

## **CITY OF TORONTO**

### **Bill**

### **BY-LAW -2025**

**To amend the City of Toronto Zoning By-law 569-2013, as amended, and Site Specific Zoning By-law 883-2021(OLT) with respect to the lands municipally known in the year 2024 as 55 Eglinton Avenue 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; and

Where as Council of the City of Toronto continues to have the power under subsection 37(1) of the Planning Act, R.S.O. 1990, c. P.13, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18 ("COVID-19 Economic Recovery Act, 2020") came into force, whereby City Council may, in a by-law enacted under Section 34 of the Planning Act, authorize increases in the density and height of development not otherwise permitted by the by-law in return for the provision of such facilities, services and matters as are set out in the By-law; 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Recovery Act, S.O. 2020, c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2); and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, by its Decision issued October 3, 2017, and the Ontario Land Tribunal, by its Order issued July 22, 2021 in Tribunal File PL160872 amended Zoning By-law 569-2013, with respect to the lands subject of this By-law through Site Specific Zoning By-law 883-2021(OLT), 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(2) 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, requires that a by-law under Subsection 37(1) of the Planning Act, may not be enacted unless the municipality has an official plan that contains provisions relating to the authorization of increases in height and density of development; and

Whereas the City's Official Plan contains provisions relating to the authorization of increases in height and density of development; 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 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 569-2013 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. The lands subject to this By-law municipally known in the year 2024 as 55 Eglinton Avenue East are outlined by heavy black lines on Diagram 1 attached to and forming part of By-law 883-2021(OLT).
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(356)(B) and replacing it with the following:

"(B) Despite Regulations 40.5.1.10(3) and 40.10.40.40(1) and (3), the maximum **gross floor area** of all **buildings** and **structures** permitted on the **lot** is 44,500 square metres, of which a minimum of 303 square metres of **gross floor area** must be non-residential uses;"
4. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(356)(D).
5. Zoning By-law 569-2013, as amended, is further amended by deleting the number "206.0" in Regulation 900.11.10(356)(E) and replacing it with the number "184.0".
6. Zoning By-law 569-2013, as amended, is further amended by deleting the words "Diagram 3 of By-law 883-2021(OLT)" in Regulation 900.11.10(356)(G) and replacing it with the words "Diagram 3 of By-law [Clerks to insert By-law number]".

7. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(356)(H) and replacing it with the following:
- "(H) Despite (G) above and Regulations 40.5.40.10(4), (5), (6), (7) and (8), 40.10.40.10(2), 40.10.40.70(2)(E), (F) and (G) and 40.10.40.60(9), the following building elements and structures are not subject to restrictions and may exceed all height limits, with the exception of the 183.2 metres height limit, shown on Diagram 3 of By-law **[Clerks to insert By-law number]**:
- (i) canopies, light fixtures, awnings, architectural features, **structures** used for outside or open air recreation, trellises, mechanical and architectural screens, transformer vaults, architectural elements, stairs, covered/enclosed stairwells, public art, window washing equipment and crane **structures** and equipment, lightning rods, satellite dishes, utility, mechanical and ventilation equipment, by a maximum of 6.5 metres;
  - (ii) fences, safety railings and other elements or **structures** on the roof of the **building** used for safety or wind protection and mitigation purposes, privacy screens, photovoltaic **solar energy** devices, chimneys, vents, stacks, **landscape** elements, maintenance equipment storage by a maximum of 3.0 metres; and
  - (iii) parapets, bollards, balustrades, seating areas, guardrails, terraces, terrace guards, wheelchair ramps, planters, roof access, elements and **structures** associated with a **green roof**, eaves, cornices by a maximum of 1.5 metres;"
8. Zoning By-law 569-2013, as amended, is further amended by deleting the words "Diagram 3 of By-law 883-2021(OLT)" in Regulation 900.11.10(356)(H) and replacing it with the words "Diagram 3 of By-law **[Clerks to insert By-law number]**".
9. Zoning By-law 569-2013, as amended, is further amended by deleting the number "177.9" in Regulation 900.11.10(356)(I) and replacing it with the number "183.2".
10. Zoning By-law 569-2013, as amended, is further amended by deleting the words "Diagram 3 of By-law 883-2021(OLT)" in regulation 900.11.10(356)(I) and replacing it with the words "Diagram 3 of By-law **[Clerks to insert By-law number]**".
11. Zoning By-law 569-2013, as amended, is further amended by deleting the word "mezzanine" in Regulation 900.11.10(356)(J) and replacing it with the word "second".
12. Zoning By-law 569-2013, as amended, is further amended by deleting the words "Diagram 3 of By-law 883-2021(OLT)" in Regulation 900.11.10(356)(K) and replacing it with the words "Diagram 3 of By-law **[Clerks to insert By-law number]**".

13. Zoning By-law 569-2013, as amended, is further amended by amending and replacing regulation 900.11.10(356)(L) with the following:

"(L) Despite (K) above, Clauses 40.5.40.60, 40.5.40.70 and 40.10.40.60, and Regulations 5.10.40.70(1) and 40.10.40.70(2), the following may encroach into the required minimum **building setbacks**:

- (i) damper equipment to reduce **building** movement, trellises, balconies, guardrails, balustrades, window washing equipment and crane **structures**, stairs, stair enclosures, doors, access ramps, screens, by a maximum of 2.5 metres;
- (ii) **loading spaces**, art and **landscape** features, patios, decks, terraces, planters, awnings and canopies, pillars, columns, structural elements, railings, fences, ventilation shafts, site servicing features, elements required for the functional operation of the **building** and underground garage ramps and associated **structures**; and
- (iii) louvres, cornices, light fixtures, ornamental elements, parapets, eaves, windowsills by a maximum of 1.0 metres;"

14. Zoning By-law 569-2013, as amended, is further amended by deleting the number "202.5" in Regulation 900.11.10(356)(M) and replacing it with the number "203".

15. Zoning By-law 569-2013, as amended, is further amended by deleting the words "Diagram 3 of By-law 883-2021(OLT)" in Regulation 900.11.10(356)(N)(i) and replacing it with the words "Diagram 3 of By-law [Clerks to insert By-law number]".

16. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(356)(N)(ii) and replacing it with the following:

"(N)(ii) the elements identified in (L) above are permitted to encroach into the **building setback** required in (N)(i) above;"

17. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(356)(O) and replacing it with the following:

"(O) The provision of **dwelling units** is subject to the following:

- (i) a minimum of 25 percent of the total number of **dwelling units** must contain two bedroom or three bedrooms; and
- (ii) an additional 15 percent of the total number of **dwelling units** must contain two and three bedroom **dwelling units** that can be converted to 2-bedroom and 3-bedroom **dwelling units** through the use of accessible or adaptable design measures, such as knock-out panels;

- (iii) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a number with a fraction, the number shall be rounded down to the nearest whole number;"

18. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(356)(P) and replacing it with the following;

"(P) Despite Regulations 40.5.80.1(1), 200.5.1(2), Clause 200.5.10.1, Table 200.5.10.1 and 200.15.10(1), **parking spaces** must be provided and maintained in accordance with the following:

- (i) a minimum of 0 **parking spaces** are required for the use of residents of the **building**;
- (ii) a minimum of 0 **parking spaces** are required for residential visitors; and
- (iii) no **parking spaces** are required for non-residential uses;"

19. Zoning By-law 569-2013, as amended, is further amended by amending Regulation 900.11.10(356)(R) by deleting the words "a maximum of 10 percent of the total".

20. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(356)(U) and replacing it with the following:

"(U) Despite Regulation 200.25.15(17), if **parking spaces** are provided on the **lot**, a percentage of the provided **parking spaces** must be **accessible parking spaces** in accordance with Section 200.15;"

21. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(356)(Y) and replacing it with the following:

"(Y) Despite Regulation 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located on any level of a **building** above or below ground;"

22. Zoning By-law 569-2013, as amended, is further amended by adding to Exception 900.11.10(356) the following new regulations:

"(CC) For the purposes of this exception, Regulation 40.10.80.20(1), regarding the relative location of **parking spaces** not in a **building** or **structure** relative to a **lot line** does not apply;

(DD) Despite Regulations 230.5.1.10.1(5), the following number of **bicycle parking space** must be provided:

- (i) 0.9 "long-term" **bicycle parking space** per **dwelling unit**; and
- (ii) 0.1 "short-term" **bicycle parking spaces** per **dwelling unit**;

- (EE) In addition to Clause 40.10.20.20, “car-sharing” is a permitted non-residential use on the lands;
- (FF) For the purpose of this exception:
- (i) "car-share" or "car-sharing" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "carshare" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
  - (ii) "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
- (GG) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be a **stacked bicycle parking space**;
- (HH) Despite Regulation 230.40.1.20(2), "short-term" **bicycle parking spaces** may be:
- (i) located outdoors or indoors, if located below the third **storey**; and
  - (ii) located more than 30 metres from a pedestrian entrance to a **building**;
23. Zoning By-law 569-2013, as amended, is further amended by amending Regulation 900.11.10(356)(A) to replace the word “(BB)” with “(HH)”.
24. By-law 883-2021(OLT) is amended by deleting Diagram 2 attached to and forming part of By-law 883-2021(OLT) and replacing it with Diagram 2 attached to this By-law.
25. By-law 883-2021(OLT) is amended by deleting Diagram 3 attached to and forming part of By-law 883-2021(OLT) and replacing it with Diagram 3 attached to this By-law.
26. Schedule A to By-law 883-2021(OLT) is amended by added the required services, facilities and matters as specified in Schedule A to this By-law.
27. 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.
28. Section 37 Provisions
- (A) Pursuant to Section 37 of the Planning Act, as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, C.18, as amended, came into force, and subject to compliance with this By-law, the increase in height and/or density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner’s expense, of the facilities, services and matters set out in Schedule A hereof which are secured by one or more

agreements pursuant to Section 37 (3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a **building** permit, the issuance of such permit shall be dependent upon satisfaction of the same;
- (C) The owner shall not use, or permit the use of, a **building** or **structure** erected with an increase in height and density pursuant to this By-law unless all applicable provisions of Schedule A are satisfied; and
- (D) Once the amending agreement or agreements securing the facilities, services and matters set out in additional matters set out in Schedule A to this By-law have been executed and registered, the provisions of Schedule A shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.

Enacted and passed on November , 2025.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**SCHEDULE A**  
**Section 37 Provisions**

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands shown in Diagram 1 attached to By-law 883-2021(OLT). Prior to the issuance of any building permit, the owner shall enter into an agreement, on such terms and conditions, including upwards indexing, securities, details and requirements, to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act, as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, C.18, as amended, came into force, (the "Amending Section 37 Agreement") to secure the community benefits and matters required to support the development below, whereby the owner agrees as follows, in addition to matters set out in Schedule A to By-law 883-2021(OLT):

- 1B. In addition to the benefits identified in Paragraph 1 above:
- a. the required cash contribution in Paragraph 1 above may also be allocated towards off-site improvements to the public lane, south of Eglinton Avenue East, between Holly Street and Dunfield Avenue, to the satisfaction Executive Director, Development Review, in consultation with the Ward Councillor; or
  - b. prior to the issuance of any Building Permit, the owner shall, at its sole cost and expense, enter into a financially secured agreement in the form of a Municipal Infrastructure Agreement, to the satisfaction of the Director, Engineering Review, for the design and construction of off-site improvements to the public lane, south of Eglinton Avenue East, between Holly Street and Dunfield Avenue, for a contribution of equal value to no less than what is required in Paragraph 1 above as indexed in accordance with Paragraph 2 below.

**Matters Required to Support the Development**

- 4. The Owner, at its sole cost and expense, enter into, and register on title, an Amending Section 37 Agreement amending the Section 37 Agreement registered on title to the lands, registered as Instrument Number AT580485, securing the following matters to implement the requirements of the Official Plan Amendment 829, on such terms and conditions, all to the satisfaction of Chief Planner and Executive Director, City Planning and the City Solicitor as follows:
  - a. Any tall building development on the site will include a minimum of 1,165 square metres of non-residential and/or affordable housing gross floor area;
  - b. The minimum 1,165 square metres required in a. above, shall be comprised of:
    - i. a minimum of 303 square metres will be retail on the ground floor;
    - ii. a minimum of 360 square metres will be affordable housing; and
    - iii. the remaining 502 square metres will be either affordable housing or non-

residential uses.

- c. For any affordable housing secured through Paragraph 4. b. ii. and iii. above, a minimum of 6 contiguous affordable housing units shall be provided on the lands and such terms and conditions as may be specified in the amending Section 37 Agreement to secure the required provision of Affordable Housing Units, all to the satisfaction Chief Planner and Executive Director, City Planning and the City Solicitor.

**Diagram 2**

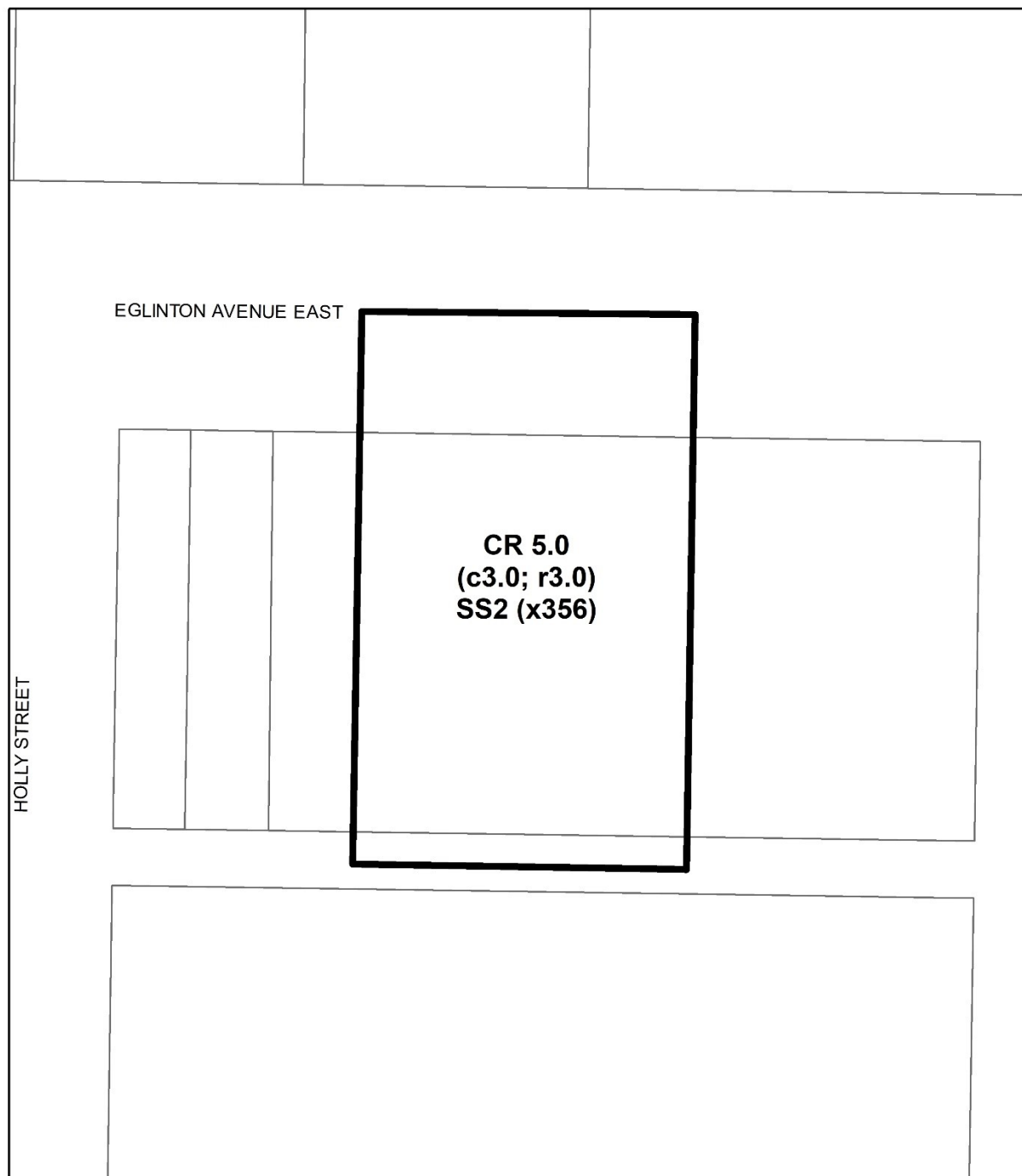
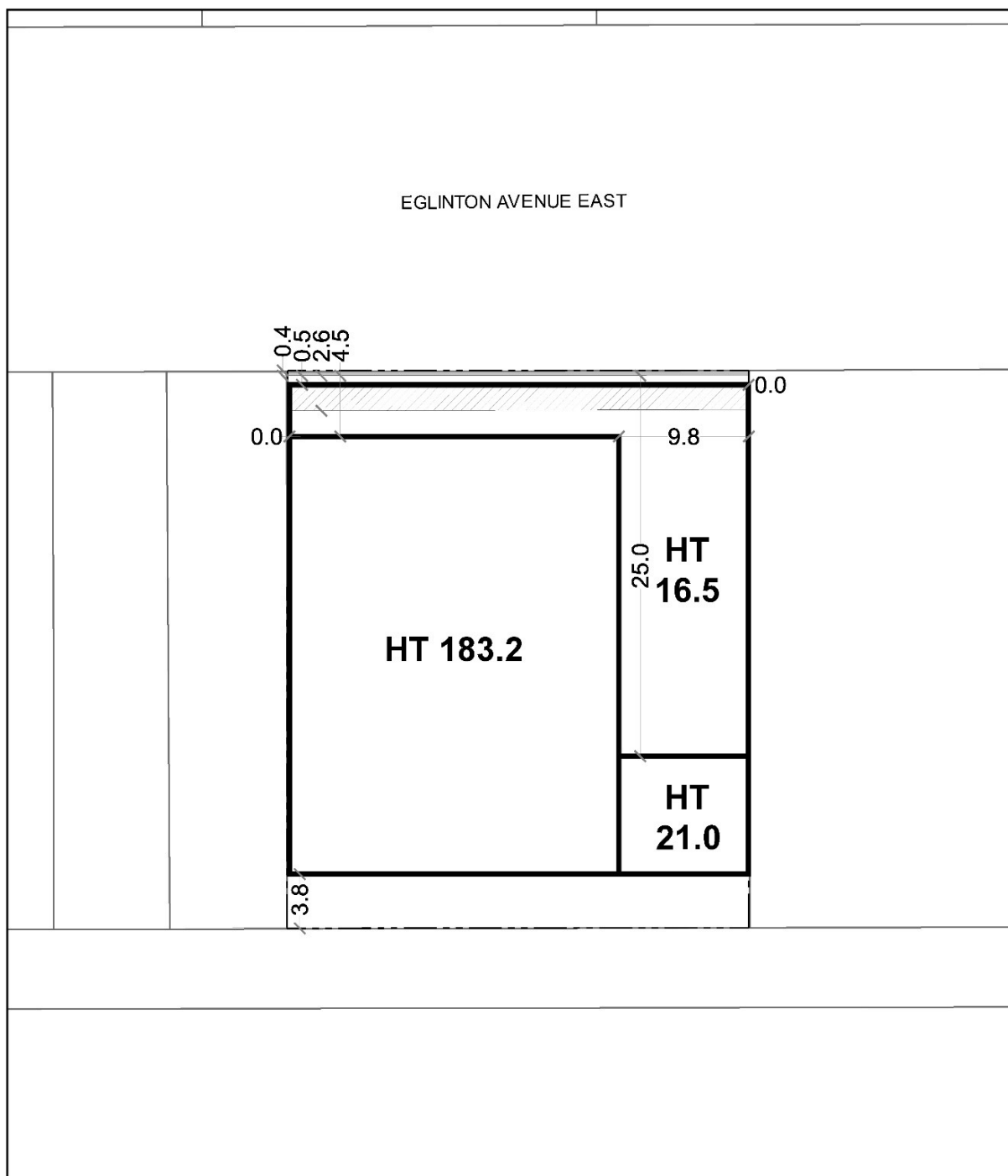


Diagram 3



 **Toronto**  
Diagram 3

55 Eglinton Avenue East

File # 24 245958 STE 12 0Z

 Area 'A'  
 0.4 metre road widening

  
City of Toronto By-law 569-2013  
Not to Scale  
10/21/2025