

CITY OF TORONTO

BY-LAW No. 902-1999 (OMB)

To amend the General Zoning By-law No. 438-86, for the former City of Toronto with respecting the lands known as 3143 Yonge Street and 26 Wanless Avenue.

WHEREAS the Ontario Municipal Board, by way of Decision issued on February 6, 1998 and Order issued on May 14, 1999, determined to amend the General Zoning By-law for the former City of Toronto.

THEREFORE:

1. None of the provisions of Section 2(1) as it pertains to the definition of “*grade*”, Section 4(2), Section 4(6), Section 6, Section 8(3) Part I 3(a), Section 8(3) Part II 4(a) and (c), Section 8(3) Part IV 2, Section 8(3) Part XI, Section 12(2) 107(iv) and Section 12(2)107(vii) 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 or use on the *lot* shown on Plan 1 attached hereto and forming part of the By-law, of a *mixed-use building* on the *lot* provided:

- (i) the *lot* upon which the building is erected and used comprises at least the lands shown outlined by heavy lines on the attached Plan 1;
- (ii) no part of the *mixed-use building* above *grade* extends beyond the area outlined by heavy lines shown on Plan 2, attached hereto, provided that the following elements may extend beyond the heavy lines as shown on Plan 2:
 - (a) canopies, balconies and screens to a maximum horizontal projection of 1.7 metres, and
 - (b) cornices and lintels to a maximum horizontal projection of 0.5 metres;
- (iii) the total *gross floor area* of the *mixed-use building* does not exceed 9,333 square metres;
- (iv) the total *residential gross floor area* of the *mixed-use building* does not exceed 7,760 square metres and contains not more than 78 *dwelling units*;
- (v) the total *non-residential gross floor area* does not exceed 1,550 square metres, and is limited to any use permitted by Sections 8(1)(f)(b)(ii), 8(1)(f)(b)(iv) and 8(1)(f)(b)(vi) of By-law No. 438-86;
- (vi) no building is erected or used above the *heights* in metres specified by the numbers within the areas delineated by heavy lines as shown on the attached Plan 2;

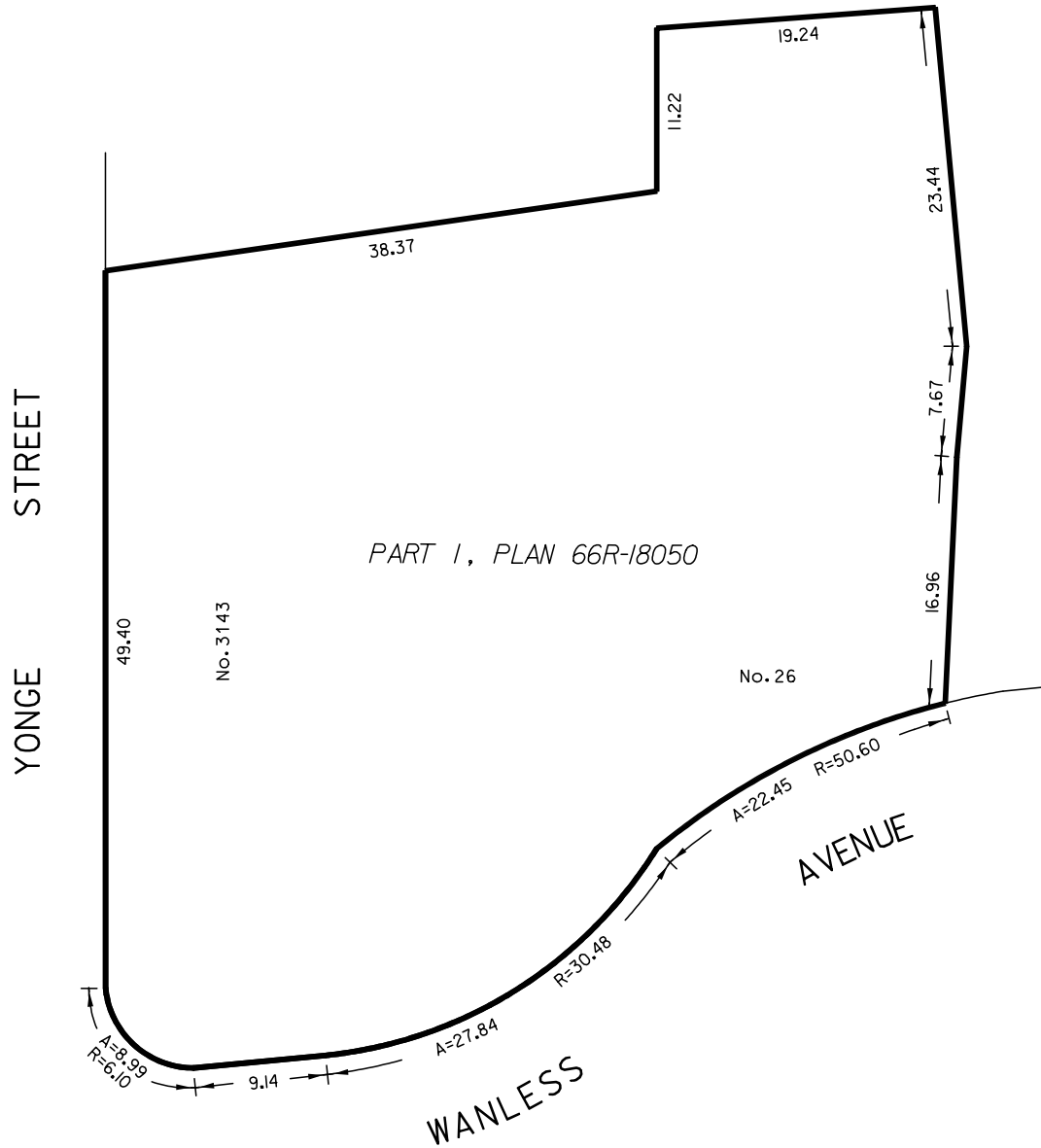
- (vii) notwithstanding the provisions of paragraph (vi), this by-law does not prevent the erection or use of decorative roof parapets which may extend no further than 1.2 metres beyond the *heights* shown on Plan 2;
- (viii) notwithstanding the provisions of paragraph (vi), this by-law does not prevent the erection or use of the elements and structures outlined in Section 4(2)(a)(i) and (ii) of By-law No. 438-86;
- (ix) that the owner provide and maintain on the *lot* a minimum of 124 *parking spaces* of which:
 - (a) a minimum of 71 *parking spaces* are provided for the residential component of the *mixed-use building*;
 - (b) a minimum of 11 *parking spaces* are provided for the visitors to the residential component of the *mixed-use building*;
 - (c) a minimum of 33 *parking spaces* are provided for the *non-residential* component of the *mixed-use building*; and
 - (d) a minimum of 15 *parking spaces* are surface parking; and
- (x) that the owner provide and maintain on the *lot* one *loading space -Type G*.

2. For the purposes of this By-law:

- (i) “*grade*” shall mean 163.8 metres Canadian Geodetic Datum; and
- (ii) each other word or expression which is italicized herein shall have the same meaning as such word or expression as defined in the aforesaid By-law No. 438-86, as amended.

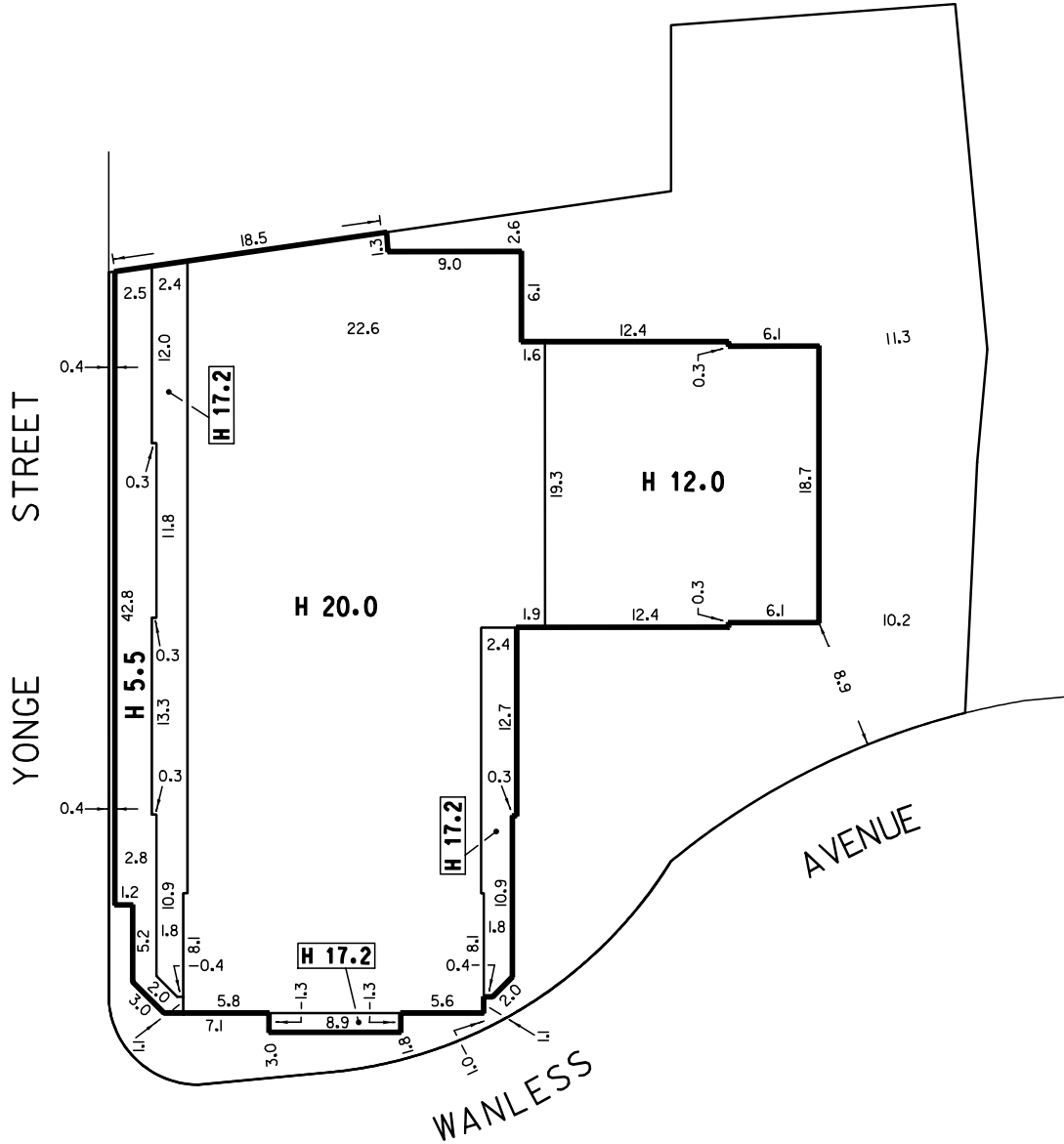
PURSUANT TO THE DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED MAY 14, 1999 IN BOARD FILE NO. PL968073.

PLAN 1



WORKS AND EMERGENCY SERVICES
SURVEY SERVICES SECTION
TORONTO MARCH, 1999
BL2/3143YON1.DGN
FILE: Y1-2152
MAP No. 51M-311 DRAWN: PG

PLAN 2



WORKS AND EMERGENCY SERVICES
 SURVEY SERVICES SECTION
 TORONTO MARCH, 1999
 BL2/3143YON2.DGN
 FILE: Y1-Z152
 MAP No. 51M-311 DRAWN: PG