CITY OF TORONTO

BY-LAW No. 203-2009

To amend former City of Toronto By-law No. 438-86 with respect to the lands municipally known as 243 Eglinton Avenue West and 500 Oriole Parkway.

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS the 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;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Sections 4(2)(a), 4(6)(c), 4(12), 4(17), 8(3) PART I (1), 8(3) PART I (3)(a), 8(3) PART II (1)(a)(ii), 8(3) PART II 4(c)(i), 8(3) PART II (4)(c)(iii), 8(3) PART IV (2), 12(2)(118)(iv), 12(2)(119)(iii), 12(2)(119)(viii), of By-law No. 438-86, as amended, being, “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to building 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 a mixed-use building and an accessory below grade parking garage on the site, provided:

(a) the lot on which the mixed-use building and accessory below grade parking garage is located comprises at least the site;

(b) each portion of the mixed-use building located above grade shall be located within a Building Envelope and shall have, in respect of each such Building Envelope, a maximum height in metres as shown following the symbol “H” on Map 3 attached hereto;

(c) the previous subsection shall not apply to the following elements: cornices, canopies; ornamental elements; vents; fences; parapets; retaining walls; ramps to a below grade garage; railings; chimneys; stair towers; heating, cooling or ventilating equipment; and roof structures used for outside recreation, safety or wind protection purposes; provided that no such element may extend above the height limits of 18.2 metres or 22.0 metres as identified on Map 3 attached hereto;

(d) the component of the mixed-use building located within the Building Envelope shown as having a height limit of 22.0 metres on Map 3, shall be used only as a mechanical penthouse at any point between a height of 18.2 metres and the height limit of 22 metres;

(e) the combined non-residential gross floor area and residential gross floor area of the mixed-use building shall not exceed 8,780 square metres;
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(f) the residential gross floor area of the mixed-use building shall not exceed 6,515 square metres and shall contain not more the 71 dwelling units;

(g) a minimum of 46 parking spaces shall be provided and maintained on the site for the mixed-use building, of which a minimum of 41 parking spaces shall be allocated for residents and at least 5 parking spaces shall be provided and maintained for short term commercial and residential visitors;

(h) for each dwelling unit, a minimum of 2 square metres of indoor residential amenity space and a minimum of 2 square metres of outdoor residential amenity space shall be provided and maintained on the site, which outdoor residential amenity space need not be provided in a location adjoining or directly accessible from the indoor residential amenity space;

(i) a loading space, having a minimum area of 33 square metres, must be provided and maintained in the south west corner of the ground floor of the mixed-use building, and

(j) vehicular access to any surface parking located within the site must be provided from Oriole Parkway and vehicular access to the accessory below grade parking garage must be provided from Highbourne Avenue.

2. For the purpose of this By-law,

(a) “Building Envelope” means a building envelope for each height area within the site as identified and dimensioned on Map 2 attached hereto and having the maximum heights in metres as shown following the symbol “H” on Map 3 attached hereto;

(b) “height” shall mean the vertical distance between grade and the highest point of the building or structure;

(c) “parking space” means an unobstructed area, at least 5.9 metres in length and at least 2.6 metres in width, that is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another motor vehicle;

(d) “site” means those lands outlined by heavy lines on Map 1 attached hereto; and

(e) each other italicized word or expression shall have the same meaning as each word or expression as defined in By-law No. 438-86.

ENACTED AND PASSED this 25th day of February, A.D. 2009.

SANDRA BUSSIN, Speaker

ULLI S. WATKISS, City Clerk

(Corporate Seal)
EGLINTON AVENUE WEST

MAP 1

No. 243

No. 500

PARKWAY

ORIOLE

49.04
42.77
49.28
42.80

50 METRES

TECHNICAL SERVICES
SURVEY AND MAPPING SERVICES
TORONTO
BLO/50XW481.000
FILE 90-21
MAP No. 508-323
DRAWN BY