

CITY OF TORONTO

BY-LAW 593-2018(OMB)

To repeal former City of Toronto By-law 1994-0653 and to amend Zoning By-law 438-86, as amended, of the former City of Toronto with respect to the lands municipally known as 101 King Street East and 54-70 Colborne Street.

Whereas the Ontario Municipal Board pursuant to its Orders issued July 31, 2014 in relation to Board Case PL121394 following an appeal pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, determined to amend Zoning By-law 438-86 and to repeal By-law 1994-0653 with respect to lands known municipally in the year 2013 as 101 King Street East and 54-70 Colborne Street; and

Whereas the Council of the City of Toronto conducted a public meeting under Section 34 of the Planning Act regarding the proposed zoning by-law amendment;

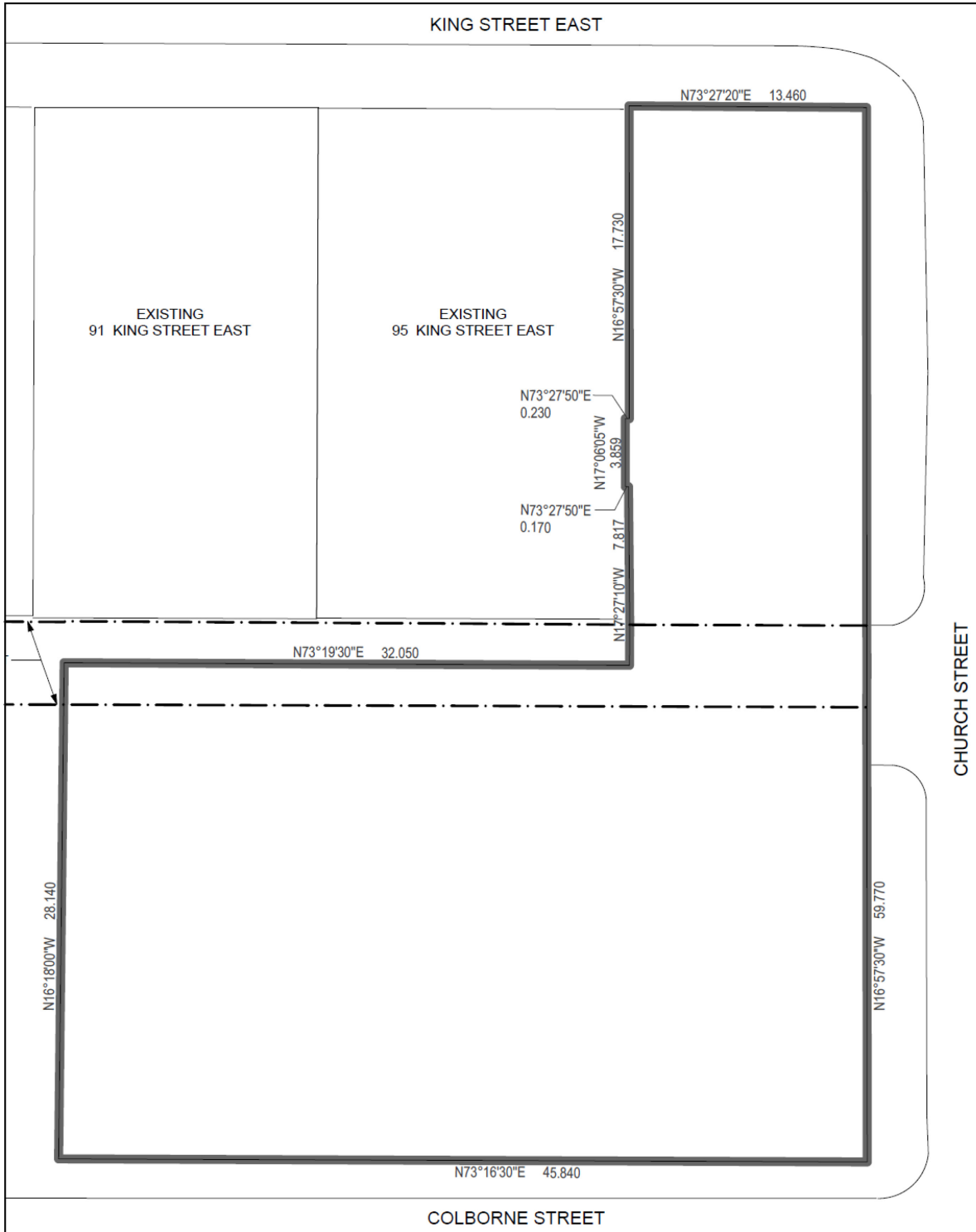
The Ontario Municipal Board Orders:

1. Except as otherwise provided herein, the provisions of By-law 438-86, as amended, shall continue to apply to the *lot*.
2. None of the provisions of Section 4 (2) (a), 4(5) (b) (h), 4 (12), 4(17) (a), 4(17) (b), 4 (17) (e), Section 8(3) Part I, 8(3) Part 1 3(a), 8 Part III (1), Section 12 (2) (132), 12 (2) (259), 12 (2) 260 of By-law 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 land 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 lands municipally known as 101 King Street East and 54-70 Colborne Street (hereinafter referred to as the *lot*) provided that:
 - (a) the *lot* comprises the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law;
 - (b) the combined *residential gross floor area* and *non-residential gross floor area* shall not exceed 20,030 square metres;
 - (c) the *residential gross floor area* shall not exceed 19,173 square metres;
 - (d) the *non-residential gross floor area* shall not exceed 857 square metres;
 - (e) the *height* of any building or structure, or portion thereof, shall not exceed those heights as indicated by the numbers following the symbol H on the attached Map 2, with the exception of the following:
 - (i) railings, guard rails, parapets, balconies, cornices, window washing equipment, landscape elements, ornamental elements, fences, screens, architectural features, lighting fixtures, vents, flues, pipes, access roof hatch, and structures, stair towers, stairs, trellises, planters, mechanical

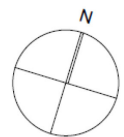
- equipment, partitions dividing outdoor recreational areas, located on the roof used for outside or open air recreation, guard rails, green roof elements, lightning rods, safety or wind protection purposes may project above the height limits shown on Map 2;
- (ii) balconies which can project beyond the *building envelope* to a maximum of 1.5 metres as depicted on Map 2
- (f) no portion of the building or structure erected on the *lot* or used above *grade* is located otherwise wholly within the areas delineated by heavy lines on the attached Map 2 subject to the following:
- (i) canopies, awnings, and building cornices are permitted outside the heavy line shown on Map 2;
 - (ii) lighting fixtures, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs enclosures, wheel chair ramps, underground garage ramps, landscape and public art features which may extend beyond the heavy lines shown on the attached Map 2;
- (g) a minimum of 91 square metres of *indoor amenity space* is provided;
- (h) a minimum of 314 square metres of *outdoor amenity space* is provided;
- (i) a minimum of 169 *parking spaces* shall be provided and maintained on the lot in accordance with the following:
- (i) a minimum of 108 *parking spaces* are for use of residents shall be provided on the *lot*;
 - (ii) a *commercial parking garage* is permitted below grade providing a minimum of 61 *parking spaces*;
 - (iii) despite the minimum width dimensions for obstructed *parking space* in section 4(17) (e) of By-law 438-86 as amended, obstructed *parking spaces* are permitted having a minimum width of 2.6 metres and a minimum length of 5.6 metres.
 - (iv) despite the minimum width dimension for two way drive aisle in section 4(17)(a) of By-law 438-86 as amended, a parking space shall be accessed by a minimum two way drive aisle having a minimum width of 5.7 metres.
 - (v) despite the minimum width dimension for *parking space* accessed by a two way drive aisle in section 4 (17) (b) of By-law 438-86 as amended, 41 *parking spaces* are permitted having a minimum width of 2.6 metres and a minimum length of 5.6 metres.
 - (vi) no visitor *parking spaces* are provided on the *lot*.

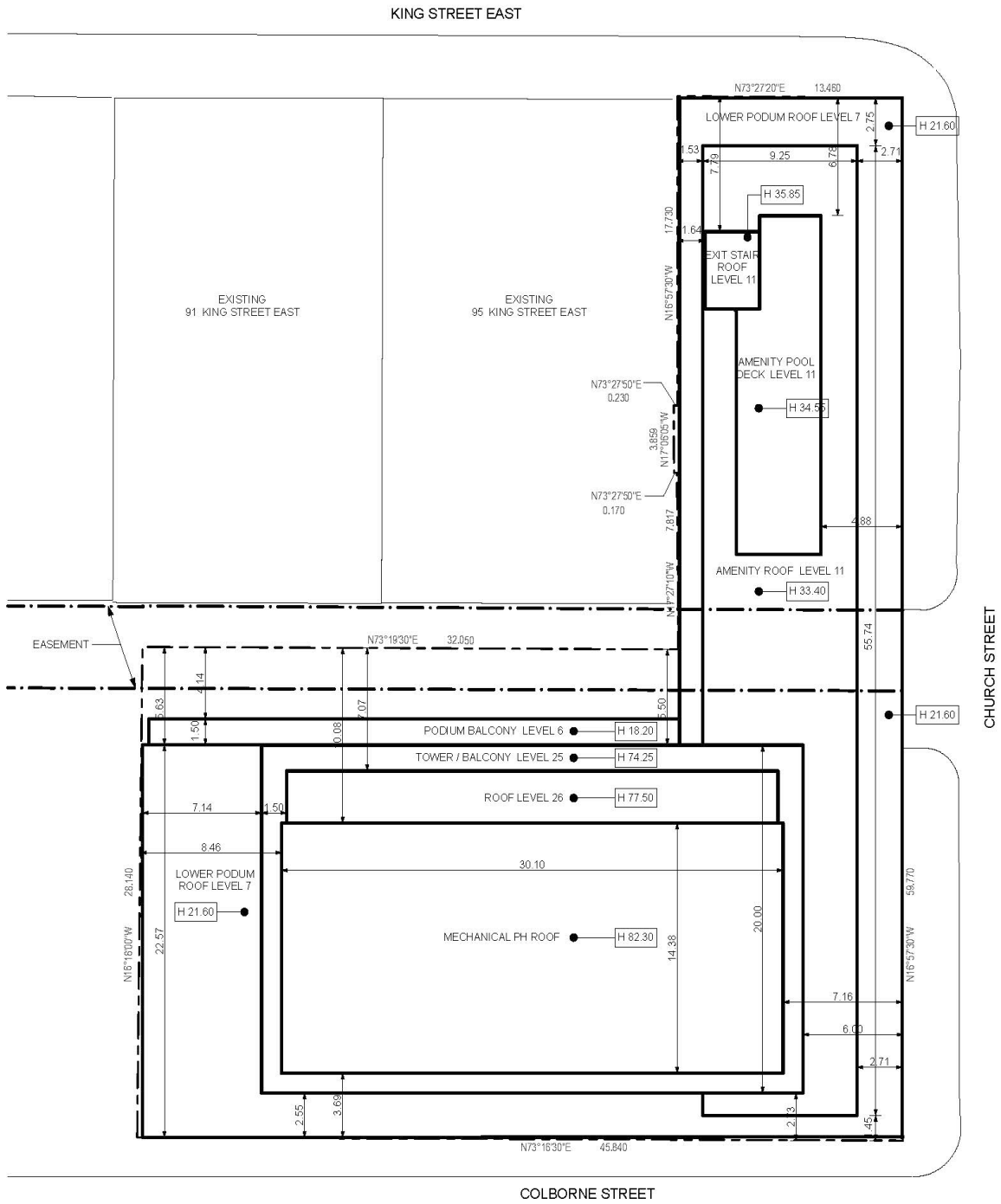
- (j) one *loading space – type "G"* shall be provided on the *lot*;
3. A *temporary sales office* shall be permitted on the *lot*.
4. By-law 1994-0653 respecting certain lands on the west side of Church Street, between King Street East and Colborne Street is repealed.
5. For the purposes of this By-law:
- (a) "*grade*" means 81.85 metres Canadian Geodetic Datum;
- (b) "*height*" means the vertical distance between *grade* and the highest point of the roof, building or structure shown on Map 2;
- (c) "*temporary sales office*" means a building, structure, facility or trailer on the *lot* used for the purpose of the sale of *dwelling units* to be erected on the *lot*;
- (d) "*non residential gross floor area*" has the same meaning as provided in By-law 438-86 as amended, with the exception that the floor area occupied by a commercial parking garage, ramps, and uses accessory thereto shall be excluded from the calculation of non-residential gross floor area provided that the commercial parking garage is below grade.
6. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

Ontario Municipal Board Order issued July 31, 2014 in Board File PL121394



MAP 1





MAP 2