

Authority: Toronto and East York Community Council Item <<<Insert Item Number>>> as adopted by City of Toronto Council on <<<Insert Date>>>, 2023  
Enacted by Council: <<<Insert Date>>>, 2023

## CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2023

**To amend By-law 249-2020(LPAT), being a by-law to amend former City of Toronto Zoning By-law 438-86, as amended by By-law 754-2023, with respect to lands municipally known in the year 2023 as 1 and 7 Yonge Street.**

Whereas authority is given to Council by 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

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 Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of lands elects to provide facilities, services or matters, in return for an increase in height or density of development, the owner may be required to enter into one or more agreements with the municipality in respect of the facilities, services and matters; and

Whereas the *owner* of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 438-86, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the *owner* of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. Paragraph 5 of By-law 249-2020(LPAT) is amended as follows:
  - a) The following language is to be added at the beginning of Paragraph (c) subsection (i):

Pool enclosures, architectural features;
  - b) A new clause (d.) is to be added below Paragraph (c) subsection (ii) clause (c.), and will include the following language:

Notwithstanding section 5 c)(ii), corner balconies that are located on Levels 14 to 18 of Tower 1 may extend to a maximum horizontal projection from an exterior building wall of 4.75 metres;

- c) The following language is to be added at the beginning of Paragraph (f) subsection (i):

Pool enclosures;

- d) Paragraph (f) subsection (iii) is deleted and replaced with the following:

Notwithstanding section 5 f)(i) above, window washing equipment, structural damper system and its enclosing elements, wind screens, and parapets may project above the *height* limits specified in the table in 5 f)(ii) above, provided such elements are no higher than 7.2 metres, and only located on the roof of the *towers* and the "Existing Office Building" as shown on Map 2B;

- e) Paragraph (i) is deleted and replaced with the following:

The total combined *residential gross floor area* and *non-residential gross floor area* located or used on the *lot* shall not exceed 410,000 square metres of which:

- (i) within *Parcel A*, the total combined *residential gross floor area* and *non-residential gross floor area* shall not exceed 262,400 square metres, of which:
- a. a minimum of 10 percent of the *residential gross floor area* shall comprise *affordable rental housing units*;
  - b. a minimum of 4,772 square metres shall comprise a *municipal community centre* to be owned by the City within *Phase 1*; and
  - c. a minimum of 6,300 square metres shall be *non-residential gross floor area* over the entirety of *Parcel A*, including a minimum of 1,100 square metres of *non-residential gross floor area* within *Phase 1* and a minimum of 2,000 square metres of *non-residential gross floor area* within *Phase 2*;
- (ii) within *Parcel B*, the maximum *non-residential gross floor area* shall not exceed 147,600 square metres, and no *residential gross floor area* is permitted; and
- (iii) provided the total combined maximum *residential gross floor area* and *non-residential gross floor area* for the *lot* of 410,000 square metres is not exceeded and further provided the maximum building and *tower heights* permitted by Map 2A and Map 2B are not exceeded, excluding the permitted exceptions in subsection 5 f) above, then the total combined

maximum *gross floor area* for *Parcel A* as permitted in subsection 5 i) (i) above may be increased by a maximum of 4,000 square metres of below-grade *non-residential gross floor area*, provided any such increase in *non-residential gross floor area* on *Parcel A* beyond that permitted by subsection 5 i) (i), shall result in a corresponding decrease in the *non-residential gross floor area* permitted by subsection 5 i) (ii) above on *Parcel B*.

- f) Map 2B and 5 are hereby removed and replaced with the revised Map 2B and 5 as attached hereto.

ENACTED AND PASSED this <<<Insert Date>>> day of <<<Insert Month>>>, 2023.

FRANCES NUNZIATA,

Speaker

(Corporate Seal)

John D. Elvidge,

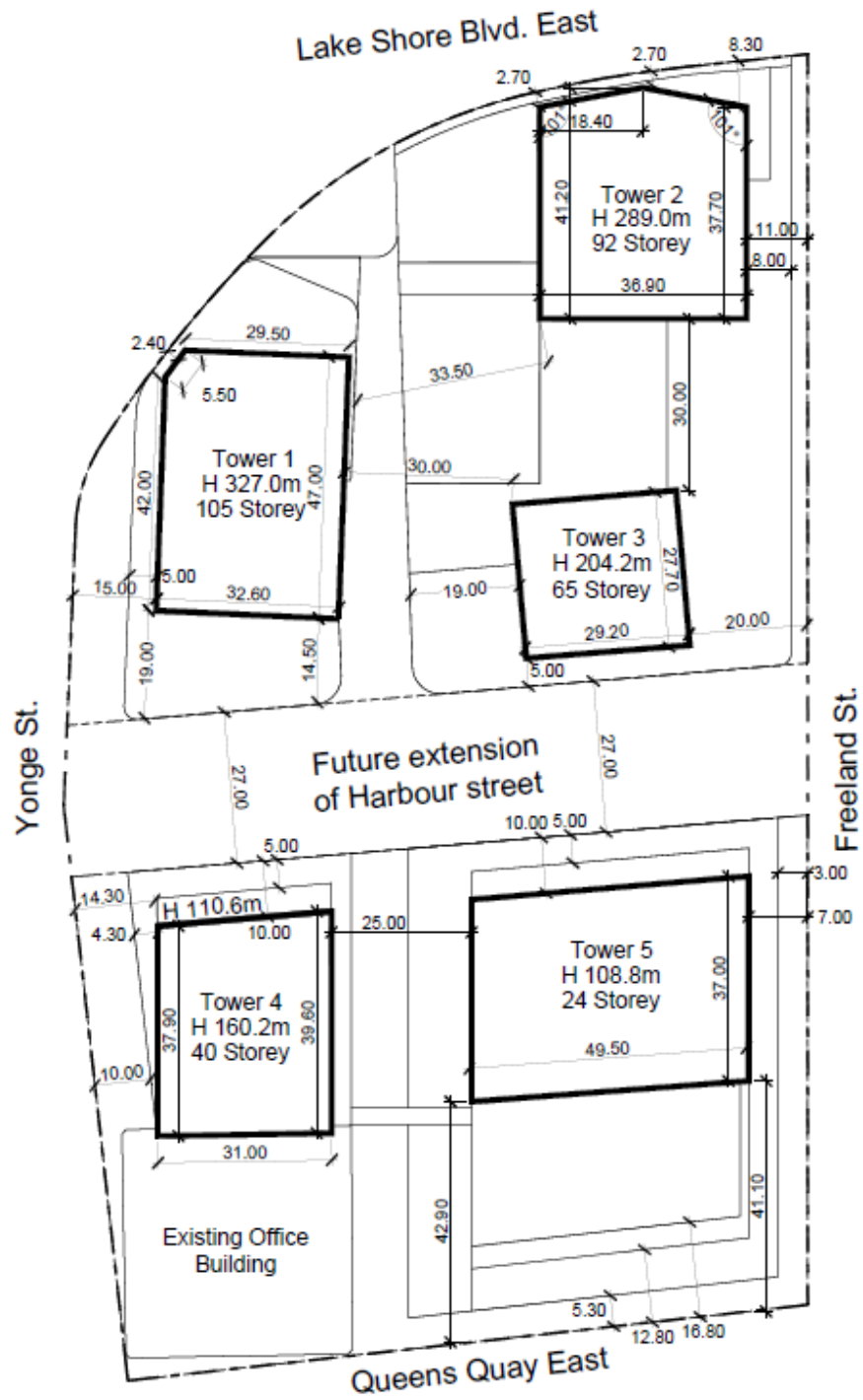
City Clerk

## SCHEDULE A

## Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City by the owner at the owner's expense in accordance with this By-law and as further specified in one or more agreements or amendments to existing agreements, in a form satisfactory to the City Solicitor with conditions providing for indexing escalation of both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement in return for the increase in height and density of the proposed development on the lot, all to the satisfaction of the Chief Planner and Executive Director, City Planning:

1. Prior to the issuance of the first above-grade building permit the owner shall provide an indexed cash contribution to the City in the amount of \$3,000,000.00 to be allocated to capital improvements which will benefit the community in the vicinity of the project such as, but not limited to, local parkland improvements and/or public realm improvements, and community services and facilities in Ward 10.
2. In the event that the cash contributions referred to in Section (1) above has not been used for the intended purpose within 3 years of this By-law coming into force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.



Note:  
All dimensions are in metres  
MAP 2B

