

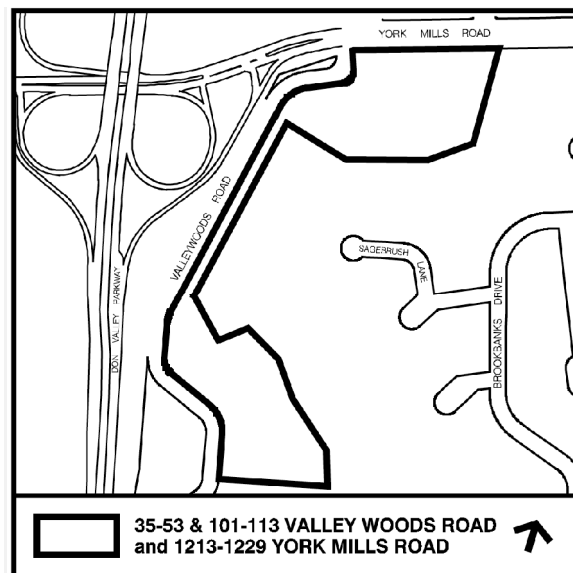
**35-53 and 101-113 Valley Woods Road and 1213-1229  
York Mills Road  
Official Plan, Rezoning, Draft Plan of Subdivision and  
Rental Housing Demolition Applications – Final Report**

<b>Date:</b>	June 6, 2011
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 34 – Don Valley East
<b>Reference Number:</b>	07 288330 NNY 34 OZ 07 288379 NNY 00 RH 09 168523 NNY 34 OZ 10 119479 NNY 34 SB

**SUMMARY**

The rezoning and rental housing demolition proposal for 35-53 and 101-113 Valley Woods Road and 1213-1229 York Mills Road is to demolish the existing 245 rental townhouses and replace them with 270 residential rental units and 1,610 residential condominium units. Building heights would range from 3 storey townhouses to 12 to 27 storey apartment buildings. The proposal also includes a new public road connecting Valley Woods Road to York Mills Road as part of a draft plan of subdivision application.

The Official Plan Amendment application is to approve replacement of rental housing with a different unit mix and to add a site-specific policy to the subject lands which specifies that, as an alternative to affordable housing, the priority community benefits pursuant to Section 37 be a cash contribution for capital improvements to affordable housing and a cash contribution for community and recreation facilities.



This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law and for Rental Housing Demolition. This report also advises that the Chief Planner intends to approve the Draft Plan of Subdivision once Development Engineering, Technical Services Division requirements have been satisfied.

## RECOMMENDATIONS

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan for the lands at 35-53 and 101-113 Valley Woods Road and 1213-1229 York Mills Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7.
2. City Council amend the Zoning By-law for the lands at 35-53 and 101-113 Valley Woods Road and 1213-1229 York Mills Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, the owner shall submit revisions to the servicing and stormwater management report and financial securities to guarantee the sanitary downstream improvements of the existing sanitary municipal sewer, to the satisfaction of the Director, Development Engineering, Technical Services Division.
5. City Council require the community benefits and other matters detailed below to be secured in a Section 37 Agreement between the owner and the City of Toronto, and that the Agreement be registered on title to the satisfaction of the City Solicitor, before introducing the necessary Bills to City Council for enactment.
6. City Council require the owner to provide the following facilities, services and matters pursuant to Section 37 of the Planning Act:
  - (a) The owner is to provide a financial contribution to the City of \$1,500,000 to be used for the expansion/renovation of the Brookbanks Library or the construction of the combined Brookbanks Library/Recreation-community centre facilities on the Brookbanks Library site or other community recreational facility in the area. The financial contribution is to be paid as follows:
    - (i) A cash contribution of \$260,000 paid prior to the issuance of any building permits for Building A.
    - (ii) A cash contribution of \$260,000 paid prior to the issuance of any building permits for Building B.
    - (iii) A cash contribution of \$140,000 paid prior to the issuance of any building permits for Building C.

- (iv) A cash contribution of \$330,000 paid prior to the issuance of any building permits for Building D.
  - (v) A cash contribution of \$210,000 paid prior to the issuance of any building permits for Building F.
  - (vi) A cash contribution of \$200,000 paid prior to the issuance of any building permits for Building G.
  - (vii) A cash contribution of \$100,000 paid prior to the issuance of any building permits for Building H.
  - (viii) Each instalment payment set out in (i) to (vii) above shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
  - (ix) The owner is to provide a cash contribution to the City of \$250,000 to be used for capital improvements to publicly owned affordable housing projects in the community. This financial contribution is to be paid prior to the issuance of a building permit for the first non-rental residential building and shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
- (b) The provision and maintenance on the site of not less than 270 new replacement rental dwelling units for a period of at least 20 years, comprising:
- (i) 130 townhouse and stacked townhouse units located on Block 17 comprised of 100 three-bedroom units and 30 four-bedroom units,
  - (ii) 140 dwelling units in an apartment building located on Block 2 comprised of 30 one-bedroom units, 48 two-bedroom units, and 62 three- bedroom units,
  - (iii) 83 of the 270 units shall have affordable rents and the remaining units shall have rents no higher than mid-range rents.
  - (iv) The rental housing shall be provided in accordance with more detailed terms as set forth in the draft zoning by-law attached as Attachment No. 8.
- (c) The owner shall provide tenant relocation assistance for tenants in the existing buildings in accordance with the detailed terms set forth in the draft zoning by-law attached as Attachment No. 8.
- (d) The owner shall prepare a Construction Mitigation and Tenant Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit) in each phase of the construction, to the satisfaction of the Chief Planner and Executive Director, City Planning.

7. The following matters are also recommended to be secured in the Section 37 Agreement:
- (a) The owner agrees that construction shall proceed in accordance with the development Phasing Plan (Attachment 9) except that Phase 4 can commence prior to the completion of Phase 3.
  - (b) The owner shall prepare a Construction Management Plan and Neighbourhood Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Director, Development Engineering, Technical Services Division in consultation with the Chief Planner and Executive Director, City Planning.
  - (c) The owner is to provide a certified cheque to the Toronto Transit Commission (T.T.C.) for \$100,000 for transit signal priority intersection improvements as noted in the memorandum of the Toronto Transit Commission dated April 12, 2011. This is to be paid to the T.T.C. prior to the issuance of any building permit for any residential buildings in Phase 2.
8. The Parks and Recreation component of the Development Charges will be used to construct the Above Base Park Improvements. The Owner shall receive a development charge credit for the Above Base Park Improvements. The development charge credit shall be in an amount that is the lesser of the cost to the owner of installing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law.
9. City Council approve the application to demolish the existing residential rental dwelling units located at 35 to 53 and 101 to 113 Valley Woods Road and 1213 to 1229 York Mills Road pursuant to Municipal Code Chapters 667 and 363 subject to the following conditions under Chapter 667 which provide for replacement of the rental housing units:
- (a) The provision and maintenance on the site of not less than 270 new replacement rental dwelling units for a period of at least 20 years, comprising:
    - (i) 130 townhouse and stacked townhouse units located on Block 17 comprised of 100 three-bedroom units and 30 four-bedroom units,
    - (ii) 140 dwelling units in an apartment building located on Block 2 comprised of 30 one-bedroom units, 48 two-bedroom units, and 62 three- bedroom units,
    - (iii) 83 of the 270 units shall have affordable rents and the remaining units shall have rents no higher than mid-range rents.
    - (iv) The rental housing shall be provided in accordance with more detailed terms as set forth in Attachment No. 8.
    - (v) The owner shall provide tenant relocation assistance for tenants in the existing buildings, including the right for eligible tenants to

return to a replacement rental unit, in accordance with the detailed terms set forth in Attachment No. 8.

- (vi) The owner shall prepare a Construction Mitigation and Tenant Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit) in each phase of the construction, to the satisfaction of the Chief Planner and Executive Director, City Planning.
  - (b) the owner shall enter into, and register on title, one or more Section 111 Agreements to secure the conditions outlined in (a) above and as detailed in the draft zoning by-law amendment (Attachment No.8), to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor.
  - (c) the owner shall enter into and register, a Section 118 Restriction under the Land Titles Act agreeing not to transfer or charge any part of the lands, to the satisfaction of the City Solicitor, without the written consent of the Chief Planner and Executive Director, City Planning Division or his designate, to assist with securing the Section 111 Agreement against future owners and encumbrances of the lands.
  - (d) the owner shall first seek and obtain a building permit for the initial 130 replacement rental townhouse and stacked townhouse units prior to the issuance of any other building permit on site other than for a permit for excavation and shoring.
  - (e) the owner shall seek and obtain a building permit for the 140 replacement rental apartment units on the north site prior to the issuance of any other building permit during Phase 2 on the north site, other than for a permit for excavation and shoring.
10. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval to the application under Municipal Code Chapter 667 for any of the existing rental housing buildings in any specific phase of the development after the latest of the following has occurred:
- (a) the satisfaction of the conditions in Recommendation No.8;
  - (b) the Official Plan and Zoning By-law Amendments in Recommendations Nos. 1 and 2 have come into full force and effect; and
  - (c) the issuance of the site plan approval for the development by the Chief Planner and Executive Director, City Planning or his designate, pursuant to Section 114 of the City of Toronto Act, 2006.
11. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division, has issued the preliminary approval in Recommendation No. 9 for any of the existing rental housing buildings in any specific phase of the development.
12. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act for any of the rental housing buildings no earlier than issuance of the first

building permit for the foundation of the buildings in that phase of the development, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation No. 9, which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code, on condition that:

- (a) the owner complete a residential building on site no later than three (3) years from the date the permit is issued for demolition of the buildings; and
- (b) should the owner fail to complete the new building within the time specified in condition 11(a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit for which a demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

13. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner intends to approve the draft plan of subdivision as generally illustrated on Attachment 2 subject to:

- (a) the conditions as generally listed in Attachment No. 10, which except as otherwise noted must be fulfilled prior to the release of the plan of subdivision for registration;
- (b) the applicant submitting revisions to the servicing and stormwater management report and financial securities to guarantee the sanitary downstream improvements of the existing sanitary municipal sewer, to the satisfaction of the Director, Development Engineering, Technical Services Division prior to the approval of the draft plan of subdivision; and
- (c) any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going Development Engineering, Technical Services review and the review by other divisions of this development.

## **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing to demolish the existing 245 rental townhouses and redevelop the lands with rental replacement units and residential condominium units. The original proposal submitted in December 2007 was for 2,375 residential units in buildings with heights of up to 32 storeys and an overall density of 3.6 F.S.I. The preliminary report on the original proposal can be accessed at the following link:

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-11405.pdf>

Staff report for action – Final Report – 35-53 & 101-113 Valley Woods Rd and 1213-1229 York Mills Rd

The revised proposal has reduced the overall amount of development to 1,880 residential units of which 270 would be rental replacement units. The proposal now has building heights of up to 27 storeys and an overall density of 2.94 F.S.I.

The proposal for the north parcel is for a 12 storey rental building with 140 units and four condominium buildings with heights of 12 to 27 storeys with 1,056 units. The proposal includes a new public road to connect Valley Woods Road to York Mills Road and a 0.24 ha park. The south parcel includes 130 rental townhouse and stacked townhouse units and three condominium buildings of 12 to 24 storeys with 554 units. A 0.4 ha park is also proposed for the south parcel. A total of 2,222 parking spaces are proposed to serve the new development.

The owner will provide tenant relocation assistance to the tenants in the existing buildings proposed for demolition which includes extended notice prior to the demolition, and for eligible tenants, the right to return to one of the replacement rental units and financial assistance with the relocation.

Below is a summary of the site statistics:

	<b>North Parcel</b>	<b>South Parcel</b>	<b>Total Site</b>
Site Area	2.7391 ha	2.47 ha	
Connecting strip*	0.4 ha		
Total	3.139 ha	2.47 ha	5.6 ha
Residential Units			
Rental	140 units	130 units	270 units
Condominium	1,056 units	554 units	1,610 units
Total	1,196 units	684 units	1,880 units
Gross Floor Area	95,506 m <sup>2</sup>	60,585 m <sup>2</sup>	156,091 m <sup>2</sup>
Density (F.S.I.)	3.37 FSI**	2.45 FSI**	2.94 FSI**
Building Heights	12, 16, 22, 24, 27 storeys	3, 12, 22, 24 storeys	
Parking Spaces	1,403 spaces	819 spaces	2,222 spaces

\*includes lands below top-of-bank

\*\* excluding lands below top-of-bank

## Site and Surrounding Area

The site is 5.6 hectares in size and is comprised of two parcels of land connected by a 0.4 hectare (16.5 metres wide) strip of land along Valley Woods Road. The north parcel of land is located along York Mills Road and Valley Woods Road. Part of the north site abuts the top of the valley. The south parcel of land is located about 700 metres south along Valley Woods Road. Part of the south site also abuts the top of the valley. Both parcels of land are developed with Staff report for action – Final Report – 35-53 & 101-113 Valley Woods Rd and 1213-1229 York Mills Rd

rental townhouses constructed in the mid 1960's. There are 245 rental townhouses on the lands of which 198 are 3-bedroom units and 47 are 4-bedroom units.

- The north parcel contains 143 townhouse units (117 3-bedroom units and 26 4-bedroom units) 60 of which are stacked townhouses. A total of 159 parking spaces are provided in underground garages and a surface parking lot.
- The south parcel contains 102 townhouse units (81 3-bedroom units and 21 4-bedroom units) 30 of which are back-to-back units. There is an outdoor swimming pool at the north-west corner of the site. A total of 110 parking spaces are provided in underground garages and a surface parking lot.

Land uses surrounding the site are as follows:

North: on the north side of York Mills Road are residential buildings with heights of 4, 8, 10 and 16 storeys. There is a 23 storey apartment building adjacent to the Don Valley Parkway.

South: a low rise townhouse development and 6 storey apartment building abut the south parcel. Further south at Brookbanks Drive are several residential buildings with heights of 8 to 18 storeys.

East: Brookbanks Park and ravine system. On the east side of the valley are detached homes.

West: Valley Woods Road and the ramps to the Don Valley Parkway. On the west side of Valley Woods Road across from the south parcel is a 22 storey residential building.

## **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.

Section 1.0 of the PPS calls for the wise management of change and the support of strong, liveable and healthy communities. Section 1.4.3 requires that planning authorities provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents by establishing targets for the provision of housing affordable to low and moderate income households, and facilitating all forms of housing. Section 1.5 encourages the provision of parkland, open space areas and trails.

Where demolition of rental housing is proposed, among other matters, Section 2(h) of the *Planning Act* addresses the orderly development of safe and healthy communities, and Section 2(j) focuses on the adequate provision of a full range of housing.

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) 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. The Growth Plan promotes intensification of development and transit supportive densities. The Plan



encourages concentrating new development in urban areas including along arterial roads and near transit stations and planning for a range and mix of housing, taking into account affordable housing needs. Section 3.1 of the Growth Plan states the need for affordable housing.

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.

## **Official Plan**

Both the north and south parcels are designated Apartment Neighbourhoods in the Official Plan. The Official Plan states that Apartment Neighbourhoods are made up of apartment buildings, parks, local institutions, cultural and recreational facilities, and small scale retail, service and office uses that serve the needs of area residents. Policy 4.2.2 sets out development criteria in Apartment Neighbourhoods including: provide a transition between areas of different development intensity and scale; limit shadow impacts on sites in adjacent lower-scale Neighbourhoods; locate buildings to frame the edge of streets and parks; provide indoor and outdoor recreation space; and provide ground floor uses that enhance safety and amenity.

While significant growth is generally not intended within developed Apartment Neighbourhoods, the Official Plan indicates that compatible infill development may be permitted on a site containing an existing apartment that has sufficient underutilized space to accommodate one or more new buildings subject to meeting certain development criteria.

The strip of land along Valley Woods Road connecting both development parcels is designated Natural Areas. Natural Areas are to be maintained primarily in a natural state.

Small portions of both sites adjacent to the valley as well as part of the strip of land along Valley Woods Road are part of the City's Natural Heritage System. The Plan's objective is to protect, restore and enhance natural features and to reduce impacts of development on the natural environment. Development is generally not permitted in the natural heritage system and is to be set back at least 10 metres from the top-of-bank of valleys. The Plan's policies require that a study be provided to assess the proposed development's impact on the natural environment and that land below the top-of-bank may not be used to calculate permissible density or used to satisfy parkland dedication requirements.

## **Housing**

Section 3.2.1 of the Plan includes housing policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability both across the City and within neighbourhoods. The City has well-established practices for the protection of rental housing in the case of redevelopment. Policy 3.2.1.6 provides that applicants proposing to demolish 6 or more residential rental units (except where all rents are above mid-range) are required to replace the rental units with the same number, size and type of rental housing units and maintain them as rental housing and with rents similar to the rents of existing units on the site.

An acceptable tenant relocation and assistance plan is also required, which addresses the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship.

Policy 3.2.1.9 of the Official Plan provides that on large sites generally greater than 5 hectares in size:

- a) A minimum of 30% of the new housing units will be in forms other than single-detached and semi-detached houses, such as row housing, triplexes and multi-unit residential buildings; and
- b) In accordance with and subject to Section 5.1.1 of the Plan where an increase in height and/or density is sought, the first priority community benefit will be the provision of 20% of the additional residential units as affordable housing. This affordable housing contribution may take the form of affordable housing constructed on-site or the conveyance of land in the development to the City for the purpose of affordable housing, or at the discretion of the City:
  - i) with the agreement of the developer, affordable housing units constructed near the development site or elsewhere in the City;
  - ii) the conveyance of land to the City for the purpose of affordable housing near the proposed development site; or
  - iii) cash in lieu for the purpose of constructing affordable housing in or near the proposed development site.

### Built Form & Public Realm

The Official Plan also includes policies dealing with the public realm and built form. Section 3.1.1 includes policies for the layout and design of new streets and parks and preservation of views and vistas from valleys. Section 3.1.2 provides built form policies regarding appropriate site layout and organization of the site as well as massing of buildings.

### Community Services & Facilities

Section 3.2.2 of the Official Plan includes policies on the provision of adequate community services and facilities. Policy 3.2.2.6 requires a community services and facilities strategy for residential sites larger than 5 hectares in order to determine the range of facilities needed to support the proposed development.

### Parkland Dedication

Policy 3.2.3.5 of the Official Plan states that an alternative parkland dedication rate of 0.4 hectares per 300 residential units will be applied to proposals for residential development in parkland acquisition priority areas where Council has identified a need for parkland and enacted an Alternative Parkland Dedication By-law. For sites greater than 5 hectares in size, the parkland dedication will not exceed 20% of the development site, net of any conveyances for public road purposes.

## Zoning

Under North York Zoning By-law 7625 the north parcel is zoned RM4 (Multiple Family Dwellings Fourth Density Zone) and the south parcel is zoned RM6 (Multiple Family Dwellings Sixth Density Zone). The strip of land along Valley Woods Road connecting the two parcels of land is zoned O1 (Open Space Zone).

The RM4 zone permits low rise apartment buildings, townhouses, and other residential uses as well as a hospital, nursing home, place of worship and public schools. The maximum gross floor area in the RM4 zone is 85% of the lot area and the maximum building height for an apartment building is 11.5 metres.

The RM6 zone permits apartment buildings, townhouses and other residential uses as well as a hospital, nursing home, place of worship and public schools. The maximum gross floor area for an apartment building is 150% of the lot area and there is no height limit. However, for buildings higher than 11 metres, larger setbacks are required.

## **Site Plan Control**

An application for Site Plan Control approval has not yet been filed. Each phase of the development will be subject to site plan approval.

## **City of Toronto Act, Section 111**

Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. By-law No. 885-2007 (also known as the Rental Housing Demolition and Conversion By-law), which established Chapter 667 of the Municipal Code, was enacted by City Council on July 19, 2007.

The By-law makes it an offence to demolish the whole or any part of a residential rental building where there are six or more dwelling units, unless approval has been granted for a Section 111 permit for the demolition. In addition, approval of related planning applications, such as a rezoning, should be conditional upon the applicant receiving a Section 111 permit. City Council may impose conditions on the approval of the Section 111 permit, which typically involve the replacement of rental housing and assistance to any tenants affected by the proposed demolition. The conditions are based on the Official Plan policies and established practices the City has in place when considering rental housing demolition. City Council's decisions on the refusal or approval of a Section 111 permit are not subject to appeal to the Ontario Municipal Board. If the demolition of rental housing is approved under Municipal Code Chapter 667, approval to issue a demolition permit for residential buildings under Municipal Code Chapter 363 and Section 33 of the Planning Act is also required.

## **Reasons for the Applications**

An Official Plan Amendment is required as the proposal does not propose to replace the rental housing to be demolished with the same number of unit types. In addition, the proposal does not include the provision of 20% of the additional residential units as affordable housing. Instead the application proposes the provision of other priority Section 37 community benefits. An amendment to the zoning by-law is required as the proposal does not comply with the development regulations (such as building height and density) of the various zones applying to the subject lands.

Approval of a Section 111 permit under Chapter 667 of the Municipal Code of a rental housing demolition application is required to allow demolition of the existing rental units.

## Community Consultation

The applications have undergone an extensive public consultation process including community meetings and a series of working group meetings. A community consultation meeting was held on May 7, 2008 attended by approximately 250 people. The following concerns were expressed regarding the original proposal:

- The proposed buildings are too high and will be seen across the valley.
- Area should remain for townhouses.
- Proposal is for too much development and will result in a large increase in population.
- There are already too many apartments in the area.
- Impact on trees and the valley.
- Impact on birds and other wildlife.
- Shadowing of the park and ravine.
- There is already traffic congestion on the major streets (York Mills Road and the Don Valley Parkway) – proposal will make it worse.
- Too much traffic on local streets such as Underhill Drive
- Need to improve bus service on Valley Woods Road.
- Impact on schools and other community facilities.

In addition, five working group meetings with interested residents and a driving tour were held between July 2008 and May 2009. These meetings examined the issues in a more focussed approach. A further community meeting was held on December 3, 2009 at which time the applicant presented the revised development proposal. A further meeting to discuss traffic issues was held on January 18, 2010.

Two meetings were held in June 2008 and 2010 for the tenants of the 245 existing townhouses. The first meeting was attended by approximately 40 people, and the second tenant meeting to review the revised rental replacement and tenant assistance proposals that were under discussions between City staff and the applicant had approximately 50 people in attendance.

Tenant concerns included:

- Overall intensity of the development.
- Loss of large family townhouses with 3 and 4 bedrooms with basements and backyards/patios, with replacement mostly in the form of apartments and stacked townhouses with 3 levels of 3-bedroom units.
- Loss of green space and trees, and loss of private outdoor patios/backyards for most of the new rental units.
- Loss of the outdoor pool on the south site that is well used by families, no active outdoor recreation replacement for the tenants.
- Need for more storage, bicycle parking etc given the loss of basements for all but 40 townhouses.
- Extended disruption for tenants who would be returning to the north-site apartment building, due to its delayed construction as proposed by the applicant, wondering for how many years they would have to relocate elsewhere.

## **Agency Circulation**

The applications were 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 and conditions of Draft Plan Approval.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the Provincial Policy Statement and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas. The development promotes intensification through a compact urban form and provides for a range of housing including the replacement rental housing and various housing forms and unit types. As the north site is located on an arterial road adjacent to bus service, the development will promote ridership on the transit system. The proposal would make efficient use of land and resources, infrastructure and public service facilities. It would also create a healthy active community by creating safe and publicly accessible streetscapes, parks and landscaped and natural areas.

### **Land Use**

The Official Plan indicates that Apartment Neighbourhoods are made up of apartment buildings. The site is located in an Apartment Neighbourhood and is developed with townhouses. Development of apartment buildings is permitted by the Official Plan subject to meeting a number of development criteria including the following:

- provide a transition between areas of different development intensity and scale such as stepping down of heights towards lower-scale Neighbourhoods;
- limit shadow impacts on properties in adjacent lower-scale Neighbourhoods;
- locate and mass new buildings to frame the edge of streets and parks;
- maintain sunlight and comfortable wind conditions for pedestrians;
- provide sufficient vehicular and bicycle parking;
- provide indoor and outdoor recreation space; and
- provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

The total gross floor area proposed would result in a density of 2.94 FSI. This is comparable to other developments approved in the area.

### **Public Realm, Height, and Massing**

The Official Plan public realm policies call for comfortable, safe, and accessible public streets, parks, and open spaces, physical and visual access to the City's natural features, and street-oriented developments. The Official Plan's built form policies indicate that new development should be designed to fit with its existing and/or planned context; frame and support adjacent streets, parks and open spaces; and limit its impacts on neighbouring streets, parks, and properties. The Plan includes specific built form policies regarding tall buildings, and the City's Tall Buildings Guidelines provide detailed guidance on the design of tall buildings. The City has

also conducted a Midrise Typology study to investigate design criteria and performance standards for mid-rise buildings along Avenues. These policies and guidelines have informed the review and assessment of the proposal.

The context of the proposed development is unique. The proposal involves two parcels along Valley Woods Road, one at the north end at York Mills Road, and the other at the southern portion of Valley Woods Road, opposite an existing 22 storey apartment building. The sites are located on one side adjacent to a valley, on another side next to the Don Valley Parkway, and quite a distance away from the nearest low density residential area. The closest detached residential properties are located 80 metres or more across the valley from the proposed residential buildings in the north parcel, and at least 115 metres from the proposed buildings in the south parcel. Existing buildings located on the north side of York Mills Road range from 16 and 23 storeys towards the Don Valley Parkway down to 10, 8 and 4 storeys moving eastward.

The key components of the proposed development include a new public street, two new public parks, extensive pedestrian walkway/pathway systems, and residential buildings ranging from low rise townhouses and stacked townhouses, to mid-rise buildings and tall buildings. The organization and overall design of these elements is generally consistent with the Public Realm and Built Form Policies and Guidelines outlined above.

### **North Parcel**

In the north parcel, a new public street and a new park are created, joining the proposed development with its existing surroundings. The new street is an extension of Valley Woods Road, and is aligned with Clayland Drive located on the north side of York Mills Road. It divides the large development parcel into smaller City blocks, and provides accesses and addresses to the proposed buildings. The new park is located at a prominent location where the new street turns at the edge of the ravine. It opens up the view and access to the ravine, and would serve as a convenient outdoor amenity area for both new and existing residents in the area.

A total of five buildings are proposed in the north parcel. The tallest buildings are located on the west part of the site closest to the Don Valley Parkway at 27, 24 and 22 storeys. The building heights scale downwards to 16 and 12 storeys moving east, providing a transition in intensity and scale towards the ravine and the low-rise residential communities across the valley. The buildings are oriented parallel to the street/park/ravine edges, and will support these public spaces with entrances directly accessible from adjacent sidewalks or walkways.

The four tall buildings (A, B, C, D) in the north parcel generally comply with the City's Tall Building Guidelines. Spacing distances between the towers are 32 metres, 35 metres and 47 metres, exceeding the 25 metres minimum recommended by the Guidelines. The base buildings on the new public street range from two to four storeys, providing a pedestrian friendly scale along the adjacent public street. The tower portions of the buildings step back from the bases with a 3.0 metres minimum setback. The floor plates of the towers vary. For the top four floors of Buildings A, B and D the floor plates are 730 square metres, meeting the 750 square metres maximum recommended by the Tall Building Guidelines. This would help improve the sunlight conditions on York Mills Road and the new public street. The floor plates for the rest of the floors of Buildings A, B, and D are at 875 square metres. Building C is designed with a 788 square metres floor plate, rectangular in shape and would result in acceptable sunlight conditions.

Building E (12 storeys) and a portion of Building D (12 storeys) are mid-rise buildings, at 31.5 metres and 37 metres in height on the York Mills Road side. Both buildings would be under the 45 degree angular plane originated at the York Mills Road street line, at a height of 80% of the street right-of-way. This would ensure that adequate sun light can be achieved on the sidewalk along the north side of York Mills Road.

Additional design adjustments to the building bases and elevations of the tall buildings and the mid-rise buildings will be further explored in the site plan approval stage.

## **South Parcel**

In the south parcel, a new public park is located along Valley Woods Road, and extends to the edge of the adjacent ravine. The park would serve as a focal point for the area, connecting the street, the ravine, as well as the new development and the existing neighbouring properties.

A mix of tall, mid-rise and low rise buildings are proposed in the south parcel. Two residential buildings of 24 and 22 storeys are located along Valley Woods Road across the street from an existing 22 storey residential building. A 3-storey base is provided, and the towers step back from the base with 3-8 metres setbacks. The tower floor plates are 747 square metres, under the 750 square metres maximum recommended by the Tall Building Guidelines. The towers are offset from each other and the spacing distance between the towers is approximately 22 metres between the closest corners of the two towers, and is considered acceptable.

A 12 storey mid-rise building is proposed adjacent to the valley. The building scales down to 10 storeys towards the ravine. A 3-storey townhouse base is provided on the south side of the building to frame and support the proposed new public park.

South of the new park is a townhouse/stacked townhouse block, consisting of 10 buildings. The block serves as a transition from the tall and mid-rise buildings to the existing Citadel Village, and is designed to promote safe and easy access to the surrounding public spaces. The buildings are oriented towards Valley Woods Road, the park, and the ravine edge, with front entrances directly accessible from the sidewalk and walkways. In the interior of the block, the buildings are aligned to allow for continuous pedestrian corridors, creating direct physical and visual connections from all the front doors to the park.

## **Sun, Shadow, Wind and Noise**

The Official Plan includes policies that aim to limit shadow impacts of new buildings on adjacent lands designated Neighbourhoods especially during the spring and fall seasons. The nearest lands designated Neighbourhoods are located across the valley and also north of York Mills Road along Lynedock Crescent. The applicant has submitted a sun/shadow study which indicates no shadow impacts on the Neighbourhoods designated lands and limited shadow impacts on other properties.

The applicant has submitted a wind assessment of the proposed development. The study indicates that the proposed development employs wind mitigative design features that include podiums, canopies, stepped building facades, balconies, parapet walls and landscaping. The

study concludes that wind comfort conditions are appropriate and additional wind mitigation is not required.

In addition, the applicant has submitted a noise feasibility study which indicates that traffic noise on the Don Valley Parkway and York Mills Road are the dominant noise sources in the area. The study provides recommendations for exterior façade elements including window glazing and wall sound insulation to meet indoor sound level targets. The draft plan of subdivision includes a condition that, as part of site plan approval and draft plan of condominium, the owner is to address the recommendations of the noise feasibility study.

## **Large Site Housing Policy**

The Official Plan provides that on large sites generally greater than 5 hectares in size, a minimum of 30% of the new housing units will be in forms such as row housing and multi-unit residential buildings. The proposal meets this policy objective providing for residential units in the form of apartment buildings, townhouses and stacked townhouses. In addition, the Official Plan indicates that where an increase in height and density is sought, the first priority Section 37 community benefit will be the provision of 20% of the additional residential units as affordable housing. However, the Section 37 policies of the Official Plan also provide that community benefits will be selected on the basis of local community needs, intensification issues in the area, and that priority will be given to on-site or local community benefits.

Through the results of a review of community needs and community consultation, discussions with the local councillor, Parks and Recreation staff and staff at the Public Library, it became evident that the provision of gym and multi-purpose room facilities and updated library facilities were a very high priority for this area and a Section 37 community benefit package has been proposed by the applicant. While staff attempted to achieve the large site housing policy objective, the applicant did not wish to provide any new affordable housing units in satisfaction of policy 3.2.1.9. Instead the applicant has proposed to focus the Section 37 community benefits on improvements to community facilities and a small financial contribution for affordable housing.

This resulted in the need for the Official Plan amendment application. The applicant has proposed to provide a financial contribution of \$1,500,000 to be secured through the Section 37 Agreement to be used for community facility improvements in the area. The applicant has also agreed to provide a cash contribution to the City of \$250,000 to be used for capital improvements to publicly owned affordable housing projects in the community. This will be paid to the City prior to the issuance of a building permit for the first non-rental residential building. The Section 37 agreement also secures the replacement of the existing 245 rental townhouse units with 270 rental units comprised of 30 townhouse units, 100 stacked townhouse units and 140 apartment units.

## **Community Services and Facilities**

Parks, Forestry and Recreation staff advise they are seeking funds for improvements to area parks and facilities within the Ward to be secured through Section 37, specifically two bridges in Brookbanks Park which are in need of replacement. Parks staff advise that Section 37 funds should also be allocated towards the construction of a future gymnasium or other community



recreational facility that enhances or expands an existing City operated recreational facility in the area in consultation with the local Councillor. Toronto Public Library staff advise they are considering an expansion to the existing Brookbanks Library which serves the local community or a new library on the site. A review of community facilities in the area as well as input from residents in the area indicates there is a need for multi-purpose space and gym facilities to serve this area.

In order to address community facility needs in the area, both Toronto Public Library and Parks, Forestry and Recreation staff have agreed to develop a joint-use facility on the Brookbanks Library site. The joint-use facility could include:

- Renovation of the existing 737 m<sup>2</sup> library. Currently the library is not barrier-free for persons with disabilities, service is provided on three levels, the space is not well laid out and there is inadequate study space, computer space and a lack of suitable multi-functional space for programs. Retrofit of the existing space would increase the usability of the space bringing it all to one level.
- A 185 m<sup>2</sup> addition to the library including a multi-purpose program room.
- An outdoor reading garden.
- An 800 m<sup>2</sup> gym and 200 m<sup>2</sup> multi-purpose room including a kitchen/teaching room, change rooms and washrooms.
- A new parking area to serve the joint-use facility.

These improvements would provide much needed community facilities to serve the area and would make the library site a focal point for the community. The estimated cost for the library retrofit, expansion and reading garden is \$4.8 million and the estimated cost for the gym facility is \$6 million. The joint-use facility is designed to be constructed in phases with the library facility proceeding in the first phase. The gym facility would proceed as funding becomes available.

At its meeting of August 25, 26, 2010 City Council approved a development proposal for the Parkwoods Plaza site at 1265-1277 York Mills Road, including a recommendation that “City Council direct the Toronto Public Library and Parks, Forestry and Recreation to pursue a joint-use facility as discussed in this report comprising library improvements and a gym-recreation facility on the Brookbanks Library site.”

The applicant has agreed to provide a financial contribution of \$1,500,000 to be used for the library/community recreation facility on the Brookbanks library site or for other community recreational facility improvements in the area. This will be secured in the Section 37 Agreement. The contribution would be paid in instalments at the time of issuance of building permits for each non-rental residential building.

## **Rental Housing Demolition and Replacement**

Existing rental housing:

The 245 rental units comprise 47 four-bedroom and 198 three-bedroom townhouses on a 5 hectare site, most with patios or yards opening up into common walkways or green spaces. These are large rental units suitable for families, ranging from 1,100 to 1,410 square feet, in addition to the basement space included in most of the townhouses. There was a children's playground on

Staff report for action – Final Report – 35-53 & 101-113 Valley Woods Rd and 1213-1229 York Mills Rd

the north site, which had its equipment removed some time ago, and a still operating outdoor in-ground pool used by the families on the south site.

One-third of the houses had affordable rents at the time of the application in December 2007, with the remaining two-thirds at mid-range rents.

Agreements under applicable policies and by-laws:

With all 245 of the existing units proposed for demolition, the City's Official Plan policies as well as the by-law on rental housing demolition and conversion (Municipal Code Chapter 667) apply. Agreements with the City to secure the replacement of the rental housing and tenant relocation assistance will be entered into under Section 37 of the Planning Act and secured in the zoning by-law, as well as Chapter 667 under Section 111 of the City of Toronto Act. The owner will enter into and register on title to the lands a Section 118 Restriction that will assist with ensuring that the provisions of the Section 111 Agreement would continue to apply to future owners of the lands.

Replacement rental housing:

The proposal will replace the 245 existing rental units with 270 rental units in a different unit mix, in 2 areas of the site: an apartment building on the north site with 140 apartments, and an area in the south site adjacent to the new park with 130 rowhouse and stacked townhouse units. Consistent with City policy and practices, both rental housing components will be maintained as rental housing for at least 20 years, with no application to register them as condominium, or to convert them to non-rental housing purposes during that period.

Comparison of existing and replacement rental units:

The proposed replacement program involves a reduction in the number of 3 and 4-bedroom units, the new provision of 1 and 2-bedroom apartments, a significant reduction in the number of townhouse and grade-related units with the new provision of a rental apartment building. Unit sizes are similar for the 4-bedroom townhouses which are row houses with basements, while the new 1 and 2-bedroom units average a modest size of 490 and 750 square feet respectively. The 3-bedroom units are smaller than the existing units they are replacing: an average 13% smaller for the stacked 3-bedroom units on the south site and an average 19% smaller for the apartments on the north site, in addition to the loss of half or full basements. The table below is a comparison of the change in unit mix:

<b>Unit Type</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change</b>
1 bedroom apartment	0	30	+30
2 bedroom apartment	0	48	+48
3 bedroom:			
apartment	0	62	
townhouse	198	0	-36
stacked unit	0	100	(combined)
4 bedroom townhouse	47	30	-17
<b>Total</b>	<b>245</b>	<b>270</b>	<b>+25</b>

The reduction of 53 family townhouses has been offset by the replacement of 78 one and two-bedroom apartments. The City's practice has been to permit some flexibility in replacement rental unit mix, with the expectation of a greater number of total units where smaller unit types such as one and two-bedroom units are replacing some of the larger unit types such as three and four-bedroom units. The change in unit mix which results in 53 fewer three and four-bedroom rental units being replaced requires an Official Plan amendment.

The reduction in floor area of the 3-bedroom stacked units on the south site in combination with their dense stacking module (4 three-bedroom apartments on 4 floors) and the smaller size of the 3-bedroom apartments on the north site is of concern, given the suitability of the existing units for large families. The applicant has worked with staff to try to compensate for the smaller replacement family units. Another objective was to ensure that the apartment building on the north site, which will contain 62 three-bedroom and 48 two-bedroom apartments, was designed to be as family-friendly as possible. Some of these features include:

- The apartment building on the north site will have 53 out of the 110 two and three-bedroom apartments designated as 'family-units' with such features as an en-suite storage room and slightly larger apartments, and 2<sup>nd</sup> bathrooms for all 62 three-bedroom units.
- Storage lockers for all of the 110 two and three-bedroom apartments in the north site building will be provided in an easily-accessible ground floor space near the main entrance, in addition to the provision of en-suite storage space for the 53 'family-units'.
- Bicycle parking for the north site apartment building will also be located on the ground floor.
- Storage lockers in the underground garage will be provided for all of the 100 three-bedroom units on the south site, which in addition to the provision of bicycle parking for most of the units, will help offset the smaller floor areas of these family units, and the lack of space at grade to store bicycles.
- All but 4 of the 140 apartment units will have balconies or patios, and all of the 130 rental units on the south site will have a backyard, patio, balcony or roof deck.
- There will be a small park immediately adjacent to or across the road from each of the 2 areas on the north and south sites where the rental housing component will be located.
- En-suite laundry is being provided for all 270 rental units.
- The Section 37 Agreement will secure the details of the equipping of the indoor and outdoor amenity space for the north site apartment building to ensure the tenants will have a usable facility for a variety of activities and social gatherings.

Rents for the replacement rental housing:

The provisions for setting initial rents and allowable rent increases for all 270 rental units will conform to the City's policies and practices. 83 units will have affordable rents (no higher than average market rent as measured by Canada Mortgage and Housing Corporation annually), and the remaining units will have rents no higher than mid-range rents (up to 50% above CMHC's average market rent). All returning tenants will have rents set at a level that represents their last rent paid plus a new-building allowance of 4% and the provincial guideline for rent increases for each intervening year until first occupancy of the replacement unit.

For the first 10 years of occupancy in the new buildings, annual rent increases for all tenants will be restricted under the terms of the S.37 and Section 111 Agreements to an allowable level based

on the provincial legislation governing rent increases. Starting in the 11<sup>th</sup> year, unrestricted rents for all new in-coming tenants may be set by the owner without any reference to the City's agreements. Tenants who moved in during the 1<sup>st</sup> 10 years, however, will retain the same rent increase protection until the 20<sup>th</sup> year of the building's occupancy if they remain as tenants, with a 3 year phase out to unrestricted market.

#### Tenant Relocation and Assistance Plan:

The applicant and City staff have developed and agreed to a comprehensive plan for tenant relocation assistance that is consistent with City policies and practices, and that will be detailed and secured in both the Section 37 and Section 111 Agreements. Key elements include:

- The right to return to a replacement unit for all tenants in the existing units.
- A phasing plan that will minimize the number of people who must relocate off-site while the first rental component of 130 row and stacked units are being built, and retain some of the existing townhouses until completion of the rental apartment building, to accommodate some of the tenants who must wait for the apartment building on the north site to be completed.
- More recent tenants who signed an acknowledgement of the proposed demolition before moving in will also be eligible to return and to receive the financial compensation required under the provincial Residential Tenancies Act, but not to all of the extra benefits provided for in the City-approved Tenant Relocation and Assistance Plan.
- All tenants will receive extended notice of the date they must vacate for the demolition of their buildings.
- Returning tenants will choose their replacement units by seniority, so that those choosing the south site townhouses will be able to move in at the end of Phase 1, even if their specific building is not one of the ones targeted for demolition in Phases 1 and 2.
- A certain proportion of units most suitable for families in both the south and north sites will be initially set aside at rent-up for priority allocation to families with at least 1 child under 18 years of age.
- All tenants eligible for the financial assistance in the City-approved plan will receive a moving allowance, and those who relocate off-site and must find their own accommodation will be eligible for additional assistance on a sliding scale based on length of occupancy at Valley Woods.
- Tenants with special needs or with a long-term tenancy will receive a top up to their moving allowance.

#### Rental Housing Summary:

While there are concerns with the reduction in the number of three and four-bedroom units, the loss of large grade-related townhouses suitable for families, and the reduced size of the three-bedroom rental units that are being replaced, the rental replacement package is acceptable. The phasing plan for demolition and construction of the rental housing minimizes the disruption to tenants caused by relocation, meeting one of the City's important policy objectives. Though tenants had expressed concerns with delays in the construction of the apartment building based on an earlier phasing plan, the revised phasing plan resolves this problem. The Tenant Relocation and Assistance Plan is comprehensive, with special provisions for special needs and families, and is consistent with City policies and practices.

On balance, staff are supportive of the Official Plan amendment for the reduction in the number of three and four-bedroom replacement rental units, the rezoning application that provides for the redevelopment and replacement of the rental housing and the provision of tenant relocation assistance, and the application for a Section 111 permit to demolish the rental housing under Chapter 667 of the Municipal Code.

## **Traffic Impact, Access and Parking**

Currently, Valley Woods Road connects to York Mills Road at an unsignalized intersection. The development proposal includes the construction of a new public road connection to York Mills Road and a realignment of Valley Woods Road. The new public road would provide vehicle access to the site at a new signalized intersection at York Mills Road opposite Clayland Drive.

The applicant has submitted a traffic impact study which indicates that the additional trips generated by this development can be accommodated without significant impact on the road network and to local traffic in this area. Transportation Services staff have reviewed the study and have accepted the study's findings. Transportation staff indicate that the applicant's traffic analysis confirms that the increased traffic activity that may occur on Underhill Drive as a result of the proposal can be acceptably accommodated. Transportation Services staff have no objection to the proposed zoning by-law amendment. Prior to draft plan of subdivision approval, the applicant is to prepare a cost estimate and provide a financial guarantee to the City for the required road improvements.

The Toronto Transit Commission has indicated that in order to mitigate delays to buses due to site generated traffic, as a condition of zoning approval the owner should provide \$100,000 for the installation of transit signal priority intersection improvements. This will be secured through the Section 37 agreement.

In order to mitigate construction impacts on the surrounding community, the subdivision agreement will include a requirement that the owner is to prepare a construction management plan and neighbourhood communication strategy prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Executive Director Technical Services in consultation with the Chief Planner and Executive Director, City Planning.

The proposal includes a total of 2,222 parking spaces of which 1,830 are resident spaces and 392 residential visitor spaces. Parking will be provided in two and three levels of underground parking. Transportation Services staff recommend the following parking rates:

- 0.9 spaces per unit for a 1 bedroom unit.
- 1.0 space per unit for a 2 bedroom unit.
- 1.2 spaces per unit for a 3 bedroom unit.
- 1.0 space per unit for a townhouse dwelling.
- For residential visitors, 0.2 spaces per unit.

The following minimum bicycle parking rates will apply to the apartment buildings and stacked townhouses:

- 0.7 spaces per unit for long-term bicycle parking.

- 0.08 spaces per unit for short-term at-grade bicycle parking.

## **Servicing**

The Stormwater Management and Functional Servicing Report submitted by the applicant has been reviewed by Development Engineering, Technical Services Division as well as the Toronto and Region Conservation Authority (TRCA). The proposal includes a block of land to be conveyed to the City for stormwater management. The study concludes that the proposal can be adequately serviced by existing and improved infrastructure. TRCA advise that at the detailed design stage further technical review of stormwater management will be required.

Development Engineering, Technical Services Division staff advise that the applicant is required to submit revisions to the servicing and stormwater management report and to demonstrate that the proposed stormwater management block is sized adequately to accommodate the proposed development. This may result in a modification to the size of the stormwater management block. In addition, the applicant is required to submit financial securities to guarantee the sanitary downstream improvements of the existing sanitary municipal sewer to the satisfaction of the Director, Development Engineering, Technical Services Division. This report includes recommendations that before introducing the necessary Bills to City Council for enactment, and before approving the draft plan of subdivision, the owner shall submit revisions to the servicing and stormwater management report and financial securities to guarantee the sanitary downstream improvements of the existing sanitary municipal sewer, to the satisfaction of the Director, Development Engineering, Technical Services Division.

## **Phasing**

The proposed development includes the following phasing plan as shown on Attachment 9:

- Phase 1
  - Demolition of about 60 rental townhouses at the southern part of the south site and maintaining the remaining 42 rental units.
  - Construction of 130 new rental replacement townhouses and stacked townhouses in the south site.
  - Retention of outdoor pool.
- Phase 2
  - Demolition of 143 rental units in the north site.
  - Construction of the new public road in the north site.
  - Construction of 2 residential condominium buildings in the north site with 558 units.
  - Construction and completion of a residential rental replacement building in the north site with 140 units.
  - Dedication of parkland on the north site.
- Phase 3
  - Construction of 2 residential condominium buildings in the north site with 498 units.

- Phase 4
  - Demolition of the remaining 42 rental townhouses on the south site.
  - Construction of 3 residential condominium buildings in the south site with 554 units.
  - Dedication of parkland on the south site.

This phasing plan would ensure that a large number of rental replacement units are constructed in the first phase of development and that the appropriate range of infrastructure will be provided in a timely manner as the new resident population arrives. Up to 130 existing tenant households will have the opportunity to move into the townhouse and stacked townhouse units at the end of Phase 1, at a time when only 60 units will have been demolished. Construction of the rental apartment building on the north site will commence no later than the commencement of construction of the earliest of the condominium buildings, following the demolition of all the rental units on the north site.

Until the new park is provided in Phase 4, the 130 new rental units to be built in Phase 1 will experience a loss of open space and play areas for children. To help mitigate this gap, staff will secure in the phasing plan the ongoing provision and maintenance of the outdoor pool on the south site until the demolition of the remaining rental townhouses on the south site, and the owner has agreed to work with staff to secure access to a portion of the park area prior to its completion in Phase 4.

The phasing plan is to be secured as part of the Section 37 Agreement and the subdivision agreement.

## **Open Space/Parkland**

The applicant proposes to dedicate on-site parkland to fulfil the parkland dedication requirement. Three parcels of land totalling 0.7 hectares (Blocks 5, 10 and 15) on the draft plan of subdivision will be conveyed to the City as parkland. Parks, Forestry and Recreation staff support this parkland dedication as all three parcels connect to the existing parkland located within Brookbanks Park. The block to be conveyed to the City on the north site has an area of 0.15 hectares and results in the creation of a new park leading to Brookbanks Park (Attachment 1 Site Plan-North Site). The park block on the south site has an area of 0.45 hectares and results in the creation of a new park serving the residents in the southern area (Attachment 1 Site Plan-South Site).

Parks, Forestry and Recreation staff recommend that the Parks and Recreation component of the development charges arising from this development be used to construct the Above Base Park Improvements to the proposed park blocks. They also recommend that the owner receive a development charge credit for the Above Base Park Improvements in an amount that is the lesser of the cost to the owner of installing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law.

## **Amenity Space**

The Official Plan requires that new development provide adequate indoor and outdoor recreational space for residents. The applicant indicates that each condominium residential building will have its own indoor amenity space which may include an indoor pool, fitness facilities and meeting and party/entertainment rooms. The rental apartment building in the north site will have indoor amenity space comprising a party room, play and hobby room, kitchen and multi-purpose room. The multi-purpose room will be directly linked to an outdoor amenity area. Indoor and outdoor amenity space at a rate of minimum 1.5 m<sup>2</sup> per dwelling unit will be secured in the zoning by-law.

The existing outdoor pool that currently serves the tenants of the townhouses is not proposed to be replaced in the new development, but its removal will be deferred until the final phase of construction.

## **Environment**

Small portions of both sites adjacent to the valley as well as part of the strip of land along Valley Woods Road are located below the valley top-of-bank. All development in the proposal would be set back a minimum of 10 metres from the top-of-bank. Both the Toronto and Region Conservation Authority and Urban Forestry Ravine and Natural Feature Protection staff have requested that the 10 metre buffer area adjacent to the top-of-bank be conveyed to the City and the applicant has agreed to this. The applicant has also submitted a natural heritage impact study which concludes that the proposed development will have minimal impacts on the natural heritage of the site and will not adversely impact the overall natural features of the ravine. The study has been accepted by TRCA and Urban Forestry.

The applicant will be required to undertake renaturalization of lands adjacent to the top-of-bank and in the valley as well as undertake a ravine stewardship and restoration plan for lands in and adjacent to the valley. Financial guarantees to secure the restoration and renaturalization plans will be secured at time of site plan approval for each development phase and the plans will be implemented prior to condominium registration of each phase of development. As part of site plan control the applicant will submit a tree protection plan and detailed landscape plan identifying new trees to be planted. Toronto and Region Conservation Authority and Urban Forestry Services staff advise that they do not object to the proposed development.

## **Toronto Green Standard**

The Toronto Green Standard (TGS) and Green Roof By-law came into force and effect on January 31, 2010. The application was submitted prior to this date, therefore the TGS is applied on a voluntary basis. The applicant indicates they will be meeting the Tier 1 guidelines which include energy saving mechanical systems, low water use plumbing fixtures, stormwater management features, environmental and planting features and green roofs as required under the Green Roof By-law. The measures will be secured through the Site Plan Control process.



## Schools

The Toronto District School Board reviewed the application and in 2008 advised there is insufficient space at the local schools to accommodate students anticipated from the proposed development and it may be necessary for students to be accommodated in facilities outside of the area. The School Board has requested that as a condition of approval, the applicant enter into an agreement to put up signs advising that students may be accommodated in facilities outside the area until adequate funding or space becomes available and also include warning clauses in all offers of purchase and sale of residential units, to the effect that students may be accommodated in facilities outside the area and policies on bussing. These conditions have been included in the conditions of draft plan of subdivision approval.

Comments have not been received from the Toronto Catholic District School Board.

## Section 37

As noted earlier in the report, the following matters are recommended to be secured in the Section 37 Agreement:

1. A financial contribution by the owner to the City of \$1,500,000 to be used for the library and parks and recreation joint-use facility on the Brookbanks library site or other community recreational facility in the area.
2. The owner is to provide a cash contribution to the City of \$250,000 to be used for capital improvements to publicly owned affordable housing projects in the community.
3. The provision and maintenance on the site of not less than 270 new replacement rental dwelling units for a period of at least 20 years, comprising 130 townhouse and stacked townhouse units and 140 apartment units, of which 83 shall have affordable rents.
4. Tenant relocation assistance for tenants in the existing buildings, including the right for eligible tenants to return to a replacement rental unit, with the details of the Tenant Relocation and Assistance Plan to be outlined and secured in the agreement.
5. A Construction Mitigation and Tenant Communication Strategy, with a focus on the impact of construction activity for on-site tenants, prior to the issuance of the first building permit (including demolition and/or excavation permit) in each phase of the construction, to the satisfaction of the Chief Planner and Executive Director, City Planning.
6. The development phasing plan as discussed in this report.
7. The owner is to prepare a Construction Management Plan and Neighbourhood Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Director, Development Engineering, Technical Services Division in consultation with the Chief Planner and Executive Director, City Planning.

8. A financial contribution by the owner of \$100,000 to the Toronto Transit Commission for transit signal priority intersection improvements.

## **Tenure**

Of the 1,880 proposed residential units, 270 are to be replacement rental units and 1,610 are to be residential condominiums. A draft plan of condominium will need to be submitted for approval.

## **Development Charges**

It is estimated the development charges for this project will be \$ 14,375,000. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

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## **SIGNATURE**

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Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Draft Plan of Subdivision

Attachment 3: Elevations

Attachment 4: Zoning

Attachment 5: Official Plan

Attachment 6: Application Data Sheet

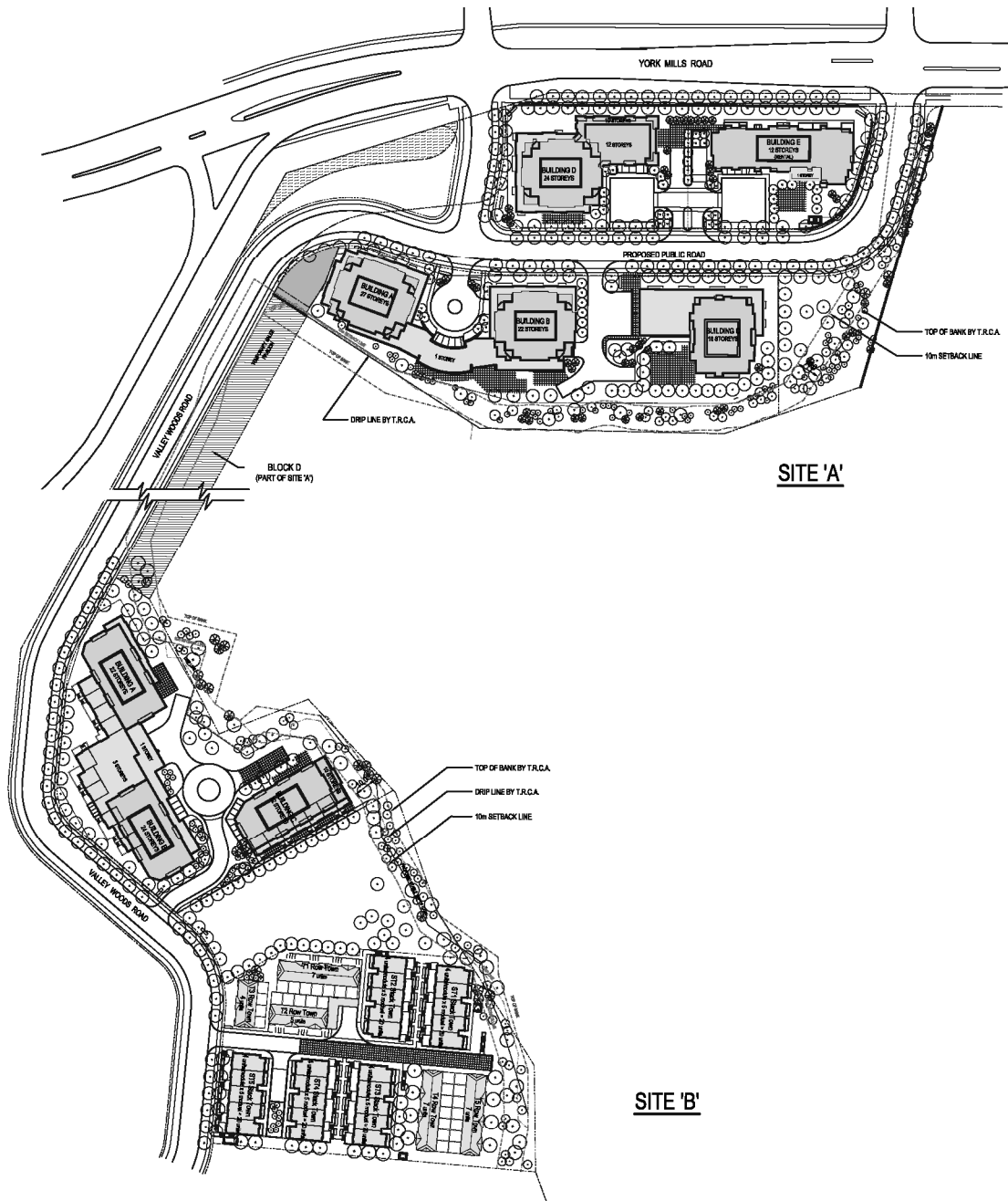
Attachment 7: Draft Official Plan Amendment

Attachment 8: Draft Zoning By-law Amendment to North York Zoning By-law 7625

Attachment 9: Development Phasing Plan and Map

Attachment 10: Conditions of Draft Plan of Subdivision Approval

# Attachment 1: Site Plan



## Master Site Plan

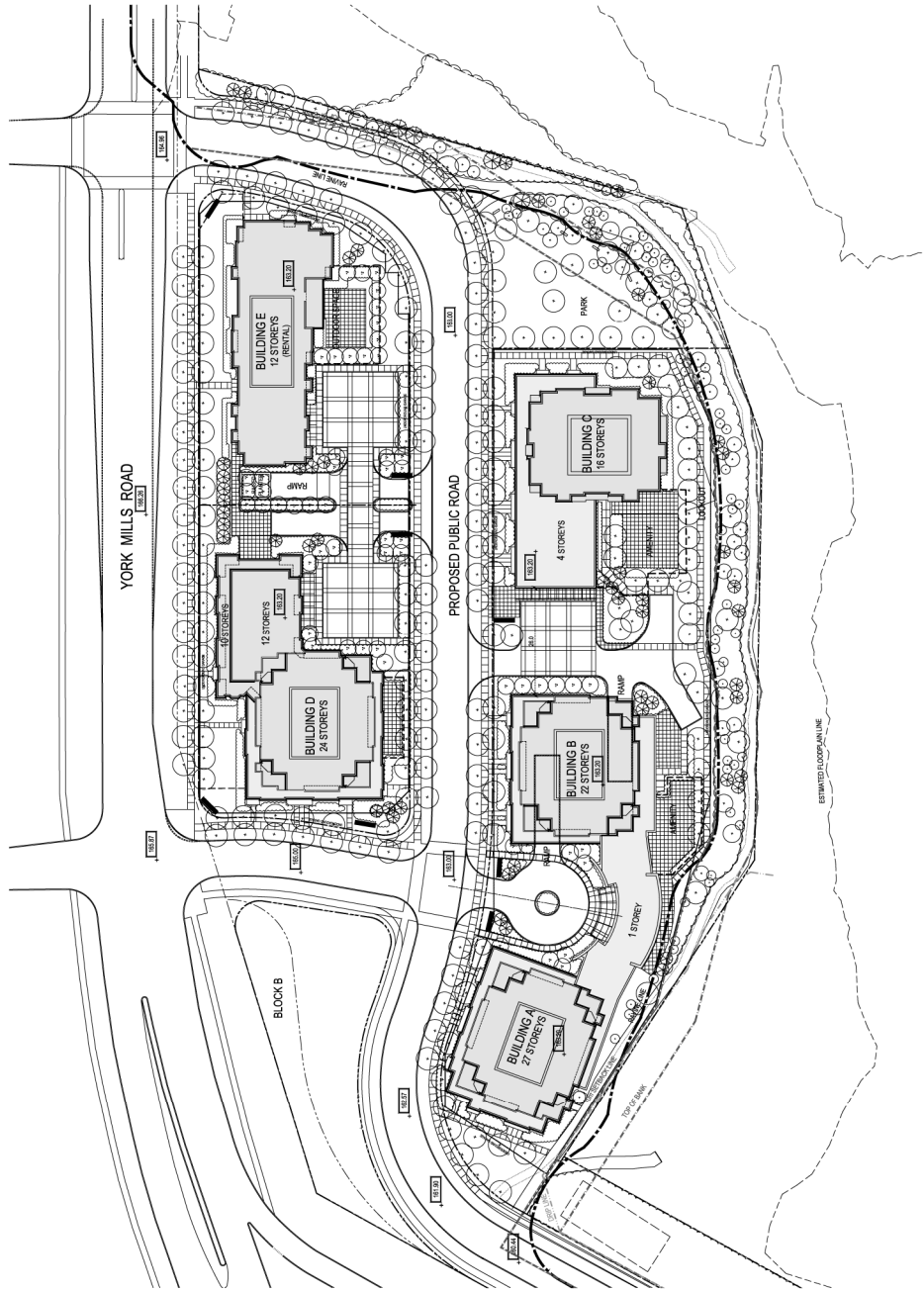
Applicant's Submitted Drawing

Not to Scale  
03/30/2011



35-53 & 101-113 Valley Woods Road and  
1213-1229 York Mills Road

File # 07\_288330



**Site Plan - North Site**

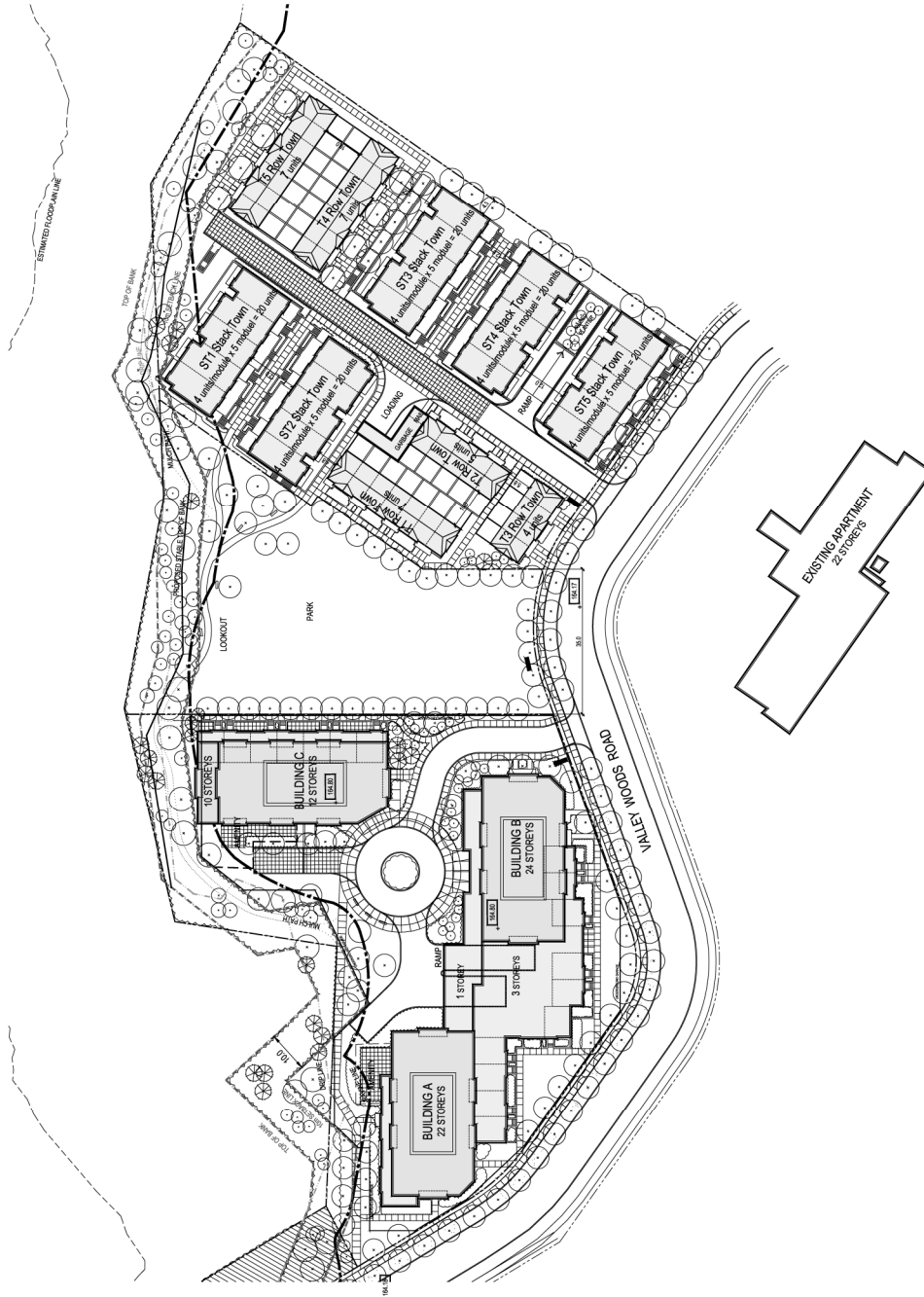
Applicant's Submitted Drawing



Not to Scale  
03/31/2011

**35-53 & 101-113 Valley Woods Road and  
1213-1229 York Mills Road**

File # 07-288330



**Site Plan - South Site**

Applicant's Submitted Drawing

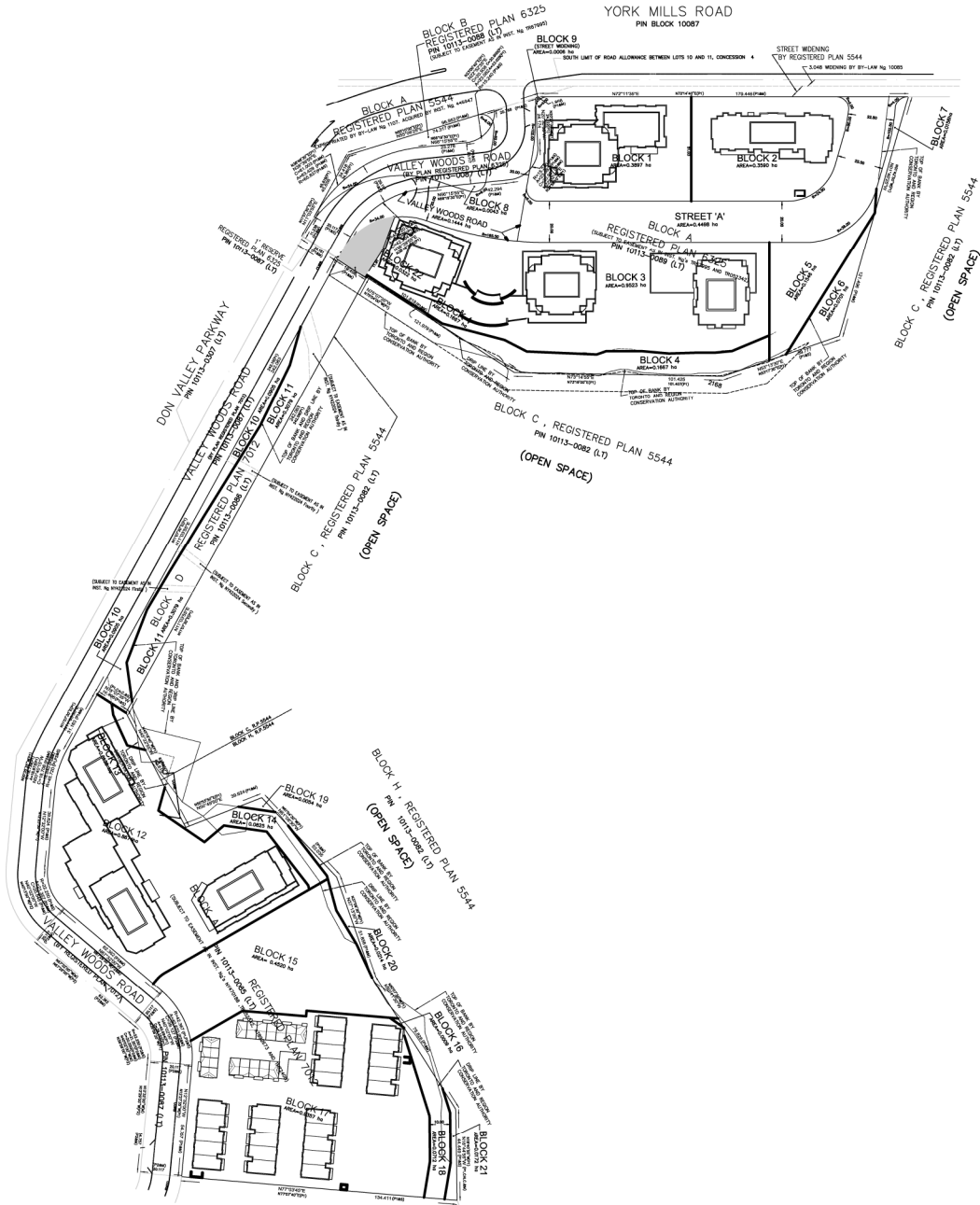
Not to Scale  
01/13/2011



**35-53 & 101-113 Valley Woods Road and  
1213-1229 York Mills Road**

File # 07\_288330

Attachment 2: Draft Plan of Subdivision



Subdivision Plan

Applicant's Submitted Drawing

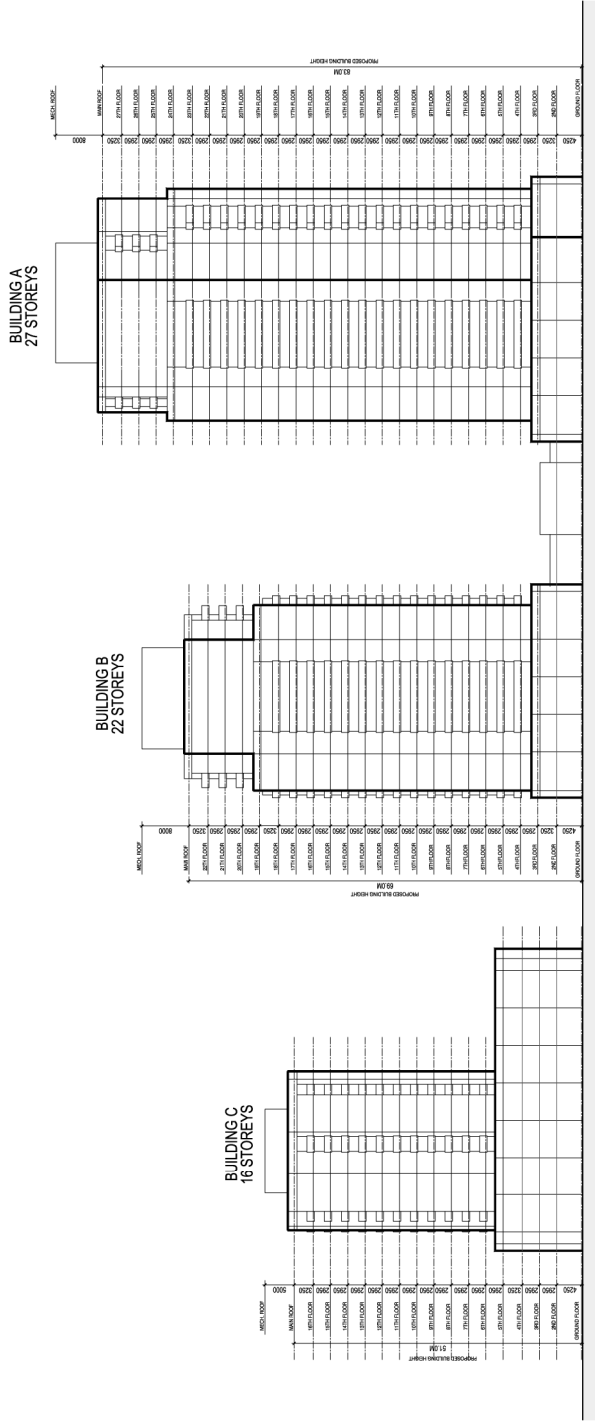
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02/24/2010



35-53 & 101-113 Valley Woods Rd  
and 1213-1229 York Mills Rd

File # 10\_119479

**Attachment 3: Elevations**



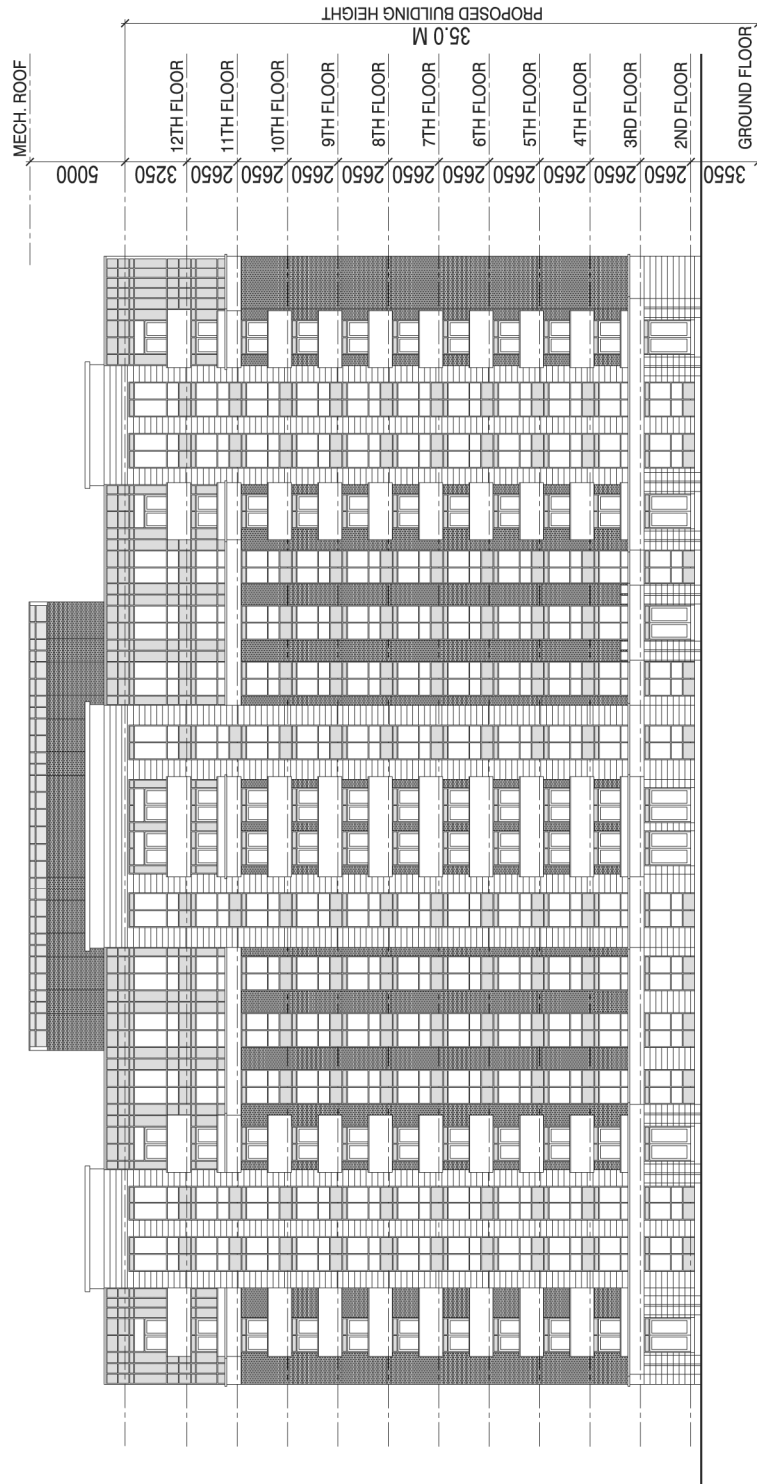
NORTH SITE BUILDING A, B & C NORTH ELEVATION

**Elevations - North Site**  
 Applicant's Submitted Drawing

35-53 & 101-113 Valley Woods Road and  
 1213-1229 York Mills Road

File # 07\_288330

Not to Scale  
 01/13/2011



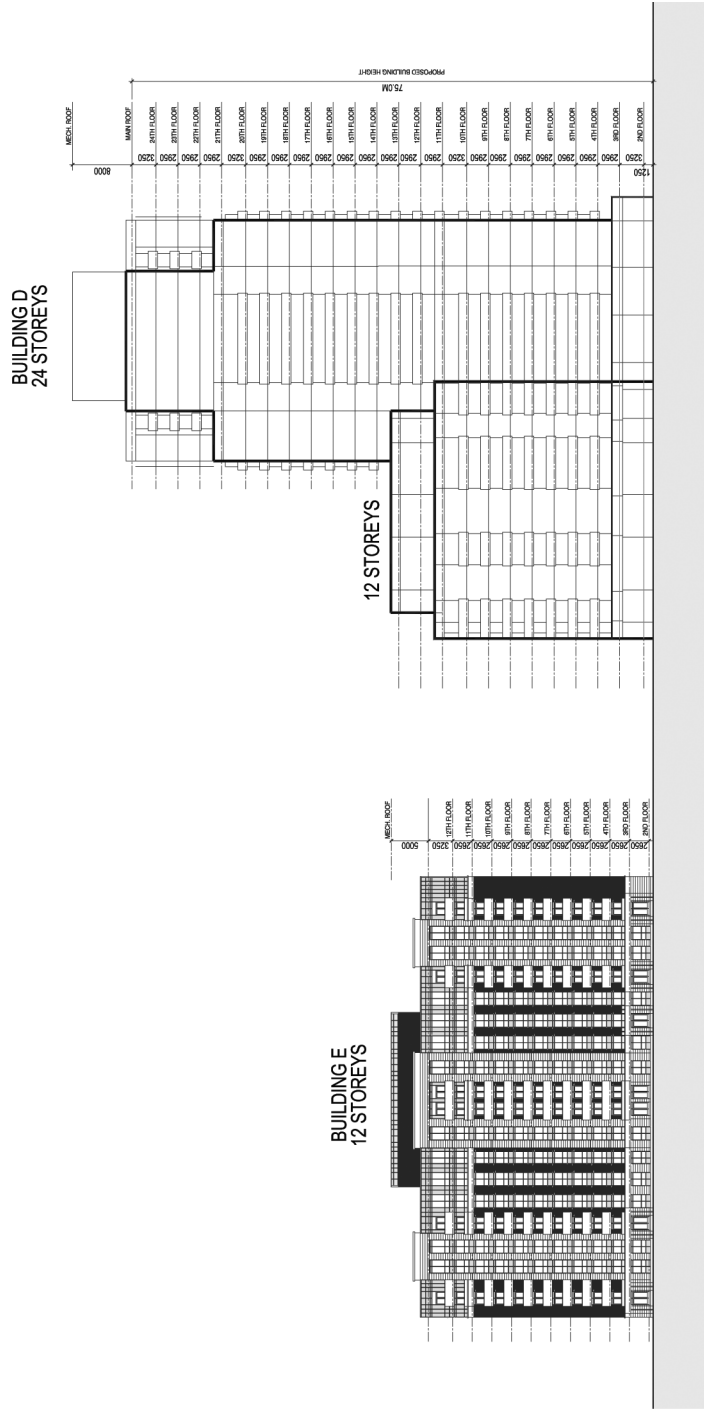
NORTH SITE BUILDING E NORTH ELEVATION  
12 STOREYS

**Elevations - North Site**  
 Applicant's Submitted Drawing  
 Not to Scale  
 01/31/2011

**35-53 & 101-113 Valley Woods Road and  
 1213-1229 York Mills Road**

File # 07\_288330





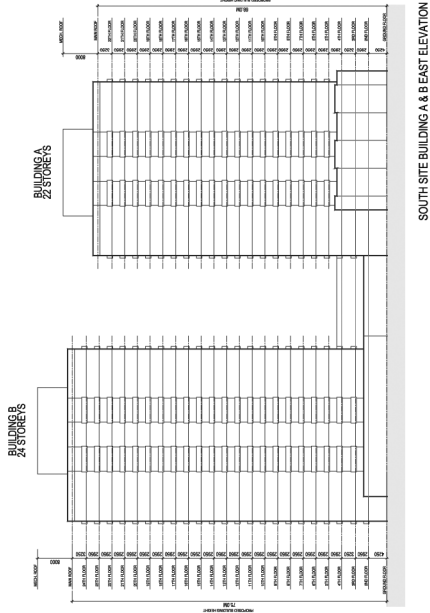
NORTH SITE BUILDING D & E NORTH ELEVATION

**Elevations - North Site**  
 Applicant's Submitted Drawing

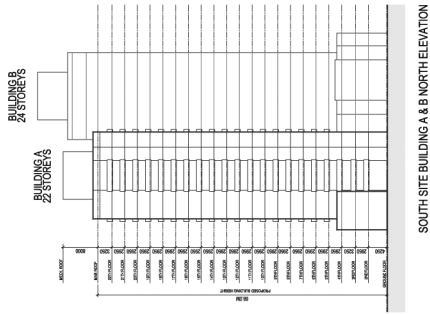
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 01/13/2011

**35-53 & 101-113 Valley Woods Road and  
 1213-1229 York Mills Road**

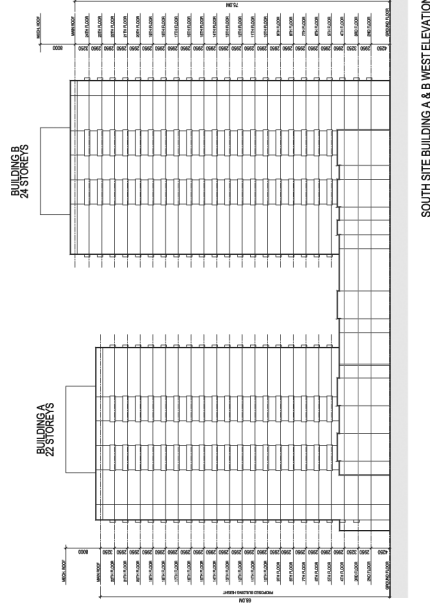
File # 07\_288330



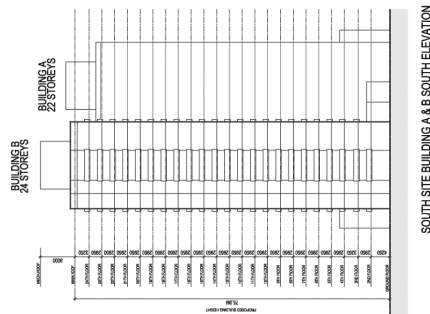
SOUTH SITE BUILDING A & B EAST ELEVATION



SOUTH SITE BUILDING A & B NORTH ELEVATION



SOUTH SITE BUILDING A & B WEST ELEVATION



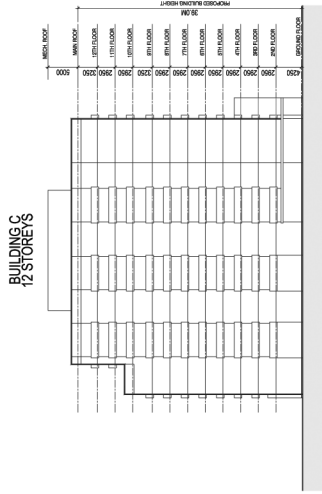
SOUTH SITE BUILDING A & B SOUTH ELEVATION

**Elevations - South Site**  
 Applicant's Submitted Drawing

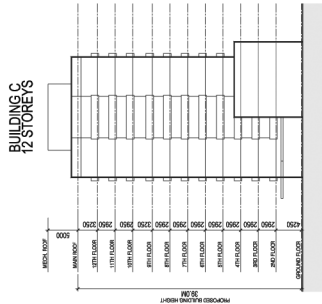
Not to Scale  
 01/13/2011

**35-53 & 101-113 Valley Woods Road and  
 1213-1229 York Mills Road**

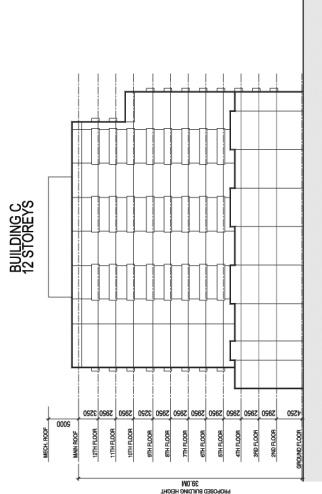
File # 07\_288330



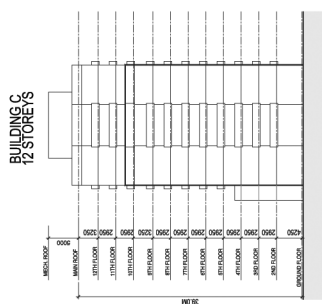
SOUTH SITE BUILDING C NORTH ELEVATION



SOUTH SITE BUILDING C EAST ELEVATION



SOUTH SITE BUILDING C SOUTH ELEVATION



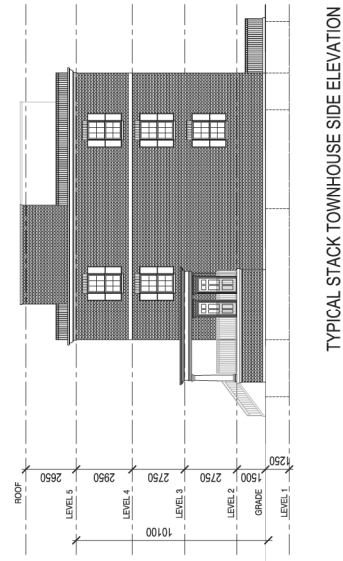
SOUTH SITE BUILDING C WEST ELEVATION

**Elevations - South Site**  
 Applicant's Submitted Drawing

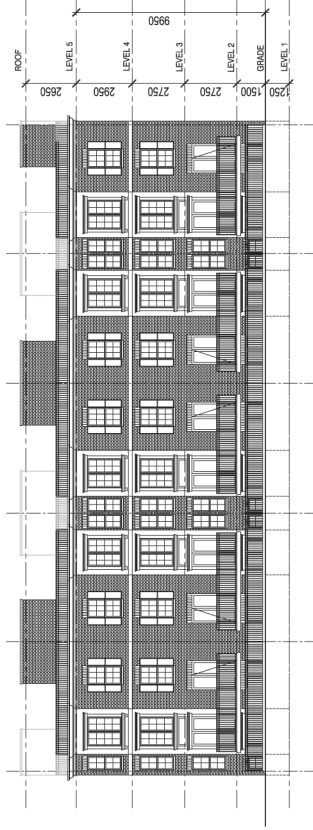
Not to Scale  
 01/13/2011

**35-53 & 101-113 Valley Woods Road and  
 1213-1229 York Mills Road**

File # 07\_288330



TYPICAL STACK TOWNHOUSE SIDE ELEVATION



TYPICAL STACK TOWNHOUSE BACK ELEVATION

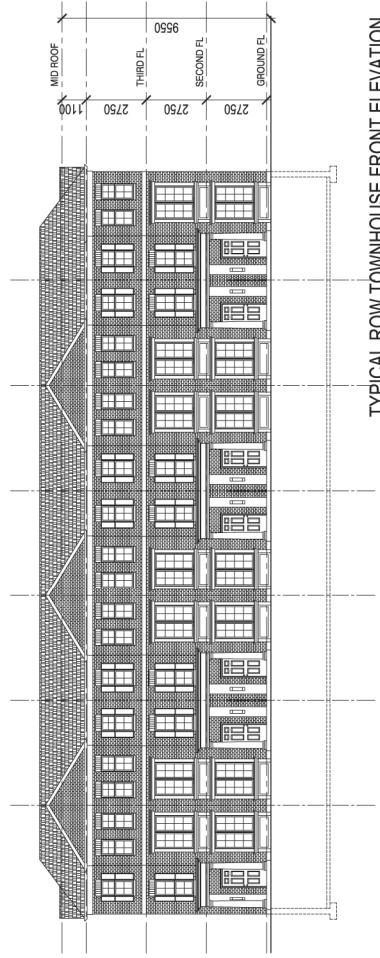
**Elevations**

Applicant's Submitted Drawing

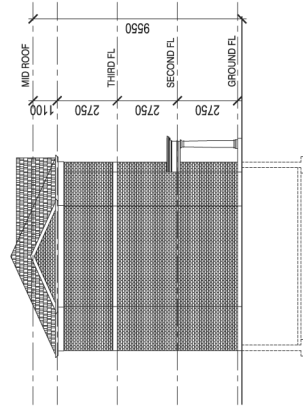
Not to Scale  
01/31/2011

**35-53 & 101-113 Valley Woods Road and  
1213-1229 York Mills Road**

File # 07\_288330



TYPICAL ROW TOWNHOUSE FRONT ELEVATION



TYPICAL ROW TOWNHOUSE SIDE ELEVATION

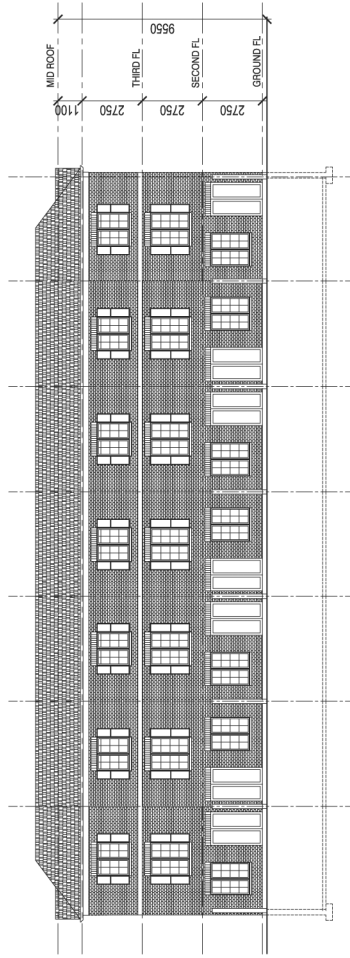
**Elevations**

Applicant's Submitted Drawing

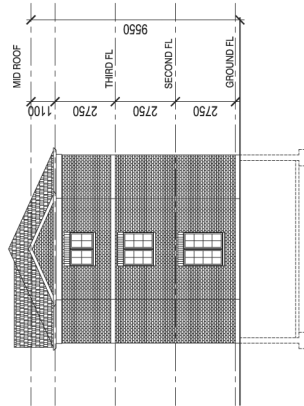
Not to Scale  
01/31/2011

**35-53 & 101-113 Valley Woods Road and  
1213-1229 York Mills Road**

File # 07\_288330



TYPICAL ROW TOWNHOUSE BACK ELEVATION



TYPICAL ROW TOWNHOUSE SIDE ELEVATION

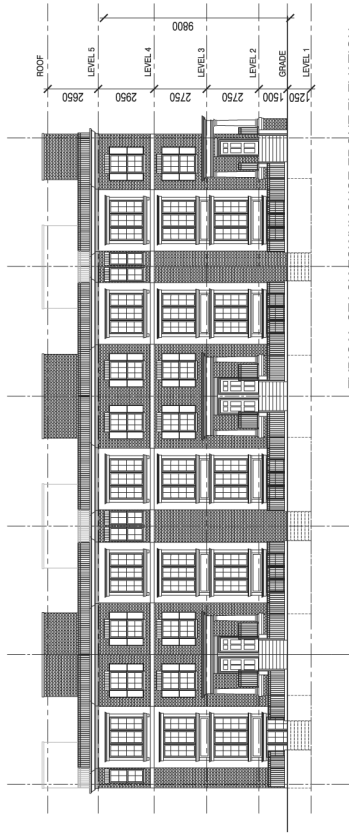
## Elevations

Applicant's Submitted Drawing

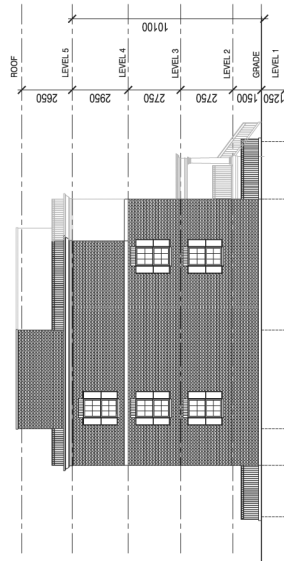
Not to Scale  
01/31/2011

35-53 & 101-113 Valley Woods Road and  
1213-1229 York Mills Road

File # 07\_288330



TYPICAL STACK TOWNHOUSE FRONT ELEVATION



TYPICAL STACK TOWNHOUSE SIDE ELEVATION

## Elevations

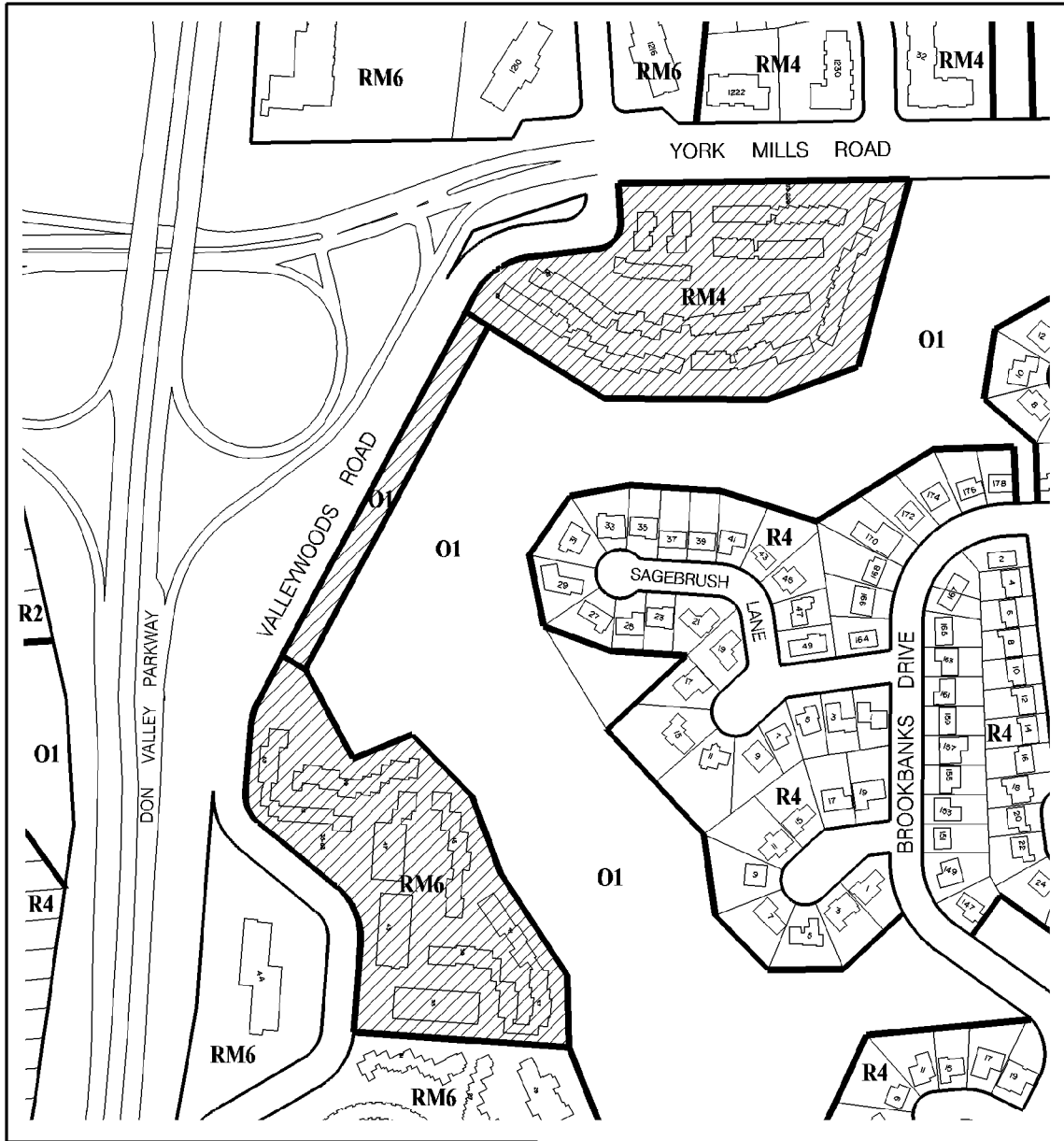
Applicant's Submitted Drawing

Not to Scale  
01/31/2011

35-53 & 101-113 Valley Woods Road and  
1213-1229 York Mills Road

File # 07\_288330

**Attachment 4: Zoning under North York Zoning By-law 7625**



**TORONTO** City Planning  
**Zoning**

35-53 & 101-113 Valley Woods Road  
 and 1213-1229 York Mills Road  
 File # 07\_288330

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- O1 Open Space Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑  
 Not to Scale  
 Zoning By-law 7625  
 Extracted 01/15/2008



**Attachment 5: Official Plan**



**TORONTO** City Planning  
**Official Plan**

**35-53 & 101-113 Valley Woods Road and  
 1213-1229 York Mills Road**

File # 07\_288330

- |                          |                           |
|--------------------------|---------------------------|
| Site Location            | Parks & Open Spaces Areas |
| Neighbourhoods           | Natural Areas             |
| Apartment Neighbourhoods | Parks                     |

↑  
 Not to Scale  
 01/17/2008

## Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	07 288330 NNY 34 OZ
Details	Rezoning	Application Date:	December 19, 2007

Municipal Address: 35-53 and 101-113 VALLEY WOODS RD and 1213-1229 YORK MILLS RD

Location Description:

Project Description: Revised rezoning proposal is to demolish the existing 245 rental townhouses and construct 1,880 residential units, including 270 rental replacement residential units, within a variety of housing types including apartment buildings, townhouses and stacked townhouses.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
SHERMAN BROWN DRYER KAROL			ALIT DON VALLEY PROPERTY INC

### PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:	RM, RA / RM4, RM6	Historical Status:
Height Limit (m):		Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	53776.4	Height:	Storeys:	3 storeys, 12 to 27 storeys
Frontage (m):	0		Metres:	0
Depth (m):	0			
Total Ground Floor Area (sq. m):	16717.7			<b>Total</b>
Total Residential GFA (sq. m):	155926.7		Parking Spaces:	2222
Total Non-Residential GFA (sq. m):	0		Loading Docks	5
Total GFA (sq. m):	155926.7			
Lot Coverage Ratio (%):	31.1			
Floor Space Index:	2.94			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental, Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	155926.7	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	1880			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Nimrod Salamon, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 395-7095</b>

**Attachment 7: Draft Official Plan Amendment**

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on  
~, 2011  
Enacted by Council: ~, 2011

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2011**

**To adopt Amendment No. 148  
to the Official Plan for the City of Toronto  
respecting the lands known municipally as 35-53 and 101-113 Valley Woods Road and  
1213-1229 York Mills Road**

WHEREAS authority is given to Council under 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*;

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

1. Amendment No. 148 to the Official Plan for the City of Toronto consisting of the attached text and map, is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

---

AMENDMENT NO. 148

TO THE OFFICIAL PLAN OF THE CITY OF TORONTO

35-53 and 101-113 Valley Woods Road and 1213-1229 York Mills Road

---

The Official Plan of the City of Toronto is hereby amended as follows:

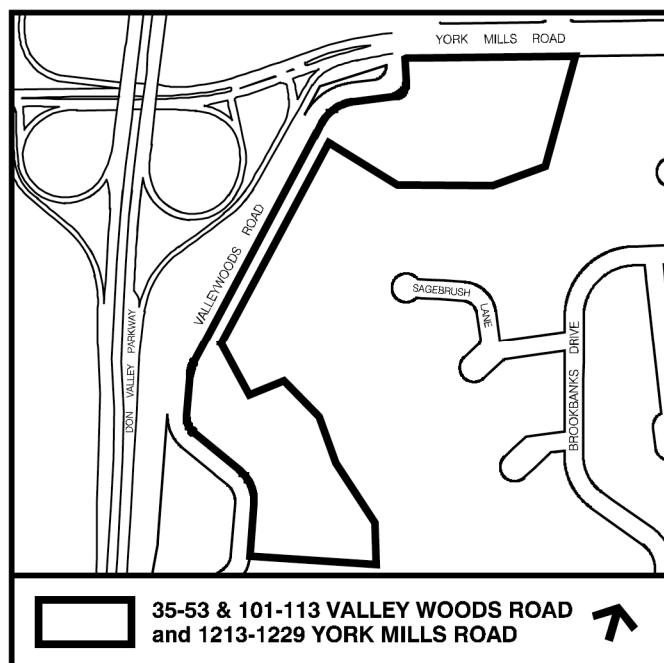
1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 363 as follows:

**363. 35-53 and 101-113 Valley Woods Road and 1213-1229 York Mills Road**

Despite policy 3.2.1.9(b), the following are the priority Section 37 community benefits: a cash contribution of \$250,000 for capital improvements to publicly owned affordable housing projects in the community; securing 270 rental replacement units and the rental tenure and the affordable and mid-range rents in the rental buildings; and cash contributions totalling \$1,500,000 for community and recreation facilities.

Despite policy 3.2.1.6, the demolition of 245 rental housing units and their replacement in the redevelopment with a different unit mix is permitted provided that at least 270 replacement rental units comprising 30 one-bedroom, 48 two-bedroom, 162 three-bedroom and 30 four-bedroom units are provided.

2. Map 27, Site and Area Specific Policies, is modified by adding the lands at 35-53 and 101-113 Valley Woods Road and 1213-1229 York Mills Road as shown on the map below as Site and Area Specific Policy No. 363.



## **Attachment 8: Draft Zoning By-law Amendment to North York Zoning By-law 7625**

Authority: North York Community Council Item No. as adopted by City of Toronto Council on , 2011.

Enacted by Council: ~, 2011

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2011**

### **To amend former City of North York By-law 7625 in respect of lands municipally known as 33 to 53 and 101 to 113 Valley Woods Road and 1213 to 1229 York Mills Road**

WHEREAS authority is given to Council by Sections 34 and 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and,

WHEREAS 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 and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as are set out in the By-law; and,

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

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

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

WHEREAS the City of Toronto has required the owners of the aforesaid lands to enter into one or more agreements having been executed dealing with certain facilities, services and matters in return for the increase in density in connection with the aforesaid lands as permitted by this By-law;

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

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedules 1A and 1B of this By-law.

2. Upon execution and registration of an agreement or agreements with the owner of the site pursuant to Section 37 of the *Planning Act*, securing the provision of the facilities and services and matters set out in Section 3 hereof, the site 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.
3. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following new subsection:

**“64.20-A(201) RM6(201)**

**DEFINITIONS**

- (a) For the purpose of this exception, “apartment house dwelling” shall mean a building containing more than four dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.
- (b) For the purpose of this exception Buildings A, B, C, D, E, F, G and H shall mean Buildings A, B, C, D, E, F, G and H as shown on Schedules RM6(201)A, RM6(201)B and RM6(201)C.
- (c) For the purpose of this exception Parcels A, B, C and D shall mean those lands shown as Parcels A, B, C and D on Schedules RM6(201)A, RM6(201)B and RM6(201)C.
- (d) For the purpose of this exception, established grade shall mean a geodetic elevation of
  - (i) 163.5 metres for Parcels A and B.
  - (ii) 163.8 metres for Parcel C.
  - (iii) 163.2 metres for Parcel D.

**PERMITTED USES**

- (e) The only permitted uses on Parcels A, B and C shall be:
  - (iv) Apartment house dwellings and uses accessory thereto, including recreational facilities and amenity areas.
  - (v) Multiple attached dwellings.
  - (vi) Temporary sales office.
  - (vii) Retail store in Building D, with a maximum floor area of 190 m<sup>2</sup>.
- (f) The only permitted uses on Parcel D shall be:
  - (i) Apartment house dwellings and multiple attached dwellings and uses accessory thereto, including recreational facilities and amenity areas.

## EXCEPTION REGULATIONS

### (g) Dwelling Units

- (i) The total number of dwelling units on all of Parcels A, B, C and D combined shall not exceed 1,880 dwelling units.
- (ii) Buildings A and B combined shall have a maximum of 558 dwelling units.
- (iii) Building C shall have a maximum of 147 dwelling units.
- (iv) Building D shall have a maximum of 351 dwelling units.
- (v) Building E shall have a maximum of 140 dwelling units.
- (vi) Buildings F and G combined shall have a maximum of 444 dwelling units.
- (vii) Building H shall have a maximum of 110 dwelling units.
- (viii) Parcel D shall have a maximum of 130 dwelling units.
- (ix) Notwithstanding section (g)(ii), (iii) and (iv), above, increases up to 5% of the maximum number of dwelling units, as permitted within each of Buildings A, B, C and D, are allowed provided the total number of dwelling units for Buildings A, B, C and D, combined does not exceed 1,056 dwelling units.
- (x) Notwithstanding section (g)(vi) and (vii) above, increases up to 5% of the maximum number of dwelling units, as permitted within each of Buildings F, G and H are allowed provided the total number of dwelling units for Buildings F, G and H combined does not exceed 554 dwelling units.

### (h) Gross Floor Area

- (i) The total gross floor area of all buildings on Parcels A, B, C and D combined shall be a maximum of 156,095 m<sup>2</sup>.
- (ii) The maximum gross floor area of Buildings A and B combined shall be 42,613 m<sup>2</sup>.
- (iii) The maximum gross floor area of Building C shall be 14,440 m<sup>2</sup>.
- (iv) The maximum gross floor area of Building D shall be 25,458 m<sup>2</sup>.
- (v) The maximum gross floor area of Building E shall be 12,998 m<sup>2</sup>.
- (vi) The maximum gross floor area of Building F and G combined shall be 36,524 m<sup>2</sup>.
- (vii) The maximum gross floor area of Building H shall be 10,411 m<sup>2</sup>.
- (viii) The maximum gross floor area of all buildings on Parcel D shall be 13,651 m<sup>2</sup>.
- (ix) For Building E and Parcel D, storage locker space and bicycle parking area, located within a building but not within a dwelling unit shall be excluded from the calculation of gross floor area.

- (i) The provisions of Sections 16.2.2 and 20-A.2.2 (lot coverage) shall not apply.

### (j) Building Height

- (i) The provisions of Section 20-A.2.6 and 16.2.6 (building height) shall not apply. The maximum building heights shall not exceed the maximum heights in metres and number of storeys as set out on Schedules RM6(201)B and RM6(201)C.

- (ii) A penthouse or other roof structure which is used only as an ornament or to house the mechanical equipment of the building:
  - (A) does not constitute a storey and shall be disregarded in calculating the height of the building;
  - (B) shall not exceed a height of 5 metres; and
  - (C) shall cover no more than 30% of the area of the roof.
  
- (k) Building Envelopes
  - (i) The maximum above ground building envelopes excluding parking garages and mechanical structures shall be as set out on Schedules RM6(201)B and RM6(201)C.
  - (ii) No buildings except for permitted projections as set out in subsection (iii) below shall be permitted beyond the building envelopes as set out on Schedules RM6(201)B and RM6(201)C.
  - (iii) Permitted projections outside of building envelopes
    - (A) Exterior stairways, canopies, balconies, porches and decks shall be permitted to project outside the building envelopes a maximum of 1.6 metres.
    - (B) Canopies located at a principal entrance to a building shall be permitted to project outside the building envelopes a maximum of 2.5 metres provided the canopy is no higher than the first storey.
    - (C) Belt courses, chimney breasts, cornices, eaves or gutters, pilasters and sills shall be permitted to project outside the building envelopes a maximum of 0.5 metres.
    - (D) Exterior stairways, ramps, pergolas and gazebos are permitted to project outside the building envelopes.
  
- (l) Landscaping
 

The provisions of Section 15.8 (landscaping) shall not apply.
  
- (m) Distance Between Buildings
  - (i) The provisions of Section 16.3.2 and Section 20-A.2.4.1 shall not apply.
  - (ii) The minimum distance between above grade portions of Buildings A, B, C, D, E, F, G and H shall be as set out on Schedules RM6(201)B and RM6(201)C.
  - (iii) The minimum distance between above grade portions of all buildings on Parcel D shall be as set out on Schedule RM6(201)C.
  
- (n) The provisions of Sections 16.2.1 and 20-A.2.1 (lot area) shall not apply.



- (o) The provisions of Sections 16.2.3 and 20-A.2.3 (street and lot frontage) shall not apply.
- (p) The provisions of Section 16.2.5 (floor area) shall not apply.
- (q) Yard Setbacks
  - (i) The minimum yard setbacks for all buildings and structures shall be as set out on Schedules RM6(201)B and RM6(201)C.
- (r) Recreational Amenity Area
  - (i) For an apartment house dwelling in Parcels A, B, and C a minimum of 1.5 square metres of indoor private recreational amenity area per dwelling unit shall be provided in the building.
  - (ii) For an apartment house dwelling in Parcels A, B, and C a minimum of 1.5 square metres of outdoor private recreational amenity area per dwelling unit shall be provided on the site.
  - (iii) For Parcel D a minimum of 1.5 square metres of outdoor private recreational amenity area per dwelling unit shall be provided.
- (s) Parking Requirements
  - (i) For an apartment house dwelling parking spaces shall be provided at the following rates:
    - (A) Minimum 0.8 parking spaces per dwelling unit for a bachelor unit;
    - (B) Minimum 0.9 parking spaces for a 1 bedroom unit;
    - (C) Minimum 1.0 parking space per dwelling unit for a 2 bedroom unit;
    - (D) Minimum 1.2 parking spaces per dwelling unit for a 3 or more bedroom unit;
    - (E) For residential visitors, minimum 0.2 parking spaces per dwelling unit.
  - (ii) For a multiple attached dwelling parking spaces shall be provided at the following rates:
    - (A) Minimum of 1.0 parking space per dwelling unit.
    - (B) For residential visitors, minimum 0.2 parking spaces per dwelling unit.
- (t) Bicycle Parking Spaces
 

For an apartment house dwelling, bicycle parking spaces shall be provided as follows:

  - (i) Long-term bicycle parking spaces shall be provided at a rate of minimum 0.7 spaces per dwelling unit.

- (ii) Short-term bicycle parking spaces shall be provided at a rate of minimum 0.08 spaces per dwelling unit.
- (iii) Long term bicycle parking shall be bicycle parking spaces for use by the occupants, residents or tenants of a building.
- (iv) Short term bicycle parking shall be bicycle parking spaces for use by visitors to a building.

(u) Loading Spaces

- (i) Buildings A and B shall provide a minimum of 1 shared loading space.
- (ii) Building C shall provide a minimum of 1 loading space.
- (iii) Buildings D and E shall provide a minimum of 1 shared loading space.
- (iv) Buildings F and G shall provide a minimum of 1 shared loading space.
- (v) Building H shall provide a minimum of 1 loading space.
- (vi) On parcel D a minimum of 1 loading space shall be provided.

(v) Division of Lands

Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

**Other**

- (w) The existing buildings and existing uses located within the buildings existing on the date of enactment of the By-law shall continue to be permitted so long as that portion of the building has not been demolished.
- (x) Excluding Phase 1 Parcel D, 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:
  - (i) 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
  - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

**SECTION 37 AGREEMENT**

- (y) Pursuant to Section 37 of the Planning Act and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the owner of the following facilities, services and matters to the City at the owner's sole expense, in accordance with an agreement or agreements, in a form satisfactory to the Chief Planner and Executive Director, City Planning Division and the City Solicitor and such agreement(s) shall be registered against title to the lands as outlined in heavy lines on Schedules 1A and 1B to secure the following facilities, services or matters:

- (i) The owner is to provide a financial contribution to the City of \$1,500,000 to be used for the expansion/renovation of the Brookbanks Library or the construction of the combined Brookbanks Library/Recreation-community centre facilities on the Brookbanks Library site or other community recreational facility in the area. The financial contribution is to be paid as follows:
  - (A) A cash contribution of \$260,000 paid prior to the issuance of any building permits for Building A.
  - (B) A cash contribution of \$260,000 paid prior to the issuance of any building permits for Building B.
  - (C) A cash contribution of \$140,000 paid prior to the issuance of any building permits for Building C.
  - (D) A cash contribution of \$330,000 paid prior to the issuance of any building permits for Building D.
  - (E) A cash contribution of \$210,000 paid prior to the issuance of any building permits for Building F.
  - (F) A cash contribution of \$200,000 paid prior to the issuance of any building permits for Building G.
  - (G) A cash contribution of \$100,000 paid prior to the issuance of any building permits for Building H.
  - (H) Each instalment payment set out in (A) to (G) above shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
  
- (ii) The owner is to provide a cash contribution to the City of \$250,000 to be used for capital improvements to publicly owned affordable housing projects in the community. The financial contribution is to be paid prior to the issuance of a building permit for the first non-rental residential building and shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
  
- (iii) The provision and maintenance on the site of not less than 270 new replacement rental dwelling units, comprising at least 83 affordable rental dwelling units and 187 rental dwelling units with rents no higher than mid-range rents, which units shall be of a size to the satisfaction of the City's Chief Planner and Executive Director, City Planning Division, subject to the following:
  - 1. 130 townhouse/multiple attached dwellings and stacked townhouse/apartment units located on Block 17 shall comprise 100 three-bedroom units and 30 four-bedroom units, and shall include storage lockers for each of the 100 three-bedroom units.

2. 140 dwelling units in an apartment building located on Block 2 shall comprise 30 one-bedroom units, 48 two-bedroom units, and 62 three- bedroom units, and shall include storage lockers for each of the two and three-bedroom apartments.
3. The replacement rental dwelling units shall be maintained as rental units for at least 20 years, beginning with the date that each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental units to be maintained as rental units.
4. The 130 replacement rental dwelling units to be located on Block 17 shall be ready and available for occupancy prior to the issuance of any permit for demolition for any of the rental dwelling units on Parcels A, B and C existing on the lands at the date of enactment of this by-law.
5. The 140 replacement rental dwelling units to be located in Building E on Parcel A shall be ready and available for occupancy prior to the issuance of any permit for demolition for any of the rental dwelling units on Parcel C existing on the lands at the date of enactment of this by-law, and prior to the earlier of:
  - a. the date that all of the condominium units to be located in Buildings A and B on Parcel B are ready and available for occupancy, or
  - b. the issuance of a building permit for Buildings C, D, F, G or H in Phases 3 or 4 of the development.
6. The owner shall provide and maintain affordable rents charged to the tenants who rent each of the 83 designated affordable replacement rental dwelling units during the first 10 years of its occupancy, such that the initial rent shall not exceed an amount based on the most recent Fall Update Canada Mortgage and Housing Corporation Rental Market Report average rent for the City of Toronto by unit type, and, upon turn-over, the rent charged to any new tenant shall not exceed the greater of the most recently charged rent or the most recent Fall Update Rental Market Report average rent for the City of Toronto by unit type and over the course of the 10 year period, annual increases shall not exceed the Provincial rent guideline and, if applicable, permitted above-guideline increases.
7. The owner shall provide and maintain rents no greater than mid-range rents charged to the tenants who rent each of the designated 187 replacement rental dwelling units with mid-range rents during the first 10 years of its occupancy, with mid-

range rents on the same basis as (iii) 6 except that the maximum mid-range rent shall not exceed an amount that is 1.5 times average market rent by unit type.

8. Rents charged to tenants occupying a replacement rental dwelling unit at the end of the 10-year period set forth in (iii) 6 shall be subject only to annual increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their dwelling unit or until the expiry of the rental tenure period set forth in (iii) 3 with a phase-in period of a least three years for rent increases.
  9. Rents charged to tenants newly occupying a replacement rental dwelling unit after the completion of the 10-year period set forth in (iii) 3 will not be subject to restrictions by the City of Toronto under the terms of the Section 37 Agreement.
- (iv) The owner shall provide tenant relocation assistance in accordance with the more detailed Tenant Relocation and Assistance Plan to be included in the agreement or agreements, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, for tenants in the existing buildings on the lands, and that requires at least:
1. The right to return to a replacement unit for all tenants in the existing rental units.
  2. A phasing plan that will minimize the number of people who must relocate off-site while the first 130 replacement rental units are being built on Parcel D, and retain the existing townhouses on Parcel C until the replacement rental apartment building on Parcel A is ready and available for occupancy to accommodate some of the tenants who must wait for the replacement rental building on Parcel A to be completed.
  3. All tenants will receive extended notice of the date they must vacate for the demolition of their buildings.
  4. The owner shall make available vacant rental units in the existing rental buildings that are scheduled for later demolition to tenants for temporary relocation at the time that their building is being demolished, in order of seniority and with provisions for special needs, and with the same rents and on the same terms as their leases on the date that they are required to vacate the unit proposed for demolition.
  5. Returning tenants will choose their replacement units by seniority, with provisions for special needs tenants.

6. A proportion of replacement rental units most suitable for families on both Parcels A and D will be initially reserved for families with at least 1 child under 18 years of age.
  7. All tenants eligible for financial assistance provided for in the Tenant Relocation and Assistance Plan will receive a moving allowance, and those who relocate off-site and must find their own accommodation will be eligible for additional assistance on a sliding scale based on length of occupancy, and with provisions for those tenants with special needs.
- (v) The owner shall prepare a Construction Mitigation and Tenant Communication Strategy, prior to the issuance of the first building permit (including for demolition or for excavation) in each phase of the construction, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- (vi) The owner agrees that construction shall proceed in accordance with the following development Phasing Plan:
- Phase 1
    - Demolition of about 60 rental townhouses at the southern part of the south site and maintaining the remaining 42 rental units.
    - Construction of 130 new rental replacement townhouses and stacked townhouses in the south site.
    - Retention of the outdoor pool.
  - Phase 2
    - Demolition of 143 rental units in the north site.
    - Construction of the new public road in the north site.
    - Construction of 2 residential condominium buildings in the north site with 558 units.
    - Construction and completion of a residential rental replacement building in the north site with 140 units.
    - Dedication of parkland on the north site.
  - Phase 3
    - Construction of 2 residential condominium buildings in the north site with 498 units.
  - Phase 4
    - Demolition of the remaining (about 42) rental townhouses on the south site.
    - Construction of 3 residential condominium buildings in the south site with 554 units.
    - Dedication of parkland on the south site.
    - Phase 4 can commence prior to the completion of Phase 3.

and the in-ground swimming pool on the south site shall continue to be maintained and made available to the tenants, with its removal to be no earlier than the issuance of the demolition permits for the remaining townhouses on the south site.

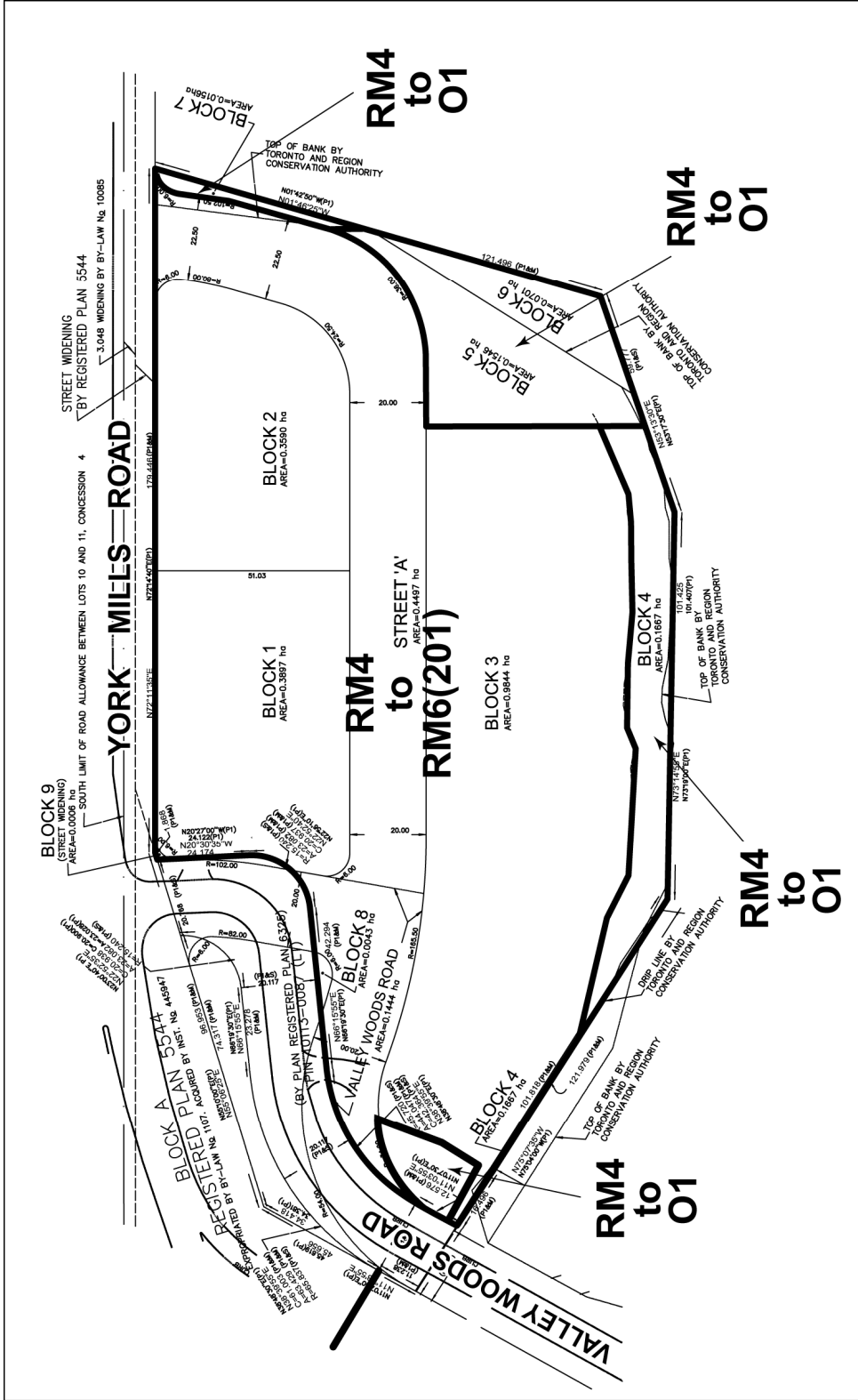
- (vii) The owner shall prepare a Construction Management Plan and Neighbourhood Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit), to the satisfaction of the Director, Development Engineering, Technical Services Division in consultation with the Chief Planner and Executive Director, City Planning.
  - (viii) The owner agrees to provide a certified cheque to the Toronto Transit Commission (T.T.C.) for \$100,000 for transit signal priority intersection improvements as noted in the memorandum of the Toronto Transit Commission dated April 12, 2011. This is to be paid to the T.T.C. prior to the issuance of any building permit for any residential buildings in Phase 2.
  - (z) The owner shall enter into one or more agreements with the City, pursuant to Section 37 of the Planning Act which are registered on title to the lands to secure the matters provided for in section (y).
  - (aa) Wherever in the By-law a provision required the execution and registration of an agreement entered into with the City pursuant to Section 37 of the Planning Act in accordance with the provisions of section (y) hereof, then once such agreement has been executed and registered, the increase of height and density shall continue to be effective notwithstanding any subsequent release or discharge of any part of such agreement."
4. Section 64.20-A(201) of By-law 7625 is amended by adding Schedules RM6(201)A, RM6(201)B and RM6(201)C attached to this By-law.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

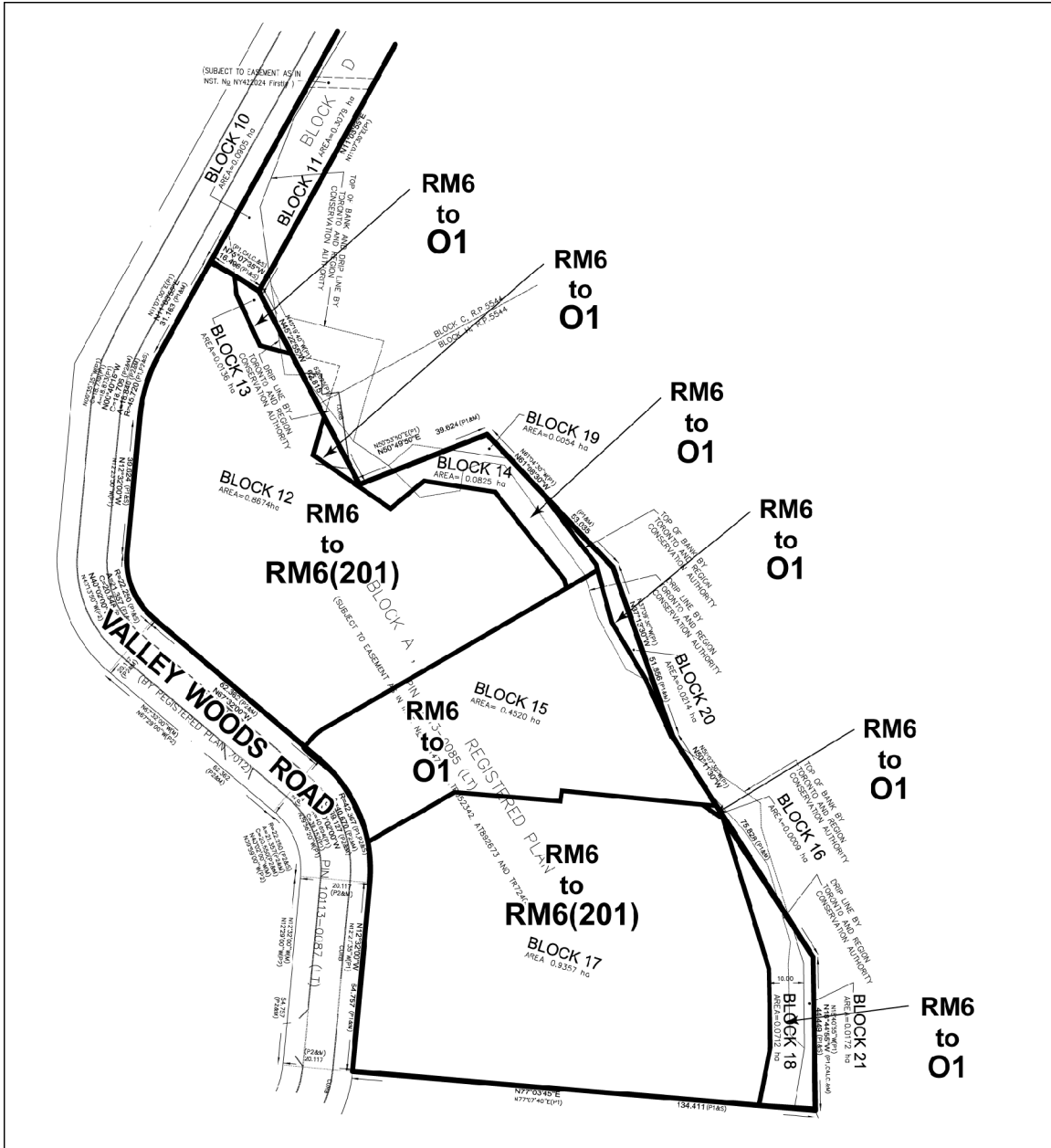


**Toronto** City Planning  
**Schedule 1A**

Blocks A, R.P. 6325 and Blocks A and D, R.P. 7012, City of Toronto  
 Krcmar Surveyors Ltd.  
 Date: 04/29/2011  
 Approved by: N. Salamon

File # 07\_288330  
 Not to Scale



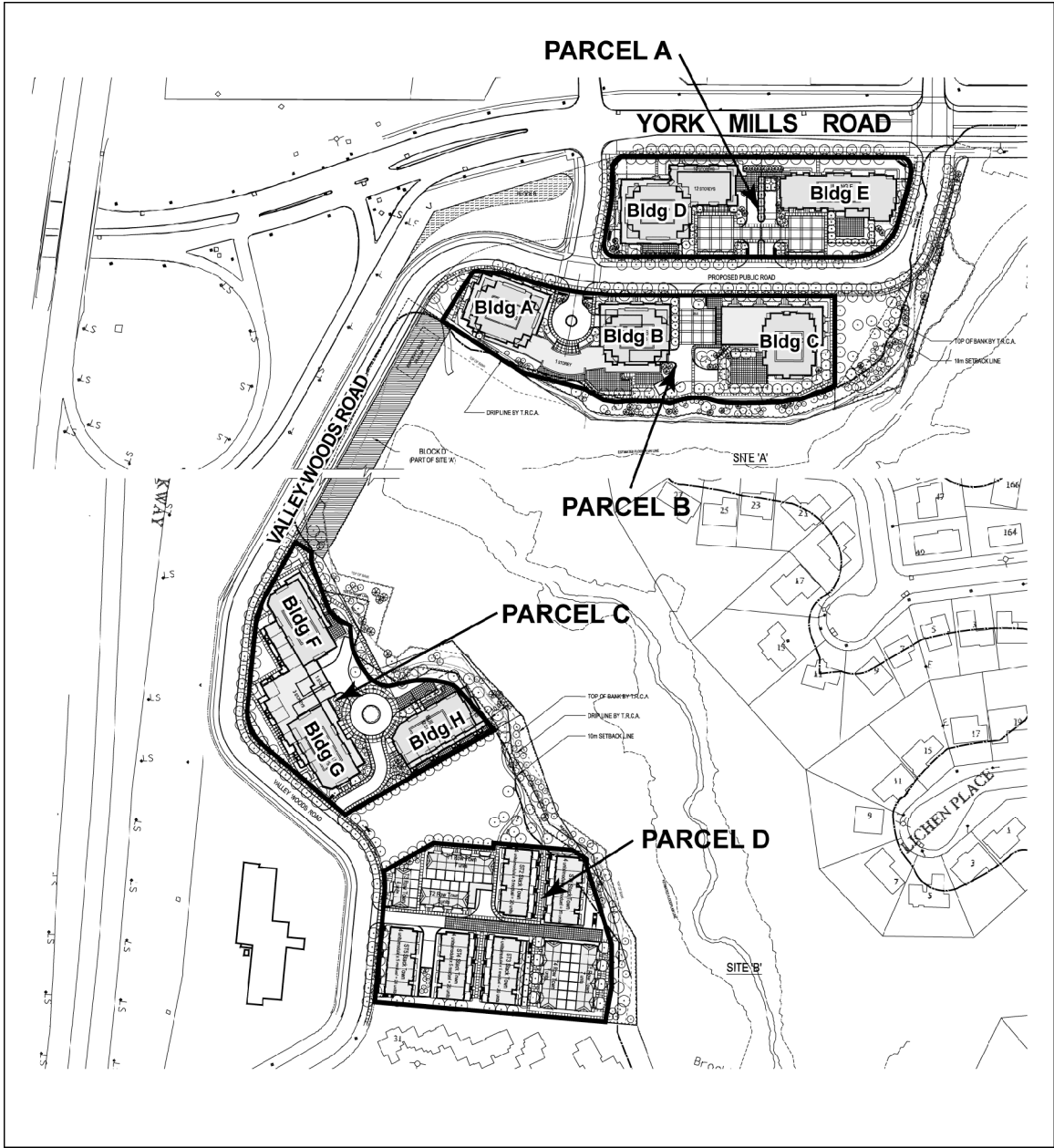


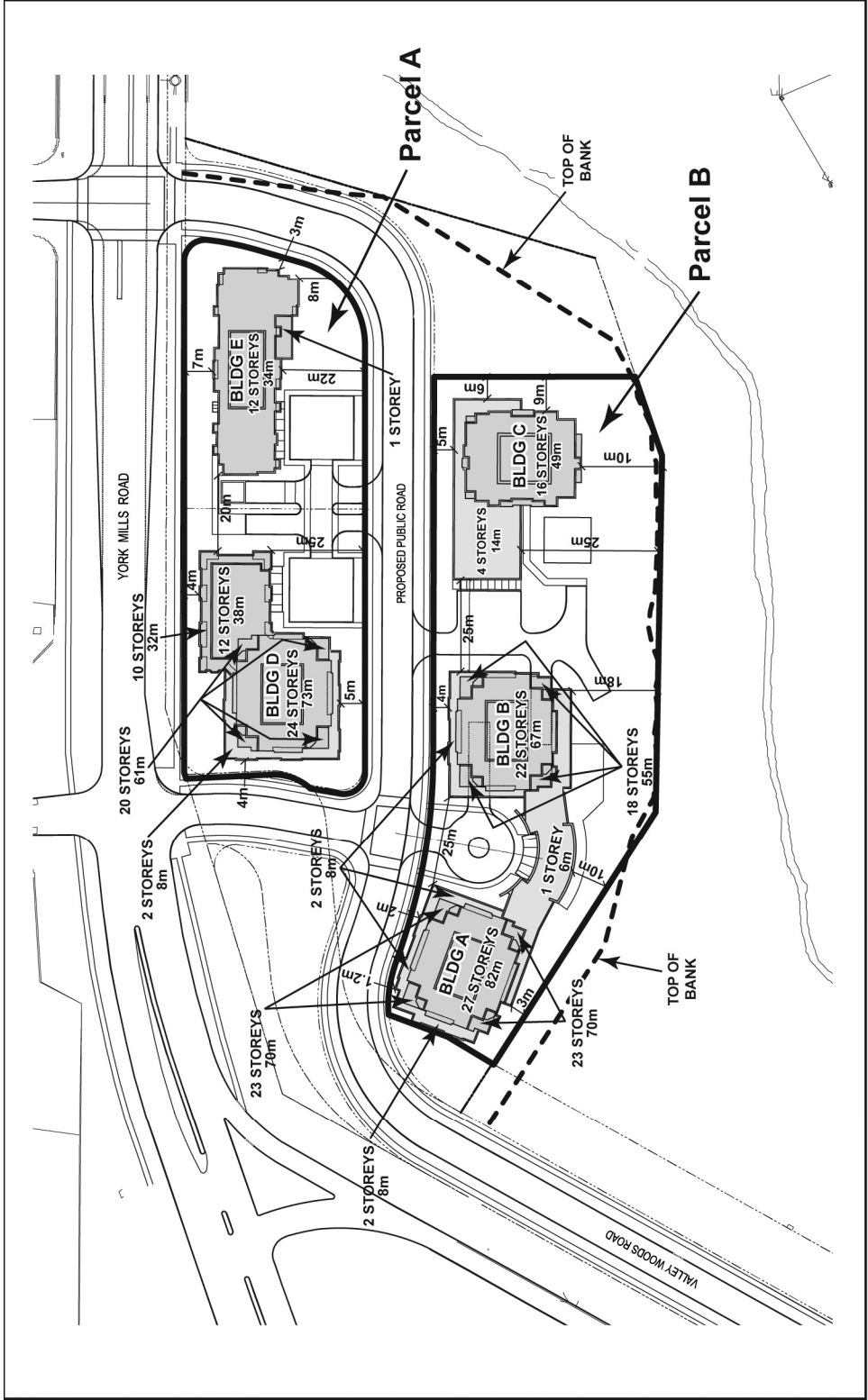
Blocks A, R.P. 6325 and Blocks A and D, R.P. 7012, City of Toronto  
Krcmar Surveyors Ltd.

File # 07\_288330

Date: 03/01/2011  
Approved by: N. Salamon

Not to Scale





City Planning

Schedule RM6(201)B

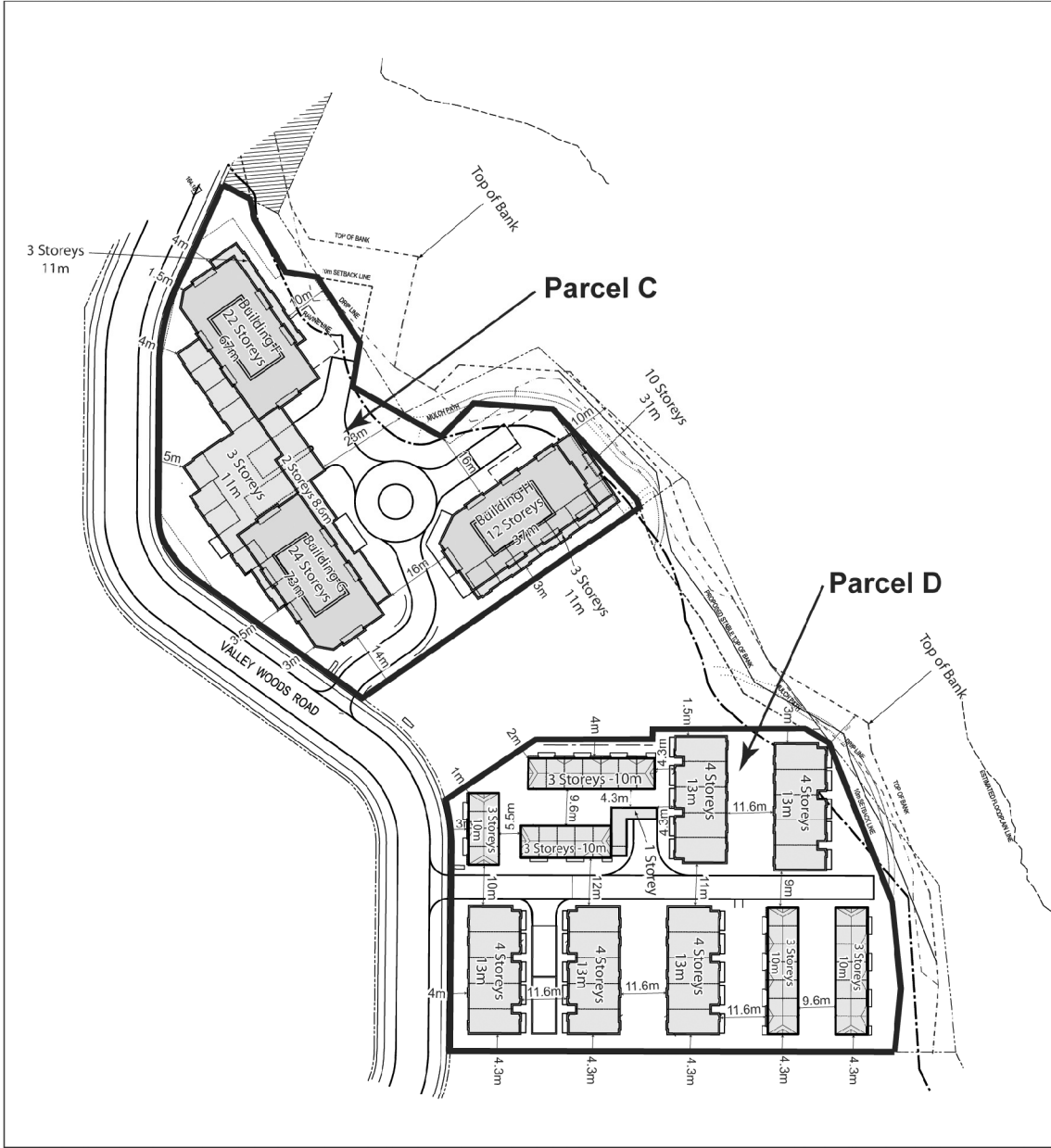
Blocks A, R.P. 6325 and Blocks A and D, R.P. 7012, City of Toronto  
Krcmar Surveyors Ltd.

Date: 04/29/2011  
Approved by: N. Selamon

File # 07\_288330



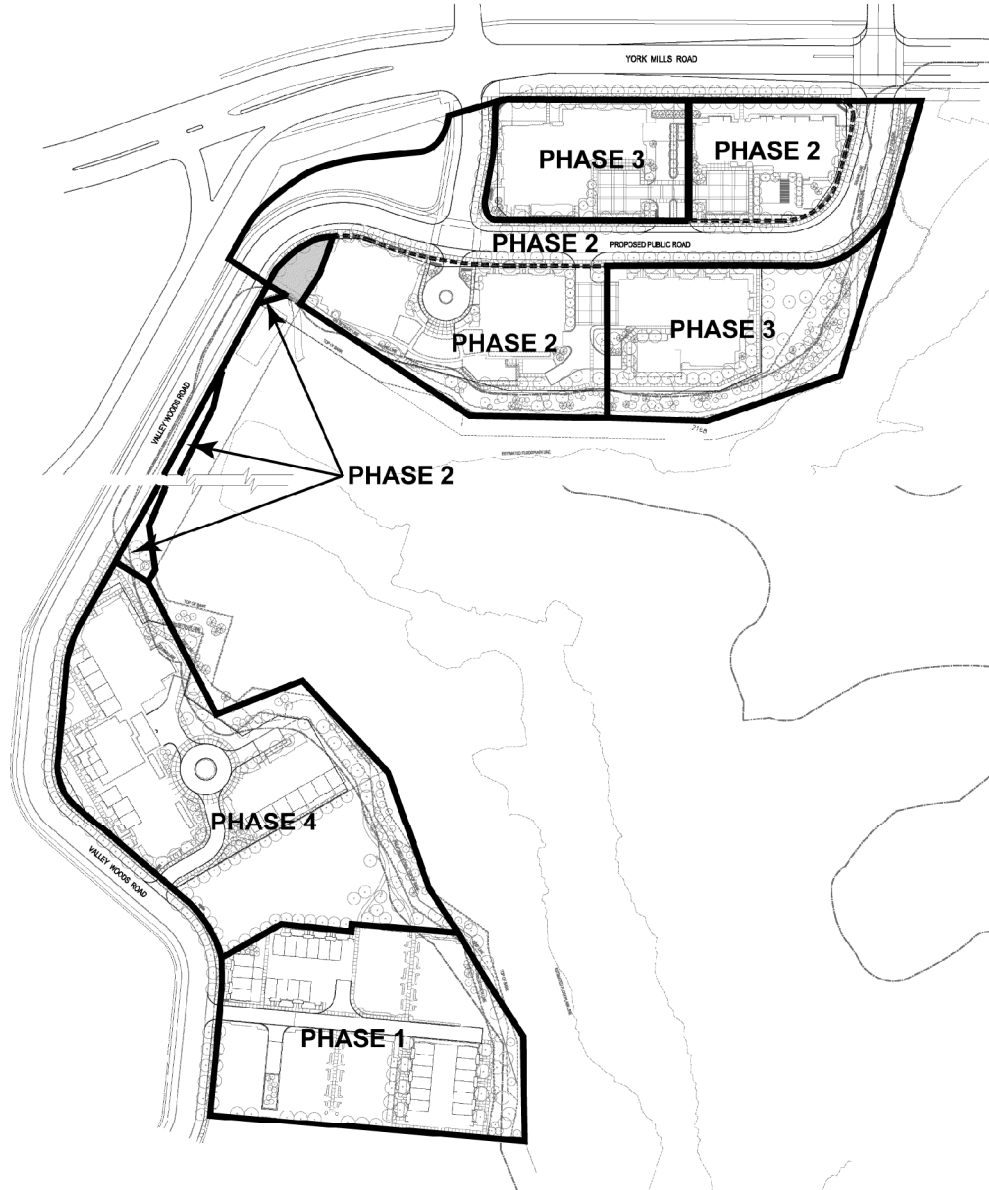
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## Attachment 9: Development Phasing Plan and Map

The proposed development includes the following phasing plan:

- Phase 1
  - Demolition of about 60 rental townhouses at the southern part of the south site and maintaining the remaining 42 rental units.
  - Construction of 130 new rental replacement townhouses and stacked townhouses in the south site.
  - Retention of outdoor pool.
  
- Phase 2
  - Demolition of 143 rental units in the north site.
  - Construction of the new public road in the north site.
  - Construction of 2 residential condominium buildings in the north site with 558 units.
  - Construction and completion of a residential rental replacement building in the north site with 140 units.
  
- Phase 3
  - Construction of 2 residential condominium buildings in the north site with 498 units.
  - Completion of a park on the north site.
  
- Phase 4
  - Demolition of the remaining (about 42) rental townhouses on the south site, and removal of the in-ground swimming pool.
  - Construction of 3 residential condominium buildings in the south site with 554 units.
  - Completion of a park on the south site.
  - Phase 4 can commence prior to the completion of Phase 3.
  
- Phases 1-3
  - The in-ground swimming pool in the south site shall be maintained and operated for the benefit of the tenants, and shall not be removed prior to the issuance of the demolition permits for the remaining townhouses on the south site.



**Phasing Plan**

Applicant's Submitted Drawing

Not to Scale  
05/12/2011



**35-53 & 101-113 Valley Woods Rd  
and 1213-1229 York Mills Rd**

File # 07 288330 NNY 34 0Z

## **Attachment 10: Conditions of Draft Plan of Subdivision Approval**

That Draft Plan of Subdivision Application 08 180545 NNY 08 SB (draft plan of subdivision prepared by KRCMAR Surveyors Ltd., Revision dated March 2, 2011 (Job No. 88-006) as further revised) be draft plan approved, subject to the following conditions:

1. Owner shall enter into the City's standard subdivision agreement and satisfy all pre-registration conditions.
2. The Official Plan land use designations and zoning implementing the Official Plan are in full force and effect.
3. The approval of this plan of subdivision will lapse if the subdivision is not registered within 5 years of the date of draft plan approval.
4. Dedicate all roads, corner roundings, and road widenings shown on the plan.
5. Convey to the City all 0.3metre (one foot) reserves shown on the plan.
6. Convey all necessary easements to the City.
7. Convey Blocks 5, 10 and 15 to the City for park purposes.
8. Convey Blocks 4, 6, 7, 11, 13, 14, 16, 18, 19, 20 and 21 to the City for conservation/park purposes.
9. Prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the respective City divisions in consultation with the City Solicitor.
10. Submit a draft Reference Plan of Survey to the Executive Director of Technical Services, for review and approval, prior to depositing it in the Land Registry Office. The reference plan should:
  - (a) be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection);
  - (b) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and,

- (c) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
11. Pay all costs for preparation and registration of reference plan(s).
  12. Apply storm water management techniques in the development of this subdivision to the satisfaction of Technical Services Division.
  13. Conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
  14. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
  15. Submit financial security in accordance with the terms of the standard subdivision agreement.
  16. Provide certification to the Director, Development Engineering, Technical Services Division by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
  17. Pay property taxes for the current taxation year.
  18. Acknowledge and agree that the following warning clauses affect the subdivision lands:
    - (a) Bell Canada as set out in their memorandum dated May 6, 2010.
    - (b) Toronto District School Board as set out in their memorandum dated January 16, 2008.
  19. The Applicant shall satisfy the requirements and conditions as contained in the Technical Services Division, North York District memorandum dated May 6, 2011.
  20. The Applicant shall satisfy the requirements and conditions as contained in the Parks, Forestry and Recreation, Policy and Development memorandum dated February 23, 2011.
  21. The Applicant shall satisfy the requirements and conditions as contained in the Parks & Recreation, Urban Forestry, Ravine and Natural Feature Protection memorandum dated April 27, 2011.



22. The Applicant shall satisfy the requirements and conditions as contained in the Parks Forestry & Recreation, Urban Forestry, Tree Protection and Plan Review memorandum dated February 22, 2011.
23. The Applicant shall satisfy the requirements and conditions as contained in the Toronto and Region Conservation Authority memorandum dated January 13, 2011.
24. The Owner shall satisfy the conditions of the Toronto Transit Commission as set out in their memorandum dated April 12, 2011.
25. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.
26. As part of site plan approval applications and draft plan of condominium applications, the owner is to address the recommendations of the Environmental Noise Feasibility Study Proposed Residential Development, Valley Woods Road, Prepared by HGC Engineering, February 5, 2010.