

Authority: Local Planning Appeal Tribunal Decision issued on November 2, 2018 and Local Planning Appeal Tribunal Order issued on January 21, 2019 and July 10, 2019 in File PL171369

## **CITY OF TORONTO**

### **BY-LAW 1214-2019(LPAT)**

**To amend Toronto Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2018 as, 844 Don Mills Road and 1150 and 1155 Eglinton Avenue East.**

Whereas the Local Planning Appeal Tribunal Decision issued on November 2, 2018 and Local Planning Appeal Tribunal Order issued on January 21, 2019 and July 10, 2019 in File PL171369 following an appeal pursuant to Section 34(11) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, determined to amend the City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands known municipally in the year 2017 as 844 Don Mills Road and 1150 and 1155 Eglinton Avenue East; and

Whereas the City of Toronto Zoning By-law 569-2013, as amended, supersedes By-law 7625 (being the Zoning By-law of the former City of North York), as amended, and predecessor zoning by-laws as applicable; and

Whereas authority is given to the Local Planning Appeal Tribunal by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to impose the holding symbol (H) and authority is given to Council to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of 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 569-2013 as amended, is permitted in return for the provision of the

facilities, services and matters set out in By-law 1214-2019(LPAT) which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Local Planning Appeal Tribunal orders as follows:

1. The lands subject to By-law 1214-2019(LPAT) are outlined by heavy black lines on Diagram 1 of By-law 1214-2019(LPAT).
2. The words highlighted in bold type in By-law 1214-2019(LPAT) have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to By-law 1214-2019(LPAT) to the Zoning By-law Map in Section 990.10, and applying the following zone labels to the lands: RT (d0.0 )(x174), (H) RT (d0.0) (x174), RA (d0.0) (x123), (H) RA (d0.0) (x123), CR (c0.0; r0.0) SS2 (x162), (H) CR (c0.0; r0.0) SS2 (x162), EO 0.0 (x9), (H) EO 0.0 (x9), OR (x27), and ON (x14), as shown on Diagram 2 of By-law 1214-2019(LPAT).
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands outlined in a heavy black line on Diagram 3 of By-law 1214-2019(LPAT) to the Policy Areas Overlay Map in Section 995.10.1, applying the Policy Area label PA 3 to these lands, and extending the Major Street symbol along the entire portion of Don Mills Road and Eglinton Avenue East that abut the lands subject to By-law 1214-2019(LPAT).
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands outlined in heavy black line on Diagram 4 to By-law 1214-2019(LPAT) to each of the following: Height Overlay Map in Section 995.20.1, Lot Coverage Overlay Map in Section 995.30.1, and the Rooming House Overlay Map in Section 995.40.1.
6. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.5.10 Exception Number 174:

**Exception RT [174]**

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

Site Specific Provisions:

- A. the lands shown as Blocks 8, 10, and 13 on Diagram 5 of By-law 1214-2019(LPAT) may be used, and **buildings** and **structures** may be erected and used, in compliance with (B) through (FF), provided the following are met:
  - i. The requirements of Schedule A of By-law 1214-2019(LPAT); and
  - ii. Prior to the lifting of the H symbol on Blocks 10 and 13, as shown on Diagram 2 of By-law 1214-2019(LPAT), the only use and construction that may occur on those Blocks must be in accordance with Section 15 of By-law 1214-2019(LPAT);

- B. despite any provision of Regulation 10.60.20.20 to the contrary, the following uses are permitted if they comply with the specific conditions associated with the reference numbers(s) for each use in Regulation 10.60.20.100:
- i. **Home Occupation (6);**
  - ii. **Private Home Daycare (9);** and
  - iii. **Secondary Suite (12);**
- C. despite regulation 10.60.40.40(1), the permitted maximum **gross floor area** on Blocks 8, 10 and 13 as shown on Diagram 5 of By-law 1214-2019(LPAT) is:
- i. 15,900.0 square metres on Block 8;
  - ii. 11,200.0 square metres on Block 10; and
  - iii. 15,300.0 square metres on Block 13;
- D. in addition to the areas identified in Regulation 10.5.40.40(3), the **gross floor area** of a **townhouse** is also reduced by the area in the **building** used for:
- i. A detached private garage having a maximum area of:
    - a. 30.0 square metres, if the garage accommodates one **parking space**; and
    - b. 45.0 square metres, if the garage accommodates two **parking spaces**;
  - ii. Vestibules providing rooftop access, to a maximum **gross floor area** of 12.0 square metres; and
  - iii. Mechanical penthouses;
- E. the permitted maximum number of **dwelling units** on Blocks 8, 10 and 13 shown on Diagram 5 of By-law 1214-2019(LPAT) is:
- i. **80 dwelling units** on Block 8;
  - ii. **64 dwelling units** on Block 10; and
  - iii. **68 dwelling units** on Block 13;
- F. despite regulation 10.60.40.10 (1)(B), the permitted maximum height for a **building** or **structure** in metres is the numerical value in metres, following the HT symbol, as shown on Diagram 10 of By-law 1214-2019(LPAT);

- G. for the purpose of calculating **established grade**:
- i. Each **dwelling unit** in a **townhouse** will be deemed to be on its own **lot**; and
  - ii. The minimum **front yard setback** for each **dwelling unit** is as shown on Diagram 10 of By-law 1214-2019(LPAT);
- H. despite regulation 10.5.40.10(2), the following **structures** may exceed the permitted maximum **building** height as follows:
- i. 0.9 metres for skylights, roof access hatch;
  - ii. 1.5 metres for architectural features and design elements, parapets, elements of a green roof, railings and guards;
  - iii. 1.8 metres for balcony and roof top terrace dividers, safety screens, wind screens or privacy screens;
  - iv. 3.2 metres for roof top canopies and associated structural elements, structures on the roof used for outside or open air recreation, vestibules for rooftop access, mechanical equipment and associated enclosures, elevator overrun, stairs and stair enclosures; and
  - v. 1.5 metres for vents, stacks, flues and chimneys;
- I. despite regulation 10.60.40.10(2), the permitted maximum number of **storeys** in a **building** is the numerical value following the ST symbol, as shown on Diagram 10 of By-law 1214-2019(LPAT);
- J. despite (I) above, the following are not a **storey**:
- i. Vestibules providing rooftop access and having a **gross floor area** of not more than 12.0 square metres;
  - ii. Mechanical penthouses;
  - iii. Stair enclosures; and
  - iv. Elevator overruns;
- K. the finished floor elevation of the front door sill for **dwelling units** on a Block shown on Diagram 10 of By-law 1214-2019(LPAT) must not be more than:
- i. 1.2 metres above **established grade** for 80 percent of the **dwelling units** on a Block; and
  - ii. 1.5 metres above **established grade** for all other **dwelling units** on the same Block;

- L. despite regulation 10.5.40.70(1), and Clauses 10.5.60.20 and 10.60.40.70, the required minimum setbacks for **buildings** and detached private garages is shown on Diagram 10 of By-law 1214-2019(LPAT). A **building setback** is not required from a corner rounding at the intersection of two **streets**;
- M. despite regulation 10.5.40.70(1) and Clause 10.5.40.60, the following may encroach into a required **building setback**:
- i. 0.9 metres for architectural features such as cornices, eaves, piers, mouldings, sills, scuppers, rain water leaders, lighting fixtures and bay windows;
  - ii. 2.4 metres for retaining walls and stairs;
  - iii. 2.0 metres for stoops, decks, porches, canopies and associated **structures**, awnings and associated **structures**, utility meters and associated enclosures; and
  - iv. 0.9 metres for air conditioners and generators;
- N. despite regulation 10.60.40.80(1), if a **townhouse** has **main walls** where a line projecting outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required above-ground separation distance between those **main walls**, excluding architectural recesses in a **main wall** having a depth of 1.0 metres or less and **main walls** around inset balconies and entrances, is:
- i. 5.5 metres if there are no windows and/or doors in one or more of those **main walls**; and
  - ii. 11.0 metres if each **main wall** has windows and/or doors opening into a **dwelling unit**;
- O. despite regulation 10.60.40.80(2), if two or more **townhouse buildings** are on the same Block, the required minimum above-ground separation distance between the **main walls** of the respective **townhouse buildings** is:
- i. 2.0 metres between side **main walls**;
  - ii. 15.0 metres between rear **main walls** if there is a window and/or door into a **dwelling unit**, excluding openings into a garage; and
  - iii. Light fixtures, eaves, roof overhangs, rainwater leaders, gutters, scuppers and **structures** on the roof of a **building** used for outside or open air recreation, may encroach into a required separation distance;
- P. despite Chapter 200, parking must be provided in accordance with Section 12 of By-law 1214-2019(LPAT);

- Q. despite regulation 10.5.80.10(1), a **parking space** must be on the same Block as the **dwelling unit** for which the **parking space** is required;
- R. despite regulation 10.5.80.10(3) a **parking space** may not be between the front or side **main walls** of a **building** with a **dwelling unit** and a **street**;
- S. **parking spaces** must be provided in accordance with Section 12 of By-law 1214-2019(LPAT), except that visitor **parking spaces** are not required;
- T. despite regulation 10.5.80.40(3)(C) access to **parking spaces** may be from any **street**, however, an individual private **driveway** leading to the front of a **dwelling unit** in a **townhouse** is not permitted;
- U. despite regulation 10.5.100.1(6), a Block shown on Diagram 5 of By-law 1214-2019(LPAT) may have a **driveway** with two points of **vehicle** access to the same **street**;
- V. despite regulations 10.5.50.10(1), (2), (3) **landscaping** for **townhouses** must be provided as follows:
- i. 100 percent of the area between the front **main wall** of a **dwelling unit** in a **townhouse** and the **street** must be used for no other purpose than **landscaping**, of which 75 percent must be **soft landscaping**;
  - ii. A minimum of 60 percent of the area between the side **main wall** of a **dwelling unit** and the **street** must be used for no other purpose than **landscaping**, of which a minimum of 75 percent must be for **soft landscaping**;
  - iii. Where a detached private garage is provided for a **dwelling unit**, a minimum of 25 percent of the area between the rear **main wall** of the **dwelling unit** and the detached private garage must be **soft landscaping**; and
  - iv. For the purpose of (iii) above, each **dwelling unit** shall be deemed to be located on a **lot**;
- W. despite regulation 10.5.50.10(6), the calculation of **landscaping** or **soft landscaping** excludes the area covered by any permitted encroachment listed in Regulation (M) above;
- X. regulation 10.5.60.1(4) does not apply;
- Y. despite regulation 10.60.30.10(1) the required minimum **lot area** is 67.0 square metres;
- Z. despite regulation 10.60.30.20(1), the minimum **lot frontage** is 4.2 metres;
- AA. despite regulation 10.60.40.1(3) the minimum width of a **dwelling unit** in a **townhouse** is 4.2 metres;

- BB. Clauses 10.5.60.50 and 10.5.60.70 do not apply to a detached private garage;
- CC. each **dwelling unit** in a **townhouse** must front on a **street**;
- DD. despite any severance or division of the lands subject to this Exception, the regulations of this Exception shall continue to apply to the whole of the lands as if no severance or division had occurred;
- EE. despite regulation 5.10.30.1(1), no **building** or **structure** may be erected or used on the lands unless:
- i. The lands abut an existing **street**, or are connected to an existing **street** by a **street** or **streets** constructed to a minimum base curb and base asphalt or concrete; and
  - ii. All Municipal water mains and Municipal sewers, and their appurtenances, are installed to a **lot** line of the property and are operational; and
- FF. for the purpose of regulation 5.10.30.1(2) a **street** may include a **street** or **streets** that have been dedicated to the Municipality but may not be assumed.

Prevailing By-laws and Prevailing Sections: None Apply

7. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.7.10 Exception Number 123:

**Exception RA [123]**

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

Site Specific Provisions:

- A. the lands shown as Blocks 6B, 6C, 9, 11, and 12 on Diagram 5 of By-law 1214-2019(LPAT), may be used, and **buildings** and **structures** may be erected and used, in compliance regulations (B) through (PP), provided the following are met:
- i. The requirements of Schedule A of By-law 1214-2019(LPAT); and
  - ii. Prior to the lifting of the H symbol on Block 6B, 6C, and 11, as shown on Diagram 2 of By-law 1214-2019(LPAT), the only use and construction that may occur on those Blocks must be in accordance with Section 15 of By-law 1214-2019(LPAT);
- B. in addition to the uses permitted by Clause 15.10.20.10, car-sharing and bike-sharing are permitted;

- C. for the purpose of this Exception:
- i. 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;
  - ii. Car-sharing **parking space** means a **parking space** exclusively reserved and signed for a car or cars used only for car-share purposes;
  - iii. 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
  - iv. Bike-sharing station means a bicycle sharing facility 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**;
- D. despite any provision of Clause 15.10.20.20 to the contrary, the following uses are permitted if they comply with the specific conditions associated with the reference numbers(s) for each use in Clause 15.10.20.100:
- i. **Day Nursery (4)**;
  - ii. **Home Occupation (6)**;
  - iii. **Private Home Daycare (9)**;
  - iv. **Residential Care Home (5)**;
  - v. **Respite Care Facility (12)**;
  - vi. **Retail Store (13)**;
  - vii. **Retirement Home (7)**;
  - viii. **Secondary Suite (15)**; and
  - ix. **Seniors Community House (16)**;
- E. despite Clause 15.10.20.40, a **dwelling unit** is permitted in an **apartment building**;
- F. despite regulation 15.10.40.40(1), the permitted maximum **gross floor area** for Blocks 6B, 6C, 9, 11 and 12, as shown on Diagram 5 of By-law 1214-2019(LPAT), is:
- i. 10,000.0 square metres on Block 6B;
  - ii. 32,250.0 square metres on Block 6C;

- iii. 16,300.0 square metres on Block 9;
  - iv. 18,250.0 square metres on Block 11; and
  - v. 97,250.0 square metres on Block 12;
- G. in addition to the provisions of regulation 15.5.40.40(1), the **gross floor area** of an **apartment building** is also reduced by the area in a **building** used for:
- i. Parking; and
  - ii. Indoor amenity space;
- H. despite regulation 5.10.1.30(3) a **dwelling unit** may not be entirely below-ground;
- I. the permitted maximum number of **dwelling units** on Blocks 6B, 6C, 9, 11 and 12 as shown on Diagram 5 of By-law 1214-2019(LPAT) is:
- i. 140 on Block 6B;
  - ii. 500 on Block 6C;
  - iii. 220 on Block 9;
  - iv. 251 on Block 11; and
  - v. 1,304 on Block 12;
- J. despite Clause 15.10.40.10, the permitted maximum height for a **building** or **structure** in metres is the numerical value in metres following the HT symbol on Diagrams 8, 9 and 11 of By-law 1214-2019(LPAT);
- K. for the purpose of this Exception, **established grade** for the Blocks shown on Diagram 5 of By-law 1214-2019(LPAT) is the Canadian Geodetic Datum elevation of:
- i. 128.80 metres for Block 6B;
  - ii. 127.30 metres for Block 6C;
  - iii. 131.55 metres for Block 9;
  - iv. 133.59 metres for Block 11; and
  - v. 128.63 metres for Block 12;

- L. despite Clause 15.5.40.10 the following **structures** may exceed the permitted maximum **building** height:
- i. 0.9 metres for skylights, green roof elements and roof access hatch;
  - ii. 1.5 metres for architectural features and design elements, parapets, railings and guard railings;
  - iii. 1.8 metres for terrace dividers, privacy screens and window washing equipment;
  - iv. 3.0 metres for wind screens, wind and mitigation **structures**, canopies, trellises, awnings and/or other similar shade devices and associated **structures**, outdoor amenity space elements including outdoor kitchens;
  - v. 7.5 metres for elevator overruns, mechanical equipment and associated enclosures, stairs, stair enclosures, vents, stacks, flues and chimneys;
  - vi. despite (v) above, where the entire above-ground portion of a **building** is four **storeys** or less, the following **structures** may exceed the permitted maximum **building** height as follows:
    - a. 3.2 metres for elevator overruns, mechanical equipment and associated enclosures, stairs, stair enclosures and rooftop vestibules; and
    - b. 1.5 metres for vents, stacks, flues and chimneys; and
  - vii. The elements listed in (Q) below;
- M. the permitted maximum number of **storeys** in a **building** is the numerical value following the ST symbol on Diagrams 8, 9 and 11 of By-law 1214-2019(LPAT);
- N. despite (M) above, the following are not a **storey**:
- i. Vestibules providing rooftop access and having a **gross floor area** of not more than 12.0 square metres;
  - ii. Mechanical penthouses;
  - iii. Stair enclosures; and
  - iv. Elevator overruns;

- O. where the front door to a **dwelling unit** leads directly outside the **building**, the finished floor elevation of the front door sill must be no greater than:
- i. 1.2 metres above the level of the ground adjacent the front entrance to a **dwelling unit**, for 80 percent of the **dwelling units** on a Block shown on Diagram 5 of By-law 1214-2019(LPAT) which face a **street** or a **park**; and
  - ii. 1.5 metres above the level of the ground adjacent the front entrance to a **dwelling unit**, for all other **dwelling units** on the same Block;
- P. despite Clause 15.10.40.70, the required minimum **building** setbacks for the portion of a **building** or **structure** above-ground is as shown on Diagrams 8, 9 and 11 of By-law 1214-2019(LPAT). A **building setback** is not required from a corner rounding at the intersection of two **streets**;
- Q. despite regulation 5.10.40.70(1) and Clause 15.5.40.60, the following may encroach into a required **building** setback as follows:
- i. 0.9 metres for architectural features such as cornices, piers, eaves, roof overhangs, mouldings, sills, scuppers, rain water leaders, window washing equipment, lighting fixtures and bay windows;
  - ii. 1.5 metres for balconies and guard rails;
  - iii. 2.0 metres for stoops, decks, porches, canopies, trellises, privacy screens, awnings and/or other similar shade devices and their associated structural elements, utility meters and associated enclosures, railings, vents and **structures** for wind mitigation;
  - iv. 2.4 metres for retaining walls and stairs;
  - v. Covered bicycle storage enclosures, bike-sharing station, ramps, garage ramps and associated **structures** shall be permitted to project into any required **building setback**; and
  - vi. The elements listed in (L) above;
- R. despite regulation 15.10.40.80(2), the required minimum above-ground separation distance between the **main walls** of two or more **buildings** is:
- i. 5.5 metres if there are no windows and/or doors to **dwelling units** in one or more those **main walls**;
  - ii. 11.0 metres if each **main wall** has a window and/or a door to a **dwelling unit**; and
  - iii. Light standards, eaves, roof overhangs, rainwater leaders, gutters, scuppers balconies, may encroach into a required separation distance;

- S. despite (R) above and (U) below, if the total height of a **building** above-ground is 14 metres or less, an above-ground **main wall** of that **building** must be separated from the above-ground **main wall** of another **building** by at least:
- i. 2.0 metres between side **main walls**;
  - ii. 15.0 metres between front **main walls**;
  - iii. 15.0 metres between rear **main walls**; and
  - iv. Light standards, eaves, roof overhangs, rainwater leaders, gutters, scuppers balconies, may encroach into a required separation distance;
- T. despite (R) above and (U) below, above a height of 22.0 metres, as measured from **established grade**, a minimum separation distance of 25.0 metres must be provided between the **main wall** of a **building** and/or portions of a **building** containing residential uses and the **main wall** of any other **building** and/or portion of a **building**, excluding the permitted encroachments listed in (Q) of this Exception;
- U. despite regulation 15.10.40.80(1), if a **building** has **main walls** from which a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required above-ground separation distance between those **main walls**, excluding **main walls** around architectural recesses in a **main wall** having a depth of 1.0 metres or less, inset balconies, and recessed **building** entrances, is a minimum of:
- i. 5.5 metres if there are no windows and/or doors to **dwelling units** in one or more those **main walls**;
  - ii. 11.0 metres if each **main wall** has a window and/or a door to a **dwelling unit**; and
  - iii. Light standards, eaves, roof overhangs, rainwater leaders, gutters, scuppers balconies, may encroach into a required separation distance;
- V. regulations 5.10.40.1(3), 5.10.40.70(6) and Clause 5.10.40.80 do not apply to **buildings** as located on Block 12 if existing on the date of the passing of By-law 1214-2019(LPAT), or additions, alterations or replacements if the additions, alterations or replacements are no closer to the stable top-of-bank than the existing **building**;
- W. the permitted maximum tower floor plate is 750 square metres for:
- i. The **storeys** of a **building** on Block 6C, as shown on Diagram 5 of By-law 1214-2019(LPAT), that are more than 22.0 metres above **established grade**;

- 
- ii. The **storeys** of a **building** on Block 12, as shown on Diagram 5 of By-law 1214-2019(LPAT), that are more than 18.0 metres above **established grade** and have a permitted maximum **building** height of more than 26.8 metres as shown on Diagram 8 of By-law 1214-2019(LPAT); and
  - iii. For the purpose of this Exception, tower floor plate means the area of a floor of a **building** measured from the **main walls**, but excluding inset and projecting balconies;
- X. subject to permitted encroachments:
- i. Excluding a **building** on Block 12, if a **building** has more than 10 **storeys** above **established grade**, the portion of the **main wall** of the **building** facing a **street** or **park**, above the 6<sup>th</sup> **storey**, must set back at least 5.0 metres from the **main wall** of the **building** at or below the 6<sup>th</sup> **storey** and facing the same **street** or **park**; and
  - ii. If a **building** has 10 **storeys** or less above **established grade**, the portion of the **main wall** of the **building** facing a **street** or a **park**, above the 6<sup>th</sup> **storey**, must set back at least 3.0 metres from the **main wall** of the **building** at or below the 6<sup>th</sup> **storey** and facing the same **street** or **park**;
- Y. despite (Q)(ii) above, on Block 12 balconies are only permitted to project beyond the **main walls** of **buildings** with permitted maximum **building** heights of 103.0 metres and 109.0 metres, as shown on Diagram 8 of By-law 1214-2019(LPAT), in the locations identified with the label "Projecting Balconies Permitted";
- Z. despite regulation 15.10.40.50(1), in a **building** containing 20 or more **dwelling units**, amenity space must be provided at a minimum rate of 3.5 square metres for each **dwelling unit**, of which:
- i. At least 1.5 square metres for each **dwelling unit** is indoor amenity space, located at or above-ground;
  - ii. A minimum of 40 square metres is outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space; and
  - iii. No more than 25 percent of the outdoor component of the amenity space may be a **green roof**;
- AA. amenity space means indoor or outdoor space on a Block that is communal and available for use by the occupants of a **building** on the Block for recreational or social activities, except that:
- i. For Blocks 6B and 6C as shown on Diagram 5 of By-law 1214-2019(LPAT), amenity space may be provided on Block 6B and/or 6C;

- BB. despite regulation 15.5.50.10(1)(A) the required minimum **landscaped** area for Blocks 6B, 6C, 9, and 12 as shown on Diagram 5 of By-law 1214-2019(LPAT) is:
- i. 30 percent of the combined area of Blocks 6C and 6B;
  - ii. 37 percent of Block 9; and
  - iii. 48 percent of Block 12;
- CC. despite Chapter 200, **parking spaces** must be provided in accordance with Section 12 of By-law 1214-2019(LPAT); **parking space**;
- DD. **parking spaces** for car-sharing must be provided on the Blocks shown on Diagram 5 of By-law 1214-2019(LPAT) as follows:
- i. 3 on one of or a combination of Blocks 6B and 6C;
  - ii. 1 on Block 9;
  - iii. 1 on Block 11; and
  - iv. 7 on Block 12;
- EE. for each car-sharing **parking space** provided in excess of the required minimum in Regulation (CC) above, the minimum number of resident **parking spaces** required on a Block in accordance with Section 12 of By-law 1214-2019(LPAT) may be reduced by four **parking spaces**, up to a maximum reduction as calculated by the following formula:  $4 \times (\text{the total number of dwelling units on a Block divided by } 60)$ , rounded down to the nearest whole number;
- FF. despite regulation 15.5.80.10(1), a **parking space** must be on the same Block as the use for which the **parking space** is required, except for Blocks 6B and 6C, as shown on Diagram 5 of By-law 1214-2019(LPAT), for which:
- i. **Parking spaces** and associated **driveway** access and ramps may be provided on one of Blocks 6B and 6C, or a combination of both; and
  - ii. Despite regulation 15.5.80.1(1), residential visitor **parking spaces** may be provided within a shared underground parking facility on Blocks 1A, 1B, 4 and 7, as shown on Diagram 5 of By-law 1214-2019(LPAT), and regulation 15.5.80.1(2) will apply to such residential visitor **parking spaces**;
- GG. regulation 15.5.100.1(1) does not apply with respect to the width of a **driveway**;
- HH. despite regulation 15.5.100.1(2), on Blocks 6B and 6C as shown on Diagram 5 of By-law 1214-2019(LPAT), if an **apartment building** in the RA Zone category has 25 **dwelling units** or more, an unobstructed **vehicle** access must be provided between the **street** and the principal pedestrian entrance to the **building** so that a **vehicle** can enter and leave the Block while driving forward;

- II. a **parking garage**, excluding **driveway** access ramps and stairs, must be located below-ground, with the exception that on Block 12 as shown on Diagram 5 of By-law 1214-2019(LPAT), a **parking garage** may be located at or above-ground provided:
- i. The above-ground portion of a **parking garage** is located behind the Existing Walls shown on Diagram 8 of By-law 1214-2019(LPAT); and/or
  - ii. No more than one level of a **parking garage** facing Wynford Drive may be located above-ground;
- JJ. despite Chapter 230, **bicycle parking spaces** must be provided in accordance with Section 14 of By-law 1214-2019(LPAT);
- KK. despite Chapter 220, **loading spaces** must be provided in accordance Section 13 of By-law 1214-2019(LPAT), with the exception that with respect to Blocks 6B and 6C, as shown on Diagram 5 of By-law 1214-2019(LPAT);
- i. The minimum number of **loading spaces** required for Blocks 6B and 6C is calculated based on the total combined number of **dwelling units** on Blocks 6B and 6C;
  - ii. **Loading spaces** required for **buildings** on either of Blocks 6B and 6C may be provided for the shared use of Blocks 6B and 6C and may be located on either Block 6B and Block 6C; and
  - iii. Associated **driveways** and access ramps may be provided on either Blocks 6B and 6C;
- LL. regulation 15.10.30.10(1) does not apply;
- MM. despite regulation 15.10.30.20(1), the required minimum frontage of a Block is as shown on Diagram 5 of By-law 1214-2019(LPAT);
- NN. despite any severance or division of the lands subject to this Exception, the regulations of this Exception shall continue to apply to the whole of the lands as if no severance or division had occurred;
- OO. despite regulation 5.10.30.1(1), no **building** or **structure** may be erected or used on the lands unless:
- i. The lands abut an existing **street**, or is connected to an existing **street** by a **street** or **streets** constructed to a minimum base curb and base asphalt or concrete; and
  - ii. All Municipal water mains and Municipal sewers, and their appurtenances, are installed to a **lot** line of the property and are operational; and

PP. for the purpose of regulation 5.10.30.1(2) a **street** may include a **street** or **streets** that have been dedicated to the Municipality but may not be assumed.

Prevailing By-laws and Prevailing Sections: None Apply

8. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number 162:

**Exception CR [162]**

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

Site Specific Provisions:

- A. the lands shown as Blocks 2A, 4, 5, 5A, and 7 on Diagram 5 of By-law 1214-2019(LPAT), may be used, and **buildings** and **structures** may be erected and used, in compliance regulations (B) through (DDD), provided the following are met:
- i. The requirements of Schedule A of By-law 1214-2019(LPAT);
  - ii. Prior to the lifting of the (H) symbol on Block 2A, as shown on Diagram 2 of By-law 1214-2019(LPAT), the only use and construction that may occur on the Block must be in accordance with Section 17 of By-law 1214-2019(LPAT);
  - iii. Prior to the lifting of the (H) symbol on Block 4, as shown on Diagram 2 of By-law 1214-2019(LPAT), the only use and construction that may occur on the Block must be in accordance with Section 15 of By-law 1214-2019(LPAT); and
  - iv. Prior to the lifting of the (H) symbol on Blocks 5 and 7, as shown on Diagram 2 of By-law 1214-2019(LPAT), the only use and construction that may occur on those Blocks must be in accordance with Section 16 of By-law 1214-2019(LPAT);
- B. in addition to the permitted uses listed in regulation 40.10.20.10(1), car-sharing and bike-sharing are permitted;
- C. for the purpose of this Exception:
- i. 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;
  - ii. Car-sharing **parking space** means a **parking space** exclusively reserved and signed for a car or cars used only for car-share purposes;

- iii. 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
  - iv. A bike-sharing station means a bicycle sharing facility 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**;
- D. despite regulation 40.10.20.20(1), the following additional uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100 as referred to below:
- i. Non-residential uses:
    - a. **Eating establishments** (1, 33); and
    - b. **Take-out Eating Establishment** (1);
  - ii. Residential uses:
    - a. **Private Home Daycare** (44);
    - b. **Secondary Suite** (58); and
    - c. **Seniors Community House** (42);
- E. despite Clause 40.10.20.40 **apartment buildings** and **mixed-use buildings** are permitted **building** types for **dwelling units**;
- F. despite regulation 40.10.20.100(20), the outdoor sale or display of goods or commodities is permitted if it is:
- i. Combined with another permitted non-residential use;
  - ii. Not more than 250 square metres on any Block shown on Diagram 5 of By-law 1214-2019(LPAT);
  - iv. Not located in areas required for parking, loading, **driveways** or **landscaping**; and
  - v. Not in a **vehicle**;
- G. despite regulations 40.10.20.20(1) and 40.10.20.100(21)(A), an **outdoor patio** must be in association with a permitted use;
- H. despite any regulation to the contrary, a portion of a **building** on Blocks 4 and 7, as shown on Diagram 5 of By-law 1214-2019(LPAT), may be used for **parking spaces, bicycle parking spaces, loading spaces**, service, access and/or

mechanical equipment that serve the users of Blocks 6A, 6B, 1A and 1B, as shown on Diagram 5 of By-law 1214-2019(LPAT);

- I. despite any regulation to the contrary, a portion of a **building** on Blocks 2A, 2B and 5, as shown on Diagram 5 of By-law 1214-2019(LPAT), may be used for **parking spaces, bicycle parking spaces, loading spaces**, service, access and/or mechanical equipment that serve the users of Blocks 2A, 2B and 5; and
- J. for the purpose of this Exception, a bicycle is not a **vehicle**;
- K. despite Clause 40.10.40.40, the permitted maximum **gross floor area** on Blocks 2A, 4, 5, 5A and 7, as shown on Diagram 5 of By-law 1214-2019(LPAT), is:
  - i. on Block 2A:
    - a. 19,000 square metres may be used for residential purposes; and
    - b. a maximum of 8,705.0 square metres may be used for non-residential purposes, if the total **gross floor area** of non-residential uses on Blocks 2A and 2B is not more than 42,250 square metres;
  - ii. 30,860.0 square metres on Block 4, of which a maximum of 30,000.0 square metres may be used for residential purposes;
  - iii. 25,480.0 square metres on Block 5 of which a maximum of 24,800.0 square metres may be used for residential purposes;
  - iv. 28,000.0 square metres on Block 5A of which a maximum of 25,900.0 square metres may be used for residential purposes; and
  - v. 68,100.0 square metres on Block 7 of which a maximum of 66,000.0 square metres may be used for residential purposes;
- L. despite (K)(iv) above, if a **nursing home** is included on Block 5A, as shown on Diagram 5 of By-law 1214-2019(LPAT), the permitted maximum **gross floor area** is 33,000 square metres, of which a maximum of 30,900 square metres may be used for residential purposes;
- M. in addition to the provisions of regulations 40.5.40.40(3) and (5), the **gross floor area** of a **mixed used building** and an **apartment building** is reduced by the area of the **building** used for indoor amenity space;
- N. despite Clause 5.10.1.30 a **dwelling unit** may not be entirely below-ground;
- O. the permitted maximum number of **dwelling units** is
  - i. 300 on Block 2A;
  - ii. 410 on Block 4;

- iii. 333 on Block 5;
  - iv. 390 on Block 5A; and
  - v. 922 on Block 7;
- P. no **building** may be erected or used on Blocks 2A, 4, 5, 5A and 7, as shown on Diagram 12 of By-law 1214-2019(LPAT) and identified as Street Related Active Uses, unless a minimum of 70 percent of the length of the portion of the **main wall** facing the Street Related Active Uses frontage at the first **storey** above-ground is occupied by residential lobbies, amenity space and/or permitted non-residential uses, excluding areas used for **ancillary** purposes such as parking, loading or service areas, bicycle parking, storage rooms, washrooms, electrical, utility and mechanical rooms, garbage rooms, exit stairwells;
- Q. **vehicle** access from Blocks 2A, 4, 5, 5A and 7 to the Future Private Street, as shown on Diagram 12 of By-law 1214-2019(LPAT), is not permitted along the frontage of the Block subject to Street Related Active Uses;
- R. despite Clause 40.10.40.10, the permitted maximum height in metres, measured from the average elevation of the ground along the **front lot line** to the highest point of a **building** or **structure**, is the numerical value in metres following the HT symbol on Diagrams 6 and 7 of By-law 1214-2019(LPAT);
- S. for the purpose of this Exception, the phrase "average elevation of the ground along the **front lot line**" and the term **established grade**, for the Blocks shown on Diagram 5 of By-law 1214-2019(LPAT), is the Canadian Geodetic Datum elevation of:
- i. 132.96 metres for Block 2A;
  - ii. 130.36 metres for Block 4;
  - iii. 131.98 metres for Block 5;
  - iv. 133.30 metres for Block 5A; and
  - v. 128.86 metres for Block 7;
- T. despite Clause 40.5.40.10, the following elements of a **building** may exceed the permitted maximum **building** height as follows:
- i. 0.9 metres for skylights, green roof elements and roof access hatch;
  - ii. 1.5 metres for architectural features, parapets, railings and guard railings;
  - iii. 1.8 metres for terrace dividers, privacy screens and window washing equipment;

- iv. 3.0 metres for wind screens, wind and mitigation **structures**, canopies, trellises, awnings and/or other similar shade devices and associated **structures**, outdoor amenity space elements including outdoor kitchens;
  - v. 7.5 metres for elevator overruns, stairs, stair enclosures, vents, stacks, flues, chimneys, mechanical equipment and associated enclosures; and
  - vi. the elements listed in Regulation (Z) below;
- U. despite (T)(v) above, where the entire above-ground portion of a **building** is four **storeys** or less, the following structures may exceed the permitted maximum **building** height as follows:
- i. 3.2 metres for elevator overruns, stairs, stair enclosures and roof top vestibules, mechanical equipment and associated enclosures; and
  - ii. 1.5 metres for vents, stacks, flues and chimneys;
- V. the permitted maximum number of **storeys** in a **building** is the numerical value on Diagrams 6 and 7 of By-law 1214-2019(LPAT), following the ST symbol, excluding vestibules providing rooftop access having a maximum **gross floor area** of 12.0 square metres, mechanical penthouses, stair enclosures and elevator overruns;
- W. where the front door to a **dwelling unit** leads directly outside the **building**, the finished floor elevation of the front door sill must be no higher than:
- i. 1.2 metres above the level of the ground adjacent the front entrance to a **dwelling unit**, for 80 percent of the **dwelling units** on a Block shown on Diagram 5 of By-law 1214-2019(LPAT) which face a **street** or a **park**; and
  - ii. 1.5 metres above the level of the ground adjacent the front entrance to a **dwelling unit**, for all other **dwelling units** on the same Block;
- X. with the exception of Block 5A as shown on Diagram 5 of By-law 1214-2019(LPAT), the permitted maximum height of Base Buildings, as shown on Diagrams 6 and 7 attached to By-law 1214-2019(LPAT), must be below a 45 degree angular plane projected over a Block, as drawn from the boundary of the Block which abuts a **street**, at an elevation above **established grade** equal to 80 percent of the width of the **street**;
- Y. despite Clause 40.10.40.70, the required minimum **building setbacks** for the portion of a **building or structure** above-ground are shown on Diagrams 6 and 7 of By-law 1214-2019(LPAT). A **building setback** is not required from a corner rounding at the intersection of two **streets**; and

- Z. despite regulation 5.10.40.70(1), and Clauses 40.5.40.60 and 40.10.40.60 the following elements of a **building** may encroach within a required **building setback**:
- i. 0.9 metres for architectural features such as cornices, piers, eaves, roof overhangs, mouldings, sills, scuppers, rain water leaders, window washing equipment, lighting fixtures and bay windows;
  - ii. 1.5 metres for balconies and guard rails;
  - iii. 2.0 metres for stoops, decks, porches, canopies, trellises, privacy screens, awnings and/or other similar shade devices and their associated structural elements, utility meters and associated enclosures, railings, vents and **structures** for wind mitigation;
  - iv. 2.4 metres for retaining walls and stairs;
  - v. Covered bicycle storage enclosures, ramps, garage ramps and associated **structures**; and
  - vi. The elements listed in (T) above;
- AA. despite (Z)(ii) above, balconies are not permitted to project into a **building setback** for Base Buildings on the portion of Blocks 2A, 4, 5, 5A and 7 that abut a Street Related Active Uses frontage, as shown on Diagram 12 of By-law 1214-2019(LPAT),
- BB. despite Clause 40.10.40.80:
- i. If a **building** has **main walls** from which a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required minimum above-ground separation distance between those **main walls**, excluding **main walls** around architectural recesses in a **main wall** having a depth of 1.0 metres or less, inset balconies, and recessed **building** entrances, is:
    - a. 5.5 metres if there are no windows and/or doors to **dwelling units** in one or more those main walls;
    - b. 11.0 metres if each **main wall** has a window or a door to a **dwelling unit**; and
    - c. light standards, eaves, roof overhangs, rainwater leaders, gutters, scuppers balconies, may encroach into a required separation distance;

- ii. If two or more **buildings** are located on the same Block and a line projected outward at a right angle from the **main walls** of one **building** intercepts the **main wall** of the other **building**, the required minimum above-ground separation distance between the **main walls** of the respective **buildings** is:
  - a. 5.5 metres if there are no windows and/or doors to **dwelling units** in one or more those **main walls**;
  - b. 11.0 metres if each **main wall** has a window and/or a door to a **dwelling unit**; and
  - c. light standards, eaves, roof overhangs, rainwater leaders, gutters, scuppers balconies, may encroach into a required separation distance;
  
- CC. despite (BB) above, if the total height of a **building** above-ground is 14 metres or less, an above-ground **main wall** of that **building** must be separated from the above-ground **main wall** of another **building** by at least:
  - i. 2.0 metres between side **main walls**;
  - ii. 15.0 metres between front **main walls**;
  - iii. 15.0 metres between rear **main walls**; and
  - iv. Light standards, eaves, roof overhangs, rainwater leaders, gutters, scuppers balconies, may encroach into a required separation distance;
  
- DD. despite (BB) above, the required minimum separation distance between the **main wall** of a **building** or portion of a **building** containing residential uses and the **main wall** of any other **building** or portion of a **building**, excluding permitted projections in (Z) above, is 25.0 metres for the portion of a **building**:
  - i. With a height greater than 35.0 metres on Block 5A, as shown on Diagram 5 of By-law 1214-2019(LPAT); and
  - ii. With a height greater than 22.0 metres on Blocks 4, 5 and 7, as shown on Diagram 5 of By-1214-2019(LPAT);
  
- EE. despite (BB) above, the required minimum separation distance between the **main wall** of a **building** or portion of a **building** containing residential uses, and the **main wall** of any other **building** or portion of a **building** which has windows, is 15.0 metres for the portion of a **building**:
  - i. With a height greater than 22.0 metres on Block 2A, as shown on Diagram 5 of By-law 1214-2019(LPAT), excluding permitted projections in Regulation (Z) above;

- FF. the maximum permitted tower floor plate is:
- i. 750 square metres for the portion of the **building** above the permitted maximum height of the Base Building shown on Diagrams 6 and 7 of By-law 1214-2019(LPAT), and located on Blocks 2A, 4, 5 and 7, as shown on Diagram 5 of By-law 1214-2019(LPAT); and
  - ii. 800 square metres for the portion of the **building** above a height of 35.0 metres and located on Block 5A, as shown on Diagram 5 of By-law 1214-2019(LPAT);
- GG. for the purpose of this Exception, tower floor plate means the area of a floor of a **building** measured from the **main walls**, but excluding inset and projecting balconies;
- HH. subject to the permitted encroachments:
- i. If a **building** has more than 10 **storeys** above **established grade**, the portion of the **main wall** of the **building** facing a **street** or **park**, above the 6<sup>th</sup> **storey**, must set back at least 5.0 metres from the **main wall** of the **building** at or below the 6<sup>th</sup> **storey** and facing the same **street** or **park**;
  - ii. If a **building** has 10 **storeys** or less above **established grade**, the portion of the **main wall** of the **building** facing a **street** or a **park**, above the 6<sup>th</sup> **storey**, must set back at least 3.0 metres from the **main wall** of the **building** at or below the 6<sup>th</sup> **storey** and facing the same **street** or **park**; and
  - iii. Despite (ii) above, on Block 5A that portion of the **main wall** of the **building** facing Public Street 'A', as shown on Diagram 6 of By-law 1214-2019(LPAT), above the 4<sup>th</sup> **storey**, must be set back at least 5.0 metres from the **main wall** of that portion of the **building** at or below the 4<sup>th</sup> **storey** that is closest to the same **street**;
- II. despite (Z)(ii) above:
- i. Balconies on Block 5A, as shown on Diagram 6 of By-law 1214-2019(LPAT), are not permitted to project into a required **building** set back; and
  - ii. Balconies are not permitted to encroach into the required **building setback** applicable to that portion of Block 4 shown on Diagram 7 of By-law 1214-2019(LPAT), with a permitted maximum **building** height of 108.0 metres in the location identified with the label "Projecting Balconies Not Permitted";

- JJ. despite regulation 40.10.40.1(2) for any non-residential use in the CR zone, excluding a **place of worship**, the floor level of the first **storey** must:
- i. Be within 0.2 metres of the ground measured at the **lot line** abutting the **street** directly opposite each pedestrian entrance;
  - ii. Have a pedestrian access, other than service entrances, which, if not level with the public sidewalk closest to the entrance, is accessed by a ramp which rises no more than 0.04 metres vertically for every 1.0 metre horizontally; and
  - iii. (i) and (ii) above do not apply to a **transportation use** if that the **building** is accessible to persons with disabilities;
- KK. despite regulation 40.10.40.50(1), a **building** containing 20 or more **dwelling units** on a Block shown on Diagram 5 of By-law 1214-2019(LPAT), must provide amenity space as follows:
- i. On Blocks 2A, 4, 5 and 7, at a minimum rate of 3.5 square metres for each **dwelling unit**, of which at least 1.5 square metres for each **dwelling unit** is indoor amenity space;
  - ii. On Block 5A, at a minimum rate of 4.0 square metres for each **dwelling unit**, of which at least 2.0 square metres for each **dwelling unit** is indoor amenity space;
  - iii. a minimum of 40 square metres on each Block is outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space; and
  - iv. no more than 25 percent of the outdoor component of the amenity space may be a **green roof**;
- LL. for the purposes of this Exception, amenity space means indoor or outdoor space on a Block that is communal and available for use by the occupants of a **building** on the Block for recreational or social activities;
- MM. despite Chapter 200, **parking spaces** must be provided in accordance with Section 12 of By-law 1214-2019(LPAT);
- NN. **parking spaces** for car-sharing must be provided on the Blocks shown on Diagram 5 of By-law 1214-2019(LPAT), as follows:
- i. 2 on Block 5;
  - ii. 2 on Block 5A; and
  - iii. 4 on one of or on a combination of Blocks 4 and 7;

- OO. for each car-sharing **parking space** provided in excess of the required minimum in (NN) above, the minimum number of resident **parking spaces** required on a Block in accordance with Section 12 of By-law 1214-2019(LPAT) may be reduced by four **parking spaces**, up to a maximum reduction as calculated by the following formula:  $4 \times (\text{the total number of dwelling units on a Block divided by } 60)$ , rounded down to the nearest whole number;
- PP. despite Clause 40.5.80.1, **parking spaces** required for residential visitors and non-residential uses may be provided on a non-exclusive basis and may be provided in a **public parking** facility;
- QQ. despite Clause 40.5.80.10 and any provision of Section 12 of By-law 1214-2019(LPAT); to the contrary:
- i. **Parking spaces** required for Blocks 4 and 7 may be provided on any or all of Blocks 1A, 1B, 4 and 7, as shown on Diagram 5 of By-law 1214-2019(LPAT); and
  - ii. **Parking spaces** required for Blocks 2A, 5 and 5A may be provided on any or all of Blocks 2A, 2B, 5 and 5A, as shown on Diagram 5 of By-law 1214-2019(LPAT);
- RR. a **parking garage** must be located entirely below-ground, excluding **driveway** access ramps and stairs;
- SS. despite regulation 40.10.80.10(1) a surface **parking space** may not be located within a required **building setback** shown on Diagrams 6 and 7 of By-law 1214-2019(LPAT);
- TT. in addition to Clause 40.10.100.10, for Blocks 2A, 4, 5, 5A and 7, as shown on Diagrams 6 and 7 of By-law 1214-2019(LPAT) **vehicle** access to a Block may also be provided as follows:
- i. Access to Block 2A may be from Block 2B;
  - ii. Access to Blocks 5, 5A and 7 may be from the Future Private Street shown on Diagram 7 of By-law 1214-2019(LPAT); and
  - iii. More than one access to a **street** is permitted from Blocks 4 and 5;
- UU. despite Chapter 230, **bicycle parking spaces** must be provided in accordance with Section 14 of By-law 1214-2019(LPAT);

- VV. despite Chapter 220, **loading spaces** must be provided in accordance with Section 13 of By-law 1214-2019(LPAT), with the exception that:
- i. For Blocks 4 and 7, as shown on Diagram 5 of By-law 1214-2019(LPAT):
    - a. the calculation of required **loading spaces** is based on the combined number of **dwelling units** and the combined total amount of non-residential **gross floor area** on Blocks 4 and 7;
    - b. required **loading spaces** may be shared between the uses on Blocks 4 and 7; and
    - c. required **loading spaces** may be located on any or all of Blocks 1A, 1B, 4 and 7;
  - ii. For Block 5A, as shown on Diagram 5 of By-law 1214-2019(LPAT):
    - a. 1 Type 'G' **loading space**; and
  - iii. For Blocks 2A, 2B and 5, as shown on Diagram 5 of By-law 1214-2019(LPAT):
    - a. the calculation of required **loading spaces** is based on the combined number of **dwelling units** and the combined total amount of non-residential **gross floor area** on each Block; and
    - b. required **loading spaces** may be located on any or all of Blocks 2A, 2B and 5;
- WW. regulation 40.10.90.40 (1) and (2) with respect to access to **loading spaces** does not apply;
- XX. despite Clause 40.10.150 with respect to the location of waste and **recyclable materials**:
- i. All waste and recyclable material must be stored in a wholly enclosed **building**; and
  - ii. If the waste and **recyclable material** is stored in an **ancillary building**, the **ancillary building**:
    - a. may not be located in a **side yard** that abuts a **street** or in a **front yard**; and
    - b. must be located at least 1.0 metres from all other **side lot lines** and **rear lot lines**;
- YY. regulation 40.10.30.20(1) with respect minimum **lot frontage** does not apply;
- ZZ. regulations 40.10.40.1(1), (3) and (5) do not apply;

- AAA. regulation 40.10.40.10(5) with respect to the minimum height of the first **storey** does not apply to portions of a **building** containing residential uses; and
- BBB. despite any severance or division of the lands subject to this Exception, the regulations of this Exception shall continue to apply to the whole of the lands as if no severance or division had occurred;
- CCC. despite regulation 5.10.30.1(1), no **building** or **structure** may be erected or used on the lands unless:
- i. The lands abut an existing **street**, or is connected to an existing **street** by a **street** or **streets** constructed to a minimum base curb and base asphalt or concrete; and
  - ii. All Municipal water mains and Municipal sewers, and their appurtenances, are installed to a **lot** line of the property and are operational; and
- DDD. for the purpose of regulation 5.10.30.1(2) a **street** may include a **street** or **streets** that have been dedicated to the Municipality but may not be assumed.

Prevailing By-laws and Prevailing Sections: None Apply

9. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.24.10 Exception Number 9:

**Exception EO [9]**

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

Site Specific Provisions:

- A. the lands shown as Blocks 1A, 1B, and 2B on Diagram 5 of By-law 1214-2019(LPAT), may be used, and **buildings** and **structures** may be erected and used, in compliance (B) through (EE), provided the following are met:
  - i. The requirements of Schedule A of By-law 1214-2019(LPAT); and
  - ii. Prior to the lifting of the (H) symbol on Blocks 1B, as shown on Diagram 2 of By-law 1214-2019(LPAT), the only use and construction that may occur on the Block must be in accordance with Section 15 of By-law 1214-2019(LPAT);
- B. in addition to those uses permitted in Clauses 60.40.20.10 and 60.40.20.20, car-sharing, bike-sharing, **day nurseries** and fitness clubs are also permitted; and

- C. for the purpose of this Exception:
- i. 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;
  - ii. Car-sharing **parking space** means a **parking space** exclusively reserved and signed for a car or cars used only for car-share purposes;
  - iii. Bike-sharing means the practice whereby a number of people share the use of one or more bicycles, and bicycles are made available for short term rental, including hourly rental; and
  - iv. A bike-sharing station means a bicycle sharing facility 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**;
- D. despite any provision of Clause 60.40.20.20 to the contrary and (B) above, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.40.20.100 as referred to below:
- i. **Eating Establishment** (16, 20, 28);
  - ii. **Public Parking** (8, 9);
  - iii. **Retail Service**;
  - iv. **Retail Store** (23, 28);
  - v. **Personal Service Shop**; and
  - vi. **Take-Out Eating Establishment** (20, 28);
- E. despite regulation 60.40.20.20(1)(B):
- i. Conditions 60.40.20.100(14)(B), (C) and (E) do not apply to an **outdoor patio**; and
  - ii. On Block 1B, as shown on Diagram 5 of By-law 1214-2019(LPAT), despite condition 60.40.20.100(14)(A), **outdoor patios** must be associated with a permitted use or must be an outdoor patron area that is a permitted non-residential use;
- F. where the whole of a **building** is occupied by a single **retail store** or **eating establishment**, the **interior floor area** must not exceed 1,000 square metres;

- G. a portion of a **building** on Blocks 1A and 1B, as shown on Diagram 5 of By-law 1214-2019(LPAT) may be used for parking, bicycle parking, loading, service access and/or mechanical equipment that serve the users of Blocks 4, 6A, 6B and 7;
- H. a portion of a **building** on Block 2B, as shown on Diagram 5 of By-law 1214-2019(LPAT) may be used for parking, bicycle parking, loading, service, access and/or mechanical equipment that serve the users of Blocks 2A and 5;
- I. for the purpose of this Exception a bicycle is not a **vehicle**;
- J. the permitted maximum **gross floor area** on Blocks 1A, 1B and 2B, as shown on Diagram 5 of By-law 1214-2019(LPAT) is:
- i. 25,500.0 square metres on Blocks 1A and 1B; and
  - ii. 41,945.0 square metres on Block 2B if the total gross floor area of non-residential uses on Blocks 2A and 2B is not more than 42,250 square metres;
- K. no **building** may be erected or used on Blocks 1A, 1B and 2B, as shown on Diagram 12 of By-law 1214-2019(LPAT), and identified as Street Related Active Uses unless a minimum of 70 percent of the length of the portion of the **main wall** facing the Street Related Active Uses frontage at the first **storey** above-ground is occupied by residential lobbies, amenity space and/or permitted non-residential uses, excluding areas used for **ancillary** uses such as parking, loading or service areas, bicycle parking, storage rooms, washrooms, electrical, utility and mechanical rooms, garbage rooms, exit stairwells and other similar uses;
- L. **vehicle** access from Blocks 1A, 1B and 2B to the Future Private Street, as shown on Diagram 12 of By-law 1214-2019(LPAT), is not permitted along the frontage of the Block subject to Street Related Active Uses;
- M. despite regulation 60.5.40.10(1), and Clause 60.40.40.10 the permitted maximum height of a **building** or **structure** in metres, as measured from the average elevation of the ground to the highest point of a **building** or **structure**, is the numerical value shown on Diagrams 6 and 7 of By-law 1214-2019(LPAT) following the HT symbol;
- N. for the purpose of this Exception, the phrase "average elevation of the ground" and the term **established grade** for Blocks 1A, 1B and 2 within the EO zone, as shown on Diagrams 2 and 5 of By-law 1214-2019(LPAT) is:
- i. 130.47 metres for Block 1A and Block 1B; and
  - ii. 132.96 metres for Block 2B;

- O. despite regulations 60.5.40.10(4)(5) and (6), and in addition to the **structures** permitted by regulation 60.5.40.10(3), the following elements of a **building** may exceed the permitted maximum **building** height as follows:
- i. 0.9 metres for skylights, green roof elements and roof access hatch;
  - ii. 1.5 metres for architectural features, parapets, railings and guard railings;
  - iii. 1.8 metres for terrace dividers, privacy screens and window washing equipment;
  - iv. 3.0 metres for wind screens, wind and mitigation **structures**, canopies, trellises, awnings and/or other similar shade devices and associated **structures**, outdoor amenity space elements including outdoor kitchens;
  - v. 7.5 metres for elevator overruns, mechanical equipment and associated enclosures, stairs, stair enclosures, vents, stacks, flues and chimneys; and
  - vi. The elements listed in Regulation (Q) below;
- P. despite Clause 60.40.40.70, the required minimum **building setbacks** for the portion of a **building or structure** above-ground are shown on Diagrams 6 and 7 of By-law 1214-2019(LPAT) and for clarity a **building setback** is not required from a corner rounding at the intersection of two **streets**;
- Q. despite regulation 5.10.40.70(1) and Clause 60.5.40.60, the following elements of a **building** may encroach within a required **building setback**:
- i. 0.9 metres for architectural features such as cornices, piers, eaves, roof overhangs, mouldings, sills, scuppers, rain water leaders, window washing equipment, and lighting fixtures;
  - ii. 1.5 metres for balconies and guard rails;
  - iii. 2.0 metres for canopies, privacy screens, awnings and/or other similar shade devices and their associated structural elements, utility meters and associated enclosures, railings, vents and **structures** for wind mitigation;
  - iv. 2.4 metres for retaining walls and stairs;
  - v. Covered bicycle storage enclosures, ramps, garage ramps and associated **structures**;
  - vi. Wind screens; wind and mitigation **structures**; canopies, awnings and/or other similar shade devices and their associated structural elements are permitted in connection with a **day nursery** or similar use; and
  - vii. The elements listed in (O) above;

- R. despite Chapter 200, **parking spaces** must be provided in accordance with Section 12 of By-law 1214-2019(LPAT); and
- S. **parking spaces** for car-sharing must be provided on Blocks 1 and 2B, as shown on Diagram 5 of By-law 1214-2019(LPAT) as follows:
- i. **3 parking spaces** on Block 1; and
  - ii. **2 parking spaces** which may be located on either or both of Blocks 2A and 2B;
- T. for each car-sharing **parking space** provided in excess of the required minimum in (S) above, the minimum number of resident **parking spaces** required on a Block in accordance with Section 12 of By-law 1214-2019(LPAT) may be reduced by four **parking spaces**, up to a maximum reduction as calculated by the following formula:  $4 \times$  (the total number of **dwelling units** on a Block divided by 60), rounded down to the nearest whole number;
- U. despite regulation 60.5.80.1(2), required **parking spaces** may be provided on a non-exclusive basis and may be provided in a **public parking** facility;
- V. despite regulation 60.5.80.10(3) and any provision of Section 12 of By-law 1214-2019(LPAT) to the contrary:
- i. **Parking spaces** required for Blocks 1A and 1B may be provided on any or all of Blocks 1A, 1B, 4 and 7, as shown on Diagram 5 of By-law 1214-2019(LPAT); and
  - ii. **Parking spaces** required for Block 2A may be provided on any or all of Blocks 2A, 2B, 5 and 5A, as shown on Diagram 5 of By-law 1214-2019(LPAT);
- W. a **parking garage** must be located entirely below-ground, excluding **driveway** access ramps and stairs;
- X. despite Chapter 220, **loading spaces** must be provided in accordance with Section 13 of By-law 1214-2019(LPAT), with the exception that:
- i. For Blocks 1A and 1B:
    - a. the calculation of required **loading spaces** is based on the total **gross floor area** on Blocks 1A and 1B;
    - b. required **loading spaces** may be shared between the uses on Blocks 1A and 1B; and
    - c. required **loading spaces** may be located on any of Blocks 1A, 1B, 4 and 7; and

- ii. For Block 2B, required **loading spaces** may be located on any or all of Blocks 2A, 2B and 5;
- Y. Clause 60.40.90.40 does not apply with respect to access to a **loading space**;
- Z. despite Chapter 230, **bicycle parking spaces** must be provided in accordance with Section 14 of By-law 1214-2019(LPAT);
- AA. Clause 60.40.30.20 does not apply with respect to **lot frontage**;
- BB. regulation 60.40.50.10(1), does not apply with respect to the provision of **landscaping**;
- CC. despite any severance or division of the lands subject to this Exception, the regulations of this Exception shall continue to apply to the whole of the lands as if no severance or division had occurred;
- DD. despite regulation 5.10.30.1(1), no **building** or **structure** may be erected or used on the lands unless:
  - i. The lands abuts an existing **street**, or is connected to an existing **street** by a **street** or **streets** constructed to a minimum base curb and base asphalt or concrete; and
  - ii. All Municipal water mains and Municipal sewers, and their appurtenances, are installed to a **lot** line of the property and are operational; and
- EE. for the purpose of regulation 5.10.30.1(2) a **street** may include a **street** or **streets** that have been dedicated to the Municipality but may not be assumed.

Prevailing By-laws and Prevailing Sections: None Apply

10. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.42.10 Exception Number 27:

**Exception OR [27]**

The lands known as Blocks 3A and 3B, as shown on Diagram 5 of By-law 1214-2019(LPAT), or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- A. despite Article 90.30.20, on Block 3A, as shown on Diagram 5 of By-law 1214-2019(LPAT), the only permitted use is a **park**;
- B. in addition to the uses permitted by Clause 90.30.20.10, on Block 3B, as shown on Diagram 5 of By-law 1214-2019(LPAT), **public parking** is permitted;

- C. despite regulation 90.30.40.10(1), on Block 3B, as shown on Diagram 5 of By-law 1214-2019(LPAT), the permitted maximum **building** height is 4 **storeys**;
- D. despite regulation 90.30.40.70(1), on Block 3B, as shown on Diagram 3 of By-law 1214-2019(LPAT), the required minimum **front yard setback** is 2.0 metres;
- E. despite regulation 90.30.40.70(2) on Block 3B, shown on Diagram 5 of By-law 1214-2019(LPAT):
  - i. The required minimum **side yard setback** is 2.0 metres; and
  - ii. The required minimum **rear yard setback** is 5.0 metres;
- F. for the purpose of this Exception, the **front lot line** of Block 3B, as shown on Diagram 5 of By-law 1214-2019(LPAT), is the Don Mills Road **lot line**;
- G. despite regulation 5.10.30.1(1), no **building** or **structure** may be erected or used on the lands unless:
  - i. The lands abut an existing **street**, or are connected to an existing **street** by a **street** or **streets** constructed to a minimum base curb and base asphalt or concrete; and
  - ii. All Municipal water mains and Municipal sewers, and their appurtenances, are installed to a **lot** line of the property and are operational;
- H. for the purpose of regulation 5.10.30.1(2) a **street** may include a **street** or **streets** that have been dedicated to the Municipality but may not be assumed.

Prevailing By-laws and Prevailing Sections: None Apply

11. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.41.10 Exception Number 14:

**Exception ON [14]**

The lands known as Block 14A, 14B, 15, and 16, as shown on Diagram 5 of By-law 1214-2019(LPAT), or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- A. in addition to the uses permitted by Regulations 90.20.20.10, pedestrian and cycling infrastructure is permitted;
- B. despite regulation 5.10.30.1(1), no **building** or **structure** may be erected or used on the lands unless:

- i. The lands abuts an existing **street**, or is connected to an existing **street** by a **street** or **streets** constructed to a minimum base curb and base asphalt or concrete; and
  - ii. All Municipal water mains and Municipal sewers, and their appurtenances, are installed to a **lot** line of the property and are operational; and
- C. for the purpose of regulation 5.10.30.1(2) a **street** may include a **street** or **streets** that have been dedicated to the Municipality but may not be assumed.

Prevailing By-laws and Prevailing Sections: None Apply

## Parking Regulations

### 12. Regulations Applying to Parking Spaces

#### General

##### A. Drive Aisle Width

The following are the minimum **drive aisle** widths:

- i. If the centreline of a **parking space** is at an interior angle of 70 to 90 degrees to the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that one or two lane **drive aisle** is 6.0 metres;
- ii. If the centreline of a **parking space** is at an interior angle from 50 to less than 70 degrees to the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that **drive aisle** is 5.5 metres for each aisle; and
- iii. If the centreline of a **parking space** is at an interior angle of less than 50 degrees from the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that **drive aisle** is 4.0 metres for each aisle;

#### Interpretation

##### B. Parking Space Dimensions – Minimum

- i. A **parking space** must have the following minimum dimensions:
  - a. length of 5.6 metres;
  - b. width of 2.6 metres;
  - c. vertical clearance of 2.0 metres; and
  - d. the minimum width in (ii) must be increased by 0.3 metres for each side of the parking space that is obstructed according to (d) below;

- ii. For a **parking space** accessed by a **drive aisle** with a width of less than 6.0 metres, whether it is a one way or two way **drive aisle**, the minimum dimensions of a **parking space** are:
  - a. length – 5.6 metres;
  - b. width – 2.9 metres;
  - c. vertical clearance – 2.0 metres; and
  - d. the minimum width in (ii) must be increased by 0.3 metres if one or both sides of the parking space is obstructed according to (iv) below;
- iii. The minimum dimensions of a **parking space** that is adjacent and parallel to a **drive aisle** from which **vehicle** access is provided are:
  - a. length – 6.7 metres;
  - b. width – 2.6 metres;
  - c. vertical clearance – 2.0 metres; and
  - d. the minimum width in (ii) must be increased by 0.3 metres for each side of the **parking space** that is obstructed according to (iv.) below;
- iv. The side of a **parking space** is obstructed if any part of a fixed object such as a wall, column, bollard, fence or pipe is situated:
  - a. within 0.3 metres of the side of the **parking space**, measured at right angles; and
  - b. more than 1.0 metre from the front or rear of the **parking space**;

C. Parking Space Dimensions – Maximum

The maximum dimensions for a **parking space** are:

- i. Length of 6.0 metres; and
- ii. Width of 3.2 metres;

D. Vertical Clearance of a Parking Space

The minimum vertical clearance for a **parking space** extends over the entire length and width of the **parking space**, excluding a wheel stop with a height of less than 18.0 centimetres;

E. Tandem Parking Spaces

A required **parking space** may not be a **tandem parking space**, except when it is required for a **secondary suite, group home or duplex building**;

F. Tandem Parking Space Minimum Dimensions

A **tandem parking space** must have the following minimum dimensions:

- i. Length of 5.6 metres;
- ii. Width of 2.6 metres; and
- iii. Vertical clearance of 2.0 metres;

G. Calculation of Parking Space Requirement

If a **parking space** rate is expressed as a ratio of **parking spaces** to the **gross floor area**, the **parking space** requirement for a use is calculated by multiplying the **gross floor area** of the use by the applicable rate found in Table 1 – Parking Space Rates and Parking Space Occupancy;

H. Calculation of Parking Space Requirements – Rounding

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**;

I. Parking Space Calculation – Gross Floor Area Exclusion

The **interior floor area** of that portion of a **building** used exclusively for heating, cooling, ventilation, electrical, fire emergency stairwells, elevator shafts, atriums, utility areas, storage areas in the **basement, parking space, loading space**, or a **drive aisle** used to access a **parking space or loading space**, is not included in the **gross floor area** for the purpose of calculating **parking space** requirements;

J. Vehicle Access to Building – Non-residential and Apartment Parking Area

If an **apartment building, mixed use building** or a **building** with non-residential uses, has an area for parking two or more **vehicles**:

- i. The **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.5 metres;

- ii. The **vehicle** entrance or exit for a one-way **driveway** into or out of the **building** must have a minimum width of 3.5 metres; and
- iii. In (i) and (ii) above, the **vehicle** entrance or exit to the **building** must be at least 6.0 metres from the **lot line** abutting the **street**;

K. Parking Space Access

Other than **stacked parking spaces** and **tandem parking spaces**, all areas used for required **parking spaces** must have **driveway** access to a **street** or **lane** that is direct and unobstructed, excluding a gate, moveable barrier or similar security feature;

L. Parking Space Rates

Off **street parking spaces** must be provided for every **building** or **structure** erected or enlarged, in compliance with Table 1 – Parking Space Rates and Parking Space Occupancy, below:

**Table 1**

**Parking Space Rates and Parking Space Occupancy**

Notes: AM = 6 a.m. to Noon. PM = Noon to 6 p.m. Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Adult Education School	<b>Parking spaces</b> must be provided at a minimum rate of 1.0 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	25 percent
<b>Amusement Arcade</b>	<b>Parking spaces</b> must be provided at the same rate as a <b>retail store</b> .	25 percent	100 percent	100 percent
<b>Artist Studio</b>	<b>Parking spaces</b> must be provided at the same rate as a <b>retail store</b> .	25 percent	100 percent	100 percent
<b>Art Gallery</b>	<b>Parking spaces</b> must be provided at a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b> .	25 percent	100 percent	100 percent
Assisted Housing	<b>Parking spaces</b> must be provided for each <b>dwelling unit</b> at a minimum rate of: (A) 0.11 for a bachelor <b>dwelling unit</b> up to 45 square metres and 0.42 for each bachelor <b>dwelling unit</b> greater than 45 square metres; (B) 0.2 for a one bedroom <b>dwelling unit</b> ;	100 percent	100 percent	100 percent

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
	(C) 0.34 for a two bedroom <b>dwelling unit</b> ; and (D) 0.63 for a three or more bedroom <b>dwelling unit</b> .			
Billiard Hall, Pool Hall	<b>Parking spaces</b> must be provided at a minimum rate of 3.5 for each 100 square metres of <b>gross floor area</b> .	25 percent	50 percent	100 percent
Bowling Alley	<b>Parking spaces</b> must be provided at a minimum rate of 3.5 for each 100 square metres of <b>gross floor area</b> .	25 percent	50 percent	100 percent
<b>Cabaret</b>	<b>Parking spaces</b> must be provided at the same rate as an <b>eating establishment</b> .	10 percent	100 percent	100 percent
Clinic (medical)	<b>Parking space</b> must be provided:  (A) at a minimum rate of 0.4 for each 100 square metres of <b>gross floor area</b> ; and (B) at a maximum rate of 0.8 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	100 percent
<b>Club</b>	<b>Parking spaces</b> must be provided at a minimum rate of 5.5 for each 100 square metres of <b>gross floor area</b> .	25 percent	75 percent	100 percent
<b>Community Centre</b>	<b>Parking spaces</b> must be provided:  (A) at a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b> ; and (B) at a maximum rate of 1.3 for each 100 square metres of <b>gross floor area</b> .	25 percent	100 percent	100 percent
Court of Law	<b>Parking spaces</b> must be provided at a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	0 percent
<b>Day Nursery</b>	<b>Parking spaces</b> must be provided:  (A) at a minimum rate of 0.4 for each 100 square metres of <b>gross floor area</b> ; and (B) at a minimum rate of 0.8 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	50 percent

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Even
<b>Townhouse</b>	<b>Parking spaces</b> must be provided at a minimum rate of 1.0 for each <b>dwelling unit</b> .	100 percent	100 percent	100 percent
<b>Dwelling unit</b> in a an <b>Apartment Building</b> (Tenant requirement)	For a <b>dwelling unit</b> in an <b>apartment building, parking spaces</b> must be provided:  (A) at a minimum rate of:  (i) 0.51 for each bachelor <b>dwelling unit</b> up to 45 square metres and .85 for each bachelor <b>dwelling unit</b> greater than 45 square metres;  (ii) 0.59 for each one bedroom <b>dwelling unit</b> ;  (iii) 0.76 for each two bedroom <b>dwelling unit</b> ; and  (iv) 0.85 for each three or more bedroom <b>dwelling unit</b> ; and  (B) at a maximum rate of:  (i) 0.76 for each bachelor <b>dwelling unit</b> up to 45 square metres and 1.1 for each bachelor <b>dwelling unit</b> greater than 45 square metres;  (ii) 0.85 for each one bedroom <b>dwelling unit</b> ;  (iii) 1.1 for each two bedroom <b>dwelling unit</b> ; and  (iv) 1.27 for each three or more bedroom <b>dwelling unit</b> .	100 percent	100 percent	100 percent
<b>Dwelling unit</b> in an <b>Apartment Building</b> – (Visitor requirement)	For a <b>dwelling unit</b> in an <b>Apartment Building, parking spaces</b> for visitors must be provided at a minimum rate of 0.1 for each <b>dwelling unit</b> .	100 percent	35 percent	100 percent
<b>Dwelling unit</b> in a <b>Mixed Use Building</b>	<b>Parking spaces</b> are to be provided at the same rate as a <b>Dwelling unit</b> in an <b>Apartment Building</b> . (Tenant Requirement) [1675-2013]	100 percent	100 percent	100 percent

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
<b>Dwelling unit in a Mixed Use Building Visitor Parking</b>	For a <b>dwelling unit</b> in an <b>Apartment Building</b> , <b>parking spaces</b> for visitors must be provided at a minimum rate of 0.1 for each <b>dwelling unit</b> .	10 percent	35 percent	100 percent
<b>Eating Establishment</b>	<b>Parking spaces</b> must be provided:  (A) at a minimum of 0; and  (B) at a maximum rate of 5.0 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	100 percent
<b>Education Use</b>	<b>Parking spaces</b> must be provided at a minimum rate of 1.5 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	50 percent
<b>Entertainment Place of Assembly</b>	<b>Parking spaces</b> must be provided at a minimum rate of 8.0 for each 100 square metres of <b>gross floor area</b> .	25 percent	50 percent	100 percent
<b>Financial Institution</b>	<b>Parking spaces</b> must be provided:  (A) a minimum rate of 2.0 for each 100 square metres of <b>gross floor area</b> ; and  (B) a maximum rate of 4.5 for each 100 square metres of <b>gross floor area</b> .	20 percent	100 percent	50 percent
<b>Funeral Home</b>	<b>Parking spaces</b> must be provided:  (A) at a minimum rate of 2.0 for each 100 square metres of <b>gross floor area</b> ; and  (B) at a maximum rate of 5.0 for each 100 square metres of <b>gross floor area</b> .	20 percent	100 percent	100 percent
Grocery Store	<b>Parking spaces</b> must be provided if the <b>gross floor area</b> used for grocery stores is greater than 200 square metres:  (A) at a minimum rate of 1.0 for each 100 square metres of <b>gross floor area</b> ;  (B) at a maximum rate of 4.5 for each 100 square metres of <b>gross floor area</b> ; and  (C) if the <b>gross floor area</b> is 200 square metres or less, no <b>parking space</b> is required.	20 percent	100 percent	100 percent

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
<b>Hospice Care Home</b>	<b>Parking spaces</b> must be provided at a minimum rate of 0.3 for each <b>dwelling unit</b> and bed-sitting room.	100 percent	100 percent	100 percent
<b>Hotel</b>	<b>Parking spaces</b> must be provided:  (A) at a minimum rate of 0.2 per 100 square metres of <b>gross floor area</b> ; and  (B) at a maximum rate of 1.0 per 100 square metres of <b>gross floor area</b> .	80 percent	75 percent	100 percent
<b>Laboratory</b>	<b>Parking spaces</b> must be provided at the same rate as office.	100 percent	60 percent	0 percent
Library	<b>Parking spaces</b> must be provided at a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b> .	25 percent	100 percent	100 percent
Medical Office	<b>Parking spaces</b> must be provided:  (A) at a minimum rate of 1.5 for each 100 square metres of <b>gross floor area</b> ; and  (B) at a maximum rate of 6.0 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	50 percent
Motel	<b>Parking spaces</b> must be provided:  (A) at a minimum rate of 0.2 per 100 square metres of <b>gross floor area</b> ; and  (B) at a maximum rate of 1.0 per 100 square metres of <b>gross floor area</b> .	80 percent	75 percent	100 percent
<b>Museum</b>	<b>Parking spaces</b> must be provided at a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b> .	25 percent	100 percent	100 percent
<b>Nursing Home</b>	<b>Parking spaces</b> must be provided at a rate of 0.3 for each <b>dwelling unit</b> and <b>bed-sitting room</b> .	100 percent	100 percent	100 percent
Office  (excluding Medical office)	<b>Parking spaces</b> must be provided:  (A) a minimum rate of 1.0 for each 100 square metres of <b>gross floor area</b> ; and	100 percent	60 percent	0 percent

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
	(B) a maximum rate of 2.0 for each 100 square metres of <b>gross floor area</b> .			
<b>Performing Arts Studio</b>	<b>Parking spaces</b> must be provided:  (A) at a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b> ; and  (B) at a maximum rate of 1.3 for each 100 square metres of <b>gross floor area</b> .	10 percent	100 percent	100 percent
<b>Personal Service Shop</b>	<b>Parking spaces</b> must be provided if the <b>gross floor area</b> used for <b>personal service shops</b> is greater than 200 square metres:  (A) minimum rate of 1.0 for each 100 square metres of <b>gross floor area</b> ;  (B) maximum rate of 4.0 for each 100 square metres of <b>gross floor area</b> ; and  (C) if the <b>gross floor area</b> is 200 square metres or less, no <b>parking space</b> is required.	20 percent	100 percent	100 percent
<b>Pet Services</b>	<b>Parking spaces</b> must be provided at the same rate as a <b>retail store</b> .	20 percent	100 percent	100 percent
<b>Place of Assembly</b>	<b>Parking spaces</b> must be provided at the minimum rate of 5.5 for each 100 square metres of <b>gross floor area</b> .	25 percent	50 percent	100 percent
<b>Place of Worship</b>	<b>Parking spaces</b> must be provided at the greater of:  (A) if there is permanent or fixed seating in a <b>Place of Worship</b> and:  (i) a minimum rate of 18.0 for each 100 square metres of worship area; and  (ii) a maximum rate of 29.0 for each 100 square metres of worship area; and  (B) if there is no seating or variable seating in a <b>Place of Worship</b> and:  (i) a minimum rate of 22.0 for each 100 square metres of worship area; and  (ii) a maximum rate of 33.0 for each 100 square metres of worship area; and	100 percent	100 percent	100 percent

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
	(C) the required minimum parking rate for all other permitted uses on the <b>lot</b> .			
<b>Private School</b>	<p><b>Parking spaces</b> must be provided:</p> <p>(A) a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b>; and</p> <p>(B) a maximum rate of 1.0 for each 100 square metres of <b>gross floor area</b>.</p>	100 percent	100 percent	20 percent
<b>Production Studio</b>	<p><b>Parking spaces</b> must be provided:</p> <p>(A) a minimum rate of 1.0 for each 100 square metres of <b>gross floor area</b>; and</p> <p>(B) a maximum rate of 2.0 for each 100 square metres of <b>gross floor area</b>.</p>	100 percent	60 percent	0 percent
<b>Public School</b>	<p><b>Parking spaces</b> must be provided:</p> <p>(C) a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b>; and</p> <p>(D) a maximum rate of 1.0 for each 100 square metres of <b>gross floor area</b>.</p>	100 percent	100 percent	20 percent
Railway Service and Repair Yard; Railway Station	<b>Parking spaces</b> must be provided at a minimum rate of 0.1 per 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	50 percent
<b>Recreation Use</b>	<p><b>Parking spaces</b> must be provided:</p> <p>(A) at a minimum rate of 0.5 for each 100 square metres of <b>gross floor area</b>; and</p> <p>(B) at a maximum rate of 1.3 for each 100 square metres of <b>gross floor area</b>.</p>	25 percent	100 percent	100 percent
<b>Retail Store</b>	<p><b>Parking spaces</b> must be provided if the <b>gross floor area</b> on a Block shown on Diagram 5 of By-law 1214-2019(LPAT) is more than 200 square metres:</p> <p>(A) minimum of 1.0 for each 100 square metres of <b>gross floor area</b>; and</p> <p>(B) maximum of 4.0 for each 100 square metres of <b>gross floor area</b>; and</p>	20 percent	100 percent	100 percent

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
	(C) if the <b>gross floor area</b> on a <b>lot</b> is 200 square metres or less, no <b>parking space</b> is required.			
<b>Retail Service</b>	<b>Parking spaces</b> must be provided at the same rate as a <b>retail store</b> .	100 percent	100 percent	20 percent
<b>Retirement Home</b>	<b>Parking spaces</b> must be provided at a rate of 0.3 for each <b>dwelling unit</b> and <b>bed-sitting room</b> .	100 percent	100 percent	100 percent
<b>Secondary Suite</b>	<b>Parking spaces</b> must be provided at a minimum rate of 1.0 per <b>secondary suite</b> .	100 percent	100 percent	100 percent
Service Shop	<b>Parking spaces</b> must be provided if the <b>gross floor area</b> is more than 200 square metres:  (A) minimum rate of 1.0 for each 100 square metres of <b>gross floor area</b> ; and  (B) maximum rate of 4.0 for each 100 square metres of <b>gross floor area</b> ; and  (C) if the <b>gross floor area</b> is 200 square metres or less, no <b>parking space</b> is required.	100 percent	100 percent	100 percent
<b>Software Development and Processing</b>	<b>Parking spaces</b> must be provided at the same rate as an office.	100 percent	100 percent	10 percent
<b>Veterinary Hospital</b>	<b>Parking spaces</b> must be provided at a minimum rate of 1 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	100 percent
<b>Visitation Centre</b>	<b>Parking spaces</b> must be provided at a minimum rate of 2.0 for each 100 square metres of <b>gross floor area</b> .	100 percent	100 percent	100 percent

M. Provision of Parking Spaces

**Parking Spaces** provided for each use may not be:

- i. Less than the required minimum; or
- ii. Greater than the permitted maximum;

N. Parking Space Rate Ancillary Uses

A use that is **ancillary** has the same **parking space** rate as the use to which it is **ancillary**;

O. Parking Space Rates – Multiple Uses on a Block

If there are multiple uses on a Block shown on Diagram 5 of By-law 1214-2019(LPAT), the respective **parking space** rate for each use on the Block applies and the total number of required **parking spaces** is the cumulative total for all uses on a Block. For the purpose of calculating the required number of **parking spaces** on a Block, Blocks 2A and 2B shall be considered to be one Block;

P. Shared Parking Space Calculation (Minimum)

- i. For each of the morning, afternoon and evening parking periods in Table 1, the minimum number of **parking spaces** required for each use is calculated using the respective **parking space** rate and occupancy rate;
- ii. The minimum number of **parking spaces** required for each parking period is the total of the **parking spaces** required for all uses during that parking period;
- iii. The minimum number of **parking spaces** required for a Block, or consolidation of Blocks as outlined in (iv.) below, is equal to the largest number of **parking spaces** required for any parking period; and
- iv. The following Blocks may be consolidated for the purposes of calculating shared **parking space** minimums for all uses other than the **dwelling unit** tenant requirements for **apartment buildings** and **mixed use buildings**:
  - a. Blocks 2A, 2B, 5, and 5A; and
  - b. Blocks 1A, 1B, 4, 6B, 6C, and 7;

Q. Interpretation of Minimum and Maximum Parking Space Requirement

If Table 1 has a minimum and maximum number of **parking spaces** for a use, the number of **parking spaces** for that use listed on the Table may not:

- i. be less than the required minimum; and
- ii. exceed the permitted maximum;

R. Assisted Housing Parking Rates

For the purposes of calculating **parking space** requirements, "assisted housing" means a **dwelling unit** operated by a **non-profit organization** or private sector organization in cooperation with the City of Toronto;

S. Alternative Housing Parking Rates

For the purpose of calculating **parking space** requirements, "alternative housing" means a **dwelling unit** or **bed-sitting room** owned and operated by or on behalf of the City of Toronto, or by a **non-profit organization** in cooperation with the City of Toronto or a private sector organization in cooperation with the City of Toronto;

T. Place of Worship Parking Rates

For the purpose of calculating **parking space** requirements for a **place of worship**, the "worship area" means 90 percent of the area in a **place of worship** used for the expression of worship through religious services, rites or ceremonies;

U. Parking Rates for Public Common Areas and Walkways in Office Buildings

In the CR Zone category internal common areas and walkways located on the first **storey** in an office **building** are required to provide **parking spaces** as follows:

- i. If the total **interior floor area** of all non-office uses on the first **storey** is greater than the total **interior floor area** of all office uses on the first **storey**, then the **parking space** requirement for the non-office use applies to the common areas and walkways; and
- ii. If the total **interior floor area** of all office uses on the first **storey** is greater than the total **interior floor area** of all non-office uses on the first **storey**, then the **parking space** requirement for an office use applies to the common areas and walkways;

**Regulations Applying to Accessible Parking Spaces**

V. Accessible Parking Space Dimensions

An accessible **parking space** must have the following minimum dimensions:

- i. Length of 5.6 metres;
- ii. Width of 3.4 metres; and
- iii. Vertical clearance of 2.1 metres;

W. Accessible Parking Space Dimensions – Parallel Parking Space

The minimum dimensions of an accessible **parking space** that is adjacent and parallel to a **drive aisle** from which **vehicle** access is provided is:

- i. Length of 7.1 metres;
- ii. Width of 2.6 metres; and
- iii. Vertical clearance of 2.1 metres;

X. Barrier Free Aisle

The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path, as shown on Diagram 1 and Diagram 2 of By-law 579-2017;

Y. Location of Accessible Parking Spaces

Accessible **parking spaces** must be the **parking spaces** closest to a barrier free:

- i. Entrance to a **building**;
- ii. Passenger elevator that provides access to the first storey of the **building**; and
- iii. And shortest route from the required entrances in (i) and (ii);

Z. Meaning of Accessible

For the purpose of Sections (V), (W), (X) and (Y) above, "accessible" means free of physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11;

## **Parking Rate**

AA. Parking Rates – Accessible Parking Spaces

If the total **parking space** requirement is 5 or more, clearly identified off **street** accessible **parking spaces** must be provided on the same Block, as shown on Diagram 5 of By-law 1214-2019(LPAT) for every **building** or **structure** erected or enlarged, as follows:

- i. If the number of required **parking spaces** is less than 13, a minimum of 1 **parking space** must comply with all regulations for an accessible **parking space** in By-law 1214-2019(LPAT);
- ii. If the number of required **parking spaces** is 13 to 100, a minimum of 1 **parking space** for every 25 **parking spaces** or part thereof must comply with all regulations for an accessible **parking space** in By-law 1214-2019(LPAT); and
- iii. If the number of required **parking spaces** is more than 100, a minimum of 5 **parking spaces** plus 1 **parking space** for every 50 **parking spaces** or part thereof in excess of 100 **parking spaces**, must comply with all regulations for an accessible **parking space** in By-law 1214-2019(LPAT).

## Loading Regulations

## 13. Regulations Applying to Loading Spaces

**General**A. Loading Space Requirement Calculation

The calculation of required **loading spaces** is based on the combined number of **dwelling units** and the combined total amount of non-residential **gross floor area** on a Block shown on Diagram 5 of By-law 1214-2019(LPAT) and for the purpose of this regulation, Blocks 2A and 2B shall be considered to be one Block;

B. Loading Space Demarcation

**Loading spaces** inside a **building** must be clearly marked and identified;

C. Loading Space Standards

A **loading space** is subject to the following:

- i. A Type "A" **loading space** must have a:
  - a. minimum length of 17.0 metres;
  - b. minimum width of 3.5 metres; and
  - c. minimum vertical clearance of 4.4 metres;
- ii. A Type "B" **loading space** must have a:
  - a. minimum length of 11.0 metres;
  - b. minimum width of 3.5 metres; and
  - c. minimum vertical clearance of 4.0 metres;
- iii. A Type "C" **loading space** must have a:
  - a. minimum length of 6.0 metres;
  - b. minimum width of 3.5 metres; and
  - c. minimum vertical clearance of 3.0 metres;
- iv. A Type "G" **loading space** must have a:
  - a. minimum length of 13.0 metres;
  - b. minimum width of 4.0 metres; and

- c. minimum vertical clearance of 6.1 metres;

D. Loading Space Rates

i. Loading Space Requirements – Building Containing Dwelling Units

A **building** with **dwelling units** must provide **loading spaces** as follows:

<b>Number of Units</b>	<b>Minimum Number of Loading Spaces Required</b>
0 to 30 <b>dwelling units</b>	None required
31 to 399 <b>dwelling units</b>	1 Type "G"
400 <b>dwelling units</b> or more	1 Type "G" and 1 – Type "C"

ii. Loading Space Requirements - Retail Store, Eating Establishment, or Personal Service Shop

A **building** with a **retail store**, **eating establishment**, or **personal service shop** must provide **loading spaces** as follows:

<b>Gross Floor Area</b>	<b>Minimum Number of Loading Spaces Required</b>
0 to 499 square metres	None required
500 to 1,999 square metres	1 Type "B"
2,000 to 4,999 square metres	2 Type "B"
5,000 to 9,999 square metres	3 Type "B"
10,000 to 19,999 square metres	1 Type "A" and 3 Type "B"
20,000 to 29,999 square metres	1 Type "A", 3 Type "B" and 1 Type "C"
30,000 square metres or greater	1 Type "A", 3 Type "B" and 1 Type "C"

iii. Loading Space Requirements - Grocery Stores/Supermarket

A **building** with a grocery store or supermarket must provide **loading spaces** as follows:

<b>Gross Floor Area</b>	<b>Minimum Number of Loading Spaces Required</b>
0 to 499 square metres	None required
500 to 999 square metres	1 Type "B"
1,000 to 1,999 square metres	1 Type "A"
2,000 to 4,999 square metres	1 Type "A" and 1 Type "B"
5,000 to 9,999 square metres	1 Type "A" and 2 Type "B"
10,000 to 19,999 square metres	2 Type "A" and 2 Type "B"
20,000 square metres and greater	2 Type "A" and 3 Type "B"

iv. Loading Space Requirements - Office

A **building** with an **office** must provide **loading spaces** as follows:

<b>Gross Floor Area</b>	<b>Minimum Number of Loading Spaces Required</b>
0 to 499 square metres	None required
500 to 999 square metres	1 Type "B"
1,000 to 1,999 square metres	1 Type "B" and 1 Type "C"
2,000 to 3,999 square metres	1 Type "B" and 2 Type "C"
4,000 to 27,999 square metres	2 Type "B" and 2 Type "C"
28,000 to 51,999 square metres	2 Type "B" and 3 Type "C"
52,000 square metres or greater	A minimum of 2 Type "B" and 3 Type "C"

v. Loading Space Requirements – Hotel

A **building** with **hotel** must provide **loading spaces** as follows:

<b>Gross Floor Area</b>	<b>Minimum Number of Loading Spaces Required</b>
0 to 4,999 square metres	1 Type "B"
5,000 to 9,999 square metres	1 Type "B" and 1 Type "C"

---

10,000 to 19,999 square metres	2 Type "B" and 1 Type "C"
20,000 to 49,999 square metres	2 Type "B" and 2 Type "C"
50,000 square metres or greater	A minimum of 1 Type "A", 1 Type "B" and 2 Type "C"

E. Shared Loading Space Calculations

The **loading space** requirement for a **building** which has two or more of the following uses; **office, retail store, eating establishment, personal service shop, or hotel**, is the total of (i) and (ii) below:

- i. The minimum number of required Type "B" **loading spaces** is the largest number of Type "B" **loading space** required for any one of the uses listed above, plus the Type "B" **loading spaces** required for all other non-residential uses in the **building** and not listed above; plus
- ii. The minimum number of required Type "C" **loading spaces** is the largest number of Type "C" **loading spaces** required for any one of the uses listed above plus the Type "C" **loading spaces** required for all other non-residential uses in the **building** that are not listed above;

F. Loading Space Not Required

No type "G" **loading space** is required if a **building** has less than 30 **dwelling units**;

G. Loading Space Options

An **apartment building** with 400 **dwelling units** or more, may satisfy the requirement for a Type "C" **loading space** by providing instead one of the following **loading spaces**:

- i. Type "A";
- ii. Type "B"; or
- iii. A second Type "G";

H. **Loading spaces** are not required for a **transportation use** along Eglinton Avenue East.

I. Standards for Access to a Loading Space

A **driveway** to a **loading space** must have:

- i. A minimum width along its entire length of:
  - a. 3.5 metres for a one-way **driveway**; or
  - b. 6.0 metres for a two-way **driveway**; and
- ii. A minimum vertical clearance along its entire length of:
  - a. 4.4 metres to a Type "A" or Type "G" **loading space**;
  - b. 4.0 metres to a Type "B" **loading space**; and
  - c. 3.0 metres to a Type "C" **loading space**;

J. Loading Space Access

The permitted maximum slope of a **driveway** leading to a **loading space** is:

- i. 8 percent for a Type "G" **loading space**; and
- ii. 15 percent in all other cases; and

K. Vehicle Access to Building with Loading Space

If a **loading space** is inside a **building**:

- i. The **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.5 metres; and
- ii. The **vehicle** entrance or exit for a one-way **driveway** into or out of the **building** must have a minimum width of 3.5 metres, if the **vehicle** entrance or exit is 6.0 metres or more away from the **lot line** abutting a **street**.

Bicycle Parking Space Regulations

14. General Regulations Applying to All Bicycle Parking Spaces: A. Rounding of Bicycle Parking Space Requirements

If the calculation of the minimum **bicycle parking spaces** for all uses results in a fraction of a **bicycle parking space** being required, the number of required **bicycle parking spaces** must be rounded up to the next whole number;

B. Meaning of Long-Term Bicycle Parking and Short-Term Bicycle Parking

The terms "long-term" **bicycle parking space** and "short-term" **bicycle parking space** have the following meaning:

- i. "Long-term" **bicycle parking spaces** are **bicycle parking spaces** for use by the occupants or tenants of a **building**; and
- ii. "Short-term" **bicycle parking spaces** are **bicycle parking spaces** for use by visitors to a **building**;

C. Bicycle Parking Space Dimensions

A **bicycle parking space** must comply with the following:

- i. The minimum dimensions of a **bicycle parking space** are:
  - a. minimum length of 1.8 metres;
  - b. minimum width of 0.6 metres; and
  - c. minimum vertical clearance of 1.9 metres;
- ii. The minimum dimensions of a **bicycle parking space** if placed in a vertical position on a wall, structure or mechanical device are:
  - a. minimum length or vertical clearance of 1.9 metres;
  - b. minimum width of 0.6 metres; and
  - c. minimum horizontal clearance from the wall of 1.2 metres; and
- iii. If a **stacked bicycle parking space** is provided, the minimum vertical clearance for each **stacked bicycle parking space** is 1.2 metres;

D. Vertical Clearance of a Bicycle Parking Area

An area used to provide **bicycle parking spaces** must have a minimum vertical clearance of:

- i. 2.4 metres if it is a **stacked bicycle parking space**; and
- ii. 1.9 metres in all other cases;

E. Long-Term Bicycle Parking Space Locational Requirement

"Long-term" **bicycle parking spaces** must be located in a **building**;

F. Change and Shower Facilities

If a **building** has uses, other than **dwelling units**, for which a "long-term" **bicycle parking space** is required, shower and change facilities must be provided for each gender at the following rate:

- i. None if less than 5 required "long-term" **bicycle parking spaces**;
- ii. 1 for 5 to 60 required "long-term" **bicycle parking spaces**;
- iii. 2 for 61 to 120 required "long-term" **bicycle parking spaces**;
- iv. 3 for 121 to 180 required "long-term" **bicycle parking spaces**; and
- v. 4 for more than 180 required "long-term" **bicycle parking spaces**;

G. Bicycle Parking Space Located with Use

A **bicycle parking space** must be on the same Block, as shown on Diagram 5 of By-law 1214-2019(LPAT), as the use for which it is required or on an abutting Block, with the exception that:

- i. **Bicycle parking spaces** required for Blocks 1A, 1B, 4 and 7 may be provided on any or all of Blocks 1A, 1B, 4 and 7; and
- ii. **Bicycle parking spaces** required for Blocks 2A and 2B may be provided on any or all of Blocks 2A and 2B;

H. Long-Term Bicycle Parking Space Location

If a Block is located in:

- i. The CR Zone category or EO Zone category then a required "long-term" **bicycle parking space** for uses other than **dwelling units** may be located:
  - a. on the first **storey** of the **building**;
  - b. on the second **storey** of the **building**;
  - c. on levels of the **building** below-ground commencing with the first level below-ground and moving down, in one level increments when at least 25 percent of the area of that level is occupied by **bicycle parking spaces**, until all required **bicycle parking spaces** have been provided; and
- ii. The RA Zone Category, or CR Zone category, then a required "long-term" **bicycle parking space** for a **dwelling unit** in an **apartment building** or **mixed-use building** may be located:
  - a. on the first **storey** of the **building**;

- b. on the second **storey** of the **building**; and
- c. on levels of the **building** below-ground commencing with the first level below-ground and moving down, in one level increments when at least 25 percent of the area of that level is occupied by **bicycle parking spaces**, until all required **bicycle parking spaces** have been provided;

I. Stacked Bicycle Parking Spaces

A "long-term" **bicycle parking space** may be located in a **stacked bicycle parking space**;

J. Bicycle Parking Space Rates

For a **building** or portion of a **building**, **bicycle parking spaces** must comply with Table 2;

**Table 2**  
**Bicycle Parking Space Rates**

Use	Short-Term Bicycle Parking Spaces	Long-Term Bicycle Parking Spaces
<b>Eating Establishment</b>	The minimum number of short-term <b>bicycle parking spaces</b> to be provided is 3 plus 0.3 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for an <b>eating establishment</b>	The minimum number of long-term <b>bicycle parking spaces</b> to be provided is 0.2 for each 100 square metres of <b>interior floor area</b> used for an <b>eating establishment</b>
<b>Education Use</b>	The minimum number of short-term <b>bicycle parking spaces</b> to be provided is 3 plus 0.1 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for an <b>education use</b>	The minimum number of long-term <b>bicycle parking spaces</b> to be provided is 0.1 for each 100 square metres of <b>interior floor area</b> used for an <b>education use</b>
<b>Medical Office</b>	The minimum number of short-term <b>bicycle parking spaces</b> to be provided is 3 plus 0.15 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>medical office</b>	The minimum number of long-term <b>bicycle parking spaces</b> to be provided is 0.15 for each 100 square metres of <b>interior floor area</b> used for a <b>medical office</b>

Use	Short-Term Bicycle Parking Spaces	Long-Term Bicycle Parking Spaces
<b>Office</b>	The minimum number of short-term <b>bicycle parking spaces</b> to be provided is 3 plus 0.2 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for an office, other than a <b>medical office</b>	The minimum number of long-term <b>bicycle parking spaces</b> to be provided is 0.2 for each 100 square metres of <b>interior floor area</b> used for an <b>eating establishment</b>
<b>Personal Service Shop</b>	The minimum number of short-term <b>bicycle parking spaces</b> to be provided is 3 plus 0.3 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>personal service shop</b>	The minimum number of long-term <b>bicycle parking spaces</b> to be provided is 0.2 for each 100 square metres of <b>interior floor area</b> used for a <b>personal service shop</b>
<b>Private School</b>	The minimum number of short-term <b>bicycle parking spaces</b> to be provided is 3 plus 0.1 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b>	The minimum number of long-term <b>bicycle parking spaces</b> to be provided is 0.1 for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b>
<b>Public School</b>	The minimum number of short-term <b>bicycle parking spaces</b> to be provided is 3 plus 0.1 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b>	The minimum number of long-term <b>bicycle parking spaces</b> to be provided is 0.1 for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b>
<b>Retail Store</b>	The minimum number of short-term <b>bicycle parking spaces</b> to be provided is 3 plus 0.3 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>retail store</b>	The minimum number of long-term <b>bicycle parking spaces</b> to be provided is 0.2 for each 100 square metres of <b>interior floor area</b> used for a <b>retail store</b>

K. Use with Interior Floor Area of 2000 Square Metres or Less

Despite the **bicycle parking space** rates set out in Table 2 of (J) above, and Sections (M) and (N) below, if a **bicycle parking space** is required for uses on a Block, other than a **dwelling unit**, and the total **interior floor area** of all such uses on the Block is 2000 square metres or less, then no **bicycle parking space** is required;

L. Multiple Uses on a Block

If Table 2 – Bicycle Parking Space Rates, requires a **bicycle parking space** for one or more uses on a Block, the total number of **bicycle parking spaces** required is equal to the cumulative total of all **bicycle parking spaces** required for each use on the Block;

M. Bicycle Parking Space Requirements for Dwelling Units

**Bicycle parking space** requirements for **dwelling units** in an **apartment building** or a **mixed-use building** are a minimum of 1.08 "long-term" **bicycle parking space** per **dwelling unit** and 0.1 "short-term" **bicycle parking space** per **dwelling unit**;

N. Gross Floor Area Exclusions for Bicycle Parking Space Calculations

To calculate **bicycle parking space** requirements for uses other than **dwelling units**, the **gross floor area** of a **building** is reduced by the area in the **building** used for:

- i. Parking, loading and bicycle parking below-ground;
- ii. Required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- iii. Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
- iv. Shower and change facilities required by By-law 1214-2019(LPAT) for required **bicycle parking spaces**;
- v. Elevator shafts;
- vi. Mechanical penthouses; or
- vii. Exit stairwells in the **building**;

O. Bicycle Parking Space – Storage Location

In the RA Zone category, a "long-term" **bicycle parking space** for a **dwelling unit** in an **apartment building** may not be:

- i. In a **dwelling unit**;
- ii. On a balcony, or
- iii. In a storage locker.

## Holding Provisions

15. During such time as Blocks 1B, 6B, 6C, 4, 10, 11 and 13 are zoned with the (H) symbol, pursuant to Section 36 of the Planning Act, and as shown on Diagram 2 of By-law 1214-2019(LPAT), the following applies: no person shall erect or use the above-ground component of a **residential building** or **mixed-use building** otherwise permitted by By-law 1214-2019(LPAT), except that a foundation, as well as an underground parking garage including the associated structural ramping system and any uses accessory thereto, or any use otherwise permitted at the sole discretion of the Chief Planner and Executive Director, City Planning, as well as temporary sales centre, may be erected and used on such lands, until the (H) symbol has been removed. An amending by-law to remove the (H) symbol shall be enacted by City Council when the following conditions have been fulfilled to the satisfaction of City Council:
- A. the first above-grade permit is issued for the affordable housing development on Block 5A, as shown on Diagram 5 of By-law 1214-2019(LPAT), all to the satisfaction of the Chief Planner and Executive Director, City Planning.
16. During such time as Blocks 5 and 7 are zoned with the (H) symbol, pursuant to Section 36 of the Planning Act, and as shown on Diagram 2 of By-law 1214-2019(LPAT), the following applies: no person shall erect or use the above-ground component of a **residential building** or **mixed-use building** otherwise permitted by By-law 1214-2019(LPAT), except that a foundation, as well as an underground parking garage including the associated structural ramping system and any uses accessory thereto, or any use otherwise permitted at the sole discretion of the Chief Planner and Executive Director, City Planning, as well as temporary sales centre, may be erected and used on such lands, until the (H) symbol has been removed. An amending by-law to remove the (H) symbol shall be enacted by City Council when the following conditions have been fulfilled to the satisfaction of City Council:
- A. the affordable housing development on Block 5A, as shown on Diagram 2 of By-law 1214-2019(LPAT), is ready and available for occupancy, all to the satisfaction of the Chief Planner and Executive Director, City Planning, and the Chief Building Official and Executive Director, Toronto Building.
17. During such time as Block 2A is zoned with the (H) symbol, pursuant to Section 36 of the Planning Act, and as shown on Diagram 2 of By-law 1214-2019(LPAT), the following applies: no person shall use a **dwelling unit** on Block 2A until the (H) symbol has been removed. An amending by-law to remove the (H) symbol shall be enacted by City Council when Council is satisfied that:
- A. the development of lands designated *General Employment Areas* necessary to achieve a minimum of 70,000 square metres of non-residential **gross floor area**, comprised of non-residential uses permitted in *General Employment Areas* or otherwise permitted for the lands under Site and Area Specific Policy 511 (SASP 511), the majority of which is to be office space, has proceeded prior to, or will proceed concurrently with, the provision of up to 300 units of residential development on the lands located within Block 2A.

- 18.** By-law 7625, as amended, does not apply to the lands outlined by heavy black lines on Diagram 1 of By-law 1214-2019(LPAT).

Section 37 Provisions

- 19.** Pursuant to Section 37 of the Planning Act, and subject to compliance with By-law 1214-2019(LPAT) the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 of By-law 1214-2019(LPAT), in return for the provision by the owner, at the owner's expense, of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands to the satisfaction of the City Solicitor.
- 20.** Where Schedule A of By-law 1214-2019(LPAT) requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- 21.** The owner must not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to Exceptions RT (d0.0) (x174), (H) RT (d0.0) (x174), RA (d0.0) (x123), (H) RA (d0.0) (x123), CR (c0.0; r0.0) SS2 (x162), (H) CR (c0.0; r0.0) SS2 (x162), EO 0.0 (x9), (H) EO 0.0 (x9) of By-law 1214-2019(LPAT), as amended, unless the provisions of Schedule A are satisfied.

Local Planning Appeal Tribunal Decision issued on November 2, 2018 and Local Planning Appeal Tribunal Order issued on January 21, 2019 and July 10, 2019 in File PL171369.

**Section 37 Provisions**  
**Schedule "A"**

The facilities, services and matters set out below are 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 the lands as shown on Diagram 1 of By-law 1214-2019(LPAT) in accordance with and as secured in an agreement or agreements under Section 37(3) of the *Planning Act*, in a form satisfactory to the City with conditions providing for upward indexing in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto of all financial contributions and letters of credit from the date of such agreement (the "Section 37 Agreement"), whereby the owner agrees as follows:

1. For clarity, references to Blocks in this Schedule "A" are to the lands shown on Diagram 5 of By-law 1214-2019(LPAT).
2. Prior to registration of any plan of subdivision for Blocks 1B, 3A, 3B, 4, 5, 6B, 6C, 7, 10, 11, or 13, or a portion thereof, or such later date as may be satisfactory to the General Manager, PFR, the owner may elect to enter into an agreement (the "Community Centre Agreement"), with the City, subject to conditions set out in the Section 37 Agreement, to construct the Enhanced and Enlarged Community Centre within Block 3A and/or Block 3B, which shall include at a minimum a twin-pad arena and 600 square metres of community space currently planned for the lands shown on Diagram 1 of By-law 1214-2019(LPAT), and shall also include additional recreational facilities and community services, which may include multipurpose rooms, gymnasias, and aquatic facilities, to the satisfaction of the General Manager, Parks, Forestry and Recreation ("PFR"), (the "Enhanced and Enlarged Community Centre").
3. Prior to issuance of the first above-grade **building** permit for any portion of development within Blocks 6B, 6C, 10, 11, 13 and Blocks 1B, 4, 5 and 7, with respect to whichever Block proceeds to be developed first, the owner shall either:
  - (a) if the owner has entered into the Community Centre Agreement, provide the City with a letter of credit in the amount of twelve million dollars (\$12,000,000.00), to secure the construction of the Enhanced and Enlarged Community Centre, which security shall be released in accordance with the terms of such agreement; or
  - (b) if the owner has not entered into the Community Centre Agreement, make a cash contribution to in the City in the amount of twelve million dollars (\$12,000,000.00), to be used for the construction by the City of the Enhanced and Enlarged Community Centre.
4. Prior to the issuance of first above-grade **building** permit on Blocks 6B, 6C, 10, 11 and/or 13 (being a portion of Phase 2) or on Blocks 1B, 4, 5 and/or 7 (being a portion of Phase 3), whichever is earlier, or at such time as may be set out in the Community Centre Agreement, the final design and cost estimate for the construction of the Enhanced and Enlarged Community Centre, as approved by the General Manager, PFR, will be required, if the owner has entered into the Community Centre Agreement.

5. Prior to the first above-grade **building** permit for development within Blocks 1A, 8, 9 and 12 (being a portion of Phase 1), the owner shall provide a financial contribution of one million seven hundred and fifty thousand dollars (\$1,750,000) to be used for **parks** and/or recreational facility improvements in the Flemingdon Park or Thorncliffe Park neighbourhoods, in consultation with the local Councillor.
6. Prior to the first above-grade **building** permit for Blocks 1A, 6A, 8, 9, 12, 14A, 14B, 15, 16 and 17 ("Phase 1"), the owner shall submit a Public Art Plan and provide a financial security of one million two hundred and fifty thousand dollars (\$1,250,000) to secure the commission of public art in a process in accordance with City Planning's Public Art Program (the "Public Art Plan").
7. Prior to the issuance of the first above-grade **building** permit for residential development in Phase 1, the owner agrees to prepare the Public Art Plan in consultation with the local Councillor identifying locations for the anticipated public art works within Blocks 1B (with the completion of public art within 12 months of the first residential use or occupancy of either Blocks 4 or 7), 3A, 3B and/or 6A (with the completion of public art concurrent with the completion of above base **park** improvements), or other Blocks deemed appropriate (completion with the completion of public art as set out in the Public Art Plan), and a cost projection for each proposed location, with the total amount not to exceed the amount identified in Section 6 of this Schedule "A". The Public Art Plan is subject to review and recommendation by the Toronto Public Art Commission through the Chief Planner and Executive Director, City Planning (the "Chief Planner"), and shall be to the satisfaction of the Chief Planner in consultation with the Ward Councillor.
8. In the event the cash contribution(s) referred to in Sections 5 and 6 of this Schedule "A" have not been used for the intended purpose within three (3) years of the date of execution of the Section 37 Agreement, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
9. The owner agrees to design, construct, finish, furnish, and fully equip at its expense, a two-**storey** (ground floor and second floor) non-profit licensed Child Care Facility within the office **building** on Block 1A to accommodate a minimum of 62 children, including infants, toddlers and preschoolers, comprising of a minimum of 985 square metres of interior space and a minimum of 270 square metres of exterior space adjacent to the second floor interior space which may be increased to meet daycare licensing standards, including outdoor storage, and the provision for a child pick-up and drop-off area with safe access to and from the underground garage, to the satisfaction of the Director, Real Estate Services in consultation with the General Manager, Children 's Services (the "Child Care Facility").
10. Prior to occupancy of the office **building** on Block 1A, the owner shall enter into a lease agreement with the City for 99 years for the Child Care Facility in Section 9 of this Schedule "A" to the satisfaction of the Director, Real Estate Services in consultation with the General Manager, Children 's Services and the City Solicitor; and such facility shall be free of all rent, the cost of all utilities and municipal services supplied to the facility, caretaking costs (of the **building** common areas), repair and maintenance costs

(excluding wear and tear), property damage, and local improvement charges; and the owner shall agree to the registration of such agreement at the owner's expense, to the satisfaction of the City Solicitor.

11. Prior to the issuance of the first above-grade **building** permit for Block 1A, the owner shall provide a letter of credit in the amount of four million three hundred seventy one thousand dollars (\$4,371,000), being 120 percent of the value of the Child Care Facility contribution of three million six hundred and forty three thousand dollars (\$3,643,000) to the City in a form and from a bank satisfactory to the Director, Real Estate Services, in consultation with the General Manager, Children's Services, to secure the Child Care Facility pursuant to Section 9 of this Schedule "A".
12. Within 6 months of occupancy of the office **building** on Block 1A, the Child Care Facility in Section 9 of this Schedule "A" shall be made available to the City. The letter of credit required by Section 11 of this Schedule "A" shall be returned once the Child Care Facility is made available to the City, to the satisfaction of the Director, Real Estate Services, in consultation, with the General Manager, Children's Services.
13. Prior to the Child Care Facility being made available to the City, the owner shall provide a one-time cash contribution in the amount of one-hundred fifty thousand dollars (\$150,000) to the Child Care Facility Replacement Reserve Fund to replace appliances and large equipment due to wear and tear.
14. Prior to the Child Care Facility being made available to the City, the owner shall provide a one-time cash contribution in the amount of one-hundred fifty thousand dollars (\$150,000) towards start-up operating costs for the defrayment of operational deficits during the first year of operation.
15. The Child Care Facility shall include an exclusive vehicular drop-off and pick-up location of children including the provision of a designated drop off to accommodate a minimum of 2 **vehicles**, which may be located in a **street** layby, the design of which is satisfactory to the Chief Planner, as well as 3 designated **parking spaces** for staff, visitors and daily delivery to be available Monday to and including Friday, from 7:00 a.m. to 6:00 p.m. One of the designated **parking spaces** will be provided free-of-charge for the use of the supervisor of the Child Care Facility to the satisfaction of the General Manager, Children's Services. A parking pass will be provided for officials conducting inspections of the Child Care Facility. An appropriate location for the pick-up/drop-off area will be identified through site plan approval.
16. The owner will construct and operate a minimum 25,000 square metres of affordable rental housing on Block 5A, in accordance with terms satisfactory to the Chief Planner (the "Affordable Rental Housing **Building**").
17. The owner shall construct and enter into Agreements of Purchase and Sale ("the APS") for at least 8 Affordable Ownership Housing Units (the "Affordable Ownership Housing Units") with a non-profit affordable housing provider at nominal cost to the provider, with such units to be located on Block 9 and / or Block 12, with such APS to be assignable at no additional cost, in accordance with the terms satisfactory to the Chief Planner.

18. Prior to the first residential use on the Block containing the Affordable Ownership Housing Units (Block 9 and/or Block 12), the owner shall make ready and available for occupancy such Affordable Ownership Housing Units, in accordance with Section 27, to the satisfaction of the Chief Planner.
19. Prior to issuance of the first above-grade **building** permit on Block 9 and/or Block 12, whichever is earlier, unless such later time is acceptable to the Chief Planner, the owner shall register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the Land Titles Act on the portion of the lands containing Affordable Ownership Housing Units agreeing not to transfer or charge any part of such lands without the written consent of the Chief Planner, all to the satisfaction of the Chief Planner.
20. The following additional services, facilities or matters pursuant to Section 37 of the Planning Act, as may be required by the Chief Planner are also to be secured in the Section 37 Agreement and/or the zoning by-laws as a legal convenience or otherwise to support development, to be secured on a phased basis, as appropriate:
  - (a) prior to the final order of the Local Planning Appeal Tribunal, the owner agrees to provide alternative rail safety mitigation measures for any proposed development on the lands, which is set back less than 30 metres from the CP Rail corridor, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the Chief Planner, including the following:
    - (i) Proposed rail safety mitigation measures that provide at least the same level of rail safety for nearby residents, workers, visitors and shoppers as the required 30 metre setback and berm;
    - (ii) A development viability report bearing the stamp of a fully insured, qualified, professional structural engineer, in addition to the noise, air quality and vibration reports, showing how at least the same level of rail safety is to be achieved, with reliance to be extended to the City, to be subject to peer review by a rail safety expert retained by and reporting to the City, at the expense of the owner, and to be provided to the Canadian Pacific Railway for review;
    - (iii) If the development viability assessment is accepted by the City:
      - A. construction and on-going maintenance of the alternative mitigation measures will be secured through an agreement between the City and the subject owner;
      - B. warning clauses in all relevant documents should be registered on title to provide notice for future purchasers; and
      - C. the owner of the subject portion of the lands will enter into an agreement with the City to be registered on title, whereby the owner assumes responsibility for, and indemnifies the City from, damages to the property resulting from a derailment on the Canadian Pacific North Toronto rail corridor; and

- (iv) Any required rail safety, air quality and noise/vibration mitigation **structures** or other measures such as berms and noise walls must be of a high design quality. Berms should be landscaped and maintained and opportunities for murals and community artwork should be pursued on the south face of noise walls and other **structures**;
- (b) prior to the issuance of the first **building** permit (including demolition and/or excavation permit) within each phase of development, being the development of Blocks 1A, 6A, 8, 9, 12, 14A, 14B, 15, 16 and 17, ("Phase 1), Blocks 3A, 3B, 5A, 6B, 6C, 10, 11 and 13 ("Phase 2"), Blocks 1B, 4, 5 and 7 ("Phase 3"), and Blocks 2A and 2B ("Phase 4"), respectively, the owner shall submit a construction management plan and neighbourhood communication strategy for such phase of development, to the satisfaction of the Chief Building Official, and Executive Director of Engineering and Construction Services in consultation with the Chief Planner and Executive Director City Planning, and thereafter shall implement such approved plan(s) to the satisfaction of such City Officials;
- (c) no above-grade **building** permit, including for clarity any conditional above-grade **building** permit, on Blocks 1B, 4, 5, 6B, 6C, 7, 10, 11, and 13 (being a portion of Phase 2 and Phase 3), shall be issued prior to:
  - (i) Issuance of the first above-grade **building** permit for the affordable housing Block 5A; and
  - (ii) Conveyance of Blocks 3A and 3B to the City;
- (d) no above-grade **building** permit for any **buildings** on Blocks 5 and 7 shall be issued, prior to the Affordable Rental Housing **Building** on Block 5A being ready and available for occupancy to the satisfaction of the Chief Planner and the Chief Building Official;
- (e) prior to any residential use on Blocks 8, 9 and 12, all existing **manufacturing uses** and industrial uses located on the lands shown on Diagram 1 of By-law 1214-2019(LPAT) will cease operation, to the satisfaction of the Chief Planner;
- (f) prior to any residential use on Block 12, the owner shall:
  - (i) Apply for and receive a Toronto and Region Conservation Authority ("TRCA") Permit under O. Reg. 166/06 on behalf of itself and the City of Toronto for a trail connection from Block 15 to E. T. Seton Park, and associated road, underpass and sidewalk works. The TRCA permit application shall include the preparation of a natural heritage impact study, a geotechnical slope stability assessment, and associated restoration and planting plans, and any other necessary studies and plans, to the satisfaction of TRCA; and
  - (ii) Construct the works satisfactory to the General Manager, PFR;

- (g) no above-grade **building** permits for any **buildings** on Blocks 8, 9 or 12, shall be issued until the first above-grade permit is issued for Block 1A (office), to the satisfaction of the Chief Planner;
- (h) prior to any residential use on Block 12, an occupancy permit shall be issued for the **building** on Block 1A (office);
- (i) prior to registration of a plan of subdivision for Blocks 1B, 2A, 2B, 3A, 3B, 4, 5, 5A, 6B, 6C, 7, 10, 11, and 13, or immediately thereafter, the owner shall register, to the satisfaction of the City Solicitor, a Section 118 Restriction under the Land Titles Act on Block 5A agreeing not to transfer or charge any part of the lands without the written consent of the Chief Planner or designate;
- (j) the owner agrees to the following heritage preservation matters for the lands shown as 844 Don Mills Road on Diagram 1 of By-law 1214-2019(LPAT):
  - (i) Carefully document, dismantle and store the reconstructed heritage elements (entrance portals) until such time that they can be re-introduced in tandem with phasing and construction related to development of Blocks 4 and 5A, all to the satisfaction of the Senior Manager, Heritage Preservation Services;
  - (ii) Prior to the issuance of a demolition permit for 844 Don Mills Road, submit a dismantling and reconstruction plan, lighting plan and interpretation plan, for the heritage elements (entrance portals), to the satisfaction of the Senior Manager, Heritage Preservation Services; and
  - (iii) To design and construct a Base Building for each **building** on Blocks 4 and 5A as shown on Diagrams 6 and 7 of By-law 1214-2019(LPAT), that incorporates the entrance portals, including the use of appropriate exterior finishes, the details of which to be secured during site plan approval, all to the satisfaction of the Senior Manager, Heritage Preservation Services;
- (k) prior to the earlier of final site plan approval or the issuance of any **building** permit on Block 12, including for clarity any conditional permit or any demolition permit but excluding any **building** permit otherwise acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:
  - (i) Provide a detailed Conservation Plan, prepared by a qualified heritage consultant, for the existing **building** located on the lands shown as 1150 Eglinton Avenue East on Diagram 1 of By-law 1214-2019(LPAT), substantially in accordance with the heritage impact assessment prepared by Goldsmith Borgal & Company Ltd., dated February 13, 2018 and the listed plans and drawings that form part of such Heritage Impact Assessment, subject to revisions, to the satisfaction of the Senior Manager, Heritage Preservation Services (the "Conservation Plan");
  - (ii) Enter into a Heritage Easement Agreement with the City for the property at 1150 Eglinton Avenue East substantially in accordance with the

Heritage Impact Assessment prepared by Goldsmith Borgal & Company Ltd., dated February 13, 2018 and the listed plans and drawings that form part of such Heritage Impact Assessment, subject to revisions, to the satisfaction of the Senior Manager, Heritage Preservation Services subject to and in accordance with the approved Conservation Plan required in Section 20(k)(i) of this Schedule "A", all to the satisfaction of the Senior Manager, Heritage Preservation Services, and shall register such agreement to the satisfaction of the City Solicitor; and

- (iii) Provide a letter of credit, including provisions for upward indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan;
- (l) prior to issuance of Notice of Approval Conditions for the first residential development of the lands shown on Diagram 1 of By-law 1214-2019(LPAT), the owner agrees to produce urban design guidelines, to the satisfaction of the Chief Planner, that will:
- (i) Achieve a high quality public realm;
  - (ii) Allow incremental development with each phase (as set out in Section 20(b) of this Schedule "A") adding to the fully built out development;
  - (iii) Provide a context for existing heritage features for both landscape and **buildings**;
  - (iv) Foster design excellence, and an innovative architecture and landscape design; and
  - (v) Provide explicit direction for the new portions of the development, particularly those Blocks that are adjacent to 844 Don Mills Road and 1150 Eglinton Avenue East, in order to capitalize on the important thematic qualities of modernist architecture inherent in the design of these landmarks, and to ensure a continued spirit of architectural excellence augments the importance of other noteworthy **buildings** of the post-war era that contribute to the unique heritage of the Don Mills community;
- (m) prior to Notice of Approval Conditions for each of Blocks 8, 10 and 13, the owner agrees to provide architectural control guidelines in respect of each such Block to the satisfaction of the Chief Planner;
- (n) prior to the issuance of any above-grade **building** permit on Blocks 8, 9, and 12 (being a portion of Phase 1), the owner is required to pay five hundred thousand dollars (\$500,000) for the remainder of the parkland dedication requirement through cash-in-lieu. Such cash-in-lieu payment and the dedication of Blocks 3A, 3B and 6A satisfies the parkland dedication for the development before City Council. In the event the owner does not construct the Enhanced and Enlarged Community Centre as set out in Section 2 of this Schedule "A", the General

Manager, PFR may, in the General Manager's sole discretion, reallocate the owner's \$500,000 payment to the cost of above base **park** improvements on the lands shown on Diagram 1 of By-law 1214-2019(LPAT);

- (o) the maximum permitted **gross floor area** and residential **gross floor area** on the lands shown on Diagram 1 of By-law 1214-2019(LPAT) is 455,640 square metres and 382,150 square metres, respectively, plus an additional 5,000 squares metres of residential **gross floor area** permitted for a **nursing home** use or any density permitted with respect to Blocks 6A, 3A, and 3B. Should the owner receive approval for a future minor variance or rezoning which increases the maximum permitted residential **gross floor area** and/or the maximum permitted non-residential **gross floor area** beyond the amount permitted by By-law 1214-2019(LPAT), the owner shall be responsible for an increase in parkland dedication to the extent that the new additional approved density triggers a requirement for a greater parkland dedication than that required for the maximum permitted **gross floor area** and residential **gross floor area**, above, by way of a cash-in-lieu payment and/or land in accordance with all legal requirements at the time the parkland dedication is required, including but not limited to, requirements in accordance with the parkland dedication rates in the Planning Act, the Condominium Act, the Official Plan and the Parkland Levy By-law;
- (p) the owner agrees to provide the following transportation-related improvements:
- (i) Prior to September 15, 2018 and, in any event, no later than execution of the Section 37 Agreement, pay for the cost of a phase 3 and 4 municipal class environmental assessment in an amount of three hundred and fifty thousand dollars (\$350,000), for the extension of Wynford Drive and an active transportation connection to the Don Mills Trail across the railway tracks to the west of the lands shown on Diagram 1 of By-law 1214-2019(LPAT) (the "Active Rail Crossing") on such terms and conditions satisfactory to the General Manager, Transportation Services and in a form satisfactory to the City Solicitor;
  - (ii) Within 30 days of study completion of the phase 3 and 4 municipal class environmental assessment, as set out in the Section 37 Agreement, provide a schedule for the submission and review of detailed design submissions (including, at a minimum, submissions at the 30/60/90/100 percent stages) for the Active Rail Crossing to the satisfaction of the General Manager, Transportation Services;
  - (iii) To provide refined cost estimates as part of the 30/60/90/100 detailed design submissions for proposed hard and soft costs, to the satisfaction of the General Manager, Transportation Services;
  - (iv) Within one year of study completion of the phase 3 and 4 municipal class environmental assessment as set out in the Section 37 Agreement, to design the Active Rail Crossing to 60 percent detailed design to the satisfaction of the General Manager, Transportation Services;

- (v) Prior to the City securing the land rights to extend the existing active transportation trail across the rail corridor to the lands and required third party approvals, to design the Active Rail Crossing to 100 percent detailed design to the satisfaction of the General Manager, Transportation Services;
- (vi) Within two years of the City securing the land rights set out in Section 20(p)(v) of this Schedule "A" the required third party approvals, as well as any City funding if required, to construct and make operational the Active Rail Crossing to the satisfaction of the General Manager, Transportation Services, unless the City has not secured the land rights and required third party approvals and any required funding within three years of approving a 100 percent detailed design for the Active Rail Crossing. If such matters have not been secured within the aforesaid three-year period, Section 20(p)(vii) of this Schedule "A" does not apply;
- (vii) No above-grade **building** permit, but excluding any **building** permit otherwise acceptable to the General Manager, Transportation Services, will be issued for Blocks 2A and/or 2B until the Active Rail Crossing has been constructed and made operational to the satisfaction of the General Manager, Transportation Services;
- (viii) Prior to the issuance the first above-grade **building** permit on Blocks 6B, 6C, 10, 11, and 13 (being a portion of Phase 2) and Blocks 1B, 4, 5 and 7 (being a portion of Phase 3), whichever is earlier, to submit a letter of credit in a form and amount and from a bank to the satisfaction of the General Manager, Transportation Services, for four million dollars (\$4,000,000) for the Active Rail Crossing;
- (ix) To adhere to City policies, as applicable, for procurement and construction of the Active Rail Crossing including but not limited to the City's Fair Wage and Labour Trade Contractual Obligations Policy (see Chapter 67 of the City of Toronto Municipal Code) or its successor;
- (x) Prior to any **building** permit for Block 1A, except for excavation and shoring, the owner shall submit a financial guarantee in the form of an irrevocable letter of credit in an amount satisfactory to the Chief Planner and the General Manager, Transportation Services for the proposed underground pedestrian connection to the Eglinton Crosstown LRT (the "LRT") tunnel, as required to the City of Toronto;
- (xi) Prior to occupancy of the office **building** on Block 1A, to design, construct, and make operational a direct underground connection from such **building**, underneath Don Mills Road and/or Eglinton Avenue East into the LRT underground system for pedestrian access, with a minimum width of five (5) metres or the minimum width required by Metrolinx, to the satisfaction of the Chief Planner and the General Manager, Transportation Services. In the event the owner is unable to obtain the necessary rights to construct and complete the direct underground

connection, the Chief Planner may extend the time to construct and make operational the direct underground connection in his sole discretion;

- (xii) To provide a minimum of twenty five (25) publicly accessible car-share spaces on the lands shown on Diagram 1 of By-law 1214-2019(LPAT), generally located on the Blocks identified in the Section 37 Agreement, with specific locations to be identified at site plan approval for the subject Blocks, to the satisfaction of the Chief Planner, in consultation with the General Manager, Transportation Planning;
- (xiii) Prior to issuance of the first above-grade **building** permit on the lands shown on Diagram 1 of By-law 1214-2019(LPAT), provide one-time funding for five (5) bike-share stations totaling two hundred and fifty thousand dollars (\$250,000) (\$50,000 per station), and submit a general plan identifying locations on the lands shown on Diagram 1 of By-law 1214-2019(LPAT) for five (5) bike-share facilities, with detailed information to be secured at site plan approval; all to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director of City Planning;
- (xiv) Prior to registration of any plan of subdivision for the lands shown on Diagram 1 of By-law 1214-2019(LPAT), submit a plan identifying locations for publicly accessible rideshare drop-off locations on the lands shown on Diagram 1 of By-law 1214-2019(LPAT), to the satisfaction of the Chief Planner;
- (xv) To design and construct Blocks 1A, 1B, 4 and 7 with a shared underground parking facility with direct underground access to the below grade LRT connection and consolidate parking and loading access/facilities for these Blocks, the detailed design and location of such facilities to be secured through site plan approval, all to the satisfaction of the Chief Planner. For clarity, such pedestrian connection may be combined with vehicular access in the underground parking facilities, to the satisfaction of the Chief Planner;
- (xvi) To design and construct Blocks 2A, 2B, 5 and 5A with a shared underground parking facility and consolidate parking and loading access/facilities for the Blocks, the detailed design and location of such facilities to be secured through site plan approval, all to the satisfaction of the Chief Planner. For clarity, such pedestrian connection may be combined with vehicular access in the underground parking facilities, to the satisfaction of the Chief Planner;
- (xvii) Prior to the issuance of any **building** permit on Block 2A and/or 2B, to design, construct, and make operational a pedestrian connection between underground parking facilities and provide knock-out panels underneath the lands shown as Street C between Blocks 1A, 1B, 4, 7 and Blocks 2A, 2B, 5, 5A on Diagram 5 of By-law 1214-2019(LPAT), to the satisfaction

of the Chief Planner. For clarity, such pedestrian connection may be combined with vehicular access in the underground parking facilities;

- (xviii) To illustrate the locations of such future connection and knockout panels on the site plans for Blocks 1A, 1B, 4, 7 and Blocks 2A, 2B, 5, 5A to the satisfaction of the Chief Planner;
- (xix) To design, install and provide real-time transportation displays for all **buildings** shown as five **storeys** or greater on Diagrams 6 to 11, inclusive, of By-law 1214-2019(LPAT), to be secured through site plan approval, the satisfaction of the Chief Planner;
- (xx) To provide and designate twenty-five (25) carpool spaces within the underground parking of Block 1A (office) and fifteen (15) carpool spaces within the underground parking of Block 2B (office), or as otherwise agreed to by the Chief Planner;
- (xxi) To provide a minimum of 20 percent of **parking spaces** designated for low-emission **vehicles** and install rough-in connections for publicly accessible plug-in stations for electric **vehicle** charging facilities as part of all development phases (as set out in Section 20(b) of this Schedule "A") to the satisfaction of the Chief Planner;
- (xxii) To design, and construct with specifications and in locations to the satisfaction of the Chief Planner, in consultation with the General Manager of Transportation Services, conduits to on-**street parking spaces** for future electric **vehicle** charging facilities for **public parking** and shared **vehicles**;
- (xxiii) As part of site plan approval for each **building** shown as five **storeys** or greater on Diagrams 6 to 11, inclusive, of By-law 1214-2019(LPAT), to provide space and design for at least one bicycle repair stand, to be secured through site plan approval, to the satisfaction of the Chief Planner;
- (xxiv) To provide additional bicycle parking as per Tier 2 in the Toronto Green Standard or additional publicly accessible short-term bike parking facilities with shelter and lockers, to the satisfaction of the Chief Planner;
- (xxv) Prior to registration of a plan of subdivision for the lands shown on Diagram 1 of By-law 1214-2019(LPAT), to submit a one-time payment in the amount of fifty thousand dollars (\$50,000) for Smart Commute services to City Planning Division in the form of a bank draft or certified cheque;
- (xxvi) As part of site plan approval for each **building** shown as five **storeys** or greater on Diagrams 6 to 11, inclusive, of By-law 1214-2019(LPAT), to design and provide for pick-up-drop-off space for taxi/rideshares and deliveries, to the satisfaction of the Chief Planner;

- (xxvii) Prior to the registration of a plan of subdivision for the lands shown on Diagram 1 of By-law 1214-2019(LPAT), to provide a one-time funding contribution to the City of fifty thousand dollars (\$50,000) for a transportation monitoring program, to the satisfaction of the General Manager, Transportation Services;
- (q) the owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard (with the exception of bicycle parking facilities and Enhanced and Enlarged Community Centre which shall be in accordance with Tier 2 to the satisfaction of the Chief Planner);
- (r) as part of site plan approval for all **buildings** shown as over four storeys in height on Diagrams 6-11, inclusive, of By-law 1214-2019(LPAT), the owner shall submit wind studies, to the satisfaction of the Chief Planner; and
- (s) the owner agrees not to register a plan of subdivision for any of Blocks 1B, 2A, 2B, 3A, 3B, 4, 5, 5A, 6B, 6C, 7, 10, 11 and/or 13 until the Don Mills Crossing Secondary Plan is adopted by City Council.
21. The owner of each phase of development, being the development of Blocks 1A, 6A, 8, 9, 12, 14A, 14B, 15, 16 and 17, (Phase 1), Blocks 3A, 3B, 5A, 6B, 6C, 10, 11 and 13 (Phase 2), Blocks 1B, 4, 5 and 7 (Phase 3), and Blocks 2A and 2B (Phase 4), respectively, shall provide and maintain within each phase of the development:
- (a) a minimum of forty percent (40 percent) of the total number of **dwelling units** within such phase, excluding the Affordable Rental Housing **Building** required by Section 16 of this Schedule "A" and the Affordable Ownership Housing Units required by Section 17 of this Schedule "A", as two-bedroom or three-bedroom units of which:
- (i) A minimum of ten percent (10 percent) of the **dwelling units** referred to in Section 21(a) shall be provided as three-bedroom units having a minimum size of 100 square metres of residential **gross floor area**;
- (ii) A minimum of fifteen percent (15 percent) of the **dwelling units** referred to in Section 21(a) shall be provided as either:
- A. two-bedroom units having a minimum size of 87 square metres of residential **gross floor area**; and
- B. three-bedroom units having a minimum size of 100 square metres of residential **gross floor area**; or
- (iii) A combination of two-bedroom units and three-bedroom units in accordance with the minimum unit size requirements in (A) and (B) above; and
- (b) notwithstanding the unit size requirements identified in Sections 21(a)(i) and 21(a)(ii) above, such lesser unit size and bedroom requirements as may be required by the Don Mills Secondary Plan, as finally approved.

22. As part of the first site plan application for each phase of the development as set out in Section 21 of this Schedule "A", the owner of each phase shall submit a housing report which addresses the requirements identified in accordance with Section 21 of this Schedule "A" and identifies:
- (a) the proposed number of two and three-bedroom units for each Block within the subject Phase; and
  - (b) proposed minimum unit sizes for such two and three-bedroom units for each Block within the subject phase.
23. For clarity, the owner of each phase is not required to provide the minimum unit sizes and bedroom requirements identified in accordance with Section 21 of this Schedule "A" on any individual Block, provided such requirements are satisfied collectively for each phase. In addition, the maintenance of the minimum unit sizes and bedroom requirements shall be secured as part of site plan approval for any individual Block or portion thereof, to the satisfaction of the Chief Planner.
24. The owner agrees to provide and maintain all related facilities that comprise the Affordable Rental Housing **Building** and the lands within Block 5A in accordance with the terms of the Section 37 Agreement, including the following:
- (a) the affordable rental housing units in the Affordable Rental Housing **Building** on Block 5A shall be comprised of at least 25,000 square metres of residential **gross floor area**, (exclusive of indoor amenity space);
  - (b) prior to issuance of any above-grade **building** permit on Blocks 5 and 7, the Affordable Rental Housing **Building** on Block 5A shall be ready and available for occupancy, to the satisfaction of the Chief Planner and the Chief Building Official;
  - (c) no above-grade **building** permit, including for clarity any conditional above-grade **building** permit, on Blocks 1B, 4, 5, 6B, 6C, 7, 10, 11, and 13 (being a portion of Phase 2 and Phase 3), shall be issued prior to:
    - (i) Issuance of the first above-grade **building** permit for the Affordable Rental Housing **Building** on Block 5A; and
    - (ii) Conveyance of Blocks 3A and 3B to the City;
  - (d) no portion of the affordable rental housing units on Block 5A shall be registered as condominium or any other form of ownership such as life lease or co-ownership which provide a right to exclusive possession of a unit, and no application for conversion for non-rental housing purposes, or application to demolish any portion of the affordable rental housing units can be made for a period which shall not be less than a continuous forty-nine (49) year period commencing on the date of the first occupancy of the each affordable rental housing unit to be occupied on Block 5A (the "49 Year Period");

- (e) when the 49 Year Period has expired, the affordable rental housing units shall continue to be provided and maintained as rental dwelling units on Block 5A, unless and until such time as the owner has applied for and obtained all approvals necessary to do otherwise as set out in the Section 37 Agreement;
- (f) the affordable rental housing units will be maintained with affordable rents during the first 25 years from the date when each of the units are first occupied , such that the initial rent shall not exceed 1 times the average City of Toronto rent, by unit type (number of bedrooms), inclusive of utilities (heat, electricity, gas, and water, but excluding vehicle parking, internet and cable television charges) as reported annually by the Canada Mortgage and Housing Corporation in its Fall Rental Market Report;
- (g) increases to the initial rents charged to tenants who commenced occupancy of any of the affordable rental housing units during the first 25 years of occupancy may be escalated annually by not more than the provincial rent increase guideline until the tenancy ends, subject to any applicable above guideline increases permitted in the Section 37 Agreement;
- (h) at least ten (10) percent of the affordable rental housing units in the Affordable Rental Housing **Building** on Block 5A shall be designed as three-bedroom units or larger in compliance with the provisions of the Ontario Building Code, all of which shall have bedrooms located on an exterior wall with glazing in each bedroom;
- (i) at least twenty (20) percent of the affordable rental housing units in the Affordable Rental Housing **Building** on Block 5A shall be designed as two-bedroom units or larger in compliance with the provisions of the Ontario Building Code;
- (j) no more than seventy (70) percent of the affordable rental housing units in the Affordable Rental Housing **Building** on Block 5A shall be bachelor or one-bedroom units, of which bachelors may not comprise more than 15 percent of the total number of affordable rental housing units; and
- (k) the minimum floor area for the affordable rental housing units in the Affordable Rental Housing **Building** on Block 5A shall be as follows, where all measurements shall be made in accordance with Tarion Bulletin 22:
  - (i) Bachelor units shall have a minimum size of at least 40 square metres;
  - (ii) One-bedroom units shall have a minimum size of at least 45 square metres;
  - (iii) Two-bedroom units shall have a minimum size of at least 68 square metres; and
  - (iv) Three-bedroom units shall have a minimum size of at least 90 square metres.

25. The Affordable Rental Housing **Building** on Block 5A shall also include the facilities and services as set out in the Section 37 Agreement, including:
- (a) *amenity space*: the indoor and outdoor amenity spaces that are part of the Affordable Rental Housing **Building** shall include the following criteria:
    - (i) Indoor amenity space will be provided at a minimum ratio of 2 square metres per unit and will contain a multipurpose room with kitchen and access to a barrier-free bathroom and will have direct access to outdoor amenity space subject to By-law 1214-2019(LPAT), or otherwise satisfactory to the Chief Planner;
    - (ii) Outdoor amenity space will be provided for the Affordable Rental Housing **Building** on Block 5A at a minimum ratio of 2 square metres per unit subject to the By-law 1214-2019(LPAT) or otherwise satisfactory to the Chief Planner; and
    - (iii) For clarity, the minimum amounts of amenity space referred to in this Section 25 shall be for the exclusive use of the residents of the Affordable Housing Rental **Building**.
26. The owner shall provide a minimum of eight (8) affordable ownership housing units in accordance with the requirements of the Section 37 Agreement (the "Affordable Ownership Housing Units"):
- (a) the Affordable Ownership Housing Units shall be located on Block 9 and/or Block 12;
  - (b) the total residential **gross floor area** of the Affordable Ownership Housing Units shall have a minimum total residential **gross floor area** of 720 square metres and will be provided in either a **townhouse** or **apartment building** form;
  - (c) the following minimum sizes and types shall be provided to the satisfaction of the Chief Planner. All measurements and unit sizes shall be made in accordance with Tarion Bulletin 22:
    - (i) No fewer than four of the Affordable Ownership Housing Units shall have at least three bedrooms and have a minimum residential **gross floor area** of 100 square metres per unit; and
    - (ii) No fewer than four of the Affordable Ownership Housing Units shall have at least two bedrooms and have a minimum residential **gross floor area** of 80 square metres per unit;
  - (d) each bedroom in each Affordable Ownership Housing Unit shall have a window that opens and closes and be a bedroom as defined by the Ontario Building Code;
  - (e) each Affordable Ownership Housing Unit shall be constructed to a fully-finished condition, to a similar standard of materials, workmanship and finishings as the

**townhouse** or **apartment building** units on Blocks 8, 9, and 12, to the satisfaction of the Chief Planner;

- (f) each Affordable Ownership Housing Unit will have access to all **building** facilities and amenities on the same terms and conditions as all other residents of the condominium units in the subject **building** or subject phase of development (being Blocks 8, 9, and 12), as appropriate, to the satisfaction of the Chief Planner; and
  - (g) the layouts and locations of each of the Affordable Ownership Housing Units, including the locations of Affordable Ownership Housing Unit **parking spaces**, shall be proposed in consultation with the affordable ownership housing provider, shall be shown on the drawings submitted as part of the Site Plan Application for the Block on which the Affordable Ownership Housing Units are to be constructed, and shall be to the satisfaction of the Chief Planner.
27. The Owner shall convey the Affordable Ownership Housing Units, in fee simple and at nominal cost, to an affordable ownership housing provider subject to the following:
- (a) prior to the issuance of the first above-grade **building** permit for the Block on which the Units are located (being Block 9 and/or Block 12), the owner of such Block shall enter into an agreement of purchase and sale with the affordable housing provider and/or the City to secure the provision and conveyance of the Affordable Ownership Housing Units to the affordable housing provider in accordance with the terms of the Section 37 Agreement;
  - (b) the owner shall complete and have ready for occupancy the Affordable Ownership Housing Units prior to:
    - (i) The first residential use within each **building** containing any Affordable Ownership Housing Units on the Affordable Ownership Housing Block; and
    - (ii) The conveyance to the affordable ownership housing provider;all to the satisfaction of the Chief Planner, and upon such conveyance, the affordable ownership housing block owner is responsible for the continuing provision and maintenance of the Affordable Ownership Housing Units.
28. Each of the Affordable Ownership Housing Units will be maintained as affordable in accordance with the Section 37 Agreement for a period of at least twenty (20) years for each Affordable Ownership Housing Unit from the sale closing date for the first eligible purchaser of an Affordable Ownership Housing Unit during which time the unit may only be sold at the affordable ownership housing price and only to an eligible purchaser in accordance with the terms of the Section 37 Agreement.
29. Prior to the issuance of the first above-grade **building** permit for the affordable ownership housing Block (being Block 9 and/or Block 12), the owner shall register a Section 118 Restriction under the *Land Titles Act* on the affordable ownership housing

Block, in a form and with priority to the satisfaction of the City Solicitor, restricting any transfer or charge of the Block during the affordable ownership housing affordability period without the consent of the Chief Planner as set out in the Section 37 Agreement.

30. The owner shall convey to the City any necessary public easements securing access to the publicly accessible private open spaces ("POPS") and or surface easement(s), to the satisfaction of the City Solicitor, and Chief Planner, including:
- (a) over the Block 1B plaza space (POPS) as generally shown on Diagram 7 of By-law 1214-2019(LPAT);
  - (b) the Future Private Street public access having a minimum width of 16.5 metre (surface easement) as generally shown on Diagram 12 of By-law 1214-2019(LPAT);
  - (c) over Block 12 between Public Street C and Block 14B connecting in between the central and eastern most towers (POPS) as generally shown on Diagram 8 of By-law 1214-2019(LPAT);
  - (d) the easements will acknowledge the use of the space as part of a large pedestrian area which will be animated with a variety of activities throughout the year, but a portion of which will remain open and accessible to the public, subject to temporary closures on terms and conditions satisfactory to the Chief Planner and permitted encroachments for commercial activities, **buildings** and **structures** where appropriate and permitted by By-law 1214-2019(LPAT); and
  - (e) the exact location and design and timing of delivery of the POPS and surface easement(s) to be determined in the context of site plan approval.
31. Upon registration of a plan of subdivision including Blocks 1A, 8, 9, and 12, the owner shall convey Block 6A to the City free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, PFR and in consultation with the City Solicitor with respect to the easements, encumbrances and encroachments.
32. Prior to the issuance of the first above-grade **building** permit on Blocks 8, 9, and/or 12, the owner shall:
- (a) submit a cost estimate and any necessary plans for the base **park** improvements for Block 6A to the satisfaction of the General Manager, PFR; and
  - (b) post an irrevocable letter of credit, including provisions for upwards indexing, in a form and from an institution and in the amount of 120 percent of the value of the base **park** improvements for Block 6A, all to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges payable for the development for costs associated with base **park** improvements, in accordance with the terms of the Section 37 Agreement.

33. Prior to first residential use on Blocks 8, 9, and/or 12, the construction of the base **park** improvements to Block 6A shall be completed to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather and other typical force majeure issues) resulting in the late completion of the base **park** improvements shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised completion date for construction of base **park** improvements.
34. The owner may elect to provide above base **park** improvements on Block 6A for a Development Charges credit as set out in Section 46 of this Schedule "A". If the owner elects to provide above base **park** improvements on Block 6A, the following conditions apply:
- (a) prior to the issuance of the first above-grade **building** permit on Blocks 8, 9, and/or 12, the owner is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120 percent of Development Charges credit as set out in Section 46 of this Schedule "A";
  - (b) prior to the issuance of the first above-grade **building** permit on Blocks 8, 9, and/or 12 (being a portion Phase 1), the owner is required to submit working drawings, specification and landscape plans for Block 6A showing the scope and detail of the work for the above base **park** improvements for review and approval by the General Manager, PFR; and
  - (c) prior to first residential use on Blocks 8, 9, and/or 12, the construction of above base **park** improvements to Block 6A shall be completed to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather and other typical force majeure issues) resulting in the late completion of the above base **park** improvements shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised date for the completion of the above base **park** improvements.
35. Prior to the issuance of any above-grade **building** permit on Blocks 8, 9 and/or 12 (a portion of Phase 1), the owner will be required to:
- (a) register a reference plan (or plans) on title to the property municipally known as 844 Don Mills Road showing the Block 3A lands and the Block 3B lands, to the satisfaction of the City Solicitor;
  - (b) provide a title opinion to the City for each of the Block 3A and the Block 3B Lands, to the satisfaction of the City Solicitor; and
  - (c) register a Section 118 Restriction under the *Land Titles Act* in a form and with priority to the satisfaction of the City Solicitor, agreeing not to transfer or charge all or any part of Block 3A and/or Block 3B without the consent of the General Manager, PFR, in order to restrict any conveyance other than as contemplated by Sections 31 and 32 of this Schedule "A";

where all of (a)-(c) above shall be in a form that is to the satisfaction of the City Solicitor.

36. Block 3B shall be conveyed to the City 45 days after:
- (a) the later of:
    - (i) Peer-reviewed environmental reports and peer-reviewed remediation completed, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, filing of the Record of Site Condition on the Ontario Environmental Site Registry and submitting the Ministry 's Letter of Acknowledgement;
    - (ii) Completion of required parkland improvements set out in the Section 37 agreement (base **park** improvements) including demolition and removal of the factory **building**,  
  
but in any event prior to plan registration of any plan of subdivision for Blocks 1B, 3A, 3B, 4, 5, 5A, 6B, 6C, 7, 10, 11, and 13; or
    - (iii) completion of the Enhanced and Enlarged Community Centre should the owner agree to design and construct the Enhanced and Enlarged Community Centre.
37. Prior to the issuance of the first above-grade **building** permit on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of the Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of the Phase 3), whichever is earlier, the owner shall:
- (a) submit a cost estimate and any necessary plans for the base **park** improvements for Block 3B to the satisfaction of the General Manager, PFR; and
  - (b) post an irrevocable letter of credit, in a form and from an institution and in the amount of 120 percent of the value of the base **park** improvements for Block 3B, all to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges payable for the Development for costs associated with base **park** improvements.
38. Prior to first residential use or first condominium registration, whichever is earlier, on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the construction of the base **park** improvements to Block 3B shall be completed, to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather and other typical force majeure issues) resulting in the late completion of the base **park** improvements shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised completion date for construction of base **park** improvements.
39. The owner may elect to provide above base **park** improvements on Block 3B for a Development Charges credit as set out in Section 46 of this Schedule "A". If the owner elects to provide above base **park** improvements on Block 3B, the following conditions apply:

- 
- (a) prior to the issuance of the first above-grade **building** permit on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the owner is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120 percent of Development Charges credit as set out in Section 46;
  - (b) prior to the issuance of the first above-grade **building** permit on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the owner is required to submit working drawings, specification and landscape plans for Block 3B showing the scope and detail of the work for the above base **park** improvements for review and approval by the General Manager, PFR; and
  - (c) prior to the first residential use or condominium registration, whichever is earlier, on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the construction of above base **park** improvements to Block 3B shall be completed to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather and other typical force majeure issues) resulting in the late completion of the above base **park** improvements shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised completion date for construction of the above base **park** improvements.
40. Block 3A shall be conveyed to the City prior to the registration of the plan of subdivision for Phase 2 (Blocks 5A, 6B, 6C, 10, 11 and 13) or Phase 3, (Blocks 1B, 4, 5 and 7) whichever is earlier, complete with required parkland improvements set out in the Section 37 Agreement (base **park** improvements) including demolition and removal of the factory **building**, to the City as parkland dedication, unless the owner agrees to undertake above base **park** improvements as set out in the Section 37 Agreement.
41. Prior to the issuance of the first above-grade **building** permit on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the owner shall:
- (a) submit a cost estimate and any necessary plans for the base **park** improvements for Block 3A to the satisfaction of the General Manager, PFR; and
  - (b) post an irrevocable letter of credit, in a form and from an institution and in the amount of 120 percent of the value of the base **park** improvements for Block 3A, all to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges payable for the development for costs associated with base **park** improvements.
42. Prior to first residential use or first condominium registration, whichever is earlier, on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the construction of the base **park** improvements to Block 3A shall be completed to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather and other typical force majeure issues)

resulting in the late completion of the base **park** improvements shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised completion date for construction of base **park** improvements.

43. The owner may elect to provide above base **park** improvements on Block 3A for a Development Charges credit as set out in Section 46 of this Schedule "A". If the owner elects to provide above base **park** improvements on Block 3A, the following conditions apply:
- (a) prior to the issuance of the first above-grade **building** permit on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the owner is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to equal to 120 percent of Development Charges credit as set out in Section 28;
  - (b) prior to the issuance of the first above-grade **building** permit on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the owner is required to submit working drawings, specification and landscape plans for Block 3A showing the scope and detail of the work for the above base **park** improvements for review and approval by the General Manager, PFR; and
  - (c) prior to the first residential use or condominium registration, whichever is earlier, on Blocks 6B, 6C, 10, 11, and/or 13 (being a portion of Phase 2) and/or Blocks 1B, 4, 5, and/or 7 (being a portion of Phase 3), whichever is earlier, the construction of above base **park** improvements to Block 3A shall be completed to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather and other typical force majeure issues) resulting in the late completion of the above base **park** improvements shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised completion date for construction of the above base **park** improvements.
44. Prior to the issuance of any above-grade **building** permit for any **building** or **structure** adjacent to Blocks 6A, 3A, and/or 3B, the owner agrees to demonstrate adequately that the Ontario Building Code requirements have been achieved to the satisfaction of the General Manager, PFR. For greater clarity, Blocks 6A, 3A, and 3B shall be deemed to be parkland in respect of the limiting distance requirements of the Building Code Act. The owner shall achieve setbacks required by the Ontario Building Code related to fire separation on the lands on any portions of a **building** that abut Blocks 6A, 3A, and 3B. A five (5) metre setback will apply to any **building** located next to Blocks 6A, 3A, and 3B or the required setback to meet the Ontario Building Code for fire separation, whichever is greater.
45. Prior to the issuance of any shoring and excavation permits for Blocks 6B, 6C, 10, 11 and/or 13 and /or Blocks 1B, 4, 5, and/or 7, whichever is earlier, the owner must enter into a construction staging agreement with the City for Block 3A and/or Block 3B, if Block 3A and/or 3B has been conveyed to the City and the owner seeks to stockpile any

soils or materials on Block 3A and/or Block 3B, or use Block 3A and/or Block 3B as an interim construction staging area.

46. City Council approve a Development Charges credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the above base **park** improvements on Blocks 6A, 3A, and 3B, to the satisfaction of the General Manager, PFR; such credit to be in an amount that is the lesser of (i) the cost to the owner of designing and constructing the above base **park** improvements, as approved by the General Manager, PFR, less the owner 's five hundred thousand dollar (\$500,000, as indexed) cash-in-lieu contribution to parkland dedication and (ii) an agreed upon portion of the Parks and Recreation component of Development Charges payable for the development in accordance with the City 's Development Charges By-law, as may be amended.
47. City Council, if an agreement to construct the Enhanced and Enlarged Community Centre with the owner is reached, approve a Development Charges credit against the Parks and Recreation component of the Development Charges for the construction by the owner of the Enhanced and Enlarged Community Centre, all to the satisfaction of the General Manager, PFR; such credit to be in the amount that is the lesser of : (i) the cost to the owner of constructing the Enhanced and Enlarged Community Centre as approved by the General Manager, PFR, less the owner 's contributions of five hundred thousand dollars (\$500,000 as indexed) and twelve million dollars (\$12,000,000, as indexed), and (ii) an agreed upon portion of the Parks and Recreation component of Development Charges payable for the development, in accordance with the City 's Development Charges By-law, as may be amended.
48. The owner is responsible for paying the portion of the Parks and Recreation component of Development Charges in Section 43 of this Schedule "A" and shall be reimbursed, or otherwise as set out in the Section 37 Agreement, by the City for the credit referred to in Section 41 following completion of the Enhanced and Enlarged Community Centre by the owner, to the satisfaction of the General Manager, PFR, and subject to the terms of the Section 37 Agreement.
49. City Council approve a Development Charges credit against the Roads and Related component of the Development Charges for the construction by the owner of the Active Rail Crossing, all to the satisfaction of the General Manager, Transportation Services; such credit to be a maximum amount that is the lesser of: (i) the costs to the owner of constructing the crossing, such costs including but not limited to all the costs of design, consulting, working drawings and specifications, construction labour and materials, general supervision during construction, contract administration, inspection and testing and certification of completions as approved by the General Manager, Transportation Services less the owner 's four million dollar (\$4,000,000 as indexed) contribution, and (ii) the Roads and Related component of Development Charges payable for the development.
50. The owner is responsible for paying the portion of the Roads and Related component of Development Charges in Section 49 of this Schedule "A" and shall be reimbursed, or otherwise as set out in the Section 37 Agreement, by the City for the credit referred to in Section 49 following completion of the Active Rail Crossing by the owner, to the

satisfaction of the General Manager, Transportation Services, and subject to the terms of the Section 37 Agreement.

51. Prior to the issuance of any demolition, shoring and excavation permits, or any other **building** permits for the construction of this development, or any phase or stage of this development, the owner shall complete a Metrolinx Technical Review and enter into a construction agreement(s) with Crosslinx Transit Solutions (CTS). The construction agreement(s) will ensure works are phased in a coordinated manner with that of the LRT construction.
52. No **building** permits are to be issued on Blocks 1 or 7 that would obstruct or otherwise interfere with the easement described as Parts 1 and 2 on Plan AT4302595.
53. Prior to the issuance of **building** permits for sales trailers for the purposes of marketing commercial or residential units on the lands shown on Diagram 1 of By-law 1214-2019(LPAT), the owner shall submit and obtain the written approval from Metrolinx for any display plans and other information to be used for sales and/or marketing purposes that illustrate LRT station infrastructure.
54. Prior to registration of a plan of subdivision or issuance of any **building** permit for the lands shown on Diagram 1 of By-law 1214-2019(LPAT), the owner agrees to enter into an agreement to erect and maintain signs, and to erect and maintain such signs to the specifications of the Toronto District School Board, at points of egress and ingress of the lands shown on Diagram 1 of By-law 1214-2019(LPAT), advising that:

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available.

For information regarding designated school(s), please call (416) 394-7526."



**PART OF LOTS 1 AND 2, CONCESSION 3  
EAST OF YONGE STREET,  
PART OF LOT 10, CONCESSION 3, FROM THE BAY  
AND PART OF THE ALLOWANCE FOR ROAD  
BETWEEN LOT 1, CONCESSION 3,  
EAST OF YONGE STREET AND  
LOT 10, CONCESSION 3  
FROM THE BAY**

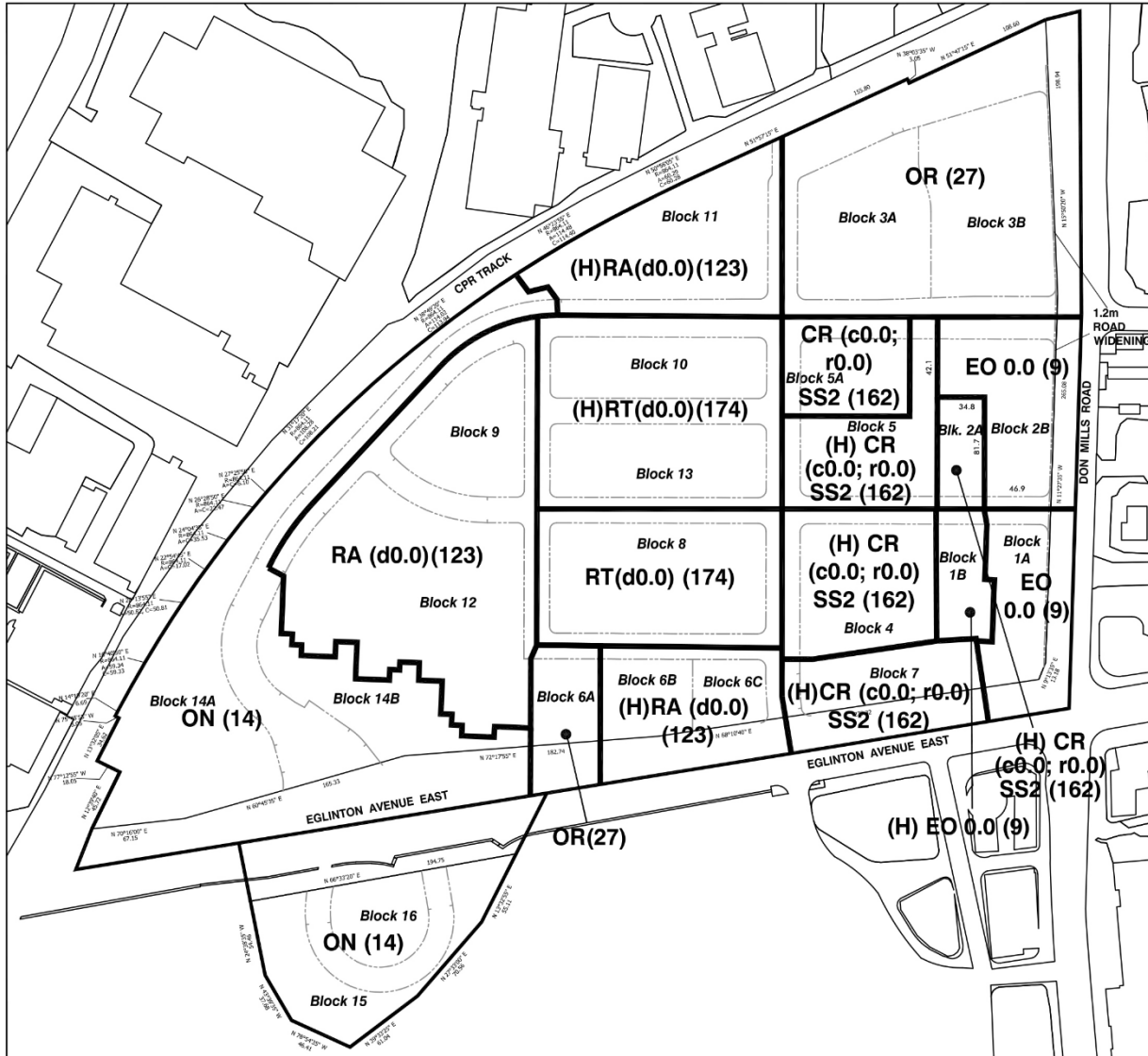
**Surveyor - J. D. Barnes**

**844 Don Mills Road, 1150 and  
1155 Eglinton Avenue East**

**Diagram 1**



Not to Scale



PART OF LOTS 1 AND 2, CONCESSION 3  
 EAST OF YONGE STREET,  
 PART OF LOT 10, CONCESSION 3, FROM THE BAY  
 AND PART OF THE ALLOWANCE FOR ROAD  
 BETWEEN LOT 1, CONCESSION 3,  
 EAST OF YONGE STREET AND  
 LOT 10, CONCESSION 3  
 FROM THE BAY

Surveyor - J. D. Barnes

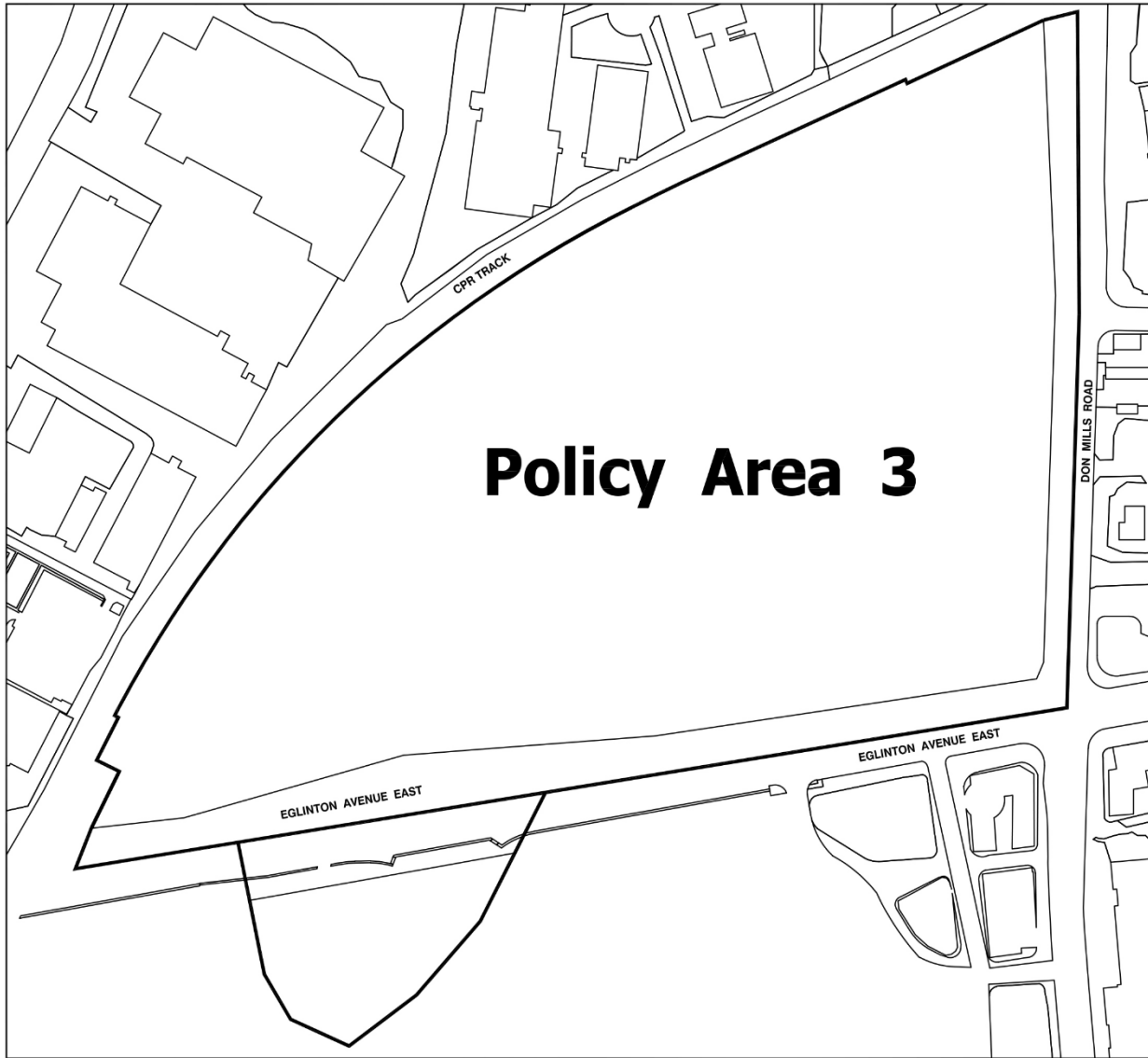
844 Don Mills Road, 1150 and  
 1155 Eglinton Avenue East

## Diagram 2



Not to Scale

**NOTE : Refer to Diagram 5 for Block Dimensions**



PART OF LOTS 1 AND 2, CONCESSION 3  
EAST OF YONGE STREET,  
PART OF LOT 10, CONCESSION 3, FROM THE BAY  
AND PART OF THE ALLOWANCE FOR ROAD  
BETWEEN LOT 1, CONCESSION 3,  
EAST OF YONGE STREET AND  
LOT 10, CONCESSION 3  
FROM THE BAY

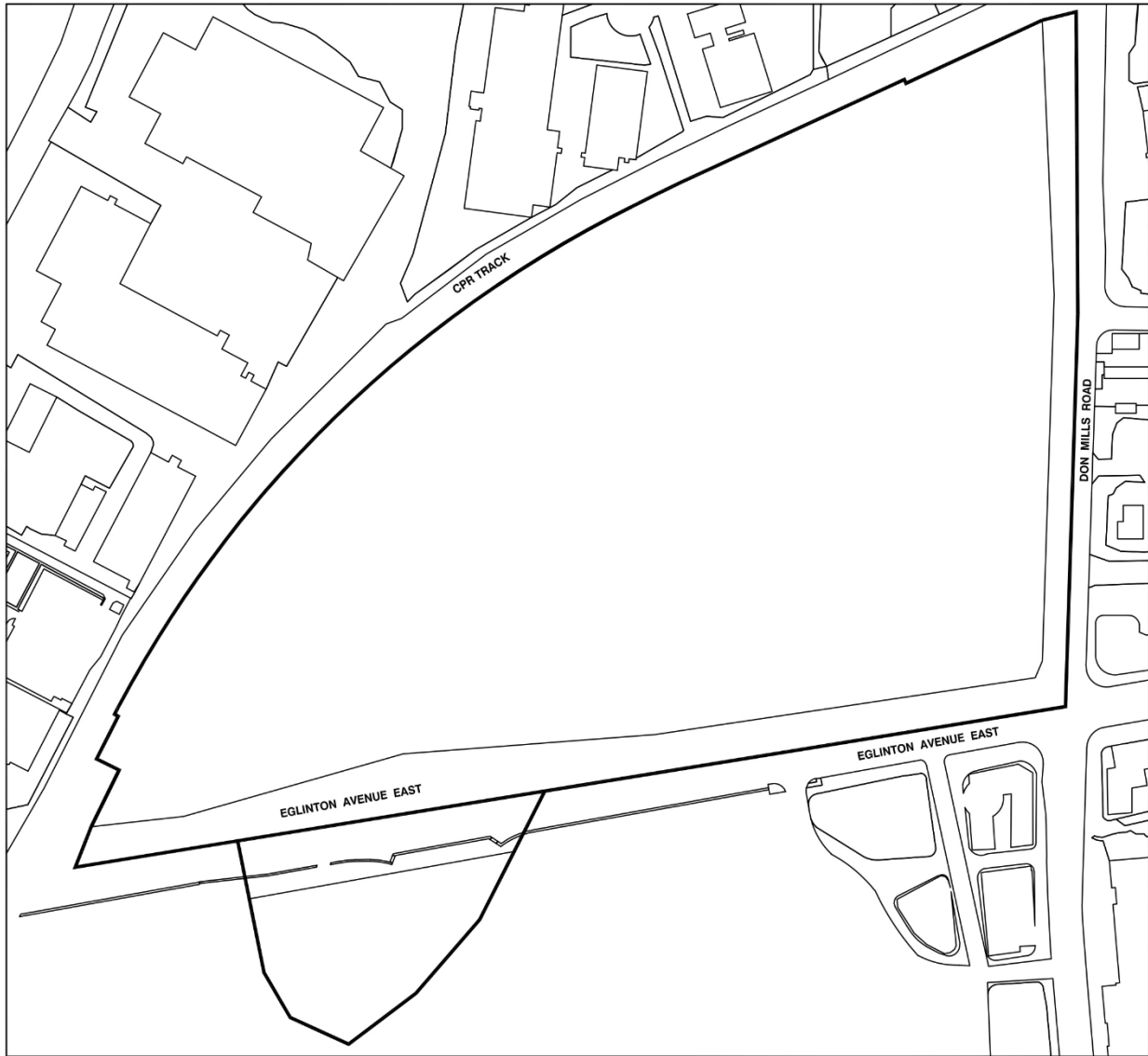
Surveyor - J. D. Barnes

844 Don Mills Road, 1150 and  
1155 Eglinton Avenue East

### Diagram 3



Not to Scale



PART OF LOTS 1 AND 2, CONCESSION 3  
EAST OF YONGE STREET,  
PART OF LOT 10, CONCESSION 3, FROM THE BAY  
AND PART OF THE ALLOWANCE FOR ROAD  
BETWEEN LOT 1, CONCESSION 3,  
EAST OF YONGE STREET AND  
LOT 10, CONCESSION 3  
FROM THE BAY

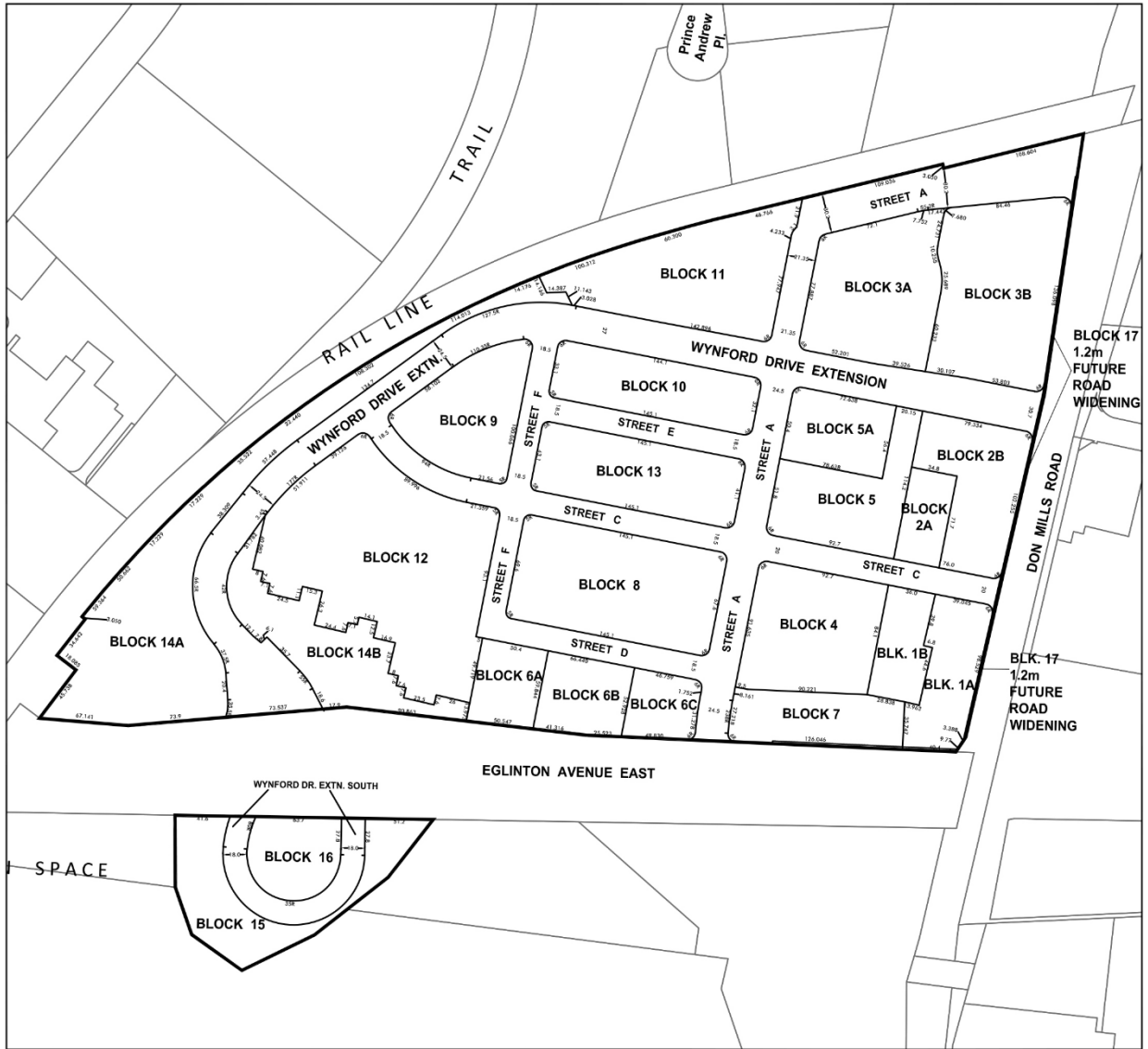
Surveyor - J. D. Barnes

**844 Don Mills Road, 1150 and  
1155 Eglinton Avenue East**

## Diagram 4



Not to Scale



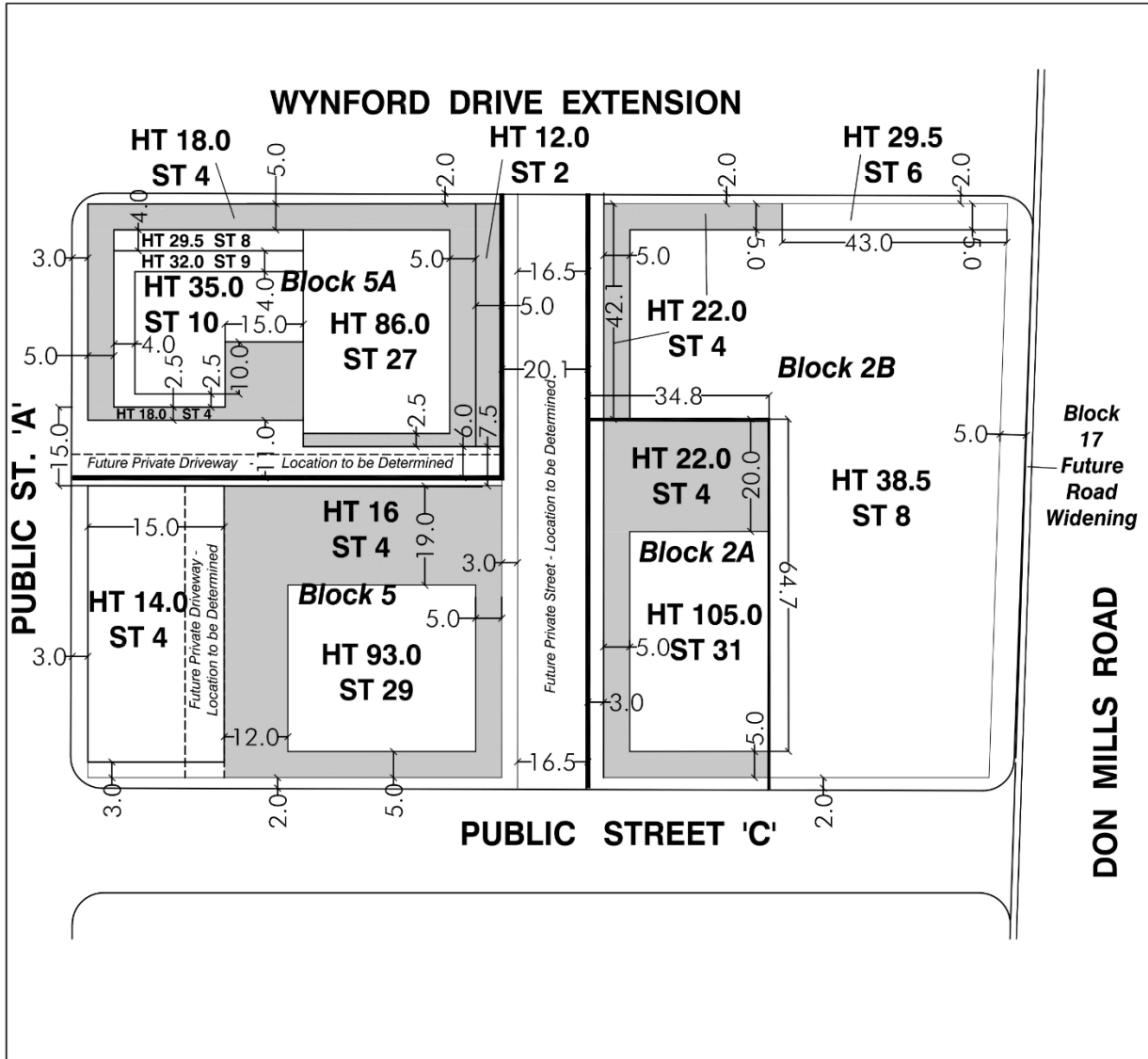
**PART OF LOTS 1 AND 2, CONCESSION 3  
 EAST OF YONGE STREET,  
 PART OF LOT 10, CONCESSION 3, FROM THE BAY  
 AND PART OF THE ALLOWANCE FOR ROAD  
 BETWEEN LOT 1, CONCESSION 3,  
 EAST OF YONGE STREET AND  
 LOT 10, CONCESSION 3  
 FROM THE BAY**  
 Surveyor - J. D. Barnes

**844 Don Mills Road, 1150 and  
 1155 Eglinton Avenue East**

**Diagram 5**



Not to Scale



NOTE: All dimensions are in metres.

844 Don Mills Road, 1150 and 1155 Eglinton Avenue East



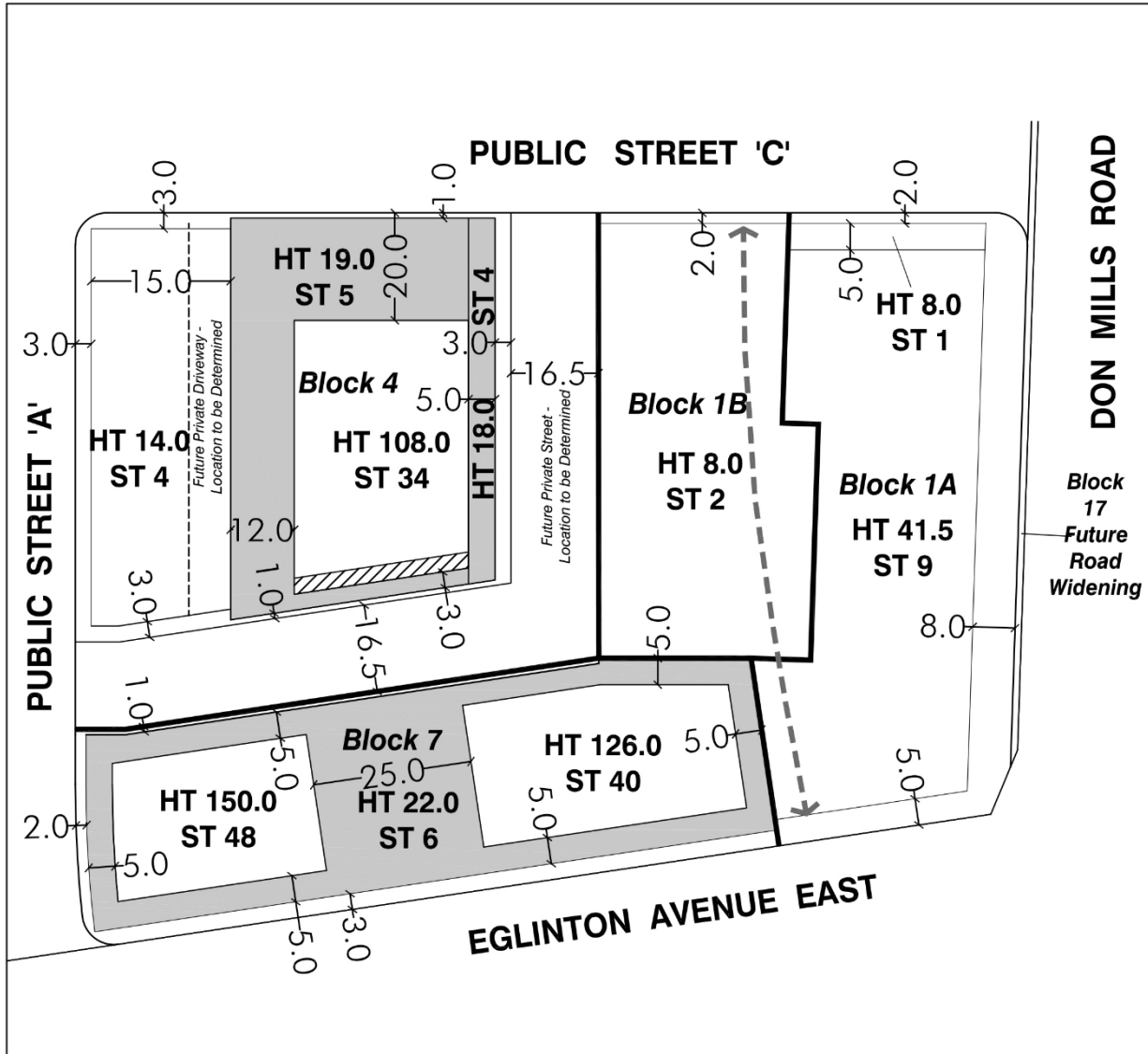
Base Building

Internal Block Boundary

Diagram 6





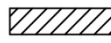

Not to Scale



NOTE: All dimensions are in metres.

844 Don Mills Road, 1150 and 1155 Eglinton Avenue East

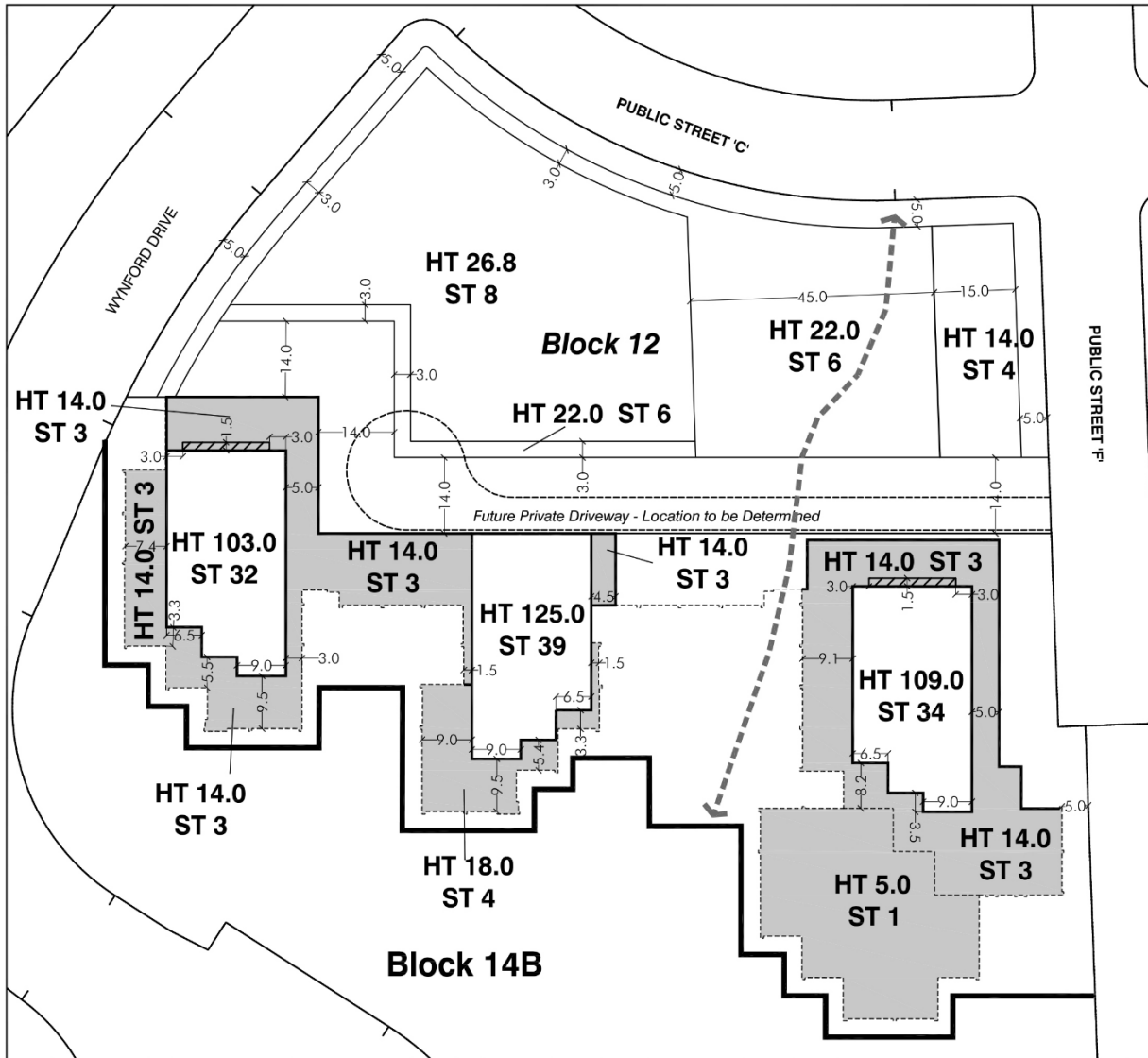


-  Base Building
-  Internal Block Boundary
-  Projecting Balconies Not Permitted
-  Future POPS, Location to be Determined

### Diagram 7



Not to Scale





PART OF LOTS 1 AND 2, CONCESSION 3  
 EAST OF YONGE STREET,  
 PART OF LOT 10, CONCESSION 3, FROM THE BAY  
 AND PART OF THE ALLOWANCE FOR ROAD  
 BETWEEN LOT 1, CONCESSION 3,  
 EAST OF YONGE STREET AND  
 LOT 10, CONCESSION 3  
 FROM THE BAY

Surveyor - J. D. Barnes

844 Don Mills Road, 1150 and  
 1155 Eglinton Avenue East

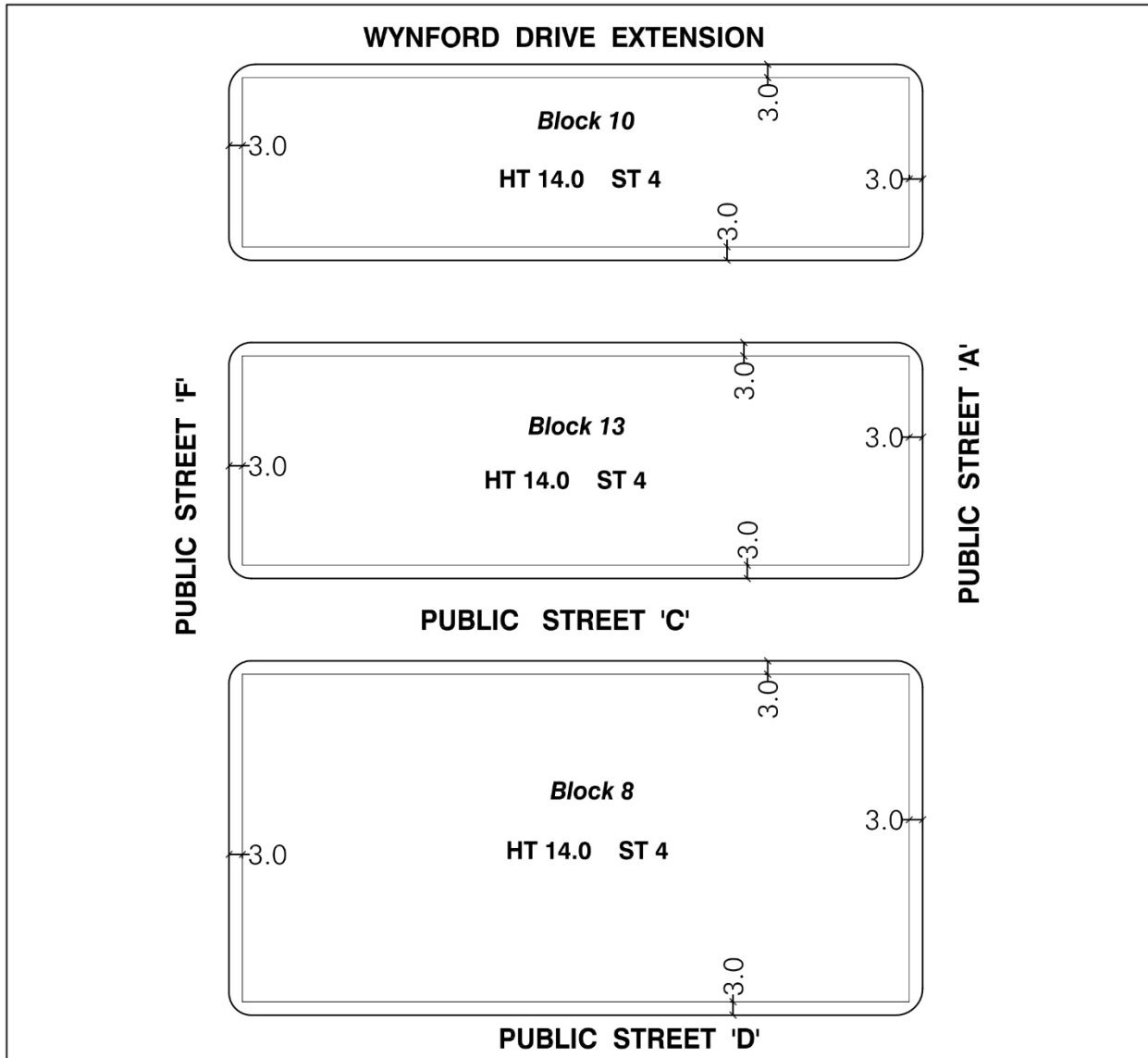
### Diagram 8

- Existing Wall to be Retained
-  Projecting Balconies Permitted
-  Base Building
- Internal Block Boundary
- ←-----> Future POPS, Location to be Determined



Not to Scale





NOTE: All dimensions are in metres.

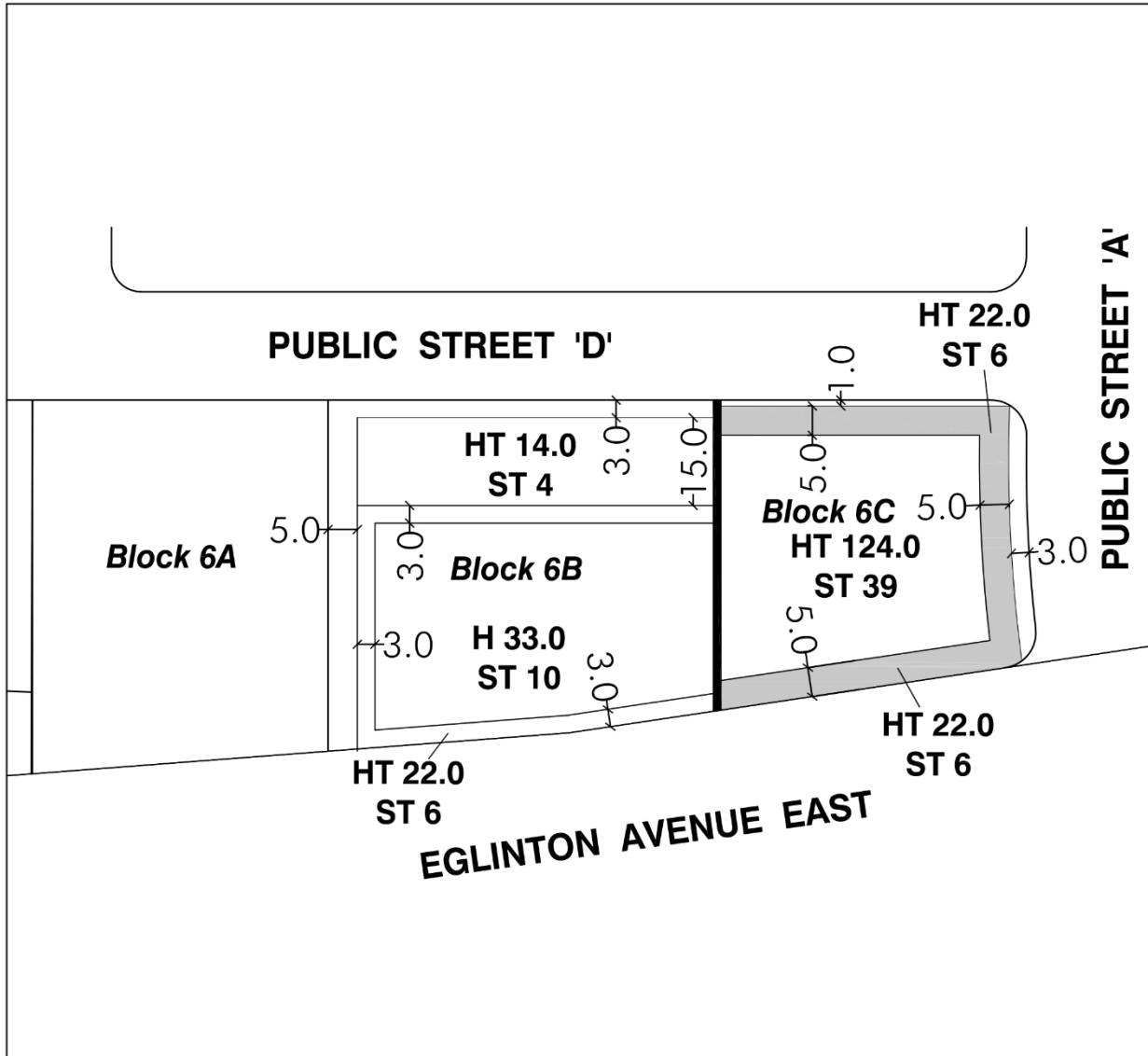
844 Don Mills Road, 1150 and  
1155 Eglinton Avenue East



**Diagram 10**



Not to Scale



NOTE: All dimensions are in metres.

844 Don Mills Road, 1150 and  
1155 Eglinton Avenue East



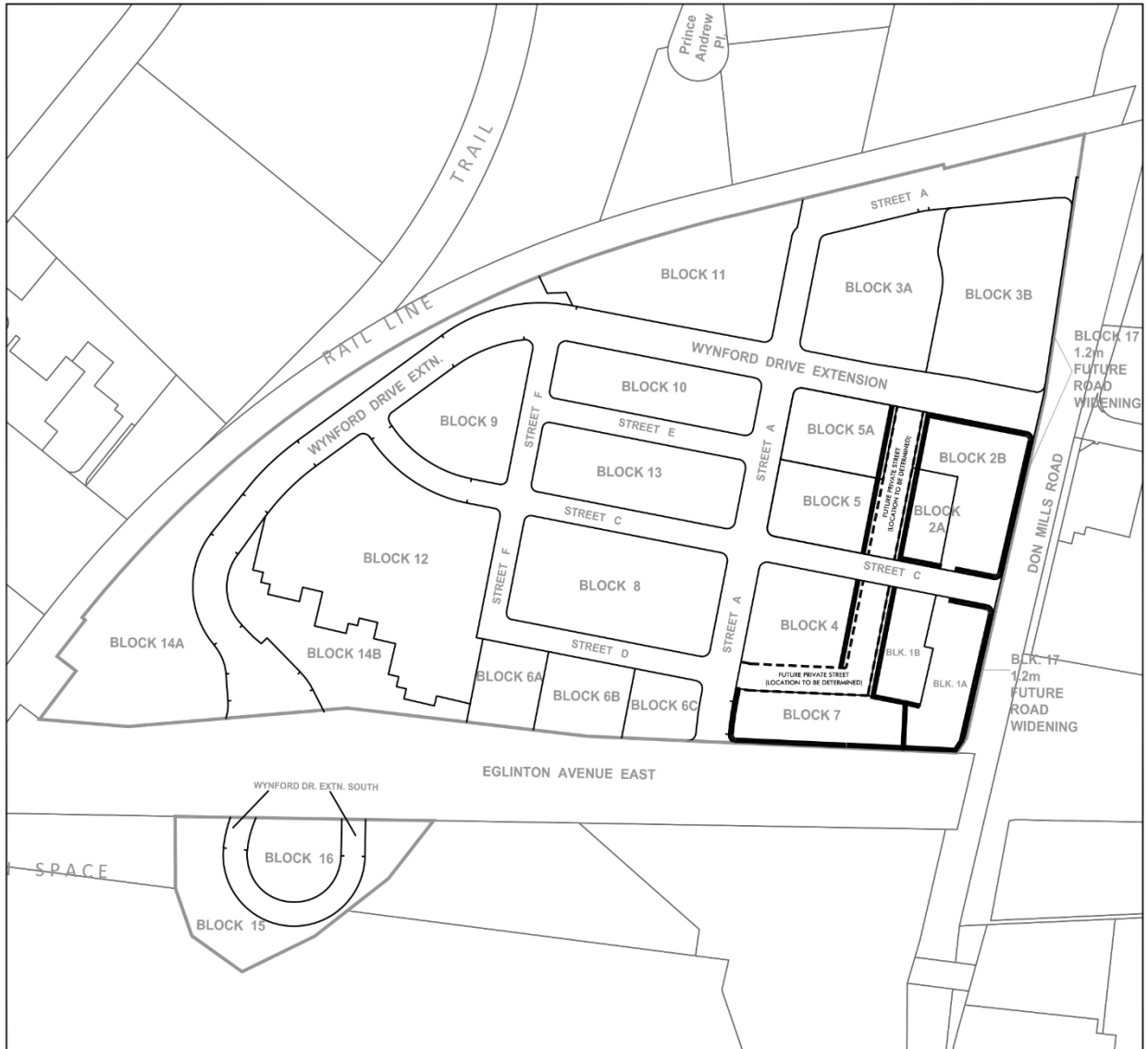
 **Base Building**

 **Internal Block Boundary**

### Diagram 11



Not to Scale



PART OF LOTS 1 AND 2, CONCESSION 3  
 EAST OF YONGE STREET,  
 PART OF LOT 10, CONCESSION 3, FROM THE BAY  
 AND PART OF THE ALLOWANCE FOR ROAD  
 BETWEEN LOT 1, CONCESSION 3,  
 EAST OF YONGE STREET AND  
 LOT 10, CONCESSION 3  
 FROM THE BAY

Surveyor - J. D. Barnes

844 Don Mills Road, 1150 and  
 1155 Eglinton Avenue East

**Diagram 12**

**— "Street Related Active Uses"**



Not to Scale