

Attachment 5: Draft Zoning Bylaw 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 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 835, 837 and 839 Yonge Street

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 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)".

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law.

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
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:
 - (A) adding the portion of the lands subject to this By-law municipally known as 837 and 839 Yonge Street to the Zoning By-law Map in Section 990.10;
 - (B) amending the zone label for the portion of the lands subject to this By-law

municipally known 835 Yonge Street on the Zoning By-law Map in Section 990.10; and

- (C) applying the following zone label to these lands: (H) CR 4.0 (c1.75; r4.0) SS1 (x1295) as shown on Diagram 2 attached to this By-law.
- 4. Zoning By-law 569-2013, as amended, is further amended by adding the portion of the lands subject to this By-law municipally known as 837 and 839 Yonge Street to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA-1, as shown on Diagram 3 attached to this By-law.
- 5. Zoning By-law 569-2013, as amended, is further amended by adding the portion of the lands subject to this By-law municipally known as 837 and 839 Yonge Street to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 30.0, as shown on Diagram 4 attached to this By-law.
- 6. Zoning By-law 569-2013, as amended, is further amended by adding the portion of the lands municipally known as 837 and 839 Yonge Street to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value.
- 7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1295 so that it reads:

(1295) Exception CR 1295

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On lands municipally known as 835, 837 and 839 Yonge Street, if the requirements of By-law [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 (T) below;
- (B) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 114.70 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite regulation 40.10.20.100(1)(A), the permitted total **interior floor area** of all **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses** and **take-out eating establishments** may not exceed 10,000 square metres;

- (D) Despite regulation 40.10.40.10(1) the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 6 of By-law [Clerks to insert By-law number];
- (E) Despite regulations 40.5.40.10(3) to (8), and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 6 of By-law [Clerks to insert By-law number]:
- (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 6.5 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 6.5 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 3.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
- (F) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 95,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 89,500 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 750 square metres;
- (G) In addition to the elements listed in regulation 40.5.40.40(3) that reduce **gross floor area**, the following elements will also apply to reduce the **gross floor area** of a **building**:
- (i) all open to below areas;
- (H) Regulation 40.10.40.50(2) with respect to **amenity space** for buildings

with non-residential uses in SS1 Areas, does not apply;

- (I) Despite regulation 40.10.40.70(1) and Clause 600.10.10, the required minimum **building setbacks** are as shown in metres on Diagram 6 of By-law [Clerks to insert By-law number];
- (J) Despite Clause 40.10.40.60, Clause 600.10.10, and (I) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) decks, porches, and balconies, by a maximum of 2.0 metres;
 - (ii) canopies and awnings, by a maximum of 4.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.5 metres;
 - (v) window projections, including bay windows and box windows, by a maximum of 0.5 metres;
 - (vi) eaves and dormers, by a maximum of 1.5 metres;
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres;
- (K) Despite regulation 200.5.1.10(2)(A)(iv), 10 percent of the required **parking spaces** may be obstructed as described in regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (L) Despite Article 200.25.15, 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;
- (M) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres; and

- (iv) the entire length of an accessible **parking space** must be adjacent to a 1.5-metre-wide accessible barrier free aisle of path on one side of the accessible **parking space**;
- (N) Despite Regulation 200.15.1(4), accessible **parking spaces** must be within 25 metres of a barrier free:
 - (i) entrance to a **building**; or
 - (ii) passenger elevator that provides access to the first storey of the **building**;
- (O) Despite Regulation 230.5.1.10(4), if a bicycle parked in a **bicycle parking space, stacked bicycle parking space, or bicycle parking space** placed in a vertical position on a wall, structure or mechanical device, 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; and
- (P) Despite regulation 230.5.1.10(7) no change or shower facilities are required if a **building** has uses, other than **dwelling units**, for which a “long-term” **bicycle parking space** is required;
- (Q) Despite regulation 230.5.1.10(9), “long-term” and “short-term” **bicycle parking spaces** may be located on any floor up to and including the second **storey** of the **building** and any level below ground;
- (R) Despite regulations 230.5.1.10(10), “long-term” and “short-term” **bicycle parking spaces** may both be located in a **stacked bicycle parking space**;
- (S) Despite regulation 230.40.1.20(2), a “short-term” **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to a **building** on the **lot**;
- (T) The number of “long-term” and “short-term” **bicycle parking spaces** required by regulation 230.5.10.1(5)(A) may be reduced, subject to the following:
 - (i) the number of “short-term” **bicycle parking spaces** reduced is not more than half the amount required by regulation 230.5.10.1(5)(A), rounded down to the nearest whole number;
 - (ii) the number of “long-term” **bicycle parking spaces** reduced is not more than half the amount required by regulation 230.5.10.1(5)(A), rounded down to the nearest whole number;

- (iii) for each **bicycle parking space** required by regulation 230.5.10.1(5)(A) to be reduced, the owner or occupant must provide a payment-in-lieu to the City of Toronto; and
- (iv) the owner or occupant must enter into an agreement with the City of Toronto pursuant to Section 40 of the Planning Act;

Prevailing By-laws and Prevailing Sections: (None apply).

8. 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.
9. Holding Symbol Provisions:

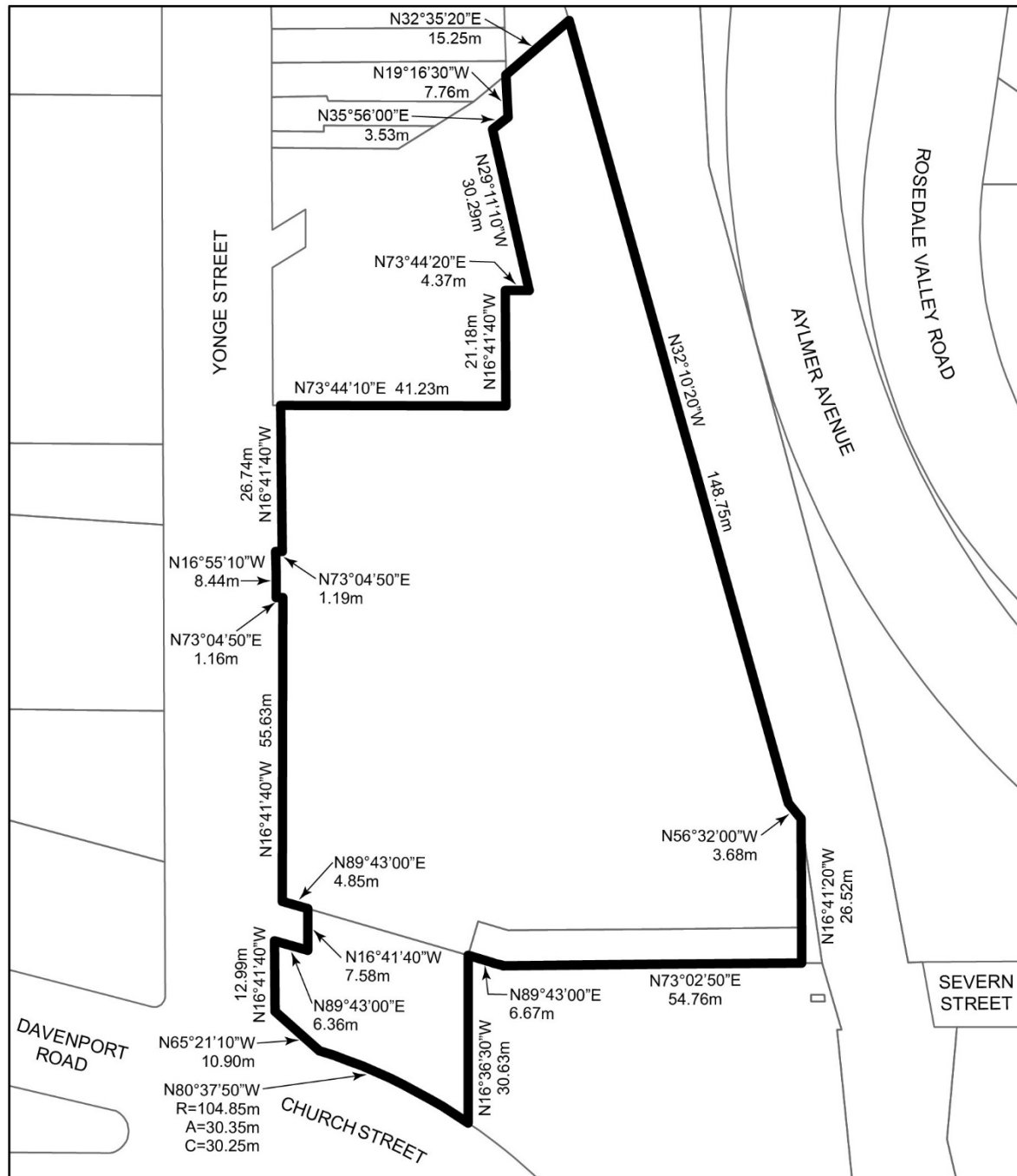
- (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
- (B) An 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 shall prepare and submit a revised Functional Servicing, Stormwater Management Report, and Hydrogeological Review, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (ii) Secure the design and provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Engineering Reports, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
 - (iii) Revision, review, and acceptance of a Conservation Plan and Heritage Easement Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

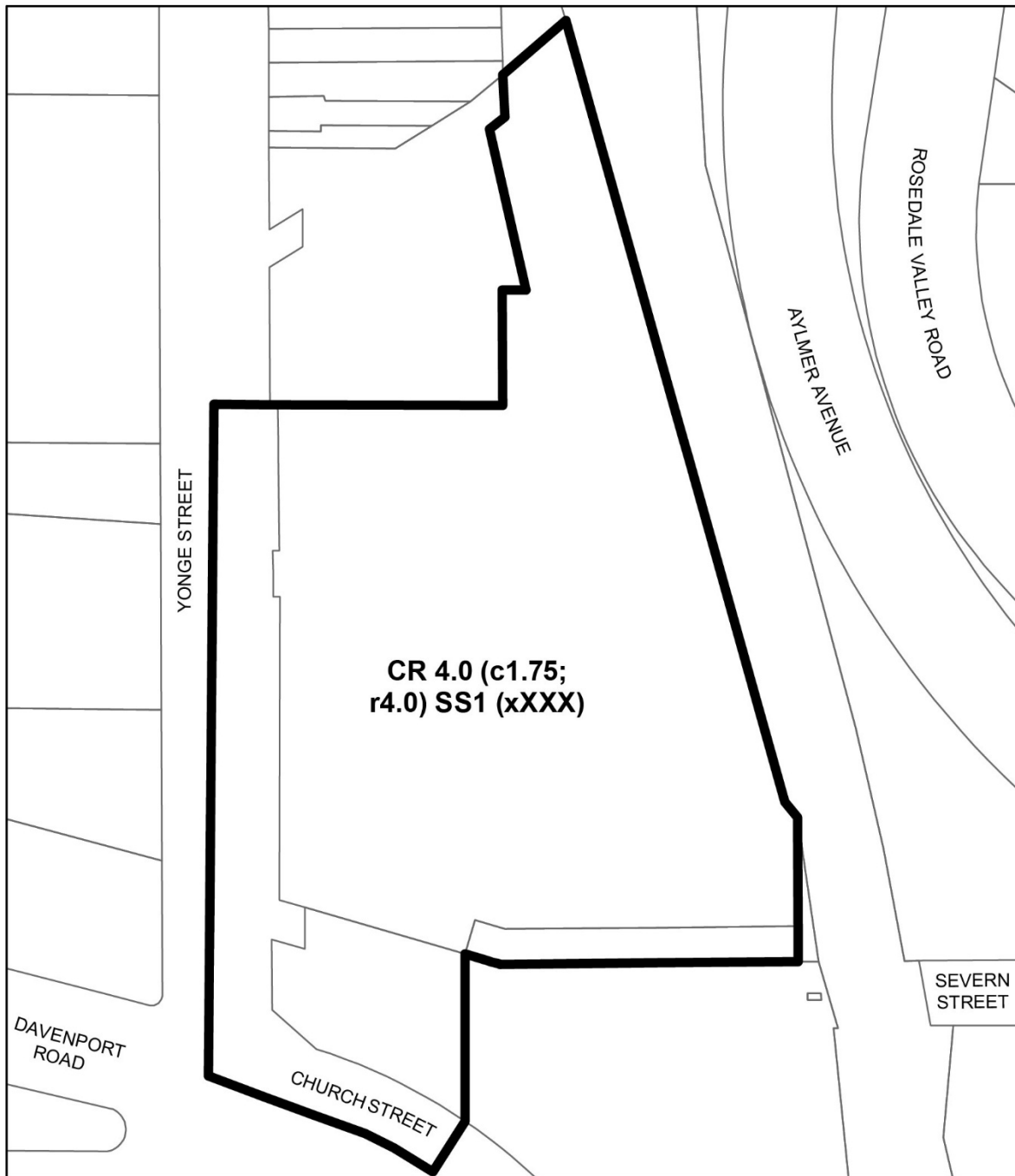


Toronto
Diagram 1

835-839 Yonge Street

File #: 22 204662 STE 11 OZ

City of Toronto By-law 569-2013
Not to Scale
04/22/2026

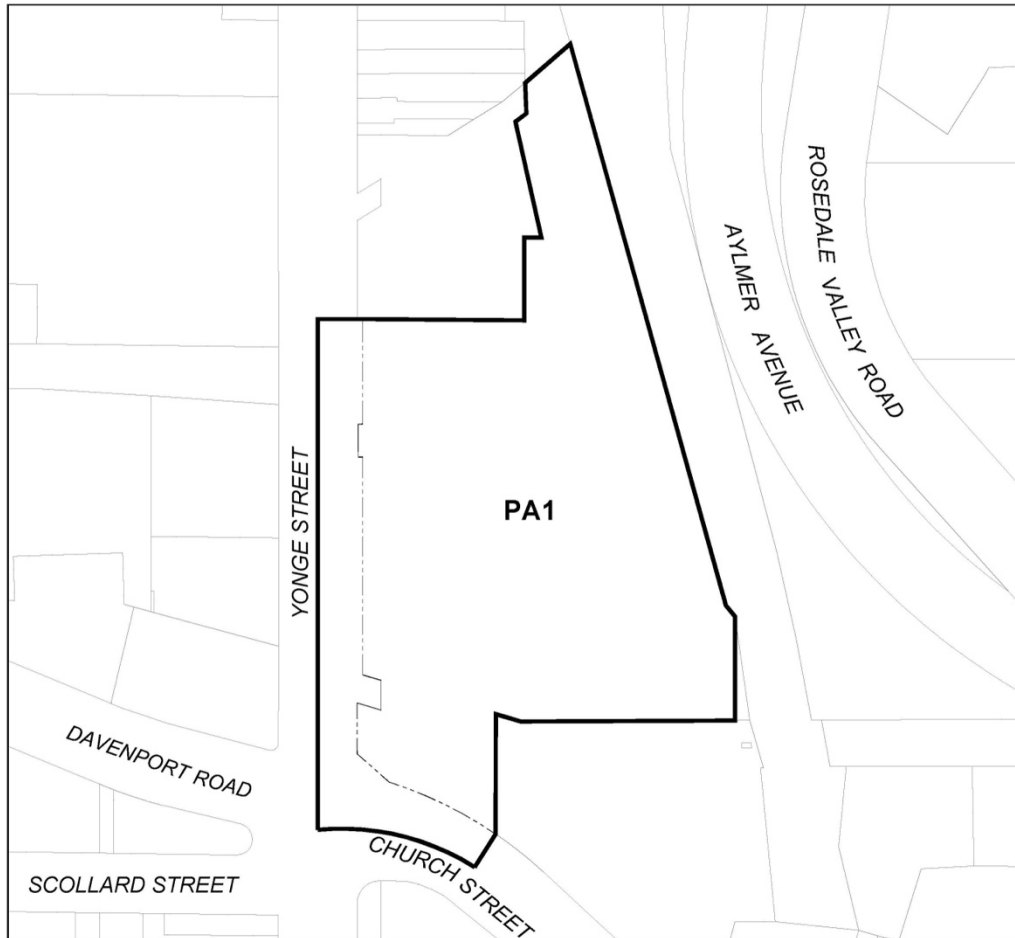


 **Toronto**
Diagram 2

835-839 Yonge Street

File #: 22 204662 STE 11 OZ

City of Toronto By-law No. ____ - 2025



The logo for the City of Toronto, featuring a stylized building icon and the word 'TORONTO' in a bold, sans-serif font.

Diagram 3

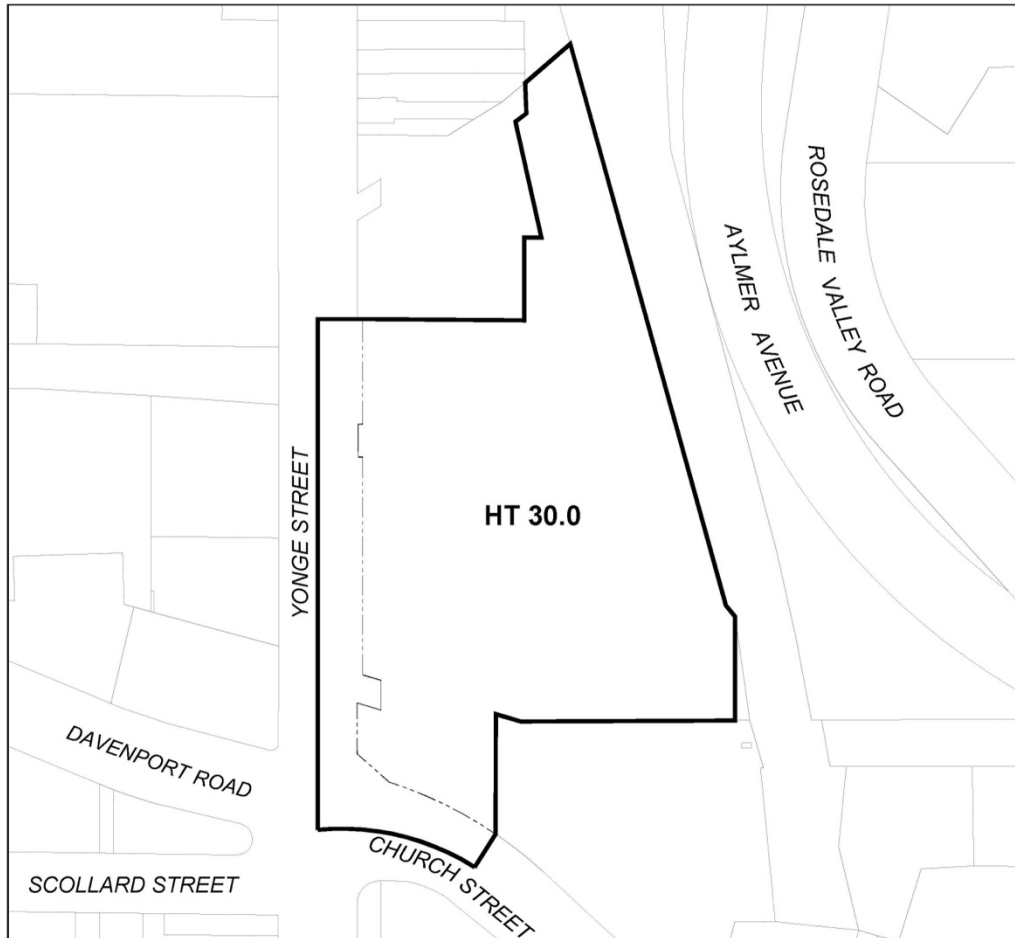
835-839 Yonge Street

File #22 204662 STE 11 OZ



Not to Scale

City of Toronto By-law No. ____ - 2025



The logo for the City of Toronto, featuring a stylized 'T' and the word 'TORONTO'.

Diagram 4

835-839 Yonge Street

File #22 204662 STE 11 OZ



Not to Scale

City of Toronto By-law No. ____ - 2025

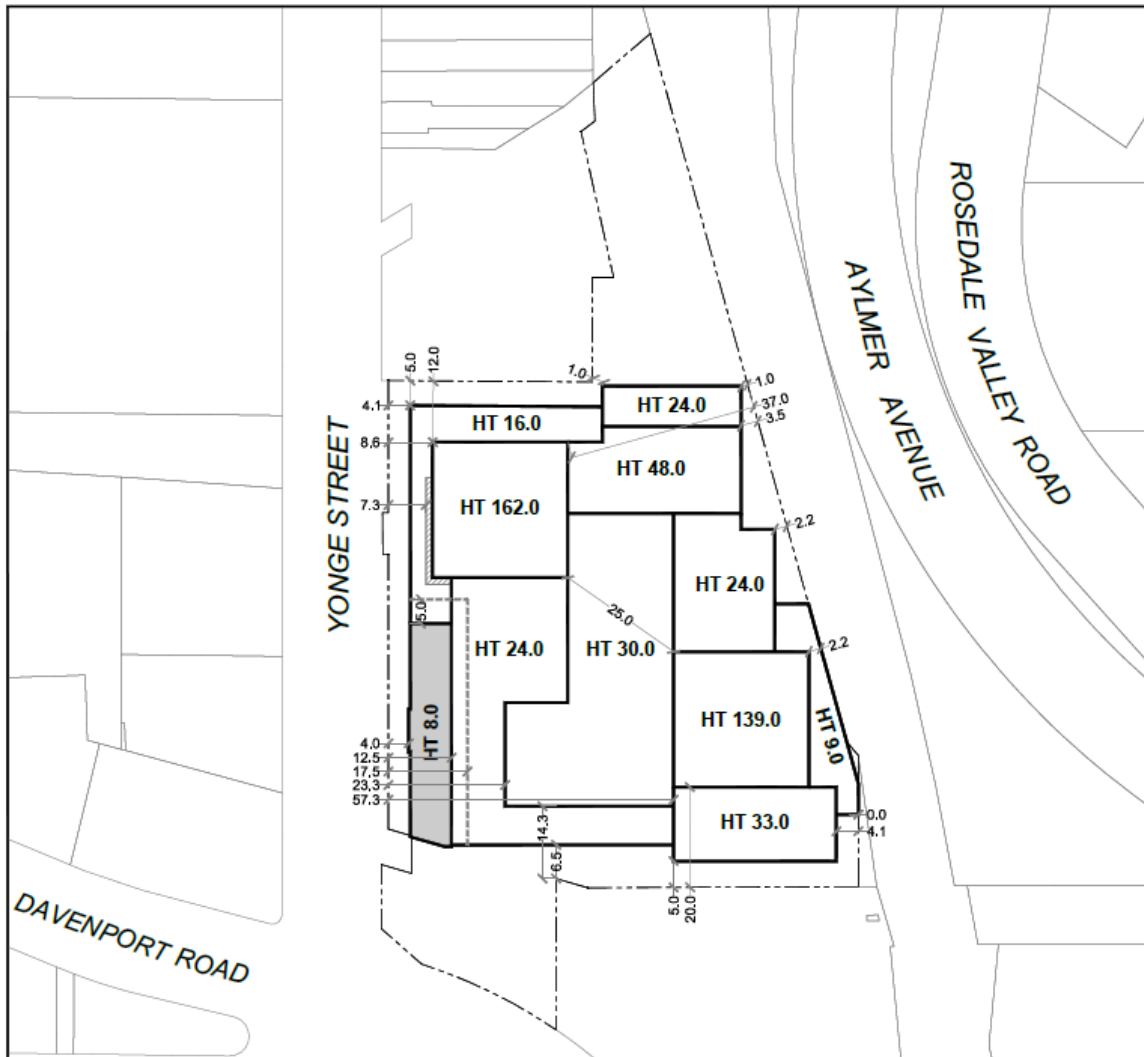

Diagram 5**835-839 Yonge Street**

File #22 204662 STE 11 OZ



Not to Scale

City of Toronto By-law No. ____ - 2026



835-839 Yonge Street

Diagram 6

File #22 204662 STE 11 OZ

-  Heritage façade to remain
-  Ground floor overhang setback area
-  Extent of building from a height of 8.0 metres to 15.0 metres



Not to Scale