

Attachment 16: Draft Zoning By-law Amendment

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

CITY OF TORONTO Bill No. ~

BY-LAW No. [Clerks to insert By-law number]

To amend Zoning By-law No. 569-2013, as amended, and Site-Specific Zoning By-law 1251-2022 (OLT) with respect to lands municipally known in the year 2024 as 1 Front Street West

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

Whereas 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Recovery Act, S.O. 2020, c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2); and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 Local Planning Appeal Tribunal, by its Decision issued October 28, 2020, and the Ontario Land Tribunal, by its Order issued August 9, 2022 in Tribunal File PL190501 amended Zoning By-law 569-2013, with respect to the lands subject of this By-law through Site Specific Zoning By-law 1251-2022 (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. This By-law applies to the lands municipally known in the year 2024 as 1 Front Street West, delineated by a heavy line on Diagram 1 attached to By-law 1251-2022 (OLT).
2. The words highlighted in bold type in this By-law have the same meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.
3. In addition to the uses permitted in Clauses 40.10.20.10 and 40.10.20.20, “car share **parking spaces**” are permitted as a non-residential land use.
4. Zoning By-law No. 1251-2022 is amended as described below:
 - (A) Diagram 2 to By-law 1251-2022 (OLT) is replaced with Diagram 2 of By-law [Clerks to insert By-law number];
 - (B) Diagram 3 to By-law 1251-2022 (OLT) is replaced with Diagram 3 of By-law [Clerks to insert By-law number];
 - (C) Section (A) is replaced with the following:
 - (A) On the lands municipally known as 1 Front Street West, if the requirements of By-laws 1251-2022 and [Clerks to insert By-law number] and Schedule A of [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with regulations (B) to (EE) below;
 - (D) Section (E) is replaced with the following:
 - (E) Despite Regulation 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the numerical value, in metres, following the letters “HT” as shown on Diagram 3 attached to By-law [Clerks to insert By-law number], inclusive of the following elements:
 - (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, maintenance

equipment, provided they are located within the “Tower Zone” identified on Diagram 3; and

- (ii) **structures** that enclose, screen, or cover the equipment, **structures**, and parts of a **building** listed in (i) above, provided they are located within the “Tower Zone” on Diagram 3.

(E) Section (G) is deleted.

(F) Section (H) is replaced with the following:

(H) Despite Regulations 40.5.40.10(3) to (8) and (E) above, the following elements of a **building** or **structure** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number].

- (i) stairwells, roof access, elevator shafts, chimneys, and vents, up to a maximum of 3.0 metres;
- (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, up to a maximum of 3.0 metres;
- (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, up to a maximum of 1.1 metres;
- (iv) **building** maintenance units and window washing equipment, trellises, pergolas, screens, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 6.0 metres; and
- (v) planters, **landscaping** features, bollards, and guard rails, up to a maximum of 1.5 metres;
- (vi) photovoltaic **solar energy** devices, thermal **solar energy** devices, light fixtures, and lightning rods, up to a maximum of 5.0 metres.

(G) Section (I) is replaced with the following:

(I) Despite Regulations 40.10.40.40(1) and (2), the permitted maximum **gross floor area** of all **buildings** and **structures** must not exceed 90,000 square metres of **gross floor area**, of which:

- (i) A maximum of 43,500 square metres of **gross floor area** is for residential uses; and
- (ii) A minimum of 46,500 square metres of **gross floor area** must be for non-residential uses, of which a minimum of 35,000 square metres must be for office uses.

(H) Section (R) is deleted.

(I) Clauses (i) and (ii) of Section (T) are replaced with the following:

- (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 “car-share” 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 motor **vehicle** used only for “car-share” purposes.
- (J) Clause (i) of Section (X) is replaced with the following:
 - (i) An accessible **parking space** must have the following minimum dimensions:
 - (a) length of 5.6 metres;
 - (b) width of 3.4 metres; and
 - (c) vertical clearance of 2.1 metres;
- (K) Clauses (i) and (ii) of Section (Y) is replaced with the following:
 - (i) a minimum of three (3) Type “B” **loading spaces**;
 - (ii) a minimum of five (5) Type “C” **loading spaces**; and
- (L) Section (BB) is replaced with the following:

(BB) Despite Regulation 230.5.1.10(9)(A)(iii) and 230.5.1.10(9)(B)(iii), “long-term” **bicycle parking spaces** may be distributed on the first three levels of the **building** below-ground; and
- (M) Section (CC) is replaced with the following:

(CC) Despite Regulation 230.5.1.10(4)(A)(ii), if a **bicycle parking space** has one wheel with a vertical clearance of at least 0.25 metres from that of an adjacent **bicycle parking space**, the minimum width of each **bicycle parking space** is 0.4 metres.
- (N) Zoning By-law No. 1251-2022 is amended by adding Section (DD) as follows:

(DD) A minimum supply of **bicycle parking spaces** shall be provided and maintained on the **lot**, in accordance with the following:

 - (i) Not less than 0.2 **bicycle parking spaces** per 100 square metres of non-residential **gross floor area** for “long-term” **bicycle parking**.
 - (ii) Not less than 3 plus 0.3 **bicycle parking spaces** per 100 square metres of non-residential **gross floor area** for “short-term” **bicycle parking**.
- (O) Zoning By-law No. 1251-2022 is amended by adding Section (EE) as follows:

(EE) For the purposes of this By-law, the required minimum distance between the **building**, including all below and above ground **structures**, to any transportation use **buildings** or **structures** is 3.0 metres.

(P) Section 7 Holding Provisions is deleted.

4. Section 37 Provisions

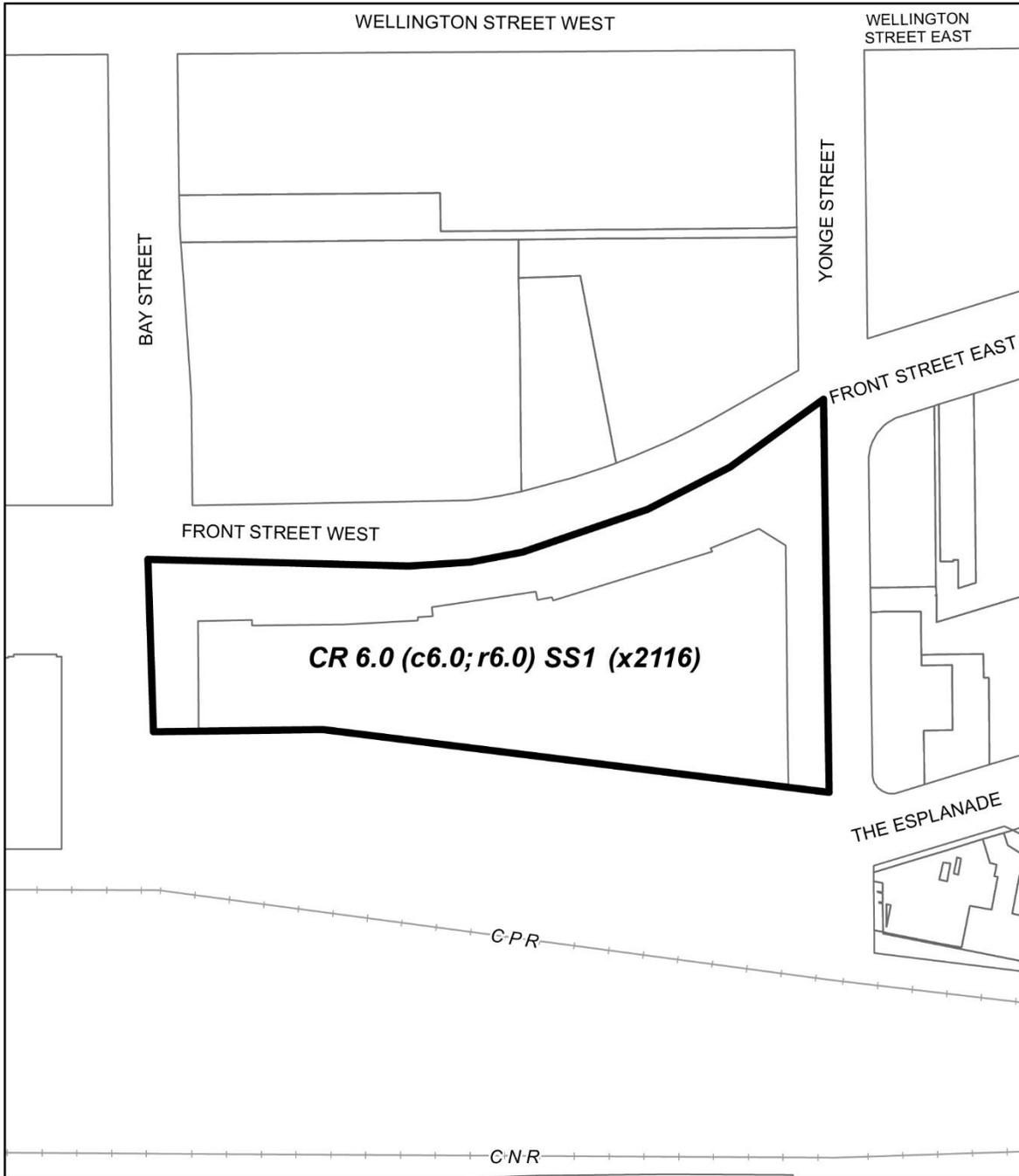
- (A) Pursuant to Section 37 of the Planning Act, as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, C.18, as amended, came into force, and subject to compliance with this By-law, the increase in height and/or density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 attached to By-law 1251-2022 (OLT), 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 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.

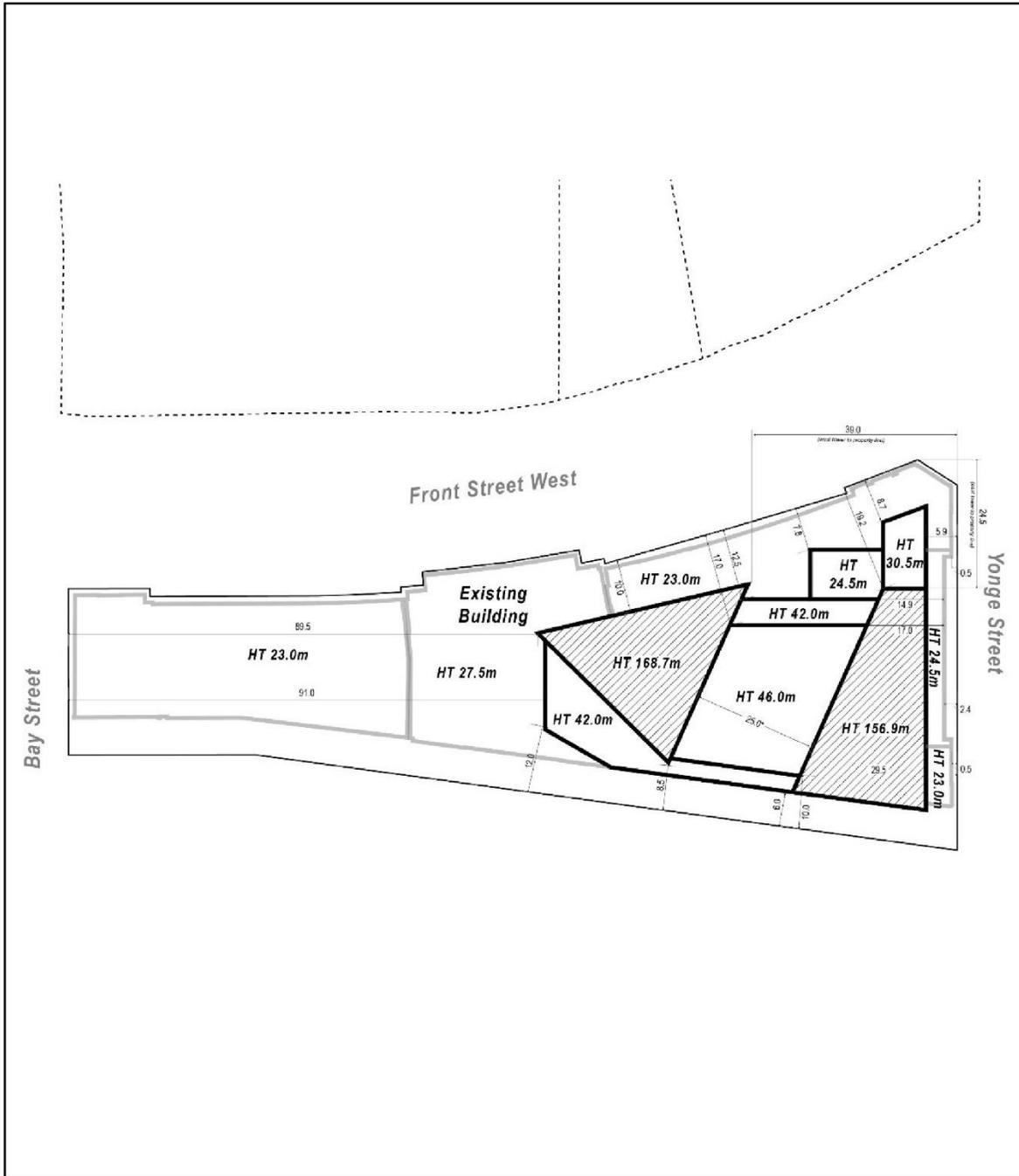
Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)





TORONTO
Diagram 3

1 Front Street West

File # 25 183122 STE 10 0Z

- Site Property Line
- - - Context Property Line
- Existing Buildings
- Proposed Buildings
- Tower Zones

City of Toronto By-law 569-2013
Not to Scale
11/21/2025

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 1251-2022 (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 1251-2022 (OLT):

Community Benefits

1. The owner shall 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 AT6152661, securing the following community benefits, to the satisfaction of the Executive Director, Development Review, in consultation with the Ward Councillor, and the City Solicitor:
 - a. The Owner shall design, construct, commission, finish and convey to the City in an acceptable environmental condition, for nominal consideration and at no cost to the City, a minimum 500 square metres of Community Agency Space as measured from the interior walls, located on the ground level in the southwest portion of the Dominion Public Building as shown on drawing A.1.3 Ground Level (Lane) prepared by Architects Alliance, dated April 29, 2025, Revision 5, with access from the south side of the existing building, and all subject to the following:
 - i. The Community Agency Space shall be conveyed to the City, in accordance with the City's Community Space Tenancy Policy and finished to Base Building Condition, with the terms and specifications to be secured in the amended Section 37 Agreement, to the satisfaction of the Executive Director, Development Review, the Chief Planner and Executive Director, City Planning, the Executive Director, Corporate Real Estate Management, the General Manager Economic Development and Culture and the City Solicitor;
 - ii. The Community Agency Space shall be conveyed to the City prior to the earlier of any condominium registration for any part of the development the lands and any residential occupancy of the lands;
 - iii. Concurrent with or prior to, the conveyance of the Community Agency Space to the City, the owner and the City shall enter into, and register on title to the appropriate lands, an Easement and Cost Sharing Agreement at no cost to the City, that is in a form satisfactory to the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement, and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of

portions of the subject lands to be owned by the City and the owner as they pertain to the Community Agency Space;

- iv. Prior to the issuance of the first above grade building permit for any part of the lands, the owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction, commissioning, finishing and handover of the Community Agency Space complying with the specifications and requirements of the amended Section 37 Agreement, to the satisfaction of the Executive Director, Corporate Real Estate Management, the Executive Director, Social Development, Finance and Administration, the Chief Planner and Executive Director, City Planning and the City Solicitor; and
- v. Prior to the conveyance of the Community Agency Space to the City, the owner shall provide a one-time cash contribution in the amount of \$300,000 for the total finishing costs of the Community Agency Space; and such financial contribution shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto calculated from the date of execution of the amended Section 37 Agreement to the date the payment is made to the City.