

## **CITY OF TORONTO**

### **Bill 464**

### **BY-LAW -2025**

**To amend former City of Toronto General Zoning By-Law 438-86, as amended by City of Toronto By-law 943-2015 (OMB), as amended, for the lands formerly municipally known as 158, 164, 181 and 200 Sterling Road, respecting lands municipally known in the year 2024 as 158 and 190 Sterling Road.**

Whereas the lands to which this By-Law applies is subject to Orders /Decisions of the former Ontario Municipal Board issued June 6, 2013 and July 23, 2015, amending former City of Toronto By-law 438-86, as amended by City of Toronto By-law 943-2015 (OMB), as amended, as further modified for technical map clarifications by Order of the former Local Planning Appeal Tribunal issued October 18, 2018; and

Whereas authority is given to Council by 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, as amended; and

Whereas pursuant to Section 39 of the Planning Act, the Council of a Municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

Whereas Section 37 of the Planning Act, as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force, provides that where an owner of the 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 Appendix 1 of this By-law requires the owner to provide certain additional facilities, services or matters set out in City of Toronto By-law 943-2015 (OMB) and to enter into an agreement prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of same; and

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

Whereas the increase in height and density permitted beyond that otherwise permitted on the said lands by former City of Toronto By-law 438-86, as amended by City of Toronto By-law 943-2015 (OMB) is permitted in return for the provision of the additional facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the subject lands and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are those lands outlined by a heavy black line identified on Map 1 attached to and forming part of this By-law and relating to *Blocks 3B, 5B, 5C and 5D*.
2. Former City of Toronto By-law 438-86, as amended by City of Toronto By-law 943-2015 (OMB), is hereby amended by inserting Maps 2 and 3 attached to and forming part of this By-law, as new block specific Map 6 (*Block 3B*) and Map 7 (*Blocks 5B, 5C and 5D*), respectively, of By-law 943-2015 (OMB).
3. Appendix 1 of former City of Toronto By-law 438-86, as amended by City of Toronto By-law 943-2015 (OMB) is further amended as set out in Appendix 1 of this By-law by inclusion of additional facilities, services and matters relating to the lands the subject of this By-law being *Blocks 3B, 5B, 5C and 5D*.
4. Pursuant to Section 37 of the Planning Act, as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force, and subject to compliance with this By-law, the increase in heights and density of development beyond that otherwise permitted on the lands shown on Maps 2 and Map 3 of this By-law and relating to *Block 3B* and to *Blocks 5B, 5C and 5D*, respectively, are permitted in return for the provision by the owner, at its own expense, of the additional facilities, services and matters set out in Appendix 1 of this By-law, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the Planning Act, as it read as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force that is in a form and registered on title to the subject lands, to the satisfaction of the City Solicitor.
5. Where Appendix 1 of this By-law requires the owner to provide additional facilities, services or matters and enter into and register an agreement prior to issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
6. Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the City pursuant to Section 37 of the Planning Act, as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force, then once such agreement has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.
7. The provisions of the PERMISSIVE EXCEPTION added to Section 12(1) of former City of Toronto By-law 438-86, as amended pursuant to Section 6 of City of Toronto By-law 943-2015 (OMB) is further amended by inserting the following new provisions **"(15) SITE SPECIFIC PROVISIONS – BLOCK 3B" and "(16) SITE SPECIFIC PROVISIONS – BLOCKS 5B, 5C AND 5D"** immediately following **"(14) DEFINITIONS"** as follows:

**"(15) SITE SPECIFIC PROVISIONS – BLOCK 3B**

Despite the permissive exception provisions (1), (2), (3), (4), (5), (6), (7), (8), (9,) (10), and (11) above, the following site specific exception provisions for *Block 3B* shown on Map 6 attached shall apply to permit erection of buildings or structures and the use of land in accordance with the following provisions (a) to (y) below:

- (a) The permitted maximum combined *non-residential gross floor area* and *residential gross floor area* of all buildings and structures is 25,250 square metres, of which:
  - i. the permitted maximum *residential gross floor area* is 24,000 square metres;
  - ii. the permitted maximum *non-residential gross floor area* is 1,500 square metres;
  - iii. the required minimum *non-residential gross floor area* is 1,250 square metres; and
  - iv. of the minimum *non-residential gross floor area* required in iii. above, it shall include a minimum *gross floor area* of 930 square metres for a *day nursery*;
- (b) The *height* of a building or structure is the distance between the Canadian Geodetic Datum of 111.9 metres and the elevation of the highest point of the building or structure;
- (c) The permitted maximum *height* of a building or structure is the number in metres following the letters "HT" as shown on Map 6;
- (d) The following equipment and structures may project beyond the permitted maximum height shown on Map 6 as follows:
  - i. equipment used for the functional operation of the building, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 7.0 metres;
  - ii. structures that enclose, screen, or cover the equipment, structures and parts of a building listed in (i) above, including a mechanical penthouse, by a maximum of 7.0 metres;
  - iii. architectural features, parapets, and elements and structures associated with a green roof, by a maximum of 2.0 metres;
  - iv. building maintenance units and window washing equipment, by a maximum of 6.0 metres;

- v. planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
- vi. antennae, flagpoles and satellite dishes, by a maximum of 3.0 metres; and
- vii. trellises, pergolas, and unenclosed structures providing safety or wind protection to rooftop amenity space, by a maximum of 4.5 metres;
- (e) The minimum required building setbacks are as shown in metres on Map 6 and apply to parts of a building or structure above-ground;
- (f) The required separation of *main walls* is as shown in metres on Map 6;
- (g) The following elements may encroach into the required minimum building setbacks and *main wall* separation distances as follows:
  - i. decks, porches, and balconies, to a maximum of 2.5 metres;
  - ii. canopies and awnings, to a maximum of 4.0 metres;
  - iii. exterior stairs, access ramps and elevating devices, to a maximum of 2.5 metres;
  - iv. cladding added to the exterior surface of the main wall of a building, to a maximum of 0.6 metres;
  - v. architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum of 0.6 metres;
  - vi. window projections, including bay windows and box windows, to a maximum of 1.5 metres;
  - vii. eaves, to a maximum of 1.0-metre;
  - viii. any exterior wall, to a maximum of 0.6 metres from the edge of slab for the purposes of sustainability measures;
  - ix. a dormer, to a maximum of 1.0-metre; and
  - x. air conditioners, satellite dishes, antennae, vents, and pipes, to a maximum of 1.5 metres;
- (h) The following uses are permitted within a CR district on *Block 3B* as shown on Map 6:

- i. those uses permitted within a CR district in section 8(1)(f)(a) and (b) of *By-law 438-86*, except for an *automobile service and repair shop*, *automobile service station*, *car washing establishment*, *motor vehicle repair shop Class A*, or commercial parking lot; and
  - ii. a *commercial parking garage* is also a permitted use;
- (i) A *day nursery* may be located on the second *storey*, and the children's play area may be located on the second *storey* abutting a street;
- (j) *Parking spaces* shall be provided in accordance with the following:
- i. resident requirement for a *dwelling unit*:
    - 1. a minimum requirement of 0 *parking spaces* for each *dwelling unit*;
    - 2. a maximum of 0.7 *parking spaces* for each bachelor *dwelling unit* up to 45 square metres and 1.0 *parking space* for each bachelor *dwelling unit* greater than 45 square metres;
    - 3. a maximum of 0.8 *parking spaces* for each one-bedroom *dwelling unit*;
    - 4. a maximum of 0.9 *parking spaces* for each two-bedroom *dwelling unit*; and
    - 5. a maximum of 1.1 *parking spaces* for each three- or more bedroom *dwelling unit*;
  - ii. residential visitor requirement:
    - 1. a minimum requirement of 2.0 plus 0.05 parking spaces per *dwelling unit*;
    - 2. a maximum of 1.0 parking space per *dwelling unit* for the first five *dwelling units* and 0.1 parking spaces per *dwelling unit* for the sixth and subsequent *dwelling units*;
  - iii. a minimum of 5 *parking spaces* for use of the *day nursery* shall be provided without a fee, of which a minimum of 2 *parking spaces* shall be reserved for the exclusive uses of *day nursery* staff at all times, and a minimum of 3 *parking spaces* shall be reserved for *day nursery* pick-up and drop-off, during the operating hours of the *day nursery*;
  - iv. zero (0) *parking spaces* are required for all other non-residential uses;

- v. visitor *parking spaces* required in ii. above may be provided on a shared, non-exclusive basis within the overall non-resident parking supply on the Block and may be provided for use with or without a fee;
  - vi. a minimum of 1 car share *parking space* shall be provided; and
  - vii. a minimum of 10 accessible *parking spaces* shall be provided;
- (k) Accessible *parking spaces* shall have the following minimum dimensions:
- i. length of 5.6 metres;
  - ii. width of 3.4 metres;
  - iii. vertical clearance of 2.1 metres; and
  - iv. the entire length of an accessible *parking space* shall be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
- (l) *Parking spaces* must be equipped with an energized outlet, which is clearly marked and identified for electric vehicle charging, in accordance with the following:
- i. all *parking spaces* provided for residential uses, excluding residential visitor *parking spaces*, shall include an energized outlet capable of providing Level 2 charging or higher to the *parking space*; and
  - ii. in cases other than those set out in i. above, 25 percent of the residential and visitor *parking spaces* in a building shall include an energized outlet capable of providing Level 2 charging or higher;
- (m) A maximum of 10 percent of the required *parking spaces* may be obstructed without the provision of additional width for the obstructed sides of the *parking space*;
- (n) If the calculation of the number of required *parking spaces* results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one *parking space*;
- (o) A minimum of 1 *loading space -type G* shall be provided;
- (p) *Loading spaces* are subject to the following minimum dimensions:
- i. *loading space -type G*
    - 1. minimum length of 13.0 metres;
    - 2. minimum width of 4.0 metres; and

3. minimum vertical clearance of 6.1 metres;
- (q) *Residential amenity space* shall be provided at the following rate:
- i. a minimum of 2.0 square metres for each *dwelling unit* as *indoor amenity space*;
  - ii. a minimum of 1.5 square metres for each *dwelling unit* as *outdoor amenity space*; and
  - iii. no more than 25 percent of the *outdoor amenity space* component may be a green roof;
- (r) *Bicycle parking* shall be provided and maintained at the following rate:
- i. for *residential uses*, a minimum of 0.9 *bicycle parking spaces* per *dwelling unit*; and
  - ii. for *residential visitors*, a minimum of 0.2 *bicycle parking spaces* per *dwelling unit*;
- (s) A *bicycle parking space* may be located in a *stacked bicycle parking space* and may also be located above or below grade within a secured room, enclosure, or bike locker;
- (t) A *bicycle parking space* shall have a minimum width of 0.45 metres;
- (u) The required minimum dimensions of a *stacked bicycle parking space* are:
- i. length of 1.8 metres;
  - ii. width of 0.45 metres; and
  - iii. vertical clearance of 2.44 metres;
- (v) If a building on the *Block* has residential uses for which 5 or more *bicycle parking spaces* are required, *bicycle maintenance facilities* shall be provided and maintained in the building with the following minimum dimensions:
- i. length of 1.8 metres;
  - ii. width of 2.6 metres; and
  - iii. vertical clearance from the ground of 1.9 metres;
- (w) The provision of *dwelling units* is subject to the following:

- i. a minimum of 20 percent of the total number of *dwelling units* must have two or more bedrooms;
  - ii. a minimum of 10 percent of the total number of *dwelling units* must have three or more bedrooms;
  - iii. any *dwelling units* with three or more bedrooms provided to satisfy ii. above are not included in the provision required by i. above; and
  - iv. if the calculation of the number of required *dwelling units* in i. and ii. above results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (x) The permissive exception provision (13) HOLDING SYMBOL "(h)" above shall not apply to *Block 3B* pursuant to City of Toronto By-law 1326-2023;
- (y) For the purposes of these Site Specific Provisions – Block 3B, every other word or expression which is italicized herein shall have the same meaning as each word or expression in *By-law 438-86*, as amended, including in *By-law 943-2015* (OMB), with the exception of the following which shall have the meaning stated:
- i. "*bicycle maintenance facilities*" means an area for bicycle repairs and maintenance which may include work space, a repair stand and an air pump for inflating bicycle tires;
  - ii. "*bicycle parking*" means an area used for parking or storing of bicycles;
  - iii. "*bicycle parking space*" means a location that is equipped with a bicycle rack, locker or bicycle stacker for the purpose of parking and securing bicycles;
  - iv. "*Block 3B*" or "*Block*" means those lands delineated and identified as Block 3B on Map 6;
  - v. "*car-share*" or "*car-sharing*" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable;
  - vi. "*car-share parking space*" means a *parking space* that is reserved and actively used for *car-sharing*;



- vii. "*day nursery*" means premises providing temporary care or guidance for more than five children, for a continuous period not exceeding twenty-four hours and is regulated as a home child care agency under the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1. A recreational program operated by, or for the City, is not a *day nursery*;
- viii. "*main wall*" means any exterior wall of a building or structure, including all structural members essential to the support of a roof over a fully or partly enclosed area; and
- ix. "*stacked bicycle parking spaces*" means a bicycle storage system that allows bicycles to be stored vertically or horizontally on multiple levels using a rack or mechanical lift system.

#### **(16) SITE SPECIFIC PROVISIONS – BLOCKS 5B, 5C, AND 5D**

Despite the permissive exception provisions (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11) above, the following site specific exception provisions for *Blocks 5B, 5C and 5D* shown on Map 7 attached shall apply to permit erection of buildings or structures and the use of land in accordance with the following provisions (a) to (cc) below:

- (a) The permitted maximum combined *non-residential gross floor area* and *residential gross floor area* of all buildings and structures within *Blocks 5B and 5C* is 28,500 square metres, of which:
  - i. the permitted maximum *residential gross floor area* on *Block 5B* is 26,000 square metres;
  - ii. the permitted combined maximum *non-residential gross floor area* on *Block 5B and Block 5C* is 2,000 square metres; and
  - iii. the required minimum *non-residential gross floor area* on *Block 5B* is 700 square metres;
- (b) The *height* of a building or structure is the distance between the Canadian Geodetic Datum of 111.9 metres and the elevation of the highest point of the building or structure;
- (c) The permitted maximum *height* of a building or structure is the number in metres following the letters "HT" as shown on Map 7;
- (d) The following equipment and structures may project beyond the permitted maximum *height* shown on Map 7 as follows:

- i. equipment used for the functional operation of the building, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 7.0 metres;
  - ii. structures that enclose, screen, or cover the equipment, structures and parts of a building listed in i. above, including a mechanical penthouse, by a maximum of 7.0 metres;
  - iii. architectural features, parapets, and elements and structures associated with a green roof, by a maximum of 2.0 metres;
  - iv. building maintenance units and window washing equipment, by a maximum of 6.0 metres;
  - v. planters, landscaping features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres;
  - vi. antennae, flagpoles and satellite dishes, by a maximum of 3.0 metres;
  - vii. trellises, pergolas, and unenclosed structures providing safety or wind protection to rooftop amenity space, by a maximum of 4.5 metres; and
  - viii. crash walls or associated structure or equipment, for the purpose of wind or noise mitigation, by a maximum of 1.5 metres;
- (e) The required minimum building setbacks are as shown in metres on Map 7;
- (f) The required separation of *main walls* are as shown in metres on Map 7;
- (g) The following elements may encroach into the required minimum building setbacks and *main wall* separation distances as follows:
- i. decks, porches, and balconies, to a maximum of 2.5 metres;
  - ii. canopies and awnings, to a maximum of 4.0 metres;
  - iii. exterior stairs, access ramps and elevating devices, to a maximum of 2.5 metres;
  - iv. cladding added to the exterior surface of the *main wall* of a building, to a maximum of 0.6 metres;
  - v. architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, to a maximum of 0.6 metres;
  - vi. window projections, including bay windows and box windows, to a maximum of 1.5 metres;

- vii. eaves, to a maximum of 1.0-metre;
  - viii. any exterior wall, to a maximum of 0.6 metres from the edge of slab for the purposes of sustainability measures;
  - ix. a dormer, to a maximum of 1.0-metre; and
  - x. air conditioners, satellite dishes, antennae, vents, and pipes, to a maximum of 1.5 metres;
- (h) The following uses are permitted within a CR district on *Block 5B* as shown on Map 7:
- i. those uses permitted within a CR district in section 8(1)(f)(a) and (b) of *By-law 438-86*, except for an *automobile service and repair shop*, *automobile service station*, *car washing establishment*, *motor vehicle repair shop Class A*, or commercial parking lot; and
  - ii. *Live-work units* shall only be permitted on the ground and second floors of *Block 5B* and must be fronting Perth Avenue;
- (i) In addition to the uses permitted within an IC district in section 9(1)(f)(b) of *By-law No. 438-86*, the following uses may be permitted on *Block 5C*:
- i. outdoor residential amenity space to serve the residential uses on *Block 5B*;
  - ii. underground parking, inclusive of a *commercial parking garage*, loading, service, access and/or mechanical facilities to serve the residential uses on *Block 5B*; and
  - iii. no *parking spaces* or other parking facilities are permitted at, or above grade, on *Block 5C*;
- (j) Notwithstanding (i) iii above, *parking spaces* or other parking facilities are permitted at, or above grade on *Block 5C*, on a temporary basis for a period of not more than 3 years from the date By-law *[Clerks to insert By-law number]* comes into full force and effect;
- (k) The only use permitted on *Block 5D* is open space landscape area;
- (l) Any vehicle *parking* or bicycle *parking* requirements for *Blocks 5B and 5C* may be provided within a shared parking facility located at or below grade;
- (m) *Parking spaces* shall be provided in accordance with the following:
- i. resident requirement for a *dwelling unit*:

1. a minimum requirement of zero (0) *parking spaces* for each *dwelling unit*;
  2. a maximum of 0.7 *parking spaces* for each bachelor *dwelling unit* up to 45 square metres and 1.0 *parking space* for each bachelor *dwelling unit* greater than 45 square metres;
  3. a maximum of 0.8 *parking spaces* for each one-bedroom *dwelling unit*;
  4. a maximum of 0.9 *parking spaces* for each two-bedroom *dwelling unit*; and
  5. a maximum of 1.1 *parking spaces* for each three- or more bedroom *dwelling unit*;
- ii. residential visitor requirement:
1. a minimum requirement of 2.0 plus 0.05 *parking spaces* per *dwelling unit*; and
  2. a maximum of 1.0 *parking space* per *dwelling unit* for the first five *dwelling units* and 0.1 *parking spaces* per *dwelling unit* for the sixth and subsequent *dwelling units*;
- iii. zero (0) *parking spaces* are required for non-residential uses;
- iv. residential visitor *parking spaces* required in ii. above, may be provided on a shared, non-exclusive basis within the overall non-residential parking supply on the Block and may be provided for use with or without a fee;
- v. a minimum of 2 *car share parking spaces* shall be provided; and
- vi. a minimum of 11 accessible *parking spaces* shall be provided;
- (n) Accessible *parking spaces* shall have the following minimum dimensions:
- i. length of 5.6 metres;
  - ii. width of 3.4 metres;
  - iii. vertical clearance of 2.1 metres; and
  - iv. the entire length of an accessible *parking space* shall be adjacent to a 1.5-metre wide accessible barrier free aisle or path;
- (o) *Parking spaces* shall be equipped with an energized outlet, which is clearly

marked and identified for electric vehicle charging, in accordance with the following:

- i. all *parking spaces* provided for residential uses, excluding residential visitor *parking spaces*, shall include an energized outlet capable of providing Level 2 charging or higher to the *parking space*; and
  - ii. in cases other than those set out in i. above, 25 percent of the residential and visitor *parking spaces* in a building shall include an energized outlet capable of providing Level 2 charging or higher;
- (p) If the calculation of the number of required *parking spaces* results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one *parking space*;
- (q) A maximum of 15 percent of the required *parking spaces* may have the following dimensions and may be obstructed on one or two sides without being required to provide additional width for the obstructed sides of the *parking space*:
  - i. length of 5.2 metres;
  - ii. width of 2.6 metres; and
  - iii. vertical clearance of 2.0 metres;
- (r) A minimum of 1 *loading space -type G* and 1 *loading space – type C* shall be provided;
- (s) *Loading spaces* are subject to the following minimum dimensions:
  - i. *loading space - type G*
    - 1. minimum length of 13.0 metres;
    - 2. minimum width of 4.0 metres; and
    - 3. minimum vertical clearance of 6.1 metres; and
  - ii. *loading space – type C*
    - 1. minimum length of 6.0 metres;
    - 2. minimum width of 3.5 metres; and
    - 3. minimum vertical clearance of 3.0 metres;
- (t) *Residential amenity space* shall be provided at the following rate:

- i. a minimum of 2.0 square metres for each *dwelling unit* as indoor *amenity space* on *Block 5B*;
  - ii. a minimum of 2.0 square metres of outdoor *amenity space* for each *dwelling unit* on *Block 5B*, exclusively for residential uses on *Block 5B*, which outdoor *amenity space* may be provided on *Block 5C*; and
  - iii. no more than 25 percent of the outdoor *amenity space* component may be a green roof;
- (u) *Bicycle parking* shall be provided and maintained at the following rate:
  - i. for residential uses, a minimum of 0.9 *bicycle parking spaces* per *dwelling unit*; and
  - ii. for residential visitors, a minimum of 0.2 *bicycle parking spaces* per *dwelling unit*;
- (v) A *bicycle parking space* may be located in a *stacked bicycle parking space* and may also be located above or below grade within a secured room, enclosure, or bike locker;
- (w) A *bicycle parking space* shall have a minimum width of 0.45 metres;
- (x) The required minimum dimensions of a *stacked bicycle parking space* are:
  - i. length of 1.8 metres;
  - ii. width of 0.45 metres; and
  - iii. vertical clearance of 2.44 metres;
- (y) If a building on *Block 5B* has residential uses for which 5 or more *bicycle parking spaces* are required, *bicycle maintenance facilities* shall be provided and maintained in the building with the following minimum dimensions:
  - i. length of 1.8 metres;
  - ii. width of 2.6 metres; and
  - iii. vertical clearance from the ground of 1.9 metres;
- (z) The provision of *dwelling units* is subject to the following:

- i. a minimum of 20 percent of the total number of *dwelling units* must have two or more bedrooms;
  - ii. a minimum of 10 percent of the total number of *dwelling units* must have three or more bedrooms;
  - iii. any *dwelling units* with three or more bedrooms provided to satisfy ii. above are not included in the provision required by i. above; and
  - iv. if the calculation of the number of required *dwelling units* in i., and ii. above results in a number with a fraction, the number shall be rounded down to the nearest whole number;
- (aa) The permissive exception provision (13) HOLDING SYMBOL "(h)" above shall continue to apply to *Blocks 5B, 5C and 5D* until such time as a Zoning By-law to remove the "(h)" symbol has been enacted;
- (bb) A *privately-owned publicly accessible space* shall be provided on *Block 5B*, or on a combination of *Blocks 5B and 5C*, with a minimum size of 720 square metres;
- (cc) For the purposes of these Site Specific Provisions – *Blocks 5B, 5C and 5D*, every other word or expression which is italicized herein shall have the same meaning as each word or expression in *By-law 438-86*, as amended, including in City of Toronto By-law 943-2015 (OMB), with the exception of the following which shall have the meaning stated:
- i. "*bicycle maintenance facilities*" means an area for bicycle repairs and maintenance which may include work space, a repair stand and an air pump for inflating bicycle tires;
  - ii. "*bicycle parking*" means an area used for parking or storing of bicycles;
  - iii. "*bicycle parking space*" means location that is equipped with a bicycle rack, locker or bicycle stacker for the purpose of parking and securing bicycles;
  - iv. "*Block 5B, Block 5C, Block 5D*" collectively or individually, means those lands respectively delineated and identified as Block 5B, Block 5C and Block 5D on Map 7;

- v. "*car-share*" or "*car-sharing*" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car sharing organization, including the payment of a membership fee that may or may not be refundable;
  - vi. "*car-share parking space*" means a *parking space* that is reserved and actively used for *car-sharing*;
  - vii. "*main wall*" means any exterior wall of a building or structure, including all structural members essential to the support of a roof over a fully or partly enclosed area;
  - viii. "*privately-owned publicly accessible space*" means a space situated at ground level that is accessible to the public, secured through appropriate legal agreements and may include pedestrian walkways, seating areas, landscaped plazas as well as ornamental structures and is used principally for the purpose of sitting, standing, and other recreational uses; and
  - ix. "*stacked bicycle parking spaces*" means a bicycle storage system that allows bicycles to be stored vertically or horizontally on multiple levels using a rack or mechanical lift system;"
8. On the lands labeled as Block 5C, outlined by heavy black lines on Map 1 of this By-law, temporary *parking spaces* or other parking facilities are permitted at, or above grade, for a period of not more 3 years from the date this By-law comes into full force and effect.
9. On the lands outlined by heavy black lines on Map 1 of this By-law, a temporary sales office is permitted for a period of not more than 3 years from the date this By-law comes into full force and effect, used exclusively for the purpose of marketing, sales, and leasing of *dwelling units* on the site.
10. Except as otherwise provided herein, the provisions of former City of Toronto By-law 438-86, as amended, and amended by City of Toronto By-law 943-2015 (OMB), including italicized defined terms therein, shall continue to apply.

Enacted and passed on May , 2025.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)



**APPENDIX 1**  
**SECTION 37 PROVISIONS**

Appendix 1 of City of Toronto By-law 943-2015 (OMB) amending former City of Toronto By-law 438-86, as amended, is amended to include the additional facilities, services and matters as set out below required to be provided to the City by the owner at the owner's expense in return for the increase in height and density of the proposed development on *Block 3B* and on *Blocks 5B 5C and 5D* illustrated by Map 2 and Map 3 of this By-law and in accordance with one or more agreements, including an amending agreement, relating to the proposed development pursuant to Section 37(3) of the Planning Act, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. c.18 came into force.

Prior to the issuance of any building permit for development on *Block 3B* or for development on *Block 5B, 5C and 5D*, the owner shall enter into and register on title one or more agreements, including an amending agreement, relating to the proposed development pursuant to Section 37(3) of the Planning Act, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. c.18 came into force, to the satisfaction of the Executive Director, Development Review and the City Solicitor to secure the additional community benefits and matters required to support the development on terms set out in such agreement(s) as follows:

1. Clause 1 of Appendix 1 is revised to require at least an additional 26 *day nursery* spaces such that an expanded minimum 62-space *day nursery* is determined to be required on *Block 3B* and the following additional terms shall apply and be provided by the owner:
  - a. the childcare centre will be comprised of not less than 928 square metres (approximately 10,000 square feet) of indoor area located on the ground and second floors and not less than 278 square meters (approximately 2,992 square feet) of outdoor area located on the second floor directly adjacent to the indoor area;
  - b. the childcare centre shall be designed, constructed and delivered in accordance with the Childcare Early Years Act, 2014, as amended and City of Toronto Childcare Design and Technical Guideline R1 (2016) or successor;
  - c. the childcare centre will accommodate a minimum of 62 children, including infants, toddlers and preschoolers; and
  - d. the expanded childcare centre will be provided in accordance with terms set out in the agreement(s), including an amending agreement, satisfactory to the Executive Director, Development Review and the General Manager, Children's Services.
2. The provision of affordable housing contemplated in Clause 2 of Appendix 1 will be located on *Block 5B*;

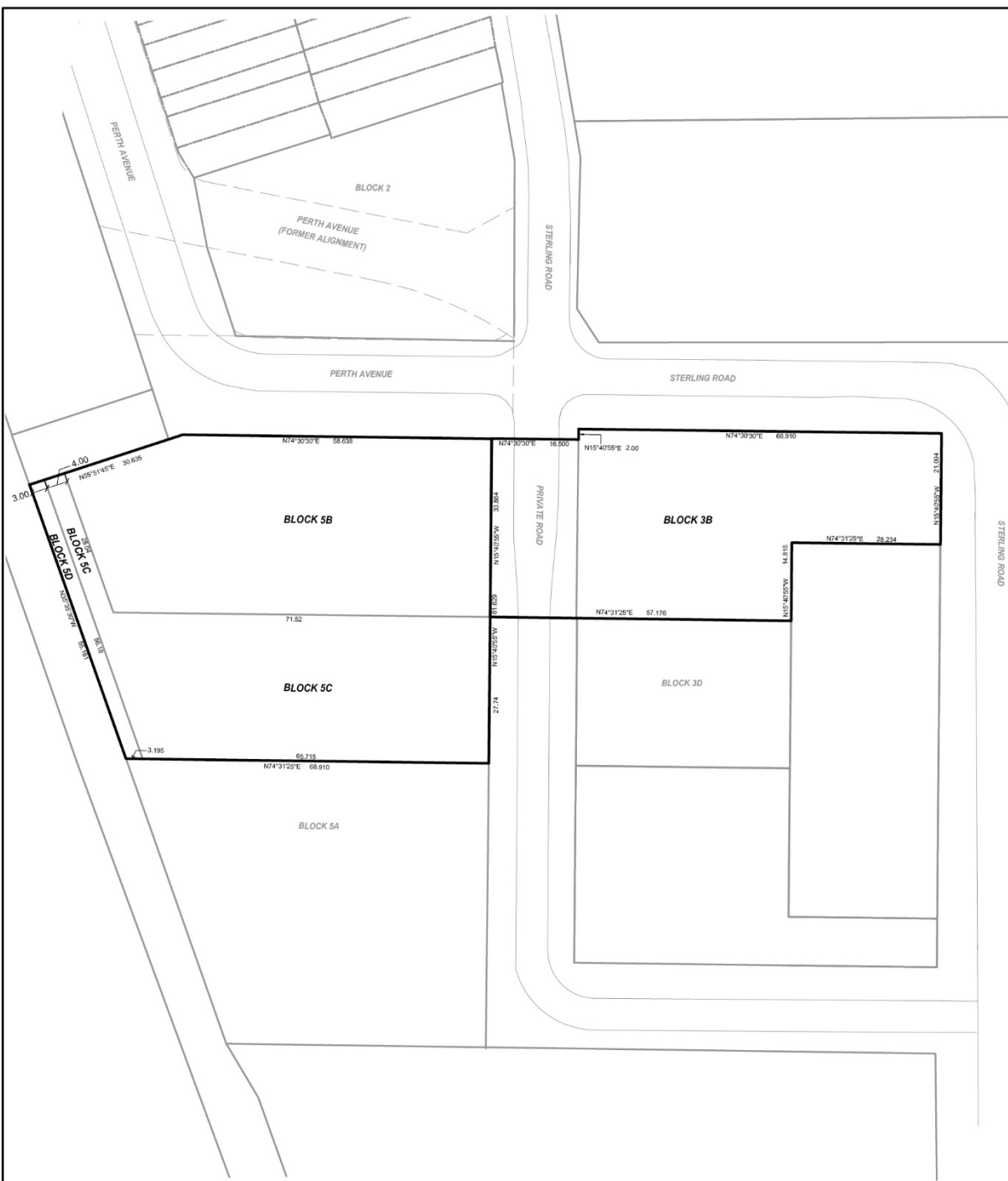
3. In support of development on *Block 3B* as well as development on *Blocks 5B, 5C and 5D* the following additional matters shall be inserted as Clauses 4 and 5 of Appendix 1 under the subheading "Matters in Support of Development" and shall be provided by the owner as follows:

"Matters in Support of Development

4. In support of development on *Blocks 3B* the owner shall, at its own expense:
- a. Prepare all documents, including required reference plan(s) of survey, and convey, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the City Solicitor, a public access pedestrian easement in favour of the City, in perpetuity, in the location generally illustrated on Map 6, to secure a 2.0 metre sidewalk clearway to be constructed along the northly limit of *Block 3B* together with a 5.0 metre clearway corner rounding to be constructed at the northeast corner of *Block 3B* each to a minimum vertical dimension of 6.3 metres, with rights of support as applicable, at such time as is determined in the context of site plan approval. Such easement to be for nominal consideration at no cost to the City and free and clear of physical and title encumbrances, unless specifically permitted, together with rights of support as applicable;
  - b. Prepare and submit in the site plan approval application process:
    - i) a Pedestrian Level Wind Study and related design details identifying the required wind mitigation, to the satisfaction of the Executive Director, Development Review;
    - ii) Transportation Demand Management plans and any additional implementing documentation, including payment or securities, as applicable, by certified cheque or letter or credit, respectively, to the satisfaction of the Executive Director, Development Review; and
    - iii) A Noise Impact Study for City peer review, to the satisfaction of the Executive Director, Development Review;
5. In support of development on *Block 5B and 5C*, inclusive of *Block 5D*, the owner shall, at its own expense:
- a. Construct and maintain in the general locations illustrated on Map 7:
    - i) A minimum of 720 square metres of *privately-owned publicly accessible space* (POPS) located on either *Block 5B* or on a combination of *Block 5B and 5C*, in the form of a central courtyard;

- ii) a pedestrian connection from Perth Avenue to the *privately-owned publicly accessible space* (POPS) courtyard referred to in a .i) above, having a minimum width of 5.65 metres and, where located within the building podium, a minimum vertical dimension of 3.19 metres;
  - iii) a pedestrian connection through *Block 5C and 5D* to the West Toronto Rail Path to the west, having a minimum width of 3.0 metres; and
  - iv) the specific configuration, design and timing for delivery of which to be determined in the context of site plan approval to the satisfaction of the Executive Director, Development Review;
- b. Prepare all documents, including required reference plans of survey, and convey, to the satisfaction of the Executive Director, Development Review and the City Solicitor, public access easements in favour of the City, in perpetuity, over the courtyard (POPS) and associated pedestrian connections referred to in a. i) ii) and iii) above, for nominal consideration at no cost to the City and free and clear of physical and title encumbrances, unless specifically permitted, together with rights of support as applicable, at such time as is determined in the context of site plan approval; and
- c. Prepare and submit in the site plan approval application process:
  - i) a Pedestrian Level Wind Study and related design details identifying the required wind mitigation, to the satisfaction of the Executive Director, Development Review;
  - ii) Transportation Demand Management plans and any additional implementing documentation, including payment or securities, as applicable, by certified cheque or letter of credit, respectively, to the satisfaction of the Executive Director, Development Review;
  - iii) a Noise and Vibration Assessment for City peer review, to the satisfaction of the Executive Director, Development Review; and
  - iv) a Rail Safety Study for City peer review, to the satisfaction of the Executive Director, Development Review."

MAP 1



Map 1

158 Sterling Road and 190 Sterling Road

File # 24 168035 STE 09 OZ and File # 24 169956 STE 09 OZ

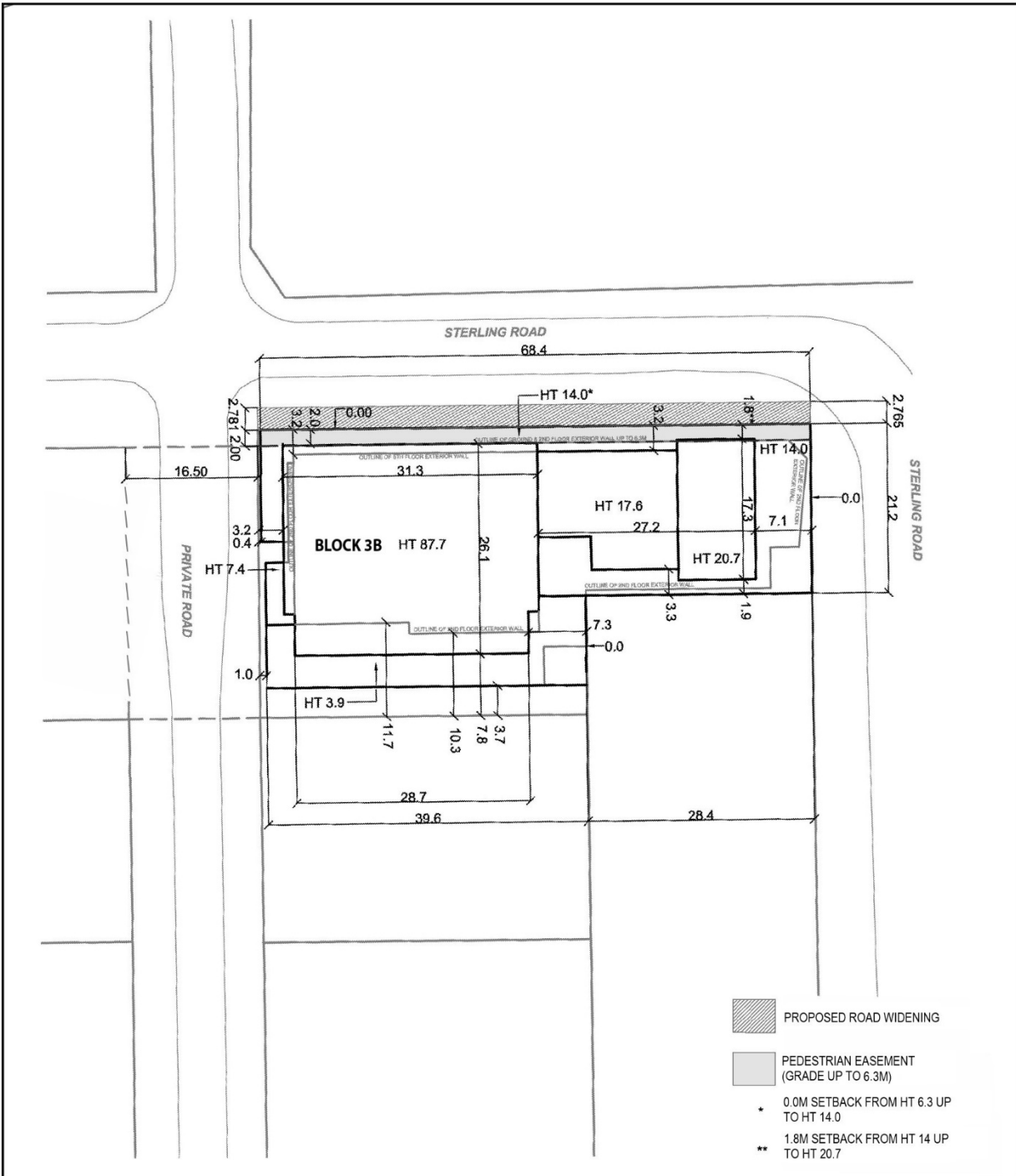
158 Sterling Road : Block 5B, 5C, and 5D

190 Sterling Road : Block 3B

City of Toronto By-law 569-2013  
Not to Scale  
03/27/2025



MAP 2



Map 2

(Map 6 to Zoning By-law 943-2015 (OMB))

190 Sterling Road  
Block 3B

File # 24 169956 STE 09 02



Block 3B



Property Boundary



City of Toronto By-law 569-2013  
Not to Scale  
03/27/2025

