

Attachment 8: Draft Zoning By-law Amendment

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

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 438-86, as amended, with respect to the lands municipally known in the year 2024 as 257-259 and 291 Lake Shore Boulevard East, 2 Small Street and 200 Queens Quay E, also known as Quayside Blocks 1 and 2.

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, as amended; and

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 that 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 and the Central Waterfront Secondary Plan contains provisions relating to the use of holding symbol "(H)"; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to subsection 37.1(3) and subsections 37(1) to (4) of the *Planning Act*, as they read the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act*, S.O. 2020 c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) provided the by-law is not amended to remove the requirement to provide any of the facilities, services or matters secured therein or repealed; and

Whereas on August 15, 2022, City Council passed By-law 1139-2022 being the City's Community Benefits Charge By-law pursuant to Subsection 37(2) of the *Planning Act*; and

Whereas Council at its meeting of September 26, 2006 enacted By-law No. 1049-2006 being a by-law described in the repealed subsection 37(1) of the *Planning Act* and By-

law 1049-2006 was appealed and approved as amended by the Ontario Municipal Board on November 19, 2012 and this By-law does not amend or remove the requirement to provide facilities, services and therefore subsections 37(1) to (4) of the *Planning Act*, as they read the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act*, 2020 came into force continue to apply; and

Whereas subsection 37(3) of the *Planning Act*, as it read the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act*, 2020 came into force, provides that where an owner of land elects to provide facilities, services or matters in return for an increase in the density and/or height of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner has elected to provide certain facilities, services and matters in return for certain increases in density and height as set out in the Zoning by-law Amendment herein; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 438-86 as amended by By-law No. 1049-2006, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which are to be secured by one or more agreements between the owner and the City of Toronto.

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Map 1 attached to this By-law.
2. The words highlighted in italic type in this By-law have the meaning provided in Section 4 of the by-law below.
3. Section 12(1) of the aforesaid By-law 438-86, as amended by By-law 852-2024, is further amended by amending Exception 508, subsections (a) to subsection (dd) and replacing them with the following subsections:
 - (A) the *lot* comprises the lands delineated by heavy lines on Map 1 attached to and forming part of this Exception;

Permitted Uses

- (B) the following uses shall be permitted within a CR district:
 - (i) Those non-residential uses permitted within a CR district in section 8(1)(f)(b), and subject to the qualifications in section 8(2) where applicable; except for an *automobile service and repair shop*, *automobile service station*, *car washing establishment*, *cold storage*

locker plant, motor vehicle repair shop, class A, or commercial parking lot;

- (ii) *A district energy, heating and cooling plant, a vacuum waste collection facility;*
 - (iii) Those residential uses permitted within a CR district in section 8(1)(f)(a), and subject to the qualifications in section 8(2) where applicable, provided that the *owner* of the *lot* elects to provide the facilities, services or matters referred to in paragraph (JJ) below and enters into the agreement(s) referred to in paragraph (MM);
 - (iv) *A commercial parking garage, the floor of which, excluding any access ramp and or pedestrian entrance, is situated wholly below finished ground level;*
 - (v) *a sales office; a market garden; an outdoor open air market, outdoor recreation uses, a public market, a custom work shop, a transportation use, and a brewery operated in conjunction with a restaurant or a retail store;*
 - (vi) a brewery permitted under (v) above, may occupy more than 50 percent of the total *interior floor area* of the *restaurant* or *retail store* provided the total *interior floor area* of the *restaurant* or *retail store* does not exceed a maximum of 1,000 square metres;
 - (vii) an *outdoor patio* is permitted in combination with a permitted *ground floor animation use*, provided that no portion of the *outdoor patio* is located above the first storey of the building and the outdoor patio does not exceed an area equal to the greater of 50 square metres or 50 percent of the interior floor area of the premises it is associated with;
 - (viii) an *outdoor patio* may be used to provide entertainment such as performances, music, and dancing, provided the outdoor patio is not located above the first storey of the building and the entertainment area does not exceed the greater of 10 percent of the outdoor patio area or 5.0 square metres.
- (C) notwithstanding subsection (B)(i) to (vii) above, only non-residential uses and residential amenity areas, and the exemptions in subsections (N) and **Error! Reference source not found.** are permitted above a height of 44.5 m for any building wholly within Block 1C shown on Map 2 attached to and forming part of this Exception, provided the aggregate area of the non-residential uses and indoor residential amenity areas, measured above a height limit of 44.5 metres, does not exceed 40 per cent of the area of the

roof of the building and is set back a minimum of 2.3 metres from the outermost building edge except where the building fronts onto Small Street, where it may be set back 0 metres;

- (D) where the zoning for a CR district is followed by an (h) holding symbol, permitted uses prior to the removal of the (h) shall be limited to the following:
- (i) Those uses and buildings existing on the *lot* on the date of the passing of the by-law adopting this Exception, or an addition thereto, not exceeding 100 square metres in *non-residential gross floor area* or 10 percent of the non-residential gross floor area existing on September 27, 2006, whichever is the greater;
 - (ii) Any use permitted within a CR district by paragraph (D) herein, with the exception of *sensitive land uses*, within a building existing on the *lot* on the date of the by-law adopting this Exception, or an addition thereto not exceeding 100 square metres in *non-residential gross floor area* or 10 percent of the non-residential gross floor area existing on September 27, 2006; whichever is the greater;
 - (iii) Notwithstanding Section 8(2)(11), a *commercial parking lot* provided that:
 - (a) any lights used for illumination are so arranged as to divert the light away from adjacent premises;
 - (iv) Notwithstanding Section 8(2)(11), a *parking station* provided that:
 - (a) any lights used for illumination are so arranged as to divert the light away from adjacent premises;
 - (v) outdoor sales and displays, outdoor recreation uses, and *outdoor open air markets*;
 - (vi) an *outdoor patio* is permitted in combination with any use permitted under (D)(ii) above, provided that no portion of the *outdoor patio* is located above the first storey of the building;
 - (vii) an *outdoor patio* may be used to provide entertainment such as performances, music, and dancing, provided the outdoor patio is not located above the first storey of the building and the entertainment area does not exceed the greater of 10 percent of the outdoor patio area or 5.0 square metres.
 - (viii) A *sales office*;

- (E) the combined total of *non-residential gross floor area and residential gross floor area* on Block 1A shall not exceed a maximum of 80,600 square metres of which;
 - (i) The total *residential gross floor area* shall not exceed 76,500 square metres; and
 - (ii) The minimum *non-residential gross floor area* is 500 square metres;
- (F) the combined total of *non-residential gross floor area and residential gross floor area* on Blocks 1B, 1C and 2 shall not exceed a maximum of 127,500 square metres of which;
 - (i) The total *residential gross floor area* shall not exceed 123,400 square metres; and
 - (ii) The minimum *non-residential gross floor area* is 4,100 square metres of which;
 - (a) A minimum of 3000 square metres located on Block 1B, 1C, or 2 as shown on Map 2 attached to and forming part of this Exception is used for no purpose other than those set out under Section 8(1)(f)(b)(ii) and (iii), including a minimum of 560 square metres of interior *non-residential gross floor area* used for a *day nursery* with an associated outdoor play area

Maximum Height and Building Envelope:

- (G) no portion of a building above *grade* may be located otherwise than wholly within the heavy lines on Map 3 attached to and forming part of this Exception;
- (H) notwithstanding subsection (G) above, no portion of a building above or below *grade* may be located within 5 metres of the outermost edge of the Gardiner Expressway structure;
- (I) no portion of a building shall have a greater *height* in metres than the *height* limits specified by the numbers following the symbol H on Map 1 attached to and forming part of this Exception;
- (J) notwithstanding subsections (G) and (I) above, on Blocks 1B, one *tower*, may be located within each Tower Transition Zone shown on Map 4 attached to and forming part of this Exception, in accordance with the following Permitted Tower Transition Zone Table;

Permitted Tower Transition Zones Table	
Tower Transition Zone Identified on Map 4	Maximum Permitted Transition Zone <i>height</i>
Tower Transition Zone 1	70 metres

(K) The *tower* within the Tower Transition Zone shown on Map 4 attached to and forming part of this Exception shall comply with the following requirements:

(i) for Tower Transition Zone 1:

(a) the average *tower floorplate* of each storey shall not exceed 975 square metres, and the maximum *tower floorplate* shall not exceed 1,000 square metres;

(L) Notwithstanding subsections (G) and (I) above, one *tower* may be located within each Tower Zone shown on Map 5 attached to and forming part of this Exception, in accordance with the following Permitted Tower Zones Table:

Permitted Tower Zones Table	
Permitted Tower Zone Identified on Map 5	Maximum permitted <i>height</i>
Tower Zone 1	166 metres
Tower Zone 2	187 metres
Tower Zone 3	222 metres
Tower Zone 4	179 metres

(M) Notwithstanding (K) above, the *tower* within each Tower Zone shown on Map 5 attached to and forming part of this Exception shall comply with the following requirements:

(i) for Tower Zone 1:

(a) the average *tower floorplate* of each storey shall not exceed 800 square metres, and the maximum *tower floorplate* shall not exceed 850 square metres;

(ii) for Tower Zone 2:

- (a) the average *tower floorplate* of each storey shall not exceed 800 square metres, and the maximum *tower floorplate* shall not exceed 850 square metres;
- (iii) for Tower Zone 3:
 - (a) the average *tower floorplate* of each storey shall not exceed 850 square metres, and the maximum *tower floorplate* shall not exceed 890 square metres;
- (iv) for Tower Zone 4:
 - (a) the average *tower floorplate* of each storey shall not exceed 850 square metres, and the maximum *tower floorplate* shall not exceed 890 square metres;

Exception – Height, Building Envelope:

- (N) notwithstanding sections (G), (I), (J), (K), (L) and (M) above, the types of structures listed in the column titled “STRUCTURE” in the following chart are permitted to:
 - (i) Project beyond the heavy lines and above the *heights* shown on Map 3, attached to and forming part of this Exception, provided the projections comply with the restrictions set out opposite the structure in the columns entitled “MAXIMUM PERMITTED HORIZONTAL PROJECTION” and “OTHER APPLICABLE QUALIFICATIONS” and provided the projections are within the *lot*;
 - (ii) Project beyond the Tower Transition Zone areas shown on Map 4, attached to and forming part of this Exception, and above the *heights* set out in section (j) above, provided the projections comply with the restrictions set out opposite the structure in the columns entitled “MAXIMUM PERMITTED HORIZONTAL PROJECTION” and “OTHER APPLICABLE QUALIFICATIONS”, and provided the projections are within the *lot*; and
 - (iii) Project beyond the Tower Zone areas shown on Map 5 attached to and forming part of this Exception, and above the maximum permitted *heights* set out in section (l) above, provided the projections comply with the restrictions set out opposite the structure in the columns entitled “MAXIMUM PERMITTED HORIZONTAL PROJECTION” and “OTHER APPLICABLE QUALIFICATIONS”, and provided the projections are within the *lot*;

	STRUCTURE	MAXIMUM PERMITTED HORIZONTAL PROJECTION	OTHER APPLICABLE QUALIFICATIONS
1.	Eaves, cornices, parapets	1.5 metres	2.0 metres above the <i>heights</i> shown on Map 3, Map 4, and Map 5
2.	A bay window or bow window	The projection cannot exceed 1.5 metres from the wall to which it is attached, at a height above 5m	Width not to exceed 3.0 metres where the window meets the wall.
3.	Balconies	Not more than 2.0 metres beyond the wall to which the balcony is attached	
4.	Patios, uncovered platform	Not more than 5.0 metres beyond the heavy lines shown on Map 3	No more than 1.0 metre above finished ground level
5.	Privacy screens, fences and privacy walls	No restriction	The height of such structures shall be limited to 2.1 metres above finished ground level with the exception that such structures located between a building and the privately owned publicly accessible open space shown on Map 6 shall be limited to 1.0 metre above finished ground level and

	STRUCTURE	MAXIMUM PERMITTED HORIZONTAL PROJECTION	OTHER APPLICABLE QUALIFICATIONS
			privacy screens on buildings shall be limited to 3 metres above the <i>heights</i> shown on Map 3, Map 4 and Map 5
6.	Guardrails, bollards, railings, stairs, stair enclosures, trellises, wheel chair ramps and underground garage ramps and associated structures; <i>public art</i> , noise, odour and wind mitigation features, lightning rods, elements related to generation of solar power, flues, vents, window washing equipment	No restriction	No restriction
7.	Landscape features and transparent structures, such as greenhouses, that permit the growing of horticultural crops.	No restriction	No more than 3.0 metres above the <i>height</i> limit shown on Map 3
8.	Mechanical equipment and enclosures, elevator shaft,		Where such elements are not located on a <i>tower</i> , the maximum <i>height</i>

	STRUCTURE	MAXIMUM PERMITTED HORIZONTAL PROJECTION	OTHER APPLICABLE QUALIFICATIONS
	heating, cooling or ventilating equipment, including vents and stacks, tuned mass damper on the roof of the building or a fence, wall, screen or structure enclosing such elements.		<p>of the top of such elements shall be no higher than the sum of:</p> <ul style="list-style-type: none"> • 3.0 metres and the <i>height</i> limit of Block 1C shown on Map 3 • 6.5 metres and the <i>height</i> limits of Blocks 1A, 1B, and 2 shown on Map 3, Map 4, and Map 5 <p>Where such elements are not located on a <i>tower</i>, the aggregate horizontal area of such elements, including the area contained within an enclosure, measured at a point above the level of the <i>height</i> limit, does not exceed 50 percent of the area of the roof of the building</p> <p>Where such elements are located on a <i>tower</i>, the maximum height of the top of such elements shall be</p>

	STRUCTURE	MAXIMUM PERMITTED HORIZONTAL PROJECTION	OTHER APPLICABLE QUALIFICATIONS
			<p>no higher than the sum of:</p> <ul style="list-style-type: none"> • 12.0 metres and the <i>height</i> limit of Tower Zone 1 shown on Map 5 • 12.0 metres and the <i>height</i> limit of Tower Zone 2 shown on Map 5 • 14.0 metres and the <i>height</i> limit of Tower Zone 3 shown on Map 5 • 12.0 metres and the <i>height</i> limit of Tower Zone 4 shown on Map 5
9.	Awnings, canopies.	4.0 metres beyond the heavy lines shown on Map 3	Must be located below the level of the third <i>storey</i>
10.	Elements of a green roof.		The maximum <i>height</i> of such elements shall be 2.0 metres above the <i>height</i> limits shown on Map 3, Map 4, and Map 5
11.	A structure on the roof of a building, used for outside or open air recreation, or safety purposes.		The maximum <i>height</i> of the top of such structures is no higher than the sum of 4.0 metres and the <i>height</i> limits shown on Map 3, Map 4, and Map 5 and the structures

	STRUCTURE	MAXIMUM PERMITTED HORIZONTAL PROJECTION	OTHER APPLICABLE QUALIFICATIONS
			shall not enclose space so as to constitute a form of penthouse or other room or rooms
12.	Chimney stack for a <i>district energy, heating and cooling plant</i> , which has been approved by the Ministry of the Environment and Climate Change	No restriction	No restriction
13.	Pilaster, roof assemblies, decorative column, sill, belt course or other architectural feature on a building	2.0 metres	No restriction
14.	Screens, fences, and structures for wind mitigation and safety purposes	No restriction	No restriction

Vehicle Access:

- (O) Vehicle access is not permitted to be taken from Queens Quay Boulevard East;
- (P) Vehicle access is not permitted to be taken from Bonnycastle Street;

Parking and Loading

- (Q) For Block 1A, parking spaces shall be provided and maintained on the lot in accordance with the following requirements:
- (i) A total of 25% of parking spaces provided for visitor and non-residential uses shall be equipped with electric vehicle supply equipment (EVSE) capable of supplying Level 2 charging capability or a higher level of charging.
 - (ii) If on-site parking is provided, a minimum of 5 parking spaces and an additional 2 percent of the total number of parking spaces on Block 1A, must be provided as accessible parking spaces;
- (R) For Blocks 1B, 1C and 2, parking spaces shall be provided and maintained on the lot in accordance with the following requirements:
- (i) A total of 25% of parking spaces provided for visitor and non-residential uses shall be equipped with electric vehicle supply equipment (EVSE) capable of supplying Level 2 charging capability or a higher level of charging.
 - (ii) If on-site parking is provided, a minimum of 5 parking spaces and an additional 2 percent of the total number of parking spaces on Block 1B, 1C and 2, must be provided as accessible parking spaces
- (S) If an *apartment building*, *mixed use building*, or a building with non-residential uses has an area for parking vehicles:
- (i) the requirements of Section 4(17), shall apply with the exception that:
 - (a) a maximum of 10 percent of the required *parking spaces* on Block 1A and a maximum of 10 percent of the required parking spaces on Block 1B, 1C and 2 may be obstructed without being required to provide additional width for the obstructed sides of the parking space;
 - (b) electric vehicle infrastructure, including electric vehicle supply equipment, does not constitute an obstruction to a parking space; and
 - (c) any *parking spaces* provided may be provided on a non-exclusive basis in a commercial parking garage;
- (T) *loading spaces* shall be provided on the *lot* in accordance with the following:

- (i) Block 1A:
 - (a) a minimum of 1 Type “G” *loading space*; and
 - (b) a minimum of 1 Type “C” *loading space* shall be provided wholly within Block 1A attached to and forming part of this Exception;
- (ii) Blocks 1B, 1C and 2:
 - (a) a minimum of 1 Type “C” *loading space*, and 1 Type “G” *loading space* shall be provided wholly within Block 1B, 1C or 2, attached to and forming part of this Exception;
 - (b) a minimum of 3 Type “C” *loading spaces* shall be provided to serve Block 1C, wholly within Block 1B, 1C, or 2, attached to and forming part of this Exception; and
 - (c) the required *loading spaces* may be shared between Block 1B, 1C and 2 attached to and forming part of this Exception;
- (U) *Bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following requirements:
 - (i) long term *bicycle parking spaces* are for use by the occupants or tenants of a building;
 - (ii) short term *bicycle parking spaces* are for use by visitors to a building;
 - (iii) for dwelling units: 0.9 *bicycle parking spaces* for each dwelling unit, allocated as long term *bicycle parking spaces* and 0.2 *bicycle parking spaces* for each dwelling unit allocated as short term *bicycle parking spaces*;
 - (iv) for all non-residential uses: 0.2 *bicycle parking spaces* for each 100 square metres of *interior floor area* used for all other non-residential uses allocated as long term *bicycle parking spaces* and 3 plus 0.3 *bicycle parking spaces* for each 100 square metres of *interior floor area* used for non-residential uses allocated as short term *bicycle parking spaces* provided that if a use on a lot is 2,000 square meters or less, then no *bicycle parking space* is required;
 - (v) short-term *bicycle parking spaces* may also be located in a stacked *bicycle parking space*;

- (vi) short-term *bicycle parking spaces* may be located below ground, and at and above established *grade* and may not be more than 30 metres from a pedestrian entrance to a building on the *lot*;
- (vii) long-term *bicycle parking spaces* may be located below ground, and at and above established *grade* and may be located in a secure controlled access room.
- (viii) if a building has uses, other than *dwelling units*, for which a long-term *bicycle parking space* is required, shower and change facilities must be provided at the following rate:
 - (a) none if less than 5 required long-term *bicycle parking spaces*;
 - (b) 1 for 5 to 60 required long-term *bicycle parking spaces*;
 - (c) 2 for 61 to 120 required long-term *bicycle parking spaces*;
 - (d) 3 for 121 to 180 required long-term *bicycle parking spaces*; and
 - (e) 4 for more than 180 required long-term *bicycle parking spaces*;
- (ix) the number of bicycle parking spaces required by subsections (U)(iii) and u(iv) may be reduced, subject to the following:
 - (a) the reduced number of short-term *bicycle parking spaces* reduced is not less than half the number required by subsections (U)(iii)(a) and (U)(iv)(a), rounded down to the nearest whole number;
 - (b) the reduced number of long-term *bicycle parking spaces* is not less than half the number required by regulations (U)(iii)(b) and (U)(iv)(b), rounded down to the nearest whole number;
 - (c) payment-in-lieu of bicycle parking shall be made to the City of Toronto for each *bicycle parking space* not provided in accordance with (U)(iii) and (U)(iv); and
 - (d) the owner shall enter into an agreement with the City of Toronto pursuant to Section 40 of the *Planning Act*.

Sales Office:

- (V) where a building or structure is erected and used for the purposes of a *sales office*, then the provisions of subparagraphs (CC) to (GG) of this Exception,

as pertains to Ground Floor Animation Areas, shall not apply to the building or structure;

Residential Amenity Space:

(W) Block 1A:

- (i) *residential amenity space* shall be provided in accordance with Section 4(12), except that:
 - (a) Indoor *residential amenity space* shall be provided at a minimum rate of 2 square metres per *dwelling unit* for the first 100 *dwelling units* in a building and at a rate of 1.0 square metre thereafter;
 - (1) Indoor amenity space may include *guest suites* provided at a maximum rate of 25.0 square metres of gross floor area per 100 dwelling units in a building;
 - (2) For the purposes of this exception, *guest suites* units do not constitute dwelling units;
 - (b) Outdoor *residential amenity space* shall be provided at a minimum rate of 0.48 square metres per *dwelling unit*;
 - (c) Indoor *residential amenity space* required for a building on Block 1A may be provided within another building on Block 1A;
 - (d) Outdoor *residential amenity space* required for a building on Block 1A may be provided within another building on Block 1A;

(X) Blocks 1B, 1C, and 2:

- (i) *residential amenity space* shall be provided in accordance with Section 4(12), except that:
 - (a) Indoor *residential amenity space* shall be provided at a minimum rate of 2 square metres per *dwelling unit* for the first 100 *dwelling units* in a building and at a rate of 1.0 square metre thereafter, provided that;
 - (1) Indoor amenity space may include *guest suites* provided at a maximum rate of 25.0 square

metres of gross floor area per 100 dwelling units in a building;

- (2) For the purposes of this exception, *guest suites* units do not constitute dwelling units;
- (b) Indoor *residential amenity space* required for a building on Blocks 1A on the lot may be provided within another building on Blocks 1A on the lot provided that there is an interior connection between such buildings;
- (c) Outdoor *residential amenity space* shall be provided at the following minimum rates:
 - (1) 0.34 square metres per *dwelling unit* on Block 1B shown on Map 2;
 - (2) 1.10 square metres per *dwelling unit* on Block 1C shown on Map 2;
 - (3) 0.50 square metres per *dwelling unit* on Block 2 shown on Map 2
- (Y) Required indoor *residential amenity space* may be provided in a room or rooms which are not contiguous;
- (Z) A maximum of 0.1 square metres per *dwelling unit* in a building of *indoor amenity space* may be located below-ground; and
- (AA) *Residential amenity space* shall only be required for a building containing 20 or more *dwelling units* which are not *grade*-related and where access to all such *dwelling units* is by means of common internal corridors;

Dwelling Units:

- (BB) The provision of dwelling units is subject to the following:
 - (i) Block 1A:
 - (a) a minimum of 25 percent of the total number of *dwelling units* on the *lot* shall contain two or more bedrooms;
 - (b) a minimum of 10 percent of the dwelling units on the *lot* shall contain three or more bedrooms;

- (c) any dwelling units with three or more bedrooms provided to satisfy (B) above are not included in the provision required by (A) above;
- (ii) Blocks 1B, 1C and 2:
 - (a) a minimum of 25 percent of the total number of *dwelling units* on the *lot* shall contain two or more bedrooms;
 - (b) a minimum of 10 percent of the dwelling units on the *lot* shall contain three or more bedrooms;
 - (c) any dwelling units with three or more bedrooms provided to satisfy (B) above are not included in the provision required by (A) above;

Ground Floor Animation Areas:

- (CC) no building or structure on the *lot* subject to a Ground Floor Animation Area requirement, shown on Map 7 attached to and forming part of this Exception, may be erected or used unless:
 - (i) At least 70 percent of the length of the exterior building wall of the *first floor* level of the building that is subject to an Animation Frontage as shown on Map 7 attached at the end of and forming part of this Exception is used for no purpose other than *ground floor animation uses*;
 - (ii) no *dwelling units* shall be located within the *first floor* of a building subject to a Ground Floor Animation Area unless other permitted uses are provided, in an enclosed structure, between the dwelling units and a frontage identified as being subject to a Ground Floor Animation Area;
- (DD) the *non-residential gross floor area* provided on the ground level of Block 1C shown on Map 2 attached to and forming part of this Exception must be divided into a minimum of three non-residential units;
- (EE) the maximum *non-residential gross floor area* of a non-residential unit located on the ground level of any building on Block 1C as shown on Map 2 attached to and forming part of this Exception is 450 square metres;
- (FF) notwithstanding subsection (EE) above, one non-residential unit located on the ground level of Block 1C as shown on Map 2 attached to and forming part of this Exception may have a maximum *non-residential gross floor area* of 1,000 square metres;

- (GG) for the purposes of subsections **Error! Reference source not found.** to (FF) above, all buildings on Block 1C, shown on Map 2 attached to and forming part of this Exception, are considered one building;

Availability of Services

- (HH) No land may be used and no building or structure may be erected or used on the land unless:
- (i) The land abuts an existing street, or is connected to an existing street by a street or streets, constructed to a minimum base curb and base asphalt or concrete; and
 - (ii) all Municipal water mains and Municipal sewers, and their appurtenances, are installed to a lot line of the property and are operational.
4. Section 12(1) of the aforesaid By-law 438-86, as amended by By-law 852-2024, is further amended by amending Exception 508, subsection (jj) to subsection (nn) and replacing them as follows:
- (JJ) for the purposes of this Exception, each word or expression that is italicized in this exception shall have the same meaning as each such word or expression as defined in the said By law 438-86, as amended, except for the following or where otherwise defined in this Exception:
- (i) “*accessible parking space*” mean a parking space free of physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the *Accessibility for Ontarians with Disabilities Act*, 2005, S.O. 2005 with the following minimum dimensions:
 - (a) length of 5.6 metres;
 - (b) width of 3.4 metres; and
 - (c) vertical clearance of 2.1 metre;and with the following minimum dimensions when adjacent and parallel to a drive aisle from which vehicle access is provided:
 - (a) length of 5.6 metres;
 - (b) width of 3.4 metres; and

- (c) vertical clearance of 2.1 metre;

and the length of an *accessible parking space* must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Map 1 and Map 2 of By-law 579-2017;
- (ii) “*affordable rent*” means gross monthly Rent that is at or below the lesser of one (1) times the CMHC Average Market Rent or thirty per cent (30%) of the before-tax monthly income of renter households in the City of Toronto as follows:
 - (a) Studio units: one-person households at or below the 50th percentile income;
 - (b) One-bedroom units: one-person households at or below the 60th percentile income;
 - (c) Two-bedroom units: two-person households at or below the 60th percentile income;
 - (d) Three-bedroom units: three-person households at or below the 60th percentile income;
 - (e) Four-bedroom units: average market rent for four-bedroom apartment units as reported by the Canada Mortgage and Housing Corporation (CMHC) in its annual Rental Market Report;
- (iii) “*affordable rental unit*” means a new designated Rental Dwelling Unit provided and maintained on the Lands after the date of the applicable agreement at Affordable Rent
- (iv) “*bicycle parking space*” means an area that is equipped with a bicycle rack, bicycle ring, *bicycle stacker* or bicycle locker for the purpose of parking and securing bicycles, and:
 - (a) Where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and vertical dimension of at least 1.9 metres;
 - (b) Where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;
- (v) Notwithstanding (a) and (b) above, where the bicycles are to be in a *bicycle stacker*, being a device that allows spaces to be positioned above or below one another with the aid of an elevating mechanism,

the parking space within the stacker shall have horizontal dimensions of at least 1.8 metres by 0.45 metres and the *bicycle stacker* shall be located in an area with a vertical dimension of at least 2.4 metres;

- (vi) “*bicycle stacker*” means a device whereby a *bicycle parking space* is positioned above or below another *bicycle parking space* and is accessed by means of an elevating device;
- (vii) “*Building Permit*” means a permit to construct a building or structure, or any part thereof, pursuant to Section 8 of the Building Code Act, 1992, S.O. 1992, c.23, as amended, superseded or replaced from time to time, including, but not limited to, excavation, shoring, and building permits but shall not include any such permit issued in respect of a *sales office*;
- (viii) “*car-share*” and “*car-sharing*” means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars 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;
- (ix) “*car-share parking space*” means a parking space that is reserved and actively used for car-sharing;
- (x) “*district energy, heating and cooling plant*” means a building or structure that is used for the production of electrical power, heating and cooling which is generated/converted at one or more linked locations and then is distributed to the users;
- (xi) “*emissions study*” means a study which includes:
 - (a) a determination of the predictable worst case operating scenario of all relevant emissions, including dust, odour and air quality;
 - (b) the identification of all receptor locations in the proposed development with the potential to experience (adverse) impacts;
 - (c) ascertaining the numerical excess and nuisance potential at such receptors, if any;

- (d) preparation of specific recommendations for mitigation at receptor and/or at source to create an appropriate air quality environment for future occupants/users of the proposed development; and
- (e) assuming the industries that are the relevant emissions sources are in compliance with the instruments listed below, an assessment of applicable Ministry of the Environment, Conservation and Parks regulations and guidelines, having the force of law; all relevant sections of the *Environmental Protection Act*, including Sections 9 and 14; and existing Certificates of Approval, if publicly available, relative to the proposed development and the industries that are the source of the relevant emissions and where there are objective standards in the above-listed instruments, an assessment of the expected compliance with said instruments.

Such emissions study shall be prepared by a qualified air quality consultant and shall be consistent with professional standards and good practice for such studies, taking into account expansion or alteration plans identified by the source(s) that can reasonably be expected to be implemented in the future.

- (xii) “*first floor*” means the floor of the building, other than an area used for parking, that is closest in elevation to the elevation of the adjacent finished ground level;
- (xiii) “*guest suite*” means a suite, other than a dwelling unit, that has no kitchen facilities and is available for use on a temporary basis as overnight accommodation for persons visiting residents of an *apartment building or mixed use building on the lot*;
- (xiv) “*grade*” means 77.5 metres Canadian Geodetic Datum;
- (xv) “*ground floor animation uses*” means those uses listed in Sections 8(1)(f)(b)(i), (ii) and (iv), an *artist's or photographers studio*, and a *custom workshop*;
- (xvi) “*height*” means the vertical distance between *grade* and the highest point of the roof, building, structure or element;
- (xvii) “*interior floor area*” means the floor area of any part of a building measured to the interior side of a main wall, the centre line of an interior wall, or as measured to a line delineating the part being measured;

- (xviii) “*market garden*” means premises used for growing and harvesting vegetables, fruits, flowers, shrubs, trees or other horticultural products for the purpose of sale.
- (xix) “*noise study*” means a study which includes:
- (a) a determination of the planned and predictable worst case impact from all relevant noise sources;
 - (b) the identification of all receptor locations in the proposed development with the potential to experience (adverse) noise impact, ascertaining the noise excess at such receptors, if any;
 - (c) ascertaining the numerical excess and nuisance potential at such receptors, if any;
 - (d) preparation of specific recommendations for mitigation at receptor and/or at source to create an appropriate sound environment for future occupants/users of the proposed development; and
 - (e) assuming the industries that are the relevant noise sources are in compliance with the instruments listed below, an assessment of applicable Ministry of the Environment, Conservation and Parks regulations and guidelines, having the force of law; all relevant sections of the *Environmental Protection Act*, including sections 9 and 14; existing Certificates of Approval, if publicly available; and all relevant sections of the Toronto Municipal Code, including Chapter 591 or their successors, relative to the proposed development and the industries that are the source of the relevant emissions.
- Such *noise study* shall be prepared by a qualified acoustical engineer and shall be consistent with professional standards and good practice for such studies, taking into account expansion or alteration plans identified by the stationary source(s) that can reasonably be expected to be implemented in the future.
- (xx) “*outdoor open air market*” means portion of a *lot* where, goods, wares, merchandise or a substance, article or thing is offered, kept or stored for retail sales, which may include food sales, retail sales and other uses from containers kiosks, tents vehicles, tables or similar facilities and such facilities are not buildings or structures;

- (xxi) “*outdoor patio*” means an outdoor patron area that is ancillary to a non-residential use;
- (xxii) “*owner*” means a person who owns the fee simple or the equity of redemption in the *lot*, or any part thereof;
- (xxiii) “*Public Art*” means works of sculptured art, works of visual and graphic art, sculptured landscaping, fountains, and artistic treatment of publicly accessible areas including, without limitation, exterior publicly accessible areas (public sidewalks, exterior walls or other building elements), clearly visible at all times from publicly accessible areas, including but not limited to flooring, structure, lighting and street furnishings, provided such elements of work have been designed by or in collaboration with artists and selected by a process and are in accordance with a program recommended by the Toronto *Public Art* Commission (the “Commission”) through the Chief Planner and approved by City Council;
- (xxiv) “*Redpath*” means the lands and premises known municipally as 95 Queens Quay Boulevard East, in the City of Toronto, owned and operated by Redpath Sugar Ltd., its successors or assigns;
- (xxv) “*restaurant*” shall have the same meaning provided in Section 2 of By-law 438-86, as amended, with the exception that the subsection (iv) shall be amended to permit a maximum of 20 percent of the gross floor area or 200 square metres, whichever is less to be used for one or more of the uses noted in subsection (iv) and subsection (v) does not apply;
- (xxvi) “*residential amenity space*” means a common area or areas within the *lot* which are provided for the exclusive use of residents of the *lot* for recreational or social purposes;
- (xxvii) “*sales office*” means a building, structure, facility or trailer, or part thereof, used for the purposes of marketing, sales, rental or leasing and other functions related to a building or buildings that will be constructed on the *lot* and or on the lands municipally known as 259 Lake Shore Boulevard East in the year 2024;
- (xxviii) “*sensitive land use*” means a *hotel, commercial school, trade school, college, university, post secondary institution, and related uses, and all those uses permitted within a CR district in sections 8(1)(f)(a)(i) and (ii), and 8(1)(f)(b)(ii) and (iii), but does not include a fire hall, police station or post office.*

- (xxix) “*Site Plan Application*” means an application for the approval of plans and drawings pursuant to Section 41(4) of the Planning Act, as amended or the City of Toronto Act, 2006, as is applicable;
 - (xxx) “*storey*” means the portion of a building that is between the top of a floor and the top of the floor next above it, if there is no floor above it, the portion between the top of the floor and the ceiling above it and for the purpose of this By-law shall exclude a mezzanine;
 - (xxxi) “*temporary open air markets*” means an area where goods, wares, merchandise, substances, articles or things are offered for retail sale on a temporary basis, outside of any permanent buildings or structures;
 - (xxxii) “*tower*” means the portion of a building located above the *heights* shown in metres on Map 3 attached to and forming part of this Exception;
 - (xxxiii) “*tower floorplate*” means the total built area within a “*tower*”, measured from the exterior of the main wall on each storey, but excluding balconies;
 - (xxxiv) “*transportation use*” means the use of premises or facilities for the operation of a mass transit system or a transportation system that is provided by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada, or is privately operated and Federally regulated; and
 - (xxxv) “*vibration study*” means a study of vibration from transportation sources, and stationary source(s), prepared by a qualified noise and vibration consultant, that makes specific recommendations for mitigation features to be incorporated into the design of the development taking into account commonly used criteria in Ontario for assessing vibration in building(s). Such vibration study shall be consistent with professional standards and good practice.
- (KK) For the purpose of the definitions of *non-residential gross floor area* and *residential gross floor area* an exterior wall shall be measured to a maximum of 0.15 metres from the interior face of the exterior wall;
- (LL) In addition to the permitted exclusions set out in the definitions of *non-residential gross floor area* and *residential gross floor area*, portions of a building associated with a Toronto Transit Commission Substation facility, at, below, and above grade, including electrical, mechanical and utility rooms, shafts and connections, access corridors, service corridors, vestibules, associated exit stairwells, and any portion of a *commercial*

parking garage are not included in the calculation of *non-residential gross floor area* or *residential gross floor area*;

(MM) In addition to the permitted exclusions set out in the definition of *residential gross floor area* and *non-residential gross floor area* and items (jj), (kk) and (ll), the following are not included in the calculation of *residential gross floor area* or *non-residential gross floor area*:

- (i) *parking spaces*, loading spaces, and *bicycle parking spaces*;
- (ii) indoor *residential amenity areas* including *guests suites*;
- (iii) storage rooms, electrical, utility, mechanical and ventilation rooms;
- (iv) rooms for the collection, compaction, storage and removal of refuse;
- (v) portions of a building located on Block 1C show on Map 2 attached to and forming part of this Exception, obstructed by a diagonal mass timber truss as measured between a finished floor and a height of 2.2 metres measured from finished floor;
- (vi) *accessory greenhouse* and storage areas associated with a rooftop urban farm located on any building located on Block 1C, shown on Map 2 attached to and forming part of this Exception; and
- (vii) Open to below areas;

(NN) None of the provisions of Section 12(2)380 of By-law 438-86 apply to prevent the erection or use of a building or structure on the lot.

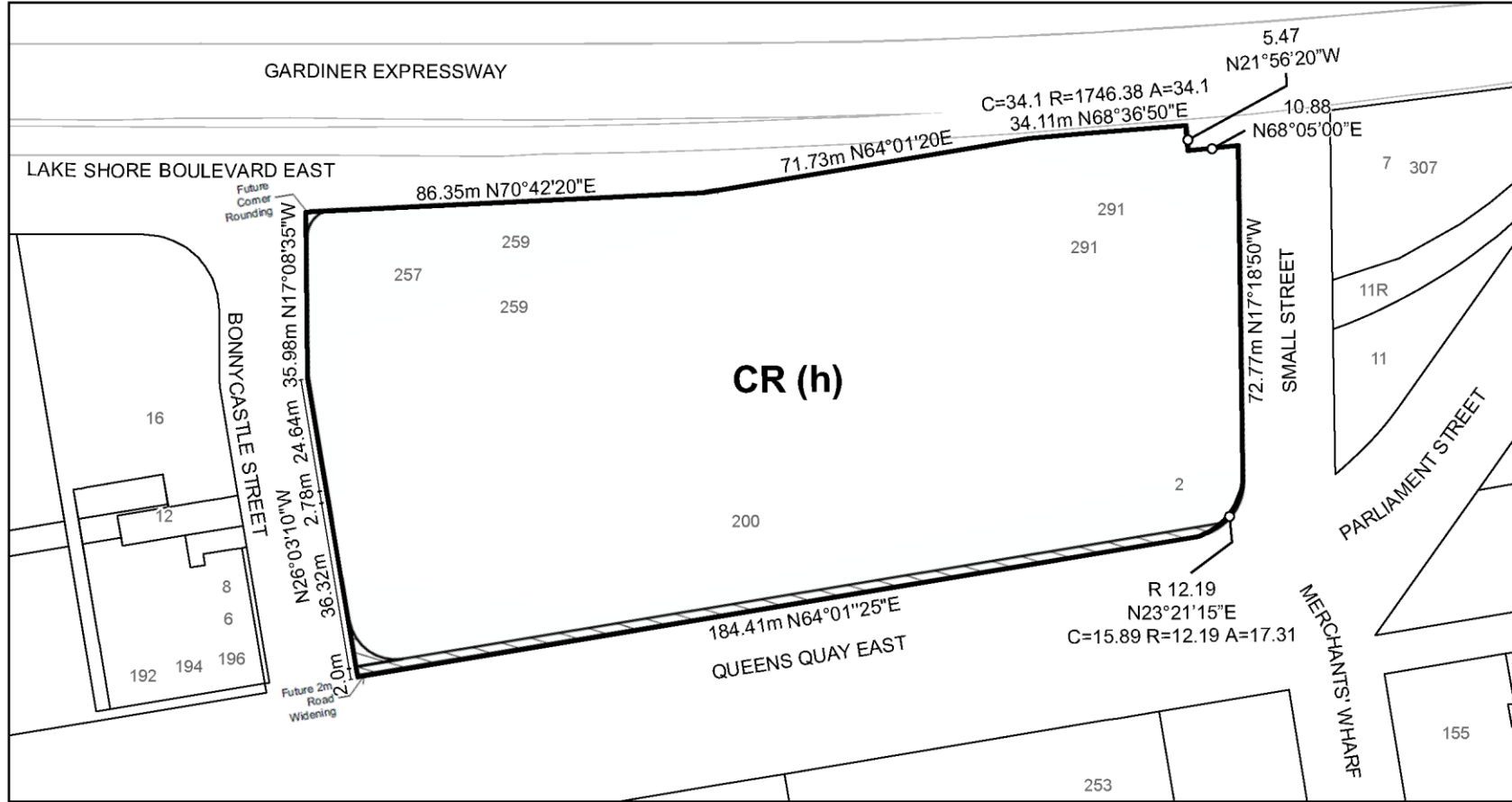
5. Section 12(1) of the aforesaid By-law 438-86, as amended by By-law 852-2024, is further amended by amending Exception 508 by replacing Map 1, Map 2, Map 3, Map 4, Map 5, Map 6, Map 7, and Map 8 with Map 1, Map 2, Map 3, Map 4, Map 5, Map 6, and Map 7 attached to this By-law.
6. The remaining standards of Section 12(1) of the aforesaid By-law 438-86, as amended by By-law 852-2024, shall be renumbered sequentially, and remain otherwise unamended.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)



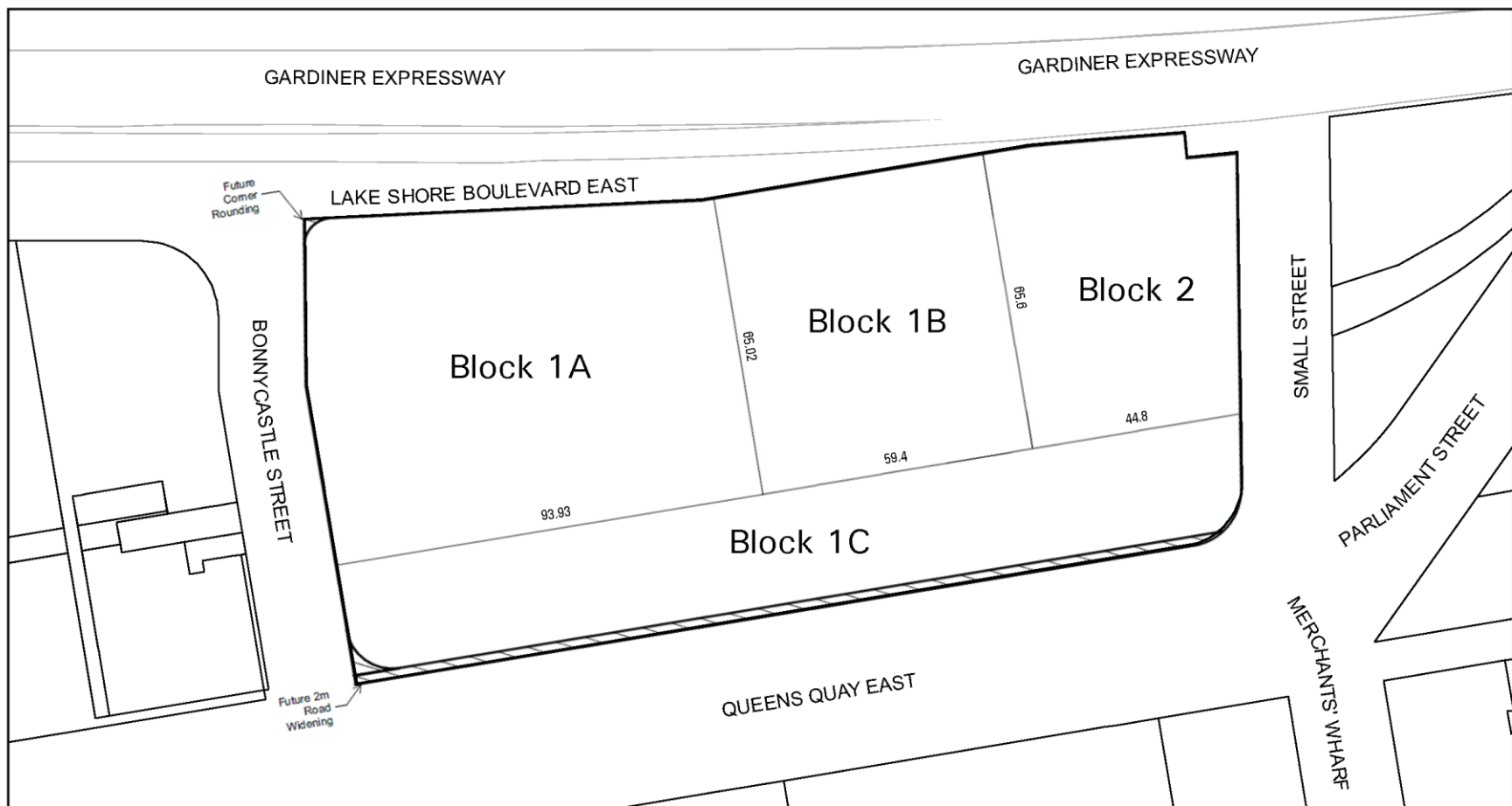
Map 1 - Lands Subject to Exemption

257-259 and 291 Lake Shore Blvd E,
2 Small St, and 200 Queens Quay

File # 25 231179 STE 10 OZ

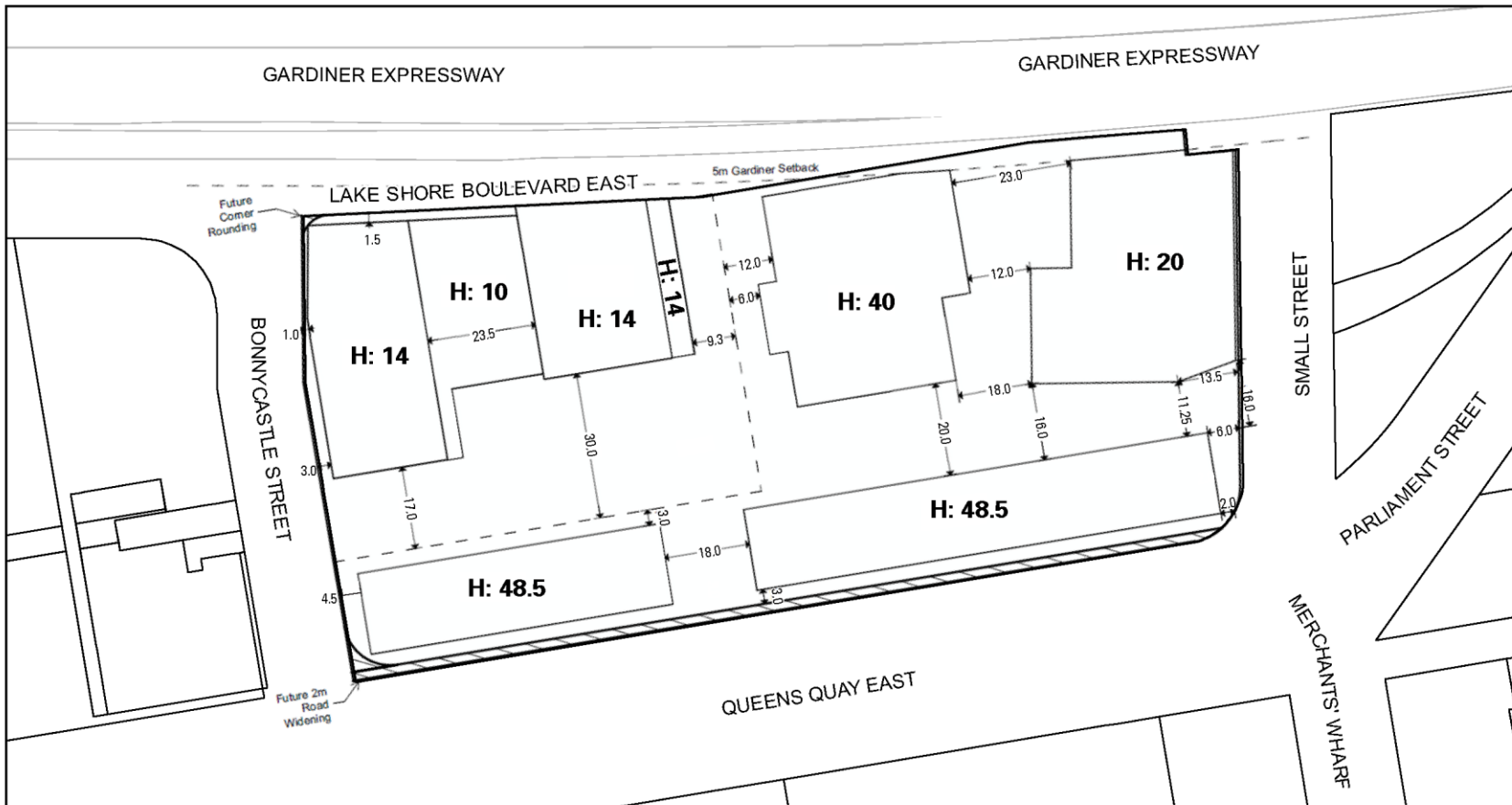


City of Toronto By-law 569-2013
Not to Scale
11/20/2025



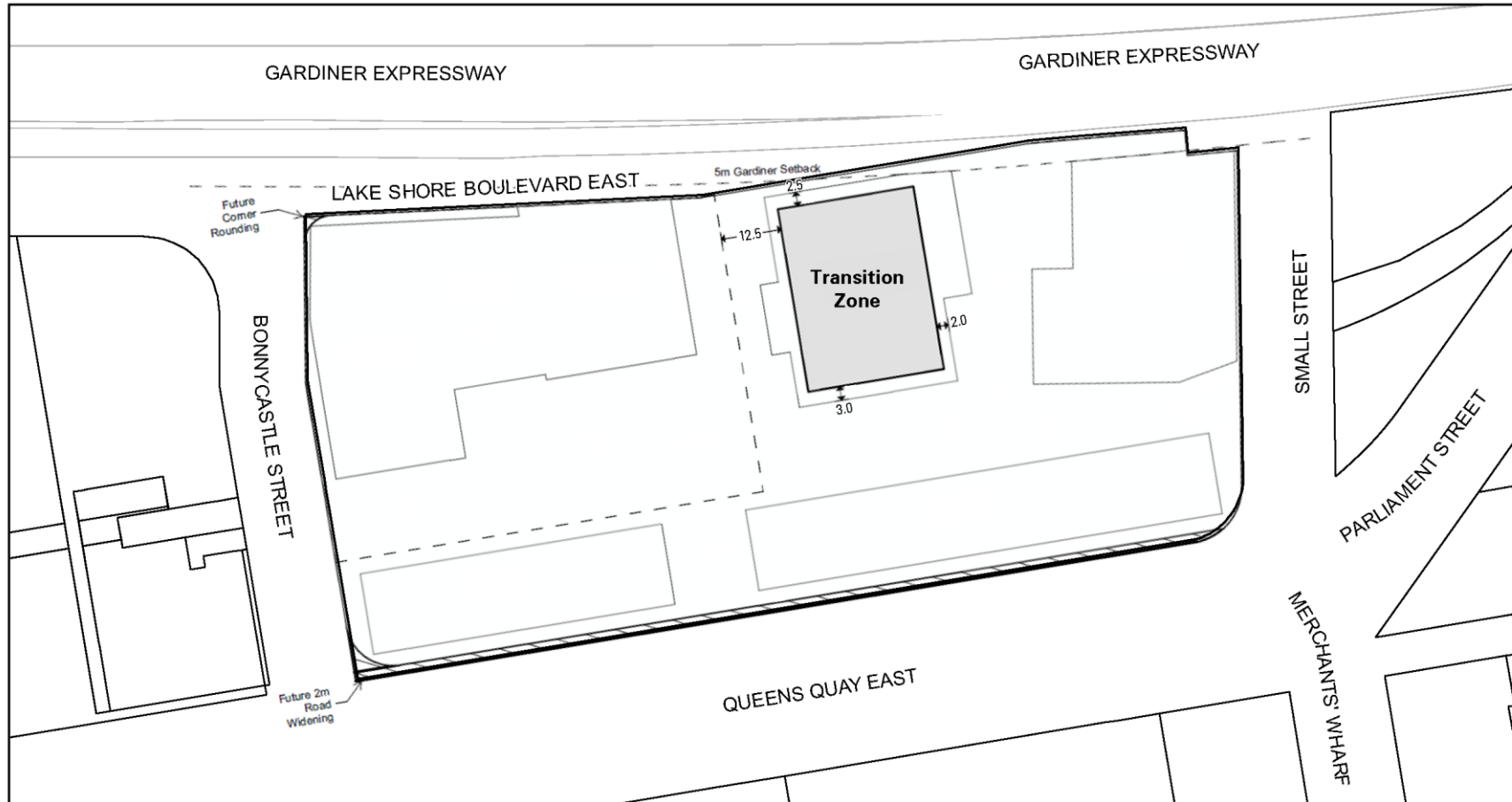
Toronto
Map 2 - Block Plan

257-259 and 291 Lake Shore Blvd E,
2 Small St, and 200 Queens Quay
File # 25 231179 STE 10 02



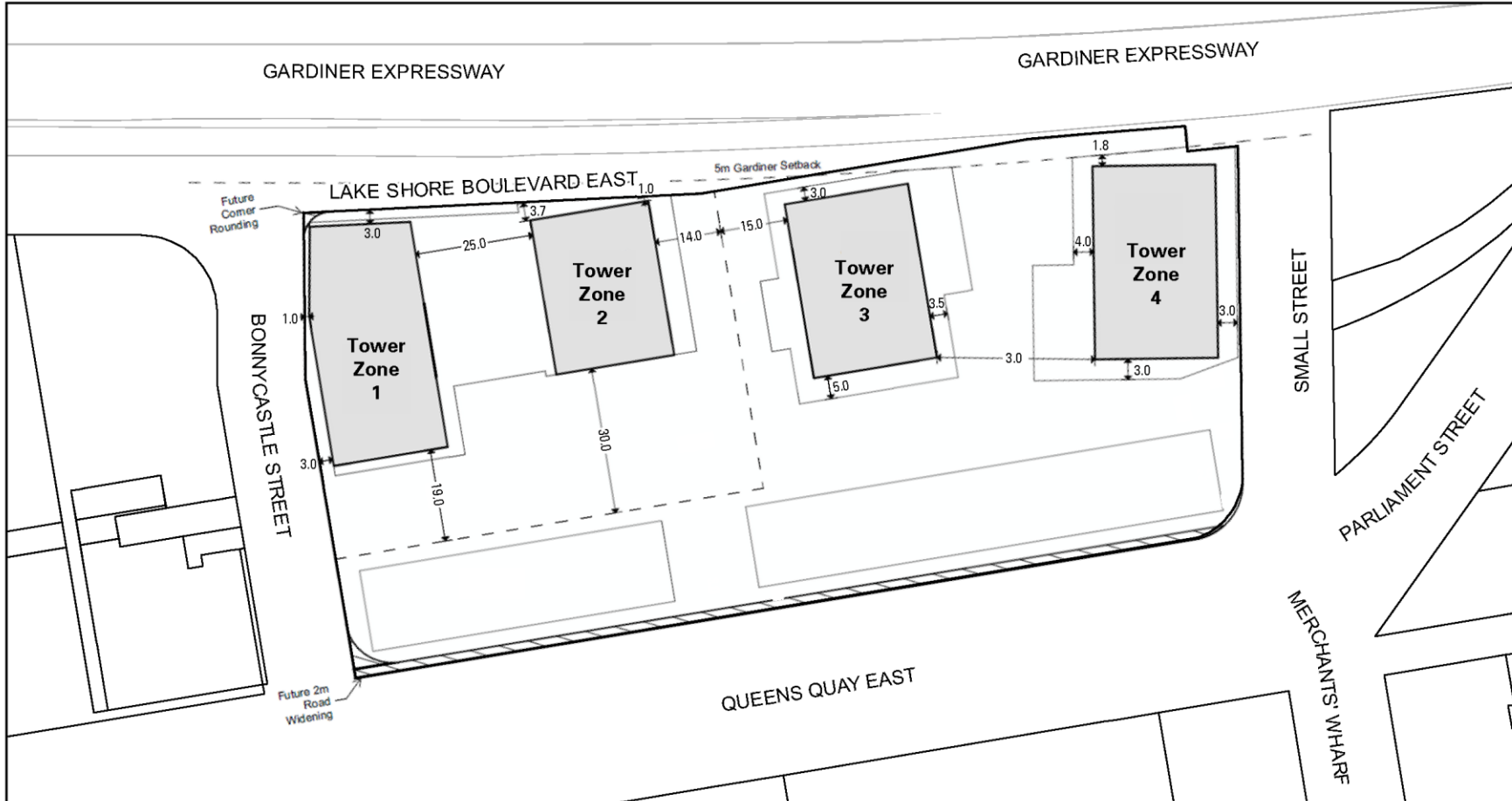
TORONTO
Map 3 - Base Building Area and Heights

257-259 and 291 Lake Shore Blvd E,
2 Small St, and 200 Queens Quay
File # 25 231179 STE 10 02



TORONTO
Map 4 - Tower Transition
Zone Areas and Heights

257-259 and 291 Lake Shore Blvd E,
2 Small St, and 200 Queens Quay
File # 25 231179 STE 10 02



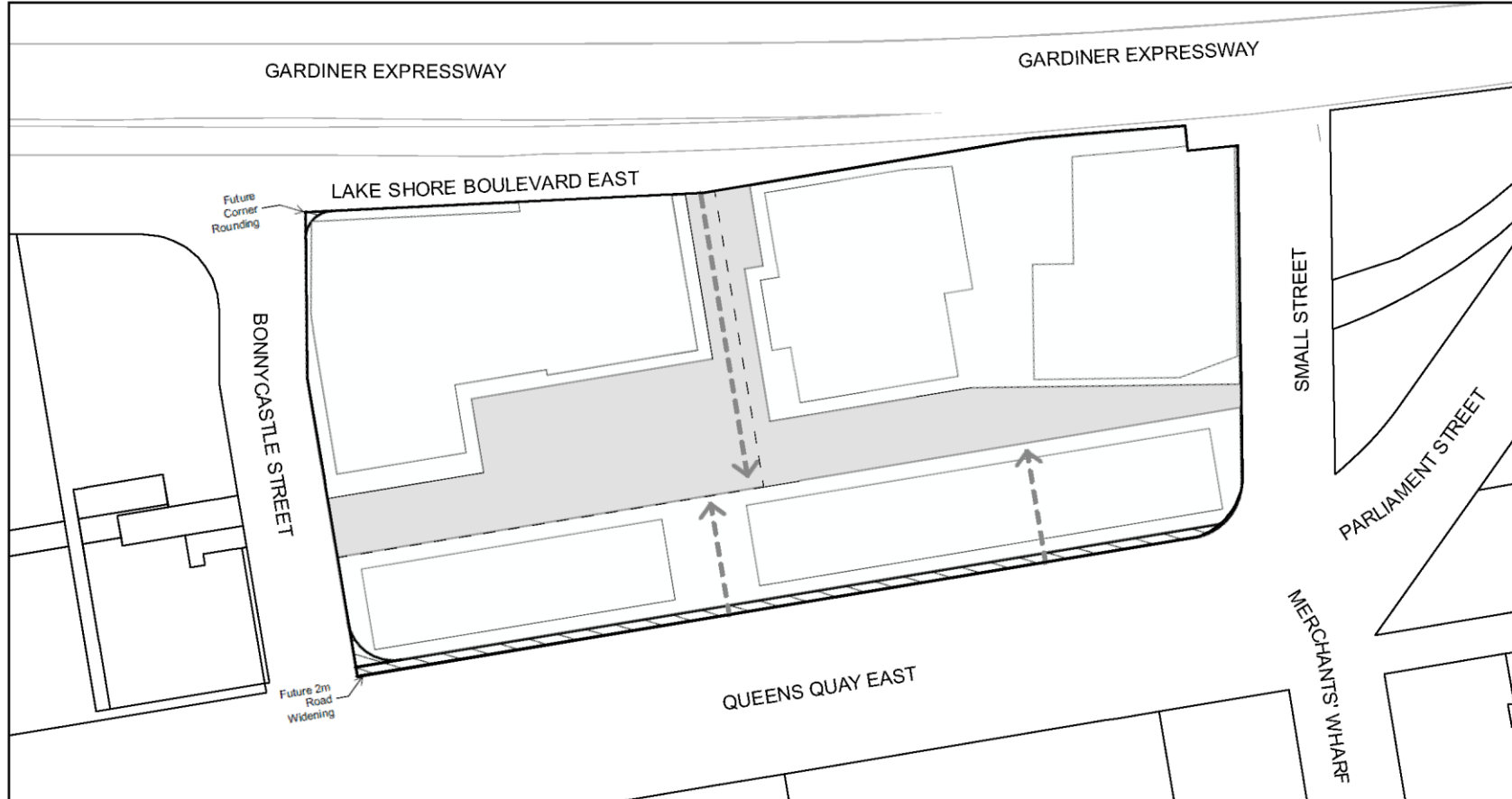
Map 5 - Tower Zone Areas and Heights

257-259 and 291 Lake Shore Blvd E,
2 Small St, and 200 Queens Quay

File # 25 231179 STE 10 OZ



City of Toronto By-law 569-2013
Not to Scale
11/20/2025



Toronto
Map 6 - Public Realm


257-259 and 291 Lake Shore Blvd E,
2 Small St, and 200 Queens Quay

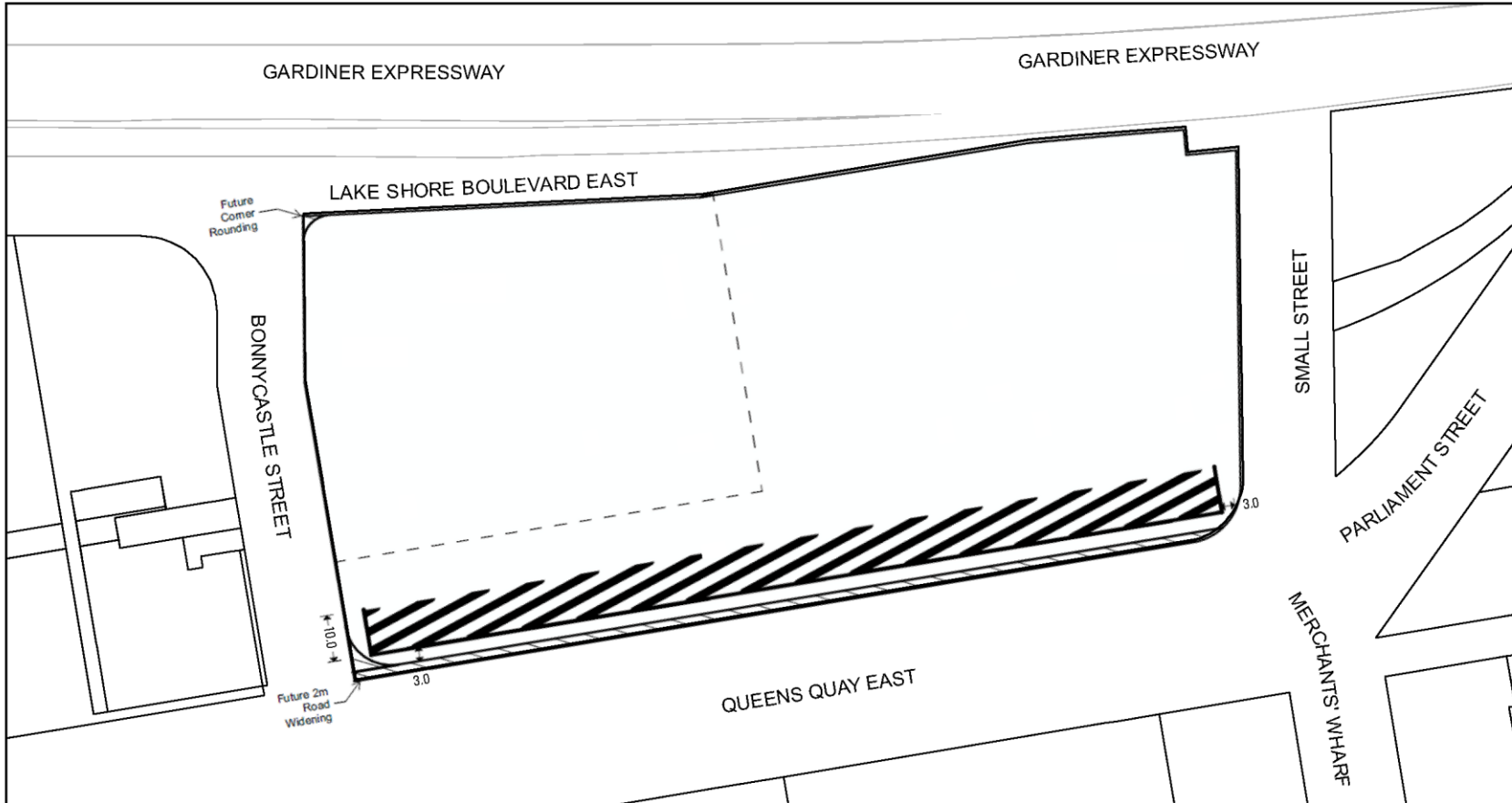
File # 25 231179 STE 10 02

 Proposed Privately-Owned Publicly Accessible Spaces (POPS)

**The location of POPS and pedestrian connections are shown for illustrative purposes only.*

 Proposed Pedestrian Connection


City of Toronto By-law 569-2013
Not to Scale
11/24/2025



Map 7 - Ground Floor Animation Areas

257-259 and 291 Lake Shore Blvd E,
2 Small St, and 200 Queens Quay

File # 25 231179 STE 10 02



Animation Areas

*Minimum 60% of animation areas
within 10m of Queens Quay East
Road



City of Toronto By-law 569-2013
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11/20/2025