

Authority: Toronto and East York Community Council
Item TE13.5, as adopted by City of Toronto Council on
May 22 and 23, 2024 as amended by Toronto and East
York Community Council Item TE20.15, as adopted by
City of Toronto Council on March 26, 27 and 28, 2025

CITY OF TORONTO

Bill 165

BY-LAW -2025

To amend the City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 639 Yonge Street, 641 – 643 Yonge Street, 645 Yonge Street, 647 – 649 Yonge Street, and 651 – 653 Yonge Street.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas pursuant to Section 39 of the Planning Act, as amended, a by-law passed under Section 34 of the Planning Act, may authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands subject to this By-law from a zone label of “CR 3.0 (c2.0; r3.0) SS1 (x2546)” to a zone label of “CR 3.0 (c2.0; r3.0) SS1 (x1033)” as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1033 so that it reads:

(1033) Exception CR 1033

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On the lands municipally known in the year 2023 as 639 Yonge Street, 641 – 643 Yonge Street, 645 Yonge Street, 647 – 649 Yonge Street, and 651 – 653 Yonge

Street, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **mixed use building** may be constructed, used or enlarged in compliance with Regulations (B) to (Y) below:

- (B) For the purpose of this exception, the **lot** shall refer to those lands delineated by heavy black lines as shown on Diagram 1 attached to By-law [Clerks to insert By-law ##];
- (C) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 112.0 metres and the elevation of the highest point of the **building** or **structure**;
- (D) Despite Regulation 40.10.40.1(1), in a **mixed use building** on the lands, residential use portions of the **building** may be permitted to be located on the same **storey** as non-residential use portions of the **building**;
- (E) Despite Regulation 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number, in metres, following the letters HT on Diagram 3 of By-law [Clerks to insert By-law number], inclusive of equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (F) Despite Regulations 40.5.40.10(3) to (8) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building** shown on Diagram 3 of By-law [Clerks to insert By-law number]:
 - (i) elements on the roof of the **building** or **structure** used for **green roof** technology and related roofing materials, architectural features, parapets, terrace guards/landscape planters, stacks, ladders, garbage chute vents, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, safety anchors, lightning rods, railings, balustrades, bollards, by a maximum of 3.5 metres;
 - (ii) elements above the equipment used for the functional operation of the **building** included (E) above, such as electrical, utility, mechanical and ventilation equipment, cooling equipment, **structures** that enclose, screen, or cover the equipment, by a maximum of 4.0 metres;
 - (iii) trellises, pergolas, satellite dishes, antennae, acoustical barriers, signage, cabanas and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
 - (iv) enclosed stairwells, roof access, maintenance equipment storage, water supply facilities, safety elements, pipes, elevator machine rooms, elevator shafts and overruns, solar panels chimneys, and vents, by a maximum of 5.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 6.5 metres; and

- (vi) recreation and play **structures**, by a maximum of 5.0 metres;
- (vii) the total area of all projections noted in (i), (ii), (iii) and (v) above may cover is no more than 50 percent of the area of the roof, measured horizontally;
- (G) For the purposes of this exception, a mezzanine does not constitute a **storey**;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 56,600 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 56,050 square metres; and
 - (ii) the required minimum **gross floor area** for non-residential uses is 550 square metres;
- (I) In addition to the **building** elements listed in Regulation 40.5.40.40(3), the **gross floor area** of a **mixed-use building** is also reduced by the areas in a **building** used for the area of a void in a floor if there is a vertical clearance of more than 4.5 metres between the floor below the void and the ceiling directly above it;
- (J) Despite Regulation 40.10.40.50(1) and (2), a **building** with 20 or more **dwelling units** must provide **amenity space** at the following rate:
 - (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 0.53 square metres of outdoor **amenity space** for each **dwelling unit**, of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (K) Despite Regulations 40.5.40.70(1), 40.10.40.70(1), 40.10.40.80(1), and Article 600.10.10, the required minimum **building setbacks** and the required minimum separation between **main walls** of **buildings** are as shown, in metres, on Diagram 3 of By-law **[Clerks to insert By-law number]**;
- (L) Despite (K) above, the west **main wall** of the **building** located between the elevation of 54 metres and below an elevation of 96 metres in height must comply with the **building setbacks** shown on Diagram 4 of By-law **[Clerks to insert By-law number]** through a gradual sloped transition;
- (M) Despite Clause 40.10.40.60 and (K) and (L) above, the following elements may encroach into the required minimum **building setbacks** and minimum **main wall** separation distances as follows:
 - (i) unenclosed **structures** providing safety or wind protection including canopies and awnings, by a maximum of 2.5 metres;

- (ii) window washing equipment including **building** maintenance unit or crane, bollards, by a maximum of 3.0 metres;
 - (iii) exterior stairs, covered stairs or stair enclosures, access ramps and elevating devices, by a maximum of 1.0 metres;
 - (iv) architectural or ornamental features, such as a pilaster, decorative column, fins, cladding, parapet, cornice, sill, light fixtures, privacy screens, eaves, and wheelchair ramps may encroach, by a maximum of 2.0 metres;
 - (v) window projections, including bay windows and box windows, by a maximum of 0.5 metres;
 - (vi) art, **structures** and elements associated with outdoor **amenity space** and children's play areas, **landscaping** features, privacy screens, planters, vents and pipes, and ventilation shafts, by a maximum of 3.0 metres;
 - (vii) projecting balconies within the shaded area identified as "Projecting Balcony Area" on Diagram 3 of By-law [Clerks to insert By-law Number] on the west **main wall** of the **building**, by a maximum of 2.0 metres and up to a maximum height of 102 metres;
- (N) Inset balconies provided within the hatched area identified as "Inset Balcony Area" on Diagram 3 of By-law [Clerks to insert By-law Number] are only permitted between a height of 102 and 221 metres along the west **main wall** of the **building**;
- (O) Despite (N) above, inset balconies are permitted on the east, north and south **main walls** of the **building**;
- (P) Despite Regulation 200.5.10.1(1), Table 200.5.10.1, and Clauses 200.15.10.5, 200.15.10.10, **parking spaces** must be provided in accordance with the following:
- (i) 1 **parking space** must be provided for residential visitors and may provide pick-up/drop-off functions; and
 - (ii) 2 **parking spaces** must be provided for residential occupants and must be accessible **parking spaces** which meet the requirements of Regulations 200.15.1(1) to (4) and (S) below;
- (Q) Despite Regulation 200.5.1.10(12), **vehicle** access to the **parking spaces** within the **building** may be provided by a car elevator, valet service, an "automated parking system", or a "parking stacker";
- (R) Despite Regulation 200.5.1.10(2), any **parking spaces** provided in a "parking stacker" must have the following dimensions:
- (i) a minimum length of 5.6 metres;

- (ii) a minimum width of 3.4 metres;
 - (iii) a minimum vertical clearance of 1.6 metres;
 - (iv) a minimum of 2.1 vertical clearance only at the point of ingress and egress to and from the parking **vehicle**; and
 - (v) “parking stacker” mechanisms and equipment may be located within these dimensions without constituting an obstruction, as described in Regulation 200.5.1.10(2)(D);
- (S) Despite Regulation 200.15.1(3),
 - (i) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path, and such accessible barrier free aisle or path may be shared by 2 accessible **parking spaces**;
 - (ii) despite (S)(i) above, the entire length of an accessible **parking space** may not be adjacent at all times to a 1.5 metre wide accessible barrier free aisle or path, and may require the maneuvering of the mechanical parking stacker to bring the accessible **parking space** in a position where it is adjacent to the 1.5 metre wide accessible aisle;
- (T) Despite Regulation 230.5.1.10(10), “short-term” and “long-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space** arrangement and in any combination of vertical, horizontal or stacked positions;
- (U) Despite Regulations 230.5.10.1(1), and (5) and Table 230.5.10.1(1), **bicycle parking spaces** must be provided in accordance with the following minimum rates:
 - (i) 0.9 “long-term” **bicycle parking spaces** for each **dwelling unit**;
 - (ii) 0.2 “short-term” **bicycle parking spaces** for each **dwelling unit**; and
 - (iii) zero “long term” and “short-term” **bicycle parking spaces** are required for non-residential uses;
- (V) Despite Regulation 230.40.1.20(2), “short-term” **bicycle parking spaces** may be located more than 30 metres from a pedestrian entrance to the **building** on the **lot**, provided that they are located:
 - (i) on the first or second **storey** of the **building** in a publicly accessible room, area or enclosure; or
 - (ii) on the levels of the **building** below-ground in a publicly accessible room, area or enclosure;
- (W) Despite regulation 230.5.1.10(4)(B), the minimum dimension for a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:

- (i) minimum length or vertical clearance of 1.9 metres;
 - (ii) minimum width of 0.4 metres;
 - (iii) minimum horizontal clearance from the wall of 1.2 metres;
- (X) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** must contain two or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
 - (iv) an additional 15 percent of the total number of **dwelling units** will be any combination of two bedroom and three bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of two and three bedroom **dwelling units**; and
 - (v) **dwelling units**, as described in (iv) above, may be converted using accessible or adaptable design measures such as knock-out panels;
- (Y) For the purpose of this exception:
- (i) “automated parking system” means a mechanical system for the purpose of parking and retrieving **vehicles** with or without drivers in the **vehicle** during parking and without the use of ramping or **drive aisles**, and where automated maneuvering of other **vehicles** may be required for **vehicles** to be parked or retrieved; and,
 - (ii) “parking stacker” means a mechanical motor **vehicle** parking facility with **parking spaces** which are positioned above or below each other and may not be readily accessible without maneuvering a mechanical device.

Prevailing By-laws and Prevailing Sections:(None Apply)

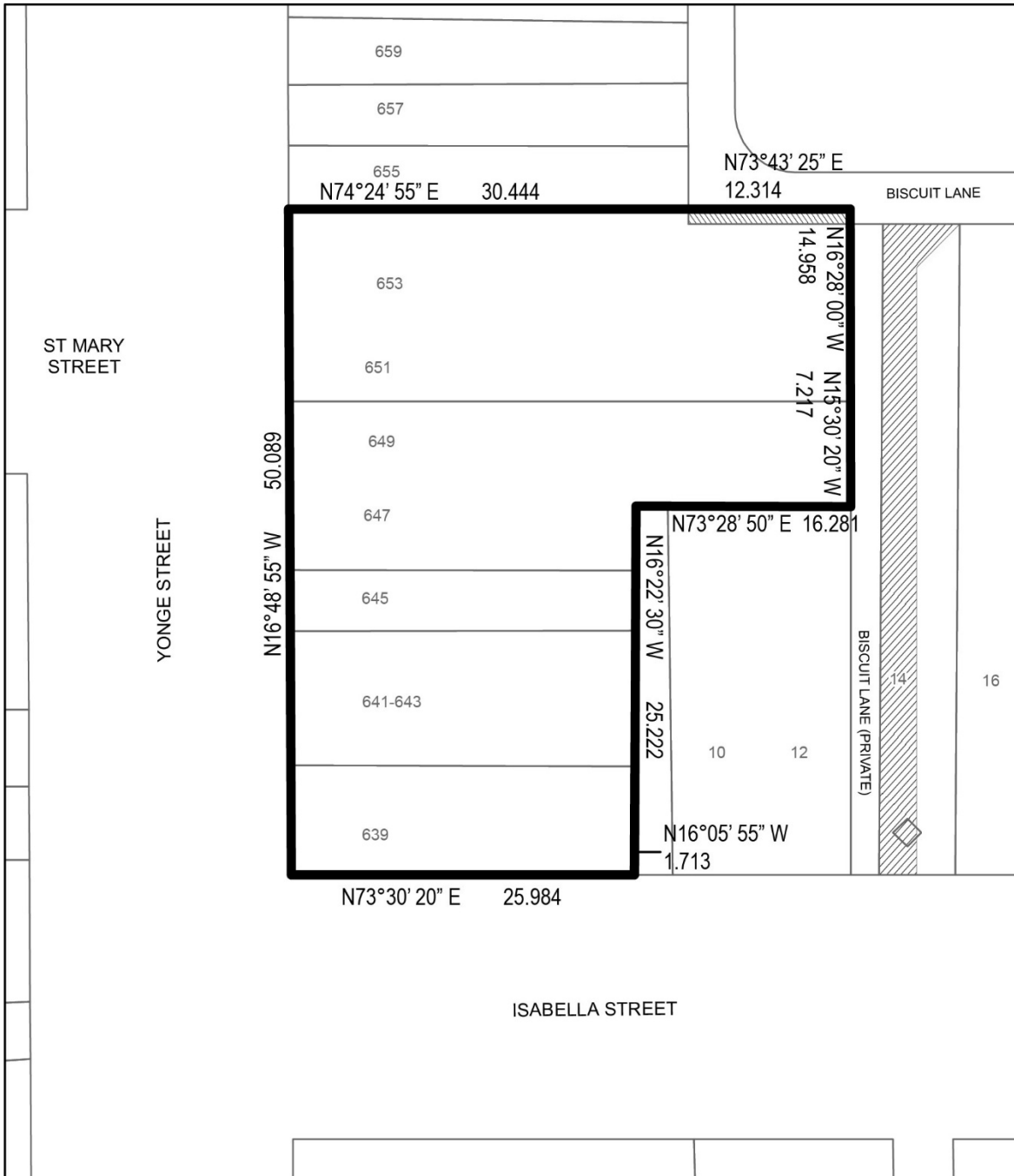
- 5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
- 6. Pursuant to Section 39(1) of the Planning Act, none of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of an office or **retail store** in a **building, structure** or trailer for the purpose of selling or leasing **dwelling units** on the lands in the CR Zone to which this By-law applies. Section 6 of this By-law shall expire on **[Clerks to insert DATE THREE YEARS FROM ENACTMENT DATE]**.

Enacted and passed on March , 2025.

Frances Nunziata,
Speaker



John D. Elvidge,
City Clerk

(Seal of the City)

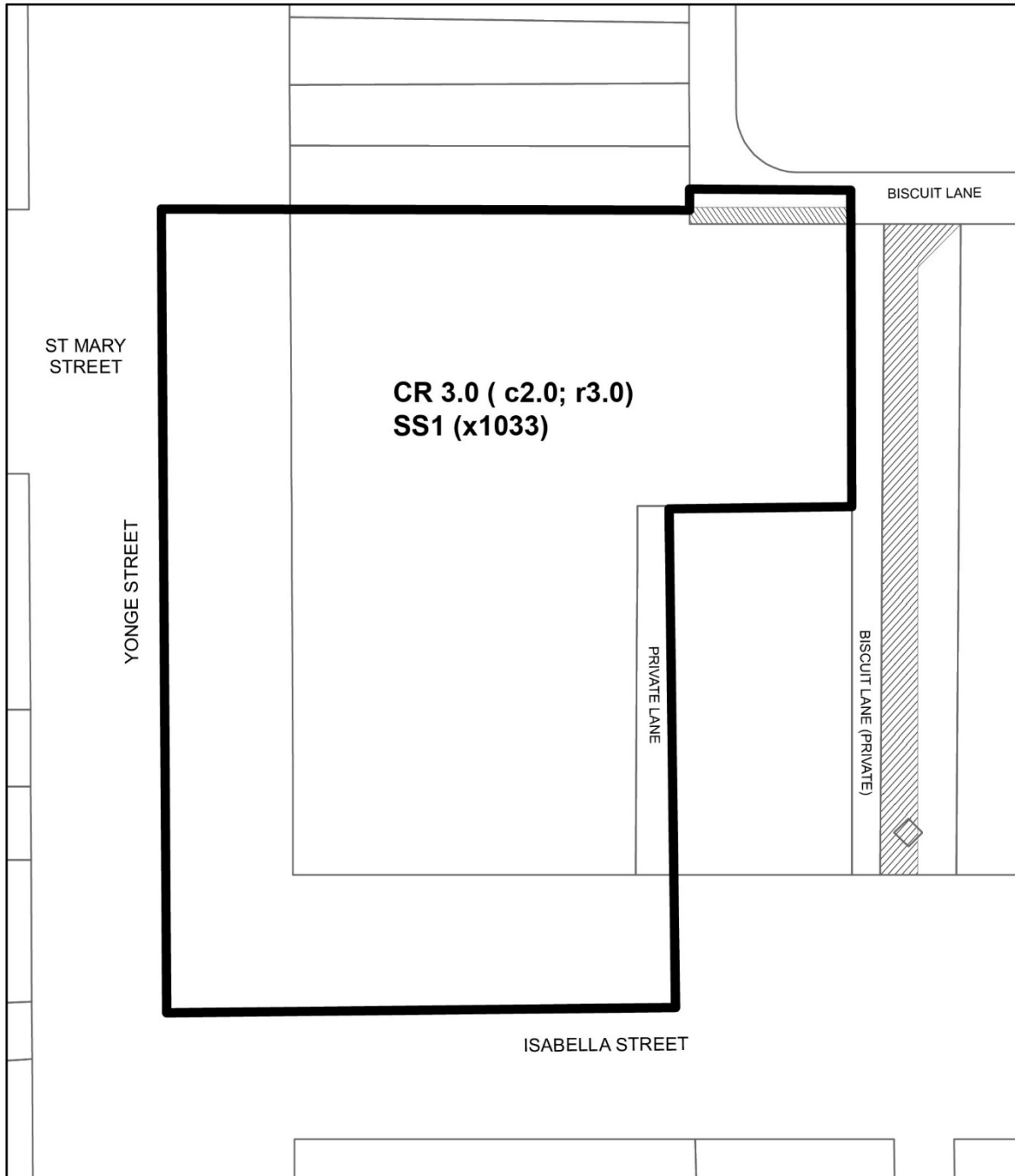


 **TORONTO**
Diagram 1

639-653 Yonge Street
File # 22 204279 STE 13 0Z



 Stratified Lane Conveyance
 Private Lane Widening


City of Toronto By-law 569-2013
Not to Scale
09/13/2024







Toronto
Diagram 2

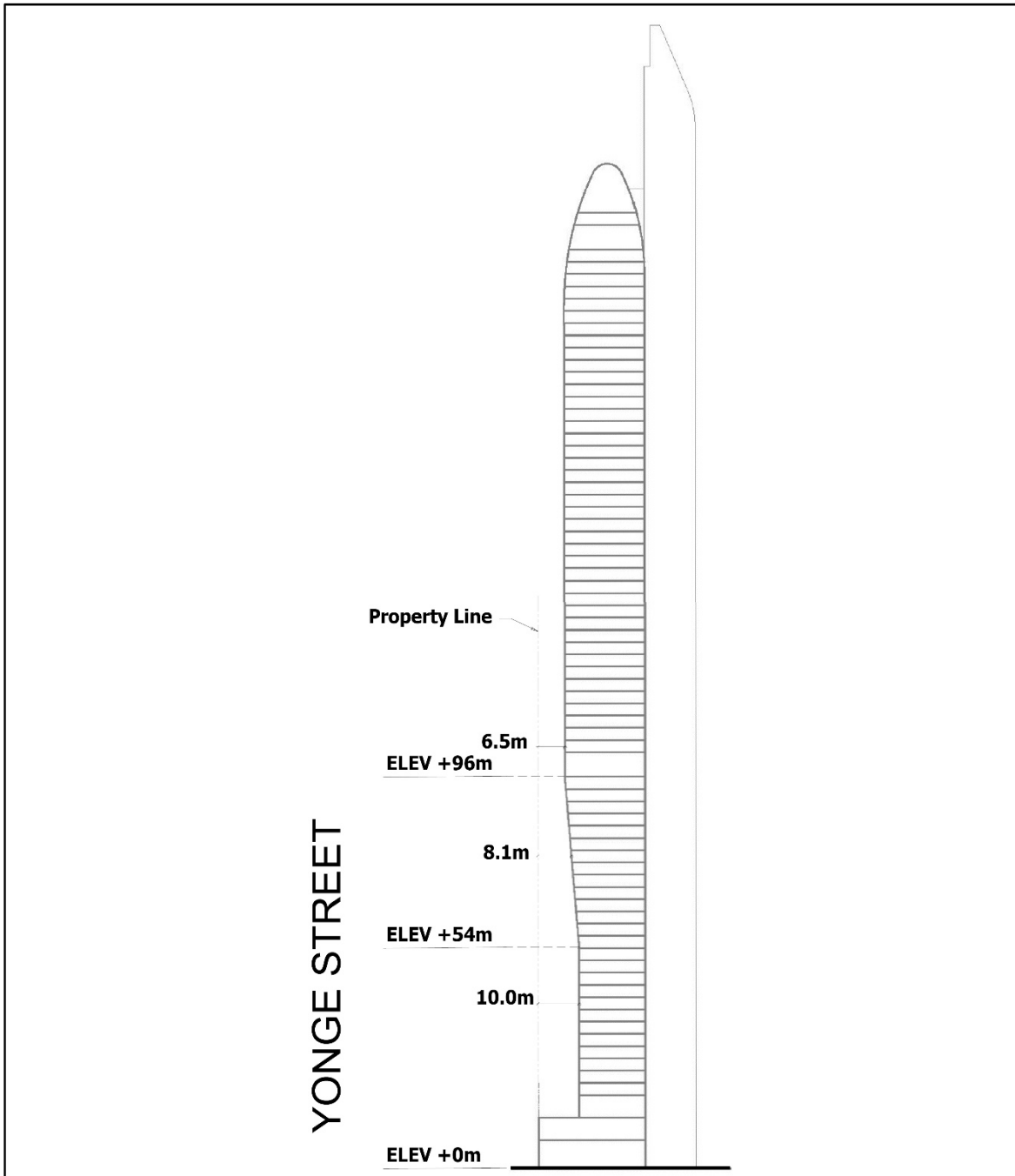
639-653 Yonge Street
File # 22 204279 STE 13 02

-  Stratified Lane Conveyance
-  Private Lane Widening

City of Toronto By-law 569-2013
Not to Scale
09/13/2024



 **Projecting Balcony Area**
 **Inset Balcony Area**
 **Stratified Lane Conveyance**
 **Private Lane Widening**



 **TORONTO**
Diagram 4

639-653 Yonge Street
File # 22 204279 STE 13 0Z