

Authority: Local Planning Appeal Tribunal
Decision issued on August 21, 2018 and Ontario
Land Tribunal Order issued on October 27, 2021 in
Case PL171292

CITY OF TORONTO

BY-LAW 887-2021(OLT)

To amend former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2020 as 227 Gerrard Street East.

Whereas the Ontario Land Tribunal, by its Decision issued on August 21, 2018 and Order issued on October 27, 2021 in Tribunal File PL171292 approved amendments to the City of Toronto Zoning By-law 438-86, as amended, with respect to the lands; and

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

1. None of provisions of Zoning By-law 1106-2016 shall apply to the lands delineated by heavy dashed lines on Map 1 attached to and forming part of this By-law.
2. None of the provisions of Sections 4(2), 4(5), 4(8), 4(10), 4(13), 4(14), 8(2)7, 8(3) PART I 1 and 3, 8(3) PART II 1 and 4, 8(3) PART IV 2, 8(3) PART XI, 12(2)156, 12(2)270 and 12(2)380 of 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 a *mixed use building* within the *lot* 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) the total combined *gross floor area* on the *lot* shall not exceed 9,400 square metres, of which a maximum of 1,050 square metres may be *non-residential gross floor area*;
 - (c) a maximum of 110 dwelling units may be provided on the *lot*;
 - (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) retractable awnings may project up to a maximum of 1.4 metres beyond the north building wall;
 - (ii) eaves, cornices, window sills, lighting fixtures and ornamental elements may project up to a maximum of 0.6 metres beyond all building walls; and

- (iii) balconies, guardrails, safety railings, planters, landscape features and balcony dividers may project to a maximum of 1.8 metres beyond all building walls;
- (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) parapets, guardrails, safety railings, planters, landscaping elements of a green roof, balcony dividers, roof drainage and window washing equipment up to 1.8 metres above the maximum *height* limit;
 - (ii) a structure used for outside or open air recreation, safety or wind protection purposes up to 3.3 metres above the maximum *height* limit;
 - (iii) heating and cooling equipment and associated walls or structures enclosing such elements, mechanical penthouse including indoor amenity room and washroom, elevator and stair shafts up to a maximum of 4.0 metres above the applicable maximum *height* limit within the areas labelled as "MECH" and "STAIR" on Map 2 of this by-law; and
 - (iv) the aggregate horizontal area of the elements listed in (iii) above shall not exceed 45 percent of the area of the roof of the *building*;
- (f) at least 30 square metres of the outdoor *residential amenity space* required by Zoning By-law 438-86 shall be provided in a location adjoining or directly accessible from indoor *residential amenity space*;
- (g) a minimum number of *parking spaces* shall be provided and maintained below *grade* on the *lot* in accordance with the following:
 - (i) for residents – 73 *parking spaces*;
 - (ii) for visitors – 10 *parking spaces*;
 - (iii) for non-residential uses - 10 *parking spaces*; and
 - (iv) a maximum of 4 *car-share parking space* may be provided on the *lot* and the minimum resident parking required shall be reduced by 4 *parking spaces* per *car-share parking space*;
- (h) a minimum of one *loading space - Type "G"* shall be provided and maintained on the *lot*; and
- (i) a minimum number of *bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following:

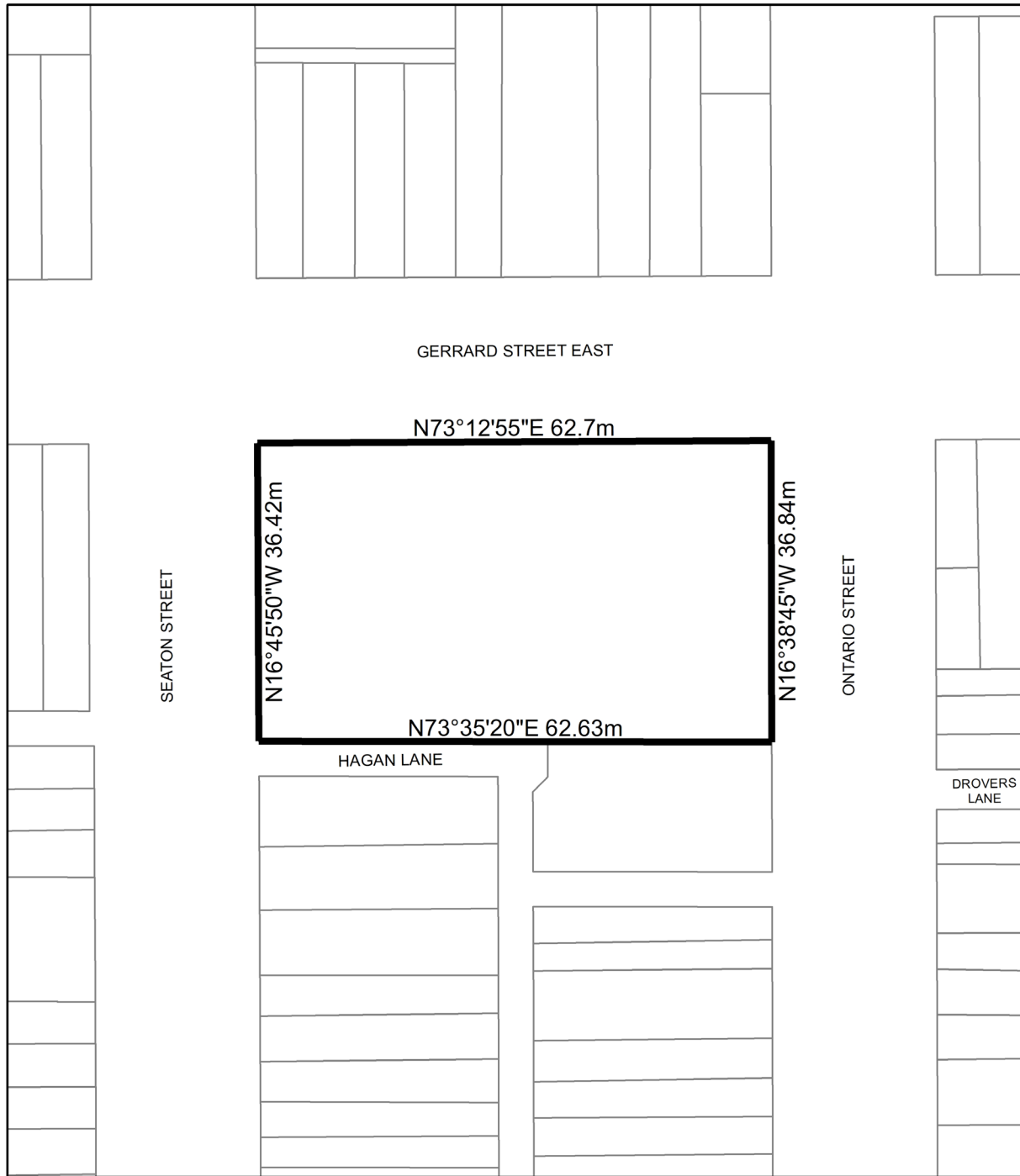
- (i) for residential uses, a minimum of 1.0 *bicycle parking spaces* for each *dwelling unit*, comprised of 0.9 long-term *bicycle parking spaces* and 0.1 short-term *bicycle parking spaces*;
- (ii) no *bicycle parking spaces* shall be required for *non-residential* uses;
- (iii) a *bicycle parking space* may be provided in a horizontal or vertical position, and/or in a bicycle stacker; and
- (iv) despite the definition of *bicycle parking space – visitor* in Section 2(1)(iii) of Zoning By-law 438-86, as amended, a *bicycle parking space* for visitors and non-residential uses may be provided within a secure room.

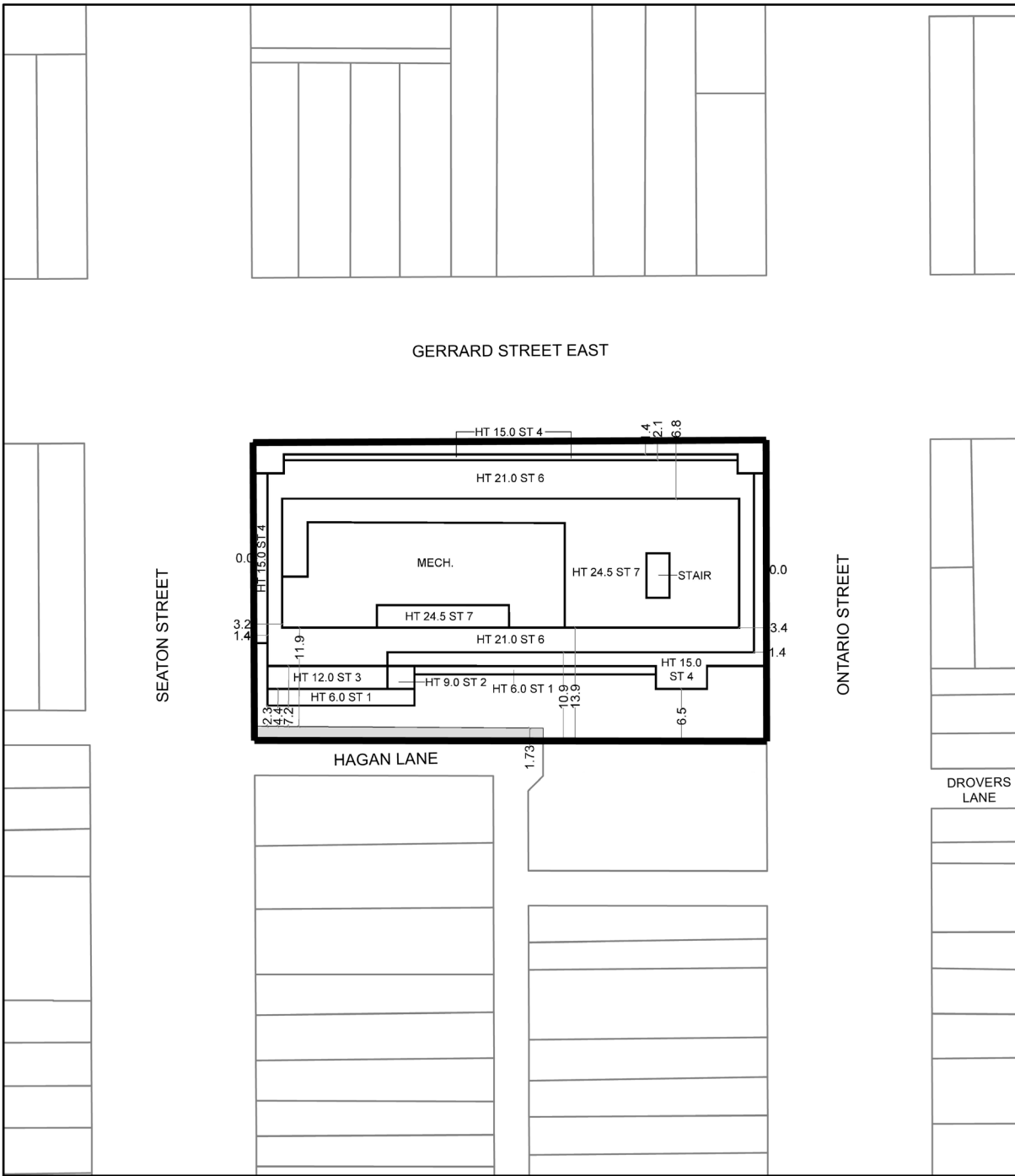
3. For the purpose of this By-law, all italicized words and expression have the same meanings as defined in By-law 438-86, as amended, with the exception of the following:

- (a) *bicycle parking space* means an area that is equipped with a bicycle rack, locker or bicycle stacker for the purpose of parking and securing bicycles and:
 - (i) a horizontal *bicycle parking space* has a minimum length of 1.8 metres, a minimum width of 0.4 metres, and a minimum vertical clearance from the ground of 1.9 metres;
 - (ii) a vertical *bicycle parking space* has a minimum length of 1.9 metres, a minimum width of 0.4 metres, and a minimum horizontal clearance from the wall of 1.2 metres; and
 - (iii) the minimum vertical clearance for each *bicycle parking space* located in a bicycle stacker is 1.2 metres;
- (b) *car-share* means the practice where a number of people share the use of one or more motor vehicles. Such *car-share* motor vehicles shall be made available for short term rental, including hourly rental for the use of at least the occupants of the building erected on the *lot*;
- (c) *car-share parking space* shall mean a *parking space* that is used exclusively for the parking of a *car-share* motor vehicle;
- (d) *grade* means 93.85 metres above Canadian Geodetic Datum;
- (e) *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 and bicycle parking below-ground;
 - (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) shower and change facilities for bicycle parking spaces;
 - (v) amenity space required by this By-law;
 - (vi) elevator shafts;
 - (vii) garbage shafts;
 - (viii) mechanical penthouse; and
 - (ix) exit stairwells in the building; and
- (f) *height* shall mean the vertical distance between *grade* and the highest point of the building or structures, as shown on Map 2.
4. Despite any existing or future severance, partition or division of the *lot* as shown on Map 1, the provisions of this By-law shall apply to the whole *lot* as if no severance, partition or division occurred.
5. Within the *lot* no person shall use any land or erect or use any building or structure unless the following municipal sewers are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum base curb and base asphalt and are connected to an existing public highway; and
 - (b) all water mains and sanitary sewers and appropriate appurtenances have been installed and are operational.

Pursuant to the Local Planning Appeal Tribunal Decision issued on August 21, 2018 and Ontario Land Tribunal Order issued on October 27, 2021 in Case PL171292.





 Laneway Widening

Note: Applicant's submitted Drawing. All dimensions are in metres.