

Authority: Ontario Municipal Board Orders issued on April 3, 2014 and February 12, 2015  
in Board File No. PL130627

## CITY OF TORONTO

### BY-LAW No. 341-2015(OMB)

**To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to  
lands known municipally in the year 2015 as 213, 215, 217, 219 and  
223 St. Clair Avenue West.**

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

Whereas the Ontario Municipal Board, pursuant to its Orders dated April 3, 2014 and February 12, 2015 has determined to amend By-law No. 438-86 of the former City of Toronto;

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

1. This By-law applies to the *lot* delineated by heavy lines on Map 1 attached to and forming part of this By-law.
2. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*.
3. Despite any existing or future severances, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
4. None of the provisions of Sections 2 with respect to *lot*, *grade* and *height* and *bicycle parking space - visitor* and Sections 4(2)(a), 4(4)(b), 4(12), 4(13)d, 4(16), 6(3)PART I 1, 6(3)PART II, 6(3)PART III, 12(1)26, and 12(2)10 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 or use of a building containing residential uses and uses *accessory* thereto, provided that:
  - (a) no portion of the building or structure erected or used on the *lot* above *grade* is located otherwise than wholly within the areas delineated by heavy lines shown on Map 2 attached to and forming part of this By-law, with the exception of the following:
    - (i) cornices, awnings, lighting fixtures, ornamental elements, finials, trellises, eaves, parapets, window sills, guardrails, balustrades, railings, stairs, stair enclosures, stair landings, terraces, terrace guards and dividers, platforms, canopies, wheelchair ramps, support columns, vents, stacks, underground ramps, fences, retaining walls, screens, planters, window washing equipment, architectural features, landscape and public art features may extend beyond the heavy lines shown on Map 2; and

- (ii) balconies are permitted to project a maximum of 1.8 metres beyond the heavy lines shown on Map 2, of which no balconies shall extend beyond the heavy lines shown on Map 1.
- (b) the *height* of any building or structure, or portion thereof does not exceed those heights as indicated by the numbers following the symbol H on the attached Map 2, with the exception of:
  - (i) the structures or elements permitted in Section 4(a) of this By-law herein, provided that:
    - 1. cornices, lighting fixtures, ornamental elements, eaves, canopies, parapets, safety railings, guardrails, balustrades, railings, balconies, terraces, terrace guards and dividers, finials, screens, planters, underground ramps, and architectural features shall not exceed 1.2 metres above the *height* shown on Map 2;
    - 2. trellises, window washing equipment, stacks and vents shall not exceed 1.5 metres above the *height* shown on Map 2; and
    - 3. stairs, stair enclosures, stair landings, wheelchair ramps, support columns, fences, retaining walls, landscape and public art features shall not exceed 3 metres above the *height* shown on Map 2.
- (c) the total *residential gross floor area* erected or used on the *lot* shall not exceed 13,850 square metres, excluding the area occupied below grade for parking and *accessory* uses;
- (d) the maximum number of *dwelling units* on the lot shall be 167;
- (e) a minimum of 20% of the area of the *lot* shall be maintained as *landscaped open space*;
- (f) a minimum of 4.0 square metres of amenity space will be provided per dwelling unit, consisting of 2.2 square metres of outdoor residential amenity space and 1.8 square metres of indoor residential amenity space. A portion of the indoor residential amenity space shall be provided in a multi-purpose room or rooms, at least one of which contains a kitchen and a washroom. A maximum of 52 square metres of the indoor residential amenity space may be provided for as a guest suite;
- (g) *parking spaces* shall be provided and maintained on the lot in accordance with the following requirements:
  - (i) *bachelor dwelling units* - a minimum of 0.5 *parking spaces* per dwelling unit;

- (ii) 1-Bedroom *dwelling units* - a minimum of 0.6 *parking spaces* per dwelling unit;
  - (iii) 2-Bedroom *dwelling units* - a minimum of 0.8 *parking spaces* per dwelling unit;
  - (iv) 3-Bedroom or more *dwelling units* - a minimum of 0.9 *parking spaces* per dwelling unit; and
  - (v) a minimum of 0.09 *parking spaces* per dwelling unit for visitor parking.
- (h) a minimum of 0.6 *bicycle parking spaces* - *occupant* for each *dwelling unit* and 0.15 *bicycle parking space* - *visitor* for each *dwelling unit* - shall be provided and maintained on the *lot*.
5. None of the provisions of By-law No. 438-86, as amended, or this By-law shall apply to prevent a *temporary sales office* on the *lot* as of the date of the passing of this By-law.
6. Definitions:

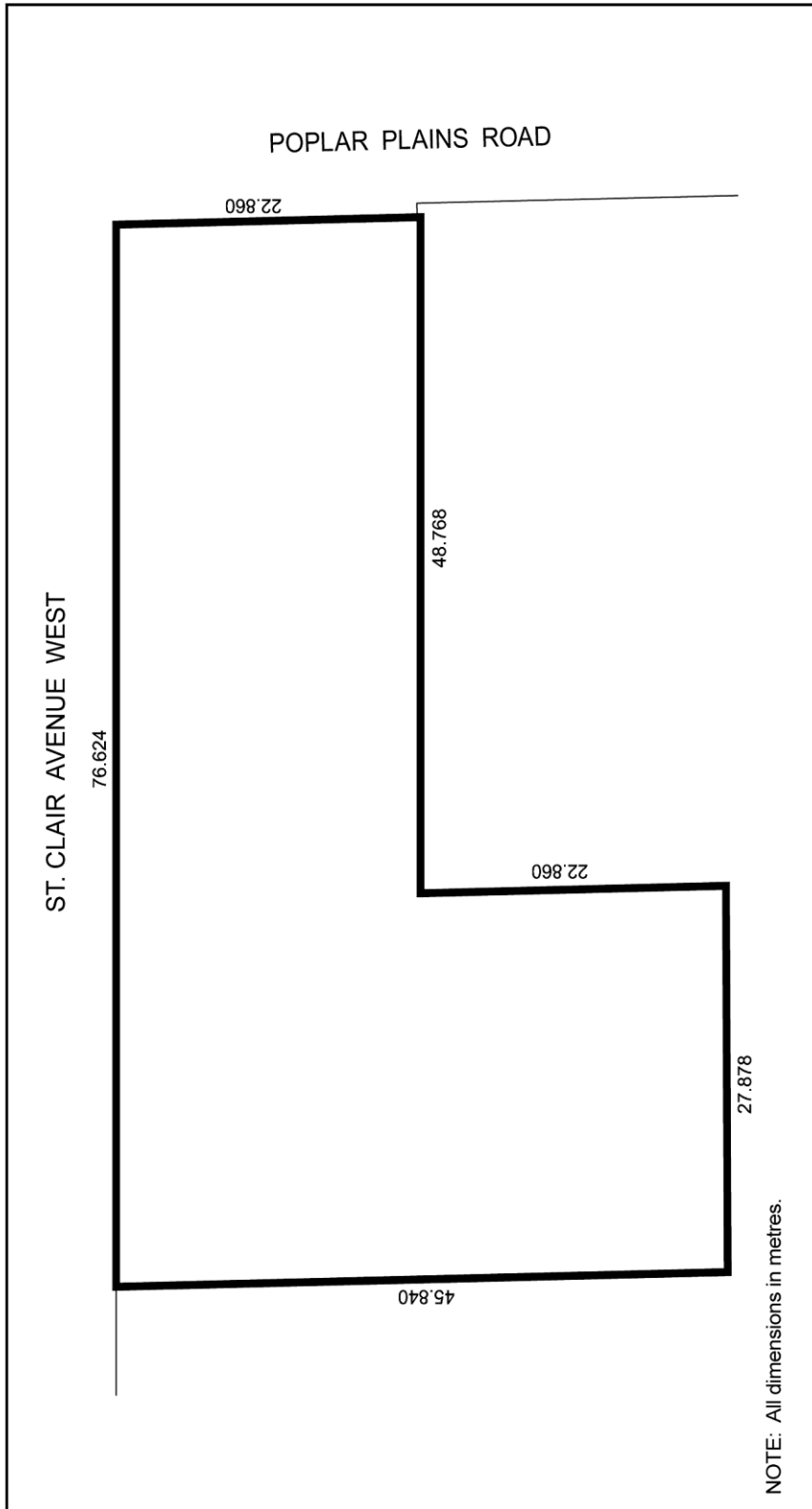
For the purpose of this By-law, all italicized words and expressions shall have the same meaning as defined in By-law No. 438-86, as amended, with the exception of the following terms:

The following definitions shall apply:

- (a) "*bicycle parking space* - *visitor*" means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles which may be located outdoors or indoors, including within a secured room or enclosure and:
  - (i) where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.89 metres; and
  - (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.89 metres;
- (b) "*grade*" means the Canadian Geodetic elevation of 153.3 metres;
- (c) "*height*" means the vertical distance between *grade* as defined in this By-law and the highest point of the roof except for those elements prescribed in this By-law;
- (d) "*lot*" means the lands delineated by heavy lines on Map 1 forming part of this by-law and attached hereto; and

- (e) "*temporary sales office*" means an office or showroom located in a building existing on the *lot* at the date of enactment of this By-law or in a temporary building, structure or facility, used exclusively for the sale of *dwelling units* to be erected on the *lot*.

PURSUANT TO THE ORDERS OF THE ONTARIO MUNICIPAL BOARD ISSUED ON APRIL 3, 2014 AND FEBRUARY 12, 2015 UNDER OMB FILE NO. PL130627.



213-223 St. Clair Avenue West

Map 1

File # 12 135137 0Z



Not to Scale  
04/29/2014

