

Authority: Ontario Land Tribunal Decision issued on March 7, 2022 and Order issued on August 8, 2022 in File OLT-22-002927 (PL190438)

## **CITY OF TORONTO**

### **BY-LAW 1194-2022(OLT)**

**To amend the City of Toronto By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 206 Russell Hill Road.**

Whereas the Ontario Land Tribunal, in its Decision issued on March 7, 2022 and its Order issued on August 8, 2022, in file OLT-22-002927 (PL190438), in hearing an appeal under Section 34(11) of the Planning Act, R.S.O. 1990, c. P13, as amended, ordered the amendment of Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 206 Russell Hill Road; and

Whereas pursuant to Section 39 of the Planning Act, as amended, a by-law passed under Section 34 of the Planning Act, may 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 Ontario Land Tribunal, by its Decisions issued on March 7, 2022 and Order issued on August 8, 2022 determined to amend Zoning By-law 569-2013, as amended, with respect to lands known municipally as 206 Russell Hill Road;

The Ontario Land Tribunal Orders:

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 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 a zone label as shown on Diagram 2 attached to this By-law as follows:
  - (A) RT (f15.0; d0.35) (x355); and
  - (B) ON.
4. Zoning By-law 569-2013, as amended, is further amended by adding Exception Number 355 to Article 900.5.10 so that it reads:

#### **(355) Exception RT 355**

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 206 Russell Hill Road, if the requirements of By-law 1194-2022(OLT) are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with (B) through (H) below;
- (B) Despite Regulation 10.60.40.10(1)(A), the permitted maximum height of a **building** or **structure** is the number following the "HT" symbol in metres as shown on Diagram 3 of By-law 1194-2022(OLT);
- (C) Despite Regulations 10.5.40.10(2)(3) and (4) and (B) above, the following elements, **structures** and projections are permitted to project above the permitted maximum height as shown on Diagram 3 of By-law 1194-2022(OLT) as follows:
- (i) Architectural features, awnings, bollards, canopies, chimneys, cornices, columns, lighting fixtures, monitor wells, ornamental elements, parapets, pipes, stacks, vents, wheelchair ramps, and window sills to a maximum of 1.2 metres; and
  - (ii) Elevator enclosures and overruns, fences, guardrails, mechanical penthouses and other equipment, planters, privacy screens, railings, retaining walls, screens, stair enclosures, trellises, wind projections, window washing equipment to a maximum of 2.0 metres;
- (D) Despite Regulation 10.60.40.40(1)(A), the permitted maximum **gross floor area** of all **buildings** and **structures** on the lands is 1,664 square metres;
- (E) Despite Clauses 10.5.40.70, 10.60.40.70 and 10.60.40.80, the required minimum **building setbacks** and minimum required above-ground separation distance between **main walls** are as shown in metres on Diagram 3 of By-law 1194-2022(OLT);
- (F) Despite Clause 10.5.40.60 and Regulation (E) above, the following **building** elements, **structures** and projections are permitted to encroach into the required minimum **building setbacks** as shown on Diagram 3 of By-law 1194-2022(OLT), as follows:
- (i) Architectural features, antennae, bay windows, belt courses, box windows, chimneys, chimney breasts, cornices, columns, dormers, eaves, lighting fixtures, ornamental elements, parapets, pipes, sills, satellite dish, vents, and utility equipment to a maximum extent of 0.75 metres;
  - (ii) Retaining walls, stairs, and stair enclosures to a maximum extent of 2.7 metres on the south **side yard** only;
  - (iii) Platforms, balconies, terraces, canopies and awnings and their associated **structures** to a maximum extent of 2.3 metres in the south **side yard** only; and

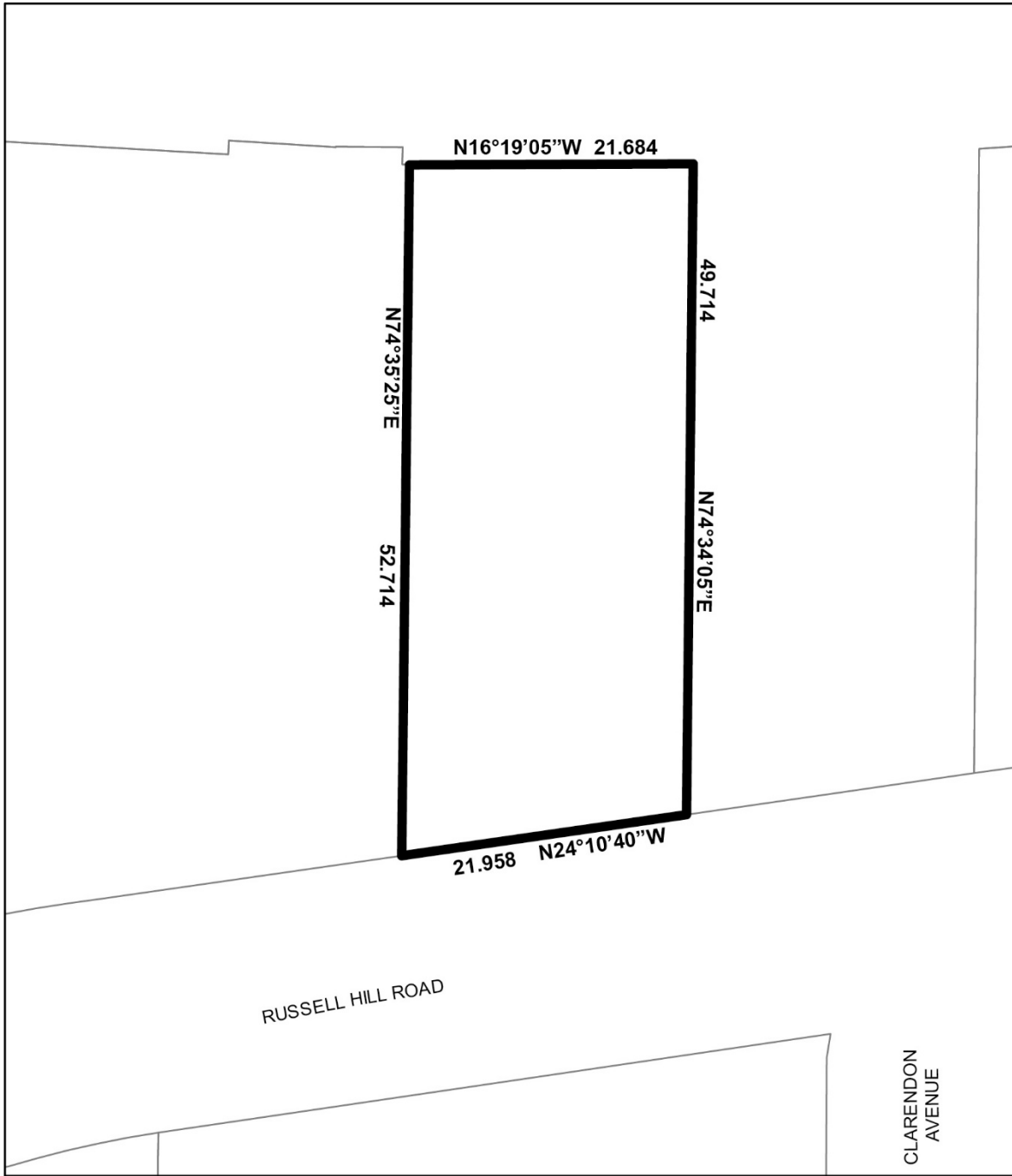
- (iv) Platforms, balconies, terraces, canopies and awnings and their associated **structures** to a maximum extent of 1.2 metres in the north **side yard** only;
- (G) Despite Regulation 10.5.50.10(1)(D), a minimum of 70 percent of the required **front yard landscaping** must be **soft landscaping**; and
- (H) For the purpose of this exception, **established grade** is the Canadian geodetic elevation of 147.00 metres.

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

- 5. Despite any severance, partition or division of the lands, the provisions of this By-law will apply as if no severance, partition or division occurred.
- 6. Pursuant to Section 39(1) of the Planning Act, none of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a **retail store** for the purpose of selling or leasing **dwelling units** on the lot in the RT Zone to which this By-law applies. Section 6 of this By-law shall expire on August 8, 2025.

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Diagram 1



 **TORONTO**  
Diagram 1

206 Russell Hill Road

File # 18 161483 STE 22 OZ

Diagram 2

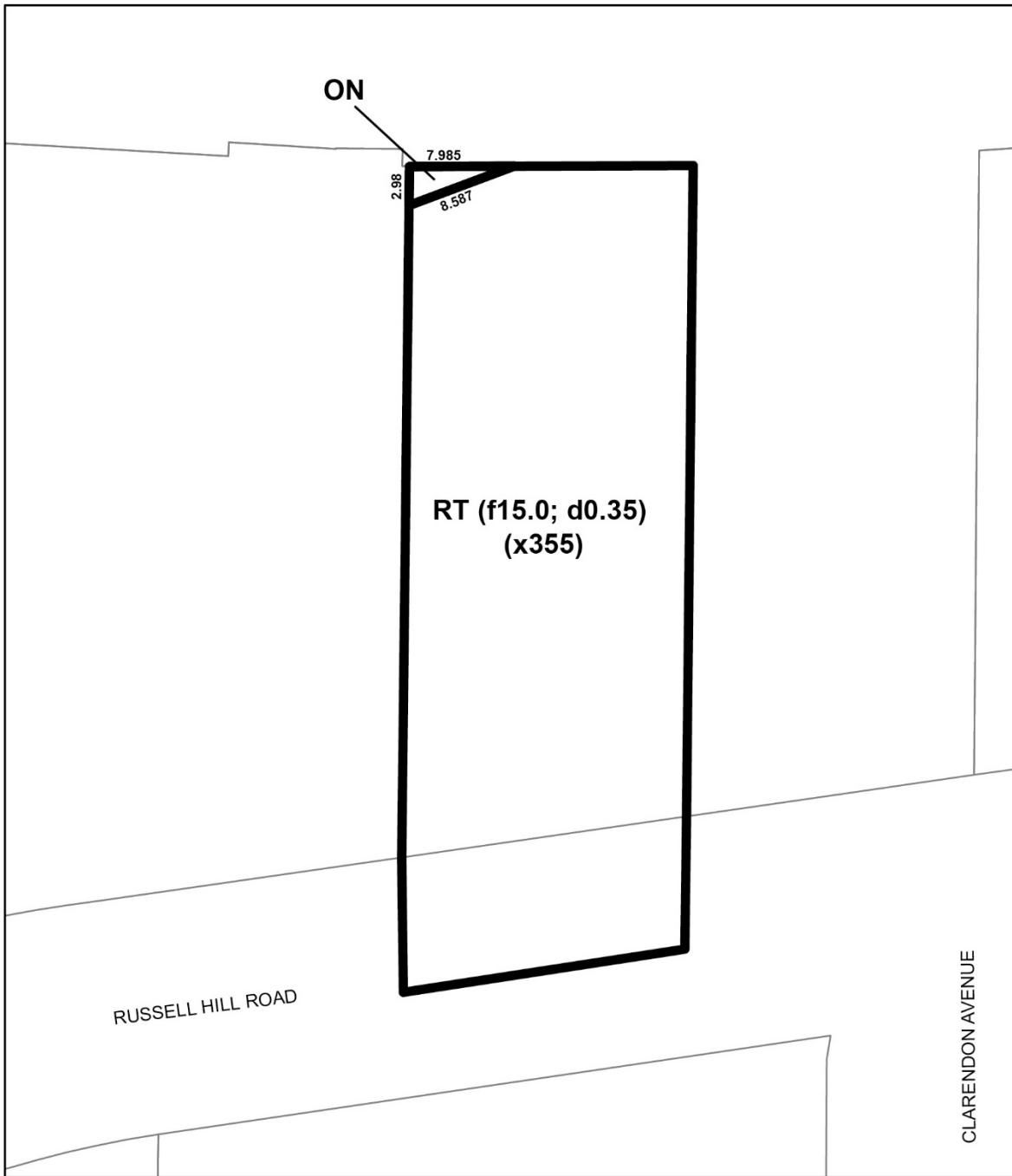


Diagram 3

