

Appendix 2: Phasing Triggers

1750-1900 The Queensway and 290-320 North Queen Street (the "Lands") Confidential and Without Prejudice (Updated July 15, 2020)

1.0 Definitions

1.1 Building identified in Phase 1A and 1B – assumption that the building groupings remain the same for the purposes of this document.

- Buildings BC (1A)
- Buildings AD (1B)
- Building E1 (Affordable Housing and Child Care Centre)
- Building E2
- Building F
- Building G
- Hydro One lands of approximately 20 m by 70 m for a future extension of Boncer Drive to the northern limit of the Hydro One lands (“the **ROW Lands**”)
- The FIMA lands to the north of the Hydro One corridor (the “**HomeSense Lands**”)

2.0 General Provisions

2.1 The controls and restrictions contained in the phasing plan are only intended to limit or restrict the issuance of building permits for the future redevelopment of the Lands as proposed through the OPA / ZBA applications and not the lawfully existing and ongoing operations of the existing site, renovations, building enlargements or extensions thereto and building replacements. FIMA and the City each reserve their rights pursuant to the *Planning Act* in this regard.

3.0 Parkland & Parkland Dedication

3.1 Section 118/119 Restriction on Parkland until conveyance.

3.2 **Parkland Dedication Trigger:** the entire parkland dedication (20% of the Lands, consisting of 10,710 square metres as shown on A101.S) conveyed, in base park condition, prior to the issuance of the second above grade building permit being either the latter of: the issuance of any above grade building permit for Building B or the issuance of any above grade building permit for Building C on the Lands. For clarity, only one above grade building permit for Building B or C, south of Nova Road, shall be issued before the park is dedicated.

The later Building of Building B or Building C to obtain an above grade building permit is referred to as the “**Second Building**”.

3.3 Construction staging may be permitted on the park through the park occupancy permit process/park access agreement currently in place at the City.

3.4 **Above Base Park Improvements** for the entire park:

3.4.1 **Trigger:** Above base park improvements to be completed satisfactory to the GM, PFR, the earlier of:

- a) prior to registration of Condominium under the *Condominium Act* for the Second Building; and
- b) prior to the issuance of an Above Grade Building Permit for Building A and prior to the issuance of an Above Grade Building Permit for Building D; and
- c) no later than three (3) years after issuance of the an Above Grade Building Permit for the Second Building.

3.4.2 Typical process and procedure applies for the design, approval of plans for improvements, securities, development charge credit process, and environmental requirements, in consultation with FIMA.

4.0 **Affordable Housing Lands (Building E1)**

4.1 Section 118/119 Restriction on Lands for Building E1.

4.2 **Trigger for commencement:**

- a) prior to the issuance of any Above Grade Building Permit for Building A and
- b) prior to the issuance of any Above Grade Building Permit for Building D,

the Owner shall have obtained and have issued by the Chief Building Official an Above Grade Building Permit for Building E1.

4.3 **Trigger for completion and occupation:** Building E1 shall be substantially completed the earlier of:

- a) prior to registration of Condominium under the *Condominium Act* for the Building A; and
- b) prior to registration of Condominium under the *Condominium Act* for the Building D; and

- c) prior to fifty (50%) of the market-rent dwelling units being constructed and ready for occupancy on the Lands; and
- d) no later than three (3) years after issuance of any Above Grade Building Permit for Building A and Building D.

4.4 Terms and conditions provided regarding affordable housing expectations on the Lands and the processes and procedures associated with the affordable housing process.

5.0 Child Care Centre Lands (Building E1)

5.1 Trigger for commencement:

- a) prior to the issuance of any Above Grade Building Permit for Building A and
- b) prior to the issuance of any Above Grade Building Permit for Building D,

the Owner shall have obtained and have issued by the Chief Building Official an Above Grade Building Permit for Building E1.

5.2 Trigger for completion and occupation: Building E1 shall be substantially completed the earlier of:

- a) prior to registration of Condominium under the *Condominium Act* for the Building A; and
- b) prior to registration of Condominium under the *Condominium Act* for the Building D; and
- c) prior to fifty (50%) of the market-rent dwelling units being constructed and ready for occupancy on the Lands; and
- d) no later than three (3) years after issuance of any Above Grade Building Permit for Building A and Building D.

Title to the Child Care Centre shall be transferred to the City upon completion.

5.3 Typical process and procedure applies for the design and approval of plans for the Child Care Centre, compliance with *Child Care and Early Years Act* and associated regulations, guidelines and by-laws, securities, lease arrangements for not-for-profit entities, operational requirements for child care centre and other matters identified in the Child Care Centre Development Guideline (2016).

6.0 Public Streets and Infrastructure

- 6.1 No Above Grade Building Permits (including any conditional permits) shall be issued for Buildings A to G until all of Nova Road and associated infrastructure are in place (conveyed).
- 6.2 Boncer Drive (to the south limit of the Hydro Corridor) shall be conveyed at base course asphalt level, at the earlier of:
- a) no later than five (5) years from the issuance of a Demolition Permit for Building 6; or
 - b) prior to an Above Grade Building Permit for Building G.
- 6.3 In addition to the above, no Above Grade Building Permits (including any conditional permits) shall be issued for Building G until:
- a) Such time as the ROW Lands are acquired or should the ROW Lands not be acquired prior to the issuance of an Above Grade Building Permit, satisfactory securities of \$1,000,000.00 (the "**FIMA Securities**") shall be provided to the City for use in the future acquisition of the ROW Lands.
- 6.4 The parties will co-operate to explore options for completing the Boncer Drive extension over the ROW Lands as follows:
- 6.4.1 FIMA will work in conjunction with the City, to acquire by the City, title to the ROW Lands.
 - 6.4.2 Upon acquisition, the City shall provide an easement to FIMA for parking and will continue for parking until such time as the HomeSense Lands are redeveloped and a public road is constructed through the HomeSense Lands connecting to Manstor Road upon terms to be agreed to.
 - 6.4.3 The acquisition, and associated costs for said acquisition (including possible remediation), of the ROW Lands shall utilize:
 - a) the FIMA Securities first; and
 - b) \$520,000.00 from the current FIMA Section 37 contribution, only if necessary.

For absolute clarity, the FIMA Securities shall be utilized first prior to the \$520,000.00 noted in 6.4.3 b) above.

6.4.4 Should the FIMA Securities not be fully utilized, any remaining amounts of the FIMA Securities shall be reimbursed to FIMA.

6.4.5 For clarity, the obligation of FIMA is for the development applications subject to this agreement and is only for the acquisition and acquisition costs and not to any future road construction costs associated with the ROW Lands.

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**290, 300, 310, 320 North Queen and 1750, 1790, 1800,
1830, 1900 The Queensway**

Toronto, Ontario

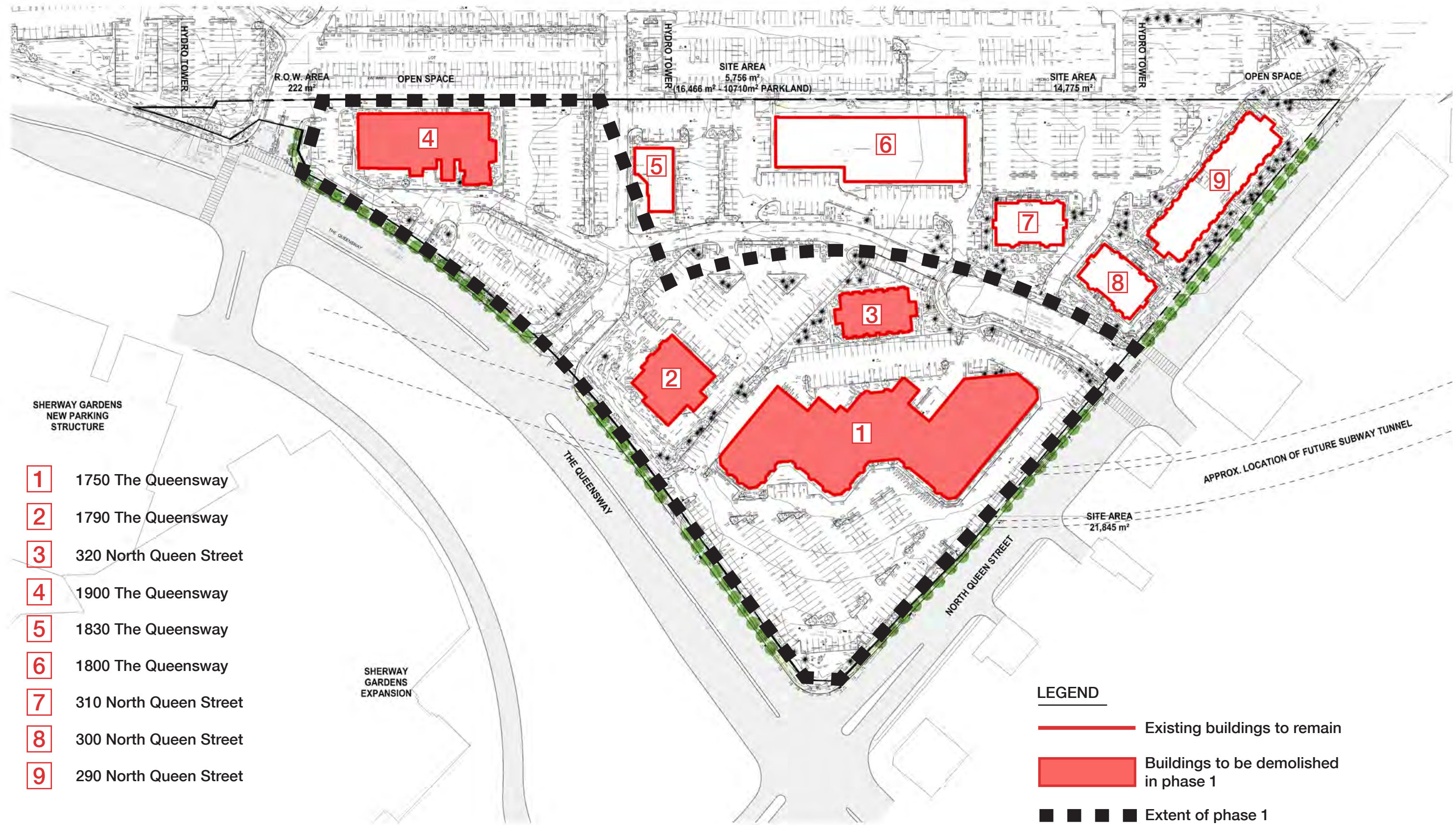
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Phasing Diagram

8 July 2020

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- 5** 1830 The Queensway
- 6** 1800 The Queensway
- 7** 310 North Queen Street
- 8** 300 North Queen Street
- 9** 290 North Queen Street

LEGEND	
	Open cut
	Road closed to public
	Existing buildings to remain
	Excavation and below grade construction for phase 1
	Extent of proposed underground parking for phase 1
	Extent of phase 1





- 5** 1830 The Queensway
- 6** 1800 The Queensway
- 7** 310 North Queen Street
- 8** 300 North Queen Street
- 9** 290 North Queen Street

- LEGEND**
- Road closed to public
 - Existing buildings to remain
 - Buildings to be demolished in phase 2
 - Buildings built in phase 1
 - Extent of phase 2









BONCER DRIVE WILL BE CONSTRUCTED AND CONVEYED PRIOR TO ABOVE GRADE BUILDING PERMIT FOR BUILDING G



TOTAL SITE AREA FOR PARKLAND CALCULATION
 $42,837 \text{ m}^2 + 10,710 \text{ m}^2 = 53,547 \text{ m}^2$
 PARKLAND AREA
 $10,710 \text{ m}^2$ (20%)

SHERWAY GARDENS
 NEW PARKING
 STRUCTURE

SHERWAY
 GARDENS
 EXPANSION

