

Authority: Ontario Municipal Board Order issued on July 11, 2013 in Board File No. PL120107

CITY OF TORONTO

BY-LAW No. 1116-2013(OMB)

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands municipally known as 621 King Street West.

Whereas the Ontario Municipal Board, pursuant to its Decision issued on the July 11, 2013 in relation to Board File No. PL120107 determined to amend Zoning By-law No. 438-86 with respect to lands municipally known in the year 2013 as 621 King Street West;

Therefore the Ontario Municipal Board Orders that By-law No. 438-86, the General Zoning By-law of the former City of Toronto as amended, is further amended as follows:

1. This By-law applies to the lands delineated by a heavy line and identified as 621 King Street West as shown on Map 1 attached to and forming part of this By-law and hereinafter referred to as the "*lot*".
2. Except as otherwise provided herein, the provisions of Zoning By-law No. 438-86 shall continue to apply to the *lot*.
3. None of the provisions of Section 2(1) with respect to "*grade*", "*height*", "*lot*" and "*amenity space*" and Sections 4(2)(a), 4(5)(h), 4(8) 4(12), 7(3) PartII(1)(i), 12(2)(260), 12(2)(339), 12(2)(246a), 12(2)(132), 12(2) (246c), 12(2)(246e) of By-law No. 438-86 of the former City of Toronto, being "A By-law to regulate the use of land and 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 on the *lot*, provided that:
 - (a) the *lot* on which the *mixed use building* is located comprises the lands outlined by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* does not exceed 26,042 square metres, provided:
 - (i) the *residential gross floor area* does not exceed 22,380 square metres; and
 - (ii) the *non residential gross floor area* does not exceed 3,662 square metres.
 - (c) the *mixed use building* including all mechanical equipment, stair enclosures, and elevator overruns, is located wholly within the areas delineated by heavy lines and the *height* limits specified by the numbers following the symbol "H" as shown on Map 2, attached and forming part of this By law with the following exceptions:
 - (i) balconies, which can project beyond the *building envelope* to a maximum of 1.5 metres as depicted on Map 2; and

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- (ii) canopies, stairs, fences, landscape features, trellises, guard-rails, wheel chair ramps, terrace and balcony railings and dividers, lightning rods, elements of a green roof, window washing equipment, exhaust flues, makeup air units, emergency generator, garbage chute overrun, parapets, cornices, light fixtures, awnings, ornamental elements and eaves, which may project above or beyond such areas and *heights* as shown on Map 2.
 - (d) a minimum of 805 square metres of indoor *residential amenity space* shall be provided on the *lot* and shall not include a kitchen;
 - (e) a minimum of 739 square metres of outdoor *residential amenity space* shall be provided;
 - (f) a *commercial parking garage* is permitted below grade providing a maximum of 153 *parking spaces* on the *lot*;
 - (g) a minimum of 130 *parking spaces* for the use of residents shall be provided on the *lot*;
 - (h) no visitor *parking spaces* are provided on the *lot*; and
 - (i) none of the provisions of this By-law or By-law No. 438-86, as amended, as of the date of passing of this By-law, shall apply to prevent a *sales office* on the *lot*.
4. For the purpose of this By-law, the following expressions shall have the following meaning:
- (a) "*commercial parking garage*" means a portion of the building used for temporary public parking of motor vehicles;
 - (b) "*grade*" shall mean an elevation 87.0 metres above Canadian Geodetic Datum on King Street West;
 - (c) "*height*" shall mean the vertical distance between *grade* and the highest point of the building or structure, except for those elements otherwise expressly prescribed in this By-law;
 - (d) "*lot*" shall mean the parcel of land outlined by heavy lines on Map 1 and known municipally as 621 King Street West;
 - (e) "*sales office*" means a building or a structure for the purpose of marketing and sales related to use(s) permitted on the *lot*; and
 - (f) "*non residential gross floor area*" has the same meaning as provided in By-law No. 438-86 as amended, with the exception that the floor area occupied by a commercial parking garage, ramps, and uses accessory thereto shall be excluded from the calculation of non-residential gross floor area provided that the *commercial parking garage* is below grade.

5. This amendment shall apply to all of the lands, shown on Map 1 attached to this By-law, regardless of future severance, partition or division.

PURSUANT TO THE DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JULY 11, 2013 UNDER OMB FILE NO. PL120107.



