

CITY OF TORONTO

BY-LAW ●-2021

To amend City of Toronto Zoning By-law 569-2013, as amended, of the City of Toronto with respect to the lands municipally known 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

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 adding the lands outlined by heavy black lines in Diagram 2 attached to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone labels to these lands: RAC (x●) and OR (x●) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.8.10 Exception Number ● so that it reads:

Exception RAC ●:

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, shown as RAC (x●) on Diagram 2 to By-law ●, none of the provisions of 5.10.40.70 (1) to (4), 15.20.20.100, 15.5.40.60, 15.20.30, 15.20.40.1, 15.20.40.10, 15.20.40.40, 15.20.40.50, 15.20.40.70, 15.20.40.80, 150.45, 200.10.1 (2), 200.15.1.5 (1), 230.5.1.10 (9), 230.20.1.20 (1) and (2) apply to prevent the erection or use of **buildings** or **structures** on the lands if in compliance with Regulations (B) to (U) and Sections (●) of By-law ●;

(B) In addition to the uses permitted by Regulations 15.20.20.10 (1), 15.20.20.20 (1), 15.20.20.40 (1), **dwelling units** in a **mixed use building**, **public parking**, outdoor open air markets, **retail store**, **eating establishment** and **take-out eating establishment** are permitted;

(C) Outdoor open air markets may provide retail sales, food sales and other uses from kiosks, tents, vehicles, tables and such facilities are not **buildings** or **structures**;

(D) Regulations 15.20.20.100(1), (6) and (7) shall not apply to non-residential uses in the **buildings** or **structures**;

(E) The total **gross floor area** of all **buildings** and **structures** must not exceed 84,000 square metres, of which:

i. A maximum of 1,500 square metres is permitted for all non-residential uses;

(F) In addition to the provisions of Regulation 15.5.40.40, the following areas of a **building** are also not included in the calculation of **gross floor area**:

i. indoor **amenity space**;

ii. storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms below the Canadian Geodetic Datum of 113.0 metres;

iii. the areas of any use operated in connection with an outdoor open air market; and

iv. interior floor area occupied by a day nursery and uses ancillary thereto;

(G) Despite all of Regulations 15.20.40.70 and 15.20.40.80, the required minimum **building setbacks** and the required minimum separation distances between **main walls** of **buildings** or **structures** above ground level is shown on Diagram 3 of By-law ●;

(H) Despite Regulation 15.5.40.60 and Regulation (G) above, the following elements may encroach into a required minimum **building setback** and a required minimum **main wall** separation distance as follows:

i. Lighting fixtures, cornices, sills, eaves, canopies, window washing equipment, railings, privacy screens, planters, balustrades, bollards, stairs, escalators and related enclosures, balconies, awnings, fences, underground garage ramps and associated **structures**, walls and safety railings, trellises, guards, guardrails, parapets, bay windows, retaining walls, wheel chair ramps, public art, bike share facilities, outdoor **recreation uses**, band shells, ornamental and architectural features, landscape features, gas equipment and meters, hydro equipment and meters, telecommunications equipment, signage, **day nursery** facilities and art installations;

ii. . Balcony dividers, privacy screens and/or partitions and balconies attached to a **building** or **structure**;

iii. Covered walkways, architectural and ornamental canopies and similar **structures**, including related support structures

iv. **Structures**, elements or enclosures listed in Regulation (K) below;

(I) Despite Regulation 15.5.40.10 (1), the **height** of a **building** or **structure** is measured as the distance between the Canadian Geodetic Datum elevation of 113.0 metres and the highest point of the building or structure;

(J) Despite Regulations 15.20.40.10 (1) and 15.20.40.10 (2), the permitted maximum height of each portion of a **building** or **structure** on the **lot** is the height in metres as specified by the numbers following the symbol HT as shown on Diagram 3 attached to By-law ●;

(K) Despite Regulations 15.5.40.10 and (J) above, the following elements may exceed the permitted maximum height:

i. **Structures**, elements or enclosures listed in Regulation (H) above;

ii. **Structures** on any roof used for mechanical equipment, chimneys, vents, exhausts, air intakes, stacks, mechanical fans, cooling towers, telecommunications equipment, radio equipment, elevators and related structural elements, roof assemblies, and structures and elements associated with green energy and renewable energy facilities located on any roof;

iii. Window washing equipment;

iv. **Structures** on any roof used for maintenance, storage, safety, window washing, wind or **green roof** purposes, parapets, including mechanical and architectural screens, and vestibules providing access to outdoor **residential amenity space**, and lightning rods; and

v. Portions of a building used for indoor or outdoor **residential amenity space** or open air recreation;

(L) Despite Regulation 15.20.40.50, a minimum of 3.4 square metres per **dwelling unit** of **amenity space** must be provided on the lot as follows:

i. A minimum of 2.0 square metres per **dwelling unit** must be provided as indoor **amenity space**;

ii. A minimum of 1.4 square metres of outdoor **amenity space** must be provided in a location that adjoins or is directly accessible from indoor **amenity space** or is located at **grade**; and

iii. **Amenity space** must be available for use by the occupants of a **building** for recreational or social activities and may also be available for use by visitors and guests to a **building**;

(M) Despite Regulations 200.5.1 (2), 200.5.10.1(1), (4), (5), and (6), and Table 200.5.10.1, parking spaces must be provided and maintained in accordance with the following requirements:

i. A minimum of 0.15 parking spaces per **dwelling unit** for residents;

ii. A minimum of 0.03 parking spaces per **dwelling unit** for non-resident uses including residential visitors, **day nurse**, **eating establishment**, **take-out eating establishment** and uses within an outdoor open air market;

(N) For each car-share **parking space** provided, the minimum number of **parking spaces** for residents required pursuant to Regulation (M)i. above may be reduced by four **parking spaces**, up to a maximum reduction as calculated by the following formula: $4 \times (\text{the total number of dwelling units divided by } 60)$, rounded down to the nearest whole number;

(O) For the purpose of this Exception:

i. car-share means the practice whereby a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car-sharing organization and such car-share motor vehicles are made available to at least the occupants of the **building** for short term rental, including hourly rental; and

ii. a car-share **parking space** means a **parking space** exclusively reserved and signed for a car used only for car-share purposes;

(P) Despite Regulation 15.5.80.1, the **parking spaces** required by Regulation (M)i. and ii. above may be provided on a non-exclusive basis and may be provided within a **public parking** use on the **lot**;

(Q) Despite Regulation 200.5.1.10 (2), a maximum of 10 percent of the total number of **parking spaces** provided do not have to comply with Regulation 200.5.1.10 (2)(A)(iv), despite that such **parking spaces** are obstructed in accordance with Regulation 200.5.1.10 (2)(D);

(R) For each 5 **bicycle parking spaces** provided in excess of the minimum number of **bicycle parking spaces** required by this By-law, the minimum number of resident **parking spaces** required pursuant to Regulations (M) and (O) above may be reduced by 1 **parking space**, up to a maximum reduction of 20 percent of the minimum that would be required pursuant to Regulations (M) and (O) above;

(S) Despite Regulations 220.5.1 (2), 220.5.1.10 (5), and 220.5.10.1 (1), (2), (3) and ●, loading spaces must be provided as follows:

i. A minimum of 1 Type "G" loading space;

ii. A minimum of 1 Type "C" loading space;

(T) Article 600.10.10 with respect to building setbacks for towers in the downtown, does not apply.

(U) Despite any existing or future severance, partition or division of the lands shown on Diagram 1 of By-law ●, the provisions of this By-law and By-law 569-2013, shall apply to the whole of the lands as one lot as if no severance, partition or division had occurred

Prevailing Sections and By-laws: Sections 12(1)(61), 12(1)232 and 12(2)(132) of former City of Toronto Zoning By-law 438-86 and former City of Toronto By-law 21875 no longer apply.

5. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.42.10 Exception Number ● so that it reads:

Exception OR (●):

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 the lands identified as OR (●) on Diagram 2 to By-law ●, in addition to the uses permitted under regulation 90.30.20.10, and despite any regulations of By-law 569-2013, as amended, to the contrary, uses for the purpose of or related to construction are also permitted uses; and

(B) Regulation 90.30.40.70 does not apply to a building, structure or trailer used for the purpose of or related to construction.

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





