

CITY OF TORONTO

BY-LAW No. 1103-2006(OMB)

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 151, 153, 165 and 169 St. Clair Avenue West.

WHEREAS the Ontario Municipal Board in a Decision issued October 29, 2004, approved a Zoning By-law Amendment as a result of a zoning by-law appeal with respect to certain lands municipally known as 151, 153, 165 and 169 St. Clair Avenue West;

NOW THEREFORE, pursuant to Order No. 2214 of the Ontario Municipal Board issued on August 4, 2006, in Board Case No. PL040215, By-law No. 438-86, as amended, of the former City of Toronto, is amended as follows:

1. None of provisions of Section 2 with respect to *height* and *grade* and Sections 4(2)(a)(i), 4(4), 4(6)(c), 4(12), 4(16), 6(3)PART I 1, 6(3)PART II 2(i), 6(3) PART II 2 (iii), 6(3) PART II 3.A(I), 6(3) PART II 3.F(II), 6(3) PART II 4, 6(3) PART II 5 and 6(3) PART III 1 of By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of an *apartment building* and uses and structures *accessory* thereto, on the *lot*, provided:
 - (1) the *lot* comprises those lands delineated by heavy lines on Map 1 attached hereto;
 - (2) the *residential gross floor area* of the *apartment building* on the *lot* shall not exceed 15,946 square metres;
 - (3) the *apartment building* contains not more than 112 *dwelling units*;
 - (4) no portion of the *apartment building* or structures above *grade* are located otherwise than wholly within the area delineated by heavy lines on the attached Map 2, with the exception of the following:
 - (i) cornices, sills, pilasters, parapets, light fixtures, ornamental elements, eaves, guardrails, and balustrades which may project 0.4 metres outside of the heavy lines on the attached Map 2, except for along the St. Clair Ave *lot* line, south *lot* line and west *lot* line where such projections shall not be permitted beyond such *lot* lines;
 - (ii) bollards, bicycle racks, underground garage ramps, retaining walls, fencing, decks, railings, planters, decorative screens, freestanding architectural elements, landscape and public art features which may extend beyond the heavy lines on the attached Map 2, and subject to the *height* restrictions contained in Section 1(7) of this By-law.
 - (5) no person shall erect or use a building or structure on the *lot* having a greater *height* in metres than the *height* limits specified by the numbers following the symbol H on the attached Map 2.

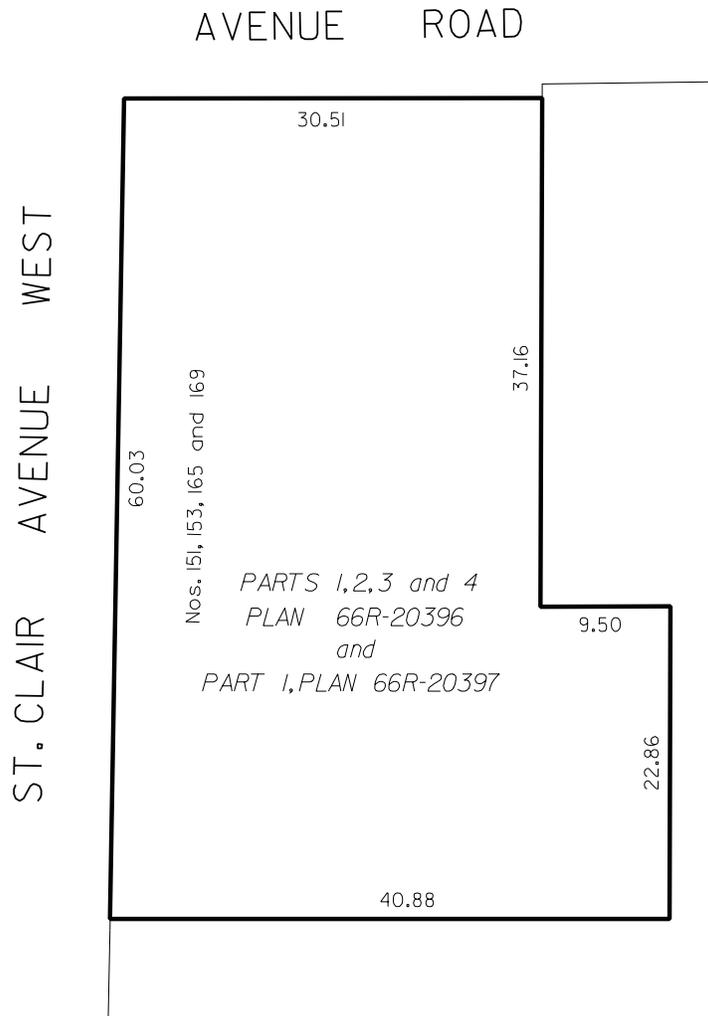
- (6) notwithstanding Section 1(5) of this By-law,
- (a) the maximum height for parapets, terrace and balcony guards and dividers, planters, railings, decorative screens, window washing equipment, and ornamental architectural features shall be the sum of 1.5 metres and the applicable height limit shown on Map 2; and
 - (b) the maximum height for chimney stacks shall be the sum of 3.0 metres and the applicable height limit shown on Map 2.
- (7) the maximum height for *accessory* uses and structures listed in Section 1(4)(ii) of this By-law and located outside of the areas delineated by heavy lines on Map 2 and not otherwise specified by a number following the symbol “H” as shown on Map 2, shall be as follows:
- (i) 1.4 metres for bollards, bicycle racks, planters retaining walls, and underground garage ramps.
 - (ii) 2.1 metres for fencing, decks, railings, decorative screens, and free-standing architectural elements.
 - (iii) 3.1 metres above *grade* for ground floor fences, walls and planters.
- (8) indoor *residential amenity space* shall be provided at a rate of 2 square metres for each *dwelling unit* and outdoor *residential amenity space* shall be provided at a rate of 2 square metres for each residential *dwelling unit*;
- (9) parking shall be provided and maintained on the *lot* at a minimum rate of 0.3 of a *parking space* for each *bachelor dwelling unit*, 0.7 of a *parking space* for each one *bedroom dwelling unit*, 1.0 *parking space* for each two *bedroom dwelling unit*, and 1.2 *parking spaces* for each three *bedroom dwelling unit*;
- (10) visitor parking shall be provided and maintained on the *lot* at a minimum rate of 0.12 of a *parking space* for each *dwelling unit*;
- (11) notwithstanding the definition of *parking space*, up to 4 *parking spaces* may have a minimum width of 2.4 metres;
- (12) driveways shall have a minimum width of 3.5 metres for one-way operation and a minimum width of 5.5 metres for two-way operation;
- (13) one *loading space-type G*, that may encroach upon a driveway or passageway, shall be provided and maintained on the *lot*;
- (14) the ground floor building setback from the St. Clair Avenue West *lot* line shall be a minimum of 4.8 metres, except for a colonnade which is permitted to encroach within this minimum building setback to within 0.4 metres of the St. Clair Avenue West *lot* line for a maximum length of 38 metres, an entrance canopy which is

permitted to encroach within this minimum building setback to within 2 metres of the St. Clair Avenue West *lot* line and ground floor bay windows which are permitted to encroach within this minimum building setback 0.8 metres along the St. Clair Avenue West *lot* line;

- (15) notwithstanding Map 2, the 1 metre building projection adjacent to Avenue Road applies only above the 4th *storey* of the *apartment building*; and
 - (16) a minimum 2 metre landscaped strip of land shall be provided and maintained along the south lot line abutting the R1 Zone, except for an underground ventilation shaft and a vehicular access driveway from St. Clair Avenue to the underground garage which may encroach thereon to a maximum of 1 metre.
2. For the purpose of this By-law, *grade* shall mean 148.9 metres Canadian Geodetic Datum and *height* shall mean the vertical distance between *grade* and the highest point of the roof of the building or structure.
 3. Except as otherwise provided in this By-law, each word or expression which is italicized herein shall have the same meaning as each word and expression as defined in the aforesaid By-law No. 438-86, as amended.

PURSUANT TO THE ORDER/DECISION NO. 2214 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON AUGUST 4, 2006 IN BOARD CASE NO. PL040215.

MAP 1



WORKS AND EMERGENCY SERVICES
SURVEY AND MAPPING SERVICES
TORONTO DECEMBER, 2004
BL04/ 468AVENU1.DGN
FILE: A17-245
MAP No. 50J-322 DRAWN: VG

