

Consolidated Clause in Toronto and East York Community Council Report 6, which was considered by City Council on July 25, 26 and 27, 2006.

3

**Final Report - Official Plan and Zoning By-law Amendment
Applications - 4A Spadina Avenue and 100 Fort York Boulevard
(formerly 4A Spadina Avenue and 422, 450, and
476 Fort York Boulevard) (Ward 20 - Trinity-Spadina)**

City Council on July 25, 26 and 27, 2006, amended this Clause by adding the following new Recommendation (4) to the recommendations of the Toronto and East York Community Council:

“(4) that, in order to achieve a City block that all Torontonians can be proud of, the land owners and developers involved work in close co-operation with the City Planning Division.”

This Clause, as amended, was adopted by City Council.

The Toronto and East York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (June 19, 2006) from the Director, Community Planning, Toronto and East York District subject to:

(1) amending Recommendation (9) by adding the words:

“2 – Bedroom Units - 1.0 spaces per unit” under the words “1-Bedroom Units”, so as to read:

“(9) require the owner to provide and maintain parking spaces to serve each phase of the development, in accordance with the following minimum ratios:

| | |
|------------------------------------|-------------------------------|
| Bachelor Units | 0.3 spaces per unit |
| 1-Bedroom Units | 0.7 spaces per unit |
| 2-Bedroom Units | 1.0 spaces per unit |
| 3+ Bedroom Units | 1.2 space per unit |
| Residential Visitors/Retail | 0.06 spaces per unit”; |

(2) amending Recommendation (16) to read:

"(16) require staff to negotiate with the owner respecting the release of the restrictive covenants that currently exist on Blocks 31, 32 and 36, to allow for a mix of affordable and market rate housing and allow for reconfiguration of the land use in these blocks;" and

(3) amending Recommendation (17) by:

(a) adding the words "Railway Lands West Community Park" after the words "...\$4 million to the"; and

(b) deleting the words "conveyance of the Concord Adex lands under the Gardiner Expressway to the City" and substitute with the words "conveyance of the Concord Adex lands under the Gardiner Expressway to the east of Dan Leckie Way to the City and, if feasible, conveyance of the Concord Adex lands under the Gardiner Expressway to the west of Dan Leckie Way to the City," so that this Recommendation now reads:

"(17) before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement to secure contributions in the total amount of \$4.0 million to the Railway Lands West Community Park, proposed Mouth of Garrison Creek Park, the Northern Linear Park, the Southern Linear Park, the proposed community centre, conveyance of the Concord Adex lands under the Gardiner Expressway to the east of Dan Leckie Way to the City and, if feasible, conveyance of the Concord Adex lands under the Gardiner Expressway to the west of Dan Leckie Way to the City, school age daycare facilities on Block 31, and affordable housing; and".

Action taken by the Committee

The Toronto and East York Community Council held a statutory public meeting on July 11, 2006 and notice was given in accordance with the *Planning Act*.

The Toronto and East York Community Council submits the report (June 19, 2006) from the Director, Community Planning, Toronto and East York District.

Purpose:

This report reviews and recommends approval of applications to amend the Railway Lands West Secondary Plan, Zoning By-law 1994-0805, and the former City of Toronto Railway Lands West Part II Plan (if required), to permit three 18-storey towers, two 36-storey towers and one 38-storey tower within 4 blocks in the Railway Lands West.

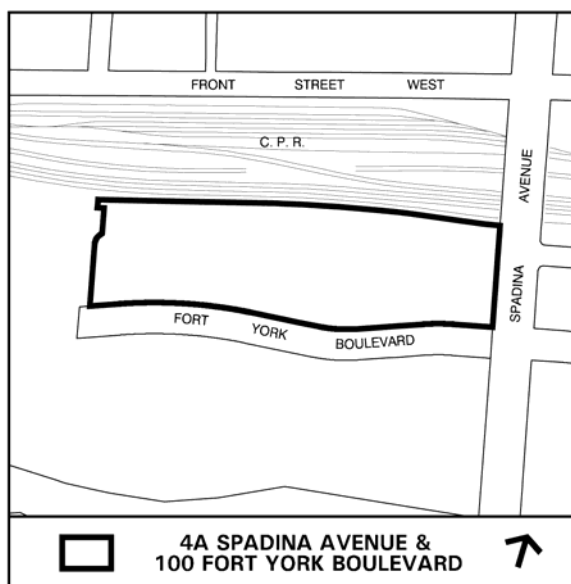
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) amend the Secondary Plan for the Railway Lands West substantially in accordance with the draft Official Plan Amendment attached as Attachment No.12;
- (2) if in the event that the new Official Plan is not yet in force, amend the Railway Lands West Part II Plan of the former City of Toronto attached as Attachment 14;
- (3) amend the Zoning By-law No. 1994-0805 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.13;
- (4) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (5) before introducing the necessary Bills to City Council for enactment, require the owner to address, to the satisfaction of the General Manager, Transportation Services, any issues and concerns associated with the traffic impact of the proposal;
- (6) require the owner to provide space within the development for the construction of any transfer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development;
- (7) require the owner to grant the City, at nominal cost, public pedestrian easements to the full extent of the setbacks, required by the Site Specific By-law No. 1994-0805;
- (8) require the owner to submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS, the lands to be subject to pedestrian easements and the remainder of the site including any appurtenant rights-of-way;



- (9) require the owner to provide and maintain parking spaces to serve each phase of the development, in accordance with the following minimum ratios:

| | |
|-----------------------------|----------------------|
| Bachelor Units | 0.3 spaces per unit |
| 1-Bedroom Units | 0.7 spaces per unit |
| 3+ Bedroom Units | 1.2 space per unit |
| Residential Visitors/Retail | 0.06 spaces per unit |

- (10) require the owner to provide and maintain a minimum of 3 Type G loading spaces (1 Type G for the shared use of the residential and retail uses on the site), with a generally level surface and access designed so that trucks can enter and exit the public streets in a forward motion;
- (11) require the owner to pay for any improvement/construction of the municipal infrastructure (roads and services) to service this development, as may be determined necessary by the Executive Director, Technical Services;
- (12) require the owner to submit to Technical Services the necessary applications for revised municipal numbering prior to filing an application for a building permit;
- (13) require the owner to submit to Technical Services, at least 3 weeks prior to the introduction of Bills in Council, final approved drawings of the development with sufficient horizontal and vertical dimensions of the exterior walls of the proposed buildings to enable the preparation of building envelope plans;
- (14) require the owner to comply with Canadian National's (CN) Principle Main Line Requirements;
- (15) require the owner to enter into an agreement with Canadian National and GO Transit that outlines how the required noise, vibration, safety and drainage issues (including setback, berming and security fencing) are to be addressed by the owner;
- (16) require the owner to release the restrictive covenants that currently exist on Blocks 31, 32 and 36 to allow for a mix of affordable and market rate housing and allow for reconfiguration of the land use in these blocks;
- (17) before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement to secure contributions in the total amount of \$4.0 million to the proposed Mouth of Garrison Creek Park, the Northern Linear Park, the Southern Linear Park, the proposed community centre, conveyance of the Concord Adex lands under the Gardiner Expressway to the City, school age daycare facilities on Block 31, and affordable housing; and
- (18) require Concord Adex to submit to the City a cheque for \$50,000 (as part of their Section 37 contributions) at the time that the Zoning comes into effect, for the design of Mouth of Garrison Creek Park.

Background:

Site History

Site specific Zoning By-law 1994-0805, was amended by Zoning By-law 1997-0614, as a result of a Zoning By-law Amendment application made by Concord Adex, who purchased lands in the Railway Lands from Canadian National Railways. The approved By-law changed the height and massing of the proposed buildings in the Railway Lands by lowering the podium buildings, and allowing for taller towers. Zoning By-law 1994-0805, as amended, is applicable to all the Concord Adex owned land in the Railway Lands West.

Application History

Applications for an Official Plan Amendment and a site-specific Zoning By-law Amendment made by Concord Adex were received by the City on November 15, 2005. The proposal includes the block located at 4A Spadina, and the 3 blocks to the west known as 100 Fort York Boulevard (formerly 422, 450 and 476 Fort York Boulevard). Each block will be given its own address during the Site Plan Approval process.

Proposal

The development at 4A Spadina has already been approved and is in the process of obtaining Site Plan Approval. It was included in this application for completeness but no changes to the approved buildings are contemplated by this application. The remaining three blocks (all of which are under the address 100 Fort York Boulevard) will be referred to in this report as Block 26E, 26W and 29 as shown on Attachment 1. The proposal is for 6 residential towers on podium buildings with parking provided underground.

Site and Surrounding Area

The properties are located between Spadina Avenue and Dan Leckie Way, south of the rail corridor. They are currently vacant.

North: To the north of the subject site is the CN rail corridor that runs south of Front Street.

South: A community park will be located south of Blocks 29 and 26W. It is not yet constructed and the site is vacant.

East: To the east, on the opposite side of Spadina Avenue, is the almost completed Railway Lands Central neighbourhood which is composed of residential towers, townhouses, an amenity pavilion, retail, and the sales pavilion for Concord Adex.

West: Immediately west of the site are two blocks owned by the City which are proposed to be developed by the Toronto Community Housing Corporation for affordable housing. These blocks are currently vacant.

New Toronto Official Plan

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new Plan, in part, with modifications. The Ontario Municipal Board hearing on the new Plan commenced on June 13, 2005 and continued on June 5, 2006. The Board has approved most of the Plan and it is anticipated that the approved portions will come into force in June 2006. The Housing and Section 37 policies remain under appeal and will be adjudicated in September and October 2006. As well the hazard land policies for 'Special Policy Areas' remain under appeal.

The Official Plan and the Railway Lands West Secondary Plan designates this area as Mixed Use. The application was reviewed within the context of the policies listed in the Mixed Use section of the Plan, as well as those contained in the Railway Lands West Secondary Plan.

Zoning

Site specific Zoning By-law 1994-0805, as amended, permits a mixed use development with a variety of heights ranging from 65 metres to 95 metres and generally stepping down from the east to the west.

Site Plan Control

Block 24 (4A Spadina) is currently proceeding through Site Plan Approval. This Official Plan and Zoning Amendment application does not propose any changes to this block. A Site Plan application for Block 26E has been submitted to the City and will be circulated for comment when complete.

Tree Preservation

There are no existing trees on the subject properties.

Reasons for the Application

The approved Draft Plan of Subdivision for the lands located west of Spadina Avenue includes three development blocks on the north side of Fort York Boulevard which correspond with Blocks 24, 26 and 29 in the Railway Lands West Zoning By-law, 1994-0805. At its meeting on April 12, 13 and 14, 2005, City Council authorized revisions to the Draft Plan of Subdivision and Subdivision Agreement to, among other things, permit a revised four block scheme. These four blocks are now identified as Blocks 24, 26E, 26W and 29.

Additionally, the number and location of the proposed residential towers has changed as a result of the new block pattern, and amendments to the permitted height and density of the blocks are required. The permitted heights for Blocks 26 and 29 range from 65 metres to 95 metres and the proposed heights of the towers range from 55 metres to 115 metres. The total permitted gross floor area for Blocks 26 and 29 is 95,000 square metres. The proposed gross floor area, for the three proposed blocks, 26E, 26W and 29 is 175,795 square metres.

Community Consultation

A Community Consultation meeting was held on December 1, 2005. In attendance was the local Councillor, City staff, the applicant and their consultant team, and two members of the public. While the notice was distributed to the standard radius of 120 metres of the subject site, the area does not encompass many residential units which resulted in a low turnout.

The concerns raised included the heights of the proposed towers, the loss of views towards the lake from the condominiums located on the southeast corner of Front Street and Spadina Avenue and the amount of traffic that would be generated by the developments.

Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Comments:

Official Plan Amendment – Railway Lands West Secondary Plan

In Section 10 of the Railway Lands West Secondary Plan the Land Use Districts and Densities for the Secondary Plan area are defined. Blocks 24, 26E, 26E and 29 are defined as Areas “A”, “C”, “E”, and “F” respectively on Map 19-3, attached to the Plan. Area “A”, in Section 10.2.1 is defined as an “appropriate location for non-residential and residential development with a strong street related and service component”. The development in Area “A” complies with this policy.

According to the Plan, Areas “C”, “E”, and “F”, described in Section 10.2.2.1, should be regarded as “a predominantly residential area containing dwelling units at medium densities in a variety of housing types and forms and available to a wide range of households, ages and incomes.” Although the proposed development meets most of these criteria, the proposed density cannot be described as medium. Therefore, an amendment to Section 10.2.2.1 is required to replace the word “medium” with the word “high”.

Planning staff have completed a detailed review of the proposal and believe that this amendment to the Secondary Plan is appropriate. The proposal complies with the remainder of the Secondary Plan.

Staff do note that the maps attached to the Secondary Plan show a secondary road network through the subject blocks that appear as a loop connecting at both ends to Fort York Boulevard (formerly Bremner Boulevard). Although this secondary road network is being changed to a grid pattern of public and private roads an amendment to the maps is not required, since Section 8.2.2 of the Plan states that “where the general intent of this Secondary Plan is maintained, minor adjustments to the alignment and definition of the primary streets, and/or the addition or deletion of secondary streets shown in Map 19-2 will not require an amendment to this Secondary Plan.”

Height, Massing and Floor Plate Size

The permitted heights for Blocks 26 and 29 range from 65 to 95 metres (21-32 storeys). The proposal includes three 18-storey towers (58 metres), two 36-storey towers (113 metres) and one 38-storey tower (115 metres). Each of Blocks, 26W, 26E and 29 will contain one of the 18-storey towers, and one of the taller towers.

Approved building heights within the Railway Lands West Secondary Plan Area include:

| Block | Height in Metres | Height in Storeys |
|------------------------|------------------|-------------------|
| 24 (4A Spadina Avenue) | 131 | 47 |
| 25 (2A Spadina Avenue) | 136 | 49 |
| 25 (2A Spadina Avenue) | 114 | 42 |
| 33 | 92 and 98 | 30 and 32 |
| 37 | 83 | 27 |

Blocks 32, 36, and 31, are all owned by the City and are intended for the purposes of affordable housing. A Zoning By-law Amendment application has been made by the Toronto Community Housing Corporation (TCHC) for Blocks 32 and 36 with a proposed 20-storey (62 metres) tower and a 30-storey (92 metres) tower. No formal application has been made for Block 31.

The proposed towers on Blocks 26E, 26W and 29 will all sit atop podium buildings that will define the street edge and provide grade related units, and a continuous street wall for all the streets. Block 26E is proposed to have an 8-storey (26 metre) podium building, with the top 2 floors stepped back from the floors below. Blocks 26W and 29 are proposed to have 9-storey (28 metre) podium buildings, with the top 3 storeys stepped back. This will allow for a consistent 6-storey street wall around the perimeter of each block. The towers will also be set back from the top of the podium buildings. All the towers will have a set maximum floor plate size, as described in the chart below, to protect sky views and ensure tower separation.

| Block | Total Height (storeys) | Floor Plate Size 1 | Floor Plate Size 2 |
|---------------|------------------------|---------------------------------------|---|
| 26E (Tower 1) | 38 | 750 square metres | n/a |
| 26E (Tower 2) | 18 | 750 square metres - up to Floor 16 | 715 square metres - Floors 17 and 18 |
| 26W (Tower 1) | 36 | 750 square metres - up to Floor 34 | 715 square metres - Floors 35 and 36 |
| 26W (Tower 2) | 18 | 650 square metres - up to Floor 16 | 600 square metres - Floors 17 and 18 |
| 29 (Tower 1) | 36 | 750 square metres - up to Floor 34 | 715 square metres - Floors 35 and 36 |
| 29 (Tower 2) | 18 | 650 square metres - up to Floor 16 | 600 square metres - Floors 17 and 18 |

To increase the sky views, and ensure that the towers do not form a visual barrier from Front Street towards the lake, it is proposed that an additional requirement in the by-law specify that towers not be closer than 25 metres from each other.

Given the approved context in the Railway Lands West Secondary Plan area, the proposed restrictions on floor plate size, the required setbacks and stepbacks, and the strong podium buildings proposed, staff believe that the additional height of the towers, and the proposed massing, is acceptable and appropriate.

Shadow Impacts

Since the subject site is located on the south side of the rail corridor, there is no adverse shadow impact on the properties on the north side of the rail corridor as shown in the studies submitted by the applicant. The majority of the increased shadow impacts the rail corridor and the site itself.

Traffic Impact and Automobile Parking

The parking for the development will be contained within 3-storey underground parking garages. The parking garage for Blocks 26W and 29, will run under the private road. No parking will occur beneath the public road located between Blocks 26W and 26E. The applicant is proposing 2360 parking spaces, 2186 for residents, 154 to be shared by residential visitors and the retail component, and 20 barrier free spaces. This meets both the Zoning By-law requirement and the estimated parking demand generated by the development.

A Traffic Impact Statement (TIS), dated November 2005, and revised June 2006, has been submitted to the City by the applicant. The General Manager of Transportation Services has raised concerns with the impact of traffic generated by the proposed increase in gross floor area, and the resultant increase in the number of trips on the surrounding road network. Transportation Services staff are continuing to review the details of the TIS, and will continue discussions with the applicant's transportation consultant in an effort to address and resolve their concerns.

Bicycle Parking

The applicant is proposing to provide 600 bicycle parking spaces for the development, which is approximately 1 bicycle parking space for every 4 units. Although this meets the current Zoning By-law requirement, it is insufficient given the total number (2370) of residential units proposed. The intent of the Zoning By-law with respect to bicycle parking is not to provide a bicycle parking space for each unit, but to provide sufficient, easily accessible bicycle parking for residents who do cycle, and their guests.

Staff recommend that a minimum ratio of 0.5 bicycle spaces per residential unit be provided on Blocks 26W and 29, and a minimum ratio of 0.4 bicycle spaces per residential unit be provided on Block 26E (which is at an advanced design). These ratios amount to approximately 1100 bicycle parking spaces for the three blocks. Additionally, on each block, no less than 30% of the bicycle parking spaces are to be located on the P1 parking level. The bicycle parking spaces should not be located in lockers, but in purpose built bicycle parking rooms or enclosures. Additionally, no more than 50% of the bicycle parking spaces should be in the vertical position.

Servicing and Access

Access to servicing for all three blocks is proposed to be off the private road that runs across the north ends of the blocks. This is acceptable to the General Managers of Solid Waste Management and Transportation Services, although a more detailed review of the configuration of the loading will occur as each block goes through the Site Plan approval process. All the loading and garbage collection is proposed to occur within the interior of the blocks (as it was done on Block 24) which reduces the noise and visual impact.

The private roads within the subject blocks, including the one that runs along the north edge of the blocks, the road between Blocks 24 and 26E, and the road that runs between Block 26W and 29 will all look like, and function as public roads. The City will secure access over these roads, both pedestrian and vehicular, to ensure public access in perpetuity.

Open Space and Parkland

The plan for the Railway Lands West Secondary Plan area includes an 8 acre Community Park, the Northern Linear Park (NLP) which will run along the south edge of the rail corridor, linking Fort York with the Railway Lands Central area, the Southern Linear Park (SLP), which runs along the south edge of the plan area, linking the community park with the Roundhouse Park to the east, and the Mouth of the Creek Park on Block 36. The planning process for the Community Park is underway and construction is anticipated to begin in 2007. Portions of the NLP and SLP have already been constructed and will continue as each block is developed. The Mouth of the Creek Park will interpret the location of the former mouth of Garrison Creek at the northwest corner of Block 36, and will link the NLP to Fort York.

This network of public parkland and open spaces connect the Railway Lands West to the surrounding communities, and allows for increased densities in this area.

Street Pattern and Streetscape

There will be both public and private roads that form the street grid that surrounds Blocks 24, 26E, 26W and 29. Please see Attachment 1 for the Context Plan which shows the proposed roads. Along the south side of the blocks is Fort York Boulevard (formerly Bremner Boulevard) which is a public road, and Dan Leckie Way, along the West side of Block 29, and Capreol Court between Blocks 26E and 26W are also public roads. The road that runs along the north edge of the blocks will be private, as will the roads between Blocks 29 and 26W, and between Block 26E and 24. These private roads will look and feel like public roads and the City will secure easements that ensure public access in perpetuity. They will include streetscaping and wide sidewalks on both sides of the street.

Land under the Gardiner Expressway

Concord Adex owns land under the Gardiner Expressway west of Dan Leckie Way. This land is not suitable for development but could be an asset to the City as it will help to complete the City's ownership of lands under the expressway, and could provide useable open space.

Restrictive Covenants on Blocks 31, 32 and 36

When the City acquired Blocks 31 and 32 for City Housing purposes from CN in 1994, the conveyance was made subject to restrictive covenants registered on title that restrict the residential uses on the Blocks to the accommodation of "householders of low to moderate incomes". The development program proposed by TCHC for the Blocks is to develop them with a mix of market and social housing, as opposed to social housing only. As assignee of CN's interests in Railway Lands West, Concord Adex now has the benefit of these restrictions. It is proposed that Concord be required to provide such releases from these restrictions as are necessary to allow the development of the City Housing Blocks for a mix of market and social housing.

The conveyances that Concord Adex is required to make under existing agreements for the roads and northern linear park lands adjacent to the Blocks 32 and 36 include provisions in Concord Adex's favour that restrict specific portions of the lands for only road or park purposes. The preliminary design for Blocks 32 and 36 prepared by TCHC proposes some minor changes in the configuration in the road, park and development blocks. It is proposed that Concord be required to provide such releases from these restrictions as are necessary to give the City the flexibility to reconfigure the blocks.

Section 37

A package of community benefits will be secured by the City from the applicant to respond to the impact of the increased density in the Railway Lands West Secondary Plan area. The Section 37 Agreement will allow for flexibility in the allocation of the funds between each element after precise cost estimates have been completed. The applicant has agreed to the following benefits, in the amount of \$4.0 million in exchange for increases in height and density:

- contribution to parks in the vicinity of the subject site, within the Railway Lands West (including the Railway Lands West Community Park, the Northern Linear Park, the Southern Linear Park, and the Mouth of the Creek Park);
- contribution of the land, owned by Concord Adex under the Gardiner Expressway;
- contribution to the school age daycare on Block 31 in the Railway Lands West;
- contribution to the community centre that will be constructed as part of the development on Block 31; and
- contribution towards affordable housing in the Railway Lands West.

These and other matters, such as streetscape improvements, will be secured in a Section 37 agreement executed and registered on title prior to the introduction of bills in Council.

Public Art

Public Art has been secured for the Railway Lands West through the Subdivision Agreement between the applicant and the City. The amount dedicated to public art is determined by the gross construction cost of the construction. Therefore, as the construction cost increases due to increased height and density, the public art budget for the area will increase as well.

Development Charges and Levies

The development in the Railway Lands West is subject to Development Levies as per the Precinct Agreement. Any additional development (excluding a 10% increase), over the permissions in Zoning By-law 1994-0805 are subject to Development Charges. Therefore, it is estimated that the Development Charges only for this project will be \$3,984,880. This is an estimate and the actual charge is assessed and collected upon issuance of the Building Permit.

Conclusions:

The proposed development for Blocks 26E, 26W and 29 in the Railway Lands West is consistent with the intent of the Railway Lands West Secondary Plan in terms of built form and type of development and there are no significant impacts on adjacent properties as a result of the additional height and density. The proposal maintains the strong podium buildings that frame the streets, and the towers are limited in their permitted floor plates, and location, to ensure sky views and appropriate spacing between the towers.

The community benefits including contributions to the parks and community centre within the Railway Lands West, as well as to the construction of Fort York Boulevard and affordable housing will benefit the immediate neighbourhood, and also complement surrounding community facilities. Planning staff recommend approval of the application.

Contact:

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(Copies of the following Attachments in the report (June 19, 2006) from the Director, Community Planning, Toronto and East York District, were forwarded to all Members of the Toronto and East York Community Council with the agenda for its meeting on July 11, 2006, and copies are on file in the City Clerk's Office:

- Attachment 1: Context Plan;
- Attachment 2: Ground Floor Plan;
- Attachment 3: Elevation;
- Attachment 4: Elevation;
- Attachment 5: Elevation;
- Attachment 6: Elevation;

- Attachment 7: Elevation;
- Attachment 8: Application Data Sheet;
- Attachment 9: Zoning Map;
- Attachment 10: Railway Lands West Secondary Plan; and
- Attachment 11: Railway Lands West Part II Plan.)

Attachment 12

Draft Official Plan Amendment

Part 19 of Chapter 6 of the Toronto Official Plan, being the Railway Lands West Secondary Plan, is amended by deleting Section 10.2.2.1 and replacing it with the following:

The Bathurst Spadina Neighbourhood, consisting of *Mixed Use Areas C, D, E, F, G, H, I and J*, as shown on Map 19-3 will be regarded as a predominantly residential area containing dwelling units in a variety of housing types and forms and available to a wide range of households, ages and incomes. *Mixed Use Areas D, G, H, I and J* will contain dwelling units at medium densities and *Mixed Use Areas C, E and F* will contain dwelling units at high densities.

Attachment 13

Draft Zoning By-law

CITY OF TORONTO

By-law No. _____-2006

To amend By-law No. 1994-0805 of the former City of Toronto, with respect to lands in the Railway Lands West known as Blocks 24, 26 and 29

WHEREAS authority is given to Council of the City of Toronto by Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this by-law; and

WHEREAS Council has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

WHEREAS pursuant to Section 37 of the Planning Act, the Council of a municipality may in a By-law passed under Section 34 of the Planning Act, authorize increases in the height and density of development beyond those otherwise permitted by the By-law in return for the provision of such facilities, services or matters are set out in the By-law; and

WHEREAS Subsection 37(3) of the Planning Act provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in height and density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increases in the density and height permitted hereunder, beyond those otherwise permitted on the aforesaid lands by By-law No. 438-86, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto; and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law.

NOW THEREFORE By-law No. 1994-0805 of the former City of Toronto, “being a by-law to regulate the use of lands and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the Railway Lands West”, as amended, is hereby further amended as follows:

1. By-law 1994-0805, as amended, is further amended for block 24, block 26 and block 29 by:
 - (1) amending District Map 50G-321 contained in Appendix “A”, Height and Minimum Lot Frontage Map 50G-321 contained in Appendix “B”, as shown on Plans 1 and 2, respectively, attached to this By-law; and
 - (2) deleting Maps 2, 3, 4, 4B, 5, 6 and 7, and replacing them with the new Maps 2, 3, 4, 4B, 5, 6 and 7 attached hereto.
2. Except as otherwise provided herein, the provisions of By-law No. 1994-0805, as amended, shall continue to apply to block 24, block 26E, block 26W and block 29.

DEFINITIONS

3. Subsection (1) of Section 2 entitled **DEFINITIONS** is amended as follows:
 - (1) The following new definition of block is added immediately following the definition of bicycle parking space – visitor:

“block” means any one of block 24, block 25, block 26E, block 26W, block 29, block 31, block 32, block 33, block 36 and block 37

- (2) The definition of “block 24”, “block 25”, “block 26”, “block 29”, “block 31”, “block 32”, “block 33”, “block 36” and “block 37”, which states:

“block 24”, “block 25”, “block 26”, “block 29”, “block 31”, “block 32”, “block 33”, “block 36” and “block 37” mean those lands respectively designated and shown as BLOCK 24, BLOCK 25, BLOCK 26, BLOCK 29, BLOCK 31, BLOCK 32, BLOCK 33, BLOCK 36 and BLOCK 37 on Map 2, appended hereto;

is deleted and replaced with the following:

“block 24”, “block 25”, “block 26E”, “block 26W”, “block 29”, “block 31”, “block 32”, “block 33”, “block 36” and “block 37” mean those lands respectively designated and shown as BLOCK 24, BLOCK 25, BLOCK 26E, BLOCK 26W, BLOCK 29, BLOCK 31, BLOCK 32, BLOCK 33, BLOCK 36 and BLOCK 37 on Map 2, appended hereto;

RESIDENTIAL AMENITY SPACE

4. The table in subsection (7) of Section 4 entitled **RESIDENTIAL AMENITY SPACE** is amended by adding the following phrase immediately following the phrase “2 square metres of residential amenity space for each dwelling unit” in the first row under the column entitled AMOUNT OF RESIDENTIAL AMENITY SPACE REQUIRED:

“,except that for any block containing greater than 40 000 square metres of residential gross floor area, 1.5 square metres of residential amenity space for each dwelling unit is to be provided”

BICYCLE PARKING

5. The table in paragraph (a) of subsection (8) of Section 4 is amended by:
- (1) adding the following phrase immediately following the phrase “dwelling units in a building containing 10 or more dwelling units, other than senior citizens’ housing” in the first row under the column entitled USE:
- “, on block 24, block 25, block 31, block 32, block 33 or block 37”; and
- (2) adding a two rows immediately after the above said row as follows:

| USE | REQUIREMENT |
|--|---|
| dwelling units in a building containing 10 or more dwelling units, other than senior citizens’ housing, on block 26W or block 29 | 0.5 bicycle parking spaces for each dwelling unit, or a fraction thereof equal to or greater than 0.5 |
| dwelling units in a building containing 10 or more dwelling units, other than senior citizens’ housing, on block 26E | 0.4 bicycle parking spaces for each dwelling unit, or a fraction thereof equal to or greater than 0.5 |

6. Subsection (8) of Section 4 is amended by adding the following new paragraph (f):

“(f) At least 30 per cent of the total number of bicycle parking spaces required to be provided in a building on block 26E, block 26W or block 29 shall be located on the first storey below grade, provided that if parking spaces are provided within the first storey above grade in accordance with this By-law then such bicycle parking spaces shall be located within that storey.”

DENSITY

7. The table in Regulation 1 of Section 7 PART I entitled **MAXIMUM FLOOR AREA: MIXED USE, NON-RESIDENTIAL AND RESIDENTIAL BUILDINGS** is amended by:

deleting the two rows with the phrases “block 26” and “block 29” in COLUMN A and replacing them with the three rows set out in the following table:

| COLUMN A | COLUMN B | COLUMN C | COLUMN D |
|-----------|---|---|--|
| BLOCK | MAXIMUM NON-RESIDENTIAL GROSS FLOOR AREA (square metres) | MAXIMUM RESIDENTIAL GROSS FLOOR AREA (square metres) | MAXIMUM COMBINED FLOOR AREA (square metres) |
| block 26E | 359 | 55,588 | 55,946 |
| block 26W | 344 | 59,586 | 59,930 |
| block 29 | 376 | 59,542 | 59,919 |

8. The table following paragraph (ii) of Regulation 2 of Section 7, PART I, entitled **EXCEPTION: ADDITIONAL NON-RESIDENTIAL GROSS FLOOR AREA: NON-RESIDENTIAL OR MIXED USE BUILDINGS: COMMUNITY SERVICES AND FACILITIES** is amended by deleting the row with the phrase “block 26” in COLUMN A and replacing it with the two rows set out in the following table:

| COLUMN A | COLUMN B |
|-----------|--|
| BLOCK | ADDITIONAL NON-RESIDENTIAL GROSS FLOOR AREA (square metres) |
| block 26E | 3 466 |
| block 26W | 3 466 |

9. Regulation 4 of Section 7, PART I, entitled **EXCEPTION: NON-RESIDENTIAL GROSS FLOOR AREA; STREET-RELATED RETAIL AND SERVICE USES** is amended by:
- (1) replacing the phrase “block 26” in paragraph (a) with the phrase “block 26E”, “block 26W”; and
 - (2) and replacing the phrase “block 26” in paragraph (e) with the phrase “block 26E, block 26W”.

SETBACKS

10. Paragraph (ii) of regulation 1 of Section 7, Part II, entitled **WINDOW SEPARATION** is amended by adding the phrase “or private road” between the word “park” and the semi-colon.
11. Regulation 3 of Section 7, PART II, entitled **REQUIRED SETBACKS** is amended by replacing the phrase “block 26” in paragraph (b) with the phrase “block 26E, block 26W”.
12. Regulation 4 of Section 7, PART II, entitled **LOCATIONS AND SIZE OF BUILDING FACE** is amended by re-lettering paragraph (f) as (g) and adding a new paragraph (f) as follows:
- “(f) Build to requirements for Blocks 26E, 26W and 29
- No person shall erect or use a building or structure or part thereof on block 26E, block 26W or block 29 unless an exterior face of such building or structure is located no more than 2 metres from the building envelope line shown on Map 4 adjacent to Fort York Boulevard, between grade and 18 metres above grade, for a minimum of 80% of the length of the building envelope line.”

EXCEPTIONS TO PERMITTED USES AND RESTRICTIONS ON USE

13. Regulation 4 of Section 7, PART IV, entitled **ADDITIONAL NON-RESIDENTIAL GROSS FLOOR AREA: DAY NURSERY - BLOCKS 24, 25, 26, 29**, is amended by:
- (1) replacing the phrase “BLOCKS 24, 25, 26, 29” in the phrase “BLOCKS 24, 25, 26E, 26W, 29”; and
 - (2) replacing the phrase “block 26” in the second line of Regulation 4 with the phrase “block 26E, block 26W”.

EXCEPTIONS

14. Exception (11) in Section 10, entitled **BLOCKS 24, 25, 26, 29, 33 and 37 BUILDING TOWERS**, is amended by:

- (1) replacing the title with “BLOCKS 24, 25, 26E, 26W, 29, 33 and 37 BUILDING TOWERS”; and
- (2) replacing the map following Clause E, Subparagraph (ii) of Paragraph (a) of Exception (11) of Section 10 with the following map:

[INSERT MAP]

- (3) replacing Paragraphs (c) and (d) with the following:

“BLOCK 26E

(c)

- (i) Despite Section 4(3)(a), no person shall erect or use a building or structure on block 26E having a height of more than 18 metres;
- (ii) Section (i) shall not apply to prevent the erection or use of a portion of a building exceeding the said height limit, provided:
 - (A) the height of such portion of the building does not exceed 26 metres; and
 - (B) that portion of the building above such height limit is stepped back on all sides facing a street, such that no portion of the building above such height limit is located within the area measured 2.0 metres back horizontally from all points on the face of each exterior wall facing a street of the portion of the building below such height limit; and
- (iii) Sections (i) and (ii) shall not apply to prevent the erection or use of building towers that exceed the said height limits within the portions of block 26E having height limits of 115 metres and 58 metres as shown on the Appendix ‘B’ Map, provided:
 - (A) with respect to the portion of block 26E having a height limit of 115 metres,
 - (a) each floor in the tower, located above a height of 26 metres, contains no more than 750 square metres of residential gross floor area;
 - (b) no more than one such building tower is located within this portion of block 26E; and

- (c) no part of the tower exceeds the applicable height limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with sub-paragraph (iv) of this paragraph (c) of exception (11) of Section 10;
- (B) with respect to the portion of block 26E having a height limit of 58 metres,
 - (a) each floor in the tower, located above a height of 26 metres and below a height of 52 metres contains no more than 750 square metres of residential gross floor area and each floor in the tower located above a height of 52 metres contains no more than 715 square metres;
 - (b) no more than one such building tower is located within this portion of block 26E; and
 - (c) no part of the tower exceeds the applicable height limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with sub-paragraph (iv) of paragraph (c) of this exception (11) of this Section 10;
- (C) no portion of a tower located above a height of 26 metres shall be located within 25 metres of any portion of a tower on blocks 26E, 26W or 29 which exceeds a height of 26 metres;
 - (iv) Despite Section 4(3)(a), the rooftop structures and elements listed in section 4(3)(a)(i) shall not be permitted on a building constructed within block 26E, except for on the roof of a building tower located above a height of 26 metres in accordance with the following:
 - (A) the maximum height of the top of such elements or structures is no higher than the sum of 7.5 metres plus the height limit applicable to the tower; and
 - (B) there is no restriction on the location of, the area of the roof occupied by or the width of such elements or structures.

BLOCK 26W

- (d)
 - (i) Despite Section 4(3)(a), no person shall erect or use a building or structure on block 26W having a height of more than 18 metres;

- (ii) Section (i) shall not apply to prevent the erection or use of a portion of a building exceeding the said height limit, provided:
 - (A) the height of such portion of the building does not exceed 28 metres; and
 - (B) that portion of the building above such height limit is stepped back on all sides facing a street, such that no portion of the building above such height limit is located within the area measured 2.0 metres back horizontally from all points on the face of each exterior wall facing a street of the portion of the building below such height limit; and
- (iii) Section (i) and (ii) shall not apply to prevent the erection or use of building towers that exceed the said height limits within the portions of block 26W having height limits of 113 metres and 58 metres as shown on the Appendix 'B' Map, provided:
 - (A) with respect to the portion of block 26W having a height limit of 113 metres,
 - (a) each floor in the tower, located above a height of 28 metres, and below a height of 106 metres, contains no more than 750 square metres of residential gross floor area and each floor in the tower, located above a height of 106 metres contains no more than 650 square metres of residential gross floor area;
 - (b) no more than one such building tower is located within this portion of block 26W; and
 - (c) no part of the tower exceeds the applicable height limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with sub-paragraph (iv) of this paragraph (d) of exception (11) of Section 10;
 - (B) with respect to the portion of block 26W having a height limit of 58 metres,
 - (a) each floor in the tower, located above a height of 28 metres and below a height of 51 metres contains no more than 650 square metres of residential gross floor area and each floor in the tower located above a height of 51 metres contains no more than 600 square metres;

- (b) no more than one such building tower is located within this portion of block 26W; and
 - (c) no part of the tower exceeds the applicable height limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with sub-paragraph (iv) of this paragraph (d) of exception (11) of Section 10;
- (C) the portion of each tower located above a height of 28 metres is stepped back on all sides facing a street, such that:
 - (a) no portion of the building above a height of 28 metres is located within the area measured 3.0 metres back horizontally from all points on the face of each exterior wall facing Fort York Boulevard of the portion of the building below 18 metres; and
 - (b) no portion of the building above a height of 28 metres is located within the area measured 2.0 metres back horizontally from all points on the face of each exterior wall facing any other street of the portion of the building below 18 metres; and
- (D) no portion of a tower located above a height of 28 metres shall be located within 25 metres of any portion of a tower on blocks 26E, 26W or 29 which exceeds a height of 28 metres;
- (iv) Despite Section 4(3)(a), the rooftop structures and elements listed in section 4(3)(a)(i) shall not be permitted on a building constructed within block 26W, except for on the roof of a building tower located above a height of 28 metres in accordance with the following:
 - (A) the maximum height of the top of such elements or structures is no higher than the sum of 7.5 metres plus the height limit applicable to the tower; and
 - (B) there is no restriction on the location of, the area of the roof occupied by or the width of such elements or structures.”
- (4) re-lettering paragraph (g) as (i) and replacing the phrase “block 24, block 25, block 26 and block 29” in said paragraph with the phrase “block 24 and block 25”;
- (5) adding new paragraph (g) as follows:

“BLOCK 29

- (g)
 - (i) Despite Section 4(3)(a), no person shall erect or use a building or structure on block 29 having a height of more than 18 metres;
 - (ii) Section (i) shall not apply to prevent the erection or use of a portion of a building exceeding the said height limit, provided:
 - (A) the height of such portion of the building does not exceed 28 metres; and
 - (B) that portion of the building above such height limit is stepped back on all sides facing a street, such that no portion of the building above such height limit is located within the area measured 2.0 metres back horizontally from all points on the face of each exterior wall facing a street of the portion of the building below such height limit; and
 - (iii) Sections (i) and (ii) shall not apply to prevent the erection or use of building towers that exceed the said height limits within the portions of block 29 having height limits of 113 metres and 58 metres as shown on the Appendix ‘B’ Map, provided:
 - (A) with respect to the portion of block 29 having a height limit of 113 metres,
 - (a) each floor in the tower, located above a height of 28 metres, and below a height of 106 metres, contains no more than 750 square metres of residential gross floor area, and each floor in the tower, located above a height of 106 metres contains no more than 650 square metres of residential gross floor area;
 - (b) no more than one such building tower is located within this portion of block 29; and
 - (c) no part of the tower exceeds the applicable height limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with sub-paragraph (iv) of this paragraph (g) of exception (11) of Section 10;
 - (B) with respect to the portion of block 29 having a height limit of 58 metres,

- (a) each floor in the tower, located above a height of 28 metres and below a height of 51 metres contains no more than 650 square metres of residential gross floor area and each floor in the tower located above a height of 51 metres contains no more than 600 square metres;
 - (b) no more than one such building tower is located within this portion of block 29; and
 - (c) no part of the tower exceeds the applicable height limit stipulated by Section 4(3)(a) other than rooftop structures and elements permitted by and complying with sub-paragraph (iv) of this paragraph (g) of exception (11) of Section 10;
- (C) the portion of each tower located above a height of 28 metres is stepped back on all sides facing a street, such that:
 - (a) no portion of the building above a height of 28 metres is located within the area measured 3.0 metres back horizontally from all points on the face of each exterior wall facing Fort York Boulevard of the portion of the building below 18 metres; and
 - (b) no portion of the building above a height of 28 metres is located within the area measured 2.0 metres back horizontally from all points on the face of each exterior wall facing any other street of the portion of the building below 18 metres; and
- (D) no portion of a tower located above a height of 28 metres shall be located within 25 metres of any portion of a tower on blocks 26E, 26W or 29 which exceeds a height of 28 metres.
- (iv) Despite Section 4(3)(a), the rooftop structures and elements listed in section 4(3)(a)(i) shall not be permitted on a building constructed within block 29, except for on the roof of a building tower located above a height of 28 metres in accordance with the following:
 - (A) the maximum height of the top of such elements or structures is no higher than the sum of 7.5 metres plus the height limit applicable to the tower; and
 - (B) there is no restriction on the location of, the area of the roof occupied by or the width of such elements or structures.”

- (6) adding new paragraph (h) as follows:

“PROJECTIONS INTO STEPBACK ZONES

- (h) The stepback requirements in section 10(11)(c)(ii)B, section 10(11)(d)(ii)B, section 10(11)(d)(iii)C, section 10(11)(g)(ii)B, and section 10(11)(g)(iii)C:

- (i) shall not apply to the type of structure listed in the column entitled “STRUCTURE” in the chart in section 7 PART II (5), provided the restrictions set out opposite the structure in the column entitled “MAXIMUM PERMITTED PROJECTION” in the said chart are complied with; and
- (ii) shall not be required for any portion of an exterior wall that is facing any street that is a private road located north of the northern building envelope line shown on Map 4 for each of block 26E, block 26W and block 29.”

- (7) adding the following provision immediately following paragraph (i):

“For the purposes of this exception, the expression “exterior wall” shall mean the outside wall of a building, but shall not include any eave, cornice, ornament, fence, safety railing, canopy, bay window or balcony, and where an opening for a colonnade is provided in any outside wall the exterior wall shall be deemed to be within the opening at the location of the exterior face of the columns or outside walls on either side of the opening.”

15. Exception (3) in Section 10, entitled **RAIL CORRIDOR SETBACK: USE RESTRICTIONS** is amended by replacing the map following paragraph (ii) with the following map:

[INSERT MAP]

16. Exception (12) in Section 10, entitled **ABOVE GRADE PARKING - BLOCKS 24, 25, 26, 29, 33 and 37**, is amended by:

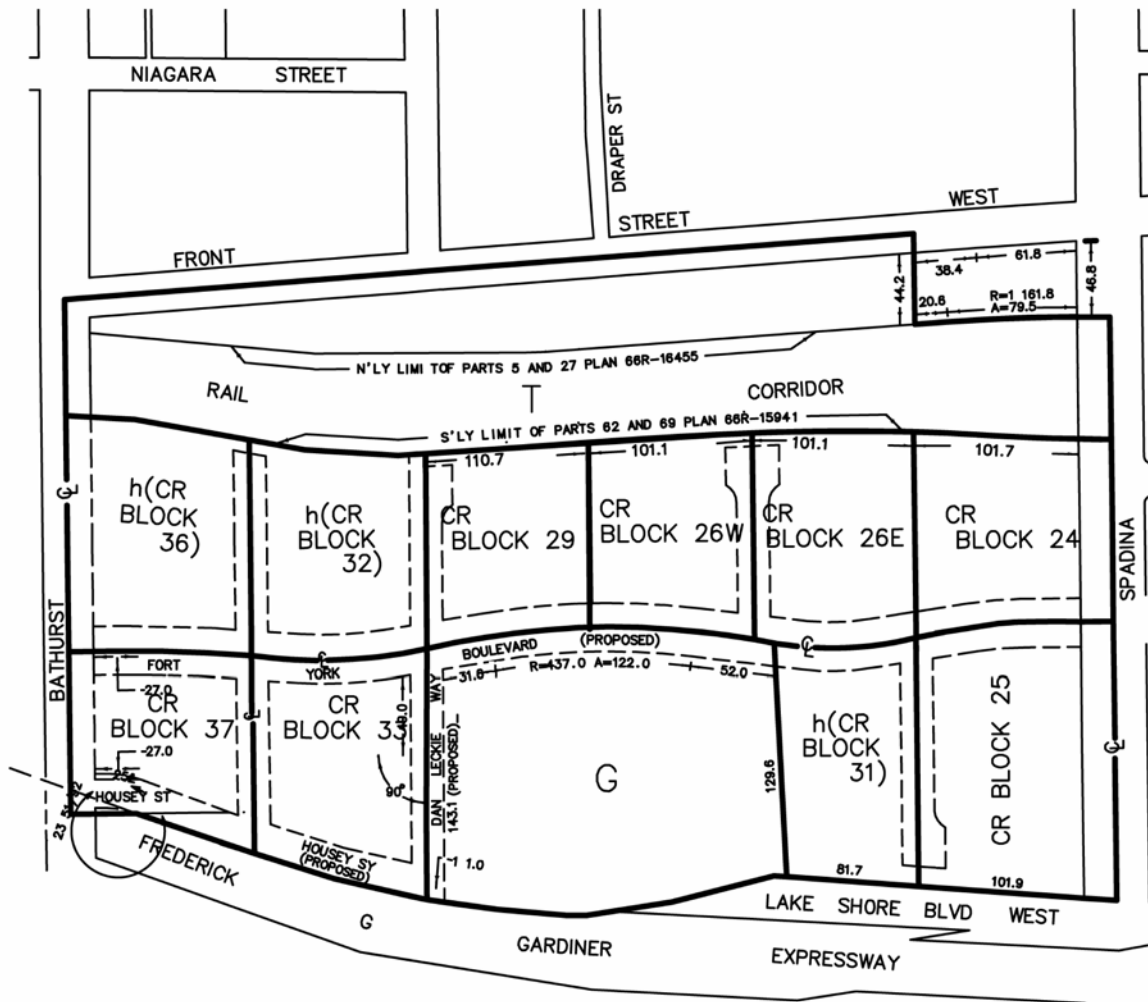
- (1) replacing the title with “**ABOVE GRADE PARKING - BLOCKS 24, 25, 26E, 26W, 29, 33 & 37**”;
- (2) replacing the phrase “block 26” in paragraph (a) of that exception with the phrase, “block 26E, 26W”; and
- (3) replacing the phrase “block 26” in subparagraph (ii) of paragraph (a) of that exception with the phrase, “block 26E, block 26W”.

17. Exception (13) in Section 10, entitled **ADDITIONAL RESIDENTIAL USES - BLOCKS 24, 25, 26, 29, 33 & 37**, is amended by:
 - (1) replacing the title with “**ADDITIONAL RESIDENTIAL USES - BLOCKS 24, 25, 26E, 26W, 29, 33 & 37**”; and
 - (2) replacing the phrase “block 26” in that exception with the phrase “block 26E, block 26W”.
18. Exception (14) in Section 10, entitled **TEMPORARY OFFICE FOR SALES & MANAGEMENT OF REAL ESTATE - BLOCK 26, 33 & 37**, is amended by:
 - (1) replacing the title with “**TEMPORARY OFFICE FOR SALES & MANAGEMENT OF REAL ESTATE - BLOCKS 26E, 26W, 33 & 37**”; and
 - (2) replacing the phrase “block 26” in paragraphs (a) and (b) of that exception with the phrase “block 26E, block 26W”.
19. Exception (16) in Section 10, entitled **TERRACES & COLONNADES - BLOCKS 24, 25, 26, 29, 33 & 37** is amended by:
 - (1) replacing the title with “**TERRACES & COLONNADES - BLOCKS 24, 25, 26E, 26W, 29, 33 & 37**”;
 - (2) deleting the phrase “block 26, block 29,” in paragraph (a) of that exception;
 - (3) deleting the phrase “block 26, block 29,” in paragraph (b) of that exception; and
 - (4) adding a new paragraph (c) to that exception as follows:

“(c) a colonnade, in accordance with the standards in section 7 PART II 6(i)A, B and C, or a canopy, in accordance with the standards in section 7 PART II 6(ii)A and B, shall be provided above the entrance to a retail unit or the entrance to a lobby area in a building containing more than 10 dwelling units, for the full width of such entrance.”
20. Exception (17) in Section 10, entitled **PARKING IN FRONT OF A BUILDING - BLOCKS 24, 25, 26, 29, 33 & 37** is amended by:
 - (1) replacing the title with “**PARKING IN FRONT OF A BUILDING - BLOCKS 24, 25, 26E, 26W, 29, 33 & 37**”; and
 - (2) replacing the phrase “block 26” in that exception with the phrase “block 26E, block 26W”.

21. Section 10 is amended by adding a new exception (18) as follows:

“(18) Pursuant to Section 37 of the Planning Act, the heights and density of development permitted for block 26E, block 26W and block 29 by this By-law are permitted in return for the provision by the respective owner of each of block 26E, block 26W and block 29 to the City of the following facilities, services and matters, as set out in agreement(s) by the owner with the City pursuant to Section 37 of the Planning Act:



Block Map

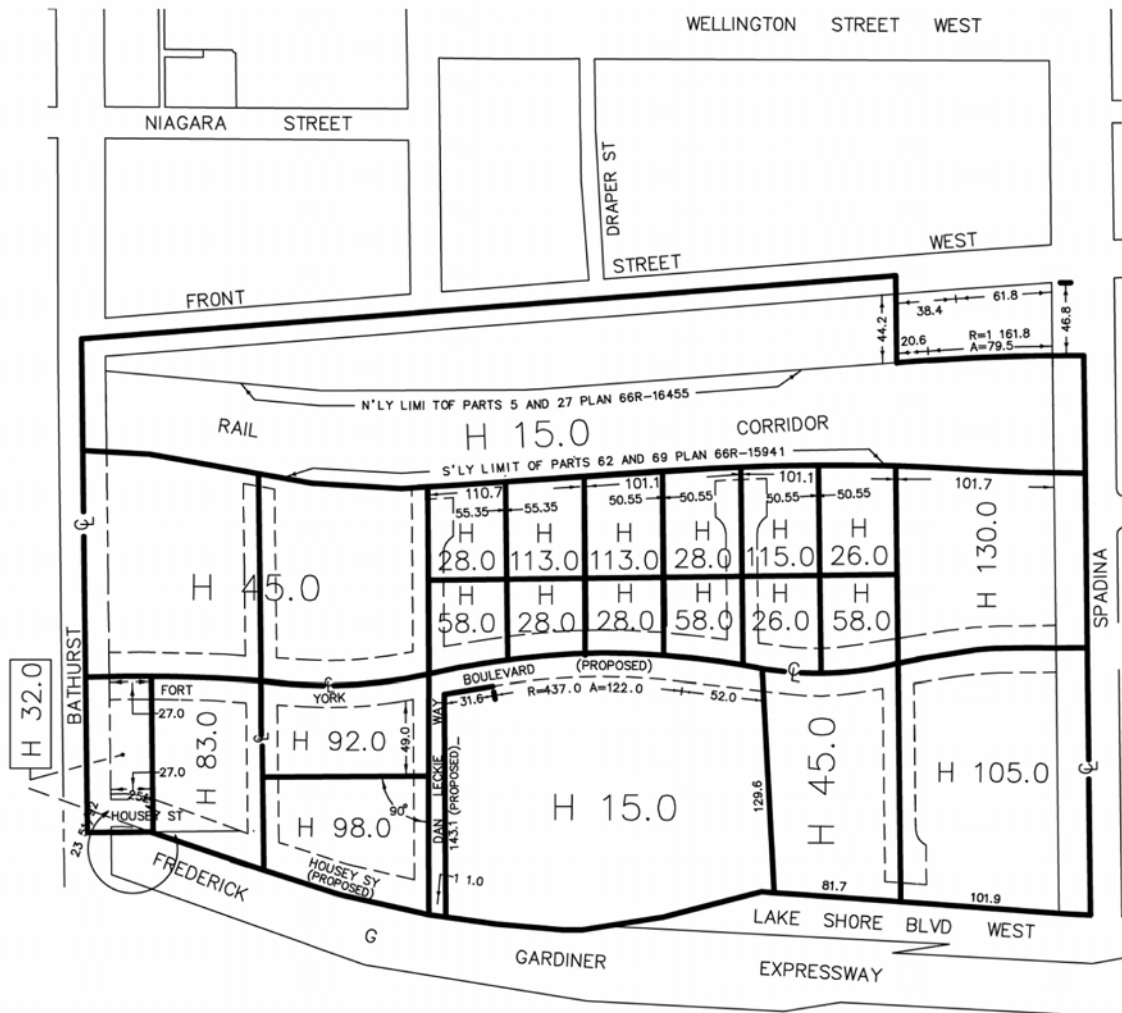
Applicant's Submitted Drawing

Not to Scale
06/23/06



4a Spadina Avenue & 100 Fort York Boulevard

File # 05_202742



Height Map

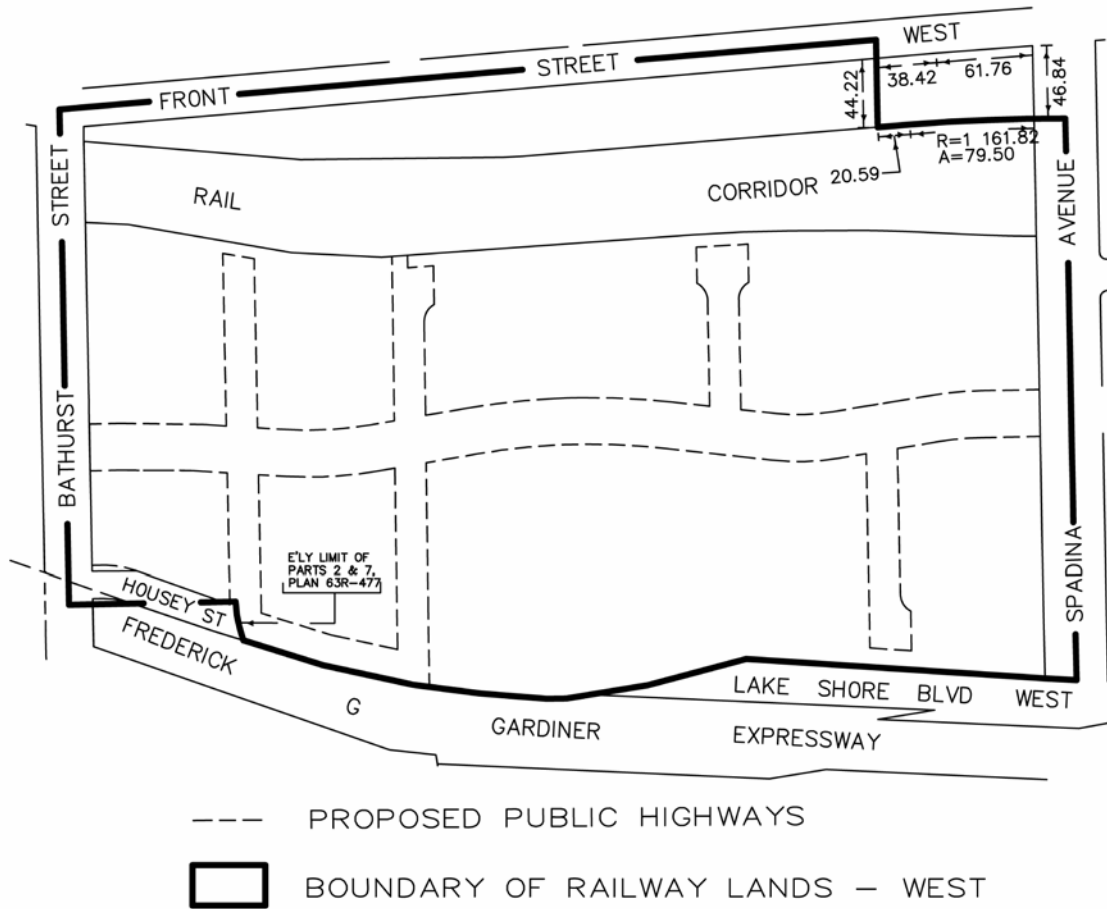
Applicant's Submitted Drawing

Not to Scale
06/23/06



4a Spadina Avenue & 100 Fort York Boulevard

File # 05_202742



Map 1

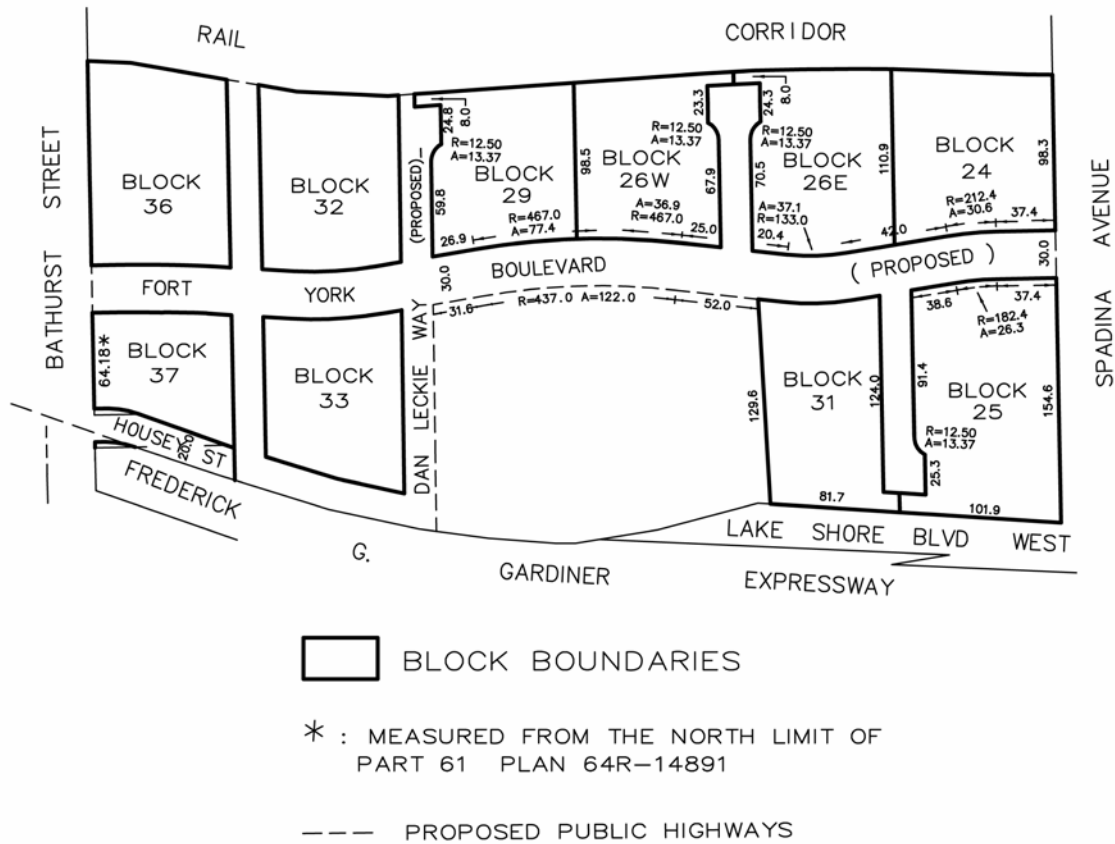
4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

Not to Scale
06/23/06



File # 05_202742



Map 2

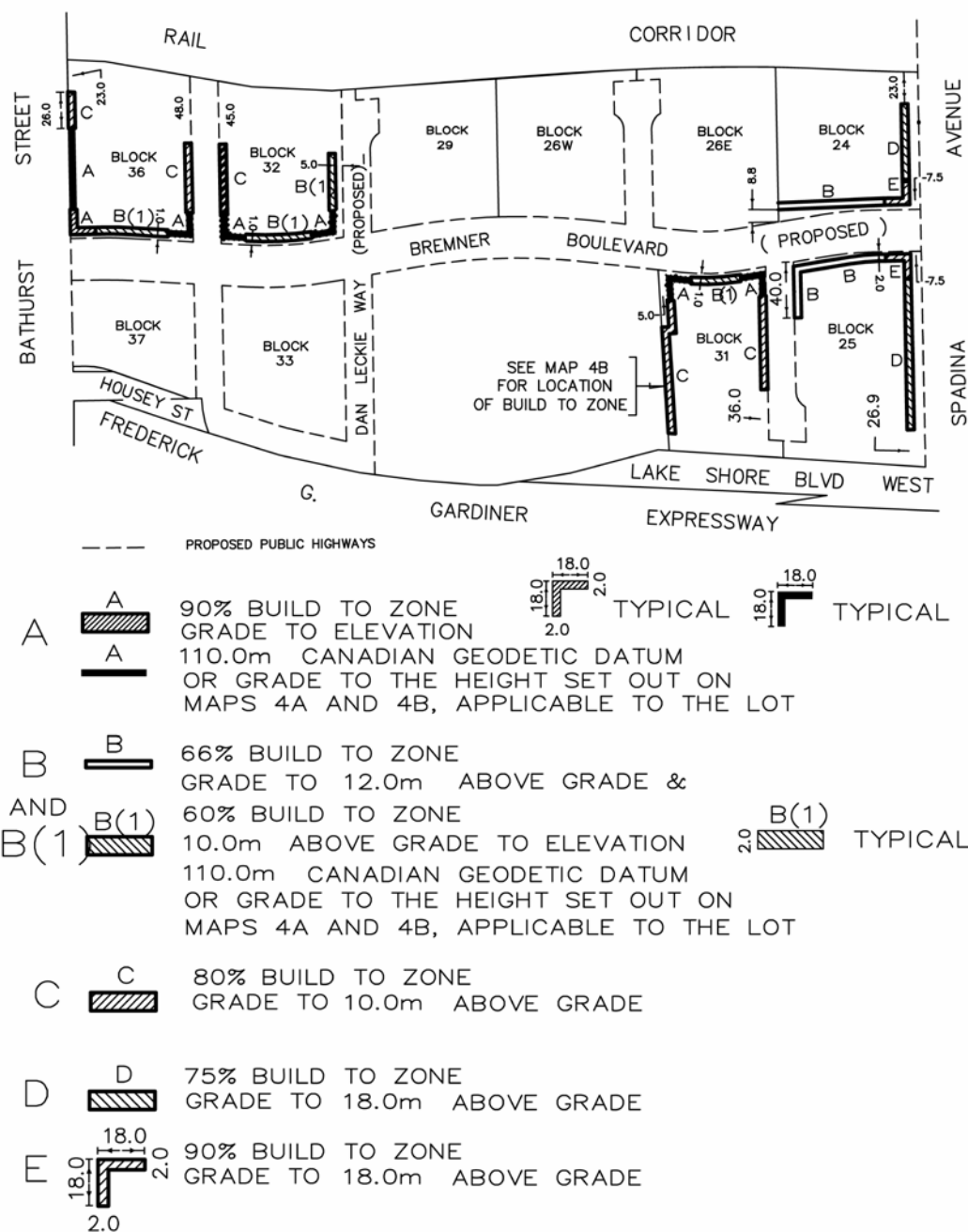
4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

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06/23/06



File # 05_202742



Map 3

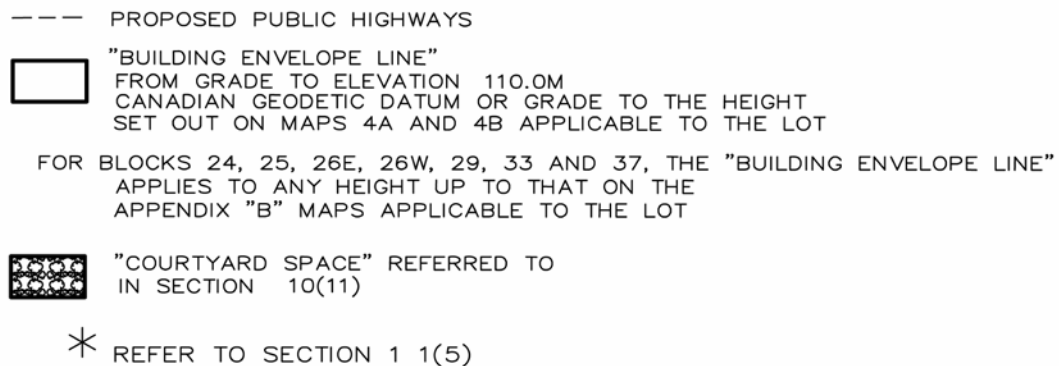
4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

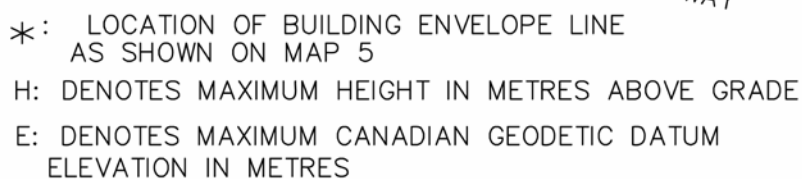
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06/23/06



File # 05_202742



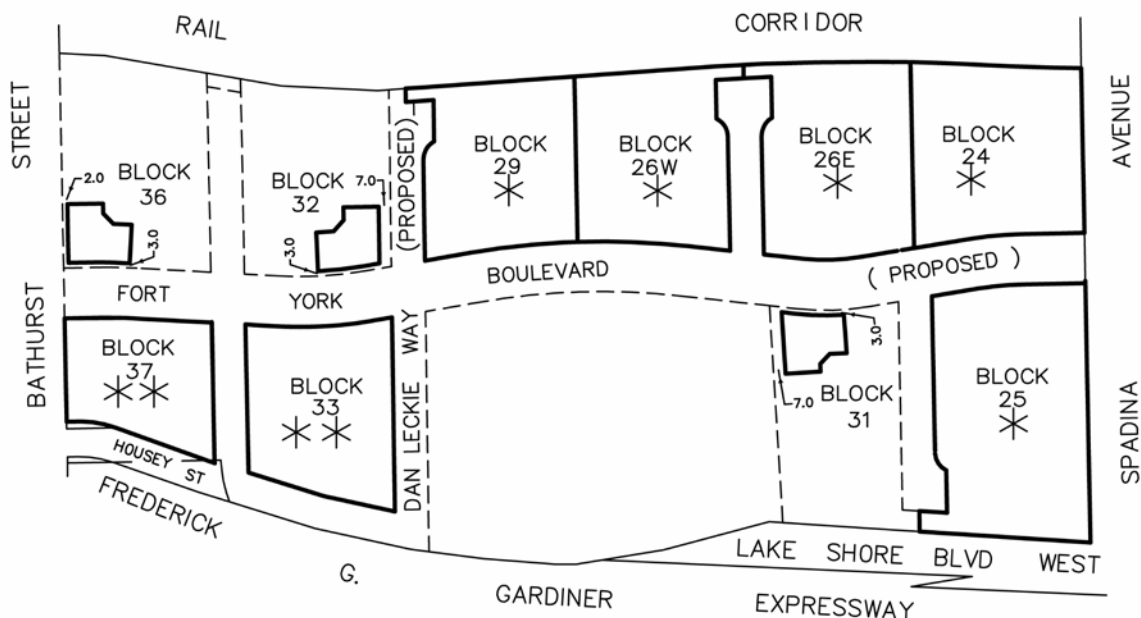
File # 05 202742



Not to Scale
06/23/06



File # 05 202742



"BUILDING ENVELOPE LINE" AT AND ABOVE:

- (i) ELEVATION 110.0m CANADIAN GEODETIC DATUM; OR
- (ii) THE HEIGHT SET OUT ON MAPS 4A AND 4B APPLICABLE TO THE LOT OR PORTION OF THE LOT



REFER TO SECTION 10(1 1) TO DETERMINE THE FLOORPLATE RESTRICTIONS ABOVE A HEIGHT OF 26.0 AND 35.0 METRES

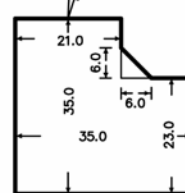


REFER TO SECTIONS 10(1 1)(e) AND 10(1 1)(f)

TYPICAL
(not to scale)

BUILDING LINE AT 90° TO ADJACENT STREET LINE OR BLOCK LIMIT (35.0M AT CENTRE POINT)

NORTH/SOUTH STREET LINE OR BLOCK LIMIT



BUILDING LINE AT 90° TO BREMNER BOULEVARD (PROPOSED) (35.0M AT CENTRE POINT)

BREMNER BOULEVARD (PROPOSED)

Map 5

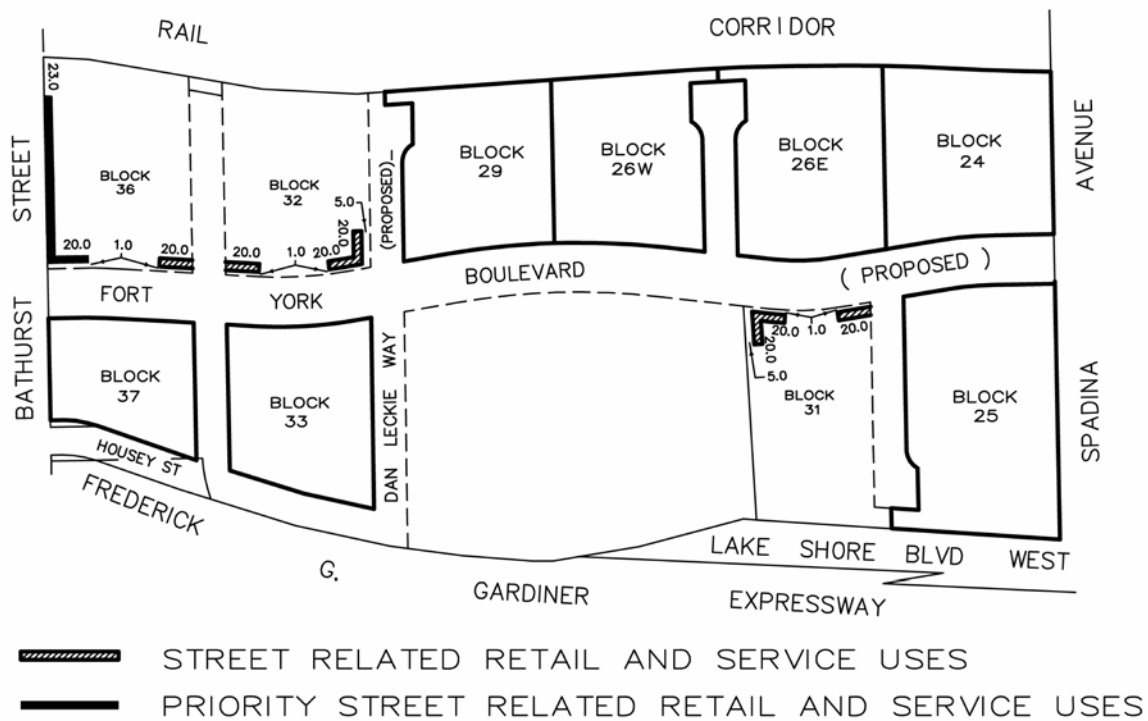
4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

Not to Scale
06/23/06



File # 05_202742



Map 6

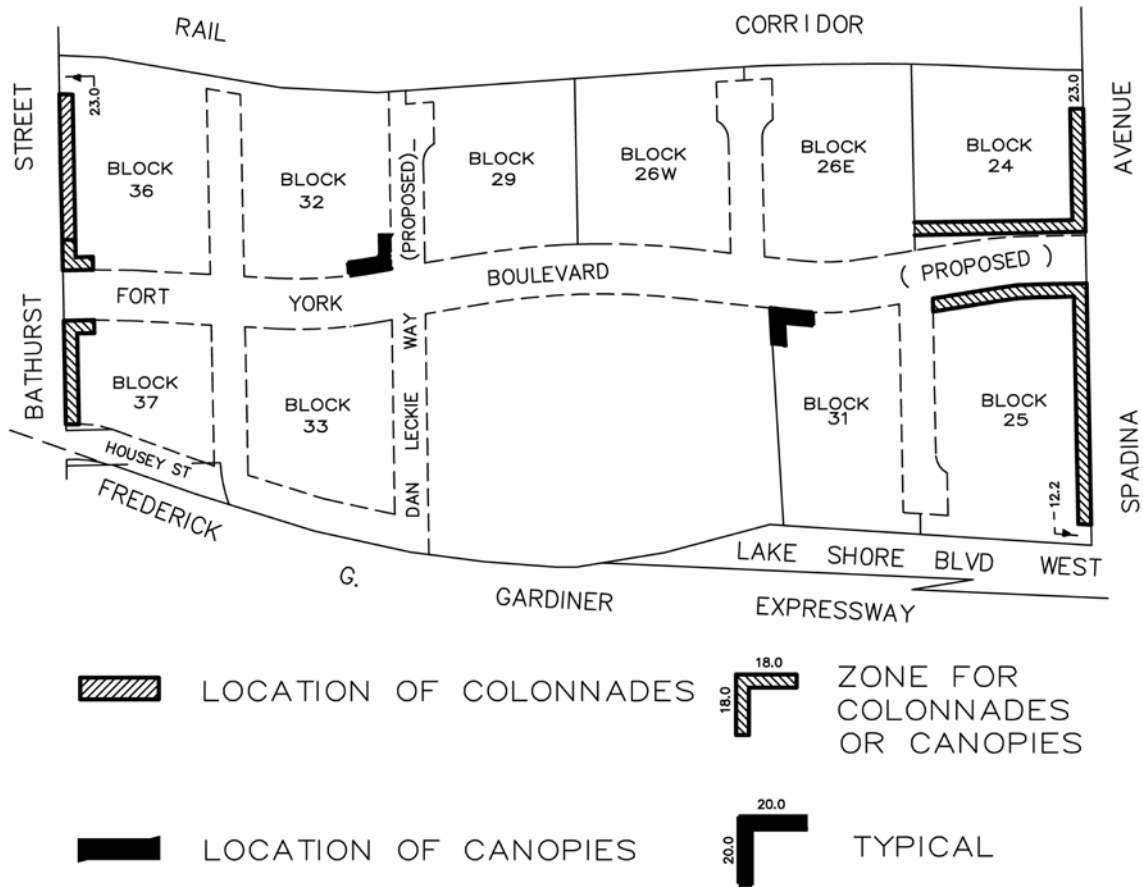
4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

Not to Scale
06/23/06



File # 05_202742



Map 7

4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

Not to Scale
06/23/06



File # 05_202742

Attachment 14

Draft Part II Plan Amendment (if required)

Section 19.45 of the Toronto Official Plan, being the Railway Lands West Part II Plan, is amended by deleting Sections 10.3.4 (a), 10.3.4 (c) and 10.3.4 (d) and replacing it with the following:

- (a) In the Bathurst Spadina Neighbourhood Areas A, C and D combined, 175,795 square metres, provided that,
 - (i) the maximum residential gross floor area does not exceed 174,716 square metres; and
 - (ii) the maximum non-residential gross floor area does not exceed 1,079 square metres.

And then re-lettering the remaining clauses in 10.3.4.

Kim Kovar, Aird and Berlis LLP addressed the Toronto and East York Community Council.