

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: November 30, 2022

CASE NO.: OLT-22-002465

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

Appellant(s):	Multiple Appellants (see Attachment 1)
Subject:	By-law No. 569-2013
Municipality:	City of Toronto
OLT Case No.:	OLT-22-002465
Legacy Case No.:	PL130592
OLT Lead Case No.:	OLT-22-002465
Legacy Lead Case No.:	PL130592
OLT Case Name:	Bahardoust v. Toronto (City)

D.S. COLBORNE & G. BURTON)	Wednesday, the 30 th
VICE CHAIR)	
)	day of November,
		2022

THIS MATTER having come before the Tribunal for a hearing commencing March 5, 2021, and having reviewed the affidavit evidence and submissions of the Parties;

THE TRIBUNAL ORDERS that the Regulations of City of Toronto By-law 569-2013 set out in Attachment 2 to this Order are approved and are in full force and effect as of the date of this Order.

THE TRIBUNAL ORDERS that the coming into effect of the portions of By-law 569-2013 set out in Attachment 2 to this Order:

- (a) shall be without prejudice to the rights of any party for their proposed exceptions or modifications to By-law 569-2013 in an issue-specific or site-specific appeal. For greater certainty and without limiting the foregoing, this Order shall not have any effect on the

Tribunal's authority to grant issue-specific, category-specific, organizational or site-specific exceptions or modifications to By-law 569-2013, as amended, regardless of whether the proposed exceptions or modifications deviate from, or result in the repeal or replacement of, portions of By-law 569-2013 that the Tribunal has already approved;

(b) shall not have the effect of limiting existing or future resolutions of any appellant's appeal;

(c) shall not limit any party's right to seek to amend portions of By-law 569-2013 does not limit the jurisdiction of the Tribunal to consider and approve amendments to the By-law including the addition of permitted uses and building types, and site specific exceptions or modifications to By-law 569-2013 that may deviate from portions of the By-law that the Tribunal has already approved; and

(d) shall not apply to any portion of By-law 569-2013 that remains in issue in the appeals;

AND THE TRIBUNAL ORDERS that it may be spoken to in the event some matter should arise in connection with the implementation of this Order.

"Euken Lui"

Euken Lui
ACTING REGISTRAR

Ontario Land Tribunal

Website: 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.

ATTACHMENT 1

Remaining Appeals to Zoning By-law 569-2013: Updated between February 2019 and September 2022

	APPELLANT	COUNSEL/AGENT	APPEAL TYPE	Status
2	Morguard Corporation	Mary Flynn-Guglietti	Site Specific	Active
3	Robert McAlpine Limited	Sidonia J. Loiacono	Site Specific	Settled on consent (February 2, 2016). Withdrawn.
4	Lafarge Canada	W. Brent Clarkson	Site Specific	Withdrawn
5	Robert B. Statton	Robert B. Statton	Topic Specific Area Specific	Active
6	Metropolitan United Church	Neil M. Smiley	Site Specific	Active
13	Toronto District School Board	Barnet Kussner	Topic Specific	Active
14	Curlew Developments Inc.	Marc Kemerer	Site Specific	Active
15	Ontario Power Generation	Andrew Jeanrie (formerly Mary Flynn-Guglietti)	Site Specific	Active.
17	Atlantic Packaging Products Ltd.	Calvin Lantz	Site Specific	Active
18	Atlantic Packaging Products Ltd.	Calvin Lantz	Site Specific	Active
19	Atlantic Packaging Products Ltd.	Calvin Lantz	Site Specific	Active
20	Atlantic Packaging Products Ltd.	Calvin Lantz	Site Specific	Active
21	Atlantic Packaging Products Ltd.	Calvin Lantz	Site Specific	Active
22	Atlantic Packaging Products Ltd.	Calvin Lantz	Site Specific	Active
23	Renate Pammer	Calvin Lantz	Site Specific	Active
24	The International Group, Inc.	Calvin Lantz	Site Specific	Active
25	The International Group, Inc.	Calvin Lantz	Site Specific	Active
26	The International Group, Inc.	Calvin Lantz	Site Specific	Active
27	Prince Spa and Resort Operations Toronto Ltd.	Calvin Lantz	Site Specific	Active
28	Greey Realty Holdings Limited	Richard R. Minster (was Calvin Lantz)	Site Specific	Active
29	Greey Realty Holdings Limited	Richard R. Minster (was Calvin Lantz)	Site Specific	Active
30	Campbell Company of	Calvin Lantz	Site Specific	Active

	APPELLANT	COUNSEL/AGENT	APPEAL TYPE	Status
	Canada			
32	Irving Tissue Corporation	Calvin Lantz	Site Specific	Active
33	Irving Tissue Corporation	Calvin Lantz	Site Specific	Active
35	Advocacy Centre for Tenants Ontario	Douglas Kwan	Topic Specific	Active
37	Silvercore Properties Inc.	John A. R. Dawson	Topic Specific	Active for visitor parking provisions. Withdrawn for 5799-5915 Yonge Street, 46 and 47 Averill Crescent: letter dated November 22, 2017
38	Silvercore Properties Inc.	John A. R. Dawson	Site Specific	Active
50	Roman Catholic Episcopal Corporation	Steven J. O'Melia	Site Specific Topic Specific?	Active
53	Service Corporation- International (Canada) ULC	Pitman Patterson	Site Specific- Topic Specific	Withdrawn, letter of Jan. 6/16
55	Rupert Community Residential Services of Toronto Inc.	Robert Keel	Topic Specific	Active
56	Cowie Brothers Leaseholds	Joel D. Farber	Site Specific	Active
57	Samper Developments Ltd.	John A. R. Dawson	Topic Specific	Active for visitor parking provisions. Withdrawn for 25, 35, 41 and 53 Warrender Avenue: letter dated November 22, 2017
61	Deltera Inc.	John A. R. Dawson	Topic Specific	Active
62	Concert Real Estate Corporation	John A. R. Dawson	Site Specific Topic Specific	Active
63	Maple Leaf Sports & Entertainment	John A. R. Dawson	Site Specific-	Withdrawn: letter dated March 8, 2018
67	1098748 Ontario Limited	Jim Harbell & Maggie Bassani	Site Specific-	Withdrawn, letter dated July 4, 2016
70	Riocan Holdings Inc.(700 Lawrence Avenue West)	Joel Farber Matthew Rutledge	Site Specific	Active
73	St. Leonard's Society of Toronto	N. Jane Pepino	Site Specific	Active
76	Mount Pleasant Group of Cemeteries	Stephen D'Agostino	Site Specific Topic Specific	Active
77	Suncor Energy Products	Mary Flynn-Guglietti	Site Specific Topic Specific	Active
82	844940 Ontario Inc.	Signe Leisk	Site Specific	Active
83	Habitat for Humanity	Geoffrey McGrath- & David Bronskill	Site Specific	Resolved by settlement. See consent order of Feb. 3/16
84	Greenhill Community Association	Larry Colle	Area Specific	Active
85	60 Bloor Equities Inc.	Dennis Wood	Site Specific	Active

	APPELLANT	COUNSEL/AGENT	APPEAL TYPE	Status
86	Revenue Properties Company Limited	Dennis Wood	Site Specific	Active
88	Park Smart Inc Epic Parking Control Services Inc	Konstantine Stavrakos (was H. Watson)	Topic Specific	Active
91	Coco Paving Inc.	Adam Brown	Site Specific	Active
92	Deltera Inc.	Calvin Lantz	Site Specific	Active
93	Canadian Apartment Properties Real Estate Investment Trust	Calvin Lantz	Topic Specific	Active
95	Pyxis Real Estate Equities Inc.	Calvin Lantz	Site Specific	Withdrawn: letter of Oct. 13/16
96	Pyxis Real Estate Equities Inc.	Calvin Lantz	Site Specific	Withdrawn: letter of Oct. 13/16
97	Pyxis Real Estate Equities Inc.	Calvin Lantz	Site Specific	Withdrawn: letter of Oct. 13/16
98	Reimer World Properties Corp	Sidonia J. Loiacono	Site Specific	Settled on consent (February 2, 2016). Withdrawn.
99	Torgan Management Inc.	Mary Flynn-Guglietti	Site Specific	Active
100	Crown Realty II Limited Partnership	Mary Flynn-Guglietti	Site Specific	Active
103	Symesbridge Inc.	Catherine Lyons		Withdrawn: letter of Mar. 11/15
107	1217861 Ontario Limited	(Michael Stewart) David White	Site Specific	Active
108	258 Attwell Drive Limited	David White	Site Specific	Active
109	1585168 Ontario Inc.	David White	Site Specific	Active
110	Red Banner Developments Limited	David White	Site Specific	Active
111	1182929 Ontario Inc.	David White	Site Specific	Active
113	Dundas Real Estate Investments	Marc Kemerer	Site Specific	Active
114	Nashdene Court Ltd.	Marc Kemerer	Site Specific	Active
115	Zane Properties & 1226567 Ontario Inc.	Marc Kemerer	Site Specific	Active
123	A&W Food Services of Canada Inc.	David Bronskill	Topic Specific	Withdrawn: letter dated January 29, 2020
124	Ontario Restaurant Hotel & Motel Association (ORHMA)	David Bronskill	Topic Specific	Withdrawn: letter dated January 29, 2020
125	Wendy's Restaurants of Canada	David Bronskill	Topic Specific	Withdrawn: letter dated January 29, 2020
126	McDonald's Restaurants of Canada	David Bronskill	Topic Specific	Withdrawn: letter dated January 29, 20
127	TDL Group Corp.	David Bronskill	Topic Specific	Withdrawn: letter dated January 29, 20

	APPELLANT	COUNSEL/AGENT	APPEAL TYPE	Status
128	Triumphant Church of God in Canada	David Tang	Site Specific	Active
129	Toronto Faith Coalition, Inc.	David Tang	Topic Specific Site Specific	Active
130	3636 Bathurst Street Limited	David Tang	Topic Specific	Active
131	Ontario Association of Architects	Ronald Kanter	Topic Specific	Active
132	Colville Developments Ltd. and North Park Shopping Centres Ltd	(Michael Stewart)	Site Specific	Active
133	Robert Fish	(Michael Stewart)	Site Specific	Active
143	Allied Properties REIT (555 Richmond Street West Holdings Inc. Only)	Kim Kovar	Site Specific	555 Richmond Street West withdrawn: letter dated April 28, 2016 Active for: 543 Richmond Street West
150	Midland Corporate Center Ltd.	Mark Piel	Site Specific	Active
158	Arsandco Investments Limited	Patrick J. Devine	Site Specific	Active
161	The Goldman Group	Jason Park	Site Specific	Active
165	The Governing Council of the Salvation Army	Joseph Debono	Site Specific	Active
		(was Mark Piel)	Topic Specific?	
166	The Governing Council of the Salvation Army	Joseph Debono	Site Specific	Active
		(was Mark Piel)	Topic Specific?	
167	Christian Horizons	Mark Piel	Site Specific	Active
			Topic Specific?	
170	Burnac Holdings Limited	Jason Park		Active
181	Baby Point Heritage Foundation	David Bronskill	Area Specific	Active
184	Sun Life Assurance Company	Patrick J. Devine	Site Specific	Active
185	Samuel Sarick Limited	(new counsel)	Site Specific	Active
196	Ed Mirvish Enterprises Limited	Cynthia MacDougal (formerly Patrick Devine)	Site Specific	Active
203	Rockport Holding Limited	David Bronskill	Site Specific	Active
204	Bathurst and Glencairn Square Limited	David Bronskill	Site Specific	Active
205	2094528 Ontario Limited and HGT Holdings Limited	David Bronskill	Site Specific	Active.
206	Rosedale Equites Limited	David Bronskill	Site Specific	Active
207	2301885 Ontario Limited	David Bronskill	Site Specific	Active

	APPELLANT	COUNSEL/AGENT	APPEAL TYPE	Status
208	Sandra Melville	Sandra Melville	Area Specific	Active
209	Minto Properties Inc.	Cynthia A. MacDougall	Topic Specific Site Specific	Active
210	Harry Klaczkowski	Cynthia A. MacDougall	Topic Specific Site Specific	Active
211	St. Michael's Hospital	Cynthia A. MacDougall	Site Specific	Active
212	Shoreline Towers Inc.	Steven Waque	Site Specific	Withdrawn: letter dated May 5, 2022
213	Krugarand Corporation	Calvin Lantz (formerly Sean Gosnell)	Site Specific	Active
216	H&R Reit	Patrick Devine (formerly Robert Truman)	Site Specific	Active
218	University of Toronto	Signe Leisk	Topic Specific Site Specific	Active
219	1428272 Ontario Limited	Angelo Delfino	Site Specific	Active
220	Down 2 Earth	Mary Flynn-Guglietti	Site Specific	Settled. OLT Order issued January 20, 2022
221	Congregation Kahal Avreichmin	Bernard Feintuch	Site Specific	Active
222	Primaris Retail REIT	Tara Piurko	Site Specific	Active
223	Queen Spadina Residents Corporation.	David Bronskill	Site specific	Active
226	Pier 27 Toronto Inc.	Cynthia A. MacDougall	Site Specific	Withdrawn: letter dated March 8, 2018
227	Plazacorp Investments Limited	Cynthia A. MacDougall	Site Specific	Active
230	GWL Realty Advisors Inc.	Jason Park	Topic Specific	Active
231	Greenwood College School	Cynthia A. MacDougall	Site Specific	Withdrawn: letter dated March 8, 2018
232	Arrowdale Development Ltd., Arrowdale In Trust and Loring Development Ltd.	Steven A Zakem Sidonia J. Tomasella	Site Specific	Active
233	Talon International Development Inc.	John A. R. Dawson	Topic Specific Site Specific	Active
234	Monarch Corporation	John A. R. Dawson	Topic Specific Site Specific	Letter dated November 22, 2017 indicates this will be withdrawn once OLT issues further amendments as a result of the May 16, 2017 order regarding 3640 St. Clair Avenue East. The amendment to remove 65 Comstock was issued on January 18, 2018. No record of formal withdraw letter.

	APPELLANT	COUNSEL/AGENT	APPEAL TYPE	Status
236	Centre for Addiction and Mental Health	Cynthia A. MacDougall	Site Specific	Withdrawn: letter dated March 8, 2018
237	2292446 Ontario Limited	Cynthia A. MacDougall	Site Specific	Withdrawn: letter dated March 8, 2018
238	Mohican Holdings Limited	Cynthia A. MacDougall	Site Specific	Withdrawn: letter dated March 8, 2018
242	Catholic Cemeteries – Archdiocese of Toronto	Steven J. O'Melia	Topic Specific Site Specific	Active
244	117676 Ontario Limited	Jason Cherniak	Site Specific	Active
245	Loblaws Properties Limited	Eileen Costello	Topic Specific- Site Specific	Settled per OLT Decision of November 21, 2018
247	Brovi Investments Limited	Patrick Harrington	Site Specific	Active
248	Greater Toronto Apartment Association	Tom Halinski	Topic Specific	Active
253	RG Dibble Company Limited	Barnet Kussner	Site Specific	Active
254	The Brothers of the Christian Schools of Ontario	Michael J McQuaid	Site Specific	Active
255	1030552 Ontario Limited	Barnet Kussner	Site Specific	Active
256	Providence Healthcare	Barnet Kussner	Site Specific	Active
257	Target Park Inc.	Ian Flett (formerly C. J. Tzekas)	Topic Specific	Active
258	2006199 Ontario Limited	C.J. Tzekas	Site Specific	Withdrawn for one site (30 Booth): letter dated October 3, 2017. Active for Eastern and Kipling sites.
260	Premium Properties Limited	Bruce Engell	Site Specific	Active
261	Richwood Developments Limited	Bruce Engell	Site Specific	Active
262	Premium Properties Limited	Bruce Engell	Site Specific	Active
263	Premium Properties Limited	Bruce Engell	Site Specific	Active
264	Premium Properties Limited	Bruce Engell	Site Specific	Active
265	Toronto Catholic District School Board	Steven J. O'Melia	Topic Specific Site Specific	Active See also Appeal 13.
266	Frank Bosse	Frank Bosse	Site Specific	Withdrawn: e-mail dated April 2, 2018
271	1362882 Ontario Ltd.	Barry Horosko	Site Specific	Active
272	Mondelez Canada Inc.	Mary Bull	Topic Specific Site Specific	Active
273	Rogers Communication	John A. R. Dawson	Topic Specific Site Specific	Letter dated November 22, 2017 indicates this will be withdrawn once OLT issues

	APPELLANT	COUNSEL/AGENT	APPEAL TYPE	Status
				further amendments as a result of the May 16, 2017 order regarding 65 Comstock Road. The amendment to remove 65 Comstock was issued on January 18, 2018. No record of formal withdraw letter.
275	York University	Cynthia A. MacDougall	Site Specific	Active
276	York University	Cynthia A. MacDougall	Site Specific	Active
278	Diamond Corp	Cynthia A. MacDougall	Site Specific	Partial withdrawal of 592 Sherbourne street west and 15 Selby Street: letter dated March 11, 2016
281	115 Dupont Holding Limited	Ken Zuckerman	Site Specific	Email dated December 6, 2013 indicates they will withdraw once site specific development approvals are obtained.
287	Stan Makow	Stan Makow	Topic Specific	Active
290	180 University Holding Inc.	John Dawson	Site Specific	Active
291	Memorial Gardens Canada Limited (only re: 33 Memory Gardens for now)	Tom Barlow	Topic Specific Site Specific	Active
293	Villa Charities and Italian Canadian Benevolent Seniors Apartment Corporation	Quinto Annibale	Site Specific	Active
295	Chabad on the Avenue	Neil M. Smiley	Site Specific	Withdrawn: letter dated March 12, 2019
296	Park Lawn Corporation	Bruce Ketcheson	Topic Specific Site Specific	Active
297	Perry and Deloris Avdoulos	Perry and Deloris Avdoulos	Site Specific	Active
298	Catherine Morrison	Barry Morrison	Site Specific	Active
299	Eileen and Michael Denny	Eileen Denny	Site Specific	Active/Dormant
300	Confederation of Resident and Ratepayer Associations in Toronto	Eileen Denny (William Roberts)	Topic Specific	Active
301	Teddington Park Residents Association	Eileen Denny	Topic Specific Area Specific	Active/Dormant
303	217 Adelaide Holding Limited	Calvin Lantz (Kim Kovar)	Site Specific	Active
305	Preston Group	Isaiah Banach	Site Specific	Active
306	214 King Holding Limited	Kim Kovar		Active

	APPELLANT	COUNSEL/AGENT	APPEAL TYPE	Status
307	Conservatory Group	John Alati	Topic Specific Site Specific	Active
316	Eddystone Meat Products	Adam Brown	Site Specific	Active
319	14 15, 20 Carluke Crescent Limited	David Tang	Topic Specific	Active
320	3000 Dufferin Street Limited	David Tang	Topic Specific	Active
321	Rexlington Heights Limited	David Tang	Topic Specific	Active
322	1855 Jane Street Limited	David Tang	Topic Specific	Active
323	7-9-11 Crescent Place Limited	David Tang	Topic Specific	Active
324	Fisherville & Bathurst Limited	David Tang	Topic Specific	Active

ATTACHMENT 2

Authority: Ontario Land Tribunal Decision and Order issued on October 12, 2021 and final approval on November 30, 2022, in Tribunal File PL130592

CITY OF TORONTO BY-LAW xxxx-2022(OLT)

To Amend Zoning By-law 569-2013, as amended, resulting from the Sub-phase 2 of the Phase 2 Ontario Land Tribunal Hearing on Certain Appeals to Zoning By-law 569-2013

Whereas the Ontario Land Tribunal, by way of Order/Decision issued on October 12, 2021, and final approval on [date] in Tribunal File PL130592 following appeals pursuant to Section 34(19) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, determined to amend the City of Toronto Zoning By-law 569-2013, as amended, with respect to: Maximum Height in Residential Zones within the boundary of the former City of Toronto; Maximum Main Wall Height; Maximum Height of Main Walls of a Detached House with a Flat or Shallow Roof; Width of Dormers; and the Definitions of Basement and First Floor.

The Ontario Land Tribunal orders as follows:

Maximum Height in Residential Zones within the boundary of the former City of Toronto

1. By-law 569-2013, as amended, is further amended as follows:
 - (A) Within the lands of the boundary of the former City of Toronto, as shown with heavy black lines on Schedule 1 of this By-law, for those lands that have a zone symbol of "R" and "RD" on the Zoning By-law Map in Section 990.10, on the Height Overlay Map in Article 995.20.1 change the existing numerical values, in metres, following the letters HT to the numerical values as follows:
 - (i) from "HT 9.0" to "HT 10.0";
 - (ii) from "HT 10.0" to "HT 11.0";
 - (iii) from "HT 11.0" to "HT 12.0"; and
 - (iv) from "HT 12.0" to "HT 13.0".

Maximum Main Wall Height

2. By-law 569-2013, as amended, is further amended as follows:
 - (A) Replace Regulation 10.10.40.10(2) with the following:
 - "(2) Maximum Height of Specified Pairs of Main Walls

In the R zone, the permitted maximum height of the exterior portion of **main walls** for a **residential building**, other than an **apartment building**, is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in regulation 10.10.40.10(1), for either (A) or (B) below:

- (A) all side **main walls**, for at least 70% of the total width of each side **main wall**; or
- (B) all front **main walls** and all rear **main walls**, for at least:

- (i) 60% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** of 12.0 metres or more;
- (ii) 50% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** greater than 7.5 metres and less than 12.0 metres; and
- (iii) 40% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** of 7.5 metres or less."

3. By-law 569-2013, as amended, is further amended as follows:

(A) Replace Regulation 10.20.40.10(2) with the following:

"(2) Maximum Height of Specified Pairs of Main Walls

In the RD zone, the permitted maximum height of the exterior portion of **main walls** for a **detached house** is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in regulation 10.20.40.10(1), for either (A) or (B) below:

- (A) all side **main walls**, for at least 70% of the total width of each side **main wall**; or
- (B) all front **main walls** and all rear **main walls**, for at least:

- (i) 60% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** of 12.0 metres or more;
- (ii) 50% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** greater than 7.5 metres and less than 12.0 metres; and
- (iii) 40% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** of 7.5 metres or less."

4. By-law 569-2013, as amended, is further amended as follows:

(A) Replace Regulation 10.40.40.10(2) with the following:

"(2) Maximum Height of Specified Pairs of Main Walls

In the RS zone, the permitted maximum height of the exterior portion of **main walls** for a **detached house** or a **semi-detached house** is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in regulation 10.40.40.10(1), for either (A) or (B) below:

- (A) all side **main walls**, for at least 70% of the total width of each side **main wall**; or
- (B) all front **main walls** and all rear **main walls**, for at least:

- (i) 60% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** of 12.0 metres or more;

- (ii) 50% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** greater than 7.5 metres and less than 12.0 metres; and
- (iii) 40% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** of 7.5 metres or less."

5. By-law 569-2013, as amended, is further amended as follows:

(A) Replace Regulation 10.80.40.10(2) with the following:

"(2) Maximum Height of Specified Pairs of Main Walls

In the RM zone, the permitted maximum height of the exterior portion of **main walls** for a **detached house** or a **semi-detached house** is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in regulation 10.80.40.10(1), for either (A) or (B) below:

- (A) all side **main walls**, for at least 70% of the total width of each side **main wall**; or
- (B) all front **main walls** and all rear **main walls**, for at least:

- (i) 60% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** of 12.0 metres or more;
- (ii) 50% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** greater than 7.5 metres and less than 12.0 metres; and
- (iii) 40% of the total width of all front **main walls** and all rear **main walls** if the **building** is on a **lot** with a **lot frontage** of 7.5 metres or less."

Maximum Height of Main Walls of a Detached House with a Flat or Shallow Roof

6. By-law 569-2013, as amended, is further amended as follows:

(A) Replace Regulation 10.20.40.10(4) with the following:

"(4) Maximum Height of Main Walls of a Detached House with a Flat or Shallow Roof

Subject to regulation 10.20.40.10(1), if a **detached house** in the RD zone has a roof with a slope of less than 1.0 vertical units for every 10.0 horizontal units for more than 50% of the total horizontal roof area:

- (A) despite regulation 10.20.40.10(2), the permitted maximum height of all **main walls** is the higher of 7.2 metres above **established grade** or 2.5 metres less than the permitted maximum height in regulation 10.20.40.10(1); and
- (B) despite (A) above, additional **main walls** are permitted to be located above the maximum height of all **main walls** permitted in (A) above, provided all the additional front **main walls** and rear **main walls** located above the **main walls** permitted in (A) above are set back a minimum of 1.4 metres from the front **main walls**

and rear **main walls** permitted in (A)."

7. By-law 569-2013, as amended, is further amended as follows:

(A) Replace Regulation 10.20.40.10(5) with the following:

"(5)

"A parapet on a **detached house** in the RD zone may exceed the permitted maximum **main wall** height in regulation 10.20.40.10(4) by a maximum of 0.3 metres."

Width of Dormers

8. By-law 569-2013, as amended, is further amended as follows:

(A) Replace Regulation 10.10.40.10(5) with the following:

"(5) Width of Dormers in a Roof Above a Second Storey or Higher

In the R zone, on a **residential building** with two or more **storeys**, the walls of a dormer are not **main walls** if:

- (A) the face of the dormer is in a roof directly above a part of a **main wall** that does not exceed the permitted maximum **main wall** height; and
- (B) the total width of the faces of the dormers in the roof described in (A) above is no greater than 40% of the width of the parts of the **main walls** that do not exceed the permitted maximum **main wall** height, measured at the level of the uppermost **storey** below the roof."

9. By-law 569-2013, as amended, is further amended as follows:

(A) Replace Regulation 10.20.40.10(7) with the following:

"(7) Width of Dormers in a Roof Above a Second Storey or Higher

In the RD zone, on a **detached house** with two or more **storeys**, the walls of a dormer are not **main walls** if:

- (A) the face of the dormer is in a roof directly above a part of a **main wall** that does not exceed the permitted maximum **main wall** height; and
- (B) the total width of the faces of the dormers in the roof described in (A) above is no greater than 40% of the width of the parts of the **main walls** that do not exceed the permitted maximum **main wall** height, measured at the level of the uppermost **storey** below the roof."

10. By-law 569-2013, as amended, is further amended as follows:

(A) Replace Regulation 10.40.40.10(5) with the following:

"(5) Width of Dormers in a Roof Above a Second Storey or Higher

In the RS zone, on a **detached house** or a **semi-detached house** with two or more **storeys**, the walls of a dormer are not **main walls** if:

- (A) the face of the dormer is in a roof directly above a part of a **main wall** that does not exceed the permitted maximum **main wall** height; and
- (B) the total width of the faces of the dormers in the roof described in (A) above is no greater than 40% of the width of the parts of the **main walls** that do not exceed the permitted maximum **main wall** height, measured at the level of the uppermost **storey** below the roof."

11. By-law 569-2013, as amended, is further amended as follows:
- (A) Replace Regulation 10.80.40.10(5) with the following:
 - "(5) Width of Dormers in a Roof Above a Second Storey or Higher
In the RM zone, on a **detached house** or a **semi-detached house** with two or more **storeys**, the walls of a dormer are not **main walls** if:
 - (A) the face of the dormer is in a roof directly above a part of a **main wall** that does not exceed the permitted maximum **main wall** height; and
 - (B) the total width of the faces of the dormers in the roof described in (A) above is no greater than 40% of the width of the parts of the **main walls** that do not exceed the permitted maximum **main wall** height, measured at the level of the uppermost **storey** below the roof."

Definitions of Basement and First Floor

12. By-law 569-2013, as amended, is further amended as follows:
- (A) Replace Section 800.50 Defined Terms, Regulation (80) Basement with the following:
 - "(80) Basement
means any part of a **building** where the elevation of the midpoint between the lowest part of a floor and the bottom of the joists directly above it is lower than the elevation of:
 - (A) **established grade** in the Residential Zone category and the Residential Apartment Zone category; and
 - (B) in all other zone categories, the average elevation of the ground along the **front lot line**."
13. By-law 569-2013, as amended, is further amended as follows:
- (A) Replace Section 800.50 Defined Terms, Regulation (255) First Floor with the following:
 - "(255) First Floor

means the floor of any part of a **building**, other than an area used for parking, that is:
 - (A) directly above a **basement**; and
 - (B) if there is no **basement**, closest to the elevation of:
 - (i) **established grade** in the Residential Zone category and the Residential Apartment Zone category; and
 - (ii) in all other zone categories, the average elevation of the ground along the **front lot line**."

Transition: Minor Variance Applications

14. Nothing in regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 will prevent the erection or use of a building or structure, in the circumstances for which:

- (A) a complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to [insert date of approval of this By-law]; or
 - (B) a complete application for a minor variance under Section 45 of the Planning Act was filed after [insert date of approval of this By-law] based on a building permit application or a zoning certificate application.
15. For the purposes of Section 14 of this By-law, a complete application for a minor variance means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act.
16. Where a project qualifies under Section 14 of this By-law:
- (A) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 as they read on [insert the date immediately prior to the date of the approval of this By-law]; and
 - (B) a building permit for that project may be issued after final approval is received for the minor variance if the project in question complies, or the building permit application for the project is amended to comply, with regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 as they read on [insert the date immediately prior to the date of the approval of this By-law] and all finally approved minor variances.

Transition: Building Permit Applications

17. Nothing in regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 will prevent the erection or use of a building or structure, for which a complete application for a building permit was filed on or prior to [insert date of approval of this By-law], if the project in question complies, or the building permit application for the project is amended to comply with regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 as they read on [insert the date immediately prior to the date of the approval of this By-law].
18. For the purposes of Section 17 of this By-law, an application for a building permit means an application for a building permit that satisfies the requirements set out in Article 3 Permits of Chapter 363, Building Construction and Demolition, of the City of Toronto Municipal Code.

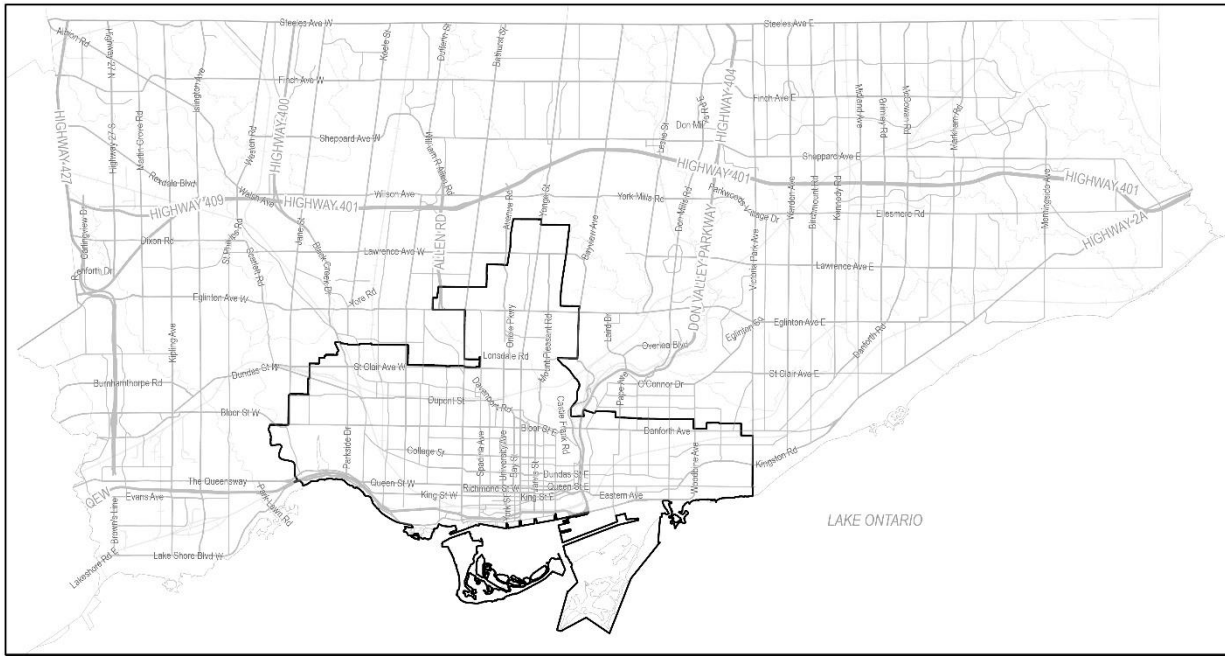
Transition: Site Plan Approval Applications

19. Nothing in regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and

Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 will prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or prior to [insert date of approval of this By-law], if the project in question complies with regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 as they read on [insert the date immediately prior to the date of the approval of this By-law].

20. For the purposes of Section 19 of this By-law, a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2.
21. Where a project qualifies under Section 19 of this By-law:
 - (A) the Notice of Approval Conditions and final site plan approval may be granted if the project complies with regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 as they read on [insert the date immediately prior to the date of the approval of this By-law], all requirements of the Planning Act, and Section 114 of the City of Toronto Act, 2006, S.O. 2006, c.11 Schedule. A.
 - (B) after a Notice of Approval Conditions or final site plan approval is received for a project that qualifies under Section 19 of this By-law, a building permit for that project may be issued if the project in question complies, or the building permit application for the project is amended to comply, with regulations 10.10.40.10(2), 10.20.40.10(2), 10.40.40.10(2), 10.80.40.10(2), 10.20.40.10(4), 10.10.40.10(5), 10.20.40.10(7), 10.40.40.10(5), 10.80.40.10(5), and Section 800.50(80) Basement and 800.50(255) First Floor of By-law 569-2013 as they read on [insert the date immediately prior to the date of the approval of this By-law], the site plan approval, and all finally approved minor variances.

January 17, 2022 (revisions to June 27, 2022)



Toronto
Schedule 1

Former City Of Toronto