

CITY OF TORONTO

BY-LAW No. 294-1999 (OMB)

To amend the General Zoning By-law No 438-86 for the former City of Toronto with respect to lands known as 2 Roxborough Street East.

WHEREAS the Ontario Municipal Board, by way of Decision issued on September 26, 1997 and Order issued on May 6, 1999, determined to amend the Official Plan for the City of Toronto;

THEREFORE:

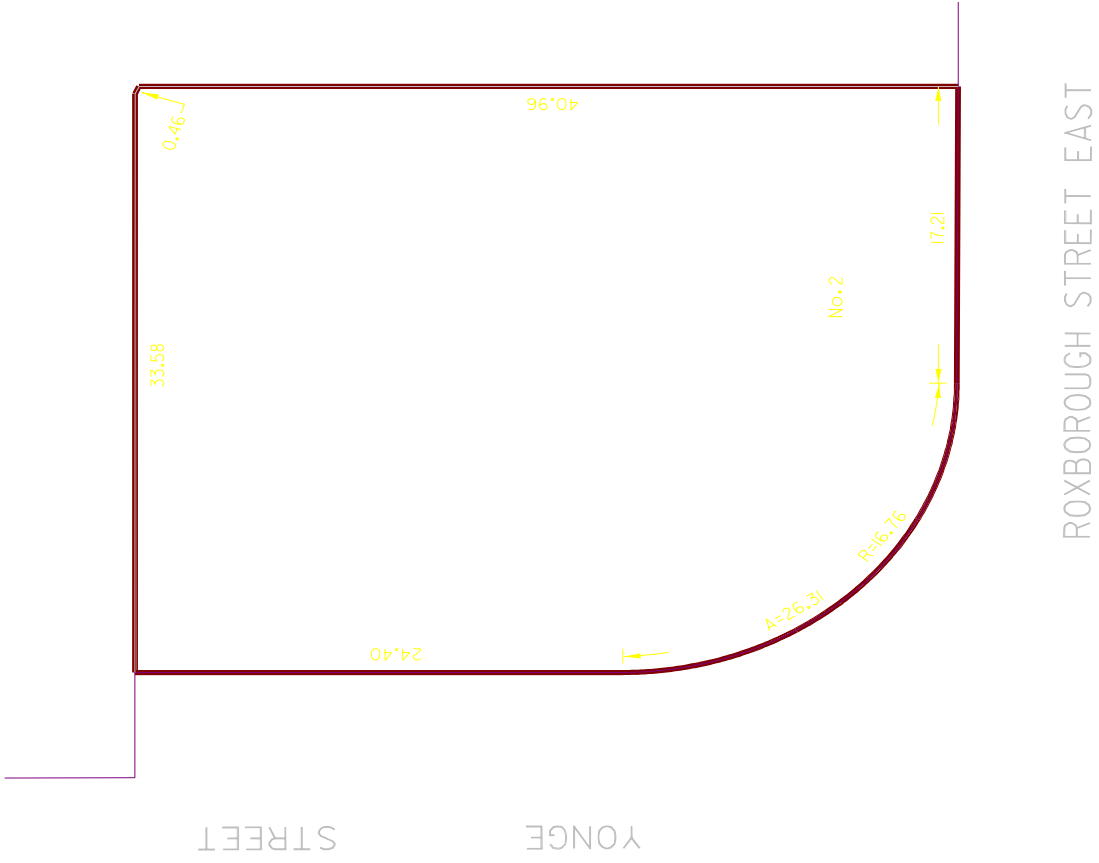
1. None of the provisions of Section 4(2), 4(4)(c), 4(10)(a) and (d), 4(12), 8(3) Part I 1 and 3(a), 8(3) Part II 4(c) and 8(3) Part XI 2(i) and (ii) of By-law No. 438-86, being "A By-law To regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings 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, shall apply to prevent the erection and use of a *mixed-use building* and a *below grade parking garage* on the *lot* described below, provided:

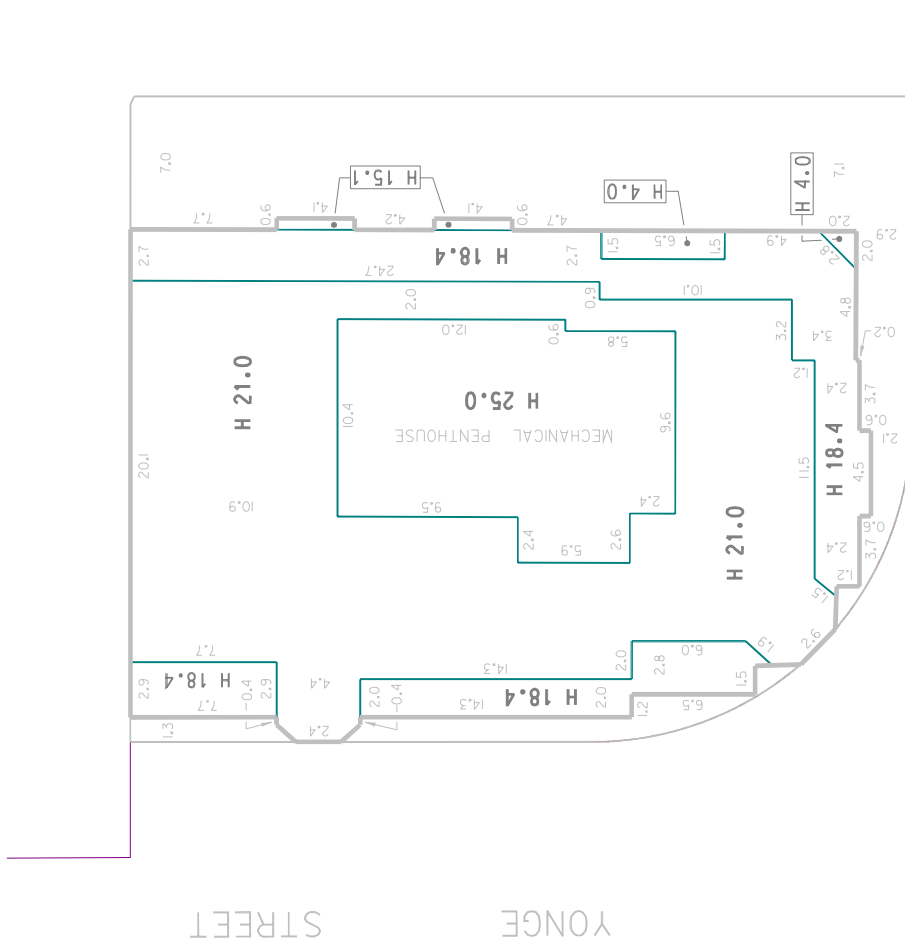
- (1) the *lot* upon which the *mixed-use building* is erected and used comprises at least the lands shown outlined by heavy lines on the attached Plan 1;
- (2) no portion of the *mixed-use building* above *grade* extends beyond the area outlined by heavy lines shown on the attached Plan 2, exclusive of decorative fascia elements to the extent of 0.3 metres;
- (3) notwithstanding the provisions of paragraph 1(6) herein, the "MECHANICAL PENTHOUSE" is located wholly within the area so labelled on Plan 2 and shall not exceed a *height* of 25.0 metres above *grade* as indicated on Plan 2;
- (4) the *residential gross floor area* of the *mixed-use building* does not exceed 5062 square metres;
- (5) the *non-residential gross floor area* of the *mixed-use building* does not exceed 285 square metres;
- (6) the *height* above *grade* of the *mixed-use building*, does not exceed those *heights* shown on the attached Plan 2, including parapets, but exclusive of other roof-top structures and elements permitted pursuant to Section 4(2)(a)(i) or (ii) of By-law 438-86, and exclusive of retaining walls and screening walls on the east side of the *lot* to the extent of 1.0 metres above *grade* and a retaining wall in the north-west corner of the *lot* to the extent of 0.2 metres above *grade*;
- (7) the *mixed-use building* does not contain a *take-out restaurant* or any *restaurant* uses;
- (8) the *mixed-use building* contains not more than 37 *dwelling units*;

- (9) one *loading space - type G* is provided and maintained on the *lot*;
- (10) not less than 149 square metres of indoor and 200 square metres of outdoor *residential amenity space* is provided and maintained; and
- (11) not less than 45 *parking spaces* are provided and maintained by the owner in the *below-grade parking garage* on the *lot*, of which,
 - (a) not less than 37 *parking spaces* are reserved for the exclusive use of residents of the *mixed-use building*;
 - (b) not less than 4 *parking spaces* are reserved for the exclusive use of residential visitors to the *mixed-use building* and,
 - (c) not less than 4 *parking spaces* are reserved for the non-residential uses in the *mixed-use building*.

2. For the purposes of this By-law:

- (1) “*grade*” means the level which is located at 118.0 metres Canadian Geodetic Datum; and
- (2) each other word or expression which is italicized in this By-law shall have the same meaning as each such word or expression as defined in the aforesaid By-law No. 438-86, as amended.





ROXBOROUGH STREET EAST

H: DENOTES HEIGHT IN METRES ABOVE GRADE