

CITY OF TORONTO

BY-LAW No. 65-2014(OMB)

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands known municipally as 21, 23 and 25 Price Street.

Whereas the Ontario Municipal Board, pursuant to its Order issued September 18, 2013 in Board File No. PL121322 upon hearing the appeal of 21 Price Street Holdings Inc. under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, deems it advisable to amend Zoning By-law No. 438-86 of the former City of Toronto;

Former City of Toronto Zoning By-law No. 438-86, as amended, is amended as follows:

1. None of the provisions of Sections 2(1) *grade*, 4(2)(a), 4(4)(b), 6(3) Part II 2 (III), 6(3) Part I 1, 6(3) Part II 3.G, 6(3) Part II 4, 6(3) Part II 5(1) of Zoning By-law No. 438-86, as amended, 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", shall apply to the use of existing buildings municipally known in the year 2013 as Nos. 21, 23 and 25 Price Street; and shall not prevent the erection and use of a four-storey office building on the lands delineated by a heavy line and by diagonal hatching on Map 1 attached hereto, provided:
 - (a) the *non-residential gross floor area* of the office building does not exceed 1325 square metres;
 - (b) no portion of any building or structure erected and used above *grade* is located otherwise than wholly within the heavy lines on Map 2 attached hereto;
 - (c) the owner shall provide 1 *parking space* for each 300 square metres of *net floor area*, or fraction equal to or greater than one-half thereof, contained therein;
 - (d) no portion of any building or structure erected on the *lot* and used above *grade* located within the areas delineated by heavy black lines on the attached Map 2, shall have a greater *height* in metres than the *height* limit specified by the numbers following the symbol "H", shown on Map 2, but this paragraph does not prevent the erection or use of:
 - (i) 3.0 metres for a stair tower on the roof, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements; and
 - (ii) 1.5 metres for parapets, including roof drainage, railings, partitions dividing outdoor recreation areas, landscape elements, lighting fixtures, cornices, eaves, and ornamental elements;

- (e) a roof top patio shall only be permitted a minimum of 12.44 metres from the rear property line. For greater certainty, no outdoor rooftop amenity space shall be permitted closer than 12.44 metres from the rear property line; and
- (f) windows on the 2nd to 4th floors of the south elevation shall be composed exclusively of permanent translucent or fritted glass only. More specifically, the windows on the 2nd to 4th floors of the south elevation shall be composed of translucent glass to a minimum of 1.53 metres in height taken from each floor. Any window higher than 1.53 metres on the 2nd to 4th floors of the south elevation shall be composed exclusively of fritted glass. For greater certainty, no windows on the south elevation of the 2nd to 4th floors of the property shall contain open glass.

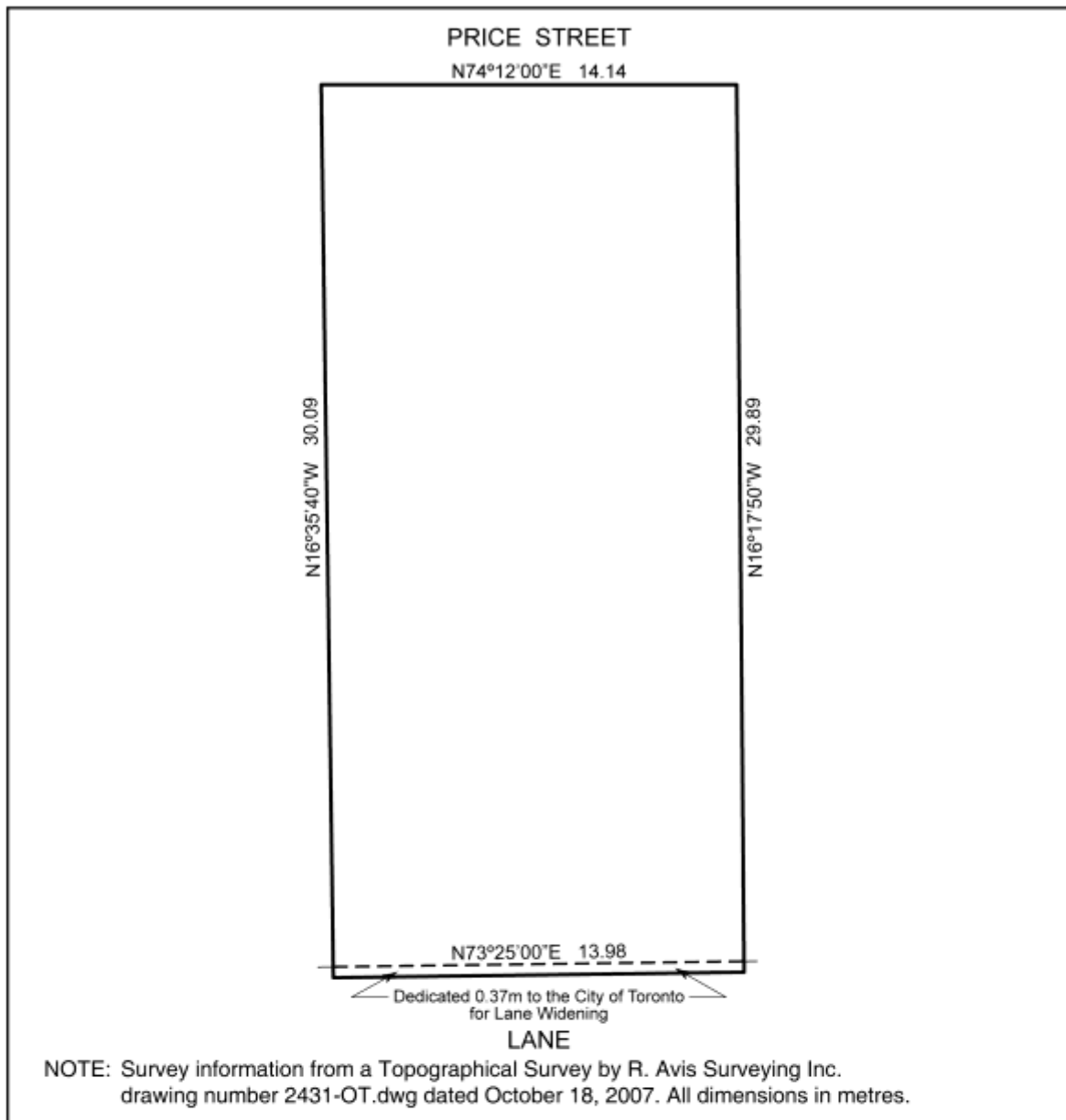
2. For the purposes of this By-law:

- (a) *lot* means the lands delineated by heavy lines on Map 1 attached hereto, shall be deemed to be one *lot*, regardless of whether two or more buildings which are not connected below *grade* are erected thereon, and regardless of any conveyances made or easements granted after the date of enactment of the By-law;
- (b) *grade* means 122.36 metres Canadian Geodetic Datum;
- (c) *height* means the height above grade as shown on Map 2; and
- (d) each word or expression that is italicized in the By-law herein shall have the same meaning as each word or expression as defined in By-law No. 438-86, as amended, unless the contrary is expressed in this By-law.

3. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:

- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

PURSUANT TO THE ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON SEPTEMBER 18, 2013 IN BOARD CASE NO. PL121322.





File # 11 257217 0Z

