

Authority: North York Community Council Item NY25.3,
as adopted by City of Toronto Council on July 14, 15, and
16, 2021

CITY OF TORONTO

Bill 974

BY-LAW -2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 2550 Victoria Park Avenue and 2, 4, 6 Lansing Square.

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; 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; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as 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 and matters in return for an increase in the height or density 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 of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning

By-law 569-2013, Chapter 800 Definitions.

3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone labels to these lands: CR 1.0 (c1.0; r0.0)SS1(x372); EO (x17); and ON as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: 3, as shown on Diagram 8 attached to this By-law.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 11, ST 3, as shown on Diagram 9 attached to this By-law.
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Article 995.30.1, and applying the following lot coverage label to these lands: no value.
7. Zoning By-law 569-2013, as amended, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands and applying no value.
8. Zoning By-law 569 -2013, as amended, is further amended by adding the lands identified as “Blocks 1, 2, and 3” on Diagram 3 attached to this By-law to Development Standard Set 1 (SS1) standards.
9. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11 Exception Number 372 so that it reads:

(372) Exception CR 372

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

Site Specific Provisions:

- (A) On 2550 Victoria Park Avenue and 2, 4, 6 Lansing Square, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (II) below:
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 175.15 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same storey or below non-residential use portions of the **building** provided they are located on or below the sixth **storey**;
- (D) Despite Regulation 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" on Diagrams 4, 5,

and 6 to By-law [Clerks to insert By-law ##]; and

- (E) Despite Regulations 40.5.40.10(3) to (8), and (D) above, the following equipment and **structures** may project beyond the permitted maximum height:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, to a maximum of 7.0 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, to a maximum of 7.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, to a maximum of 0.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum to 7.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, to a maximum of 3.0 metres;
 - (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, to a maximum of 5.0 metres; and
 - (vii) exoskeleton structures attached to a **main wall**, to a maximum of 5.0 metres; and
 - (viii) public art features;
- (F) Despite Regulation 40.10.40.10(5), the minimum height of the first **storey** devoted to non-residential uses, measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.0 metres and the minimum height of the first **storey** devoted to residential uses, measured between the floor of the first **storey** and the ceiling of the first **storey**, is 2.5 metres;
- (G) Despite Regulation 40.10.40.1(2), the floor level of the portion of a first **storey** that accommodates a non-residential use must be within 0.2 metres of the ground measured at 1.0 metres outside of each pedestrian entrance to such non-residential space;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 143,115 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses on "Block 1" on Diagram 3 is 61,400 square metres;
 - (ii) the permitted maximum **gross floor area** for non-residential uses on "Block 2" on Diagram 3 is 57,700 square metres; and
 - (iii) the required minimum **gross floor area** for non-residential uses on "Block 3" on Diagram 3 is 3,070 square metres;

- (iv) Despite Regulations (H) above, the total **gross floor area** of residential uses permitted is 111,100 square metres.
- (I) Despite Regulations 40.10.20.100 (6), (16) and (17), the **gross floor area** of each **service shop, custom workshop** and **retail service** use will not exceed 400 square metres;
- (J) Despite Regulation 40.10.20.100(21)(B), the permitted maximum area of an **outdoor patio** is the lesser of 50 square metres or 50 percent of the **interior floor area** of the **premises** it is associated with;
- (K) Despite Regulation 40.10.20.100(21)(C) and subject to subsection (J) above, a maximum of 15 percent of the **gross floor area** of an **outdoor patio** may be used as the area from which entertainment such as performances, music and dancing may be provided;
- (L) Despite Regulation 40.10.20.100(11), **public parking** provided in a surface parking lot is not required to be fenced along any **lot lines** that abut a **street**;
- (M) Despite Regulation 40.10.40.70(1)(2) or (3), the required minimum **building setbacks** are as shown in metres on Diagrams 4, 5, and 6 of By-law [Clerks to insert By-law ##];
- (N) Despite Regulation 40.10.40.80(1) or (2), the required separation of **main walls** are as shown in metres on Diagrams 4, 5, and 6 of By-law [Clerks to insert By-law ##];
- (O) Despite Regulations 5.10.40.70(1), 40.10.40.70(1) and 40.10.40.80(1), no portion of a **building** or **structure** erected or used above-ground may be located otherwise than wholly within a **building** envelope delineated by the heavy lines specified on Diagrams 4, 5, and 6 to By-law [Clerks to insert By-law ##];
- (P) Despite Clause 40.10.40.60, Regulations 5.10.40.70(1), 5.10.60.1(2) and (4), 40.10.40.70(1) and 40.10.40.80(1), and subsections (M) to (O) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances, and be located outside a **building** envelope delineated by the heavy lines on Diagrams 4, 5, and 6 to By-law [Clerks to insert By-law ##] as follows:
 - (i) balconies, to a maximum of 2.0 metres;
 - (ii) canopies and awnings, to a maximum of 4.5 metres;
 - (iii) exterior stairs, access ramps and elevating devices, to a maximum of 6.0 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, to a maximum of 0.5 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum of 1.0 metres;
 - (vi) eaves, to a maximum of 0.5 metres;
 - (vii) pergolas, patios, guardrails, balustrades, railings, decorative/ acoustic doors and screens and light fixtures, to a maximum of 3.0 metres;

- (viii) trellises and planters, to a maximum of 5.0 metres;
 - (ix) air conditioners, satellite dishes, antennae, vents, and pipes, safety and wind protection/mitigation features, damper equipment to reduce **building** movement, and elements required for the functional operation of a building, to a maximum of 1.0 metres;
 - (x) site servicing features and window washing equipment, including a Building Maintenance Unit or crane, to a maximum of 3.0 metres; and
 - (xi) public art installations, fences, art and **landscaping** features, and ventilation shafts;
- (Q) Despite subsections (P)(i) above balconies are not permitted within 3.0 metres of the corners of a Tower as shown on Diagrams 4, 5, and 6 to By-law [Clerks to insert By-law ##]
- (R) Despite Regulation 40.5.40.10(8)(C), for “Blocks 1 and 2” shown on Diagram 3 of By- [Clerks to insert By-law ##] "Tower" means a building or portions of a building which collectively enclose the entirety of a **storey** higher than 36 metres above the Canadian Geodetic Datum elevation of 175.15 metres;
- (S) The maximum “Tower” floor plate of any **building** on “Blocks 1 and 2” shown on Diagram 3 of By-law [Clerks to insert By-law ##], shall be 750 square metres;
- (i) Despite Regulation 40.10.40.80(1), if a line projected at a right angle from a **main wall** of a “Tower” intercepts a **main wall** of another “Tower” those **main walls** must be separated by a minimum of 25.0 metres:
 - (a) despite subsection (S)(i) above, the **setback** encroachments permitted in subsection (P) above are also permitted to encroach into the required “Tower” separation distances specified in subsection (S)(i) above;
- (T) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 30 percent of the total number of **dwelling units** permitted on Blocks 1, 2, and 3 shown on Diagram 3 of By-law [Clerks to insert By-law ##] must be 2-bedroom units. A minimum of 25 percent of the 2-bedroom units must have a minimum **dwelling unit** size of 87 square metres of **gross floor area**; and
 - (ii) a minimum of 10 percent of the total number of **dwelling units** permitted on Blocks 1, 2, and 3 shown on Diagram 3 of By-law [Clerks to insert By-law ##] must be 3-bedroom units. A minimum of 30 percent of 3-bedroom units must have a minimum **dwelling unit** size of 100 square metres of **gross floor area**;
- (U) The provision of affordable housing **dwelling units** is subject to the following:
- (i) a maximum of 60 percent of the affordable housing **dwelling units** must be 1 bedroom units, subject to an average **dwelling unit gross floor area** of 46.5 square metres;

- (ii) a minimum of 30 percent of the affordable housing **dwelling units** must be 2 bedroom units, subject to an average **dwelling unit gross floor area** of 65 square metres; and
 - (iii) a minimum of 10 percent of the affordable housing **dwelling units** must be 3 bedroom units, subject to an average **dwelling unit gross floor area** of 83.6 square metres;
- (V) Despite Regulations 40.10.40.50(1)(A), (B) and (2), for each of “Blocks 1, 2, and 3” shown on Diagram 3 of By-law [Clerks to insert By-law ##] a **building** with 20 or more **dwelling units**, with or without non-residential **gross floor area**, must provide **amenity space** at the following rates:
 - (i) at least 2.0 square metres for each **dwelling unit** as indoor **amenity space**; and
 - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit**;
- (W) Despite Regulation 40.10.40.50(2), outdoor **amenity space** is not required for the non-residential **gross floor area** in a **building**;
- (X) Despite Regulation 200.5.1.10(12)(C), the **vehicle** entrance to a **building** must be at least 3.0 metres from a **lot line** abutting the **street**;
- (Y) Despite Regulation 40.10.80.20(1), a **parking space** that is not in a **building** or **structure** must be set back at least 1.0 metre from a **lot line**;
- (Z) Despite Regulation 200.5.1.10(12)(C), if an **apartment building, mixed use building** or a **building** with non-residential uses, has an area for parking two or more **vehicles**, the **vehicle** entrance and exit to the **building** must be at least 1.0 metre from the **lot line** abutting a **street**;
- (AA) Despite Clause 200.5.10.1 and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
 - (i) a minimum of 0.61 **parking spaces** for each **dwelling unit** for the use of residents of the **building**; and
 - (ii) a minimum of 0.10 **parking spaces** for each **dwelling unit** for the use of residential visitors to the **building**;
- (BB) Despite Regulations 40.5.80.1(1), 40.5.80.10(1) and 200.5.1(2), the **parking spaces** required for Residential Visitors and for non-residential may be provided on any lands that are the subject of this By-law, as outlined by heavy black lines on Diagram 1 of By-law [Clerks to insert By-law ##], and do not have to be provided on the “Block” containing the use for which the **parking spaces** are required;
- (CC) Despite Article 200.15.1,
 - (i) an accessible **parking space** must have the following minimum dimensions:

- (a) a length of 5.6 metres;
 - (b) width of 3.4 metres; and
 - (c) vertical clearance of 2.1 metres;
- (ii) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
 - (iii) accessible **parking spaces** are required to be within 30 metres of a barrier free entrance to the **building** and passenger elevator that provides access to the first **storey** of the **building**; and
 - (iv) accessible **parking spaces** are to be provided on the Block of the **building** where the accessible **parking spaces** are required;
- (DD) Despite Regulations 40.10.90.1(1) and (2), and 220.5.10.1(2) to (5), the minimum number of **loading spaces** required on “Blocks 1, 2, and 3” on Diagram 3 of By-law [Clerks to insert By-law ##] are as follows:
- (i) in the **buildings** identified within “Block 1” on Diagram 4 of By-law [Clerks to insert By-law ##]:
 - (a) Tower A: one (1) type ‘G’ **loading space**, shared with Tower B; and
 - (b) Tower B: one (1) type ‘B’ **loading space**;
 - (ii) in the **buildings** identified within “Block 2” on Diagram 5 of By-law [Clerks to insert By-law ##]:
 - (a) Tower C: one (1) type ‘G’ **loading space**, shared with Tower D and Building F;
 - (b) Tower D: one (1) type ‘B’ **loading space**;
 - (c) 2 Lansing Square: two (2) type “B” **loading spaces**; and
 - (d) Building F: one (1) type ‘B’ **loading space**;
 - (iii) in the building identified within “Block 3” as identified on Diagram 6 of By-law [Clerks to insert By-law ##]:
 - (a) Building G: one (1) type ‘G’ **loading space**;
- (EE) Despite Regulation 40.10.90.40(3), a **loading space** located in a **building** may have access through a **main wall** that faces a **street**;
- (FF) Despite Regulation 40.10.100.10(1)(C), on each of “Blocks 1, 2, and 3” as identified on Diagram 3 of By-law [Clerks to insert By-law ##], more than two (2) **vehicle** accesses are permitted;

- (GG) Despite Regulation 200.5.10.1(1), "car-share parking spaces" may replace **parking spaces** otherwise required for residential occupants, subject to the following:
- (i) a reduction of four resident occupant **parking spaces** will be permitted for each "car-share parking space" provided and that the maximum reduction permitted be capped by the application of the following formula:
 - (a) (GG) (i) multiplied by the total number of **dwelling units** divided by 60, and rounded down to the nearest whole number;
 - (ii) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or 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
 - (iii) for the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
- (HH) Despite Regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **stacked bicycle parking space** is:
- (i) length of 1.6 metres;
 - (ii) width of 0.3 metres; and
 - (iii) vertical clearance of 1.1 metres; and
- (II) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space** in any combination of vertical, horizontal or stacked positions;

10. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.24 Exception Number 17 so that it reads:

(17) Exception EO 17

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

Site Specific Provisions:

- (A) On 2550 Victoria Park Avenue and 2, 4, 6 Lansing Square, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (S) below;
- (B) In addition to the permitted uses in Clauses 60.40.20.10 and 60.40.20.20, the following additional uses with conditions are permitted:

- (i) **day nursery, recreation use**, and entertainment facilities, provided:
 - (a) the permitted use is on floors one, two, or three in a **building or structure**;
 - (ii) **eating establishments, take out eating establishments, recreation and entertainment facilities, retail stores and retail services**, provided:
 - (a) the permitted use is located in a **building or structure** that includes at least one of the uses listed in Regulations 60.40.20.10(1) and 60.40.20.20(1);
 - (b) a **recreation use** is permitted even though the **building or structure** may not front onto a **major street**;
 - (c) the total **interior floor area** of each **eating establishment and take-out eating establishment** may not exceed 500 square metres;
 - (d) the **interior floor area** of each **retail service, retail store, and personal service shop** will not exceed 500 square metres;
 - (iii) the permitted maximum area of an **outdoor patio** is the lesser of 50 square metres or 50 percent of the **interior floor area** of the **premises** it is associated with;
 - (iv) a **retail store** is not required to be associated with a permitted **manufacturing use**;
- (C) Despite Clauses 60.40.20.10 and 60.40.20.20, and (B) above, the following uses are not permitted: fire hall, police station, **art gallery, club, community centre, education use, library, municipal shelter, museum, performing arts studio, drive through facility, hotel, place of worship, and vehicle fuel station**;
- (D) Despite Regulation 60.40.1.10(3), the maximum **gross floor area** of **buildings or structures** will not exceed 31,260 square metres and the minimum **gross floor area** of **buildings or structures** will be 11,644 square metres, provided:
- (i) a minimum of 10,480 square metres will be any combination of: office, medical office, or **Software Development and Processing**;
- (E) Despite Regulations 60.5.40.10.(1) and (2), the height of a **building or structure** is the distance between the Canadian Geodetic Datum of 175.15 metres and the elevation of the highest point of the **building or structure**;
- (F) Despite Regulation 60.40.40.10(1), the permitted maximum height of a **building or structure** is the number in metres following the letters "HT" on Diagram 7 to By-law [Clerks to insert By-law ##]; and
- (G) Despite Regulation 60.5.40.10(3) to (6) and (F) above, the following equipment and **structures** may project beyond the permitted maximum height:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts,

- chimneys, and vents, by a maximum of 7.0 metres;
- (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, by a maximum of 7.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 0.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 7.0 metres;
 - (v) planters, **landscaping** features, guard rails, by a maximum of 3.0 metres;
 - (vi) unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 5.0 metres; and
 - (vii) public art features and exoskeleton structures;
- (H) Despite Clauses 60.5.40.70 and 60.40.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 7 of By-law [Clerks to insert By-law ##];
- (I) Despite Regulations 5.10.40.70(1), 60.5.40.70(1), 60.40.40.70(1), (2) and (3), no portion of a **building or structure** erected or used above-ground may be located otherwise than wholly within a **building** envelope delineated by the heavy lines specified on Diagram 7 of By-law [Clerks to insert By-law ##];
- (J) Despite Regulations 60.5.40.60, and subsections (H) and (I) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances, and be located outside a **building** envelope delineated by the heavy on Diagram 7 of By-law [Clerks to insert By-law ##] as follows:
- (i) canopies and awnings, to a maximum of 4.5 metres;
 - (ii) exterior stairs, access ramps and elevating devices, to a maximum of 6.0 metres;
 - (iii) cladding added to the exterior surface of the **main wall** of a **building**, to a maximum of 0.5 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum of 1.0 metres;
 - (v) eaves, to a maximum of 0.5 metres;
 - (vi) pergolas, patios, guardrails, balustrades, railings, decorative/ acoustic doors and screens and light fixtures, to a maximum of 3.0 metres;
 - (vii) trellises and planters, to a maximum of 5.0 metres;
 - (viii) air conditioners, satellite dishes, antennae, vents, and pipes, safety and wind protection/mitigation features, damper equipment to reduce **building**

- movement, and elements required for the functional operation of a building, to a maximum of 1.0 metres;
- (ix) site servicing features and window washing equipment, including a Building Maintenance Unit or crane, to a maximum of 3.0 metres; and
 - (x) public art installations, fences, art and **landscaping** features, and ventilation shafts;
- (K) The maximum “Tower” floor plate of any **building** on “Block 4” shown on Diagram 3 of By-law [Clerks to insert By-law ##], shall be 1,740 square metres;
- (L) Despite Clause 60.5.80.10 and Regulations 60.5.80.1(2) and 200.5.1(2), the **parking spaces** required for permitted uses may be provided on any lands that are the subject of this By-law, as outlined by heavy black lines on Diagram 1 of By-law [Clerks to insert By-law ##], and do not have to be provided on the “Block” containing the use for which the **parking spaces** are required;
- (M) Despite Regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
- (i) a length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (N) Despite Regulations 200.15.1 (3) and (4):
- (i) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
 - (ii) accessible **parking spaces** are required to be within 30 metres of a barrier free entrance to the **building** and passenger elevator that provides access to the first **storey** of the **building**; and
 - (iii) an accessible **parking space** is to be provided on the Block of the **building** where the accessible **parking space** is required;
- (O) Despite Regulations 220.5.1.10(2), (3) and (4) and 220.5.10.1(3) to (5), (7) and (9), the minimum number of **loading spaces** required on “Block 4” on Diagram 3 of By-law [Clerks to insert By-law ##] are as follows:
- (i) two (2) type ‘B’ **loading spaces**; and
 - (ii) three (3) type ‘C’ **loading spaces**;
- (P) Despite Regulation 60.40.90.40(2), a **loading space** located in a **building** may have access through a **main wall** that faces a **street**;
- (Q) Despite Regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **stacked bicycle parking space** is;
- (i) length of 1.6 metres;

- (ii) width of 0.3 metres; and
- (iii) vertical clearance of 1.1 metres;
- (R) Despite Regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking space** in any combination of vertical, horizontal or stacked positions;
- (S) "short-term" **bicycle parking spaces** are to be provided on the Block of the **building** where the "short-term" **bicycle parking spaces** are required.

11. Other

No person shall erect on any of the lands shown on Diagram 1 of By-law [Clerks to insert By-law ##] any **building** or **structure** until the following municipal services are provided to the property line and the following provisions are complied with:

- (A) all new public roads, have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (B) all water mains sanitary sewers and storm sewers and appropriate appurtenances have been installed and are operational, that are required to service the parcel of land that the **building** or **structure** resides on.

12. 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.

13. Temporary Uses:

- (A) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of temporary surface parking on Block 5, as shown on Diagram 3 of By-law [Clerks to insert By-law ##] for a period of not more than 3 years from the date this By-law comes into full force and effect; and
- (B) None of the provisions of By-law 569-2013, as amended, apply to prevent the erection and use of sales or leasing office, which means a **building, structure,** or trailer used exclusively for the purpose of the sale, rental, or leasing of new **dwelling units** or non- residential space for a period of not more than 3 years from the date this By-law comes into full force and effect.

14. Section 37 Requirements:

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to this By-law and 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 attached to 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 on satisfaction of the same; and

- (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 provisions of Schedule A are satisfied.

Enacted and passed on July , 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
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 as shown in Diagrams 1 to 9 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. The owner is to provide the following facilities, services and matters pursuant to Section 37 of the Planning Act as follows:

Office Replacement

- (a) The owner shall design, construct and operate a non-residential building on Block 4 of Diagram 3 of By-law [Clerks to insert By-law ##] with a minimum gross floor area of 11,644 square metres of which a minimum of 10,480 square metres is to be used for office, medical office, or **Software Development and Processing**, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Library

- (b) Prior to the issuance of any above grade building permit on the lands, except for buildings on Block 4 on Diagram 3 of By-law [Clerks to insert By-law ##], the owner is to provide a financial contribution to the City of two-million and seven-hundred thousand dollars (\$2,700,000) to be used for the improvement of Pleasant View Library. The financial contribution set out above shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

Public Art

- (c) The owner shall prepare, at its expense, a Public Art Plan (the "Public Art Plan") for the provision of Public Art on the site or adjacent City-owned land and shall submit the Public Art Plan to the City, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Toronto Public Art Commission, and to City Council for approval, in accordance with the terms of the Section 37 Agreement.
- (d) Prior to the issuance of any above grade building permit on the lands, except for Building E identified on Diagram 7 of By-law [Clerks to insert By-law ##], the owner shall make a Public Art contribution to the City in the amount of five hundred thousand dollars (\$500,000) on public art program terms set out in the Section 37 Agreement and to the satisfaction of the Chief Planner and Executive Director, City Planning, which amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of issuance of the first above-grade building permit.

Affordable Housing

2. The owner is to provide the following facilities, services and matters pursuant to Section 37 of the Planning Act, in a form satisfactory to the City with conditions providing for indexing escalation of both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement:
 - (a) The owner shall design, construct and operate at least 160 affordable rental dwelling units comprised of approximately 8,919 square metres of residential Gross Floor Area within the approved development at 2, 4, 6 Lansing Square and 2550 Victoria Park Avenue, in accordance with the Terms outlined in Attachment 11 of the Final Staff Report on Zoning By-law Amendment Application 19 147759 NNY 17 OZ, dated June 3, 2021, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - (b) The owner agrees that no building permits shall be issued for Phase 2, until an above grade building permit has been issued and obtained for Tower B in Phase 1 identified on Diagram 4 of By-law [Clerks to insert By-law ##] containing at least 80 affordable rental housing units (at least 50 percent of the affordable rental dwelling units to be provided on the site);
 - (c) The owner agrees that no building permits shall be issued for Phase 3, until an above grade building permit has been obtained and issued for Tower C in Phase 2 identified on Diagram 5 of By-law [Clerks to insert By-law ##] containing the remaining affordable rental housing units;
 - (d) The owner agrees that prior to the issuance of the first above grade building permit for the last phase of the development (Phase 3), the 160 affordable rental dwelling units shall be ready and available for occupancy;
3. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

Phasing

- (a) The owner agrees that construction shall proceed in accordance with the following development Phasing Plan:

Phase 1

Construction of New Street B identified on Diagrams 4, 5, 6 and 7 of By-law [Clerks to insert By-law ##];

Construction of the easterly portion of New Street A identified on Diagrams 4, 5, 6 and 7 of By-law [Clerks to insert By-law ##];

Construction of new east/west Settlers Road identified on Diagrams 4, 5, 6 and 7 of By-law [Clerks to insert By-law ##];

Construction of Building E identified on Diagram 7 of By-law [Clerks to insert By-law ##] with a minimum gross floor area of 11,644 square metres;

Construction of Tower A identified on Diagram 4 of By-law [Clerks to insert By-law ##];

Construction of Tower B identified on Diagram 4 of By-law [Clerks to insert By-law ##];

Construction of the 530 square metre POPS, east of Tower A identified on Diagram 4 of By-law [Clerks to insert By-law ##]; and

Construction of a minimum of 80 affordable housing units.

Phase 2

Construction of the westerly portion of the new east/west local public road;

Construction of Tower C identified on Diagram 5 of By-law [Clerks to insert By-law ##];

Construction of Tower D identified on Diagram 5 of By-law [Clerks to insert By-law ##];

Conveyance of the 4,843 square metre public park identified as Block 5 on Diagram 7 of By-law [Clerks to insert By-law ##];

Construction of Building F identified on Diagram 5 of By-law [Clerks to insert By-law ##];

Construction of a minimum of 80 affordable housing units; and

Construction of the 525 square metre POPS, east of Tower C identified on Diagram 5 of By-law [Clerks to insert By-law ##].

Phase 3

Construction of Building G identified on Diagram 6 of By-law [Clerks to insert By-law ##].

- (b) The owner agrees that no above grade building permits shall be issued for Towers A, B, C, or D, or Buildings F or G in Blocks 1, 2, and 3 identified on Diagrams 4, 5 and 6 of By-law [Clerks to insert By-law ##], until an above grade building permit has been issued and obtained for the office Building E identified on Diagram 7 of By-law [Clerks to insert By-law ##];
- (c) The owner agrees that prior to any above grade building permits being issued for Phase 2 (any of Towers C or D or Building F identified on Diagrams 5 and 6 of By-law [Clerks to insert By-law ##]), an occupancy permit shall be issued for the office Building E identified on Diagram 7 of By-law [Clerks to insert By-law ##].

Privately owned, publicly accessible open space

- (d) The owner shall construct and maintain, at its own expense, an area of not less than 530 square metres east of Tower A in Block 1 (Tower A and Block 1 being identified on Diagram 4 of By-law [Clerks to insert By-law ##]), for use by the general public as Privately-Owned Publicly accessible Open Space (POPS) with

the specific location, configuration and design to be determined and secured through site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning;

- (e) The owner shall construct and maintain, at its own expense, an area of not less than 525 square metres east of Tower C in Block 2 (Tower C and Block 2 being identified on Diagram 5 of By-law [Clerks to insert By-law ##]), for use by the general public as Privately-Owned Publicly accessible Open Space (POPS) with the specific location, configuration and design to be determined and secured through site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (f) The owner agrees that prior to the issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an access easement in favour of the City in perpetuity, including support rights as applicable, for public use of the privately-owned publicly accessible open space (POPS) indicated in items 3.(d) and 3.(e) above, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

Traffic demand management

- (g) Prior to issuance of the first Above-Grade Building Permit for any portion of the site, the owner shall make a one-time contribution to the City in the amount of One Hundred Thousand Dollars (\$100,000.00) towards the installation of two bike-share stations on the site.
- (h) The owner shall provide and maintain, as part of Site Plan Approval, a minimum of 4 publicly accessible car-share parking spaces in locations satisfactory to the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager, Transportation Services.
- (i) The owner shall introduce a monitoring program for the usage of the car-share vehicles and spaces provided on the site prior to Site Plan Approval of any Tower/Building in Phase 2, including the collection of baseline data to establish a base condition and subsequent data collection program to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the General Manager, Transportation Services.
- (j) At first residential use for any Building in Phase 1, the owner shall provide and maintain shuttle service between the site and Don Mills Subway Station during the interim condition prior to the easterly extension of higher order transit on Sheppard Avenue East, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the General Manager, Transportation Services.
- (k) The owner shall provide and maintain real-time transportation screens in locations, through Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager, Transportation Services.

- (1) The owner shall provide proof of purchase and distribution of unloaded PRESTO cards to all first-time residential unit owners/renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Parks

4. The owner agrees that Parkland Dedication is to be secured through the Section 37 Agreement, to the satisfaction of the General Manager, Parks, Forestry and Recreation, and include the following:
 - (a) The owner shall dedicate on-site parkland pursuant to Section 42 of the Planning Act having a minimum size of 4,843 square metres (the “Parkland Dedication”), with the exact location and configuration of the Parkland Dedication to be to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
 - (b) The owner shall design and construct base and above-base park improvements, on terms and conditions set out in the Section 37 Agreement subject to receipt of a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction of above-base park improvements; and
 - (c) The owner agrees that the Parkland Dedication to be conveyed to the City shall be free and clear, above and below grade, of all easements, encumbrances, and encroachments and in acceptable environmental condition and is to be conveyed to the City prior to the issuance of the second above grade building permit for either Tower C or Tower D to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

Section 37 Agreement

5. The owner shall enter into one or more agreements with the City, pursuant to Section 37 of the Planning Act which are registered on title to the lands to secure the matters provided for in Schedule A.
6. Wherever in the By-law a provision required the execution and registration of an agreement entered into with the City pursuant to Section 37 of the Planning Act in accordance with the provisions of Schedule A hereof, then once such agreement has been executed and registered, the increase of height and density shall continue to be effective notwithstanding any subsequent release or discharge of any part of such agreement.

Diagram 1

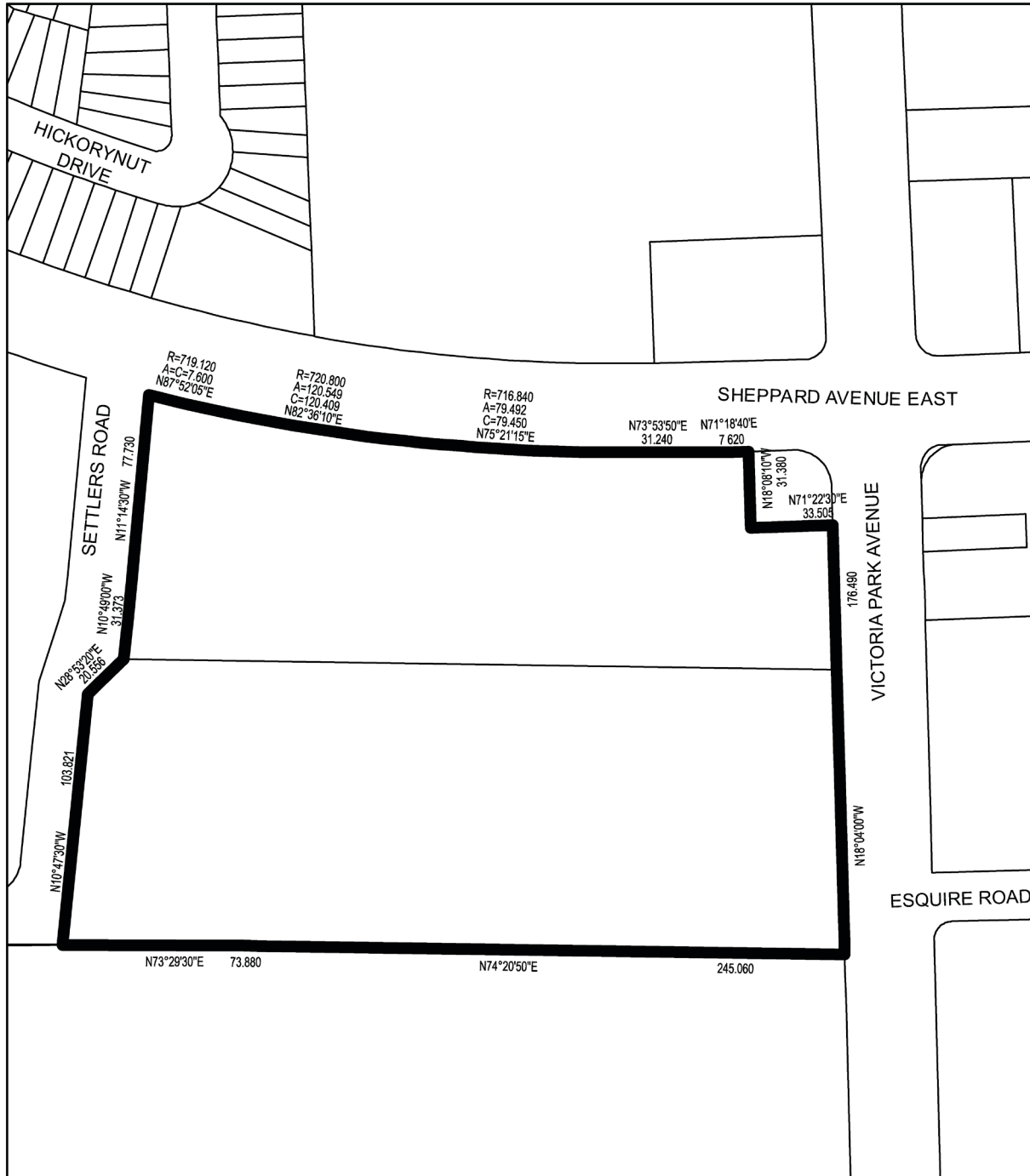


Diagram 2

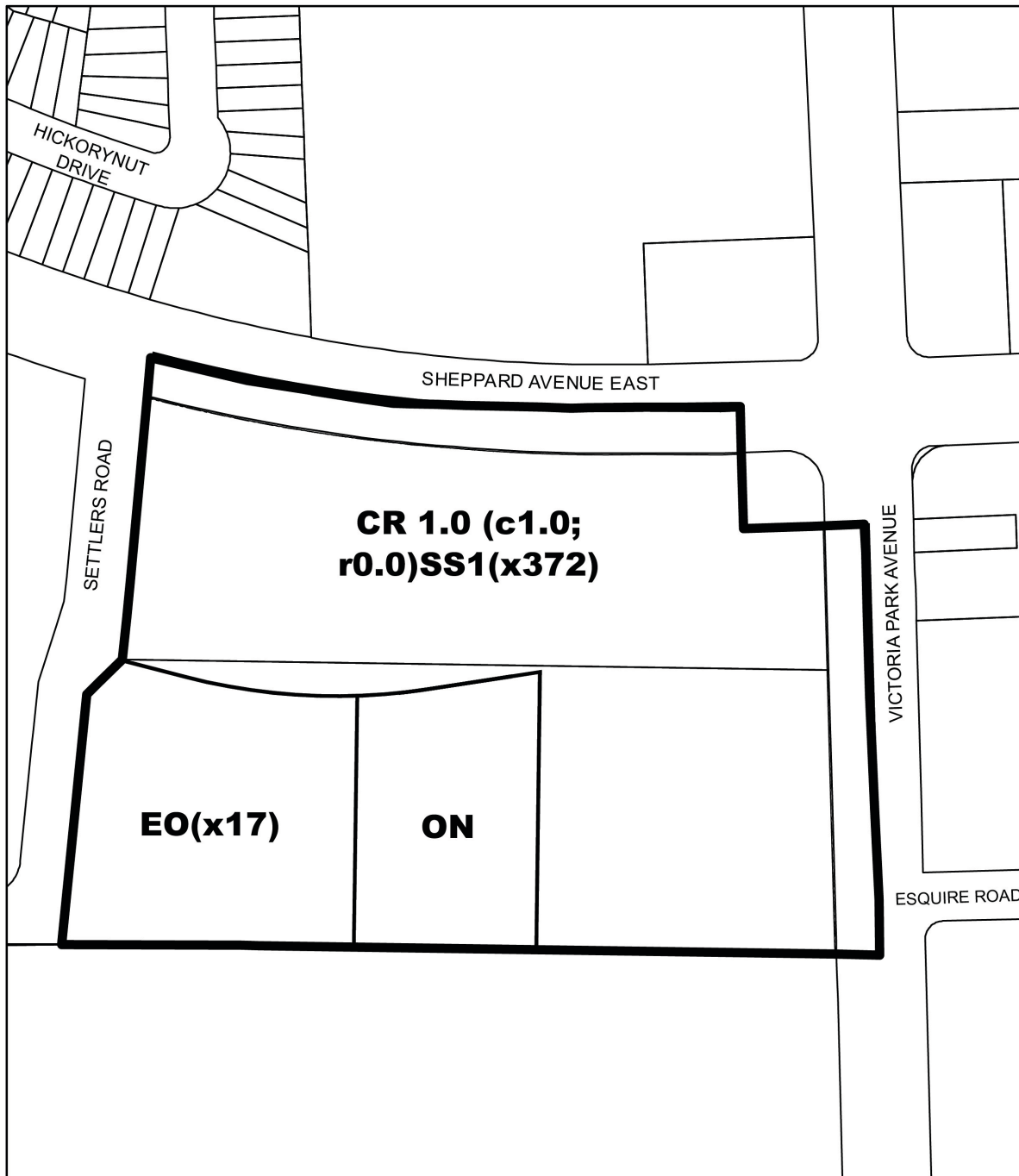


Diagram 3

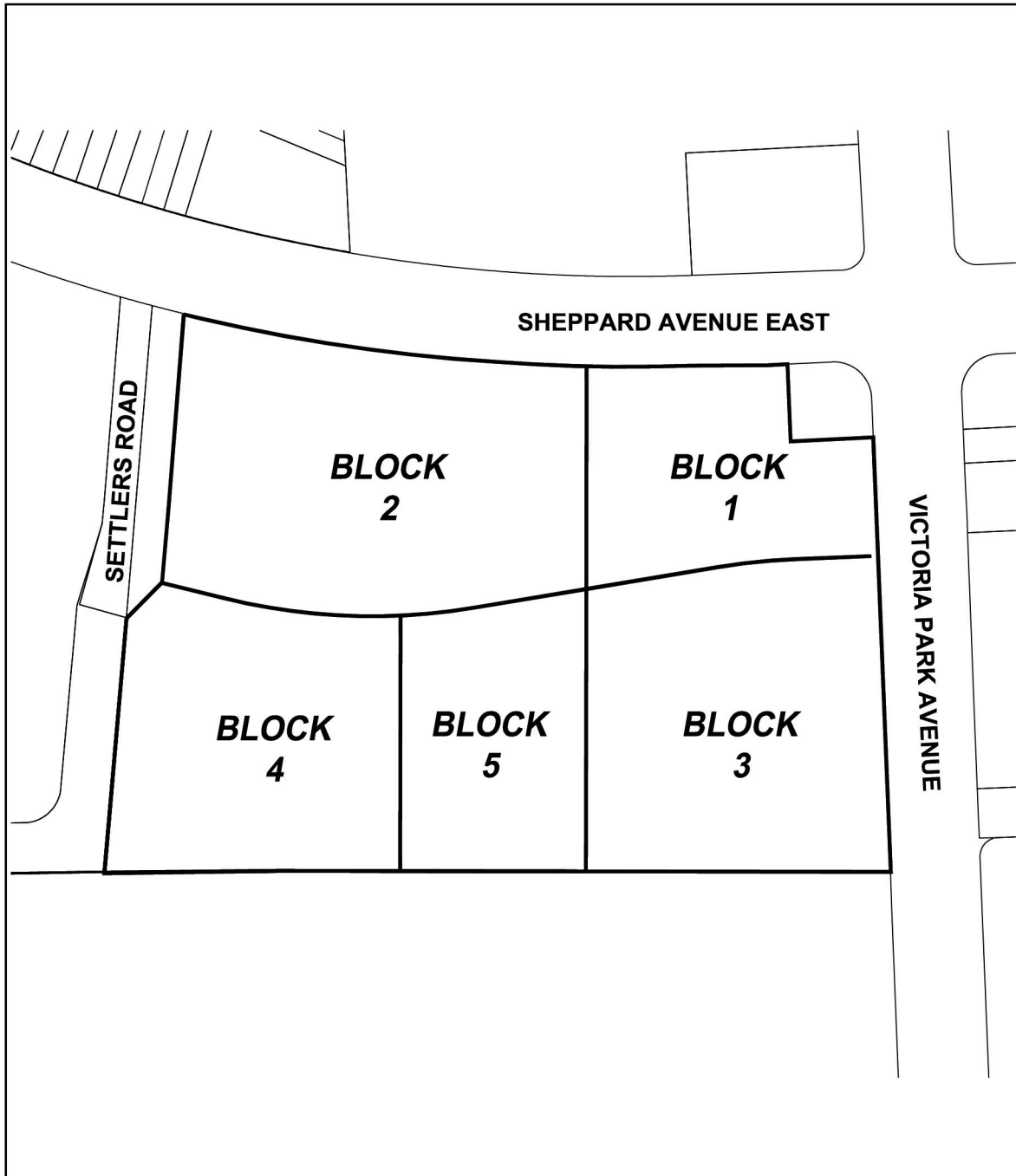


Diagram 4

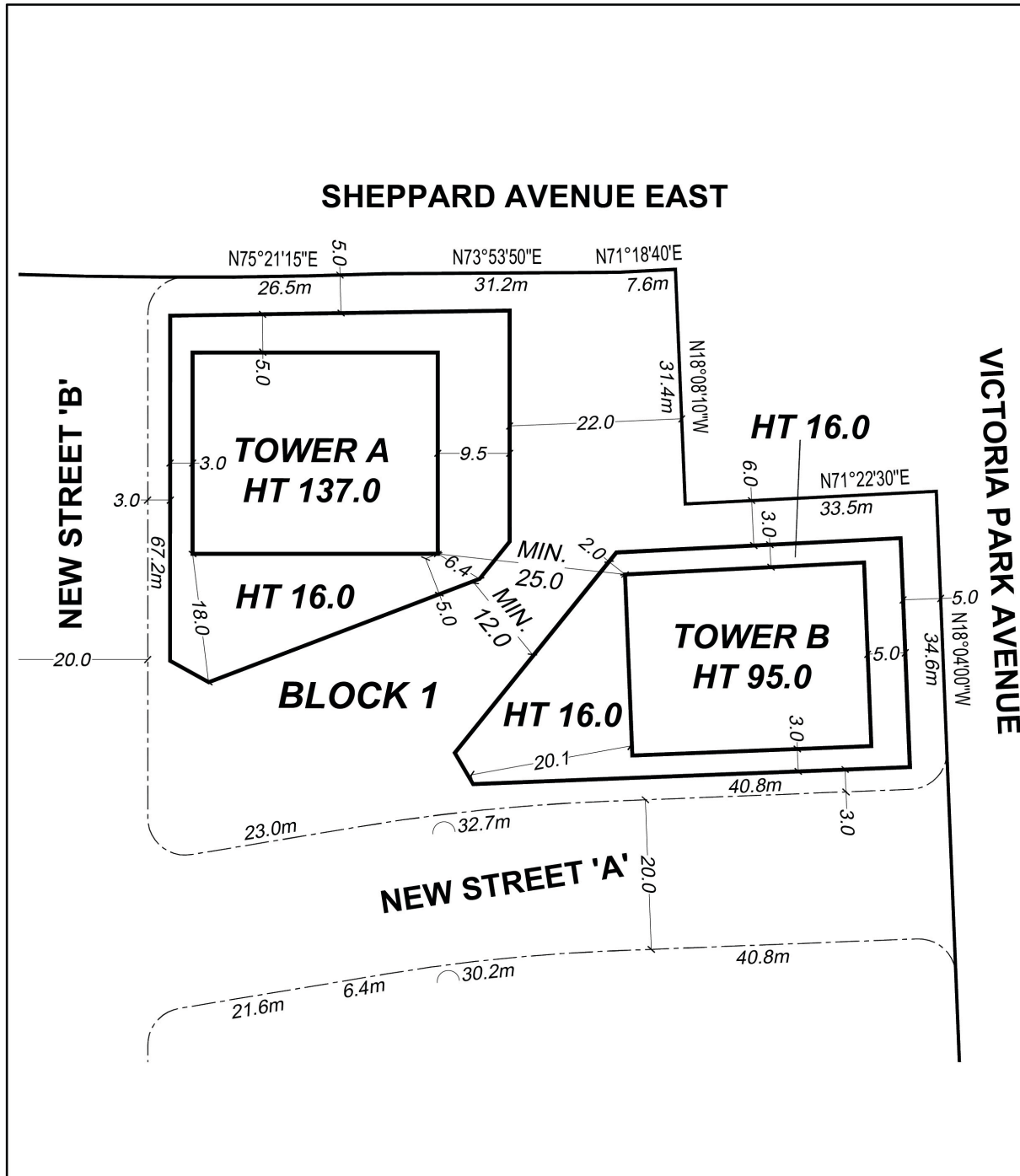


Diagram 5

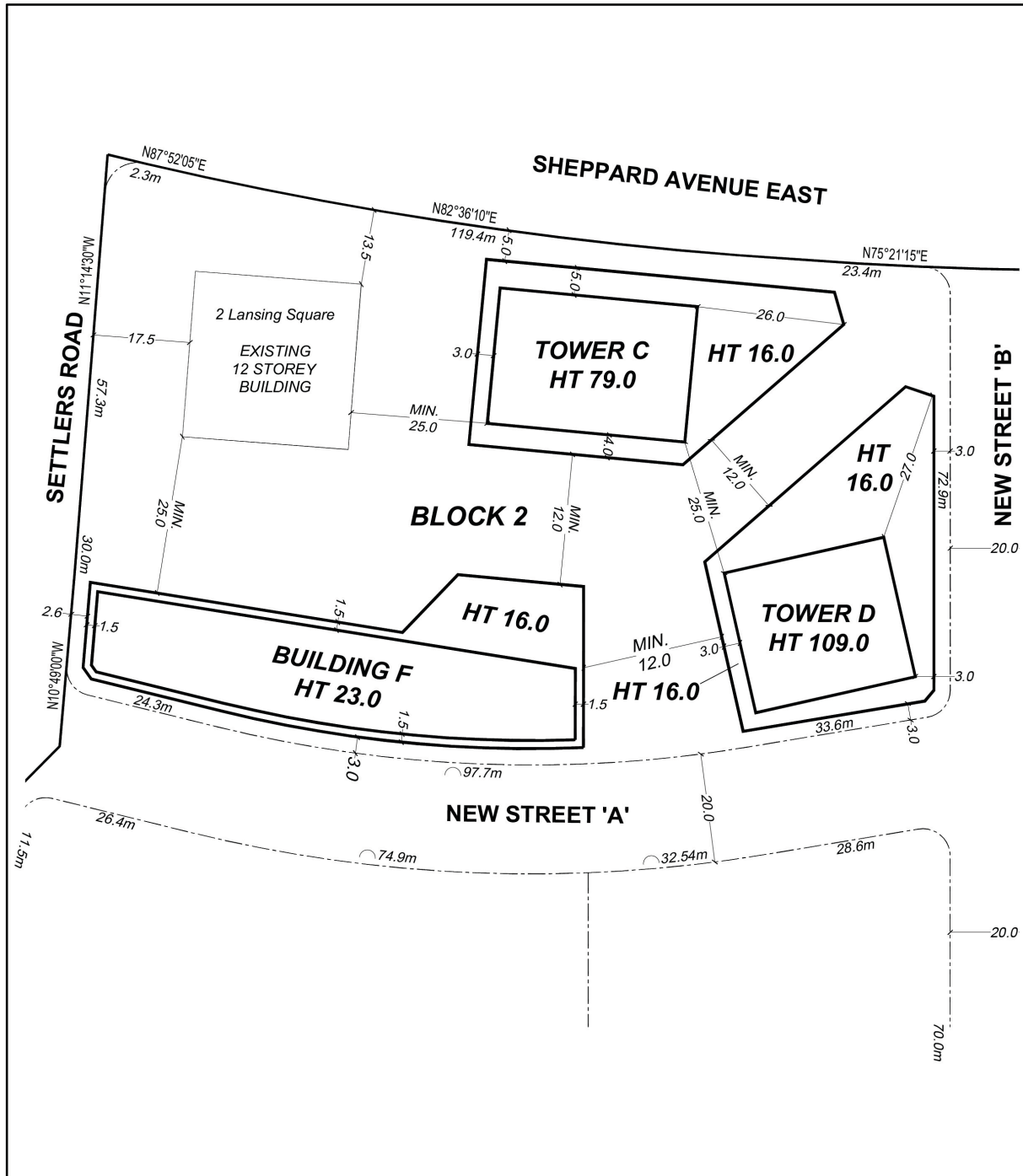


Diagram 6

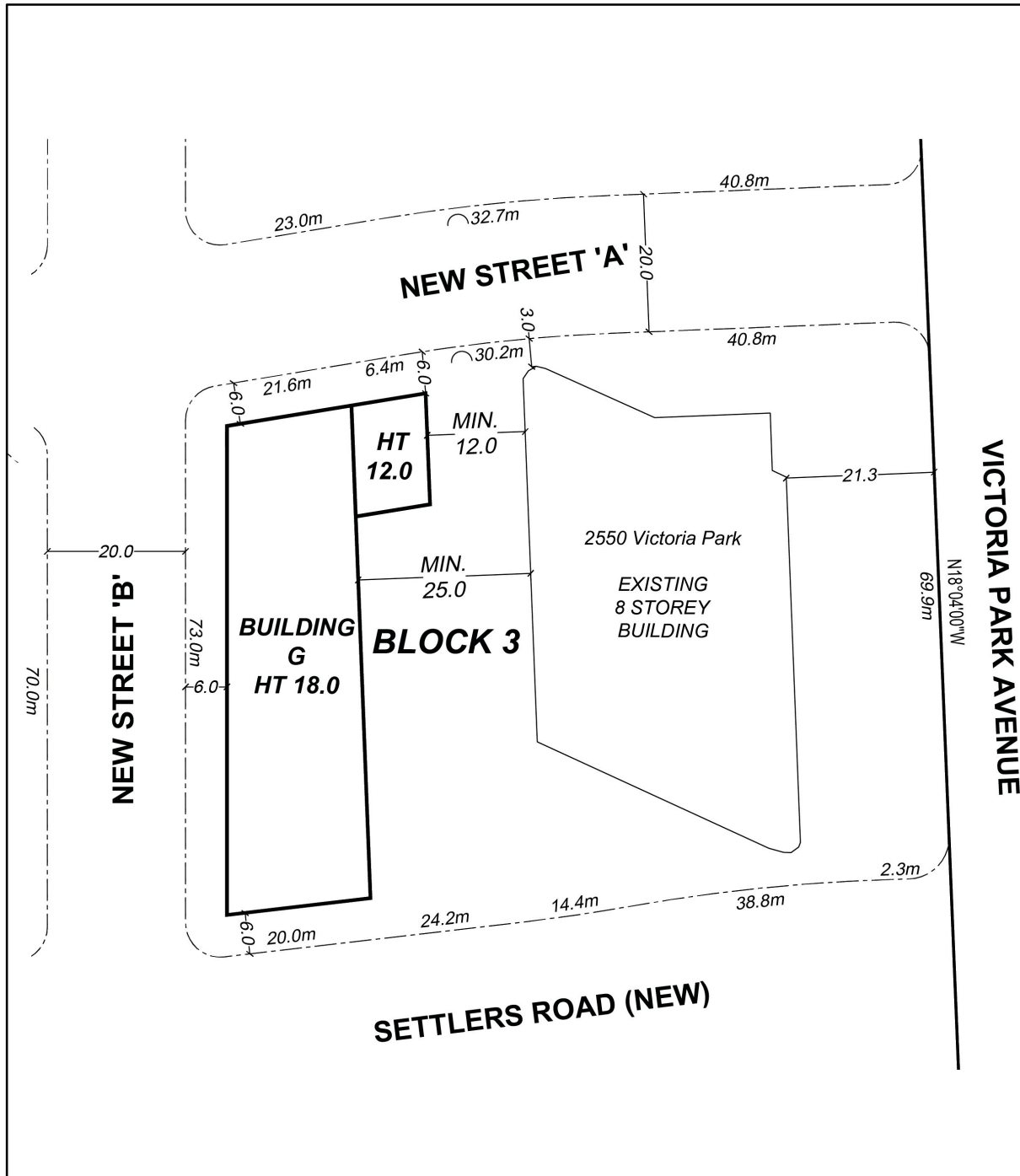


Diagram 7

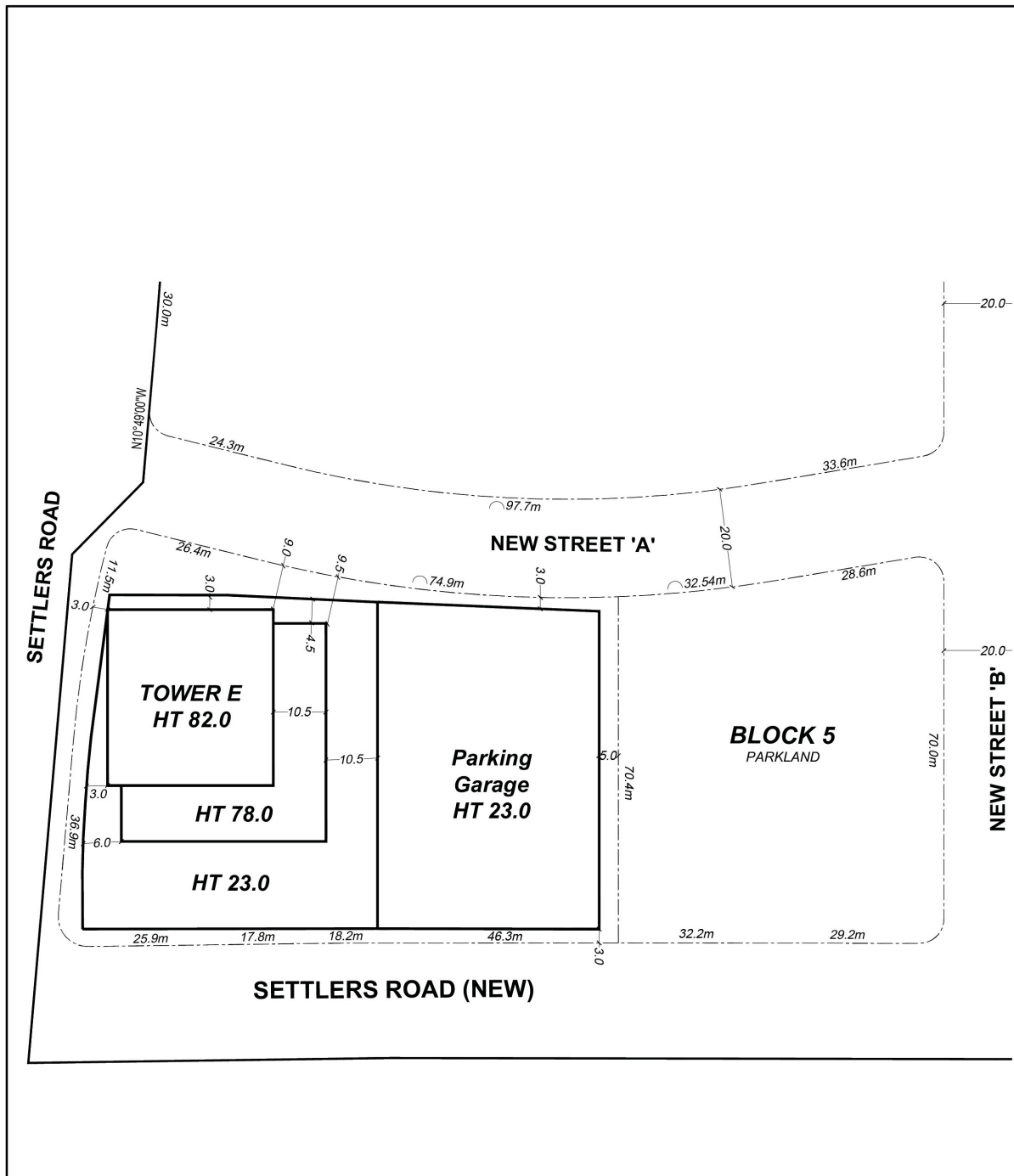


Diagram 8

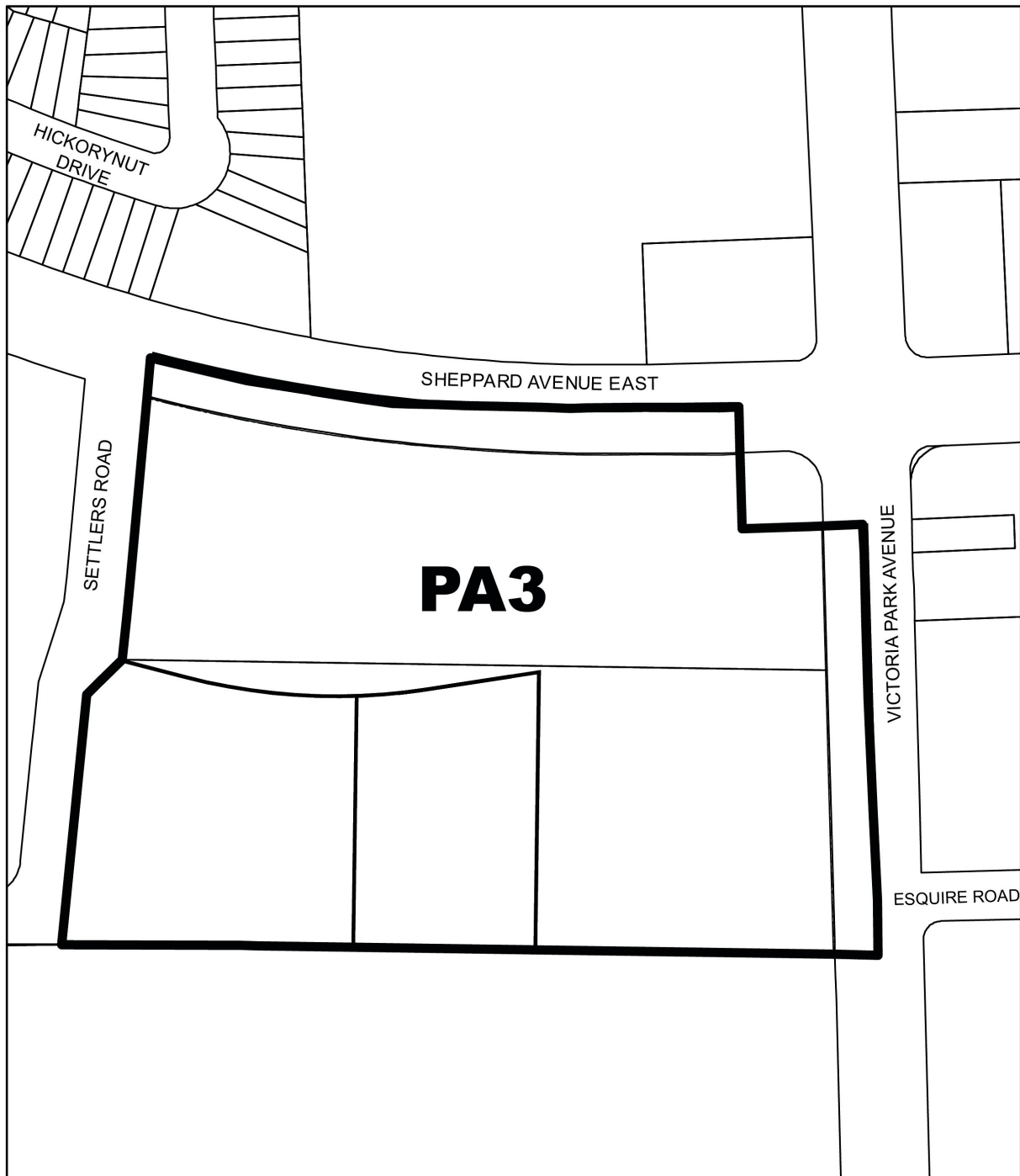


Diagram 9

