

Authority: Planning and Housing Committee Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~ BY-LAW No. XXXX-2021

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands generally bounded by Park Lawn Road, Lake Shore Boulevard West, and the Frederick G. Gardiner Expressway, including lands municipally known as 2150 & 2194 Lake Shore Boulevard West and 23 Park Lawn Road in the year 2020.

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 authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass a by-law that imposes a holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol specified in the by-law have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of the Holding (H) symbol with conditions in the zoning by-law; and

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

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

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

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 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 heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 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(1) and applying the following zone labels to the lands: CR(H) 2.0 (c1.0; r1.0) SS1 (x349), CR(H) 2.0 (c1.0; r1.0) SS1(x350), CR 2.0 (r1.0;c1.0) SS1; EL(H) (x11), EL (x12), ON, OR and UT, as shown on Diagram 2; attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1, and applying the following Policy Area label to these lands: PA 2, as shown on Diagram 3 attached to this Bylaw;
5. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height to the lands: HT 8.0, ST 1, as shown on Diagram 4 attached to this Bylaw;
6. Zoning By-law No. 569 -2013, as amended, is further amended by amending the Rooming House Overlay Map in Section 995.40.1 and applying the following Rooming House Policy Area: A1, as shown on Diagram 5 attached to this By-law; and
7. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 350 so that it reads:

Exception CR [350]

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

Site Specific Provisions:

- (A) On the lands shown as Blocks 1B, 3B, 4, 5 and 6 on Diagram 6 of By-law [Clerks to insert by-law ##], if the requirements of Section 17 and Schedule A of By-law [Clerks to insert by-law ##] are complied with, **buildings and structures** in compliance with (B) through (FF) below, may be erected or used, and:

- (i) Prior to the lifting of the H symbol as described in Section 16 on Blocks 1B, 3B, 4, 5 and 6 as shown on Diagram 6 of By-law [Clerks to supply by-law ##], the only interim uses that are permitted, and which must comply with the requirements of By-law 569-2013 instead of this site-specific provision, include:
- (a) **art gallery;**
 - (b) **artist studio;**
 - (c) **automated banking machine;**
 - (d) "bike sharing";
 - (e) **cabaret;**
 - (f) "car sharing";
 - (g) **club;**
 - (h) cold storage, provided it is not located on the ground floor of a **building;**
 - (i) **custom workshop;**
 - (j) **eating establishment;**
 - (k) **education use;**
 - (l) **entertainment place of assembly;**
 - (m) **financial institution;**
 - (n) laboratory, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
 - (o) **market garden;**
 - (p) **massage therapy;**
 - (q) medical office;
 - (r) office;
 - (s) outdoor patio;

- (t) outdoor sales or display;
- (u) **park;**
- (v) **performing arts studio;**
- (w) **personal service shop;**
- (x) **pet services;**
- (y) **production studio;**
- (z) **public parking**, provided it is **ancillary** to other interim uses permitted in this section and is not located in an above ground **parking garage**;
- (aa) **recreation use;**
- (bb) retail service;
- (cc) retail store;
- (dd) self-storage warehouse, provided it does not exceed an **interior floor area** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] of 400 square metres and it is not located on the ground floor of a building;
- (ee) service shop;
- (ff) software development and processing, provided it is located above the ground floor of a **building**, and the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
- (gg) **take-out eating establishment**, provided that the total **interior floor area** of all **take-out eating establishments** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] does not exceed 500 square metres;
- (hh) temporary sales centre for the purpose of the sale of **dwelling units** or commercial space;
- (ii) **transportation use;**

- (jj) **vehicle dealership**, provided it is limited to 400 square metres of **interior floor area** and does not include the outside display and storage of vehicles;
 - (kk) **vehicle fuel station**, provided it is ancillary to a **vehicle dealership**;
 - (ll) **vehicle service shop**, provided it is ancillary to a **vehicle dealership**;
 - (mm) **veterinary hospital**;
 - (nn) **wellness centre**;
- (B) despite regulation 40.10.20.10(1)(A), **software development and processing** is only permitted if:
- (i) the **software development and processing** is located above the ground floor of a **building**; and
 - (ii) the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
- (C) despite the uses listed in regulation 40.10.20.20(1)(A), **drive through facility** and **funeral home**, are not permitted;
- (D) in addition to the requirements of regulation 40.10.20.100(7), **public parking** is only permitted if it is located below ground and despite regulation 40.10.20.100(10), one **building** for parking attendants is permitted on each Block as shown in Diagram 6 of By-law **[Clerks to insert by-law ##]**;
- (E) in addition to the permitted uses listed in clause 40.10.20.10, "car-sharing" and "bike-sharing" are also permitted;
- (F) in addition to the permitted uses listed in clause 40.10.20.10, **self-storage warehouse** is only permitted if:
- (i) it does not exceed an **interior floor area** for each Block as shown on Diagram 6 of By-law **[Clerks to insert by-law ##]** of 400 square metres; and
 - (ii) it is not located on the ground floor of a building;

- (G) despite regulation 40.10.20.100(26) and 150.90.20.1(1), a **vehicle dealership** is limited to 400 square metres of **interior floor area**;
- (H) despite regulation 150.90.20.1(2), the outside display and storage of **vehicles** in combination with a **vehicle dealership** is not permitted;
- (I) despite regulation 40.10.20.100(13) and section 150.92, a **vehicle fuel station** is only permitted if it is ancillary to a **vehicle dealership**;
- (J) despite regulation 40.10.20.100(13) and section 150.94, a **vehicle service shop** is only permitted if it is ancillary to a **vehicle dealership**;
- (K) despite regulation 40.10.20.100(25) and section 150.96, a **vehicle washing establishment** is only permitted below the ground floor;
- (L) despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is measured from the Canadian Geodetic Datum Elevation listed in (i) to (v) below, to the highest point of the **building** or **structure**. The Canadian Geodetic Datum Elevation for the Blocks as shown on Diagram 6 of By-law [Clerks to insert by-law ##] are as follows:
 - (i) 86.5 metres for Block 1B;
 - (ii) 87.6 metres for Block 3B;
 - (iii) 82.6 metres for Block 4;
 - (iv) 85.5 metres for Block 5; and
 - (v) 85.0 metres from Block 6;
- (M) despite regulation 40.10.40.10(1) and (7), the permitted maximum height and number of **storeys** of any **building** or **structure** is the height in metres and number of **storeys** specified by the number following the HT and ST symbol as shown on Diagrams 10, 13, 14, 15 and 16 of By-law [Clerks to supply by-law ##];
- (N) despite (M) above, public art features and **landscaping** may exceed the maximum permitted height by 2.0 metres;
- (O) despite (N) above, the "water tower" can exceed the maximum permitted height by 38.0 metres;
- (P) for the purpose of interpreting (M) above, vestibules providing rooftop access having a maximum **gross floor area** of 12.0 square metres,

mechanical penthouses, stair enclosures and elevator overruns shall not constitute a **storey**;

- (Q) in determining compliance with regulation 40.10.40.10(5), a mezzanine shall not constitute a **storey**;
- (R) the height of a **storey** containing **dwelling units** will be no less than 2.9 metres;
- (S) despite regulation 40.10.40.40(1) , the required minimum and permitted maximum **gross floor area** and **interior floor area** on Blocks 1B, 3B, 4, 5 and 6, as shown on Diagram 6 of By-law [Clerks to supply by-law ##] is:
 - (i) on Block 1B:
 - (a) a maximum of 46,800 square metres of **gross floor area** for residential uses is permitted; and
 - (b) a combined minimum of 26,600 square metres of **gross floor area** for non-residential uses is required in Blocks 1A and 1B as shown in Diagram 6 of By-law [Clerks to insert by-law ##];
 - (ii) on Block 3B:
 - (a) a maximum of 128,800 square metres of **gross floor area** for residential uses is permitted;
 - (b) a combined minimum of 35,700 square metres of **gross floor area** for non-residential uses is required in Blocks 3A and 3B as shown in Diagram 6 of By-law [Clerks to insert by-law ##], of which a minimum of 625 square metres of **interior floor area** is required for a **day nursery** on Block 3B;
 - (iii) on Block 4:
 - (a) a maximum of 98,800 square metres of **gross floor area** for residential uses is permitted;
 - (b) a minimum of 7,800 square metres of **gross floor area** for non-residential uses is required, of which a minimum of 1,200 square metres of **interior floor area** is required for a library;
 - (iv) on Block 5:

- (a) a maximum of 49,200 square metres of **gross floor area** for residential uses is permitted;
 - (b) a minimum of 9,000 square metres of **gross floor area** for non-residential uses is required, of which a minimum of 6,000 square metres of **interior floor area** is required for a **community centre**;
- (v) on Block 6:
 - (a) a maximum of 54,100 square metres of **gross floor area** for residential uses is permitted; and
 - (b) a minimum of 2,800 square metres of **gross floor area** for non-residential uses is required;
- (T) the permitted average "tower floor plate" and maximum "tower floor plate" for each "tower" as shown on Diagram 7 of By-law [Clerks to insert by-law ##] is;
 - (i) for Tower 2:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 860 square metres;
 - (ii) for Tower 8:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 950 square metres;
 - (iii) for Tower 9:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 860 square metres;
 - (iv) for Tower 10:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 900 square metres;
 - (v) for Tower 11:
 - (a) an average "tower floor plate" of 735 square metres; and

- (b) a maximum "tower floor plate" of 740 square metres;
- (vi) for Tower 12:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 890 square metres;
- (vii) for Tower 13:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 880 square metres;
- (viii) for Tower 14:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 915 square metres;
- (ix) for Tower 15:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 930 square metres;
- (U) despite clause 40.10.40.70(1), the required minimum **building setbacks** and stepbacks for the portion of a **building** or **structure** on Blocks 1B, 3B, 4, 5 and 6 are shown on Diagrams 10, 13, 14, 15 and 16 of By-law [Clerks to insert by-law ##];
- (V) despite (U) above, public art features and **landscaping** may encroach into the required **building setbacks**.
- (W) despite regulation 40.10.40.80(1), the required minimum **building** separation distances on Blocks 1B, 3B, 4, 5 and 6 are shown on Diagrams 7, 10, 13, 14, 15 and 16 of By-law [Clerks to insert by-law ##];
- (X) in addition to the requirements of (W) above, a minimum 11 metre separation distance is required between the windows of **dwelling units** (other than the window of a kitchen or bathroom) of the same **building**; and
 - (i) the required window separation shall not apply to windows on **main walls** which form an angle of 90 degrees or greater to each other, on a horizontal plane;

- (Y) despite regulation 40.10.80.10(1) and 40.10.80.20(2), surface **parking spaces** are not permitted;
- (Z) despite regulation 40.10.100.10(1)(C) the number of **vehicle** accesses are restricted to:
 - (i) one access on Block 1B, abutting "Street C" as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
 - (ii) one access on Block 3B, abutting "Street A" as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
 - (iii) one access on Block 4, abutting "Street C" as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
 - (iv) one access on Block 5, abutting "Street D" as shown on Diagram 6 of By-law [Clerks to insert by-law ##]; and
 - (v) one access on Block 6, abutting "Street A" as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (AA) despite regulation 200.5.1(2), **parking spaces** must be provided collectively for each use on each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (BB) despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on each Block shown on Diagram 6 of By-law [Clerks to insert by-law ##] as follows;
 - (i) 0.4 **parking spaces** per **dwelling unit** for residential occupants;
 - (ii) all other uses are subject to the **parking space** rates listed in regulation 200.5.10.1(1) and Table 200.5.10.1;
- (CC) despite regulation 220.5.1(2), **loading spaces** must be provided and maintained for each use on each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (DD) despite regulation 220.5.1.10(1), the calculation of required **loading spaces** is based on the total **gross floor area** of each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (EE) despite any regulation to the contrary, **loading spaces** must be provided below ground on Blocks 1B, 3B, 4, and 5 as shown on Diagram 6 of By-law [Clerks to insert by-law ##] and may be provided above ground on

Block 6 as shown on Diagram 6 of By-law [Clerks to insert by-law ##], provided the **loading space** is located inside a **building**;

- (FF) despite regulation 230.5.1.10(8), a **bicycle parking space** must be on the same Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] as the use for which it is required;

Prevailing By-laws and Prevailing Sections: None Apply

8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 349 so that it reads:

Exception CR [349]

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

Site Specific Provisions:

- (A) On the lands shown as Blocks 1A, 2 and 3A on Diagram 6 of By-law [Clerks to insert by-law ##], if the requirements of Section 17 and Schedule A of By-law [Clerks to insert by-law ##] are complied with, **buildings** and **structures** in compliance with (B) through (PP) below, may be erected or used, and:
- (i) Prior to the lifting of the H symbol as described in Section 16 on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##], the only interim uses that are permitted, provided they are located entirely within the portion of the block located in the Commercial Residential Zone category, and which must comply with the requirements of By-law 569-2013 instead of this site-specific provision, include:
- (a) **art gallery;**
 - (b) **artist studio;**
 - (c) **automated banking machine;**
 - (d) "bike sharing";
 - (e) **cabaret;**
 - (f) "car sharing";
 - (g) **club;**

- (h) cold storage, provided it is not located on the ground floor of a **building**;
- (i) **custom workshop**;
- (j) **eating establishment**;
- (k) **education use**;
- (l) **entertainment place of assembly**;
- (m) **financial institution**;
- (n) **laboratory**, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
- (o) **market garden**;
- (p) **massage therapy**;
- (q) medical office;
- (r) office;
- (s) outdoor patio;
- (t) outdoor sales or display;
- (u) **park**;
- (v) **performing arts studio**;
- (w) **personal service shop**;
- (x) **pet services**;
- (y) **production studio**;
- (z) **public parking**, provided it is **ancillary** to other interim uses permitted in this section and is not located in an above ground **parking garage**;
- (aa) **recreation use**;
- (bb) retail service;

- (cc) retail store;
 - (dd) self-storage warehouse, provided it does not exceed an **interior floor area** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] of 400 square metres and it is not located on the ground floor of a building;
 - (ee) service shop;
 - (ff) software development and processing, provided it is located above the ground floor of a **building**, and the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
 - (gg) **take-out eating establishment**, provided that the total **interior floor area** of all **take-out eating establishments** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] does not exceed 500 square metres;
 - (hh) temporary sales centre for the purpose of the sale of **dwelling units** or commercial space;
 - (ii) **transportation use**;
 - (jj) **vehicle dealership**, provided it is limited to 400 square metres of **interior floor area** and does not include the outside display and storage of vehicles;
 - (kk) **vehicle fuel station**, provided it is ancillary to a **vehicle dealership**;
 - (ll) **vehicle service shop**, provided it is ancillary to a **vehicle dealership**;
 - (mm) **veterinary hospital**;
 - (nn) **wellness centre**;
- (B) despite clauses 40.10.20.10 and 40.10.20.20, the following uses are only permitted if they are located entirely within the portion of the **building** located in the Commercial Residential Zone category;
- (i) **amusement arcade**, provided it complies with regulations 40.10.20.100(23), (46) and (47);

- (ii) **cabaret**, provided it complies with regulation 40.10.20.100(1);
 - (iii) **club**, provided it complies with regulation 40.10.20.100(1);
 - (iv) **community centre**;
 - (v) **day nursery**, provided it complies with regulation 40.10.20.100(27) and section 150.45;
 - (vi) **dwelling units** in compliance with regulation 40.10.20.40(1);
 - (vii) **entertainment place of assembly**, provided it complies with regulations 40.10.20.100(1) and (46);
 - (viii) **hotel**, provided it complies with regulation 40.10.20.100(4);
 - (ix) library;
 - (x) **passenger terminal**;
 - (xi) **place of assembly**, provided it complies with regulations 40.10.20.100(4) and (29);
 - (xii) **place of worship**, provided it complies with regulation 40.10.20.100(40) and section 150.50;
 - (xiii) **post-secondary school**;
 - (xiv) **private school**, provided that it complies with regulation 40.10.20.100(28) and section 150.48;
 - (xv) **public school**, provided it complies with regulation 40.10.20.100(28) and section 150.48;
 - (xvi) **recreation use** provided it complies with regulations 40.10.20.100(1) and (46);
 - (xvii) **religious education use**;
 - (xviii) **sports place of assembly**, provided it complies with regulation 40.10.20.100(46);
 - (xix) **wellness centre**;
- (C) despite regulation 40.10.20.10(1)(A), **software development and processing** is only permitted if:

- (i) the **software development and processing** is located above the ground floor of a **building**; and
 - (ii) the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
- (D) despite the uses listed in regulation 40.10.20.20(1)(A), **drive through facility** and **funeral home**, are not permitted;
- (E) in addition to the requirements of regulation 40.10.20.100(7), **public parking** is only permitted if it is located below ground and despite regulation 40.10.20.100(10), one **building** for parking attendants is permitted on each Block as shown in Diagram 6 of By-law **[Clerks to insert by-law ##]**;
- (F) in addition to the permitted uses listed in clause 40.10.20.10, "car-sharing" and "bike-sharing" are also permitted;
- (G) in addition to the permitted uses listed in clause 40.10.20.10(1)(A), **self-storage warehouse** is only permitted if:
 - (i) it does not exceed an **interior floor area** for each Block as shown on Diagram 6 of By-law **[Clerks to insert by-law ##]** of 400 square metres; and
 - (ii) it is not located on the ground floor of a building;
- (H) despite 40.10.20.20(1)(A), **custom workshop** is permitted, provided it complies with regulation 40.10.20.100(16), and where a custom workshop is located in the portion of a **building** located in the Commercial Residential Zone category, the custom workshop is limited to an **interior floor area** of 400 square metres for each custom workshop unit;
- (I) despite 40.10.20.10(1)(A), **education use** is permitted, provided that where an education use is located in the portion of a building in the Employment Light Industrial Zone category, that education use shall be in compliance with regulation 60.10.20.10(4);
- (J) despite 40.10.20.20(1)(A), **laboratory** is permitted, provided that for the portion located in a building in the Commercial Residential Zone category; the laboratory shall be in compliance with regulation 40.10.20.100(15);

- (K) despite 40.10.20.20(1)(A), **outdoor patio** is permitted, provided that outdoor patios located in the Commercial Residential Zone category comply with regulation 40.10.20.100(21);
- (L) despite regulation 40.10.20.100(26) and 150.90.20.1(1), a **vehicle dealership** is limited to 400 square metres of **interior floor area**;
- (M) despite regulation 150.90.20.1(2), the outside display and storage of **vehicles** in combination with a **vehicle dealership** is not permitted;
- (N) despite regulation 40.10.20.100(13) and Section 150.92, a **vehicle fuel station** is only permitted if it is ancillary to a **vehicle dealership**;
- (O) despite regulation 40.10.20.100(13) and Section 150.94, a **vehicle service shop** is only permitted if it is ancillary to a **vehicle dealership**;
- (P) despite regulation 40.10.20.100(25) and section 150.96, a **vehicle washing establishment** is only permitted below the ground floor;
- (Q) despite regulations 40.5.10.10(1) and (2), height is measured from the Canadian Geodetic Datum Elevation listed in (i) to (iii) below, to the highest point of the **building** or **structure**. The Canadian Geodetic Datum Elevation for the Blocks shown on Diagram 6 of By- law [Clerks to insert by-law ##] are as follows:
 - (i) 86.5 metres for Block 1A; and
 - (ii) 85.8 metres for Block 2;
 - (iii) 87.6 metres for Block 3A;
- (R) In addition to those elements which may exceed the permitted maximum height of a **building** listed in regulation 40.5.40.10(3), where a portion of a **mixed use building** is also located in the Employment Light Industrial Zone category the following additional **structures** may exceed the permitted maximum height of a **building** by 5.0 metres:
 - (i) free-standing or roof-top chimney stacks;
 - (ii) scrubbers; or
 - (iii) other pollution abatement equipment;
- (S) in addition to those elements which reduce **gross floor area** listed in regulation 40.5.40.40(3), where a portion of a **mixed use building** is also

located in the Employment Light Industrial Zone category, the following additional elements also reduce **gross floor area**:

- (i) voids at the level of each floor with a **manufacturing use**;
 - (ii) ventilation ducts;
 - (iii) utility shafts;
 - (iv) utility areas;
 - (v) catwalks;
 - (vi) service platforms; and
 - (vii) escalators
- (T) despite regulation 40.5.75.1(2)(A)(ii), no part of a photovoltaic **solar energy** device or thermal **solar energy** device located on a **building** may be higher than 3.0 metres above the maximum permitted height for the **building**;
- (U) despite regulations 40.5.75.1(A)(B) and (C), and regulations 60.5.75.1(4)(A) and (B) if a portion of a **building** is also located in the Employment Light Industrial Zone category, a **wind energy** device may exceed the permitted maximum height for a **building** by 10.0 metres;
- (V) despite regulation 40.10.40.10(1) and (7), the permitted maximum height and number of **storeys** of any **building** or **structure** is the height in metres and number of **storeys** specified by the number following the HT and ST symbol as shown on Diagrams 9, 11 and 12 of By-law **[Clerks to insert by-law ##]**;
- (W) despite (V) above, the following elements may project beyond the permitted maximum building height;
- (i) public art features and **landscaping** by 2.0 metres;
 - (ii) canopies, where located in the "Galleria Zone" as shown on Diagram 11 of By-law **[Clerks to insert by-law ##]**, by 20.0 metres; and
 - (a) where canopies are located outside the "Galleria Zone" as shown on Diagram 11 of By-law **[Clerks to insert by-law ##]**, regulations 40.5.40.60(1) and 40.10.40.60(2) apply;
- (X) for the purpose of interpreting (V) above, vestibules providing rooftop access having a maximum **gross floor area** of 12.0 square metres,

mechanical penthouses, stair enclosures and elevator overruns shall not constitute a **storey**;

- (Y) in determining compliance with regulation 40.10.40.50(5), a mezzanine shall not constitute a **storey**;
- (Z) the height of a **storey** containing **dwelling units** will be no less than 2.9 metres;
- (AA) despite regulation 40.10.40.40(1), the required minimum and permitted maximum **gross floor area** and **interior floor area** on Blocks 1A, 2, and 3A as shown on Diagrams 9, 11 and 12 of By-law [Clerks to insert by-law ##] is:
 - (i) on Block 1A:
 - (a) a maximum of 50,600 square metres of **gross floor area** for residential uses is permitted;
 - (b) a combined minimum of 26,600 square metres of **gross floor area** for non-residential uses is required in Blocks 1A and 1B as shown in Diagram 6 of By-law [Clerks to insert by-law ##]; and
 - (ii) on Block 2:
 - (a) a maximum of 110,000 square metres of **gross floor area** for residential uses is permitted;
 - (b) a minimum of 32,000 square metres of **gross floor area** for non-residential uses is required, of which a minimum of 625 square metres of **interior floor area** is required for a **day nursery**;
 - (iii) on Block 3A:
 - (a) a maximum of 46,700 square metres of **gross floor area** for residential uses is permitted;
 - (b) a combined minimum of 35,700 square metres of **gross floor area** for non-residential uses is required in Blocks 3A and 3B as shown in Diagram 6 of By-law [Clerks to insert by-law ##]; and

- (BB) the permitted average "tower floor plate" and maximum "tower floor plate" for each "tower" as shown on Diagram 7 of By-law [Clerks to insert by-law ##] is;
- (i) for Tower 1:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 960 square metres;
 - (ii) for Tower 3:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 880 square metres;
 - (iii) for Tower 4:
 - (a) an average "tower floor plate" of 730 square metres; and
 - (b) a maximum "tower floor plate" of 740 square metres;
 - (iv) for Tower 5:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 935 square metres;
 - (v) for Tower 6:
 - (a) an average "tower floor plate" of 750 square metres; and
 - (b) a maximum "tower floor plate" of 800 square metres;
 - (vi) for Tower 7:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 920 square metres;
- (CC) despite clause 40.10.40.70(1), the required minimum **building setbacks** and stepbacks for the portion of a **building** or **structure** on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] are shown on Diagrams 9, 11 and 12 of By-law [Clerks to insert by-law ##];
- (DD) despite (CC) above, the following elements may encroach into the required **building setbacks**:

- (i) public art features and **landscaping**; and
 - (ii) canopies, where they are located in the "Galleria Zone" as shown in Diagram 11 of By-law [Clerks to insert by-law ##];
- (EE) despite regulation 40.10.40.80(1), the required minimum **building** separation distances on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] are shown on Diagrams 7, 9, 11 and 12 of By-law [Clerks to insert by-law ##];
- (FF) in addition to the requirements of (EE) above, a minimum 11 metre separation distance is required between the windows of **dwelling units** (other than the window of a kitchen or bathroom) of the same **building**; and
- (i) the required window separation shall not apply to windows on **main walls** which form an angle of 90 degrees or greater to each other, on a horizontal plane;
- (GG) despite regulation 40.10.80.10(1) and 40.10.80.20(2), surface **parking spaces** are not permitted;
- (HH) despite regulation 40.10.100.10(1)(C), one **vehicle** access is permitted to the lands on Block 1A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] provided it abuts Park Lawn Road and one **vehicle** access is permitted to the lands on Block 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] provided it abuts "Street A";
- (II) **vehicle** access to the lands located on Block 2 must be below ground and accessed from an abutting Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (JJ) despite regulation 200.5.1(2), **parking spaces** must be provided collectively for each use on each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (KK) despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on each Block shown on Diagram 6 of By-law [Clerks to insert by-law ##] as follows;
- (i) 0.4 **parking spaces** per **dwelling unit** for residential occupants;
 - (ii) all other uses are subject to the **parking space** rates described in regulation 200.5.10.1(1) and Table 200.5.10.1;

- (LL) despite regulation 220.5.1(2), **loading spaces** must be provided and maintained for each use on each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (MM) despite regulation 220.5.1.10(1), the calculation of required **loading spaces** is based on the total **gross floor area** of each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (NN) despite any regulation to the contrary, **loading spaces** must be provided below ground on Blocks 1A, 2, and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (OO) despite regulation 230.5.1.10(8), a **bicycle parking space** must be on the same Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] as the use for which it is required;
- (PP) despite any requirement to the contrary, one pedestrian tunnel with a permitted maximum width of 7.5 metres and a maximum height of 7.5 metres, and including any support **structures**, may be constructed connecting to the lands on Block 8 as shown on Diagram 6 of By-law [Clerks to insert by-law ##];

Prevailing By-laws and Prevailing Sections: None Apply

9. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.21.10 Exception Number 11 so that it reads:

Exception EL [11]

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

Site Specific Provisions:

- (A) On the lands shown as Blocks 1A, 2 and 3A on Diagram 6 of By-law [Clerks to insert by-law ##], if the requirements of Section 17 and Schedule A of By-law [Clerks to insert by-law ##] are complied with, **buildings** and **structures** in compliance with (B) through (HH) below, may be erected or used, and:
 - (i) Prior to the lifting of the H symbol as described in Section 16 on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##], the only interim uses that are permitted, provided they are located entirely within the portion of the block located in the Employment Light Industrial Zone category, and

which must comply with the requirements of By-law 569-2013 instead of this site-specific provision, include:

- (a) **art gallery;**
- (b) **artist studio;**
- (c) beverage **manufacturing use**, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
- (d) "bike sharing";
- (e) bindery;
- (f) "car sharing";
- (g) cold storage, provided it is not located on the ground floor of a **building**;
- (h) **custom workshop;**
- (i) **eating establishment**, provided that the total **interior floor area** of all **eating establishments** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] does not exceed 500 square metres;
- (j) **education use;**
- (k) **financial institution;**
- (l) food **manufacturing use**, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
- (m) **laboratory**, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
- (n) **market garden;**
- (o) **massage therapy;**
- (p) medical office;
- (q) office;

- (r) outdoor patio;
- (s) **park;**
- (t) **performing arts studio;**
- (u) **personal service shop;**
- (v) **pet services;**
- (w) **production studio;**
- (x) **public parking**, provided it is **ancillary** to uses permitted in this section and is not located in an above ground **parking garage**;
- (y) recreation use, provided the use is a fitness club;
- (z) **retail service**, provided the maximum **interior floor area** of all **retail services** on each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] is 400 square metres. The calculation of total **interior floor area** is reduced by items listed in regulation 60.5.40.40(1);
- (aa) **retail store**, provided that a **retail store** which includes a beverage **manufacturing use** for beer, cider or wine, is limited to an **interior floor area** of 400 square metres;
- (bb) self-storage warehouse, provided it does not exceed an **interior floor area** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] of 400 square metres and it is not located on the ground floor of a building;
- (cc) **service shop**;
- (dd) software development and processing, provided it is located above the ground floor of a **building**, and the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
- (ee) **take-out eating establishment**, provided that the total **interior floor area** of all **take-out eating establishments** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] does not exceed 500 square metres;

- (ff) temporary sales centre for the purpose of the sale of **dwelling units** or commercial space;
 - (gg) **transportation use**;
 - (hh) **vehicle dealership**, provided it is limited to 400 square metres of **interior floor area** and does not include the outside display and storage of vehicles;
 - (ii) **vehicle fuel station**, provided it is ancillary to a **vehicle dealership**;
 - (jj) **vehicle service shop**, provided it is ancillary to a **vehicle dealership**;
 - (kk) **veterinary hospital**;
 - (ll) **wellness centre**;
- (B) despite clauses 60.10.20.10 and 60.10.20.20, the following uses are only permitted if they are located entirely within the portion of the **building** located in the Employment Light Industrial Zone category;
- (i) beverage **manufacturing use**, provided it occupies only one **storey**, and despite regulation 60.10.20.100(9), the permitted maximum **interior floor area** is 1,000 square metres;
 - (ii) bindery;
 - (iii) carpenters shop;
 - (iv) cold storage, provided it is not located on the ground floor of a **building**;
 - (v) contractors establishment, provided it complies with 60.10.20.100(7);
 - (vi) food **manufacturing use**, provided:
 - (a) despite regulation 60.10.20.100(9), the permitted maximum interior floor area of the food manufacturing use is 1,000 square metres;
 - (b) the food manufacturing use may occupy a maximum of one storey in a building in each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##]; and

- (c) the food manufacturing use must comply with regulation 60.10.20.100(10);
- (vii) printing establishment, provided:
 - (a) it occupies a maximum of one **storey**; and
 - (b) the permitted maximum **interior floor area** is 1,000 square metres;
- (viii) **warehouse**, provided:
 - (a) it is not located on the ground floor of a **building**; and
 - (b) the permitted maximum **interior floor area** is 1,000 square metres;
- (ix) **wholesaling use**, provided:
 - (a) it is not located on the ground floor of a **building**; and
 - (b) the permitted maximum **interior floor area** is 1,000 square metres;
- (C) despite clauses 60.10.20.10 and 60.10.20.20, the following uses are not permitted;
 - (i) apparel and textile **manufacturing use**;
 - (ii) **crematorium**
 - (iii) dry cleaning or laundry plant;
 - (iv) furniture **manufacturing use**;
 - (v) **industrial sales and service use**;
 - (vi) metal products **manufacturing use**;
 - (vii) **open storage**;
 - (viii) plastic **manufacturing use**;
- (D) in addition to the permitted uses listed in clause 60.10.20.10, the following uses are also permitted;
 - (i) **art gallery**;

- (ii) "bike-sharing";
- (iii) "car-sharing";
- (iv) computer, communications, electronics, or optical media **manufacturing use**, provided:
 - (a) it is located entirely within the portion of the **building** located in the Employment Light Industrial Zone category;
 - (b) it is not located on the ground floor of a **building**; and
 - (c) the **interior floor area** is less than 1,000 square metres;
- (v) courts of law;
- (vi) **massage therapy**;
- (vii) medical equipment and supplies **manufacturing use**, provided:
 - (a) it is located entirely within the portion of the **building** located in the Employment Light Industrial Zone category;
 - (b) it is not located on the ground floor of a **building**; and
 - (c) the **interior floor area** is less than 1,000 square metres;
- (viii) medical office;
- (ix) **museum**;
- (x) outdoor sales or display, provided:
 - (a) it is combined with another permitted non-residential use;
 - (b) no goods or commodities may be displayed within 15.0 metres of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category;
 - (c) the cumulative area of the outdoor sales or display of goods or commodities may not be more than 25% of the **gross floor area** of the **premises** it is associated with, up to a maximum of 1,500 square metres;
 - (d) the area for the outdoor sales or display of goods or commodities may not be located in areas required by this

By-law for parking, loading, **driveways** or **landscaping**;
and

- (e) there may be no storage or warehousing of goods in a **vehicle**;
- (xi) **personal service shop**;
- (xii) **pet services**;
- (xiii) pharmaceutical and medicine **manufacturing use**, provided:
 - (a) it is located entirely within the portion of the **building** located in the Employment Light Industrial Zone category;
 - (b) it is not located on the ground floor of a **building**; and
 - (c) the **interior floor area** is less than 1,000 square metres;
- (xiv) **public parking**, provided:
 - (a) it is below ground; and
 - (b) a maximum of one **building** for parking attendants is permitted on each Block as shown in Diagram 6 of By-law [Clerks to insert by-law ##];
- (xv) **retail service**, provided the maximum **interior floor area** of all **retail services** on each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] is 400 square metres. The calculation of total **interior floor area** is reduced by items listed in regulation 60.5.40.40(1);
- (xvi) **retail store**, provided that a **retail store** which includes a beverage **manufacturing use** for beer, cider or wine, is limited to an **interior floor area** of 400 square metres;
- (xvii) **vehicle dealership**, provided it is limited to 400 square metres of **interior floor area** and it does not include the outside display and storage of **vehicles**;
- (xviii) **vehicle fuel station**, provided it is ancillary to a **vehicle dealership**;
- (xix) **vehicle service shop**, provided it is ancillary to a **vehicle dealership**;
- (xx) **vehicle washing establishment**, permitted it is below the ground floor;
- (xxi) **veterinary hospital**

- (xxii) **wellness centre**;
- (E) despite regulation 60.10.20.20(1), **software development and processing** is only permitted if:
 - (i) the **software development and processing** is located above the ground floor of a **building**; and
 - (ii) the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
- (F) despite 60.10.20.10(1), **self-storage warehouse** is only permitted if:
 - (i) it does not exceed an **interior floor area** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] of 400 square metres; and
 - (ii) it is not located on the ground floor of a building;
- (G) despite 60.10.20.20(1), **eating establishment** is permitted, provided it complies with regulation 60.10.20.100 (14);
- (H) despite 60.10.20.100(6), the total **interior floor area** of all **eating establishments** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] may not exceed 500 square metres;
- (I) despite 60.10.20.100(6), the total **interior floor area** of all **take-out eating establishments** for each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##] may not exceed 500 square metres;
- (J) despite 60.10.20.20(1), **education use** is permitted, provided that where an **education use** is located in the portion of a building in the Employment Light Industrial Zone category, that **education use** shall be in compliance with regulation 60.10.20.100(4);
- (K) despite 60.10.20.20(1), **public utility**, provided it is not a water filtration plant, and it complies with regulations 60.10.20.100(16) and (18);
- (L) despite regulations 60.5.40.10(1) and (2) height is measured from the Canadian Geodetic Datum Elevation listed in (i) to (iii) below, to the highest point of the **building** or **structure**. The Canadian Geodetic Datum Elevation for the Blocks shown on Diagram 6 of By-law [Clerks to insert by-law ##] are as follows:
 - (i) 86.5 metres for Block 1A; and

- (ii) 85.8 metres for Block 2;
- (iii) 87.6 metres for Block 3A;
- (M) despite regulation 60.5.40.40(1), the reductions in **gross floor area** that are permitted for a **non-residential building** may also be applied to a **mixed use building** and in addition to those elements which reduce **gross floor area** listed in regulation 60.5.40.40(1), the following additional elements reduce **gross floor area**:
 - (i) required **amenity space**; and
 - (ii) garbage shafts;
- (N) despite regulations 60.5.75.1(4)(A) and (B) a **wind energy** device may exceed the permitted maximum height for a **building** by 10.0 metres;
- (O) despite regulation 60.5.75.1(6), a **cogeneration energy** device must be located inside a permitted **building**;
- (P) despite regulations 60.5.80.10(1) and (2), all **parking spaces** must be located below ground;
- (Q) regulation 60.5.100.1(1) with regards to driveway widths, does not apply;
- (R) despite regulation 60.10.40.10(1), the permitted maximum height and number of **storeys** of any **building** or **structure** is the height in metres and number of **storeys** specified by the number following the HT and ST symbol as shown on Diagrams 9, 11 and 12 of By-law **[Clerks to insert by-law ##]**;
- (S) despite (R) above, the following elements may project beyond the permitted maximum building height;
 - (i) public art features and **landscaping** by 2.0 metres;
 - (ii) canopies, where located in the "Galleria Zone" as shown on Diagram 11 of By-law **[Clerks to insert by-law ##]**, by 20.0 metres; and
- (T) for the purpose of interpreting (R) above, vestibules providing rooftop access having a maximum **gross floor area** of 12.0 square metres, mechanical penthouses, stair enclosures and elevator overruns shall not constitute a **storey**;

- (U) the required minimum and permitted maximum **gross floor area** and **interior floor area** on Blocks 1A, 2, and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] is:
- (i) on Block 1A:
 - (a) a combined minimum of 26,600 square metres of **gross floor area** for non-residential uses is required in Blocks 1A and 1B as shown in Diagram 6 of By-law [Clerks to insert by-law ##]; and
 - (ii) on Block 2:
 - (a) a minimum of 32,000 square metres of **gross floor area** for non-residential uses is required in Block 2 as shown in Diagram 6 of By-law [Clerks to insert by-law ##]; and
 - (iii) on Block 3A:
 - (a) a combined minimum of 35,700 square metres of gross floor area for non-residential uses is required in Blocks 3A and 3B as shown in Diagram 6 of By-law [Clerks to insert by-law ##];
- (V) despite clause 60.10.40.70(1), the required minimum **building setbacks** and **stepbacks** for the portion of a **building** or **structure** on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] are shown on Diagrams 9, 11 and 12 of By-law [Clerks to insert by-law ##];
- (W) despite (V) above, the following elements may encroach into the required **building setbacks**:
- (i) **public art** features and all **landscaping**;
 - (ii) canopies, where they are located in the "Galleria Zone" as shown in Diagram 11 of By-law [Clerks to insert by-law ##];
 - (iii) all elements listed in clause 40.10.40.60, including canopies located outside the "Galleria Zone" as shown in Diagram 11 of By-law [Clerks to insert by-law ##], where a **building** is also located in the Commercial Residential Zone category, to the same extent as they are described in that clause;
- (X) the required minimum **building** separation distances on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] are

shown on Diagrams 7, 9, 11 and 12 of By-law [Clerks to insert by-law ##];

- (Y) in addition to the requirements of (X) above, a minimum 11 metre separation distance is required between the windows of **dwelling units** (other than the window of a kitchen or bathroom) of the same **building**; and
 - (i) the required window separation shall not apply to windows on **main walls** which form an angle of 90 degrees or greater to each other, on a horizontal plane;
- (Z) one **vehicle** access is permitted to the lands on Block 1A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] provided it abuts Park Lawn Road and one **vehicle** access is permitted to the lands on Block 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##] provided it abuts "Street A";
- (AA) **vehicle** access to the lands located on Block 2 as shown on Diagram 6 of By-law [Clerks to insert by-law ##] must be below ground and accessed from an abutting Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (BB) despite regulation 200.5.1(2), **parking spaces** must be provided collectively for each use on each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (CC) despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on each Block shown on Diagram 6 of By-law [Clerks to insert by-law ##] as follows;
 - (i) 0.4 **parking spaces** per **dwelling unit** for residential occupants;
 - (ii) all other uses are subject to the **parking space** rates described in regulation 200.5.10.1(1) and Table 200.5.10.1;
- (DD) despite regulation 220.5.1(2), **loading spaces** must be provided and maintained for each use on each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (EE) despite regulation 220.5.1.10(1), the calculation of required **loading spaces** is based on the total **gross floor area** of each Block as shown on Diagram 6 of By-law [Clerks to insert by-law ##];

- (FF) despite any regulation to the contrary, **loading spaces** must be provided below ground on Blocks 1A, 2, and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (GG) despite regulation 230.5.1.10(8), a **bicycle parking space** must be on the same Block as shown on Diagram 6 of By-[Clerks to insert by-law ##] as the use for which it is required; and
- (HH) despite any requirement to the contrary, one pedestrian tunnel with a permitted maximum width of 7.5 metres and a maximum height of 7.5 metres, and including any support **structures**, may be constructed connecting to the lands on Block 8 as shown on Diagram 6 of By-law [Clerks to insert by-law ##];

Prevailing By-laws and Prevailing Sections: None Apply

- 10.** Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.21.10 Exception Number 12 so that it reads:

Exception EL [12]

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

Site Specific Provisions:

- (A) On the lands shown as Block 8 on Diagram 6 of By-law [Clerks to insert by-law ##], if the requirements of Section 17 and Schedule A of By-law [Clerks to insert by-law ##] are complied with, **buildings** and **structures** in compliance with (B) through (O), may be erected or used;
- (B) despite regulations 60.5.80.10(1) and (2) and 60.10.80.20(1), surface **parking spaces** are not permitted;
- (C) regulation 60.5.100.1(1), with regards to **driveway widths**, does not apply;
- (D) despite clauses 60.10.20.10 and 60.10.20.20, the following uses are permitted:
 - (i) ambulance depot, fire hall and police station;
 - (ii) **custom workshop**;
 - (iii) office;

- (iv) **transportation use**, provided it complies with regulation 60.10.20.100(19);
- (v) **automated banking machine**, "car-sharing", "bike-sharing", **massage therapy**, medical office, **personal service shop**, **retail service**, **retail store**, and **wellness centre**, provided they are ancillary to and located in the same **building** as a **transportation use**;
- (vi) **eating establishment**, provided:
 - (a) it is ancillary to and located in the same **building** as a **transportation use**;
 - (b) it complies with regulations 60.10.20.100(6) and (14);
- (vii) **take-out eating establishment**, provided:
 - (a) it is ancillary to and located in the same **building** as a **transportation use**;
 - (b) it complies with regulation 60.10.20.100(6);
- (viii) **outdoor patio**, provided:
 - (a) it is ancillary to an **eating establishment** or **take-out eating establishment**;
 - (b) it may not be used to provide entertainment such as performances, music and dancing; and
 - (c) the maximum permitted area is the greater of 30 square metres or 30 percent of the **interior floor area** of the **premises** it is associated with;
- (E) despite regulation 60.10.40.10(1)(A), the permitted maximum height for a **building** containing a **transportation use** is 42.0 metres;
- (F) despite regulations 60.10.40.70(2)(A) and (B), the required minimum **building setback** for a **side lot line** that does not abut a **street** is 0 metres and 3.0 metres where the **side lot line** abuts a street;
- (G) regulation 60.10.40.70(3), with regards to the minimum **rear yard setback** for lots in the Employment Light Industrial Zone category, does not apply;
- (H) despite regulation 60.10.50.10(1); the required **soft landscaping** may be provided as **landscaping**;

- (I) despite regulation 200.5.10.1(1) and Table 200.5.10.1, zero **parking spaces** are required on Block 8 as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (J) despite clause 220.5.10.1, zero **loading spaces** are required on Block 8 as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (K) despite clause 230.5.10.1(1) and Table 230.5.10.1(1), 20 "long-term" **bicycle parking spaces** and 80 "short-term" **bicycle parking spaces** are required on Block 8 as shown on Diagram 6 of By-law [Clerks to insert by-law ##];
- (L) despite regulation 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located in any location inside a **building**;
- (M) despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in a **stacked bicycle parking spaces**;
- (N) one **vehicle** access is permitted to the lands located on Block 8 as shown on Diagram 6 of By-law [Clerks to insert by-law ##], provided it abuts "Street A";
- (O) despite any requirement to the contrary, two pedestrian tunnels or elevated enclosed walkways, each with a permitted maximum width of 7.5 metres and a maximum height of 7.5 metres, and including any support **structures**, may be constructed connecting to the lands on Blocks 1A and 3A as shown on Diagram 6 of By-law [Clerks to insert by-law ##];

Prevailing By-laws and Prevailing Sections: None Apply

- 11. A minimum area of 4,300 square metres of "privately-owned publicly accessible space" (POPS) and public access easements to and over the POPS may be located within the hatched area as shown on Diagram 8 of By-law [Clerks to insert by-law ##];
- 12. The required minimum percentages of 2-bedroom and 3-bedroom **dwelling units**, and the minimum **gross floor area** for these **dwelling units**, that will be provided in each phase of development, as described in Section 15, are as follows:
 - (A) 15% of the total number of **dwelling units** in each phase must have a minimum of 2-bedrooms and must have a minimum **gross floor area** of 87 square metres;
 - (B) an additional 10% of the total number of **dwelling units** in each phase must have a minimum of 3-bedrooms and must have a minimum **gross floor area** of 100 square metres; and

- (C) an additional 15% of the total number of **dwelling units** in each phase must have either a minimum of 2-bedrooms with a minimum **gross floor area** of 87 square metres or a minimum of 3-bedrooms with a minimum **gross floor area** of 100 square metres.
13. Former City of Etobicoke Zoning By-law 11,737 and Zoning Codes 304, 320 and 340 do not apply to the lands identified in Diagram 1 of By-law [Clerks to insert by-law ##].
14. For the purposes of this By-law, each word or expression that is bolded in this By-law shall have the same meaning as each such word or expression as defined in By-law 569-2013, as amended, except for the following:
- (A) "bike-sharing" means the practice whereby a number of people share the use of one or more bicycles, which are made available for short term rental, including hourly rental, and includes an **ancillary structure** where bicycles are capable of being securely stored and from which the general public may rent and return bicycles which are owned by a private sector organization or **non-profit organization**;
 - (B) "car-sharing" means the practice whereby a number of people share the use of one or more motor **vehicles** and such car-share motor **vehicles** are made available for short term rental, including hourly rental;
 - (C) "priority employment uses" means any of the following uses:
 - (i) beverage **manufacturing use**;
 - (ii) bindery;
 - (iii) carpenters shop;
 - (iv) computer, communications, electronics, or optical media **manufacturing use**;
 - (v) **contractor's establishment**
 - (vi) **custom workshop**;
 - (vii) food **manufacturing use**;
 - (viii) **laboratory**;
 - (ix) medical equipment and supplies **manufacturing use**;
 - (x) medical office;
 - (xi) office;

- (xii) **performing arts studio;**
- (xiii) pharmaceutical and medicine **manufacturing use;**
- (xiv) printing establishment;
- (xv) **production studio;**
- (xvi) **software development and processing;**
- (D) "privately-owned publicly accessible space" means an area with **landscaping** and **soft landscaping** which is privately owned but is open and accessible to the public at all times;
- (E) despite regulation 40.5.40.10(8)(C), "tower" means the portion of a **building** located above the 11th **storey;**
- (F) "tower floorplate" means the total built area within a "tower", measured from the exterior of the **main walls** at each floor, but excluding balconies;
- (G) "water tower" means an elevated **structure** supporting a water tank;

15. Phasing:

- (A) For the purpose of By-law **[Clerks to insert by-law ##]**, Blocks 1A, 1B, 2, 3A, 3B, 4, 5 and 6 shall refer to those lands shown on Diagram 6;
- (B) For clarity, the blocks included in each phase are as follows:
 - (i) phase 1 includes the development of Block 1A and 1B;
 - (ii) phase 2 includes the development of Block 2;
 - (iii) phase 3 includes the development of Block 3A and 3B;
 - (iv) phase 4 includes the development of Block 4;
 - (v) phase 5 includes the development of Block 5; and
 - (vi) phase 6 includes the development of Block 6.

16. Holding provisions:

The lands that are delineated with heavy lines and zoned with the "(H)" symbol, pursuant to Section 36 of the Planning Act, and as shown on Diagram 2 of By-law **[Clerks to insert by-law ##]** attached to and forming part of this By-law shall comply with the provisions of subparagraphs 7(A)(i), 8(A)(i) and 9(A)(i) to this By-law. An amending by-law to

remove the "(H)" symbol from any part of the lands subject to this by-law shall be enacted by Toronto City Council when the following conditions have been fulfilled for each phase to the satisfaction of City Council:

- (A) all additional right-of-way requirements have been secured to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning, including identification of land conveyance(s) and/or construction easements over lands required for temporary construction purposes all to be provided to the City at nominal cost;
- (B) the location, design and provision of transportation infrastructure to support redevelopment have been secured to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning, including any additional required easements, setbacks or roadway conveyances;
- (C) a Transportation Impact Study at each phase of development focusing on parking supply, transportation and traffic management, and transportation demand management measures, will be provided to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning;
- (D) acceptable streetscape plans have been secured for all streets within the applicable phase to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning;
- (E) satisfactory arrangements are in place to secure the provision of municipal infrastructure, including sewer, water and stormwater networks and hydroelectricity to service the proposed development to the satisfaction of the General Manager, Toronto Water, and the Chief Engineer and Executive Director, Engineering and Construction Services;
- (F) acceptance of an Air Quality Study and a Noise and Vibration Study given the Site's proximity to the Gardiner Expressway and Canadian National Railway, where applicable and deemed necessary to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (G) approval of emergency servicing, including fire, paramedic and fire service capacity for the given phase and/or development, to the satisfaction of Chief Engineer & Executive Director, Engineering & Construction Services;
- (H) registration of a plan of subdivision and/or entering into a subdivision agreement and/or other implementing agreements with the City, as

required, at the owner's expense, to the satisfaction of the Chief Engineer & Executive Director, Engineering and Construction Services, the Chief Planner and Executive Director, City Planning, and the City Solicitor;

- (I) an agreement outlining the provision of appropriate financial security to implement the street network, including securing acceptable streetscape plans for all streets (public and private) within the plan area to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (J) acceptance of a Community Services and Facilities (CS&F) Implementation Plan that identifies what facilities have been delivered and what remaining facilities are required, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (K) acceptance of a Housing Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning that identifies: the percentage of units that will be two and three bedrooms in size for both the market units and for the affordable housing units; how the affordable housing requirement for the specific phase and the entire Plan Area is being met including through which delivery mechanism(s); and the proposed number, unit types and location of the affordable housing units in the specific phase;
- (L) acceptance of a Public Art Plan, and provision of a financial security to secure the commission of public art on Blocks 1-6, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (M) acceptance of a Land Use Analysis that outlines the percentage breakdown of all uses (constructed and proposed), including "priority employment uses" as described in section 14(C) of By-law [Clerks to insert by-law ##] on Blocks 1-6 as shown on Diagram 6 of By-law [Clerks to insert by-law ##] to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- (N) acceptance of a Pedestrian Level Wind Study and appropriate mitigation measures to maximize pedestrian comfort, all to the satisfaction of the Chief Planner and Executive Director, City Planning;

In addition to conditions 16(A) through 16(N), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from those lands zoned CR as shown in Diagram 2 of By-law [Clerks to insert by-law ##] in Phase 1:

- (O) Provincial approval of the Government of Ontario ("GO" herein), or its successor, Transit Station through the Metrolinx Transit Program Assessment Process, secured to the satisfaction of the Chief Planner and Executive Director, City Planning;

- (P) endorsement of the GO Transit Station by the Metrolinx Board, secured to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (Q) acceptance of an agreement outlining the provision of secured funding to deliver the GO Transit Station, secured to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (R) the location, design and provision for on-site Toronto Transit Commission ("TTC" herein) improvements within the Phase 1 lands, to the satisfaction of the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning in consultation with the TTC;
- (S) approval of the "POPS" design for the transit plaza and the pedestrian plaza, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (T) acceptance of a Rail Safety and Risk Mitigation Report prepared in accordance with the City's Rail Safety and Risk Mitigation Terms of Reference, all to the satisfaction of the Chief Planner and Executive Director, City Planning, and Metrolinx; and
- (U) for lands within 30 metres of the rail corridor, construction of, or the securing through an agreement for the construction of, railway corridor risk mitigation measures, in accordance with a derailment safety assessment prepared by a qualified consultant and noise and air quality mitigation measures all to the satisfaction of the Chief Planner and Executive Director, City Planning, and Metrolinx.

In addition to conditions 16(A) through 16(N), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 2:

- (V) provision of an Interpretation Plan, to the satisfaction of the Senior Manager, Heritage Planning to be implemented to the satisfaction of the Senior Manager, Heritage Planning;
- (W) acceptance of documentation demonstrating that the GO Transit Station is fully constructed and ready for occupancy to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (X) the location, design and provision for on-site Toronto Transit Commission ("TTC" herein) improvements within the Phase 2 lands, to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning in consultation with the TTC; and

- (Y) above-grade building permits issued for all buildings on Block 1A, as shown in Diagram 6 of By-law [Clerks to insert by-law ##].

In addition to conditions 16(A) through 16(N), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 3:

- (Z) acceptance of an agreement detailing the provision of space to be occupied by the Toronto District School Board and Toronto Catholic District School Board, or documentation showing that all efforts were made to come to an agreement with the School Boards, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (AA) the location, design and provision for on-site Toronto Transit Commission ("TTC" herein) improvements within the Phase 3 lands, to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning in consultation with the TTC;
- (BB) above-grade building permits issued for all buildings in Phase 2;
- (CC) acceptance of documentation demonstrating that buildings located in the EL zone on the Phase 1 lands are fully constructed and ready for occupancy to the satisfaction of the Chief Planner and Executive Director, City Planning Division
- (DD) acceptance of a Rail Safety and Risk Mitigation Report prepared in accordance with the City's Rail Safety and Risk Mitigation Terms of Reference, all to the satisfaction of the Chief Planner and Executive Director, City Planning, and Metrolinx; and
- (EE) for lands within 30 metres of the rail corridor, construction of, or the securing through an agreement between the City and the Owner for the construction of, railway corridor risk mitigation measures, in accordance with a derailment safety assessment prepared by a qualified consultant and noise and air quality mitigation measures all to the satisfaction of the Chief Planner and Executive Director, City Planning, and Metrolinx.

In addition to conditions 16(A) through 16(N), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 4:

- (FF) above-grade building permits issued for all buildings in Phase 3; and
- (GG) acceptance of documentation demonstrating that the buildings located in the EL zone on the Phase 2 lands are fully constructed and ready for

occupancy to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

In addition to conditions 16(A) through 16(N), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 5:

- (HH) above-grade building permits issued for all buildings in Phase 4; and
- (II) documentation showing that the buildings located in the EL zone on the Phase 3 lands are fully constructed and ready for occupancy to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

In addition to conditions 16(A) through 16(N), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 6:

- (JJ) documentation showing that the affordable housing requirements of the site will be met with the completion of this block; and
- (KK) above-grade permits issued for all buildings in Phase 5;

The City may remove the Holding (H) symbol from some of the lands it is subject to when the associated conditions have been satisfied and matters appropriately secured through an agreement or agreements pursuant to the *Planning Act* including Sections 37, 41, 45, and 51 of the *Planning Act* and Section 114 of the *City of Toronto Act*, 2006.

17. Section 37 Provisions:

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law [Clerks to insert by-law ##], the increase in height and density of the development is permitted in return for the provision by the owner of the lands at 2150 & 2194 Lake Shore Boulevard West and 23 Park Lawn Road, 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 By-law [Clerks to insert by-law ##] requires the owner of the lands at 2150 & 2194 Lake Shore Boulevard West and 23 Park Lawn Road 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 of the lands at 2150 & 2194 Lake Shore Boulevard West and 23 Park Lawn Road shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.
- (D) Upon execution and registration of one or more agreements between the City and the owner of the lands at 2150 & 2194 Lake Shore Boulevard West and 23 Park Lawn Road on title to the lot pursuant to Section 37 of the Planning Act, securing the provision of the facilities, services and matters set out in Schedule A the lands identified on Diagram 1 as shown on By-law [Clerks to insert by-law ##] are 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, such building may not be erected or used until the owner of the lands at 2150 & 2194 Lake Shore Boulevard West and 23 Park Lawn Road identified on Diagram 1 as shown on By-law [Clerks to insert by-law ##] has satisfied the said requirement or precondition.
- (E) Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement(s) entered into with the City pursuant to Section 37 of the Planning Act, then once such agreements(s) 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.

Enacted and passed on month ## 20##.

Name,

Speaker

John Elvidge,
City Clerk

(Seal of the City)

Section 37 Provisions
Schedule "A"

The facilities, services and matters set out below are required to be provided by the Owner of the lands at 2150 & 2194 Lake Shore Boulevard West and 23 Park Lawn Road to the City at the Owner's expense and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the Owner agrees as follows:

1. The Owner shall provide the community benefits set out in (a) to (k) below (as also shown in Table 1 below), all to the satisfaction of the Chief Planner and Executive Director, City Planning, at the Owner's sole expense and to be secured in an Agreement pursuant to Section 37 of the Planning Act, to the satisfaction of the City Solicitor:
 - (a) cash contribution of ten million, five hundred thousand (\$10,500,000.00) dollars, to the satisfaction of the Chief Planner and Executive Director, City Planning, whereby:
 - (i) five million dollars (\$5,000,000) towards streetscaping improvements along Park Lawn Ave and Lakeshore Boulevard West, and the local area, shall be paid to the City by the Owner, in equal installments prior to the first above grade building permit for each of Phases 2 to 6;
 - (ii) five million and five hundred thousand dollars (\$5,500,000) towards renovations to the Mimico-Centennial Branch of the Toronto Public Library shall be paid to the City by the Owner prior to December 31, 2027;
 - (b) the cash contributions referred to in clause 1(a)(i) to (ii) above shall be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Agreement to the date of payment;
 - (c) prior to removal of the holding ("H") provision for Phase 2 of the Development, the Owner shall prepare, at its expense, a Public Art plan (the "Public Art Plan") for the provision of Public Art within the Secondary Plan Area, and shall submit the Public Art Plan to the City, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Toronto Public Art Commission, and to City Council for approval, in accordance with the terms of the Section 37 Agreement;
 - (d) prior to the issuance of the first above grade building permit for any residential development in Phase 2, the Owner shall provide financial security in the form of a Letter of Credit in the amount of five million

dollars (\$5,000,000) to secure the commission and installation of public art in accordance with the Public Art Plan in Part (c) above, and in accordance with the terms of the Section 37 Agreement;

- (e) the financial security referred to in Part (d) above shall be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Agreement to the date of payment;
- (f) the Public Art Plan in Part (c) above is subject to review and recommendation by the Toronto Public Art Commission through the Chief Planner and Executive Director, City Planning;
- (g) two (2), 62-space, non-profit licensed Childcare Centres with the following conditions:
 - (i) the Owner shall design, construct, finish and convey freehold ownership of the two (2) Childcare Centres in Phases 2 and 3, prior to the first Condominium Registration in the Phase, with the terms and specifications to be secured in the Section 37 Agreement, all satisfactory to the General Manager, Children's Services, the Executive Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - (ii) the Owner to construct in accordance with the Child Care and Early Years Act 2014, and the City of Toronto's Child Care Development Guidelines;
 - (iii) prior to the removal of the holding provision on both Phases 2 and 3, the Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of one Childcare Centre complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the General Manager, Children's Services, the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - (iv) at minimum, four (4) vehicular parking spots shall be provided to the City for exclusive use, at no cost per childcare centre;
 - (v) the Owner to provide five hundred thousand dollars (\$500,000) for each Childcare Centre for start-up operating costs, replacement reserve fund and for furnishings and equipment;

- (vi) the contributions in Part (v) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Agreement to the date of payment;
 - (vii) the contributions in Part (v) above will be made at the time of the conveyance of the Childcare Centres to the City within each of the Phases (Phases 2 and 3);
 - (viii) a not for profit Childcare Centre operator will be chosen for each Childcare Centre through an Expression of Interest process undertaken by the Children's Services Division. Each Childcare centre operator must be approved by the General Manager, Children's Services, and each Childcare operator shall meet the City of Toronto's not for profit status; and
 - (ix) concurrent with or prior to, the conveyance of each of the Childcare Centers to the City, the Owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the Owner as they pertain to each Childcare Centre.
- (h) One (1) Community Agency Space with the following conditions:
- (i) the Owner shall design, construct, finish and convey freehold ownership to the City, prior to the first Condominium Registration of a building in Phase 3, in an acceptable environmental condition, for nominal consideration and at no cost to the City, a minimum 465 square metre, Community Agency Space located on the ground and second floors of a building in Phase 3;
 - (ii) the Community Agency Space shall be delivered to the City in accordance with the City's Community Space Tenancy Policy and finished to Base Building Condition, with the terms and specifications to be secured in the Section 37 Agreement, all satisfactory to the Executive Director, Social Development, Finance and Administration, the Executive Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning and the City Solicitor;

- (iii) prior to the issuance of the first above grade building permit as part of Phase 3, the Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Community Agency Space complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the Executive Director, Corporate Real Estate Management, the Executive Director, Social Development, Finance and Administration, the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - (iv) prior to the first above grade building permit as part of Phase 3, the Owner shall provide a one-time cash contribution in the amount of seven hundred and fifty thousand (\$750,000) for future capital improvements to the Community Agency Space;
 - (v) at minimum, four (4) vehicular parking spots shall be provided to the City for exclusive use, at no cost;
 - (vi) the contributions in Part (iv) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Agreement to the date of payment; and
 - (vii) concurrent with or prior to, the conveyance of the Community Agency Space to the City, the Owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the Owner as they pertain to the Community Agency Space.
- (i) One (1) Public Library with the following conditions:
- (i) the Owner shall design, construct, and convey freehold ownership to the City, prior to the first Condominium Registration of a building in Phase 4, in an acceptable environmental condition, for nominal consideration and at no cost to the City, a minimum 1,300 square metre Public Library located on the ground floor of Phase 4;
 - (ii) the Public Library shall be delivered to the City and finished to Base Building Condition, with the terms and specifications to be secured in

the Section 37 Agreement, including direct access to a loading space, all satisfactory to the City Librarian, Toronto Public Library, Chief Planner and Executive Director, City Planning and the City Solicitor;

- (iii) prior to the removal of the holding provision on Phase 4, the Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Public Library complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the City Librarian, Toronto Public Library, the Chief Planner and Executive Director, City Planning and the City Solicitor; and
- (iv) concurrent with or prior to, the conveyance of the Public Library, the Owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the Owner as they pertain to the Public Library.

(j) One (1) Community Recreation Centre, with the following conditions:

- (i) the Owner will design, construct, finish, furnish, provide equipment for and convey freehold ownership to the City, prior to Condominium Registration for the first building in Phase 5, a minimum 6,040 square metre Community Recreation Centre, located on the ground, second and third floors, as freehold strata title, for nominal consideration, to the satisfaction of the General Manager, Parks, Forestry and Recreation as part of Phase 5;
- (ii) prior to the removal of the holding provision on Phase 4, the Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Community Recreation Centre complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Chief Planner and Executive Director, City Planning and the City Solicitor;
- (iii) design and construction of the Community Recreation Centre shall conform with City regulations, guidelines and design criteria;

- (iv) all materials, products, finishes, devices, signs, furnishings, appliances and systems shall be designed with regard for the demands of an intensively used public building operated and maintained by the City;
 - (v) at minimum, six (6) vehicular parking spots shall be provided to the City for exclusive use, at no cost;
 - (vi) the Owner and the City of Toronto shall enter into a Construction Management Agreement with the Owner for the construction of the Community Recreation Facility, on terms and conditions deemed necessary and appropriate by the General Manager, Parks, Forestry and Recreation, and the City Solicitor, in accordance with City policies applicable to capital projects;
 - (vii) the Owner and the City of Toronto shall enter into, and the General Manager, Parks, Forestry and Recreation to execute on behalf of the City, any other ancillary agreements necessary to complete construction of the Community Recreation Facility, on terms and conditions satisfactory to the General Manager, Parks, Forestry and Recreation and the City Solicitor; and
 - (viii) concurrent with or prior to, the conveyance of the Community Recreation Centre, the Owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the General Manager, Parks, Forestry and Recreation and the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the Owner as they pertain to the Community Recreation Centre.
 - (k) prior to the first above-grade building permit for Phase 2, the Owner shall identify a location, and the timing of provision and installation, of a Heritage Toronto plaque as part of the heritage interpretation of the Site in consultation with the Etobicoke Historical Society, and as approved by the Chief Planner and Executive Director, City Planning.
2. The lands shall be developed in phases, and the Owner of the lands at 2150 & 2194 Lake Shore Boulevard West and 23 Park Lawn Road shall provide the community benefits set out in Section (1) in accordance with the phases set out below in Table 1, with the phases as described in section 13 of this By-law.

Table 1

Phase/ Timing	Section 37 Obligation
2	<ol style="list-style-type: none"> 1. Owner shall design, construct, finish and convey freehold ownership to the City one (1) 62-space, non-profit licensed Childcare centre, with the terms and specifications to be secured in the Section 37 Agreement. 2. Owner shall provide at minimum, four (4) vehicular parking spots to the City for exclusive use, at no cost per childcare centre. 3. Owner shall pay to the City five hundred thousand dollars (\$500,000) per Childcare centre for start-up operating costs, replacement reserve fund and for furnishings and equipment. 4. Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of one Childcare Centre. 5. Owner shall identify a location, and the timing of provision and installation, of a Heritage Toronto plaque as part of the heritage interpretation of the Site in consultation with the Etobicoke Historical Society, as approved by the Chief Planner and Executive Director, City Planning. 6. Owner shall prepare, at its expense, a Public Art plan (the “Public Art Plan”) for the provision of Public Art within the Secondary Plan Area, and shall submit the Public Art Plan to the City, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Toronto Public Art Commission, and to City Council for approval, in accordance with the terms of the Section 37 Agreement. 7. Owner shall provide financial security in the form of a Letter of Credit in the amount of five million dollars (\$5,000,000) to secure the commission and installation of public art in accordance with the Public Art Plan.
3	<ol style="list-style-type: none"> 1. Owner shall design, construct, finish and convey freehold ownership to the City one (1) 62-space, non-profit licensed Childcare centre. 2. Owner shall provide at minimum, four (4) vehicular parking spots to the City for exclusive use, at no cost per childcare centre; 3. Owner shall pay to the City five hundred thousand dollars (\$500,000) for Childcare centre for start-up operating costs, replacement reserve fund and for furnishings and equipment. 4. Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of one Childcare Centre. 5. Owner shall design, construct, finish and convey freehold ownership to the City, in an acceptable environmental condition, a minimum 465 square metre Community

	<p>Agency Space in accordance with the City's Community Space Tenancy Policy and finished to Base Building Condition.</p> <ol style="list-style-type: none"> Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Community Agency Space. Owner shall provide a one-time cash contribution in the amount of seven hundred and fifty thousand (\$750,000) for future capital improvements to the Community Agency Space. Owner shall provide at minimum, four (4) vehicular parking spots to the City for exclusive use, at no cost.
4	<ol style="list-style-type: none"> Owner shall design, construct, and convey freehold ownership to the City, in an acceptable environmental condition, for nominal consideration and at no cost to the City, a minimum 1,300 square metre Public Library, delivered and finished to Base Building Condition. Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Public Library. Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Community Recreation Centre.
5	<ol style="list-style-type: none"> Owner shall design, construct, finish, furnish, provide equipment for and convey to the City a minimum 6,040 square metre Community Recreation Centre, as freehold strata title, for nominal consideration. Owner shall provide at minimum, six (6) vehicular parking spots to the City for exclusive use, at no cost.
2-6	<ol style="list-style-type: none"> Owner shall pay to the City five million dollars (\$5,000,000) towards streetscaping improvements along Park Lawn Road and Lake Shore Boulevard West, and the local area, in equal installments.
Prior to December 31, 2027	<ol style="list-style-type: none"> Owner shall pay to the City five million and five hundred thousand dollars (\$5,500,000) towards renovations to the Mimico-Centennial Branch of the Toronto Public Library.

- The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development of the site, at the owner's expense, and to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor, including:

- (a) the construction, provision and maintenance of two (2) privately owned publicly accessible open spaces (POPS) on the lands, being the "Transit Plaza" and the "Pedestrian Plaza", with a minimum size of 2,750 square meters and 1,550, respectively, in accordance with the recommended Official Plan Amendment and recommended Zoning By-law Amendment, to the satisfaction of the Chief Planner and Executive Director, City Planning whereby:
 - (i) the Owner shall convey to the City, for nominal consideration, easement(s) along the surface of the lands, to the satisfaction of the City Solicitor, which shall constitute the two POPS and any required public access easements to connect the two POPS to adjacent POPS and/or public rights-of-way, where necessary; and
 - (ii) the Owner shall own, operate, maintain and repair the two POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the two POPS at all times of the day and night, 365 days of the year; and the specific details of the location, configuration, process for design and timing of conveyance of the two POPS shall be determined by the Section 37 agreement and the design secured through Site Plan Approval pursuant to Section 114 of the *City of Toronto Act, 2006*, and secured in a Site Plan Agreement with the City;
- (b) a minimum amount of affordable housing must be achieved on the entire Plan Area through one or more of the following, or equivalent, delivery mechanisms, to the satisfaction of the Chief Planner and Executive Director, City Planning:
 - (i) the conveyance of land to the City sufficient to accommodate 20% of the residential gross floor area;
 - (ii) the provision of 10% of residential gross floor area as purpose-built rental units with affordable rents secured for a period of no less than 20 years; and/or
 - (iii) the conveyance to the City of 5% of the residential gross floor area for the purposes of permanent affordable housing;
- (c) the Owner shall provide a Phasing Plan to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- (d) prior to the issuance of the first above-ground building permit in Phase 1, the Owner shall provide the cash-in-lieu of land payment for the deficit in parkland dedication requirements in accordance with Section 42 of the *Planning Act*.

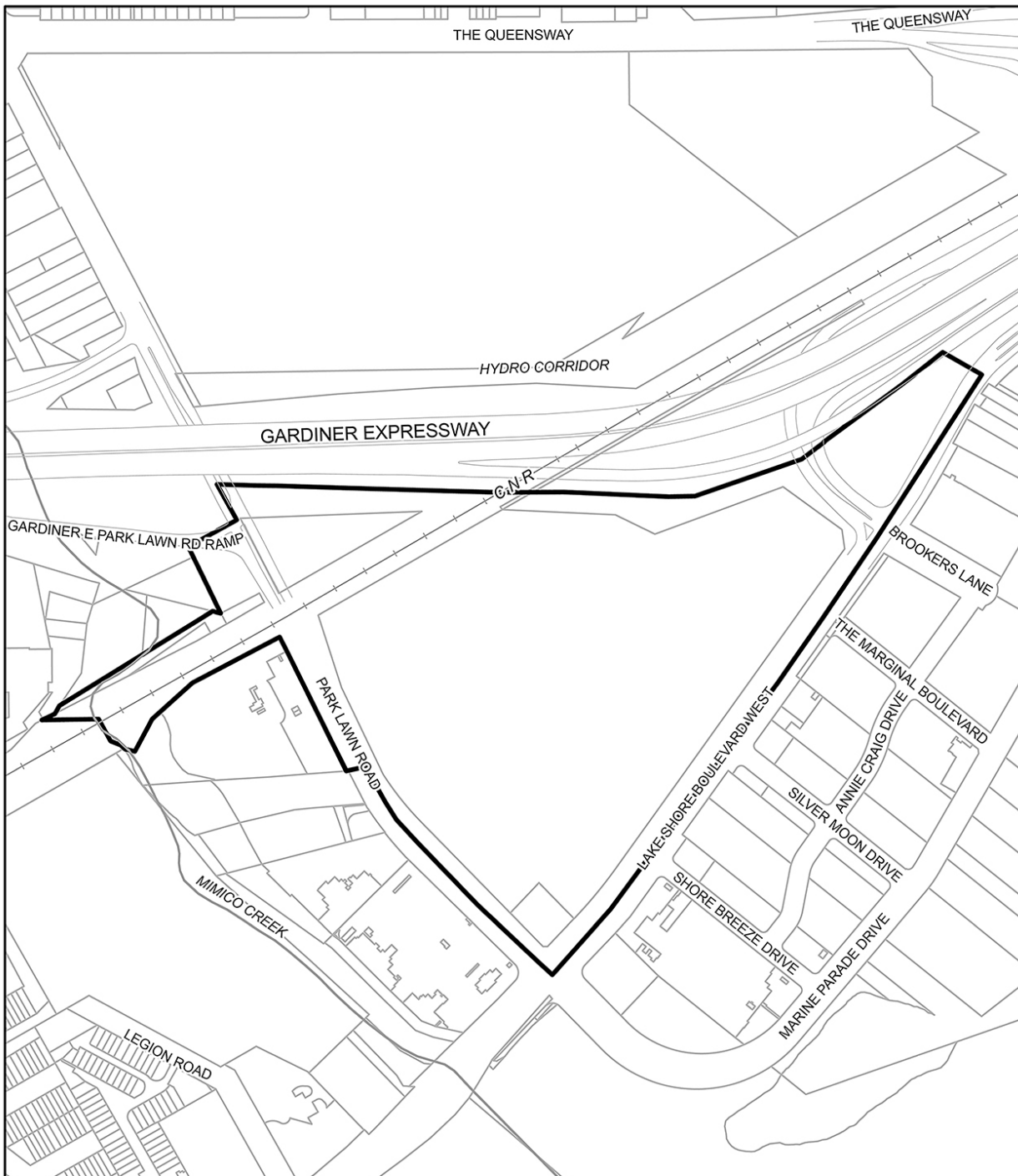


Diagram 1

The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02



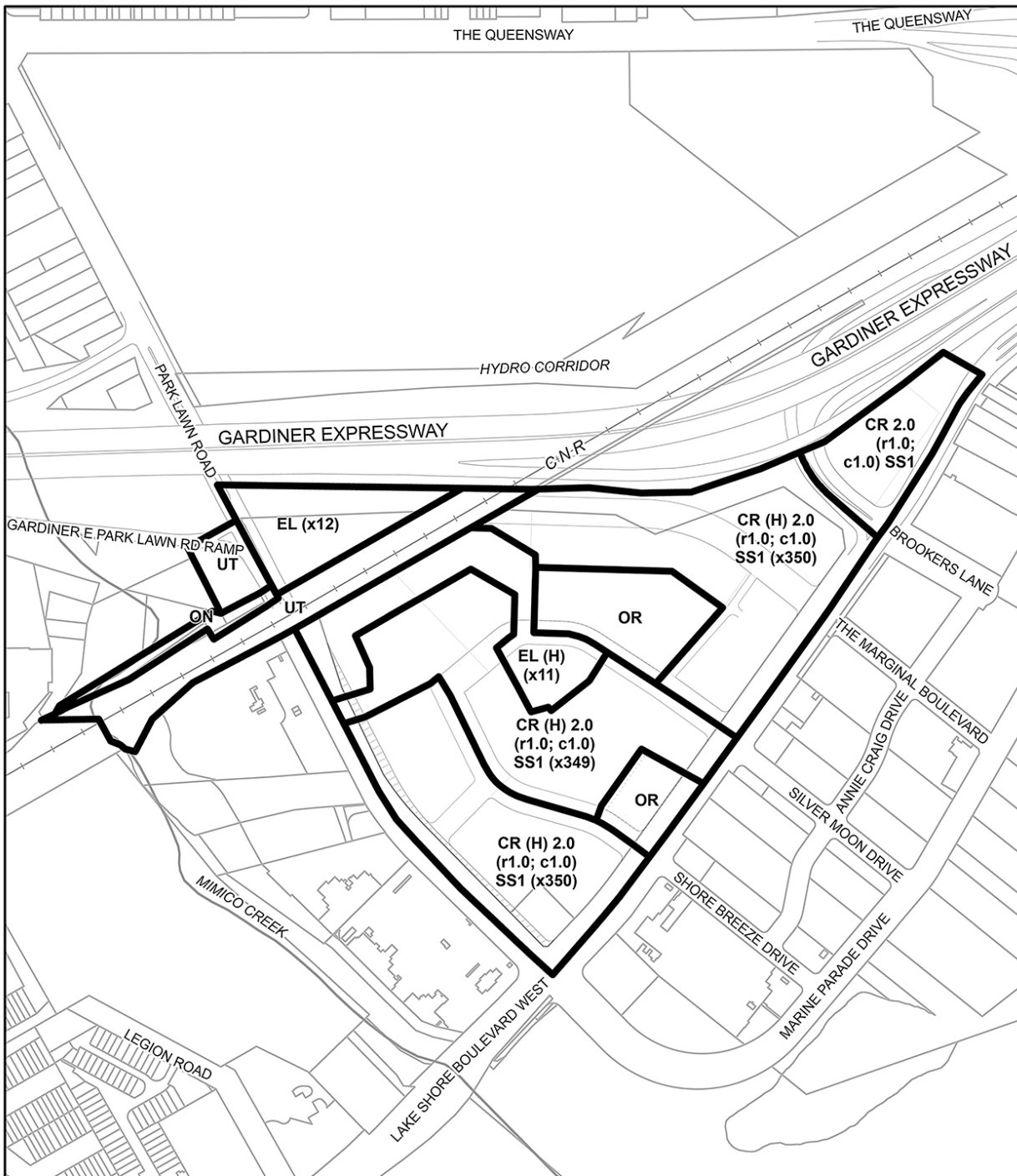


Diagram 2

The Lands Generally Bounded by Park Lawn Road, Lake Shore Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 0Z



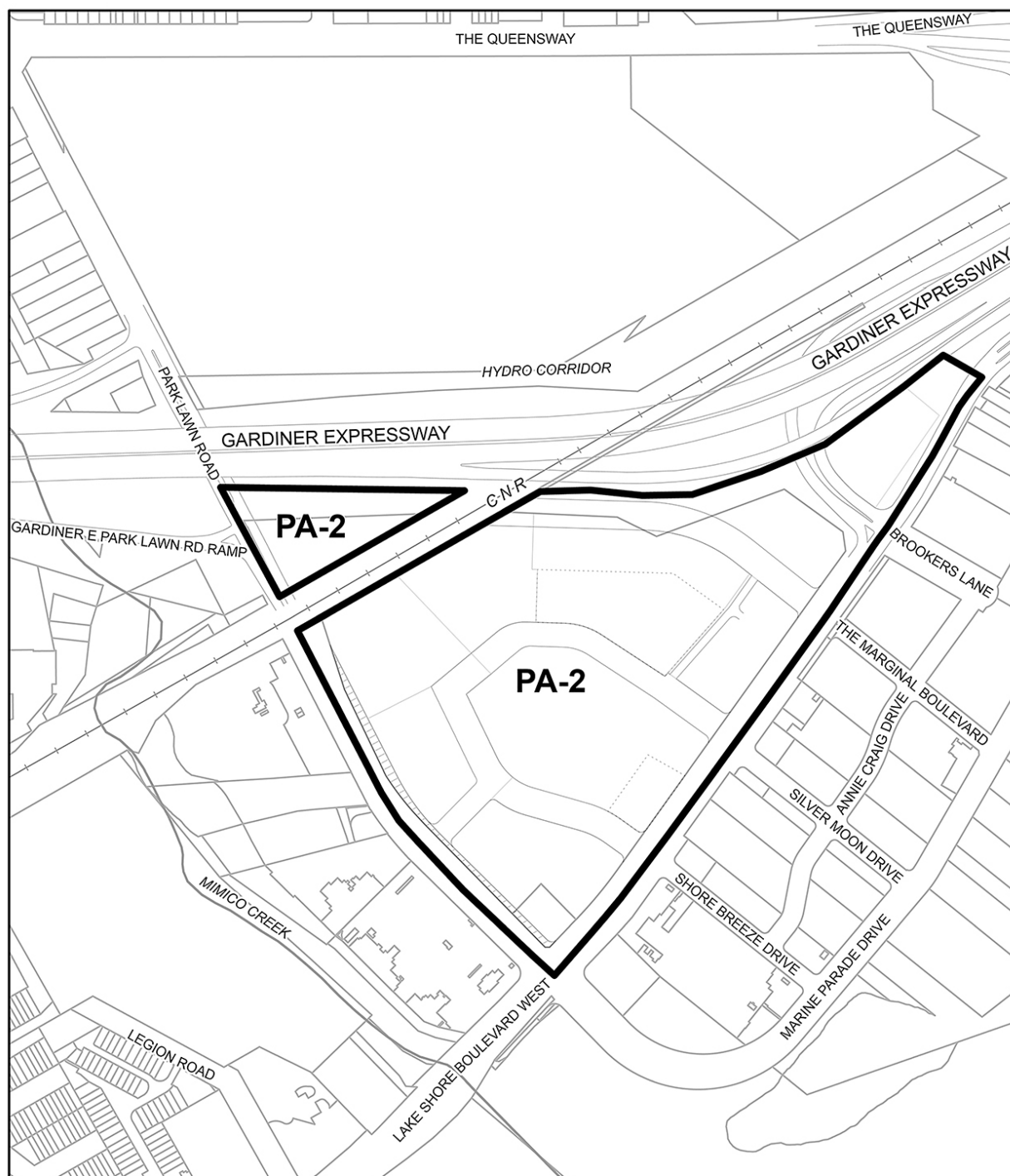


Diagram 3

The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02



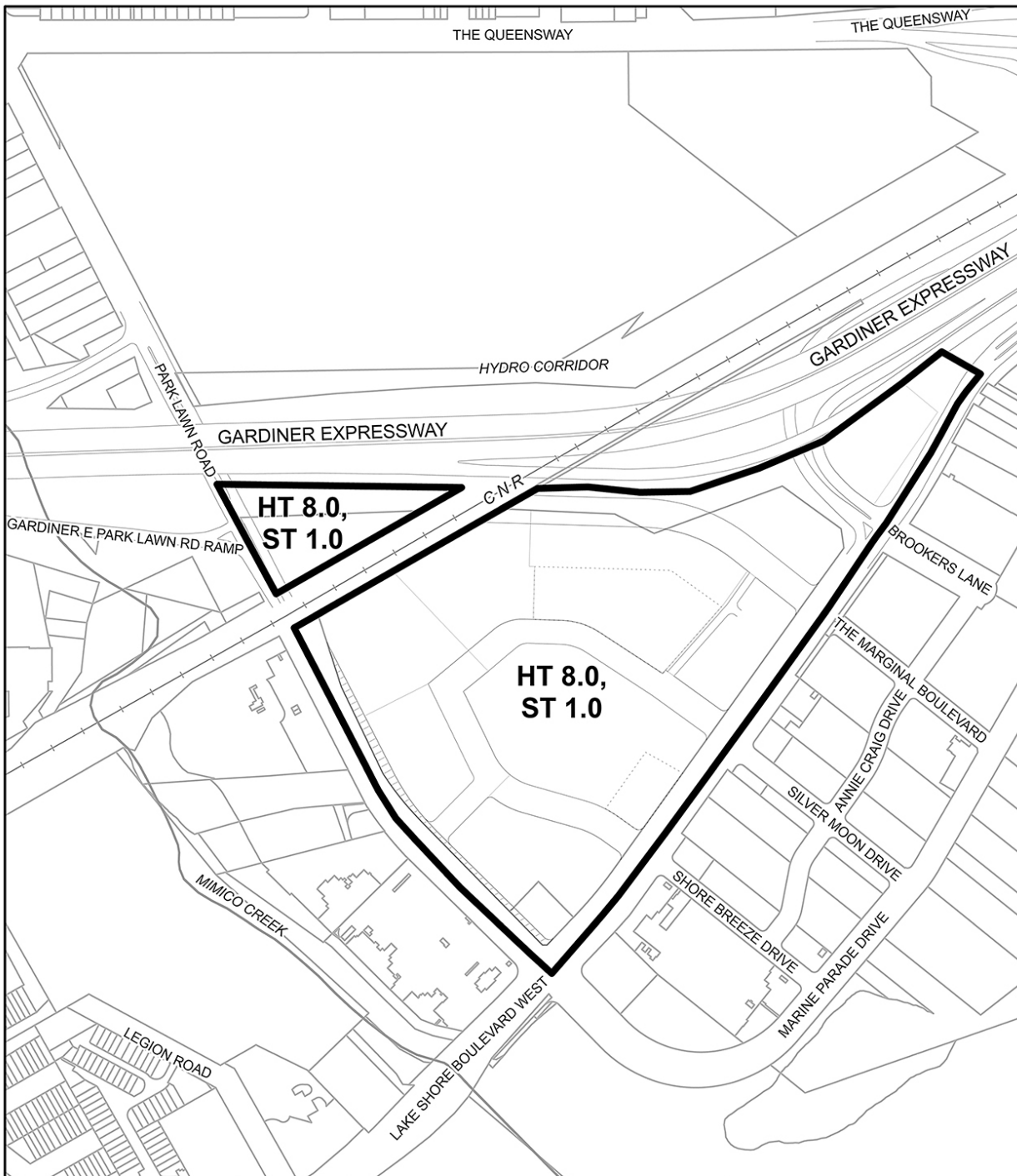


Diagram 4

The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02



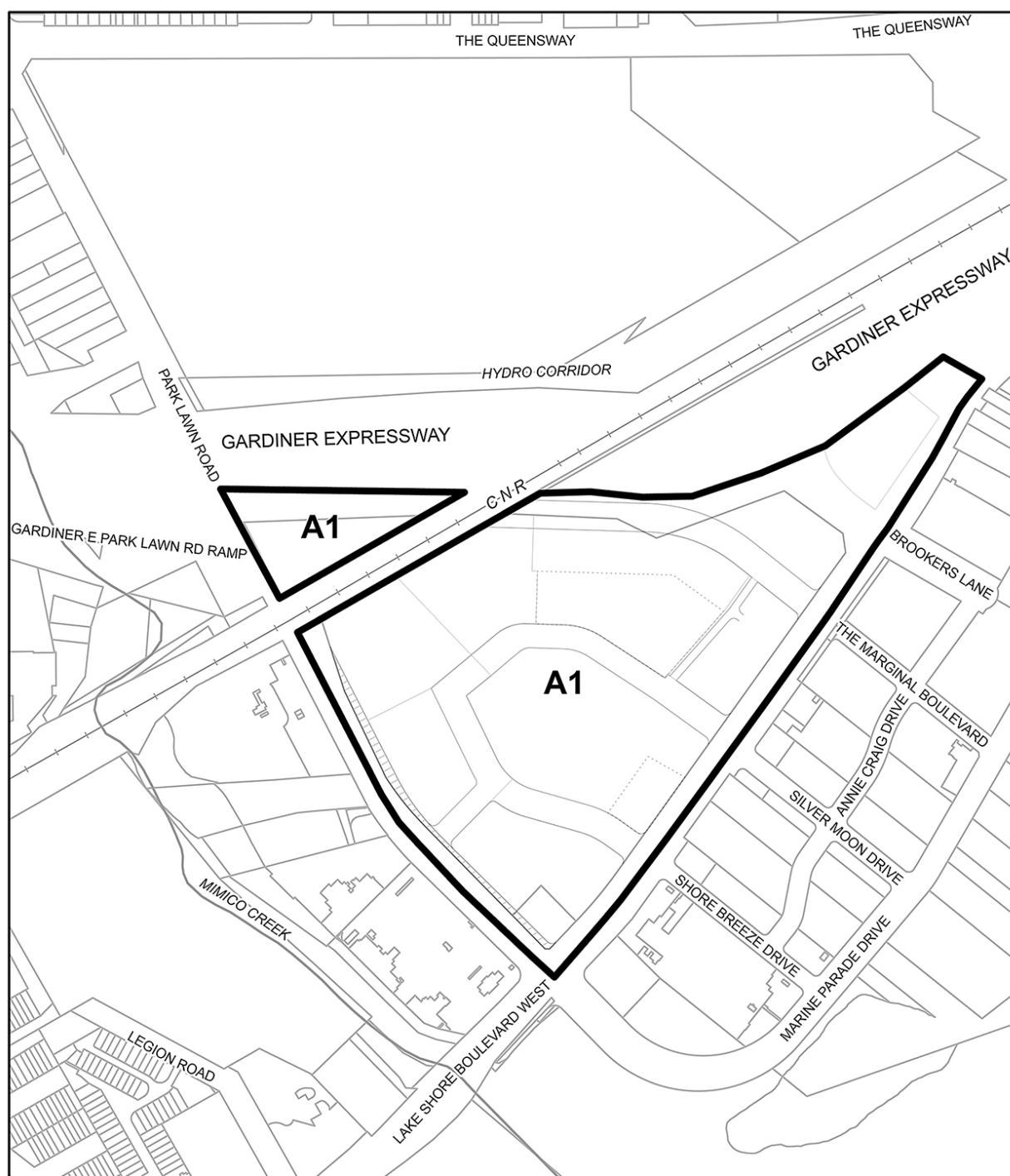


Diagram 5

The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02



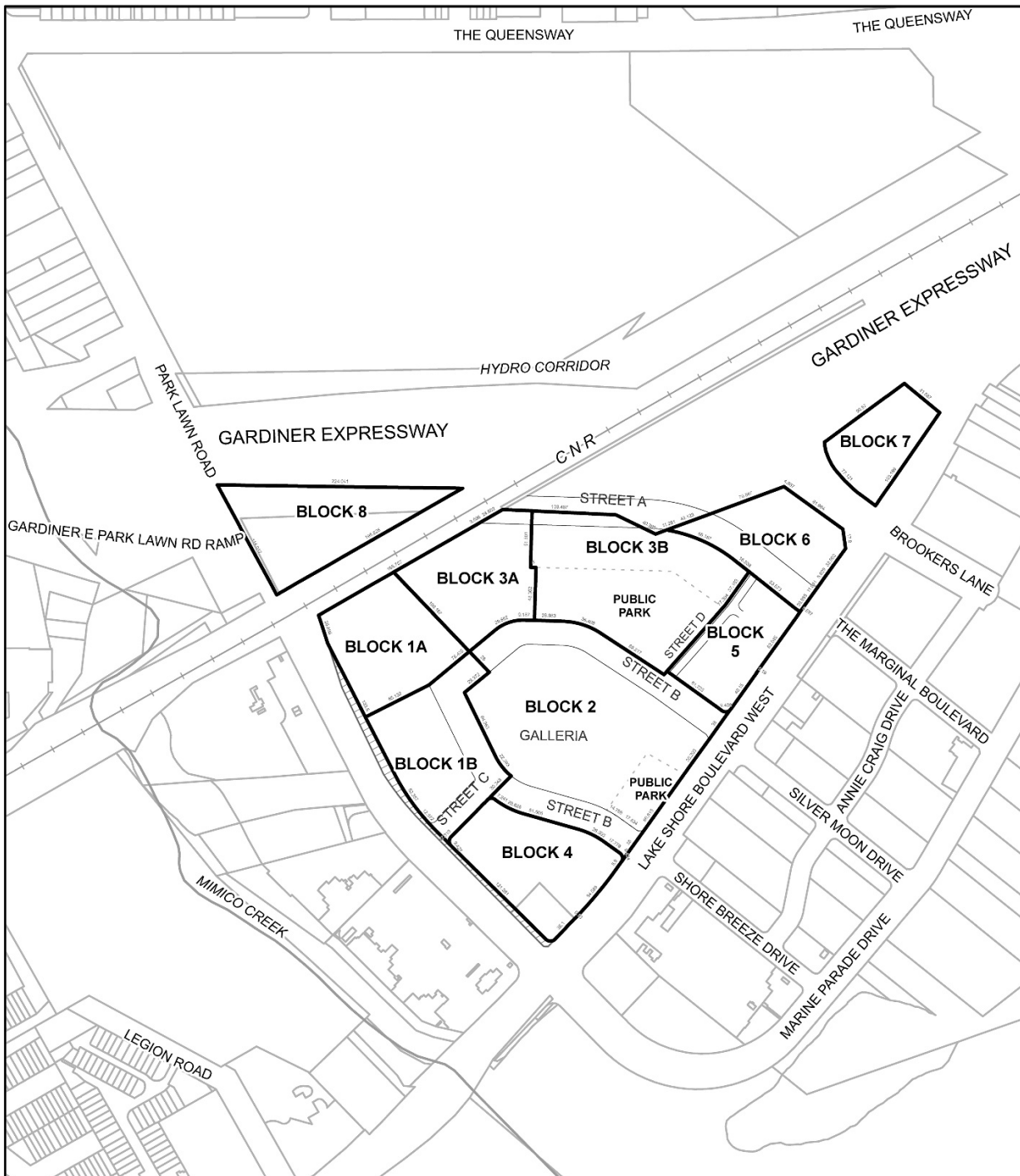
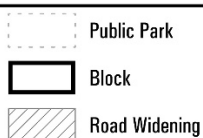


Diagram 6

The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 0Z



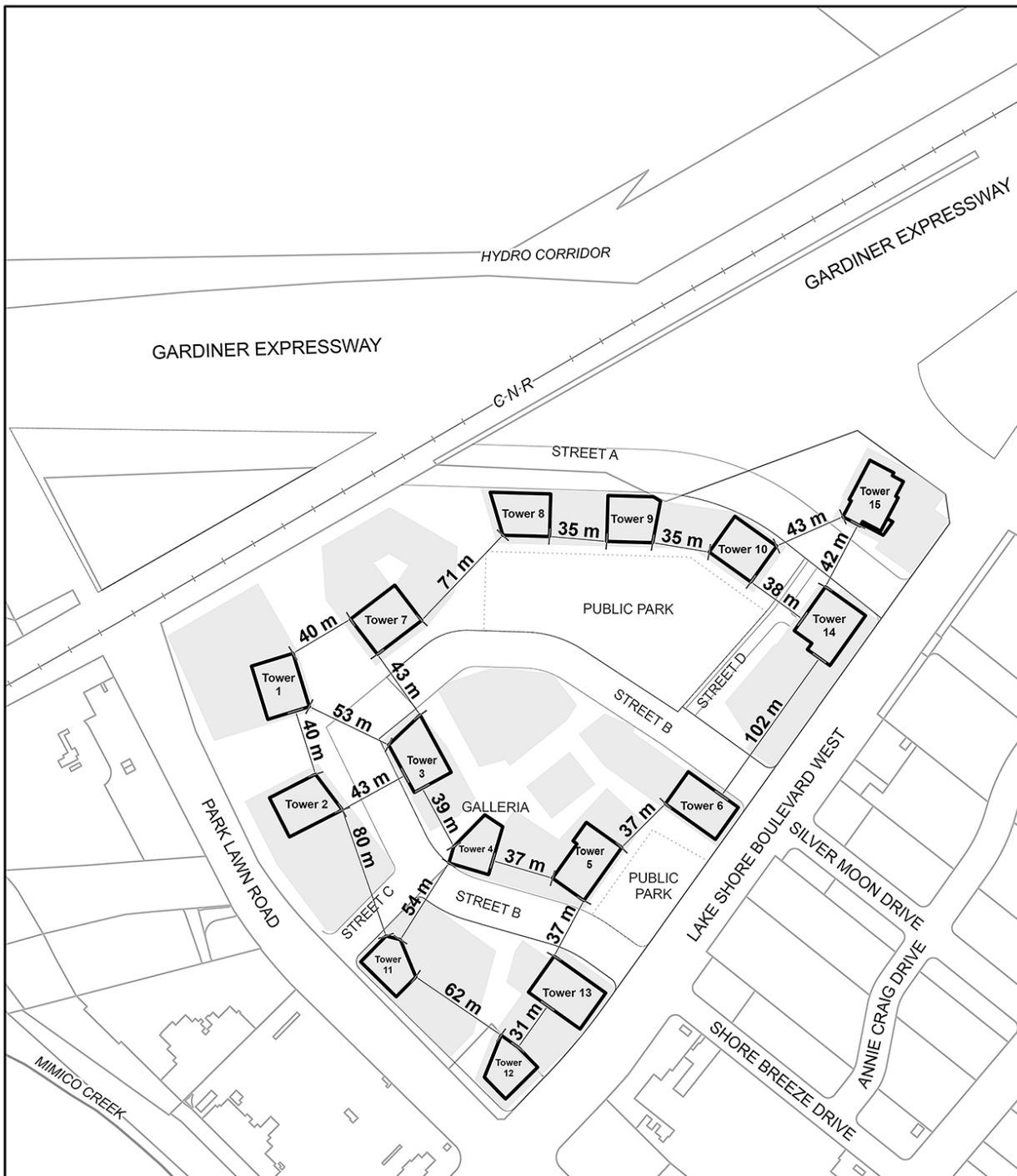


Diagram 7

The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02



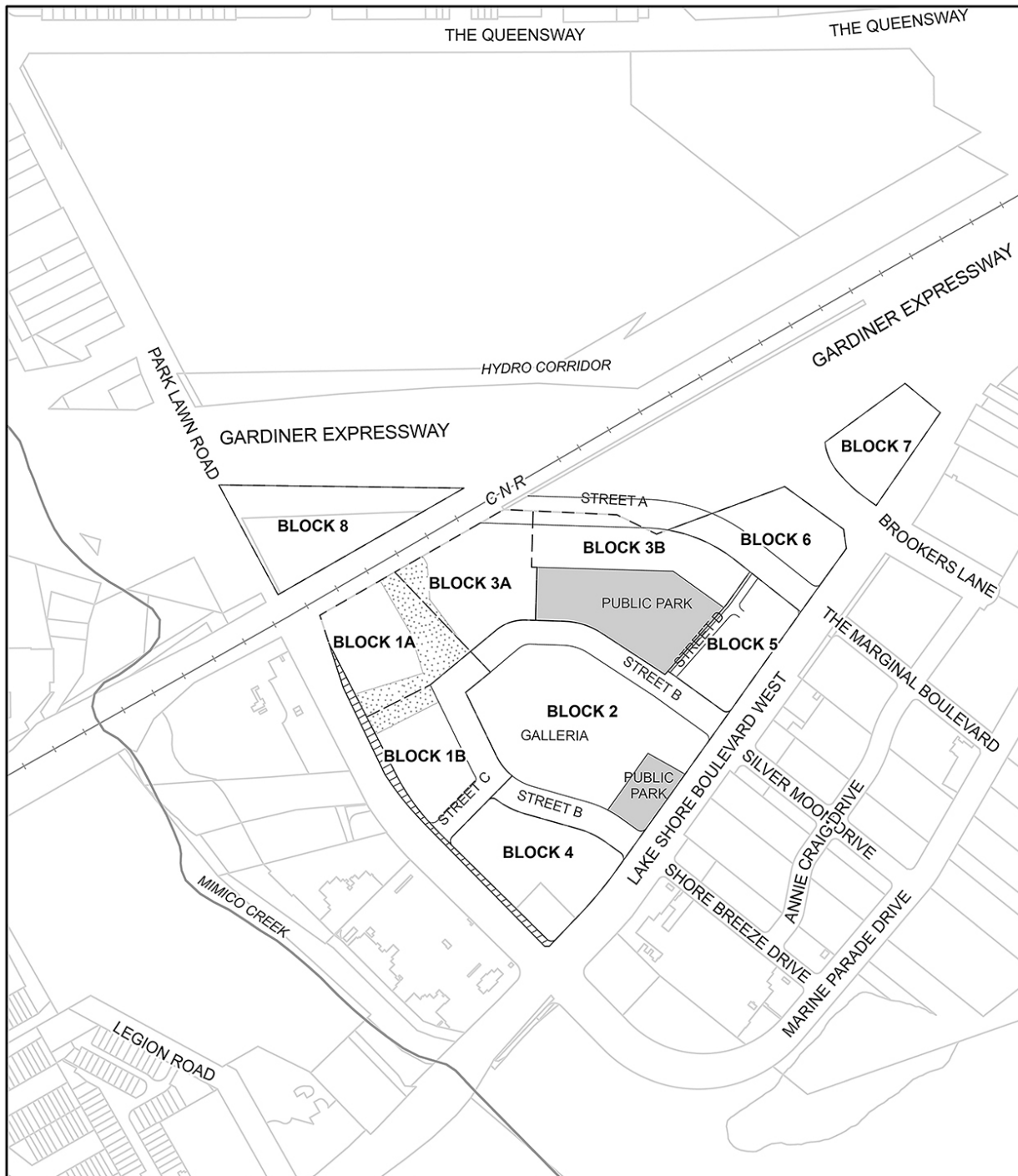


Diagram 8

The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02



Road Widening



Privately-Owned Publicly Accessible Spaces (POPS)



Block



Public Park



City of Toronto By-law 569-2013
Not to Scale



Toronto
Diagram 9
Block 1A

- | | |
|----------------------------|---------------|
| Podium Element | Tower Element |
| Midrise Element | Road Widening |
| Commercial Midrise Element | |

*Note: Legend elements are for illustrative purposes only



The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02

City of Toronto By-law 569-2013
Not to Scale



Toronto
Diagram 10
Block 1B

Podium Element
 Midrise Element
 Commercial Midrise Element
 Tower Element
 Road Widening

*Note: Legend elements are for illustrative purposes only



The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02

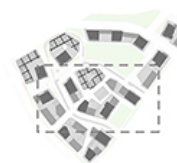
City of Toronto By-law 569-2013
Not to Scale



Toronto
Diagram 11
Block 2

- | | |
|----------------------------|---------------|
| Podium Element | Tower Element |
| Midrise Element | Road Widening |
| Commercial Midrise Element | |

*Note: Legend elements are for illustrative purposes only



The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway
File # 19 183725 WET 03 02

City of Toronto By-law 569-2013
Not to Scale



Toronto
Diagram 12
Block 3A

-  Podium Element
  Tower Element
-  Midrise Element
  Road Widening
-  Commercial Midrise Element

*Note: Legend elements are for illustrative purposes only



The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway
File # 19 183725 WET 03 02

City of Toronto By-law 569-2013
Not to Scale



Toronto
Diagram 13
Block 3B

Podium Element Commercial Midrise Element
 Midrise Element Tower Element

*Note: Legend elements are for illustrative purposes only



The Lands Generally Bounded by Park Lawn Road, Lake Shore
 Boulevard West, and the Frederick G. Gardiner Expressway
 File # 19 183725 WET 03 02

City of Toronto Bylaw 569-2013
 Not to Scale






 Podium Element
  Tower Element
 Midrise Element
  Road Widening

The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway
File # 19 183725 WET 03 02

City of Toronto By-law 569-2013
Not to Scale



Toronto
Diagram 15
Block 5

-  Podium Element
-  Midrise Element
-  Tower Element

*Note: Legend elements are for illustrative purposes only

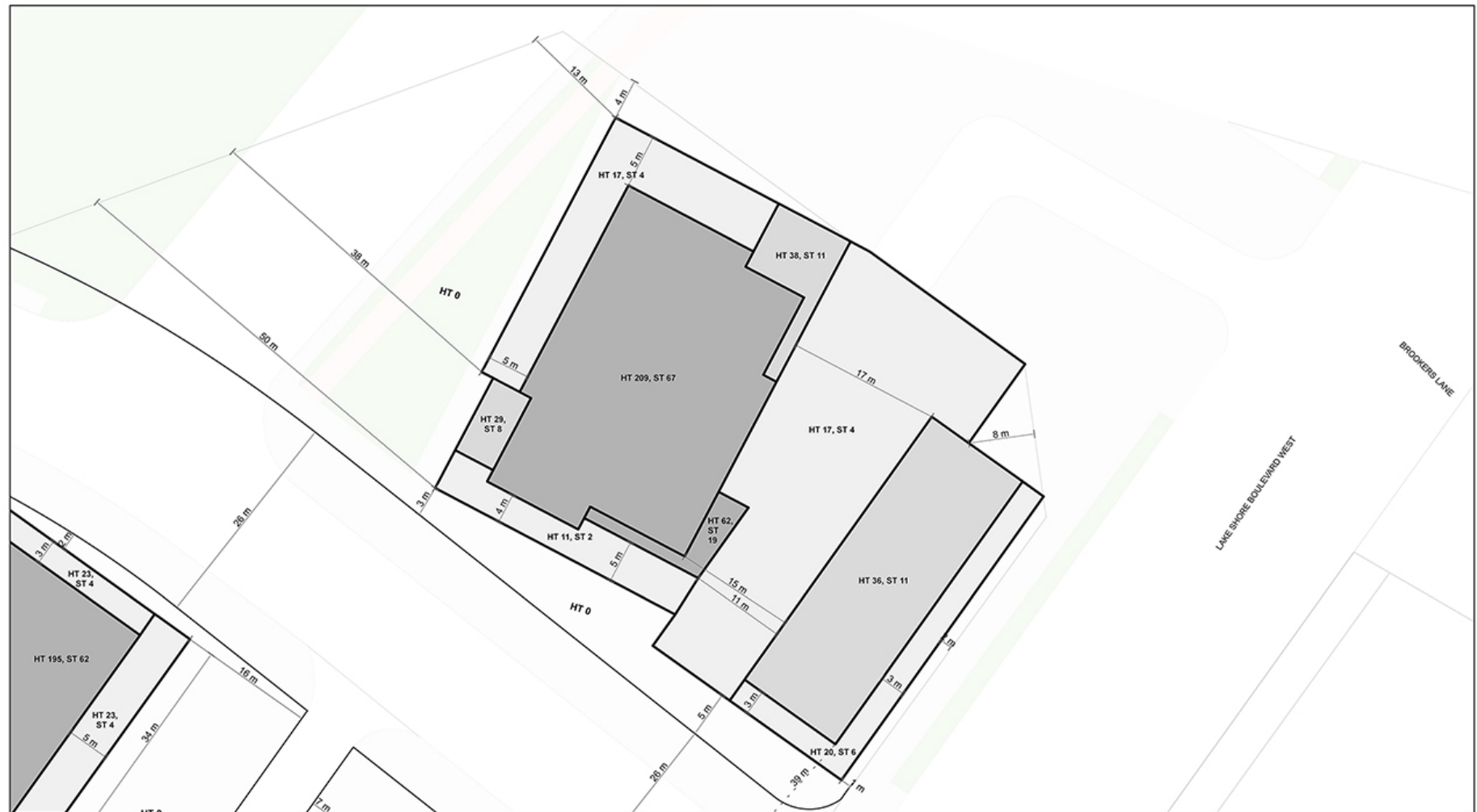


The Lands Generally Bounded by Park Lawn Road, Lake Shore Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 0Z



City of Toronto By-law 569-2013
Not to Scale



Toronto
Diagram 16
Block 6

Podium Element
 Midrise Element
 Tower Element

*Note: Legend elements are for illustrative purposes only



The Lands Generally Bounded by Park Lawn Road, Lake Shore
 Boulevard West, and the Frederick G. Gardiner Expressway
 File # 19 183725 WET 03 02

City of Toronto By-law 569-2013
 Not to Scale