

Authority: Toronto and East York Community Council  
Item TE4.13, adopted as amended, by City of Toronto  
Council on May 10, 11 and 12, 2023  
City Council voted in favour of this by-law on June 15,  
2023

## CITY OF TORONTO

### BY-LAW 596-2023

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 25 St. Mary 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 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; and

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

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, 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 outlined by heavy black lines from a zone label of R (d2.0) (x501) to a zone label of CR 4.0 (c.1.0, r.4.0) SS1 (x857), and O, 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 857 so that it reads:

(857) Exception CR (857)

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 25 St. Mary Street, if the requirements of By-law 596-2023 are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (FF) below;

- (B) 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 113.5 metres and the elevation of the highest point of the **building** or **structure**;
- (C) In addition to the uses permitted in Regulation 40.10.20.10(1) a "geo-energy facility" is permitted;
- (D) Despite Regulation 40.10.20.20(1)(A), an **outdoor patio** is not subject to Regulation 40.10.20.100(21)(A),(D), and (F);
- (E) Despite Regulation 40.10.20.100(33), 150.100.20.1(1)(A) there is no maximum interior floor area for the uses noted in 150.100.20.1(1)(A)(vi);
- (F) Despite Regulation 40.10.20.40(1), **dwelling units** are permitted in an **apartment building** or **mixed-use building** on the lot;
- (G) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** or below non-residential use portions of the **building**;
- (H) For the purposes of this exception, a mezzanine does not constitute a **storey**;
- (I) 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" as shown on Diagram 3 of By-law 596-2023;
- (J) Despite Regulations 40.5.40.10 (3), (4), (5)(B), (6), (7) and (8) and (I) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law 596-2023:
  - (i) Elements on or above any roof used for elevator-related structural elements and elevator shafts, cooling towers, antennae, and building maintenance units by a maximum of 5.0 metres;
  - (ii) Elements on or above any roof used for chimneys, pipes, flues, stacks, vents, enclosed stairwells, renewable energy facilities and devices, window washing equipment, and roof access by a maximum of 3.0 metres;
  - (iii) Elements on or above any roof used for ornamental or architectural features, parapets and elements, by a maximum of 3.0 metres;
  - (iv) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) and (ii) above, by a maximum of 3.0 metres;
  - (v) Elements on or above any roof used for lightning rods by a maximum of 5.0 metres;

- (vi) **structures** associated with a **green roof** by a maximum of 3.0 metres;
  - (vii) trellises, pergolas, louvres associated with rooftop amenity space and **day nursery** outdoor space, and unenclosed structures providing safety or wind protection to rooftop amenity space and **day nursery** outdoor space by a maximum of 6.0 metres; and
  - (viii) planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace by a maximum of 3.0 metres;
- (K) Despite (I) above, no part of a **building**, except for any structural elements and associated cladding, may be located between the Canadian Geodetic Datum elevation of 113.5 metres and:
- (i) a minimum vertical clearance of 3.0 metres in the shaded area on Diagram 3 of By-law 596-2023; and
  - (ii) a minimum vertical clearance of 9.0 metres in the hatched area on Diagram 3 of By-law 596-2023;
- (L) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 85,600 square metres, subject to the following:
- (i) the required minimum **gross floor area** for non-residential uses is 1,010 square metres, of which;
    - (a) the required minimum **interior floor area** for a **day nursery** is 710 square metres;
- (M) Despite Regulation 150.45.40.1(1), a **day nursery** use may be located on the first or second **storey** of a **building**;
- (N) In addition to the elements listed in Regulation 40.5.40.40(3), the **gross floor area** of a **building** may also be reduced by the following areas:
- (i) storage rooms, washrooms, electrical, utility, service corridors, mechanical and ventilation rooms, moving rooms, mail / parcel room, bicycle parking, firefighter central alarm control facilities (CACF), below-ground at, or above-ground; and
  - (ii) indoor **amenity space** to a maximum of 2.25 square meters per **dwelling unit**;
- (O) Despite Regulation 40.10.40.50(1) and (2), a **building** with 20 or more **dwelling units** must provide **amenity space** on the **lot** at the following rate:

- (i) at least 2.25 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 1.25 square metres of outdoor **amenity space** for each **dwelling unit**;
  - (iii) a maximum of 0.5 square metres per **dwelling unit** of indoor **amenity space** may be located below-ground; and
  - (iv) no more than 25 percent of the outdoor component may be a **green roof**;
- (P) Despite Regulation 40.5.40.70(1), 40.10.40.70(1), and Article 600.10.10 the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law 596-2023;
- (Q) Despite Regulation 40.10.40.80(1), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law 596-2023;
- (R) Despite Clause 40.10.40.60, (P) and (Q) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) Balconies may encroach a maximum of 1.5 metres provided they:
    - (a) are not located on **main walls** of the West Building that are within 2.5 metres of the intersection of two **main walls**, as shown on Diagram 3 of By-law 596-2023, at and above 35.0 metres in height;
    - (b) do not occupy more than 50 percent of the length of any **main wall** of the West Building as shown on Diagram 3 of By-law 596-2023 at and above 35.0 metres in height;
    - (c) are not located on **main walls** of the East Building that are within 2.5 metres of an area of the East Building where two main wall adjoin, as shown on Diagram 3 of By-law 596-2023 at and above 22.0 metres in height; and
    - (d) do not occupy more than 50 percent of the length of any **main wall** of the East Building as shown on Diagram 3 of By-law 596-2023 at and above 22.0 metres in height;
  - (ii) exterior stairs, access ramps and elevating devices, by a maximum of 1.0 metre;
  - (iii) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.0 metre;

- (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1 metre;
  - (v) window projections, including bay windows and box windows, by a maximum of 1.0 metre;
  - (vi) eaves, by a maximum of 1.0 metre;
  - (vii) a dormer, by a maximum of 1.0 metre;
  - (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metre; and
  - (ix) canopies and awnings with or without support,
    - (a) to the same extent as the platform it is covering; and
    - (b) if it is not covering a platform, the canopy or similar **structure** to a maximum of 2.5 metres if it is no closer than 0 metres from a lot line;
- (S) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 20 percent of the required **parking spaces** may be obstructed as described in Regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (T) Despite Regulation 200.5.1.10(2), a maximum of 20 percent of the total number of **parking spaces** may have the following minimum dimensions:
- (i) minimum width of 2.4 metres;
  - (ii) minimum length of 5.4 metres; and
  - (iii) minimum vertical clearance of 1.8 metres;
- (U) Despite Regulations 200.5.1.10(2)(A) and (D), Electric Vehicle Infrastructure, including electric vehicle supply equipment, does not constitute an obstruction to a **parking space**;
- (V) Despite Regulation 200.5.10.1(1), (4), (5), and (6), and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 0 residential occupant **parking spaces** for each **dwelling unit**;
  - (ii) a minimum 2.0 **parking spaces** plus 0.01 **parking spaces** per **dwelling unit** for residential visitors;

- (iii) a minimum 2.0 "car-share parking spaces";
  - (iv) a minimum of 1 **parking spaces** for the **day nursery** use; and
  - (v) a minimum of 0 **parking spaces** for non-residential uses;
  - (vi) for the purpose of this exception, "car-share" or "car-sharing" means the practice where a number of people share the use of one or more motor **vehicles** that are owned by a profit or nonprofit car-sharing organization and where such organization may require that use of motor **vehicles** be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable; and
  - (vii) for the purpose of this exception, "car-share parking space" means a **parking space** that is reserved and actively used for "car-sharing";
- (W) Despite Regulation 200.5.10.1(1) and Regulation (V)(ii), "car share parking spaces" may replace **parking spaces** otherwise required for visitors;
- (X) Despite Regulations 200.15.10(1) and (2), a minimum of 2 of the required **parking spaces** on the **lot** must be accessible **parking spaces**;
- (Y) Despite Regulations 220.5.10.1 (1), (2), (3), **loading spaces** must be provided as follows:
- (i) A minimum of 1 Type "G" **loading space**; and
  - (ii) A minimum of 1 Type "C" **loading space**;
- (Z) Despite regulation 230.5.1.10(4)(A), the required minimum dimensions of a **bicycle parking space** is:
- (i) length of 1.7 metres;
  - (ii) width of 0.3 metres; and
  - (iii) vertical clearance of 1.9 metres;
- (AA) An area used to provide **bicycle parking spaces** must have a minimum vertical clearance of 2.4 metres if it is a **stacked bicycle parking space** and 1.9 metres in all other cases;
- (BB) A **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device must have a minimum length or vertical clearance of 1.9 metres, minimum width of 0.4 metres, and minimum horizontal clearance from the wall of 1.2 metres;

- (CC) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;
- (DD) Despite Regulation 230.5.1, "short-term" **bicycle parking spaces** may be located below-ground, and at and above-ground up to and including the second **storey**;
- (EE) 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 bedrooms;
  - (ii) A minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
  - (iii) 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**;
  - (iv) Convertible **dwelling units** as described in (EE)(iii) above, may be converted using accessible or adaptable design measures, such as knock-out panels; and
  - (v) None of the above apply to rental replacement **dwelling units** provided in accordance with Section 111 of the Municipal Code.
- (FF) For the purpose of this exception, a "geo-energy facility" means premises containing devices to generate **geo-energy** for the exclusive use of the **building**.

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 or use of a temporary sales office, which means a building, structure, facility, trailer, or portion thereof used exclusively for the purpose of the sale, leasing or rental of dwelling units or non-residential units to be constructed on the lot, on the lands subject to this By-law for a period of not more than three years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

Enacted and passed on June 18, 2023.

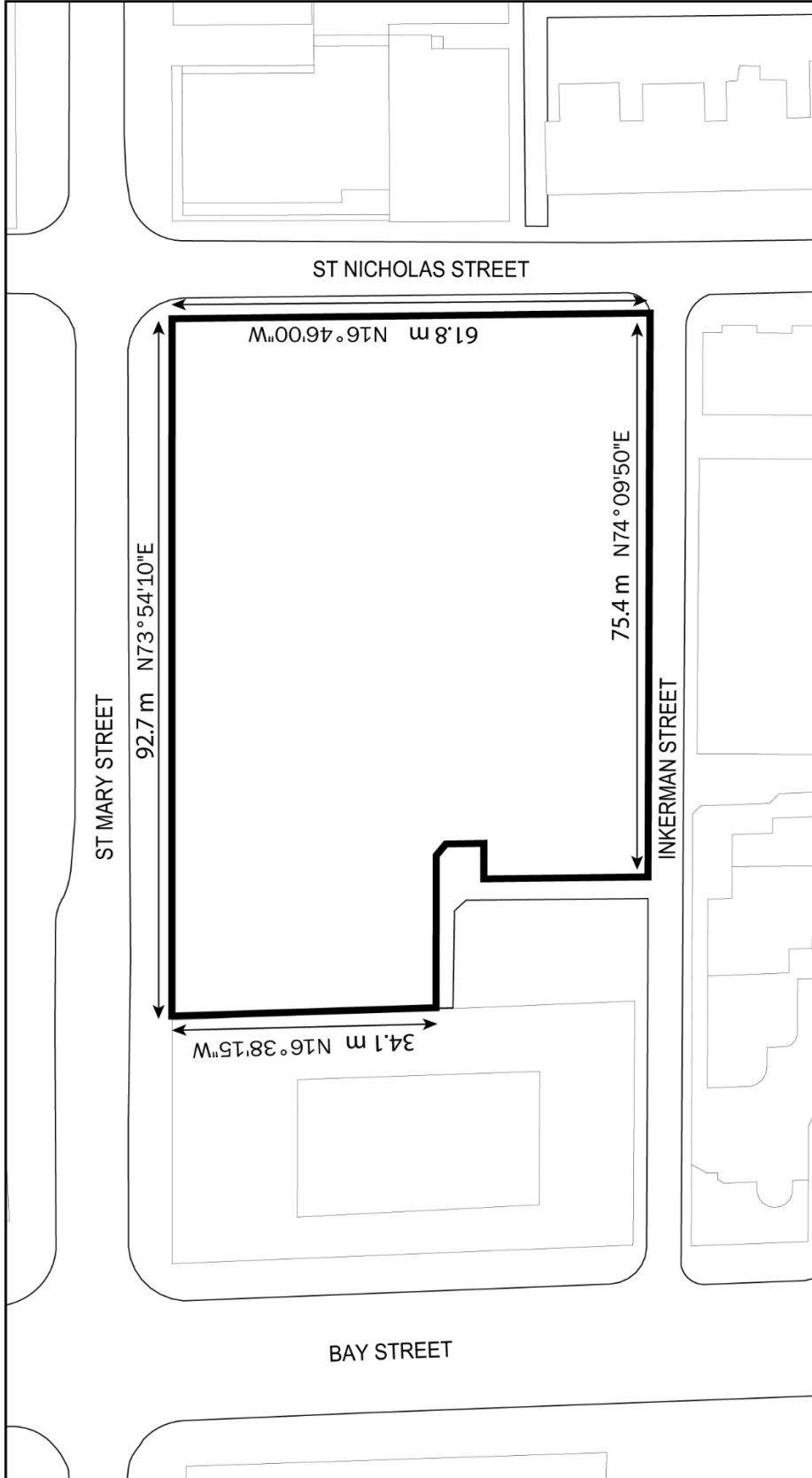
Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)



Diagram 1

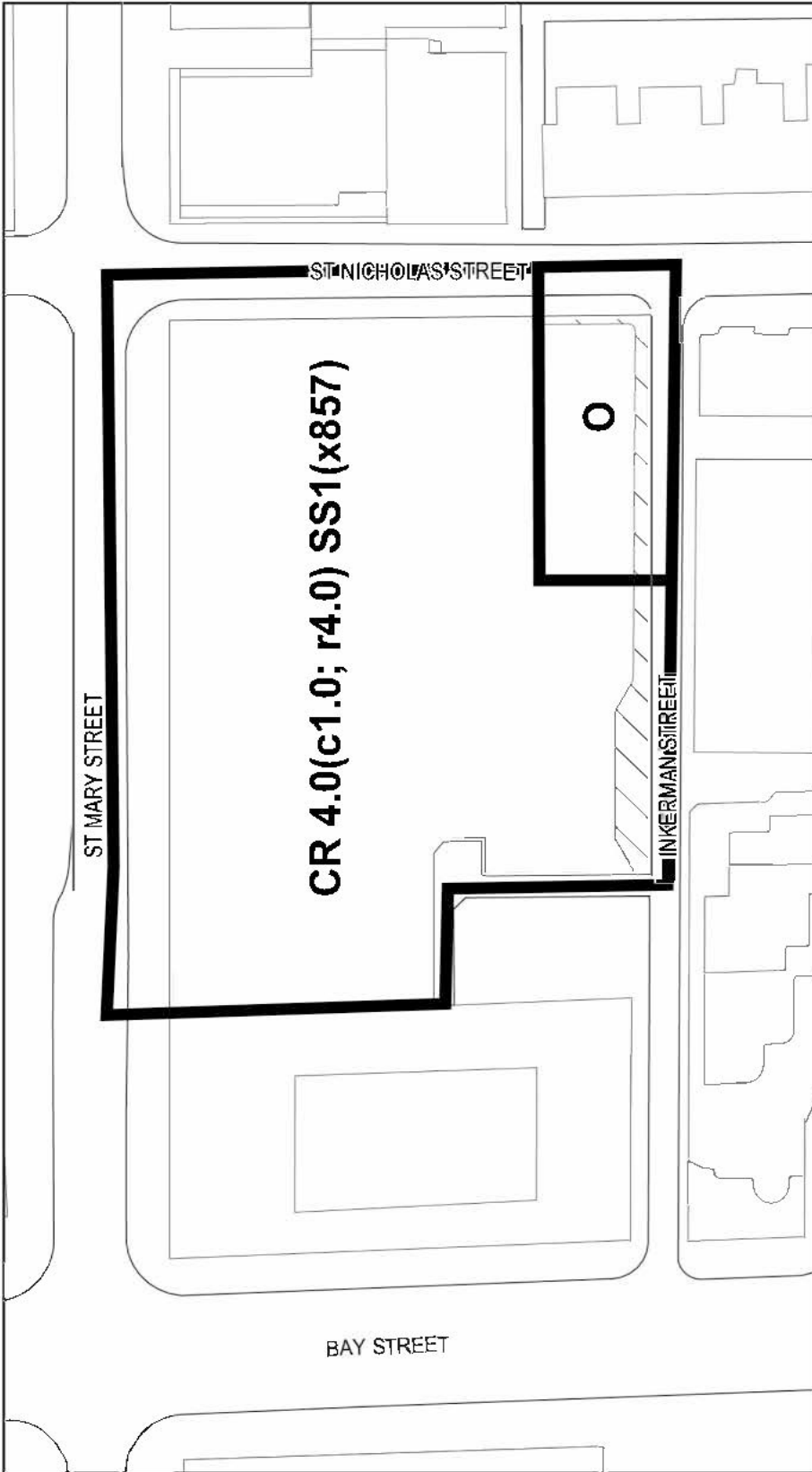


**25 St Mary Street**  
 File # 21 166606 STE 13 OZ

**Toronto**  
 Diagram 1



Diagram 2



 **TORONTO**  
Diagram 2

**25 St Mary Street**  
File # 21 166606 STE 13 0Z

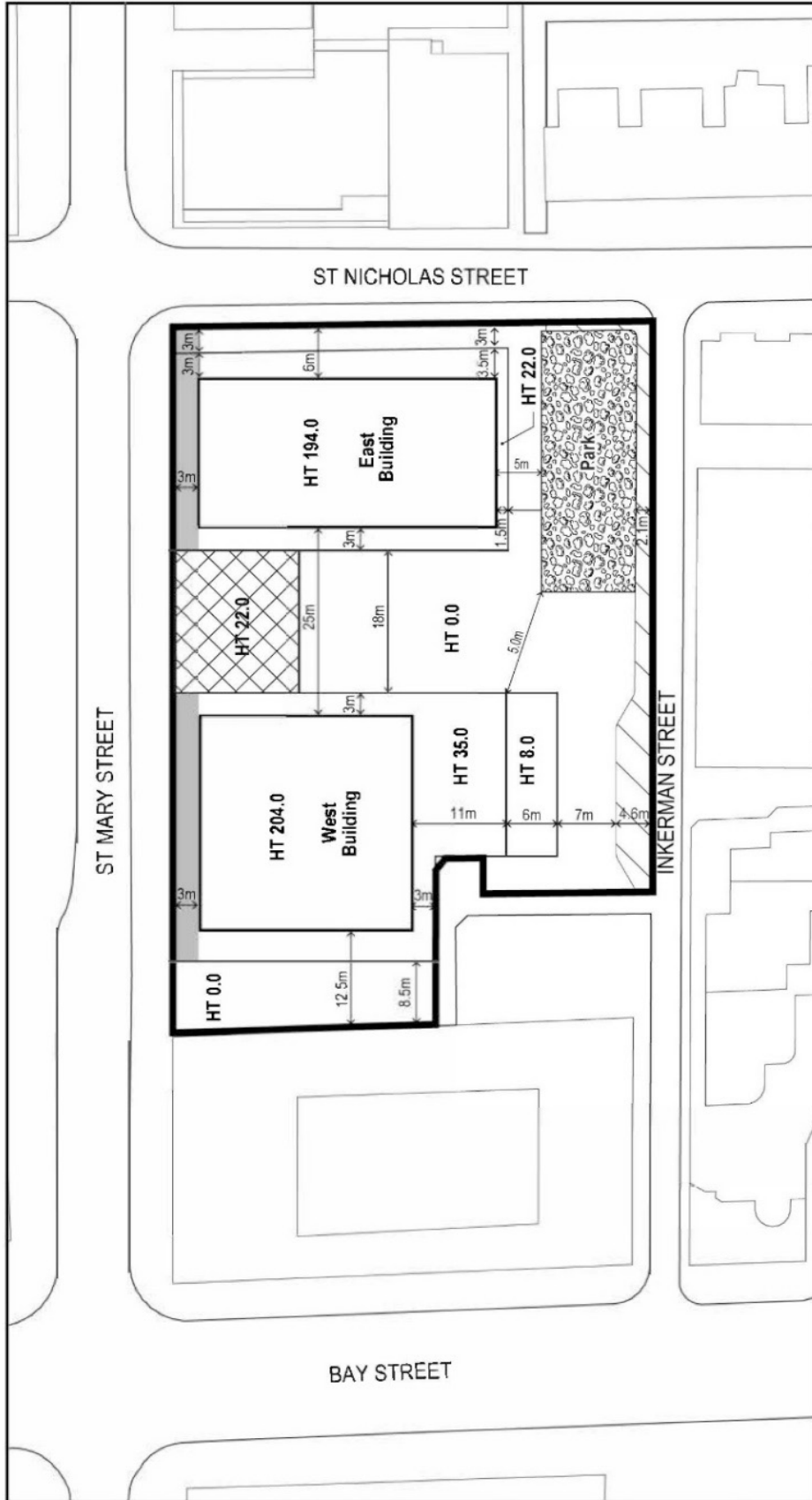


Road Widening







City of Toronto By-law 569-2013  
Not to Scale  
03/09/2023

Diagram 3



**Toronto**  
 Diagram 3

**25 St Mary Street**  
 File # 21 166606 STE 13 0Z

-  Hatched area referred to in provision (K)(ii)
-  Shaded Area referred to in provision (K)(i)
-  Road Widening
-  Parkland Dedication

