

Attachment 9: Draft 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 674-2019(LPAT), as amended by By-law 970-2019, and By-law 623-2025 with respect to the lands municipally known in the year 2025 as 215 Lake Shore Boulevard East

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 the Official Plan for the City of Toronto contains provisions relating to the authorization of increase in height and density of development; 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Recovery Act, S.O. 2020 c. 18 came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) provided the by-law is not amended to remove the requirement to provide any of the facilities, services or matters secured therein or repealed; and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 the Local Planning Appeal Tribunal, by way of Order/Decision issued on October 23, 2018, in Tribunal File PL030514, following an appeal pursuant to Section 34(19) of the Planning Act, R.S.O. 1990, c.P.13, as amended, determined to amend the former City of Toronto Zoning By-law 438-86, as amended, with respect to the lands known municipally in the year 2014 as 215 Lake Shore Boulevard East, as in By-law 674-2019(LPAT), a by-law described in the repealed subsection 37(1) of the Planning Act, and this By-law does not amend or remove the requirement to provide facilities, services and therefore subsections 37(1)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-10 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 674-2019 (LPAT), 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;

Whereas on June 18 and 19, 2019, City Council passed By-law 970-2019 to amend Zoning By-law 674-2019(LPAT) to remove the holding symbol (H) with respect to a portion of the lands known municipally in the year 2018 as 215 Lake Shore Boulevard East; and

Whereas on April 23 and 24, 2024, City Council passed By-law 623-2025 to amend Zoning By-law 674-2019(LPAT), as amended by By-law 970-2019, to amend the permitted heights and parking requirements with respect to a portion of the lands municipally known in the year 2024 as 215 Lake Shore Boulevard East.

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. The words italicized in this By-law have the meaning provided in Zoning By-law 438-86, Section 2(1) Definitions, as amended by By-law 970-2019, and By-law 623-2025.
3. Zoning By-law 674-2019(LPAT), as amended, is further amended as follows:
 - (A) Notwithstanding Clause 2(d), the combined total *non-residential gross floor area* and *residential gross floor area* on the *lot* shall not exceed a maximum of 215,000 square metres, and the calculation of *non-residential gross floor area* shall exclude any portion of a *commercial parking garage* located below finished ground level;
 - (B) For the lands identified as Phase 2 on Map 7 of this By-law, the Permitted Tower Zones Table in Clause 2(g) is amended as follows:

Permitted Tower Zones Table	
Permitted Tower Zone Identified on Map 3	Maximum permitted <i>height</i>
Tower Zone 3	190 metres
Tower Zone 4	219.5 metres

- (C) Notwithstanding Clause 2(h), no *tower* erected in accordance with subsection (B) above may be located closer than 25 metres to any other *tower* located on the *lot*, as measured from the exterior main wall, subject to the permitted encroachments provided for in Clause 2(j) of By-law 674-2019(LPAT) and subsection 3(E) below, except for the distance between *towers* in Tower Zone 2 and Tower Zone 3, which may be located no closer than 23 metres between *towers* in such Tower Zones;
- (D) Notwithstanding Clause 2(i), for those portions of a building subject to the Podium Articulation Zone shown on Map 5 of this By-law, a minimum of 50 percent of the exterior main walls of each of the northerly and westerly facades of the building, between a *height* of 25.0 metres and 26.6 metres above *grade*, shall have a minimum setback of 0.5 metres from the main exterior wall of the building immediately below;
- (E) Notwithstanding the restrictions in rows 8 and 13 of the chart in Clause 2(j), the following restrictions shall apply for the lands identified as Phase 2 of Map 7 attached to this By-law:

	STRUCTURE	MAXIMUM PERMITTED HORIZONTAL PROJECTION	OTHER APPLICABLE QUALIFICATIONS
8.	Mechanical equipment, stairs and stair enclosures, elevator shaft, heating, cooling or ventilating equipment, including vents and stacks, or window washing equipment on the roof of the building or a fence, wall, screen or structure enclosing such elements.		The maximum <i>height</i> of the top of such elements shall be no higher than the sum of 9.0 metres and the <i>height</i> limits shown on Map 2 and Map 3, with the exception that such elements located on a <i>tower</i> shall be no higher than the sum of 10.0 metres. Where such elements are not located on a <i>tower</i>, the aggregate horizontal area of such elements, including the area contained within an enclosure, measured at a point above the level of the <i>height</i> limit, does not exceed 50

			percent of the area of the roof of the building.
13.	Pilaster, decorative column, sill, belt course or other similar architectural feature on a building.	0.9 metres	

(F) Notwithstanding Clause 2(k), for the lands identified as Phase 2 on Map 7 attached to this by-law, *parking spaces* shall be provided and maintained on the *lot* in accordance with the following requirements:

(i) Residential *Parking Spaces*

- (a) a minimum of 0 *parking spaces* for residents of the *dwelling units*;
- (b) a maximum of 0.3 *parking spaces* for each bachelor *dwelling unit*;
- (c) a maximum of 0.5 *parking spaces* for each one bedroom *dwelling unit*;
- (d) a maximum of 0.8 *parking spaces* for each two bedroom *dwelling unit*; and
- (e) a maximum of 1.0 *parking spaces* for each three or more bedroom *dwelling unit*;

(ii) Non-Residential and Visitor *Parking Spaces*

- (a) a minimum of 2.0 *parking spaces* plus 0.01 per *dwelling unit* for residential visitors;
- (b) a maximum of 1.0 *parking spaces* for the first five *dwelling units* for residential visitors;
- (c) a maximum of 0.1 *parking spaces* for the sixth and subsequent *dwelling units* for residential visitors;
- (d) a minimum of 0 *parking spaces* for non-residential uses;
- (e) a maximum of 3.5 *parking spaces* for every 100 square metres of *non-residential gross floor area*; and
- (f) residential visitor *parking spaces* and non-residential *parking spaces* may be shared on a non-exclusive basis and may be

provided as public parking within a *commercial parking garage*;

(iii) *Accessible parking spaces*

- (a) For the purpose of this Clause, “accessible” means free of a physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11;
- (b) *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 barrier free aisle or path;
- (c) A minimum of the greater of 1 *parking space* or 7% of parking supply provided for residential *parking spaces* must be accessible;
- (d) A minimum of the greater of 1 *parking space* or 5% of parking supply provided for non-residential *parking spaces* must be accessible;
- (e) *Accessible parking spaces* must be the closest *parking spaces* to a barrier free:
 - i. entrance to a building;
 - ii. passenger elevator that provides access to the first storey of the building; and
 - iii. shortest route from the required entrances in i. and ii.;

(iv) *Car-share parking spaces* may be provided on the *lot*; and

(v) Parking spaces may be provided and maintained on the *lot* in an *automated parking system*;

(G) Notwithstanding Clause 2(I), for the lands identified as Phase 2 on Map 7

attached to this By-law, loading spaces shall be provided and maintained in accordance with the following requirements:

- (i) 1 *Loading Space – Type C*; and
 - (ii) 1 *Loading Space – Type G*;
- (H) Notwithstanding the definition of “*loading space – type G*” in in Section 2(1) of Zoning By-law 438-86, for the lands identified as Phase 2 on Map 7 attached to this By-law, a *loading space – type G* must have the following dimensions:
 - (i) Minimum length of 13.0 metres;
 - (ii) Minimum width of 4.0 metres; and
 - (iii) Minimum vertical clearance of 6.1 metres;
- (I) Notwithstanding Clause 2(m), for the lands identified as Phase 2 on Map 7 attached to this By-law, *bicycle parking spaces* shall be provided and maintained on the *lot* in accordance with the following requirements:
 - (i) *Long-term bicycle parking spaces* are for use by the occupants or tenants of a building;
 - (ii) *Short-term bicycle parking spaces* are for use by visitors to a building;
 - (iii) For *dwelling units*:
 - (a) 0.9 *bicycle parking spaces* per *dwelling unit*, allocated as *long-term bicycle parking spaces*; and
 - (b) 0.2 *bicycle parking spaces* per *dwelling unit* allocated as *short-term bicycle parking spaces*;
 - (iv) For all non-residential uses:
 - (a) 0.2 *bicycle parking spaces* for each 100 square metres of *non-residential gross floor area* allocated as *long-term bicycle parking spaces*;
 - (b) 3 *bicycle parking spaces* plus 0.3 *bicycle parking spaces* for each 100 square metres of *non-residential gross floor area* allocated as *short-term bicycle parking spaces*; and
 - (c) Notwithstanding (a) and (b) above, if the total *non-residential*

gross floor area provided on the *lot* is 2,000 square metres or less, no *bicycle parking spaces* are required for non-residential uses;

- (v) The number of *bicycle parking spaces* required by subsection 3(l) may be reduced, subject to the following:
 - (a) The number of *long-term bicycle parking spaces* reduced is not more than half the amount required by clause 3(l)(iii)(a) or 3(l)(iv)(a) of this By-law, rounded down to the nearest whole number;
 - (b) The number of *short-term bicycle parking spaces* reduced is not more than half the amount required by regulation 3(l)(iii)(b) or 3(l)(iv)(b) of this By-law, rounded down to the nearest whole number;
 - (c) For each *bicycle parking space* required by clause 3(l)(iii) or 3(l)(iv) of this By-law to be reduced, the *owner* or occupant must provide a payment-in-lieu to the City of Toronto; and
 - (d) The *owner* or occupant must enter into an agreement with the City of Toronto pursuant to Section 40 of the Planning Act;
- (vi) A *bicycle parking space* provided in a *bicycle stacker* must be served by a minimum 1.8-metre wide unobstructed aisle;
- (J) In addition to the subclauses listed in Clause 2(v), Clause 2(v) is amended to include the following:
 - (iv) Prior to the issuance of the first *Building Permit* for the lands identified as Phase 2 on Map 7 attached to this By-law, the *owner* shall have entered into an amending *Master Section 37 Agreement* with the City, and such agreement shall have been registered on title to the *lot*, which secures:
 - (a) The Section 37 contributions of Clauses 2(w), 2(y), and the Appendices, as amended by Clauses 3(J), 3(S) and 3(T) of this By-law, with conditions which may provide for indexing of the financial contributions procedures to implement delivery of *affordable rental housing* requirements, indemnity insurance, GST, termination and unwinding and registration and priority of agreement; and
 - (b) That the *owner* shall design, construct, and convey to the

City, for nominal consideration and at no cost to the City, a minimum 468 square metres of useable *gross floor area* of community space, provided on such terms and conditions as set out in the Community Space Term Sheet;

- (v) Where Appendix '1' attached to By-law 674-2019(LPAT), as amended, 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 on satisfaction of the same; and
 - (vi) 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 provisions of Appendix '1' are satisfied;
- (K) Notwithstanding Clause 2(w)(i), the erection and maintenance on the *lot* of *affordable rental* housing is as follows:
- (i) Not less than 8,434 square metres of the total amount of *residential gross floor area* for the area shown as Phase 1 on Map 7 of this By-law, provided as *affordable rental housing*;
 - (ii) Not less than 7 percent of the total amount of *residential gross floor area*, not including residential gross floor area provided as affordable rental housing per Clause 3(K)(i), for the area shown as Phase 2 on Map 7 of this By-law, as *affordable rental housing*;
 - (iii) *Dwelling units*, which are provided as *affordable rental housing*, shall be maintained as *affordable rental housing* for a term of not less than 25 years; and
 - (iv) Such *dwelling units* shall be provided on a timely basis commensurate with the rate of construction of the *residential gross floor area* that is not *affordable rental housing*, or as otherwise provided for in the Appendices of this Exception;
- (L) Clause 2(aa)(ii) is deleted and replaced with the following:
- (ii) In the case of lands proposed for residential uses, and where *affordable rental housing* is required for that portion of the lands, the execution by the *owner* of a *Phase-Specific Section 37 Agreement* including the phase specific timely delivery requirements, and implementing as necessary the *Master Section 37 Agreement*, as may be amended from time to time, for the purpose of securing the *affordable rental housing* and community space requirements of this Exception;

- (M) Clause 2(bb) is amended to delete reference to “Local Planning Appeal Tribunal” and “Board”, and be replaced by “Ontario Land Tribunal”;
- (N) Clause 2(cc) is amended as follows:
- (i) “*affordable rents*” means rents where the total monthly shelter cost (gross monthly rent, inclusive of utilities for heat, hydro, hot water and water) is at or below the lesser of one times the average City of Toronto rent, by *dwelling unit* type, as reported annually by the Canada Mortgage and Housing Corporation, or 30 percent of the before-tax monthly income of renter households in the City of Toronto as follows:
 - (a) studio units: one-person households at or below the 50th percentile income;
 - (b) one-bedroom units: one-person households at or below the 60th percentile income;
 - (c) two-bedroom units: two-person households at or below the 60th percentile income; and
 - (d) three-bedroom units: three-person households at or below the 60th percentile income;

and subject only to annual increases which do not exceed any guideline therefor published by the Province of Ontario;
 - (iv) “*bicycle parking space occupant*” may be referred to as “*long-term bicycle parking spaces*”;
 - (v) “*bicycle parking space visitor*” may be referred to as “*short-term bicycle parking spaces*”
 - (viii) “*car-share*” or “*car-sharing*” means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable;
 - (ix) “*car share parking space*” means a *parking space* that is reserved and actively used for *car-sharing*;
 - (xxxii) “*tower*” means the portion of a building located above a *height* of 46.5 metres within “Tower Zone 1”, above a *height* of 26.5 metres

within "Tower Zone 2", above a *height* of 24.45 metres within "Tower Zone 3" and above a *height* of 25.2 metres within "Tower Zone 4", as shown on Map 3;

- (O) Map 2 of By-law 674-2019(LPAT) is amended by Map 2 as attached hereto;
- (P) Map 3 of By-law 674-2019(LPAT) is amended by Map 3 as attached hereto;
- (Q) Map 5 of By-law 674-2019(LPAT) is amended by Map 5 as attached hereto;
- (R) By-law 674-2019(LPAT) is amended by adding Map 7 as attached hereto; and
- (S) Appendix 1 of By-law 674-2019(LPAT) is amended to add the following items:

Community Space

- 15. The owner shall design, construct, and convey to the City, for nominal consideration and at no cost to the City, a minimum 468 square metres of useable gross floor area of community space on the Phase 2 lands provided on such terms and conditions as set out in the Community Space Term Sheet.

Additional Provisions

- 16. Notwithstanding Appendix 1, Clause 1 regarding the provision of *dwelling units*, where the delivery of *affordable rental housing* is being provided by the *owner*, the *owner* shall provide and maintain the *affordable rental housing* in accordance with the following provisions:
 - a. the *dwelling units* provided as *affordable rental housing* shall remain as *affordable rental housing* for a period of at least 25 years, with no application for demolition without replacement, or for condominium registration or any conversion to any non-rental housing purposes.
 - b. *Affordable rents* shall be charged to tenants who occupy an *affordable rental housing dwelling unit* during the first 25 years of its occupancy such that the initial rent shall not exceed an amount that is at or below the lesser of one times the average City of Toronto rent, by *dwelling unit* type, as

reported annually by the Canada Mortgage and Housing Corporation, or 30 percent of the before-tax monthly income of renter households in the City of Toronto as follows (inclusive of utilities for heat, hydro, hot water, and water):

- i. studio units: one-person households at or below the 50th percentile income;
- ii. one-bedroom units: one-person households at or below the 60th percentile income;
- iii. two-bedroom units: two-person households at or below the 60th percentile income; and
- iv. three-bedroom units: three-person households at or below the 60th percentile income.

and over the course of the 25 year period, annual increases shall not exceed the Provincial rent guideline;

- c. Rents charged to tenants newly occupying a *dwelling unit* which is no longer *affordable rental housing* after the completion of the 25 year period set out in sub-paragraph 16 (a) of this Appendix will not be subject to restrictions by the City under the terms of the section 37 agreement entered into under this By-law.

- 17. Notwithstanding Appendix 1, Clause 6.a. regarding local infrastructure improvements, for the lands identified as Phase 2 on Map 7 attached to this By-law the contribution of \$69.86 per square metre of *residential gross floor area* towards local infrastructure improvements does not include any portion of *residential gross floor area* used for the purposes of *affordable rental housing*;
- 18. Notwithstanding Appendix 1, Clause 7.b. regarding the allocation of the 1 percent Contribution between *Public Art* or *Community Arts Initiative(s)*, for the lands identified as Phase 2 on Map 7 attached to this By-law, a portion of the contribution towards *Public Art* and *Community Arts Initiatives* up to a maximum of \$200,000.00 may be contributed towards capital improvements to the Community Space to the satisfaction of the Executive Director, Social Development and the Chief Planner, City Planning.

(T) Appendix 2, Clause 3 of By-law 674-2019(LPAT) is amended as follows:

- (i) Appendix 2, Clause 3.i.ii. is deleted and replaced by the following:

The remaining *affordable rental housing* requirements shall be provided as *affordable rental housing* units and be equal to the greater of 55 percent of the total *affordable rental housing* requirements referred to in Clause 3.d. of Appendix 2, or the total *affordable rental housing* requirements referred to in Clause 2(w)(i), as amended by Clause (K) above, and the total residential gross floor area of such units must be at least 8,434 square metres;

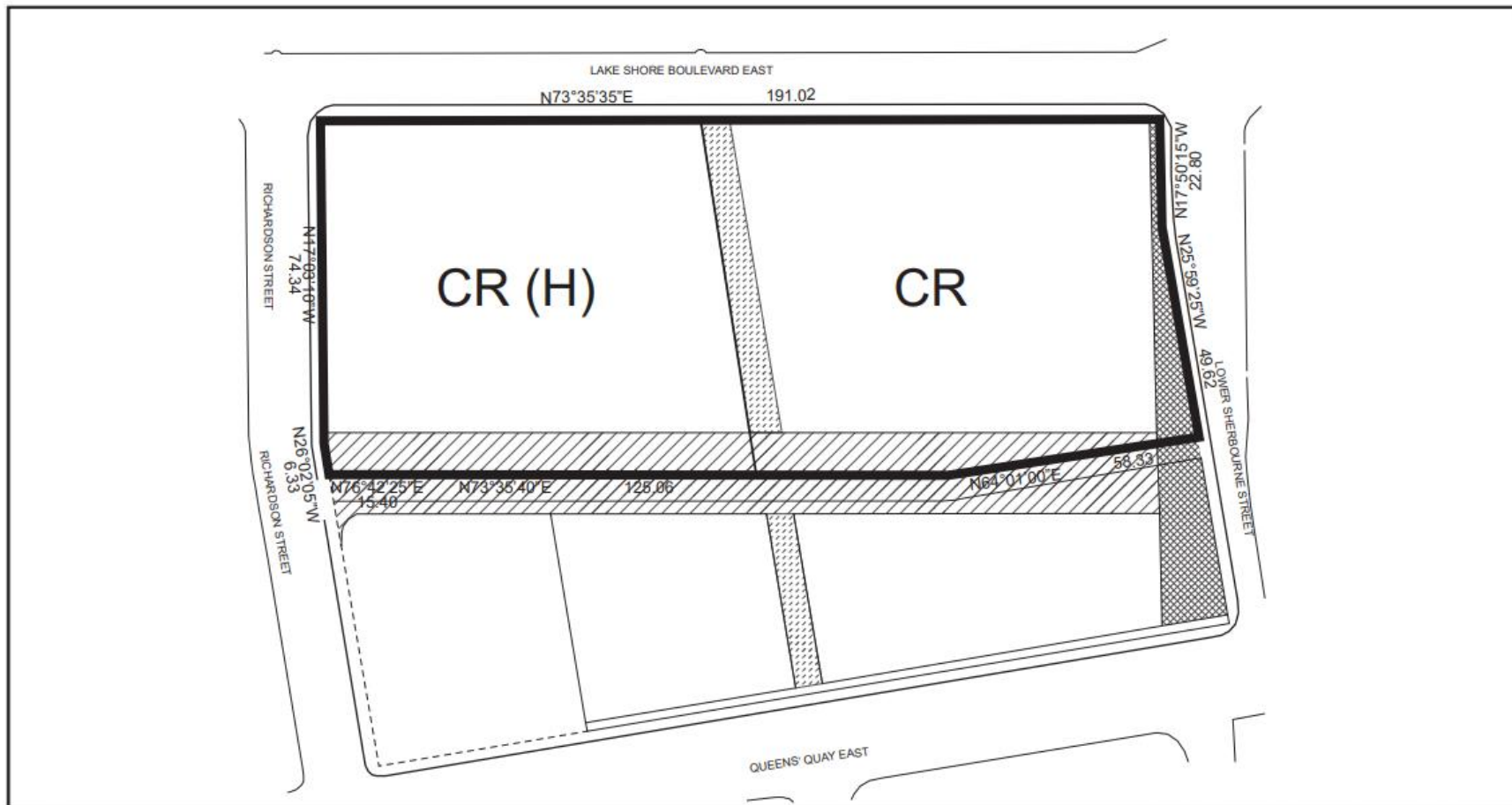
4. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)

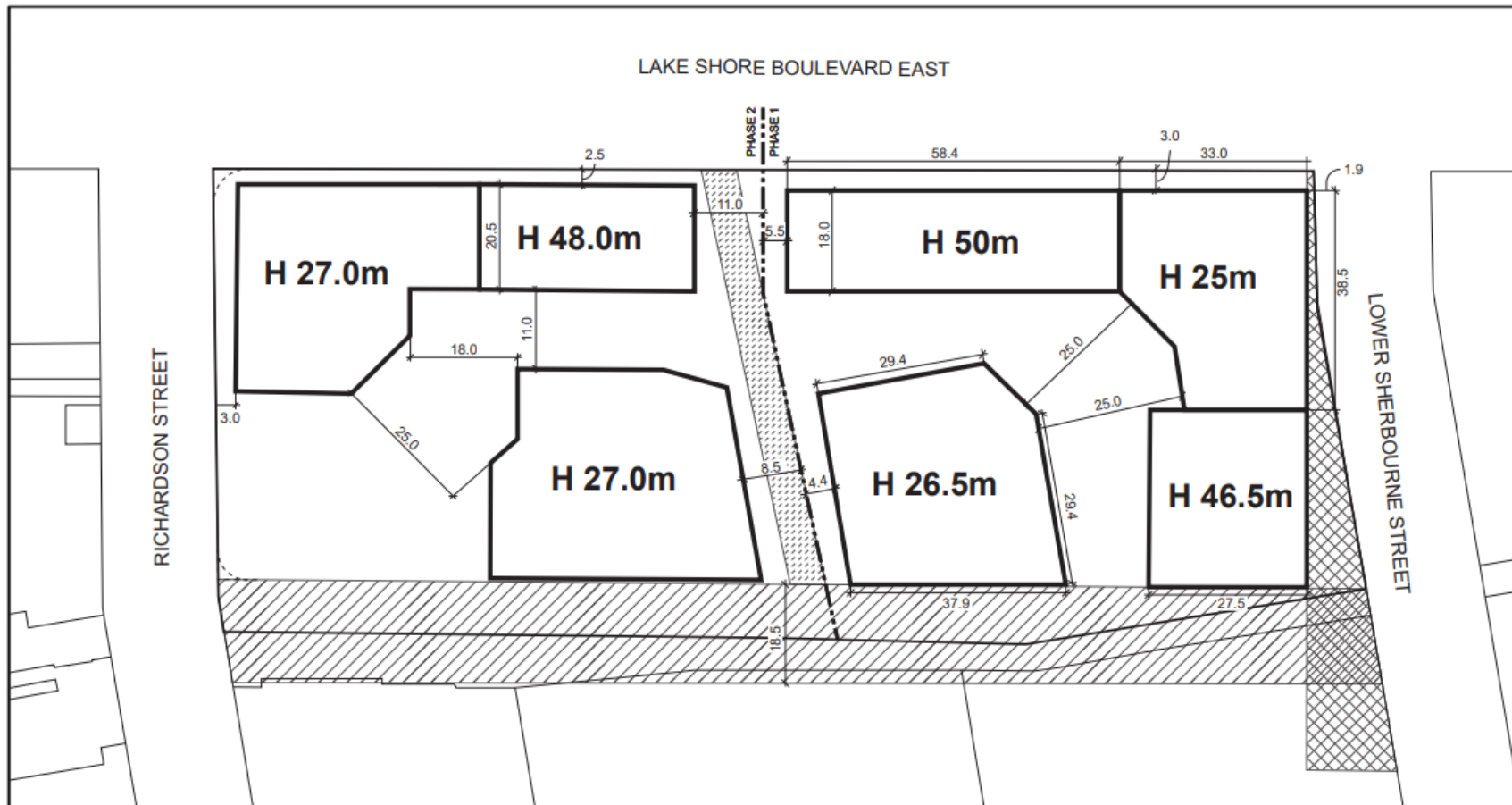


 **Toronto**
MAP 1

215 Lake Shore Blvd East

File # 21 110243 STE 10 0Z

City of Toronto By-law 438-86
Not to Scale



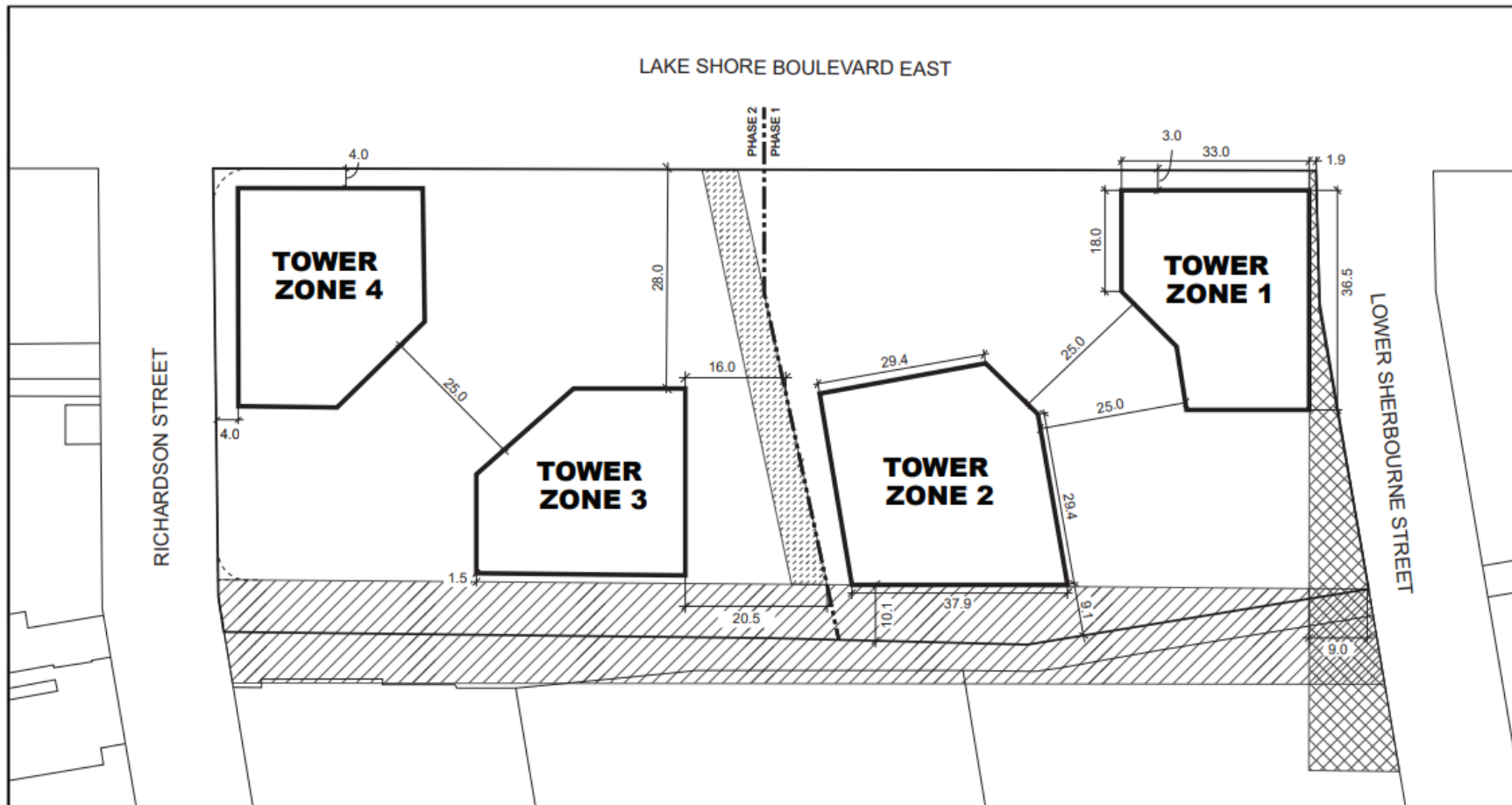
Toronto
MAP 2

215 Lake Shore Blvd East

File # 21 110243 STE 10 0Z

-  New Public Street (18.5m)
-  Potential Publicly Accessible Open Space
-  Potential Land Transfer


City of Toronto By-law 438-86
Not to Scale



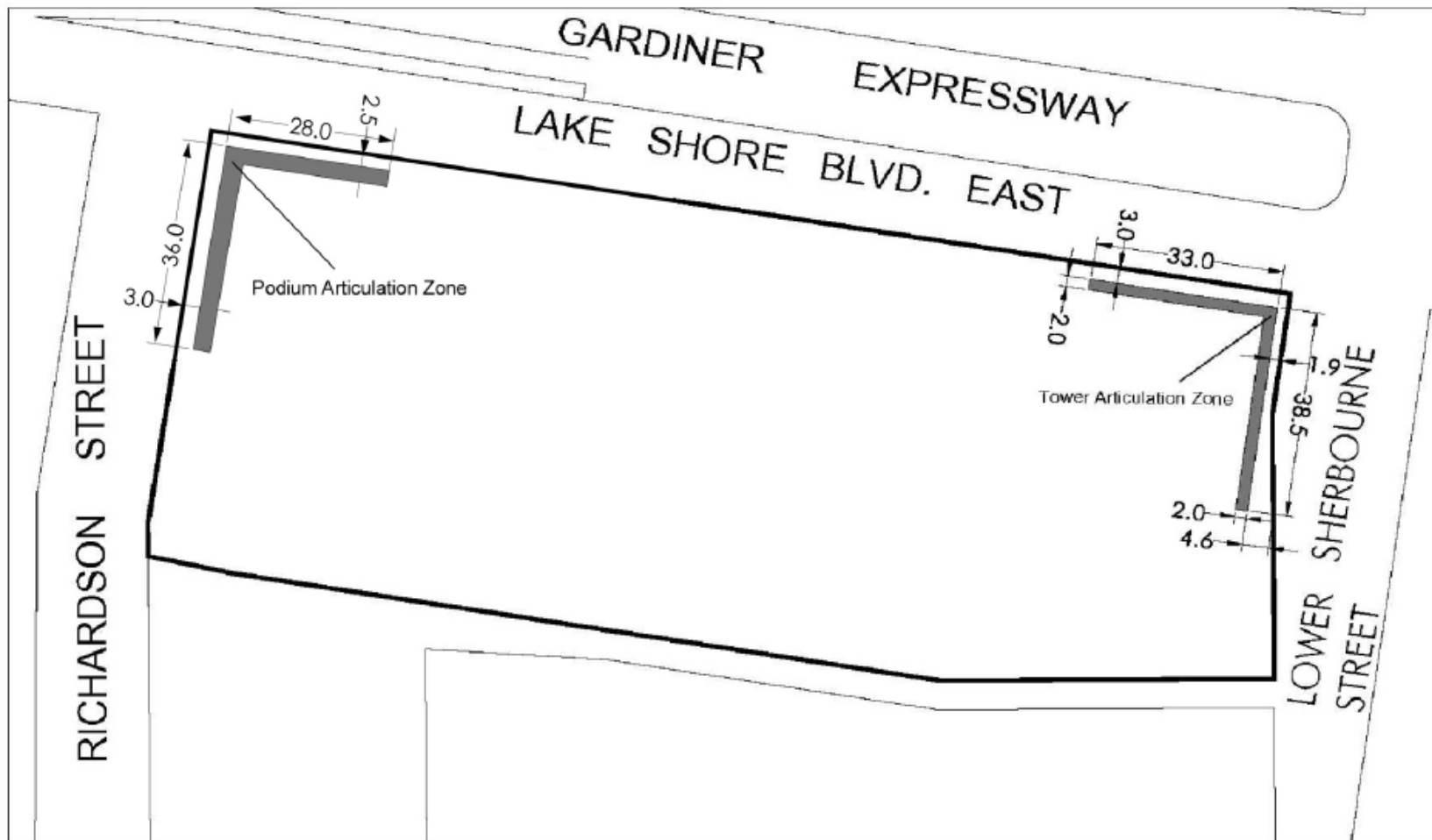
Toronto
MAP 3

215 Lake Shore Blvd East

File # 21 110243 STE 10 0Z

-  New Public Street (18.5m)
-  Potential Publicly Accessible Open Space
-  Potential Land Transfer

City of Toronto By-law 438-86
Not to Scale

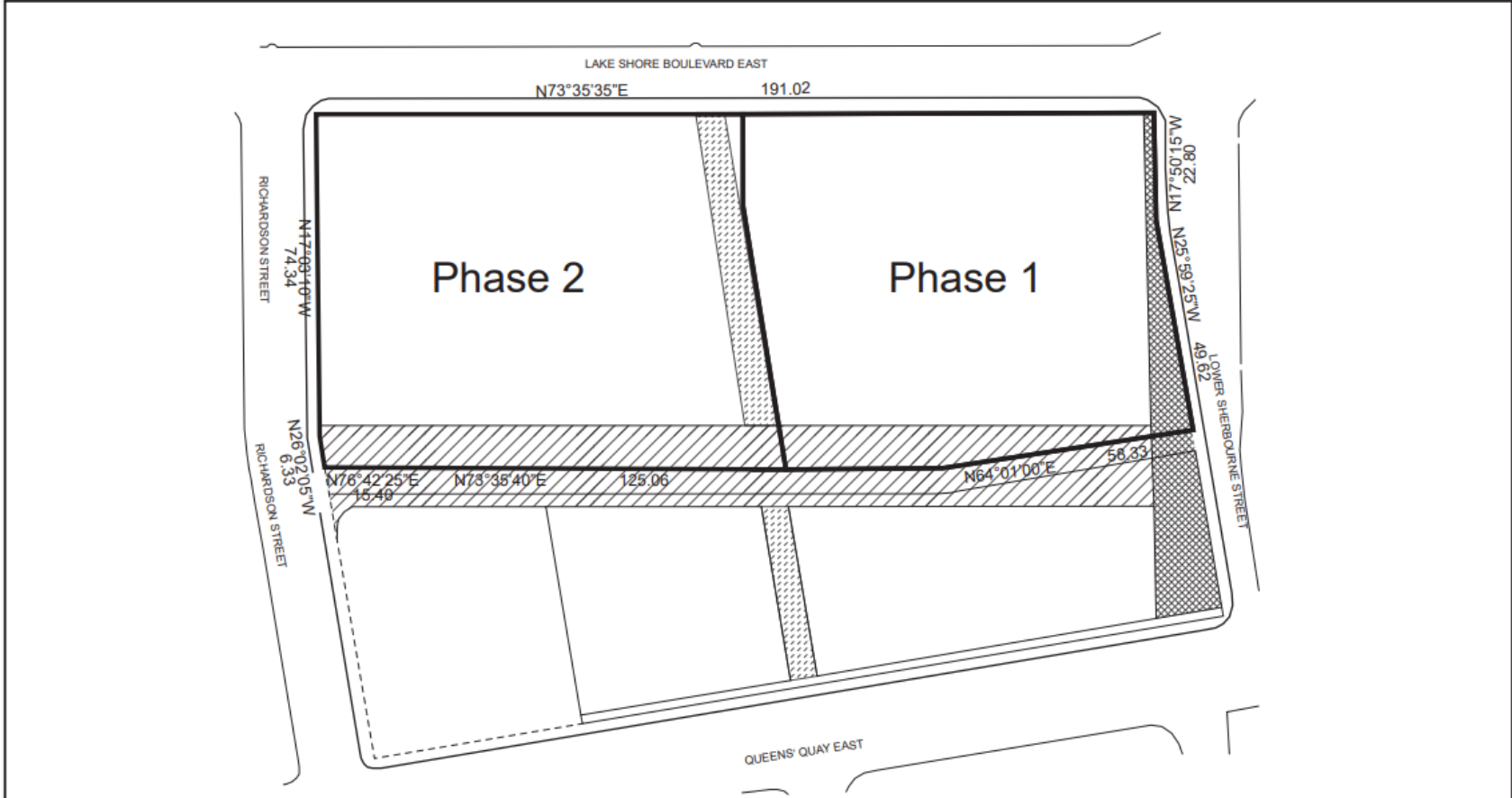


East Bayfront - West Precinct

Map 5: Articulation Zones

ARTICULATION ZONES





Toronto
MAP 7

215 Lake Shore Blvd East

File # 21 110243 STE 10 0Z