

Authority: Toronto and East York Community Council Report 6, Clause 3,  
as adopted by City of Toronto Council on July 25, 26 and 27, 2006  
Enacted by Council: September 28, 2006

**CITY OF TORONTO**

**BY-LAW No. 1080-2006**

**To amend By-law No. 1994-0805 of the former City of Toronto, with respect to lands in the  
Railway Lands West municipally known as 100 Fort York Boulevard.**

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. 1994-0805, 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 No. 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", in respect of

*block 24, block 26E, block 26W and block 29* as shown on the Block Map and the Height Map, respectively, attached to this By-law; and

- (2) amending Maps 2, 3, 4, 4B, 5, 6 and 7, in respect of *block 24, block 26E, block 26W and block 29* as shown 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;

## PARKING SPACES

4. Subsection (5) of Section 4 entitled **PARKING SPACES: WHEN REQUIRED, NUMBER, LOCATION AND TYPE** is amended by replacing the phrase “paragraphs (b) to (o)” with the phrase “paragraphs (b) to (p)” in paragraph (a), and adding the following new paragraph (p) immediately following paragraph (o):

- “(p) In respect of *block 26E, block 26W or block 29*, in calculating the minimum number of *parking spaces* required to be provided for the use described as “*dwelling unit* in a building (other than *alternative housing* or *social housing*) containing more than 6 *dwelling units* including those that are *alternative housing*” in the Column entitled “Type of Use”, the prescribed number of *parking spaces* set out in the Column entitled “Minimum Required” for each *one-bedroom dwelling unit* and each *two-bedroom dwelling unit* shall be deemed to be

0.7 *parking space* and 1.0 *parking space*, respectively, and in all other respects SCHEDULE 1 and the provisions of paragraphs (a) to (o), inclusive, of this Section 4(5) shall apply.

## RESIDENTIAL AMENITY SPACE

5. 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

6. 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 two rows immediately after the above said row as follows:

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

7. 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**

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

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

9. 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 BLOCK	COLUMN B ADDITIONAL NON-RESIDENTIAL GROSS FLOOR AREA (square metres)
<i>block 26E</i>	3 466
<i>block 26W</i>	3 466

10. 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**

11. 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.
12. 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*”.
13. 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

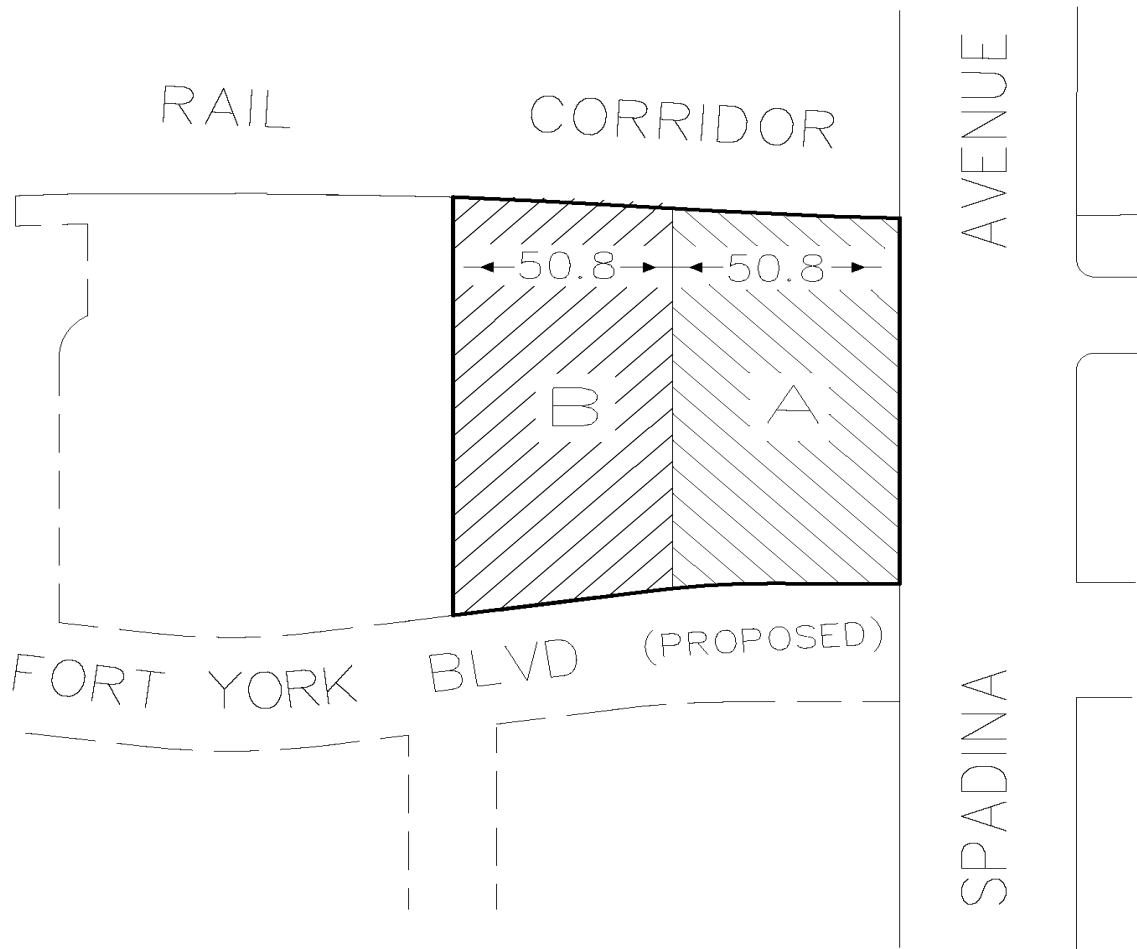
No person shall erect or use a building or structure or part thereof on *block 26E, block 26W* or *block 29* unless an exterior face of such building or structure is located no more than 2 metres from the building envelope line shown on Map 4 adjacent to Fort York Boulevard, between *grade* and 18 metres above grade, for a minimum of 80% of the length of the building envelope line.”

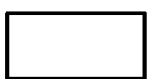
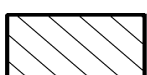
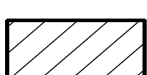
**EXCEPTIONS TO PERMITTED USES AND RESTRICTIONS ON USE**

14. 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**

15. Exception (11) in Section 10, entitled **BLOCKS 24, 25, 26, 29, 33 & 37 BUILDING TOWERS**, is amended by:
  - (1) replacing the title with “BLOCKS 24, 25, 26E, 26W, 29, 33 & 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:



-  AREA REFERRED TO IN SECTION 10(11) (a)  
(BLOCK 24)
-  AREA A — HEIGHT LIMIT OF 35.0m
-  AREA B — HEIGHT LIMIT OF 26.0m



(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

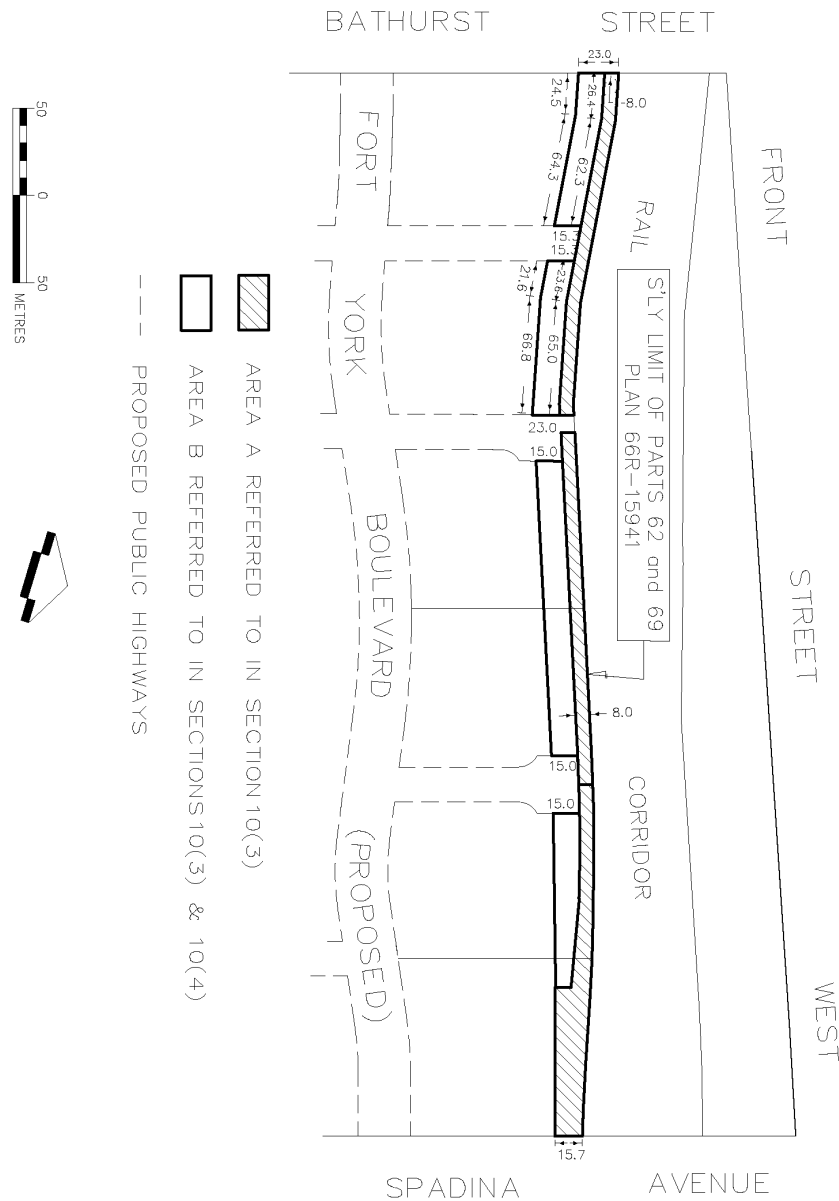
- D. no portion of a tower located above a *height* of 28 metres shall be located within 25 metres of any portion of a tower on *blocks 26E, 26W or 29* which exceeds a *height* of 28 metres.
- (iv) Despite Section 4(3)(a), the rooftop structures and elements listed in section 4(3)(a)(i) shall not be 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.”

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



17. Exception (12) in Section 10, entitled **ABOVE GRADE PARKING - BLOCKS 24, 25, 26, 29, 33 & 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*”.

18. 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*”.
19. 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*”.
20. 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.”
21. 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*”.

22. Section 10 is amended by adding a new exception (19) as follows:

“19(a) 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 subject to compliance with the conditions set out in this By-law and in return for the provision by the respective *owner* of each of *block 26E*, *block 26W* and *block 29* of the facilities, services and matters described below, the provision of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act*.

(b) Upon execution and registration of an agreement or agreements with the *owner* of *block 26E*, *block 26W* and *block 29* pursuant to Section 37 of the *Planning Act* securing the provision of the following facilities, services and matters, said blocks shall be subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirements:

(i) contribution in the amount of \$4,000,000.00 to be allocated among improvements to the Community Park, Northern Linear Park and Southern Linear Park; improvements to the proposed Mouth of Garrison Creek Park; improvements to the proposed community centre and school age daycare facilities; and assisting in the provision of affordable housing in the Railway Lands West and Railway Lands Central, the first \$50,000.00 of which shall be paid immediately upon the By-law coming into force and allocated to improvements to the proposed Mouth of Garrison Creek Park, and the timing of the balance of which shall be as provided in the said Section 37 Agreement;

(ii) provision of space within the development for the construction of transfer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development of each block;

(iii) provision of parking to serve each block 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 spaces per unit
residential visitors/retail:	.06 spaces per unit;

(iv) provision of a minimum of three *type G loading spaces* (1 *type G loading space* for the shared use of the residential and retail uses on each block) with a generally level surface and access designed so that trucks can enter and exit the public streets in a forward motion;



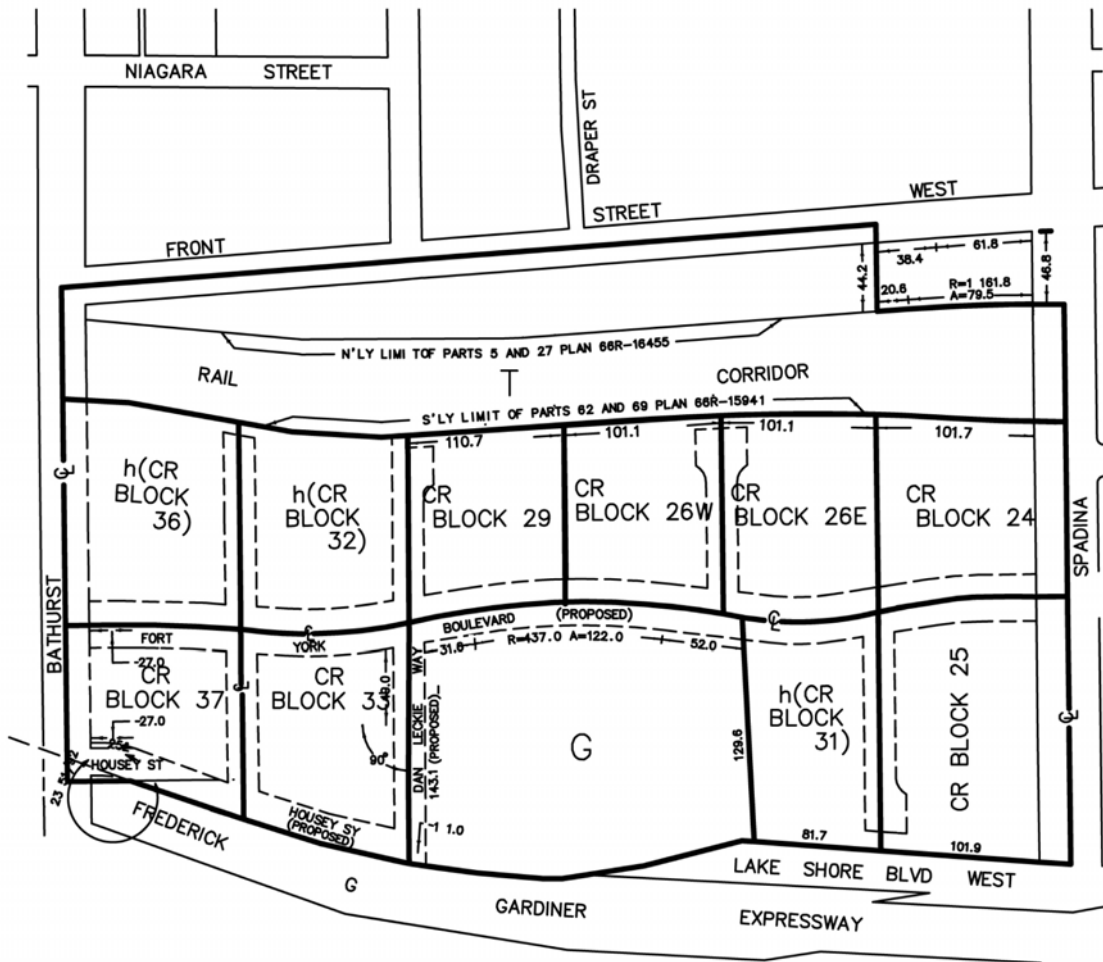
- (v) provision of public pedestrian easements to the full extent of the setbacks required by this By-law adjacent to the publicly accessible private roads and public roads to be secured as a condition of site plan approval on each of *block 26E, block 26W and block 29*;
  - (vi) submission of the necessary applications for revised municipal numbering prior to filing an application for the first building permit on *block 26E, block 26W or block 29*;
  - (vii) conveyance to the City of certain lands located beneath the Gardiner Expressway and west of Dan Leckie Way if feasible, the consideration and timing of which to be secured in the said Section 37 Agreement;
  - (viii) negotiation with the City respecting the possible release of the restrictive covenant that currently exists on *block 31, block 32 and block 36*, to allow for a mix of affordable and market housing, and the reconfiguration of the land use on those blocks; and
  - (ix) additional obligations with respect to funding and cost-sharing of certain road improvements in Railway Lands West, as provided in the said Section 37 Agreement.
- (c) Notwithstanding the foregoing, the Owner and the City may modify or amend the said Section 37 Agreement from time to time and upon the consent of the City and the Owner, without further amendment to those provisions of this By-law which identify the facilities, services and matters to be secured.”

ENACTED AND PASSED this 28th day of September, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)



**Block Map**

**4a Spadina Avenue & 100 Fort York Boulevard**

Applicant's Submitted Drawing

Not to Scale  
06/23/06



File # 05\_202742

PLAN-2



Height Map

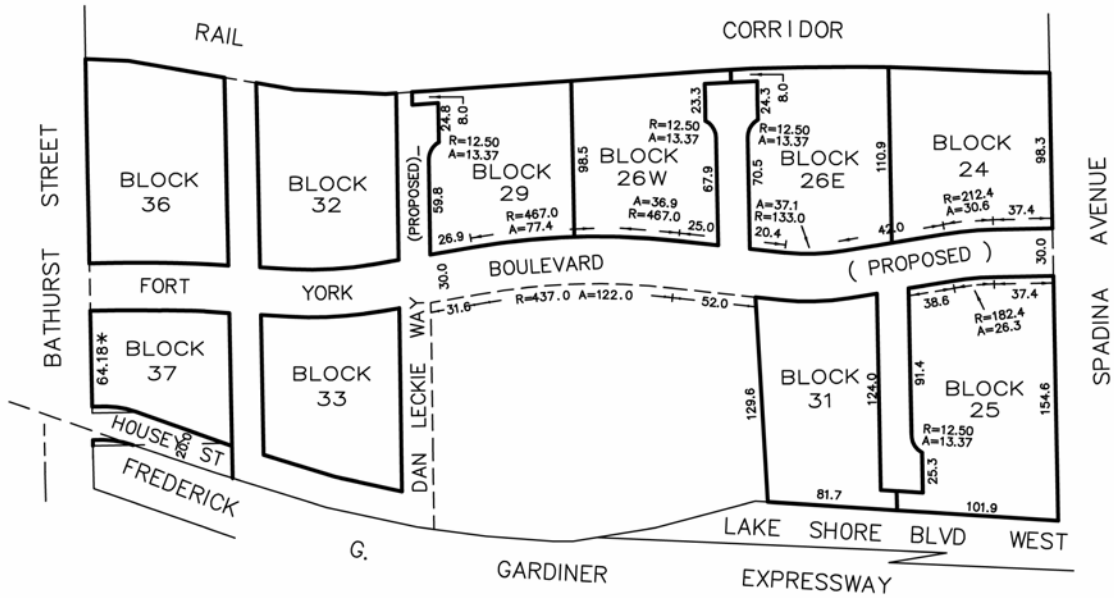
4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

Not to Scale  
06/23/06



File # 05\_202742



□ BLOCK BOUNDARIES

\* : MEASURED FROM THE NORTH LIMIT OF PART 61 PLAN 64R-14891

--- PROPOSED PUBLIC HIGHWAYS

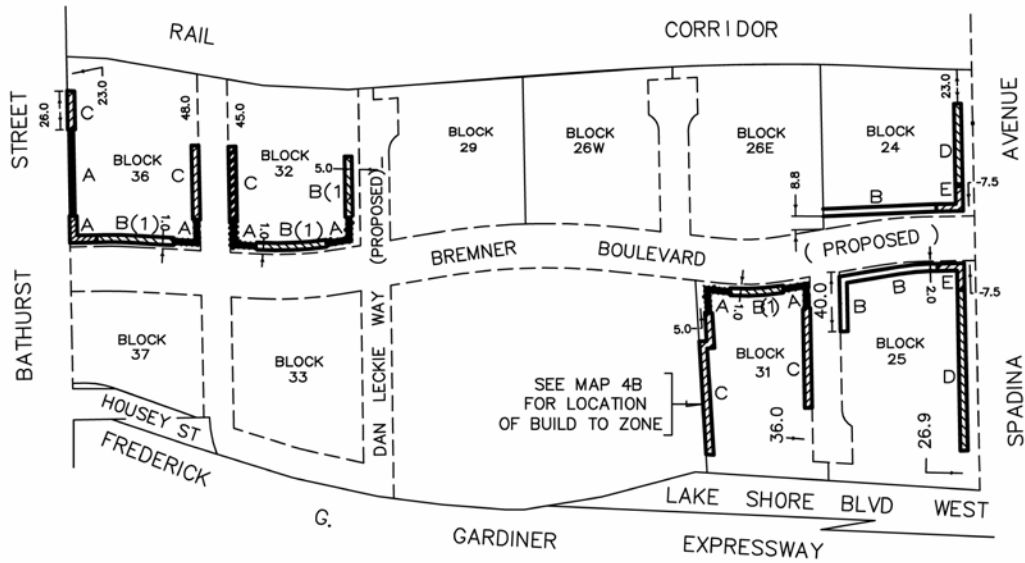
Map 2






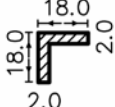
4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

Not to Scale 06/23/06 

File # 05\_202742



- PROPOSED PUBLIC HIGHWAYS
- A**  90% BUILD TO ZONE  
GRADE TO ELEVATION  
110.0m CANADIAN GEODETIC DATUM  
OR GRADE TO THE HEIGHT SET OUT ON  
MAPS 4A AND 4B, APPLICABLE TO THE LOT
  - B**  66% BUILD TO ZONE  
GRADE TO 12.0m ABOVE GRADE &  
**B(1)**  60% BUILD TO ZONE  
10.0m ABOVE GRADE TO ELEVATION 110.0m CANADIAN GEODETIC DATUM  
OR GRADE TO THE HEIGHT SET OUT ON  
MAPS 4A AND 4B, APPLICABLE TO THE LOT
  - C**  80% BUILD TO ZONE  
GRADE TO 10.0m ABOVE GRADE
  - D**  75% BUILD TO ZONE  
GRADE TO 18.0m ABOVE GRADE
  - E**  90% BUILD TO ZONE  
GRADE TO 18.0m ABOVE GRADE

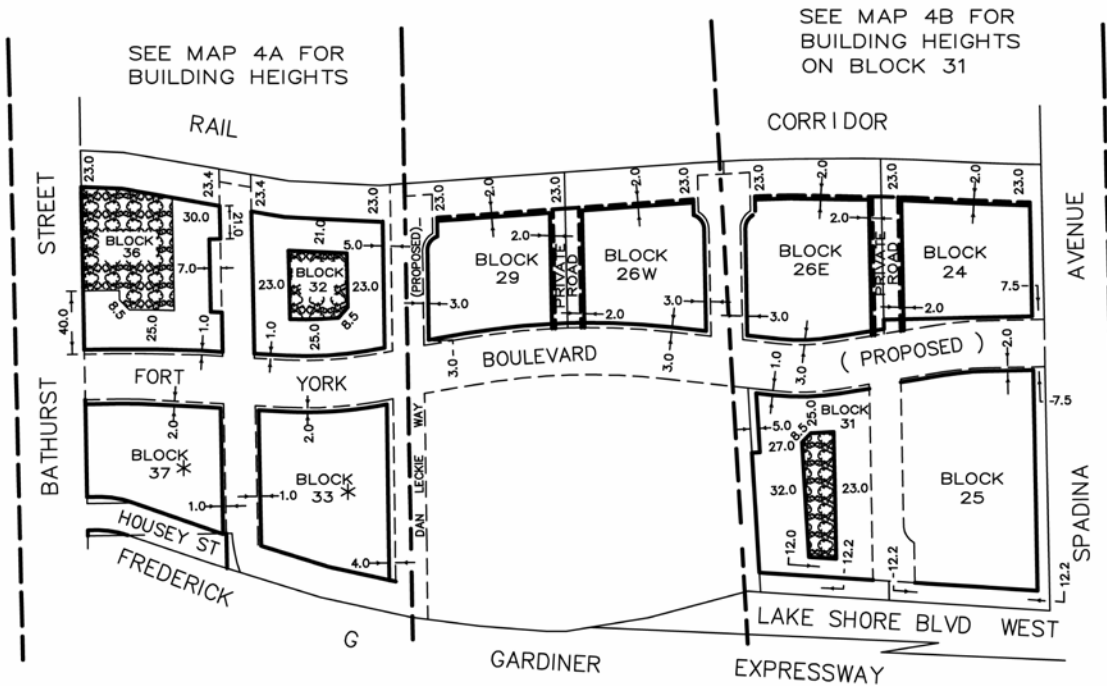
Map 3

4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

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06/23/06 

File # 05\_202742



--- PROPOSED PUBLIC HIGHWAYS

□ "BUILDING ENVELOPE LINE"  
FROM GRADE TO ELEVATION 110.0M  
CANADIAN GEODETIC DATUM OR GRADE TO THE HEIGHT  
SET OUT ON MAPS 4A AND 4B APPLICABLE TO THE LOT

FOR BLOCKS 24, 25, 26E, 26W, 29, 33 AND 37, THE "BUILDING ENVELOPE LINE"  
APPLIES TO ANY HEIGHT UP TO THAT ON THE  
APPENDIX "B" MAPS APPLICABLE TO THE LOT

▣ "COURTYARD SPACE" REFERRED TO  
IN SECTION 10(11)

\* REFER TO SECTION 11(5)

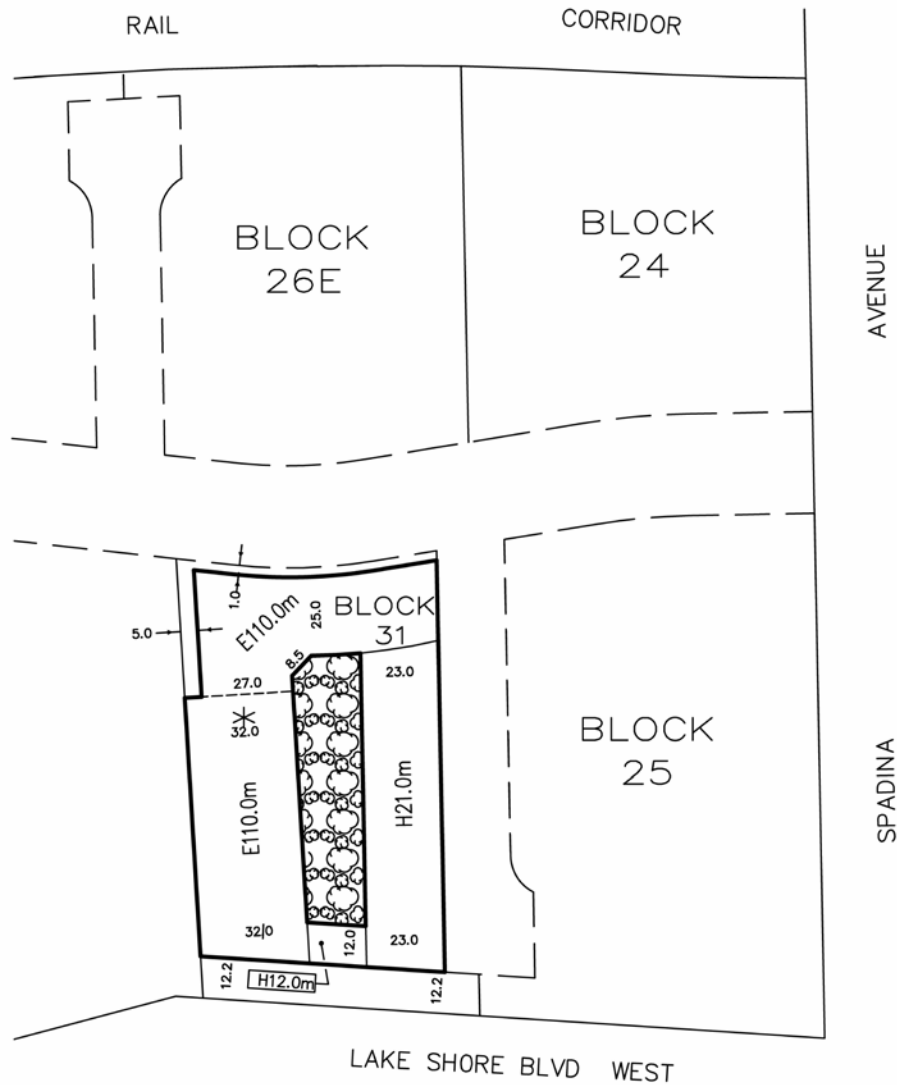
**Map 4**

**4a Spadina Avenue & 100 Fort York Boulevard**

Applicant's Submitted Drawing

Not to Scale  
06/23/06

File # 05\_202742



- \*: LOCATION OF BUILDING ENVELOPE LINE AS SHOWN ON MAP 5
- H: DENOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE
- E: DENOTES MAXIMUM CANADIAN GEODETIC DATUM ELEVATION IN METRES

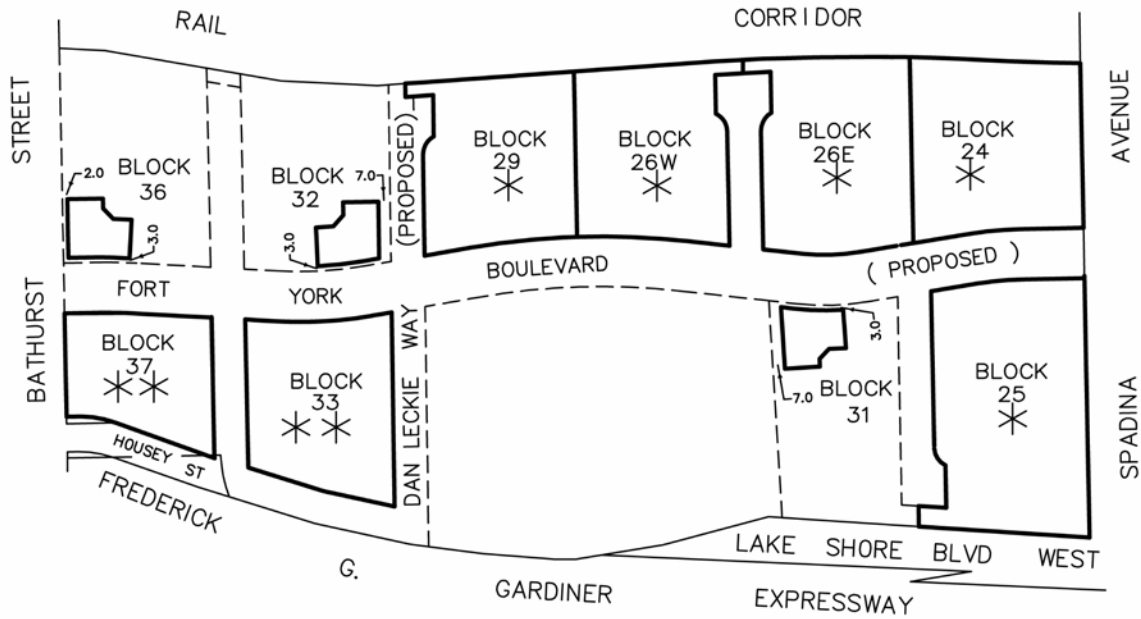
**Map 4B**

**4a Spadina Avenue & 100 Fort York Boulevard**

Applicant's Submitted Drawing

Not to Scale  
06/23/06

File # 05\_202742

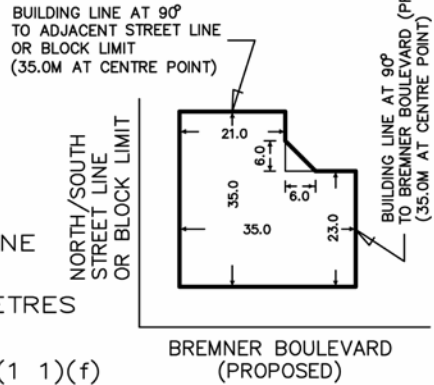


- "BUILDING ENVELOPE LINE" AT AND ABOVE:  
 (i) ELEVATION 110.0m CANADIAN GEODETIC DATUM; OR  
 (ii) THE HEIGHT SET OUT ON MAPS 4A AND 4B APPLICABLE TO THE LOT OR PORTION OF THE LOT

\* 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)



Map 5

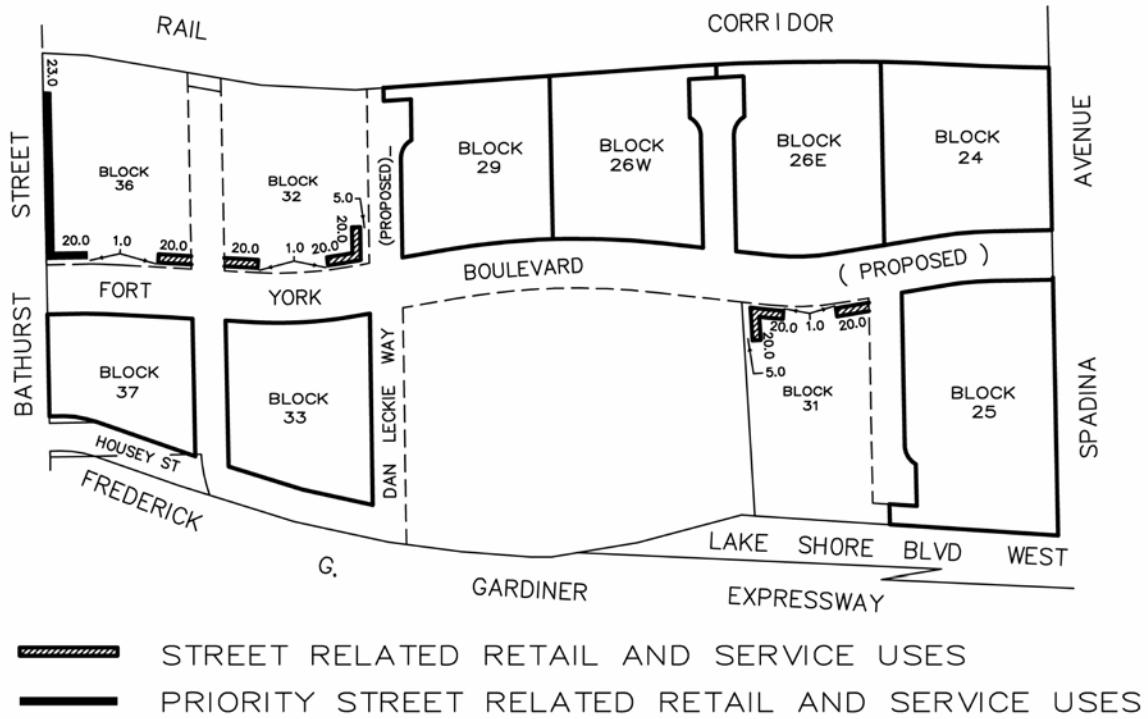
4a Spadina Avenue & 100 Fort York Boulevard

Applicant's Submitted Drawing

Not to Scale

File # 05\_202742





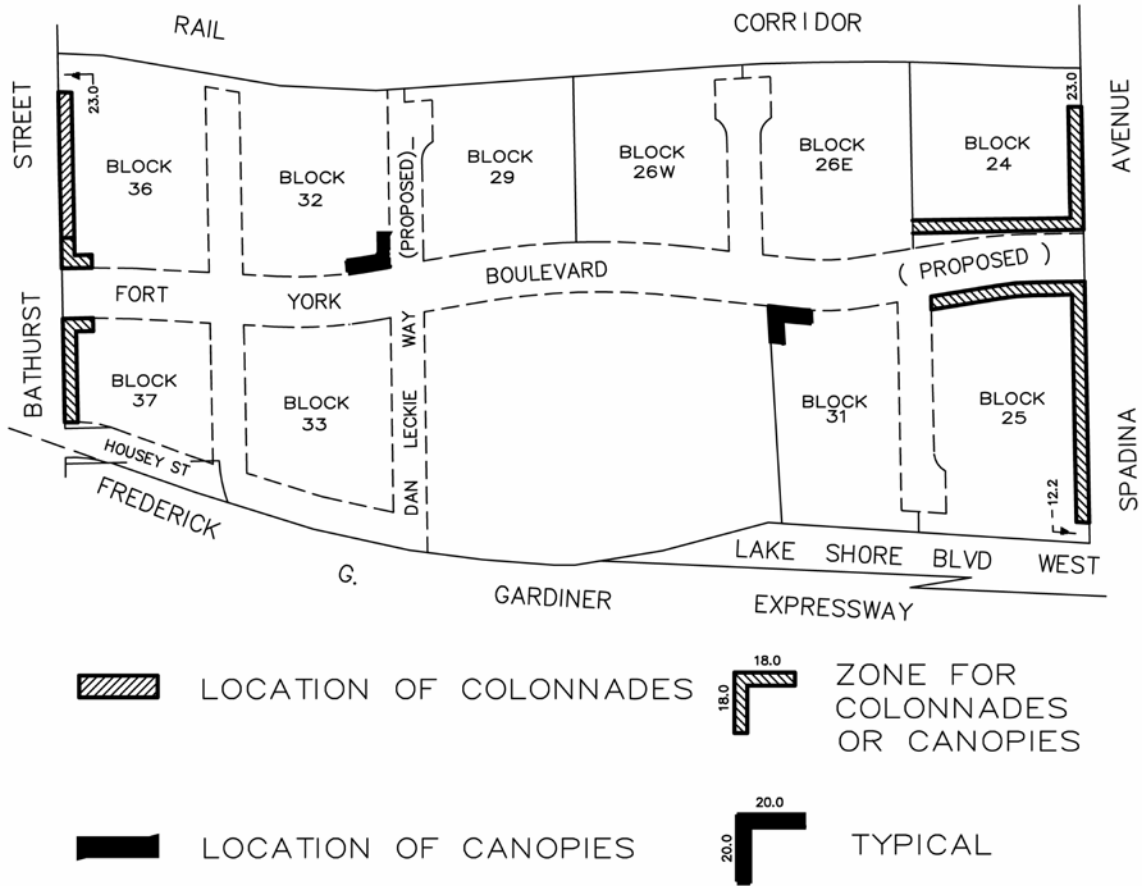
Map 6

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