

5415-5481, 5485 & 5487 Dundas Street West and 15 & 25 Shorncliffe Road - Zoning By-law Amendment and Draft Plan of Subdivision Applications – Final Report

Date: October 30, 2021

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 18 272108 WET 03 OZ and 19 264584 WET 03 SB

SUMMARY

This application proposes to amend the former City of Etobicoke Zoning Code, as amended by Site-Specific Zoning By-laws 1088-2002, 1100-2016 and 769-2016, to permit a comprehensive multi-phased mixed-use development which includes four buildings and eight towers at 5415-5481, 5485 & 5487 Dundas Street West and 15 & 25 Shorncliffe Road. This new proposal would over-ride the previously approved development on the subject lands with the exception of Phase 1, which is under construction.

The new development of Phases 2, 3, 4 and 6 would contain over 15,000 m² of non-residential gross floor area and 2,875 residential units. The towers would range in height from 26 to 44 storeys. The application proposes a public street connecting Dundas Street West and Shorncliffe Road, as well as new municipal infrastructure upgrades to the existing sanitary sewer. The application will result in a total of 6,792 m² of parkland, with the subject application proposing a 4,144 m² public park fronting onto Dundas Street West and 2,468 m² of parkland which is to be conveyed as part of the Phase 1 development. Although Phase 1 development does not form this application, this report also seeks City Council authority to amend the existing Section 37 agreement with respect to the timing of the Phase 1 parkland conveyance.

Site-Specific Zoning By-laws 1100-2016 and 769-2016 approved a multi-phased tall building development with six buildings and eight towers, 2,311 residential units, and an overall gross floor area of 215,988 m². Not including the Phase 1 building that is under construction, the remaining permissions for the subject lands would be 2,016 residential units and with an overall gross floor area of 188,034 m² within five buildings and seven towers. The new application proposes taller buildings and an overall gross floor area of 233,493 m² on the same lands, which is a difference of 859 units and approximately 45,500 m² from the previous approval.

An application for Draft Plan of Subdivision approval is required to create the new public street, the public park block and to secure municipal infrastructure upgrades.

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). The site is consistent with the policies of the Official Plan and Etobicoke Centre Secondary Plan. The proposal respects and reinforces the existing and planned built form context of the surrounding area.

This report reviews and recommends approval of the application to amend the Zoning By-laws and also advises that the Chief Planner and Executive Director, City Planning may approve the Draft Plan of Subdivision.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code, as amended by Site-Specific By-laws 1088-2002, 769-2016 and 1100-2016, for the lands at 5415-5481, 5485 & 5487 Dundas Street West and 15 & 25 Shorncliffe Road substantially in accordance with the draft Zoning By-law Amendment in Attachment 7.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council require the owner to submit a Functional Servicing Report to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services, demonstrating there is sufficient capacity in the sanitary sewer system and all required upgrades and improvements have been financially secured through a Subdivision Agreement in order to lift the Holding Symbol from the site.
4. City Council direct that any future Site Plan Control applications for this development be reviewed in the context of the Site-Specific Urban Design Guidelines dated December 2020, included as Attachment 9 to this report.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to:
 - a. Provide confirmation from the owner's vibration consultant that the analysis conducted in 2011 is still valid. The proponent shall also undertake vibration measurements near the southwest corner of the site to obtain a representative picture of vibration impact from the rail corridor to the satisfaction of Metrolinx.
 - b. Provide a Noise Assessment that reflects Metrolinx's current forecast information. The assessment shall contemplate rail traffic on the Canpa subdivision. The owner shall undertake noise measurements near the southwest

corner of the site to obtain a representative picture of noise impact from the rail corridor all of which is to the satisfaction of Metrolinx.

c. The owner's servicing consultant shall confirm that the proposed overland flows will not adversely impact Metrolinx lands to the satisfaction of Metrolinx.

6. Before introducing the necessary Bills to City Council for enactment, City Council authorize amendment to the original Section 37 Agreement (AT4381547) entered into by the owner with the City pursuant to By-law 769-2016, as may be required to extend the timing of conveyance of the "easterly parkland" associated with Phase 1 to prior to above-grade building permit for the Phase 2 building, on terms set out in the amending agreement satisfactory to the Chief Planner and Executive Director, City Planning and the General Manager, Parks, Forestry and Recreation.

7. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* to the satisfaction of the Chief Planner and Executive Director City Planning and the City Solicitor, as follows:

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

1. Prior to issuance of the first above-grade building permit, the owner shall make a cash contribution to the City in the amount of \$1,600,000.00 by certified cheque payable to the Treasurer, City of Toronto, to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, toward capital improvements for one or more of the following capital improvements within the Ward:

a. Local traffic calming projects;

b. Local park improvements, including the new Etobicoke Centre public park;

c. New child care and community recreational centre proposed to be included in the new Etobicoke Civic Centre; and

d. Local non-profit child care facilities.

2. Prior to issuance of the first above-grade building permit within any phase of the development, the owner shall make cash contributions to the City by certified cheque payable to the Treasurer, City of Toronto in the following amounts:

a. \$625,000.00 as originally secured pursuant to By-law 769-2016; and

b. \$250,000.00 as originally secured pursuant to By-law 1100-2016; which amounts shall be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, toward one or both of the capital needs for the Etobicoke Centre to be located on the former Westwood Theatre lands and local parkland improvements within the Ward.

3. The cash amount identified above shall be indexed upwardly in accordance with Statistics Canada Non-Residential Construction Price Index for Toronto, calculated as follows:

a. indexing of the contribution referred to in Recommendation 7.a.1 above shall be calculated from the date of execution of the Section 37 Agreement required by this by-law to the date of payment;

b. Indexing of the contribution referred to in Recommendation 7.a.2.a. above shall be calculated from July 11, 2016 to the date of payment; and

c. Indexing of the contribution referred to in Recommendation 7.a.2.b. above shall be calculated from November 2, 2016 to the date of payment.

4. In the event the cash contribution referred to in Recommendation 7.a.1 and 7.a.2 above have not been used for the intended purpose within three (3) years of this by-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purposes are identified in the Official Plan and will benefit the community in the vicinity of the lands.

b. The following matters are also recommended to be secured in the Section 37 Agreement in support of the development:

1. Prior to the issuance of the first above-grade building permit for all or any portion of a building in Phase 2, or on such later date on terms satisfactory to the General Manager, Parks, Forestry and Recreation, the owner shall convey to the City, pursuant to Section 42 of the Planning Act, the on-site parkland dedication identified as "Public Park A" on Schedule 'B' of the Attachment 7, having a minimum size of 1,569.34 m² located along Dundas Street West and east of the future north-south public road, to the satisfaction of the General Manager, Parks, Forestry and Recreation and in accordance with the terms set out in the Section 37 Agreement.

2. Prior to the issuance of an above grade building permit for all or any portion of a building in Phase 6, or such later date on terms satisfactory to the General Manager, Parks, Forestry and Recreation, the owner shall convey to the City, pursuant to Section 42 of the Planning Act, the on-site parkland dedication identified as "Public Park B" on Schedule 'B' of

Attachment 7, having a minimum size of 2575.12 m² located along Dundas Street West and west of the future north-south public road, to the satisfaction of the General Manager, Parks, Forestry and Recreation and in accordance with the terms set out in the Section 37 Agreement.

3. The owner shall transfer the parkland requirements to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition to the satisfaction of the General Manager, Parks, Forestry and Recreation on terms set out in the Section 37 Agreement, including provision for encumbrances of tiebacks, where such encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor and is subject to compensation payable to the City, in an amount determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.

4. Prior to the issuance of the first above-grade building permit for all or any portion of a building within Phase 2, in connection with "Public Park A", and Phase 6, in connection with "Public Park B", the owner shall submit a cost estimate and necessary plans/drawings of the base park improvements for the respective park, together with financial security on terms set out in the Section 37 Agreement, to the satisfaction of the General Manager, Parks, Forestry, and Recreation. The submissions for base park improvements for "Public Park A" shall include, and the owner shall be responsible for, any walkways determined to be required and co-ordinated with adjacent parkland to the east associated with Phase 1 pursuant to By-law 769-2016. No credit will be given towards the Parks and Recreation component of the Development Charges for costs associated with base park improvements.

5. Prior to the earlier of first residential occupancy and first condominium registration of all or any portion of a building within Phase 2, the owner shall complete the base park improvements for "Public Park A" to the satisfaction of the General Manager, Parks, Forestry and Recreation, or such later date in the sole discretion of and on terms satisfactory to the General Manager, Parks Forestry and Recreation.

6. Prior to the earlier of the first residential occupancy and first condominium registration of all or any portion of a building within Phase 6, the owner shall complete base park improvements for "Public Park B" to the satisfaction of the General Manager, Parks, Forestry and Recreation, or such later date in the sole discretion of and on terms satisfactory to the General Manager, Parks Forestry and Recreation.

7. Prior to the issuance of the first above-grade building permit for all or any portion of a building within Phase 2 in connection with "Public Park A"

and all or any portion of a building within Phase 6, in connection with "Public Park B", if the owner agrees to design and construct the above-base park improvements for a development charge credit approved by City Council against the Parks and Recreation component of the Development Charges for either the "Public Park A" or "Public Park B" shown on Schedule 'B' of Attachment 7, the owner shall submit a cost estimate and necessary working drawings, specifications and plans together with financial security on terms set out in the Section 37 Agreement, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

8. Prior to the earlier of first residential occupancy and first condominium registration of all or any portion of a building within Phase 2, the owner shall complete the above-base park improvements, if any, undertaken for "Public Park A" to the satisfaction of the General Manager, Parks, Forestry and Recreation, or such later date in the sole discretion of and on terms satisfactory to the General Manager, Parks, Forestry and Recreation.

9. Prior to the earlier of the first residential occupancy and first condominium registration of all or any portion of a building within Phase 6, the owner shall complete the above-base park improvements, if any, undertaken for "Public Park B" to the satisfaction of the General Manager, Parks, Forestry and Recreation, or such later date in the sole discretion of and on terms satisfactory to the General Manager, Parks, Forestry and Recreation.

10. The owner shall, at its own expense, design, construct and thereafter maintain the Privately-Owned Publicly-Accessible Space ("POPS") areas in the locations illustrated on Schedule 'B' of Attachment 7 as "POPS A" having a minimum area of 711.7 m² located between Building 2 and Building 3 and "POPS B" having a minimum area of 460.5 square meters located between Building 6 and "Public Park B", with the specific location, configuration and design to be determined and secured in the context of site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning.

11. Prior to site plan approval for Phase 3 in connection with "POPS A" and prior to site plan approval for Phase 6 in connection with "POPS B", the owner shall prepare all documents, including a reference plan, and convey to the City, on terms set out in the Section 37 Agreement, an access easement, including support rights as applicable, for public use of the "POPS A" and "POPS B" to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor. The public access easements shall be conveyed to the City for nominal consideration, free and clear of all physical and title encumbrances at no cost to the City. The owner shall operate, maintain and repair the POPS spaces and install and maintain at its own expense approved signage identifying the POPS for public use.

12. Prior to the earlier of first residential or non-residential use occupancy and first condominium registration of all or any portion of a building within Phase 3, with respect to POPS "A" and of all or any portion of a building within Phase 6, with respect to POPS "B", the owner shall complete the construction of respective POPS to the satisfaction of the Chief Planner and Executive Director, City Planning, or such later date in the sole discretion of and on terms satisfactory to the Chief Planner and Executive Director, City Planning.

13. The owner shall construct Phase 2, Phase 3, Phase 4 and Phase 6 shown on Schedule 'B' of Attachment 7 in the order in which they are numbered. The order of construction may be altered at the discretion of the Chief Planner at the request of the owner provided that Phase 2 is first to proceed.

14. Prior to Site Plan Approval or the issuance of any Building Permit for any portion of the site, the owner shall transfer to the City the fee simple interest under those lands identified as the Transit Reserve and related rights of support in favour of the City in contemplation of the extension of the Toronto Transit Commission's Bloor-Danforth subway line to the satisfaction of the Toronto Transit Commission.

15. The owner shall prepare all documents, including a reference plan, and convey to the City for nominal consideration, free and clear of physical and title encumbrances and at no cost to the City, a 3.44-metre wide road widening along the northerly portion Shorncliffe Road in the context of site plan approval of the building within Phase 6.

16. The owner shall, as a requirement for Phase 3 of the development, undertake the construction of all infrastructure that is required for the proposed traffic control signals at the intersection of Dundas Street West and the proposed public road east of Shorncliffe Road, including the preparation of all functional and engineering drawings, including signal design, civil and pavement markings/signage drawings. All work shall be undertaken to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services and at no cost to the City with the details, including timing of completion, secured in the context of subdivision approval.

17. Prior to the issuance of the first above-grade building permit, the owner shall pay the amount of \$71,750.00 for the installation of the transit signal to the Toronto Transit Commission.

18. The owner shall make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are

required to the infrastructure to support this development, according to the accepted Functional Servicing Report and Traffic Impact Study to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

19. The owner shall, at its own cost and expense and in support of the development, design, remediate, construct and convey a new public road with the east-west section (from Shorncliffe Road to the north-south section of the future public road) having a minimum width of 18.5 metres and the north-south (from the east-west section of the future public road to Dundas Street West) having a minimum width of 22.2 metres in the locations illustrated on the draft plan of subdivision, together with associated municipal services both internal and external to the land, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

20. Prior to issuance of any building permit for all or any part of the development on the lands, the owner shall:

a. Enter into a financially secured subdivision agreement with the City pursuant to Section 51 of the *Planning Act* necessary to implement the plan of subdivision, including required external works, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor ; and

b. Obtain release for construction of services in accordance with the terms of the subdivision agreement to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

21. Prior to issuance of the first above grade building permit for all or any part of the development on the lands, the owner shall:

a. Register the Plan of Subdivision to the satisfaction of the Chief Planner and Executive Director, City Planning in accordance with the requirements of the subdivision agreement; and

b. Complete the construction of the new road to base course asphalt and complete services, including external services, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

22. Prior to issuance of an above-grade building permit for all or any part of a building in Phase 2, the owner shall, on terms set out in the Section 37 Agreement and to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services, design a 21-metre private road, having the characteristics of a public road with the exception of ownership.

23. Prior to the earlier of first residential occupancy and first condominium registration of all or any portion of a building in Phase 2, the owner shall construct and thereafter maintain the private road, as well as prepare all documents, including a reference plan, and convey a public access easement for the private road in favour of the City for public and City use of the private road with the design, details and configuration to be determined and secured in the context of site plan approval. The required easement, including support rights as applicable, shall be conveyed for nominal consideration and at no cost to the City, free and clear of physical and title encumbrances with standard insurance and indemnification obligation, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

24. The owner shall, as part of the development of each phase, provide boulevard improvements on City owned portions of all frontages of the lands on existing streets, including the Dundas Street West frontage along the future parkland, with design and details to be determined and secured in the context of site plan approval to the satisfaction of the Chief Planner and Executive Director, City Planning.

25. The owner shall provide, at their own expense, canopy art features between the buildings within Phases 2 and 3, and within the transit reserve south of Building 4 and visible from Shorncliffe Road. The design, location of and financial securities for the canopy features are to be determined and secured in the context of site plan approval of Phases 3 and 4, respectively, to the satisfaction of the Chief Planner and Executive Director, City Planning. The owner shall have completed the construction of the canopy features prior to the earlier of first residential occupancy use and first condominium registration of all or any portion of a building within Phase 3, with respect to the completion of the canopy art feature between buildings within Phases 2 and 3, and within Phase 4 with respect to the completion of the canopy art feature within the transit reserve. The owner shall be responsible for the construction, maintenance and repair the canopy art features at its own expense.

26. The owner is required to maintain the rail safety measures as specified in the Peer Review completed by Aecom, dated September 14, 2020.

27. Through the site plan approval process, the owner shall implement the wind control measures identified in the Pedestrian Wind Study, dated November 14, 2019, prepared by RWDI and any future addendum, to the satisfaction of the Chief Planner and Executive Director, City Planning. Any required mitigation measures shall be secured in the context of site plan approval for all buildings within the development.

28. The owner shall provide a vegetation clearance zone of 3.5 metres from the mutual property line to the satisfaction of Metrolinx through the site plan control application review process.

29. If and to the extent determined to be required by the Chief Planner and Executive Director, City Planning in the context of site plan approval of Phases 2, 3 and 4, the owner shall prepare all documents and convey easement(s) in favour of the City in perpetuity, including support rights as applicable, for City and public use of the landscape open space within the area identified as "Transit Reserve" shown on Schedule 'B' attached, and for the purpose of providing facilitating possible future public connection to transit stations located south east of the development to the satisfaction of the Chief Planner and Executive Director, City Planning. The configuration and terms, including timing, of the public access easement(s) shall be determined and secured in the context of site plan approval, including requirements for conveyance for nominal consideration and at no cost to the City, free and clear of physical and title encumbrances with standard insurance and indemnification obligations to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

30. The owner shall satisfy the requirements of the Toronto District School Board regarding the required signage, warning clauses in any purchase of sale agreements with respect to school accommodation issues and information regarding estimated occupancy dates.

31. 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.

32. The owner include the Ministry of Environment Warning Clause F in NPC-3000 relating to sound levels in any purchase of sales/rental agreements in the form as set out in the Section 37 Agreement.

33. The owner will construct and maintain the development in accordance with Tier 1, Toronto Green Standard, and is 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.

8. 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. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation than the component of development charges payable for the development in accordance with the City's Development Charges By-law, and may be amended from time to time.

9. City Council authorize City Officials to take such action as required in order to implement these recommendations, including execution of necessary agreements.

FINANCIAL IMPACT

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

At its meeting on November 29 to December 1, 2011, City Council adopted a report from City Planning recommending approval of development applications on two adjacent sites: Dunshorn Holdings Inc. at 5415, 5421-5429, 5435, 5475 and 5481 Dundas Street West and 15 & 25 Shorncliffe Road; and Alder Place at 5485 and 5487 Dundas Street West. The approval was for a mixed-use development consisting of eight tall buildings, a new 0.4-hectare public park and a new publicly-accessible private road network. Section 37 benefits were secured, including a total of \$1,500,000 for above base park improvements at a new on-site public park or improvements at Cloverdale Park.

City Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EY11.5>

At its meeting on July 12-15, 2016, City Council enacted Site-Specific Zoning By-law 769-2016 to permit a mixed-use development at 5415-5481 Dundas Street West and 15 & 25 Shorncliffe Road having a total gross floor area of 182,500 m², including a combined minimum of 8,355 m² of non-residential gross floor area. The Zoning By-law permits seven tall buildings with heights ranging from 20 storeys (63 m) to 30 storeys (93 m), a new public park (approximately 4,226 m² in size), and publicly-accessible private roads. Holding provisions were applied to the site, to prevent any development prior to ensuring all water mains and sanitary sewers, including off-site improvements, are installed and operational, a private road is constructed to minimum standards, as necessary for phased development, and a public access easement is registered on title.

Also at its meeting on July 12-15, 2016, City Council enacted Site-Specific Zoning By-law 1100-2016 to permit a mixed-use development at 5485 and 5487 Dundas Street West having a total gross floor area of 33,488 m² in total, including a minimum of 1,380 m² of non-residential gross floor area. The Zoning By-law permits a 27-storey building (81 m), with a two-level base building having a maximum height of eight storeys (27 m) along the Dundas Street frontage and four storeys (15 m) along the private road.

Shortly after the enactment of the two Zoning By-laws, the two sites were purchased by the same owner that has submitted the current application. In 2019, Site Plan Approval was issued for the Phase 1 development, as such the Phase 1 lands are not part of this proposed Zoning By-law Amendment application.

Multiple pre-application meetings were held throughout 2017 and 2018. The current application was submitted on December 27, 2018 and deemed complete on February 24, 2020. A Preliminary Report on the application was adopted by Etobicoke York Community Council on May 22, 2019 authorizing staff to conduct a community consultation meeting. Community consultation is summarized in the Comments section of this report. See Attachment 10 for a comparison of the current application versus the existing approvals.

PROPOSAL

The application proposes to amend the former City of Etobicoke Zoning Code, as amended by Site-Specific Zoning By-laws 1088-2002, 769-2016 and 1100-2016, for the property at 5415-5481, 5485 & 5487 Dundas Street West and 15 & 25 Shorncliffe Road to develop a four-building, eight-tower mixed-use development with retail and commercial office uses at-grade and in the base building levels, and residential above. The application is also proposing a 4,144 m² public park fronting Dundas Street West, in addition to the 2,468 m² parkland being conveyed as part of Phase 1 of the development that is not part of this application. Resulting in a total of 6,612 m² of parkland for all of the Phases combined. A new J-shaped public street is proposed to connect Dundas Street West to Shorncliffe Road at approximately the mid-point of the subject site and a private road running east from the public street is anticipated to connect to the adjacent development to the east.

As proposed, the application consists of three buildings and six towers located along the south of the site (Buildings 2, 3 and 4) and one building with two towers (Building 6) at the northwest corner of the site. Buildings 2, 3 and 4 would have a six-storey base building (20.6 m in height) and tower components that would range in height from 26 to 38 storeys, resulting in overall height ranging between 32 to 44 storeys (99.4 to 134.9 m in height, excluding the mechanical equipment). The proposed building at the corner of Shorncliffe Road and Dundas Street West would have an eight-storey base building that would stepback above the fourth storey along Dundas Street West and Shorncliffe Road above the sixth storey for a portion of the building located closest to the public street accessed from Shorncliffe Road. The building would have two tower components with heights of 18 and 20 storeys, resulting in overall heights ranging between 26 and 28 storeys (87.9 m and 93.9 m in height, excluding mechanical equipment). The tower floor plates would be a maximum of 750 m² measured from the exterior walls excluding balconies, with tower separation distances ranging between 25 to 39 metres. Buildings 2, 3 and 4 would be setback approximately 33 metres from the south property line, which is adjacent to the Canadian Pacific Railway corridor.

The application is proposing a total gross floor area of 233,493 m², of which 4,910 m² would be for retail use and 10,897 m² would be for office use. The retail and office uses are proposed to be located within the base building of Building 6. A total of 2,875 residential units are proposed, of which 10% would be three-bedroom units or larger, 28% would be two-bedroom units and the remaining units would be one-bedroom units. Approximately 5,750 m² (2 m² per unit) of indoor amenity space and 14,072 m² (4.9 m²

per unit) of outdoor amenity space, which includes the landscaped open space within the transit reserve at the rear of the site, will be provided. The proposal would have a gross density of 5.32 times the site area and a net density of 7.1 times the site area.

Vehicular access to the development would be provided from Dundas Street West and Shorncliffe Road by way of a new two-way J-shaped public street. The new public street would accommodate fire routes and lay-by parking spaces. Five levels of underground parking are proposed containing 2,838 vehicular parking spaces of which 2,265 would be residential spaces, 258 would be visitor spaces, 98 would be retail spaces and 217 would be office spaces. A total of 3,104 bicycle parking spaces (2,316 long-term and 566 short-term residential spaces, and 222 non-residential spaces) would be provided both within the below-grade garages and at-grade. Two six-metre wide private driveways extending south from the public street are proposed between Building 3 and 4 and to the east of Building 2 to provide vehicular and servicing access for these buildings. Vehicular and servicing access for Building 6 would be via the new public street. The application proposes one Type G and one Type C loading space for Buildings 2 to 4 and three Type C loading spaces and two Type G loading spaces for Building 6.

A 3.44-metre road widening conveyance along the northern portion of Shorncliffe Road is required as part of the application. Two POPS are proposed. The first POPS proposed would be 460.5 m² in size and located between Building 6 and the new public park fronting the public street. The second POPS is located between Buildings 2 and 3 and would be 712 m² in size. This POPS will provide pedestrian access from the public park to the landscaped open space within the transit reserve to the rear of the site. Proposed are two canopy art features one located over the POPS between Buildings 2 and 3 and the other to the southwest of Building 4. The POPS and associated easements will be secured in the Section 37 Agreement and the final design of these features will be secured through the Site Plan Control review process.

Site and Surrounding Area

The site is currently occupied by a range of uses including light industrial uses along the southwest edge of the site and a number of eating establishments, retail and commercial uses along the Dundas Street West frontage. The site is located at the southeast corner of Dundas Street West and Shorncliffe Road at the western gateway into the Etobicoke Centre. It is approximately five hectares in size, and has an existing 26.10-metre wide TTC reserve and a 9.14-metre sewer easement that runs along the south property line. The site slopes down approximately five metres from Dundas Street West to the south property line and to a lesser extent to Shorncliffe Road.

The surrounding land uses are as follows:

North: Dundas Street West, north of Dundas Street West are retail and office uses. Further north is Cloverdale public park and lands designated *Neighbourhoods*.

West: Shorncliffe Road, across Shorncliffe Road are industrial zoned properties that are part of the Dundas Street West/Highway 427 Planning Framework and Site and Area

Specific Policy 367. A 22-storey rental residential building development was approved by City Council at 5507 and 5509 Dundas Street West.

East: Directly to the east is a 25-storey mixed-use building, which is part of the Phase 1 lands, or Building 4 of the previous approval, which proceeded as per the original approvals for the site. Phase 1 also includes a vehicular connection to the adjacent development to the east and approximately a quarter of a hectare of parkland dedication. Further east, is a mixed-use development consisting of five buildings with heights ranging from 21 to 36 storeys.

South: Canada Pacific (CP) rail corridor. Beyond the CP rail corridor, the area is comprised of industrial uses and hydro-electric facilities.

Reasons for Application

An application to amend the former City of Etobicoke Zoning Code, as amended by Site-Specific Zoning By-laws 1088-2002, 769-2016 and 1100-2016, is required to permit the proposed building heights and density, as well as establish appropriate zoning standards to facilitate the revised proposal.

Draft Plan of Subdivision

The proposed Conditions of Draft Plan of Subdivision Approval (see Attachment 8) would secure the conveyance of the new public street network that links to a proposed private street with public access linking the properties to the east, as well as to secure other appropriate servicing and municipal infrastructure improvements both internal and external to the proposed plan of subdivision. The proposed public park blocks will also be created through the draft plan of subdivision process. Site-specific Urban Design Guidelines will also be secured as part of the application to be used in the evaluation of the phased Site Plan Control applications.

APPLICATION BACKGROUND

Application Submission Requirements

The following plans, reports and studies were submitted in support of the application:

- Architectural Plans
- Planning Rationale
- Arborist Report
- Functional Servicing Report
- Civil and Utility Plan
- Community Services and Facilities Report
- Landscape and Lighting Plans
- Transportation Impact Study
- Functional Design Plans

- Urban Design Guidelines
- Vibration Feasibility Study
- Rail Safety and Development Viability Assessment
- Air Quality Study
- Noise Impact Study
- Draft Plan of Subdivision
- Draft Zoning By-law
- Environment Impact Assessment Phase 1
- Energy Efficiency Report
- Survey
- Sun and Shadow Studies
- Toronto Green Standard Checklist
- Hydrogeological Study
- Tree Preservation Plan
- Pedestrian Level Wind Study

The material/studies listed above can be accessed via the Application Information Centre (AIC) <https://www.toronto.ca/city-government/planning-development/applicationinformation-centre/>

Agency Circulation Outcomes

The applications 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 applications and to formulate appropriate Zoning By-law standards and conditions of Draft Plan of Subdivision.

Statutory Public Meeting Comments

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

POLICY CONSIDERATIONS

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 4.7 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 Greater Golden Horseshoe 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).

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Planning for Major Transit Station Areas

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal

comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's plan for the prescribed densities.

Toronto Official Plan

The Official Plan designates this site as *Mixed Use Areas*, as shown on Map 14 of the Official Plan (see Attachment 3: Official Plan Land Use Map). The subject site is located within the Etobicoke *Centre* as identified by Map 2 of the Official Plan and is also subject to the policies of the Etobicoke Centre Secondary Plan. The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Chapter 2: Shaping the City

The City's four *Centres*, along with *Avenues*, *Employment Districts* and the *Downtown and Central Waterfront* area, are key component in the Official Plan's growth management strategy. The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface and rapid transit stations. *Centres* are to support various levels of both commercial office job and residential growth outside of the *Downtown*. The Official Plan encourages creating concentrations of workers and residents at these locations, resulting in significant centres of economic activity accessible by transit.

Each *Centre* is different in terms of its local character, its demographics, its potential for growth and its scale. A Secondary Plan for each *Centre* will tailor an intense mix of urban activities to the individual circumstances of each location.

Secondary Plans will outline a growth strategy, show how transportation and other local amenities can be improved, specify variations in the mix of land uses and intensity of activities within each of the *Centres* and knit each *Centre* into the surrounding fabric of the City.

Official Plan Policy 2.2.2.2 states that each *Centre* will have a Secondary Plan that will set out local goals and a development framework; establish policies for managing change and creating a vibrant transit-based mixed-use *Centre*; create a positive climate for economic growth and commercial office development; encourage a full range of housing opportunities in terms of type, tenure, unit size and affordability; develop a strategy for acquiring new and enhancing existing parkland, as well as the provision of community services and facilities; set out the location, mix and intensity of land uses within the *Centre*; and establish a high quality public realm.

The Official Plan's transportation policies provide provisions for the protection and development of the City's street, rapid transit and inter-regional rail networks. The Official Plan provides complementary policies to make more efficient use of this infrastructure and to increase opportunities for walking, cycling, and transit use and support the goal of reducing car dependency. Official Plan Policy 2.2.4 requires new development on lands adjacent to existing or planned transportation corridors and facilities to be compatible with, and supportive of, the long-term purposes of the

corridors and facilities and be designed to avoid, mitigate or minimize negative impacts on and from the transportation corridor facilities. Policy 2.4.8 states that better use will be made of off-street parking by encouraging the shared use of parking and developing parking standards for mixed-use developments which reflect the potential for shared parking among uses that have different peak demand characteristics.

Chapter 3: Building a Successful City

Chapter 3 of the Official Plan contains policies to guide decision making based on the Plan's goals for the human, built, economic and natural environments.

Public Realm

The public realm is the fundamental organizing element of the city and plays a vital role in supporting population and employment growth, health, liveability, social equity and overall quality of life. Public Realm Policy 3.1.1 of the Official Plan promotes quality architecture, landscape and urban design and construction that ensures that new development enhances the quality of the public realm. The Public Realm policies 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. The Public Realm policies provide guidance on how to potentially expand and enhance the public realm to support existing and future populations and contribute to life for people of all ages and abilities. The policies also provide direction on the function and design specifics of new public streets, city blocks and parks and open spaces.

New city blocks and development lots within them will be designed to expand and enhance the public realm network, provide and enhance pedestrian connections and cycling networks. They are to have an appropriate scale of development and form of buildings and open space, promote street-oriented development with buildings fronting onto streets and park edges and provide for the integration of green infrastructure. New parks and open spaces will be located and designed to connect and extend to existing parks, natural areas, and other open spaces; provide a comfortable setting with wind and sunlight conditions that promote the use and enjoyment of the space; provide for a variety of active and passive recreation and community uses and emphasize and improve aspects of the community's identity and character. The Public Realm policies also reference the role of POPS and mid-block connections and plazas as a method to complement and extend the civic life and pedestrian activity of the public streets, parks and open spaces.

Built Form

The Built Form policies provide principles on key relationships of the location and organization of development, its shape, scale and massing, and the provision of appropriate amenity within the existing and planned context to inform building design and ensure each new building will promote and contribute to a high quality of life. The

policies require development to enhance and extend, where appropriate, a public realm that supports the creation of complete communities inclusive of public streets, parks and open spaces.

Section 3.1.2 Built Form requires new development to be located, organized and massed to fit with the existing and planned context, frame and define comfortable public spaces, and ensure access to direct sunlight and daylight on the public realm by providing good street proportion, separation and transition in scale to neighbouring properties. Building entrances are to be located on prominent building facades so that they front onto a public street, park or open space, and are clearly visible and directly accessible from a public street. New development is to provide comfortable wind conditions and air circulation at the street and adjacent open spaces to preserve the utility and intended use of the public realm, including sitting and standing.

Policy 3.1.2.4 requires new development to locate and organize vehicular parking, access and ramps, loading and services to minimize their impact and improve the safety and attractiveness of the public realm by consolidating driveways, integrating services and utility functions and provide underground parking where appropriate. Section 3.1.3 Built Form – Building Types provides additional guidance for townhouse and low-rise apartments, mid-rise buildings, and tall buildings.

Tall buildings play a role in achieving residential and office growth ambitions in parts of the *Downtown and Central Waterfront and the Centres*. It states that tall buildings should be designed to reduce physical and visual impacts of the tower on the public realm and surrounding properties, including limiting shadows and pedestrian level wind impacts and maximizing access to sunlight and open views of the sky from the public realm.

Tall buildings should generally align the tower with the street, provide appropriate separation distances from lot lines and adjacent towers and step the tower back from the base building. The top portion of a tall building should be designed to integrate with the building design, contribute to the surrounding skyline identity and character, and avoid any excessive lighting.

Public Art

Public Art can contribute to the identity and character of a place by telling a story about the site's history. It creates a landmark and celebrates the cultural diversity and creativity of our communities. Public Art Policy 3.1.4.1(c) speaks to encouraging public art initiatives on properties under the jurisdiction of the City, its agencies, broads and commissions.

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 Toronto and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents.

Community Services and Facilities

Community Services & Facilities policies in Section 3.2.2 state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change.

Parks and Open Spaces

Section 3.2.3 of the Official Plan identifies parkland acquisition strategies and promotes the expansion, improvement and maintenance of existing parks and open space system within the City. Policy 3.2.3.1 identifies measures for maintaining, enhancing and expanding the park and open space system, which include:

- Adding new parks and amenities, particularly in growth areas and maintaining, improving and expanding existing parks;
- Designing high quality parks and their amenities to promote user comfort, safety, accessibility and year-round uses, and to enhance the experience of "place", providing experiential and educational opportunities to interact with the natural world;
- Protecting access to existing and publicly accessible open spaces, as well as expanding the system of open spaces and developing open space linkages; and
- Promoting and using private open space and recreation facilities, including areas suitable for community or allotment gardening, to supplement the City's parks, facilities and amenities.

Adjacent new development is required to limit additional shadowing and minimize the noise, traffic and wind conditions on the parks and open space as necessary to preserve their utility.

Building New Neighbourhoods

Section 3.3, Building New Neighbourhoods, states new neighbourhoods will have a comprehensive planning framework reflecting the Official Plan's city-wide goals, as well as the local context. Such frameworks should include:

- The pattern of streets, development blocks, open space and other infrastructure, including adequate space for tree planting;
- The mix and location of land uses;
- A strategy to provide parkland and to protect, enhance or restore natural heritage;
- A strategy to provide affordable housing, community services and local institutions; and

- A strategy to provide energy conservation and both stormwater and waste management.

Policy 3.3.2 states that new neighbourhoods will be viable communities and are to include a mix of uses and a range of building types, a community focal point, interconnected streets and pedestrian routes that define the development blocks; high quality parks, community facilities, open space and public buildings and services and facilities to serve the needs of the residents and workers of the area. Policy 3.3.3 requires new neighbourhoods to be carefully integrated into the surrounding fabric of the city.

Toronto's Economic Health

Section 3.5.1 of the Official Plan, Creating a Strong Diverse Civic Economy, promotes attracting new and expanding existing employment opportunities and economic growth within Toronto. Policy 3.5.1.2(a) states a multi-faceted approach to economic development in Toronto will be pursued by stimulating transit-oriented office growth in the *Downtown* and the *Central Waterfront*, the *Centres* and within walking distance of existing or approved and funded subway, light rapid transit and GO stations in *Mixed Use Areas*. Policy 3.5.1.3 states a balance of growth of jobs and housing across Toronto will be pursued to maintain a complete community and increase the proportion of travel, walking and cycling.

Chapter 4 - Mixed Use Areas

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".

Policy 4.5.2 of the Official Plan includes criteria that direct 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;
- (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;

- (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;
- (h) Take advantage of nearby transit services;
- (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.

Chapter 5 - Implementation: Making Things Happen

Secondary Plans provide a more detailed and guided vision for a local area and such policies and designations prevail over the parent Official Plan policies and designations. The Secondary Plans policies in Section 5.2.1 of the Official Plan indicate that Secondary Plans establish local development policies to guide growth and change in a defined area of the City. Policy 5.2.1.1 indicates that "Secondary Plans will set the stage for reurbanization of a defined area to stimulate and guide development in keeping with the Plan's objectives".

Section 5.1.2 of the Official Plan includes policies with respect to Holding By-laws. Where the intended use and zoning is known for lands but development should not take place until specific facilities are in place or conditions are met, the Official Plan allows Council to pass a "holding" zoning by-law that list the conditions that must be met prior to the removal of the "H" symbol. Policy 5.1.2.1 states "a holding provision may be placed on lands where the ultimate desired use of the lands is specified but development cannot take place until conditions set out in the Plan or by-law are satisfied".

Chapter 6 - The Etobicoke Centre Secondary Plan

The Etobicoke Centre Secondary Plan sets the policy framework to assist in the implementation of the urban structure and growth management objectives of the City of Toronto. The Etobicoke Centre is focused on two subway stations and as an inter-regional transit connection point, and can contribute to growth management objectives of the broader region. The Etobicoke Centre Secondary Plan conforms to the Growth Plan (2020), through its growth management approach to achieving complete

communities by focusing the highest densities around the Kipling and Islington subway stations.

The Etobicoke Centre Secondary Plan sets out an urban structure for the area that directs different levels of intensification to certain areas within its boundaries. This is reflected in more detail in the two *Mixed Use Areas* designations of the Plan that divide the scale and intensity of growth into either pedestrian scale buildings specific to the *Mixed Use Area B* designation or taller buildings to *Mixed Use Area A*. The Etobicoke Centre Secondary Plan designates the subject lands as *Mixed Use Area A*, which permits a wide variety of land uses and is envisioned and planned to accommodate the majority of the intensification within the Etobicoke Centre Secondary Plan boundaries. The Secondary Plan states that *Mixed Use Areas A* will create a balance of uses to reduce automobile dependency and meet the diverse needs of local community, consist of a broad range of commercial, residential and institutional uses in single use or mixed-use buildings, as well as parks and open space, have access to schools, parks, community centres, libraries and childcare, and be designed and situated to take advantage of nearby transit services.

The primary objective of the Etobicoke Centre Secondary Plan is to create an urban structure that directs the tallest and most intensive development above and adjacent to the Kipling and Islington subway stations. Policy 3.3.1.3 states that "to promote Secondary Plan focal points the zoning for the Etobicoke Centre will permit the greatest heights and highest densities around the Kipling and Islington subway stations". For all other areas, the Secondary Plan states "the scale of buildings in areas other than Islington Village will generally be of mid-and-high-rise character consistent with their location and surroundings".

In addition to the station focal points information the urban structure, Policy 3.2.1 states that "Buildings located at gateway locations should be of a scale and design that signifies a sense of arrival. Gateway locations will be identified in urban design guidelines prepared for Etobicoke Centre."

The Etobicoke Centre Secondary Plan places the site within the Dundas West Area, which states:

"The area along Dundas Street, west of Subway Crescent exhibits fewer existing urban qualities than many of the other areas within the Plan. This area will intensify with a greater urban character through medium mixed-use buildings that provide a well-defined streetwall. New commercial buildings will be constructed adjacent to the street line with direct pedestrian connection between the public sidewalk and the buildings".

Policy 3.6.1 encourages a compact, high-density, transit-oriented development pattern in order to provide a tight urban fabric and pedestrian oriented core areas. Notwithstanding the direction of Policy 3.6.1, the Etobicoke Centre Secondary Plan contains urban design policies that specifically apply to tall building proposals which are more prescriptive than the parent Official Plan policies, and set out key urban design considerations that proposed tall buildings must, at a minimum:

- "(a) Demonstrate how the proposed building and site design will contribute to and reinforce the urban structure of the area;
- (b) Demonstrate how the proposed building and site design relate to adjacent buildings and blocks within the immediate neighbourhood;
- (c) Minimize the negative impact of shadows, sky view and wind on adjacent public areas including streets, parks and open spaces;
- (d) Take into account the relationship of the site to topography of other tall buildings;
- (e) Minimize the negative impact of shadows, sky view and wind on neighbouring private properties and residential neighbourhoods;
- (f) Provide adequate transition between tall buildings and the adjacent lower scaled buildings; and
- (g) Provide high quality, comfortable and usable publicly accessible open spaces areas."

Policy 3.4.4 requires tower floor plate sizes to be limited in order to create a distinct skyline character and allow views through the site. Policy 3.4.7 provide direction that the Urban Design Guidelines will support and implement the objectives and policies of the City's Official Plan and Etobicoke Centre Secondary Plan.

Similar to the Official Plan policies, Policy 3.5.1 (c) of the Etobicoke Centre Secondary Plan encourages the creation of public art that reflects the character and history of the area on properties under the jurisdiction of the City, its agencies, boards and commissions.

Section 3.9 speaks to the vision of expanding parks and open space opportunities through new parkland dedication and privately managed publicly accessible open spaces. Section 3.10 speaks to the creation of a successful and highly functioning pedestrian environment in Etobicoke Centre, by creating and ensuring safe, visually interesting and well connected pedestrian connections.

The outcome of staff analysis and review of relevant Official Plan policies and designations and the Etobicoke Centre Secondary Plan are summarized in the Comments section of the Report.

Zoning

The site is zoned Etobicoke Centre 2 (EC2) in the former City of Etobicoke Zoning Code which permits the proposed mix of uses and residential apartment buildings. The site is subject to two Site-Specific Zoning By-laws (769-2016 and 1100-2016).

Site-Specific Zoning By-law 1100-2016 permits a total gross floor area of 33,488 m², a minimum of 1,380 m² of non-residential gross floor area on the ground floor of the building and a maximum building height of 81 metres. The boundaries for this By-law roughly resembles the location of Building 6 as shown on Attachment 11: Site Plan.

Site-Specific Zoning By-law 769-2016 permits a total gross floor area of 182,500 m² including a minimum of 8,355 m² of non-residential gross floor area. The Zoning By-law permits seven tall buildings with maximum building heights ranging from 63 m to 93 m, a 4,046 m² public park and publically-accessible private roads. This by-law currently applies to the entire subject site as well as the Phase 1 lands, but not including the area subject to By-law 1100-2016.

There are Holding provisions in the by-law to ensure that all water mains and sanitary sewers, including off-site improvements, necessary to service the development are installed and operational. The site is not subject to city-wide Zoning By-law 569-2013, which excludes all lands within the Etobicoke Centre Secondary Plan area.

Holding By-law Provision

A Holding provision applies to a portion of the lands, as identified on Schedule A of both Zoning By-laws 1100-2016 and 769-2016. In order to lift the Holding provisions, Sections 11 and 12 of Zoning By-laws 769-2016 and 1100-2016 requires the execution and registration of a development agreement between the owner of the lands and the City, securing the financing and construction of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply system to accommodate the development. The requirements of the Holding provisions have not been satisfied to date, and as such City Planning recommends that the Holding provisions continue to apply to the lands and is included in the draft Zoning By-law Amendment. Development cannot proceed on the site until the Holding ("H") provision has been removed.

Design Guidelines

Design Guidelines Part III of the Provincial Policy Statement (2020) under the 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".

Etobicoke Centre Urban Design Guidelines

The Etobicoke Centre Urban Design Guidelines (the "Guidelines") establish the urban design goals for the Etobicoke Centre as it relates to among other matters, building design, and pedestrian comfort and streetscape improvements. The Guidelines draw upon Zoning By-law 1088-2002 to achieve built form goals envisioned in the Etobicoke

Centre Secondary Plan. A variety of building forms are encouraged within the Centre through four general height ranges including Main Street Buildings, Streetwall and Mid-Rise Buildings, Mid-Rise Buildings and Tall Buildings. Regardless of the building typology, the Guidelines state that building heights of new development is intended to support the Centre and Secondary Plan initiatives.

New parks and open spaces are to be located and designed to be accessible and visible from the public street, and the guidelines note the importance of publically accessible open space as a way to complement and enhance the network of public open spaces within the community.

With respect to Gateways the Guidelines state that "sites at the entry points into the Etobicoke Centre will be developed as landmarks to identify the Etobicoke Centre". Landmark identification can occur through the design of buildings at these locations as well as the provision of public elements and monuments.

The Guidelines state that buildings are to be massed to define streets and open spaces with good proportion and with adequate access to sunlight and skyview. According to the Guidelines, taller buildings are to be located above and adjacent to Kipling and Islington subway nodes and on portions of the former Westwood Theatre lands. Where more than one building is proposed on a site, the Guidelines speak to only one building being at the maximum height, while the others must represent a full range of heights. The link to the Guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/etobicoke-york/>

Etobicoke Centre Public Space and Streetscape Plan

In 2011, City Council endorsed the Etobicoke Centre Public Space and Streetscape Plan (the "Public Space and Streetscape Plan") to incrementally improve the quality and character of public spaces in the Etobicoke Centre.

The Public Space and Streetscape Plan is intended to unify the diverse parts of the Etobicoke Centre and encourages a friendly pedestrian environment while identifying new park space and public space improvements. The site is located within the Dundas Street West character area which is considered to one of the mixed-use neighbourhoods and is envisioned to become a high-density residential community and with commercial, recreational and cultural use opportunities. The key projects for the Dundas Street West area are, among others, creating pedestrian connections and improving pedestrian crossings, creating new public road systems and creating new parks.

The Public Space and Streetscape Plan has identified the intersection of Dundas Street West and Shorncliffe Road as a major entryway into the Etobicoke Centre. Major Entryways are places where elements of distinction can mark the importance of the Centre as an important and unique place.

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/bqrd/backgroundfile-57177.pdf>.

Tall Buildings Guidelines Section 1.3 Fit and Transition in Scale, provides further guidance to ensure tall buildings fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks and open space.

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

In July 2014, Toronto City Council adopted the 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>

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>

Site Plan Control

A Site Plan Control application (18 272103 WET 03 SA) has been submitted for the Phase 2 lands only and is currently under review by staff. Staff have advised the applicant that the Phase 2 Site Plan Control application cannot be finalized until the Draft Plan of Subdivision application has been finalized to create, convey and secure the proposed public street network. A Site Plan Control Application will be required for each phase of the development.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the *Planning Act*, PPS (2020) and the Growth Plan (2020).

Planning Act

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest are:

- (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;
 - (h.1) The accessibility for persons with disabilities to all facilities, services and matter to which this Act applies;
- (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;
- (q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- (r) The promotion of built form that (i) is well designed, (ii) encourages a sense of place and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and
- (s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

The current proposal is in an appropriate location for development; is supportive of current and future transit along Dundas Street West; represents an appropriate built form that addresses the existing and planned context of the Centre; provides a range and mix of housing including family sized; provides for retail and commercial uses in a buildings with frontage along Dundas Street West and Shorncliffe Road; secures a new public park and two POPS; encourages a sense of place; and promotes a vibrant public realm/streetscape. These Provincial Interests are further articulated through the PPS and the Growth Plan (2020).

Provincial Policy Statement (2020)

The proposal has been reviewed and evaluated against the PPS and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020). The current proposal has been reviewed against the policies of the PPS and key policies include:

Section 1.1.1 of the PPS indicates that healthy, liveable and safe communities are sustained in part by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term by accommodating an appropriate range and mix of uses and avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Section 1.1.3.2 of the PPS indicates that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, support active transportation and are transit-supportive, where transit is planned, exists or may be developed. The proposal is transit supportive and encourages active transportation by incorporating a new public street network, new sidewalks and convenient access to transit via a multi-use trail along the rail corridor.

In accordance with Policy 1.1.3.3, the subject site is appropriately located for intensification as it is within an existing settlement area that can accommodate growth and is served by existing infrastructure and transit. The application will provide an appropriate range and mix of housing options, tenures and densities required to meet projected requirements of current and future residents of the regional market area by providing a housing mix that includes larger units (10.5 percent three-bedroom units and 28.77 percent two-bedroom units). It also promotes healthy and active communities through the provision of a new public parks and two POPS.

Policy 1.2.6.1 of the PPS directs major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. Any potential noise or air quality impacts on the proposed development from the adjacent rail and employment lands will be mitigated and secured through the Site Plan review process.

Policy 1.5.1(a) of the PPS states that healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity. The proposed redevelopment extends and enhances the local public road network creating an efficient layout comprised of lots and blocks that front onto new public streets and private roads. The proposed landscaped open space within the transit

reserve provides a more landscaped connection from the site to the nearby transit facilities.

Policy 1.6.7.4 of the PPS promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation. The proposal is consistent with this policy direction as the proposed land use and density provides a compact built form that supports an efficient use of land in proximity to existing transit infrastructure including the Kipling GO Station located approximately 700 m to the east, the Kipling Subway Station located approximately 900 m to the east, and the TTC bus routes on Dundas Street West.

Policy 4.6 of the PPS states the Official Plan is the most important vehicle for implementation of the Provincial Policy Statement.

The proposal is consistent with the PPS in this regard in that it would provide additional housing through the residential intensification of an underutilized property. Additionally, the proposal is consistent with the PPS as it:

- Proposes densities and land uses, through a compact urban form, that represents an efficient land use pattern and resources;
- Efficiently uses planned and existing infrastructure and public service facilities, and is transit supportive; and
- Contributes to providing a range and mix of housing sizes and commercial/retail uses to meet projected requirements of current and future residents.

Growth Plan (2020)

The Growth Plan (2020) provides a framework for managing growth in the Greater Golden Horseshoe. City Council's planning decisions are required to conform with the Growth Plan. This application has been reviewed against the policies of the Growth Plan (2020) and key policies are noted below.

Policies 2.2.1.2 a) and c) direct municipalities to manage growth and direct the vast majority of growth to settlement areas, focused within delineated built-up areas and more specific strategic growth areas like urban growth centres, and locations with existing or planned transit, with a priority on higher order transit where it exists or is planned. The proposed development promotes intensification within a built-up area that is designated in the Official Plan as an area for growth and intensification.

Policies 2.2.1.4 a), c), d) and e) state that applying the policies of the Growth Plan (2020) will support the achievement of complete communities that: feature a diverse mix of land uses, including residential and employment uses; provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; expand convenient access to transportation options and open space; and provide for a more compact built form and a vibrant public realm. The proposed residential density increase will optimize use of the site that is well served by existing transit, servicing and community services infrastructure. The proposal provides a mixed-use compact built form which includes 4 buildings, eight towers, a new public park, two POPS spaces and landscaped open

space within the transit reserve. The proposal supports an efficient use of land within a pedestrian-friendly community.

Policy 2.2.6.3 states that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. A range of housing options are provided including family sized units.

Policy 3.2.1.2 requires that the planning for new or expanded infrastructure will occur in an integrated manner and Policy 3.2.2.1 requires that transportation system planning, land use planning and transportation investment will be coordinated. Policy 3.2.3.4 a) states that municipalities will ensure that active transportation networks are comprehensive and integrated into transportation planning to provide, among other matters, safe, comfortable travel for pedestrians, bicyclists and other users of active transportation. The proposal includes a new public street and provides convenient access to transportation options, contributing to public service facilities, open spaces and recreational facilities.

Policy 4.2.5 states that municipalities are encouraged to establish open space areas within settlement areas, which may include opportunities for rooftop garden, communal courtyards, and public parks. The proposal includes a new public park and two POPS.

The Growth Plan for the Greater Golden Horseshoe contains policies which promote economic growth, increase housing supply, create jobs and build communities. The proposal conforms to the Growth Plan (2020) as it accommodates new growth within the built up areas of the community through intensification.

Community Consultation

City Planning hosted a community consultation meeting on June 12, 2019 at St. Elizabeth Catholic School to discuss the proposal. The meeting was attended by approximately 38 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 metres. At the meeting, City Planning staff presented the policy framework and an overview of the application review process and the applicant presented their initial proposal.

Staff also had a meeting with the South Eatonville Residence Association, 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 number of buildings does not fit within the context of the immediate area and overwhelm the site. Residents are of the opinion that the heights should not exceed the previous approvals.

- The potential impacts as a result of the proposed increase in building heights on the *Neighbourhoods* designated lands to the north of Dundas Street West.
- The precedent the proposed development would have on other sites along the Dundas Street West corridor.
- Construction impacts on the existing residents of the surrounding area.

Park Comments

- The proposed park is too small to serve the existing residents and the new residents of the proposal.
- The utility of the new park will be impacted by the shadowing cast by the proposed buildings.

Transportation and Traffic Comments

- The proposal would increase traffic congestion on both the arterial and the surrounding local streets north of Dundas Street West.
- Residents expressed a need for additional traffic calming measures on the local residential streets north of Dundas Street West, as it is believed the local residential streets would act as a more direct and less congested route for vehicles to get from Dundas Street West to Highway 427.
- A northbound right-hand dedicated turning lane should be accommodated at the intersection of Dundas Street West and Shorncliffe Road/Shaver Avenue.
- The proposed number of vehicular parking spaces is too excessive and should be reduced.
- The desire to create a pedestrian-friendly environment along Dundas Street West.

Housing Comments

- There is a lack of affordable housing options.
- The number of three-bedroom units should be increased to meet the guideline standards.

Infrastructure Comments

- Concerns regarding capacity of municipal infrastructure to support the proposed density and whether any infrastructure upgrades and improvements were required to support this proposal.
- Infrastructure impacts on the low-rise residential area to the north of Dundas Street West.
- Concerns with the school capacity in the area.
- A lack of community services and facilities in the area to serve the existing and new residents.
- Lack of space on existing public transit infrastructure that serves the area.

City Planning staff worked with the applicant to address those issues that could be resolved through the design of the proposal such as, refining the architecture of the buildings, creating a pedestrian-friendly environment along Dundas Street West and the rear rail corridor, increasing the number of proposed three-bedroom units and securing required municipal infrastructure improvements. In staff's assessment the site can

accommodate the proposed additional height and density and still be in keeping with the area and policy context, while not creating any negative impact on surrounding residential properties.

Design Review Panel

On May 9, 2019, the proposed application was presented to the Design Review Panel. Staff outlined the site's history, existing and future context, planning framework and the applicant presented the proposal.

The Panel provided the following comments:

- Reconsider the location and width of the public road access from Dundas Street West in order to maintain a larger contiguous park.
- Whether retail space at the base of the building located at the corner of Shorncliffe Road and Dundas Street West would be viable.
- The sameness of the proposed architecture and materiality were just aggregations of the guidelines and encourage a variety in the proposed architecture.
- The site is at the gateway of the Etobicoke Centre and the proposal should create an identity.
- A better mix of unit types should be considered and the initially proposed 1% three-bedroom dwelling units was not supported.
- Units in the base of the buildings should be oriented in a way that maximizes sunlight into the units.
- The open green corridor at the rear of the site has huge potential and the openness should connect to the north of the site.
- There needs to be some kind of ambition with respect to sustainable design and strategies.

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, the refined architecture, the increase in the number of three-bedroom units, and location of the public park and POPS is appropriate. Further matters pertaining to sustainable design, materiality, the public realm and future refinement of the POPS design will be dealt with through the Site Plan Control review process.

Site-Specific Urban Design Guidelines

As part of the Draft Plan of Subdivision application, Site-Specific Urban Design Guidelines will be secured which were developed during the application review process. The Guidelines establish urban design and architectural design objectives for the proposed development. The urban design vision and guidelines are predicated on five Guiding Principles:

1. Establish Community Character and Identity
2. Public Realm and Open Space
3. Sustainability and Green Design Elements

4. Built Form
5. Site Servicing

The design guidelines will be used in the evaluation of the future Site Plan Control applications. The Site-Specific Urban Design Guidelines are contained in Attachment 9 of this report.

Land Use

The subject site is designated *Mixed Use Areas* on Map 15 of the Official Plan, and located within a *Centre* as identified on Map 2 Urban Structure. The Etobicoke Centre Secondary Plan identifies these lands as *Mixed Use Area A*. City Planning staff are of the opinion that the proposed development conforms to the *Mixed Use Area* designation and its development criteria, and is supportive of the Built Form policies of the Official Plan. The current zoning permissions for the site permit the proposed land uses.

This proposed development will create a balance of commercial, residential and open space uses that will meet the needs of the current and future local community. City Planning staff are of the opinion that the proposed development will meaningfully contribute, through the inclusion of housing, retail and commercial uses, to the fulfillment of the Secondary Plan's Mixed Use Area A vision, being an area where residents can live, work and shop without relying on an automobile. The new public park, fronting onto Dundas Street West, will increase the supply of parkland in the area, support the proposed density, facilitate social gathering and continue the network of green/open space/parks within the area.

City Planning staff are of the opinion that the proposed mixed use development is appropriate as it conforms to the land uses contemplated in the Official Plan, the Etobicoke Centre Secondary Plan and Zoning By-law, and is also compatible with the existing and planned context of the area.

Site Organization

The proposed street and block plan meets the policies of the Official Plan, is appropriate for the site, and creates a complete community which integrates well into the surrounding context.

The subject site is divided into three areas by the new J-shaped public street with the enlarged and reconfigured public park located to the east and west of it and the mixed-use development to the west and south. The new public street would be a new local street which would provide access from both Shorncliffe Road and Dundas Street West and would provide visibility into the public park from within the site. The enlarged public park is located along the northern boundary of the site with frontages on both Dundas Street West and the new public street. Due to the relocation and reconfiguration of the proposed towers from the original approvals, access to sunlight on the proposed park would be improved.

The J-shaped public street and the private road extending east from the elbow of the public street break up the development site into development blocks that replicate the spacing of the surrounding developments. The location of the proposed public park and public street increases the porosity of the built form allowing for better pedestrian and vehicular connection while also allowing for visual connections from Dundas Street West and Shorncliffe Road into the site.

The proposed private road is anticipated to extend west from the elbow of the public street and connect to the private road of the adjacent development. The private road would provide access to the underground garages of Phases 1 and 2 and would allow underground garage connections within the eastern portion of the site.

The POPS located between Buildings 2 and 3 provide for a pedestrian connection and visibility between the public park and the landscaped open space within the transit reserve to the rear. The POPS is an important element of the public realm as it connects and extends the open landscaped space within the site.

The location of the new public street provides the proposed southern buildings with frontage onto a public street. Its intersections have been designed to be integrated into the surrounding street network and mitigate impacts on the surrounding neighbourhood. The new street will be designed to accommodate large sidewalk widths and street trees.

The Plan of Subdivision application will divide the subject site into the various development blocks and create the new public street and park blocks.

Built Form

The Built Form policies of the Official Plan require that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks and open spaces and properties. In growth areas, such as *Centres* and *Mixed Use Areas*, the planned context anticipates changes and intensification. In general, height and density aspects of the planned context of new development will be assessed on the basis of the Official Plan's policies, including Secondary Plans and applicable urban design guidelines.

The Etobicoke Centre Secondary Plan requires tall building proposals to demonstrate how they will contribute to and reinforce the urban structure of the area and relate to adjacent buildings and blocks within the immediate neighbourhoods. Therefore, one of the key considerations of any development both on the site and within the Etobicoke Centre must be a demonstration of how the proposal appropriately relates to its existing and/or planned context and limits potential impacts to any sensitive uses in the immediate area.

As discussed below the proposed setbacks, building heights, density, floor plates and tower separation distances result in a development that relates to its context while minimizing potential impacts. These performance standards have been included in the implementing draft Zoning By-law Amendment.

Base Building

The Official Plan requires new development to be massed to frame adjacent streets in a way that respects the existing street proportion. The *Mixed Use Areas Policy 4.5.2(e)* also requires new development to locate and mass new buildings to frame the edges of streets and parks with good proportion. The Etobicoke Centre Secondary Plan states that streets will be developed with a pedestrian scale building-to-street relationship. In accordance with the policies contained in the Secondary Plan and the Etobicoke Centre Urban Design Guidelines the massing of new buildings are required to frame and support the street scale to balance built form with the street width. In the Dundas West focus area, intensification is expected with greater urban character through medium height mixed-use buildings that provide a well-defined street wall along Dundas. The Etobicoke Centre Urban Design Guidelines envision the development of the lots located on the south side of Dundas Street West abutting the rail corridor as an area where buildings will be massed and sited to create a generous setback.

The proposed base building height of Building 6 would be eight-storeys and approximately 33 m in height fronting Dundas Street West, which has a right-of-way width of 36 m at this location. The base building would stepback approximately two metre above both the fourth and fifth storeys at the west side of the building and approximately three metres above the fourth storeys on the eastern portion of the building. The building would have a six-storey base building fronting the proposed public street with an overall height of approximately 21 m. Consistent base building heights are intended to ensure predictable street edges from one property to the next, the base building height of Building 6 maintains the medium-height streetwall character planned for Dundas and is consistent with the Phase 1 development directly to the east and the number of storeys approved in the previous approved development on the site.

The base building of Buildings 2 to 4 would have an approximate height of 21 m, with stepbacks of three to four metres above the fourth storeys. Site-Specific By-law 769-2016 permitted four- and five-storey base building heights to the rear of the site. The proposal contemplates addition base building heights of approximately three metres to six metres. Staff consider the additional base building heights to still be aligned with the guideline direction for pedestrian scale building-to-street relationship, good street proportion and the previously approved development on the site, as well as the adjacent developments to the east of the site.

Although the proposal is for tall mixed-use buildings, Building 6 would have a predominantly mid-rise form along its Dundas Street frontage as the tower elements would be stepped back from the base building by approximately six metres for the west tower element and 15 m for the east tower element. The west tower element would be stepped back above the base building adjacent to the proposed POPS and public park approximately 15 m. The base building of Building 6 defines the public realm parallel to the street as required by the Etobicoke Centre Urban Design Guidelines and reinforces the Secondary Plan's vision for the Dundas West focus area.

Height and Density

There are seven focus areas within the Etobicoke Centre Secondary Plan, which sets out an urban structure for the area. The policies of the Etobicoke Centre Secondary Plan and implementing Zoning By-law direct different levels of intensification to certain areas within its boundaries. This site is located within the Dundas West focus area, which envisions intensification but with a specific mid-rise streetwall character along Dundas Street West. More recently new development is emerging south of Dundas Street West within the Dundas West focus area with building heights that are up to 36 storeys, and further west along the south side of Dundas Street West to Kipling Avenue the building heights are up to 40 storeys. The envisioned urban structure directs the highest building heights and densities to specific locations within the Bloor/Islington and the Six Points focus areas. Although this site is proposing tall building heights of 26 storeys up to 44 storeys (134.9 m) which are among the higher heights within the *Centre*, it would not be the tallest approved height *and* the proposed net density of 7.10 times the area of the lot is not the highest density within the Centre. Densities within the *Centre* have been approved up to 11.2 times the area of the lot.

Both the Secondary Plan and the Etobicoke Centre Urban Design Guidelines identify sites at the entry points of the Etobicoke Centre as landmarks or gateway locations that will provide the Etobicoke Centre with a sense of arrival and identity. The Etobicoke Centre Secondary Plan Policy 3.2 states:

"A well-defined Etobicoke Centre will create a sense of place. Physical definition of the Etobicoke Centre is important to inform visitors and residents that they are within a special place. The boundaries of the area will be defined through a series of common infrastructure items and gateway treatments that will set the area aside from its environs".

Policy 3.2.1 further states:

"Greater physical definition will be achieved through the development of gateway treatments and/or structures to physically create a sense of arrival. Buildings located at gateway locations should be of a scale and design that signifies a sense of arrival.

The Etobicoke Centre Public Space and Streetscaping Plan has identified this site as a western gateway. The Etobicoke Centre Urban Design Guidelines require a variation in building heights when multiple buildings are proposed on one site. As such, the variation in building heights, tower location and architectural expression were of paramount consideration during the review of this application.

The proposed development has been massed and designed appropriately for the subject site given its western gateway location into the Etobicoke Centre and significant size. The proposal provides for a variation in building heights with the shortest buildings of 26 to 28 storeys fronting Dundas Street West and the taller buildings ranging from 32 to 44-storeys located to the south of the site. The tallest proposed buildings at 42 and 44 storeys were strategically located towards the middle of the site to allow the

remaining building heights to transition down to the east and west to be consistent with the adjacent developments. The variation in height and tower location provides visual interest at the western gateway of the Etobicoke Centre, signifies a sense of arrival to the Centre and continues the general height pattern to both the east and west of the site through appropriate height transitions within the site.

The architecture of the proposed towers was also of utmost consideration, and as such the proposed architecture is unique in the way that it deviates from the standard base building and tower typology. The upper rectangular floor plates of the towers are to be skewed, chamfered, tapered and shifted to resemble alder trees swaying in the wind to pay homage to the meaning of Etobicoke, provide improved sun/shadow performance on the surrounding public realm, and add distinctive architectural interest to the site and Etobicoke Centre skyline. The combination of the variation of building heights, tower location and the uniqueness of the architectural expression of the buildings contribute to this site as becoming a landmark and creates a sense of arrival into the Etobicoke Centre, which is consistent with the Secondary Plan policies and the direction of the Etobicoke Centre Urban Design Guidelines. The architectural expression of the towers have been discussed and illustrated in the Built Form section of the Site-Specific Urban Design Guidelines (see Attachment 9).

The *Etobicoke Centre* Secondary Plan contains more restrictive tall building policies than the parent policies of the Official Plan. In the Etobicoke Centre Secondary Plan, Policy 3.4.6 requires tall building proposals to demonstrate how the proposed building and site design will contribute to and reinforce the urban structure of the area; demonstrate how the proposed buildings and site design relate to adjacent buildings and blocks within the immediate neighbourhood; minimize the negative impacts of shadows, sky views and wind on adjacent public areas and residential neighbourhoods; and provide appropriate transition in between different building scales. Policy 3.3.1.5 requires the scale of buildings to be consistent with their location and surroundings.

Tall Building Design Guideline 1.3 states that buildings should respect the scale and local context and display appropriate transition in height and intensity, especially when adjacent to areas of lower-scale built form. As such, new development must be evaluated on its relationship with the heights and massing of the buildings in its surrounding context. The intent of this analysis is to ensure that the proposed height, scale and massing fits harmoniously within its existing and/or planned context.

The proposed development has been massed and designed appropriately to transition to adjacent lower-rise areas with taller building elements located along the rear of the site furthest away from the more sensitive land uses. While some of the proposed towers will be taller than those in the surrounding area, the additional height has been strategically located and designed within the proposed development in a way that mitigates the impacts and provides appropriate transition to surrounding parks and *Neighbourhoods* designated lands to the north, as well as improves the access to skyview and sunlight from both the public realm and proposed park. The proposal fits within the existing tall building context of the Dundas West focus area within the Etobicoke Centre Secondary Plan.

Tower Floor Plate

Policy 3.4.4 of the Etobicoke Centre Secondary Plan requires tall building proposals to limit the size of the tower floor plate. In addition, Policy 3.4.6 requires all tall buildings to minimize their shadow impacts on public areas and residential neighbourhoods. The Tall Building Design Guidelines limits maximum floor plate sizes to 750 m², including all the built area within the building, which is intended to limit the shadow impacts through compact floor plates that cast smaller, faster moving shadows. The size and shape of the tower floor plate is to work together with the height and placement of the tower to determine the overall three-dimensional massing of a tall building and the visual and physical impact it poses on surrounding streets, parks, opens spaces and properties.

While the Etobicoke Centre Zoning By-law allows a building to have a maximum floor plate of 825 m² between a height of 36 and 60 metres (which then must be reduced to 750 m²), the Tall Building Design Guidelines reflect City Council's current standards for new tall building developments and have been applied to guide applications within the Centre where greater tower heights are sought. The application is proposing maximum tower floor plates of 750 m² in keeping with the Tall Building Design Guidelines and to minimize any shadow impacts on the surrounding public realm, open spaces and residential properties.

Tower Separation Distance

Adequate tower separation distances from property lines and from other towers is a critical aspect of a tall building design. The minimum separation distances are established to ensure tall buildings achieve the protection of skyview, privacy and daylighting. The Tall Building Design Guidelines require minimize tower separation distances of 25 m, measured from the exterior walls of the buildings, excluding balconies. However, where the existing context is characterized by tower separation distances greater than 25 m, larger separation distances are required to be in keeping with the more generous spacing established by the existing context.

The approved development within the Etobicoke Centre achieves the 25 m minimum separation distances, but the majority of the multi-tower developments have provided greater separation distances. Most recently the Bloor/Kipling Housing Now approval for Blocks 1 and 5 provided tower separation distances that range between approximately 35 m and 65 m. The proposed tower separation distances range between approximately 25 m and 39.5 m and reflect the existing context within the Etobicoke Centre and reinforce the Tall Building Design Guidelines directions that separation distances should respond to area context.

Sun and Shadow

This application has been reviewed against the Official Plan and Secondary Plan policies and/or planning studies and/or design guidelines described in the Policy Consideration Section of the Report. The proposal conforms to the policy direction of the Official Plan and the Secondary Plan, and is consistent with the Tall Building Design Guidelines by ensuring the development would minimize the shadow impacts on adjacent sensitive land uses.

The submitted Shadow Study is satisfactory to City Planning staff. The proposed massing, tower location and building heights have been designed and located to minimize shadow impacts on the low-rise *Neighbourhoods* and Cloverdale Park to the north of Dundas Street West, while also improving the shadowing on the proposed on-site park from the previously approved development.

The March 21st and September 21st shadow studies show that the proposed development would cast new shadows at 9:18 a.m. on some of the *Neighbourhoods* designated properties to the north and Cloverdale Park, which is similar to the shadow impacts of the adjacent multi-tower development to the east of the subject site. At 10:18 a.m. the majority of the shadows on the residential properties would be eliminated and the a small portion of the southeast corner of Cloverdale Park would be impacted. At 11:18 am all shadowing would be eliminated from the residential properties to the north of Dundas Street West and Cloverdale Park. The proposed development would shadow the new public park for the majority of the day, however the proposed shadows are an improvement from the impacts of the previously approved development due to the proposed tower locations and revised floor plate shaping the orientation. The landscaped open space within the transit reserve located to the rear of the site would be shadowed at 4:18 p.m.

The shadow impacts are minimal on the *Neighbourhoods* and Cloverdale Park to the north of the site. Where shadows are cast, the slim design of the proposed towers would ensure that the shadows move quickly. Planning staff are of the opinion that the proposed built form achieves an acceptable balance between shadow impacts and the Secondary Plan objectives for a growing and intensifying the *Centre*.

Wind Impacts

City Planning staff are satisfied with the expected wind conditions resulting from the proposed development, subject to further detailed assessment through subsequent Site Plan Control applications 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 summer, spring and fall season and additional mitigation measures may be required during the winter season, which will be assessed through the Site Plan review process. Staff recommend that this requirement be secured in the Section 37 Agreement as a legal convenience in support of the development.

Traffic Impact

The applicant submitted a Traffic Impact Study, prepared by WSP Consultants in support of the proposed development. According to the study, Buildings 2 to 4 are anticipated to be constructed by 2023, while Building 6 is anticipated to be constructed by 2028. As such, the study analyzed 2023 and 2028 as their study horizons.

The applicant's Traffic Impact Study forecasted that the proposed development would generate 765, 602, 557 two-way primary vehicular trips in 2023 during the weekday AM, weekday PM and Saturday peak hours, respectively. For the 2028 horizon, the proposed development would generate 1,048, 876 and 837 two-way primary vehicular trips during the weekday AM, weekday PM and Saturday peak hours, respectively. Of the vehicular trip counts for 2028, the office uses would account for 88, 73 and 0 two-way trips and the retail uses would account for 23, 131 and 224 two-way vehicular trips during the weekday AM, weekday PM and Saturday peak hours, respectively. Given the projected site trips, it has been concluded that the site traffic is not expected to adversely impact the road network within the surrounding area.

Toronto Transit Commission

The Toronto Transit Commission (TTC) reviewed the submitted Traffic Impact Study and have determined that the total round-trip delay to the TTC buses at the intersection that were analyzed is approximately 150 seconds. Based on the delay to the buses, 10 intersections would need to be equipped with Transit Signal Priority to mitigate the delay from the site generated traffic, at a total cost of \$350,000.00. However, as there are existing approvals for the site, the increased density proposed with this rezoning application represents only 20.5% of the development site traffic generation. Therefore the TTC is requiring that the owner provide \$71,750.00 for the installation of transit signal priority to mitigate 20.5% of the total delay. The owner would be required to pay the \$71,750.00 prior to the issuance of any above grade building permits, as noted in the recommendation section of this report. Staff recommend that this requirement be secured in the Section 37 Agreement as a legal convenience in support of the development.

Access and Site Circulation

The site is currently served by multiple vehicular driveways, including a number of full-movement driveways along Dundas Street West, as well as one right-in/right-out driveway and one full-movement driveway along Shorncliffe Road. These existing driveways are proposed to be closed.

Vehicular access to the proposed development at the subject site would be provided via the proposed J-shaped public street that connects to Dundas Street and Shorncliffe Road. The future east-west portion of the public street would have a right-of-way width of 18.5 m, while the future north-south portion would have a right-of-way width of 22.2 m. The east/west portion of the public street would connect to a private road where the public street turns from the north-south orientation to the east-west orientation. It would serve Buildings 1 and 2 and would also connect to the private road at the adjacent property to the east. The owner will be required as part of the Site Plan Control application to grant for nominal consideration, a non-exclusive, at-grade easement for public use to the City over the private road lands, for vehicular, bicycle and pedestrian use. There is no proposed phasing of the public street.

A private driveway is proposed to extend south of the public street between Buildings 3 and 4 to allow access to the underground garages and servicing facilities of both

buildings. An additional driveway to serve Building 2 is proposed south of the private road and to the east of Building 2.

Parking and Loading

The application proposes 2,875 vehicular parking spaces within a five-level underground garage. Of the total number of vehicular parking spaces, 2,265 would be residential spaces, 258 would be visitor spaces, 98 would be retail spaces and 217 would be office spaces. Up to 50% of the required visitor parking can be shared with the non-residential uses within the same building as per a 2018 Minor Variance Decision (Application Number A0605/18EYK). The proposed parking supply complies with the overall minimum parking requirements as per the Zoning By-law.

A total of 3,104 bicycle parking spaces (2,316 long-term spaces and 566 short-term spaces) would be provided both within the below-grade garages and at-grade. This represents sufficient bicycle parking spaces to meet the Toronto Green Standards and Zoning By-law requirements.

Buildings 2 to 4 are proposed to each have one Type G and one Type C loading space. Building 6 will have three Type C and two type G loading spaces. The quantity of the loading spaces per building is acceptable to staff and the rates are included the Draft Zoning By-laws attached to this report. The design, access and operations of the loading space will be further reviewed during the Site Plan Control application.

Roadway and Streetscaping

The application is required to provide a 3.44-m wide land conveyance along the north portion of the Shorncliffe Road frontage of the property in order to satisfy the Official Plan requirement of a 27-m wide right-of-way width at this location.

A new public street in a J-configuration is proposed to connect Dundas Street West to Shorncliffe Road at approximately the mid-point of the subject site. A private road is proposed to extend east of the public street to provide vehicular access for Buildings 1 and 2 and would connect to the private road of the adjacent multi-tower development to the east. The owner will be required to convey the proposed public street and the 3.44 m wide land conveyance along the northerly portion of the Shorncliffe Road frontage and finalize the functional design plans of the new public street as a requirement of the Draft Plan of Subdivision application.

The proposed public street intersection with Dundas Street West is proposed to be signalized by 2023. The owner is required to undertake signal warrant when Phase 3 of the site is constructed to determine the implementation time of the signals.

A quality streetscape and public realm treatment is fundamental to achieving the urban, pedestrian-friendly environment contemplated by the Etobicoke Centre Secondary Plan for this area. 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. The provisions of the Etobicoke Centre Public Space and Streetscape Plan will be applied to the development through the Site Plan review process, to ensure the proposed streetscaping is consistent with the vision for the entire Etobicoke Centre.

The development provides for a minimum 3.5-m setback from the Dundas Street West property line to allow for sufficient room for tree planting and an appropriate pedestrian realm. Buildings 3 and 4 provide for an approximate setback of three metres from the proposed public street to allow for new sidewalks, tree planting and to create comfortable public realm for pedestrians.

Currently, the concrete municipal sidewalks that exist along both the Dundas Street West and Shorncliffe Road frontages of the subject site varying in width with the majority being less than 2.1 m wide. In order to comply with current City standards, and the requirements of the Accessibility for Ontario with Disabilities Act, a continuous 2.1 m wide clear linear path of public sidewalk is to be provided as part of the development along the site frontages and along the new public street and will be secured through the Site Plan review process.

The new public street and private road would be tree-lined and the east/west portion would provide lay-by parking spaces to allow short-term parking opportunities. The proposed private road would have a similar appearance as the new public street.

The design of the proposal would result in an attractive, pedestrian-oriented streetscape. The at-grade units with front porches would face the public street and park to encourage utilization and activity which will provide overlook onto the abutting sidewalks, rights-of-way and public park. This will contribute to street activity, safety and provide a better pedestrian environment.

The provisions of street trees within the public boulevard, enhanced sidewalk widths and new connections to the public park and POPS would improve and enhance the streetscaping and pedestrian experience.

Servicing

The submitted Stormwater Management Report and Functional Servicing Report, both prepared by The Municipal Infrastructure Group Ltd. (TMIG) have been accepted in principle but there are still on-going issues that remain unsolved due to the involvement of the adjacent developments. As such, a revised Stormwater Management Report and a Functional Servicing Report are required to be submitted to the satisfaction of the Chief Engineer and Executive Director of Construction Services prior to the advancement of the necessary Bills.

Engineering and Construction Service staff are currently reviewing the first engineering submission associated with the Plan of Subdivision and the construction of the services for the new public street and will be secured through a subdivision agreement.

In order to service the proposed development approximately 1000 m of existing sanitary sewer upgrades are required along Shorncliffe Road and North Queen.

These upgrades need to be in place prior to occupancy of the proposed development and prior to the advancement of the adjacent development at 5507-5509 Dundas Street West. Engineering and Construction Services staff are currently reviewing the 90% sanitary sewer upgrades design along Shorncliffe Road prepared by TMIG. The upgrades of the sanitary sewer along Shorncliffe Road will be secured through a Municipal Infrastructure Agreement and is recommended to be included as part of a Section 37 Agreement.

The existing holding provisions in Zoning By-laws 1100-2016 and 769-2016 will be carried forward into the Draft Zoning By-law for the subject site and will require that all water mains and sanitary sewers, including off-site improvements, necessary to service the development are installed and operational. The removal of the holding provision will require the submission of a satisfactory Functional Servicing Report demonstrating sufficient capacity in the sanitary sewer system and all required upgrades and improvements have been financially secured through a Subdivision Agreement.

Housing Issues

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 Growth Plan (2020) recognizes the importance of planning for a range and mix of uses on lands near existing and planned frequent transit. Given the site's location near an existing major transit investment or a priority transit corridor, there is a significant public interest for including a mix of unit types and sizes within this new development.

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 two-bedroom units; and
- A minimum of 10% of the total number of units are to be three-bedroom or larger units.

The application is proposing 1,746 one-bedroom units (60.73%); 827 two-bedroom units (28.77%); and 302 three-bedroom units (10.5%). The proposed unit mix supports the objectives of the Provincial policies, the Official Plan and the objective of the Growing-Up Guidelines. Staff recommend that this requirement be secured through the Draft Zoning By-laws (See Attachment 7).

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 City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The development site is currently in an area with 0-4m² of parkland per person, which is well below the city-wide average provision of 28 m² of parkland per person. Given the future expected growth, both on the development site and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 11,266.7 m² or 106.32% of the site area. However, for sites one to five hectares in size, a 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, the parkland dedication requirement is 3,636 m².

The previously approved development proposed a parkland dedication of 4,046 m². Phase 1 of the development, which is near completion and is not subject to this application, is still required to provide 2,468 m² of park land dedication. This Phase 1 park was originally to be conveyed to the City prior to condominium registration of the Phase 1 building, however, the Phase 1 park is now proposed to be conveyed prior to the above grade building permit for the Phase 2 building. To accommodate this request to change the timing of the Phase 1 park, City staff has requested a cash-in-lieu of the value of the parkland to be secured prior to the condominium registration of the Phase 1 building. The Phase 1 Section 37 agreement is proposed to be amended to reflect this change.

The application proposes to satisfy the parkland dedication by conveying a 4,144m² parcel of land identified as Blocks 3 and 4 on the Draft Plan of Subdivision (See Attachment 12). The current application is proposing an additional 4,144.4 m² of parkland in addition to the 2,468 m² of public park lands already secured through Phase 1. A total of 6,612.4 m² of public park land will be secured across all of the Phases.

Parks, Forestry and Recreation staff support the size, shape and location of the proposed park. 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 within the Etobicoke Centre, thereby contributing to a complete community. Staff recommend the approval of the

application be subject to the provision of parkland and its design and construction be secured through the Subdivision Agreement.

Parks, Forestry and Recreation staff have requested numerous conditions pertaining to the provision of the new public park including 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 the Recommendations this report.

Privately-Owned Publicly Accessible Open Space (POPS)

Two POPS are proposed as part of this application. The proposed POPS A would be located between Buildings 2 and 3 in the form of a landscaped courtyard connecting pedestrians from the new public park and street to the landscaped open space within the transit reserve along the south of the site and would be approximately 712 m² in size. A private public canopy art feature will be provided within this POPS to add visual interest to the space. The design will be determined during the Phase 2 Site Plan review process. POPS B would be located between Building 6 and the public park and would be approximately 460.5 m². POPS B was strategically located as an pedestrian extension of the new public street to provide pedestrian access to the landscape open space within the transit reserve to the rear of the site from the new public park or Dundas Street West. This POPS space would provide an opportunity for significant public realm enhancements by creating a visual extension of the proposed public park to the landscaped open space within the transit reserve would also provide space for patio areas adjacent to the retail uses and gathering space for the community. Staff recommend that the POPS be secured in the Section 37 Agreement and its final design be secured through the Site Plan Control review process.

Rail Corridor

Official Plan Policy 2.2.4 states new development on lands adjacent to existing or planned transportation corridors and facilities is required to be compatible with, and supportive of, the long-term purposes of the corridors and facilities and be designed to avoid, mitigate or minimize negative impacts on and from the transportation corridors and facilities. The subject site is immediately adjacent to the Canadian Pacific Railway Galt Subdivision line which also carries the Milton GO Train service. The applicant is proposing a building setback of 31 m to 34 m measured from the base building to the south property line adjacent to the rail corridor.

The Federation of Canadian Municipalities and Railway Associations of Canada's Guidelines for New Development in Proximity to Railway Operations require a 30 m residential separation from the rail corridor to provide a buffer to address fundamental land use incompatibilities.

Development applications that propose less than a 30-m setback from the adjacent rail corridor must have the submitted Rail Safety study peer reviewed by a third party. Although the proposed setback exceeds the 30 m requirement, the submitted Rail

Safety study was peer reviewed by AECOM on behalf of the Canadian Pacific Rail. AECOM was satisfied with the proposed building setbacks and the introduction of residential uses to the site. AECOM also accepted the location and specifications of the proposed crash wall along the south property line. Staff recommend the rail safety measures be secured through the Section 37 agreement and the design of the crash wall will be reviewed by the Canadian Pacific Rail during the Site Plan review process.

The Environmental Noise Assessment prepared dated April 12, 2019 and Vibration Feasibility Assessment Addendum dated December 18, 2018, both prepared by RWDI, have been reviewed and accepted by Metrolinx. City Planning. Metrolinx request that an addendum letter to the Noise Assessment be submitted to reflect the current forecast information contemplating rail traffic on the Canpa subdivision. Additionally, confirmation that the 2011 vibration analysis would still be valid in a 2021 context is also required. These requirements will be secured in the Section 37 agreement.

Class 4 Classification

The Ministry of Environment, Conservation and Parks (MECP) has published guidelines that address noise issues as they relate to land use planning and permitted requirements (as part of an Environmental Compliance Approval) for industrial and commercial establishments, or transportation facilities located in proximity to sensitive land uses, including residential uses. In 2013, the Ministry of Environment and Climate Change (now MECP) released "Environmental Noise Guideline, Stationary and Transportation Sources - Approval and Planning (Publication NPC-300)", which replaced previous guidelines.

NPC-300 is a Provincial Guideline that provides guidance for the appropriate control of source of noise emissions to the environment. The purpose of NPC-300 is as follows:

- To provide sound level limits that are applied by the MECP to stationary sources, such as industrial and commercial establishments and auxiliary transportation facilities;
- To provide advice, sound level limits and guidance that may be used when land use decisions are made under the Planning Act;
- To provide sound level limits that may be incorporated into noise control by-laws, which may be developed by municipalities; and
- To provide sound level limits that may be applied under the provisions of the Aggregate Resources Act.

NPC-300 classifies noise sensitive receptors by area. The four classes of receptors are as follows: Class 1 - Urban Areas; Class 2 - Suburban/Semi-Rural Areas; Class 3 - Rural Areas; and Class 4 - Infill Areas.

Depending on the receptor area classification, different guideline sound limits apply. The Class 4 Area classification was introduced by the Ministry in 2013. It is intended to allow for residential infill and redevelopment in proximity to existing stationary sources of noise, such as industry, while still protecting residences from undue noise. It should

be noted that a Class 4 area is defined as "an area of specific site that would otherwise be defined as Class 1 or Class 2 and which:

- Is an area intended for development with new noise sensitive land use(s) that are not yet built;
- Is in proximity to existing lawfully established stationary sources; and
- Has formal confirmation from the land use planning authority with the Class 4 Area classification which is determined during the land use planning process."

A Class 4 Area classification allows for higher daytime and nighttime sound level limits than would otherwise be permitted in relation to a noise sensitive land use such as residential dwellings and associated outdoor living areas. The impact of such higher levels is mitigated by specified noise control measures. Class 4 alleviates some of the burden from the proximate noise-generating industry making it easier for industry to remain in compliance with MECP requirements while also allowing municipalities to achieve sensitive land use redevelopment goals in accordance with their land use policies in proximity to industrial uses.

Jade Acoustics Inc. Consultants, the third party peer reviewer of the submitted Environmental Noise and Vibration Assessment, has identified the industrial uses surrounding the subject site as potential concerns. The submitted Study identified noise control requirements such as central air conditioning for all residential units as well as upgrades to the façade of the proposed residential building in order to comply with the MECP criteria for indoor sound levels. The final design of noise mitigation measures would be secured through the Site Plan Control review process.

Jade Acoustics Inc. recommends the following Ministry of Environment Warning Clause F in NPC- 3000 in any purchase of sales/rental agreements:

"Purchasers/tenants are advised that sound levels due to the adjacent industries and commercial development are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with central air conditioning system which will allow windows and exterior doors to remain closed".

The peer review also recommends the following additional language be added to the warning clause stated above to confirm to the purchasers/tenants that the subject site has been designated a Class 4 Area, "The residential areas has been designated Class 4 as defined by the Ministry of the Environment guidelines". Applicable warning clauses will be secured through the Section 37 Agreement, the Plan of Subdivision Agreement and the Site Plan Control application.

It was recommended by the third party peer reviewer that this site be classified as a Class 4 Area to address noise from the neighbouring stationary sources, as the current Class 1 classification would place responsibility on the existing industry to provide onerous mitigation measures to ensure MECP requirements due to the close proximity

of residential uses. A Class 4 Area classification of the development site will protect the surrounding existing industrial and commercial activities.

The Class 4 Area classification is recommended for the site as a condition to the approval of the application. It is an appropriate mechanism to facilitate the redevelopment of the site, while allowing for the existing and future non-residential users to operate. The environmental noise impacts on the development can be adequately controlled through feasible mitigation measures, facade design and the warning clauses mentioned above. Staff recommend these matters be secured through the Section 37 agreement and the Site Plan review process.

Tree Preservation

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 Tree Inventory and Preservation Plan Report, prepared by Kuntz Forestry Consulting Inc. and dated January 14, 2019, indicates the site has a total of 6 privately-owned protected trees and 22 City-owned trees which are proposed to be removed. Urban Forestry is currently reviewing the submitted Application to Injure or Destroy Trees for the trees proposed to be removed on site. A permit has not yet been issued. The Application to Injure or Destroy Trees and the application fees for the City-owned trees to be removed is still outstanding.

The submitted Landscape Concept Plan, proposes a total of 123 new trees on City property, of which 79 are within the City road allowance and 44 are within the new public park. A total of 138 trees are proposed on private property. Urban Forestry staff are of the opinion that this Landscape Plan is acceptable. The Subdivision Agreement will secure the required street trees along the new public street.

Local School Boards

The Toronto Catholic District School Board (TCDSB) has advised that the local school area surrounding the development site is experiencing significant enrollment pressures. The TCDSB is interested in discussing the potential for accommodation opportunities as part of the proposed development. There is an opportunity for the owner and the TCDSB to engage during future Site Plan Control applications to assess the feasibility

of locating a TCDSB school in one of the mixed-use buildings. In the interim, the TCDSB has requested that appropriate signage be erected on site and appropriate warning clauses be included in all lease/rental/sale/tenancy agreements. 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 Lands Corporation in consultation with the Toronto District School Board (TDSB) has determined that both the local elementary and secondary schools are currently presenting accommodation challenges. The Toronto Lands Corporation and the TDSB will continue to monitor the residential development within the local area to understand the cumulative impact on local schools and to determine where prospective students will attend. In the interim, the TDSB has requested that appropriate signage be erected on site and appropriate warning clauses be included in all lease/rental/sale/tenancy agreements. These requirements are proposed to be secured in the Section 37 Agreement and subsequent Site Plan Agreement(s), should this application be approved.

Phasing

The subject site would be developed in five phases. Phase 1 is not subject to this application. The construction of the new public street is required to be completed and the lifting of the Holding provisions must be approved by City Council prior to the issuance of any above grade building permit.

Phase 2 would include the construction of Building 2 which is located at the southeast corner of the site, a portion of the private road and 1,569.3 m² of the proposed public park on the east side of the public street. Phases 3 and 4 will follow after Phase 2 with the construction of Buildings 3 and 4 located west of Phase 2. Phase 5 would include the conveyance of the remaining of the public park (2,575.12 m²) located on the west side of the new public street and Phase 6 would permit the construction of Building 6 located at the northwest corner of the site.

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 Section 37 Agreement, Site Plan Agreement or Registered Plan of Subdivision.

The owner is required to meet Tier 1 of the TGS. The owner 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 review process.

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 community benefits recommended to be secured in the Section 37 Agreement include bringing forward financial contributions (with indexing from the date of the original agreements) from the previous site-specific By-law 769-2016 and By-law 1100-2016 that will no longer apply to the subject lands. Other matters that are applicable in the previous Section 37 agreements are also to be brought forward. The community benefits relating to the net increase in height and density from the previously approved development are as follows;

A cash contribution of \$1,600,000.00 to be paid to the City prior to the issuance of any above grade permits, to be allocated to the following capital improvements within the local area:

- Local traffic calming projects to ameliorate the traffic increase from the development;
- Local park projects, including the new Etobicoke Centre public park
- New child care and community recreational centre proposed to be included in the new Etobicoke Civic Centre ; and
- Local non-profit child care facilities

This cash contribution amount is required in addition to the previously secured cash contribution of \$625,000.00 under By-law 769-2016 and \$250,000.00 under By-law 1100-2016 for the previously approved development. The new contribution amount is calculated based on the net increased height and density of the subject proposal. The Section 37 Agreement is also being used to secure obligations noted in this report and listed in the Recommendations of this report, to support development.

Conclusion

The proposal to amend the previously approved site-specific Zoning By-laws on the subject lands has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, Etobicoke Centre Secondary Plan and all the relevant urban design guidelines.

Staff are of the opinion that this proposal to amend the previously approved development on the subject lands is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan and Etobicoke Centre Secondary Plan, particularly as it relates to built form, the tall building policies and the urban structure set out in the Secondary Plan. Staff worked with the applicant and the community to address and resolve the following key concerns: enhancing the architecture of the buildings, increasing the amount of two- and three-bedroom units, ensuring a mix of uses and

securing public realm and streetscaping improvements and Section 37 contributions. The proposal improves on previous approvals for the site as it increasing the public parkland provided on site and secures the provision of a new public street. Staff recommend that Council approve the application to amend the Zoning By-laws and advises that the Chief Planner and Executive Director, City Planning intends to approve the Draft Plan of Subdivision application.

CONTACT

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SIGNATURE

Michael Mizzi, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Etobicoke Centre Secondary Plan Land Use Map
- Attachment 5: Etobicoke Centre Secondary Etobicoke Centre Areas Map
- Attachment 6: Existing Zoning By-law Map
- Attachment 7: Draft Zoning By-law Amendment (provided separately)
- Attachment 8: Conditions of Draft Plan of Subdivision
- Attachment 9: Site-Specific Urban Design Guidelines (provided separately)
- Attachment 10: Comparison Chart: Previous Approvals vs. Application

Applicant Submitted Drawings

- Attachment 11: Site Plan
- Attachment 12: Draft Plan of Subdivision
- Attachment 13: North Elevation
- Attachment 14: South Elevation
- Attachment 15: West Elevation
- Attachment 16: East Elevation

Attachment 1: Application Data Sheet

Municipal Address: 5415-5481, 5485 & 5487 DUNDAS ST W and 15-25 Shorncliffe Road
 Date Received: December 27, 2018

Application Numbers: 18 272108 WET 03 OZ & 19 264584 WET 03 SB

Application Type: Rezoning, Rezoning & Draft Plan of Subdivision

Project Description: To amend the two site-specific zoning by-laws to permit a mixed used development to allow for residential, retail and offices uses within four buildings and eight tower components. The Plan of Subdivision is required to secure the new public street, parks and municipal infrastructure upgrades.

Applicant	Agent	Architect	Owner
PINNACLE INTERNATIONAL (DUNDAS) LTD		TURNER FLECISCHER ARCHITECTS INC.	PINNACLE INTERNATIONAL (DUNDAS) LTD.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Zoning By-laws 1100-2016 & 769-2016
Zoning:	EC2	Heritage Designation:	N
Height Limit (m):	93	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 43,890 Frontage (m): Depth (m):

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):				
Residential GFA (sq m):			217,685	217,685
Non-Residential GFA (sq m):			15,808	15,808
Total GFA (sq m):			233,493	233,493
Height - Storeys:			26 to 44	26 to 44
Height - Metres:			88 - 135	88 - 135

Lot Coverage Ratio (%): 0 Floor Space Index: 5.32

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	217,685	
Retail GFA:	4,910	
Office GFA:	10,897	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			2,875	2,875
Other:				
Total Units:			2,875	2,875

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			1,746	827	302
Total Units:			1,746	827	302

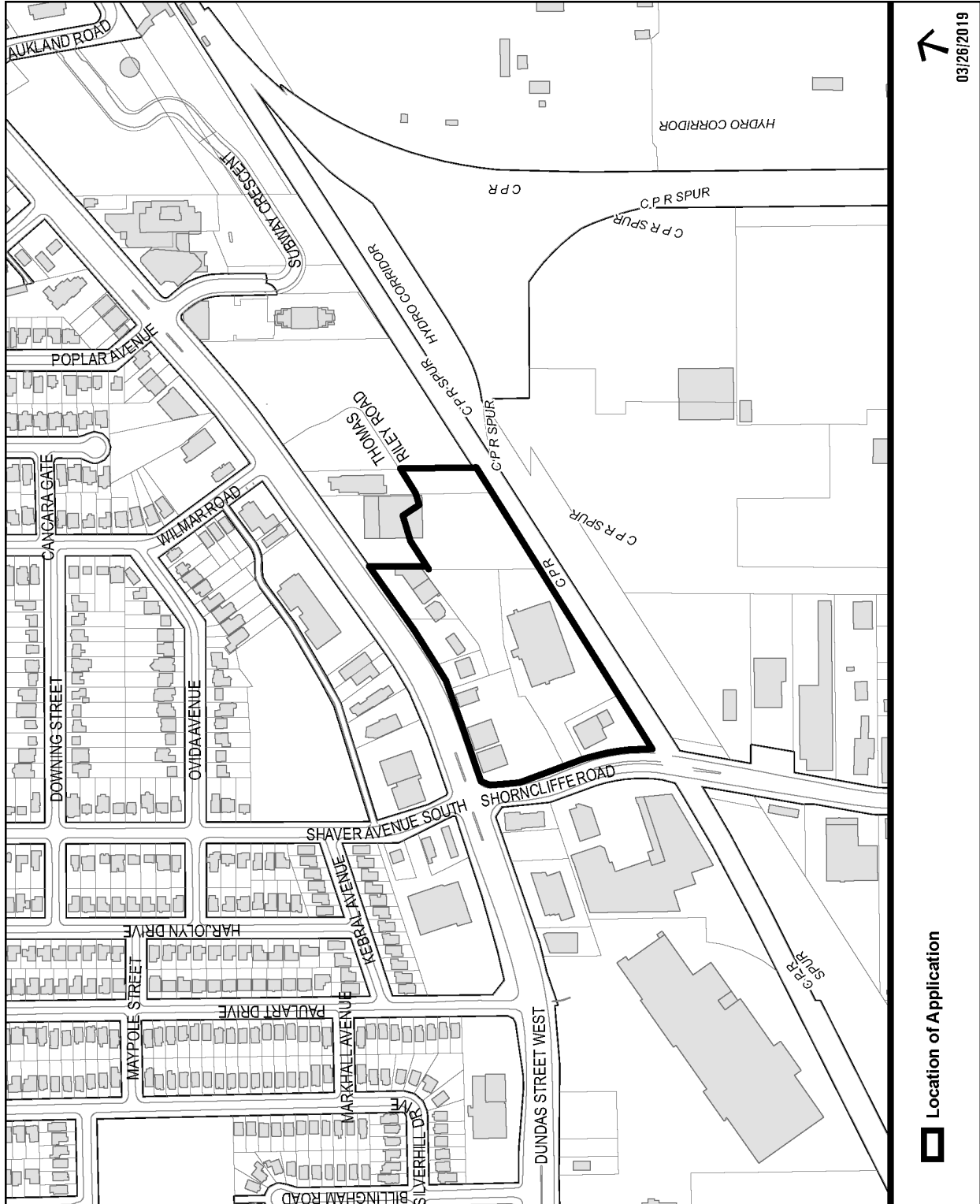
Parking and Loading

Parking Spaces: 2,838 Bicycle Parking Spaces: 3104 Loading Docks: 5

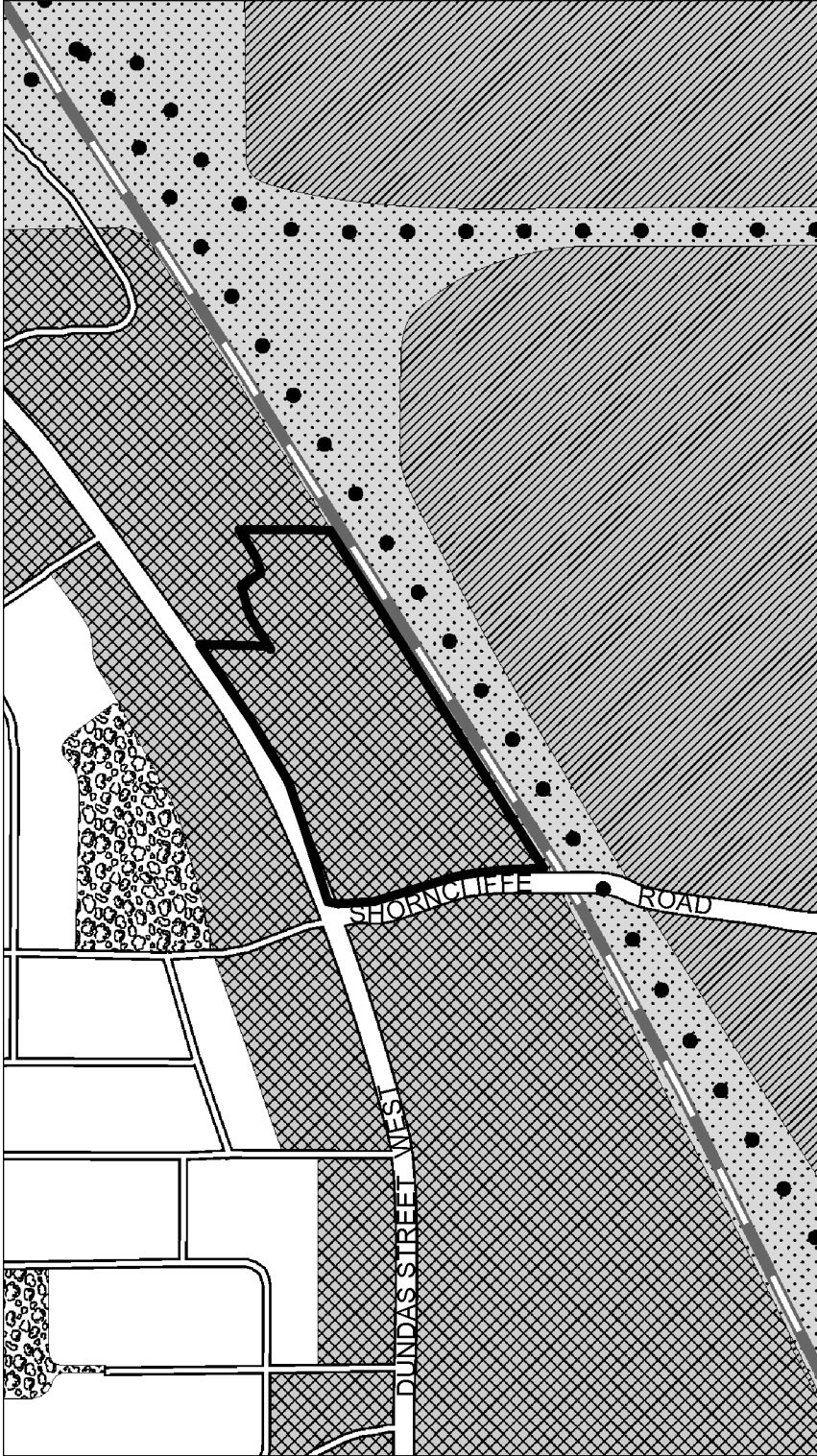
CONTACT:

Desiree Liu, Planner, Community Planning
 416-394-8233
 Desiree.Liu@toronto.ca

Attachment 2: Location Map



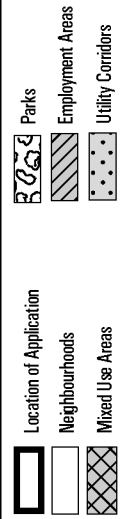
Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #15

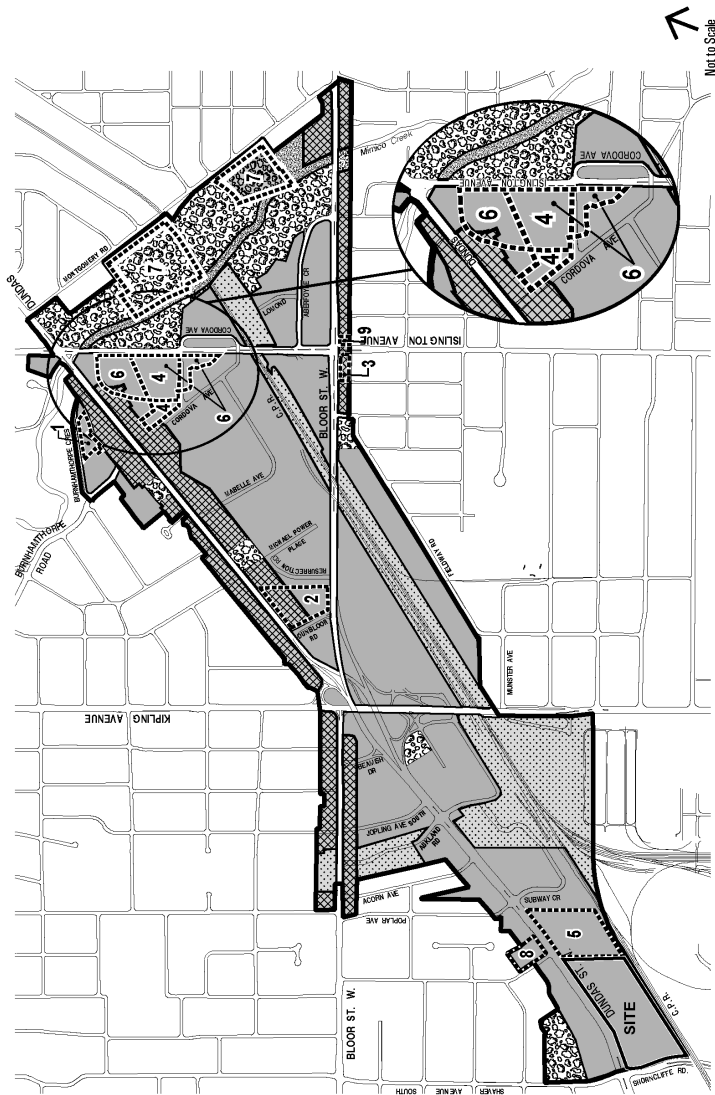
5415-5481, 5485 and 5487 Dundas Street West and
15 and 25 Shorncliffe Road

File # 18 272108 WET 03 0Z



Not to Scale
08/29/2019

Attachment 4: Etobicoke Centre Secondary Plan Land Use Map



North Arrow
Not to Scale

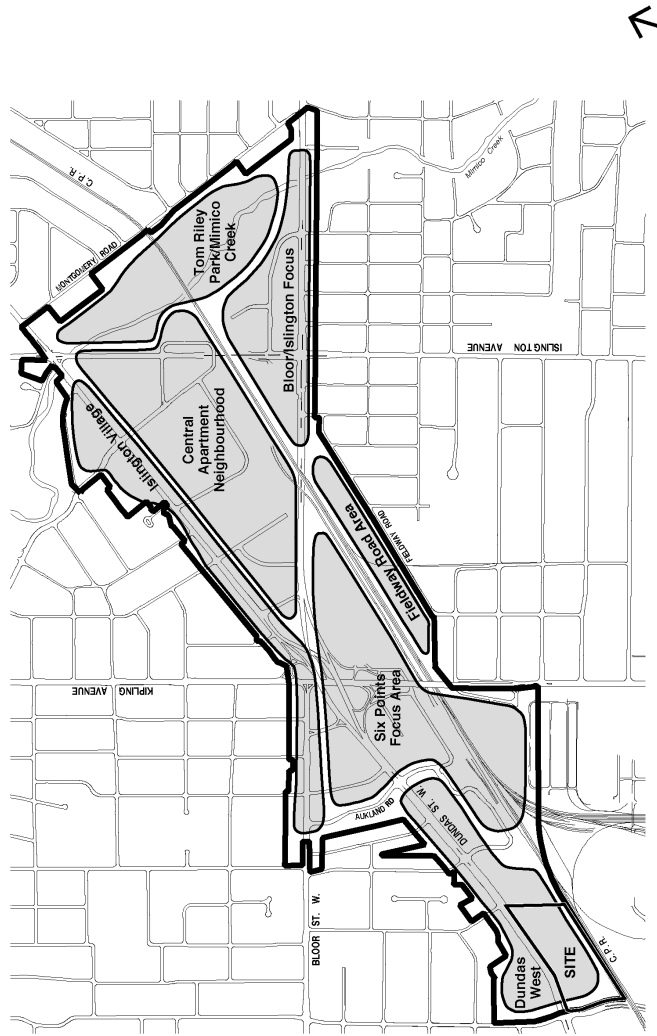
Etobicoke Centre Secondary Plan MAP 12.5 Land Use Plan



- Secondary Plan Boundary**
- Mixed Use Area A**
- Mixed Use Area B**
- Utility Corridors**
- Parks and Open Spaces Areas**
 - Natural Areas
 - Parks
 - Other Open Spaces Areas (including Golf Courses, Cemeteries, Public Utilities)
- 1 Site and Area Specific Policies**

December, 2010

Attachment 5: Etobicoke Centre Secondary Plan - Etobicoke Centre Areas



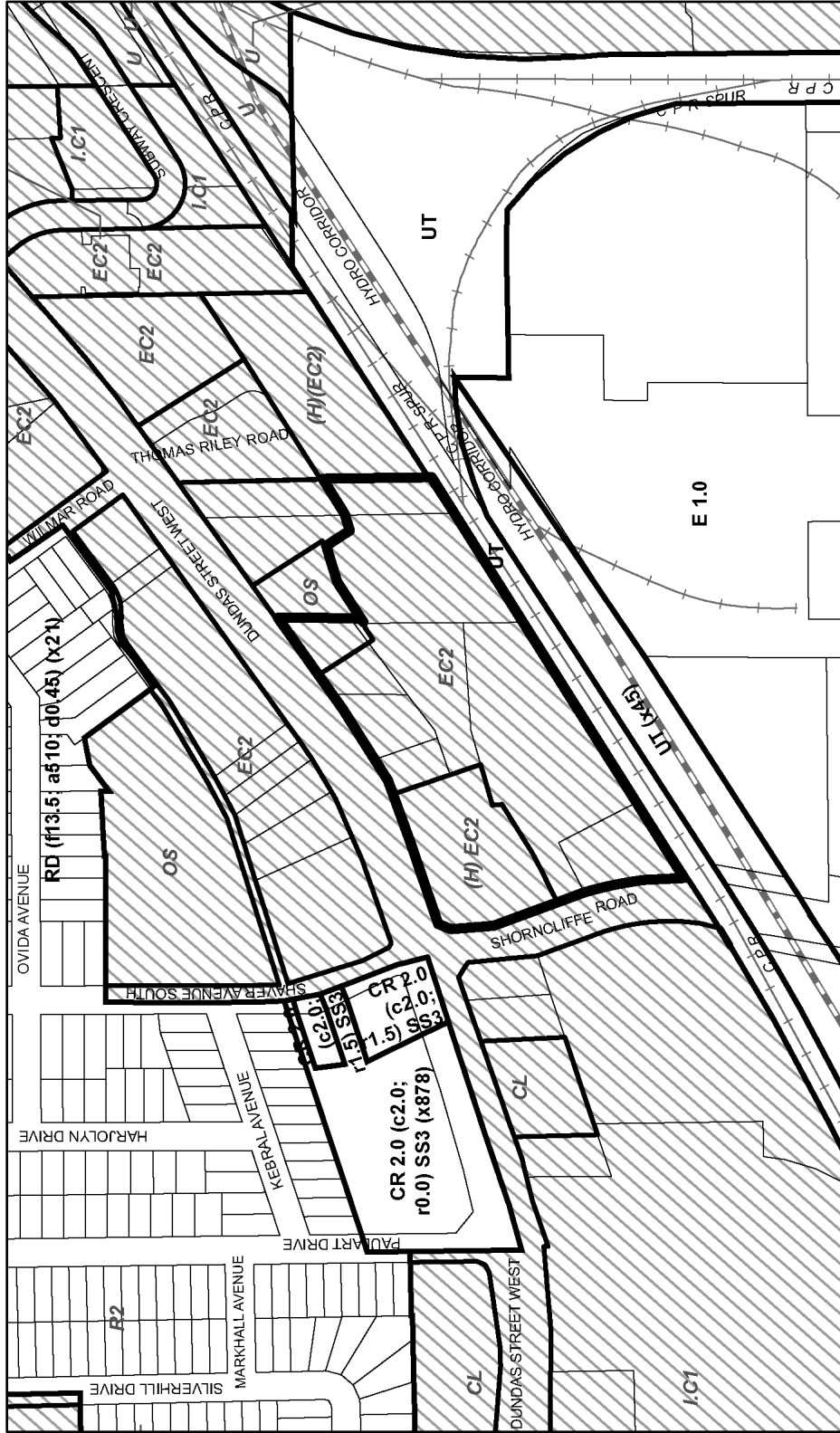
Etobicoke Centre Secondary Plan
 MAP 12.1 Etobicoke Centre Areas



— Secondary Plan Boundary

October 2009

Attachment 6: Existing Zoning By-law Map



Toronto
 Zoning By-law 569-2013
 5415-5481, 5485 and 5487 Dundas Street West and
 15 and 25 Shorncliffe Road
 File # 18 272108 WET 03 0Z

See Former City of Etobicoke By-Law No. 11,737

	Location of Application
	Residential Detached
	Commercial Residential
	Employment Industrial
	Utility and Transportation
	Second Density Residential Zone
	Public Open Space Zone
	Class 1 Industrial Zone
	Limited Commercial Zone
	Etobicoke Centre 2
	Utilities Zone

Not to Scale
 Extracted: 03/26/2019

Attachment 7: Draft Zoning By-law Amendment (see separate attachment)

Attachment 8: Conditions of Draft Plan of Subdivision

Standard Conditions

1. The Owner shall enter into the City's standard Subdivision Agreement and satisfy all of the pre-registration conditions contained therein (required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.).
2. The Owner shall provide to the Director of Community Planning, Etobicoke York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to Section 40 of the Assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
3. If the subdivision is not registered within five years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. 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 Control application for each building on the site.

City Planning

5. The Owner agrees to implement the Site-Specific Urban Design Guidelines for each phase of the development. All Site Plan Control applications for this development will be evaluated against the Site-Specific Urban Design Guidelines.
6. The Owner agrees to include the following warning clause in all agreements of sale or lease:

"Purchasers/tenants are advised that sound levels due to the adjacent industries and commercial development are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with central air conditioning system which will allow windows and exterior doors to remain closed. The residential areas has been designated a Class 4 Area as defined by the Ministry of the Environment guidelines". Applicable warning clauses will be secured through the Section 37 Agreement and Site Plan application."

Transportation Services

7. The proposed public road (Street 'A') and its proposed intersections to Shorncliffe Road and Dundas Street shall be constructed to the applicable City design standards and to the satisfaction of Transportation Services and Engineering and Construction Services and at no cost to the City.

As a requirement for Phase 3 of the subject development, the applicant shall undertake the construction of all infrastructure that is required for the proposed traffic control signals at the intersection of Dundas Street West and the proposed public road (Street 'A') east of Shorncliffe Road, including the preparation of all functional and engineering drawings, including signal design, civil and pavement marking/signage drawings. This work shall be undertaken to the applicable City design standards and to the satisfaction of Transportation Services and Engineering and Construction Services and at no cost to the City. We advise that the applicant has provided the City with a security – a Letter of Credit – in the amount of \$670,600.00 which is *specifically* intended to undertake the work for the aforementioned traffic control signals.

8. The applicant shall convey the property required for the proposed public road (Street 'A') and the required 3.44-metre wide land conveyance along the northerly portion of the Shorncliffe Road frontage of the property in order to satisfy the Official Plan requirement of a 27-metre wide right-of-way, as follows:

- a) With the exception of utility poles, the applicant must ensure that the required conveyances are free of all encumbrances and are subject to a right-of-way for access purposes in favour of the grantor until such time as the required lands are laid out and dedicated as public highways;
- b) Submit a draft Reference Plan of Survey to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office. The plan shall;
 - be drawn in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection;
 - delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site, and any appurtenant rights-of-way and easements; and
 - show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
- c) The applicant is financially responsible for all costs associated with preparing and registering the reference plans. We advise the applicant to contact Ms. A. Michalek, Acting Supervisor of Property Records, at (416) 392-5214 to obtain an exact description of the required conveyance(s).

9. Surface and below-grade encroachments are not permitted within the right-of-way limits of Dundas Street West, Shorncliffe Road and the proposed public road (Street 'A').

10. The proposed public road shall be designed according to the following City of Toronto Design Standards:

- City of Toronto Design Standard No. T-600.07-1 – Two-Stage Curb and Gutter;
- City of Toronto Design Standard No. T-310.030-8 – Controlled Non Signalized Intersection Configurations of Pedestrian Crossings;
- City of Toronto Design Standard No. T-310.030-9 – Location of Dropped Curbs at Controlled Intersections;
- City of Toronto Design Standard No. T-310.030-10 – Tactile Walking Surface Indicator and Curb Ramp Detail; and
- City of Toronto Design Standard No. T-310.030-11 – Tactile Walking Surface Indicator and Depressed Curb Detail.

11. Curbside sidewalk along the Street A frontage shall be designed according to City of Toronto Design Standard No. T-310.010-2 (i.e., 'Concrete Sidewalk Adjacent to Curb and Gutter'). The sidewalk must provide a 2.1 metre clearway along the entire sidewalk provision, which must exclude utility poles, fire hydrants, street curb, etc.

12. The sidewalk along the Dundas Street West and Shorncliffe Road frontages, shall be designed according to City of Toronto Design Standard No. T-310.010-4 (i.e., 'Combined Concrete Curb and Sidewalk'). The sidewalk must provide a *width of 2.1 metres, preferably 3.0 metres or more* clearway along the entire sidewalk provision, which must exclude utility poles, fire hydrants, street curb, etc.

13. Intersection curb radii at the proposed Dundas Street West/Street 'A' intersection shall be a minimum of 9.0 meters to be provided at the southwest and southeast curb radii of this proposed intersection.

14. Driveways located on Street A must be designed in accordance to City of Toronto Design Standard T-310.050-1, demonstrating the appropriate curb flares.

15. At the entrances of private driveways along the proposed public road, we require depressed concrete curb and gutter to be shown and designed according to City of Toronto Design Standard No. T-600.05-1. This must be provided across the public road/private driveway transition; i.e., along the property line.

Engineering and Construction Services

16. The Owner shall enter into a Standard Subdivision Agreement with the City for the construction of all municipal services required to service this subdivision and post adequate securities for this servicing, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. The Agreement will, among other things, address matter regarding engineering services, the assumption of services, soil and groundwater quality, conveyances to the City, feed, financial securities, requirements for building permits and grading and building siting control.

17. The Owner is responsible for all infrastructure improvements, as per the approved engineering plans, including, but not limited to, the sanitary sewer improvements along Shorncliffe Road.

18. Prior to the earlier of first occupancy of the subdivision or the first condo registration the Owner must complete the required sanitary sewer upgrade along Shorncliffe Road.

19. Street A, as shown on the Draft Plan, shall be dedicated to the City and must be designed and constructed as a fully-serviced public road, as follows: the east-west section of the future public road (from Shorncliffe Road to the north-south section of the future public road) shall be designed with a minimum 18.5-metre wide public road allowance generally conforming to City of Toronto Drawing No. UD-DIPS-2B (Sheet 1), but with a 2.1-metre wide concrete boulevard sidewalk along both sides of the street; and, the north-south section of the future public road (from the east-west section of the future public road to Dundas Street West) shall be designed with a minimum 20.0-metre wide public road allowance generally conforming to City of Toronto Drawing No. UD-DIPS-1B (Sheet 1), but with a 2.1-metre wide concrete boulevard sidewalk along both sides of the street.

20. Prepare all documents and convey to the City, at nominal cost, a 3.44-metre wide land conveyance along the northern portion of the Shorncliffe Road frontage of the property in order to satisfy the Official Plan requirements of a 27 metre wide right-of-way, in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated as a public highway, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction and the City Solicitor.

21. Dedicate all roads, corner roundings and road widenings shown on the plan for this development to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction.

22. Convey all necessary easements (internal and external) to the City shown on the plan for this development to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction.

23. Convey lands required to the City for Parks purposes.

24. Prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction and the City Solicitor.

25. The Owner is required to submit a draft Reference Plan of Survey to the Chief Engineer and Executive Director, Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The reference plan should:

a) Be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3degree Modified Transverse Mercator Projections);

b) Delineate by separate PARTS the lands to be conveyed to the City, the

remainder of the site and any appurtenant rights-of-way and easements; and

- c) Show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.

26. Pay all costs for preparation and registration of reference plan(s).

27. The Owner shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and submission of a RSC.

28. The Owner shall submit financial securities in accordance with the terms of the Standard Subdivision Agreement.

29. The Owner shall pay engineering and inspection fees in accordance with the terms and conditions of the Standard Subdivision Agreement.

30. Provide a detailed Stormwater Management Report, and apply stormwater management techniques in the development of this subdivision to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

31. Pay for and construct all municipal infrastructure required to service the Plan of Subdivision, including municipal infrastructure external to the plan of subdivision, including but not limited to the sanitary sewer upgrade along Shorncliffe Road.

32. Prior to the registration of the Plan of Subdivision, the Owner shall make satisfactory arrangements with THESL and THESI for the provision of the electrical distribution system and street lighting, respectively, to service the Plan of Subdivision.

33. Written confirmation from THESL and THESI that said arrangements have been made with respect to the installation of the electrical distribution system and street lighting, respectively, for the Plan of Subdivision, including the provision of any financial requirements set out in any agreement with THESL and THESI shall be provided.

34. In addition to the other financial security obligations contained in this Agreement and notwithstanding Section 25.5 of the main body of the standard Subdivision Agreement, prior to the earlier of release for construction of services or prior to the registration of the Plan of Subdivision, the Owner agrees to provide the City with financial security in the amount of 130% of the value of the cost estimate of the street lighting required to be installed under this Agreement, to the satisfaction of Chief Engineer and Executive Director, Engineering & Construction Services.

35. If applicable, the Owner is required to provide certification from a Structural Engineer that the existing structure(s) on-site to be retained, including but not limited to, retaining walls, culverts, ditch inlet catch basins and headwalls, have been inspected and confirmed to be in good order with regards to drainage and structural stability.

36. If applicable, prior to registration of the Plan of Subdivision, submit to the Executive Director, Engineering and Construction Services for review and acceptance, a detailed infrastructure phasing plan outlining the necessary infrastructure required to service all phases of the lands.

Parks, Forestry and Recreation

37. As per Toronto Municipal Code Chapter 415-28, prior to the issuance of the first above grade building permit, the Owner shall convey parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR).

38. The Owner will be required to convey the parks portion of the development site for public parkland purposes. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements.

39. 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.

40. Prior to the transfer of fee simple of the Park Block to the City, the Park Block shall nonetheless be deemed to be parkland in respect of the limiting distance requirements of the Ontario Building Code Act, 1992. Parks, Forestry and Recreation staff advises that the Owner must design the building to achieve Ontario Building Code (OBC) setbacks related to fire separation on their own site on the portions of the building that abuts the park. A five metre setback will apply to any building located next to the Park or, the required setbacks which meet the OBC for fire separation, whichever is greater. Prior to the issuance of any above grade building permit, the Owner will be required to demonstrate adequately that the OBC requirements have been achieved to the satisfaction of the General Manager, Parks, Forestry and Recreation.

41. Please be advised that in accordance with the Policy for Accepting Potentially Contaminated Lands to be Conveyed to the City under the *Planning Act* adopted by City Council on February 10 and 11, 2015, the City cannot accept lands without the fulfillment of the environmental assessment requirements described in Condition #34 below. Depending on the site condition and remediation requirements, this mandatory process can take anywhere from several months to two years or more. It is strongly advised that the Owner consult their Qualified Person to understand their site-specific obligations and timelines required for their land dedication and to initiate their process early. The City will not delay parkland conveyance for environmental-related reasons. The City will under no circumstances accept lands with on-going groundwater and/or vapour monitoring.

42. Prior to conveying the parkland to the City, the Owner must:

- a) Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the Owner's Qualified Person, as defined in Ontario Regulation 153/04, as amended, describing the lands to be conveyed to the City, and

- identifying what environmental documentation will be provided to the City' peer reviewer to support this conveyance; all environmental documentation consistent with Ontario Regulation 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Chief Engineer and Executive Director, Engineering and Construction services and copy to the General Manager, Parks, Forestry and Recreation;
- b) Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City (7%), and submit an initial deposit of \$8,000.00 towards the cost of the Peer Review in the form of a certified cheque, to the Chief Engineer and Executive Director, Engineering and Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer;
 - c) Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (Ontario Regulation 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Chief Engineer and Executive Director, Engineering and Construction Services;
 - d) At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Chief Engineer and Executive Director, Engineering and Construction Services for the peer review and concurrence, which states:
 - i) In the opinion of the Qualified Person:
 - A) It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and
 - B) To the extent that opinion in 34(d)(i)(A) is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.
 - ii) Land to be conveyed to the City meets either:
 - A) the applicable Ministry Generic Site Condition Standards (Tables 1,2,3,6,7,8 and 9; subject to applicable exemptions as stated in Ontario Regulation 153/04) for the most environmentally sensitive adjacent land use; or

B) the Property Specific Standards as approved by the Ministry for a Risk Assessment/ Risk Management Plan which was conducted in accordance with the conditions set out herein.

e) The Qualified Person's statement, reference in 34(a) above, will include a Reliance Letter that is dated and signed by the Owner's Qualified Person, as defined in Ontario Regulation 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with Ontario Regulation 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with Ontario Regulation 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Chief Engineer and Executive Director, Engineering and Construction Services.

f) For conveyance of lands requiring a Record of Site Condition (RSC):

i) File the Record of Site Condition on the Ontario Environmental Site Registry; and

ii) Submit the Ministry's Letter of Acknowledgement of Filing of the Record of Site Condition confirming that the Record of Site Condition has been prepared and filed in accordance with Ontario Regulation 153/04, as amended, to the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Parks, Forestry and Recreation.

43. As a pre-condition of Site Plan approval, the Owner must provide a complete Environmental Phase I and subsequent Phase II report(s), if required, to be peer reviewed through the City process per Condition #34 to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Chief Engineer and Executive Director, Engineering and Construction Services. Should the Owner convey the parkland after 18 months of all the Environmental assessment reports, the cost of updating such reports will be at the expense of the Owner.

44. The Owner, at their expense, will be responsible for the base construction and installation of the parkland. The Base Park Improvements include the following:

a) Demolition, removal and disposal of all existing materials, buildings, foundations and associated servicing;

b) Grading inclusive of 300mm depth topsoil supply and placement. Where lands have been environmentally risk assessed in accordance with MECP regulations, the required depth profile of the environmental soil/soft cap will be 1.5 m of engineered fill compacted to 95% SPD and certified by the consulting engineer;

- i) In the case of a risk-assessed site, all materials brought on site shall comply with the site-specific standards outlined in the Certificate of Property Use. In the case where no risk assessment of the site was required, all materials brought on site shall comply with Ontario Regulation 153/04 Table 3 RPI standards;
 - c) Sodding #1 nursery grade;
 - d) Fencing, where deemed necessary;
 - e) Sanitary and storm service connections with manholes at streetline;
 - f) Water and electrical service connections; (minimum water: 50mm to the street line including backflow preventers, shut off valves, water metre and chamber; electrical connection to the street line and electrical panel in a lockable cabinet (100 Amp service));
 - g) Street trees along all public road allowances abutting City-owned parkland;
and
 - h) Standard park sign (separate certified cheque required).
45. All work is to be completed to the satisfaction of the General Manager, Parks, Forestry and Recreation.
46. If any element of the Base Park Improvements are deemed to be unnecessary, the Owner will submit a certified cheque for the equivalent value, to the satisfaction of the General Manager, Parks, Forestry and Recreation.
47. Prior to the issuance of the first above grade building permit, the Owner shall submit a cost estimate and any necessary plan for the Base Park Improvements, to the satisfaction of the General Manager, Parks, Forestry and Recreation.
48. Prior to the issuance of the first above grade building permit, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for the cost associated with Base Park Improvements.
49. The construction of the Base Park Improvements to the Park Block shall be completed within one year after the issuance of the first above grade building permit to the satisfaction of the General Manager, Parks, Forestry and Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the Park Block shall be taken into consideration and at the discretion of the General Manager, Parks, Forestry and Recreation when determining a revised delivery date for the Park Block.

50. Should the Owner undertake Base Park Improvement on the Park Block following conveyance of the Park Block to the City, the Owner must obtain a Park Access Agreement (PAA) from Parks, Forestry and Recreation's Planning, Design and Development section. The PAA will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration of the satisfaction of the General Manager, Parks, Forestry and Recreation. The Owner will indemnify the City against any claim during any interim use of or work carried out by the Owner on the park.

51. Prior to the conveyance of the parkland, the Owner shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the Park Block is completed.

52. Prior to the conveyance of the parkland, the Owner shall ensure that the grading and drainage of the adjacent development blocks are compatible with the grades of the parkland to the satisfaction of the General Manager, Parks, Forestry and Recreation.

53. The Owner must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.

54. Should the Owner agree to design and construct the Above Base Park Improvements for a development charge credit against the Parks and Recreation component of the Development charges, the following condition applies:

The Owner agrees to design and construct the Above Base Park Improvements to the new park for a development charge credit against Parks and Recreation component of the Development Charges to the satisfaction to the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of installing the Above Base Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of the 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 ultimately the letter of credit will be required prior to the issuance of the first above grade building permit.

55. The Owner will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. Areas to be addressed in the design of the Park are: park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating, vandalism etc. Final design and programming of the parkland shall be at the discretion of the General Manager, Parks, Forestry and Recreation.

56. Prior to the issuance of the first above grade building permit for the development of the site, the Owner is required to submit working drawings, specification and landscape plans showing the scope and detail of the work for the Above Base Park Improvements for review and approval by the General Manager, Parks, Forestry and Recreation.

57. The construction of Above Park Improvements to the Park Block shall be completed within one year after the issuance of the first above grade building permit to the satisfaction of the General Manager, Parks, Forestry and Recreation. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, Parks, Forestry and Recreation when determining a revised delivery date for the park block.

58. Should the Owner undertake Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Access Agreement (PAA) from Parks, Forestry and Recreation's Planning, Design and Development section. The PAA will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, Parks, Forestry and Recreation. The Owner will indemnify the City against any claim during any interim use of or work carried out by the Owner on the park.

59. The Owner, upon satisfaction completion of the construction and installation of the Above Base and Base Park Improvements shall be required to guarantee such work and associated materials. The Owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. Should the cost to construct the Above Base Park Improvements as approved by the General Manager, Parks, Forestry and Recreation be less than the Parks and Recreation component of the Development Charges for the development, the difference shall be paid to the City by certified cheque prior to a reduction of the Above Base Park Improvement Letter of Credit. Upon the City's acceptance of the certificate, the Letter(s) of Credit will be released less 20% which will be retained for the two year guarantee known as the Parkland Warranty Period.

60. Upon the expiry the Parkland Warranty Period, the outstanding park security shall be released to the Owner provided that all deficiencies have been rectified to the satisfaction to the General Manager, Parks, Forestry and Recreation.

61. As-built drawings in print/hardcopy and electronic format, as well as a georeferenced AutoCAD file, shall be submitted to Parks, Forestry and Recreation. A complete set of "as built" plans shall be provided electronically on CD in PDF format and in a georeferenced AutoCAD file, in addition to two (2) sets of full sized bond hard copies for the General Manager, Parks, Forestry and Recreation. The plan shall include, but not limited to specifications, locations of all hidden services, and all deviations from the design drawings, shop drawings, inspection reports, minutes of meeting, site instructions, change orders, invoices, certificates, progress images, warranties, close out documentation, compliance letters (for any play structures and safety surfaces), manuals etc. The files area to be organized in folders, including a file index and submitted with written warranties and related documents such as lists of

contractors, sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.

62. Spare or replacement parts, special tools, etc. as provided by manufacturers, if any, are to be provided to Parks, Forestry and Recreation.

63. The stockpiling of any soils or materials or use as an interim construction staging area on the conveyed parkland is prohibited unless an agreement, other than a Park Access Agreement, has been obtained from the Manager of Business Services - Christina Iacovino, 416-392-8578. The agreement, if approved, will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, duration, restoration plan and costs, and compensation to the satisfaction of the General Manager, Parks, Forestry and Recreation. The agreement must be secured prior to the issuance of any shoring or excavation permits. The Owner will indemnify the City against any claim during any interim use of or work carried out by the Owner on the park. Any compensation accrued shall be applied to park improvements within the ward in consultation with the Ward Councillor.

The Owner will be required to provide an environmental assessment report, prepared by a Qualified Person, at the end of the permitted occupation to verify that the parklands continue to meet the applicable laws, regulations and guidelines respecting sites to be used for public park purposes. If deemed necessary, the Owner may be required to provide a Record of Site Condition after the staging period. The Owner will be responsible for paying all costs associated with the City retaining a third-party peer reviewer for the environmental addendum and for another Record of Site Condition if required. The construction of the park shall commence only after the verification that the parklands continue to meet the applicable law, regulations and guidelines respecting sites to be used for public park purposes.

Urban Forestry

64. Prior to the registration of the Plan of Subdivision, the Owner agrees to submit an Arborist Report, Tree Preservation Plan and Landscape Plan, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

65. Prior to the registration of the Plan of Subdivision, the Owner agrees to provide a street tree planting plan, in conjunction with a Composite Utility Plan that indicates the species, size and location of all the proposed street trees, as these relate to the location of any roads, sidewalks, driveways, street lines and utilities, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

66. Prior to the registration of the Plan of Subdivision, the Owner agrees to submit an application and pay the required fees and to provide 70 mm diameter caliper replacement trees for the removal of trees that are subject to the City's Private Tree By-law and associated regulations in effect on the date of draft approval of the plan of subdivision. The ratio of replacement trees will be determined by Urban Forestry. Replacement trees will be planted on site in accordance with Urban Forestry Service requirements, or if no suitable location on site can be provided, the Owner may pay

cash-in-lieu of planting, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

67. Prior to the registration of the Plan of Subdivision, the Owner agrees to submit an application and pay the required application fees, tree value and contractor's service agreement for the removal of trees that are subject to the City's Street By-law and associated regulations in effect on the date of draft approval of the plan of subdivision, all to the satisfaction of the General Manager, Parks, Forestry and Recreation.

68. Prior to the registration of the Plan of Subdivision, the Owner shall post a Letter of Credit equal to 120% of the value of the street trees, to guarantee the planting and maintenance by the Owner of the new street trees for a period of two years after the planting date, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

69. Prior to the registration of the Plan of Subdivision, the Owner agrees to prepare an information booklet outlining the tree planting strategy within the community and the ongoing responsibilities of the home Owners and the City in order to achieve a successful urban tree planting strategy within the subdivision. The booklet will be prepared to the satisfaction of the General Manager, Parks, Forestry and Recreation and will be distributed to allow homeowners for all dwellings within the subdivision.

70. The Owner agrees that the following clause will be included in all agreements of purchase and sale and/or rental/lease agreements for any lands within the proposed plan of subdivision:

"The Purchaser(s) and/or Tenant(s) are hereby advised that they may not receive a street tree in front of their property."

71. Prior to the registration of the Plan of Subdivision, the Owner agrees to provide its Solicitor's confirmation to the City advising that the above clause has been included in all agreements of purchase and sale and/or rental lease agreements with the plan of subdivision to ensure that future occupants are aware that they may not receive a street tree in front of their property and be registered on title to the satisfaction of the General Manager, Parks, Forestry and Recreation.

72. Prior to any site work, the Owner agrees to protect all existing trees associated with the Subdivision for which approval to remove or injure has not been granted, in accordance with the approved Arborist Report and Tree Preservation Plan, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

73. Prior to any site work, the Owner agrees to install tree protection barriers and signage for trees to be preserved in accordance with the approved Arborist Report and Tree Preservation to the satisfaction of Parks, Forestry and Recreation and to maintain the barriers in good repair until removal has been authorized by Urban Forestry, on behalf of the General Manager, Parks, Forestry and Recreation.

74. The Owner shall agree in the subdivision agreement to notify all builders, contractors and agents of all tree protection requirements where any part of the development will be carried out by them on behalf of the Owner to the satisfaction of the General Manager, Parks, Forestry and Recreation.

75. The Owner agrees to notify Urban Forestry prior to the commencement of planting trees on City road allowance and on private property or within common areas. The Owner further agrees to plan trees in accordance with the approved Landscape Plan and Composite Utility Plan, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

76. Following the planting of the street trees, the Owner agrees to provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying street trees as shown on the approved planting plan by street address. The as-installed plant list shall also include tree species, caliper, condition and specific location of the trees by identifying two points of reference (i.e. distances in metres from the curb, sidewalk, driveway, utility pole or pedestal).

Canadian Pacific Railway

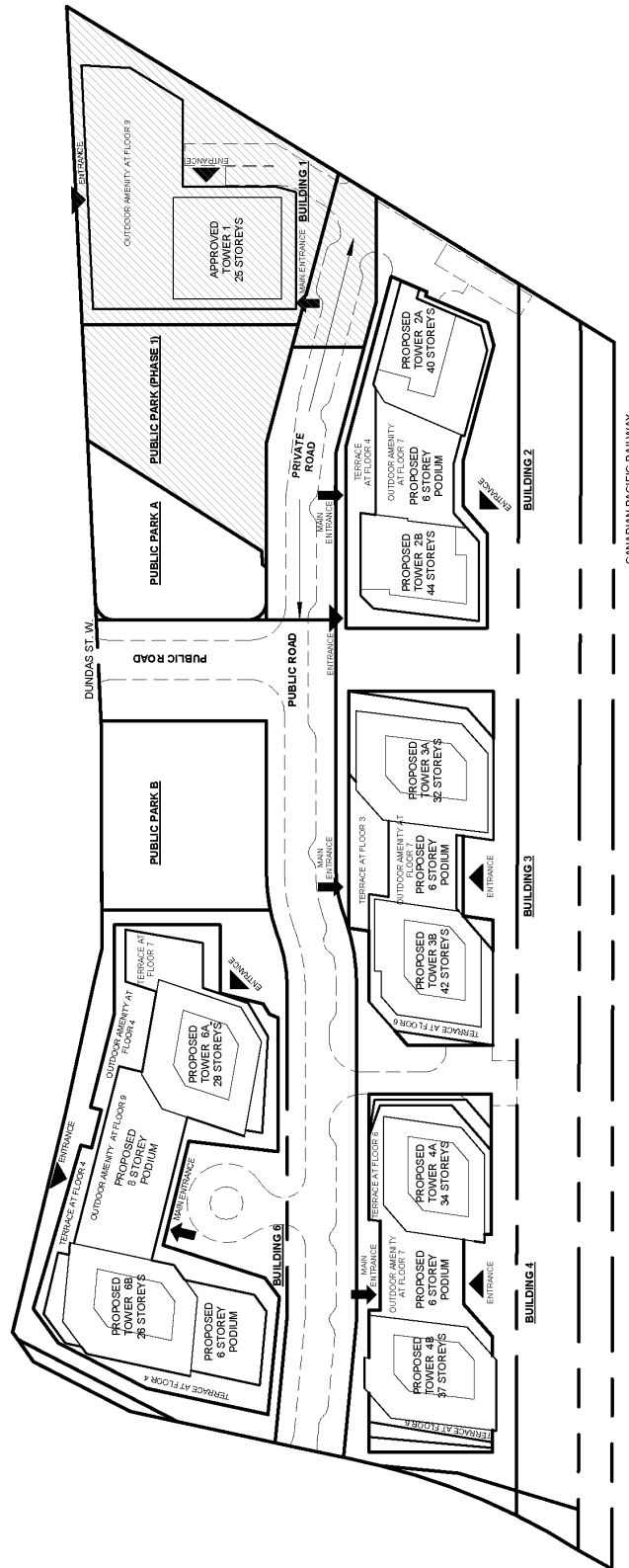
77. The Owner agrees that the clause be included in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300 m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and the individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations, to the satisfaction of the Canadian Pacific Railway.

Attachment 9: Site-Specific Urban Design Guidelines (see separate attachment)

Attachment 10: Comparison Chart

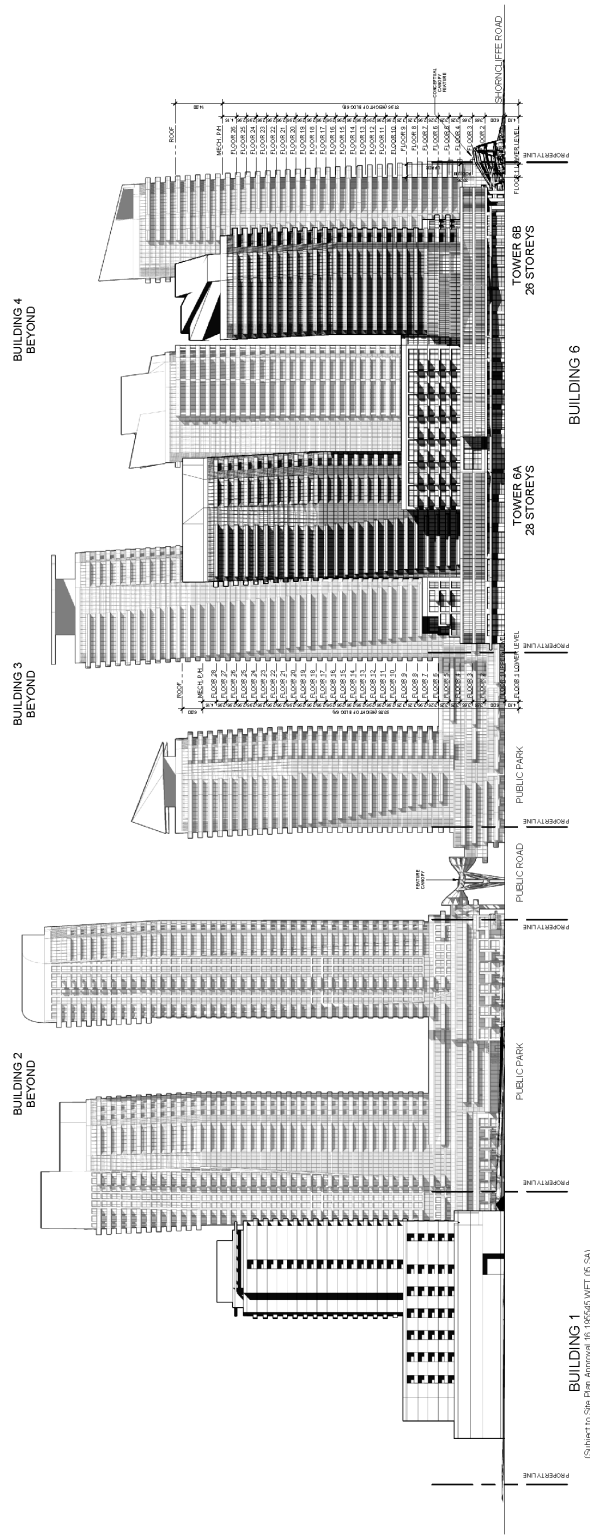
	Existing Approval under Zoning By-law 769-2016 and Zoning By-law 1100-2016 (not including Phase 1)	Current Proposal 5415-5481, 5485 & 5487 Dundas Street West and 15 & 25 Shorncliffe Road	Difference between existing permissions on Phases 2, 3, 4 and 6 and the subject proposal
No. of Buildings	5	4	1
No. of Towers	7	8	1
Base Building Heights	4 to 8 storeys/ 15 m to 28 m	6 to 8 storeys/ 20.5 m to 28 m	
Tower Heights	20 to 30 storeys/ 63 m to 93 m	26 to 44 storeys/ 88 m to 135 m	6 to 14 storeys/ 25 m to 42 m
Tower Floor Plate Size	750 m ²	750 m ²	No change
Total Gross Floor Area	188,034 m ²	233,493 m ²	45,459 m ²
Residential Gross Floor Area	183,379 m ²	217,685 m ²	34,308 m ²
Non-Residential Gross Floor Area	4,701 m ²	15,808 m ²	11,106 m ²
No. of Residential Units	2,016	2,875	859
Public Park Area	1,578 m ²	4,144 m ²	2,566 m ²

Attachment 11: Site Plan



Site Plan

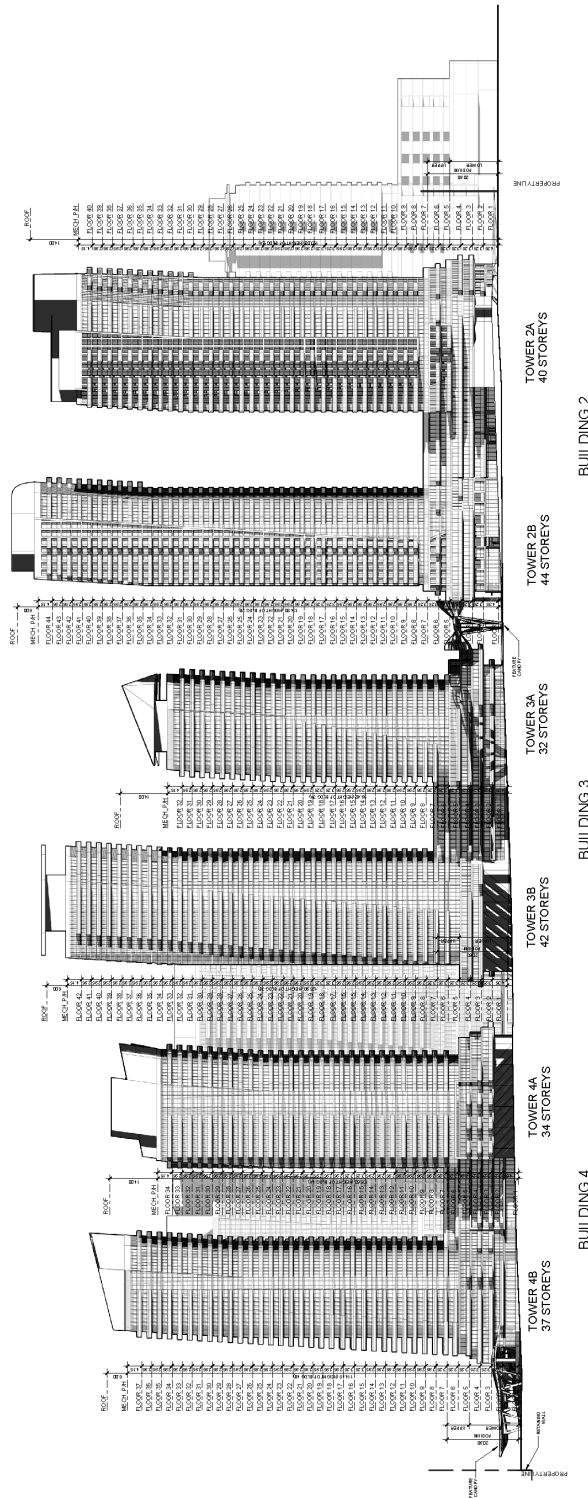
Attachment 13: North Elevation



BUILDING 1
(Subject to Site Plan Approval to 1:65545 WET (05 SA))

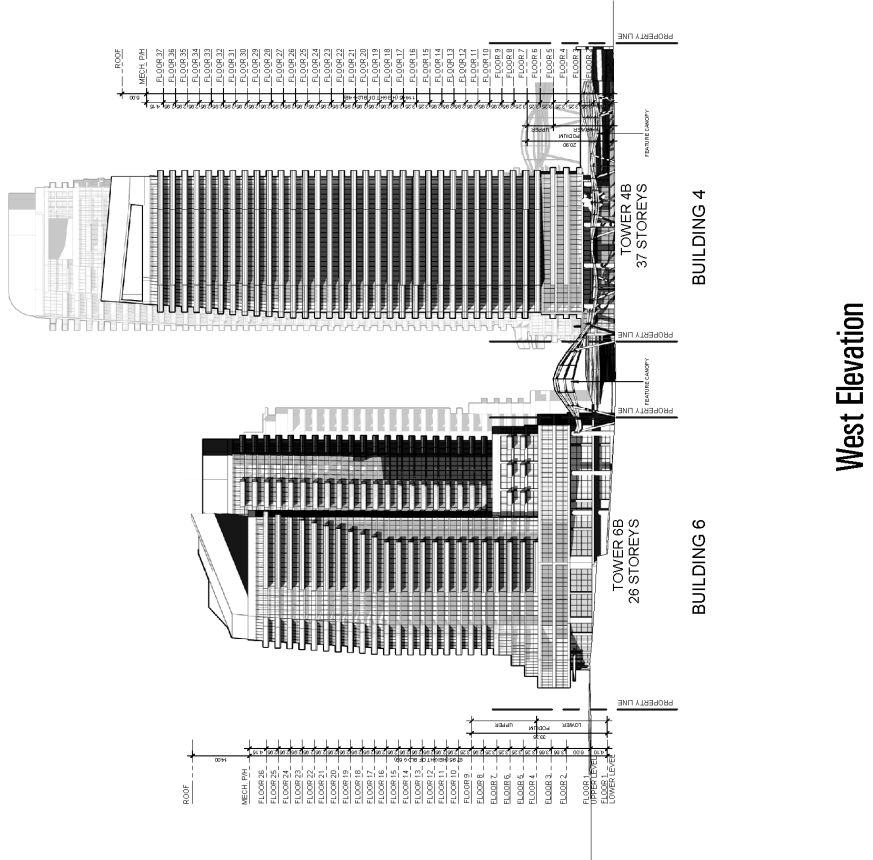
North Elevation (Dundas Street West)

Attachment 14: South Elevations

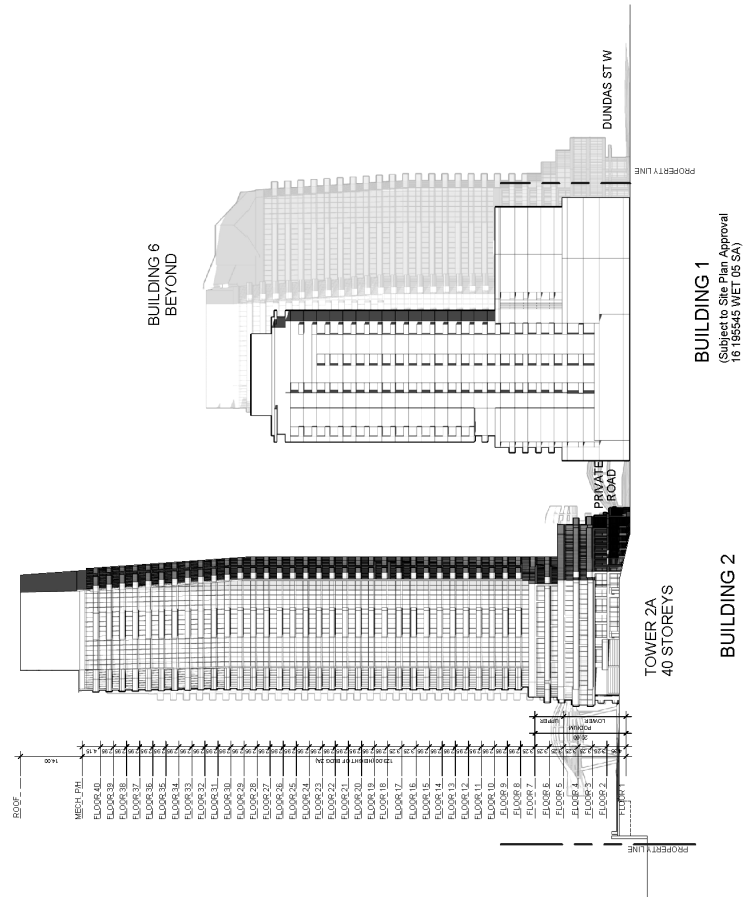


South Elevation (Transit Reserve)

Attachment 15: West Elevations



Attachment 16: East Elevations



East Elevation