

Authority: Toronto East York Community Council Report No. 8, Clause No. 30, adopted as amended, by City of Toronto Council on September 22, 23, 24 and 25, 2003  
Enacted by Council: September 24, 2003

## CITY OF TORONTO

### BY-LAW No. 895-2003

**To amend the General Zoning By-law No. 438-86 of the former City of Toronto, as amended, respecting the lands known in the year 2003 as 1001 Queen Street West.**

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

1. District Map 49G-322 contained in Appendix 'A' of By-law No. 438-86, as amended, is hereby further amended by re-designating the lands delineated by heavy lines to "CR", "CR(h)", "G" and "MCR T3.0 C1.0 R2.5" as shown on Map 3.
2. None of the provisions of Section 2(1) with respect to the definition of *grade, ornamental structure* and Sections 4(2)(a), 4(4), 4(6), 4(11), 4(16), 5(1)(a), 8(1)(a), 8(3), 12(1)72 and 12(2)270 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 uses or the erection or use of any buildings or structures for any purpose permitted in Sections 5(1) and 8(1) of By-law No. 438-86 and the additional uses as permitted below on the lands delineated by heavy lines on Map 1 provided that:
  - (a) in addition to the uses permitted in Section 5(1)(a) of By-law No. 438-86, community related uses including *market gardening, accessory* uses and *ornamental structures* shall be permitted on *Blocks* zoned G, as shown on Map 3;
  - (b) notwithstanding any other provisions of this by-law, *Blocks 2a, 3a, 7a and 12* shall only be used for *landscaped open space* and *accessory* uses and structures which includes *ornamental structures*, greenhouses, storage and utility buildings, the existing Storage Building (the location of which is shown on Map 3), retaining walls, curbs, wheelchair ramps, fences, stairs, *market gardening* and *accessory* sales and structures;
  - (c) a minimum of 70,000 square metres of *non-residential gross floor area* shall be provided for one or more of the following uses: *psychiatric hospital, public hospital*, research and development institute and *laboratory class A* uses and any *accessory* uses on the lands delineated by heavy lines on Map 1;
  - (d) no single retail use shall exceed a maximum *non-residential gross floor area* of 1,800 square metres, except that a grocery store shall be permitted up to a maximum *non-residential gross floor area* of 4,650 square metres, provided the *parking spaces* required for the grocery store are located within a building or a portion of a building;
  - (e) in addition to the uses permitted in Section 8(1)(a) of By-law No. 438-86, *a mixed use building, dwelling room, artist live/work studio, designer's studio, performing*

*arts studio, food warehouse, food wholesaling establishment, recycling shop, storage warehouse class A, wholesaling establishment – general, bookbinder’s shop, carpenter’s shop, contractor’s shop, class A, industrial catering service, postal sorting station, security service and business equipment, market garden, ornamental structure and suite hotel and accessory uses thereto shall be permitted on Blocks zoned “CR” as shown on Map 3;*

- (f) no person shall, erect or use a building or structure on *Blocks 3, 4 and 5* within 5.0 meters of the property line abutting Queen Street West unless a minimum of 60% of the length of the building face abutting Queen Street West within the subject *Block* is used for *street-related retail and service uses*, and/or publicly accessible areas of a *psychiatric hospital* and/or a *public hospital* on *Block 5*;
- (g) no part of any building or structure erected or used above finished ground level is located otherwise than wholly within the areas delineated by the heavy lines on Map 4, except the following structures shall be permitted beyond the heavy lines shown on Map 4:
  - (i) eaves, cornices, fences and safety railings, chimney breasts, vents, wheelchair ramps, stairs and landings, retaining walls;
  - (ii) uncovered platforms to a maximum horizontal projection of not more than 1.5 metres and a height not to exceed 1.2 metres above finished ground level;
  - (iii) balconies to a maximum horizontal projection of not more than 1.5 metres;
  - (iv) roofs over a first floor platform or terrace to a maximum horizontal projection of not more than 2.5 metres;
  - (v) canopies to a maximum horizontal projection of not more than 2.5 metres;
  - (vi) bay windows to a maximum horizontal projection of not more than 0.75 metres and with a width not to exceed 3.0 metres; and
  - (vii) notwithstanding Section (vi) above, bay windows on Block 2 shall be permitted beyond the heavy lines shown on Map 4 to a maximum horizontal projection of 0.75 metres and a width not to exceed 7.0 metres;
- (h) No person shall erect or use a *residential building* or a *mixed use building* on a *Block* in which a window of a *dwelling unit* (other than a window of a kitchen or a bathroom) or window of a *dwelling room* in the building is closer than:
  - (i) 11.0 metres to a window of another *dwelling unit* (other than a window of a kitchen or bathroom) or a window of a *dwelling room* on the same *Block*;

- (ii) the requirements of Section (i) above shall not apply to windows on walls which form an angle of 90 degrees or greater to each other, on a horizontal plane;
- (i) no part of any building or structure to be erected shall exceed the *height* limits specified by the numbers following the symbol “H” as shown on Map 4, but, such *height* limits do not prevent the erection or use of the building elements or structures identified in Section 4(2) of By-law No. 438-86, subject to the limitations contained therein, except for *Block 2* which is dealt with in Section 2(j) below;
- (j) no part of any building or structure to be erected on *Block 2* shall exceed the *height* limits specified by the numbers following the symbol “H” as shown on Map 4, but this does not prevent the erection or use on *Block 2* of the following:
  - (i) a stair tower, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment on the roof of a building, or a fence, wall or structure enclosing such elements, provided:
    - A. the maximum *height* of the top of such elements or enclosure is not higher than the sum of 6.0 metres and the *height* limit applicable to the *Block*;
    - 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 40% 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 6.0 metres of a boundary of a *Block* that is a *street* line, does not exceed 60% of the width of the main wall of the building facing the *Block* boundary, provided the width is to be measured parallel to the *Block* boundary;
  - (ii) structures identified in Section 4(2)(a)(ii) of By-law No. 438-86, subject to the limitations contained therein;
  - (iii) parapets to a maximum vertical projection of 1.07 metres;

- (k) the number of *parking spaces* shall be provided in accordance with Section 4(4)(b) of By-law No. 438-86, except for the following uses which shall be subject to the following minimum standards:
- (i) *parking spaces* for a *residential building* or that portion of a building containing *dwelling units*, except *alternative housing*, shall be provided on the *Block* containing the use for which the *parking spaces* are to be provided and maintained at the rate of:
    - A. 0.3 *parking space* for each *bachelor dwelling unit*;
    - B. 0.7 *parking space* for each one *bedroom dwelling unit*;
    - C. 1.0 *parking space* for each two *bedroom dwelling unit*;
    - D. 1.2 *parking spaces* for each *dwelling unit* containing three or more *bedrooms*; plus,
    - E. 0.12 *parking space* for each *dwelling unit* for visitors;
  - (ii) *parking spaces* for a *psychiatric hospital*, *public hospital*, research and development institute and *laboratory class A* and any *accessory* uses shall be provided and maintained at a rate of 1 *parking space* per 181 square metres of *non-residential gross floor area* and shall be calculated based on the total *non-residential gross floor area* devoted to such uses on the lands delineated by heavy lines on Map 1;
- (l)
- (i) *parking spaces* for non-residential uses shall be provided on the same *Block* containing the use for which the *parking spaces* are to be provided or within 300 metres of that *Block*; and
  - (ii) employee parking for a *psychiatric hospital*, *public hospital*, research and development institute and *laboratory class A* and any *accessory* uses, shall be provided on any of the lands delineated by heavy lines on Map 1, excluding *streets* and *Blocks 1, 3A, 6, 7A, 12 and 13*;
- (m) loading spaces shall be provided in accordance with Section 4(6) of By-law No. 438-86;

- (n) notwithstanding Section (m) above, loading spaces for *psychiatric hospital, public hospital, research and development institute and laboratory class A* and any *accessory* uses shall be provided in accordance with the following:
  - (i) the number and type of loading spaces shall be provided in accordance with Schedule 1 of Section 4(5) of By-law No. 438-86 and shall be located on the same *Block* as the use; or
  - (ii) where two or more *Blocks* are connected by a *service tunnel*, the following shall also apply:
    - A. the number and type of loading spaces shall be calculated based on the total *non-residential gross floor area* on the *Blocks* connected by a *service tunnel*; and
    - B. the loading spaces may be located on any of the *Blocks* connected by a *service tunnel*;
  - (iii) notwithstanding the foregoing provisions of Sections (i) and (ii) above, 2 *loading spaces – type C* shall be provided on *Block 2*, of which one loading space may be partially located on *Block 11*.
- 3. Notwithstanding any provisions of this By-law, any uses existing as of the date of this By-law, *psychiatric hospital, public hospital, research and development institute, laboratory class A* uses and any *accessory* uses are permitted within the lands delineated by heavy lines on Map 1, and may be located anywhere within those lands and/or in any buildings or structures erected prior to the passing of this By-law.
- 4. *Blocks* zoned “CR(h)” shall not be used for any purpose permitted by Section 2 of this By-law until the “(h)” symbol has been removed from all or part of a *Block*. An amending by-law to remove the “(h)” symbol shall be enacted by Council when the following conditions have been fulfilled to the satisfaction of Council:
  - (a) the execution of a subdivision agreement or other agreement(s) to secure matters such as, but not limited to the phasing of transportation and servicing improvements, the submission of an addendum traffic assessment which includes a grocery store with a *non-residential gross floor area* over 3,360 square metres, the provision of community services and facilities and the provision of public parks in connection with the *Blocks* or portion of the *Blocks* designated “CR(h)” on Map 3; and
  - (b) the execution of heritage easement agreement(s) to secure matters with respect to the historic wall located on *Blocks 1, 6, 7a, 11, 12 and 13*.

**5. Definitions:**

- (a) For the purpose of this By-law, the terms set forth in italics, subject to Section 5(b) of this By-law, have the same meaning as such terms have for the purposes of By-law No. 438-86, as amended;
- (b) the following definitions shall apply:
  - (i) “*Block(s)*” means any or all of the Blocks defined in Section 5(b)(ii) below, as the case may be;
  - (ii) “*Block 1, Block 2, Block 2a, Block 3, Block 3a, Block 4, Block 5, Block 6, Block 7, Block 7a, Block 8, Block 9, Block 10, Block 11, Block 12 and Block 13*” means the areas identified as “*Block 1, Block 2, Block 2a, Block 3, Block 3a, Block 4, Block 5, Block 6, Block 7, Block 7a, Block 8, Block 9, Block 10, Block 11, Block 12 and Block 13*” respectively, on Map 2 appended hereto;
  - (iii) “*grade*” means the average elevation of the finished ground level adjoining the *front wall* of a building;
  - (iv) “*ornamental structure*” means an ornamental fountain or other such structure, a statue, monument, cenotaph, historically designated walls, outdoor art structure, or other memorial except a mausoleum or columbarium; and
  - (v) “*service tunnel*” means a connection below finished ground level between buildings on different *Blocks* which provides for the movement of goods.

- 6.** Despite any existing or future severance, partition, or division of any *Block*, the provisions of this By-law shall apply to the whole of each of the *Blocks* as if no severance, partition or division occurred.

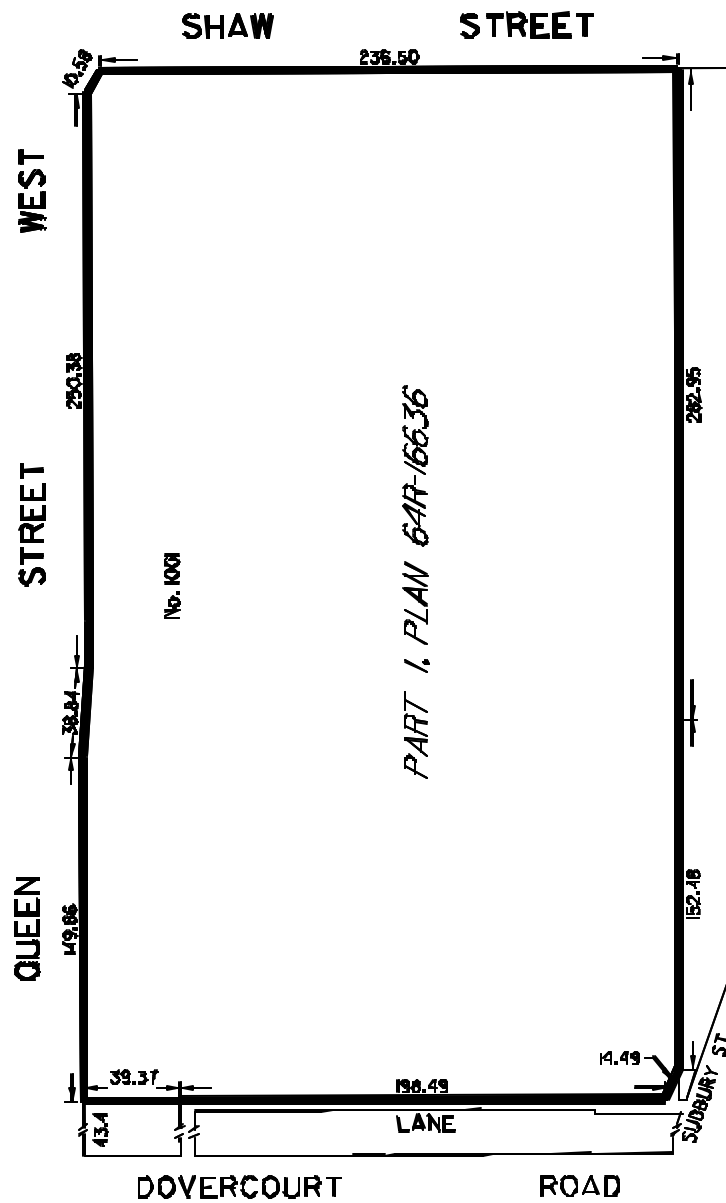
ENACTED AND PASSED this 24th day of September, A.D. 2003.

CASE OOTES,  
Deputy Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

## MAP 1



25 0 25 50 METRES



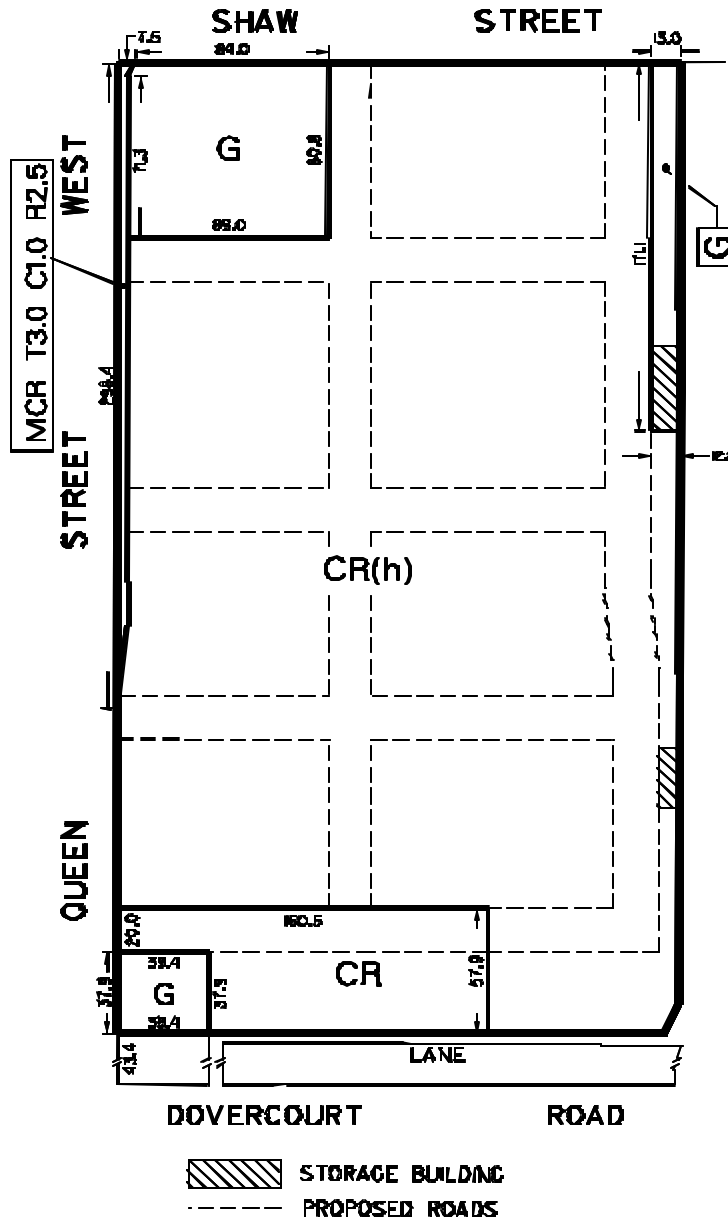
WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO SEPTEMBER 22, 2003  
BLG3/1001001.DGN  
FILES: 02-200 & 2402.53-3  
MAP No. 49G-322 DRAWN: D.A.

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WORKS AND EMERGENCY SERVICES  
SURVEY AND MAPPING SERVICES  
TORONTO SEPTEMBER 23, 2003  
BLO3/10010U2.DGN  
FILES: 02-ZB0 & 2402-53-3  
MAP No. 49G-322 DRAWN: W.S.



## MAP 3

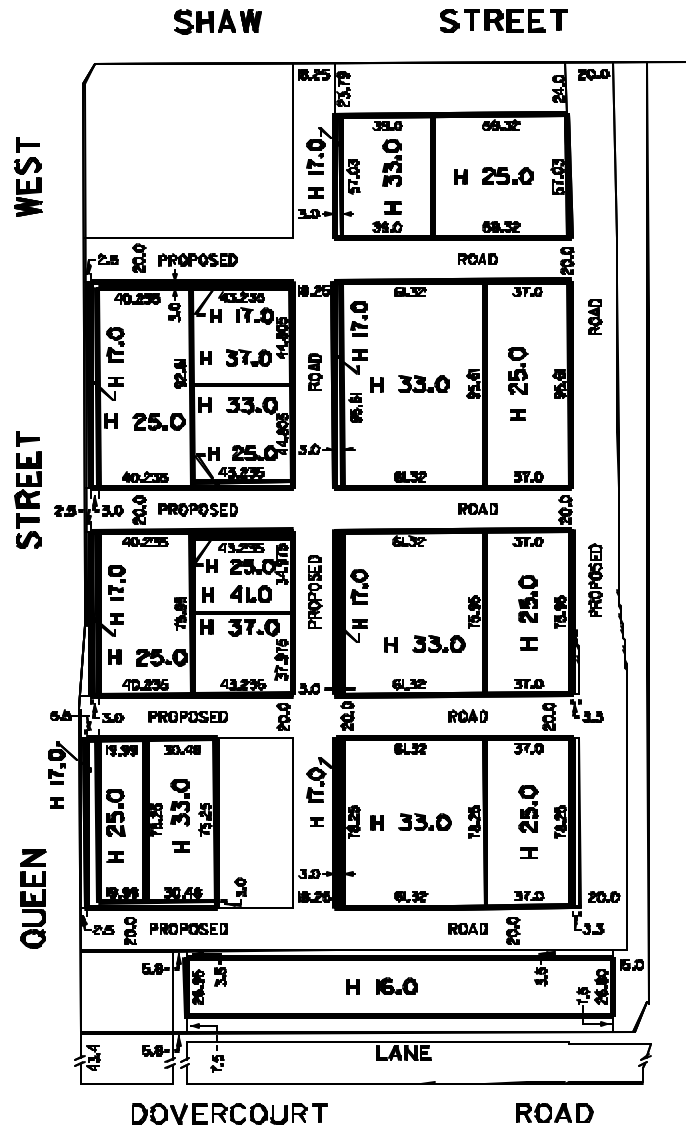


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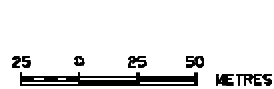


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SURVEY AND MAPPING SERVICES  
TORONTO SEPTEMBER 23, 2003  
BL03/100140134.DGN  
FILES: 02-280 & 2402-53-3  
MAP No. 498-322 DRAWN: W.S.

# MAP 4



H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE



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TORONTO SEPTEMBER 22, 2003  
BLOS/1001004.DGN  
FILES: 02-280 & 2402-53-3  
MAP No. 490-322 DRAWN: E.S.