

Authority: Toronto and East York Community Council Report 2, Clause 2,  
as adopted by City of Toronto Council on February 14, 2006  
Enacted by Council: February 25, 2009

## 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;

- (f) the *residential gross floor area* of the *mixed-use building* shall not exceed 6,515 square metres and shall contain not more than 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.

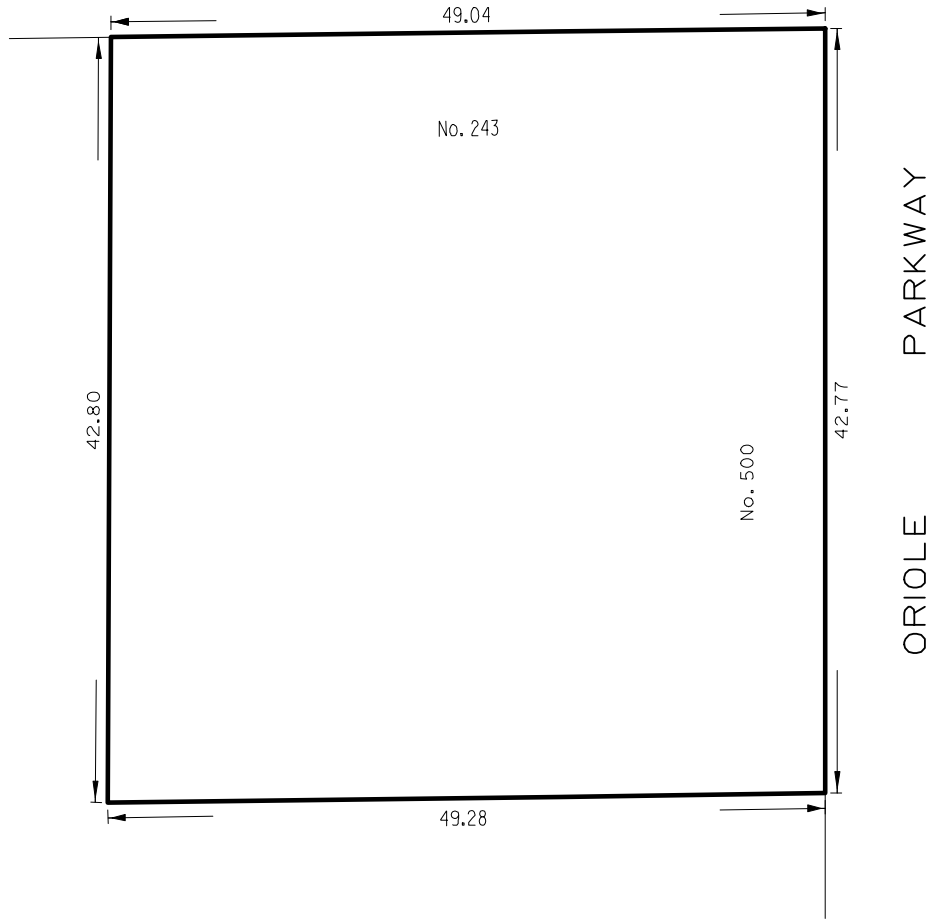
SANDRA BUSSIN,  
Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

MAP 1

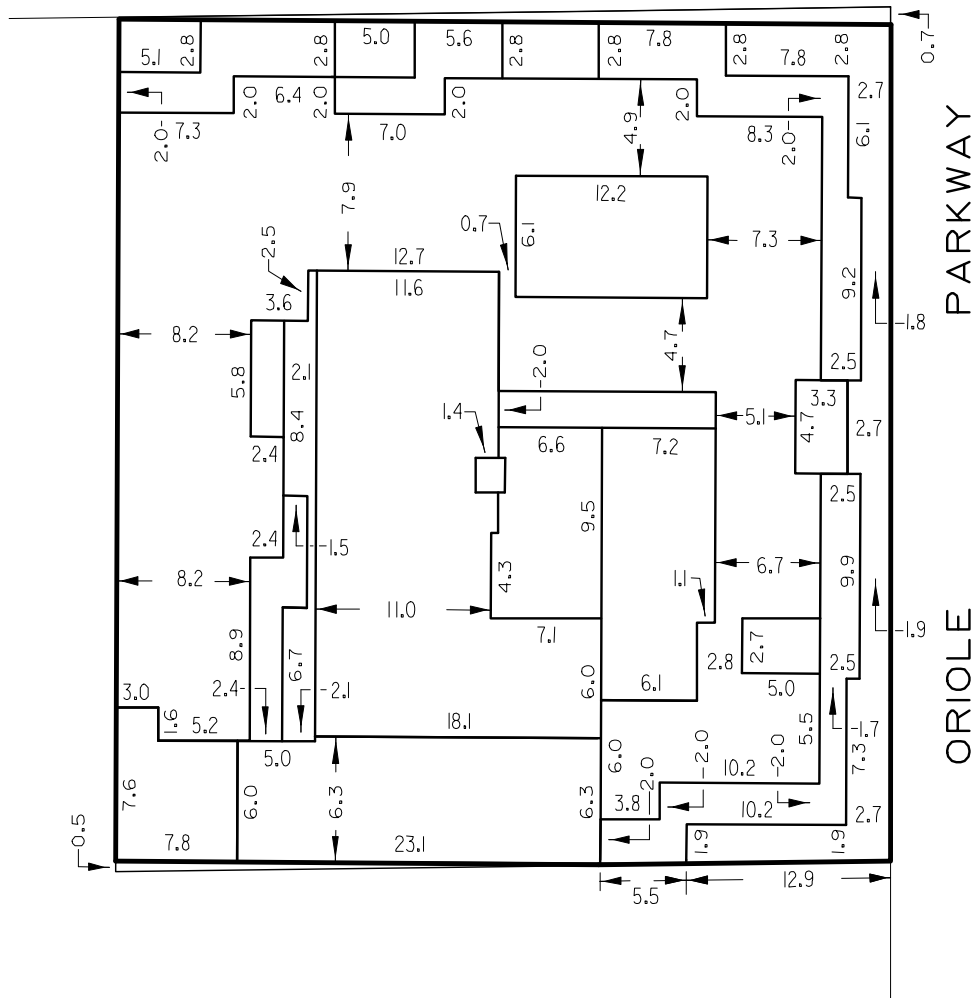
EGLINTON AVENUE WEST



TECHNICAL SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO MAY 2006  
BL06/500ORIOLE1.DGN  
FILE: 05-Z1  
MAP No. 50K-323 DRAWN: VG

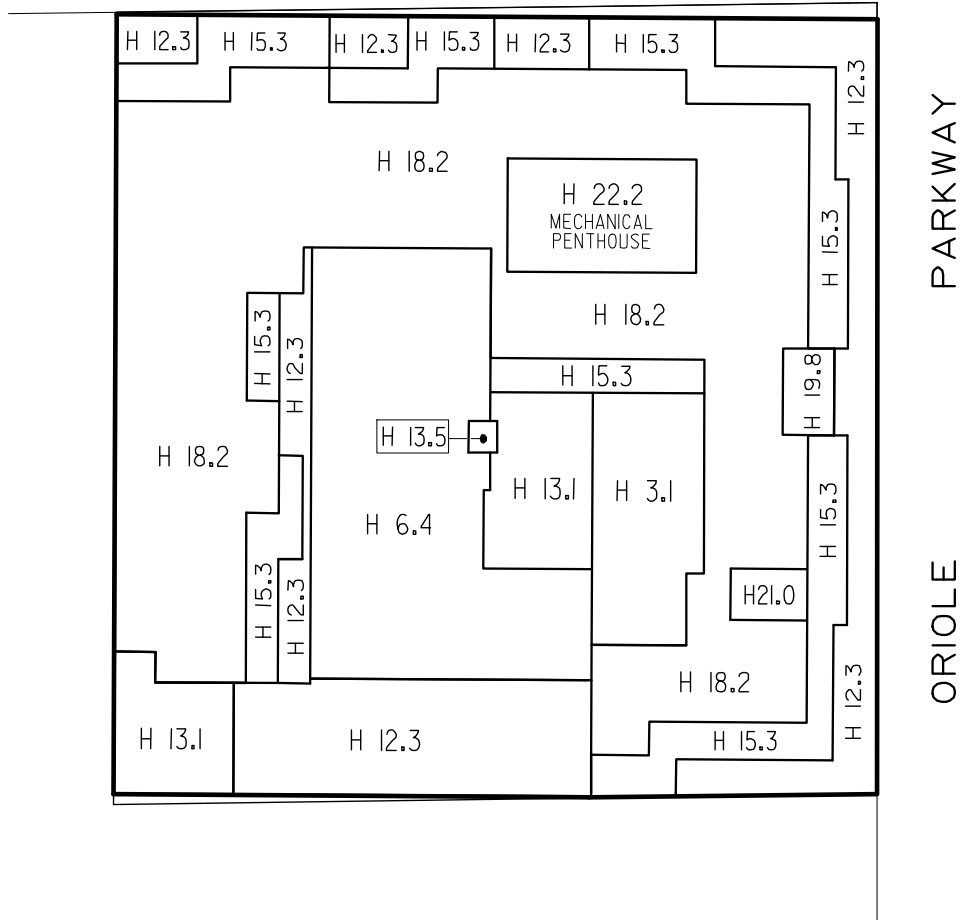
MAP 2

EGLINTON AVENUE WEST



MAP 3

EGLINTON AVENUE WEST



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



TECHNICAL SERVICES  
 SURVEY AND MAPPING SERVICES  
 TORONTO  
 BL06/5000RI01L3.DGN MAY 2006  
 FILE: 05-21  
 MAP No. 50K-323 DRAWN: VG