

Authority: Local Planning Appeal Tribunal Decision  
issued on June 7, 2019 and Ontario Land Tribunal Order  
issued October 7, 2021 in File PL180239

## CITY OF TORONTO

### BY-LAW 387-2023(OLT)

**To amend Chapters 304, 320, 323 and 324 of the Etobicoke Zoning Code, By-law 514-2003 and By-law 191-2006 with respect to lands municipally known as 880, 884, 886, 888 and 890 The Queensway.**

Whereas the Local Planning Appeal Tribunal, now continued as the Ontario Land Tribunal, by way of its Decision made on February 7, 2019 and issued on June 7, 2019, and its final Order issued on October 7, 2021 in Tribunal File PL180239, following an appeal pursuant to Section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, determined to amend Chapters 304, 320, 323 and 324 of the Etobicoke Zoning Code and site-specific Zoning By-law 514-2003 and Zoning By-law 191-2006 with respect to lands known municipally in the year 2020 as 880, 884, 886, 888 and 890 The Queensway;

Therefore, pursuant to the Decision/Order of the Ontario Land Tribunal, the Zoning Code of the former City of Etobicoke is amended as follows:

1. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code and the Avenues Zoning By-law 514-2003, the provisions of this By-law shall apply.
2. Notwithstanding the provisions of 320-6.2 and 320-18 of the Etobicoke Zoning Code, or the provisions of By-law 514-2003, the following development standards shall now be applicable to the (AV) lands identified on Schedules A, B and C attached hereto.
  - A. Definitions
    - (i) "**Amenity Space**" means indoor or outdoor space on a *lot* that is communal and available for use by the occupants of a Building on the *lot* for recreational or social activities.
    - (ii) "**Bicycle Parking Space**" means an area used for parking or storing a bicycle.
    - (iii) "**Building Envelope**" means the *building* area permitted within the setbacks established in this By-law, as shown generally on Schedule B attached hereto.
    - (iv) "**Car-share**" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven and set membership requirements of the car sharing organization,

including the payment of a membership fee that may or may not be refundable.

- (v) "**Car-share Parking Space**" shall mean a *parking space* or *small-car parking space* that is reserved and actively used for car-sharing.
- (vi) "**Long-term Bicycle Parking Space**" shall mean a bicycle parking space that is for use by the occupants or tenants of a *building*.
- (vii) "**Lot**" means the parcel of land outlined in heavy lines on Schedule A attached.
- (viii) "**Obstruction**" shall mean any part of a fixed object such as a wall, column, bollard, fence or pipe that is situated:
  - (a) Within 0.3 metres of the side of a *parking space*, measured at right angles; and
  - (b) More than 1.0 metre from the front or rear of the *parking space*.
- (ix) "**Parking Space**" shall mean an area used for the parking or storing of a vehicle that is accessed by a drive aisle that has a minimum width of 6.0 metres and has the following minimum dimensions:
  - (a) Length of 5.6 metres;
  - (b) Width of 2.6 metres;
  - (c) Vertical clearance of 2.0 metres; and
  - (d) Where the parking space is impacted by an *obstruction*, the minimum width in (b) must be increased by 0.3 metres for each side of the parking space that is obstructed.
- (x) "**Short-term Bicycle Parking Space**" shall mean a bicycle parking space that is for use by visitors to a *building*.
- (xi) "**Small-car Parking Space**" shall mean a *parking space* which has a minimum width of 2.9 metres and is accessed by a drive aisle that has a minimum width of 5.5 metres, and which may be impacted by an *obstruction* on one side, or a *parking space* that has a minimum length of 5.4 metres.

B. Lot Requirements

- (i) Despite Section 304-3 of the Etobicoke Zoning Code, the front lot line shall be the lot line that abuts The Queensway.

C. Development Standards

- (i) The maximum number of permitted residential units on the *lot* shall not exceed 103, of which a minimum of 15 percent are to be 2-bedroom units and a minimum of 10 percent are to be 3-bedroom units.

- (ii) The maximum permitted *Gross Floor Area* on the *lot* shall not exceed 8,200 square metres, of which:
  - (a) the maximum residential *Gross Floor Area* shall not exceed 7,520 square metres; and
  - (b) the maximum non-residential *Gross Floor Area* shall not exceed 680 square metres.
- (iii) A total maximum *Floor Space Index* (FSI) of 4.4 shall be permitted on the *lot*.

D. Building Heights

- (i) No portion of any *building* or *structure* on the *lot* shall have a height in metres greater than the height limits specified by the numbers following the letter H on Schedule B attached to and forming part of this By-law, except for the following elements:

roof assembly, eaves, canopies, cornices, light fixtures, awnings, fences, railings, architectural features and elements, landscape features, parapets, trellises, bollards, balustrades, window sills, window washing equipment, elements required for the functional operation of a building, screens, guardrails, pergolas, stairs, stair towers and enclosures, ventilation or cooling equipment such as chimneys, vents, stacks, flues, and air intakes, antennas, satellite dishes, cellular arrays, terraces, platforms, terrace and balcony dividers and guards, planters, emergency generator, solar panels and equipment, roof drainage, green roof elements, roof access hatches and elements or structures on the roof of the building used for outside or open air recreation, safety or wind protection purposes, which may exceed the height limits specified by the numbers following the letter H on Schedule B attached to and forming part of this By-law, by a maximum of 3 metres.

E. Setbacks/Building Envelopes

- (i) No portion of any *building* or *structure* erected or used above established grade shall be located otherwise than wholly within the heavy lines on Schedule B attached to and forming part of this By-law, except the following elements:
  - (a) cornices, light fixtures, ornamental elements, patios, balconies, platforms, eaves, window sills, architectural flues, pillars, architectural features and elements, ventilation shafts, balustrades, seating areas, retaining walls, stairs, stair towers and enclosures, doors, wheelchair ramps, fences, decorative / acoustic doors and screens, site servicing features, awnings and canopies, and other minor architectural façade details, pergolas, window washing equipment, ventilation or cooling equipment such as chimneys, vents, stacks, flues, and air intakes, roof drainage, antennas, satellite dishes, cellular arrays, which may project beyond the heavy lines shown on Schedule B, attached to and forming part of

this By-law, despite restrictions on height established by subsection D(i) above, by a maximum of 1.8 metres;

- (b) elements required for the functional operation of a building, roof access hatches and elements or structures on the roof of the building used for outside or open air recreation, safety or wind protection purposes, balconies, emergency generator, screens, trellises, terraces, planters, guardrails, railings, landscape features, and terrace and balcony dividers and guards, which may project beyond the heavy lines shown on Schedule B, attached to and forming part of this By-law, despite restrictions on height established by subsection D(i) above, by a maximum of 5.5 metres; and
- (c) solar panels and equipment, parapets, roof assembly, and green roof elements, which may project beyond the heavy lines shown on Schedule B, attached to and forming part of this By-law, despite restrictions on height established by subsection D(i) above.

- (ii) *All buildings and structures* must comply with the requirement to provide a *45 degree angular plane* measured from the northerly boundary of the public lane conveyance shown on Schedule A, attached to this By-law, except in the areas within the heavy lines on Schedule C and the elements described in D(i) and E(i) above.

#### F. Area Requirements

- (i) A minimum rate of 2.0 square metres per *dwelling unit* of indoor *amenity space* shall be provided on the *lot*.
- (ii) A minimum rate of 2.0 square metres per *dwelling unit* of outdoor *amenity space* shall be provided on the *lot*.
- (iii) More than one mechanical penthouse may be permitted having an aggregate total maximum size of 100 square metres.

#### G. Parking, Loading and Bicycle Requirements

- (i) A minimum number of *parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
  - (a) Bachelor *dwelling units* at 0.7 spaces per *dwelling unit*;
  - (b) One-bedroom *dwelling units* at 0.8 spaces per *dwelling unit*;
  - (c) Two-bedroom *dwelling units* at 0.9 spaces per *dwelling unit*;
  - (d) Three or more bedroom *dwelling units* at 1.0 space per *dwelling unit*;
  - (e) Parking allocated for visitors at 0.15 spaces per *dwelling unit*;
  - (f) Retail uses at 1.0 space per 100 square metres;

- (g) For each *car-share parking space* provided, the minimum number of *parking spaces* required for residents / tenants may be reduced by four *parking spaces*;
  - (h) 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*;
  - (i) *Parking spaces* and/or *small-car parking spaces* allocated for visitor and retail uses may be shared; and
  - (j) Any requirement to provide a *parking space* may be satisfied by the provision of a *small-car parking space*.
- (ii) A maximum of one *car-share parking space* is permitted on the *lot*.
  - (iii) A maximum of 81 *parking spaces* may be accessed from a drive aisle that has a width of 5.5 metres.
  - (iv) A maximum of 1 *parking space* may have a length of 5.45 metres and be accessed by a drive aisle that has a minimum width of 6.28 metres.
  - (v) Visitor and commercial *parking spaces* and *small-car parking spaces* may be provided above ground level or below *established grade* in an underground parking garage.
  - (vi) A minimum of 5 accessible *parking spaces* are required on the *lot* and must comply with the following:
    - (a) minimum length of 5.6 metres;
    - (b) minimum width of 3.4 metres;
    - (c) minimum vertical clearance of 2.1 metres; and
    - (d) the entire length of an accessible *parking space* must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;provided that such accessible *parking spaces* may be accessed by a drive aisle that has a minimum width of 5.5 metres.
  - (vii) A minimum of one *loading space* is required on the *lot* and must comply with the following dimensions:
    - (a) minimum length of 13 metres;
    - (b) minimum width of 4.0 metres; and
    - (c) minimum vertical clearance of 6.1 metres.
  - (viii) A minimum number of *bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following:
    - (a) 0.68 *long-term bicycle parking spaces* per *dwelling unit*; and
    - (b) 0.07 *short term bicycle parking spaces* per *dwelling unit*.

H. Miscellaneous

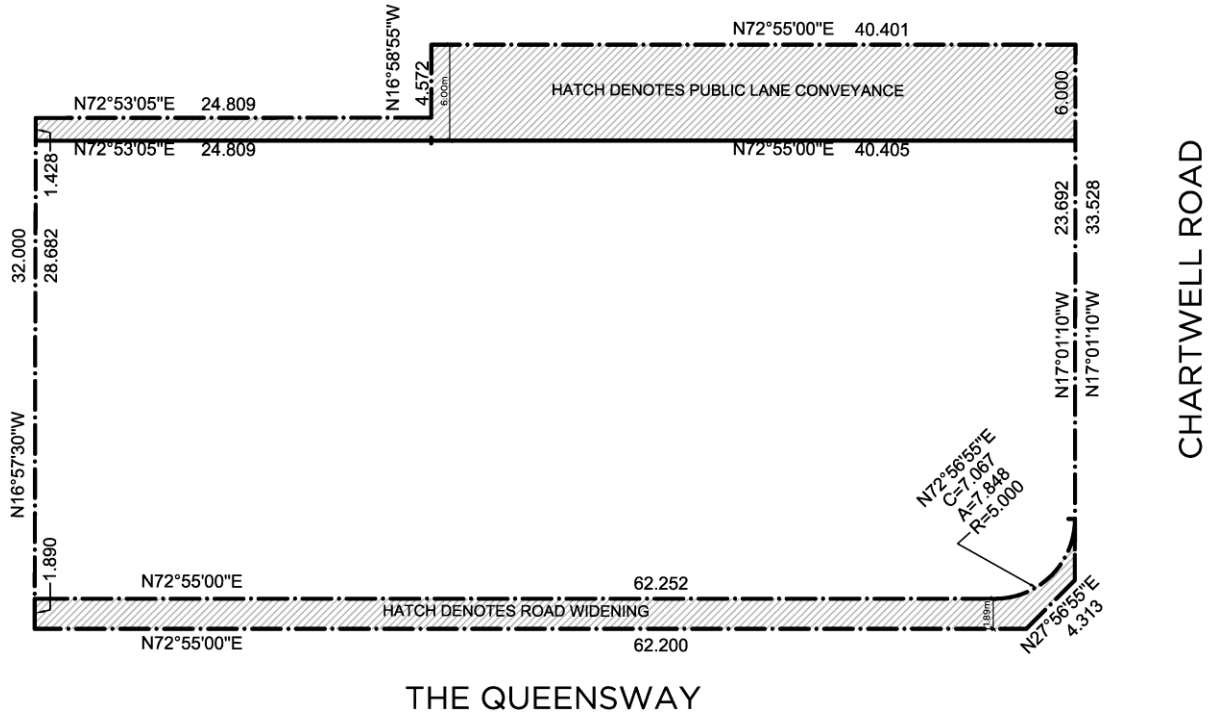
- (i) A temporary sales office for the purpose of marketing and sales of *dwelling units* related to the development on the *lot* shall be permitted and shall be exempt from all development standards listed in this By-law, By-law 514-2003, or the Etobicoke Zoning Code.

3. Chapter 324, Site Specifics, of the 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:

<b>BY-LAW NUMBER AND ADOPTION DATE</b>	<b>DESCRIPTION OF PROPERTY</b>	<b>PURPOSE OF BY-LAW</b>
387-2023(OLT) October 7, 2021	Lands municipally known as municipally known as 880, 884, 886, 888 and 890 The Queensway.	To amend the former Etobicoke Zoning Code to permit the development of a building with site-specific standards.

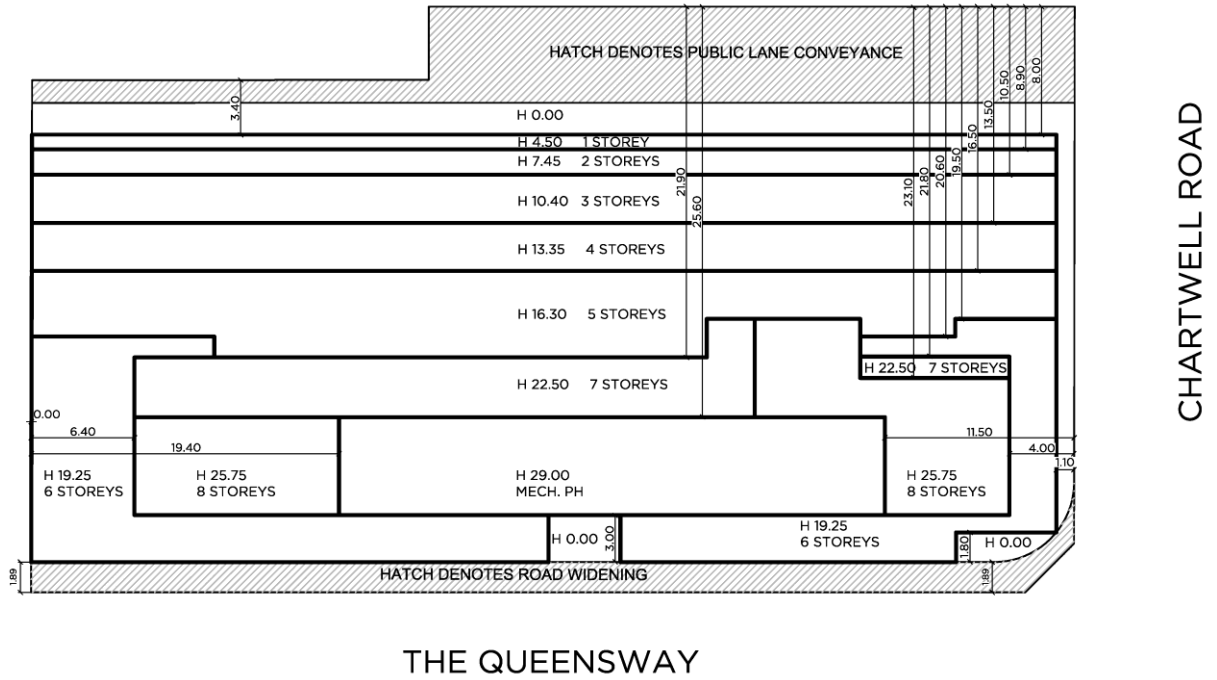
Local Planning Appeal Tribunal Decision issued on June 7, 2019 and Ontario Land Tribunal Order issued October 7, 2021 in File PL180239.

Schedule A



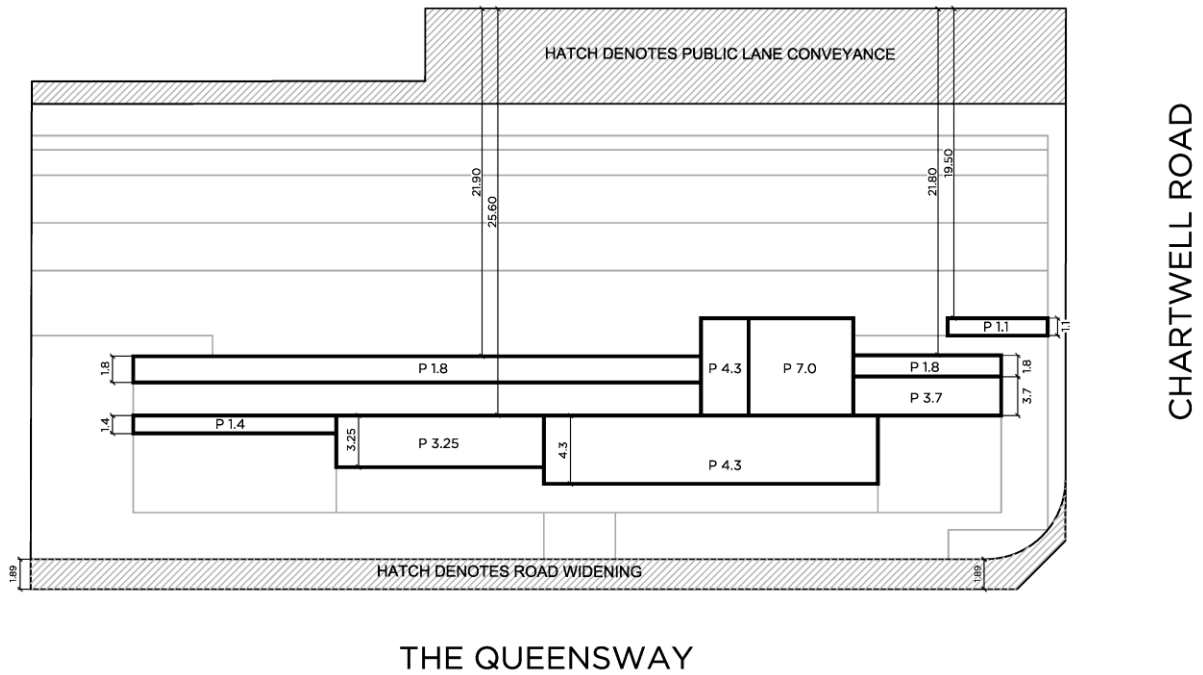
NOT TO SCALE  
ALL DIMENSIONS IN METRES

**Schedule B**



NOT TO SCALE  
ALL DIMENSIONS IN METRES  
H DENOTES HEIGHT IN METRES

Schedule C



NOT TO SCALE  
ALL DIMENSIONS IN METRES  
P DENOTES HEIGHT IN METRES  
OF PROJECTIONS