

Authority: Toronto and East York Community Council
Item TE4.12, as adopted by City of Toronto Council on
March 27 and 28, 2019

CITY OF TORONTO

BY-LAW 964-2019

To amend Zoning By-law 569-2013, as amended, and former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2018 as 1800-1818 St. Clair Avenue West and 383, 423, and 425 Old Weston Road.

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 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; and

Whereas the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the land and the City of Toronto; and

Whereas Council of the City of Toronto, at its meeting on March 27 and 28, 2019, determined to amend the Zoning By-law 569-2013, as amended, and By-law 438-86, as amended, for the City of Toronto with respect to lands known municipally in the year 2018 as 1800-1818 St. Clair Avenue West and 383, 423, and 425 Old Weston Road.

The Council of the City of Toronto enacts as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.

3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10, respecting the lands outlined in heavy black line to CR 3.0(c1.0; r2.5)SS2(x178), R(d0.6)(x60) and OR as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2018 as 1800-1818 St. Clair Avenue West to the Policy Area Overlay Map in Section 995.10.1, and applying the following Policy Area label to these lands: PA-4, as shown on Diagram 3 attached to this Bylaw.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2018 as 1800-1818 St. Clair Avenue West and 383, 423, and 425 Old Weston Road to the Height Overlay Map in Section 995.20.1, and applying the following height label to these lands: HT 10.0, and HT 16.0 as shown on Diagram 4 attached to this Bylaw.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2018 as 1800-1818 St. Clair Avenue West as outlined in heavy black lines on Diagram 5 attached to this By-law to the Lot Coverage Overlay Map in Section 995.30.1.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2018 as 1800-1818 St. Clair Avenue West and 383, 423, and 425 Old Weston Road to the Rooming House Overlay Map in Section 995.40.1, and applying the following label to these lands: B1 and B3 as shown on Diagram 6 attached to this Bylaw.
8. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number CR(x178) so that it reads:

Exception CR(x178)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On lands municipally known in the year 2018 as 1800-1818 St. Clair Avenue West, shown as Part 1 on Diagram 1 to By-law 964-2019, if the requirements of Section 16. and Schedule (A) of By-law 964-2019 are complied with, a **building or structure** may be erected and used in compliance with B. to EE. below.
- (B) The lot comprises the lands outlined by heavy lines and identified as Part 1 on Diagram 1, attached to By-law 964-2019.

- (C) Despite Regulation 40.10.20.20(1), the following additional uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100 as referred to below:
- (i) Non-residential uses:
 - (a) **Eating establishment** (1, 33); and
 - (b) **Take-out Eating Establishment** (1).
- (D) Despite Clause 40.10.20.40(1) **mixed-use buildings** are permitted **building types** for **dwelling units**.
- (E) Despite any regulation to the contrary, a portion of a **building** on Part 1 as shown on Diagram 1 of By-law 964-2019 may be used for **parking spaces, bicycle parking spaces, loading spaces**, building services including but not limited to electrical, storm, sanitary and water services, pedestrian and **vehicular** access, waste and recyclable materials storage and/or mechanical equipment, and Canada Post box, that serve the users of Part 2 as shown on Diagram 1 of By-law 964-2019.
- (F) Despite Regulation 40.10.40.40(1), the total **gross floor area** on the **lot** must not exceed 11,750 square metres, of which, a maximum of 750 square metres of **gross floor area** may be used for non-residential uses.
- (G) Despite all of Clause 40.10.40.70 the required minimum **building setbacks** and the required minimum separation distances between **main walls** of **buildings** or **structures** above ground level are shown on Diagram 7 of By-law 964-2019.
- (H) Despite Regulations 5.10.40.70 (1) and (2), Clauses 40.5.40.60, 40.10.40.60, and Regulation G. above, the following elements of a **building** may encroach into a required minimum **building setback** and a required minimum **main wall** separation distance as follows:
- (i) 2.0 metres for architectural features, cornices, piers, eaves, roof overhangs, mouldings, sills, scuppers, rain water leaders, window washing equipment, lighting fixtures, canopies, trellises, privacy screens, awnings and/or other similar shade devices and their associated structural elements, and structures for wind mitigation;
 - (ii) 1.5 metres for balconies with the exception that balconies projecting from the **main walls** of the **building** facing St. Clair Avenue West and the easterly and westerly **lot lines** shown Diagram 1 of By-law 964-2019 must only be located at the 8th **storey** and above;
 - (iii) Covered bicycle storage enclosures, covered walkways, vents, outdoor **amenity space** elements, ramps, garage ramps and associated structures, garbage chute and associated enclosures, utility meters and associated

enclosures, stairs and stair enclosures, decks, terraces and terrace elements, Canada Post box, guardrails and railings;

- (iv) **structures**, elements and enclosures permitted by Regulation L. below.
- (I) Despite Clause 40.10.40.80, if a **building** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required minimum aboveground separation distance between those **main walls**, excluding architectural recesses in a **main wall** and **main walls** around inset balconies and entrances, is:
- (i) 5.5 metres if one **main wall** has windows and/or doors opening into a **dwelling unit**; and
- (ii) 11.0 metres if each **main wall** has windows and/or doors opening into a **dwelling unit**.
- (J) Despite Clause 40.10.40.10, the permitted maximum **building** height in metres, measured from the average elevation of the ground along the **front lot line** to the highest point of a **building** or **structure** is the numerical value in metres following the HT symbol on Diagram 7 of By-law 964-2019.
- (K) For the purpose of this Exception, the phrase "average elevation of the ground along the **front lot line**" and the term "**established grade**" is the Canadian Geodetic Datum elevation of 124.25 metres.
- (L) Despite Clause 40.5.40.10 and Regulation J. above the following elements of a **building** may extend beyond the permitted maximum **building** height limits shown on Diagram 7 of By-law 964-2019 as follows:
- (i) 0.9 metres for skylights and roof access hatch;
- (ii) 1.5 metres for elements of a **green roof**, railings and guard rails, architectural features and design elements;
- (iii) 1.5 metres for parapets, with the exception that parapets on that portion of a **building** subject to an angular plane as required by Regulation M. below are permitted to a maximum of 3.8 metres;
- (iv) 1.8 metres for terrace dividers, privacy screens and window washing equipment;
- (v) 3.4 metres for wind screens, wind and mitigation **structures**, canopies, trellises, awnings and/or other similar shade devices **and** associated **structures**, **structures** on the roof used for outside **or** open air recreation and outdoor **amenity space** elements including outdoor kitchens;

- (vi) 5.0 metres for mechanical penthouse including an associated green roof, elevator overruns and mechanical rooms and associated enclosures, stairs and stair enclosures;
 - (vii) 6.5 metres for mechanical equipment, vents, stacks, flues and chimneys; and
 - (viii) **structures, elements and** enclosures permitted by Regulation H. above.
- (M) Despite any provision of this Exception to the contrary, all parts of a **building or structure** subject to the **angular plane** as shown on Diagram 7 attached to By-law 964-2019 must be below a 12 degree **angular plane** projected from the easterly property line at an elevation of 34.6 metres above **established grade**, including all projections set out in Regulation L. above, with the exception of vents, stacks, flues and chimneys, as permitted by Regulation (L)(vii) above.
- (N) The permitted **maximum number of storeys** in a **building** is the numerical value on Diagram 7 of By-law 964-2019, following the ST symbol.
- (O) Despite Clause 40.10.40.50, **amenity space** is required for **dwelling units and must** be provided in accordance with the following:
- (i) A minimum of 2.0 square metres of indoor **amenity space** per **dwelling unit** must be provided;
 - (ii) A minimum of 2.0 square metres of outdoor **amenity space** per **dwelling unit** must be provided;
 - (iii) No more than 25 percent of the outdoor component may be a **green roof**;
 - (iv) For the purpose of this Exception, outdoor **amenity space** may be located on any or all of Part 1 and Part 2 as shown on Diagram 1 of By-law 964-2019;
 - (v) Indoor and outdoor **amenity space** may be available for use by the occupants and visitors of a **building** on Part 1 and/or Part 2 as shown on Diagram 1 of By-law 964-2019 for recreational or social activities.
- (P) Despite Chapter 200, **parking spaces** including accessible **parking spaces** must be provided in accordance with Section 10 of By-law 964-2019.
- (Q) Despite Clause 40.5.80.1, a **parking space** required by this By-law for a use in the Commercial Residential Zone category must be available for the use for which it is required
- (R) Despite Clause 40.5.80.10, the location of required **parking spaces** must be in accordance with Section 10 of By-law 964-2019.

- (S) Despite Chapter 220, **loading spaces** must be provided in accordance with Section 11 of By-law 964-2019.
- (T) Regulation 40.10.90.10(1)(C) with respect to the location of a **loading space** does not apply.
- (U) Despite Chapter 230, **bicycle parking spaces** must be provided in accordance with Section 12 of By-law 964-2019.
- (V) Despite any existing or future severance, partition or division of the lands shown as Part 1 on Diagram 1 of By-law 964-2019 the provisions of this Exception and By-law 569-2013, shall apply to the whole of the lands as one **lot** as if no severance, partition or division had occurred.
- (W) Despite Regulations 40.10.50.10(2), 150.100.30.1(1) and Section C.(i)a. of this Exception, a fence is not required along the **lot** line between Part 1 and Part 2 as shown on Diagram 1 of By-law 964-2019.
- (X) Regulation 40.10.50.10(3) does not apply.
- (Y) Despite Regulation 40.10.40.1(1), **dwelling units** must be located above the first **storey** of a **building**.
- (Z) Despite Regulation 40.10.40.1(2) for any non-residential use in the CR zone, excluding a **place of worship**, the floor level of the first **storey** must:
 - (i) be within 0.2 metres of the ground measured at the **lot line** abutting the **street** directly opposite each pedestrian entrance; and
 - (ii) have a pedestrian access, other than service entrances, which, if not level with the public sidewalk closest to the entrance, is accessed by a ramp which rises no more than 0.04 metres vertically for every 1.0 metre horizontally.
- (AA) Regulation 40.10.40.1 (6) as it relates to pedestrian access for a **lot** does not apply.
- (BB) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey** as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.0 metres.
- (CC) Despite Clause 40.10.90.40, in the CR zone:
 - (i) **Vehicle** access to a **loading space** may be from a **lane** and/or a **street**; and
 - (ii) **Vehicle** access to the **loading space** may be over Part 2 on Diagram 1 of By-law 964-2019; and

- (iii) A **loading space** located in a **building** may not have its **vehicle** access through a **main wall** that faces a **street**.
- (DD) Regulations 40.10.100.10 (1) and (2) with respect to **vehicle** access restrictions and access to parking areas, do not apply.
- (EE) Despite Regulation 40.10.150.1, all waste and **recyclable material** must be stored in a wholly enclosed **building**.

Prevailing By-laws and Prevailing Sections: (None Apply)

9. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.2.10 Exception Number R(x60) so that it reads:

Exception R(x60)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On lands municipally known in the year 2018 as 383, 423, and 425 Old Weston Road, shown as Part 2 on Diagram 1 to By-law 964-2019, if the requirements of Section 16 and Schedule (A) of By-law 964-2019 are complied with, a **building or structure** may be erected and used in compliance with **(B)** to **(Z)** below.
- (B) The **lot** comprises the lands outlined by heavy lines and identified as Part 2 on Diagram 1, attached to By-law 964-2019.
- (C) Despite Clause 10.5.50.10, a **lot** with one or more **buildings** must have:
 - (i) A minimum of 45 percent of the area of the **lot** for **landscaping**; and
 - (ii) A minimum of 45 percent of the **landscaping** area required in (i) above, must be **soft landscaping**.
- (D) For the purpose of this Exception, **landscaping** includes outdoor terraces below **established grade** and at ground level.
- (E) In addition to the residential **building** types in Clause 10.10.20.40, a **dwelling unit** is permitted in a **mixed use building** or portion of a **mixed use building** on the **lot**.
- (F) Despite any regulation to the contrary, a portion of a **building** on Part 2, as shown on Diagram 1 of By-law 964-2019, may be used for **parking spaces, bicycle parking spaces, loading spaces**, building services including but not limited to electrical, storm, sanitary and water services, pedestrian and **vehicular** access, waste and recyclable materials storage and/or mechanical equipment, and Canada

Post box, that serve the users of Part 1 as shown on Diagram 1 of By-law 964-2019.

- (G) Despite Clause 10.10.40.40, the permitted maximum **gross floor area** is 10,000 square metres.
- (H) Despite all of Clauses 10.5.40.70, 10.10.40.70, the required minimum **building setbacks** and the required minimum separation distances between **main walls** of **buildings** or **structures** above ground level is shown on Diagram 8 of By-law 964-2019.
- (I) Despite Clause 10.10.40.80, minimum separation distances between the **main walls** of the Blocks shown on Diagram 9 attached to By-law 964-2019 must be provided as follows:
 - (i) 16.0 metres between Blocks B and C;
 - (ii) 14.0 metres between Blocks C, D and E; and
 - (iii) 19.0 metres between Blocks E and F.
- (J) Despite Regulations 5.10.40.70 (1) and (2), Clauses 10.5.40.50, 10.5.40.60, and Regulations H. and I. above, the following elements of a **building** may encroach into a required minimum **building setback** and a required minimum **main wall** separation distance as follows:
 - (i) 0.9 metres for architectural features such as cornices, eaves, piers, mouldings, sills, scuppers, rain water leaders, lighting fixtures and bay windows;
 - (ii) 1.5 metres for balconies and guard rails;
 - (iii) Terraces below **established grade**, provided any such terrace must project a minimum of 1.5 metres beyond the **main wall** of the **building** to a maximum projection of 2.9 metres, including any associated stairs and landings;
 - (iv) 1.8 metres for stoops, decks, porches, canopies and associated **structures**, awnings and associated **structures**;
 - (v) Covered bicycle storage enclosures, covered walkways, vents, outdoor **amenity space** elements, ramps, garage ramps and associated **structures**, air conditioners and generators, Canada Post box, stairs, stair enclosures and retaining walls, garbage chute and associated enclosures, window wells, utility meters and associated enclosures; and
 - (vi) **structures**, elements and enclosures permitted by Regulation (N). below.

- (K) Despite Clause 10.10.40.1, more than one **residential building** is permitted on the **lot**.
- (L) Despite Clause 10.10.40.10, the permitted maximum **building** height in metres, measured between the **established grade** to the highest point of a **building** or **structure** is the numerical value in metres following the symbol HT on Diagram 8 of By-law 964-2019.
- (M) For the purpose of this Exception, **established grade** is the Canadian Geodetic Datum elevation of 124.25 metres.
- (N) Despite Clause 10.5.40.10 and Regulation L. above, the following elements of a **building** may extend beyond the maximum **building** height limits shown on Diagram 8 of By-law 964-2019 as follows:
- (i) 1.5 metres for elements of a **green roof**, railings and guard rails;
 - (ii) 1.8 metres for balcony and roof top terrace dividers, privacy screens and window washing equipment;
 - (iii) 3.0 metres for wind screens, wind and mitigation **structures**, canopies, trellises, awnings and/or other similar shade devices and associated **structures, structures** on the roof used for outside or open air recreation, outdoor **amenity space** elements including outdoor kitchens, architectural features and design elements, parapets, elevator overruns, stairs, stair enclosures, roof top access vestibules and, mechanical equipment and associated enclosures;
 - (iv) skylights and roof access hatch, vents, stacks, flues and chimneys;
 - (v) **structures**, elements and enclosures permitted by Regulation J. above.
- (O) Roof top access vestibules are limited to a maximum **gross floor area** of not more than 12 square metres per **dwelling unit**.
- (P) Roof top access vestibules must be located within the dashed areas shown on Diagram 8 of By-law 964-2019.
- (Q) Despite Clause 10.10.40.50, outdoor **amenity space** must be provided as follows:
- (i) A minimum of 2.0 square metres of outdoor **amenity space** per **dwelling unit** must be provided;
 - (ii) For the purpose of this Exception, outdoor **amenity space** may be located on any or all of Part 1 and Part 2 as shown on Diagram 1 of By-law 964-2019; and

- (iii) Outdoor **amenity space** may be available for use by the occupants and visitors of a **building** on Part 1 and/or Part 2 as shown on Diagram 1 of By-law 964-2019 for recreational or social activities,
- (R) Despite Chapter 200, **parking spaces** including accessible **parking spaces** must be provided in accordance with Section 10 of By-law 964-2019.
- (S) Despite Regulation 10.5.80.1(1), a **parking space** required by this By-law for a use in the Residential Zone category permitted use must be available for the use for which it is required.
- (T) Despite Clause 10.5.80.10, the location of required **parking spaces** must be in accordance with Section 10 of By-law 964-2019.
- (U) Regulation 10.5.100.1(4) with respect to driveway width for apartment buildings does not apply.
- (V) Regulation 10.5.100.1(5) with respect to **driveway** access for **apartment buildings** does not apply.
- (W) Clause 10.10.40.30 with respect to **building** depth does not apply.
- (X) Despite Chapter 220, **loading spaces** must be provided in accordance with Section 11 of By-law 964-2019.
- (Y) Despite Chapter 230, **bicycle parking spaces** must be provided in accordance with Section 12 of By-law 964-2019.
- (Z) Despite any existing or future severance, partition or division of the lands shown as Part 2 on Diagram 1 of By-law 964-2019 the provisions of this Exception and By-law 569-2013, shall apply to the whole of the lands as one **lot** as if no severance, partition or division had occurred.

Prevailing By-laws and Prevailing Sections: (None Apply)

Parking Regulations

10. Regulations Applying to Parking Spaces

(A) Requirement to Provide Parking Spaces

Parking spaces must be provided collectively for each use on a **lot** in an amount that complies with the regulations in this Section. For the purpose of this Section 11, Part 1 and Part 2 on Diagram 1 of this By-law is deemed to be one **lot**.

(B) Drive Aisle Width

The following are the minimum **drive aisle** widths:

- (i) If the centreline of a **parking space** is at an interior angle of 70 to 90 degrees to the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that one or two **lane drive aisle** is 6.0 metres;
- (ii) If the centreline of a **parking space** is at an interior angle from 50 to less than 70 degrees to the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that **drive aisle** is 5.5 metres for each aisle;
- (iii) If the centreline of a **parking space** is at an interior angle of less than 50 degrees from the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that **drive aisle** is 4.0 metres for each aisle.

(C) Interpretation

(i) Parking Space Dimensions — Minimum

A **parking space** is subject to the following:

- (a) A **parking space** must have the following minimum dimensions:
 - (1) length of 5.6 metres;
 - (2) width of 2.6 metres;
 - (3) vertical clearance of 2.0 metres; and
 - (4) the minimum width in (2) must be increased by 0.3 metres for each side of the **parking space that** is obstructed according to d. below;
- (b) For a **parking space** accessed by a **drive aisle** with a width of less than 6.0 metres, whether it is a one-way or two-way **drive aisle**, the minimum dimensions of a **parking space** are:
 - (1) length of 5.6 metres;
 - (2) width of 2.9 metres;
 - (3) vertical clearance of 2.0 metres; and

- (4) the minimum width in (2) must be increased by 0.3 metres if one or both sides of the **parking space** is obstructed according to d. below;
- (c) The minimum dimensions of a **parking space** that is adjacent and parallel to a **drive aisle** from which **vehicle** access is provided are:
 - (1) length of 6.7 metres;
 - (2) width of 2.6 metres;
 - (3) vertical clearance of 2.0 metres; and
 - (4) the minimum width in (2) must be increased by 0.3 metres for each side of the **parking space** that is obstructed according to d. below; and
- (d) The side of a **parking space** is obstructed if any part of a fixed object such as a wall, column, bollard, fence or pipe is situated:
 - (1) within 0.3 metres of the side of the **parking space**, measured at right angles; and
 - (2) more than 1.0 metre from the front or rear of the **parking space**.

(ii) Parking Space Dimensions — Maximum

The maximum dimensions for a **parking space** are:

- (a) length of 6.0 metres;
- (b) width of 3.2 metres.

(iii) Vertical Clearance of a Parking Space

The minimum vertical clearance for a **parking space** extends over the entire length and width of the **parking space**, excluding a wheel stop with a height of less than 18.0 centimetres.

(iv) Maximum Permitted Obstructed Parking Spaces

Of the total number of **parking spaces** that are obstructed on one side in accordance with Regulation 11.C.(i) d. of this By-law, a maximum of 10 percent may have the following minimum dimensions and such spaces shall be designated as compact **parking spaces**:

- (a) length of 5.6 metres;
- (b) width of 2.6 metres;
- (c) vertical clearance of 2.0 metres.

(v) Tandem Parking Spaces

A required **parking space** may not be a tandem **parking space**.

(vi) Tandem Parking Space Minimum Dimensions

A tandem **parking space** must have the following minimum dimensions:

- (a) length of 5.6 metres;
- (b) width of 2.6 metres;
- (c) vertical clearance of 2.0 metres.

(vii) Calculation of Parking Space Requirements - Rounding

If the calculation of the number of required **parking spaces** results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one **parking space**.

(viii) Parking Space to be Clearly Marked

All **parking spaces** required for a non-residential use must be clearly identified and marked.

(ix) Parking Space Calculation -Gross Floor Area Exclusion

The **interior floor area** of that portion of a **building** used exclusively for heating, cooling, ventilation, electrical, fire emergency stairwells, elevator shafts, atriums, utility areas, storage areas in the **basement, parking space, loading space**, or a **drive aisle** used to access a **parking space** or **loading space**, is not included in the **gross floor area** for the purpose of calculating **parking space** requirements.

(x) Parking Space Access

All areas used for required **parking spaces** must have **driveway** access to a **street** or **lane** that is direct and unobstructed, excluding a gate, moveable barrier or similar security feature.

(D) Parking Space Rates

Off street **parking spaces** must be provided for every **building** or **structure** erected or enlarged, in compliance with the following:

- (i) If a **building** has **dwelling units** then **parking spaces** must be provided at a minimum rate of:
 - (a) 0.5 for each bachelor and one-bedroom **dwelling unit**;
 - (b) 0.75 for each **dwelling unit** with two or more bedrooms; and
 - (c) 0.06 for each **dwelling unit** must be used for visitor parking.
- (ii) No **parking spaces** are required for non-residential uses.

(E) Location of Parking Spaces

- (i) **Parking spaces** for a **building** on Part 1 may be located on any or all of Part 1 or Part 2 as shown on Diagram 1 of this By-law.
- (ii) **Parking spaces** for a **building** on Part 2 may be located on any or all of Part 1 or Part 2 as shown on Diagram 1 of this By-law.

(F) Parking Space Rate Ancillary Use

A use that is **ancillary** has the same **parking space** rate as the use to which it is **ancillary**.

Regulations Applying to Visitor Parking Spaces

(G) General

- (i) Access to Visitor **Parking Spaces**

All **driveways** or **drive aisles** that provide **vehicle** access to visitor **parking space** must be clearly identified.

- (ii) Visitor Parking Space — Marking

All visitor **parking spaces** must be clearly identified and marked.

- (iii) Visitor Parking Space Dimensions

A visitor **parking space** must comply with the **parking space** dimensions in Section 11(C)(i) of this By-law.

Regulations Applying to Accessible Parking Spaces

(H) Accessible Parking Space Dimensions

An accessible **parking space** must have the following minimum dimensions:

- (i) length of 5.6 metres;
- (ii) width of 3.4 metres; and
- (iii) vertical clearance of 2.1 metres.

(I) Accessible Parking Space Dimensions — Parallel Parking Space

The minimum dimensions of an accessible **parking space** that is adjacent and parallel to a **drive aisle** from which **vehicle** access is provided is:

- (i) length of 7.1 metres;
- (ii) width of 2.6 metres; and
- (iii) vertical clearance of 2.1 metres.

(J) Barrier Free Aisle

The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By law 579-2017.

(K) Location of Accessible Parking Spaces

Accessible **parking spaces** must be within 20 metres of a barrier free:

- (i) entrance to a **building**; or
- (ii) passenger elevator that provides access to the first storey of the **building**.

(L) Meaning of Accessible

For the purpose of Sections H., I., J. and K. above, "accessible" means free of a physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11.

(M) Parking Rates — Accessible Parking Spaces

If the total **parking space** requirement is 5 or more, clearly identified off **street** accessible **parking spaces** must be provided for every **building or structure** erected or enlarged, as follows:

- (i) a minimum of 5 **parking spaces** plus 1 **parking space** for every 50 **parking spaces** or part thereof in excess of 100 **parking spaces**, must comply with all regulations for an accessible **parking space**.

Loading Space Regulations

11. Regulations Applying to Loading Spaces

General

(A) Loading Space Standards

A Type "G" **loading space** must have a:

- (i) minimum length of 13.0 metres;
- (ii) minimum width of 4.0 metres; and
- (iii) minimum vertical clearance of 6.1 metres.

(B) Loading Space Requirement

Loading spaces must be provided as followings:

- (i) A minimum of one Type "G" **loading space** must be provided on Part 1 shown on Diagram 1 of this By-law; and
- (ii) A required **loading space** must be used and shared between the uses on Part I and Part 2 shown on Diagram 1 of this By-law.

(C) Standards for Access to a Loading Space

A **driveway** to a **loading space** must have:

- (i) A minimum width along its entire length of:
 - (a) 3.5 metres for a one way **driveway**; or
 - (b) 5.5 metres for a two way **driveway**; and
- (ii) A minimum vertical clearance along its entire length of 4.4 metres to a "Type "G" **loading space**.

(D) **Loading Space Access**

The permitted maximum slope of a **driveway** leading to a **loading space** is 8 percent for a Type "G" **loading space**.

Bicycle Parking Regulations

12. General Regulations Applying to All Bicycle Parking Spaces

(A) Requirement to Provide Parking Spaces

Bicycle parking spaces must be provided collectively for each use on a **lot** in an amount that complies with the regulations in this Section. For the purpose of this Section 13, Part 1 and Part 2 on Diagram 1 of this By-law is deemed to be one **lot**.

(B) Rounding of Bicycle Parking Space Requirements

If the calculation of the minimum **bicycle parking spaces** for all uses results in a fraction of a **bicycle parking space** being required, the number of required **bicycle parking spaces** must be rounded up to the next whole number.

(C) Meaning of Long-Term Bicycle Parking and Short-Term Bicycle Parking

The terms "long-term" **bicycle parking space** and "short-term" **bicycle parking space** have the following meaning:

- (i) "long-term" **bicycle parking spaces** are **bicycle parking spaces** for use by the occupants or tenants of a **building**; and
- (ii) "short-term" **bicycle parking spaces** are **bicycle parking spaces** for use by visitors to a **building**.

(D) Bicycle Parking Space Dimensions

A **bicycle parking space** must comply with the following:

- (i) The minimum dimensions of a **bicycle parking space** are:
 - (a) minimum length of 1.8 metres;
 - (b) minimum width of 0.6 metres; and
 - (c) minimum vertical clearance of 1.9 metres; and
- (ii) The minimum dimensions of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device are:

- (a) minimum length or vertical clearance of 1.9 metres;
 - (b) minimum width of 0.6 metres; and
 - (c) minimum **horizontal** clearance from the wall of 1.2 metres; and
- (iii) If a stacked **bicycle parking space** is provided, the minimum vertical clearance for each stacked **bicycle parking space** is 1.2 metres.

(E) Vertical Clearance of a Bicycle Parking Area

An area used to provide **bicycle parking spaces** must have a minimum vertical clearance of:

- (i) 2.4 metres if it is a stacked **bicycle parking space**; and
- (ii) 1.9 metres in all other cases.

(F) Long-Term Bicycle Parking Space Locational Requirement

"Long-term" **bicycle parking spaces** must be located in a **building**.

(G) Bicycle Parking Space Located with Use

- (i) **Bicycle parking spaces** for a **building** on Part 1 may be located on any or all of Part 1 or Part 2 as shown on Diagram 1 of By-law 964-2019.
- (ii) **Bicycle parking spaces** for a **building** on Part 2 may be located on any or all of Part 1 or Part 2 as shown on Diagram 1 of By-law 964-2019.

(H) Long Term Bicycle Parking Space Location

The required "long term" **bicycle parking space** for a **dwelling unit** may be located:

- (i) on the first **storey** of the **building**;
- (ii) on the second **storey** of the **building**;
- (iii) on levels of the building below-ground commencing with the first level below-ground and moving down, in one level increments when at least 25 percent of the area of that level is occupied by **bicycle parking spaces**.

(I) Stacked Bicycle Parking Spaces

A "long term" **bicycle parking space** may be located in a stacked **bicycle parking space**.

(J) Bicycle Parking Space Rates

- (i) **Bicycle parking space** requirements are as follows:
 - (a) a minimum of 0.9 "long-term" **bicycle parking spaces per dwelling unit; and**
 - (b) a minimum of 0.1 "short-term" **bicycle parking spaces per dwelling unit.**
- (ii) No **bicycle parking spaces** are required for non-residential uses.

(K) Multiple Uses on a lot

If **bicycle parking spaces** are required for one or more uses on a **lot**, the total number of **bicycle parking spaces** required is equal to the cumulative total of all bicycle parking spaces required for each use on the **lot**.

(L) Bicycle Parking Regulations in the Residential Zone Category

- (i) Bicycle Parking Space — Storage Location

"Long-term" **bicycle parking space** for a dwelling unit may not be:

- (a) in a **dwelling unit;**
- (b) on a balcony; or
- (c) in a storage locker.

- 13. The provisions of By-law 1050-2017 do not apply to the lands outlined in heavy black lines on Diagram 1 attached to this By-law.
- 14. By-law 438-86, as amended does not apply to the lands outlined in heavy black lines on Diagram 1 attached to this By-law.

Section 37 Provisions

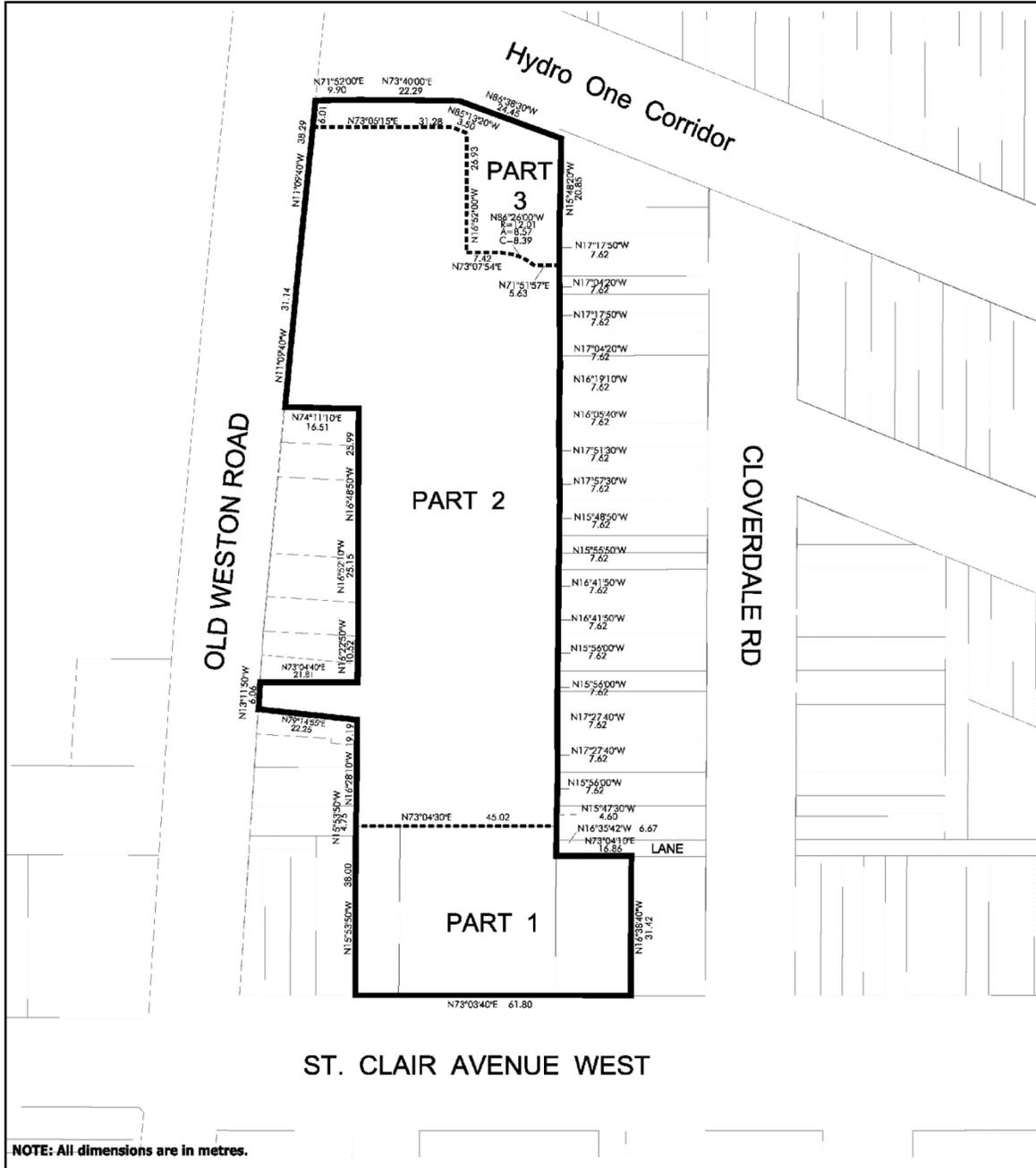
- 15. Pursuant to Section 37 of the *Planning Act*, and subject to compliance with By-law 964-2019, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 of By-law 964-2019, in return for the provision by the owner, at the owner's expense, of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands to the satisfaction of the City Solicitor.
- 16. Where Schedule A of By-law 964-2019 requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

Enacted and passed on June 19, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



1800 - 1818 St. Clair Avenue West and
 383, 423 & 425 Old Weston Road

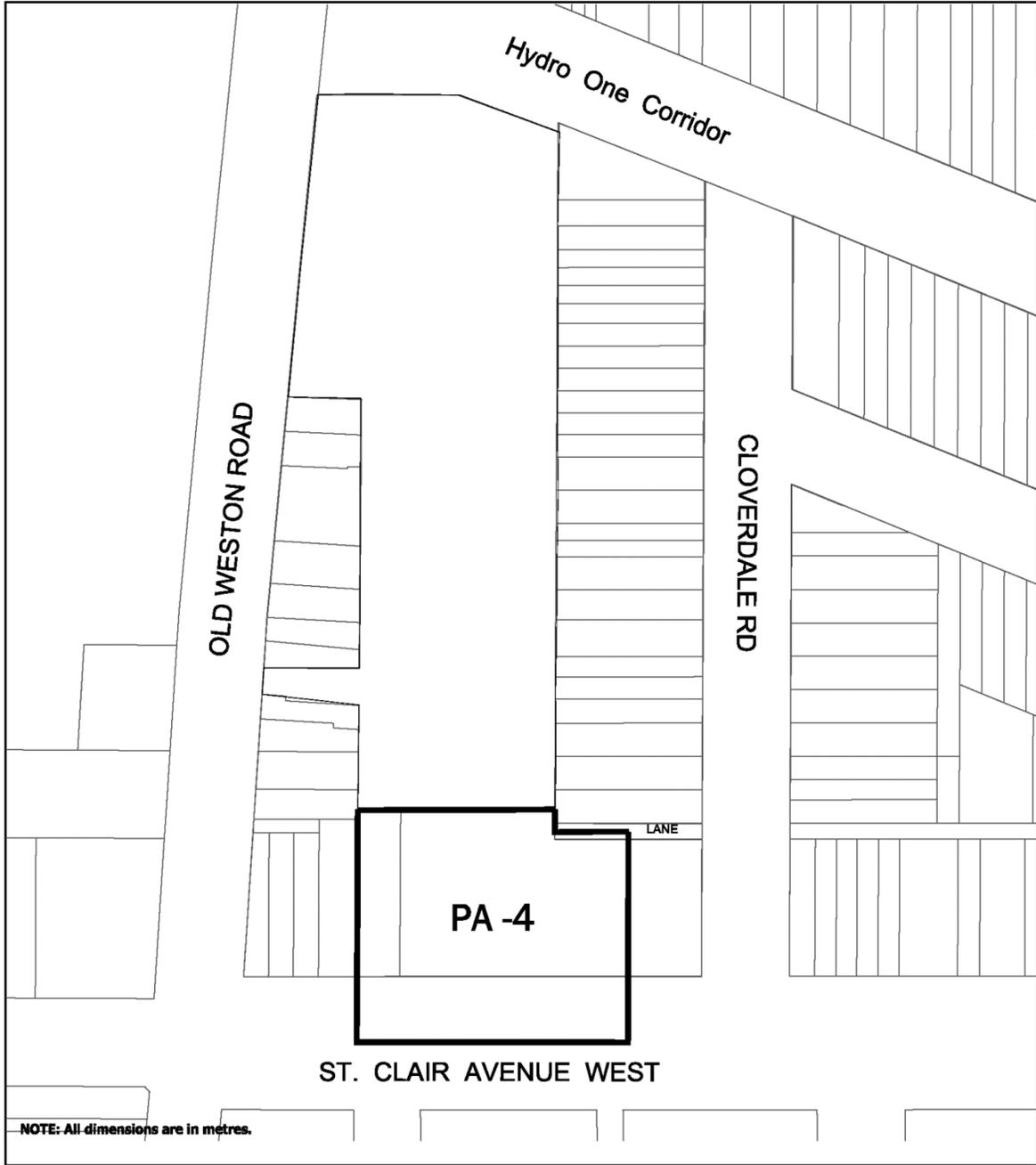
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 **TORONTO**
Diagram 2

1800 - 1818 St. Clair Avenue West and
383, 423 & 425 Old Weston Road

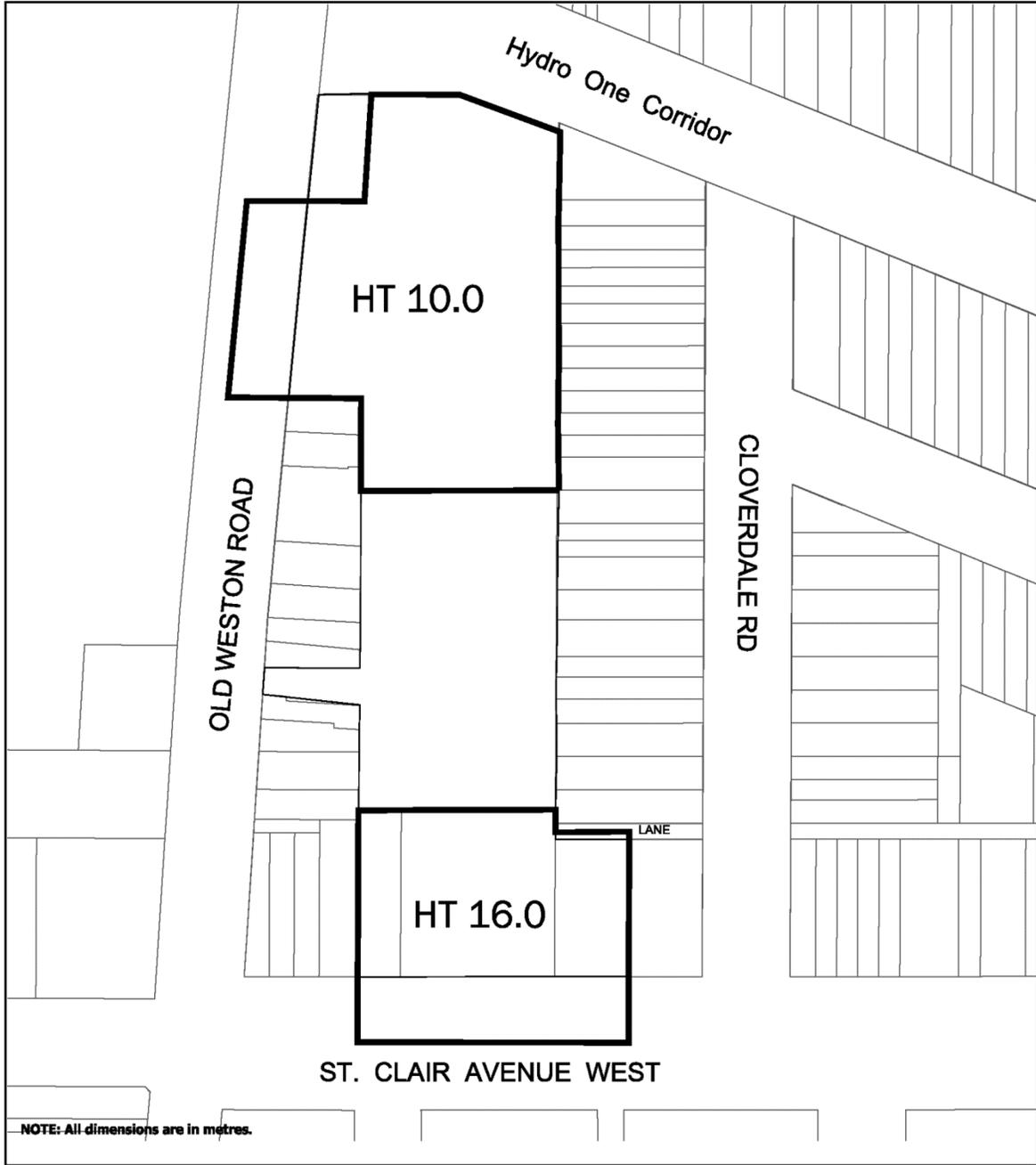
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 **TORONTO**
Diagram 3

1800 - 1818 St. Clair Avenue West and
383, 423 & 425 Old Weston Road

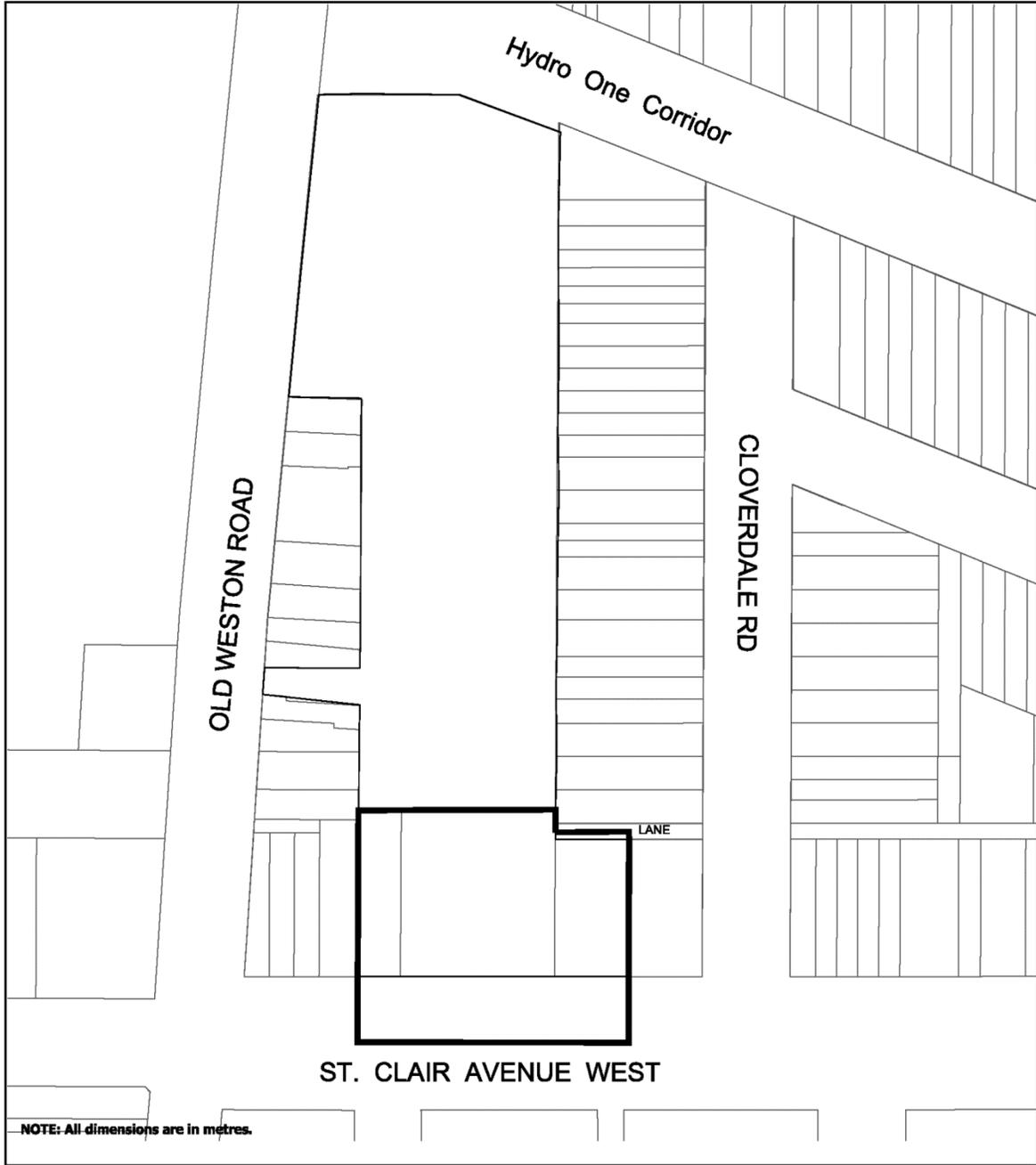
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 **TORONTO**
Diagram 4

1800 - 1818 St. Clair Avenue West and
383, 423 & 425 Old Weston Road

File # 18 135955 WET 17 0Z

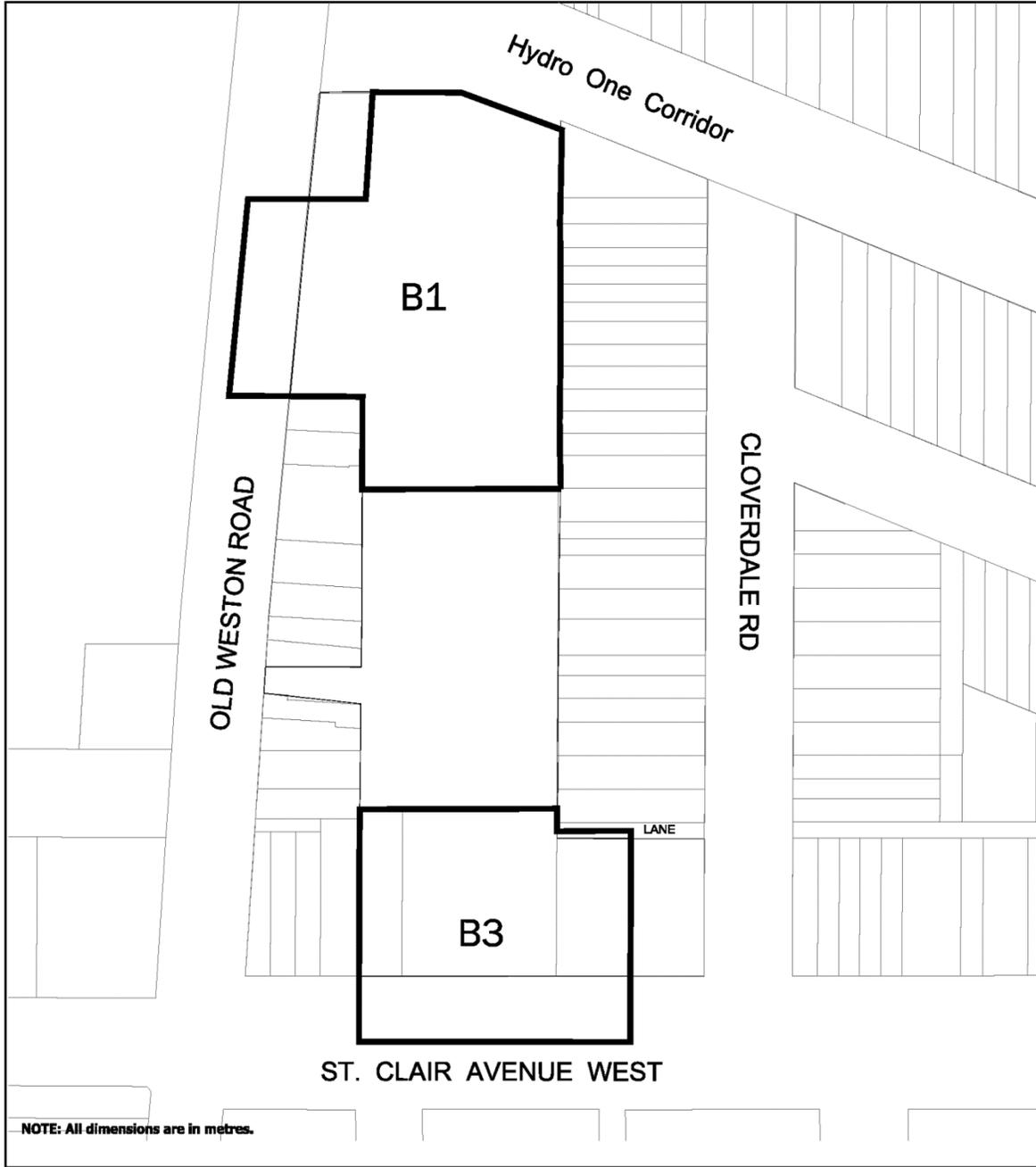


NOTE: All dimensions are in metres.

TORONTO
Diagram 5

1800 - 1818 St. Clair Avenue West and
383, 423 & 425 Old Weston Road

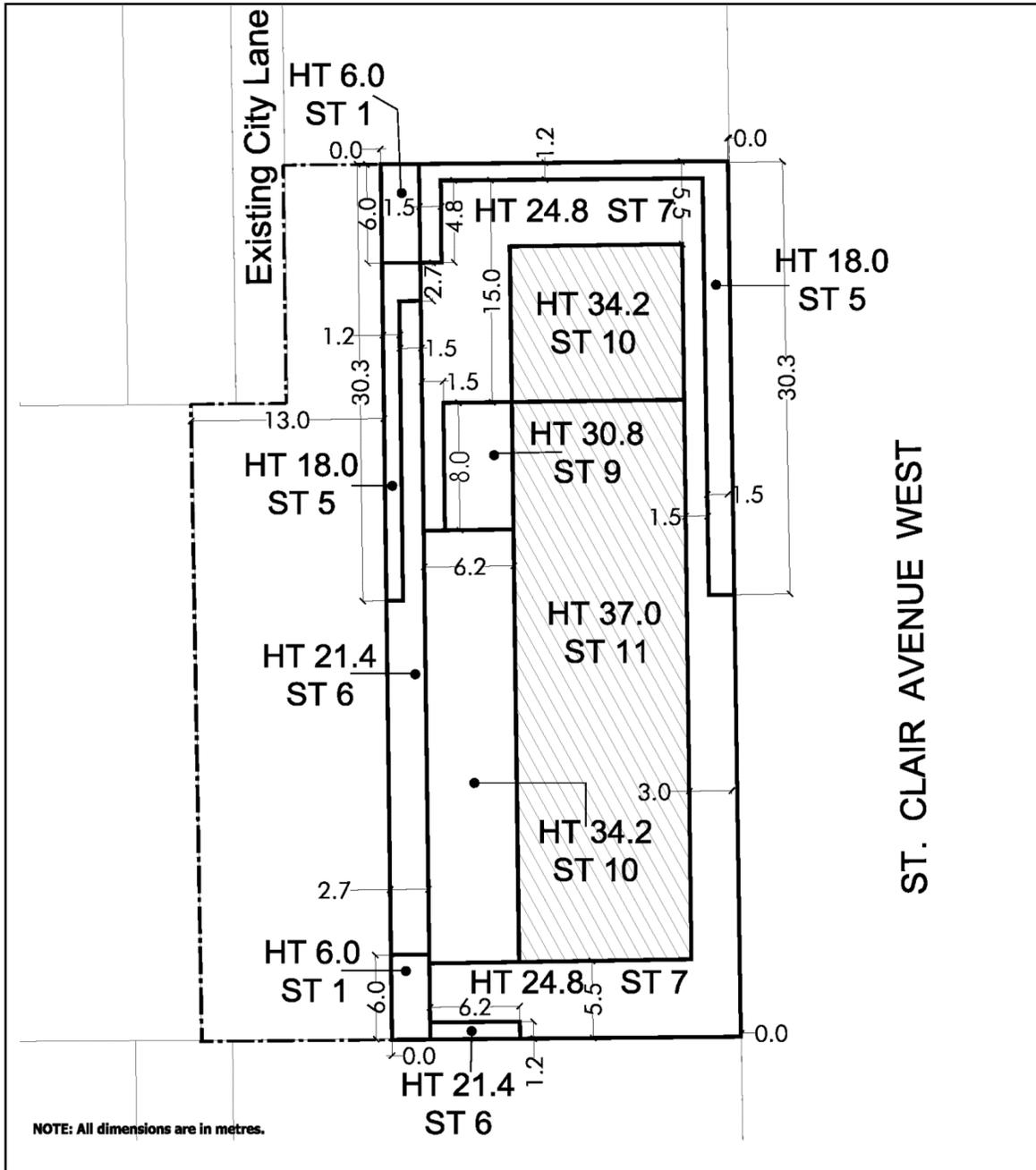
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 **TORONTO**
Diagram 6

1800 - 1818 St. Clair Avenue West and
383, 423 & 425 Old Weston Road

File # 18 135955 WET 17 0Z



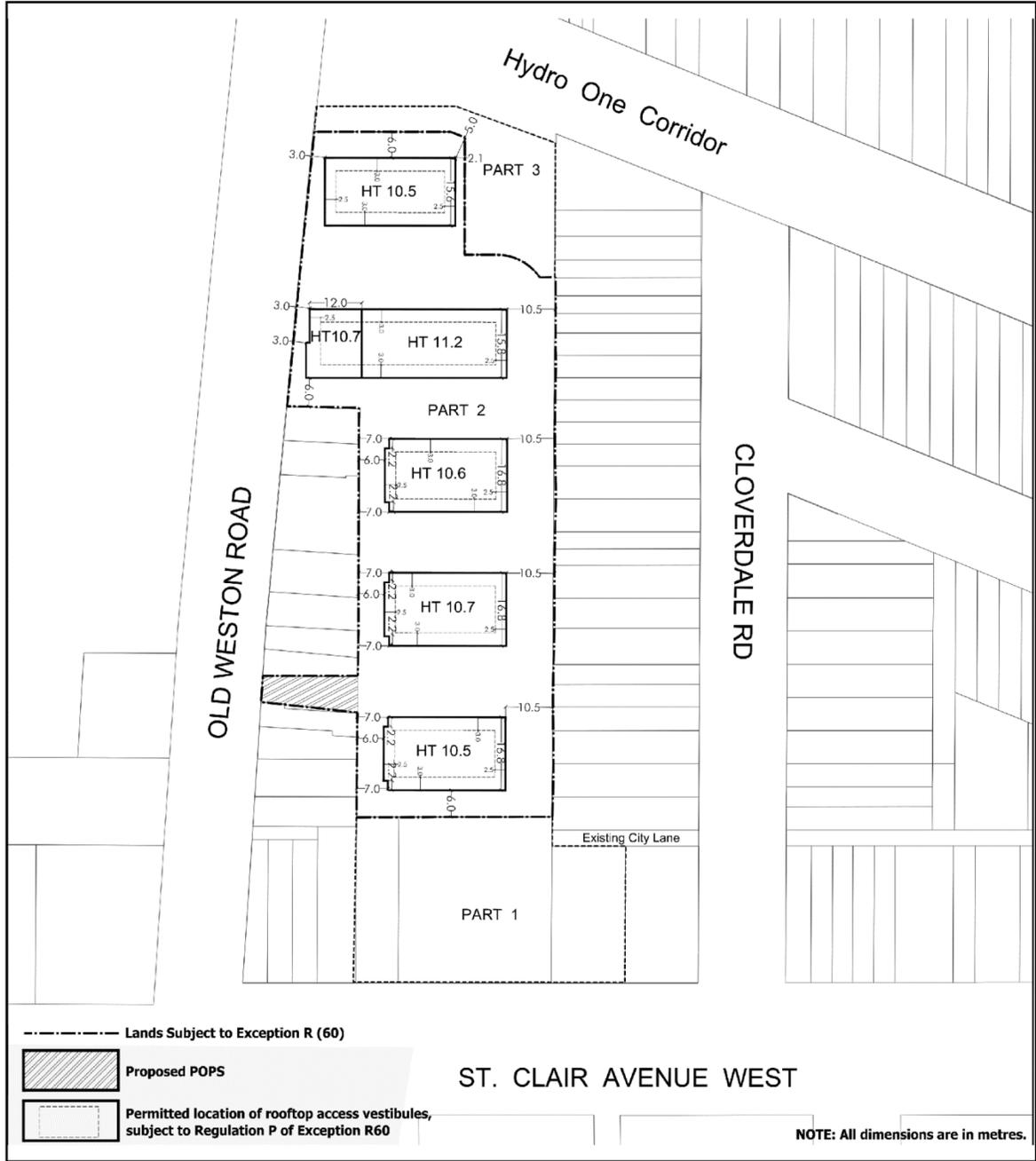
TORONTO
 Diagram 7

1800 - 1818 St. Clair Avenue West and
 383, 423 & 425 Old Weston Road

File # 18 135955 WET 17 02

- Lands Subject to Exception CR(178)
-  Angular plane requirement subject to Regulation M. of Exception CR178

City of Toronto By-law 569-2013
 Not to Scale
 02/27/2019



TORONTO
 Diagram 8

1800 - 1818 St. Clair Avenue West and
 383, 423 & 425 Old Weston Road

File # 18 135955 WET 17 0Z



 **TORONTO**
Diagram 9

**1800 - 1818 St. Clair Avenue West and
383, 423 & 425 Old Weston Road**

File # 18 135955 WET 17 0Z


City of Toronto By-law 569-2013
Not to Scale
06/03/2019

SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 3 in this By-law and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the owner agrees as follows:

1. A cash contribution of \$400,000.00 to be directed to "The Treasurer, City of Toronto" indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment and to be used for local park, recreational facilities, or local area amenity improvements to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.
2. In the event the cash contribution referred to above has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
3. Prior to the earlier of the registration of a condominium or the residential occupancy of any part of the proposed development on Blocks A to E, the owner shall convey, in fee simple to Habitat for Humanity, a part of the site with a minimum area of 1,011 m² for the purpose of constructing 20 affordable housing units.
4. The owner shall provide, at its own expense, the design and construction of Above Base Park Improvements to the on-site parkland dedication, to the satisfaction of the General Manager, Parks, Forestry and Recreation, subject to City Council approving a development charge credit for these works and in accordance with Section (6) below. The conveyance of the parkland dedication shall be in environmental condition, satisfactory to the General Manager, Parks, Forestry and Recreation, in accordance with the City standards and would occur prior to the earlier of the registration of a condominium or the residential occupancy of any part of the proposed development on Blocks A to E.
5. Prior to the issuance of the first above grade building permit, the owner shall submit a cost estimate and plans for the Base Park Improvements, to the satisfaction of the General Manager, Parks, Forestry and Recreation. Prior to the issuance of the first above grade building permit, the owner shall also post an irrevocable Letter of Credit in the amount of 120 percent of the value of the Base Park Improvements for the parkland, to the satisfaction of the General Manager, Parks, Forestry and Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.

The stockpiling of any soils or materials or use as an interim construction staging area on the conveyed parkland is prohibited unless an agreement, other than a privately owned public space, has been obtained from the Manager of Business Services, Parks, Forestry

and Recreation, The agreement, if approved, will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, duration, restoration plan and costs, and compensation to the satisfaction of the General Manager, Parks, Forestry and Recreation. The agreement must be secured prior to stockpiling of any soils or materials or use as an interim construction staging area on the parkland, after conveyance to the City. The owner will indemnify the City against any claim during any interim use of or work carried out by the owner on the park. Any compensation accrued shall be applied to park improvements within the ward in consultation with the Ward Councillor.

The construction of the Base Park Improvements will be deferred to correspond with the completion of Above Base Park Improvements, to the satisfaction of the General Manager, Parks, Forestry and Recreation, as set out in Section (6) below.

6. The owner agrees to design and construct the Above Base Park Improvements to the new park for a development charge credit against the Parks and Recreation component of the Development Charges to the satisfaction of the General Manager, Parks, Forestry and Recreation, as set out in Recommendation 5 cited in a Final Report dated February 27, 2019 from the Director of Community Planning, Etobicoke York District. The owner is required to submit a design and cost estimate, to the satisfaction of the General Manager, Parks, Forestry and Recreation, and a letter of credit equal to 120 percent of the lesser of the approved cost estimate for Above Base Park Improvements, and the Parks and Recreation Development Charges payable for the development. The design, cost estimate and ultimately the letter of credit will be required prior to the issuance of the first above grade building permit for Blocks A to E, to the satisfaction of the General Manager, Parks, Forestry and Recreation. The Base Park Improvements and Above Base Park Improvements shall be completed prior to one year from the day the parkland is conveyed in fee simple to the City subject to extensions for seasonality satisfactory to Parks, Forestry and Recreation. Should the completion of the Base Park Improvements and Above Base Park Improvements not be completed prior to one year from the day the parkland is conveyed in fee simple to the City, Parks, Forestry and Recreation may draw from Letters of Credit in order to complete the park construction, subject to extensions satisfactory to Parks, Forestry and Recreation for seasonality.
7. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. The owner shall provide, at its own expense, an approximate area of 159 square metres of privately-owned publicly-accessible space (POPS) and grant access easements to the City for the purpose of access to and use of the POPS for members of the public, prior to the earlier of the registration of a condominium or the residential occupancy of any part of the proposed development on Blocks A to E. This POPS area is to be located fronting Old Weston Road, between the properties municipally known as 381 and 387 Old Weston Road. The POPS easements are to be conveyed to the City for nominal consideration and are to be free and clear of all physical and title encumbrances, other than those acceptable to the City Solicitor. The owner shall own, operate, maintain and repair the POPS. The owner shall install and maintain a

centralized sign, at its own expense, stating that members of the public shall be entitled to use the POPS from 6:00 a.m. to 12:01 a.m. 365 days of the year.

- ii. The owner shall, prior to the issuance of the first above grade building permit, register a Section 118 Restriction pursuant to the Land Titles Act, in priority, against title to the parcel of land to be conveyed in fee simple to the City for the purpose of the on-site parkland dedication, to the satisfaction of the City Solicitor, until such time that the lands are conveyed to the City, to the satisfaction of the General Manager, Parks, Forestry and Recreation.
- iii. The owner shall design and reconstruct a 2.1 m wide municipal sidewalk along the frontage of Old Weston Road (measuring 69.3 metres and 6.1 metres) to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services and at no cost to the City, prior to the earlier of the registration of a condominium or the residential occupancy of any part of the proposed development on Blocks A to E.
- iv. The owner shall grant easements to the City of Toronto for the purposes of the general public's access to the park over the portico, sidewalk and driveway, as part of the condominium approval process for Blocks A to E, subject to conditions satisfactory to the Director of Community Planning, Etobicoke York District, in consultation with the City Solicitor.
- v. The owner shall construct and maintain the development in accordance with the accepted Electra Magnetic Field study to secure mitigation measures (if required) to the satisfaction of the Medical Officer of Health, Toronto Public Health.
- vi. The owner shall construct and maintain the development in accordance with the accepted Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd. dated November 23, 2018, to secure appropriate mitigation measures for noise control.
- vii. The owner shall construct and maintain the development in accordance with Tier I performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee, as further amended by City Council from time to time.