

Authority: Etobicoke York Community Council Item 7.17,
adopted as amended, by City of Toronto Council on July 16, 17, 18 and 19, 2007
Enacted by Council: July 19, 2007

CITY OF TORONTO

BY-LAW No. 864-2007

To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code, with respect to lands located south of Rexdale Boulevard, east of Highway 427 and municipally known as 555 Rexdale Boulevard.

WHEREAS authority is given to Council under 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*; and

WHEREAS the matters herein set out are in conformity with Toronto Official Plan Amendment No. 30 as adopted by the Council of the City of Toronto; and

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

1. That the Zoning classification of the lands shown as Parcels A and B on Schedule 'A' attached hereto is hereby confirmed as Class 2 Industrial (I.C2) and notwithstanding By-law No. 1996-25 and Chapters 304, 320 and 324 of the Etobicoke Zoning Code only the following development standards and uses shall be applicable to the Lands:

- (a) Permitted Uses

No buildings or structures shall be erected or used on the Lands, except for the following uses:

- (i) Uses permitted in Article VI and Chapter 304-34 of the Zoning Code, excepting those uses set out in clause B. Manufacturing therein;
 - (ii) Uses set out in the Minister's Zoning Order filed as Ontario Regulation 688/98, as amended;
 - (iii) Privately-owned open space that may be publicly accessible, including arts and cultural facilities, skating rinks, outdoor entertainment and sports facilities, auditoriums; play lots, playgrounds, fountains, public art installations, monuments, rooftop patios;
 - (iv) Retail stores; large format retail stores; banks; municipal uses; commercial/recreational uses, including spas and personal service shops, outdoor garden centres, flower stands, retail and service kiosks and vending carts, automated banking machines, variety stores, cafes, outdoor cafes, patios, dry cleaners; photographers studios; community centres; public parking areas; art galleries;

- (v) Hotels;
 - (vi) Administrative/business/ professional offices; medical centres and medical and dental offices;
 - (vii) Uses and structures accessory to permitted uses including, but not restricted to: podiums; covered ramps; parking garages; exterior stairs; garbage enclosures; stair enclosures; pergolas; screen walls; gazebos; and ventilation shafts; public transportation uses; and any services associated with these uses;
 - (viii) Temporary structures and facilities, including tents and trailers for event and construction purposes; and
 - (ix) Sales / leasing pavilions.
- (b) Gross Floor Area
- A maximum of 140,000 square metres of gross floor area shall be permitted on the Lands for the purposes of retail stores, inclusive of large format retail;
- (c) Setbacks
- (i) No building or structure within the Lands shall be located closer than 14.0 metres to the property line of the Lands abutting Highway 427;
 - (ii) Large format retail stores are limited to Parcel A on Map 1;
 - (iii) A minimum 4.5 metre wide landscaped strip shall be provided along the length of the property lines adjacent to Highway 27 and Rexdale Boulevard, with the exception of ingress and egress driveways;
- (d) Parking Requirements
- (i) Subject to subparagraph (ii), parking spaces shall be provided on the Lands and / or Parcel C for each use listed below at least to the extent prescribed:
 - A. Hotel – a minimum of 1 parking space per guestroom or suite;
 - B. Racetrack, gaming establishment and ancillary facilities on Parcel C – 3,750 parking spaces; and,
 - C. All other permitted uses – a minimum of 3 parking spaces per 93 square metres of gross floor area;

- (ii) The minimum number of parking spaces that are to be provided and maintained on the Lands shall be 0.7 times the sum of the aggregate total number of parking spaces calculated pursuant to paragraph (i) above.
- (iii) Of the total requirement calculated pursuant to subparagraph (ii) above, 1 out of every 100 parking spaces calculated shall be provided with a minimum perpendicular width of 3.65 metres and a minimum length of 6.0 metres, and said parking spaces are to be provided as close as practicable to the principle entrances of a building and identified by means of a physically disabled symbol.

(e) Definitions

The provisions of Section 304-3 Definitions of the Zoning Code shall apply unless inconsistent with the provisions of this By-law. For the purposes of this By-law the following definitions shall apply:

“Gross Floor Area” - shall have the same meaning as the Zoning Code definition in Section 304-3, except that the following areas shall also be excluded: Mechanical Floor Area; above grade parking areas and structures; and, common pedestrian circulation areas.

“Lands” - shall mean the lands described as Parcels A and B on Schedule ‘A’ attached hereto; and for the purposes of this By-law shall be the Lands prior to land dedications and conveyances.

“Large Format Retail” - shall mean a building or portion of a building, operated as a single store exceeding a gross floor area of 8,000 square metres, for the sale of products displayed and stored in a warehouse format.

“Mechanical Floor Area” – means a room or enclosed area, including its enclosing walls within a building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical (other than escalators), elevator shafts or telecommunications equipment that serves only such building;

2. Despite any existing or future severance, partition, division of the Lands, or conveyance for municipal purposes, the provisions of this By-law shall apply to the whole of the Lands as if no severance, partition, division or conveyance occurred.

3. Chapter 324, Site Specifics, of the 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 AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
864-2007 July 19, 2007	Lands located south of Rexdale Boulevard, east of Highway 427 and municipally known as 555 Rexdale Boulevard	To provide for site specific development standards in respect of parking supply, gross floor area and setbacks for the development of the lands as a mixed use entertainment and retail centre.

ENACTED AND PASSED this 19th day of July, A.D. 2007.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



Schedule 'A' BY-LAW

