

Authority: Ontario Land Tribunal Decision issued on December 30, 2022, and Ontario Land Tribunal Order issued on September 6, 2023 in File OLT-21-001332

## **CITY OF TORONTO**

### **BY-LAW 1340-2023(OLT)**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 1615-1641 Kingston Road and 50-52 Birchcliff Avenue.**

Whereas the Ontario Land Tribunal, in its Decision issued on December 30, 2022, and in its Order issued on September 6, 2023, in file OLT-21-001332, in hearing an appeal under Sections 22(7) and 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 1615-1641 Kingston Road and 50-52 Birchcliff Avenue; 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;

The Ontario Land Tribunal, by Order, amends Zoning 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 adding the lands municipally known in the year 2022 as 1615-1641 Kingston Road to the Zoning By-law Map in Section 990.10 and applying the following zone labels to these lands: CR 3.5 (c3.5, r3.5) SS2 (x887) as shown on Diagram 2 attached to this By-law.
4. 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 municipally known in the year 2022 as 50 Birchcliff Avenue from a zone label of RD (f15.0)(x256) to a zone label of RM (x413) as shown on Diagram 2 attached to this By-law.
5. 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 municipally known in the year 2022 as 52 Birchcliff Avenue from a zone label of RD (f12.0)(x261) to a zone label of RM (x413) as shown on Diagram 2 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2022 as 1615-1641 Kingston Road to the Policy Areas Overlay Map in Section 995.10.1, and applying no label.

7. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2022 as 1615-1641 Kingston Road to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 20, ST 6 as shown on Diagram 3 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2022 as 1615-1641 Kingston Road to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
9. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2022 as 1615-1641 Kingston Road to the Rooming House Overlay Map in Article 995.40.1, and applying no value.
10. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number 887 so that it reads:

**(887) Exception CR 887**

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 lands municipally known in the year 2022 as 1615-1641 Kingston Road, identified as Parcel A on Diagram 1 attached to By-law 1340-2023(OLT), if the requirements of By-law 1340-2023(OLT) are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (MM) below;
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 135.30 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Clause 40.10.30.40, the maximum **lot coverage**, as a percentage of the **lot area** is 80 percent;
- (D) Despite Regulation 40.10.40.1(1), **dwelling units** and all other residential uses listed in regulations 40.10.20.10(1)(B) and 40.10.20.20(1)(B), and areas **ancillary** to residential uses, such as lobby access and **amenity space**, may be located on the first **storey** of the **building** or above the Canadian Geodetic Datum of 131.90 metres;
- (E) Regulation 40.10.40.1(6) regarding location of entrances when abutting residential does not apply;
- (F) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 4 of By-law;

- (G) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 2.7 metres;
- (H) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** is 9;
- (i) For the purposes of this exception, an elevator overrun, elevator entrance, elevator lobby and stairs enclosure providing access to the rooftop **amenity space** or a level located below the Canadian Geodetic Datum elevation of 135.30 does not constitute a **storey**;
- (I) Despite Regulations 40.5.40.10(3), (4), (5), (6), (7), and (8) and (F) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 of By-law 1340-2023(OLT);
- (i) equipment used for the functional operation of the **building** including electrical, utility, enclosed stairwells, roof access, elevator shafts and overruns, garbage chutes, maintenance equipment storage, solar panels and related equipment, antennae and satellite dishes, flight warning lights, site servicing features, vents, pipes, and mechanical (including ventilation, heating and cooling equipment and elevator machine room) by a maximum of 6.0 metres;
- (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 6.0 metres;
- (iii) architectural features (including architectural flutes and ornamental elements), parapets, and elements and **structures** associated with a roof or **green roof**, by a maximum of 3.0 metres;
- (iv) **building** maintenance units, window washing equipment, by a maximum of 6.0 metres;
- (v) **landscaping** features, including planters, seating areas, decorative screens, canopies, awnings, columns, pillars and fences, wheelchair ramps, art features, balustrades, eaves, roof drainage, lightning rods, light standards and fixtures, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; and
- (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (J) Despite 40.5.40.10(5)(A), the total area of all equipment, **structures**, or parts of a **building** exceeding the permitted maximum height for a **building** may cover no more than 50 percent of the area of the roof, measured horizontally;

- (K) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 18,225.0 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 18,000 square metres; and
  - (ii) the required minimum **gross floor area** for non-residential uses is 110 square metres;
- (L) Despite Regulation 5.10.1.30(3), **dwelling units** may be located partially or entirely below the Canadian Geodetic Datum elevation of 135.30 metres;
- (M) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit** of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
  - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (N) Despite regulation 40.10.40.70(2) and 40.10.40.70(4), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law 1340-2023(OLT);
- (O) Regulations 40.10.40.60(9), 40.10.40.70(2)(E), 40.10.40.70(2)(F), and 40.10.40.70(2)(G), with respect to angular planes, do not apply;
- (P) Despite regulation 40.10.40.80(2), the required separation of **main walls** are as shown in metres on Diagram 4 of By-law 1340-2023(OLT);
- (Q) Despite Clause 40.10.40.60 and (N) and (P) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) roof overhangs, balconies, balustrades, canopies, chimneys, cornices, eaves, guardrails, parapets, landscape and **green roof** elements, waste storage and **loading space** enclosures, lighting fixtures, ornamental elements, public art features, railings, window washing equipment, terraces, decorative architectural features, privacy screens, stair enclosures, stairs, trellises, underground garage ramps, vents, wheelchair ramps, wind mitigation features and windowsills to a maximum of 1.5 metres;

- (R) Where a **dwelling unit** is located on the first **storey** and has direct access to a **street**, a **home occupation** is permitted subject to the following:
- (i) despite Regulation 150.5.20.1(6), may have employees in the **dwelling unit** who are not the business operator;
  - (ii) for the purpose of this exception, is not required to be the principal residence of the business operator for the **dwelling unit**;
  - (iii) despite Regulations 150.5.20.1(1)(A),(B),(C) and (D), may:
    - (a) sell, rent or lease physical goods directly from the **dwelling unit**;
    - (b) be a **personal service shop**;
    - (c) be an office or medical office for a professional regulated under the College of Physicians and Surgeons of Ontario; and
    - (d) be an office or medical office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended;
  - (iv) despite Regulation 150.5.20.1(2), may have clients or customers attending the **premises** for:
    - (a) consultations;
    - (b) receiving services; or
    - (c) obtaining physical goods; and
  - (v) despite Regulation 150.5.40.40, the floor area for a **home occupation** may not exceed 125 square metres;
- (S) Despite Regulation 40.10.50.10(1), no **landscaping** is required on the **lot**;
- (T) Despite Regulation 40.10.50.10(2), no fence is required to be installed along the portion of a **lot line** abutting a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (U) Despite Regulation 40.10.50.10(3), no strip of land used only for **soft landscaping** is required be provided along the part of a **lot line** abutting a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (V) Despite Regulation 40.10.90.10(1), a **loading space** may be located within a **front yard**, a **side yard** abutting a **street** or any **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category;

- (W) Regulation 40.10.90.40(2), related to **vehicle** access to a **loading space**, does not apply;
- (X) Despite Regulation 40.10.100.10(2), **vehicle** access to a **parking space** may be over part of a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (Y) Article 200.25.15 and Clause 200.25.15.2 regarding transition requirements for **parking space** regulations do not apply;
- (Z) Despite Regulation 200.5.1.10(2), a maximum of 15 percent of the required **parking spaces** on the **lot** may be obstructed 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**;
- (AA) Regulation 200.5.1.10(12) regarding **vehicle** access to a **building** does not apply;
- (BB) Despite regulation 200.5.1.10(2)(A), a maximum of 15 percent of the provided **parking spaces** on the **lot** may have the following minimum dimensions:
- (i) width of 2.6 metres;
  - (ii) length of 5.4 metres; and
  - (iii) vertical clearance of 1.8 metres;
- (CC) Despite regulation 200.5.10.1(1), Table 200.5.10.1, clause 200.15.10.5, Table 200.15.10.5 and clause 200.15.10.10, **parking spaces** must be provided in accordance with the following:
- (i) a maximum rate of 0.7 residential occupant **parking spaces** for each bachelor **dwelling unit** up to 45 square metres;
  - (ii) a maximum rate of 1.0 residential occupant **parking spaces** for each bachelor **dwelling unit** greater than 45 square metres;
  - (iii) a maximum rate of 0.8 residential occupant **parking spaces** for each one-bedroom **dwelling unit**;
  - (iv) a maximum rate of 0.9 residential occupant **parking spaces** for each two-bedroom **dwelling unit**;
  - (v) a maximum rate of 1.1 residential occupant **parking spaces** for each three-bedroom **dwelling unit**;
  - (vi) a minimum of 2 **parking spaces**, plus 0.05 residential visitor **parking spaces** per **dwelling unit**, up to a maximum of 0.15 **parking spaces** per **dwelling unit**;

- (vii) notwithstanding (i) to (vi) above, the total combined number of residential occupant or visitor **parking spaces** provided on the **lot** may not exceed 217; and
  - (viii) a minimum of 8 accessible **parking spaces** will be provided on the lands identified on Diagram 1 of By-law 1340-2023(OLT);
- (DD) Despite regulation 200.15.1(4), a maximum of 50 percent of the accessible **parking spaces** provided on the **lot** may be located further than the closest **parking spaces** to a barrier free:
- (i) entrance to a **building**;
  - (ii) passenger elevator that provides access to the first **storey** of the **building**; and
  - (iii) the shortest route from the required entrances in (i) and (ii);
- (EE) Despite Regulation 220.5.10.1(2) and (3), one Type "G" **loading space** must be provided on the **lot**;
- (FF) Despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (GG) Despite regulations 230.5.10.1(1), (3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
- (i) 0.68 "long-term" **bicycle parking spaces** for each **dwelling unit**;
  - (ii) 0.07 "short-term" **bicycle parking spaces** for each **dwelling unit**; and
  - (iii) no "long term" **bicycle parking spaces** are required for non-residential uses;
- (HH) Despite Regulation 230.5.1.10(4)(C), a **stacked bicycle parking space** must comply with the following:
- (i) a minimum length of 1.8 metres;
  - (ii) a minimum width of 0.4 metres; and
  - (iii) a minimum vertical clearance from the ground of 1.2 metres;
- (II) Despite regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be more than 30 metres from a pedestrian entrance to a **building** on the **lot**;

- (JJ) Regulation 230.5.1.10(12) regarding requirements for **bicycle maintenance facilities** does not apply;
- (KK) A portion of Parcel B as shown on Diagram 1 of By-law 1340-2023(OLT) may be used for **parking spaces, bicycle parking spaces, loading spaces**, pedestrian and **vehicular** access, waste and **recyclable materials** storage and **amenity space** to serve Parcel A as shown on Diagram 1 of By-law 1340-2023(OLT), provided that Parcel B complies with the requirements of Regulation 900.6.10(413);
- (LL) Below grade elements of **buildings** or **structures** within Parcel B as shown on Diagram 1 of By-law 1340-2023(OLT) may be connected to **buildings** or **structures** within Parcel A as shown on Diagram 1 of By-law 1340-2023(OLT), provided that Parcel B complies with the requirements of Regulation 900.6.10(413);
- (MM) Permitted encroachments and projections as set out in Regulation 900.11.10(887)(Q) of By-law 1340-2023(OLT) may project or encroach into the **building setbacks** required in Regulation 900.6.10(413)(J) for Parcel B as shown on Diagram 1 of By-law 1340-2023(OLT);
11. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number RM 413 so that it reads:

**(413) Exception RM 413**

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 lands municipally known in the year 2022 as 50-52 Birchcliff Avenue, identified as Parcel B on Diagram 1 attached to By-law 1340-2023(OLT), if the requirements of By-law 1340-2023(OLT) are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (FF) below;
- (B) Despite Regulation 10.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 132.00 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulations 10.80.40.10(1) and (3), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 4 of By-law 1340-2023(OLT);
- (D) Despite Regulations 10.5.40.10(2), (3) and (4), and (C) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 of By-law 1340-2023(OLT):

- (i) equipment used for the functional operation of the **building** including electrical, utility, enclosed stairwells, roof access, elevator shafts and overruns, garbage chutes, maintenance equipment storage, solar panels and related equipment, antennae and satellite dishes, flight warning lights, site servicing features, vents, pipes, and mechanical, including ventilation, heating and cooling equipment and elevator machine room by a maximum of 6.0 metres;
  - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 6.0 metres;
  - (iii) architectural features (including architectural flutes and ornamental elements), parapets, and elements and **structures** associated with a roof or **green roof**, by a maximum of 3.0 metres;
  - (iv) **building** maintenance units, window washing equipment, by a maximum of 6.0 metres;
  - (v) **landscaping** features, including planters, seating areas, decorative screens, canopies, awnings, columns, pillars and fences, wheelchair ramps, art features, balustrades, eaves, roof drainage, lightning rods, light standards and fixtures, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; and
  - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (E) Despite Regulation 10.80.40.10(3), the permitted maximum number of **storeys** is four;
- (F) Despite Regulation 10.80.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 2,500 square metres, of which the required minimum **gross floor area** for residential uses is 2,210 square metres;
- (G) Despite Regulation 5.10.1.30(3), **dwelling units** may be located partially below the Canadian Geodetic Datum elevation of 132.00 metres;
- (H) Regulation 10.5.40.10(4) regarding horizontal limits on elements for the functional operation of a **building** does not apply;
- (I) **Amenity space** must be provided at the following rate:
- (i) at least 1.5 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit**;

- (iii) Outdoor **amenity space** on Parcel 2 as shown on Diagram 1 of By-law 1340-2023(OLT) may be available for the use by the occupants and visitors of a **building** within Parcel By-law 1340-2023(OLT) for recreational and social activities; and
- (iv) Outdoor **amenity space** is not required to be located contiguously with indoor **amenity space**;
- (J) Despite Clauses 10.5.40.70 and 10.80.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law 1340-2023(OLT);
- (K) Despite Clause 10.80.40.80, the required minimum above-ground separation distance between any **main wall** of a **building** on Parcel A and any **main wall** of a **building** on Parcel B is as shown in metres on Diagram 4 of By-law 1340-2023(OLT);
- (L) Despite Clauses 10.5.40.60, 10.5.40.50 and (K) above, the following **building elements** and **structures** are permitted to encroach into the required **building setbacks** as follows:
  - (i) roof overhangs, balconies, balustrades, canopies, chimneys, cornices, eaves, guardrails, parapets, landscape and **green roof** elements, waste storage and **loading space** enclosures, lighting fixtures, ornamental elements, public art features, railings, window washing equipment, terraces, decorative architectural features, privacy screens, stair enclosures, stairs, trellises, underground garage ramps, vents, wheelchair ramps, wind mitigation features and windowsills to a maximum of 1.5 metres;
- (M) Regulation 10.80.40.30(1), with respect to maximum **building depth**, does not apply;
- (N) Despite Regulation 10.5.50.10(4), a **lot** with an **apartment building** must have:
  - (i) A minimum of 30 percent of the area of the **lot** for **landscaping**; and
  - (ii) A minimum of 30 percent of the **landscaping** area required in (i) above must be **soft landscaping**;
- (O) Despite Regulation 10.5.50.10(5), no **soft landscaping** strip is required along any part of a **lot line** abutting another **lot** in the Residential Zone category;
- (P) Despite Clause 10.80.30.40, the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 50 percent;
- (Q) Regulation 10.5.100.1(4), with respect to the maximum width of a **driveway** does not apply;

- (R) Regulation 10.5.80.1(2) regarding **ancillary** outdoor areas used for parking does not apply;
- (S) Clauses 10.5.80.10 and 10.5.80.30 regarding the location of **parking spaces** do not apply;
- (T) Regulation 10.5.100.1(5), with respect to **driveway** access to an **apartment building**, does not apply;
- (U) Regulation 10.5.150.1(1), with respect to waste and **recyclable material** storage, does not apply;
- (V) Article 200.25.15 and Clause 200.25.15.2 regarding transition requirements for **parking space** regulations do not apply;
- (W) Despite Regulation 200.5.1.10(2), a maximum of 15 percent of the required **parking spaces** may be obstructed 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**;
- (X) Regulation 200.15.1(4) and 200.15.10.5(1), with respect to the location of accessible **parking spaces** do not apply to a **building** on Parcel B as shown on Diagram 4 of By-law 1340-2023(OLT) provided the requirements of Regulation 900.11.10(887)(CC) are complied with;
- (Y) Regulation 220.5.10.1(2) with respect to **loading spaces** does not apply to a **building** on Parcel B as shown on Diagram 4 of By-law 1340-2023(OLT) provided the requirements of Regulation 900.11.10(887)(EE) of By-law 1340-2023(OLT) are complied with;
- (Z) Despite regulation 230.10.1.20(2), a "short-term" **bicycle parking space** may be more than 30 metres from a pedestrian entrance to a **building** on the **lot**;
- (AA) Regulation 230.5.1.10(12) regarding requirements for **bicycle maintenance facilities** does not apply;
- (BB) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, 13 **parking spaces** must be provided;
- (CC) Despite regulations 230.5.10.1(1), (3) and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
  - (i) 0.68 "long-term" **bicycle parking spaces** for each **dwelling unit**; and
  - (ii) 0.07 "short-term **bicycle parking spaces** for each **dwelling unit**;

- (DD) Despite Regulation 230.5.1.10(4), a **bicycle parking space** must comply with the following:
- (i) the minimum dimension of a **bicycle parking space** is:
    - (a) a minimum length of 1.8 metres;
    - (b) a minimum width of 0.6 metres; and
    - (c) a minimum vertical clearance from the ground of 1.9 metres;
  - (ii) the minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:
    - (a) a minimum length or vertical clearance of 1.9 metres;
    - (b) a minimum width of 0.6 metres; and
    - (c) a minimum horizontal clearance from the wall of 1.2 metres;
  - (iii) for a **stacked bicycle parking space**, the minimum vertical clearance for each **bicycle parking space** is 1.2 metres and the minimum width for each **bicycle parking space** is 0.4 metres;
- (EE) A portion of Parcel A as shown on Diagram 1 of By-law 1340-2023(OLT) may be used for **parking spaces, bicycle parking spaces, loading spaces, pedestrian and vehicular access, waste and recyclable materials storage and amenity space** to serve Parcel B as shown on Diagram 1 of By-law 1340-2023(OLT), provided that Parcel A complies with the requirements of Regulation 900.11.10(887);
- (FF) Below grade elements of **buildings or structures** within Parcel A as shown on Diagram 1 of By-law 1340-2023(OLT) may be connected to **buildings or structures** within Parcel B as shown on Diagram 1 of By-law 1340-2023(OLT), provided that Parcel A complies with the requirements of Regulation 900.11.10(887);

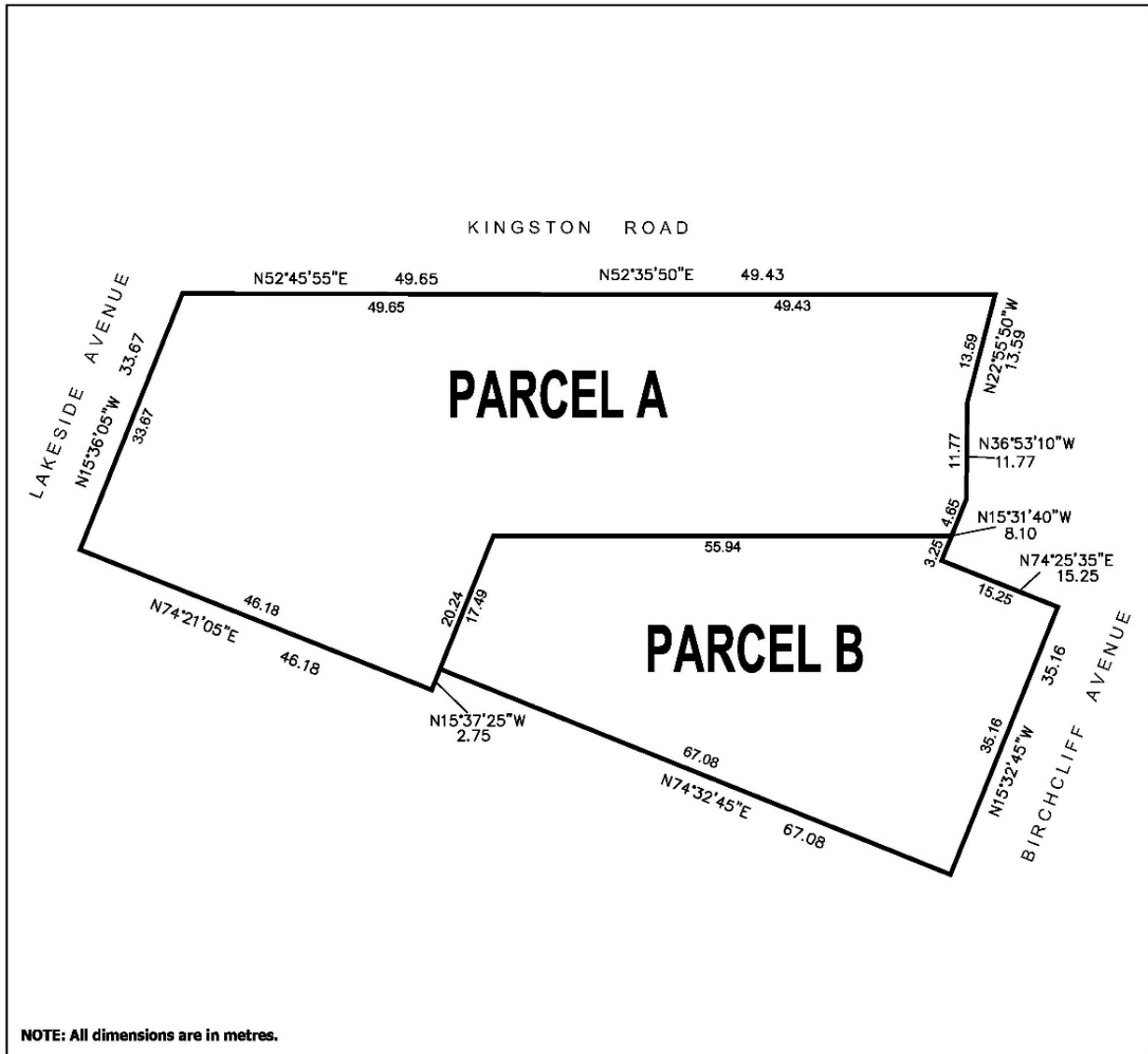
Prevailing By-laws and Prevailing Sections: (None apply).

12. 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.
13. Temporary use(s):

None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of a **retail store** and/or office on the the lands municipally known in the year 2022 as 1615-1641 Kingston Road and 50-52 Birchcliff Avenue for the purpose of sales and leasing of **dwelling units** or construction management, for a period of not more than 3 years from the date this By-law comes into full force and effect.

Pursuant to the Decision of the Ontario Land Tribunal issued on December 30, 2022, and the Ontario Land Tribunal Order issued on September 6, 2023 in File OLT-21-001332.

Diagram 1



1615-1641 Kingston Road & 50-52 Birchcliff Avenue

Diagram 1

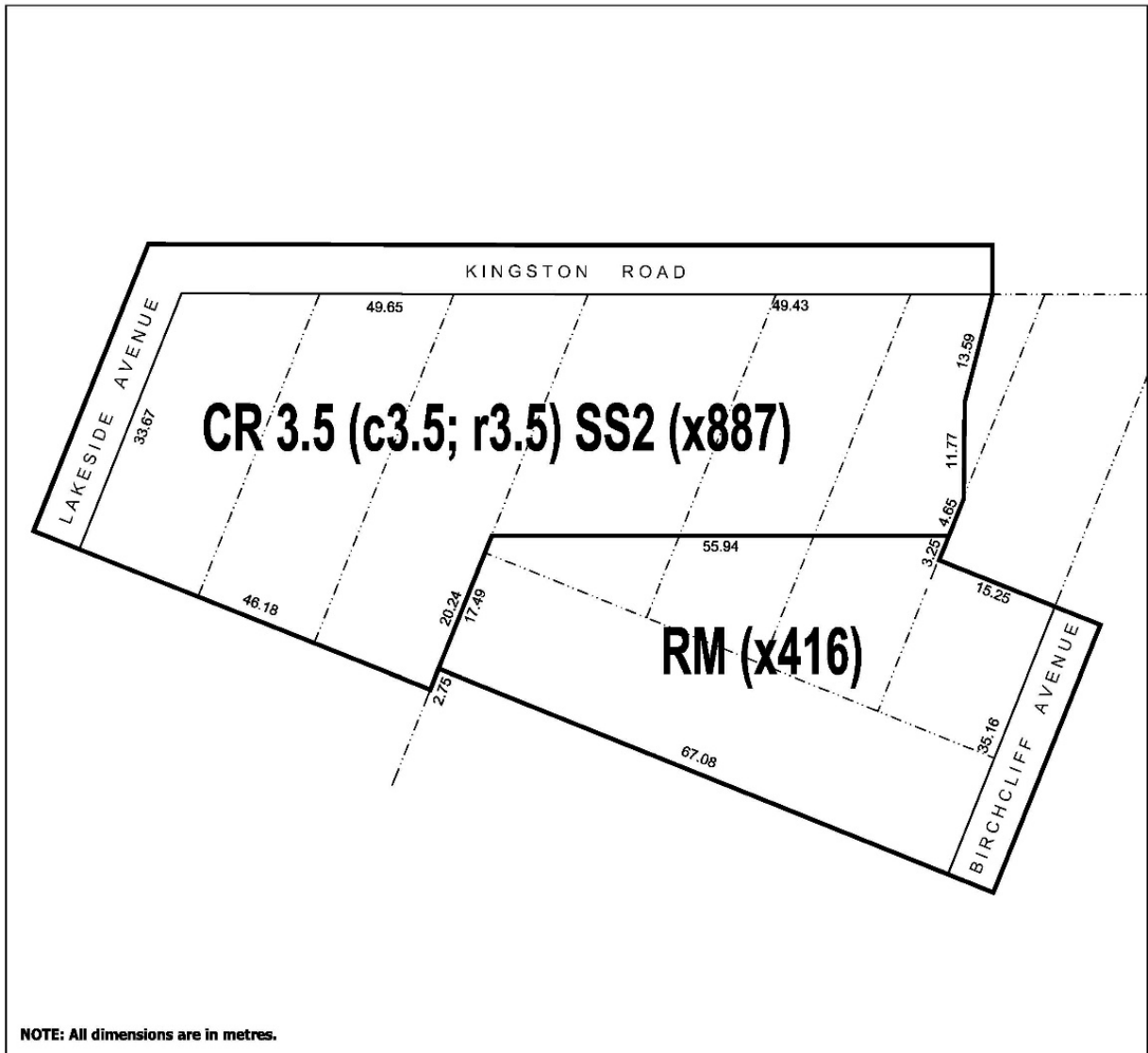
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Not to Scale



City of Toronto By-law 569-2013

Diagram 2



NOTE: All dimensions are in metres.



1615-1641 Kingston Road & 50-52 Birchcliff Avenue

Diagram 2

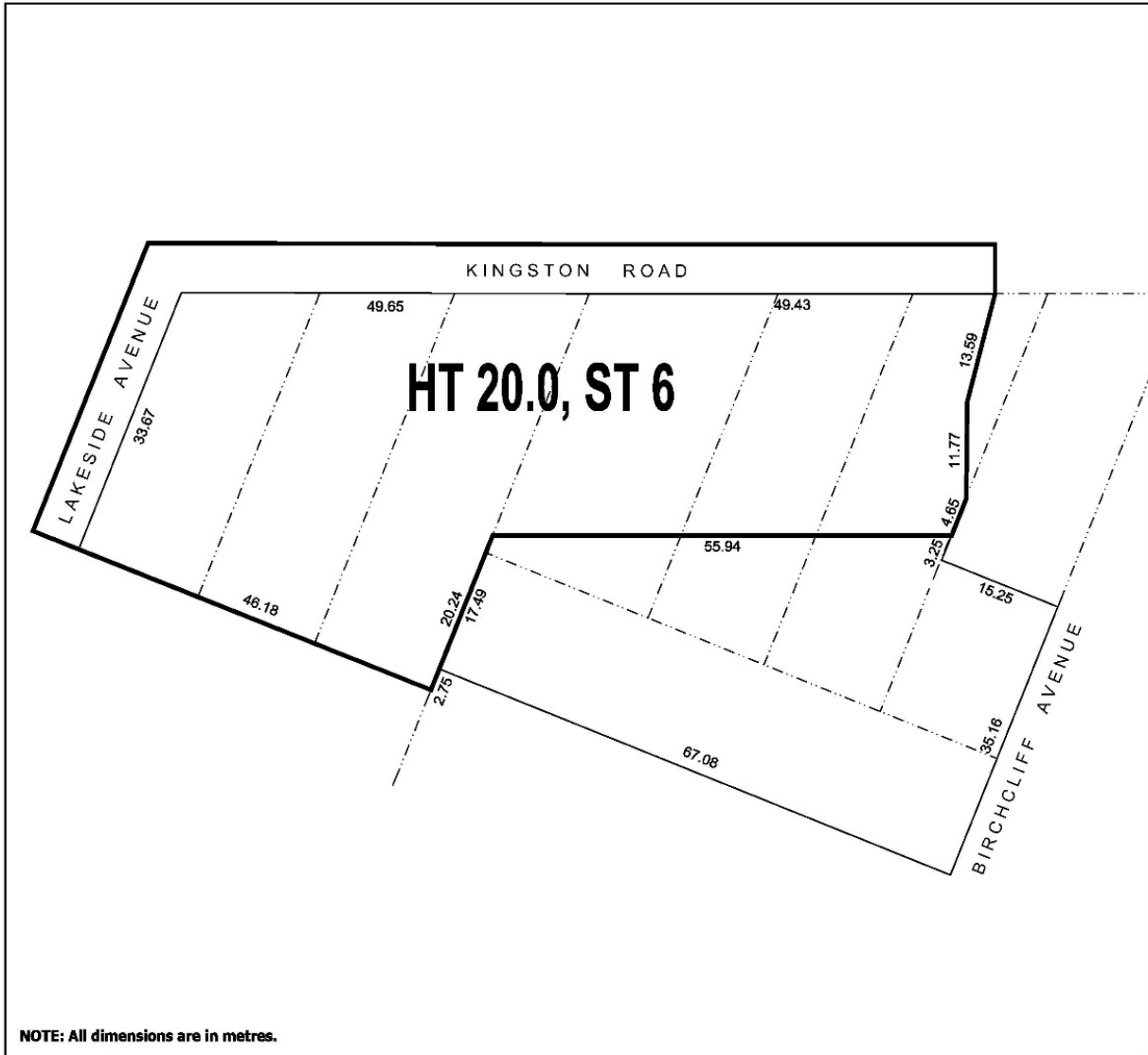
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Not to Scale



City of Toronto By-law 569-2013

Diagram 3



1615-1641 Kingston Road & 50-52 Birchcliff Avenue

Diagram 3

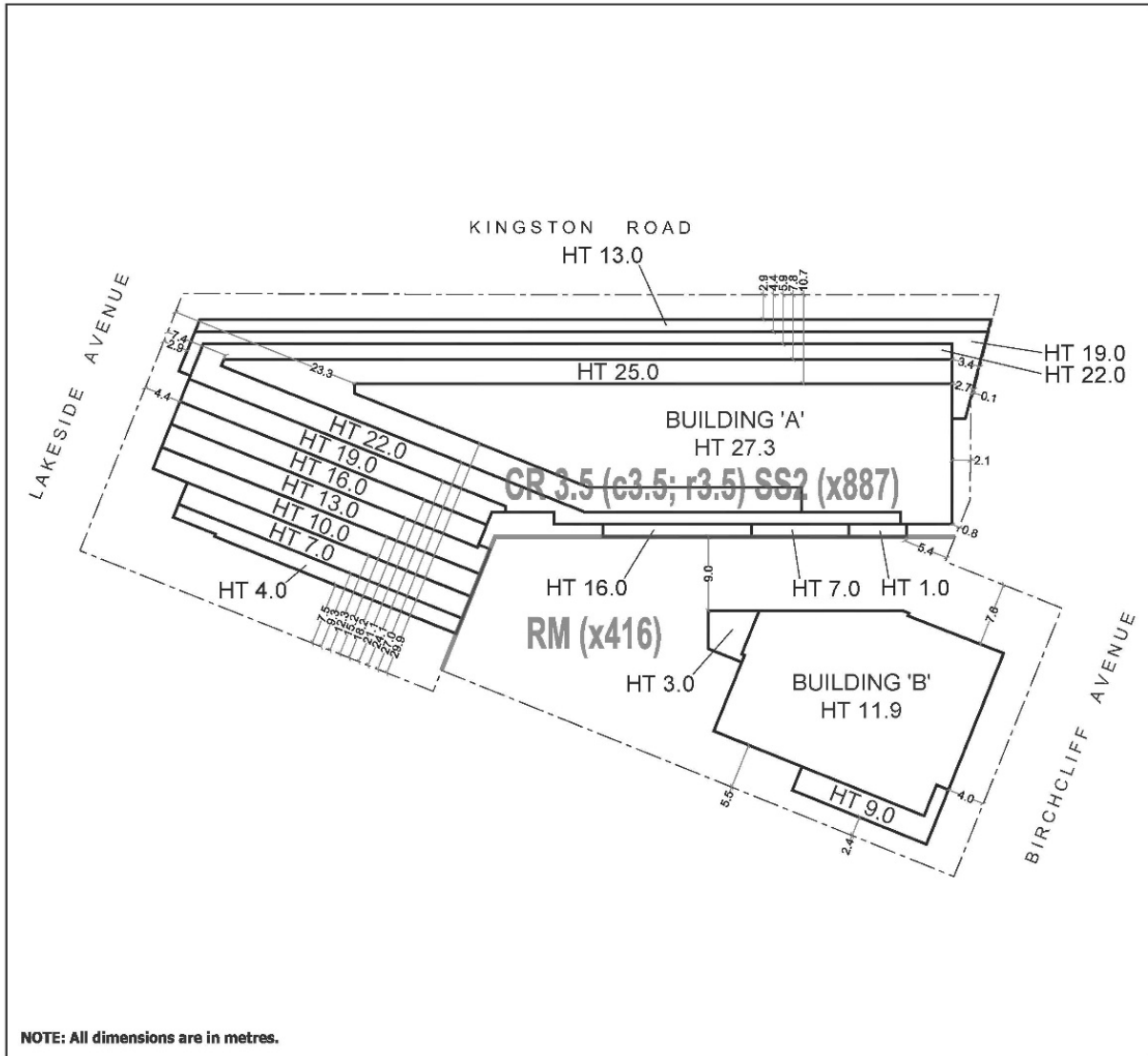
File #19 \_\_\_\_\_

Not to Scale



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Diagram 4



1615-1641 Kingston Road & 50-52 Birchcliff Avenue

Diagram 4

File #19 \_\_\_\_\_

Not to Scale



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