

Authority: Etobicoke York Community Council Item 13.2 as adopted by City of Toronto Council on March 5, 6 and 7, 2012

Enacted by Council:

CITY OF TORONTO

Bill No. 543

BY-LAW No. -2012

To amend By-law No. 963-2006, which amended Chapters 320 and 324 of the former City of Etobicoke Zoning Code, as amended, respecting lands municipally known as 8 Fieldway Road.

WHEREAS authority is given to Council by 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 HEREBY ENACTS as follows:

1. The lands that are subject to this By-law are the EC2 zoned lands as described in Schedule "A" attached hereto.
2. Notwithstanding the provisions of By-law 963-2006, or the Etobicoke Zoning Code, the following development standards shall be applicable to the lands zoned (EC2) as described in Schedule "A" attached hereto:

A. Permitted Uses

Residential uses, which shall include a maximum of two (2) apartment buildings, and accessory uses such as day nurseries. A temporary sales office shall also be permitted.

B. Building Setbacks

The minimum building setbacks shall not be less than the measurements shown on Schedule "B" attached hereto.

Parking structures, storage rooms, locker rooms and public amenity areas beneath the ground floor may have a zero (0) metre building setback.

Required building setbacks shall not be obstructed by any construction other than the following:

- (i) minor projections, as defined, extending a maximum of 2.0 metres from any exterior wall of a building provided they do not encroach onto abutting properties.
- (ii) open at grade landscape terraced areas and patios are permitted within any building setback contained in this By-law.

- (iii) covered or uncovered structures, stairs and ramps leading from the underground parking garage are permitted.

C. Density

- (i) The maximum Gross Floor Area (GFA) shall be 3.3 times the lot area.
- (ii) The maximum number of units permitted in Building “A” shall be 205 units.
- (iii) The maximum number of units permitted in Building “B” shall be 110 units.

D. Lot Frontage

No minimum or maximum lot frontage is required.

E. Lot coverage

No minimum or maximum lot coverage is required.,

F. Building Heights

- (i) Building “A” shall maintain a maximum building height of thirteen (13) storeys or 54 metres, excluding the mechanical penthouse.

For the purpose of this By-law, the loft units or 2 level units, shall be deemed to be one storey.

- (ii) Building “B” shall maintain a maximum height of 6 storeys or 21.0 metres, excluding the mechanical penthouse.
- (iii) Building “B” shall maintain a maximum height of 22.0 metres for that portion of the building containing the elevators.
- (iv) The mechanical penthouse shall have a maximum height of six (6) metres.

G. Miscellaneous

- (1) Amenity space shall be provided at a rate of one and one half (1.5) square metres of indoor and/or outdoor residential amenity space, as defined, for each dwelling unit, and such space may be located at grade or above grade.
- (2) Ground floor dwelling units located in Building “B” may be have direct dwelling unit access from Fieldway Rd.
- (3) During construction of Building “B”, 57 residential parking spaces belonging to Building “A”, may be temporarily relocated, provided the temporary parking area is located with 300 metres of the lands described in Schedule “A”.

- (4) During construction of Building “B”, one handicapped visitors parking space belonging to Building “A”, may be temporarily relocated to a location either within the lands described in Schedule “A”, or to a location on lands adjacent to the lands described in Schedule “A”.

3. The following parking standards shall be applicable to the lands described Schedule “A” hereto.

A. Vehicular Parking - Building “A”

Vehicular parking shall be provided on the basis of 1.08 parking spaces per unit, of which 0.8 parking spaces per unit are to be used for visitor parking.

Visitor parking may be provided on the surface or below grade in an underground parking garage.

B. Vehicular Parking - Building “B”

Vehicular parking shall be provided on the basis of 0.80 parking spaces per unit for resident parking, and 0.08 parking spaces per unit for visitor parking.

Resident and visitor parking may be provided on the surface or above grade on a multi-level parking deck.

C. Parking Spaces

Parking spaces shall have a minimum dimension of 5.7 m in length by 2.6 m in width.

D. Bicycle Parking - Building “A”

Two hundred and five (205) bicycle parking spaces shall be provided in the locker rooms in Building “A”.

E. Bicycle Parking - Building “B”

Bicycle parking spaces shall be provided in the locker rooms or dedicated storage rooms in Building “B” at a minimum rate of 0.75 spaces per unit for residents, of which 0.20% of such bicycle parking spaces shall be for visitors.

4. For the purposes of this By-law, the following definitions shall apply.

“Minor Projections” means 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, curtain walls(s), and bay windows.

“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 located on the roof of the building.

“Grade” shall mean the average elevation of the natural, unaltered elevation of the ground level at the intersection of the side lot lines and the minimum front yard setback.

“Indoor Residential Amenity Space” shall mean a multi-purpose room or contiguous multi-purpose rooms, at least one of which contains a kitchen and a washroom.

“Gross Floor Area” shall mean the same meaning as the Etobicoke Zoning Code definition contained in Section 304-3, except that the following areas shall also be excluded: mechanical floor area; indoor day nurseries/community facilities; and indoor amenity areas. For the purposes of this definition, “mechanical floor area” shall mean a room or enclosed area including its enclosing walls that is used exclusively for accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunication equipment that serves the building.

5. Notwithstanding the definition of “lot” in Section 304-3 of the Etobicoke Zoning Code, the standards of this By-law shall apply collectively to the EC2 lands identified in Schedules “A” and “B” attached hereto in their entirety and nothing in this By-law shall preclude the apartment buildings from being divided into separate parcels and registered as separate condominium corporations.
6. Pursuant to Section 37 of the *Planning Act* and subject to compliance with the provisions of this By-law, the increase in height and density of development on the Lands is permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's expense:
 - (i) prior to the issuance of the first above grade building permit, other than a building permit for a temporary sales offices, the owner shall make a cash contribution to the City of Toronto in the amount of \$20,000.00 for local park improvements.
 - (ii) The Owner shall enter into one or more agreements with the City pursuant to Section 37 of the *Planning Act* which are registered on title to the Lands by the City to secure the matters provided for in 6(i) above;
 - (iii) Wherever in this By-law a provision requires the execution and registration of an agreement entered into with the City pursuant to Section 37 of the *Planning Act* in accordance with the provisions of Section 6 hereof, then once such agreement has been executed and registered, the increase of height and density shall continue to be effective notwithstanding any subsequent release or discharge of any part of such agreement.
7. For the purposes of this By-law, the provisions of this By-law shall apply collectively notwithstanding the future subdivision of these lands.
8. Where the provisions of the Etobicoke Zoning Code and By-law 1088-2002 conflict with the provisions of this By-law, the provisions of this By-law shall prevail.
9. All provisions regarding fencing shall be subject to the City of Toronto Municipal Code

Chapter 447, Fences.

10. Schedule "B" of By-law 963-2006 is deleted.
11. Subsection 6 of By-law 963-2006 is deleted.
12. 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:

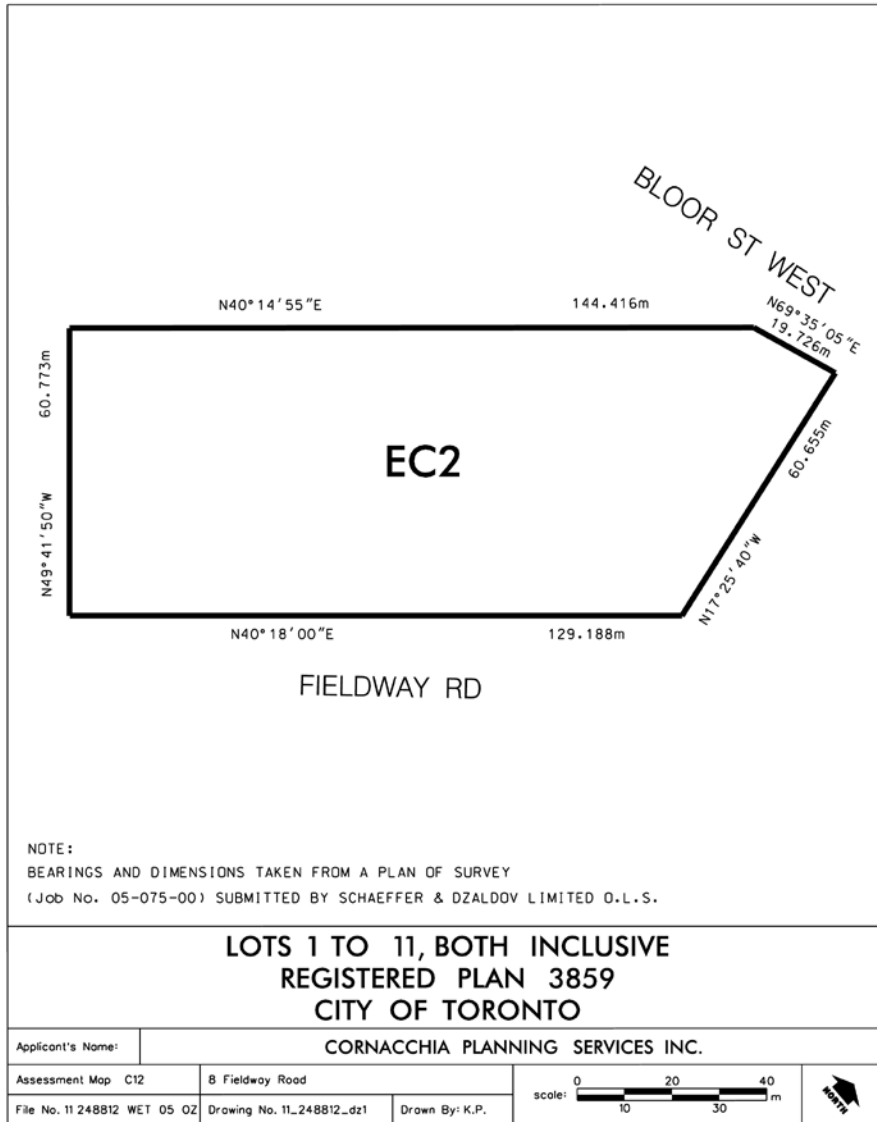
BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
_____ - 2012	Lands known Municipally as 2 and 8 Fieldway Rd.	To amend By-law 963-2006.

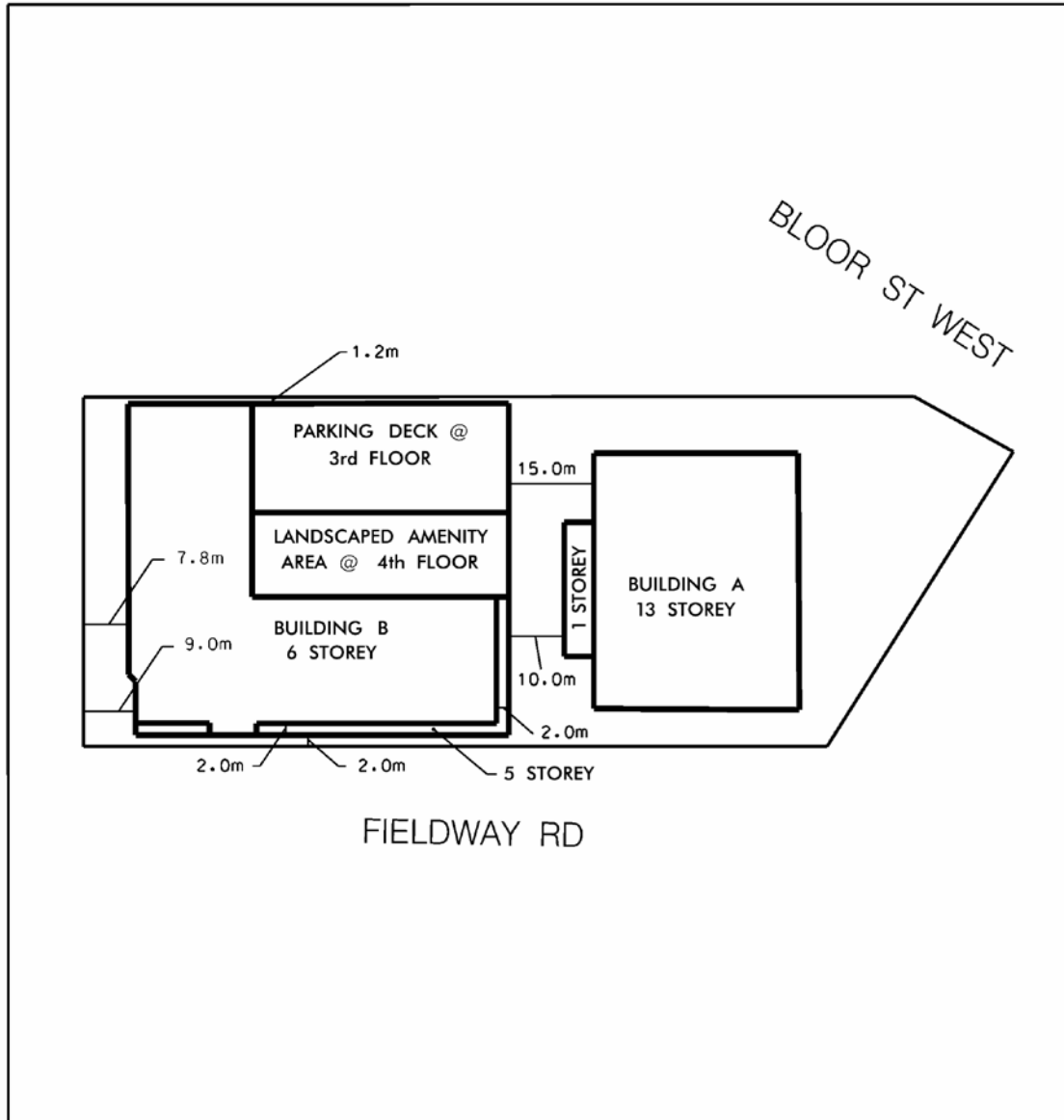
ENACTED AND PASSED this th day of April, 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)





**LOTS 1 TO 11, BOTH INCLUSIVE
REGISTERED PLAN 3859
CITY OF TORONTO**

Applicant's Name:	CORNACCHIA PLANNING SERVICES INC.		
Assessment Map C12	8 Fieldway Road	scale: 0 20 40 10 30 m	
File No. 11 248812 WET 05 OZ	Drawing No. 11_248812_dz2	Drawn By: K.P.	