

Authority: Toronto and East York Community Council
Item TE23.6, as adopted by City of Toronto Council on
June 25 and 26, 2025
City Council voted in favour of this by-law on June 26,
2025
Written approval of this by-law was given by Mayoral
Decision 10-2025 dated June 26, 2025

CITY OF TORONTO

BY-LAW 591-2025

To amend former City of Toronto By-law 438-86 and By-law 566-2013(OMB), as amended, with respect to the lands municipally known in the year 2013 as 45 Charles Street East.

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 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) of the Planning Act, R.S.O. c. P.13 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Recovery Act, S.O. 2020, c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) provided the by-law is not amended to remove the requirement to provide any of the facilities, services or matters secured therein or repealed; and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 the Ontario Municipal Board pursuant to its Order issued on June 5, 2012 and February 19, 2013 in Board File PL120060 resulted in the enactment of By-law 566-2013(OMB) being a by-law described in the repealed subsection 37(1) of the Planning Act and this By-law does not amend or remove the requirement to provide facilities, services and therefore subsections 37(1)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 this By-law can set out additional eligible facilities, services of matters for which the previous increases in height and density as set out in the Zoning By-law 566-2013(OMB) were secured to fund;

The Council of the City of Toronto enacts:

1. Appendix 1, Section (b) is amended to read:

"A payment of \$2.0 million will be payable prior to the issuance of the first above-grade building permit. Such payment will be deposited to the Planning Act Reserve Fund and would be used towards the construction of an indoor swimming pool at the Wellesley Community Centre, located at 495 Sherbourne Street, or construction of other community recreation facilities in the vicinity of the *lot*, and/or to the purchase and improvement of new or existing community space for community or non-profit use within Ward 13, Toronto Centre;"

2. A new paragraph is added to the end of Section (b) that reads:

"In the event the cash contribution referred to above has not been used for the intended purpose within 3 years of the enactment of By-law 566-2013(OMB), the cash contribution may be redirected for another purpose, at the discretion of the Executive Director, Development Review, and the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in Ward 13, Toronto Centre."

Enacted and passed on June 26, 2025.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)