

Attachment 2: Draft Zoning By-law Amendment

Authority: North York Community Council Item [-], as adopted by City of Toronto Council on July 7, 2026.

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

Zoning By-law 1089-2022, with respect to the lands municipally known in the year 2025 as 765 Steeles Avenue West and to repeal By-law 1090-2022.

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 repeal By-law 1090-2022; 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;

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

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Recovery Act, S.O. 2020, c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) provided the by-law is not amended to remove the requirement to provide any of the facilities, services or matters secured therein or repealed;

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Whereas Council at its meeting of July 19, 20 and 21, 2022 enacted By-law 1089-2022 being a by-law described in the repealed subsection 37(1) of the Planning Act and this By-law does not amend or remove the requirement to provide facilities, services and therefore subsections 37(1)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;

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 has elected to provide certain facilities, services and matters in return for certain increases in density and height as set out in the Zoning by-law Amendment herein in addition to those secured through By-law 1139-2022; and Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended by By-law 1139-2022, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law;

The Council of the City of Toronto enacts:

1. By-law 1090-2022, being a by-law to amend “former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known in 2022 as 765 Steeles Avenue West”, is hereby repealed as it applies to the lands identified on Diagram 1 attached to this By-law on the effective date of this By-law.
2. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
3. 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.
4. Section 4 of By-law 1089-2022, under the heading (170) Exception RA, is amended to add the following Site Specific Provision:

 (S) Despite regulation 15.10.20.10 a **Municipal Shelter** is not a permitted use.
5. Schedule A, Section 1, Subsection (E) to (H) of By-law 1089-2022 is deleted and replaced with the following:

 “(E) The owner shall design and construct, at its expense, a two-storey (ground floor and second floor) facility comprising a minimum of 790 square metres of interior space and adjacent exterior space comprising 273 square metres and a minimum of three (3) parking spaces reserved for the exclusive use of the facility for pick-up/drop-off operations (the “Leased Area”).

 (F) The owner shall lease to the City the Leased Area for 99 years for a nominal base rent (which nominal sum shall include base rent only, and not additional rent, operating costs, utilities, maintenance or garbage and recycling collection) and the lease shall be in the City’s standard form of contract. The owner and the City shall enter into the lease at the time of the selection of an operator. The lease will provide that the City can use

the Leased Area for day care, community centre, or library uses, as well as other appropriate community uses.

For greater certainty, and without interfering with the generality above, in no circumstances shall the City be responsible for additional rent, operating costs, utilities, maintenance or garbage and recycling collection costs prior to the start of the lease term.

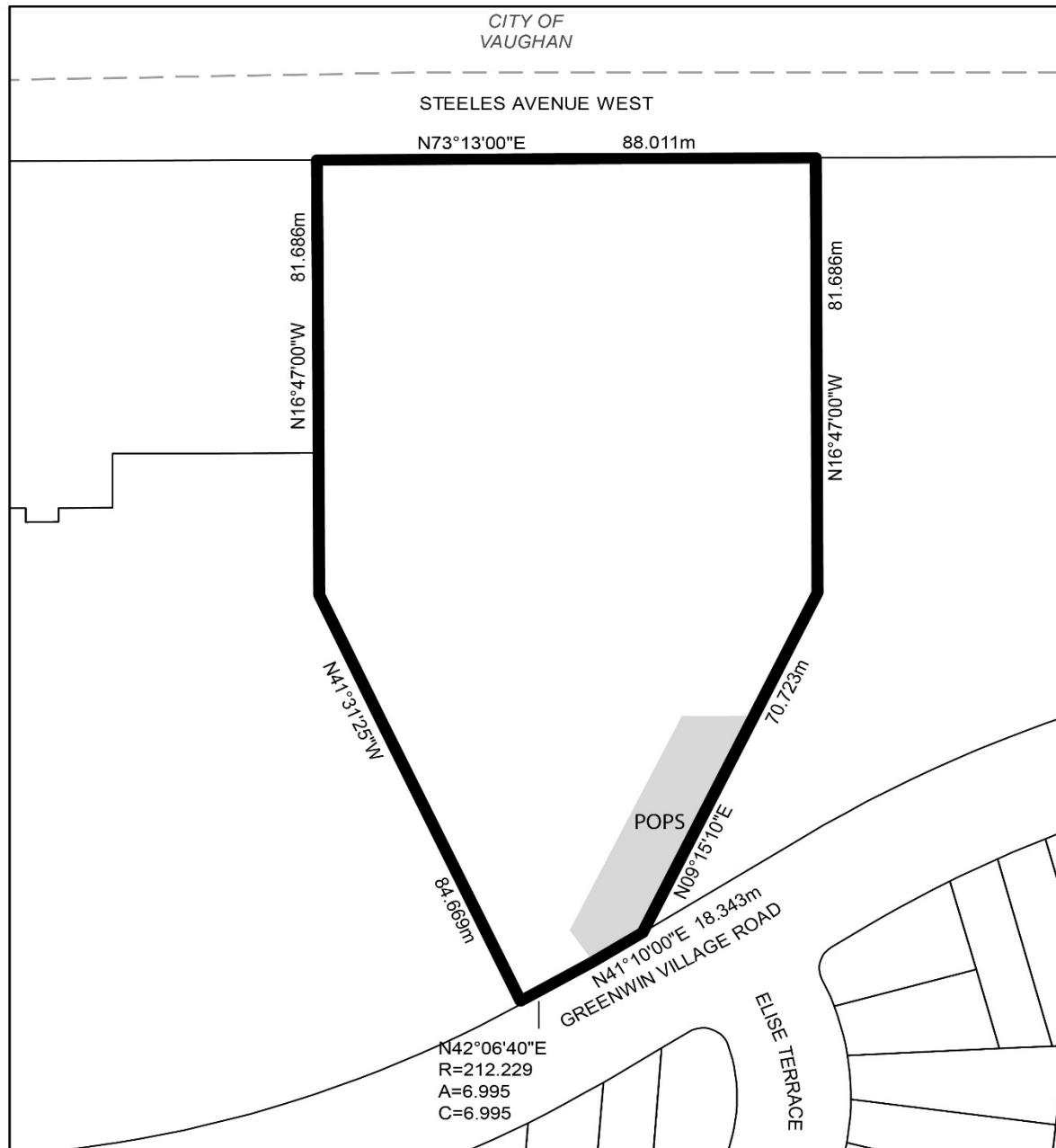
- (G) Three (3) dedicated parking spaces will be provided free-of-charge for the exclusive use of the City facility. These spaces are to be assigned accordingly, and be located in close proximity to the main entrance, at ground level providing the shortest route between the parking spots and the entrance to the Leased Area; this route shall be barrier-free and AODA compliant.
- (H) The Owner shall be responsible for delivering the Leased Area in a specific shell condition to be defined and secured in a Section 37 Agreement.
- (I) If the City cannot secure a Facility Operator and capital budget to complete the Leased Area within 12 months from the date of the execution of the Section 37 Agreement, the City may accept the Leased Area as delivered by the Owner in a shell condition, or accept an indexed cash contribution of two and a half million dollars (\$2,500,000) to be paid by the Owner prior to the issuance of the first above-grade building permit may be accepted by the City instead of the Leased Area, to be allocated to local area improvements in the vicinity of the Site, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.”

Enacted and passed on [Clerks to insert date].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



Toronto
Diagram 1

765 Steeles Avenue West

File # 19 149036 NNY 18 0Z