

Authority: Ontario Municipal Board Orders issued on February 8, 2018 and February 28, 2018, in Board File PL150753

CITY OF TORONTO

BY-LAW 416-2020(OMB)

To amend Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2018 as 45 Oaklands Avenue and part of 131 Farnham Avenue.

Whereas the Ontario Municipal Board, by its Orders issued on February 8, 2018 and February 28, 2018, in Board File PL150753 approved amendments to the City of Toronto Zoning By-law 438-86, as amended, with respect to the lands;

Pursuant to the Order of the Ontario Municipal Board, By-law 438-86 is further amended as follows:

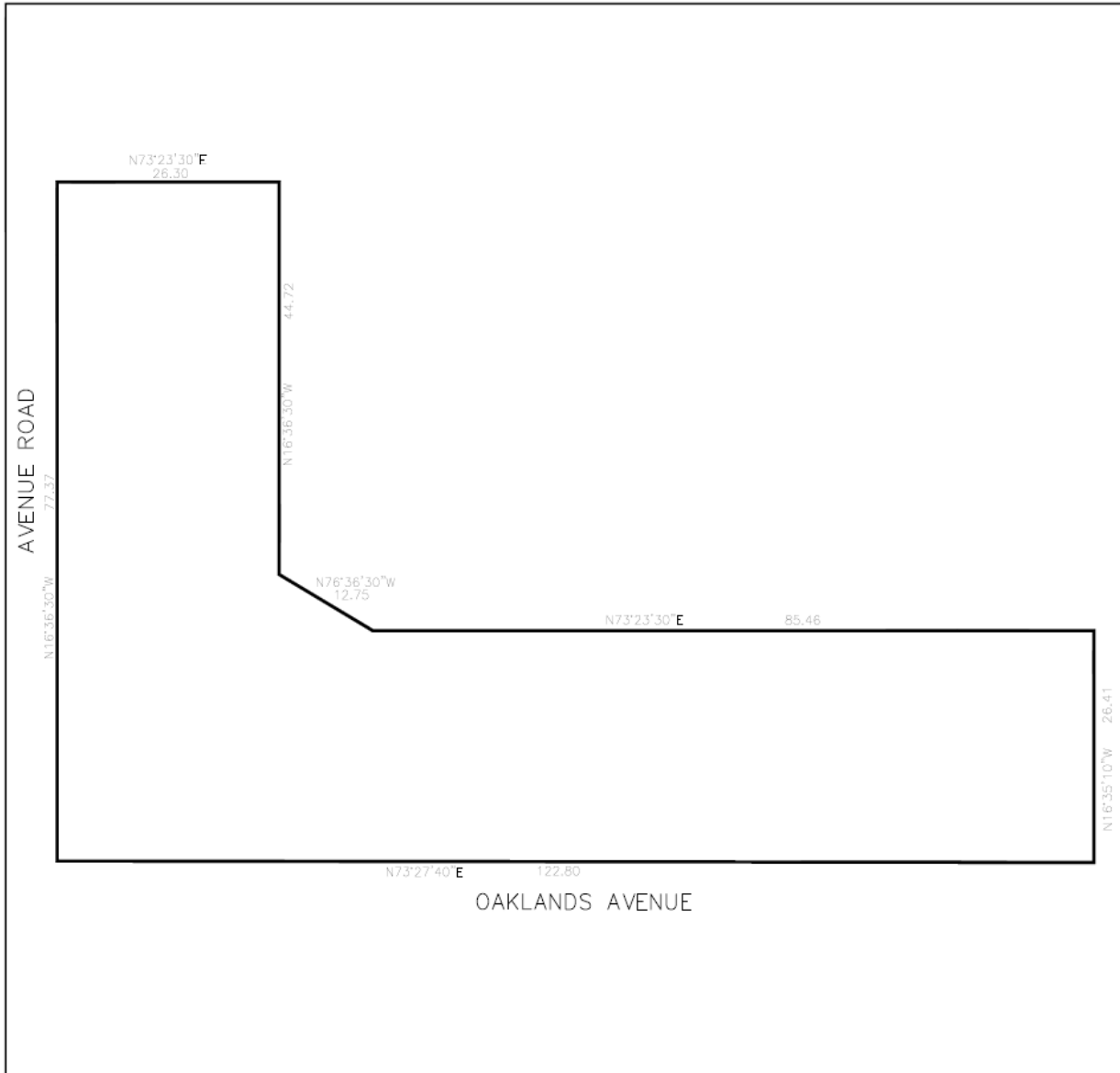
1. None of the provisions of Sections 4(2), 4(4), 4(6), 4(10)(a) and (d), 4(11), 4(12), 4(13), 4(17), 6(3) Part I 1, 6(3) PART II, 6(3) PART III 1, 6(3) PART IV 3 and 4(c), 6(3) PART XI 1 and By-law 438-86, being, "A by-law and specific amending By-law to regulate the use of land and the erection, use, 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* on the *lot* which may contain *dwelling units* and *accessory* uses thereto provided that:
 - (a) the *lot* consists of those lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) not more than 20 *dwelling units* shall be permitted on the *lot*;
 - (c) the total *residential gross floor area* on the *lot* shall not exceed 7,000 square metres;
 - (d) no portion of the buildings or structures above *grade* shall be located otherwise than wholly within the area delineated by heavy lines on the attached Map 2, with the exception of the following:
 - (i) eaves, canopies, awnings, cornices, lighting fixtures, awnings, fences, railings, architectural features, parapets, trellises, balustrades, window sills, window washing equipment, privacy screens, architectural screens, garbage screen walls, guardrails, terraces, platforms, elevated decks, transformer vaults, wheelchair ramps, retaining walls, ornamental elements, architectural elements, landscape elements, outdoor furniture, stairs, stair enclosures, underground garage ramps and their associated structures, stair landings, planters, public art features, pillars and gates;

- (e) no person shall erect or use a building or structure on the *lot* having a greater *height*, in metres than the *height* limits specified by the numbers following the symbol H on the attached Map 2 with the exception of the following:
 - (i) railings, parapets, balustrades, window sills, guardrails, terraces, platforms, elevated decks, wheelchair ramps, retaining walls, outdoor furniture, skylights, planters, and outdoor fireplace on the roof of the building may exceed the permitted *height* by 1.5 metres;
 - (ii) partition dividing outdoor recreational areas, fences, privacy screens, architectural screens, garbage screen walls, transformer vaults, lightning rods, safety or wind protection purposes, pillars and gates on the roof of the building may exceed the permitted *height* by 1.8 metres; and
 - (iii) eaves, canopies, awnings, cornices, lighting fixtures, architectural features, trellises, window washing equipment, stacks, exhaust flues, ornamental elements, architectural elements, landscape elements, roof access hatches, public art features, and elements or structures on the roof of the building used for outside or open air recreation on the roof of the building may exceed the permitted *height* by 3.0 metres.
- (f) no *residential amenity space* shall be required;
- (g) a minimum number of *parking spaces* shall be provided and maintained above and below *grade* on the *lot* in accordance with the following:
 - (i) 19 resident *parking spaces*;
 - (ii) 2 visitor *parking spaces*; and
 - (iii) 1 *parking space* for the *Existing Heritage Building*;
- (h) no *loading space* shall be required;
- (i) no *bicycle parking spaces* shall be required;
- (j) a minimum of 1,500 square metres of the *lot* must be for *landscaped open space*, and a minimum of 1,000 square metres of the *landscaped open space* must be for *soft landscaping*; and
- (k) none of the provisions of By-law 438-86, as amended, shall apply to prevent a *sales office* on the *lot*, and a *sales office* shall be exempt from the requirements of By-law 438-86, as amended, and this by-law to provide motor vehicle parking facilities.

2. For the purpose of this By-law, all italicized words and expression have the same meanings as defined in By-law 438-86, as amended, with the exception of the following:

- (a) *Existing Heritage Building* means the existing heritage building as shown on Map 2;
- (b) *grade* means in the case of:
 - Block 1: 130.39 metres Canadian Geodetic Datum;
 - Block 2: 128.25 metres Canadian Geodetic Datum;
 - Block 3 and 4: 126.22 metres Canadian Geodetic Datum.
- (c) *height* shall mean the vertical distance between *grade* and the highest point of the building or structures, as shown on Map 2;
- (d) *parking space* shall mean an area used for the parking or storing of a vehicle and shall be a minimum of 5.6 metres in length, 2.6 metres in width, and have a vertical clearance 2.0 metres;
- (e) *residential gross floor area* shall mean the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level excluding:
 - (i) parking, loading, bicycle parking and drive aisles;
 - (ii) loading spaces at the ground level and bicycle parking spaces at or above ground;
 - (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (iv) elevator shafts;
 - (v) garbage shafts;
 - (vi) mechanical penthouse; and
 - (vii) exit stairwells in the building.
- (f) *sales office* means a building, structure, facility or trailer on the *lot* used for the purpose of the sale of *dwelling units* to be erected on the *lot*; and
- (g) this amendment shall continue to apply to all of the lands shown on Map 1 regardless of any future severance, partition or division.

Pursuant to Ontario Municipal Board Orders issued on February 8, 2018 and February 28, 2018, in Board File PL150753.



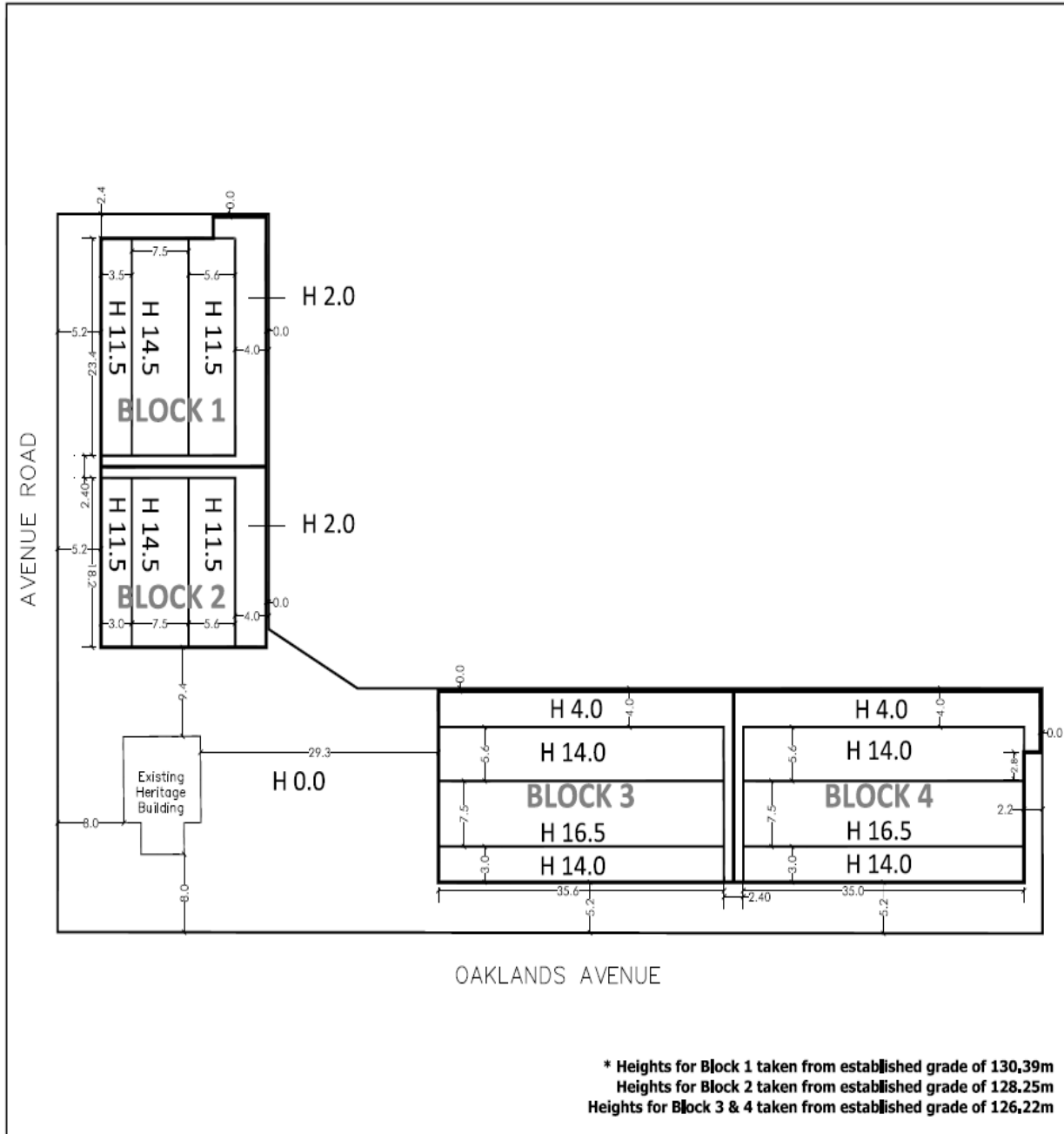
Map 1

File # 14 263631 STE 220Z

Survey information supplied by applicant. All dimensions are in metres



Not to Scale



Map 2

File # 14 263631 STE 220Z

Survey information supplied by applicant. All dimensions are in metres



Not to Scale