Authority: Etobicoke York Community Council Report No. 2, Clause No. 5,

as adopted by City of Toronto Council on February 16, 2005

Enacted by Council: February 16, 2005

CITY OF TORONTO

BY-LAW No. 147-2005

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to lands municipally known as 60 Bergamot 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*;

NOW THEREFORE, the Council of the City of Toronto, HEREBY ENACTS as follows:

- 1. That the Zoning map referred to in Section 320-5, Article II of the Zoning Code, as originally attached to Township of Etobicoke Zoning By-law No. 11737, as amended, be and the same is hereby amended by changing the classification of the lands shown on Schedule 'A' attached hereto from Second Density Residential (R2) to Fifth Density Residential (R5).
- 2. Notwithstanding Section 320-74, Article XVII of the Zoning Code, the following development standards shall now be applicable to the lands described in Schedules 'A' and 'B' attached hereto:
 - (a) The maximum number of apartment dwelling units shall not exceed 68;
 - (b) A daycare centre shall be permitted in conjunction with the apartment building;
 - (c) The minimum building setbacks shall not be less than the measurements shown on Schedule 'B' attached hereto;
 - (d) Eaves, roof overhangs, canopies, sills, and cornices may project up to a maximum of 2.0 metres into scheduled setbacks. Handicapped ramps and trellis structures may project into the scheduled setbacks;
 - (e) The maximum lot coverage shall not exceed forty per cent (40%) of the lot area, excluding covered areas such as canopies and roofed porches;
 - (f) The minimum landscaped open space shall be not less than thirty-five per cent (35%) of the lot area, including all hard surface patios;
 - (g) The maximum perpendicular distance measured from the average of the natural, unaltered grade at the intersection of the side lot lines at the minimum 4.5 metre building front yard setback to the highest point of the flat roof of the building (exclusive of mechanical and elevator penthouses) shall not exceed 14.5 metres;

- (h) The gross floor area of the building shall not exceed 6 950 square metres; and
- (i) Notwithstanding Sections 320-18 B.(2), C. (3)(j) and 320-19, Article V of the Zoning Code, parking shall be provided, as follows:
 - (i) The minimum number of parking spaces shall be 30 uncovered above-grade spaces: 20 uncovered above-grade spaces for the apartment residents; and 10 uncovered above-grade spaces shared between apartment residential visitors and the daycare facility; and
 - (ii) A minimum of two handicapped parking spaces of not less than 2.44 metres in perpendicular width throughout and 6.0 metres in perpendicular length throughout shall be provided, with a mutual side access of at least 1.20 metres.
- 3. Where the provisions herein conflict with the Zoning Code, the provisions of this by-law shall take precedence, otherwise the Zoning Code shall continue to apply.
- 4. Chapter 324, Site Specifics, of the Etobicoke 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 DESCRIPTION OF PROPERTY PURPOSE OF BY-LAW AND ADOPTION DATE

147-2005 February 16, 2005 Lands located on the north side of Bergamot Avenue, west of Islington Avenue, between Rexlington Park and the Gospel Hall, municipally known as 60 Bergamot Avenue. To rezone the lands from R2 to R5 to allow for up to 68 apartment dwelling units and a daycare centre, together with appropriate standards of development.

ENACTED AND PASSED this 16th day of February, A.D. 2005.

DAVID R. MILLER, Mayor ULLI S. WATKISS City Clerk

(Corporate Seal)

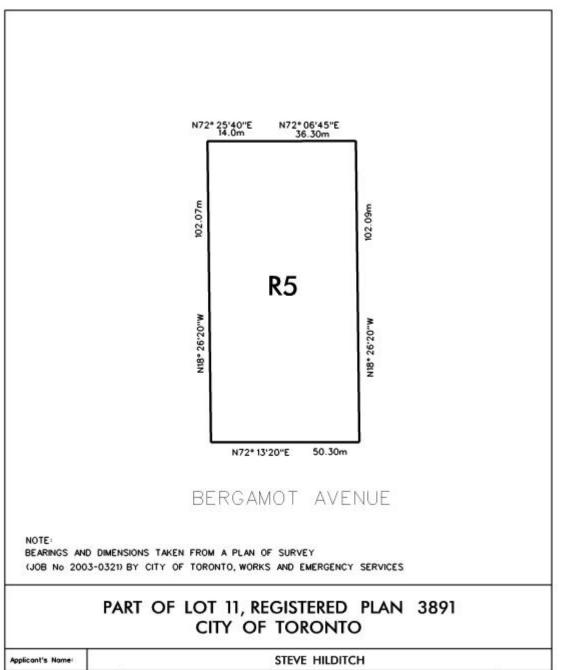
TORONTO Schedule 'A' BY-LAW

Assessment Mop H12

File No. 04_103463

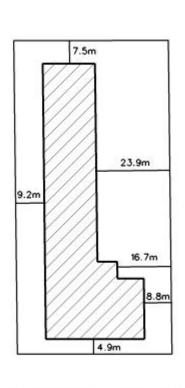
Zoning Code Map/s H12W

Drawing No. 04_103463A



Drawn By: K.P.

TORONTO Schedule 'B' BY-LAW



BERGAMOT AVENUE

PART OF LOT 11, REGISTERED PLAN 3891 CITY OF TORONTO

Applicant's Name:	STEVE HILDITCH						
Assessment Map H12	ssment Map H12 Zoning Code Map/s H12W		. 0	4	0	40	-
File No. 04_103463	Drawing No. 04_103463B	Drawn By: K.P.	scale:	10	30		MORTH