

CITY OF TORONTO

BY-LAW No. 1275-2015(OMB)

To amend former City of Toronto Zoning By-law No. 438-86, as amended, in respect of lands known in the year 2015 as 375, 375R, 379 and 381 Queen Street West.

Whereas the Ontario Municipal Board, pursuant to its Decision issued on December 24, 2014 in relation to Board File No. PL130918 determined to amend Zoning By-law No. 438-86 with respect to lands municipally known in the year 2015 as 2015 as 375, 375R, 379 and 381 Queen Street West;

The Ontario Municipal Board Orders that By-law No. 438-86, the General Zoning By-law of the former City of Toronto as amended, is further amended as follows:

1. None of the provisions of Sections 2 (1) "*grade*" and "*lot*", 4(2)(a), 4(8), 4(14), 8(3) Part I 1, 8(3) Part II 4 (c)(i), and 12(2) 260(iii) 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 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 non-residential building on the *lot* and on *Area A* and *Area B*, provided that:
 - (a) the *lot* comprises at least the lands identified as *Parcel 1* and *Parcel 2* outlined by heavy lines on the attached Map 1;
 - (b) the total *non-residential gross floor area* of the building shall not exceed 8,100 square metres;
 - (c) no portion of the building above *grade* is located otherwise than wholly within the areas delimited by the heavy lines on the attached Map 2 with the exception of cornices, lighting fixtures, awnings, canopies, ornamental elements, parapets, trellises, balconies, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, and landscape features, all of which may extend beyond the heavy lines on Map 2;
 - (d) no person shall erect or use a building or structure on the *lot* and on *Area A* and *Area B* having a greater *height* in metres than the *height* limits specified by the numbers following the symbol H on the attached Map 2, except for the following:
 - i. a structure on the roof of the building used for outside or open air recreation, safety or wind protection purposes may exceed the *height* limit on Map 2 by no more than 3.0 metres;
 - ii. a stair tower, elevator shaft and associated equipment, chimney stack or other heating, cooling or ventilating equipment, window washing equipment, cornices, canopies, ornamental elements, parapets, railings, stairs, stair enclosures, and public art features may exceed the maximum *height* limits as shown on Map 2 by no more than 5.0 metres; and

- iii. parapets to a maximum height of 1.0 metres above the *height* limits shown on Map 2;
 - (e) no portion of the building located within *Area A* shall be located below a geodetic elevation of 94.21 metres and no portion of the building located within *Area B* shall be located below a geodetic elevation of 95.71 metres; and
 - (f) one "loading space - type G", one "loading space - type B", and three "loading spaces - type C" shall be provided and maintained on *Parcel 1* to serve both the building on the *lot* and the building on the lands at 134 Peter Street and 364 Richmond Street West.
2. Despite any future severance or partition or division of the *lot* as shown on Map 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.
3. For the purposes of this By-law, each word or expression that is italicized shall have the same meaning as each such word or expression as defined in By-law No. 438-86, as amended, with the exception of the following terms:
- (a) "*grade*" shall mean 89.91 metres Canadian Geodetic Datum;
 - (b) "*lot*" shall mean the lands outlined by heavy lines on Map 1 and known municipally as 375, 375R, 379 and 381 Queen Street West in the year 2014;
 - (c) "*Area A*" and "*Area B*" shall mean the lands outlined by heavy lines and identified as Area A and Area B respectively on Map 3; and
 - (d) "*Parcel 1*" and "*Parcel 2*" shall mean the lands outlined by heavy lines and identified as Parcel 1 and Parcel 2 respectively on Map 1.
4. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *lot* and *Area A* and *Area B*.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD
ISSUED DECEMBER 24, 2014 IN BOARD FILE NO. PL130918.





