

Authority: Toronto Community Council Report No. 2, Clause No. 12,
as adopted by City of Toronto Council on February 2, 3 and 4, 1999
Enacted by Council: February 4, 1999

CITY OF TORONTO

BY-LAW No. 68-1999

**To amend By-law No. 438-86 and to repeal
By-laws Nos. 755-77 and 358-78, all of the former City of Toronto,
with respect to the lands bounded by Queen, Victoria, Shuter and Bond Streets.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions respecting the definitions of “*grade*” and “*landscaped courtyard space*”, contained in Section 2(1) and none of the provisions of Sections 4(2)(a), 4(5)(b), 4(8)(b), 8(3) Part I 1, 8(3) Part III 1 of By-law 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 on the *lot* of a non-residential building containing *public hospital* uses and *accessory* retail, *restaurant*, *take-out restaurant*, *retail store* and service uses, provided:

- (1) the *lot* consists of the lands shown outlined by heavy lines on Plan 1 attached to and forming part of this by-law;
- (2) the *non-residential gross floor area* of the building does not exceed 102 000 square metres;
- (3) the *height* of the building does not exceed the *height* limits specified on Plan 2 attached to and forming a part of this by-law, but this paragraph does not prevent the erection or use of:
 - (i) a stair tower, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment on the roof of the building or a fence, wall or structure enclosing such elements, provided:
 - A. The maximum *height* of the top of such elements or enclosure is no higher than the sum of five metres and the *height* limit applicable to the *lot*;
 - B. The aggregate horizontal area of such elements, including the area contained within an enclosure, measured at a point above the level of the *height* limit, does not exceed 30 per cent of the area of the roof of the building; and

-
- C. The width of any such elements, including the width of an enclosure, located within six metres of a *lot* line that is a *street* line, does not exceed 20 per cent of the width of the main wall of the building facing the *lot* line, provided the width is to be measured parallel to the *lot* line;
- (ii) a structure, on the roof of the building, used for open air recreation, safety or wind protection purposes, provided:
 - A. The maximum *height* of the top of the structure is no higher than the sum of three metres and the *height* limit applicable to the *lot*;
 - B. No part of the structure is less than two metres from an adjacent wall or a vertical projection of the wall; and
 - C. the structure does not enclose space so as to constitute a form of penthouse or other room or rooms; and
 - (iii) parapets, provided that the maximum *height* of the top of the parapets is no higher than the sum of 0.6 metres and the *height* limit applicable to the *lot*.
- (4) not less than 158 *parking spaces* shall be provided and maintained on the *lot*;
 - (5) not less than 1 *loading space - type A*, 5 *loading spaces - type B* and 2 *loading spaces - type C* shall be provided and maintained on the *lot*; and
 - (6) not less than 1 loading space with a length of at least 18.3 metres, a width of at least 4.0 metres and a vertical clearance of at least 4.0 metres shall be provided and maintained on the *lot*.
2. The additions to the building may be constructed in not more than two phases, within the areas shown outlined by heavy lines on Plan 3 attached to and forming part of this by-law, provided;
- (1) for the purpose of constructing the additions to the building in phases:
 - (i) *Phase 1* means the construction of additional floors on top of the building within the area designated as Phase 1 on the attached Plan 3; and
 - (ii) *Phase 2* means the demolition and new construction of the portion of the building within the area designated as Phase 2 on the attached Plan 3.
3. Should the additions to the building be constructed in not more than two phases:

- (1) upon the completion of *Phase 1*:
 - (i) the *non-residential gross floor area* of the building shall not exceed 92 500 square metres;
 - (ii) not less than 35 *parking spaces* shall be provided and maintained on the *lot*;
 - (iii) not less than 42 *parking spaces* shall be provided and maintained within 300 metres of the *lot*;
 - (iv) the *parking spaces* referred to in paragraph 3(1)(iii) shall be provided and maintained on lands other than the lands municipally known in the year 1998 as 209 Victoria Street and 26 Shuter Street;
 - (v) not less than 4 *loading spaces-type B* shall be provided and maintained on the *lot*; and
 - (vi) not less than 1 loading space with a length of at least 18.3 metres, a width of at least 4.0 metres and a vertical clearance of at least 4.0 metres shall be provided and maintained on the *lot*; and
- (2) upon the completion of *Phase 2*, *landscaped courtyard space* shall be provided in the locations indicated on Plan 4 attached to and forming part of this by-law.

4. For the purposes of this By-law:

- (i) *Grade* means 88.25 metres Canadian Geodetic Datum;
- (ii) *Landscaped Courtyard Space* means the landscaped area as defined in By-law No. 438-86. However, notwithstanding that definition, a loading space for the sole purpose of servicing the medical gas storage tanks is permitted within the required *landscaped courtyard space* adjacent to Victoria Street;
- (iii) *Phase 1* and *Phase 2* shall have the same meanings as set out in paragraph 2(1) of this by-law; and
- (iv) Each other word or expression which is italicized in this by-law shall have the same meaning as each such word or expression as defined in By-law No. 438-86.

5. By-laws Nos. 755-77 and 358-78 of the former City of Toronto are hereby repealed on the coming into force of this By-law.

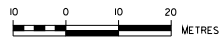
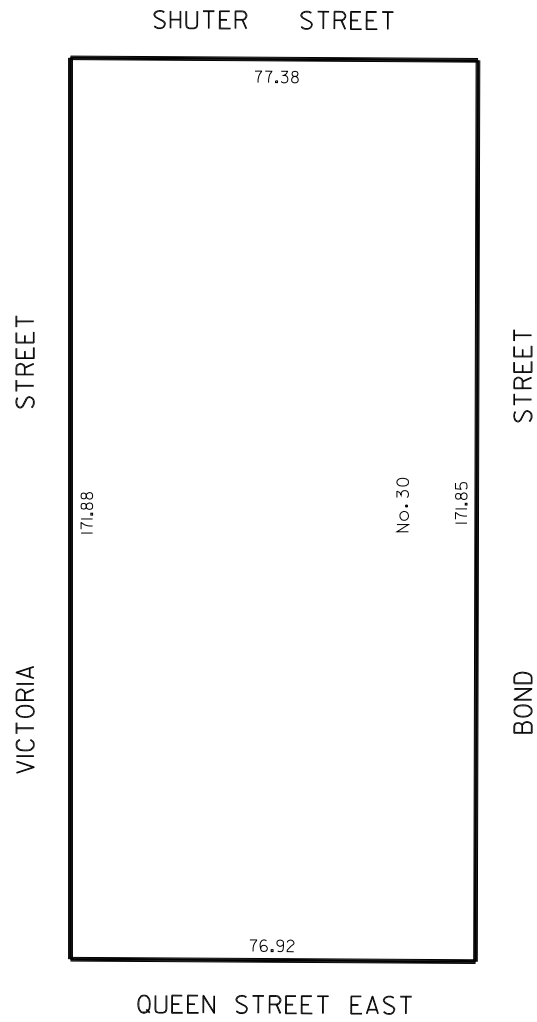
ENACTED AND PASSED this 4th day of February, A.D. 1999.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

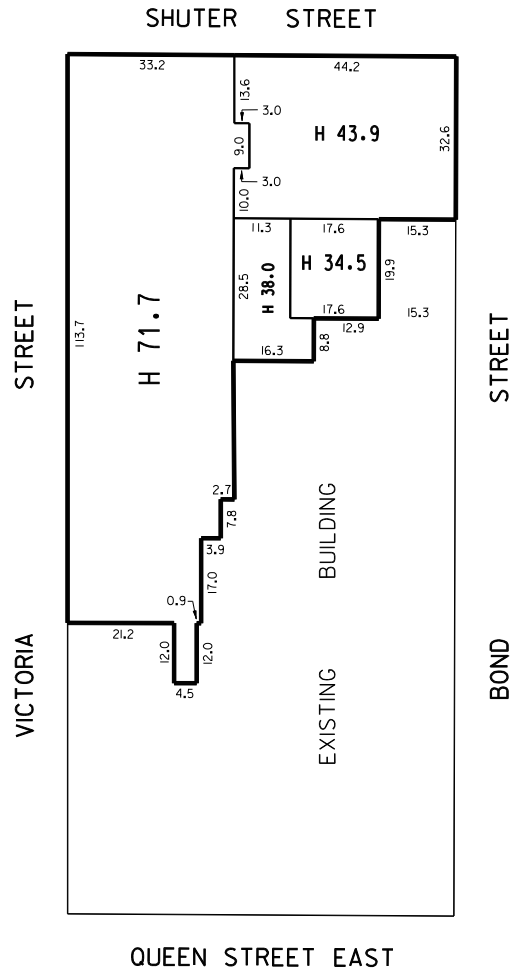
(Corporate Seal)

PLAN 1

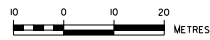


WORKS AND EMERGENCY SERVICES
SURVEYING SERVICES SECTION
TORONTO JANUARY, 1999
BL2/30BOND1.DGN
FILE: B23-77
MAP No. 51H-311 DRAWN: PG

PLAN 2

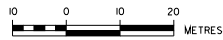
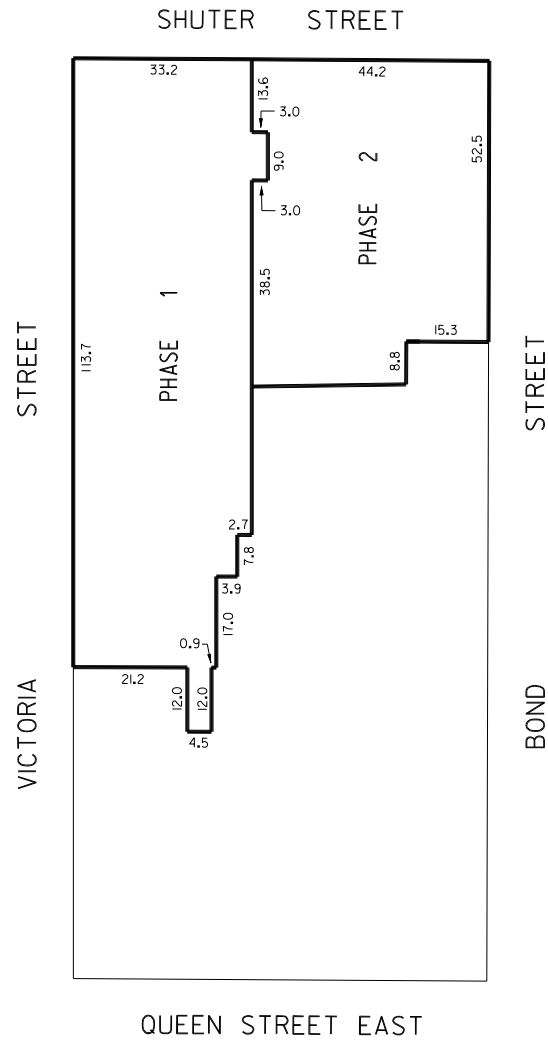


H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



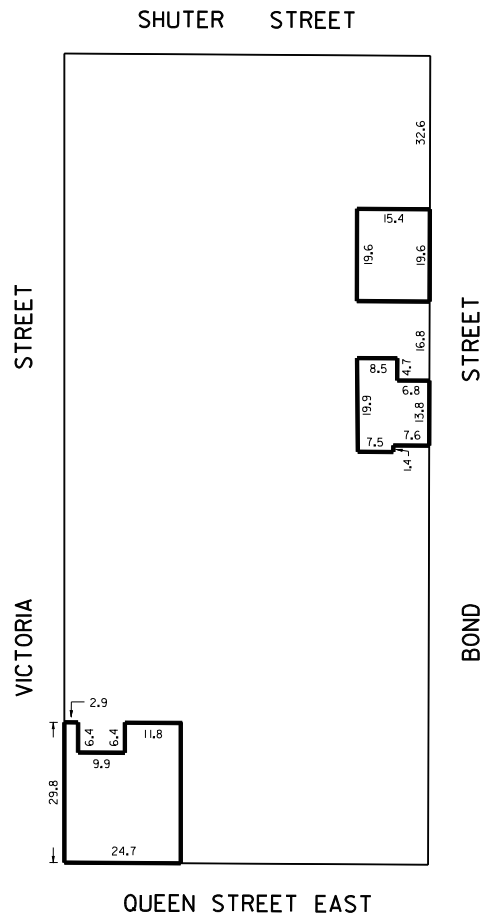
WORKS AND EMERGENCY SERVICES
 SURVEYING SERVICES SECTION
 TORONTO JANUARY, 1999
 BL2/308OND2.DGN
 FILE: 83-22
 MAP No. 51H-311 DRAWN: D.R.

PLAN 3

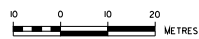


WORKS AND EMERGENCY SERVICES
SURVEYING SERVICES SECTION
TORONTO JANUARY, 1999
BL2/308OND3.DGN
FILE: B23-22
MAP No. 51H-311 DRAWN: PG

PLAN 4



□ PHASE 3
LANDSCAPED COURTYARD SPACE



WORKS AND EMERGENCY SERVICES
SURVEYING SERVICES SECTION
TORONTO JANUARY, 1999
BL27308OND4.DGN
FILE: B23-22
MAP No. 51H-311 DRAWN: PG