

Authority: Toronto and East York Community Council item TE4.13, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

BY-LAW ###-YEAR

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 [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (CC) 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) 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);
- (D) 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) ;
- (E) Despite Regulation 40.10.20.40(1), **dwelling units** are permitted in an **apartment building** or **mixed-use building** on the **lot**;
- (F) 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**;
- (G) For the purposes of this exception, a mezzanine does not constitute a **storey**.
- (H) 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 [Clerks to insert By-law ##];
- (I) Despite Regulations 40.5.40.10(3) to (8) and (H) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law ##]:
- (i) Elements on or above any roof used for elevator related structural elements and elevator shafts, chimneys, flues, stacks, vents, enclosed stairwells, cooling towers, electrical, utility, mechanical, ventilation equipment, maintenance equipment storage and roof access by a maximum of 9.8 metres;
 - (ii) Elements on or above any roof used for building maintenance units and window washing equipment, ornamental or architectural features, parapets, and elements, renewable energy facilities and devices by a maximum of 9.8 metres;
 - (iii) **structures** that enclose, screen or cover the equipment,

- structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 9.8 metres;
- (iv) Elements on or above any roof used for lightning rods by a maximum of 14.8 metres;
 - (v) **structures** associated with a **green roof** by a maximum of 9.8 metres;
 - (vi) trellises, pergolas, louvres, and unenclosed structures providing safety or wind protection to rooftop amenity space by a maximum of 6.0 metres;
 - (vii) planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace by a maximum of 3.0 metres;
 - (viii) **Structures**, elements or enclosures listed in Regulation (Q) below;
- (J) 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 [Clerks to insert By-law ##];
 - (ii) a minimum vertical clearance of 9.0 metres in the hatched area on Diagram 3 of By-law [Clerks to insert By-law ##];
- (K) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 82,000 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;
- (L) Despite Regulation 150.45.40.1(1), a **day nursery** use may be located on the first or second **storey** of a **building**;
- (M) 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**;
- (N) 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**;
- (O) 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 [Clerks to insert By-law ##];
- (P) Despite Regulation 40.10.40.80(1), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];
- (Q) Despite Clause 40.10.40.60, (O) and (P) 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:
- (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 [Clerks to supply By-law #], at and above 33.0 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 [Clerks to supply By-law #] at and above 33.0 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 [Clerks to supply By-law #] at and above 20.0 metres in height;

(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 [Clerks to supply By-law #] at and above 20.0 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; and
- (viii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metre;
- (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; and
- (x) **Structures**, elements or enclosures listed in Regulation (I) above;
- (R) 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**;
- (S) 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;
- (T) 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**;
- (U) 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;
- (V) Despite Regulation 200.5.10.1(1) and Regulation (U(ii), "car share parking spaces" may replace **parking spaces** otherwise required for visitors;
- (W) 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**;
- (X) 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**;

- (Y) 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;

- (Z) 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;

- (AA) 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;

- (BB) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;

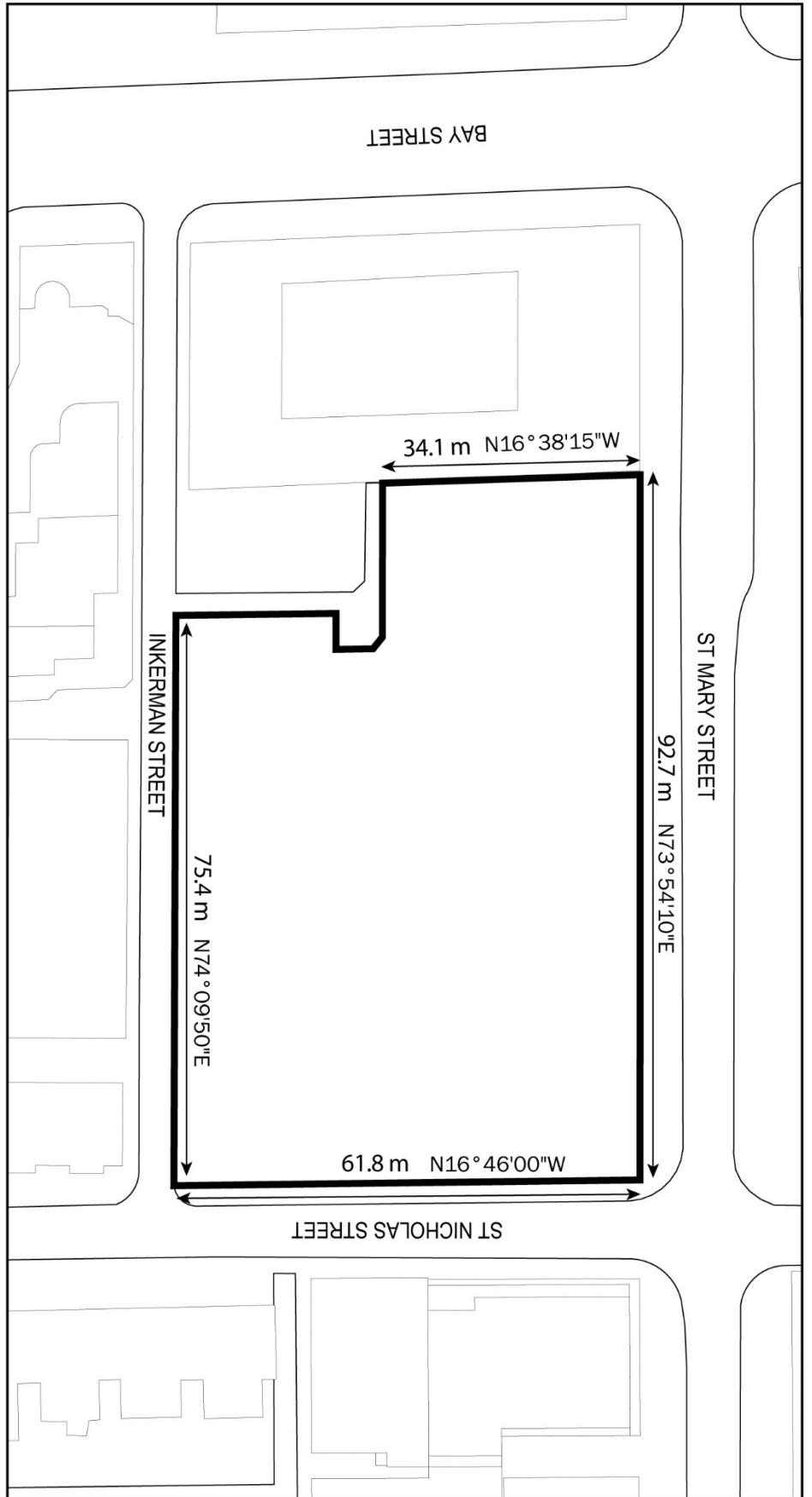
- (CC) Despite Regulation 230.5.1, "short-term" **bicycle parking spaces** may be located belowground, and at and above ground up to and including the second **storey**.

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

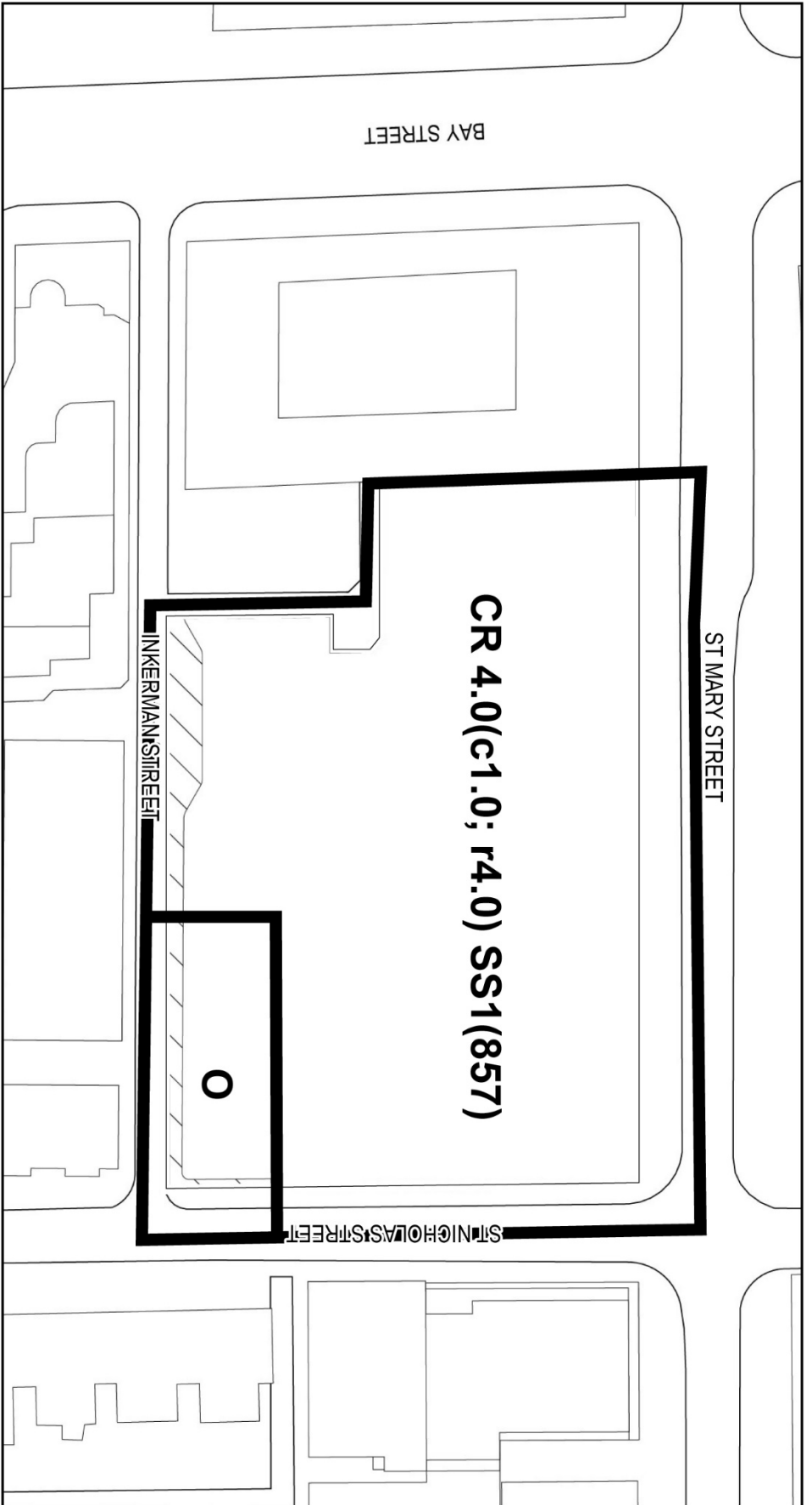
- 6. None of the provisions of By-law 569-2013, as amended, apply to prevent the erection or use of a temporary sales office on the lands subject to this By-law, which means a building, structure, facility, trailer, or portion thereof used exclusively for the purpose of the sale, leasing or rental of dwelling units or non-residential units to be constructed on the lot

 **Toronto**
Diagram 1



25 St Mary Street
File # 21 166606 STE 13 OZ





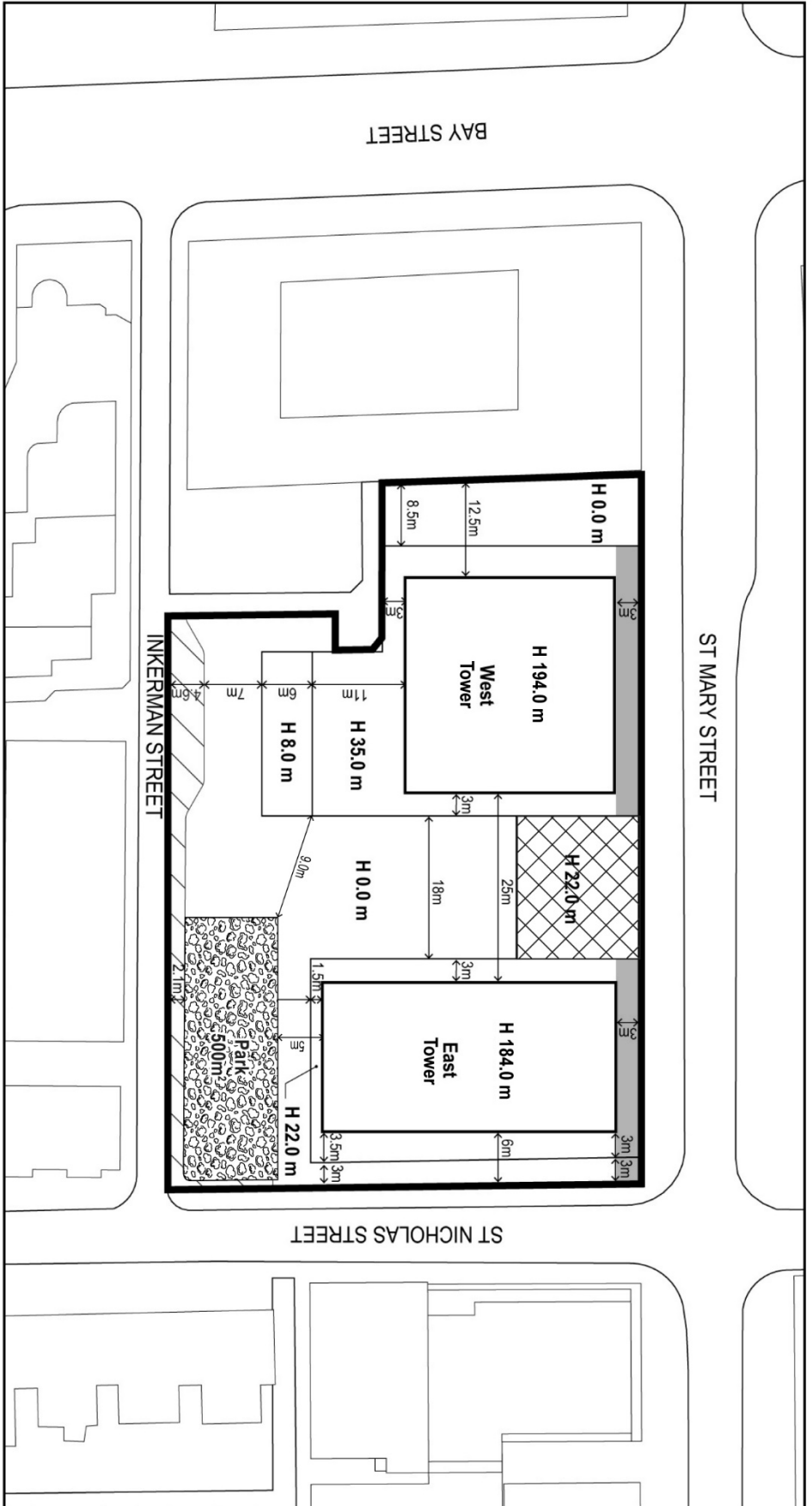
 **Toronto**
Diagram 2

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







Road Widening





Toronto
 Diagram 3

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

-  Road Widening
-  No building or structure permitted below a height of 9.0m
-  Parkland Dedication
-  No building or structure permitted below a height of 3.0m

