

Authority: Etobicoke York Community Council Item 18.2,
as adopted by City of Toronto Council on October 2, 3 and 4, 2012
Enacted by Council: October 4, 2012

CITY OF TORONTO

BY-LAW No. 1281-2012

To amend Chapters 330 and 332 of the Etobicoke Zoning Code with respect to certain lands located on the north side of Carnation Avenue west of Twenty-Fourth Street, municipally known as 120 Twenty-Fourth Street.

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 the Official Plan 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 held at least one public meeting in accordance with the *Planning Act*; 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 or density of development beyond that otherwise permitted by the By-law amended, in return for the provision of such facilities, services or 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 any increase in the height or 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 owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS the increases in the density or height, permitted hereunder, are beyond those otherwise permitted on the lands by Chapters 330 and 332 of the Etobicoke Zoning, as amended, and are to be permitted subject to the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of the lands and the City of Toronto; and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements to secure certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law;

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

1. That the Zoning Map referred to in Section 330-2, Article II of the Zoning Code, originally attached to Village of Long Branch By-law No. 23/64, as amended, is hereby amended by changing the classification of the lands located in the former Village of Long Branch as described in Schedule 'A' annexed hereto from Class 2 Industrial (I.C2) to Residential Multiple -1 (RM-1) provided that the provisions in this By-law shall apply to the lands identified in Schedule 'A' attached hereto.

2. For the purposes of this By-law:
- (a) *townhouse dwelling units* shall mean multiple dwellings consisting of a series of attached dwelling units each having a direct access from the outside;
 - (b) *grade* shall mean 95 metres Canadian Geodetic Datum;
 - (c) *height* shall mean the perpendicular distance measured from *grade* at the west elevation of a building to the highest point of a flat roof surface or to the point halfway up the surface of a pitched roof;
 - (d) *building envelope* shall mean the building area permitted within the setbacks established on attached Schedule 'B'; and
 - (e) *outdoor amenity space* shall mean an area within a lot which is provided for the exclusive use of residents of a building for recreational or social purpose.
3. Notwithstanding Sections 330-13, 330-14, 330-15N, 330-23, 330-25 and 330-26 of the Etobicoke Zoning Code, the following development standards shall now be applicable to Residential Multiple -1 (RM-1) lands described in Schedule 'A' attached hereto:
- (a) The only permitted use shall be *townhouse dwelling units*;
 - (b) A maximum of 148 *townhouse dwelling units* shall be permitted;
 - (c) Permitted accessory uses shall include garbage storage buildings;
 - (d) No portion of any above-grade structure erected or used on the lands shall extend beyond the building envelope delineated by the heavy lines on Schedule 'B' attached to and forming part of this by-law; except the following:
 - (i) access stairs and railings to underground parking, underground vents, terraces, uncovered steps to grade and patios, balconies, covered and uncovered porches having a maximum projection of 2 metres from any exterior wall of a building provided they are located a minimum of 2.0 metres from any street line or internal driveway;
 - (ii) underground garage ramps and structures, transformers, garbage storage buildings; and
 - (iii) eaves, bay windows, window boxes or other projections extending a maximum of 0.8 metres from any exterior wall of a building provided they are located a minimum of 1.0 metre from any street line or internal driveway.
 - (e) No habitable building or structure, above-grade, shall encroach within the 25 metre setback from the north property line as shown on Schedule 'B';

- (f) The total maximum permitted *gross floor area* on the lands excluding garbage enclosure facilities shall be 15,930 square metres;
 - (g) Two garbage storage buildings having a minimum combined building area of 60 square metres and a maximum combined building area of 80 square metres shall be provided;
 - (h) A minimum of 35% of the lands shown on Schedule 'A' shall be *landscaped open space*;
 - (i) A minimum of 3.5 square metres of *outdoor amenity space* per dwelling unit shall be provided in a location adjoining to or directly accessible from each dwelling unit;
 - (j) The maximum building *height* of each building shall be 13.5 metres;
 - (k) Notwithstanding Section 330-9B of the Zoning Code *parking spaces* shall be provided in accordance with the following minimum ratios:
 - (i) 0.80 stalls per dwelling unit for bachelor dwelling units;
 - (ii) 0.90 stalls per dwelling unit for one-bedroom dwelling units;
 - (iii) 1.00 stalls per dwelling unit for two-bedroom dwelling units;
 - (iv) 1.20 stalls per dwelling unit for three-bedroom dwelling units;
 - (v) 0.20 stalls per dwelling unit for visitor parking;
 - (l) All resident and visitor *parking spaces* shall be located underground;
 - (m) Visitor *parking spaces* shall be exclusively designated;
 - (n) A minimum of 20 bicycle parking spaces shall be provided within the underground parking garage;
 - (o) A minimum of 1 *loading space* shall be provided with a minimum dimension of 13.0 metres by 4.0 metres with an unencumbered minimum vertical clearance of 6.1 metres; and
 - (p) Notwithstanding Section 330-15N of the Etobicoke Zoning Code, central air conditioning units shall be permitted, not less than 2.0 metres from all property lines except the north property line.
4. Notwithstanding the above By-law and Zoning Code standards, a sales trailer and/or construction trailer is permitted during the development of the lands.

5. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.
6. The facilities, services and matters set out herein are the matters required to be provided by the owner of the lot at its expense to the City in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the City and such agreement(s) shall be registered against title to the lot as outlined in heavy lines on Schedule 'A' to secure the following facilities, services or matters:
 - (a) Prior to the issuance of the first above grade building permit, the owner shall provide a cash payment of \$150,000.00 to the City of Toronto as a contribution to Laburnham Park improvements;
 - (b) Compliance with the noise attenuation measures contained in the Environmental Noise Feasibility Study and Addendum dated June 15, 2011 and May 24, 2012 and Memorandum dated July 31, 2012 prepared by Valcoustics; and
 - (c) Registration on title of a development agreement with Metrolinx.
7. Despite any existing or future severance, partition or division of the lands, the provisions of this by-law shall apply to the whole of the lands as if no severance, partition or division occurred.
8. Within the lands shown on Schedule 'A' attached to 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 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.
9. Chapter 332, Site Specifics, of the Etobicoke Zoning Code, is hereby amended to include reference to this By-law by adding the following to Section 332-1, Table of Site Specific By-laws:

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
1281-2012 October 4, 2012	Lands located on the north side of Carnation Avenue, west of Twenty-Fourth Street, municipally known as 120 Twenty-Fourth Street.	To rezone the lands from Class 2 Industrial (I.C2) to Residential Multiple -1 (RM-1) to permit townhouse dwelling units, subject to site specific development standards.

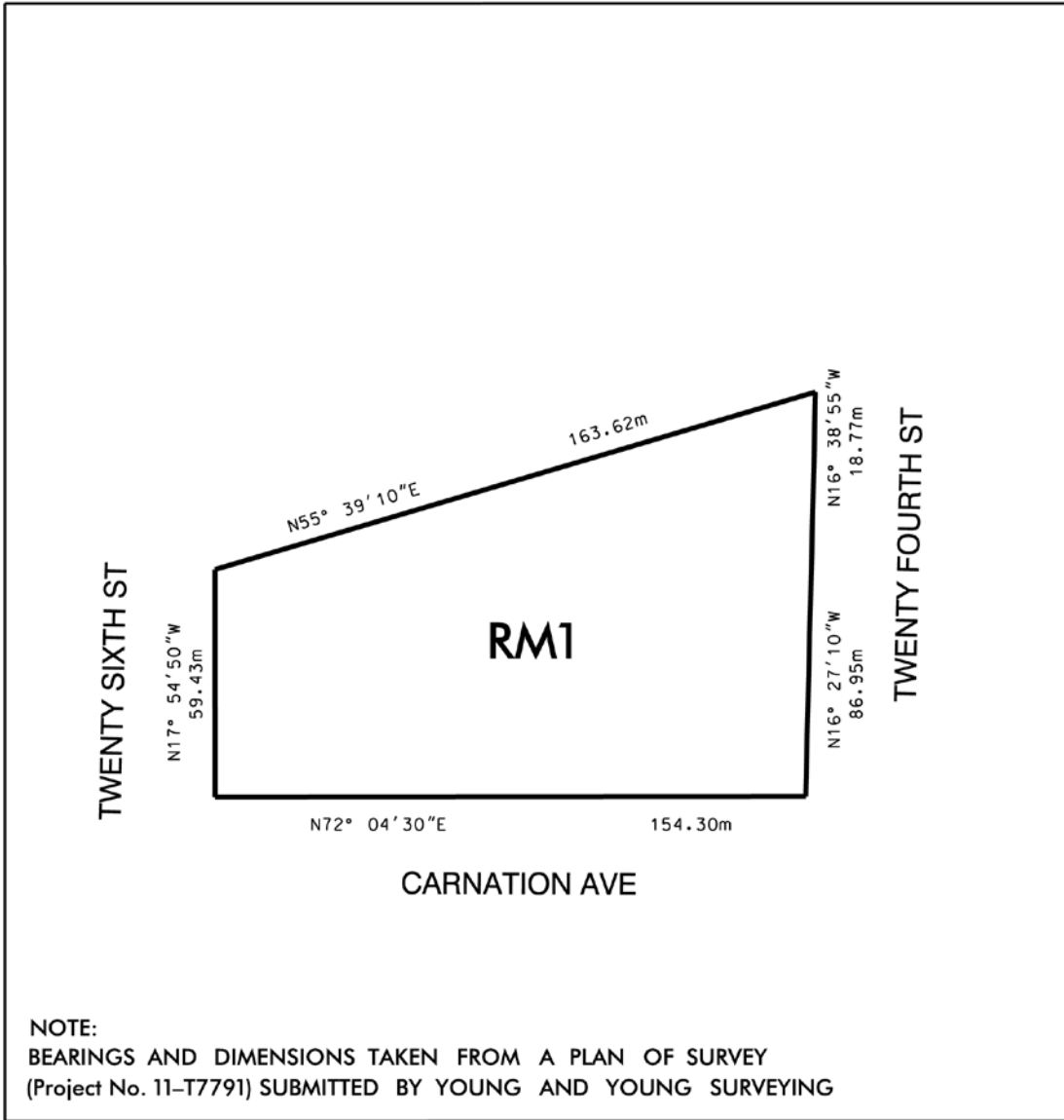
ENACTED AND PASSED this 4th day of October, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Toronto Schedule 'A' BY-LAW



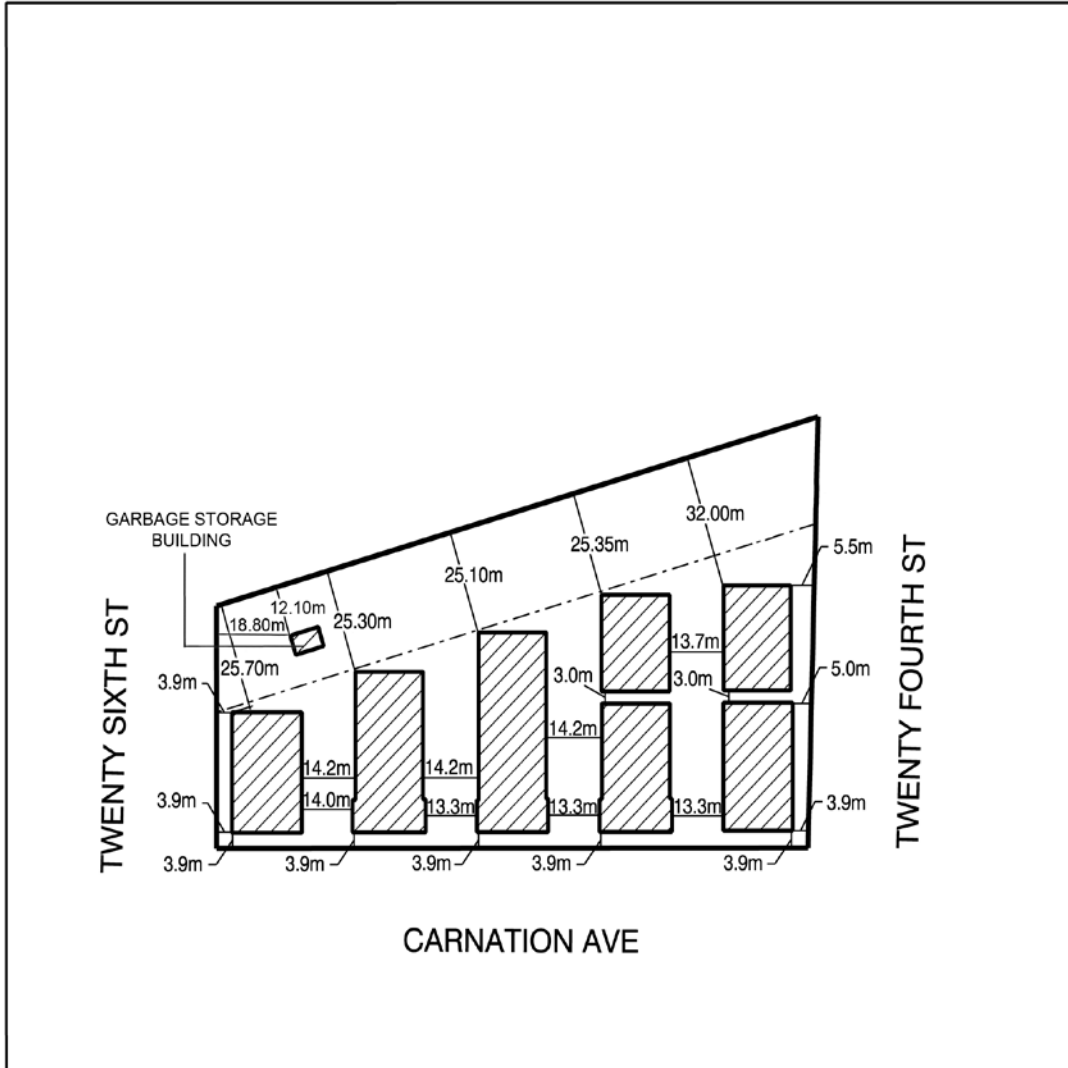
NOTE:

BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY
(Project No. 11-T7791) SUBMITTED BY YOUNG AND YOUNG SURVEYING

**LOTS 36 to 49 Inclusive and BLOCK F,
REGISTERED PLAN 1571
CITY OF TORONTO**

Applicant's Name:		DIAMONDCORP	
Assessment Map New Toronto	120 Twenty Fourth Street		
File No. 11_221587 WET 05 OZ	Dwg No. 11_221587_dz1	scale:	

Toronto Schedule 'B' BY-LAW



NOTE:
 BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY
 (Project No. 11-T7791) SUBMITTED BY YOUNG AND YOUNG SURVEYING

**LOTS 36 to 49 Inclusive and BLOCK F,
 REGISTERED PLAN 1571
 CITY OF TORONTO**

Applicant's Name:	DIAMONDCORP		
Assessment Map New Toronto	120 Twenty Fourth Street	scale: 0 30 60 15 45 m	
File No. 11_221587 WET 06 02	Dwg No. 11_221587_dz2		