

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

CITY OF TORONTO

BY-LAW 679-2021

To amend former City of Etobicoke Zoning Code, 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 pursuant to 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 the Council of the City of Toronto has provided adequate information to the public and has conducted a public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code, is hereby amended by deleting the Second Density Residential (R2) zoning classification and adding a Fourth Density Residential (R4) zoning classification of the **Lands** located in the former Township of Etobicoke as described in Schedule A attached hereto.
2. Notwithstanding the provisions of Sections 320-66 and 320-68 of the Etobicoke Zoning Code, the following development standards shall be applicable to the entirety of the Fourth Density Residential (R4) **Lands** described in Schedule A:
 - (a) The maximum **Height** of any building or structure, or portion thereof, shall not exceed the **Height** in metres specified by the numbers following the symbol "HT" and the number of storeys following the letters "ST" on Schedule B; and
 - (b) The following elements of a building may project above the maximum building **Height** as follows:
 - a. Architectural features, chimneys, cornices, eaves, pipes, stacks, and vents, a maximum of 1.5 metres; and
 - b. 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.

3. For the purposes of this By-law the following words shall have the meanings assigned thereto:
- (a) **"Grade"** shall mean 141.23 metres above Canadian Geodetic Datum for the building as shown on Schedule B;
 - (b) **"Height"** shall mean the distance measured from **Grade** to the highest point of the roof or soffit of the eaves, and shall exclude mechanical equipment, stairs, stair enclosures, parapets, chimney stacks, and landscape features located on the roof of the building; and
 - (c) **"Lands"** shall mean the lands described in Schedule A attached hereto.
4. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law must apply to the whole of the lot, as if no severance, partition or division has occurred.
5. Chapter 324, Site Specifics, of the Etobicoke Zoning Code, is amended to include reference to this By-law by adding the following to Section 324-1, Table of Site Specific By-laws:

BY-LAW AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
By-law 679-2021 July 16, 2021	Lands located at 417 and 419 Burnhamthorpe Road.	To permit the redevelopment of the Lands to construct six (6) residential townhouse units.

Enacted and passed on July 16, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



