

Authority: Ontario Land Tribunal Decision issued on March 18, 2021 and Ontario Land Tribunal Order issued on July 27, 2023 in Tribunal File PL200154/OLT-22-003582

CITY OF TORONTO

BY-LAW 1221-2023(OLT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 16 Kirtling Place.

Whereas the Ontario Land Tribunal, in its Decision issued on March 18, 2021 and its Order issued on July 27, 2023, in file PL200154/OLT-22-003582, 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 Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 16 Kirtling Place; and

The Ontario Land Tribunal, by Order, amends By-law 569-2013 as follows:

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 from a zone label of RD (f21.0; a975) (x70) to a zone label of RT (x302) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.5.10. Exception Number 302 so that it reads:

(302) Exception RT 302

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 16 Kirtling Place if the requirements of By-law 1221-2023(OLT) are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (O) below:
- (B) The permitted maximum number of **dwelling units** in a **townhouse** on the **lot** is 7;
- (C) For the purpose of this regulation, **established grade** is the Canadian Geodetic Datum of 163.175 metres;

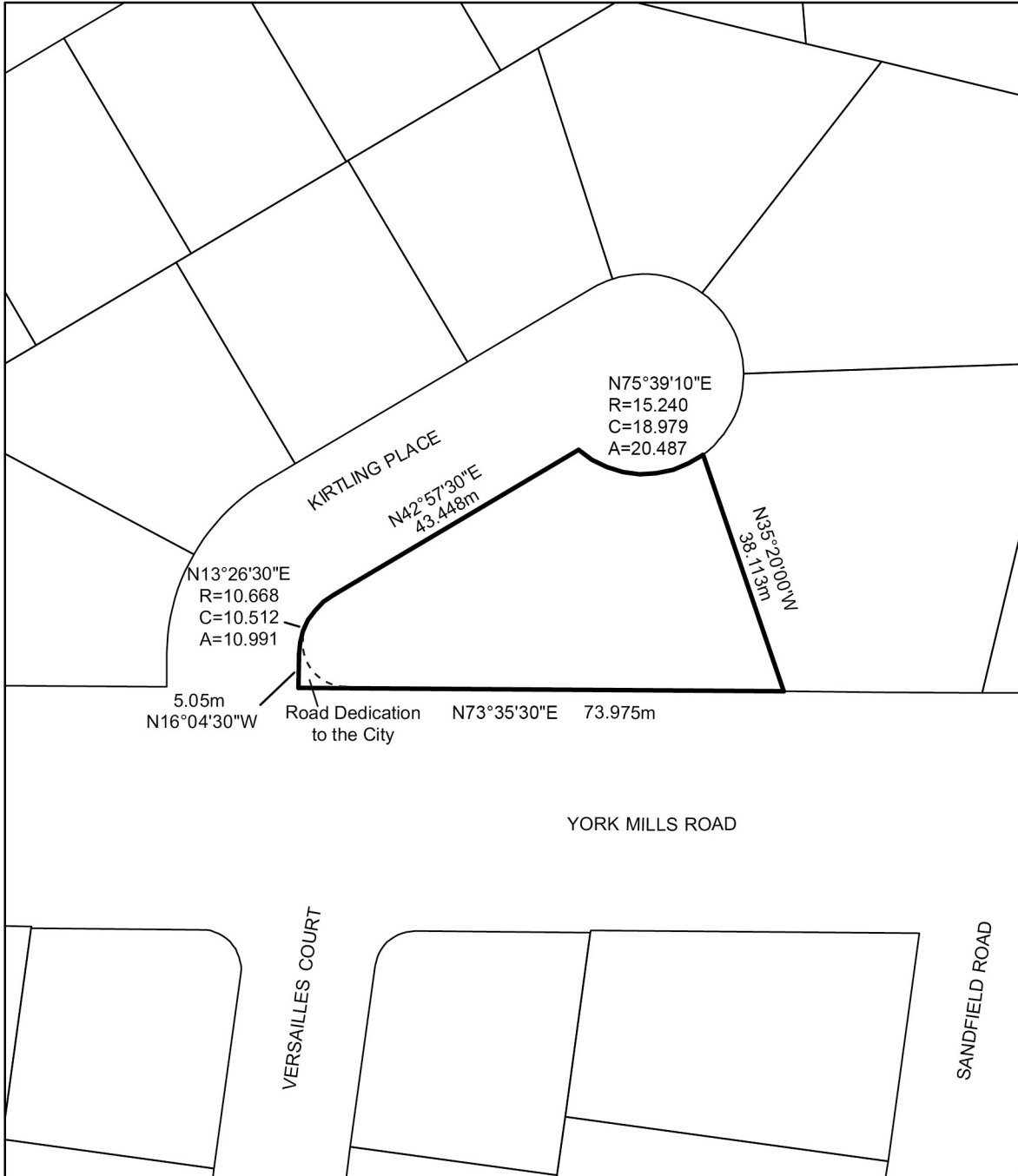
- (D) Despite Regulation 5.10.30.20(1), the **front lot line** is the **lot line** abutting Kirtling Place;
- (E) Despite Clause 10.5.40.60, the following **building** elements, **structures** and projections are permitted to encroach into the required minimum **building setbacks** as shown on Diagram 3 of By-law 1221-2023(OLT), as follows:
- (i) Excavated and unexcavated porches and decks shall be permitted to project into the required rear yard to a maximum of 2.50 metres from the rear main wall for townhouse dwelling units 1 to 3, and 3.0 metres from the rear main wall for **townhouse** dwelling units 4 to 7;
 - (ii) Excavated and unexcavated porches and exterior stairs shall be permitted to project into the required front yard to a maximum of 2.5 metres for unit 1, 3.5 metres for unit 2, 3.2 metres for unit 3, 2.1 metres for unit 4, 2.6 metres for units 5 to 6 and 2.4 metres for unit 7;
 - (iii) Exterior stairs shall be permitted to project into the required side yard to a maximum of 2.45 metres for unit 1 and 2.7 metres for unit 7;
 - (iv) A pilaster, bay window, decorative column, cornice, sill, belt course or other similar architectural feature to a maximum extent of 1.0 metre;
 - (v) An **ancillary building** or **structure** with the maximum size of 1.1 metres in height x 1.2 metres in depth x 2.5 metres in width for waste receptacle;
- (F) Despite Regulation 10.5.50.10(1)(D), a minimum of 55 percent of the required **front yard landscaping** must be **soft landscaping**;
- (G) Despite Regulation 10.5.60.10(1), an **ancillary building** or **structure** with the maximum size of 1.1 metres in height x 1.2 metres in depth x 2.5 metres in width for waste receptacle use can be located in a **front yard** per **dwelling unit** in a **townhouse**;
- (H) Despite Regulation 10.60.30.20(1)(B), the required minimum **lot frontage** is 5.7 metres for each **dwelling unit** in a **townhouse**;
- (I) Despite Regulation 10.60.30.40(1)(A), the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 49 percent;
- (J) Despite Regulation 10.60.40.10(1)(A), the permitted maximum height of all **buildings** or **structures** on the **lot** are as shown in metres on Diagram 3 of By-law 1221-2023(OLT);
- (K) Despite Clause 10.60.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 1221-2023(OLT);

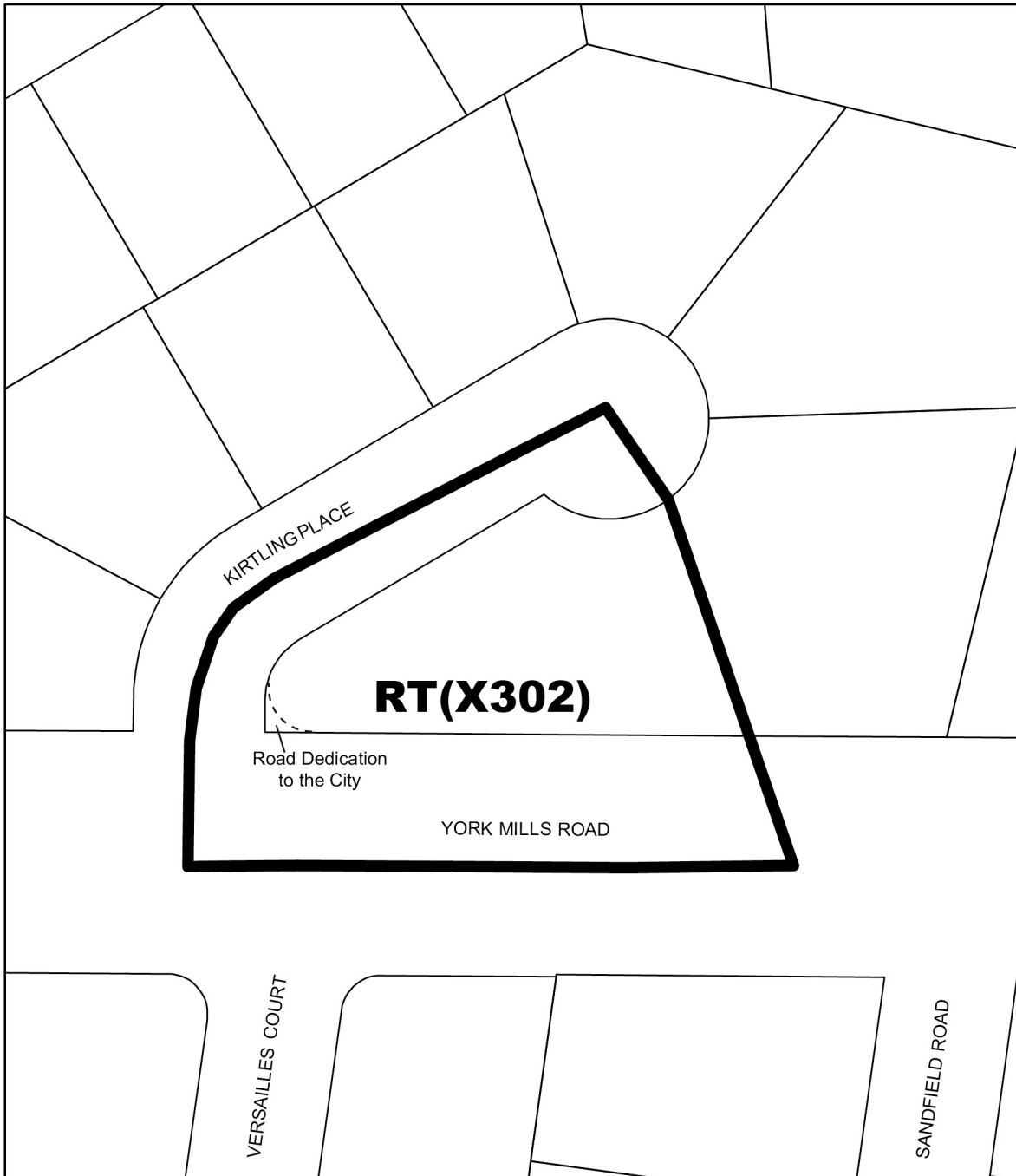
- (L) Despite Clause 10 60.40.80, the required distance between main walls of the same **townhouse** are as shown in metres on Diagram 3 of By-law 1221-2023(OLT);
- (M) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of two visitor **parking spaces** are required to be provided on the **lot**;
- (N) Regulation 200.5.1.10(2)(A)(iv) requiring the minimum width of a **parking space** to be increased by 0.3 metres for each side of the **parking space** obstructed according to Regulation 200.5.1.10(2)(D), does not apply;
- (O) Despite Regulation 200.15.10.10, accessible **parking spaces** are not required to be provided.

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

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

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 **TORONTO**
Diagram 2

16 Kirtling Place

File # 19 244284 NNY 15 0Z



