

Authority: Local Planning Appeal Tribunal Decision
issued on March 4, 2020 and Ontario Land Tribunal Order
issued on July 28, 2022 in Tribunal File PL171057

CITY OF TORONTO

BY-LAW 1114-2022(OLT)

To amend Zoning By-law 1916 of the former Town of Leaside, as amended, with respect to lands municipally known in the year 2021 as 815-845 Eglinton Avenue East.

Whereas the Local Planning Appeal Tribunal, pursuant to its Decision issued on March 20, 2020 and Ontario Land Tribunal Order issued on July 28, 2022 in Tribunal File PL171057, has determined to amend Zoning By-law 1916 of the former Town of Leaside, as amended, with respect to the lands known municipally in the year 2021 as 815-845 Eglinton Avenue East; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Section 37 of the Planning Act, as it read the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c.18 came into force, as a mechanism to secure capital facilities required to support development; and

Whereas the Owner has agreed to certain matters hereinafter set out which are secured by one or more agreements between the Owner of the land and the City of Toronto;

Zoning By-law 1916, as amended of the former Town of Leaside, is further amended by the Ontario Land Tribunal as follows:

1. The lands subject to this by-law are those lands outlined by a heavy black line and identified on Schedule 1 attached to and forming part of this by-law.
2. Schedule "A" to former Town of Leaside Zoning By-law 1916, as amended, is further amended by changing the zoning category for the lands shown on Schedule 1 of this By-law from "Light Industrial M1(7) – Site Specific Zone " and "Light Industrial M1(8) – Site Specific Zone" to "Mixed Use Residential Commercial – Site Specific MRC.4 Zone", "Open Space (Parks) Zone (O)", and "Light Industrial M1(17)".
3. Former Town of Leaside Zoning By-law 1916, as amended, is hereby further amended by adding the following new Section 6.11.4 immediately after Section 6.11.3 as follows:

6.11.4 815-845 Eglinton Avenue East – MRC.4

1. Area Restricted

The provisions of this section shall only apply to the parcel of land zoned MRC.4 within the lands delineated by heavy lines on Schedule 1 attached to and forming part of this By-law and known municipally as 815-845 Eglinton Avenue East in the year 2021.

2. General Provisions

On the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law, no person shall use, occupy, erect or alter or cause to be used, occupied or altered any Building, Structure or land or part thereof except in accordance with the following provisions:

(a) Permitted Uses, Buildings and Structures MRC.4

(i) Residential

(A) Apartment Dwelling; and

(B) Multiple Attached Dwelling;

(ii) Retail Commercial

(A) Retail Store;

(B) Drug Store;

(C) Food Store;

(D) Personal Service Shop;

(E) Financial Institution;

(F) Tailors Shop;

(G) Dressmakers Shop;

(H) Dry Cleaners Distributing Station;

(I) Automated Teller Machine;

(J) Automotive Trade;

(K) Printing store;

(L) Artist and photographers studio and/or supplies store;

(M) Bakery;

(N) Eating Establishment;

(O) Variety/convenience store;

(P) Place of Assembly; and

- (Q) Place of Amusement;
- (iii) Office
 - (A) Business and Professional Office;
 - (B) Business Office;
 - (C) Medical Office; and
 - (D) Clinic;
- (iv) Other
 - (A) Commercial school;
 - (B) Day Nursery;
 - (C) Community facilities;
 - (D) Parking Garage;
 - (E) Home for the Aged;
 - (F) Home for Nursing;
 - (G) Outdoor Patio;
 - (H) Open Air Market; and
 - (I) Uses accessory to the foregoing uses in i, ii, iii, and iv;
- (b) Maximum Height of Buildings and Structures
 - (i) The maximum building Height of any building or structure, or portion thereof on the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law, shall not exceed the maximum Height limit in metres and number of storeys as shown on Schedule 2 attached to and forming part of this By-law;
 - (ii) Mechanical penthouses and mezzanines storage areas shall not be included as a storey;
 - (iii) Townhomes with two levels that would otherwise be considered two storeys will be considered to be one storey for the purpose of calculating the number of storeys permitted in accordance with Schedule 2 attached to and forming part of this By-law; and

- (iv) The following may exceed the maximum Height limits shown on Schedule 2 attached to and forming part of this By-law as follows:
 - (A) a roof structure which is used to house stairwells for roof access and/or the mechanical, window washing, electrical or ventilation systems for the building; by a maximum of 8.0 metres
 - (B) architectural features and design elements including skylights, parapets, cornices, mouldings, flashings, and landscape elements by a maximum of 3.0 metres;
 - (C) elevator overruns, structural supports, railings, roof drainage, thermal insulation and roof ballast terraces, terrace or balcony guards and dividers, planters, stairs, stair enclosures, wall or structure elements and railings, lighting fixtures, vents, flues, ventilation shafts, pipes, access roof hatch, generators, outdoor furniture, fence, pergolas, trellises, skylights, pools; structures used for wind protection purposes, signage, window washing equipment, lighting fixtures, lightning rods by a maximum of 5.0 metres;
 - (D) generators by a maximum of 8.0 metres;
 - (E) outdoor amenity areas including fireplaces, and structures located on the roof used for outside or open air recreation, or safety by a maximum of 4.0 metres; and
 - (F) green roof elements and/or structures by a maximum of 2.0 metres.

- (c) Yard Setbacks, Stepbacks and Permitted Projections for Buildings and Structures:
 - (i) The building location and setbacks on the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law, shall be the minimum yard setbacks for a building or structure as shown on Schedule 2 attached to and forming part of this By-law;
 - (ii) The building location and stepbacks on the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law, shall be the minimum dimensions as shown on Schedule 2 attached to and forming part of this By-law;
 - (iii) Underground parking structures may have a minimum yard setback of 0.0 metres from any Lot line; and

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- (iv) In addition to the provisions in Section 5.7, the following projections and encroachments may be permitted within any required building setback:
- (A) balconies that project a maximum of 1.8 metres in depth provided such projecting balconies are not located:
 - (1) on main walls which are 15 metres or less from other main walls;
 - (2) on main walls of the 4th, 5th and 6th storeys of all portions of the building over 17-storeys in Height;
 - (3) on main walls within 3.0 metres of the corners at the 4th storey and above of all portions of the building over 17 storeys in Height; and
 - (4) on the main walls of the first 6 storeys of buildings facing Eglinton Avenue East, Laird Drive, the POPS spaces and the public park.
 - (B) at-grade terraces by a maximum of 5.0 metres;
 - (C) canopies and awnings by a maximum of 2.0 metres;
 - (D) window sills by a maximum of 2.0 metres; and
 - (E) architectural features and design elements including entry portals, eaves, guardrails, landscape elements, ornamental elements, retaining walls, window washing equipment, vents, parapets, cornices, mouldings, flashings, railings, pergolas, trellises, lighting fixtures, structures used for wind protection purposes, signage, exterior stairways and railings, structural supports, wheelchair ramps and decks and ramps by a maximum of 2.0 metres.

(d) Landscaping

All yard areas on the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law, other than driveways, private roads, loading areas, motor vehicle parking, bicycle parking, walkways, stairs, outdoor amenity areas, terraces, urban plazas and patios shall be landscaped;

- (e) Amenity space on the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law, shall be provided in accordance with the following requirements:

- (A) a minimum of 2 square metres of indoor amenity space per residential dwelling unit shall be provided;
 - (B) a minimum of 2 square metres of outdoor amenity space per residential dwelling unit shall be provided;
 - (C) at least 40.0 square metres is outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space; and
 - (D) up to a maximum of 8 guest suites with a maximum Gross Floor Area of up to 32 square metres each can be included in the calculation of indoor amenity space.
- (f) Gross Floor Area
- (i) the maximum total Gross Floor Area on the lands zoned MRC.4, on Schedule 1, attached to and forming part of this By-law shall be provided in accordance with Section 6 of By-law 1114-2022(OLT);
- (g) Parking:
- (i) Notwithstanding Section 5.17, parking on the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law , shall be provided in accordance with Section 7 of By-law 1114-2022(OLT);
 - (ii) the Parking Spaces required by (i) above:
 - (A) may be provided on a non-exclusive basis and may be provided within a below ground Parking Garage on the Lot;
 - (B) may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law; and
 - (C) may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law.
- (h) Loading
- (i) Notwithstanding Section 5.19, loading on the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law, shall be provided in accordance with Section 8 of By-law 1114-2022(OLT);

- (ii) the loading spaces required by (i) above:
 - (A) may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law; and
 - (B) may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law.

(i) Bicycle Parking

- (i) The minimum number of Bicycle Parking Spaces on the lands zoned MRC.4, on Schedule 1 attached to and forming part of this By-law, shall be provided in accordance with Section 9 of By-law 1114-2022(OLT);

(ii) the Bicycle Parking Spaces required by (i) above:

- (A) may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law; and
- (B) may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law.

- (j) Notwithstanding any provisions of the By-law, as amended, a portion of a building on the land zoned MRC.4 on Schedule 1 attached to and forming part of this By-law, may be used for Parking Spaces, Bicycle Parking Spaces, loading spaces, service, access and/or mechanical equipment that serve the uses of the lands zoned M1(17) shown on Schedule 1 attached to and forming part of this By-law.

4. Former Town of Leaside Zoning By-law 1916, as amended, is hereby further amended by adding the following new Section 8.2.3(o) immediately after Section 8.2.3(n) as follows:

8.2.3 (o) 815-845 Eglinton Avenue East – M1(17)

1. Area Restricted

The provisions of this section shall only apply to the parcel of land zoned M1(17) within the lands delineated by heavy lines on Schedule 1 attached to and forming part of this By-law and known municipally as 815-845 Eglinton Avenue East in the year 2021.

2. General Provisions

Notwithstanding Sections 8.1.3, 8.2.1 and 8.2.2, on the lands zoned M1(17), on Schedule 1 attached to and forming part of this By-law, no person shall use,

occupy, erect or alter or cause to be used, occupied or altered any Building, Structure or land or part thereof except in accordance with the following provisions:

(a) **Permitted Uses, Buildings and Structures**

(i) Industrial

- (A) Printing, publishing, platemaking, typesetting, bindery;
- (B) Food and beverage industries, including the preparation of foods for whole sale, but not including the slaughtering of animals, meat processors or fish plants;
- (C) Medical laboratories;
- (D) Technical Research and Development Facilities;
- (E) Data processing;
- (F) Communications; and
- (G) Graphic arts;

(ii) Retail Commercial

- (A) Retail Store;
- (B) Drug Store;
- (C) Food Store;
- (D) Personal Service Shop;
- (E) Financial Institution;
- (F) Automated Teller Machine;
- (G) Automotive Trade;
- (H) Printing store;
- (I) Bakery;
- (J) Eating Establishment;
- (K) Variety/convenience store; and

- (L) Fitness centre/gym;
- (iii) Office
 - (A) Business and Professional Office;
 - (B) Business Office;
 - (C) Medical Office; and
 - (D) Clinic;
- (iv) Other
 - (A) Parking Garage;
 - (B) Commercial school; and
 - (C) Uses accessory to the forgoing uses in i, ii, iii and iv above;
- (b) The total Gross Floor Area of any one retail store occupied by non-residential uses on those lands zoned M1(17) on Schedule 1 attached to and forming part of this By-law may not exceed 6,000 square metres;
- (c) Notwithstanding Section 8.2(1)(b)(ii), the uses permitted in 4(a)(ii), and (iii) above may be located on the ground or second floor and may occupy the entirety of any floor;
- (d) Maximum Height of Buildings and Structures
 - (i) The maximum building Height of any building or structure, or portion thereof on the Lot, shall not exceed the maximum Height limit in metres and number of storeys as shown on Schedule 2 attached to and forming part of this By-law;
 - (ii) Mechanical penthouses and mezzanines storage areas shall not be included as a storey;
 - (iii) The following may exceed the maximum Height limits shown on Schedule 2 attached to and forming part of this By-law as follows:
 - (A) a roof structure which is used to house stairwells for roof access and/or the mechanical, window washing, electrical or ventilation systems for the building; by a maximum of 8.0 metres;

- (B) architectural features and design elements including skylights, parapets, cornices, mouldings, flashings, and landscape elements by a maximum of 3.0 metres;
 - (C) elevator overruns, structural supports, railings, roof drainage, thermal insulation and roof ballast terraces, terrace or balcony guards and dividers, planters, stairs, stair enclosures, wall or structure elements and railings, lighting fixtures, vents, flues, ventilation shafts, pipes, access roof hatch, generators, outdoor furniture, fence, pergolas, trellises, skylights, pools; structures used for wind protection purposes, signage, window washing equipment, lighting fixtures, lightning rods by a maximum of 5.0 metres;
 - (D) generators by a maximum of 8.0 metres;
 - (E) outdoor amenity areas including fireplaces, and structures located on the roof used for outside or open air recreation, or safety by a maximum of 4.0 metres;
 - (F) green roof elements and/or structures by a maximum of 2.0 metres;
 - (G) a roof structure which is used to house an elevator for roof access and/or related elevator overrun and mechanicals; and
 - (H) washrooms to service outdoor amenity areas.
- (e) Yard Setbacks, Stepbacks and Permitted Projections for Buildings and Structures
- (i) The building location and setbacks on the Lot shall be the minimum yard setbacks for a building or structure as shown on Schedule 2 attached to and forming part of this By-law;
 - (ii) The building location and stepbacks on the Lot shall be the minimum dimensions as shown on Schedule 2 attached to and forming part of this By-law;
 - (iii) Underground parking structures may have a minimum yard setback of 0.0 metres from any Lot line;
 - (iv) In addition to the provisions in Section 5.7, the following projections and encroachments may be permitted within any required building setback:

- (A) at-grade terraces by a maximum of 5.0 metres;
- (B) canopies and awnings by a maximum of 2.0 metres;
- (C) window sills by a maximum of 2.0 metres; and
- (D) architectural features and design elements including entry portals, eaves, guardrails, landscape elements, ornamental elements, retaining walls, window washing equipment, vents, parapets, cornices, mouldings, flashings, railings, pergolas, trellises, lighting fixtures, structures used for wind protection purposes, signage, exterior stairways and railings, structural supports, wheelchair ramps and decks and ramps by a maximum of 2.0 metres.

(f) Landscaping

Notwithstanding Section 8.1.5, all yard areas on the lands zoned M1(17), on Schedule 1 attached to and forming part of this By-law, other than driveways, private roads, loading areas, motor vehicle parking, bicycle parking, walkways, stairs, outdoor amenity areas, terraces, urban plazas and patios shall be landscaped;

(g) Gross Floor Area

- (i) the maximum total Gross Floor Area on the lands zoned M1(17), on Schedule 1 attached to and forming part of this By-law, shall be provided in accordance with Section 6. of By-law 1114-2022(OLT);

(h) Parking:

- (i) notwithstanding Section 5.17, parking on the lands zoned M1(17), on Schedule 1 attached to and forming part of this By-law, shall be provided in accordance with Section 7. of By-law 1114-2022(OLT);
- (ii) the Parking Spaces required by (i) above:
 - (A) may be provided on a non-exclusive basis and may be provided within a below ground Parking Garage on the Lot;
 - (B) may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law; and
 - (C) may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law.

- (i) Loading
 - (i) Notwithstanding Section 5.19, loading on the lands zoned M1(17), on Schedule 1 attached to and forming part of this By-law, shall be provided in accordance with Section 8 of By-law 1114-2022(OLT);
 - (ii) the loading spaces required by (i) above:
 - (A) may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law; and
 - (B) may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law.
- (j) Bicycle Parking
 - (i) the minimum number of Bicycle Parking Spaces on the lands zoned M1(17), on Schedule 1 attached to and forming part of this By-law, shall be provided in accordance with Section 9 of By-law 1114-2022(OLT);
 - (ii) the Bicycle Parking Spaces required by (i) above:
 - (A) may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law; and
 - (B) may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law.
- (k) Notwithstanding any provisions of the By-law, as amended, a portion of a building on the land zoned M1(17) on Schedule 1 attached to and forming part of this By-law, may be used for Parking Spaces, Bicycle Parking Spaces, loading spaces, service, access and/or mechanical equipment that serve the uses of the lands zone MRC.4 shown on Schedule 1 attached to and forming part of this By-law.

5. Definitions

- (a) For the purpose of this By-law:
 - (i) Automotive Trade shall mean a use conducted within an enclosed building for the repair, storing, sale or offering for sale at retail of any automotive vehicle and accessories for automotive vehicles. All repair related activities will be conducted below Established Grade. The painting or

repairing of bodies or fenders of motor vehicles or the sale of non-automotive products is clearly not permitted;

- (ii) Bicycle Parking Space shall mean an area used for parking or storing a bicycle;
- (iii) Bicycle Room shall mean an indoor space that is designed and equipped for the purpose of parking and securing bicycles;
- (iv) Car Share shall mean the practice where a number of people share the use of one or more motor vehicles. Such Car Share motor vehicles, shall be made available for short term rental, including hourly rental. Car share operators may require that Car Share motor vehicles be reserved in advance, charge fees based on time and/or kilometres driven and set membership requirements of the car-sharing operator, including payment of a membership fee that may or may not be refundable;
- (v) Car Share Parking Space shall mean a Parking Space that is reserved and used for the Car Share purpose;
- (vi) Community Centre shall mean premises operated by or on behalf of a government or non-profit organization providing community activities, such as arts, crafts, recreation, social, charitable and education activities including a not-for-profit daycare. A club is not a Community Centre;
- (vii) Established Grade shall mean 131.8 metres Canadian Geodetic Datum;
- (viii) Gross Floor Area shall mean the sum of the total area of each floor level of a building, above and below ground, measured from the exterior of the main wall of each floor level, but excluding:
 - (A) parking, loading, service corridors, and bicycle parking and associated Bicycle Rooms below Established Grade;
 - (B) required loading spaces and required Bicycle Parking Spaces and associated Bicycle Rooms at, below, or above Established Grade;
 - (C) storage rooms, washrooms, electrical, utility, service corridors, mechanical and ventilation rooms at, below, or above Established Grade;
 - (D) shower and change facilities required by this By-law for required Bicycle Parking Spaces;
 - (E) indoor amenity space required by this by-law;
 - (F) firefighter central alarm control facilities (CACF); at or below Established Grade;

- (G) elevator shafts;
 - (H) garbage shafts;
 - (I) mechanical penthouse;
 - (J) portions of a building used as a Community Centre;
 - (K) exit stairwells in the building; and
 - (L) portions of a building associated with the Metrolinx Light Rail Transit station, at, below, and above grade, including access corridors, exit stairwells, service corridors, vestibules, elevator shafts, electrical and utility rooms, and mechanical and ventilation rooms.
- (ix) Height shall mean the distance between the Established Grade and the elevation of the highest point of the building;
 - (x) Long-Term Bicycle Parking Spaces shall mean Bicycle Parking Spaces for use by the occupants or tenants of a building;
 - (xi) Lot shall mean the parcel of land delineated by heavy lines on Schedule 1 attached to and forming part of this By-law and known municipally as 815-845 Eglinton Avenue East in the year 2021;
 - (xii) Parking Garage shall mean a building or portion thereof, with one or more Parking Spaces;
 - (xiii) Parking Space shall mean an area used for the parking or storing of a vehicle;
 - (xiv) Place of Amusement shall include a motion picture or other theatre, arena, auditorium, public dance hall (including premises for wedding receptions, and other social gatherings) music hall, arcade show or penny arcade, billiard or pool room, bowling alley, exhibition, ice or roller skating rink, shooting gallery and similar uses;
 - (xv) Place of Assembly shall include a banquet hall, theatre of any kind, athletic, health and/or fitness club, social and/or recreational club, and similar places of assembly and/or similar uses;
 - (xvi) Public Parking shall mean premises having an area for the parking of one or more vehicles as a principal use and the parking of a vehicle is available for public use with or without a fee;
 - (xvii) Short-Term Bicycle Parking Spaces shall mean Bicycle Parking Spaces for use by visitors to a building; and

(xviii) Stacked Bicycle Parking Space shall mean a horizontal Bicycle Parking Space that is positioned above or below another Bicycle Parking Space and equipped with a mechanical device providing floor level access to both Bicycle Parking Spaces.

6. Gross Floor Area:

- (a) Provisions applying to Gross Floor Area for the lands zoned MRC.4 and M1(17) shown on Schedule 1 attached to and forming part of this By-law are as follows:
 - (i) A maximum total Gross Floor Area on the Lot shall not exceed 138,000 square metres;
 - (A) the Gross Floor Area of all buildings and structures occupied by residential uses must not exceed 118,600 square metres;
 - (B) the Gross Floor Area of all buildings and structures occupied by non-residential uses must not exceed 19,850 square metres of which at least 12,000 square metres shall be used for permitted non-residential uses in in the M1(17) zone, shown on Schedule 1 attached to and forming part of this By-law, excluding the area occupied by a Parking Garage, or Public Parking;
 - (C) the Gross Floor Area of all building and structures occupied by non-residential uses may be shared between the uses on the lands zoned MRC.4 and M1(17) shown on Schedule 1 attached to and forming part of this By-law; and
 - (D) no building or structures on the lands zoned M1(17) shown on Schedule 1 attached to and forming part of this By-law may be occupied by residential uses.

7. Parking

- (a) Provisions applying to Parking Spaces for the lands zoned MRC.4 and M1(17) shown on Schedule 1 attached to and forming part of this By-law are as follows:
 - (i) notwithstanding Section 5.17, provide parking in accordance with the following minimum requirements:
 - (A) Residential – a minimum of 0.45 Parking Spaces per dwelling unit;
 - (B) Parking for all other uses shall be provided in accordance with the following table:

Parking Rates and Parking Occupancy Table

Land Use	Parking Rate	Parking Occupancy Rate		
		AM 6 a.m. to Noon	PM Noon to 6 p.m.	Eve 6 p.m. to 6 a.m.
Residential Visitors	0.1 Parking Spaces for each dwelling unit. No maximum applies.	10 percent	35 percent	100 percent
Community Centre	0.5 Parking Spaces for each 100 square metres of Gross Floor Area to a maximum of 1.3 Parking Spaces.	25 percent	100 percent	100 percent
Day Nursery	0.4 Parking Spaces for each 100 square metres of Gross Floor Area to a maximum of 0.8 Parking Space for each 100 square metres of Gross Floor Area.	100 percent	100 percent	50 percent
Office Uses	1.0 Parking Space for each 100 square metres of Gross Floor Area to a maximum of 2.0 Parking Spaces.	100 percent	60 percent	0 percent
Retail and all other non-residential uses	1.0 Parking Space for each 100 square metres of Gross Floor Area to a maximum of 4.0 Parking Spaces.	20 percent	100 percent	100 percent

Shared Parking Space Calculation (Minimum)

- (1) The minimum number of Parking Spaces as required in the table above is determined as follows:
 - (A) for each of the morning, afternoon and evening parking periods identified in the table above, the minimum number of Parking Spaces required for each use, is calculated using the respective Parking Space rate and occupancy rate;
 - (B) the minimum number of Parking Spaces required for each parking period is the total of the Parking Spaces required for all uses during that parking period; and
 - (C) the minimum number of Parking Spaces required is equal to the largest number of Parking Spaces required for any parking period; and
- (C) residential visitor Parking Spaces and non-residential Parking Spaces may be provided on a non-exclusive basis and may be shared and may be provided as Public Parking in a Parking Garage;

- (D) up to a maximum of 10 percent of the total number of Parking Spaces provided may have the following minimum dimensions, notwithstanding that such Parking Spaces are obstructed on one or two sides:
 - (A) Length – 5.6 metres;
 - (B) Width – 2.6 metres; and
 - (C) Height – 2.0 metres;
- (E) the required Parking Spaces may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law;
- (F) the required Parking Spaces may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law;
- (G) vehicle Parking Spaces may be provided within a parking stacker, with dimensions of not less than 2.4 metres in width by 5.3 metres. The parking stacker may be located in a garage with a minimum clear Height of 3.65 metres;
- (H) **Car Share Parking**
 - (1) for each on-site Car Share Parking Space provided on the Lot, the minimum residential parking required shall be reduced by 4 Parking Spaces, up to a maximum for 1 Car Share Parking Space per 60 dwelling units;

8. Loading

- (a) Provisions applying to loading for the lands zoned MRC.4 and M1(17) shown on Schedule 1 attached to and forming part of this By-law are as follows:
 - (i) notwithstanding Section 5.19, loading spaces shall be provided in accordance with the following:
 - (A) A minimum of 2 Type G, 5 Type B and 4 Type C loading spaces shall be provided;
 - (B) Type G loading space shall have minimum dimensions of 13.0 metres long, 4.0 metres wide and a vertical clearance of 6.1 metres;

- (C) Type B loading space shall have minimum dimensions of 11.0 metres long, 3.5 metres wide and a vertical clearance of 4.0 metres;
- (D) Type C loading space shall have minimum dimensions of 6.0 metres long, 3.5 metres wide and a vertical clearance of 3.0 metres;
- (E) the required loading spaces may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law;
- (F) the required loading spaces may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law;
- (G) access to loading spaces may be provided by driveways and passageways having a maximum slope of up to 12 percent, provided the maximum permitted slope of a ramp or driveway within 6.0 metres of the limit of a street is 5 percent; and
- (H) all loading and related servicing uses must be located underground.

9. Bicycle Parking

- (a) Provisions applying to bicycle parking for the lands zoned MRC.4 and M1(17) shown on Schedule 1 attached to and forming part of this By-law are as follows:
 - (i) The minimum number of Bicycle Parking Spaces shall be provided in accordance with the following requirements:
 - (A) Residential:
 - (1) Long-Term Bicycle Parking Spaces (Resident) – 0.9 spaces per dwelling unit; and
 - (2) Short-Term Bicycle Parking Spaces (Visitors) – 0.1 spaces per dwelling unit.
 - (B) Non-residential:
 - (1) For office uses the minimum number of Short-Term Bicycle Parking Spaces to be provided is 3 plus 0.2 for each 100 square metres of interior floor area;
 - (2) For office uses the minimum number of Long-Term Bicycle Parking Spaces to be provided is 0.2 for each 100 square metres of interior floor area;

- (3) For all other non-residential uses the minimum number of Short-Term Bicycle Parking Spaces to be provided is 3 plus 0.3 Bicycle Parking Spaces for each 100 square metres of interior floor area; and
 - (4) For all other non-residential uses the minimum number of Long-Term Bicycle Parking Spaces to be provided is 0.2 Bicycle Parking Spaces for each 100 square metres of interior floor area.
- (C) Long-Term Bicycle Parking Spaces must be located in a building;
- (D) A Long-Term Bicycle Parking Space may be located in a Stacked Bicycle Parking Space;
- (E) A minimum of 50 percent of all bicycles will be placed in a horizontal position and the balance may be placed in a vertical or stacked horizontal position;
- (F) the required Bicycle Parking Spaces may be shared between the uses on the lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law; and
- (G) the required Bicycle Parking Spaces may be located on any lands zoned MRC.4 and M1(17) on Schedule 1 attached to and forming part of this By-law.
- (H) **Bicycle Parking Space Dimensions**
- (1) A Bicycle Parking Space must have a minimum length of 1.8 metres, minimum width of 0.6 metres, and minimum vertical clearance from the ground of 1.9 metres;
 - (2) A Bicycle Parking Space if placed in a vertical position on a wall, structure or mechanical device must have a minimum length or vertical clearance of 1.9 metres, minimum width of 0.6 metres, and minimum horizontal clearance from the wall of 1.2 metres;
 - (3) If a Stacked Bicycle Parking Space is provided, the minimum vertical clearance for each Bicycle Parking Space is 1.2 metres; and
 - (4) An area used to provide Bicycle Parking Spaces must have a minimum vertical clearance of 2.4 metres if it is a Stacked Bicycle Parking Space; and 1.9 metres in all other cases.

(I) Change and Shower Facilities

If a building has uses, other than dwelling units, for which a Long-Term Bicycle Parking Space is required, shower and change facilities must be provided for each gender at the following rate:

- (1) none if less than 13 required Long-Term Bicycle Parking Spaces;
 - (2) 1 for 13 to 60 required for Long-Term Bicycle Parking Spaces;
 - (3) 2 for 61 to 120 required Long-Term Bicycle Parking Spaces;
 - (4) 3 for 121 to 189 required for Long-Term Bicycle Parking Spaces; and
 - (5) 4 for more than 180 required Long-Term Bicycle Parking Spaces.
- 10.** Notwithstanding any of the provisions of this By-law, as amended, a temporary sales office is permitted on the Lot.
- 11.** Notwithstanding any of the provisions of this By-law, an underground parking structure is not permitted in the O zone.
- 12.** Notwithstanding anything else contained in this By-law, the provisions of this By-law, as amended, shall continue to apply collectively to all of the lands identified on Schedule 1 of this By-law, notwithstanding any existing or future severance, partition or division thereof and as if no severance, partition or division occurred.
- 13.** Except as amended in this By-law, all the other provisions of By-law 1916, amended, shall apply to the lands.
- 14.** Section 37 Provisions
- (a) Pursuant to Section 37 of the Planning Act, as it read the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c.18 came into force, and subject to compliance with this By-law, the increase in Height and density of the development is permitted beyond that otherwise permitted on the lands shown on Schedule 1 attached to and forming part of this By-law, in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

- (b) Where Schedule A of this By-law requires that owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and
- (c) The owner 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 applicable provisions of Schedule A are satisfied.

Pursuant to Local Planning Appeal Tribunal Decision/Order issued on March 4, 2020 and Ontario Land Tribunal Order issued on July 28, 2022 in Tribunal File PL171057.

SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in Height and density of the proposed development on the lands zoned MCR 4 and M1(17) as shown in Schedule 1 attached to and forming part of this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act, as it read the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c.18 came into force, whereby the owner agrees as follows:

Cash Contribution

1. Prior to the issuance of the first Above-Grade Building Permit for the development on any portion of the Lot, the Owner shall make a cash contribution to the City in the amount of Eleven Million Three Hundred Thousand Dollars (\$11,300,000.00) (the "Cash Contribution") to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor to be used by the City, for community services and facilities in the Ward.
2. The Cash Contribution set out in Clause 1 shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the Cash Contribution by the owner to the City.

Functional Servicing and Stormwater Management

3. Prior to the issuance of any Building Permit for all or any part of the development, including any conditional building permit, the Owner shall at no cost to the City:
 - a. obtain all necessary permits to haul private water offsite with no discharge to any sewer until all required internal infrastructure and external upgrades to the existing municipal infrastructure identified in the accepted Functional Servicing Report, Hydrogeological Report and Stormwater Management Report, for the development are completed to the satisfaction of the General Manager, Toronto Water and the Chief Engineer; or
 - b. obtain all necessary permits to discharge private water to the storm sewer, pay all applicable fees, comply with all permit conditions, to the satisfaction of the General Manager, Toronto Water and the Chief Engineer until all required internal infrastructure and external upgrades to the existing municipal infrastructure identified in the accepted Functional Servicing Report, Hydrogeological Report and Stormwater Management Report, are completed to the satisfaction of the General Manager, Toronto Water and the Chief Engineer; or

- c. obtain all necessary permits and design, financially secure, construct, and make operational, all required internal infrastructure and external upgrades to the existing municipal infrastructure identified in the accepted Functional Servicing Report, Hydrogeological Report and Stormwater Management Report, to support the development, all to the satisfaction of the Chief Engineer, the General Manager, Toronto Water, and the City Solicitor; and
 - d. Regardless of which option set out in s.3 a, b, or c above is selected, the Owner shall:
 - i. submit all environmental site assessment reports describing the current site conditions and the proposed remedial action plans in accordance with the City's Environmental Peer Review Policy and obtain concurrence from the third party peer reviewer to the satisfaction of the Chief Engineer; and
 - ii. provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with Section 681-10 of City of Toronto Municipal Code Chapter 681, Sewers.
4. Prior to the issuance of any Above-Grade Building Permit for all or any part of the development, including for clarity, any conditional Above-Grade Building Permit, the Owner shall at no cost to the City design, financially secure, construct, and make operational, all required internal infrastructure and external upgrades to the existing municipal infrastructure identified in the accepted Functional Servicing Report, Hydrogeological Report and Stormwater Management Report, to support the development, all to the satisfaction of the Chief Engineer, the General Manager, Toronto Water, and the City Solicitor.
5. Prior to the issuance of any Above-Grade Building Permit for all or any part of the site, including for clarity, any conditional Above-Grade Building Permit, the Owner shall at no cost to the City conduct any remediation work for lands to be conveyed to the City identified through the Peer Review to the satisfaction of the Peer Reviewer of the Environmental Site Assessments and the Chief Engineer and Executive Director, Engineering and Construction Services.

Child Care Centre

6. Prior to or concurrent with the earlier of first residential occupancy of Building C as shown on Schedule 2 attached to and forming part of this By-law, registration of a condominium under the Condominium Act, 1998 for Building C as shown on Schedule 2 attached to and forming part of this By-law, and in any event within 12 months of the first residential occupancy of the development, unless otherwise agreed by the Chief Planner in writing, the Owner, at its sole expense, shall design, construct, finish, furnish, fully equip, commission and provide to the City a non-profit licensable child care centre, that can accommodate a 62 child care spaces (generally comprising interior and adjacent exterior areas, including all appliances (major and minor), play-based toys (interior and

exterior) and administrative furnishing and equipment, including the associated outdoor play area, all situated within the ground floor or ground floor and second floor of a component of the development, including a cash contribution of \$300,000.00 towards start-up costs for the child care centre.

Affordable Rental Housing

7. The Owner shall provide 40 affordable rental housing units onsite, to be secured as affordable for 15 years and as rental for 25 years all in accordance with the draft Affordable Rental Housing terms attached as Appendix 1 to this Schedule A.
8. The following matters will be provided by the owner to support the development:

Privately Owned Publicly Accessible Spaces

- a. The Owner shall, at its sole cost and expense, provide, construct, provide an easement for public access over and thereafter repair and maintain:
 - i. an approximate area of no less than 1,200 square metres of Privately Owned Publicly Accessible Space ("POPS") on the lands located generally at the corner of Eglinton Avenue East and Laird Drive; and
 - ii. an approximate area of no less than 1,600 square metres of POPS on the lands located internally to the development,

(collectively the "POPS Areas"), with the final location, dimensions, configuration, and design of the POPS Areas to be to the satisfaction of the Chief Planner pursuant to the development review process.
- b. The POPS Areas shall be completed and open to the public to the satisfaction of the Chief Planner in consultation with the City Solicitor prior to or concurrent with the earlier of the first residential occupancy of the Building C as shown on Schedule 2 attached to and forming part of this By-law, or five (5) years from the issuance of the first above grade permit for the construction of any component of the development including residential uses unless otherwise agreed to by the Chief Planner or designate in writing.

Pedestrian Walkways

- c. The Owner shall, at its sole cost and expense, construct, provide an easement for public access over and thereafter repair and maintain the following pedestrian walkways on and adjacent to the Lot:
 - i. a publicly accessible pedestrian mews connecting to Eglinton Avenue East (the "Eglinton Access Walkway"); and
 - ii. a publicly accessible pedestrian pathway varying in width from 5.0 metres to 2.5 metres to the north of the public park (the "Park Walkway"),

(collectively the "Pedestrian Walkways "), with the final length, width, location, configuration and design of the Pedestrian Walkways to be to the satisfaction of the Chief Planner pursuant to the development review process.

- d. The Pedestrian Walkways shall be completed and open to the general public prior to or concurrent with the earlier of the first residential occupancy of Building C as shown on Schedule 2 attached to and forming part of this By-law, or five (5) years from the issuance of the first Above Grade Permit for the construction of any component of the development including residential uses, unless otherwise agreed to by the Chief Planner or designate in writing.

Private Street

- e. The Owner shall provide, at its sole expense, and thereafter maintain a public easement for pedestrian and vehicular access over the lands having a minimum width of 8.5 metres (the "Private Street"), with the final location, dimensions, configuration, and design of the Private Street to be in accordance with the Zoning Amendments and to the satisfaction of the Chief Planner pursuant to the development review process.
- f. The Private Street shall be completed and open to the public to the satisfaction of the General Manager, Transportation Services and the Chief Planner in consultation with the City Solicitor prior to or concurrent with the first Residential Occupancy of Building D as shown on Schedule 2, unless otherwise agreed to by the Chief Planner or designate in writing.

Pedestrian Level Wind Study

- g. Prior to the earlier of site plan approval or the issuance of any foundation permit, the Owner is to provide a detailed pedestrian level wind study, including wind tunnel analysis report, to the satisfaction of the Chief Planner.
- h. The Owner is to implement and maintain all recommended wind impact mitigation measures for the development to the satisfaction of the Chief Planner.

Environment Noise and Vibration Assessment

- i. As part of the site plan approval process for the development, the Owner shall secure and implement the appropriate recommendations addressing noise and vibration as recommended in Section 16 of the Environmental Noise and Vibration Assessment RioCan 815-845 Eglinton Avenue East Redevelopment Toronto ON, prepared by SLR Consulting (Canada) Ltd., dated February 19, 2020.
- j. The Owner shall implement, construct and maintain all recommended noise and vibration impact mitigation measures for the development to the satisfaction of the Chief Planner.

Toronto Green Standard

- k. The Owner shall construct and maintain the development in accordance with Tier 1, Toronto Green Standard and is encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate.

Minimum Family Sized Units

- l. The Owner shall provide and maintain a minimum of 10 percent three-bedroom units in the development, to the satisfaction of the Chief Planner.

Transportation Demand Management Measures

- m. The Owner shall provide and maintain within the development transportation demand management measures to the satisfaction of the General Manager of Transportation Services and the Chief Planner in accordance with the Transportation Demand Measures attached as Appendix 2 to this Schedule A.

Underground Loading and Servicing

- n. The Owner shall provide, conduct and maintain all loading and servicing activities for the development below grade, to the satisfaction of the General Manager of Transportation Services and the Chief Planner, to be reviewed and secured through the development review process.

Timing of Office Development

- o. No Above-Grade Building Permit, including a conditional permit, will be issued for any above grade component of any building containing residential units on the Lot prior to the issuance of the first Above-Grade Permit, including a conditional permit, for an above grade component of the office building proposed on the Lot.

Building Permit Requirements and Development Timing

- p. The Owner shall make application for one (1) Excavation and Shoring Permit, including a conditional permit, for the development to the satisfaction of the Chief Building Official.
- q. The Owner shall make application for one (1) Above Grade Permit, including a condition permit, for the entirety of the above grade construction of Building A, Building B, and Building C as shown on Schedule 2 attached to and forming part of this By-law, to the satisfaction of the Chief Building Official.
- r. The Owner shall complete the development as set out in the applicable Site Plan Agreement(s) entered into between the Owner and the City within five (5) years from the issuance of the first Above Grade Permit for the construction of any component of the development including residential uses, unless otherwise agreed to by the Chief Planner or designate in writing.

Appendix 1
Affordable Rental Housing

1. The owner shall provide 40 affordable rental dwelling units.
2. The final unit mix by number of bedrooms will approximate the overall mix that is proposed for the New Buildings. This will include:
 - a. No more than twenty-three (23) one-bedroom units with a minimum average unit size of 51.1 square meters (550 square feet).
 - b. At least fourteen (14) two-bedroom units with a minimum average unit size of 69.7 square meters (750 square feet).
 - c. At least three (3) three-bedroom units with a minimum average size of 83.6 square meters (900 square feet).
 - d. The 40 units shall comprise at least 2,402 square meters (25,850 square feet) of gross livable area.
 - e. Changes to the unit mix and/or gross livable area shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.
3. The units shall be secured as rental housing for 25 years from the date of first occupancy thereof, and the owner shall not apply to convert them to any other use in this time period.
4. The units shall be provided in groups of at least 6 contiguous units unless the entire building is secured as rental tenure for at least 25 years, in which case the units can be distributed throughout the building with no requirements for contiguous groupings.
5. Maximum rents will be set at affordable rents, as defined in the Official Plan of the City of Toronto as rents where the total monthly shelter cost (including heat, hydro and hot water, excluding parking and internet/cable charges) is at or below one times the Average Market Rent for the City of Toronto, by unit type (number of bedrooms), as reported annually by the Canada Mortgage and Housing Corporation in the Fall Market Report, for any first or new tenant for a 15-year period.
6. During the 15-year affordability period, annual rent increases for sitting tenants will be limited to the same percentage for annual rent increases as the Guideline increase permitted under the Residential Tenancies Act or equivalent provincial legislation.
 - a. In the event that no Guideline is announced by the Province of Ontario, the applicable percentage shall be the Consumer Price Index for the City of Toronto as of the month prior to the date that the notice of rent increase is served.

Appendix 2
Transportation Demand Measures

1. *Car Share Spaces*

The Owner shall provide and maintain a minimum of three (3) publicly accessible Car Share sharing spaces as defined in the Zoning By-law Amendments in locations within the development.

2. *Car Pool/ Ride Sharing Spaces*

The Owner shall provide and maintain five percent (5 percent) of the non-resident parking supply for the development as car-pool/ride-sharing Parking Spaces in locations within the development.

3. *Bicycle Share Facilities*

Prior to the issuance of the first Above-Grade Building Permit for the development on any portion of the Lot, the Owner shall pay to the City, the sum of Two Hundred Thousand Dollars (\$200,000.00), indexed upwardly, for the future implementation of bike-share facilities in Ward 15.

4. *Bicycle Parking Supply and Facilities*

The Owner shall provide a financial contribution to the City for installation of additional City's standard bicycle post-and-ring stands within the City right-of-way in proximity of the Eglinton-Crosstown Laird Station.

The Owner shall provide and maintain one (1) bicycle repair station for each of the five (5) proposed development blocks in the development.

5. *Transit Use Incentives*

The Owner shall provide one (1) unloaded Presto card to the first occupant of each residential unit within the development upon initial occupancy.

The Owner shall provide one (1) loaded Presto card to the first occupant of each affordable rental housing unit within the development upon initial occupancy for a term of six (6) months.

6. *Transportation/Transit Screens*

The Owner will provide and maintain one (1) real-time transit/transportation information screen within the residential building lobby of each of the five (5) proposed development blocks with the development.

7. *Vanderhoof Avenue Multi-Use Path*

The Owner shall design a Multi-Use Path along the site frontage of the development on the north side of Vanderhoof Avenue in accordance Section 3.1.D of the Laird in Focus Urban Design Guidelines July 2020 and the Laird in Focus Functional Plans.

Provided that Vanderhoof Avenue has been modified generally in accordance with Section 3.1.D of the Laird in Focus Urban Design Guidelines July 2020 and the Laird in Focus Functional Plans to both the east and the south of the development at the time that the Owner makes application for Site Plan Approval for any portion of the development fronting on Vanderhoof Avenue, the Owner will be required to construct the Multi-Use Path along the site frontage of the development on the north side of Vanderhoof Avenue.

In the event that that Vanderhoof Avenue has not been modified generally in accordance with Section 3.1.D of the Laird in Focus Urban Design Guidelines July 2020 and the Laird in Focus Functional Plan to both the east and the south of the development at the time that the Owner makes application for Site Plan Approval for any portion of the development fronting on Vanderhoof Avenue, the Owner will be required to construct the interim Vanderhoof Avenue condition along the site frontage of the development on the north side of Vanderhoof Avenue.

8. *Laird Station Connection*

The Owner shall provide and maintain a below-grade direct connection to Laird LRT Station from the development or shall construct knock out panels below grade in the development to allow for a below grade direct connection to Laird LRT Station.

Provided that Metrolinx agrees to allow a below grade direct connection to Laird LRT Station at the Site Plan Approval stage, the Owner agrees that the direct connection to Laird LRT Station shall be publicly accessible and shall be operational at all hours that the LRT is in operation.

Provided that Metrolinx agrees to permit a below grade direct connection to Laird LRT Station at the Site Plan Approval stage, the Owner agrees to enter into any agreements, including an entrance connection agreement, with Metrolinx, including the payment of the usual fees that may reasonably required, which provide for the provision of easements to secure public access, and to prepare such documents as may be required for any below grade direct connection to Laird LRT Station to be open and in operation, all at the Owner's sole cost, prior to Site Plan approval for the Building A as shown on Schedule 2.

9. *Laird Drive Cycle Track*

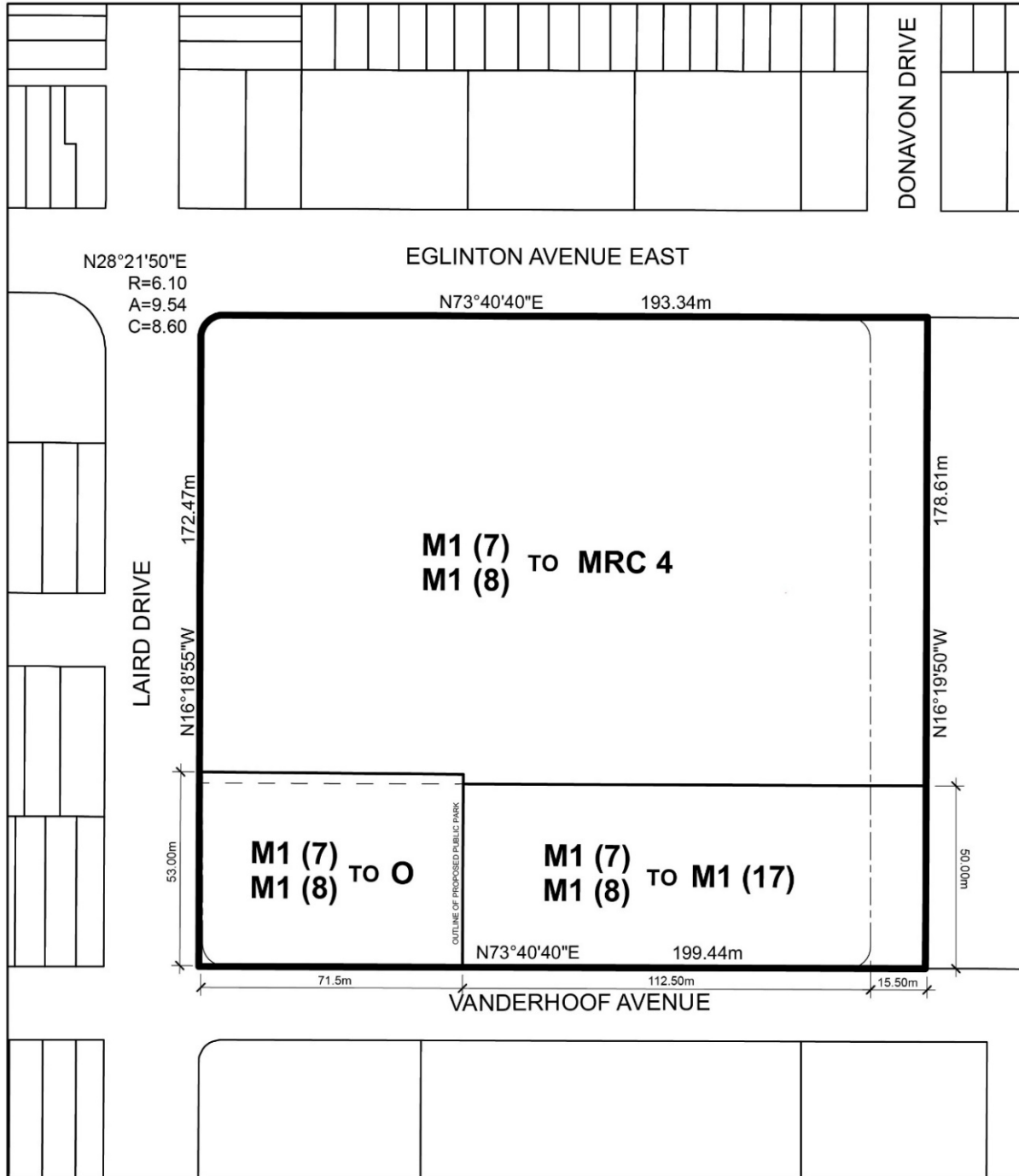
The Owner shall design a Cycle Track along the site frontage of the development on the east side of Laird Avenue generally in accordance with Section 3.1.B of the Laird in Focus Urban Design Guidelines July 2020 and the Laird in Focus Functional Plans.

Provided that Laird Drive has been modified generally in accordance with Section 3.1.B of the Laird in Focus Urban Design Guidelines July 2020 and the Laird in Focus

Functional Plans with a Cycle Track to the west of the development at the time that the Owner makes application for Site Plan Approval for any portion of the development fronting on Laird Drive, the Owner will be required to construct the Cycle Track along the site frontage of the development on the north side of Vanderhoof Avenue.

In the event that that Laird Drive has not been modified generally in accordance with Section 3.1.D of the Laird in Focus Urban Design Guidelines July 2020 and the Laird in Focus Functional Plans with a Cycle Track to the west of the development at the time that the Owner makes application for Site Plan Approval for any portion of the development fronting on Laird Drive, the Owner will be required to construct the interim Laird Drive condition along the site frontage of the development on the east side of Laird Drive.

Schedule 1



Schedule 2

