

APPENDIX 1

February 5, 2014

Proposed Amendments to the Legislative Precinct Master Development Agreement with an Allocation of Responsibilities

Section Number	Subject Matter/Obligation	Allocation of Responsibility	Comments/Rationale
1.0 and 1.1	Variation of standards for off-site works and services	Province and Jawl/Concert	Amend - the off-site works and services provided are to be in accordance with the standards under the City's Subdivision Bylaw and consistent with the requirements of the <i>Legislative Precinct Urban Design Manual</i> (LPUDM), unless otherwise agreed by the City and the Province or Jawl/Concert
1.2	Increase of setback and registration of SRW for highway purposes on Superior Street frontage	Province and Jawl/Concert	SRW to be registered concurrently with subdivision. City to provide standard right of way terms to ensure the owner's subsurface rights of use such as for underground parking are not unreasonably affected
1.3	Provision of lanes, walkways and courtyards as show in the LPUDM	Province and Jawl/Concert	Retain and apply to both South Block and Q Lot – to be triggered by any major redevelopment of the applicable site

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1.4	Intersection improvements	Province	<p>Revise - this obligation is triggered by the development of Q Lot (Province's portion). City also will add a reference to the \$300,000 security currently being held, and a requirement that the security be automatically renewed on an annual basis. The City will be entitled to draw down on the security and use the funds for intersection improvements if those are commenced prior to development of Q Lot.</p>
1.5	Comprehensive engineering plans for South Block	Jawl/Concert	<p>Revise - these are to be provided prior to development of South Block (Jawl/Concert portion). Engineering plans must be for all frontages of the portions of South Block acquired by Jawl/Concert plus an additional area of frontage reasonably required to verify appropriate elevations, tie-ins, etc. If and when Proposed Lot 1 of South Block (Provincial portion) is re-developed, frontage works will be consistent with the standards and specifications approved by the City for the rest of the block.</p>

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1.6	Submission of construction drawings for works and services with building permits for South Block.		Delete - this is required under the City's building permit process
1.7	Security for and construction of works and services for Michigan, Menzies and Government Street frontages	Jawl/Concert and the Province	The Province is to provide security for frontage works for Proposed Lot 1 of South Block, concurrently with the issuance of a building permit, but only in respect of any major redevelopment (i.e. would not be triggered by building repairs), and only in respect of the frontage of the portion being developed.
1.8	Submission of construction drawings for works and services with building permits for the East Office building in South Block		Delete - required under the normal City's building permit process

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1.9	Security for Superior Street works and services (Development Area LP-2A)	Jawl/Concert	Consolidated with other provisions respecting off-site works and services.
2.0	Subdivision and development to be in phases, each phase to be approved by Council and Approving Officer	Province and Jawl/Concert	Retain - but delete reference to phasing because the Provincial land sale does not include all of the Legislative Precinct.
2.1 and 2.2	Conditional approval of subdivision of Q-Lot for the Kew Court		Delete - completed
2.3	Subdivision of South Block into lots generally outlined in LPUDM	Jawl/Concert	Amend to allow the subdivision of South Block into Proposed Lot 1 and Proposed Lot 2 – the proposed subdivision plan for South Block differs from plan outlined in LPUDM – see comments under section 2.4.
2.4	No lots in South Block to straddle Development Area boundaries	Province and Jawl/Concert	Retain - but provide an exception for the proposed boundary line between Proposed Lots 1 and 2 in South Block

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2.5	Retention of Catalpa tree in Kew Court development		Delete - completed with development of Kew Court.
2.6	Inventory of trees to be removed/retained - South Block	Province and Jawl/Concert	With respect the portion of South Block to be transferred to Jawl/Concert; this will be deferred to the first application for a development permit following the proposed subdivision of South Block into Proposed Lots 1 and 2. For the portion of South Block to be retained by the Province, the City will require that an inventory of all trees presently situated on the land be provided before the subdivision, or as an alternative, that the Province agree to provide that inventory within 3 months of subdivision.
2.7	Inventory to be to the satisfaction of Director of Parks	Province and Jawl/Concert	Delete the words "in accordance with the Legislative Precinct Urban Design Manual (LPUDM) because the City now has a Tree Protection Bylaw.

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3.0	CD-2 zone creates 8 development permit areas and prescribes permitted uses and maximum floor space allocations	Province and Jawl/Concert	Applies to both South Block and Q Lot
3.1	Tracking system for assignment of floor space	Province and Jawl/Concert	Retain the requirement for a tracking system. The section 219 covenants will state the amount of floor area allocated to each of the four parcels being created by subdivision, as agreed to by Jawl/Concert and the Province.
3.2	DP applications to specify floor area allocated to each use and unallocated floor area remaining	Province and Jawl/Concert	Retain - for both South Block and Q Lot
4.0	Development undertaken in sequence as shown in attached schedule		Delete - amended wording to require submission of a phasing plan for Jawl/Concert portion of South Block. with the development permit application for the development of the first office building on South Block. (See 4.7-4.10 below)

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4.1	Development must include housing for mix of households, income levels and tenures	Jawl/Concert	Retain - but delete the reference to phasing
4.2	Affordable housing requirements	Jawl/Concert	Amend so that the actual number of family and/or affordable units built to date on Q-Lot and S-lot will be deducted from the total amount of those types of housing required to be built on South Block.
4.3	Provision of a site for construction of 40 affordable housing units		Delete - completed with the development of Kew Court
4.4	First project in South Block must be in Development Area LP-2B	Jawl/Concert	Delete - amended wording to require submission of a phasing plan with the development permit application for the development of the first office building on South Block. (See 4.7-4.10 below)
4.5	Temporary surface parking	Jawl/Concert	Retain

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4.6	ADP review of temporary parking proposal	Jawl/Concert	Retain
4.7, 4.8, 4.9 and 4.10	Sequence of office/residential development	Jawl/Concert	Applies to South Block only. Retain but create an exception for the first office building developed on South Block. These sections will be replaced with a provision that requires submission of a phasing plan with the development permit application for the development of the first office building on South Block based on negotiations on appropriate phasing arrangements.
4.11	Demolition of "existing bunker"		Delete – the ownership of the "existing bunker" has been transferred to the Legislature
5.0	Office development may require parking variances	Province and Jawl/Concert	Retain

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5.1	TDMP requirements	Jawl/Concert	Require TDMP with first development permit application for South Block. Retain bicycle and storage and shower obligations. (See Section 5.9)
5.2	TDMP requirements - Schedule F	Province	Retain Schedule F. It is noted that the current TDMP requires updating – traffic and parking study to be submitted at the time of the first development permit application for Q-Lot. Retain bicycle storage and shower obligations. (See Section 5.9)
5.3	Construction of a Transit Facility on Government Street		Delete - completed
5.4	Provision of parking enforcement vehicles	Province	Amend - to trigger this obligation with an application for building permit for the first office development on Q-Lot
5.5	City support of parking enforcement		City obligation - Parking enforcement provided through Corp of Commissionaires.
5.6	Bicycle and shower facilities	Province and Jawl/Concert	Retain
5.7	Committee to monitor TDMP	Province and Jawl/Concert	Retain

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5.8	Provincial contribution of \$12,500 as half the cost of a James Bay Traffic Management Plan		Delete - contribution provided
5.9	Traffic and parking impact study	Province and Jawl/Concert	Amend- requirement is to be triggered prior to the issuance of the development permit for the first office building on South Block/Q-Lot.
6.0	Provision of amenities shown on Schedule G	Province and Jawl/Concert	Delete - Schedule G is no longer accurate and with unfulfilled amenities captured in the text
6.1	Provincial contribution of \$150,000 to the improvement of Irving Park		Delete - contribution provided
6.2	Consultation with the City and community representatives on the extent of Irving Park improvements.		Delete - completed

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6.3	Multi-purpose meeting room	Province	Retain
6.4	Principles and guidelines for use of meeting space	Province	Retain
6.5	Child care facility	Province	Retain
6.6 / 6.7	Teen Centre	Province	Delete - completed
6.8	Space for library	Jawl/Concert	Retain
6.9	Fitness facility for employees	Jawl/Concert	Amend - so that the operating principles and guidelines for community use will be as agreed to by the Tenant (the Province) and the City. (This is essentially the same as the existing Agreement but reflects new ownership.
6.10 (as amended in 2007)	Relocation and community use of building at 539 Superior	Province and Jawl/Concert	Retain - but amend to require the provision of an appropriate relocation site and permit the option of providing an alternative heritage building for community use – a detailed proposal for this alternative is to be submitted by the Province.

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7.0	Study to determine extent and cost of restoration requirements – 6 heritage buildings	Jawl/Concert	Delete - completed
7.1	Study to include heritage buildings at 504/514 Government		Delete - completed
7.2	Restoration requirements to be included in future development proposal guidelines	Province and Jawl/Concert	Retain - the future restoration and relocation of heritage buildings in South Block will require updated studies and Heritage Alteration Permit approvals.
7.3	Study to be made available to Heritage Advisory Committee	Province and Jawl/Concert	Delete - completed

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7.4	Restoration and relocation of heritage buildings	Jawl/Concert	Amend - so that the relocation and restoration of heritage buildings within the Jawl/Concert portion of South Block is included in the phasing plan submitted concurrent with development of the first office building on South Block. Delete - Reference to Schedule H and replace relocation of heritage buildings captured in the text