

Authority: Toronto and East York Community Council Item [-], as adopted by City of Toronto Council on [-]

CITY OF TORONTO
BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 569-2013, as amended, and Site Specific Zoning By-law 883-2021(OLT) with respect to 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, as amended; 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;

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Recovery Act, S.O. 2020, c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2);

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;

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;

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;

Whereas the City's Official Plan contains provisions relating to the authorization of increases in height and density of development;

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;

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;

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once the holding symbol "(H)" is removed by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)"; and

The Council of the City of Toronto enacts:

1. This By-law applies to the lands municipally known in the year 2024 as 55 Eglinton Avenue East, delineated by a heavy line on Diagram 1 attached to 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, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending and replacing regulation 900.11.10(356)(B) 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 900.11.10(356)(D);

5. Zoning By-law 569-2013, as amended, is further amended by deleting the word “206.0” in regulation 900.11.10(356)(E) and replacing it with “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 “Diagram 3 of By-law [Clerks to insert By-law number]”;
7. Zoning By-law 569-2013, as amended, is further amended by amending and replacing regulation 900.11.10(356)(H) 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, ornamental elements, 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, solar panels, 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 “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 words “177.9” in regulation 900.11.10(356)(I) and replacing it with “183.2” and deleting the words “Diagram 3 of By-law 883-2021(OLT)” in regulation 900.11.10(356)(I) and replacing it with “Diagram 3 of By-law [Clerks to insert By-law number]”;
10. Zoning By-law 569-2013, as amended, is further amended by deleting the words “mezzanine” in regulation 900.11.10(356)(J) and replacing it with “second”;

11. 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 “Diagram 3 of By-law [Clerks to insert By-law number]”;
12. 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, wheelchair 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 and other 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;
13. Zoning By-law 569-2013, as amended, is further amended by deleting the word “202.5” in regulation 900.11.10(356)(M) and replacing it with “203”;
14. 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 “Diagram 3 of By-law [Clerks to insert By-law number]”;
15. Zoning By-law 569-2013, as amended, is further amended by amending and replacing 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;
16. Zoning By-law 569-2013, as amended, is further amended by amending and replacing regulation 900.11.10(356)(O) 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 or more bedrooms;
 - (ii) an additional 15 percent of the total number of **dwelling units** must contain two or more bedrooms or be **dwelling units** that can

be converted to 2- or 3-bedroom **dwelling units** through the use of accessible or adaptable design measures, such as knock-out panels;

17. Zoning By-law 569-2013, as amended, is further amended by amending and replacing regulation 900.11.10(356)(P) 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;

18. Zoning By-law 569-2013, as amended, is further amended by amending by deleting the words “a maximum of 10 percent of the total” of regulation 900.11.10(356)(R);

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

(U) Despite Regulation 200.15.10.10(1), no accessible **parking spaces** are required;

20. Zoning By-law 569-2013, as amended, is further amended by amending and replacing regulation 900.11.10(356)(Y) 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, including a mezzanine;

21. Zoning By-law 569-2013, as amended, is further amended by adding to Exception 900.11.10(356) the following 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) Despite Regulation 200.5.10.1(1), "car-share parking spaces" are

permitted, subject to the following:

- (i) for the purpose of this exception, "car-share" 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) for the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;

(FF) Despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space**;

(GG) Despite regulation 230.40.1.20(2), "short-term" **bicycle parking spaces** may be:

- (i) located outdoors and, indoors at an area below the third floor, including a mezzanine level; and
- (ii) located more than 30 metres from a pedestrian entrance to a **building**;

- 22. By-law 883-2021(OLT) is amended by deleting Diagram 2 and replacing it with Diagram 2 attached to this By-law.
- 23. By-law 883-2021(OLT) is amended by deleting Diagram 3 and replacing it with Diagram 3 attached to this By-law.
- 24. Despite any existing or future severance, partition, or division of the lands, the provisions of this Exception apply as if no severance, partition or division occurred.
- 25. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
 - (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
 - (i) The owner or applicant, at their sole cost and expense has submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system, storm sewer system, and watermain system (municipal infrastructure) and any required improvements to them, have adequate capacity and supply

to accommodate the development of the lands to the satisfaction of the Director, Engineering Review, Development Review.

- i. if the Functional Servicing and Stormwater Management Report accepted and satisfactory from above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:

- 1. the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or,
- 2. the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report in 1(a)i above are constructed and operational, all to the satisfaction to the Director, Engineering Review, Development Review; and
- 3. the owner or applicant, at their sole cost and expense has submitted the required revised documentation to demonstrate that all comments provided in the memorandum to Community Planning, dated September 11, 2025, from Development Review, has been resolved, to the satisfaction of the Director, Engineering Review.

- (ii) the Owner has entered into and registered on title to the lands an amending Section 37 Agreement pursuant to Section 37 of the Planning Act, on such terms and conditions, acceptable and satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;

26. 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 [DATE].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

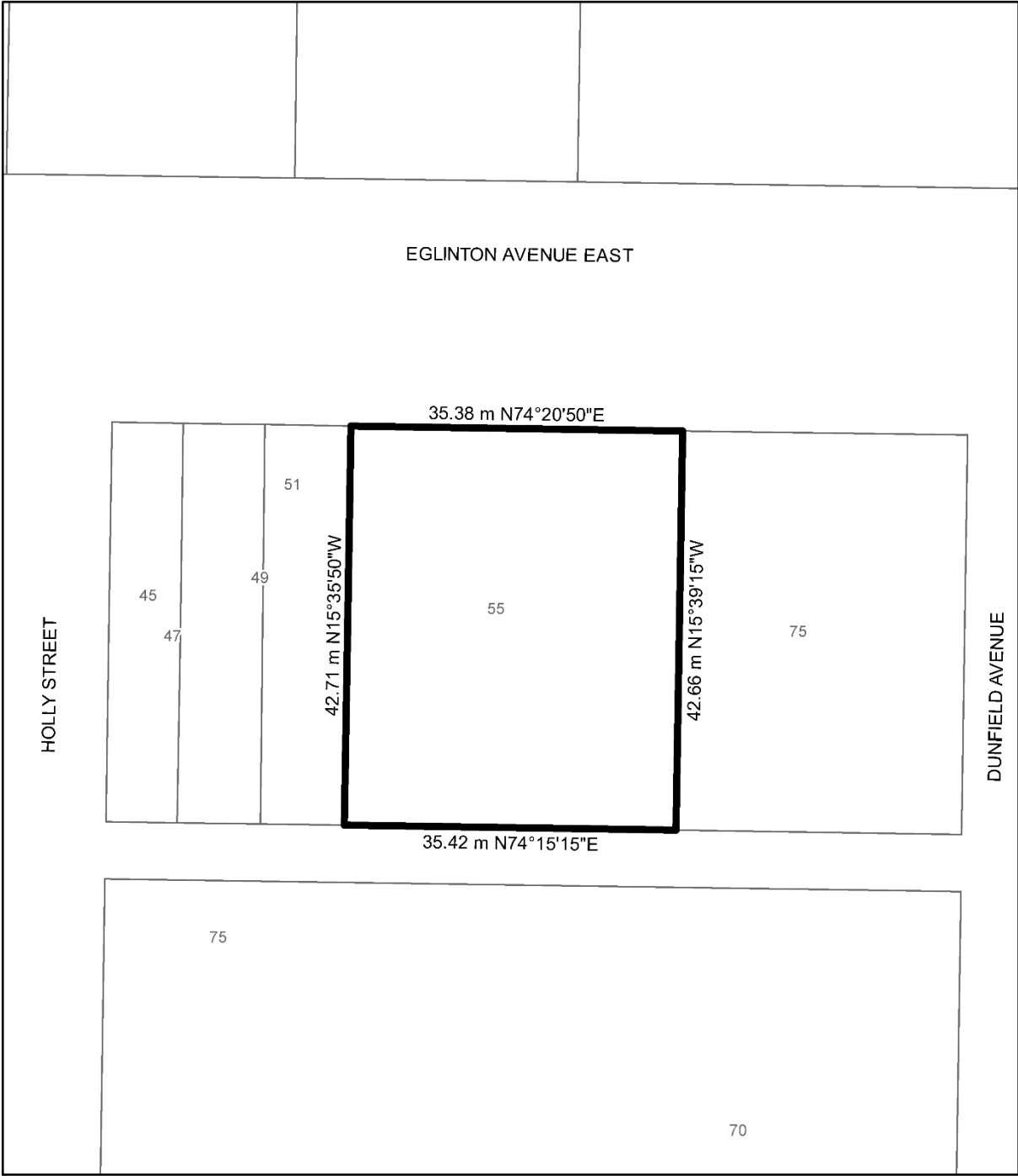
SCHEDULE A

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):

1. The owner shall:

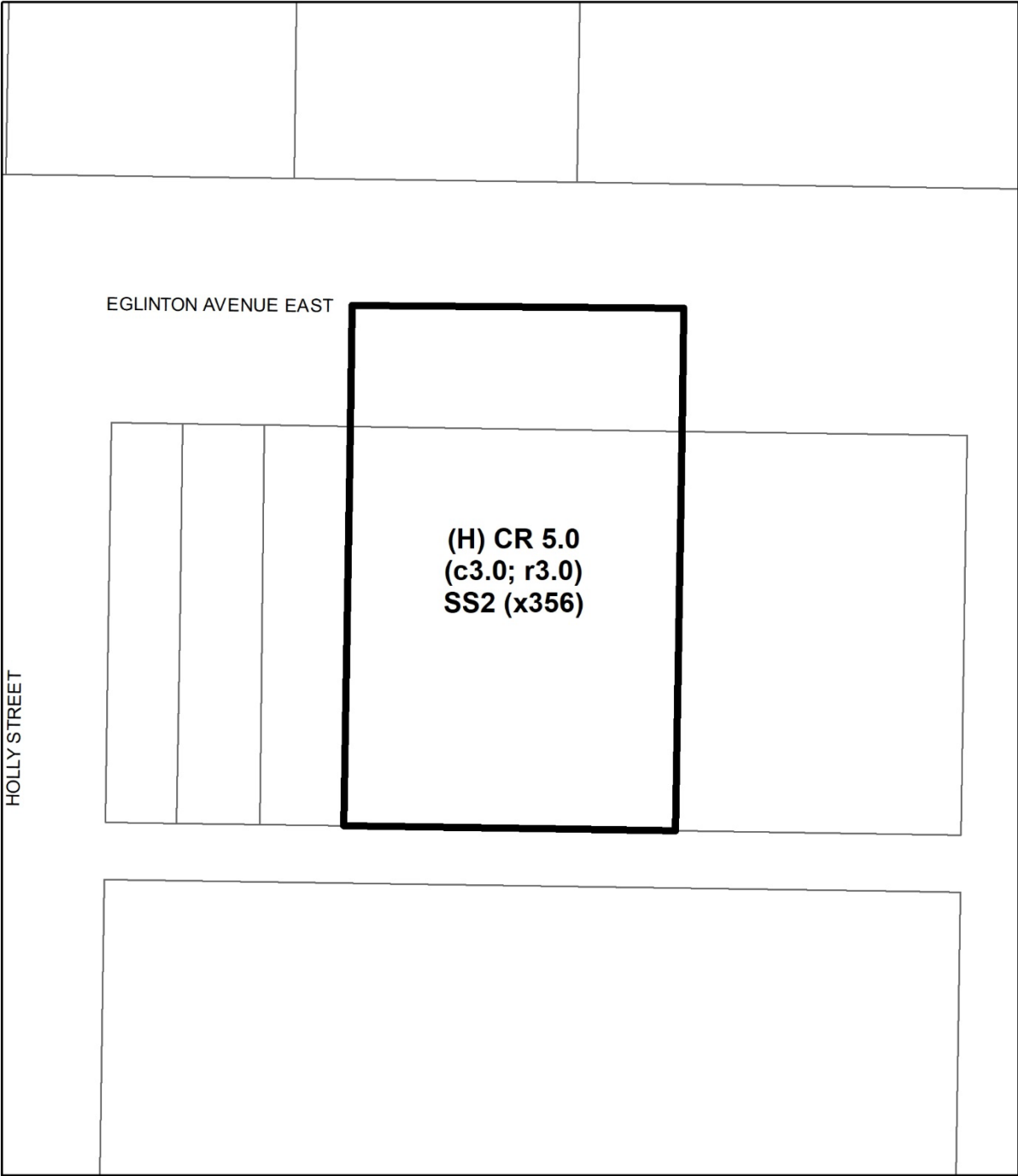
- a. At the owner's sole cost and expense, enter into, and register on title, an Amending Section 37 Agreement amending the Section 37 Agreement registered on title to the lands, registered as Instrument Number AT580485, securing the following matters of legal convenience to implement the requirements of the recommended Official Plan Amendment, to the satisfaction of the Executive Director, Development Review and the City Solicitor as follows:
 - i. 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, which will be comprised of:
 1. a minimum of 303 square metres will be retail on the ground floor;
 2. a minimum of 360 square metres will be affordable housing; and
 3. the remaining 502 square metres will be either affordable housing or non-residential uses.
 - ii. For any affordable housing secured through i.2. and i.3. above the Owner or non-profit housing provider shall enter into an Agreement with the City of Toronto to secure a minimum of 6 Affordable Housing Units. The Agreement shall be further discussed and finalized between the Owner or non-profit housing provider and the City of Toronto.



 **Toronto**
Diagram 1

55 Eglinton Avenue East

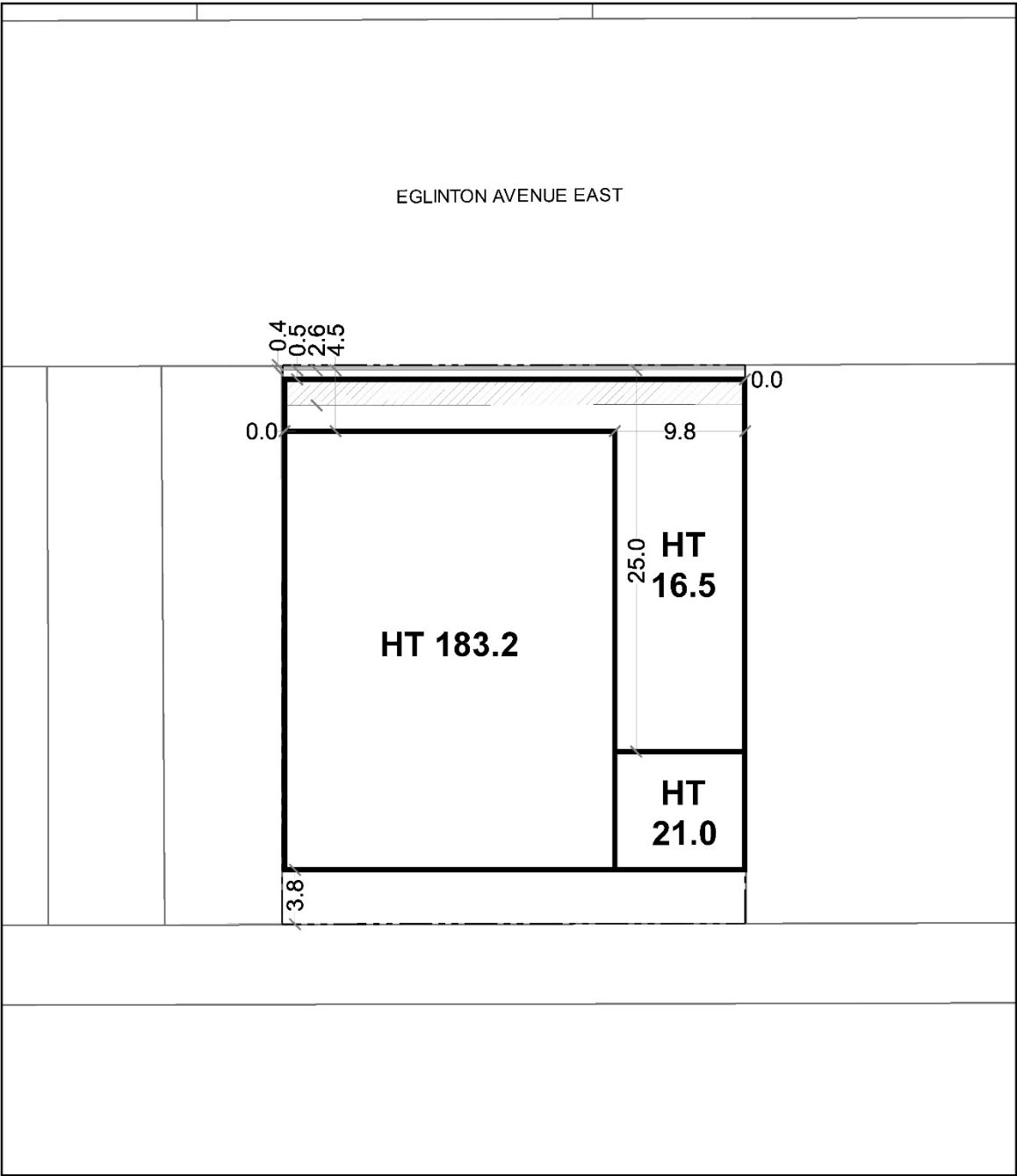
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 **Toronto**
Diagram 2

55 Eglinton Avenue East

File # 24 245958 STE 12 OZ



 **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