

## CITY OF TORONTO

### BY-LAW No. 198-2005(OMB)

#### **To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known municipally as 1015 Lake Shore Boulevard East.**

WHEREAS the Ontario Municipal Board in a Decision issued August 14, 2003, approved a Zoning By-law Amendment as a result of a zoning by-law appeal with respect to certain lands known as 1015 Lake Shore Boulevard East; and

WHEREAS the Council of the City has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increase in height and density in connection with the aforesaid lands as permitted; and

WHEREAS upon execution and registration of the agreement to be entered into with the City pursuant to Section 37 of the *Planning Act*, in accordance with the provisions of Section 4 herein;

THEREFORE, pursuant to Order No. 1117 of the Ontario Municipal Board issued on August 14, 2003 in Board File No. PL020668, By-law No. 438-86, as amended, of the former City of Toronto, is amended as follows:

1. None of the provisions 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 of one or more non-residential building(s) and parking station(s) on the lands municipally known in the year 2003 as 1015 Lake Shore Boulevard East (hereinafter referred to as the “*lot*”) provided only:

- (1) the *lot* consists of at least the lands delineated by heavy lines on the attached Map 1;

#### MAXIMUM FLOOR AREA

- (2) the total *gross floor area* of the buildings for the Phase 1 development being the buildings located within the area delineated by the heavy lines as Area “A” on the attached Map 1, does not exceed 16,000 square metres; and
- (3) the total *non-residential gross floor area* of the buildings for the Phase 2 development being the buildings located within the area delineated by the heavy lines as Area “B” on the attached Map 1, does not exceed 10,000 square metres;

## SETBACKS AND BUILT FORM CONTROLS

- (4) any portion(s) of the building(s) above grade, with the exception of cornices, canopies, ornamental elements, parapets, roof eaves, window sills, guard rails, balustrades, railings, stairs, stair enclosures, bay windows, eaves, wheel chair ramps and landscape features, shall be located:
- (i) a minimum of 0 metres and a maximum of 9 metres from Lake Shore Boulevard East, and the minimum setback of 0 metres may only extend for a maximum distance of 50 metres from the intersection of the *front* and *flank* lot lines;
  - (ii) a minimum of 6 metres and a maximum of 10 metres from Leslie Street for a distance of 40 metres from the intersection of the *front* and *flank* lot lines and 6 metres from Leslie Street for the remainder of the *front* lot line.
- (5) the *height* of any building shall be:
- (i) a minimum of 6.1 metres inclusive of parapets and a maximum of 15.0 metres exclusive of parapets, for the Phase 1 development, being the buildings located within the area delineated by the heavy lines as Area “A” on the attached Map 1;
  - (ii) a minimum of 6.1 metres inclusive of parapets and a maximum of 27.5 metres exclusive of parapets, for the Phase 2 development being the buildings located within the area delineated by the heavy lines as Area “B” on the attached Map 1;
  - (iii) structural elements identified in Section 4(2) (a) (i) and (ii) of Zoning By-law No. 438-86, as amended, and cornices, canopies, ornamental elements, spires, parapets, railings, stairs and stair enclosures may extend vertically beyond the highest point of the roof a maximum of 6 metres;
- (6) The building wall(s) flanking:
- (i) Leslie Street shall extend between the required minimum and maximum setbacks for a minimum of 65% of the length of the *front lot line*; and
  - (ii) Lake Shore Boulevard East shall extend between the required minimum and maximum setbacks for a minimum of 50% of the length of the *flank* lot line for the Phase 1 development, being the buildings located within the area delineated by the heavy lines as Area “A” on the attached Map 1; and

- (iii) Lake Shore Boulevard East shall extend between the required minimum and maximum setbacks for a minimum of 70% of length of the *flank* lot line for the Phase 2 development, being the buildings located within the area delineated by the heavy lines as Area “B” on the attached Map 1;

#### PARKING

- (7) Parking shall be provided in accordance with the following:
  - (i) for the Phase 1 development, being the buildings located within the area delineated by the heavy lines as Area “A” on the attached Map 1, a maximum of 512 *parking spaces* shall be provided on the *lot*; and
  - (ii) the Phase 2 development, being the buildings located within the area delineated by the heavy lines as Area “B” on the attached Map 1, parking shall be provided on the *lot* in accordance with Section 4 (5) of By-law No. 438-86.

#### PERMITTED USES

- (8) No building on the *lot* shall be used for any purpose other than uses permitted in an I2 zone, except that in addition thereto the following uses shall be permitted:

*pet shop*;

*retail store*, except that within the Phase 1 development, being the buildings located within the area delineated by the heavy lines as Area “A” on the attached Map 1, only one retail store shall have a gross floor area of more than 2,500 square metres and less than 10,500 square metres;

*office*;

*restaurant*, providing only that the total gross floor area of all restaurants, including take-out restaurants, does not exceed 1,200 square metres;

*parking station*;

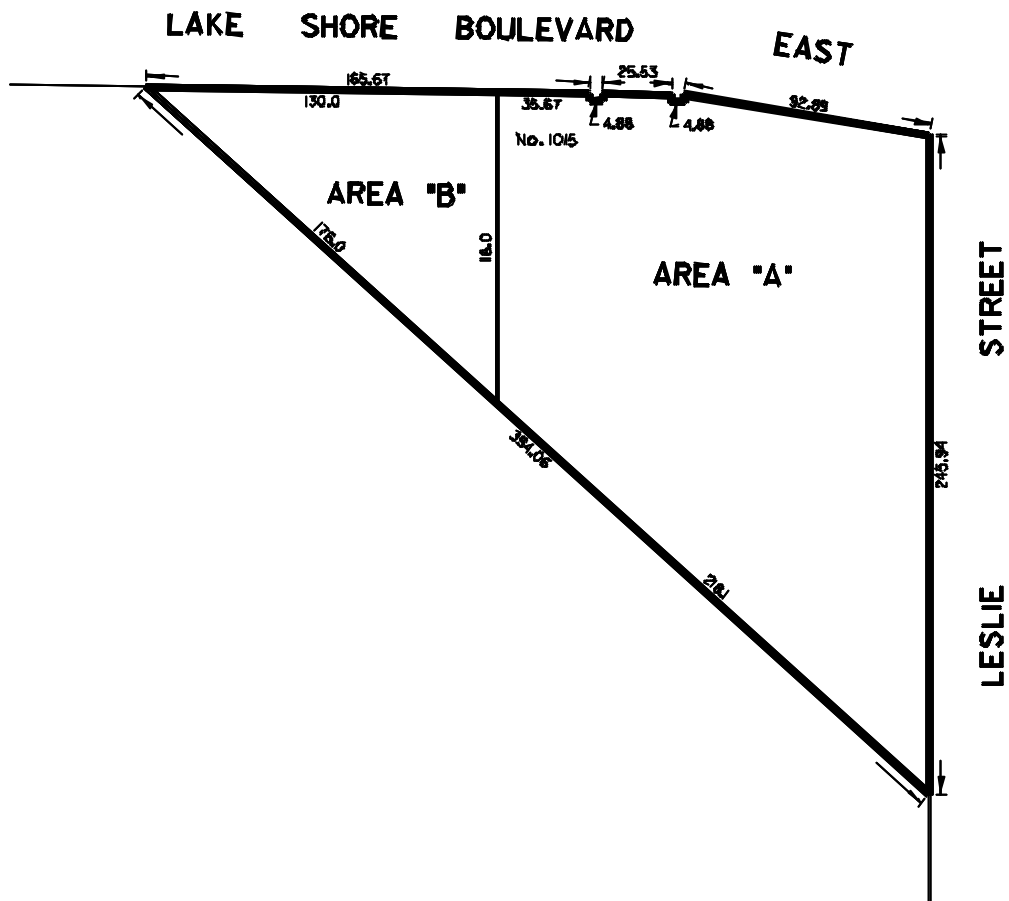
*take-out restaurant*, providing only that the total gross floor area of all restaurants does not exceed 1,200 square metres.

- 2. For the purposes of this By-law, all terms in italics shall have the same meaning as those terms have for the purpose of the aforesaid By-law No. 438-86.
- 3. Notwithstanding any severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division had occurred.

4. The owner of the *lot* enters into an agreement pursuant to Section 37 of the *Planning Act*, to secure the following facilities, services and matters:
- (i) Public Art  
  
Make a public art contribution in the amount of \$50,000.00.
  - (ii) Landscaping  
  
Provide substantial landscaping along Lake Shore Boulevard East, Leslie Street and along the southwest property limit, using native materials, where appropriate.
  - (iii) Phasing  
  
Provide for a minimum size for the Phase 2 development, should the Phase 2 development proceed within a period of 8 years from entering into such agreement.
  - (iv) Architecture  
  
Provide for the total area of the collective building facades along Leslie Street and Lake Shore Boulevard East to consist of 25% masonry or pre-cast materials (of which a minimum of 5% shall be brick) and a further 25% to consist of glazing.

PURSUANT TO ORDER NO. 1117 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON AUGUST 14, 2003, IN BOARD FILE NO. PL020668.

## MAP 1



25 0 25 METRES



WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO JUNE, 2003  
BLO3/1015LSB1  
FILE: L1-Z9  
MAP No. 520-324 DRAWN: D.R.