

Authority: Etobicoke York Community Council Item
EY25.1, as adopted by City of Toronto Council on July 14,
15 and 16, 2021

CITY OF TORONTO

Bill 790

BY-LAW -2021

To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code, as amended, with respect to lands municipally known in the year 2020 as 250 Wincott Drive and 4620 Eglinton Avenue West.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Where the matters herein set out are in conformity with the Official Plan as adopted by the Council of the City of Toronto; and

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

Whereas the increases in the density and heights permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the Etobicoke Zoning Code, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the owner of the lands and the City of Toronto; and

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

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Schedule "A" attached to this By-law.
2. Notwithstanding the provisions of Sections 320-39, 320-45, 320-52, and 320-77 of the Etobicoke Zoning Code, the following development standards shall apply to the lands described on Schedule "A" hereto. Where the provisions of this By-law conflict with the provisions of the Etobicoke Zoning Code, the provisions of this By-law shall apply.
3. The Zoning Map referred to in Section 320-5, Article II of the Etobicoke Zoning Code and referred to in Section 323-1, be and the same, is amended to include the lands identified as 4620 Eglinton Avenue West on Schedule "A" hereto and to classify these lands Sixth Density Residential (R6).

4. That the Zoning Map referred to in Section 320-5, Article II of the Zoning Code and referred to in Section 323-1, be and the same, is amended by changing the classification of the lands identified as 250 Wincott Drive on Schedule "A" attached hereto from Planned Commercial Local (CPL) to Sixth Density Residential (R6).

5. Definitions

The provisions of Section 304-3 Definitions of the Etobicoke Zoning Code shall apply unless inconsistent with the provisions of this By-law. For the purposes of this By-law the following definitions shall apply:

- (a) "Amenity Space" means a common area or areas within a Lot which are provided for the exclusive use of residents of a building for recreational or social purposes.
- (b) "Bicycle Parking Space" means an area used for parking or storing a bicycle; A long-term Bicycle Parking Space means a Bicycle Parking Space for use by the occupants of a building, and a short-term Bicycle Parking Space means a Bicycle Parking Space for use by visitors to a building. A stacked Bicycle Parking Space means a horizontal bicycle parking space that is positioned above or below another Bicycle Parking Space and equipped with a mechanical device providing floor level access to both Bicycle Parking Spaces.
- (c) "Community Agency Space" shall mean exclusive space for the City and/or non-profit service providers to operate local community service programs such as but not limited to recreation, employment training, settlement services, arts and cultural activities and other community service programs for local residents.
- (d) "Gross Floor Area" means the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level. The Gross Floor Area of a mixed-use building is reduced by the area in the building used for:
 - (i) parking, loading and bicycle parking below-ground;
 - (ii) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
 - (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (iv) shower and change facilities required by this By-law for required bicycle parking spaces;
 - (v) amenity space required by this By-law;
 - (vi) elevator shafts;
 - (vii) garbage shafts;

- (viii) mechanical penthouse; and
- (ix) exit stairwells in the building.
- (e) "Height" means the vertical distance between Canadian Geodetic Datum elevation of 160.0 metres and the highest point of the building or structure except for those elements prescribed in Section 8 below.
- (f) "Landscaping" means an area used for trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements and may include air intake and exhaust shafts. Driveways and areas for loading, parking or storing of vehicles are not landscaping.
- (g) "Loading Space" means an area used for the loading or unloading of goods or commodities from a vehicle.
- (h) "Lot" means the lands delineated in heavy black lines and identified as 4620 Eglinton Avenue West and 250 Wincott Drive on Schedule 'A' attached to this By-law.
- (i) "Mixed Use Building" means a building with dwelling units and a non-residential use. An apartment building is not a mixed use building.
- (j) "Soft Landscaping" means Landscaping excluding hard-surfaced areas such as decorative stonework, retaining walls, walkways, or other hard-surfaced landscape-architectural elements.

6. Permitted Uses

Notwithstanding Section 320-76 of the Zoning Code, no building or structure shall be erected or used on the Lot, except for the following uses:

- (a) Mixed Use Building;
- (b) The uses permitted in Section 320-94 for the General Commercial (CG) Zone;
- (c) Animal Hospital;
- (d) Retail Store, including Grocery Store;
- (e) Accessory uses and buildings;
- (f) Parking areas, driveways and a private right-of-way;
- (g) Community Agency Space;
- (h) Privately-owned publicly accessible open space;

- (i) Public park; and
- (j) Temporary Sales Office.

7. Non-Permitted Uses

Notwithstanding any sections of the Zoning Code to the contrary, no building or structure shall be erected or used on the Lot for the purposes of the following uses:

- (a) Adult entertainment;
- (b) Club;
- (c) Funeral Home;
- (d) Gaming Establishment;
- (e) Industrial Skills Training;
- (f) Nightclub;
- (g) Place of Assembly;
- (h) Place of Worship;
- (i) Vehicle Fuel Station;
- (j) Vehicle Service Shop;
- (k) Vehicle Repair Shop; and
- (l) Visitation Centre.

8. Gross Floor Area

- (a) Notwithstanding Section 320-77 of the Zoning Code, the maximum Gross Floor Area permitted on the Lot shall be 65,300 square metres, provided:
 - (i) the residential Gross Floor Area shall not exceed 53,800 square metres;
 - (ii) the new non-residential Gross Floor Area, exclusive of the Community Agency Space required in iv) below, shall be a minimum of 3,500 square metres;
 - (iii) the retained non-residential Gross Floor Area located in Building D as shown on Schedule "B" hereto shall be a minimum of 3,950 square metres; and

- (iv) a minimum of 465 square metres of Community Agency Space must be provided on the first floor of Building B as shown on Schedule "B" hereto.

9. Dwelling Units

- (a) The maximum number of dwelling units permitted on the Lot shall be 587, subject to the following:
 - (i) a minimum of 35 percent of the total number of dwelling units on the Lot must contain two bedrooms, of which 15 percent of all dwelling units must achieve a minimum unit size of 87 square metres; and
 - (ii) a minimum of 17 percent of the total number of dwelling units on the Lot must contain three or more bedrooms, of which 10 percent of all dwelling units must achieve a minimum unit size of 100 square metres.

10. Building Height

- (a) No portion of a building or structure erected on the Lot shall have a greater Height measured in metres or number of storeys other than specified by the numbers following the symbols "H" and "ST" on Schedule "B" hereto, except for those elements prescribed below:
 - (i) equipment and structures used for the functional operation of the building, such as electrical, utility, mechanical, ventilation, maintenance, safety and green roof purposes, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, elevator machine rooms, chimneys, stacks, vents and water supply facilities, and related structural elements that enclose, screen or cover such equipment and structures, as well as areas dedicated for indoor amenity space and associated elevator lobbies/vestibules may project above the height limits to a maximum of 6.0 metres;
 - (ii) wind, noise or privacy screens or other unenclosed structures/mitigation measures, balustrades, railings and dividers, pergolas, trellises, eaves, privacy screens, skylights, access hatches, window washing equipment, lightning rods, terraces, and landscaping elements and structures located on the roof used for outside or open air recreation may project above the heights limits to a maximum of 3.0 metres;
 - (iii) architectural features and screens, parapets, railings, dividers, terrace or balcony guards, window sills, light fixtures, scuppers, fall-arrest systems, roof assemblies, roof drainage, insulation and building envelope membranes, decking, pavers, bollards, and built-in planter boxes may project above the heights limits to a maximum of 1.5 metres; and
 - (iv) The indoor amenity space for Buildings B and C may be permitted at the same level of the mechanical penthouse, provided that the indoor **amenity**

space projection does not exceed 6.0 metres in height and the size does not exceed 285.0 square metres for Building B and 145.0 square metres for Building;

- (b) the total area of all equipment, structures, or parts of a building exceeding the permitted maximum height shall cover no more than the following, measured horizontally:
 - (i) 55 percent of the area of the roof for Building A as identified on Schedule "B" hereto;
 - (ii) 68 percent of the area of the roof for Building B as identified on Schedule "B" hereto; and
 - (iii) 52 percent of the area of the roof for Building C as identified on Schedule "B" hereto.
- (c) the minimum height of the first storey of a Mixed Use Building, including the mezzanine level, shall be 4.5 metres.

11. Setbacks/ Building Envelope

- (a) Notwithstanding Sections 320-40, 320-41, 320-42 and Section 320-77 of the Zoning Code, no building or structure located above ground on the Lot shall be located other than within the building envelope shown on Schedule "B" hereto, except for those elements prescribed below:
 - (i) canopies, awnings, signage or similar structures may extend a maximum distance of 3.0 metres beyond the building envelope;
 - (ii) light fixtures, fences and safety railings, ornamental elements, ventilation shafts, mechanical equipment, guardrails, balconies, balcony dividers, bollards, wheelchair ramps or other elevating devices, stairs, stair enclosures, site servicing features, window washing equipment, screening, fences, pergolas, trellises, and landscape elements and features may extend a maximum distance of 2.0 metres beyond the building envelope;
 - (iii) eaves, cornices, roof overhangs, windowsills, pilasters, chimney breasts, bay windows, columns and other minor architectural projections may extend a maximum distance of 1.0 metres beyond the building envelope;
 - (iv) cladding may extend a maximum distance of 0.25 metres beyond the building envelope; and
 - (v) structures used for the ventilation of an underground parking facility may extend beyond the building envelope.

- (b) Notwithstanding 10. a) above, for Building B identified on Schedule "B" hereto, a minimum building setback for the first storey of 5.0 metres from the public park located within the shaded area shown on Schedule "B" hereto shall be provided.
- (c) Notwithstanding 10. a) above, no portion of the area of Building C identified on Schedule "C" hereto, including any permitted projections or encroachments, shall penetrate a 45 degree angular plane projected westward over the Lot from a point located 20.1 metres to the east of the Lot at the Canadian Geodetic Datum elevation of 160.2 metres, as shown on Schedule "C".
- (d) In addition to 11. c) above, for the portion of the area of Building C identified on Schedule "C" hereto, projections permitted by 10. a) i) above, with the exception of elevator shafts and elevator machine rooms and their enclosures and corridors providing access thereto, must be set back a minimum of 6.0 metres from the easterly main wall of the levels below.
- (e) Notwithstanding 11. a) above, additional building setbacks in metres as shown on Schedule "D" hereto are required for the base building transition levels located as follows:
 - (i) the first storey located wholly above the Canadian Geodetic Datum elevation of 174 metres, 4th storey, within Building A as identified on Schedule "B" hereto;
 - (ii) the first storey located wholly above the Canadian Geodetic Datum elevation of 167 metres, 2nd storey, within Building B as identified on Schedule "B" hereto; and
 - (iii) the first storey located wholly above the Canadian Geodetic Datum elevation of 174 metres, 3rd storey, within Building C as identified on Schedule "B" hereto.
- (f) Notwithstanding 11. a) ii) above, balconies are not permitted to encroach into the required minimum building setbacks along the east façade of Building B as identified on Schedule "B" hereto and the north and west facades of Building C as identified on Schedule "B" hereto. Balconies that are inset into these building facades are permitted.
- (g) Notwithstanding 11. a) ii) above, along the west, north and south **building** elevations of Building B as identified on Diagram 4 of By-law #####-2021 and the south and east **building** elevations of Building C as identified on Diagram 4 of By-law #####-2021, a maximum of 50 percent of balconies are to be inset balconies and are not permitted to encroach into the required minimum building setbacks.
- (h) For Building A as shown on Schedule "B" hereto, the maximum area of the tower floor plate, as measured from the exterior of the main walls on each storey located

wholly above the Canadian Geodetic Datum elevation of 174 metres, is 750 square metres.

12. Amenity Space

- (a) Amenity Space shall be provided and maintained for the residential uses on the Lot, in accordance with the following:
 - (i) A minimum of 2.0 square metres of Amenity Space located indoor for each dwelling unit on the Lot;
 - (ii) A minimum of 2.0 square metres of Amenity Space located outdoors for each dwelling unit on the Lot; and
 - (iii) At least 40.0 square metres of Amenity Space located outdoors shall be provided in a location adjoining or directly accessible to the Amenity Space located indoors.

13. Vehicular Parking

Notwithstanding the provisions of Sections 320-18 C. and 320-44 of the Zoning Code, the following requirements shall apply to the Lot:

- (a) Vehicle parking spaces shall be provided at the following rates:
 - (i) for residential uses, a minimum of:
 - (A) 0.8 parking spaces for each one bedroom dwelling unit;
 - (B) 0.9 parking spaces for each two bedroom dwelling unit; and
 - (C) 1.1 parking spaces for each three bedroom dwelling unit;
 - (ii) or residential uses, a maximum of:
 - (A) 1.2 parking spaces for each one bedroom dwelling unit;
 - (B) 1.3 parking spaces for each two bedroom dwelling unit; and
 - (C) 1.6 parking spaces for each three bedroom dwelling unit;
 - (iii) for residential visitors, a minimum of 0.15 parking spaces for each dwelling unit;
 - (iv) for a grocery store:
 - (A) a minimum of 1.0 parking space for each 100 square metres of gross floor area;
 - (B) a maximum of 4.5 parking spaces for each 100 square metres of gross floor area; and
 - (C) if the gross floor area is 200 square metres or less, no parking space is required;
 - (v) for Community Agency Space:

- (A) a minimum of 0.5 parking space for each 100 square metres of gross floor area; and
 - (B) a maximum of 1.3 parking spaces for each 100 square metres of gross floor area;
- (vi) for a financial institution or education use:
- (A) a minimum of 2.0 parking spaces for each 100 square metres of gross floor area; and
 - (B) a maximum of 4.5 parking spaces for each 100 square metres of gross floor area;
- (vii) for a medical office or adult education school:
- (A) a minimum of 1.5 parking spaces for each 100 square metres of gross floor area;
 - (B) a maximum of 6.0 parking spaces for each 100 square metres of gross floor area; and
- (viii) for an entertainment place of assembly:
- (A) a minimum of 8.0 parking spaces for each 100 square metres of gross floor area;
- (ix) for a billiard hall, pool hall or bowling alley: a minimum of 3.5 parking spaces for each 100 square metres of gross floor area;
- (x) for all other permitted non-residential uses:
- (A) a minimum of 1.0 parking space for each 100 square metres of gross floor area;
 - (B) a maximum of 4.0 parking spaces for each 100 square metres of gross floor area; and
 - (C) if the gross floor area 200 square metres or less, no parking space is required;
- (b) Parking spaces for residential visitors and non-residential uses may be shared;
- (c) If the calculation of the number of required parking spaces results in a number with a fraction, the number is rounded down to the nearest whole number, there may not be less than one parking space.

14. Loading

- (a) Loading Spaces shall be provided as follows:
- (i) For Building A as identified on Schedule "B" hereto a minimum of 1 Loading Space, which must have a minimum length of 12.0 metres, a minimum width of 4 metres, and a vertical clearance of 6.1 metres;

- (ii) For Building B as identified on Schedule "B" hereto a minimum of 1 Loading Space, which must have a minimum length of 13.0 metres, a minimum width of 4.0 metres, and a minimum vertical clearance of 6.1;
- (iii) For Building C as identified on Schedule "B" hereto a minimum of 4 Loading Spaces, one of which must have a minimum length of 13.0 metres, a minimum width of 4.0 metres, and a minimum vertical clearance of 6.1 metres, two of which must have a minimum length of 11.0 metres, a minimum width of 3.5 metres, and a minimum vertical clearance of 4.0 metres, and one of which must have a minimum length of 17.0 metres, a minimum width of 3.5 metres, and a minimum vertical clearance of 4.4 metres.

15. **Bicycle Parking**

- (a) Bicycle parking spaces shall be provided in horizontal, vertical or stacked spaces, in accordance with the following:
 - (i) a minimum of 0.68 "long term" Bicycle Parking Spaces per dwelling unit for residential bicycle parking and may be located at, below or above-grade in a secured room;
 - (ii) a minimum of 0.07 "short term" Bicycle Parking Spaces per dwelling unit for residential visitor bicycle parking to be located at grade;
 - (iii) a minimum of 0.13 "long-term" Bicycle Parking Spaces per 100 square metres for non-residential uses; and
 - (iv) a minimum of 3 "short-term" Bicycle Parking Spaces plus 0.25 spaces per 100 square metres for non-residential uses;
- (b) A bicycle parking space must comply with the following dimensions:
 - (i) a minimum length of 1.8 metres, a minimum width of 0.6 metres, and a minimum vertical clearance from the ground of 1.9 metres;
 - (ii) a minimum length or vertical clearance of 1.9 metres, a minimum width of 0.6 metres, and a minimum horizontal clearance from the wall of 1.2 metres if placed in a vertical position on a wall, structure or mechanical device; and
 - (iii) a minimum vertical clearance of 1.2 metres per bicycle parking space, a minimum width of 0.6 metres, and a minimum length of 1.8 metres if provided as a stacked bicycle parking space, whereby a horizontal bicycle parking space is position above or below another bicycle parking space and is equipped with a mechanical device providing floor level access to both spaces.

- (c) If the calculation of the minimum bicycle parking spaces results in a fraction of a bicycle parking spaces being required, the number of required bicycle parking spaces must be rounded up to the next whole number.

16. Landscaping

- (a) A minimum 3.0 metre wide strip of landscaping shall be provided between any lot line that abuts a street and those portions of a main wall; and
- (b) A minimum 1.5 metre wide strip of land used only for soft landscaping shall be provided along the north lot line.

17. Other Elements

- (a) A private road with a width of 8.5 metres shall be provided on the Lot as shown on Schedule "B" hereto.
- (b) A privately-owned publicly-accessible open space with a minimum area of 659 square metres shall be provided within the hatched area shown on Schedule "B" hereto.
- (c) A public park with a minimum area of 1,700 square metres shall be provided within the shaded area shown on Schedule "B" hereto.

18. Section 37

- (a) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Schedules A, B and C in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule 1 hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (b) Where Schedule 1 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 on 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 provisions of Schedule A are satisfied.

19. Notwithstanding any severance, partition or division of the Lot, the provisions of this By-law shall apply to the whole of the Lot as if no severance, partition or division occurred.

20. Chapter 324, Site Specifics, of the Etobicoke Zoning Code is hereby amended to include reference to this By-law by adding the following to Section 324-1, Table of Site Specific By-laws.

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
####-2021 [date]	Lands municipally known as 4620 Eglinton Avenue West and 250 Wincott Drive	To rezone the lands from Planned Commercial Local (CPL) to Sixth Density Residential (R6) to permit the development of 3 new mixed-use buildings and the retention and expansion of the existing commercial plaza, subject to site-specific development standards.

Enacted and passed on October , 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE 1

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 on Schedule A, B and C of this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. The Owner shall design and construct at least fifty-four (54) affordable rental dwelling units comprising 4,183 square metres of residential Gross Floor Area, with any amendments to such terms as deemed appropriate by the Chief Planner and Executive Director, City Planning Division, the Executive Director, Housing Secretariat, and the City Solicitor, in consultation with the Ward Councillor.
2. The Owner shall provide and maintain at least twenty-six (26) dwelling units as one-bedroom, at least nineteen (19) dwelling units as two-bedroom, and at least nine (9) dwelling units as three-bedroom affordable rental dwelling units generally distributed throughout the new mixed-use buildings on the lot, as follows:
 - i. The affordable rental dwelling units shall be provided in contiguous groups of at least 6 dwelling units.
 - ii. The general configuration and layout of the fifty-four (54) affordable rental dwelling units in the new mixed-use buildings shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the Executive Director, Housing Secretariat.
3. The Owner shall provide and maintain the minimum fifty-four (54) affordable rental dwelling units as rental dwelling units for a minimum of 25 years, beginning from the date each such unit is first occupied. No affordable rental dwelling unit shall be registered as a condominium or any other form of ownership such as life lease or co-ownership which provide a right to exclusive possession of a dwelling unit, and no application for conversion for non-rental housing purposes, or application to demolish any affordable rental dwelling unit shall be made for at least 25 years from the date of first occupancy. Upon the expiration of the 25 year period, the owner shall continue to provide and maintain the affordable rental dwelling units as rental dwelling units, unless and until such time as the Owner has applied for and obtained all approvals necessary to do otherwise.
4. The Owner shall provide and maintain the minimum fifty-four (54) affordable rental dwelling units at affordable rents for at least 25 years, beginning from the date that each such unit is first occupied. During the first 25 years of occupancy, increases to initial rents charged to tenants occupying any of the affordable rental dwelling units shall be in accordance with the Residential Tenancies Act and shall not exceed the Provincial rent guideline.

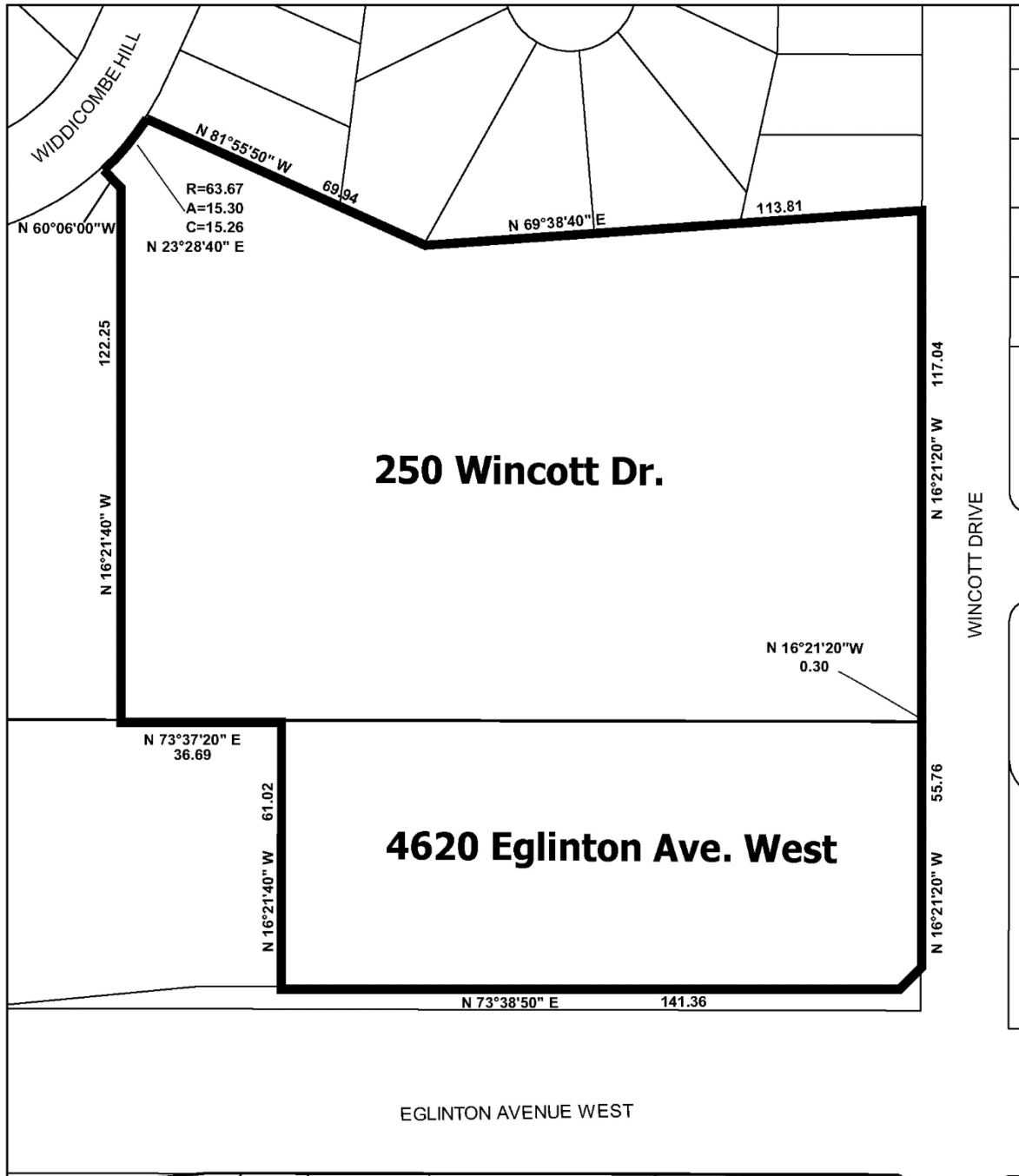
5. Prior to the earlier of condominium registration or first residential use of Building B, the Owner shall design, construct, finish and convey to the City, in an acceptable environmental condition, for nominal consideration and at no cost to the City, a minimum 465 square metres (5,000 square feet) Community Agency Space located on the ground floor of Building B adjacent to the public park and subject to the following:
 - i. The Community Agency Space shall be delivered to the City in accordance with the City's Community Space Tenancy Policy and finished to Base Building Condition, with the terms and specifications to be secured in the Section 37 Agreement, all satisfactory to the Executive Director, Social Development, Finance and Administration, the Executive Director, Corporate Real Estate Management, the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - ii. Prior to the issuance of the first above grade building permit, the owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Community Agency Space complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the Executive Director, Corporate Real Estate Management, the Executive Director, Social Development, Finance and Administration, the Chief Planner and Executive Director, City Planning and the City Solicitor;
 - iii. Prior to conveyance of the Community Agency Space to the City, the owner shall provide a one-time cash contribution in the amount of \$660,000.00 for future capital improvements to the Community Agency Space;
 - iv. The cash contribution referred to in Recommendation 5.iii above shall be indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Agreement to the date of payment; and
 - v. Concurrent with or prior to, the conveyance of the Community Agency Space to the City, the Owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor; the Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the Owner as they pertain to the Community Agency Space.
6. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. The owner shall provide, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a minimum area of 659 square metres as Privately-Owned Publicly-Accessible Space (POPS) in between Buildings B and C to the City with public access easements to and over the POPS for use by members of the general public, with the final locations and dimensions to be to the satisfaction of the Chief Planner and Executive Director, City Planning. The public access easements are to be conveyed to the City for nominal consideration and are to be free and clear of all physical and title encumbrances. Such easements to be conveyed to the City prior to Site Plan Approval, and with the design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning. The owner shall operate, maintain and repair the POPS and install and maintain signs, at its own expense, stating that members of the public shall be entitled to use the POPS during the day and night, 365 days of the year. The owner shall have completed the construction of the POPS prior to the first of either the residential use or condominium registration of the Building B or C, whichever building between Building B or C reaches that trigger later.
2. A minimum of 35 percent of the total number of dwelling units on the lot must contain two bedrooms, of which 15 percent of all units must achieve a minimum unit size of 87 square metres.
3. A minimum of 17 percent of the total number of dwelling units on the lot must contain three or more bedrooms, for which 10 percent of all units must achieve a minimum unit size of 101 square metres.
4. Through the Site Plan Approval process, the owner shall implement the wind control measures identified in the Pedestrian Wind Study, dated September 5, 2019, prepared by Wind Gradient Engineers and Scientists and any future addendum, to the satisfaction of the Chief Planner and Executive Director, City Planning. Any required mitigation measures would be secured through the Site Plan Control application review process.
5. The Owner shall satisfy the requirements of the Toronto District School Board regarding the required warning clauses in any purchase of sale agreements with respect to school accommodation issues.
6. The Owner shall satisfy the requirements of the Toronto Catholic District School Board regarding the required warning clauses in any purchase of sale agreements and signage with respect to school accommodation issues.
7. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the Owner will 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 application for each building on the site. The Owner shall construct and maintain the development in accordance with Tier 1.

8. The owner shall convey a public parkland dedication having an area of 1,700 square metres to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Director, Real Estate Services and the City Solicitor, with such conveyance to occur prior to the earlier of Condominium Registration, First Residential Use, or any commercial use within Building B or C, whichever reaches that trigger later, and in no case later than three (3) years following the Condominium Registration, First Residential Use, or any commercial use within building between the earlier of Building B or C. The subject parkland conveyance shall be in an environmental condition deemed acceptable by the City and free and clear, above and below grade of all physical and title encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation. The owner shall pay for the costs of the preparation and registration of all relevant documents. The owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.
9. The owner shall undertake Base Park Improvements and Above Base Park Improvements as outlined in the memorandum from Parks, Forestry and Recreation dated February 26, 2021, at no cost to the City and to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
10. The Owner is required to pay for all costs associated with the following road improvements in accordance with the approved plans to the satisfaction of the General Manager, Transportation Services, including the approved signal drawings and the approved functional pavement marking and signage plans:
 - i. A new traffic control signal at Wincott Drive/Waterford Drive/South Site Access driveway;
 - ii. A northbound left-turn lane from Wincott Drive into the site at the South Site Access;
 - iii. An expanded southbound left-turn lane from Wincott Drive to Eglinton Avenue West;
 - iv. Relocation of the existing right-in/right-out Eglinton Avenue West driveway further west; and
 - v. Restriction of eastbound and westbound through traffic at the Wincott Drive/Waterford Drive/Southerly Site Access driveway to help focus traffic to the arterial road network.
11. The owner must submit the following to the satisfaction of the General Manager, Transportation Service prior to Site Plan Control Approval:
 - i. Acceptable signal drawings and cost estimates for the proposed new traffic control signal at Wincott Drive/Waterford Drive/South Site Access

driveway; which must also reflect any changes required to adjacent existing traffic control signals; and

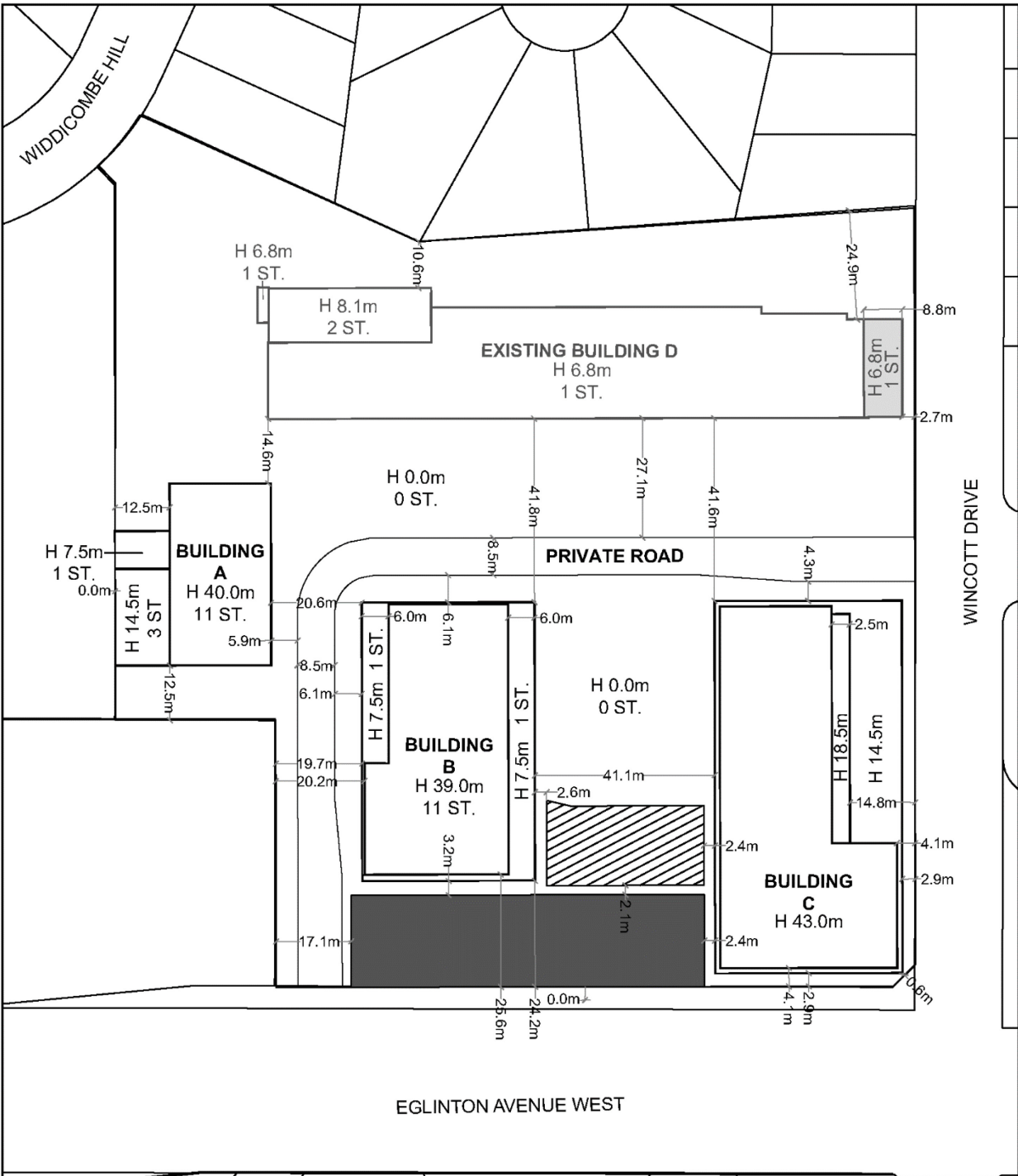
- ii. Acceptable functional pavement marking and signage plans for the proposed pavement marking changes along Wincott Drive, which must include any required changes to existing pavement markings and signs on the existing streets.



 **TORONTO**
Schedule A

**250 Wincott Drive and
4620 Eglinton Avenue West**
File # 18 150932 WET 04 02


Former City of Etobicoke By-law 11,737
Not to Scale
03/18/2021






TORONTO
 Schedule B

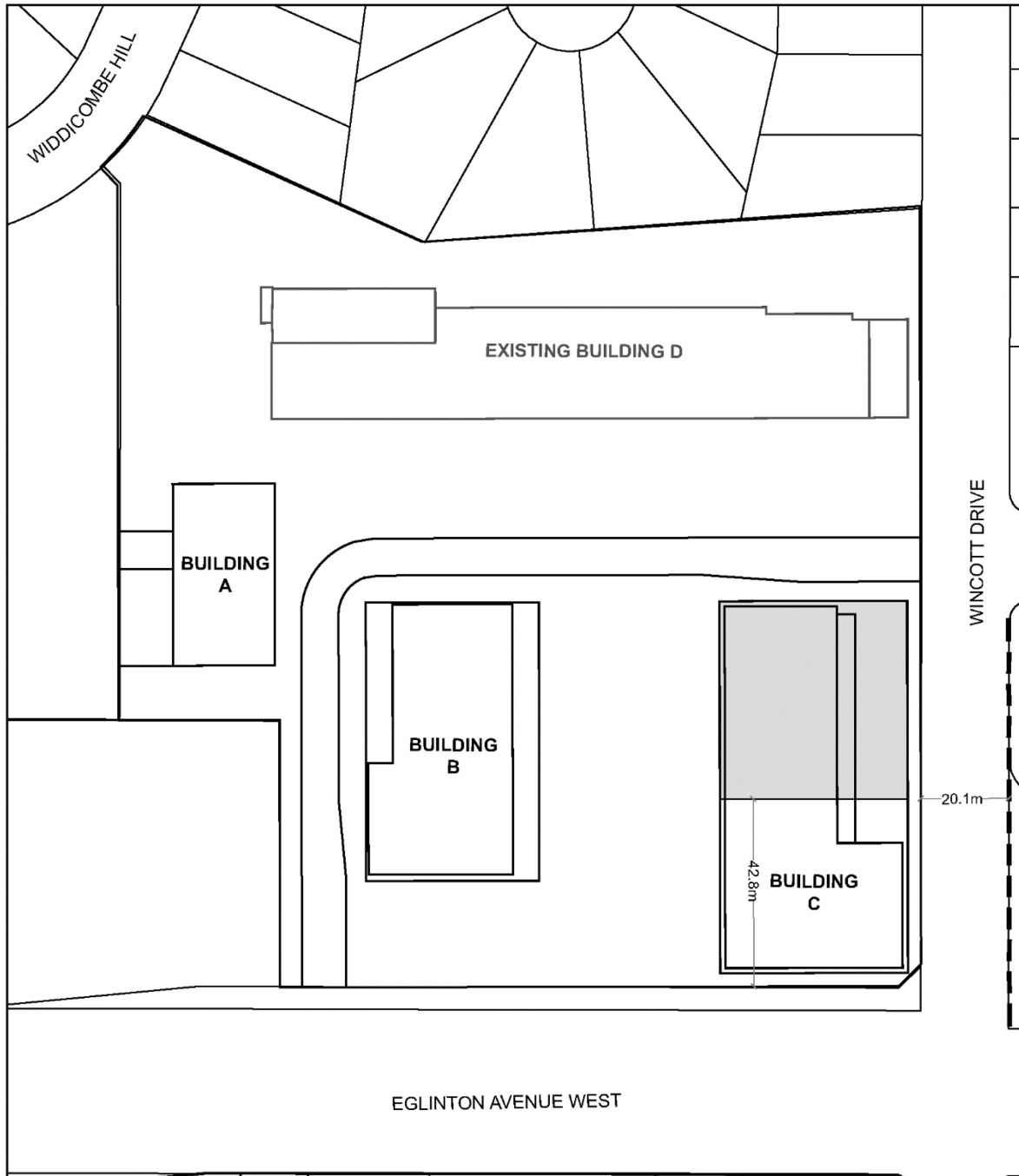
**250 Wincott Drive and
 4620 Eglinton Avenue West**

File # 18 150932 WET 04 02

All dimensions are in metres

-  Addition to Existing Building D
-  Parkland Dedication to the City (1700.26 square metres)
-  Privately Owned Publicly-Accessible Open space (658.98 square metres)


 Former City of Etobicoke By-law 11,737
 Not to Scale
 03/18/2021




 **TORONTO**
Schedule C

**250 Wincott Drive and
4620 Eglinton Avenue West**

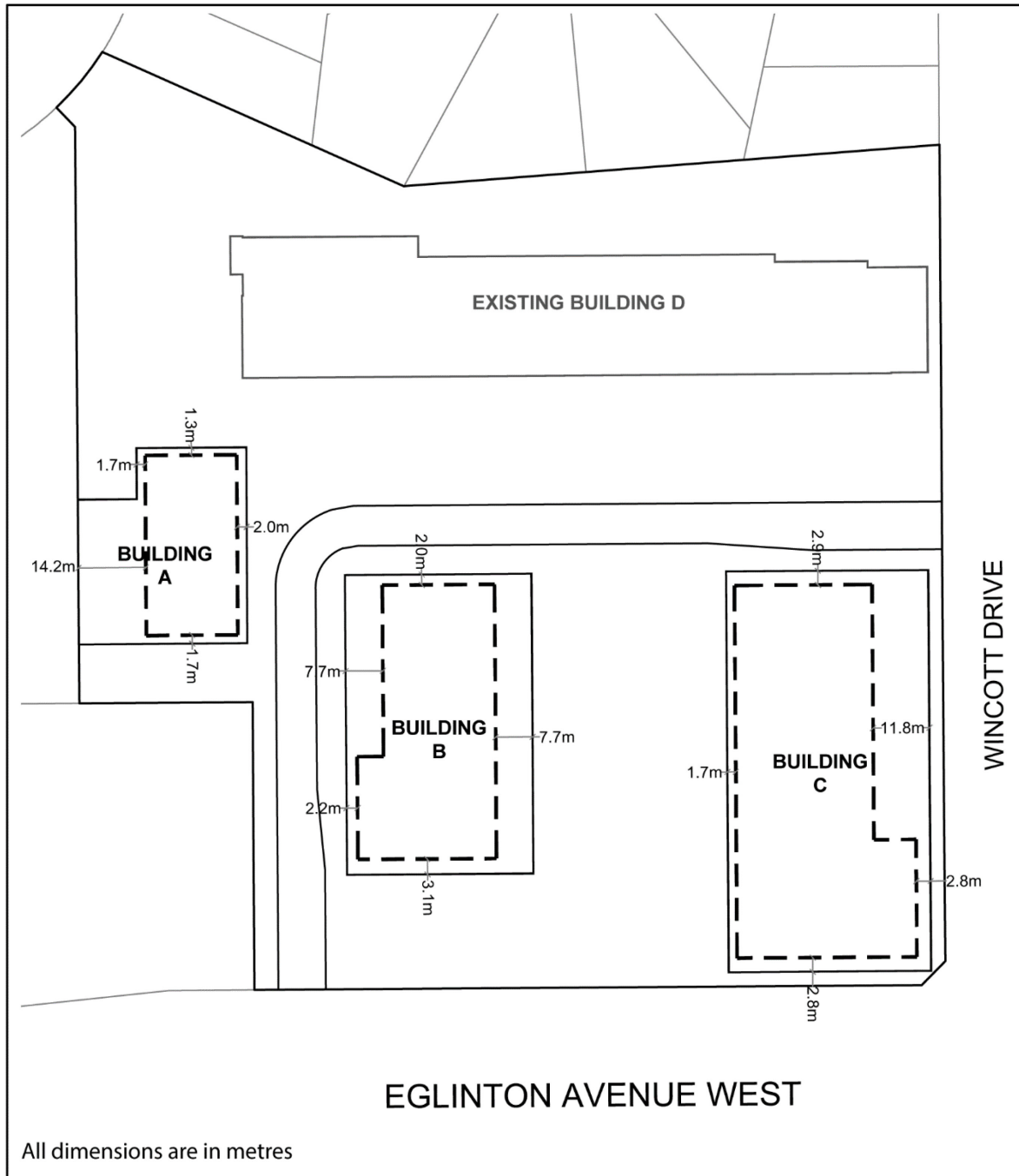
File # 18 150932 WET 04 02

All dimensions are in metres

 Portion of Building C Subject to East Angular Plane Requirement

 East Angular Plane Reference Line (Canadian Geodetic Datum Elevation 160.2 metres)



Former City of Etobicoke By-law 11,737
Not to Scale
03/18/2021



 **TORONTO**
Schedule D

**250 Wincott Drive and
4620 Eglinton Avenue West**
File # 18 150932 WET 04 02

- - Outline of Base Building Transition Level


City of Toronto By-law 569-2013
Not to Scale
03/18/2021