

Authority: Etobicoke York Community Council
EY25.5, as adopted by City of Toronto Council
on July 14, 15 and 16, 2021

CITY OF TORONTO

BY-LAW 678-2021

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2020 as 417 and 419 Burnhamthorpe 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 pursuant to Section 39 of the Planning Act, the Council of a Municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the 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 enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to By-law 678-2021.
2. The words highlighted in bold type in this By-law have the same meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RT (x325) as shown on Diagram 2 attached to By-law 678-2021.
4. Zoning By-law 569-2013, as amended, is further amended by amending the height overlay Map in Section 995.20.1 for the lands subject to this by-law, as shown on Diagram 3 attached to this by-law.
5. Zoning By-law 569-2013, as amended, is further amended by amending the Lot Coverage overlay Map in Section 995.30.1 for the lands subject to this By-law, from a lot coverage label of 33 percent to 45 percent, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding Exception Number RT (x325) to Article 900.7.10 so that it reads:

Exception RT (x325)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) The lands subject to this By-law are outlined by heavy black lines on Diagram 1, hereto referred to as the **lot**, attached to By-law 678-2021;
- (B) On 417 and 419 Burnhamthorpe Road, if the requirements of By-law 678-2021 are complied with, none of the provisions of By-law 569-2013 apply to prevent the erection or use of a **building** or **structure** permitted in By-law 678-2021;
- (C) A maximum of 6 **dwelling units** is permitted on the **lot**;
- (D) Despite Regulation 10.60.30.20 and 10.60.40.1 (3), the minimum required width of a **dwelling unit** in a **townhouse** is 4.3 metres;
- (E) Maximum **building** length shall not exceed 28.0 metres;
- (F) Despite regulation 10.60.30.40 (1), the maximum **lot coverage** permitted on the **lot** is 45 percent;
- (G) **Established grade** is the Canadian geodetic elevation of 141.23 metres;
- (H) Despite regulations 10.60.40.10, the height of the **building** erected on the lands must not exceed the maximum height in metres as indicated by the numbers following the letters "HT" and the number of storeys following the letters "ST" as shown on Diagram 3 of By-law 678-2021 measured from **established grade**;
- (I) Despite (H) above and regulations 10.60.40.10, and 10.5.40.10 the following may exceed the height indicated by the numbers following the letters "HT" and is permitted to be located outside the areas delineated by heavy lines as shown on Diagram 3 or Diagram 5 of By-law 678-2021 to the extent indicated as follow:
 - a. As shown on Diagram 3 of By-law 678-2021 architectural features, chimneys, cornices, eaves, pipes, stacks, and vents, a maximum of 1.5 metres; and
 - b. As shown on Diagram 5 of By-law 678-2021 guardrails, privacy screens and partitions, railings, screens, trellises, for a maximum of 2.0 metres above the deck and balconies projecting from the rear main wall;
- (J) Despite regulation 10.60.40.40 the maximum permitted **gross floor area** on the **lot** is 1,300 square metres;
- (K) Despite regulation 10.60.40.40 the **gross floor area** of the **building** erected on the **lot** shall exclude the underground level;
- (L) Despite regulations 5.10.40.70(4), 10.5.60.20(3)(10)(11) and 10.60.40.70(3), 10.5.40.60 (2)(3) no part of the **building** is permitted to be located outside the

areas delineated by heavy lines as shown on Diagram 5 of By-law 678-2021, with the exception of the following:

- a. Architectural features, air conditioning units, balconies, cornices, dormers, eaves, fascia, lighting fixtures, gas metres, ornamental elements, pipes, sills, vents, and utility equipment may encroach a maximum of 1.5 metres;
 - b. Retaining walls, stairs, and stair enclosures may encroach a maximum of 1.4 metres from the side main wall of the building;
 - c. Canopies and awnings and their associated structures may encroach a maximum of 3.5 metres from the rear main wall of the building, and porches may project a maximum of 3.5 metres from the front main wall of the building;
 - d. Garbage enclosures are permitted to be located in the front yard with a maximum size of 3.3 metres width, 1.2 metres length, and 1.3 metres height; and
 - e. Platforms or decks may extend a maximum of 11.2 metres from the rear main wall of the building;
- (M) Despite regulation 10.5.50.10 the minimum **landscaping** for the **lot** shall be 40 percent, of which a minimum of 30 percent shall be **soft landscaping**:
- a. **Landscaping** shall be the only provision calculated on a per unit basis following any future consent, severance, partition or division of the **lot**;
 - b. At the time of any future consent, severance, partition or division of the lot, the minimum **landscaping** per dwelling unit, as shown on Diagram 6 of By-law 678-2021, shall be as follows:
 - i. Unit A – a minimum of 30 percent will be **landscaping**, with a minimum of 20 percent as **soft landscaping**; and
 - ii. Unit B, C, D, E and F – a minimum of 40 percent will be **landscaping**, with a minimum of 30 percent as **soft landscaping**; and
 - c. **Landscaping** calculations shall exclude the platforms and decks extending from the rear main wall;
- (N) Despite regulation 200.5.1.10(5), a required **parking space** for a **townhouse dwelling unit** may include a **tandem parking space**;
- (O) Despite regulation 200.5.10.1, **parking spaces** shall be provided on the **lot**, as follows:

- a. A minimum of 1 **parking spaces** for each **dwelling unit**;
 - b. A total of 3 visitor **parking spaces** on the **lot**; and
 - c. For the purposes of this exception, **parking spaces** for a **townhouse dwelling unit** can be provided in a shared or common element **parking garage**;
- (P) Regulation 200.15.10, related to accessible parking, shall not apply; and
- (Q) Despite any provisions of By-law 569-2013, as amended, and By-law 678-2021, a temporary **sales office** shall be permitted on the **lot**.

Prevailing By-laws and Prevailing Sections: (None Apply).

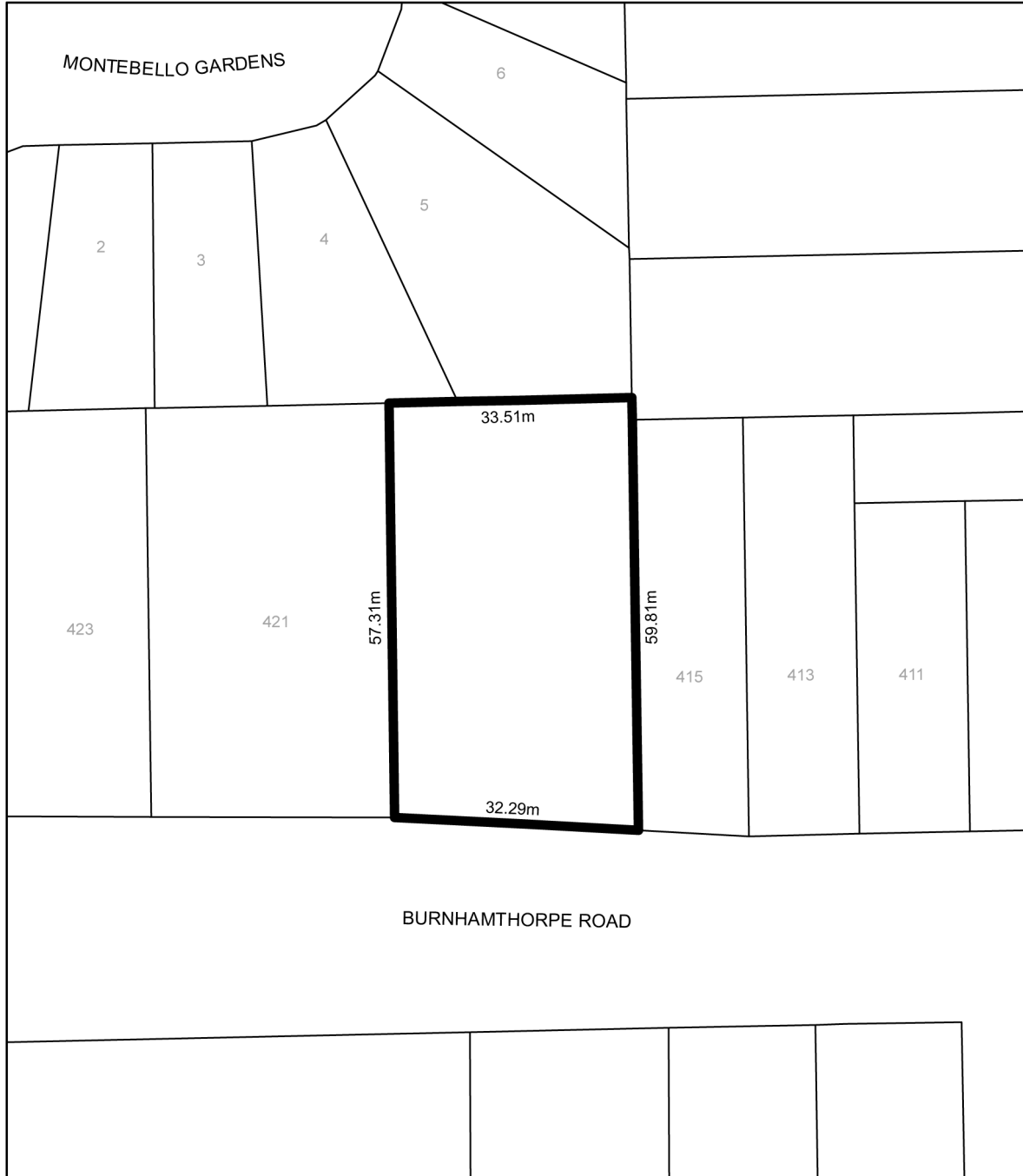
7. Despite any existing or future consent, severance, partition or division of the **lot**, the provisions of By-law 678-2021, shall apply to the **lot**, as identified on Diagram 1, as if no consent, severance, partition or division has occurred.

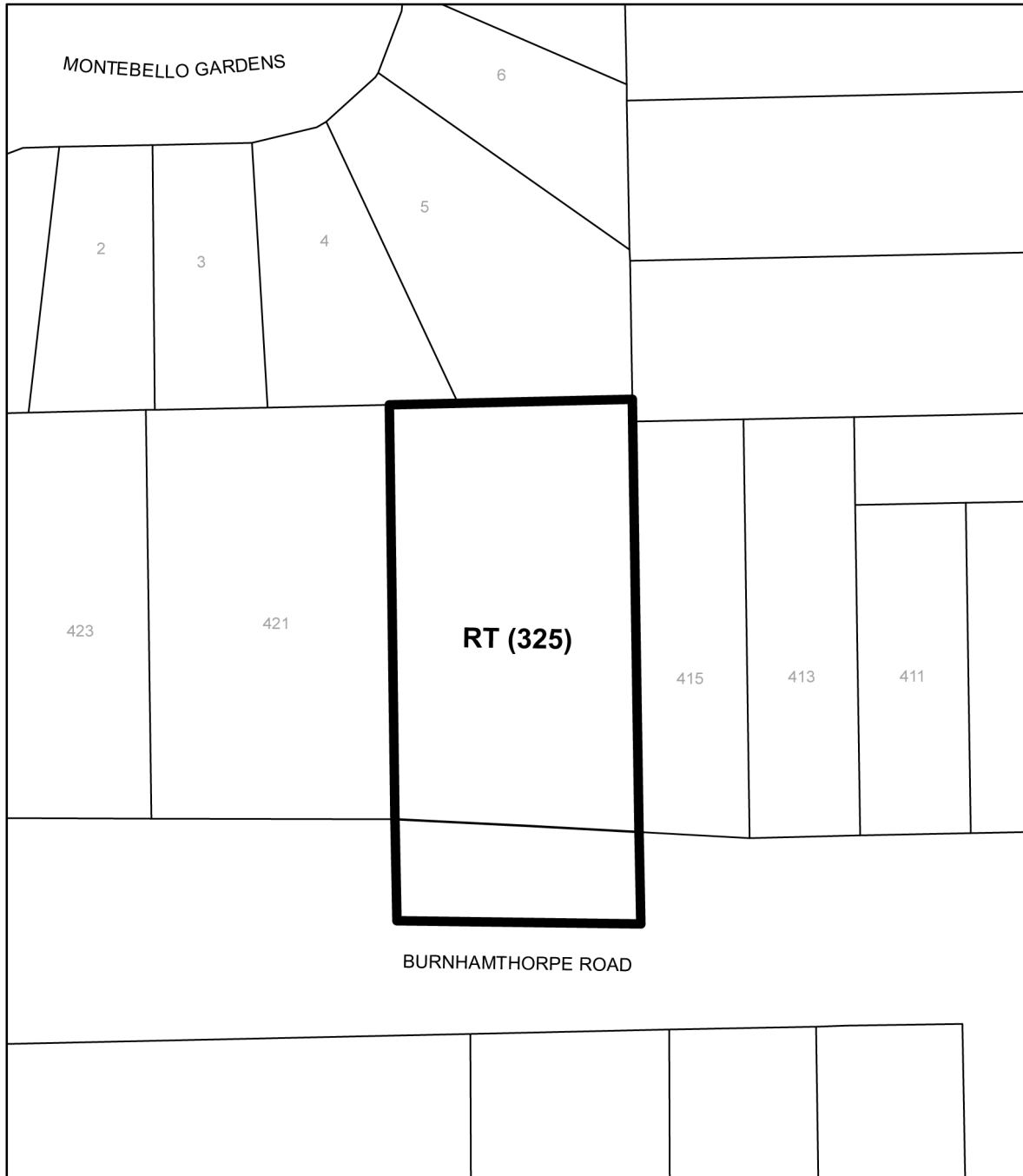
Enacted and passed on July 16, 2021.

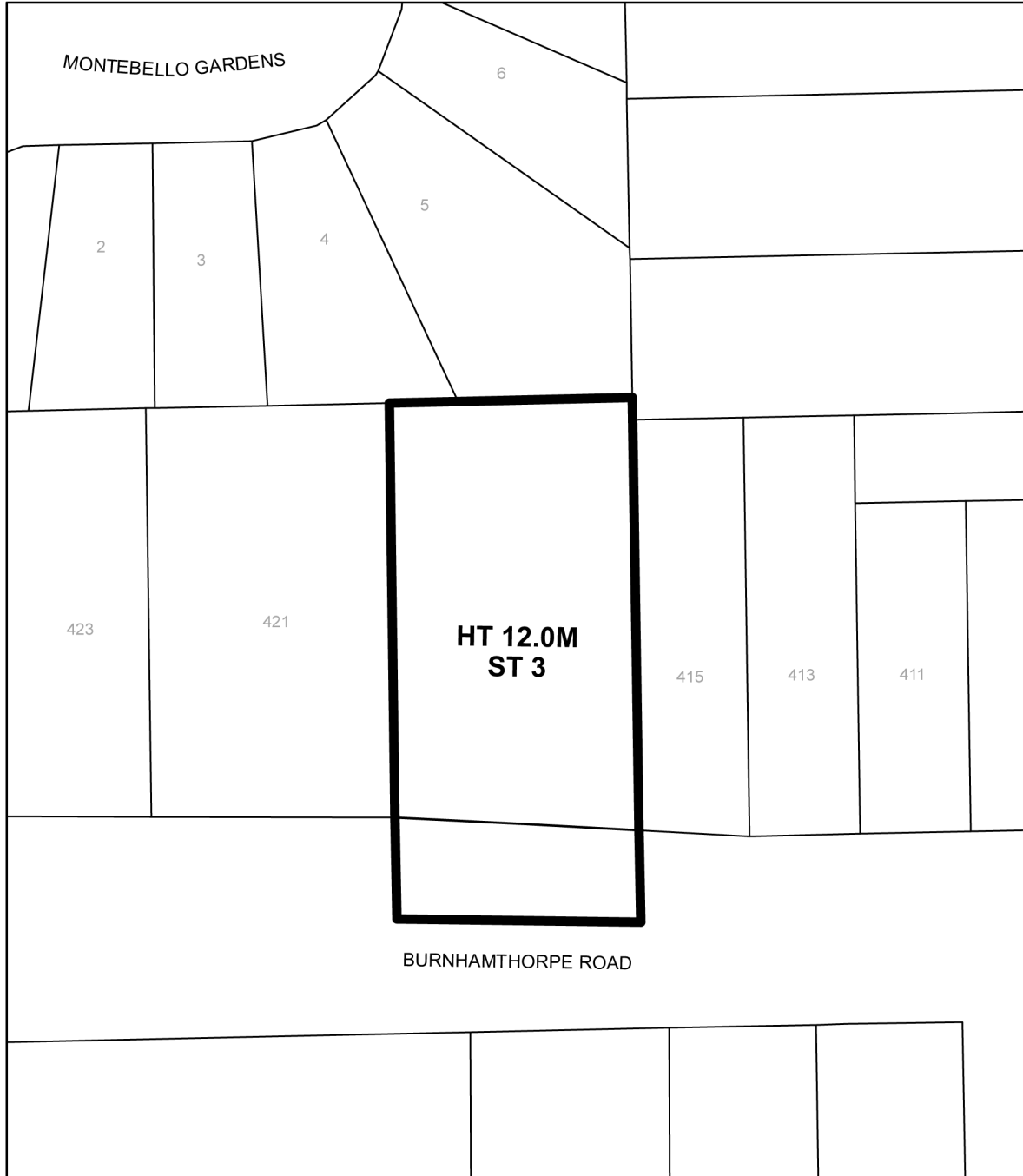
Frances Nunziata,
Speaker

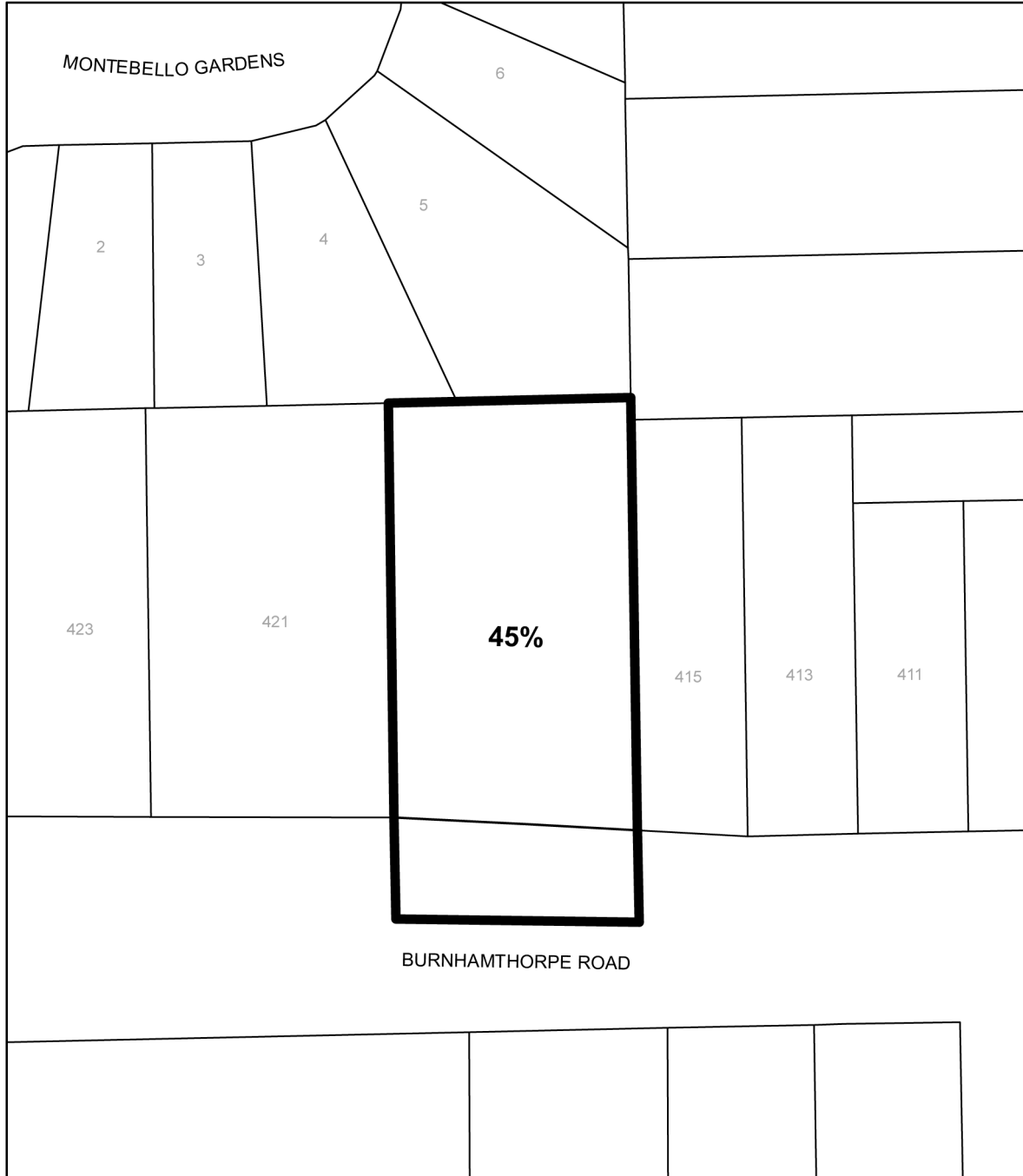
John D. Elvidge,
City Clerk

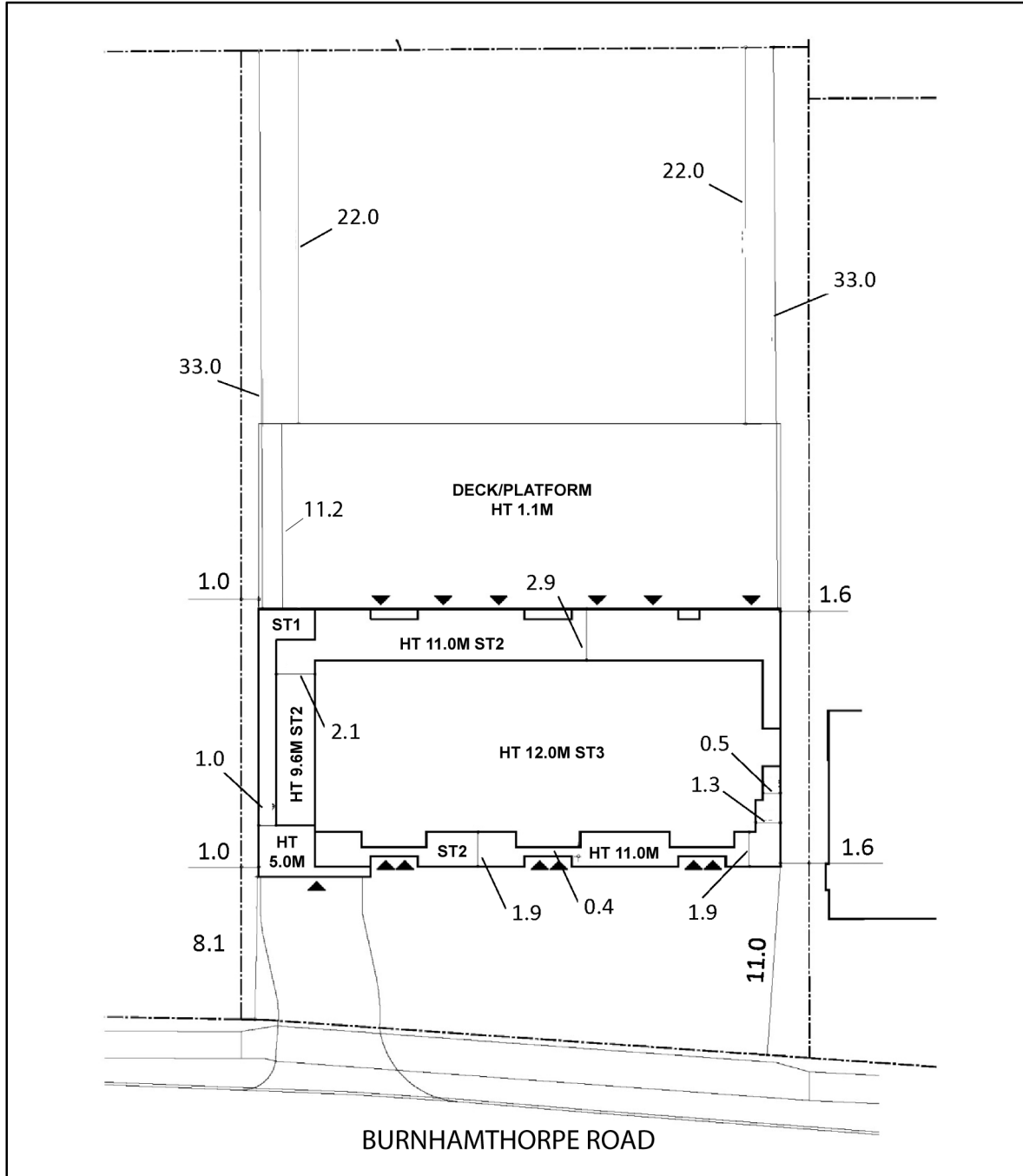
(Seal of the City)











 **TORONTO**
Diagram 5

417 & 419 Burnhamthorpe Road

File #: 19 251103 WET 02 0Z

