

CITY OF TORONTO

BY-LAW No. 194-2005(OMB)

To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known municipally in the year 2004 as 591-603 Kingston Road.

WHEREAS the Ontario Municipal Board pursuant to its Order No. 1387, dated August 26, 2004, upon hearing the appeal of 2011618 Ontario Limited, under Section 34(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the former City of Toronto By-law No. 438-86, as amended;

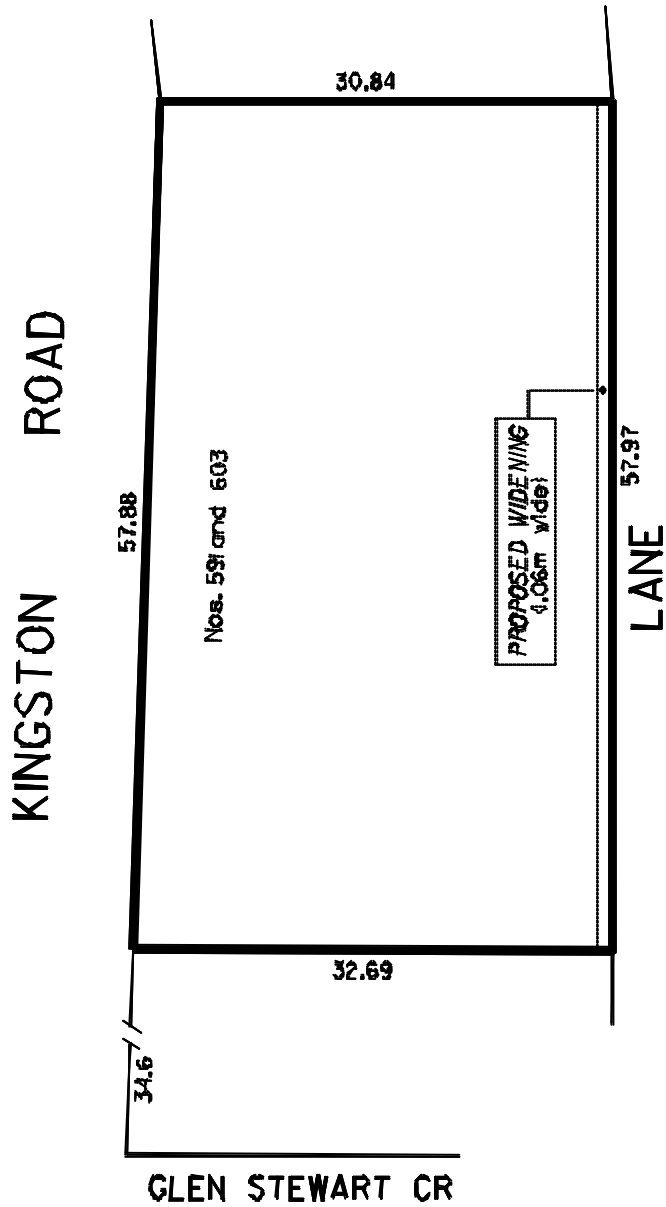
THEREFORE By-law No. 438-86, the former City of Toronto By-law, as amended, is further amended by the Ontario Municipal Board as follows:

1. None of the provisions of Section 2(1) with respect to the definition of “parking space”, Section 4(2), Section 4(3), Section 4(4), Section 4(10), Section 4(12), Section 4(13), Section 8(3) Parts I and II and Section 12(2)(3) of Zoning 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 building 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 on the *lot* the erection and use of a *mixed-use building* containing a combined total of 76 *dwelling units* and *live/work units*, non-residential uses and underground parking provided that:
 - (a) The *lot* consists of at least the lands delineated by heavy lines on Plan 1 attached to and forming part of this by-law;
 - (b) The aggregate of the *residential floor area* and the *non-residential floor area* erected or used on the *lot* does not exceed 6,200 square metres, of which:
 - (i) The *residential gross floor area* does not exceed 6,000 square metres; and
 - (ii) The *non-residential floor area* does not exceed 552 square metres;
 - (c) The *height* of the building does not exceed 19.5 metres, exclusive of the elements referred to in Section 4(2)(a)(i) and (ii) of By-law No. 438-86, provided such elements comply with the restrictions set out in such Section;
 - (d) Not less than 81 *parking spaces* are provided and maintained on the *lot* and:
 - (i) A maximum of 6 of the required *parking spaces* are designated as *small car space*; and
 - (ii) A minimum of 5 visitor *parking spaces* are provided at-grade;
 - (e) the combined number of *dwelling units* and *live-work units* contained in the building does not exceed 72 units;
 - (f) the *non-residential gross floor area* is provided at-grade level with principal entrances directly accessible via Kingston Road;

- (g) the following non-residential uses are not permitted on the *lot*: *club*, commercial baths, *concert hall*, *day nursery*, *place of amusement*, *place of assembly*, *restaurant*, *commercial bakery*, *massage establishment*, *dry-cleaning shop*, *union hall* and arena, stadium and race track;
 - (h) not less than 122 square metres of indoor *residential amenity space* is provided and not less than 11 square metres of outdoor *residential amenity space* is provided;
 - (i) not less than 11 *bicycle parking space-visitor* are provided and maintained on the *lot* which spaces may be provided in the underground structure;
 - (j) the driveways accessing the building's *parking garage* shall have a minimum driveway width of 5.2 metres;
 - (k) the provisions of Section 8(3) Part II 4.(c)(iii) respecting the setback and angular plane shall apply; and
 - (l) the provisions of Section 4(10) respecting the slope of the access ramp shall apply.
2. For the purposes of this by-law, the following expressions shall have the following meaning:
- (a) "small car space" means a parking space with a width of 2.3 metres and a length of 5.5 metres; and
 - (b) each other word or expression that is italicized in this By-law shall have the same meaning as the word or expression as defined in the said By-law No. 438-86, as amended.

PURSUANT TO DECISION/ORDER NO. 1387 OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON AUGUST 26, 2004, IN BOARD FILE NO. PL030716.

PLAN 1



WORKS AND EMERGENCY SERVICES
 SURVEY AND MAPPING SERVICES
 TORONTO JANUARY, 2006
 BLOS/291KING01.DGN
 FILE: K15-Z10
 MAP No. 34H-312 DRAWN: VG