

|Authority: North York Community Council Item ~, adopted by City of Toronto Council on ~

CITY OF TORONTO

BY-LAW No. XXXX-20~

To amend Toronto Zoning By-law No 569-2013, as amended, with respect to the lands municipally known in the year 2020 as 2550 Victoria Park Avenue, 2, 4, and 6 Lansing Square.

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; and

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*; and

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

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of lands elects to provide facilities, services or matters, in return for an increase in height or density of development, the owner may be required to enter into one or more agreements with the municipality in respect of the facilities, services and matters; and

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

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the *owner* of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. Pursuant to Section 37 of the Planning Act, the *height* and density of development permitted in this By-law on the *lot* are permitted subject to compliance with all of the conditions set out in this By-law, including the provision by the *owner* of the facilities, services and matters set out in Schedule A hereof, to the City at the *owner's* sole expense and in accordance with and subject to the agreement(s).
2. pursuant to Section 37 of the Planning Act, securing the provision of the facilities, services and matters set out in Schedule A hereof, the *lot* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or

matter as a precondition to the issuance of a *building permit*, the *owner* may not erect or use such building or *tower* until the *owner* has satisfied the said requirements.

3. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 of By-law No. XXXX-20~.
4. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
5. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the following zone labels to these lands: CR (x372), EO (x17), and OS, as shown on Diagram 2 to By-law No. XXXX-20~.
6. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.11 Exception Number 372 so that it reads:

Exception CR [x372]

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

Site Specific Provisions:

- (A) on the lands identified as “Blocks 1, 2, and 3” on Diagram 3 of By-law No. XXXX-20~, if the requirements of By-law XXXX-20~ are complied with, nothing shall apply to prevent the use or erection of **buildings** and/or **structures** in compliance with subsections (B) to (EE) below;
- (B) despite Regulations 990.10(1) and 40.10.1.10(2) and 995.10.1(1), the lands identified as “Blocks 1, 2, and 3” on Diagram 3 of By-law No. XXXX-20~, will be subject to Development Standard Set 1 (SS1) standards and Policy Area 3 (PA3) standards;
- (C) despite Regulations 40.5.1.10(3), 40.10.20.40(1), and 40.10.40.40(1), the maximum total **gross floor area** of all **buildings** or **structures** on the lands identified as “Blocks 1, 2, and 3” on Diagram 3 of By-law No. XXXX-20~, must not exceed 143,115 square metres, provided:
 - (i) a maximum **gross floor area** of 61,400 square metres occupied by residential uses on “Block 1”;
 - (ii) a maximum **gross floor area** of 57,700 square metres occupied by residential uses on “Block 2”; and

- (iii) a maximum **gross floor area** of 3,070 square metres occupied by residential uses on “Block 3”,

provided that the total **gross floor area** of residential uses on “Blocks 1, 2, and 3” on Diagram 3 of By-law No. XXXX-20~ is a maximum of 111,100 square metres;
- (D) despite Regulation 40.10.40.1(1), portions of a **building** used for residential purposes may be located at or below portions of a **building** used for non-residential purposes;
- (E) the provision of **dwelling units** is subject to the following:
 - (i) a minimum of 30% of the total number of **dwelling units** permitted on Blocks 1, 2, and 3 shown on Diagram 3 of By-law No. XXXX-20~ must contain 2 or more bedrooms. A minimum of 25% of the remaining 2 or more bedroom units must have a minimum **dwelling unit** size of 87 square metres of **gross floor area**; and
 - (ii) a minimum of 10% of the total number of **dwelling units** permitted on Blocks 1, 2, and 3 shown on Diagram 3 of By-law No. XXXX-20~ must contain 3 or more bedrooms. A minimum of 25% of the remaining 3 or more bedroom units must have a minimum **dwelling unit** size of 100 square metres of **gross floor area**;
- (F) despite Regulations 40.10.20.100 (6), (16) and (17), the **gross floor area** of each **service shop, custom workshop** and **retail service use** provided on the lands identified as “Blocks 1, 2, and 3” on Diagram 3 of By-law No. XXXX-20~, may not exceed 400 square metres;
- (G) despite Regulation 40.10.20.100(21)(B), the permitted maximum area of an **outdoor patio** is the lesser of 50 square metres or 50% of the **interior floor area** of the **premises** it is associated with on the lands identified as “Blocks 1, 2, and 3” on Diagram 3 of By-law No. XXXX-20~;
- (H) despite Regulation 40.10.20.100(21)(C) and subject to subsection (G) above, a maximum of 15 percent of the **gross floor area** of an **outdoor patio** may be used as the area from which entertainment such as performances, music and dancing may be provided on the lands identified as “Blocks 1 and 2” on Diagram 3 of By-law No. XXXX-20~;
- (I) despite Regulation 40.10.20.100(11), **public parking** provided in a surface parking lot on the lands identified as “Blocks 1, 2, and 3” on Diagram 3 of By-law No. XXXX-20~ is not required to be fenced along any **lot lines** that abut a **street**;
- (J) despite Regulations 40.5.40.10.(1) and (2), the height of a **building** or **structure** is measured from the Canadian Geodetic Datum elevation of 175.15 metres to the highest point of a **building** or **structure** shown on Diagrams 4, 5, and 6 of By-law No. XXXX-20~, except for those **building** elements and **structures** permitted to project above the **height** limits set out in subsections (L) to (O) below;

- (K) despite Regulation 40.10.40.10(1), subject to subsection (J) above the **height** of a **building** or **structure** may not exceed the **height** limits of the numbers following the symbol HT on Diagrams 4, 5, and 6 to By-law No. XXXX-20~;
- (L) despite Regulation 40.5.40.10(3) and subsection (K) above, antennae, flagpoles, lightning rods, and cellular arrays are permitted to project a maximum of 7.0 metres above the **heights** shown Diagrams 4, 5, and 6 to By-law No. XXXX-20~:
- (M) despite Regulations 40.5.40.10(4), (5) and (8) and subsection (K) above, the following elements of a **building** and **structure** are permitted to project a maximum of 7.0 metres above the **heights** shown on Diagrams 4, 5, and 6 to By-law No. XXXX-20~:
 - (i) equipment and **structures** used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation or cooling equipment, mechanical heating;
 - (ii) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, chimneys, stacks, flues, vents air intakes; and
 - (iii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) and (ii) above;
- (N) despite Regulation 40.5.40.10(7) and subsection (K) above, a parapet and elements of a **green roof** are permitted to project 0.5 metres above any of the **height** exceptions listed in subsection (M) above;
- (O) despite subsection (K) above, in addition to the elements listed in subsections (L), (M) and (N) above the following elements of a **building** and **structure** are permitted to project above the **height** limits shown on Diagrams 4, 5, and 6 to By-law No. XXXX-20~:
 - (i) guard rails, railings, bollards, balustrades, eaves, roof drainage, balcony and terrace guards, fences, skylights, railings, planters, cornices, seating areas, retaining walls, balcony and terrace dividers, decorative screens, privacy screens, parapets and elements of a **green roof**, wheelchair ramps and ramps to underground may project a maximum of 2 metres beyond the maximum height limits;
 - (ii) safety and wind protection/mitigation features and solar panels may project a maximum of 3.0 metres beyond the maximum **height** limits;
 - (iii) ornamental elements, landscape elements, structures used for outside or open air recreation including pools and associated equipment, light monitors, light

fixtures, pergolas, architectural features, trellises, awnings and canopies may project a maximum of 4.0 metres beyond the maximum **height** limits;

- (iv) public art features, exoskeleton structures, and unenclosed heating equipment may project a maximum of 6.0 metres beyond the maximum **height** limits; and
 - (v) window washing equipment including Building Maintenance Unit (BMU) may project a maximum of 7.0 metres beyond the maximum **height** limits;
- (P) despite Regulation 40.10.40.70(1), the required minimum **building setbacks** for the above-ground portion of **buildings** and **structures** are shown on Diagrams 4, 5, and 6 of By-law No. XXXX-20~;
- (Q) despite Regulations 5.10.40.70(1), 40.5.40.70(1), 40.10.40.70(1) and (4), and 40.10.40.80(1), no portion of a **building** or **structure** erected or used above-ground level may be located otherwise than wholly within a **building** envelope delineated by the heavy lines specified on Diagrams 4, 5, and 6 to By-law No. XXXX-20~;
- (R) despite Regulations 40.5.40.60(1) and 40.10.40.60(2) and subsections (P) and (Q) above, awnings and canopies may be located outside a **building** envelope delineated by the heavy lines specified on Diagrams 4, 5, and 6 to By-law No. XXXX-20~ and may encroach a maximum of 3.0 metres into the required **building setbacks**;
- (S) despite Regulation 40.10.40.60(3) and subsections (P) and (Q) above, exterior stairs, stair enclosures, pedestrian and wheelchair ramps may be located outside a **building** envelope delineated by the heavy lines specified on Diagrams 4, 5, and 6 to By-law No. XXXX-20~ and may encroach a maximum of 6.0 metres into the required **building setbacks**;
- (T) despite Regulation 40.10.40.60(5) and subsections (P) and (Q) above, architectural features on a **building** such as pilasters, decorative columns, pillars, sills, belt courses, architectural flues and chimney breasts or other similar architectural features may be located outside a **building** envelope delineated by the heavy lines specified on Diagrams 4, 5, and 6 to By-law No. XXXX-20~ and may encroach a maximum of 1.0 metre into the required **building setbacks**;
- (U) despite Regulation 40.10.40.60(7) and subsections (P) and (Q) above, eaves may be located outside a **building** envelope delineated by the heavy lines specified on Diagrams 4, 5, and 6 to By-law No. XXXX-20~ and may encroach a maximum of 0.5 metre into the required **building setbacks**;
- (V) despite Regulations 5.10.60.1(4) and 40.10.40.60(8) and subsections (P) and (Q) above, wall mounted equipment such as a satellite dish, air conditioner, antennae or pole used to hold an antennae, vent or pipe may be located outside a **building** envelope delineated by

the heavy lines specified on Diagrams 4, 5, and 6 to By-law No. XXXX-20~ and may encroach a maximum of 1.0 metre into the required **building setbacks**;

- (W) despite subsections (P) and (Q) above, in addition to the elements listed in subsections (R) - (V) above the following elements may be located outside a **building** envelope delineated by the heavy lines specified on Diagrams 4, 5, and 6 to By-law No. XXXX-20~:
- (i) damper equipment to reduce **building** movement may encroach a maximum of 1.0 metre into the required **building setbacks**;
 - (ii) pergolas, guardrails, balustrades, railings, decorative / acoustic doors and screens, and light fixtures may encroach a maximum of 3.0 metres into the required **building setbacks**;
 - (iii) trellises and planters may encroach a maximum of 5.0 metres into the required **building setbacks**;
 - (iv) ventilation shafts, elements required for the functional operation of a building, site servicing features and fences may encroach a maximum of 3.0 metres into the required **building setbacks**; and
 - (v) public art installations, art and landscape features and window washing equipment including Building Maintenance Unit (BMU) may encroach into the required **building setbacks**;
- (X) For the purposes of this exception, the areas identified as "Towers" on Diagrams 4 and 5 to By-law No. XXXX-20~ are subject to the following:
- (i) despite Regulation 40.5.40.10(8)(C), for "Blocks 1 and 2" shown on Diagram 3 of By-law No. XXXX-20~ "Tower" means a **building** or portions of a **building** which collectively enclose the entirety of a **storey** higher than 36 metres above the Canadian Geodetic Datum elevation of 175.15 metres; and
 - (ii) the maximum "Tower" floor plate of any **building** on "Blocks 1 and 2" shown on Diagram 3 of By-law No. XXXX-20~ above 36 metres above the Canadian Geodetic Datum elevation of 175.15 metres measured from the exterior of the **main walls** of each floor level, shall be as follows:
 - (a) Tower A in Block 1 shown on Diagram 4 = 783 square metres;
 - (b) Tower B in Block 1 shown on Diagram 4 = 784 square metres;
 - (c) Tower C in Block 2 shown on Diagram 5 = 787.5 square metres; and

- (d) Tower D in Block 2 shown on Diagram 5 = 780 square metres.
- (iii) despite Regulation 40.10.40.80(1), if a line projected at a right angle from a **main wall** of a “Tower” intercepts a **main wall** of another “Tower” those **main walls** must be separated by a minimum of 25.0 metres; and
- (iv) despite subsection (iii) above, the **setback** encroachments permitted in subsections (R) – (W) above are also permitted to encroach into the required “Tower” separation distances specified in subsection (iii) above;
- (Y) despite Regulations 200.5.1.10(2)(A) and (D), Electric Vehicle Infrastructure, including electric vehicle supply equipment, does not constitute an obstruction to a **parking space**;
- (Z) despite Regulations 40.5.80.1(1), 40.5.80.10(1) and 200.5.1(2), the **parking spaces** required for Residential Visitors and for uses permitted under Regulations 40.10.20.10(1)(A) and 40.10.20.20(1)(A) and Clauses 60.40.20.10 and 60.40.20.20, may be:
 - (i) provided on a non-exclusive and shared basis;
 - (ii) provided within a **public parking** facility; and
 - (iii) provided on any lands that are the subject of this By-law, as outlined by heavy black lines on Diagram 1 of By-law No. XXXX-20~, and do not have to be provided on the “Block” containing the use for which the **parking spaces** are required;
- (AA) despite Regulation 200.15.1(4), accessible **parking spaces** may be the **parking spaces** located closest to a barrier free entrance to a building or passenger elevator that provides access to the first storey of the building shortest route from the required entrances;
- (BB) despite Regulations 40.10.90.1(1) and (2) and 220.5.10.1(2) to (5), the minimum number of **loading spaces** required on “Blocks 1, 2, and 3” on Diagram 3 of By-law No. XXXX-20~ are as follows:
 - (i) as such **buildings** are identified within “Block 1” on Diagram 4 of By-law No. XXXX-20~:
 - (a) Tower A: one (1) type ‘G’ **loading space**, shared with Tower B; and
 - (b) Tower B: one (1) type ‘B’ **loading space**;
 - (ii) as such **buildings** are identified within “Block 2” on Diagram 5 of By-law No. XXXX-20~:

- (a) Tower C: one (1) type ‘G’ **loading space**, shared with Tower D and Building F;
 - (b) Tower D: one (1) type ‘B’ **loading space**;
 - (c) 2 Lansing Square: two (2) type “B” **loading spaces**; and
 - (d) Building F: one (1) type ‘B’ **loading space**;
 - (iii) “Block 3” as identified on Diagram 6 of By-law No. XXXX-20~:
 - (a) Building G: one (1) type ‘G’ **loading space**;
 - (CC) despite Regulation 40.10.90.40(3), a **loading space** located in a **building** may have access through a **main wall** that faces a **street**;
 - (DD) despite Regulation 40.10.100.10(1)(C), on each of “Blocks 1, 2, and 3” as identified on Diagram 3 of By-law No. XXXX-20~, two (2) or more vehicle accesses are permitted;
 - (EE) despite Regulations 230.5.1.10 (10), long-term **bicycle parking spaces** must be located within a secured room or area and may be provided in a stacked **bicycle parking space** arrangement, in any combination of vertical, horizontal or stacked positions;
7. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.24 Exception Number 17 so that it reads:

Exception EO [x17]

The lands, or portion thereof as noted below, are subject to a new Site Specific Provisions as listed below:

Site Specific Provisions:

- (A) on the lands identified as “Block 4” as shown on Diagram 7 of By-law No. XXXX-20~, if the requirements of By-law No. XXXX-20~ are complied with, nothing shall apply to prevent the use or erection of **buildings** or **structures** in compliance with subsections (B) to (DD) below;
- (B) despite Regulation 995.10.1(1) the lands identified as “Block 4” as shown on Diagram 7 of By-law No. XXXX-20~, will be subject to Policy Area 3 (PA3) standards;
- (C) despite Regulations 60.40.20.10 and 60.40.20.20, the following uses are permitted in the EO Zone on “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~, on floors one, two, or three in a **building** or **structure**: **day nursery**, **recreation use**, and entertainment facilities;

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- (D) despite Regulations 60.40.20.10 and 60.40.20.20, the following uses are not permitted in the EO Zone on “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~, fire hall, police station, **art gallery, club, community centre, education use, library, municipal shelter, museum, performing arts studio, drive through facility, hotel, place of worship, and vehicle fuel station;**
 - (E) despite Regulation 60.40.1.10(3), the maximum **gross floor area** of **buildings** or **structures** must not exceed 31,260 square metres on “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~;
 - (F) despite any of the regulations contained in this exception or in By-law 569-2013, **eating establishments, take out eating establishments, recreation and entertainment facilities, retail stores** and **retail services** are only permitted in a **building** or **structure** that includes at least one of the permitted uses listed in Regulations 60.40.20.10(1) and 60.40.20.20(1) or subsection (G) below;
 - (G) despite Regulations 60.40.20.20(1), 60.40.20.100(5) and (7), a **recreation use** may be located on the lands identified as “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~ even though “Block 4” may not front onto a **major street;**
 - (H) despite Regulation 60.40.20.100(1), the total **interior floor area** of each **eating establishment** and **take-out eating establishment** located on the lands identified as “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~ may not exceed 500 square metres;
 - (I) despite Regulation 60.40.20.100(6), the **interior floor area** of each **retail service, retail store, and personal service shop** located on the lands identified as “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~, may not exceed 500 square metres;
 - (J) despite Regulation 60.40.20.100(14)(E), the permitted maximum area of an **outdoor patio** is the lesser of 50 square metres or 50% of the **interior floor area** of the **premises** it is associated with on the lands identified as “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~;
 - (K) despite Regulation 60.40.20.100(23), a **retail store** located on the lands identified as “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~ is not required to be associated with a permitted **manufacturing use;**
 - (L) despite Regulations 60.5.40.10.(1) and (2), the height of a **building** or **structure** is measured from an elevation of 175.15 metres Canadian Geodetic Datum to the highest point of a **building** or **structure** on the lands identified as “Block 4” as shown on Diagram 3 of By-law No. XXXX-20~, except for those **building** elements and **structures** permitted to project above the **height** limits set out in subsections (N) to (Q) below;

- (M) despite Regulation 60.40.40.10(1), subject to subsection (L) above the height of a **building** or **structure** may not exceed the height limits of the numbers following the symbol HT on Diagram 7 to By-law No. XXXX-20~;
- (N) despite Regulation 60.5.40.10(3) and subsection (L) above, antennae, flagpoles, lightning rods, and cellular arrays are permitted to project a maximum of 7.0 metres above the **heights** shown on Diagram 7 to By-law No. XXXX-20~:
- (O) despite Regulations 60.5.40.10(4) and (5) and subsection (L) above, the following elements of a **building** and **structure** are permitted to project a maximum of 7.0 metres above the **heights** shown on Diagram 7 to By-law No. XXXX-20~ without any area or locational restrictions:
 - (i) equipment and **structures** used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation or cooling equipment, mechanical heating;
 - (ii) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts and overruns, chimneys, stacks, flues, vents air intakes; and
 - (iii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) and (ii) above;
- (P) despite Regulation 60.40.40.10(2) and subsection (L) above, a parapet and elements of a **green roof** are permitted to project 0.5 metres above any of the **height** exceptions listed in subsection (O) above;
- (Q) despite subsection (M) above, in addition to the elements listed in subsections (N) to (O) above the following elements of a **building** and **structure** are permitted to project above the **heights** shown on Diagram 7 to By-law No. XXXX-20~:
 - (i) guard rails, railings, bollards, balustrades, eaves, roof drainage, balcony and terrace guards, fences, skylights, railings, planters, cornices, seating areas, retaining walls, balcony and terrace dividers, decorative screens, privacy screens, parapets and elements of a green roof, wheelchair ramps and ramps to underground may project a maximum of 2.0 metres beyond the maximum **height** limits;
 - (ii) safety and wind protection/mitigation features and solar panels may project a maximum of 3.0 metres beyond the maximum **height** limits;
 - (iii) ornamental elements, landscape elements, structures used for outside or open air recreation including pools and associated equipment, light monitors, light

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- fixtures, pergolas, architectural features, trellises, awnings and canopies may project a maximum of 4.0 metres beyond the maximum **height** limits;
- (iv) public art features, exoskeleton structures, and unenclosed heating equipment may project a maximum of 6.0 metres beyond the maximum **height** limits; and
 - (v) window washing equipment including Building Maintenance Unit (BMU) may project a maximum of 7.0 metres beyond the maximum **height** limits;
- (R) despite Clauses 60.5.40.70 and 60.40.40.70, the required minimum **building setbacks** for the above-ground portion of **buildings** and **structures** are as shown on Diagram 7 of By-law No. XXXX-20~;
- (S) despite Regulations 5.10.40.70(1), 60.5.40.70(1), 60.40.40.70(1), (2), (3) and (4), no portion of a **building** or **structure** erected or used above-ground level may be located otherwise than wholly within a **building** envelope delineated by the heavy lines specified on Diagram 7 to By-law No. XXXX-20~;
- (T) despite Regulations 60.5.40.60(1) and 60.5.40.60(1) and subsections (R) and (S) above, awnings and canopies may be located outside the **building** envelopes delineated by the heavy lines specified on Diagram 7 to By-law No. XXXX-20~ and may encroach a maximum of 3.0 metres into the required **building setbacks**;
- (U) despite Regulation 5.10.60.1(4) and subsections (R) and (S) above, a satellite dish may be located outside the **building** envelopes delineated by the heavy lines specified on Diagram 7 to By-law No. XXXX-20~ and may encroach a maximum of 1.0 metre into the required **building setbacks**;
- (V) despite subsections (R) and (S), in addition to the elements listed in (T) and (U) above the following may be located outside the **building** envelopes delineated by the heavy lines specified on Diagram 7 to By-law No. XXXX-20~:
- (i) eaves, window sills, damper equipment to reduce building movement, architectural flues, pillars and satellite dishes may encroach a maximum of 0.5 metre into the required **building setbacks**;
 - (ii) pergolas, guardrails, balustrades, railings, decorative / acoustic doors and screens, light fixtures may encroach a maximum of 3.0 metres into the required **building setbacks**;
 - (iii) trellises and planters may encroach a maximum of 5.0 metres into the required **building setbacks**;
 - (iv) ventilation shafts, and elements required for the functional operation of a building, site servicing features, stairs, stair enclosures, wheelchair ramps, antennae and

telecommunication devices and fences may encroach a maximum of 3.0 metres into the required **building setbacks**; and

- (v) public art installations, art and landscape features and window washing equipment including Building Maintenance Unit (BMU) may encroach into the required **building setbacks**;
- (W) for the purposes of this exception, the area identified as a "Tower " on Diagram 7 to By-law No. XXXX-20~ is subject to the following:
 - (i) for "Block 4" as shown on Diagram 7 of By-law No. XXXX-20~, "Tower" means a **building** or portions of a **building** which collectively enclose the entirety of a **storey** higher than 36 metres above the Canadian Geodetic Datum elevation of 175.15 metres; and
 - (ii) the maximum "Tower" floor plate on "Block 4" as shown on Diagram 7 of By-law No. XXXX-20~ must be 2,000 square metres measured from the exterior of the **main walls** of each floor level;
- (X) despite Regulations 200.5.1.10(2)(A) and (D), Electric Vehicle Infrastructure, including electric vehicle supply equipment, does not constitute an obstruction to a **parking space**;
- (Y) despite Clause 60.5.80.10 and Regulation 200.5.1(2), the **parking spaces** required for uses permitted under Clauses 60.40.20.10 and 60.40.20.20 and Regulations 40.10.20.10(1)(A) and 40.10.20.20(1)(A), may be:
 - (i) provided on a non-exclusive and shared basis;
 - (ii) provided within a **public parking** facility; and
 - (iii) provided on any lands that are the subject of this By-law, as outlined by heavy black lines on Diagram 1 of By-law No. XXXX-20~, and do not have to be provided on the Block containing the use for which the **parking spaces** are required;
- (Z) despite Regulation 200.15.1(4), accessible **parking spaces** may be the **parking spaces** located closest to a barrier free entrance to a building or passenger elevator that provides access to the first storey of the building shortest route from the required entrances;
- (AA) despite Regulations 230.5.1.10 (10), long-term **bicycle parking spaces** must be located within a secured room or area and may be provided in a stacked **bicycle parking space** arrangement, in any combination of vertical, horizontal or stacked positions;
- (BB) despite Regulations 230.5.1.10(3), (4), and (10) and 230.40.1.20(2), short-term **bicycle parking spaces** may be provided in a stacked **bicycle parking space** arrangement, in any

combination of vertical, horizontal or stacked positions, if located within a secured room or area on the ground level;

- (CC) despite Regulation 220.5.10.1(2), a minimum of two (2) Type “B” and three (3) Type “C” **loading spaces** must be provided and maintained on “Block 4” shown on Diagram 7 of By-law No. XXXX-20~; and
 - (DD) despite Regulation 60.40.90.40(2) a **loading space** located in a **building** may have access through a **main wall** that faces a **street**.
8. None of the provisions of By-law No. 569-2013, as amended, and By-law No. XXXX-20~ apply to prevent a sales or leasing office, which means a **building, structure**, or trailer used exclusively for the purpose of the sale, rental, or leasing of new **dwelling units** or non-residential space, from being erected or used on the lands outlined by heavy black lines on Diagram 1 of By-law No. XXXX-20~.
 9. Prevailing By-laws and Prevailing Sections: (None Apply).
 10. Other
 - (A) No person shall erect on any of the lands shown on Diagram 1 of By-law XXXX-20 any **building** or **structure** until the following municipal services are provided to the property line and the following provisions are complied with:
 - (i) 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
 - (ii) all water mains sanitary sewers and storm sewers and appropriate appurtenances, have been installed and are operational, that are required to service the parcel of land that the **building** or **structure** resides on.
 11. Division of Lands
 - (A) Notwithstanding any severance, partition or division of the lands outlined by heavy black lines and identified on Diagram 1, the regulations of By-law No. XXXX-20~ shall continue to apply to the whole of said lands as if no severance, partition or division had occurred.

Enacted and passed on ~20~.

John Tory

Mayor

(Seal of the City)

John Elvidge

City Clerk (Acting)

Schedule A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City by the *owner* at the *owner's* expense in accordance with this By-law and as further specified in one or more agreements pursuant to Section 37(3) of the Planning Act, in a form satisfactory to the City Solicitor with conditions providing for indexing escalation of both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement in return for the increase in *height* and density of the proposed development on the *lot*, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division:

1. The owner is to provide the following facilities, services and matters pursuant to Section 37 of the *Planning Act* as follows:

Library

(a) Prior to the issuance of any above grade building permit on the lands, except for Tower E, the owner is to provide a financial contribution to the City of two-million and seven-hundred thousand dollars (\$2,700,000) to be used for the improvement of Pleasant View Library. The financial contribution set out above shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

Public Art

(b) The owner shall prepare, at its expense, a Public Art Plan (the “Public Art Plan”) for the provision of Public Art on the site or adjacent City-owned land and shall submit the Public Art Plan to the City, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Toronto Public Art Commission, and to City Council for approval, in accordance with the terms of the Section 37 Agreement.

(c) Prior to the issuance of any above grade building permit on the lands, except for Tower E, the owner shall make a Public Art contribution to the City in the amount of five hundred thousand dollars (\$500,000) on public art program terms set out in the Section 37 Agreement and to the satisfaction of the Chief Planner and Executive Director, City Planning, which amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of issuance of the first above-grade building permit.

Affordable Housing

2. The owner is to provide the following facilities, services and matters pursuant to Section 37 of the *Planning Act*, in a form satisfactory to the City with conditions providing for indexing escalation of

both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of agreement:

- (a) The owner shall design, construct and operate at least 160 affordable rental dwelling units comprised of approximately 8,919 square metres of residential Gross Floor Area within the approved development at 2, 4, 6 Lansing Square and 2550 Victoria Park Avenue, in accordance to the Terms outlined in Attachment 11, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (b) The owner agrees that no building permits shall be issued for Phase 2, until an above grade building permit has been issued and obtained for Tower B in Phase 1 containing at least 80 affordable rental housing units (at least 50% of the affordable rental dwelling units to be provided on the site);
- (c) The owner agrees that no building permits shall be issued for Phase 3, until an above grade building permit has been obtained and issued for Tower C in Phase 2 containing the remaining affordable rental housing units;
- (d) The owner agrees that prior to the issuance of the first above grade building permit for the last phase of the development (Phase 3), the 160 affordable rental dwelling units shall be ready and available for occupancy;

3. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

Phasing

(a) The owner agrees that construction shall proceed in accordance with the following development Phasing Plan:

Phase 1

- Construction of the new north/south public road;
- Construction of the easterly portion of the new east/west local public road;
- Construction of new east/west Settlers Road;
- Construction of Tower E the 18-storey office building;
- Construction of Tower A the 40 storey residential building;
- Construction of Tower B the 30-storey residential building;
- Construction of the 530 square metre POPS, east of Tower A; and
- Construction of at least 80 affordable housing units.

Phase 2

- Construction of the westerly portion of the new east/west local public road;
- Construction of Tower C the 25-storey residential building;
- Construction of Tower D the 35-storey residential building;

- Conveyance of the 4,843 square metre public park;
- Construction of Building F the 6 storey residential building;
- Construction of 80 affordable housing units; and
- Construction of the 525 square metre POPS, east of Tower C

Phase 3

- Construction of Building G the 4 storey residential building.

(b) The owner agrees that no above grade building permits shall be issued for Towers A, B, C, or D, or Buildings F or G, in Blocks 1, 2, and 3, until an above grade building permit has been issued and obtained for the office Tower E in Block 4;

(c) The owner agrees that prior to any above grade building permits being issued for Phase 2 (any of Towers C, D or Building F), an occupancy permit shall be issued for the office Tower E.

Privately owned, publically accessible open space

(c) The owner shall construct and maintain, at its own expense, an area of not less than 530 square metres east of Tower A in Block 1, for use by the general public as Privately-Owned Publicly accessible Open Space (POPS) with the specific location, configuration and design to be determined and secured through site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning;

(d) The owner shall construct and maintain, at its own expense, an area of not less than 525 square metres east of Tower C in Block 2, for use by the general public as Privately-Owned Publicly accessible Open Space (POPS) with the specific location, configuration and design to be determined and secured through site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning;

(e) The owner agrees that prior to the issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an access easement in favour of the City in perpetuity, including support rights as applicable, for public use of the privately-owned publicly accessible open space (POPS) indicated in items 3.(c) and 3.(d) above, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

Traffic demand management

(f) Prior to issuance of the first Above-Grade Building Permit for any portion of the Site, the owner shall make a one-time contribution to the City in the amount of One Hundred Thousand Dollars (\$100,000.00) towards the installation of two bike-share stations on the site.

- (g) The owner shall provide and maintain, as part of Site Plan Approval, a minimum of 4 publicly accessible car-share parking spaces in locations satisfactory to the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager, Transportation Services.
- (h) The owner shall introduce a monitoring program for the usage of the car-share vehicles and spaces provided on the site prior to Site Plan Approval of any Tower/Building in Phase 2, including the collection of baseline data to establish a base condition and subsequent data collection program to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the General Manager, Transportation Services.
- (i) At first residential use for any Building in Phase 1, the owner shall provide and maintain shuttle service between the Site and Don Mills Subway Station during the interim condition prior to the easterly extension of higher order transit on Sheppard Avenue East, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the General Manager, Transportation Services.
- (j) The owner shall provide and maintain real-time transportation screens in locations, through Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager, Transportation Services.
- (k) The owner shall provide proof of purchase and distribution of unloaded PRESTO cards to all first-time residential unit owners/renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

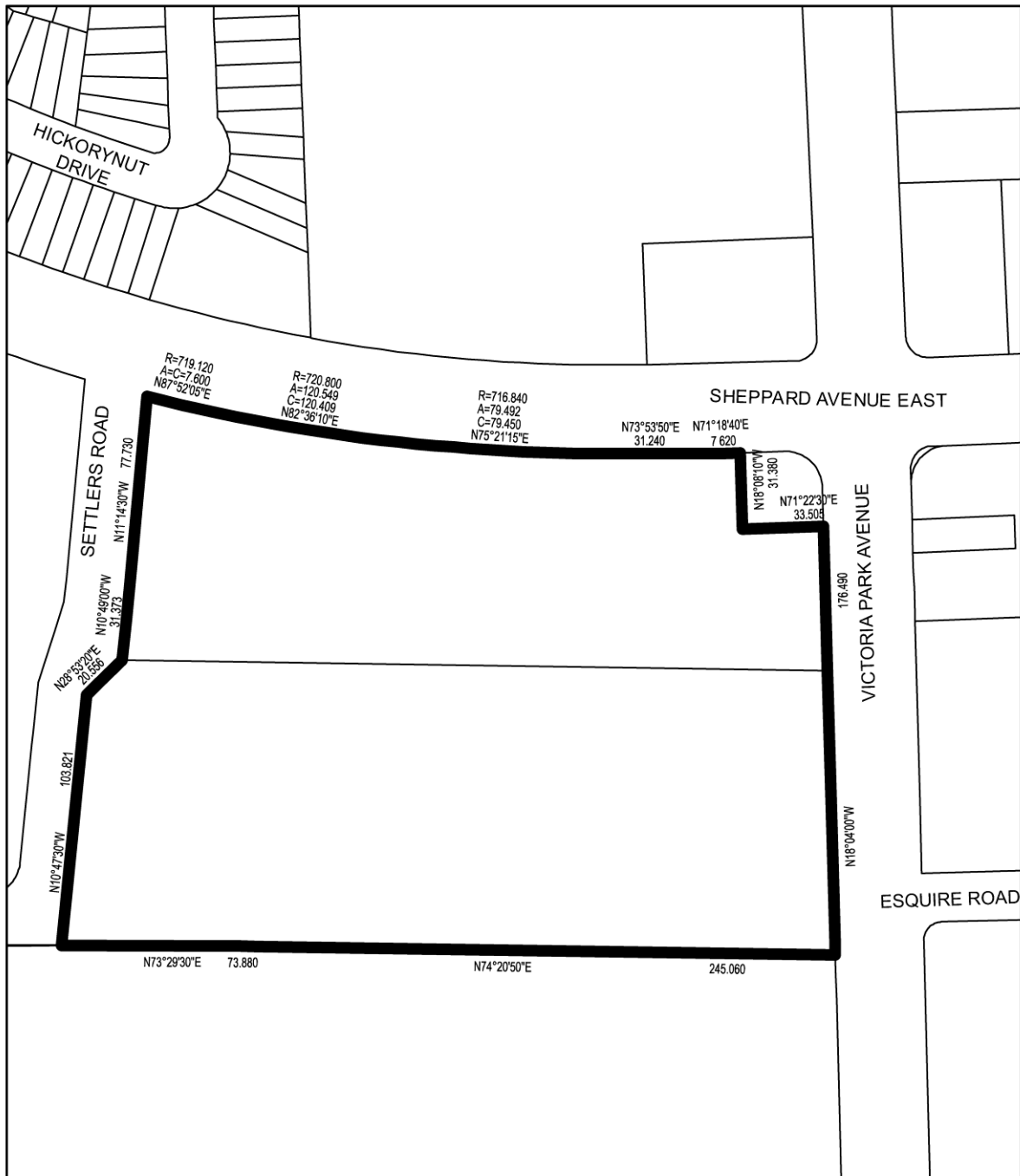
Parks

4. The owner agrees that Parkland Dedication is to be secured through the Section 37 Agreement, to the satisfaction of the General Manager, Parks, Forestry and Recreation, and include the following:

- (a) The owner shall dedication on-site parkland pursuant to Section 42 of the Planning Act having a minimum size of 4,843 square metres (the "Parkland Dedication"), with the exact location and configuration of the Parkland Dedication to be to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
- (b) The owner shall design and construct base and above-base park improvements, on terms and conditions set out in the Section 37 Agreement; and
- (c) The owner agrees that the Parkland Dedication to be conveyed to the City shall be free and clear, above and below grade, of all easements, encumbrances, and encroachments and in acceptable environmental condition and is to be conveyed to the City prior to the issuance of the second above grade building permit for either Tower C or Tower D to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

Section 37 Agreement

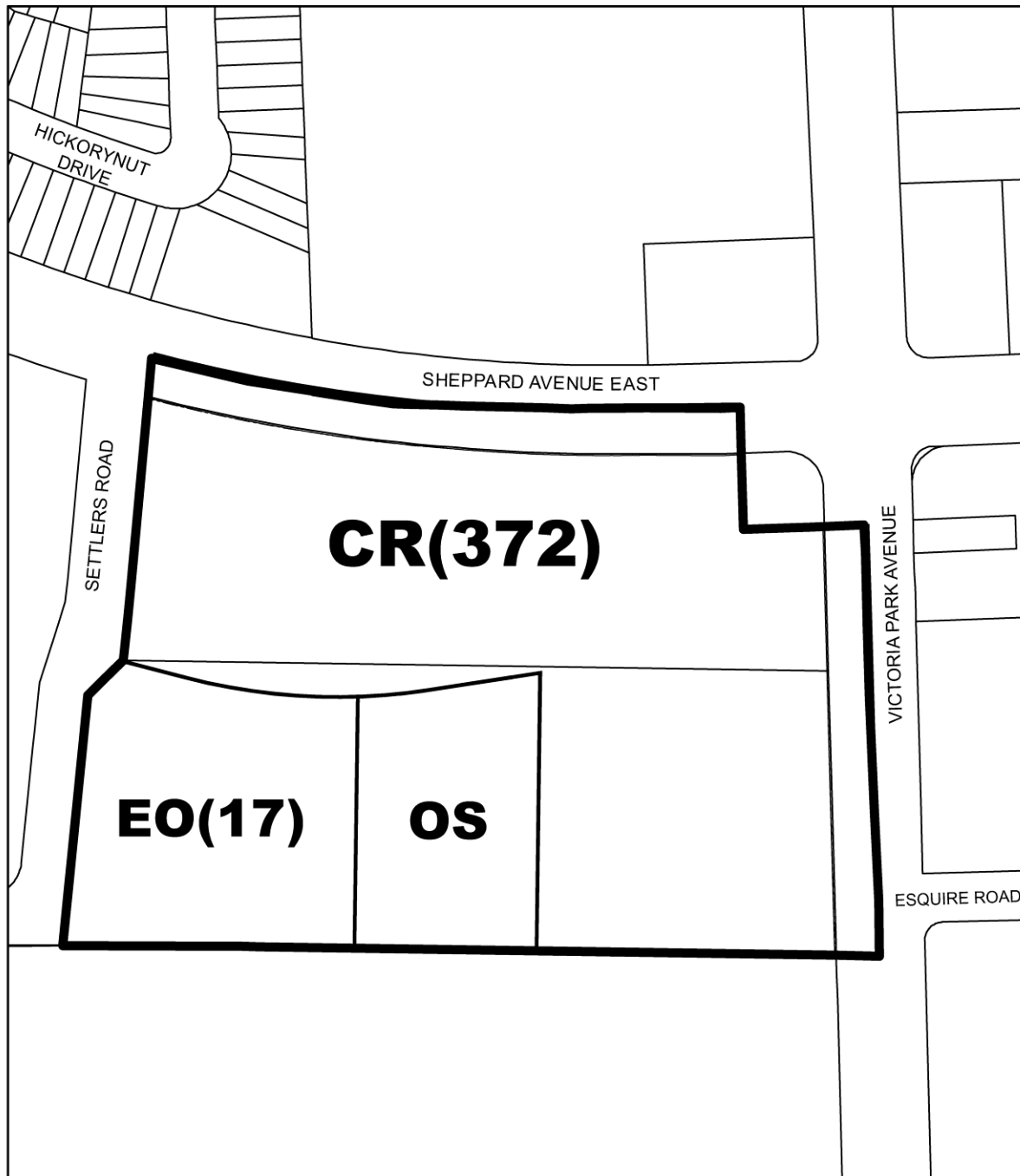
5. The owner shall enter into one or more agreements with the City, pursuant to Section 37 of the Planning Act which are registered on title to the lands to secure the matters provided for in Schedule A.
6. Wherever in the By-law a provision required the execution and registration of an agreement entered into with the City pursuant to Section 37 of the Planning Act in accordance with the provisions of Schedule A hereof, then once such agreement has been executed and registered, the increase of height and density shall continue to be effective notwithstanding any subsequent release or discharge of any part of such agreement."



 **TORONTO**
Diagram 1

2550 Victoria Park Avenue and 2,4,6 Lansing Square

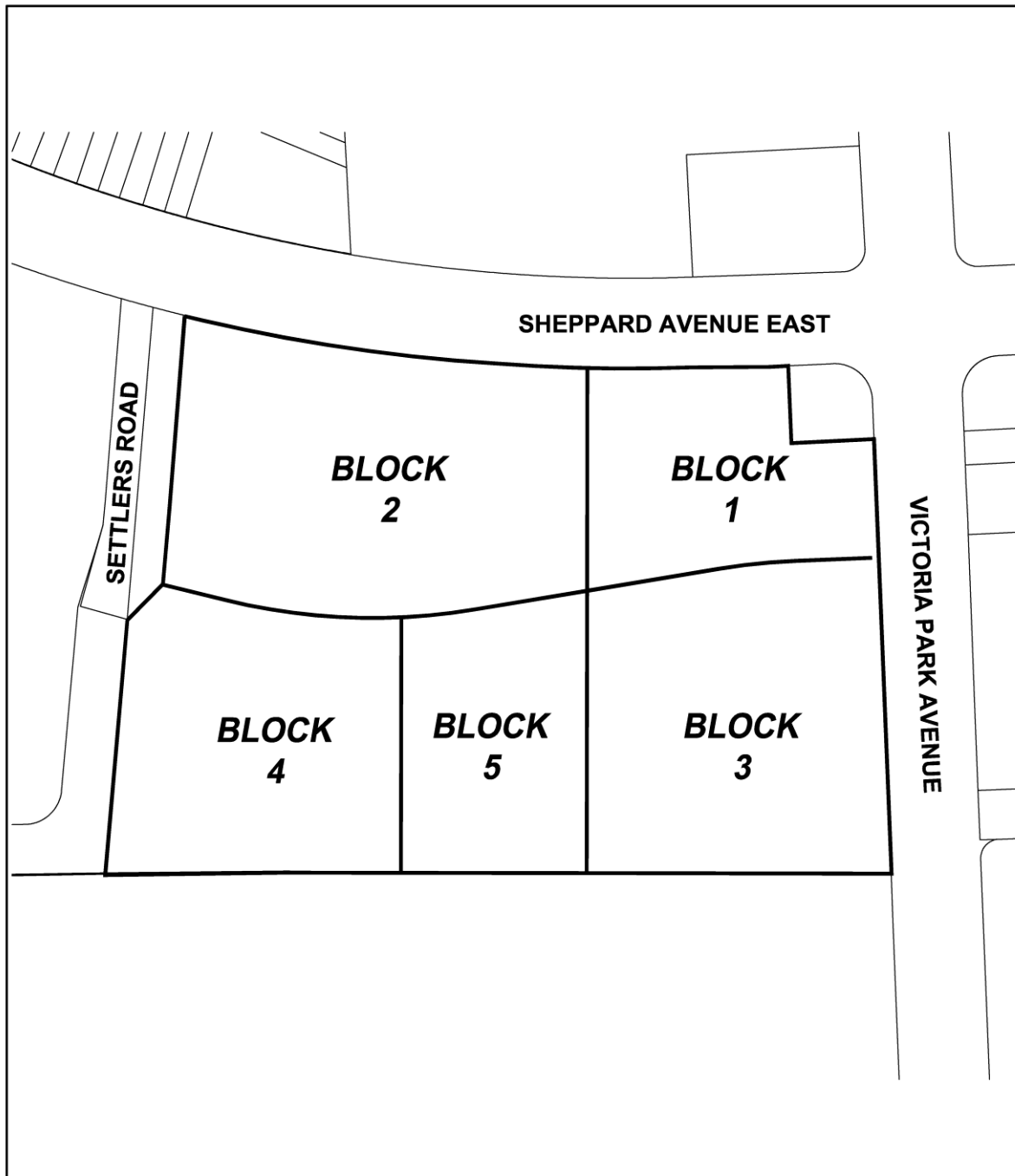
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 **TORONTO**
Diagram 2

2550 Victoria Park Avenue and 2,4,6 Lansing Square

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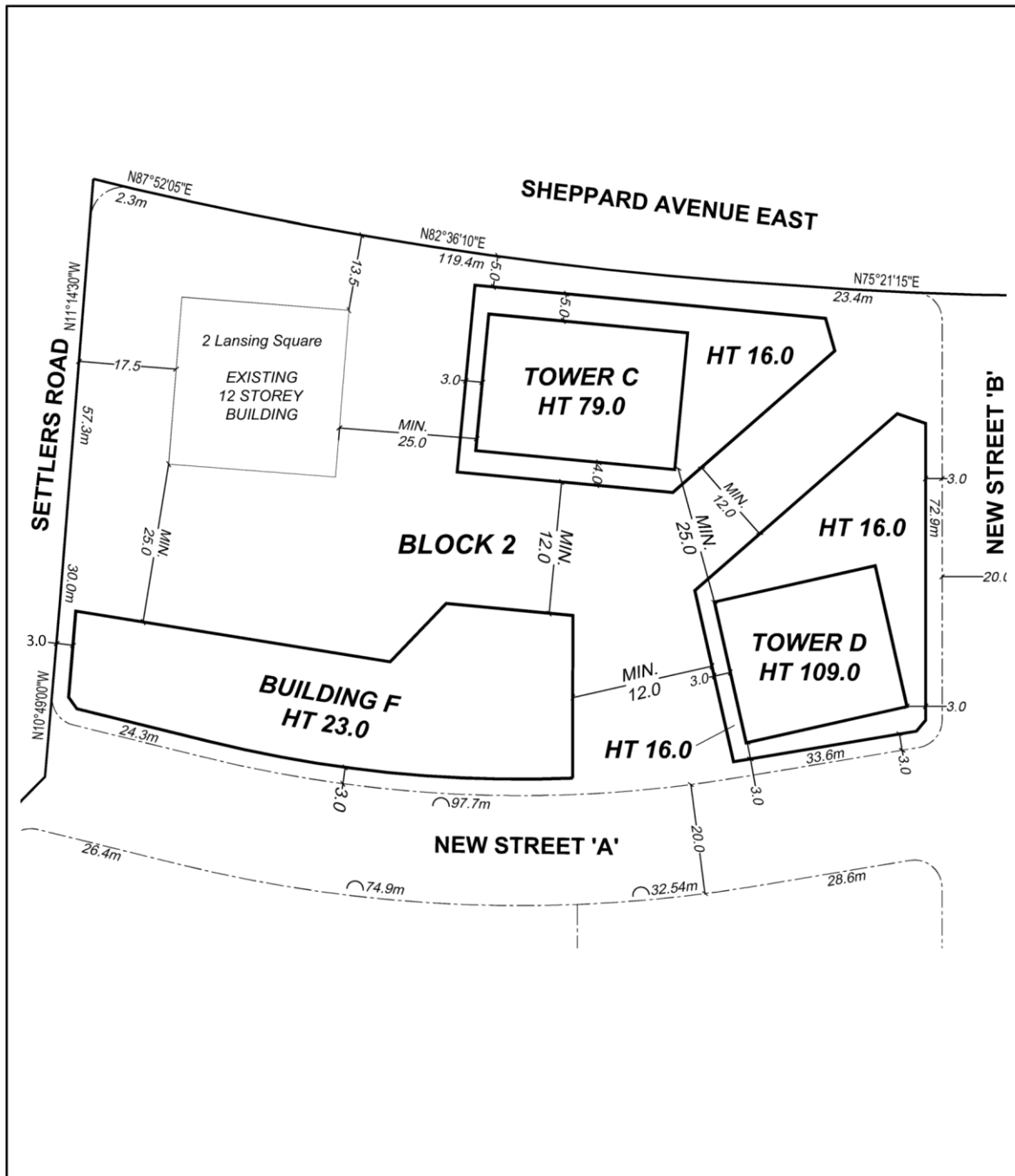
 **TORONTO**
Diagram 3

2550 Victoria Park Avenue and 2,4,6 Lansing Square

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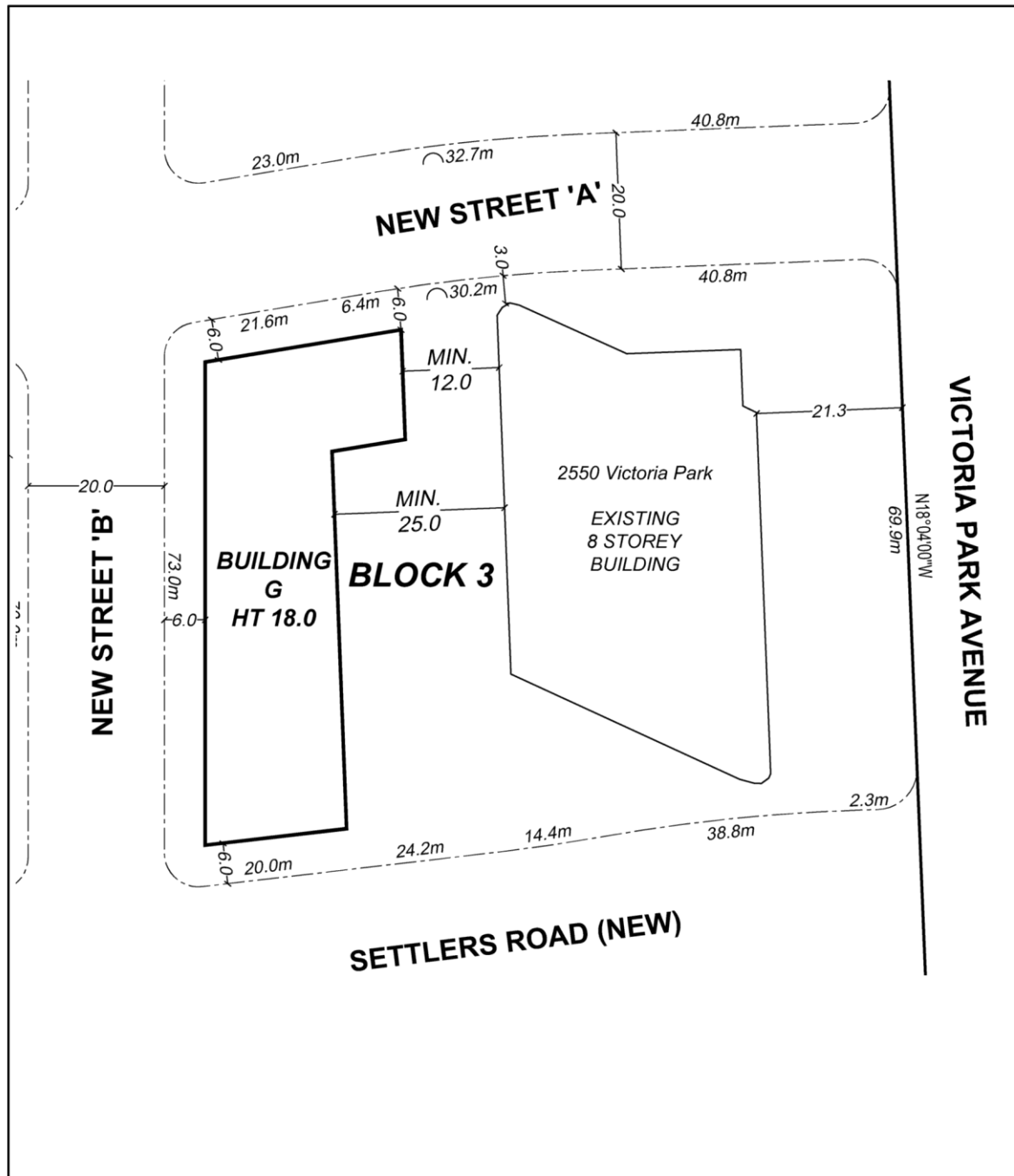
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Toronto
Diagram 5

2550 Victoria Park Avenue and 2,4,6 Lansing Square

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Toronto
Diagram 6

2550 Victoria Park Avenue and 2,4,6 Lansing Square

File # 19 147759 NNY 17 0Z

