

CITY OF TORONTO

BY-LAW No. 731-2015(OMB)

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to the lands municipally known as 4780 Eglinton Avenue West.

Whereas the Ontario Municipal Board, by its Order issued April 16, 2015 in Board File No. PL141002, determined to amend the former City of Etobicoke Zoning Code with respect to the lands known municipally as 4780 Eglinton Avenue West (*The Lands*);

The Ontario Municipal Board orders:

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, is hereby amended by changing the classification of the lands located in the former Township of Etobicoke as described in Schedule A annexed hereto from Fourth Density Residential (R4) to Group Area Fourth Density Residential (R4G).
2. Notwithstanding the provisions of Article XI Section 304-3, 320-16, 320-18, 320-24.9, 320-24.10, 320-69, 320-70, and 320-71 of the Etobicoke Zoning Code, the following definitions and development standards shall now be applicable to the Group Area Fourth Density (R4G) lands described in Schedule "A" attached hereto:
 - (a) Definitions
 - (i) *Townhouse Dwelling Units*: shall be defined as multiple dwellings consisting of a series of attached dwelling units each having a direct access from the outside and shall include group dwellings and row dwellings;
 - (ii) *Lot*: shall be defined as all the lands as shown on Schedules A, B1 and B2, for clarity, including all future road widenings and conveyances;
 - (iii) *Gross Floor Area*: shall be defined as the total area of all floors in a building between the outside faces of the exterior walls, except for storage rooms where the floor level is at least 0.6 metres below grade, parking areas for motor vehicles, mechanical rooms/areas (furnace room), the parking garage and cellars, including laundry and recreation rooms located in cellars;
 - (iv) *Minor Projections*: For the purposes of this By-law, minor projections mean building elements which may project from the main wall of the building, including chimney breasts, roof eaves, roof canopies, bay windows and cornices;
 - (v) *Soft landscaping*: shall mean trees, shrubs, grass, flowers, vegetables and other vegetation; and

- (vi) *Building Height*: shall be the distance as measured from the finished grade at the mid-point of the main wall of each *Townhouse Dwelling Unit* block fronting the New Public Street and Private Lane (as shown on Schedules B1 and B2) to the highest part of the roof.

(b) Permitted Uses

- (i) The only permitted use shall be *townhouse dwelling units*; and
- (ii) A temporary sales office for the purpose of marketing and sales of units related to the development on the lands identified in Schedule A shall be permitted and shall be exempt from all development standards listed in this By-law or the Zoning Code.

(c) Development Standards

- (i) A maximum of 89 *townhouse dwelling units* shall be permitted on the lands shown on Schedule A;
- (ii) The minimum building setbacks shall not be less than the setback measurements shown on Schedules B1 and B2 attached hereto and shall be measured to the exterior main walls of each block of *townhouse dwelling units*;
- (iii) Required building setbacks and separations shall not be obstructed by any construction other than the following:
 - 1. Access stairs/porches to grade and fences, planter boxes, and corner turrets.
 - 2. *Minor Projections* to a maximum projection of 0.9 metres from any exterior wall of the building provided they are not located beyond the property line.
 - 3. Decks, porches, balconies, verandas, grade related patios and planters to a maximum projection of 1.8 metres from any exterior wall of the building provided they are not located beyond the property line.
 - 4. Stairs may project into the minimum setback provided they are not located beyond the property line.
- (iv) The maximum permitted *gross floor area* for the *Lot* shall be 23,900 square metres;
- (v) For the purposes of this By-law, the maximum combined building coverage on the *Lot* as shown on Schedules B1 and B2 shall not exceed 40 percent;

- (vi) The maximum permitted *building height* for each block of *Townhouse Dwelling Units*, as shown on Schedules B1 and B2, shall be 13.7 metres;
 - (vii) **Parking Spaces**
 - 1. A minimum of two parking spaces shall be provided for each *Townhouse Dwelling Unit*. One parking space shall be located within an enclosed attached garage at grade level and one shall be located on the driveway leading to the enclosed attached garage for each *Townhouse Dwelling Unit*.
 - 2. The maximum width of each individual *Townhouse Dwelling Unit* driveway shall be 3.0 metres as measured along the new public street or along the private lane and each integral garage shall be setback a minimum of 5.6 metres from said New Public Street or Private Lane.
 - 3. The minimum dimensions of the parking space located within the enclosed attached garage shall be 5.6 metres in length and 3.2 metres in width.
 - (viii) *Townhouse Dwelling Units* shall have a minimum width of 6.0 metres; and
 - (ix) For the purpose of this by-law, a minimum of 10 percent of the yard fronting the New Public Street, as shown on Schedules B1 and B2, not covered by a permitted drive and walkway shall be maintained as *soft landscaping*.
3. Within the lands shown with the zone symbol R4G 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.
4. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall prevail.
5. Notwithstanding any existing or future consent, partition or division of the Lot, the provisions of this By-law shall apply to the whole of the *Lot* as if no consent, partition or division had occurred.

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-law.

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
731-2015(OMB) April 16, 2015	Lands located at the north east corner of Eglinton Avenue West and Widdicombe Hill Boulevard, municipally known as 4780 Eglinton Avenue West	To rezone the lands from from R4 (Fourth Density Residential) to Group Area R4G Fourth Density Residential Zone to permit up to 89 townhouse dwellings units, subject to site specific development standards.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD
ISSUED APRIL 16, 2015 IN BOARD FILE NO. PL141002.





