

Authority: Etobicoke York Community Council Item 22.1,
as adopted by City of Toronto Council on March 21, 2013

CITY OF TORONTO

BY-LAW No. 794-2013

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands on the south side of Dixon Road, municipally known as 333 Dixon Road.

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 the matters herein set out are in conformity with the Official Plan that is approved and in effect at this time;

The Council of the City of Toronto enacts:

1. The Fourth Density Residential (R4) zoning of the lands identified as Parcel A and Parcel B on Schedule 'A', attached hereto, is hereby confirmed.
2. The development of the area identified as Parcel A on Schedule 'A' shall be restricted to one apartment building subject to the following provisions:
 - (a) Notwithstanding the provisions of Section 320-67E(1)(b) of the Etobicoke Zoning Code, development shall be limited to a maximum of 55 dwelling units.
 - (b) Notwithstanding the provisions of Section 320-18B(2)(a)[1], [2], [3] and [4] of the Etobicoke Zoning Code and Section 1 of By-law No. 12413 relating to parking, a minimum of 60 parking spaces shall be provided, of which number not less than 8 parking spaces shall be reserved for visitor parking use only. The parking spaces shall have a minimum width of 2.6 metres and a minimum length of 5.6 metres.
 - (c) Notwithstanding the provisions of Section 320-18B(2)(c) of the Etobicoke Zoning Code, a minimum landscaped area of 1,068 square metres shall be provided on Parcel A.
 - (d) Notwithstanding the provisions of Section 320-19A of the Etobicoke Zoning Code, the front of a barrier free parking space may abut a retaining wall.
 - (e) A garbage enclosure is permitted.
 - (f) Notwithstanding the provisions of Section 320-68B of the Etobicoke Zoning Code, development shall be limited to a maximum height of 6 storeys.

- (g) Notwithstanding the provisions of Section 320-67E(1)(d), (e) and (f) of the Etobicoke Zoning Code, the development shall comply with the minimum setbacks shown on Schedule 'B'.
3. Notwithstanding the provisions of Section 320-67B of the Etobicoke Zoning Code, development of the area identified as Parcel B on Schedule 'A' shall be restricted to six semi-detached dwelling units subject to the following provisions:
- (a) Lot frontage: minimum 7.3 metres.
 - (b) Lot area: minimum 202.1 square metres.
 - (c) Lot coverage: maximum 45%.
 - (d) Floor Space Index: maximum 0.8 times the area of the lot.
 - (e) Building height: maximum 9.5 metres measured from the average grade of the public sidewalk adjacent to the front property line.
 - (f) Driveway dimensions: maximum 3 metres width and minimum 6 metres length with positive slope towards the public road allowance, with the remaining front yard consisting of landscaping, 75% of which shall consist of soft landscaping such as sod or flower gardens.
 - (g) Garage dimensions: internal garage dimensions shall have a minimum width of 3 metres and a minimum depth of 5.6 metres, and provide a minimum vertical clearance of 2.0 metres.
 - (h) Setbacks: No building or structure within the Lands shall be located other than within the Building Envelope for that building or structure as shown on Schedule 'B'.
4. Pursuant to Section 37 of the *Planning Act* and subject to compliance with provisions of this By-law, the Owner at its sole expense shall provide the following facilities, services and matters to the City on the terms set out in an agreement pursuant to Section 37 of the *Planning Act*:
- (a) Prior to the issuance of the first building permit for the development, the owner shall provide to the City a Construction Management Plan and Tenant Communication Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning.
 - (b) The Owner shall enter into one or more agreements with the City pursuant to Section 37 of the *Planning Act*, which shall be registered on title to the Lands, to secure:
 - (i) matters provided in section (a) above;

- (ii) the implementation by the Owner of the Construction Management Plan and Tenant Communication Strategy;
 - (iii) site improvements to the Lands, and the existing 6-storey apartment building, for the benefit of the residents of that building, including but not limited to:
 - 1. the construction of an outdoor amenity space with durable fixtures such as benches, seats and garbage/recycling containers; and
 - 2. upgrades to the property with landscaping including large shade trees, benches and other landscaping treatments within the surrounding common areas of the rental property;
 - (iv) the Owner shall ensure that none of the costs of the improvements to be made by the Owner as provided for in (iii) above are passed on in any form, including increases to the rent, to the tenants of the existing 6-storey apartment building;
 - (v) the retention of the existing 55 rental dwelling units within the existing 6-storey apartment building, as follows:
 - 1. retaining the 55 units as rental housing units for a minimum period of 20 years from the date of execution of the Section 37 Agreement;
 - 2. ensuring that none of the rental dwelling units shall be registered as condominium or any other form of ownership such a life lease or co-ownerships which provide a right to exclusive possession of a unit; and
 - 3. ensuring that no application for conversion for non-rental housing purposes, or application to demolish the rental dwelling units without replacement, will be made during the 20 year period.
5. By-law No. 12413 is hereby repealed only insofar as it applies to the area identified as Parcel B on Schedule 'A'.
6. Where the provisions of this By-law conflict with the Etobicoke Zoning Code, the provisions of this By-law shall take precedence, otherwise the Etobicoke Zoning Code shall continue to apply.

7. 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
794-2013 June 13, 2013	Lands located on the south side of 333 Dixon Road, municipally known as 333 Dixon Road.	To amend the R4 provisions of the Zoning Code to permit 6 semi-detached dwelling units, subject to site specific development standards.

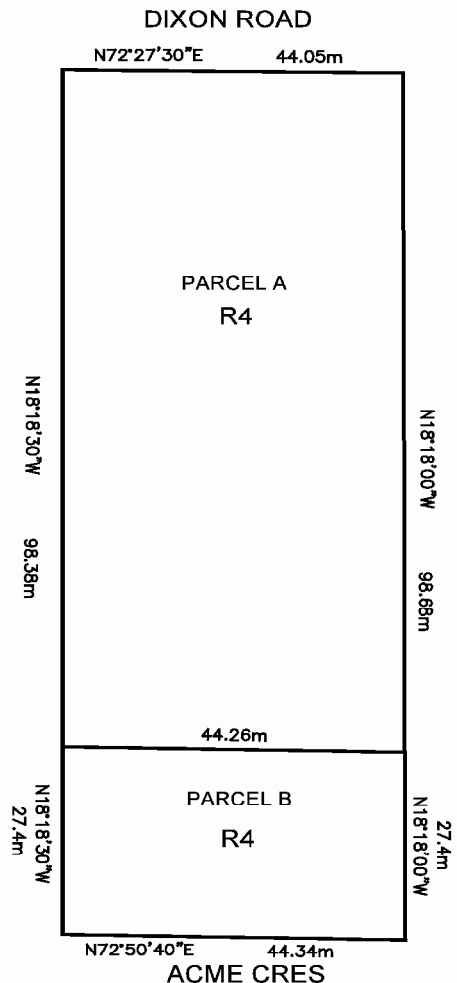
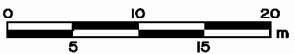
Enacted and passed on June 13, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

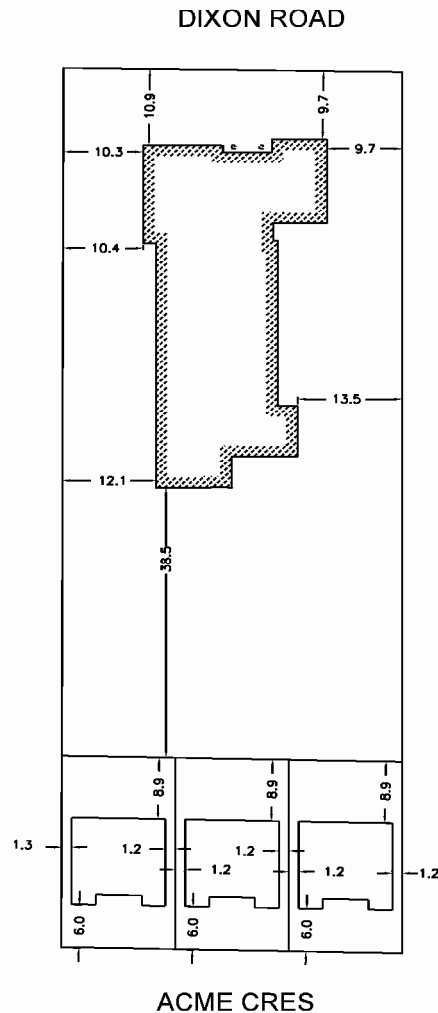
Schedule 'A' BY-LAW

 <p style="text-align: center;">DIXON ROAD</p> <p style="text-align: center;">N72°27'30"E 44.05m</p> <p style="text-align: center;">PARCEL A R4</p> <p style="text-align: center;">N18°18'30"W 98.68m</p> <p style="text-align: center;">44.26m</p> <p style="text-align: center;">PARCEL B R4</p> <p style="text-align: center;">N18°18'30"W 27.4m</p> <p style="text-align: center;">N72°50'40"E 44.34m</p> <p style="text-align: center;">ACME CRES</p>	
<p>NOTE: BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY BLOCK A REGISTERED PLAN M-877, CITY OF TORONTO (FORMERLY CITY OF ETOBICOKE) (Project No. 10-352-00-T1) SUBMITTED BY SCHAEFFER DZALDOV BENNETT LTD</p>	
<p>PART OF LOTS 6, 7 AND 8, REGISTERED PLAN No. 6 and PART OF LOT 33 CONCESSION A FRONTING THE HUMBER CITY OF TORONTO</p>	
<p>Applicant's Name:</p>	<p>D.RASCHILLA HOLDINGS INC.</p>
<p>333 Dixon Road</p>	<p>scale:  m</p>
<p>File No. II 330228 WET 04 02</p>	<p>Dwg No. II 330228 DZI</p>





Schedule 'B' BY-LAW

**NOTE:**

The Dimensions for setbacks are in metres.

**PART OF LOTS 6, 7 AND 8, REGISTERED PLAN No. 6
and PART OF LOT 33 CONCESSION A FRONTING THE HUMBER
CITY OF TORONTO**

Applicant's Name:

D.RASCHILLA HOLDINGS INC.

333 Dixon Road

File No. II 330228 WET 04 02

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scale: 0 10 20
5 15 m

