



REPORT FOR ACTION

871-899 College Street Zoning Amendment Application and Rental Housing Demolition Applications – Supplementary Report

Date: May 17, 2019

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 9 - Davenport

Planning Application Number: 17 196947 STE 19 OZ and 17 196947 STE 19 RH

SUMMARY

This Supplementary Report provides an explanation of proposed revisions to the recommendations in the Final Report from the Director of Community Planning dated February 28, 2019, as well as a brief summary of the outcomes of the working group meeting that took place on April 13, 2019.

This report recommends deleting recommendations 1 and 2 of the Final Report, recommending City Council adopt the draft Zoning By-law Amendments attached to the Final Report, and replacing them with recommendations to adopt the draft Zoning By-law Amendments that are attached to this Supplementary Report.

After the applications were deferred at the March 19, 2019, Community Council meeting, staff further reviewed the draft Zoning By-law Amendments and made a few minor stylistic and technical changes to the By-laws. The changes were related to inserting a limit on the number of parking spaces that have deficient dimensions, and to allow mechanical and electrical elements that service the building to project the ground level height limits. As such, staff recommend adoption of the revised draft Zoning By-laws Amendments that are attached to this report.

A working group meeting was held on April 13, 2019 at the Toronto Police Service's 14 Division Building at 350 Dovercourt Road. Approximately 15 members of the community, along with the applicant, the local Councillor, and staff from City Planning, Transportation Services and Toronto Building were present. The community members expressed their concerns related to the potential for an increase in traffic along the rear lane between Shannon Street and College Street, as well as concerns related to construction beginning prior to a construction management plan being implemented, and the presence of a blank sheer wall along on the west main wall of the proposed building.

To address the concerns from the local residents, the local Councillor will introduce motions at the Community Council meeting that intend to mitigate concerns related to traffic, require the applicant to complete a construction management plan prior to issuance of any below-grade building permits, and to contribute an additional \$35,000 in S.37 funds for the implementation of a mural on the west main wall of the proposed building. City Planning staff do not object to the proposed motions.

RECOMMENDATIONS

This report recommends deleting recommendations 1 and 2 from the Final Report, dated February 28, 2019, and replacing them with the following recommendations:

1. City Council amend Zoning By-law 438-86, for the lands at 871-899 College Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the report dated May 15, 2019, from the Director, Community Planning, Toronto and East York District.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 871-899 College Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to the report dated May 15, 2019, from the Director, Community Planning, Toronto and East York District.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

POLICY CONSIDERATIONS

On May 2, 2019, the Province of Ontario released A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 ("A Place to Grow") which amends the Growth Plan for the Greater Golden Horseshoe (2017).

The "A Place to Grow" Plan has come into effect on May 16, 2019 and all planning decisions are required to conform with it, on or after May 16, 2019. Planning staff have reviewed the proposed development with respect to the "A Place to Grow" Plan and can advise that for this proposal, the relevant policies of the "A Place to Grow" Plan carry on the direction of the Growth Plan for the Greater Golden Horseshoe (2017).

Staff confirm that this proposal conforms with the "A Place to Grow" Plan.

CONTACT

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SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment 438-86

Attachment 2: Draft Zoning By-law Amendment 569-2013

Attachment 1: Draft Zoning By-law Amendment 438-86

Authority: Toronto and East York Community Council Item TE XX.XX as adopted by City of Toronto Council on XXXXXX, X and X, XXXX

CITY OF TORONTO

BY-LAW No. --2019

To amend former City of Toronto Zoning By-law No.438-86, as amended, with respect to the lands municipally known in the year 2018 as 871 to 899 College Street.

WHEREAS the Council of the City of Toronto has been requested to amend its Zoning By-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to the lands known municipally in the year 2018 as 871 to 899 College Street; 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 37 of the *Planning Act*, the Council of the Municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond that otherwise permitted by By-law No. 438-86, as amended, 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 or matters in return for any 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 or matters; and

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

WHEREAS the increase in the height and density permitted hereunder, beyond that otherwise permitted on the lands by By-law No. 438-86, as amended, is to be permitted subject to the provision of the facilities, services or matters set out in this By-law and to be secured by one or more agreements between the *owner* of the lands and the City of Toronto (hereinafter referred to as the "City"); and

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the replacement of rental housing; and

WHEREAS Council has required the *owner* of the aforesaid lands to enter into one or more agreements to secure certain facilities, services or matters in connection with the aforesaid lands set forth in the By-law.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Pursuant to Section 37 of the *Planning Act*, the *heights* and density of development permitted in 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 owner of the lot of the facilities, services and matters set out in Appendix 1 hereof, the provisions of which shall be secured by an agreement or agreement's pursuant to Section 37(3) of the *Planning Act*.
2. Upon execution and registration of an agreement or agreements with the *owner* of the *lot* pursuant to Section 37 of the *Planning Act* securing the provision of the facilities, services and matters set out in Appendix 1 hereof, the lot is 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.
3. Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the *City* pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.
4. Except as otherwise provided herein, the provisions of *By-law No. 438-86*, as amended shall continue to apply to the *lot*.
5. None of the provisions of Sections 2(1) height, 2(1) grade, 2(1) lot, 4(2), 4(3)(a), 4(3)(d), 4(4), 4(6), 4(7), 4(10), 4(12), 4(13), 4(14), 4(17)(b), 8(3) Part I, 8(3) Part II, 8(3) Part IV, 8(3) Part VIII, 8(3) Part XI(2), 12(2)68 and 12(2)270 of *By-law No. 438-86* of the former City of Toronto, being "A By-law to regulate the use of land 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 City of Toronto", as amended, shall apply to prevent the erection or use of a mixed-use building or a temporary sales office on the lot provided that:
 - (a) the *lot* on which the proposed building is to be located comprises at least those lands delineated by the dashed lines on Map 1, attached to and forming part of this By-law;
 - (b) No portion of the building or structure erected on the lot above grade is located otherwise than wholly within the areas delineated by solid lines on the attached Map 2 with the exception of the following permitted projections:
 - (i) building cornices, ornamental elements, wind mitigation features, window sills, eaves, lighting fixtures, vents and parapets may encroach a maximum distance of 0.5 metres;
 - (ii) balconies may encroach a maximum distance of 1.5 metres; and,
 - (iii) canopies, awnings, trellises, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, underground garage ramps, landscape and

green roof elements, and public art features may encroach a maximum distance of 2.2 metres;

(c) Despite (b) above, a minimum of 3 notches must be provided within the 'Building Articulation Zone' as shown on Map 2 and each notch:

- (i) must be at least 1 metre wide and 0.4 metres deep; and,
- (ii) must be no closer than 8 metres to one of the other notches;

(d) The *height* of any building, structure or portion thereof shall not exceed those *heights* as indicated by the HT symbol on Map 2 with the exception of the following permitted projections:

- (i) structures and elements related to outdoor flooring and roofing assembly may project above the height limits by no more than 0.5 metres;
- (ii) window washing equipment, safety anchors, lightning rods, elevator overrun, safety railings, guard rails, railings, parapets, terraces, patios, planters, balustrades, bollards, ladders, stairs, accessory structures, retaining walls, wheelchair ramps, ornamental or architectural features may project above the height limits by no more than 1.5 metres;
- (iii) elements on the roof of the building or structure used for *green roof* technology and related roofing material may project above the height limits by no more than 2.0 metres;
- (iv) mechanical elements, garbage chutes, vents, screens, emergency generators, mechanical and electrical elements that service the building, lighting fixtures may project above the height limits by no more than 2.5 metres;
- (v) landscape features, privacy screens, wind mitigation features, terrace dividers, covered stairs or stair enclosures, and fences may project above the height limits by no more than 2.75 metres;
- (vi) satellite dishes, flagpoles, antennae, acoustical barriers, cabanas and trellises may project above the height limits by no more than 3.6 metres;
- (vii) cooling tower may project above the height limits by no more than 5.0 metres; and,
- (viii) within the 'Mechanical Zone' as shown on Map 2, mechanical and electrical elements that service the building, emergency generators, heating vents, cooling vents, other venting, fences, acoustical barriers, covered stairs, and mechanical penthouse may project above the height limits by no more than 3.45 metres;

(e) the number of *dwelling units* shall not exceed 112;

(f) the total combined *residential gross floor area* and *non-residential gross floor area* erected on the *lot* does not exceed 12,500 square metres, of which;

- (i) the *residential gross floor area* of the building erected on the *lot* does not exceed 11,000 square metres;
- (ii) the *non-residential gross floor area* of the building erected on the *lot* does not exceed 1,750 square metres and must be comprised of at least 3 non-residential units;

- (g) residential *amenity space* must be provided on the *lot* in accordance with the following:
- (i) a minimum of 224 square metres of indoor *residential amenity space*;
 - (ii) a minimum 224 square metres of outdoor *residential amenity space*; and,
 - (iii) no more than 25% of the outdoor component may be a *green roof*;
- (h) the minimum number of *parking spaces* shall be 61, of which:
- (i) a minimum of 48 *parking spaces* shall be for occupants of the *dwelling units*;
 - (ii) a minimum of 13 *parking spaces* shall be shared between the visitors of the *dwelling units* and the non-residential use; and,
 - (iii) a maximum of 2 of the required visitor/non-residential *parking spaces* may be *car share parking spaces*;
- (i) Despite 4(17) of by-law 438-86, a maximum of 6 parking spaces may have a minimum dimension of 5.6 metres by 2.6 metres with a height of 2.0 metres when obstructed on one or two sides;
- (j) *Bicycle parking spaces* shall be provided in accordance with the following:
- (i) at least 0.9 *bicycle parking spaces* per *dwelling unit* shall be allocated as *bicycle parking space – occupant* for the residential use;
 - (ii) at least 0.1 *bicycle parking spaces* per *dwelling unit* shall be allocated as *bicycle parking space – visitor* for the residential use;
 - (iii) at least 22 *bicycle parking spaces* shall be allocated as *bicycle parking space – occupant* for the non-residential uses;
 - (iv) at least 0 *bicycle parking spaces* shall be allocated as *bicycle parking space – visitor* for the non-residential uses;
 - (v) *bicycle parking spaces* may be provided in any combination of vertical, horizontal or stacked positions;
 - (iv) *bicycle parking spaces* may be located anywhere above or below grade in the mixed-use building;
 - (vii) notwithstanding the definition of *bicycle parking space - occupant* and *bicycle parking space - visitor* in Section 2 of By-law 438-86, if *bicycle parking spaces* are provided in a horizontal *bicycle parking space* that is positioned above or below another *bicycle parking space* and equipped with a mechanical device providing floor level access to both *bicycle parking spaces*, the minimum vertical clearance for each bicycle parking space must be at least 1.2 metres; and,
 - (viii) notwithstanding the definition of *bicycle parking space - visitor* in Section 2 of By-law 438-86, *bicycle parking spaces - visitor* may be provided in a secured room;
- (k) At least one (1) *loading space - Type “G”* must be provided on the lot;
- (l) In addition to the elements mentioned in section 2(1) of By-law 438-86, the *residential gross floor area* of a *mixed use building* is also reduced by the areas in a building used for residential *amenity space* that exceed the by-law requirement;

6. For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86 of the former City of Toronto, as amended, with the exception of the following:

(a) "*lot*" means those lands outlined on Map 1 attached hereto;

(b) "*grade*" means the established grade at 105.73 metres Canadian Geodetic Datum; and

(c) "*green roof*" means an extension to a building's roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in compliance with the Toronto Green Roof Construction Standard set out in Chapter 492 of the City of Toronto Municipal Code;

(d) "*car-share or car-sharing*" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;

(e) "*car-share parking space*" means a parking space that is reserved and actively used for car-sharing;

(f) "*temporary sales office*" means a building, structure, facility or trailer on the lot used for the purpose of the sale of dwelling units to be erected on the lot.

7. 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 Map 2 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof 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.

8. Where Schedule A of 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.

9. The owner shall not use, or permit the use of, a building or structure erected with an increase in height and/or density pursuant to this By-law unless all provisions of Schedule A are satisfied.

10. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot 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

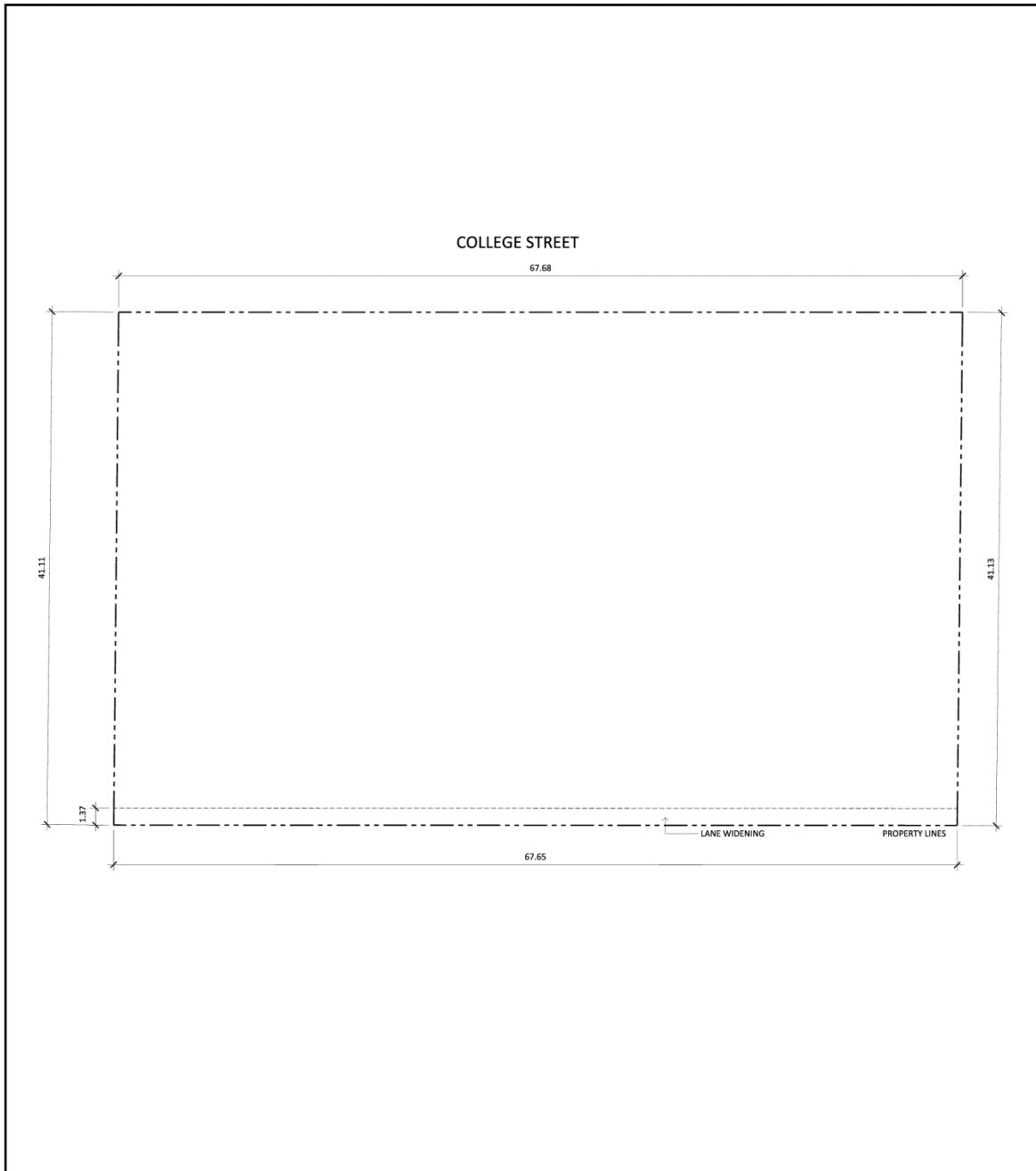
(b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

John Tory, ULLI S. WATKISS,
Mayor City Clerk

(Corporate Seal)


Map 1



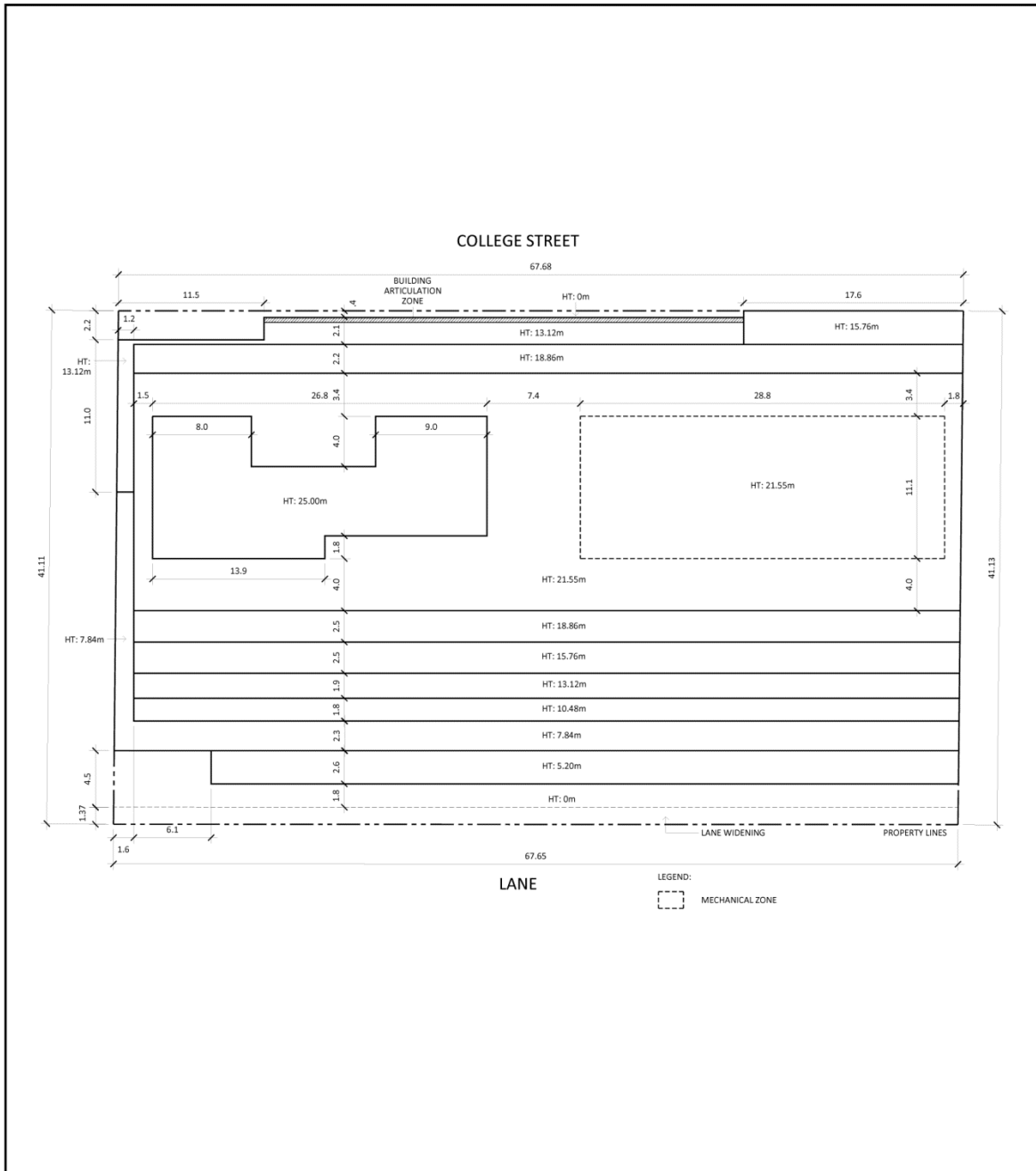
 **TORONTO**
Map 1

871-899 College Street

File # 17 196947 STE 19 0Z


City of Toronto By-law 569-2013
Not to Scale
02/20/2018

Map 2



871-899 College Street

File # 17 196947 STE 19 0Z

City of Toronto By-law 569-2013

 Not to Scale

 02/20/2018

SCHEDULE A

Section 37 Provisions

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 lot and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

(1) Prior to the issuance of the first above-grade building permit, a cash contribution of \$600,000 towards park improvements within the proximity of the site within the boundaries of Ward 9, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

Such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

(2) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

a) Replacement of 13 rental dwelling units with rents secured at affordable and mid-range rent categories; and

b) Securing a tenant relocation and assistance plan to mitigate adverse impacts on existing tenants and provide existing eligible tenants the right to return to a replacement rental dwelling unit at similar rent.

Attachment 2: Draft Zoning By-law Amendment 569-2013

Authority: Authority: Toronto and East York Community Council Item TE XX.XX
as adopted by City of Toronto Council on XXXXXX, X and X, XXXX

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2019

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 871 to 899 College Street.

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 the Official Plan for the City of Toronto contains provisions relating to the replacement of rental housing;

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 No. 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 dashed 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 No. 569-2013, Chapter 800 Definitions;

3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by dashed lines to CR 3.0 (c1.0; r2.5) SS2 (x179), as shown on Diagram 2 attached to this By-law;

4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 exception Number 179, so that it reads;

Exception CR 179

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 871 to 899 College Street, if the requirements in Section 6 and Schedule A of by-law [Clerks to insert by-law #] are complied with, then regulations 40.10.40.10(2), 40.10.40.70(2), and 40.10.40.40(1) shall not apply to prevent the erection or use of a **building** or **structure permitted** in compliance with the clauses below;

(B) Despite regulations 40.5.40.10(1) and for the purpose of this exception, the height of a **building** or **structure** is measured from the Canadian Geodetic Datum elevation of 105.73 metres to the elevation of the highest point of the **building**;

(C) Despite regulation 40.10.40.10(2), 40.10.40.70(2)(B)-(C), 40.10.40.70(2)(E) and 40.10.40.70(2)(G) the height for any portion of a **building** or **structure** must not exceed the maximum height permitted by the letter "HT" as shown on Diagram 3 of By-law No. [Clerks to insert By-law No.];

(D) Despite (C) above and 40.5.40.10(3)-(7), the following may exceed the height indicated by the numbers following the letter "HT" as shown on Diagram 3 of By-law [Clerks to supply by-law #]:

(i) **structures** and elements related to outdoor flooring and roofing assembly may project above the height limits by no more than 0.5 metres;

(ii) window washing equipment, safety anchors, lightning rods, elevator overrun, safety railings, guard rails, railings, parapets, terraces, patios, planters, balustrades, bollards, ladders, stairs, accessory **structures**, retaining walls, wheelchair ramps, ornamental or architectural features may project above the height limits by no more than 1.5 metres;

(iii) elements on the roof of the **building** or **structure** used for **green roof** technology and related roofing material may project above the height limits by no more than 2.0 metres;

- (iv) mechanical elements, garbage chutes, vents, screens, emergency generators, mechanical and electrical elements that service the building, lighting fixtures may project above the height limits by no more than 2.5 metres;
- (v) landscape features, privacy screens, wind mitigation features, terrace dividers, covered stairs or stair enclosures, and fences may project above the height limits by no more than 2.75 metres;
- (vi) satellite dishes, flagpoles, antennae, acoustical barriers, cabanas and trellises may project above the height limits by no more than 3.6 metres;
- (vii) cooling tower may project above the height limits by no more than 5.0 metres; and,
- (viii) Within the 'Mechanical Zone' as shown on Diagram 3, mechanical and electrical elements that service the building, emergency generators, heating vents, cooling vents, other venting, fences, acoustical barriers, covered stairs, and mechanical penthouse may project above the height limits by no more than 3.45 metres;
- (E) Despite regulation 40.5.40.70, 40.10.40.70(2)(B)-(C), 40.10.40.70(2)(E), 40.10.40.70(2)(G) the minimum **building setbacks** for each level of the **building** are shown on Diagram 3 of By-law [Clerks to supply by-law #]:
- (F) Despite clause 40.10.40.60 and (E) above, the following elements of a **building** are permitted to encroach into the required **building setbacks** as follows:
- i. **building** cornices, ornamental elements, wind mitigation features, window sills, eaves, lighting fixtures, vents and parapets may encroach a maximum distance of 0.5 metres;
 - ii. balconies may encroach a maximum distance of 1.5 metres; and,
 - iii. canopies, awnings, trellises, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, underground garage ramps, landscape and **green roof** elements, and public art features may encroach a maximum distance of 2.2 metres;
- (G) Despite (E) above, a minimum of 3 notches must be provided within the 'Building Articulation Zone' as shown on Diagram 3 and each notch: must be at least 1 metre wide and 0.4 metres deep; and, must be no closer than 8 metres to one of the other notches;
- (H) The maximum number of permitted **dwelling units** is 112.
- (I) Despite regulation 40.10.40.40(1), the **gross floor area** must not exceed 12,250 square metres, of which:
- (i) a maximum of 10,750 square metres may be used for residential uses; and
 - (ii) a maximum of 1,750 square metres may be used for non-residential uses and must be comprised of at least 3 non-residential units;

(J) Despite 40.10.40.10(5), the minimum height of the first storey must be at least 2.75 metres;

(K) Despite regulation 40.10.40.50(1), **amenity space** must be provided and maintained as follows:

- (i) a minimum of 224 square metres of indoor **amenity space**;
- (ii) a minimum of 224 square metres of outdoor **amenity space**; and,
- (iii) no more than 25% of the outdoor component may be a **green roof**;

(L) Despite **200.5.10.1(1)** and 900.11.10(2), the minimum number of required parking spaces is 61, of which:

- (i) a minimum of 48 parking spaces must be provided for occupants of the residential **dwelling units**;
- (ii) a minimum of 13 parking spaces must be provided and shared between visitors of the residential **dwelling units** and the non-residential use; and,
- (iii) a maximum of 2 of the required visitor/non-residential **parking spaces** may be **car share parking spaces**;

(M) Despite Section 200.15 and By-law 579-2017, accessible **parking spaces** must be provided as follows:

- (i) of the required **parking spaces** in (L) above, a minimum of 2 must be accessible **parking spaces** and must be provided in the underground **parking garage**;
- (ii) accessible **parking spaces** must have the following minimum dimensions:
 - (a) length of 5.6 metre;
 - (b) width of 3.9 metres; and,
 - (c) vertical clearance of 2.1 metres;
- (iii) accessible **parking spaces** may be located anywhere in the underground **parking garage**;

(N) Despite regulation 200.5.1.10(2)(A), a maximum of 6 **parking spaces** may have minimum dimensions of 5.6 metres by 2.6 metres with a height of 2.0 metres, when obstructed on one of two sides;

(O) Despite regulation 40.10.100.10(1)(c), 2 **vehicle** accesses are permitted;

(P) Despite section 220.5.10.1(1), 1 type G **loading space** is required;

(Q) Despite regulation 40.10.100.10.(1)(a), **vehicle** access can be from the **lane** and the **street**;

(R) Despite regulation 230.5.1.10(10), long term and short term **bicycle parking spaces** for **dwelling units** or for non-residential uses may be provided in any combination of vertical, horizontal or stacked positions;

(S) Despite regulations 230.5.10.1(1), (2) and (5):

(i) at least 0.9 **bicycle parking spaces** per **dwelling unit** must be allocated as long-term **bicycle parking spaces** for the **dwelling units**;

(ii) at least 0.1 **bicycle parking spaces** per **dwelling unit** must be allocated as short-term **bicycle parking spaces** for the **dwelling units**;

(iii) at least 22 **bicycle parking spaces** must be allocated as long-term **bicycle parking spaces** for the non-residential uses;

(iv) No short-term **bicycle parking spaces** are required for the non-residential uses;

(T) Despite 230.40.1.20(2), a short-term **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to the **building** on the lot;

(U) Regulation 40.5.40.10(5) with respect to limits on Functional Operation of a Building does not apply;

(V) Despite regulation 40.5.40.10(6), **structures** providing safety or wind protection to rooftop **amenity space** can be closer than 2 metres from an interior face of a **main wall**;

(W) Despite regulation 40.10.40.1(1), residential use portions of the **building** may also be located on the same level as non-residential use portions;

(X) Despite 40.5.40.40(3)(E) of By-law 569-2013, the residential **gross floor area** of a **mixed use building** is also reduced by the areas in a building used for **amenity space** that exceed the by-law requirement;

(Y) Prevailing Sections 12(2)68 and 12(2)270 of By-law No. 438-86 of the former City of Toronto, as amended does not apply;

Prevailing By-laws and Prevailing Sections:

(A) Section 12(2) 68 of former City of Toronto By-law 438-86;

(B) Section 12(2) 270(a) of former City of Toronto By-law 438-86;

5. For the purposes of this By-law, all bolded words and expressions have the same meanings as defined in By-law No. 569-2013, as amended, with the exception of the following:

(A) "**car-share or car-sharing**" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership

requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable;

(B) "**car-share parking space**" means a parking space that is reserved and actively used for car-sharing;

6. Section 37 Provisions

(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 Diagrams 2 and 3 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof 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 of 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.

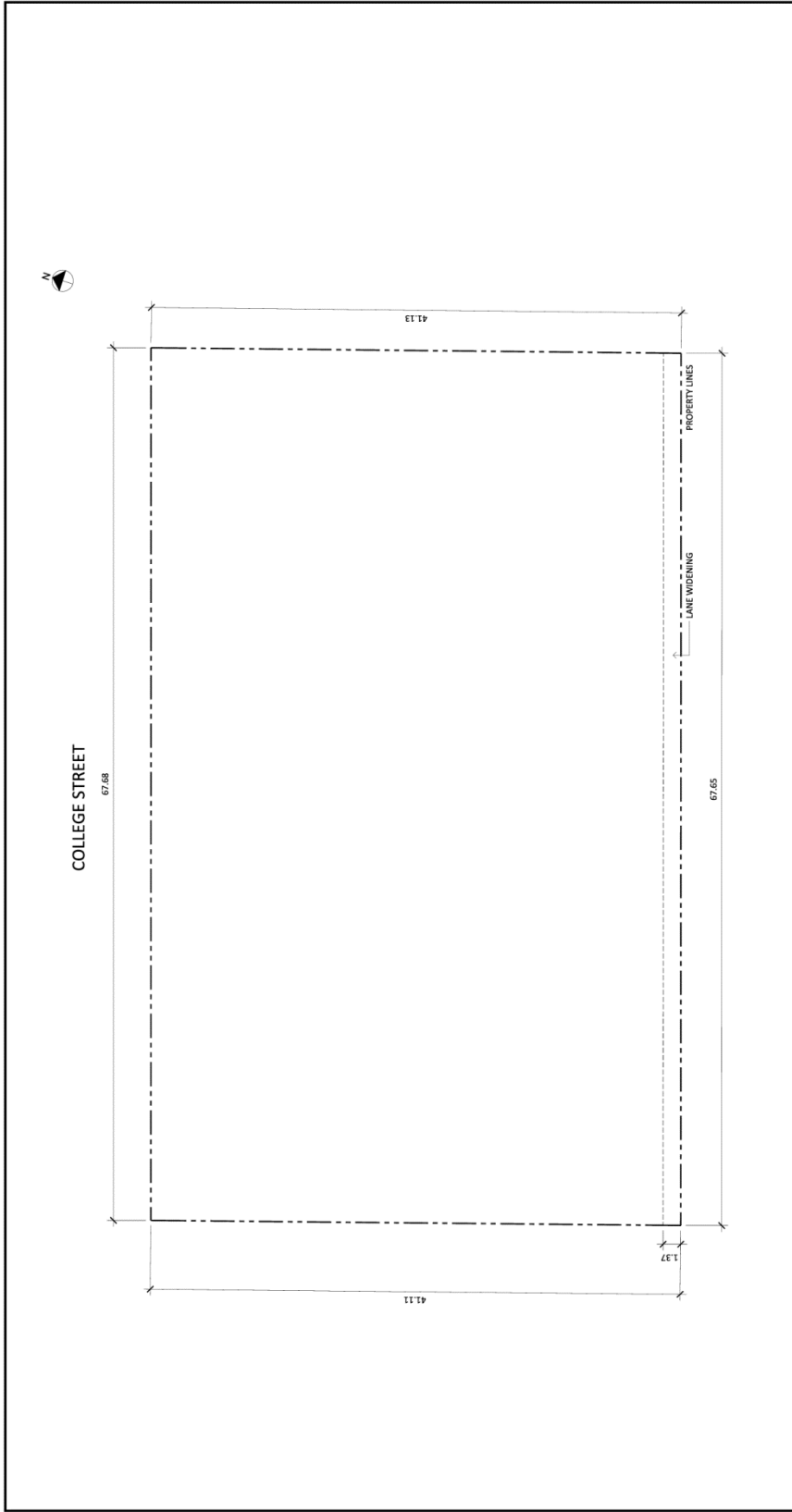
(C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and/or density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on month ##, 2018.

Name, Ulli S. Watkiss,
Speaker City Clerk

(Seal of the City)

Diagram 1



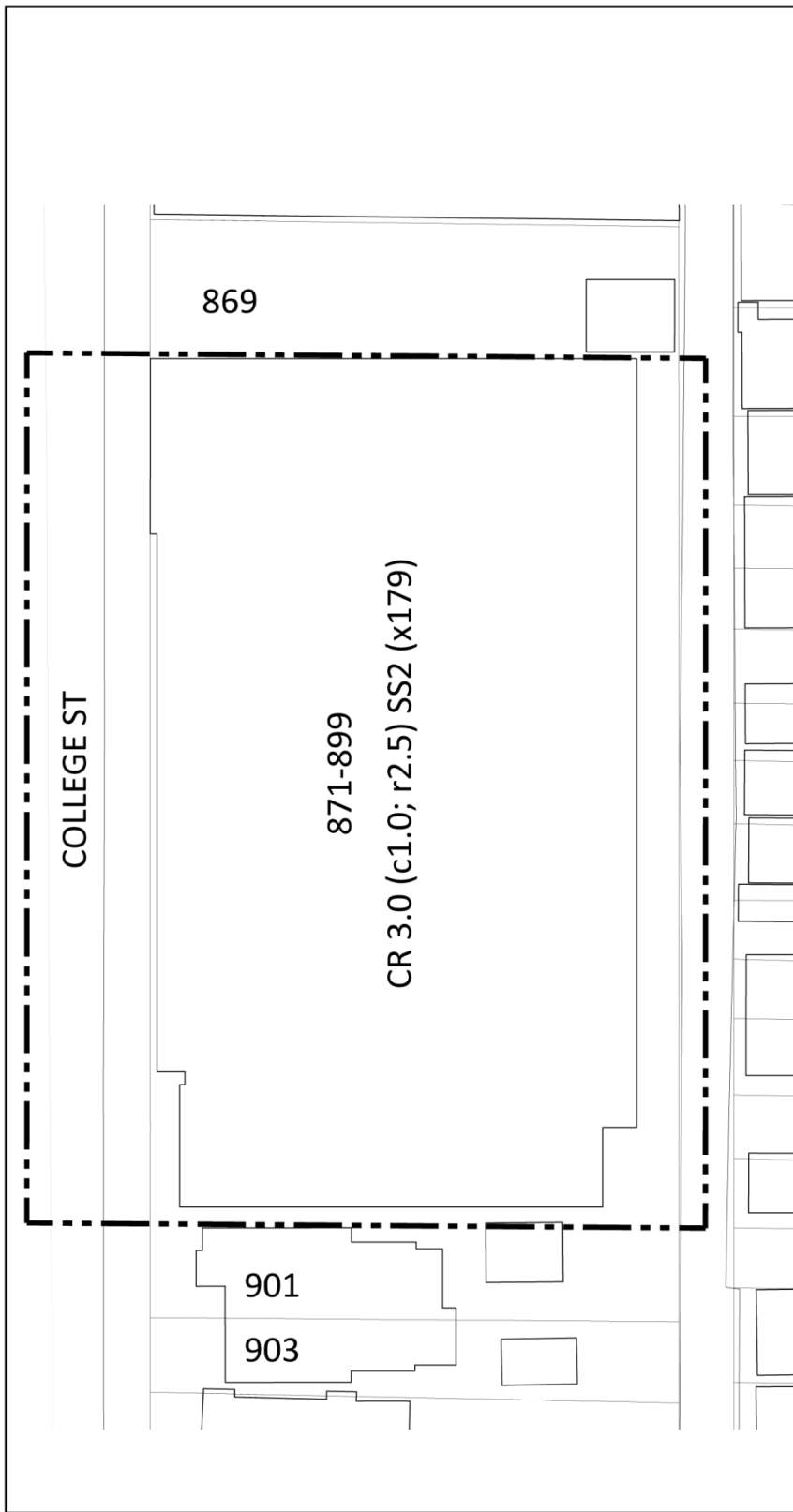
Toronto
Diagram 1

871-899 College Street

File # 17 196947 STE 19 0Z

↑
City of Toronto By-law 569-2013
Not to Scale
02/20/2018

Diagram 2



 **TORONTO**
Diagram 2

871-899 College Street

File # 17 196947 STE 19 0Z


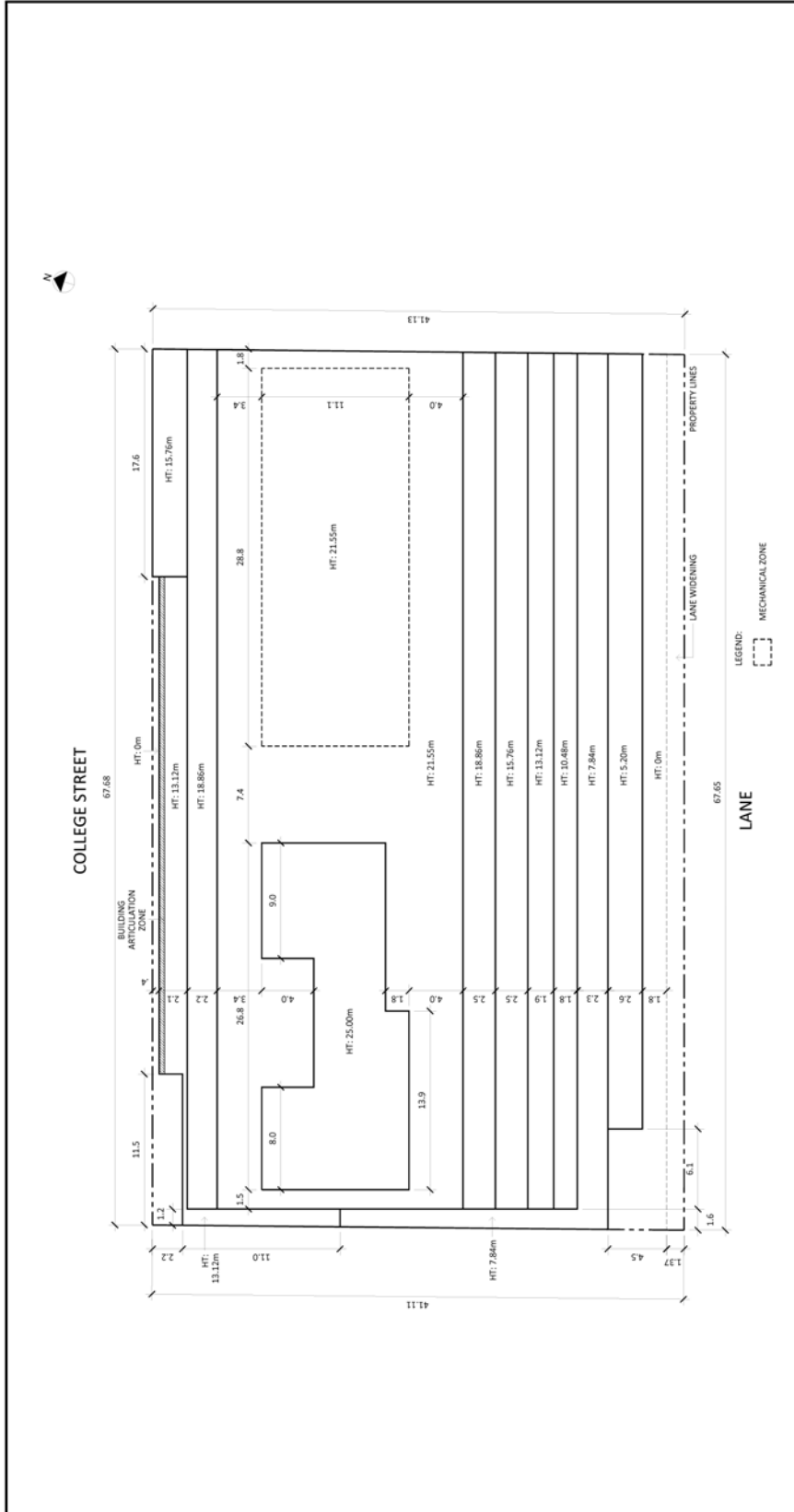

City of Toronto By-law 569-2013
Not to Scale
02/20/2018

Diagram 3



871-899 College Street

File # 17 196947 STE 19 0Z



City of Toronto By-law 569-2013
Not to Scale
02/20/2018

SCHEDULE A

Section 37 Provisions

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 Diagram 3 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) Prior to the issuance of the first above-grade building permit, a cash contribution of \$600,000 towards park improvements within the proximity of the site within the boundaries of Ward 9, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor.

Such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.

(2) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- a) Replacement of 13 rental dwelling units with rents secured at affordable and mid-range rent categories; and
- b) Securing a tenant relocation and assistance plan to mitigate adverse impacts on existing tenants and provide existing eligible tenants the right to return to a replacement rental dwelling unit at similar rent.