

Authority: Local Planning Appeal Tribunal Decision issued on November 28, 2019 and Order issued on February 1, 2021, in Tribunal File PL171410

CITY OF TORONTO
BY-LAW 267-2021(LPAT)

To amend Zoning By-law 569-2013, as amended and By-law 438-86, as amended, with respect to lands municipally known as 5 Scrivener Square, 4, 8, 10 and 10R Price Street, 1095 – 1107 Yonge Street and former public lane lands.

Whereas the Local Planning Appeal Tribunal, by way of Order/Decision issued on February 1, 2021, in Tribunal File PL171410 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 2019 as 5 Scrivener Square, 4, 8, 10 and 10R Price Street, 1095 – 1107 Yonge Street and former public lane lands; and

Whereas the City of Toronto Zoning By-law 569-2013, as amended, where such applies, supersedes By-law 438-86 (being the Zoning By-law of the former City of Toronto), as amended, and any predecessor zoning by-laws as are applicable; 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 267-2021(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 this By-law are outlined by heavy black lines on Diagram 1 of this By-law.

2. The words highlighted in bold type in this By-law have the same 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 municipally known in the year 2019 as 5 Scrivener Square, 1095–1107 Yonge Street, 4 Price Street and former public lane lands to the Zoning By-law Map in Section 990.10, and applying the zone label CR 3.0 (c3.0; r1.0) SS2 (x1952) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands municipally known in the year 2019 as 5 Scrivener Square, 1095 – 1107 Yonge Street, 4 Price Street and former public lane lands to the Policy Areas Overlay Map in Section 995.10.1., as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569 -2013, as amended, is further amended by adding the lands municipally known in the year 2019 as 5 Scrivener Square, 1095 – 1107 Yonge Street, 4 Price Street and former public lane lands to the Height Overlay Map in Section 995.20.1, and applying the following height label to these lands: HT 21.0 and HT 11.0 as shown on Diagram 4 attached to this Bylaw.
6. Zoning By-law 569 -2013, as amended, is further amended by adding the lands municipally known in the year 2019 as 5 Scrivener Square, 1095 – 1107 Yonge Street, 4 Price Street and former public lane lands to the Rooming House Overlay Map in Section 995.40.1, and applying the label B3, as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2103, as amended, is further amended by amending Article 900.11.10 Exception Number 1952 so that it reads:

Exception CR 1952

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

Site Specific Provisions:

- (A) On lands municipally known in the year 2019 as 5 Scrivener Square, 4, 8, 10 and 10R Price Street, 1095–1107 Yonge Street and former public lane lands, as outlined by heavy lines on Diagram 1 to By-law 267-2021(LPAT), if the requirements of Section 9 and Schedule A of By-law 267-2021(LPAT) are complied with, a **building** or **structure** may be erected and used in compliance with (B) to (KK) below;
- (B) Despite Regulation 800.50(420), the **lot** comprises all the lands shown on Diagram 1 of By-law 267-2021(LPAT);

- (C) For the purpose of this Exception, outdoor **retail stores**, **eating establishments** and **take out eating establishments** may provide retail sales, food sales and other uses from kiosks, tents, **vehicles**, tables or similar facilities and such facilities are not **buildings** or **structures**;
- (D) In addition to the uses permitted by Regulation 40.10.20.20(1), the following uses are also 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 Establishment** (1, 33);
 - (b) **Public Parking** (7, 8, 9, 10, 11); and
 - (c) **Take-out Eating Establishment** (1);
- (E) Despite Regulation 40.10.20.20, the outdoor sales or display of goods and commodities is not subject to Regulation 40.10.20.100(20)(B) and (C);
- (F) For the purpose of this Exception the sale, rental or leasing of bicycles is permitted as a **retail store** and the service, cleaning, repair and maintenance of bicycles is permitted as a **service shop** and both uses may operate in a single **premises**;
- (G) Despite Regulation 40.10.40.1(1), **dwelling units** must be located above the first **storey** of a **building**;
- (H) Despite Regulation 40.10.40.1(2), for any non-residential use, 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 which faces a **street**; and
 - (ii) Have a pedestrian access, other than service entrances, which, if not level with a walkway closest the entrance, is accessed by a ramp which rises no more than 0.04 metres vertically for every 1.0 metre horizontally;
- (I) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** permitted on the **lot** is as follows:
- (i) the **gross floor area** that existed in the Existing Buildings as shown on Diagram 6 of By-law 267-2021(LPAT) on January 1, 2019, plus 150 square metres; and
 - (ii) 23,800.0 square metres, of which a maximum of 3,300.0 square metres of **gross floor area** may be used for non-residential uses;

- (J) In addition to the provisions of Regulation 40.5.40.40(3), the **gross floor area** of a **mixed use building** is reduced by the area in the **building** used for a below ground **public parking** facility, **amenity space** up to a maximum of 2.5 square metres per **dwelling unit** and the area in the **building** used exclusively for a **transportation use**;
- (K) In addition to the provisions of Regulation 40.5.40.40(3) and (J) above, the **gross floor area** of a **mixed use building** is reduced by the area of a **building** occupied by any non-structural architectural or ornamental features that are attached to and project from the **main wall** of a **building**;
- (L) Despite all of Clauses 40.5.40.70, 40.10.40.70 and 40.10.40.80 the required minimum **building setbacks** and the required minimum separation distances between **main walls** of **buildings** or **structures** above ground is shown on Diagram 6 of By-law 267-2021(LPAT);
- (M) Despite Regulations 5.10.40.70 (1) and (2), Clauses 40.5.40.60, 40.5.40.70, 40.10.40.60 and (L) above, the following elements of a **building** may project into a required minimum **building setback** and a required minimum **main wall** separation distance as follows:
- (i) lighting fixtures, cornices, sills, eaves, railings, planters, balustrades, bollards, stairs, awnings, fences, guards, guardrails, retaining walls, wheel chair ramps or other facilities providing barrier free access, public art and landscape features;
 - (ii) canopies to a maximum horizontal projection of 1.8 metres, with the exception that a canopy on Price Street, including supporting structures, may project up to 5.4 metres;
 - (iii) non-structural architectural or ornamental features may project up to 0.6 metres; and
 - (iv) **structures**, elements and enclosures permitted by regulation (N) below;
- (N) Despite Clause 40.5.40.10 and Regulation 40.10.40.10(2), the permitted maximum **building** height in metres, measured from the average elevation of the ground along the **front lot line** to the highest point of the **building** is the numerical value in metres following the HT symbol on Diagram 6 of By-law 267-2021(LPAT) except for the following projections:
- (i) **structures**, elements and enclosures permitted by regulation (M) above;
 - (ii) **structures** on any roof used for outdoor **amenity space** or open air recreation, **amenity space**, safety, noise and wind protection and/or mitigation purposes, trellis, awnings and other similar shade devices and associated structures, chimneys, vents and stacks may exceed the permitted maximum **building** height by 3.0 metres;

- (iii) terrace dividers, privacy screens, window washing equipment, parapets and a **green roof** may exceed the permitted maximum **building** height by 2.0 metres; and
 - (iv) chillers, generators, fresh air units may exceed the permitted maximum **building** height by 0.9 metre;
- (O) Despite Regulation 40.10.40.10(2) and (N) above, the permitted height of the Existing Buildings as shown on Diagram 6 of By-law 267-2021(LPAT) is the **building** height that existed on January 1, 2019, with the exception that:
- (i) roof top mechanical equipment and related enclosures erected on the Existing Buildings subsequent to the passing of By-law 267-2021(LPAT) may project to a maximum of 5.0 metres above the permitted height of the Existing Buildings.
- (P) For the purpose of this Exception, the phrase "average elevation of the ground along the **front lot line**" and the term "**established grade**" is the Canadian Geodetic Datum elevation of 123.0 metres;
- (Q) Despite (L) and (N) above, no portion of a **building** or **structure** may be located within the shaded area shown on Diagram 6 of By-law 267-2021(LPAT) from finished ground to a vertical height of 8.5 metres, with the exception of window washing equipment and the permitted projections set out in (M)(i) and (ii) above;
- (R) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1 **parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) A minimum of 0.5 **parking spaces** for each bachelor **dwelling unit** or **dwelling unit** occupied by a **home occupation**;
 - (ii) A minimum of 0.5 **parking spaces** for each one bedroom **dwelling unit**;
 - (iii) A minimum of 0.75 **parking spaces** for each **dwelling unit** containing two or more bedrooms;
 - (iv) A minimum of 0.06 **parking spaces** for each **dwelling unit** for the use of residential visitors;
 - (v) A minimum of 1.0 **parking space** for every 100 square metres of **gross floor area** devoted to non-residential uses; and
 - (vi) Despite Regulation 40.5.80.1(1), 200.5.1.10(10) and Article 200.10.1, the **parking spaces** required by (iv) and (v) above may be provided on a non-exclusive basis and may be provided within a **public parking** facility on the **lot**;

- (S) Despite Regulation 200.5.1.10(2) a maximum of 15 **parking spaces**, which number may include **parking spaces** that are parallel to the **drive aisle** from which **vehicle** access is provided, that are obstructed on one side in accordance with Regulation 200.5.1.10(2)(D), may have a minimum width of 2.6 metres and such **parking spaces** shall be designated as compact **parking spaces**;
- (T) Despite Regulation 200.5.1.10(12)(C) a **vehicle** entrance to a **building** may be 0.0 metres from the **lot line** abutting the **street**;
- (U) Despite Regulation 200.15.1(4) accessible **parking spaces** must be located within 18.0 metres, as measured horizontally from the closest point of the accessible **parking space**, of:
- (i) an entrance to a **building**; or
 - (ii) a passenger elevator that provides access to the first **storey** of the **building**;
- (V) Despite Clause 220.5.10.1, a minimum of four **loading spaces** must be provided on the **lot**, comprised of 1 Type "G" **loading space**, two Type "B" **loading spaces** and 1 Type "C" **loading space**;
- (W) Despite Regulation 220.5.20.1(1)(A), a **driveway** to a **loading space** must have a minimum width along its entire length of 3.5 metres;
- (X) Despite Regulation 220.5.20.1(3) if a **loading space** is inside a **building** the **vehicle** entrance into or out of the **building** must have a minimum width of:
- (i) 5.0 metres for a Type "G" **loading space**; and
 - (ii) 3.5 metres for a Type "B" **loading space** or a Type "C" **loading space**;
- (Y) Despite any Regulation of this Exception and By-law 569-2013, as amended, to the contrary, a **loading space** may be occupied by maintenance access hatches that are used in connection with permitted residential and non-residential uses;
- (Z) Despite Regulations 40.10.90.40(1) and (3), **vehicle** access to a **loading space** must be from a **lane** or a **street** which is not a major **street** on the Policy Areas Overlay Map;
- (AA) Despite Regulation 40.10.100.10(1):
- (i) **vehicle** access must be from a **lane** or a **street** which is not a major **street** on the Policy Areas Overlay Map; and
 - (ii) **vehicle** access to the **lot** is only permitted from Price Street and that portion of Scrivener Square abutting the easterly limit of the **lot**;

- (BB) Despite Regulation 230.5.1.10(4), if a stacked **bicycle parking space** is provided in a mechanical device where any portion of a bicycle is situated above or below any portion of an adjacent bicycle, the minimum required width of each such **stacked bicycle parking space** is 0.45 metres;
- (CC) Regulation 230.5.1.10(7) does not apply with respect to shower and change facilities;
- (DD) Despite any regulation of this Exception and By-law 569-2013 as amended, to the contrary, no **parking spaces, loading spaces or bicycle parking spaces** are required for a building or portion of a building within the area labelled as Existing Buildings on Diagram 6 of By-law 267-2021(LPAT);
- (EE) Despite Regulation 230.5.10.1(5) and (R) above, **parking spaces and bicycle parking spaces** are not required for **dwelling units** provided as **amenity space**;
- (FF) **Retail stores, eating establishments and take-out eating establishments** are permitted on the **lot** outdoors and are not subject to Regulation 5.10.40.70(4);
- (GG) Regulations 40.10.40.1(3) and (5) do not apply with respect to use and **building orientation** to a **street**;
- (HH) Regulation 40.10.40.10(5) does not apply with respect to the height of the first **storey**;
- (II) Regulation 150.100.30.1 does not apply with respect to the general **lot** requirements for an **eating establishment**;
- (JJ) Despite any existing or future severance, partition or division of the **lot**, the provisions of this Exception and By-law 569-2013, as amended, apply to the whole of the **lot** as if no severance, partition or division had occurred; and
- (KK) If the requirements of Section 9 and Schedule A of By-law 267-2021(LPAT) are complied with, By-law 398-2000 does not apply as a Prevailing By-law.

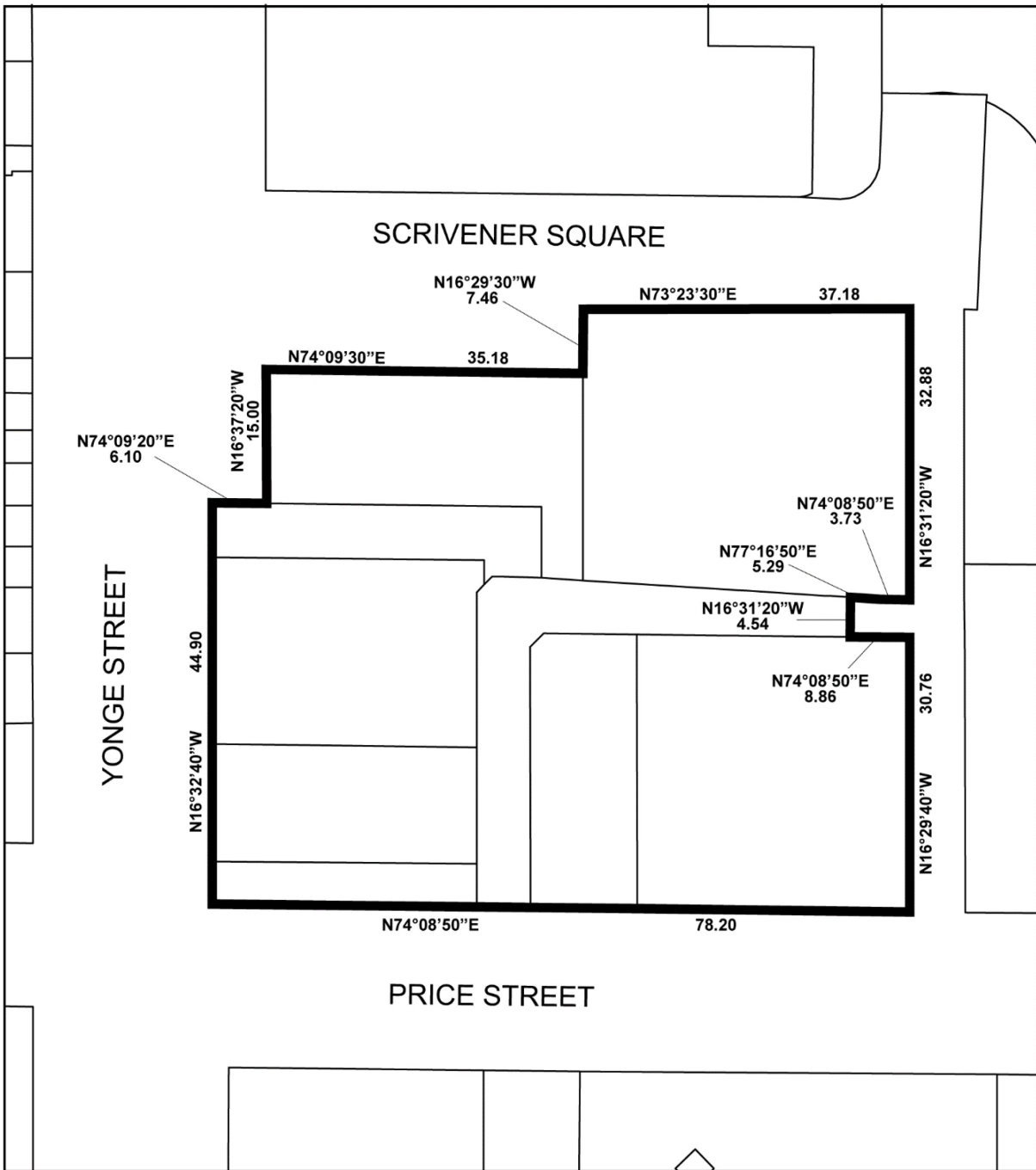
Prevailing By-laws and Prevailing Sections:

- (A) On 5 Scrivener Square, former City of Toronto By-law 398-2000, except as otherwise provided for in Site Specific Provision (KK) in Exception CR(1952).
8. For clarity, By-law 438-86, as amended, does not apply to the lands outlined by heavy black lines on Diagram 1 of By-law 267-2021(LPAT), except as provided for in Exception CR(1952).
 9. Pursuant to Section 37 of the Planning Act, and subject to compliance with By-law 267-2021(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 267-2021(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.

- 10.** Where Schedule A of By-law 267-2021(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.

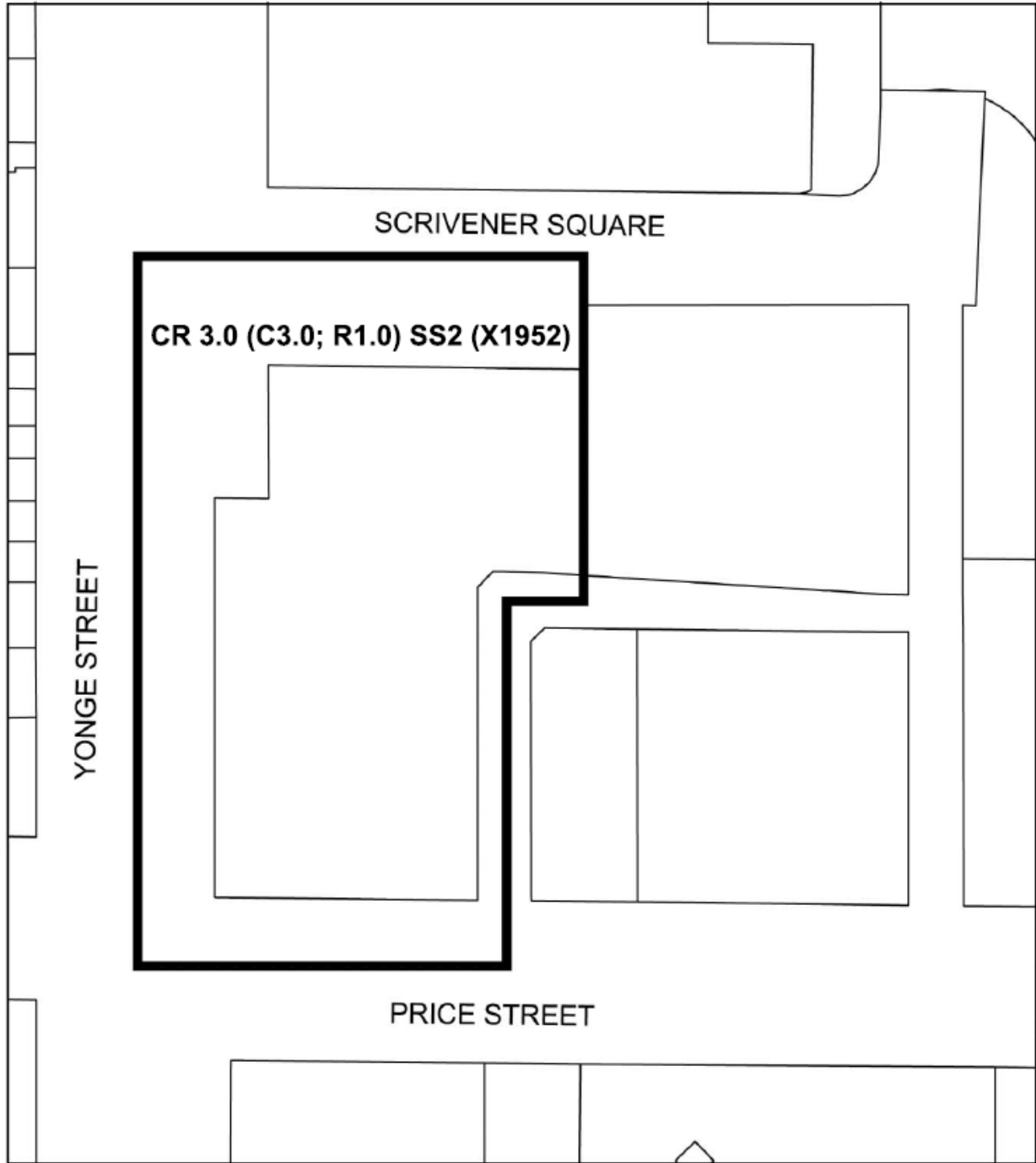
Local Planning Appeal Tribunal Decision issued on November 28, 2019 and Order issued on February 1, 2021 in File PL171410.



 **TORONTO**
Diagram 1

**5 Scrivener Square, 4-10R Price Street,
1095-1107 Yonge Street**

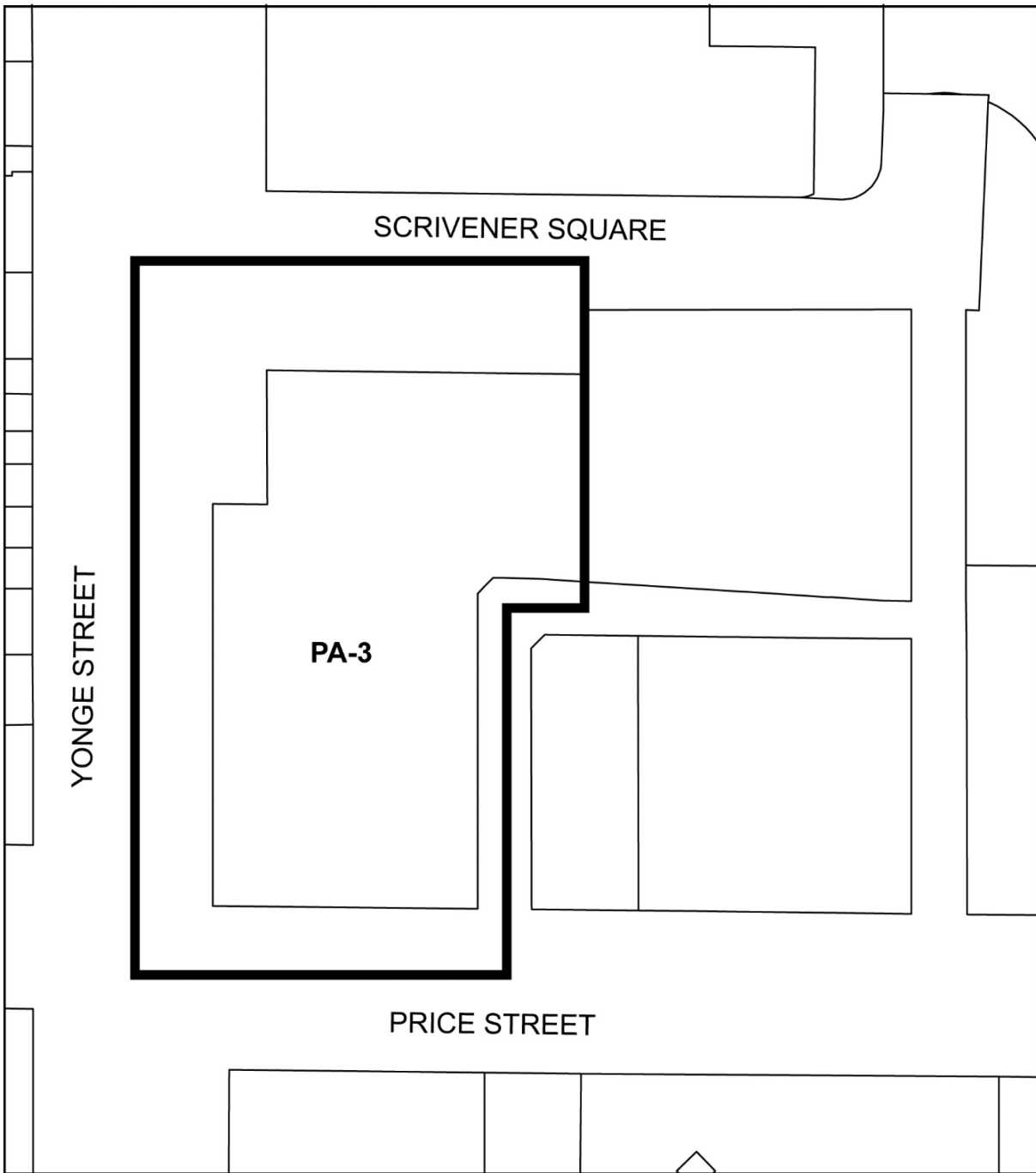
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 **TORONTO**
Diagram 2

5 Scrivener Square, 4-10R Price Street,
1095-1107 Yonge Street

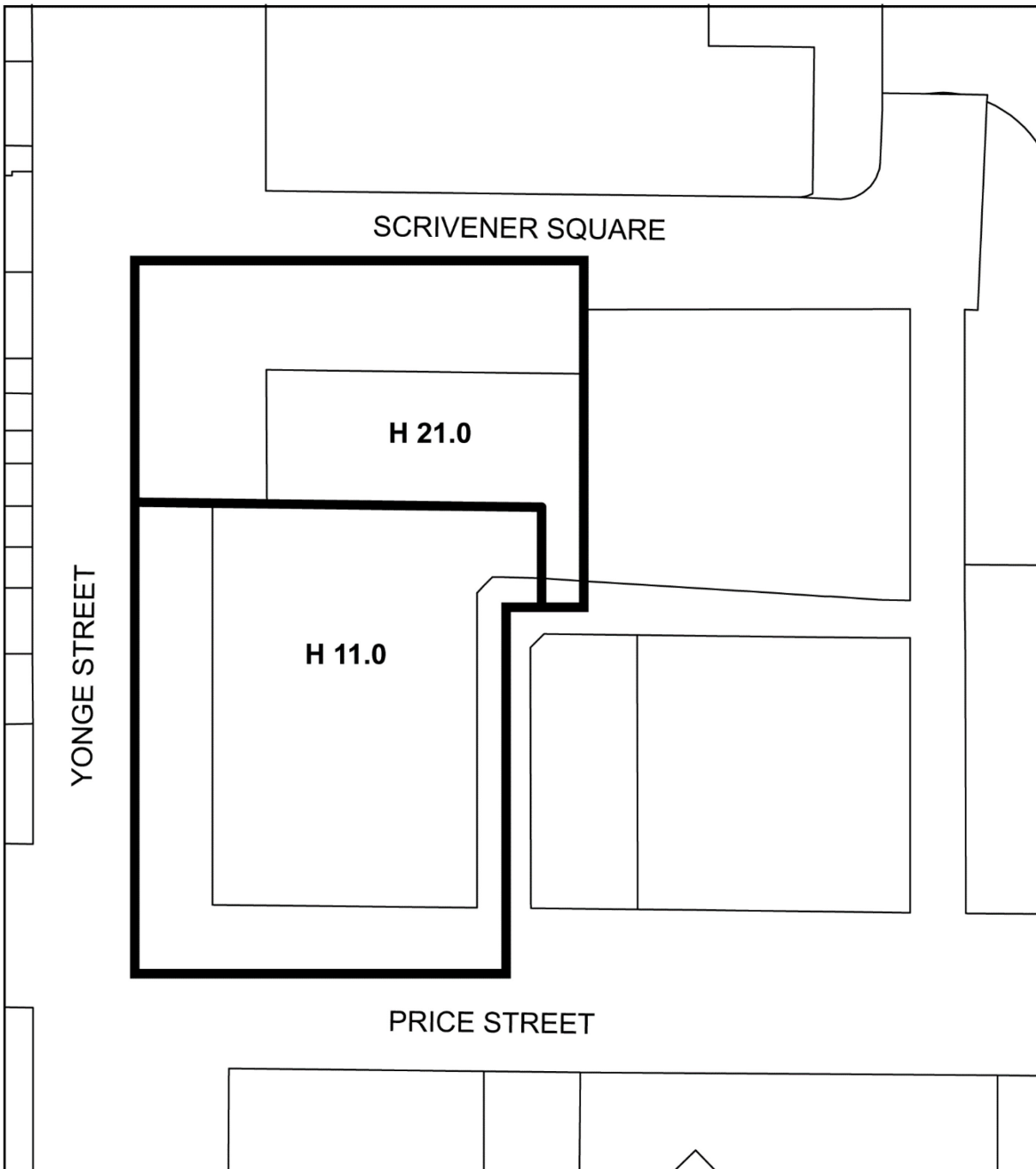
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 **TORONTO**
Diagram 3

**5 Scrivener Square, 4-10R Price Street,
1095-1107 Yonge Street**

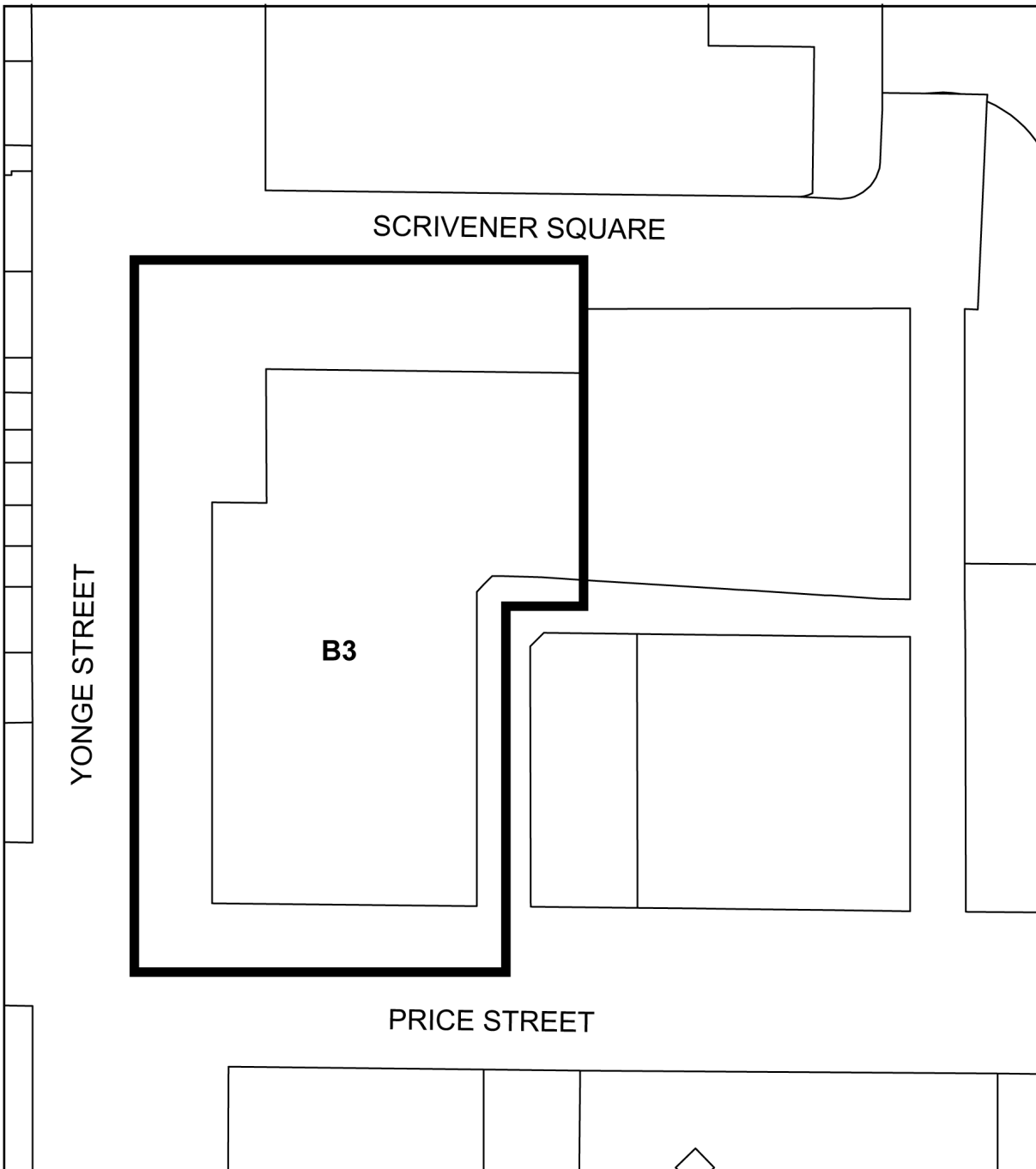
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 **TORONTO**
Diagram 4

**5 Scrivener Square, 4-10R Price Street,
1095-1107 Yonge Street**

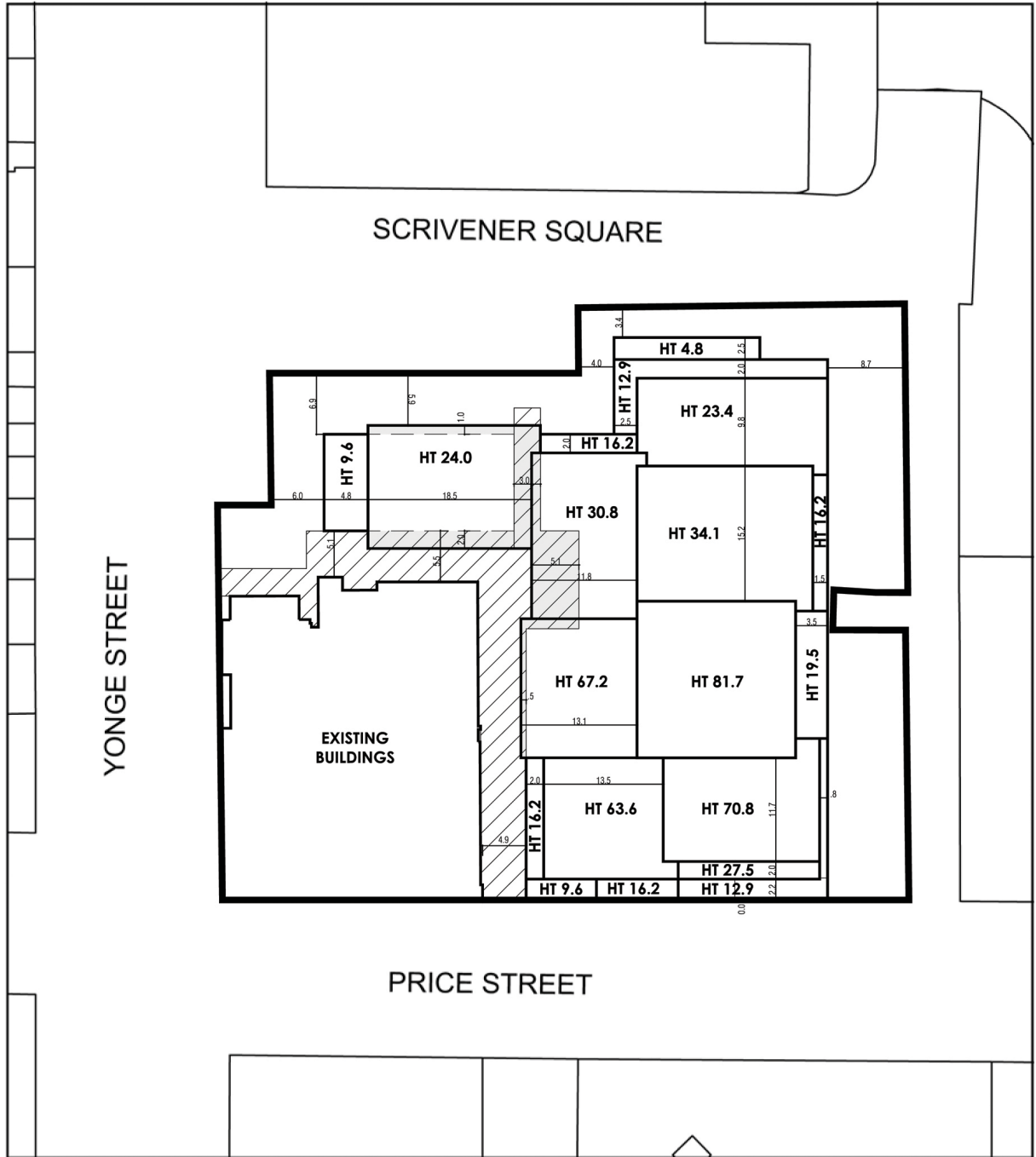
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 **TORONTO**
Diagram 5

**5 Scrivener Square, 4-10R Price Street,
1095-1107 Yonge Street**

File # 17 168095 STE 27 OZ



 **TORONTO**
Diagram 6

5 Scrivener Square, 4-10R Price Street,
1095-1107 Yonge Street

File # 17 168095 STE 27 0Z

 Future POPS (location to be determined)

 See Site Specific Regulation (Q)



SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown on Diagram 1 of this By-law, subject to and as secured in an registered agreement or agreements under Section 37(3) of the Planning Act, whereby the owner agrees as follows:

1. Prior to the issuance of the first above-grade building permit, the owner shall provide an indexed cash contribution to the City in the amount of \$3,250,000.00, to be allocated, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, to certain community benefits in the vicinity of the lands.
2. The cash contribution in section 1 above is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Publication 327-0058, or its successor, calculated from the date of date of the Local Planning Appeal Tribunal decision to the date of payment.
3. In the event the cash contribution in section 1 above has not been used for the intended purposes within 3 years of the site specific Zoning By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
4. The owner shall provide streetscaping improvements on adjacent City streets at a minimum cost of \$750,000.00, subject to the following:
 - (A) the improvements will be above-base streetscape improvements, the details of which will be determined to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;
 - (B) prior to the first above-grade building permit, the owner shall provide a letter of credit in the amount of \$750,000.00 to secure the improvements; and
 - (C) the improvements shall be completed within six months of first residential occupancy, subject to seasonality extensions, satisfactory to the Chief Planner and Executive Director, City Planning.
5. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - (A) the owner shall convey a minimum 277 square metre on-site parkland dedication to the City pursuant to Section 42 of the Planning Act which conveyance shall satisfy the owner's parkland dedication requirements pursuant to Section 42 of the Planning Act, with the location and configuration of the on-site parkland to be to

the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor, subject to the following:

- i. the on-site parkland to be transferred to the City shall be free and clear, above and below grade, of all easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation. The owner may propose the exception of encumbrances of caissons and/or tiebacks and such other encumbrances, if any, where such encumbrances are deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor, and such encumbrances would be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation;
 - ii. prior to the issuance of the first above-grade building permit, excluding a permit for demolition or a rental/sales centre, the owner shall register in form and in priority to the satisfaction of the City Solicitor a Section 118 Restriction pursuant to the Land Titles Act, on the on-site parkland, as follows:

No transfer or charge with Part X on Plan 66R-_____, City of Toronto, or any part thereof, shall be registered without the written consent of the General Manager, Parks, Forestry and Recreation, City of Toronto, or his or her designate; and
 - iii. the owner shall convey, or cause to be conveyed, the on-site parkland to the City prior to the earlier of first residential occupancy and 36 months after the issuance of the first above-grade building permit, subject to seasonality extensions satisfactory to the General Manager, Parks, Forestry and Recreation;
- (B) City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of above base park improvements on the on-site parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation; the development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the above base park improvements, as approved by the General Manager, Parks, Forestry and Recreation, and 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 from time to time;
- (C) arrangements and approvals to the satisfaction of the Chief Planner and Executive Director, City Planning, satisfactory to the TTC and the owner, shall occur with respect to the new entrance to the TTC Summerhill Subway Station, as well as other construction matters identified through the required TTC Technical Review, prior to final site plan approval;

- (D) a Phasing and Implementation Plan shall be submitted by the owner as part of site plan approval which addresses the timing for the provision of works and matters related to the development including the road widening, road realignment, streetscaping and provision of the privately-owned publicly accessible spaces to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (E) the owner shall provide to the City a publicly-accessible open space with a pedestrian walkway in the location generally shown on Diagram 6 of this By-law as follows:
- i. no later than 6 months following first residential occupancy of the proposed Development, subject to seasonality extensions satisfactory to the Chief Planner and Executive Director, City Planning, the owner shall provide a publicly-accessible open space having a minimum area of 380 square metres, the location and configuration of which shall be determined at the time of site plan approval and a publicly accessible walkway generally having a minimum width of 2.5 metres through the area subject to the publicly-accessible open space easement in order to provide a pedestrian connection between the on-site parkland abutting Yonge Street and Price Street (the "Pedestrian Walkway"), which Pedestrian Walkway may contain encroachments for building canopies, awnings, door-swings, and overhead signage, as well as portions of the building, which are to the satisfaction of the Chief Planner and Executive Director, City Planning. Temporary closures of the publicly-accessible open space and Pedestrian Walkway may occur on terms and conditions satisfactory to the Chief Planner and Executive Director, City Planning; the portion of the publicly-accessible open space not subject to the Pedestrian Walkway may contain encroachments including, but not limited to, signage, bicycle parking, benches, building overhangs, door-swings, awnings, outdoor markets and displays and landscape features including water features/fountains and sculptures, and may be used for temporary and permanent commercial uses, including but not limited to outdoor markets and retail/restaurant patio uses, where the sale of alcohol is permitted, and associated displays, fencing, tables and chairs; and additional encroachments in the Pedestrian Walkway and the publicly-accessible open space may be permitted if such encroachment is satisfactory to the Chief Planner and Executive Director, City Planning;
- (F) the owner shall provide a minimum of 10 percent of the new residential dwelling units on the lands as dwelling units containing at least three bedrooms and having a minimum gross floor area of 100 square metres, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (G) the owner shall make satisfactory arrangements to pay for and construct any improvements to the municipal infrastructure in connection with the site servicing report, as accepted by the Chief Engineer and Executive Director, Engineering

and Construction Services, should it be determined that upgrades to such infrastructure are required to support the development;

- (H) prior to the issuance of the first below-grade building permit for the development, the owner shall develop a Construction Mitigation Plan to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor;
- (I) the owner shall submit a wind tunnel test and updated Pedestrian Level Wind Study, to the satisfaction of the Chief Planner and Executive Director, City Planning, and provide any wind mitigation measures identified in the required wind studies for the development as part of the site plan approval process for the lands;
- (J) the owner shall submit urban design and architectural control guidelines, informed by the design, details, and materials submitted to the Design Review Panel on March 23, 2018, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (K) the owner shall submit detailed landscape, lighting, and public realm improvement plans as part of the site plan approval process to realize the objective of creating an 'urban forecourt' on Scrivener Square;
- (L) prior to final site plan approval for the lands, the owner shall:
 - i. provide final site plan drawings substantially in accordance with the approved Conservation Plan, to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - ii. have obtained final approval for the necessary Zoning By-law Amendment required for the lands, such Amendment to have come into full force and effect;
 - iii. provide a Heritage Lighting Plan that describes how the exterior of the heritage property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
 - iv. provide a detailed Landscape Plan for the lands, satisfactory to the Senior Manager, Heritage Preservation Services;
 - v. provide an Interpretation Plan for the lands, to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services; and

- vi. submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services.
- (M) prior to the issuance of any permit for all or any part of the lands, including a heritage permit or a building permit, but excluding a demolition permit for 8 and 10 Price Street and permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:
- i. have obtained final approval for the necessary Official Plan and Zoning Bylaw Amendments required for the lands, such Amendments to have come into full force and effect;
 - ii. provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services; and
 - iii. provide a Letter of Credit, including provision for upwards 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, Lighting Plan, Landscape Plan, and Interpretation Plan.
- (N) prior to the release of the Letter of Credit required in (M) iii. above, the owner shall:
- i. provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation Plan and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services; and
 - ii. provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Preservation Services.