

Authority: Ontario Municipal Board Orders issued December 11, 2013, June 25, 2014 and September 16, 2014 in Board File No. PL130195

CITY OF TORONTO

BY-LAW No. 1077-2014(OMB)

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands known municipally as 1884 Queen Street East.

Whereas the Ontario Municipal Board, by its Orders dated December 11, 2013, June 25, 2014 and September 16, 2014, in Board File No. PL130195, determined to amend Zoning By-law No. 438-86, as amended, with respect to the lands known municipally as 1884 Queen Street East (the "Lands");

The Ontario Municipal Board orders:

EXCEPTIONS FROM ZONING BY-LAW NO. 438-86, AS AMENDED

1. None of the provisions of Sections 4(2)(a), 4(6)(b), 4(12), 8(3)(Part 1), (8)(3)(Part 2)(1b), 8(3)(Part 2)(4c), and 12(2)284 of Zoning By-law No. 438-86 of the 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 or use of a *mixed-use building* on the *lot* subject to the following:
 - (a) Not more than 70 residential units shall be permitted on the *lot* and no residential units shall be located on the first floor;
 - (b) All non-residential uses permitted in an MCR district under Zoning By-law No. 438-86, as amended, shall be permitted. Any such non-residential uses shall be located on the first floor only, except that a *commercial parking garage*, located below grade, comprising *parking spaces* not otherwise required in accordance with Section 4(4)(b) of Zoning By-law No. 438-86 of the former City of Toronto shall be permitted;
 - (c) The *lot* on which the proposed building is to be located shall comprise at least those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - (d) No portion of any building or structure shall be located otherwise than wholly within the areas delineated by heavy lines shown on Map 2, attached to and forming part of this By-law;
 - (e) The *height* of any building or structure, shall not exceed the *height* in metres specified by the numbers following the symbol H on Map 2 attached to and forming part of this By-law;

- (f) Notwithstanding Sections 1(d) and 1(e) of this By-law, the following building elements and structures are permitted to extend beyond the heavy lines shown on Map 2:

STRUCTURE	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	OTHER APPLICABLE QUALIFICATIONS
Eaves, cornices, window sills, vents, ornamental elements	Required setback from <i>lot</i> line	0.1 metres	None
Fences, safety railings and guard rails	Required setback from <i>lot</i> line	No restriction	Height of fence or safety railing not to exceed 1.2 metres
Retractable awnings	Required setback from <i>lot</i> line	No restriction	Projection at the ground floor only
Parapets	Maximum height	0.6 metres	None
Screen Fence Line	As noted in Map 2	2 metres	None
Underground garage ramp and their associated structures	Required setback from <i>lot</i> line	No restriction	Maximum vertical projection does not exceed 0.5 metres above finished ground level
All projections, including balconies, save and except for eaves, cornices, window sills, vents and ornamental elements	East most notch along Queen Street East frontage	0 metres	None

- (g) The *total gross floor area* of the building erected on the *lot* shall not exceed 5,750 square metres;
- (h) The *residential gross floor area* of the building erected on the *lot* shall not exceed 5,200 square metres;
- (i) The *non-residential gross floor area* of the building erected on the *lot*, excluding any floor area for a *commercial parking garage* located below grade, shall not exceed 600 square metres;
- (j) The total number of *parking spaces* which do not comply with Section 4(17)(e) of Zoning By-law No. 438-86 shall not exceed four;
- (k) A *loading space - type G* shall be provided on the *lot*; and
- (l) A minimum of 60 square metres of *residential amenity space - indoor* shall be provided and maintained on the *lot*.

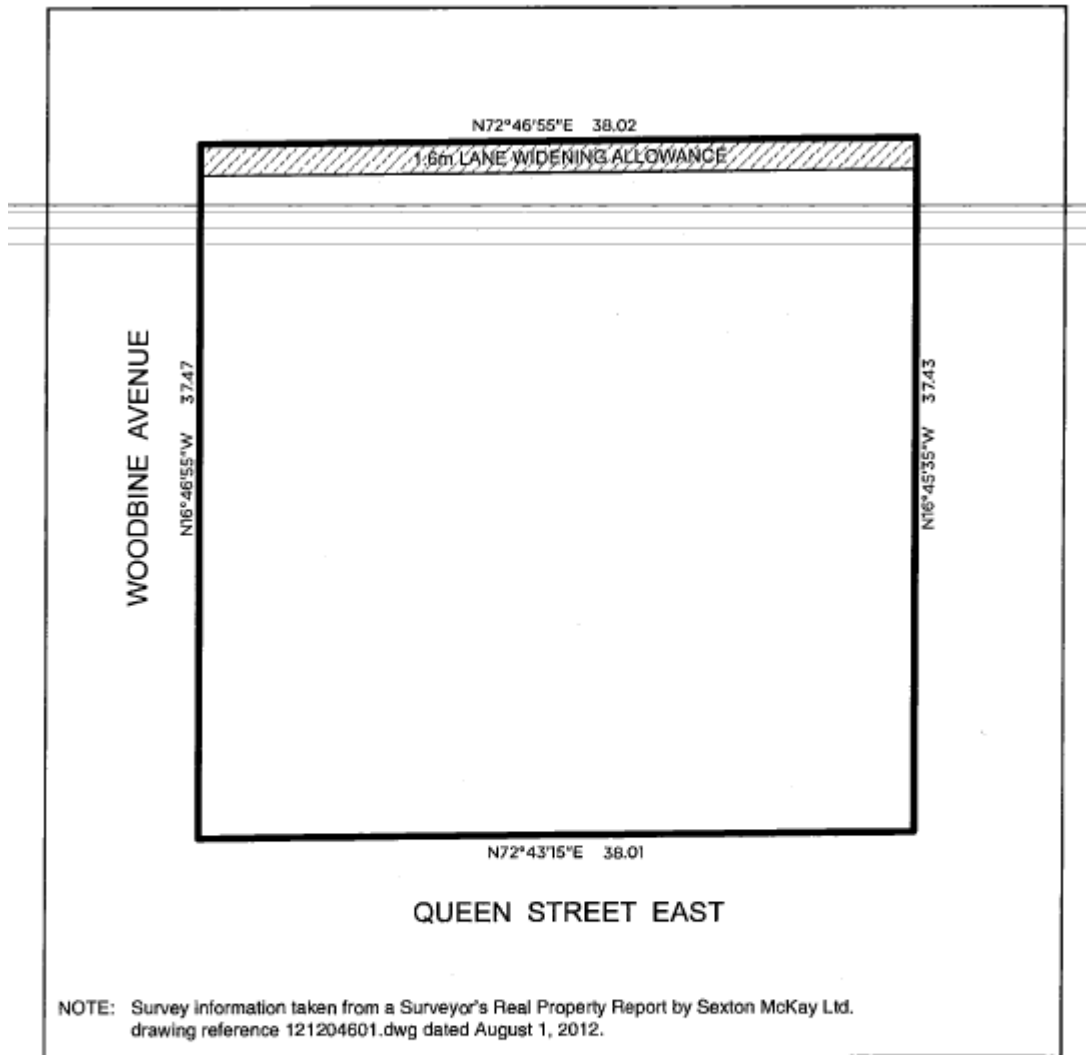
DEFINITIONS

- (m) For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in Zoning By-law No. 438-86 of the former City of Toronto, as amended, with the exception of the following:
 - (i) "*Height*" shall be measured from the average grade along the Queen Street East frontage of the *lot* to the highest point of the roof except for those elements prescribed in Section 1(f) of this By-law.

OTHER

- 2. Within the lands shown on Map 1 attached to and forming part of this By-law, no person shall use any land or erect or use any building or structure unless the following municipal service 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.
- 3. 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 ORDERS/DECISIONS OF THE ONTARIO MUNICIPAL BOARD
ISSUED DECEMBER 11, 2013, JUNE 25, 2014 AND SEPTEMBER 16, 2014 IN BOARD
FILE NO. PL130195.



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