Authority: Etobicoke York Community Council Report No. 5, Clause No. 12,

as adopted by City of Toronto Council on June 14, 15 and 16, 2005

Enacted by Council: June 16, 2005

CITY OF TORONTO

BY-LAW No. 534-2005

To amend Chapter 330 of the former City of Etobicoke Zoning Code and Zoning By-law No. 1055-2004, with respect to lands located on the southwest corner of Lake Shore Boulevard West and Thirty Seventh Street, known municipally as 3701 Lake Shore Boulevard West.

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 the matters herein set out are in conformity with Official Plan Amendment No. 133-2005, as adopted by the Council of the City of Toronto; 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 the Commercial-Avenues (C1-AV) Zoning By-law No. 1055-2004, the provisions of this By-law shall apply.
- 2. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.
- 3. Notwithstanding the provisions of Section 330-39 of the Etobicoke Zoning Code, the following uses shall be permitted on the C-1 lands described in Schedules 'A' and 'B' attached hereto:
 - (i) A mixed-use building, which must contain either live/work space and/or uses permitted in Section 330-39 of the Etobicoke Zoning Code on the ground floor units fronting Lake Shore Boulevard West; and
 - (ii) One semi-detached dwelling, fronting Thirty Seventh Street.
- 4. Notwithstanding the provisions of Sections 330-9(B) and 330-40 of the Etobicoke Zoning Code, the following development standards shall now be applicable to the C-1 lands described in Schedules 'A' and 'B' attached hereto:
 - A. Development Standards for the Mixed-Use Building:
 - (i) The maximum number of dwelling units permitted shall not exceed 30 units.

- (ii) The maximum floor space index permitted shall not exceed 2.1 times the lot area of Part 1 on Schedule 'A' and shall be based on the lot area prior to any land dedications.
- (iii) The maximum building height shall not exceed four storeys, and at no point shall the total height exceed 18 metres, measured from the average grade at 1.5 metre setback at the side lot lines from the Lake Shore Boulevard West frontage.
- (iv) The maximum coverage shall not exceed 56 per cent of the total lot area of Part 1 on Schedule 'A' and shall be based on the lot area prior to any land dedications.
- (v) The minimum building setbacks shall not be less than the measurements shown on Schedule 'B' attached hereto, and shall be measured from the main walls of the building.
- (vi) Required building setbacks shall not impede the construction of any of the following:
 - (a) uncovered steps to grade; and
 - (b) eaves, bay windows, or other projections provided they maintain a minimum 0.4 metre setback from the lot line.
- (vii) Open, uncovered (or roofed) porches, verandas, decks, balconies and grade-related patios must maintain the required building setbacks.
- (viii) A total of 35 parking spaces must be provided, of which 4 are for visitor parking and 1 handicap sized space.

B. Development Standards for the Semi-detached Dwelling:

- (i) One semi-detached dwelling, fronting Thirty Seventh Street.
- (ii) The maximum floor space index permitted for each semi shall not exceed 0.91 times for each lot area as shown on Part 2 of Schedule 'A'.
- (iii) The maximum building height of the semi-detached dwelling shall not exceed 3 storeys, and at no point shall the total height exceed 10.5 metres, measured from the average grade at 5 metres setback at the side lot lines from the Thirty Seventh Street frontage.
- (iv) The maximum coverage for each semi shall not exceed 40 per cent for each lot area as shown on Part 2 of Schedule 'A'.

- (v) The minimum building setbacks shall not be less than the measurements shown on Schedule 'B' attached hereto, and shall be measured from the main walls of each dwelling.
- (vi) Required building setbacks and separations shall not be obstructed by any construction other than the following:
 - (a) uncovered steps to grade;
 - (b) eaves, bay windows, or other projections extending a maximum of 1.0 metre from any exterior wall of a building;
 - (c) open, uncovered (or roofed) porches, verandas, decks, balconies and grade-related patios projecting a maximum of 3.8 metres from the exterior rear wall of the dwelling and 1.5 metres from the exterior front wall of the dwelling.
- (vii) A total of 2 parking spaces shall be provided in detached garages at the rear of the site.
- (viii) Notwithstanding Section 330-15 A, B, D and E a detached garage will be permitted subject to the following:
 - (a) the minimum setbacks shall not be less than the measurements shown on Schedule 'B' attached hereto, and shall be measured from the main walls of the structure.
 - (b) the maximum building height of the garage shall not exceed 3.7 metres as measured from the average grade at the front elevation of the garage or structure.
 - (c) the maximum coverage for each garage shall not exceed 14 per cent of the total lot area of each semi dwelling.
- **5.** For the purposes of this By-law, the following definitions shall apply:
 - (i) "Live/work" shall mean a unit that contains a subsidiary business, which business is conducted only by an individual that lives/resides in the dwelling. The subsidiary business use shall be restricted to the ground/main floor only. The uses allowed as a subsidiary business include restricted business offices (not including any medical, dental, medical laboratories, massage therapy, holistic office, restaurant, food preparation, food retail, video sales/rentals, automotive repair, rental or parts, printing or photo finishing, dry cleaning establishments), but shall exclude retail stores.
 - (ii) "Mixed Use Building" shall mean a building containing grade related commercial or retail uses that front onto Lake Shore Boulevard West, including live/work uses, with residential units above.

6. All provisions regarding fencing shall be subject to The City of Toronto Municipal Code Chapter 447, Fences.

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

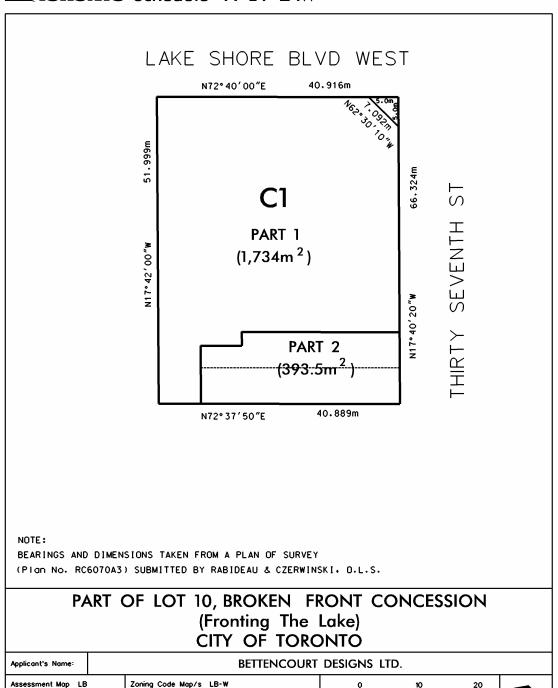
DAVID R. MILLER, Mayor ULLI S. WATKISS City Clerk

(Corporate Seal)

TORONTO Schedule 'A' BY-LAW

File No. 04_144590

Drawing No. 04_144590_DZ1



Drawn By: K.P.

TORONTO Schedule 'B' BY-LAW

