

Authority: Etobicoke York Community Council Report No. ~ Clause No. ~ as adopted by City of Toronto Council on ~ 2019.

CITY OF TORONTO

BY-LAW No. XXXX-2019

To amend former City of Etobicoke Zoning By-law 1055-2004 and Chapter 330 of the Etobicoke Zoning Code with respect to lands municipally known in 2019 as 3353-3359 Lakeshore Boulevard West.

Whereas authority is given to Council by Section 34 and 37 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Section 5.1.1 of the City of Toronto Official Plan contains provisions relating to the authorization of increases in height and density of development; 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 pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as set out in the By-law; and

Whereas subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with the facilities, services and matters; and

Whereas the owners of the lands referred to herein have elected to provide the facilities, services and matters as hereinafter set forth; and

Whereas the increase in height and density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

The Council of the City of Toronto enacts:

1. Notwithstanding Sections 330.20.6 and Sections 3(A), 3(B), 3(G) and 4(A)(1), (2), and (4) of By-law 1055-2014, the following development standards shall be applicable to the Lands described by Schedule 'A' attached hereto:
 - (A) Building Setbacks
 - (i) The maximum permitted building setbacks shall be as indicated on Schedule 'B'; and
 - (ii) Minor Projections are permitted;

(B) Gross Floor Area

- (i) The maximum Gross Floor Area for the Lands shall be 5,650 square metres, provided:
 - a. the residential Gross Floor Area must not exceed 5,250 square metres; and
 - b. the non-residential Gross Floor Area must not exceed 400 square metres;

(C) Vehicular Parking

- (i) A minimum of 30 parking spaces shall be provided and maintained for the combined use of residential and non-residential uses of the building;

(D) Loading Space

- (i) A minimum of one loading space measuring 13.0 metres in length, 4.0 metres in width and a vertical clearance of 2.1 metres shall be provided and maintained on the Lands;

(E) Front Yard Soft Landscaping

- (i) Front yard soft landscaping shall not be required on the lands;

2. The provisions of Section 5 of By-law 1055-2004 and Section 304-3 Definitions of the Zoning Code, as amended, shall apply unless inconsistent with the provisions of this By-law or otherwise expressly defined herein. For the purposes of this By-law the following definitions will apply:

“Building Envelope” shall mean the building area permitted within the setbacks established by this By-law;

“Grade” shall mean the Canadian Geodetic Datum elevation of 88.90 metres in the year 2019;

“Height” shall mean the vertical distance between grade and the highest point of the roof surface of the building, but shall exclude mechanical equipment, mechanical penthouses, parapets, stairs and stair enclosures, architectural features, solar panels and associated equipment and elements of a green roof located on the roof of the building.

“Minor Projections” shall mean minor building elements which may project from the main wall of the building into required yards, including but not limited to roof eaves, window sills, railings, cornices, guard rails, balustrades, porches, balconies, bay windows, architectural elements and parapets.

“Indoor Residential Amenity Space” shall mean indoor space in a building that is communal and is provided for use by occupants of a building and their guests, on the Lands for recreational or social activities;

“Lands” shall mean the lands described in Schedule ‘A’ attached;

“Outdoor Amenity Space” shall mean the outdoor space on the Lands located at grade or on a landscaped roof of a building that is communal and is provided for the use of occupants of the building and their guests for recreational or social activities;

3. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.
4. Despite any severance, partition or division of the Lands, the provisions of this By-law shall apply to the whole of the Lands as if no severance, partition or division occurred.
5. Chapter 324, Site Specifics, or the Zoning Code is amended to include references 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
By-law XXXX-2019 ~ 2019	Lands located on the south side of Lake Shore Road West, east of Twenty Eighth Street and west of Twenty Seventh Street, known as 3353-3359 Lakeshore Boulevard West.	To permit an apartment house containing 60 units, with underground parking.

Enacted and passed on ~ 2019.

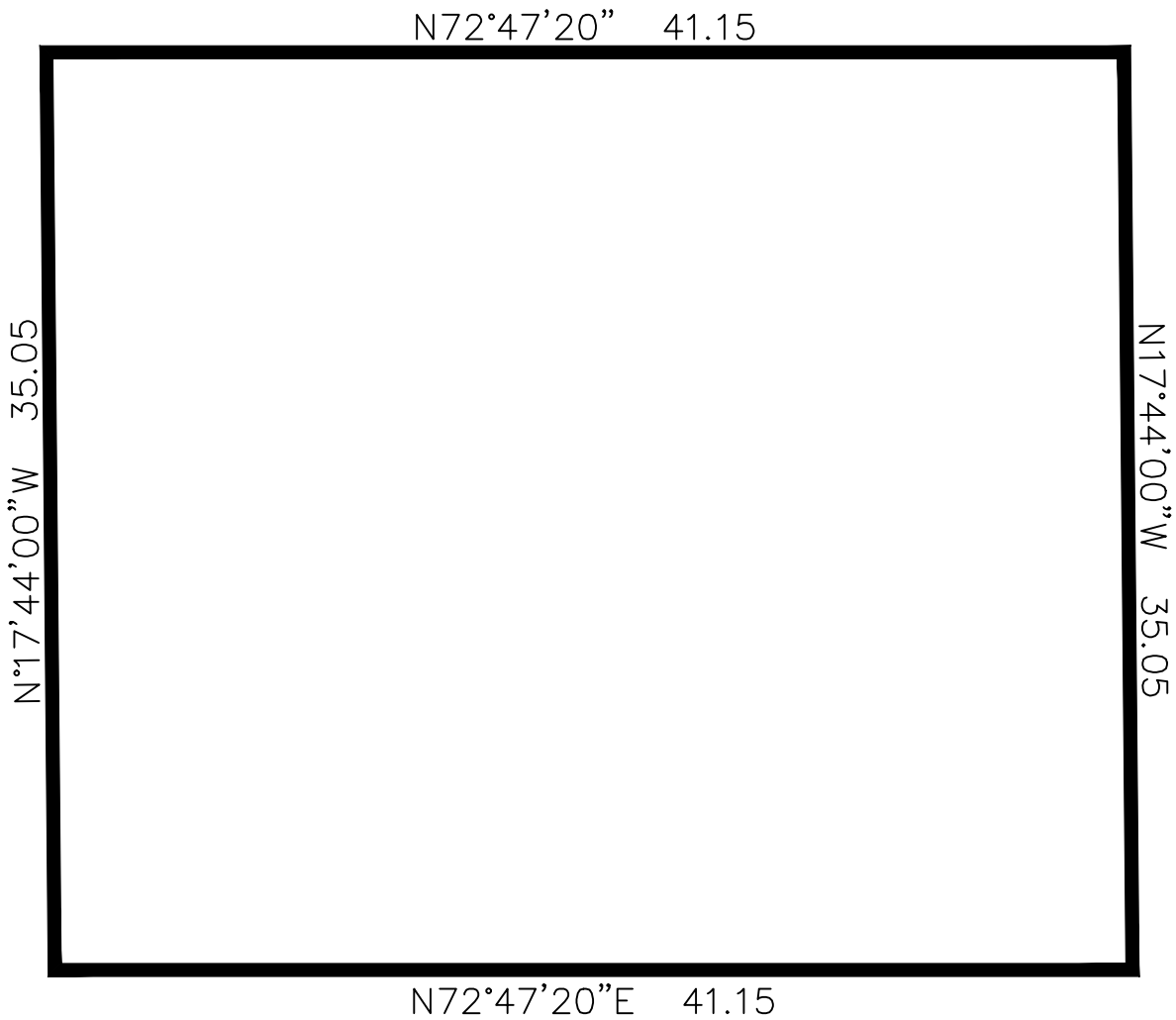
Frances Nunziata,
Speaker
(Seal of the City)

Ulli S. Watkiss,
City Clerk

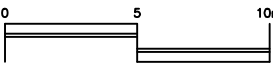



Schedule 'A' BY-LAW

LAKE SHORE BOULEVARD WEST



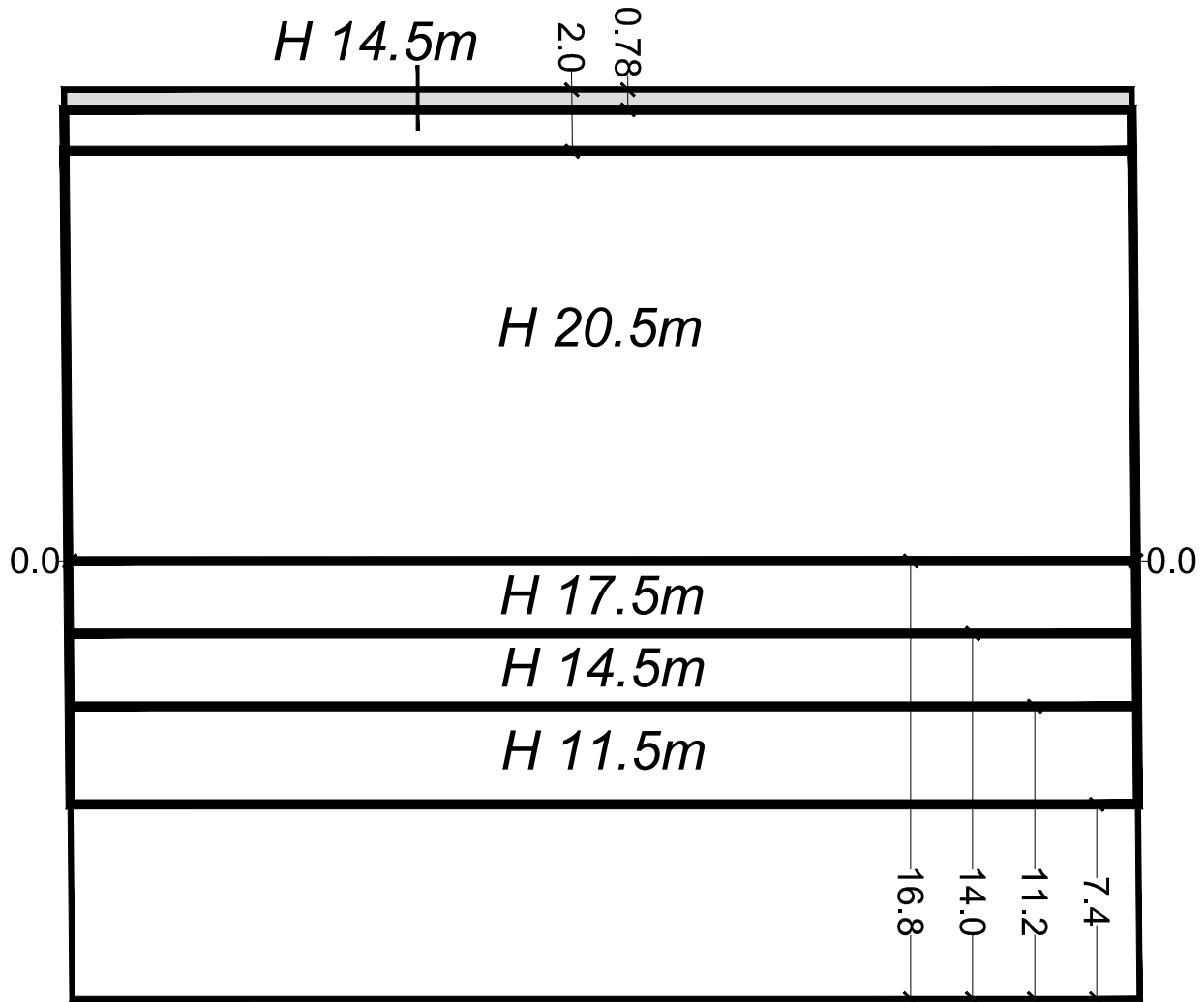
**LOTS 95, 96 AND PART OF LOTS 94 & 97
REGISTERED PLAN 1545
3353-3359 LAKE SHORE BOULEVARD WEST
CITY OF TORONTO (FORMER CITY OF ETOBICOKE)**

Applicant's Name :		 
Assessment Map :	Zoning Code Map	
File No.	Drawing No.	



Schedule 'B' BY-LAW

LAKE SHORE BOULEVARD WEST



PROPOSED 0.78 METRE ROAD WIDENING

LOTS 95, 96 AND PART OF LOTS 94 & 97
REGISTERED PLAN 1545
3353-3359 LAKE SHORE BOULEVARD WEST
CITY OF TORONTO (FORMER CITY OF ETOBICOKE)

Applicant's Name :			
Assessment Map :	Zoning Code Map		
File No.	Drawing No.	Drawn By :	