

Authority: Etobicoke York Community Council Item 33.3, as adopted by City of Toronto Council on January 26 and 27, 2010 and Subsection 169-26B of City of Toronto Municipal Code Chapter 169, Officials, City
Enacted by Council: May 19, 2011

CITY OF TORONTO

BY-LAW No. 608-2011

To amend Chapters 320 and 324 of the former City of Etobicoke Zoning Code and former City of Etobicoke By-law No. 1989-78 with respect to the lands municipally known as 720 Humberwood Boulevard.

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*; and

WHEREAS Section 5.1.1 of the City of Toronto Official Plan contains provisions relating to the authorization of increases in density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as are set out in the By-law; and

WHEREAS subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in the height and density of development, the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with the facilities, services and matters; and

WHEREAS the owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands in Chapters 320 and 324 of the Etobicoke Zoning Code, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

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, and originally attached to Township of Etobicoke By-law No. 11,737, be and the same is hereby amended by changing the classification of the lands located in former Township of Etobicoke as described in Schedule 'A' annexed hereto from Sixth Density Residential (R6) to Public Open Space (OS) and identifying new areas "Part E", "Part F", "Part G" and "Part H" as a portion of "Part C" shown on Schedule 'A' of Zoning By-law No. 1989-78.

2. Notwithstanding the provisions of former City of Etobicoke Zoning By-law No. 1989-78, and the provision of Section 304-3 "Definitions", the following development standards and definitions shall now be applicable to the lands identified as "Part E", "Part F" and "Part H" on Schedule 'A' of former City of Etobicoke By-law No. 1989-78 attached hereto:

A. Definitions

- (i) Hard Landscaping: For the purposes of this By-law, "hard landscaping" shall constitute stone, brick, interlocking concrete pavers and/or patterned impressed concrete.
- (ii) Soft Landscaping: For the purposes of this By-law, "soft landscaping" shall constitute sod and/or flower gardens.
- (iii) Gross Floor Space Index: For the purposes of this By-law, "Gross FSI" shall constitute the Floor Space Index calculation as provided in the Etobicoke Zoning Code, By-law No. 11,737 (as amended) for the total of the lands constituting "Part E", "Part F" and "Part H" as well as those lands to constitute the proposed municipal roadway.
- (iv) Net Floor Space Index: For the purposes of this By-law, "Net FSI" shall constitute the Floor Space Index calculation as provided in the Etobicoke Zoning Code, By-law No. 11,737 (as amended) for the total of the lands constituting only "Part E", "Part F" and "Part H".
- (v) Minor Projections: For the purposes of this By-law, "Minor Projections" means building elements which may project from the main wall of a building. Such projections shall include: chimney breasts, roof eaves, bay windows, railings, cornices, guard rails and balustrades, but shall exclude rear yard decks.

B. Permitted Uses

- (i) Single detached dwellings only shall be permitted on Part H.
- (ii) Semi-detached dwellings shall be permitted on Part E and Part F.

C. Development Standards

- (i) Section 3 (d) of former City of Etobicoke Zoning By-law No. 1989-78 is specifically deleted.
- (ii) Direct driveway access to Humberwood Boulevard is not permitted.
- (iii) The maximum number of dwellings shall not exceed 71; of which a minimum of 9 shall be single detached dwellings and a maximum of 62 shall be semi-detached dwellings.

- (iv) The maximum Gross Floor Area (GFA) shall be 21,600 square metres.
- (v) The maximum Floor Space Index (FSI) for all dwellings shall not exceed 0.60 Gross FSI, 1.11 Net FSI.
- (vi) The maximum height shall be 3 storeys.
- (vii) The minimum lot area shall be 150 square metres.
- (viii) The minimum overall landscape open space, excluding Part G as shown on Schedule "A", shall be 40%.
- (ix) Front yard landscaping, excluding the driveway, shall be maximum 40% hard landscaping and minimum 60% soft landscaping.
- (x) The minimum front yard setback shall be 6.0 metres.
- (xi) Notwithstanding Section 320-40.D (2) of the Etobicoke Zoning Code, the minimum front yard setback for porches shall be 2.5 metres.
- (xii) The minimum setback from the door of each attached private garage shall be 6.0 metres from the street line.
- (xiii) The minimum frontage shall be 7.5 metres for semi-detached dwellings and 9.5 metres for single-detached dwellings.
- (xiv) The minimum rear yard setback shall be 7.0 metres.
- (xv) The minimum side yard setback shall be 0.3 metres, except for semi-detached dwellings where a common lot line is created, a zero (0) metre setback is permitted.
- (xvi) The minimum side yard setback for dwellings flanking the new public street shall be 0.0 metres.
- (xvii) The minimum side yard setback for dwellings flanking Humberwood Boulevard shall be 5.5 metres.
- (xviii) The maximum distance a minor projection may extend from a main wall is 0.9 metres.
- (xix) The maximum width of paired driveways shall not exceed 6.0 metres.
- (xx) The maximum width of a single driveway shall not exceed 2.6 metres.
- (xxi) One attached single-vehicle, private garage having the minimum internal dimensions of 3.0 metres wide by 6.0 metres in length.

(xxii) Notwithstanding Section 320-16 of the Etobicoke Zoning Code, similar front elevations shall be 35 percent (%) in any one residential block and no two (2) houses adjacent to each other shall be identical.

(xxiii) Section 320 – 42.1.D. of the Etobicoke Zoning Code shall not apply.

3. Within the lands identified as "Part E", "Part F" and "Part H" on Schedule 'A' of former City of Etobicoke By-law No. 1989-78 attached hereto, 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.
4. Pursuant to Section 37 of the *Planning Act*, the density of residential development as identified as "Part E" and "Part F" on Schedule 'A' of former City of Etobicoke By-law No. 1989-78 attached hereto is contingent upon the owner of the land, providing a cash contribution of \$750 per unit (\$53,250) for the purpose of constructing a surface parking lot in relation to Indian Line Park.
5. Where the provisions of this By-law conflict with the provisions of the former City of Etobicoke Zoning Code and/or By-law No. 1989-78, the provisions of this By-law shall take precedence.
6. 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 AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
608-2011 May 19, 2011	Lands located north and east of Humberwood Boulevard and to the south and west of the Humber River municipally known as 720 Humberwood Boulevard.	To rezone lands from Sixth Density Residential (R6) to Public Open Space (OS).to permit 62 semi-detached dwelling units and 9 single detached dwelling units subject to site specific development standards.

ENACTED AND PASSED this 19th day of May, A.D. 2011.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Toronto Schedule 'A' BY-LAW

