

140, 150, 160, 170, 190 and 220 Sherway Drive – Zoning By-law Amendment Application and Holding (H) Symbol – Supplementary Report

Date: September 9, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Ward: 3 - Etobicoke-Lakeshore

Planning Application Number: 19 264614 WET 03 OZ

SUMMARY

A resubmission of material was made on August 18, 2021 which included a newly proposed central utility plant and revised parking information. This Supplementary Report provides additional comments and updated Recommendations to those contained in the August 27, 2021 Final Report, from the Acting Director, Community Planning, Etobicoke York District and includes the revised draft Zoning By-law Amendment.

This report reviews and recommends approval of the application to amend City-wide Zoning By-law 569-2013 subject to a Holding (H) Symbol being placed on part of the site until conditions are fulfilled related to the provision and connection of a future public street to the neighbouring site, a resubmission of engineering reports and resolution of open space matters. Provided the conditions of the Holding (H) Symbol are met, staff are of the opinion that the proposed development is appropriate in this location.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 140, 150, 160, 170, 190 and 220 Sherway Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 1 to this Supplementary Report (September 9, 2021) from the Acting Director, Community Planning Etobicoke York District.

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 direct that the owner be required to enter into an Agreement pursuant to Section 37 of the *Planning Act*, and any other necessary agreements, on such terms and conditions satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor, with such Agreement to be registered on title to the lands in a manner satisfactory to the City Solicitor to secure the following matters required to support the development:

a. The owner shall construct and convey the future public street with a minimum 22 m right-of-way as part of the redevelopment of the lands in Area C, illustrated on Diagram 7 of the draft Zoning By-law Amendment, to the satisfaction of the General Manager, Transportation Services, the Chief Engineer and Executive Director, Engineering and Construction Services, and the Chief Planner and Executive Director, City Planning;

b. As part of the future construction and conveyance of the future public street, in 3.a. above, the owner shall, at its sole cost and expense, consolidate and/or eliminate the surface parking spaces on lands zoned ON (Open Space – Natural), on lands in between the ON zone and the future public street and on lands in the rear of the parking structure in Area A (illustrated in Attachment 7 in green of the Final Report (August 27, 2021) from the Acting Director Community Planning, Etobicoke York District), and provide a landscape and naturalization plan, to the satisfaction of the Toronto and Region Conservation Authority, the General Manager, Parks, Forestry and Recreation, and the Chief Planner and Executive Director, City Planning and thereafter implement such approved plan at the owner's sole cost and expense;

c. Prior to the issuance of any above grade building permit in Area B illustrated on Diagram 7 of the draft Zoning By-law Amendment, the owner, at their sole cost and expense, address the required alignment between the future public street on the lands and the connection to 2217 The Queensway to the satisfaction of the General Manager, Transportation Services, the Chief Engineer and Executive Director, Engineering and Construction Services and the Chief Planner and Executive Director, City Planning:

1. the owner shall, to the satisfaction of Hydro One, or such successor organization, provide such required information and material to Hydro One regarding the future public street and alignment identified and obtain approval as may be required from Hydro One;
2. the owner shall undertake the design and construction of the intersection of the future public street and The Queensway and the owner may undertake this work in conjunction with the land owner of 2217 The Queensway to the satisfaction of the General Manager, Transportation Services;

3. the owner shall undertake the necessary work to construct and install traffic control signals at the intersection of the future public street and The Queensway, which shall include the preparation of traffic signal design drawings, an acceptable traffic signal timing plan and the installation of the required traffic signal control hardware on-site to the satisfaction of the General Manager, Transportation Services; and
4. notwithstanding 3 c. 1, 2 and 3 above, the owner may submit a revised Transportation Impact Study to provide such alternative timing for the implementation of 3 c. 1, 2 and 3 above, which may be considered at the sole discretion of, acceptable to, and to the satisfaction of, the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning and with any revised timing and implementation, including any identified improvements, secured in a manner satisfactory to the General Manager, Transportation Services, the Chief Planner and Executive Director, City Planning, and the City Solicitor;

d. Prior to the issuance of any above grade building permit in Area B, the owner shall address any modifications to the street network, including any physical modifications, new signalised intersections, and modifications to existing traffic control signals shall be at the owner's sole cost and expense and undertaken to the satisfaction of the General Manager, Transportation Services, including timing and phasing modifications to the signalized intersection of The Queensway and The West Mall and any necessary mitigation measures to address vehicle queue spillover for the northbound left-turn movements at the signalized intersection of The Queensway and The West Mall to the satisfaction of the General Manager, Transportation Services;

e. As a pre-approval condition of any site plan approval for Area B on the lands, the owner shall work with the owner of 25 The West Mall (Sherway Gardens Mall), regarding the future alignment and/or realignment of the proposed driveway on the southern portion of Area B (illustrated in Diagram 7 of the draft Zoning By-law Amendment), with any existing or future condition at 25 The West Mall, whereby such alignments shall be satisfactory to the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning and such alignment of the proposed driveway to the existing and future condition at 25 The West Mall shall also be subject to the following:

1. the owner shall, at its sole expense, conduct a warrant analysis on the intersection of the proposed driveway on the southern portion of Area B in order to determine the appropriate traffic control devices, and thereafter pay for, construct and implement any such approved traffic control devices, at the owner's sole cost and expense; all to the satisfaction of the General Manager, Transportation Services;

f. As a pre-approval condition of site plan approval on the lands for Area A, the owner shall convey a public access surface easement, including support rights, at no cost to the City, for public access connecting the existing public street segment of Sherway Drive through the development site connecting at the southern end of Area B to the West Mall (illustrated in Diagram 7 of the draft Zoning By-law Amendment), where vehicles would traverse the lands in a forward motion, where the owner shall operate, maintain, and repair the easement area, at its own expense, and the public shall be entitled to use the easement area at all times of the day and night, 365 days of the year, unless otherwise reduced times are authorized by the City whereby the details of terms and conditions relating to the easement and easement area, including indemnity and insurance requirements will be included in the Section 37 Agreement, where such size and location of the easement area be to the satisfaction of the General Manager, Transportation Services and the specific configuration of such easement area be determined in the context of a Site Plan Control application pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a site plan agreement with the City, including any require signage relating to public access, satisfactory to the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services;

g. The owner will construct and maintain the lands in accordance with Tier 1 of the Toronto Green Standard and the owner will be encouraged to achieve Tier 2 of the Toronto Green Standard or higher, where appropriate, consistent with the performance standards of the Toronto Green Standards applicable at the time of the site plan application for each building on the lands;

h. As a pre-approval condition of site plan approval on the lands for Area B (illustrated in Diagram 7 of the draft Zoning By-law Amendment), the owner shall implement any required mitigation measures including wind mitigation measures from such accepted studies, at the sole cost and expense of the owner, associated with the proposed development, including any outdoor amenity space;

i. The owner shall at their sole expense:

1. submit a revised Functional Servicing Report including confirmation of water and fire flow, sanitary and storm water capacity, Stormwater Management Report and Hydrogeological Review, including the Foundation Drainage Report and required discharge review with the Toronto and Region Conservation Authority (the "Engineering Reports") to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;

2. secure the design and provision of financial securities for any upgrades or required improvements to the existing municipal infrastructure and/or new municipal infrastructure identified in the accepted Engineering Reports to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services should it be determined that improvements or upgrades and/or new infrastructure are required to support the development and such matters to be secured through the appropriate agreement(s) satisfactory to the Chief Planner and Executive Director, City Planning, the Chief Engineer and Executive Director, Engineering and Construction Services, and the City Solicitor; and;
3. make satisfactory arrangements with the Chief Engineer and Executive Director, Engineering and Construction Services for the construction of new infrastructure or any improvements to the municipal infrastructure, should it be determined that new infrastructure and/or upgrades/improvements are required to the existing infrastructure to support this development, and that the owner has entered into a financially secured agreement to pay for and construct any necessary municipal infrastructure; and,

j. The owner agrees that any off-site parking required to meet the by-law requirement is subject to a secured agreement(s) with the applicable property owner(s) of the land(s) upon which the off-site parking is located satisfactory to the General Manager, Transportation Services.

4. City Council determine that the revisions reflected in the proposed Zoning By-law Amendments appended as Attachment No. 1 to this Supplementary Report from the Acting Director, Community Planning, Etobicoke York District are minor in nature and pursuant to Section 34 of the Planning Act, no further public notice is required in respect of the proposed Zoning By-law Amendment.

COMMENTS

The applicant submitted a revised proposal and additional material on August 18, 2021 which included a new central utility plan in Area B. In the interest of advancing the development of this important health care infrastructure, this supplementary report provides additional comments to those contained in the August 27, 2021 Final Report, from the Acting Director, Community Planning, Etobicoke York District. The revised application continues to be consistent with the Provincial Policy Statement (2020) and the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) as described in the Final Report. Comments on the Official Plan, including the Sherway Area Secondary Plan are described below.

Land Use

This application has been reviewed against the policies of the Official Plan, including the Secondary Plan, as generally described in the Policy Consideration Section of the Final Report. The site is designated *Institutional Areas*, is subject to the Sherway Area Secondary Plan and located within the Trillium Precinct. *Institutional Areas* permits and supports the proposed hospital building, which would form part of the existing Trillium Health Partner Queensway Hospital campus.

Official Plan Policy 2.4.7 (as amended by OPA 456) provides that an adequate supply of off-street parking for bicycles and automobiles will be provided and maintained to meet the short-term parking demands of institutional activities while ensuring a minimal level of all-day automobile parking for commuters that reflects the availability of alternative travel modes. Although structured parking is discouraged by the Sherway Area Secondary Plan, the hospital operations require the parking structure in order to meet the needs of hospital patients, visitors and staff.

The application proposes to rezone all the lands located below the Long Term Stable Top of Slope and within the 10 m buffer from the Long Term Stable Top of Slope to Open Space Natural Zone. A provision has been included in the draft zoning by-law amendment to permit the area within the buffer to be used for the existing surface parking ancillary to the hospital use as an interim condition. Upon redevelopment of Area C for the new hospital, parking would be consolidated and relocated on that portion of the site, while the lands below the Long Term Stable Top of Slope and within the buffer area as well as other lands surrounding the parking structure in Area A, would be landscaped and become open space (as illustrated in Attachment 7 in green of the Final Report (August 27, 2021) from the Acting Director Community Planning, Etobicoke York District).

The proposed land uses are appropriate and fit within the planned context for the area and conform with the policy direction of the Official Plan.

Height and Massing

The proposed height and massing have been assessed by applying the relevant policies of the Official Plan, Sherway Area Secondary Plan and design guidelines referenced in the Policy Considerations Section of the Final Report.

New Hospital Building

The new hospital building would be 46 m in height and would be located in very close proximity to the intersection of The Queensway and The West Mall in keeping with Sherway Area Secondary Plan Policy 7.15 which describes the preferred locations for tall buildings to be at key intersections and landmark sites. The building is sited toward The West Mall creating a defined street edge in support of the more urban built form envisioned by the Sherway Area Secondary Plan. The design of the building results in wings (39 m) which are separated by distances of approximately 19 m. The replacement of the large mechanical penthouse on the 9th floor with a substantially smaller indoor amenity area connecting to the roof has the effect of reducing the

perceived building height and massing so that it now reads more like an eight storey building.

The Sherway Area Secondary Plan policies provide alternative setbacks, streetwall heights and stepbacks, and building heights for new development in *Institutional Areas* provided development locates buildings closer to the street edges, where possible, and provides pedestrian amenity along both public and internal streets. The new hospital building provides for a pedestrian entrance facing The West Mall with open space between the wings of the building creating an amenity area. There are also two more pedestrian entrances on the south side of the building, facing a parking area and the existing hospital buildings. Currently there are no pedestrian entrances on the north side of the building where there is a proposed surface parking area.

Parking Structure

The eight storey parking structure, which will front onto the private portion of Sherway Drive is 23 m in height. The height is approximately equal to the width of the proposed right-of-way of the future public street within the Trillium Precinct.

The parking structure is set back 3 m from the future public street in keeping with the Sherway Area Secondary Plan, with soft landscaping along this frontage. The remainder of the site is comprised of surface parking as an interim condition, with a provision in the draft Zoning By-law Amendment to ensure that as part of the Precinct's future redevelopment, much of the hard-scape will be converted to a naturalized area. (An illustration of this area is shown in Attachment 7 of the Final Report as the area in green south and west of the proposed parking structure).

Central Utility Plant

The two storey central utility plant would be located behind the proposed hospital building and to the west of the existing central utility plant. Due to the location of the new hospital building, the central utility plant would not be visible from The West Mall. Once the future public street is constructed, it would have some visibility from that public street.

Sun, Shadow, Wind

This application has been reviewed against the Official Plan policies, Secondary Plan policies and design guidelines described in the Policy Consideration Section of the Final Report dated August 27, 2021 from the Acting Director of Community Planning, Etobicoke York District.

New Hospital Building

The Shadow Study submitted in support of the application indicates the open space area in between the proposed hospital wings fronting The West Mall (east side of the proposed building) would be in shadow for most of the day on the March and September equinoxes. The open space area in between the building's wings on the east side would be in shadow until 1pm, then would receive increasing sunlight through

the afternoon and evening hours during the March and September equinoxes. The rooftop mechanical has been relocated with the introduction of the central utility plant. As a result, a rooftop amenity space is now included and will provide outdoor space with good sunlight access. The public realm along the opposite side of the street on The West Mall would begin to receive shadow from the new hospital building starting at 2pm onward during the March and September equinoxes.

The Wind Study and Addendum prepared by Rowan William Davies & Irwin Inc. (RWDI) demonstrates that the wind conditions on the balconies located to the west side of the proposed hospital building would only be comfortable for strolling and walking in the summer, whereas these spaces should be designed to also be comfortable for sitting. Relocating this amenity area and/or providing wind mitigating measures such as chamfered building corners, extended canopies and coniferous trees for the balconies would be required. A wind tunnel study would need to be carried out at a later design stage and submitted during the site plan application review. Staff recommend that this requirement be secured in the Section 37 Agreement as a legal convenience in support of the development.

Parking Structure

The Shadow Study indicates there would be shadow occurring across the private service road in the interim, however, in the long term, this right-of-way would be widened and provided for as a public street, and the future public realm on the north side of the public street would be without shadow during the spring and fall equinoxes.

New Central Utility Plant

The Shadow Study submitted, indicates that impacts from shadows are limited given the low-rise built form and building location. The Wind Study Addendum concludes the central utility plant is not expected to have an adverse impact on the previously predicted wind conditions on the site. The study also concludes that suitable wind conditions are also predicted for the areas around the proposed central utility plant.

Servicing

The applicant submitted a Functional Servicing Report (FSR), a Stormwater Management Report, an External Sanitary Sewer Study, a Supplementary Geotechnical Investigation, a Preliminary Hydrogeological Investigation, and revisions all prepared by WSP. The objectives of these reports was to identify the municipal servicing and stormwater management requirements for this development and to demonstrate how each service would be accommodated by the existing infrastructure and/or provide any upgrades or improvements that would be required.

Engineering and Construction Services staff require revisions to the FSR to determine water supply for the new hospital and whether remedial upgrading works are required to the existing water supply infrastructure. On August 26, 2021, the applicant provided a separate FSR for the parking structure and the existing hospital demonstrating that there is adequate water supply capacity in the existing municipal infrastructure to

service the existing hospital facility and the proposed parking structure component of the proposal. The determination of adequate water supply for the new hospital remains outstanding.

The FSR and External Sanitary Sewer Analysis clearly demonstrated that the City's sanitary infrastructure would be able to support the proposal without the need for external upgrades or retrofits. The FSR also demonstrated there was adequate capacity in the storm sewer to support the proposed development, however issues related to storm discharge into the Etobicoke Creek identified by the Toronto and Region Conservation Authority will require further review by Engineering staff. The applicant was also to provide space for installation of maintenance access holes and sampling ports on the private side as close to the property line as possible. Staff further noted that the City would require a municipal storm sewer within the future road allowance to capture and convey any storm run-off within the road allowance.

Further, on August 18, 2021, in support of the revised proposal that includes a new central utility plant building and other changes, the applicant submitted architectural plans, technical plans and memoranda. The memoranda from the engineering consultant, WSP explained that given the details of the changes, they did not expect the location of the new central utility plant would impact the findings of the geotechnical study and the findings of the hydrogeological study, and that details would be provided with a future Site Plan Control application. The memoranda from the civil consultant, Stantec, advised that the Functional Servicing Report, the Stormwater Management Report and the External Sanitary Sewer Study do not include an assessment of the newly added central utility plant and that this facility would not change the conclusions and recommendations from the civil reports, but that this would be assessed and form part of an upcoming Site Plan Control application.

Staff recommend the inclusion of a Holding Provision in the draft Zoning By-law Amendment requiring a Functional Servicing Report, Stormwater Management Report, External Sanitary Sewer Study, Geotechnical Study and Hydrogeological study updates to address outstanding water supply and stormwater issues, be submitted to the satisfaction of Chief Engineer and Executive Director, Engineering and Construction Services. Staff are also including this requirement in the Section 37 Agreement as a matter required to support development.

Transportation Impact

The applicant's transportation consultant BA Group, prepared an Urban Transportation Considerations report in support of the application. The study concluded that the vehicle trips generated by the proposed development could be accommodated on the local road network, with the connection of the existing service road to the proposed future public street being signalized at the intersection of The Queensway west of The West Mall (at 2217 The Queensway).

Future Public Street

The Sherway Area Secondary Plan, Map 43-3 identifies that the existing service road within the subject site as a "private street that is to become a public street with a flexible

location". Secondary Plan Policy 9.3 provides that flexible streets shall be oriented and located conceptually with the exact locations to be determined through the development approval process. The Secondary Plan further directs that following completion of the first phase of development, the owner of the site will submit for approval to the Ministry of Health, or successor, an updated master plan, in accordance with provincial requirements, that specifies the location and conveyance of the future public street and the phases for its implementation, in consultation with the City. The Secondary Plan also provides criteria for existing or new streets, including that they will generally have a 20 m right-of-way width unless otherwise indicated in the Official Plan.

This proposal comprises the first phase of the site's redevelopment and staff recommend a minimum 22 m right-of-way width for the future public street. The 22 m street would be able to accommodate one travel lane each way, 2.1 m sidewalks on both sides of the public street, room for street trees and a cycling facility. Although the exact location will only be known after the owner of the site completes a master plan, the proposed parking structure would be set back a minimum of three metres from the future public street right-of-way. The portion of the right-of-way future public street fronting the proposed parking structure would have a right-of-way width ranging from 22 m to 23 m and widening to 31.65 m at The West Mall.

Staff recommend securing the minimum right-of-way width, construction and conveyance of the future public street through a Holding Provision in the draft zoning by-law amendment and a Section 37 Agreement as a legal convenience to protect for the right-of-way. This Holding Provision would apply to the area where the future public street as generally shown in the Secondary Plan and is illustrated as Area C in Diagram 7 of the draft Zoning By-law Amendment.

Future Public Street Connection to 2217 The Queensway

Transportation Services staff advise that any approval of this application would be predicated on the provision of the north vehicular connection to The Queensway through the property at 2217 The Queensway. A Site Plan Control application has been approved for 2217 The Queensway to allow for a retail development and new a public street connecting into the subject site at a different location than what is contemplated through this application. While the proposed alignment, right-of-way width and approach for the new public street connecting The Queensway with The West Mall is acceptable to City Planning, a viable design solution is required that demonstrates that a future public street connecting 2217 The Queensway and the hospital site is achievable. A revised location for the connection of the proposed public street from 2217 The Queensway extending to The Queensway would be contingent upon the following:

- Agreement by the owner of 2217 The Queensway;
- A revised lease agreement with Hydro One;
- An amendment to the approved NOAC for 2217 The Queensway; and
- An approved variance to modify parking conditions for 2217 The Queensway site.

Staff recommend the draft Zoning By-law Amendment include a Holding (H) Symbol be placed on Area B (see Diagram 7 in the draft by-law amendment) requiring the above conditions and additional technical requirements be met in order to lift the H and further obligations by the owner be secured through a Section 37 agreement as a legal convenience.

Possible Revised Timing for proposed public street and The Queensway Intersection

Prior to the issuance of the first above grade building permit for Area B, the owner is required at their sole cost and expense to address the required alignment between the proposed public street and the connection through 2217 The Queensway to The Queensway. Generally, the requirements include:

- Satisfaction of the information and materials required by Hydro One, including obtaining any required approvals from Hydro One;
- The design and construction of the intersection is to be completed and may be undertaken jointly with the owner of 2217 The Queensway; and
- The construction and installation of traffic control signals at the intersection described above.

On September 8, 2021, the applicant advised City Planning and Transportation Staff that their transportation consultant is exploring a possible alternative solution to the public street and The Queensway intersection and desired flexibility to complete such works after the issuance of any above grade building permit. The Transportation Impact Study submitted in support of the application required the intersection for the development proposed in Area B. No further information has been provided to City staff to demonstrate any other alternative. To address the comment from the Trillium Hospital and ensure that the intersection is constructed and operational as contemplated by the accepted Transportation Impact Study, City staff recommend securing a provision which provides flexibility with respect to the timing of the requirements for the intersection in the Section 37 agreement to support development.

Driveways and Accesses

Drawings submitted show four accesses to the site: two at either end of the future public street (access from 2217 The Queensway to the northwest of the site and access from The West Mall at the southeast end of the site); a new right-in/right-out to The West Mall located in Area B (illustrated in Diagram 7 in the draft Zoning By-law Amendment) just south of the proposed hospital building; and a new right-in/right-out to the West Mall located north of the proposed hospital building in Area B.

Secondary Plan Policy 9.4.7 states that "All streets, whether new or existing, will be aligned at intersections to complete the street grid". Policy 2.2.4 of the Official Plan requires the City's Transportation system to be maintained and developed to support the growth management objectives of the Official Plan by developing the key elements of the transportation system in a mutually supportive manner which prioritizes walking, cycling, and transit over other passenger transportation modes.

New Driveway South of the existing Sherway Gardens Driveway

In shifting the proposed hospital building closer to The West Mall, the applicant also shifted the proposed building south necessitating pushing the existing driveway further south which would result in a condition where this driveway would no longer align with the Sherway Garden's (25 The West Mall) driveway on the east side of The West Mall. This new condition disturbs the connectivity and completeness of the street grid and prompts safety concerns, including safe pedestrian crossings. The applicant advised that they are in discussions with Cadillac Fairview, the owners of Sherway Gardens (25 The West Mall), regarding moving their driveway further south to match this new proposed driveway location so that the intersection would be aligned.

Staff recommend securing the requirement that the owner work with the owner of 25 The West Mall to align the proposed driveway in this new location. Further staff recommend there be a requirement for the owner to conduct a warrant analysis on the intersection of the proposed driveway to determine the appropriate traffic control devices to ensure safe crossings of potential attendees, visitors, workers or guests of the hospital to and from Sherway Gardens Mall, and such matters, at the sole cost and expense of the owner, be secured in a Section 37 agreement as a matter required to support development.

New Proposed Driveway North of the Proposed Hospital Building

A new driveway to connect into The West Mall and new vehicular surface parking area is proposed north of the new hospital building in Area B. These new additions would contribute to the effect of added "grey-scape" to the site given the extensive number of driveways, vehicular accesses already on or proposed for the site. In addition, this new north driveway with a right-in/right-out access to The West Mall would cut through a wide parcel of public right-of-way along The West Mall which might otherwise contribute to public realm improvements in support of the Landscaped Point of Interest envisioned by the Secondary Plan and the Urban Design and Streetscape Guidelines. Staff will continue to work with the applicant to modify their site design to increase the green open space in this northern portion of the site.

Parking

The parking analysis submitted on September 3, 2021, proposes a parking rate of 1.59 parking spaces per 100 square metres of gross floor area for the hospital, 2.4 parking spaces per 100 square metres for the medical office building and 0.3 parking spaces per dwelling unit and bed-sitting room for the hospice on the site. Further, the proposed parking allocation allows for 16 percent of the required parking spaces to be located off-site within 300 m of the hospital. Transportation Services staff are of the opinion that the proposed parking allocation and rates are adequate to address the anticipated parking demand of the site with the new hospital building. Approximately 838 parking spaces would be located in the proposed parking structure with the remaining parking spaces being maintained or reconfigured as surface parking spaces on the site. Transportation Services staff would require off-site parking spaces be subject to an acceptable and secured agreement with the applicable property owners. Staff

recommend securing this requirement as a provision in the Section 37 agreement as a matter required to support the development.

The current hospital driveways and drive aisles include perpendicular parking spaces that are accessed from the driveway/drive aisles. Transportation Services staff have advised the applicant that upon construction of the future public street along the west and south portions of the hospital site, no perpendicular parking spaces would be accessed directly from the future public street.

The bicycle parking plan and rate as proposed is generally supported by Transportation Planning.

Roadways, Road Widening and Sidewalks

Approximately 90 m of the Sherway Drive roadway leading into the site from The West Mall at the south end of the site is city-owned and terminates into the hospital driveway without a turning bulb or cul-de-sac. In order to ensure that vehicles can continue to traverse the site in a forward motion, and given that this is an existing condition which pre-dates the application, a surface easement will be required as a condition of site plan approval to ensure that vehicles can safely and legally move through the site as they come on Sherway Drive and exit back onto The West Mall. Staff recommend that the obligation to provide the easement at site plan be secured in a Section 37 Agreement as a matter required to support of the development.

In order to satisfy the Official Plan requirement of a 27 m right-of-way for the segment of The West Mall adjoining this site, a 0.4 m road widening conveyance along The West Mall frontage of the subject site is required. The public road portion of Sherway Drive at the intersection with The West Mall also requires a road widening conveyance. Both widenings are proposed to be conveyed to the City as a condition of site plan approval for the parking structure component of this application. The applicant must convey the required land for a nominal sum to the City as a condition of site plan approval.

In addition, a portion of the existing public right-of-way at the south side of the Sherway Drive will become redundant for the public street right-of-way at this location. Trillium Health Partners have indicated an interest in this redundant parcel and have initiated the process to stop up and close this redundant right-of-way parcel. The stop up and close process is led by Transportation Services and would result in a by-law being enacted.

Currently 1.5 m wide municipal sidewalks are provided along the site's frontage along The West Mall and Sherway Drive. New 2.1 m sidewalks would be required to comply with current City standards and the requirements of the Accessibility for Ontarians with Disabilities Act. These new sidewalks would be secured through the site plan control process for the new parking structure. New 2.1 m municipal sidewalks are to be built to the applicable City of Toronto Design Standard at no cost to the municipality. Further any streetscape designs proposed within the municipal right-of-way must comply with the requirements of the Transportation Services Division. Anything else other than municipal sidewalks, sod and street trees may be considered as encroachments.

Open Space

During the process of developing the Sherway Secondary Plan, Trillium Health Partners committed to providing high quality open spaces within the Trillium Precinct area to create an environment conducive to healing, in place of providing on-site parkland dedication.

This new hospital building is within close proximity to the Landscaped Point of Interest envisioned for the intersection of The Queensway and The West Mall. The proposal provides a very small open space at the north tip of the site in the vicinity of this envisioned Landscaped Point of Interest, however the connection with the new building is interrupted by a surface parking lot and a new driveway. Staff are concerned that the driveway and surface parking area does not allow for comfortable and safe pedestrian connections between this open space area and the proposed hospital building entrances. Staff will continue to work with the applicant through a future Site Plan Control application for improvements to ensure the space is conducive to healing as well as enhancing this space's connectivity with the new building.

Staff and TRCA agreed to permit surface parking in the vicinity of the parking structure which encroaches into the 10 m buffer area of the Long Term Stable Top of Slope (LTSTS), as it is an existing condition. The applicant has agreed to naturalize most of the LTSTS 10 m buffer area as well as most of the area behind the parking structure when Area C redevelops, as illustrated in Diagrams 7 and 8 of the draft Zoning By-law Amendment. At that time, the future public street right-of-way would be conveyed to the City and the area behind the parking structure would be naturalized and converted to soft landscaping contributing to additional open space on the site. Staff will continue to work with the applicant to identify further opportunities to provide additional outdoor amenity spaces. Staff recommend securing this obligation in a Section 37 Agreement as matter required to support the development and through a Holding Provision on Area C in the draft Zoning By-law Amendment.

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 and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

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

Staff recommend including the standard clause in the Section 37 Agreement as a matter required to support the development, that the applicant build in accordance with Tier 1 of the Toronto Green Standard.

Hydro One

Hydro One completed a preliminary review of the proposal including the proposed connection through the Hydro One lands to 2217 The Queensway and advised their approval would be pending required information and approval of all secondary land uses such as roads that are proposed on their lands. Hydro One requires:

- Any proposed secondary land use within the transmission corridor be processed through the Provincial Secondary Land Use Program. The owner must contact Hydro One to discuss all aspects of the proposal, ensure all of Hydro One's technical requirements are met and acquire all applicable agreements;
- The owner must make arrangements for lot grading and drainage to be reviewed by Hydro One for approval for secondary land uses within the transmission corridor; and
- Any development in conjunction with site plan must not block vehicular access to Hydro One facilities, and no storage of materials would be permitted within the transmission corridor.

Staff recommend that the obligation to meet Hydro One's requirements be secured in a Section 37 Agreement as a matter required to support the development.

CONCLUSION

The proposal has been reviewed against the policies of the *Planning Act*, PPS (2020), the Growth Plan (2020) and the Toronto Official Plan and the Sherway Area Secondary Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal conforms to the Toronto Official Plan. Staff are of the opinion that the expanded institutional uses on the site in particular the construction of a new hospital facility is an important element to meeting the long term healthcare needs of the community and will contribute to the sustainability of healthy, liveable and safe communities for the City. Staff recommend that City Council approve the Zoning By-law Amendment.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

Attachment 1: Draft Zoning Bylaw Amendment

Authority: Etobicoke York Community Council
Item##, as adopted by City Council on [DATE]

CITY OF TORONTO

Bill No. ~

BY-LAW XXXX-2021

To amend City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2020 as 140, 150, 160, 170, 190 and 220 Sherway Drive.

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 for the City of Toronto contains provisions relating to the use of a 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 the height or 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 the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters irrespective of the increase in the 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 height or density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is 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 heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions;
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: (H) IH (x3), IH (x3), and ON (x19) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height label to these lands: HT 22, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1, and applying the following Policy Area label to these lands: PA 4, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands outlined by heavy black lines in Diagram 5 attached to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, with no label.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands outlined by heavy black lines in Diagram 6 attached to this By-law to the Rooming House Overlay Map in Section 995.40.1, with no label.
8. Zoning By-law 569-2013, as amended, is further amended by amending and replacing Article 900.31.10.3 so that it reads:

(3) Exception IH 3

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

Site Specific Provisions:

- (A) On lands municipally known as 140, 150, 160, 170, 190 and 220 Sherway Drive, if the requirements of Section 11 and Schedule A of By-law *[Clerks*

to insert by-law number] are complied with, **buildings** and **structures** may be erected, used or enlarged in compliance with (B) to (P) below;

- (B) For the purposes of this exception:
- (i) Area A, Area B, Area C and Area D are shown on Diagram 7 of By-law [Clerks to insert by-law number];
 - (ii) **lot** is defined as the lands outlined by black lines collectively comprising Area A, Area B, Area C and Area D identified on Diagram 7 attached to By-law [Clerks to insert by-law number];
 - (iii) **lot line** is defined to include the boundary of any of Areas A, Area B Area C and Area D identified on Diagram 7 attached to By-law [Clerks to insert by-law number]; and
 - (iv) Area A, Area B, Area C and Area D are defined to include the corresponding area within the **lot** as identified on Diagram 7 attached to By-law [Clerks to insert by-law number];
- (C) Despite Regulation 80.5.40.10(1), the height of a **building** or **structure** is the vertical distance between the Canadian Geodetic Datum elevations identified for Area A, Area B, Area C, and Area D below and the highest point of the **building** or **structure**. The Canadian Geodetic Datum elevations are as follows:
- (i) 115.0 metres for Area A;
 - (ii) 111.5 metres for Area B;
 - (iii) 111.4 metres for Area C; and
 - (iv) 110.6 metres for Area D;
- (D) Despite Regulation 80.20.40.10(1), the maximum permitted **building** height for the Area A and Area B shown on Diagram 7 of By-law [*Clerks to insert by-law number*] are as follows:
- (i) Area A: 23 metres; and
 - (ii) Area B: 46 metres to a maximum of 9 storeys, in which:
 - a. only indoor **amenity space** is permitted above the 8th storey to a maximum **gross floor area** of 350 square metres;
- (E) Despite Regulation 80.20.40.10(1), within Area C and Area D, the height of any **building** or **structure** existing on the date of the enactment of By-law [Clerks to insert by-law number] is deemed to comply; and

- (F) Despite Regulations 80.5.40.10(3) and (4), and (D) and (E) above, within Area A and Area B as shown on Diagram 7 of By-law [Clerks to insert by-law number], the following elements of a **building** may project to a maximum of 6.0 metres above the maximum permitted **building** heights:
- (i) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
 - (ii) **structures** or parts of the **building** that are used for the functional operation of the **building**, such as mechanical penthouse, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and;
 - (iii) **structures** that enclose, screen or cover the elements listed in (i) and (ii) above; and
 - (iv) parapets, safety screens, and safety railings.
- (G) Despite Regulation 80.20.40.40(1), the maximum permitted **gross floor area** for Areas A, Area B, Area C, and Area D as shown on Diagram 7 of By-law [Clerks to insert by-law number] is as follows:
- (i) 26,500 square metres in Area A;
 - (ii) 50,500 square metres in Area B, of which a maximum of 47,500 square metres is permitted for a **hospital building**;
 - (iii) 31,000 square metres in Area C; and
 - (iv) 6,600 square metres in Area D.
- (H) Despite Clause 80.20.40.70, **building setbacks** of any existing **buildings** and **structures** within Area C and Area D at the time of the passing of By-law [Clerks to insert by-law number] are the minimum required **building setbacks** for those **buildings** and **structures**.
- (I) Despite Clause 80.20.40.70, the minimum required **building setbacks** from the **lot lines** for Area A and Area B as shown on Diagrams 7 and 8 of By-law [Clerks to insert by-law number] must be:
- (i) 3.0 metres for **front yards**;
 - (ii) 5.0 meters for **rear yards**;
 - (iii) 3.0 metres for **side yards**;
 - (iv) 5.0 metres from any **lot lines** abutting utility corridors; and

- (v) Notwithstanding provisions (i) to (iii) above, a minimum required **building setback** of 3.0 metres must be provided from any **lot line** abutting a future public **street**, as shown on Diagram 7 and 8 of this By-law.
- (J) For the purposes of this exception, the **front lot line** for:
 - (i) Area A is the **lot line** abutting the future public **street** as shown on Diagram 8 of By-law [Clerks to insert by-law number]; and
 - (ii) Area B is the **lot line** abutting The West Mall.
- (K) For Area B, where a **main wall** of the **building** has windows and a line projected at a right angle from one of these **main walls** intercepts another **main wall** with windows on the same **building**, the required minimum above-ground separation distance between the **main walls** must be 19.0 metres.
- (L) The minimum **soft landscaping** requirement for Area A and Area B is 10% of the total area for each respective Area, as shown on Diagram 7 of By-law [Clerks to insert by-law number];
- (M) Despite Regulation 200.5.10.1 and Table 200.5.10.1, required **parking spaces** for Area A, Area B, Area C and Area D must be provided as follows:
 - (i) 1.59 **parking spaces** per 100 square metres of **gross floor area** for a **hospital**;
 - (ii) 2.4 **parking spaces** per 100 square metres of **gross floor area** for a medical office use; and
 - (iii) 0.3 **parking spaces** per **dwelling unit** and **bed-sitting room** for a **hospice care home**.
- (N) Despite Clause 80.5.80.10, a maximum of 16 percent of the **parking spaces** required in (M) above may be located off-site within 300 metres of the lands identified in Diagram 1 and must be available for the use for which it is required. Required parking may also be provided in the area allocated for ancillary parking in the ON - Open Space Natural Zone, as identified in Diagram 8;
- (O) Despite Clause 220.5.10.1, a minimum of 4 'Type A' **loading spaces** and 2 'Type B' **loading spaces** must be provided for the **hospital** in Area B;
- (P) The lands identified with the symbol "(H)" in the zone label on Diagram 2 of By-law [Clerks to insert by-law number] are restricted in use as specified by Section 10 of By-law [Clerks to insert by-law number].

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

9. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.41.10.19 so that it reads:

(19) Exception ON 19:

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

Site Specific Provisions:

- (A) Despite Regulation 90.5.80.1(1), 71 existing surface **parking spaces ancillary** to the **hospital** use on the lands municipally known as 140, 150, 160, 170, 190 and 220 Sherway Drive are permitted in the area as shown in hatching on Diagram 8 referencing this section of By-law [Clerks to insert by-law number].

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

10. Holding Provisions:

- (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 2 attached to and forming part of this By-law must not be used for any purpose other than those uses and **buildings** existing on the lands as of [clerks to insert enactment date] until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol may be enacted by City Council when the following conditions have been fulfilled for each respective Area to the satisfaction of, where applicable, the City Solicitor, the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services, and the Chief Engineer and Executive Director, Engineering and Construction Services, and Council, in respect of the lands as follows:

- (i) With respect to Area B, the location and configuration of a vehicular connection between lands municipally known in the year 2020 as 140, 150, 160, 170, 190 and 220 Sherway Drive and 2217 The Queensway has been addressed to the satisfaction of the General Manager, Transportation Services, Chief Engineer and Executive Director, Engineering and Construction Services and the Chief Planner and Executive Director, City Planning, including:
- a. A plan(s) and or reports outlining the location and configuration of the vehicular connection described in 10(A)(i) as well as the preparation of the required engineering drawings for approval and acceptance by

General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning;

- b. If required, necessary approvals, per the *Planning Act* to proceed with the vehicular connection as described in 10(A)(i) above, have been issued to the satisfaction of the General Manager, Transportation Services, the Chief Engineer and Executive Director, Engineering and Construction Services and the Chief Planner and Executive Director, City Planning; and
- c. Satisfactory arrangements with the General Manager, Transportation Services, and Chief Engineer and Executive Director, Engineering and Construction Services for the construction of new infrastructure or any improvements to the municipal infrastructure have been made, and that the owner has entered into a financially secured agreement to pay for and construct any necessary municipal infrastructure.

(ii) With respect to Area B, the matter of water capacity and updates to engineering plans, drawings, studies and reports that include the proposed central utility plant are addressed by the following:

- a. Revised engineering plans, drawings, studies and reports have been submitted by the owner and accepted by the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;
- 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 and the City Solicitor, for the construction of improvements that may be required to the City's servicing for the lands; and
- c. Arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services have been made with the City for the construction of new municipal infrastructure or any improvements to the existing municipal infrastructure, should it be determined that new infrastructure and/or upgrades/improvements are required to the existing infrastructure to support this development, and that the owner has entered into a financially secured agreement

to pay for and construct any necessary municipal infrastructure.

- (iii) With respect to Area B and Area C, the owner enters into, and registers on title to the lands, an agreement with the City of Toronto pursuant to Section 37 of the Planning Act satisfactory to the City Solicitor.
- (iv) With respect to Area C, the following matters are to be addressed regarding the public **street** in Area C:
 - a. A public **street** in Area C, connecting The Queensway to The West Mall with a minimum 22 metre right-of way, has been designed, satisfactory to General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services;
 - b. Arrangements satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services have been made with the City for the construction and conveyance of a public **street** and that the owner has entered into a subdivision agreement pursuant to Section 51 of the *Planning Act*;
 - c. the owner has either secured the consolidation and/or elimination of, or has consolidated and eliminated, the surface parking on the lands subject to Article 900.41.10.19 of Zoning By-law 569-2013, as amended in Section 9 of By-law [Clerks to insert by-law number], and such parking spaces are either secured or otherwise moved to Area C from Area A to the satisfaction of the Toronto and Region Conservation Authority, the General Manager, Parks, Forestry and Recreation, the Chief Planner and Executive Director, City Planning; and
 - d. the owner shall provide a parking study and transportation impact study to determine the appropriate parking rate for Area C to be inclusive of the surface parking removed from the lands subject to Article 900.41.10.19 of Zoning By-law 569-2013, as amended in Section 9 of By-law [Clerks to insert by-law number], and Area A in b. above.

11. Section 37 Provisions:

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and/or density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense, of the facilities, services and matters set out in Schedule A hereof which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent upon 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 applicable provisions of Schedule A are satisfied; and
- (D) Once the agreement or agreements securing the facilities, services and matters set out in Schedule A have been executed and registered, the provisions of Schedule A shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.

Enacted and passed on [Clerks to insert date], 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A
Section 37 Provisions

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

1. The owner shall construct and convey the future public street with a minimum 22 metre right-of-way as part of the redevelopment of the lands in Area C, to the satisfaction of the General Manager, Transportation Services, the Chief Engineer and Executive Director, Engineering and Construction Services, and the Chief Planner and Executive Director, City Planning.
2. As part of the future construction and conveyance of the future public street, in 1. above, the owner shall, at its sole cost and expense, consolidate and/or eliminate the surface parking spaces on lands zoned ON (Open Space – Natural), on lands in between the ON zone and the future public street and on lands in the rear of the parking structure in Area A, and provide a landscape and naturalization plan, to the satisfaction of the Toronto and Region Conservation Authority, the General Manager, Parks, Forestry and Recreation, the Chief Planner and Executive Director, City Planning and thereafter implement such approved plan at the owner's sole cost and expense.
3. Prior to the issuance of any above grade building permit in Area B, the owner, at their sole and expense, shall address the required alignment between the proposed public street on the lands and the connection to 2217 The Queensway to the satisfaction of the General Manager, Transportation Services, Chief Engineer and Executive Director, Engineering and Construction Services and the Chief Planner and Executive Director, City Planning:
 - (a) the owner shall, to the satisfaction of Hydro One, or such successor organization, provide such required information and material to Hydro One regarding the proposed public street and alignment identified and obtain approval as may be required from Hydro One;
 - (b) the owner shall undertake the design and construction of the intersection of the future public street and The Queensway and that the owner may undertake this work in conjunction with the land owner of 2217 The Queensway to the satisfaction of General Manager, Transportation Services;
 - (c) the owner shall undertake the necessary work to construct and install traffic control signals at the intersection of the future public street and The Queensway, which shall include the preparation of traffic signal design drawings, an acceptable traffic signal timing plan and the installation of the

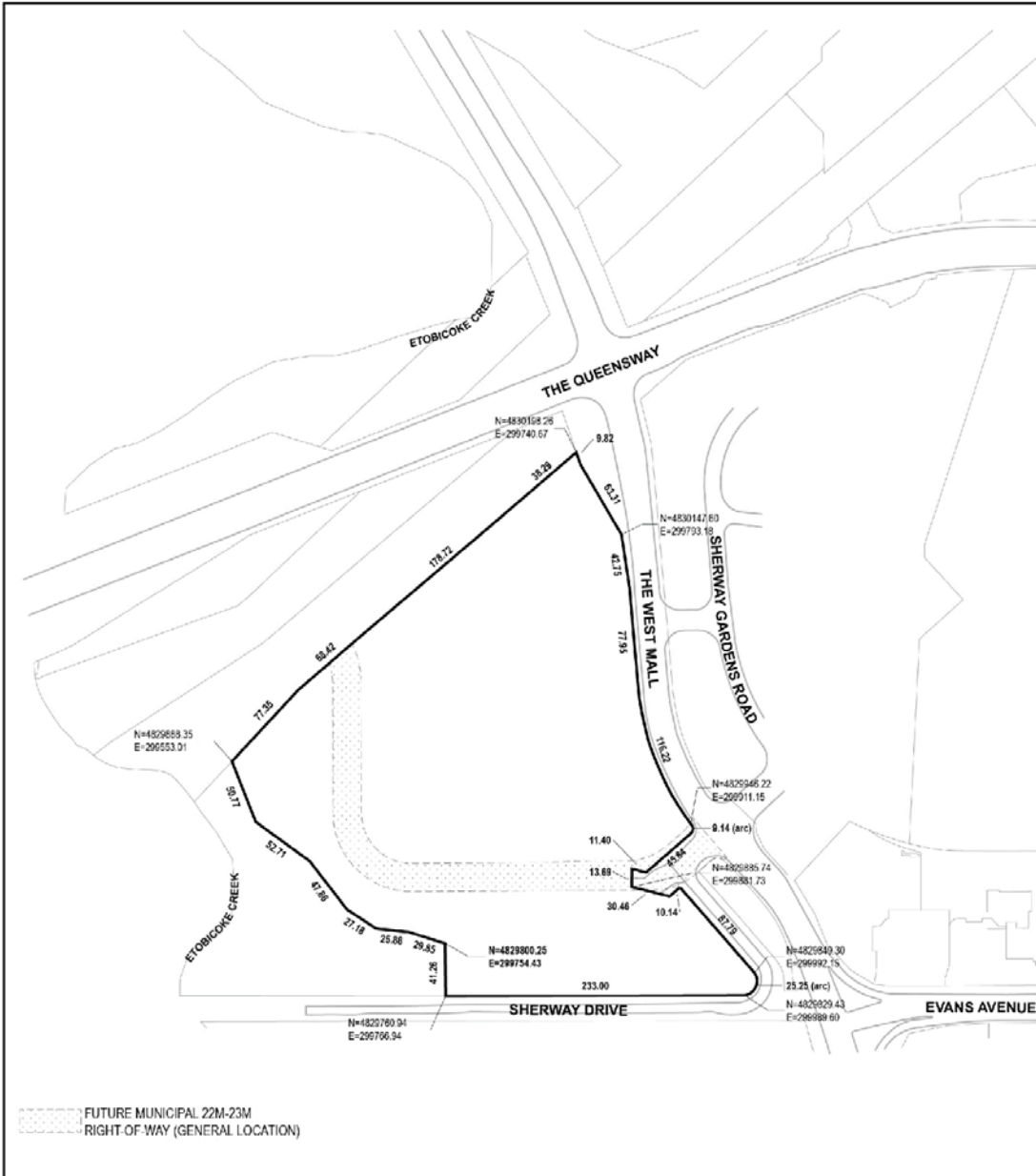
required traffic signal control hardware on-site to the satisfaction of the General Manager, Transportation Services; and

- (d) notwithstanding 3 (a), (b) and (c) above, the owner may submit a revised Transportation Impact Study to provide such alternative timing for the implementation of 3 (a), (b) and (c) above, which may be considered at the sole discretion of, acceptable to, and to the satisfaction of, the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning and with any revised timing and implementation, including any identified improvements, secured in a manner satisfactory to the General Manager, Transportation Services, the Chief Planner and Executive Director, City Planning, and the City Solicitor.
4. Prior to the issuance of any above grade building permit in Area B, the owner shall address any modifications to the street network, including any physical modifications, new signalized intersections, and modifications to existing traffic control signals shall be at the owner's sole cost and expense and undertaken to the satisfaction of the General Manager, Transportation Services, including timing and phasing modifications to the signalized intersection of The Queensway and The West Mall and any necessary mitigation measures to address vehicle queue spillover for the northbound left-turn movements at the signalized intersection of The Queensway and The West Mall to the satisfaction of the General Manager, Transportation Services.
5. As a pre-approval condition of any site plan approval for Area B on the lands, the owner shall work with the owner of 25 The West Mall (Sherway Gardens Mall), regarding the future alignment and/or realignment of the proposed driveway on the southern portion of Area B with any existing or future condition at 25 The West Mall, whereby such alignments shall be satisfactory to the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning and such alignment of the proposed driveway to the existing and future condition at 25 The West Mall shall also be subject to the following:
- (a) the owner shall, at its sole expense, conduct a warrant analysis on the intersection of the proposed driveway on the southern portion of Area B in order to determine the appropriate traffic control devices, and thereafter pay for, construct and implement any such approved traffic control devices, at the owner's sole cost and expense; all to the satisfaction of the General Manager, Transportation Services.
6. As a pre-approval condition of site plan approval on the lands for Area A, the owner shall convey a public access surface easement, including support rights, at no cost to the City, for public access connecting the existing public street segment of Sherway Drive through the development site connecting at the southern end of Area B to the West Mall, where vehicles would traverse the lands in a forward motion, where the owner shall operate, maintain, and repair the easement area, at its own expense, and the public shall be entitled to use the easement area at all times of the day and night, 365 days of the year, unless

otherwise reduced times are authorized by the City whereby the details of terms and conditions relating to the easement and easement area, including indemnity and insurance requirements will be included in the Section 37 Agreement, where such size and location of the easement area be to the satisfaction of the General Manager, Transportation Services and the specific configuration of such easement area be determined in the context of a Site Plan Control application pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City, including any require signage relating to public access, satisfactory to the Chief Planner and Executive Director, City Planning and General Manager, Transportation Services.

7. The owner will construct and maintain the lands in accordance with Tier 1 of the Toronto Green Standard and the owner will be encouraged to achieve Tier 2 of the Toronto Green Standard or higher, where appropriate, consistent with the performance standards of the Toronto Green Standards applicable at the time of the site plan application for each building on the lands.
8. As a pre-approval condition of site plan approval on the lands for Area B, the owner shall implement any required mitigation measures including Wind mitigation measures from such accepted studies, at the sole cost and expense of the owner, associated with the proposed development, including any outdoor amenity space.
9. The owner shall at their sole expense:
 - (a) submit a revised Functional Servicing Report including confirmation of water and fire flow, sanitary and storm water capacity, Stormwater Management Report and Hydrogeological Review, including the Foundation Drainage Report and required discharge review with the Toronto and Region Conservation Authority (the "Engineering Reports") to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;
 - (b) secure the design and provision of financial securities for any upgrades or required improvements to the existing municipal infrastructure and/or new municipal infrastructure identified in the accepted Engineering Reports to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services should it be determined that improvements or upgrades and/or new infrastructure are required to support the development and such matters that may be secured through the appropriate agreement(s) satisfactory to the Chief Planner and Executive Director, City Planning, the Chief Engineer and Executive Director, Engineering and Construction Services, and the City Solicitor; and

- (c) make satisfactory arrangements with the Chief Engineer and Executive Director, Engineering and Construction Services for the construction of new infrastructure or any improvements to the municipal infrastructure, should it be determined that new infrastructure and/or upgrades/improvements are required to the existing infrastructure to support this development, and that the owner has entered into a financially secured agreement to pay for and construct any necessary municipal infrastructure.
10. The owner agrees that any off-site parking required to meet the by-law requirement is subject to acceptable and secured agreement(s) with the applicable property owner(s) of the land(s) upon which the off-site parking is located satisfactory to the General Manager, Transportation Services.



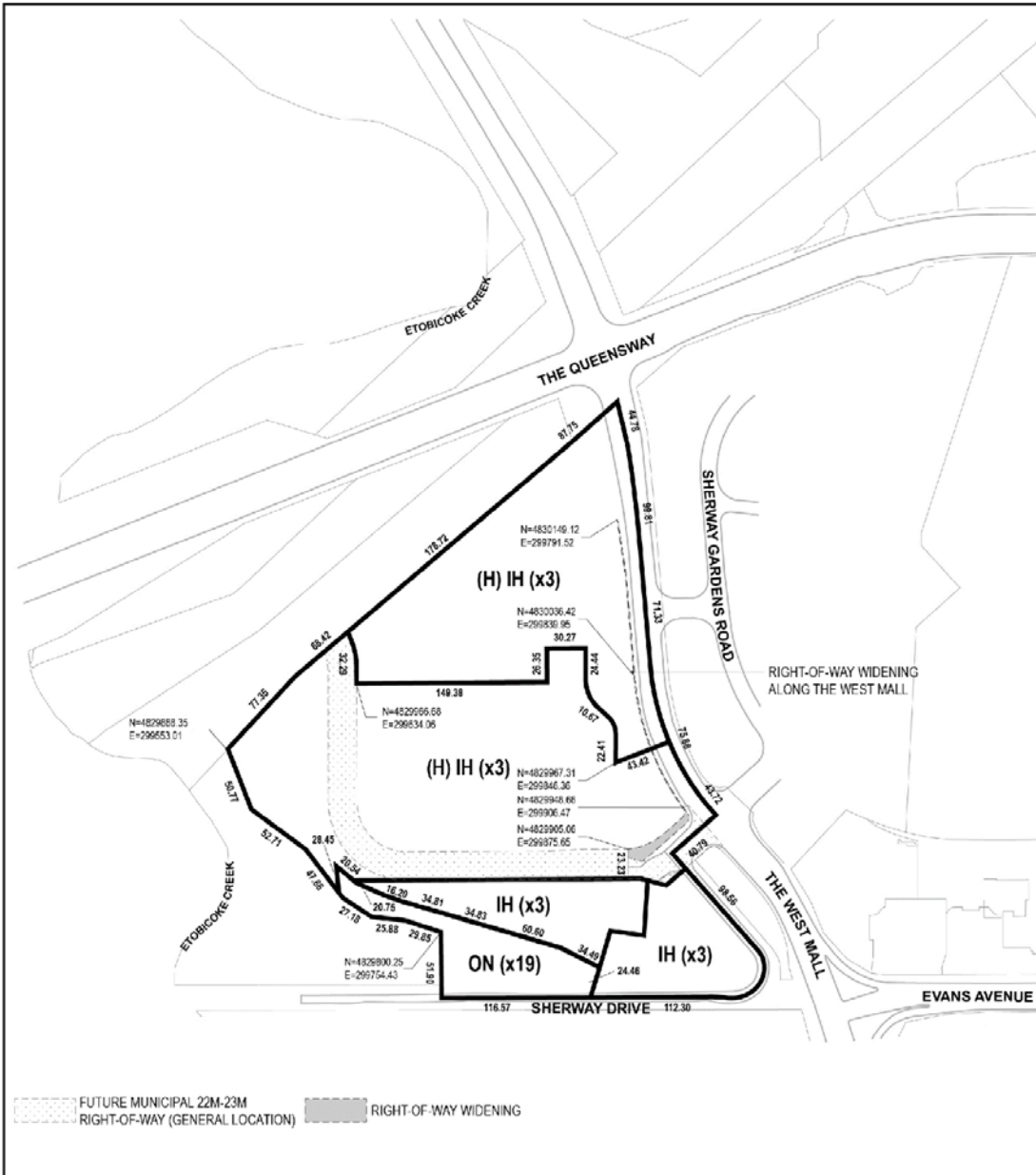
TORONTO
Diagram 1

140, 150, 160, 170, 190 and 220 Sherway Drive

File # 19 264614 WET 03 0Z

Note: Measurements are approximate and should be superseded by contents of relevant reference survey plans.

City of Toronto By-law 569-2013
 Not to Scale
 08/25/2021



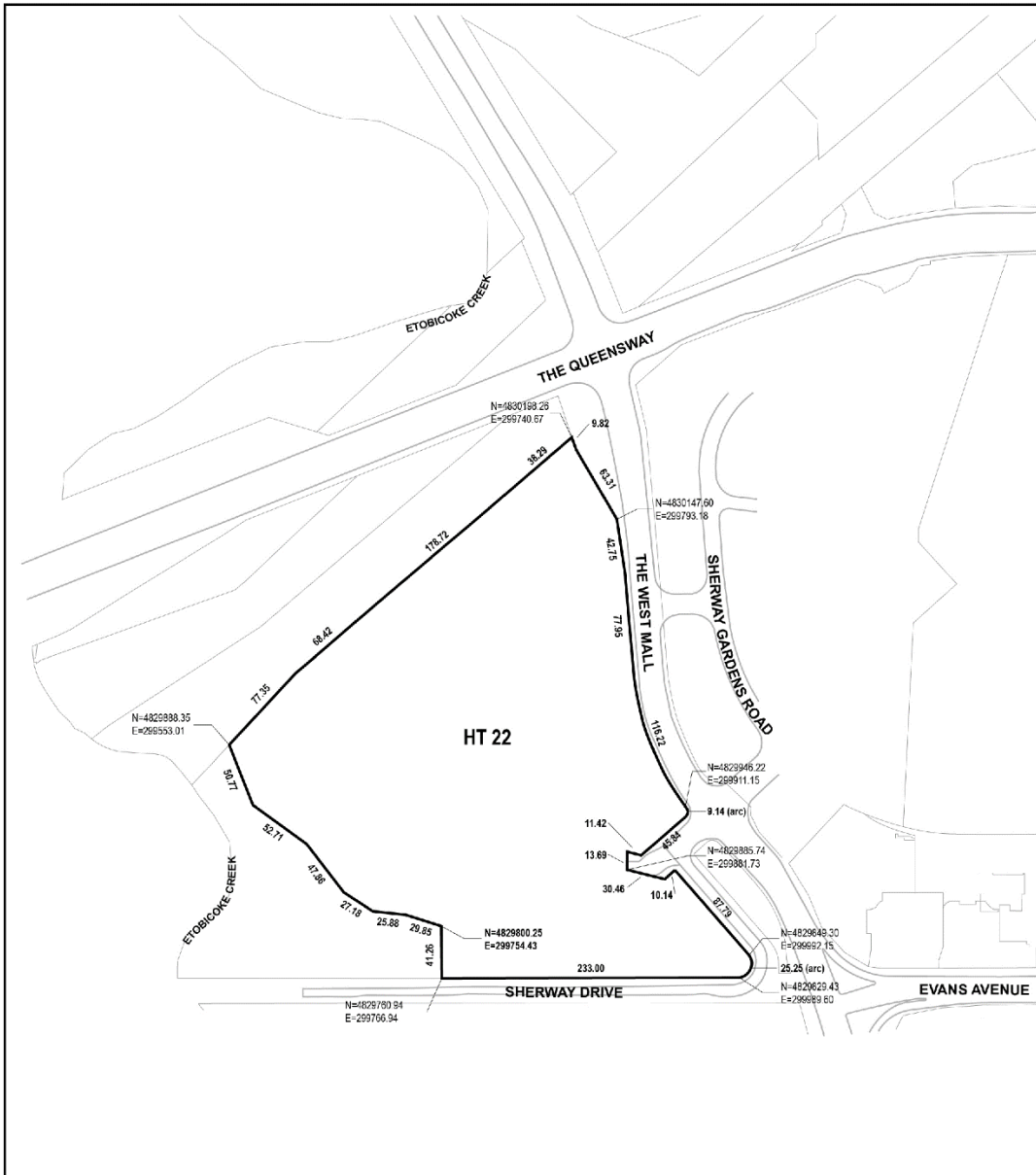
TORONTO
Diagram 2

140, 150, 160, 170, 190 and 220 Sherway Drive

File # 19 264614 WET 03 0Z

Note: Measurements are approximate and should be superseded by contents of relevant reference survey plans.

City of Toronto By-law 569-2013
 Not to Scale
 08/25/2021



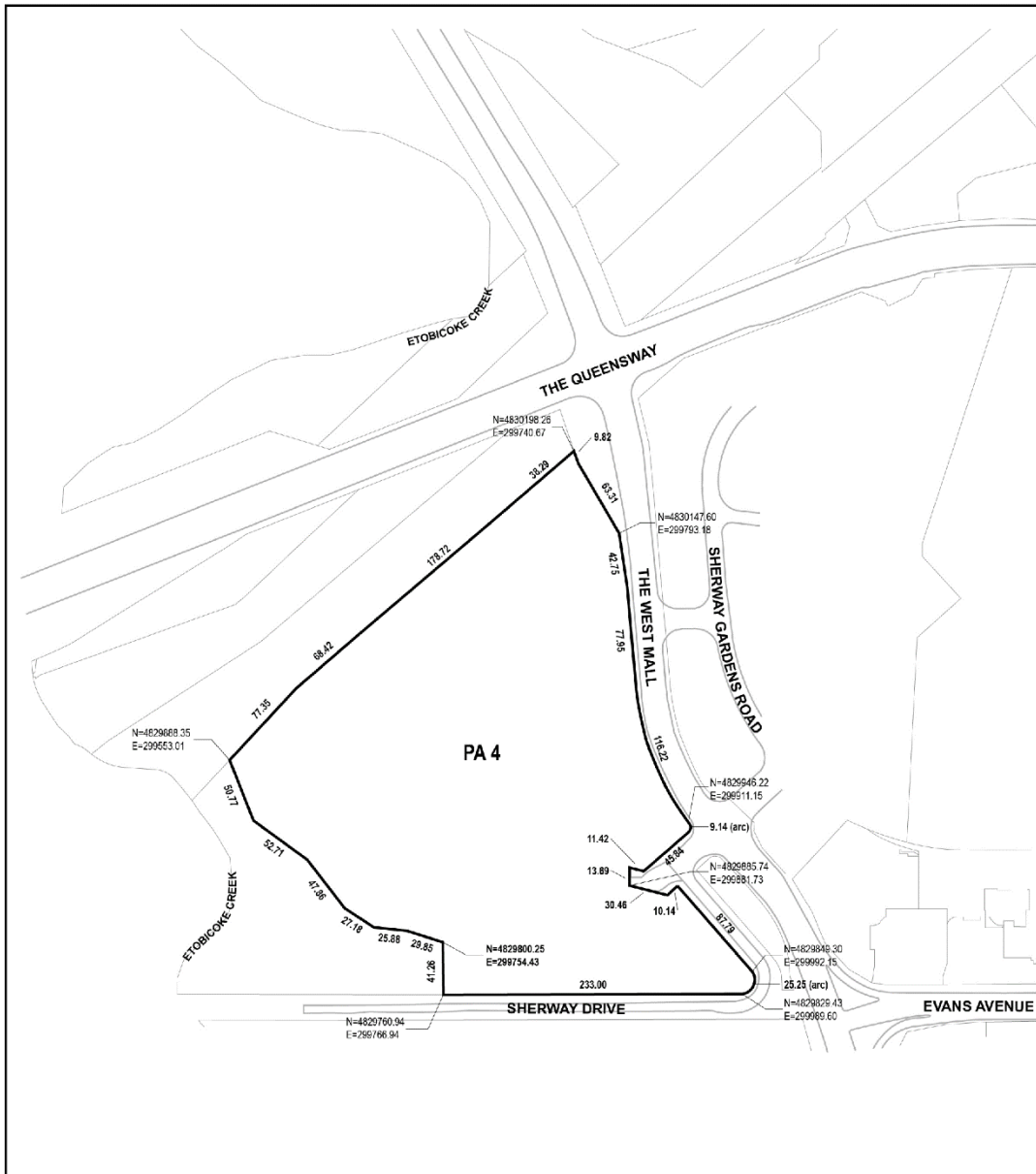
TORONTO
Diagram 3

140, 150, 160, 170, 190 and 220 Sherway Drive

File # 19 264614 WET 03 0Z

Note: Measurements are approximate and should be superseded by contents of relevant reference survey plans.


 City of Toronto By-law 569-2013
 Not to Scale
 08/25/2021



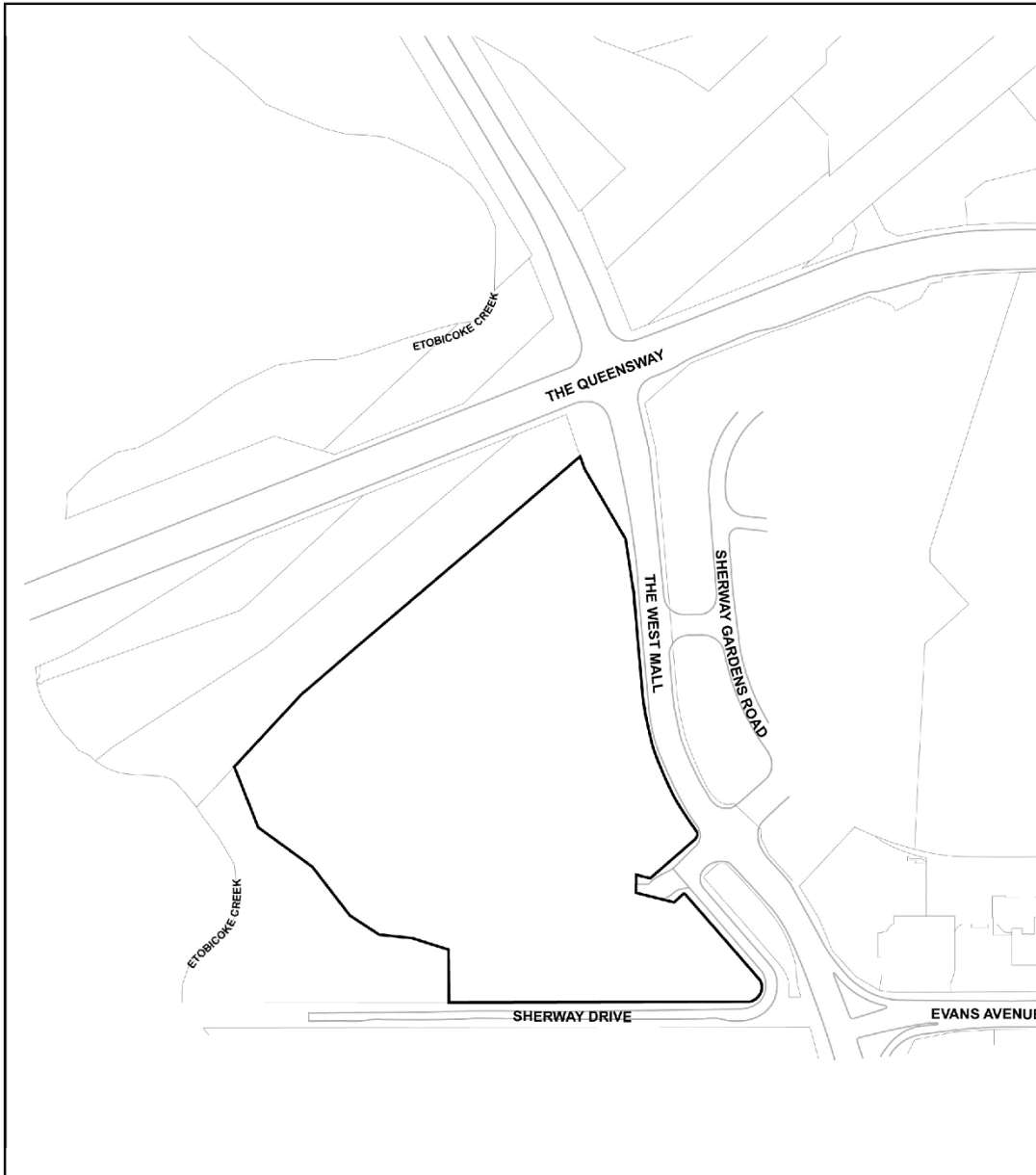
TORONTO
Diagram 4

140, 150, 160, 170, 190 and 220 Sherway Drive

File # 19 264614 WET 03 0Z

Note: Measurements are approximate and should be superseded by contents of relevant reference survey plans.

City of Toronto By-law 569-2013
 Not to Scale
 08/25/2021



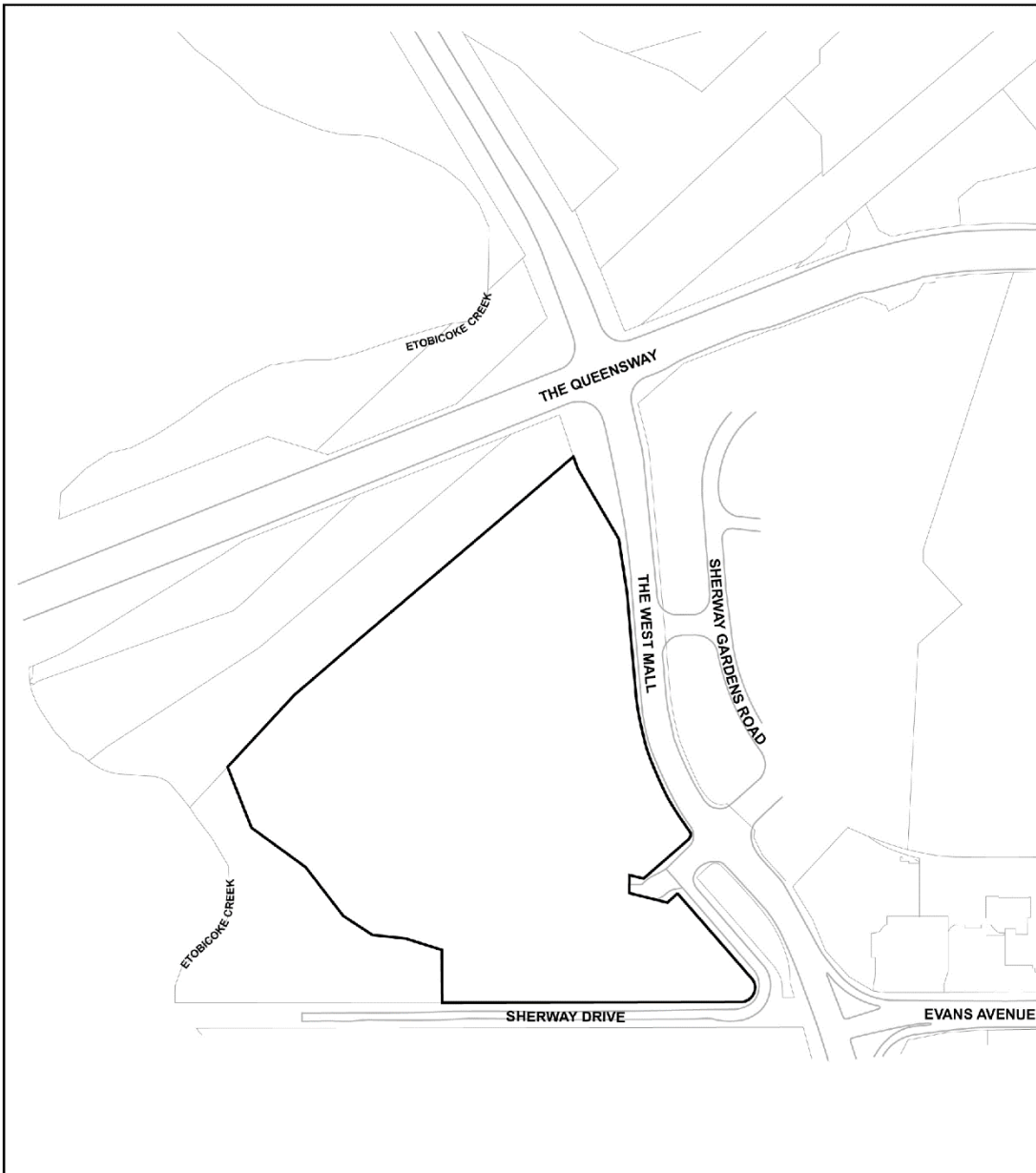
Toronto
Diagram 5

140, 150, 160, 170, 190 and 220 Sherway Drive

File # 19 264614 WET 03 0Z

Note: Measurements are approximate and should be superseded by contents of relevant reference survey plans.


 City of Toronto By-law 569-2013
 Not to Scale
 08/25/2021



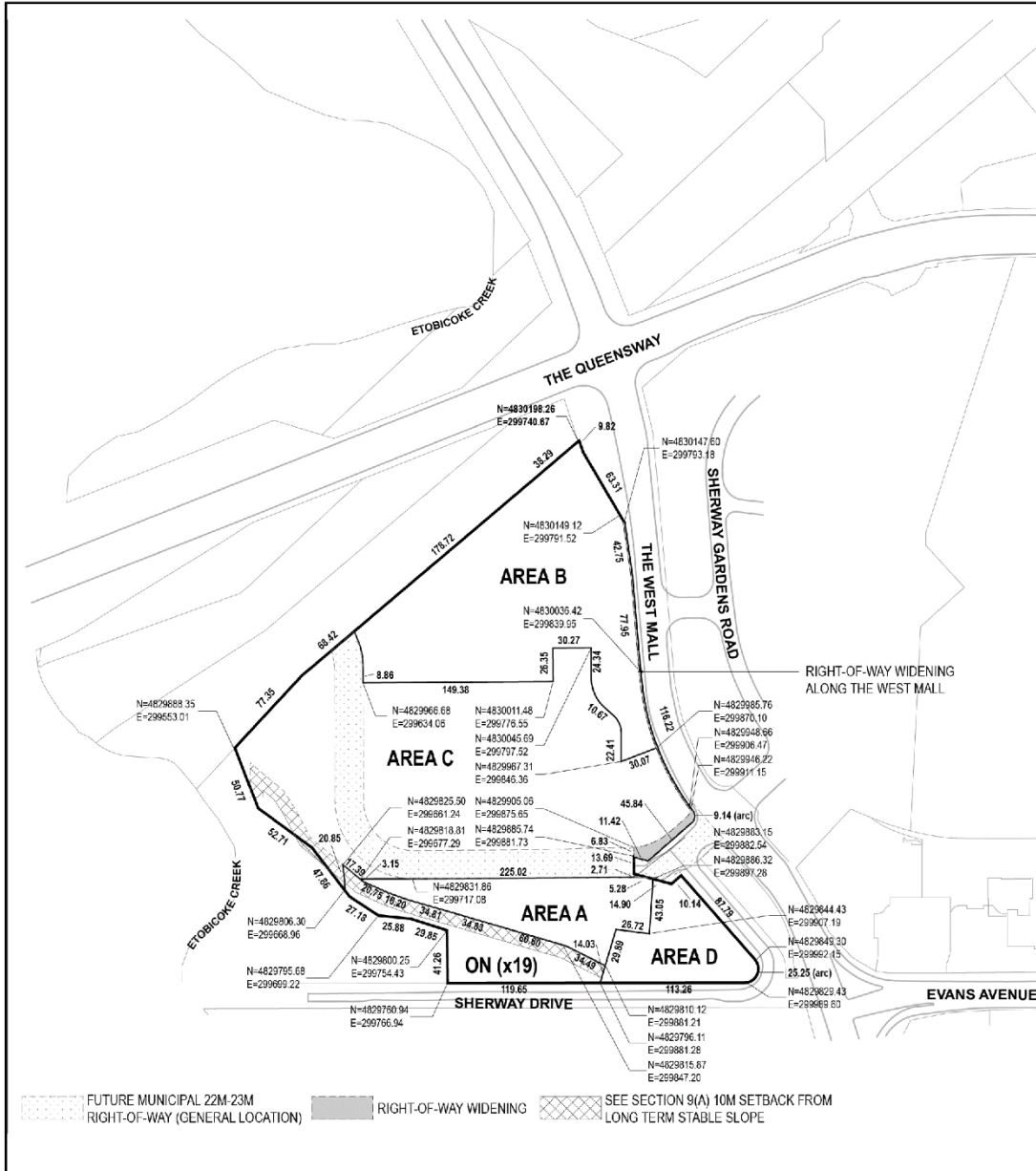
TORONTO
Diagram 6

140, 150, 160, 170, 190 and 220 Sherway Drive

File # 19 264614 WET 03 0Z

Note: Measurements are approximate and should be superseded by contents of relevant reference survey plans.


 City of Toronto By-law 569-2013
 Not to Scale
 08/25/2021



TORONTO
Diagram 7

140, 150, 160, 170, 190 and 220 Sherway Drive

File # 19 264614 WET 03 0Z

Note: Measurements are approximate and should be superseded by contents of relevant reference survey plans.

City of Toronto By-law 569-2013
Not to Scale
08/25/2021

