

**CITY OF TORONTO**

**BY-LAW No. 732-2014(OMB)**

**To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands municipally known as 282 St. Clair Avenue West.**

Whereas authority is given to the Ontario Municipal Board under Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, with respect to this By-law; and

Whereas the Ontario Municipal Board, pursuant to its Decision/Order dated February 28, 2014 in Board File No. PL130636 has determined to amend Zoning By-law No. 438-86 of the former City of Toronto as amended; and

By-law No. 438-86, of the former City of Toronto, is further amended by the Ontario Municipal Board as follows:

1. None of the provisions of Section 2(1) with respect to the definitions of *lot*, *grade*, *height* and *bicycle parking space-visitors* and Sections 4(2)(a), 4(4), 4(6), 4(12), 4(13), 6(3) Part I, 6(3) Part II and 6(3) Part III (1) of By-law No. 438-86 of the former City of Toronto, 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*, including uses accessory thereto, on the *lot*, provided that:

Lot Description

- (a) the *lot* shall consist of the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;

Units and Gross Floor Area

- (b) the total *residential gross floor area* erected or used on the *lot* shall not exceed 10,075 square metres;
- (c) there is a maximum of 118 *dwelling units* on the *lot*;

Setbacks

- (d) no portion of any building or structure on the *lot* erected or used above *grade* is located other than wholly within the areas delineated by heavy lines shown on Map 2;
- (e) nothing in Section 1(e) above shall prevent the following elements from projecting beyond the heavy lines shown on Map 2:

- (i) canopies, awnings, building cornices, lighting fixtures, ornamental elements, parapets, trellises, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheelchair ramps, underground garage ramps, landscape and public art features by not more than 2.5 metres;
  - (ii) balconies and associated vertical framing structures by not more than 1.8 metres; and
  - (iii) balconies and associated vertical framing structures located within the shaded area shown on Map 2 by not more than 1.8 metres and to a *height* equal to the sum of 4.65 metres and the applicable *height* limit shown on Map 2;
- (f) the *front wall* of any building or structure on the *lot* will be setback a minimum of 1.8 metres from the *front lot line* for the first storey above *grade*;

#### Height

- (g) no part of any building or structure on the lot erected or used above *grade* shall exceed the *height* limits shown in metres and indicated by the numbers following the letter "H" in the areas delineated by heavy lines on Map 2;
- (h) nothing in Section 1(g) shall prevent the following elements from projecting above the *height* limits shown on Map 2;
- (i) terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, staircase, cooling tower discharge structures, boiler vents, generator vents, garbage chutes, window washing equipment, ornamental architectural features, solar panels, chimney stacks, ladders and structures used for safety or wind protection purposes by not more than the sum of 1.5 metres and the applicable *height* limit shown on Map 2;
  - (ii) an elevator overrun not exceeding the sum of 1.5 metres and the applicable *height* limit of the mechanical penthouse shown on Map 2; and
  - (iii) divider screens not exceeding the sum of 2.0 metres and the applicable *height* limit shown on Map 2;

#### Vehicle Parking

- (i) *parking spaces* shall be provided and maintained on the *lot* in accordance with the following ratios:
- (i) 0.6 *parking spaces* per Bachelor *dwelling unit*;
  - (ii) 0.7 *parking spaces* per 1-Bedroom *dwelling unit*;
  - (iii) 0.9 *parking spaces* per 2-Bedroom *dwelling unit*;
  - (iv) 0.9 *parking spaces* per Townhouse *dwelling unit*; and

- (v) 0.1 *parking spaces* per *dwelling unit* for residential visitor parking;

Bicycle Parking

- (j) a minimum of 71 *bicycle parking spaces - occupant* and 18 *bicycle parking spaces - visitor* shall be provided and maintained on the *lot*;

Loading

- (k) one *loading space - type "B"* shall be provided and maintained on the *lot*;

Residential Amenity Space

- (l) a minimum of 42 square metres of outdoor *residential amenity space* shall be provided on the *lot*;
- (m) a minimum of 2 square metres of indoor *residential amenity space* for each *dwelling unit* shall be provided on the *lot*;

Landscaped Open Space

- (n) a minimum of 3 percent of the area of the *lot* shall be provided as *landscaped open space*.

2. Despite any existing or future severance, partition, or division of the *lot*, the provision of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
3. Except as provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot* as well as the buildings and structures on the *lot*.
4. None of the provisions of By-law No. 438-86, as amended, shall apply to prevent a temporary sales office used exclusively for the initial sale and/or initial leasing of the *dwelling units* to be erected on the *lot* as of the date of passing of this By-law.
5. For the purposes of this By-law, each word or expression that is italicized in the By-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:

"*lot*" means at least the lands delineated by heavy lines shown on Map 1;

"*grade*" means 160.06 metres Canadian Geodetic Datum;

"*height*" means the vertical distance between *grade* and the highest point of the roof except for those elements prescribed in Section 1.5(i) and 1.5(ii) of this By-law; and

"*bicycle parking spaces - visitor*" means an area that is equipped with a bicycle rack for the purposes of parking and securing bicycles and may be located outdoors or indoors within a secured room, enclosure or bicycle locker.

6. Within the lands delineated by heavy lines on Map 1 attached, no person shall use any land or erect or use any building or structure on the *lot* unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
  - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

PURSUANT TO THE DECISION/ORDER OF THE ONTARIO MUNICIPAL BOARD  
ISSUED FEBRUARY 28, 2014 IN BOARD FILE NO. PL130636.



