

## CITY OF TORONTO

### BY-LAW No. 491-2000(OMB)

#### To adopt an amendment to the General Zoning By-law No. 438-86 of the former City of Toronto respecting lands known as 3130 Yonge Street.

WHEREAS, the Ontario Municipal Board by way of Decisions issued on February 6, 1998 and February 17, 2000 and an Order issued on March 16, 2000, determined to amend the General Zoning By-law for the City of Toronto;

#### THEREFORE:

1. None of the provisions of Section 2(1) with respect to the definition of grade, Section 4(2), Section 4(4), Section 4(6), Section 4(11), Section 6, Section 8(3) Part I 1 and 3, Section 8(3) Part II 1(b), Section 8(3) Part II 4(a) and 4(c), Section 12(2) 8, Section 12(2)107(iv), Section 12(2)107(vii), and Section 12(2) 269 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:

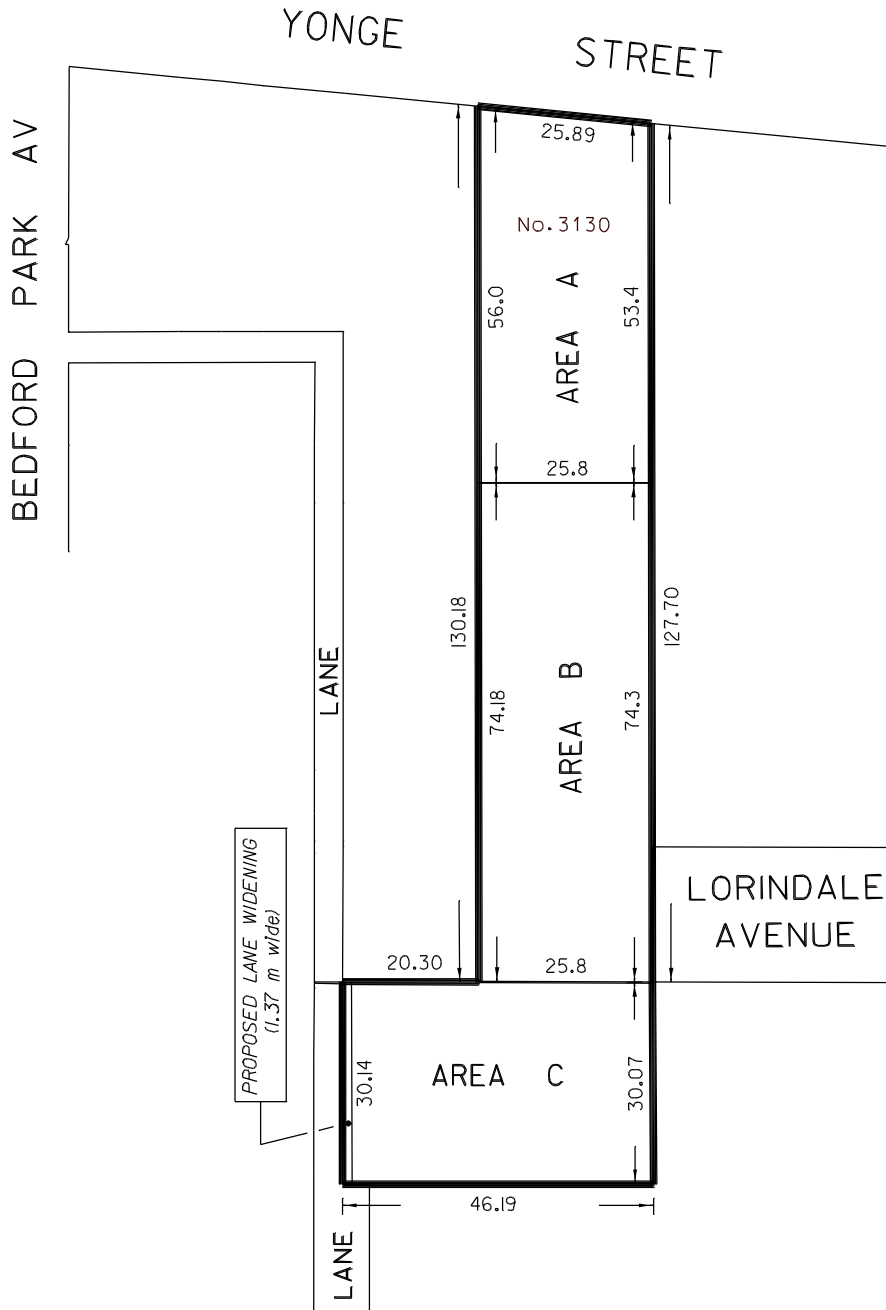
- (i) the lands upon which the *mixed-use building* is erected and used comprises at least the *lot* shown outlined by heavy lines on the attached Plan 1;
- (ii) no portion of the *mixed-use building* is erected or used on the *lot* above *grade* otherwise than wholly within the areas delineated by heavy lines and shown on the attached Plan 2A, Plan 2B and Plan 2C;
- (iii) none of the provisions of paragraph (ii) of this by-law shall apply to prevent the provision of the following elements beyond the heavy lines as shown on Plan 2A, Plan 2B and Plan 2C:
  - (a) canopies, balconies and screens to a maximum horizontal projection of 1.7 metres,
  - (b) cornices, dormers and lintels to a maximum horizontal projection of 0.5 metre, and
  - (c) exterior basement access stairs;
- (iv) the *residential gross floor area* of the portion of the *mixed-use building* shown within Area A on Plan 2A does not exceed 4,099 square metres and contains not more than 40 *dwelling units*;
- (v) the *residential gross floor area* of the portion of the *mixed-use building* shown within Area B on Plan 2B does not exceed 3,181 square metres and contains not more than 32 *dwelling units*;

- (vi) the *residential gross floor area* of the portion of the *mixed-use building* shown within Area C on Plan 2C does not exceed 1,780 square metres and contains not more than 9 *dwelling units*;
  - (vii) the *non-residential gross floor area* of the *mixed-use building* shall only be permitted Area A and shall not exceed 650 square metres, and is limited to any purpose permitted by Section 8(1)(f)(b)(ii), Section 8(1)(f)(b)(iv) and Section 8(1)(b)(vi);
  - (viii) no building is erected or used above the *height* in metres specified by the numbers within the areas delineated by heavy lines as shown on the attached Plan 2A, Plan 2B and Plan 2C;
  - (ix) notwithstanding the provisions of paragraph (viii), this by-law does not prevent the erection or use of decorative roof parapets which may extend no further than 1.0 metre or guards which may extend no further than 1.2 metres beyond the *heights* shown on Plans 2A, 2B and 2C and for greater certainty, the aforementioned decorative roof elements shall be allowed to extend 1.0 metre beyond the *heights* of the elements and structures referred to in Section 1(x) of this By-law;
  - (x) notwithstanding the provisions of paragraph (viii), 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;
  - (xi) that the *owner* provide and maintain on site a minimum of 106 *parking spaces* of which:
    - (a) a minimum of 82 spaces are provided for the residential component of the *mixed-use building*;
    - (b) a minimum of 14 spaces are provided for the visitors to the residential component of the *mixed-use building*;
    - (c) a minimum of 10 spaces are provided for the *non-residential* component of the *mixed-use building*; and
  - (xii) that the *owner* provides and maintains on site one *loading space-type G*.
2. For the purposes of this By-law:
- (i) “*grade*” shall mean:
    - (a) 163.92 metres Canadian Geodetic Datum for Area A on Plan 2A and Area B on Plan 2B; and
    - (b) 164.52 metres Canadian Geodetic Datum for Area C on Plan 2C; and

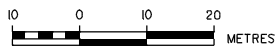
- (ii) each word or expression which is italicized herein shall have the same meaning as each such word or expression as defined in the aforesaid By-law No. 438-86, as amended.

PURSUANT TO THE DECISIONS OF THE ONTARIO MUNICIPAL BOARD ISSUED FEBRUARY 6, 1998, FEBRUARY 17, 2000 AND AN ORDER ISSUED ON MARCH 16, 2000 IN BOARD FILE NO. PL. 968073.

PLAN 1

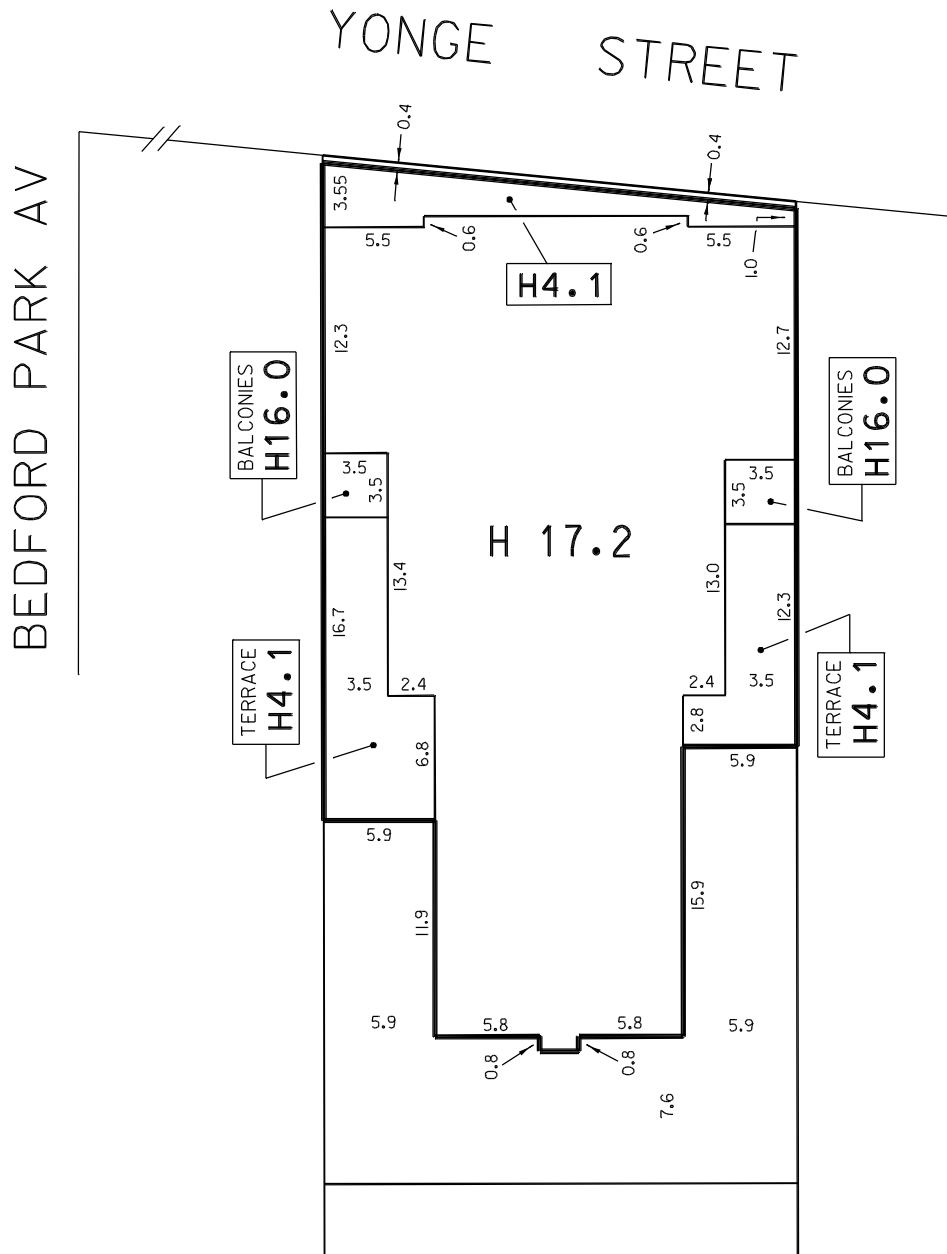


 PART I, PLAN 66R-18062

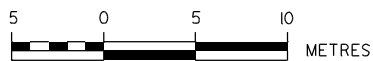


WORKS AND EMERGENCY SERVICES  
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 BL2/3130YQ1.DGN  
 FILE: Y1-2153  
 MAP No. 50M-313 DRAWN: PG

# PLAN 2A ( AREA A )

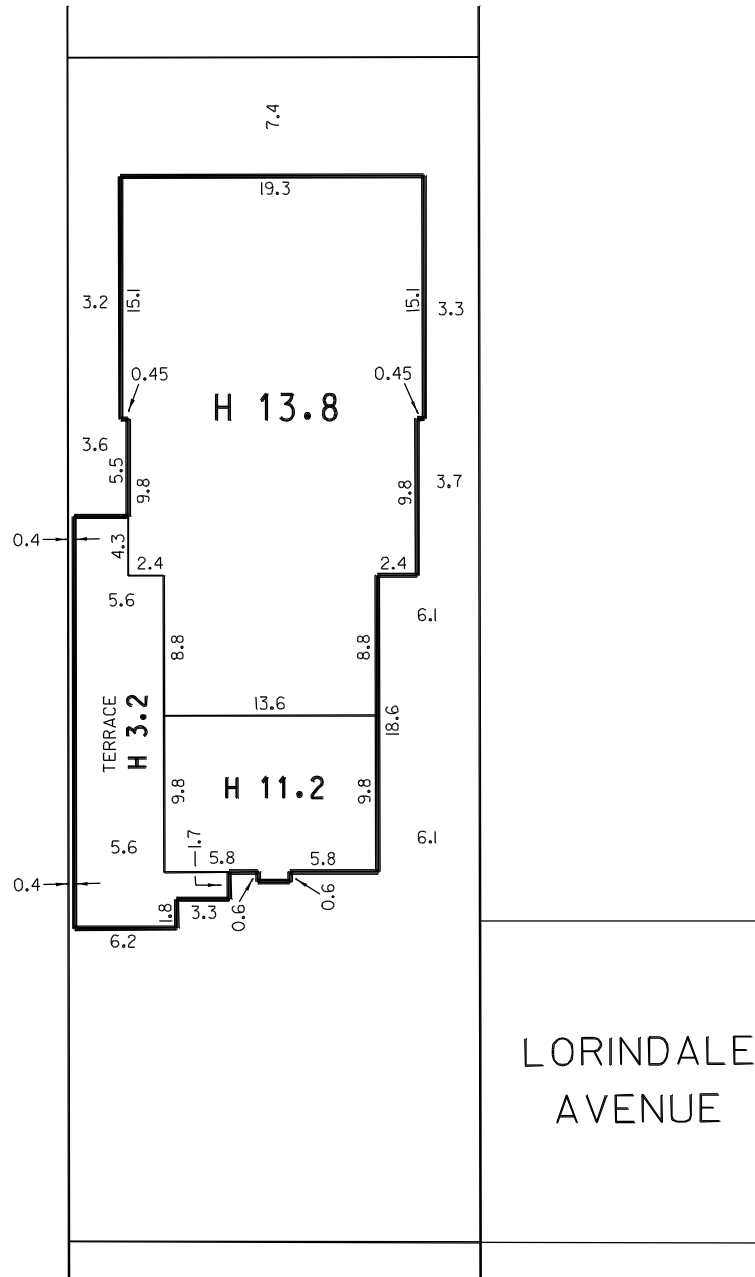


H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



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# PLAN 2B ( AREA B )

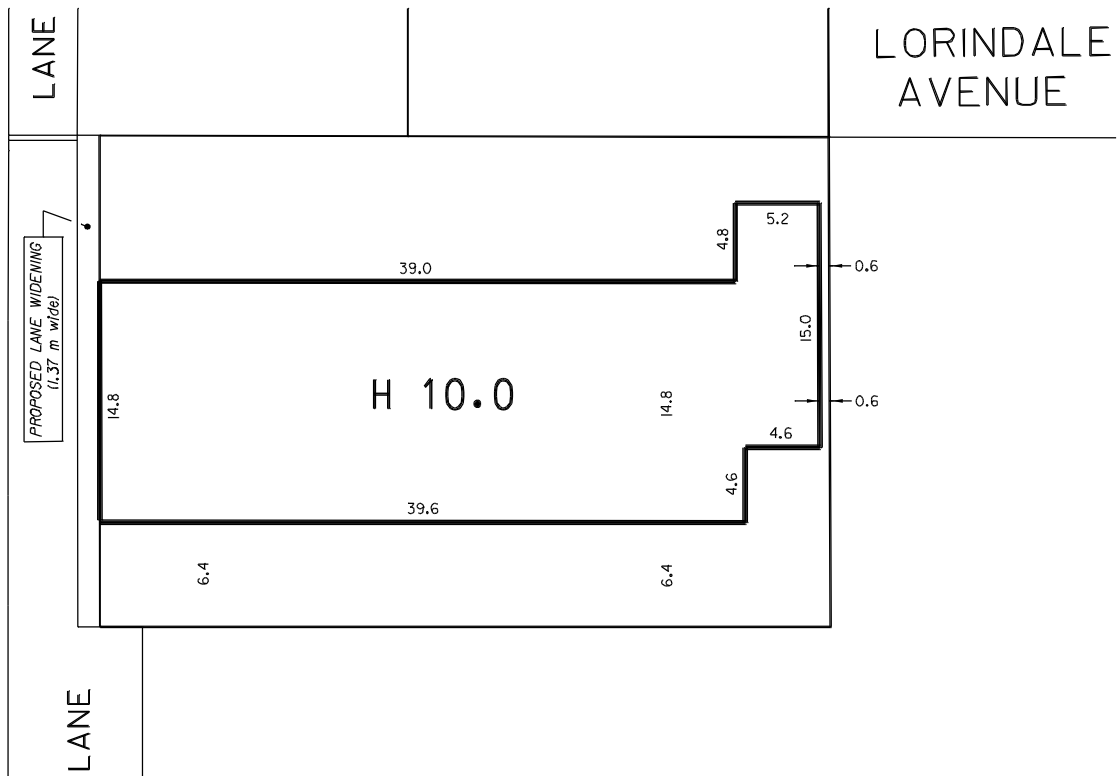


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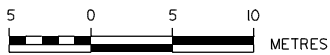


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# PLAN 2C ( AREA C )



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



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