

Authority: Local Planning Appeal Tribunal Decision
issued on July 4, 2019 and Ontario Land Tribunal Order
issued on September 15, 2021 for Tribunal Case PL171480

CITY OF TORONTO

BY-LAW 756-2021(OLT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 6480, 6482 and 6484 Kingston Road.

Whereas the Local Planning Appeal Tribunal continued as the Ontario Land Tribunal, pursuant to a decision issued on July 4, 2019 and an order issued on September 15, 2021, following an appeal pursuant to section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, determined to amend the the Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2019, as 6480-6484 Kingston Road;

The Ontario Land Tribunal 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 outlined by heavy black lines to **RT (x186)** as shown on Diagram 2 attached to this By-law; and

Exception RT 186

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) For the purpose of calculating setbacks and establishing internal **lot** orientation, the **front lot line** is the shortest **lot line** which divides the **lot** from a **street**;
- (B) For the purposes of calculating height and **lot frontage**, the minimum **front yard setback** shall be the required setback to the **main wall** containing the entrance to the required **parking space**;
- (C) An in-ground swimming pool, **ancillary building** or **structure** partially or fully below ground is not permitted;
- (D) Despite regulations 10.5.40.70(1) and 10.60.40.70(1), the required minimum **front yard setback** is 3.0 metres, and for the **main wall** containing the entrance to a required **parking space** is 6.0 metres;

- (E) A required **parking space** must be located in an attached **parking garage**;
 - (F) Despite regulations 10.60.40.10, the permitted maximum height is 3 **storeys** and 9.0 metres;
 - (G) Despite regulation 10.60.40.80, the required minimum above-ground separation distance for between main walls does not apply;
 - (H) Despite regulation 10.60.30.10, the required minimum **lot area** for each **lot** containing a **townhouse dwelling unit** is 150 square metres;
 - (I) On Area A as identified on Diagram 6 of By-law 756-2021(OLT), the following applies:
 - (i) Despite regulation 10.60.30.40(1)(A) the permitted maximum **lot coverage** is 56 percent;
 - (J) On Area B as identified on Diagram 6 of By-law 756-2021(OLT), the following applies:
 - (i) Despite regulations 10.60.30.40(1) and 10.5.60.70 (1) the permitted maximum **lot coverage** is 50 percent;
 - (ii) Despite regulation 10.60.40.70 (2) the required minimum **rear yard setback** is 6.0 metres; and
 - (iii) Despite regulation 10.5.80.40(3)(B) **vehicle** access to a **parking space** on a **lot** is required to be from the **street** on which the **lot** fronts;
 - (K) Despite regulation 10.5.50.10(1) (B) and (D) a minimum of 30 percent of the **front yard** must be **landscaping**, and a minimum of 75 percent of the **front yard** must be **soft landscaping**;
 - (L) Despite regulation 10.60.40.70(3) the required minimum **side yard setback** is 1.2 metres for a **townhouse**; and
 - (M) Despite regulation 10.60.40.1(3) the required minimum width of a **dwelling unit** in a **townhouse** building type is 5.8 metres.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands as shown on Diagram 3 to Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: **RD (x658)** as shown on Diagram 2 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1 as shown on Diagram 3 attached to this By-law.

6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height and storey label to these lands: HT 10, ST 2 as shown on Diagram 4 attached to this By-law.
7. Zoning By-law 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, and applying the following lot coverage label of 40 percent to lands, as shown on Diagram 5 attached to this By-law.
8. Zoning By-law 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40.1, and applying the following Rooming House as shown on Diagram 3 attached to this By-law.

Exception RD 658

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) An in-ground swimming pool, and **ancillary building** or **structure** partially or fully below ground, is not permitted;
- (B) For the purposes of calculating height and **lot frontage**, the minimum **front yard setback** shall be the required setback to the **main wall** containing the entrance to the required **parking space**;
- (C) Despite regulation 10.20.30.20(1), the required minimum **lot frontage** is 8.4 metres;
- (D) A required **parking space** must be located in an attached **parking garage**;
- (E) Despite regulation 10.20.40.70(1) and 10.5.40.70.1, the required minimum **front yard setback** is 3.0 metres except that the required minimum **front yard setback** for the main wall containing the entrance to a required **parking space** is 6.0 metres;
- (F) Despite regulations 10.20.40.10(4)(A) and (C) the permitted maximum height is **3 storeys** and 9.0 metres;
- (G) Despite regulations 10.20.40.10(7), on a detached house with two or more storeys, the exterior sides of a dormer are not main walls if the total width of dormers projecting from the surface of a roof does not occupy more than 70 percent of the total width of the building's main walls on the same front, rear or side as the dormers, measured at the level of the uppermost storey below the roof;
- (H) Despite regulation 10.20.40.70(3), the required minimum **side yard setback** is 1.2 metres on one side and 0.6 metres on the other side;

- (I) Despite 10.5.40.60(7) (B) Roof Projections, the eaves may encroach into a required minimum setback;
- (J) On Area C as identified on Diagram 6 of By-law 756-2021(OLT), the following will apply:
- (i) The required minimum **lot area** is 179 square metres;
 - (ii) Despite regulation (G) above and regulation 10.20.40.70(3), the required minimum building **setback** from the north **lot line** must be 1.2 metres except any portion of a building within 10m as measured from the **rear lot line** must be setback 2.5 metres from the north **lot line** and the required minimum building setback must be 0.6 metres from the south **side lot line**; and
 - (iii) Despite regulation 10.5.80.40(3)(B) **vehicle** access to a **parking space** on a **lot** is required to be from the **street** on which the **lot** fronts;
- (K) On Area D as identified on Diagram 6 of By-law 756-2021(OLT), the following will apply:
- (i) Despite regulation 10.20.30.10(1) the required minimum **lot area** is 210 square metres; and
 - (ii) Despite (G) and regulation 10.20.40.70(3), the required minimum **side yard setback** is 1.2 metres; and
- (L) On Area E as identified on Diagram 6 of By-law 756-2021(OLT), the following will apply:
- (i) Despite regulation 10.20.30.10(1) the required minimum **lot area** for each lot is:
 - (a) Lot 9 185 square metres;
 - (b) Lot 3 200 square metres;
 - (c) Lot 4 280 square metres;
 - (d) Lot 5 460 square metres;
 - (e) Lot 6 260 square metres; and
 - (f) Lot 7 200 square metres.

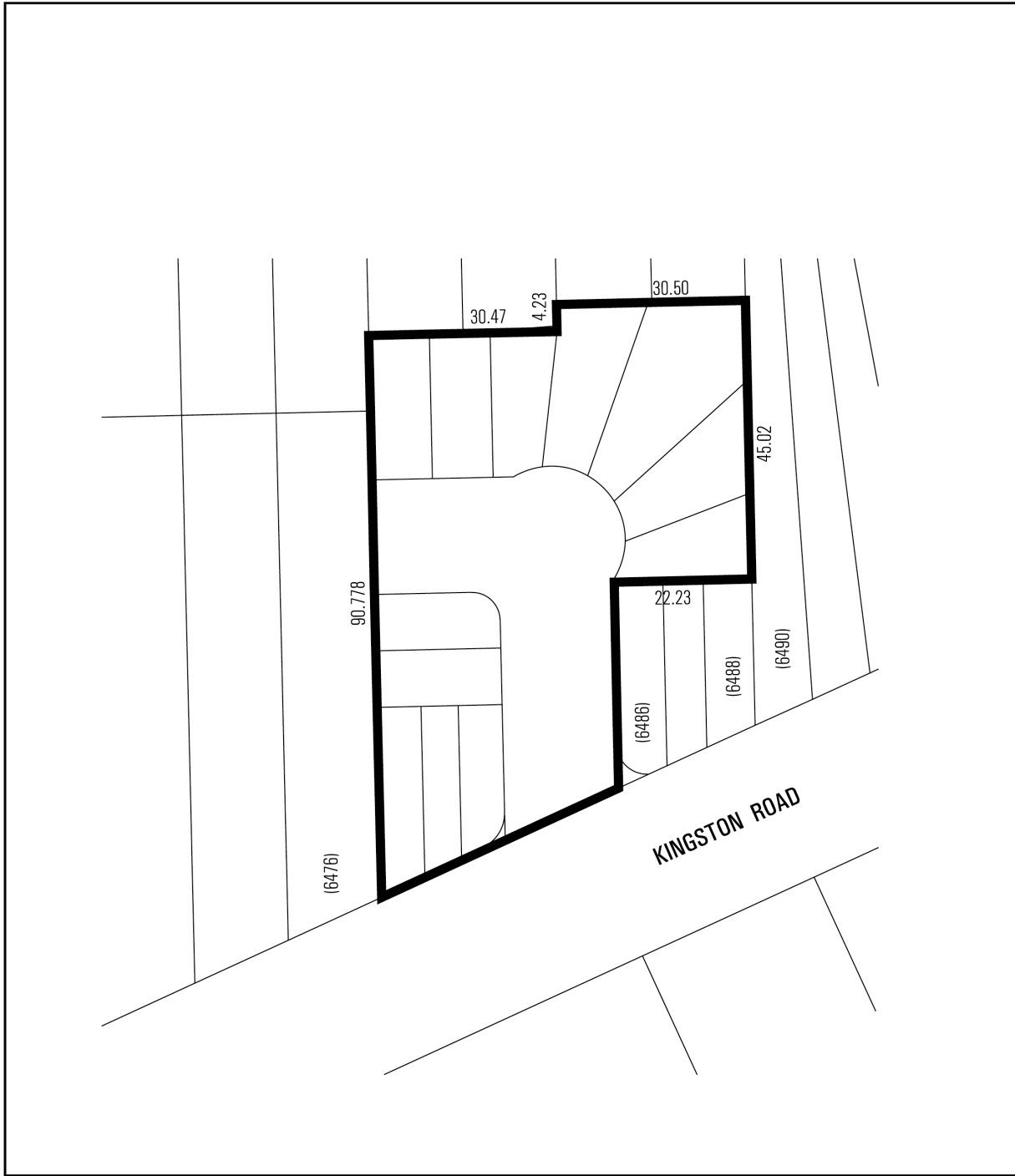



Diagram 1

6480-6484 Kingston Road

File # 15 271011 ESC 44 0Z

