

Authority: Etobicoke York Community Council
Item EY21.1 as adopted by City of Toronto Council
on February 2, 3 and 5, 2021

CITY OF TORONTO

BY-LAW 56-2021

To amend former City of Etobicoke Zoning Code Chapters 304, 320, 323 and 324 with respect to the lands municipally known in the year 2020 as 5507 and 5509 Dundas Street West.

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

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

Whereas authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

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

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

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act may authorize increases in height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters set out in the by-law; and

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

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

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

The Council of the City of Toronto enacts:

1. The lands subject to this by-law are outlined by a heavy black line on Schedule 1 attached to this By-law.
2. Zoning Map C14 North of the former City of Etobicoke Zoning Code is hereby amended by changing the zoning category for the lands described in Schedule 2 attached to this By-law from Class 1 Industrial (IC.1) to Limited Commercial (CL)(H) (By-law 56-2021).
3. Despite Section 304-3 of the Etobicoke Zoning Code:
 - A. "amenity space" shall mean indoor or outdoor space on a lot that is communal and available for use by the occupants of a building on the lot for recreational or social activities.
 - B. "car share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable.
 - C. "car share parking space" shall mean a parking space that is reserved and actively used for car-sharing, and must be for the exclusive use of residents of the building.
 - D. "grade" means 127.14 metres Canadian Geodetic Datum.
 - E. "gross floor area"(incorporating the previous "commercial floor space" definition) means the total area of all floors in a building between the outside faces of the exterior walls, except for storage rooms where the floor level is at least 0.6 metres below grade, or loading and parking areas for motor vehicles and bicycles below ground and loading and bicycle parking areas at or above ground. Storage rooms washrooms, electrical, utility and mechanical rooms, elevator and garbage shafts, exit stairwells, and amenity areas are also excluded. In the case of commercial buildings, common pedestrian circulation areas in shopping centres and below-grade public washrooms and staff facilities shall be excluded. In the case of dwellings, laundry and recreation rooms located in cellars shall be excluded.
 - F. "height" means the vertical distance between the Canadian Geodetic elevation of 127.14 metres and the highest point of a building or structure.
 - G. "interior floor area" means the floor area of any part of a building, measured to:
 - (i) the interior side of a main wall;
 - (ii) the centreline of an interior wall;

- (iii) a line delineating the part being measured.
 - H. "long-term bicycle parking" shall mean an area used for parking or storing of a bicycle for residential use. These areas can be located at grade or internally within a stacked position above or below another bicycle parking space or in a vertical position mounted on a wall. Long term bicycle parking for residential uses may not be located in a dwelling unit, on a balcony, in a storage locker, or area used for commercial space.
 - I. "lot" shall mean a parcel of land with frontage onto an abutting public street comprising lands municipally known as 5507 and 5509 Dundas Street West in the year of 2020 as shown as shown on Schedule 1 attached to this By-law.
 - J. "short term bicycle parking" shall mean an area used for parking or storing of a bicycle for residential or commercial use located at grade no more than 30 metres from a pedestrian entrance to the building.
 - K. "temporary sales/rental office" shall mean a building or structure, or part thereof, used for the purpose of the sale or rental of dwelling units to be erected on the lot.
4. Despite Sections 320-82, 320-91, 320-92, and 320-93 the following development standards shall now be applicable to the lot described in Schedule 1 attached to this By-law:
- A. Building Heights:
 - (i) Permitted building height is the numerical value in metres following the letter 'H' and the permitted maximum number of storeys is the numerical value followed by the letters 'St' shown on Schedule 3 attached to this By-law.
 - (ii) The maximum permitted building heights shall apply as shown on Schedule 3 attached to this By-law subject to the following:
 - a) mechanical penthouse shall be limited in accordance with the area identified as mechanical penthouse on Schedule 3 of this By-law;
 - b) mechanical equipment and stair enclosures may project to a maximum of 6.0 metres above the applicable height limit and storey limit shown on Schedule 3 attached to this By-law;
 - c) terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, and ornamental architectural features, may project to a maximum of 3.0 metres above the applicable height limit shown on Schedule 3 attached to this By-law;

- d) window washing equipment may project to a maximum of 8.0 metres above the applicable height limit shown on Schedule 3 attached to this By-law;
- e) a ladder for maintenance purposes may project to a maximum of 1.2 metres above the applicable height limit shown on Schedule 3 attached to this By-law; and
- f) public art may project above applicable height limits.

B. Setbacks and Tower Floor Plate:

- (i) Minimum setbacks shall apply as shown on Schedule 4 attached to this By-law subject to the following which may encroach into required setbacks:
 - a) eaves, cornices, columns, landscape features, wheelchair ramps, light fixtures, stairs and stair enclosures, balustrades, guardrails, bollards, awnings, arcades, canopies, raised planters, patios, retaining walls, fences, vents, screens, underground parking ramp and associated structures, damper equipment, window washing equipment to a maximum of 2.5 metres;
 - b) balconies and bay windows to a maximum of 2.2 metres;
 - c) structures used for outside or open air recreation, safety, wind, or noise protection, to a maximum of 1.6 metres;
 - d) ornamental, decorative or architectural elements to a maximum of 3.1 metres; and
 - e) public art.
- (ii) Any portion of a building above a height of 28.7 metres must not exceed a floor plate area of 750 square metres measured from exterior wall to exterior wall, excluding balconies.

C. Dwelling Units and Non-Residential Uses

- (i) The maximum permitted gross floor area of all buildings and structures on the lot is 22,500 square metres, of which:
 - a) the residential gross floor area shall not exceed 21,200 square metres; and
 - b) the non-residential gross floor area shall not exceed 1,300 square metres.

- (ii) A minimum of ten percent (10 percent) of all dwelling units on the lot shall be three bedroom units of which:
 - a) all required three bedroom units must have a minimum of 100 square metres of interior floor area excluding mechanical space; and
 - b) a minimum of fifty percent (50 percent) of the required three bedroom units must have a minimum of 106 square metres of interior floor area excluding mechanical space.
- (iii) A minimum of fifteen percent (15 percent) of all dwelling units in the building must be two bedroom units, of which all required two bedroom units must have a minimum of 87 square metres of interior floor area excluding mechanical space.
- (iv) A maximum of 265 dwelling units are permitted on the lot.
- (v) Dwelling units in an apartment building are not permitted to front on the portion of the first storey facing the lot line abutting Dundas Street West.
- (vi) Non-residential gross floor area is not permitted above the first storey excluding mezzanine space.
- (vii) Area devoted to a non-residential floor area must:
 - a) have a main pedestrian entrance:
 - (1) located parallel to the lot line abutting Dundas Street West; and
 - (2) located within 0.2 metres of the ground measured at the lot line abutting the street directly opposite the entrance; and
 - b) have a minimum 6 metre finished floor to underside of slab interior finished ceiling height for the Dundas Street West frontage for a depth of 6 metres and a minimum of 3.6 metres for the remaining depth from the Dundas Street West frontage.

D. Amenity Space

- (i) Amenity space must be provided in accordance with the following:
 - a) a minimum of 2 square metres of indoor amenity space per dwelling unit must be provided; and
 - b) a minimum of 2 square metres of outdoor amenity space per dwelling unit must be provided.

- E. Despite Section 320-18, the required parking standards are:
- (i) Residential parking spaces shall be provided and maintained on the lot in accordance with the following:
 - a) 0.57 parking spaces for each dwelling unit; and
 - b) visitor parking spaces in the amount of 0.1 parking spaces shall be provided for apartment dwelling unit.
 - (ii) Non-residential uses – a minimum of 0.75 parking spaces shall be provided and maintained for each 100 square metres of gross floor area.
 - (iii) Accessible Parking space - a minimum of 5 parking spaces plus 1 parking space for every 50 parking spaces or part thereof in excess of 100 parking spaces shall be provided and maintained;
 - (iv) A parking space must have the following minimum dimensions:
 - a) length of 5.6 metres;
 - b) width of 2.6 metres;
 - c) vertical clearance of 2.0 metres; and
 - d) the minimum width must be increased by 0.3 metres for each side of the parking space that is obstructed.
 - (v) Despite the total number of resident parking spaces required pursuant to this By-law, the number of parking spaces for residents provided on the lot may be reduced by four parking spaces for each car-share space provided the maximum reduction does not exceed 12 parking spaces.
- F. Bicycle Parking
- (i) Residential Uses:
 - a) Short-term bicycle parking: minimum of 0.07 bicycle parking spaces per dwelling unit.
 - b) Long-term bicycle parking: minimum of 0.68 bicycle parking spaces per dwelling unit.
 - (ii) Non-residential Uses:
 - a) Short-term bicycle parking: minimum of 3 bicycle parking spaces plus 0.25 bicycle parking spaces for each 100 square metres of interior floor area.

- b) Long-term bicycle parking: minimum of 0.13 bicycle parking spaces for each 100 square metres of interior floor area.
- (iii) The minimum dimensions of a bicycle parking space are:
 - a) length of 1.8 metres;
 - b) width of 0.6 metres; and
 - c) vertical clearance from the ground of 1.9 metres.
- (iv) The minimum dimensions of a bicycle parking space if placed in a vertical position on a wall, structure or mechanical device are:
 - a) length or vertical clearance of 1.9 metres;
 - b) width of 0.6 metres; and
 - c) horizontal clearance from the wall of 1.2 metres.
- (v) If a stacked bicycle parking space is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres.
- (vi) An area used to provide bicycle parking spaces must have a minimum vertical clearance of:
 - a) 2.4 metres if it is a stacked bicycle parking space; and
 - b) 1.9 metres in all other cases.

G. Loading

- (i) A minimum of one loading space shall be provided.
- (ii) The minimum dimensions of a loading space are:
 - a) length of 13 metres;
 - b) width of 4 metres;
 - c) vertical clearance of 6 metres.
- iii) Use of the loading space may be shared amongst all non-residential and residential uses on the lot.

H. Miscellaneous – Temporary Sales/Rental Centre

- (i) None of the provisions of the Etobicoke Zoning Code or this By-law shall prevent the erection and use of a temporary sales/rental office on the lot.

5. Holding Symbol

The uses permitted in this Bylaw are not permitted in respect of the lot shown on Schedule 2 attached to this Bylaw with a zone symbol that possesses an "H" Holding Symbol prefix until such time as the holding symbol is removed by amendment to this Bylaw. Prior to removal of the "H" the uses permitted on the lot shall only be those uses existing as of the date of the passing of this By-law.

6. Removal of the "H" Holding Symbol

A. The Holding Symbol "H" will be removed from the lots shown on Schedule 2 attached to this By-law upon satisfaction of the following conditions:

- (i) Shorncliffe Road Sanitary Sewer:
 - a) A Functional Servicing Report has been submitted by the owner and accepted by the Chief Engineer and Executive Director, Engineering and Construction Services;
 - b) A financially secured agreement has been entered into with the City, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, for the construction of improvements that may be required to the City's sanitary sewer system on Shorncliffe Road between North Queen Street to Dundas Street West; and
 - c) All necessary approvals to proceed with the infrastructure required, as described in 6.A.(i) b) above have been issued, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Service.
- (ii) Air Quality and Odour Assessment
 - a) A peer review of the Air Quality and Odour Assessment submitted for the development is completed with verification of recommendation for appropriate mitigation on the lot to inform site plan review to the satisfaction of the Chief Planner and Executive Director, City Planning.
- (iii) Noise and Vibration Impact Assessment
 - a) A peer review of the Noise and Vibration Impact Assessment submitted for the development is completed with verification of

recommendation for appropriate mitigation on the lot to inform site plan review to the satisfaction of the Chief Planner and Executive Director, City Planning; and

- b) A decision of City Council has been made regarding classification of the lot as a Class 4 site should the peer reviewer conclude that a reclassification of the lot to a Class 4 site is required.

7. Section 37 Provisions

- A. Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Schedule 1 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Appendix A attached to By-law and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
 - B. Where Appendix A attached to this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
 - C. The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Appendix A attached to this By-law are satisfied.
- 8.** Where the provisions of this By-law conflict with the provisions of the former Etobicoke Zoning Code, the provisions of this By-law shall apply.
- 9.** Despite any severance, partition or division of the lands, the provision of this By-law apply to the whole of the lands as if no severance, partition or division occurred.
- 10.** Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- A. all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - B. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

- 11.** Chapter 324, Site Specifics, of the Zoning Code is hereby amended to include reference to the By-law by adding the following to Section 324.1, Table of Site Specific By-laws.

By-law Number & Adoption Date	Description of Property	PURPOSE OF BY-LAW
56-2021 February 5, 2021	5507 and 5509 Dundas Street West	To re-zone the lands to permit a mixed use building.

Enacted and passed on February 5, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)

APPENDIX A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Schedule 1 attached to this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act, whereby the owner agrees as follows:

Financial Contribution

1. Prior to the issuance of the first above-grade building permit, the owner shall make a financial contribution to the City in the amount of one million dollars (\$1,000,000)(CAN) 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 related to one or more of the following within the Ward:
 - (a) Village of Islington BIA;
 - (b) Etobicoke Centre Six Points Park;
 - (c) Etobicoke Civic Centre Library and Community Centre;
 - (d) Local non-profit child care facilities;
 - (e) Wedgewood Pool; and
 - (f) Local park and streetscape improvements.
2. The financial contribution pursuant to Clause 1 of this Appendix shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment.
3. In the event the financial contribution in Clause 1 of this Appendix has not been used for the intended purposes within three (3) years of this By-law coming into full force and effect, the contribution may be redirected for one or more other purposes, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands.

Public Art Contribution

4. The owner shall make a Public Art contribution in the amount of five hundred thousand dollars (\$500,000)(CAN) on public art program terms set out in the Section 37 Agreement and to the satisfaction of the Chief Planner and Executive Director, City Planning, which amount shall be indexed upwardly in accordance with the Statistics

Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of issuance of the first above-grade building permit.

Affordable Housing

5. The owner shall provide and maintain at least six (6) affordable rental dwelling units within the proposed mixed-use building on the lot to the satisfaction of the Chief Planner and Executive Director, City Planning;
6. The owner shall provide and maintain the six (6) affordable rental dwelling units as rental dwelling units for at least twenty (20) years, beginning from the date that each such unit is first occupied on terms set out in the Section 37 Agreement. No affordable rental dwelling unit shall be registered as a condominium or any other form of ownership such as life lease or co-ownership which provides a right to exclusive possession of a dwelling unit, and no application for conversion for non-rental housing purposes or to demolish any affordable rental dwelling unit shall be made for at least twenty (20) years from the date of first occupancy. Upon the expiration of the twenty (20) year period, the owner shall continue to provide and maintain the affordable rental dwelling units as rental dwelling units, unless and until such time as the owner has applied for and obtained all approvals necessary to do otherwise.
7. The owner shall provide and maintain the six (6) affordable rental dwelling units in accordance with the following:
 - (a) one (1) of the affordable rental dwelling units shall be three-bedroom or larger and shall have a minimum floor area of 111.7 square metres;
 - (b) two (2) of the affordable rental dwelling units shall be two-bedroom units or larger and shall each have a minimum floor area of at least 87 square metres; and
 - (c) three (3) of the affordable rental dwelling units shall be one-bedroom units or larger and shall each have a minimum floor area of at least 62.7 square metres;
8. The owner shall provide and maintain the six (6) affordable rental dwelling units at affordable rents for at least fifteen (15) years, beginning from the date that each such unit is first occupied in accordance with the terms set out in the Section 37 Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, including:
 - (a) the initial rent (inclusive of utilities) charged to tenants upon first occupancy of a new affordable rental dwelling unit shall not exceed the average rent for the same unit type for the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;
 - (b) after the first year of occupancy of a new affordable rental unit, the rent (inclusive of utilities) charged to tenants occupying the new affordable rental unit may be escalated annually by not more than the annual provincial rent guideline, until the tenancy ends;

- (c) despite the annual rent increases permitted in Clause 8.a) above, the rent (inclusive of utilities) charged to any tenants occupying an affordable rental dwelling unit shall not be increased to an amount that exceeds the average rent for the same unit type for the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report; and
 - (d) if an affordable rental dwelling unit becomes vacant and is re-rented during the 15-year affordability period, the initial rent (inclusive of utilities) charged to new tenants shall be no higher than the average rent for the same unit type for the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report, until the tenancy ends.
- 9. Tenants of the new affordable rental units shall have access to all indoor and outdoor amenity spaces associated with the mixed-use building on the same basis as other units within the development with no separate or additional charges.
- 10. The location and layouts of the new affordable rental units within the new mixed-use building shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.
- 11. At least six (6) months in advance of any affordable rental units within the development being made available for rent to the general public, the owner shall develop and implement a Co-ordinated Access Plan in consultation with, and to the satisfaction, of the Chief Planner and Executive Director, City Planning.
- 12. The Co-ordinated Access Plan will provide that:
 - (a) any affordable rental units are provided only to tenant households that have demonstrated, to the satisfaction of the Chief Planner and Executive Director, City Planning, they are in financial need of affordable rental accommodation, as the case may be;
 - (b) the owner shall consult with the Chief Planner and Executive Director, City Planning, and offer any affordable rental units to tenant households who have demonstrated need as in (a) above and who are on such waiting lists as may be specified, prior to making any affordable rental units available for rent to the general public;
 - (c) the owner shall make reasonable efforts, to the satisfaction of the Chief Planner and Executive Director, City Planning, to ensure that any accessible rental units are made available for rent to tenant households having one or more household members with special needs, including physical and/or mental limitation; and
 - (d) when entering into a tenancy agreement for a new affordable rental unit, the tenant's household income shall not exceed four (4) times the annual equivalent of the rent (inclusive of utilities) for the rental unit.

13. The new affordable rental units shall be made ready and available for occupancy no later than the date by which seventy percent (70 percent) of the new dwelling units erected on the Lands are available and ready for occupancy.

Other Matters in Support of the Development

Privately-Owned Publicly Accessible Open Space

14. The owner shall, at its own expense, construct and maintain an area of not less than 177 square metres in a plaza on the south and west corner of Dundas Street West and Shorncliffe Road, as generally shown on Schedule 3 attached to this By-law, for use by the general public as privately-owned publicly accessible open space (POPS) 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.
15. Prior to issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an access easement in favour of the City in perpetuity, including support rights as applicable, for public use of the POPS, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

Rear Access Easement and Potential Future Public Lane

16. Prior to issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, an easement in favour of the City in perpetuity, including support rights as applicable, for public pedestrian and vehicular use of the rear access having a width of not less than 7.5 metres measured from the south property boundary the full width of the site as generally shown on Schedule 3 attached to this By-law, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services and the City Solicitor. Such access easement shall include use associated with properties adjacent to an westerly extension of the rear access to a new proposed public street and fronting onto Dundas Street as well as properties south of such westerly extension, as applicable;
17. The owner shall, at its own expense, construct and maintain the rear access lands, referred to in Clause 16 of this Appendix, to the standard required of a public lane to the satisfaction of the General Manager, Transportation Services, with the design, details and configuration to be determined and secured in the context of site plan approval;
18. The owner shall provide the City with a right, upon delivery of written notice in the future, to require the fee simple conveyance of the rear access lands referred to in Clause 16 of this Appendix to the City, all to the satisfaction of the General Manager, Transportation Services and the City Solicitor on terms set out in the Section 37 Agreement. The right shall be exercisable at the discretion of the General Manager, Transportation Services, to facilitate a public lane at the rear of properties fronting onto Dundas Street West and extending westerly between Shorncliffe Road and a new

proposed street to the west. Upon receipt of such notice, the then owner of the of property shall prepare all documents and convey the rear access lands to the City on a date that is 120 days following the delivery of notice, or a date otherwise determined appropriate by the General Manager, Transportation Services, to the satisfaction of the City Solicitor. Prior to conveyance, as may be required, the then owner shall assess and remediate the lands, being conveyed, in accordance with the most current environmental policies of City Council and reconstruct the rear access as a public lane.

Pedestrian Clearway

19. Prior to issuance of the first above-grade building permit, the owner shall prepare all documents and convey, on terms set out in the Section 37 Agreement, a pedestrian clearway easement in favour of the City in perpetuity, including support rights as applicable, to achieve a minimum of 2.1 metre public sidewalk for use by the public along the frontages of Dundas Street West and Shorncliffe Road, all to the satisfaction of the General Manager, Transportation Services and the City Solicitor. The details, location and configuration of the pedestrian clearway will be determined and secured in the context of site plan approval and the owner shall construct and maintain the pedestrian clearway easement lands at its own cost and expense.

Toronto Green Standards

20. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council from time to time, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Toronto School Boards

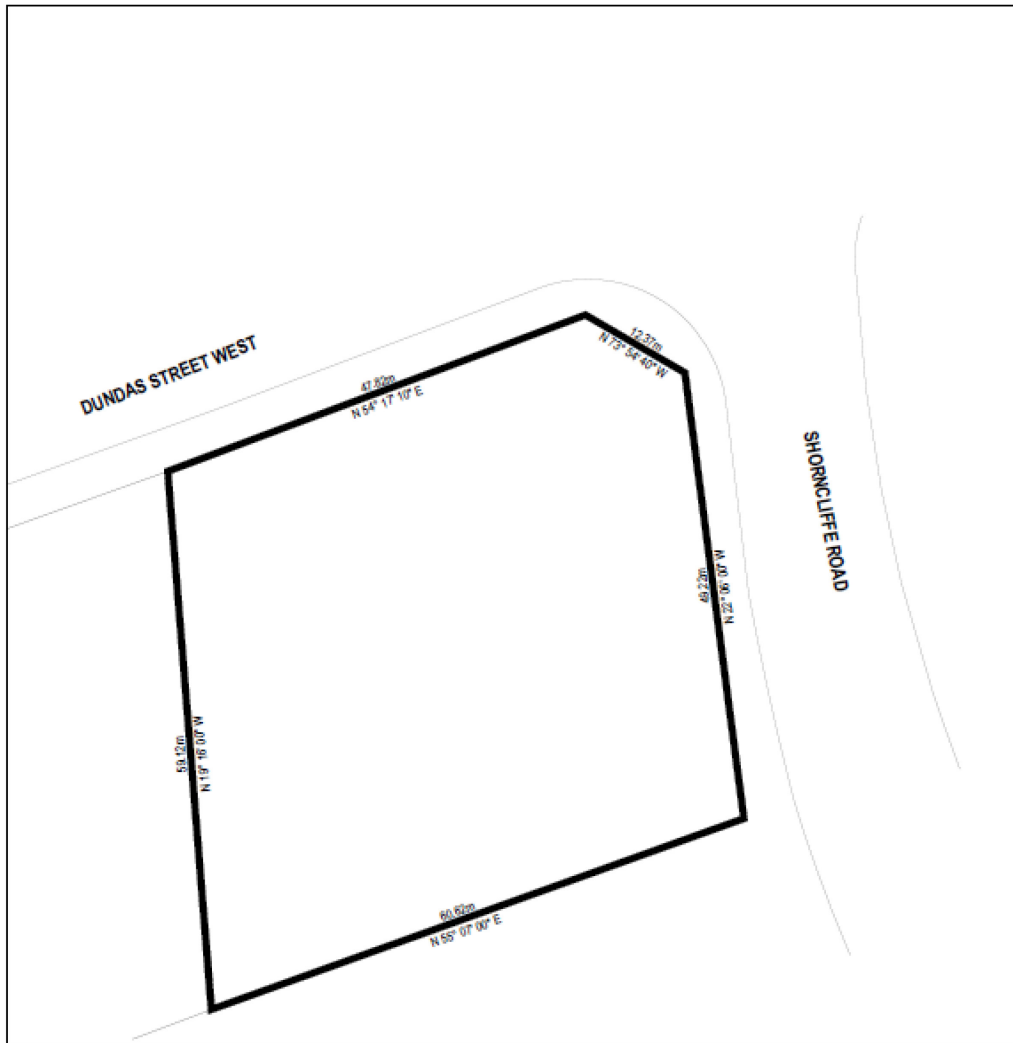
21. The owner shall satisfy applicable signage requirements of the Toronto District School Board and the Toronto Catholic District School Board and shall insert warning clauses in purchase and sale/tenancy agreements as required in connection with student accommodation.

Site Plan Matters

22. The owner shall, at its own expense, address the following matters in any application for site plan approval for the development, which shall be determined and secured in a site plan agreement with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:
 - a) In the event that car-share spaces, as defined in this By-law, are to be provided, a car-share provider shall be secured to the satisfaction of the General Manager, Transportation Services;
 - b) Implementation of any required air quality and odour mitigation or other recommendations, as detailed in the Air Quality and Odour Assessment (revised January 2020), prepared by RWDI, as may be amended through a peer review

process undertaken at the expense of the owner, to the satisfaction of the Chief Planner and Executive Director, City Planning;

- c) Implementation of any required noise and vibration abatement measures or other recommendations, as detailed in the Noise and Vibration Impact Assessment (revised April 2020), prepared by RWDI, as may be amended through a peer review process undertaken at the expense of the owner to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - d) Construction of a bus platform, stop and shelter on the Shorncliffe Road frontage to the satisfaction of the Toronto Transit Commission;
 - e) Implementation of noise attenuation for the units in proximity to the proposed bus stop as may be recommended by the Toronto Transit Commission, including warning clauses in the associated purchase and sale/tenancy agreements;
 - f) Reconstruction of the City sidewalks to City standards along the frontages of Dundas Street West and Shorncliffe Road, to the satisfaction of the General Manager, Transportation Services;
 - g) Provision of on-site dog-relief facilities, with the location, nature and size of the facilities to be determined through the site plan approval process to the satisfaction of the Chief Planner and Executive Director, City Planning; and
 - h) Incorporation of signage to identify the proposed privately-owned publicly accessible open space (POPS) to be located in a plaza on the south and west corner of Dundas Street West and Shorncliffe Road.
23. The conveyance of any easement or fee simple interest of lands to the City as contemplated, shall be at no cost to the City, for nominal consideration and free and clear of encumbrances to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning as well as the General Manager, Transportation Services, as the case may be, and the cost of preparation and deposit of accepted reference plans shall also be at the owner's expense.



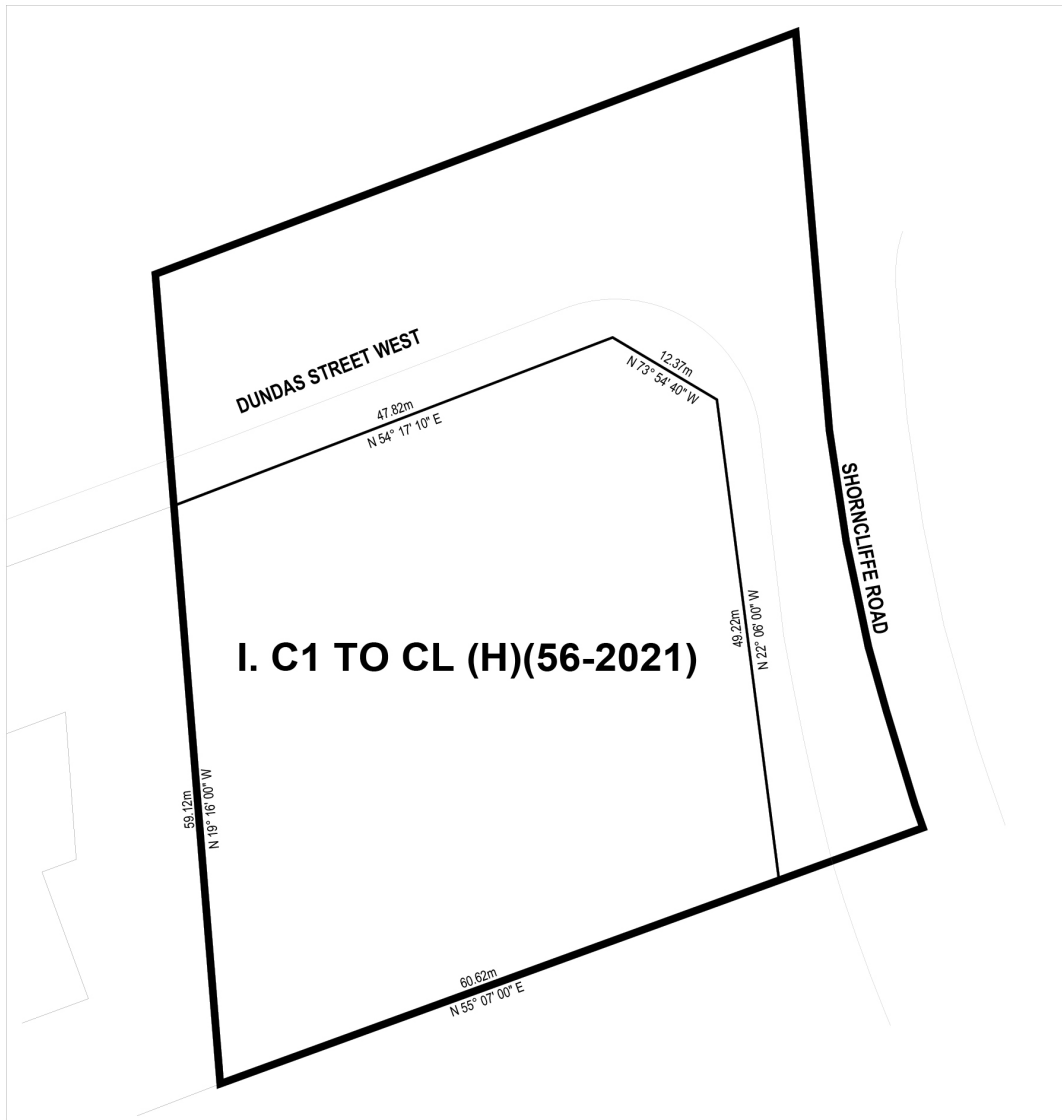
 **TORONTO**
Schedule 1

5507-5509 Dundas Street West

File#18 133602 WET 05 OZ



Former City of Etobicoke Zoning Code
Not to Scale
12/11/2020



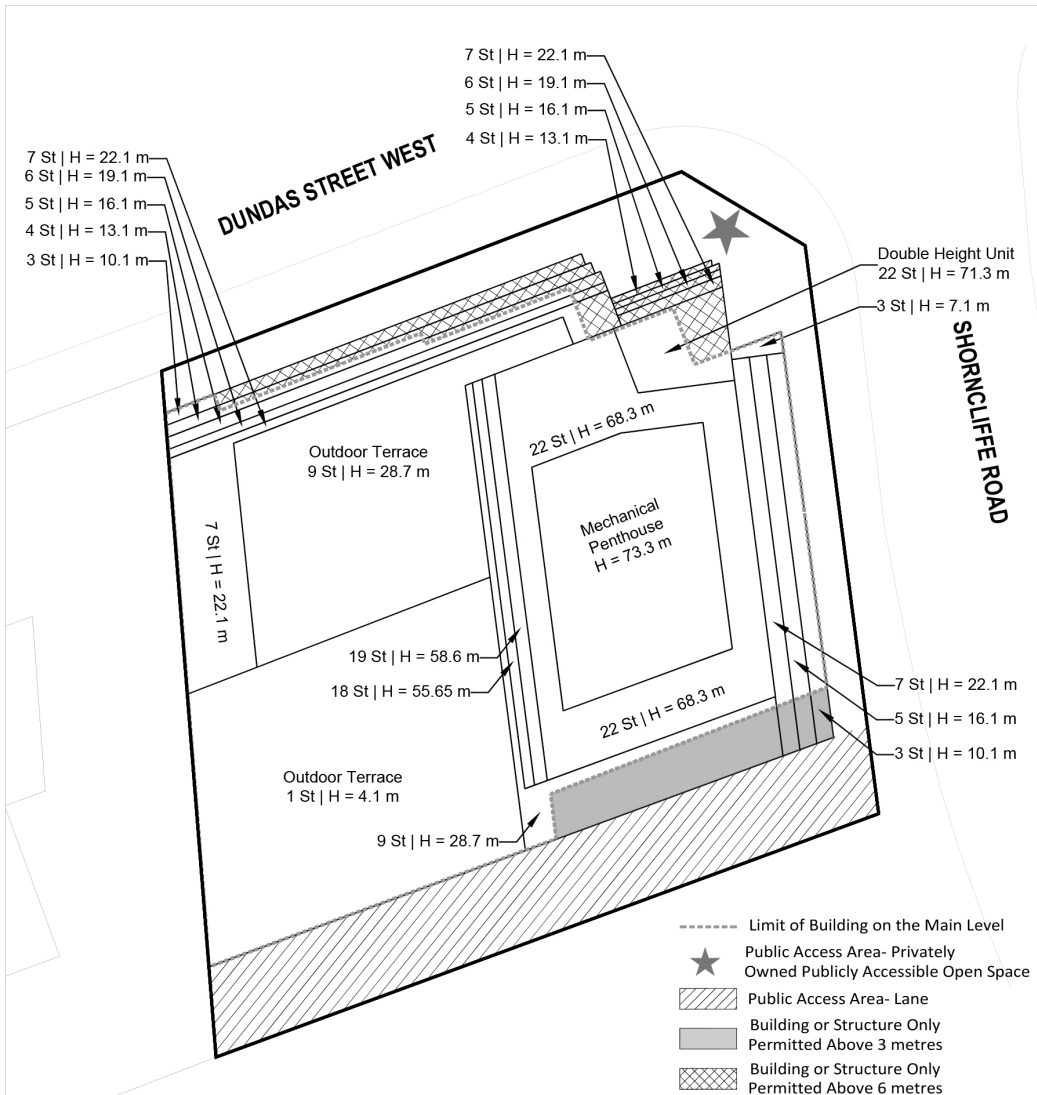
 **TORONTO**
Schedule 2

5507-5509 Dundas Street West

File#18 133602 WET 05 OZ



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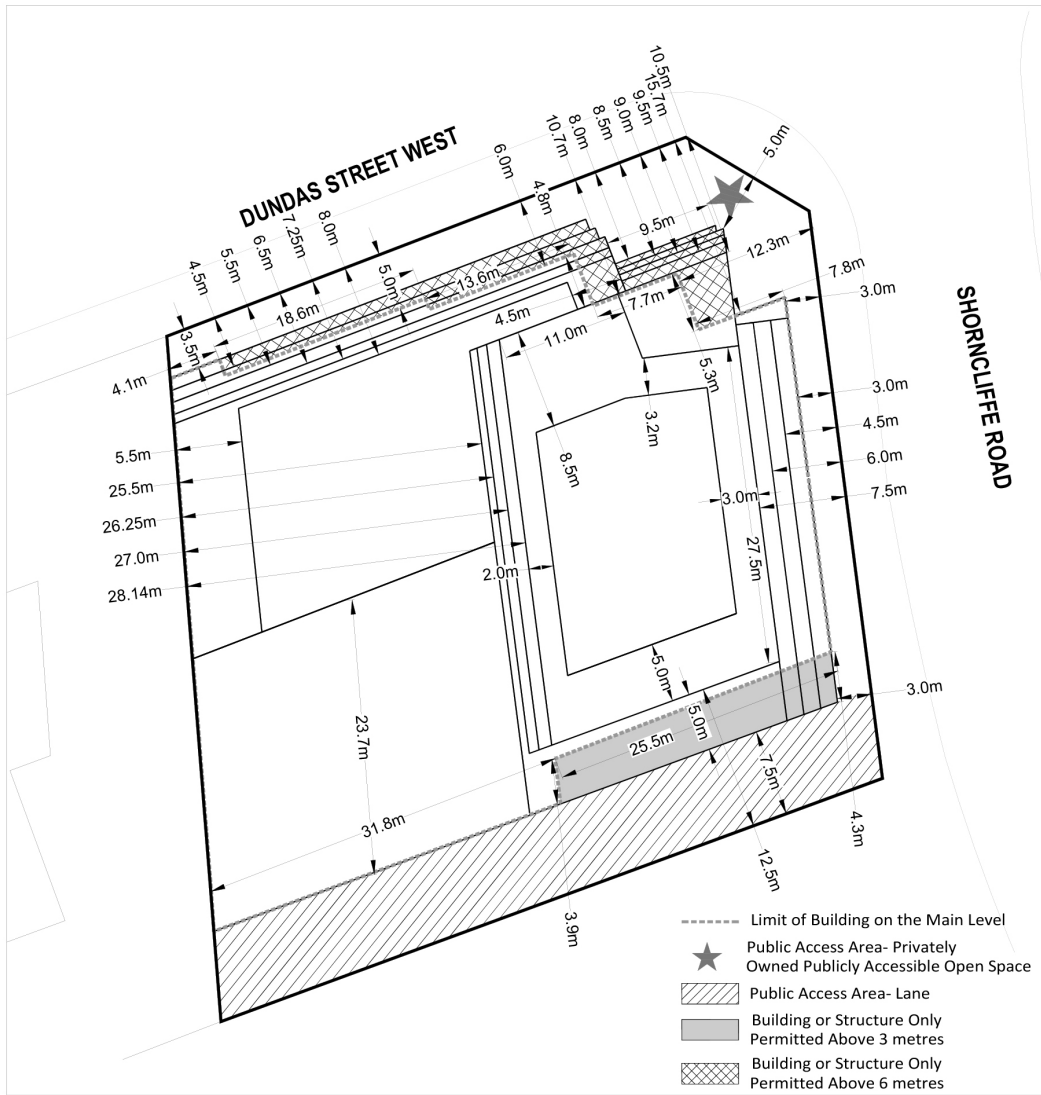


TORONTO
 Schedule 3

5507-5509 Dundas Street West

File#18 133602 WET 05 OZ

Former City of Etobicoke Zoning Code
 Not to Scale
 12/14/2020



TORONTO
 Schedule 4

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