

Authority: Etobicoke York Community Council Item EY6.3, as adopted by City of Toronto Council on July 19 and 20, 2023
City Council voted in favour of this by-law on July 20, 2023
Written approval of this by-law was given by Mayoral Decision 8-2023 dated July 20, 2023

CITY OF TORONTO

BY-LAW 748-2023

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 408 Horner Avenue.

Whereas Council of the City of Toronto has the authority to pursuant to 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 enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the 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 subject to this By-law from a zone label of RM (u3)(x18) to a zone label of RM (u3)(x393) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.6.10 Exception Number 393 so that it reads:

(393) Exception RM 393

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) On 408 Horner Avenue, if the requirements of By-law 748-2023 are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Q) below;
- (B) Despite Regulation 10.5.50.10(4), a **lot** with an **apartment building** must have:

- (i) a minimum of 45 percent of the **lot area** for **landscaping**;
 - (ii) a minimum of 80 percent of the **landscaping** required in (i) above must be **soft landscaping**; and
 - (iii) a minimum of 50 percent of the **rear yard** must be **soft landscaping**.
- (C) Regulation 10.5.50.10(5) regarding **landscaping** requirements for an **apartment building** abutting another residential **lot** does not apply;
- (D) Despite Regulation 10.5.50.10(6), the calculation of **landscaping** or **soft landscaping** in Regulation (B) above excludes the area of the required minimum **building setback** covered by any part of a **building** or **structure** which is permitted to encroach into a required minimum **building setback** by Clause 10.5.40.60 and (L) below;
- (E) Regulations 10.5.80.10(2) and 10.5.80.30(1) regarding **parking space** location and separation requirements for **apartment buildings** do not apply;
- (F) Despite Regulation 10.80.30.20(1), the required minimum **lot frontage** for an **apartment building** is 16.5 metres;
- (G) Despite Regulation 10.80.30.40(1), the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 27 percent;
- (H) Despite regulations 10.80.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law 748-2023;
- (I) Despite Regulations 10.5.40.10(2) to (4) and (H) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
- (i) equipment used for the functional operation of the **building** including electrical, utility, roof access, chimneys, and vents may project above the height limits to a maximum of 1.5 metres;
 - (ii) architectural features and parapets may project above the height limits to a maximum of 0.5 metres; and
 - (iii) planters, **landscaping** features, guard rails, privacy screens, and divider screens on a balcony and/or terrace may project above the height limits to a maximum of 1.5 metres.
- (J) Despite Regulation 10.80.40.40(1), the permitted maximum **gross floor area** is 825 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 825 square metres.

- (K) Despite Regulation 10.80.40.1(2), the permitted maximum number of **dwelling units** on the **lot** is 9;
- (L) Despite Regulations 10.80.40.70(1), (2) and (3), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 748-2023;
- (M) Despite Regulations 10.80.40.80(1) and (2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law 748-2023;
- (N) Despite Regulations 10.5.40.60(1) to (8) and (L) and (M) above, the following elements may encroach into the required minimum **building setbacks** and separation distances as follows:
 - (i) decks, porches, and balconies, to a maximum extent of 2.4 metres;
 - (ii) canopies, awnings, and privacy screens to a maximum extent of 2.4 metres;
 - (iii) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum extent of 0.5 metres;
 - (iv) window projections, including bay windows and box windows, to a maximum extent of 1.0 metre;
 - (v) eaves, to a maximum extent of 1.0 metre; and
 - (vi) air conditioners, satellite dishes, antennae, vents, and pipes to a maximum extent of 0.5 metres.
- (O) Despite Regulation 200.5.10.1 and Table 200.5.10.1, a maximum of 5 residential occupant **parking spaces** are permitted;
- (P) Despite Regulation 230.5.1.10(9)(B), "long term" **bicycle parking spaces** may be located outside of a **building** on the **lot**;
- (Q) Despite Regulations 230.5.10.1(1), (3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
 - (i) 1 "long-term" **bicycle parking spaces** for each **dwelling unit**; and
 - (ii) 0.2 "short-term **bicycle parking spaces** for each **dwelling unit**.

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

5. Despite any future severance, partition or division of the lands as shown on Diagram 1 of By-law 748-2023, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

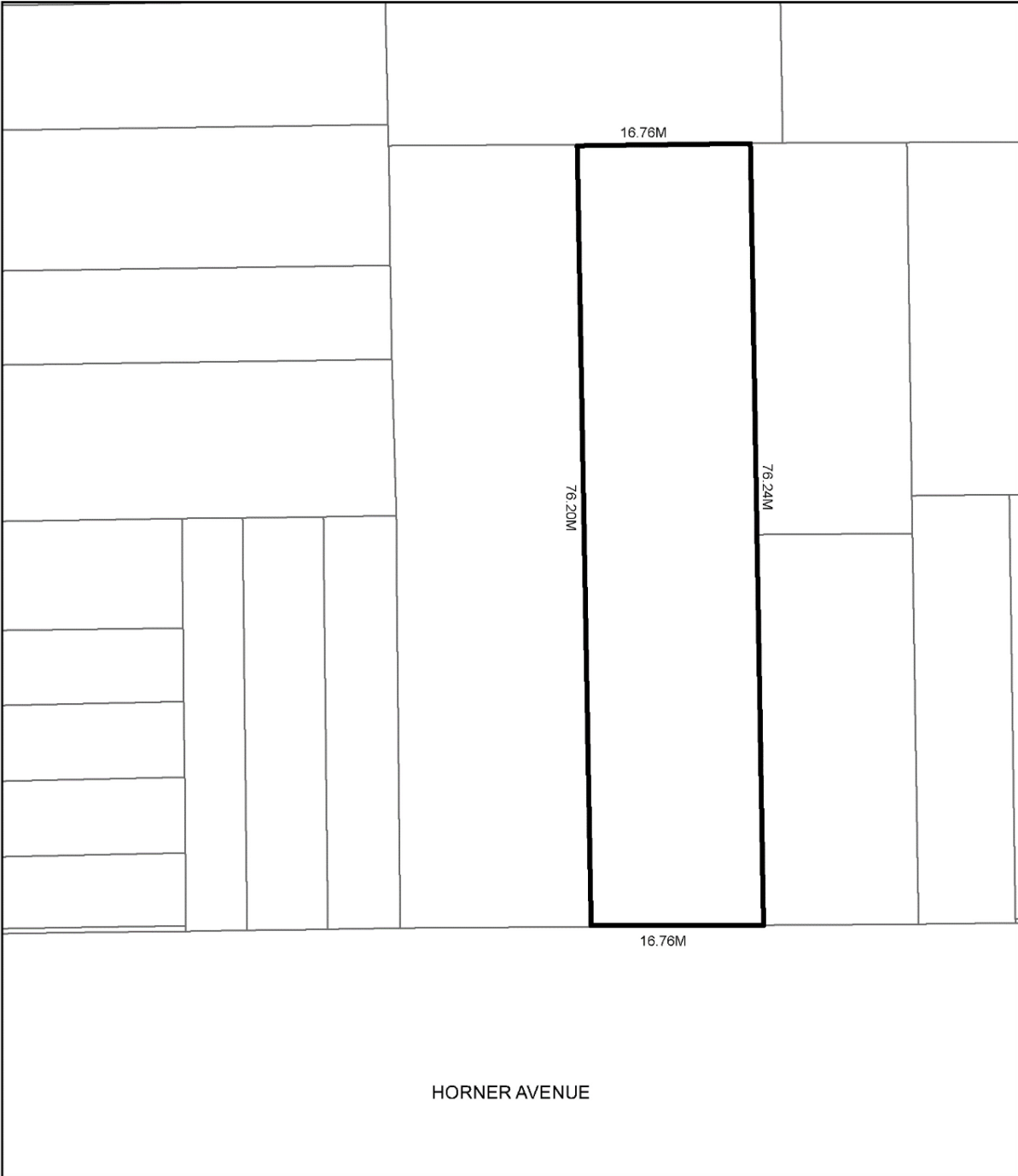


Diagram 2



Diagram 3

