

CITY OF TORONTO

BY-LAW No. 834-2015(OMB)

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands municipally known as 103, 109-111 Ossington Avenue.

Whereas the Ontario Municipal Board, by its Decisions issued on June 12, 2014 and January 30, 2015, in Board File No. PL121360, approved amendments to the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands; and

Whereas the Council of the City of Toronto has been requested to amend Zoning By-law No. 438-86 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended with respect to lands known municipally in the year 2014 as 103, 109-111 Ossington Avenue; and

The Ontario Municipal Board orders:

1. None of the provisions of Section 2 with respect to "*bicycle parking space – occupant*", "*bicycle parking space – visitor*", "*height*", "*grade*", "*lot*", Section 4(2), 4(4), 4(6), 4(7), 4(12), 4(13), 8(3) Part I, 8(3) Part II, of By-law No. 438-86 of 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 a *mixed-use building* on the *lot*, provided that:
 - (1) the *lot* is comprised of at least those lands shown outlined by heavy lines on Map 1 attached and forming part of this By-law;
 - (2) no portion of any building or structure to be erected or used on the *lot* shall extend beyond the lines delineated by the heavy lines on Map 2 attached and to forming part of this By-law;
 - (3) despite subsection (2) herein, eaves, cornices, lighting fixtures, window sills, landscape planters, trellises, stairs, stair enclosures, railing, awnings, canopies and other minor architectural projections shall be permitted to project no more than 0.45 metres and balconies shall be permitted to project no more than 2.0 metres;
 - (4) the *height* of the building on the *lot* shall not exceed the maximum *height* permitted as indicated by the letter "H" as shown on Map 2 attached to and forming part of this By-law;
 - (5) despite subsection (4) herein, parapets, roof membrane, lighting fixtures, fences, safety railings, stairs, stair enclosures, terraces, landscape planters, trellises or privacy screens shall be permitted to project beyond the *height* of the fence, safety railing or privacy fence does not exceed 2.0 metres beyond the height stipulated on Map 2;

- (6) the total combined *residential gross floor area* and *non-residential gross floor area* on the lot does not exceed 7,605 square metres, provided:
 - (i) the *residential gross floor area* shall not exceed 6,520 square metres; and
 - (ii) the *non- residential gross floor area* shall not exceed 1,090 square metres;
- (7) no individual commercial space shall exceed an area of 500 square metres;
- (8) not more than 87 *dwelling units* which may include *live/work units* shall be provided;
- (9) a minimum of 87.0 square metres of *residential amenity spaces* located indoors shall be provided and maintained on the *lot*;
- (10) minimum of 64.0 square metres *residential amenity space* located outdoors shall be provided and maintained on the *lot*;
- (11) a minimum of 79 *parking space(s)* shall be provided of which a minimum of 10 parking spaces shall be for visitors to the residential building and no parking shall be required for the ground floor *non- residential* uses;
- (12) notwithstanding Section 4(17) a maximum of eight *parking spaces* which contain an obstruction on one side, can have a minimum width of 2.6 metres;
- (13) notwithstanding Section 2, a minimum of 52 *bicycle parking spaces* for *bicycle parking space – occupant* and 20 *bicycle parking spaces* for *bicycle parking space – visitor* shall be provided;
- (14) one *loading space – type G* shall be provided and maintained on the *lot*;
- (15) for the purposes of this By-law, the terms set forth in italics shall have the same meaning as such terms have for the purposes of By-law No. 438-86 as amended except that the following definitions shall apply:
 - (i) "*lot*" means those lands outlined on Map 1 attached hereto;
 - (ii) "*grade*" shall mean 92.95 metres above Canadian Geodetic Datum;
 - (iii) "*sales office*" means an office or sales trailer used exclusively for the initial sale and/or initial leasing of dwelling units or non residential uses to be erected on the *lot*;
 - (iv) "*bicycle parking space – occupant*":
 - i *Bicycle parking spaces* that are to be parked in a vertical position, shall have horizontal dimensions of at least 0.375 metres by 0.80 metres and a vertical dimension of at least 1.6 metres;

- ii. *Bicycle parking spaces* that are to be parked in a horizontal position, shall have horizontal dimensions of at least 0.375 metres by 1.6 metres and a vertical dimension of at least 1.0 metres; and
 - iii. *Bicycle parking spaces* may be stacked;
- (v) "*bicycle parking space – visitor*":
- i. *Bicycle parking spaces* that are to be parked in a vertical position, shall have horizontal dimensions of at least 0.375 metres by 0.80 metres and a vertical dimension of at least 2.0 metres;
 - ii. *Bicycle parking spaces* that are to be parked in a horizontal position, shall have horizontal dimensions of at least 0.375 metres by 1.6 metres and a vertical dimension of at least 1.0 metres;
 - iii. may be located within a secured room, enclosure or bicycle locker; and
 - iv. *Bicycle parking spaces* may be stacked;
- (16) except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot*; and
- (17) 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:
- (i) 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
 - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

PURSUANT TO THE ORDERS/DECISIONS OF THE ONTARIO MUNICIPAL BOARD
ISSUED JUNE 12, 2014 AND JANUARY 30, 2015 IN BOARD FILE NO. PL121360.



