

Authority: Local Planning Appeal Tribunal Decision issued on September 12, 2019 in PL180348 and Ontario Land Tribunal Order issued on December 12, 2022 in OLT-22-004734

**CITY OF TORONTO**  
**BY-LAW 85-2023(OLT)**

**To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known in the year 2022 as 57 Linelle Street.**

Whereas the Owner of the lands in the year 2018 appealed a proposed Zoning By-law Amendment to the Ontario Land Tribunal pursuant to Section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended; and

Whereas the Local Planning Appeal Tribunal, by its Decision dated September 12, 2019 and the Ontario Land Tribunal Order issued December 12, 2022, determined to amend Zoning By-law 7625, as amended, with respect to lands known municipally as 57 Linelle Street;

The Ontario Land Tribunal Orders:

1. Schedule "1" and "2" of this By-law 7625 of the former City of North York Zoning By-law, are amended in accordance with Schedule 1 of this By-law.
2. Schedule 64.16 of By-law 7625 of the former City of North York, as amended, is amended by adding the following new subsections:

**64.16(129) to RM1(x129)**

**DEFINITIONS**

- (A) For the purpose of this exception, the following definitions apply:
- (i) "Model Home" shall mean finished Multiple Attached Dwellings for temporary display to the public prior to occupancy for residential purposes, which may or may not also be used as a "Temporary Sales Office" for other Dwellings;
  - (ii) There shall be no "Front Lot Line", "Side Lot Line", and "Rear Lot Line". The minimum building setbacks shall be as shown on Schedule 2 of By-law 85-2023(OLT);
  - (iii) Measurement of required building setbacks shall be from the lot line or the outside of the curb of a private lane and shall not be affected by required corner roundings, as if no corner rounding had taken place;

- (iv) The height of any building or structure on the "Lot" shall not exceed the maximum "Building Height" permitted as indicated in Sections (I) and (J) below;
- (v) "Established Grade" shall mean the Canadian Geodetic Datum elevation of 173.10 metres;
- (vi) "Building Height" shall mean the vertical distance between the Canadian Geodetic Elevation of 173.10 metres and the elevation of the highest point of the building;
- (vii) "Gross Floor Area" shall mean the total area of all of the floors in a building above or below grade measured from the outside of the exterior walls;
- (viii) For the purpose of this exception, "Lot" shall mean the lands identified on Schedule 1 of By-law 85-2023(OLT);
- (ix) "Dwelling, Single Family" shall mean a building occupied or intended to be occupied by one single family alone, and containing not more than two kitchens;
- (x) "Private Lane" shall mean a public-right-of-way that is constructed to the standards of public works but is intended or used by the general public and residents, and emergency vehicles for vehicular access to abutting residential lots, but which is not intended for general traffic circulation; and
- (xi) "Landscaped Open Space" shall mean soft landscaping and decorative stonework, retaining walls and permeable walkways. Driveways and areas for loading, parking or storing of vehicles are not considered as landscape open areas.

### **PERMITTED USES**

- (B) The only permitted uses shall be as follows:
  - (i) Multiple Attached Dwellings; and
  - (ii) Model Home.

### **EXCEPTION REGULATIONS DWELLING UNITS**

#### **DWELLING UNITS**

- (C) A maximum of 34 dwelling units shall be permitted on the lot.
- (D) All dwelling units shall have vehicular access only from a private driveway.

**GROSS FLOOR AREA**

- (E) The maximum gross floor area shall be 8,450 square metres on the lot.

**LOT COVERAGE**

- (F) The maximum lot coverage shall be 30 percent.

**BUILDING SETBACKS**

- (G) The minimum building setbacks and separation distance between main walls of buildings shall be as shown on Schedule 2 of By-law 85-2023(OLT).
- (H) Despite (G) above, a platform or balcony is not permitted to encroach into the minimum building setbacks, as shown on Schedule 2 of By-law 85-2023(OLT), for:
- (i) the east main wall of Block 1, Block 2 and Block 4; and
  - (ii) the west main wall of Block 3 and Block 5.

**BUILDING HEIGHT**

- (I) The maximum building height from established grade shall be 3 storeys and 15 metres as shown on Schedule 2 of By-law 85-2023(OLT).
- (J) Rooftop structures used for the functional operation of the building including electrical, mechanical, utilities and enclosed stairwells, roof access, or access to the rooftop amenity space shall not be considered a storey for the purpose of this by-law provided such elements and structures do not exceed the height shown on Schedule 2 of By-law 85-2023(OLT).

**LANDSCAPE OPEN SPACES**

- (K) A minimum of 4,800 square metres of landscaped open space shall be provided on the lands.

**AMENITY SPACE**

- (L) The minimum required rooftop terrace for each Multiple Attached Dwelling unit shall be no greater than 40 percent of the total roof area and no greater than 4 metres in depth measured from the rear most wall of the dwelling unit at the rooftop terrace level; and
- (M) A rooftop terrace privacy screen will be provided at a minimum height of 1.8 metres on the end units (north facing) on Block 1, Block 3, Block 4 and Block 5.

### **PARKING REQUIREMENTS**

- (N) The minimum number of parking spaces will be:
  - (i) One parking space per Multiple Attached Dwelling unit; and
  - (ii) Six parking spaces for residential visitors.

### **PERMITTED ENCROACHMENTS**

- (O) The following projections and their supporting structural members may extend into required yard setbacks, except as otherwise specified:
  - (i) Pilasters and projecting columns, roof overhang, cantilevered elements, canopies, eaves, porches (covered or uncovered), exterior steps, cantilevered bay, bow, box, or dormer windows, and ground mounted equipment used for the functional operation of the buildings including electrical, mechanical, service and utility equipment, to a maximum of 2.6 metres.

### **PRIVATE LANE**

- (P) The Private Lane will have a minimum width of 6.0 metres which leads directly to an individual dwelling unit.
- (Q) The Private Lane along the south limit will be a minimum width road width of 8.0 metres for two-way traffic with parking permitted on one side of the street.

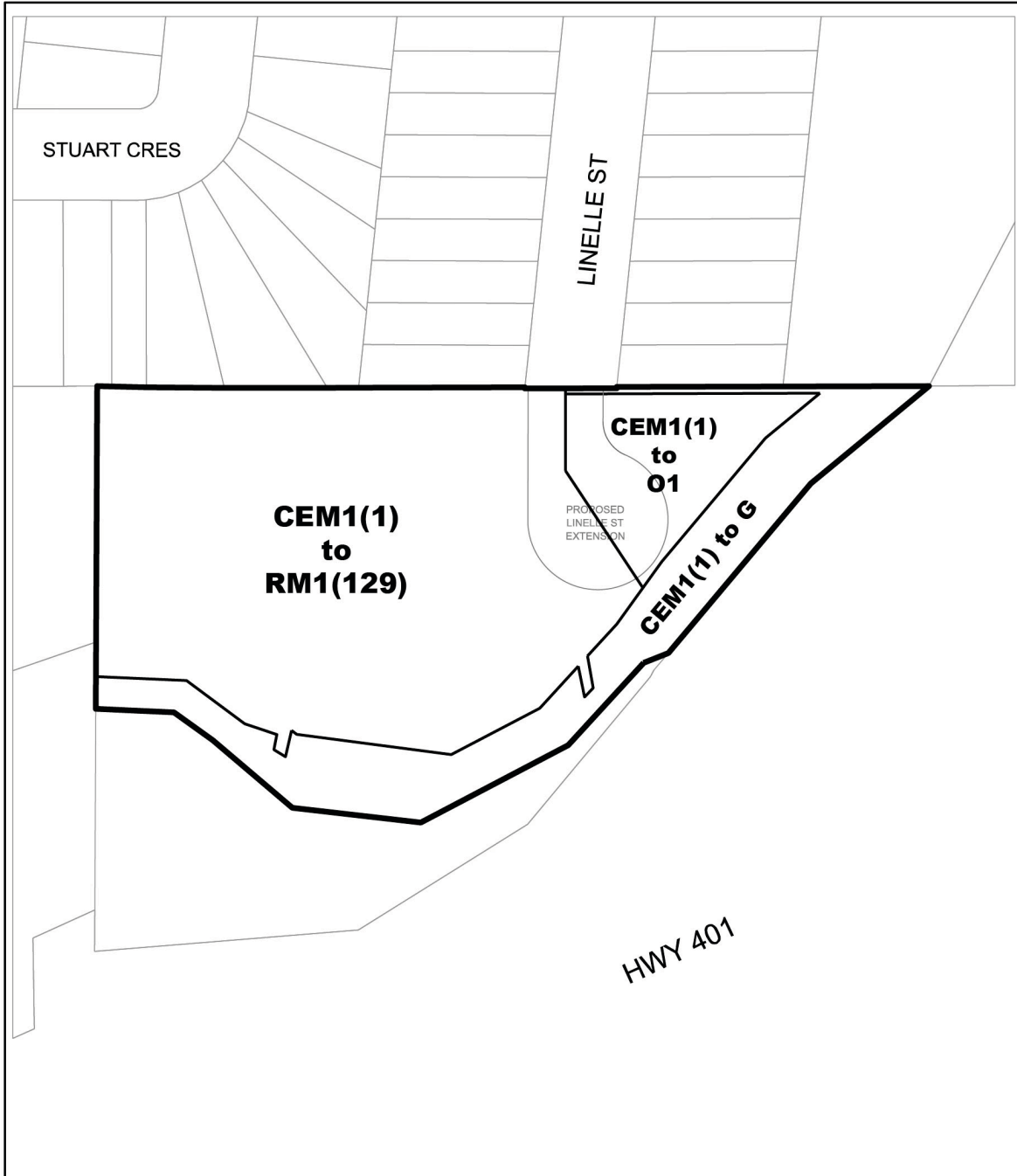
### **EXCLUSIONS**

- (R) The provisions of Sections 6(2)(a), 6(7)(a), 6(9), 6(13), 6(24), 6A(2), 6A(3), 6A(5), 6A(7)(D), 6A(8), 15, 16 and 64.16-1 of By-law 7625 shall not apply.

### **DIVISION OF LANDS**

- (S) Despite any future severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Local Planning Appeal Tribunal Decision issued on September 12, 2019 in PL180348 and Ontario Land Tribunal Order issued on December 12, 2022 in OLT-22-004734.





 **TORONTO**  
Schedule 2

57 Linelle Street

File # 13 124500 NNY 23 02

-  Parkland dedication
-  TRCA lands

  
Former City of North York By-law 7625  
Not to Scale  
08/29/2022