

**CC43.16 - Confidential Appendix A to the supplementary report
(June 25, 2018) from the City Solicitor- made public on July 9, 2018
Settlement Terms**

1. 75,871 square metres of residential space (a maximum 1,106 residential units including a minimum of 1,511 square metres and a maximum 2,658 square metres of on-site affordable rental housing).
2. 18,629 square metres of retail/office/institutional space including between 6,682 square metres - 8,847 square metres of institutional space, 375 square metres community and/or cultural space and 485 square metres day care (with an additional 278 square metres of outdoor day care space).
3. A maximum 85-storey tower (height of 299 meters to top of mechanical penthouse with a 21-storey podium).
4. A maximum 94,500 square metres of gross floor area (By-law 569-2013).
5. A maximum Floor Space Index (FSI) of 25 (By-law 569-2013).
6. A maximum TAR of 24 percent.
7. An average tower floor plate of 983 square metres.
8. Minimum tower setbacks of 11.3 metres (Yonge Street), 10 metres (Gerrard Street East from floors 10-21 with 6.5 metres at the northeast corner on floors 10 to 14, 17.9 metre setback from floor 24, 33.5 metre setback from floor 76), 12.5 metres (center line of O'Keefe Lane) and 12.5 metres (south property line).
9. In the event that the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, City Council direct the City Solicitor to request that the LPAT withhold the issuance of its final Order until:
 - a. the properties at 385-391 Yonge Street and 3 Gerrard Street East, 381 Yonge Street, 367 Yonge Street and 363-365 Yonge Street are designated pursuant to Section 29 of the Ontario Heritage Act;
 - b. the applicant enters into a Heritage Easement Agreement for the properties at 385-391 Yonge Street and 3 Gerrard Street East, 381 Yonge Street, 367 Yonge Street and 363-365 Yonge Street in accordance with the Heritage Impact Assessment prepared by ERA Architects revised June 14, 2018 and architectural drawings prepared by KPF Architects dated June 13, 2018 and subject to and in accordance with an approved Conservation Plan, all to the satisfaction of the Senior Manager, Heritage Preservation Services, including registration of such agreement to the satisfaction of the City Solicitor;
 - c. the applicant provides a Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in a Heritage Impact Statement prepared by ERA Architects revised June 14, 2018 for the properties at 385-391 Yonge Street and 3 Gerrard Street East, 381 Yonge Street,

367 Yonge Street and 363-365 Yonge Street to the satisfaction of the Senior Manager, Heritage Preservation Services; and

d. the applicant obtains, in consultation with the Toronto Preservation Board, City Council approval for the required alterations to the heritage properties at 385-391 Yonge Street and 3 Gerrard Street East, 381 Yonge Street, 367 Yonge Street and 363-365 Yonge Street pursuant to Section 33 of the Ontario Heritage Act.

10. Convey to the City a 313 square metre portion of 69 Hayden Street (in base park condition) as a Parkland contribution.

11. If the off-site dedication of 69 Hayden Street is deemed acceptable by the General Manager, PFR, it would only partially satisfy the parkland dedication requirements for 480-494 Yonge Street, 587-599 Yonge Street and 363-387 Yonge and 3 Gerrard Street East, the remaining parkland dedication requirement would need to be satisfied through cash-in-lieu.

12. Minimum of 2 square metres of indoor amenity space per dwelling unit and a minimum of 381 square metres of outdoor amenity space. Additional outdoor amenity space shall be provided for non-residential uses on the lower podium levels. If for any reason the non-residential outdoor amenity space is not used for its intended purpose, it shall be reallocated as residential outdoor amenity space.

13. 10 percent of the residential units to be a minimum 106 square metres.

14. A minimum of 0.19 resident parking spaces per dwelling unit and 106 non-residential parking spaces.

15. Bicycle parking spaces to be provided in accordance with the provisions of By-law 569-2013.

16. A minimum of 5 loading spaces (1 Type G, 2 Type B and 2 Type C).

17. A restrictive covenant to be registered on title at 357A and 357 ½ Yonge Street, should they not be accepted as parkland, in accordance with the Settlement Offer.

18. The Applicant enters into a Section 37 and agrees to pay a contribution in the amount of \$16,930,000 to be allocated in accordance with the Settlement Offer and Official Plan Policy 5.1.1.

19. Hospital for Sick Children (Sick Kids) and St. Michael's Hospital, or its representative, to provide confirmation that there is no intrusion into the helicopter flight path by any crane activities.

20. Owner be required to complete a TCC Technical Review and obtain the TTC's written acknowledgment that the owner has satisfied all of the conditions arising out of the review.

21. All outstanding matters identified in the Engineering and Construction Services letter dated April 11, 2017 are to be resolved prior to the enactment of the amending Zoning By-law.

22. As part of a subsequent Site Plan application, the proposal be submitted to the Design Review Panel.