

Attachment 5: Draft Zoning Bylaw Amendment

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

CITY OF TORONTO

BY-LAW XXX-2026

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 77 Howard 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.

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 a holding symbol “(H)”.

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 amending the zone label on the Zoning By-law Map in Section 990.10, respecting the lands outlined by heavy black lines from a zone label of R(d1.0)(x523) to a zone label of (H) RAC (x241) and R(d1.0)(x523), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569 -2013, as amended, is further amended by adding the lands 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 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number 241 so that it reads:

(241) Exception RAC 241

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 77 Howard 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 (EE) below;
- (B) Despite regulation 15.20.20.40(1), **dwelling units** are permitted in **mixed-use buildings** and **apartment buildings** on the lot;
- (C) Despite regulation 15.20.20.100(1)(C), with respect to interior floor area for certain uses on the first **storey** in an **apartment building**, does not apply;
- (D) Despite regulation 15.20.20.100(1)(E), the **interior floor area** of an individual establishment occupied by one of the uses listed in regulation 15.20.20.100(1) may not exceed 500 square metres;
- (E) Despite regulation 15.20.20.100(23)(B) the permitted maximum area of an **outdoor patio** is 160 square metres;
- (F) Despite regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 116.3 metres and the elevation of the highest point of the **building** or **structure**;
- (G) Despite regulation 15.20.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (H) Despite regulation 15.20.40.10(2), the permitted maximum number of **storeys** in the **building** identified as "Existing 24ST Building" on Diagram 4 of By-law [Clerks to insert By-law number] is **24 storeys**;
- (I) Despite regulations 15.5.40.10(2) and (6) and (F) above, the following equipment and structures may project beyond the permitted maximum height shown on Diagram 4 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 7.5

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 an additional 1.0 metres;
 - (iii) architectural features, parapets and elements and **structures** associated with a **green roof**, by a maximum of 2.0 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 5.0 metres;
 - (v) planters, **landscaping** features, guard rails and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 5.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.0 metres;
- (J) Despite Clause 15.20.40.40, permitted maximum **gross floor area** is as follows:
- (i) 29,600 square metres for new **buildings**, of which:
 - (i) the permitted maximum residential **gross floor area** is 29,150 square metres;
 - (ii) the permitted maximum non-residential **gross floor area** is 500 square metres;
 - (ii) 28,466 square metres for the “Existing 24ST Building”, as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (K) Despite regulation 15.20.40.50(1), **amenity space** shall is not be required for the “Existing 24ST Building”, as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (L) For the purposes of this exception, **amenity space** required by regulation 15.20.40.50(1) is permitted to be shared between **buildings** on the **lot**;
- (M) Despite Clause 5.10.40.70 and regulations 15.20.40.70(1) to (3), the required minimum **building setbacks** are as shown in metres on

Diagram 4 of By-law [Clerks to insert By-law number];

- (N) Despite Clause 5.10.40.80 and regulations 15.20.40.80(1) to (4), the required separation distances between **main walls** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];
- (O) Despite Clauses 15.5.40.50 and 15.5.40.60 and (L) and (M) above, the following elements may encroach into the required minimum **building** setbacks and **main wall** separation distances as follows:
 - (i) balconies, by a maximum of 1.8 metres;
 - (ii) canopies and awnings, by a maximum of 2.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 1.5 metres;
 - (iv) cladding added to the exterior surface of the main wall of a **building**, by a maximum of 0.3 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill by a maximum of 1.5 metres;
 - (vi) air conditioners, satellite dishes, light fixtures, antennae, vents, and pipes, by a maximum of 1.0 metre;
- (P) Despite Clause 15.5.50.10, a minimum of 20 percent of the **lot** shall be provided as **landscaping**;
- (Q) Despite regulation 200.15.1(1) and (3), any provided accessible **parking spaces** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres;
 - (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 or path on one side of the accessible **parking space**;
- (R) Despite regulation 200.15.1(4), an accessible **parking space** must be located no more than 30.0 metres long direct route from a barrier-free entrance to a **building** and to a passenger elevator that provides access to the first **storey** of the **building**;
- (S) **Parking spaces** provided on the **lot**, may be "car-share" **parking spaces**;
- (T) Despite regulations 220.5.10.1(1) to (8), one (1) Type "G" **loading space**

and one (1) Type “C” **loading space** must be provided on the **lot**.

- (U) Despite regulation 230.5.1.10(4)(A), the required minimum dimensions of a **bicycle parking space** are:
 - (i) length of 1.8 metres;
 - (ii) width of 0.45 metres; and
 - (iii) vertical clearance from the ground of 1.9 metres;
- (V) Despite regulation 230.5.1.10(4)(B), a **bicycle parking space**, if placed in a vertical position on a wall, structure or mechanical device, must have the following minimum dimensions:
 - (i) length or vertical clearance of 1.9 metres;
 - (ii) width of 0.35 metres; and
 - (iii) horizontal clearance from the wall of 1.1 metres.
- (W) Despite regulation 230.5.1.10(4)(A) and (C), a **stacked bicycle parking space** must have the following minimum dimensions:
 - (i) length of 1.6 metres;
 - (ii) width of 0.3 metres; and
 - (iii) vertical clearance of 1.2 metres;
- (X) Despite regulation 230.5.1.10(12), a minimum of one **bicycle maintenance facility** is required on the **lot**;
- (Y) Despite regulation 230.40.1.20(1), “short-term” **bicycle parking spaces** may be located:
 - (i) outside of the **building**,
 - (ii) inside and on the **first storey** of the **building**,
 - (iii) second storey of the **building**, or
 - (iv) on the first level of the **building** below-ground;
- (Z) Despite regulation 230.40.1.20(2), “short-term” **bicycle parking spaces** may be no more than 55.0 metres from any pedestrian entrance to the **building** on the **lot**;

- (AA) Despite regulation 230.5.1.10(10), “short-term” **bicycle parking spaces** may be provided in any combination of **non-stacked bicycle parking space** or **stacked bicycle parking** arrangements with the exception of **oversized bicycle parking spaces**;
- (BB) Despite Clause 230.5.1.10, the minimum aisle width accessing a **bicycle parking space** including a **stacked bicycle parking space**, is 1.8 metres.
- (CC) Despite regulation 230.5.1.10(7) with respect to shower and change facility, does not apply;
- (DD) Article 600.10.10, with respect to **building setbacks**, does not apply;
- (EE) Despite any provisions of this exception or By-law 569-2013, as amended, **parking spaces, loading spaces, drive aisles**, ramps and any **vehicle** entrance to a **building**, existing on the lot as of April 1, 2022 may be maintained and are deemed to comply with the provisions of By-law 569-2013, as amended;

Prevailing By-laws and Prevailing Sections: None Apply

- 6. 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.

7. 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;
- (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, at their sole cost and expense, has obtained approval of a Draft Plan of Subdivision under subsections 51(31) or 51(56) of the *Planning Act* and entered into a Subdivision Agreement pursuant to subsections 51(25) or 51(26) of the *Planning Act* for all the lands municipally known as 238 Wellesley Street, 240 Wellesley Street, 260 Wellesley Street, 280 Wellesley Street, 650 Parliament Street and a portion of 77 Howard Street, all satisfactory to the Executive Director, Development Review and the City Solicitor;
 - (ii) The owner or applicant has submitted, at their sole cost and expense, a Servicing Report, a Stormwater Management Report, and

a Hydrogeological Review, including the Foundation Drainage Report or addendums and any required materials and analysis to address stormwater, sanitary and water capacity matters and infrastructure improvements and/or new municipal infrastructure, including the design of such infrastructure, determined to be required to support the development of a **building** and/or block to which the amending by-law to remove the “(H)” symbol applied (“**Engineering Reports**”), satisfactory and acceptable to the Director, Engineering Review and the General Manager, Toronto Water;

- (iii) Arising from the accepted and satisfactory Engineering Reports from (ii) above regarding any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
- (a) The owner or applicant, at their sole cost and expense, 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 Engineering Reports, to support the development, in a financial secured agreement, including a Subdivision Agreement required in (B)(i) above, all to the satisfaction of the Director, Engineering Review and the General Manager, Toronto Water; or
 - (b) One or more of the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Engineering Reports in (iv) above are constructed and operational, all to the satisfaction to the Director, Engineering Review and the General Manager, Toronto Water;

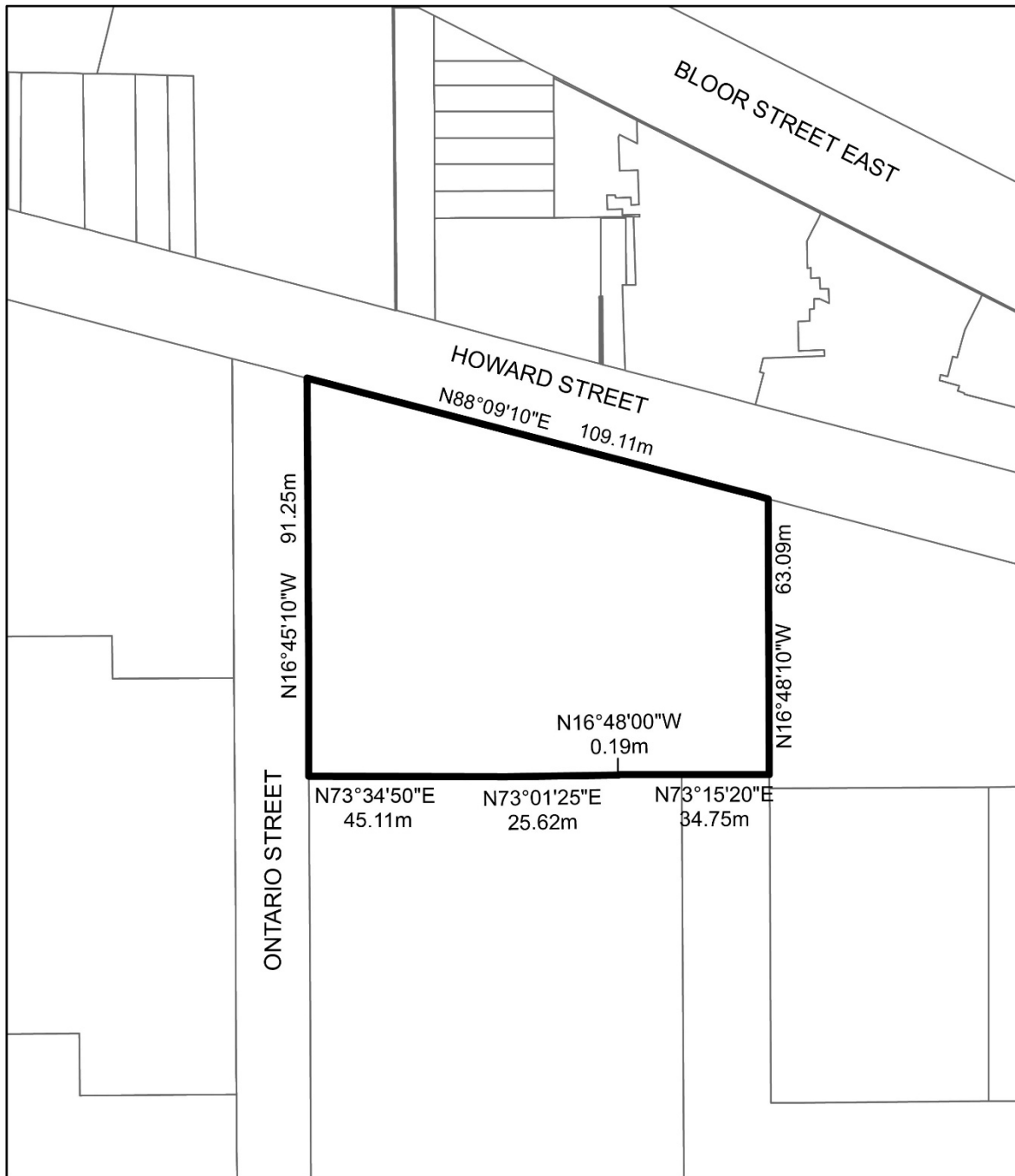
ENACTED AND PASSED this ____ day of ____, A.D. 2026.

FRANCES NUNZIATA
Speaker

JOHN ELVIDGE
City Clerk

(Seal of the City)

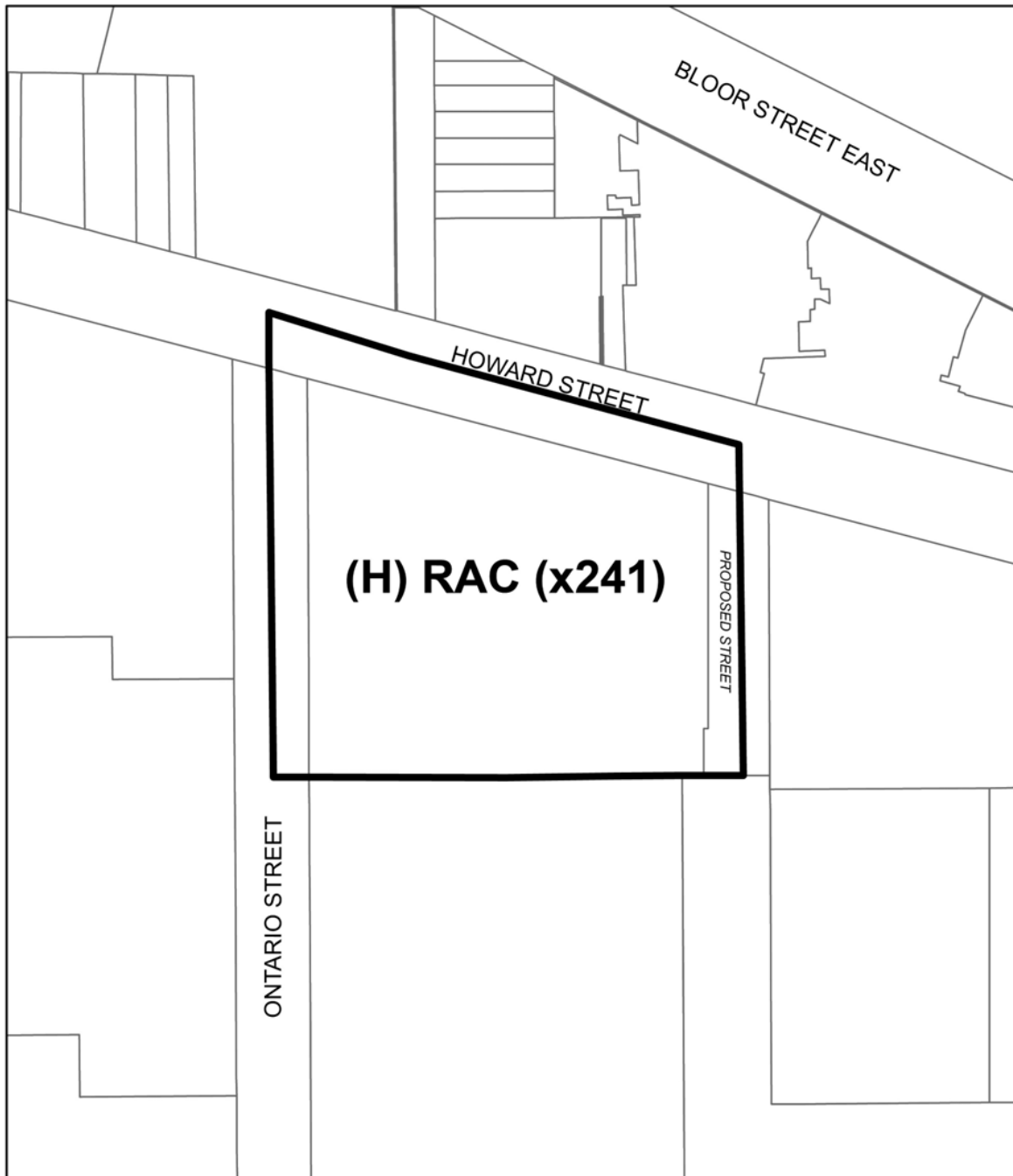
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Toronto
Diagram 1

77 Howard Street

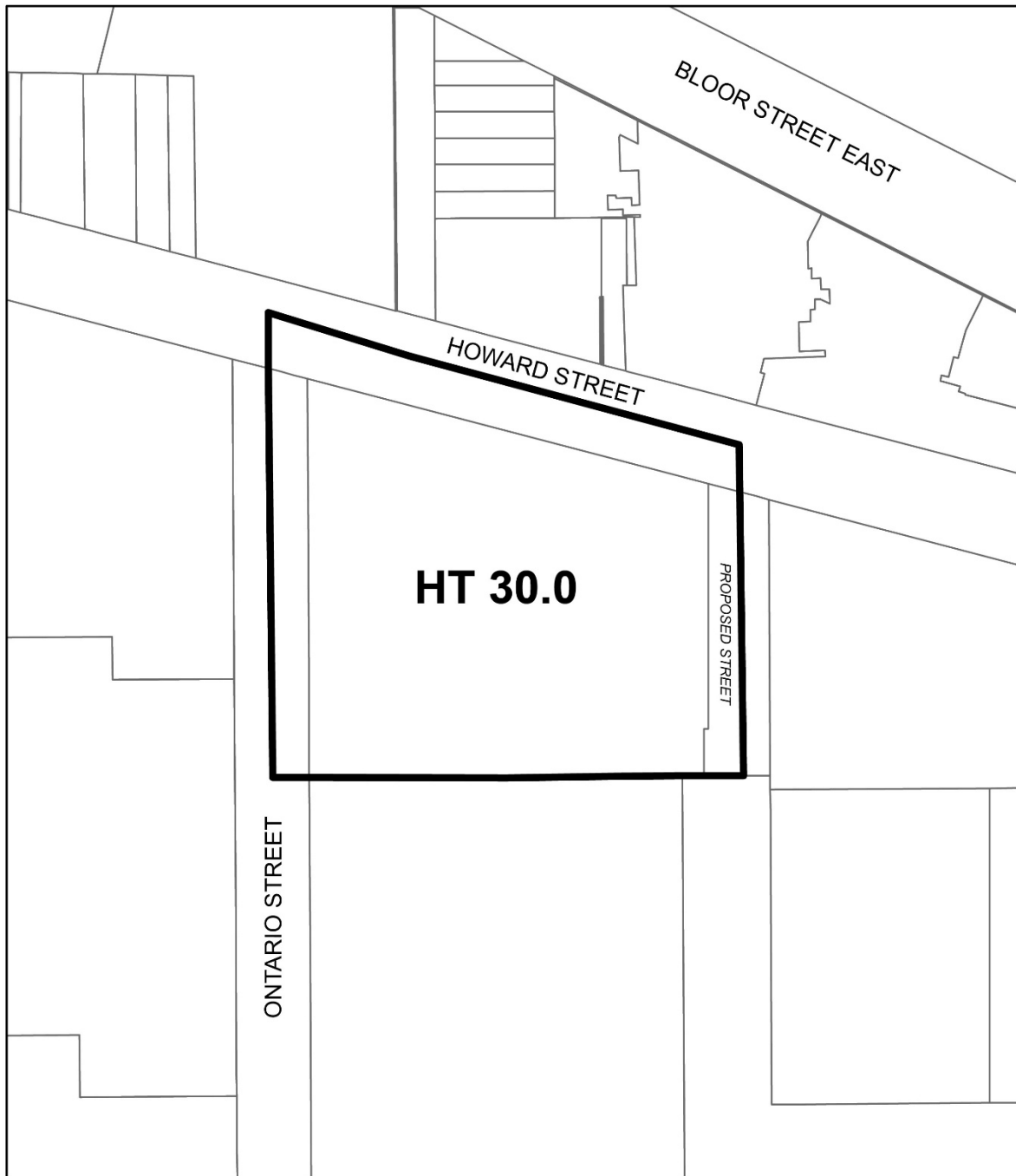
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 **Toronto**
Diagram 2

77 Howard Street

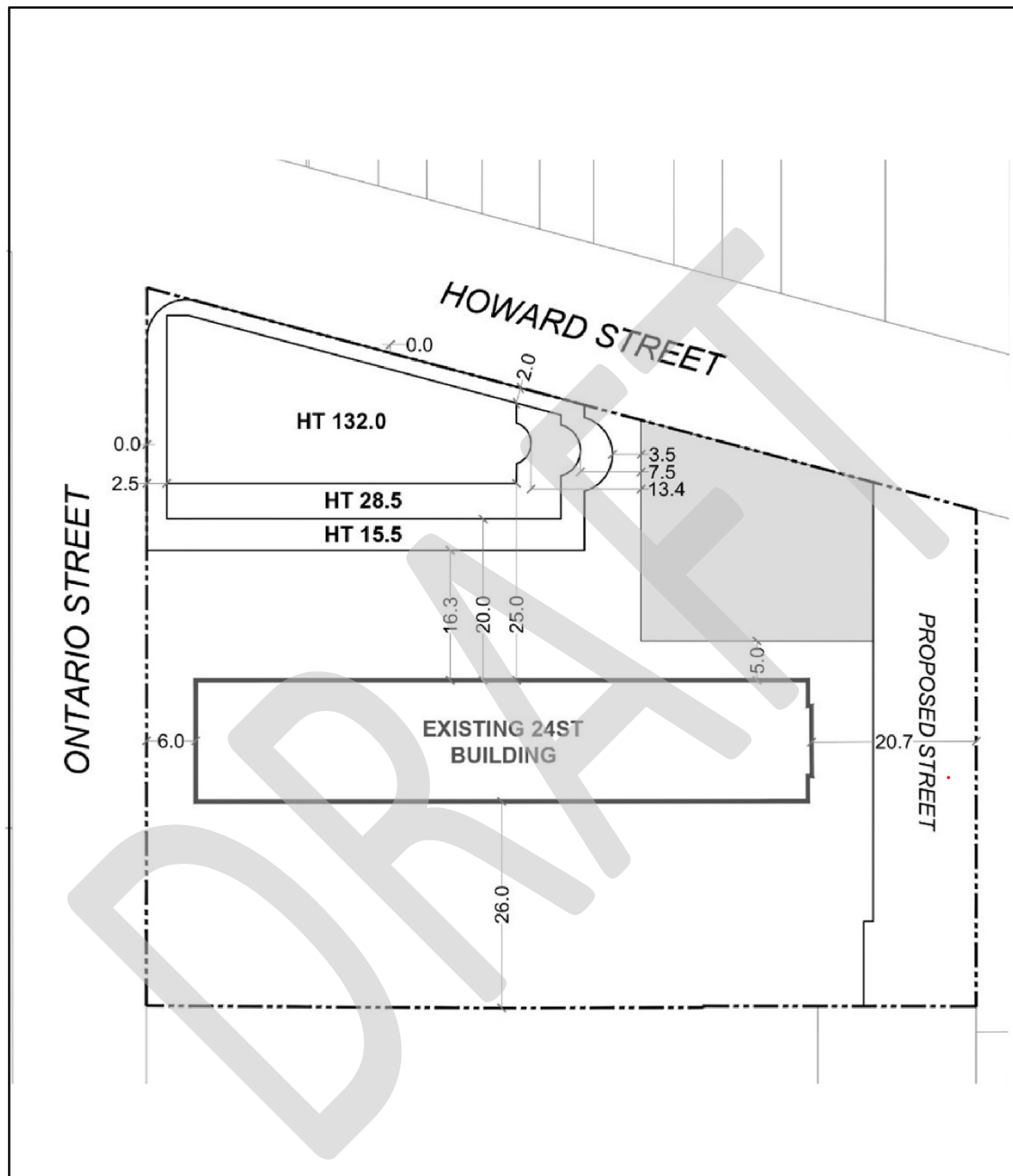
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Diagram 3

77 Howard Street

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Diagram 4

77 Howard Street

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 Parkland dedication


City of Toronto By-law 569-2013
Not to Scale
06/19/2026