

CITY OF TORONTO

BY-LAW No. 106-2015(OMB)

To amend former City of York Zoning By-law No. 1-83, as amended, with respect to the lands municipally known as 441 Jane Street.

Whereas the owner of the lands known municipally as 441 Jane Street has appealed a proposed zoning by-law amendment to the Ontario Municipal Board; and

Whereas the Ontario Municipal Board, by its decision issued October 23, 2014 in Board File No. PL131272, approved amendments to Zoning By-law No. 1-83 of the former City of York with respect to those lands;

Therefore pursuant to the Order of the Ontario Municipal Board, By-law No. 1-83 is amended as follows:

1. Section 16 General Exceptions of By-law No. 1-83 is amended by adding the following subsection:

(447) LANDS: 441 JANE STREET

Notwithstanding the provisions of former City of York Zoning By-law 1-83, the lot, as delineated by heavy lines on Schedule "A" attached to and forming part of this By-law, and municipally known as 441 Jane Street may be used for the purposes of an apartment house and accessory buildings and structures subject to the following provisions:

NUMBER OF DWELLING UNITS

- (a) A maximum of 23 dwelling units is permitted;

MAXIMUM FLOOR SPACE INDEX

- (b) The maximum floor space index on the lot shall not exceed 1.67 and for the purposes of calculating floor space index shall exclude any roof top mechanical room and stair access to the roof;

BUILDING HEIGHT

- (c) The height of the building shall not exceed 4 storeys, excluding a roof top mechanical room and stair access and the maximum height in metres measured from grade shown on Schedule "B" attached to and forming part of this By-law and accessory structures, appurtenances, equipment or other projections shall not exceed the maximum height in metres except that:
 - (i) appurtenances and equipment serving the building and stairs to the roof may be located within an enclosed and covered portion of the building on the roof portion of the building having a maximum permitted height of 10.8 metres and such elements may exceed said permitted height by up to 2.5 metres;

- (ii) parapets, non-structural roofing materials including insulation and membranes, decking and sloping members relating to roof-top drainage, and planters may be located on the roof portion of the building having a maximum permitted height of 10.8 metres and such elements may exceed the said permitted height by up to 1.2 metres; and
- (iii) decks, guardrails, fences and screens, partitions dividing terraces, landscape features and patio furniture may be located on the roof portion of the building having a maximum permitted height of 10.8 metres and such elements may exceed the said permitted height by up to 2.4 metres but such element shall not be located within the hatched area shown on Schedule "B";

YARD SETBACKS

- (d) The minimum yard setbacks shall be as shown on Schedule "B" attached to and forming part of this By-law except that accessory buildings and structures, fences, architectural features, guardrails, play structures, stairs, railings, stair enclosures, retaining walls, garage vent shafts and window wells shall be permitted to encroach into the required yard setbacks;

PARKING

- (e) A minimum of 23 resident parking spaces and 1 visitor parking space shall be provided and maintained on the lot; Parking spaces shall have a minimum dimensions of 2.6 metres width and 5.6 metres length except that where an obstruction of a parking space occurs within 0.3 metres of one side of the parking space minimum width of the parking space shall be 2.9 metres and where an obstruction of a parking space occurs within 0.3 metres of both sides of the parking space the minimum width of the parking spaces shall be 3 metres;
- (f) The minimum driveway aisle width shall be 5.5 metres;

BICYCLE PARKING

- (g) A minimum of 4 visitor bicycle parking spaces and a minimum of 14 resident bicycle parking spaces shall be provided and maintained on the lot and each bicycle parking space shall have minimum dimensions of 1.8 metres length, 0.6 metres width and a minimum vertical clearance of 1.9 metres measured from the surfaces on which the spaces are located and shall be covered for weather protection;

LANDSCAPING

- (h) A minimum of 65% of the area between the west wall of the building and the Jane Street property line shall be provided and maintained as landscaped on-site open space;
- (i) A minimum of 120 square metres of outdoor amenity space shall be provided and maintained on the lot for the shared use of residents of the apartment house;

SEVERANCE

- (j) The provisions of this exception shall apply collectively to the lot notwithstanding the future severance, partition, or division of the lot;

SALES PRESENTATION CENTRE

- (k) Nothing in this By-law shall prevent the construction and use of a sales presentation centre on the lot for the purpose of selling dwelling units to be constructed on the lot;

REFUSE HANDLING FACILITIES

- (l) No stationary garbage compaction unit shall be required within the garbage storage room and there shall be no requirement for refuse pick up from the side or rear of the building or within the interior of the building or parking garage. Refuse shall be stored and managed within refuse room located below grade within the parking garage area;

LOADING

- (m) No on site loading space shall be required;

ACCESSORY BUILDINGS AND STRUCTURES

- (n) In addition to accessory structures for bicycle storage one accessory building may be located on the lot provided that the accessory building is located at the rear of the apartment house a minimum of 0.6 metres from any lot line, the floor area does exceed a maximum of 10 square metres and the height does not exceed a maximum of 2.4 metres;
- (o) Accessory structures for bicycle storage shall not exceed a maximum height of 2.2 metres measured from the ground on which the structure is located and shall be located a minimum of 0.6 metres from any lot line;

DEFINITIONS

- (p) For the purposes of this By-law the following definitions shall apply:
 - (i) "grade" means an elevation of 118.0 metres Canadian Geodetic Datum;
 - (ii) "height" means the vertical distance between grade and the highest point of the building or structure;

OTHER PROVISIONS

- (q) No person shall use 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:

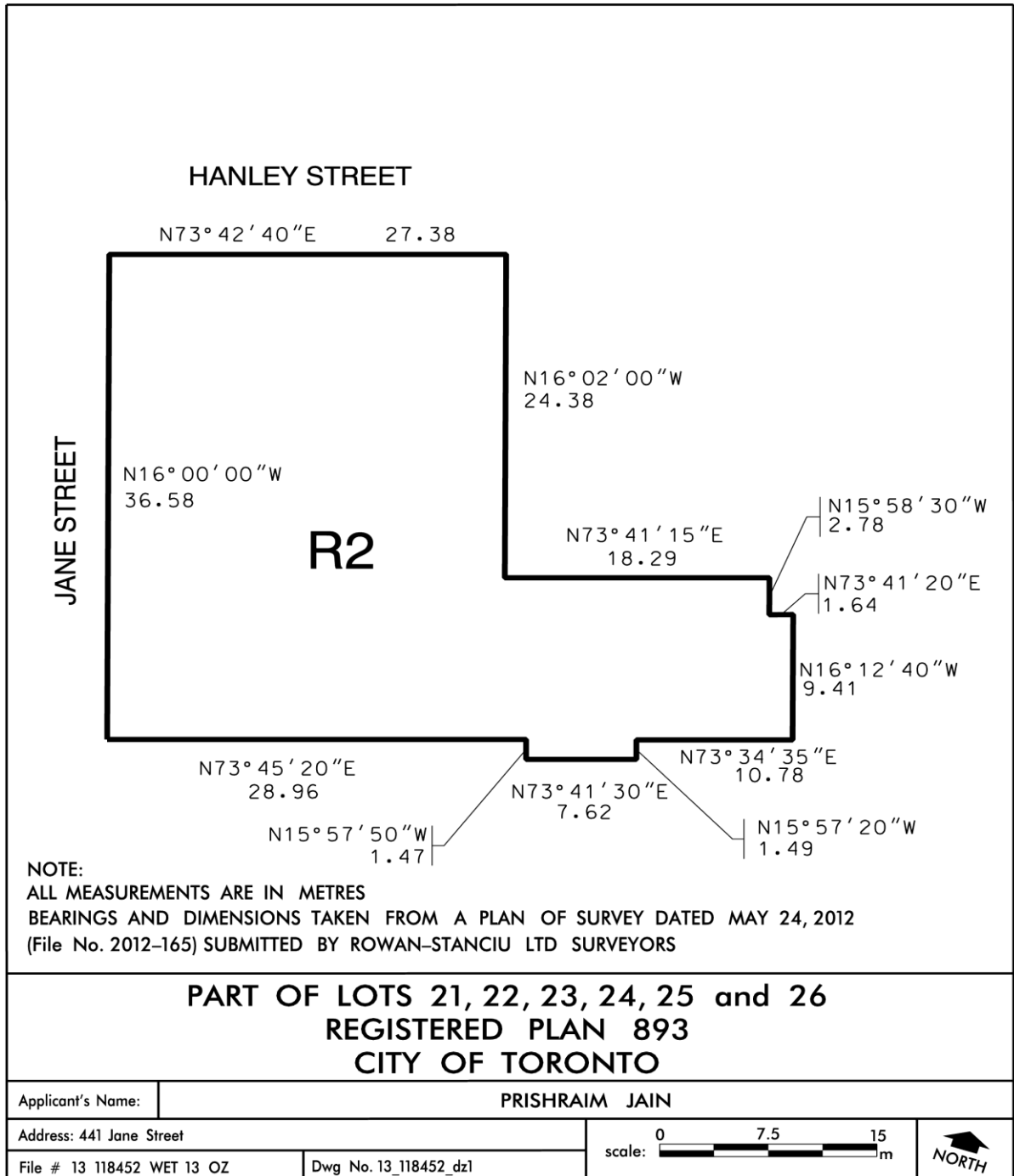
- (i) all new public roads have been constructed to a minimum base curb and base asphalt and are connected to an existing public highway; and
- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational; and
- (r) All other provisions of former City of York By-law No. 1-83 shall continue to apply except in the case where provisions of this Exception are in conflict in which case the provisions of this Exception shall prevail.

2. By-law No. 17778 is hereby repealed.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD
ISSUED OCTOBER 23, 2014 IN BOARD FILE NO. PL131272.

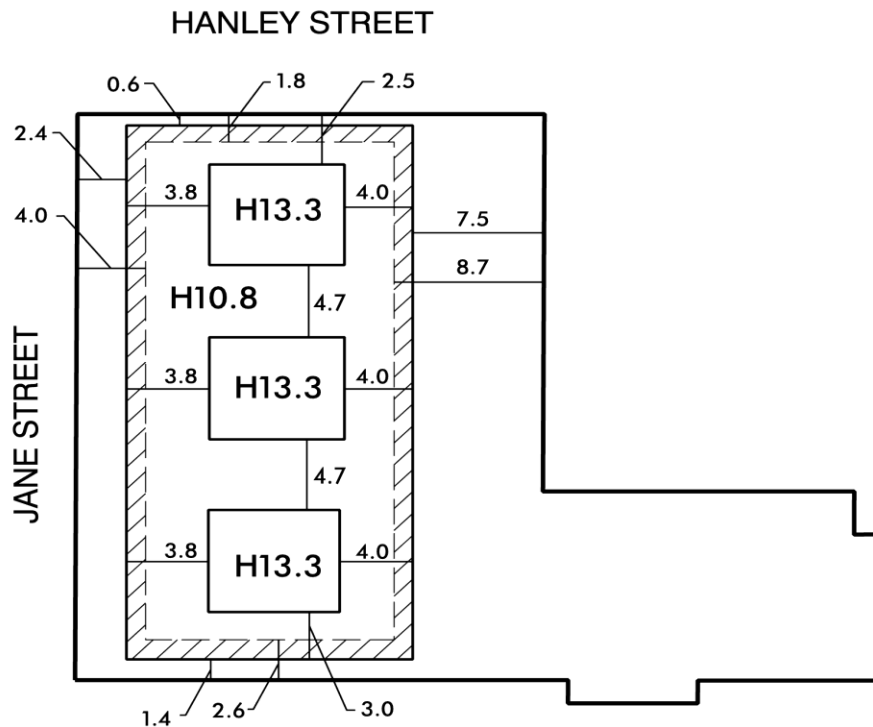


Schedule 'A' BY-LAW Number and to
16(447) of Zoning BY-LAW 1-83





Schedule 'B' BY-LAW Number and to
16(447) of Zoning BY-LAW 1-83



NOTE:

ALL MEASUREMENTS ARE IN METRES

'H' DENOTES HEIGHT ABOVE GRADE IN METRES

AREA SHOWN HATCHED TO BE INACCESSIBLE TO OCCUPANTS AT ROOF LEVEL

**PART OF LOTS 21, 22, 23, 24, 25 and 26
REGISTERED PLAN 893
CITY OF TORONTO**

Applicant's Name:

PRISHRAIM JAIN

Address: 441 Jane Street

File # 13 118452 WET 13 OZ

Dwg No. 13_118452_dz2

scale: 0 7.5 15 m

