

## **250 Wincott Drive and 4620 Eglinton Avenue West – Zoning By-law Amendment Application – Final Report**

Date: March 31, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Ward: 2- Etobicoke Centre

**Planning Application Number: 18 150932 WET 04 OZ**

### **SUMMARY**

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This application proposes to amend both the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 to permit a multi-building, mixed-use development including a 1,700 m<sup>2</sup> public park fronting Eglinton Avenue West, a 659 m<sup>2</sup> privately-owned publicly-accessible open space (POPS) abutting the public park, and a 465 m<sup>2</sup> community agency space 250 Wincott Drive and 4620 Eglinton Avenue West.

The proposed development consists of an 11-storey mixed-building (Building C) located at the southeast corner of the site, a 13-storey building (Building B) immediately north of the proposed public park, and a 13-storey building (Building A) located to the northwest of the proposed private street. The existing retail plaza (Building D) is to remain and a 8.6 m wide addition is proposed at the east end of the building.

The total gross floor area of the proposed development is 65,237 m<sup>2</sup>, of which 11,038 m<sup>2</sup> would be non-residential gross floor area, 53,734 m<sup>2</sup> would be residential and 465 m<sup>2</sup> would be community agency space. The development would contain 587 residential units, of which 54 would be purpose-built affordable rental dwelling units. A new 8.5 m L-shaped mid-block private road is proposed connecting Wincott Drive and Eglinton Avenue West. A total of 932 vehicular parking spaces located within a 2-level underground garage and at-grade are proposed.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). This report reviews and recommends approval of the application to amend the Zoning By-laws to permit the proposed development.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code for the lands at 4620 Eglinton Avenue West and 250 Wincott Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.

2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 4620 Eglinton Avenue West and 250 Wincott Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

4. City Council approve, at the Owner's expense, the installation of new traffic control signals at the future intersection of Wincott Drive and Waterford Drive/Southerly Site Access Driveway, to the satisfaction of the General Manager, Transportation Services.

5. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:

a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:

i. The Owner shall design and construct fifty-four (54) affordable rental dwelling units comprising 4,183 m<sup>2</sup> of residential Gross Floor Area within an approved development at 4620 Eglinton Avenue West and 250 Wincott Drive, 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.

ii. 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:

1. The affordable rental dwelling units shall be provided in contiguous groups of at least 6 dwelling units.

2. 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.

- iii. The Owner shall provide and maintain the 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.
- iv. The Owner shall provide and maintain the 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.
- v. The Owner shall enter into a Section 37 Agreement, and any other necessary agreements, satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor, with such Agreement(s) to be registered on title to the lands at 4620 Eglinton Avenue West and 250 Wincott Drive and in a manner satisfactory to the City Solicitor to secure the following community benefits at the owner's expense:
  - 1. 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 m<sup>2</sup> (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:
    - A. 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.
    - B. 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.

- C. 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.
- D. The cash contribution referred to in Recommendation 5.v.1.C 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.
- E. 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.

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

- i. 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, and will be a condition of Site Plan Approval, including the approved signal drawings and the approved functional pavement marking and signage plans:
  - 1. A new traffic control signal at Wincott Drive/Waterford Drive/South Site Access driveway;
  - 2. A northbound left-turn lane from Wincott Drive into the site at the South Site Access;
  - 3. An expanded southbound left-turn lane from Wincott Drive to Eglinton Avenue West;
  - 4. Relocation of the existing right-in/right-out Eglinton Avenue West driveway further west; and

5. 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.
- ii. The owner must submit the following to the satisfaction of the General Manager, Transportation Service prior to Site Plan Approval:
    1. 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
    2. 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.
  - iii. 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 m<sup>2</sup> 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. 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.
  - iv. A minimum of 35% of the total number of dwelling units on the lot must contain two bedrooms, of which 15 % of all units must achieve a minimum unit size of 87 square metres.
  - v. A minimum of 17% of the total number of dwelling units on the lot must contain three or more bedrooms, for which 10% of all units must achieve a minimum unit size of 101 square metres.
  - vi. 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.

- vii. 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.
- viii. 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.
- ix. 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.

6. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the owner of installing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of Development Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time. The owner is required to submit a design and cost estimate to be approved by the General Manager, Parks, Forestry and Recreation, and a letter of credit equal to 120% of the Parks and Recreation Development Charges payable for the development. The design, cost estimate and letter of credit will be required prior to the issuance of any above grade Building Permit.

7. City Council require that the conditions related to the conveyance of the required public parkland dedication having an area of 1,700 m<sup>2</sup> be satisfied prior to the issuance of any above grade Building Permit for a residential use on the lands, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Director, Real Estate Services and the City Solicitor. The subject parkland conveyance is to be 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 is to 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.

8. City Council direct the City Solicitor to secure matters regarding the required parkland conveyance through a Section 37 Agreement, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor, including:

- a. Conveyance of land to the City for public parkland, with a minimum size of 1,700 m<sup>2</sup> as generally depicted in Diagram 4 and Schedule B of the Draft Zoning By-law Amendments;
- b. Securing the design and construction of the new public park to Above Base Park Improvements; and
- c. All other conditions such as (but not limited to): Parkland Conveyance; Environmental Assessment; Park Construction and Base Park Improvements; Above Base Park Improvements; and Credit Against Development Charges for Above Base Park Improvements as outlined in the memorandum from Parks, Forestry and Recreation dated February 26, 2021, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **DECISION HISTORY**

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The site at 4620 Eglinton Avenue West was originally intended to be part of the planned Richview Expressway which was cancelled in the 1960's. The lands were subsequently deemed surplus by the City of Toronto and transferred to CreateTO for development purposes in 2011. CreateTO have an agreement of purchase and sale with Trinity Development Group Inc., the owner of the adjacent land at 250 Wincott Drive, the site of the Richview Square Plaza.

A report to the Affordable Housing Committee on June 16, 2018 supported up to 72 new affordable rental dwelling units to be provided as part of the redevelopment of 4620 Eglinton Avenue West and 250 Wincott Drive and recommended these units receive financial contribution through the City's Open Door Affordable Housing Program. City Council considered this report on July 23, 2018 and adopted the recommendation outlined in the report. The report can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX36.29>

A number of pre-application meetings were held in 2017 and 2018. The current application was submitted on April 30, 2018 and deemed complete on June 8, 2018. A Preliminary Report on the application was adopted by Etobicoke York Community Council on June 25, 2019 authorizing staff to conduct a community consultation meeting. The Preliminary Report can be accessed by way of this link:

<https://www.toronto.ca/legdocs/mmis/2019/ey/bgrd/backgroundfile-134000.pdf>

Additional meetings took place between staff, the Councillor, the applicant and the residents association. Community consultation is summarized in the Comments section of this Report.

## PROPOSAL

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The application seeks to amend the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 to permit a multi-building, mixed-use development at 4620 Eglinton Avenue West and 250 Wincott Drive. The application is proposing 3 new mixed-use buildings, two of which would have a height of 13-storeys and the third 11-storeys. The existing Richview Square Plaza, located at the north end of the property, would remain and is proposed to be extended by an 8.6 m wide addition to the east end of the building (See Attachment 8: Site Plan and Attachments 9-12 for building elevations).

The application is proposing the introduction of an 8.5 m wide L-shaped mid-block private street connecting Eglinton Avenue West and Wincott Drive. Located south of the private street, fronting on Eglinton Avenue West, would be Buildings B and C, while Building A would be located to the northwest of the private street adjacent to the western property line. Building D is referred to as the existing Richview Square plaza.

A total of 587 residential units are proposed, of which 54 would be purpose-built affordable rental units. The proposal would include a 1,700 m<sup>2</sup> public park fronting on to Eglinton Avenue West, a 659 m<sup>2</sup> Privately-Owned Publicly Accessible Space abutting the new public park to the north and 465 m<sup>2</sup> of community agency space.

A 2-level underground garage extending beneath all three buildings would serve the proposed buildings and would provide additional parking spaces for the existing retail plaza. Also proposed are additional at-grade parking spaces to serve the proposed retail uses.

The proposal has evolved significantly from the initial submission on April 30, 2018 through subsequent submissions. Detailed development statistics and a comparison of all the revisions to the proposal are set out in the table below.

	April 2018 Submission	April 2019 Submission	October 2019 Submission	Current Submission
Building Height				
Building A	16 storeys	20 storeys	18 storeys	13 storeys
Building B	22 storeys	19 storeys	12 storeys	13 storeys
Building C	22 storeys	12 storeys	11 storeys	11 storeys
Building D	1-2 storeys	1-2 storeys	1-2 storeys	1-2 storeys
Building E	--	12 storeys	--	--



	April 2018 Submission	April 2019 Submission	October 2019 Submission	Current Submission
Building Height (m) (excluding MPH)				
Building A	54.3 m	66.3 m	60.3 m	45.5 m
Building B	76.3 m	67 m	45.6 m	44.5 m
Building C	76.3 m	46 m	42.3	42.5 m
Building D	7.0	7m	7 m	7 m
Building E	--	43 m	--	--
Residential Units Total	<b>671</b>	<b>773</b>	<b>605</b>	<b>587</b>
1-bedroom units	336 (50%)	492 (64%)	355 (59%)	278 (47%)
2-bedroom units	268 (40%)	198 (26%)	182 (30%)	208 (35%)
3-bedroom units	67 (10%)	83 (10%)	68 (11%)	101 (17%)
Gross Floor Area Total	<b>75,525 m<sup>2</sup></b>	<b>77,964 m<sup>2</sup></b>	<b>66,755 m<sup>2</sup></b>	<b>65,237 m<sup>2</sup></b>
Residential	60,298 m <sup>2</sup>	64,554 m <sup>2</sup>	52,803 m <sup>2</sup>	53,734 m <sup>2</sup>
New Retail	11,162 m <sup>2</sup>	9,469 m <sup>2</sup>	10,012 m <sup>2</sup>	7,152 m <sup>2</sup>
Retained Retail	4,065 m <sup>2</sup>	3,940 m <sup>2</sup>	3,940 m <sup>2</sup>	3,886 m <sup>2</sup>
Community Space	--	--	--	465 m <sup>2</sup>
FSI	2.48	2.56	2.19	2.14
Public Park	0 m <sup>2</sup>	1,700 m <sup>2</sup>	1,700 m <sup>2</sup>	1,700 m <sup>2</sup>
POPS	492 m <sup>2</sup>	869 m <sup>2</sup>	659 m <sup>2</sup>	659 m <sup>2</sup>
Parking Spaces Total	<b>1,288</b>	<b>1,013</b>	<b>958</b>	<b>932</b>
Commercial/Visitor	617	332	437	411
Residential	671	681	521	521
Bicycle Parking Spaces	650	760	512	490

## Building A

Building A is proposed to be 13-storeys in height with retail uses at-grade along the north frontage facing the existing commercial plaza, at-grade residential units on the south frontage and the main residential entrance and lobby accessible from the new private street. The building would consist of 117 residential units. The proposed building would consist of a 3-storey, 14 m base building height, and a 10-storey taller component

sitting above resulting in an overall building height of 51.45 m, including mechanical equipment.

The base building would have a 0 m setback from the western property line, and the upper portion would be setback 12.5 m from the southern property line above the base building to create a rectangular shape floor plate area of 750 m<sup>2</sup>.

The vehicular access to the underground garage and servicing facilities would be located at the northwest corner of the building. One Type 'G' loading space is proposed to serve Building A exclusively. The proposed indoor and outdoor amenity space would be located adjoining each other on the 4th floor along the western elevation.

## **Building B**

Building B is a proposed 13-storey building with an overall height of 51.45 m, including mechanical equipment. Located at-grade would be a L-shaped retail space proposed along the entire north frontage and would wrap along a portion of the western frontage, with additional retail space at the southeast corner of the building adjacent to both the public park and POPS. At the southwest corner of the first floor, fronting both the private street and the public park, would be a 465 m<sup>2</sup> community agency space conveyed to the City of Toronto as part of the development application. The main residential lobby would be accessible from the private street and the secondary access would be from the external vehicular courtyard proposed between Buildings B and C. The proposed external courtyard would provide vehicular access to the underground garage, loading spaces and service facilities for both Building B and C. The building would contain 230 residential units.

The proposed height of the first floor and mezzanine level would be approximately 7 m. The building would be setback approximately 26 m from its Eglinton Avenue West property line, which would include a 5 m setback from the new abutting public park. Building B would be setback approximately 19.8 m to 20.7 m from the west property line. Building B would be separated from Building C by 41 m, Building D by 42 m and by approximately 27 m from the upper portion of the Building A. A series of building step backs above the first floor are proposed to provide visual architectural interest to the building. The indoor and adjoining outdoor amenity space would be located on the 2nd floor and on the mechanical level of the building. One Type 'G' loading space is proposed to serve Building B exclusively.

## **Building C**

Building C is proposed to be 11-storeys with an overall height of 48.45 m, including mechanical equipment. The building base of 2 storeys and 14 m in height, would contain retail uses and a residential lobby which would be accessible from Wincott Drive. At-grade, the proposed building would be setback 3 m from both the south and east property lines and would be separated from Building D by approximately 41.7 m. A series of building step backs are proposed along the eastern elevation of the building in order to fit within the 45 degree angular plane measured from the Residential zone property line to the east of the site. One Type 'G' and 'A' and 2 Type 'B' loading spaces

are proposed to serve Building C exclusively. The building would contain 240 residential units.

### **Building D**

The existing 1-storey commercial and retail plaza would remain. An 8.6 m wide addition to the east end of the building is proposed. The building would be setback 2.9 m from the east property line and all the other existing setbacks would remain. To the south, north and west of the building would be at-grade vehicular parking spaces to accommodate customers of the plaza.

### **Private Street and External Courtyard**

The application is proposing an 8.5 m wide L-shaped private street that would provide mid-block access from Wincott Drive, stretching across the site and would turn south between Buildings A and B to connect to Eglinton Avenue West. The existing vehicular access from Widdicombe Hill Boulevard would remain and would be accessible via the proposed private street from a 7 m wide driveway. The existing access at the northerly portion of the site via Wincott Drive would also remain and serve as the main route for delivery vehicles servicing the existing plaza.

The proposed external courtyard would be located north of the POPS space between Buildings B and C and would be accessible from the private street. The courtyard would have an approximate width of 39 m and length of 45 m and would accommodate a 2.1 m walkway along both its east and west sides, connecting the public sidewalk along Eglinton Avenue West and the proposed public park to the retail and commercial uses in Building D. The courtyard would provide access to the underground garage, loading spaces, service facilities, a pick-up/drop off area and a secondary pedestrian entrance for both buildings. Located in the middle of the courtyard area would be 16 at-grade parking spaces.

### **Site and Surrounding Area**

The development site is comprised of two lots. The southern portion, 4620 Eglinton Avenue West, fronts onto Eglinton Avenue West and is currently vacant. The northern portion of the site at 250 Wincott Drive is currently developed with a commercial plaza with a range of retail and commercial uses, including a pharmacy, bank, convenience stores, restaurants and medical and dental offices, as well as its associated outdoor surface parking. The site also has one standalone retail building and surface parking. The majority of the plaza is 1-storey in height with a small portion of the building at the northwest corner being 2-storeys. At this location, Eglinton Avenue West has a planned right-of-way width of 45 m, as identified on Map 3 of the Official Plan.

Surrounding land uses include:

North: Immediately north the site abuts a low-rise residential neighbourhood consisting of predominantly detached homes.

West: Immediately west of the site fronting Eglinton Avenue West is a 9-storey seniors facility with a daycare centre located on the main floor and 3-storeys townhouses just east of Kipling Avenue. West of the site, fronting the south side of Widdicombe Hill Boulevard, are two 11-storey apartment buildings, a public park and approvals for a third 11-storey apartment building.

East: On the east side of Wincott Drive fronting Eglinton Avenue West is a vacant property owned by the City of Toronto that has been transferred to CreateTO. At the southeast corner of Wincott Drive and Waterford Drive is a one-storey commercial plaza containing retail uses. Also east of the site is a low-rise residential neighbourhood consisting of predominantly detached homes.

South: South of Eglinton Avenue West is a low-rise residential neighbourhood consisting of predominantly detached homes.

### **Reasons for Application**

An application to amend the former City of Etobicoke Zoning Code and the City-wide Zoning By-law No. 569-2013 is required to permit the proposed residential uses, building heights and densities, as well as to establish the appropriate zoning standards to facilitate the development of the proposal.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

The following reports/studies were submitted in support of the application:

- Planning Rationale
- Architectural Plans
- Archaeological Assessment
- Draft Zoning By-laws
- Energy Efficiency Report
- 3D Modelling
- Geotechnical Study
- Hydrogeological Report
- Landscape and Lighting Plans
- Pedestrian Level Wind Study
- Sun and Shadow Study
- Functional Servicing Report
- Stormwater Management Report
- Toronto Green Standard Checklist
- Traffic Impact Study and associated addendums
- Arborist Report
- Tree Preservation Plan
- Public Consultation Strategy

- Community Services and Facilities Report

All the submitted reports/studies for the application are available on the Application Information Centre (AIC): <https://www.toronto.ca/city-government/planning-development/application-information-centre>.

### **Agency Circulation Outcomes**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have an opportunity to view the submissions received prior to and at the statutory public meeting held by the Etobicoke York Community Council. Oral submissions made at the meeting are broadcast live over the internet and recorded for review.

## **POLICY CONSIDERATIONS**

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### **Planning Act**

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities. The outcome of staff analysis and review of relevant matters of provincial interest are summarized in the Comments Section of this report.

### **Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans**

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;

- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

## **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

## **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020), take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

## **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

The subject site is located on an *Avenue* on Map 2- Urban Structure in the Toronto Official Plan and designated *Mixed Use Areas* on Map 14 - Land Use Plan in the Toronto Official Plan. The site is located on a transit corridor along Eglinton Avenue West as identified on the Higher Order Transit Corridor Map 4 of the Official Plan.

## **Chapter 2- Shaping the City of Toronto**

A cornerstone policy of the Official Plan is to ensure that new development in the City's neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood. The Official Plan contains principles for steering growth and change to some parts of the city, while protecting neighbourhoods and green spaces from development pressures. By focusing development and intensification to the *Downtown, Centres* and along the *Avenues*, the shape and feel of the neighbourhoods can be preserved. Development in *Mixed Use Areas, Regeneration Areas* and *Apartment Neighbourhoods* adjacent to *Neighbourhoods* will: be compatible with those *Neighbourhoods*; provide gradual transition in scale and density; maintain adequate light and privacy; orient and screen lighting and amenity areas and locate, screen or

enclose service areas and any surface parking and access to underground and structured parking so as to minimize the impacts on adjacent land in those *Neighbourhoods*; and attenuate resulting traffic and parking impacts on adjacent neighbourhood streets. Intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact.

## **Avenues**

*Avenues* are important corridors along major streets where urbanization is anticipated and encouraged to create new housing and employment opportunities, while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit services for community residents. The growth and redevelopment of the *Avenues* should be supported by high quality transit services, including priority measures for buses and streetcars, combined with urban design and traffic practices that promote a street that is safe, comfortable and attractive for pedestrians and cyclists.

There is no "one size fits all" program for reurbanizing the *Avenues*. Not all lands that fall within *Avenues* are designated for growth. A framework for change will be tailored to the situation of each *Avenue* through a local Avenue Study that will involve local residents, businesses and other stakeholders. Each Avenue Study will contain a vision and implementation plan for the *Avenues*.

Some *Avenues* serve as "main streets" that are the focal point for the local community with attractive bustling sidewalks. Ultimately, all *Avenues* perform a "main street" role and become meeting places for the local neighbours and wider community. Development along the *Avenues* will generally be at a much lower scale than in the *Downtown* and most often at a lower scale than in the *Centres*.

Policy 2.2.3.1 states "reurbanizing the *Avenues* will be achieved through the preparation of *Avenue* Studies for strategic mixed-use segments of the corridors shown on Map 2." *Avenue* Studies are required when the lands along the *Avenue* are designated *Mixed Use Areas*. Map 2 of the Official Plan has identified Eglinton Avenue West stretching from Scarlett Road to just west of Martin Grove Road as an *Avenue*, however only two sites along the *Avenue* are designated *Mixed Use Area*, and as such an *Avenue* Study is not required for this stretch of Eglinton Avenue West at this point in time.

Policy 2.2.3.6 directs that development in *Mixed Use Areas* on an *Avenue* that proceeds the completion of an *Avenue* Study will:

- i) Support and promote the use of transit;
- ii) Contribute to the creation of a range of housing options in the community;
- iii) Contribute to an attractive, safe and comfortable pedestrian environment that encourages walking and strengthening local retailing;
- iv) Provide universal physical access to all publically accessible spaces and buildings;
- v) Conserve heritage properties;
- vi) Be served by adequate parks, community services, water and sewers, and transportation facilities; and



- vii) Be encouraged to incorporate environmentally sustainable building design and construction practices.

## **Chapter 3- Building a Successful City**

### **Public Realm**

The Public Realm policies promote quality architecture, landscape and urban design that ensures that new development enhances the quality of the public realm. The Public Realm policies of the Official Plan recognize the essential role of the City's streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

Public Realm Policy 3.1.1.17 states that new streets should be public streets, however, private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets. Policy 3.1.1.16 identifies that new streets are to be designed to:

- (a) Provide connections with adjacent neighbourhoods;
- (b) Promote a connected grid of streets that offers safe and convenient travel options;
- (c) Extend sight lines and view corridors;
- (d) Divide larger sites into smaller development blocks;
- (e) Provide access and addresses for new development;
- (f) Allow the public to freely enter without obstruction;
- (g) Implement the Complete Streets approach to develop a street network that balances the needs and priorities of the various users and uses within the right-of-way;
- (h) Improve the visibility, access and prominence of unquiet natural and human-made features; and
- (i) Provide access for emergency vehicles.

### **Built Form**

The development criteria within the *Mixed Use Area* policies are supplemented by additional development criteria outlined in the Built Form policies. Section 3.1.2 states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area.

Section 3.1.2, further states that most of the City's future development will be infill and redevelopment sites and, as such, will need to fit in, respect and improve the character of the surrounding area. It also states that development must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its façade fits within the existing and/or planned context of the neighbourhood and the City. Each new building should promote and achieve the overall objectives of the Official Plan.

Policy 3.1.2.2 states that new development will locate and organize vehicular parking and access, service areas and utilities to minimize their impacts on the property and on surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

- (a) Using shared services areas where possible within development block(s) including public and private lanes, driveways and service curbs;
- (b) Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- (c) Integrating services and utility functions within buildings where possible; and
- (d) Providing underground parking where appropriate.

Built Form Policy 3.1.2.3 directs new development to be massed and its exterior façade to be designed to fit harmoniously into its existing and/or planned context, and to limit its impact on neighbouring streets, parks and open spaces and properties by:

- (a) Massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportions;
- (b) Incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;
- (c) Creating appropriate transition in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Plan;
- (d) Providing for adequate light and privacy; and
- (e) Adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open space, having regard for the varied nature of such areas.

The Policies of Section 3.1.3 state that "tall buildings come with larger civic responsibilities and obligations than other buildings. To ensure that tall buildings fit within their existing and/or planned context and limit local impacts, additional built form principles will be applied to the location and design of tall buildings".

Policy 3.1.3.1 requires tall buildings to be designed to consist of three parts, carefully integrated into a single whole:

- a) Base building – provide definition and support at an appropriate scale for adjacent streets, park and open spaces, integrate with adjacent buildings, minimize the impact of parking and servicing uses;

b) Middle (shaft) – design the floor plate size and shape with appropriate dimension for the site, locate and orient it on the site and in relationship to the base building and adjacent buildings in a manner that satisfies the provisions of this Section; and

c) Top – design the top of tall buildings to contribute to the skyline character and integrate roof top mechanical systems into the design.

Policy 3.1.3.2 requires tall building proposals to address key urban design considerations, including:

a) Meeting the built form principles of the Plan;

b) Demonstrate how the proposed building and site design will contribute to and reinforce the overall City structure;

c) Demonstrate how the proposed building and site design relate to the existing and/or planned context;

d) Taking into account the relationship of the site to topography and other tall buildings;

e) Providing high quality comfortable and usable publicly accessible open spaces areas; and

f) Meeting other goals and objectives of the Plan.

Section 3.1.3, Built Form – Tall Buildings, states poorly located and designed tall building can physically and visually overwhelm adjacent streets, parks and neighbourhoods. Such buildings can block sunlight, views of the sky and create uncomfortable wind conditions in adjacent streets, parks and open space and create traffic congestion. The Built Form Section defines tall buildings as buildings whose height is greater than the width of the adjacent road allowance. This built form is limited to parts of the *Downtown, Centres*, and other areas in which they are permitted by a Secondary Plan, an area specific policy, a comprehensive zoning by-law, site specific policies in effect as of the approval of the Plan. Tall buildings will only be permitted in other areas on the basis of appropriate planning justification consistent with the policies of the Plan.

Policies 3.1.2.4 and 3.1.2.5 require new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, comfortable and functional for pedestrians. Policy 3.1.2.6 requires that every significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development.

## Housing

Section 3.2.1 states that the City's quality of life, economic competitiveness, social cohesion, balance and diversity depend on access to adequate, affordable and appropriate housing. It states that adequate and affordable housing is a basic requirement for everyone.

Policy 3.2.1.1 states a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents.

The production of affordable housing is addressed in Policy 3.2.1.4. It states that where appropriate, assistance will be provided to encourage the production of affordable housing. In the case of affordable rental housing, and in order to achieve a range of affordability, municipal assistance may include: loans and grants, land at or below market rates, fees and property tax exemptions, rent supplement and other appropriate assistance.

## Chapter 4- Land Use Designations

### *Mixed Use Areas* Policies

The *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential or institutional uses, in single or mixed-use buildings, as well as parks and open spaces and utilities. The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale or intensity of development". The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Policy 4.5.2 of the Official Plan includes criterion that directs the form and quality of development in this land use designation. It is the intent that development in *Mixed Use Areas* will:

- (a) Create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meets the needs of the local community;
- (c) Locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down of heights;
- (e) Locate and mass new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- (f) Provide an attractive, comfortable and safe pedestrian environment;

- (i) Provide good site access and circulation and an adequate supply of parking for residents and visitors;
- (j) Locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- (k) Provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Refer to Attachment 3 for the Official Plan Land Use Map.

## **Chapter 5- Implementation: Making Things Happen**

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the *Planning Act*. The proposed density meets the Official Plan's threshold for Section 37 considerations, therefore this development proposal would be subject to the Section 37 policies of the Official Plan.

The Official Plan includes policies for City-building that provide for more detailed oriented action plans, programs and strategies needed to implement the Plan and to adapt to changing circumstances and challenges over the life of the Plan. Policy 5.3.2.1 states that "Implementation plans, strategies and guidelines will be adopted to advance the vision, objectives and policies of this Plan." Though the policy goes on to acknowledge these plans, strategies and guidelines are not Official Plan policy unless added by amendment to the Plan, they do advance the vision, policies and objectives of the Plan. Urban design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas".

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

## **Zoning**

The former City of Etobicoke Zoning Code zones the site CPL - Planned Commercial Local. The CPL zone permits a wide range of commercial uses including offices, health centres, banks, day nurseries and nursery schools as well as the uses in the Neighbourhood Commercial Zone such as neighbourhood stores and restaurants. Residential uses are not permitted in the CPL zone. The property at 4620 Eglinton Avenue was not included in the CPL zone boundary but Section 320-6(E) of the former City of Etobicoke Zoning Code allows that where a right-of-way has been closed, the zone adjacent to the property is applicable.

City of Toronto Zoning By-law No. 569-2013 zones the site CR 0.5 (c0.5, r0.0) (see Attachment 3: Zoning Map). The CR (Commercial Residential) zone permits a wide range of commercial uses such as retail stores, offices, financial institutions, eating establishments and personal service shops. While residential uses could be permitted

within the CR zone, this site does not have any residential density allocated. The CR zone standards for this site permit a maximum non-residential density of 0.5 FSI, a maximum residential density of 0.0 FSI (no residential density permitted), a maximum height of 8 m and a maximum lot coverage of 25 per cent of the site.

The City-wide Zoning By-law No. 569-2013 may be found here:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law/preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Eglinton Crosstown Light Rail Transit & Faster Transit Act**

Eglinton Avenue West is identified as a Transit Corridor on Map 4 – Higher Order Transit Corridors of the Official Plan. The Toronto Transit Commission completed a Transit Project Assessment Process (TPAP) and an Environmental Assessment (EA) for the implementation of a light rail transit (LRT) system within the Eglinton Avenue corridor extending from Kennedy Road to Lester B. Pearson International Airport. The study recommended construction of an LRT facility within an exclusive at-grade right-of-way in the centre of Eglinton Avenue West. In July 2016, City Council approved an Eglinton West LRT extension with between 8 and 12 stops from Mount Dennis and Renforth Drive.

In March 2020, Metrolinx announced the commencement of a fully grade-separated LRT, referred as the "Eglinton Crosstown West Extension" which differs from the previously recommended at-grade LRT. This new transit line would be an extension of the Eglinton Crosstown LRT and would include alignments that would be primarily underground, with some sections elevated (Jane Street and Scarlett Road) and at-grade (Renforth/Commerce). It would include seven stops (Jane Street, Scarlett Road, Royal York Road, Islington Avenue, Kipling Avenue, Martin Grove Road, and Renforth/Commerce). At this location along Eglinton Avenue West, the future LRT would be located below grade.

The proposed development would create opportunities to make efficient use of proposed infrastructure, which includes the future Eglinton West LRT and the stations proposed east and west of the site, and increases accessibility and minimizes auto-dependency for residents. Further, the proposed development would not pose an obstruction or create any undue impacts to the provision and construction of the Eglinton Crosstown West Extension.

## **Design Guidelines**

Part III of the Provincial Policy Statement (2020) under section titled "Guidance Material" states that guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Plan.

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City Building, of the Official Plan states that Guidelines will be adopted to advance the vision, objectives,

and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas".

### **City-Wide Tall Building Design Guidelines**

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

The City-wide Tall Building Design Guidelines define a tall building as having a height that is greater than the width of the adjacent street right-of-way or the wider of two streets if located at an intersection. The Tall Building Design Guidelines do not determine where tall buildings are permitted, rather they assist with the implementation of Official Plan policy to ensure that tall buildings, where they are permitted, "fit within their context and minimize their local impacts". The Guidelines provide measurable direction relating to creating harmonious fit and compatibility with the existing and planned context, emphasizing relationships to lower-scale buildings, parks and open spaces. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

### **Avenues and Mid-rise Buildings Study and Performance Standards**

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

### **Growing Up: Planning for Children in New Vertical Communities**

In July 2020, Toronto City Council adopted updated Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals greater than 20 residential units and future city-wide and area-based planning frameworks. The

objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Guidelines are available at: <https://www.toronto.ca/citygovernment/planningdevelopment/planningstudiesinitiatives/growing-up-planning-forchildren-in-new-verticalcommunities>

### **Privately Owned Publicly-Accessible Space (POPS) Urban Design Guidelines**

In July 2014, Toronto City Council adopted the Draft Urban Design Guidelines for Privately Owned Publicly-Accessible Spaces (POPS) and directed City Planning staff to apply these guidelines in evaluating locations, programming and designs of POPS in order to effectively contribute to the City's overall open space network in a meaningful way. The purpose of the Guidelines is to not only provide direction for the provision of POPS, but also to facilitate collaborative discussions between City Staff, local residents and the development community in the location and design of new publicly-accessible spaces and the revitalization of existing POPS.

The Guidelines are available at: <https://www.toronto.ca/wp-content/uploads/2017/08/8527-draft-design-guidelines-for-privately-owned-publicly-accessible-space-Di...pdf>.

### **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

## **COMMENTS**

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### **Planning Act**

The proposed development has regard to relevant matters of provincial interest in Section 2 of the *Planning Act*. These include:

- (f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) The orderly development of safe and healthy communities;
- (i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) The adequate provision of a full range of housing, including affordable housing;
- (k) The adequate provision of employment opportunities;
- (p) The appropriate location of growth and development; and
- (r) The promotion of built form that:
  - i. is well-designed;
  - ii. encourages a sense of place; and
  - iii. provides public spaces that are of high quality, safe, accessible, attractive and vibrant.

The subject site is located on an *Avenues* and is designated *Mixed Use Areas* in the Official Plan both of which have been identified in the Official Plan as locations for



growth. The application proposes an orderly mixed-use development including the adequate provision of employment opportunities by way of the proposed retail and commercial spaces. The proposal would include a range of housing options through a mix of unit sizes and purpose-built affordable rental units. In addition, the new public park, Privately Owned, Publicly Accessible Open Space (POPS) and the community agency space would create a sense of place for the residents and the greater community.

These provincial interests are further articulated through the PPS and the Growth Plan.

### **Provincial Policy Statement**

Policy 1.1.3.3 of the PPS (2020) refers to planning authorities identifying appropriate locations and promoting opportunities for intensification and redevelopment. Policy 1.1.3.4 refers to appropriate development standards which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Policy 1.1.3.2 directs that land use patterns shall be based on densities and a mix of land uses which: efficiently use land and resources; efficiently use infrastructure which are planned or available; and are transit-supportive, where transit is planned. The proposal supports the intensification policies by focusing growth within an existing settlement area which has been identified in the Official Plan to accommodate development and is located on a planned Light Rail Transit (LRT) line. The proposed development provides for the efficient use of land and utilization of existing services and infrastructure.

Policy 1.5.1 (b) indicates that healthy, active communities should be promoted by "planning and providing for a full range of equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open spaces...". The proposal provides an on-site public park adjacent to the new POPS, together they would expand the outdoor open space within the development.

Policy 1.4.3 requires the provision to be made for an appropriate range of housing options and densities to meet projected housing requirements of current and future residents. This policy is achieved by accommodating a range of residential unit mixes and sizes and 54 purpose-built affordable rental units for a minimum of 25 years.

Policy 1.6 provides guidance for municipalities to require public service facilities to be coordinated and integrated with land use planning and growth management. In the "Update on Central Etobicoke Community Hub Planning" Information Report dated November 20, 2019, authored by the Executive Director, Social Development, Finance and Administration to the Economic and Community Development Committee, a review of high-level opportunities to co-locate multi-agency-led spaces in City of Toronto owned redevelopment sites to serve Ward 2 was undertaken. The report concluded that the Central Etobicoke area would benefit from an increase in services and new community space opportunities, including Community Space Tenancy spaces, and that future space should be sought through redevelopment opportunities in the community. The proposal would be providing 465 m<sup>2</sup> of community agency space on the ground floor of Building B fronting on to the new public park.

Policy 4.6 of the PPS, Implementation and Interpretation, states that the municipal Official Plan is "the most important vehicle for implementation" of the PPS and that "comprehensive, integrated and long-term planning is best achieved through official plans". The City of Toronto Official Plan policies and Guidelines allow for growth and infill to specific growth areas, such as *Avenues* and *Mixed Use Areas* designation. The anticipated growth must fit within the existing and/or planned context of the neighbourhoods and the City, as well as respect and improve the character of the surrounding area with an appropriate built form.

The proposed development promotes a mix of uses such as residential housing, community agency space, recreation, park and open space, and commercial/retail. The proposed commercial and retail space would provide opportunities for local employment. The proposed mixed-use development represents an appropriate scale of intensification as it is compatible with its existing and planned context and is in keeping with Official Plan policies and guidelines regarding land use, built form and growth. The proposal achieves the Official Plan objectives as it provides a mix of residential sizes and affordability, through a built form that fits within its context and is sympathetic to the adjacent sensitive land uses. The current proposal conforms with the municipally established policies for growth and is consistent with the PPS.

### **A Place to Grow - Growth Plan for the Greater Golden Horseshoe (2020)**

The Growth Plan (2020) requires municipalities through their Official Plan to identify intensification areas, encourage intensification generally in the built-up areas and along existing or planned transit, with a priority on higher order transit where it exists or is planned (Section 2.2.1). Municipalities are also directed to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide a more compact built form.

One of the Growth Plan's primary objectives is to achieve "complete communities", described in part by Policy 2.2.1.4 as places that (amongst other things):

- Provide a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services and public service facilities;
- Provide a diverse range and mix of housing options, including affordable housing, to accommodate the needs of all household sizes and incomes;
- Provide for a more compact built form and a vibrant public realm, including public open spaces;
- Expand convenient access to: public service facilities and an appropriate supply of, publically-accessible open spaces and parks.

The proposal conforms to the Growth Plan (2020) which establishes that population growth will be accommodated by directing new growth to the built up areas of the City through intensification. The application proposes compatible and appropriate intensification in a built up area which is located on a planned transit line. This mixed-use proposal would make efficient use of land, existing infrastructure and services. The proposed development is of a compact and efficient form that has located the proposed

massing and density to the south portion of the site in order to provide appropriate transition in height and scale to the adjacent low-rise residential areas. The proposal would provide new housing with a range of unit types, sizes and affordability and new community agency space to serve the surrounding neighbourhood. Furthermore, the site would provide quality open space and landscaped areas through the provision of a new public park and POPS.

The proposed development supports the Growth Plan's directive to achieve complete communities by contributing to a mix of housing, employment opportunities through the proposed retail, commercial and community agency spaces, and a pedestrian friendly-environment with convenient access to local stores and business, public service facilities, such as a new public park, POPS and community agency space.

Section 5.2.4.5 (b) of the Growth Plan requires that the type and scale of development be contextually appropriate. In planning to achieve the minimum intensification targets in the Growth Plan, municipalities are directed by Policy 5.2.5.6 to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of high quality public realm and compact built form. The City has implemented this requirement through the adoption of a number of Official Plan policies and design guidelines pertaining to Healthy Neighbourhoods, Built Form, Public Realm, Tall Building Design Guidelines, Avenues and Mid-rise Building Design Guidelines and Growing Up Design Guidelines.

The current proposal conforms to these policies and supports these guidelines as the application proposes a compatible development with an improved public realm and a height and density that fits within the existing and planned context. As such, the proposal conforms to the Growth Plan (2020), given that it responds appropriately to the policies of the Official Plan and the applicable urban design guidelines with respect to the appropriate location for new development, the type, scale and transition of built form, and the achievement of complete communities.

### **Community Consultation**

City Planning staff hosted a community consultation meeting on December 3, 2019 at St. Marcellus Catholic School to discuss the October 2019 submission proposal. The meeting was attended by approximately 150 members of the public. In accordance with the direction of Etobicoke York Community Council, notice was sent to an expanded notice area that exceeded the required 120 m.

At the meeting, Planning staff presented the policy framework and an overview of the application review process and the applicant presented their proposal. An open house workshop followed the presentations and the meeting concluded with a brief question and comment period.

Staff had multiple meetings with the resident's associations and members of the community, as well as the local Ward Councillor regarding the proposal during the application review process.

Comments and issues raised by the residents in attendance at the meeting and subsequent communications are summarized as follows:

### **Built Form Comments**

- The proposed height, massing and density and the building's fit within the context of the immediate area. Residents expressed a preference for a mid-rise building with a maximum building height of 11-storeys. Residents understand that Eglinton Avenue West is identified as an *Avenues* under the Official Plan but are of the opinion that the proposed level of intensification is not intended to be development along the *Avenues*, but rather in the *Centres* and/or *Downtown*.
- The potential impacts in regards to the height and scale of the proposed buildings in close proximity to *Neighbourhoods* designated lands.
- The precedent the proposed development would have on other sites along Eglinton Avenue West.

### **Transportation and Traffic Comments**

- Traffic increase in an area that experiences significant traffic volumes. Residents were of the opinion there will be a need to widen the existing right-of-way width of Wincott Drive to accommodate the future traffic generated by the proposed development. Residents were in support of restricting vehicular access to/from Eglinton Avenue West and converting the Widdicombe Hill Boulevard entrance to pedestrian use only. There was a lack of support for commercial below-grade parking to serve the existing commercial plaza.
- Many residents were opposed to the installation of traffic lights on Wincott Drive, as it would negatively impact traffic on the local streets.
- The residents expressed a preference for a public mid-block street connecting Wincott Drive to Eglinton Avenue West versus the proposed private street.

### **Affordable Housing Comments**

- Residents shared mixed opinions regarding the proposed provision of affordable housing.

### **Infrastructure Comments**

- Residents expressed concerns with regards to the capacity and maintenance of the existing electrical supply and storm sewers to support the proposed development and whether any infrastructure upgrades and improvements were required to support this proposal.
- Residents had concerns related to local flooding and whether the proposed development would cause additional flooding.

## Park Comments

- Residents were of the opinion that the location of the proposed public park along Eglinton Avenue West is too busy. Rather the park should be enlarged and located to either the Widdicombe Hill entrance with vehicular access closed or to the area occupied by Building A. Residents were also of the opinion that the above base park design and equipment should be funded by the applicant and not other developments in the area.

## Other Comments

- Residents expressed concerns with the capacity of schools currently in the area.

Several letters and emails from the Richmond Green Ratepayers and Residents Association (RGRRA), as well as independent letters from some of the members were submitted to Planning staff outlining their concerns with the proposal, such as:

- The proposal fails to meet the Tall Buildings and Built Form policies of the Official Plan and that the proposed level of intensification proposed is anticipated in the *Centre* and *Downtown* and not along an *Avenue*.
- Concerns with the number of proposed units and subsequent increased traffic volumes along both the surrounding arterial and local roads, and also an increase in pedestrian traffic at the Eglinton Avenue West and Wincott Drive crossing.
- Residents had concerns about the overall building heights and expressed a preference for a mid-rise building with a maximum building height of 11-storeys, and that any proposed building height for the site should not exceed the height of the tallest building east of Kipling Avenue West and north of Eglinton Avenue West. Concerns were also expressed regarding the future development potential on the remaining plaza portion of the site.
- Opposition to the proposed private road rather than a public street so that Building A would have a public street frontage.
- The preservation of trees located on and adjacent to the property lines.
- Infrastructure impacts on the surrounding low-rise residential area.

Planning staff worked with the applicant to address those issues that could be resolved through the design of the proposal such as, increased building setbacks along the eastern elevation of Building C to improve the transition in scale to the adjacent residential properties and the reduction of the proposed building height of Building A from 18 to 13-storeys. Although residents support some form of development on the site, they have expressed a preference to limit the maximum building height to 11-storeys. While staff would have no objection to a maximum building height of 11-

storeys, in staff's assessment the site can accommodate the proposed additional building height and still be in keeping with the area context, as well as not create any negative impacts on the adjacent residential properties. Staff are satisfied that the proposed maximum building heights in the draft Zoning By-law Amendments are appropriate in this context.

## **Land Use**

The site is located on an *Avenues* as identified on Map 2 of the Official Plan, where urbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment. The site is designated *Mixed Use Areas* in the Official Plan, which is anticipated to absorb most of the City's anticipated growth in commercial, retail and housing. The site is zoned Planned Commercial Local under the former City of Etobicoke Zoning Code and Commercial Residential under the City-wide Zoning By-law No. 569-2013, both of which do not permit residential uses.

*Avenues* Policy 2.2.3.6 (i) and (ii) states that development in *Mixed Use Areas* on an *Avenue* that precedes the completion of an *Avenue* Study will (i) support and promote use of transit and (ii) contribute to the creation of a ranging of housing options in the community.

*Mixed Use Area* Policy 4.5.2 (a) and (b) states that in *Mixed Use Areas* development will:

(a) create a balance of high-quality commercial, residential, institutional and open space that reduces automobile dependency and meets the needs of the local community; and

(b) provide for new jobs and homes for Toronto's growing population on underutilized lands in the *Downtown and Central Waterfront, Centres, Avenues*, and other lands designated *Mixed Use Areas*, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians.

The application is proposing a mix of retail, commercial, residential and community space uses and would provide employment opportunities within the community and City. Planning staff are of the opinion that the proposed uses are in keeping with the Official Plan direction for *Mixed Use Areas*, particularly those on *Avenues*. The proposal is transit supportive, compatible with the neighbouring land uses, fits the existing character of the neighbourhood, contributes to the housing options in the community and does not create any potential undue impacts.

## **Design Review Panel**

On November 28, 2019, the proposed application was presented to the Design Review Panel. Both the revised October 2019 concept and the evolution of the proposal was generally supported by the Panel. The Panel noted the development's potential to become a mixed-use exemplar for the City of Toronto and a benchmark for reimagining an existing retail mall.

The Panel commended the application on the following key elements:

- **Built Form and Massing:** the proposed scale of the development was an appropriate scale for the street and had appropriate step backs and setbacks, and that at a broad level, the proposed overall scale seemed appropriate given the future Eglinton Crosstown LRT.
- **Mix of Uses:** the proposed mix of uses was supported, particularly in the proposed retail courtyard and further noted the courtyard had the potential to become a central hub for the future community.
- **Pedestrian Articulation:** the panel appreciated that pedestrian routes from Eglinton Avenue West were given priority and incorporated within the site.

Further consideration was suggested in the following areas:

- **Open and Green Space Connections:** The Panel felt strongly that additional landscaping and greenery should be incorporated into the proposal.
- **Transportation and Traffic Design:** The Panel suggested refining the servicing and loading approach and suggested relocating and consolidating the various access ramps. Many members also wanted to see a reduction in the number of parking spaces to be provided considering the site's proximity to a transit line and that priority be given to cycling infrastructure.
- **Sustainable Design:** The Panel felt the project needed to aspire to higher sustainability targets, including targeting Tier 3 or Tier 4 of the Toronto Green Standard, and that a comprehensive sustainability strategy should be developed to address both energy and non-energy challenges.
- **Proposed Courtyard:** The Panel felt the rationale for parking in the courtyard needed further consideration and noted that the flexibility of the courtyard space between pedestrians and vehicles needed to be more strongly defined. It was further suggested that a high-quality pedestrian-focused open space continuum and connection be provided from Eglinton Avenue West through to the internal courtyard and retail mall.

Overall, the panel voted to support the proposal with the condition that the vehicular access, particularly for loading and parking, from the internal courtyard be re-examined moving forward.

Planning staff are satisfied the revised proposal achieves the objectives identified by the Design Review Panel. Staff are of the opinion the proposed site layout, organization and courtyard location is appropriate. Further matters pertaining to sustainable design, materiality, the public realm and further refinement of the courtyard design will be dealt with through the Site Plan Control application review process.

## Building Height

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of the Report.

### Building A

The preamble of the Built Form section of the Official Plan states, "most of Toronto is already built with at least one generation of buildings. For the most part, future development will be built on infill and redevelopment sites and will need to fit in, respect and improve the character of the surrounding area" it continues by also stating "developments must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its facades fit within the existing and/or planned context of the neighbourhood..". Policy 3.1.2.1 also directs new development to be located and organized to fit within its existing and planned context. Tall Building Design Guideline 1.3 seeks to ensure tall buildings fit within the existing or planned context and respect and integrate with the height, scale and character of neighbouring buildings. Supporting sub-sections of this Guideline states when a tall building is proposed on a site surrounded by other tall buildings of consistent height, the height and scale of the proposed tower should relate to the existing context.

A review of the existing built form context illustrates that just east of the Richview Park leading up to the subject site there is a tall building mid-block context with sites designated *Apartment Neighbourhoods* having buildings heights ranging from 11 to 18 storeys, all of which are abutting lands designated *Neighbourhoods* in the Official Plan. Building A would be located adjacent to a site designated *Apartment Neighbourhoods* having apartment buildings with heights of 11-storeys. The height of Building A has been reduced from 16, 20 and 18-storeys as proposed in the previous submissions to 13-storeys to be in keeping with the existing built form context. At an overall building height of 13-storeys and 45.5 m, Building A would be consistent with the established mid-block taller building context in terms of the proposed building height and location. The proposed 13-storey building would complete the extent of the mid-block context as taller buildings to the east of the site would not be achievable as the properties are designated *Neighbourhoods* in the Official Plan.

### Buildings B and C

Official Plan Policy 3.1.2.3 (a) requires new development to be massed to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion. The Official Plan defines street proportion as "the ratio of the height of buildings along the edges of the street and the space between the buildings". Policy 4.5.2 (e) requires new development in *Mixed Use Areas* to locate and mass new buildings to frame the edges of the streets and parks with good proportion...".

The Avenues and Mid-rise Buildings Guidelines use the street right-of-way width as a guide to achieving proper street proportion. The guidelines indicate that the maximum height is established based on a 1:1 ratio where the maximum building height is equivalent to the width of the right-of-way. In the context of the *Avenues*, which generally range in right-of-way width between 20 m to 36 m, the maximum building height would be in the range of 6 to 11 storeys. The guidelines also permit flexibility in



determining the maximum building height on *Avenues* with greater right-of-way widths specifically on Eglinton Avenue West. The guidelines state, "Eglinton Avenue West is the only Avenue that has a 45 m width right-of-way. As the maximum mid-rise is defined as 11 storeys, or approximately 36 m, the City should undertake further study of this area to determine appropriate building heights."

The building heights of Buildings B and C would be 44.5 m and 42.5 m, each with an additional 6 m mechanical penthouse, totalling an overall height of 50.45 m and 48.5 m, respectively. The *Avenues* and Mid-rise Building Guidelines allow mechanical penthouses to extend above the 1:1 maximum building height to a maximum of 5 m. Given that Eglinton Avenue West has a planned right-of-way width of 45 m, the proposed building heights of 44.5 m for Building B and 42.5 m for Building C respect the 1:1 scale with Eglinton Avenue West. While there is a 1 m difference between the permitted mechanical penthouse height, the proposed mechanical penthouse of each building would fit within the 45 degree angular planes measured from the adjacent residential zoned properties, and as such staff have concluded that there are no impacts to the adjacent *Neighbourhoods*. Planning staff have assessed the additional building height on Eglinton Avenue through the application review process and are of the opinion that Buildings B and C are massed to have good street proportion that would satisfy the policies of the Official Plan and the intent of the *Avenues* and Mid-rise Buildings Guidelines.

## **Transition**

A recurring policy requirement within the Official Plan is to locate and mass buildings so as to minimize their impact on areas designated *Neighbourhoods*. Healthy Neighbourhoods Policies 2.3.1.3 of the Official Plan requires development in *Mixed Use Areas* adjacent or close to *Neighbourhoods* to be compatible with those *Neighbourhoods* and provide gradual transition in scale and density.

A key development criteria of *Mixed Use Area* Policy 4.5.2 is locating and massing buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*. Built Form Policy 3.1.2.3 (c) requires new development to be massed and its exterior be designed to fit harmoniously into its existing and/or planned context, and to create appropriate transitions in scale to neighbouring existing and/or planned buildings.

City-wide Zoning By-law No. 569-2013 includes an angular plane provision under Development Standard Set 3, which the proposal is subject to. The Zoning By-law provision states that when a lot abuts a residential zone category, a 45 degree angular plane applies. For the proposed buildings, the 45 degree angular plane would apply starting at grade along the entire rear lot line for a deep lot. The purpose of this 45 degree angular plane is to incorporate a series of stepbacks into the building envelope with the intention of providing an appropriate transition between the new development on *Mixed Use Area* properties that abut properties in the residential zoning category.

The proposal provides appropriate setbacks from the lower scale *Neighbourhoods* to both the north, east and south. Adequate transition in scale has been provided by strategically deploying the height and massing of the buildings along the site's Eglinton Avenue West frontage and to the southern portion of the site to ensure sufficient transition and separation has been provided to the abutting *Neighbourhoods* designated lands to the north. The proposed buildings fall below a 45 degree angle from the nearest residential rear property line to the north, exceeding the Zoning By-law's angular plane provision with respect to rear transition to residential zoned properties. At its closest point, Building A would be setback from the north property line by approximately 70 m and Buildings B and C would be setback approximately 82 m and 87 m.

Building C is in close proximity to residential zoned properties on the east side of Wincott Drive. Building C is a L-shaped building and the elongated northern portion incorporates a series of building step backs and setbacks to comply with the 45 degree angular plane measured from the property line of the abutting residential zone category to the east. Both Buildings B and C fit within the 45 degree angular plane measured from the residential property line to the south, beyond the Eglinton Avenue West right-of-way.

The proposed buildings have been sited to the south part of the property with the building footprint elongated north/south so the massing would present internally to the site to lessen the impact on adjacent properties and the public realm. This configuration has the density located and massed in the southern portion of the site farthest way from the *Neighbourhoods* designation located to the north of the site. The northern portion of the site would consist of the existing 1 to 2 storey commercial building that is compatible in terms of height and scale with the neighbouring low-rise residential dwellings. Transition in scale to the adjacent *Neighbourhoods* designated lands to the north, south and east of the site was an important consideration when reviewing the application.

Critical for Planning staff's support of this application is the retention of Building D, the existing commercial plaza. There is no proposed changes to the height of Building D, however any future additional height at this location would need very careful review in light of the Healthy Neighbourhoods, Built Form and *Mixed Use Areas* Official Plan policies, all of which require transition in scale and built form compatibility when adjacent to *Neighbourhoods* designated lands. Any future additional height or infill development would have to provide appropriate fit and transition in scale that would respect the existing low-rise context to the north.

Planning staff are of the opinion that the proposal meets the intent of the transition policies of the Official Plan through the proposed application of a 45 degree angular plane, setbacks and step backs from the adjacent *Neighbourhoods* designated lands.

### **Setbacks and Separation Distances**

Built Form Policy 3.1.2.3 (d) requires new development to be massed to provide for adequate light and privacy of the proposed and surrounding residential uses. The Tall

Building Urban Design Guidelines call for a minimum tower setback of 12.5 m from the side and rear property lines and a tower separation of 25 m between towers.

Above the base portion of Building A, the tower component would be setback 12.5 m from the west property line, resulting in a tower floor plate of 750 m<sup>2</sup> measured from the exterior main walls. At its closest point Building A would be setback approximately 70 m from the rear property line.

Building B would be setback approximately 26 m from the Eglinton Avenue West property line, included in the setback would be the proposed public park and a 5 m setback between the public park and the proposed building face. Along the new private street the building would be setback at-grade approximately 6 m to 8 m along the west frontage and approximately 8 m on the north frontage to allow for pedestrian walkways and tree planting. Between the lower levels of Building A and B there would be a separation distance of approximately 24 m, which would increase to 27 m on the upper levels. Building B and C would be separated by approximately 41.9 m.

Building C would be setback at-grade 3 m from the Eglinton Avenue West property line and approximately 5 m from the Wincott Drive property line, which would result in a building face to curb edge distance of approximately 21 m and 10 m, respectively. The proposed setbacks would provide sufficient space for tree planting and a comfortable pedestrian environment. Building D would be separated approximately 14.7 m from Building A and approximately 41 m from Buildings B and C.

Planning staff are satisfied with the proposed setbacks and separation distances between buildings.

## **Density**

The density of the proposal has been reduced from a total gross floor area of 75,525 m<sup>2</sup> and 77,966 m<sup>2</sup> in the original and second submissions, respectively, to 65,236 m<sup>2</sup> in the revised proposal. Similarly, the proposed FSI was reduced from the original and second submissions from 2.48 and 2.56 times the area of the lot to 2.14 times the area of the lot. Further, the number of residential units was reduced from 671 and 773 as proposed in the original and second submissions, respectively, to 587 in the revised proposal. Planning staff are of the opinion the proposed density is appropriate for the site and the FSI is in keeping with recently approved developments adjacent to the site.

It is important to note that along Eglinton Avenue West between Martin Grove and Scarlett Road, there are only two sites designated *Mixed Use Areas* in the Official Plan, being the subject site and the commercial plaza located on the south side of Eglinton Avenue West, west of Kipling Avenue. The remaining properties are designated either *Apartment Neighbourhoods*, *Neighbourhoods* or *Parks*, all of which have different policies and development criteria than the *Mixed Use Areas* designation and are not locations where significant growth is anticipated.

## **Sun and Shadow**

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of the Report.

Section 4.5, Policy 2(d) of the Official Plan states that development within *Mixed Use Areas* will contribute to the quality of life by locating and massing new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes. Policy 2(e) further states that development should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, *Parks and Open Spaces*.

As noted previously, the buildings have been designed to transition down in height and scale to fit below a 45 degree angular plane measured from the *Neighbourhoods* designation to the north and east of the site. Limiting the building height, orienting the buildings north/south, and stepping the massing down contributes to limiting the extent of any shadow impacts on the surrounding detached dwellings.

A shadow study was submitted with the application illustrating the incremental shadow impacts during March 21st and September 21st (Spring and Fall Equinoxes) and June 21st (Summer Solstice). The submitted shadow studies were evaluated to determine the impacts of the proposed buildings on the surrounding context.

The March 21st and September 21st shadow studies illustrate that the proposed development would cast new shadows on the open space of the adjacent apartment building to the west between 9:18 a.m. to 11:18 a.m. and would move off by 12:18 p.m. At 2:18 p.m. the proposed development would slightly shadow a portion of the sidewalk located on the east side of Wincott Drive. The proposed shadow would extend beyond the sidewalk on the east side of Wincott Drive to shadow the commercial plaza and a portion of the north sidewalk on Waterford Drive between 3:18 p.m. and 4:18 p.m. At 5:18 p.m. the proposed development would shadow the first three residential properties on the south side of Waterford Drive.

Planning staff have assessed the incremental shadowing impacts resulting from the proposed development and are satisfied that the development adequately limits shadowing on the adjacent public realm and *Neighbourhoods* designated lands.

## **Wind Impacts**

Planning staff are satisfied with the expected wind conditions resulting from the proposed development, subject to further assessment through the Site Plan application review process for additional mitigation strategies.

The Wind Study prepared in support of this application evaluated the predicted wind conditions for the proposed development. The wind conditions at the grade-level pedestrian areas within and surrounding the development site are expected to be

suitable for the intended use throughout the year and additional mitigation measures may be required between Buildings B and C, which will be assessed through the Site Plan application review process. Additional mitigation measures for the outdoor rooftop amenity space proposed on Building C and Building B's rooftop terrace may be required, which will be assessed through the Site Plan application review process.

## **Traffic Impact**

The applicant's transportation consultant, BA Group, submitted a Transportation Update Report, dated October 23, 2020, in support of the revised proposal.

The report indicates that at full build out the proposal would generate 555, 535 and 670 new two-way trips during the weekday morning, weekday afternoon and Saturday peak hours, respectively. However, when taking into account the existing uses that will be retained it is projected that the site at full build-out will generate 820, 800, and 935 two way trips during the weekday morning, weekday afternoon and Saturday peak hours, respectively. The proposed trip generation estimates reflect reductions associated with pass-by trips and site interaction trips. The as-of-right zoning trip generations is 935, 1,110 and 1,240 two-way trips during the weekday morning, weekday afternoon and Saturday peak hours, respectively. The current proposal is expected to generate 115, 310 and 305 less two-way trips during the morning, afternoon and Saturday peak hours when compared to the as-of-right zoning scenario.

The submitted Signal Warrant Update Report, by BA Group, and dated December 9, 2020, indicates that the proposed signal at Wincott Drive/Waterford Drive/South Site Access driveway would be warranted at full-build out of the proposal. Furthermore, the revised January 22, 2021 report indicates that while the new signal will be located approximately 125 m north of the existing signal at Wincott Drive and Eglinton Avenue West, other similar examples exist in the City and appropriate measures can be installed to ensure proper signal visibility and avoid driver confusion.

Transportation Service staff accept the consultant's traffic findings, subject to the implementation of the above-noted road improvements to the satisfaction of, and at no cost to the City. As a condition of the application approval, the applicant will be responsible for submitting the following information to the satisfaction of the General Manager, Transportation Services prior to Site Plan Approval:

- Acceptable signal drawings and a cost estimate for the 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
- Acceptable functional pavement marking and signage plans for the proposed pavement marking changes along Wincott Drive, which must include any changes to existing pavement markings and signs on the existing streets.

Transportation Services staff are recommending, if this application is approved, that the installation of a new traffic control signal at the intersection of Wincott Drive and Waterford Drive/Southerly Site Access Driveway be provided at the applicant's expense,

to the satisfaction of the General Manager, Transportation Services and secured in a Section 37 Agreement.

## **Parking**

The application is proposing a total of 932 parking spaces, which would include 521 residential spaces, 268 retail spaces and 143 shared grocery store, visitor and community agency spaces. Transportation Services staff accept the number of proposed parking spaces as it meets the minimum parking requirement as per Zoning By-law No. 569-2013 Policy Area No. 4. All parking spaces must comply with the dimensional requirements stipulated in Zoning By-law No. 569-2013.

Accessible parking space must be provided in accordance with the minimum supply and dimensional requirements of Zoning By-law No. 579-2017. In accordance with Zoning By-law No. 579-2017, a total of 22 accessible parking space would be required. The application is proposing a provision of 24 accessible parking spaces, which satisfies the Zoning By-law requirement.

The required parking provisions are included in the Draft Zoning By-law Amendments. The final layout and design of the proposed parking supply would be refined through the Site Plan application review process.

## **Driveway Access/Site Circulation**

The proposed loading and vehicular access to each Building's underground garage would be from the proposed private street.

Vehicular access to the site is currently provided by four driveways via Eglinton Avenue West, two access points from Wincott Drive and Widdicombe Hill Boulevard. Proposed vehicular access for the development would be provided as follows:

- An existing full-moves entrance driveway off Widdicombe Hill Boulevard;
- An existing full-moves northerly entrance driveway off Wincott Drive, which would primarily be used to facilitate loading operations for Building D;
- A proposed full-moves southerly Wincott Drive entrance driveway, which is proposed to be signalized and would be opposite Waterford Drive; and
- Shifting the existing Eglinton Avenue West entrance driveway further west, which would operate with right-in/right-out movement only and would serve both the subject development and the Shannex Seniors building to the immediate west.

The proposed access driveways of the site would be connected by an internal private street system. Public Realm, Official Plan Policy 3.1.1.17 states "new streets should be public streets. Private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives of new streets". Although Planning staff explored securing the proposed private street as a new public road, it was determined during the application review process that existing easements with the adjacent property to the immediate west would encumber the proposed location of a new public street. Engineering and Construction Services have indicated that all new public roads that are to be assumed by the City are required to be free and clear of any

above or below-grade encumbrances, and as such the City would have no interest in assuming a public road at this location. The applicant has already, by way of a consent application, created reciprocal easements/rights-of-way for the private street that would allow for pedestrian and vehicle access. In addition to the existing easements, the City would be securing additional easements in favour of the City through the Site Plan Control process. The proposed private street and the adjacent public realm has been designed to meet the design objectives of new public streets.

In order to address concerns expressed by local residents regarding the proposed site access, the revised Transportation Update Report, from BA Group, dated October 23, 2020, provided a sensitivity analysis which assessed the impact of a fully built-out development assuming the existing Widdicombe Hill Boulevard site access was closed. According to the information provided by the applicant's transportation consultant, the closure of the subject access driveway would result in:

- Site traffic diverting from Widdicombe Hill Boulevard to Eglinton Avenue West and Wincott Drive;
- A marginal improvement in operations at the signalized intersection of Widdicombe Hill Boulevard and Kipling Avenue West;
- Slightly poorer operations at the signalized intersections of Wincott Drive/Eglinton Avenue West/Bemersyde Drive, Eglinton Avenue West/Kipling Avenue and Wincott Drive/Waterford Drive/South Site Access Driveway; and
- Similar operations at the Eglinton Avenue West/Islington Avenue intersection.

Taking into account the proposed access arrangement, BA Group also prepared a November 12, 2020 report which projects the daily weekday traffic volumes that would be expected to use the proposed internal private street system. It is estimated that appropriately 8,850 and 2,350 vehicular trips are projected to use the proposed east-west and north-south segments of the private road system over a typical 24 hour period. These volumes would be expected to increase to 10,450 and 3,450 vehicles trips if the Widdicombe Hill Boulevard site access driveway is closed. It would appear that there are no significant benefits from a traffic operations perspective to close the Widdicombe Hill Boulevard site access driveway. Transportation Services staff accept the proposed site access arrangement and do not recommend that the Widdicombe Hill Boulevard access be closed. Retention of the Widdicombe Hill Boulevard driveway would provide additional routing options for vehicles to and from the site.

## **Loading**

The proposed development would provide 6 loading spaces, which would consist of the following:

- Building A - 1 Type 'G' loading space
- Building B - 1 Type 'G' loading space
- Building C - 1 Type 'A', 2 Type 'B' and 1 Type 'G' loading space

Building D would continue the existing loading configuration. The design details and acceptable vehicle manoeuvring diagrams will be assessed through the Site Plan application review process.

## **Streetscape and Public Realm**

The Official Plan requires that new development enhance the existing streetscape by massing new development to define edges of streets with good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and functional for pedestrians through landscaping and setbacks that create attractive transitions from the public to private realms.

Currently, concrete municipal sidewalks exist along the Wincott Drive and Widdicombe Hill Boulevard frontages of the site with a width less than 2.1 m, and there are no sidewalks along the Eglinton Avenue West frontage of the site. In order to comply with City standards, and the requirements of the Accessibility for Ontario with Disabilities Act, a continuous 2.1 m wide public sidewalks is proposed along the Eglinton Avenue West, Wincott Drive and Widdicombe Hill Boulevard site frontages. Furthermore, the proposal would provide a concrete curb along the edge of the pavement of the Eglinton Avenue West and Wincott Drive intersection abutting the site.

Internal to the site, the proposal would provide a series of pedestrian walkways. A 2.1 m walkway would be provided in the following locations:

- West side of Building D;
- North side of Building B and C and connecting the two buildings;
- Along the north side of the new private street and south of the parking spaces south of Building D;
- East side of Building B and west of the POPS;
- West side of Building C and east of the POPS; and
- From Building B to D.

Approximately 36 street trees are to be planted along the proposed private street; 4 trees along the portion of the Eglinton Avenue West frontage that does not include the new public park; 15 street trees along the Wincott Drive frontage and 13 trees within the courtyard. Streetscaping details will be finalized and secured through the Site Plan application review process.

Planning staff are of the opinion that the proposed development would create high-quality, landscaped and connected pedestrian-oriented streetscapes along Eglinton Avenues West, Wincott Drive and the private street.

## **Servicing**

The applicant submitted a Functional Servicing Report, updated November 2020, prepared by WSP consultants, a Hydrological Report, dated March 8, 2019, prepared by Bruce A. Brown Associates Limited, and a Stormwater Management Report, dated February 28, 2020, prepared by WSP consultants. The objectives of these reports is to identify the municipal servicing and stormwater management requirements for this development and to demonstrate how each service would be accommodated by the existing infrastructure. Engineering and Construction Services staff have advised there is sufficient capacity in the existing sanitary sewer for the project.



## **Local School Boards**

The Toronto District School Board (TDSB) has advised that the application is located in a community experiencing significant residential intensification and population growth that is presenting accommodation challenges at local schools, particularly at Westway Junior School and Richview Collegiate Institute. The TDSB will continue to monitor development in the community.

The TDSB have requested warning clauses be included in all offers of purchase and sale of residential units advising of the potential inability to accommodate students locally and on busing procedures. These requirements are proposed to be secured in the Section 37 Agreement and subsequent Site Plan Agreement(s), should this application be approved.

The Toronto Catholic District School Board (TCDSB) has advised the subject site falls within the fixed attendance boundary of Father Serra Catholic Elementary School and both Michael Power/St. Joseph and Monsignor Percy Johnson Catholic Secondary Schools. At this time, the local elementary and secondary schools are operating at capacity and cannot accommodate additional students from the proposed development. TCDSB has requested that as a condition of approval, the applicant erect and maintain signs on the site advising that sufficient accommodation might not be locally available for all students. The TCDSB has also requested warning clauses be included in all offers of purchase and sale of residential units advising of the potential inability to accommodate students locally. These requirements are proposed to be secured in the Section 37 Agreement and subsequent Site Plan Agreement(s), should this application be approved.

## **Housing, Tenure and Family-Size Units**

The Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2020) acknowledge the importance of providing a full range of housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities.

Further to this policy direction, Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. The Growing-Up Guidelines provide similar direction on the recommended mix of residential unit types and provide appropriate units sizes for multi-unit developments. The Guidelines recommend:

- A minimum of 15% of the total number of units are to be 2-bedroom units;
- A minimum of 10% of the total number of units are to be 3-bedroom or larger units; and
- Minimum units sizes for 2-bedroom units should range from 87 to 90 m<sup>2</sup> and 101 to 106 m<sup>2</sup> for 3-bedroom units.

The proposed development includes a total of 587 residential units, of which 278 (47%) would be 1-bedroom units, 208 (36%) would be 2-bedroom units and 101 (17%) would

be 3-bedroom units. Of the total proposed units, 15% of the units would be 2-bedroom units of a minimum unit size ranging of 87 m<sup>2</sup>, and 10% would be 3-bedroom units of a minimum unit size of 101 m<sup>2</sup>. The mix and sizes of the proposed units supports the objectives of the Growing Up guidelines, the Official Plan housing policies, and the PPS and Growth Plan's growth management and housing policies to accommodate a broad range of households, including families with children within new developments.

The application includes the provision of 54 purpose-built affordable rental units, which are to be maintained for a minimum of 25 years. Of the 54 affordable rental units, 26 would be 1-bedroom units, 19 would be 2-bedroom units and 9 would be 3-bedroom units. The affordable rental dwelling units are to be provided in contiguous groups of at least 6 dwelling units within any of the proposed three buildings. The provision of purpose-built affordable rental units supports the City, PPS and the Growth Plan's housing objective to provide for a full range of housing by tenure and affordability within new developments. The number of proposed 2 and 3-bedroom units and the proposed minimum unit sizes will be secured in the Draft Zoning By-law Amendments and as a legal convenience in the Section 37 Agreement.

### **Open Space/Parkland**

Public parks and open spaces perform a variety of critical functions that improve and maintain community and environmental health. They offer recreational opportunities which support active lifestyles, host spaces for social events and organization, provide vital ecosystem services such as storm water retention and soil stabilization, and mitigate the effects of climate change by regulating local temperatures and sequestering atmospheric carbon. In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike.

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the city. The lands which are the subject of this application are in an area with 0.80 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

For sites that are 1 to 5 hectares in size, a parkland dedication cap of 15% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, based on a net site area of 30,431.84 m<sup>2</sup> the parkland dedication requirement for this proposal would be 4,564.78 m<sup>2</sup> (15%).

The applicant proposes an on-site dedication of 1,700.26 m<sup>2</sup> (5.5%) located on the south end of the site with frontage on Eglinton Avenue West. The conveyance represents a shortfall of 2,864.52 m<sup>2</sup> (9.5%). Parks, Forestry and Recreation staff are satisfied with the size and location of the park and the shortfall is required to be paid in a cash in lieu of parkland payment. The proposed public park was strategically located along the site's Eglinton Avenue frontage to take advantage of approximately 1,470 m<sup>2</sup>

of abutting additional lands that form part of the right-of-way to allow for a larger open space.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. The payment of the parkland cash-in-lieu would be required prior to the first above ground building permit.

Planning staff also note that the new public park would increase the supply of parkland in the area, support the proposed density, facilitate social gathering and continue the network of green/open space/parks along Eglinton Avenue West, thereby contributing to a complete community.

Parks, Forestry and Recreation staff have requested numerous conditions pertaining to the provision of the new public park such as (but not limited to): Parkland Conveyance; Environmental Assessment; Park Construction and Base Park Improvements; Above Base Park Improvements; and Credit against Development Charges for Above Base Park Improvements. Staff recommend that these conditions be satisfied and secured as outlined in Recommendations 6, 7 and 8 of this report

### **Privately-Owned Publicly Accessible Open Space (POPS)**

Privately-owned publicly accessible open space (POPS) of approximately 659 m<sup>2</sup> is being proposed. The POPS would be located immediately north of the proposed public park in between Buildings B and C. The at-grade retail space in both Buildings B and C would be accessible from the proposed POPS. Staff consider the proposed POPS to be a positive element of the proposal. It would provide an opportunity for significant public realm enhancements by creating a visual extension of the proposed public park and would also provide space for patio areas adjacent to the retail uses and gathering space for community activities. Staff recommend that the POPS be secured in the Section 37 Agreement and its final design be secured through the Site Plan Control approval process.

### **Archaeological Assessment**

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. The site was identified to have archeological potential. The applicant submitted a Stage 2 Archaeological Assessment dated December 9, 2015 completed by Archeoworks Inc., which determined that there are no further archaeological concerns regarding the subject site. Heritage Planning staff reviewed the submitted report and concur with this assessment.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law).

Additionally, Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) states that: "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on preserving and enhancing the urban forest by:

- i) Providing suitable growing environments for trees;
- ii) Increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and
- iii) Regulating the injury and destruction of trees".

The submitted Arborist Plan, prepared by Kuntz Forestry Consulting Inc. and dated April 16, 2018, indicates the site has a total of 44 existing trees and that 18 trees are proposed to be removed, of which 6 are protected private trees. Urban Forestry is currently reviewing the submitted Application to Injure or Destroy Trees required for the removal of these trees and a permit has not yet been issued.

The Landscape Plan, prepared by Land Art Design and dated October 26, 2020, shows 19 new trees are to be planted within the City's road allowance, 20 new trees are to be planted within the future public park, and approximately 128 new trees are to be planted on private property. Urban Forestry staff are of the opinion that this Landscape Plan is acceptable.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1 development features will be secured through the Site Plan Control process.

### **Community Services Assessment**

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The applicant submitted a CS&F Study in support of the proposal, which determined there would be sufficient capacity within the surrounding community services and facilities to accommodate the proposed development. In two reports authored by Social Development, Finance and Administration, titled "Opportunities for Community Space in Central Etobicoke" and "Update on Central Etobicoke Community Hub Planning", both dated the third quarter of 2020, determined that the Central Etobicoke area would benefit from an increase in services and new community space opportunities, including Community Space Tenancy spaces. Also, City Planning conducted a Survey of Human Service Agencies from the Etobicoke Centre and found there was a need for affordable and accessible community space in the area. This need was supported by the Ward Councillor, particularly with regards to the need for senior focused services and programs as well as general community art facilities and programs.

A 465 m<sup>2</sup> non-profit community agency space is proposed to be located on the ground floor of Building B facing the proposed public park and would be visible from Eglinton Avenue West and accessible from the proposed private street. The space would be conveyed to the City at no cost, and tenanted to an eligible community agency under the City's Community Space Tenancy policy. Further, this space would be accessible and finished with windows, a kitchenette, accessible washroom and a large open space for programming. The proposed development would contribute towards the community service and facility needs of the area by providing a community agency space as a community benefit under Section 37 of the *Planning Act*. The community agency space would be secured in the Section 37 agreement.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning. The Section 37 contributions have been negotiated as part of this application.

The following benefits are recommended to be secured in the Section 37 Agreement:

- A 465 m<sup>2</sup> Community Agency Space in accordance with the City's standard terms and delivered at base building conditions;

- The owner to provide a one-time cash contribution in the amount of \$660,000.00 for future capital improvements to the Community Agency Space;
- The owner is to provide 54 affordable rental dwelling units, of which 26 are to be 1 bedroom units, 19 are to be two-bedroom units and 9 are to be 3 bedroom units for a minimum of 25 years; and

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

- Undertaking the transportation matters outlined in Recommendations 5. b. i and ii. of this report, to the satisfaction of the General Manager of Transportation Services, at no cost to the City.
- The owner to convey the required 1,700 m<sup>2</sup> parkland dedication to the City;
- The Parkland Conveyance; Environmental Assessment; Park Construction and Base Park Improvements; Above Base Park Improvements; and Credit Against Development Charges for Above Base Park Improvements;
- A POPS not less than 659 m<sup>2</sup> to the north of the proposed public park and located between Buildings B and C to be provided to the City for nominal consideration with public access easements to and over the POPS for use by members of the general public;
- Tier 1 performance measures of the Toronto Green Standard, and the owner will be encouraged to achieve Toronto Green Standard, Tier 2 or higher, where appropriate;
- A minimum of 35% of the total number of dwelling units on the lot must contain two bedrooms, of which 15 % of all units must achieve a minimum unit size of 87 square metres;
- A minimum of 17% of the total number of dwelling units on the lot must contain three or more bedrooms, for which 10% of all units must achieve a minimum unit size of 101 square metres;
- Wind control measures identified in the Pedestrian Wind Study, dated September 5, 2019, prepared by Gradient Engineers and Scientists to the satisfaction of the Chief Planner and Executive Director, City Planning. Any required mitigation measures would be secured through the Site Plan application review process; and
- Requirements of the Toronto District School Board and Toronto Catholic District School Board regarding warning clauses and signage with respect to school accommodation issues.

## **Conclusion**

The proposal has been reviewed against the policies of the *Planning Act*, PPS (2020) and the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). The proposal is in keeping with the intent of the City of Toronto Official Plan, particularly as it relates to the *Avenues, Mixed Use Areas, Built Form, Public Realm* and *Health Neighbourhood* policies.

Staff worked with the applicant to address and resolve the following key concerns: reducing the proposed building heights and overall development density, revising the proposed buildings by increasing setbacks and step backs and separation distances to provide appropriate transition in scale to the adjacent *Neighbourhoods* designated lands, and improvements to the proposed public realm, by including a public park, POPS and tree-lined sidewalks. The application would contribute positively to the area by providing a new public park, POPS, a new community agency space, a mix of uses, a range of unit types and sizes and the provision of affordable housing.

Staff are of the opinion the proposed development is an appropriate infill development for the site that is compatible with the surrounding context. Staff recommend that City Council approve the application and Draft Zoning By-law Amendments.

## **CONTACT**

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E-mail: Jennifer.Renaud@toronto.ca

## **SIGNATURE**

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Luisa Galli, MCIP, RPP  
Acting Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings (Separate attachment)**

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law No. 569-2013 Map
- Attachment 5: Existing Etobicoke Zoning Code Map
- Attachment 6: Draft Zoning By-law No. 569-2013 Amendment
- Attachment 7: Draft Etobicoke Zoning Code Amendment

**Applicant Submitted Drawings**

Attachment 8: Site Plan

Attachment 9: North Elevation

Attachment 10: South Elevation

Attachment 11: West Elevation

Attachment 12: West Elevation

Attachment 13: East Elevation



## Attachment 1: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 4620 Eglinton Avenue West & 250 Wincott Drive Date Received: April 30, 2018

Application Number: 18 150932 WET 04 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Application to amend the Zoning By-laws to permit a new mixed-use development, consisting of two 13-storeys, one 11-storey buildings and the existing 1-storey retail plaza. The development proposing 587 residential units, 54 purpose-built affordable rental units, 1,700 m2 public park and a 659 m2 POPS.

Applicant	Agent	Architect	Owner
Bousifelds 2 Church Street Suite 200 Toronto, Ont. M5E 1M2		Core Architects Inc. 130 Queens Quay East Suite 700 Toronto, Ont. M5A 0P6	Motrin Richview GP Inc. 77 Bloor Street West Suite 1600 Toronto, Ont. M5S 1M2

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CPL; CR 0.5 (c0.5; r0.0)	Heritage Designation:	N
Height Limit (m):	8	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 30,432      Frontage (m): 178      Depth (m): 173

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	5,590	3,728	5,754	9,482
Residential GFA (sq m):			53,734	53,743
Non-Residential GFA (sq m):	6,071	3,886	7,617	11,038
Total GFA (sq m):	6,071	3,886	65,237	65,237

Height - Storeys:	1	1	13, 13 & 11	13, 13 & 11
Height - Metres:			45.5, 45.5 & 42.5	45.5, 45.5 & 42.5

Floor Space Index: 2.14

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	53,734	
Retail/Commercial GFA:	11,038	
Institutional/Other GFA:	465	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			54	54
Freehold:				
Condominium:			553	553
Total Units:			587	587

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			278	208	101
Total Units:			587		

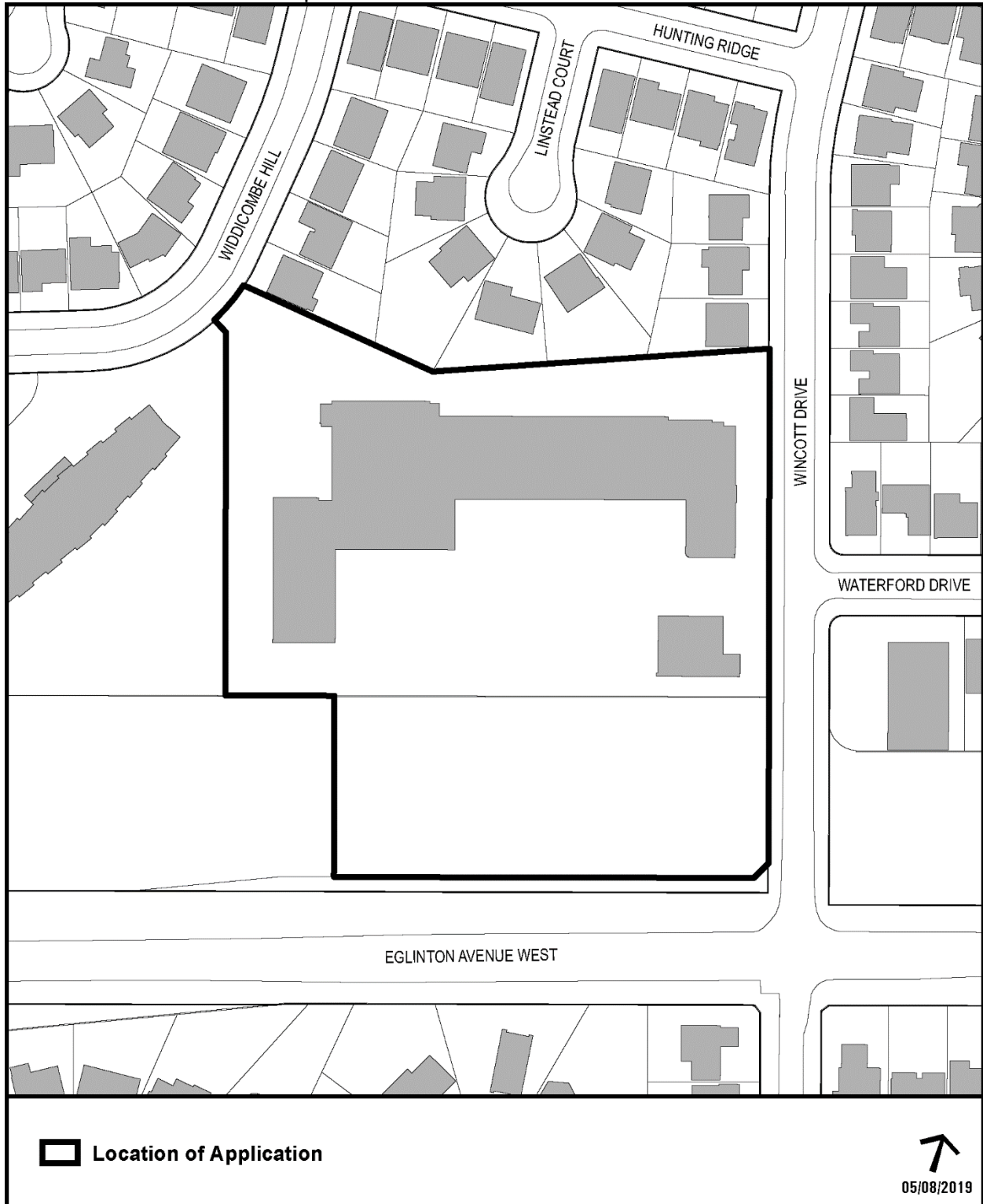
#### Parking and Loading

Parking Spaces:	932	Bicycle Parking Spaces:	402	Loading Docks:	6
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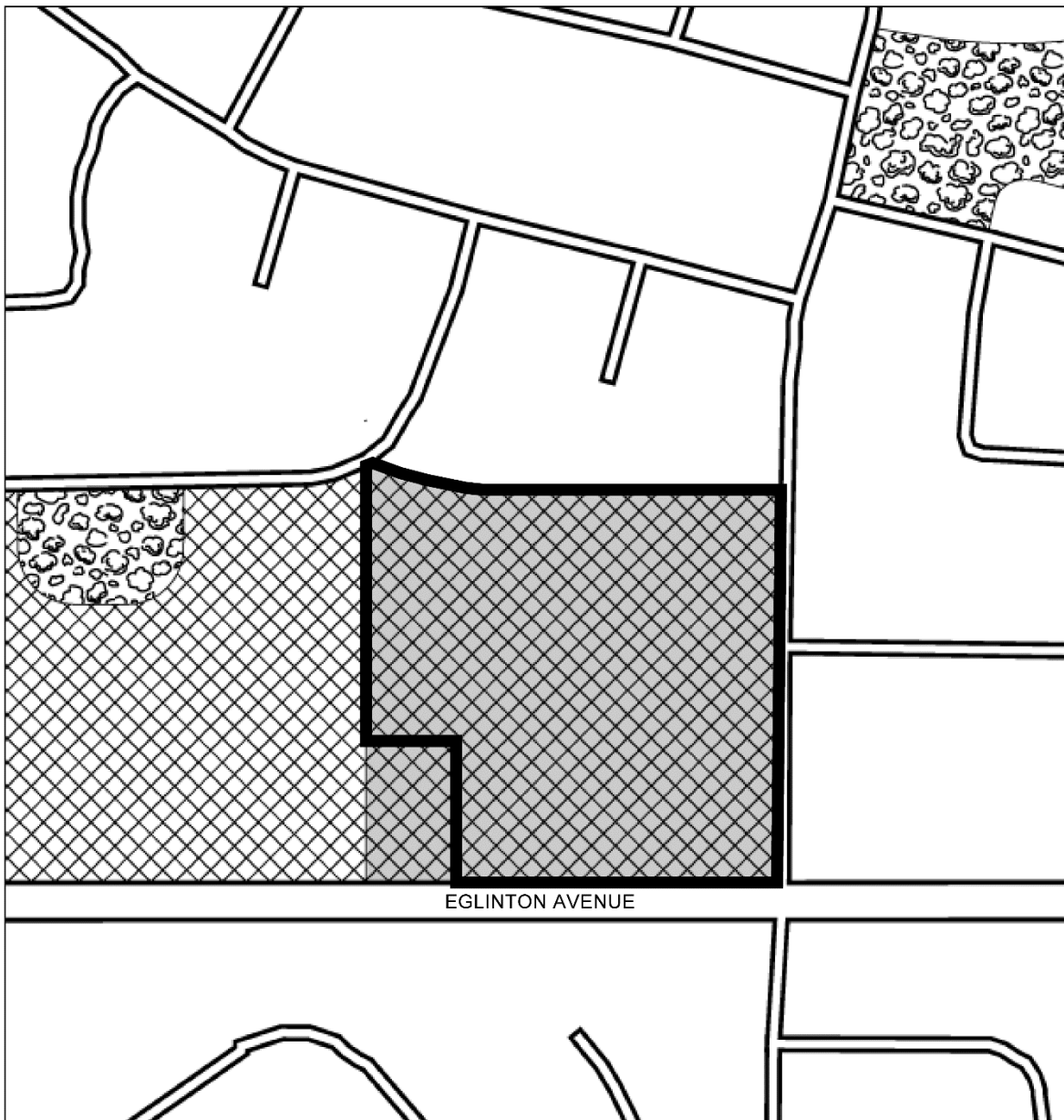
#### CONTACT:

Jennifer Renaud, Senior Planner, Community Planning  
 416-394-2608  
 Jennifer.Renaud@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



 **TORONTO**  
**Official Plan Land Use Map #14**

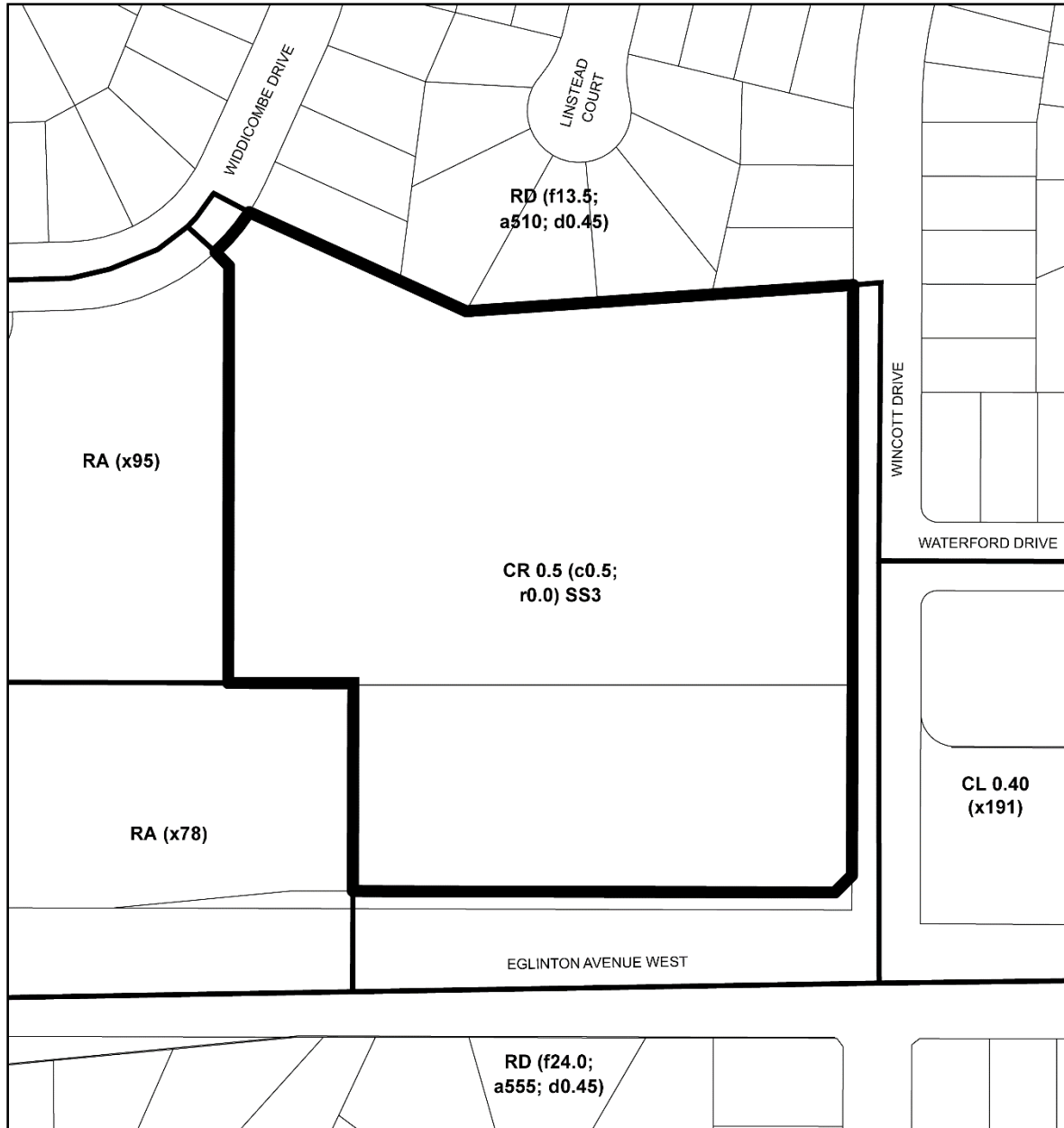
250 Wincott Drive

File # 18 150932 WET 04 0Z

- |   |                          |   |                          |
|---|--------------------------|---|--------------------------|
|  | Location of Application  |  | Parks & Open Space Areas |
|  | Neighbourhoods           |  | Parks                    |
|  | Apartment Neighbourhoods |   |                          |
|  | Mixed Use Areas          |   |                          |

  
 Not to Scale  
 05/08/2019


Attachment 4: Existing Zoning By-law No. 569-2013 Map



Zoning By-law No. 569-2013

250 Wincott Drive

File # 18 150932 WET 04 0Z

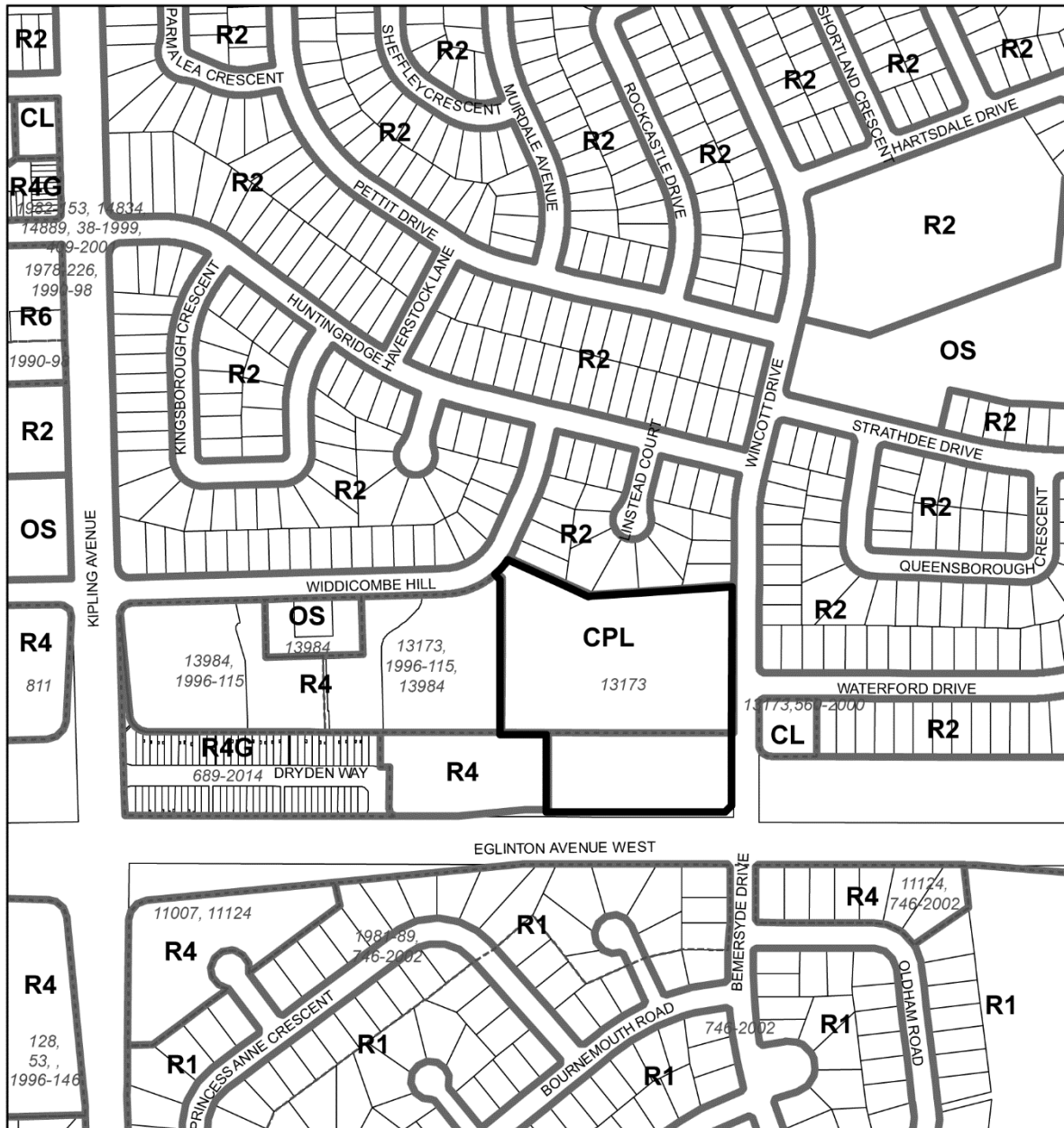
 Location of Application

RD Residential Detached    CL Commercial Local  
 RA Residential Apartment    CR Commercial Residential



Not to Scale  
 Extracted: 05/08/2019


Attachment 5: Existing Etobicoke Zoning Code Map



Zoning By-law 11,737

250 Wincott Drive

File # 18 150932 WET 04 OZ

 Location of Application

- |     |   |     |                          |
|-----|---|-----|--------------------------|
| R1  | First Density Residential               | CL  | Limited Commercial Local |
| R2  | Second Density Residential              | CPL | Planned Commercial Local |
| R4  | Fourth Density Residential              | OS  | Public Open Space        |
| R6  | Sixth Density Residential               |     |                          |
| R4G | Fourth Density Residential - Group Area |     |                          |

  
Not to Scale  
Extracted: 03/07/2021

## **Attachment 6: Draft Zoning By-law No. 569-2013 Amendment**

Draft Zoning By-law Amendment

CITY OF TORONTO

BY-LAW No. #####-2021

To amend the City of Toronto By-law 569-2013, as amended, with respect to lands municipally known in the year 2019 as 250 Wincott Drive and 4620 Eglinton Avenue West.

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

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;

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

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and 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;

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

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

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

The Council of the City of Toronto enacts as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.

3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy lines to: CR 0.5 (c0.5; r0.0) SS3 (x310) as shown on Diagram 2 attached to this By-law.

4. 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 Section 995.10.1 and applying the following Policy Area label to these lands: PA 4, as shown on Diagram 3 attached to this By-law.

5. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number CR 310, so that it reads:

### **Exception CR 310**

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

Site Specific Provisions:

- (A) On 250 Wincott Drive and 4620 Eglinton Avenue West, as shown on Diagram 1, if the requirements of Section 7 and Schedule A of By-law #####-2021 are complied with, a **building** or **structure** may be erected or used in compliance with (B) through (BB) below;
- (B) Regulation 40.10.30.40(1) shall not apply;
- (C) Despite Regulation 40.10.40.40(1), the **total gross floor area** of all **buildings** and **structures** on the **lot** must not exceed a of 65,300 square metres, provided:
  - (i) the residential **gross floor area** must not exceed 53,800 square metres;
  - (ii) the new non-residential **gross floor area**, exclusive of the community space required in (iv) below, shall be a minimum of 7,250 square metres;
  - (iii) the retained non-residential **gross floor area** located in Building D as shown on Diagram 4 of By-law XXXX-2021 shall be a minimum of 3,950 square metres;
  - (iv) a minimum of 465 square metres of community space must be provided on the **first floor** of Building B as shown on Diagram 4 of By-law XXXX-2021; and
  - (v) for the purposes of this exception community space means 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) The total number of **dwelling units** must not exceed 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, for which 10 percent of all **dwelling units** must achieve a minimum unit size of 101 square metres;
- (E) Despite Regulations 40.5.40.10(1) and (2), the height of each portion of a **building** or **structure** is measured as the vertical distance between Canadian Geodetic Datum elevation of 160.0 metres and the highest point of the **building** or **structure**;
- (F) Despite Regulation 40.10.40.10(3), the permitted maximum height and number of **storeys** of any **building** or **structure** is specified by the numbers following the HT and ST symbols as shown on Diagram 4 of By-law XXXX-2021;
- (G) Despite Regulations 40.5.40.10(4), (6) and (8)(A), and (F) above, the following elements of a **building** or **structure** may project above the permitted maximum height as shown on Diagram 4 of By-law XXXX-2021:
- (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/entrances may project above the permitted maximum heights shown on Diagram 4 to a maximum of 6.5 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 permitted maximum heights shown on Diagram 4 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 permitted maximum heights shown on Diagram 4 to a maximum of 1.5 metres;

- (H) Despite Regulations 40.5.40.10(5)(A), the total area of all equipment, **structures**, or parts of a **building** exceeding the permitted maximum height for a **building** as permitted in (G) above, may cover no more than the following, measured horizontally:
- (i) 55% of the area of the roof for Building A as identified on Diagram 4 of By-law #####-2021;
  - (ii) 68% of the area of the roof for Building B as identified on Diagram 4 of By-law #####-2021; and
  - (iii) 52% of the area of the roof for Building C as identified on Diagram 4 of By-law #####-2021;
- (I) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, including the mezzanine level, is 4.5 metres;
- (J) Despite (I) above, the required minimum height of the first **storey** of Building D as shown on Diagram 4 of By-law #####-2021 is 3.5 metres;
- (K) Despite Regulations 40.10.40.70 (3)(A), (B), (C) and (4), the required minimum **building setbacks** in metres are as shown in metres on Diagram 4 of By-law #####-2021;
- (L) Despite (K) above, Regulations 40.10.40.60(1) to (5), and 40.5.40.60(1), the following **building** elements may encroach into a required minimum **building setback**:
- (i) canopies, awnings, and signage to a maximum of 3.0 metres;
  - (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 to a maximum of 2.0 metres;
  - (iii) eaves, cornices, roof overhangs, windowsills, pilasters, chimney breasts, bay windows, columns and other minor architectural projections to a maximum of 1.0 metre;
  - (iv) cladding to a maximum of 0.25 metres; and
  - (v) **structures** used for the ventilation of an underground parking facility;

- (M) Despite (K) above, for Building B as shown on Diagram 4 of By-law #####-2021, a minimum **building setback** for the first **storey** of 5.0 metres from the public **park** located within the shaded area shown on Diagram 4 of By-law #####-2021 must be provided;
- (N) Despite (F), (G), (K) and (L) above, no portion of the area of Building C identified on Diagram 5 of By-law #####-2021, including any permitted projections or encroachments, may 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 Diagram 5 of By-law #####-2021;
- (O) In addition to (N) above, for the portion of the area of Building C identified on Diagram 5 of By-law #####-2021, projections permitted by (G)(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;
- (P) Despite (K) above, additional building setbacks in metres as shown on Diagram 6 of By-law ###-2021 are required for the base building transition levels located as follows:
- (i) first **storey** located wholly above the Canadian Geodetic Datum elevation of 174 metres, 4th **storey**, within Building A as identified on Diagram 4 of By-law #####-2021;
  - (ii) the first **storey** located wholly above the Canadian Geodetic Datum elevation of 167 metres, 2nd **storey**, within Building B as identified on Diagram 4 of By-law #####-2021; and
  - (iii) the first **storey** located wholly above the Canadian Geodetic Datum elevation of 174 metres, 3rd **storey**, within Building C as identified on Diagram 4 of By-law #####-2021;
- (Q) Despite (L)(ii) above, balconies are not permitted to encroach into the required minimum **building setbacks** along the east building elevation of Building B as identified on Diagram 4 of By-law #####-2021 and the north and west building elevations of Building C as identified on Diagram 4 of By-law #####-2021. Balconies that are inset into these building facades are permitted.
- (R) Despite (L) 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 elevations of Building C as identified on Diagram 4 of By-law #####-2021, a maximum of 50% of balconies are to be inset balconies and are not permitted to encroach into the required minimum **building setbacks**.

- (S) For Building A as identified on Diagram 4 of By-law #####-2021, the maximum area of the tower floor plate area, 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;
- (T) Despite Regulation 200.5.10.1, required **parking spaces** for residential visitors and non-residential uses may be shared in a common location;
- (U) Despite Regulation 40.10.40.1(1), residential lobby access in any **mixed use building** and **dwelling units** in Building A, as identified on Diagram 4 of By-law #####- 2021, may be located in the first **storey**;
- (V) Despite Regulation 40.10.40.1(2), pedestrian entrances for any non-residential use on the first **storey** of a **building** must be level with the private sidewalk closest to the entrance or accessed by a ramp which rises no more than 0.04 metres vertically for every 1.0 metre horizontally;
- (W) Despite Regulation 40.10.40.1(6), pedestrian access for the **lot** consisting of private sidewalks connecting to public sidewalks, may be located within 12.0 metres of a **lot** in the Residential or Residential Apartment Zone category;
- (X) Despite Regulation 40.10.40.50(1), residential **amenity space** must be provided in accordance with the following:
  - (i) A minimum of 2.0 square metres of indoor **amenity space** per **dwelling unit** on the **lot**;
  - (ii) A minimum of 2.0 square metres of outdoor **amenity space** per **dwelling unit** on the **lot**; and,
  - (iii) At least 40.0 square metres of outdoor **amenity space** is provided in a location adjoining or directly accessible to the indoor **amenity space**;
- (Y) Despite Regulation 40.10.50.10(1)(B), a minimum 3.0 metre wide strip of **landscaping**, which may include air intake and exhaust shafts, must be provided between any **lot line** that abuts a street and those portions of a **main wall**;
- (Z) Despite Regulation 40.10.50.10(3), a minimum 1.5 metre wide strip of land used only for soft **landscaping** must be provided along the north **lot line**;
- (AA) Despite Regulation 40.10.80.20(1), **parking spaces** that are not in a **building** or **structure** may be set back 0.0 metres from the west **lot line**;
- (BB) Despite Clauses 220.5.10.1, **loading spaces** must be provided in accordance with the following minimum requirements:
  - (i) For Building A as shown on Diagram 4 of By-law #####-2021, 1 Type "G" **loading space** is required;

- (ii) For Building B as shown on Diagram 4 of By-law #####-2021, 1 Type "G" **loading space** is required; and
  - (iii) For Building C as shown on Diagram 4 of By-law ###-2021, 1 Type "A" **loading space**, 2 Type "B" **loading spaces** and 1 Type "G" **loading space** are required.
- (CC) Despite Regulation 220.5.10.1(1), no **loading spaces** are required for the retained non-residential **gross floor area** located in Building D, as identified on Diagram 4 of By-law #####-2021, permitted in (C)(iii) above;
- (DD) A private right-of-way with a width of 8.5 metres, as identified as the Private Road on Diagram 4 of By-law #####-2021, must be provided and located as shown on Diagram 4 of By-law #####-2021;
- (EE) A privately-owned publicly-accessible open space with a minimum area of 659 square metres must be provided and located within the hatched area shown on Diagram 4 of By-law #####-2021;
- (FF) A public **park** with a minimum area of 1,700 square metres must be provided and located within the shaded area shown on Diagram 4 of By-law #####-2021.

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

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

6. Despite any existing or future severance, partition or division of the lands shown as CR 2.2 CR 0.5 (c0.5; r0.0) SS3 (CR310) on Diagram 2 attached to and forming part of this By-law, the provisions of this Exception and By-law 569-2013 shall apply to the whole of the lands as one lot as if no severance, partition or division had occurred.

## 7. Section 37 Provisions

- (A) Pursuant to Section 37 of the Planning Act, 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 4 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 and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
- (B) Where Schedule A 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; and
- (C) The owner shall not use, or permit the use of, a building or structure erected with

an increase in height or density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on [month] [day], 2021.

[Name],  
Speaker

[Name],  
City Clerk

(Seal of the City)

## **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 on Diagram 4 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 fifty-four (54) affordable rental dwelling units comprising 4,183 m<sup>2</sup> 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 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 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 on site, 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 m<sup>2</sup> (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 m<sup>2</sup> 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.

2. A minimum of 35% of the total number of dwelling units on the lot must contain two bedrooms, of which 15 % of all units must achieve a minimum unit size of 87 square metres.

3. A minimum of 17% of the total number of dwelling units on the lot must contain three or more bedrooms, for which 10% 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 m<sup>2</sup> prior to the issuance of the first above grade building permit for a residential use on the lands, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Director, Real Estate Services and the City Solicitor. 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:

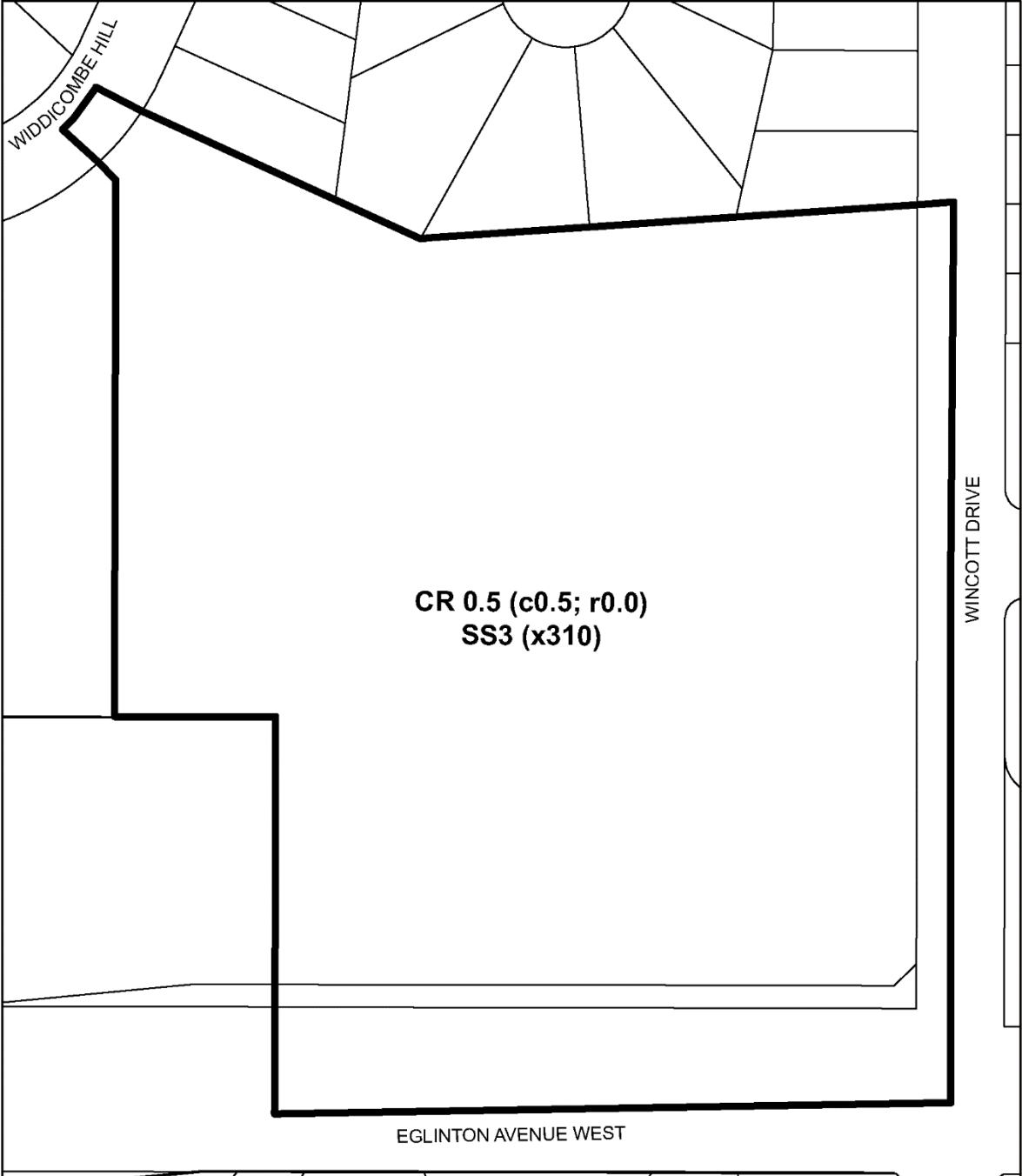
- i. A new traffic control signal at Wincott Drive/Waterford Drive/South Site Access driveway;
- ii. A northbound left-turn lane from Wincott Drive into the site at the South Site Access;
- iii. An expanded southbound left-turn lane from Wincott Drive to Eglinton Avenue West;
- iv. Relocation of the 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.




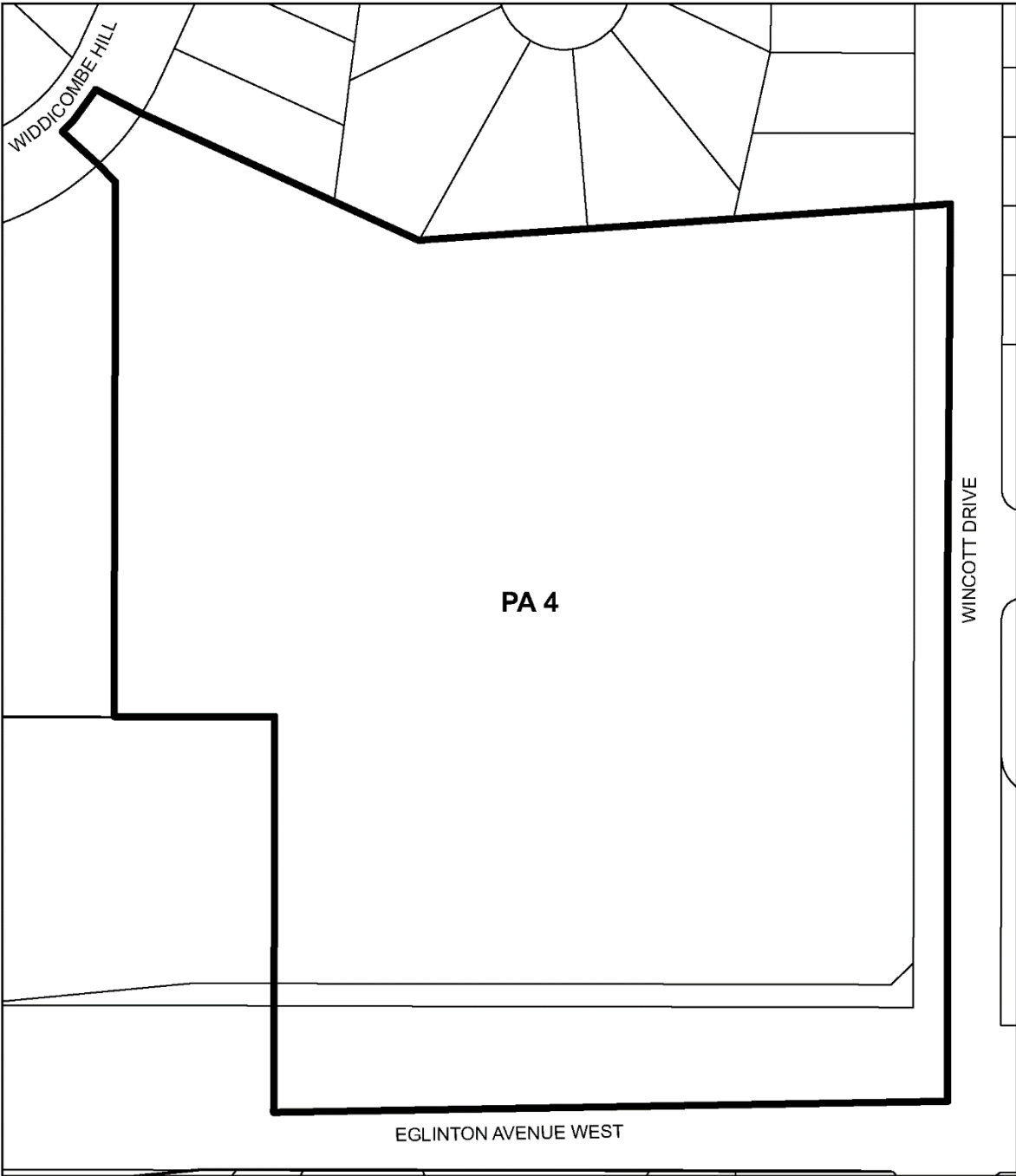


 **TORONTO**  
Diagram 2

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

File # 18 150932 WET 04 02


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

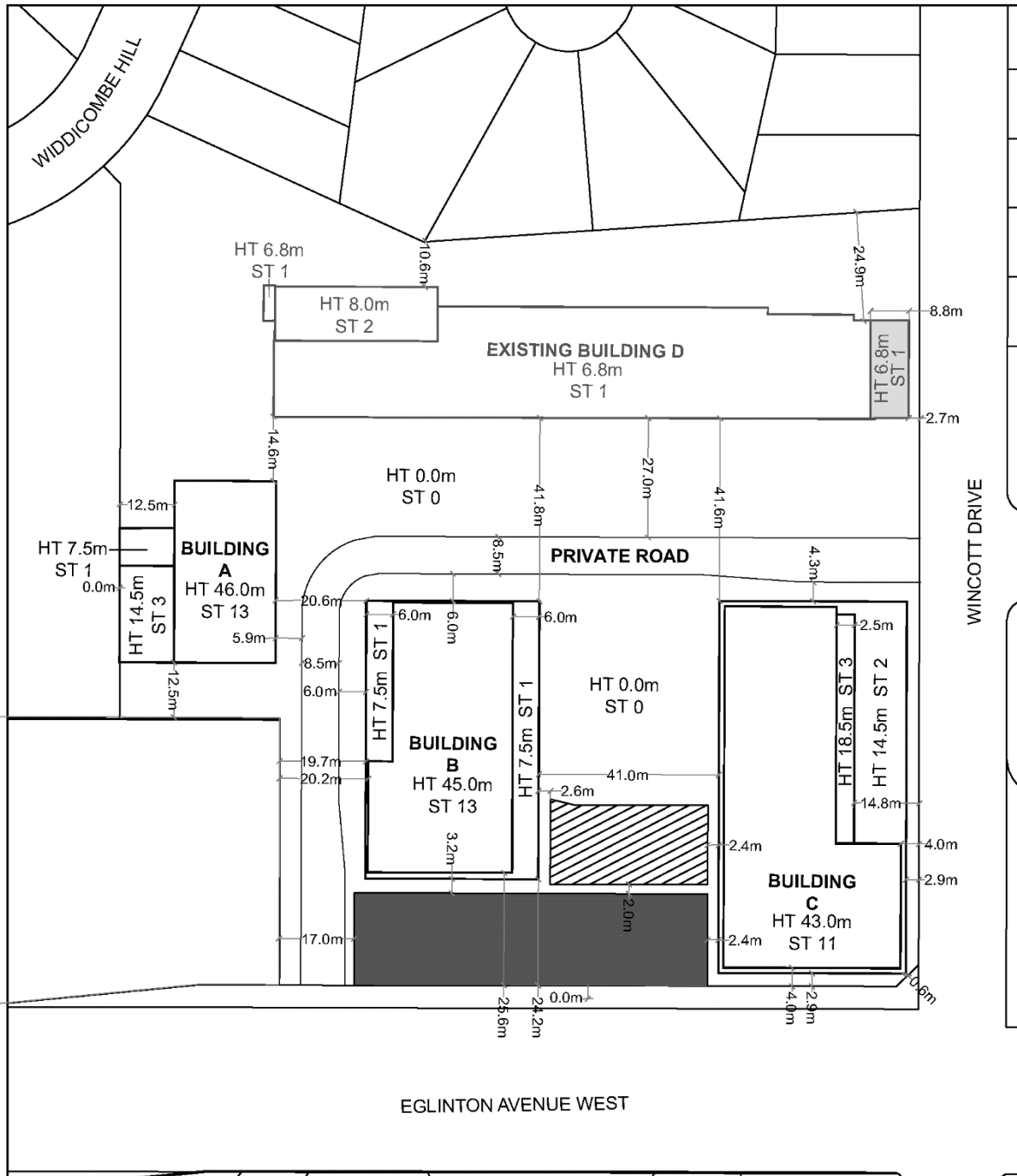


 **TORONTO**  
Diagram 3

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

File # 18 150932 WET 04 02

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



**TORONTO**  
Diagram 4

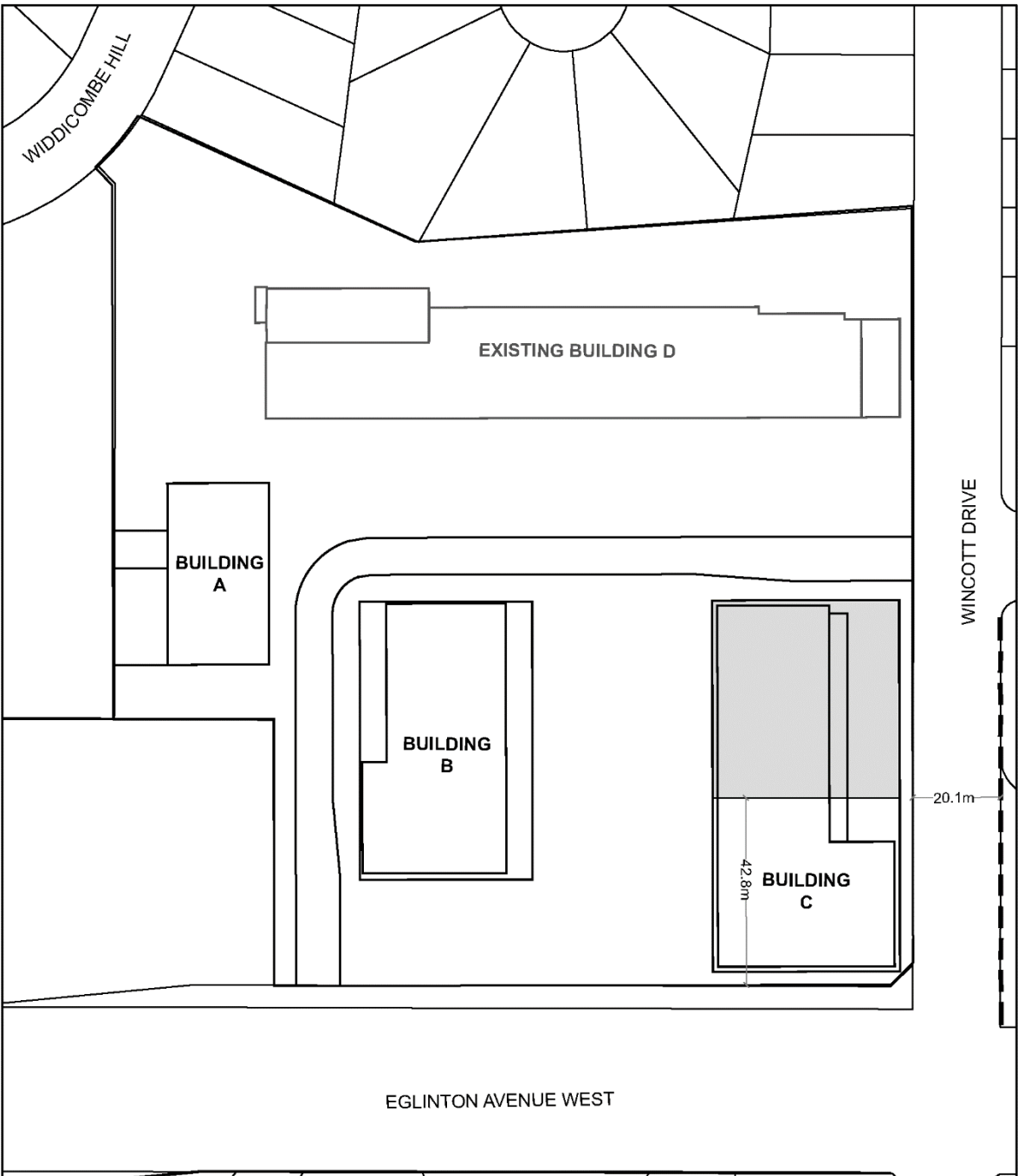
**250 Wincott Drive and  
4620 Eglinton Avenue West**

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)

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



**Toronto**  
**Diagram 5**

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

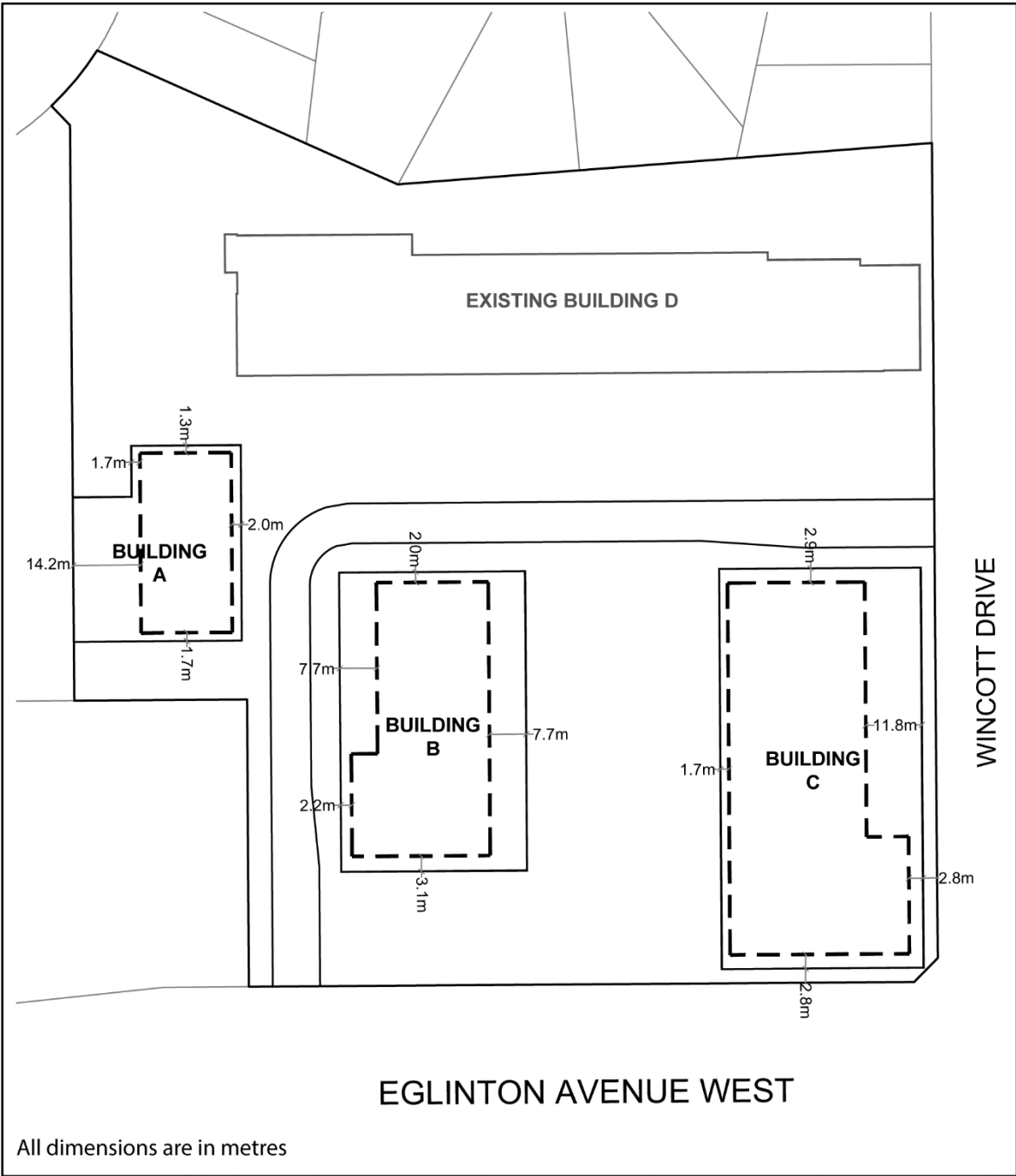
File # 18 150932 WET 04 0Z

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)

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





**Toronto**  
**Diagram 6**

**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

## **Attachment 7: Draft Etobicoke Zoning Code Amendment**

### **CITY OF TORONTO**

#### **BY-LAW No. ####-2021**

**To amend Chapters 304, 320 and 324 of the Etobicoke Zoning Code, as amended, with respect to lands municipally known in the year 2021 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 7,250 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 6.5 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; and
  - (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.
- (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% of the area of the roof for Building A as identified on Schedule “B” hereto;
  - (ii) 68% of the area of the roof for Building B as identified on Schedule “B” hereto; and
  - (iii) 52% 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% 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.
- (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 [month] [day], 2021.

Frances Nunziata,  
Speaker

John D. Elvidge,  
Interim 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 fifty-four (54) affordable rental dwelling units comprising 4,183 m<sup>2</sup> 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 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 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 on site, 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 m<sup>2</sup> (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 m<sup>2</sup> 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.
2. A minimum of 35% of the total number of dwelling units on the lot must contain two bedrooms, of which 15 % of all units must achieve a minimum unit size of 87 square metres.
3. A minimum of 17% of the total number of dwelling units on the lot must contain three or more bedrooms, for which 10% 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 m<sup>2</sup> prior to the issuance of the first above grade building permit for a residential use on the



lands, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Director, Real Estate Services and the City Solicitor. 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.

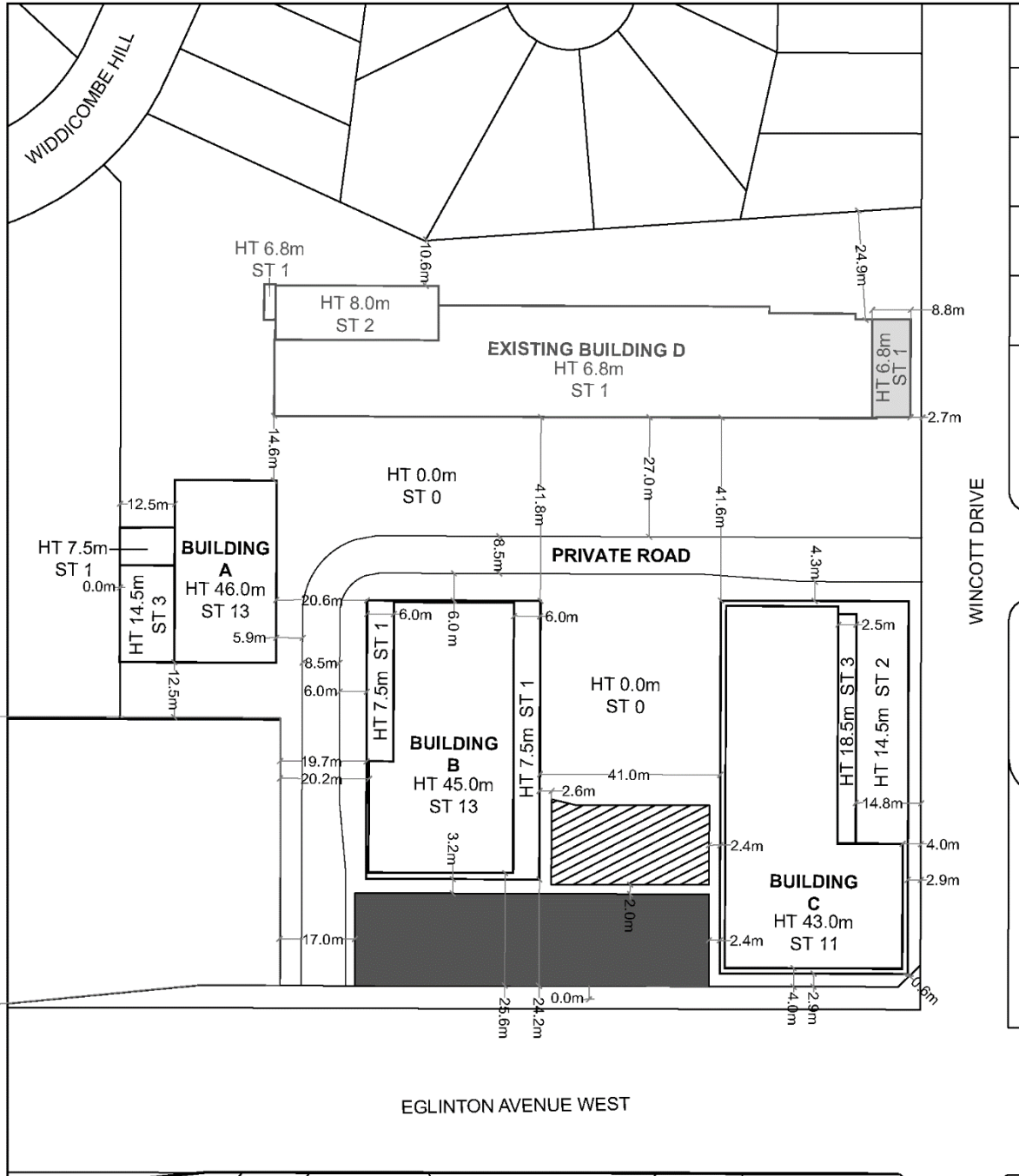


 **TORONTO**  
Schedule A

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

File # 18 150932 WET 04 0Z

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



**TORONTO**  
Schedule B

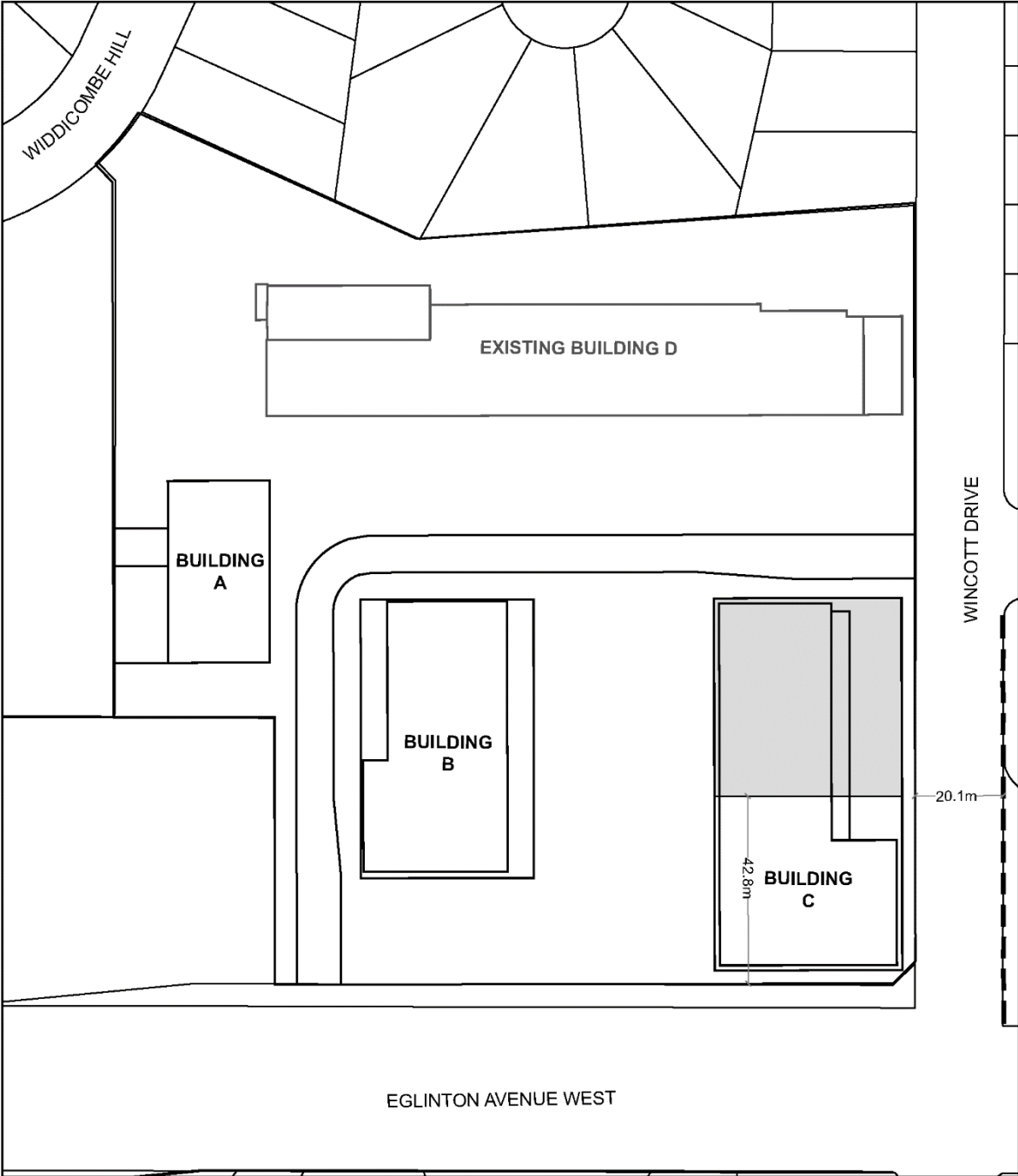
**250 Wincott Drive and  
4620 Eglinton Avenue West**

File # 18 150932 WET 04 0Z

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

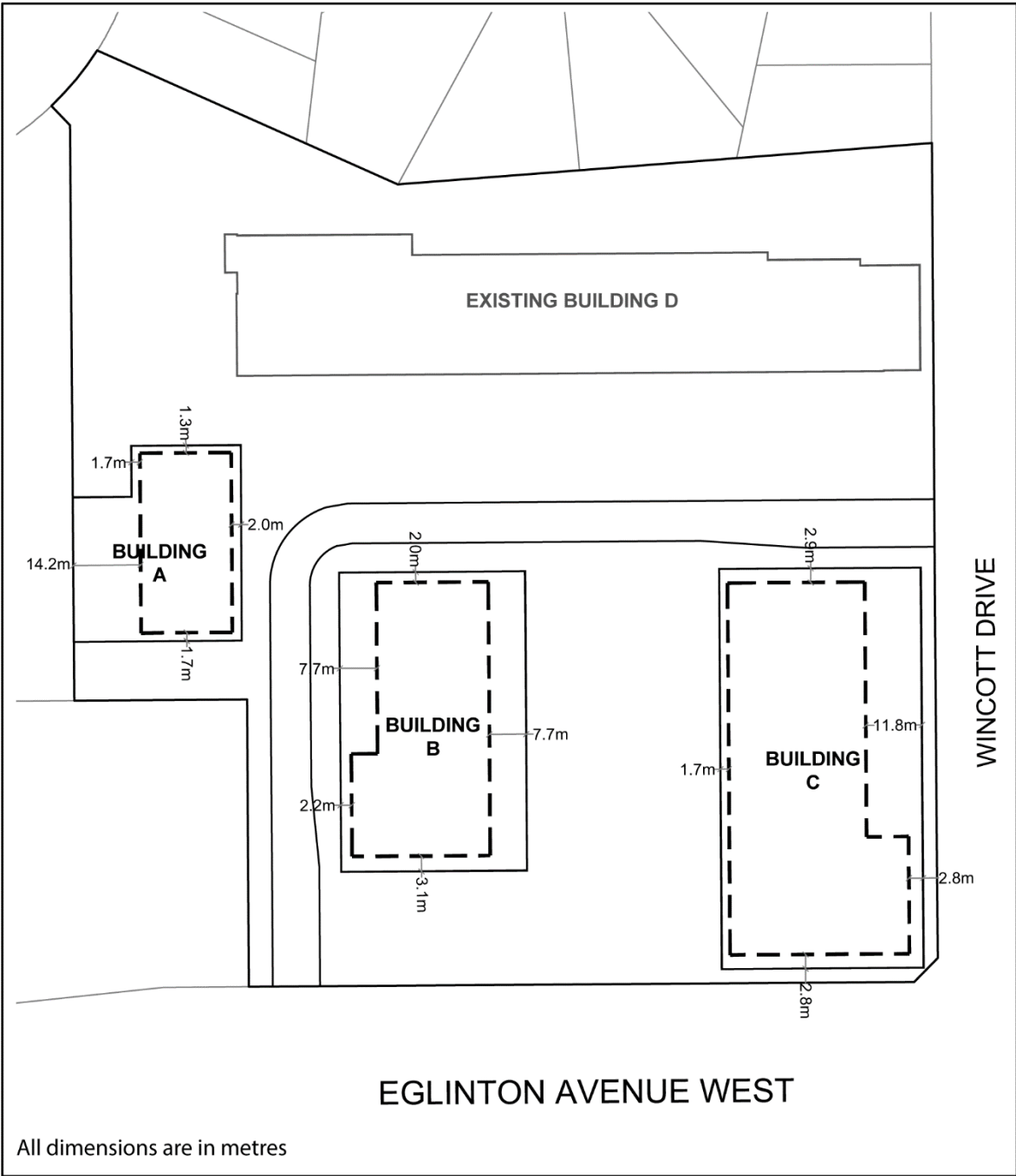
**250 Wincott Drive and  
4620 Eglinton Avenue West**

File # 18 150932 WET 04 0Z

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



All dimensions are in metres



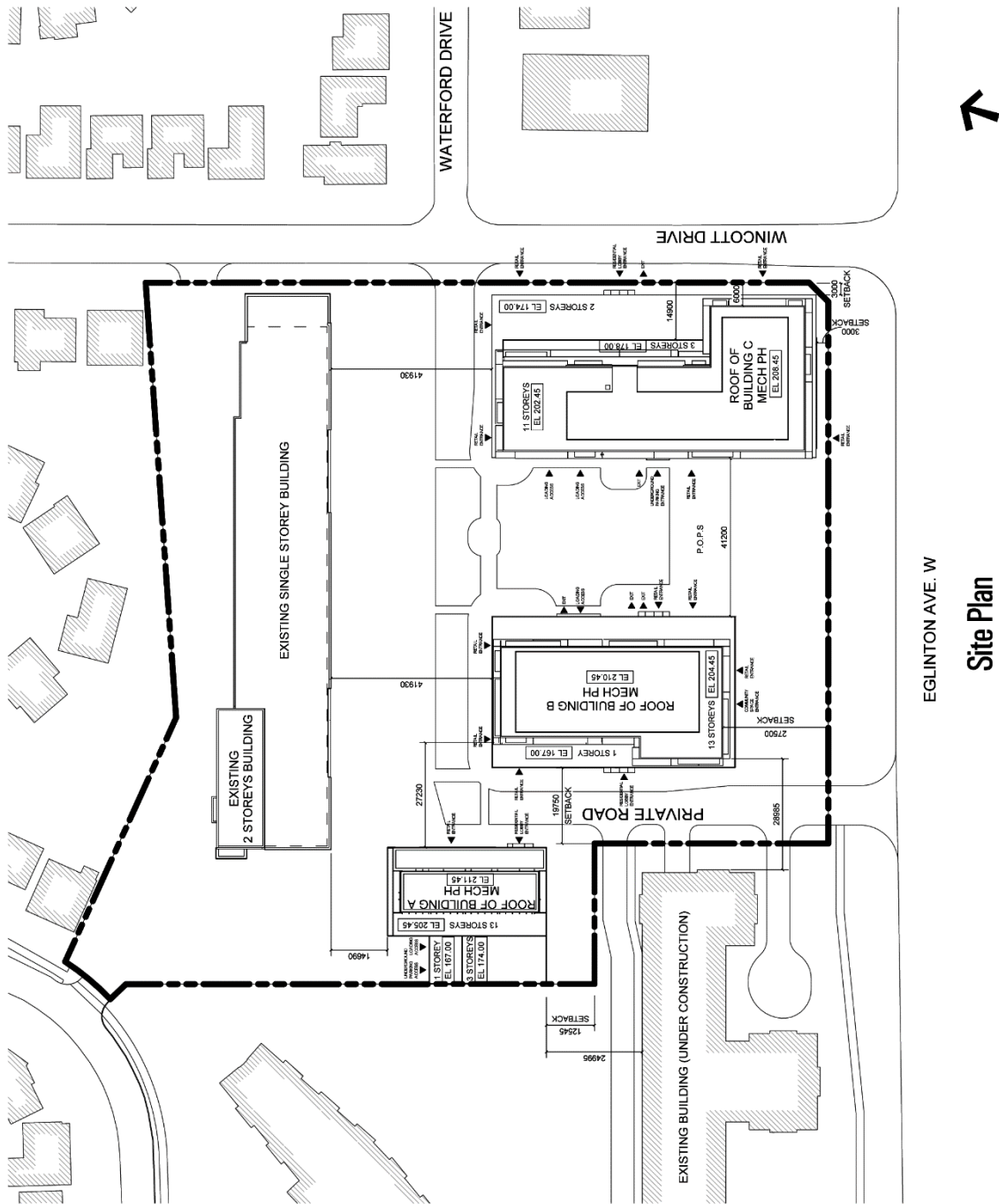
## 250 Wincott Drive and 4620 Eglinton Avenue West

File # 18 150932 WET 04 02

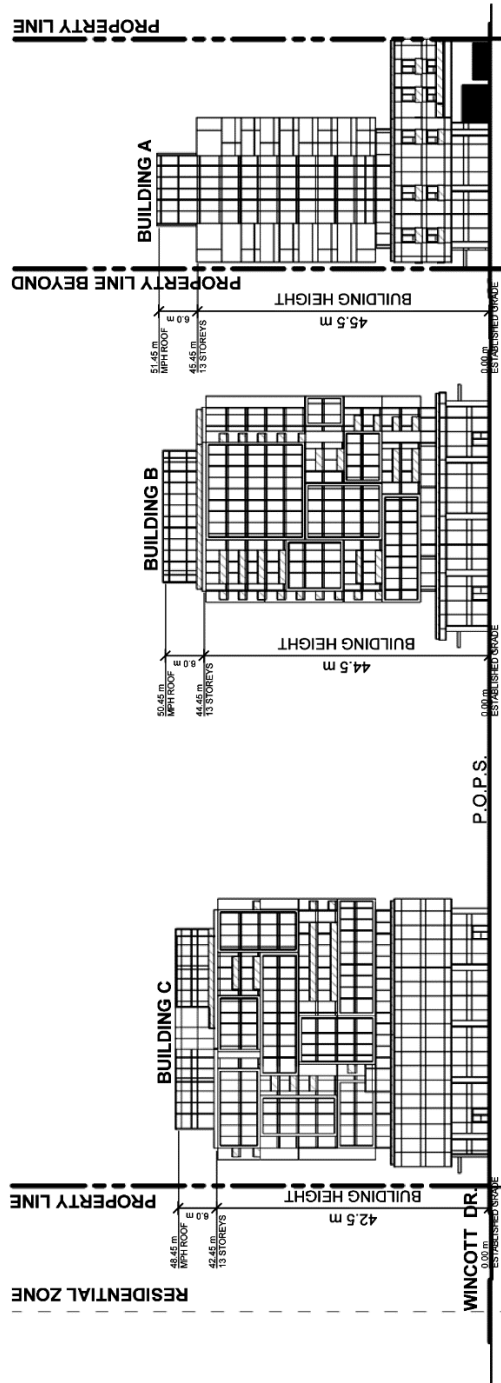
- - Outline of Base Building Transition Level

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

# Attachment 8: Site Plan

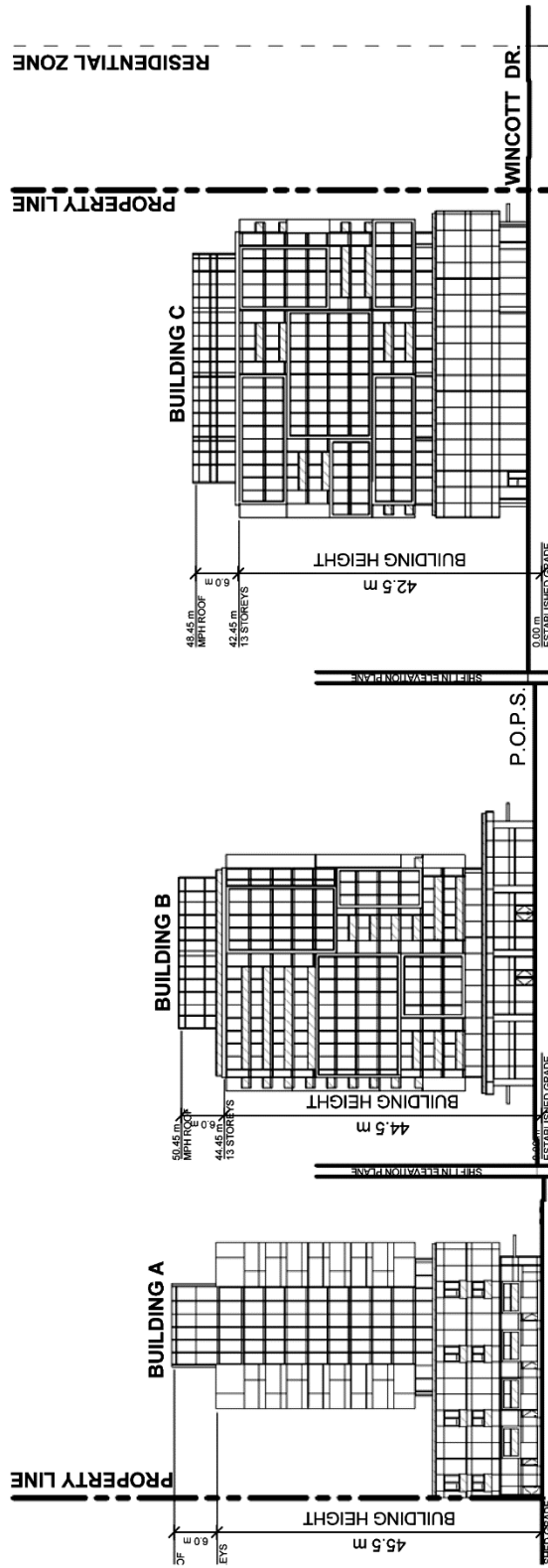


# Attachment 9: North Elevation



Building A, B, C North Elevation

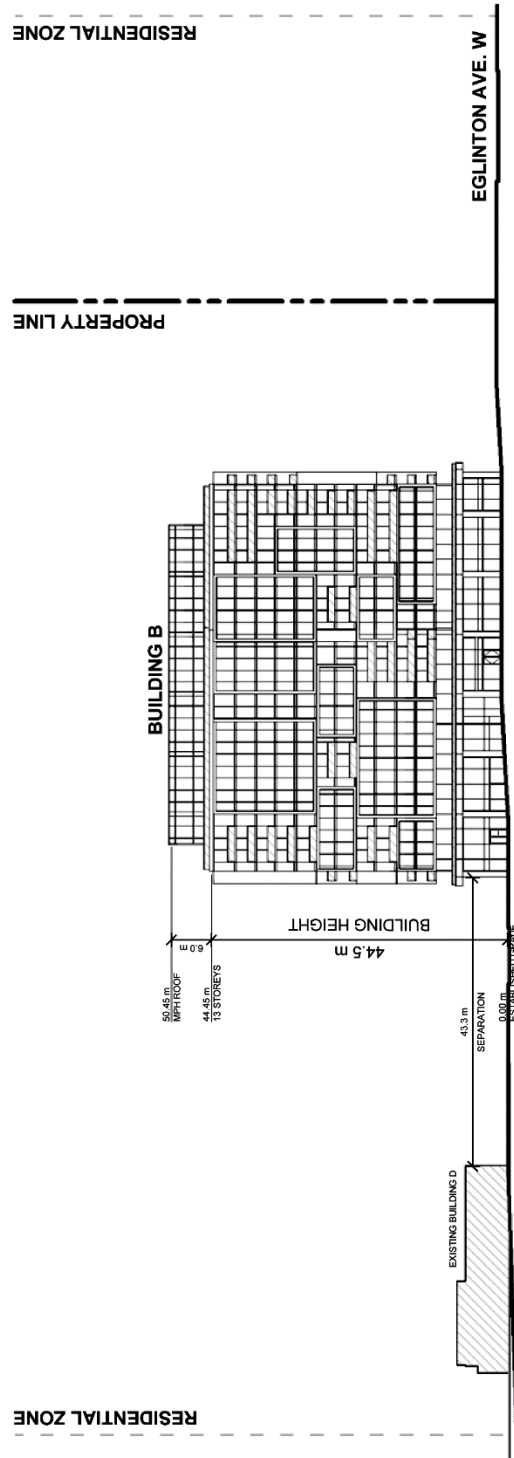
# Attachment 10: South Elevation



Building A, B, C South Elevation

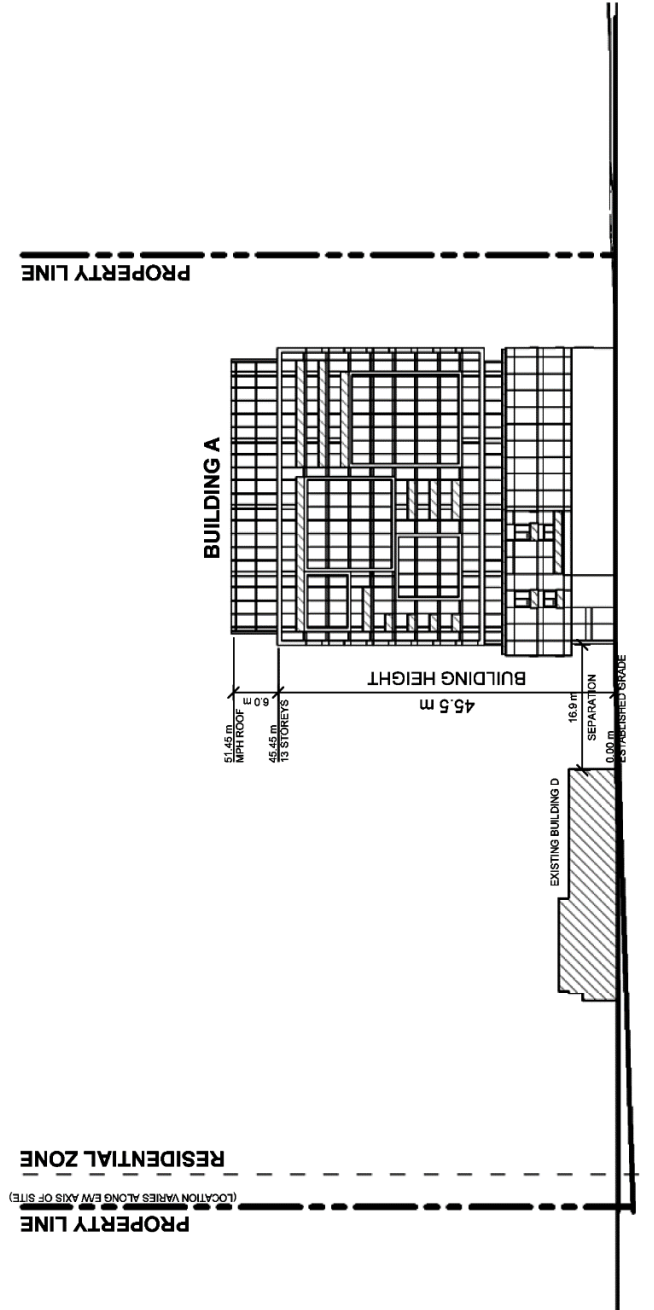


# Attachment 11: Building B West Elevation



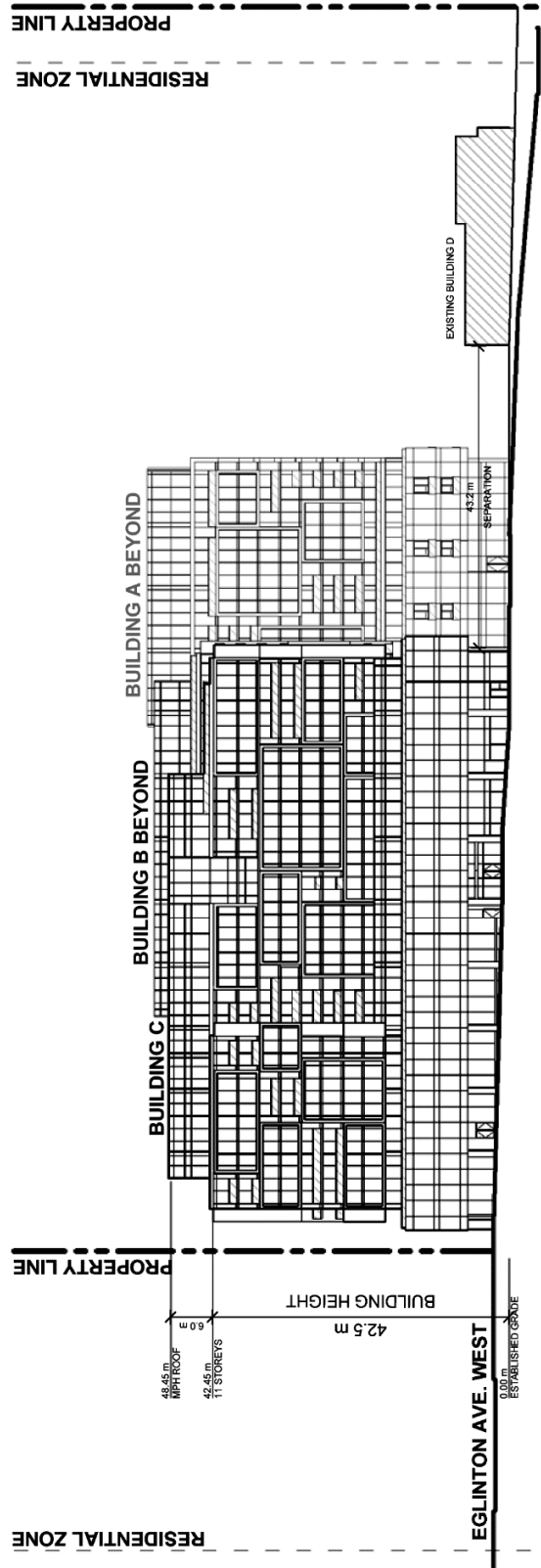
Building B West Elevation

# Attachment 12: West Elevation



Building A West Elevation

# Attachment 13: East Elevation



Building B, C, D East Elevation