



TORONTO  
BY-LAW NUMBER

**1994-0445**

BOX NUMBER

**P070302**

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SUPPLEMENTARY FILE

1994-0445-01.tif  
[ naming convention for oversize scans ]

No. 1994-0445. A BY-LAW

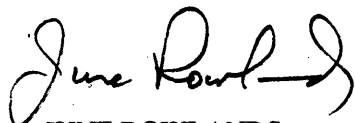
*To further amend Part II of the Official Plan for  
Trefann Court respecting lands known as 90 Sumach Street.*

(Passed July 25, 1994.)

WHEREAS Council, at its meeting held on the 27th and 28th days of June, 1994, adopted Clause 16 of Land Use Committee Report No. 9, as amended;

THEREFORE the Council of The Corporation of the City of Toronto enacts as follows:

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to Part II of the Official Plan for Trefann Court.

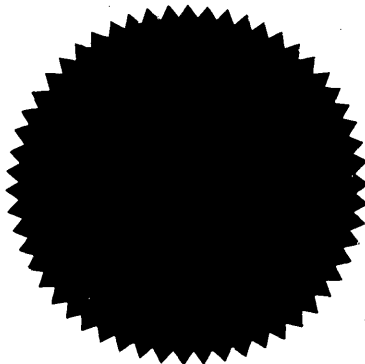


JUNE ROWLANDS,  
*Mayor.*



BARBARA G. CAPLAN  
*City Clerk.*

Council Chamber,  
Toronto, July 25, 1994.  
(L.S.)



## SCHEDULE "A"

1. Part II of the Official Plan for Trefann Court is further amended by adding the text and map annexed hereto as Section 6.2, as follows:

"6.2 Notwithstanding any of the provisions of Part II of this Plan, Council may pass by-laws applicable to the *lot* shown on the map attached hereto and designated "Official Plan - City of Toronto Amendment No. 630" to permit the use and renovation of the building existing on the *lot* in 1993 for *residential* and *professional* purposes, provided:

- (1) the *lot* on which such existing building is used comprises at least the lands outlined by heavy lines as shown on the Map attached to and forming part of this by-law;
- (2) the building on the *lot* shown on the attached map contains not more than 23,725 square metres of *residential gross floor area* of which not more than 7,540 square metres is used for at grade or above grade accessory parking and not more than 16,185 square metres is used for *residential* and *professional* purposes in a maximum of 120 dwelling units; and
- (3) each dwelling unit is used for *residential* purposes and may be used in conjunction therewith for not more than one of the listed *professional* purposes.

For the purposes of this paragraph, the term:

- (i) "*professional*" purpose means an artist's or photographer's studio, a designer's studio, a private art gallery, a showroom, or the professional offices of a chiropractor, osteopath, physician, barrister and solicitor, engineer or chartered accountant, provided that not more than three persons are engaged in the *professional* purpose and provided the professional or the principal of the business also resides in the dwelling unit which is being used as a place of business."



No. 1994-0445

# A By-law

To further amend Part II of the  
Official Plan for Trefann Court  
respecting lands known as 90 Sumach  
Street.

Passed JUL 25 1994 1994

\_\_\_\_\_  
City Clerk

Certified as to form and legality and as being  
within the powers of Council to enact,



*at* okay JHP City Solicitor

*CL 16*

*LUC 9*

*as adopted by Council  
at its meeting held  
on June 27 + 28 /94'*

BY-LAW APPROVALS DATABASE

Document Number: 007851

The documents which follow are made available for your inspection; however, the City Clerk's Department is unable to provide an interpretation of their contents.

\*10 DOCUMENT 007851  
 \*20 FOLDER 1994-0445 Copy ~~original~~  
 \*30 AGENCY Ontario Municipal Board Order PL944625  
~~Ministry of Transport Notation  
 Ministry of Housing Order  
 Ministry of Transportation and Communications Notation  
 Ministry of Municipal Affairs Order  
 Ministry of Municipal Affairs and Housing Order  
 Ministry of  
 Ministry of  
 City Clerk's Declaration~~

Dated March 26, 1996

with an ~~Order~~ Issue Date of  
 July 11, 1997, Decision/Order No. 0577

~~Entered in Order Book No.~~ ~~Folio No.~~

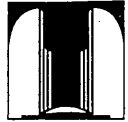
~~OR~~

1994-0445

1995-0463

1994-0446

1995-0462



Toronto

# Memorandum

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To: Mr. J. Gladki, Director  
Program Services, Urban Development Services  
Attention: Louis DeSilva

From: Joanne Licursi, Manager, Corporate Documents,  
Corporate Services, City Clerk's Division

Date: August 12, 1997

Subject: **Ontario Municipal Board Order**

I enclose, for your information, a copy of the following document:

**DOCUMENT DESCRIPTION**

**BY-LAW AFFECTED**

Ontario Municipal Board Order PL944625  
issued on July 11, 1997.

1994-0445, 1994-0446, 1995-0462  
and 1995-0463

Joanne Licursi

cc: Urban Development Services, Attn: Lynn Mathewson (3 copies)  
Toronto Assessment Commissioner  
Secretary-Treasurer, Committee of Adjustment  
City Works Services, Projects and Mapping, Attn: R. Taylor





# Memorandum

**TO:** David Whorley  
Director, Corporate Document Management  
and City Archivist  
City Clerk, Basement, City Hall

**FROM:** Gordon Townend, Legal 16W  
Phone # 392-6905, Fax #392-0024

**DATE:** August 5, 1997

**RE:** **90 Sumach Street - Official Plan Amendment No. 630 and  
Zoning By-law No. 1994-0446 - Our File No. 52-3895**

Enclosed herewith are nine (9) copies of an Order of the Ontario Municipal Board issued on July 11, 1997, approving Official Plan Amendment No. 630 as amended and Zoning By-law No. 1994-0446 as amended, respecting the above address. The Board further orders that Official Plan Amendment No. 26 is not approved and Zoning By-law No. 1995-0463 is repealed.

Please note that the OMB Order amends the original By-laws 1994-0445 (OPA 630) and 1994-0446.

Please place the Order with the original By-laws in your possession.

A handwritten signature in black ink, appearing to read "G. Townend".

Gordon Townend

GT:ccl  
Enclosure

c: Beate Bowron  
Deputy Building Official  
Attention: David Brezer

Wally Kowalenko  
City Surveyor  
Attention: Bob Taylor

DATE RECEIVED: [ AUG 12 1997 ]

REGISTRATION NO. 19985

REFERRED TO: KF

ACTION: *as required*

**ISSUE DATE**  
JUL 11 1997  
DECISION/ORDER No. 0577



NO. LEGAL DEPARTMENT RECEIVED

JUL 17 1997

PL944625

REFERRED TO

GT

JAP FYZ

Re: 90 Amark

**Ontario Municipal Board**

**Commission des affaires municipales de l'Ontario**

Richard Skikiewicz, Esther Hotta, K.Y. Lam and others have requested the Ministers of Municipal Affairs and Housing to refer to the Ontario Municipal Board under subsection 17(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, Proposed Amendment No. 630 to the Official Plan for the City of Toronto  
Minister's File No. 20-OP-3711-630  
O.M.B. File No. O950001

Richard Skikiewicz, Esther Hotta, K.Y. Lam and others have appealed to the Ontario Municipal Board under subsection 34(19) of he under subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P. 13, against Zoning By-law 1994-0446 of the City of Toronto  
O.M.B. File No. R940415

Bill Eadie has requested the Minister of Municipal Affairs and Housing to refer to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P. 13, Proposed Amendment No. 26 to the Official Plan for the City of Toronto  
O.M.B. File No. O950206

Bill Eadie has appealed to the Ontario Municipal Board under subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P. 13, against Zoning By-law 1995-0463 of the City of Toronto  
O.M.B. File No. R950290

BEFORE:

M.F.V. EGER )  
 )  
VICE-CHAIR )

Tuesday, the 26th day  
of March, 1996

THESE MATTERS having come on for public hearing and the Board having reserved its decision until this day, and the Board having received revised copies of Official Plan Amendment No. 630, Zoning By-law 1994-0446 and an executed collateral site plan agreement;

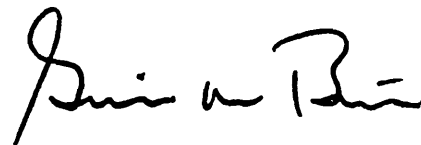
THE BOARD ORDERS that Amendment No. 630 (as amended by Official Plan Amendment No. 26) to the Official Plan for the City of Toronto is hereby approved as set out in Schedule I attached hereto and forming part of this order;

AND THE BOARD ORDERS that Amendment No. 26 to the Official Plan for the City of Toronto is hereby not approved;

AND THE BOARD ORDERS that the appeals are allowed in part and Zoning By-law Nos. 1994-0446 is hereby amended as set out in Schedule II attached hereto and forming part of this order;

AND THE BOARD ORDERS that in all other respects, the appeals are dismissed.

AND THE BOARD FURTHER ORDERS that the appeal against Zoning By-law 1995-0463 is allowed and said by-law is hereby repealed.

A handwritten signature in cursive script, appearing to read "A-Secretary".

A-SECRETARY

## SCHEDULE I

### No. 1994-0445. A BY-LAW

*To adopt an amendment to the Official Plan for  
the City of Toronto respecting lands known as 90 Sumach Street.*

(Passed July 25, 1994.)

WHEREAS Council, at its meeting held on the 27th and 28th days of June, 1994, adopted Clause 16 of Land Use Committee Report No. 9, as amended;

WHEREAS Council, at its meeting held on the 26th and 27th days of June, 1995, adopted Clause 13 of Land Use Committee Report No. 8;

WHEREAS Council, at its meeting held on the 24th and 25th days of March, 1997, adopted Clause 5 of Executive Committee Report No. 10;

AND WHEREAS the Council of The Corporation of the City of Toronto enacted By-law No. 1994-0446 on July 25, 1994 and By-law 1995-0463 on June 27, 1995;

AND WHEREAS the Ontario Municipal Board considered this matter at a hearing (OMB File Nos. O950001, R950415, O950206 and R950290);

THEREFORE the Ontario Municipal Board orders as follows:

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan for the City of Toronto.
2. This is Official Plan Amendment No. 630.

## SCHEDULE "A"

1. The Official Plan for the City of Toronto is amended by adding the text of Section 18.361 and Map 18.361, as follows:

### "18.361 Lands Known as 90 Sumach Street

See Map 18.361 following the text of Section 18

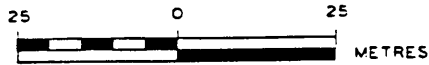
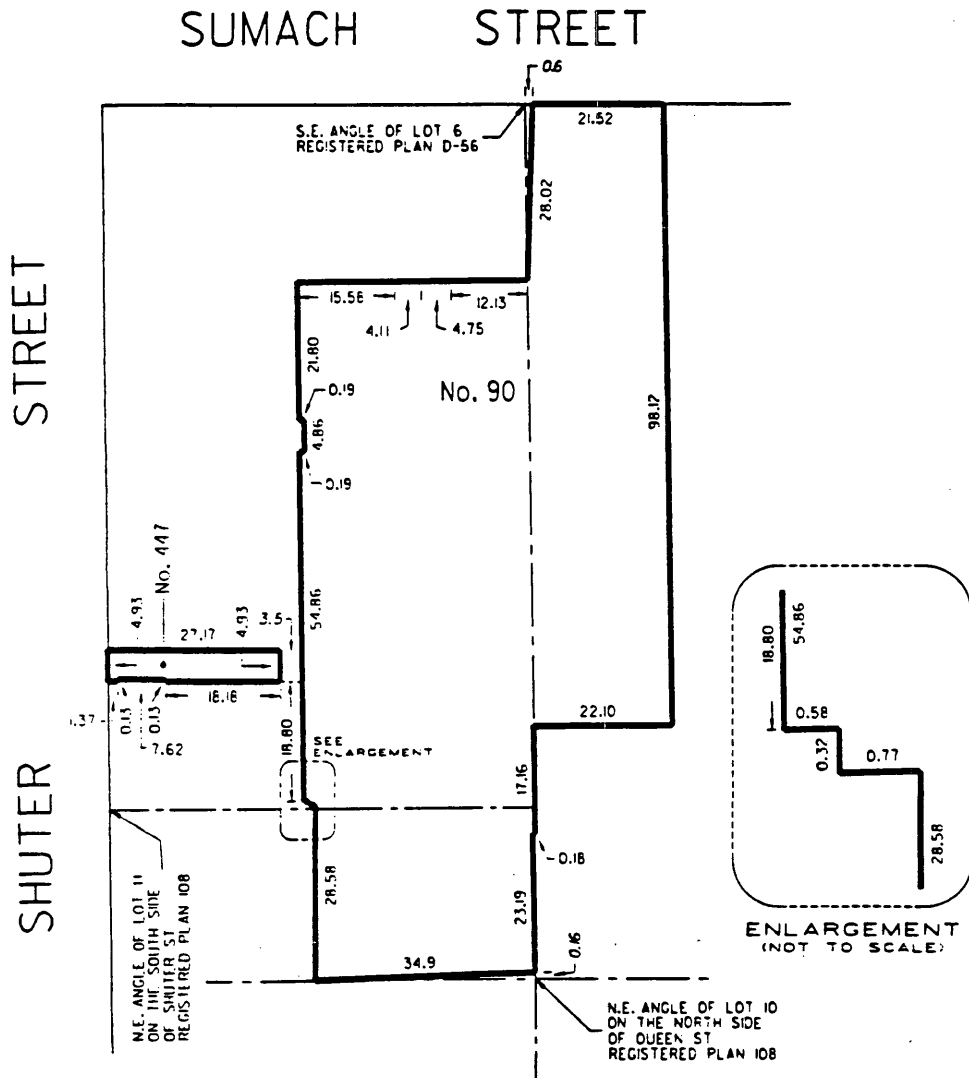
Despite the provisions of this Plan, Council may pass by-laws applicable to the *lot* shown on Map 18.361 attached hereto to permit the use and renovation of the building existing on the *lot* in 1993 for *residential* and *professional* purposes, provided:

- (1) the *lot* on which such existing building is used comprises at least the lands outlined by heavy lines as shown on Map 18.361;
- (2) the building on the *lot* shown on the attached map contains not more than 23,725 square metres of *residential gross floor area* of which not more than 6,825 square metres is used for at grade or above grade accessory parking and not more than 16,900 square metres is used for *residential* and *professional* purposes in a maximum of 110 dwelling units; and
- (3) each dwelling unit is used for *residential* purposes and may be used in conjunction therewith for not more than one of the listed *professional* purposes.

For the purposes of this Section, the terms:

- (i) "*professional purpose*" means an artist's or photographer's studio, a designer's studio, a private art gallery, a showroom, or the professional offices of a chiropractor, osteopath, physician, barrister and solicitor, engineer or chartered accountant, provided that not more than three persons are engaged in the *professional* purpose and provided the professional or the principal of the business also resides in the dwelling unit which is being used as a place of business; and
- (ii) "*residential gross floor area*" shall not include the floor area of any enclosed or unenclosed loft with a floor area of less than 40 per cent of the dwelling unit in which the loft is found."

# MAP 18.361



CITY WORKS SERVICES  
 SURVEY AND MAPPING SECTION  
 TORONTO MAY, 1997  
 BL2/90SUM1A.DGN  
 FILES: S66-23, 2402.44  
 MAP NO. 51H-313 DRAWN: PG

## SCHEDULE II

### No. 1994-0446. A BY-LAW

*To amend the Zoning By-law No. 438-86  
respecting certain lands known as 90 Sumach Street.*

WHEREAS Council, at its meeting held on the 27th and 28th days of June, 1994, adopted Clause 16 of Land Use Committee Report No. 9, as amended;

WHEREAS Council, at its meeting held on the 26th and 27th days of June, 1995, adopted Clause 13 of Land Use Committee Report No. 8;

WHEREAS Council, at its meeting held on the 24th and 25th days of March, 1997, adopted Clause 5 of Executive Committee Report No. 10;

AND WHEREAS the Council of The Corporation of the City of Toronto enacted By-law No. 1994-0446 on July 25, 1994 and By-law 1995-0463 on June 27, 1995;

AND WHEREAS the Ontario Municipal Board considered this matter at a hearing (OMB File Nos. O950001, R950415, O950206 and R950290);

THEREFORE the Ontario Municipal Board orders as follows:

1. None of the provisions of subsections 4(2)(a)(i)A, 4(12), 4(13), 6(1), 9(1) and 9(2)3(iv) of 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 use of the building existing in 1993 on the *lot*, as renovated in accordance with this by-law, for no purpose other than residential and *professional* purposes, provided:

- (1) the *lot* on which such building is used comprises at least the lands outlined by heavy lines as shown on Map 1 attached to and forming part of this by-law;
- (2) not more than 110 *dwelling units* are located on the *lot*;
- (3) each *dwelling unit* is used for permitted residential purposes and may be used in conjunction therewith for not more than one of the listed *professional* purposes;
- (4) the *residential gross floor area* of the existing building does not exceed 23,725 square metres, of which not more than 6,825 square metres is used for *parking spaces at grade or above grade* and not more than 16,900 square metres is used for residential and *professional* purposes;
- (5) no building above *grade* on the *lot* is located otherwise than wholly within the area delineated by heavy lines and shown on the attached Map 2, except for balconies (with a maximum projection of 1.5 metres), and an exhaust duct for the parking garage located on the westerly or southerly face of the building;
- (6) no balconies are located on the northerly or easterly face of the building or on the westerly face of the building within 14 metres of the northerly boundary of the *lot* excluding the part of the *lot* shown as Part 3 on Reference Plan 64R-14789;
- (7) not less than 161 *parking spaces* are provided and maintained on the *lot*, of which
  - (a) not less than 133 *parking spaces* are provided within the existing building for the residents of the building;
  - (b) not less than 6 *parking spaces* are provided within the existing building for the employees of *professional* businesses carried out in the building;



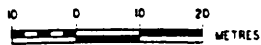
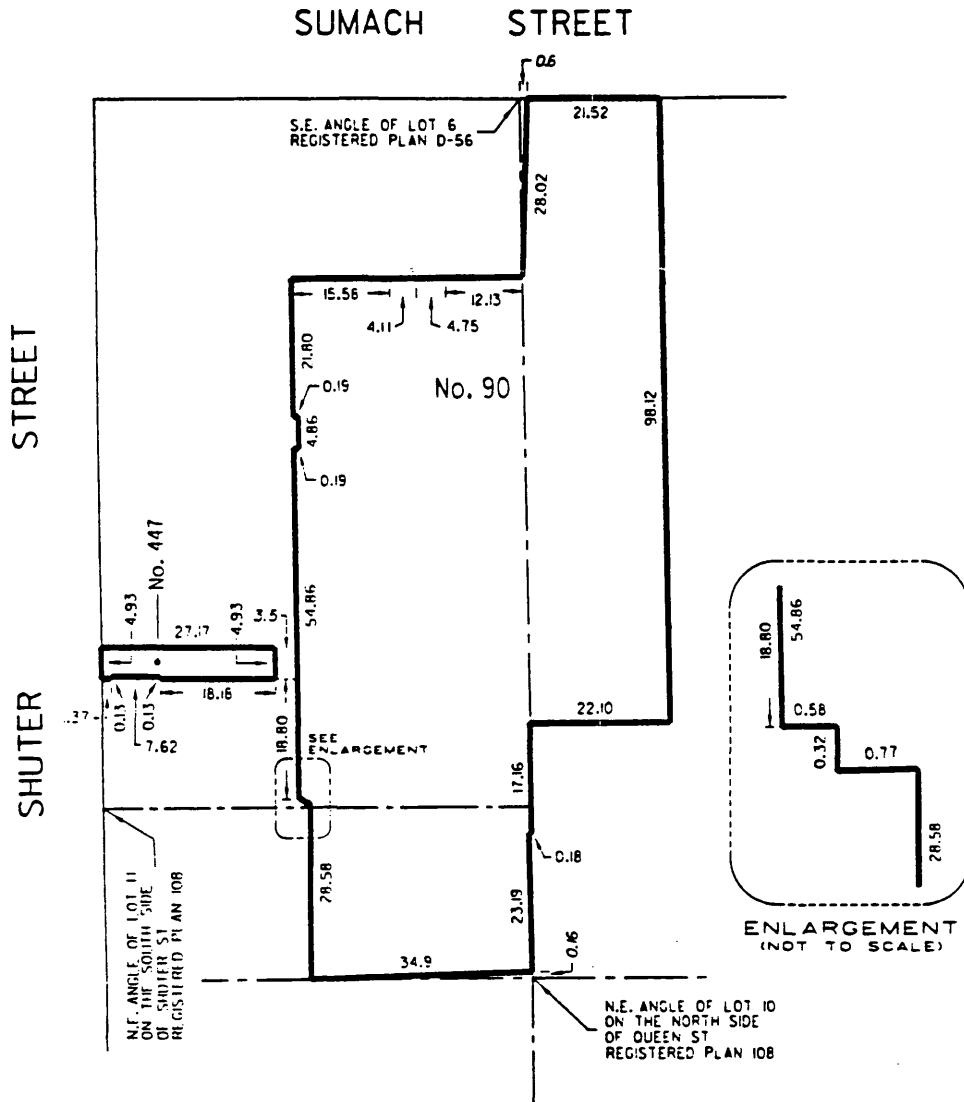
- (c) not less than 13 *parking spaces* are provided outside the existing building within Area A shown on Map 2 for the visitors to the residents of the building; and
- (d) not less than 9 *parking spaces* are provided outside the existing building within Area B shown on Map 2 for the employees of *professional* businesses carried out in the building;
- (8) not more than 22 *parking spaces* are provided outdoors on the *lot*;
- (9) no part of the building as renovated shall have a *height* above the *height* in metres specified by the numbers following the symbol H within the areas shown on the attached Map 2, and no part of the mechanical penthouses and elevator shafts of the building shall have a height exceeding 35.5 metres above *grade*;
- (10) privacy fences on the roof of the building shall not exceed 2.0 metres in height;
- (11) no part of the *lot* is used for any purpose listed in subsection 9(1)(f) of the aforesaid By-law 438-86 as amended, except for *parking stations* with not more than 22 *parking spaces*, and a *professional* purpose in conjunction with the residential use of a *dwelling unit* and such use is in compliance with the rest of this By-law;
- (12) not less than 1,078 square metres of *landscaped open space* are provided and maintained on the *lot*;
- (13) a fence of opaque construction, 2.43 metres in height is erected on any boundary between the *parking stations* on the *lot* shown on the attached Map 1 and an abutting *lot* in an R district or an abutting *lot* on which a *dwelling unit* is located;
- (14) there are no doors between 29.0 metres above *grade* and 7.0 metres above *grade* on the north and east elevations of the building;
- (15) not less than 85 square metres of indoor *residential amenity space* is provided in a multipurpose room or contiguous multi-purpose rooms;
- (16) not less than 220 square metres of *residential amenity space* located outdoors is provided in a location adjoining or directly accessible from the indoor *residential amenity space*;
- (17) not less than 9 *bicycle parking spaces* are provided on the *lot*;
- (18) no required *bicycle parking spaces* are provided within a *dwelling unit* or a balcony thereof;
- (19) no enclosed or unenclosed loft has a floor area of greater than 40 per cent of the *dwelling unit* in which the loft is found;
- (20) no enclosed or unenclosed loft is located within 3.0 metres of the easterly face of the building;
- (21) no enclosed or unenclosed loft is located within 11.0 metres of the northerly boundary of the *lot*;
- (22) not less than 300 square metres of outdoor *residential amenity space* is provided on the roof above 29 metres above *grade*;
- (23) the area of the roof above 29 metres above *grade* and within 5 metres of the northerly or easterly face of the building is used for no purpose other than maintenance of the roof and emergency access to a stairwell;
- (24) the area of the roof above the parking garage is used for no purpose other than maintenance of the roof;

- (25) the lands being part of lots 12 and 13 shown on Plan 108 and shown as Parts 3 and 4 on Reference Plan 64R-14789 and the loading dock abutting the northerly edge of the building on the *lot* are used by the occupants or suppliers, customers or visitors to the occupants of the existing building on the *lot*, for no purpose other than the initial moving in or the final moving out of a resident of a *dwelling unit* in the building;
- (26) clear glazing may be located on the easterly face of the building, within 7.0 metres of the southerly face of the building but elsewhere on the easterly face of the building, shall not be located below 2.60 metres above the finished interior floor level of the Second Floor and shall not be located below 1.83 metres above the finished interior floor level of the Third Floor, the Fourth Floor, the Fifth Floor and the Sixth Floor along the easterly wall of the building and shall be similarly restricted on the easterly wall of the projection (housing a stairwell) from the northerly wall, all as shown on the attached Map 3;
- (27) clear glazing shall not be located below 2.60 metres above the finished interior floor level of the Second Floor and shall not be located below 1.83 metres above the finished interior floor level of the Third Floor, the Fourth Floor, the Fifth Floor and the Sixth Floor along the westerly wall of the projection (housing a stairwell) from the northerly wall, all as shown on the attached Map 4; and
- (28) clear glazing may be located on the easterly face of the building on the *lot*, below the second floor within 14 metres of the southerly face of the building.

2. For the purpose of this By-law, the terms:

- (1) "*professional*" purpose means an *artist's or photographer's studio*, a *designer's studio*, a *private art gallery*, a *showroom*, or the professional offices of a chiropractor, osteopath, physician, barrister and solicitor, engineer or chartered accountant, provided that not more than three persons are engaged in the *professional* purpose and provided the professional or the principal of the business also resides in the *dwelling unit* which is being used as a place of business;
- (2) "*artist's or photographer's studio*", "*bicycle parking space*", "*designer's studio*", "*dwelling unit*", "*grade*", "*height*", "*landscaped open space*", "*lot*", "*parking space*", "*parking station*", "*private art gallery*", "*residential amenity space*", "*residential gross floor area*" and "*showroom*" contained in this By-law have the same meaning as the said terms have for the purposes of the aforesaid By-law No. 438-86 as amended; and
- (3) despite Section 2(2) of this By-law, *residential gross floor area* shall not include the floor area of any enclosed or unenclosed loft with a floor area of less than 40 per cent of the *dwelling unit* in which the loft is found.

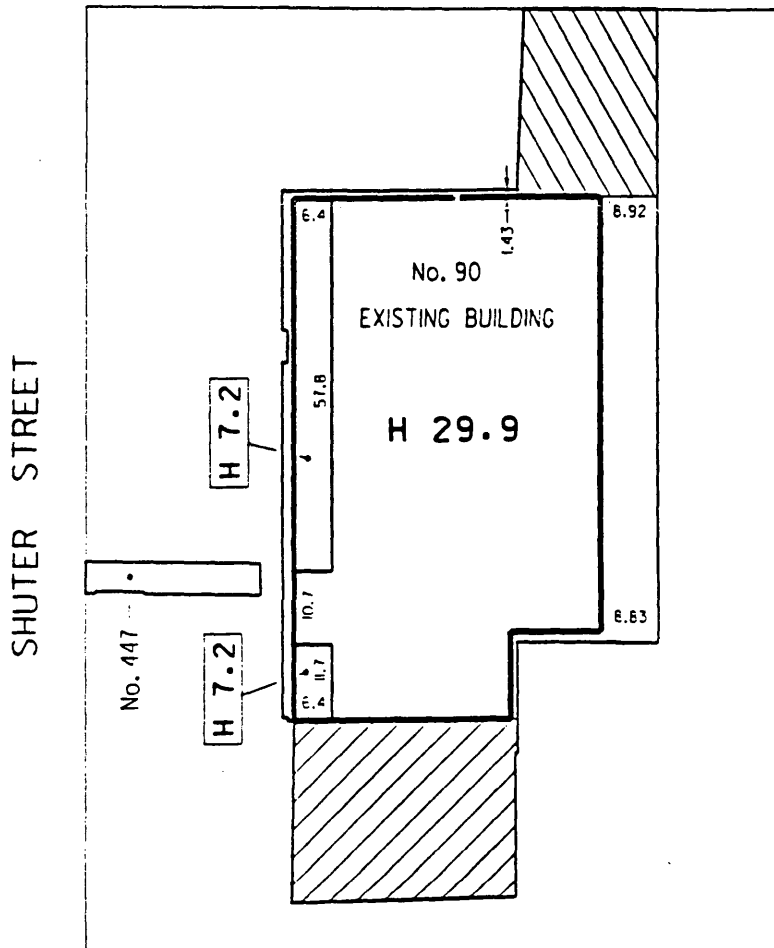
# MAP 1



CITY WORKS SERVICES  
 SURVEY AND MAPPING SECTION  
 TORONTO MAY 1997  
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 FILE: S66-23. 2402.44  
 MAP NO. 51H-313 DRAWN: PG

# MAP 2

SUMACH STREET

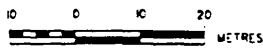


AREA A



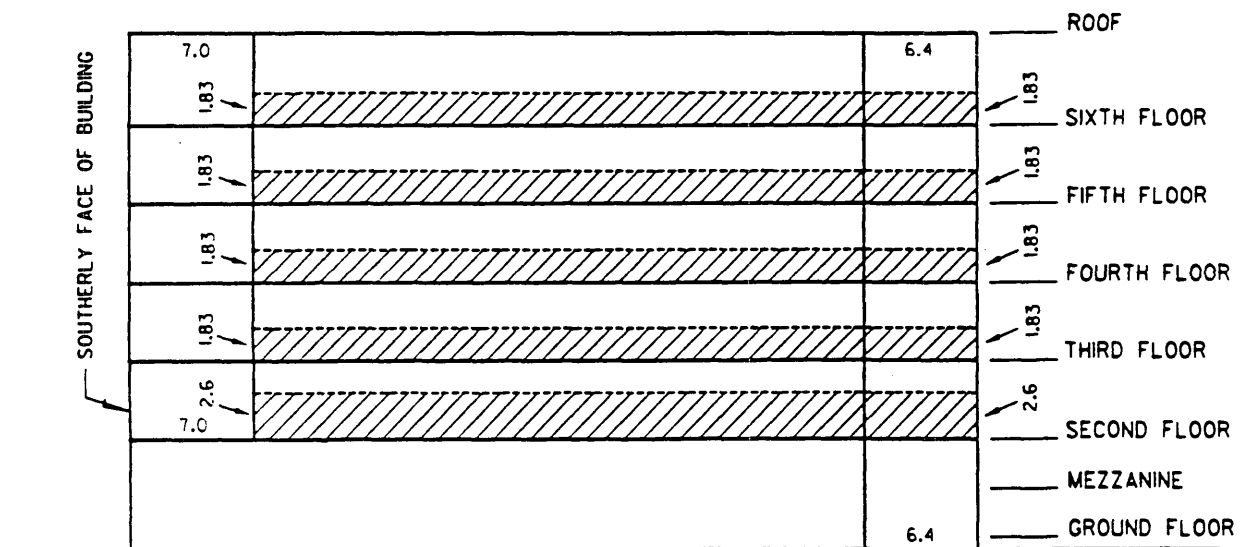
AREA B

H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



CITY WORKS SERVICES  
 SURVEY AND MAPPING SECTION  
 TORONTO JUNE, 1997  
 B.L2/90SUM2C.DGN  
 FILES: 566-23, 2402.44  
 MAP NO. 51H-313 DRAWN: PC

# MAP 3



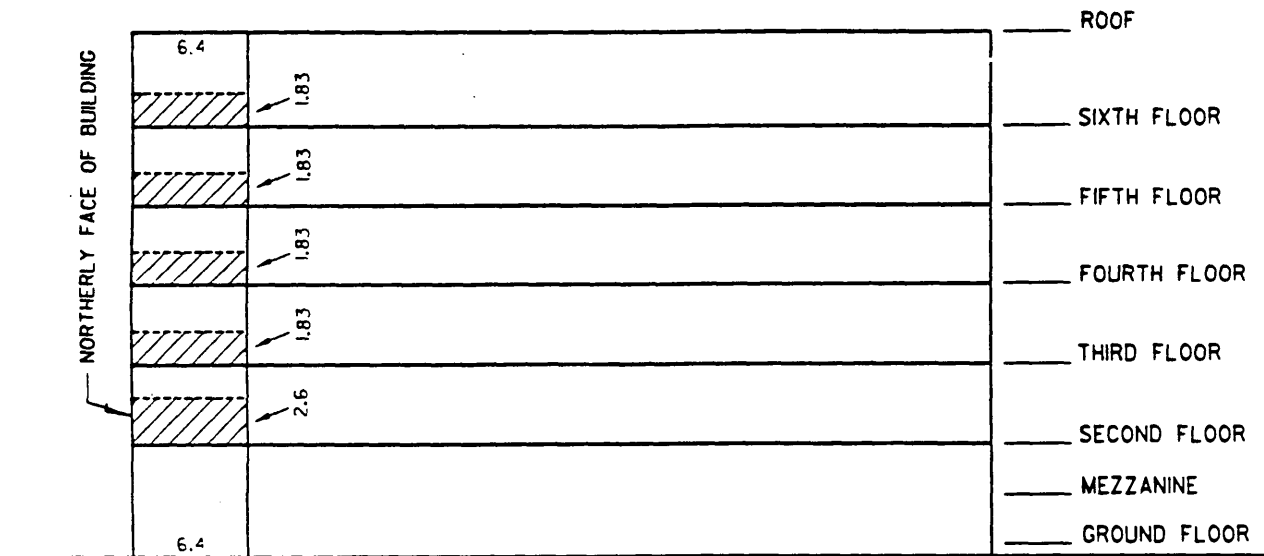
 AREAS WHERE CLEAR GLAZING NOT PERMITTED

## EASTERLY FACE OF BUILDING AND PROJECTION HOUSING STAIRWELL



CITY WORKS SERVICES  
SURVEY AND MAPPING SECTION  
TORONTO MAY, 1997  
BL2/90SUM3.DGN  
FILES: 566-23, 2402.44  
MAP No. 51H-313 DRAWN: PC

# MAP 4



 AREAS WHERE CLEAR GLAZING NOT PERMITTED

## WESTERLY FACE OF BUILDING AND PROJECTION HOUSING STAIRWELL



CITY WORKS SERVICES  
SURVEY AND MAPPING SECTION  
TORONTO MAY. 1997  
BL2/90SUM4.DGN  
FILES: 566-23. 2402.44  
MAP No. 51H-313 DRAWN: PG