

Authority: Land Use Committee (former City of Toronto) Report No. 9(6)
June 23 and 24, 1997
Intended for first presentation to Council: Not applicable
Adopted by Council: Not applicable

CITY OF TORONTO

BY-LAW No. 271-1998 (OMB)

**To amend the General Zoning By-law No. 438-86,
with respect to lands known municipally as Nos. 21 and 23 Sultan Street,
part of 110 Charles Street West and part of 95 Queen's Park,
to be known as 110 Charles Street West.**

WHEREAS Council, at its meeting held on the 23rd and 24th days of June, 1997, adopted Clause 6 of Land Use Committee Report No. 9 as a settlement of the proposed official plan amendments and zoning by-law amendments and the appeal of By-law No. 425-93, all currently before the Ontario Municipal Board; and

WHEREAS the Board having held a hearing on the referral and amendments has approved an amendment in accordance with an agreed upon settlement by the Owner and City Council;

THEREFORE pursuant to the Partial Order of the Ontario Municipal Board issued November 25, 1997, and the Amending Partial Order of the Ontario Municipal Board issued March 26, 1998, Board File Nos. M900024, O900088, O900184, Z900007 and R930372, being Decisions/Orders Nos. 1667 and 0747 respectively;

1. Section 12(1) of By-law No. 438-86, 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, is further amended by adding the following exceptions:

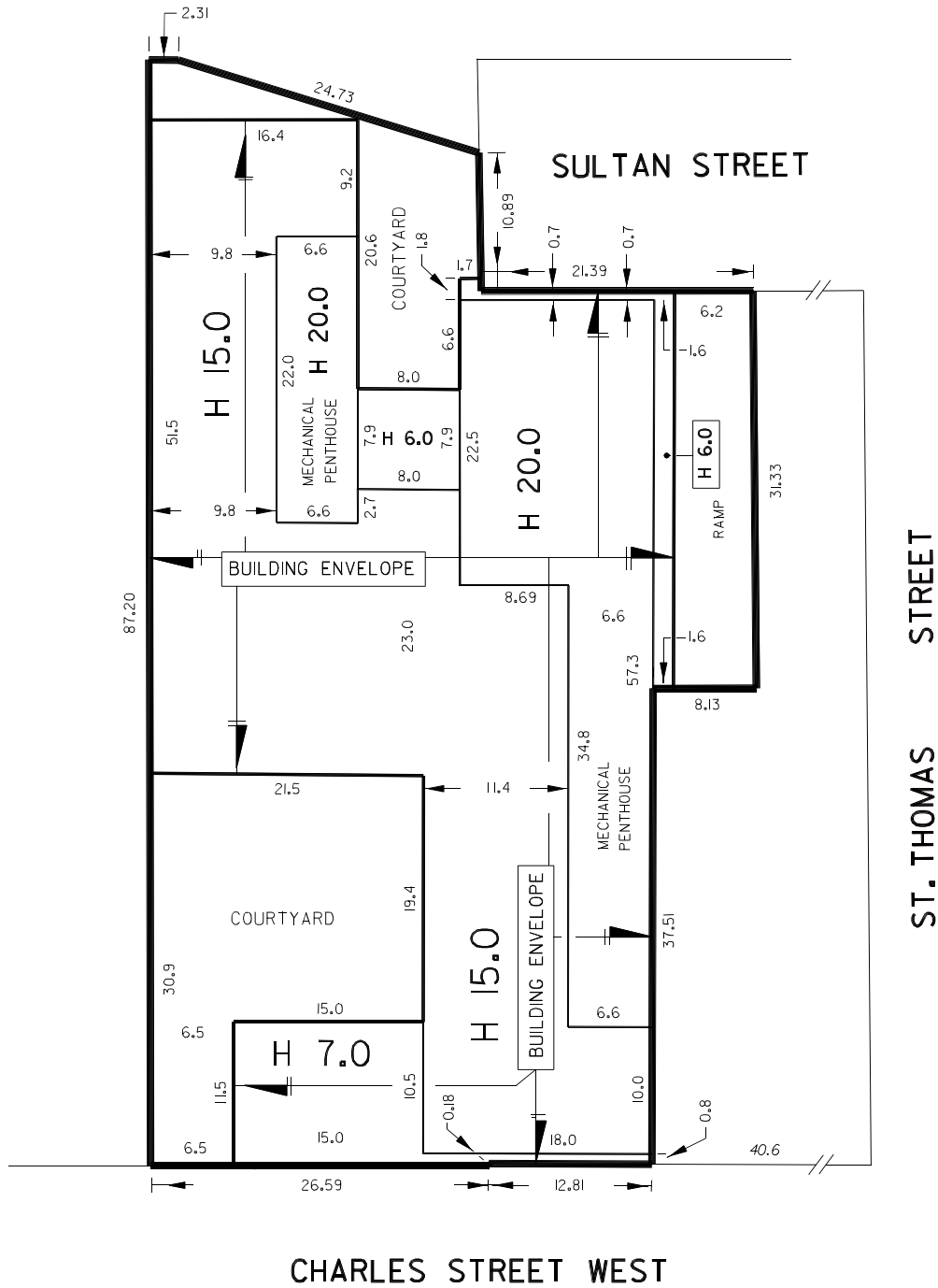
- "438. to prevent the erection or use of a building or structure on the lands shown outlined by heavy lines on the map following this exception for the purpose of an office building, provided:
- (i) the *lot* on which such building is located comprises at least the lands shown outlined by heavy lines on such map;
 - (ii) the *non-residential gross floor area* erected and used on such lands does not exceed 5 400 square metres;
 - (iii) no portion of such building or structure erected or used on such lands is located above the *height limits* shown on such map;
 - (iv) despite paragraphs (ii) and (iii), following the erection and initial occupancy of the building permitted under the aforesaid paragraphs, an addition to such building may be erected and used, provided:

- A. the *non-residential gross floor area* erected and used on such lands, including such addition does not exceed 6 582 square metres; and
 - B. no portion of such building including such addition exceeds a *height limit* of 20.0 metres, including rooftop structures and elements permitted pursuant to section 4(2)(a)(i) or (ii), save and except for chimney stacks;
- (v) no part of any building or structure located above *grade* on such lands is located otherwise than wholly within the building envelopes shown on such map;
 - (vi) despite paragraphs (iii) and (v), garden walls not exceeding 2.5 metres in height and canopies not exceeding 4.0 metres in height and projecting not more than 3.5 metres from a wall to which they are attached, are permitted;
 - (vii) the level of the floor of the main floor level of such building is within 0.79 metres of the level of the sidewalk on Charles Street West adjacent to such building;
 - (viii) a common loading area containing not less than three *loading spaces - type B* and two *loading spaces - type C* is provided and maintained on the lands shown on such map to serve both the lands municipally known in the year 1996 as Nos. 4 St. Thomas Street and 100-110 Charles Street West and the office building, provided that the *loading spaces - type C* may be provided in tandem arrangement and the *loading spaces - type B* may have a vertical clearance of not less than 3.7 metres;
 - (ix) with the exception of section 2(1) as it relates to the definition of the term '*loading space - type B*' and sections 4(2)(a)(i) and (ii), 4(8), 8(3) PART I 1, 2 and 3 and 8(3) PART XI 2(i) and (iii), all other provisions of this by-law are complied with; and
 - (x) 25 *parking spaces* are provided and maintained to serve such building.

For the purposes of this exception, '*height limit*' means the level above *grade* as shown on the map following this exception or as set forth in paragraph (b)(iv) of this exception.

- 439. to prevent the below ground use of that part of the lands known municipally in the year 1997 as 95 Queen's Park and designated UOS, for the purpose of university recreational facilities such as a gymnasium or locker room, provided with the exception of section 5(1) as it applies to such use, all other provisions of this by-law are complied with."

PURSUANT TO THE ONTARIO MUNICIPAL BOARD PARTIAL ORDER ISSUED NOVEMBER 25, 1997 AND AMENDING PARTIAL ORDER ISSUED MARCH 26, 1998.



LANDS REFERRED TO IN SECTION 12(1)438
(PART 3, PLAN 66R-17748 AND
PART 6, PLAN 64R-15679)



CITY WORKS SERVICES
SURVEY AND MAPPING SECTION
TORONTO NOVEMBER, 1997
SEC2/S121438.DGN
FILES: C43-Z3, 2402.53-3
MAP No. 50H-323 DRAWN: PG