

Authority: Local Planning Appeal Tribunal decision issued on May 12, 2020 and Ontario Land Tribunal Order dated November 8, 2022 in Tribunal Case OLT-22-004581

CITY OF TORONTO

BY-LAW 106-2023(OLT)

To amend Zoning By-law 569-2013, as amended, respecting the lands municipally known in 2021 as 2932, 2934, 2936, 2938, 2940 and 2942 Bayview Avenue.

Whereas the Local Planning Appeal Tribunal in its decision issued on May 12, 2020 and the Ontario Land Tribunal Order dated November 8, 2022 in Tribunal Case OLT-22-004581, in hearing an appeal under Section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, ordered the amendment of City of Toronto By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 2932-2942 Bayview Avenue;

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. 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 RD (f10.0; a400) (1305) and RT (u16) (363), and, as shown on Diagram 2 attached to this By-law.
3. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.3.10 Exception Number 1305 so that it reads:

(1305) Exception RD 1305

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 the portion of 2932, 2934, 2936, 2938, 2940, and 2942 Bayview Avenue subject to the zone label RD (f10.0; a 400) (1305), **detached houses** may be constructed, used, or enlarged, provided the **buildings** or **structures** comply with subsections (B) to (L) below;
- (B) Despite Regulation 10.5.40.10 (1), the **established grade** for Lot 1 is the Canadian Geodetic Datum elevation of 176.18 metres and the **established grade** for Lot 2 is the Canadian Geodetic Datum elevation of 177.71 metres;
- (C) Despite Regulation 10.20.40.10 (1) the permitted maximum height of a **building** or **structure** is numerical value, in metres, following the letters "HT" on Diagram 3;

- (D) Despite Regulation 10.20.40.10(4), and (C) above, a parapet may exceed the permitted maximum height shown on Diagram 3 of By-law 106-2023(OLT), to a maximum of 0.3 metres;
- (E) Regulation 10.20.40.10 (2) shall not apply;
- (F) Despite Regulation 10.20.40.10 (3) and 10.20.40.10 (4), the maximum number of **storeys** shall not apply;
- (G) Despite Clause 10.5.40.60, a platform, deck, or exterior stair may encroach into a required **rear yard setback** by a maximum of 4 metres. Additionally, a canopy may encroach into a required **setback** to the extent of the property line;
- (H) Despite Regulation 10.5.50.10(1), a minimum of 55 percent of the **front yard landscaping** must be **soft landscaping**;
- (I) Despite Regulation 10.20.30.40, the maximum **lot coverage** shall be 30 percent;
- (J) Despite Regulation 10.20.40.10(6) the elevation of the lowest point of a main pedestrian entrance through the **front wall** or a side **main wall** may be no higher than 1.35 metres above **established grade**;
- (K) Despite Regulation 10.20.40.20(1) the permitted maximum **building length** for a **detached house** is 19.5 metres;
- (L) Despite Regulation 10.20.40.70, the permitted **front yard setbacks**, **rear yard setbacks**, and **side yard setbacks** shall be as shown on Diagram 4 of this by-law;
- (M) Despite Regulation 10.5.40.60(1)(D), a platform with a floor higher than the first **storey** of a **building** above **established grade** may encroach into a **rear yard setback** as permitted in Section 3(F) of this By-law, including if it is closer to a **side lot line** than 90 percent of the required **side yard setback**.

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

4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.5.10 Exception Number 363 so that it reads:

(363) Exception RT 363

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 the portion of 2932, 2934, 2936, 2938, 2940, and 2942 Bayview Avenue subject to the zone label RT (u16) (363), **townhouses** may be constructed, used, or enlarged, provided the **buildings** or **structures** comply with subsections (B) to (M) below;

- (B) Despite Regulation 10.5.40.10 (1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 176.71 metres on Block 1, and of 177.39 metres on Block 2, and the elevation of the highest point of the **building** or **structure** on each of the respective Blocks;
- (C) Regulation 10.5.40.50 (4) shall not apply;
- (D) Despite Regulation 10.60.40.10 (1), the permitted maximum height of a **building** or **structure** is numerical value, in metres, following the letters "HT" on Diagram 3;
- (E) Despite Regulation 10.60.40.10 (2), the maximum number of **storeys** shall not apply;
- (F) Despite Regulation 10.5.50.10(1), a minimum of 60 percent of the **front yard landscaping** must be **soft landscaping**;
- (G) Despite Regulation 10.60.30.10 (1), the minimum **lot area** shall be 2,000 square metres;
- (H) Despite Regulation 10.60.30.40, the maximum **lot coverage** shall be 58 percent;
- (I) Despite Regulation 10.60.40.1(3), the minimum width of a **dwelling unit** in a **townhouse** at its narrowest portion shall be 3.40 metres;
- (J) Despite Clause 10.60.40.70, no portion of any **building** or **structure** may extend beyond the solid lines delineating the **building** envelope on Diagram 4 of this by-law;
- (K) Despite Regulation 10.60.40.80(2), the minimum distance between side **main walls** of two residential **buildings** shall be 2.4 metres;
- (L) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, zero visitor **parking spaces** are required;
- (M) Despite Regulation 200.5.1.10(5), 2 **parking spaces**, oriented in tandem, are permitted for each **townhouse dwelling unit**.

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

Pursuant to the Decision of the Local Planning Appeal Tribunal issued on May 12, 2020 and Order of the Ontario Land Tribunal dated November 8, 2022 in Tribunal Case OLT-22-004581.

Diagram 1



Diagram 2



Diagram 3



