

Authority: Toronto and East York Community Council Item [##], as adopted by City of Toronto Council on ~, 2022

**CITY OF TORONTO**

**BY-LAW ###-2022**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 254 and 260 Adelaide Street West**

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 Section 37.1 of the *Planning Act* provides that Subsections 37(1) to (4) of the *Planning Act* as it read on the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* came into force shall continue to apply to a by-law passed pursuant to the repealed Section 37(1) prior to the date that a municipality passes a community benefits charge By-law and this By-law was passed prior to that date; and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 of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

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

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

Whereas the increase in height 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. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands subject to this By-law from a zone label of CRE to a zone label of (H) CRE (x49) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.12.10 Exception Number 49 so that it reads:

[\(49\) Exception CRE 49](#)

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

Site Specific Provisions:

- (A) On 254 and 260 Adelaide Street West, if the requirements of By-law **[Clerks to insert By-law ##]** are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (U) below:
- (B) In addition to the non-residential uses permitted in Regulations 50.10.20.10(1)(A) and 50.10.20.20(1)(A), **public parking** and "paramedic post", as described in (C)(v) below, are also permitted;
- (C) The permitted **gross floor area** of all **buildings** or **structures** must not exceed 53,500 square metres, of which:
  - (i) The permitted maximum **gross floor area** for residential uses is 52,500 square metres;
  - (ii) The required minimum **gross floor area** for non-residential uses is 1,500 square metres;
  - (iii) A minimum of 925 square metres of the permitted non-residential **gross floor area** is required for a **community centre**;

- (iv) A minimum of 110 square metres of the permitted non-residential **gross floor area** is required for a “paramedic post”; and
  - (v) For the purpose of this exception, "paramedic post" means **premises** used and operated by medical professionals and paramedics dealing with medical emergencies, as well as complex non-emergency hospital admissions, discharges and transfers. A paramedic post may include an ambulance depot;
- (D) The provision of **dwelling units** is subject to the following:
- (i) A minimum of 15 percent of the total number of **dwelling units must have** two or more bedrooms;
  - (ii) A minimum of 10 percent of the total number of **dwelling units must have** three or more bedrooms;
  - (iii) Any **dwelling units** with three or more bedrooms provided to satisfy (D)(ii) above are not included in the provision required by (D)(i) above;
  - (iv) An additional 15 percent of the total number of **dwelling units** will be any combination of two bedroom and three bedroom **dwelling units**, or **dwelling units** that can be converted into any combination of two and three bedroom **dwelling units**; and
  - (v) **Dwelling units**, as described in (D)(iv) above, may be converted using accessible or adaptable design measures such as knock- out panels;
- (E) In addition to the areas of a **building** listed in Regulation 50.5.40.40(3), the **gross floor area** of a **mixed use building** is also reduced by the area in the **building** used for **public parking** below-ground;
- (F) Despite Regulations 50.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 87.10 metres and the elevation of the highest point of the **building** or **structure**;
- (G) Despite Regulation 50.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law **[Clerks to insert By-law ##]**;
- (H) Despite Regulations 50.5.40.10(3), (4), (5), (6), (7), and (8), 50.10.40.10(3) and (G) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law **[Clerks to insert By-law ##]** as follows:

- (i) equipment used for the functional operation of the **building** including electrical, utility, ventilation and mechanical equipment, including mechanical penthouses, by a maximum of 8.5 metres;
  - (ii) divider screens, on a balcony and/or terrace, planters, landscape features, guard rails, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, architectural features, parapets, and lighting rods by a maximum of 3.0 metres;
  - (iii) trellis, pergolas and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres;
  - (iv) window washing equipment, **building** maintenance units and related screening may project above the permitted height limit for the mechanical penthouse as set out in subsection (H)(i) by a maximum of 5.0 metres; and
  - (v) elements listed in subsections (H)(ii) may project above the permitted height limit for the mechanical penthouse as set out in subsection (H)(i) by a maximum of 3.0 metres.
- (I) Despite Regulations 50.5.40.70(1), 50.10.40.70(1), (3), and (5), Article 600.10.10, and Clause 50.10.40.80, the required minimum **building setbacks, building setbacks** from a **lane** and minimum above ground separation distances are as shown in metres on Diagram 3 of By-law [Clerks to supply by-law ##];
- (J) Despite (I) above and Regulations 50.10.40.60(1) to (8), the following elements of a **building** or **structure** may encroach into the **required building setbacks** and **main wall** separation distances shown on Diagram 3 of By-law [Clerks to supply by-law ##] as follows:
- (i) planters, light fixtures, decorative screens, privacy screens, ornamental elements, art and landscape features, **landscaping**, public art, ventilation shafts, railings, fences, site servicing features, retaining walls, bollards, wheel chair ramps and vehicular parking ramps, by a maximum of 3.0 metres
  - (ii) balconies, balcony guards and dividers, by a maximum of 2.0 metres;
  - (iii) awnings, canopies and all vertical extensions of such awnings and canopies, lighting fixtures, architectural features, planters, guardrails, and stairs; by a maximum of 1.5 metres;

- (iv) eaves, roof drainage, light fixtures, parapets, window washing equipment, architectural flutes and window sills, by a maximum of 1.0 metre; and
  - (v) **outdoor patios** on the ground level may encroach into required **building setbacks** outside the areas delineated as "Privately Owned Public Space" on Diagram 3A of By-law [Clerks to supply by-law ##];
- (K) Despite Regulation 50.10.40.50(1) **amenity space** must be provided at a minimum rate of 2.5 square metres for each **dwelling unit** on the **lot** as follows:
- (i) at least 1.5 square metres for each **dwelling unit** as indoor **amenity space**;
  - (ii) at least 1.0 square metres for each **dwelling unit** as outdoor **amenity space**, of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
  - (iii) none of the outdoor component may be a **green roof**;
  - (iv) indoor **amenity space** may include guest suites that do not exceed an aggregate **gross floor area** of 100.0 square metres and;
  - (v) for the purposes of this exception, guest suites units do not constitute **dwelling units**;
- (L) Despite Regulation 200.5.10.1 and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 0.01 **parking spaces** per **dwelling unit** for the use of residential visitors;
  - (ii) no **parking spaces** are required for the use of residential occupants or non-residential uses;
  - (iii) **parking spaces** for residential visitors in (L)(i) may be provided as part of a **public parking** use;
  - (iv) "car share parking spaces" are permitted, as defined in (v) and (vi) below;
  - (v) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car-share" motor **vehicles** are made available

- to at least the occupants of the **building** for short-term rental, including hourly rental; and
- (vi) for the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes; and
  - (vii) for the purpose of this exception, a "car-share parking space" means a **parking space** exclusively reserved and actively used for "car-share" purposes, including by non-residents;
- (M) Despite Regulation 200.5.1.10(2)(A)(iv) and (D), a maximum of 10 **parking spaces** may have a minimum width of 2.6 metres and obstructed on one or two sides, as described in Regulation 200.5.1.10(2)(D) without being required to provide additional width for the obstructed sides of the **parking space**;
- (N) Despite Regulations 200.5.1.10(2)(A)(iv) and (D), electric **vehicle** infrastructure, including electrical **vehicle** supply equipment, does not constitute an obstruction to a **parking space**;
- (O) Equipment for the charging of one electric **vehicle** is permitted within a **parking space**, subject to the equipment being located in the same **parking space** as the **vehicle** to be charged and:
- (i) being within 0.25 metres of two adjoining sides of the **parking space** which are not adjacent and parallel to a **drive aisle** from which **vehicle** access is provided, measured at right angles; or
  - (ii) being at least 5.35 metres from a **drive aisle** from which **vehicle** access is provided, measured at right angles, and at least 1.0 metre from the ground;
- (P) Despite Regulation 200.25.15(1) and 200.25.2(1), accessible **parking spaces** must be provided in accordance with the accessible parking rates in Clauses 200.15.10.10 and 200.15.10.5;
- (Q) Despite Regulations 200.15.1(1) to (4), accessible **parking spaces** must be provided in accordance with the following:
- (i) An accessible **parking space** must have the following minimum dimensions:
    - (a) width of 3.4 metres;
    - (b) length of 5.6 metres; and

- (c) vertical clearance of 2.1 metres;
  - (ii) The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path on one side of the accessible **parking space**; and
  - (iii) Accessible **parking spaces** must be located within 25.0 metres of a barrier free entrance to a **building** or passenger elevator that provides access to the first **storey** of the **building**;
- (R) Despite Regulations 230.5.1.10(4),, a **stacked bicycle parking space** must have the following minimum dimensions:
- (i) width of 0.2 metres.
  - (ii) length of 1.2 metres; and
  - (iii) vertical clearance of 1.2 metres;
- (S) Despite Regulation 230.5.1.10(5)(A), an area used to provide **bicycle parking spaces** must have a minimum vertical clearance of 1.2 metres for **stacked bicycle parking spaces**;
- (T) Despite Regulations 230.5.1.10(9) and (10), and Clause 230.40.1.20, long-term and short-term **bicycle parking spaces** may be:
- (i) located in a stacked **bicycle parking space** arrangement, in any combination of vertical, horizontal or stacked positions;
  - (ii) located outdoors or indoors in a secure or enclosed room or enclosure on any floor of a **building** above or below ground level; and
  - (iii) located more than 30 metres from a pedestrian entrance;
- (U) Despite Regulation 220.5.10.1(2) and (3), a minimum of one Type “C” and one Type “G” **loading space** must be provided;

Prevailing By-laws and Prevailing Sections: (None Apply)

5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
6. Section 37 Requirements:
  - (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height of the development is permitted beyond

that otherwise permitted on the lands shown on Diagram 1 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to this By-law and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

- (B) Where Schedule A attached to 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; and
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on [month day, year].

[full name],  
Speaker

[full name],  
City Clerk

(Seal of the City)



**SCHEDULE A**  
**Section 37 Requirements**

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 of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. Prior to the issuance of any Building Permit, the owner shall enter into an agreement and the agreement shall be registered on title to the lands to the satisfaction of the City Solicitor pursuant to Section 37 of the *Planning Act* as it read on the day before Section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure facilities, services or matters set out below:
2. Prior to the issuance of the first building permit with respect to any part of the lands, the Owner shall enter into a municipal housing facility agreement, with the City for the delivery and operation of a minimum of 20% of the residential gross floor area as affordable rental housing for 99 years in a form and content satisfactory to" and then list the named City official and then "in consultation with the City Solicitor.
3. Prior to the earlier of condominium registration or first residential use within the lands, the owner shall design, construct, commission, finish and convey in fee simple to the City, in an environmental condition in accordance with all City policies, for nominal consideration and at no cost to the City, a minimum 925 square metres Community Agency Space located on levels one (a minimum of 156 metres) and two (a minimum of 770 metres) of the base building fronting Nelson Street and subject to the following:
  - (A) The Community Agency Space shall be delivered to the City in accordance with the City's Community Space Tenancy Policy in order to be leased by the City to an eligible non-profit organization and finished to Base Building Condition (shell space prior to final fitout), with the terms and specifications to be secured in the Section 37 Agreement, all satisfactory to the Executive Director, Social Development, Finance and Administration, the Executive Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning and the City Solicitor;
  - (B) Prior to the conveyance of the Community Agency Space to the City, the owner shall provide a one-time cash contribution to the City in the amount of \$1,500,000.00 for total finishing costs of the community agency space;
  - (C) The financial contribution pursuant to Recommendation 3. (B) above shall

be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto Census Metropolitan area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-10, or its successor, calculated from the date of execution of the Agreement to the date of payment; and

- (D) Concurrent with or prior to, the conveyance of the Community Agency Space to the City, the owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form and content satisfactory to the City Solicitor in consultation with the Executive Director, Social Development, Finance and Administration, the Executive Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning. The Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement, and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the owner as they pertain to the Community Agency Space.
4. Prior to the earlier of condominium registration or first residential use within the lands, the owner shall design, construct, finish, commission and convey in fee simple to the City, in an environmental condition in accordance with all City policies, for nominal consideration and at no cost to the City, Paramedic Post comprising of a minimum of 110 square metres of interior space plus an adjacent two-bay ambulance parking area, measuring a minimum of 110 square metres with access from Nelson Street, all located on the ground floor, and subject to the following:
- (A) The Paramedic Post shall be delivered to the City finished to Base Building Condition (shell space prior to final fitout), with the terms and specifications to be secured in the Section 37 Agreement, all satisfactory to the Executive Director, Corporate Real Estate Management, the Chief, Toronto Paramedic Services, the Chief Planner and Executive Director, City Planning and the City Solicitor;
- (B) Prior to the conveyance of the Paramedic Post to the City, the owner shall provide a one-time cash contribution to the City in the amount of \$371,250 for total finishing costs of the Paramedic Post;
- (C) The financial contribution pursuant to Recommendation 4.(B) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto Census Metropolitan area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-10, or its successor,

calculated from the date of execution of the Agreement to the date of payment; and

- (D) Concurrent with or prior to, the conveyance of the Paramedic Post to the City, the owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor in consultation with Executive Director, Corporate Real Estate Management, the Chief, Toronto Paramedic Services, the Chief Planner and Executive Director. The Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement, and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the owner as they pertain to the Paramedic Post.
5. The owner shall construct, provide and maintain a Privately-Owned and Publicly-Accessible Open Space ("POPS") at 254 - 260 Adelaide Street West with a minimum area of 301 square metres in the form of a promenade running through the lands between Adelaide Street West and Nelson Street in the location generally identified on Diagram 3A in the Zoning By-law Amendment, with the specific configuration and design of the POPS to be determined and secured in the context of a review of a Site Plan Control Application for the development to the satisfaction of the Director, Community Planning, Toronto and East York District, in consultation with the Ward Councillor; and
- (A) Prior to the earlier of one (1) year from any non-residential or residential use or occupancy, including interim occupancy pursuant to the Condominium Act, 1998, and registration of the first condominium within the lands, except as otherwise agreed by the Chief Planner and Executive Director, City Planning, due to unforeseen delays (eg. weather), the owner shall prepare all documents and convey to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, in priority to all title encumbrances, to the satisfaction of the City Solicitor, for nominal consideration and at no cost to the City, a public access easement in perpetuity in favour of the City over the "POPS" set out in Recommendation 5. above, on terms set out in the Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning. The owner shall be responsible, at its own expense, to prepare, submit to the City for approval and deposit all required reference plans to describe the easement; and
- (B) Prior to the earlier of one (1) year from any non-residential or residential use or occupancy, including interim occupancy pursuant to the Condominium Act, 1998, and registration of the first condominium within the lands, except as otherwise agreed by the Chief Planner and Executive

Director, City Planning, due to unforeseen delays (eg. weather), the owner shall prepare all documents and convey a 5.5 metre wide public pedestrian access easement to the City, in a location generally described as a north/south access over the western portion of the site, between the northern edge of the "POPS" and Nelson Street, on terms to be set out in the Section 37 Agreement and with details of the location and final design to be determined and secured in the context of site plan approval for the development and that such easement lands be maintained by the owner at its sole cost. The conveyance of the easement shall be in priority to all title encumbrances, to the satisfaction of the City Solicitor, for nominal consideration and at no cost to the City all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor. The owner shall be responsible, at its own expense, to prepare, submit to the City for approval and deposit all required reference plans to describe the easement.

6. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:
  - (A) The design, construction, finishing, maintenance and provision of a minimum of 20% (with a target of thirty (30%) percent) of the total residential gross floor area as affordable rental housing dwelling units on the lands at 254-260 Adelaide Street West (the "Affordable Housing Units"), to the satisfaction of the Chief Planner and Executive Director, City Planning and Executive Director, Housing Secretariat, in accordance with the following terms:
    - (i) the number of units, the unit types, minimum unit sizes, unit layouts and unit location shall be to the satisfaction of the Chief Planner and Executive Director, City Planning and Executive Director, Housing Secretariat and shall reflect, and in no event be less than, the minimum and average sizes of the market units;
    - (ii) the owner shall provide and maintain the Affordable Housing Units as secured rental dwelling units for 99 years beginning from the date that each such unit is first occupied (the "Affordability Period"). During the Affordability Period, no Affordable Housing Unit shall be registered as a condominium unit or any other form of ownership housing that provides a right to exclusive possession of a dwelling unit, including life lease or co-ownership, and no application shall be made to demolish any Affordable Housing Unit or to convert any Affordable Housing Unit to a non-residential rental purpose. Upon the expiration of the Affordability Period, the owner shall continue to provide and maintain the units as rental dwelling units, unless and until such time as the owner has applied for, and obtained, all approvals necessary to do otherwise.

- (iii) the initial rent (inclusive of utilities) charged to the first tenants of any Affordable Housing Units shall not exceed 100% of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report, and the project average across the Affordable Housing Units shall not exceed 80 percent of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
- (iv) if an Affordable Housing Unit becomes vacant and is re-rented to a new tenant during the Affordability Period, the initial rent (inclusive of utilities) charged to the new tenant shall not exceed 100% of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report, and the project average across the Affordable Housing Units shall not exceed 80 percent of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
- (v) after the first year of occupancy of any Affordable Housing Units, and for the duration of the Affordability Period, the rent (inclusive of utilities) charged to the first tenants or new tenants occupying such unit may be escalated annually by not more than the annual provincial rent guideline, regardless of whether such guideline is applicable to the units under the Residential Tenancies Act or any successor legislation governing residential tenancies in Ontario, until the tenancy ends;
- (vi) notwithstanding the annual rent increases permitted in 6.(A).(v) above, the rent (inclusive of utilities) charged to any first tenants or new tenants occupying an Affordable Housing Unit during the Affordability Period shall not be increased to an amount that exceeds 100% of the average rent for the same unit type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report, and the project average across the Affordable Housing Units shall not exceed 80 percent of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
- (vii) the City's Centralized Affordable Housing Access System will be used to advertise and select tenants, provided it is in place. In addition at least six months in advance of any new Affordable

- Housing Units being made available for rent, the owner shall develop and implement an Access Plan, which will outline how units will be rented to eligible households in consultation with, and to the satisfaction of, the Executive Director, Housing Secretariat;
- (viii) the new Affordable Housing Units shall be made ready and available for occupancy no later than the date by which seventy percent (70%) of the market residential units on site are available and ready for occupancy, or to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat;
  - (ix) the owner shall provide all tenants of the Affordable Housing Units with access to, and use of, all indoor and outdoor amenities in the development at no extra charge and on the same terms and conditions as any other resident of the mixed use building, without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings;
  - (x) the owner shall provide all tenants of the Affordable Housing Units with laundry facilities no extra charge; and
  - (xi) the owner shall provide all tenants of the Affordable Housing Units with access to permanent and visitor bicycle parking/bicycle lockers on the same terms and conditions as any other resident of the market residential on the site, to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat; and in accordance with By-law [Clerks to supply by-law ##]
- (B) Prior to the issuance of the first building permit to permit excavation or shoring work, the owner shall submit a Construction Management Plan to the satisfaction of the General Manager of Transportation Services and the Chief Building Official and Executive Director, Toronto Building, in consultation with the Ward Councillor and thereafter in support of the development, will implement the Plan during the course of construction. The Construction Management Plan will include, but not be limited to the following construction-related details: noise, dust, size and location of staging areas, location and function of gates, dates of significant concrete pouring, lighting details, vehicular parking and queuing locations, street closures, parking and access, refuse storage, site security, site supervisor contact information, and a communication strategy with the surrounding community, and any other matters requested by the General Manager, Transportation Services, in consultation with the Ward Councillor;

- (C) Prior to the first building permit for shoring and excavation, the owner shall submit the following materials for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services:
- (i) Updated Functional Servicing and Stormwater Management Report;
  - (ii) Updated Hydrogeological Report;
  - (iii) Servicing Report Groundwater Summary Form; and
  - (iv) Hydrogeological Review Summary Form.
- (D) Prior to the first building permit for shoring and excavation, the owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing and Stormwater Management Report, to be resubmitted for review and acceptance by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development;
- (E) The owner shall construct and maintain the development in accordance with at least the Tier 2 performance measures of the Toronto Green Standard;
- (F) In the event the City sells the lands municipally known as 260 Adelaide Street West to an arm's length entity prior to Site Plan Approval, the conveyance to the City for nominal consideration of the required 0.72 metre strip of land between the existing commercial lane to the east of the lands and the proposed building face for a lane widening to be dedicated to the City at no cost to the City, free and clear, above and below grade, of all easements, encumbrances and encroachments and in acceptable environmental condition, all to the satisfaction of the General Manager, Transportation Services; and
- (G) In the event the City sells the lands municipally known as 260 Adelaide Street West to an arm's length entity prior to Site Plan Approval, the conveyance to the City for nominal consideration of the required 1.63 metre strip of land between the existing commercial lane to the west and south of the lands and the proposed building face for a lane widening to be dedicated to the City at no cost to the City, free and clear, above and below grade, of all easements, encumbrances and encroachments and in acceptable environmental condition, all to the satisfaction of the General Manager, Transportation Services;









