

2464, 2474, 2490 and 2500 Bloor Street West (1 and 2 Old Mill Drive) – Zoning Amendment Application – Final Report

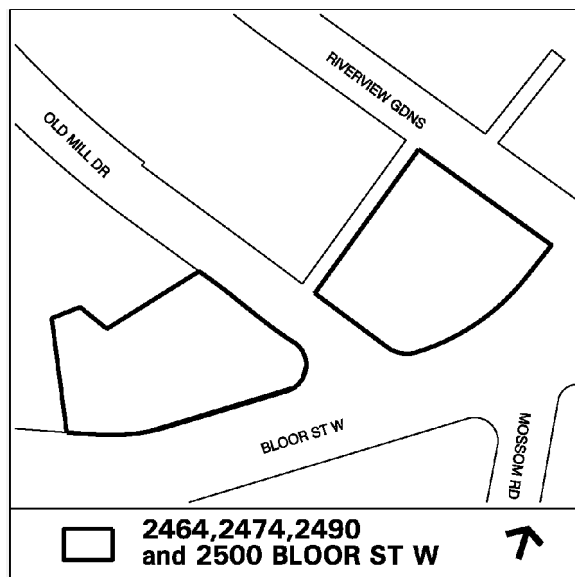
Date:	July 29, 2010
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 13 – Parkdale-High Park
Reference Number:	09 114473 WET 13 OZ

SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

At its June 22, 2010 meeting, the Etobicoke York Community Council considered a report dated July 3, 2010, from the Director of Community Planning, Etobicoke York District (EY38.9), which made recommendations regarding the realignment of Old Mill Drive and Riverview Gardens and also provided an evaluation of the proposed development of 2464-2500 Bloor Street West associated with the recommendations. Community Council deferred consideration of the report to its August 17, 2010 meeting, and requested that Director of Community Planning, also submit, if feasible, the Final Report on the planning application and provide for a Statutory Public meeting.

This is the Final Report associated with the Zoning amendment application. Much of the evaluation and analysis from the deferred Request for Directions report is brought forward in this report.



The applicant proposes to develop two parcels of land with a terraced 10-storey residential building at 2500 Bloor Street West (2 Old Mill Drive), and a 12-storey plus mezzanine level terraced mixed use building at 2490 Bloor Street West (inclusive of 2464 and 2474 Bloor Street West also know as 1 Old Mill Drive) as illustrated in Attachment 1 – Site Plan. The municipal addresses for the two sites were changed on June 7, 2010 to 1 and 2 Old Mill Drive. Both old and new municipal addresses have been referred to in this report to ensure consistency and transition.

Each site and associated community benefits are being addressed through separate site-specific zoning by-laws, with a corresponding Section 37 Agreement. The community benefits are pro-rated and indexed, while matters to be secured for legal convenience through the Section 37 Agreement will be cited in each individual agreement, and will be registered on title.

The application has been evaluated and assessed with respect to Provincial Policies, the City's Official Plan policy framework, urban design guidelines and various considerations including traffic, shadows, site servicing and good planning principles. This report reviews and recommends approval of the application to amend Zoning By-laws 438-86 and 1-83 for the two subject sites.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-laws 438-86 and 1-83 for the lands municipally know as 2464 – 2490 Bloor Street West (1 Old Mill Drive and 2490 Bloor Street West), substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
2. City Council amend Zoning By-law 483-86, for the lands municipally known as 2500 Bloor Street West (2 Old Mill Drive) substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-laws as may be required.
4. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands at 2464, 2474 and 2490 Bloor Street West (1 Old Mill Drive) in a manner satisfactory to the City Solicitor, to secure the following facilities, services and matters from the Owner at its expense:

- A. An indexed cash contribution of \$1,340,000 to be paid to the City prior to the issuance of the first above grade building permit, to be allocated generally as follows:
- i. \$ 145,000 for Bloor Street Streetscape improvements;
 - ii \$ 145,000 for Jane Street/Baby Point streetscape improvements;
 - iii \$ 250,000 for Traymore Park capital improvements;
 - iv \$ 50,000 for Baby Point Heritage Conservation District study;
 - v \$ 100,000 for Swansea Town Hall Capital Improvements;
 - vi \$ 650,000 for *day nursery* capital funds in the local area.

Such cash amount to be indexed upwardly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the sum by the *owner* to the City.

- B. A public art contribution in accordance with the Toronto Official Plan policies.
- C. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the *owner* shall provide 1:50 scale architectural elevation drawings for representative portions of the buildings with building materials, colours and finishes illustrated and labeled to the satisfaction of the Chief Planner and Executive Director (“Approved Exterior Development Details”).
- D. The *owner* shall incorporate in the construction of the building and there after maintain the Approved Exterior Development Details to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- E. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the owner shall provide a Construction Management Plan at its expense to the satisfaction of the Director, Technical Services.
- F. A portion of Old Mill Drive is required to form part of the *lot*.
- a. Prior to site plan approval pursuant to Section 114 of the *City of Toronto Act*:
 - i. the *owner* shall obtain the City’s approval of the closure and disposal of portions of Old Mill Road and of the land exchange of the closed portions of Old Mill Road for the portion of the *owner*’s lands abutting Riverview Gardens and shall enter into an agreement in respect of this land exchange to the satisfaction of the City Solicitor;

- ii. the *owner* shall enter into a Municipal Infrastructure Agreement to the satisfaction of the Director Technical Services and General Manager Transportation Services City which agreement shall include a requirement for, among other things, provision for a Construction Management Plan, infrastructure relocation, functional road and intersection design plans, traffic management measures, road realignment and reconstruction and associated financial securities;
 - iii. the *owner* shall remediate where necessary the lands on Riverview Gardens needed for the local road realignment to an environmental status that is to the satisfaction of the Director Technical Services, including the completion of a Peer Review by the City at the expense of the *owner*;
 - b. Prior to the issuance of the first above-grade building permit, the *owner* shall complete the realignment of Old Mill (including the relocation of services and utilities) to the satisfaction of the City in accordance with the approved Municipal Infrastructure Agreement and the Construction Management Plan;
 - c. Within 18 months from the issuance of the first above grade building permit and prior to the first occupancy of the development, the *owner* shall complete the realignment of Riverview Gardens to the satisfaction of the City in accordance with the approved Municipal Infrastructure Agreement and the Construction Management Plan.
- G. The *owner* shall enter into a site plan agreement to the satisfaction of the Chief Planner and Executive director City Planning Division under Section 114 of the *City of Toronto Act*, 2006 which agreement shall incorporate plans of the proposed realignment of the local roads.
- H. The *owner* shall complete a post-development Traffic and Road Safety Audit and provide a financial security of \$100,000 to the satisfaction of the General Manager Transportation Services to ensure completion of the audit.
- I. The *owner* shall satisfy the requirements of the Toronto Catholic District school Board and the Toronto District School Board regarding warning clauses and signage.
- J. The *owner* shall undertake a technical review of the proposed development and satisfy the requirements of the Toronto Transit Commission (“TTC”).
- K. The *owner* shall agree to provisions regarding environmental sustainability, wind mitigation, municipal services and street tree irrigation.

- L. The *owner* shall enter into and register on title to the lands known municipally in 2009 as 2464, 2474 and 2490 Bloor Street West one or more agreements with the City pursuant to Section 37 of the *Planning Act*, to the satisfaction of the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, to secure the facilities, services and matters set forth in this Appendix 1.
5. Before introducing the necessary Bills to City Council for enactment authorize the appropriate City officials and the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act satisfactory to the Chief Planner and Executive Director City Planning Division and the City Solicitor . The agreement to be registered on title to the lands at 2500 Bloor Street West (2 Old Mill Drive) in a manner satisfactory to the City Solicitor and to secure the following matters from the Owner at its expense:
- A. An indexed cash contribution of \$760,000 to be paid to the City prior to the issuance of the first above grade building permit, to be allocated generally as follows:
 - i. \$ 105,000 for Bloor Street Streetscape improvements;
 - ii. \$ 105,000 for Jane Street/Baby Point streetscape improvements;
 - iii. \$ 100,000 for Traymore Park capital improvements;
 - iv. \$ 50,000 For Baby Point Heritage Conservation District study;
 - v. \$ 350,00 for *day nursery* capital funds in the local area;
 - vi. \$ 50,000 for Swansea Town Hall Capital Improvements.

Such cash amount to be indexed upwardly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the sum by the *owner* to the *City*.

- B. A public art contribution in accordance with the Toronto Official Plan policies.
- C. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the *owner* shall provide 1:50 scale architectural elevation drawings for representative portions of the buildings with building materials, colours and finishes illustrated and labeled to the satisfaction of the Chief Planner and Executive Director (“Approved Exterior Development Details”).
- D. The *owner* shall incorporate in the construction of the building and there after maintain the Approved Exterior Development Details to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

- E. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the *owner* shall provide a Construction Management Plan at its expense to the satisfaction of the Director, Technical Services.
 - F. Prior to first occupancy of the development the *owner* shall prepare the City-owned lands being a portion of the parking area at the rear of the lands to an environmental status that is to the satisfaction of the General Manager of Parks Forestry and Recreation Division, including the completion of a Peer Review by the City at the expense of the *owner*, and reinstate the said lands to parks standards the satisfaction of the General Manager of Parks Forestry and Recreation Division.
 - G. The *owner* shall design and construct a publicly-accessible open space, secured for public use through an easement in favour of the City, on a portion of the *lot* adjacent to Traymore Park, to the satisfaction of the General Manager of Parks, Forestry and Recreation in consultation with Executive Director of Technical Services and City Planning. The *owner* shall be required to post a letter of credit equal to 120% of the value of the design and construction of the publicly-accessible open space.
 - H. The *owner* shall satisfy the requirements of the Toronto Catholic District school Board and the Toronto District School Board regarding warning clauses and signage.
 - I. The *owner* shall undertake a technical review of the proposed development and satisfy the requirements of the Toronto Transit Commission (“TTC”).
 - J. The *owner* shall agree to provisions regarding environmental sustainability, wind mitigation, municipal services and street tree irrigation.
 - K. The *owner* shall enter into and register on title to the *lot* one or more agreements with the City pursuant to Section 37 of the *Planning Act*, to the satisfaction of the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, to secure the facilities, services and matters set forth in this Appendix 1.
6. The proponent be required to prepare and implement, at their expense, appropriate traffic management measures to address potential traffic infiltration, pedestrian safety and possible impacts on Mossom Road, concurrent with the construction of the road realignments and the proposed development, to the satisfaction of the Directors of Transportation Services and Community Planning, Etobicoke York District.
 7. City Council authorize City Officials to take all the necessary steps, including the execution of agreements and documents to give effect to the above-noted recommendations.

Financial Impact

The recommendations in this report have no financial impact.

REQUEST FOR DIRECTION REPORT

A report dated July 3, 2010 from the Director, Community Planning, Etobicoke York District, seeking Direction from Council provided much of the analysis being presented in this Final Report associated with the Zoning amendment application for the two subject sites.

The proponent has proposed to realign Old Mill Drive and Riverview Gardens to intersect with Bloor Street West at right angles as illustrated on Attachment 7 - Conceptual Road Realignment Plan. The realigned roads will require an exchange/acquisition of lands between the proponent and the City as illustrated on Attachment 8 – Proposed Road Realignment Lands.

The development on the 2464-2490 Bloor Street West lands is proposed to occupy lands that are presently City-owned. As a result, staff sought direction from Council with respect to the necessary land transaction.

Coupled with the realignment proposal and the request for direction, was an analysis and evaluation of the proposed development in order to provide Council a full account of the proposed development that would result, in order to provide a more appropriate context for consideration of the realignment issue.

BACKGROUND

In April 2008, City Council approved Official Plan Amendments 169 and 362 and Zoning By-laws 357–2008 and 355-2008 to permit the redevelopment of the lands at 2442 Bloor Street West, on the site of the former Humber Odeon Cinema, with a ten storey, mixed use building. The sites are located a short distance east of this proposed development that is the subject of this report. Since the approval, additional properties have been assembled west of the Humber Odeon Cinema site to Riverview Gardens. No further applications have been filed to date.

On June 10, 2008, Etobicoke York Community Council received a City Planning Information Report regarding the Bloor West Village Urban Design Study (2005). The Study, which was commissioned by the Bloor West Village BIA, in collaboration with a number of neighbourhood organizations, and undertaken by the firm of Office for Urbanism, provided an analysis of existing conditions; identified potential redevelopment sites; and, provided suggested broad based design guidelines as a framework for future development along Bloor Street West between the Humber River and High Park / Clendenan Avenue.

As part of that report, City Planning staff recognized that future redevelopment of the subject sites would prompt the requirement for an Avenue Segment Study, but that staff would “work with the local Councillor and the community for an appropriate public consultation process at that time, including the potential for a public charrette.” The charrette was held in October 2009, and is detailed later in this report.

ISSUE BACKGROUND

Proposal

The original submission proposed a residential condominium building at 2500 Bloor Street West (2 Old Mill Drive) and a mixed use, residential and retail, condominium building at 2490 Bloor Street West (1 Old Mill Drive).

The proposed building at 2500 Bloor Street West, consisted of 217 residential dwelling units. The building proposed was 13 storeys in height, with a maximum height of 43 metres, stepped down northwards to 7 storeys, and was flanked to the east and west with a 10-storey component that stepped down westward to 2 storeys. There was a 2-storey podium along the Bloor Street West frontage continuing around the corner to Old Mill Drive. The proposed Floor Space Index (FSI) was approximately 5.8 times the lot area.

The proposed building on the 2490 Bloor Street West site consisted of 271 residential units in a 16-storey building with a maximum height of 56.5 metres, stepping down northwards to 10 storeys; eastwards to 12 storeys; and, westwards to 12 storeys. There was a 2-storey podium containing retail uses at grade facing Bloor Street West and Riverview Gardens. The proposed FSI was approximately 8.0 times lot area. The blended FSI of the development was approximately 6.6 times the area of the lots.

After the Design Charrette and obtaining feedback from the October 5, 2009 community consultation meeting, the proponent submitted a revised proposal on February 17, 2010. The original proposal was modified to reduce the height and reshape the building mass. The overall statistical comparison between the original and revised concepts is as follows:

2490 Bloor Street West

	March 5 /09 submission	February 17 /10 submission
Site Area	4,007.6 sq. m	4,007.6 sq. m
Gross Floor Area	30,126 sq. m	30,469.9 sq. m
Height	50.55 m (16 storeys)	39.65 m (12 storeys + Mezzanine)
Dwelling Units	271	284
Parking	382	378
Bicycle Parking	201	213

2500 Bloor Street West

	March 5 /09 submission	February 17 /10 submission
Site Area	4,119.7 sq. m	4119.7 sq. m
Gross Floor Area	23,695 sq. m	22,359.7 sq. m
Height	43 m (13 storeys)	32.5m (10 storeys)
Dwelling Units	217	220
Parking	304	285
Bicycle Parking	169	178

Following the submission of the revised proposal, staff held a series of meetings with the proponent in an effort to further refine the revised development to better address Official Plan policies, Urban Design Guidelines and charrette principles. The result has been a further decrease in the number of dwelling units and density, and a more pronounced sculpting of the buildings to further improve the design and massing of the buildings and relationship to their context.

The comparative data is as follows:

2490 Bloor Street West

	February 17 /10 submission	Up to June 2, 2010
Site Area	4,007.6 sq. m	4,007.6 sq. m
Gross Floor Area	30,469.9 sq. m	27,725.11 sq. m
Height	39.65 m (12 storeys + Mezzanine)	39.95 m (12 storeys + Mezzanine)
Dwelling Units	284	230
Parking	378	369
Bicycle Parking	213	To Comply with By-law 438-86 requirements

2500 Bloor Street West

	February 17 /10 submission	Up to June 2, 2010
Site Area	4119.7 sq. m	4,119.7 sq. m
Gross Floor Area	22,359.7 sq. m	20,056.5 sq. m
Height	32.5m (10 storeys)	32.55 m (10 storeys)
Dwelling Units	220	166
Parking	285	261
Bicycle Parking	178	To Comply with By-law 438-86 requirements

From the time that the Request for Directions report was finalized to the present, there have been minor refinements to the proposal. The comparative data is as follows:

2490 Bloor Street West (1 Old Mill Drive)

	Up to June 2, 2010	July 7 th /10
Site Area	4,007.6 sq. m	4,007.6 sq. m
Gross Floor Area	27,725.11 sq. m	27,452.64
Height	39.95 m (12 storeys + Mezzanine)	39.95 m (12 storeys + Mezzanine)
Dwelling Units	230	248
Parking	369	347
Bicycle Parking	To Comply with By-law 438-86 requirements	195

2500 Bloor Street West (2 Old Mill Drive)

	Up to June 2, 2010	July 7 th /10
Site Area	4,119.7 sq. m	4,119.7 sq. m
Gross Floor Area	20,056.5 sq. m	20,111.79
Height	32.55 m (10 storeys)	32.55 m (10 storeys)
Dwelling Units	166	160
Parking	261	250
Bicycle Parking	To Comply with By-law 438-86 requirements	178

A total of 408 residential dwelling units were illustrated on the plans received on July 7, 2010 for both buildings, with 972.68 square metres of retail gross floor area (included in the total gross floor area data). The relationship of total floor area to the area of the lots is a FSI of 5.85, with the 2500 Bloor Street West site having a gross floor area of 4.88 times the area of the lot, and the 2490 site having 6.85 times the area of its lot.

Since the July 7, 2010 submission, the proponent changed the proposed number of dwelling units and gross floor area. The gross floor area for the 2490 Bloor site was increased by 247.36 square metres, to a total of 27,700 square metres. While the gross floor area of the 2500 Bloor site was increased by 32.21 square metres to a total of 20,150 square metres.

With respect to the number of residential units, the applicant has stated that the final number of units has not been determined. Owing to the fact that the proponent has yet to finalize a site plan submission, the certainty with respect to the final number of dwelling units has not been fixed.

The draft zoning by-laws (Attachments 5 and 6) will serve to regulate the mass, form, density (gross floor area) and parking requirements for the two sites. These regulations shall ensure that the evaluations conducted shall be consistent and secured through the site plan process. The maximum number of dwelling units will be a function of the use of gross floor area and required parking, amenity space, and development within the permissive building envelopes.

With respect to residential dwelling units, staff note that the recent by-law amendment for 21 Old Mill (1229-2009) does contain a maximum number of dwelling units. However, the 2442 Bloor Street West amendment (356-2008), being a much smaller site, was drafted in a similar manner to the draft zoning By-laws attached to this report.

The former City of Toronto Zoning By-law 438-86 does not have any general provisions regulating density through maximum thresholds for dwelling units. The By-law is based a gross floor area relationships to the area of the lot. Attachments 5 and 6 are structured this way.

With respect to the density relationship of dwelling units to the lot area, staff note that the total number of dwelling units has fluctuated between a range of 504 to 396. The applicant has indicated that there exists a potential for an increase in the total number of dwelling units above 408, but that the gross floor area would not change.

The Traffic Study that was originally submitted to the City assessed the traffic impacts generated from 488 residential units and then subsequently the number of units was raised to 504, with a corresponding traffic addendum.

Both sites have the capability to provide additional parking spaces should the total number of dwelling units increase, but the details and a comprehensive evaluation must be addressed through the site plan process.

Site and Surrounding Area

The 2500 Bloor Street West site has an approximate lot area of 0.40 hectare at the northwest corner of Bloor and Old Mill Drive, with approximately 89 metres frontage on Bloor Street West and an approximate depth of 47.5 metres. The 2490 Bloor Street West site has an approximate lot area of 0.41 at the northwest corner of Bloor and Riverview Gardens with approximately 69 metres of frontage on Bloor Street West, and a depth of approximately 61 metres. The properties contained an automotive dealership and include a single-storey commercial building at 2500 Bloor Street West and a 4-storey office building at 2490 Bloor Street West. Both sites slope down, from east to west and from north to south. The grade difference from Bloor Street West to the north varies, but is generally about 5 metres.

Surrounding land uses are as follows (It should be noted that Bloor Street West at this location runs in a southwest to northeast orientation):

North of 2490 Bloor Street West: a public laneway, with a 2-storey commercial/residential house-form building and a municipal parking lot north of the abutting laneway, followed by a low density residential area further north.

North of 2500 Bloor Street West: Traymore Park followed by the low density residential area further north.

South opposite 2490 Bloor Street West: 3-storey mixed retail/office building, and opposite 2500 Bloor Street West is a 5-storey residential building.

West: 2 and 3-storey apartment buildings fronting the north side of Bloor Street West.

East: Riverview Gardens, then 2 to 5-storey mixed commercial/residential buildings.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

COMMENTS

Official Plan

The properties are located within an *Avenues* area on Map 2 - Urban Structure and are designated *Mixed Use Area* on Map 14 - Land Use Plan, for the portions of the lands being developed. *Avenues* are corridors along major streets where reurbanization is anticipated and encouraged in order to accommodate growth.

There is a small area located on the northern limit of the 2490 Bloor Street West lot that is designated *Neighbourhoods*, which is to remain outside the proposed building envelope, with the exception of a raised outdoor terrace for outdoor amenity space use. These lands generally correspond to the former City of York municipal boundary and limit of the R1 Zoning district for the former City of York.

These *Neighbourhoods* designated lands form part of the lands to be developed and are physically separated from the balance of the *Neighbourhoods* district by a public lane. The Official Plan provides guidance to interpret circumstances where land use designations do not coincide with physical features such as lanes and roads or property boundaries. Section 5.6 “Interpretation” of the Official Plan, policy 5 states:

“Boundaries of land use designations on Maps 13-23 inclusive are general except where delimited by a defined Secondary Plan or area specific policy, or where they coincide with fixed distinguishable features such as roads, public laneways, utility corridors, railroads, watercourses or other clearly defined physical features.

In all other instances, the boundaries of land use designations will be determined by a review of:

- a) existing zoning by-laws;
- b) prevailing lot depths;
- c) orientation of lot frontages;
- d) lot patterns; and
- e) land use patterns.”

Where the intent of the Plan is maintained, minor adjustments to boundaries will not require amendment to this Plan. In those situations where Council determines that greater certainty is desirable, area specific mapping will be adopted through an amendment to this Plan.” Given this interpretation policy and the intent of the Plan that the *Mixed Use Areas* designation apply to the lands fronting onto Bloor Street West, staff are of the opinion that an Official Plan amendment is not warranted.

The *Mixed Use Areas* designation permits a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development and is one of four designations identified in the Official Plan providing opportunities for increased jobs and/or population. The Official Plan states that “*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing.” However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

The Official Plan states that “Development in *Mixed Use Areas* located on *Avenues*, prior to the completion of an Avenue Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenues*. In addition to the policies of the Plan for *Mixed Use Areas*, proponents of such proposals will also address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located.

This review will:

- include an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- consider whether incremental development of the entire Avenue segment as identified in the above assessment would adversely impact any adjacent *Neighbourhoods*;
- consider whether the proposed development is supportable by available infrastructure; and
- be considered together with any amendment to the Official Plan or Zoning By-law at the statutory public meeting for the proposed development.”

Further, “development in *Mixed Use Areas* on *Avenues* that precedes the completion of an Avenue Study will:

- support and promote the use of transit;
- contribute to the creation of a range of housing options in the community;
- contribute to an attractive, safe and comfortable pedestrian environment that encourages walking and strengthens local retailing;
- provide universal physical access to all publicly accessible spaces and buildings;
- conserve heritage properties;
- be served by adequate parks, community services, water and sewers, and transportation facilities; and
- be encouraged to incorporate environmentally sustainable building design and construction practices.”

Development requiring a rezoning will not be allowed to proceed prior to completion of an Avenue Study unless the review demonstrates to Council’s satisfaction that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review.

An Avenue Segment study for Bloor Street West between Windermere Avenue and the Humber River, was submitted in support of the original proposal for the 16 and 13-storey buildings, to satisfy the Official Plan criteria. The study concluded that the proposed development would not establish a negative precedent for future development along the Bloor Street West segment that was studied. The number of potential future development sites, or soft sites within the studied segment, was also very limited. A detailed evaluation of the study is provided later in this report. A copy of the Avenue Segment Study has been submitted to Clerks’ staff to post on the City’s agenda webpage.

The Official Plan includes cited Development Criteria in *Mixed Use Areas*, which include, but are not necessarily limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The sites have particular characteristics (lot size, depth, orientation, topography and context relationships to the neighbourhood and avenue), which have been carefully considered throughout this review and process.

The proposed development provides a range of new residential dwelling units sizes and local commercial uses, which will provide for new jobs and homes on underutilized lands. The two buildings, as currently proposed, are sited on Bloor Street to edge the Avenue in an appropriate scale and incorporate stepping, setbacks and other design elements to transition the development to the north and beyond to the properties designated *Neighbourhoods* in the Official Plan.

Shadows that will result from the buildings have been evaluated and angular planes have been used so that no unacceptable shadow impacts would be experienced by the neighbourhood to the north, or the abutting Traymore Park. A detailed explanation and evaluation of the angular planes, shadows and urban design guidelines is provided later in this report.

The proposed development provides for good site access and circulation to both sites, with the 2490 Bloor Street West building gaining access from the abutting public lane. The proposed buildings provide for adequate indoor and outdoor amenity, with adequate on-site parking.

The buildings have been designed to accommodate wide sidewalks to allow for pedestrian comfort and safety, with opportunity for continuous street tree planting. Stepping and articulation of the building has been incorporated into the design to provide for an attractive and comfortable pedestrian scale and relationship to the public realm.

The two sites are located within 400 metres of the Jane Street subway station. The intensification of the lands provides an opportunity for greater transit use and reduction on car dependency.

Zoning

The sites are zoned CR T2.5 C2.0 R1.5 by the former City of Toronto By-law 438-86. The CR zone permits a mix of commercial and residential uses up to a total density of 2.5 times the area of the lot, of which a maximum of 2.0 times the area of the lot is permitted to be commercial use and 1.5 times the area of the lot residential use. The maximum permitted height for the site is 14.0 metres.

A small portion of the 2490 Bloor Street West site is zoned R1 by the former City of York By-law 1-83, which corresponds generally to the *Neighbourhoods* designation affecting the site. (See Attachment 3 - Zoning Map)

Site Plan Control

Site Plan Control is applicable but an application has not been submitted, pending finalization of the zoning matters and the road realignment process and requirements.

Ravine By-law

A portion along the west and north lot lines of 2500 Bloor Street West and along the north boundary of 2490 Bloor Street West is subject to the Ravine and Natural Features Protection By-law. Matters to address the potential loss of planting area will be evaluated through the site plan process.

Reasons for Application

The proposed development does not comply with the maximum permitted density and height provisions of Toronto By-law 438-86 as amended.

It also requires relief, for the part of the properties zoned CR T2.5, C2.0, R1.5, from the definition of grade and from setback requirements. The proposal is also not permitted by the former City of York Zoning By-law 1-83 as amended. For these reasons, this zoning amendment application is required.

Community Consultation

Prior to the submission of the subject Zoning Amendment application, the proponent established a Working Design Group, comprised of representatives from area residents associations and the Bloor West Village BIA. The Working Design Group was comprised of representatives of the Bloor Jane Humber Resident's Group; Old Millside Residents Association; Swansea Area Ratepayers Association; Bloor West Village Residents Association; World 19; and, the Bloor West BIA, who were invited by the proponent to participate. Design principles that were developed from their process were discussed and considered at the City initiated Design Charrette.

In accordance with the staff comments associated with the Bloor West Village Urban Design Study that was received by Community Council in June 2008, and the recommendations made by Planning staff in the initial Preliminary Report, an Urban Design Charrette was held on October 14, 21, and 28, 2009, to review the proposed development and establish design principles for the segment of Bloor Street West between the Humber River and Windermere Avenue.

Design principles that stemmed from this charrette process were used by staff to provide additional guidance in the evaluation of the proposed developments.

A Community Consultation meeting was held on October 5, 2009, in consultation with the Ward Councillor at St. Pius X Catholic School, at 71 Jane Street. This meeting was to obtain community feedback regarding the originally proposed 16 and 13 storey buildings. Approximately 250 people attended the meeting.

Issues raised by the public were as follows:

a) **Heritage**

Historic built form fabric and Archaeology were raised as a concern regarding the traditional paths that reflect the road system. Realignment of the roads would not honour the historic paths. Further concerns regarding archaeological first nations elements were raised. The proposed development was perceived as not respecting area heritage elements.

Heritage Preservation has been circulated the proposed development, and no objections have been received, however, a more comprehensive analysis will be conducted through the site plan control process with respect to archaeological assessment of the sites, if necessary. With respect to traditional paths and the proposed road realignments, only a small segment of the roads are proposed to be realigned.

Careful consideration has been made to ensure that paths, linkages and access to and from the two sites is appropriate and fits with the proposed physical context.

b) Height, Mass, Shadows and Density

The proposed height of the buildings would be exaggerated by the elevation drop to the north. Due to the change in grade (6-9 metres), the proposed 13 and 16-storey buildings would appear 2 to 3-storeys higher from the neighbourhood to the north. The heights are perceived to have an adverse impact to the north (Neighbourhood and Park). The bulk of the buildings adds to the perceived shadow impacts and affects sky view. Concerns with the design and scale of the development not being a “FIT” with the Bloor Street West physical character was raised. The proposal and design of the building was viewed as not complimentary with the physical context. The proposed height and density were thought to generate too much population and traffic.

Staff’s review of these concerns is addressed in the following sections of this report. It should also be noted that the existing car dealership use and related hard surface parking is long standing, but now considered underdevelopment of the lands and not a desirable use within the context of the area.

c) Population

There was mention of an inadequacy of school accommodation in the area and other community facilities that would be further strained by the proposed development.

Both publicly funded School Boards were circulated the original and second submission. Conditions have been requested by both Boards to require the proponent to post notice signs and implement warning clauses in agreements of purchase and sale indicating that children may be accommodated in classroom portables or at schools outside the area.

With respect to other community services, staff will secure community benefits as outlined under the Section 37 heading of this report to address community facilities and services.

d) Traffic

Concerns over access, increased traffic and traffic infiltration to the north were raised, particularly with the proposed realignment of Old Mill Drive and Riverview Gardens with South Kingsway. This was a major topic of concern that was repeatedly voiced.

Concern were expressed that the traffic impact study area was not geographically large enough, and should include Swansea to Lake Ontario and the Humber River Basin.

Transportation Services staff have reviewed the Traffic Impact Study and proposed road realignments. No objections have been raised with the Traffic study, and staff are in support of the proposed road realignments to improve intersection sight lines and improve safety for the two intersections, among other reasons.

e) Environment/Green Initiatives

Questions were raised regarding green/environmental inclusions for the development. Green roofs, and surface greening were raised as a means to respect the Humber River natural system, nearby ravines, underground streams and general greening of the area.

The proposed development will meet the City's Green Development Standards Tier 1, and incorporate green roofs, as well as additional landscaping for the lots. The proponent has also stated that the development will incorporate green standards above the Tier 1 requirement.

f) Infrastructure

Concerns were expressed in regard to the availability and adequacy of materials/studies submitted for staff review.

There were concerns raised regarding hydrological concerns; watermain problems (the last two years there have been numerous breaks) and flooding to the area, emphasizing the ecological importance.

Technical Services staff have reviewed the Functional Servicing Report submitted by the applicant and additional information with respect to sanitary flows to the Baby Point pumping station. Infrastructure upgrades will be required and will be secured through Agreements that will be registered on the lands.

g) Design

The design concept of the building was raised. Does it appropriately fit the area, and its physical context?

Staff note the design of the proposed two buildings has been modified significantly since this comment was received, however, it was maintained even through the second community consultation meeting.

With the feedback gained from the Community Consultation Meeting, the design principles developed in the City-initiated design charrette that was held on October 14, 21, and 28 2009, and the design principles that were cited in the Bloor Street West Design study (2005), staff engaged the proponent with the intent to use this guidance to redesign the proposal, and guide the development to its current iteration.

The applicant redesigned the proposal and submitted a revised development concept on February 17, 2010.

A second community consultation meeting was held on April 29, 2010, at Runnymede Collegiate Institute to obtain feedback with respect to the revised development proposal (10 and 12-storey buildings). The main issue raised was traffic infiltration that may result from the realignment of Old Mill Drive and Riverview Gardens. Transportation Services staff were present to answer questions, and stated that the realignments are appropriate to improve safety and address infiltration concerns and that Transportation Services would be recommending to City Council that it be secured.

Other objections raised were associated with the proposed building heights, density and the potential precedent that may be established for other assembled properties located east of Riverview Gardens.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS as it proposes to redevelop two underutilized parcels that have been historically used for automobile sales, office and parking, with intensified mixed use and residential developments.

The two buildings will offer new housing with a range of sizes, and local commercial uses in one of the buildings, which is consistent all the relevant policies in Part V of the Statement. Specifically, the proposal is consistent with and does not offend the policies in Section 1.1 “Managing and Directing Land Use To Achieve Efficient Development and Land Use Patterns”.

The redevelopment promotes the efficient use of land, resources, infrastructure, with densities that can support public transit, as the sites are located within 400 metres of the Jane Street TTC transit station.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use / Evaluation Considerations

The framework for reviewing redevelopment proposals in this area includes the Provincial Policy Statement, the Growth Plan, the City's Official Plan, the Zoning By-law, the Avenue Segment Study, the 2005 Bloor West Village Urban Design Study and community consultation.

While the Official Plan provides overall policy guidance for land use matters, staff also use other tools to assist in the evaluation of proposed developments and ultimately the formulation of recommendations for City Council to consider when rendering a decision. With respect to these two sites, an Avenue Segment Study was submitted for staff's review, in accordance with Official Plan policies. Staff have also used other evaluation tools including an analysis of angular planes, shadow studies, urban design practices and emerging performance standards for mid-rise buildings.

a) Avenue Segment Study

The Segment Study submitted, as required by the Official Plan for development on Avenues prior to the completion of an Avenue Study, illustrates a detailed analysis of development potential on soft sites in the area, focusing on the stretch of Bloor Street West between the Humber River and Windermere Avenue. There were a total of 4 soft sites identified in the Segment Study, not including the two subject sites.

As set out in the City's Official Plan, the Mixed Use Avenues, as well as Downtown and the Centres, are to accommodate growth in population and jobs. New development along the Avenues is to be compatible with and not adversely impact upon the Neighbourhoods which they serve. Contextually appropriate massing, scale, siting and organization of buildings and appropriate scale transitions to adjacent areas are to be achieved with new development.

The Segment Study Review concluded that subsequent development will have no adverse impacts within the subject context. However, staff do not concur with certain aspects of the Segment Study, namely the Primary Boundary illustrated on the Study Area Map (which represents lands which lie beyond the "Avenue" and the land use designation which is generally associated with the lots fronting onto the Avenue, thereby extending potential development sites into the lands designated "Neighbourhoods") and also the location of where the angular planes are to be taken from.

Also, the analysis for Soft Site 1 (2442-2454 Bloor Street West – Humber Odeon to Riverview Gardens) and for the two subject parcels is not consistent with the manner in which the City establishes setbacks and angular planes, generally from the property line of the lane abutting residential land uses. Applying this methodology and considering the lot depth of this site, the height will be constrained.

Soft Sites 2 (2487-2489a Bloor Street West – Commercial uses on south side of Bloor Street West, west of Mossom Road), 3 (2485 Bloor Street West – Esso Gas Station at South Kingsway) and 4 (2333-2365 Bloor Street West and 237 Willard Avenue) have been appropriately modeled with regard to setbacks and angular planes.

The Avenue Segment Study refers to the proponent's initial development proposal of 16 storeys at 2490 Bloor Street West and 13 storeys at 2500 Bloor Street West, which concluded that the proposed developments would not create a negative precedent for the area studied.

Staff did not concur with some of the methodologies and assumptions cited in the study, but used it as a base for further refinement with the proponent to address the aforementioned areas of concern. This resulted in the proposed site plan layouts which fill the sites, maximizing the building envelopes by pushing the buildings out to the property boundaries and a lowering of the overall mass and heights of the buildings.

A copy of the Avenue Segment Study will be forwarded to City Clerks for posting together with this report for public viewing.

The Official Plan speaks to the issue of existing and planned context in a sidebar. It is an important consideration because the accommodation of growth on the Avenues will mean a change from the existing context. The Plan policies call for an Avenue Segment Study as a means to evaluate the larger context and implications for the area. This study was submitted and reviewed for this application as outlined above. With the provisions noted above regarding aspects of the study not accepted by staff, the change that is anticipated through the Segment Study, applications approved and un-built and other relevant considerations suggest:

- Overall heights west of Jane Street that step down following the grade of the Bloor Street West in a mid-rise avenue-oriented built form;
- Limited opportunities for rapid redevelopment or incremental development due to existing conditions (e.g. existing uses, depth of lots, preservation of rental housing); and
- Limited opportunities up to 8-9 storeys (30 metres) except where site and context conditions afford additional height (e.g. terminus of South Kingsway, depth of lots).

b) Angular planes

Although the subject sites are currently zoned CR and angular planes are not a specific regulation, as they are in MCR zones, with the request for a rezoning it is appropriate to use angular planes as a tool of evaluating acceptable mass and heights of the proposed buildings on the subject sites. There are some irregularities in the area zoning and Official Plan designations as a result of the former City of York and City of Toronto boundaries. Normally the "Avenues" would correspond to zoning along the major street to the depth of the lots fronting onto the major street, in this case the zoning follows the former municipal boundaries instead.

Staff has recommended that the proposal be evaluated using 45 degree angular planes and setbacks from where they would normally be taken and that the new performance standards guidelines pertaining to the "Avenues and Mid-Rise Buildings Study" be referenced to assist in assessing height, overlook, sky views, etc. The proposed buildings generally conform to the performance standards guidelines regarding setbacks and angular planes. Due to the proposed articulation of the building mass on these irregularly shaped sites, most of the proposed buildings are within the angular plane envelopes while some portions penetrate the plane.

c) Bloor West Village Design Study (2005)

In June 2008, the Etobicoke York Community Council received an Information Report from the Director, Community Planning, Etobicoke York District pertaining to the Bloor West Village Urban Design Study and how the study is applied by City staff to redevelopment projects in the area. The study was initiated for the Bloor Street West properties between High Park and the Humber River and areas of surrounding influence, by the Bloor West Village BIA, in association with a number neighbourhood organizations, for their purposes, and had no staff input in its formulation.

The Bloor West Village Urban Design Study analyzes the existing conditions and provides an Urban Design Framework and Design Principles. The subject sites are within the South Kingsway Character Area as defined in the study. The study envisions a "high quality residential apartment area with some mixed uses and an appealing streetscape and a gateway into the Bloor West Village." Redevelopment of the auto-oriented uses are encouraged with streetscape improvements and buildings with a maximum of 4 storeys at the street edge stepping "up to a maximum of 8 storeys (25 metres) on the north side of Bloor Street where appropriate buffering from adjacent low-rise residential areas exist, subject to the conditions outlined".

The maximum heights proposed were not comprehensively analyzed or tested, in the 2005 study. In general, the subject sites are larger and deeper than the other parcels in the study area identified for possible redevelopment at an 8-storey maximum height and as such are able to accommodate greater heights while providing for adequate buffering from the adjacent low-rise residential areas. The redevelopment proposal meets the guidelines in Appendix A of the Design Study by providing: setbacks above the 4th storey, no exposed party walls, no adverse wind or shadow impacts, sufficient parking, significant improvements to service areas and to the rear view of the development, a building base consistent with adjacent buildings, expression of the top levels of the buildings, resolution of service access and traffic circulation, the creation of new open space on some existing parking areas.

d) Mid-rise Buildings Performance Standards

The Performance Standards for Mid-Rise Buildings have been evolving throughout the course of the review of the subject application and have been used as a guide to help sculpt the buildings and achieve appropriate base heights, setbacks and stepbacks. The study was adopted by City Council on July 6, 2010.

Density, Height, Massing

The proposed buildings have been massed and sited to fit within the uniquely shaped lots, providing an urban edge along Bloor Street West, while stepping down in height as the buildings move towards the low density neighbourhood and parklands to the north.

The two buildings have incorporated step-backs in the front (south) elevations in order to have a pedestrian scale achieved and an appropriate relationship to Bloor Street West.

The buildings are also setback from the front lot line in order to provide a generous width to the future pedestrian realm and streetscape enhancements.

The 2490 Bloor Street West site (1 Old Mill Drive) is proposed to have a height of up to 12 storeys (39.95m plus mechanical penthouse), with an integrated mezzanine level. The 2500 Bloor Street West site (2 Old Mill Drive) is proposed to have a height of up to 10 storeys (32.55 m plus mechanical penthouse). The buildings are sculpted with a series of step-backs and terraces to address potential shadow and privacy impacts, as well as to provide interface and transition to the existing and planned physical context in the immediate surroundings. Separation distances to the residential houses to the north from the proposed development range from 25 to 50 meters which aides in mitigating impact and supporting transition. (see Attachments 1 and 2 – Site Plan and Elevations) .

A total of 408 residential dwelling units are illustrated in the plans submitted on July 7, 2010 for both buildings, with 972.68 square metres of retail gross floor area (included in the total gross floor area data). The relationship of total floor area to the area of the lots is a FSI of 5.85, with the 2500 Bloor Street West site having a gross floor area of 4.88 times the area of the lot, and the 2490 site having 6.85 times the area of its lot.

Sun, Shadow, Wind

The applicant has provided sun/shadow studies of all the proposed schemes to allow staff to assess the impacts of the shadows that the proposed buildings will cast on neighbouring properties, as required by the Official Plan. The study associated with the current scheme shows the position of the shadows every hour from 9:18 a.m. to 6:18 p.m. on March 21 and September 21. The study also includes shadows during June 21st and December 21st.

Planning staff are of the opinion that the shadow impacts from the currently proposed development on its neighbours are reasonable. At 9:18 a.m. the shadows cast by the proposed two buildings partially affect one property on Traymore Crescent, four properties on the west side of Old Mill Drive and four properties on the east side, while four properties are partially in shadow on the west side of Riverview Gardens. By 10:18 a.m., only two properties are partially in shadow on the west side and one on the east side of Old Mill Drive, while one property is in shadow on the west side of Riverview Gardens. By 11:18 a.m., the shadows are off all the residential properties.

With respect to shadows cast onto Traymore Park on March 21st and September 21st, the shadows are on a portion of the park in the morning with the majority of the park being in sunlight by 12:18 p.m. and completely free from shadows by approximately 2:00 p.m.

The use of angular planes to sculpt the terracing and step backs of the two buildings has reduced the extent and duration of shadows to an acceptable level, while providing a reasonable sky view for the neighbouring properties to the north.

The applicant submitted a Pedestrian Wind Assessment study, prepared by RWDI Consulting Engineers and Scientists, in support of the original first submission. A memorandum dated July 27, 2010 has also been submitted that provides preliminary feedback regarding the revisions made to the two buildings.

The memorandum recommends that detailed analysis be conducted, further in the design process to address mitigation features that can be incorporated into the building design. Staff will require that a detailed wind assessment be required, prior to the issuance of site plan approval. Wind mitigation measures are also cited as a Section 37 requirement.

Traffic Impact, Access, Parking

A Traffic Impact Study dated February 2009, prepared by Read, Voorhees & Associates, was received on March 5, 2009 with the original application submission. The study proposed to realign Old Mill Drive and Riverview Gardens.

With the modifications made to the proposed original scheme, an updated Traffic Impact Study, dated February 2010, was submitted with a Sight Line Sketch later presented at March 17, 2010 meeting with applicant. The updated material has been reviewed by Transportation Services staff, with comments cited later in this report.

All vehicular parking will be accommodated below grade, with servicing of the two buildings occurring in the rear of the lands.

Access to parking and loading areas for the 2490 Bloor site will be via an existing public laneway, which abuts the parcel to the north. The 2500 Bloor site will have one access point from Old Mill Drive to serve both parking and loading areas.

Traffic Impact

In reviewing the traffic material, Transportation Services staff noted that the proposed residential development generates significantly less vehicle traffic than development constructed to the current 'as-of-right' mixed-use zoning permissions. Further, it was noted that there are existing traffic operations issues. The Traffic Impact Study referenced queue reach and gap surveys during both the morning and afternoon peak hour periods at both the Old Mill Drive/Bloor Street West and Bloor Street West/Riverview Gardens intersections adjacent to 2490/2500 Bloor Street, and identified a number of issues.

To mitigate the existing level-of-service deficiencies evident at the Old Mill Drive/Bloor Street West and Bloor Street West/Riverview Gardens unsignalized intersections, the consultant recommends the following road improvements:

1. Realign Riverview Gardens westerly, creating a north approach to the Bloor Street West/South Kingsway signalized intersection, including the introduction of auxiliary left and right turn lanes at the west intersection approach; and,
2. Realign Old Mill Drive westerly intersection perpendicular with Bloor Street West.

Transportation Services staff concluded that both proposed road modifications have substantial traffic safety benefits and support the proposals. To implement the design, a land exchange is required.

Transportation Services staff are recommending that as a condition of approving the zoning amendment application, the applicant shall enter into a Section 37 agreement with the City, agreeing to provide the necessary property, and to design and construct the proposed road improvements, including the installation of all traffic control signal hardware/timing modifications at the redesigned Bloor Street West/South Kingsway/Riverview Gardens signalized intersection, to the satisfaction of Transportation Services and the Executive Director, Technical Services, and at no cost to the City.

Traffic Management

Although the proposed development has been reviewed by Transportation Services staff who concur with the findings of the submitted Traffic Impact Study, area residents continue to be concerned with the potential traffic infiltration that may result from the proposed road realignments. Staff note that both Old Mill Drive and Riverview Gardens have existing traffic calming measures.

In order to address these concerns, City Planning staff are recommending that the proponent be required to prepare and implement appropriate traffic management measures concurrent with the construction of the road realignments and the development. This will ensure that appropriate measures, including traffic signage, turn prohibitions and through movement restrictions, among other measures, will be considered prior to any construction.

Further, a post development Traffic and Road Safety Audit to address potential traffic infiltration, pedestrian safety, and possible Mossom Road impacts, is recommended to assess post construction traffic level to gauge whether the projected traffic volumes are realized, and if additional measures are required.

Servicing

A Functional Servicing Report and additional material prepared by Sernas Associates was submitted in support of the application and has been generally accepted by Technical Services staff. Certain upgrades are required to accommodate the proposed development, which will be secured through the Section 37 Agreements and subsequent Agreements through future processes.

The 2490 Bloor Street West (1 Old Mill Drive) site is proposed to have all access to on-site parking, loading and waste collection via the existing public lane that abuts the site to the north.

The 2500 Bloor Street West (2 Old Mill Drive) site is proposed to have all access to on-site parking, loading and waste collection via one entry from Old Mill Drive.

Open Space/Parkland

The use is proposed to be residential and commercial. The site is in the medium quintile of current provision of parkland, as per Map 8B/C of the Official Plan. The site is in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1420-2007. This property is located with the area that is identified as an *Avenue* as per Map 2 of the Official Plan.

The applicant has proposed a range of 396 to 504 residential units on this combined site of 0.81 hectares. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.081 hectares. The residential component of this development will subject to a 10% parkland dedication requirement. The commercial component of this development will be subject to 2% cash-in-lieu of parkland dedication.

The owner will be required to satisfy their parkland dedication requirement with a cash-in-lieu payment based on the number of units at the building permit stage. The owner shall satisfy the following:

1. The owner is required to re-instate the open space lands that were previously occupied by the owner into parkland to the satisfaction of the General Manager of PFR. The lands are to be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager of Parks, Forestry and Recreation.
2. Further, the owner agreed to provide a publicly-accessible, privately-managed open space that will visually expand and integrate with Traymore Park. The owner is required to construct cascading retaining walls within their property downwards towards the park. The tableland that is created will form the publicly-accessible, privately-managed lands and the owner will grant the City an

easement, in perpetuity, to permit public use. This open space will be used for passive uses (i.e., landscaping, seating) and will offer limited utility as parkland. The open space will soften the “pitch points” within the park by adjusting the alignment of the park boundaries.

3. It will improve the visibility and street frontage of Traymore Park. As a result, the owner will be able to construct 15 additional underground parking spaces beneath the publicly-accessible open space.
4. The design and construction of these open spaces will be at the owner’s expense. The owner will not receive any credit towards Parks and Recreation component of their development charges for such work.

Re-instatement of Parkland and Creation of Publicly-accessible, Privately-managed Open Space (collectively known as “Open Spaces”)

5. The owner shall be responsible for an environmental assessment of the lands to be re-instated as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure the parkland dedication lands, at the time of dedication, will meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. A qualified environmental consultant that is acceptable to the Executive Director of Technical Services shall prepare the environmental assessment. Prior to transferring the Parkland to the City, the environmental assessment shall be peer reviewed by an environmental consultant retained by the City at the owner's expense (the "Peer Reviewer"), and the re-instatement of the Parkland to the City shall be conditional upon the Peer Reviewer concurring with the owner's environmental consultant that the Parkland meets all applicable laws, regulations and guidelines for public park purposes. The Executive Director of Technical Services shall advise the General Manager of Parks, Forestry and Recreation of the findings of the environmental assessment review.
6. The owner will be responsible for the construction of the “Open Spaces” at their own expense. The Improvements include the following where deemed necessary:
 - a. Grading (inclusive of topsoil supply and placement, minimum of 150 mm depth);
 - b. Sodding (#1 nursery grade);
 - c. Fencing (1.8m, black decorative metal, commercial-industrial quality), and retaining walls where deemed necessary and appropriate.
 - d. Landscaping (a combination of tree and shrub planting);
 - e. Drainage systems, including connections to the municipal service as required;

- f. Electrical (including metre, cabinet and pedestal) and water connections (minimum 50 mm) to the street line; and
 - g. Street trees along all public road allowances, which abut City owned parkland.
7. The owner will terrace all retaining walls necessary to match the established grade at the park at their expense. All retaining wall terraces will incorporate landscaping to buffer the walls and integrate the landscape features into the park setting at the owner's expense. Anti-graffiti measures will be applied onto the retaining walls.
 8. The terraced retaining walls will be designed not only to interface with the park, but also open vistas from Old Mill Drive into the park, with the goal of providing additional tableland to be incorporated into the park area. The tableland that is created by the publicly-accessible, privately-managed lands will have an easement, in perpetuity, to permit public use.
 9. The Owner is required to design and construct both "Open Spaces" to the satisfaction of the General Manager of Parks, Forestry and Recreation, including a community consultation process.
 10. All work is to be completed to the satisfaction of the General Manager of Parks, Forestry and Recreation and where required, in consultation with Executive Director of Technical Services and City Planning (Urban Design).
 11. The details of the aforementioned items will be implemented through the site plan process (site plan agreement) and secured through the Section 37 Agreement.
 12. The Owner will be required to post a letter of credit, as security for the installation of the "Open Spaces" improvements, equal to 120% of the value of an itemized budget of the aforementioned improvements. All work will be to the satisfaction of the General Manager of Parks, Forestry and Recreation.
 13. All stated letters of credit that are to be provided by the Owner, unless determined otherwise by the General Manager of Parks, Forestry and Recreation, are intended to be in current dollars and accordingly, shall be adjusted, either upwards or downwards, annually, on the anniversary of the date of execution of the associated agreement, in accordance with change in the Construction Price Index during such one year period. Provided, however, that in no case shall the amount actually payable by the Owner at any time be less than the minimal amount set out in that agreement.

The owner, upon satisfactory completion of the construction and installation of the "Open Spaces" will be required to guarantee such work and associated materials. The owner will provide certification from their Landscape Architect certifying all work has been completed.

As-built drawings will be submitted to Parks, Forestry and Recreation, Planning, Design and Development Division. As-builts shall be submitted as full-size scaled prints (4 copies), 11x17 reductions (2 copies), .pdf format no larger than 10 Mb. and a CD with full .dwg format drawings. At that time, the submitted letters of credit for such work will be released, less 20% which shall be retained for a two-year period as a performance guarantee.

Toronto Green Standard

The proposed development will be required to meet the Tier 1 Toronto Green Development standards at a minimum. The two proposed buildings will both incorporate green roofs as required by the City's new Green Roofs By-law. As a requirement of the Green Development Standards, the "Open Spaces" are required to have at least 80% of vegetation species used in landscaping as native. It is recommended that the Landscape Plans and details include native species within the open space.

Section 37

Planning staff have followed the Section 37 Official Plan policies and protocol adopted by City Council. In consultation with the Ward Councillor, relevant City divisions and the proponent, staff have concluded that the proposed development warrants Section 37 community benefits.

The proposed developments are on two individual sites. To ensure that both sites are addressed individually, there will be two site-specific zoning By-laws, with related Section 37 Agreements registered on title for each site. Community benefits will also be indexed. The cumulative community benefits recommended and agreed to by the proponent to be secured in the Section 37 agreements are as follows:

1. Bloor Street West streetscape improvements (\$250,000)
2. Jane Baby Point streetscape improvements (\$250,000)
3. Parks capital improvements for Traymore Park (\$350,000)
4. Swansea Town Hall capital improvements (\$150,000)
5. Heritage Conservation District Study for Baby Point area (\$100,000)
6. Day Nursery Capital Funds for the local area (\$1,000,000)

The pro-rated and indexed amounts for the aforementioned community benefits are cited in the individual site-specific By-laws in Attachments 5 and 6 of this report.

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

1. Road realignments for Old Mill Drive and Riverview Gardens
2. Architectural Elevation Drawings at a 1:50 scale and associated building materials
3. Financial Securities for a traffic and road safety audit, at the sole expense of the proponent, to be conducted by the proponent's Consulting Engineer (\$100,000)
4. A Public Art contribution in accordance with the City's Official Plan

5. Signage and Agreements to address both School Board requirements
6. Any other elements that warrant consideration that arise through the ongoing application process, including but not necessarily limited to environmental sustainability measures, wind mitigation measures and street tree irrigation.

Both the Toronto District School Board and the Toronto Catholic District School Board have requested that the proponent be required erect Notice Signs and that warning clauses be inserted in all purchase, agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each affected residential unit, lot, and/or lot and/or block within the proposed development, for both sites, that reference the potential for children from both developments, to be transported to schools outside of the immediate neighbourhood. These requirements will be included in the Section 37 Agreements, and subsequently maintained through the condominium process.

The Toronto Transit Commission has requested that two matters be addressed for both sites.

The owner/applicant will be required, prior to any demolition or construction, or issuance of the first building permit, to complete a Toronto Transit Commission (“TTC”) Technical Review of the proposed development as applicable to the particular permit under application, and obtain the TTC’s written acknowledgement that the owner has satisfied all of the conditions arising out of the review. As part of the review process, the owner shall provide the requisite information, and pay the associated review fee to the TTC.

The owner must also agree that warning clauses regarding the TTC right-of-way shall be inserted in all purchase, agreements of purchase and sale or agreements to lease, and condominium declaration document(s) for each affected residential unit, lot, and/or lot and/or block within the proposed development. Such Warning clauses shall advise of potential transmission of noise, vibration, smoke, particulate matter, electromagnetic interference and stray current impacts on the proposed development, and that the TTC accepts no responsibility for such effects.

The TTC requirements will be included in the Section 37 Agreements and carried through the subsequent planning process, including the condominium process.

Development Charges

The estimated development charges for this project cannot be specified as the total number of dwelling units and sizes has not been finalized. However using the plan submitted on July 7, 2010 illustrating 408 dwelling units, the estimated Development Charges for the developments is \$2,600,898. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

Conclusion

The proposed development is consistent with the goals and objectives of the Official Plan and conforms with Provincial land use policies. The changes made during the review of this proposal respond positively to the Bloor Street context and address issues of transition and impact to the neighbourhood to the north, taking into account the configuration and orientation of the sites. Conditions of approval are to be secured in the Section 37 Agreements.

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E-mail: efloro@toronto.ca

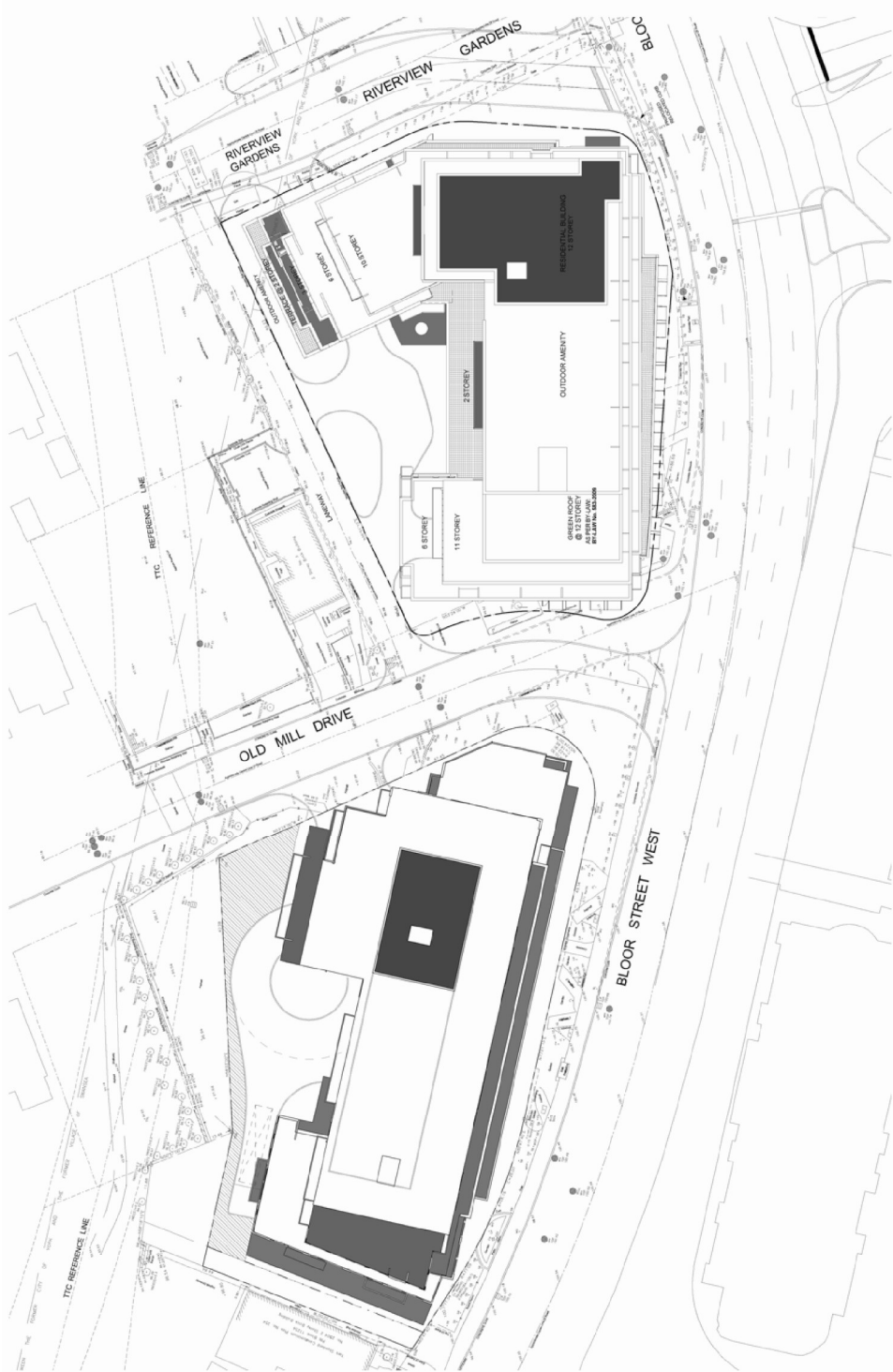
SIGNATURE

Gregg Lintern, MCIP, RRP
Community Planning, Etobicoke York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment (2490 Bloor Street W./1 Old Mill Dr.)
Attachment 6: Draft Zoning By-law Amendment (2500 Bloor Street W./2 Old Mill Dr.)
Attachment 7: Conceptual Road Realignment Plan
Attachment 8: Proposed Road Realignment Lands

Attachment 1: Site Plan



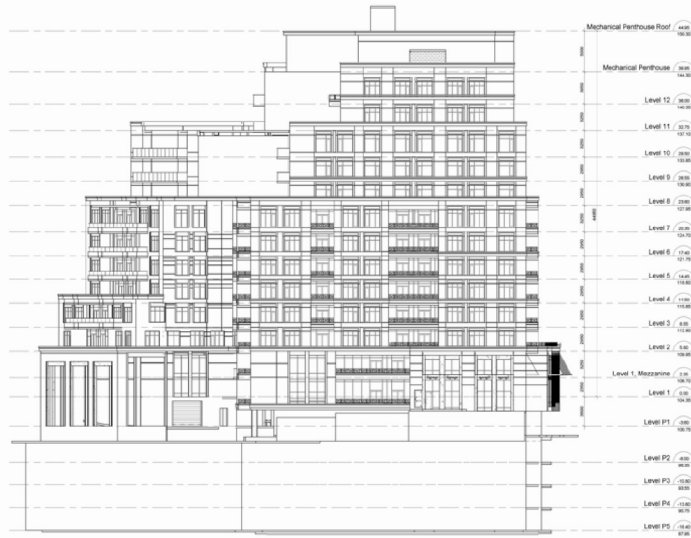
**2464 - 2490 and 2500 Bloor Street West
(1 and 2 Old Mill Drive)**

File # 09_114473

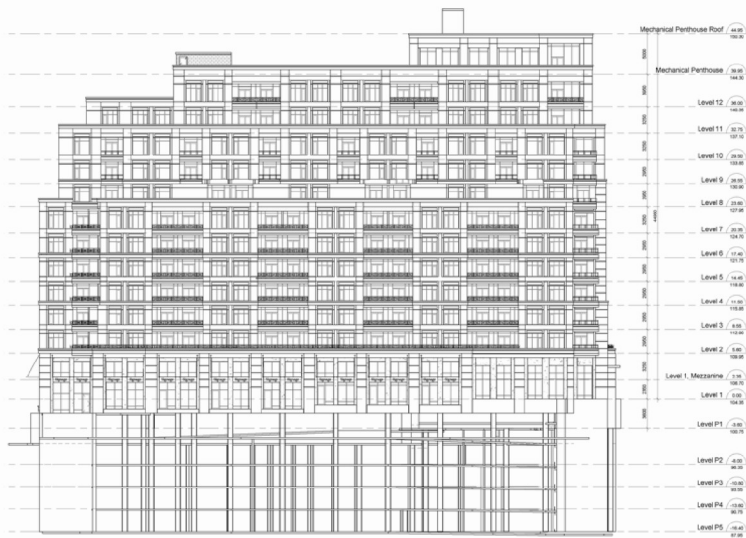
Site Plan
Applicant's Submitted Drawing
Not to Scale
07/22/10



Attachment 2: Elevations



West Elevation (1 Old Mill Dr)



South Elevation (1 Old Mill Dr)

Elevations

Applicant's Submitted Drawing

Not to Scale
07/22/10

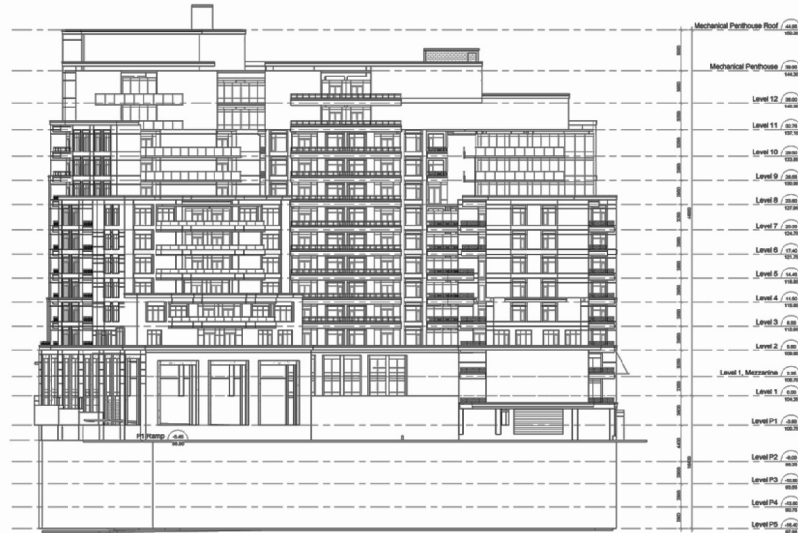
2464 - 2490 and 2500 Bloor Street West
(1 and 2 Old Mill Drive)

File # 09_114473

Attachment 2b: Elevations



East Elevation (1 Old Mill Dr)



North Elevation (1 Old Mill Dr)

Elevations

Applicant's Submitted Drawing

Not to Scale
07/22/10

2464 - 2490 and 2500 Bloor Street West
(1 and 2 Old Mill Drive)

File # 09_114473

Attachment 2c: Elevations



West Elevation (2 Old Mill Dr)



South Elevation (2 Old Mill Dr)

Elevations

Applicant's Submitted Drawing

Not to Scale
07/22/10

2464 - 2490 and 2500 Bloor Street West
(1 and 2 Old Mill Drive)

File # 09_114473

Attachment 2d: Elevations



East Elevation (2 Old Mill Dr)



North Elevation (2 Old Mill Dr)

Elevations

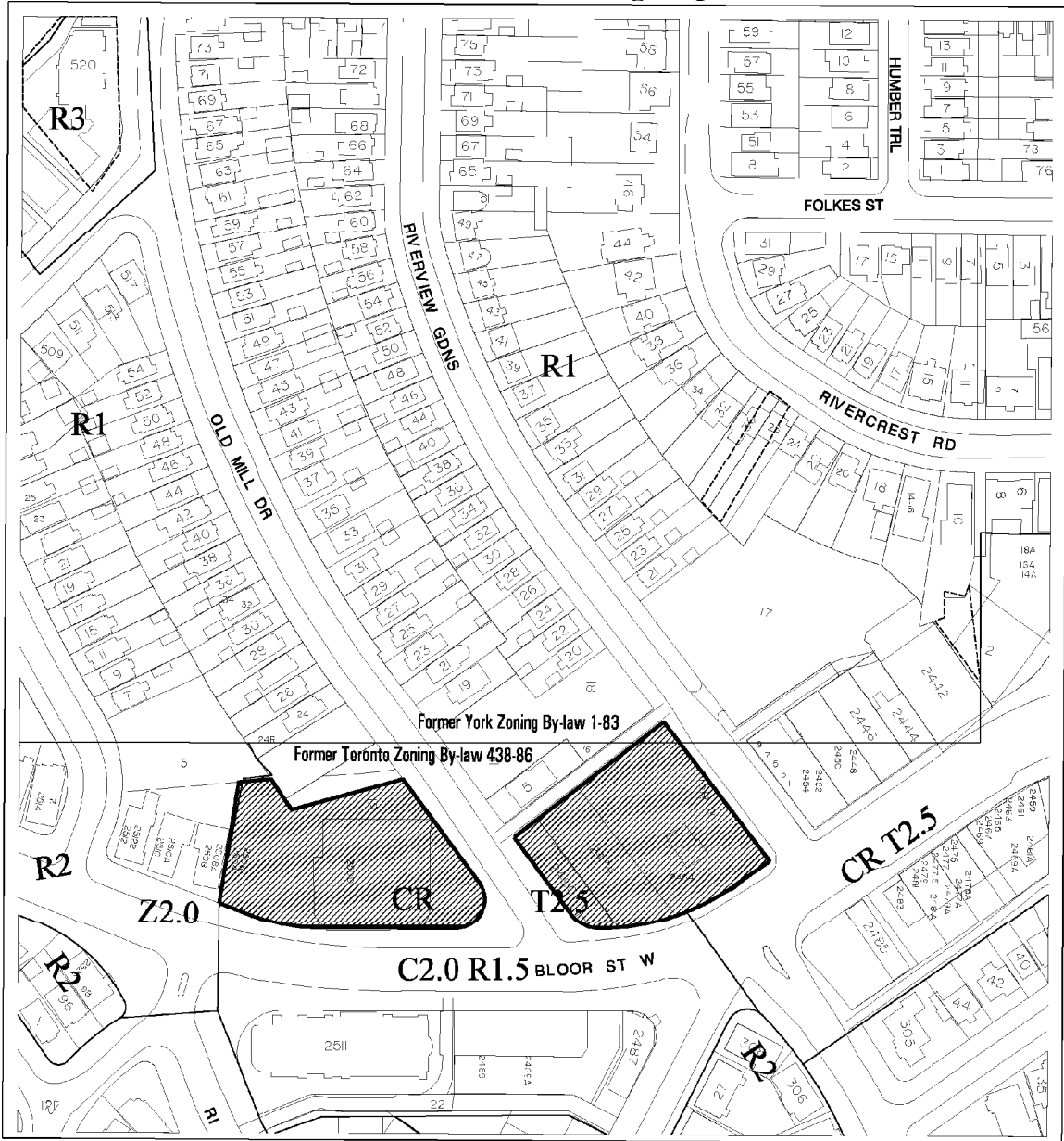
Applicant's Submitted Drawing

Not to Scale
07/22/10

2464 - 2490 and 2500 Bloor Street West
(1 and 2 Old Mill Drive)

File # 09_114473

Attachment 3: Zoning Map



2464, 2474, 2490 and 2500 BLOOR ST W

File # 09_117675

Former Toronto Zoning By-law 438-86
 R1 Residential District
 CR Mixed-Use District
 MCR Mixed-Use District
 C.2 Commercial - Local

Former York Zoning By-law 1-83
 R1 Residential Zone
 R3 Residential Zone



Not to Scale

Extracted 04/17/2009 - JM

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	09 114473 WET 13 OZ
Details	Rezoning, Standard	Application Date:	March 5, 2009

Municipal Addresses: 2464-2490 & 2500 BLOOR ST W
 Location Description: PL M495 BLK A TO F & K **GRID W1309
 Project Description: Proposed amendments to the zoning by-law to permit the development of a mixed-use residential condominium building at the 2490 Bloor Street West site, and a residential condominium building at 2500 Bloor Street West site.

Applicant:	Agent:	Architect:	Owner:
STEVE DANIELS		Kirkor	HUMBERVIEW AUTO CENTRE LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR T2.5 C2.0.R15.	Historical Status:
Height Limit (m):	14m	Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq. m):	8127.36	Height:	Storeys:	12 and 10
Frontage (m):	0		Metres:	39.95 and 32.55
Depth (m):	0			
Total Ground Floor Area (sq. m):				Total
Total Residential GFA (sq. m):	27,453 and 20,112		Parking Spaces:	680
Total Non-Residential GFA (sq. m):	973		Loading Docks	0
Total GFA (sq. m):	47,565			
Lot Coverage Ratio (%):				
Floor Space Index:	5.85			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	Residential GFA (sq. m):	46,592	0
Bachelor:	Retail GFA (sq. m):	973	0
1 Bedroom:	Office GFA (sq. m):	0	0
2 Bedroom:	Industrial GFA (sq. m):	0	0
3 + Bedroom:	Institutional/Other GFA (sq. m):	0	0
Total Units:	408		

CONTACT: PLANNER NAME: Philip Carvalino, Senior Planner
TELEPHONE: (416) 394-8233

**Attachment 5: Draft Zoning By-law Amendment (2464-2490 Bloor Street West /
1 Old Mill Dr)**

Authority: Etobicoke York Community Council Item ~ [or Report No. ~, Clause No. ~]
~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend the General Zoning By-law No. 438-86 of the former City of Toronto and By-law 1-83 of the former City of York with respect to lands forming part of lands municipally known in 2009 as 2464, 2474 and 2490 Bloor Street West.

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the *height* or density of development beyond that otherwise permitted by City of Toronto By-law No. 438-86, as amended, and City of York Zoning By-law No. 1-83, as amended, in return for the provision of such facilities, services or matters as are set out in the by-law;

WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an owner of land elects to provide facilities, services or matters in return for any increase in the *height* of 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;

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth;

WHEREAS the increases in the density or *height* permitted hereunder, beyond those otherwise permitted on the lands by City of Toronto By-law No. 438-86, as amended, and City of York Zoning By-law No. 1-83, as amended, and are to be permitted subject to the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the owner of the lands and the City of Toronto;

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the authorization of the *height* and density of development; and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements to secure certain facilities, services and matters in return for the

increases in *height* and density in connection with the aforesaid lands as permitted in this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. This By-law applies to the lands delineated by heavy lines on Schedule A attached to and forming part of this By-law.
2. Pursuant to Section 37 of the *Planning Act*, the *heights* and density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, to the City at the *owner's* sole expense and in accordance with and subject to the agreement referred to in Section 3 of this By-law.
3. Upon execution and registration of an agreement or agreements with the *owner* of the *lot*, pursuant to Section 37 of the *Planning Act*, securing the provision of the facilities, services and matters set out in Appendix 1 hereof, the *lot* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirement.
4. Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the *City* pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.
5. Except as provided herein, the provisions of By-law 438-86, as amended, shall continue to apply to the *lot*.
6. None of the provisions of Section 2 with respect to the definitions of *grade* and *lot*, and Sections 4(2)(a); 4(4)(b); 4(6)(b); 4(6)(c); 4(10)(a); 4(12); 8(3) PART I, 1 and 3(a); and 8(3) PART II, 1(a)(i) of former City of Toronto By-law No. 438-86, as amended, titled "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", and none of the provisions of the former City of York Zoning By-law No. 1-83, as amended, titled "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain use of lands and the erection and use of certain buildings and structures in various areas of the City of York", shall apply to prevent the erection or use of a *mixed-use building* on the *lot*, provided that:

- (a) the *lot* comprises at least the lands delineated by heavy lines on Schedule A, attached to and forming part of this By-law;
- (b) no above *grade* portion of a building or structure on the *lot* shall be located other than wholly within the areas delineated by heavy lines on the attached Schedule B, attached to and forming part of this By-law, except for the following:
 - (i) cornices, lighting fixtures, awnings, canopies, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, wheel chair ramps, stairs, stair enclosures, vents, underground garage ramps and their associated structures, fences, screens, landscape and public art features; and,
 - (ii) balconies on the north elevation only may extend to a maximum horizontal projection from an exterior building wall by a maximum of 2.0 metres beyond the heavy lines shown on Schedule B, with the exception that balconies are not permitted to project into the area on the *lot* shown as Area A on Schedule B;
- (c) the *height* of any building or structure, or portion thereof, including mechanical and elevator/stair overrun, shall not exceed the *heights* indicated by the numbers following the symbol H on the attached Schedule B, with the exception of the following elements:
 - (i) structures on any roof used for outside or open air recreation, maintenance, safety, or wind protection purposes, including landscape garden amenities, green roofs, parapets, terrace guards/landscape planters and window washing equipment, provided:
 - (1) the maximum height of the top of such structures is no higher than the sum of 3.0 metres and the *height* limits specified on Schedule B; and
 - (2) the structures do not enclose space;
 - (ii) structures for renewable energy purposes, provided:
 - (1) the maximum height of the top of such structures is no higher than the sum of 4.0 metres and the *height* limits specified on Schedule B; and
 - (2) the structures do not enclose space; and

- (iii) balconies that project from an exterior building wall that comply with Section 6(b)(ii) of this By-law;
- (d) the total of the *residential gross floor area* and the *non-residential gross floor area* shall not exceed 27,700 square metres;
- (e) the maximum *residential gross floor area* shall not exceed 26,750 square metres;
- (f) the maximum *non-residential gross floor area* shall not exceed 1,000 square metres;
- (g) the minimum number of non-residential units shall be 3 and no one non-residential unit shall exceed 500 square metres of *non-residential gross floor area*;
- (h) no *dwelling unit* or portion thereof shall be located below *grade* or above an elevation of 39.95 metres above *grade*;
- (i) The maximum number of *storeys* above *grade* of any building on the *lot* shall be 12 and, for the purposes of this section of the By-law, up to 2 *storeys* located from *grade* to within 6 metres from *grade* shall count as only one *storey*, provided that if there are 2 *storeys* located within 6 metres from *grade*, one of those *storeys* shall have no more than 1,300 square metres of *gross floor area*;
- (j) *residential amenity space* for each *dwelling unit* shall be provided as follows:
 - (i) 2 square metres of indoor *residential amenity space* for each *dwelling unit*; and,
 - (ii) 2 square metres of outdoor *residential amenity space* for each *dwelling unit*.
- (k) no window of a *dwelling unit* (other than a window of a kitchen or bathroom) shall be closer than 11 metres to a window of another *dwelling unit* (other than a window of a kitchen or bathroom) on walls which form an angle of less than 90 degrees to each other on a horizontal plane on the *lot*, , except within the area shown as Area B on Schedule B, where the minimum distance between a window of a *dwelling unit* (other than a window of a kitchen or bathroom) and a window of another *dwelling unit* (other than a window of a kitchen or bathroom) on walls which form an angle of less than 90 degrees to each other on a horizontal plane, shall be 7 metres;

- (l) the minimum number of *parking spaces* shall be:

Resident parking shall be provided at the following minimum ratios:
0.60 stalls per dwelling unit for bachelor units;
0.70 stalls per dwelling unit for apartments providing one bedroom;
0.90 stalls per dwelling unit for apartments providing two bedrooms; and,
1.00 stall per dwelling unit for apartments providing three or more bedrooms.

An additional 0.10 stalls per dwelling unit shall be provided for the use of visitors, which may be shared with the commercial components of the proposed building.

Parking for the physically disabled shall be provided at a minimum ratio of one parking stall for every 100 parking stalls required, or portion thereof.; and

- (m) one shared *loading space - type B* and *loading space type G* shall be provided and maintained on the *lot*.

7. Despite any existing or future consent, severance, partition or division of the *lot*, the provisions of this By-law shall apply to the *lot* as if no consent, severance, partition or division occurred.
8. Building permit issuance with respect to the lands to which this By-law applies shall be dependent upon satisfaction of the provisions of this By-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.
9. For the purposes of this By-law, the terms set forth in italics, subject to Section 9(a) of this By-law, have the same meaning as such terms have for the purposes of By-law 438-86, as amended;

- (a) The following definitions shall apply:

- (i) “*grade*” means 104.35 metres Canadian Geodetic Datum;
- (ii) “*lot*” means the lands outlined by heavy lines on Schedule A attached to this By-law;
- (iii) “*owner*” has the same meaning as in Zoning By-law 438-86, as amended, except it shall not include the City; and,
- (iii) “*temporary sales office*” means a building, structure, facility or trailer used for the purpose of the sale of *dwelling units* to be erected on the *lot*.

8. None of the provisions of former City of Toronto By-law 438-86, as amended, or of former City of York By-law 1-83, as amended, shall apply to prevent the erection and use of a *temporary sales office* on the *lot*.
9. No person shall use any land or erect or use any building or structure within the *lot* 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.
10. None of the provisions of Section 9 of this By-law shall apply to prevent the use of the land or the erection of a building or structure within the *lot* prior to the completion of any realignment and reconstruction of Old Mill Drive or Riverview Gardens and all associated water mains and sanitary sewers, and appropriate appurtenances in such local road.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

APPENDIX 1

SECTION 37 PROVISIONS

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense to the City in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the City with conditions providing for indexing escalation of both the financial contributions and letters of credit, indemnity, insurance, GST, termination and unwinding, and registration and priority of the agreement:

- A. An indexed cash contribution of \$1,340,000 to be paid to the City prior to the issuance of the first above grade building permit, to be allocated generally as follows:
- i. \$ 145,000 for Bloor Street Streetscape improvements;
 - ii. \$ 145,000 for Jane Street/Baby Point streetscape improvements;
 - iii. \$ 250,000 for Traymore Park capital improvements;
 - iv. \$ 50,000 for Baby Point HCD study;
 - v. \$ 100,000 for Swansea Town Hall Capital Improvements;
 - vi. \$ 650,000 for *day nursery* capital funds in the local area.

Such cash amount to be indexed upwardly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the sum by the *owner* to the City.

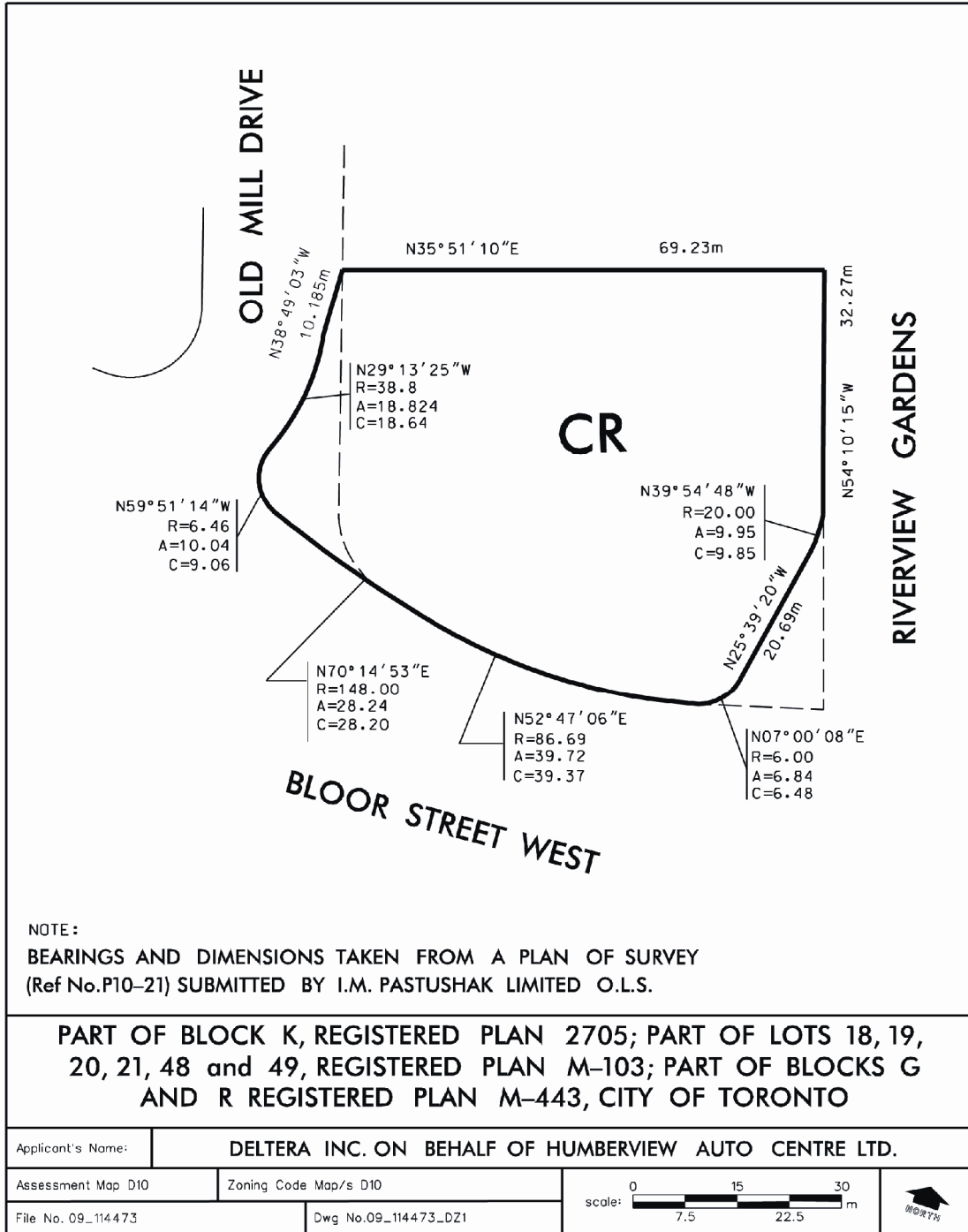
- B. A public art contribution in accordance with the Toronto Official Plan policies.
- C. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the *owner* shall provide 1:50 scale architectural elevation drawings for representative portions of the buildings with building materials, colours and finishes illustrated and labeled to the satisfaction of the Chief Planner and Executive Director (“Approved Exterior Development Details”).
- D. The *owner* shall incorporate in the construction of the building and there after maintain the Approved Exterior Development Details to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

- E. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the owner shall provide a Construction Management Plan at its expense to the satisfaction of the Director, Technical Services.
- F. A portion of Old Mill Drive is required to form part of the *lot*.
 - a. Prior to site plan approval pursuant to Section 114 of the *City of Toronto Act*:
 - i. the *owner* shall obtain the City's approval of the closure and disposal of portions of Old Mill Road and of the land exchange of the closed portions of Old Mill Road for the portion of the *owner's* lands abutting Riverview Gardens and shall enter into an agreement in respect of this land exchange to the satisfaction of the City Solicitor;
 - ii. the *owner* shall enter into a Municipal Infrastructure Agreement to the satisfaction of the Director Technical Services and General Manager Transportation Services City which agreement shall include a requirement for, among other things, provision for a Construction Management Plan, infrastructure relocation, functional road and intersection design plans, traffic management measures, road realignment and reconstruction and associated financial securities;
 - iii. the *owner* shall remediate where necessary the lands on Riverview Gardens needed for the local road realignment to an environmental status that is to the satisfaction of the Director Technical Services, including the completion of a Peer Review by the City at the expense of the *owner*;
 - b. Prior to the issuance of the first above-grade building permit, the *owner* shall complete the realignment of Old Mill (including the relocation of services and utilities) to the satisfaction of the City in accordance with the approved Municipal Infrastructure Agreement and the Construction Management Plan;
 - c. Within 18 months from the issuance of the first above grade building permit and prior to the first occupancy of the development, the *owner* shall complete the realignment of Riverview Gardens to the satisfaction of the City in accordance with the approved Municipal Infrastructure Agreement and the Construction Management Plan.
- G. The *owner* shall enter into a site plan agreement to the satisfaction of the Chief Planner and Executive director City Planning Division under Section 114 of the *City of Toronto Act*, 2006 which agreement shall incorporate plans

of the proposed realignment of the local roads.

- H. The *owner* shall complete a post-development Traffic and Road Safety Audit and provide a financial security of \$100,000 to the satisfaction of the General Manager Transportation Services to ensure completion of the audit.
- I. The *owner* shall satisfy the requirements of the Toronto Catholic District school Board and the Toronto District School Board regarding warning clauses and signage.
- J. The *owner* shall undertake a technical review of the proposed development and satisfy the requirements of the Toronto Transit Commission (“TTC”).
- K. The *owner* shall agree to provisions regarding environmental sustainability, wind mitigation, municipal services and street tree irrigation.
- L. The *owner* shall enter into and register on title to the *lot* one or more agreements with the City pursuant to Section 37 of the *Planning Act*, to the satisfaction of the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, to secure the facilities, services and matters set forth in this Appendix 1.

Notwithstanding the foregoing, the *owner* and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the *owner*, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.



Attachment 6: Draft Zoning By-law Amendment (2500 Bloor Street West / 2 Old Mill Dr)

Authority: Etobicoke York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend the former City of Toronto Zoning By-law No. 438-86, as amended,
With respect to the lands municipally known in 2009 as 2500 Bloor St W**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the *height* or density of development beyond that otherwise permitted by City of Toronto By-law No. 438-86, as amended, in return for the provision of such facilities, services or matters as are set out in the by-law;

WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an owner of land elects to provide facilities, services or matters in return for any increase in the *height* of 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;

WHEREAS the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth;

WHEREAS the increases in the density or *height* permitted hereunder, beyond those otherwise permitted on the lands by City of Toronto By-law No. 438-86, as amended, and are to be permitted subject to the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the owner of the lands and the City of Toronto;

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the authorization of the *height* and density of development; and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements to secure certain facilities, services and matters in return for the

increases in *height* and density in connection with the aforesaid lands as permitted in this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. This By-law applies to the lands delineated by heavy lines on Schedule A attached to and forming part of this By-law.
2. Pursuant to Section 37 of the *Planning Act*, the *heights* and density of development permitted by this By-law are permitted subject to compliance with the conditions set out in this By-law and in return for the provision by the *owner* of the *lot* of the facilities, services and matters set out in Appendix 1 hereof, to the City at the *owner's* sole expense and in accordance with and subject to the agreement referred to in Section 3 of this By-law.
3. Upon execution and registration of an agreement or agreements with the *owner* of the *lot*, pursuant to Section 37 of the *Planning Act*, securing the provision of the facilities, services and matters set out in Appendix 1 hereof, the *lot* is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the *owner* may not erect or use such building until the *owner* has satisfied the said requirement.
4. Wherever in this By-law a provision is stated to be conditional upon the execution and registration of an agreement entered into with the *City* pursuant to Section 37 of the *Planning Act*, then once such agreement has been executed and registered, such conditional provisions shall continue to be effective notwithstanding any subsequent release or discharge of all or any part of such agreement.
5. Except as provided herein, the provisions of By-law 438-86, as amended, shall continue to apply to the *lot*.
6. None of the provisions of Section 2 with respect to the definitions of *grade* and *lot*, and Sections 4(2)(a); 4(4)(b); 4(10)(a); 4(12) and 8(3) PART I, 1 and 3(a) of former City of Toronto By-law No. 438-86, as amended, titled "A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto", shall apply to prevent the erection or use of a *residential building* on the *lot*, provided that:
 - (a) the *lot* comprises the lands delineated by heavy lines on Schedule A, attached to and forming part of this By-law;
 - (b) no above *grade* portion of a building or structure on the *lot* shall be located other

than wholly within the areas delineated by heavy lines on the attached Schedule B, attached to and forming part of this By-law, except for the following:

- (i) cornices, lighting fixtures, awnings, canopies, ornamental elements, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, wheel chair ramps, stairs, stair enclosures, vents, underground garage ramps and their associated structures, fences, screens, landscape and public art features; and,
 - (ii) balconies on the north elevation only, may extend to a maximum horizontal projection from an exterior building wall by a maximum of 2.0 metres beyond the heavy lines shown on Schedule B;
- (c) the *height* of any building or structure, or portion thereof, including mechanical and elevator/stair overrun, shall not exceed the *heights* indicated by the numbers following the symbol H on the attached Schedule B, with the exception of the following elements:
- (i) structures on any roof used for outside or open air recreation, maintenance, safety, or wind protection purposes, including landscape garden amenities, green roofs, parapets, terrace guards/landscape planters and window washing equipment, provided:
 - (1) the maximum height of the top of such structures is no higher than the sum of 3.0 metres and the *height* limits specified on Schedule B; and
 - (2) the structures do not enclose space;
 - (ii) structures for renewable energy purposes, provided:
 - (1) the maximum height of the top of such structures is no higher than the sum of 4.0 metres and the *height* limits specified on Schedule B; and
 - (2) the structures do not enclose space;
 - (iii) balconies that project from an exterior building wall that comply with Section 6(b)(ii) of this By-law;
- (d) the total of the *residential gross floor area* shall not exceed 20,150 square metres;

- (e) no *dwelling unit* or portion thereof shall be provided below *grade* or above an elevation of 32.55 metres above *grade*;
- (f) the maximum number of *storeys* above *grade* of any building on the *lot* shall be 10;
- (g) *residential amenity space* for each *dwelling unit* shall be provided as follows:
 - (i) 2 square metres of indoor *residential amenity space* for each *dwelling unit*; and,
 - (ii) 2 square metres of outdoor *residential amenity space* for each *dwelling unit*; and
- (h) the minimum number of *parking spaces* shall be:

Resident parking shall be provided at the following minimum ratios:
 0.60 stalls per dwelling unit for bachelor units;
 0.70 stalls per dwelling unit for apartments providing one bedroom;
 0.90 stalls per dwelling unit for apartments providing two bedrooms; and,
 1.00 stall per dwelling unit for apartments providing three or more bedrooms.

An additional 0.10 stalls per dwelling unit shall be provided for the exclusive use of visitors.

Parking for the physically disabled shall be provided at a minimum ratio of one parking stall for every 100 parking stalls required, or portion thereof.

- 7. Despite any existing or future consent, severance, partition or division of the *lot*, the provisions of this By-law shall apply to the *lot* as if no consent, severance, partition or division occurred.
- 8. Building permit issuance with respect to the lands to which this By-law applies shall be dependent upon satisfaction of the provisions of this By-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.
- 9. For the purposes of this By-law, the terms set forth in italics, subject to Section 9(a) of this By-law, have the same meaning as such terms have for the purposes of By-law 438-86, as amended;
 - (a) The following definitions shall apply:

- (i) “*grade*” means 101.0 metres Canadian Geodetic Datum;
 - (ii) “*lot*” means the lands outlined by heavy lines on Schedule A attached to this By-law; and
 - (iii) “*temporary sales office*” means a building, structure, facility or trailer used for the purpose of the sale of *dwelling units* to be erected on the *lot*.
8. None of the provisions of former City of Toronto By-law 438-86, as amended, shall apply to prevent the erection and use of a *temporary sales office* on the *lot*.
9. Within the lands shown on Schedule A 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.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

APPENDIX 1

SECTION 37 PROVISIONS

The facilities, services and matters set out herein are the matters required to be provided by the *owner* of the *lot* at its expense to the City in accordance with an agreement or agreements, pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the City with conditions providing for indexing escalation of both the financial contributions and letters of credit, indemnity, insurance, GST, termination and unwinding, and registration and priority of the agreement:

- A. An indexed cash contribution of \$760,000 to be paid to the City prior to the issuance of the first above grade building permit, to be allocated generally as follows:
 - i. \$ 105,000 for Bloor Street Streetscape improvements;
 - ii. \$ 105,000 for Jane Street/Baby Point streetscape improvements;
 - iii. \$ 100,000 for Traymore Park capital improvements;
 - iv. \$ 50,000 For Baby Point HCD study;
 - v. \$ 350,00 for *day nursery* capital funds in the local area;
 - vi. \$ 50,000 for Swansea Town Hall Capital Improvements.

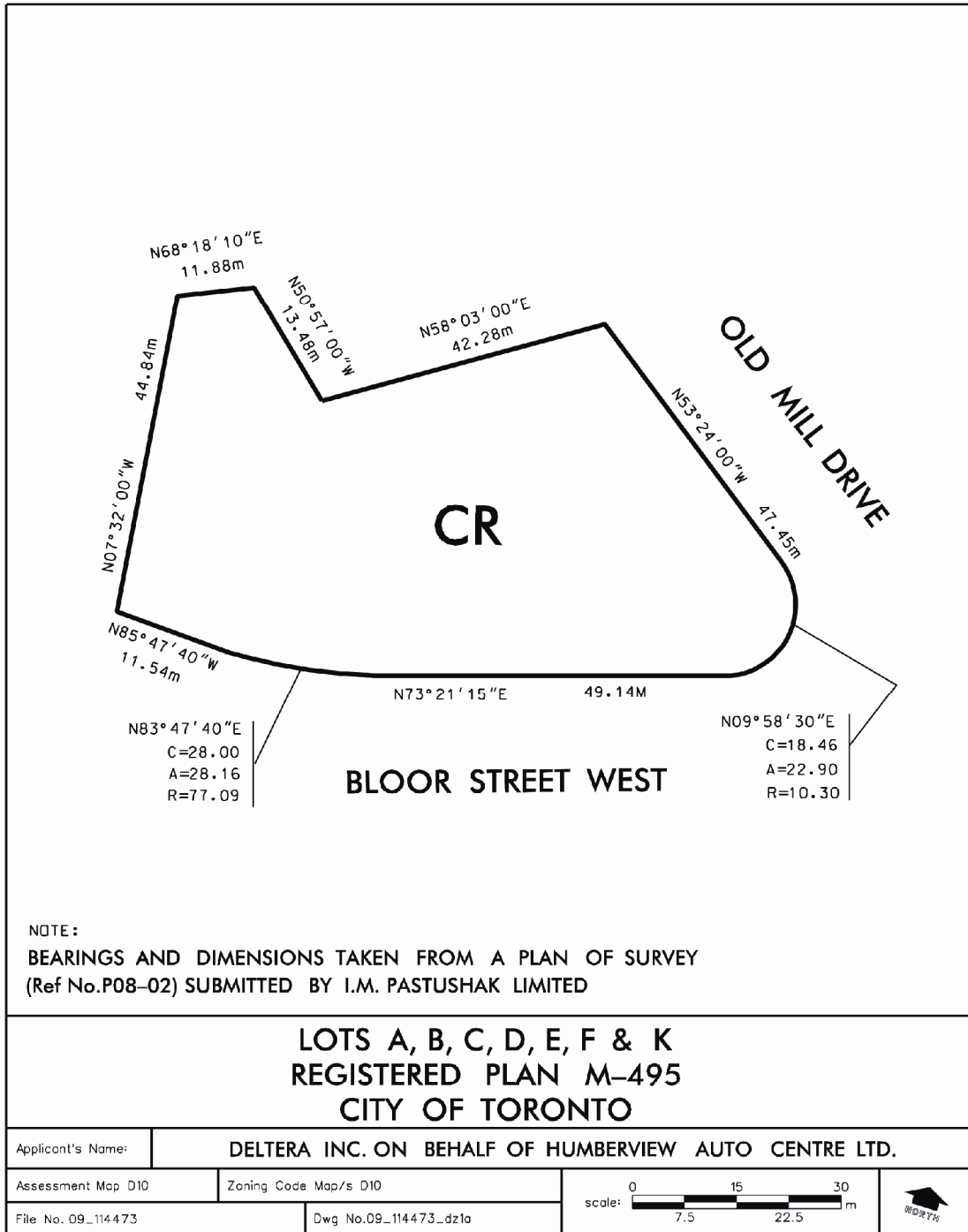
Such cash amount to be indexed upwardly in accordance with the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the sum by the *owner* to the *City*.

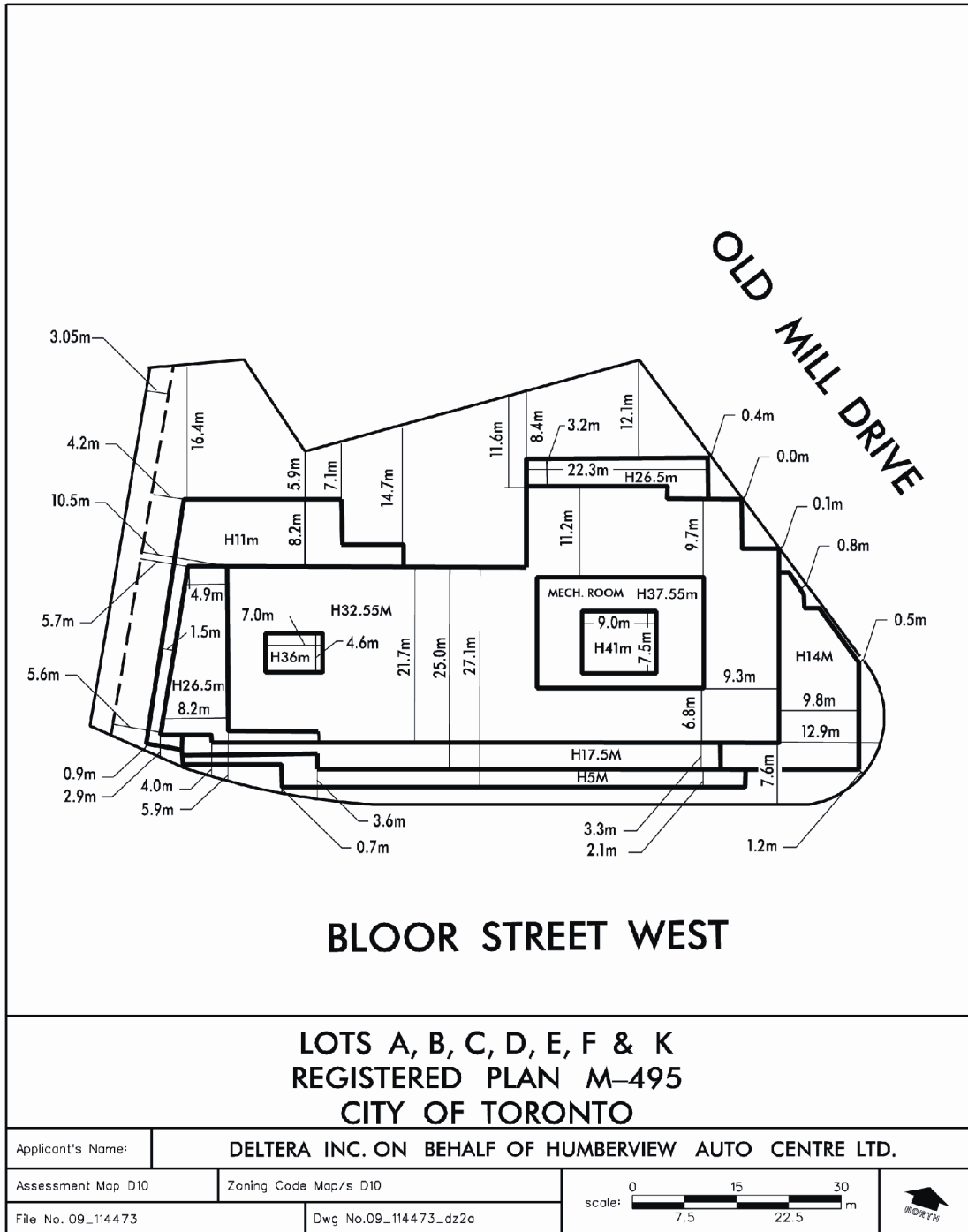
- B. A public art contribution in accordance with the Toronto Official Plan policies.
- C. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the *owner* shall provide 1:50 scale architectural elevation drawings for representative portions of the buildings with building materials, colours and finishes illustrated and labeled to the satisfaction of the Chief Planner and Executive Director (“Approved Exterior Development Details”).
- D. The *owner* shall incorporate in the construction of the building and there after maintain the Approved Exterior Development Details to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- E. Prior to Site Plan approval pursuant to Section 114 of the *City of Toronto Act*, the *owner* shall provide a Construction Management Plan at its expense to the satisfaction of the Director, Technical Services.
- F. Prior to first occupancy of the development the *owner* shall prepare the City-

owned lands being a portion of the parking area at the rear of the lands to an environmental status that is to the satisfaction of the General Manager of Parks Forestry and Recreation Division, including the completion of a Peer Review by the City at the expense of the *owner*, and reinstate the said lands to parks standards the satisfaction of the General Manager of Parks Forestry and Recreation Division.

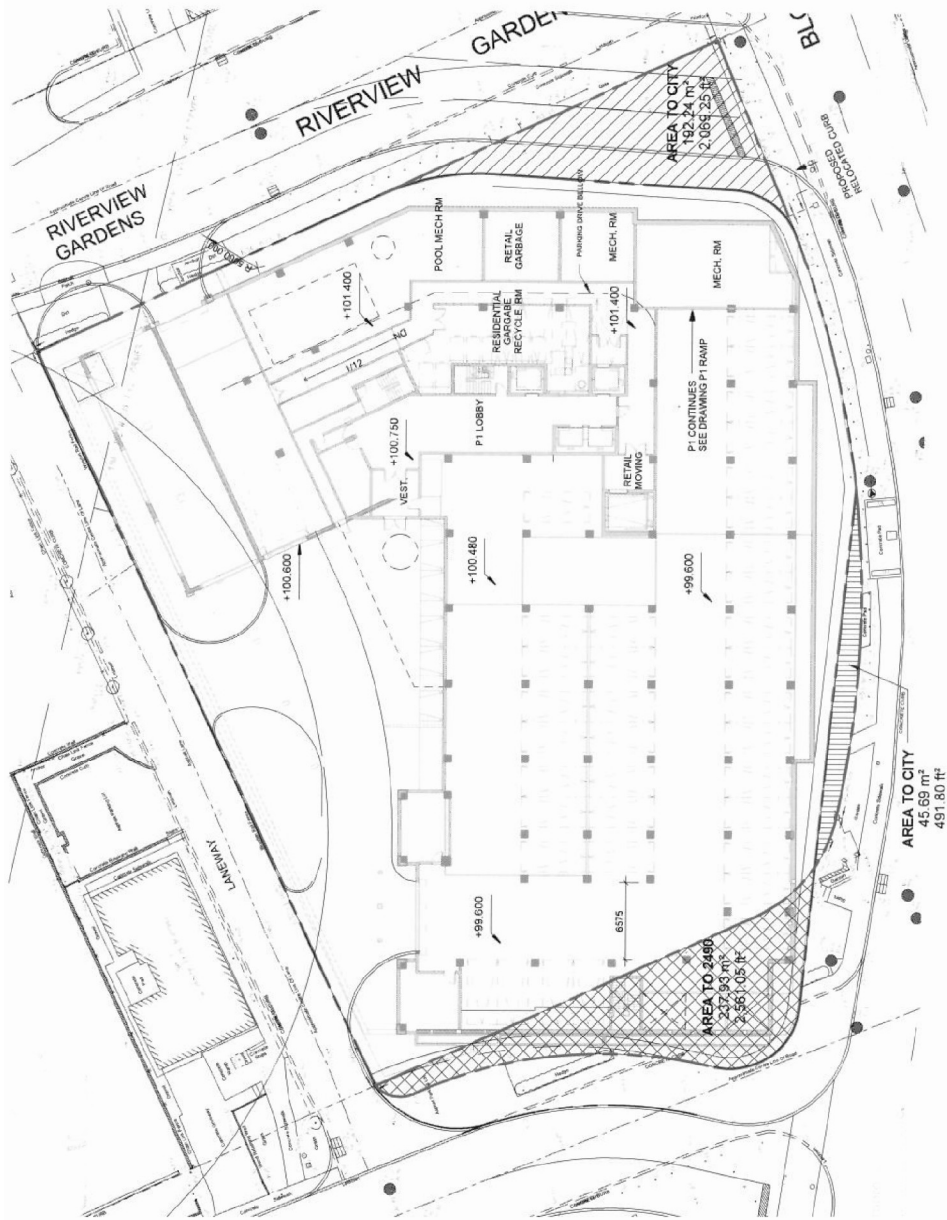
- G. The *owner* shall design and construct a publicly-accessible open space, secured for public use through an easement in favour of the City, on a portion of the *lot* adjacent to Traymore Park, to the satisfaction of the General Manager of Parks, Forestry and Recreation in consultation with Executive Director of Technical Services and City Planning. The *owner* shall be required to post a letter of credit equal to 120% of the value of the design and construction of the publicly-accessible open space.
- H. The *owner* shall satisfy the requirements of the Toronto Catholic District school Board and the Toronto District School Board regarding warning clauses and signage.
- I. The *owner* shall undertake a technical review of the proposed development and satisfy the requirements of the Toronto Transit Commission (“TTC”).
- J. The *owner* shall agree to provisions regarding environmental sustainability, wind mitigation, municipal services and street tree irrigation.
- K. The *owner* shall enter into and register on title to the *lot* one or more agreements with the City pursuant to Section 37 of the *Planning Act*, to the satisfaction of the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning Division, to secure the facilities, services and matters set forth in this Appendix 1.

Notwithstanding the foregoing, the *owner* and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the *owner*, without further amendment to those provisions of this zoning by-law which identify the facilities, services and matters to be secured.





Attachment 7: Conceptual Road Realignment Plan



2490 - 2500 Bloor Street West

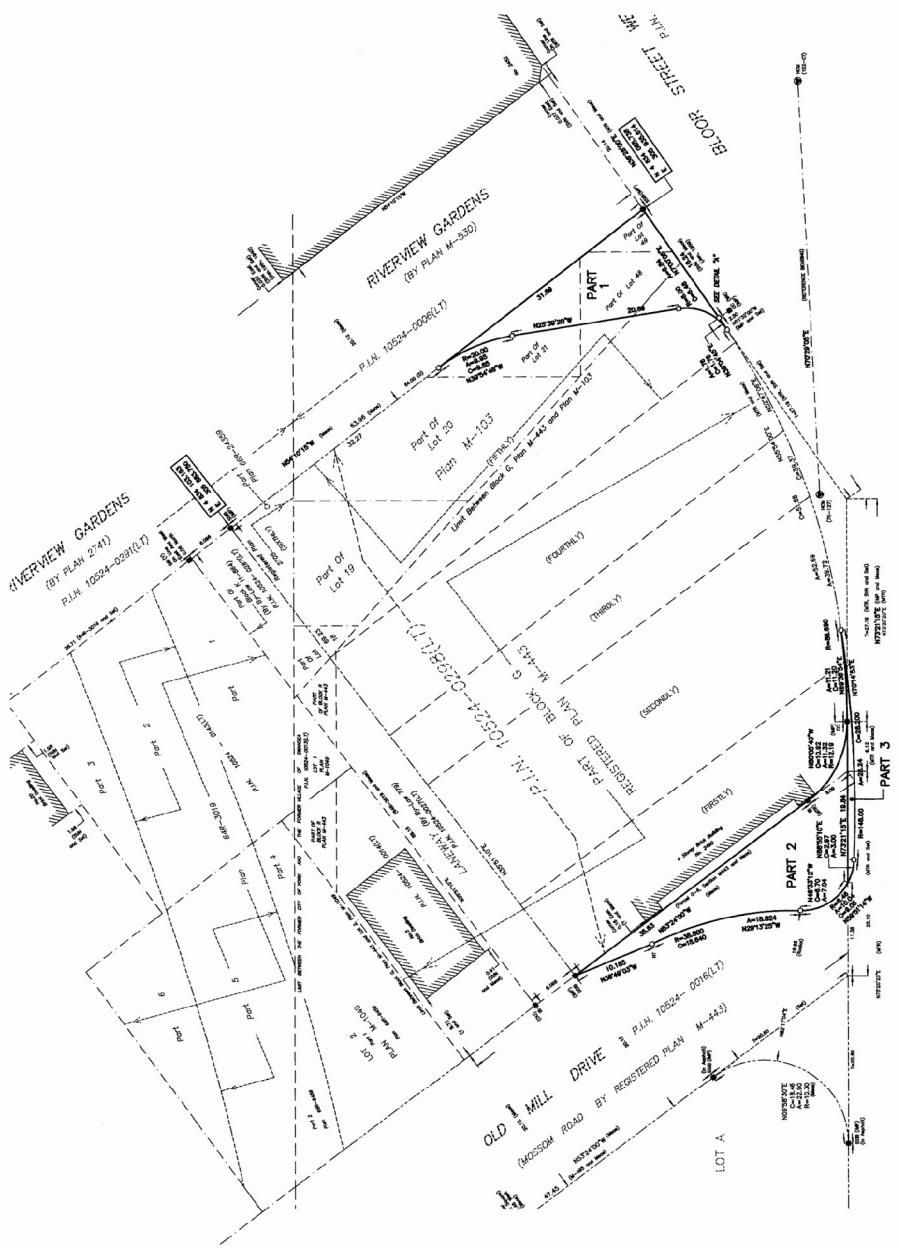
Conceptual Road Realignment Plan

Applicant's Submitted Drawing

Not to Scale
05/31/10

File # 09_114473

Attachment 8: Proposed Road Realignment Lands



Road Realignment Lands
 Applicant's Submitted Drawing
 Not to Scale
 07/22/10

2464 - 2490 and 2500 Bloor Street West
(1 and 2 Old Mill Drive)

File # 09_114473