

Authority: Ontario Municipal Board Order issued April 30, 2014 in Board File No. PL130233

## CITY OF TORONTO

### BY-LAW No. 1075-2014(OMB)

**To amend the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands municipally known as 1880 and 1882 Queen Street East and 196 Woodbine Avenue.**

Whereas the Ontario Municipal Board pursuant to its Order dated April 30, 2014, in Board File No. PL130233, determined to amend the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands municipally known in the year 2014 as 1880 and 1882 Queen Street East and 196 Woodbine Avenue; and

Whereas the matters set out herein are in conformity with the Official Plan as adopted by the Council of the City of Toronto;

The Ontario Municipal Board orders:

1. None of the provisions of Section 4(2)(a), 4(3)(d)(ii), 4(4)(b), 4(10)(d), 4(12), 4(14), 8(3) Part I, 8(3) Part II (4)(a) and (c), 8(3) Part IV (2), 8(3) Part XI (1)(i) and 12(2)284 of By-law No. 438-86 of former City of Toronto, 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 and use of a *mixed-use building* on the *lot*, provided that:
  - (a) the *lot* is comprised of at least those lands shown outlined by heavy lines on Map 1 attached and forming part of this By-law;
  - (b) no portion of any building or structure to be erected or used on the *lot* shall extend beyond the lines delineated by the heavy lines on Map 2 attached to and forming part of this By-law;
  - (c) the *height* of the building on the *lot*, as measured from *grade* shall not exceed the maximum *height* permitted as indicated by the letter "H" as shown on Map 2 attached to and forming part of this By-law;
  - (d) notwithstanding Sections (b) and (c) of this By-law, the following building elements and structures are permitted to extend beyond the building envelopes and height, shown on Map 2 attached to and forming part of this By-law:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
Eaves, cornices, window sills, vents, ornamental elements	Required setback from <i>lot</i> line	0.45 metres	none

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
Fences, safety railings and privacy screening	Required setback from <i>lot</i> line and maximum height	0.45 metres	Height of fence or safety railing not to exceed 2.0 metres
Retractable awnings	Required setback from <i>lot</i> line	No restriction	Projection at the ground floor only
Parapets	Maximum height	0.6 metres and 1.1 metres for the portion surrounding the mechanical penthouse	none
Trellis, landscape planters, stairs and stair enclosures	Maximum height	2.0 metres	Setback a minimum of 3.0 metres from building envelope

- (e) the total combined *residential gross floor area* and *non-residential gross floor area* on the *lot* does not exceed 3,315 square metres, provided:
  - (i) the *residential gross floor area* shall not exceed 2,860 square metres; and
  - (ii) the *non- residential gross floor area* shall not exceed 455 square metres.
- (f) not more than 29 *dwelling units* shall be provided;
- (g) a minimum of 19 square metres of *residential amenity space - indoor* shall be provided and maintained on the *lot*;
- (h) no individual commercial use(s) shall exceed an area of 325 square metres unless used for the purposes of a *branch of a bank or financial institution*;
- (i) the building shall be setback 4.8 metres from the curb of Queen Street East, immediately adjacent to the property;
- (j) ingress and egress to the residential parking spaces below-grade required for the *mixed-use building* on the *lot* may be accessed by a passageway with a minimum unobstructed driveway width of 3.0 metres; and
- (k) notwithstanding the requirements of Section 4(17) of Zoning By-law No. 438-86, parking spaces provided at-grade and any parking spaces over and above those required by Section 4(3)(a) of Zoning By-law No. 438-86 may be provided with a minimum length of 5.6 metres and a minimum width of 2.6 metres.

2. For the purposes of this By-law, the terms set forth in italics shall have the same meaning as such terms have for the purposes of Zoning By-law No. 438-86 as amended except that the following definitions shall apply:
  - (a) "*lot*" means those lands outlined on Map 1 attached hereto; and
  - (b) "*grade*" means the established grade on the on the Queen Street East frontage of the *lot*, 81.17 metres above Canadian Geodetic Datum.
3. Except as otherwise provided herein, the provisions of Zoning By-law No. 438-86, as amended, shall continue to apply to the *lot*.
4. No person shall use any land or erect or use any building or structure on the *lot* 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.
5. Despite any existing or future consent, partition or division the lot, the provisions of this By-law shall apply to the whole of the lot as if no consent, partition or division had occurred.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD  
ISSUED ON APRIL 30, 2014 UNDER BOARD FILE NO. PL130233.



