

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** January 13, 2025

**CASE NO(S).:**

OLT-24-000837

**PROCEEDING COMMENCED UNDER** subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	2856973 Ontario Inc.
Subject:	Proposed Official Plan Amendment No. 727
Description:	OPA 727- Townhouses and small-scale apartment buildings
Reference Number:	24 122626 STE 10 OZ
Property Address:	Specific lands within the boundaries of the Major Street Zoning By-law
Municipality/UT:	City of Toronto
OLT Case No.:	OLT-24-000837
OLT Lead Case No.:	OLT-24-000837
OLT Case Name:	2856973 Ontario Inc. v. Toronto

**PROCEEDING COMMENCED UNDER** subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	2856973 Ontario Inc.
Subject:	By-law No. 608-2024
Description:	ZBA - 608-2024- Townhouses and small-scale apartment buildings
Reference Number:	20 175353 STE 10 TM
Property Address:	Specific lands within the boundaries of the Major Street Zoning By-law
Municipality/UT:	City of Toronto
OLT Case No.:	OLT-24-000838
OLT Lead Case No.:	OLT-24-000837

**PROCEEDING COMMENCED UNDER** subsection 9(1) of the *Ontario Land Tribunal Act, 2021*, S.O. 2021, c. 4, Sched. 6

Request by: City of Toronto  
Request for: Request for Directions

**Heard:** November 13, 2024 by video hearing

**APPEARANCES:**

**Parties**

**Counsel**

2856973 Ontario Inc.

Andrew Jeanrie  
Stephanie Brazzell

City of Toronto

Laura Bisset  
Gabe Szobel

Amnon Fisch and Gabor Koltai

Katryna Vergis-Mayo  
Aaron Platt (*in absentia*)

KMK Trading Company Limited

Amber Stewart

**DECISION DELIVERED BY S. DIXON AND ORDER OF THE TRIBUNAL**

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**INTRODUCTION**

[1] This Decision and Order arises from the first case management conference (“CMC”) held regarding appeals filed by 2856973 Ontario Inc. (“Appellant”) pursuant to ss. 22(7) and 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (“Act”), concerning the adoption of Official Plan Amendment No. 727 (“OPA 727”) and Zoning By-law No. 608-2024 (“ZBL 608”) by the City of Toronto (“City”).

[2] OPA 727 proposes to amend the City’s Official Plan to enable townhouses and small-scale apartment buildings up to six storeys in height to be built on lands designated “Neighbourhoods” along major streets throughout the City.

[3] ZBL 608 proposes to amend City-wide Zoning By-law No. 569-2013 to permit, and introduce built form standards for, townhouses and small-scale apartment buildings along major streets in the RD, RS, RT, and RM Residential Zone categories.

[4] Together, OPA 727 and ZBL 608 (“Instruments”) are intended to facilitate the construction of low-rise housing in the City’s neighbourhoods to accommodate a diversity of household sizes and compositions across the City.

[5] The Instruments were enacted by City Council on June 27, 2024. The last day to appeal the Instruments was July 29, 2024.

## **NOTICE**

[6] The Tribunal was in receipt of an Affidavit of Service sworn by Trecy Manuela on September 18, 2024, which was marked as **Exhibit 1**. There were no concerns with the service of notice for the CMC and as such, no further notice is required in these proceedings.

## **STATUS REQUESTS**

[7] The Tribunal received two requests for party status and two requests for participant status in advance of the CMC.

### **Party Status Requests**

[8] The first party status request was jointly filed by Amnon Fisch and Gabor Koltai, the owners of land municipally known as 362 Lawrence Avenue West in the City. Counsel for Messrs. Fisch and Koltai submitted that their clients retain an interest in neighbouring lands as well, restricted in scope to the block bounded by Lawrence Avenue West to the south, Avenue Road to the east, Wilson Avenue to the north and Bathurst Street to the west.

[9] Messrs. Fisch and Koltai support and are sufficiently satisfied with the adopted versions of the Instruments. However, the Appeals prevent them from advancing with certainty what, in their submission, would otherwise be plans for an “as of right” proposal for the lands to which they retain an interest.

[10] The second party status request was filed by KMK Trading Company Limited (“KMK”). KMK has an ownership interest, through holding corporations, in properties located along major streets in the City, including along Ossington Avenue, Gerrard Street East, and Broadview Avenue. Counsel for KMK submitted that KMK shares the concerns of the Appellant, that their interest in the Appeals is reflected in the issues raised by the Appellant in its notices of appeal, and that they would be able to appropriately shelter under said issues.

[11] The party status requests were not opposed by either the City or Appellant and were granted by the Tribunal subject to the sheltering provisions of Rule 8.3 of the Tribunal’s *Rules of Practice and Procedure*.

### **Participant Status Requests**

[12] The Tribunal received participant status requests from Craig Race and Marilyn Miller.

[13] Mr. Race generally agrees with the position of the Appellant. In his opinion, there should be no limit on the number of permitted units, and side yard setbacks should be a maximum of 0.9 metres in all instances.

[14] Ms. Miller represents the Junction Heritage Conservation District Board. They are concerned with preserving the heritage character and legibility of the West Toronto Junction area and are in favour of certain development criteria contained within the Instruments pertaining to massing, setbacks, and architectural articulation.

[15] There were no objections by any of the parties for either participant status request. Accordingly, the requests were granted and both Mr. Race and Ms. Miller were conferred participant status to these proceedings by the Tribunal.

## **OPPORTUNITIES FOR SETTLEMENT**

[16] The City and Appellant advised the Tribunal that they are engaged in without prejudice settlement discussions and will continue in that regard prior to requesting Tribunal-led mediation, should they feel that the latter is necessary.

## **MOTION FOR SCOPING AND PARTIAL APPROVAL**

[17] Prior to the CMC, the City filed a Motion for Scoping and Partial Approval ("Motion") with the Tribunal, which was marked as **Exhibit 3**. The Motion seeks to scope the Appeals in two ways, by:

1. Geographically scoping the Appeals to only the lands known municipally as 417-419 Burnhamthorpe Road (owned by the Appellant); and
2. Scoping the Appeals to only those policies and provisions of the Instruments identified by the Appellant as being at issue.

[18] The Motion further seeks an Order of the Tribunal:

3. Confirming that those sections of OPA 727 not subject to appeal came into effect for all lands not subject to appeal as of the day after the last day for filing a notice of appeal (being July 30, 2024), by operation of s. 17(27) of the Act; and

4. Deeming that those sections of ZBL 608 that are not in issue came into effect for all lands not subject to appeal as of the day they were passed, being June 27, 2024, pursuant to s. 34(31) of the Act.

## **Geographic Scoping**

### *City Submissions*

[19] To support their position that the Appeals should be scoped geographically to only 417-419 Burnhamthorpe Road, the City directed the Tribunal to *2014707 Ontario Inc. v. Guelph (City)*, [2024] LNONLT No. 146 (QL), (See also: *Ferrovial Investments Inc. v. Guelph (City)*, 2024 CanLII 9790 (ON LT)) (“Guelph Decision”), in which the City of Guelph brought a motion before the Tribunal to have two appeals of the City of Guelph comprehensive zoning by-law geographically scoped from city-wide to site- or area-specific on the grounds that the appeals only identified concerns related to the appellants’ respective properties.

[20] Beginning at Paragraph 23 of the Guelph Decision, the Tribunal found that, with respect to the first appellant, the notice of appeal, accompanying appeal letter, and subsequent correspondence submitted by the appellant referenced concerns only related to a single property, with the exception of a single statement in the appeal letter that, “This notice of appeal applies to the entirety of the New Zoning By-law.”

[21] Beginning at Paragraph 30 of the Guelph Decision, the Tribunal set out similar findings with respect to the second appellant, including that the notice of appeal, accompanying appeal letter, and subsequent correspondence all referenced concerns related only to a single property, again with the exception of a single statement in the appeal letter declaring the appeal of the by-law in its entirety.

[22] At Paragraph 38 of the Guelph Decision, the Tribunal found that the single statement was insufficient, and “cannot now be used to expand on the grounds for the

appeal when no indication was provided, until the Motion was brought, to justify, explain or legitimize the appeal to apply to the entirety of the City.”

[23] In both instances, the Tribunal found that, without reasons in the respective appeal letters indicating the bases for the proposed city-wide appeals (and with numerous stated reasons indicating the site- or area-specific nature of the appeals), the appeal letters confirmed the limited geographic scope of each appeal, with no reasons in support of the need or justification to maintain the appeals on a city-wide basis being provided in the appeal letters.

[24] For both appeals, the Tribunal found at Paragraphs 26 and 38 of the Guelph Decision that, “The reasons provided at the hearing of the Motion do not rise to the level of providing legitimacy to a City-wide basis of the appeal.” Accordingly, the Tribunal ordered the geographic scoping of both appeals.

[25] Drawing parallels to the Guelph Decision, the City submitted that the Appellant in the case currently before the Tribunal has identified itself as the owner of only 417-419 Burnhamthorpe Road, has not listed any other properties in the City that it may have an interest in, and “surely does not have an interest in all property in the City on which [townhouses and small-scale apartment buildings] might be developed” (Exhibit 3, p. 7). It is therefore, in the City’s submission, difficult to ascertain why a City-wide appeal is justified or needed.

[26] The City further submitted that the effect of the Appellant having appealed the Instruments on a City-wide basis is that as-of-right permissions for townhouses and small-scale apartment buildings in all of the City’s neighbourhoods will remain unavailable until the current proceedings have concluded, thereby delaying the delivery of the intended supply and diversity of housing. In the City’s view, it is not in the public interest to delay the implementation of the Instruments because one landowner objects to aspects of same.

*Appellant Submissions*

[27] The Appellant's position is that, as a developer specialising in low density gentle infilling within urban environments, they are well positioned to identify how certain provisions and regulations of the Instruments, in practice, may fail to achieve the objectives outlined by City staff, and may limit opportunities to have more homes built faster.

[28] To that end, the Appellant wrote to City Council on May 17, 2024, prior to the adoption of the Instruments, outlining their concerns with same. In their letter (contained in the Appellant's Responding Motion Record, marked as **Exhibit 4**), the Appellant notes that they "own and have developed numerous parcels of land across the City (and GTA). Our client is very familiar with the policy needs to successfully implement, in a timely manner, low density gentle infilling in an urban environment" (Exhibit 4, p. 74).

[29] The letter does not reference or identify the Appellant as an owner of any particular parcel of land in the City. However, a subsequent letter was sent to the City by the Appellant on June 6, 2024, indicating that the Appellant is the registered owner of 417-419 Burnhamthorpe Road (Exhibit 4, p. 76).

[30] The Appellant's Responding Motion Record (Exhibit 4) notes that the Instruments were adopted by City Council without addressing any of the concerns raised in the May 17, 2024 letter, and the Appeals were filed on that basis.

[31] Counsel for the Appellant submitted that the Act does not limit the ability of a registered landowner to file an appeal beyond the geographic scope of their property. The Tribunal was directed to s. 17(24) of the Act, which states in part (following emphasis added):



**Right to appeal**

- (24) If the plan is exempt from approval, any of the following may, not later than 20 days after the day that the giving of notice under subsection (23) is completed, **appeal all or part of the decision of council to adopt all or part of the plan** to the Tribunal by filing a notice of appeal with the clerk of the municipality:

[...]

1.2 The registered owner of any land to which the plan would apply, if, before the plan was adopted, the owner made oral submissions at a public meeting or written submissions to the council.

[32] Counsel for the Appellant submitted that while the Guelph Decision is indeed relevant, the Tribunal must conduct a similar examination of the appeal materials in the case at hand to determine the appropriate scope of the Appeals.

[33] In the Guelph Decision, the Tribunal examined the notices of appeal, accompanying appeal letters, and related correspondence of the appellants and determined that, with the exception of one blanket statement in each of the appeal letters, all referenced concerns with the comprehensive zoning by-law in that case related only to each of the appellants' specific properties. Accordingly, the appeals were found to be site-specific.

[34] In the case at hand, counsel submitted that the exact opposite is true. They proffered that their client filed City-wide appeals for very specific matters based on global concerns for how the proposed Instruments might not achieve their stated objectives. To that end, counsel submitted that the notices of appeal, accompanying appeal letter, and related correspondence all demonstrate that the Appellant's concerns have always been, and continue to be, City-wide.

[35] The notice of appeal form for OPA 727 states that the address and/or legal description of property subject to the appeal is "Specific policies across the entire Major Street OPA coverage" (Exhibit 4, p. 78) and refers to the accompanying appeal letter for the reasons for appeal.

[36] The notice of appeal form for ZBL 608 states that the address and/or legal description of property subject to the appeal is, “Specific lands within the boundaries of the Major Street Zoning By-law” (Exhibit 4, p. 85) and refers to the accompanying appeal letter for the reasons for appeal.

[37] The opening paragraph of the Appellant’s appeal letter, found at Page 70 of the Appellant’s Responding Motion Record (Exhibit 4), states the following:

We act on behalf of 2856973 Ontario Inc. which is:

- a) an owner of lands located along Burnhamthorpe Road in the City of Toronto;
- b) but also, is a long time developer of infill development within the City of Toronto.

[38] Counsel for the Appellant submitted that the above reference to Burnhamthorpe Road (which notably does not reference a precise address) is the only instance in which a particular property is referenced in the appeal letter, and that is because the Appeals are not about that site. Rather, the reference to the Appellant being “an owner of lands located along Burnhamthorpe Road in the City of Toronto” is to indicate that the Appellant meets the “threshold issue” of being a registered owner of any land to which the Instruments would apply, and they are therefore permitted to appeal the Instruments as set out in ss. 17(24) and 34(19) of the Act.

[39] The appeal letter goes on to state that, while the Appellant supports the overall direction of OPA 727 to encourage respectful infill development, the Appellant objects to the individual and cumulative impact of a number of policies and sections “on infill development along Major Streets.”

[40] With regards to ZBL 608, the appeal letter states the Appellant’s objection to the provisions regarding the Residential Townhouse (RT) zone, as well as all policies related to the as of right permissions for apartment buildings in any zone, noting that the

provisions will unnecessarily and systematically stifle responsible growth for apartment buildings and “all development within the RT zone”.

[41] Counsel for the Appellant noted that, with respect to their stated concerns with the RT zone, that portion of ZBL 608 “has nothing to do with the Burnhamthorpe property.” Rather, counsel proffered that the Burnhamthorpe Road property is already the subject of separate rezoning and site plan applications that have been appealed to the Tribunal and that will be addressed through those proceedings, which supports the Appellant’s position that the Appeals are not for the benefit of 417-419 Burnhamthorpe Road.

[42] Accordingly, counsel submitted “there would be no point in allowing the Appeals” for the limited geographic scope of 417-419 Burnhamthorpe Road, as doing so would defeat the Appellant’s objective of improving the Instruments for the benefit of future infill development projects along major streets in the City.

[43] The appeal letter concludes by stating that, pursuant to s. 17(24) of the Act, “we are appealing OPA 727 as noted above (not site specific, but City wide)” and that, pursuant to s. 34(19) of the Act, “we are appealing ZBL 608-2024 as noted above (not site specific, but City wide)” (Exhibit 4, p. 72).

#### *Fisch and Koltai Submissions*

[44] Paragraph 29 of the Appellant’s Responding Motion Record (Exhibit 4, p. 6) states the following:

29. The Appellant has no desire to delay development by other landowners where such landowner would like to have the ZBA apply as adopted by the City. Accordingly, the Appellant has proposed that it would scope its appeal of the ZBA from the property of any landowner that approaches the Appellant with such request. Doing so will ensure that no such landowner is delayed in using the ZBA as approved by the City should they so choose.

[45] In response to the above, the Tribunal received a letter on behalf of Messrs. Fisch and Koltai (**Exhibit 6**) in advance of the CMC requesting that the lands to which they hold an interest (described in Paragraph [8], above) be “scoped out” of the ZBL 608 Appeal. At the CMC, counsel for Messrs. Fisch and Koltai reiterated their request to be scoped out of the ZBL 608 Appeal, noting that their client wished to maintain their party status for the OPA 727 Appeal.

[46] Counsel for the Appellant took no issue with the request and, following the CMC, submitted a draft order to the Tribunal (hereby marked as **Exhibit 8**) listing 12 sites or areas from across the City proposed to be excluded from the ZBL 608 Appeal. The draft order further seeks confirmation that ZBL 608 came into force and effect, in full and unamended, for the 12 listed sites or areas as of the day it was passed by City Council.

[47] Included in the list of sites/areas are “The properties identified as ‘Neighbourhood Designed [sic] Parcels on Major Streets’ on the block bounded by Lawrence Avenue West to the south, Ledbury Street to the west, Glengarry Avenue to the north and Grey Road to the east [...]” (Exhibit 8, p. 2).

[48] The Tribunal notes that the geographic area described above is located within, yet significantly smaller than, the geographic area described in Exhibit 6 and Paragraph [8], above. Presumably, this reflects a geographic scoping of the area of interest of Messrs. Fisch and Koltai, though explicit confirmation of same has not been received by the Tribunal.

#### *KMK Submissions*

[49] Counsel for KMK agreed with the position taken by the Appellant and further submitted that the Appeals seek to eliminate barriers to housing. In their submission, it is in the public interest and good planning to support an opportunity for the Tribunal to hear evidence at a hearing on how the Instruments might be improved on a City-wide basis.

*Findings*

[50] The Tribunal agrees with the Appellant's submissions that their Appeals, while limited in scope on a policy and regulation basis, apply to the Instruments on a City-wide basis.

[51] The Tribunal is satisfied that the reference to the Appellant being an owner of lands located along Burnhamthorpe Road in the City of Toronto in the Appellant's appeal letter is not a suggestion that the concerns outlined therein are solely in relation to that site.

[52] The Guelph Decision sets out a helpful rationale for determining the scope of an appeal based on an examination of a notice of appeal and accompanying appeal letter, and whether an appellant is attempting to expand the scope of an appeal after the filing of same. In the case at hand, the Tribunal finds that the Appellant's notices of appeal, accompanying appeal letter, and prior submissions to City Council indicate that the Appellant's concerns have and continue to be in relation to the application of the Instruments on a City-wide basis, and not in relation to any one particular site.

[53] The Appellant's concerns regarding the individual and cumulative impacts of the application of certain provisions of the Instruments on the intensification of major streets were raised with the City as early as May 17, 2024. Those concerns were reiterated and referenced in the Appellant's appeal letter accompanying their notices of appeal. Neither of those documents suggest to the Tribunal that the Appeals are site-specific in nature. Rather, they broadly refer to global concerns pertaining to infill development along major streets and all development within specific (and multiple) zones.

[54] Accordingly, the Tribunal finds that the scope of the Appeals can reasonably be interpreted as pertaining to all lands impacted by the Instruments and are not limited to 417-419 Burnhamthorpe Road. In that regard, the City's requested relief is denied.

[55] With respect to the Appellant's proposed geographic scoping of the ZBL 608 Appeal to exclude sites or areas owned by other landowners (including Messrs. Fisch and Koltai) in response to Paragraph 29 of the Appellant's Responding Motion Record (Exhibit 4), the Tribunal notes that the proposed scoping does not include a corresponding geographic scoping of the OPA 727 Appeal. Accordingly, the Appellant and Messrs. Fisch and Koltai are requesting that the appealed portions of ZBL 608 be brought into effect for certain lands within the City, but that the appealed portions of OPA 727 remain under appeal for those same lands.

[56] While the Tribunal appreciates the Appellant's attempt to reduce the geographic scope of their Appeal so as not to "delay development by other landowners where such landowner would like to have the ZBA apply as adopted by the City" (Exhibit 4, p. 6), the Tribunal has heard no evidence to date on the planning merits of the Instruments and cannot make a determination that the appealed portions of ZBL 608 will conform to the City's Official Plan absent a corresponding approval of the appealed portions of OPA 727.

[57] In other words, should the OPA 727 Appeal be successful and result in the modification or repeal of certain policies thereto, the Tribunal must be satisfied that there will not be a resulting conformity issue with those portions of ZBL 608 that are requested to be approved on a site- or area-specific basis.

[58] The requested geographic scoping by the Appellant and Messrs. Fisch and Koltai of only the ZBL 608 Appeal is therefore denied. However, the Tribunal's current ruling in this regard does not preclude any of the Parties from bringing a more fulsome motion requesting similar relief, with supporting submissions to address the Tribunal's concerns, at a future date.

## **Policy and Provision Scoping**

[59] Counsel for the Appellant submitted that, following additional time to review the Instruments and as a result of productive discussions with the City, the Appellant is in a position to further scope the policies and regulations under appeal on a City-wide basis to a subset of the policies and regulations initially raised in their notices of appeal.

[60] Following the CMC, the Appellant and City confirmed for the Tribunal that the extent of the OPA 727 policies and the ZBL 608 regulations subject to appeal are reflected in Attachments “A” and “B”, respectively, to the City’s Reply Motion Record (**Exhibit 5**).

[61] Accordingly, the unhighlighted sections, non-policy text, and policies of OPA 727 attached hereto as **Schedule 1** are not subject to appeal and are confirmed by the Tribunal to have come into effect on the day after the last day for the filing of a notice of appeal, being July 30, 2024, by operation of s. 17(27) of the Act. All highlighted sections in Schedule 1 remain under appeal on a City-wide basis.

[62] Further, the unhighlighted provisions of ZBL 608 attached hereto as **Schedule 2** are not in issue in the Appeal and are hereby deemed by the Tribunal to have come into force on the day the by-law was passed, being June 27, 2024, pursuant to s. 34(31) of the Act.

## **NEXT STEPS**

### **Second CMC**

[63] Following the CMC, the Tribunal canvassed the parties’ availability for a second CMC for the purposes of finalising a procedural order and issue list, confirming which issues the added parties intend to shelter under, and to schedule dates for a hearing on the merits of the Appeals.

[64] Having received submissions from all four parties, the Tribunal scheduled a one-day CMC to proceed by video on **Thursday, February 27, 2025 at 10 a.m.**

[65] Parties are asked to log in to the event at least **15 minutes** before it begins to test their video and audio connections:

**GoTo Meeting:** <https://meet.goto.com/996288525>

**Access Code:** 996-288-525

[66] Parties are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoTo Meeting](https://app.gotomeeting.com/home.html) or a web application is available: <https://app.gotomeeting.com/home.html>

[67] Persons who experience technical difficulties accessing the GoTo Meeting application or who only wish to listen to the event can connect to it by calling in to an audio-only telephone line: **+1-647-497-9391 or (toll-free) +1-888-455-1389**. The access code is: **996-288-525**.

[68] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the event to ensure that they are properly connected at the correct time. Questions prior to the event may be directed to the Tribunal's Case Coordinator.

### **Draft Procedural Order and Issues List**

[69] The parties are to submit a draft procedural order and issues list by no later than **Friday, February 21, 2025** for the Tribunal's consideration in advance of the second CMC.



## Sheltering

[70] KMK and Messrs. Fisch and Koltai are to identify which of the draft issues they intend to shelter under, in accordance with Rule 8.3 of the Tribunal's *Rules of Practice and Procedure*, by no later than **Friday, February 21, 2025** for the Tribunal's consideration in advance of the second CMC.

## ORDER

[71] **THE TRIBUNAL ORDERS** that Amnon Fisch and Gabor Koltai are granted party status and are hereby a party to these proceedings.

[72] **THE TRIBUNAL ORDERS** that KMK Trading Company Limited is granted party status and is hereby a party to these proceedings.

[73] **THE TRIBUNAL ORDERS** that Craig Race and Marilyn Miller are each granted participant status and are hereby participants to these proceedings.

[74] **THE TRIBUNAL ORDERS** that the added parties above shall identify which issues they intend to shelter under by no later than **February 21, 2025**.

[75] **THE TRIBUNAL ORDERS** that the parties are to provide the Tribunal with a draft procedural order and issues list by no later than **February 21, 2025**.

[76] **THE TRIBUNAL ORDERS** that, by operation of s. 17(27) of the *Planning Act*, the parts of Official Plan Amendment No. 727 to the Official Plan for the City of Toronto that are not the subject of an appeal, being the unhighlighted sections, non-policy text, and policies shown in Schedule 1 to this Order, are deemed to have come into effect as of July 30, 2024.

[77] **THE TRIBUNAL ORDERS** that, pursuant to s. 34(31) of the *Planning Act*, the parts of By-law No. 608-2024 of the City of Toronto not in issue in the appeal, being the unhighlighted parts of the by-law shown in Schedule 2 to this Order, are deemed to have come into force on June 27, 2024.

[78] No further notice is required.

[79] This Member is not seized.

*“S. Dixon”*

S. DIXON  
MEMBER

### **Ontario Land Tribunal**

Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

**SCHEDULE 1**

44

Authority: Planning and Housing Committee Item PH12.3,  
adopted as amended, by City of Toronto Council on May  
22 and 23, 2024

**CITY OF TORONTO****Bill 582****BY-LAW - 2024**

**To adopt Amendment 727 to the Official Plan of the City of Toronto, with respect to with  
respect to low-rise residential intensification on major streets.**

Whereas authority is given to Council of the City of Toronto under the Planning Act, R.S.O.  
1990, c. P.13. as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided information to the public and held a public  
meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment 727 to the Official Plan of the City of Toronto is hereby  
adopted pursuant to the Planning Act, as amended.

Enacted and passed on June , 2024.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**AMENDMENT 727 TO THE OFFICIAL PLAN  
LOW-RISE RESIDENTIAL INTENSIFICATION ON MAJOR STREETS**

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 4, Land Use Designations, 4.1 Neighbourhoods, is amended by adding the following new words to the end of the last sentence of the first paragraph of the introduction, "except along major streets where apartments may be no higher than six storeys", so that it reads as follows:

Lower scale residential buildings in Toronto's *Neighbourhoods* consist of detached houses, semi-detached houses, duplexes, triplexes and various forms of townhouses as well as interspersed walk-up apartments with or without elevators that are four storeys or less, except along major streets where apartments may be no higher than six storeys.

2. Chapter 4, Land Use Designations, 4.1 Neighbourhoods, is amended by adding the following new words to the end of the first sentence of Policy 1, "except along major streets where apartments may be no higher than six storeys", so the first sentence of Policy 1 reads as follows:

1. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys, except along major streets where apartments may be no higher than six storeys.

3. Chapter 4, Land Use Designations, 4.1 Neighbourhoods, is amended by deleting Policy 7 and replacing the policy as follows:

7. Properties in *Neighbourhoods* that are located along major streets shown on Map 3 may intensify beyond the prevailing building type and be assembled to include the development of townhouses and apartment buildings provided the development meets the criteria set out in Sections 4.1.5 a), h) and (i), 4.1.12 and 4.1.13.

4. Chapter 4, Land Use Designations, 4.1 Neighbourhoods is amended by adding the following unshaded introductory text after Policy 11:

**Development Criteria in *Neighbourhoods* for Properties along Major Streets**

Properties in *Neighbourhoods* that are located along major streets shown on Map 3 often differ in size, configuration and orientation from those located in the interior of *Neighbourhoods*, providing opportunities for more intense forms of development.

Residential development is anticipated to be up to six storeys in height, providing opportunities to add more homes in a greater variety of scales and forms to existing *Neighbourhoods*. This intensification would support increased transit ridership and elements of complete communities that serve the needs of area residents.

5. Chapter 4, Land Use Designations, 4.1 Neighbourhoods is amended by adding Policies 12 and 13 as follows:

12. For properties in *Neighbourhoods* that are located along major streets shown on Map 3, development proposing intensification beyond the prevailing building type and lot patterns of the geographic neighbourhood will:

- a. be encouraged to include a diverse mix of housing types and sizes to increase housing options in *Neighbourhoods*, including larger family-sized units;
- b. be supported to assemble lots along major streets to accommodate more intense forms of development;
- c. have setbacks that generally meet those permitted by zoning for adjacent residential properties, unless the established development pattern along the major street is predominantly reversed lot frontages, in which case the front yard setback along the major street will be determined in accordance with Policy 13;
- d. break up façades through means such as massing, setbacks and/or architectural articulation;
- e. provide adequate privacy, sunlight and sky views for occupants of new and existing buildings by ensuring adequate separation distance between building walls, through appropriate balcony and terrace locations in relation to abutting properties, and by using landscaping, planting and fencing to enhance privacy where needed;
- f. locate, screen and wherever possible enclose service areas, garbage storage, and parking when required to minimize impact on adjacent properties;
- g. provide safe, accessible pedestrian walkways from public street(s);
- h. consolidate and minimize driveways on major streets and use other streets or laneways for access where possible; and
- i. be considered for minor variances to applicable setbacks if it is demonstrated to be necessary to accommodate tree preservation.

13. For properties in *Neighbourhoods* that are located along major streets shown on Map 3 and have a reversed or flanking frontage onto a major street, development proposing intensification beyond the prevailing building type and lot patterns of the geographic neighbourhood will:

- a. meet the development criteria set out in Policy 12;

- b. be oriented to front onto the major street;
  - c. ensure an active frontage, such as building entrances, onto the local street;
  - d. avoid privacy screening features along the local street;
  - e. be encouraged to incorporate a mid-block pedestrian connection where pedestrian connectivity is desired and space permits, or where an existing pedestrian connection is removed as a result of lot assembly, subject to the following:
    - i. have clear and direct sight lines for the entire route;
    - ii. be designed to ensure it is well lit, safe, universally accessible and free of obstructions; and
    - iii. be publicly accessible.
  - f. locate non-residential uses to front onto the major street, unless the property is a corner lot, in which case the non-residential frontage may extend to the flanking street regardless of whether it is a major street or local street; and
  - g. establish front-yard setbacks along major streets that complement and enhance the public realm network and support soft landscaping and tree planting wherever possible.
6. Chapter 4, Land Use Designations, 4.1 Neighbourhoods is amended by adding the following sidebar adjacent to Policies 12 and 13:

#### **Major Streets**

Toronto's network of major streets is shown on Map 3 and is an important element of the transportation system that connects people and places. Major streets pass through all land uses and vary in width across the network. Major streets often define the edges of geographic neighbourhoods, serving as public spaces that set the stage for daily social interaction, and connecting people from home to work, school, shopping, services and community facilities.



## SCHEDULE 2

49

Authority: Planning and Housing Committee Item PH12.3, adopted as amended by City of Toronto Council on May 22 and 23, 2024

### CITY OF TORONTO

#### BY-LAW 608 - 2024

**To amend Zoning By-law 569-2013, as amended, with respect to low-rise residential intensification on major streets.**

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

The Council of the City of Toronto enacts:

1. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
2. Zoning By-law 569-2013, as amended, is further amended by replacing Regulations 1.40.10(3)(B), (C), (D), and (E) with the following:

(B) Residential Detached (RD)

The purpose of the RD zone is to provide areas for a variety of **residential building** types, including **detached houses, duplexes, triplexes, fourplexes**, and, on a **lot** that abuts a **major street, townhouses** and **apartment buildings**. [By-law: 474-2023]

(C) Residential Semi-Detached (RS)

The purpose of the RS zone is to provide areas for a variety of **residential building** types, including **detached houses, semi-detached houses, duplexes, triplexes, fourplexes**, and, on a **lot** that abuts a **major street, townhouses**, and **apartment buildings**. [By-law: 474-2023]

(D) Residential Townhouse (RT)

The purpose of the RT zone is to provide areas for a variety of **residential building** types, including **detached houses, semi-detached houses, townhouses**,

**duplexes, triplexes, fourplexes, and, on a lot that abuts a major street, and apartment buildings.** [By-law: 474-2023]

(E) Residential Multiple (RM)

The purpose of the RM zone is to provide areas for a variety of **residential building** types, including **detached houses, semi-detached houses, duplexes, triplexes, fourplexes, low-rise apartment buildings, and, on a lot that abuts a major street, and townhouses.**

3. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" in regulation 10.5.30.20(1)(A), adding "; and" to the end of regulation 10.5.30.20(1)(B) and by adding a new regulation (C) so that regulation 10.5.30.20(1) reads:

Designated Front Lot Line for Through Lots

Despite regulation 5.10.30.20(2), on a **through lot** in the Residential Zone category, any **lot line** separating the **lot** from a street may be selected as the **front lot line**, if:

- (A) the **lot line** is not separated from the **street** by a 0.3 metre reserve;
- (B) the **lot line** abuts a street where an adjacent **lot** has its **front lot line** on the same **street**; and
- (C) despite (A) and (B) above, for a **lot** that has a **townhouse** or an **apartment building**, and if the **lot** abuts a **major street**, the **front lot line** is the **lot line** abutting the **major street**.

4. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.5.40.10(5) so that it reads:

(5) Height of Rooftop Amenity Space Safety and Wind Protection

In the Residential Zone category, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are:

- (A) on the roof of a **building** with a height greater than 15.0 metres; and
- (B) no closer than 2.0 metres from the interior face of any **main wall**.

5. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" at the end of regulation 10.5.50.10(4)(A), adding "; and" to the end of regulation 10.5.50.10(4)(B) and adding to regulation 10.5.50.10(4) a new regulation (C) so that the revised regulation reads:



(4) Landscaping Requirements for an Apartment Building

In the Residential Zone category, a **lot** with an **apartment building** must have:

- (A) a minimum of 50 percent of the area of the **lot** for **landscaping**;
- (B) a minimum of 50 percent of the **landscaping** area required in (A), above, must be **soft landscaping**; and
- (C) despite (A) and (B) above, if an **apartment building** has 60 **dwelling units** or less and is located on a **lot** abutting a **major street**, a minimum of 30 percent of the area of the **lot** must be for **landscaping**, of which 50 percent of the required **landscaping** area must be comprised of **soft landscaping**.

6. Zoning By-law 569-2013, as amended, is further amended by adding to Section 10.5 a new Article 10.5.55 so that it reads:

**10.5.55 Amenities**

**10.5.55.1 Amenity Space Requirements**

(1) Amenity Space Requirements for an Apartment Building

In the Residential Zone category, an **apartment building** with 20 or more **dwelling units** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- (A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**;
- (B) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
- (C) no more than 25 percent of the outdoor component may be a **green roof**.

(2) Amenity Space for an Apartment Building on a Major Street

If an **apartment building** is located on a **lot** abutting a major street, and the **apartment building** has 30 **dwelling units** or less, then (1) above does not apply.

7. Zoning By-law 569-2013, as amended, is further amended by maintaining the non-lettered regulation under regulation (A) and adding a new regulation (B) and replacing regulation 10.5.100.1(5) so that it reads:

(5) Driveway Access to Apartment Buildings

- (A) If an **apartment building** in the Residential Zone category has 25 **dwelling units** or more, an unobstructed **vehicle** access must be provided between the **street** and

the principal pedestrian entrance to the **building** so that a **vehicle** can enter and leave the **lot** while driving forward in one continuous movement; and

- (B) Despite (A) above, if an **apartment building** in the Residential Zone category is located on a **lot** abutting a **major street** and has 60 **dwelling units** or less, (A) above does not apply.

- 8. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.5.100.1(7) so that it reads:

(7) Hammerhead Turnaround Driveway Dimensions

In the Residential Zone category, a **lot** with a **residential building**, other than an **apartment building** with more than 60 **dwelling units** if it is on a **lot** abutting a **major street**, and 25 or more **dwelling units** if it is not on a **lot** abutting a **major street**, may have a **driveway** with a hammerhead turnaround, if the **lot** complies with the **front yard landscaping** requirements of Clause 10.5.50.10 and:

- (A) the **lot** has a **lot frontage** greater than 18.0 metres; or
- (B) **vehicle** access is from a **ss** with a minimum right-of-way width of 27.0 metres;

- 9. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.5.30.1 new regulations (2) and (3) so that they read:

(2) Water Main and Sewer Capacity Requirements for Townhouses and Apartment Buildings on Major Streets

In addition to the requirements of Regulation 5.10.30.1(1), if a **lot** abuts a **major street**, no **townhouse** or **apartment building** may be erected or used on the land unless all municipal water mains and municipal sewers, and their appurtenances have adequate capacity to service the **building**, to the satisfaction of the General Manager, Toronto Water; and

(3) Exemptions for Water Main and Sewer Capacity Requirements for Townhouses and Apartment Buildings on Major Streets

Regulation (2) above does not apply to the construction, erection or placing of:

- (A) a **townhouse** or **apartment building**, or combination thereof, if the **lot** will contain 10 or fewer **dwelling units**, **dwelling rooms**, or **bed-sitting rooms**, or any combination thereof;
- (B) an addition of less than 50 square metres in **gross floor area** to a **lawfully existing building**, if the **lawfully existing building** is:

- (i) on a **lot** that will contain or contains no more than 10 **dwelling units**, **dwelling rooms**, and **bed-sitting rooms** or a combination thereof; and
  - (C) the replacement or reconstruction of a **building** or **structure**, or part of a **building** or **structure**, destroyed or damaged by fire, explosion, flood or other similar cause, or replacement, reconstruction, or compliance due to an order of the City of Toronto if the **gross floor area** and height of the **building** or **structure** are not increased, no **building** or **structure** setback is reduced, and the use of the land is not changed.
- 10. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.10.20.40(2) so that it reads:
  - (2) Chapter 900 Exceptions

Despite regulations 900.1.10(3) and 900.1.10(4)(A), a **duplex**, **triplex**, **fourplex**, **townhouse**, or **apartment building** is a permitted residential building type if it complies with the regulations for the R zone and all other requirements of this By-law, or is authorized by a Section 45 Planning Act minor variance. [ By-law: 474-2023 ]
- 11. Zoning By-law 569-2013, as amended, is further amended by maintaining the existing regulation 10.10.40.1(2) as "(A)" and adding regulation 10.10.40.1(2)(B) so that the revised regulation 10.10.40.1(2) reads:
  - (2) Number of Residential Buildings on a Lot
  - (A) a maximum of one **residential building** is permitted on a **lot** in the R zone; and
  - (B) despite (A) above, more than one **townhouse** or **apartment building**, or combination thereof, is permitted on a **lot** abutting a **major street**;
- 12. Zoning By-law 569-2013, as amended, is further amended by maintaining the existing regulation 10.10.40.1(3) as "(A)" and adding regulation 10.10.40.1(3)(B) so the revised regulation 10.10.40.1(3) reads:
  - (3) Number of Dwelling units on a Lot
  - (A) If a zone label applying to a **lot** in the R zone on the Zoning By-law Map has the letter "u", the numerical value following the letter "u" is the maximum number of **dwelling units** permitted on the **lot**; and
  - (B) Despite (A) above, the permitted maximum number of **dwelling units** for an **apartment building** located on a **lot** abutting a **major street** is the greater of 60 **dwelling units** or the numerical value following the letter "u" on the Zoning By-law Map.

13. Zoning By-law 569-2013, as amended, is further amended by adding to regulation 10.10.40.1(5) a new regulation (C) so that it reads:
- (C) (A) and (B) above do not apply to **townhouses** or **apartment buildings** on a **lot** abutting a **major street**;
14. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" at the end of regulation 10.10.40.10(1)(B) and adding Regulation 10.10.40.10(1)(D) so that the revised regulation 10.10.40.10(1) reads:
- (1) Maximum Height
- The permitted maximum height for a **building** or **structure** on a **lot** in the R zone is:
- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 10.0 metres;
- (C) despite (A) above, the permitted maximum height for a **duplex, triplex, or fourplex** is the greater of:
- (i) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (ii) 10.0 metres; [ By-law: 474-2023 ]
- (D) despite (A) and (B) above, the permitted maximum height for the following **residential buildings** located on a **lot** abutting a **major street** is:
- (i) for a **townhouse**, the greater of 13.0 metres or the numerical value following the letters "HT" on the Height Overlay Map; and
- (ii) for an **apartment building**, the greater of 19.0 metres or the numerical value following the letters "HT" on the Height Overlay Map.
15. Zoning By-law 569-2013, as amended, is further amended by adding to Regulation 10.10.40.10(2) a new regulation (C) so that it reads:
- (C) despite (A) and (B) above, the permitted maximum height of **main walls** do not apply to **townhouses** on a **lot** abutting a **major street**;
16. Zoning By-law 569-2013, as amended, is further amended by adding to regulation 10.10.40.10(3) a new regulation (D) so that it reads:

- (D) despite (A) to (C) above, the permitted maximum number of **storeys** for the following **residential buildings** located on a **lot** abutting a **major street**, excluding a mechanical penthouse, is:
- (i) for a **townhouse**, the greater of four **storeys** or the numerical value following the letters "ST" on the Height Overlay Map; and
  - (ii) for an apartment building, the greater of six storeys or the numerical value following the letters "ST" on the Height Overlay Map.
17. Zoning By-law 569-2013, as amended, is further amended by deleting regulation 10.10.40.10(9).
18. Zoning By-law 569-2013, as amended, is further amended by adding a new Clause 10.10.40.20 so that it reads:
- 10.10.40.20 Building Length**  
 (1) Maximum Building Length
- In the R zone, the permitted maximum **building length** for the following **residential buildings** on a **lot** abutting a **major street** is:
- (A) 19.0 metres for a **townhouse**; and
  - (B) 25.0 metres for an **apartment building**;
19. Zoning By-law 569-2013, as amended, is further amended by deleting the explanation of "primary window" in regulation 10.10.40.30(1)(C)(iii)(a) and deleting "; and" from regulation 10.10.40.30(1)(C)(iii) so that it reads:
- (iii) no portion of a **side main wall** of the **apartment building** containing a **primary window** is set back less than 5.5 metres from a **side lot line**, other than a **side lot line** that abuts a **street**.
20. Zoning By-law 569-2013, as amended, is further amended by adding to regulation 10.10.40.30(1) a new regulation (D) so that it reads:
- (D) despite (A) to (C) above, if a **townhouse** or **apartment building** is on a **lot** abutting a **major street**, maximum **building depth** does not apply.
21. Zoning By-law 569-2013, as amended, is further amended by adding to regulation 10.10.40.40(1) a new regulation (D) so that it reads:
- (D) despite (A) and (B) above, the permitted maximum floor space index regulations do not apply to a **townhouse** or an **apartment building** with 60 **dwelling units** or less on a **lot** abutting a **major street**;



22. Zoning By-law 569-2013, as amended, is further amended by:

- (A) Re-naming Clause 10.10.40.50; "Decks and Platforms"
- (B) Deleting regulation 10.10.40.50(1); and
- (C) Re-numbering regulation 10.10.40.50(2) so it now reads "(1) Interpretation of Platform Walls"

23. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.10.40.70 a new regulation (5) so that it reads:

(5) Minimum Setback Requirements for Residential Buildings on Major Streets

Despite (1) to (4) above, a **townhouse** or **apartment building** located on a **lot** abutting a **major street** must have the following minimum **building setbacks**:

(A) **A front yard setback of:**

- (i) for a **lot depth** equal to or less than 36.0 metres:
  - (a) If regulation 10.5.40.70(1) applies, the lesser of the **front yard setback** required by 10.5.40.70(1) or 6.0 metres;
  - (b) if regulation 10.5.40.70(1) does not apply: 3.0 metres; and
  - (c) despite (a) and (b) above, if on a **through lot**: 6.0 metres;
- (ii) despite (i) above, for a **lot depth** greater than 36.0 metres: 6.0 metres.

(B) a **rear yard setback** of 7.5 metres;

(C) for a **townhouse**, a **side yard setback** of:

- (i) 0.9 metres, if all **dwelling units** front directly onto a **street**;
- (ii) 7.5 metres, if all **dwelling units** do not front directly onto a **street**;

(D) for an **apartment building**, a **side yard setback** of:

- (i) 1.8 metres for all portions of the **main wall** that do not have **primary windows**;
- (ii) 5.5 metres for all portions of the **main wall** that have **primary windows**;

- (iii) despite (i) and (ii) above, 7.5 metres for all portions of the **main wall** exceeding a **building length** of 25.0 metres; and
    - (iv) despite (i) to (iii) above, on a **corner lot** the required minimum **side yard setback** from a side **lot** line abutting a **street** is 3.0 metres;
  - (E) despite (D) above, for an **apartment building** on a **through lot**, a **side yard setback** of:
    - (i) 2.4 metres for all portions of the **main wall** with that do not have **primary windows**;
    - (ii) 5.5 metres for all portions of the **main wall** that have **primary windows**; and
    - (iii) Despite (i) and (ii) above, 7.5 metres for all portions of the **main wall** exceeding a **building length** of 25.0 metres;
24. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.10.40.80 a new regulation (2) so that it reads:
- (2) Distance Between Residential Buildings on the Same Lot
- In the R zone, if two or more **townhouses** or **apartment buildings** or combination thereof are located on the same **lot** abutting a **major street**, the required minimum above-ground separation distance between the **main walls** of the respective **buildings** is:
- (A) 5.5 metres if there are no openings to **dwelling units** in the **main wall** of one or more of the **buildings**; and
  - (B) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.
25. Zoning By-law 569-2013, as amended, is further amended by deleting " ; and" from the end of regulation 10.20.20.40(1)(C) and adding to regulation 10.20.20.40(1) new subsections (E) and (F) so that it inserts **townhouse** and **apartment buildings** so that the revised regulation 10.20.20.40(1) reads:
- (1) Permitted Residential Building Types – RD Zone
- In the RD Zone, a **dwelling unit** is permitted in the following residential building types:
- (A) **Detached House**;
  - (B) **Duplex**;
  - (C) **Triplex**;
  - (D) **Fourplex**; [ By-law 474-2023 ]
  - (E) **Townhouse**, if the **lot** abuts a major street; and
  - (F) **Apartment Building**, if the **lot** abuts a major street.

26. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.20.20.40(2) so that it reads:

(2) Chapter 900 Exceptions

Despite regulations 900.1.10(3) and 900.1.10(4)(A), a **duplex, triplex, fourplex, townhouse, or apartment building** is a permitted **residential building** type if it complies with the regulations for the RD zone and all other requirements of this By-law, or is authorized by a Section 45 Planning Act minor variance. [ By-law: 474-2023 ]

27. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.20.30.10 a new regulation (2) so that it reads:

(2) Minimum Lot Area for Each **Dwelling unit** in a Townhouse

In the RD Zone:

If a zone label applying to a lot in the RD zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum **lot area** for each **dwelling unit** in a **townhouse**.

28. Zoning By-law 569-2013, as amended, is further amended by adding to regulation 10.20.30.20(1) a new regulation (C) and (D) so that it reads:

(C) Despite (A) and (B) above, if a **townhouse** is located on a **lot** abutting a **major street**, the required minimum **lot frontage**:

(i) for a **townhouse** with every **dwelling unit** fronting directly on a **street**:

(a) is 6.0 metres for each **dwelling unit**; and

(b) may be reduced by 1.0 metre for each **dwelling unit** that does not have an individual private **driveway** leading directly to the front of it; and

(D) despite (A) to (C) above, if a **lot** abutting a **major street** has a **townhouse** with one or more **dwelling units** not fronting directly on a **street**, the required minimum **lot frontage** is 30.0 metres.

29. Zoning By-law 569-2013, as amended, is further amended by deleting "and" from the end of regulation (A), adding "; and" to the end of regulation (B) and adding to 10.20.30.40 a new regulation (C) so that the revised regulation 10.20.30.40(1) reads:

(1) Maximum Lot Coverage



- (A) if a **lot** is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**;
  - (B) if a **lot** is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies; and
  - (C) despite (A) and (B) above, if a **lot** abuts a **major street**, the permitted maximum **lot coverage for a townhouse or apartment building** is 50 percent of the **lot area**.
30. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.20.40.1(2) so that it reads:
- (2) Number of Residential Buildings on a Lot
- (A) a maximum of one **residential building** is permitted on a **lot** in the RD zone; and
  - (B) despite (A) above, more than one **townhouse** or **apartment building**, or combination thereof, is permitted on a **lot** abutting a **major street**;
31. Zoning By-law 569-2013, as amended, is further amended by replacing "." With ";" and by adding to regulation 10.20.40.1(3) a new regulation (C) so that it reads:
- (C) (A) and (B) above do not apply to **townhouses** or **apartment buildings** on a **lot** abutting a **major street**;
32. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.20.40.1 a new regulation (4) so that it reads:
- (4) Minimum Width of a Dwelling unit
- In the RD zone, the required minimum width of a **dwelling unit** in a **townhouse** is:
- (A) 5.0 metres if the **dwelling unit** does not have an individual private driveway leading directly to the front of it; and
  - (B) 6.0 metres in all other cases.
33. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.20.40.1 a new regulation (5) so that it reads:
- (5) Number of Dwelling units on a Lot

- (A) If a zone label applying to a **lot** in the RD zone on the Zoning By-law Map has the letter "u", the numerical value following the letter "u" is the maximum number of **dwelling units** permitted on the **lot**; and
- (B) Despite (A) above, the permitted maximum number of **dwelling units** for an **apartment building** located on a **lot** abutting a **major street** is the greater of 60 **dwelling units** or the numerical value following the letter "u" on the Zoning By-law Map.

34. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" at the end of regulation 10.20.40.10(1)(B) and adding Regulation 10.20.40.10(1)(D) so that the revised regulation reads:

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RD zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 10.0 metres; and
- (C) despite (A) above, the permitted maximum height for a **duplex**, **triplex**, or **fourplex** is the greater of:
  - (i) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
  - (ii) 10.0 metres; and [ By-law: 474-2023 ]
- (D) despite (A) and (B) above, the permitted maximum height for the following **residential buildings** located on a **lot** abutting a **major street** is:
  - (i) for a **townhouse**, the greater of 13.0 metres or the numerical value following the letters "HT" on the Height Overlay Map; and
  - (ii) for an **apartment building**, the greater of 19.0 metres or the numerical value following the letters "HT" on the Height Overlay Map.

35. Zoning By-law 569-2013, as amended, is further amended by adding to Regulation 10.20.40.10(2) a new regulation (C) so that it reads:

- (C) despite (A) to (B) above, the permitted maximum height of **main walls** do not apply to **townhouses** or **apartment buildings** on **lots** abutting a **major street**;

36. Zoning By-law 569-2013, as amended, is further amended by adding to regulation 10.20.40.10(4) a new regulation (C) so that it reads:
- (C) (A) and (B) above do not apply to **townhouses** or **apartment buildings** on a **lot** abutting a **major street**.
37. Zoning By-law 569-2013, as amended, is further amended by replacing " " At the end of regulation 10.20.40.10(2)(B)(iii) with " ; " and adding to regulation 10.20.40.10(3) a new regulation (C) so that it reads:
- (C) despite (A) to (B) above, the permitted maximum number of **storeys** for the following **residential buildings** located on a **lot** abutting a **major street**, excluding a mechanical penthouse, is:
- (i) for a **townhouse**, the greater of four **storeys** or the numerical value following the letters "ST" on the Height Overlay Map; and
- (ii) for an **apartment building**, the greater of six **storeys** or the numerical value following the letters "ST" on the Height Overlay Map.
38. Zoning By-law 569-2013, as amended, is further amended by adding to clause 10.20.40.20 a new regulation (4) so that it reads:
- (4) Maximum Building Length for a Townhouse or Apartment Building on a Major Street
- Despite regulation 10.20.40.20(1), in the RD zone, if a **lot** abuts a **major street**, the permitted maximum **building length** is:
- (A) 19.0 metres for a **townhouse**; and
- (B) **25.0 metres for an apartment building.**
39. Zoning By-law 569-2013, as amended, is further amended by deleting " ; and " at the end of regulation 10.20.40.4(1)(B), deleting " " From the end of regulation 10.20.40.40(C), and adding to regulation 10.20.40.40(1) a new regulation (D) so that it reads:
- (D) despite (A) to (B) above, the permitted maximum floor space index regulations do not apply to a **townhouse** or an **apartment building** with 60 **dwelling units** or less located on a **lot** abutting a **major street**.
40. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.20.40.70 a new regulation (7) so that it reads:
- (7) Minimum Setback Requirements for Residential Buildings on Major Streets



Despite regulations 10.20.40.70(1) to (6) above, a **townhouse** or **apartment building** located on a **lot** abutting a **major street** must have the following required minimum **building setbacks**:

(A) A **front yard setback** of:

(i) For a **lot depth** equal to or less than 36.0 metres:

(a) If regulation 10.5.40.70(1) applies, the lesser of the **front yard setback** required by 10.5.40.70(1) or 6.0 metres;

(b) if regulation 10.5.40.70(1) does not apply: 3.0 metres; and

(c) despite (a) and (b) above, if on a **through lot**: 6.0 metres;

(ii) despite (i) above, for a **lot depth** greater than 36.0 metres: 6.0 metres.

(B) a rear **yard setback** of 7.5 metres;

(C) for a **townhouse**, a side **yard setback** of:

(i) 0.9 metres, if all **dwelling units** front directly onto a **street**;

(ii) 7.5 metres, if all **dwelling units** do not front directly onto a **street**;

(D) for an **apartment building**, a side **yard setback** of:

(i) 2.4 metres for all portions of the **main wall** that do not have **primary windows**;

(ii) 5.5 metres for portions of the **main wall** that have **primary windows**;

(iii) Despite (i) and (ii) above, 7.5 metres for all portions of the **main wall** exceeding a **building length** of 25.0 metres; and

(iv) Despite (i) to (iii) above, on a **corner lot** the required minimum **side yard setback** from a **side lot line** abutting a **street** is 3.0 metres;

41. Zoning By-law 569-2013, as amended, is further amended by adding a new Clause 10.20.40.80 and regulations (1) and (2) so that it reads:

**10.20.40.80 Separation**

(1) Distance Between Main Walls of the Same Townhouse or Apartment Building

In the RD zone, if a **townhouse** or an **apartment building** on a **lot** abutting a **major street** has **main walls** where a line projected outward at a right angle from one of the

**main walls** intercepts another **main wall** of the same **building**, the required minimum above-ground separation distance between those **main walls** is:

- (A) 2.0 metres if there are no openings to **dwelling units** in those **main walls**;
- (B) 5.5 metres if there are no openings to **dwelling units** in one of those **main walls**; and
- (C) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.

(2) Distance Between Residential Buildings on the Same Lot

In the RD zone, if two or more **townhouses** or **apartment buildings** or combination thereof are located on the same **lot** abutting a **major street**, the required minimum above-ground separation distance between the **main walls** of the respective buildings is:

- (A) 5.5 metres if there are no openings to **dwelling units** in the **main wall** of one or more of the **buildings**; and
- (B) 11.0 metres if each **main wall** has an opening to a **dwelling unit**;

42. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" at the end of regulation 10.40.20.40(1)(D), deleting "." At the end of regulation 10.40.20.40(1)(E), and by adding to regulation 10.40.20.40(1) new regulations (F) and (G) so that the revised regulation 10.40.20.40(1) reads:

(1) Permitted Residential Building Types – RS Zone

In the RS Zone, a **dwelling unit** is permitted in the following residential building types:

- (A) **Detached House**;
- (B) **Semi-detached House**;
- (C) **Duplex**;
- (D) **Triplex**;
- (E) **Fourplex** [ By-law 474-2023 ];
- (F) **Townhouse** if the **lot** abuts a **major street**; and
- (G) **Apartment Building** if the **lot** abuts a **major street**.

43. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.40.20.40(2) so that it reads:

(2) Chapter 900 Exceptions

Despite regulations 900.1.10(3) and 900.1.10(4)(A), a **duplex**, **triplex**, **fourplex**, **townhouse**, or **apartment building** is a permitted **residential building** type if it complies with the regulations for the RS zone and all other requirements of this By-law, or is authorized by a Section 45 Planning Act minor variance. [ By-law: 474-2023 ]

44. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.40.30.10 a new regulation (2) so that it reads:

(2) Minimum Lot Area for Each **Dwelling unit** in a Townhouse

In the RS Zone:

If a zone label applying to a lot in the RT zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum **lot area** for each **dwelling unit** in a **townhouse**.

45. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" from the end of regulation 10.40.30.20(1)(B), replacing "." With "; at the end of regulation 10.40.30.20(C), and by adding to regulation 10.40.30.20(1) new regulations (D) and (E) so that it reads:

(D) despite (A) to (C) above, if a **townhouse** is located on a **lot** abutting a **major street**, the required minimum **lot frontage**:

(i) for a **townhouse** with every **dwelling unit** fronting directly on a **street**:

(a) is 6.0 metres for each **dwelling unit**; and

(b) may be reduced by 1.0 metre for each **dwelling unit** that does not have an individual private **driveway** leading directly to the front of it; and

(E) despite (A), to (C) above, if a **lot** abutting a **major street** has a **townhouse** with one or more **dwelling units** not fronting directly on a **street**, the required minimum **lot frontage** is 30.0 metres.

46. Zoning By-law 569-2013, as amended, is further amended by deleting "and" from the end of regulation (A), adding "; and" to the end of regulation (B) and adding to 10.40.30.40 a new regulation (C) so that it reads:

(C) Despite (A) and (B) above, if a **lot** abuts a **major street** the permitted maximum **lot coverage** for a **townhouse** or **apartment building** is 50 percent of the **lot area**.

47. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.40.40.1(2) so that it reads:

(2) Number of Residential Buildings on a Lot

(A) A maximum of one **residential building** is permitted on a **lot** in the RS zone; and

- (B) Despite (A) above, more than one **townhouse** or **apartment building**, or combination thereof, is permitted on a **lot** abutting a **major street**;

48. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.40.40.1 a new regulation (3) so that it reads:

(3) Number of Dwelling units on a Lot

- (A) If a zone label applying to a **lot** in the RS zone on the Zoning By-law Map has the letter "u", the numerical value following the letter "u" is the maximum number of **dwelling units** permitted on the **lot**; and
- (B) Despite (A) above, the permitted maximum number of **dwelling units** for an **apartment building** located on a **lot** abutting a **major street** is the greater of 60 **dwelling units** or the numerical value following the letter "u" on the Zoning By-law Map.

49. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.40.40.1 a new regulation (4) so that it reads:

(4) Minimum Width of a Dwelling unit

In the RS zone, the required minimum width of a **dwelling unit** in a **townhouse** on a **lot** abutting a **major street** is:

- (A) 5.0 metres if the **dwelling unit** does not have an individual private driveway leading directly to the front of it; and
- (B) 6.0 metres in all other cases.

50. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" at the end of regulation 10.40.40.10(1)(B) and adding Regulation 10.40.40.10(1)(D) so that the revised regulation reads:

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RS zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 10.0 metres; and
- (C) despite (A) above, the permitted maximum height for a **duplex**, **triplex**, or **fourplex** is the greater of:



- (i) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
    - (ii) 10.0 metres; and [ By-law: 474-2023 ]
  - (D) despite (A) and (B) above, the permitted maximum height for the following **residential buildings** located on a **lot** abutting a **major street** is:
    - (i) for a **townhouse**, the greater of 13.0 metres or the numerical value following the letters "HT" on the Height Overlay Map; and
    - (ii) for an **apartment building**, the greater of 19.0 metres or the numerical value following the letters "HT" on the Height Overlay Map.
51. Zoning By-law 569-2013, as amended, is further amended by replacing "." With ";" at the end of regulation 10.40.20.10(2)(B)(iii) and by adding to Regulation 10.40.40.10(2) a new regulation (C) so that it reads:
- (C) Despite (A) and (B) above, the permitted maximum height of **main walls** do not apply to **townhouses** or **apartment buildings** on a **lot** abutting a **major street**;
52. Zoning By-law 569-2013, as amended, is further amended is further amended by deleting "; and" from the end of regulation 10.20.40.10(3)(B), by replacing "." with ";" at the end of regulation 10.20.40.10(3)(C), and by adding to regulation 10.40.40.10(3) a new regulation (D) so that it reads:
- (D) despite (A) to (C) above, the permitted maximum number of **storeys** for the following **residential buildings** located on a **lot** abutting a **major street**, excluding a mechanical penthouse, is:
    - (i) for a **townhouse**, the greater of four storeys or the numerical value following the letters "ST" on the Height Overlay Map; and
    - (ii) for an **apartment building**, the greater of six storeys or the numerical value following the letters "ST" on the Height Overlay Map.
53. Zoning By-law 569-2013, as amended, is further amended by adding to clause 10.40.40.20 a new regulation (4) so that it reads:
- (4) Maximum Building Length for a Townhouse or Apartment Building on a Major Street
- Despite regulation 10.20.40.20(1), in the RS zone, if a **lot** abuts a major street, the permitted maximum building length is:
- (A) 19.0 metres for a **townhouse**; and



(B) 25.0 metres for an **apartment building**.

54. Zoning By-law 569-2013, as amended, is further amended by deleting ";and" at the end of regulation 10.40.40.40(1)(B), replacing "." With ";," at the end of regulation 10.40.40.40(1), and by adding to regulation 10.40.40.40(1) a new regulation (D) so that it reads:

(D) despite (A) to (C) above, the permitted maximum floor space index regulations do not apply to a **townhouse** or an **apartment building** that has 60 **dwelling units** or less that is located on a **lot** abutting a **major street**;

55. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.40.40.70 a new regulation (4) so that it reads:

(4) Minimum Setback Requirements for Residential Buildings on Major Streets

Despite (1) to (3) above, a **townhouse** or **apartment building** located on a **lot** abutting a **major street** must have the following minimum **building setbacks**:

(A) a **front yard setback** of:

(i) for a **lot depth** equal to or less than 36.0 metres:

(a) If regulation 10.5.40.70(1) applies, the lesser of the **front yard setback** required by 10.5.40.70(1) or 6.0 metres;

(b) if regulation 10.5.40.70(1) does not apply: 3.0 metres;

(c) despite (a) and (b) above, if on a **through lot**: 6.0 metres;

(ii) despite (i) above, for a **lot depth** greater than 36.0 metres: 6.0 metres.

(B) a **rear yard setback** of 7.5 metres;

(C) for a **townhouse**, a **side yard setback** of:

(i) 0.9 metres, if all **dwelling units** front directly onto a **street**;

(ii) 7.5 metres, if all **dwelling units** do not front directly onto a **street**;

(D) for an **apartment building**, a **side yard setback** of:

(i) 2.4 metres for all portions of the **main wall** that do not have **primary windows**;

- (ii) 5.5 metres for portions of the **main wall** that have **primary windows**;
- (iii) Despite (i) and (ii) above, 7.5 metres for all portions of the **main wall** exceeding a **building length** of 25.0 metres; and
- (iv) despite (i) to (iii) above, on a corner **lot** the required minimum **side yard setback** from a **side lot line** abutting a **street** is 3.0 metres;

56. Zoning By-law 569-2013, as amended, is further amended by adding a new Clause 10.40.40.80 and regulations (1) and (2) so that it reads:

**10.40.40.80 Separation**

**(1) Distance Between Main walls of the Same Townhouse or Apartment Building**

In the RS zone, if a **townhouse** or an **apartment building** on a **lot** abutting a **major street** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required minimum above-ground separation distance between those **main walls** is:

- (A) 2.0 metres if there are no openings to **dwelling units** in those **main walls**;
- (B) 5.5 metres if there are no openings to **dwelling units** in one of those **main walls**; and
- (C) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.

**(2) Distance Between Residential Buildings on the Same Lot**

In the RS zone, if two or more **townhouses** or **apartment buildings** or combination thereof are located on the same **lot** abutting a **major street**, the required minimum above-ground separation distance between the **main walls** of the respective buildings is:

- (A) 5.5 metres if there are no openings to **dwelling units** in the **main wall** of one or more of the **buildings**; and
- (B) 11.0 metres if each **main wall** has an opening to a **dwelling unit**;

57. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" at the end of regulation (E) and adding to regulation 10.60.20.40(1) a new subsection (G) so that the revised regulation reads:

**(1) Permitted Residential Building Types – RT Zone**

In the RT Zone, a **dwelling unit** is permitted in the following **residential building** types:

- (A) **Detached House**;

- (B) **Semi-detached House;**
- (C) **Townhouse;**
- (D) **Duplex;**
- (E) **Triplex;**
- (F) **Fourplex;** and [ By-law: 474-2023 ]
- (G) **Apartment Building,** if the **lot** abuts a **major street.**

58. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.60.20.40(2) so that it reads:

(2) Chapter 900 Exceptions

Despite regulations 900.1.10(3) and 900.1.10(4)(A), a **duplex, triplex, fourplex, townhouse, or apartment building** is a permitted **residential building** type if it complies with the regulations for the RT zone and all other requirements of this By-law, or is authorized by a Section 45 Planning Act minor variance. [ By-law: 474-2023 ]

59. Zoning By-law 569-2013, as amended, is further amended by deleting "and" from the end of regulation 10.60.30.40(1)(A), adding "; and" to the end of regulation (B) and adding to 10.60.30.40 a new regulation (C) so that it reads:

- (C) **Despite (A) and (B) above, if a lot abuts a major street, the permitted maximum lot coverage for a townhouse or apartment building is 50 percent of the lot area.**

60. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.60.40.1(2) so that it reads:

(2) Number of Dwelling Units on a Lot

- (A) If a zone label applying to a **lot** in the RT zone on the Zoning By-law Map has the letter "u", the numerical value following the letter "u" is the maximum number of **dwelling units** permitted on the **lot**; and
- (B) Despite (A) above, the permitted maximum number of **dwelling units** for an **apartment building** located on a **lot** abutting a **major street** is the greater of 60 **dwelling units** or the numerical value following the letter "u" on the Zoning By-law Map.

61. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" at the end of regulation 10.60.40.10(1)(B), replacing "." With "; and" at the end of regulation 10.60.40.10(1)(C)(ii), and by adding Regulation 10.60.40.10(1)(D) so that the revised regulation reads:

(1) Maximum Height



The permitted maximum height for a **building** or **structure** on a **lot** in the RT zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 10.0 metres; and
- (C) despite (A) above, the permitted maximum height for a **duplex, triplex, or fourplex** is the greater of:
  - (i) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
  - (ii) 10.0 metres; and [ By-law: 474-2023 ]
- (D) despite (A) and (B) above, the permitted maximum height for the following residential buildings located on a **lot** abutting a **street** is:
  - (i) for a **townhouse**, the greater of 13.0 metres or the numerical value following the letters "HT" on the Height Overlay Map; and
  - (ii) for an **apartment building**, the greater of 19.0 metres or the numerical value following the letters "HT" on the Height Overlay Map.

62. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" at the end of regulation 10.60.40.10(2)(B), replacing "." With "; and" at the end of regulation adding to regulation 10.60.40.10(2)(C), and by adding new regulation 10.60.40.10(2)(D) so that it reads:

- (D) despite (A) to (C) above, the permitted maximum number of **storeys** for the following **residential buildings**, excluding a mechanical penthouse, located on a **lot** abutting a **major street** is:
  - (i) for a **townhouse**, the greater of four **storeys** or the numerical value following the letters "ST" on the Height Overlay Map; and
  - (ii) for an **apartment building**, the greater of six **storeys** or the numerical value following the letters "ST" on the Height Overlay Map.

63. Zoning By-law 569-2013, as amended, is further amended by adding Clause 10.60.40.20 Building Length and regulation (1) so that it reads:

**10.60.40.20 Building Length**  
**(1) Maximum Building Length**

If a **lot** abuts a **major street**, the permitted maximum building length is:

(A) 19.0 metres for a **townhouse**; and

(B) 25.0 metres for an **apartment building**.

64. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" from the end of regulation 10.60.40.40(1)(B), replacing "." With "; and" at the end of regulation 10.60.40.40(1)(C), and by adding to regulation 10.60.40.40(1) a new regulation (D) so that it reads:

(D) despite (A) and (B) above, the permitted maximum floor space index regulations do not apply to a **townhouse** or an **apartment building** that has 60 **dwelling units** or less that is located on a **lot** abutting a **major street**;

65. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.60.40.70 a new regulation (4) so that it reads:

**(4) Minimum Setback Requirements for Residential Buildings on Major Streets**

Despite (1) to (3) above, a **townhouse** or **apartment building** located on a **lot** abutting a **major street** must have the following minimum **building setbacks**:

(A) a **front yard setback** of:

(i) for a **lot depth** equal to or less than 36.0 metres:

(a) If regulation 10.5.40.70(1) applies, the lesser of the **front yard setback** required by 10.5.40.70(1) or 6.0 metres;

(b) if regulation 10.5.40.70(1) does not apply: 3.0 metres; and

(c) despite (a) and (b) above, if on a **through lot**: 6.0 metres;

(ii) despite (i) above, for a **lot depth** greater than 36.0 metres: 6.0 metres.

(B) a **rear yard setback** of 7.5 metres;

(C) for a **townhouse**, a **side yard setback** of:

(i) 0.9 metres, if all **dwelling units** front directly onto a street;

(ii) 7.5 metres, if all **dwelling units** do not front directly onto a street;

(D) for an **apartment building**, a **side yard setback** of:

- (i) 2.4 metres for all portions of the **main wall** that do not have **primary windows**;
  - (ii) 5.5 metres for portions of the **main wall** that have **primary windows**;
  - (iii) Despite (i) and (ii) above, 7.5 metres for all portions of the **main wall** exceeding a **building length** of 25.0 metres; and
  - (iv) Despite (i) to (iii) above, on a **corner lot** the required minimum **side yard setback** from a **side lot line** abutting a **street** is 3.0 metres.
66. Zoning By-law 569-2013, as amended, is further amended by adding to regulation 10.80.20.40(1) a new regulation (G) so that it reads:
- (1) Permitted Residential Building Types – RM Zone
- In the RM Zone, a **dwelling unit** is permitted in the following **residential building** types:
- (A) **Detached House**;
  - (B) **Semi-detached House**;
  - (C) **Duplex**, if the zone label on the Zoning By-law Map:
    - (i) does not include a "u" value; or
    - (ii) has a numerical value of 2 or greater following the letter "u" in the zone label;
  - (D) **Triplex**, if the zone label on the Zoning By-law Map:
    - (i) does not include a "u" value; or
    - (ii) has a numerical value of 3 or greater following the letter "u" in the zone label;
  - (E) **Fourplex**, if the zone label on the Zoning By-law Map:
    - (i) does not include a "u" value; or
    - (ii) has a numerical value of 4 or greater following the letter "u" in the zone label;
  - (F) **Apartment Building**, if the zone label on the Zoning By-law Map:
    - (i) does not include a "u" value; or
    - (ii) has a numerical value of 5 or greater following the letter "u" in the zone label; and
    - (iii) (i) and (ii) above do not apply to **apartment buildings** on **lots** abutting **major streets**;
  - (G) **Townhouse**, if the zone label on the Zoning By-law Map:
    - (i) does not include a "u" value; or
    - (ii) has a numerical value of 3 or greater following the letter "u" in the zone label; and
    - (iii) despite (i) and (ii) above, a **townhouse** is only permitted if it is on a **lot** abutting a **major street**.

67. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.80.20.40(2) so that it reads:

(2) Chapter 900 Exceptions

Despite regulations 900.1.10(3) and 900.1.10(4)(A), a **duplex, triplex, fourplex, townhouse, or apartment building** is a permitted **residential building** type if it complies with the regulations for the RM zone and all other requirements of this By-law, or is authorized by a Section 45 Planning Act minor variance. [ By-law: 474-2023 ]

68. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.80.30.10 a new regulation (3) so that it reads:

(3) Minimum Lot Area for Each Dwelling unit in a Townhouse

If a zone label applying to a **lot** in the RM zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum **lot area** for each **dwelling unit** in a **townhouse**.

69. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.80.30.20(1)(B)(iii)(a) so that it applies only to apartment buildings on **lots** which do not abut a major street and reads:

(a) for each **apartment building** located on a **lot** which does not abut a **major street**;

70. Zoning By-law 569-2013, as amended, is further amended by adding to regulation 10.80.30.20(1) a new regulation (D) and (E) so that it reads:

(D) despite (A) and (B) above, if a **townhouse** is located on a **lot** abutting a **major street**, the required minimum **lot frontage**:

(i) for a **townhouse** with every **dwelling unit** fronting directly on a **street**:

(a) is 6.0 metres for each **dwelling unit**; and

(b) may be reduced by 1.0 metre for each **dwelling unit** that does not have an individual private **driveway** leading directly to the front of it; and

(E) despite (A), to (B) above, if a **lot** abutting a **major street** has a **townhouse** with one or more **dwelling units** not fronting directly on a **street**, the required minimum **lot frontage** is 30.0 metres.



71. Zoning By-law 569-2013, as amended, is further amended by deleting "and" from the end of regulation (A), adding "; and" to the end of regulation (B) and adding to 10.80.30.40 a new regulation (C) so that it reads:

(C) despite (A) above, if a **lot** abuts a **major street**, the permitted maximum **lot coverage** for a **townhouse** or **apartment building** is 50 percent of the **lot area**;

72. Zoning By-law 569-2013, as amended, is further amended by replacing regulation 10.80.40.1(2) so that it reads:

(2) Number of Dwelling units on a Lot

- (A) If a zone label applying to a **lot** in the RM zone on the Zoning By-law Map has the letter "u", the numerical value following the letter "u" is the maximum number of **dwelling units** permitted on the **lot**; and
- (B) Despite (A) above, the permitted maximum number of **dwelling units** for an **apartment building** located on a **lot** abutting a **major street** is the greater of 60 **dwelling units** or the numerical value following the letter "u" on the Zoning By-law Map.

73. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.80.40.1 a new regulation (3) so that it reads:

(4) Minimum Width of a Dwelling unit

In the RM zone, the required minimum width of a **dwelling unit** in a **townhouse** is:

- (A) 5.0 metres if the **dwelling unit** does not have an individual private **driveway** leading directly to the front of it; and
- (B) 6.0 metres in all other cases.

74. Zoning By-law 569-2013, as amended, is further amended by adding to Regulation 10.80.40.10 a new regulation (D) so that the revised regulation reads:

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RM zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map:



75

- (i) 10.0 metres, for a **detached house** or **semi-detached house** and
    - (ii) 13.0 metres, for any other **building** or **structure**;
  - (C) despite (A) above, the permitted maximum height for a **duplex, triplex, or fourplex** is the greater of:
    - (i) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
    - (ii) 10.0 metres; and [ By-law: 474-2023 ]
  - (D) despite (A) and (B) above, the permitted maximum height for the following **residential buildings** located on a **lot** abutting a **major street** is:
    - (i) for a **townhouse**, the greater of 13.0 metres or the numerical value following the letters "HT" on the Height Overlay Map; and
    - (ii) for an **apartment building**, the greater of 19.0 metres or the numerical value following the letters "HT" on the Height Overlay Map.
75. Zoning By-law 569-2013, as amended, is further amended by deleting "; and "from the end of regulation 10.80.40.10(2)(B)(ii), replacing "." with "; and" at the end of regulation 10.80.40.10(2)(B)(iii), and by adding to Regulation 10.80.40.10(2) a new regulation (C) so that it reads:
- (C) despite (A) to (B) above, the permitted maximum height of **main walls** do not apply to **townhouses** or **apartment buildings** on a **lot** abutting a **major street**;
76. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" from the end of regulation 10.80.40.10(3), by replacing "." With ";and" at the end of regulation 10.80.40.10(3)(C), and by adding to regulation 10.80.40.10(3) a new regulation (D) so that it reads:
- (D) despite (A) to (B) above, the permitted maximum number of **storeys** for the following **residential buildings** located on a **lot** abutting a **major street**, excluding a mechanical penthouse, is:
    - (i) For a **townhouse**, the greater of four **storeys** or the numerical value following the letters "ST" on the Height Overlay Map; and
    - (ii) For an **apartment building**, the greater of six **storeys** or the numerical value following the letters "ST" on the Height Overlay Map.
77. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.80.40.20 a new regulation (3) so that it reads:

(3) Maximum Building Length for a Townhouse or Apartment Building on a Major Street

In the RM zone, if a **lot** abuts a major street, the permitted maximum building length is:

- (A) 19.0 metres for a **townhouse**; and
- (B) **25.0 metres for an apartment building;**

78. Zoning By-law 569-2013, as amended, is further amended by deleting "; and" from the end of regulation 10.80.40.40(1)(B), replacing "." with "; and" at the end of regulation 10.80.40.40(1)(C), and by adding to regulation 10.80.40.40(1) a new regulation (D) so that it reads:

- (D) **despite (A) to (C) above, the permitted maximum floor space index regulations do not apply to a townhouse or an apartment building that has 60 dwelling units or less that is located on a lot abutting a major street;**

79. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 10.80.40.70 a new regulation (4) so that it reads:

(4) Minimum Setback Requirements for Residential Buildings on Major Streets

**Despite regulations 10.80.40.70(1) to (3) above, a townhouse or apartment building located on a lot abutting a major street must have the following minimum building setbacks:**

- (A) **a front yard setback of:**
  - (i) **for a lot depth equal to or less than 36.0 metres:**
    - (a) **If regulation 10.5.40.70(1) applies, the lesser of the front yard setback required by 10.5.40.70(1) or 6.0 metres;**
    - (b) **if regulation 10.5.40.70(1) does not apply: 3.0 metres; and**
    - (c) **(a) and (b) above, if on a through lot: 6.0 metres;**
  - (ii) **despite (i) above, for a lot depth greater than 36.0 metres: 6.0 metres.**
- (B) **a rear yard setback of 7.5 metres;**
- (C) **for a townhouse, a side yard setback of:**
  - (i) **0.9 metres, if all dwelling units front directly onto a street;**
  - (ii) **7.5 metres, if all dwelling units do not front directly onto a street;**
- (D) **for an apartment building, a side yard setback of:**
  - (i) **2.4 metres;**

- (ii) Despite (i) above, 5.5 metres for portions of the **main wall** that have **primary windows**;
  - (iii) Despite (i) and (ii) above, 7.5 metres for all portions of the **main wall** exceeding a **building length** of 25.0 metres; and
  - (iv) despite (i) to (iii) above, on a **corner lot** the required minimum **side yard setback** from a **side lot line** abutting a **street** is 3.0 metres.
80. Zoning By-law 569-2013, as amended, is further amended by inserting "or townhouse" and changing the title accordingly in regulation 10.80.40.80(1) so that the revised regulation reads:
- (1) Distance Between Main walls of the Same Apartment Building or Townhouse
- In the RM zone, if an **apartment building** or **townhouse** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same building, the required minimum above-ground separation distance between those **main walls** is:
- (A) 5.5 metres if there are no openings to **dwelling units** in one or more of those **main walls**; and
  - (B) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.
81. Zoning By-law 569-2013, as amended, is further amended by adding to Section 800.50 a new regulation 457 so that it reads:
- (457) Major Street  
means any street identified as "Major Streets" on the Policy Areas Overlay Map found in Section 995.10. For the purpose of this definition, the phrase "major **street** on the Policy Area Overlay Map" has the same meaning as **major street**.
82. Zoning By-law 569-2013, as amended, is further amended by adding to Section 800.50 a new regulation (600) so that it reads:
- (600) Primary Window  
means a window in a **dwelling unit** other than a window of a bedroom, kitchen, bathroom, hallway, or storage area.
83. Zoning By-law 569-2013, as amended, is further amended by adding to Article 10.5.30 a new Clause 10.5.30.50 and regulation 10.5.30.50(1) so that it reads:
- 10.5.30.50 **Planned Rights-of-way**

(1) Measurement of Front Yard setbacks for Townhouses and Apartment Buildings on Major Streets

The required **front yard setback** of a **townhouse** or **apartment building** located on a **lot** abutting a **major street** is measured from either:

- (A) the **lot line** abutting a **major street**, provided that the right-of-way width of the **major street** abutting the **lot** has been built to the width planned on Map 3 of the Official Plan; or
- (B) the **lot line** abutting a **major street**, as it would be following the conveyance of the right-of-way widening required to achieve the planned right-of-way width of that **major street**, provided that the **major street** has not been built to the right-of-way width planned on Map 3 of the Official Plan.

Enacted and passed on June 2, 2024.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)



### Major Streets Policy Areas Overlay Maps



























































