

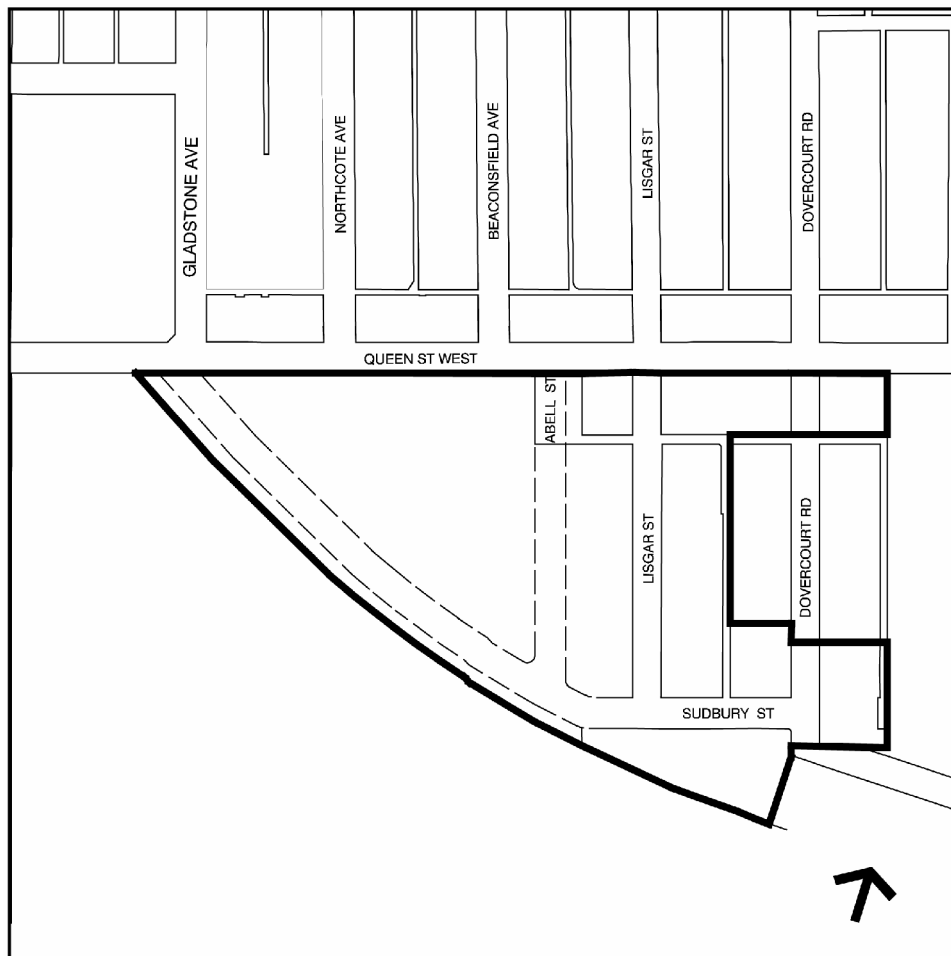
Attachment 6: Draft Official Plan Amendment (Revised)

**AMENDMENT NO. 29
TO THE OFFICIAL PLAN OF THE CITY OF TORONTO**

The following map and text constitute Amendment No. 29 to the Official Plan of the City of Toronto.

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 14, the Garrison Common North Secondary Plan is amended by deleting the extension of Northcote Avenue south of Queen Street West from Map 14-1.
2. Chapter 6, Section 14, the Garrison Common North Secondary Plan is amended by deleting the second map and all subsequent text from Site and Area Specific Policy 10.2 and replacing it with the following map and text:



On the lands identified as 2 on Map 14-1 a mix of employment and residential uses is permitted provided that employment uses are restricted to those compatible with adjacent and neighbouring residential uses in terms of emissions, odour, noise and generation of traffic.

On the lands shown in the immediately preceding map that generally lie south of Queen Street, west of Dovercourt Road and north and east of the Canadian National Railways right-of-way:

- (a) A vibrant mixed use neighbourhood will be created featuring a significant and secure concentration of non-residential uses, including creative industries, facilities and individuals supported by a high quality built environment, open spaces and public services;
- (b) A connected system of parks, publicly accessible open space, lanes and pedestrian/bicycle paths will be created;
- (c) New development will be comprised of low-rise and mid-rise buildings framing streets, parks and public accessible landscaped open spaces with good access to sunlight and skyviews;
- (d) Each new development will provide a gross floor area equal to or greater than 0.7 times the area of the lot for employment purposes comprising commercial uses and/or light industrial uses that are compatible with residential uses. In particular, the use of the lands for arts and cultural facilities and other creative industries will be encouraged;
- (e) Residential development is prohibited south of the mews until such time as the City has secured a minimum of .4 hectares of publicly owned parkland in the delineated area;
- (f) Residential development west of Abell Street and south of the mews is prohibited until such time as the City of Toronto has secured the lands for the extension of Sudbury Street;
- (g) Development on a lot that includes the planned right-of-way for the extension of Sudbury Street or Abell Street, as approximately shown on Map 14-1, will contribute lands necessary for the completion of these public rights-of-way;
- (h) In the event that Ontario Municipal Board Decisions (currently pending appeal) relating to sites known municipally as 48 Abell Street, 1171 Queen Street West and 150 Sudbury Street conflict with this policy, the Ontario Municipal Board Decisions will prevail;
- (i) The following will be prepared and adopted:
 - (i) urban design guidelines;

- (ii) a community improvement and greening strategy to identify improvements to streets, sidewalks, boulevards and open spaces; and
 - (iii) an environmental strategy to identify any necessary site and building clean-remediation and appropriate separation/buffering from rail corridors;
- (j) Northcote Avenue will be extended south of Queen Street West to the Sudbury Street extension as a publicly accessible landscaped open space, view corridor and direct and convenient pedestrian and bicycle connections. This extension will:
- (i) have a minimum width of 11 m along its full length,
 - (ii) be located on axis with the centre line of Northcote Street ; and
 - (iii) include a larger landscaped open space with minimum dimensions of 80 metres (north-south) by 18 m (east-west);
- Any extension of Northcote Avenue as a publicly accessible landscaped open space through a building will provide a minimum clear height for the opening of 7.5 metres, and the maximum depth of the building at the extension shall be no more than 22 metres;
- (k) The existing east-west lane south of Queen Street West, including both public and private lane sections, will be secured as a publicly accessible mews, providing landscaped open space and pedestrian/bicycle connections, with primarily non-residential uses at grade, especially arts-related uses;
- (l) Development along Queen Street West and the mews will be massed and articulated to respect and reinforce the traditional rhythm of narrow lot frontages and retail bays;
- (m) In accordance with Policy 8 of Section 5.1.1, the owner of any development which achieves a residential density greater than 2.0 times the lot area or exceeds the building envelopes set out in the applicable by-law, will be requested to provide one or more of the following priority community benefits within the area:
- i) artist live/work units which are deeded to the City of Toronto or to a not-for-profit arts-space management organization, such as but not limited to Artscape;
 - ii) affordable artist work studios for artists or arts-related organizations including but not limited to performance venues, galleries, studios and workshops which are deeded to the City of Toronto or to a not-for-profit arts-space management organization, such as but not limited to Artscape;
 - iii) heritage restoration and conversion of the Carnegie Library building (1115 Queen Street West) to accommodate performance space and community meetings; and
 - iv) a cash contribution to Artscape or other non-profit art-space provider for the purchase or development of affordable live/work units and/or affordable artist work studios.

Although Section 37 agreements or other agreements may be used to secure the planned street system, streets are not considered a public benefit for purposes of Section 37 of the Planning Act.

Attachment 7: Draft Zoning By-law

WHEREAS, pursuant to Section 36 of the *Planning Act*, the Council of the Municipality may, in a by-law passed under Section 34 of the *Planning Act*, by the use of a holding symbol “H” (or “h”) in conjunction with a use designation, set out the use of the lands, buildings, or structures may be put prior to and following removal of the holding symbol “H” (or “h”); and

WHEREAS Council has adopted the results of the West Queen West Triangle Area Study, which include rezoning the lands in the West Queen West Triangle to create a mixed use neighbourhood of low and mid-rise buildings with appropriate public infrastructure;

WHEREAS the use of the holding symbol for the West Queen West Triangle is deemed appropriate with respect to the provision of parkland and roads;

1. By-law 438-86 as amended is further amended by:
 - (1) Amending Appendix A, Map 49G-321 and Map 49G-322 to rezone lands shown within the heavy lines on Map 1 of this exception from MCR T 3.0 C 1.0 R 2.5, I1 D3, I2 D3, R3 Z1.0 and R4 Z4.0 to RA, RA(h) and G as shown on Map 2 of this exception.
 - (2) Adding the following exception to Section 12.2:

_____ On the lands outlined by a heavy line and identified as the *West Queen West Triangle Lands* on Map 1 to this section, no person shall use any land or erect or use any building or structure that does not comply with the following:

1. HOLDING PROVISIONS

The lifting of the “H” (or “h”) will be subject to securing a minimum of 0.4 hectares of parkland in the *West Queen West Triangle Lands* to the satisfaction of the General Manager, Parks, Forestry and Recreation.

The lifting of the “H” (or “h”) on lands west of Abell Street will also be subject to securing the land for the Sudbury Street extension from its current terminus west of Lisgar Street to the intersection of Queen Street West and Gladstone Avenue as shown on Map 3 of this exception and securing funding for the construction of the Sudbury Street extension and the timing of the construction to the satisfaction of the General Manager, Transportation Services.

While the “(h)” Holding Symbol is in place, the zoning which was in place on the date prior to the passing of the bylaw to approve this exception will

continue to apply. Upon lifting of the “(h)” symbol, pursuant to Section 36 of the Planning Act, permissions shall be as set out in this exception.

2. EXCEPTIONS FROM ZONING BY-LAW 438-86

1. The following sections of Zoning By-law 438-86 do not apply to any building or structure to be erected or used within the *West Queen West Triangle Lands*:

- Section 4 (2) (a) (i), (ii) and (iii)
- Section 4 (5) (k)
- Section 4 (5) (l)
- Section 4 (16)
- Section 7 (2)
- Section 7 (3) Part I
- Section 7 (3) Part II (1)
- Section 7 (3) Part II (3) through (7)
- Section 7 (3) Part IV

2. The following definitions in Section 2 of Zoning By-law 438-86 shall be replaced by the definitions in Section 15 of this exception:

- i.. *artist live/work studio*;
- ii. *grade*;
- iii.. *height*;
- iv. *residential amenity space*; and
- v. *street-related retail and service uses*.

3. PERMITTED USES

Notwithstanding the uses permitted in the RA zone by Section 7 (1) (f) of Zoning Bylaw 438-86, as amended, only the uses listed in the chart below and accessory uses thereto are permitted within the lands zoned RA and indicated by the heavy lines on Map 2 of this exception.

A use is permitted by the chart below when the letter “P” is set in the line opposite the use.

A use is permitted by the chart when the letter “q” followed by a number or numbers is set in the line opposite the use but only subject to the qualification or qualifications forming part of subsection 3 of this exception bearing the number or numbers that follow the letter “q”.

Uses accessory to a use that is permitted by the chart are themselves permitted by the chart as accessory uses when an asterisk is set in the line opposite the designation of the use and in the column under the heading “Acc.”.

a)	RESIDENTIAL USES		Acc.	RA
	(i)	HOUSING COMPRISING DWELLING UNITS		
		Any of the uses permitted in a RA district in section 7(1)(f)(a)(i)	*	Q1, Q2,

				Q3, Q9
		<i>Artist live/work unit</i>	*	P
	(ii)	SHARED HOUSING CONTAINING DWELLING ROOMS		
		Any of the uses permitted in a RA district in section 7(1)(f)(a)(ii)	*	Q1, Q2, Q3, Q9, Q10
	(iii)	ASSOCIATED / ACCESSORY RESIDENTIAL USES		
		Any of the uses permitted in a RA district in section (7)(1)(f)(a)(iii)	*	Q1, Q2, Q3
(b)		NON-RESIDENTIAL USES		
	(i)	PARKS, RECREATION, PLACES OF AMUSEMENT AND ASSEMBLY		
		Any of the uses permitted in a RA district in section (7)(1)(f)(b)(iv) except: A. arena, stadium, racetrack	*	P
	(ii)	COMMUNITY SERVICES, CULTURAL AND ARTS FACILITIES		
		Any of the uses permitted in a RA district in section (7)(1)(f)(b)(ii) except: A. a premises of a <i>charitable institution, non-profit institution</i> or other community or social agency are permitted only subject to the additional qualifications; B.	*	Q6
	(iii)	GENERAL INSTITUTIONS		
		Any of the uses permitted in a RA district in section (7)(1)(f)(b)(iii)	*	P
	(iv)	RETAIL AND SERVICE SHOPS		
		Any of the uses permitted in a RA district in section (7)(1)(f)(b)(iv) except C. <i>entertainment facility</i> is not permitted; and D. <i>restaurants, take-out restaurants, bake-shops, caterer's shop, retail stores, showrooms and courier services</i> are permitted only subject to the additional qualifications		Q4, Q5, Q11
	(v)	WORKSHOPS AND STUDIOS		
		Any of the uses permitted in a RA district in section (7)(1)(f)(b)(v)	*	P
	(vi)	OFFICES		
		Any of the uses permitted in a RA district in section (7)(1)(f)(b)(vi)	*	P

	(vii)	AUTOMOBILE RELATED USES		
		<i>Parking area</i>	*	P
		<i>Parking garage</i>	*	P
		<i>Parking stacker</i>	*	Q7
		<i>Private garage</i>	*	P
		<i>Taxicab stand or station</i>	*	P
	(viii)	WAREHOUSING AND STORAGE		
		<i>Cold storage locker plant</i>		P
		<i>Cold storage plant</i>		P
		<i>Storage warehouse, class A</i>		P
		<i>Wholesaling establishment – general</i>		P
	(ix)	INDUSTRIAL WORKSHOPS		
		<i>Bookbinder’s shop</i>		P
		<i>Carpenter’s shop</i>		P
		<i>Contractor’s shop, class A</i>		P
		<i>Sheet metal shop</i>		P
		<i>Welder’s shop</i>		P
		<i>Open air market</i>		P
	(x)	MANUFACTURING AND RELATED USES		
		<i>Bakery</i>		P
		<i>Brewery</i>		P
		<i>Ceramics factory</i>		P
		<i>Fur goods factory</i>		P
		<i>Garment factory</i>		P
		<i>Manufacturing plant</i>		P
		<i>Metal wares factory</i>		Q8
		<i>Packaging plant</i>		P
		<i>Pharmaceutical factory – secondary</i>		P
		<i>Printing plant</i>		P
		<i>Winery</i>		P
	(ix)	MISCELLANEOUS USES		
		<i>Animal hospital</i>		P
		<i>Commercial bakery</i>	*	P
		<i>Commercial school</i>	*	P
		<i>Hotel</i>	*	P
		<i>Market gardening</i>		P
		<i>Massage establishment</i>	*	P
		<i>Newspaper plant</i>	*	P
		<i>Ornamental structure</i>		P
		<i>Public transit</i>	*	P
		<i>Trade school</i>	*	P
		<i>Undertaker’s establishment</i>	*	P

Qualifications to be complied with before certain uses are permitted within the Reinvestment Area (RA) District:

1. No residential uses are permitted unless a minimum non-residential density of 0.7 times the area of the *lot* is provided. For the purpose of

calculating the minimum non-residential density, non-residential uses are as defined in the above chart in Section 3 of this exception except:

- i) densities relating to the following uses shall not count toward meeting the minimum non-residential use requirement of this exception:
 - a) uses listed in the chart in Section 3 (b) (vii) of this exception under the heading “Automobile-Related Uses”
 - b) park;
 - c) *public park*;
 - d) *public playground*;
 - e) *open air market*;
 - f) *market gardening*;
 - g) *bicycle parking spaces*; and
 - h) *parking spaces*;
 - ii) the following residential uses shall be counted as non-residential solely for the purpose of meeting the minimum non-residential density requirement of this section of the exception:
 - (a) *artist live/work studios*; and
 - (b) any portion of the indoor *residential amenity space* which is the subject of a shared use agreement to allow use of the space by a non-profit community or arts organization but with access for meetings or other events in a portion of the space at least 26 days per year by the residents of the building.
2. No residential uses are permitted unless appropriate measures are taken to meet noise, vibration and safety requirements relating to the rail corridor, to the satisfaction of the Chief Planner.
 3. No person shall erect or use a structure having more than one basement or floor level below or partly below *grade* containing *dwelling units*.
 4. *A bake-shop, caterer’s shop, restaurant or take-out restaurant* are permitted uses and a *patio* may be provided in connection therewith except:
 - i) no person shall use for the purposes of a *patio*:
 - a) any portion of the building above the first *storey*;
 - b) any part of the roof of a building containing one of those uses; or
 - c) outdoor areas designated on Map 5 as *publicly accessible landscaped open space* outside of the *mews*; and
 - d) a portion of the *lot* between the building in which the associated *bake-shop, caterer’s shop, restaurant or take-out restaurant* is located and a *lot* abutting or within 10 metres of an ‘R’ district; and
 - ii) no person shall use any building or portion of a building for the purpose of a *bake-shop, caterer’s shop, restaurant or take-out restaurant* or combination thereof where the *non-residential gross floor area* of the building or portion thereof of any single

establishment used for one of these purposes exceeds 300 square metres.

5. A *retail store* or *showroom* is permitted provided:
 - i) the total frontage of any one *retail store* or *showroom* establishment fronting onto Queen Street West or the *mews* is limited to no more than 15 metres; and
 - ii) one grocery store with a total *non-residential gross floor area* between 1800 square metres and 3000 square metres is permitted within the *West Queen West Triangle Lands*;
 - iii) the total *non-residential gross floor area* of any one retail store or showroom in the West Queen West Triangle is limited to no more than 1800 square metres; and
 - iv) notwithstanding ii) and iii) above, the total *non-residential gross floor area* of any one *retail store* or *showroom* fronting onto Queen Street West or the *mews* is limited to no more than 465 square metres;
6. The premises of a *charitable institution*, *non-profit institution* or other community or social agency are permitted uses provided they are used for the purpose of providing a community service such as, but not limited to, employment, immigration, counselling, welfare or legal services.
7. A *parking stacker* is permitted, provided:
 - i) it is *accessory*; and
 - ii) it is located within a building.
8. A *metal wares factory* is permitted provided the use does not exceed 475 square metres.
9. One or more *dwelling units* or *dwelling rooms* in a building is permitted provided the building contains uses that are permitted in the RA district in which the building is located.
10. A *rooming house* is permitted provided the aggregate number of *dwelling rooms* and *dwelling units* does not exceed 25.
11. A *courier service* is permitted provided the *non-residential gross floor area* does not exceed 150 square metres.

4. USES AT GRADE

1. No person shall erect or use a building or structure fronting onto the *mews* or Queen Street West for any purpose unless:
 - i. *street related retail and service uses* are provided;
 - ii. at least 60 percent of the aggregate width of any building facades facing onto the *mews* is used for *street-related retail and service uses* and/or for the purpose of an *artist's or photographer's*

studio, custom workshop, performing arts studio, public art gallery or commercial school at the main floor level of the building;

- iii. at least 60 percent of the aggregate width of any building facades facing onto Queen Street West is used for *street-related retail and service uses* at the main floor level of the building; and
- iv. the maximum frontage of individual establishments for *street related retail and service uses* fronting onto Queen Street West does not exceed 15 metres; and

5. BUILDING ENVELOPES AND MAXIMUM HEIGHTS

- 1. Notwithstanding the “Height and Minimum Lot Frontage” Maps 49G-321 and 49G-322 contained in Appendix ‘B’ of Zoning By-law 438-86, as amended, no person shall erect or use a building or structure on the lands shown on the *West Queen West Triangle Lands* unless any portion of such building or structure located at or above ground is erected within the heavy lines shown on Maps 4A through 4J and provided the following paragraphs are complied with:
 - i) No person shall erect or use a building or structure on the *West Queen West Triangle Lands*, having a greater height in metres than the height limit specified by the numbers following the symbol “H” as shown on Maps 4A through 4J inclusive that form part of this exception;
 - ii) For clarity, where either no height limit or a height limit “H 0” is specified, no buildings or structures are permitted.
 - iii) For properties municipally known in 2006 as 1075-1089, 1115 and 1117 Queen Street West, the permitted heights and building envelopes are the heights and envelopes of the legally existing buildings and structures as of the date prior to the passing of this exception;
 - iv) Despite paragraph i) above, no building elements shall exceed the height limits on Maps 4A through 4J except a stair tower and/or elevator enclosure provided:
 - a. the maximum height of the top of such elements is no higher than the sum of 3.0 metres and the applicable height limit; and
 - b. the combined area of the stair tower and/or elevator enclosure does not exceed 30 square metres; and
 - c. the stair tower and/or elevator enclosure is not located within 3.0 metres of the adjacent outside face of the wall.

- v) Notwithstanding ii) above, no person shall, within the *West Queen West Triangle Lands*, erect a building or structure above finished ground level closer to a lot line than the heavy lines indicated on Maps 4A through 4J except:
- a. stairs (excluding stairs providing access to underground areas), landscape features, and wheelchair ramps; and
 - b. the permitted projections outlined in the chart below:

PROJECTING STRUCTURES	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	ADDITIONAL QUALIFICATIONS
A. eaves, cornices, ornamental elements, architectural details,	Beyond the lines shown on Map 4A -4J	0.45 metres from the wall to which it is attached	(I) must comply with the angular plane rising at a 45 degree angle from 13 metres above the south property line of the Queen Street West right-of-way
B. uncovered platform that is <i>landscaped open space</i> and is less than 1.2m above finished grade	Beyond the lines on the Maps 4A-4J	2.5 metres from the wall to which it is attached	(I) not permitted in the <i>mews</i> or on Queen Street West (II) not permitted in <i>publicly accessible landscaped open space</i>
C. porch (covered platform) that is <i>landscaped open space</i> and is less than 1.2 m above finished grade	Beyond the lines on the Maps 4A-4J	2.5 metres from the wall to which it is attached	(I) not permitted in the <i>mews</i> or on Queen Street West (II) not permitted in <i>publicly accessible landscaped open space</i> ;
D. canopy	Beyond the lines on the Maps 4A-4J	2.5 metres from the wall to which it is attached	(I) must comply with the angular plane rising at a 45 degree angle from 13 metres above the south property line of the Queen Street West right-of-way
E. fences, safety railings and wind mitigation structures	Beyond the lines shown on Maps 4A-4J		(I) must comply with the angular plane rising at a 45 degree angle from 13 metres above the south property line of the Queen Street West right-of-way (II)if within 1.2 m of grade, height of fence or safety railing not to exceed 1.2 metres above finished ground level
F. balconies	Beyond the lines on the Maps 4A-4J	0.45 metres from the wall to which it is	(I) must comply with the angular plane rising at a 45 degree angle from 13

		attached	metres above the south property line of the Queen Street West right-of-way (III) combined width of all projecting bay windows and balconies on a façade at a given <i>storey</i> not to exceed 50% of the length of that façade at that <i>storey</i>
G. bay windows	Beyond the lines on the Maps 4A-4J	0.45 metres from the wall to which it is attached	<p>((I) must comply with the angular plane rising at a 45 degree angle from 13 metres above the south property line of the Queen Street West right-of-way</p> <p>(II) width of bay window, as measured where the window joins the wall, not to exceed 3.0 metres</p> <p>(III) combined width of all projecting bay windows and balconies on a façade at a given <i>storey</i> not to exceed 50% of the length of that façade at that <i>storey</i></p>

- (iv) No building or structure shall be erected which does not have:
- a. a minimum of 2 *storeys*; and
 - b. a minimum first *storey* floor-to-floor height of 4.5 metres where fronting onto Queen Street West.
 - c. a minimum stepback of 2.0 metres on all sides of all buildings, at a *height* between 12.0 metres and 14.0 metres, except a stepback is not required on any building faces adjacent to the rail corridor located at 55 Sudbury Street and/or 99 Sudbury Street;
 - d. notwithstanding c) above, for buildings fronting onto Queen Street West located between Gladstone Avenue and Abell Street, no stepback is required on the east and/or west sides of a building if that side of the building does not abut a public street or a planned public street;
- (v) Subject to the above, no person shall erect a building or structure abutting Queen Street West unless the building or structure is erected such that one or more of its walls abutting Queen Street West:

- a. is built to the Build-To Line shown on Maps 4A, 4B, 4C, 4G and 4I for at least 80% of the frontage onto Queen Street West with a minimum building *height* of 12 metres at the Build-To Line.
- (vi) All parts of any building or structure must be located within a southward 45 degree angular plane rising from a line located at a height of 13 metres, above the south property line of the Queen Street West right-of-way. Where the angular plane is more restrictive than any other building envelope provisions of this exception, the angular plane provisions will prevail, with the exception of the 27 metre *height* limit area shown on Map 4I of this exception.
- (vii) No buildings or structures are permitted within 5.5 metres of the north and west limits of any lands dedicated to the City for public park purposes on the property municipally known in 2006 as 150 Sudbury Street;
- (viii) Taller building elements are shown in specific locations on the properties municipally known in 2006 as 48 Abell Street, 2-90 Lisgar Street, 1171 and 1171R Queen Street West and 150 Sudbury Street only as per Maps 4D, 4H, 4I and 4J. The maximum tower floor plates are set out in the following table:

Property	Maximum gross floor area of tower
48 Abell Street	750 square metres
2-90 Lisgar Street	800 square metres
1171 and 1171R Queen Street West	800 square metres
150 Sudbury Street	800 square metres

- (ix) No person shall erect or use a building or structure any part of which is located closer than 11 metres to a wall of a building on the same lot, excluding exterior walls which form an angle of 90 degrees or greater to each other on a horizontal plane.
- (x) No person shall erect or use a building or structure with windows from residential dwelling units which are closer than 5.5 metres to the centreline of a public lane, unless:
 - a. the window or windows are from a kitchen or bathroom;
 - b. the building existed prior to the date of passing of this exception; or

- c. the window or windows are at an angle of 90 degrees or greater to the centreline of the public lane.
- (xi) No person shall on any lot erect or use any building or any portion thereof for any use unless:
 - (i) the main floor is located no less than 0.2 metres below or 1.2 metres above the level of the sidewalk or publicly accessible area directly opposite the entry to the unit;
 - (ii) the main floor level has a depth of not less than 7.5 metres measured from the main front wall of the building and a width of at least 60% of any street frontage of the building or frontage onto a publicly accessible area of the building;
 - (iii) all exterior entrance doors, other than service entrance doors, which provide access to a non-residential use within the building, shall be directly accessible from the public sidewalk or the publicly accessible landscaped open space opposite the door by a level surface or a ramp not exceeding a gradient of 1 in 25 (4%); and
- (xii) No person shall erect or use a structure having more than one basement or floor level below or partly below grade containing dwelling units.

6. PEDESTRIAN OPENINGS

1. Pedestrian openings are required in certain locations. Pedestrian openings must be:
 - i) open to the air;
 - ii) 11 metres wide; and
 - iii) either open to the sky or provide a clear height of 6 metres for the full width of the opening.
2. A direct and clear 5 metre wide unencumbered pedestrian right-of-way (ROW), within which no structures or *patios* are permitted, must be provided through each 11 metre wide pedestrian opening.
3. Map 5 indicates the locations of required pedestrian openings. The location of the 11 metre wide pedestrian opening and unencumbered 5.0 metre pedestrian R.O.W. at 1171 Queen Street West are specific. All other pedestrian opening and unencumbered pedestrian ROW locations are approximate.
4. Notwithstanding subsection 1 (iii) above, the minimum clear height for the required pedestrian opening at 1171 Queen Street West is 7.5 metres for the full width of the opening.

5. The pedestrian and bicycle connection at 1171 Queen Street West from Queen Street West to Sudbury Street shall be a direct north-south connection of a minimum of 3 metres in width, without stairs and with a maximum slope of 1:12 to meet minimum wheelchair accessibility standards.

7. LANDSCAPED OPEN SPACE

1. Specific minimum *landscaped open spaces at grade* are indicated on Map 5 for the following sites:
 - i. 48 Abell Street;
 - ii. 1171 Queen Street West; and
 - iii. 150 Sudbury Street.
2. For sites where specific minimum *landscaped open spaces* are not indicated on Map 5, the minimum *soft landscaping* area is 30% of the site. For the purposes of this exception, landscaped open spaces both at and above grade, including *soft landscaping* on rooftops (passive and active green roofs), will count toward fulfilling the *landscaped open space* requirement.
3. Map 5 indicates lands to be used for *publicly accessible landscaped open space*.

8. PARKING

1. Notwithstanding the provisions of Section 4(4)(b) of Zoning By-law 438-86, as amended:
 - i) a minimum number of parking spaces for residents shall be provided and maintained on the lot for residential uses according to the following table:

Unit type	Minimum parking spaces
Bachelor Unit	0.3 per unit
1 Bedroom Unit	0.7 per unit
2 Bedroom Unit	1.0 per unit
3 or more Bedroom Unit	1.2 per unit
<i>affordable</i> Bachelor Unit	0.3 per unit
<i>affordable</i> Unit with 1 or more Bedrooms	0.5 per unit
<i>live/work unit</i>	1.0 per unit
<i>artist live/work unit</i>	0.3 per unit

- ii) a minimum number of *parking spaces* for visitors shall be provided and maintained on the *lot* which shall provide a minimum of 0.12 *parking spaces* per unit for visitors to the residential portion of the building. These visitor *parking spaces* shall:

- a. be individually designated by means of clearly visible signs as being for the exclusive use of visitors to the residential portion of the building; and
 - b. be equally available to visitors of all residents of the site;
 - c. be accessible by driveways or passageways designating the way from the street to the visitors' parking facilities which are clearly visible.
 - (iii) pursuant to (i) above, up to 10% of the *parking spaces* required by subsection i) may be *small car parking spaces*.
 - (iv) for each on-site *car-share parking space* provided on the *lot*, the minimum resident parking required by (i) above shall be reduced by *5 parking spaces*. The maximum reduction permitted by this means shall be limited to no more than 25% of the required resident parking. If after not less than a period of 3 years following the date of registration of the last condominium or the date of occupancy of the last rental unit, the car-share operation fails to be sustainable, to the satisfaction of the Chief Planner, such spaces shall revert as follows:
 - a) 51% of any such spaces shall be provided and maintained on the site as a residential visitor parking space for the exclusive use of residential visitors to the site and signed as such and equally available to all residents of the site; and
 - b) 49% of any such spaces shall be provided and maintained as a resident parking space, for the exclusive use of residents of the site
2. Parking for non-residential uses within the West Queen West Triangle Lands, shall be subject to the parking requirements of Section 4(5) of Zoning By-law 438-86, as amended, as if the site was located in the Downtown Parking and Loading Zone described in Section 4(5)(a) of Zoning By-law 438-86:
- i) notwithstanding the above, places of assembly, concert halls, community centres, performing arts centres will be required to provide parking in accordance with the following requirements:
 - a) 0 *parking spaces* for the first 300 persons as generally accommodated;
 - b) 1 *parking space* for up to 400 persons generally accommodated by the largest performance or meeting space.
 - c) 1 *parking space* for each additional 10 persons above 400 persons generally accommodated by the largest performance or meeting space.
 - ii) notwithstanding the above, *public art galleries, private art galleries, private museums* and *public museums* will be required to provide and maintain parking in accordance with the following requirements:

- a) 0 parking spaces for the first 350 square metres of *non-residential gross floor area*; and
 - b) 1 parking space per each additional 175 square metres of *non-residential gross floor area* in excess thereof.
3. Notwithstanding Section 4(13)(a) of Zoning By-law 438-86, as amended, the minimum requirement for bicycle parking shall be as described in Section 4(13) but the requirement:
 - (i) shall not be capped at 200 *bicycle parking spaces*; and
 - (ii) shall not include *bicycle parking spaces* provided within individual storage lockers.

9. RESIDENTIAL AMENITY SPACE

1. Notwithstanding the provisions of Section 4(12) of Zoning By-law 438-86, as amended, *residential amenity space* shall be provided as follows for buildings with 20 or more dwelling units a minimum of 2 square metres per dwelling unit of indoor *residential amenity space* is located in a multi-purpose room or rooms provided that at least one room or contiguous group of rooms shall:
 - i) be the lesser of 100 square metres in size or the minimum requirement;
 - ii) contain a kitchen and a washroom; and
 - iii) be adjoining and directly accessible to at least 40 square metres of the required *outdoor amenity space*.

10. HOUSING MIX

1. Any development including residential *dwelling units* shall provide:
 - i) a minimum of 25 percent of residential *dwelling units* having 2 or more bedrooms;
 - ii) a minimum of 10 per cent of any residential *dwelling units* having 3 or more bedrooms;
 - iii) a minimum of 80 per cent of any residential *dwelling units* at grade, excluding *artist live/work units* to have 2 or more bedrooms;

11. ONTARIO MUNICIPAL BOARD DECISIONS

The provisions of any Decision/Order issued by the Ontario Municipal Board pertaining to the lands at 1171-1171R Queen Street West, 48 Abell Street and 150 Sudbury Street shall prevail in the event of any conflict with the provisions of this exception.

12. SITE SPECIFIC EXCEPTIONS

1. The following site specific exceptions shall be deleted from the Index of Exceptions for all properties in the *West Queen West Triangle Lands*:
 - i. Section 12 (1) 3 (a);
 - ii. Section 12 (1) 232;
 - iii. Section 12 (1) 287;

- iv. Section 12 (1) 290;
 - v. Section 12 (2) 270; and
 - vi. Section 12 (7).
2. Site specific exception Section 12(1)3(b) shall be added to the Index of Exceptions for the properties municipally known in 2006 as 45 Lisgar Street and 1075-1085 Queen Street West.
 3. No residential uses are permitted south of the line titled “Limit of Residential Uses” as indicated on Map 4E for the properties municipally known in 2006 as 55 and 99 Sudbury Street.
 4. Site specific zoning by-law 832-2000 is hereby repealed and the associated exception deleted from the Index of Exceptions for the property municipally known in 2006 as 150 Sudbury Street.

13. IMPLEMENTATION

[City Planning continues to work on drafting this section of the Zoning By-law, in consultation with other City Departments.

1. Community Benefits under Section 37 of the Planning Act

This section will direct Section 37 funds to capital facilities which enhance the area’s role as a arts employment cluster, including but not limited to:

- *affordable work spaces and affordable live/work spaces for artists owned and operated by the City or a not-for-profit artspace management organization such as Artscape, and*
- *the renovation and restoration of the Carnegie Library building at 1115 Queen Street West for use as a performing arts hub and community meeting space;*

The community benefits above will be requested in relation to the portion of residential density on any lot which achieves a residential density exceeding 2.0 times the area of the lot.

2. Additional matters to be secured through Section 37 agreements

Section 37 agreements will also be used as a mechanism to secure other aspects of the development, such as but not limited to the mews and other publicly accessible landscaped open spaces, wind mitigation measures if necessary and irrigation systems for street trees.

3. Lands for Parks and Roads

This section will make clear which lands are going to be used for parkland (on-site dedications and off-site acquisitions) and which lands are going to be used for new streets (conveyances as part of development applications and other acquisitions by the City).

In general:

- *lands to be dedicated to the City as roads are identified on Maps 1A, 1D, 1F, 1H, 1I and 1J and on Map 3;*
- *lands to be dedicated to the City as parkland are identified on Map 1J; and*
- *lands to be dedicated for lane widenings are not indicated on these maps.*

Where development occurs on a property abutting a public lane which is less than 6.0 metres wide, a lane widening will be required which is sufficient to immediately provide a minimum lane width of 6.0 m adjacent to that site.

4. *Noise, Vibration and Safety Measures relating to the rail corridor*

This section will set out the requirements for residential uses within the Triangle to meet noise, vibration and safety requirements in relation to the rail corridor.]

14. SITE SERVICING

1. No person shall use any land or erect or use any building or structure on the lot unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - i) the land and the construction of all new public roads have been secured; and
 - ii) the installation of all water mains and sanitary sewers, and appropriate appurtenances, have been secured.

15. DEFINITIONS

All italicized words and expressions in this exception have the same meanings as defined in By-law No. 438-86 with the exception of the terms *artist live/work studio, grade, height, residential amenity space* and *street-related retail and service uses*.

The following definitions either replace the definitions listed above or provide definitions for new terms:

affordable shall mean, when used in relation to a dwelling unit, that the dwelling unit is the subject of an agreement between the City and the owner, registered on title, that the unit will be rented at no more than 1.0 times the CMHC average rate for dwelling units of similar type for a period no less than 20 years from the date of first occupancy of the unit;

affordable artist work studio shall mean a studio for the production of art and which is the subject of an agreement between the City and the owner, registered on title, that it will be rented at below market rates to a working artist or artists to the satisfaction of the Director, Business

Development and Retention for a period no less than 20 years from the date of first occupancy of the studio;

artist live/work unit shall mean a studio for the production of art containing a habitable room or room(s) and which is the subject of an agreement between the City and the owner, registered on title, that it will be rented at no more than 1.0 times the CMHC average rate for dwelling unit of similar size for a period of no less than 20 years from the date of first occupancy of the unit and inhabited only by a working artist and his or her household;

car-share means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and to use a car-share vehicle, a person must meet the membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven and do include use of cars on an hourly basis

car-share parking space means a *parking space* exclusively reserved and signed for a car used only for *car-share* purposes and such *car-share* is for the use of at least the occupants of the building;

grade shall mean the average elevation of the sidewalk or, where there is no sidewalk, of the roadway in front of the lot on which the building stands, except that for the properties listed in the table below, grade shall be defined as in the following table:

Property	Definition of <i>grade</i>
1171 Queen St. W.	For any portion of a building or structure located north of the line labelled “Grade measurement dividing line” on Map 4I, <i>grade</i> shall mean the average elevation of the sidewalk on Queen Street West adjacent to the <i>lot</i> ; For any portion of a building or structure located south of the line labelled “Grade measurement dividing line” on Map 4I, <i>grade</i> shall mean the average elevation of the sidewalk or planned elevation of the sidewalk on Sudbury Street adjacent to the <i>lot</i> ;
48 Abell St.	For any portion of a building or structure located north and east of the line labelled “Grade measurement dividing line” on Map 4H, <i>grade</i> shall mean the elevation of the sidewalk at the southwest corner of Queen Street West and Abell Street; For any portion of a building or structure located south of the line labelled “Grade measurement dividing line” on Map 4H, <i>grade</i> shall mean the average elevation of the sidewalk or planned elevation of the sidewalk on Sudbury Street adjacent to the <i>lot</i> ;
150 Sudbury St.	<i>Grade</i> shall mean the average elevation of the sidewalk or planned elevation of the sidewalk on Sudbury Street adjacent to the <i>lot</i> ;

height shall mean, the vertical distance between *grade* and the highest point of the roof or, where there is no roof, the highest point of the structure.

mews shall mean a *publicly accessible landscaped open space*, as identified on Map 5, which is primarily for the use of pedestrians and cyclists which but which may also have provisions for vehicular use at restricted hours for the purposes of servicing and loading;

residential amenity space shall mean a common area or areas within the *lot* provided for recreational and social purposes, any portion of which:

- a. is located indoors shall be provided exclusively for the use of the residents of the buildings save for any shared use agreements which may be implemented with a non-profit community organization for up to 50% of the required space; and
- b. is located outdoors shall generally, but not exclusively, be provided for the use of the residents of the building;
- c. is located outdoors cannot include a passive or otherwise inaccessible green roof.

publicly accessible landscaped open space shall mean a *landscaped open space* which is open and accessible to the public at all times;

small car parking spaces shall mean a *parking space* having a minimum unobstructed area 2.4 metres wide by 5.0 metres long which is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another motor vehicle, except the width of the parking space shall be:

- a. 2.7 metres wide where there is an obstruction on one side of the space; or
- b. 3.1 metres wide where there are obstructions on both sides of the space.

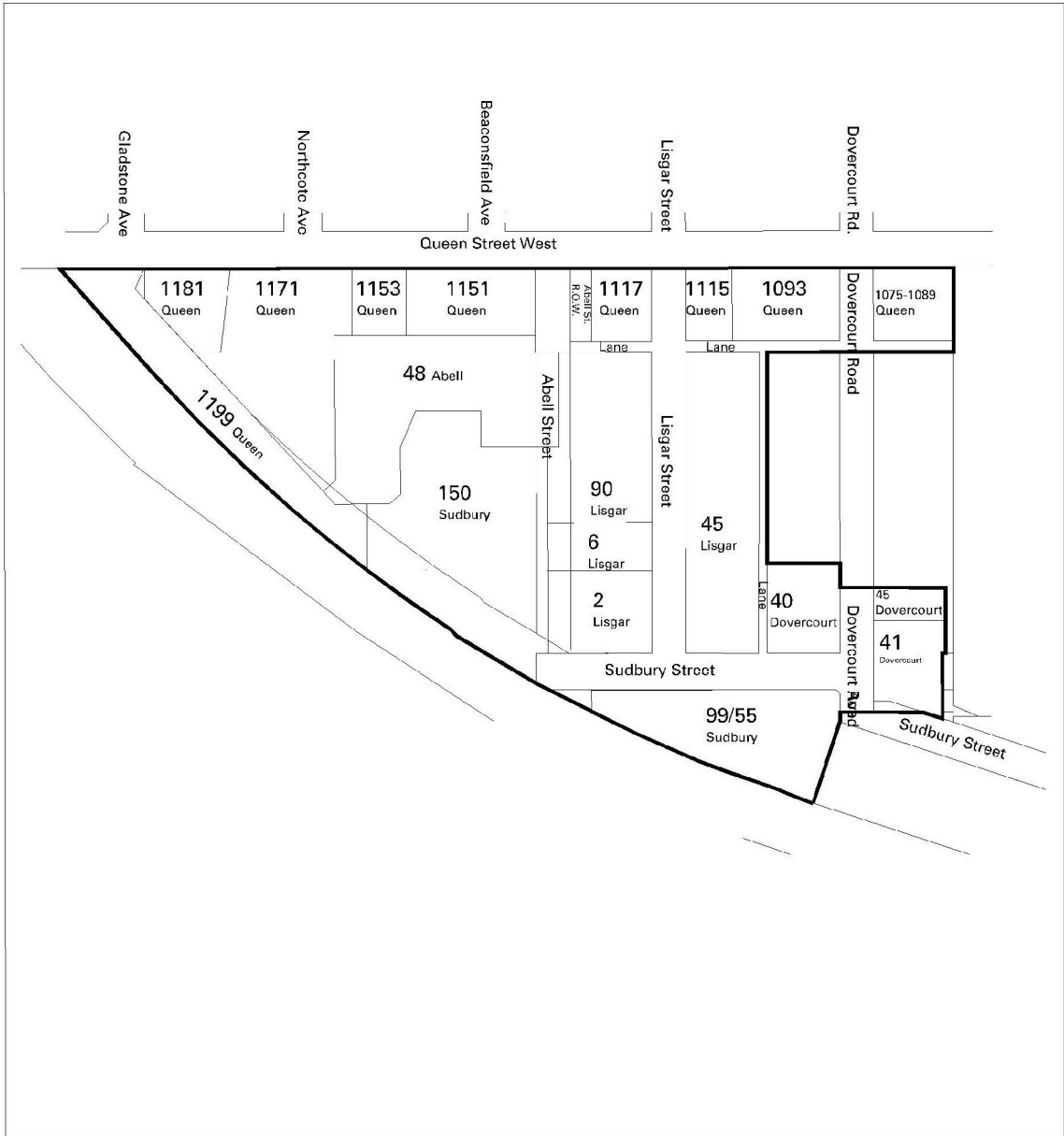
soft landscaping shall mean an open, unobstructed area that supports the growth of vegetation such as grass, trees, shrubs, flowers or other plants and, if not located on a roof, permits water infiltration into the ground.

street-related retail and service uses shall:

- a. have the same meaning as defined in Section 2 of Zoning By-law 438-86, as amended, for the portion of the building facades which face onto a public highway;
- b. mean, for the portion of building facades which face onto the *mews*, one or more of the uses listed in sections 8(1)(f)(b)(i), (ii) and (iv), other than a public park or playgrounds, where the principal public entrance to each shop or store is located in the exterior wall of the building which is directly accessible by pedestrians along a route no more than 3 metres from the *mews* and the level of the floor of the principal public entrance to each shop or store is located within 0.2 metres of the level of the *mews* opposite such entrance.

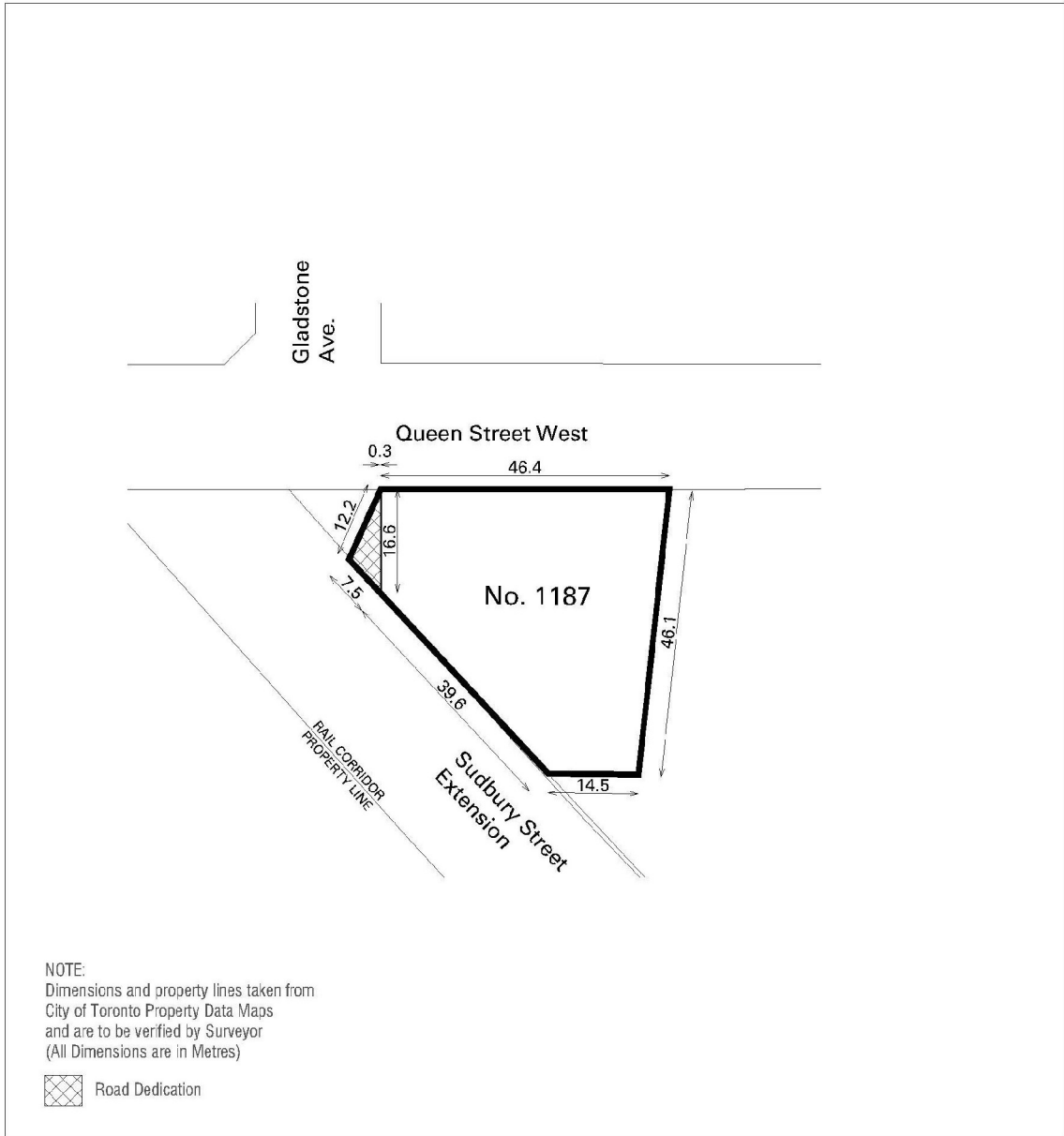
West Queen West Triangle Lands means the lands delineated by the heavy lines on Map 1 of this exception;

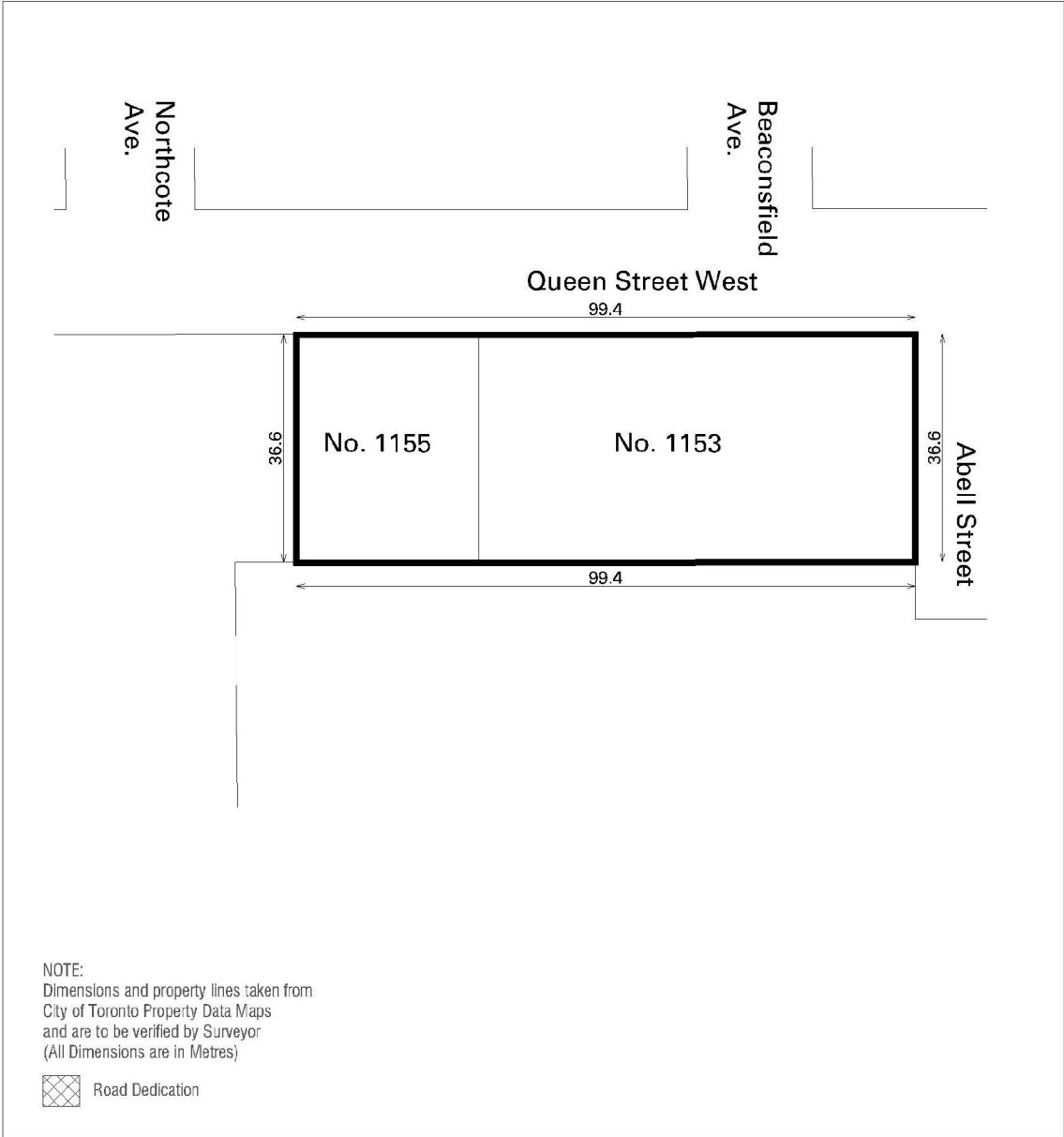
16. Despite any future severance, partition or division of the *lots* within the West Queen West Triangle lands as shown on Map 1, the provisions of this exception shall apply as if no severance, partition or division occurred.

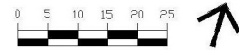
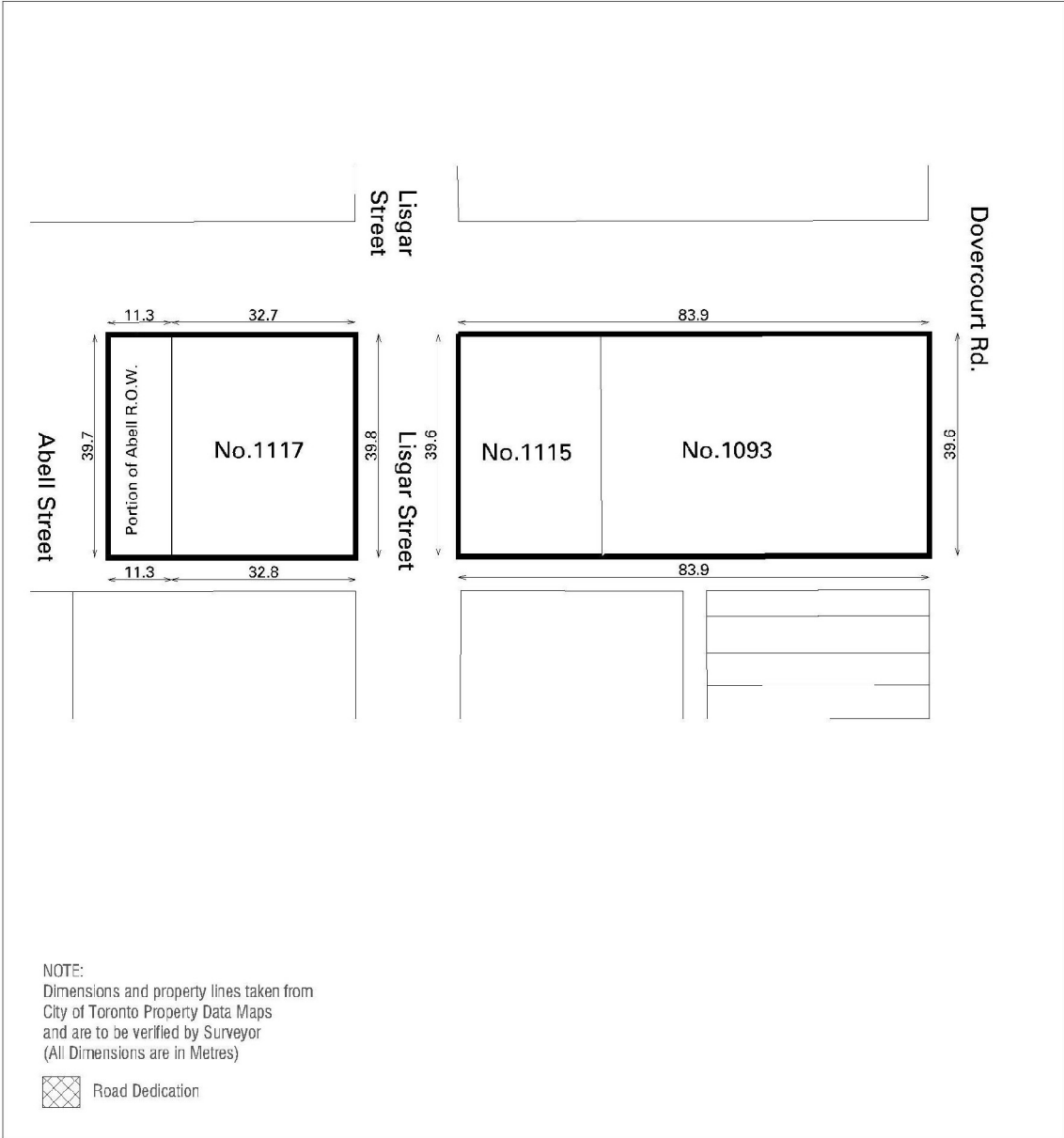


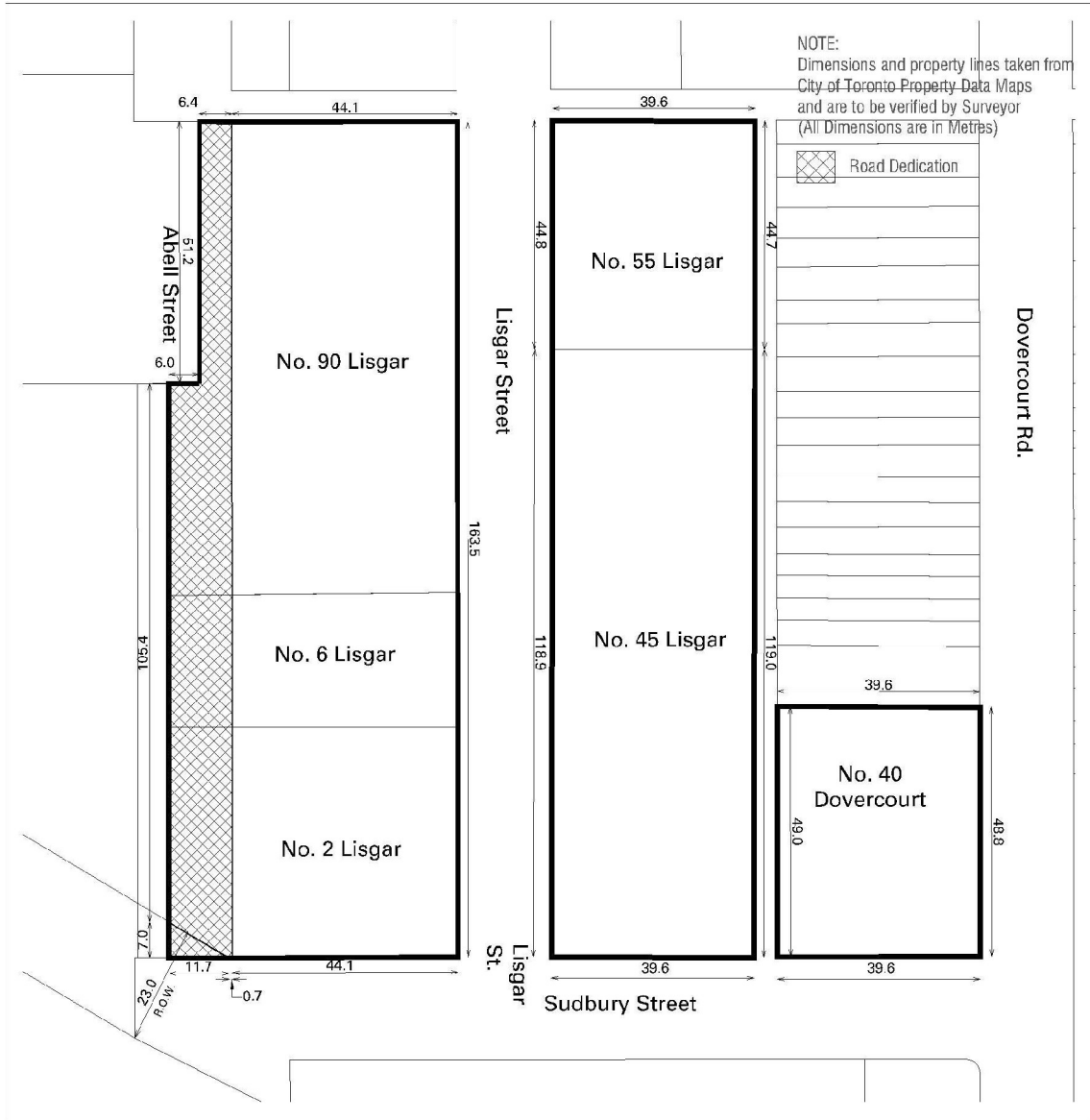
West Queen West Triangle

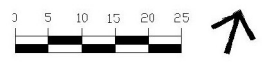
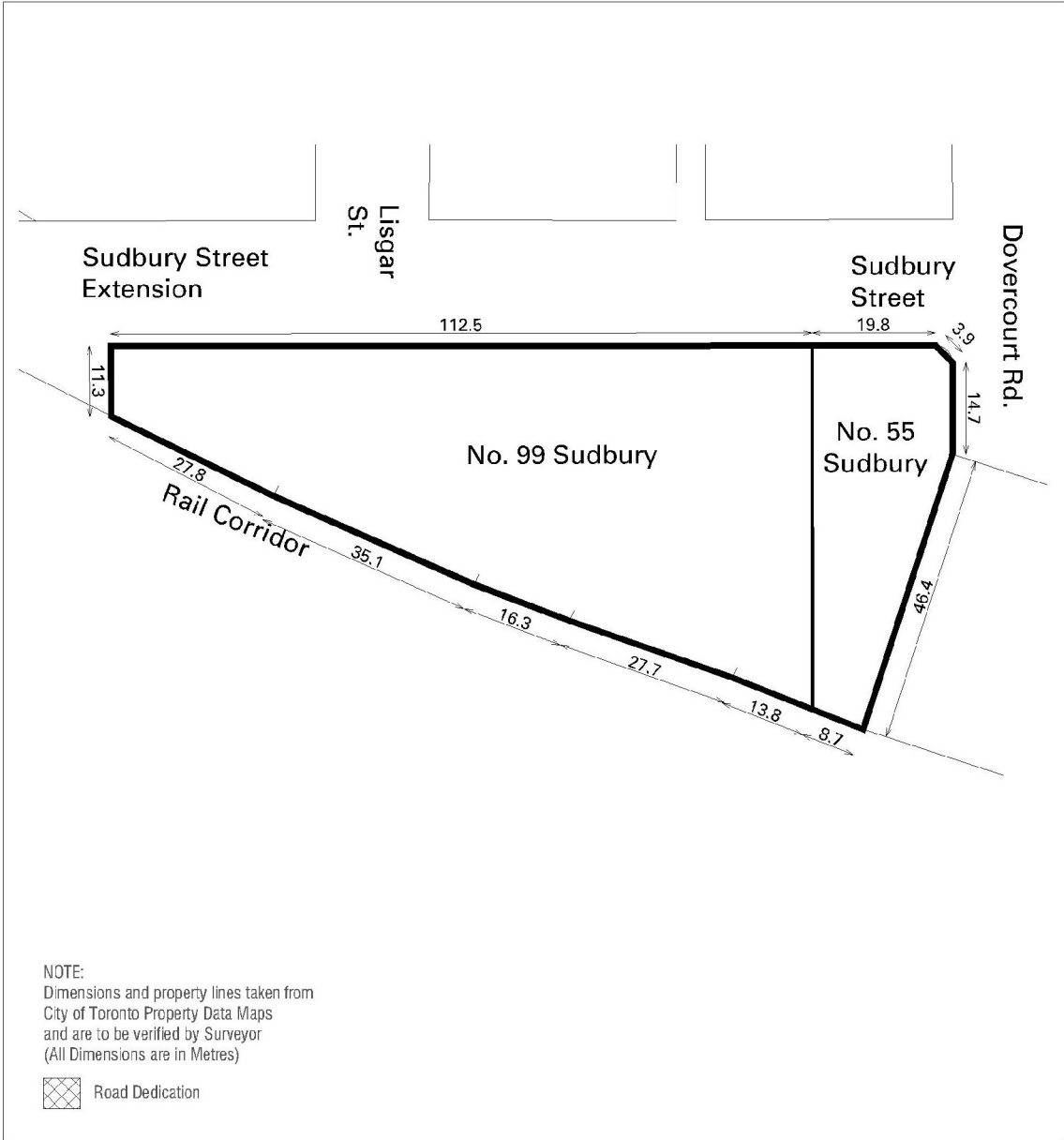


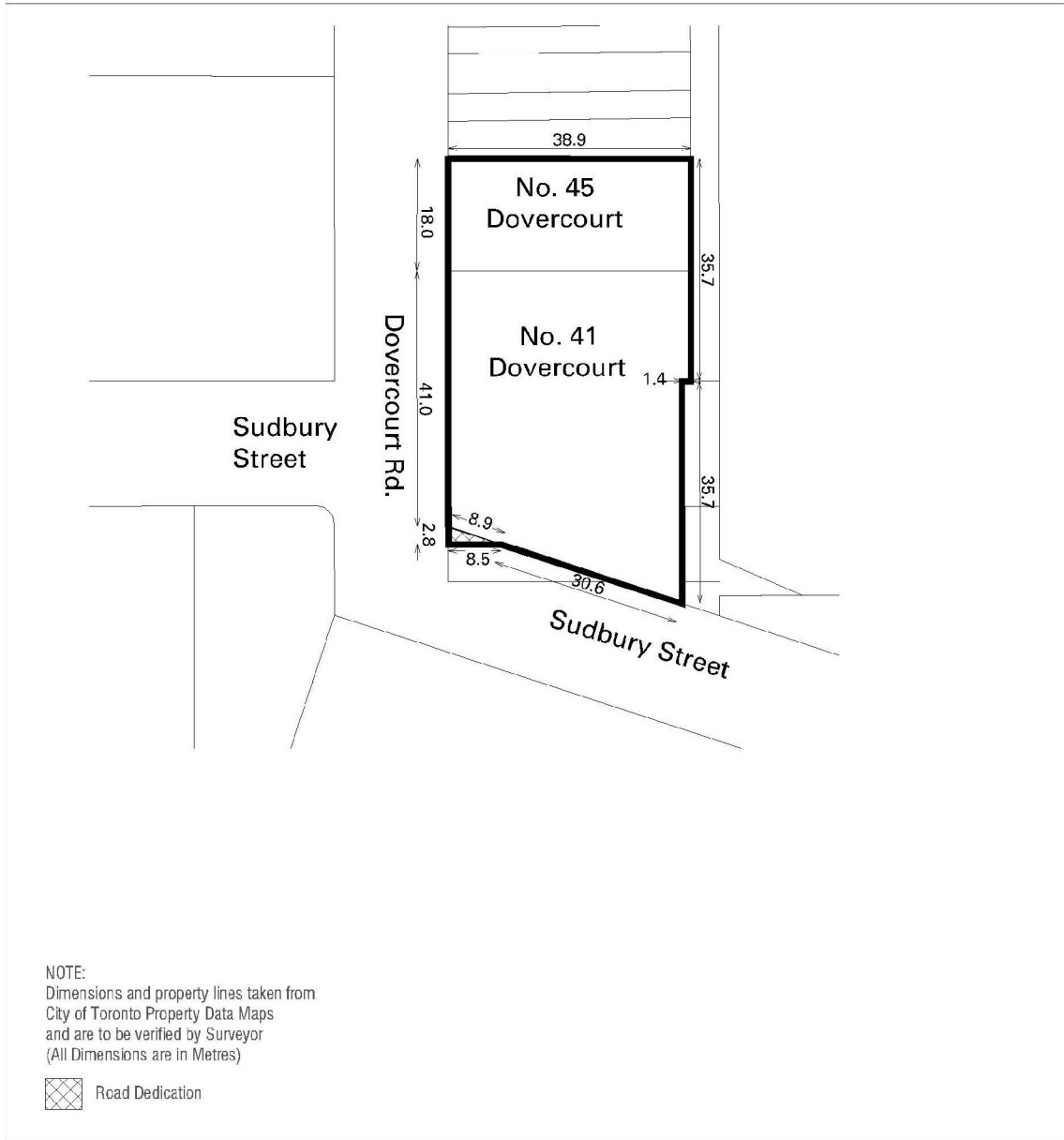


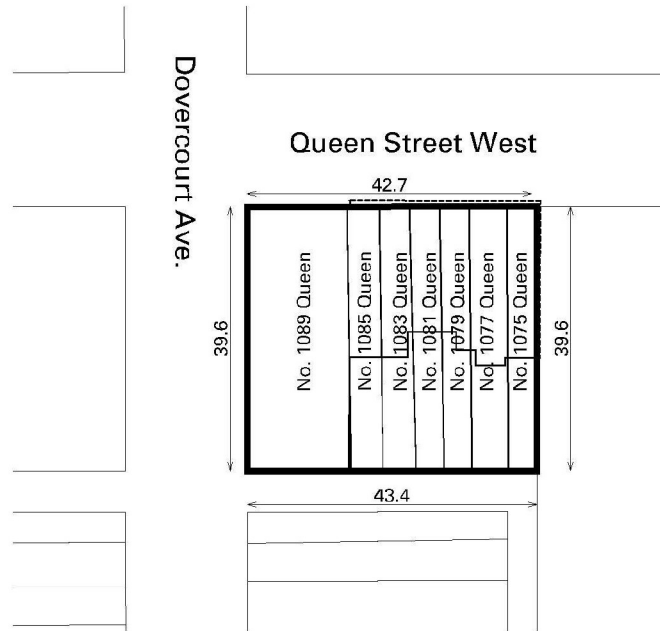








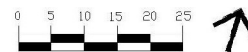
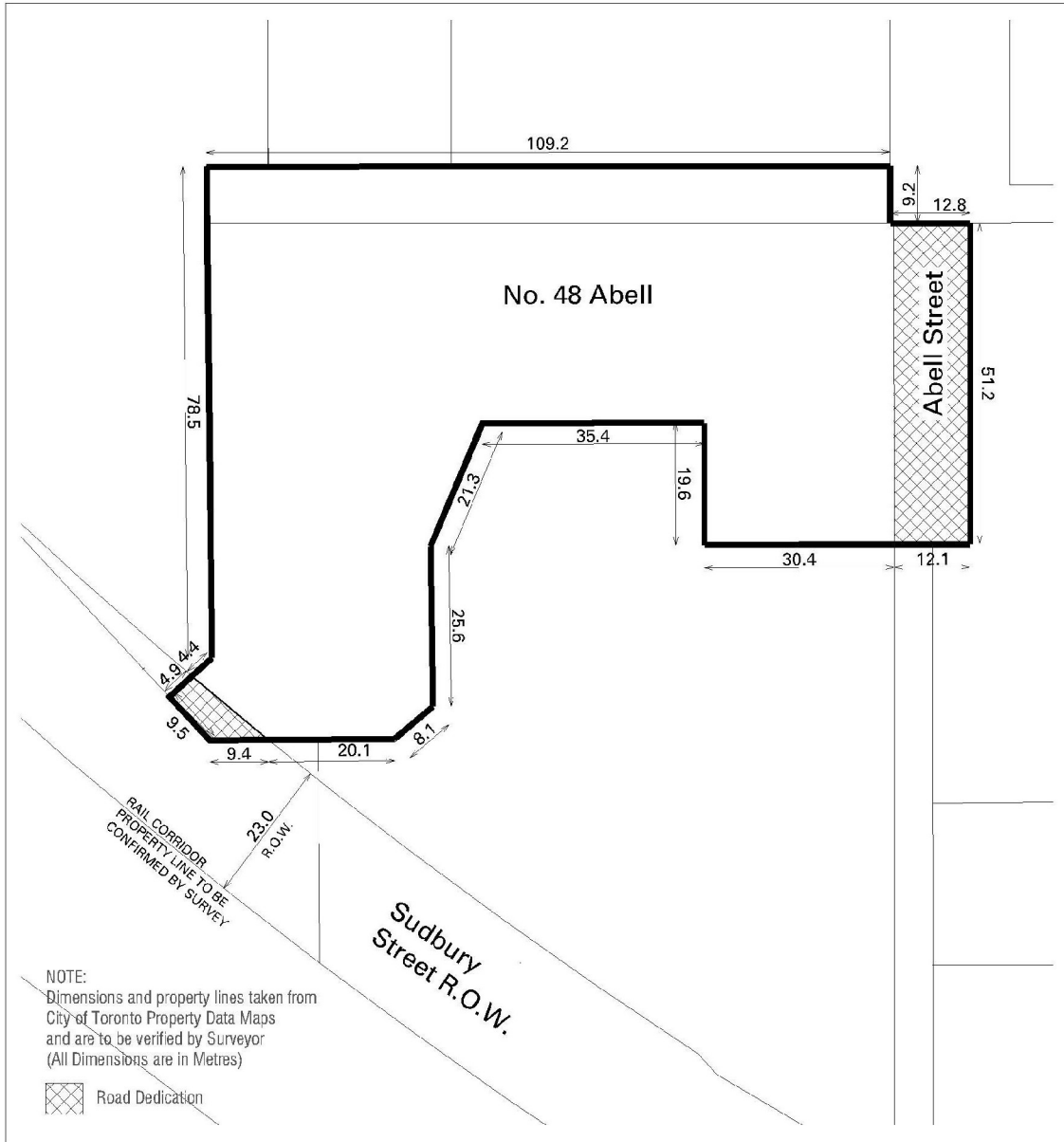


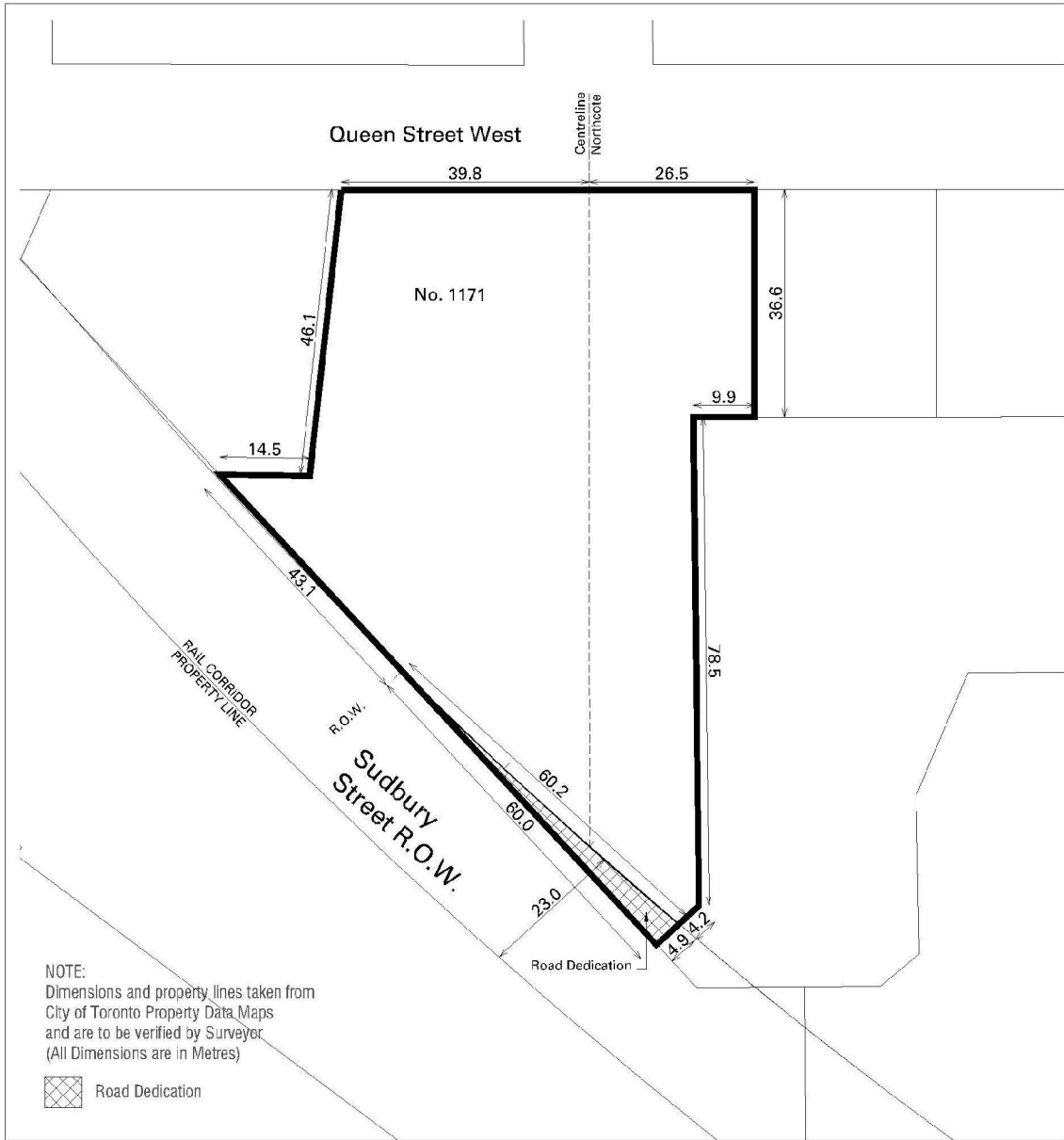


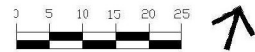
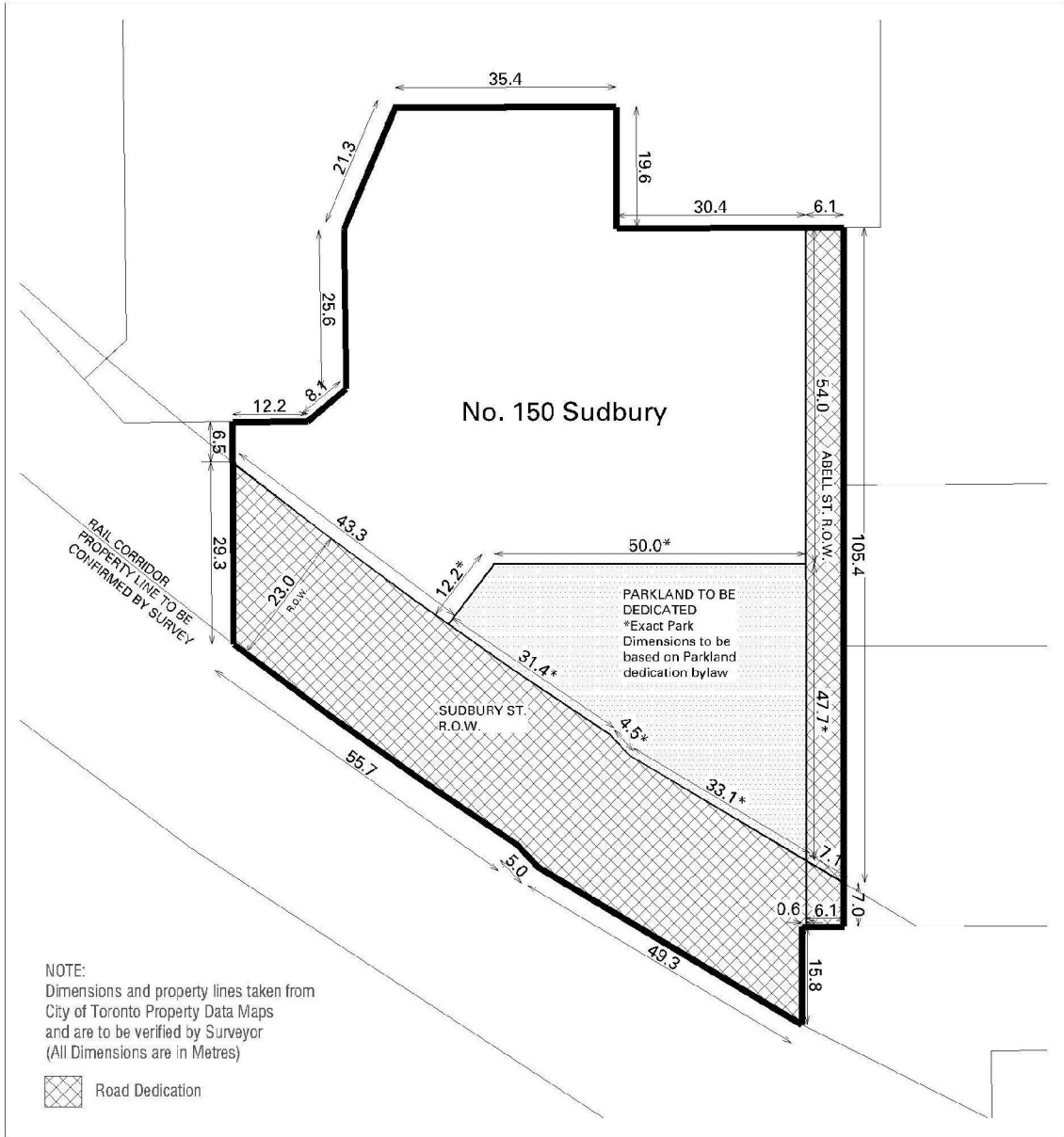
NOTE:
 Dimensions and property lines taken from
 City of Toronto Property Data Maps
 and are to be verified by Surveyor
 (All Dimensions are in Metres)

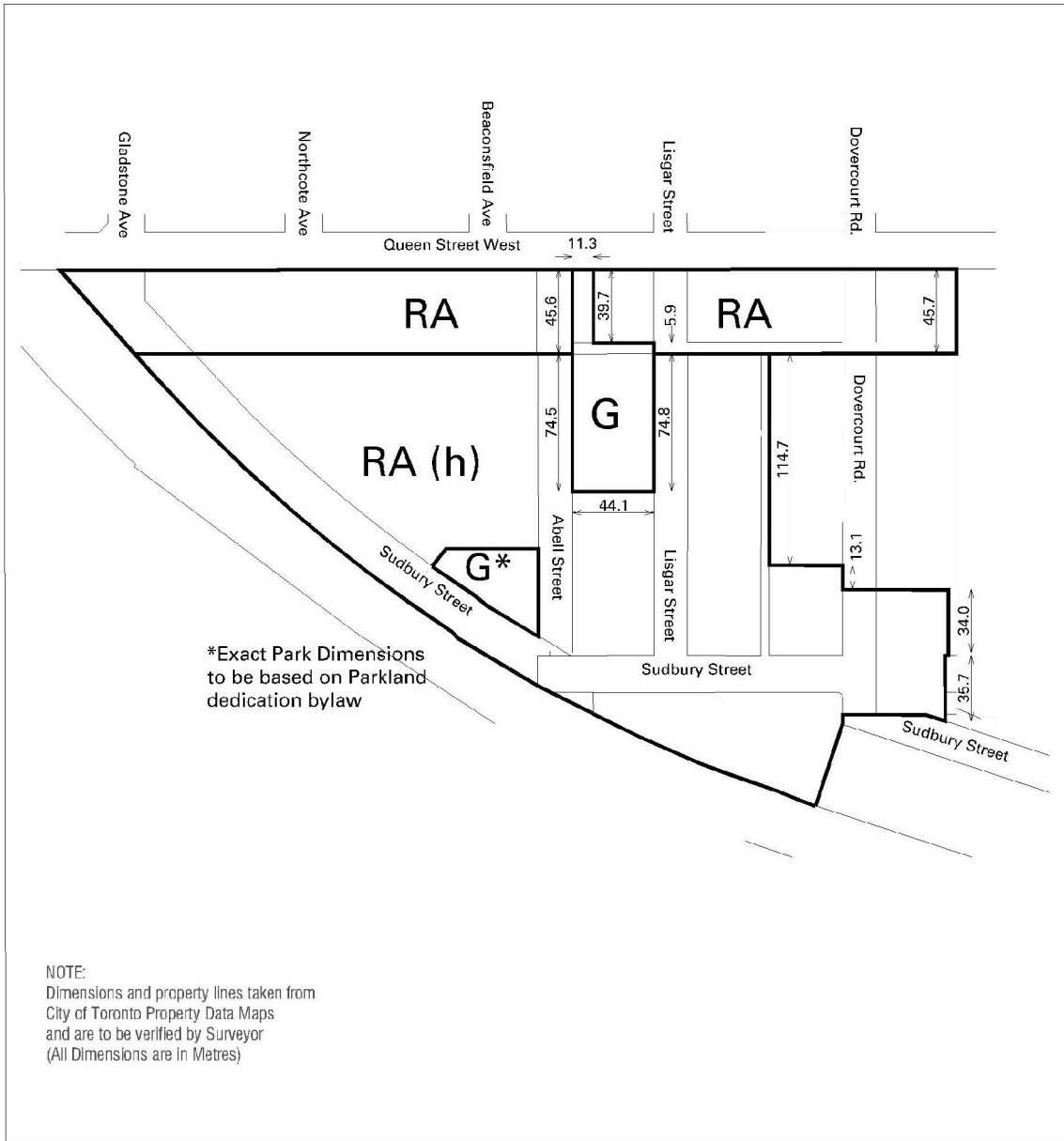
 Road Dedication

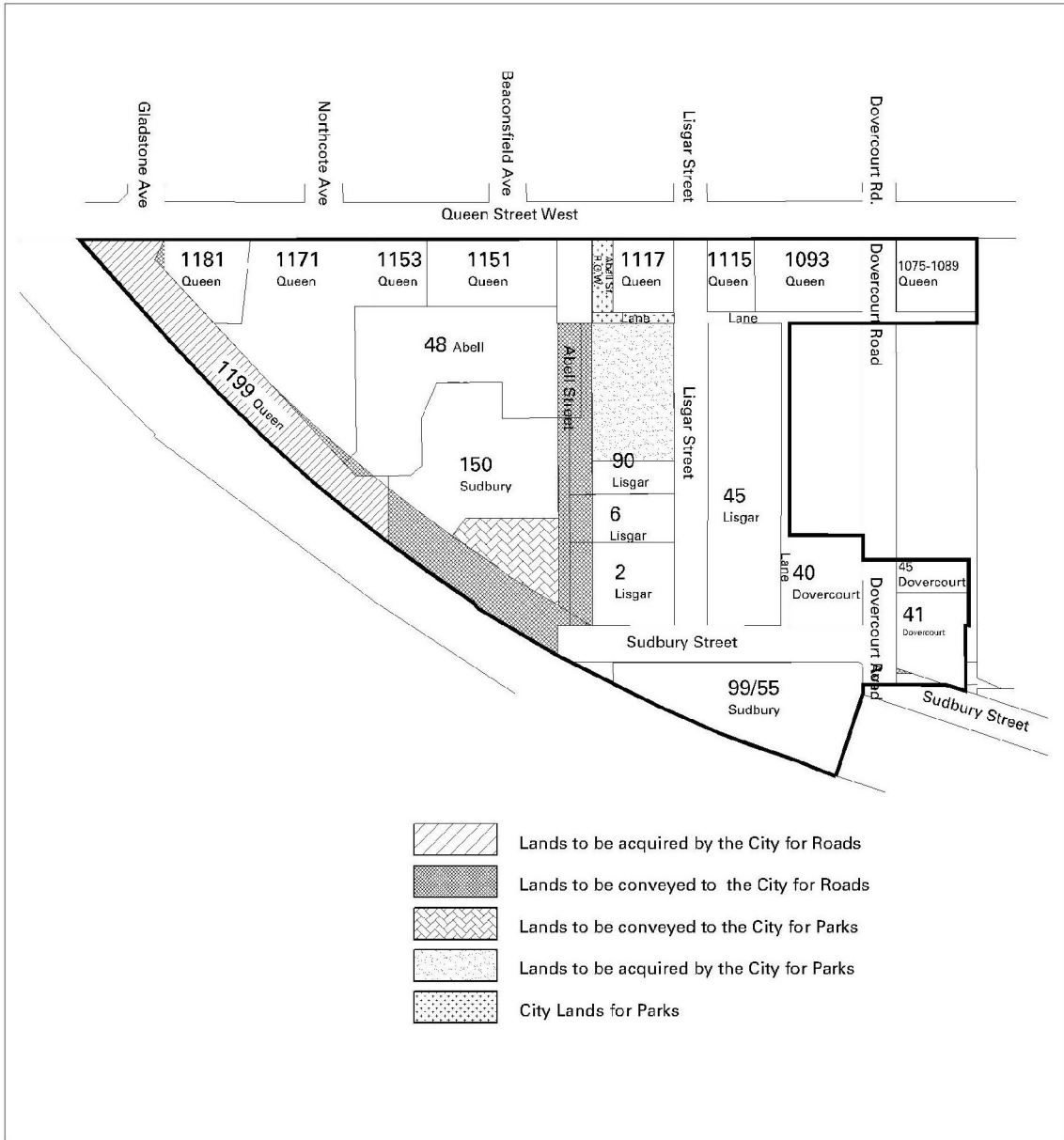


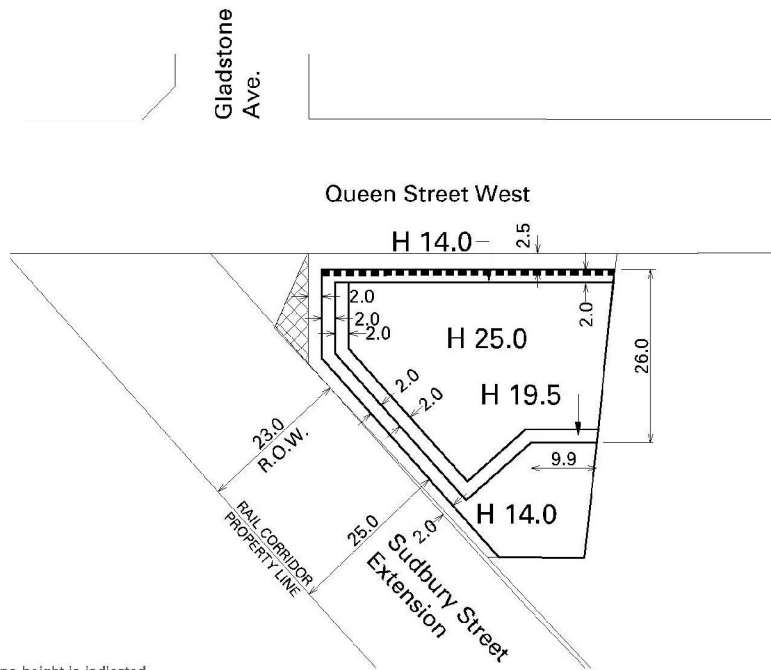












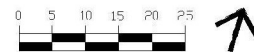
NOTE:
Where no height is indicated
the prescribed height limit
is Zero - See Section 12.5.ii)

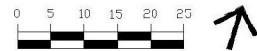
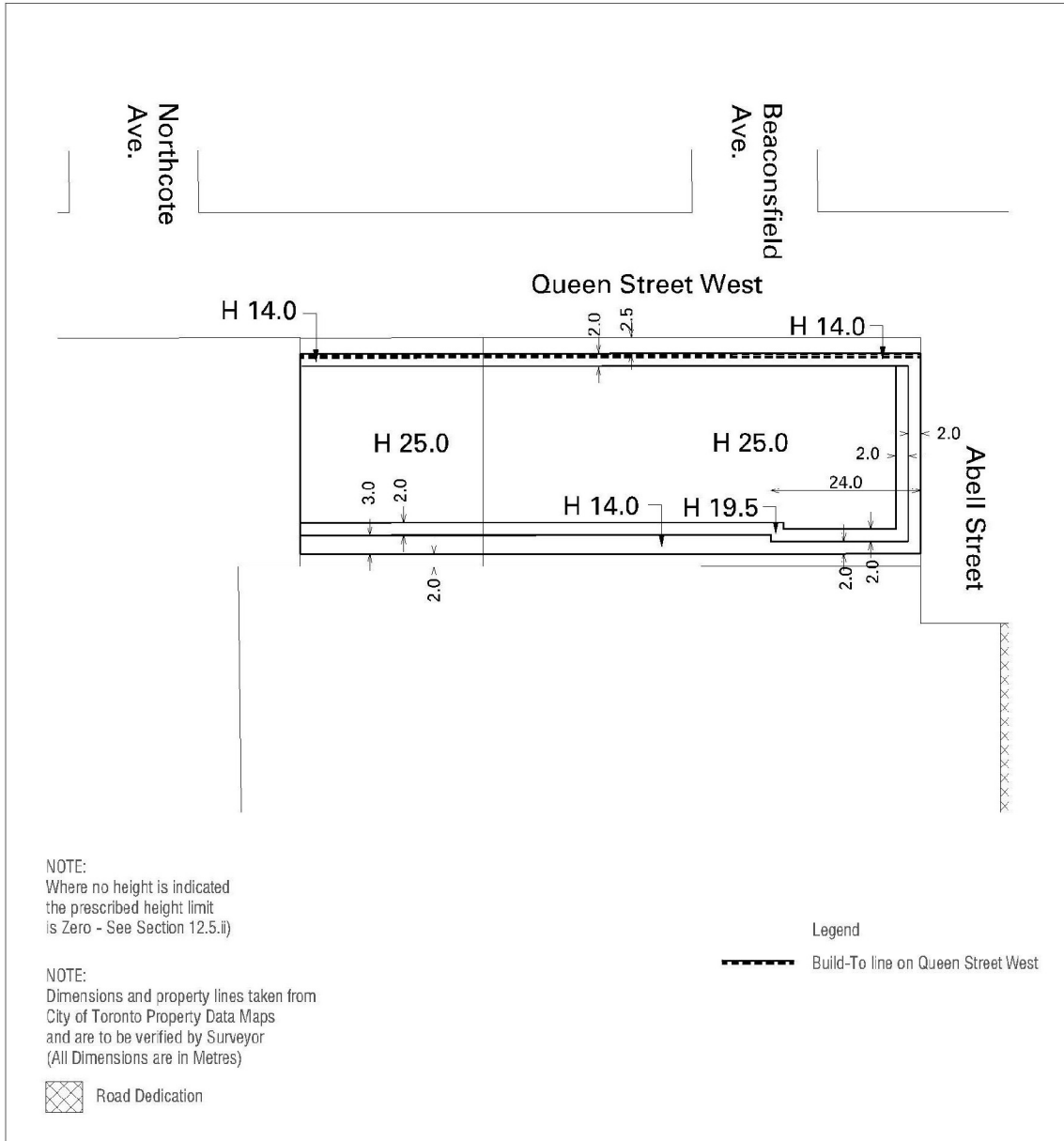
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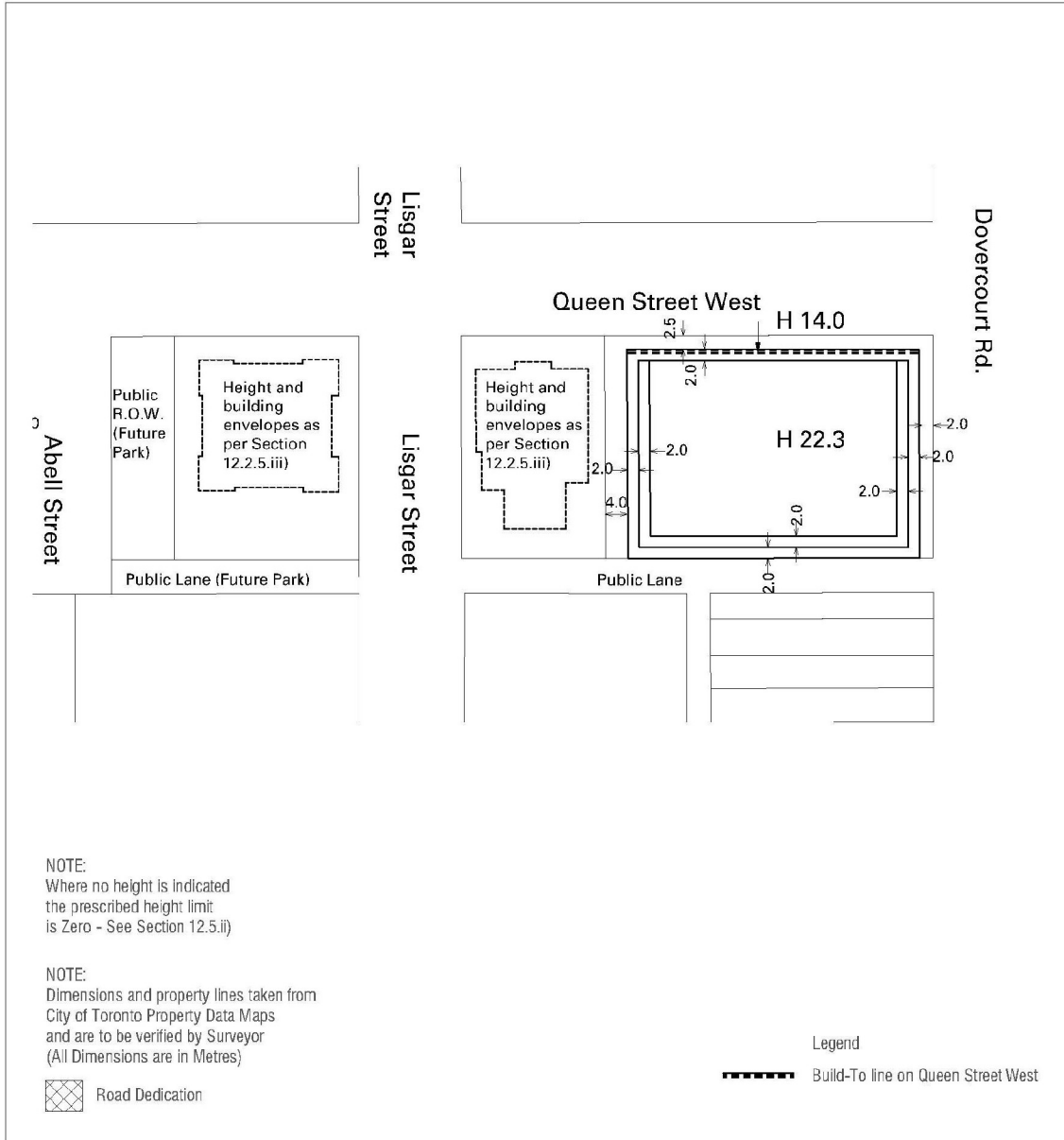
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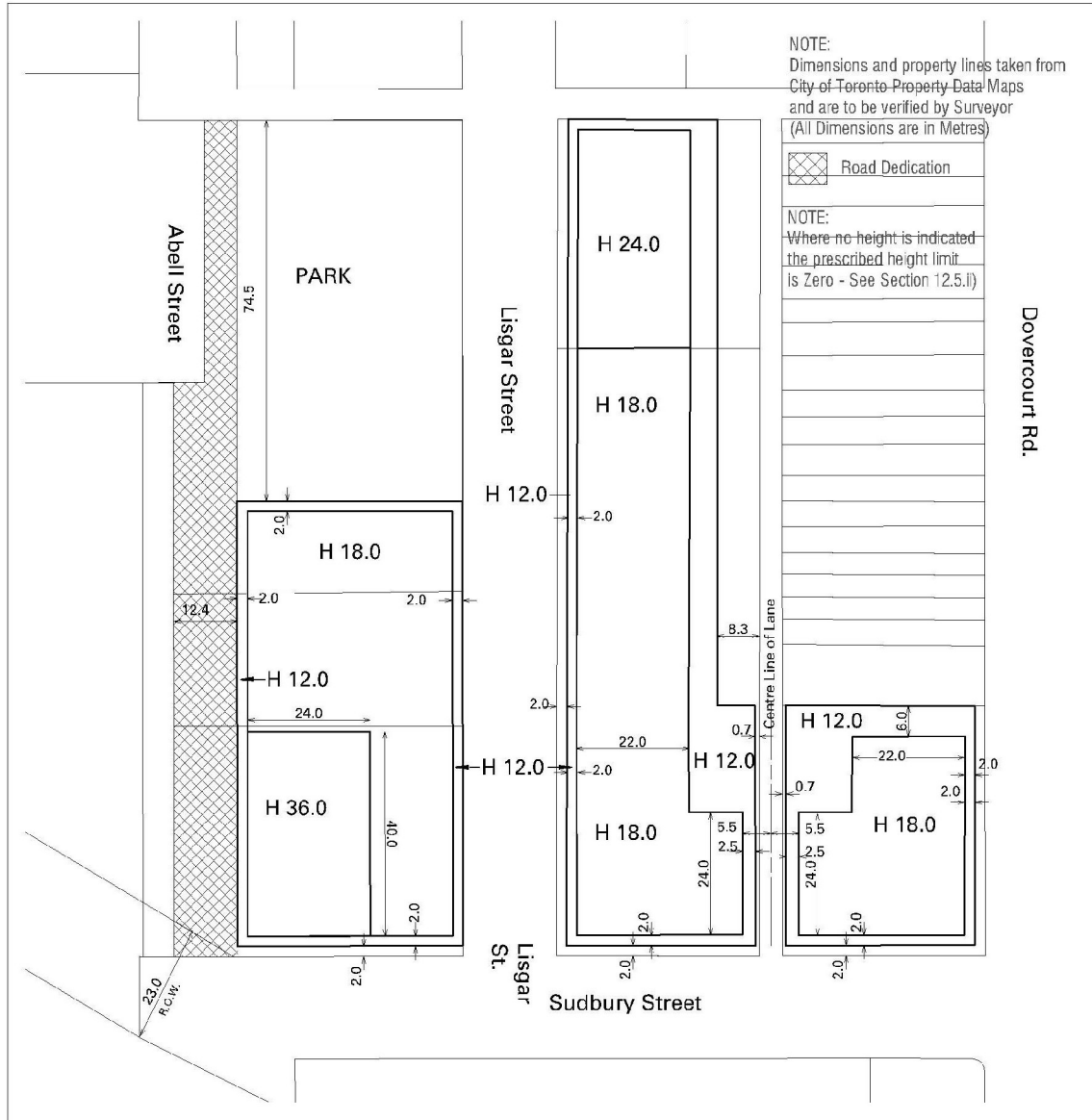
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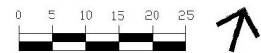
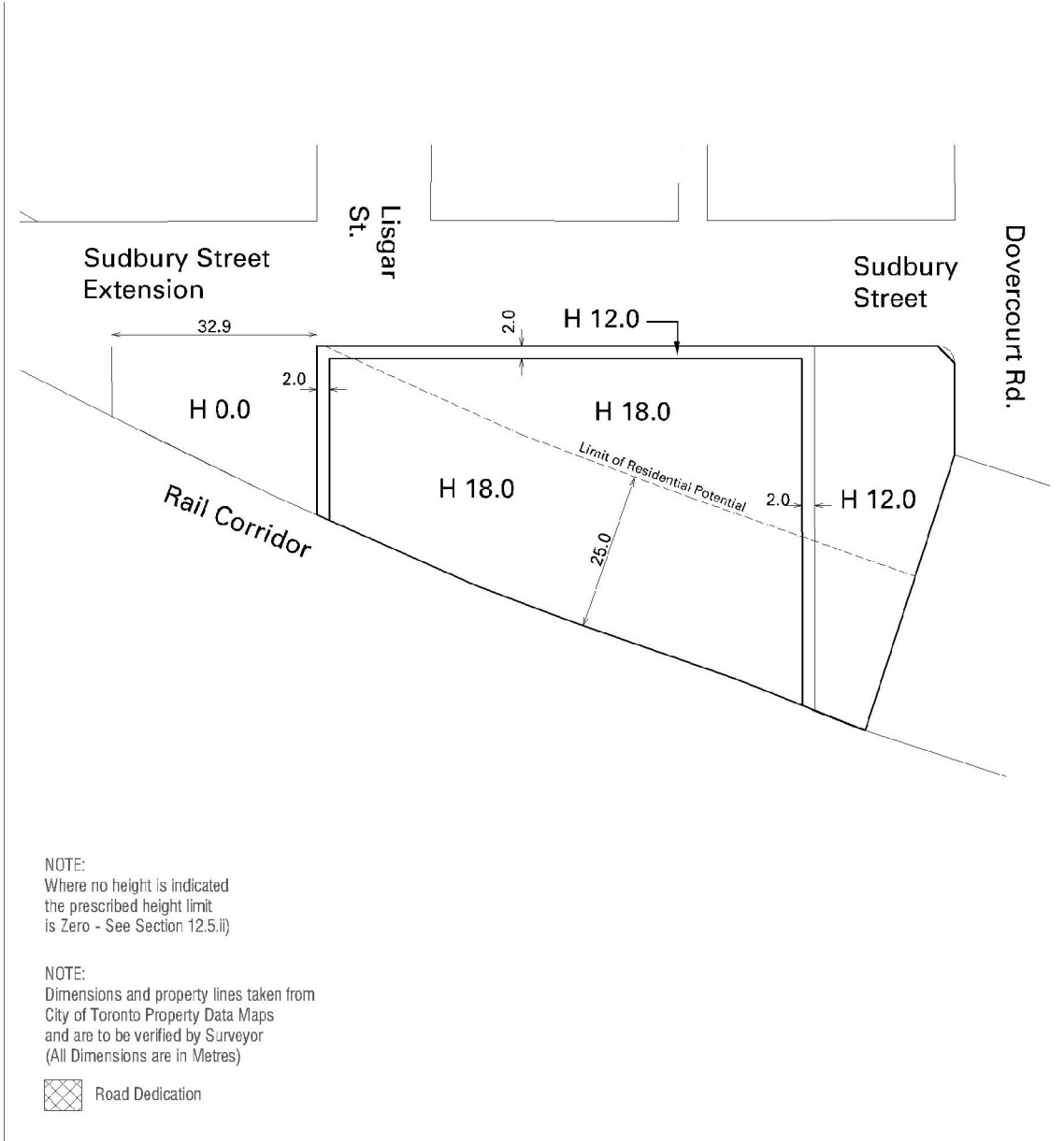
 Build-To line on Queen Street West

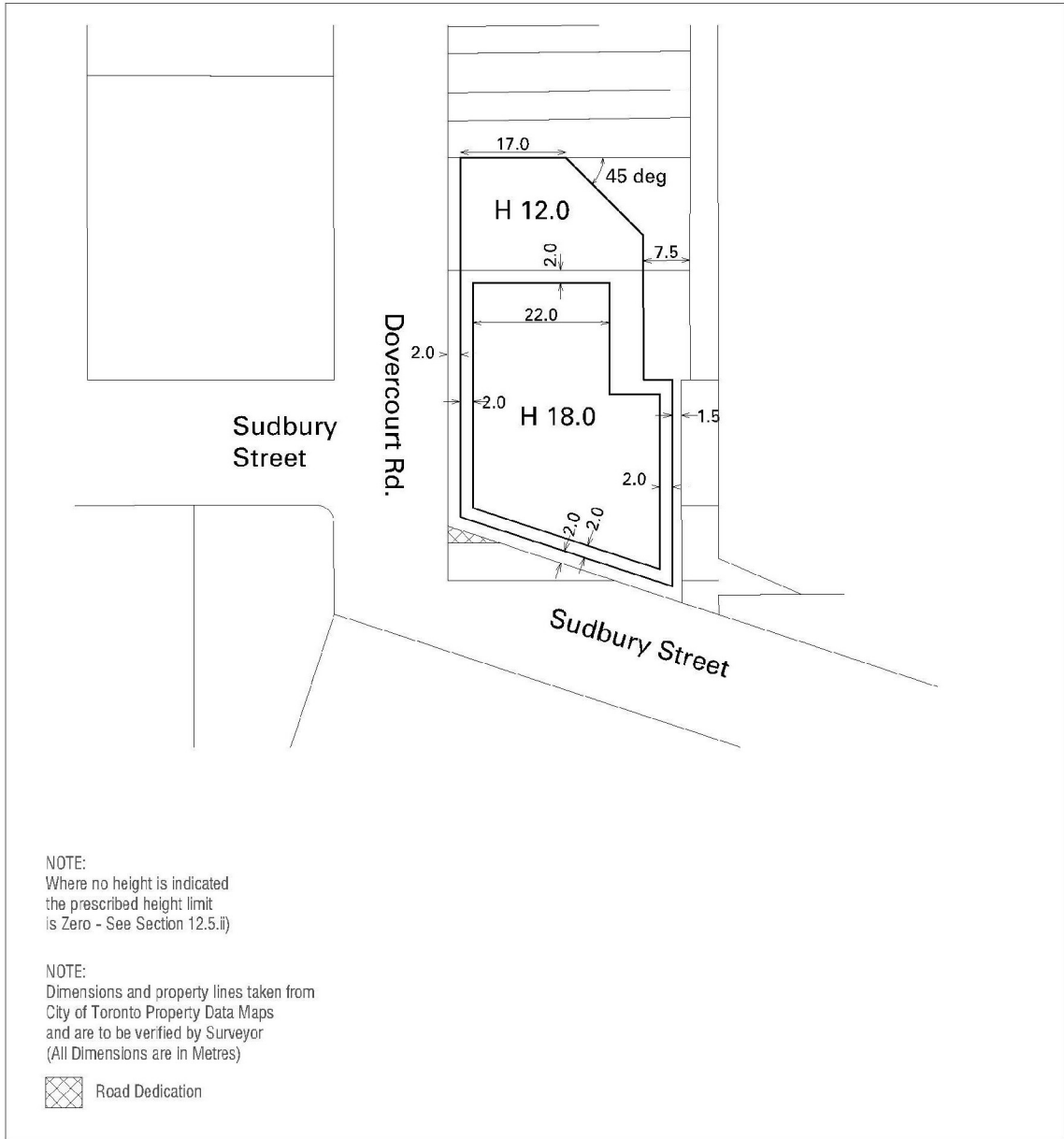


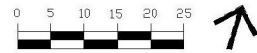
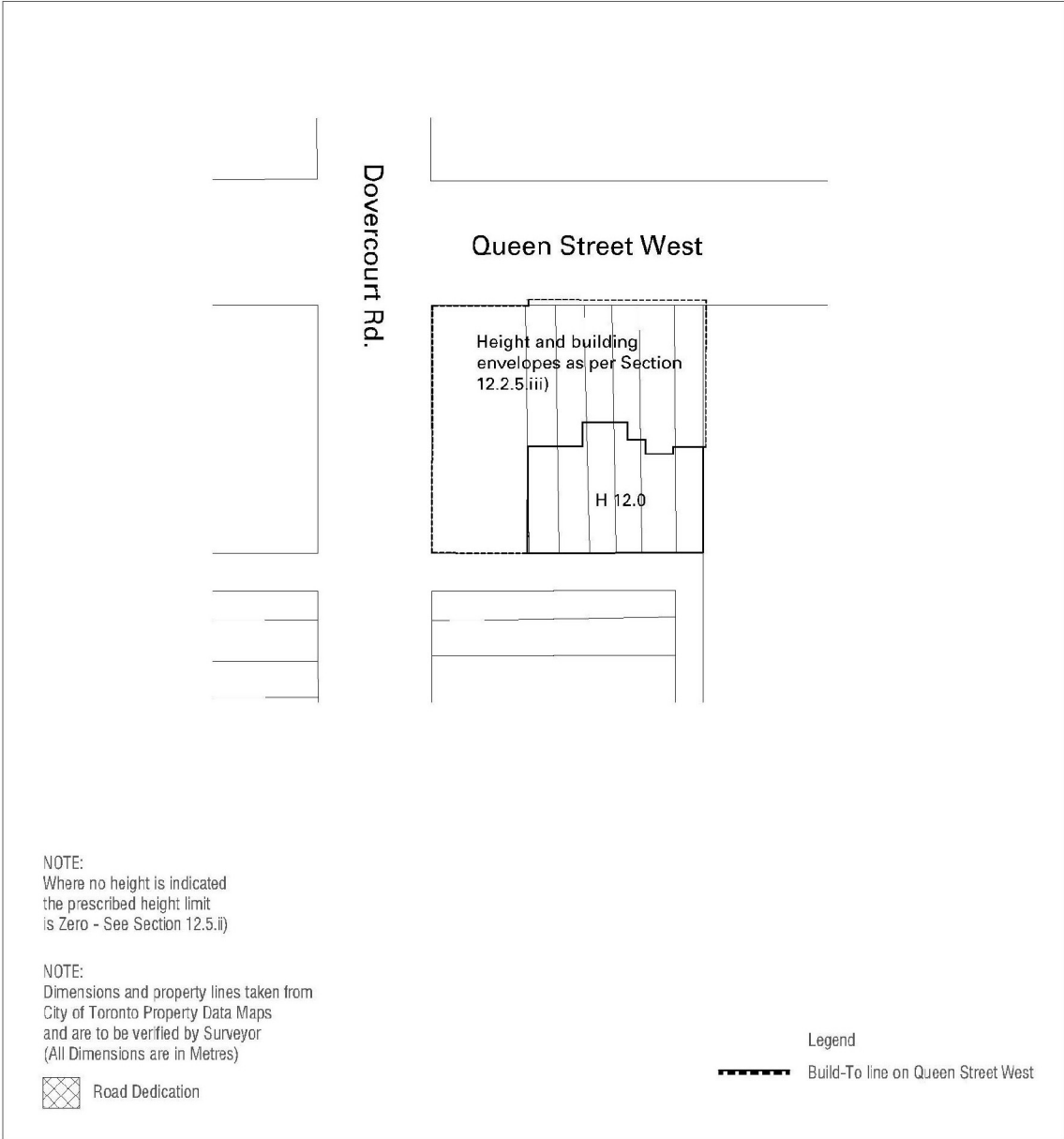


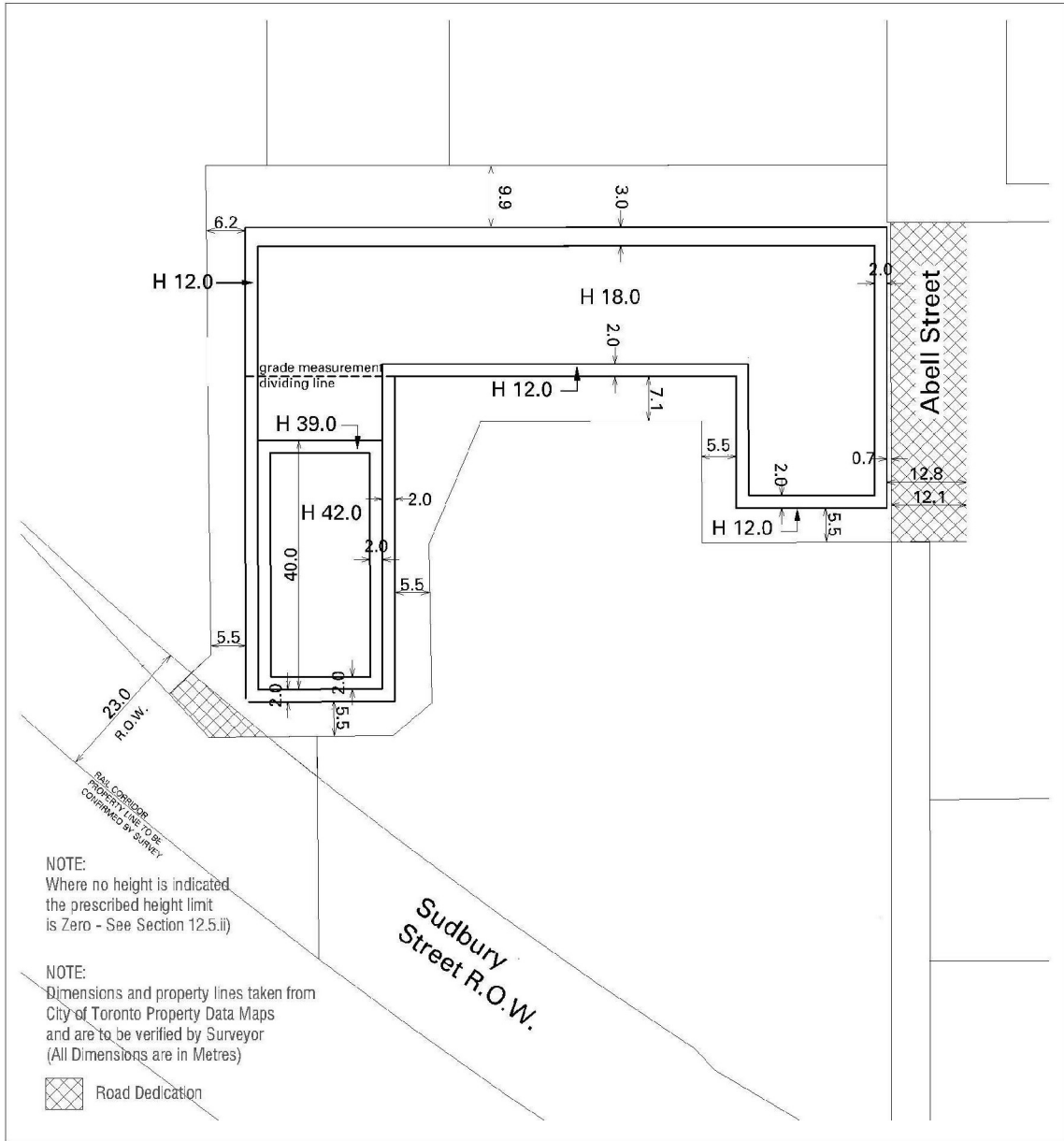


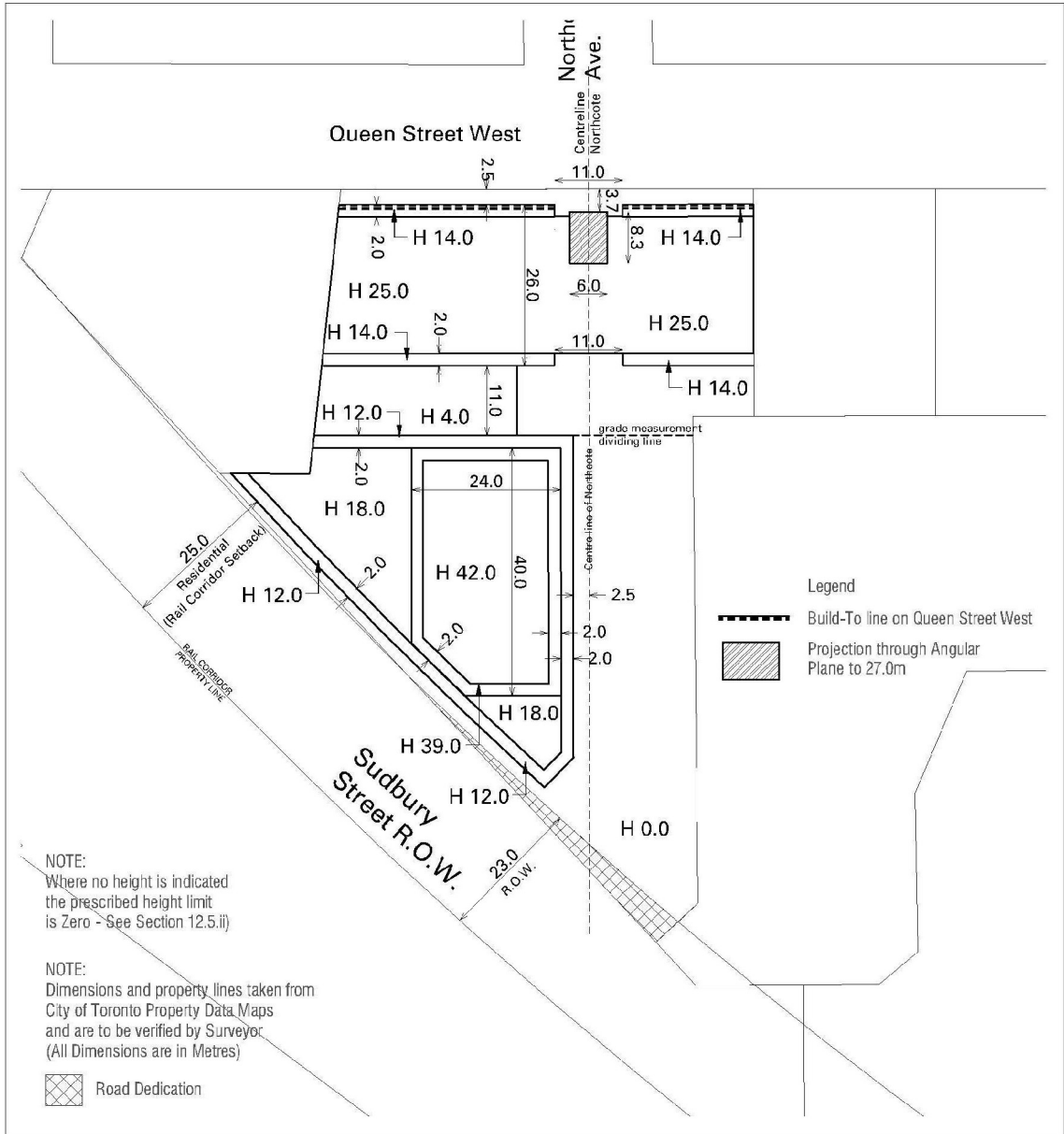


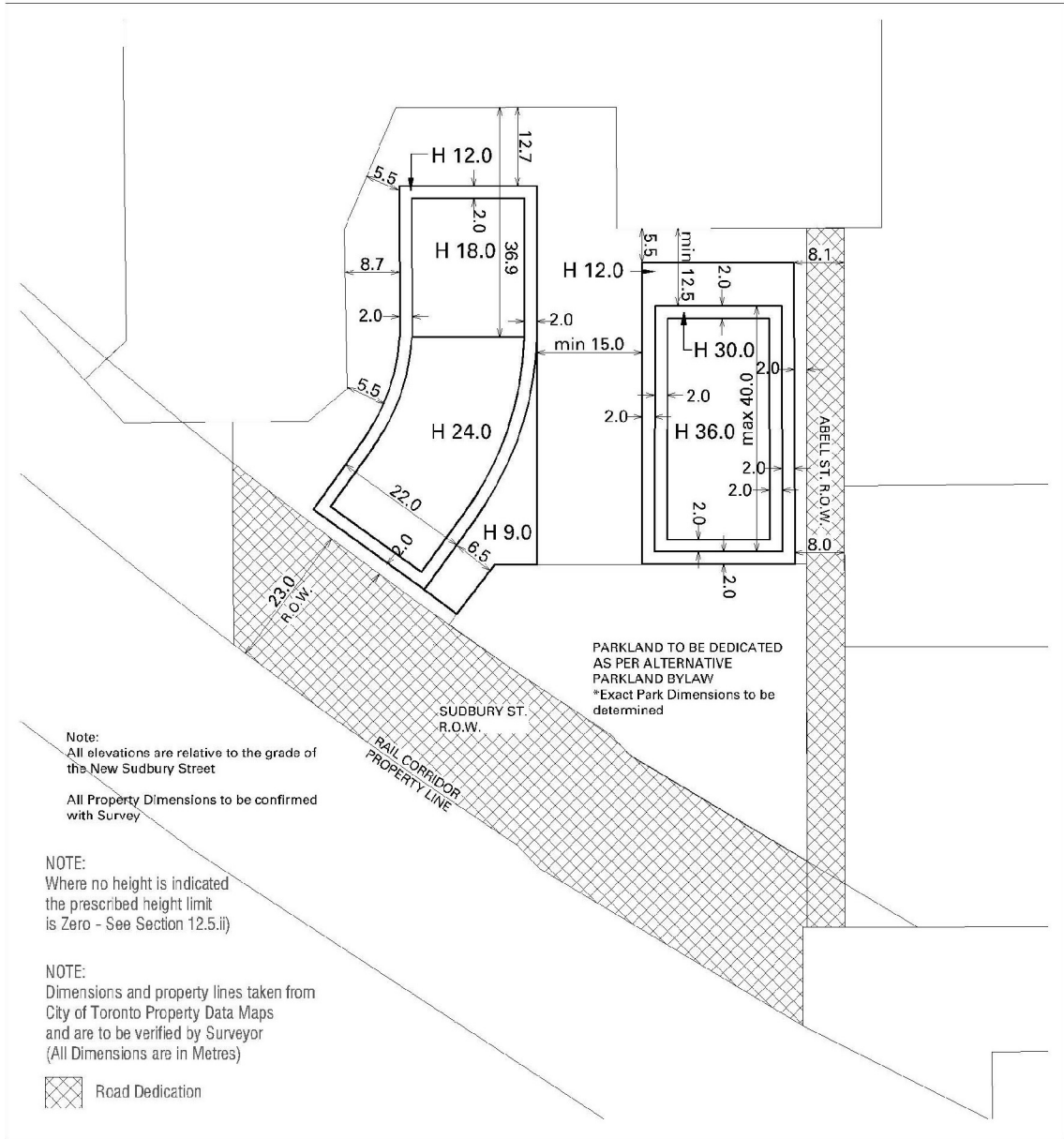












Note:
 All elevations are relative to the grade of the New Sudbury Street
 All Property Dimensions to be confirmed with Survey

NOTE:
 Where no height is indicated the prescribed height limit is Zero - See Section 12.5.ii)

NOTE:
 Dimensions and property lines taken from City of Toronto Property Data Maps and are to be verified by Surveyor (All Dimensions are in Metres)

Road Dedication

