

3, 5, 11, 17, 21 Allenbury Gardens & 3, 5 Kingslake Road Official Plan and Zoning By-law Amendment and Rental Housing Demolition Applications Final Report

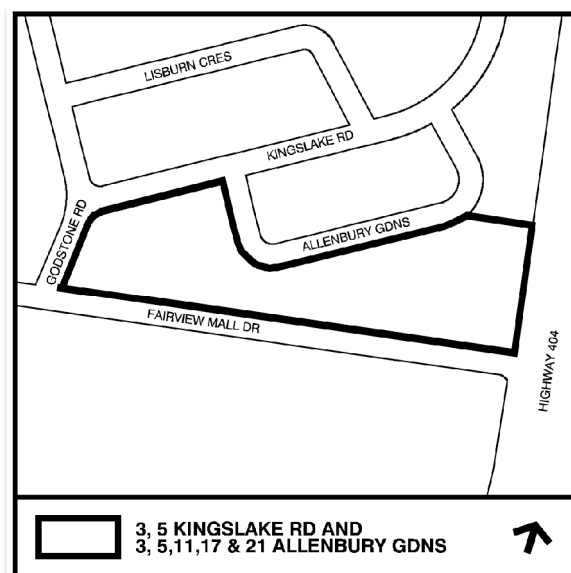
Date:	February 6, 2013
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 33 – Don Valley East
Reference Number:	11 293972 NNY 33 OZ 11 293986 NNY 33 RH

SUMMARY

The rezoning and rental housing demolition proposal by Toronto Community Housing Corporation and Fram Building Group is to demolish the existing 127 TCHC social housing townhouses and replace them with 127 social housing units, 7 rental housing units and 900 residential condominium units. Building heights would range from 3 storey townhouses to 9 to 20 storey apartment buildings.

The Official Plan amendment application is to redesignate the lands from Neighbourhoods to Apartment Neighbourhoods and to set out a site specific policy for the site as part of the Sheppard East Subway Corridor Secondary Plan to permit the proposed development and the social housing replacement.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law and the rental housing demolition application.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 3, 5, 11, 17, 21 Allenbury Gardens and 3, 5 Kingslake Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7.
2. City Council amend former City of North York Zoning By-law No. 7625 for the lands at 3, 5, 11, 17, 21 Allenbury Gardens and 3, 5 Kingslake 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, require the Owner to have received master site plan approval and enter into a site plan agreement, to the satisfaction of the Director, Community Planning, North York District and the City Solicitor.
5. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - (a) The owner is to provide a financial contribution to the City of \$750,000 to be used for capital improvements/renovation of Fairview Library including an early literacy centre, computer learning and media centre, teen zone and lighting upgrades. The financial contribution is to be paid as follows:
 - (i) A cash contribution of \$260,000 to be paid prior to the issuance of any building permits for Building A or Building B.
 - (ii) A cash contribution of \$490,000 to be paid prior to the issuance of any building permits for Building D or Building E.

Each instalment payment set out above shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

- (b) The owner is to provide a financial contribution to the City of \$350,000 prior to the issuance of any building permits for Building A or Building B, to be used for pedestrian and streetscape related improvements at the north-east and south-east corners of Fairview Mall Drive and Don Mills Road.

The financial contribution shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

- (c) The owner is to provide a financial contribution to the City of \$100,000 prior to the issuance of any building permits for Building D or Building E, to be used for park improvements within Godstone Park which include upgrades to the walkway between Godstone Park and Kingslake Public School and enhancements to the play equipment.

The financial contribution shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

- (d) The owner shall provide and maintain one hundred and twenty-seven (127) replacement social housing units on the subject site for a period of at least 25 years, all of which will have rents geared to income, comprising the following:

Unit Type	Number of Units
2-Bedroom Townhouse	14
2-Bedroom Apartment	58
3-Bedroom Townhouse	41
3-Bedroom Apartment	11
4-Bedroom Townhouse	3
Total	127

The social housing shall be provided in accordance with more detailed terms as set forth in the draft zoning by-law attached as Attachment No. 8 and also as set out below:

- (1) Prior to the occupancy of any market units on the site, 30 social housing replacement townhouse units shall be completed and ready for occupancy.
- (2) The remaining 97 social housing replacement units (69 apartment units in Building C and 28 townhouse units) shall be completed and ready for occupancy no later than the date 50% of the new dwelling units in Building D are available and ready for occupancy and prior to the issuance of any above grade building permit for Building E.
- (e) If the owner constructs the 7 additional units in the social housing replacement building (Building C), they shall be of rental tenure.
- (f) 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.

- (g) 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.
6. The following matters are also recommended to be secured in the Section 37 Agreement as a matter of convenience:
- (a) The owner shall convey approximately 3,297 m² of land to the City for parkland dedication, to the satisfaction of the General Manager, Parks, Forestry and Recreation.
- Prior to issuance of the first above grade building permit, the owner shall enter into an Escrow Agreement with the City regarding the conditions and timing of conveyance of the parkland to the City, to the satisfaction of the City Solicitor and the General Manager, Parks, Forestry and Recreation, and subject to the conditions set out in the memorandum dated January 23, 2013 from Parks, Forestry and Recreation.
- (b) Prior to issuance of any above grade building permit for Building E, the owner shall take the parkland out of Escrow and convey the park, in Above Base Park condition, to the City to the satisfaction of the General Manager, Parks, Forestry and Recreation and subject to the conditions set out in the memorandum dated January 23, 2013 from Parks, Forestry and Recreation.
- The Above Base Park improvements shall be to a value of a minimum of \$800,000 which shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of conveyance of the parkland to the City, to the satisfaction of the City Solicitor and the General Manager, Parks, Forestry and Recreation.
- (c) In the absence of a Letter of Credit from TCHC for the required Above Base Park Improvement works, prior to the issuance of the first above grade building permit for each sub phase of the development, documentation from TCHC shall be submitted to and approved by the General Manager, Parks, Forestry and Recreation, that details the required payment from TCHCs development partner of the Parks and Recreation component of Development Charges payable.
 - (d) The applicant is required to submit a design and cost estimate to be approved by the General Manager, Parks, Forestry and Recreation. The design, cost estimate and Development Contributions payment documentation will be required prior to the issuance of the first above grade building permit.
 - (e) The owner agrees that construction shall proceed generally in accordance with the following development Phasing Plan:

Phase 1 – West Part of Site

- Demolition of 57 social housing units and maintaining the remaining 70 social housing units at the east part of the site.
- Construction of 30 social housing replacement townhouses.
- Construction of 8 condominium townhouse units and 2 residential condominium buildings with 403 units.

Phase 2 – Centre and East Part of Site

- Demolition of the remaining 70 social housing units.
- Dedication of a new park.
- Construction of a new social housing replacement apartment building comprising at least 69 social housing units.
- Construction of 28 social housing replacement townhouse units.
- Construction of 2 condominium residential buildings with 481 units and 8 condominium townhouse units.

- (f) 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.
- (g) 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 Item PG32.3 of the Planning and Growth Committee.
- (h) The owner shall submit a site plan control application for each phase of development which shall address the urban design guidelines attached to the master site plan approval.
7. City Council approve a Development Charge Credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as amended from time to time.
- In the event the cost to build the Above Base Park improvements is less than the Parks and Recreation component of the Development Charges payable, these funds shall be payable to the City by TCHC, to the satisfaction of the General Manager, Parks, Forestry and Recreation.
8. City Council approve the application to demolish the 127 existing residential units located at 3 & 5 Kingslake Road and 3, 5, 11, 17 & 21 Allenbury Gardens pursuant to Municipal Code

Chapters 667 and 363 subject to the following conditions under Chapter 667 which provide for the replacement of rental housing:

- a) The owner shall provide and maintain one hundred and twenty-seven (127) replacement social housing units on the subject site for a period of at least 25 years, all of which will have rents geared to income, comprising the following:

Unit Type	Number of Units
2-Bedroom Townhouse	14
2-Bedroom Apartment	58
3-Bedroom Townhouse	41
3-Bedroom Apartment	11
4-Bedroom Townhouse	3
Total	127

- b) The owner shall provide tenant relocation assistance including the right for eligible tenants to return to a replacement social housing unit to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Shelter Support and Housing Administration, and as further detailed in the draft by-law attached as Attachment 8;
- c) The owner shall enter into and register one or more Section 111 Agreement(s) to secure the conditions outlined in (a) and (b) above and as described in the draft zoning by-law amendment (refer to Attachment 8: Draft Zoning By-law Amendment) to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division;
- d) The owner shall enter into and register, a Section 118 Restriction under the Land Titles Act (to the satisfaction of the City Solicitor) agreeing not to transfer or charge those parts of the lands, comprising the 127 replacement social housing units, without the written consent of the Chief Planner and Executive Director, City Planning Division or her designate, to assist with securing the Section 111 Agreement against future owners and encumbrances of the lands; and
- e) The owner shall prepare a Construction Mitigation and Tenant Communication Strategy, prior to the issuance of the first building permit in each phase of the construction, to the satisfaction of the Chief Planner and Executive Director, City Planning.
9. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue 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 Notice of Approval Conditions for the development.
10. 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 social housing buildings in any specific phase of the development.
11. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act no earlier than issuance of the first building permit for the foundation 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 erect a residential building on site no later than 3 years from the day demolition of the buildings is commenced; and
- (b) Should the owner fail to complete the new building within the time specified in condition (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 \$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.
12. Request the Executive Director, Social Development, Finance and Administration Division, to co-ordinate the corporate actions required for the Revitalization of Allenbury Gardens, in conjunction with appropriate City Divisions and the Toronto Community Housing Corporation.
13. Authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 37 and Section 111 Agreements.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

Toronto Community Housing Corporation (TCHC) has partnered with Fram Building Group to jointly redevelop and revitalize the social housing site at Allenbury Gardens. The proposal is to demolish the existing 127 TCHC social townhouses and redevelop the lands with social housing replacement units and residential condominium units. TCHC has advised that it has a joint venture with Fram Building Group to build the market condominium units and as part of the overall development will be seeking a builder to construct the required replacement social housing units.

The original proposal was for 1,106 residential units in buildings with heights up to 23 storeys and an overall gross floor area of 92,120 m² and density of 3.1 F.S.I. The preliminary report on the original proposal can be accessed at the following link:

<http://www.toronto.ca/legdocs/mmis/2012/ny/bgrd/backgroundfile-43325.pdf>

The revised proposal has reduced the overall amount of development to 1,034 residential units of which 127 units would be social housing replacement units and 900 units would be condominium units. In addition, TCHC is seeking permission to include 7 1-bedroom rental units in the social housing replacement apartment building. These units could be market rental units or affordable housing units should government funds for the creation of new affordable housing become available. A small commercial component of 199 m² is proposed in Building A at the corner of Fairview Mall Drive and Godstone Road. This could include a retail store, office, bank, restaurant or day nursery. A total of 927 parking spaces (792 resident and 135 visitor spaces) would be provided. The revised proposal also includes a reduction in the gross floor area to 82,913 m² and density to 2.8 FSI, reduced building heights, and a larger public park.

The proposal is now for 4 condominium apartment buildings with heights of 16, 17, 17 and 20 storeys, a 9 storey social housing apartment building along Fairview Mall Drive and a central public park. Four blocks of 3 storey townhouses are proposed along Allenbury Gardens and 3 blocks of 3 storey townhouses are proposed along Kingslake Road. Vehicular access is proposed from Fairview Mall Drive.

The proposal comprises two phases: phase 1 would comprise the western part of the site and phase 2 the eastern part of the site and the new public park.

Site and Surrounding Area

The 2.96 hectare site is located east of Don Mills Road, north of Fairview Mall and west of Highway 404. The site contains 127 rent-geared-to-income units in two storey back-to-back townhouses and maisonette-style townhomes which function as apartment units because they are accessed by a common lobby and corridor. The existing units are comprised of 72 2-bedroom units, 52 3-bedroom units and 3 4-bedroom units. There are six surface parking areas having a total of 150 parking spaces. The site was developed in 1969 as a private residential development and was sold to the Ontario Housing Corporation in 1972. In 2001, the Ontario Housing Corporation transferred the site to the Toronto Community Housing Corporation.

Land uses surrounding the site are as follows:

North: single detached homes

South: Fairview Mall shopping centre, a 7 storey office building, and the Fairview branch of the Toronto Public Library

East: Highway 404

West: apartment buildings with heights of 14 to 16 storeys

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 and open spaces.

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

The site is designated Neighbourhoods in the Official Plan. The Official Plan indicates that Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in Neighbourhoods.

Policy 4.1 of the Official Plan contains specific development criteria related to lands designated Neighbourhoods. Policy 4.1.5 states that development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including the heights, massing, scale and dwelling type of nearby residential properties, the prevailing building types, and setbacks of buildings from the street. The policy indicates that no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood.

The applicant has submitted an Official Plan amendment to redesignate the site to Apartment Neighbourhoods. The Official Plan notes that Apartment Neighbourhoods are distinguished from low-rise Neighbourhoods because a greater scale of buildings is permitted and different scale-related criteria are needed to guide development.

The Plan sets out development criteria for new development in Apartment Neighbourhoods to guide the review of applications to amend the zoning by-law and permit residential intensification. Section 4.2 specifies that development in Apartment Neighbourhoods will:

- Provide a transition towards lower-scale Neighbourhoods;
- Minimize shadow impacts; locate and mass new buildings to frame the edge of streets and parks and to maintain sunlight and comfortable wind conditions;
- Provide adequate off-street parking; locate and screen service areas and garbage storage;
- Provide indoor and outdoor recreation space for building residents; provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- Provide units that are accessible or adaptable for persons with physical disabilities.

The Official Plan also includes policies addressing built form and public realm issues. Section 3.1.1 includes policies for the layout and design of new streets and parks. Built Form Policies 3.1.2 and 3.1.3 of the Official Plan specify that new development should be located and organized to fit with its context, and be massed to limit impacts on neighbouring streets, parks, open spaces, and properties by creating appropriate transitions in scale to neighbouring buildings, providing for adequate light and privacy, and limiting shadowing and uncomfortable wind conditions. These policies speak to the need to provide public streets and provide direction respecting their design and function.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units including social housing. The Official Plan defines social housing as rental housing units which are owned by a non-profit housing corporation and which are produced or funded under government programs providing comprehensive funding or financing arrangements. Policy 7 indicates that redevelopment of social housing properties that would remove one or more social housing units will secure:

- (a) full replacement of the social housing units;
- (b) replacement social housing units at rents similar to those at the time of the application, including the provision of a similar number of units with rents geared to household income; and
- (c) an acceptable tenant relocation and assistance plan addressing provision of alternative accommodation for tenants at similar rents, including rent-geared-to-income subsidies, right-of-first-refusal to occupy one of the replacement social housing units and other assistance to mitigate hardship.

The Official Plan also includes policies dealing with public realm and built form which recognize the importance of a high quality urban environment and promote a high quality of architecture, landscaping and urban design. Section 3.1.1 includes policies for the layout and design of new streets and parks. Section 3.1.2 provides built form policies regarding the layout and organization of the site as well as massing of buildings.

Section 3.2.2 of the Official Plan includes policies on the provision of adequate community services and facilities.

Policy 3.2.3.5 of the Official Plan states that an alternative parkland dedication rate of 0.4 hectares per 300 dwelling units will be applied to proposals for residential development in parkland acquisition priority areas of the City where Council has identified a need for parkland and enacted an Alternative Parkland Dedication By-law. For sites of 1 to 5 hectares in size, the parkland dedication will not exceed 15% of the development site, net of any conveyances for public road purposes.

Section 37 of the Planning Act gives municipalities authority to pass zoning by-laws involving increases in the height or density of development in return for the provision by the owner of community benefits. Section 5.1.1 of the Official Plan includes policies dealing with the use of Section 37. The policies state that Section 37 community benefits are capital facilities and/or cash contributions toward specific capital facilities and include amongst other matters, rental housing to replace demolished rental housing.

Sheppard East Subway Corridor Secondary Plan

The site is located within the boundary of the Sheppard East Subway Corridor Secondary Plan (See Attachment 5). The objective of the Secondary Plan is to provide an overall strategy to manage and direct development in support of the Sheppard subway and to establish a planning context for long term growth and also protect stable residential neighbourhoods. The Secondary Plan identifies four development nodes corresponding to the four Sheppard line subway stations, and provides a re-urbanization strategy for each of the nodes. The subject lands are included in the Don Mills Node. The Plan indicates that for the Don Mills Node, new development will be focussed on

- lands designated Mixed Use Areas north of Sheppard Avenue; and
- other lands relating to Sheppard Avenue and the Don Mills subway station.

The Secondary Plan identifies key development areas which are sites designated for development. The key development areas are designated primarily as Mixed Use Areas and some lands are designated as Apartment Neighbourhoods. The subject lands are not identified as a key development area. The Secondary Plan sets out policies which allow the consideration of additional key development areas in order to provide for the long term growth of the corridor.

It is a policy of the Secondary Plan that residential communities located outside the areas appropriate for reurbanization in close proximity to the subway stations, be protected and enhanced as stable residential neighbourhoods through specific policies in the Secondary Plan and the applicable Neighbourhoods and Apartment Neighbourhoods policies of the Official Plan.

The Secondary Plan includes urban design principles to achieve high quality development within the corridor including:

- building heights and massing should minimize shadowing.
- development should minimize adverse impacts on nearby low density residential uses.
- compatible transitions in density, height and scale between development nodes and stable residential areas.

- the height of buildings will not exceed the horizontal distance separating the building from the nearest property line of a lot within a stable residential area.
- buildings should generally be designed with a maximum height based on a 1:1 height to street width ratio.

Section 10 of the Secondary Plan, addressing long term growth in the Sheppard Corridor, indicates that significant development in the Sheppard Corridor is to proceed first in the key development areas and that Official Plan amendments to allow significant developments outside the key development areas only be enacted if a substantial amount of development has occurred in the key areas. The Secondary Plan includes criteria to guide Official Plan Amendments to add new areas for subway-related development outside the key development areas.

Zoning

The site is zoned RM1 (Multiple Family Dwellings First Density Zone) in the former City of North York Zoning By-law 7625 which permits multiple attached dwellings with a maximum height of 3 storeys and 9.2 metres. This zoning also permits single detached homes, recreational uses such as parks and community centres, and institutional uses including schools and places of worship.

Site Plan Control

The applicant has submitted a master site plan application including a conceptual site plan that shows building locations and heights, a landscape plan that illustrates a landscape concept for the site, and urban design guidelines that will be used to evaluate future site plan applications. Detailed site plan approval will be required for each phase of development.

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 property 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 approval or refusal 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 667, approval to issue a demolition permit for residential buildings under Municipal Code 363 and section 33 of the Planning Act is also required.

The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental units.

Reasons for the Applications

The proposal for high-rise apartment buildings is not permitted by the Official Plan Neighbourhoods land use designation or the RM1 zoning by-law provisions. The proposal is for an Official Plan amendment to permit redevelopment of the site and to rezone to an appropriate zoning. In addition, a permit is required under the City's Municipal Code to demolish the existing rental townhouses.

Community Consultation

Public consultation has included an open house, tenant meeting and two community meetings. At the February 29, 2012 community meeting attended by about 40 people, the following concerns were expressed regarding the original proposal:

- Fairview Mall Drive has a lot of traffic – can the street handle additional traffic
- Not enough time for cars to turn onto Don Mills Road from Fairview Mall Drive due to pedestrians crossing Don Mills Road. Can there be an advanced green light for vehicles turning left onto Don Mills Road.
- can the number of rental townhouses be increased
- proposed buildings are too high
- safety concerns about having a retail store as part of the proposed building at Godstone and Fairview Mall Drive
- what is the size of the rental replacement units
- is there enough space in the local schools
- concerned parking rates are not sufficient and residents and visitors will park at Fairview Mall

At the September 19, 2012 community meeting on the revised proposal attended by approximately 50 people, the following concerns were raised:

- how will traffic be accommodated along Fairview Mall Drive
- will there be sufficient parking for people in the new units and for visitors
- safety concerns for pedestrians crossing Fairview Mall Drive at Godstone Road
- some people raised concerns about the proposal for a small store at the corner of Fairview Mall Drive and Godstone Road
- several people indicated they like the changes made from the original proposal including a reduction in building heights, the larger park and the increase in the number of townhouses.

Tenant Consultation:

Numerous tenant consultation meetings and workshops have been held by TCHC and the City throughout the planning process. Additionally, a dedicated tenant consultation meeting on the redevelopment application was held by the City on July 24, 2012. Generally, tenants were supportive of the proposal and liked many of the components of the redevelopment. Specific comments from tenants included:

- Concern that there were not more townhouses proposed, but pleased that the plan now includes the provision of 2-bedroom townhouses;
- Would like to see replacement townhouses include basements;
- Questioned whether new unit sizes will be able to accommodate tenant's existing furniture;
- Want to see balconies as part of the apartment building.

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.

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 of social housing and various housing forms and unit types. As the site is located near an arterial road adjacent to bus service and near the Don Mills subway station, 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 areas.

Land Use and Density

The application proposes to amend the Official Plan to change the land use designation of the site from Neighbourhoods to a designation that permits apartment buildings and townhouses and a small amount of local commercial space to permit reinvestment in the site in the form of a new and more intense residential development than currently exists on the site including a revitalized social housing component. The proposal would also require amending the Sheppard East Subway Corridor Secondary Plan to include the lands as a key development area within the Don Mills Node.

Policy 5.3.1.3 of the Official Plan notes that when considering a site specific amendment to the Plan, Council must be satisfied that any development permitted under an amendment to the Plan is compatible with its physical context and will not affect nearby Neighbourhoods or Apartment Neighbourhoods, and the planning review will examine whether the application should be considered within the immediate planning context or whether a broader review is appropriate. The site is located adjacent to a mix of different land uses: across the street from detached homes to the north, apartment buildings to the west, a regional shopping centre (Fairview Mall) and office building to the south and Highway 404 to the east. The site is located within the boundary of the Sheppard East Subway Corridor Secondary Plan and is located within the Don Mills redevelopment node. Consideration of the redesignation proposal is appropriate within the planning context of the immediate area and the Sheppard East Subway Corridor Secondary Plan.

Designation of Site as a Key Development Area

The Sheppard East Subway Corridor Secondary Plan identifies key development areas which are sites designated for development. The subject site was not identified as a key development area at the time of the preparation of the Secondary Plan. Section 10 of the Secondary Plan, addressing long term growth in the Sheppard Corridor, indicates that significant development in the Corridor is to proceed first in the key development areas and that Official Plan amendments to allow significant developments outside the key development areas will only be enacted if a substantial amount of development has occurred in the key areas. In May 2002 it was established that a substantial amount of development had occurred in the Sheppard Subway Corridor and that additional lands could be considered as key development areas. Since that time, amendments have been made to the Secondary Plan to incorporate additional key development areas.

The Plan states that the following criteria should guide Official Plan amendments to add new areas for subway-related development outside the key development areas:

- a) the proposal is consistent with the policies of the Secondary Plan;
- b) the proposed development will enhance and preserve nearby stable areas, particularly nearby designated stable residential areas;
- c) the proposal includes a parcel of land large enough to comprehensively implement the principles of the Secondary Plan; and
- d) the proposed development responds to further improvements to the rapid transit system such as the extension of the Sheppard Subway east of Don Mills Road.

The site is near the Don Mills subway station. Redevelopment of the site with townhouses and apartment buildings would support the objectives of the Sheppard East Subway Corridor Secondary Plan and the Sheppard subway.

As indicated above, the site is located across the street from single detached homes, apartment buildings, an office building and a shopping centre. The proposed development provides for the protection of the stable residential neighbourhood to the north. The proposal is for 3 storey townhouses along the north part of the site across the street from the detached homes providing an appropriate transition and scale to the adjacent low density residential area. In addition, at the east part of the site there is a 16 metre landscaped buffer separating the nearest residential homes from the proposed development and then

there would be a 4 storey residential building base. This would set a clear demarcation from the proposed taller residential buildings and assist in reinforcing the stability of the low density residential area to the north.

The subject site has an area of 2.96 hectares and has frontage on Fairview Mall Drive across the street from Fairview Mall shopping centre. The area is of sufficient size to implement the principles of the Secondary Plan. The proposal is consistent with the policies of the Secondary Plan and implements the principles of the Secondary Plan. It will enhance and preserve nearby stable residential areas. It is therefore appropriate to add this site as a key development area in the Sheppard East Subway Corridor Secondary Plan.

Staff recommend that the lands be redesignated to Apartment Neighbourhoods and that the park block be designated Parks. A site specific policy will be added to the Sheppard East Subway Corridor Secondary Plan, Section 4.2.C Don Mills Node, setting out the development permitted for this site. Apartment buildings and a small retail store would only be permitted on the southern part of the site fronting along Fairview Mall Drive. The north part of the site along Kingslake Road and Allenbury Gardens would only be permitted for 3 storey townhouses. This would assist in reinforcing the stability of the low density residential neighbourhood to the north.

The total gross floor area proposed would result in a density of 2.8 FSI. This is comparable to other densities in the area related to the subway corridor development.

Height and Massing

The Official Plan public realm policies call for comfortable, safe, and accessible public streets, parks, and open spaces. 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 Building Guidelines provide detailed guidance on the design of tall buildings. The City has infill townhouse guidelines and 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 key components of the proposed development include a central public park, townhouses along Allenbury Gardens and Kingslake Road and the apartment buildings fronting onto Fairview Mall Drive. The organization and overall design of these elements is generally consistent with the public realm and built form policies and guidelines outlined above. The proposed 3 storey townhouses meet the principles of the Secondary Plan of buildings limited to a maximum height based on a 1:1 height to street width ratio.

A total of 5 apartment buildings are proposed all fronting onto Fairview Mall Drive. The tallest building at 20 storeys and a second apartment building at 17 storeys are located at the east part of the site adjacent to Highway 404. Abutting the east side of the proposed park is a 9 storey social housing replacement building with a 4 storey base building providing an appropriate building face to the park.

At the corner of Fairview Mall Drive and Godstone Road are two apartment buildings (16 and 17 storeys) with a 4 storey base which wraps around the corner along Godstone Road.

The four tall buildings comply with the City's Tall Building Guidelines. The base buildings are 4 storeys providing a pedestrian friendly scale along Fairview Mall Drive. The tower portions of the buildings step back from the bases and the floor plates meet the 750 square metres maximum recommended by the guidelines. The building heights are appropriate for this location.

The applicant has submitted urban design guidelines to be included in the master site plan approval which will be used in the review of each of the building phases at the time of the respective site plan application. The guidelines have been reviewed by staff and are appropriate and include matters dealing with built form and massing, open space and landscape treatment and indicate that the buildings are to conform with the City's tall building and infill townhouse guidelines and also address the mid-rise building guidelines.

Sun, Shadow, Wind

The Official Plan includes policies that aim to minimize shadow impacts of new buildings on parkland and adjacent lands designated Neighbourhoods especially during the spring and fall seasons. The applicant has submitted a sun/shadow study which indicates minimal shadow impacts on the new park and on the low density residential neighbourhood with some shadowing in the morning on the residential lands on the north side of Allenbury Gardens.

A review of the study indicates that the Official Plan policy objectives have been met through locating the tall buildings along the Fairview Mall Drive frontage so that the new apartment buildings will have limited shadow impact on properties in the adjacent residential neighbourhood to the north of the subject lands. A wind study will be required at the site plan control stage.

Social Housing Replacement

Existing Social Housing:

The 127 social housing units comprise 72 2-bedroom, 52 3-bedroom and 3 4-bedroom units. All of the units are townhouse style dwellings, either as back-to-back style units or 'maisonettes', meaning they have an indoor lobby and internal corridor from which the unit is accessed. All units have their own private outdoor space. As well, all units have unfinished basements.

TCHC and FRAM have proposed to replace all 127 social housing units. The existing and proposed replacement social housing units are outlined in the following table:

Units	Existing	Proposed
2-bedroom townhouse	72	14
2-bedroom apartments	0	58
3-bedroom townhouse	52	41
3-bedroom apartments	0	11
4-bedroom townhouse	3	3
Total	127	127

A total of 58 units will be replaced as townhouse units and 69 units will be replaced in a conventional apartment building.

Phasing of Social Housing Units:

The first phase of redevelopment will see the demolition of 57 units and the replacement of 30 units, all of which will be townhouse units. The second phase will see 70 units demolished and 97 replacement units, comprising a mix of townhouse and apartment units. The social housing replacement apartment building will be located next to the public park, ensuring that it has good access to services and amenities. As there are limited options for locating the social housing replacement apartment building and due to the unique need of TCHC to receive money for the market units prior to building all of the social housing units, the majority of the social housing replacement units will be provided in phase 2.

The City will secure through the zoning by-law and legal agreements that

- 30 social housing townhouse units will be completed and ready for occupancy prior to occupancy of any market units.
- The remaining 97 social housing replacement units will be completed and ready for occupancy no later than the date 50% of the new dwelling units in Building D are available and ready for occupancy and prior to the issuance of any above grade building permit for Building E.

Sizes:

Existing unit sizes range from 823-944 ft² for a 2-bedroom, 1143-1238 ft² for a 3-bedroom and 1347 ft² for a 4-bedroom. Staff recognize that some of the units were originally built more spaciously, but that space was not constructed as efficiently as the current designs. Some of the larger sizes of units are not feasible or efficient to replicate in the redeveloped Allenbury Gardens. Designs for new units will offer a more effective use of space allowing for somewhat smaller sized units than currently exist. Replacement social housing unit sizes will not be significantly smaller than what currently exist and will range from about 735-780 ft² for a 2-bedroom apartment, 950-1125 ft² for a 3-bedroom unit and 1,100-1,250 ft² for a 4-bedroom unit.

The Section 37 and 111 agreements will secure requirements for storage space, laundry hook-ups and other suite amenities and finishes that are available today.

Grade-related Replacement Housing:

All of the existing units are townhouses, with their own private outdoor space. The existing housing provides good-sized units for families, as well as smaller households. The proposed replacement units will include a mixture of back-to-back townhouses and apartment units. Maintaining good sized, affordable housing units suitable for families is a key priority for the City. New rental townhouses are not being built in the City, furthering the need to preserve what currently exists. In the case of Allenbury Gardens, the majority of the existing units are 2-bedrooms, making them more suitable to be replaced in an apartment form. The apartment building will include common indoor and outdoor amenity space for tenants where there was previously none. The building will also be located directly next to the new public park, allowing for easy access to the park for apartment building residents.

The City will require that at least 58 units, or close to half of the existing units, will be replaced as townhouse units, comprised of 14 2-bedroom, 41 3-bedroom and 3 4-bedroom townhouses, ensuring that housing remains on the site that can accommodate larger families.

Tenure and Income Mix:

The redeveloped Allenbury Gardens will include a mix of housing types, tenures and incomes on the site helping to make it more of a socially and economically mixed community. The objective for the social housing townhouses or apartment building is for them to be indistinguishable from the condominium market units. The market and social housing units will be located side-by-side, with no visible difference for one another. The public park and internal courtyards will provide the opportunity for resident social interaction.

Additional Social Housing Units:

TCHC has also proposed the inclusion of an additional 7 1-bedroom rental units in the apartment building. These units could be market rental units or affordable housing units should government funds for the creation of new affordable housing become available. Providing for the option to include new affordable rental units will allow TCHC to act quickly to include these units in the apartment building should funds become available. Further, the inclusion of these units helps to provide for a more diverse mix of bedroom types, tenures and incomes as part of the redevelopment. The Section 37 agreement will include a requirement that if these 7 additional units are constructed, that they be of a rental tenure.

Tenant Relocation and Assistance Plan:

Toronto Community Housing has set out a comprehensive tenant relocation and assistance plan. The key principles of this plan include:

- The right to a new replacement social housing unit;
- Mitigation of hardship related to moving, through the provision of moving assistance, including moving services and other support to assist with moving to a temporary and new replacement unit;
- A minimum of 5 months notice prior to having to move;

- Equitable and transparent selection of new replacement units – phase 1 and 2 tenants will have access to an equal number of townhouse units.
- The option for tenants to return to a 1-bedroom unit should funding become available to build these units.

TCHC has committed to continue to consult with tenants as the redevelopment progresses, including consultation on specific details to unit design and amenity space.

Securing Social Housing Replacement:

The replacement social housing units will be owned by TCHC and secured as social housing for a period of at least 25 years, meaning no application can be made to demolish or convert to non-social housing purposes (such as condominium tenure) during this time. After the 25 year period has expired, the units will continue to be social housing and owned by the City's social housing agency, but Toronto Community Housing would have the right to apply to convert or demolish the units. However, any such application would have to meet the requirements of provincial social housing legislation, the City's Official Plan housing policies, and any related by-laws, in place at that time. Detailed requirements for replacing the existing social housing and provision of tenant relocation and assistance will be secured in legal agreements with TCHC.

Tenure

Of the 1,034 proposed residential units, 127 units are to be replacement social housing units, 7 units are to be rental housing units and 900 units are to be residential condominiums. A draft plan of condominium will need to be submitted for approval.

Traffic Impact, Access, Parking

Vehicular access to the development is proposed off of Fairview Mall Drive with one driveway access serving the apartment buildings and townhouses on the west part of the site and two driveways serving the apartment buildings and townhouses on the east part of the site. Each driveway leads to the apartment building entrance, underground parking and a shared servicing area.

The applicant has submitted a traffic impact and parking 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 generally agree with the study's findings. Transportation Services staff have no objection to the proposed official plan and zoning by-law amendment.

In order to mitigate construction impacts on the surrounding community, the applicant will be required to prepare a construction management plan and neighbourhood communication strategy prior to the issuance of the first building permit.

The proposal includes a total of 927 parking spaces of which 792 are resident spaces and 135 are visitor spaces to be provided in two levels of underground parking. Transportation Services staff indicate this is appropriate and recommend minimum and maximum parking rates for inclusion in the site specific zoning by-law by tenure type and bedroom unit count. The by-law will also secure bicycle parking.

Servicing

The stormwater management and functional servicing report submitted by the applicant has been reviewed by Development Engineering, Technical Services Division. The study concludes that the proposal can be adequately serviced by existing and improved infrastructure. Technical Services staff advise they do not object to the proposed Official Plan and zoning by-law amendments.

Phasing

The proposed development includes the following overall phasing plan:

Phase 1 – West Part of Site

- Demolition of 57 social housing units and maintaining the remaining 70 social housing units at the east part of the site.
- Construction of 30 social housing replacement townhouses.
- Construction of 8 condominium townhouse units and 2 residential condominium buildings with 403 units.

Phase 2 – Centre and East Part of Site

- Demolition of the remaining 70 social housing units.
- Dedication of a new park.
- Construction of a new social housing replacement apartment building comprising at least 69 units.
- Construction of 28 social housing replacement townhouse units.
- Construction of 2 condominium residential buildings with 481 units and 8 condominium townhouse units.

The phasing plan, zoning by-law regulations and Section 37 agreement ensure that all the social housing replacement units are constructed prior to completion of all of the condominium units. The phasing plan is to be secured, as a matter of convenience, as part of the Section 37 Agreement.

Open Space/Parkland

Parks, Forestry and Recreation staff indicate that the applicant proposes to convey 3,297 m² of parkland to the City which would fulfill their parkland dedication requirement. The park is proposed to be

located centrally within the block with frontage on Fairview Mall Drive and Allenbury Gardens. This will create a new neighbourhood public park for the community with pedestrian connections through the park to the surrounding neighbourhood, Fairview Mall and Don Mills bus/subway station. Parks, Forestry and Recreation staff support this parkland dedication.

Parks, Forestry and Recreation staff also recommend that Council approve a Development Charge Credit against the Parks and Recreation component of the development charges for the design and construction by the owner of the Above Base Park Improvements to the proposed park. The credit will 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. The new park could include a splash pad, playground, seating and upgraded landscaping. The applicant has agreed to construct Above Base Park improvements having a minimum value of \$800,000. This will be secured in the Section 37 agreement, and the value will be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto.

Parks, Forestry and Recreation is recommending that prior to issuance of the first above grade building permit for Phase 1, the owner shall enter into an Escrow Agreement with the City regarding the conveyance of the parkland to set out the conditions and timing of the transfer of the land to the City and its development as parkland. Prior to issuance of the first above grade building permit for Phase 2.2 (Building E) the owner is to take the parkland out of Escrow and convey the park, in Above Base Park condition, to the City.

Parks, Forestry and Recreation have also requested that the applicant provide \$100,000 to the City to be used towards park improvements within Godstone Park which may include upgrades to the walkway between Godstone Park and Kingslake Public School and enhancements to the play equipment. This will be secured in the Section 37 Agreement.

Amenity Space

The Official Plan requires that new development provide adequate indoor and outdoor recreational space for residents. The applicant indicates that the condominium apartment buildings will have their own indoor amenity space which may include fitness facilities and meeting and party rooms. The social housing apartment building will have indoor amenity space comprising a large multi-purpose room. The development includes large outdoor courtyards in the middle of the east and west blocks which will provide shared outdoor amenity space. In addition, the proposed townhouse units will have their own private yards. Indoor and outdoor amenity space at a rate of 1.5 m² per dwelling unit will be secured in the zoning by-law for both the TCHC and market units.

Pedestrian Circulation

This development creates an attractive and safe pedestrian experience that will encourage walking. A network of walkways through the site's open spaces and the park create good connections to the adjacent neighbourhood, public transit, shopping destinations and the public library. Ground floor uses provide for visual connection to the outdoor open space and pedestrian areas. The residential uses along

Fairview Mall Drive, Godstone Road and Allenbury Gardens are intended to create a safe and comfortable network of sidewalks and walkways.

Streetscape

The design of the proposal would result in an attractive pedestrian oriented edge with townhouses lining Kingslake Road and Allenbury Gardens and 4 storey base buildings with taller buildings above them facing Fairview Mall Drive and the park. The townhouses are setback 4.5 m from the street providing landscaped front yards. Along Godstone Road is a proposed 4 storey base building with a 7.9 m setback from the street providing for a large landscaped area. At the corner of Godstone Road and Kingslake Road there is to be a landscaped area to act as a view terminus from the north. The building setbacks for the apartment buildings along Fairview Mall Drive provide for landscaping and street trees.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The site specific zoning by-law will secure performance measures for the Tier 1 development matters related to Automobile Infrastructure and Cycling Infrastructure. Other applicable TGS performance measures will be secured through the site plan approval process.

Schools

The Toronto District School Board has advised there is insufficient space at the local elementary school 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 accommodate 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 will be included as part of a site plan approval application.

The Toronto Catholic District School Board has advised that there is sufficient space in the local schools to accommodate students anticipated from this development.

Section 37

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

1. The owner is to replace the existing 127 units of social housing.
2. The owner is to provide a financial contribution to the City of \$750,000 to be used for capital improvements/renovation of Fairview Library including an early literacy centre, computer learning and media centre, teen zone and lighting upgrades.
3. The owner is to provide a financial contribution to the City of \$350,000 for pedestrian and streetscape related improvements at the north-east corner of Fairview Mall Drive and Don Mills Road.
4. The owner is to provide a financial contribution to the City of \$100,000 for park improvements within Godstone Park which include upgrades to the walkway between Godstone Park and Kingslake Public School and enhancements to the play equipment.
5. The provision and maintenance on the site of not less than 127 TCHC social housing replacement units for a period of at least 25 years, comprising 58 grade-related units and 69 apartment units, all of which shall have rents geared to income.
6. If 7 additional units are to be constructed in the TCHC social housing replacement building, these units are to be of rental tenure.
7. 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.
8. The owner is to convey approximately 3,297 m² of land to the City for parkland to fulfill their parkland dedication requirement.
9. 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.
10. The development phasing plan as discussed in this report.
11. 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.

Conclusion

The proposal by Toronto Community Housing Corporation and Fram Building Group to redevelop and revitalize the social housing site at Allenbury Gardens is appropriate and the report recommends the approval of the development.

CONTACT

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Deanna Chorney, Planner
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Fax No.: (416) 397-4080

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Sheppard East Subway Corridor Secondary Plan
Attachment 6: Application Data Sheet
Attachment 7: Draft Official Plan Amendment
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan

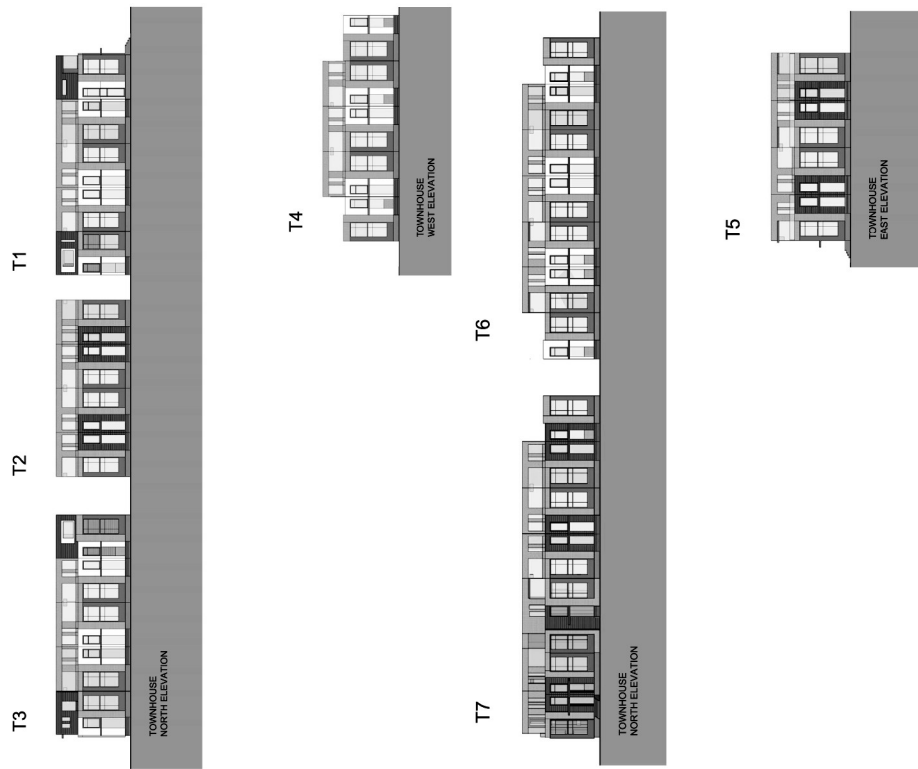


3, 5 Kingslake Rd and 3, 5, 11, 17 & 21 Allenbury Gardens

Site Plan
Applicant's Submitted Drawing
Not to Scale
09/21/2012

File # 11 293972 NNY 33

Attachment 2: Elevations

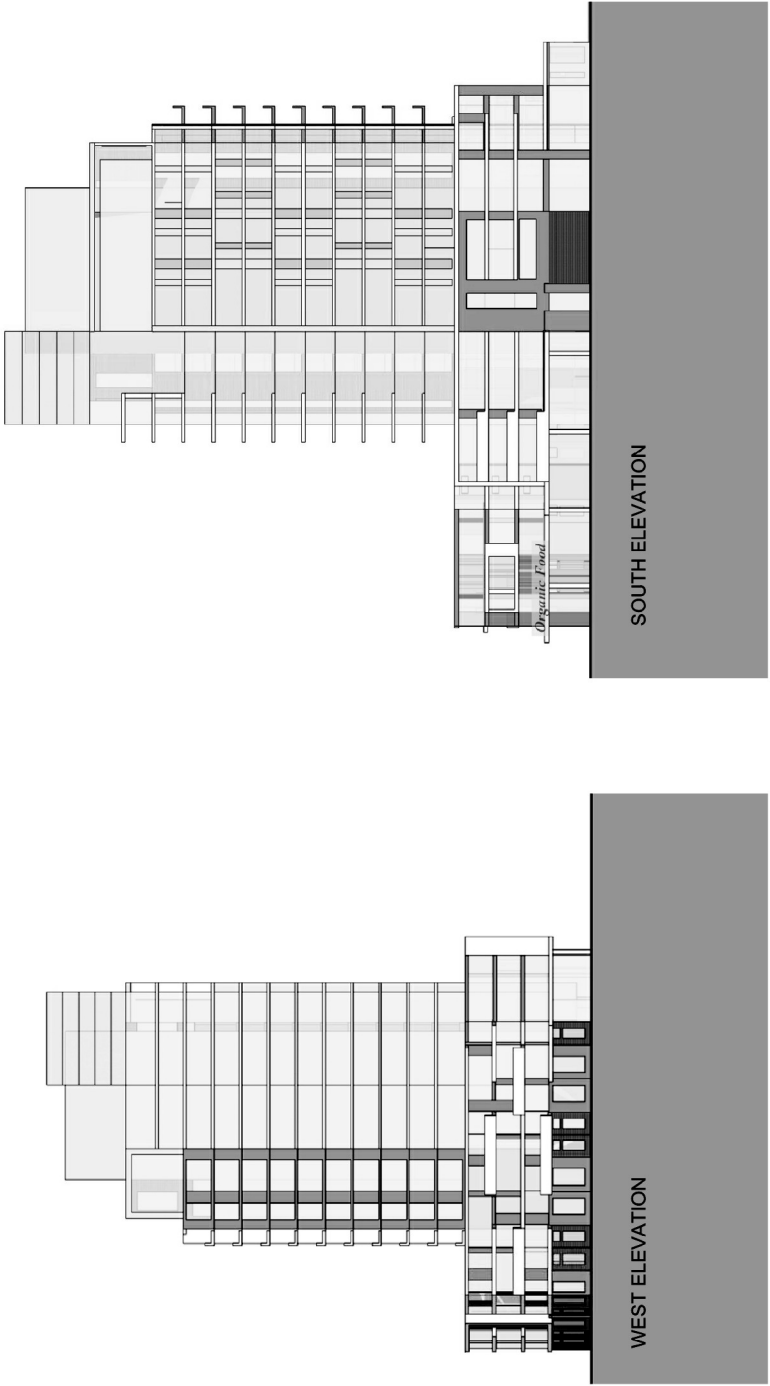


Elevations - Townhouses Applicant's Submitted Drawing

Not to Scale
09/21/2011

3, 5 Kingslake Rd and 3,5,11,17 & 21 Allenbury Gardens

File # 11 293972 NNY 33



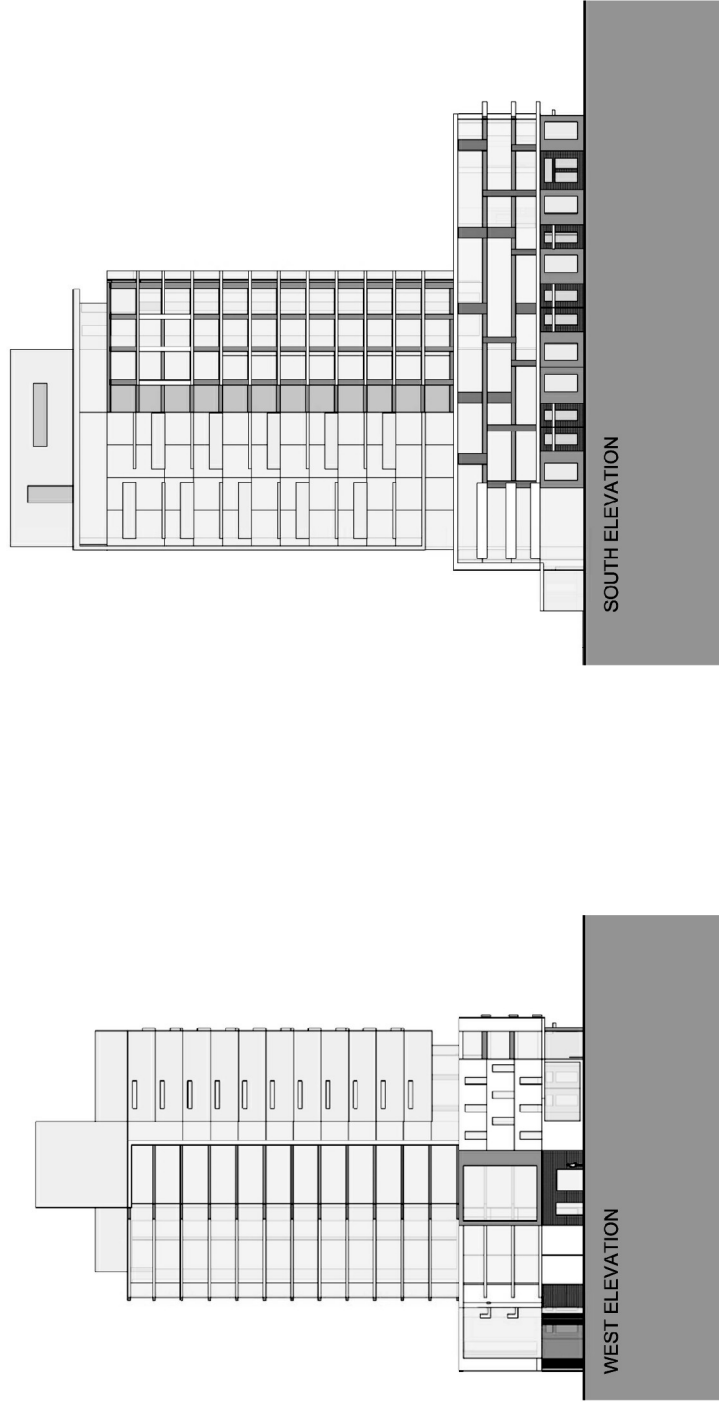
Elevations - Building A

Applicant's Submitted Drawing

Not to Scale
09/21/2011

3, 5 Kingslake Rd and 3,5,11,17 & 21 Allenbury Gardens

File # 11 293972 NNY 33



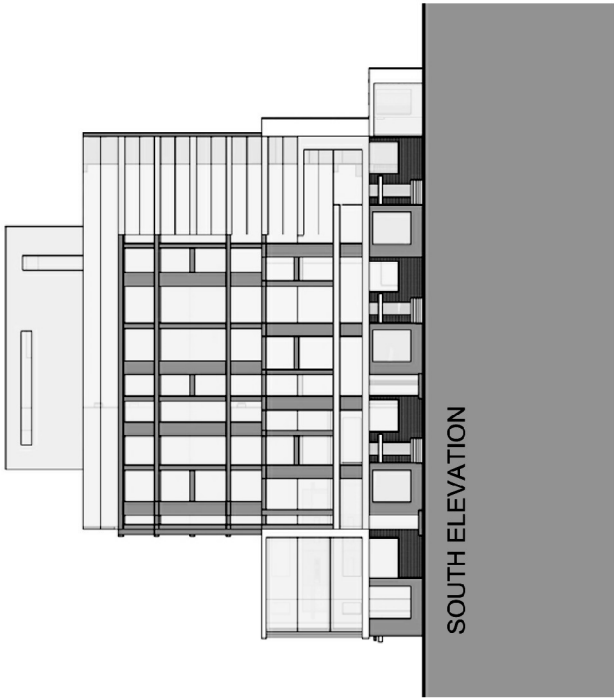
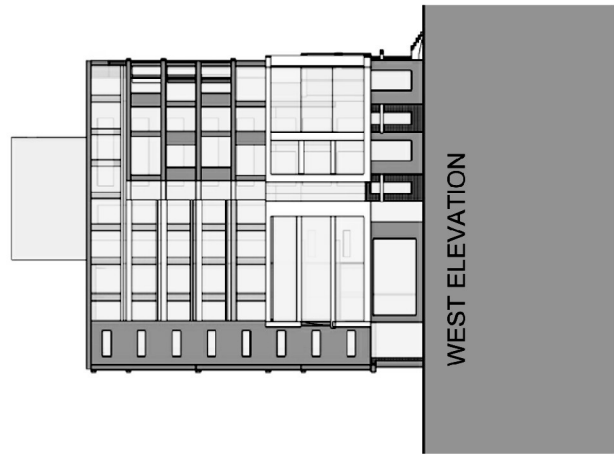
Elevations - Building B

Applicant's Submitted Drawing

Not to Scale
09/21/2011

3, 5 Kingslake Rd and 3,5,11,17 & 21 Allenbury Gardens

File # 11 293972 NNY 33



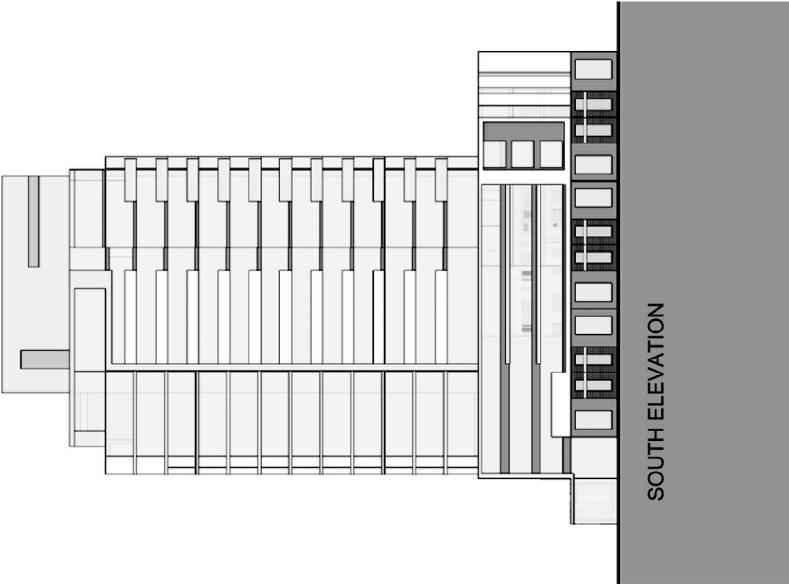
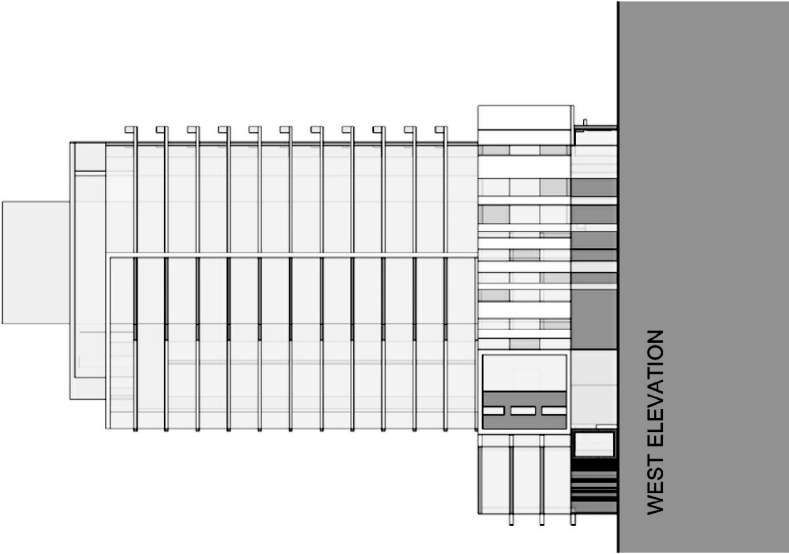
Elevations - Building C

Applicant's Submitted Drawing

Not to Scale
09/21/2011

3, 5 Kingslake Rd and 3,5,11,17 & 21 Allenbury Gardens

File # 11 293972 NNY 33

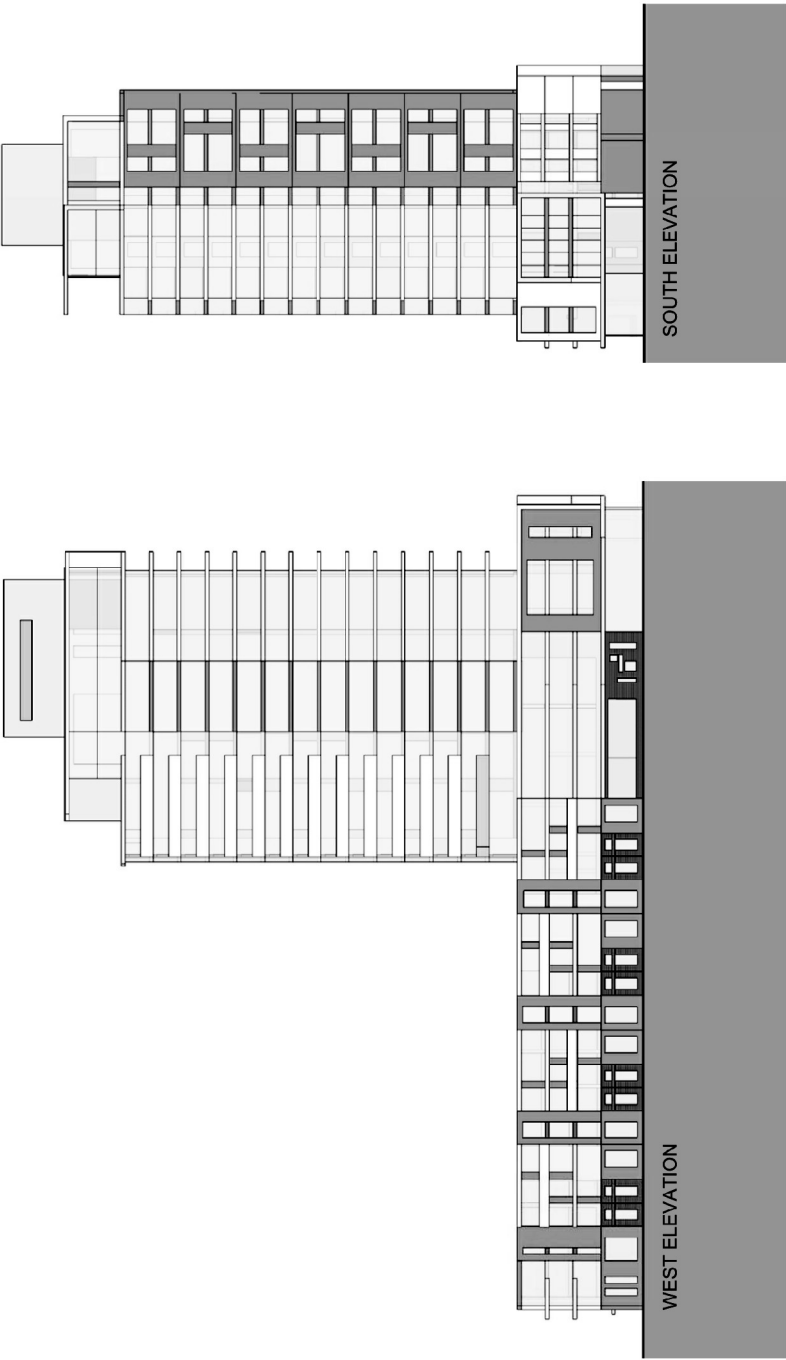


Elevations - Building D
Applicant's Submitted Drawing

Not to Scale
09/21/2011

3, 5 Kingslake Rd and 3,5,11,17 & 21 Allenbury Gardens

File # 11 293972 NNY 33



Elevations - Building E
Applicant's Submitted Drawing

Not to Scale
09/21/2011

3, 5 Kingslake Rd and 3,5,11,17 & 21 Allenbury Gardens

File # 11 293972 NNY 33

Attachment 3: Zoning



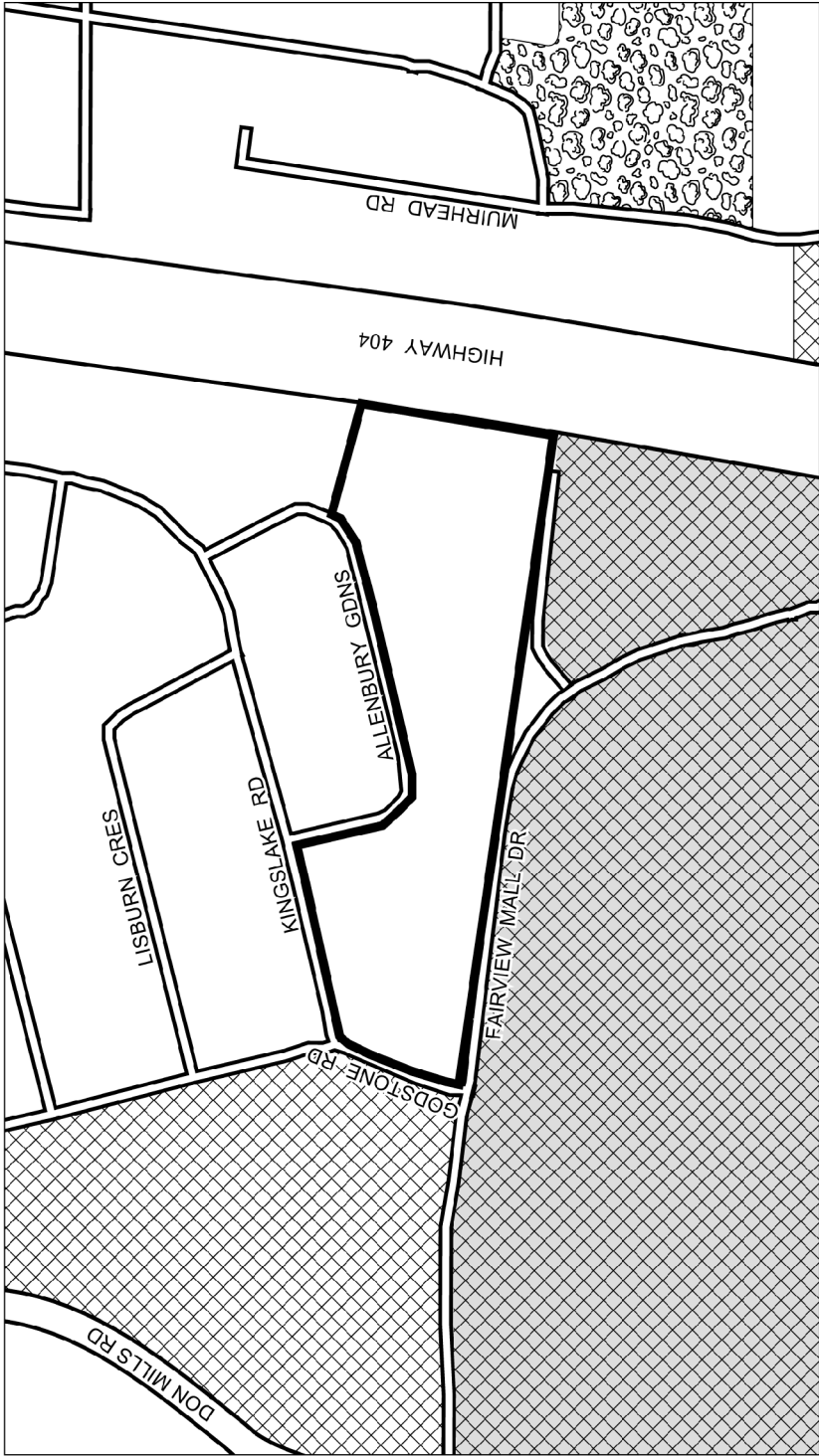
Toronto City Planning
Zoning
3, 5 Kingslake Rd and 3, 5, 11, 17 & 21 Allenbury Gardens
File # 11 293972 NNY 33

R4 One-Family Detached Dwellings Fourth Density Zone
RM1 Multiple-Family Dwellings First Density Zone
RM2 Multiple-Family Dwellings Second Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone
NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

C3 District Shopping Centre Zone
C3(7)
C3 Open Space Zone

Not to Scale
Zoning Bylaw 76/25
Extracted 10/26/2011

Attachment 4: Official Plan



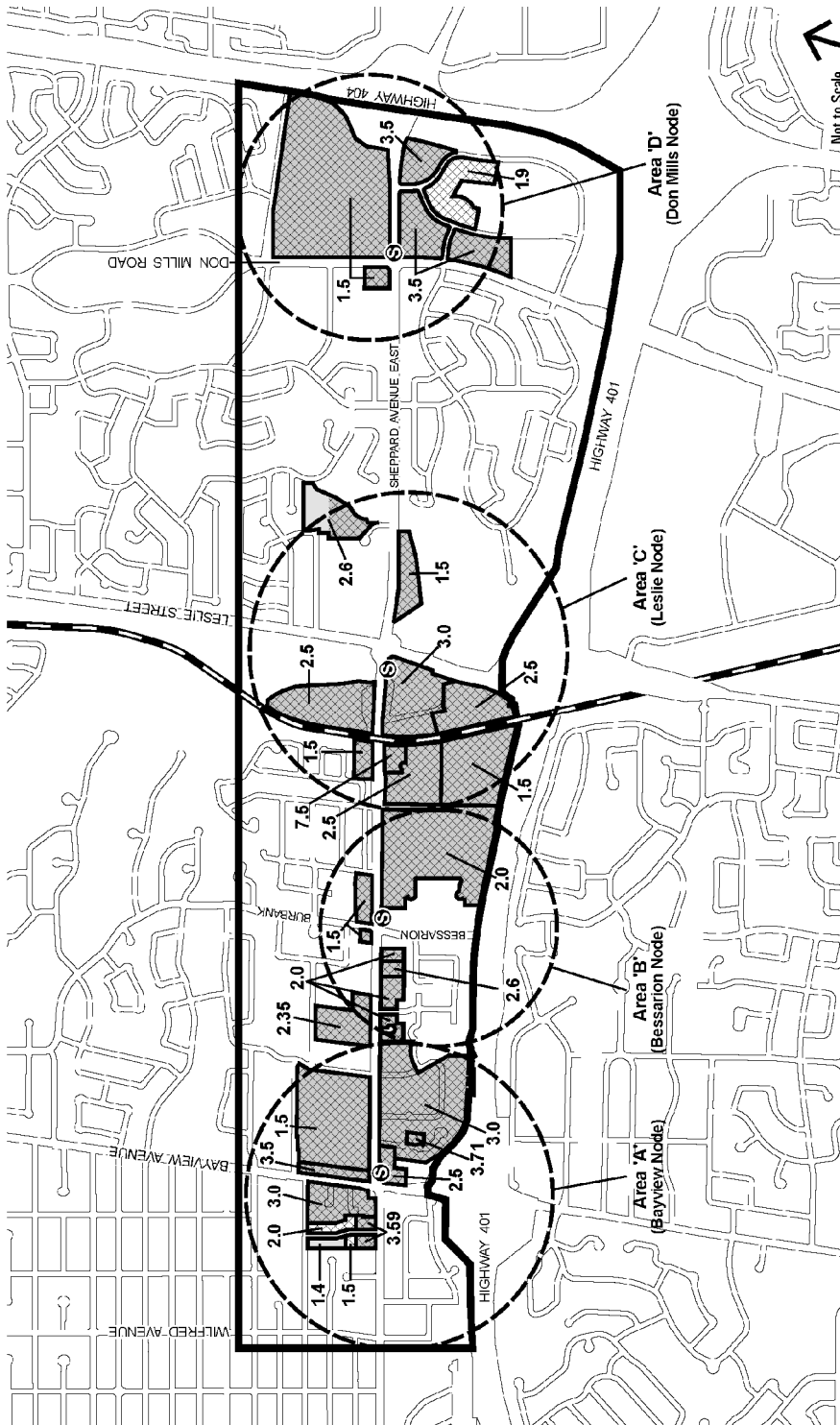
Toronto City Planning
Official Plan

3,5 Kingslake Rd and 3,5,11,17, & 21 Allenbury Gardens

File # 11 293972 NNY 33

- Site Location
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Parks & Open Space Areas
- Parks

Not to Scale
10/26/2011



Sheppard East Subway Corridor Secondary Plan

MAP 9.2 Key Development Areas

- Secondary Plan Boundary
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- 1.5 Density
- Subway Station

December 2010

ATTACHMENT 6: APPLICATION DATA SHEET

Application Type	Official Plan, Rezoning & Rental Housing Demolition	Application Number:	11 293972 NNY 33 OZ
Details	OPA & Rezoning, Standard	Application Date:	October 17, 2011

Municipal Address: 3, 5, 11, 17, 21 Allenbury Gardens and 3, 5 Kingslake Road

Location Description: PLAN M993 PT BLK N 3-5 KINGSLAKE RD **GRID N3302

Project Description: Demolish the existing 127 rental housing units and replace them with 1,034 residential units (900 condominium units and 134 rental units) comprised of 3 storey townhouses, 5 apartment buildings with heights of 9 to 20 storeys and 199 sq.m. of commercial space.

Applicant:	Agent:	Architect:	Owner:
Fram Building Group – Allenbury Gardens		Brook McIlroy Inc. Pace Architects	Toronto Community Housing Corporation

PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	RM1	Historical Status:	
Height Limit (m):	9.2	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	29663.5	Height:	Storeys:	3 to 20
Frontage (m):	1163.6		Metres:	69
Depth (m):	0			
Total Ground Floor Area (sq. m):	10771			Total
Total Residential GFA (sq. m):	82713		Parking Spaces:	927
Total Non-Residential GFA (sq. m):	199		Loading Docks	4
Total GFA (sq. m):	82,913			
Lot Coverage Ratio (%):	36.3			
Floor Space Index:	2.8			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental, Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	82713	0
Bachelor:	118	Retail GFA (sq. m):	199	0
1 Bedroom:	685	Office GFA (sq. m):	0	0
2 Bedroom:	160	Industrial GFA (sq. m):	0	0
3 + Bedroom:	71	Institutional/Other GFA (sq. m):	0	0
Total Units:	1034			

CONTACT: **PLANNER NAME:** Nimrod Salamon, Senior Planner
TELEPHONE: (416) 395-7095

Attachment 7: Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2013

Enacted by Council: ~, 2013

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2013

**To adopt Amendment No. 202 to the Official Plan for the City of Toronto
respecting the lands known municipally in the year 2013 as
3, 5, 11, 17 and 21 Allenbury Gardens and 3, 5 Kingslake 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. The attached Amendment No. 202 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.
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. 2013.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 202 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS
3, 5, 11, 17 and 21 Allenbury Gardens and 3, 5 Kingslake Road

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

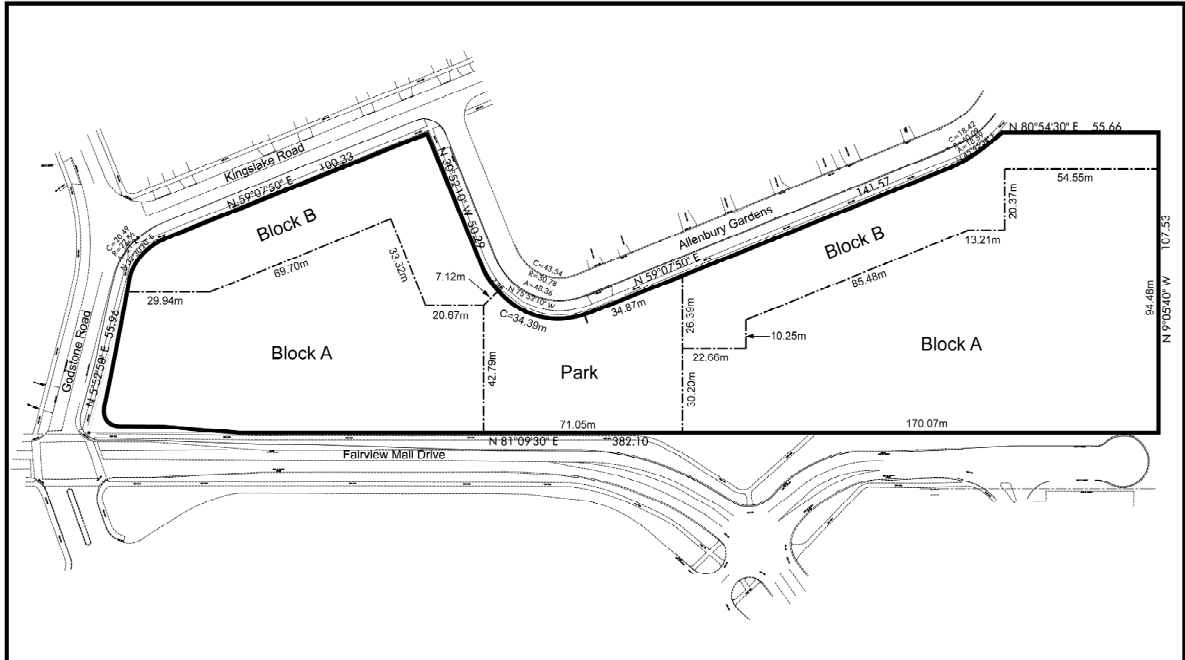
1. Map 19, Land Use Plan, is amended by re-designating the lands known municipally as 3, 5, 11, 17 and 21 Allenbury Gardens and 3, 5 Kingslake Road from Neighbourhoods to Apartment Neighbourhoods and Parks, as shown on the attached Schedule "A".
2. Map 9-2, Key Development Areas, of Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan) is amended by adding the lands known municipally in 2013 as 3, 5, 11, 17 and 21 Allenbury Gardens and 3, 5 Kingslake Road as a Key Development Area with a density of 2.8 and by designating the lands as Apartment Neighbourhoods and Parks as shown on the attached Schedule "B".
3. Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan) is amended by adding the following subsection to Section 4.2 (Development Nodes), Subsection D (Don Mills Node):

4.2.9 3, 5, 11, 17 and 21 Allenbury Gardens and 3, 5 Kingslake Road

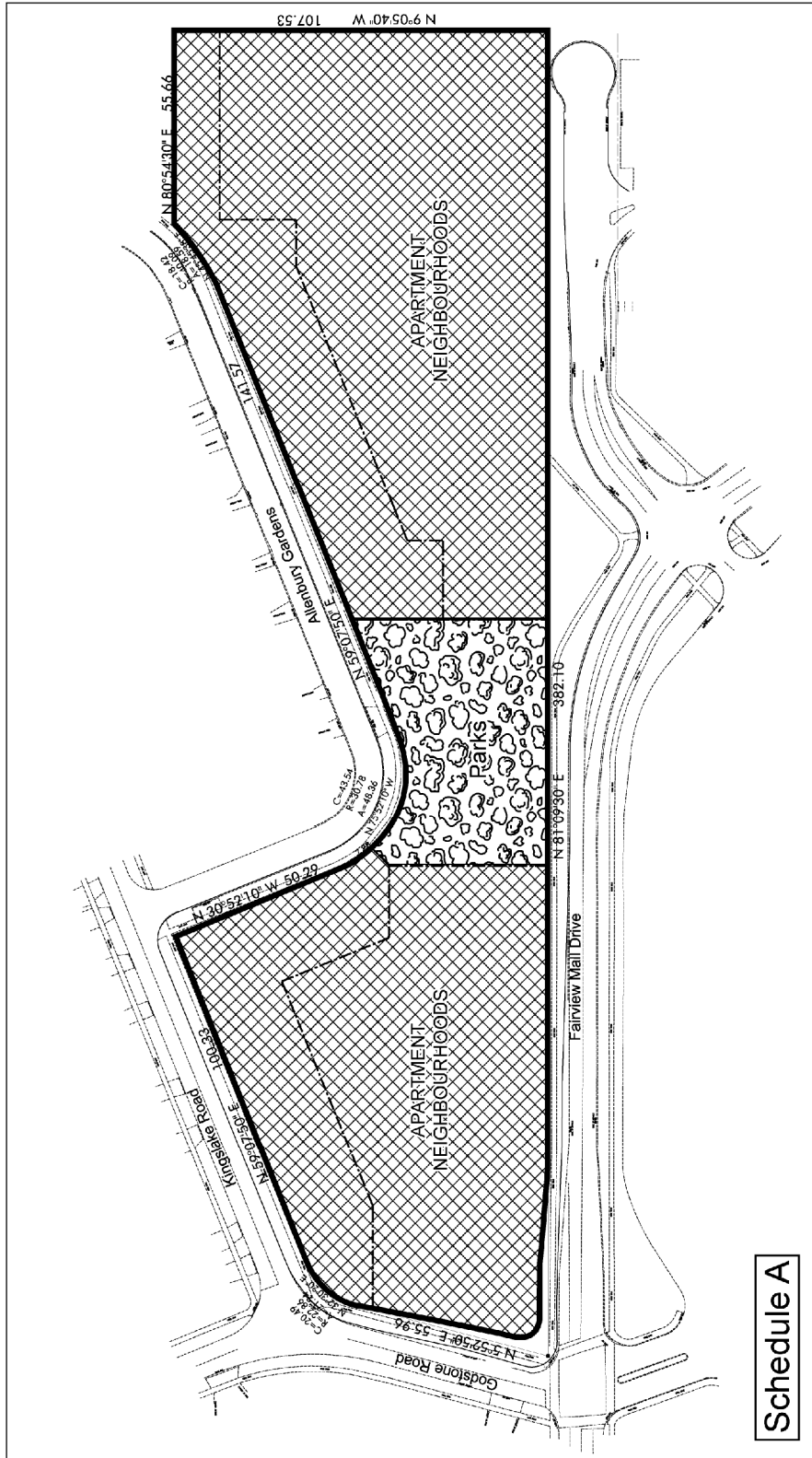
On the lands designated Apartment Neighbourhoods, development is permitted with a maximum density of 2.8 times the area of the lands shown on the map below. On the lands shown as Block A, apartment buildings and townhouses are permitted. On the lands shown as Block B, only townhouses with a maximum height of 3 storeys are permitted.

The height of any building will not exceed the horizontal distance separating the building from the nearest property line of a lot within a low density stable residential area.

Schedule D
Official Plan Amendment No. 202



4. Map 9-3, Specific Development Policies, of Chapter 6, Section 9 (Sheparpd East Subway Corridor Secondary Plan) is modified by identifying as "Specific Development Policy Area 4.2.9" the lands known municipally in 2013 as 3, 5, 11, 17 and 21 Allenbury Gardens and 3, 5 Kingslake Road, as shown on attached Schedule "C".



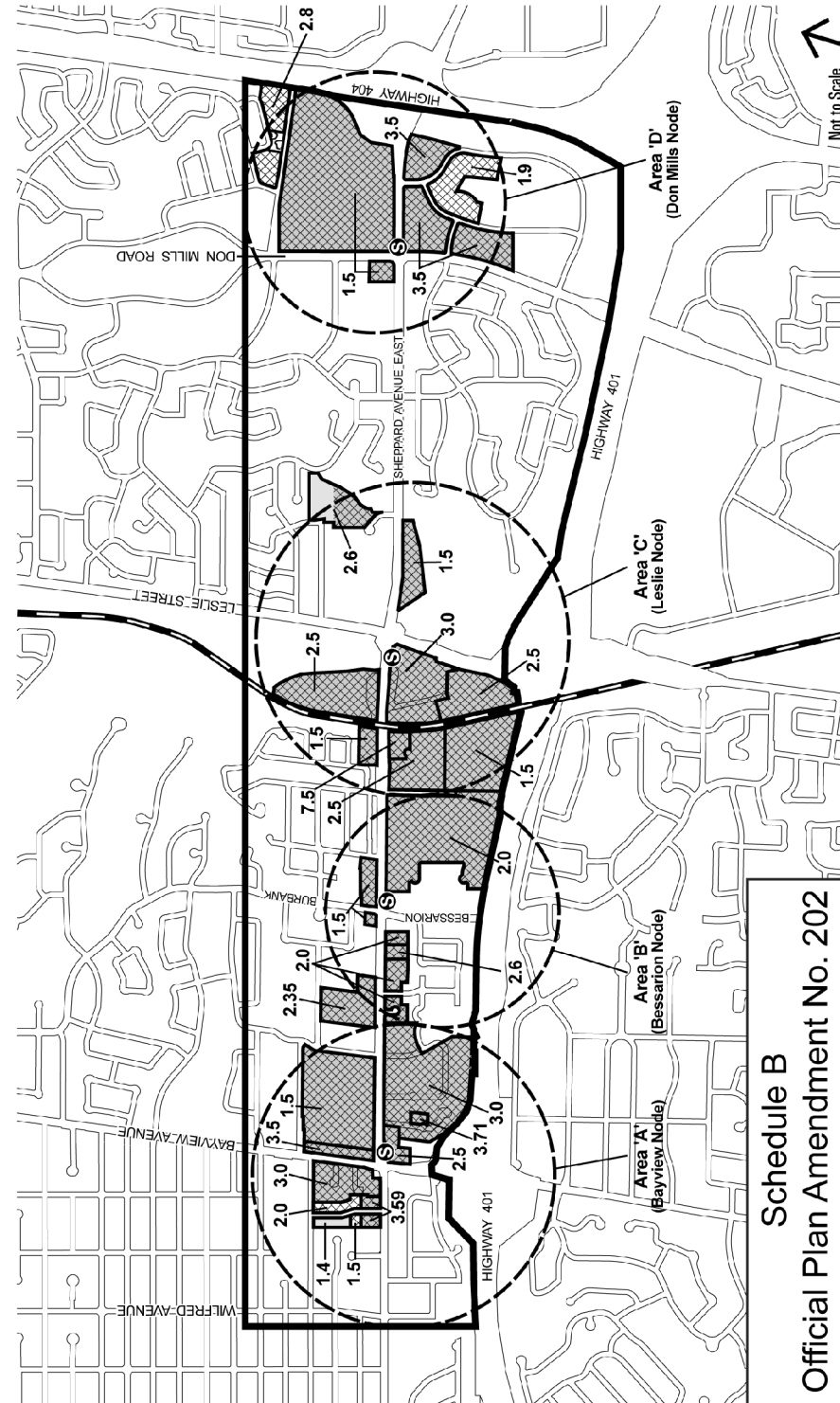
3 & 5 Kingslake Road & 3, 5, 11, 17 & 21 Allenbury Gardens

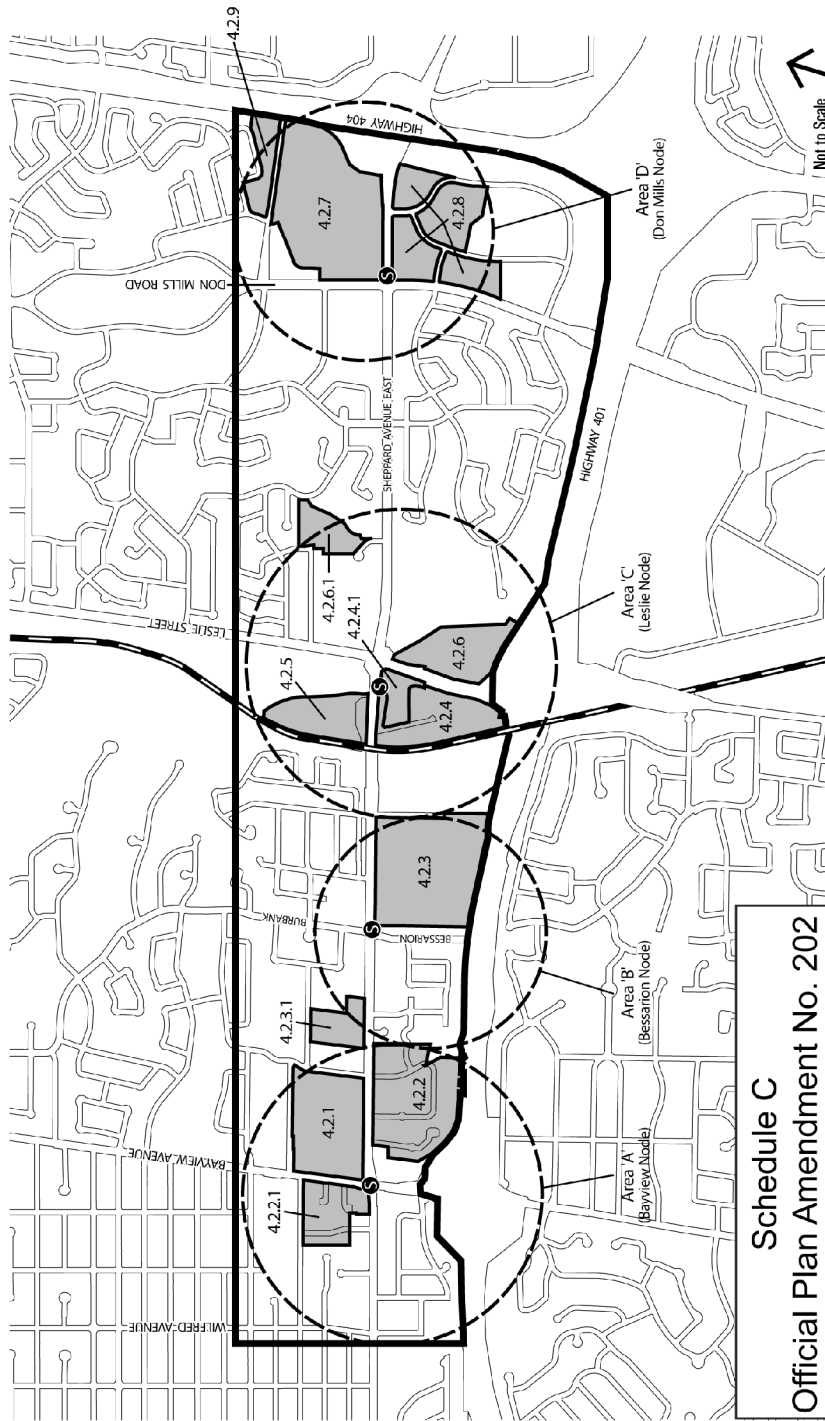
TORONTO City Planning
Official Plan Amendment No. 202

File # 11 293972 NNY 33 0Z

- Site Location
- Parks & Open Space Areas
- Neighbourhoods
- Parks
- Apartment Neighbourhoods

↑
Not to Scale
1/24/2013





Schedule C
Official Plan Amendment No. 202



Sheppard East Subway Corridor Secondary Plan MAP 9-3 Specific Development Policies

- Secondary Plan Boundary
- Specific Development Policy Areas
- Subway Station

December 2012

Attachment 8: Zoning By-law Amendment

Authority: North York Community Council Item xx as adopted by City of Toronto Council on xx, 2013, as adopted by City of Toronto Council on xx, 2013.

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. - 2013

**To amend former City of North York By-law No. 7625
in respect of lands known municipally in the year 2013 as 3, 5 Kingslake Road and
3, 5, 11, 17 and 21 Allenbury Gardens**

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 Schedule 1 of this By-law.
2. 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(212) RM6(212)

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, H, I, J, K and L shall mean Buildings A, B, C, D, E, F, G, H, I, J, K and L as shown on Schedules RM6(212)A, RM6(212)B and RM6(212)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(212)A, RM6(212)B and RM6(212)C.

PERMITTED USES

- (d) The only permitted uses on Parcels A and B shall be:
 - (i) Apartment house dwellings and uses accessory thereto, including recreational facilities and amenity areas.
 - (ii) Multiple attached dwellings.
 - (iii) Temporary sales office.
 - (iv) In Building A on Parcel A, the following uses to a total maximum floor area of 199 m² shall also be permitted on the ground floor:
 1. Retail store.
 2. Bank and financial institution.
 3. Personal service shop.
 4. Day nursery.

5. Restaurant and cafe.
6. Office.

(e) The only permitted uses on Parcels C and D shall be:

- (i) multiple attached dwellings and uses accessory thereto.

EXCEPTION REGULATIONS

(f) Dwelling Units

- (i) The total number of dwelling units on all of Parcels A, B, C and D combined shall not exceed 1,034 dwelling units.
- (ii) Building A shall have a maximum of 199 dwelling units.
- (iii) Building B shall have a maximum of 204 dwelling units.
- (iv) Building C shall have a maximum of 76 dwelling units.
- (v) Building D shall have a maximum of 199 dwelling units.
- (vi) Building E shall have a maximum of 282 dwelling units.
- (vii) Parcel C shall have a maximum of 38 dwelling units.
- (viii) Parcel D shall have a maximum of 36 dwelling units.
- (ix) Notwithstanding section (f)(ii), (iii), (v) and (vi) above, increases up to 5% of the maximum number of dwelling units, as permitted within each of Buildings A, B, D and E are allowed provided the total number of dwelling units for Buildings A and B combined does not exceed 403 dwelling units and the total number of dwelling units for Buildings D and E combined does not exceed 481 units.

(g) 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 82,913 m².
- (ii) The maximum gross floor area of Building A shall be 15,658 m².
- (iii) The maximum gross floor area of Building B shall be 15,941 m².
- (iv) The maximum gross floor area of Building C shall be 7,877 m².

- (v) The maximum gross floor area of Building D shall be 15,137 m².
 - (vi) The maximum gross floor area of Building E shall be 20,361 m².
 - (vii) The maximum gross floor area of all buildings on Parcel C shall be 4,037 m².
 - (viii) The maximum gross floor area of all buildings on Parcel D shall be 3,902 m².
 - (ix) Notwithstanding section (g)(ii), (iii), (v) and (vi) above, increases up to 5% of the maximum gross floor area, as permitted within each of Buildings A, B, D and E are allowed provided the total gross floor area for Buildings A and B combined does not exceed 31,599 m² and the total gross floor area for Buildings D and E combined does not exceed 35,498 m².
 - (x) The following shall be excluded from the calculation of gross floor area:
 - i. Bicycle parking area located within a building but not within a dwelling unit.
- (h) The provisions of Sections 16.2.2 and 20-A.2.2 (lot coverage) shall not apply.
- (i) 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(212)B and RM6(212)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 40% of the area of the roof.
- (j) Building Envelopes
- (i) The maximum above ground building envelopes excluding parking garages and mechanical structures shall be as set out on Schedules RM6(212)B and RM6(212)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(212)B and RM6(212)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 and ramps are permitted to project outside the building envelopes.

(E) Cornices on the fourth floor on the south side of Buildings A, B, C, D and E shall be permitted to project outside of the building envelopes a maximum of 1.5 metres.

(k) Landscaping

The provisions of Section 15.8 (landscaping) shall not apply.

(l) 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 shall be as set out on Schedules RM6(212)B and RM6(212)C.

(m) The provisions of Sections 16.2.1 and 20-A.2.1 (lot area) shall not apply.

(n) The provisions of Sections 16.2.3 and 20-A.2.3 (street and lot frontage) shall not apply.

(o) The provisions of Section 16.2.5 (floor area) shall not apply.

(p) Yard Setbacks

(i) The minimum yard setbacks for all buildings and structures shall be as set

out on Schedules RM6(212)B and RM6(212)C.

- (ii) In addition to Section 6(9), balconies on Buildings A, B, C, D and E shall be permitted to project into any minimum yard setback not more than 1.5 metres provided that no more than 40% of the width of the south tower façade of Buildings A, B, C, D and E shall have projecting balconies.
- (iii) Cornices on the fourth floor on the south side of Buildings A, B, C, D and E shall be permitted to project into the Fairview Mall Drive yard setback a maximum of 1.5 metres.

(q) Recreational Amenity Area

- (i) For an apartment house dwelling a minimum of 1.5 m² of indoor private recreational amenity area per dwelling unit shall be provided in the building.
- (ii) For an apartment house dwelling a minimum of 1.5 m² of outdoor private recreational amenity area per dwelling unit shall be provided.

(r) Parking Requirements

- (i) For Building C parking spaces shall be provided at the following rates:
 - (A) Minimum 0.14 parking spaces per dwelling unit for a bachelor unit;
 - (B) Minimum 0.24 parking spaces for a 1 bedroom unit;
 - (C) Minimum 0.4 parking space per dwelling unit for a 2 bedroom unit;
 - (D) Minimum 0.75 parking spaces per dwelling unit for a 3 or more bedroom unit;
 - (E) For residential visitors, minimum 0.15 parking spaces per dwelling unit.
- (ii) For an apartment house dwelling on Parcels A and B, excluding Building C, parking spaces shall be provided at the following rates:
 - (A) Minimum 0.7 parking spaces per dwelling unit and maximum 1.0 parking space per dwelling unit, for a bachelor unit;
 - (B) Minimum 0.8 parking spaces per dwelling unit and maximum 1.2

parking spaces per dwelling unit, for a 1 bedroom unit;

(C) Minimum 0.9 parking space per dwelling unit and maximum 1.3 parking spaces per dwelling unit, for a 2 bedroom unit;

(D) Minimum 1.1 parking spaces per dwelling unit and maximum 1.6 parking spaces per dwelling unit, for a 3 or more bedroom unit;

(E) For residential visitors, minimum 0.15 parking spaces per dwelling unit.

(F) For retail, office and other commercial uses in Building A

1. No parking is required if the gross floor area is 200 m² or less.
2. If the gross floor area is more than 200 m², 1 parking space per 100 m² of gross floor area.

(iii) For a multiple attached dwelling parking spaces shall be provided at the following rates:

(A) Minimum 1.0 parking space per dwelling unit.

(B) For residential visitors, minimum 0.2 parking spaces per dwelling unit.

(s) Bicycle Parking Spaces

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

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

(B) Short-term bicycle parking spaces shall be provided at a rate of minimum 0.08 spaces per dwelling unit.

(ii) For a non-residential use, bicycle parking spaces shall be provided at a rate of 3 spaces plus 0.25 spaces for each 100 m² of gross floor area.

(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.

(t) Loading Spaces

- (i) Buildings A and B shall provide a minimum of 1 shared loading space.
- (ii) Building E shall provide a minimum of 1 loading space.
- (iii) Buildings C and D shall provide a minimum of 1 shared loading space.

(u) 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

- (v) 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.
- (w) 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

- (x) 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 RM6(212)A, RM6(212)B and RM6(212)C to secure the following facilities, services or matters:
 - (i) The owner is to provide a financial contribution to the City of \$750,000 to be used for capital improvements/renovation of Fairview Library

including an early literacy centre, computer learning and media centre, teen zone and lighting upgrades. The financial contribution is to be paid as follows:

- i. A cash contribution of \$260,000 to be paid prior to the issuance of any building permits for Building A or Building B.
- ii. A cash contribution of \$490,000 to be paid prior to the issuance of any building permits for Building D or Building E.

Each installment payment set out above shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.

- (ii) The owner is to provide a financial contribution to the City of \$350,000 prior to the issuance of any building permits for Building A or Building B, to be used for pedestrian and streetscape related improvements at the north-east and south-east corners of Fairview Mall Drive and Don Mills Road. The financial contribution shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
- (iii) The owner is to provide a financial contribution to the City of \$100,000 prior to the issuance of any building permits for Building D or Building E, to be used for park improvements within Godstone Park which include upgrades to the walkway between Godstone Park and Kingslake Public School and enhancements to the play equipment. The financial contribution shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City.
- (iv) The owner shall provide and maintain one hundred and twenty-seven (127) replacement social housing units on the site for a period of at least 25 years, all of which will have rents geared to income, comprising the following:

Unit Type	Number of Units
2-Bedroom multiple attached dwellings	14
2-Bedroom apartment house dwelling units	58
3-Bedroom multiple attached dwellings	41
3-Bedroom apartment house dwelling units	11
4-Bedroom multiple attached dwellings	3
Total	127

The social housing shall be provided in accordance with the following:

- (1) Prior to the occupancy of any units in the first building constructed on the site, 30 social housing replacement townhouse units shall be completed and ready for occupancy.
 - (2) The remaining 97 social housing replacement units (69 apartment units in Building C and 28 townhouse units) shall be completed and ready for occupancy no later than the date 50% of the new dwelling units in Building D are available and ready for occupancy and prior to the issuance of any above grade building permit for Building E.
- (v) If the owner constructs the 7 additional units in the social housing replacement building (Building C), they shall be of rental tenure.
- (vi) The owner shall provide tenant relocation assistance in accordance with 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, and the General Manager, Shelter Support and Housing Administration, for tenants in the existing buildings on the lands, and that requires at least:
- i. The right to return to a replacement social housing unit on the site for all tenants who have to be relocated due to redevelopment.
 - ii. Provision of at least five (5) months notice to tenants prior to having to move.
 - iii. A proportionate share of townhouses be available to affected tenants in each phase of development.
 - iv. Tenants in phase one who are not offered a replacement social housing unit in the first phase be given unit selection priority in phase two.
- (vii) As a matter of convenience, the following matters are also being secured in the Section 37 Agreement:

- i. The owner shall convey approximately 3,297 m² of land to the City for parkland dedication. Prior to issuance of the first above grade building permit, the owner shall enter into an Escrow Agreement with the City regarding the conditions and timing of conveyance of the parkland to the City, to the satisfaction of the City Solicitor and the General Manager, Parks, Forestry and Recreation, and subject to the conditions set out in the memorandum dated January 23, 2013 from Parks, Forestry and Recreation.
- ii. Prior to issuance of any above grade building permit for Building E, the owner shall take the parkland out of Escrow and convey the park, in Above Base Park condition, to the City to the satisfaction of the General Manager, Parks, Forestry and Recreation and subject to the conditions set out in the memorandum dated January 23, 2013 from Parks, Forestry and Recreation.

The Above Base Park improvements shall be to a value of a minimum of \$800,000 which shall be indexed in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of conveyance of the parkland to the City, to the satisfaction of the City Solicitor and the General Manager, Parks, Forestry and Recreation.

- iii. In the absence of a Letter of Credit from TCHC for the required Above Base Park Improvement works, prior to the issuance of the first above grade building permit for each sub phase of the development, documentation from TCHC shall be submitted to and approved by the General Manager, Parks, Forestry and Recreation, that details the required payment from TCHCs development partner of the Parks and Recreation component of Development Charges payable.
- iv. The applicant is required to submit a design and cost estimate to be approved by the General Manager, Parks, Forestry and Recreation. The design, cost estimate and Development Contributions payment documentation will be required prior to the issuance of the first above grade building permit.
- v. The owner agrees that construction shall proceed in accordance with the following development Phasing Plan:

Phase 1 – West Part of Site

- Demolition of 57 social housing units and maintaining the remaining 70 social housing units at the east part of the site.

- Construction of 30 social housing replacement townhouses.
- Construction of 8 condominium townhouse units and 2 residential condominium buildings with 403 units.

Phase 2 – Centre and East Part of Site

- Demolition of the remaining 70 social housing units.
- Dedication of a new park.
- Construction of a new social housing replacement apartment building comprising at least 69 units.
- Construction of 28 social housing replacement townhouse units.
- Construction of 2 condominium residential buildings with 481 units and 8 condominium townhouse units.

vi. 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.

- (y) The owner shall enter into one or more agreements with the City pursuant to Section 37 of the Planning Act to secure the matters provided for in section (x). Until such time as the agreement is executed by the owner, in a form satisfactory to the City Solicitor, and is registered on title to the entire site to the satisfaction of the City Solicitor, none of the provisions as set out in this By-law shall apply.
- (z) Building permit issuance with respect to the lands to which this By-law applies shall be dependent upon satisfaction of the provisions in this By-law and in the Section 37 Agreement relating to building permit issuance, including the provision of monetary payments and the provision of financial securities.
- (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 (x) 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.

3. Section 64.20-A(212) of By-law No. 7625 is amended by adding Schedules RM6(212)A, RM6(212)B and RM6(212)C attached to this By-law.

ENACTED AND PASSED this ~ day of x, 2013.

Speaker

City Clerk

