

Authority: Planning and Housing Committee Item PH22.1, adopted as amended, by City of Toronto Council on May 5 and 6, 2021 and Planning and Housing Committee Item PH35.4, as adopted by City of Toronto Council on July 19, 20, 21 and 22, 2022

CITY OF TORONTO

BY-LAW 1101-2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands generally bounded by Park Lawn Road, Lake Shore Boulevard West, and the Frederick G. Gardiner Expressway, including lands municipally known in the year 2021 as 2150 and 2194 Lake Shore Boulevard West and 23 Park Lawn Road.

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

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

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

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

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

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

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

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

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 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 labels to the lands: (H)CR 2.0 (c1.0; r1.0) SS1 (x349), (H)CR 2.0 (c1.0; r1.0) SS1(x350), CR 2.0 (r1.0;c1.0) SS1, (H)EL (x11), EL (x12), ON, OR and UT, 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 Areas Overlay Map in Section 995.10.1, and applying the following Policy Area label to these lands: PA 2, as shown on Diagram 3 attached to this 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 to the lands: HT 8.0, ST 1, 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 Section 995.30.1, and applying no value.
7. Zoning By-law 569 -2013, as amended, is further amended by amending the Rooming House Overlay Map in Section 995.40.1 and applying the following Rooming House Policy Area: A1, as shown on Diagram 5 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 350 so that it reads:

Exception CR [350]

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

Site Specific Provisions:

- (A) On the lands shown as Blocks 1B, 3B, 4, 5 and 6 on Diagram 6 of By-law 1101-2022, if the requirements of Section 18 and Schedule A of By-law 1101-2022 are complied with, **buildings** and **structures** in compliance with (B) through (FF) below, may be erected or used, and:
 - (i) Prior to the lifting of the H symbol as described in Section 17 on Blocks 1B, 3B, 4, 5 and 6 as shown on Diagram 6 of By-law 1101-2022,

the only interim uses that are permitted, and which must comply with the requirements of By-law 569-2013 instead of this exception, include:

- (a) **art gallery;**
- (b) **artist studio;**
- (c) **automated banking machine;**
- (d) **cabaret;**
- (e) **club;**
- (f) cold storage, provided it is not located on the ground floor of a **building;**
- (g) **custom workshop;**
- (h) **eating establishment;**
- (i) **education use;**
- (j) **entertainment place of assembly;**
- (k) **financial institution;**
- (l) **laboratory**, provided it occupies a maximum of one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
- (m) **market garden;**
- (n) **massage therapy;**
- (o) medical office;
- (p) office;
- (q) **outdoor patio;**
- (r) outdoor sales or display;
- (s) **park;**
- (t) **performing arts studio;**
- (u) **personal service shop;**

- (v) **pet services;**
- (w) **production studio;**
- (x) **public parking**, provided it is **ancillary** to other interim uses permitted in this section and is not located in an above ground **parking garage;**
- (y) **recreation use;**
- (z) **retail service;**
- (aa) **retail store;**
- (bb) **self-storage warehouse**, provided it does not exceed an **interior floor area** for each "block" as shown on Diagram 6 of By-law 1101-2022 of 400 square metres and it is not located on the ground floor of a **building;**
- (cc) **service shop;**
- (dd) **software development and processing**, provided it is located above the ground floor of a **building**, and the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area;**
- (ee) **take-out eating establishment**, provided that the total **interior floor area** of all **take-out eating establishments** for each "block" as shown on Diagram 6 of By-law 1101-2022 does not exceed 500 square metres;
- (ff) sales centre for the purpose of the sale of **dwelling units** or commercial space;
- (gg) **transportation use;**
- (hh) **vehicle dealership**, provided it is limited to 400 square metres of **interior floor area** and does not include the outside display and storage of vehicles;
- (ii) **vehicle fuel station**, provided it is **ancillary** to a **vehicle dealership;**
- (jj) **vehicle service shop**, provided it is **ancillary** to a **vehicle dealership;**
- (kk) **veterinary hospital;**

(ll) **wellness centre;**

- (B) Despite regulations 40.10.20.20(1), 40.10.20.100(28) and Section 150.48, a **private school** or **public school** is permitted provided that:
- (i) an adult education school must be located in a **building** used, or partially used, as a **private school** or **public school** or in a **building** that was originally constructed as a **private school** or **public school**;
 - (ii) an adult education school must be funded by the Provincial or Federal government for:
 - (a) adult English or French as a second language courses delivered by district school boards;
 - (b) literacy and basic skills programming delivered by community agencies or district school boards;
 - (c) credit courses for adults delivered by district school boards;
 - (d) continuing education programs, including general interest courses, delivered by district school boards;
 - (e) adult Aboriginal language programs delivered by district school boards; or
 - (f) Canadian citizenship preparation programs delivered by district school boards;
 - (iii) a **day nursery** located in the same **building** used as a **private school** or **public school**, or a **building** that was originally constructed as a **private school** or a **public school** must be located on the ground floor of the **building** and the **day nursery** must be no greater than 40 percent of the **interior floor area** of the ground floor of the **building**; and
 - (iv) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **public school** or a **private school** is constructed pursuant to a building permit issued more than three years after May 9, 2013;
- (C) Despite regulation 40.10.20.10(1)(A), **software development and processing** is only permitted if:
- (i) the **software development and processing** is located above the ground floor of a **building**; and
 - (ii) the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;

- (D) Despite clauses 40.10.20.10 and 40.10.20.20, cold storage is permitted, provided it is not located on the ground floor of a **building**;
- (E) Despite the uses listed in regulation 40.10.20.20(1)(A), **drive through facility** and **funeral home** are not permitted;
- (F) In addition to the requirements of regulation 40.10.20.100(7), **public parking** is only permitted if it is located below ground and despite regulation 40.10.20.100(10), one **building** for parking attendants is permitted on each "block" as shown in Diagram 6 of By-law 1101-2022;
- (G) In addition to the permitted uses listed in clause 40.10.20.10, **self-storage warehouse** is only permitted if:
 - (i) it does not exceed an **interior floor area** for each "block" as shown on Diagram 6 of By-law 1101-2022 of 400 square metres; and
 - (ii) it is not located on the ground floor of a **building**;
- (H) In addition to the requirements of regulation 40.10.20.100(26) and Section 150.90, the permitted maximum **interior floor area** of a **vehicle dealership** is 400 square metres;
- (I) Despite regulation 150.90.20.1(2), the outside display and storage of **vehicles** in combination with a **vehicle dealership** is not permitted;
- (J) Despite regulation 40.10.20.100(13) and section 150.92, a **vehicle fuel station** is only permitted if it is **ancillary** to a **vehicle dealership**;
- (K) Despite regulation 40.10.20.100(13) and section 150.94, a **vehicle service shop** is only permitted if it is **ancillary** to a **vehicle dealership**;
- (L) Despite regulation 40.10.20.100(25) and section 150.96, a **vehicle washing establishment** is only permitted below the ground floor;
- (M) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is measured from the Canadian Geodetic Datum Elevation listed in (i) to (v) below, to the highest point of the **building** or **structure**. The Canadian Geodetic Datum Elevation for each "block" as shown on Diagram 6 of By-law 1101-2022 are as follows:
 - (i) 86.5 metres for Block 1B;
 - (ii) 87.6 metres for Block 3B;
 - (iii) 82.6 metres for Block 4;
 - (iv) 85.5 metres for Block 5; and

- (v) 85.0 metres from Block 6;
- (N) Despite regulation 40.10.40.10(1) and (7), the permitted maximum height and number of **storeys** of any **building** or **structure** is the height in metres and number of **storeys** specified by the number following the HT and ST symbol, respectively, as shown on Diagrams 10, 13, 14, 15 and 16 of By-law 1101-2022, except that:
 - (i) Despite regulation 40.5.40.10(8)(A), where a **building** has 60 or more **storeys**, equipment, **structures** or parts of a **building** listed in regulation 40.5.40.10 (4) located on the roof of the "tower" portion of a **building** may exceed the permitted maximum height for that **building** by 10.0 metres, if the total area of all equipment, **structures**, or parts on the roof of the "tower" portion of the **building** cover no more than 450 square metres, measured horizontally; and
 - (ii) Despite (N)(i) above and for Block 1B only, despite regulation 40.5.40.10(8)(A) the permitted maximum coverage of 450 square metres does not apply to the portion of the **building** labelled HT 147, ST 46 on Diagram 10 of By-law 1101-2022;
 - (iii) For Block 1B only, despite regulation 40.5.40.10(5)(A) the total area of all equipment, **structures**, or parts of a **building** may cover no more than 50 percent of the area of the roof measured horizontally where they are located on roofs of "mid-rise building area 2" and 35 percent where they are located on roofs of "mid-rise building area 3";
 - (iv) for Block 1B only, regulations 40.5.40.10(5)(B), with regards to the horizontal restriction of 20percent of the width of the **building's main walls**, does not apply;
 - (v) For Block 1B only, window washing equipment and **building** maintenance units are permitted to project beyond the permitted maximum height, which may be in addition to the permitted maximum height of and located on top of a mechanical penthouse;
 - (vi) Clause 40.5.40.10 prevails for "blocks" and elements not specified above;
 - (vii) Public art features and **landscaping** may exceed the maximum permitted height by 2.0 metres;
 - (viii) The "water tower" can exceed the permitted maximum height by 38.0 metres;
- (O) For the purpose of interpreting (N) above, vestibules providing rooftop access having a maximum **gross floor area** of 12.0 square metres, mechanical penthouses, stair enclosures and elevator overruns shall not constitute a **storey**;

- (P) In determining compliance with regulation 40.10.40.10(5) and (7), a mezzanine shall not constitute a **storey**;
- (Q) Despite regulation 40.10.40.10(5), the required minimum height of a **storey** containing **dwelling units** is 2.9 metres;
- (R) Despite regulation 40.10.40.40(1) , the required minimum and permitted maximum **gross floor area** and **interior floor area** on Blocks 1B, 3B, 4, 5 and 6, as shown on Diagram 6 of By-law 1101-2022 is:
- (i) on Block 1B:
 - (a) a combined maximum of 97,400 square metres of **gross floor area** for residential uses is permitted on Blocks 1A and 1B; and
 - (b) a combined minimum of 26,600 square metres of **gross floor area** for non-residential uses is required on Blocks 1A and 1B;
 - (ii) on Block 3B:
 - (a) a combined maximum of 175,500 square metres of **gross floor area** for residential uses is permitted on Blocks 3A and 3B; and
 - (b) a combined minimum of 35,700 square metres of **gross floor area** for non-residential uses is required in Blocks 3A and 3B, of which a minimum of 625 square metres of **interior floor area** is required for a **day nursery** on Block 3B;
 - (iii) on Block 4:
 - (a) a maximum of 98,800 square metres of **gross floor area** for residential uses is permitted; and
 - (b) a minimum of 7,800 square metres of **gross floor area** for non-residential uses is required, of which a minimum of 1,200 square metres of **interior floor area** is required for a library;
 - (iv) on Block 5:
 - (a) a maximum of 49,200 square metres of **gross floor area** for residential uses is permitted; and
 - (b) a minimum of 9,000 square metres of **gross floor area** for non-residential uses is required, of which a minimum of 6,000 square metres of **interior floor area** is required for a **community centre**;

- (v) on Block 6:
 - (a) a maximum of 54,100 square metres of **gross floor area** for residential uses is permitted; and
 - (b) a minimum of 2,800 square metres of **gross floor area** for non-residential uses is required;
- (S) The permitted average "tower floor plate" and maximum "tower floor plate" for each "tower" as shown on Diagram 7 of By-law 1101-2022 is:
 - (i) for Tower 2:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 860 square metres;
 - (ii) for Tower 8:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 950 square metres;
 - (iii) for Tower 9:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 860 square metres;
 - (iv) for Tower 10:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 900 square metres;
 - (v) for Tower 11:
 - (a) an average "tower floor plate" of 735 square metres; and
 - (b) a maximum "tower floor plate" of 740 square metres;
 - (vi) for Tower 12:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 890 square metres;

- (vii) for Tower 13:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 880 square metres;
- (viii) for Tower 14:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 915 square metres;
- (ix) for Tower 15:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 930 square metres;
- (T) Despite regulation 40.10.40.70(1), the required minimum **building setbacks** and stepbacks for the portion of a **building** or **structure** on Blocks 1B, 3B, 4, 5 and 6 as shown on Diagram 6 are shown in metres on Diagrams 10, 13, 14, 15 and 16 of By-law 1101-2022;
- (U) Despite (T) above, and in addition to Clause 40.10.40.60, public art features, window washing equipment, **building** maintenance units, and **landscaping** may encroach into the required **building setbacks**;
- (V) Despite regulation 40.10.40.80(1), the required minimum **building** separation distances on Blocks 1B, 3B, 4, 5 and 6 as shown on Diagram 6 are shown in metres on Diagrams 7, 10, 13, 14, 15 and 16 of By-law 1101-2022;
- (W) In addition to the requirements of (V) above, a minimum 11.0 metre separation distance is required between the windows of **dwelling units** (other than the window of a kitchen or bathroom) of the same **building**; and
 - (i) the required window separation shall not apply to windows on **main walls** which form an angle of 90 degrees or greater to each other, on a horizontal plane;
- (X) Despite regulation 40.10.80.10(1) and 40.10.80.20(2), surface **parking spaces** are not permitted;
- (Y) Despite regulation 40.10.100.10(1)(C) the number of **vehicle** accesses are restricted to:
 - (i) one access on Block 1B, from "Street C" as shown on Diagram 6 of By-law 1101-2022;

- (ii) one access on Block 3B, from "Street A" as shown on Diagram 6 of By-law 1101-2022;
 - (iii) one access on Block 4, from "Street C" as shown on Diagram 6 of By-law 1101-2022;
 - (iv) one access on Block 5, from "Street D" as shown on Diagram 6 of By-law 1101-2022; and
 - (v) one access on Block 6, from "Street A" as shown on Diagram 6 of By-law 1101-2022;
- (Z) Despite regulation 200.5.1(2), **parking spaces** must be provided collectively for each use on each "block" as shown on Diagram 6 of By-law 1101-2022; and
- (i) for the purpose of determining compliance with regulation 200.5.10.1(1) and Table 200.5.10.1, Blocks 1A and 1B are considered one "block" and Blocks 3A and 3B as shown on Diagram 6 of By-law 1101-2022 are considered one "block";
- (AA) Despite regulation 200.5.1.10(2), a maximum of 10 percent of the required **parking spaces** for each "block" as shown on Diagram 6 of By-law 1101-2022 that are obstructed on one side may have a minimum width of 2.6 metres;
- (BB) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on each "block" shown on Diagram 6 of By-law 1101-2022 as follows;
- (i) a minimum of 0.4 **parking spaces per dwelling unit** for residential occupants;
 - (ii) Residential visitors and all other non-residential uses are subject to the **parking space** rates listed in regulation 200.5.10.1(1) and Table 200.5.10.1; and
 - (iii) Despite regulation 200.5.10.1(1) and Table 200.5.10.1(1), "car-share parking spaces" may replace **parking spaces** otherwise required for residential occupants, subject to the following:
 - (a) a reduction of 4 residential occupant **parking spaces** will be permitted for each "car-share" **parking space** provided and that the maximum reduction permitted be capped by the application of the following formula: (total number of **dwelling units** divided by 60, and rounded down to the nearest whole number);
- (CC) Despite regulation 220.5.1(2), **loading spaces** must be provided and maintained for each use on each "block" as shown on Diagram 6 of By-law 1101-2022; and

- (i) the required **loading space** rates may be collectively applied in both or either of Blocks 1A and 1B; and
 - (ii) the required **loading space** rates may be collectively applied in both or either of Blocks 3A and 3B;
- (DD) Despite regulation 220.5.1.10(1), the calculation of required **loading spaces** is based on the total **gross floor area** of each "block" as shown on Diagram 6 of By-law 1101-2022;
- (EE) Despite any regulation to the contrary, **loading spaces** must be provided below ground on Blocks 1B, 3B, 4, and 5 as shown on Diagram 6 of By-law 1101-2022 and may be provided above or below ground on Block 6 as shown on Diagram 6 of By-law 1101-2022, provided the **loading space** is located inside a **building**;
- (FF) Despite regulation 230.5.1.10(8), a **bicycle parking space** must be on the same "block" as shown on Diagram 6 of By-law 1101-2022 as the use for which it is required; and
 - (i) for the purpose of determining compliance with regulation 230.5.1.10(8), Blocks 1A and 1B are considered one "block" and Blocks 3A and 3B as shown on Diagram 6 of By-law 1101-2022 are considered one "block".

Prevailing By-laws and Prevailing Sections: (None Apply)

9. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 349 so that it reads:

Exception CR [349]

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

Site Specific Provisions:

- (A) On the lands shown as Blocks 1A, 2 and 3A on Diagram 6 of By-law 1101-2022, if the requirements of Section 18 and Schedule A of By-law 1101-2022 are complied with, **buildings** and **structures** in compliance with (B) through (QQ) below, may be erected or used, and:
 - (i) Prior to the lifting of the H symbol as described in Section 17 on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law 1101-2022, the only interim uses that are permitted, provided they are located entirely within the portion of the Block located in the Commercial Residential Zone category, and which must comply with the requirements of By-law 569-2013 instead of this site-specific provision, include:
 - (a) **art gallery**;

- (b) **artist studio;**
- (c) **automated banking machine;**
- (d) **cabaret;**
- (e) **club;**
- (f) cold storage, provided it is not located on the ground floor of a **building;**
- (g) **custom workshop;**
- (h) **eating establishment;**
- (i) **education use;**
- (j) **entertainment place of assembly;**
- (k) **financial institution;**
- (l) **laboratory**, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
- (m) **market garden;**
- (n) **massage therapy;**
- (o) medical office;
- (p) office;
- (q) **outdoor patio;**
- (r) outdoor sales or display;
- (s) **park;**
- (t) **performing arts studio;**
- (u) **personal service shop;**
- (v) **pet services;**
- (w) **production studio;**

- (x) **public parking**, provided it is **ancillary** to other interim uses permitted in this section and is not located in an above ground **parking garage**;
- (y) **recreation use**;
- (z) **retail service**;
- (aa) **retail store**;
- (bb) **self-storage warehouse**, provided it does not exceed an **interior floor area** for each "block" as shown on Diagram 6 of By-law 1101-2022 of 400 square metres and it is not located on the ground floor of a **building**;
- (cc) **service shop**;
- (dd) **software development and processing**, provided it is located above the ground floor of a **building**, and the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
- (ee) **take-out eating establishment**, provided that the total **interior floor area** of all **take-out eating establishments** for each "block" as shown on Diagram 6 of By-law 1101-2022 does not exceed 500 square metres;
- (ff) sales centre for the purpose of the sale of **dwelling units** or commercial space;
- (gg) **transportation use**;
- (hh) **vehicle dealership**, provided it is limited to 400 square metres of **interior floor area** and does not include the outside display and storage of **vehicles**;
- (ii) **vehicle fuel station**, provided it is **ancillary** to a **vehicle dealership**;
- (jj) **vehicle service shop**, provided it is **ancillary** to a **vehicle dealership**;
- (kk) **veterinary hospital**;
- (ll) **wellness centre**;

- (B) Despite clauses 40.10.20.10 and 40.10.20.20, the following uses are only permitted if they are located entirely within the portion of the **building** located in the Commercial Residential Zone category:
- (i) **amusement arcade**, provided it complies with regulations 40.10.20.100(23), (46) and (47);
 - (ii) **cabaret**, provided it complies with regulation 40.10.20.100(1);
 - (iii) **club**, provided it complies with regulation 40.10.20.100(1);
 - (iv) **community centre**;
 - (v) **day nursery**, provided it complies with regulation 40.10.20.100(27) and section 150.45;
 - (vi) **dwelling units** in compliance with regulation 40.10.20.40(1);
 - (vii) **entertainment place of assembly**, provided it complies with regulations 40.10.20.100(1) and (46);
 - (viii) **hotel**, provided it complies with regulation 40.10.20.100(4);
 - (ix) library;
 - (x) **passenger terminal**;
 - (xi) **place of assembly**, provided it complies with regulations 40.10.20.100(4) and (29);
 - (xii) **place of worship**, provided it complies with regulation 40.10.20.100(40) and section 150.50;
 - (xiii) **post-secondary school**;
 - (xiv) **recreation use** provided it complies with regulations 40.10.20.100(1) and (46);
 - (xv) **religious education use**;
 - (xvi) **sports place of assembly**, provided it complies with regulation 40.10.20.100(46);
 - (xvii) **wellness centre**;
- (C) Despite regulations 40.10.20.20(1), 40.10.20.100(28) and Section 150.48, a **private school** or **public school** is permitted provided that:

- (i) the **private school** or **public school** is located entirely within the portion of the **building** located in the Commercial Residential Zone category;
 - (ii) an adult education school must be located in a **building** used, or partially used, as a **private school** or **public school** or in a **building** that was originally constructed as a **private school** or **public school**;
 - (iii) an adult education school must be funded by the Provincial or Federal government for:
 - (a) adult English or French as a second language courses delivered by district school boards;
 - (b) literacy and basic skills programming delivered by community agencies or district school boards;
 - (c) credit courses for adults delivered by district school boards;
 - (d) continuing education programs, including general interest courses, delivered by district school boards;
 - (e) adult Aboriginal language programs delivered by district school boards; or
 - (f) Canadian citizenship preparation programs delivered by district school boards;
 - (iv) a **day nursery** located in the same **building** used as a **private school** or **public school**, or a **building** that was originally constructed as a **private school** or a **public school** must be located on the ground floor of the **building** and the **day nursery** must be no greater than 40percent of the **interior floor area** of the ground floor of the **building**; and
 - (v) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **public school** or a **private school** is constructed pursuant to a building permit issued more than three years after May 9, 2013;
- (D) Despite regulation 40.10.20.10(1)(A), **software development and processing** is only permitted if:
- (i) the **software development and processing** is located above the ground floor of a **building**; and
 - (ii) the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;

- (E) Despite clauses 40.10.20.10 and 40.10.20.20, cold storage is permitted, provided it is not located on the ground floor of a **building**;
- (F) Despite the uses listed in regulation 40.10.20.20(1)(A), **drive through facility** and **funeral home**, are not permitted;
- (G) In addition to the requirements of regulation 40.10.20.100(7), **public parking** is only permitted if it is located below ground and despite regulation 40.10.20.100(10), one **building** for parking attendants is permitted on each "block" as shown in Diagram 6 of By-law 1101-2022;
- (H) In addition to the permitted uses listed in clause 40.10.20.10(1)(A), **self-storage warehouse** is only permitted if:
 - (i) it does not exceed an **interior floor area** for each "block" as shown on Diagram 6 of By-law 1101-2022 of 400 square metres; and
 - (ii) it is not located on the ground floor of a **building**;
- (I) Despite regulation 40.10.20.20(1)(A), **custom workshop** is permitted, provided it complies with regulation 40.10.20.100(16), and where a **custom workshop** is located in the portion of a **building** located in the Commercial Residential Zone category, the **custom workshop** is limited to an **interior floor area** of 400 square metres for each **custom workshop** unit;
- (J) Despite regulation 40.10.20.10(1)(A), **education use** is permitted, provided that where an **education use** is located in the portion of a **building** in the Employment Light Industrial Zone category, that education use shall be in compliance with regulation 60.10.20.10(4);
- (K) Despite regulation 40.10.20.20(1)(A), **laboratory** is permitted, provided that for the portion located in a **building** in the Commercial Residential Zone category, the **laboratory** shall be in compliance with regulation 40.10.20.100(15);
- (L) Despite regulation 40.10.20.20(1)(A), **outdoor patio** is permitted, provided that **outdoor patios** located in the Commercial Residential Zone category comply with regulation 40.10.20.100(21);
- (M) Despite regulation 40.10.20.100(26) and 150.90.20.1(1), a **vehicle dealership** is limited to 400 square metres of **interior floor area**;
- (N) Despite regulation 150.90.20.1(2), the outside display and storage of **vehicles** in combination with a **vehicle dealership** is not permitted;
- (O) Despite regulation 40.10.20.100(13) and Section 150.92, a **vehicle fuel station** is only permitted if it is **ancillary** to a **vehicle dealership**;

- (P) Despite regulation 40.10.20.100(13) and Section 150.94, a **vehicle service shop** is only permitted if it is **ancillary** to a **vehicle dealership**;
- (Q) Despite regulation 40.10.20.100(25) and section 150.96, a **vehicle washing establishment** is only permitted below the ground floor;
- (R) Despite regulations 40.5.10.10(1) and (2), height is measured from the Canadian Geodetic Datum Elevation listed in (i) to (iii) below, to the highest point of the **building** or **structure**. The Canadian Geodetic Datum Elevation for the "blocks" shown on Diagram 6 of By-law 1101-2022 are as follows:
- (i) 86.5 metres for Block 1A; and
 - (ii) 85.8 metres for Block 2;
 - (iii) 87.6 metres for Block 3A;
- (S) In addition to those elements which may exceed the permitted maximum height of a **building** listed in regulation 40.5.40.10(3), where a portion of a **building** is also located in the Employment Light Industrial Zone category the following additional **structures** may exceed the permitted maximum height of a **building** by 5.0 metres:
- (i) free-standing or roof-top chimney stacks;
 - (ii) scrubbers; or
 - (iii) other pollution abatement equipment;
- (T) In addition to those elements which reduce **gross floor area** listed in regulation 40.5.40.40(3), where a portion of a **mixed use building** is also located in the Employment Light Industrial Zone category, the following additional elements also reduce **gross floor area**:
- (i) voids at the level of each floor with a **manufacturing use**;
 - (ii) ventilation ducts;
 - (iii) utility shafts;
 - (iv) utility areas;
 - (v) catwalks;
 - (vi) service platforms; and
 - (vii) escalators.

- (U) Despite regulation 40.5.75.1(2)(A)(ii), no part of a photovoltaic **solar energy** device or thermal **solar energy** device located on a **building** may be higher than 3.0 metres above the permitted maximum height for the **building**;
- (V) Despite regulations 40.5.75.1(A)(B) and (C), and regulations 60.5.75.1(4)(A) and (B) if a portion of a **building** is also located in the Employment Light Industrial Zone category, a **wind energy** device may exceed the permitted maximum height for a **building** by 10.0 metres;
- (W) Despite regulation 40.10.40.10(1) and (7), the permitted maximum height and number of **storeys** of any **building** or **structure** is the height in metres and number of **storeys** specified by the number following the HT and ST symbol, respectively, as shown on Diagrams 9, 11 and 12 of By-law 1101-2022, except that:
 - (i) despite regulation 40.5.40.10(8)(A), where a **building** has 60 or more **storeys**, equipment, **structures** or parts of a **building** listed in regulation 40.5.40.10 (4) located on the roof of the "tower" portion of a **building** may exceed the permitted maximum height for that **building** by 10.0 metres, if the total area of all equipment, **structures**, or parts on the roof of the "tower" portion of the **building** cover no more than 450 square metres, measured horizontally; and
 - (ii) despite (W)(i) above and for Block 1A only, despite regulation 40.5.40.10(8)(A) the permitted maximum coverage of 450 square metres does not apply to the portion of the **building** labelled HT 209, ST 67 on Diagram 9 of By-law 1101-2022;
 - (iii) for Block 1A only, despite regulation 40.5.40.10(5)(A) the total area of all equipment, **structures**, or parts of a **building** may cover no more than 65 percent of the area of the roof measured horizontally where they are located on roofs of "mid-rise building area 1";
 - (iv) for Block 1A only, regulations 40.5.40.10(5)(B), with regards to the horizontal restriction of 20percent of the width of the **building's main walls**, does not apply;
 - (v) for Block 1A only, window washing equipment and **building** maintenance units may project above the permitted maximum height, which may be in addition to the permitted maximum height of and located on top of a mechanical penthouse;
 - (vi) public art features and **landscaping** may project above the permitted maximum height by 2.0 metres;
 - (vii) canopies, where located in the "Galleria Zone" as shown on Diagram 11 of By-law 1101-2022, may project above the permitted maximum height by 20.0 metres; and

- (a) where canopies are located outside the "Galleria Zone" as shown on Diagram 11 of By-law 1101-2022, regulations 40.5.40.60(1) and 40.10.40.60(2) apply;
- (viii) Clause 40.5.40.10 prevails for "blocks" and elements not specified above;
- (X) For the purpose of interpreting (W) above, vestibules providing rooftop access having a maximum **gross floor area** of 12.0 square metres, mechanical penthouses, stair enclosures and elevator overruns shall not constitute a **storey**;
- (Y) In determining compliance with regulation 40.10.40.50(5) and (7), a mezzanine shall not constitute a **storey**;
- (Z) Despite regulation 40.10.40.10(5), the required minimum height of a **storey** containing **dwelling units** is 2.9 metres;
- (AA) Despite regulation 40.10.40.40(1), the required minimum and permitted maximum **gross floor area** and **interior floor area** on Blocks 1A, 2, and 3A as shown on Diagrams 9, 11 and 12 of By-law 1101-2022 is:
 - (i) on Block 1A:
 - (a) a combined maximum of 97,400 square metres of **gross floor area** for residential uses is permitted on Blocks 1A and 1B; and
 - (b) a combined minimum of 26,600 square metres of **gross floor area** for non-residential uses is required in Blocks 1A and 1B; and
 - (ii) on Block 2:
 - (a) a maximum of 110,000 square metres of **gross floor area** for residential uses is permitted;
 - (b) a minimum of 32,000 square metres of **gross floor area** for non-residential uses is required, of which a minimum of 625 square metres of **interior floor area** is required for a **day nursery**;
 - (iii) on Block 3A:
 - (a) a combined maximum of 175,500 square metres of **gross floor area** for residential uses is permitted on Blocks 3A and 3B; and
 - (b) a combined minimum of 35,700 square metres of **gross floor area** for non-residential uses is required in Blocks 3A and 3B; and
- (BB) The permitted average "tower floor plate" and maximum "tower floor plate" for each "tower" as shown on Diagram 7 of By-law 1101-2022 is:

- (i) for Tower 1:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 960 square metres;
- (ii) for Tower 3:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 880 square metres;
- (iii) for Tower 4:
 - (a) an average "tower floor plate" of 730 square metres; and
 - (b) a maximum "tower floor plate" of 740 square metres;
- (iv) for Tower 5:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 935 square metres;
- (v) for Tower 6:
 - (a) an average "tower floor plate" of 750 square metres; and
 - (b) a maximum "tower floor plate" of 800 square metres;
- (vi) for Tower 7:
 - (a) an average "tower floor plate" of 800 square metres; and
 - (b) a maximum "tower floor plate" of 920 square metres;
- (CC) Despite clause 40.10.40.70(1), the required minimum **building setbacks** and **stepbacks** for the portion of a **building** or **structure** on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law 1101-2022 are as shown in metres on Diagrams 9, 11 and 12 of By-law 1101-2022;
- (DD) Despite (CC) above, and in addition to Clause 40.10.40.60, the following elements may encroach into the required **building setbacks**:
 - (i) window washing equipment and **building** maintenance units;
 - (ii) public art features and **landscaping**; and

- (iii) canopies, where they are located in the "Galleria Zone" as shown in Diagram 11 of By-law 1101-2022;
- (EE) Despite regulation 40.10.40.80(1), the required minimum **building** separation distances on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law 1101-2022 are as shown in metres on Diagrams 7, 9, 11 and 12 of By-law 1101-2022;
- (FF) In addition to the requirements of (EE) above, a minimum 11 metre separation distance is required between the windows of **dwelling units** (other than the window of a kitchen or bathroom) of the same **building**; and
 - (i) the required window separation shall not apply to windows on **main walls** which form an angle of 90 degrees or greater to each other, on a horizontal plane;
- (GG) Despite regulation 40.10.80.10(1) and 40.10.80.20(2), surface **parking spaces** are not permitted;
- (HH) Despite regulation 40.10.100.10(1)(C), one **vehicle** access is permitted to the lands on Block 1A as shown on Diagram 6 of By-law 1101-2022 provided it is from Park Lawn Road and one **vehicle** access is permitted to the lands on Block 3A as shown on Diagram 6 of By-law 1101-2022 provided it is from "Street A";
- (II) Despite regulation 40.10.100.10(1)(C), **vehicle** access to the lands located on Block 2 must be below ground and accessed from an abutting "block" as shown on Diagram 6 of By-law 1101-2022;
- (JJ) Despite regulation 200.5.1(2), **parking spaces** must be provided collectively for each use on each "block" as shown on Diagram 6 of By-law 1101-2022; and
 - (i) for the purpose of determining compliance with regulation 200.5.10.1(1) and Table 200.5.10.1, Blocks 1A and 1B are considered one "block" and Blocks 3A and 3B as shown on Diagram 6 of By-law 1101-2022 are considered one "block";
- (KK) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on each "block" shown on Diagram 6 of By-law 1101-2022 as follows:
 - (i) a minimum of 0.4 **parking spaces** per **dwelling unit** for residential occupants; and
 - (ii) Residential visitor and all other non-residential uses are subject to the **parking space** rates described in regulation 200.5.10.1(1) and Table 200.5.10.1;

- (iii) despite regulation 200.5.10.1(1) and Table 200.5.10.1(1), "car-share parking spaces" may replace **parking spaces** otherwise required for residential occupants, subject to the following:
 - (a) a reduction of 4 residential occupant **parking spaces** will be permitted for each "car-share" **parking space** provided and that the maximum reduction permitted be capped by the application of the following formula: (total number of **dwelling units** divided by 60, and rounded down to the nearest whole number)
- (LL) Despite regulation 200.5.1.10(2), a maximum of 10 percent of the required **parking spaces** for each "block" as shown on Diagram 6 of By-law 1101-2022 that are obstructed on one side may have a minimum width of 2.6 metres;
- (MM) Despite regulation 220.5.1(2), **loading spaces** must be provided and maintained for each use on each "block" as shown on Diagram 6 of By-law 1101-2022; and
 - (i) The required **loading space** rates may be collectively applied and located in either Blocks 1A and 1B; and
 - (ii) The required **loading space** rates may be collectively applied and located in either Blocks 3A and 3B;
- (NN) Despite regulation 220.5.1.10(1), the calculation of required **loading spaces** is based on the total **gross floor area** of each "block" as shown on Diagram 6 of By-law 1101-2022;
- (OO) Despite any regulation to the contrary, **loading spaces** must be provided below ground on Blocks 1A, 2, and 3A as shown on Diagram 6 of By-law 1101-2022;
- (PP) Despite regulation 230.5.1.10(8), a **bicycle parking space** must be on the same "block" as shown on Diagram 6 of By-law 1101-2022 as the use for which it is required; and
 - (i) for the purpose of determining compliance with regulation 230.5.1.10(8), Blocks 1A and 1B are considered one block and Blocks 3A and 3B as shown on Diagram 6 of By-law 1101-2022 are considered one "block";
- (QQ) Despite any requirement to the contrary, two pedestrian tunnels with a permitted maximum width of 7.5 metres and a maximum height of 7.5 metres, and including any support **structures**, may be constructed connecting to the lands on Block 8 as shown on Diagram 6 of By-law 1101-2022;

Prevailing By-laws and Prevailing Sections: (None Apply)

10. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.21.10 Exception Number 11 so that it reads:

Exception EL [11]

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

Site Specific Provisions:

- (A) On the lands shown as Blocks 1A, 2 and 3A on Diagram 6 of By-law 1101-2022, if the requirements of Section 18 and Schedule A of By-law 1101-2022 are complied with, **buildings** and **structures** in compliance with (B) through (KK) below, may be erected or used, and:
- (i) Prior to the lifting of the H symbol as described in Section 17 on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law 1101-2022, the only interim uses that are permitted, provided they are located entirely within the portion of the "block" located in the Employment Light Industrial Zone category, and which must comply with the requirements of By-law 569-2013 instead of this site-specific provision, include:
- (a) **art gallery;**
 - (b) **artist studio;**
 - (c) beverage **manufacturing use**, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
 - (d) bindery;
 - (e) cold storage, provided it is not located on the ground floor of a **building;**
 - (f) **custom workshop;**
 - (g) **eating establishment**, provided that the total **interior floor area** of all **eating establishments** for each "block" as shown on Diagram 6 of By-law 1101-2022 does not exceed 500 square metres;
 - (h) **education use;**
 - (i) **financial institution;**

- (j) food **manufacturing use**, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
- (k) **laboratory**, provided it occupies only one **storey**, and the permitted maximum **interior floor area** is 1,000 square metres;
- (l) **market garden**;
- (m) **massage therapy**;
- (n) medical office;
- (o) office;
- (p) **outdoor patio**;
- (q) outdoor sales or display, provided it is **ancillary** to another use permitted in this section and the cumulative area of the outdoor sales or display of goods or commodities is not more than 25 percent of the **gross floor area** of the **premises** it is associated with, up to a maximum of 1,500 square metres;
- (r) **park**;
- (s) **performing arts studio**;
- (t) **personal service shop**;
- (u) **pet services**;
- (v) **production studio**;
- (w) **public parking**, provided it is **ancillary** to uses permitted in this section and is not located in an above ground **parking garage**;
- (x) **recreation use**, provided the use is a fitness club;
- (y) **retail service**, provided the maximum **interior floor area** of all **retail services** on each "block" as shown on Diagram 6 of By-law 1101-2022 is 400 square metres. The calculation of total **interior floor area** is reduced by items listed in regulation 60.5.40.40(1);
- (z) **retail store**, provided that a **retail store** which includes a beverage **manufacturing use** for beer, cider or wine, is limited to an **interior floor area** of 400 square metres;

- (aa) **self-storage warehouse**, provided it does not exceed an **interior floor area** for each "block" as shown on Diagram 6 of By-law 1101-2022 of 400 square metres and it is not located on the ground floor of a **building**;
 - (bb) **service shop**;
 - (cc) **software development and processing**, provided it is located above the ground floor of a **building**, and the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
 - (dd) **take-out eating establishment**, provided that the total **interior floor area** of all **take-out eating establishments** for each "block" as shown on Diagram 6 of By-law 1101-2022 does not exceed 500 square metres;
 - (ee) sales centre for the purpose of the sale of **dwelling units** or commercial space;
 - (ff) **transportation use**;
 - (gg) **vehicle dealership**, provided it is limited to 400 square metres of **interior floor area** and does not include the outside display and storage of vehicles;
 - (hh) **vehicle fuel station**, provided it is **ancillary** to a **vehicle dealership**;
 - (ii) **vehicle service shop**, provided it is **ancillary** to a **vehicle dealership**;
 - (jj) **veterinary hospital**; and
 - (kk) **wellness centre**;
- (B) Despite clauses 60.10.20.10 and 60.10.20.20, the following uses are only permitted if they are located entirely within the portion of the **building** located in the Employment Light Industrial Zone category;
- (i) beverage **manufacturing use**, provided it occupies only one **storey**, and despite regulation 60.10.20.100(9), the permitted maximum **interior floor area** is 1,000 square metres;
 - (ii) bindery;
 - (iii) carpenters shop;

- (iv) **contractors establishment**, provided it complies with regulation 60.10.20.100(7);
- (v) food **manufacturing use**, provided:
 - (a) despite regulation 60.10.20.100(9), the permitted maximum **interior floor area** of the food **manufacturing use** is 1,000 square metres;
 - (b) the food **manufacturing use** may occupy a maximum of one storey in a **building** in each "block" as shown on Diagram 6 of By-law 1101-2022; and
 - (c) the food **manufacturing use** must comply with regulation 60.10.20.100(10);
- (vi) printing establishment, provided:
 - (a) it occupies a maximum of one **storey**; and
 - (b) the permitted maximum **interior floor area** is 1,000 square metres;
- (vii) **warehouse**, provided:
 - (a) it is not located on the ground floor of a **building**; and
 - (b) the permitted maximum **interior floor area** is 1,000 square metres;
- (viii) **wholesaling use**, provided:
 - (a) it is not located on the ground floor of a **building**; and
 - (b) the permitted maximum **interior floor area** is 1,000 square metres;
- (C) Despite clauses 60.10.20.10 and 60.10.20.20, the following uses are not permitted;
 - (i) apparel and textile **manufacturing use**;
 - (ii) **crematorium**;
 - (iii) dry cleaning or laundry plant;
 - (iv) furniture **manufacturing use**;

- (v) **industrial sales and service use;**
 - (vi) metal products **manufacturing use;**
 - (vii) **open storage;** and
 - (viii) plastic **manufacturing use;**
- (D) In addition to the permitted uses listed in clause 60.10.20.10, the following uses are also permitted;
- (i) **art gallery;**
 - (ii) cold storage, provided it is not located on the ground floor of a **building;**
 - (iii) computer, communications, electronics, or optical media **manufacturing use,** provided:
 - (a) it is located entirely within the portion of the **building** located in the Employment Light Industrial Zone category;
 - (b) it is not located on the ground floor of a **building;** and
 - (c) the permitted maximum **interior floor area** is 1,000 square metres;
 - (iv) courts of law;
 - (v) **massage therapy;**
 - (vi) medical equipment and supplies **manufacturing use,** provided:
 - (a) it is located entirely within the portion of the **building** located in the Employment Light Industrial Zone category;
 - (b) it is not located on the ground floor of a **building;** and
 - (c) the permitted maximum **interior floor area** is 1,000 square metres;
 - (vii) medical office;
 - (viii) **museum;**
 - (ix) outdoor sales or display, provided:
 - (a) it is combined with another permitted non-residential use;

- (b) no goods or commodities may be displayed within 15.0 metres of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category;
 - (c) the cumulative area of the outdoor sales or display of goods or commodities may not be more than 25percent of the **gross floor area** of the **premises** it is associated with, up to a maximum of 1,500 square metres;
 - (d) the area for the outdoor sales or display of goods or commodities may not be located in areas required by this By-law for parking, loading, **driveways** or **landscaping**; and
 - (e) there may be no storage or warehousing of goods in a **vehicle**;
- (x) **personal service shop**;
 - (xi) **pet services**;
 - (xii) pharmaceutical and medicine **manufacturing use**, provided:
 - (a) it is located entirely within the portion of the **building** located in the Employment Light Industrial Zone category;
 - (b) it is not located on the ground floor of a **building**; and
 - (c) the permitted maximum **interior floor area** is 1,000 square metres;
 - (xiii) **public parking**, provided:
 - (a) it is below ground; and
 - (b) a maximum of one **building** for parking attendants is permitted on each "block" as shown in Diagram 6 of By-law 1101-2022;
 - (xiv) **retail service**, provided the maximum **interior floor area** of all **retail services** on each "block" as shown on Diagram 6 of By-law 1101-2022 is 400 square metres. The calculation of total **interior floor area** is reduced by items listed in regulation 60.5.40.40(1);
 - (xv) **retail store**, provided that a **retail store** which includes a beverage **manufacturing use** for beer, cider or wine, is limited to an **interior floor area** of 400 square metres;
 - (xvi) **vehicle dealership**, provided it is limited to 400 square metres of **interior floor area** and it does not include the outside display and storage of **vehicles**;

- (xvii) **vehicle fuel station**, provided it is **ancillary** to a **vehicle dealership**;
 - (xviii) **vehicle service shop**, provided it is **ancillary** to a **vehicle dealership**;
 - (xix) **vehicle washing establishment**, permitted it is located below ground;
 - (xx) **veterinary hospital**; and
 - (xxi) **wellness centre**;
- (E) Despite regulation 60.10.20.20(1), **software development and processing** is only permitted if:
- (i) the **software development and processing** is located above the ground floor of a **building**; and
 - (ii) the portion of the **software development and processing** that is dedicated to the storage and distribution of electronic data is limited to 400 square metres of **interior floor area**;
- (F) Despite regulation 60.10.20.10(1), **self-storage warehouse** is only permitted if:
- (i) it does not exceed an **interior floor area** for each "block" as shown on Diagram 6 of By-law 1101-2022 of 400 square metres; and
 - (ii) it is not located on the ground floor of a **building**;
- (G) Despite regulation 60.10.20.20(1), **eating establishment** is permitted, provided it complies with regulation 60.10.20.100 (14);
- (H) Despite regulation 60.10.20.100(6), the total **interior floor area** of all **eating establishments** for each "block" as shown on Diagram 6 of By-law 1101-2022 may not exceed 500 square metres;
- (I) Despite regulation 60.10.20.100(6), the total **interior floor area** of all **take-out eating establishments** for each "block" as shown on Diagram 6 of By-law 1101-2022 may not exceed 500 square metres;
- (J) Despite regulation 60.10.20.20(1), **education use** is permitted, provided that where an **education use** is located in the portion of a **building** in the Employment Light Industrial Zone category, that **education use** shall be in compliance with regulation 60.10.20.100(4);
- (K) Despite regulation 60.10.20.20(1), **public utility** is permitted, provided it is not a water filtration plant, and it complies with regulations 60.10.20.100(16) and (18);
- (L) Despite regulations 60.5.40.10(1) and (2) height of a **building** or **structure** is measured from the Canadian Geodetic Datum Elevation listed in (i) to (iii) below,

to the highest point of the **building** or **structure**. The Canadian Geodetic Datum Elevation for the "blocks" shown on Diagram 6 of By-law 1101-2022 are as follows:

- (i) 86.5 metres for Block 1A;
 - (ii) 85.8 metres for Block 2; and
 - (iii) 87.6 metres for Block 3A;
- (M) Despite regulation 60.5.40.40(1), the reductions in **gross floor area** that are permitted for a **non-residential building** may also be applied to a **mixed use building** and in addition to those elements which reduce **gross floor area** listed in regulation 60.5.40.40(1), the following additional elements reduce **gross floor area**:
- (i) required **amenity space**; and
 - (ii) garbage shafts;
- (N) Despite regulations 60.5.75.1(4)(A) and (B) a **wind energy** device may exceed the permitted maximum height for a **building** by 10.0 metres;
- (O) Despite regulation 60.5.75.1(6), a **cogeneration energy** device must be located inside a permitted **building**;
- (P) Despite regulations 60.5.80.10(1) and (2), all **parking spaces** must be located below ground;
- (Q) Regulation 60.5.100.1(1) with regards to **driveway** widths, does not apply;
- (R) Despite regulation 60.10.40.10(1), the permitted maximum height and number of **storeys** of any **building** or **structure** is the height in metres and number of **storeys** specified by the number following the HT and ST symbols, respectively, as shown on Diagrams 9, 11 and 12 of By-law 1101-2022;
- (S) Where a **building** is also located in the Commercial Residential Zone category, the additional height provisions of regulations 40.5.40.10(3) to (8) may also be applied; and
- (i) for Block 1A only, regulations 40.5.40.10(8)(A) and 60.5.40.10(5)(A) and (B) with regards to limits on elements for the functional operation of the **building** do not apply to the portion of the **building** labelled HT 209, ST 67 on Diagram 9 of By-law 1101-2022;
 - (ii) for Block 1A only, despite regulation 40.5.40.10(5)(A) and 60.5.40.10(5)(A) the total area of all equipment, **structures**, or parts of a **building** may cover no more than 65 percent of the area of the roof

- measured horizontally where they are located on roofs of "mid-rise building area 1";
- (iii) for Block 1A only, regulations 40.5.40.10(5)(B) and 60.5.40.10(5)(B), with regards to the horizontal restriction of the width of the **building's main walls**, does not apply;
 - (iv) For Block 1A only, window washing equipment and **building** maintenance units are permitted to project above the permitted maximum height, and are in addition to and may be located on top of a mechanical penthouse;
 - (v) public art features and **landscaping** may project beyond the permitted maximum height by 2.0 metres; and
 - (vi) canopies, where located in the "Galleria Zone" as shown on Diagram 11 of By-law 1101-2022, may project beyond the permitted maximum height by 20.0 metres;
 - (vii) Clause 40.5.40.10 and 60.5.40.10, whichever provides the greater height permission, applies for the "blocks" and elements not listed above;
- (T) For the purpose of interpreting (R) above, vestibules providing rooftop access having a maximum **gross floor area** of 12.0 square metres, mechanical penthouses, stair enclosures and elevator overruns shall not constitute a **storey**;
- (U) The required minimum **gross floor area** on Blocks 1A, 2, and 3A as shown on Diagram 6 of By-law 1101-2022 is:
- (i) on Block 1A:
 - (a) a combined minimum of 26,600 square metres of **gross floor area** for non-residential uses is required in Blocks 1A and 1B;
 - (ii) on Block 2:
 - (a) a minimum of 32,000 square metres of **gross floor area** for non-residential uses is required in Block 2; and
 - (iii) on Block 3A:
 - (a) a combined minimum of 35,700 square metres of **gross floor area** for non-residential uses is required in Blocks 3A and 3B;
- (V) Despite clause 60.10.40.70(1), the required minimum **building setbacks** and **stepbacks** for the portion of a **building** or **structure** on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law 1101-2022 are shown in metres on Diagrams 9, 11 and 12 of By-law 1101-2022;

- (W) Despite (W) above, the following elements may encroach into the required **building setbacks**:
- (i) window washing equipment and **building** maintenance units;
 - (ii) **public** art features and all **landscaping**;
 - (iii) canopies, where they are located in the "Galleria Zone" as shown in Diagram 11 of By-law 1101-2022;
 - (iv) all elements listed in clause 40.10.40.60, including canopies located outside the "Galleria Zone" as shown in Diagram 11 of By-law 1101-2022, where a **building** is also located in the Commercial Residential Zone category, to the same extent as they are described in that clause;
- (X) The required minimum **building** separation distances on Blocks 1A, 2 and 3A as shown on Diagram 6 of By-law 1101-2022 are shown in metres on Diagrams 7, 9, 11 and 12 of By-law 1101-2022;
- (Y) In addition to the requirements of (X) above, a minimum 11.0 metre separation distance is required between the windows of **dwelling units** (other than the window of a kitchen or bathroom) of the same **building**; and
- (i) the required window separation shall not apply to windows on **main walls** which form an angle of 90 degrees or greater to each other, on a horizontal plane;
- (Z) one **vehicle** access is permitted to the lands on Block 1A as shown on Diagram 6 of By-law 1101-2022 provided it is from Park Lawn Road and one **vehicle** access is permitted to the lands on Block 3A as shown on Diagram 6 of By-law 1101-2022 provided it is from "Street A";
- (AA) **Vehicle** access to the lands located on Block 2 as shown on Diagram 6 of By-law 1101-2022 must be below ground and accessed from an abutting "block" as shown on Diagram 6 of By-law 1101-2022;
- (BB) Despite regulation 200.5.1(2), **parking spaces** must be provided collectively for each use on each "block" as shown on Diagram 6 of By-law 1101-2022; and
- (i) or the purpose of determining compliance with regulation 200.5.10.1(1) and Table 200.5.10.1, Blocks 1A and 1B are considered one "block" and Blocks 3A and 3B as shown on Diagram 6 of By-law 1101-2022 are considered one "block";
- (CC) Despite regulation 200.5.1.10(2), a maximum of 10 percent of the required **parking spaces** for each "block" as shown on Diagram 6 of By-law 1101-2022 that are obstructed on one side may have a minimum width of 2.6 metres;

- (DD) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on each "block" shown on Diagram 6 of By-law 1101-2022 as follows:
- (i) 0.4 **parking spaces** per **dwelling unit** for residential occupants;
 - (ii) Residential visitor and all other non-residential uses are subject to the **parking space** rates described in regulation 200.5.10.1(1) and Table 200.5.10.1;
 - (iii) despite regulation 200.5.10.1(1) and Table 200.5.10.1(1), "car-share parking spaces" may replace **parking spaces** otherwise required for residential occupants, subject to the following:
 - (a) a reduction of 4 residential occupant **parking spaces** will be permitted for each "car-share" **parking space** provided and that the maximum reduction permitted be capped by the application of the following formula: (total number of **dwelling units** divided by 60, and rounded down to the nearest whole number)
- (EE) Despite regulation 220.5.1(2), **loading spaces** must be provided and maintained for each use on each "block" as shown on Diagram 6 of By-law 1101-2022; and
- (i) the required **loading space** rates may be collectively applied and located in either Blocks 1A and 1B; and
 - (ii) the required **loading space** rates may be collectively applied and located in either Blocks 3A and 3B;
- (FF) Despite regulation 220.5.1.10(1), the calculation of required **loading spaces** is based on the total **gross floor area** of each "block" as shown on Diagram 6 of By-law 1101-2022;
- (GG) Despite any regulation to the contrary, **loading spaces** must be provided below ground on Blocks 1A, 2, and 3A as shown on Diagram 6 of By-law 1101-2022;
- (HH) If a portion of a **building** is also located in the Commercial Residential Zone category, and if the **building** has a minimum of 30 **dwelling units**, the requirements for a Type "G" **loading space**, is satisfied if a Type "A" **loading space** or a Type "B" **loading space** required for the non-residential uses in the **building** is constructed to the larger applicable length, width or vertical clearance dimensions of a Type "G" **loading space**, referred to in regulation 220.5.1.10(8);
- (II) If a portion of a **building** is also located in the Commercial Residential Zone category, and if the **building** has a minimum of 400 **dwelling units** a Type "C" **loading space** required for the **dwelling units** is satisfied if a Type "A", Type "B" or Type "C" **loading space**, referred to in regulation 220.5.1.10(8), is provided for the non-residential uses in the same **building**;

- (JJ) Despite regulation 230.5.1.10(8), a **bicycle parking space** must be on the same "block" as shown on Diagram 6 of By-law 1101-2022 as the use for which it is required; and
- (i) for the purpose of determining compliance with regulation 230.5.1.10(8), Blocks 1A and 1B are considered one "block" and Blocks 3A and 3B as shown on Diagram 6 of By-law 1101-2022 are considered one "block";
- (KK) Despite any requirement to the contrary, two pedestrian tunnels with a permitted maximum width of 7.5 metres and a maximum height of 7.5 metres, and including any support **structures**, may be constructed connecting to the lands on Block 8 as shown on Diagram 6 of By-law 1101-2022.

Prevailing By-laws and Prevailing Sections: (None Apply)

11. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.21.10 Exception Number 12 so that it reads:

Exception EL [12]

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

Site Specific Provisions:

- (A) On the lands shown as Block 8 on Diagram 6 of By-law 1101-2022, **buildings, structures** or additions may be constructed or used in compliance with (B) through (O) below;
- (B) Despite regulations 60.5.80.10(1) and (2) and 60.10.80.20(1), surface **parking spaces** are not permitted;
- (C) Regulation 60.5.100.1(1), with regards to **driveway** widths, does not apply;
- (D) Despite clauses 60.10.20.10 and 60.10.20.20, the following uses are permitted:
- (i) ambulance depot, fire hall and police station;
- (ii) **custom workshop**;
- (iii) office;
- (iv) **transportation use**, provided it complies with regulation 60.10.20.100(19);
- (v) **automated banking machine, massage therapy, medical office, personal service shop, retail service, retail store, and wellness centre**,

provided they are **ancillary** to and located in the same **building** as a **transportation use**;

(vi) **eating establishment**, provided:

(a) it is **ancillary** to and located in the same **building** as a **transportation use**;

(b) it complies with regulations 60.10.20.100(6) and (14);

(vii) **take-out eating establishment**, provided:

(a) it is **ancillary** to and located in the same **building** as a **transportation use**;

(b) it complies with regulation 60.10.20.100(6);

(viii) **outdoor patio**, provided:

(a) it is **ancillary** to an **eating establishment** or **take-out eating establishment**;

(b) it may not be used to provide entertainment such as performances, music and dancing; and

(c) the maximum permitted area is the greater of 30 square metres or 30 percent of the **interior floor area** of the **premises** it is associated with;

(E) Despite regulation 60.10.40.10(1)(A), the permitted maximum height for a **building** containing a **transportation use** is 42.0 metres;

(F) Despite regulations 60.10.40.70(2)(A) and (B), the required minimum **building setback** from a **side lot line** that does not abut a **street** is 0 metres and is 3.0 metres where the **side lot line** abuts a **street**;

(G) Regulation 60.10.40.70(3), with regards to the minimum **rear yard setback** for **lots** in the Employment Light Industrial Zone category, does not apply;

(H) Despite regulation 60.10.50.10(1), the required **soft landscaping** may be provided as **landscaping**;

(I) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, zero **parking spaces** are required on Block 8 as shown on Diagram 6 of By-law 1101-2022;

(J) Despite clause 220.5.10.1, zero **loading spaces** are required on Block 8 as shown on Diagram 6 of By-law 1101-2022;

- (K) Despite clause 230.5.10.1(1) and Table 230.5.10.1(1), 20 "long-term" **bicycle parking spaces** and 80 "short-term" **bicycle parking spaces** are required on Block 8 as shown on Diagram 6 of By-law 1101-2022;
- (L) Despite regulation 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located in any location inside a **building**;
- (M) Despite regulation 230.5.1.10(10), "short-term" **bicycle parking spaces** may also be located in **stacked bicycle parking spaces**;
- (N) One **vehicle** access is permitted to the lands located on Block 8 as shown on Diagram 6 of By-law 1101-2022, provided it is from "Street A";
- (O) Despite any requirement to the contrary, two pedestrian tunnels or elevated enclosed walkways, each with a permitted maximum width of 7.5 metres and a maximum height of 7.5 metres, and including any support **structures**, may be constructed connecting to the lands on Blocks 1A and 3A as shown on Diagram 6 of By-law 1101-2022.

Prevailing By-laws and Prevailing Sections: (None Apply)

- 12. A minimum area of 4,300 square metres of "privately-owned publicly accessible space" (POPS) and public access easements to and over the POPS must be located within the hatched area as shown on Diagram 8 of this By-law;
- 13. The required minimum percentages of 2-bedroom and 3-bedroom **dwelling units**, and the minimum **interior floor area** for these **dwelling units**, that will be provided in each phase of development, as described in Section 15, are as follows:
 - (A) 15 percent of the total number of **dwelling units** in each phase must have a minimum of 2-bedrooms and must have a minimum **interior floor area** of 87 square metres;
 - (B) an additional 10 percent of the total number of **dwelling units** in each phase must have a minimum of 3-bedrooms and must have a minimum **interior floor area** of 100 square metres; and
 - (C) an additional 15 percent of the total number of **dwelling units** in each phase must have either a minimum of 2-bedrooms or a minimum of 3-bedrooms.
- 14. Former City of Etobicoke Zoning By-law 11,737 and Zoning Codes 304 and 320 do not apply to the lands identified in Diagram 1 of this By-law.
- 15. For the purposes of this By-law, each word or expression that is bolded in this By-law shall have the same meaning as each such word or expression as defined in By-law 569-2013, as amended, except for the following:

- (A) "block" means each block as shown on Diagram 6 and 8 through 16 of this By-law, each independently forming a **lot** for the purpose of this by-law and further delineated as Block 1, Block 2, Block 3A, Block 3B, Block 4, Block 5, Block 6, Block 7 and Block 8 on those diagrams;
- (B) "car-share" 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 to at least the occupants of the **building** for short-term rental, including hourly rental;
- (C) "car-share parking space" means a **parking space** exclusively reserved and signed for a car used only for "car-share" purposes;
- (D) "mid-rise building area 1" means, despite "tower":
 - (i) On Block 1A: portions of the **building** labelled with height and **storey** labels of:
 - (a) HT 60 ST 13, HT 41 ST 9, HT47 ST 10, and HT 26 ST 6;
- (E) "mid-rise building area 2" means, despite "tower":
 - (i) On Block 1B: portions of the **building** labelled with height and **storey** labels of:
 - (a) HT 12 ST 2, HT 24 ST 6, and HT 30 ST 8;
- (F) "mid-rise building area 3" means, despite "tower":
 - (i) On Block 1B, portions of the **building** labelled with height and **storey** labels of:
 - (a) HT 30 ST 8, HT 39 ST 11, and HT 16 ST 4;
- (G) "priority employment uses" means any of the following uses:
 - (i) beverage **manufacturing use**;
 - (ii) bindery;
 - (iii) carpenters shop;
 - (iv) computer, communications, electronics, or optical media **manufacturing use**;
 - (v) **contractor's establishment**
 - (vi) **custom workshop**;

- (vii) food **manufacturing use**;
- (viii) **laboratory**;
- (ix) medical equipment and supplies **manufacturing use**;
- (x) medical office;
- (xi) office;
- (xii) **performing arts studio**;
- (xiii) pharmaceutical and medicine **manufacturing use**;
- (xiv) printing establishment;
- (xv) **production studio**;
- (xvi) **software development and processing**;
- (H) "Privately-owned publicly accessible space" or "POPS" means an area with **landscaping** and **soft landscaping** which is privately owned but is open and accessible to the public at all times;
- (I) Despite regulation 40.5.40.10(8)(C), "tower" means the portion of a **building** located above the 11th **storey**, excluding a mezzanine;
- (J) "Tower floorplate" means the total built area within a "tower", measured from the exterior of the **main walls** on each **storey**, but excluding balconies;
- (K) "Water tower" means an elevated **structure** supporting a water tank.

16. Phasing:

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

- (vi) phase 6 includes the development of Block 6.

17. Holding provisions:

The lands that are delineated with heavy lines and zoned with the "(H)" symbol, pursuant to Section 36 of the Planning Act, and as shown on Diagram 2 of By-law 1101-2022 attached to and forming part of this By-law shall comply with the provisions of subparagraphs 8(A)(i), 9(A)(i) and 10(A)(i) to this By-law. An amending by-law to remove the "(H)" symbol from any part of the lands subject to this by-law shall be enacted by Toronto City Council when the following conditions have been fulfilled for each phase to the satisfaction of City Council:

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

- (H) Registration of a plan of subdivision and/or entering into a subdivision agreement and/or other implementing agreements with the City, as required, at the owner's expense, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, the Chief Planner and Executive Director, City Planning, and the City Solicitor;
- (I) An agreement outlining the provision of appropriate financial security to implement the street network, including securing acceptable streetscape plans for all streets (public and private) within the plan area to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (J) Acceptance of a Community Services and Facilities (CS&F) Implementation Plan that identifies what facilities have been delivered and what remaining facilities are required, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (K) Acceptance of a Housing Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning that identifies: the percentage of units that will be two and three bedrooms in size for both the market units and for the affordable housing units; how the affordable housing requirement for the specific phase and the entire Plan Area is being met including through which delivery mechanism(s); and the proposed number, unit types and location of the affordable housing units in the specific phase;
- (L) Acceptance of a Land Use Analysis that outlines the percentage breakdown of all uses (constructed and proposed), including "priority employment uses" as described in section 15 of this by-law on Blocks 1-6 as shown on Diagram 6 of this By-law to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (M) Acceptance of a Pedestrian Level Wind Study and appropriate mitigation measures to maximize pedestrian comfort, all to the satisfaction of the Chief Planner and Executive Director, City Planning;

In addition to conditions 17(A) through 17(M), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from those lands zoned CR as shown in Diagram 2 of By-law 1101-2022 in Phase 1:

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

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

In addition to conditions 17(A) through 17(M), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 2:

- (U) Provision of an Interpretation Plan, to the satisfaction of the Senior Manager, Heritage Planning to be implemented to the satisfaction of the Senior Manager, Heritage Planning;
- (V) Acceptance of a Public Art Plan, and provision of a financial security to secure the commission of public art on Blocks 1-6, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (W) Acceptance of documentation demonstrating that the GO Transit Station is fully constructed and ready for occupancy to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (X) The location, design and provision for on-site Toronto Transit Commission ("TTC" herein) improvements within the Phase 2 lands, to the satisfaction of the General Manager, Transportation Services, and the Chief Planner and Executive Director, City Planning in consultation with the TTC; and
- (Y) Above-grade building permits issued for all buildings on Block 1A, as shown in Diagram 6 of this By-law.

In addition to conditions 17(A) through 17(M), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 3:

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

In addition to conditions 17(A) through 17(M), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 4:

- (FF) Above-grade building permits issued for all buildings in Phase 3; and
- (GG) Acceptance of documentation demonstrating that the buildings located in the EL zone on the Phase 2 lands are fully constructed and ready for occupancy to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

In addition to conditions 17(A) through 17(M), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 5:

- (HH) Above-grade building permits issued for all buildings in Phase 4; and

- (II) Documentation showing that the buildings located in the EL zone on the Phase 3 lands are fully constructed and ready for occupancy to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

In addition to conditions 17(A) through 17(M), the following conditions must be fulfilled to the satisfaction of Toronto City Council in order for City Council to enact an amending by-law to remove the "(H)" symbol from Phase 6:

- (JJ) Documentation showing that the affordable housing requirements of the site will be met with the completion of this block; and

- (KK) Above-grade permits issued for all buildings in Phase 5;

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

18. Section 37 Provisions:

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this this By-law, the increase in height and density of the development is permitted in return for the provision by the owner of the lands at 2150 and 2194 Lake Shore Boulevard West and 23 Park Lawn Road, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner of the lands at 2150 and 2194 Lake Shore Boulevard West and 23 Park Lawn Road to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner of the lands at 2150 and 2194 Lake Shore Boulevard West and 23 Park Lawn Road shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.
- (D) Upon execution and registration of one or more agreements between the City and the owner of the lands at 2150 and 2194 Lake Shore Boulevard West and 23 Park Lawn Road on title to the lot pursuant to Section 37 of the Planning Act, securing the provision of the facilities, services and matters set out in Schedule A the lands identified on Diagram 1 as shown of this By-law are subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, such building may not be erected or used until the owner of the lands at 2150 and 2194 Lake Shore Boulevard West and 23 Park Lawn Road

identified on Diagram 1 as shown of this By-law has satisfied the said requirement or precondition.

- (E) Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement(s) entered into with the City pursuant to Section 37 of the Planning Act, then once such agreements(s) has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.

Enacted and passed on July 22, 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 by the Owner of the lands at 2150 and 2194 Lake Shore Boulevard West and 23 Park Lawn Road to the City at the Owner's expense and secured in an agreement or agreements under Section 37(3) of the Planning Act.

1. Prior to the issuance of any building permit, the owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37 of the Planning Act as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, came into force to secure the community benefits below.
2. The Owner shall provide the community benefits set out in (a) to (k) below, all to the satisfaction of the Chief Planner and Executive Director, City Planning, at the Owner's sole expense and to be secured in an Agreement pursuant to Section 37 of the Planning Act, to the satisfaction of the City Solicitor:
 - (a) cash contribution of ten million, five hundred thousand (\$10,500,000.00) dollars, to the satisfaction of the Chief Planner and Executive Director, City Planning, whereby:
 - (i) five million dollars (\$5,000,000) towards streetscaping improvements along Park Lawn Ave and Lakeshore Boulevard West, and the local area, shall be paid to the City by the Owner, in equal installments prior to the first above grade building permit for each of Phases 2 to 6;
 - (ii) two million dollars (\$2,000,000) towards renovations to the Mimico-Centennial Branch of the Toronto Public Library shall be paid to the City by the Owner prior to December 31, 2027;
 - (iii) three million and five hundred thousand dollars (\$3,500,000) towards improvements to local parks, streetscapes and infrastructure within the local area shall be paid to the City by the Owner prior to December 31, 2027;
 - (b) the cash contributions referred to in clause 2(a)(i) to (iii) above shall be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date City Council adopts this By-law to the date of each payment;
 - (c) prior to removal of the holding ("H") provision for Phase 2 of the Development, the Owner shall prepare, at its expense, a Public Art plan (the "Public Art Plan") for the provision of Public Art within the Secondary Plan Area, and shall submit the Public Art Plan to the City, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Toronto Public Art

Commission, and to City Council for approval, in accordance with the terms of the Section 37 Agreement;

- (d) prior to the issuance of the first above grade building permit for any residential development in Phase 2, the Owner shall provide financial security in the form of a Letter of Credit in the amount of five million dollars (\$5,000,000) to secure the commission and installation of public art in accordance with the Public Art Plan in Part (c) above, and in accordance with the terms of the Section 37 Agreement;
- (e) the financial security referred to in Part (d) above shall be indexed upwardly in accordance with Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date City Council adopts this By-law to the date that the Letter of Credit is provided to the City;
- (f) the Public Art Plan in Part (c) above is subject to review and recommendation by the Toronto Public Art Commission through the Chief Planner and Executive Director, City Planning;
- (g) two (2), 62-space, non-profit licensed Childcare Centres with the following conditions:
 - (i) The owner shall design, construct, finish and convey freehold ownership to the City prior to 60 days after condominium registration of the building in which the childcare centre(s) is/are located or, in the case of a non-residential or purpose-built rental building, prior to 60 days after first occupancy of the building, or such later date as may be satisfactory to the Chief Planner in consultation with the Executive Director, Corporate Real Estate Management, and the General Manager, Children's Services, with the terms and specifications to be secured in the Section 37 Agreement, all satisfactory to the General Manager, Children's Services, the Executive Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - (ii) the Owner to construct in accordance with the Child Care and Early Years Act, 2014, and the City of Toronto's Child Care Development Guidelines;
 - (iii) prior to the removal of the holding provision for Phase 2, the Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of one Childcare Centre complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the General Manager, Children's Services, the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - (iv) prior to the removal of the holding provision for Phase 3, the Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of one

Childcare Centre complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the General Manager, Children's Services, the Chief Planner and Executive Director, City Planning and the City Solicitor;

- (v) at minimum, four (4) vehicular parking spots per Childcare Centre shall be provided to the City for the exclusive use of each Childcare Centre, at no cost;
 - (vi) the Owner to provide five hundred thousand dollars (\$500,000) for each Childcare Centre for start-up operating costs, replacement reserve fund and for furnishings and equipment;
 - (vii) the contributions in Part (vi) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date City Council adopts this By-law to the date of payment;
 - (viii) the contributions in Part (vi) above will be made at the time of the conveyance of the Childcare Centres to the City within each of the Phases (Phases 2 and 3);
 - (ix) a not for profit Childcare Centre operator will be chosen for each Childcare Centre through an Expression of Interest process undertaken by the Children's Services Division. Each Childcare Centre operator must be approved by the General Manager, Children's Services, and each Childcare operator shall meet the City of Toronto's not for profit status; and
 - (x) concurrent with or prior to, the conveyance of each of the Childcare Centres to the City, the Owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the Owner as they pertain to each Childcare Centre.
- (h) One (1) Community Agency Space with the following conditions:
- (i) the Owner shall design, construct, finish and convey freehold ownership to the City, prior to 60 days after condominium registration of the building in which the Community Agency Space is located or, in the case of a non-residential or purpose-built rental building, prior to 60 days after first occupancy of the building, or such later date as may be satisfactory to the

Chief Planner in consultation with the Executive Director, Corporate Real Estate Management, and the Executive Director, Social Development, Finance, and Administration, in an acceptable environmental condition, for nominal consideration and at no cost to the City, a minimum 465 square metre, Community Agency Space located on the ground and second floors of a building in Phase 3;

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

the subject lands to be owned by the City and the Owner as they pertain to the Community Agency Space.

- (i) One (1) Public Library with the following conditions:
 - (i) the Owner shall design, construct and convey freehold ownership to the City, prior to 60 days after condominium registration of the building in which the Public Library is located or, in the case of a non-residential or purpose-built rental building, prior to 60 days after first occupancy of the building, or such later date as may be satisfactory to the Chief Planner in consultation with the Executive Director, Corporate Real Estate Management, and the City Librarian, in an acceptable environmental condition, for nominal consideration and at no cost to the City, a minimum 1,300 square metre Public Library located on the ground floor of a building located in Phase 4;
 - (ii) the Public Library shall be delivered to the City and finished to Base Building Condition, with the terms and specifications to be secured in the Section 37 Agreement, including direct access to a loading space, all satisfactory to the City Librarian, Toronto Public Library, Chief Planner and Executive Director, City Planning and the City Solicitor;
 - (iii) prior to the removal of the holding provision on Phase 4, the Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Public Library complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the City Librarian, Toronto Public Library, the Chief Planner and Executive Director, City Planning and the City Solicitor; and
 - (iv) concurrent with or prior to, the conveyance of the Public Library, the Owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the Owner as they pertain to the Public Library.
- (j) One (1) Community Recreation Centre, with the following conditions:
 - (i) the Owner will design, construct, finish, furnish, provide equipment for and convey freehold ownership to the City, prior to 60 days after condominium registration for the building in which

the Community Recreation Centre is located, or, in the case of a non-residential or purpose-built rental building, prior to 60 days after first occupancy of the building, or such later date as may be satisfactory to the Chief Planner in consultation with the Executive Director, Corporate Real Estate Management, and the General Manager, Parks, Forestry and Recreation, a minimum 6,040 square metre Community Recreation Centre, located on the ground, second and third floors, as freehold strata title, for nominal consideration, to the satisfaction of the General Manager, Parks, Forestry and Recreation as part of Phase 5;

- (ii) prior to the removal of the holding provision on Phase 4, the Owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Community Recreation Centre complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Chief Planner and Executive Director, City Planning and the City Solicitor;
- (iii) design and construction of the Community Recreation Centre shall conform with City regulations, guidelines and design criteria;
- (iv) all materials, products, finishes, devices, signs, furnishings, appliances and systems shall be designed with regard for the demands of an intensively used public building operated and maintained by the City;
- (v) at minimum, six (6) vehicular parking spots shall be provided to the City for exclusive use of the Community Recreation Centre, at no cost;
- (vi) the Owner and the City of Toronto shall enter into a Construction Management Agreement with the Owner for the construction of the Community Recreation Facility, on terms and conditions deemed necessary and appropriate by the General Manager, Parks, Forestry and Recreation, and the City Solicitor, in accordance with City policies applicable to capital projects;
- (vii) the Owner and the City of Toronto shall enter into, and the General Manager, Parks, Forestry and Recreation to execute on behalf of the City, any other ancillary agreements necessary to complete construction of the Community Recreation Facility, on terms and conditions satisfactory to the General Manager, Parks, Forestry and Recreation and the City Solicitor; and
- (viii) concurrent with or prior to, the conveyance of the Community Recreation Centre, the Owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost

Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the General Manager, Parks, Forestry and Recreation and the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the Owner as they pertain to the Community Recreation Centre.

- (k) prior to the first above-grade building permit for Phase 2, the Owner shall identify a location, and the timing of provision and installation, of a Heritage Toronto plaque as part of the heritage interpretation of the Site in consultation with the Etobicoke Historical Society, and as approved by the Chief Planner and Executive Director, City Planning.
- 3. The lands shall be developed in phases, and the Owner of the lands at 2150 and 2194 Lake Shore Boulevard West and 23 Park Lawn Road shall provide the community benefits set out in Section (2) in accordance with the phases as described in section 16 of this By-law.
- 4. The following matters shall be secured as a legal convenience to support the development of the site, at the owner's expense, and to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor:
 - (a) the construction, provision and maintenance of two (2) privately owned publicly accessible open spaces (POPS) on the lands, being the "Transit Plaza" and the "Pedestrian Plaza", with a minimum size of 2,750 square metres and 1,550, respectively, in accordance with the recommended Official Plan Amendment and recommended Zoning By-law Amendment, to the satisfaction of the Chief Planner and Executive Director, City Planning whereby:
 - (i) the Owner shall convey to the City, for nominal consideration, easement(s) along the surface of the lands, to the satisfaction of the City Solicitor, which shall constitute the two POPS and any required public access easements to connect the two POPS to adjacent POPS and/or public rights-of-way, where necessary; and
 - (ii) the Owner shall own, operate, maintain and repair the two POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the two POPS at all times of the day and night, 365 days of the year; and the specific details of the location, configuration, process for design and timing of conveyance of the two POPS shall be determined by the Section 37 agreement and the design secured through Site Plan Approval pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City;

- (b) a minimum amount of affordable housing must be achieved on the entire Plan Area through one or more of the following, or equivalent, delivery mechanisms, to the satisfaction of the Chief Planner and Executive Director, City Planning:
 - (i) the conveyance of land to the City sufficient to accommodate 20 percent of the residential gross floor area;
 - (ii) the provision of 10 percent of residential gross floor area as purpose-built rental units with affordable rents secured for a period of no less than 20 years; and/or
 - (iii) the conveyance to the City of 5 percent of the residential gross floor area for the purposes of permanent affordable housing; and
- (c) when required by the Housing Plan for a Phase, an affordable housing agreement for that Phase shall be executed prior to the issuance of the first above grade building permit for any building within that Phase;
- (d) the Owner shall provide a Phasing Plan to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- (e) prior to the issuance of the first above grade building permit in Phase 1, the Owner shall provide the cash-in-lieu of land payment for the deficit in parkland dedication requirements in accordance with Section 42 of the Planning Act.

Diagram 1

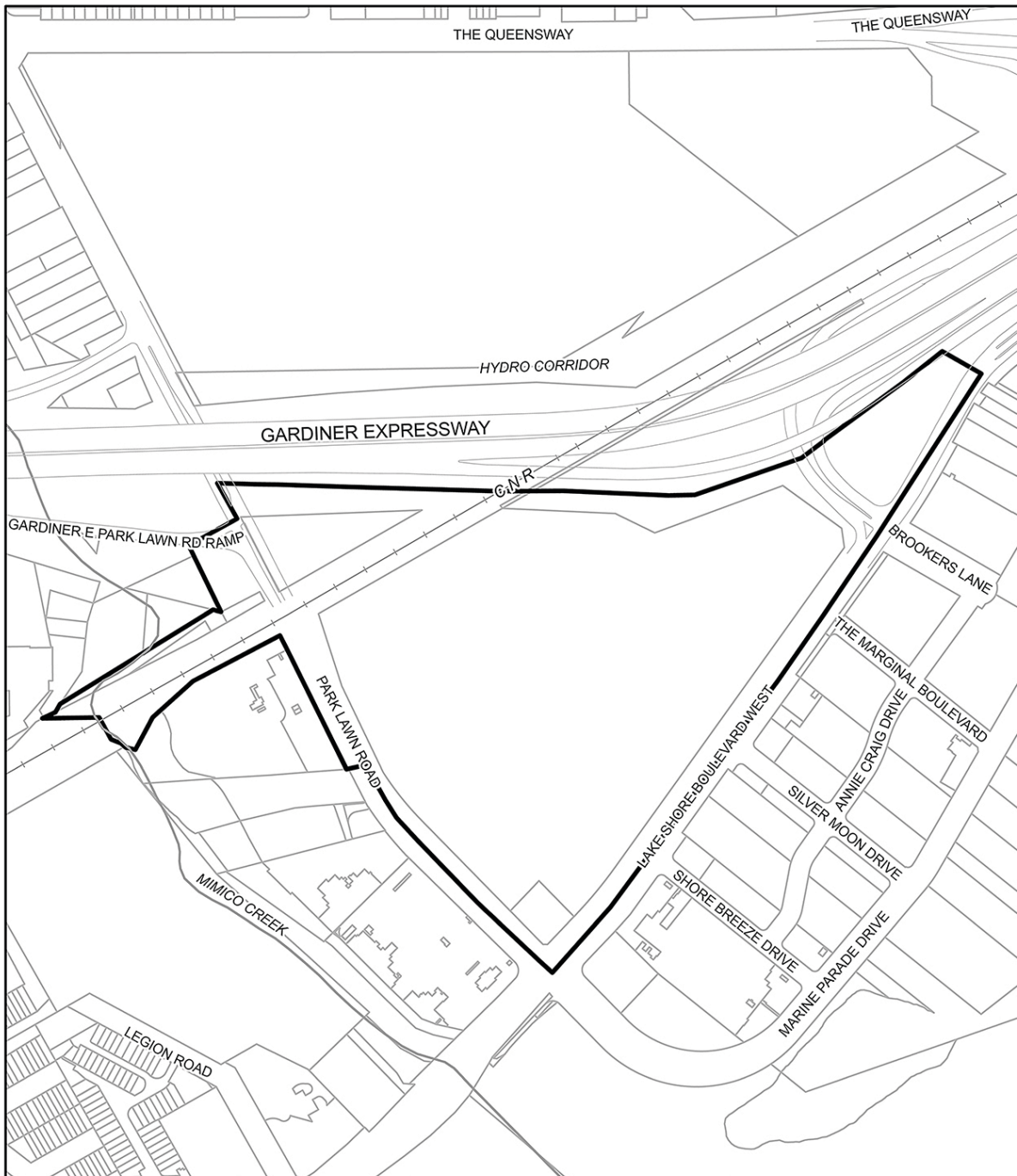


Diagram 1

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

File # 19 183725 WET 03 02



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

Diagram 2

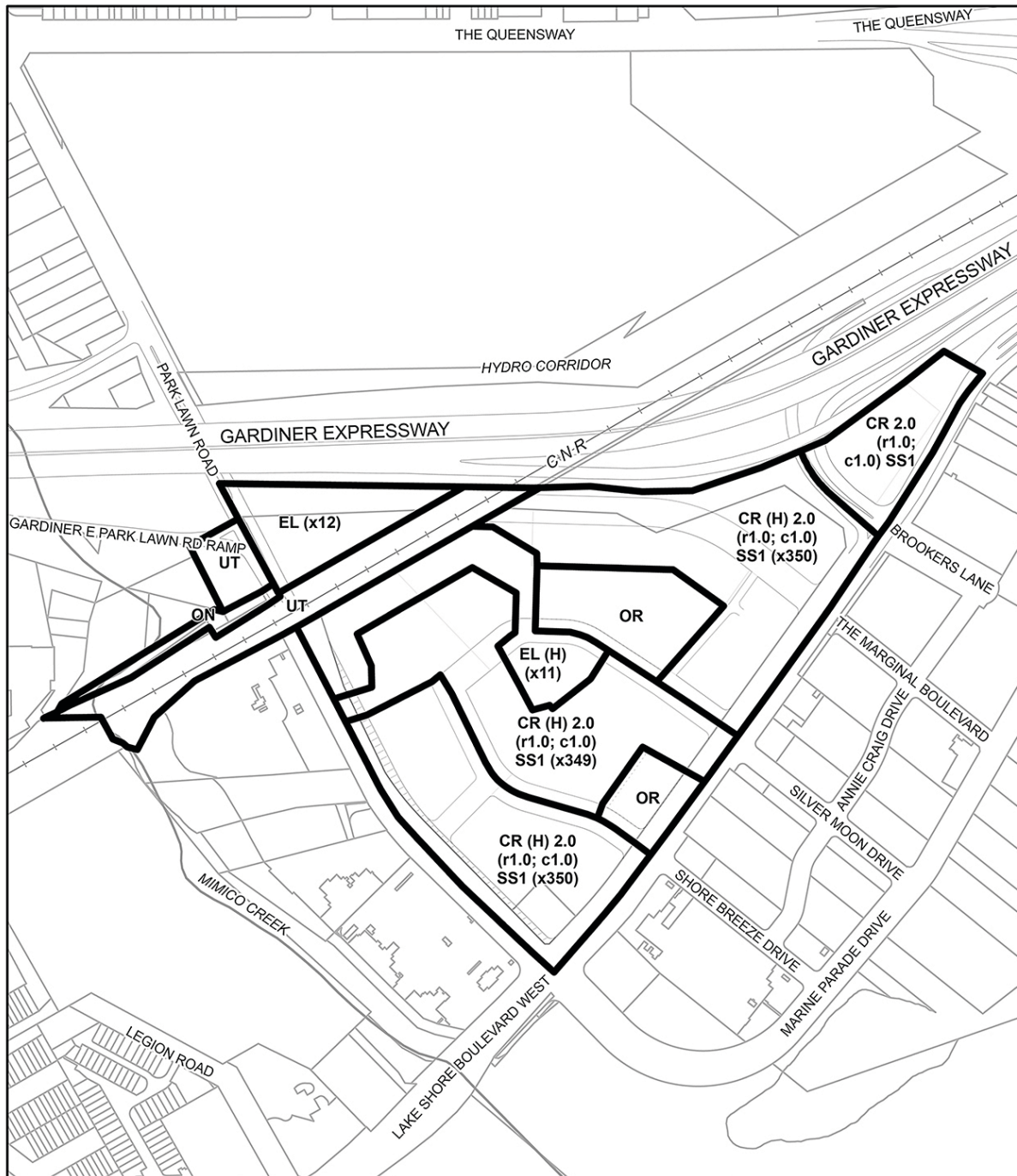
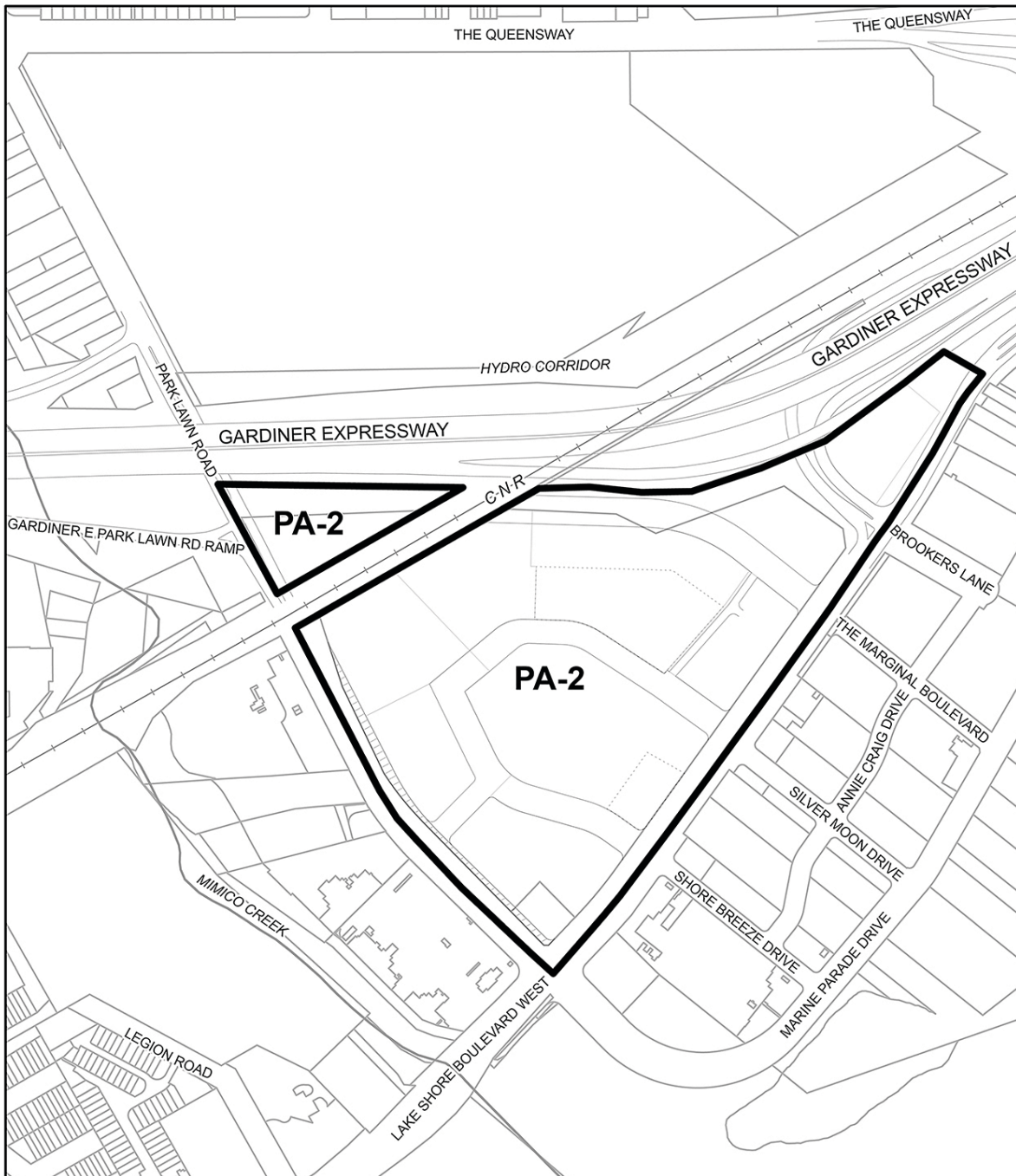


Diagram 3



 **TORONTO**
Diagram 3

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

File # 19 183725 WET 03 02

Diagram 4

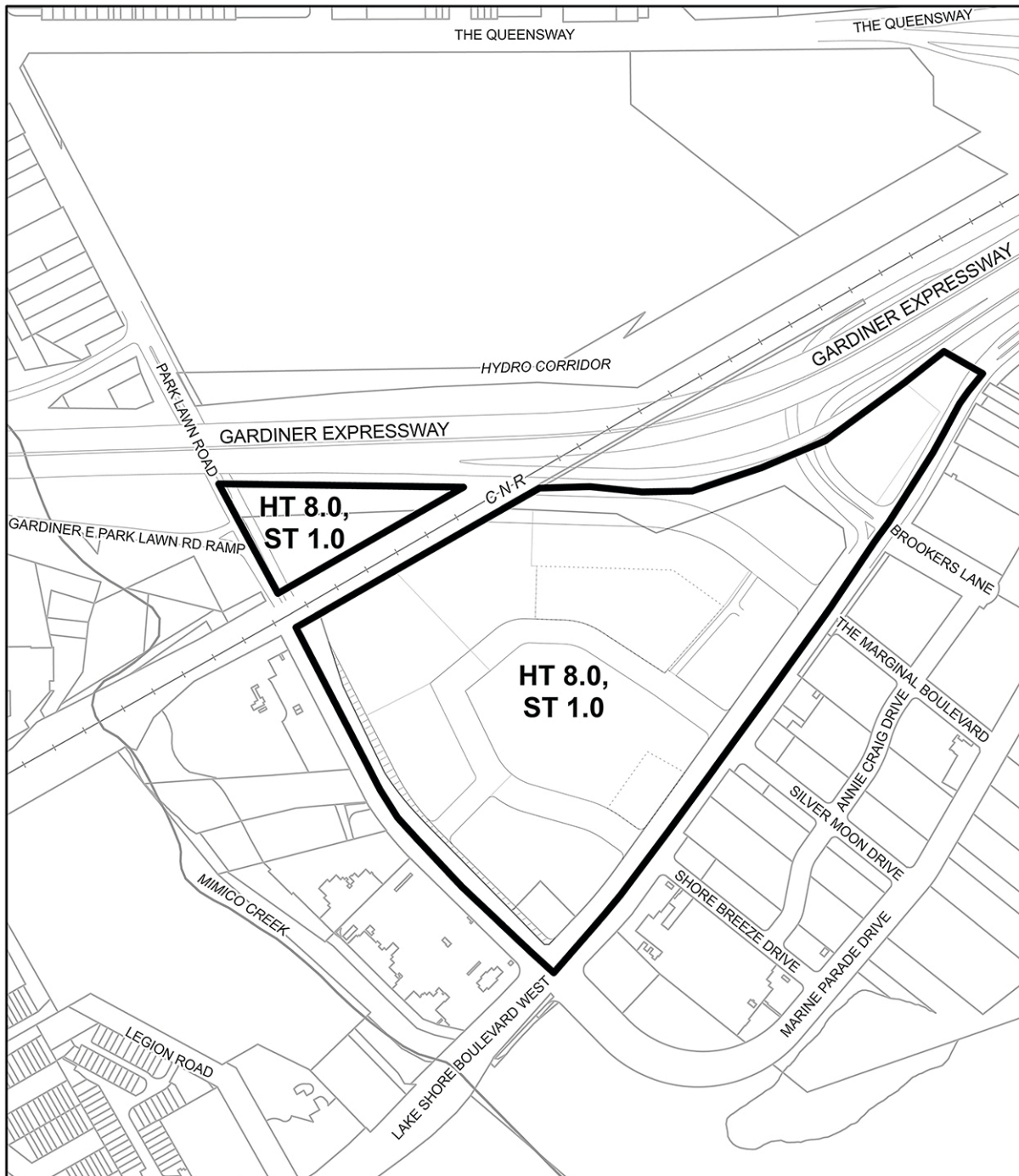
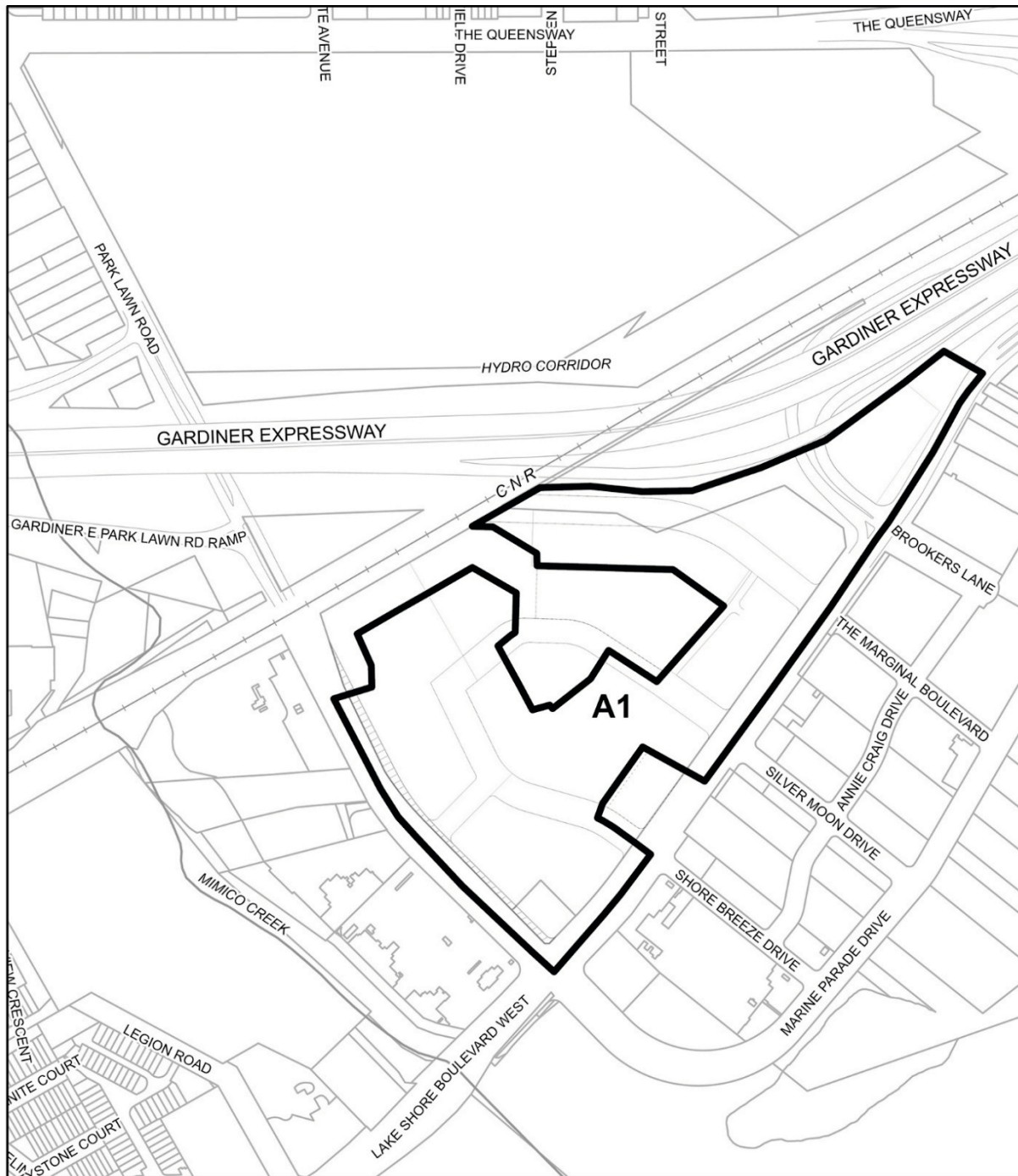


Diagram 5



Toronto
Diagram 5

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

File # 19 183725 WET 03 02

Diagram 6

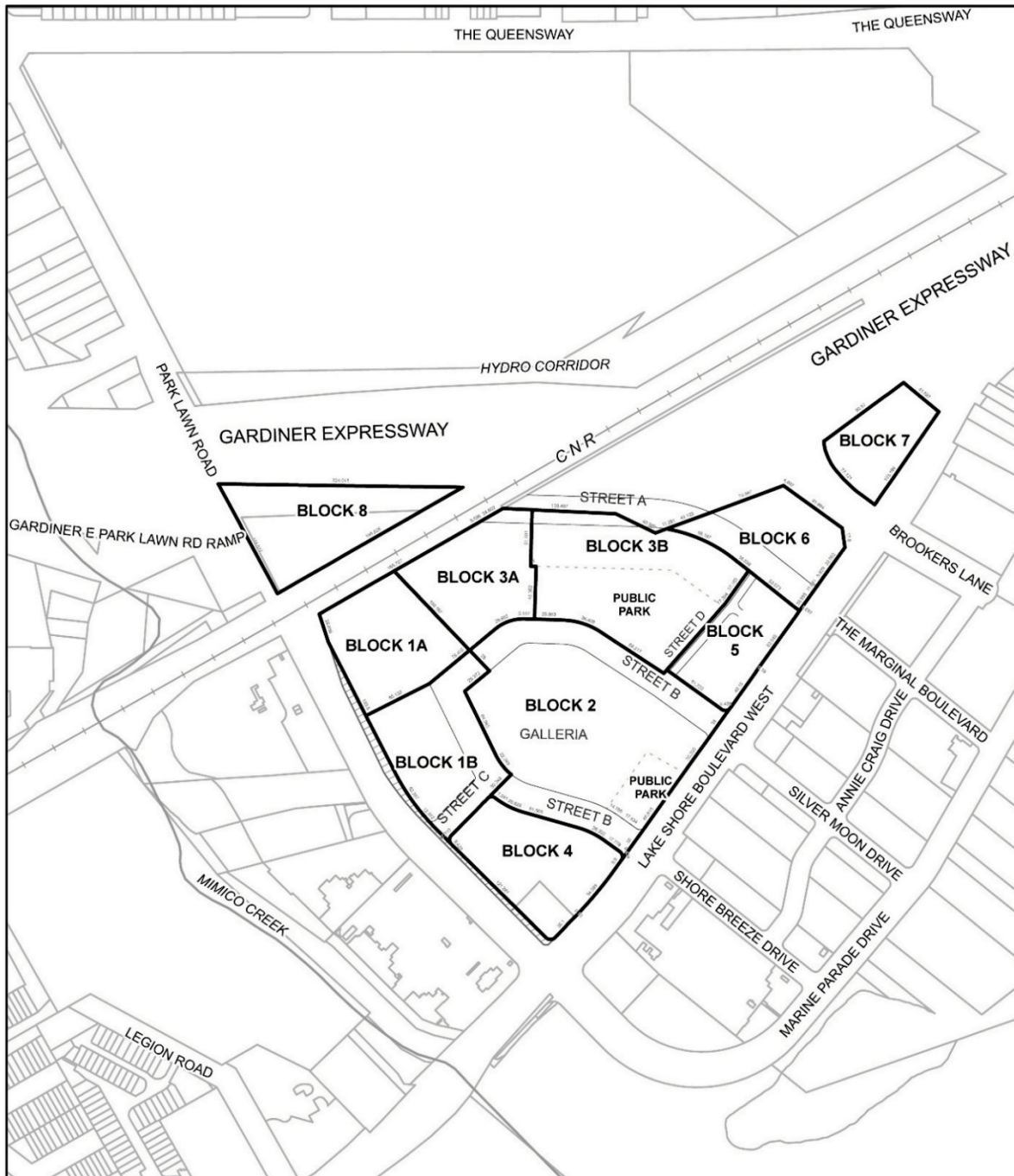
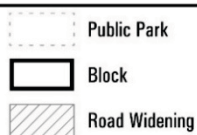


Diagram 6

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

File # 19 183725 WET 03 02



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Diagram 7

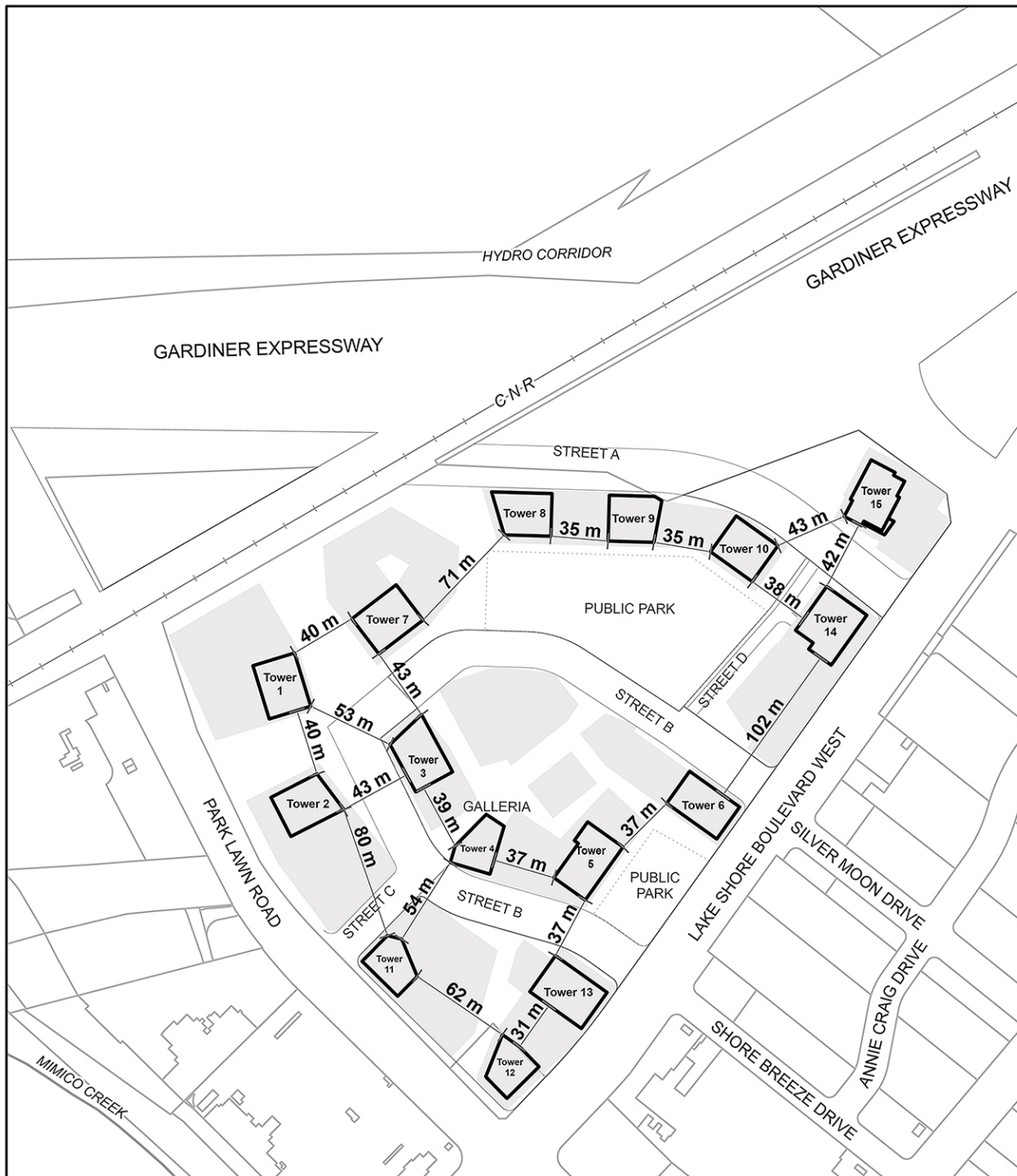


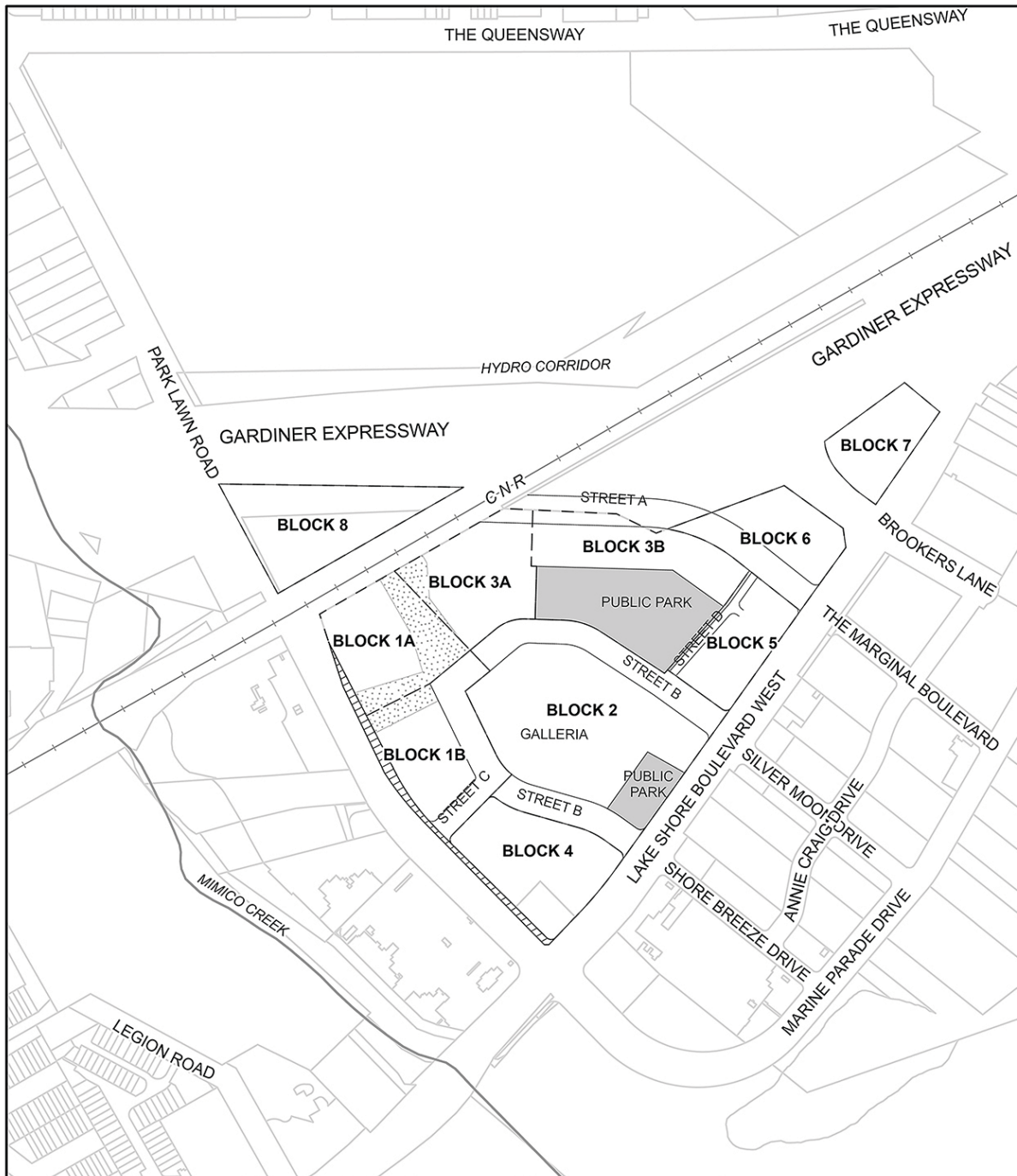
Diagram 7

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

File # 19 183725 WET 03 02







Diagram 8



Toronto
Diagram 8

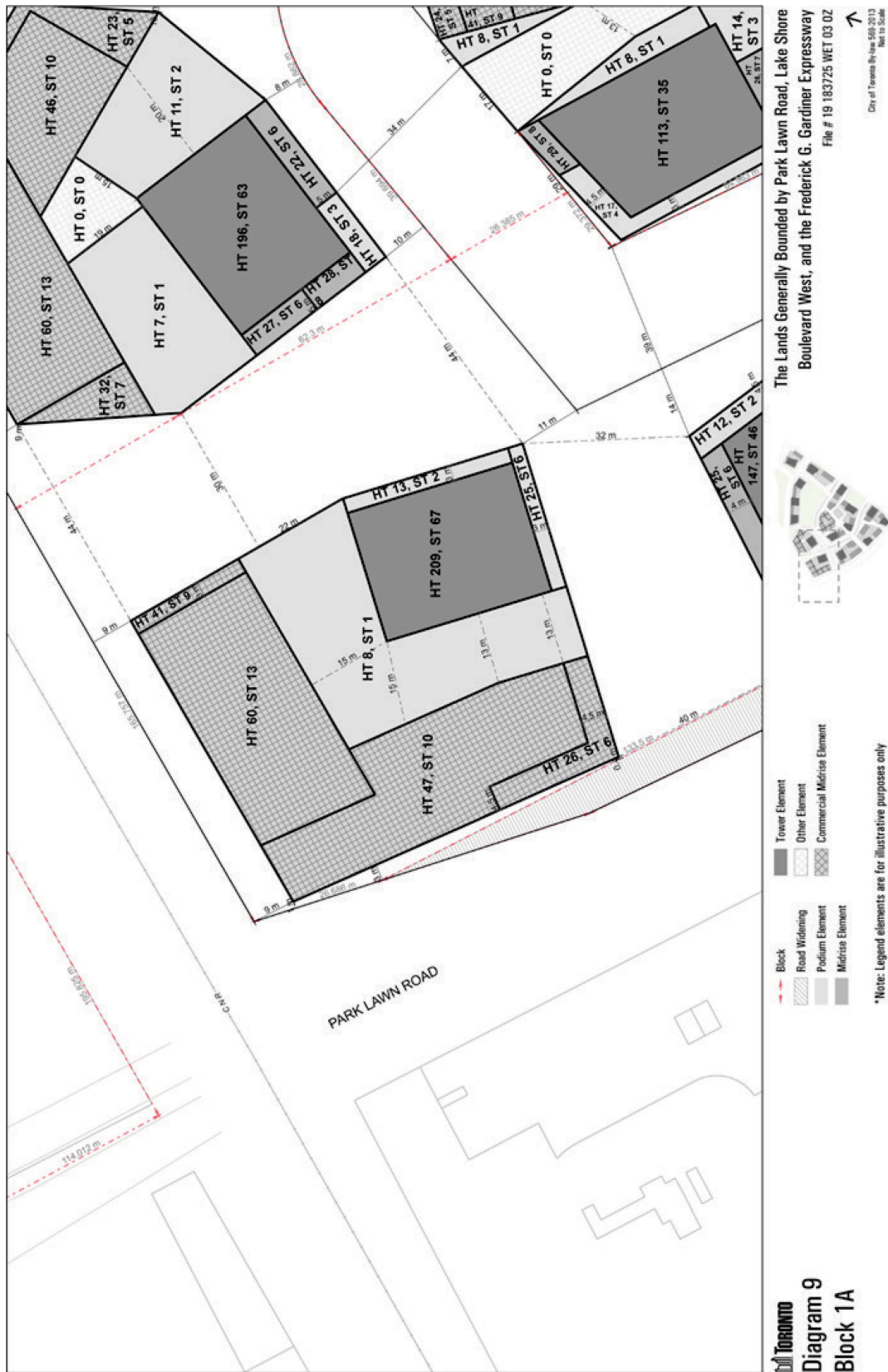
The Lands Generally Bounded by Park Lawn Road, Lake Shore
Boulevard West, and the Frederick G. Gardiner Expressway

File # 19 183725 WET 03 02

	Road Widening		Privately-Owned Publicly Accessible Spaces (POPS)
	Block		Public Park

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

**Diagram 9
Block 1A**



**Diagram 10
Block 1B**



Diagram 11
Block 2



**Diagram 12
Block 3A**



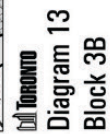


Diagram 14
Block 4



Diagram 15
Block 5

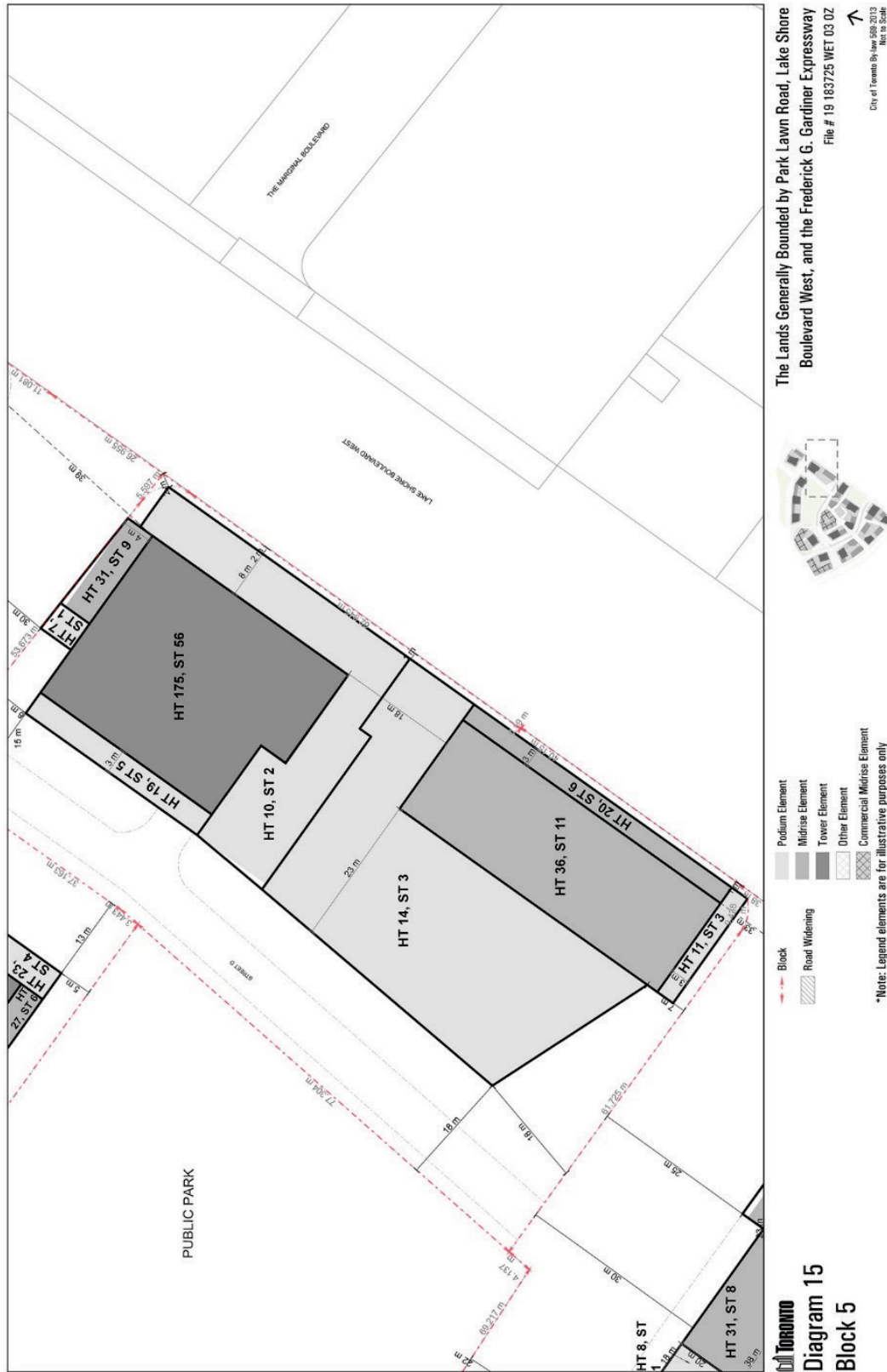


Diagram 16
Block 6

