

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 86-2023(OLT)**

**To amend Zoning By-law 569-2013, 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 on December 12, 2022, determined to amend Zoning By-law 569-2013, as amended, with respect to lands known municipally as 57 Linelle Street; and

Whereas pursuant to Section 39 of the Planning Act, as amended, Local Planning Appeal Tribunal 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;

The Ontario Land Tribunal Orders:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to 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 adding the lands shown on Diagram 1 attached to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zone labels to these lands: RT (x362), ON and OR, as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands shown on Diagram 1 attached to this By-law to the Policy Areas Overlay Map in Section 995.10.1 with the label PA 4, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands shown on Diagram 1 attached to this By-law to the Height Overlay Map in Section 995.20.1 with a label of HT 10, ST 2, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands shown on Diagram 1 attached to this By-law to the Rooming House Overlay Map in Section 995.40.1 with no value.

7. Zoning By-law 569 -2013, as amended, is further amended by adding the lands shown on Diagram 1 attached to this By-law to the Lot Coverage Overlay Map in Article 995.30.1, and applying the following lot coverage label to these lands: 30, as shown on Diagram 5 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.5.10 Exception Number 362, so that it reads:

**(362) Exception RT 362**

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:

Site Specific Provisions:

- (A) On lands municipally known as 57 Linelle Street, if the requirements of By-law 86-2023(OLT) are complied with **townhouses** may be constructed and used in compliance with Regulations (B) to (U) below;
- (B) The permitted maximum **gross floor area** for all uses on the **lot** is 8,330 square metres;
- (C) The permitted maximum number of **dwelling units** on the **lot** is 34;
- (D) Despite Regulation 10.5.40.10(1), the height of a **building** is the distance between the Canadian Geodetic Elevation of 173.10 metres and the elevation of the highest point of the **building** or **structure**;
- (E) Despite Regulation 10.5.40.10(1) and 10.60.40.10(1), the permitted maximum height of each **building** or **structure** is the numerical value, in metres, following the letters "HT" on Diagram 6 of By-law 86-2023(OLT);
- (F) Despite Regulations 10.5.50.10 (1), (2), and (3), a minimum of 4,800 square metres of **landscaping** must be provided on the lands;
- (G) Despite Regulation 10.60.40.10(2), the permitted maximum number of **storeys** in a **building** or **structure** is the number following the letters "ST" on Diagram 6 of By-law 86-2023(OLT);
- (H) 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** provided such elements and **structures** do not exceed the height shown on Diagram 6 of By-law 86-2023(OLT);
- (I) Despite Regulation 10.60.30.20(1), the minimum required **lot frontage** is 5.89 metres for each **dwelling unit** in a **townhouse** with every **dwelling unit** fronting directly on a **street** or a private lane;

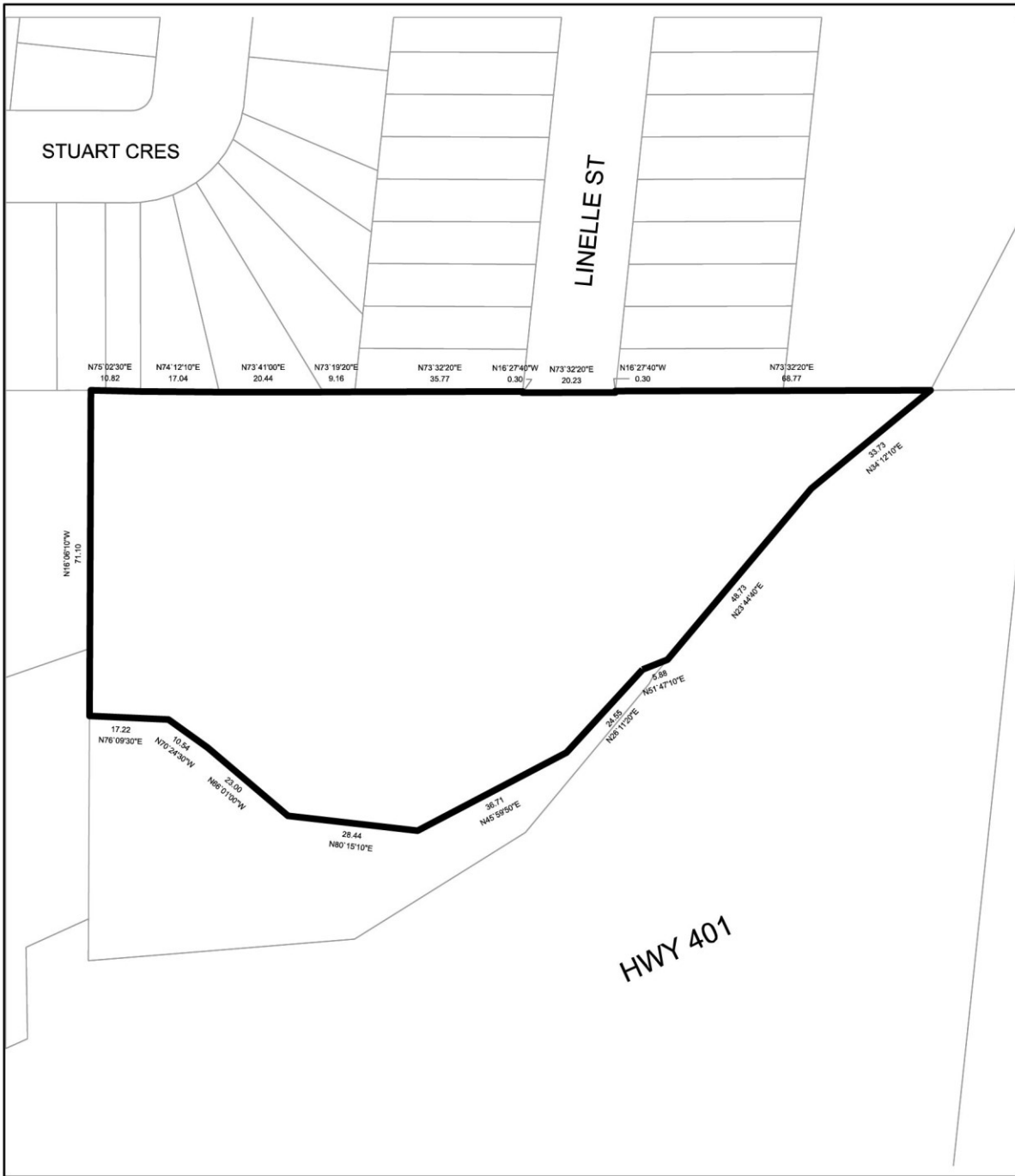
- (J) Despite Regulation 10.60.30.40(1), the maximum permitted **lot coverage** is 30 per cent of the **lot area**;
- (K) Despite Regulation 10.60.40.1(3), the required minimum width of a **dwelling unit** in a **townhouse** is 5.89 metres;
- (L) Despite Regulations 10.5.40.70(1), (2) and 10.60.40.70(1), (2) and (3), the required minimum **building setbacks** for a **townhouse** on the lands are the **building setbacks** shown on Diagram 6 of By-law 86-2023(OLT);
- (M) Despite Clause 10.60.40.80, the required minimum above-ground separation between the **main walls** of the **buildings** on the same **lot** is shown on Diagram 6 of By-law 86-2023(OLT);
- (N) Despite Clauses 10.5.40.60 and 10.5.60.60, the following elements of a **building** may encroach into the required minimum **building setbacks** and separation distances between the **main walls** of **buildings** as shown on Diagram 6 of By-law 86-2023(OLT):
  - (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.
- (O) Despite (N) above, no balcony projections are permitted to encroach within a required minimum **building setback**, as shown on Diagram 6 of By-law 86-2023(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.
- (P) A rooftop terrace for each **dwelling unit** within a **townhouse** is permitted, provided that the rooftop terrace:
  - (i) occupies an area no greater than 40 percent of the total roof surface area of the **dwelling unit**, inclusive of the area of the roof top terrace; and
  - (ii) is no greater than 4 metres in depth measured from rear **main wall** at the roof top terrace level.
- (Q) A privacy screen on a rooftop terrace, having a minimum height of 1.8 metres, must be erected for the northernmost **dwelling unit** for Block 1, Block 3, Block 4, and Block 5;

- (R) Despite Clause 10.5.100.1, a **driveway** which leads directly to an individual **townhouse dwelling unit** may have a maximum width of 6.0 metres;
- (S) Despite Regulations 200.5.10.1(1), 200.15.10(1) and Table 200.5.10.1, **parking spaces** must be provided on the lands in accordance with the following:
- (i) A minimum of 1 residential occupant **parking space** for each **dwelling unit**; and
  - (ii) A minimum of 6 **parking spaces** for residential visitors.
- (T) Despite Regulations 200.5.1.10(2)(C) and (D), a residential visitor **parking space** that is adjacent and parallel to a **drive aisle** from which **vehicle** access is provided must have the following minimum dimensions, and may be obstructed on one side as described in Regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**:
- (i) Length - 6.7 metres;
  - (ii) Width - 2.0 metres; and
  - (iii) Vertical clearance - 2.0 metres.
- (U) Despite Regulation 200.15.1(1) to (4), a required accessible **parking space** may be provided within an attached garage of an individual **townhouse dwelling unit** and must have the following minimum dimensions:
- (i) Length of 5.6 metres;
  - (ii) Width of 3.2 metres; and
  - (iii) Vertical clearance of 2.1 metres.

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

9. 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.
10. 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 one **storey retail store** in a **building or structure**, used exclusively for the sale, rental or lease of a **townhouse** to be constructed on the **lot** in the RT Zone to which By-law 86-2023(OLT) applies. Section 10 of this By-law shall expire on December 12, 2025.

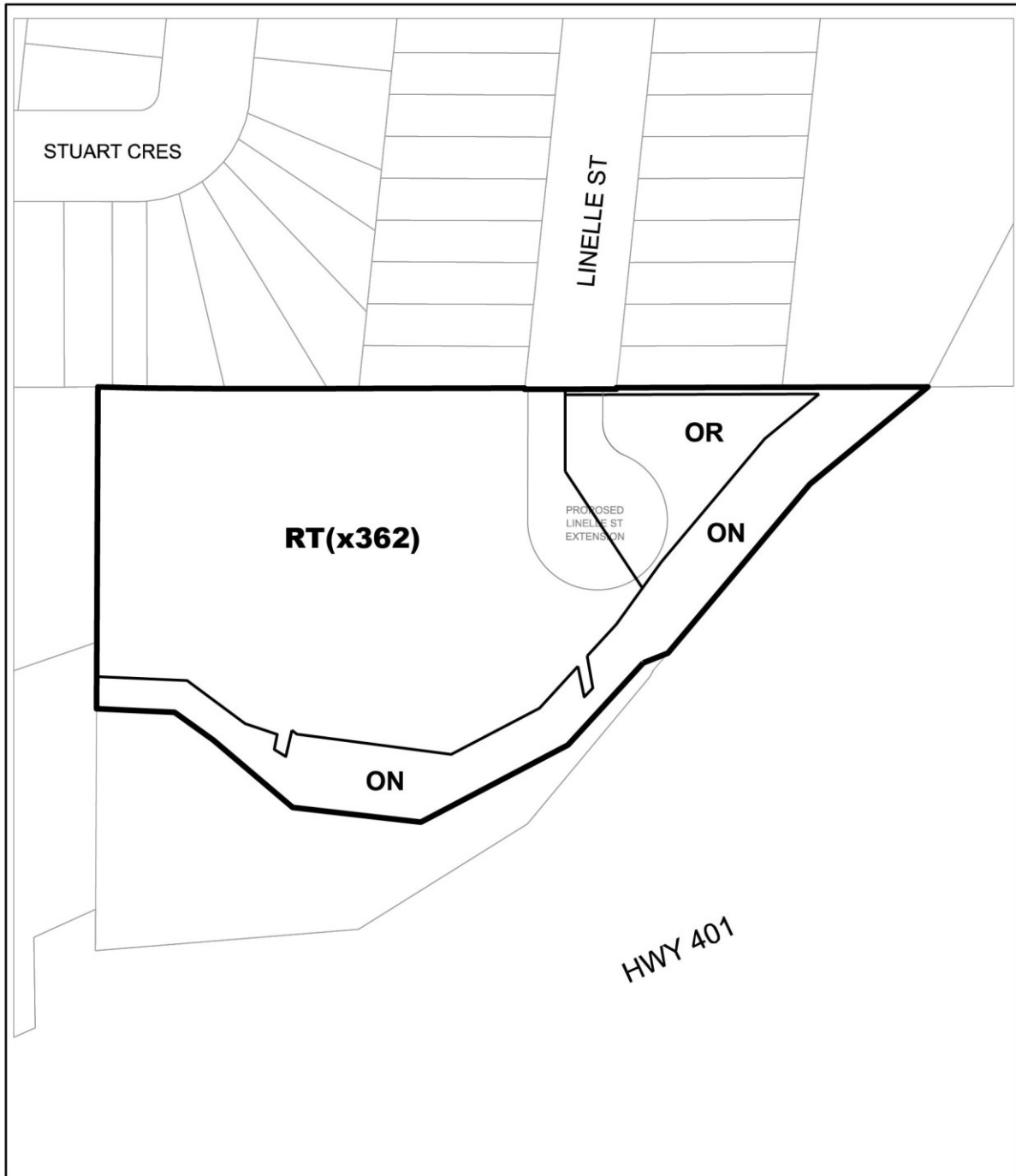
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Diagram 1

**57 Linelle Street**

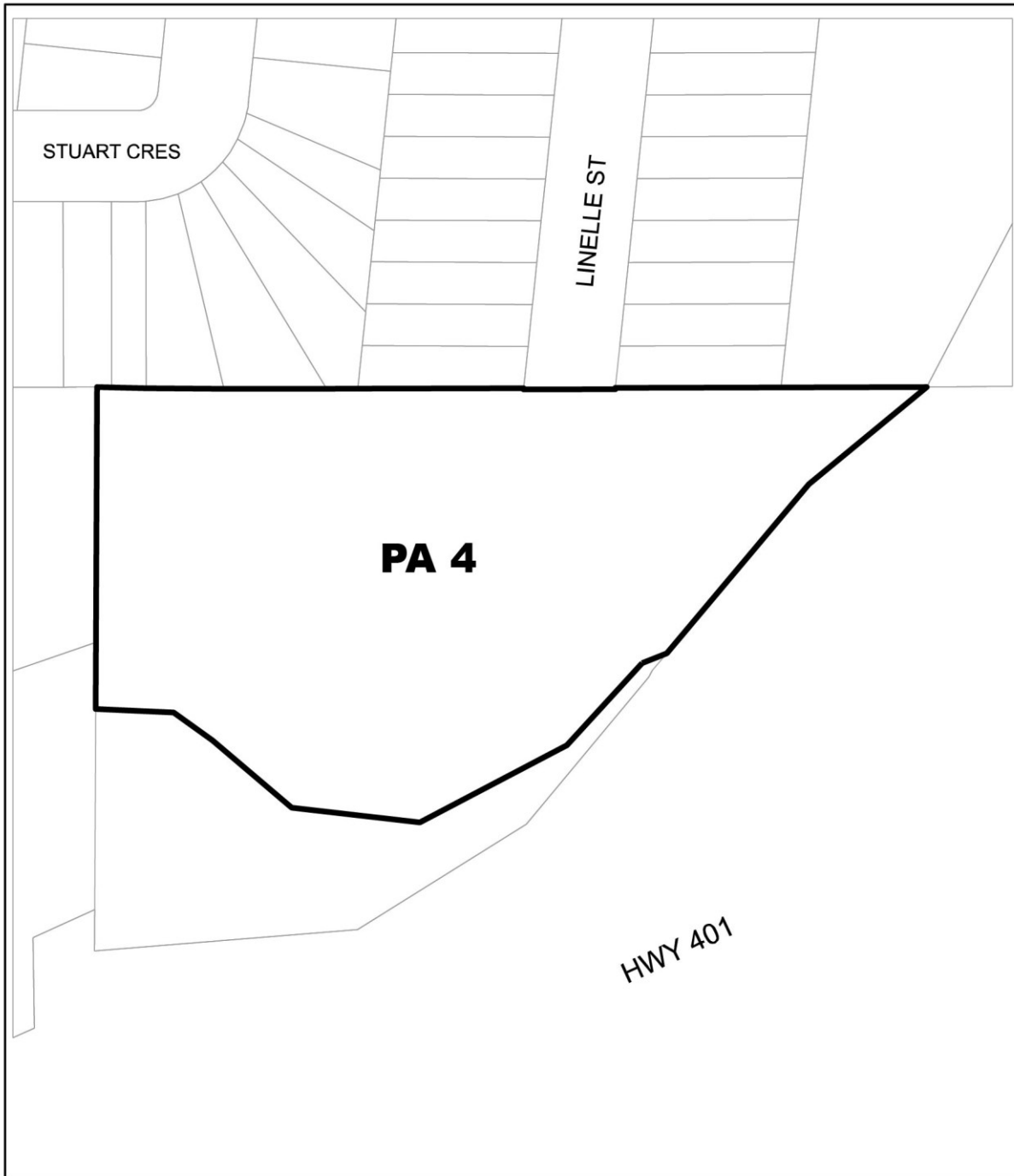
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Diagram 2

**57 Linelle Street**

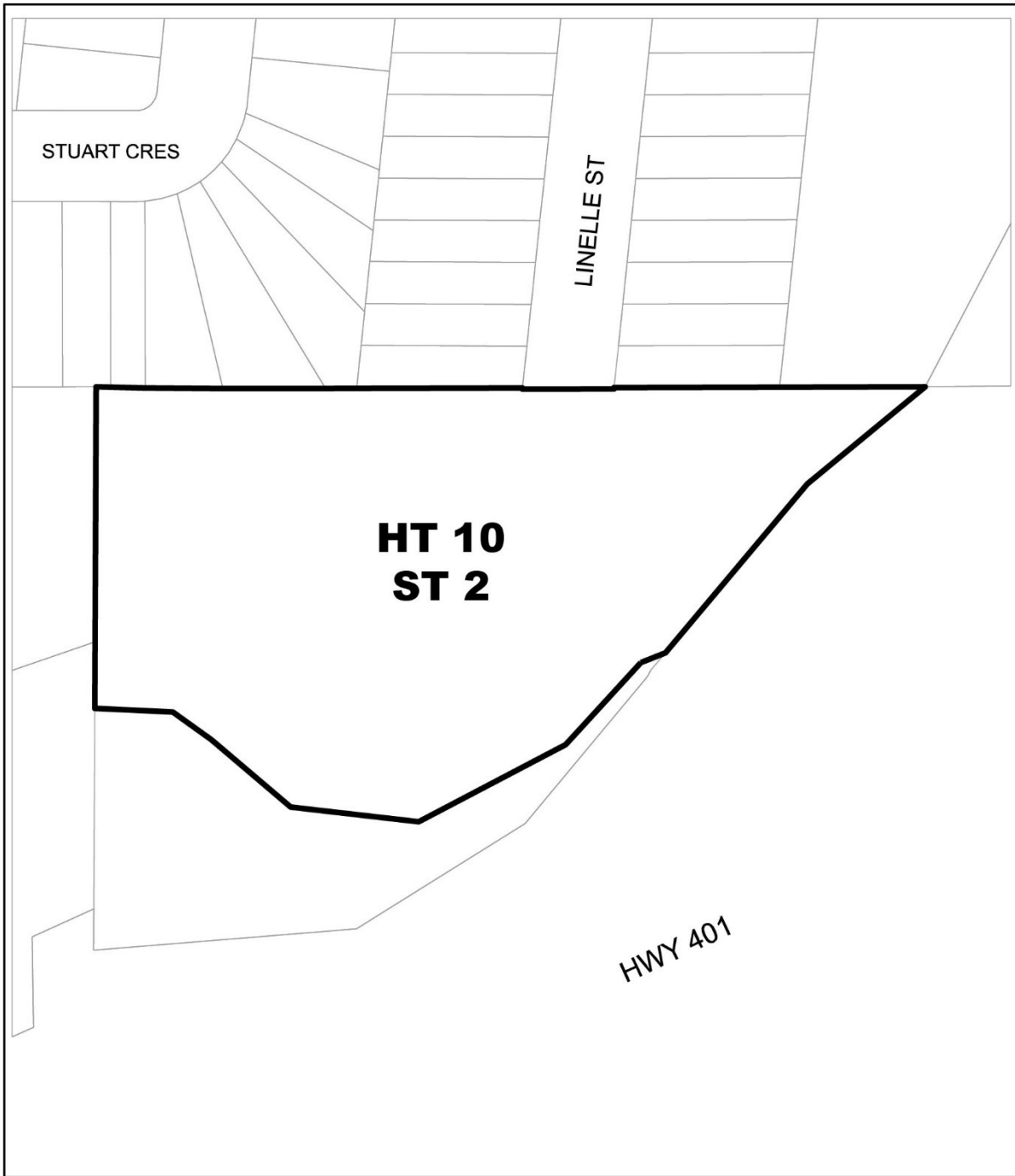
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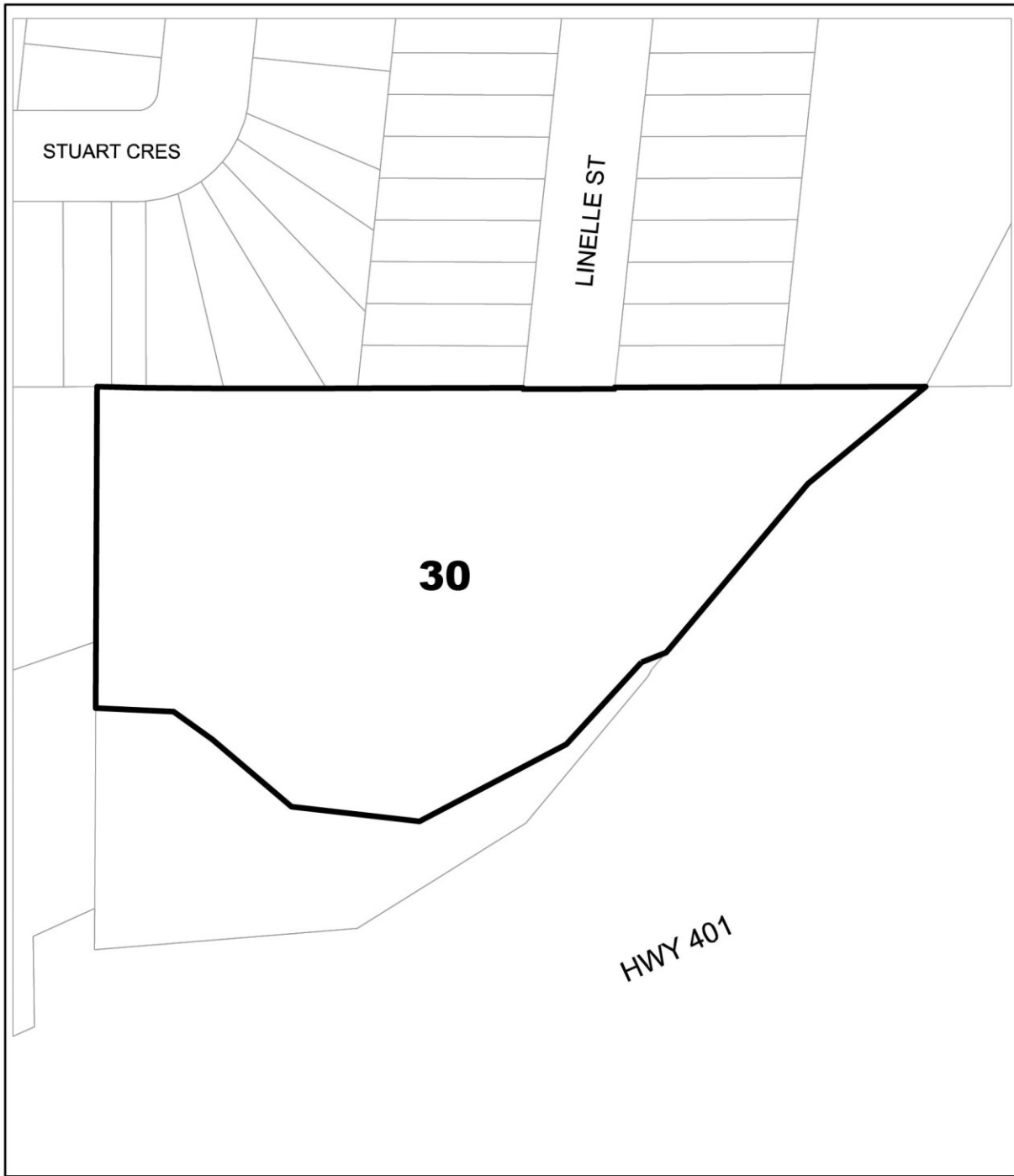


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Diagram 3

**57 Linelle Street**

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Diagram 5

**57 Linelle Street**

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Diagram 6

57 Linelle Street

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-  Parkland dedication
-  TRCA lands

  
City of Toronto By-law 569-2013  
Not to Scale  
08/29/2022