

Authority: Etobicoke York Community Council
Item EY24.2, as adopted by City of Toronto Council on
June 8 and 9, 2021 and Item CC39.9, as adopted on
February 2 and 3, 2022

CITY OF TORONTO

BY-LAW 199-2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 1306-1310 The Queensway.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13 as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held one public meeting in accordance with the Planning Act; 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 39 of the Planning Act, the Council of a Municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

Whereas pursuant to Section 37 of the Planning Act, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18, as amended, came into force, 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, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18, as amended, came into force, 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 to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: CR 2.0 (c2.0; R0.0) SS3 (x317), 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 subject to this By-law to the Policy Overlay Map in Section 995.10.1, and applying the following Policy Area label to these lands: PA4, 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 subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height and storey label to these lands: HT 27.0, ST 6, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Article 995.30.1, and applying the following lot coverage label to these lands: 50 percent, as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying the following rooming house label to these lands: A1, as shown on Diagram 7 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 317 so that it reads:

(317) Exception CR 317

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions.

Site Specific Provisions:

- (A) On 1306-1310 The Queensway, as shown on Diagram 1 of By-law 199-2022, if the requirements of Section 14 and Schedule A of By-law 199-2022 are complied with, buildings or structures may be constructed, used or enlarged in compliance with Sections (B) to (Y) below;
- (B) Despite Clause 40.10.30.40 the maximum permitted lot coverage is 62 percent;

- (C) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 113.1 metres and the elevation of the highest point of the **building** or **structure** on Diagram 6 of By-law 199-2022;
- (D) Despite regulation 40.10.40.10(3), the permitted maximum height of a **building** or **structure** is the height in metres specified by the numbers following the symbol "HT" on Diagram 6 of By-law 199-2022;
- (E) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** in any portion of a **mixed use building** is the numerical value followed by the letters "ST" as shown on Diagram 6 of By-law 199-2022;
- (F) Despite (E) above, and regulations 40.5.40.10 (4), (5), (6), (7) and (8), 40.5.75.1(2)(A)(ii), and 40.10.40.60(9), the following elements of a **building** may project above the permitted maximum **building** heights shown on Diagram 6 of By-law 199-2022:
- i. **structures** and elements related to outdoor flooring and roofing assembly, safety railings, guard rails, railings, parapets, terraces, planters, balustrades, bollards, stairs, retaining walls, and ornamental or architectural features to a maximum of 2.0 metres;
 - ii. elements on the roof of the **building** or **structure** used for **green roof** technology and related roofing material to a maximum of 2.0 metres;
 - iii. acoustical barriers, landscape features, privacy screens, terrace dividers, covered stairs or stair enclosures, and fences to a maximum of 2.75 metres;
 - iv. cabanas and trellises may project above the height limits to a maximum of 3.0 metres;
 - v. any equipment or **structures** used for the functional operation of the **building**, including mechanical penthouse, mechanical elements, garbage chutes, vents, emergency generators, lighting fixtures, mechanical screening, and heating/cooling towers may project above the height limits to a maximum of 6.0 metres;
 - vi. window washing equipment, lightning rods, wind mitigation features, and elevator overruns may project above the height limits to a maximum of 8.0 metres; and
 - vii. photovoltaic solar energy devices and sunlight collection and distribution devices (sun beamers) may project above the height limits to a maximum of 5.0 metres;

- (G) In addition to the **building** elements listed in regulations 40.5.40.40(3) and (5), the **gross floor area** of a **mixed use building** is also reduced by the areas in a **building** used for:
- i. parking, inclusive of ramps and aisles below-ground;
 - ii. hallways and elevator vestibules below-ground; and
 - iii. electrical, utility, mechanical and ventilation rooms on any level of the **building**;
- (H) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 68,000 square metres, where;
- i. the permitted maximum **gross floor area** for residential uses is 66,500 square metres;
 - ii. the permitted maximum **gross floor area** for non-residential uses is 1,500 square metres; and
 - iii. any **storey** of **Tower A and B** above a height of 27 metres must not have a **gross floor area** exceeding 750 square metres;
- (I) A minimum of 20 percent of the **dwelling units** on the entire **lot** must be two bedrooms;
- (J) A minimum of 10 percent of the **dwelling units** on the entire **lot** must be three bedrooms;
- (K) Despite Regulation 40.10.40.1(1), residential use portions of a **mixed use building** may be located on the same level as non-residential use portions;
- (L) Despite Regulations 40.10.40.70(3) and 40.10.40.80(2), the required minimum building setbacks and above-ground separation distance between **main walls** are as shown on Diagram 6 of By-law 199-2022;
- (M) Despite Regulations 40.10.40.60(1) to (9), and (L) above, the following encroachments are permitted into the required minimum **building setbacks**, **angular planes** and above-ground separation distance between **main walls** on Diagram 6 of By-law 199-2022:
- i. balconies may encroach to a maximum of 2.0 metres;
 - ii. wind mitigation features including canopies and awnings may encroach to a maximum of 3.0 metres;
 - iii. cladding, photovoltaic solar energy devices, **building** cornices, lighting fixtures, ornamental elements, parapets, guardrails, balustrades, bollards,

railing, eaves, window sills, stairs, stair enclosures, wheelchair ramps, air intakes and vents, ventilating equipment, landscape and **green roof** elements, partitions dividing outdoor recreation areas, privacy screens, acoustical walls, chimney stack, and exhaust flues, underground garage ramps and associated structures may encroach to a maximum of 2.5 metres;

- (N) Despite Regulation 40.10.40.60(9), no portion of a **building**, excluding those features listed in (F) and (M) above, may penetrate a 45-degree **angular plane** projected over the lot, starting at a line along a lot line of any lot in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category on the date of the passing of By-law 199-2022, at the average elevation of ground of such lot line;
- (O) Regulation 40.10.50.10(1)(B)(i) regarding **landscaping** does not apply;
- (P) 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. **parking spaces** for residents must be provided in accordance with the following minimum rates:
 - a. 0.75 **parking spaces** per **dwelling unit** for residents of the **mixed-use buildings**;
 - b. 0.15 **parking spaces** for each **dwelling unit** for residential visitors to the **mixed-use buildings**;
 - c. 0 parking spaces are required for non-residential uses portion of the **mixed-use buildings**; and
 - d. **Parking spaces** for residential visitors and non-residential uses on the **lot** may be shared;
- (Q) Despite (P) above, the minimum number of resident **parking spaces** required may be reduced by 4 **parking spaces** for each "car share **parking space**" provided, up to a maximum of 1 "car-share **parking space**" per 60 **dwelling units**. For the purpose of this By-law:
- i. "car-share" means the practice where a number of people share the use of one or more cars that are owned by a for-profit or non-profit car-sharing organization and where such organization may require that use of cars to be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable; and such car-share motor vehicles are made available to at least the occupants of the building; and

- ii. "car-share **parking space**" means a parking space that is reserved and actively used for car-share purposes;
- (R) Equipment for the charging of an "electric vehicle" is permitted to be located within a **parking space**. For the purposes of this By-law:
- i. "electric vehicle" means a battery electric vehicle that runs on a battery and an electric drive train, or plug-in hybrid electric vehicle that runs on a battery and an electric drivetrain, and also uses an internal combustion engine;
- (S) Despite Regulation 200.15.1 (1) and (3), accessible **parking spaces** must be provided on the **lot** as follows:
- i. accessible parking spaces must have the following minimum dimensions:
 - a. length of 5.6 metres;
 - b. width of 3.4 metres; and
 - c. vertical clearance of 2.1 metres; and
 - ii. the entire length of an accessible parking space must be adjacent to a minimum 1.5 metre wide accessible barrier free aisle or path;
- (T) Despite Regulation 220.5.10.1, **loading spaces** must be provided and maintained on the **lot** in accordance with the following minimum amounts:
- i. one (1) Type "G" **loading space** and one (1) Type "B" **loading space** must be provided;
- (U) Despite Regulation 230.5.10.1 and Table 230.5.10.1(1), **bicycle parking spaces** must be provided on the **lot** in accordance with the following:
- i. at least 0.68 "long-term" **bicycle parking spaces** for each **dwelling unit**;
 - ii. at least 0.07 "short-term" **bicycle parking spaces** for each **dwelling unit**; and
 - iii. no **bicycle parking spaces** are required for non-residential uses with the exception of office uses which require:
 - a. at least 0.13 **bicycle parking spaces** per 100 square metres of office **gross floor area** shall be provided as "long term" **bicycle parking spaces**; and

- b. at least 3 **bicycle parking spaces** plus 0.15 **bicycle parking spaces** per 100 square metres of office **gross floor area** shall be provided as "short-term" **bicycle parking spaces**;
- (V) Despite Regulation 230.5.1.10(7), no shower and change facilities are required;
- (W) Despite Regulation 230.5.1.10(9), long-term bicycle parking spaces for dwelling units or for non-residential uses may be located above or below ground in the building;
- (X) Despite Regulation 230.5.1.10(10), "long-term" and "short-term" **bicycle parking spaces** for **dwelling units** or for non-residential uses may be provided in any combination of vertical, horizontal or stacked positions; and
- (Y) Despite Regulation 230.40.1.20(2), a "short-term" **bicycle parking space** may be located more than 30 metres from a pedestrian entrance to the **building** on the **lot**, with the grade not exceeding a 2 percent slope and may be located in a secured room or an unsecured room.
9. Despite any future severance, partition or division of the lands as shown on Diagram 1, the provisions of this exception will apply as if no severance, partition or division has occurred.
10. Nothing in this By-law shall apply to prevent the phased construction of the development on the **lot**, provided that the requirements of Subsections 8.(P), (Q) and (U) above are complied with at each phase and all other requirements of the By-law are complied with upon full development of the **lot**.
11. Despite the requirements of Subsection 8.(T), any proposed phasing of the development will require the provision of one Type "G" **loading space** in the first phase of development and no other **loading space** is required per Subsection 8.(T) so long as when the final phase of the development proceeds, the overall requirements set out in that same subsection are fully satisfied;
12. In the event that the development proceeds in phases, for each phase, the percentages related to the provision of two- and three-bedroom units can be less than the requirements set out in Subsections 8.(I) and 8.(J), so long as when the final phase of the development proceeds, the overall requirements set out in those same subsections are fully satisfied.
13. On the **lot** outlined by heavy black lines on Diagram 1, a temporary sales office is permitted for a period of not more than 3 years from the date this by-law comes into full force and effect, used exclusively for the purpose of marketing, sales and leasing of **dwelling units**, to be constructed on the **lot**.
14. Section 37 Provisions
- (A) Pursuant to Section 37 of the Planning Act, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18,

as amended, came into force, the heights and density of development permitted in this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the owner of the **lot** of the facilities, services and matters set out in Schedule A, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the Planning Act, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18, as amended, came into force;

- (B) Upon execution and registration of an agreement or agreements with the owner of the **lot** pursuant to Section 37 of the Planning Act, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18, as amended, came into force, securing the provision of the facilities, services and matters set out in Schedule A, the lot is subject to the provisions of this By-law, provided that in the event the said agreement(s) require(s) the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements;
- (C) Whenever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the City pursuant to Section 37 of the Planning Act, then once such agreement has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.

Enacted and passed on March 9, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the **lot** as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act, as it read the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18, as amended, came into force, whereby the owner agrees as follows:

Financial Contribution

1. Prior to the issuance of the first above grade permit for the development (or as otherwise outlined in Clause 5 below), the owner shall make an indexed cash contribution to the City in the amount of four million dollars (\$4,000,000) to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, towards capital improvements in the Ward as outlined in Clause 2 below. Such cash contribution shall be paid by the owner to the City by certified cheque payable to the Treasurer, City of Toronto.
2. The financial contribution outlined above to the City in the amount of \$4,000,000 is to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, towards one or more of the following capital improvements within the Ward:
 - a) Streetscape improvements in the area bounded by Bloor Street West to The Queensway and Islington Avenue and The East Mall;
 - b) Improvements to local parks and trails (located in Ward 3);
 - c) Provision of a splash pad at the proposed on-site public park;
 - d) Local community centres; and
 - e) Public art on the site at the south-west corner of Queensway and Islington at 1001 to 1037 The Queensway.
3. The financial contribution shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment.
4. In the event the financial contribution has not been used for the intended purposes within three (3) years of the by-law coming into full force and effect, the contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is identified in the Official Plan and will benefit the community in the vicinity of the **lot**.

5. Notwithstanding the timing outlined in Clause 1 above, if the owner elects to phase the development in accordance with Clause 6 below, \$3,100,699 of the financial contribution shall be payable prior to the issuance of the first above grade building permit for Building 1 (the towers and the shared podium), and \$899,331 of the financial contribution shall be payable prior to the issuance of the first above grade building permit for Building 2 (the midrise).
6. If the owner elects to phase the development, the owner shall, as part of the first Site Plan Application for any part of the **lot**, and at its sole cost and expense, prepare and submit to the City a phasing plan for the entirety of the **lot**. If the owner does not elect to phase the development, the parties acknowledge that the development will move forward as a unified development and that the owner shall pay the full Cash Contribution as contemplated by Clause 1 above. The phasing plan shall be in a form and having content satisfactory and acceptable to the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Transportation, the General Manager, Parks, Forestry and Recreation, the Chief Engineer and Executive Director, Engineering and Construction Services, and the Executive Director, Corporate Real Estate Management (the "Phasing Plan"). The owner agrees that such Phasing Plan shall be implemented for each Site Plan Application for each Phase of the development, if applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning.

Affordable Housing

7. The owner shall provide and maintain at least twelve (12) rental dwelling units on the **lot** at 1306-1310 The Queensway as affordable rental housing for a period of 15 years beginning from the date that each such affordable rental dwelling unit is first occupied, to the satisfaction of the Chief Planner and Executive Director, City Planning, and in accordance with the terms set out in the Section 37 Agreement, including:
 - a) The 12 affordable rental dwelling units shall collectively contain at least 730 square metres of residential **gross floor area**;
 - b) One (1) of the affordable rental dwelling units shall be a three-bedroom rental unit with a minimum unit size of 100 square metres;
 - c) Three (3) of the affordable rental dwelling units shall be two-bedroom rental units with a minimum unit size of 74 square metres;
 - d) Eight (8) of the affordable rental dwelling units shall be one-bedroom rental units with a minimum unit size of 51 square metres;
 - e) The minimum unit sizes described in Clauses 7a., b., c. and d. above may be adjusted downward by a maximum of three percent (3 percent), but only as a result of reasonable adjustments which may be required for the purposes of accommodating final structural or mechanical design. Any such adjustments must be made to the satisfaction of the Chief Planner and Executive Director, City Planning;

- f) For the purposes of satisfying Clauses 7a., b., c., d. and e. above, all floor area measurements shall be made in accordance with Tarion Bulletin 22;
 - g) The location and layouts of the 12 affordable rental dwelling units within the approved development on the **lot** shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - h) The affordable rental dwelling units shall be provided in vertically and/or horizontally contiguous groups of six (6) or more affordable rental dwelling units within the development, to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - i) The initial rent (inclusive of utilities) charged to tenants upon first occupancy of a new affordable rental dwelling unit shall not exceed the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
 - j) After the first year of occupancy of a new affordable rental dwelling unit, the rent (inclusive of utilities) charged to tenants occupying the new affordable rental dwelling unit may be escalated annually by not more than the annual provincial rent guideline;
 - k) Notwithstanding the annual rent increases permitted in Clause 7.i above, the rent (inclusive of utilities) charged to any tenants occupying an affordable rental dwelling unit shall not be increased to an amount that exceeds the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
 - l) If an affordable rental dwelling unit becomes vacant and is re-rented during the 15-year affordability period, the initial rent (inclusive of utilities) charged to new tenants shall be no higher than the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report; and
 - m) The 12 affordable rental dwelling units shall be made ready and available for occupancy no later than the date by which 70 percent of the new dwelling units erected on the **lot** are available and ready for occupancy.
8. The owner shall provide and maintain the 12 affordable rental dwelling units as secured rental housing for a minimum period of 20 years beginning from the date that each such unit is first occupied. No affordable rental dwelling unit shall be registered as a condominium or any other form of ownership housing such as life lease or co-ownership that provides a right to exclusive possession of a dwelling unit, and no application shall be made to demolish any affordable rental dwelling unit or to convert any affordable rental dwelling unit to a non-residential rental purpose for at least 20 years from the date of first occupancy. Upon the expiration of the 20-year secured rental period, the owner shall continue to provide and maintain the units as rental dwelling units, unless and until

such time as the owner has applied for, and obtained, all approvals necessary to do otherwise.

9. Tenants of the new affordable rental dwelling units shall have access to all indoor and outdoor amenity spaces associated with the buildings on the same basis as other units within the development with no separate or additional charges.
10. At least six (6) months in advance of the 12 affordable rental dwelling units being made available for rent to the general public, the owner shall develop and implement a Tenant Access Plan in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division.
11. The Tenant Access Plan will provide that:
 - a) Any affordable rental dwelling units are provided only to tenant households that have demonstrated, to the satisfaction of the Chief Planner and Executive Director, City Planning, they are in financial need of affordable rental accommodation, as the case may be;
 - b) The owner shall consult with the Chief Planner and Executive Director, City Planning, and offer any affordable rental dwelling units to tenant households who have demonstrated need as in Clause 11a. above and who are on such waiting lists as may be specified, prior to making any affordable rental dwelling units available for rent to the general public;
 - c) The owner shall make reasonable efforts, to the satisfaction of the Chief Planner and Executive Director, City Planning, to ensure, that any accessible rental units are made available for rent to tenant households having one or more household members with special needs, including physical and/or mental limitation; and
 - d) When entering into a tenancy agreement for a new affordable rental dwelling unit, the tenant's household income shall not exceed four (4) times the annual equivalent of the rent (inclusive of utilities) for the unit.

Other Matters in Support of the Development

Privately-Owned Publicly Accessible Open Space

12. The owner shall provide, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a minimum area of 759 square metres as Privately-Owned Publicly-Accessible Space (POPS) in a plaza between the mid-rise building and the towers and shall provide to the City for nominal consideration public access easements to and over the POPS for use by members of the general public. Such easements to be conveyed to the City prior to Site Plan Approval, and with the configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning in the context of site plan approval. The owner shall operate, maintain and repair the POPS and install and maintain signs, at its own expense, stating that members of the public shall be entitled to use the POPS during the day and night, 365 days of the year. The owner shall have completed the construction of the POPS prior to the first commercial or residential use of the **lot**.

13. Notwithstanding the timing outlined in Clause 12 above with respect to the completion of the construction of the POPS only, if the owner elects to phase the development, the owner shall have completed the construction of POPS Area 1 (the portion generally located between Building 1 and Building 2 and as shown in Schedule "F" to the Section 37 Agreement) prior to the first commercial or residential use of the **lot**. The owner shall have completed the construction of POPS Area 2 (the portion generally depicted as the walkway from Kipling Avenue and through the midrise building as shown in Schedule "F" to Section 37 Agreement) prior to the first commercial or residential use of Building 2.

Toronto Green Standards

14. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council from time to time, to the satisfaction of the Chief Planner and Executive Director, City Planning. The owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the **lot**.

Toronto School Boards

15. The owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.

Site Plan Matters

16. The owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:
- a) Implementation of any required air quality and odour mitigation or other recommendations, as detailed in the Air Quality and Compatibility Mitigation Study (December 2020), prepared by RWDI, as may be amended through a peer review process undertaken at the expense of the owner, to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - b) Implementation of any required noise and vibration abatement measures or other recommendations, as detailed in the Noise Feasibility Study (December 2020), prepared by RWDI, as may be amended through a peer review process undertaken at the expense of the owner to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - c) Reconstruction of the City sidewalks to City standards along the frontages of The Queensway and Kipling Avenue, to the satisfaction of the General Manager, Transportation Services;

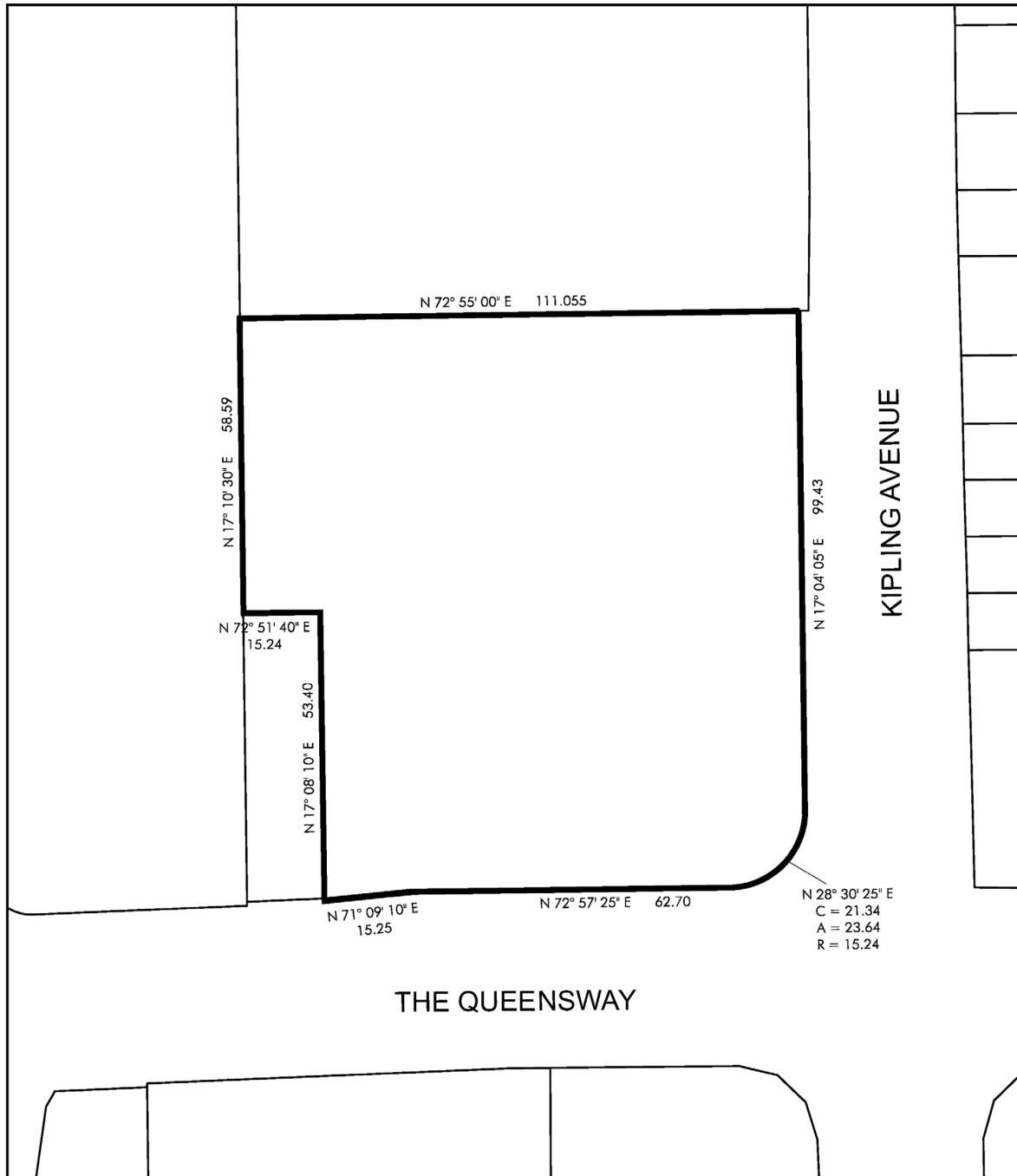
- d) Provision of on-site dog-relief facilities, with the location, nature and size of the facilities to be determined through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- e) Incorporation of signage to identify the proposed privately-owned publicly accessible open space (POPS).

Parks, Forestry and Recreation

- 17. The owner shall provide the required onsite parkland conveyance to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor, as follows:
 - a) The owner shall provide a conveyance of land to the City for public parkland, with a minimum size of 1,575 square metres as generally depicted in the Schedules/Diagrams of the Zoning By-law Amendments; and
 - b) The owner shall design and construct Above Base Park Improvements to the parkland for a development charge credit against the Parks and Recreation component of the development charges to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Conveyances

- 18. The conveyance of any easement or fee simple interest of lands to the City as contemplated above shall be at no cost to the City, for nominal consideration and free and clear of encumbrances, other than such encumbrances as may be accepted by the City Solicitor as permitted encumbrances, to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services, as the case may be, and the cost of preparation and deposit of accepted reference plans shall also be at the owner's expense.




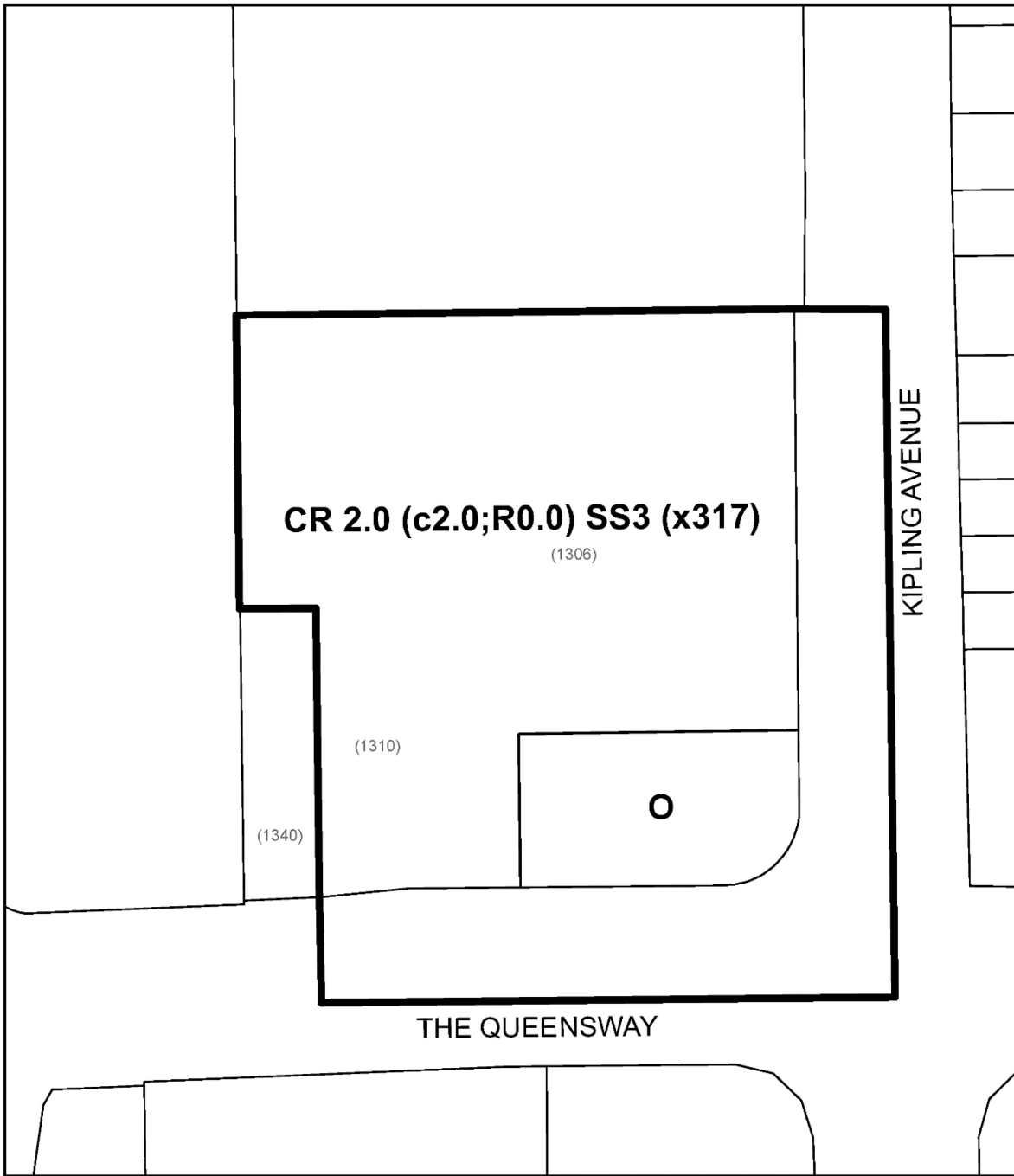
 **TORONTO**
Diagram 1

1306-1310 The Queensway

File #: 19 263887 WET 03 0Z

NOTE: All Dimensions are in metres


City of Toronto By-law 569-2013
Not to Scale
03/11/2021




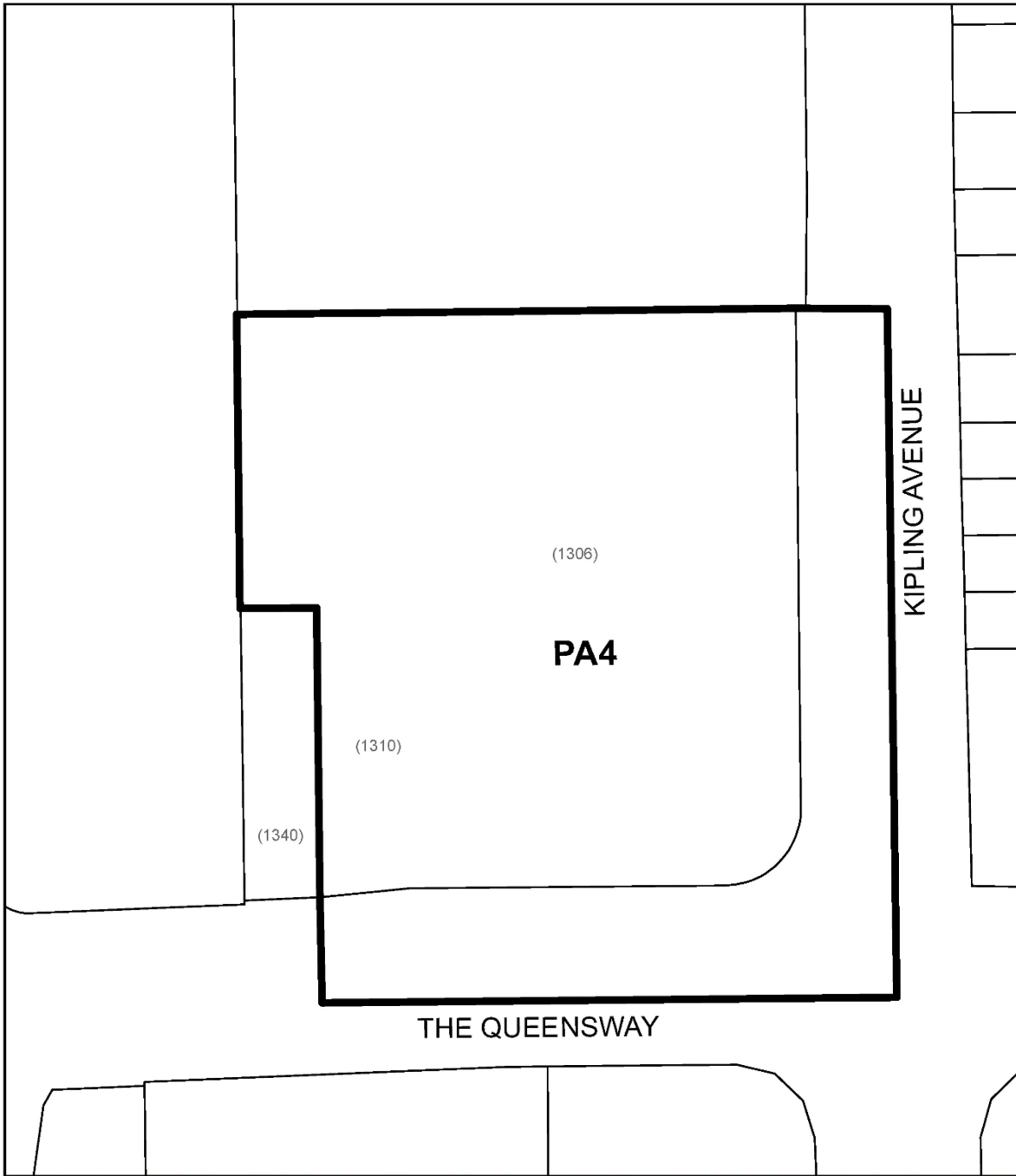
 **TORONTO**
Diagram 2

1306-1310 The Queensway

File #: 19 263887 WET 03 0Z

NOTE: All Dimensions are in metres

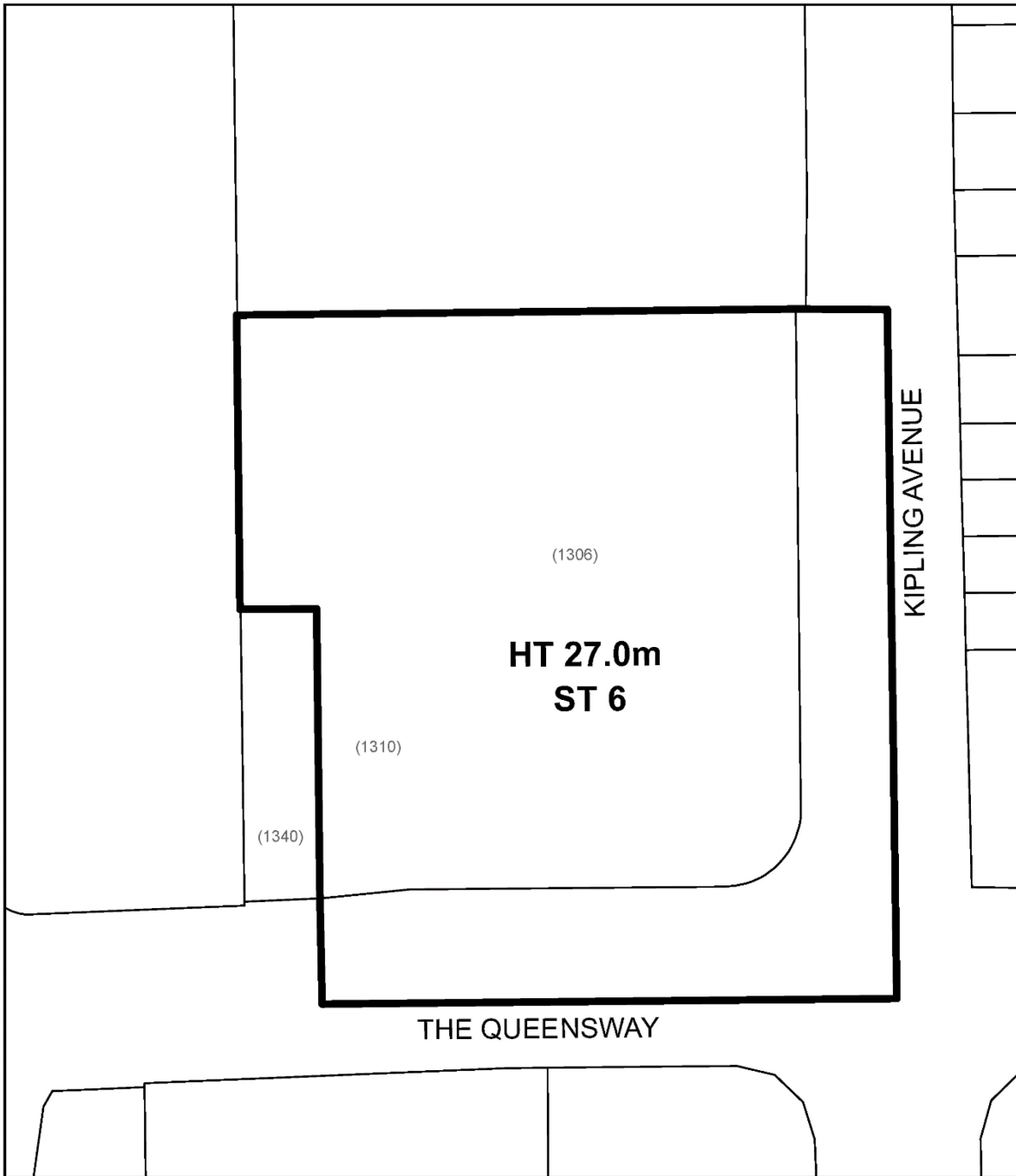

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 **TORONTO**
Diagram 3

1306-1310 The Queensway

File #: 19 263887 WET 03 0Z




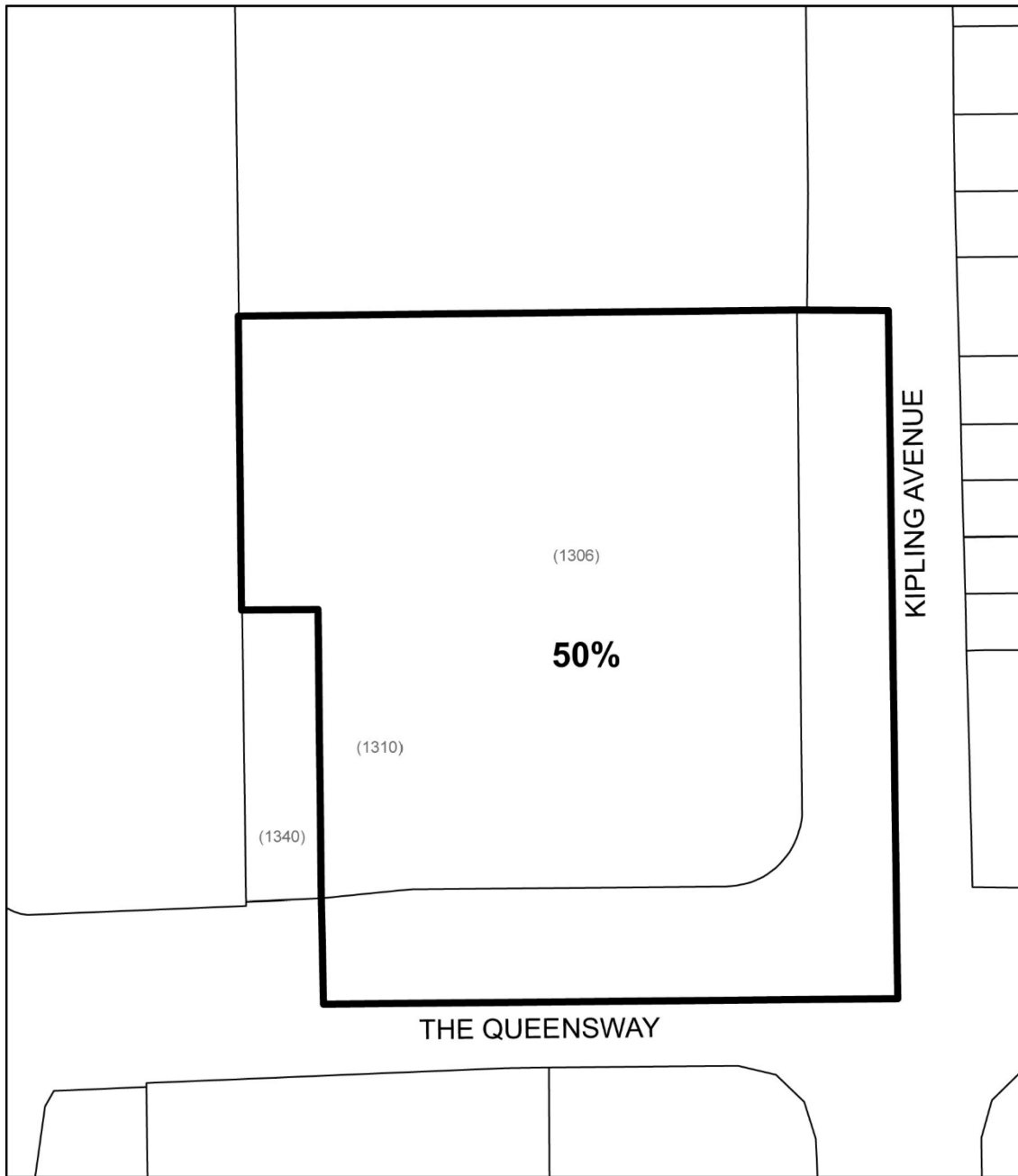
 **TORONTO**
Diagram 4

1306-1310 The Queensway

File #: 19 263887 WET 03 0Z

NOTE: All Dimensions are in metres

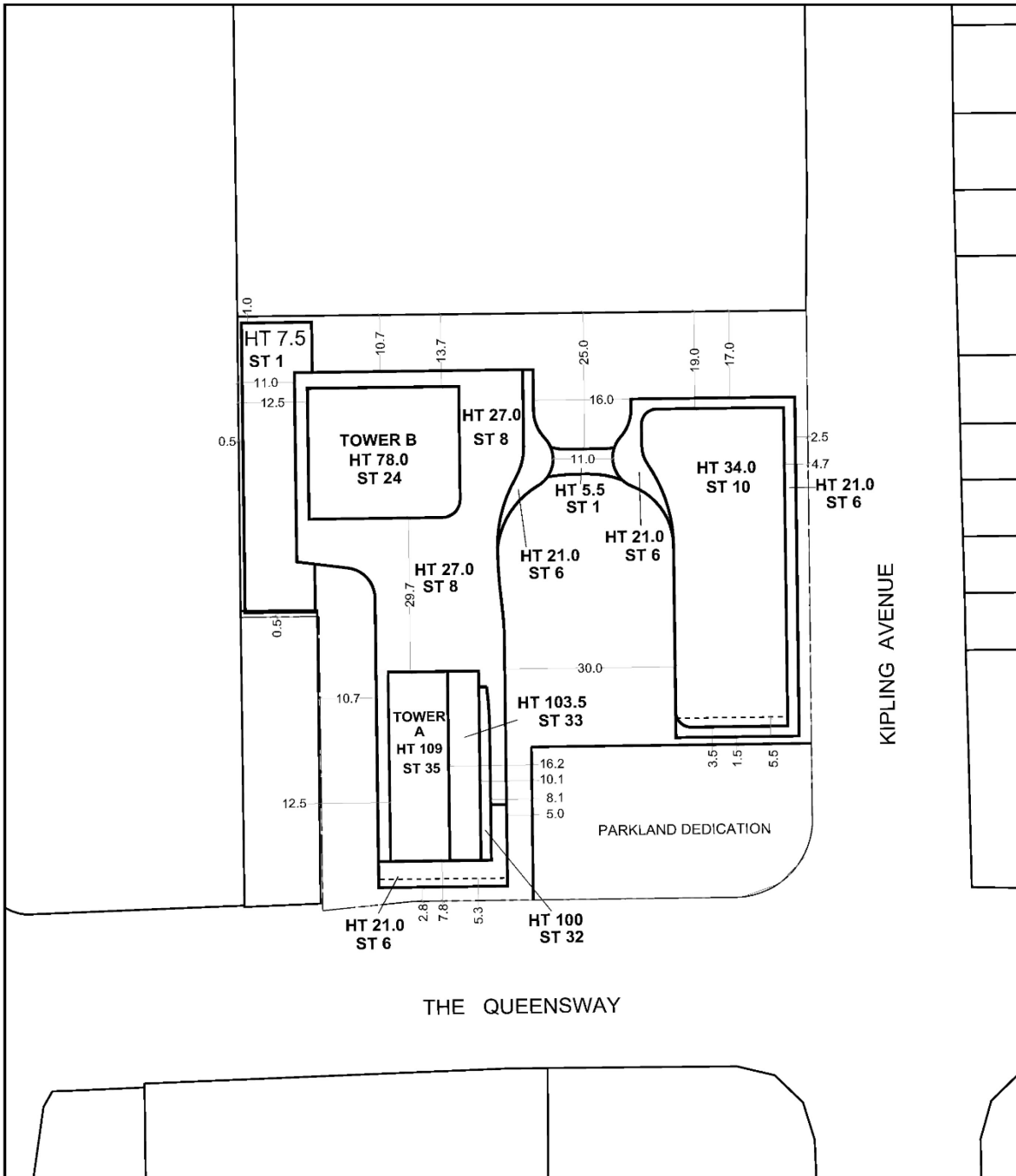

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Diagram 5

1306-1310 The Queensway

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 Diagram 6

1306-1310 The Queensway

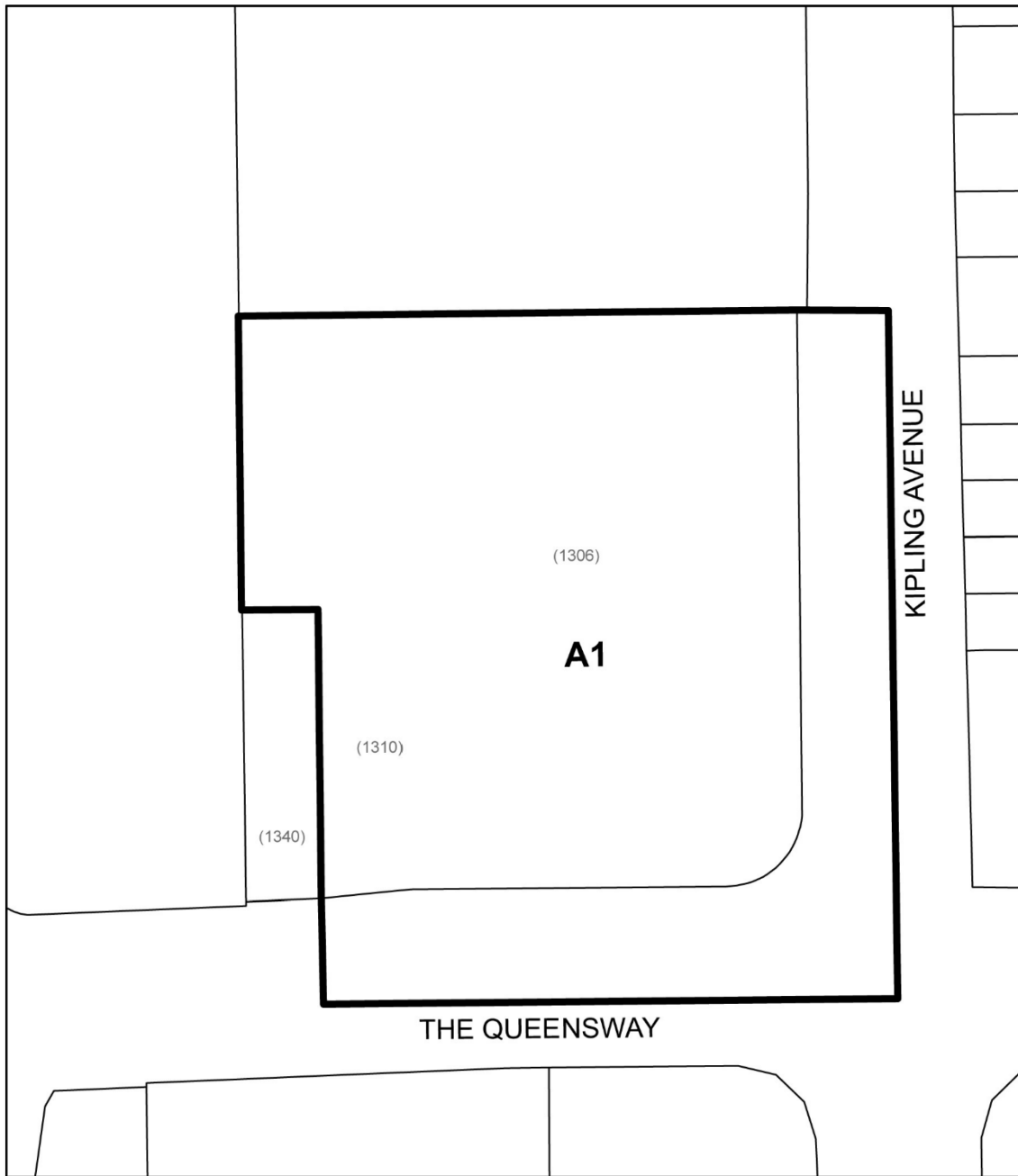
File #: 19 263887 WET 03 0Z

NOTE: All Dimensions are in metres

----- Limit of Ground Floor setback



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Diagram 7

1306-1310 The Queensway

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