

Authority: Etobicoke York Community Council Item EY32.1, as adopted by City of Toronto Council on July 23, 24, 25, 26, 27 and 30, 2018

CITY OF TORONTO

BY-LAW 1144-2018

To amend Chapter 324 of the Etobicoke Zoning Code with respect to the lands municipally known in the year 2018 as 408 Brown's Line.

Whereas Council of the City of Toronto has the authority pursuant to 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;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Schedule A attached to this By-law.
2. Despite Sections 304-3 (Grade), 304-3 (Height), 320-18(B)(2), 320-18(C)(2a), 320-18(C)(3), 320-23(A), 320-23(B), 320-23(C), 320-23(D), 320-23(J), 320-23(M), 320-93, 320-79(A), 320-79(B), 320-79(C), 320-82, the following provisions must apply to the lands described on Schedule A attached. Where the provisions of this by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.
3. The provisions of the Zoning Map referred to in Section 320-5 of the Zoning Code shall apply to the lands in Schedule A designated as Limited Commercial (CL), unless inconsistent with the provisions of this By-law in which case this By-law prevails. For the purpose of this By-law the following definitions must apply:
 - a. **"grade"** means 102.85 metres Canadian Geodetic Datum.
 - b. **"height"** means the vertical distance measured from grade to the highest point of a **building** or **structure**.
 - c. **"lands"** means the Lands as described in Schedule A attached to this By-law.
 - d. **"owner"** means the registered owner(s) of the municipally known property 408 Brown's Line
 - e. **"Bachelor unit"** means a unit less than 45 square metres.
4. The area shown with a maximum **height** of 21 metres, exclusive of a maximum of 1 metre mechanical penthouse, on Schedule B shall also be limited to 6 storeys in **height**.
5. No part of any **building** or **structure** on the **lands** may exceed the **heights** specified by the number following the letter "H" on Schedule B, except for the following:

- a. window washing equipment and lightning rods may project above the **height** limits to a maximum of 2.0 metres shown on Schedule B;
 - b. privacy screens, wind mitigation features, terrace dividers, cabanas, covered stairs or stair enclosures, fences, and trellises may project above the **height** limits shown on Schedule B to a maximum of 2.75 metres;
 - c. heating and cooling units, towers, stacks and associated components, elevator shafts, make-up air units, emergency generator and lighting fixtures may project above the **height** limits shown on Schedule B to a maximum of 2.0 metres;
 - d. parapets, railings, terraces, patios, planters, balustrades, bollards, stairs, safety railings, guard railings, accessory structures, chimneys, vents, stacks, and exhaust stacks, mechanical equipment and fans, retaining walls, wheelchair ramps, ornamental or architectural features, structures and elements related to outdoor patios, roofing assembly, landscape features, garbage chutes and vents, and roofs may project above the **height** limit shown on Schedule B to a maximum of 1.5 metres; and
 - e. elements of the roof of the building or structure used for green roof technology or alternative roofing system may project the **height** limits shown on Schedule B to a maximum of 0.6 metres.
6. The portions of a **building** or **structure** above ground must be located within the area delineated by heavy black lines on Schedule B of this By-law, except the following:
- a. bay windows, lighting fixtures, cornices, architectural cladding or design features, sills, eaves, awnings, art installations and the structures, elements and enclosures permitted by Section 5 of this By-law by a maximum projection of 0.6 metres beyond the lines shown on Schedule B; and
 - b. balconies and canopies can extend beyond the heavy black lines shown on the attached Schedule B by a maximum of 2.0 metres provided the balconies do not extend beyond the **lot** lines shown on Schedule A.
7. Above and below-grade **building** setbacks must be measured from the existing right-of-way limits of Brown's Line and the newly established Horner Avenue right-of-way limits.
8. The maximum total **gross floor area** permitted must not exceed 8,000 square metres, of which:
- a. the residential **gross floor area** must not exceed 7,700 square metres;
 - b. the non-residential **gross floor area** must not exceed 280 square metres; and
 - c. the ground floor non-residential **gross floor area**, which has a maximum **gross floor area** of 280 square metres, is considered ancillary to the mixed-use building.

9. For the purpose of calculating the **gross floor area** permitted on the Lands the following areas may also be excluded: residential amenity area, parking below **grade**, bicycle parking, storage rooms, mechanical rooms, stair wells, elevation shafts, garbage rooms and shafts, and ground floor commercial service areas.
10. Amenity space must be provided in accordance with the following:
 - a. a minimum of 2 square metres per **dwelling unit** of outdoor amenity space must be provided;
 - b. a minimum of 2 square metres per **dwelling unit** of indoor amenity space must be provided; and
 - c. at least 40 square metres of outdoor amenity space is in a location adjoining or directly accessible to the indoor amenity space.
11. A restaurant or eating establishment must be set back at least 23.0 metres from the adjacent Residential zone.
12. The maximum number of **dwelling units** permitted is 81 of which 6 percent of all dwelling units must be three or more-bedroom **dwelling units**.
13. The maximum **lot coverage** on the **lands** is 72 percent.
14. The minimum residential **parking space** supply must be based on the following ratios:
 - a. Bachelor dwellings at 0.8 **parking spaces** per **dwelling unit**, up to 45 square metres, and 1.0 **parking space** per bachelor **dwelling unit** greater than 45 square metres;
 - b. One-bedroom **dwelling units** at 0.9 **parking space** per **dwelling unit**;
 - c. Two-bedroom dwelling units at 1.0 parking space spaces per **dwelling unit**;
 - d. **Dwelling units** with three or more bedrooms at 1.2 **parking spaces** per **dwelling unit**; and
 - e. Parking allocated for visitors at 0.2 **parking spaces** per **dwelling unit**.
15. One Type "G" **loading space** is required with the following minimum dimensions:
 - a. Width of 4.0 metres;
 - b. Length of 13.0 metres
 - c. Vertical clearance of 6.1 metres.
16. A minimum of 4 **accessible parking spaces** must be provided and maintained.

17. A temporary sales centre is a permitted use.
18. The following noise mitigation measures are to be secured as part of this development:
- a. The facades, windows and balconies should be upgraded with higher insulation or products rated with noise attenuation such as using double glazed and air space windows, increasing wall thickness with interior gypsum board, and airtight balcony doors or enclosed balconies on the western elevation facing Brown's Line.
19. Chapter 324 of the Etobicoke Zoning Code is amended to include reference to this by-law by adding the following Section 324-1 Table of Site Specific By-laws:

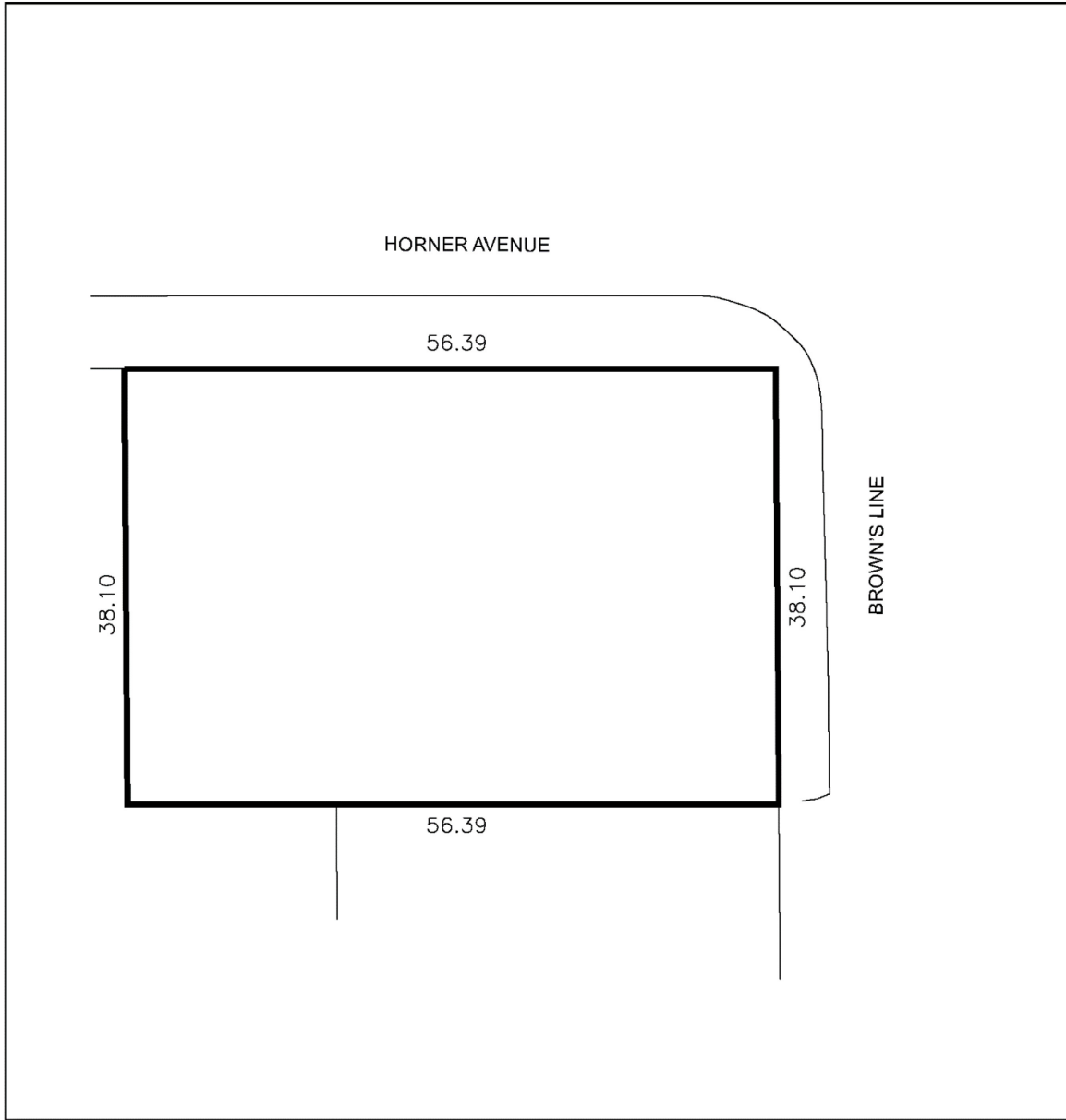
BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
1144-2018 July 27, 2018	Lands located on the southwest corner of Brown's Line and Horner Avenue municipally known as 408 Brown's Line	To permit the development of a mixed use development with 81 residential units and 300 square metres of non-residential space

Enacted and passed on July 27, 2018.

Glenn De Baeremaeker,
Deputy Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

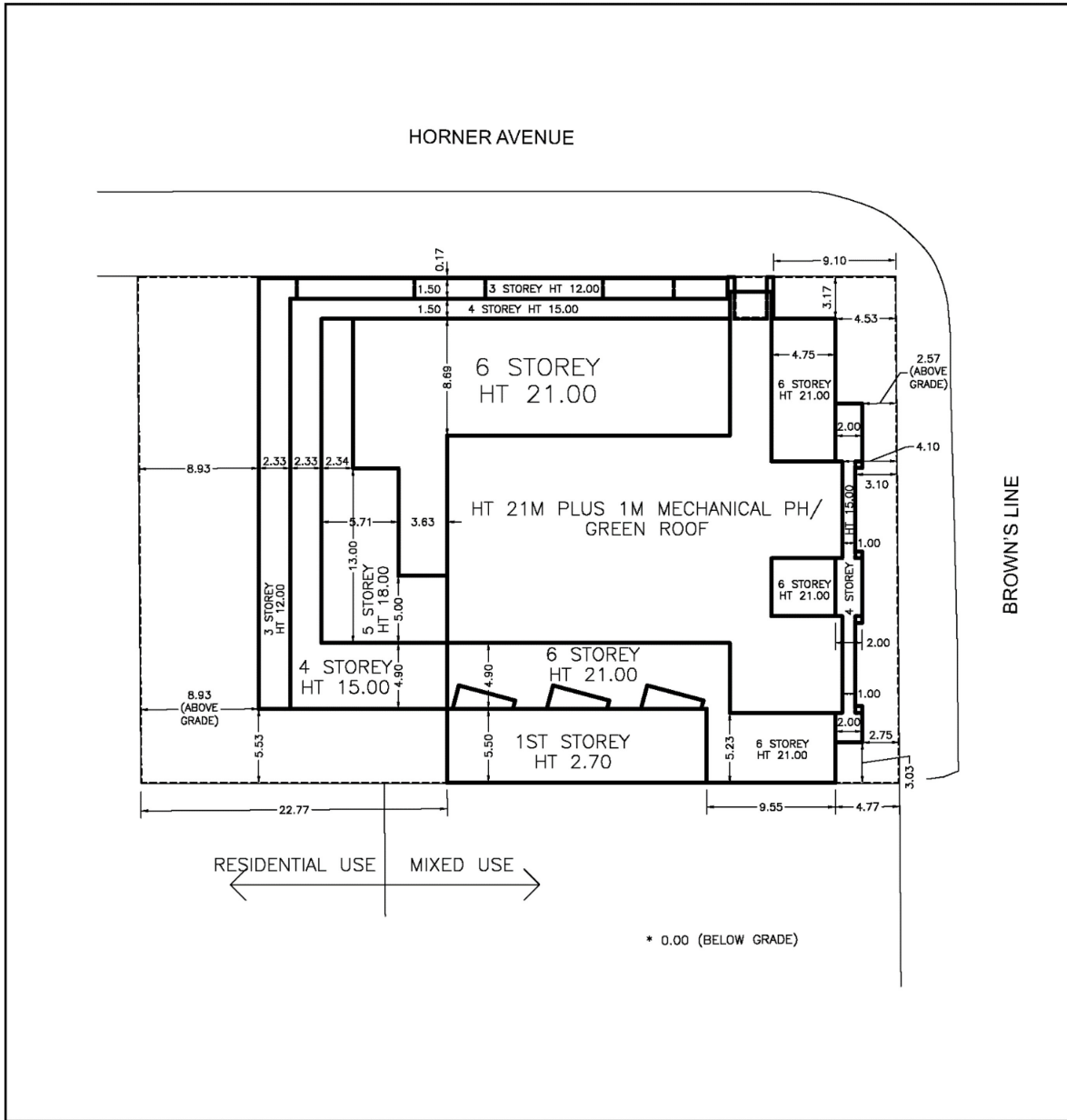


 **TORONTO**
Schedule A

408 Brown's Line

File # 16 260076 WET 06 0Z


Former City of Etobicoke By-Law 11, 737
Not to Scale
06/15/2018



TORONTO
Schedule B

408 Brown's Line

File # 16 260076 WET 06 02

Former City of Etobicoke By-Law 11,737
Not to Scale
06/15/2018