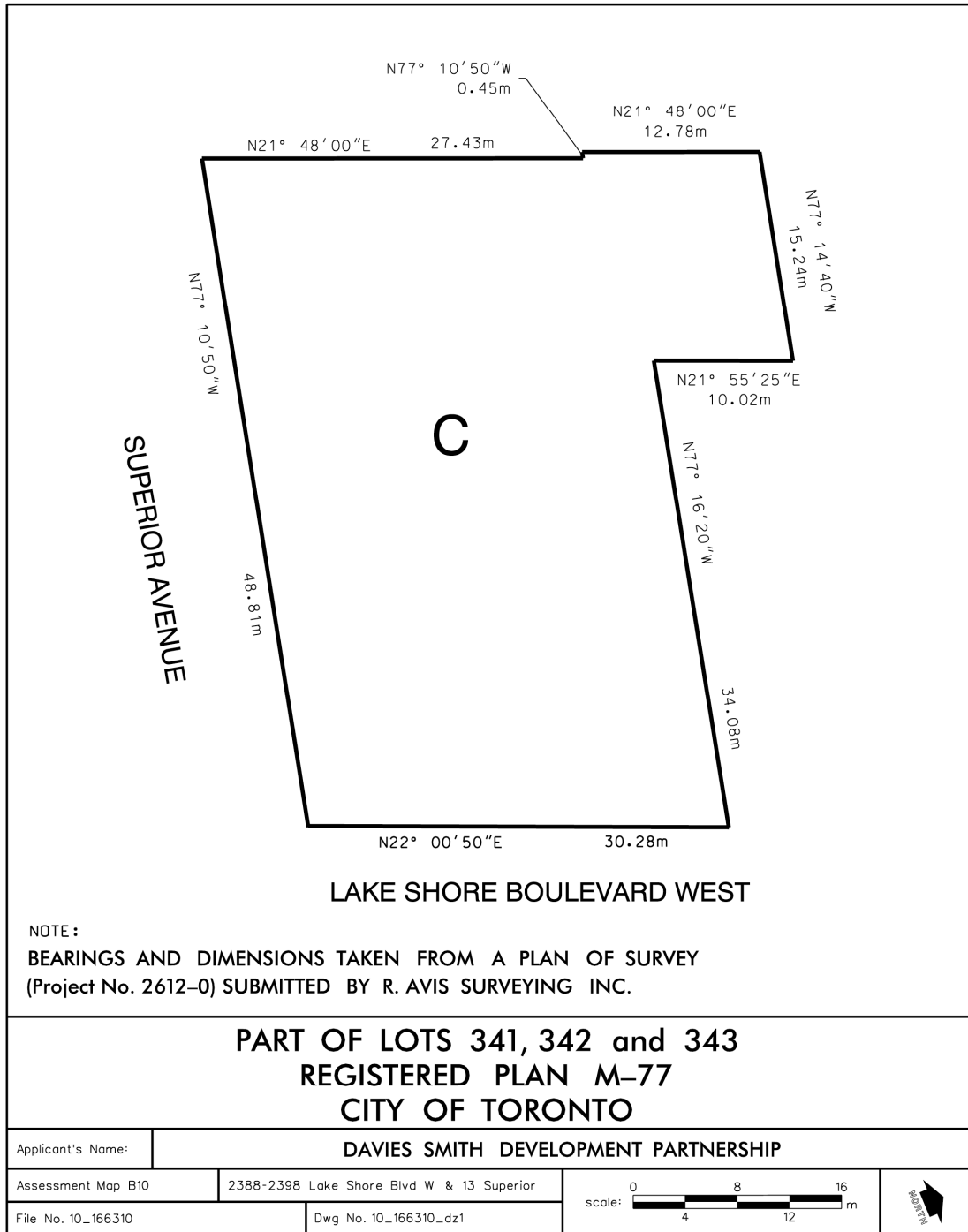
ENACTED AND PASSED this 14th day of July, A.D. 2011.

FRANCES NUNZIATA,  
Speaker

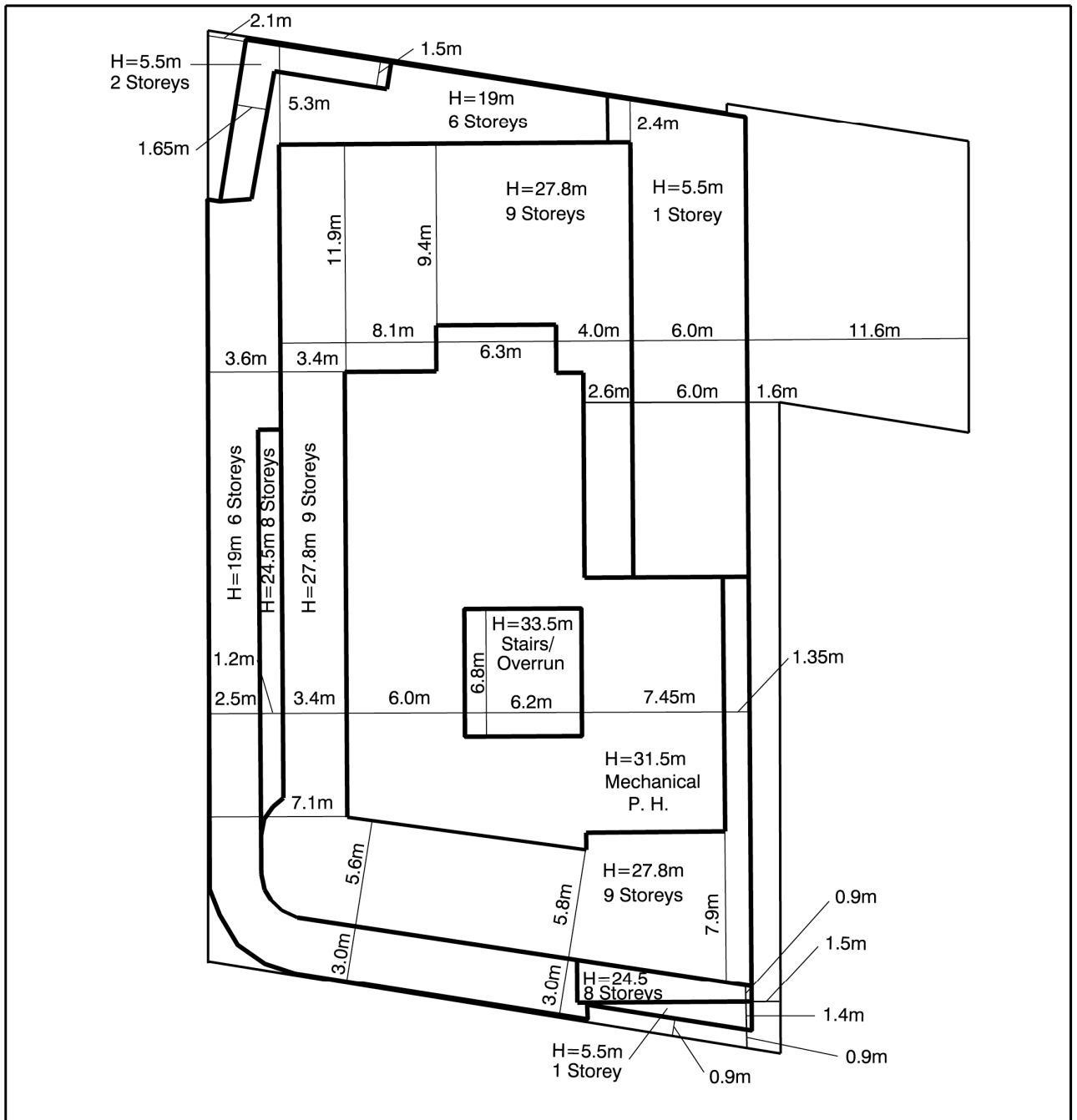
ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

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



**TORONTO** Schedule 'B' BY-LAW



**PART OF LOTS 341, 342 and 343,  
REGISTERED PLAN M-77  
CITY OF TORONTO**

Applicant's Name:		<b>DAVIES SMITH DEVELOPMENT PARTNERSHIP</b>	
Assessment Map B10	2388-2398 Lake Shore Blvd W & 13 Superior		scale:
File No. 10_166310	Dwg No.10_166310_dz2		

