

CITY OF TORONTO

BY-LAW No. 112-2015(OMB)

**To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to lands
municipally known as 170 North Queen Street.**

Whereas the Ontario Municipal Board, by its Order issued October 23, 2014 in Board File No. MM140034 has determined to amend the Etobicoke Zoning Code of the former City of Etobicoke, with respect to the lands known municipally as 170 North Queen Street;

The Ontario Municipal Board enacts:

1. The Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, originally attached to Township of Etobicoke By-law No. 11737, is hereby amended by confirming the Class 2 Industrial (I.C2) zoning classification and (H) to the lands located in the former Township of Etobicoke as described in Schedule 'A' attached hereto.
2. Notwithstanding Sections 304-31, 304-34, 320-18 and 320-23 of the Etobicoke Zoning Code, the following development standards shall now be applicable to the entirety of the lands described in Schedule 'A':
 - (a) Retail store uses and Personal Service Shop shall be permitted;
 - (b) The maximum gross floor area shall not exceed 8,100 square metres;
 - (c) The parking rates for specific uses are as follows:
 - (i) Retail store:
 1. where the gross floor area is less than 200 square metres, no parking space is required;
 2. where the gross floor area is more than 200 square metres and less than 10,000 square metres, parking spaces must be provided at a minimum rate of 1.5 for each 100 square metres of gross floor area; and
 3. where the gross floor area is 10,000 square metres or more but less than 20,000 square metres, parking spaces must be provided at a minimum rate of 3.0 for each 100 square metres of gross floor area.
 - (ii) Office: 1.5 spaces for each 100 square metres of gross floor area;

- (iii) Restaurants (standard, take-out, and convenience):
 - 1. where the gross floor area is less than 200 square metres, no parking space is required;
 - 2. where the gross floor area is 200 square metres or more but less than 500 square metres, parking spaces must be provided at a minimum rate of 3.0 for each 100 square metres of gross floor area; and
 - 3. where the gross floor area is 500 square metres or more, parking spaces must be provided at a minimum rate of 5.0 for each 100 square metres of gross floor area.
 - (iv) The gross floor area of that portion of a building used exclusively for heating, cooling, ventilation, electrical, fire emergency stairwells, elevator shafts, atriums, utility areas, storage areas in the basement, parking space, loading space, or a drive aisle used to access a parking space or loading space, is not included in the gross floor area for the purpose of calculating parking space requirements; and
 - (v) If the calculation of the number of required parking spaces results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one parking space.
 - (d) Notwithstanding any provision to the contrary, an accessible parking space shall have a minimum length of 5.6 metres and a minimum width of 3.9 metres;
 - (e) Notwithstanding Regulation 304-36B(1), the minimum front yard shall be 4.5 metres with a 3.0 metre wide landscape strip along the entirety of the front lot line, except for the necessary walkway and driveway accesses;
 - (f) Notwithstanding Regulation 304-36G(1), no parking area shall be located closer than 3.0 metres to any lot line abutting a street; and
 - (g) Notwithstanding Regulation 304-36H(2), loading spaces shall be provided at a rate of 3 spaces per 9,999 square metres of gross floor area. Loading spaces shall be at least 11.0 metres long and 3.5 metres wide, with 4.0 metres of vertical clearance.
3. The lands subject to the holding (H) provision shall be subject to the following provisions:
- (a) No new buildings or structures may be erected;
 - (b) New uses, including retail uses shall only be permitted within buildings that exist as of the effective date of this by-law. For clarity, such uses shall be permitted within portions of the existing building that were constructed prior to the effective

date of this by-law, where at least the supporting structure and roof are retained;
and

- (c) The restrictions imposed by (a) and (b) shall remain in place until Council of the City of Toronto passes a by-law to remove the holding (H) provision, after which the restrictions imposed by (a) and (b) shall not apply.
- 4. Notwithstanding anything else contained in this By-law, the provisions this by-law shall continue to apply collectively to all of the lands identified on Schedule 'A', notwithstanding any future division of the lands into two or more parcels of land.
- 5. Other Provisions of the By-law:
 - (a) Except as amended in this By-law, all the other provisions of the Zoning Code shall apply to the lands.
- 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
112-2015(OMB) October 23, 2014	Lands located on the north side of North Queen Street and Manstor Road, municipally known as 170 North Queen Street.	To permit retail store uses and a site-specific parking rate for commercial uses.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD
ISSUED OCTOBER 23, 2014 IN BOARD FILE NO. MM140034.



Schedule 'A' BY-LAW

