

CITY OF TORONTO

BY-LAW ●-2022

**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 XX 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 CR (xXX) as shown on Diagram XX 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 XX so that it reads:

**(XXX) Exception CR XXX:**

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, as shown on Diagram 1 of By-law [Clerks to insert By-law ##], 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 (AA) below;
- (B) In addition to the uses permitted in Regulation 40.10.20.10(1), **public parking** is permitted below ground;
- (C) Despite Regulations 40.10.20.100 (1), and 40.10.20.100(33) there is no maximum **interior floor area** for an **Eating Establishment, Entertainment Place of Assembly, Place of Assembly, Recreations Use and Take-Out Eating Establishment**;
- (D) Despite Regulation 40.10.20.20(1)(A), an **outdoor patio** is not subject to Regulation 40.10.20.100 (21).

(E) For the purposes of this exception , an **outdoor patio** may include an outdoor patron area that is a non-residential use that is not **ancillary** to a non-residential use;

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

(G) Despite Regulation 40.10.20.20(1)(A), the outdoor sale or display of goods or commodities is not subject to Regulation 40.10.20.100(20)(A) and 40.10.20.100(20)(C);

(H) Despite Regulation 40.10.20.40(1), **dwelling units** in **apartment buildings** and **mixed-use buildings** are permitted on the **lot**;

(I) Despite Regulation 40.10.40.1(1), residential use portions of the building may be located on the same level or below non-residential use portions;

(L) For the purpose of Regulation 40.10.40.10(5), a mezzanine does not constitute a **storey**;

(M) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** must not exceed 84,000 square metres, of which:

i. the permitted maximum **gross floor area** for non-residential uses is 1,000 square metres;

(N) In addition to the listed elements which reduce the gross floor area for a mixed use building in Regulation 40.5.40.40(3), the gross floor area may also be reduced by:

i. storage rooms, washrooms, electrical, utility, service corridors, mechanical and ventilation rooms, moving rooms, mail / parcel room, residential garbage rooms, pet wash facilities, bicycle rooms, firefighter central alarm control facilities (CACF), below the Canadian Geodetic Datum of 113.0 metres, at or above- ground;

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

iii. all indoor amenity space; and

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

(O) Despite Regulations 40.10.40.70(1)(2) and (3), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];

(P) Despite Regulations 40.10.40.80(1) and (2), the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law ##];

(Q) Despite Regulation 5.10.40.70(1), Clause 40.5.40.60, Clause 40.10.40.60 and (O) and (P) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances 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, retaining walls, wheel chair ramps, public art, bike

share facilities, outdoor **recreation uses**, band shells, ornamental or architectural features, landscape features, **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 (T) below; and

v. Balconies that project a maximum of 1.5 metres in depth provided such projecting balconies:

(a) are not located on main walls of Building “A” as shown on Diagram 3 of By-law [Clerks to supply By-law #] which are within 2.5 metres of the corners of portions of a building at and above 9 storeys in height;

(b) do not occupy more than 50 percent of the length of any main wall of Building “A” as shown on Diagram 3 of By-law [Clerks to supply By-law #] at and above 9 storeys in height;

(c) are not located on main walls of Building “B” as shown on Diagram 3 of By-law [Clerks to supply By-law #] which are within 2.5 metres of the corners of portions of a building at and above 5 storeys in height and

(d) do not occupy more than 50 percent of the length of any main wall of Building “B” as shown on Diagram 3 of By-law [Clerks to supply By-law #] at and above 5 storeys in height;

(R) 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 113.0 metres and elevation of the highest point of the **building** or **structure**;

(S) Despite Regulations 40.10.40.10(1)(2) and (3), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 3 of By-law [Clerks to insert By-law ##];

(T) Despite Regulations 40.5.40.10(3) to (8) and (S) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building** :

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

ii. **Structures** on any roof used for mechanical equipment, chimneys, vents, stacks, mechanical fans, cooling towers, 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, safety, 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;

(U) Despite Regulations 40.10.40.50(1)(A) and (B), **amenity space** shall be provided on the **lot** in accordance with the following:

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

ii. A minimum of 1.5 square metres of outdoor **amenity space** must be provided in a location that adjoins or is directly accessible from indoor **amenity space**;

(V) 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 parking spaces per **dwelling unit** for residents;

ii. A minimum of 22 parking spaces for residential visitors and car-share; and

iii. A minimum of 0 parking spaces for non-residential uses.

(W) For the purpose of this Exception:

i. Car-share 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 to 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

ii. Car-share parking space means a parking space that is reserved and actively used for car-sharing;

(X) Despite Regulation 40.5.80.1, the **parking spaces** required by Regulation (V) ii. above may be provided on a non-exclusive basis and may be provided within a **public parking** use on the **lot**;

(Y) 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);

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

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

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

(AA) A long-term bicycle parking space may be located in a stacked bicycle parking space;

(BB). A bicycle parking space must have a minimum length of 1.8 metres, minimum width of 0.6 metres, and minimum vertical clearance from the ground of 1.9 metres;

(CC) 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 0.6 metres, and minimum horizontal clearance from the wall of 1.2 metres;

(DD) If a stacked bicycle parking space is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres; and

(EE) 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

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

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. 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 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 erected on the same lands.

7. None of the provisions of By-law 569-2013, as amended, apply to prevent a temporary construction management 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 construction management for the development of the lands to be erected on the same lands.





