

Authority: Etobicoke York Community Council Item 34.1, as adopted by City of Toronto Council on July 8, 9, 10 and 11, 2014 and Subsection 169-26A of City of Toronto Municipal Code Chapter 169, Officials, City

## CITY OF TORONTO

### BY-LAW No. 689-2014

**To technically amend Zoning By-law No. 569-2013, as amended, with respect to the removal of lands from By-law No. 569-2013 that meet Transition Clause 2.1.3 and to amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the north side of Eglinton Avenue West and to the east of Kipling Avenue, municipally known as 4750 Eglinton Avenue West.**

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas previously when purportedly enacting By-law No. 386-2014 at its meeting on May 6, 7 and 8, 2014 notice to the public was not held in accordance with the *Planning Act* prior to it being considered by City of Toronto Council and By-law No. 386-2014 should be repealed for clarity; and

Whereas Council of the City 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. In accordance with the City of Toronto Transition Protocol, By-law No. 569-2013 is amended to remove the lands, as outlined by a thick black line on Schedule 'A'.
2. 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 former City of Etobicoke and described in Schedule 'A' annexed hereto from Fourth Density Residential (R4) to Group Area Fourth Density Residential (R4G).
3. For the purposes of this By-law:
  - (a) "Townhouse Dwelling Units" shall be defined as "multiple dwellings consisting of a series of attached dwelling units each having a direct access from the outside and shall include group dwellings and row dwellings";
  - (b) "Lot" shall be defined as all the lands as shown on Schedules 'A' and 'B', for clarity, including all future road widenings and conveyances; and
  - (c) For the purposes of this By-law Gross Floor Area shall exclude mechanical areas (furnace room) and the parking garage.
4. Notwithstanding Sections 304-3, 320-18, 320-24.10, 320-43, 320-320-44, 320-46, 320-69, 320-70 and 320-71 of the Etobicoke Zoning Code, the following development standards shall be applicable to the Group Area Fourth Density (R4G) lands described in Schedule 'A' attached hereto:

- (a) A maximum of 68 "townhouse dwelling units" shall be permitted;
  - (b) The minimum building setbacks shall not be less than the setback measurements shown on Schedule 'B' attached hereto, and shall be measured from the exterior main walls of each block of "townhouse dwelling units";
  - (c) Required building setbacks and separations shall not be obstructed by any construction other than the following:
    - (i) access stairs/porches to grade and fences, planter boxes, and corner turrets;
    - (ii) chimney breasts, eaves, air condition units, window projections and roof overhangs extending a maximum of 0.5 metres from any exterior wall of the building provided they are not located beyond the property line;
    - (iii) notwithstanding 4(c)(ii) above, where an eave or roof overhang is adjacent to a walkway as shown on Schedule 'B', the eave or roof overhang may encroach beyond the property line a maximum of 0.5 metres; and
    - (iv) within the rear yards, open uncovered decks, porch ways or verandas and grade related patios.
  - (d) Maximum permitted gross floor area shall be 13,100 square metres;
  - (e) For the purposes of this By-law, the maximum combined building coverage on the "Lot" as shown on Schedule 'B' shall not exceed 45%;
  - (f) The maximum building height of each "townhouse dwelling unit" shall be 12.30 metres, measured at the average grade taken along the front elevation of each block, to the midpoint of the pitched roof;
  - (g) Parking Spaces:
    - (i) A minimum of two parking spaces shall be provided for each "townhouse dwelling unit". One parking space shall be located within an enclosed attached garage at grade with minimum dimension of 2.8 metres wide and 5.6 metres long and one shall be located on the a driveway at grade with a minimum dimension of 2.6 metres wide and 5.9 metres long at the front of each "townhouse dwelling unit".
    - (h) "Townhouse dwelling units" in Blocks 1, 2 & 3 shall have a minimum unit width of 5.6 metres and "townhouse dwelling units" in Blocks 4, 5 & 6 shall have a minimum width of 5.18 metres. All end units in Blocks 1 to 6 shall have a minimum unit width of 6.0 metres for a total of 12 units.
5. For the purposes of this By-law, a minimum of 30% of the front yard not covered by a permitted drive and walkway shall be maintained as soft landscaping.

6. In addition to the uses permitted under this By-law, a sales centre/trailer and/or construction trailer is permitted without restriction during the development of the lands.
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 the 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 operational.
8. Notwithstanding any existing or future consent, partition or division the Lot, the provisions of this By-law shall apply to the whole of the Lot as if no consent, partition or division had occurred.
9. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by addition of 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>
689-2014 July 11, 2014	Lands located on the north side of Eglinton Avenue West, and east side of Kipling Avenue, municipally known as 4750 Eglinton Avenue West.	To rezone the lands from Fourth Density Residential (R4) to Group Area to Group Area Fourth Density Residential (R4G) to permit a 68 unit townhouse development.

10. By-law No. 386-2014 is hereby repealed.

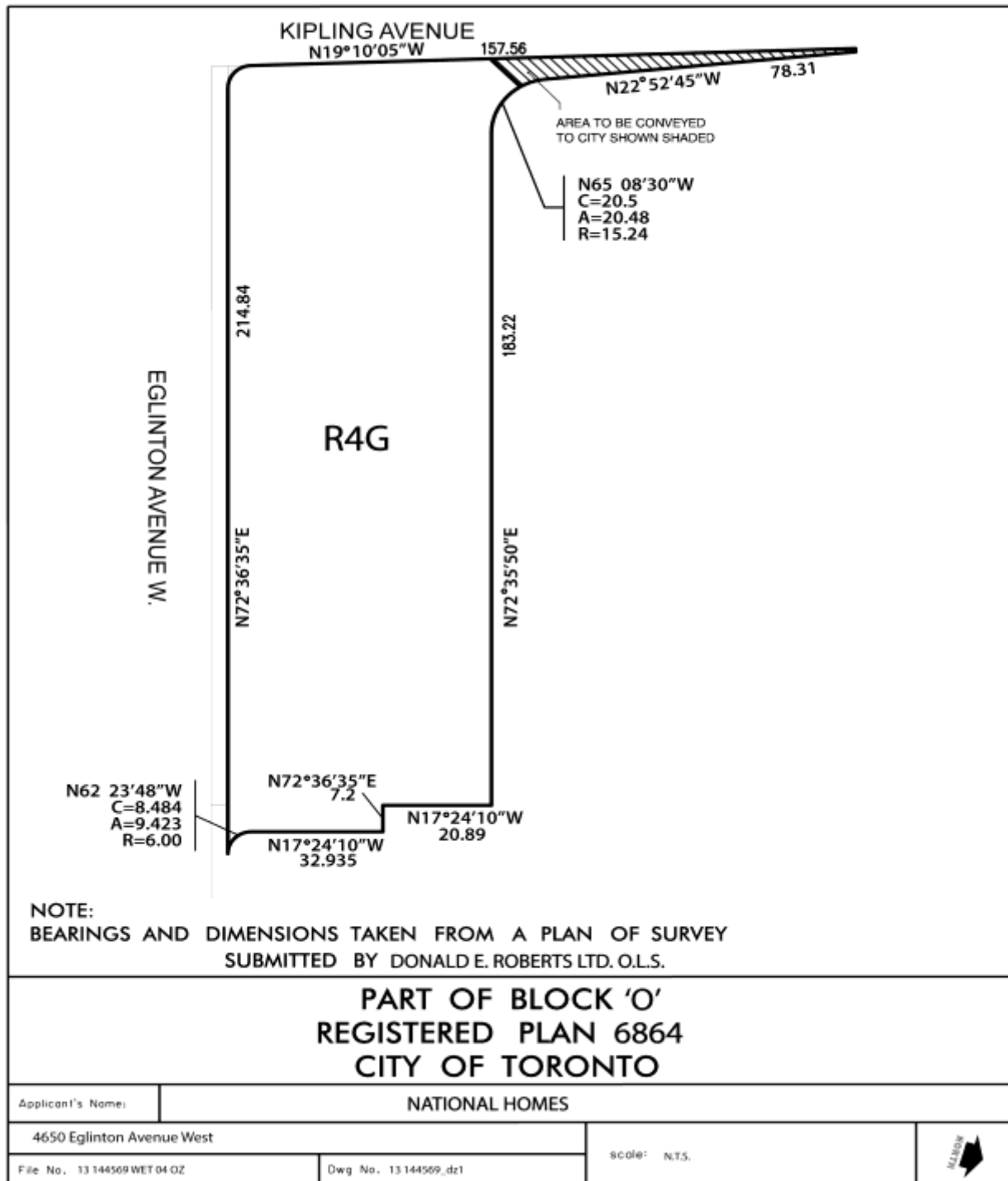
Enacted and passed on July 11, 2014.

Frances Nunziata,  
Speaker

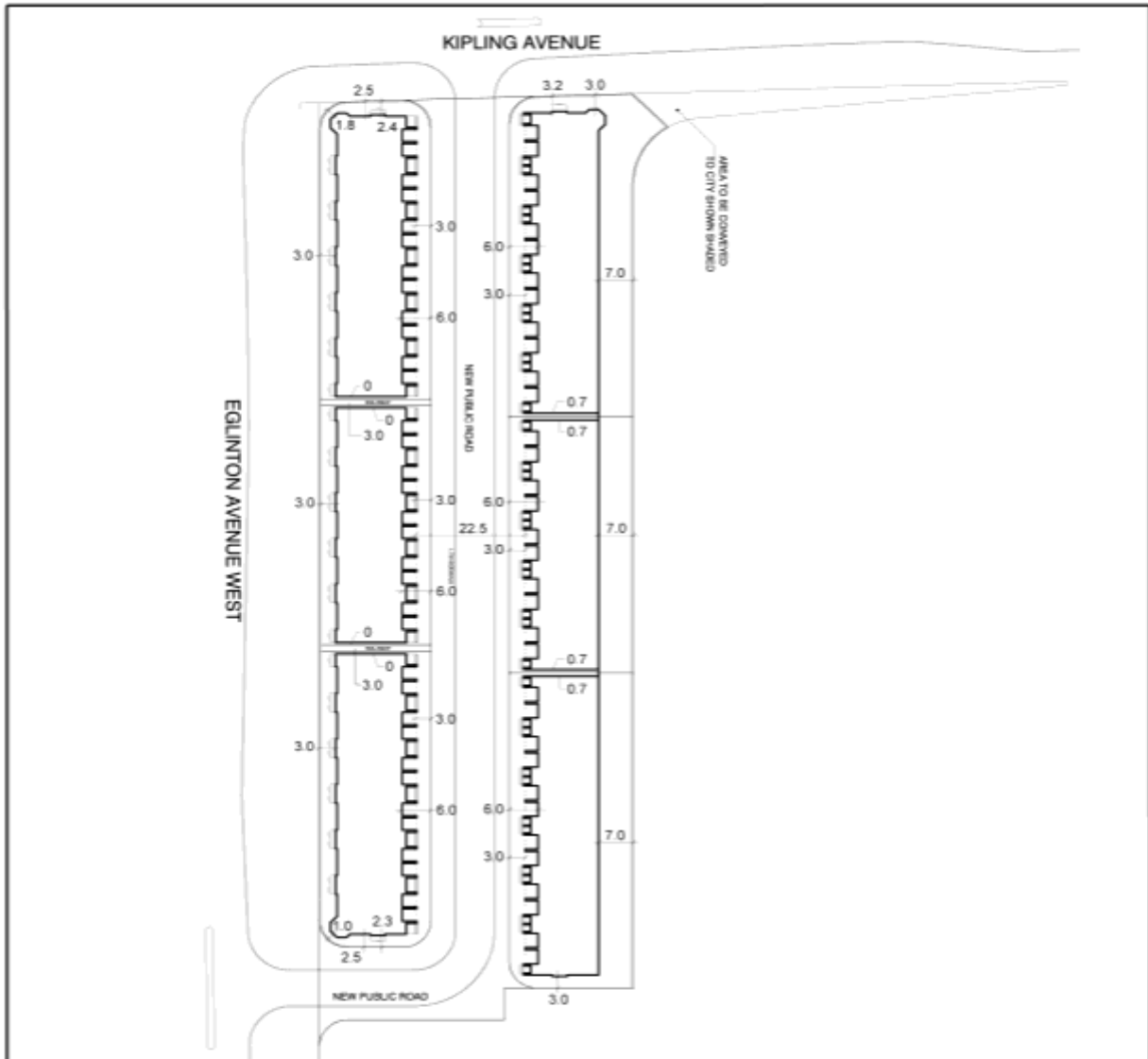
Ulli S. Watkiss,  
City Clerk

(Seal of the City)

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



**Toronto** Schedule 'B' BY-LAW



All measurements are in metres.

**PART OF BLOCK 'O'  
REGISTERED PLAN 6864  
CITY OF TORONTO**

Applicant's Name:	<b>NATIONAL HOMES</b>		
File No. 13 144569 WET 04 02	Dwg No. 13 144569 DZ2	scale: N.T.S.	