

Authority: Toronto and East York Community Council Item [-], as adopted by City of Toronto Council on ~, 20~

## **CITY OF TORONTO**

### **BY-LAW ~~XXX~~-2025**

#### **To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2024 as 604-610 Bay Street and 130 Elizabeth 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;

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, as amended;

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once the holding symbol "(H)" is removed by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)".

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagrams 1 and 2 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 labels on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from zone labels of CR 6.0 (c2.0; r6.0) SS1 (x2329), CR 6.0 (c2.0; r6.0) SS1 (x1317) and CR 7.8 (c2.0; r7.8) SS1 (x2308) to a zone label of CR 7.8 (c2.0; r7.8) SS1 (x1118) as shown on Diagram 4 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number CR 1118, so that it reads:

(1118) Exception CR 1118

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 lands municipally known as 604-610 Bay Street and 130 Elizabeth Street, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (DD) below;
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is:
  - (i) for the West Block shown on Diagrams 3 and 5 of By-law [Clerks to insert By-law number], the distance between the Canadian Geodetic Datum of 94.0 metres and the elevation of the highest point of the **building** or **structure**; and
  - (ii) for the East Block shown on Diagrams 3 and 6 of By-law [Clerks to insert By-law number], is measured from the orthometric elevation of 94.0 metres with reference to the Canadian Vertical Datum Pre 1978 Adjustment (CGVD28:PRE78) to the highest point of the **building** or **structure**;
- (C) 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 Diagrams 5 and 6 of By-law [Clerks to insert By-law number];
- (D) Despite Regulations 40.5.40.10(3) to (8) and (C) above, the following equipment and **structures** may project beyond the permitted maximum heights:
  - (i) for the West Block, shown on Diagram 5 of By-law [Clerks to insert By-law number]:
    - (a) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, chimneys and vents, by a maximum of 3.1 metres;
    - (b) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (a) above,

including a mechanical penthouse, by a maximum of 3.1 metres;

- (c) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.1 metres;
  - (d) **building** maintenance units and window washing equipment, by a maximum of 10.0 metres;
  - (e) planters, **landscaping** features, skylights, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
  - (f) antennae, flagpoles and satellite dishes, by a maximum of 3.5 metres; and
  - (g) trellises, pergolas, and unenclosed **structures** providing safety, noise or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (ii) for the East Block, shown on Diagram 6 of By-law [Clerks to insert By-law number]:
- (a) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, chimneys and vents, by a maximum of 6.0 metres;
  - (b) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (a) above, including a mechanical penthouse, by a maximum of 7.5 metres;
  - (c) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
  - (d) **building** maintenance units and window washing equipment, by a maximum of 10.0 metres;
  - (e) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;

- (f) antennae, flagpoles and satellite dishes, by a maximum of 3.5 metres;
  - (g) trellises, pergolas, and unenclosed **structures** providing safety, noise or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
  - (h) for the portion of the East Block within the Flight Path Zone, all projections noted in D(ii)(a) to (g) above, to an orthometric elevation of 146.5 metres with reference to CGVD2013 or equivalently, 147.02 metres with reference to CGVD28:PRE78;
  - (i) Notwithstanding any provision in this By-law, elements listed in 4D(ii)(a) to (h) above and in Regulations 40.5.40.10(3) to (8) shall conform to the Requirements of By-law 1432-2017 and O. Reg 10/24, as amended or replaced from time to time; and
  - (j) Notwithstanding any provision in this By-law, for the portion of the East Block outside of the Flight Path Zone, all projections noted in 4D(ii)(a) to (h) above, (K) below, and in Regulations 40.5.40.10(3) to (8), which project to an orthometric elevation higher than 146.5 metres with reference to CGVD2013, or equivalently, 147.02 metres with reference to CGVD28:PRE78, shall be set back by a minimum of 2.0 metres to the Flight Path Zone, measured horizontally;
- (E) Regulation 40.10.20.100(1)(A), regarding permitted total **interior floor area** of all **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses** and **take-out eating establishments**, does not apply;
- (F) Regulation 40.10.20.100(15), regarding the permitted total **interior floor area** of a **laboratory**, does not apply;
- (G) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building**;
- (H) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 3.7 metres;

- (I) Despite regulations 40.10.40.40 (1) and (2), the permitted maximum **gross floor area** of all **buildings** and **structures** is 67,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 61,000 square metres; and
  - (ii) the required minimum **gross floor area** for non-residential uses is 6,000 square metres;
- (J) Despite Regulations 40.10.40.70(1) and 40.10.40.80(1) and Article 600.10.10, the required minimum **building setbacks** and separation distances between **main walls** are as shown in metres on Diagrams 5 and 6 of By-law [Clerks to insert By-law number];
- (K) Despite Clause 40.10.40.60 and (J) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) balconies, by a maximum of 0.3 metres;
  - (ii) canopies and awnings, by a maximum of 3.0 metres;
  - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
  - (iv) architectural features, such as a pilaster, parapet, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.5 metres;
  - (v) window projections, including bay windows and box windows, by a maximum of 1.0 metres;
  - (vi) eaves, by a maximum of 1.0 metres;
  - (vii) satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres; and
  - (viii) art and landscape features, pillars, trellises, windowsills, planters, ventilation shafts, guardrails, balustrades, railings, doors, fences, screens, site servicing features, by a maximum of 3.0 metres;
- (L) Despite Regulation 40.5.40.40(3)(E), the gross floor area of a **mixed use building** is reduced by the area in the **building** used for amenity space provided;

- (M) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at a minimum rate of 3.0 square metres for each **dwelling unit**, of which:
- (i) at least 1.8 square metres for each **dwelling unit** is indoor **amenity space**;
- (N) Regulation 40.10.40.50(2) with respect to **amenity spaces** for **buildings** with non-residential uses, does not apply;
- (O) Despite Regulation 200.5.1.10(12), the vehicle entrance and exit for a two-way **driveway** into and out of a **building** must have a minimum width of 5.3 metres;
- (P) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 15 percent of the **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**;
- (Q) Despite Regulation 200.5.10.1(1), Table 200.5.10.1 and Article 200.20.10, **parking spaces** are not required for **dwelling units**, residential visitors or non-residential uses;
- (R) Despite (Q) above, Clause 200.15.10 and Table 200.15.10.5, four accessible **parking spaces** are required, of which:
- (i) two accessible **parking spaces** are required for the West Block shown on Diagram 3; and
  - (ii) two accessible **parking spaces** are required for the East Block shown on Diagram 3;
- (S) Despite Articles 220.5.10.1 and 220.20.1, **loading spaces** must be provided as follows:
- (i) for the West Block shown on Diagram 3, two Type “C” **loading spaces** and one Type “G” **loading space**; and
  - (ii) for the East Block shown on Diagram 3, one Type “G” **loading space**;
- (T) Despite Regulation 220.5.20.1(3)(A), the vehicle entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.3 metres;

(U) Despite Regulation 230.5.1.10(4)(A), the required minimum dimensions of a **bicycle parking space** are:

- (i) length of 1.6 metres;
- (ii) width of 0.4 metres; and
- (iii) vertical clearance of 1.7 metres.

(V) Despite Regulation 230.5.1.10(4)(B) and (C), the required minimum dimensions of a **stacked bicycle parking space** are:

- (i) length of 1.6 metres;
- (ii) width of 0.4 metres; and
- (iii) vertical clearance of 1.1 metres.

(W) Despite Regulation 230.5.1.10(9), “long-term” **bicycle parking spaces**, including those located in a **stacked bicycle parking space**, may be located anywhere in a **building** below grade, and above grade up to and including the second **storey**;

(X) Despite Regulation 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space**;

(Y) Despite Regulation 230.5.1.10(13), **oversized bicycle parking spaces** are not required.

(Z) Despite Regulation 230.5.1.10(14), within areas used for bicycle parking, access to **bicycle parking spaces** must be provided via an unobstructed aisle that is 1.2 metres width in all cases, including if it is a **stacked bicycle parking space** or an **oversized bicycle parking space**.

(AA) Despite Regulation 230.5.1.10(14)(D), **bicycle parking spaces** must have a passageway providing bicycle access between a **street** or **lane** and the areas used for **bicycle parking spaces** that may include a stairwell, access ramps, bicycle elevators or other elevating devices to overcome a difference in elevation.

(BB) Despite regulations 230.5.10.1(1) and Table 230.5.10.1(1), **bicycle parking spaces** for office uses must be provided in accordance with the following minimum rate:

- (i) 0.2 "long-term" **bicycle parking spaces** for each 100 square metres of **interior floor area** used for an office;

(CC) The provision of **dwelling units** is subject to the following:

- (i) a minimum of 15 percent of the total number of **dwelling units** **must have 2** or more bedrooms;
- (ii) a minimum of 10 percent of the total number of **dwelling units** **must have 3** or more bedrooms;
- (iii) any **dwelling units** with 3 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 2-bedroom and 3-bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of 2- and 3-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;

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

5. Despite any severance, partition or division of the lands shown on Diagrams 1 and 2 attached to this By-law, the provisions of this By-law shall apply as if no severance, partition, or division occurred.

6. Holding Symbol Provisions:

(A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 4 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and

(B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:

- (i) The owner or applicant has made arrangements to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services and entered into the appropriate agreement with the City for the design and construction of any improvements



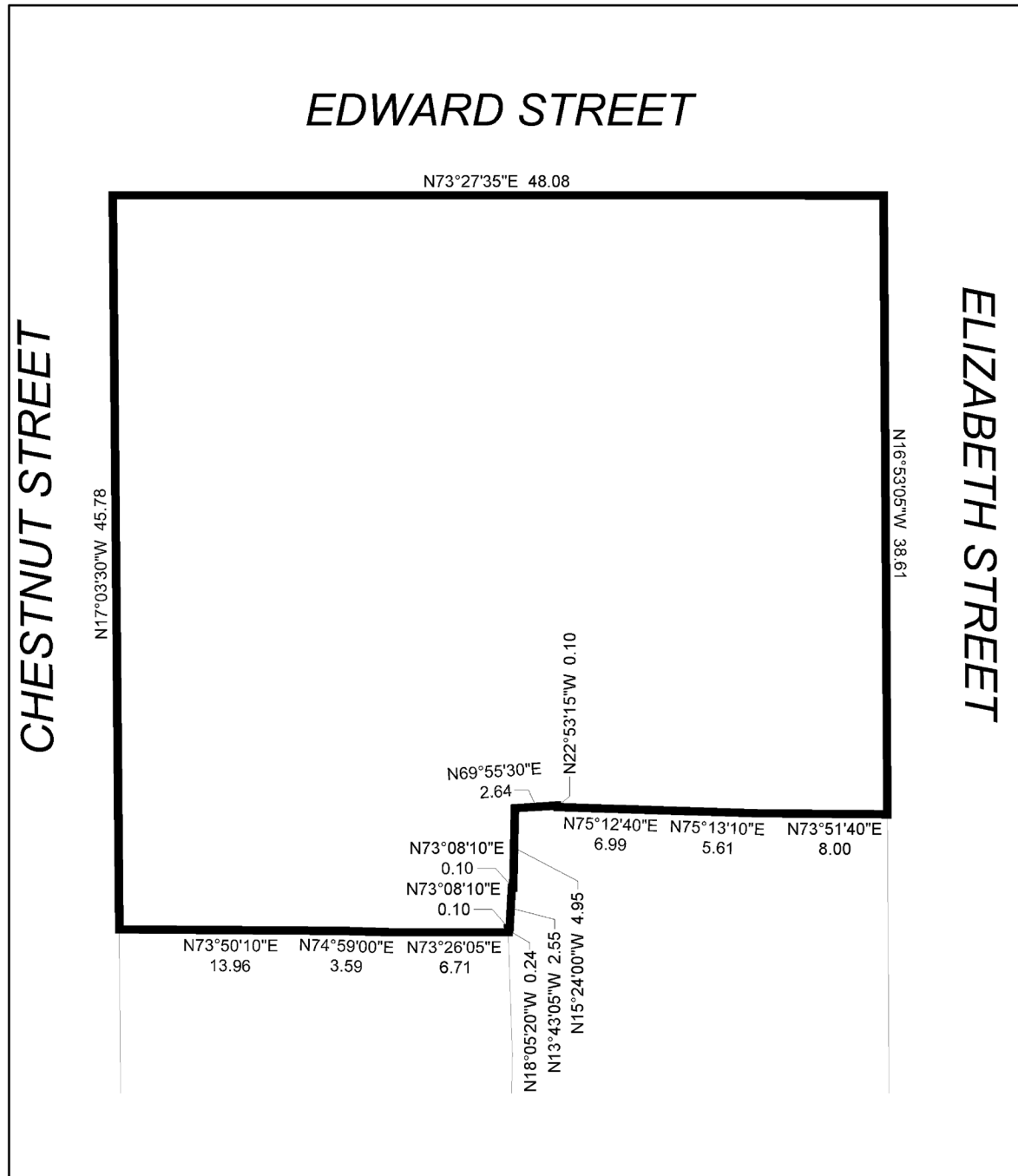
to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing and Stormwater Report.

Enacted and passed on [Clerks to insert date].

Frances Nunziata  
Speaker

John D. Elvidge,  
City Clerk

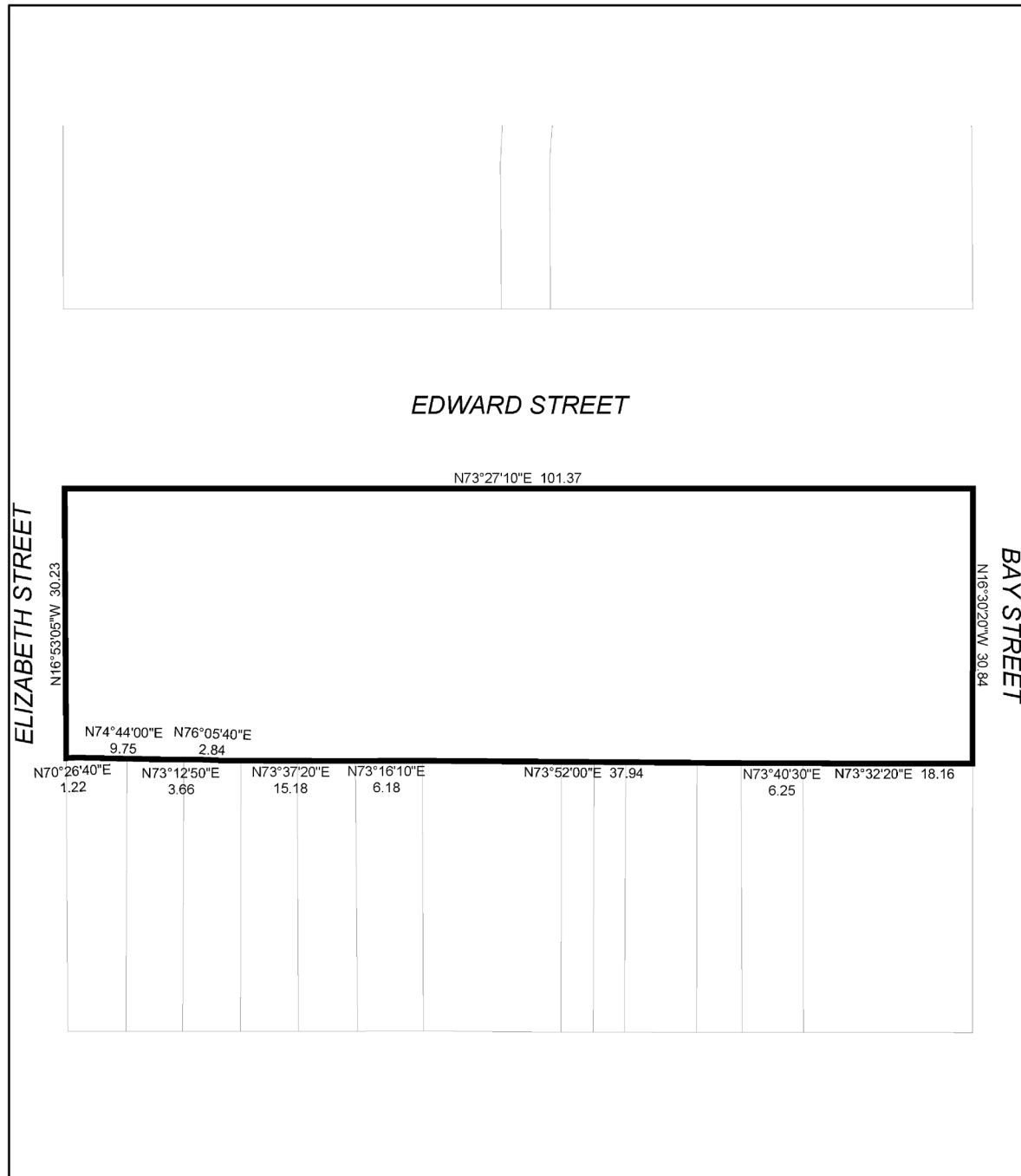
(Seal of the City)



**TORONTO**  
Diagram 1

**604-610 Bay Street & 130 Elizabeth Street**

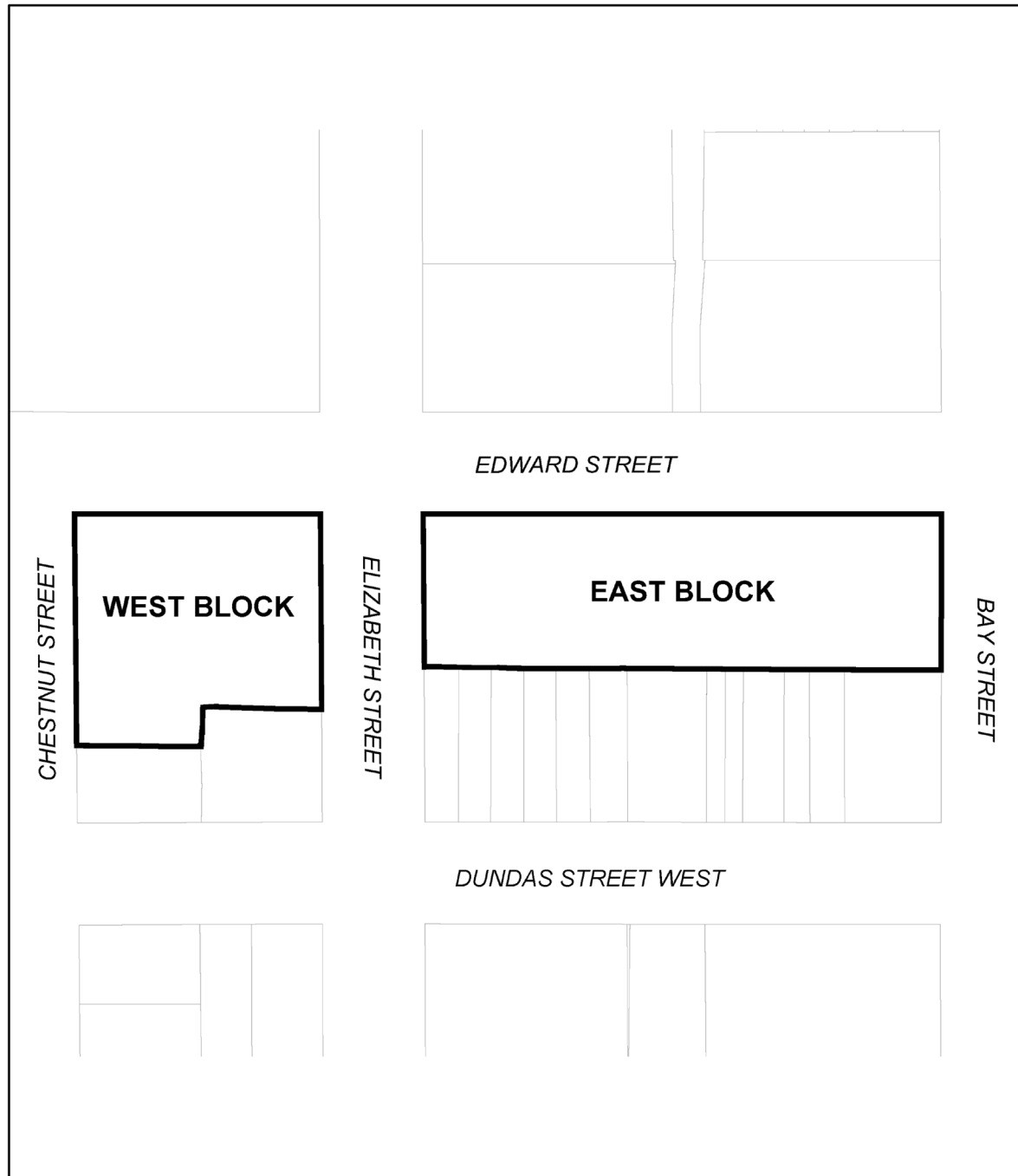
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**Toronto**  
Diagram 2

604-610 Bay Street & 130 Elizabeth Street

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 **Toronto**  
Diagram 3

604-610 Bay Street & 130 Elizabeth Street

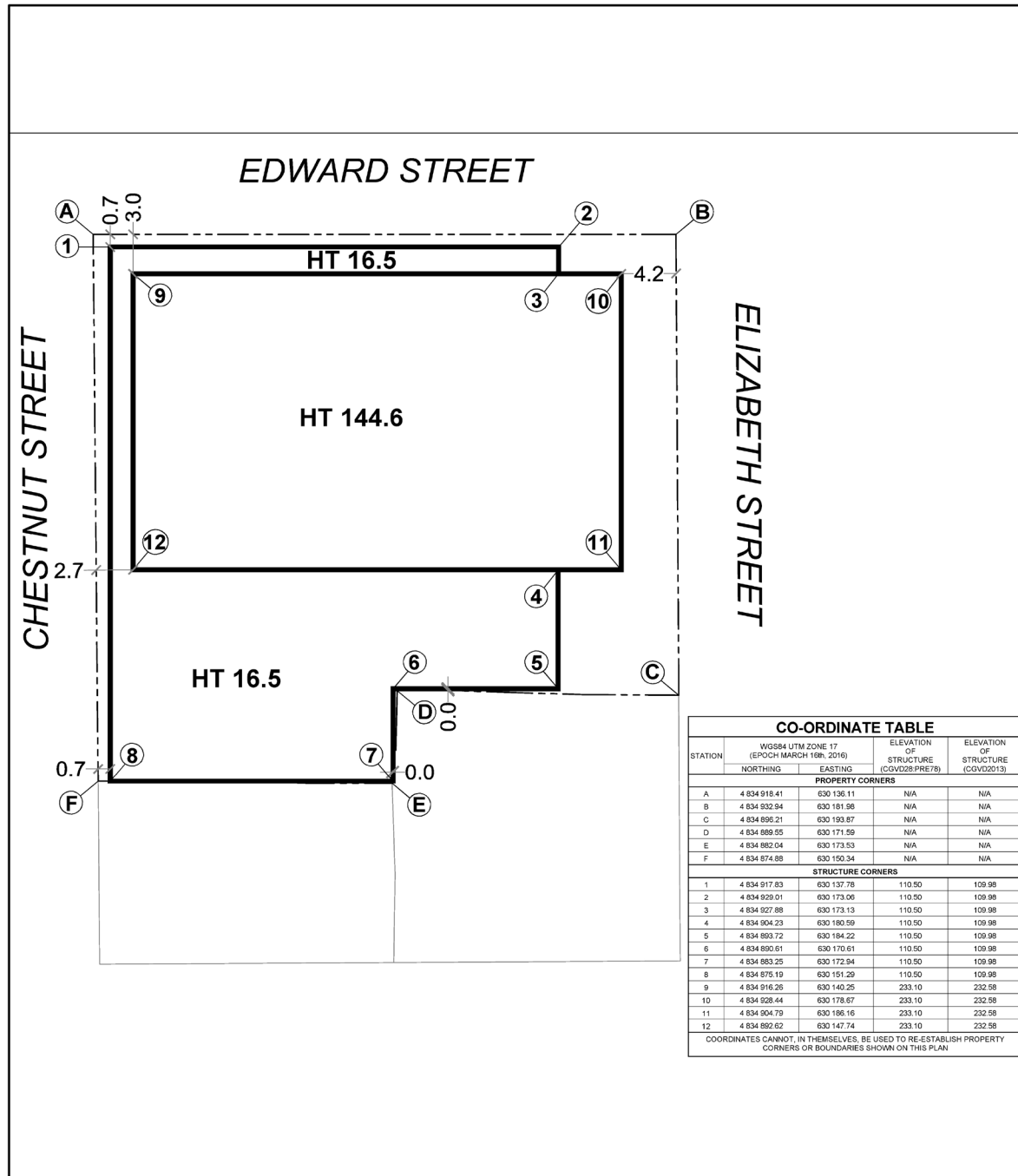
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 **TORONTO**  
Diagram 4

**604-610 Bay Street & 130 Elizabeth Street**

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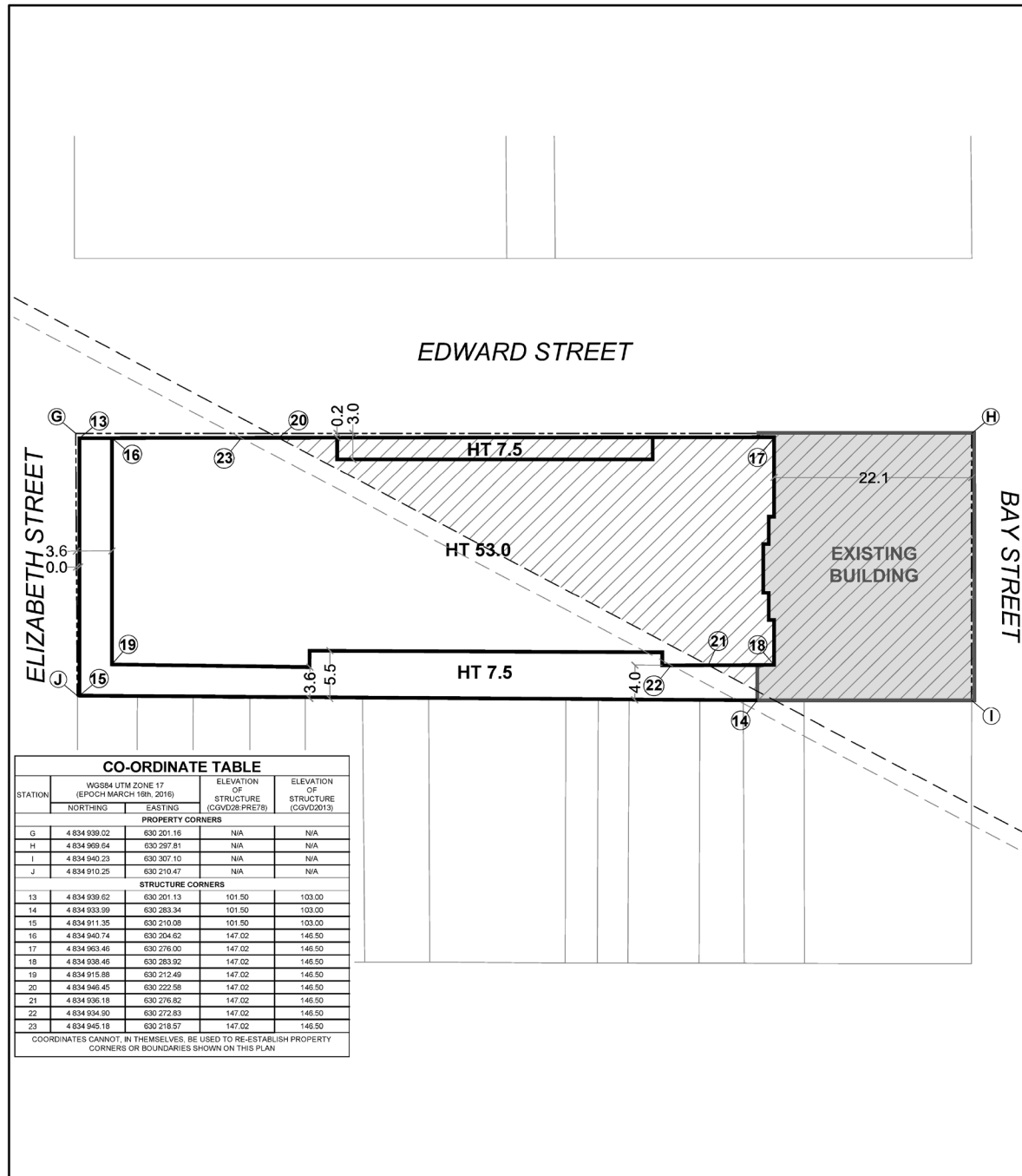


**Toronto**  
Diagram 5

604-610 Bay Street & 130 Elizabeth Street

File # 25 133694 STE 11 OZ

City of Toronto By-law 569-2013  
Not to Scale  
06/03/2025



**Toronto**  
Diagram 6

604-610 Bay Street & 130 Elizabeth Street

File # 25 133694 STE 11 OZ



**Flight Path Zone - Area Impacted by Hospital for Sick Children Heliport  
Enhanced Flight Path Protections per O.Reg 10.24**

--- 2.0 metre buffer from the Flight Path Zone



City of Toronto By-law 569-2013  
Not to Scale  
06/03/2025