

**Ontario Land Tribunal**  
Tribunal ontarien de l'aménagement  
du territoire



**ISSUE DATE:** August 12, 2022      **CASE NO(S):** OLT-22-002229  
**EFFECTIVE DATE** August 10, 2022      (Formerly PL180201)

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: CP REIT Ontario Properties Limited  
Subject: Request to amend the Official Plan - Failure of the City of Toronto to adopt the requested amendment  
Existing Designation: Mixed Use Areas  
Proposed Designated: Site Specific (To be determined)  
Purpose: To permit a comprehensive development of a mixed-use, transit-oriented community  
Property Address/Description: 1880-1890 Eglinton Avenue East and 1523 and 1525-1545 Victoria Park Avenue  
Municipality: City of Toronto  
Approval Authority File No.: 15 258686 ESC 37 OZ  
OLT Case No.: OLT-22-002229  
Legacy Case No.: PL180201  
OLT Lead Case No.: OLT-22-002229  
Legacy Lead Case No.: PL180201  
OLT Case Name: CP REIT Ontario Properties Limited v. Toronto (City)

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: CP REIT Ontario Properties Limited  
Subject: Application to amend Zoning By-law No. 569-2013 – Refusal or neglect of City of Toronto to make a decision  
Existing Zoning: Commercial Residential  
Proposed Zoning: Site Specific (To be determined)  
Purpose: To permit a comprehensive development of a mixed-use, transit-oriented community

Property Address/Description: 1880-1890 Eglinton Avenue East and 1523 and 1525-1545 Victoria Park Avenue  
 Municipality: City of Toronto  
 Approval Authority File No.: 20 209175 ESC 21 OZ  
 OLT Case No.: OLT-22-002240  
 Legacy Case No.: PL210300  
 OLT Lead Case No.: OLT-22-002229  
 Legacy Lead Case No.: PL180201

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: CP REIT Ontario Properties Limited  
 Subject: Proposed Plan of Subdivision – Failure of the City of Toronto to make a decision  
 Purpose: To permit a comprehensive development of a mixed-use, transit-oriented community  
 Property Address/Description: 1880-1890 Eglinton Avenue East and 1523 and 1525-1545 Victoria Park Avenue  
 Municipality: City of Toronto  
 Approval Authority File No.: 20 209194 ESC 21 SB  
 OLT Case No.: OLT-22-002243  
 Legacy Case No.: PL210301  
 OLT Lead Case No.: OLT-22-002229  
 Legacy Lead Case No.: PL180201

BEFORE:

DAVID L. LANTHIER ) Wednesday, the 10th  
 VICE-CHAIR ) day of August, 2022

**THIS MATTER** having come on for a public hearing on March 23, 2022 and the Ontario Land Tribunal (the “**Tribunal**”) having determined that the appeal(s) under subsection 22(7) of the *Planning Act* (the “**Official Plan Amendment Appeal**”) and subsection 34(11) of the *Planning Act* (the “**Zoning Appeal**”) should be allowed, in part, and that the proposed Official Plan Amendment and the proposed Zoning By-law Amendment should be approved, in its decision dated April 13, 2022, in principle, with the final Order withheld pending the Tribunal being advised by the City Solicitor that such conditions have been fulfilled;

**AND THE TRIBUNAL**, at a further hearing event held on July 27, 2002, having subsequently amended the condition set out in paragraph 27(e) of the Order dated April 13, 2022 within the Interim Order made effective on July 27, 2022;

**AND THE TRIBUNAL HAVING BEEN ADVISED** by the Parties on August 10, 2022 that these above-noted conditions, as amended on July 27, 2022, have either been completed to the satisfaction of the City of Toronto and the Owner or alternatively have been addressed to the mutual satisfaction of the City and the Appellant, inclusive of the arrangements for a section 37 Agreement, and the inclusion of Holding Provisions within the final form of the Zoning By-law Amendment, and that the City and the Appellant are thus jointly requesting that the Tribunal proceed to issue its Final Order with respect to both the Official Plan Amendment and the Zoning By-law Amendment on that basis;

**AND THE TRIBUNAL, HAVING REGARD TO SUBSECTIONS 17(50) AND 22(11) OF THE PLANNING ACT AND RULES 24.2 AND 24.3 OF THE TRIBUNAL'S RULES**, recognizes that should any part of Official Plan Amendment No. 499 in Tribunal Case No. OLT-22-002510 come into force and effect as it applies to the lands subject of this Order, the City and Appellant may seek a revised Attachment "1" to delete, amend or revise policies and/or mapping, which are duplicative or similar to amendments to the Official Plan contained in Official Plan Amendment No. 499 and any such amended Order will be effective on the date of this Order;

**AND THE TRIBUNAL** having received, considered and determined the request for the Final Order on the 10<sup>th</sup> day of August, 2022;

**AND THE TRIBUNAL BEING SATISFIED** that the manner in which those prior conditions to the Final Orders previously imposed by the Tribunal, upon the consent of the parties, have been satisfied or will now be appropriately addressed and satisfied through the inclusion of Holding Provisions and Holding symbol within the final form of the Zoning By-law Amendment, and that it is accordingly appropriate that the Tribunal issue its Final

Order amending the City's Official Plan and amending City Zoning By-law 569-2013 through the revised instruments now submitted for final approval;

**NOW THEREFORE**

**THE TRIBUNAL ORDERS** that the Official Plan Amendment Appeal and the Zoning Appeal are allowed, in part, and

- (a) the City of Toronto's Official Plan is hereby amended in the manner set out in **Attachment "1"** to this Order; and
- (b) Zoning By-law No. 569-2013 of the City of Toronto, as amended, is hereby amended in the manner set out in **Attachment "2"** to this Order.

The Tribunal authorizes the municipal clerk to format the by-law in Attachment "1" and Attachment "2", as may be necessary, for record keeping purposes.

**THE TRIBUNAL ORDERS THAT**, pursuant to Rule 24.3 of the Tribunal's *Rules of Practice and Procedure*, notwithstanding the eventual date of the formal issuance of this Order, it shall be, and was, effective as of **Wednesday, August 10, 2022**, which is the date that the Tribunal received, considered and determined the request for the Final Order in this proceeding.

*"Euken Lui"*

EUKEN LUI  
REGISTRAR

**Ontario Land Tribunal**

Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

**ATTACHMENT 1**

Authority: Ontario Land Tribunal Decision issued on April 13, 2022 and Ontario Land Tribunal Order effective on **August 10, 2022** in Tribunal File No. OLT-22-002229

**CITY OF TORONTO****BY-LAW XXX-2022(OLT)**

**To adopt Amendment 493 to the Official Plan for the City of Toronto with respect to the lands municipally known in the year 2021 as 1880 - 1890 Eglinton Avenue East and 1523 & 1525 - 1545 Victoria Park Avenue.**

Whereas the Owner of the lands known municipally in the year 2021 as 1880 - 1890 Eglinton Avenue East and 1523 & 1525 - 1545 Victoria Park Avenue appealed a proposed official plan amendment to the Ontario Land Tribunal pursuant to Section 22(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended; and

Whereas the Ontario Land Tribunal, by its Decision issued on April 13, 2022 and its Order effective on August 10, 2022, 2022 in File OLT-22-002229 approved amendments to the Official Plan for the City of Toronto with respect to the lands;

The Ontario Land Tribunal Orders:

1. The attached Amendment 493 to the Official Plan is hereby in force pursuant to the Planning Act, as amended.

Ontario Land Tribunal Order effective on **August 10, 2022** in Tribunal File OLT-22-002229.

## AMENDMENT 493 TO THE OFFICIAL PLAN

### LANDS MUNICIPALLY KNOWN IN THE YEAR 2021 AS 1880 - 1890 EGLINTON AVENUE EAST AND 1523 AND 1525 - 1545 VICTORIA PARK AVENUE

The Official Plan of the City of Toronto is amended as follows:

1. Map 20, Land Use Plan, is amended by redesignating a portion of the lands municipally known in the year 2021 as 1880-1890 Eglinton Avenue East and 1523, 1525-1545 Victoria Park Avenue from *Mixed Use Areas* to *Parks and Open Space Areas – Parks*, as shown on the attached Schedule '1'.
2. Chapter 7, Site and Area Specific Policies, is amended by deleting Site and Area Specific Policies 109 and 110, as they apply to the site.
3. Chapter 7, Site and Area Specific Policies, is amended by adding the following policy and associated maps:

#### **"583. 1880-1890 Eglinton Avenue East and 1523, 1525-1545 Victoria Park Avenue**

##### **A. INTERPRETATION**

- 1) Site and Area Specific Policy No. 583 is intended to be read with the policies of the Official Plan and any Secondary Plan applicable to the Site, except where provided otherwise. In case of conflict, the policies of SASP No. 583, including the associated maps, will prevail.
- 2) The lands subject to this Site and Area Specific Policy shall be referred to as the "Site", save and except Block "H1" and Block "H2". In the event that Block "H2" is acquired to form part of Block "C", the Site is deemed to include "H2" for the purposes of this Site and Area Specific Policy.
- 3) Given the size of the Site, the prominent location of the Site at the intersection of Victoria Park Avenue and Eglinton Avenue East being the only historic gateway and landmark entrance to the Golden Mile area, this Site and Area Specific Policy recognizes this Site and planned context for this Site. The heights, densities, built form, built form relationships, transportation system and policy framework established in



this Site and Area Specific policy are unique to the Site and shall not be necessarily appropriate in other areas in the Golden Mile area.

## **B. LAND USE AND DENSITY**

- 4) The land use policies and development criteria for land use found in Chapter 4 of the Official Plan will apply. The following additional policies apply and in case of conflict, the policies of SASP No.583 will prevail.
- 5) Development and relocation of the existing food store on the Site will reinforce the Site's continued role as a mixed-use retail centre and neighbourhood hub. A maximum gross floor area of 9,000 square metres of retail uses is permitted on Block "B". On an interim basis, prior to the full build-out of Block "B", surface parking will be permitted along street frontages on Block "B".
- 6) Residential uses are not permitted on Block "B", as shown on Map 1.
- 7) The permitted maximum gross floor area on the Site will not exceed 300,097 square metres and density incentives in any applicable Secondary Plan policies do not apply.
- 8) Development will be consistent with the policies of this Site and Area Specific Policy and the Official Plan, including any applicable Secondary Plan policies. In case of conflict, the policies of SASP No. 583 will prevail.
- 9) Uses along Eglinton Avenue East, Street A, Street B and Street C shall include active at-grade uses, such as retail and service uses, restaurants, office uses, and entrances to office buildings, in order to animate the street.
- 10) A minimum of 10% of the total gross floor area of the development on the Site will be provided as non-residential uses in one or multiple buildings that support the economic function of the broader Golden Mile area.
- 11) The gross floor area of existing office uses is encouraged to be replaced prior to, or concurrent with, the associated new residential development.

## **C. TRANSPORTATION NETWORK**

- 1) The planned street network is identified on Map 1, and will comprise of the following components:
  - i. Street A will have a right-of-way width of 20 metres between Victoria Park Avenue and Public Street C;
  - ii. Street A will have a right-of-way width of 27 metres between Public Street C and Pharmacy Avenue;

- iii. Street A is planned to be an animated commercial street with a dedicated cycling route from Pharmacy Avenue to Street C, headed north towards Craigton Tot Lot and The Meadowway, as shown on Map 4: Cycling Network;
  - iv. Street B will have a tapered right-of-way width ranging from 20 metres from Street A to such width as necessary to align with the future intersection at Eglinton Avenue East;
  - v. Street C, north of Street A, to Craigton Drive will have a right-of-way width of 23 metres;
  - vi. The northern terminus of Street C, north of Street A, may include a temporary cul-de-sac prior to the permanent connection of Street C to Craigton Drive, with any easements as may be required, satisfactory to the City;
  - vii. Street C, south of Street A, to Eglinton Avenue East will have a right of way width of 20 metres;
  - viii. As part of the entryway to The Meadowway, the 10 metre setback area along the east side of Street C, south of Street A, should be designed as a Privately Owned Publicly-Accessible Space(s) (“POPS”);
  - ix. A 3-metre right-of-way widening along Victoria Park Avenue will be required to contribute to the achievement of a minimum right-of-way width of 36 metres to support transit priority measures and a potential higher order transit corridor as may be required by the City;
  - x. A 3-metre right-of-way widening along Eglinton Avenue East will be required to contribute to the achievement of a minimum right-of-way width of 43 metres;
  - xi. A 0.4-metre right-of-way widening along Pharmacy Avenue between Eglinton Avenue East and Street A will be required to contribute to the achievement of a minimum right-of-way width of 27 metres; and
  - xii. A 1.5-metre right-of-way widening along Craigton Avenue between will be required to contribute to the achievement of a minimum right-of-way width of 23 metres.
- 2) The exact location, alignment and design of public streets will be refined through a Draft Plan of Subdivision for the Site, which will be informed by any completed Municipal Class Environmental Assessment.
  - 3) Street A, Street B and Street C will be public streets and will be provided through a Draft Plan of Subdivision. Conceptual private streets are shown on Map 1.



- 4) Priority Pedestrian Locations shown on Map 3 are areas where pedestrians are anticipated to cross streets or areas with high volumes of existing and/or anticipated pedestrian traffic and an enhanced pedestrian network is required. At these locations, shorter pedestrian crossings will be achieved through the implementation of wider sidewalks, corner extensions at intersections, or other appropriate measures.
- 5) Within the right-of-way widths identified in Policy C. 1), cycling infrastructure and facilities will be planned and provided through site development with bicycle parking along cycling routes and bike-share facilities as identified in Map 4. Bicycle boxes and/or other infrastructure designs will be provided, where appropriate, to secure safer turning movements for cyclists at Cycling Interchanges identified on Map 4.
- 6) Mid-block pedestrian connections are pedestrian connections with or without vehicular accesses through an individual block connecting the streets, or parks adjacent to the block. Safe, generously-scaled and comfortable midblock pedestrian connections on individual blocks extend the mobility network and may be provided at potential locations identified on Map 3.
- 7) Shared Mobility Hubs are defined as single service points for bike-share, ride-share and/or car-share facilities at locations identified on Map 5, and such Shared Mobility Hubs will be integrated in development or accessible on adjacent blocks, where appropriate.

**D. PARKLAND**

- 1) New public parkland will be required to support and meet the needs of residents and employees of the Site and broader community. There will be a public park with a minimum size of 6,597 square metres, conveyed to the City at nominal value, and will have generous street frontage on both Public Street A and Public Street C, generally provided in the location identified as Block "A" on Map 1 (the "Park").

**E. PUBLIC REALM**

- 1) The streetscape along Eglinton Avenue East will be designed to define and support the street's role as a commercial main street and a vibrant urban place by ensuring that implementation of the Eglinton Avenue East streetscape will be prioritized and coordinated between adjacent lands. Development blocks that have frontage on Eglinton Avenue East will implement the street design incrementally as development proceeds.
- 2) Privately Owned Publicly-Accessible Spaces ("POPS") will be provided in accordance with Map 1. Additional POPS are encouraged at other appropriate locations.
- 3) Sufficient soil volume will be provided for each tree and below grade structures shall not limit the provision of the minimum required soil volume to support large growing deciduous trees.

- 4) Development will locate density and built form strategically and design buildings appropriately to minimize shadows in order to preserve the utility of sidewalks, parks, open spaces, natural areas, child care centres, playgrounds, schools and other institutional open spaces, private open spaces, outdoor amenity spaces and POPS.
- 5) Development will minimize shadow impact on public sidewalks, parks and open spaces, including but not limited to the north sidewalk of Public Street A from Victoria Park Avenue to Pharmacy Avenue and the Park.

## **F. BUILT FORM**

### *Building Type & Height*

- 1) The greatest building height shall be located closest to the intersection of Eglinton Avenue East and Victoria Park Avenue, which forms part of the historic gateway to, and a landmark location for the Golden Mile area, and transitioning down into adjacent blocks, and to the surrounding areas.
- 2) Tall buildings will only be permitted in the Tall Building Zone with maximum heights identified on Map 2.
- 3) Notwithstanding Policies F. 2) and Map 2, if Block “H2” is not declared surplus by City Council and is not acquired to form a part of Block “C”, a 25-storey building will not be permitted on Block “C”. Development on Block “C”, without Block “H2”, may accommodate a lower building than the height identified on Map 2 for Block “C”, subject to policies of this Site and Area Specific Policy, including any applicable Secondary Plan policies.
- 4) Mid-rise buildings will be provided at the locations identified on Map 2 with the identified maximum heights.

### *Base Building Heights*

- 5) Minimum and maximum base building heights for tall buildings and mid-rise buildings as shown on Map 2 will be provided to define and support the different roles, functions, and characteristics of the adjacent streets, parks and open spaces, and to support an overall pedestrian friendly environment.

### *Setbacks and Stepbacks*

- 6) Development will provide minimum setbacks from streets and parks as follows:
  - i. A minimum 4.0 metre setback (north side) and 3.0 metre setback (south side) along Street A, between Victoria Park Avenue to Street C;

- ii. A minimum 10 metre setback along Street C on the east side of the street, south of Street A;
  - iii. A minimum 5.0 metres setback from the Park on Block “A”; and
  - iv. A minimum 3.0 metre setback along all other streets and a reduced setback that is less than 1.5 metres along Street A, east of Street C.
- 7) Encroachments and projections into the minimum required setbacks may be permitted through site-specific zoning by-laws, but will generally be limited to elements that provide enhancements to the public realm.
- 8) For tall buildings, a minimum 3.0 metre stepback to main building walls will be provided from all base buildings to towers along streets, the Park, and POPS. Balcony projections, up to 2.0 metres in depth, are permitted to encroach into the 3.0 metre stepback in the locations shown as Balcony Projection Zone on Map 2, provided that such balconies are limited to a maximum of 50 per cent of the linear frontage of the main building walls in those locations.
- 9) For mid-rise buildings with a height of 4 storeys or greater, a minimum 3.0 metre stepback to main building walls will be provided above the base building.

#### *Floorplate Size and Separation Distance*

- 10) The tower floorplate of residential tall buildings and the residential portion of mixed-use tall buildings will not exceed 750 square metres of gross building area.
- 11) The separation distance between the tower portions of tall buildings will be a minimum of 30 metres, between main walls of towers. Balcony projections up to 2.0 metres are permitted within the tower separation distances.
- 12) Notwithstanding Policy F. 11) above, the separation distance between tower portions of tall buildings along Victoria Park Avenue on Block F and Block G will be a minimum of 25 metres between the main walls of towers. Greater tower separation distances will be encouraged. Balcony projections up to 2.0 metres are permitted within the tower separation distances.

#### *Context Plan*

- 13) Development of the Site will be consistent with the Context Plan for the Site. Such Context Plan will be submitted concurrently with the Zoning By-law Amendment and/or Draft Plan of Subdivision for the Site and is intended to be endorsed concurrently with any such approval(s).

## **G. HOUSING**

- 1) Prior to any development of the Site, a Housing Plan will be required that identifies in each phase of residential development: the percentage of units that will be two and three bedrooms in size, and how affordable housing units will be delivered.
- 2) To achieve a balanced mix of unit types, and to support the creation of housing suitable for families, development containing more than 80 new residential units will include larger units, as follows:
  - i. A minimum of 10 per cent of the total number of units will be 3-bedroom units; and
  - ii. An additional minimum of 25 per cent of the total number of units shall have at least 2-bedrooms.
- 3) The minimum requirements for larger units may be reduced where the development of the Site includes:
  - i. Social housing or other publicly-funded housing; or
  - ii. Specialized housing such as residences owned or operated by a post-secondary institution or a health centre institution or other entities to house seniors, students, patients or employees, or people with special needs.
- 4) In addition to the plans/drawings and studies/reports identified in Official Plan Policy 5.5.2 and Schedule 3 of the Official Plan that are required for planning applications, a Housing Plan shall be submitted with the Draft Plan of Subdivision application for the Site and will be required under section 51(18) of the *Planning Act*.
- 5) Notwithstanding Policy 3.2.1.9(b), the provision of 20% of the residential dwelling units as affordable housing units is not required provided that a minimum of 130 affordable housing units will be secured and maintained with Affordable Rents for a period of at least 15 years.

## **H. COMMUNITY SERVICES AND FACILITIES**

- 1) New, expanded and/or replacement community services and facilities may be required to support and meet the needs of residents and employees of the Site and broader community. Community services and facilities will be identified and reviewed by the City through the development review process, in order of priority, with the provision of:

- i. New, expanded or retrofitted space for one or more community facilities on-site;
  - ii. New, expanded or retrofitted space off-site within an appropriate distance from the Site; and/or
  - iii. A contribution toward a specific community service facility that meets identified needs as required by the City.
- 2) A Community Services and Facilities Strategy will be submitted with the Draft Plan of Subdivision and/or Zoning By-law Amendment application for the Site.
  - 3) Any on-site Community Service Facilities are encouraged to be provided in the first phase of development.
  - 4) The gross floor area of community service facility space provided as a community benefit will be excluded from the calculation of gross floor area on the Site.

## **I. IMPLEMENTATION**

### *Draft Plan of Subdivision*

- 1) Prior to any development of all or any part of the Site, a Draft Plan of Subdivision will be required to be approved for the entirety of the Site.
- 2) A Master Subdivision Agreement will be entered into and registered on the entirety of the Site to implement the structure plan contained in this Site and Area Specific Policy, and other related matters, and will include securing a satisfactory Housing Plan and resulting affordable housing as contemplated by this Site and Area Specific Policy and subsection 51(17) of the *Planning Act*, if not already secured elsewhere. Block specific subdivision agreements may also be required, as necessary to implement the policies of this Site and Area Specific Policy.
- 3) The phasing of development and required infrastructure for the Site, including the provision of all new public streets, municipal services, transportation infrastructure, and parkland will be addressed and secured through a Draft Plan of Subdivision.
- 4) The implementation of the street network on the Site will occur incrementally over time, and phasing of the transportation system for the Site, including related improvements and infrastructure, will occur in an integrated manner and be secured in a Master Subdivision Agreement, and such Master Subdivision Agreement will provide for phasing of the transportation system over time.
- 5) Any development shall coordinate and implement any required infrastructure upgrades and/or improvements with the City, and other landowners (where appropriate), including the provision of new municipal and transit infrastructure where required to

support development. This may also include the cost-sharing agreements between landowners, where appropriate.

- 6) In accordance with subsection 51(18) of the *Planning Act*, the City will require that:
- i. a Municipal Class Environmental Assessment Study, or such study satisfactory to the City, being a Transit Corridor Study, for Victoria Park Avenue, has commenced; and
  - ii. a Municipal Class Environmental Assessment Study including the street network on the Site has commenced, or as may be permitted by Policy C. 2) of this SASP 583, a Draft Plan of Subdivision for the street network on this Site has been submitted.

These above-noted studies may be conducted and funded by the City and/or jointly with the owner of the Site, and/or other landowners. Should the owner of the Site proceed in advance of the commencement of the Transit Corridor Study identified in I. 6) i., funding based on the owner's proportionate share may be provided by the owner of the Site and secured in a manner satisfactory to the City in support of such study. For greater certainty, commencement does not mean the Municipal Class Environmental Assessment Study and/or Transit Corridor Study, where applicable, has been completed.

#### *Zoning By-law Amendment(s)*

- 7) Zoning By-law Amendments will include provisions dedicated to community services and facilities, where required, for the Site.
- 8) Development will be sequenced to ensure appropriate transportation infrastructure, municipal servicing infrastructure and community services and facilities, including parkland, are available to accommodate proposed development on the Site.
- 9) In addition to the plans/drawings and studies/reports required for the submission of a complete application for development as identified in Policy 5.5.2 and Schedule 3 of the Official Plan, the following are required for any Zoning By-law Amendment application:
  - i. A Context Plan for the Site which addresses the phasing of the development blocks and Park shown on Map 1, the layout and design of existing and proposed public realm elements, built form elements and their impact, and relationship with the existing and potential future development in the areas adjacent to the Context Plan Area for adoption by City Council as an Implementation plan for the Site under Policy 5.3.2.1. of the Official Plan; and

- ii. A Multi-Modal Transportation Impact Study (MMTIS), which will identify the demands and impacts of development and include a Transportation Demand Management (TDM) strategy and/or other mitigating measures to accommodate travel generated by the development. The MMTIS will include reporting on monitoring outcomes of earlier phases on transit, cycling, pedestrian, and vehicular traffic patterns, and any recommended refinements to TDM strategies and transportation network design. The MMTIS must demonstrate prior to the approval of any zoning by-law amendment, that there will be sufficient transportation capacity available to accommodate additional site generated trips or measures that can be undertaken to accommodate the additional trips through TDM strategies or off-site infrastructure improvements, including the potential for higher order transit along Victoria Park Avenue.
- 10) Where transportation improvements and/or new transportation infrastructure are identified as part of the MMTIS, the Zoning By-law Amendment(s) may include a holding by-law for all or part of the Site until those matters are implemented in a manner satisfactory to the City or such arrangements are secured in a manner satisfactory to the City to permit development to proceed concurrent with the identified transportation improvements and/or new transportation infrastructure.

### **Craigton Drive Reconfiguration**

- 11) Craigton Drive is included in the Site for the purposes of this Site and Area Specific Policy. Craigton Drive, partially shown as Block “H1” and Block “H2”, is City-owned land.
- 12) Subject to approval from City Council, Craigton Drive, shown as Block “H1” and Block “H2” is anticipated to be planned as follows:
  - i. Block “H1” will be converted to public parkland purposes;
  - ii. Block “H2”, at the discretion of City Council, may be declared surplus and may form part of Block “C” on the Site; and
  - iii. Notwithstanding Policies I. 12) i. and ii. above, the provisions of this Site and Area Specific Policy in no way fetters the discretion or authority of the City in the sale, control and disposition of Blocks “H1” or “H2” for any purpose it deems appropriate.

### **ATTACHMENTS**

Schedule 1: Redesignation of a portion of the lands from *Mixed Use Areas* to *Parks*.

Map 1: Structure Plan, Public Realm Plan and Street Network

Map 2: Base Building Heights, Building Types and Heights in Character Areas

Map 3: Pedestrian Network

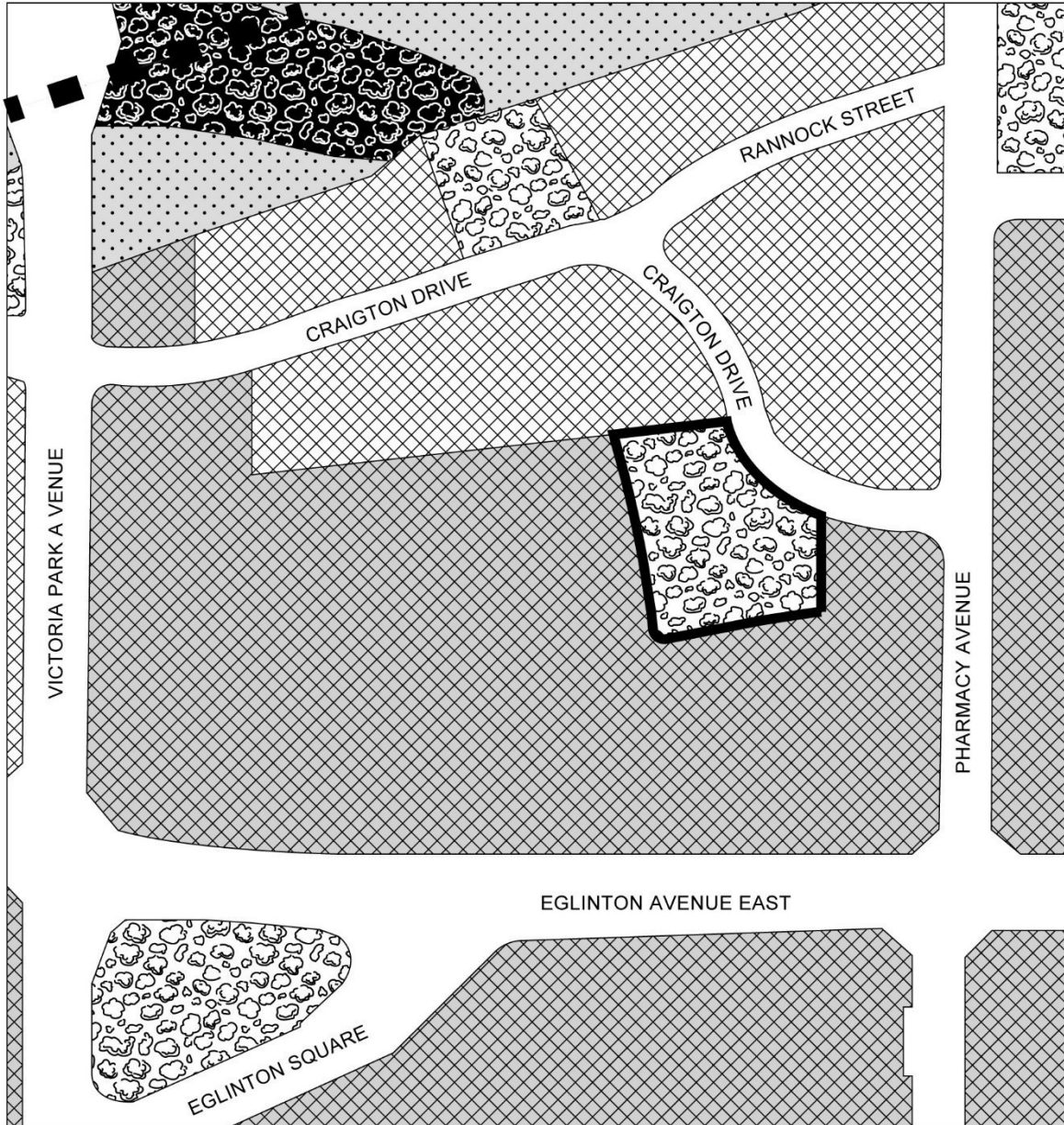
Map 4: Cycling Network

Map 5: Transit and Travel Demand Management Plan"

4. Chapter 7, Map 31, Site and Area Specific Policies is amended by adding the lands municipally known in 2021 as 1880-1890 Eglinton Avenue East and 1523, 1525-1545 Victoria Park Avenue, as shown on the map above as Site and Area Specific Policy 583.



Schedule '1'



**Official Plan Amendment #493**

Revisions to Land Use Map 20 to Redesignate lands from Mixed Use Areas to Parks

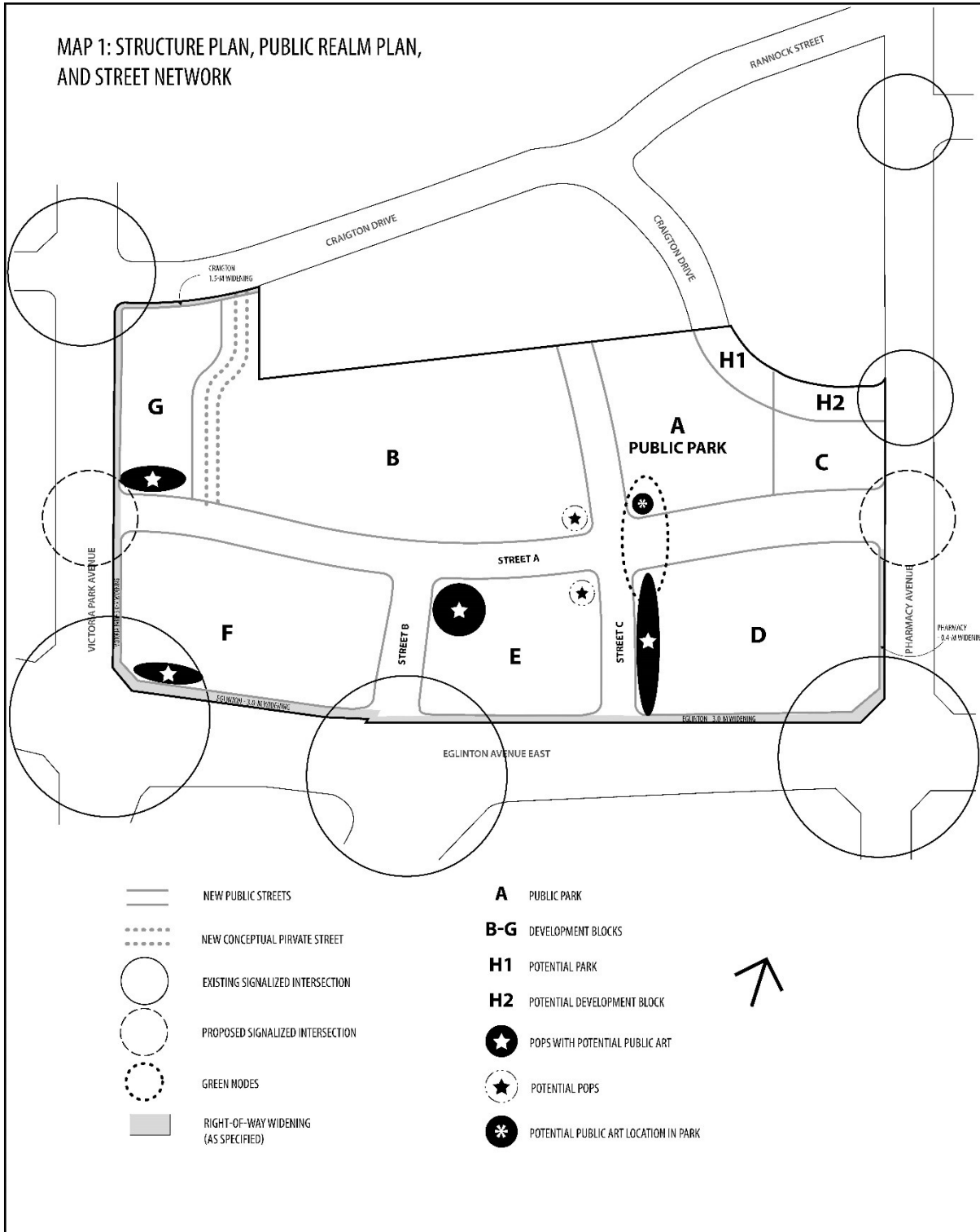
**First 1880-1892 Eglinton Avenue East And  
1523, 1525-1545 Victoria Park Avenue**

File # 16 269853 ESC 37 0Z

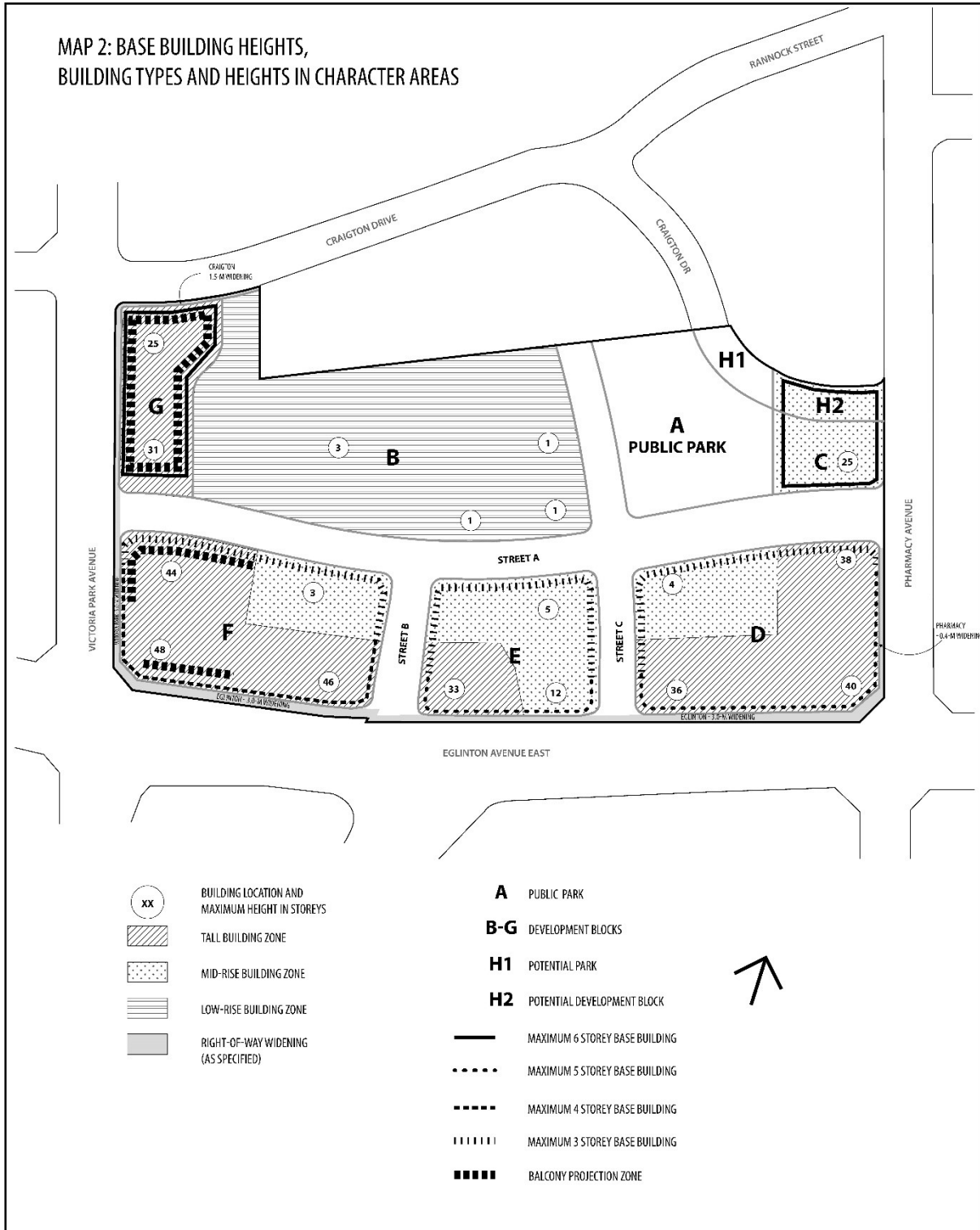
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|  Location of Application  | <b>Parks &amp; Open Space Areas</b>   |   |
|  Apartment Neighbourhoods |  Natural Areas |  Utility Corridors |
|  Mixed Use Areas          |  Parks         |   |

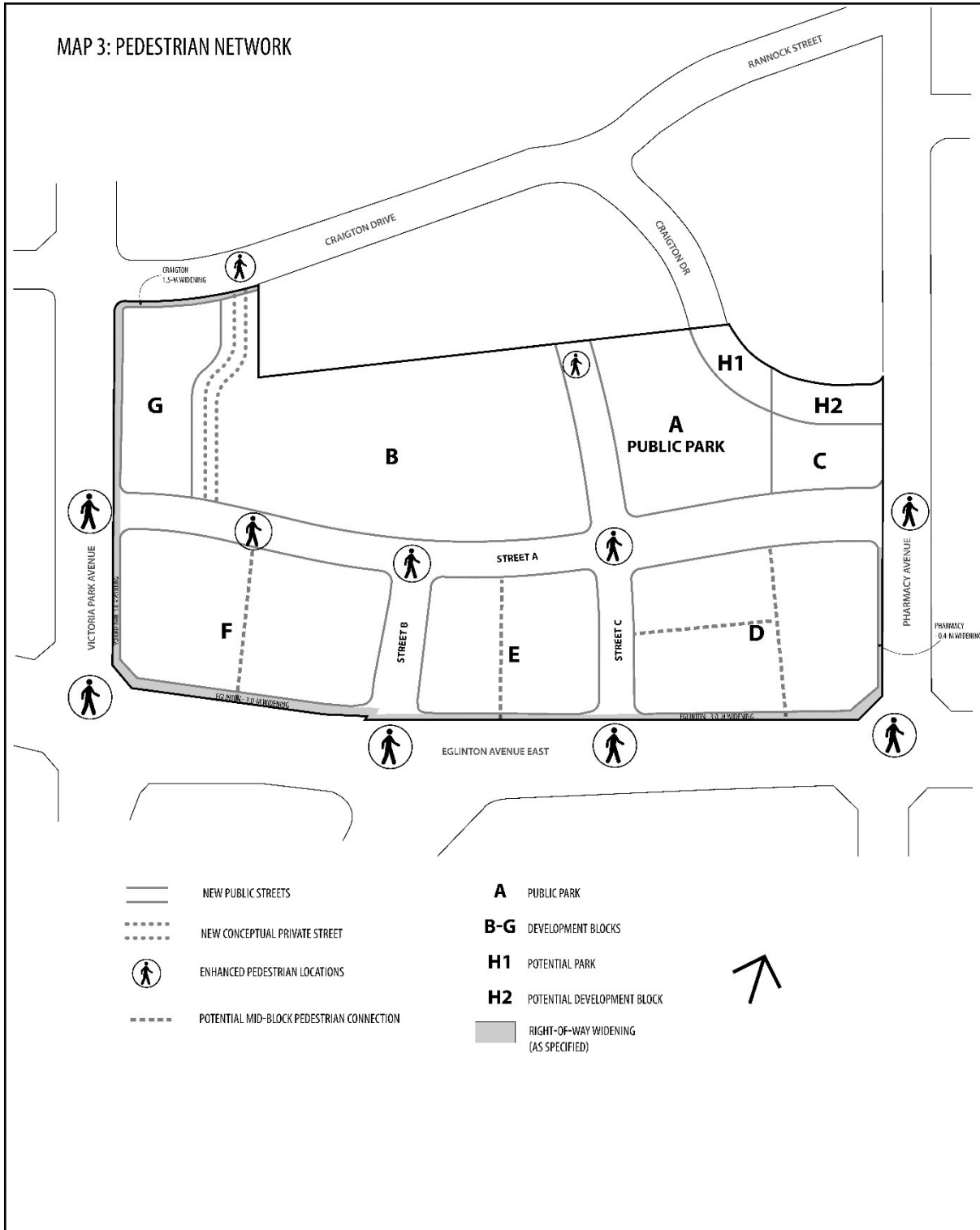
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Not to Scale  
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MAP 1: STRUCTURE PLAN, PUBLIC REALM PLAN, AND STREET NETWORK

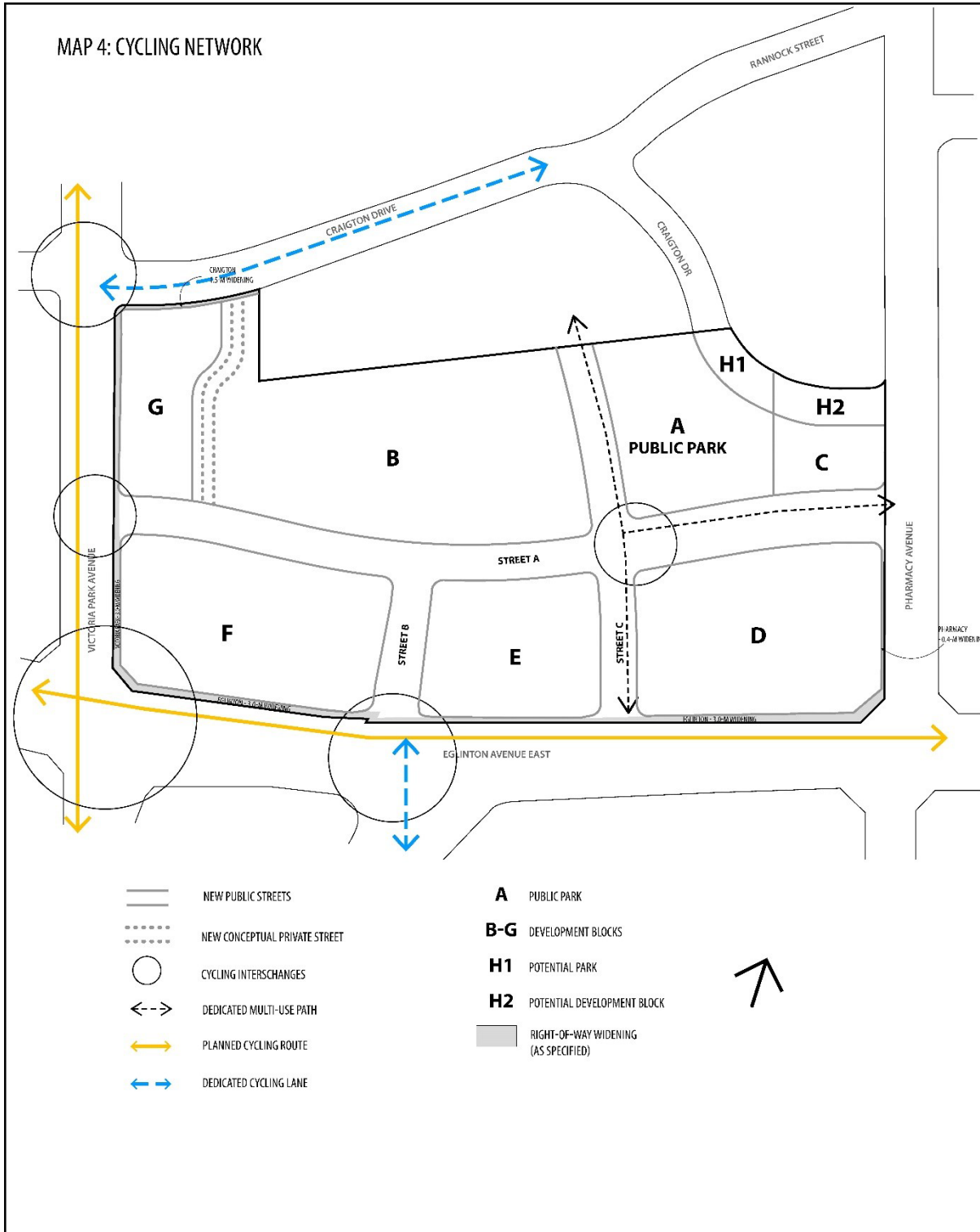


MAP 2: BASE BUILDING HEIGHTS,  
BUILDING TYPES AND HEIGHTS IN CHARACTER AREAS

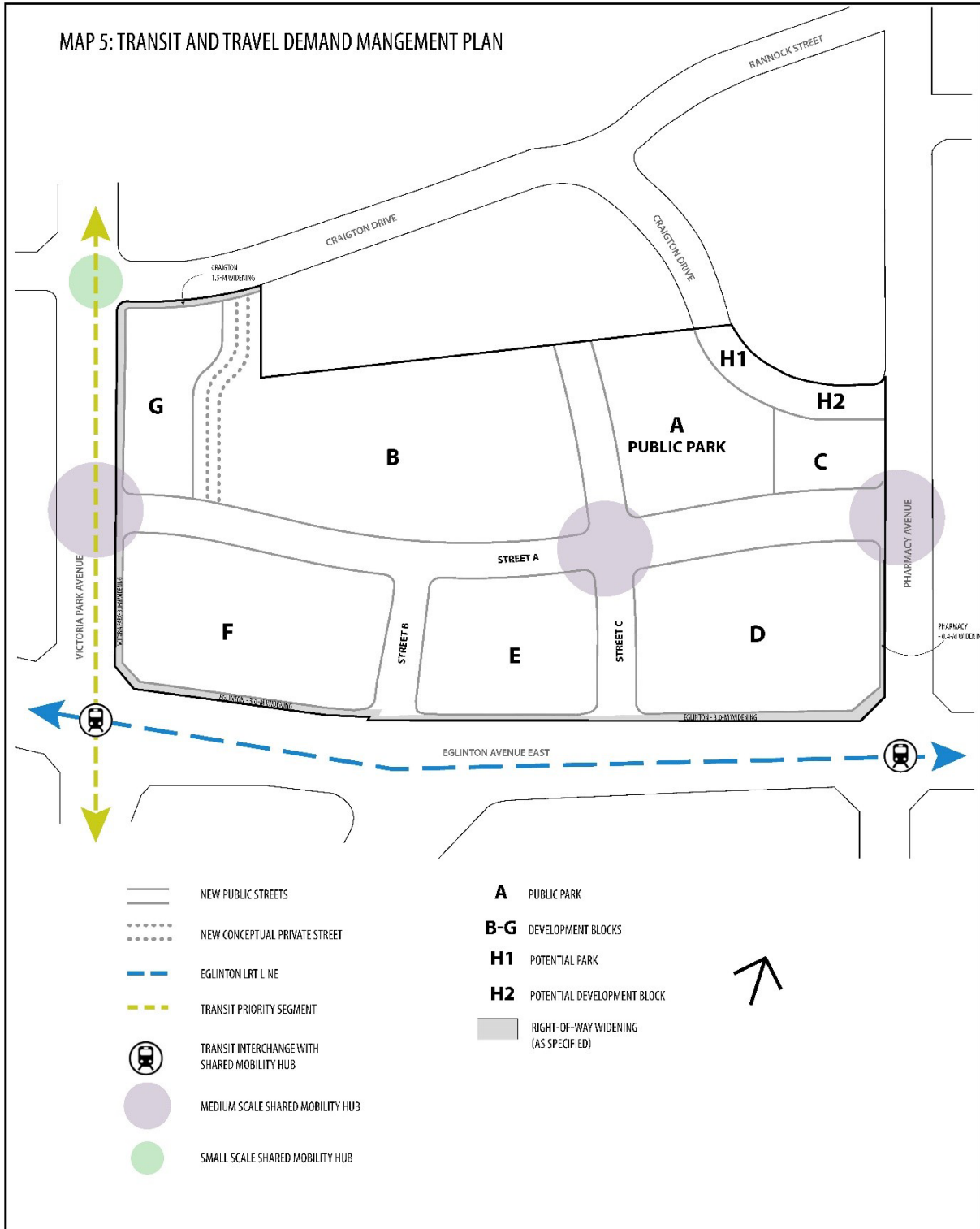




MAP 4: CYCLING NETWORK



MAP 5: TRANSIT AND TRAVEL DEMAND MANGEMENT PLAN



**ATTACHMENT 2****ZONING BY-LAW AMENDMENT  
TO ZONING BY-LAW 569-2013**

Authority: Ontario Land Tribunal Decision issued on April 13, 2022 and Order effective on **August 10, 2022** in File OLT-22-002229

**CITY OF TORONTO****BY-LAW XXXX-2022 (OLT)**

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 1880 - 1890 Eglinton Avenue East and 1523 & 1525 - 1545 Victoria Park Avenue**

Whereas the Owner of the lands in the year 2021 appealed a proposed Zoning By-law Amendment to the Local Planning Appeal Tribunal (now the Ontario Land Tribunal) pursuant to Section 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended; and

Whereas the Ontario Land Tribunal, by its Decisions issued on April 13, 2022 and Order effective on August 10, 2022, determined to amend Zoning By-law 569-2013, as amended, with respect to lands known municipally as 1880-1890 Eglinton Avenue East and 1523 & 1525-1545 Victoria Park Avenue; and

Whereas a zoning by-law may include Holding (H) symbol pursuant to Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in the 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 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 land elects to provide facilities, services and matters in return for an increase in the density 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 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; and

The Ontario Land Tribunal Orders:

1. The lands subject to this By-law are municipally known in the year 2021 as 1880 - 1890 Eglinton Avenue East and 1523 & 1525 - 1545 Victoria Park Avenue, as outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The land comprises the lands delineated by the dashed lines on Diagram 5, Diagram 6, Diagram 7, Diagram 8, Diagram 9, Diagram 10, and Diagram 11 attached to and forming part of this By-law and identified as Block A, Block B, Block C, Block D, Block E, Block F, Block G, Block H1, and Block H2.
3. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
4. The Zoning By-law Diagram of By-law 569-2013 is amended by deleting 900.11.10 (x470) and (x1193), and adding the following exception to the lands delineated by the heavy line on Diagram 3 of By-law **[Clerks to supply by-law ##]** Exception 1193 to Block B, Block C, Block D, Block E, Block F, Block G and Block I.
5. Zoning By-law 569-2013, as amended, is further amended by replacing the zone label on the Zoning By-law Map in Section 990.10 respecting the lands as outlined in heavy black lines and adding the zone labels identified as shown on Diagram 3 attached to this By-law, as follows:
  - (A) OR, for Block A1 and Block A2 as shown on Diagram 2 attached to this By-law;
  - (B) CR 0.22 (c0.22; r0.0) SS3 (x 1193) for Block F as shown on Diagram 2 attached to this By-law;
  - (C) (H) CR 0.22 (c0.22; r0.0) SS3 (x 1193) for Block B, Block C, Block D, Block E, Block G as shown on Diagram 2 attached to this By-law; and
  - (D) (H) CR 0.22 (c0.22; r0.0) S33 (x 1193) for Block I as shown on Diagram 2 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label to these lands: PA4, as shown on Diagram 4 attached to this By-law.



7. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1193 so that it reads:

**Exception CR (1193)**

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions.

Site Specific Provisions:

- (A) On 1880-1890 Eglinton Avenue East and 1523 & 1525-1545 Victoria Park Avenue, if the requirements of By-law [Clerks to supply by-law ##], including Section 9, Section 10 and Schedule A are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (FF) below;
- (B) For the purposes of By-law [Clerks to supply by-law ##], reference to Block A1, Block A2, Block B, Block C, Block D, Block E, Block F, Block G, Block H1, and Block H2 are as identified on Diagram 2 attached to By-law [Clerks to supply by-law ##] and reference to **building B1, building B2, building B3, building B4, building C, building D1, building D2, building D3, building D4, building E1, building E2, and building F1, building F2, building F3, building G1, and building G2** are the **buildings** within such Blocks as identified on Diagram 5, Diagram 6, Diagram 7, Diagram 8, Diagram 9, and Diagram 10 attached to By-law [Clerks to supply by-law ##];
- (C) For the purposes of this exception:
- (i) "lot" is defined as the lands outlined by black lines collectively Block A1, Block A2, Block B, Block C, Block D, Block E, Block F, Block G, Block H1, and Block H2 as identified on Diagram 2 attached to By-law [Clerks to supply by-law ##]; and
  - (ii) "lot line" is defined to include the boundary of any of Block identified on Diagram 2 attached to By-law [Clerks to supply by-law #];
  - (iii) reference to Block I as identified on Diagram 11 attached to By-law, is a reference to Block C and Block H2 as shown on Diagram 2 attached to By-law [Clerks to supply by-law ##];
- (D) Despite Regulation 40.5.40.10(1) and (2), the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum as identified below and the elevation of the highest point of the **building** or **structure** as follows:
- (i) On Block B, the Canadian Geodetic Datum elevation is:
    - 158.23 metres for **building B1**;
    - 158.14 metres for **building B2**;

157.86 metres for **building** B3; and  
156.75 metres for **building** B4;

(ii) On Block C, the Canadian Geodetic Datum elevation is:

a. 157.00 metres for **building** C1;

(iii) On Block D, the Canadian Geodetic Datum elevation is:

a. 159.26 metres for **building** D1; and

159.62 metres for **building** D2;

(iv) On Block E, the Canadian Geodetic Datum elevation is:

a. 159.70 metres for **building** E1;

(v) On Block F, the Canadian Geodetic Datum elevation is:

a. 159.55 metres for **building** F1; and

b. 158.70 metres for **building** F2;

(vi) On Block G, the Canadian Geodetic Datum elevation is:

a. 157.44 metres for **building** G1;

- (E) Despite regulation 40.10.40.10(3), the permitted maximum height of any **building** or **structure** is the number, in metres, following the letters "HT" on Diagram 5, Diagram 6, Diagram 7, Diagram 8, Diagram 9, and Diagram 10 attached to By-law [**Clerks to supply by-law ##**];
- (F) Despite Regulation 40.10.40.10(7), the maximum number of **storeys** in each **building** is the number following the letters "ST" on Diagram 5, Diagram 6, Diagram 7, Diagram 8, Diagram 9, and Diagram 10 attached to By-law [**Clerks to supply by-law ##**];
- (G) Despite Regulation 40.5.40.10(8)(A), equipment, **structures** or parts of a **building** listed in Regulation 40.5.40.10(4) located on the roof of a tower portion of a **building** on Block F may exceed the permitted maximum height for that **building** by 7.0 metres and the total area of all equipment, **structures**, or parts on the roof of the tower portion of that **building** may not exceed 500 square metres, measured horizontally;

- (H) Mid-rise **buildings** on Block D and Block E will be located beneath the 45-degree angular planes, originating from:
- (i) the adjacent **street** A2 property line, starting at a height of 21.6 metres for **building** D2;
  - (ii) the adjacent **street** C property line, starting at a height of 16.0 metres for **building** D2;
  - (iii) the adjacent **street** A2 property line, starting at a height of 16.0 metres for **building** E2; and
  - (iv) the adjacent **street** C property line, starting at a height of 16 metres for the 5-storey portion of **building** E2;
- (I) For the purposes of this exception, a "tower" is the portions of a **building** which collectively enclose the entirety of a **storey** higher than 24.0 metres above the average grade, and where the maximum gross construction area of any **storey** located above 24.0 metres, excluding balconies, does not exceed 750 square metres;
- (J) Despite Provision (I) above, Diagram 5, and Diagram 10 of By-law [**Clerks to supply by-law ##**], in a **building** on Block F that includes the **community centre** required by Schedule A of this By-law, a "tower" is the portions of a **building** which collectively enclose the entirety of a **storey** higher than 27.0 metres;
- (K) Despite Regulation 40.10.20.40(1), **dwelling units** are permitted in a **building** or **structure**, but are not permitted in any **building** or **structure** on Block B;
- (L) Despite Regulations 40.10.40.40(1), the permitted maximum **gross floor area** on Block B, Block C, Block D, Block E, Block F, and Block G identified on Diagram 2 must not exceed 300,097 square metres and 3,597 **dwelling units**, and subject to the following:
- (i) a maximum of 14,500 square metres of non-residential **gross floor area** and 0 **dwelling units** on Block B;
  - (ii) a maximum of 10,900 square metres of **gross floor area** and 277 **dwelling units** on Block C;
  - (iii) a maximum of 91,800 square metres of **gross floor area** and 1,208 **dwelling units** on Block D;
  - (iv) a maximum of 39,700 square metres of **gross floor area** and 524 **dwelling units** on Block E;
  - (v) a maximum of 105,000 square metres of **gross floor area** and 1,475 **dwelling units** on Block F; and

- (vi) a maximum of 43,800 square metres of **gross floor area** and 638 **dwelling units** on Block G;
- (M) Of the total number of **dwelling units** permitted in Provision (L) above, each **building** on Block C, Block D, Block E, Block F, Block G and Block I with more than 80 **dwelling units** will include:
  - (i) a minimum of 25 per cent must be two-bedroom **dwelling units**; and
  - (ii) a minimum of 10 per cent must be three-bedroom **dwelling units** or larger;
- (N) Despite Regulation 40.10.20.10(1), residential uses are not permitted on all or any part of Block B;
- (O) A minimum of ten per cent of all **gross floor area** on the **lot** will be provided as non-residential uses;
- (P) A minimum of 2,787 square metres of **gross floor area** will be provided as **community centre** uses on Block F;
- (Q) In addition to the exclusions listed in Clause 40.5.40.40, the **gross floor area** of a **building** on Block F is also reduced by:
  - (i) the **community centre** required by **Schedule A** of this By-law;
- (R) Despite Regulations 40.10.40.70(3) and 40.10.40.80(2) the required minimum **building setbacks** and minimum separation of **main walls** must be provided as shown on Diagram 5, Diagram 6, Diagram 7, Diagram 8, Diagram 9, and Diagram 10 of By-law [Clerks to supply by-law ##];
- (S) Despite Regulation 40.5.40.60(1) and Clause 40.10.40.60, the following elements of a **building** may encroach into the required **building setback**, stepback or separation distance between **main walls**:
  - (i) public art features and **landscaping**;
  - (ii) wind mitigation features, to a maximum of 3.0 metres; and
  - (iii) awnings and canopies may encroach a maximum of 2.7 metres into the required **building setbacks** identified on Diagram 5, Diagram 6, Diagram 7, Diagram 8, Diagram 9, and Diagram 10, if no part of the canopy, awning or similar structure is more than 5.0 metres above the elevation of the ground directly below it;
- (T) Despite Regulation 40.10.40.60(1), balconies may not encroach into the required **building setbacks**, for the portion of the **building** below a tower as defined in provision (I) above, as identified on Diagram 5, Diagram 6, Diagram 7, Diagram 8,

Diagram 9, and Diagram 10, with the exception of juliette balconies which may encroach a maximum of 0.5 metres into the required **building setbacks**;

- (U) Despite Regulation 40.10.40.50(1), for the purpose of this By-law [**Clerks to provide by-law ###**], the required **amenity space** may be distributed and shared within each Block.
- (V) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained on the lands in accordance with the following:
  - (i) a minimum of 0.5 **parking spaces** must be provided for each **dwelling unit**;
  - (ii) a minimum of 0.1 visitor **parking spaces** must be provided for each **dwelling unit**; and
  - (iii) a minimum of 1.0 **parking spaces** must be provided for each 100 squares metres of **gross floor area** for permitted non-residential uses, including the **community centre** on Block F;
- (W) Despite Regulations 200.5.10.1 (2), (3) and (5) and Provision (V) above, **parking spaces** required for non-residential uses, including the **community centre** on Block F, and for **dwelling unit** visitors may be:
  - (i) shared on a non-exclusive basis,
  - (ii) provided within **public parking** in a **parking garage**, and/or
  - (iii) located within the same Block;
- (X) Despite Regulation 200.5.1.10(2)(A)(ii) and Provision (V) above;
  - (i) a minimum of 10 of the required **parking spaces** must be for the exclusive use of the **community centre** in a **building** on Block F during its hours of operations; and
  - (ii) a minimum of three **parking spaces** under (i) above must have a minimum width of 3.9 metres;
- (Y) For the purposes of this By-law [**Clerks to provide by-law ###**], required **parking spaces** on Block G may be provided on Block B;
- (Z) Despite Regulation 200.5.10.1(1), "car-share **parking spaces**" may replace **parking spaces** otherwise required for residential occupants, subject to the following:
  - (i) a reduction of four (4) resident occupant **parking spaces** will be permitted for each "car-share **parking space**" provided; and

- (ii) the maximum reduction permitted be capped by the application of the following formula:
    - a. four (4) multiplied by the total number of **dwelling units** divided by 60, and rounded down to the nearest whole number;
  - (iii) for the purposes of this exception, “car-share” means the practice whereby a number of people share the use of one or more **vehicles** and such “car-share” motor **vehicles** are made available to at least the occupants of the building or short-term rental, including hourly rental; and
  - (iv) for the purposes of this exception, “car-share **parking space**” means a parking space exclusively reserved and signed for a **vehicle** used only for car-share purposes;
- (AA) Despite (V) above, the total minimum number of vehicle **parking spaces** required on the lands may be reduced at a rate of 1 vehicle **parking space** for every 5 **bicycle parking spaces** provided in excess of the minimum number of **bicycle parking spaces** required, if the reduction of vehicle **parking spaces** is not greater than 20% of the total minimum vehicle **parking spaces** required;
- (BB) Despite Regulation 200.15.1(1), (3) and (4), accessible **parking spaces** must be provided on each Block as follows:
- (i) An accessible parking space must have the following minimum dimensions:
    - a. length of 5.6 metres;
    - b. width of 3.4 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;
  - (iii) Accessible parking spaces must be the parking spaces closest to a barrier free:
    - a. entrance to a building;
    - b. passenger elevator that provides access to the first storey of the building; and
    - c. and shortest route from the required entrances in (BB)(iii)a. and b;
- (CC) Clauses 200.15.10.10 - Parking Rate - Accessible Parking Spaces and 200.15.10.5 - Effective Parking Spaces, do not apply, provided that accessible **parking spaces** are

provided in accordance with Regulations 200.15.10(1) and (2), as they read prior to February 3, 2022;

- (DD) On Block B, a **loading space** must be located within **building B1**;
- (EE) Despite Regulation 230.5.1.10(4), if a stacked **bicycle parking space** is provided, its minimum dimensions must comply with the following:
  - (i) minimum length of 1.8 metres;
  - (ii) minimum width of 0.4 metres;
  - (iii) minimum vertical clearance of 1.2 metres;
- (FF) Despite Provisions (D)(ii), (E), (F), (K)(ii), (Q), (R), (S) and (U) with respect to any **building** or **structure** on Block C, the following provisions apply to any **building** or **structure** on Block I as shown on Diagram 11 attached to By-law [Clerks to supply by-law ##]:
  - (i) Despite Regulation 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum elevation of 157.00 metres and the elevation of the highest point of the **building** or **structure**;
  - (ii) Despite Regulation 40.10.40.10(3), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" on Diagram 11 attached to By-law [Clerks to supply by-law ##];
  - (iii) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** for each **building** is the number following the letters "ST" symbol on Diagram 11 attached to By-law [Clerks to supply by-law ##];
  - (iv) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** must not exceed 22,720 square metres and 361 **dwelling units**;
  - (v) Of the total number of **dwelling units** permitted in Provision (EE)(iv) above, each building on Block I with more than 80 **dwelling units** will include:
    - a. a minimum of 25 per cent must be two-bedroom **dwelling units**; and
    - b. a minimum of 10 per cent must be three-bedroom **dwelling units** or larger;
  - (vi) Despite Clause 40.5.40.70 and Regulations 40.10.40.70(3) and 40.10.40.80(2) the required minimum **building setbacks** and minimum distance between **main walls** must be provided as shown on Diagram 11 of By-law [Clerks to supply by-law ##];

- (vii) Despite Regulation 40.5.40.60(1) and Clause 40.10.40.60, the following elements of a **building** may encroach into the required **building setback**, **stepback** or separation distance between **main walls**:
    - a. public art features and **landscaping**;
    - b. wind mitigation features, to a maximum of 3.0 metres; and
    - c. awnings and canopies may encroach a maximum of 2.7 metres into the required **building setbacks** identified on Diagram 11, if no part of the canopy, awning or similar structure is more than 5.0 metres above the elevation of the ground directly below it;
  - (viii) Despite Regulation 40.10.40.60(1), balconies may not encroach into the required **building setbacks**, for the portion of the **building** below a tower as defined in Provision (I) above, as identified on Diagram 11, with the exception of Juliette balconies which may encroach a maximum of 0.5 metres into the required **building setbacks**;
  - (ix) Despite Regulations 200.5.1.10 (2), and (3), **parking spaces** required for non-residential uses and for **dwelling unit** visitors may be shared on a non-exclusive basis, and may be provided within a **public parking** in a **parking garage** on this Block;
- (GG) The issuance of **building** permits, excluding demolition permits, are subject to the following:
- (i) prior to issuance of any above-grade **building** permit for any **building** on Block F, as shown on Diagram 2 and Diagram 5 attached to By-law [**Clerks to supply by-law**], the **streets** identified as **street A1** and **street B** on Diagram 2, Diagram 3 and Diagram 5 of By-law [**Clerks to supply by-law ##**] must be constructed and conveyed to the City;
  - (ii) prior to issuance of any **building** permit for any **building** on Block B and Block G, as shown on Diagram 2 and Diagram 5 attached to By-law [**Clerks to supply by-law ##**], the **streets** identified as **street A1** and **street B** on Diagram 2, Diagram 3 and Diagram 5 of By-law [**Clerks to supply by-law ##**] must be constructed and conveyed to the City;
  - (iii) prior to issuance of any **building** permit for any **building** on Block C, Block D and Block E, as shown on Diagram 2 and Diagram 5 attached to By-law [**Clerks to supply by-law ##**], the **streets** identified as **street A2** and **street C** on Diagram 2, Diagram 3 and Diagram 5 of By-law [**Clerks to supply by-law ##**] must be constructed and conveyed to the City;
  - (iv) prior to issuance of any **building** permit for **building B2**, **building B3** and **building B4**, as shown on Diagram 5 and Diagram 7 attached to By-law [**Clerks to supply by-law ##**], the **streets** identified as **street A2** and **street**



C on Diagram 2, Diagram 3 and Diagram 5 of By-law [**Clerks to supply by-law ##**] must be constructed and conveyed to the City;

- (v) prior to issuance of any **building** permit for any **building** on Block C, Block D, Block E and Block G, as shown on Diagram 2 and Diagram 5 attached to By-law [**Clerks to supply by-law**], the **community centre** on Block F required as outlined Schedule A of this By-law must be conveyed to the City; and
- (vi) prior to issuance of any **building** permit for **building B2, building B3, building B4** or any **building** on Block C, Block D and Block E, as shown on Diagram 2, Diagram 5 and Diagram 7 attached to By-law [**Clerks to supply by-law**], the lands zoned OR on Diagram 3 [**Clerks to supply by-law**] and labelled as Block A1 and Block A2 on Diagram 5, Diagram 6 and Diagram 11 of By-law [**Clerks to supply by-law**] must be conveyed to the City.

Prevailing By-laws and Prevailing Sections: (none apply)

- (HH) No provision in the former City of Scarborough Zoning By-law (Clairlea Community) No. 8978 applies to the lands in Diagram 1 attached to this By-law, subject to (FF) below;
  - (II) Until such time as any building permit is applied for on any portion of the lands identified on Diagram 12 to construct any building or structure in accordance with the provisions of this By-law, the former City of Scarborough Zoning By-law (Clairlea Community) No. 8978, as amended, and the City of Toronto By-Law 569-2013, as amended, as it read on the day before this By-law is enacted, shall apply to the lands identified on Diagram 12.
8. Despite any future severance, partition or division of the **lot** as shown on Diagram 1, the provisions of this By-law shall apply as if no severance, partition or division occurred.
9. Section 37 Provisions
- (A) 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*, S.O. 2020, C.18, as amended, came into force, and subject to compliance with this By-law, the increase in height and/or density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense, of the facilities, services and matters set out in Schedule A hereof which are secured by one or more agreements pursuant to Section 37 (3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
  - (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a **building** permit, the issuance of such permit shall be dependent upon satisfaction of the same;

- (C) The owner shall not use, or permit the use of, a **building** or **structure** erected with an increase in height and density pursuant to this By-law unless all applicable provisions of Schedule A are satisfied; and
- (D) Once the agreement or agreements securing the facilities, services and matters set out in Schedule A have been executed and registered, the provisions of Schedule A shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.

## 10. Holding Provisions

- (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 3 attached to and forming part of this By-law must not be used for any purpose other than those uses and buildings existing on the site as of date of passing this By-law on the lands shown on Diagram 1 attached to this By-law until the "(H)" symbol has been removed.
- (B) An amending by-law to remove the "(H)" symbol may be enacted by City Council with respect to each **building** or block when the following conditions have been fulfilled to the satisfaction of the City Solicitor, the Chief Engineer and Executive Director, Engineering and Construction Services, the General Manager, Toronto Water and Council:
  - (i) The owner has, at its sole cost and expense, submitted an engineering report prepared by the qualified engineer that confirms the **building** or block to which the amending by-law to remove the "(H)" is subject to will not exceed the available capacity of 198 l/sec in the Bermondsey Trunk Sewer to accommodate such development, acceptable and satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Toronto Water; or
  - (ii) To accommodate additional flows beyond 198 l/sec of the available capacity of the Bermondsey Trunk Sewer, the Bermondsey Trunk Sewer has been upgraded and such upgrade is operational to accommodate such additional flows beyond 198 l/sec, satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Toronto Water.
- (C) An amending by-law to remove the "(H)" symbol may be enacted by City Council with respect to Block C, Block D, and Block I when the following conditions have been fulfilled to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning and Council:
  - (i) The owner has, at their sole cost and expense, submitted a Compatibility/Mitigation Study, including assessments of Noise, Vibration, Dust, Odour, and Air Quality, including a determination of whether Block C, Block D and/or Block I may be recommended as Class 4 designation, all

subject to a third peer review at the owner's expense, for which studies may be submitted separately or jointly, that are acceptable and satisfactory to the Chief Planner and Executive Director, City Planning and thereafter has secured such matters in a manner satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor.

Ontario Land Tribunal Decision issued on April 13, 2022 and Order effective on **August 10, 2022** in File OLT-22-002229.

## SCHEDULE A

### Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands shown in Diagram 1 in this By-law. Prior to the issuance of any **building** permit, the owner shall enter into an agreement, on such terms and conditions, including upwards indexing, securities, details and requirements, to the satisfaction of the City Solicitor pursuant to Section 37(3) and (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*, S.O. 2020, C.18, as amended, came into force, (the "**Section 37 Agreement**") to secure the community benefits and matters required to support the development below, whereby the owner agrees as follows:

#### Community Benefits

##### *Community Space*

1. The Owner shall design, construct, and convey to the City, for nominal consideration and at no cost to the City, a minimum 2,787 square metres of useable GFA of community space located on the second floor and inclusive of any dedicated entrances and areas used for dedicated vestibules located on the first and second floor, in fee simple interest, in an acceptable environmental condition, on such terms and conditions as set out in the Section 37 Agreement all satisfactory to the Executive Director, Corporate and Real Estate Management (the "**Executive Director, CREM**"), the Chief Planner and Executive Director, City Planning (the "**Chief Planner**") and the City Solicitor (the "**Community Space**"). For greater certainty, the Community Space shall not form a unit within any condominium within the development.
2. The Community Space shall also include a minimum of ten (10) parking spaces in a location satisfactory to the Chief Planner, which will be signed and available for the exclusive use of visitors to the Community Space during the typical operating hours of the tenant(s) of the Community Space, with a minimum of three of those exclusive spaces having a minimum width of 3.9 metres to accommodate accessible parking for visitors of the Community Space. Outside of the typical operating hours of the tenant(s) of the Community Space, the parking spaces may be shared with any of the non-residential uses on Block F.
3. No **building** permit shall be issued for any **building** on Block C, Block D, Block E and Block G, until such time as the Community Space is conveyed to the City satisfactory to the Executive Director, CREM, and the City Solicitor.
4. The Owner shall convey the Community Space to the City, the earlier of:
  - (A) the registration of any condominium for any **building** on Block F;
  - (B) fifty percent (50%) of the **dwelling units** that are not New Affordable Housing Units being constructed and ready for occupancy on Block F; and

- (C) No later than five (5) years after the issuance of any above-grade **building** permit for any Building on Block F,
5. Prior to issuance of the first above-grade **building** permit for all or any part of the development on the lands, the Owner shall first provide the City with a cost estimate of the Community Space satisfactory to the Chief Planner, the Executive Director, CREM, and the Executive Director, Social Development and Finance Administration (the "**Executive Director, S DFA**"), and subsequent to acceptance of the cost estimate, the Owner shall provide to the City Financial Security that is one hundred and twenty (120%) percent of the value of the Community Space. The Owner may elect to apply for reduction(s) of the Financial Security provided to the City for the Community Space as follows:
- (A) Fifty (50) percent at Base Building Condition, as defined in the Section 37 Agreement;
- (B) Twenty (20) percent at substantial completion of the Community Space under the *Construction Act* to Base Building Condition as set out in Schedule F, as defined in the Section 37 Agreement;
- (C) Twenty (20) percent at the end of the construction lien period under the *Construction Act*, provided there are no liens registered that have not been either vacated or discharged at the time of the request for reduction under this Subsection in respect of the Community Space; and,
- (D) Ten (10) percent upon the expiry of the Community Space Warranty Period, as defined in the Section 37 Agreement.
6. For the purposes of Section 5 above, the value of the Community Space is \$13,500,000.00 (the "**CS Value**") which at 120% of that value is Sixteen Million, Two Hundred Thousand Dollars (\$16,200,000.00) (the "**CS LC Amount**"). The CS LC Amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, in accordance with the Section 37 Agreement.
7. Prior to the issuance of the above-grade **building** Permit for any **building** on Block F on the lands, the Owner shall prepare the final Design Submission for the Community Space and the Owner shall obtain written approval from to the Chief Planner, the Executive Director, CREM, and the Executive Director, S DFA for such final Design Submission of the Community Space, as defined in the Section 37 Agreement.

#### *Affordable Housing*

8. The Owner shall construct (or cause the construction of), provide, and maintain on the Lands, in one or more new **mixed use building(s)**, at least one hundred and thirty (130) New Secured Rental Units, all of which shall be New Affordable Rental Units, at 100% AMR for a minimum fifteen (15) year affordability period, on such terms and conditions as specified in the Section 37 Agreement, with the unit mix as set out below:
- (A) 65% one-bedroom **dwelling units**;

- (B) 25% two-bedroom **dwelling units**; and
  - (C) 10% three-bedroom **dwelling units**;
9. The Parties agree that the distribution of the one hundred and thirty (130) New Secured Rental Units, all of which shall be New Affordable Rental Units, shall be as follows:
- (A) A minimum of fifty percent (50%) in one or more **buildings** on Block G; and
  - (B) A minimum of fifty percent (50%) on one or more **buildings** on Block D.
10. Despite Section 9(B) above, the Owner may, with written consent from the Chief Planner, provide some of the New Affordable Rental Units in accordance with terms and conditions specified in the Section 37 Agreement within one or more **buildings** on Block F, with such corresponding reduction in the number of New Affordable Rental Units in one or more **buildings** on Block D, satisfactory to the Chief Planner.
11. Despite Section 9(B) above, the Owner may, with written consent from the Chief Planner, provide additional New Affordable Rental Units in accordance with terms and conditions specified in the Section 37 Agreement, within one or more **buildings** on Block G, with such corresponding reduction in the number of New Affordable Rental Units in one or more **buildings** on Block D, satisfactory to the Chief Planner.
12. The Owner covenants and agrees that no **building** permit shall be issued for any **building** located on Block C, Block D, and Block E, until the New Affordable Rental Units are available for Residential Occupancy on Block G.
13. The Building or Buildings containing the New Affordable Rental Units on Block G shall be substantially completed the earlier of:
- (A) prior to registration of any Condominium under the *Condominium Act* for any **building** on Block G;
  - (B) prior to fifty percent (50%) of the **dwelling units** that are not the New Affordable Rental Units being constructed and ready for Residential Occupancy on Block G; and
  - (C) no later than five (5) years after issuance of any above-grade **building** permit for the first **building** on Block G.
14. The Owner covenants and agrees that no **building** Permit shall be issued for any **building** located on Block C and Block E, until the Owner has obtained and have issued an Above-Grade **building** Permit for the **building** containing the New Affordable Rental Units on Block D.
15. The Owner covenants and agrees that no above-grade **building** permit shall be issued for any other **building** located on Block D, until the Owner has obtained and have issued an above-grade **building** Permit for the **building** containing the New Affordable Rental Units on Block D.

16. The Owner covenants and agrees that no Above-Grade Building Permit shall be issued for any **building** located on Block C, until the New Secured Rental Units are available for Residential Occupancy in a **building** located on Block D.
17. The Building or Buildings containing the New Affordable Rental Units on Block D shall be substantially completed the earlier of:
  - (A) prior to registration of any Condominium under the *Condominium Act* for any Building on Block D;
  - (B) prior to fifty percent (50%) of the Dwelling Units that are not the New Affordable Rental Units being constructed and ready for Residential Occupancy on the on Block D; and
  - (C) no later than five (5) years after issuance of any above-grade **building** permit for the first **building** on Block D.
18. If in accordance with the Section 37 Agreement that all of the New Affordable Rental Units are transferred to Block F or Block G, and all of the New Secured Rental Units are available for Residential Occupancy in one or more **buildings** located on Block D and/or Block F, then Sections 12, 14, and 16 will no longer apply to prevent the issuance of a **building** permit or above-grade **building** permit.
19. If Section 10 above applies, the following Sections 20 and 21 apply.
20. The Owner covenants and agrees that no **building** Permit shall be issued for any **building** located on Block C, Block D, and Block E, until the New Affordable Rental Units are available for Residential Occupancy in a **building** located on Block F.
21. The **building** or **buildings** containing the New Affordable Rental Units on Block F shall be substantially completed the earlier of:
  - (A) prior to registration of any Condominium under the *Condominium Act* for any Building on Block F;
  - (B) prior to fifty percent (50%) of the Dwelling Units that are not the New Affordable Rental Units being constructed and ready for Residential Occupancy on the on Block F; and
  - (C) no later than five (5) years after issuance of any above-grade **building** permit for the first **building** on Block F.
22. The Owner agrees to provide and maintain, at a minimum, six (6) or more New Affordable Rental Units in a contiguous grouping (horizontally, vertically or both) within one or more new **mixed use building(s)** to the satisfaction of the Chief Planner.

## Matters Required to Support the Development

### *Public Art*

23. The Owner agrees that it will make a contribution having a value of One Million Dollars (\$1,000,000), indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, in accordance with the Public Art program set forth in this Section (the “**Public Art Contribution**”).
24. The Owner shall select one of the following three options in order to comply with the Public Art program:
- (A) **Option 1** – The Owner will donate the cash value of the Public Art Contribution to the City’s capital budget for Public Art programs;
  - (B) **Option 2** – The Owner will commission Public Art works and/or collaborative Public Art works equal in value to the Public Art Contribution, and such works will be located upon the Lands or on City-owned lands in accordance with the provisions of this Section; or
  - (C) **Option 3** – The Owner will combine Options 1 and 2, provided that the total expenditure is equal to the Public Art Contribution. In this instance, all provisions applicable to Option 1 or Option 2, as the case may be, will apply to the relevant portions of any Option 3 proposal.
25. The Owner shall advise the City, in writing, of its chosen Option in Section 24 above prior to the issuance of the first **building** permit respecting the Development.
- (A) If Option 1 applies, prior to the issuance of the first above-grade **building** Permit for the Development, the Owner shall deliver to the City cash contribution in the amount of the Public Art Contribution.
  - (B) If Option 2 applies, prior to the issuance of the first Building Permit for the Development, the Owner shall prepare, at its expense, a Public Art plan (the “Public Art Plan”) for the provision of Public Art upon the Lands or adjacent City-owned lands, and submit the Public Art Plan to the Commission for recommendation and to City Council for approval.

### *Transportation Demand Management*

26. Prior to the issuance of any above-grade **building** Permit on each Block where bike-share stations are planned for and identified in the Site Plan Application satisfactory to the Chief Planner and the General Manager, Transportation Services (the “**General Manager, Transportation**”), the Owner shall pay to the City a cash contribution in the sum of Fifty Thousand Dollars (\$50,000.00) per Block, up to a total sum of Five Hundred Thousand Dollars (\$500,000.00), indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, calculated from the effective date of the Order of the Tribunal on this By-law to the date of payment, for



the implementation of ten (10) bike-share stations, at locations as may be determined by the Chief Planner and the General Manager, Transportation.

27. Prior to the issuance of any above-grade **building** permit on each Block where bike repair stations are planned for and identified in the Site Plan Application satisfactory to the Chief Planner and the General Manager, Transportation, the Owner shall provide Financial Security in the sum of Two Thousand Dollars (\$2,000.00), indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, calculated from the effective date of the Order of the Tribunal on this By-law to the date of the provision of the Financial Security, for each bike repair station per Building for eight (8) bike repair stations for all Blocks on the Lands, and thereafter provide evidence of installation in a form satisfactory to the General Manager, Transportation for such Financial Security to be returned.
28. Prior to the issuance of first above-grade **building** permit on each Block, the Owner shall provide Financial Security for the provision of eight (8) real time transportation information screens at a value of Five Thousand Dollars (\$5,000.00) per display, indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, calculated from the effective date of the Order of the Tribunal on this By-law to the date of the provision of the Financial Security, where planned and thereafter provide evidence of installation, in such a form satisfactory to the General Manager, Transportation for such Financial Security to be returned.
29. Prior to the issuance of the first above-grade **building** Permit for any **building** on Block B, any **building** on Block D, any building on Block C, or any **building** on Block E, in the event that the Transit Corridor Study for Victoria Park Avenue has not commenced, the Owner shall provide a cash contribution in the amount of One Hundred and Twenty Five Thousand Dollars (\$125,000.00), indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, calculated from the effective date of the Order of the Tribunal on this By-law to the date of payment.
30. The Owner shall provide a PRESTO pass to each of the New Affordable Rental Units, each pre-loaded with the value of one (1) yearly PRESTO fare to the satisfaction of the Chief Planner and the General Manager, Transportation. The Owner shall ensure that such PRESTO passes are available for the New Affordable Rental Units prior to such New Affordable Rental Units being made available for Residential Occupancy in accordance with terms of the Section 37 Agreement.
31. The Owner shall provide 500 bike share annual memberships each for one (1) year, on a phased basis for each Block where bike share stations are planned for and identified in the Site Plan Application, to the satisfaction of the Chief Planner and the General Manager, Transportation, of which, there shall be bike share memberships provided to each of the Affordable Rental Units. The Owner shall ensure that such bike share annual memberships are available for the New Affordable Rental Units, prior to such New Affordable Rental Units being made available for Residential Occupancy in accordance with terms of the Section 37 Agreement.

*Municipal Servicing*

32. The Owner covenants and agrees that no **building** permits shall be issued for any **building** located on Block G, any **building** located on Block B, any **building** located on Block E, and any **building** located on Block F, until the three separate segments of sanitary sewers downstream of the development are upgraded, at the Owner's sole cost and expense, to accommodate the flows from the Development and other developments, being the:
- (A) New sanitary and storm sewers along Victoria Park Avenue;
  - (B) Sanitary sewer upgrades along East-West Craigton Drive required to service Block G, Block B and Block F;
  - (C) Sanitary sewer upgrades along Hydro Corridor; and
  - (D) Watermain upgrade along Rannock Street (from north-south Craigton Drive to Pharmacy Avenue) from 200 mm to 300 mm diameter watermain .
33. The Owner covenants and agrees that no **building** permits shall be issued for any **building** located any Block on the Lands until the watermain has been upgraded along east-west Craigton Drive and Rannock Street (from north-south Craigton Drive to Pharmacy Avenue) from 200 mm to 300 mm diameter and are constructed and operational, at the Owner's sole cost and expense, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services (the "**Chief Engineer**").
34. The Owner covenants and agrees that:
- (A) no **building** permits shall be issued for **building** B1, any **building** located on Block G, any **building** located on Block F, and any **building** located on Block E, until a looped watermain distribution system along Eglinton Avenue East between Street B and Victoria Park Avenue is constructed and operational, at the Owner's sole cost and expense, and satisfactory to the Chief Engineer and General Manager, Toronto Water;
  - (B) no Building Permits shall be issued for Building B2, Building B3, Building B4, any Building located on Block C, any Building on Block D and any Building on Block E, until a looped watermain distribution system along Eglinton Avenue East between Street B and Street C is constructed and operational, at the Owner's sole cost and expense and satisfactory to the Chief Engineer and General Manager, Toronto Water.
35. Notwithstanding Clauses 32, 33, and 34 above, a below-grade **building** Permit may be issued for Block F when the Owner has entered into a Municipal Infrastructure Agreement satisfactory to the Chief Engineer as specified in the Section 37 Agreement.
36. At least one (1) year prior to the submission of a Site Plan Application and application for any permit under the *Building Code* for Block C, the Owner may make a request to the General Manager, Transportation for the closure of Block H2 and make a request to the Executive Director, CREM that Block H2 be declared surplus by the City. The Owner acknowledges

and agrees that the identification of this process in no way fetters the discretion or authority of the City in sale, control and disposition of Block H2 for any purpose it deems appropriate.

37. The requirement for the design of any upgrades or required improvements to the existing municipal infrastructure and/or new municipal infrastructure identified in the accepted Engineering Reports to support the development, including securing the provision of financial securities for any such upgrades or improvements, all to be provided at the sole cost and expense of the owner, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and such upgrades and/or improvements secured in the Section 37 Agreement and/or in Draft Plan of Subdivision Conditions.

*Block H2 and Starlight*

38. The Owner expressly agrees and recognizes that the authorization by City Council for the inclusion of Block H1 or Block H2, or any portion thereof, in this By-law does not fetter the discretion of the City in the operation, management and/or control of such lands, including any potential future disposition or non-disposition of such lands.
39. Where Block H2 is proposed to be acquired by the owner and the existing buildings on the lands at 1 Rannock Street, 32 and 40 Craigton Drive and 860 Pharmacy Avenue (“Starlight Lands”) continue to rely on municipal infrastructure within north-south Craigton Drive, alternate access and servicing connections, as required, to service the existing buildings on the Starlight Lands will be secured, at the cost of the applicant, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the owner of the Starlight Lands, acting reasonably; and
40. As part of the site plan approval process for **building** B1 as identified on Diagram 5 of this By-law, the Owner shall incorporate architectural features into the design of the north elevation of building B1 to create visual interest, to the satisfaction of the Chief Planner.

*Parkland Dedication*

41. Prior to the issuance any **building** permit for any **building** located on Block C, any **building** located on Block D, and any **building** located on Block E on the Lands, the Owner shall:
- (A) convey, in fee simple to the City, a minimum of 5,810 square metres of land for public park purposes in the general location identified as Block A2 on Diagram 5 of this By-law (the “**Parkland**”) to the satisfaction of General Manager, Parks, Forestry and Recreation;
- (B) convey the Parkland free and clear above-grade and below-grade of all physical obstructions and easements, encumbrances, unless otherwise permitted in writing by the General Manager, Parks, Forestry and Recreation or as otherwise permitted by the Section 37 Agreement, and free and clear of all title encumbrances including, but not limited to all easements, rights-of-way, leases, charges, and encroachments, including surface and subsurface easements, to the satisfaction of General Manager, Parks, Forestry and Recreation and the City Solicitor;

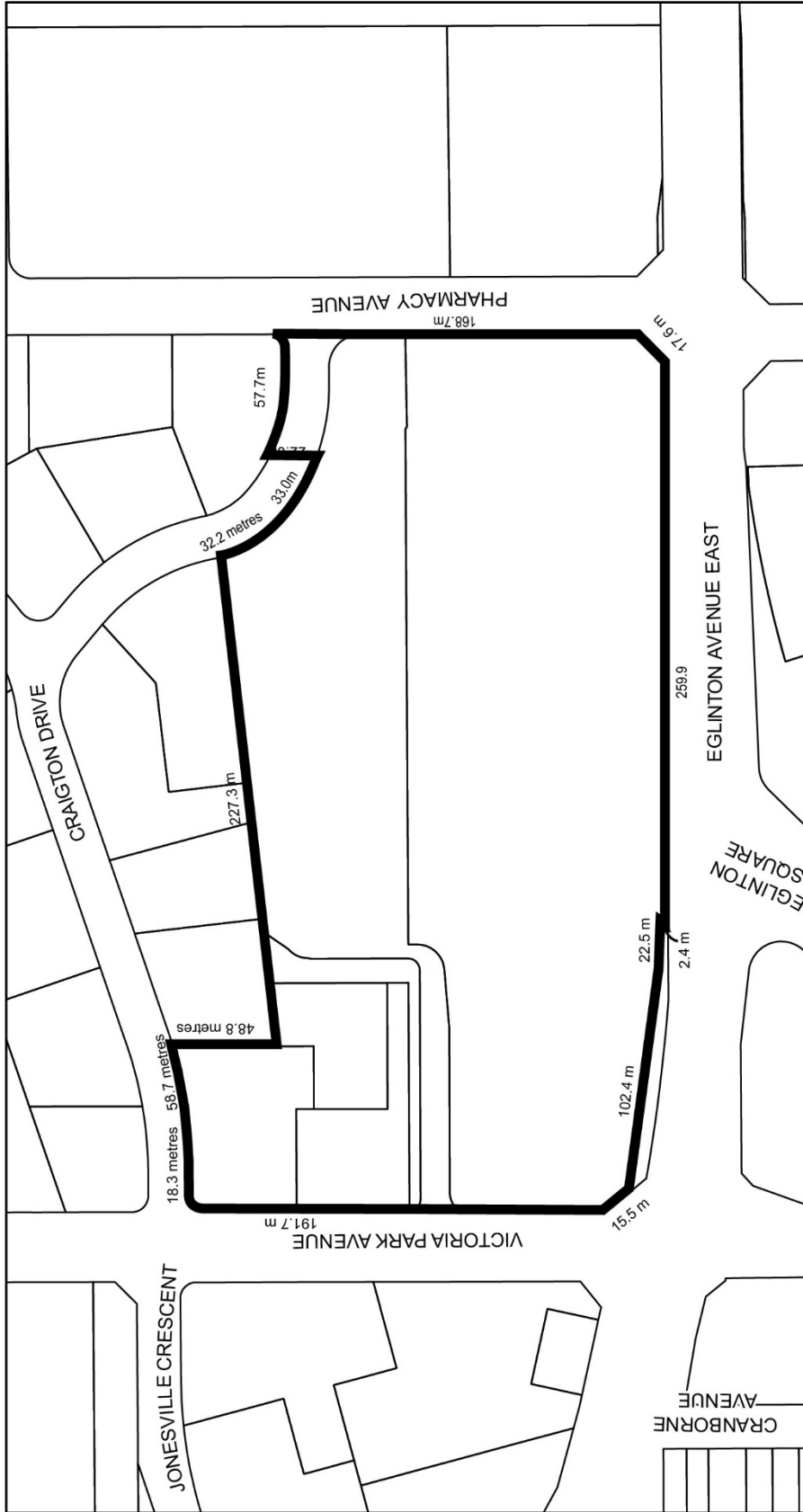
- (C) complete the environmental obligations outlined in this Agreement to the satisfaction of General Manager, Parks, Forestry and Recreation; and
  - (D) advise the General Manager, Parks, Forestry and Recreation, in writing, as to whether the Owner agrees to design and construct the Above Base Park Improvements for the Parkland.
42. Prior to the issuance of the first **building** Permit for any **building** located on Block C, Block D or Block E, the Owner shall:
- (A) submit separate plans and cost estimates for the proposed Base Park Improvements and, if applicable, the Above Base Park Improvements (the "**Park Improvements**"); and
  - (B) post a separate Financial Security to secure the Park Improvements in the amount of 120% of the value of each of the Base Park Improvements and, if applicable, the Above Base Park Improvements to the satisfaction of General Manager, Parks, Forestry and Recreation. This Financial Security shall be held for the installation and warranty of the Park Improvements. No credit shall be given toward the Parks and Recreation component of the Development Charges for costs associated with the Base Park Improvements.

*Privately Owned Publicly-Accessible Spaces*

43. The Owner shall construct and maintain, at its own expense, the following privately owned publicly-accessible spaces (the "**POPS**") and the Owner shall convey to the City, for nominal consideration, easement(s) along the surface of the lands, to the satisfaction of the City Solicitor, which shall constitute the POPS and any required public access easements to connect the POPS to adjacent POPS and/or public rights-of-way, where necessary; and the Owner shall own, operate, maintain and repair the POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the POPS at all times of the day and night, 365 days of the year subject to the terms of the Section 37 Agreement; and the specific location, configuration and design of the POPS shall be determined in the context of a Site Plan Approval for each building and/or block pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City, with the in the location of such POPS as generally shown on Diagram 5 of this By-law as follows:
- (A) Block F POPS with a minimum size of 380 square metres;
  - (B) Block G POPS with a minimum size of 560 square metres;
  - (C) Block E POPS with a minimum size of 680 square metres; and
  - (D) Block D POPS with a minimum size of 740 square metres and a minimum width of 10 metres along Street C.

*Other Matters*

44. The Owner shall provide, at their sole cost and expense, Wind Tunnel testing for the Development as part of each application for Site Plan and secure and implement all mitigation measures identified in any accepted wind tunnel study or report satisfactory to the Chief Planner.
45. The owner shall construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the owner shall be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the Site Plan Control application.
46. The owner shall satisfy conditions and requirements as identified in memorandums provided to the City on behalf of Metrolinx as it relates to the Eglinton Crosstown LRT, utility companies, Toronto District School Board and Toronto Catholic District School Board, based on their review of the development application, all to the satisfaction of the Chief Planner and secured in the appropriate agreement(s) satisfactory to the City Solicitor.
47. Prior to the issuance of Site Plan Approval for any part of the Lands, the Owner shall provide a design brief, to the satisfaction of the Chief Planner.
48. As part of the first Site Plan Application and prior to any Site Plan Approval on any part of the Lands, the Owner shall provide a public utilities plan for the entire Development to ensure, among other matters, that above ground and underground utilities and streetscape elements, such as street trees, sidewalk locations are located at appropriate locations for all new and existing streets and such plan should be submitted as a separate grayed out underlay and underlay on the Landscape Plan required above, for the entire Development, all satisfactory to the Chief Planner, the Chief Engineer, the General Manager, Transportation and the Director, Urban Forestry. The City acknowledges that Site Plan Approval for Block F may be granted in advance of the City's approval of the public utilities plan for the balance of the Lands.
49. The requirements for a construction management plan to be provided at the time of site plan approval, including but not limited to, 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, coordination with adjacent on-going development construction, parking and laneway uses and access, refuse storage, site security, site supervisor contact information, any required coordination with Metrolinx regarding the Eglinton Crosstown LRT, and a communication strategy with the surrounding community, and any other matters requested by the Chief Planner and the General Manager, Transportation.



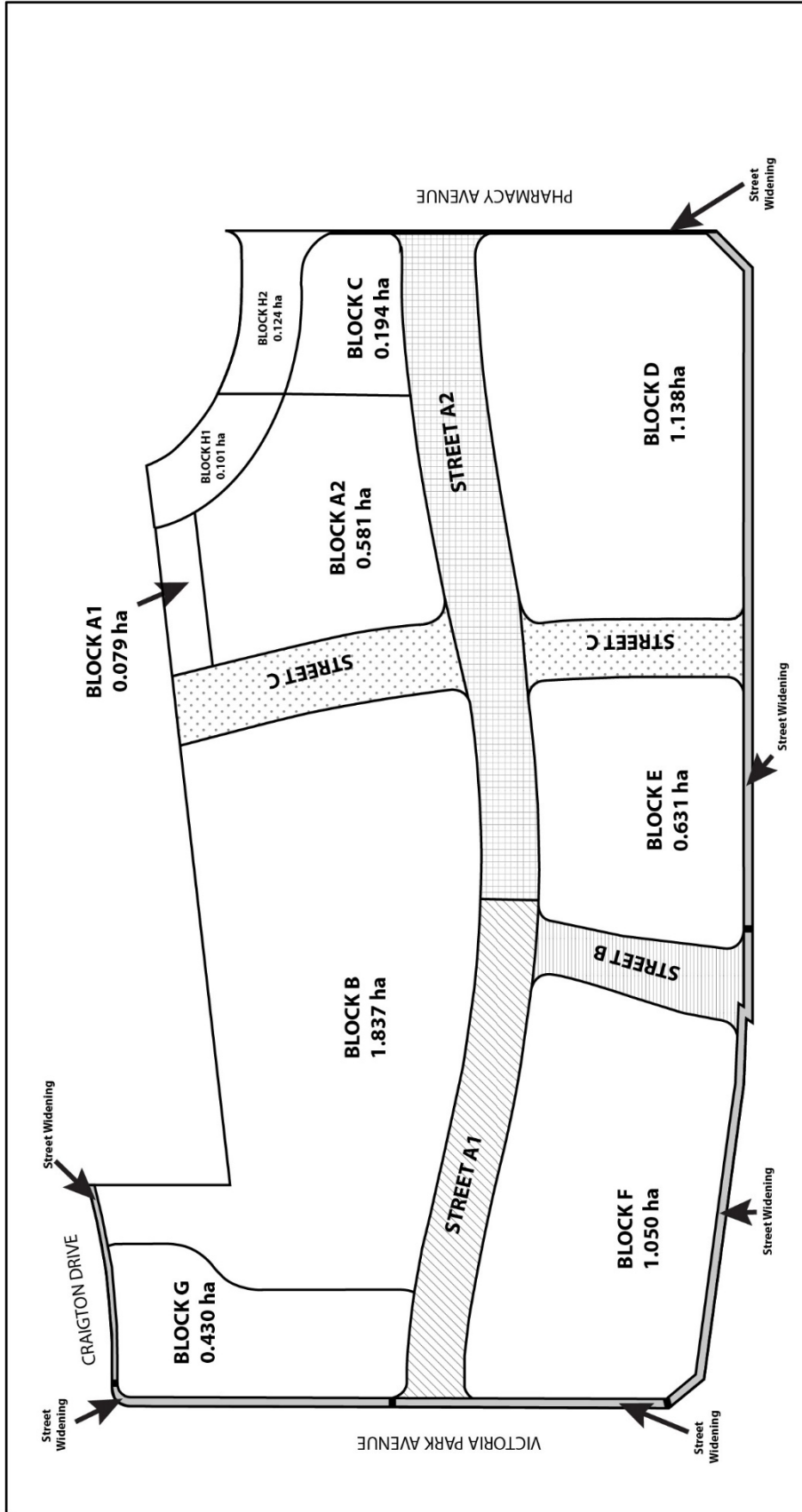
**Toronto**  
**Diagram 1**

**1880-1809 Eglinton Ave. East and  
 1523, 1525-1545 Victoria Park Ave**

File # 20 209175 ESC 21 0Z



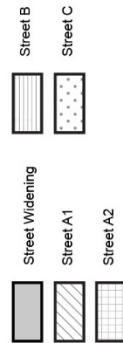
City of Toronto By-law 568-2013  
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 08/05/2022



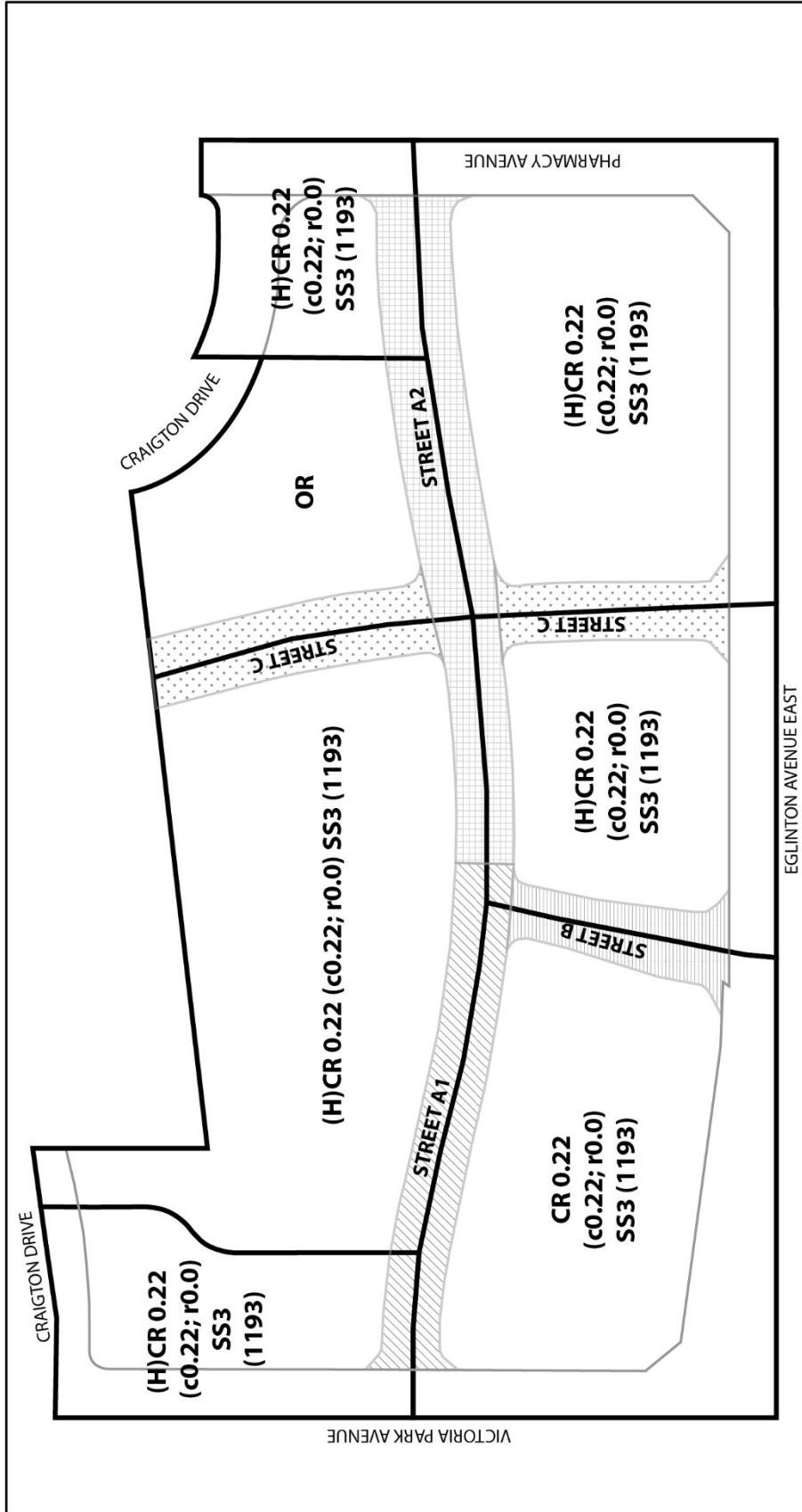
**1880-1809 Eglinton Ave. East and  
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File # 20 209175 ESC 21 02



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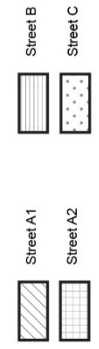


**TORONTO**  
**Diagram 3**

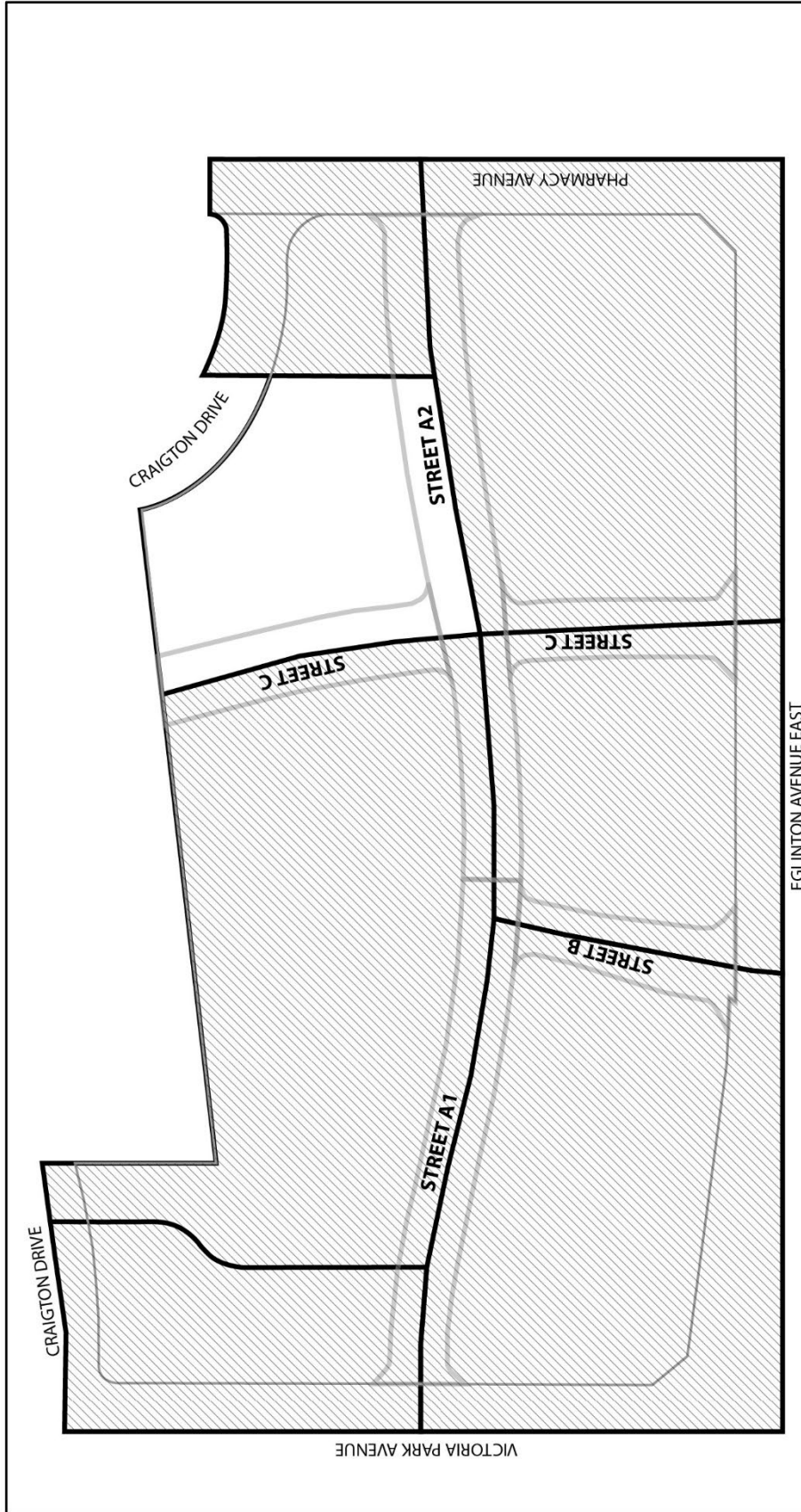
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City of Toronto By-law 569-2013  
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**TORONTO**  
**Diagram 4**

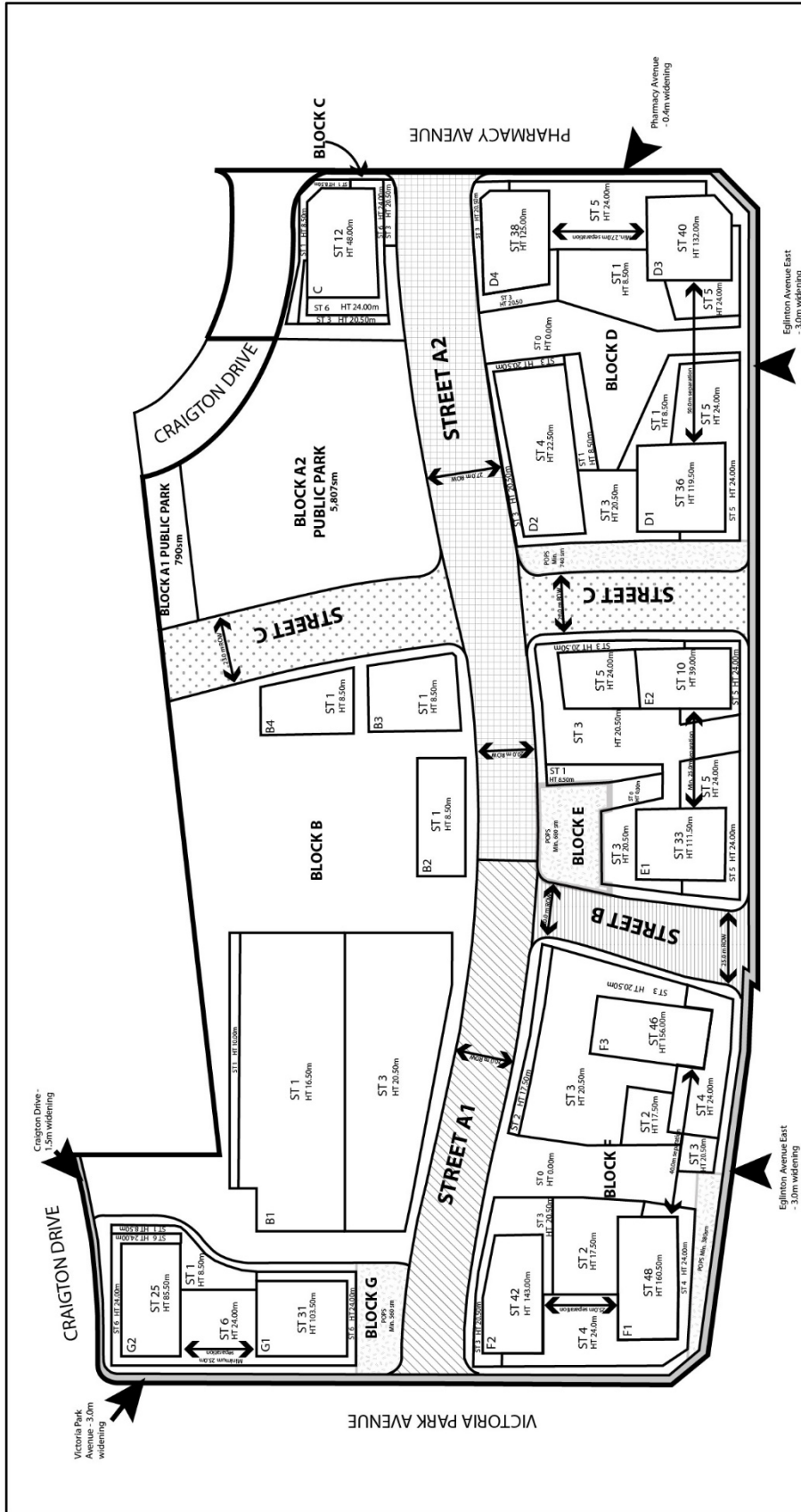
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 Policy Area 4 (PA4)

City of Toronto By-law 569-2013  
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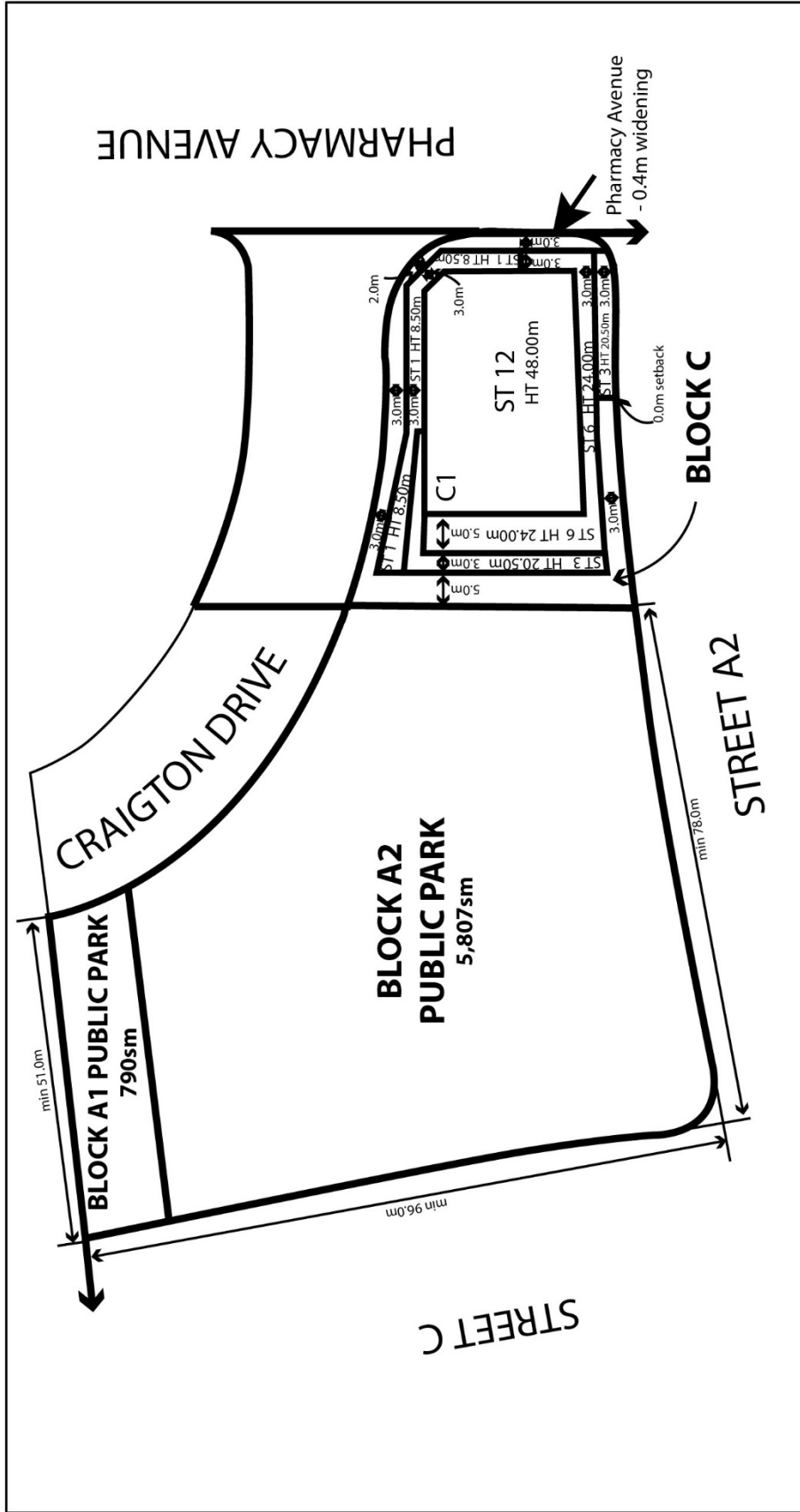
**1880-1809 Eglinton Ave. East and  
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File # 20 209175 ESC 21 0Z



City of Toronto By-law 569-2013  
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08/04/2022



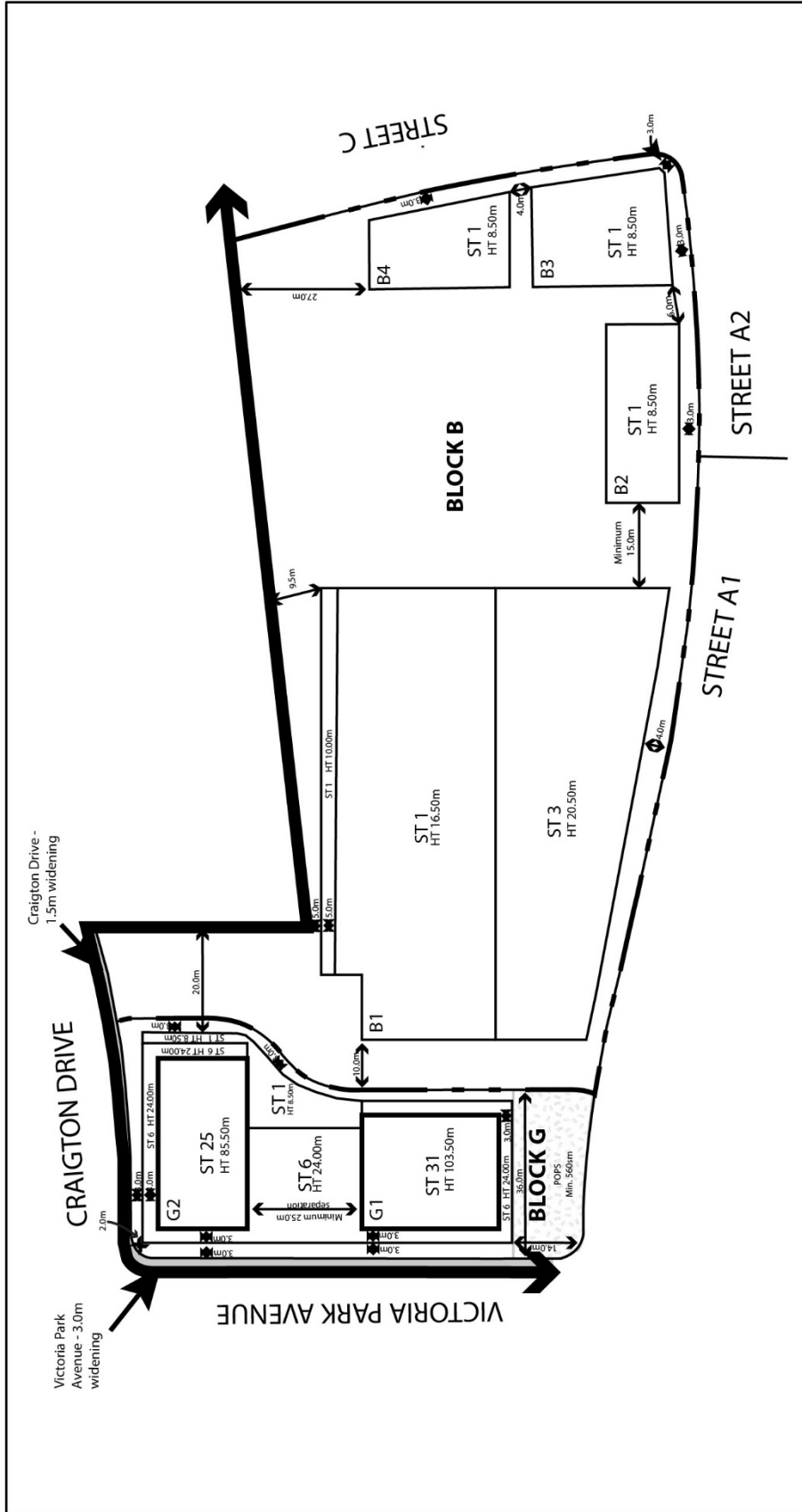
1880-1809 Eglinton Ave. East and  
1523, 1525-1545 Victoria Park Ave

File # 20 209175 ESC 21 0Z

Street Widening (as specified)



City of Toronto By-law 568-2013  
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**TORONTO**  
**Diagram 7**

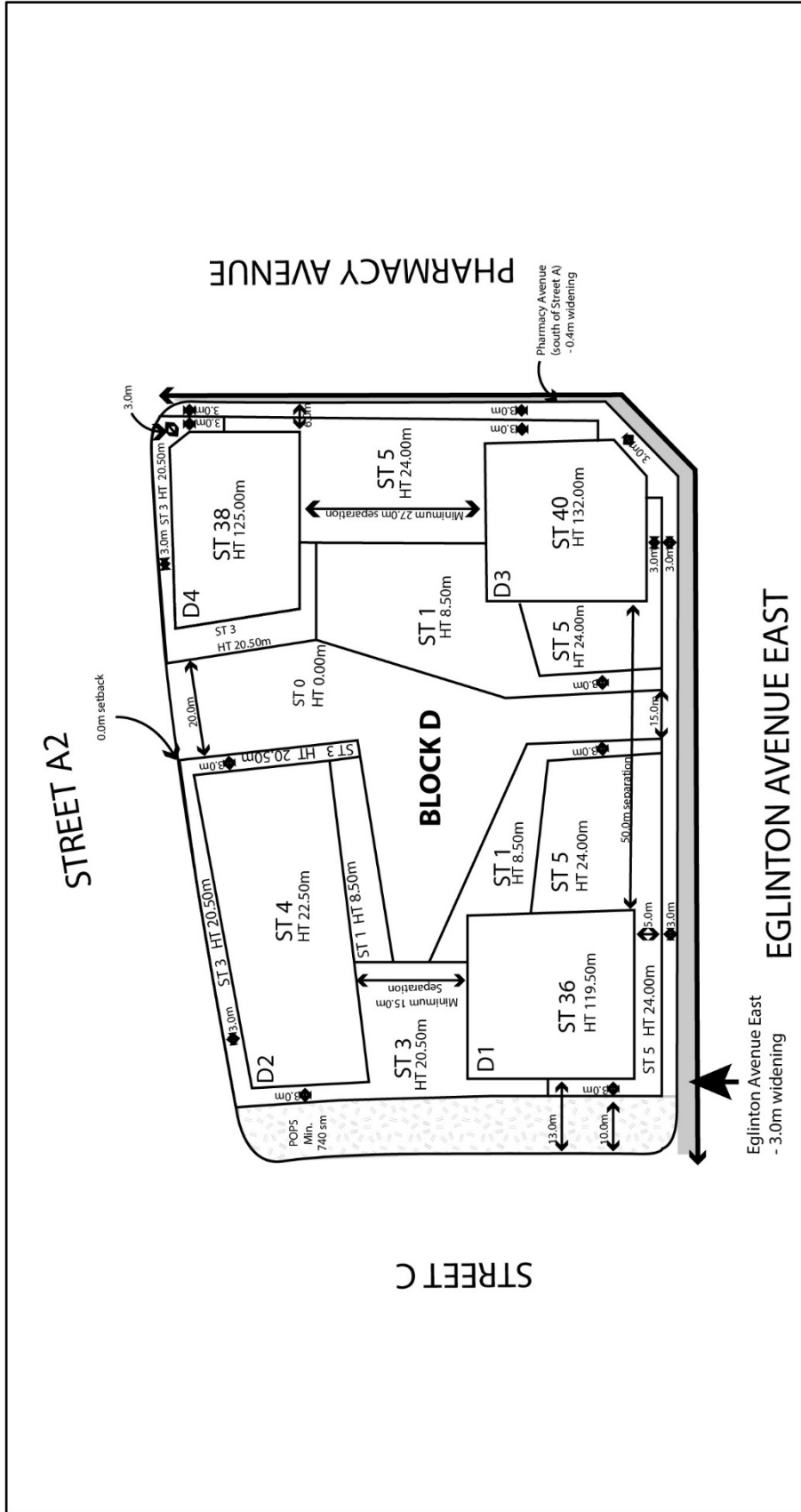
**1880-1809 Eglinton Ave. East and  
 1523, 1525-1545 Victoria Park Ave**

File # 20 209175 ESC 21 02

-  Street Widening (as specified)
-  POPS



City of Toronto By-law 569-2013  
 Not to Scale  
 08/04/2022



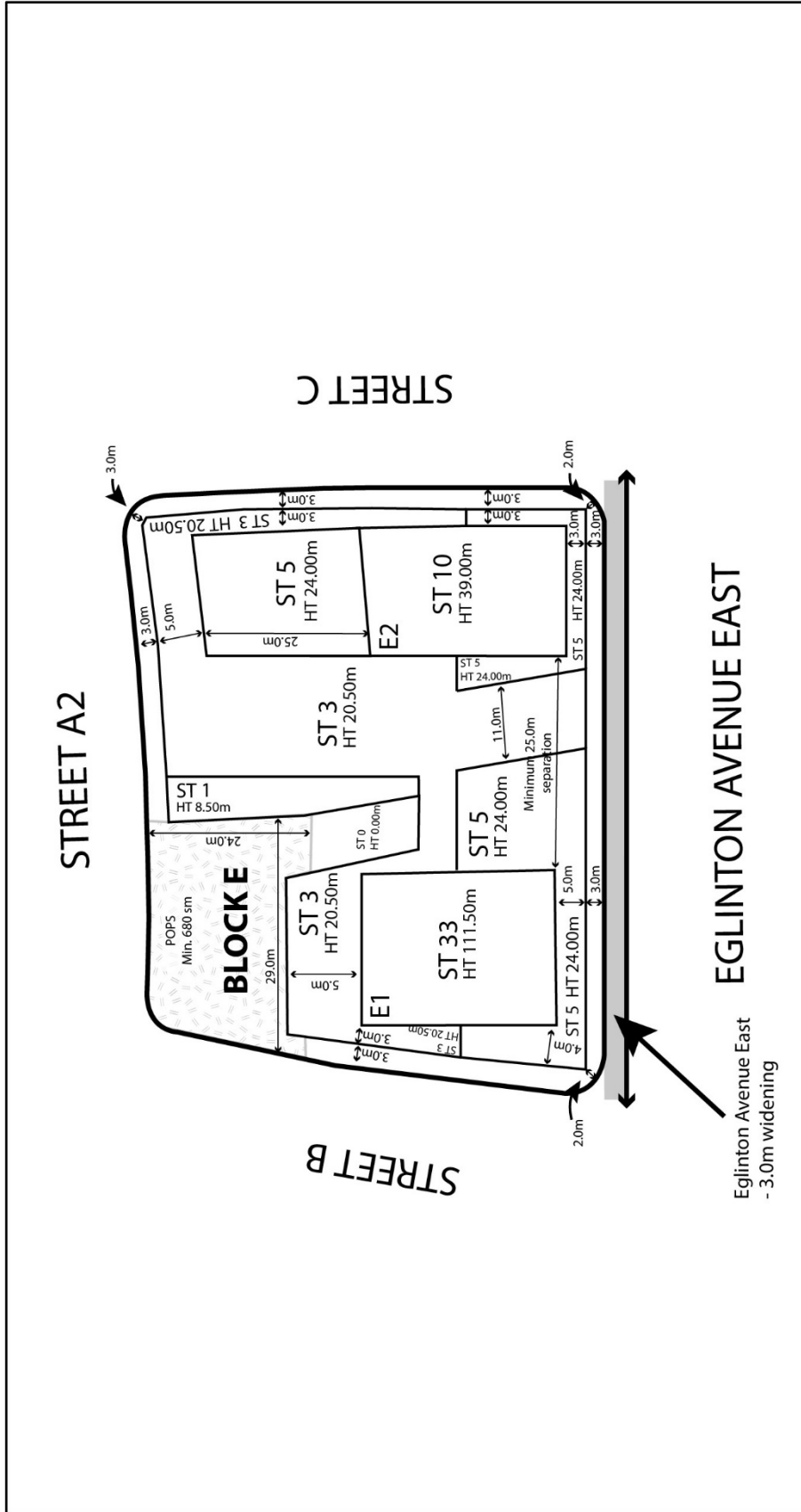
**1880-1809 Eglinton Ave. East and  
1523, 1525-1545 Victoria Park Ave**

**Toronto  
Diagram 8**

File # 20 209175 ESC 21 0Z



City of Toronto By-law 569-2013  
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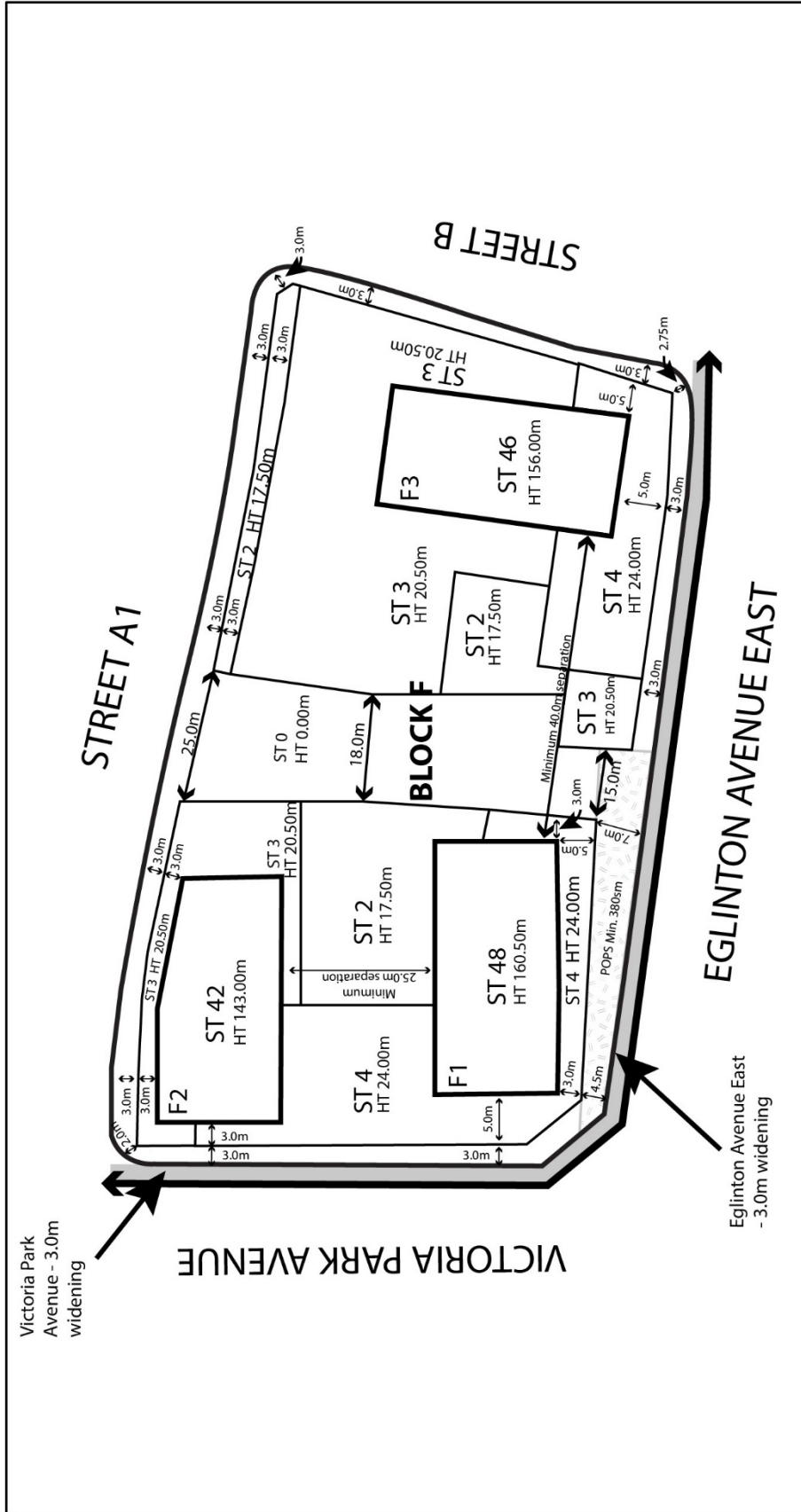
**TORONTO**  
 Diagram 9

1880-1809 Eglinton Ave. East and  
 1523, 1525-1545 Victoria Park Ave

File # 20 209175 ESC 21 0Z



City of Toronto By-law 569-2013  
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**Toronto**  
 1880-1809 Eglinton Ave. East and  
 1523, 1525-1545 Victoria Park Ave

File # 20 209175 ESC 21 02

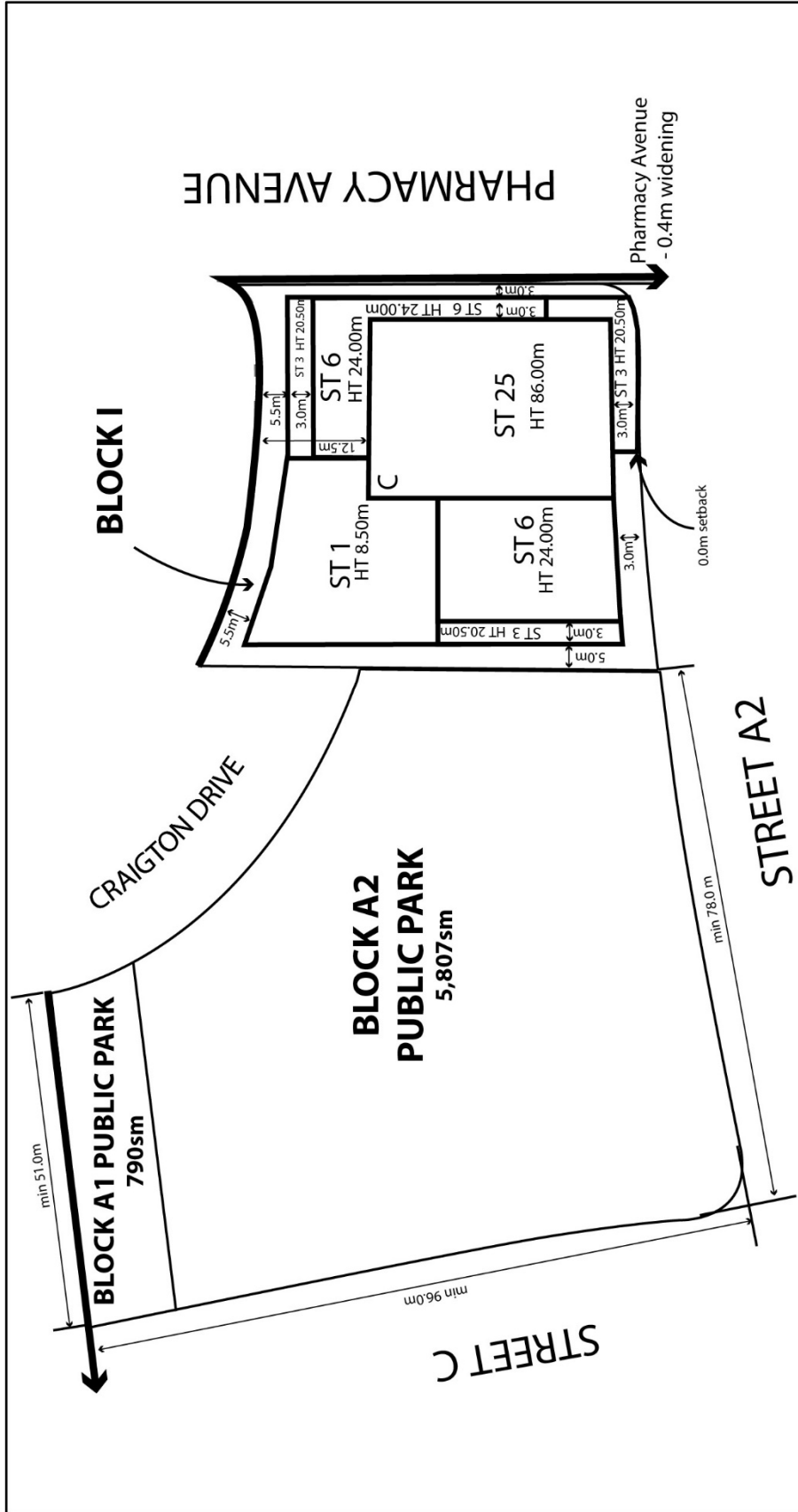
Street Widening (as specified)

POPS



City of Toronto By-law 569-2013  
 Not to Scale  
 08/04/2022

**Toronto**  
 Diagram 10



**Toronto**  
 1880-1809 Eglinton Ave. East and  
 1523, 1525-1545 Victoria Park Ave

File # 20 209175 ESC 21 0Z

Street Widening (as specified)



City of Toronto By-law 569-2013  
 Not to Scale  
 08/04/2022

**Toronto**  
 Diagram 11