Authority: Etobicoke Community Council Report No. 5, Clause No. 22(b), adopted as

amended, by City of Toronto Council on June 24, 25 and 26, 2003; and Notice of Motion J(20), moved by Councillor Milczyn, seconded by Councillor Lindsay Luby, as adopted by City of Toronto Council on July 22,

23 and 24, 2003

Enacted by Council: July 24, 2003

CITY OF TORONTO

BY-LAW No. 733-2003

To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to lands located on the south side of Fieldway Road, east of Allerton Road, municipally known as 35 Fieldway Road.

WHEREAS authority is given to Council by Section 37 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 Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, and originally attached to Township of Etobicoke By-law No. 11737, be and the same is hereby amended by changing the classification of the lands located in the former Township of Etobicoke as described in Schedule 'A' attached hereto from First Class Industrial (IC 1) to Group Area Fourth Density Residential (R4G) lands provided that the following provisions shall apply to the development of the (R4G) lands identified in Schedule 'A' attached hereto.
- 2. Nothing in this by-law shall preclude townhouse dwelling units from being divided into individual lots within the meaning of the *Planning Act*.
- 3. Notwithstanding the definition of "lot" in Section 304-3 of the Etobicoke Zoning Code, the standards of this by-law shall apply to the (R4G) lands identified in Schedule 'A' attached hereto in their entirety.
- **4.** Notwithstanding Sections 320-70 and 320-71 of the Etobicoke Zoning Code, the following development standards shall now be applicable to the lands described in Schedule 'A' attached hereto:
 - (a) A maximum of 100 townhouse dwellings and minimum of 980.5 m2 public park shall be permitted on the lands shown on Schedule 'A' and Schedule 'B' attached hereto.
 - (b) The minimum building setbacks shall not be less than the measurements shown on Schedule 'B' attached hereto, and shall be measured from the main exterior walls of each block of townhouse dwellings.

- (c) Required building setbacks and separations shall not be obstructed by any construction other than the following:
 - (i) uncovered steps to grade and planter boxes;
 - (ii) chimney breasts, eaves, bay windows, or other projections extending a maximum of 0.8 metres from any exterior wall of a building; and
 - (iii) open, uncovered (or roofed) decks, one storey garages with decks above, porchways or verandas and grade-related patios.
- (d) The development on the lands shown as R4G on Schedule 'A' shall not exceed a maximum permitted gross floor area of 16,720 square metres.
- (e) The development on the lands shown as R4G on Schedule 'A' shall not exceed a maximum building coverage of 49.6 % of the site area, but exclusive of those provisions included within Section 4(c) of this by-law.
- (f) The development on the lands shown as R4G on Schedule 'A' shall have a minimum landscaped open space of not less than 22.33% of the site area. For the purposes of this by-law, landscaped open space shall include walkways and planter boxes.
- (g) The maximum building height shall be 13.6 metres.
- (h) A minimum of two parking spaces shall be provided for each dwelling unit and an additional 0.2 parking spaces shall be provided per dwelling unit for visitors. Dwelling unit parking may be provided in tandem.
- (i) Notwithstanding Section 320-18 A of the Etobicoke Zoning Code, each parking space shall not be less than 6 metres in length and 2.6 metres in width.
- (j) Permitted accessory uses shall include private home day-care and central air conditioning units. Detached garages, television antennae, satellite dishes, playhouses, tool sheds, shall be prohibited.
- (k) Notwithstanding Section 320-43 N. of the Etobicoke Zoning Code, central air conditioning units shall be permitted in the rear yard only, not less than 3.0 metres from the side lot lines and 3.0 metres from the street lines.
- 5. The owner of the lands shall provide the City of Toronto with the following, to be secured through a Section 37 Agreement:
 - (a) a dedicated public park of 980.5 m², of which 831.5 m² satisfies the requirements of S.42 of the *Planning Act*, prior to the issuance of a building permit;
 - (b) public pedestrian and vehicular easements for access to the new public park;

- (c) improvements to the public park to the satisfaction of the Commissioner of Economic Development Culture and Tourism;
- (d) the lands conveyed as parkland will meet Ministry of the Environment requirements;
- (e) the contaminated lands shall be remediated prior to the issuance of a building permit;
- (f) an agreement to comply with the provisions of the noise control study with respect to warning clauses in the Purchase and Sale agreements and increased engineering measures; and
- (g) a cash contribution of \$25,000.00 to fund local traffic calming measures and the balance of the funds, if any, are to be used for the purpose of local park improvements.
- 6. Where the provisions of the by-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this by-law shall apply.
- 7. 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
733-2003 July 24, 2003	Lands located on the south side of Fieldway Road and west of Allerton Road known as 35 Fieldway Road	To rezone the lands from Class 1 Industrial (IC 1) to Group Area Fourth Density Residential (R4G) to permit a maximum of 100 townhouse dwelling units and a 980.5 m ² dedicated public park

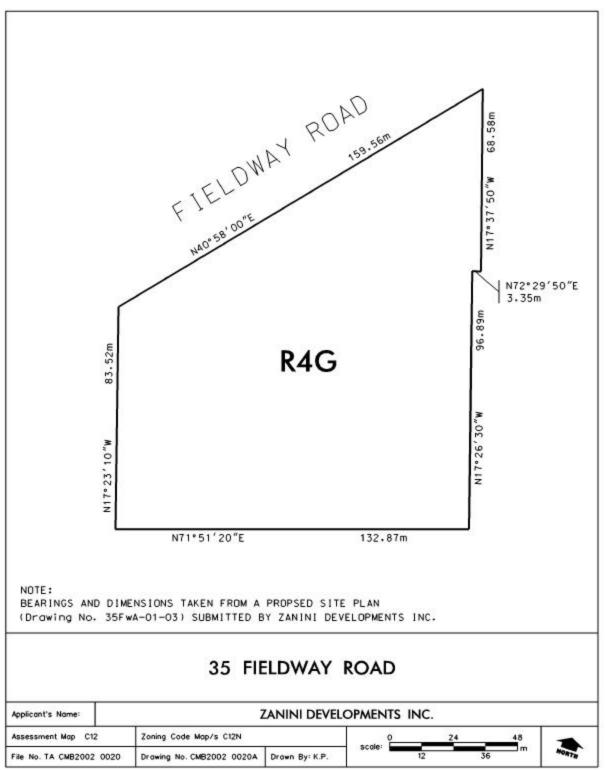
ENACTED AND PASSED this 24th day of July, A.D. 2003.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS City Clerk

(Corporate Seal)

TORONTO Schedule 'A' BY-LAW



TORONTO Schedule 'B' BY-LAW

