



STAFF REPORT ACTION REQUIRED

10, 11, and 25 Ordinance Street and 45 Strachan Avenue - Zoning By-law Amendment Application - Further Revisions

Date:	March 12, 2015
To:	Planning and Growth Management Committee
From:	Chief Planner & Executive Director, City Planning Division
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	P:\2015\Cluster B\PLN\PGMC\PG15056 (12 223589 STE 19 OZ - Official Plan Amendment Application 12 230482 STE 19 OZ - Zoning By-law Amendment Application)

SUMMARY

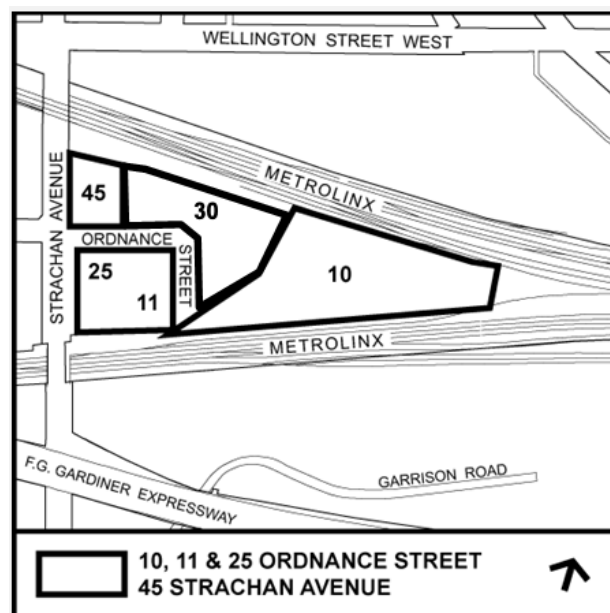
On December 11, 2014, City Council approved amendments to the Official Plan and Zoning By-law to modify existing permissions for two residential buildings at 30 Ordinance Street, and directed that a further report be brought forward to April 2015 Planning and Growth Management Committee to address the outstanding matters on the balance of the development site.

This report recommends further revisions to the Draft Zoning By-law amendment for 10, 11 and 25 Ordinance Street and 45 Strachan Avenue.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of Toronto Zoning By-law 438-86, as amended, for the lands at 10, 11, 25, Ordinance Street and 45 Strachan Avenue,



substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the report (March 12, 2015), from the Chief Planner and Executive Director, City Planning;

2. City Council authorize the City Solicitor to request the Ontario Municipal Board modify OPA 231, Section 17 with respect to Chapter 6, Section 14, Garrison Common North Secondary Plan, Site and Area Specific Policy No. 8 for 10, 11 and 25 Ordinance and 45 Strachan Avenue to increase the minimum employment space to require an additional 2,140 square metres, (for a total of 10,810 square meters) and easterly boundary adjustment;
3. Before introducing the bills contemplated in Recommendation 1 above to Council for enactment, the City shall have received the Ontario Municipal Board decision regarding any appeals applicable to 10, 11, 25, Ordinance Street and 45 Strachan Avenue in respect of Official Plan Amendment 231 and necessary amendments to OPA 231 to increase the minimum non-residential gross floor area as contemplated in Recommendation 2 above, will have been approved;
4. Before introducing the necessary Bills contemplated in recommendation 1 to City Council for enactment, City Council require the Owner(s) to enter into an Agreement(s) pursuant to Section 37 of the Planning Act satisfactory to the City Solicitor to secure the following, at the owner's expense, in connection with 45 Strachan Avenue, and 11 & 25 Ordinance Street, referred to as Blocks 1 and 3 respectively:
 - i. Prior to issuance of an above grade building permit for the first building or structure within the Blocks, the owner shall make a cash contribution to the City in the amount of \$3,000,000.00 to be applied toward the cost of the Fort York Pedestrian and Cycling Bridge, including any bridge-related work within South Stanley Park extension, the future park space at 10 Ordinance Street, and/or Fort York National Historic Site, at the discretion of the General Manager, Parks Forestry and Recreation, Division and the Chief Planner and Executive Director, City Planning Division, in consultation with the Manager, Fort York National Historic Site, and the local Councillor;
 - ii. Prior to issuance of an above grade building permit for the first building or structure within the Blocks, the owner shall make a cash contribution to the City a minimum cash contribution of \$750,000.00 to be applied toward the acquisition and/or construction of community services and/or facilities within the vicinity of the site in Ward 19 at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor;
 - iii. The cash contributions identified in recommendation 4. i. and, ii., above, shall be indexed upwardly in accordance with the Statistics Canada Non-

Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment;

iv. The owner shall:

- (a) design and construct, at no cost to the City and to the satisfaction of the General Manager, Parks Forestry and Recreation, additional base park improvements which shall include, grading works and retaining walls, which may be necessary to raise the elevation of the future park lands at 10 Ordnance Street to provide for the Fort York Pedestrian and Cycle Bridge land / transition and create more useable space for neighbourhood park development, substantially in accordance with the concept plan entitled Garrison Point Base Park, Drawing L101, prepared by Claude Cormier and Associates, dated August 11, 2014 (Attachment 2), on terms set out in the Section 37 Agreement;
- (b) design and construct, at no cost to the City, further additional base park improvements at 10 Ordnance Street, which shall include drainage, electrical, storm, sanitary, and water services, as may be required to the street line, and provision for park signage, all to the satisfaction of the General Manager, Parks Forestry and Recreation;
- (c) at a time no later than the submission of a formal site plan application for the first building or structure on the Blocks, submit a Parkland Improvements Plan (PIP) to the City for review and approval, which will include details with respect to park improvements set out in paragraphs a. and b. above, as well as details of the base park work contemplated in the Parks Reconveyance Agreement dated April 16, 2012, between the City of Toronto and Build Toronto Inc. but excepting any interim grading and drainage works to advance commencement of construction of the Fort York Pedestrian and Cycling Bridge or final design as approved in accordance with the Park Reconveyance Agreement to permit interim grading works to proceed;
- (d) prior to the issuance of an above grade permit for the first building or structure on the Blocks, have received confirmation that the PIP has been approved by the General Manager, Parks, Forestry and Recreation Division or City Council subject to the terms of a review process set out in the Section 37 Agreement;
- (e) complete all works contemplated in the approved PIP, prior to the earlier of, 3 months from the formal acceptance by the City of the completed Fort York Pedestrian and Cycling Bridge, and the registration of the first condominium on the Blocks, including any interim occupancy associated with the condominium, subject to

seasonal adjustments and extensions acceptable to the General Manager Parks, Forestry and Recreation with all work to be to the satisfaction of the General Manager, Parks, Forestry and Recreation, Division, in consultation with the Chief Planner and Executive Director, City Planning Division, Fort York National Historic Site and the Ward Councillor; and,

- (f) acknowledge and agree that extensions to the timing set out in paragraphs d. and e. above, and timing for review of the PIP contemplated in the Section 37 Agreement, may be granted at the sole discretion of the General Manager, Parks, Forestry and Recreation, Division, in consultation with the Chief Planner and Executive Director, City Planning Division, and the Ward Councillor.
- v. Prior to issuance of a below grade building permit for the first building or structure within the Blocks, the owner shall enter into an agreement to secure for the relocation of Eva's Phoenix, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with appropriate civic officials;
- vi. Prior to issuance of an above grade building permit for the first building or structure within each of Blocks 1 and 3, and in the context of site plan approval pursuant to section 114 of the City of Toronto Act, 2006, as amended, and, as applicable, section 41 of the Planning Act, as amended, the owner shall submit, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, a Wind Study, including wind tunnel analysis, which identifies recommendations for the pedestrian realm and the outdoor areas of the podiums to mitigate wind impacts year-round. The owner shall incorporate and maintain, in support of the development all recommended mitigation measures to the satisfaction of the Chief Planner and Executive Director, City Planning;
- vii. Prior to the issuance of an above-grade permit for the first building or structure within each of Blocks 1 and 3, and in the context of site plan approval pursuant to section 114 of the City of Toronto Act, 2006, as amended, and, as applicable, section 41 of the Planning Act, as amended, the owner shall submit, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the General Manager, Transportation Services, a public realm phasing plan detailing the phased improvements to the public realm including, but not limited to, paving and curbing details, sidewalk treatments, cycling infrastructure, pedestrian and cycling connections to the future park space at 10 Ordnance Street, and other matters which may be considered by City Staff through the review of these public realm phasing plans. The owner shall implement the public realm improvements in support of the development relating to the Blocks to the satisfaction of the Chief Planner and Executive Director, City

Planning;

- viii. Prior to issuance of a below-grade building permit for the first building or structure within each of Blocks 1 or 3, and in the context of site plan approval pursuant to section 114 of the City of Toronto Act, 2006, as amended, and, as applicable, section 41 of the Planning Act, as amended, the owner shall submit, a Construction Management Plan and implement the contents of the construction management plan, throughout the duration of construction to completion, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the Chief Building Official, in consultation with the Ward Councillor, with details to be included in the Section 37 Agreement;
- ix. Prior to issuance of a below-grade building permit for the first building or structure within each of Blocks 1 and 3, the owner shall provide written confirmation to the satisfaction of the Chief Planner and Executive Director, City Planning Division, that all proposed crash mitigation measures and setbacks from the adjacent railways are acceptable to Metrolinx and shall incorporate all measures into the plans and drawings submitted in the context of site plan approval pursuant to s114 of the City of Toronto Act, 2006, as amended, and s41 of the Planning Act, as amended and as applicable;
- x. Prior to the issuance of an above grade building permit for the first building or structure within the Blocks, the owner shall, to the satisfaction of Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager, Parks Forestry and Recreation and Metrolinx, be responsible to provide for interim relocation of any Metrolinx access to its infrastructure on lands to the east of the 10 Ordinance Street property, over 10 Ordinance Street to a service road north of the Ordinance Triangle. The subject owner's responsibilities for providing any required interim access shall include the following:
 - (a) design and construction of alternative vehicular access for Metrolinx from Ordinance Street over other lands within the Ordinance Triangle, with the design and any details related to this access;
 - (b) obtaining all necessary approvals and registering temporary easements as may be required to allow the contemplated alternative interim access by Metrolinx to the north service road from Ordinance Street; and,
 - (c) removal of access and release of any existing access easements in favour of Metrolinx over 10 Ordinance Street;
- xi. Prior to registration of a plan of condominium on Block 1 the owner shall

be responsible for the following, to the satisfaction of Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Transportation Services:

- (a) the design and construction of alternative vehicular access from Strachan Avenue to be shared by Block 1 and 30 Ordinance Street, including shared access for Metrolinx to its north service road, located north of lands known in the year 2015 as 30 Ordinance Street, or an alternative arrangement. The design and any details related to this access, including but not limited to parking restrictions, will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and,
 - (b) obtaining all necessary approvals to facilitate the appropriate land ownership or easement arrangements for the Strachan Avenue shared access.
- xii. City Council authorize that the timing of x. and xi., above, may be amended only with the written consent of the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Parks, Forestry and Recreation and the General Manager Transportation Services;
- xiii. Prior to the registration of the first plan of condominium on each of Blocks 1 and 3, and in support of the development the owner shall provide, to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services and at no cost to the City, any improvements to municipal infrastructure as required throughout each phase of development, as identified in the Functional Servicing Report, prepared by Odan/Detech Group, dated May 21, 2014, or such revised drawings as may be satisfactory to the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services;
- xiv. In support of the development the owner of Blocks 1 and 3 shall:
 - (a) prior to issuance of the first above-grade building permit for the first building or structure within the Blocks, make a cash contribution to the City in the amount of \$80,000.00 toward the cost of improvements to the intersection at Wellington Street West, Douro Street, and Strachan Avenue, which amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment, all to the satisfaction of the General Manager of Transportation Services;

- (b) design and construct, at no cost to the City and to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, improvements to Ordnance Street substantially in accordance with the Phasing Drawings, prepared by BA Group and Odan/Detech Group, and dated April 22, 2014, or such revised report as may be satisfactory to the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, with detailed engineering to be submitted in the context of site plan approval for each phase of the development and with all works for the subject phase to be completed prior to the registration of the first plan of condominium on each of Blocks 1 and 3; and,
 - (c) prior to issuance of the first building permit for each phase of development, provide security for the cost of all works contemplated in paragraph xiv b. above and related to such phase to the satisfaction of the Executive Director Engineering and Construction Services and the General Manager Transportation Services; and,
 - (d) prior to the registration of a draft plan of condominium, including any interim occupancy associated with the condominium, for the first building or structure within the Blocks, design and construct, at no cost to the City and to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, the northbound right turn lane on Strachan Avenue, substantially in accordance with the Phasing Drawings, prepared by BA Group and Odan/Detech Group, and dated April 22, 2014, or such revised report as may be satisfactory to the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, or at the option of the owner, make a cash contribution to the City, for the same, in the amount of \$260,000.00, with the cash contribution to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment, all to the satisfaction of the General Manager Transportation Services.
- xv. The owner shall acknowledge and agree to warning clauses with respect to each of Blocks 1 and 3, and shall include such warning clauses in all offers of purchase and sale, as well as appropriate condominium documents, addressing the potential noise and vibration from the adjacent railways and from events at the Fort York National Historic Site, all to the satisfaction of the Chief Planner and Executive Director, City Planning;

- xvi. Prior to the issuance an above-grade building permit for the first building or structure on the Blocks, the owner shall provide, at no cost to the City, two (2) Bike Share Stations, each comprising a minimum of 10 Bike Share Spaces, as well as one (1) public bicycle repair station, to be located on the Blocks or in Ward 19 in the vicinity of the Ordnance Triangle, or, at the option of the owner, submit payment for the cost of provision of the same in lieu thereof, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;
- xvii. The owner shall provide and shall thereafter maintain, at no cost to the City, a minimum of 340 additional bicycle parking spaces within Blocks 1 and 3, in excess of the minimum zoning requirements applicable to Blocks 1 and 3, where with the type and location of the additional bicycle parking spaces is determined in the context of site plan approval for the lot pursuant to Section 114 of the City of Toronto Act, 2006, as amended, and, as applicable, Section 41 of the Planning Act, as amended, and the additional spaces shall be provided, at a minimum, in accordance Toronto Green Development Standards;
- xviii. The owner shall provide and maintain a minimum of 75 vehicle parking spaces within the commercial garage located within the Blocks for the exclusive use of visitors to the residential units within the Blocks, and visitors to the residential units within the two residential buildings at 30 Ordnance Street, between the hours of 6:00PM and 6:00AM on Mondays through Thursdays and from 6:00PM on Fridays until 6:00 AM on Mondays, and a minimum of 25 additional vehicle parking spaces within the commercial garage located within the Blocks for the exclusive use of visitors to the residential units within the Blocks and visitors to the residential units within the two residential buildings at 30 Ordnance Street, between the hours of 10:00PM and 6:00AM on Mondays through Thursdays and from 10:00PM on Fridays until 6:00 AM on Mondays, in perpetuity, to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The provision of these 100 parking spaces for the exclusive use of visitors to the residential units, shall be noted on signage contained within the underground garage that indicates that the spaces are for the exclusive use of visitors to the residential units within the Blocks, and 30 Ordnance Street, between the hours noted above, to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and,
- xix. The owner shall provide a minimum of 30% of the total number of residential units collectively within the Blocks, as two and/or three-bedroom units, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

5. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required;
6. City Council determine that, pursuant to Section 34(17) of the Planning Act, no further notice is required in respect of the proposed Zoning By-law Amendment for 10, 11 and 25 Ordinance Street and 45 Strachan Avenue;
7. City Council authorize cash-in-lieu funds generated through the Alternative Rate Parkland Dedication By-law in connection with 11 and 25 Ordinance Street and 45 Strachan Avenue that are above the first 5 percent, to be directed for use to construct the Above Base Park Improvements for the future park within 10 Ordinance Street, the South Stanley Park extension, and/or Fort York National Historic Site, to the satisfaction of the General Manager, Parks Forestry and Recreation, in consultation with the Manager, Fort York National Historic Site, and the Ward Councillor;
8. City Council authorize the appropriate City officials to take such actions as are necessary to implement Council's decision, including execution of the necessary Section 37 Agreement; and,
9. City Council direct the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager, Parks, Forestry and Recreation Division, to Report to Planning and Growth Management Committee to zone the lands at 10 Ordinance Street to an appropriate park zone category once discussions with Metrolinx and the City, regarding lands for the installation of transit-related infrastructure, which may affect the final size of the future park, have concluded.”

Financial Impact

The recommendations contained in this report will have no financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

On August 25, 26, 27 and 28, 2014, City Council referred Item PG34.3 back to the Chief Planner and Executive Director, City Planning and requested the Chief Planner and Executive Director, City Planning to:

- a. continue discussions with the owners and report back directly to City Council at its December 11, 2014 meeting on the Planning applications for the property at 30 Ordinance Street as well as the property comprised of 10, 11 and 25 Ordinance Street and 45 Strachan Avenue; or,
- b. should the Chief Planner and Executive Director, City Planning determine that public notice is required, direct that the notice for a public meeting under the Planning Act be given according to the regulations of the Planning Act and direct the Chief Planner

and Executive Director, City Planning to report to the Planning and Growth Management Committee at its first meeting in January 2015.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG34.3>

On December 11, 2014 City Council adopted staff recommendations contained in a report dated December 4, 2014, recommending amendments to Official Plan and Zoning By-law modify existing permissions at 30 Ordance Street (Item CC2.6). City Council also directed City Planning staff to report back to April 13, 2015 Planning and growth Management Committee on final outstanding matters regarding the Zoning By-law Amendment application to construct two mixed-use buildings at 11 and 25 Ordance Street and 45 Strachan Avenue:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.CC2.6>

This report responds to City Council Direction from December 11, 2014.

ISSUE BACKGROUND

Ordance Park - Improvements and Conveyance to the City

The lands at 10 Ordance Street will be the site of an approximately 1.2 hectare future public park. The future design and construction for this park will be coordinated by Parks, Forestry and Recreation staff, in consultation with other City Divisions, the Ward Councillor, the applicant, members of the public and other stakeholders.

In accordance with a Parkland Reconveyance Agreement, dated April 16, 2012, between Build Toronto Inc. and the City, these lands are to be reconveyed to the City prior to December 31, 2030 and no earlier than April 16, 2017 subject to written notice from the City as noted in the Agreement. At such time as the park is reconveyed the final grading, servicing, sodding, retaining wall installation, and other base park works will have been completed, by the owner, at no cost to the City.

The owner has also agreed to design and construct certain additional base park works, at no cost to the City, which include servicing the site and additional fill material to provide for the landings for the Fort York Pedestrian and Cycle Bridge and to raise the overall elevation of the park lands creating a more usable space for park development.

The specifics of the additional base park works, beyond those required by the Parkland Reconveyance Agreement, will be detailed in a Parkland Improvements Plan (PIP), which will be submitted no later than the time of the first Site Plan control application for either of Blocks 1 or 3. However the applicant is encouraged by city staff to submit the PIP prior to filing a Site Plan Control Application.

The PIP will include, but not necessarily be limited to, details regarding all stormwater management, electrical, storm, sanitary, and water connections to the street line, provision for park signage, and park grading works generally in accordance with the concept plan entitled Garrison Point Base Park, Drawing L101, prepared by Claude

Cormier and Associates, dated August 11, 2014 (Attachment 2), as well as the base park work as detailed in the Parks Reconveyance Agreement, has been completed.

While the PIP will be reviewed within the context of the Site Plan Control Application, timelines for comments from the City and responses by the applicant will be clearly delineated in the Section 37 agreement to provide for timely approval of the PIP works.

In order to coordinate the delivery of the Park space with the completion of the Fort York Pedestrian and Cycling Bridge, the developer will be required to complete the works noted in the Parkland Reconveyance Agreement and the PIP, within a maximum of 3 months of the bridge being conveyed to the City. However, regardless of the date of completion of the Fort York Pedestrian and Cycling Bridge, the owner will, at the latest, be required to complete the above-noted works prior to, the earlier of interim occupancy or the registration of the first condominium within either of Blocks 1 or 3. These timelines may be altered at the sole discretion of the Chief Planner and Executive Director, City Planning Division, in consultation with the Manager, Fort York National Historic Site, and the local Councillor.

All works detailed in the Parkland Reconveyance Agreement and the PIP will be completed, by the owner, at no cost to the City, to the satisfaction of the General Manager, Parks Forestry and Recreation, Division and the Chief Planner and Executive Director, City Planning Division, in consultation with the Manager, Fort York National Historic Site, and the local Councillor.

All works constructed by the owner will be required to be warrantied with financial securities provided for a 2-year period. Financial securities for the park will be provided prior to the issuance of an above-grade permit for any building on either of Blocks 1 or 3. The additional base park servicing and grading work is estimated at approximately \$1.6 million; however the cost of securities will be ascertained at the time of approval of the PIP.

At such time as the parkland is to be conveyed to the City, it will be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including retaining walls, and/or surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry & Recreation Division.

Ordnance Park – Metrolinx Infrastructure Matters

The proposed development site is located between two Metrolinx rail corridors: the Georgetown South corridor to the north, and the Lakeshore West line to the south. The Metrolinx-owned land situated at the convergence of these two rail lines, referred to as the ‘tip lands,’ is located adjacent to the proposed future park space at 10 Ordnance Street. These ‘tip lands’ serve as the location for existing Metrolinx rail corridor infrastructure as well as a planned future paralleling station related to the electrification of the Union Pearson (UP) Express service. A temporary air quality monitoring station, intended to

measure the impacts of increased GO Transit service within the Georgetown South corridor, is also located on the future park lands.

Metrolinx has been working with the developer and the City of Toronto, to ensure that space for existing and future Metrolinx infrastructure are suitably provided within the context of the proposed development plan and that the size and usability of the remaining park space at 10 Ordance Street is minimally impacted.

As these discussions are ongoing, it is recommended that a report recommending the zoning of the lands at 10 Ordance Street to an appropriate park zone category be delayed until such time as the discussions regarding lands for the installation of transit-related infrastructure which may affect the final size of the future park have concluded.

Reconstruction of Strachan Avenue / New Wellington Traffic Signal

Through the review of the traffic impacts of this project, it was determined that under existing conditions, the intersection of Strachan Avenue and Wellington Street West/Douro Street requires the installation of traffic control signals. The Section 37 Agreement requires the owner of Blocks 1 and 3 to fund a portion of the installation of the traffic control signal in the amount of \$80,000.00 with the remainder of the funds available in the Transportation Services Division's Capital Works Budget under Project No. CTP715-01.

On February 18, 2015, Toronto and East York Community Council deferred consideration of the report (dated January 27, 2015) from the Director, Transportation Services, requesting authorization to install these traffic signals.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE4.61>

The developer is also responsible for any improvements along Ordance Street, and the construction of a northbound right turn lane on Strachan Avenue to access Ordance Street, which is estimated to cost \$260,000.00.

These road improvement obligations are required in support of the development and will be secured in the Section 37 Agreement.

Proposed Vehicle Parking Reduction

The applicant has submitted a letter by BA Group, dated July 4, 2014, which provides a rationale for the following reduction to the minimum resident parking space requirements in the Zoning By-law:

Unit Type	Minimum # of Parking spaces required per unit	Minimum # of Parking spaces proposed per unit
Bachelor	0.30 spaces	0.24 spaces
1 Bedroom	0.70 spaces	0.56 spaces
2 Bedroom	1.00 spaces	0.80 spaces
3+ Bedroom	1.20 spaces	0.96 spaces

The proposal constitutes a reduction of 15% of the required resident parking.

City staff have reviewed the rationale by BA Group and are satisfied that the proposed parking reduction is acceptable, on the condition that the developer provides additional bicycle parking in accordance with the above-noted provision.

The Draft By-law attached to this report allows for the proposed reduction in parking.

Proposed Additional Bike Parking

In support of the development, the owners of Blocks 1 and 3 will be required to collectively provide 340 additional bicycle spaces, in a number of formats, and in locations to be further determined through review of the site plan applications for these Blocks. The additional spaces will, at a minimum, be required to be located on site in accordance with the Toronto Green Standard, and will be secured through the site plan review process.

In Phase 2 of the redevelopment, prior to the first above grade permit on Blocks 1 or 3, whichever occurs first, the developer will provide, at no cost to the City, two Bike Share stations, comprising a minimum of ten Bike Share spaces in each Station, and a public bike repair station, all to be located within Ward 19, and in proximity to the Ordnance Triangle. The Bike Share stations and the repair station will be secured in the Section 37 Agreement(s). The Toronto Parking Authority will be responsible for the ongoing maintenance of these facilities and is aware of the project.

The Draft By-laws attached to this report, secures the contributions of the Bike Share Stations and bike repair station, and details the requirement for the 340 additional on-site bicycle parking spaces.

Commercial Parking Garage / Visitors Parking Spaces

The proposed redevelopment of 11 and 25 Ordnance Street (Block 3) includes a commercial parking garage consisting of approximately 200 parking spaces. This commercial garage is proposed to provide commercial and residential visitor parking for the entire Ordnance Triangle development, including Block 1 and the two residential buildings at 30 Ordnance Street given the 10,810 square metres of commercial space being proposed.

There will be limited opportunity for on-street vehicle parking on Ordnance Street for visitors to the commercial and residential portions of the proposed development and visitors to the park at 10 Ordnance Street. Events held at Exhibition Place, Fort York National Historic Site, BMO Field, and the Waterfront, may also place additional strain on the limited area parking opportunities.

City Planning staff acknowledge that the flexible use of public parking spaces is desirable in this instance, as limited street parking opportunities will exist in the Ordnance Triangle and the commercial parking lot will be utilized by a broad number of users for varying

durations. Further, City Planning staff are of the opinion that dedicated parking for visitors to the residential condominiums being constructed within the Ordnance Triangle is an essential element of the operations of any residential condominium in this area.

In order to provide for dedicated residential visitor parking within the commercial garage, while still allowing for flexible use of the overall commercial garage space, a minimum of 75 vehicle parking spaces will be provided for the exclusive use of visitors to the residential condominiums on evenings, starting at 6:00PM, overnight, until 6:00AM, and on weekends. As commercial uses at the Ordnance Triangle and most area events will be closed or finished around 10:00PM, a minimum of 25 additional vehicle parking spaces will be provided for the exclusive use of visitors to the residential condominiums, starting at 10:00PM until 6:00AM on weekdays and from 10:00PM on Fridays until 6:00 AM on Mondays.

These matters are being provided in support of the development and will be secured in the Section 37 Agreement.

CONTACT

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SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment – 10, 11, 25 Ordnance Street and 45 Strachan

Attachment 2: Garrison Point Base Park, Drawing L101, prepared by Claude Cormier and Associates, dated August 11, 2014

Attachment 1:
Draft Zoning By-law Amendment – 10, 11, 25 Ordinance Street and 45 Strachan

CITY OF TORONTO
BY-LAW No. ____ - 2015

**To amend Zoning By-law No. 438-86 of the former City of Toronto
with respect to lands municipally known as 45 Strachan Avenue and 10, 11 and 25
Ordinance Street**

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;

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*;

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

Whereas pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a by-law under Section 34 of the *Planning Act*, 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 matter as are set out in the by-law;

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, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

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

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 438-86, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the land and the City of Toronto.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. None of the provisions of Section 2(1) with respect to “*bicycle parking space-occupant*”, “*bicycle parking space-visitor*”, “*grade*”, “*height*”, “*residential amenity space*” and Sections 4(2)(a), 4(4), 4(6), 4(7), 4(12), 4(13), 4(16) 5(1), 9(1)(a) and (f) and 9(3) Part I 2 and 3 of Zoning By-law No. 438-86, of the former City of

Toronto, as amended shall apply to prevent the erection or use of *apartment buildings* or *mixed use buildings*, and uses *accessory* thereto, including a *commercial parking garage* and *parking garage* on the *Blocks* shown on Map 1 attached hereto, and zoned 'I3 D3', provided that:

- (a) The lands subject to this By-law include at least those lands identified as *Block A*, *Block B* and "No. 10 Proposed Park" on Map 1 attached to and forming part of this By-law".

Gross Floor Area

- (b) the combined *residential gross floor area* and *non-residential gross floor area* of all buildings and structures on the *Blocks* shall not exceed 85,250 square metres, of which, a minimum of 10,810 square metres shall be provided as *non-residential gross floor area* on the *Blocks*;
- (c) notwithstanding the provisions of this By-law and By-law 438-86, as amended, the floor area of any *commercial parking garage* shall be excluded from the calculation of *non-residential gross floor area*;

Non-residential Uses

- (d) the following non-residential uses are permitted on the *Blocks*:
 - (i) adult education school;
 - (ii) artist's or photographer's studio;
 - (iii) *bake-shop*;
 - (iv) *branch of a bank or financial institution*;
 - (v) *caterer's shop*;
 - (vi) *clinic*;
 - (vii) *commercial school*;
 - (viii) *communications and broadcasting establishment*;
 - (ix) community centre;
 - (x) community or social agency;
 - (xi) *courier service*;
 - (xii) *custom workshop*;
 - (xiii) *data processing establishment*;
 - (xiv) *designer's studio*;
 - (xv) *dry-cleaning shop* and *dry-cleaning distribution station*;
 - (xvi) *duplicating shop*;
 - (xvii) *medical/dental office*;
 - (xviii) newsstand;
 - (xix) office;
 - (xx) *performing arts studio*;
 - (xxi) *personal grooming establishment*;
 - (xxii) premises of a *charitable institution or non-profit institution*;

- (xxiii) *private academic, philanthropic or religious school*
- (xxiv) *private art gallery;*
- (xxv) *public art gallery;*
- (xxvi) *public school*
- (xxvii) *publisher;*
- (xxviii) *restaurant and take-out restaurant;*
- (xxix) *retail store;*
- (xxx) *service, rental or repair shop;*
- (xxxi) *software design and development establishment;*
- (xxxii) *tailoring shop; and*
- (xxxiii) *trade school;*

Height

- (e) the maximum permitted number of storeys shall be as follows:
 - (i) *Building A: 39 storeys;*
 - (ii) *Building B1: 34 storeys; and*
 - (iii) *Building B2: 24 storeys;*
- (f) no portion of any building or structure erected or used on the *Blocks* above finished ground level shall exceed the number *of storeys* noted in 2.(e) and the height limits shown in metres and specified by the numbers following the letter "H" in the areas delineated on Map 2 attached to and forming part of this By-law, with the exception of the following:
 - (i) mechanical penthouses having a maximum height of 6.0 metres above the applicable *height* limit shall be permitted;
 - (ii) parapets, terrace guards and dividers, planters, railings, decorative screens, architectural features, vents, stacks, stairs, stair enclosures, elevator shafts, elevator shaft enclosures, underground garage ramps and associated structures, elements or structures on the roof of the building used for outside or open air recreation, green roof and safety or wind protection purposes, as well as window washing equipment provided that the maximum height of the top of any such equipment does not exceed a maximum of 3.0 metres above the applicable *height* limit shown on Map 2; and
 - (iii) the structures and elements in subsection (j) below;
- (g) above a *height* of 23.5 metres *Building A* shall not exceed an average *floorplate* size of 798.0 square metres, with the exception that 3 *storeys* having a maximum *floorplate* size of 926.0 square metres shall be permitted

and such *storeys* shall not be included in the calculation of the average *floorplate* size for the building;

- (h) all *storeys* above and including the 5th *storey* of *Building B1*, as shown on Map 2, shall have a maximum *floorplate* of 786 square metres, excepting the 34th *storey*, or the highest *storey* constructed, which shall have a maximum *floorplate* of 716 square metres; and
- (i) all *storeys* above and including the 5th *storey* of *Building B2*, as shown on Map 2, shall have a maximum *floorplate* of 750 square metres, excepting the 24th *storey*, or the highest *storey* constructed, which shall have a maximum *floorplate* of 625 square metres.

Setbacks

- (j) no portion of any building or structure erected or used on the *Blocks* above finished ground level is located other than wholly within the areas delineated by heavy lines on the attached Map 2, with the exception of the following, located wholly within a lot line:
 - (i) cornices, lighting fixtures, ornamental elements, parapets, piers, columns, trellises, eaves, window sills, planters, balustrades, guard rails, stairs, stair enclosures, wheelchair ramps, vents, fences, screens, landscape and public art features, and railings may extend beyond the heavy lines shown on Map 2;
 - (ii) balconies and canopies may extend up to 1.8 metres beyond the heavy lines shown on Map 2;
 - (iii) a pedestrian bridge with a minimum vertical clearance of 5.0 metres above finished ground level may extend beyond the heavy lines shown on Map 2 to connect *Building A* shown on Map 2 with a building located on *30 Ordnance Street*; and
 - (iv) the elements and structures permitted by subsection (f) above;
- (k) in addition to the provisions of subsection 1.(j) above, the main wall of *Building A* constructed above a *height* of 23.5 metres, with the exception of permitted projections noted in subsection 1.(j), shall maintain a minimum separation distance of 25.0 metres from the main wall of any building constructed on *30 Ordnance Street*, with the exception of permitted projections noted in Section 3.(7) of By-law 159-2012, as may be amended and varied;

Residential Amenity Space

- (l) a minimum of 2.0 square metres of indoor *residential amenity space* per *dwelling unit* and a minimum of 1.5 square metres of outdoor *residential amenity space per dwelling unit* shall be provided on the *Blocks* subject to the following;
 - (i) at least 40 square metres of outdoor *residential amenity space* must be provided in a location adjoining or directly accessible from indoor *residential amenity space* containing both a kitchen and a washroom;
 - (ii) the indoor *residential amenity space* may be contained in rooms which are not contiguous; and,
 - (iii) a minimum of 449 square metres of *outdoor residential amenity space* shall be provided on *Block 1*.
- (m) Notwithstanding Section 1(l), provided a minimum of 64.0 square meters of indoor *residential amenity space* is provided on *Block A*, the remaining indoor *residential amenity space* necessary to provide the indoor *residential amenity space*, for *Block A*, required by Section 1(l) above, for use by *Block A* residents, may be located on *30 Ordnance Street*, provided such space is in addition to any indoor *residential amenity space* required for the development of *30 Ordnance Street*;
- (n) Notwithstanding Section 1(l), outdoor *residential amenity space* required for *Block A* by Section 1(l) above, for use by *Block A* residents, may be located on *30 Ordnance Street*, provided such space is in addition to any outdoor *residential amenity space* required for the development of *30 Ordnance Street*;

Parking

- (o) *parking spaces* required by this By-law may be maintained on any of the *Blocks* and/or within permitted parking facilities located on *30 Ordnance Street*.
- (p) *parking spaces* for residential uses are to be provided and maintained in accordance with the following minimum standards:
 - (i) 0.24 *parking spaces* for each *bachelor dwelling unit*;
 - (ii) 0.56 *parking spaces* for each one *bedroom dwelling unit*;
 - (iii) 0.80 *parking spaces* for each two *bedroom dwelling unit*;

- (iv) 0.96 *parking spaces* for each three *bedroom dwelling unit*; and,
- (v) 0.12 *parking spaces* per unit will be provided for the use of visitors to the residential units;
- (q) Parking spaces for non-residential uses shall be provided in accordance with the following table:

Parking Space Rates and Parking Space Occupancy Table

		Parking Occupancy Rate		
		AM = 6 a.m. to Noon. PM = Noon to 6 p.m. Eve= 6 p.m. to 6 a.m.		
Land Use	Minimum Parking Rate	AM	PM	Eve
adult education school	1.5 <i>parking spaces</i> for each 100 square metres of <i>non-residential gross floor area</i>	100%	100%	25%
<i>private academic, philanthropic or religious school, public school</i>	1.5 <i>parking spaces</i> for each 100 square metres of <i>non-residential gross floor area</i>	100%	100%	20%
<i>branch of a bank or financial institution</i>	2.0 <i>parking spaces</i> for each 100 square metres of <i>non-residential gross floor area</i>	20%	100%	50%
<i>clinic, medical/dental office</i>	1.5 <i>parking spaces</i> for each 100 square metres of <i>non-residential gross floor area</i>	100%	100%	50%
office	1.0 <i>parking spaces</i> for each 100 square metres of <i>non-residential gross floor area</i>	100%	60%	0%
for all other uses listed in Section 1.(b) of this by-law	1.0 <i>parking spaces</i> for each 100 square metres of <i>non-residential gross floor area</i>	20%	100%	100%

- (r) the required minimum number of *parking spaces* as required in the table above is determined as follows:
 - (i) 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;
 - (ii) 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
 - (iii) the minimum number of *parking spaces* required is equal to the largest number of *parking spaces* required for any parking period;

- (s) if the calculation of the number of required *parking spaces* results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one *parking space*;
- (t) *parking spaces* required for visitors to the residential and non-residential uses may be provided on a non-exclusive basis and may be located within a *commercial parking garage*;
- (u) notwithstanding paragraph (n) of this By-law, a reduction of four resident *parking spaces* shall be permitted for each *car-share-parking-space* provided and maintained on the *Blocks* up to a maximum of 10 *car share parking spaces*;
- (v) the total minimum number of required vehicle *parking spaces*, other than those spaces required for visitors to the residential units, may be reduced at a rate of 1 vehicle *parking space* for each 5 *bicycle parking spaces - occupant* and/or *bicycle parking spaces – visitor*, in excess of the minimum number of *bicycle parking spaces - occupant* and/or *bicycle parking spaces – visitor* required by this By-law, provided that all excess *bicycle parking spaces - occupant* are located indoors and not below P1 level, and provided that the reduction of vehicle *parking spaces* is not greater than 10% of the total minimum vehicle *parking spaces* required;
- (w) *bicycle parking spaces* are to be provided and maintained on the *Blocks* in accordance with the following minimum standards:
 - (i) a minimum of 0.6 *bicycle parking spaces-occupant* per *dwelling unit* for residents;
 - (ii) a minimum of 0.15 *bicycle parking spaces-visitor* per *dwelling unit* for residential visitors;
 - (iii) a minimum of 0.13 *bicycle parking spaces-occupant* for non-residential uses per 100 square metres of *non-residential gross floor area*; and,
 - (iv) a minimum of 0.25 *bicycle parking spaces-visitor* for non-residential uses per 100 square metres of *non-residential gross floor area* or 6 *bicycle parking spaces-visitor*, whichever is greater;
- (x) loading spaces required for buildings on the *Blocks* shall be provided in accordance with the following:
 - (i) a minimum of one *loading space - type B* and one *loading space - type G* shall be provided for a building or portion of a building provided on *Block A*;

- (ii) loading spaces provided at *30 Ordnance Street* may be used to satisfy the loading requirements of a building on *Block A*, and for clarity, the same loading spaces may also be used to satisfy the loading requirements for buildings located at *30 Ordnance Street*; and
 - (iii) a minimum of two *loading space – type B* and one *loading space – type G* shall be provided on *Block B*; and,
 - (iv) notwithstanding any provisions of this By-law or By-law 438-86, as amended, the construction and use of parking facilities for use in connection with the development at *30 Ordnance Street* shall be a permitted use on the *Blocks*.
- 2. In the event additional lands are acquired and the area of *Block B* is expanded to include the *eastern lands*, all references in this By-law to Map 1 and Map 2 shall be read as being a reference to Map 1A and Map 2A provided that:
 - (a) notwithstanding any provisions of Section 1.(b) of this By-law, the combined residential gross floor area and *non-residential gross floor area* of all buildings and structures on the *Blocks* shall not exceed 87,500 square metres, of which not less than 10,810 square metres shall be provided as *non-residential gross floor area*.
- 3. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the *Blocks* contemplated herein is permitted in return for the provision by the *owner*, at the *owner's* expense, of the facilities, services and matters set out below 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 *Blocks* to the satisfaction of the City Solicitor.
- 4. 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 on satisfaction of the same.
- 5. 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 provisions of Schedule A are satisfied.
- 6. A temporary *sales presentation centre* shall be permitted on the *Blocks*, and none of the other provisions of this By-law shall apply to such use.
- 7. For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law No. 438-86, as amended, with the exception of the following:

- (c) “*Block A*” and “*Block B*” means those lands respectively delineated and identified as Block A and Block B on Map 1 attached hereto, collectively referred to as the “*Blocks*”;
- (d) “*Building A*”, “*Building B1*” and “*Building B2*” means those portions of the buildings labeled “*Building A*”, “*Building B1*” and “*Building B2*” on Map 2 attached hereto;
- (e) “*bicycle parking space-occupant*” means an area that is equipped with a bicycle rack, locker or bicycle stacker for the purpose of parking and securing bicycles, and:
 - (i) where the bicycles are to be parked on a horizontal surface, has a horizontal dimension of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
 - (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres, by 1.2 metres and a vertical dimension of at least 1.9 metres;
 - (iii) where the bicycles are to be parked in a *bicycle stacker*, has a horizontal dimension of at least 0.6 metres, by 1.8 metres and has a vertical dimension for each bicycle parking space of at least 1.2 metres; and
 - (iv) shall be located in a secure location.
- (f) “*bicycle parking space-visitor*” means an area that is equipped with a bicycle rack, locker or bicycle stacker for the purpose of parking and securing bicycles, and:
 - (i) where the bicycles are to be parked on a horizontal surface, has a horizontal dimension of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
 - (ii) where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres, by 1.2 metres and a vertical dimension of at least 1.9 metres;
 - (iii) where the bicycles are to be parked in *bicycle stacker*, has a horizontal dimension of at least 0.6 metres, by 1.8 metres and has a vertical dimension for each bicycle parking space of at least 1.2 metres; and,
 - (iv) may be located outdoors or indoors.

- (g) “*Building A*”, “*Building B1*” and “*Building B2*” means those portions of the buildings labeled “Building A”, “Building B1” and “Building B2” on Map 2 attached hereto;
- (h) “*bike share station*” means a bicycle sharing facility overseen by the Toronto Parking Authority, or its successor from time to time, where a minimum of ten (10) bicycles are capable of being securely stored and from which the general public may rent and return bicycles which are owned by a profit or non-profit bike-sharing organization.
- (i) “*bicycle stacker*” means a device where by a bicycle parking space is positioned above or below another bicycle parking space and is accessed by means of an elevating device;
- (f) “*car-share*” means the practice whereby a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car-sharing organization and such car-share motor vehicles are made available to at least the occupants of the building for short term rental, including hourly rental;
- (g) “*car-share parking space*” shall mean a *parking space* exclusively reserved and signed for a car used only for *car-share* purposes;
- (h) “*eastern lands*” means the land identified on Map 1A as the “Eastern Lands”;
- (i) “*floorplate*” means the total area of a floor of a building measured from the exterior of the main wall of the floor level, including voids at the level of the floor, such as an atrium, mezzanine, stairwell, escalator, elevator, ventilation duct or utility shaft;
- (j) “*grade*” means 84.5 metres Canadian Geodetic Datum;
- (k) “*height*” means the vertical distance between *grade* and the highest point of the building or structure except for those elements otherwise expressly permitted in this By-law;
- (l) “*Ordnance Triangle*” means those lands comprised of *Block A*, *Block B*, and *10 Ordnance Street* and *30 Ordnance Street*,
- (m) “*residential amenity space*” shall mean a common area or areas within the *Blocks* which are provided for recreational or social purposes for use by residents of the *Blocks* and or residents of a building located on *30 Ordnance Street*;
- (n) “*sales presentation centre*” shall mean temporary offices provided for the marketing or selling of *dwelling units* located or to be located on the *Blocks*;

- (o) “*storey*” shall mean a level of a building, located between any floor and the floor, ceiling or roof immediately above it, with the first storey being that storey with a floor closest in elevation to the elevation of the adjacent finished ground level, or that storey with a floor which is partly below the finished ground level;
 - (p) “*10 Ordnance Street*” shall mean the lands known municipally in the year 2014 as 10 Ordnance Street, subject to boundary adjustments from time to time;
 - (q) “*30 Ordnance Street*” shall mean the lands known municipally in the year 2014 as 30 Ordnance Street, subject to boundary adjustments from time to time;
- 8. Despite any existing or future severance, partition, or division of the *Blocks*, the provisions of this By-law shall apply to the whole of the *Blocks* as provided for herein, as if no severance, partition or division occurred.
 - 9. Except as otherwise provided herein, the provisions of By-law No. 438-86, as amended, shall continue to apply to the *Blocks* as well as the buildings and structures on the *Blocks*.
 - 10. Notwithstanding any provisions of By-law 438-86, as amended, on the lands identified on Map 1 as “No. 10 PROPOSED PARK”, a driveway *accessory* to a *mixed-use building* and or an *apartment building* located at *30 Ordnance Street* is a permitted use.
 - 11. Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2015.

FRANCES NUNZIATA,
Speaker
(Corporate Seal)

ULLI S. WATKISS,
City Clerk

SCHEDULE A
Section 37 Provisions
(10, 11 and 25 Ordnance Street and 45 Strachan Avenue)

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 *Blocks* and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the owner agrees as follows:

- (1) prior to issuance of a below-grade permit for the first building within the *Blocks*, the owner shall provide written confirmation to the satisfaction of the Chief Planner and Executive Director, City Planning Division that all proposed crash mitigation measures are acceptable to Metrolinx;
- (2) prior to issuance of a below-grade building permit for the first building within the *Blocks*, the owner shall have entered into an agreement to secure for the relocation of Eva's Phoenix, to the satisfaction of the Chief Planner and Executive Director City Planning Division in consultation with appropriate civic officials;
- (3) prior to issuance of an above grade building permit for the first building within the *Blocks*, the owner shall:
 - i. make a cash contribution to the City, to the satisfaction of Chief Planner and Executive Director, City Planning Division, in the amount of \$3,000,000.00 to be applied toward the cost of the Fort York Pedestrian and Cycling Bridge, including any bridge-related work within South Stanley Park extension, the future park space at *10 Ordnance Street*, and/or Fort York National Historic Site, at the discretion of the General Manager, Parks Forestry and Recreation, Division and the Chief Planner and Executive Director, City Planning Division, in consultation with the Manager, Fort York National Historic Site, and the local Councillor; and
 - ii. make a cash contribution to the City, to the satisfaction of Chief Planner and Executive Director, City Planning Division, in the amount of \$750,000.00 to be applied toward the acquisition and/or construction of community services and/or facilities within the development at the Ordnance Triangle as may be agreed to between the parties, or within the vicinity of the development and in Ward 19, at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor;
 - iii. the amounts referred to in clause (3) i. and ii. shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment; and,

iv. The owner shall:

- (a) design and construct, at no cost to the City and to the satisfaction of the General Manager, Parks Forestry and Recreation, additional base park improvements which shall include, grading works and retaining walls, which may be necessary to raise the elevation of the future park lands at *10 Ordnance Street* to provide for the Fort York Pedestrian and Cycle Bridge land / transition and create more useable space for neighbourhood park development, substantially in accordance with the concept plan entitled Garrison Point Base Park, Drawing L101, prepared by Claude Cormier and Associates, dated August 11, 2014, on terms set out in the Section 37 Agreement;
- (b) design and construct, at no cost to the City, further additional base park improvements at *10 Ordnance Street*, which shall include drainage, electrical, storm, sanitary, and water services, as may be required to the street line, and provision for park signage, all to the satisfaction of the General Manager, Parks Forestry and Recreation;
- (c) at a time no later than the submission of a formal site plan application for the first building or structure on the Blocks, submit a Parkland Improvements Plan (PIP) to the City for review and approval, which will include details with respect to park improvements set out in paragraphs a. and b. above, as well as details of the base park work contemplated in the Parks Reconveyance Agreement dated April 16, 2012, between the City of Toronto and Build Toronto Inc. but excepting any interim grading works that may be required to advance commencement of construction of the Fort York Pedestrian and Cycling Bridge or final design as approved in accordance with the Park Reconveyance Agreement to permit interim grading works to proceed;
- (d) prior to the issuance of an above grade permit for the first building or structure on the Blocks, have received confirmation that the PIP has been approved by the General Manager, Parks, Forestry and Recreation Division or City Council subject to the terms of a review process set out in the Section 37 Agreement;
- (e) complete all works contemplated in the approved PIP, prior to the earlier of, 3 months from the formal acceptance by the City of the completed Fort York Pedestrian and Cycling Bridge, and the registration of the first condominium on the Blocks, including any interim occupancy associated with the condominium, subject to seasonal adjustments and extensions acceptable to the General Manager Parks, Forestry and Recreation with all work to be to the satisfaction of the General Manager, Parks, Forestry and Recreation, Division, in consultation with the Chief Planner and Executive Director, City

Planning Division, Fort York National Historic Site and the Ward Councillor; and,

- (f) acknowledge and agree that extensions to the timing set out in paragraphs d. and e. above, and timing for review of the PIP contemplated in the Section 37 Agreement, may be granted at the sole discretion of the General Manager, Parks, Forestry and Recreation, Division, in consultation with the Chief Planner and Executive Director, City Planning Division, and the Ward Councillor.
- (4) prior to issuance of an above grade building permit for the first building or structure within each of *Blocks A and B*, and in the context of site plan approval pursuant to section 114 of the City of Toronto Act, 2006, as amended, and, as applicable, section 41 of the Planning Act, as amended, the owner shall:
 - i. submit a Wind Study, including wind tunnel analysis, which identifies recommendations for the pedestrian realm and the outdoor areas of the podiums to mitigate wind impacts year-round to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and,
 - ii. provide, to the satisfaction of the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services, a public realm phasing plan detailing the phased improvements to the public realm including, but not limited to, paving and curbing details, sidewalk treatments, cycling infrastructure, pedestrian and cycling connections to the future park space at *10 Ordnance Street*, and other matters which may be considered by City Staff through the review of these public realm phasing plans to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (5) prior to issuance of a below grade building permit for each building or structure within each of *Blocks A and B*, and in the context of site plan approval pursuant to section 114 of the City of Toronto Act, 2006, as amended, and, as applicable, section 41 of the Planning Act, as amended, the owner shall submit a Construction Management Plan, for each phase or development, to the satisfaction of the Chief Planner and Executive Director, City Planning and the Chief Building Official, in consultation with the Ward Councillor with details to be included in the Section 37 Agreement;
- (6) In support of the development the owner of the *Blocks* shall:
 - i. prior to issuance of an above-grade building permit for the first building or structure within the *Blocks*, make a cash contribution to the City in the amount of \$80,000.00 toward the cost of improvements to the intersection at Wellington Street West, Douro Street, and Strachan Avenue, which amount shall be indexed upwardly in accordance with the Statistics Canada Non-

Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment, to the satisfaction of the General Manager, Transportation Services;

- ii. design and construct, at no cost to the City, improvements to Ordnance Street substantially in accordance with the Phasing Drawings, prepared by BA Group and Odan/Detech Group, and dated April 22, 2014; or such revised drawings as may be satisfactory to the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, with detailed engineering to be submitted in the context of site plan approval for each phase of the development; with all works will be completed prior to the registration of the first plan of condominium on each of *Blocks 1 and 3*, to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services;
 - iii. prior to issuance of the first building permit for each phase of development, provide security for the cost of all works contemplated in Clause (6) ii. above and related to such phase to the satisfaction of the Executive Director Engineering and Construction Services and the General Manager Transportation Services; and,
 - iv. prior to the registration of a draft plan of condominium, including any interim occupancy associated with the condominium, for the first building or structure within the *Blocks*, design and construct, at no cost to the City and to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, the northbound right turn lane on Strachan Avenue, substantially in accordance with the Phasing Drawings, prepared by BA Group and Odan/Detech Group, and dated April 22, 2014, or such revised report as may be satisfactory to the Executive Director of Engineering and Construction Services and the General Manager of Transportation Services, or at the option of the owner, make a cash contribution to the City, for the same, in the amount of \$260,000.00, with the cash contribution to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment, all to the satisfaction of the General Manager Transportation Services.
- (7) Prior to issuance of an above-grade building permit for the first building or structure within the *Blocks*, the owner shall, to the satisfaction of Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager, Parks Forestry and Recreation and Metrolinx, be responsible to provide for interim relocation of any Metrolinx access to its infrastructure at the lands to the east of *10 Ordnance Street* property, over *10 Ordnance Street* to a service road north of the Ordnance Triangle. The subject owner's responsibilities for providing any required interim access shall include the following:

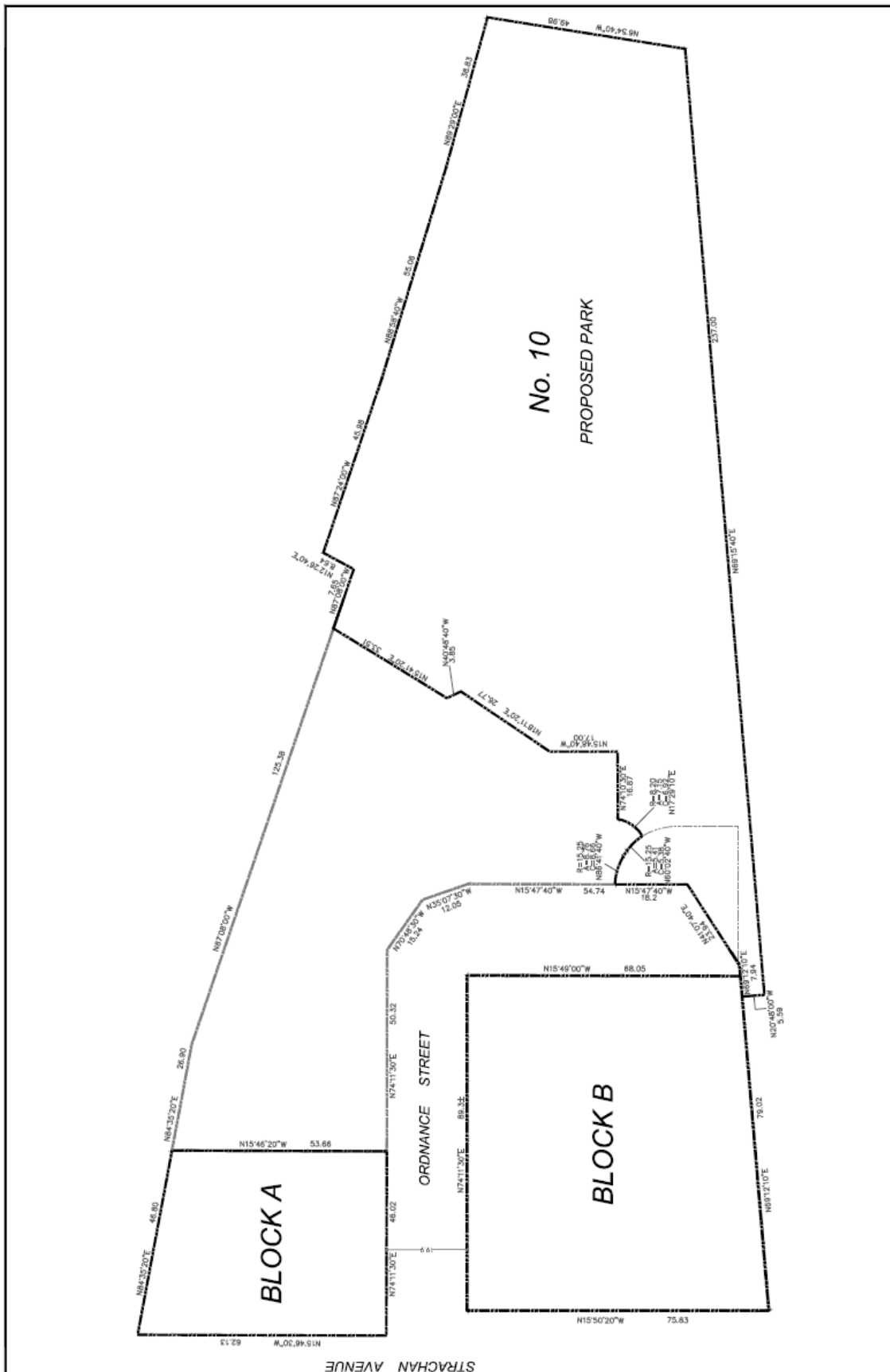
- i. design and construction of alternative vehicular access for Metrolinx from Ordnance Street over other lands within the Ordnance Triangle, with the design and any details related to this access;
 - ii. obtaining all necessary approvals and registering temporary easements as may be required to allow the contemplated alternative interim access by Metrolinx to the north service road from Ordnance Street; and
 - iii. removal of access and release of any existing access easements in favour of Metrolinx over *10 Ordnance Street*;
- (8) Prior to registration of a plan of condominium within *Block A* the owner shall be responsible for the following, to the satisfaction of Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Transportation Services:
- i. the design and construction of alternative vehicular access from Strachan Avenue to be shared by *Block A* and *30 Ordnance Street* and including shared access for Metrolinx to its north service road, located north of lands known in the year 2013 as *30 Ordnance Street*, or an alternative arrangement. The design and any details related to this access, including but not limited to parking restrictions, will be to the satisfaction of the Chief Planner and Executive Director, City Planning; and,
 - ii. obtaining all necessary approvals to facilitate the appropriate land ownership or easement arrangements for the Strachan Avenue shared access.
- (9) the timing of Schedule A, Clauses (7) and (8) hereof may be amended only with the written consent of the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Parks, Forestry and Recreation and the General Manager Transportation Services;
- (10) the owner shall incorporate all recommended crash mitigation measures referred to in Schedule A Clause (1) hereof, into plans and drawings submitted in the context of site plan approval for *Blocks A and B* pursuant to section 114 of the City of Toronto Act, 2006, as amended, and, as applicable, section 41 of the Planning Act, as amended and shall construct and maintain the same as part of the development to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (11) the owner shall incorporate all recommended mitigation measures included in the accepted Wind Study referred to in Schedule A, Clause (4) i. hereof, into plans and drawings submitted in the context of site plan approval for *Blocks A and B* pursuant to Section 114 of the City of Toronto Act, 2006, as amended, and, as applicable, Section 41 of the Planning Act, as amended and shall construct and maintain the

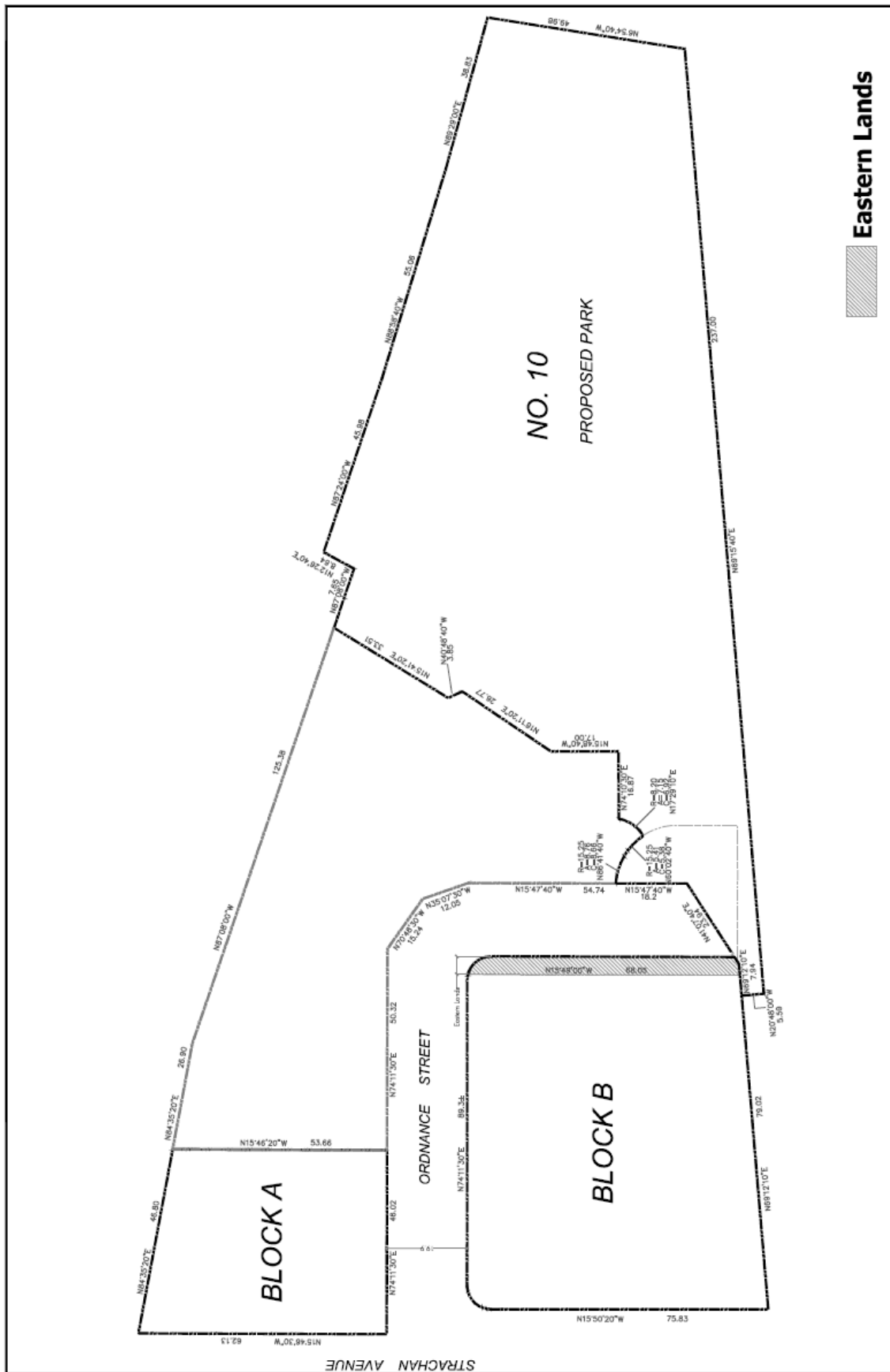
same as part of the development, to the satisfaction of the Chief Planner and Executive Director, City Planning;

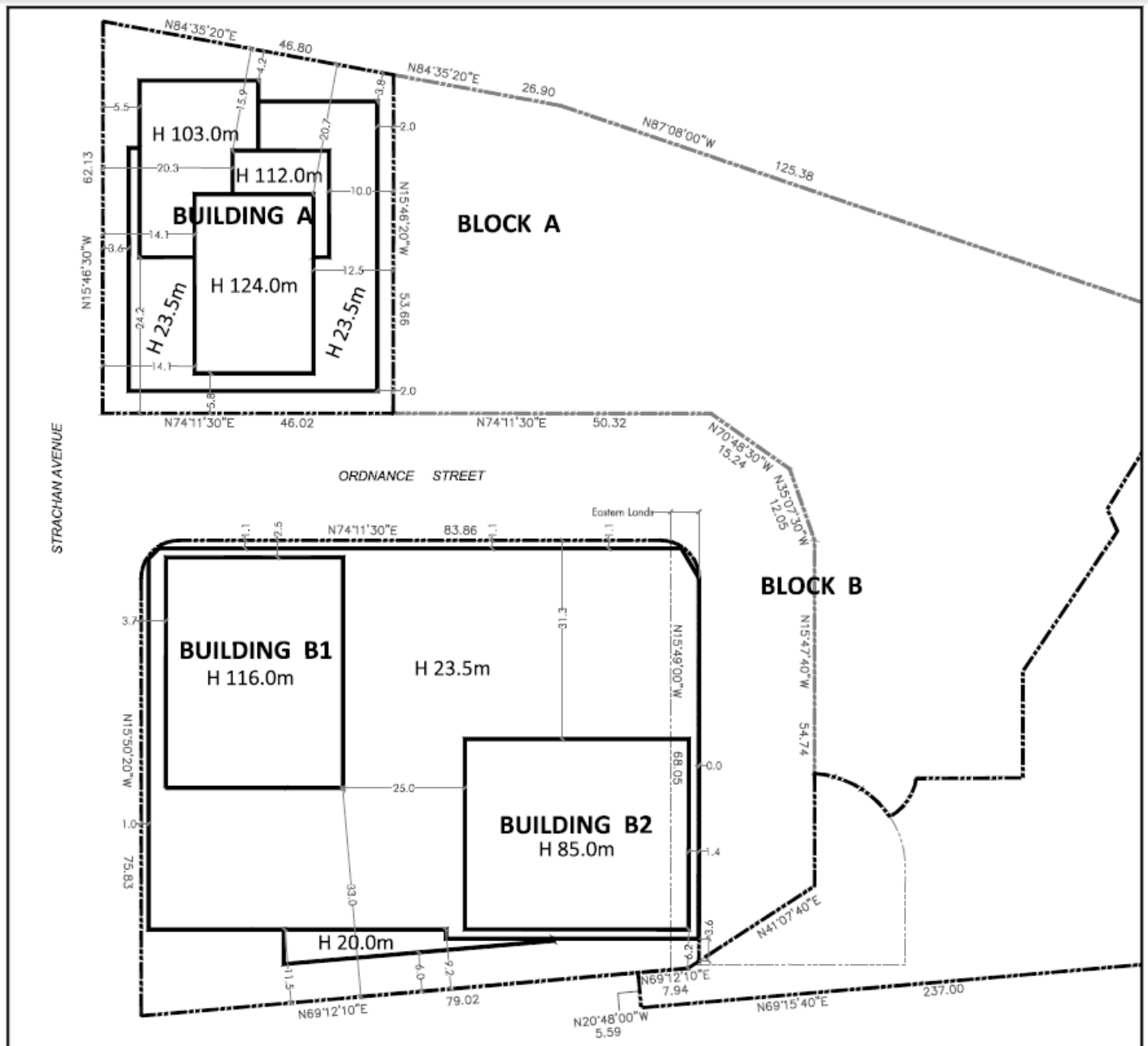
- (12) the owner shall incorporate the public realm improvements proposed in the accepted public realm phasing plans referred to in Schedule A, Clause (4) ii. hereof into approved plans and drawings in the context of site plan approval for *Blocks A and B* pursuant to Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, section 41 of the Planning Act, as amended, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (13) the owner shall implement the accepted Construction Management Plan referred to in Schedule A, Clause (5) hereof, during the course of construction on *Blocks A and B* until completion to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (14) The owner agrees to and provide warning clauses with respect to each of *Blocks A and B* in initial offers of purchase and sale and appropriate condominium documents, addressing the potential noise and vibration from the adjacent railways and from programs / events at the Fort York National Historic Site to the satisfaction of the Chief Planner and Executive Director City Planning;
- (15) The owner shall, in support of the development, provide and maintain, at no cost to the City, a total of 340 bicycle parking spaces in addition to the minimum number of bicycle spaces pursuant to respective zoning requirements on *Blocks A and B*, where these spaces will, at a minimum, be provided in accordance with the Toronto Green Standards, with the distribution, type, and location of these 340 additional bicycle parking spaces will be determined through review of the Site Plan Control applications for each phase of development, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (16) Prior to the issuance an above-grade building permit for the first building within the *Blocks*, the owner shall provide, at no cost to the City, two (2) *Bike Share Stations*, each comprising of a minimum of 10 *Bike Share Spaces*, as well as one (1) public bicycle repair station, each to be located on the *Blocks*, or in Ward 19, in the vicinity of the Ordnance Triangle, or, at the option of the owner, submit payment for the cost of provision of the same in lieu thereof, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;
- (17) The owner shall provide and maintain a minimum of 75 vehicle parking spaces within the *commercial garage* located within the *Blocks*, for the exclusive use of visitors to the residential units within the *Blocks*, and visitors to the residential units within the two residential buildings at 30 *Ordnance Street*, between the hours of 6:00PM and 6:00AM on Mondays through Thursdays and from 6:00PM on Fridays until 6:00 AM on Mondays, and a minimum of 25 additional vehicle parking spaces within the *commercial garage* located within the *Blocks* for the exclusive use of

visitors to the residential units within the *Blocks* and visitors to the residential units within the two residential buildings at *30 Ordnance Street*, between the hours of 10:00PM and 6:00AM on Mondays through Thursdays and from 10:00PM on Fridays until 6:00 AM on Mondays, in perpetuity, to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The provision of these 100 parking spaces for the exclusive use of visitors to the residential units, shall be noted on signage contained within the underground garage that indicates that the spaces are for the exclusive use of visitors to the residential units within the *Blocks*, and *30 Ordnance Street*, between the hours noted above, to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and,

- (18) The owner shall provide a minimum of 30% of the total number of residential units collectively within the *Blocks*, as two and/or three-bedroom units, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.



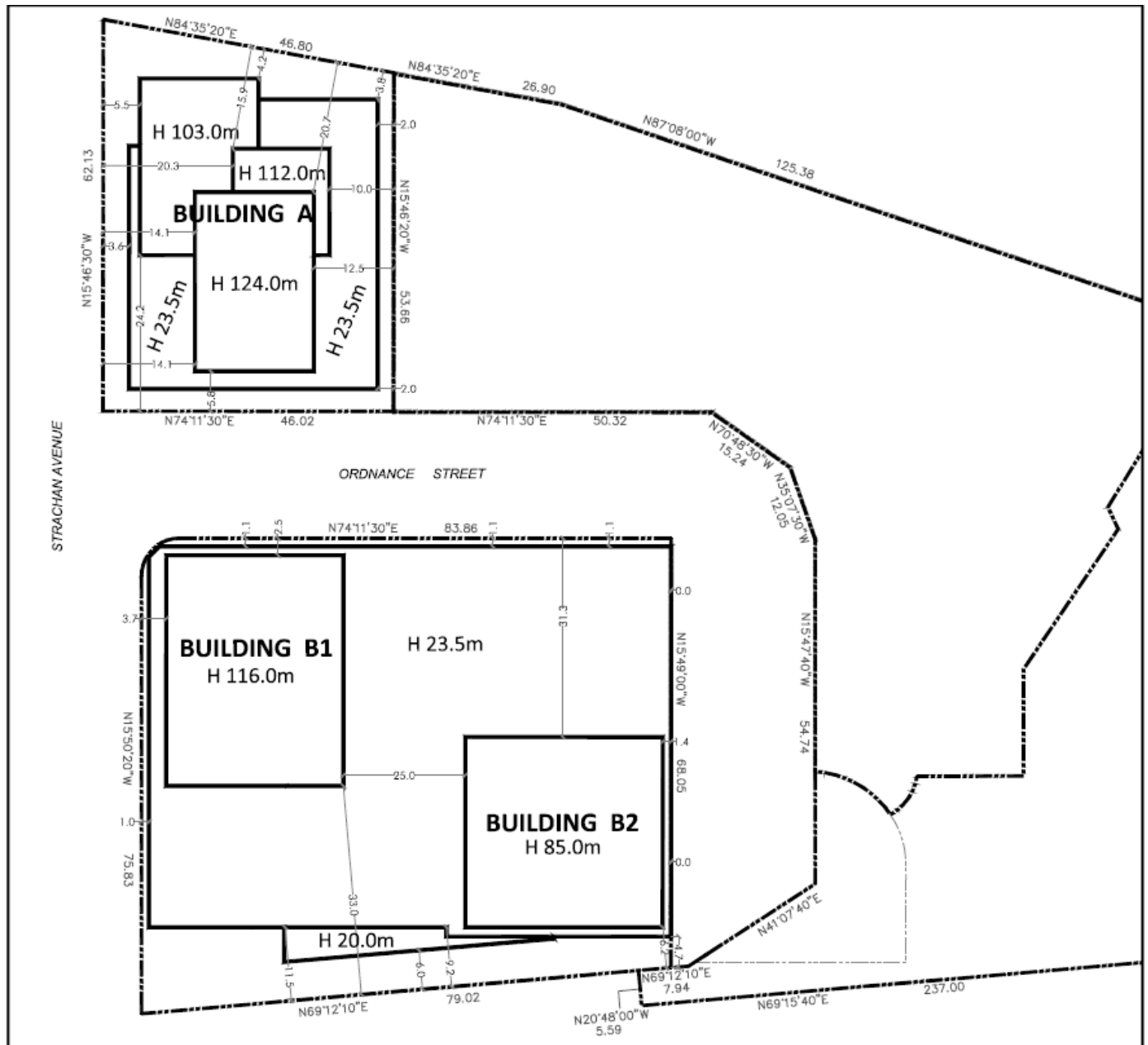




45 Strachan Avenue, 10, 11 & 25 Ordinance Street, Toronto

Map 2A

File #12 _____



Map 2

File #12_____

**Attachment 2:
Garrison Point Base Park Concept, Drawing L101,
prepared by Claude Cormier and Associates, dated August 11, 2014**

