

Authority: Etobicoke York Community Council Item 26.1,
as adopted by City of Toronto Council on October 8, 9, 10 and 11, 2013

CITY OF TORONTO

BY-LAW No. 1290-2013

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to the lands municipally known as 1629, 1631 and 1633 The Queensway.

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 enacts:

1. That the Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, and originally attached to Township of Etobicoke By-law No. 11737, be and the same is amended by changing the classification of the lands located in the former Township of Etobicoke as described in Schedules 'A' and 'B' attached to and forming part of this By-law from Class I Industrial Zone (I.C1) to Limited Commercial Zone (CL) provided that the following provisions shall apply to the development of the (CL) lands identified on Schedules 'A' and 'B'.
 - A. Those uses listed in Section 320-91 B. Business.(1) with the exception of: service stations and public garages; public parking areas; dry-cleaning plants using non-combustible cleaning solvents; amusement devices; game establishments; and undertaking establishments; and
 - B. Fitness clubs, *personal service shops*, veterinary clinic, pet services, *retail stores*, *retail service*, and commercial/recreational uses; and
 - C. Outdoor patios and drive-through facilities subject to the provisions of Section 320-23 of the Etobicoke Zoning Code.
2. Notwithstanding the provisions of Sections 320-91 (Permitted Uses) of the Etobicoke Zoning Code, the only uses permitted within the lands identified on Schedule 'A' attached to and forming part of this By-law shall be:
 - A. Those uses listed in Section 320-91 B. Business.(1) with the exception of: service stations and public garages; public parking areas; dry-cleaning plants using non-combustible cleaning solvents; amusement devices; game establishments; and undertaking establishments; and
 - B. Fitness clubs, *personal service shops*, veterinary clinic, pet services, *retail stores*, *retail service*, and commercial/recreational uses; and
 - C. Outdoor patios and drive-through facilities subject to the provisions of Section 320-23 of the Etobicoke Zoning Code.
3. Notwithstanding the provisions of Sections 320-78, 320-79, 320-83, 320-85, 320-92 and 320-93 of the Etobicoke Zoning Code, the following development standards shall be applicable to the (CL) lands described on Schedule 'A' attached to and forming part of this By-law:
 - A. The maximum gross floor area for all uses on the lands shall not exceed 6,500 m².
 - B. The maximum *building height* for each building shall be as shown on Schedule 'B' attached to and forming part of this By-law.

- C. Equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment may exceed the permitted maximum building height for each building as shown on Schedule 'B' by 1.0 m.
- D. No portion of any above-grade structure erected or used on the lands shall extend beyond the building envelopes delineated by the heavy lines on Schedule 'B' attached to and forming part of this By-law except that canopies may encroach into required setbacks up to 2 m.
- E. The maximum building coverage shall be 20%.
- F. A minimum of 16% of the total area of the *lot* shall be soft landscaping.
- G. The minimum landscape strip along the street lines of The East Mall and The Queensway shall be 4.5 m, save and except for the areas required for driveways and sidewalks.
- H. A minimum of 48 bicycle spaces shall be provided.
- I. The parking requirement for the fitness club shall be calculated at 6 parking spaces per 100 m².

4. Definitions:

"Building Height": shall mean the distance between the average elevation of the ground along all *lot lines* that abut a street and the elevation of the highest point of the building.

"Retail Store": shall mean *premises* in which goods or commodities are sold, rented or leased.

"Retail Service" shall mean *premises* in which photocopying, printing, postal, or courier services are sold or provided.

"Premises": shall mean the whole or part of lands, *buildings* or *structures*, or any combination of these.

"Soft Landscaping": shall mean landscaping excluding hard-surfaced areas such as decorative stonework, retaining walls, walkways, or other hard-surfaced landscape-architectural elements.

"Pet Services" shall mean *premises* used to provide for the grooming of domestic animals. A veterinary hospital or a kennel is not pet services.

"Outdoor Patio": shall mean an outdoor patron area that is ancillary to a non-residential use.

"Personal Service Shop": shall mean *premises* used to provide personal grooming services or for the cleaning or care of apparel.

5. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.
6. Notwithstanding any severance, partition or division of the lands shown on Schedule 'A', the regulations of this By-law shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.
7. Within the lands shown on Schedule 'A' attached to and forming part of this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
- A. All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
- B. All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
8. Chapter 332, Site Specifics, of the Etobicoke Zoning Code, is 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
1290-2013 October 11, 2013	Lands located on the south side of The Queensway, east of The East Mall, municipally known as 1629, 1631 and 1633 The Queensway.	To rezone the lands from Class 1 Industrial Zone (I.C1) to Limited Commercial Zone (CL) subject to site specific development standards.

9. By-law No. 83-47 of the former City of Etobicoke is repealed.

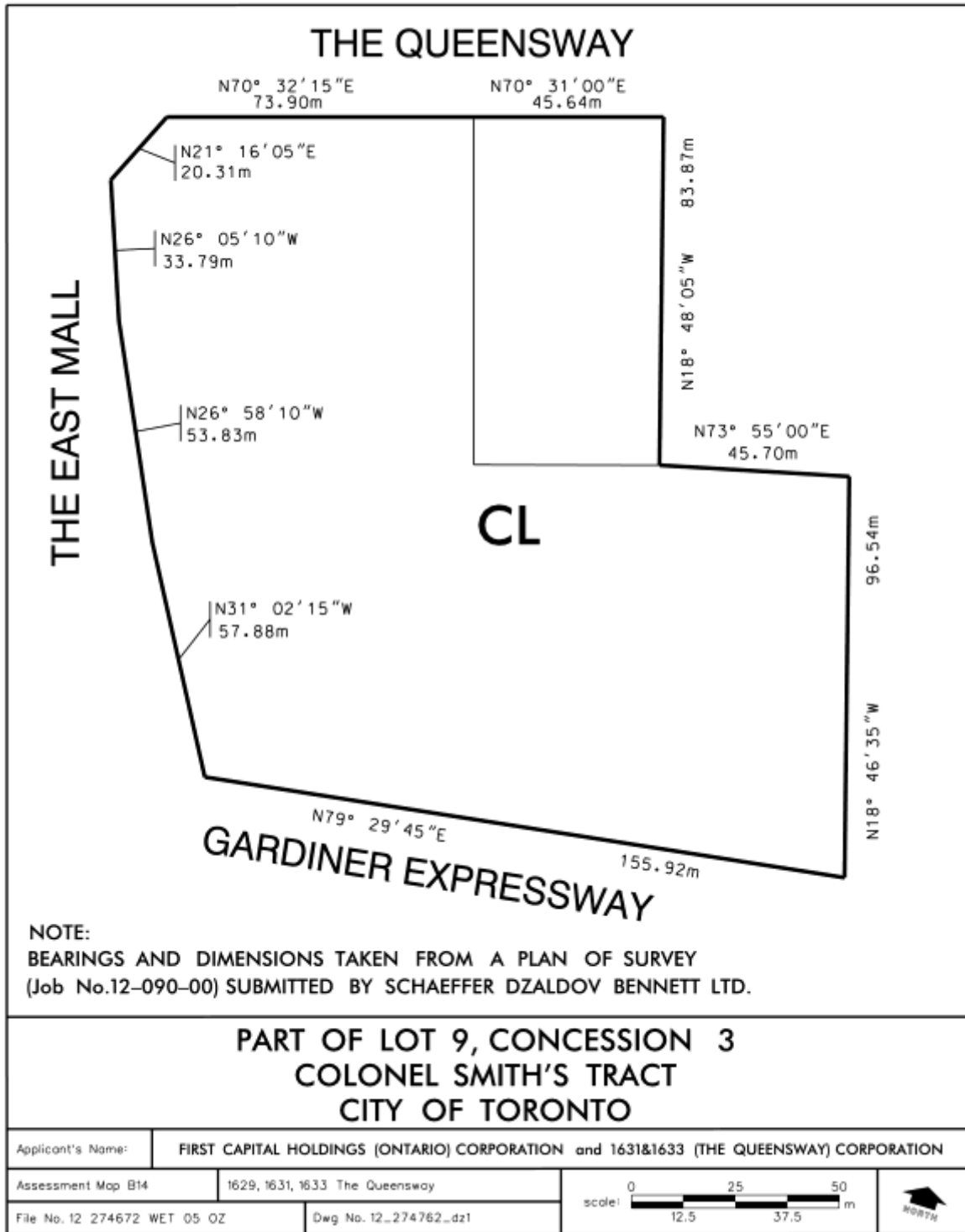
Enacted and passed on October 11, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Toronto Schedule 'A' BY-LAW



Toronto Schedule 'B' BY-LAW

