

## **Attachment 9: Elevator-only Zoning By-Law Amendment**

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 438-86, as amended, with respect to the lands municipally known in the year 2026 as 291 Lake Shore Boulevard East, 2 Small Street and 200 Queens Quay E, also known as Quayside Blocks 1B, 1C and 2.**

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

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 that 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 and the Central Waterfront Secondary Plan contains provisions relating to the use of holding symbol "(H)"; 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  
; and

Whereas pursuant to subsection 37.1(3) and 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Recovery Act, S.O. 2020 c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) provided the by-law is not amended to remove the requirement to provide any of the facilities, services or matters secured therein or repealed; and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Whereas Council at its meeting of September 26, 2006 enacted By-law 1049-2006 being a bylaw described in the repealed subsection 37(1) of the Planning Act and By-

law 1049-2006 was appealed and approved as amended by the Ontario Municipal Board on November 19, 2012 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; 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 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; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 438-86 as amended by By-law 1049-2006 and By-law 852-2024 and 1510-2025, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which are to be secured by one or more agreements between the owner and the City of Toronto; and

Whereas By-law 1510-2025 established Exception 508 to former City of Toronto Zoning By-law 438-86; and

Whereas Exception 508 already exists in former City of Toronto Zoning By-law 438-86, resulting in duplicate exception numbering; and

Whereas it is appropriate to amend this By-law to correct the numbering of the exception for clarity and consistency in the administration of former City of Toronto Zoning By-law 438-86;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Map 1 attached to this By-law.
2. Former City of Toronto Zoning By-law 438-86, as amended by By-law 1510-2025, is amended by replacing the exception number "508" with the exception number 510 wherever it appears in this By-law and any related schedules or maps.
3. Section 12(1) of the aforesaid By-law 438-86, as amended by By-law 852-2024 and By-law 1510-2025, is further amended by amending Exception 510 as

follows:

- (A) Subsection (C) is amended to replace the number “3.0” before the words “metres from the outermost building” with “2.3”.
- (B) Subsection (N)(iii)(8)(Other Applicable Qualifications) is amended to replace the number “3.0” before the words “metres and the height limit of Block 1C shown on Map 3” with the number “5.3”.
- (C) Subsection (U)(vi) is amended to replace the number “30” before the words “metres from the outermost building” with “40”
- (D) Subsection (X)(i)(b) is amended by replacing “Blocks 1A” before the words “on the lot may” with “Blocks 1B, 1C, or 2”
- (E) Map 3 “Base Building Areas and Heights” is amended by replacing the following measurements, as referenced in Map 2 below:
  - (i) The number “18.0” between the base building footprint with “H:40” and the base building footprint with “H:20” is replaced with the number “17.7.”
  - (ii) The number “16.0” between the base building footprint with “H:20” and the base building footprint with “H:48.5” is replaced with the number “14.8.”
  - (iii) The number “11.25” between the base building footprint with “H:20” and the base building footprint with “H:48.5” is replaced with the number “11.2.”
  - (iv) The number “13.5” between the base building footprint with “H:20” and the property line abutting Small Street is replaced with the number “12.7”.

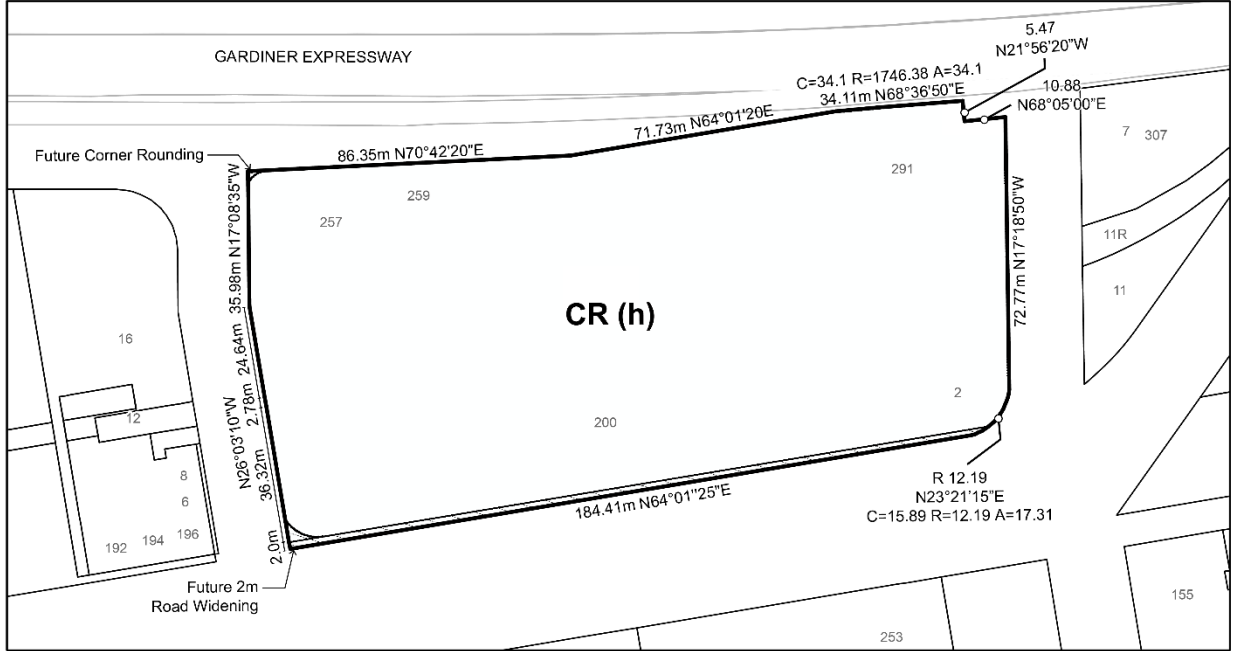
Enacted and passed on [Clerks to insert date].

[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)

**Map 1**

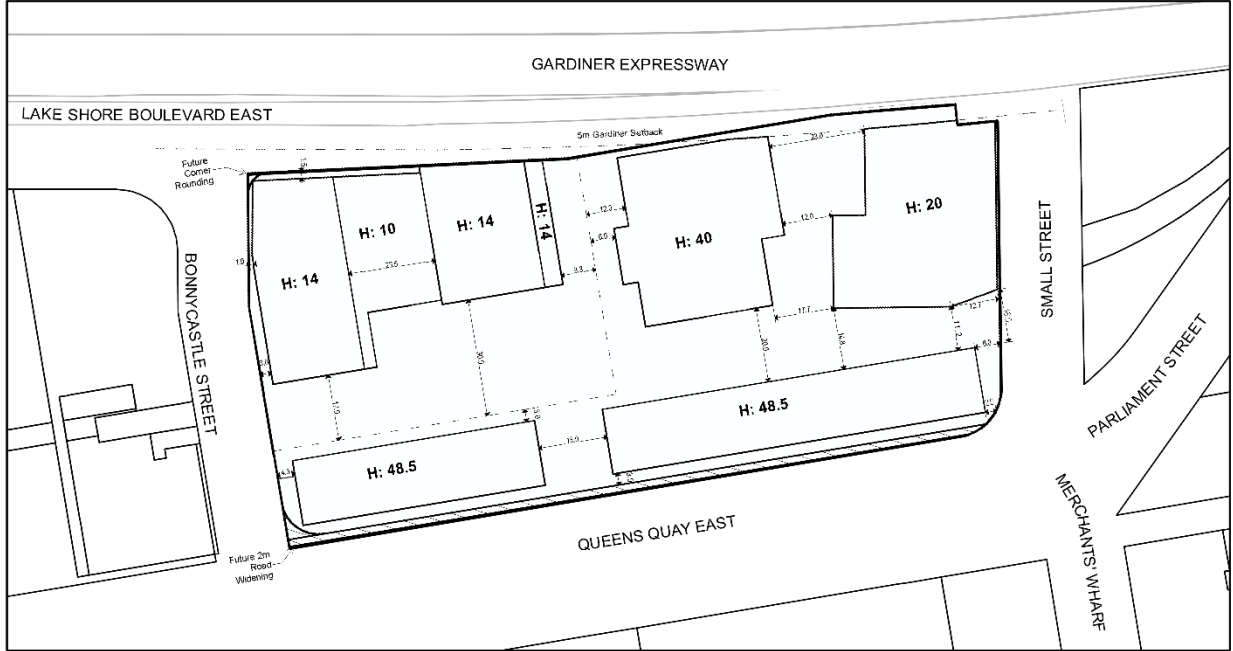


**Map 1 - Lands Subject to Exemption**

**291 Lake Shore Boulevard E**

File # 26 149454 STE 10 OZ

**Map 2**



**Map 3 - Base Building Area and Heights**

**291 Lake Shore Boulevard E**

File # 26 149454 STE 10 0Z