

Authority: Ontario Land Tribunal Decision and Order effective on August 3, 2022, in Tribunal File OLT-21-001701

CITY OF TORONTO

BY-LAW 1291-2022(OLT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 1900 Eglinton Avenue East.

Whereas the Owner of the lands in the year 2021 appealed a proposed Zoning By-law Amendment to the Ontario Land Tribunal pursuant to Section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended; and

Whereas the Ontario Land Tribunal, by its Decision and Order effective on August 3, 2022, determined to amend Zoning By-law 569-2013, as amended, with respect to lands known municipally as 1900 Eglinton Avenue East; and

Whereas a zoning by-law may include Holding (H) symbol pursuant to Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended; and

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

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in the 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 or 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 or 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 Ontario Land Tribunal Orders:

1. The lands subject to this By-law municipally known in the year 2021 as 1900 Eglinton Avenue East, as 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 these lands as shown on Diagram 2 attached to this By-law as follows:
 - (A) (H) CR 0.22 (c0.22; r0.0) SS3 (x795); and
 - (B) OR.
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 Article 995.10.1 and applying the following Policy Area label to these lands: PA4, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Height Overlay Map in Article 995.20.1, and applying the following height and storey label to these lands: HT 11.0 and ST 3 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 to the Lot Coverage Overlay Map in Article 995.30.1, and applying no value to these lands.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1, and applying no value to these lands.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 795 so that it reads:

Exception CR (795)

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

Site Specific Provisions:

- (A) On lands municipally known in 2021 as 1900 Eglinton Avenue East, if the requirements of By-law 1291-2022(OLT), including Section 10, Section 11, and Schedule A are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (U) below;

- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** for **Building A** and **Building B** is the vertical distance between the Canadian Geodetic Datum of 157.0 metres and the elevation of the highest point of the **building** or **structure** for **Building A** and **Building B**;
- (C) Despite Regulation 40.10.40.10(3), the permitted maximum height of any **building** or **structure** is the number, in metres, following the letters "HT" on Diagram 5 of By-law 1291-2022(OLT);
- (D) Despite Regulation 40.10.40.10(7), the maximum number of **storeys** in each **building** or **structure** is the number following the letters "ST" on Diagram 5 attached to By-law 1291-2022(OLT);
- (i) For the purposes of this exception, a mezzanine located above the first **storey** and below the second **storey** of a **building** does not constitute a **storey**;
- (E) Despite Regulations 40.5.40.10(1), (2), (4), (6) and (7), the following equipment and **structures** may project beyond the permitted maximum height in metres and storeys shown on Diagram 5 of By-law 1291-2022(OLT):
- (i) mechanical penthouse and associated equipment used for the functional operation of the **building** included on the same level as the mechanical penthouse including electrical, utility, mechanical and ventilation equipment, mechanical penthouse, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, to a maximum of 10.0 metres;
- (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, to a maximum of 10.0 metres;
- (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, to a maximum of 2.0 metres;
- (iv) **building** maintenance units and window washing equipment, to a maximum of 5.0 metres;
- (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, to a maximum of 3.0 metres; and
- (vi) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, to a maximum of 4.0 metres;
- (vii) architectural features, such as trellises, pergolas, and unenclosed **structures** providing decorative encasement at or below the sixth **storey**, to a maximum of 8.0 metres;

- (F) For the purposes of this By-law 1291-2022(OLT), a "tower" is the portion of a **building** which collectively encloses the entirety of a **storey** higher than 24.0 metres above the average grade, and where the maximum gross construction area of any **storey** located above 24.0 metres, excluding balconies, does not exceed 750 square metres;
- (G) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, measured between the floor of the first **storey** and the floor of the **storey** above, is 4.5 metres for non-residential uses;
- (H) Despite Regulation 40.10.20.40(1), **dwelling units** are permitted in a **mixed use building**;
- (I) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** for **Building A** and **Building B** identified on Diagram 5 must not exceed 74,900 square metres and 975 **dwelling units**, and subject to the following:
- (i) a maximum residential **gross floor area** of 73,321 square metres combined for **Building A** and **Building B** on the lands;
 - (ii) a minimum of 1,579 square metres of non-residential **gross floor area**;
- (J) Of the total number of **dwelling units** permitted in Provision (I) above, each **building** must include:
- (i) a minimum of 25 per cent two-bedroom **dwelling units**; and
 - (ii) a minimum of 10 per cent three-bedroom **dwelling units** or larger;
- (K) Despite Regulations 40.10.40.70(3) and 40.10.40.80(2) the required minimum **building setbacks** and minimum separation of main walls must be provided as shown, in metres, on Diagram 5 of By-law 1291-2022(OLT);
- (L) Despite Regulation 40.5.40.60(1), Clause 40.10.40.60 and (K) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks, porches, and balconies, in accordance with the following:
 - a. to a maximum of 1.8 metres on the east **main wall** and west **main wall** of each **building** above the third **storey**; and
 - b. to a maximum of 2.7 metres on the north **main wall** and south **main wall** of each **building**; and
 - c. despite (L)(i)a. and b. above, no decks, porches or balconies are permitted to encroach below the seventh **storey** on the south **main wall** along Eglinton Avenue East for each **building**;

- (ii) cladding added to the exterior surface of the **main wall** of a **building**, to a maximum of 0.6 metres;
 - (iii) public art features and landscaping, to a maximum of 2.0 metres;
 - (iv) wind mitigation features, to a maximum of 3.0 metres; and
 - (v) awnings and canopies in accordance with the following:
 - a. to a maximum of 2.7 metres into the required **building setbacks**, if no part of the canopy, awning or similar **structure** is more than 5.0 metres above the elevation of the ground directly below it; and
 - b. to a maximum of 1.8 metres into the required **building setbacks** at the seventh **storey**;
- (M) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 0.3 **parking spaces** must be provided for each **dwelling unit**;
 - (ii) a minimum of 0.1 visitor **parking spaces** must be provided for each **dwelling unit**; and
 - (iii) a minimum of 1.0 **parking spaces** must be provided for each 100 squares metres of **gross floor area** for permitted non-residential uses in **Building A** and **Building B**;
- (N) Despite Regulations 200.5.10.1 (2), (3) and (M) above, **parking spaces** required for non-residential uses and for **dwelling unit** visitors may be:
- (i) shared on a non-exclusive basis; and/or
 - (ii) provided within a shared below-ground **parking garage**;
- (O) Despite Regulation 200.5.10.1(1), "car-share **parking spaces**" may replace **parking spaces** otherwise required for residential occupants, subject to the following:
- (i) a reduction of four (4) resident occupant **parking spaces** will be permitted for each "car-share **parking space**" provided; and
 - (ii) the maximum reduction permitted be capped by the application of the following formula:
 - a. four (4) multiplied by the total number of **dwelling units** divided by 60, and rounded down to the nearest whole number;

- (iii) for the purposes of this exception, "car-share" means the practice whereby a number of people share the use of one or more **vehicles** and such "car-share" motor **vehicles** are made available to at least the occupants of the building or short-term rental, including hourly rental; and
 - (iv) for the purposes of this exception, "car-share **parking space**" means a parking space exclusively reserved and signed for a **vehicle** used only for car-share purposes;
- (P) Despite (M), the total minimum number of vehicle **parking spaces** required on a lands may be reduced at a rate of 1 vehicle **parking space** for every 5 **bicycle parking spaces** provided in excess of the minimum number of **bicycle parking spaces** required, if the reduction of vehicle **parking spaces** is not greater than 20 percent of the total minimum vehicle **parking spaces** required;
- (Q) Despite Regulation 200.15.1(1), (3) and (4), accessible **parking spaces** must be provided as follows:
- (i) An accessible **parking space** must have the following minimum dimensions:
 - a. length of 5.6 metres;
 - b. width of 3.4 metres; and
 - c. vertical clearance of 2.1 metres;
 - (ii) The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path;
 - (iii) Accessible **parking spaces** must be the **parking spaces** closest to a barrier free:
 - a. entrance to a **building**;
 - b. passenger elevator that provides access to the first **storey** of the **building**; and
 - c. shortest route from the required entrances in (Q)(iii)a. and b
- (R) Despite Regulation 200.5.1.10(2), a maximum of 10 percent of required **parking spaces** provided may have the following minimum dimensions, despite that such **parking spaces** may be obstructed on one or two sides without a requirement to increase the minimum width by 0.3 metres and may have the following dimensions:

- (i) length of 5.2 metres;
 - (ii) width of 2.6 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (S) Despite Regulations 220.5.10.1(2), (3), (4), (5), and (8), **loading spaces** must be provided in accordance with the following for **Building A** and **Building B**:
- (i) a required minimum of one (1) Type 'G' **loading space** must be provided as shared between **Building A** and **Building B**;
 - (ii) a required minimum of one (1) Type 'B' **loading space** must be provided as shared between **Building A** and **Building B**; and
 - (iii) a required minimum of two (2) Type 'C' **loading space** must be provided as shared between **Building A** and **Building B**;
- (T) Despite Regulation 230.5.1.10(4), if a **stacked bicycle parking space** is provided, its minimum dimensions must comply with the following:
- (i) minimum length of 1.8 metres;
 - (ii) minimum width of 0.4 metres; and
 - (iii) minimum vertical clearance of 1.2 metres;
- (U) Despite Regulation 230.5.1.10(10) a "long-term" and "short-term" **bicycle parking space** may be provided in a **stacked bicycle parking space** arrangement.

Prevailing By-laws and Prevailing Sections: None Apply

9. Despite any future severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
10. Section 37 Provisions
- (A) 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, S.O. 2020, C.18, as amended, came into force, and subject to compliance with this By-law, the increase in height and/or density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 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 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 to provide certain facilities, services or matters prior to the issuance of a **building** permit, the issuance of such permit shall be dependent upon satisfaction of the same;
- (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 all applicable provisions of Schedule A are satisfied; and
- (D) Once the agreement or agreements securing the facilities, services and matters set out in Schedule A have been executed and registered, the provisions of Schedule A shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.

11. Holding Provisions

- (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 2 attached to and forming part of this By-law must not be used for any purpose other than those uses and buildings existing on the site as of date of passing this By-law on the lands shown on Diagram 1 attached to this By-law until the "(H)" symbol has been removed.
- (B) An amending by-law to remove the "(H)" symbol may be enacted with respect to each **building**, being **building A** and/or **building B** as shown on Diagram 5 attached to this By-law, when the following conditions have been fulfilled to the satisfaction of the City Solicitor, the Executive Director, Development Review, the Chief Engineer and Executive Director, Engineering and Construction Services, the General Manager, Toronto Water, General Manager, Transportation Services, as the case may be:
 - (i) the Owner has submitted, at their sole cost and expense, a revised Functional Servicing Report and Stormwater Management Report, Hydrogeological Review, including the Foundation Drainage Report taking into account any existing, approved and proposed developments and any required materials and analysis to address stormwater, sanitary and water capacity matters and infrastructure improvements and/or new municipal infrastructure determined to be required to support the development of building A and/or building B to which the amending by-law to remove the "(H)" symbol applies ("**Engineering Reports**"), satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
 - (ii) the Owner has submitted, at their sole cost and expense, has secured the design and the provision of financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development of building A and/or building B to which the amending by-law to remove the "(H)" symbol applies, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the

General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Engineering Reports, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water; and

- (iii) The receipt of all necessary approvals for the infrastructure required, as described (ii) above.

Pursuant to Ontario Land Tribunal Decision and Order effective on August 3, 2022, in Tribunal File OLT-21-001701.

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 shown in Diagram 1 in this By-law. Prior to the issuance of any **building** permit, the owner shall enter into an agreement, on such terms and conditions, including upwards indexing, securities, details and requirements, to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act, as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, C.18, as amended, came into force, (the "**Section 37 Agreement**") to secure the community benefits and matters required to support the development below, whereby the owner agrees as follows:

Community Benefits

1. The Owner shall provide, on such terms and conditions as specified in the Section 37 Agreement, a minimum of 60 affordable housing units, based on 100 percent Average Market Rent and an affordability period of 15 years with these affordable housing units being provided in building A and/or building B as shown on Diagram 5 of this By-law, including the following:
 - (A) the affordable housing units will be made available for residential occupancy concurrent with the market **dwelling units** in **building A** and/or **building B**;
 - (B) the affordable housing units must be grouped in no less than 6 contiguous units; and
 - (C) the unit types and sizes, with such unit sizes be to the satisfaction of the Chief Planner and Executive Director, City Planning, as follows:
 - (i) at least 10 percent three-bedroom **dwelling units**;
 - (ii) at least 25 percent two-bedroom **dwelling units**;
 - (iii) no more than 65 percent one-bedroom **dwelling units**.

Matters Required to Support the Development

2. The Owner shall prepare, at its expense, a Public Art plan (the "Public Art Plan") for the provision of Public Art, up to a maximum value of One Million Dollars (\$1,000,000.00), subject of upwards indexing from the date this By-law is in force and effect to the day of provision of the Public Art Plan, upon the lands or adjacent City-owned lands 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 and conditions satisfactory to the Chief Planner and the Executive Director, City Planning and the City Solicitor; the Public Art Plan may include design strategies to incorporate

indigenous culture/history throughout the lands.

3. Prior to the issuance of the first above grade **building** permit for building A and building B, the owner shall provide financial security in the form of a Letter of Credit for public art, identified in the approved Public Art Plan to secure the commission and installation of public art in accordance with the approved Public Art Plan in Clause 2 above.
4. The Owner shall provide the following required transportation improvements and transportation demand management measures identified in the Multi-Modal Transportation Impact Study accepted and satisfactory to the General Manager, Transportation Services and secured to the satisfaction of the City Solicitor and the Executive Director, Development Review in the Zoning By-law Amendment in addition to the following identified matters:
 - (A) prior to the issuance of any above grade **building** permit, the owner shall pay to the City, by certified cheque, the sum of Fifty Thousand Dollars (\$50,000.00) for the future implementation of a minimum of one (1) bike-share stations, at location(s) that may be determined by the General Manager, Transportation Services;
 - (B) prior to the issuance of any above grade **building** permit, the owner shall provide a letter of credit for One Thousand Five Hundred Dollars (\$1,500) for the bike repair station thereafter provide evidence of installation in a form satisfactory to the General Manager, Transportation Services for such financial security to be returned;
 - (C) prior to the issuance of any above grade **building** permit, the owner shall provide a letter of credit for Five Thousand Dollars (\$5,000.00) for the provision of one (1) real-time transportation information screen and thereafter provide evidence of installation, such as in a form satisfactory to the General Manager, Transportation Services for such financial security to be returned;
 - (D) prior to the issuance of any above grade **building** permit, the owner shall provide to the City a financial contribution of Fifty Thousand Dollars (\$50,000.00) for the future Victoria Park Avenue or Warden Avenue Transit Study, satisfactory to the General Manager, Transportation Services;
 - (E) prior to the issuance of any above grade **building** permit, the owner shall provide a financial contribution to the City in the amount of Forty Thousand Dollars (\$40,000.00) for a future Golden Mile Transportation Monitoring Study, satisfactory to the General Manager, Transportation Services;
 - (F) Whereas the items in Clause 4. (A) to (E) above, shall be in Canadian funds, indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, calculated from the date this By-law is in force and effect (August 3, 2022) to the date of payment;

- (G) the owner shall provide a PRESTO pass to each of the affordable housing units, each pre-loaded with the value of one yearly PRESTO fare to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services; and
 - (H) the owner shall provide bike share annual memberships to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services, of which, there shall be bike share memberships provided to each of the 60 affordable housing units.
5. Prior to the issuance of the first Above-Grade **Building** Permit for the last **Building** on Block 1, the Owner shall:
- (A) convey, in fee simple to the City, a minimum of 1,755 square metres of land for public park purposes in the general location identified on Diagram 2 of this By-law, (the "**Block 4 Parkland**") to the satisfaction of the General Manager, Parks and Recreation (the "**General Manager, PR**") and where the Block 4 Parkland and shall partially satisfy the Owner's Statutory Parkland Dedication requirement;
 - (B) convey the Block 4 Parkland free and clear above-grade and below-grade of all physical obstructions and easements, encumbrances, unless otherwise permitted in writing by the General Manager, PR or as otherwise permitted by this Agreement, and free and clear of all title encumbrances including, but not limited to all easements, rights-of-way, leases, charges, and encroachments, including surface and subsurface easements, to the satisfaction of the General Manager, PR and the City Solicitor; and
 - (C) complete the environmental obligations outlined in the Section 37 Agreement to the satisfaction of the General Manager, PR.
6. The owner shall provide, at their sole cost and expense, a wind tunnel testing for the development as part of a site plan control application, and thereafter secure and implement mitigation measures identified in any accepted Wind Tunnel Study/Report satisfactory to the Executive Director, Development Review.
7. The Owner shall provide a privately owned publicly accessible open spaces on the lands shown on Diagram 1 of this By-law, with a minimum size of 373 square metres, whereby as a condition of approval to Site Plan Control for Block 1, 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 privately owned publicly accessible open spaces and any required public access easements to connect the privately owned publicly accessible open spaces to adjacent privately owned publicly accessible open spaces and/or public rights-of-way, where necessary; and the owner shall own, operate, maintain and repair the privately owned publicly accessible open spaces and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the privately owned publicly accessible open spaces at all times of the day and night, 365 days of the year; and the specific location, configuration and design of the privately owned publicly accessible open spaces shall be determined in the context of a

site plan approval for each building and/or block pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City.

8. The Owner shall provide public access easements to provide access to and through the lands shown on Diagram 1 of this By-law for the mid-block connection(s) and private street to the satisfaction of the Executive Director, Development Review, with the exact location, design and timing of delivery of the vehicular and pedestrian easement to be determined in the context of a Site Plan Approval; the owner shall own, operate, maintain and repair the public easement area and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the public easement at certain times of the day and night, and the owner may restrict other uses of this space, so long as they do not unreasonably obstruct pedestrian movement of persons of all ages and abilities with such matters determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City.
9. Prior to the issuance of Site Plan Approval for any part of the lands, the owner shall provide a Design Brief, to the satisfaction of the Chief Planner and Executive Director, City Planning.
10. The owner will construct and maintain the lands in accordance with Tier 1, Toronto Green Standard, and the owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each **building** on the lands.
11. The requirements for a construction management plan to be provided at site plan approval, including but not limited to, noise, dust, size and location of staging areas, location and function of gates, dates of significant concrete pouring, lighting details, vehicular parking and queuing locations, street closures, coordination with adjacent on-going development construction, parking and laneway uses and access, refuse storage, site security, site supervisor contact information, any required coordination with Metrolinx regarding the Eglinton Crosstown LRT, and a communication strategy with the surrounding community, and any other matters requested by the Executive Director, Development Review and the General Manager, Transportation Services as set out in the Section 37 Agreement.
12. The Section 37 Agreement shall identify the implementation of, and/or mitigation measures listed, in any the reports, studies and plans accepted by the City submitted by the owner and any such implementation measures secured in the appropriate agreements, satisfactory to the Executive Director, Development Review.
13. The appropriate agreement(s) shall identify the conditions and matters as identified in memorandums provided to the City on behalf of Metrolinx as it relates to the Eglinton LRT, utility companies Toronto District School Board, Toronto District Catholic School Board, and the Toronto and Region Conservation Authority based on their review of the development applications, all of which are identified satisfactory to the Executive Director, Development Review and secured in the appropriate agreement(s), the Section

37 Agreement and conditions of Site Plan Approval (where appropriate), satisfactory to the City Solicitor.

- 14.** As part of the first site plan application and prior to any site plan approval on any part of the site, the owner shall provide a revised landscape plan and soil volume plan for the entire Development Site, including streetscape cross-sections, all satisfactory to the Executive Director, Development Review, the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services, and the Director, Urban Forestry.
- 15.** As part of the first site plan application and prior to any site plan approval on any part of the lands, the owner shall provide a Public Utilities Plan for the entire Development Site to ensure, among other matters, that above ground and underground utilities and streetscape elements, such as street trees, sidewalk locations are located at appropriate locations for all new and existing streets and such plan should be submitted as a separate grayed out underlay on the Landscape Plan required above, for the entire Development Site, all satisfactory to the Executive Director, Development Review, the Chief Engineer and Executive Director, Engineering and Construction Services, the General Manager, Transportation Services and the Director, Urban Forestry.

Diagram 1



Diagram 2



Diagram 3

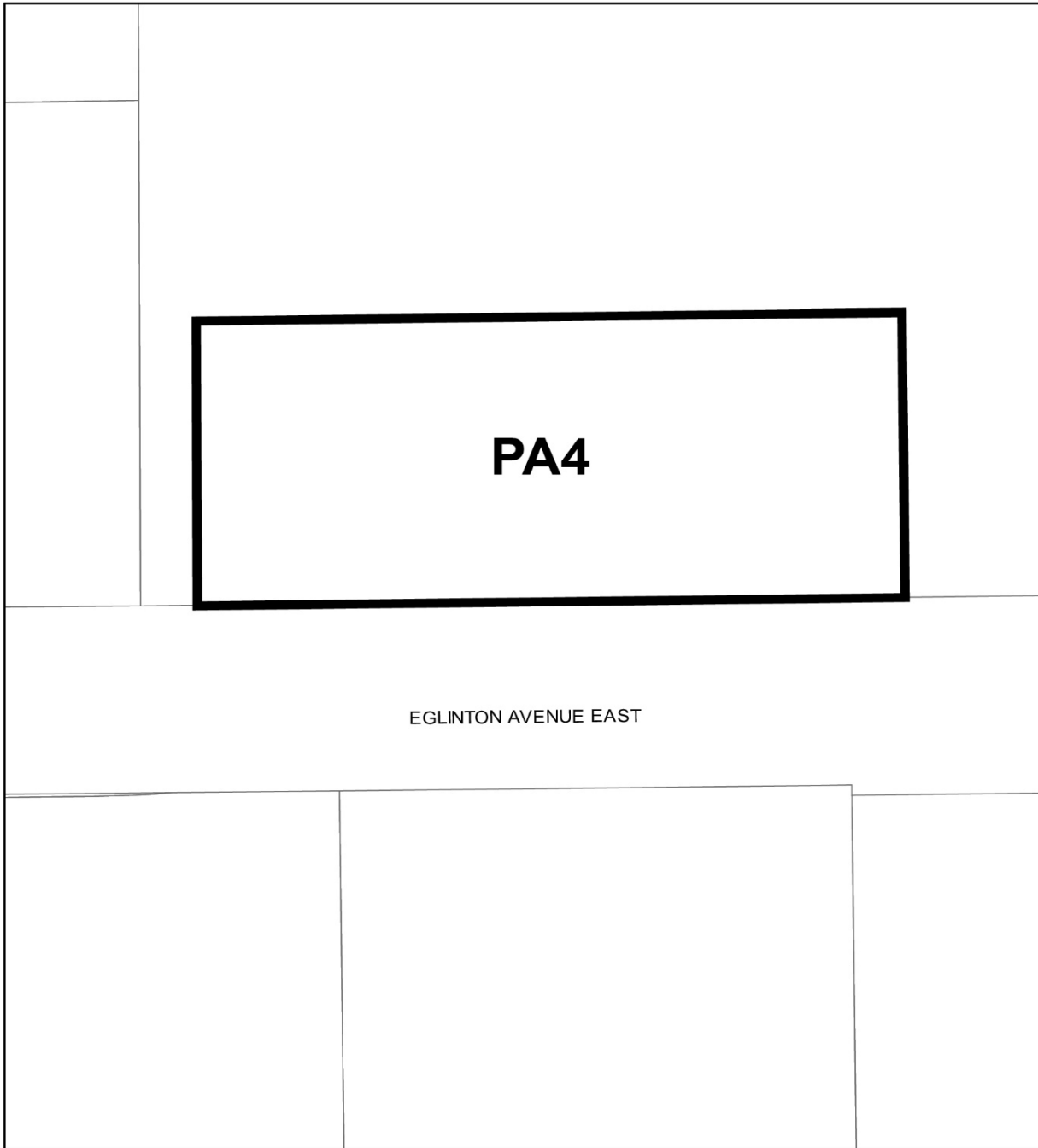
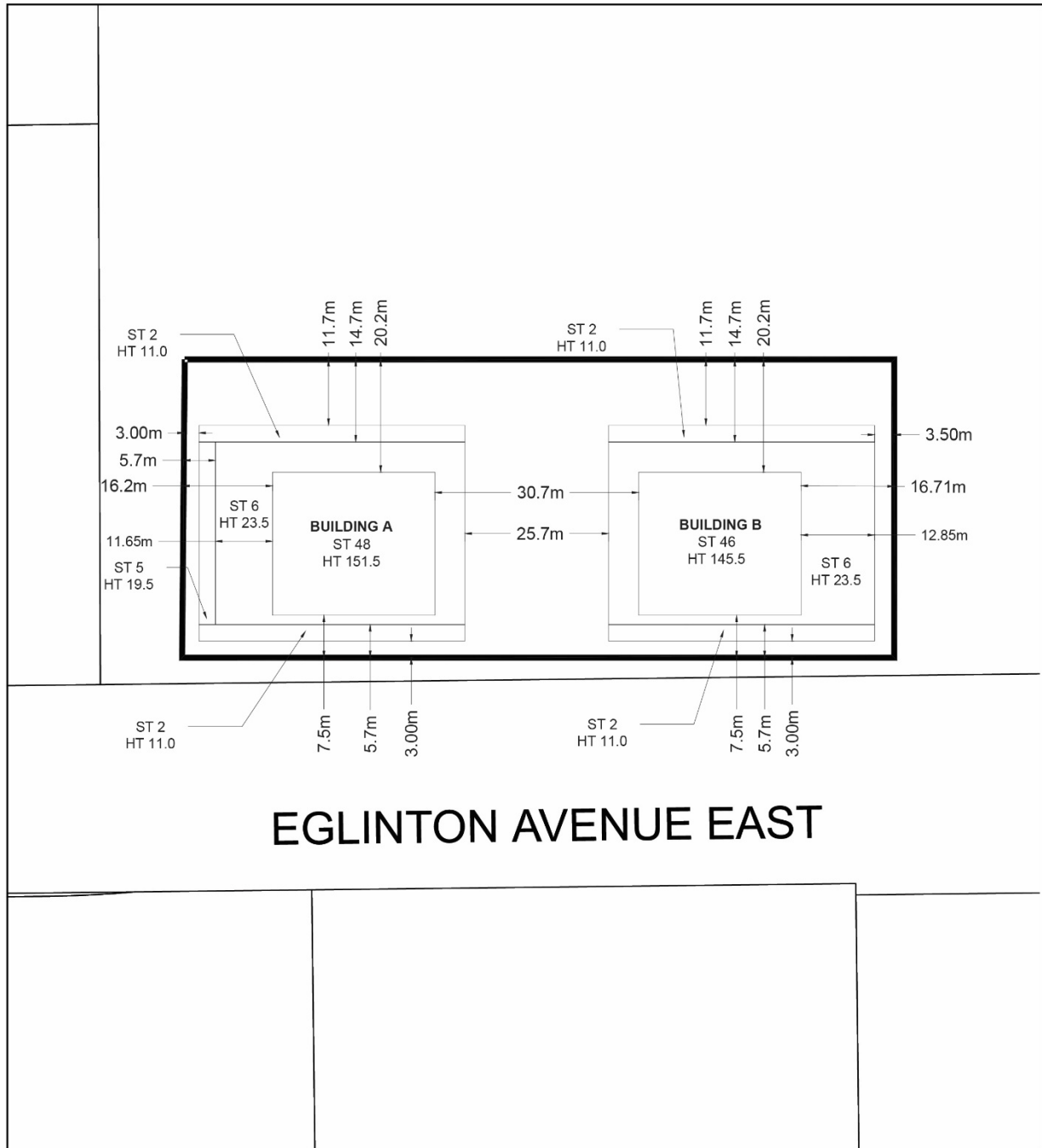


Diagram 4



Diagram 5



EGLINTON AVENUE EAST