

Attachment 5: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item [-], as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

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

To amend City of Toronto Zoning By-law 569-2013, as amended, and Site Specific Zoning By-law 907-2024(OLT) with respect to the lands municipally known in the year 2025 as 1913-1951 Yonge Street, 17 and 21 Millwood Road and 22 Davisville Avenue

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 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 municipally known in the year 2025 as 1913 – 1951 Yonge Street, 17 and 21 Millwood Road and 22 Davisville Avenue are outlined by heavy black lines on Diagram 1 attached to and forming part of By-law 907-2024(OLT).
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. Diagram 5 to By-law 907-2024(OLT) is deleted and replaced with Diagram 5 of By-law [Clerks to insert By-law number].
4. Section 8(A) to By-law 907-2024(OLT) is amended by replacing “(Y)” with “(AA)”.

5. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(D) and replacing it with the following:
- (D) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 5 of By-law [Clerks to insert By-law number];
6. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(E) and replacing it with the following:
- (E) Despite Regulation 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 5 of By-law [Clerks to insert By-law number]:
- i. outdoor flooring and roofing assembly elements and **structures**, including concrete topping, insulation, paver support pedestals and emergency roof drains, by a maximum of 0.5 metres;
 - ii. railings, guard rails, terrace walls, patios, planters, balustrades, bollards, retaining walls and wheelchair ramps, by a maximum of 1.5 metres;
 - iii. canopies, awnings, cabanas, saunas, pergolas and trellises, by a maximum of 3.5 metres;
 - iv. wind, noise, or privacy mitigation features and screens for outdoor **amenity space**, by a maximum of 3.0 metres;
 - v. parapet walls and elements of a green roof, by a maximum of 2.0 metres;
 - vi. flues, window washing equipment, ornamental, landscape and architectural features, privacy and decorative screens, terrace dividers, fences and external stairs, by a maximum of 4.5 metres;
 - vii. enclosed stairwells, roof access, maintenance equipment storage, solar panels, chimneys, vents, water supply facilities, pipes, lightning rods and **structures** that enclose, screen or cover the equipment, by a maximum of 8.0 metres;
 - viii. elevator overruns, elevator shafts, elevator machine rooms,

equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment, including the mechanical penthouse, and **structures** that enclose, screen or cover the equipment, by a maximum 8.0 metres;

- ix. elements listed in subsections (E)(v), (E)(vi) and (E)(vii) may project above the permitted maximum height for a mechanical penthouse, as set out in subsection (E)(viii), by a maximum of 1.8 metres; and
- x. **building** maintenance units by a maximum of 3.5 metres and may project above the permitted maximum height for a mechanical penthouse, as set out in subsection (E)(viii), by a maximum of 3.5 metres;

7. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(F) and replacing it with the following:

(F) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 79,750 square metres, of which:

- i. the permitted maximum **gross floor area** for residential uses is 73,250 square metres;
- ii. the permitted maximum **gross floor area** for non-residential uses is 6,500 square metres; and
- iii. a minimum of 1,858 square metres of non-residential gross floor area permitted in (F)(ii) above must be a grocery store;

8. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(H) and replacing it with the following:

(H) Despite Regulation 40.10.40.50(1) and (2), **amenity space** must be provided at a minimum rate of 3.05 square metres for each **dwelling unit**, of which:

- i. at least 1.9 square metres for each **dwelling unit** is indoor **amenity space**;
- ii. at least 40 square metres of outdoor **amenity space** must be in a

location adjoining or directly accessible to the indoor **amenity space**;
and

- iii. no more than 25 percent of the outdoor component may be a **green roof**;

9. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(I) and replacing it with the following:

- (I) Despite Regulation 40.10.40.70(2) and 40.10.40.80(2), the required minimum **building setbacks** and separation of **main walls** are as shown in metres on Diagram 5 of By-law [Clerks to insert By-law number];

10. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(J) and replacing it with the following:

- (J) Despite Clause 40.10.40.60, Regulation 40.5.40.60(1), and 40.10.40.80(2) and (I) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:

- i. balconies, bay windows, terraces, cornices, windowsills, parapets, trellises, pillars, patios, decks, guardrails, balustrades and railings, ornamental elements, masonry, retail entrances and associated door swings, architectural features, art and landscape features, pilasters, eaves, light fixtures and standards, ornamental elements and railings to a maximum of 2.0 metres;
- ii. wheelchair ramps, fences, screens, site servicing features, air vents and air intakes, wind mitigation elements, and underground garage ramps and associated **structures** to a maximum of 3.0 metres; and
- iii. awnings and canopies to a maximum of 2.5 metres;

11. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(Q) and replacing it with the following:

- (Q) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, no parking spaces are required;

- i. Despite (Q) above, if **parking spaces** are provided on the **lot**, a minimum of 2 "car-share parking spaces" must be provided;

12. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(S) and replacing it with the following:

(S) For the purposes of this exception and (R) above:

- i. "car-share" or "car sharing" means the practice whereby a number of people share the use of one of 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 actively signed for a vehicle used only for "car-share" purposes;

13. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(T) and replacing it with the following:

(T) Despite Regulation 200.5.1.10(2)(A)(iv), if parking spaces are provided on the **lot**, a maximum 5 percent of **parking spaces** provided, 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**;

14. Zoning By-law 569-2013, as amended, is further amended by deleting Regulation 900.11.10(817)(Y) and replacing it with the following:

(Y) The provision of **dwelling units** is subject to the following:

- i. a minimum of 10 percent of the total number of **dwelling units** must contain three or more bedrooms;
- ii. a minimum of 15 percent of the total number of **dwelling units** must contain two bedrooms; and
- iii. an additional 15 percent of the total number of **dwelling units** must be

a combination of two bedroom and three bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of two bedroom and three bedroom **dwelling units**;

- iv. any **dwelling units** with 3 or more bedrooms provided to satisfy (i) above are not included in the provision required by (Y)(ii) above;
- v. **dwelling units**, as described in (Y)(iii) above, may be converted using accessible or adaptable design measures such as knock-out panels; and
- vi. if the calculation of the number of required **dwelling units** in (Y)(i) to (iii) above results in a number with a fraction, the number is rounded down to the nearest whole number;

15. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 900.11.10(817)(Z):

(Z) Despite Regulation 200.15.10.5(1), if **parking spaces** are provided on the **lot**, a minimum of 3 resident **accessible parking spaces** and 1 **visitor accessible parking space** shall be provided;

16. Zoning By-law 569-2013, as amended, is further amended by adding Regulation 900.11.10(817)(AA):

(AA) Despite Regulation 230.5.10.1(5), bicycle parking spaces 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) 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;
- 17. Prevailing By-laws and Prevailing Sections: By-law 865-2025(PLN).
- 18. Temporary Use(s):
 - (A) None of the provisions of Zoning By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a sales centre or office for the sale and leasing of **dwelling units** or constructed office, at a maximum height of 3.0 metres, for the purpose of the administration and management of construction activity on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.
- 19. Schedule A to By-law 907-2024(OLT) is amended by Schedule A to this By-law.
- 20. 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 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 additional 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)

SCHEDULE A
Section 37 Requirements

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 907-2024(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, whereby the owner agrees as follows, in addition to matters set out in Schedule A to By-law 907-2024(OLT):

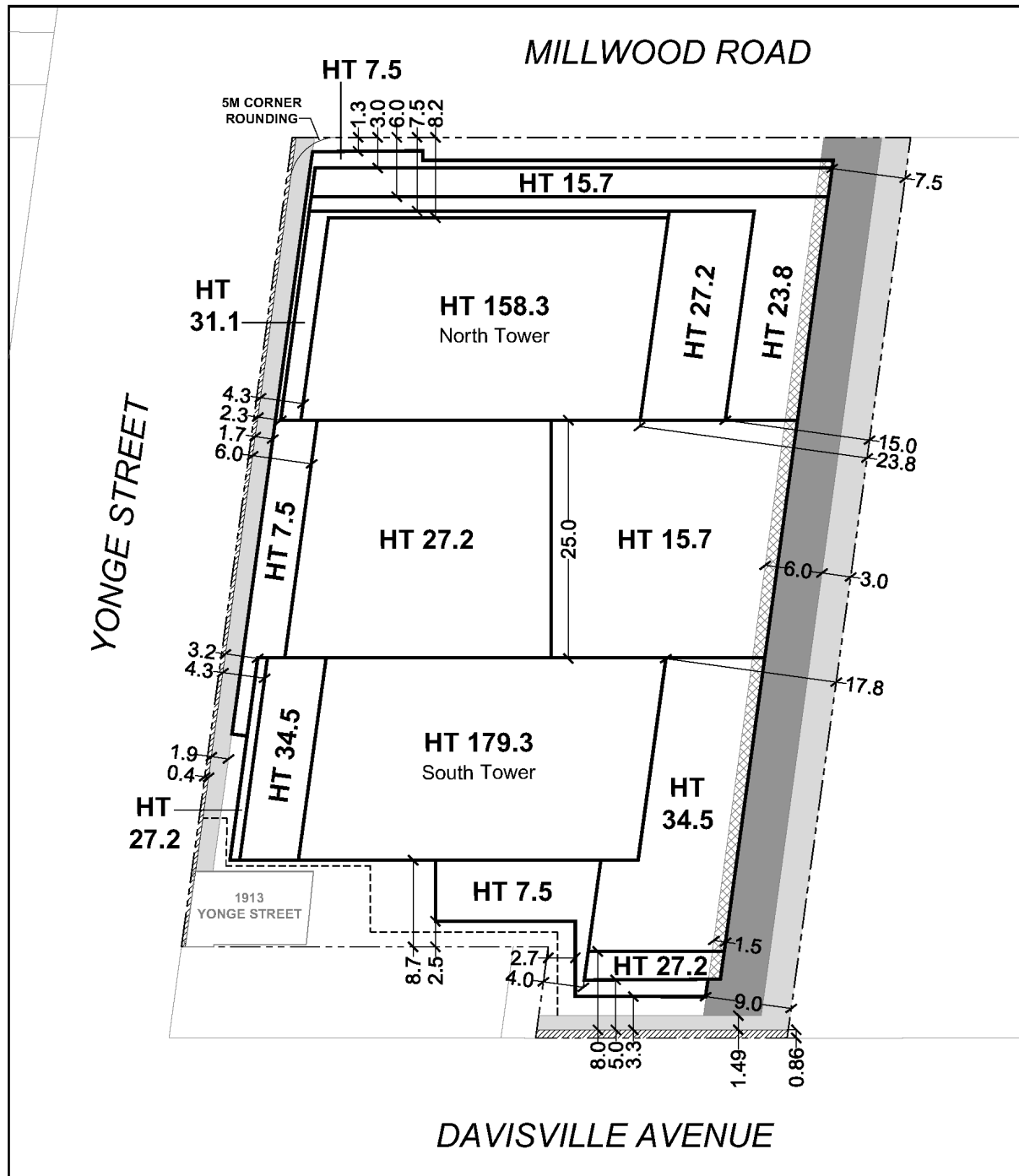
The existing Section 37 Agreement, registered on title for 1913-1951 Yonge Street, 10-22 Davisville Avenue, and 17-21 Millwood Road as Instrument AT6642275, is amended at the expense of the owner to secure the following additional community benefits, in addition to those already secured:

1. the owner of 1913-1951 Yonge Street, 10-22 Davisville Avenue, and 17-21 Millwood Road is required:
 - a. to design and construct an off-site 3.0-metre-wide midblock connection along the west lot line of the adjacent lands owned by the Toronto District School Board (TDSB) located at 43 Millwood Road and 50 Davisville Avenue. The 3.0-metre-wide off-site midblock connection on the TDSB lands will run north-south connecting Davisville Avenue and Millwood Road, and must be designed and constructed prior to the issuance of the first occupancy permit for the lands at 1913-1951 Yonge Street, 10-22 Davisville Avenue, and 17-21 Millwood Road, and designed and constructed in conjunction with the 3.0-metre wide north-south midblock connection previously secured on the subject site in Instrument Number AT6642275, and in accordance with Schedule A included in Attachment 5 of the report (dated June 19, 2026) from the Acting Director, Community Planning, Toronto and East York District. The owner is required to obtain all the necessary authorizations from the TDSB and enter into any required agreements regarding access and maintenance, to the satisfaction of the City Solicitor and the Executive Director, Development Review. All design and construction work on the midblock connection shall be to the satisfaction of the Executive Director, Development Review, and the General Manager of Parks and Recreation; and

- b. to make a financial contribution of two hundred thousand dollars (\$200,000.00) to the City to be paid by the owner prior to the issuance of the first above-grade building permit for the subject site, to be allocated towards public realm improvements in the vicinity of the subject site, to the satisfaction of the Executive Director, Development Review, in consultation with the Ward Councillor;
 - i. the payment identified in Part 1.b above shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for the Toronto Census Metropolitan area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of the execution of the Amending Section 37 Agreement to the date of payment; and
 - ii. in the event the financial contribution referred to in Part 1.b above has not been used for the intended purpose set out above within three (3) years of the Zoning By-law Amendment coming into full force and effect, the financial contribution may be redirected for another purpose, at the discretion of the Executive Director, Development Review, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the subject site;
- c. Prior to the issuance of the first above-grade building permit for the subject site, if the Executive Director, Development Review, determines that Part 1.a. cannot be adequately satisfied, then the owner will make a financial contribution of four hundred thousand dollars (\$400,000.00) to the City to be paid prior to the issuance of the first above-grade building permit for the subject site, to be allocated towards public realm improvements in the vicinity of the subject site, to the satisfaction of the Executive Director, Development Review, in consultation with the Ward Councillor;
 - i. the payment identified in Part 1.c above shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for the Toronto Census Metropolitan area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of the execution of the Amending Section 37 Agreement to the date of payment; and
 - ii. in the event the financial contribution referred to in Part 1.c above has not been used for the intended purpose set out above within three (3) years of the Zoning By-law Amendment coming into full force and effect, the financial contribution may be redirected for another purpose,

at the discretion of the Executive Director, Development Review, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the subject site;

2. The owner of the lands at 1913-1951 Yonge Street, 10-22 Davisville Avenue, and 17-21 Millwood Road, is required to enter into, and register on title, the Amending Section 37 Agreement described above prior to the revised site plan approval for the revised proposal, to the satisfaction of the Executive Director, Development Review and the City Solicitor.



Toronto
Diagram 5

1913, 1915, 1917-1919, 1923, 1925, 1927, 1941, 1951 Yonge Street,
17 and 21 Millwood Road, and 22 Davisville Avenue

File # 26 144461 STE 12 OZ

- Privately Owned Publicly-Accessible Space
- ▨ Road widening dedication
- ▨ Pedestrian Easements
- ▨ Driveway Easement
- ▨ Driveway Easement with no building permitted between a height of 0.0 and 7.5 metres with a minimum width of 1.5 metres

City of Toronto By-law 569-2013
Not to Scale
06/05/2026