Authority: Etobicoke York Community Council Item 10.3,

as adopted by City of Toronto Council on October 24 and 25, 2011

Enacted by Council: October 25, 2011

CITY OF TORONTO

BY-LAW No. 1240-2011

To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code with respect to the lands municipally known as 40 Burnhamill Place.

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. That the Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, is amended by changing the classification of the lands identified on Schedule 'A' annexed hereto from A.8 to Second Density Residential (R2).
- 2. For the purpose of this By-law, the provisions of Section 304-3 Definitions of the Etobicoke Zoning Code shall apply with the following changes:
 - (i) "Lot frontage" shall be the horizontal distance between the side lot lines. Where such lot lines are not parallel, it shall be the distance between the side lot lines measured at 6m setback from and parallel to the front lot line.
 - (ii) "Building Height" shall mean the perpendicular distance measured from the average of the natural, unaltered grade at the intersection of the side lot lines and the minimum front yard setback to the mean level between eaves and ridge of a gabled, hip or gambrel roof or other type of pitched roof.
- 3. Notwithstanding the provisions of Section 320-24.9(B), 320-24.10(A), 320-40, 320-41, 320-42, 320-42.1(A)(1), 320-42.1(B) and 320-42.1(D) of the Etobicoke Zoning Code, the following development standards shall now be applicable to the lands identified on Schedule 'A' attached hereto:
 - (i) The maximum Floor Space Index (FSI) shall not exceed 0.6.
 - (ii) The maximum building height shall be 11 metres.
 - (iii) The minimum front yard setback shall be 6.0 metres from the street line to the garage door and 4.5 metres to the front wall of the main building.
 - (iv) The minimum rear yard setback shall be 7.5 metres.
 - (v) The minimum interior side yard setback shall be 0.9 metres. The minimum exterior side yard setback to Burnhamill Place shall be 2.4 metres.

- (vi) No portion of any driveway shall be located closer than 6 metres to any intersection.
- (vii) The maximum dwelling depth shall be 22.5 metres, measured as the distance from the front wall of the dwelling to the rear wall of the dwelling and including an attached garage.
- (viii) The following projections shall be permitted:
 - (a) Uncovered steps to grade;
 - (b) An open terrace, open and/or roofed porchway or veranda, provided that the same does not encroach more than 1.6 metres into the required yard. The supporting columns of the permitted encroachment shall have a maximum width and depth of 0.85 metre;
 - (c) Any chimney-breast may project a maximum of 0.5 metre into the required yard; and
 - (d) An unenclosed platform with a floor no higher than the first floor of the principal building may encroach into the required rear yard setback 2.5 metres. A canopy, awning or similar structure, with or without structural support, or a roof over a platform may encroach into the rear yard setback to the same extent as the platform it is covering.
- (ix) A minimum of 40% of the front yard shall be maintained as landscaping and a minimum of 70% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping.
- (x) Section 320-16 of the zoning code shall not apply.
- (xi) Section 320-43 (N) (3) of the zoning code shall not apply.
- (xii) Section 320-59 (C) of the zoning code shall not apply.
- 4. Within the lands identified as R2 on Schedule 'A' attached hereto, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- 5. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall take precedence.

6. 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	DESCRIPTION OF	PURPOSE OF BY-LAW
ADOPTION DATE	PROPERTY	
1240-2011	Lands east of Burnhamill	To rezone lands from A.8 to
October 25, 2011	Place municipally known as	Second Density Residential
	40 Burnhamill Place	(R2) to permit 23 single
		detached dwelling units and a
		walkway subject to site
		specific development
		standards.

ENACTED AND PASSED this 25th day of October, A.D. 2011.

FRANCES NUNZIATA, Speaker ULLI S. WATKISS, City Clerk

(Corporate Seal)

TORONTO Schedule 'A' BY-LAW

