

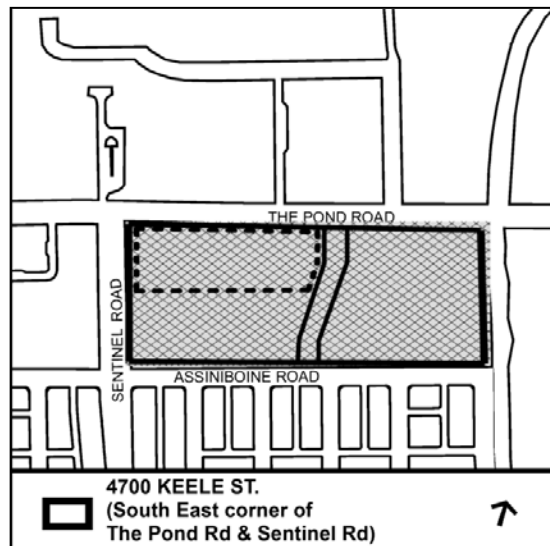
**4700 Keele Street – S/E of The Pond Road and Sentinel Road - Zoning Amendment and Subdivision Applications – Final Report**

<b>Date:</b>	September 3, 2015
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 8 – York West
<b>Reference Number:</b>	14 159612 NNY 08 OZ & 14 186422 NNY 08 SB

**SUMMARY**

These applications are subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applications propose to establish a plan of subdivision for a 6.22 hectare site and rezone the north-west 1.9 hectares (Phase 1) of the site known municipally as 4700 Keele Street. The subdivision application proposes to establish three development blocks for residential, commercial and institutional uses; a north/south public street to provide vehicular and pedestrian connections through the site from The Pond Road to Assiniboine Road; and a block reserved for a future north/south public road conveyance that will form part of the future extension of Ian MacDonald Boulevard which forms the easterly limit of the subdivision lands.



Phase 1 consists of two development blocks. The rezoning on Blocks 1 and 2 of the draft plan of subdivision would permit 487 residence units in two 6-storey private academic accommodations buildings with 2,762m<sup>2</sup> of non-residential uses at grade. In total the proposal comprises a total gross floor area of 31,765 m<sup>2</sup> and will include 60 affordable beds.

This report reviews and recommends approval of the application to amend the Zoning By-law, including the requirement for community benefits in return for increased height and density, in keeping with the provisions of Section 37 of the *Planning Act* and the policies of the Official Plan; and advises that the Chief Planner and Executive Director, City Planning, intends to approve the Draft Plan of Subdivision subject to the conditions as generally listed in Attachment No. 14.

The proposed development also forms part of the Southwest Precinct Plan Study Area, which is currently under review. The Southwest Precinct is envisioned as a medium density urban village with a variety of housing opportunities, shops and services with a neighbourhood square to provide social gathering opportunities and an identity for the precinct. The proposal is consistent with the draft Precinct Plan currently under review. A report on the Precinct Plan and the accompanying Urban Design Guidelines and supporting strategies will be presented to Community Council in 2016.

## **RECOMMENDATIONS**

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

1. City Council amend Zoning By-law No. 7625, for the lands at 4700 Keele Street, south-east of The Pond Road and Sentinel Road, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13 to the report dated September 3, 2015.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. In accordance with the delegated approval under by-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to approve Phase 1 of the draft plan of subdivision as generally illustrated on Attachment 2 to report dated September 3, 2015 subject to:
  - a. The conditions as generally listed in Attachment 14 to report dated September 3, 2015, which except as otherwise noted must be fulfilled prior to final approval and the release of the plan of subdivision for registration; and
  - b. Any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning may deem to be appropriate to address matters arising from the ongoing technical review of this development; and
  - c. Draft plan approval not being issued until the necessary zoning is in full force and effect.
4. Before introducing the necessary Zoning Bill to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act to secure the following:

1. Participate in the City's Percent Public Art Program and provide a cash contribution at a minimum value of 1% of the gross construction costs of the development or a minimum of \$500,000, whichever is greater, in accordance with a Public Art Plan submitted by the owner to the satisfaction of the City. The cash contribution shall be paid prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law.
2. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law, the Owner shall make a cash contribution to the City in the amount of \$204,195 to be used for the provision of a local community recreational facility and \$147,491 for day care facilities. The financial contribution amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment for the local community recreational facilities and daycare facilities. The Section 37 agreement will set out the allocation of contributions for the local community recreational facilities and daycare facilities.
3. The owner shall provide affordable rental housing for 60 students as part of the *private academic accommodations* in Buildings C1 and C2 in accordance with the following provisions which shall be further set out in the Section 37 agreement with the City:
  - i. The affordable rental housing will comprise 60 *bedroom accommodations* within a range of *residence unit* types comprising bachelor, 1, 2, 3 and 4 bedrooms.
  - ii. The owner will maintain the *private academic accommodations* in Buildings C1 and C2 as rental housing, with no application for condominium registration or for conversion to non-rental housing purposes.
  - iii. Affordable rents will be charged to the tenants who occupy one of the 60 *bedroom accommodations* for a period of 15 years following the initial occupancy of each of buildings C1 and C2, providing that the affordable rental *bedroom accommodations* commence occupancy at the same time, subject to the provisions in 4.c. (iv) and (v).
  - iv. The affordable rents will be based on an average rent level of approximately \$900 monthly derived from an average rent for comparable existing student residence accommodations on the York University campus set for the academic year commencing September 2016, adjusted further to reflect differences in lease terms and arrangements for television services in the *private academic accommodations*, and varied by *residence unit* type and to reflect single or shared *bedroom accommodations*.

- v. Rents may be increased annually by the provincial Rent Increase Guideline during the 15 year period
  - vi. After the expiry of the 15 year period, rents charged to tenants newly occupying one of the 60 affordable rental *bedroom accommodations* will not be subject to restrictions by the City of Toronto under the terms of the section 37 Agreement entered into under this by-law.
  - vii. Eligibility criteria for students who rent one of the 60 affordable rental *bedroom accommodations* will require that such student is receiving financial assistance under the Ontario Student Assistance Program.
  - viii. The *residence units* which contain affordable rental *bedroom accommodations* shall be furnished and equipped with kitchen and bathroom facilities.
4. The Hoover House will be addressed as follows:
- Prior to the issuance of the first above grade building permit for buildings on the lands identified in Schedule 1 of the draft by-law, the Owner shall:
- i. Provide a Stabilization and Protection Plan for the Hoover House, including a schedule of work and timing for completion, prepared by a qualified heritage consultant, all to the satisfaction of the Manager, Heritage Preservation Services,
  - ii. Provide a Conservation and Maintenance Plan for the Hoover House, including a schedule of work and timing for completion, prepared by a qualified heritage consultant, all to the satisfaction of the Manager, Heritage Preservation Services.
  - iii. Enter into a Heritage Easement Agreement for the property at 4700 Keele Street, known as the Hoover House, subject to and in accordance with the required Stabilization and Protection Plan and Conservation and Maintenance Plan, all to the satisfaction of the Manager, Heritage Preservation Services, including registration of such agreement to the satisfaction of the City Solicitor prior to the registration of the subdivision agreement.
  - iv. Pay all costs associated with the implementation of the Stabilization and Protection Plan, the Conservation and Maintenance Plan and any related heritage studies needed to determine a compatible future use for the Hoover House.
5. A minimum of 110 square metres of gross floor area shall be provided on the ground floor of a building on Block 'A' (Building C1 or C2), as shown on Schedule 4 of the draft by-law, for the purpose of providing a community bike centre, which space shall be made available for a nominal rent for a period of

not less than 5 years following occupancy of the building to a not-for-profit organization for the purpose of providing a community bike centre or other community-oriented use mutually agreed upon by the City and the owner.

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

6. Parkland dedication

- i. The Owner shall remediate, construct to base park condition, and convey a 1.24 hectare park as part of the development of the subdivision (Phase 1 and Phase 2 of the subdivision). The park remediation, construction and conveyance shall be phased as follows: a 0.6595 hectare portion of the park will be conveyed prior to the earlier of within three months of first residential occupancy of Phase 1 of the subdivision and December 30<sup>th</sup>, 2017, and the remaining 0.5805 hectare portion will be conveyed prior to the issuance of the first above grade building permit for Phase 2 of the draft plan of subdivision identified in Attachment 2.
- ii. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1), the Owner shall submit a reference plan identifying the boundaries of the 0.6595 hectare Phase 1 park, and the 0.5805 hectare Phase 2 park, generally located on the lands identified as Block B-2 on Schedule 4 of the draft by-law. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1) the Owner agrees to enter into an escrow agreement with the City for the Phase 1 park conveyance and the Phase 2 park conveyance.
- iii. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1), the Owner shall submit a letter of credit for the value of the 0.6595 ha portion of the park (Phase 1 park) and for the value of base park improvements to the Phase 1 park to secure the conveyance and construction of the park.

7. The Owner agrees to construct Street A as generally shown on Schedule 4 of the draft by-law and as follows:

- a) Street A will be constructed as a 18.5 metre wide public right-of-way extending north-south from The Pond Road to Assiniboine Road and conveyed to the City of Toronto prior to the issuance of the first above grade building permit for development (elementary school and/or community centre) on Block B-1 as generally shown on Schedule 4 of the draft by-law.
- b) Any remediation of the lands to be conveyed to the City will be borne by the Owner.

- c) The exact location of Street A will be identified in a Reference Plan to the City's satisfaction prior to the issuance of the first above grade building permit of development in Block A as shown on Schedule 4 of the draft by-law.
8. Street D (as generally shown on Schedule YDMU-3(1) of the draft by-law)
- a. The Owner shall construct, at no cost to the city, the proposed extension of Street D, from Assiniboine Road to The Pond Road, to the satisfaction of the Executive Director, Engineering and Construction Services.
  - b. Prior to the issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall post a Letter of Credit as security for the value of the lands and construction of the proposed extension of Haynes Avenue from Assiniboine Road to The Pond Road and related municipal servicing equal to 120% of the cost of all services to the satisfaction of the Executive Director, engineering and Construction Services. The submitted Letter of Credit to guarantee the construction of the Haynes Avenue extension from Assiniboine Road to The Pond Road, will be released following construction of the road to the satisfaction of the Executive Director, Engineering and Construction Services, less 20% of the total value which will be retained for a two year period as a performance guarantee.
  - c. Prior to the issuance of the first above grade building permit for Buildings C1 or C2 the Owner shall provide a detailed pavement marking plan for proposed Street D and provide securities for these works, in an amount determined upon receipt of an acceptable pavement markings plan, to the satisfaction of Executive Director, Engineering and Construction Services.
  - d. The Owner shall conduct an environmental site assessment as per City Directive No. ENV-010-2013 for all streets to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC). These services shall be constructed concurrently as other on-site services or such other timing that is agreed to at the sole discretion of the Executive Director, Engineering and Construction Services.
  - e. The Owner shall convey and dedicate all proposed public roads in Phase 1 (Street D – extension of Haynes Road) as generally shown on Schedule YDMU-3(1) of the draft by-law to the City of Toronto as a Public Highway, free and clear of any and all encumbrances in accordance with the Development Infrastructure Policy and Standards and draft Urban Guidelines for the Southwest Precinct, to the satisfaction of the Executive Director, Engineering and Construction Services and Director, City Planning Division, North York District.

9. Prior to issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall submit a financial guarantee of \$200,000 in the form of a letter of credit to the Engineering and Construction Services Division, City of Toronto, for the traffic signal at the intersection of The Pond Road, Haynes Avenue extension and Seneca Lane.
10. Prior to issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall submit a certified cheque in the amount of \$30,000 for the future maintenance of The Pond Road, Haynes Avenue extension and Seneca Lane signalized intersection.
11. Prior to the issuance of the first above grade building permit for buildings on Phase 1 of the subdivision lands (Attachment 2), excluding a permit for demolition or a rental/sales centre, the owner shall submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office, which identifies the following:
  - i. Public Road, Haynes Avenue between Assiniboine Road and The Pond Road; and
  - ii. Public Road, Leitch Avenue/Ian MacDonald Boulevard extension, (between Assiniboine Road and The Pond Road).
12. The Owner shall pay for all costs for preparation and registration of reference plan(s).
13. Prior to the issuance of the first above grade building permit for Buildings C1 and C2 as identified on Schedule YDMU-3(1) of the draft by-law, the owner shall provide a security (TBD) for the proposed ultimate cross section of The Pond Road [five (5) lane cross section including two (2) bicycle lanes, and two (2) through lanes], between Sentinel Road and Street D to the satisfaction of the Executive Director, Engineering and Construction Services.
14. Prior to the issuance of the first above grade building permit for Buildings C1 and C2 the owner shall submit a security (TBD) to the City for the future implementation of a westbound left-turn lane at the Street D and The Pond Road intersection should it be deemed necessary by the General Manager of Transportation Services. The payment shall be refunded back to the Owner two years after the occupancy of Phase 1 (two years from September 1, 2017) should the left turn lane be deemed unnecessary by the General Manager, Transportation Services.
15. Obligation to Re-naturalize the Priority Restoration Area
  - i. Prior to Site Plan approval of Buildings C1 or C2 in Schedule YDMU-3(1) of the draft by-law, the Owner shall prepare and submit a “Black Creek

Valley Priority Restoration Area Stewardship Plan” for Block C as generally illustrated on Schedule 4, to the satisfaction of Urban Forestry Ravine and Natural Feature Protection. Once approved, the plan will guide restoration and stewardship activities in the Black Creek Valley Priority Restoration Area.

- ii. Prior to Site Plan approval of Buildings C1 or C2 in Schedule YDMU-3(1) of the draft by-law, the exact location of the Phase 1 and Phase 2 priority restoration areas and the 10m buffer shall be identified in a Reference Plan to the satisfaction of Urban Forestry Ravine and Natural Feature Protection prior to registration of the Plan of Subdivision. Phase 1 generally includes the northern portion of the Priority Restoration Area (Block C on Schedule 4) and Phase 2 generally includes the southern portion of Block C currently occupied by the Maloca Community Garden.
- iii. Prior to Site Plan approval of the first development within Phase 1 of Schedule YDMU-3(1) of the draft by-law, the Owner shall submit a security deposit to the satisfaction of Urban Forestry Ravine and Natural Feature Protection to secure the implementation of the “Black Creek Valley Priority Restoration Area Stewardship Plan”.
- iv. Within three months of Occupancy or no later than December 1, 2017 of Buildings C1 or C2 as identified on Schedule YDMU-3(1) of the draft by-law, the Owner will undertake the first phase of stewardship/restoration activities in the Black Creek Valley Priority Restoration Area identified as Block C as illustrated on Schedule 4 of the draft by-law (or as identified in the approved Reference Plan). Stewardship/restoration activities shall be implemented in accordance with the objectives and strategies outlined in the “Black Creek Valley Priority Restoration Area Stewardship Plan” to the satisfaction of Urban Forestry Ravine and Natural Feature Protection.
- v. Prior to the issuance of the first above grade permit of development within Phase 2 as identified on the draft plan of subdivision (Attachment 2 of the report dated September 3, 2015), or as otherwise agreed to by Urban Forestry Ravine and Natural Feature Protection, the Owner will undertake the second phase of stewardship/restoration activities in the Black Creek Valley Priority Restoration Area identified as Block C as illustrated on Schedule 4 (or as identified in the reference plan). Stewardship/restoration activities shall be implemented in accordance with the objectives and strategies outlined in the “Black Creek Valley Priority Restoration Area Stewardship Plan” to the satisfaction of Urban Forestry Ravine and Natural Feature Protection.
- vi. Prior to undertaking re-naturalization within the Priority Restoration Area, the Owner shall submit to the satisfaction of City Planning a Stage 3 Archaeological Assessment to determine the boundaries of the archaeological site(s).



- vii. The Owner pay all costs associated with the implementation of the “Black Creek Valley Priority Restoration Area Stewardship Plan”.
16. School/Community Recreation Centre
    - a. An area not less than 1.79 hectares on Block B-1 as generally shown on Schedule 4 of the draft by-law will be reserved for a school and/or City of Toronto Community Recreation Facility. It is acknowledged that the City will initiate appropriate capital planning exercises and begin the design and construction of the community recreation centre, if necessary, at such time when a minimum of 4,000 residential units have received planning approvals in the Edge Precincts to ensure construction is completed in a timely manner for the full-build out of the Secondary Plan area, subject to City Council approval.
    - b. The Owner may be required to convey to the Toronto District School Board, the Toronto Catholic District School Board and/or the City of Toronto a portion of Block B-1 to develop an elementary school and/or community recreation centre at fair market value.
  17. The lands located to the west of Passy Crescent, identified as Blocks B-1 and B-2 on Schedule 4 of the draft by-law, are reserved for future community use and include a school and community centre and public park. These lands have not been subject to archaeological assessment. Should these lands be subject to any soil disturbance in the future a Stage1-2 Archaeological Assessment would be required by Heritage Preservation Services.
  18. Prior to undertaking re-naturalization within the lands known as Block C in Schedule 4 of the draft by-law, a Stage 3 Archaeological Assessment will be undertaken for the lands within the re-naturalization area (Block C).
  19. 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.
  20. The owner shall agree to the registration of a Section 118 Restriction pursuant to the Land Titles Act as the Chief Planner determines is appropriate for each of the public streets identified on the Draft Plan of Subdivision on Attachment 2 as well as Street A, park lands (Block B-2) and potential school/community centre lands (Block B-1) identified on Schedule 4 of the draft by-law.
  21. The Section 37 Agreement must:
    - a. secure such conditions of subdivision approval as the Chief Planner determines are appropriate, and

- b. Require the Owner to enter into the City's standard Subdivision agreement for Phase 1 and satisfy the pre-registration conditions contained therein by September 1, 2017, or at a later date at the discretion of the Director, Development Engineering and Construction Services.

## **DECISION HISTORY**

On December 4, 2009, City Council approved the York University Secondary Plan (YUSP) and related amendments to the City's Official Plan. At this meeting, City Council also approved a Zoning By-law Amendment for vehicle parking requirements for University uses and bicycle parking requirements for all uses and the Transportation Master Plan for the area. The Transportation Master Plan satisfies Phases 1 and 2 of the Municipal Class Environmental Assessment process.

Staff prepared a Preliminary Report on the Southwest Precinct Plan, Zoning Amendment and Subdivision applications that went before North York Community Council on August 12, 2014. The Preliminary Report can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2014/ny/bgrd/backgroundfile-71705.pdf>

## **ISSUE BACKGROUND**

### **Proposal**

#### Southwest Precinct Plan

The draft Southwest Precinct Plan was prepared by York University and Urban Strategies with input from City staff. The draft Precinct Plan includes design concepts and development guidelines for the implementation of public infrastructure (streets, parks and open spaces and potential community facilities), as well as land uses and built form of new infill development in the Southwest Precinct.

The Southwest Precinct Plan will provide a vision and framework to guide future development within the Southwest Precinct. The York University Secondary Plan (YUSP) requires the preparation of a Precinct Plan prior to the approval of non-university development in the Edge Precincts. The lands subject to development, which are described further in this report, are located within the Southwest Precinct. The proposed land use is considered non-university development.

The Plan envisions the phased development of buildings and supporting infrastructure in creating a complete, mixed-use community with an enhanced public realm. The Precinct Plan Vision is supported by the following planning principles that:

- support the creation of a complete and vibrant community;
- integrate new development into existing patterns of land use and movement;
- support mobility options and enhance connectivity;
- enhance and connect open spaces;
- support sustainable buildings and infrastructure;
- ensure high quality buildings and public realm;
- ensure effective and efficient development phasing; and,
- provide funding to support reinvestment in existing student residences.

### Southwest Precinct Plan - Urban Design Guidelines

The Urban Design Guidelines build upon the direction in the draft Southwest Precinct Plan and provide detailed guidelines on streets and blocks, the location and treatment of gateways, built form and massing, heights, setbacks, orientation, scale, building materiality, and, views and vistas.

The Urban Design Vision for the Southwest Precinct aims to:

- Create a medium density, human-scale, residential community;
- Provide a pedestrian and bicycle friendly neighbourhood;
- Integrate amenities to support residential, community and academic life;
- Merge the campus and the surrounding community;
- Reinforce the importance of the Sentinel Road and The Pond Road as Greenways, and the intersection of these two roads as a gateway to the Secondary Plan Area; and
- Support high-quality urbanism and architecture.

Streetscape guidelines are also included and provide general guidance for the development of municipal road allowances and for secondary private roads within the Precinct, and the location of pedestrian and cycling connections. The Guidelines include a landscaping and open space strategy which identifies the hierarchy of open spaces within the Precinct, including the location for public parks, open spaces and enhanced streetscaping (greenways).

The draft Southwest Precinct Plan and supporting documents are available on the City's Southwest Precinct Plan webpage below:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=780e8de0c08f6410VgnVCM10000071d60f89RCRD&vgnextchannel=490452cc66061410VgnVCM10000071d60f89RCRD>.

### Draft Plan of Subdivision

The initial draft plan of subdivision proposed to establish 8 mixed-use development lots, two future north/south public streets and two future north/south private streets within the block bound by The Pond Road to the north, Sentinel Road to the West, the extension of Ian Macdonald Road to the east and Assiniboine Road to the South. This plan has been revised to a 2-phase subdivision and proposes three mixed use development blocks (Blocks 1, 2 and

3) and a future public road conveyance (Street D for the extension of Haynes Avenue) in phase 1 (see Attachment 2: Draft Plan of Subdivision).

Blocks 1 and 2, which are subject to the Zoning Amendment discussed further in this report, front The Pond Road and are intended primarily for a mix of residential and retail uses. At a Precinct level, Block 3 proposes institutional uses with retail uses at grade and the applicant has advised that they intend to submit a Site Plan application for institutional uses on Block 3. The remaining blocks comprising Phase 2 are shown on the draft plan of subdivision, including the future conveyance of Blocks 15, 16 and 17 for the extension of Leitch Avenue.

The proposed future extension of Haynes Avenue would be 18.5m wide and extend from Assiniboine Road to the south to The Pond Road to the north, ending at a new signalized intersection.

The Phase 1 Zoning Amendment application includes mixed-use development Blocks 1, 2, 22 and the extension of Haynes Road. The phasing for the remaining blocks, and the timing of conveyance of lands for future public-rights-of-way (Street F) and Phase 2 parkland have been tied to the issuance of the first building permit of Phase 2 of the subdivision, and will be secured through a Section 37 Agreement and through the subdivision agreement.

### Zoning By-law Amendment

The Zoning Amendment application proposes to add residential and ancillary retail/office uses to the former City of North York By-law 7625, YDMU-3 Zone. The application also proposes two 6-storey residential buildings, which have been defined as private academic accommodations for the purposes of the exception, with commercial uses at grade on the south-east corner of The Pond Road and Sentinel Road, south of the York University Campus Core (Attachment 1: Site Plan). The previously proposed 2-storey commercial building on Block 3 has been removed from the zoning amendment application.

The two residential buildings (C1 and C2 on Attachment 1: Site Plan) would be rectangular in shape and would frame and animate Sentinel Road and The Pond Road. Both buildings would have private central courtyards. On the south edge of the proposed buildings would be a 16.5 metre wide private university street right-of-way. The two proposed buildings would be separated by a 18.5 metre wide future street right-of-way. This future right-of-way would be landscaped in the interim and animated by one storey indoor amenity areas in each of Buildings C1 and C2 (See Attachment 3 and 8). To the east of Building C2 a public street is proposed – the extension of Haynes Avenue –which would have a right-of-way of 18.5 metres.

The development will provide private academic accommodations, comprising bedroom accommodations within 487 residence units (approximately 812 bedroom accommodations) for students attending post-secondary institutions on the York University campus. The residence unit types will range from bachelor to 4-bedroom units, and each will include kitchen and bathroom facilities. Affordable rents will be provided for 60 of the tenants, each year for a period of 15 years.

The proposed residential buildings would contain approximately 812 bedroom accommodations with a total residential gross floor area of 29,003m<sup>2</sup>, 2,494m<sup>2</sup> of retail, and 268m<sup>2</sup> of office space. Bedroom accommodations are defined in the draft by-law attached to this report as a bedroom forming part of a residence unit. The original and revised submissions are as follows:

### First Submission – May 2014

	Building C1	Building C2	Building C3	Total
Site Area (m <sup>2</sup> )				21,369
Gross Floor Area (m <sup>2</sup> )	14,399	17,147	2,331	33,877
Density				1.59
Height/Floors	6Storeys (19.7m)	6 Storeys (19.9m)	2 Storeys (9.6m)	
Setbacks				
North	5.6m-9m	2.7-4.5m	3m	
South	9.5m**	9.5m**	9.5m**	
East	2m-4m*	7.9m-13.1m*	4m*	
West	3.6m	2m-4m*	3.85-20.35m*	
Residential (m <sup>2</sup> )	13,198	15,737	0	28,935
Retail (m <sup>2</sup> )	1,201	1,116	2,331	4,648
Commercial (m <sup>2</sup> )	0	295	0	295
Residential Beds/Units	361/209	439/265	0	800/474
Affordable Units				23
Amenity Space				
Indoor (m <sup>2</sup> )	904	1165		2069
Outdoor (m <sup>2</sup> )				2800
Parking Spaces				89short term spaces
Bicycle Spaces				
Long Term Parking	178	218	5	401
Short Term Parking	48	66	12	126
* to the future right-of-way				
**approximate setback to the future private road				

### Second Submission – May 2015

	Building C1	Building C2	Total
Site Area (m <sup>2</sup> )			19,008m <sup>2</sup>
Use	Residential/Commercial	Residential/Commercial	
Gross Floor Area (m <sup>2</sup> )	14,533	17,226	31,759
Density			1.68
Height/Floors	6 Storeys (19.8m)	6 Storeys (19.8m)	
Setbacks			
North	5.6m-9m	2.7-4.5m	
South	9.5m**	9.5m**	
East	2m-4m*	7.9m-13.1m*	

<b>West</b>	3.6m	2m-4m*	
<b>Residential (m<sup>2</sup>)</b>	13,134	15,869	29,003
<b>Retail (m<sup>2</sup>)</b>	1,401	1,093	2,494
<b>Commercial (m<sup>2</sup>)</b>	0	268	268
<b>Residence Beds/Units</b>	362/205	450/272	812/487
<b>Affordable Beds</b>			60
<b>Amenity Space</b>			
<b>Indoor (m<sup>2</sup>)</b>	1,009	1,042	2051
<b>Outdoor (m<sup>2</sup>)</b>	1,135	1,582	2717
<b>Parking Spaces</b>			41 parking spaces plus 22 shared spaces for commercial uses.
<b>Visitor Parking Spaces</b>			0
<b>Bicycle Spaces</b>			
<b>Long Term Parking Residential</b>	173	222	395
<b>Short Term Parking Residential</b>	42	56	98
<b>Long Term Parking Retail/Office</b>	3	5	8
<b>Short Term Parking Retail/Office</b>	6	31	37
<b>Loading Space</b>	1	1	2

Other site and development statistics are included in the application data sheet in Attachment 15.

## Site and Surrounding Area

The site currently proposed for development is located at the south-easterly block of the Pond Road and Sentinel Road, south of the York University Core Campus. The site subject to the zoning amendment application is 1.9 hectares in area, and rectangular in shape. The site that forms the lands for the draft plan of subdivision is larger, and encompasses The Pond Road to the north, Sentinel Road to the west, the future extension of Ian Macdonald Road to the east, and Assiniboine Road to the south. The site has frontage on approximately 343.37 metres along The Pond Road, 184.03 metres along Sentinel Road, and has a site area of 6.22 hectares. There is also an easement in favour of the City along Sentinel Road (Instrument # AT502849).

The site is currently occupied as a paid surface parking lot consisting of 1,680 parking spaces. The lots are owned and operated by York University. Remnants of a hedgerow from the original farm (associated with the Abraham Hoover homestead) runs north-south between two parking lots and east west along the north side of Assiniboine Road and is identified as a cultural heritage landscape in the YUSP.

Surrounding uses include:

**North:** York University campus core (*designated Institutional Areas*); The Pond Road and Atkinson Student Residences, Seneca at York - Stephen E. Quinlin building which is a non-York facility, Osgoode Law School, which all range in height from five to nine storeys and are situated north of the Pond Road. The Green and the Osgoode Woodlot are located north of The Pond Road (designated as *Parks* and *Natural Areas* respectively). The York University Subway Station, which is currently under construction, is located north-east of the site.

**South:** Immediately south of the site is a paid surface parking lot and a vestige hedge row identified as a cultural heritage landscape in the YUSP (designated *Mixed Use Area 'C'*); south of Assiniboine Road is a low rise residential community 'The Village at York' comprised of single and semi detailed dwellings and townhouses (designated as *Neighbourhoods*).

**East:** A paid surface parking lot and vacant lands owned by the University.

**West:** Student residences: nine four-storey walk up apartments (Passey Gardens, west of Sentinel Road); four tall apartment buildings (Assiniboine Towers) ranging from 15 to 17 storeys and a playground. Further west is a parking lot, two baseball diamonds, open space and the Black Creek Ravine, the Maloca Community Garden, a designated heritage building (Abraham Hoover House) and a stormwater management pond.

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

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. A full range of housing, including affordable housing is a matter of Provincial interest, and municipalities are to establish and implement minimum targets for the provision of housing which is affordable to low and moderate income households. City Council's planning decisions are required to be consistent with the PPS.

The PPS also requires municipalities to provide for a range and mix of housing types, and to address affordable housing needs.

The PPS speaks to multi-modal transportation, maintaining connectivity among transportation modes, and improving connections between key destinations and cross jurisdictional boundaries. Transportation and land use considerations shall be integrated at all stages of the planning process. Land use patterns, density and a mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

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

cultivating a culture of conservation. Intensification strategies and policies are to plan for a range and mix of housing, taking into account affordable housing needs. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Toronto Official Plan contains policies and objectives that guide future growth and development in the City. The Official Plan contains a number of city-building priorities such as directing growth to areas well served by transit and creating viable and complete communities. The Official Plan also contains policies that require development to be considered as part of a broader approach to community building to ensure that all residents have access to housing, parks and community services.

Key Official Plan objectives and policies that are pertinent to the review of the Zoning Amendment and Plan of Subdivision include:

- Concentrating jobs and people in areas well served by transit, promoting mixed use development, ensuring that streets provide access for vehicles, pedestrians and bicycles, space for utilities and services, building address, view corridors and sight lines;
- Recognizing the importance of good urban design in building a successful city and the importance of achieving a high quality public realm;
- Creating incentives to encourage the conservation and long term protection of heritage resources, and protecting and improving *Parks Open Space Areas*;
- Providing a comprehensive planning framework for complete communities with streets and open spaces that have good connections to the surrounding streets and open spaces, are supported by infrastructure and community services, provide for uses and building scales that are compatible with surrounding development, and include a full range of housing in terms of type, tenure and affordability; and,

### ***Mixed Use Areas Policies***

The Official Plan designates the site as *Mixed Use Areas*, one of four land use designations intended to accommodate growth. The *Mixed Use Areas* designation encourages a broad range of commercial, residential, institutional and open space uses to accommodate an increase in population and jobs along transit lines. The Official Plan recognizes that *Mixed Use Areas* achieve a number of planning objectives by combining a broad array of uses.

The Official Plan establishes criteria for development in *Mixed Use Areas* including a requirement for buildings to be located and massed to provide a transition between areas of different development intensity, providing setbacks from, and stepping down of, building heights towards existing lower scale development. The Plan also contains requirements to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets,



parks and open space, for access to schools, parks, community centres, libraries and child care, the provision of good site access and circulation and an adequate supply of parking for residents and visitors, locating and screening service areas, and providing indoor and outdoor amenity space for residents in every significant multi-unit residential development.

### **New Neighbourhoods Policies**

The Owner proposes to redevelop the lands to permit new housing, retail and office uses, with a future public park and public streets, as well as privately owned and publicly accessible open spaces. The 'New Neighbourhoods' policies of the Official Plan (Section 3.3) provide guidance for applications that propose extensive redevelopment and have opportunity to create a new neighbourhood. New Neighbourhoods should reflect city-wide goals as well as the local context; they should provide a mix of uses and a range of building types; a fine grain of interconnected streets and pedestrian routes that define development blocks; parks and open spaces; and good access to transit.

### **Transportation Policies**

The new transportation policies (By-law No. 1009-2014) adopted by City Council speak to developing mobility systems for future generations while taking full advantage of existing transit infrastructures to reduce dependency on vehicles. The integration of transportation and land use planning is critical to achieving the overall aim of increasing accessibility to transportation infrastructure and services throughout the City. Accessibility can be delivered through two components: increasing mobility (transportation ) by providing modal choice, and/or increasing the speed of travel allows more trips to be made within a given time, and increasing proximity (land use) through greater mixing of uses and/or higher densities achieves the same effect by shortening trip lengths.

The Official Plan stresses the importance of mutually supportive transportation and land use policies that combine the mechanisms of mobility and proximity to maximize accessibility. In addition, the policies direct that streets are not closed to public use and stay within the public realm where they provide present and future access for vehicles, pedestrians and bicycles, space for utilities and services, building address, view corridors and sight lines. Streets will contribute to the development of a connected network which provides direct and clearly understood travel routes for all transportation modes and users and act as a fundamental organizing element of the City's physical structure.

The "Complete Streets" policies of the Official Plan overall objective is to create a well-functioning street network that is planned and designed to provide safe access and efficient operation for all street activities and functions, to provide safe and comfortable pedestrian, cycling and transit facilities and balancing the competing demands placed upon the use of street rights-of-way. These objectives are to be applied when streets are constructed, reconstructed or otherwise improved.

### **Public Realm and Built Form Policies**

The Public Realm policies of Section 3.1.1 of the Official Plan recognize the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

These policies also recognize that streets are significant public open spaces that serve pedestrians and vehicles, provide space for trees and landscaping, building access, amenities such as view corridors, sky view and sunlight and are public gathering places. The Public Realm policies of the Plan also provides that new streets should be public and new City blocks and development lots within blocks are to be of an appropriate size and configuration for the proposed use of the lands. New parks and open spaces are to be located on a street and be well designed to provide a comfortable setting for users.

The Built Form policies of Section 3.1.2 seek to ensure that new development be located and organized to fit with its existing and/or planned context and to frame and support adjacent streets, parks and open spaces. New development is to be located parallel to streets, and its massing and location assist in defining the edges of streets and parks/open spaces, at good proportion. New buildings are to 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 adequately limiting any resulting shadowing of, and uncomfortable wind conditions, on neighboring streets and properties. Vehicle parking and facilities are to be organized to minimize impact on the property and on surrounding properties. Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development and each resident will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

## **Housing Policies**

Section 3.2.1 of the Official Plan includes housing policies that encourage the provision of a full range of housing opportunities to meet the current and future needs of residents which includes ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

Policy 3.2.1.9 of the Official Plan requires on large sites, generally greater than 5 hectares in size, where additional density is provided, the provision of 20% of the additional residential units as affordable housing.

## **Section 37**

Section 5.1.1 of the Official Plan contains provisions pertaining to public benefits in exchange for increased height and density for new development pursuant to Section 37 of the Planning Act. Section 37 may be used to secure community benefits, provided the proposal represents good planning and is recommended for approval.

## York University Secondary Plan

The vision for the YUSP is to transform the area from a university enclave surrounded by parking lots and open fields to an urban, human-scaled community integrated with and surrounding the University. Development within the Secondary Plan area will be in the form of well-designed, environmentally sustainable, compact complete communities in proximity to valuable natural heritage resources and open spaces.

The YUSP requires Precinct Plans to be developed prior to development proceeding in the Edge Precincts, with the exception of transit facilities and essential City services. Precinct Plans will include:

- A vision for the precinct area;
- The size and location of local streets and development block structure;
- Locations of pedestrian and cycling connections;
- The conceptual location and massing of buildings;
- An appropriate land use mix;
- A landscaping and open space master plan;
- Urban design standards and guidelines; and
- Phasing of development.

The YUSP envisions the Southwest Precinct as a medium density urban village, developed in a compact form that will provide a variety of housing opportunities, shops and services. The Pond Road is envisioned as a greenway, a tree-lined pedestrian oriented street providing a connection to the wider natural heritage network in the Secondary Plan Area, and Sentinel Road is identified as a pedestrian friendly gateway entrance to the university. Open spaces including a public park, a possible school site and a *piazza* are also envisioned as part of the Precinct.

The YUSP designates the subject lands *Mixed Use Areas 'C'*. *Mixed Use Area 'C'* is intended to be developed as an urban village with primarily medium density residential uses, such as street-oriented townhouses and apartments, at-grade retail, service and office uses. The policies also provide for a broad range of commercial and institutional uses. Buildings in this area are envisioned at a pedestrian scale, and which provide appropriate transition to any adjacent *Neighbourhoods*. *Mixed Use Areas 'C'* also applies to the broader Precinct, and envisions a new school and community facility in association with a new local park and strongly encourages a grocery store within a mixed use building to provide for the broader community.

The YUSP directs *Parks* to be developed and maintained to provide space for public recreational, athletic and landscaping purposes to accommodate active and passive recreation. *Parks* may include joint community and school facilities that are integrated with open space and recreational uses. The subject site is located in a parkland priority area. Approximately 1.24 hectares of parkland have been identified in the Secondary Plan for the Southwest Precinct.

The YUSP directs *Natural Areas* to be protected, restored and enhanced for nature preserve and passive recreation. The Black Creek Valley forms part of the westerly edge of the Southwest precinct. Policies 3.7.1.8 and 3.7.1.9c require a Natural Heritage Impact Study for determining suitable setbacks from the outer limit of the required naturalized buffer, and a Management/Stewardship Plan, at the Precinct Planning stage.

The YUSP also requires a landscaping and open space master plan (3.7.2.8) for each precinct to ensure a connected and comprehensive open space system, to ensure the ongoing vitality of open spaces in the Secondary Plan area and to establish requirements for new parks and open spaces established and implemented through development. In addition to showing the location and phasing of parks, open spaces, greenways, public use areas, trails and access linkages, the master plan will show how open spaces and parks fit into the larger open space and natural heritage system. Additionally, the landscape and open space master plan is required to:

- Include landscape management components;
- Identify opportunities for increasing tree canopy coverage and improving the existing canopy;
- Show approximate locations, size and type of habitat and wildlife connections; and
- Provide measures to ensure the ongoing vitality of the habitat and wildlife connections.

The Secondary Plan envisions a high-quality, connected public realm of streets, parks and open spaces which will form the underlying structure for future development, which include significant places within the built and landscaped environment that will be preserved, protected and enhanced through any proposed development, including The Ring Road and gateway entrances to the University. The Pond Road forms part of the Ring Road and Sentinel Road is the southerly gateway street into the campus.

The YUSP also calls for a well-connected network of on-and off-street cycling routes which are to be refined through the Precinct Plan process. Policy 3.9.2.4 of the YUSP requires a Pedestrian and Bicycle Plan as part of the Precinct Plan process which addresses the integration of pedestrian and cycling facilities with planned development, transit facilities and the public street network to knit together, socially and physically, the Campus with the surrounding community. The City is reviewing the Pedestrian and Bicycle Plan for consistency with the Official Plan, relevant YUSP policies and with the Toronto Walking Strategy and the City's Bike Plan.

The minimum and maximum densities prescribed in the YUSP for the subject development site range from 1.0 FSI to a maximum 2.0 FSI. The minimum height for buildings fronting a primary street will be three storeys or 10.5m with a minimum height of two storeys or 6 metres prescribed for buildings with frontage on a secondary street. Maximum building heights in the Edge Precincts are also governed by height restrictions imposed by the Former City of North York's Airport Hazard Map, with transitions in height to lower-scale development and taller buildings situated within 250 metres of a subway station.

The YUSP provides direction for the provision of public art to support and enhance the character of the Secondary Plan area and enhance place-making opportunities.

The Secondary Plan identifies places and landscapes that have cultural heritage value and directs that these resources be conserved. Stage 2 Archaeological Assessments are required as part of the preparation of the Precinct Plan.

One of the key objectives of the Secondary Plan is to provide transit-supportive development while also ensuring the development of complete communities. This involves providing a broad range of housing, including student and affordable housing.

The Secondary Plan defines Student Housing as: "*...non-profit housing owned or operated by the University or a non-profit housing corporation, provided on a leasehold basis, and intended primarily for students, staff or guests of the University or a related institution*". A minimum of 30 percent of new housing units in the Edge Precincts are to be in forms other than single detached or semi-detached dwelling. Residential development exceeding the minimum density will be required to provide a minimum of 20 percent affordable housing, of which at least 50% must be affordable rental units.

The affordable rental housing requirement in the YUSP is to ensure that a mix of housing, in terms of form, tenure and affordability, will be provided in the Secondary Plan area. This requirement is consistent with Official Plan requirements for building new neighbourhoods, providing a full range of housing in terms of both form and tenure, and the development of complete communities as well as including affordable housing in developments on large sites of 5 hectares or more.

Affordable housing strategies are required as part of the precinct planning process which will:

- Provide more detailed targets for the provision of affordable housing by tenure and unit type;
- Identify phasing of development within a particular precinct to ensure that affordable housing requirements are achieved prior to, or at the same rate as development of the market housing;
- Identify any proposals to achieve the affordable housing requirements through conveyance of land to the City or for student and university-related housing; and
- Identify achievements made in individual precincts.

Market housing that does not meet the definition of Student Housing, but which is designed for and rented to students, is treated as market housing and must provide the appropriate percentage of the housing at affordable rents.

The YUSP includes policies (3.6) and an appendix which sets out in detail the facility and site requirements, location criteria and implementation guidelines for specific community services and facilities, schools and local parks for the Edge Precincts. The YUSP also recognizes that actual community service and facilities needs may change depending on the amount and type of development that occurs in a Precinct. As such, a Community Services and Facilities Strategy (CS&F) is required at the Precinct Planning stage to determine the need, location and phasing of community services and facilities required for future

development, in consultation with the local community, the City, agencies, boards and local area Councillor and secured through the appropriate agreements.

A Sustainability Strategy is required as part of the Precinct Plan review. The Strategy is required to identify the mechanisms and techniques to be used for mitigating environmental impacts on a precinct wide basis. The YUSP also requires development to incorporate minimum performance measures identified in the Toronto Green Standard and encourages development to meet the enhanced sustainable performance measures.

Multi modal transportation is encouraged in the YUSP, including walking, cycling, reducing the use of the private automobile and providing a balanced approach to parking and providing a connected transportation framework that allows residents, employees and students to get to and from their destinations quickly, easily and sustainably. Pedestrian and bicycle plans which address the local pedestrian and cycling connections, as well as the provision of other cycling facilities, is required as part of the Precinct Plan process.

Secondary (local) public streets are conceptually identified in the Secondary Plan. The actual location and amount of local streets will be determined through the Precinct Planning review process and conveyed to the City as development proceeds.

Non-university development will be required to be serviced by municipal services. Strategies to reduce and manage stormwater flows and functional servicing and stormwater management reports are required as part of the Precinct Plan review to ensure that there is sufficient capacity and that appropriate servicing and stormwater management measures are or will be in place for existing and new development.

The YUSP provides direction for the completion of implementing zoning at the Precinct Planning stage, with development controls such as Plans of Subdivision and Site Plan Control, providing for the orderly development of the Secondary Plan area. Plans of Subdivision will ensure the land proposed for non-university development is suitable for its proposed new use while protecting adjacent neighbourhoods and properties from potential development which may put an undue strain on infrastructure and community facilities and services.

Development charges, Section 42(3) of the *Planning Act*, Holding Provisions and Section 37 as a result of increases in densities and residential permissions, are financial and planning tools that can be used to secure eligible growth-related facilities, parkland, appropriate infrastructure, affordable housing and community services and facilities, to help the City achieve the objectives of the Secondary Plan and applied to all new development.

## **Zoning**

The site is governed by the Former City of North York By-law 7625 and is zoned York Downsview Mixed Use 3 Zone (YDMU-3), which permits university, recreational uses, student housing, parks and open spaces, and accessory uses. University uses do not include residential uses and student housing is defined as housing that is owned and operated by York University and on a non-profit basis.

On individual sites a maximum floor space index of 2.5 or 250% of the lot area is permitted. Notwithstanding, on lands zoned YDMU-3 the maximum aggregate gross floor area of all uses shall not exceed 85% of the lands with the same zoning, plus 1.0 for lands used exclusively for student housing for a total of 1.85 FSI. Building heights are limited to the lesser of 34 metres or nine storeys and setbacks of 13.5m from the centreline of the Pond Road.

The site is subject to the Downsview Airport and is subject to height restrictions of the Airport Hazard Map (Schedule D) in the North York By-law, which limits the site to 30.48m with the northern edge of the site along the Pond Road frontage subject to a 45.72m height limit. By-law 1240-2009 provides requirements for vehicular and bicycle parking for all YDMU zones in the Secondary Plan area.

### **Site Plan Control**

The site is subject to site plan control. A revised site plan control application for the two private student accommodation buildings has been submitted (14 159623 NNY 08 SA) and is being reviewed concurrently.

### **Reasons for the Applications**

The Former City of North York By-law defines student housing as housing developed and operated on a non-profit basis for occupancy primarily by students on the York University campus. Similarly, the York University Secondary Plan defines student and university related housing as non-profit housing owned or operated by the University or a non-profit housing corporation, provided on a leasehold basis, and intended primarily for students, staff or guests of the University or related institution.

Though York University is providing the land through a long term lease to a third party (Forum Equity), and the accommodation will be restricted to students in attendance at York or any other post-secondary institution on the York lands, the private academic accommodations are being developed by a private company as market housing for students. Such housing fits within the full range of housing that the City's Official Plan policies encourage, including for shared or congregate living accommodation. The YUSP has policies supporting the provision of housing for students in a variety of forms. Market housing that does not meet the definition of Student Housing, but which is designed for and rented to students, is treated as market housing and must provide the appropriate percentage of housing at affordable rents.

Amendments to the Zoning By-law are required to permit the proposed private academic accommodations, which does not meet the definition of student housing in the By-law, to establish performance standards for this new use and to reflect the subdivision layout of new streets and blocks. The zoning by-law will also need to provide for the use of Section 37 to secure community benefits and offsite parkland, and meet the affordable housing requirements.

The applicant has withdrawn their Official Plan Amendment application to permit student housing that is market housing and not owned or operated by the University in light of the

new definition and performance standards for 'private academic accommodations' provided for in the draft by-law attached to this report. The new definition and performance standards were developed by City Planning staff with input from Strategic Initiatives, Policy and Analysis staff.

The YUSP permits non-university land uses in the Edge Precincts subject to the preparation of Precinct Plans. A Precinct Plan for the Southwest Precinct is required to permit the proposed non-university residential development and was submitted together with this development proposal. The Precinct Plan is currently under review by the City and a report on the draft precinct, Urban Design Guidelines, and supporting strategies is anticipated by the end of 2016.

The draft Precinct Plan proposes the future conveyance of new public streets, as well as the conveyance of parkland, to the City. The Plan of Subdivision application is required to provide for the division of the lands into development blocks consistent with the Secondary Plan and draft Southwest Precinct Plan, the construction of public streets and servicing of the lands. The Plan of Subdivision includes detailed information on new municipal infrastructure, the creation of any easements for municipal services, and the timing and conveyance of public streets to the City.

## **Community Consultation**

A Community Consultation meeting to discuss the proposal was held on January 20, 2015 at the Kaneff Tower, on the York University Campus. The meeting was attended by the Ward Councillor, the Ward Councillor's Assistant, City Planning staff, Transportation Planning and Services staff, the applicant, owner and approximately 30 members of the public.

Issues raised by area residents in discussion of the proposal, which have been considered in the review of the application, are generally related to the following matters:

- Parking rates required for the development and loss of campus parking;
- Vehicular access to the proposed development;
- Through traffic and traffic infiltration into existing neighbourhoods;
- Retail to serve local community as well as students;
- Community benefits needed to serve the local community i.e. grocery store, local meeting rooms and community space;
- Concerns regarding pedestrian/vehicular conflicts at The Pond Road and Sentinel Road intersection.

## **Design Review Panel**

The application was presented to the Design Review Panel (DRP) on February 24, 2015. Panel members commended the proponent team and the merits of the proposal, including its comprehensiveness and aesthetic intent. The Panel noted the site and proposed design presented a significant opportunity but further work was needed in order to fully realise the site and proposal's potential.



Panel members encouraged a more animated and organic approach to counter the rigour and order of the proposed design, including extending in the site plan the pattern of natural landscape found in the campus and through the hedge row heritage. The DRP also noted that stronger connectivity was needed to enhance life both within the development and with surrounding context.

Following the DRP meeting and further discussions with staff, the proposal was revised to address matters including: the functionality of the public street network to ensure consistency with the York University Secondary Plan and draft Southwest Precinct Plan and additional landscaping in the private courtyards for the buildings.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards and conditions of Draft Plan Approval.

## **COMMENTS**

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

The Provincial Policy Statement includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of land uses be provided and that intensification and redevelopment opportunities are identified and promoted.

The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS in this regard. The proposed land use provides a compact built form that supports an efficient use of land and existing transit infrastructure.

The proposal also conforms to the Growth Plan for the Greater Golden Horseshoe which states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. As this site is located in a built up area designated for growth in the City’s Official Plan, the proposal conforms to the Growth Plan.

### **Land Use**

The proposed six-storey private academic accommodations with a GFA of 28,985m<sup>2</sup> and 2,775m<sup>2</sup> of at grade retail/commercial complies with the policies of the York University Secondary Plan which promotes street-related development with buildings built close to the streetline at a pedestrian scale height. The YUSP identifies that at-grade street-related retail and services uses will be required in the prime retail frontage areas shown on Map 10-13 of the YUSP for a minimum depth of 15 metres along the frontage of a building. This proposal meets that objective. The proposed built form contributes to the definition of the street edge and maintains an attractive pedestrian environment along the public sidewalk. This is an important objective of the York University Secondary Plan.

## **Site Organization**

The applicant proposes two 6-storey residential buildings with commercial uses at grade, south of the York University Campus Core (Attachment 2: Site Plan). The two buildings are rectangular in shape and would frame and animate Sentinel Road and The Pond Road. Both buildings would have private central courtyards. On the south edge of the proposed buildings would be a 16.5 metre wide private university street right-of-way. The two proposed buildings would be separated by a 18.5 metre wide future street right-of-way with additional setbacks to the buildings. This right of way would be lined and animated by one storey indoor amenity area in each building. To the east of the easterly building (Building C2) is Street D which would have a right-of-way of 18.5 metres, and would form the extension of Haynes Avenue. Staff are satisfied with the site organization. Details relating to interim and permanent landscaping abutting the street frontages and weather protection along streets will be finalized during site plan review.

## **Density, Height, Massing**

The York University Secondary Plan provides for a minimum density of 1.0 Floor Space Index (FSI) and maximum of 2.0 FSI. The proposed development has a gross FSI of 1.68 which is below the maximum prescribed in the Secondary Plan.

The proposal also complies with the maximum heights for Edge Precincts (4.4.4) which is governed by the NY Zoning By-law Airport Hazard map, and the minimum building height of 10.5m. The proposal also complies with the height criteria in the YUSP regarding providing height transition to lower-scale development.

Section 3.2 of the YUSP contains built form policies for development in the Secondary Plan Area and in Edge Precincts that emphasize the importance of high quality architecture, urban design and landscaping; active ground floor uses, entrances and transparent building materials at grade, coherent, safe and connected public pedestrian routes and streets, a comfortable public realm and an attractive pedestrian-scaled streetscape. These objectives have been achieved and will be secured through the site plan approval process by providing: entrances at grade, windows that allow for views of and from the street, and retail or service commercial uses that wrap around onto side streets maintaining the ground orientation.

The performance standards established through the Avenues and Mid-Rise Buildings Study are intended to provide for a pleasant pedestrian experience and an appropriate transition from new mid-rise buildings in 'Mixed Use Areas' to surrounding uses through measures such as setbacks and angular planes. Although the development is not within an Avenue, the mid-rise performance standards will be met for the two six-storey buildings, with regard to building setbacks, building height and scale to create comfortable pedestrian conditions at street level.

Streetscape and built form design matters to be resolved at the site plan stage include the detailed design of the façade at-grade along the The Pond Road, Sentinel Road and future Street D (extension of Haynes Road) to promote visibility and connection to the pedestrian realm. Distinctive architecture and high quality design will be secured through the site

planning process. The ground floor façade will be permeable with openings to the exterior during warmer seasons to accommodate indoor/outdoor seating on The Pond Road and Street D within the setback. Additional glazing will be provided at the corner of Sentinel Road and the east/west private street, as well as the corner of Street D and the east/west private street to animate the building façade. A sun-shadow analysis will be reviewed through the site plan application to ensure shadowing impacts on nearby residential neighbourhoods, parks and streets are minimized.

## **Parks and Open Spaces**

The development site and Southwest Precinct are located in a Parkland Acquisition Priority Area and development is subject to the alternative parkland dedication requirements of the Official Plan. The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The applicant has proposed four different development scenarios for the full build-out of the subdivision beyond Blocks 1 and 2. These different development scenarios include a variety of uses ranging from residential to institutional. The final determination of the amount of residential, commercial and institutional uses will inform the ultimate parkland dedication requirement for the subdivision. Using the available information provided by the applicant for the development of Blocks 1 and 2, and without excluding any possible future institutional buildings within the subdivision boundaries, the net site area subject to parkland dedication requirement is 55,210 m<sup>2</sup>.

The first phase of the development (Blocks 1 and 2) proposes 487 residential units and approximately 3,000 m<sup>2</sup> of non-residential uses. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III, of the Toronto Municipal Code, the parkland dedication requirement for the residential portion of the development is 6,493 m<sup>2</sup> or 13% of the residential portion of the site area. While the alternate rate applies to the residential portion of the development, the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 6,595 m<sup>2</sup> or 12% of the net subdivision area.

The public park is a requirement of Phase 1 of the development. Preferred locations for parkland are identified on Map 10-6 of the YUSP, including a 1.24 hectare park parcel within the Southwest Precinct. The YUSP approximates seven hectares of parkland for residential and non-residential uses and a total of eight hectares for parks, community facilities and schools. Lands required for school facilities are not eligible to contribute towards parkland dedication requirements. The YUSP directs that cash-in-lieu of parkland will not be accepted until six hectares of land for parkland have been dedicated to the City in the Secondary Plan area. To date, parkland contributions toward the six hectare requirement have not been dedicated to the City.

As such, as part of the Phase 1 and Phase 2 development of the subdivision a 1.24 hectare site with frontage on The Pond Road (Block B-1 on Schedule 4) and future public Street A,

will be secured for a public park. Additionally, a 1.79 hectare parcel south of the proposed public park will be protected for a community facility and/or elementary school. The proposed public park location and lands for the community facility and/or elementary school, implements the York University Secondary Plan and Southwest Precinct Plan vision. The applicant has agreed to design and construct Base Park Improvements to the public park.

The Official Plan and the City's Privately Owned Public Spaces (POPS) guidelines encourage open spaces for pedestrians along public street frontages and at appropriate corner locations at intersections. These spaces should be designed to provide flexible multi-use settings for employees, pedestrians and residents and enhance the public realm. They should be urban and intimate; capable of accommodating all day-to-day uses; and incorporate a mix of hard and soft landscaping, including shade trees and seating.

At the Precinct level, a connected open space network will have links to the proposed development. These spaces include a public park, POPS, pedestrian connections, cycling routes, links to the future park/school site, The Pond Road, Sentinel Road, and Assiniboine Road Greenways, all designed to contribute to the Precinct's overall attractiveness and to maintain continuity throughout the Secondary Plan Area.

The draft Southwest Precinct Plan Urban Design Guidelines identifies desired locations for privately owned public spaces (POPS). At a Precinct level, the applicant is proposing POPS on Block C3, located on the south-east corner of The Pond Road and future Street D.

## **Ravine and Natural Feature Protection**

The YUSP directs *Natural Areas* to be protected, restored and enhanced for nature preserve and passive recreation. The Black Creek Valley forms part of the westerly edge of the Southwest Precinct. A scoped Natural Heritage Impact Study (NHIS) was requested as part of the Precinct Plan review to determine suitable setbacks from the outer limit of the required naturalized buffers and to plan for future development adjacent to the Black Creek Valley and explore the renaturalization of the priority restoration area (B-3 on Schedule 4). The draft Precinct Plan and NHIS Memo from LGL is being reviewed by Ravine & Natural Feature Protection and by the Toronto Regional Conservation Authority. As part of the recommended Section 37 provisions and subdivision conditions a re-naturalization area, shown as Block C on Schedule 4 of the draft by-law, will be secured including active re-naturalization implemented in two phases, to the satisfaction of the General Manager of Parks, Forestry and Recreation. A letter of credit will also be secured for the first phase of re-naturalization.

## **Tree Preservation**

There are a total of 363 trees within the Southwest Precinct Plan area. A total of 38 trees on the site subject to development, or Phase 1, are proposed to be removed. Six of the 38 trees are located within the public right-of-way. An arborist report was submitted with the development application and has been reviewed by Forestry staff. An Arborist Report for the larger site has been submitted as part of the Plan of Subdivision application and is being reviewed concurrently with the Site Plan application.

## Transportation

The Southwest Precinct presents unique transportation challenges. Despite its proximity to the York University subway station, which is currently under construction, and high-frequency bus transit service at the York University transit hub, the Precinct currently lacks a fine grained network of public streets and pedestrian and cycling routes. There is significant pedestrian and cycling movement from the adjacent neighbourhoods to the university campus and to the transport hub in the York University Commons. A lack of fine grained pedestrian connections between Assiniboine Road and The Pond Road east of Sentinel Road, and limited pedestrian crossing facilities along The Pond Road act as barriers to pedestrians and cyclists.

An overall Transportation Assessment study and supporting materials were submitted as part of the Precinct Plan and development application submissions. Both Transportation Planning and Transportation Services have reviewed the Transportation Assessment study and other transportation details in order to assess the appropriate street network for the Southwest Precinct and relevant transportation modes during the interim phase of development (Phase 1)

The proposed development of mixed-use housing provides an opportunity to introduce new transportation infrastructure improvements such as a network of north-south public streets (Streets A, D and F), improvements to The Pond Road and Sentinel Road public realm, including a new signalized intersection and bicycle facilities (share-rows), to create a well-functioning street network and to provide safe access and improve mobility options for both pedestrians and cyclists. The Transportation Assessment indicates that the existing and proposed road network can accommodate the travel demands generated by the proposed mixed-use development.

Vehicular access to the site is proposed from Sentinel Road and a network of future public roads to be built in phases, including Street D (extension of Haynes Avenue), which would be built with Phase 1. An east-west publicly accessible private street is intended to ultimately connect to the easterly edge of the subdivision and the future extension of Ian MacDonald Boulevard (Street F). Two other possible north-south street connections, identified as blocks in Phase 2 of the draft plan of subdivision (attachment 2), would be determined through the Phase 2 subdivision process.

The proposed development provides adequate parking supply for both vehicle and bicycle users. Vehicular parking will be accommodated to the south of Blocks 1 and 2 in the existing parking lot and bicycle parking is provided in storage facilities on the ground floor of the proposed private student accommodations. It is anticipated that as the block to the south of the Phase 1 site redevelops, parking will be provided underground or in structured parking faced with other uses, consistent with the YUSP policies. A total of 41 parking spaces will be provided for residential uses and 22 designated retail spaces to be shared for commercial parking purposes. An additional 15 on-street parking spaces will be created on Street 'D' (extension of Haynes Road). The parking lot will be accessed from the future public road (Street D) along the easterly edge of the parking lot and by north-south pedestrian connections to Blocks 1 and 2.

The Transportation Assessment determined that traffic control signals would be required at the intersection of Street D and The Pond Road to facilitate north-south pedestrian movement. The applicant is required to provide a letter of credit in the amount of \$200,000 for the future installation of traffic control signals, which will be secured through the draft plan of subdivision. The long term vision of The Pond Road in the YUSP includes a dedicated cycling lane which would facilitate bicycle connections to the York University subway station. The current development will implement the cycling facilities in phases, with dedicated cycling facilities on The Pond Road frontage (share-rows) in Phase 1. In Phase 2, the full build out of the lots fronting The Pond Road inclusive of Block 3, will see the implementation of dedicated bicycle lanes from The Pond Road to Ian MacDonald Boulevard.

The new north-south street (Street D/extension of Haynes Avenue) would have an 18.5 metre public right-of-way. The submitted functional design of Street D is consistent with the draft Southwest Precinct Urban Design Guidelines and the proposed cross section includes one lane in each direction with dedicated on-street parking and a minimum 7.9m boulevard to provide for street tree planting on both sides of the street. Street D will be secured through the Section 37 agreement and plan of subdivision. A functional design for future Street F (extension of Ian MacDonald Boulevard) has also been submitted and is being reviewed as part of the subdivision process.

## **Servicing**

A functional servicing report was submitted as part of the Precinct Plan and development application submissions. The report examines engineering of the Precinct Plan area insofar as water servicing, sanitary sewer servicing, and grading and stormwater management. A Master Servicing and Stormwater Management Report has also been provided as part of the Plan of Subdivision application.

The proposed development is also required to comply with the Best Management Practices for Stormwater Management and the City of Toronto's Wet Weather Flow Management Guidelines, which requires grades that allow overland water flow. Further discussions on sewer/water connections and elevations, grading, and drainage are necessary and will be addressed as part of site plan approval.

At the time of writing this report, Engineering and Construction Services and Toronto Water staff are reviewing the Master Servicing and Stormwater Management Reports for the Subdivision and Precinct to ensure all matters pertaining to the provision of adequate infrastructure to support the full build-out of the Precinct will be addressed. As such, it is recommended that any revisions to the Master Servicing and Stormwater Management Reports be provided to the satisfaction of the Executive Director of Engineering and Construction Services, and be approved prior to Phase 2 proceeding within the plan of subdivision. Should servicing infrastructure improvements be necessary to accommodate future development, they will be the responsibility of the Owner and will be secured in the Phase 2 subdivision conditions.

Further discussions on sewer connections and elevations, grading, and drainage are necessary and will be addressed as part of site plan approval and through the Plan of Subdivision.

## **Public Realm Improvements: Streets, Parks and Open Spaces**

The provision of a high-quality, connected public realm of streets, parks and open spaces forms the underlying structure for development in the Secondary Plan Area. Major streets included in this plan are The Pond Road, Sentinel Road and a new Public Street D. The proposal includes retail uses at grade along The Pond Road, Sentinel Road and Street D site frontages consistent with the objectives of the Secondary Plan. A new public park will be provided in the westerly portion of the Precinct identified as Block B-2 on Schedule 4 of the draft by-law. The public realm will be complemented by a network of publicly accessible private streets, pedestrian mid-block connections and a publicly accessible plaza to be developed with Block 3.

The Pond Road forms part of a significant public space – The Ring Road – which is a curvilinear street that delineates the core campus. This street joins together the most significant open spaces and natural areas of the campus, including The Green, and in the Southwest Precinct, the areas adjacent to the Black Creek Ravine. This portion of The Pond Road is envisioned as both a greenway and a retail street, consisting of a generously scaled tree-lined promenade that incorporates sustainable street design, and promotes bicycle, pedestrian and vehicular movement around the University as well as enhancing the fine grain of storefronts with outdoor cafes and other active uses that line the street. In support of The Pond Road’s function as a pedestrian promenade, the YUSP requires at-grade street related retail and service uses with a minimum depth of 15 metres along the frontage of a building.

The Urban Design Guidelines for the Precinct proposes an ultimate streetscape design for The Pond Road that requires relocating the existing curb to allow for a future 1.8m bicycle lane. The ultimate streetscape design will be finalized through the subdivision and Precinct Plan process and secured in the subdivision agreement.

The Pond Road streetscape for the Phase 1 development includes an interim streetscape design for The Pond Road with a 2.7-9.0 metre wide setback that wraps around Sentinel Road to support pedestrian amenities including street trees, shrub planting, sidewalks, lighting, seating and bicycle parking. The setbacks along The Pond Road, Sentinel Road and Street D provide appropriate space for amenities and uses such as outdoor cafes and patios to animate the street, consistent with the objectives of the YUSP. Weather protection canopies have been provided above the main entrances to the buildings.

Sentinel Road is one of York University's five gateway streets joining the ring road. These gateway streets, which form part of the original 1963 campus master plan, provide symbolic and ceremonial links between the city and the University, as well as visual, cycling, pedestrian and vehicular connections. Defining these gateway streets with distinctive streetscape design and high quality built form, which recognizes their important role as links and ceremonial entrances, is an important objective of the Secondary Plan. Gateway sites

may also be key locations for public art. Sentinel Road has been built with a central landscaped median and terminates in a view of The Green at the north end.

Street D (extension of Haynes Road) is complemented by a 7.6- 13.10 metre setback, and a double row of trees. The street curves to create open space opportunities along its length. New buildings with extensive glazing and entrances along the street will contribute to street animation and safety.

A new public park will be located in the west portion of Precinct and will create a landscaped 'green' visual landmark at the east view terminus of The Pond Road. The park will be designed to integrate with the adjacent ravine and a future school-community centre building. The park will be part of a network of open spaces both public and private including the adjacent ravine, mid-block pedestrian connections, a Greenway (The Pond Road) and other green streets to connect the York University Campus with the surrounding neighbourhoods.

## **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 following Tier 1 development features: storage for bicycle facilities and 538 bicycle spaces. Performance measures for the Tier 1 development features will be secured through the Subdivision Approval process including onsite stormwater retention. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

## **Tenure**

### **Private Academic Accommodations**

The proposed development can accommodate up to 812 students as tenants in the 487 residence units, each of which is designed like an apartment unit with a common area, shared kitchen, private or shared bathrooms, and bedrooms, with the exception of the bachelor units which do not have separate bedrooms. A significant amount of common amenity space throughout the buildings is also proposed. The applicant has indicated that the residence units will be furnished, the kitchens equipped, television and cable services provided for each residence unit and wireless services available throughout both buildings, all to be included in the rent.

York University has indicated that while they are providing the land on a long term lease, and the accommodations will be restricted to students in attendance at York or any other post-secondary institution on the York lands, the buildings are being developed by a private



company as market housing for students. Such housing fits within the full range of housing that the City's Official Plan policies encourage, including for shared or congregate living accommodation. The YUSP has policies supporting the provision of housing for students in a variety of forms. Market housing that does not meet the definition of Student Housing, but which is designed for and rented to students, is treated as market housing and must provide the appropriate percentage of the housing at affordable rents.

## **Affordable Rental Housing & Community Services and Facilities**

The Precinct Plan submission includes an Affordable Housing Strategy and Community Services and Facilities Study (CS&F). City Staff have reviewed the draft Precinct Plan, the Affordable Housing Strategy and CS&F Study with the development applications for conformity with the applicable Official Plan and YUSP policies.

York University and the applicant have agreed to secure provisions that will include affordable rental housing for 60 of the students in the development who will have full access to all the facilities, and whose accommodations will be the same as all other units, and completely integrated within the larger complex with no distinction. The Section 37 Agreement will secure the detailed affordable rent provisions for the first 15 years of each building's occupancy. The affordable rates cannot be based on the Official Plan definition calculated on CMHC average rents for conventional dwelling units. York has agreed with City staff to set them based on an analysis of comparable student residence fees that have been set for the year starting September 2016 in the existing York student residences, with appropriate adjustments for differences with the new development. The goal is to arrive at affordable rates for each bedroom or unit type that will then be increased in subsequent years only by the annual provincial rent increase guideline that applies to conventional rental housing.

The approximate average monthly rent will be \$900, but it is expected that the rates applied to the variety of shared or single bedrooms and unit types could range by \$350. The Section 37 Agreement will provide eligibility criteria for the selection of students for these affordable rates and based on receiving Ontario Student Assistance Program funding.

At 60 tenants, the number of affordable rents being provided represents approximately 7% of the total number of tenants that could be accommodated in the proposed buildings (C1 and C2). The requirements for affordable housing in the YUSP, at 20% of increased density, results in a total potential affordable housing requirement for Phase 1 of about 10% of the units if the maximum residential gross floor area is developed over the entire Secondary Plan area. The planning framework for these lands requires an affordable housing strategy to be provided for each precinct, which would then provide for achieving the full 20% of the increased density being developed above the minimum density.

Due to uncertainty about what will be developed beyond this first phase proposed for rezoning, and the land use mix of subsequent phases, York University and City Staff undertook discussions to determine an appropriate level of affordable housing for Phase 1. Some of the development scenarios tested for the Precinct Plan do not propose to build to the maximum residential permissions, which could result in a total achievement of affordable housing below the estimated 10% of all residential units. The City and York

agreed on 60 affordable rents for students as a reasonable target for Phase 1 given the uncertainty about the scale of future residential development in the Precinct. Further Phases of development will be monitored to ensure an appropriate level of Affordable Housing is provided with each phase.

## **School Capacity**

The Toronto District School Board (TDSB) advises that there is insufficient space at the local schools to accommodate students anticipated from this proposed development and that children may need to be accommodated in schools outside this area until space in local schools becomes available. Specifically, the TDSB requests that the Owner/Developer enter into an agreement with the TDSB to erect and maintain signs on site and include warning clauses in all offers of purchase and sale advising purchasers of the status of local school accommodation. This matter will be secured in the draft plan of subdivision conditions.

The Toronto Catholic School Board has advised that enrollment trends in the area suggest that there may not be sufficient permanent capacity available to accommodate students anticipated from this proposed development. Students from this development may need to be accommodated in portable classrooms or may have to be redirected to schools outside this area until space in local schools becomes available. Specifically, the TCDSB requests that the Owner/Developer enter into an agreement with the TCDSB to erect and maintain signs on site and include warning clauses in all offers of purchase and sale advising purchasers of the status of local school accommodation. This matter is secured in the draft plan of subdivision conditions.

Consistent with the York University Secondary Plan and draft Southwest Precinct Plan, Block B-2 on Schedule 4 of the draft by-law identifies a 1.79 hectare parcel that is the intended location of a future community centre and/or elementary school.

## **Public Art**

Public art is encouraged for new development to enrich the urban environment. Public art adds interest, identity and character and contributes to place-making by creating moments of beauty, amusement or reflection. Locations for public art within the subject site are generally in accordance with public art locations shown in the draft Southwest Precinct Plan Urban Design Guidelines.

The Owner has agreed to contribute \$500,000 or 1% of the gross construction costs towards public art, whichever is greater, and which will be secured through the Section 37 agreement. The Owner will be required to prepare a public art plan detailing how public art is to be provided. Public Art contribution requirements will also be a condition of approval for the Draft Plan of Subdivision.

## **Draft Plan of Subdivision**

The Draft Plan of Subdivision will create development blocks, public streets and blocks reserved for future public road conveyances (see Attachment No. 14 for the recommended

Draft Plan conditions). The Draft Plan of Subdivision is consistent with S. 51 of the Planning Act. The development of Phase 1 will proceed in advance of the registration of the subdivision due to the proposed construction schedule to accommodate a September 2017 opening of the private academic residences. As a result, the public road dedication and required securities will also be secured through the Section 37 agreement. In addition, improvements outside the boundaries of the subdivision, including but not limited to Street A and public parkland, will be secured through the Section 37 Agreement.

## **Zoning By-law**

The zoning by-law will rezone the lands to YDMU-3 with an exception to allow for the proposed private academic accommodation and retail/commercial uses. The exception will establish appropriate performance standards to regulate the proposed development, including, among other matters, permitted uses, maximum number of residence units, density, heights, setbacks, vehicular and bicycle parking and required amenity. Schedule YDMU-3(1) in the Draft Zoning By-law illustrates building envelopes, setbacks, separation distances and building heights.

The attached Draft Zoning By-law Amendment (Attachment No. 13) reflects a development that satisfies the policies of the Official Plan.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits must bear a reasonable relationship to the proposed development including, at a minimum, an appropriate geographic relationship and addressing planning issues associated with the development.

Planning staff have worked closely with York University, the applicant and the local Councillor to identify community benefits consistent with the community needs identified in the YUSP that would be provided through Section 37 benefits in exchange for permitting an increase in height and density, over and above that which is permitted in the current zoning by-law for the site.

As such, the community benefits and other improvements recommended to be secured in the Section 37 Agreement include:

- Public art;
- Monies for a future community centre and daycare facility;
- Affordable housing;
- Parkland for Phases 1 and 2;

- A Priority Restoration Stewardship Plan and active re-naturalization for Phases 1 and 2 of the Priority Restoration Area (Block C in Schedule 4 of the draft by-law);
- A 1.79 hectare parcel reserved for a future elementary school/community recreation centre;
- A stabilization and protection plan as well as a conservation and maintenance plan for the Hoover House;
- A Heritage Easement Agreement for the Hoover House;
- A 110m<sup>2</sup> community bike centre; and,
- On-site and off-site public streets (Street D, F and A).

## **CONTACT**

Andria Sallese, Senior Planner  
Tel. No. (416) 395-7166  
Fax No. (416) 395-7155  
E-mail: [asalles@toronto.ca](mailto:asalles@toronto.ca)

## **SIGNATURE**

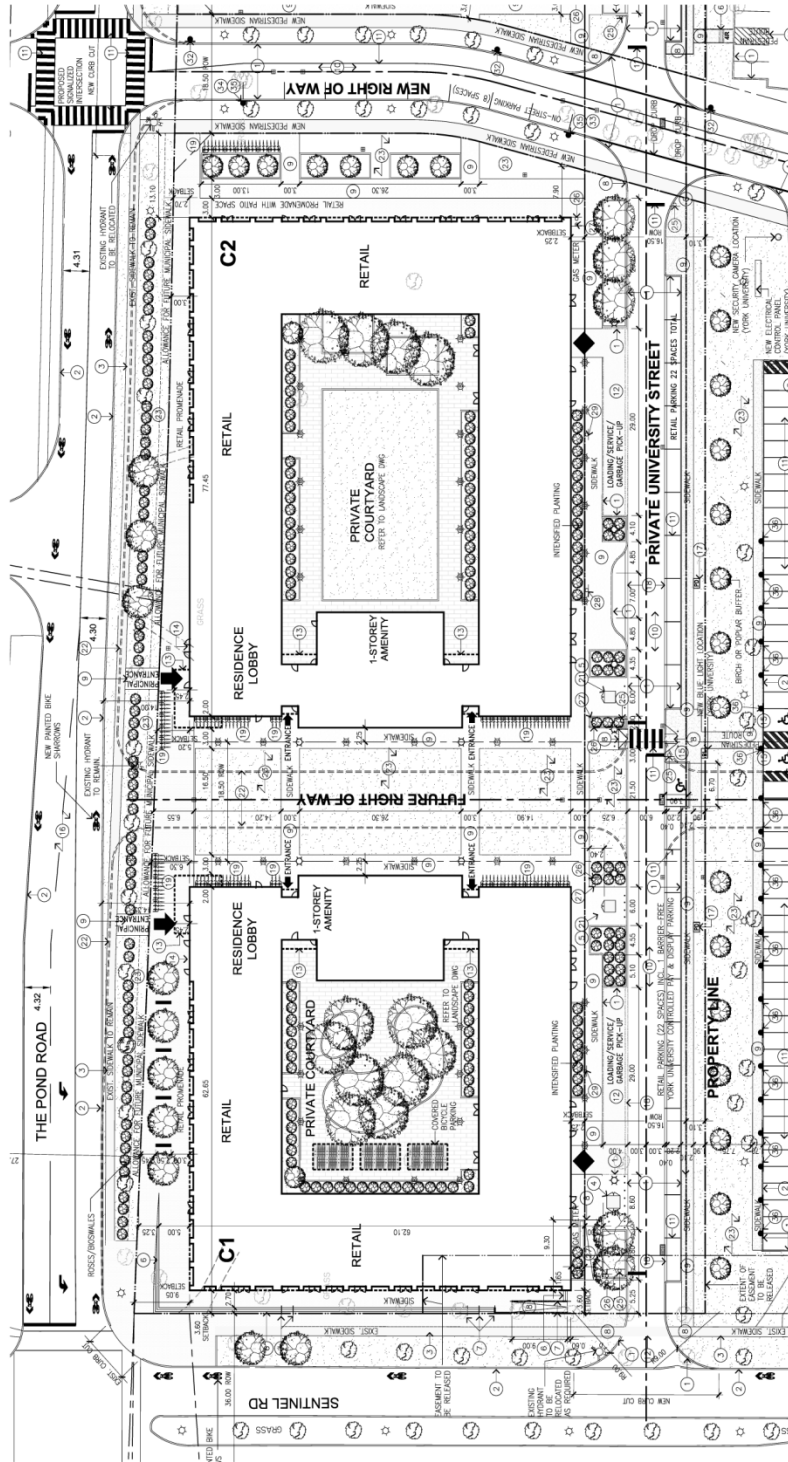
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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Draft Plan of Subdivision  
Attachment 3-10: Elevations  
Attachment 11: Former City of North York Zoning By-law 7625  
Attachment 12: Official Plan  
Attachment 13: Draft Zoning By-law Amendment and Section 37 Provisions  
Attachment 14: Conditions of Draft Plan of Subdivision

Attachment 1: Site Plan



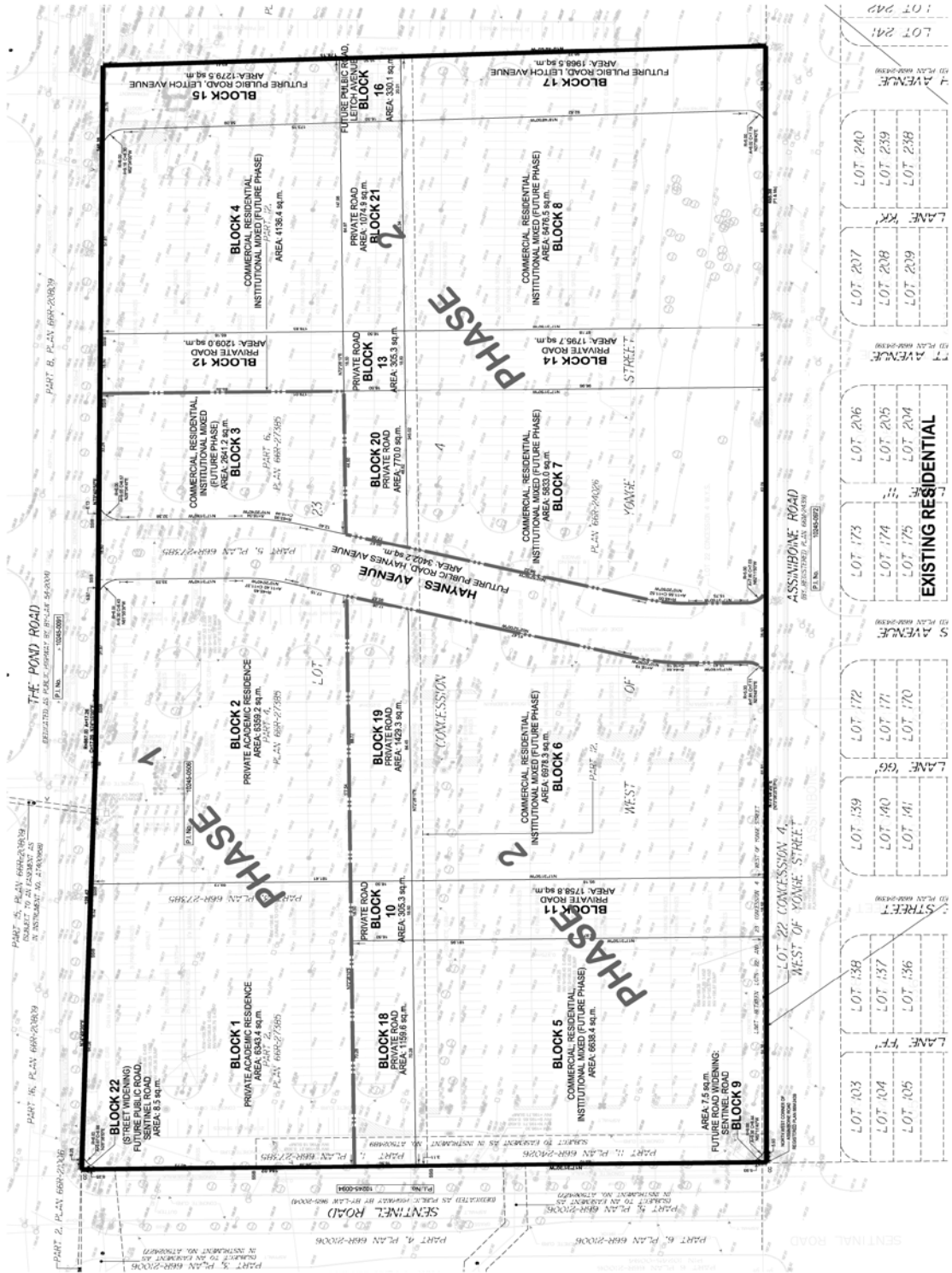
4700 Keele Street

Site Plan  
 Applicant's Submitted Drawing

Not to Scale  
 08/11/2015



# Attachment 2: Draft Plan of Subdivision



4700 Keele Street

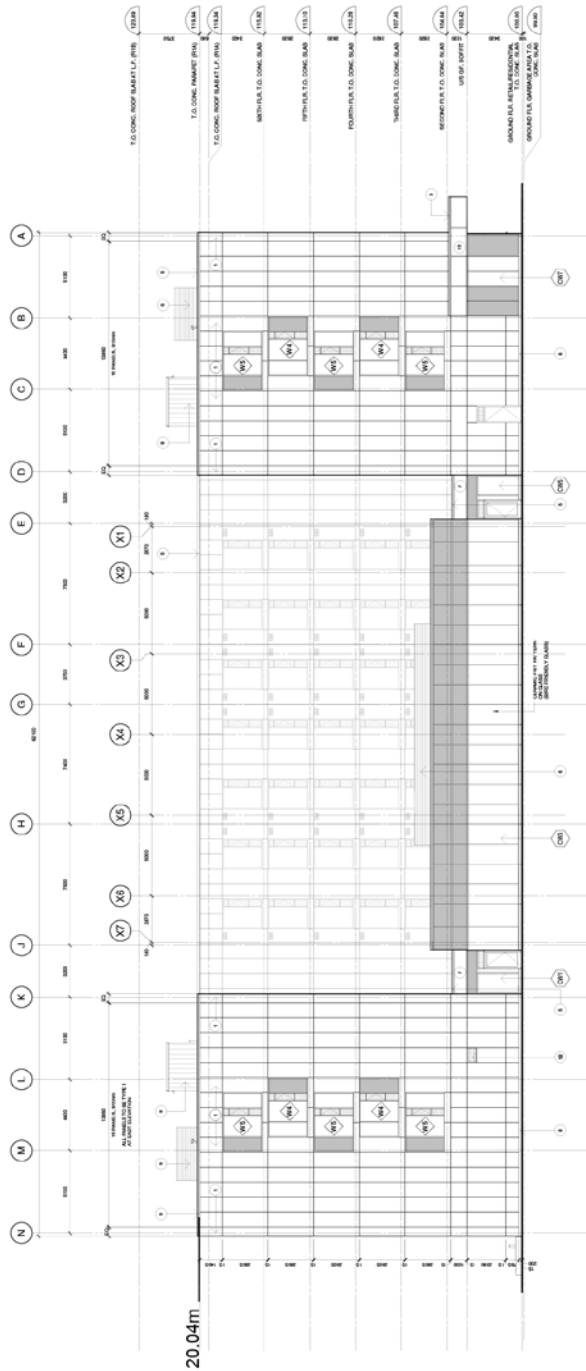
Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale  
08/18/2015

File # 14 186422 NMY 08 SB

# Attachment 3: Building C1 East Elevation



4700 Keele Street

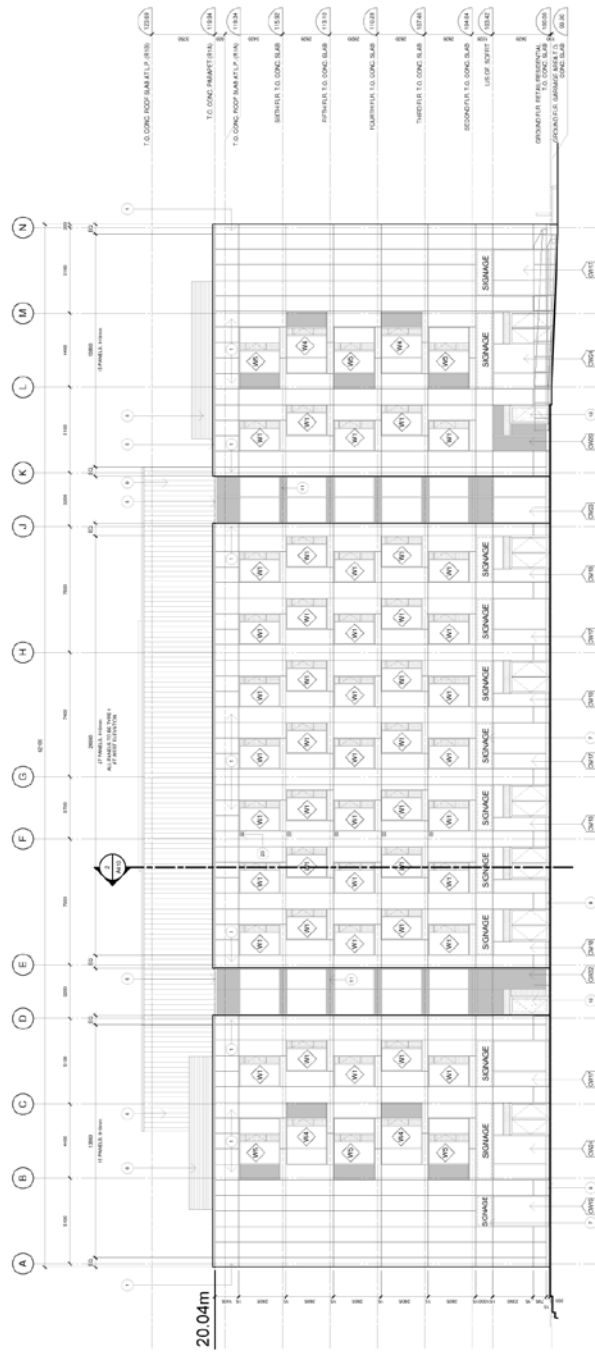
Building C1 East Elevation

Applicant's Submitted Drawing

Not to Scale  
08/11/2015

File # 14 159612 NNY 08 0Z

# Attachment 4: Building C1 West Elevation



4700 Keele Street

Building C1 West Elevation (Sentinel Rd.)

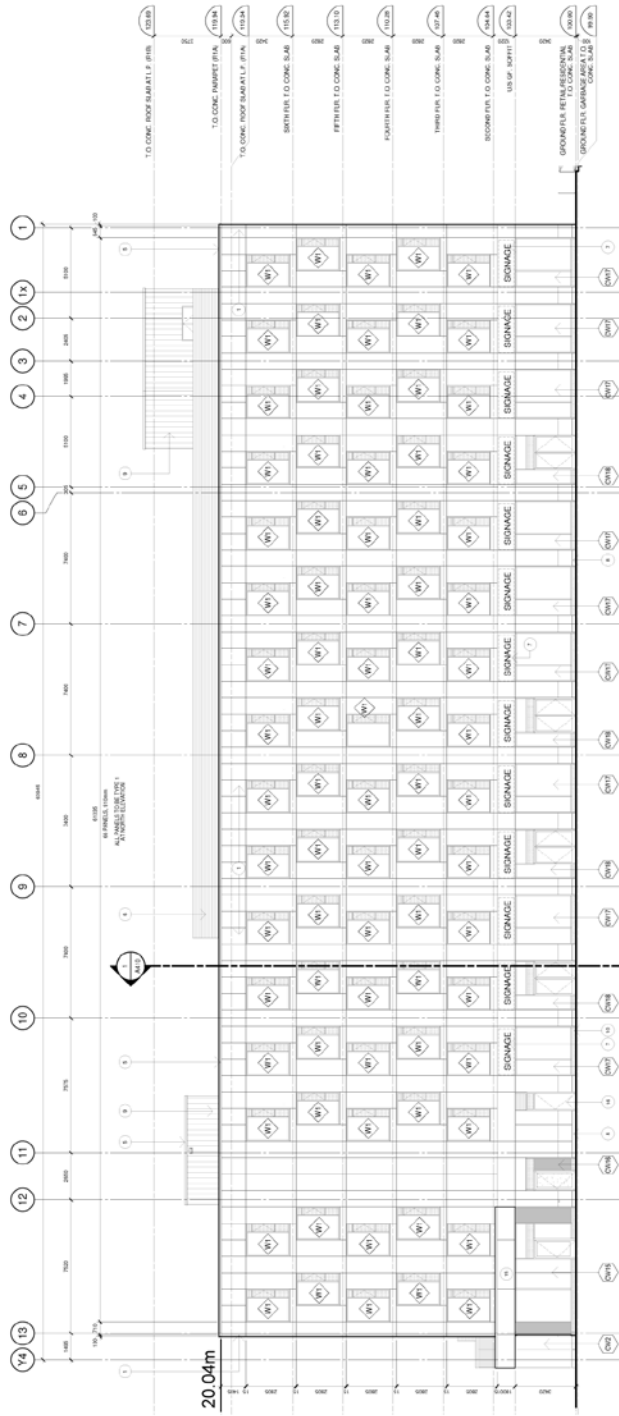
Applicant's Submitted Drawing

Not to Scale  
08/11/2015

File # 14 159612 NNY 08 0Z



**Attachment 5: Building C1 North Elevation**



**4700 Keele Street**

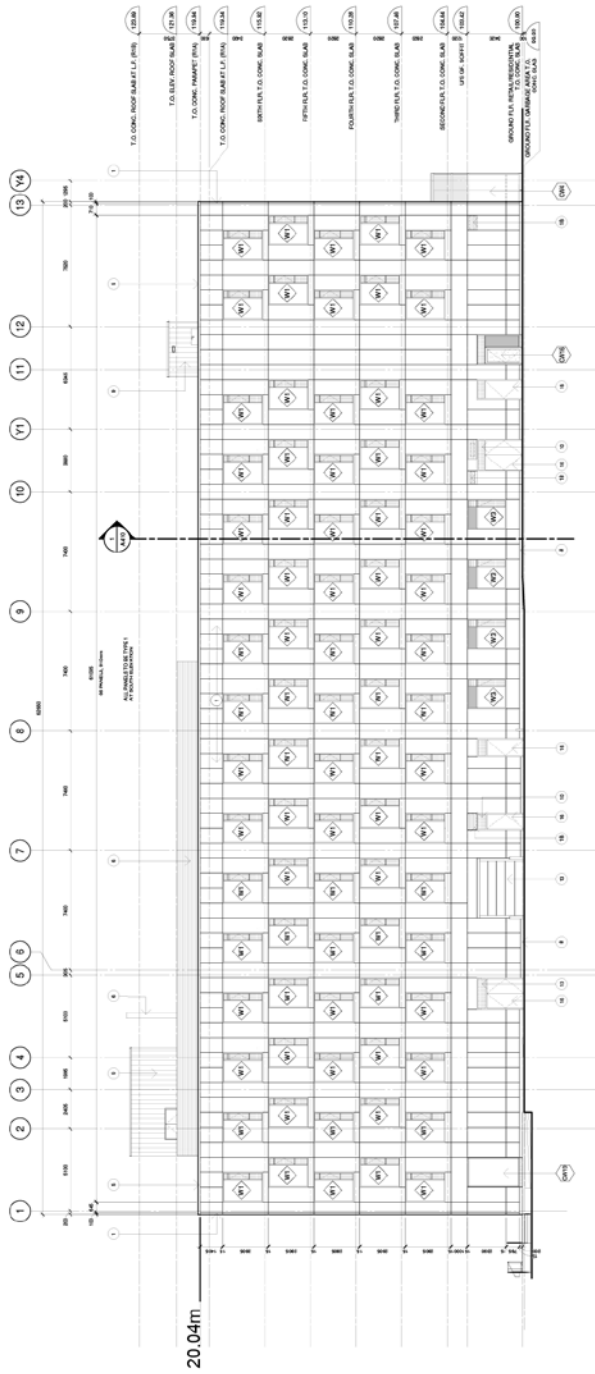
**Building C1 North Elevation (The Pond Rd.)**

Applicant's Submitted Drawing

Not to Scale  
08/11/2015

File # 14 159612 NMY 08 0Z

# Attachment 6: Building C1 South Elevation



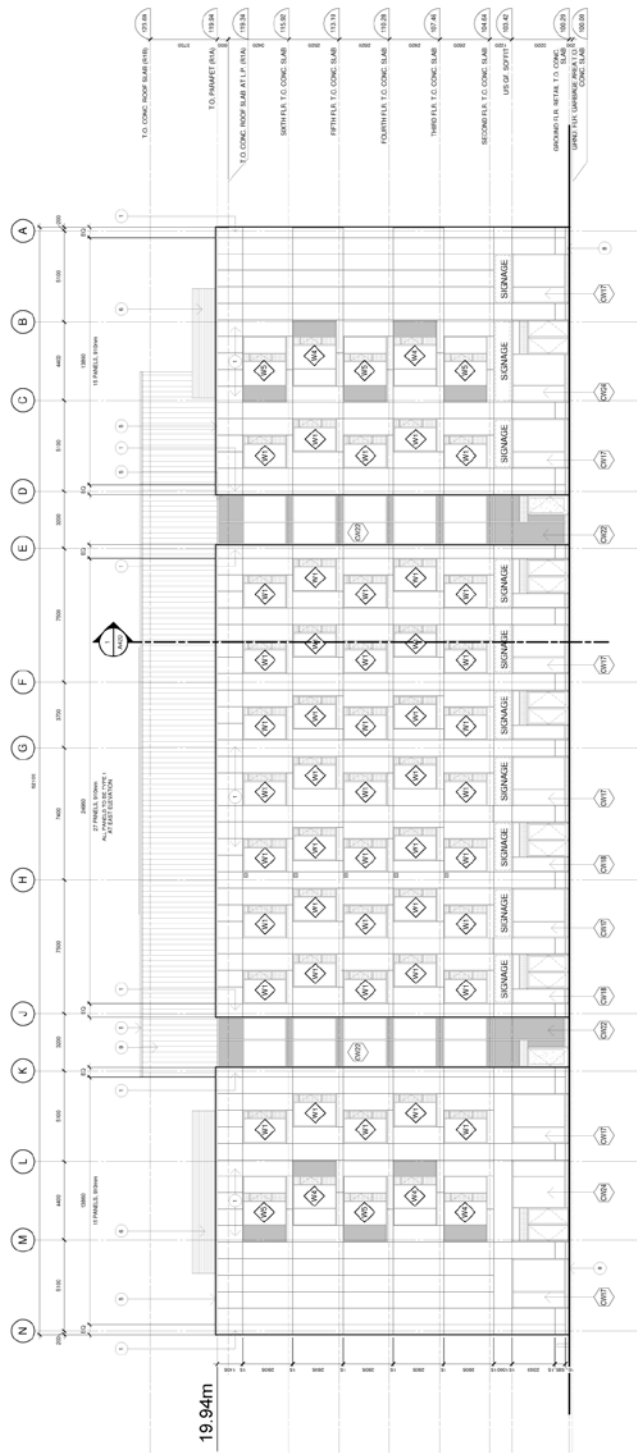
4700 Keele Street

Building C1 South Elevation  
 Applicant's Submitted Drawing

Not to Scale  
 08/11/2015

File # 14 159612 NMY 08 0Z

# Attachment 7: Building C2 East Elevation



4700 Keele Street

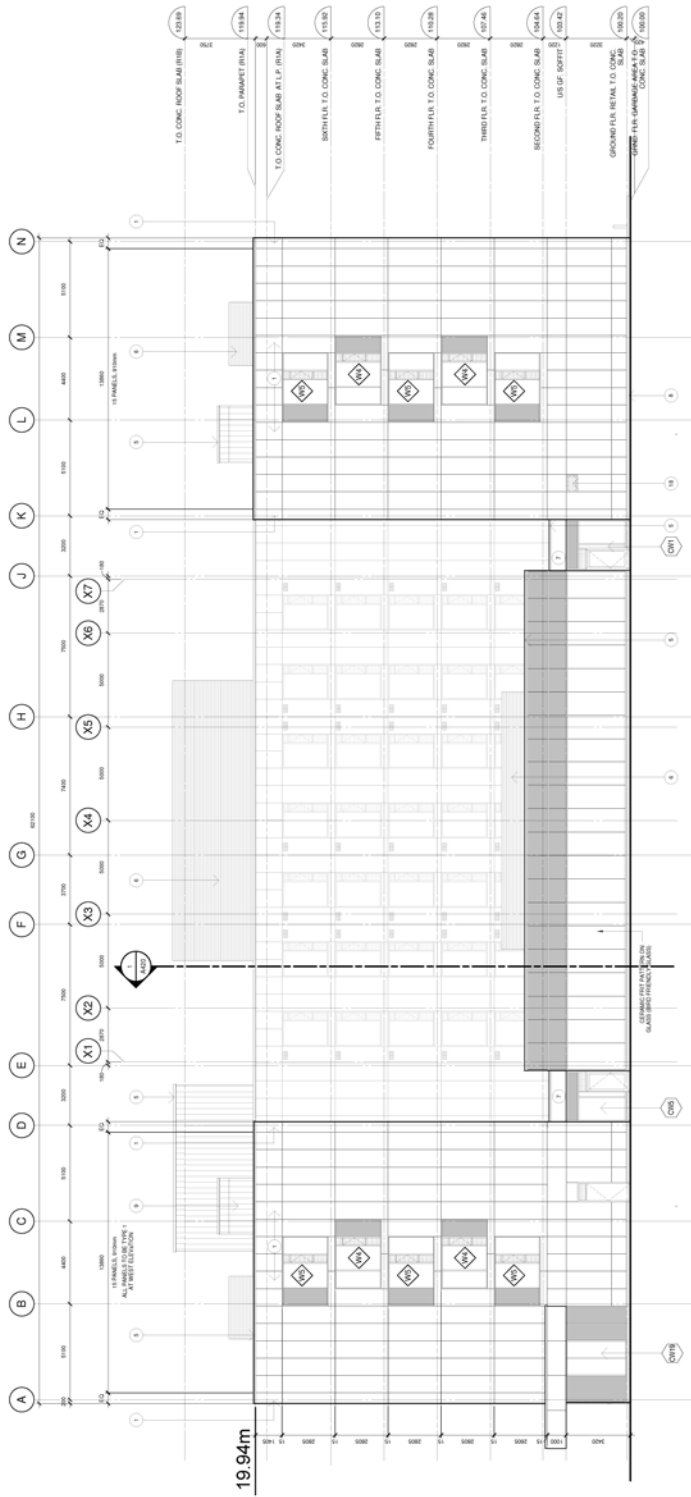
Building C2 East Elevation (Street D - Extension of Haynes Ave.)

Applicant's Submitted Drawing

Not to Scale  
08/11/2015

File # 14 159612 NNY 08 0Z

# Attachment 8: Building C2 West Elevation



4700 Keele Street

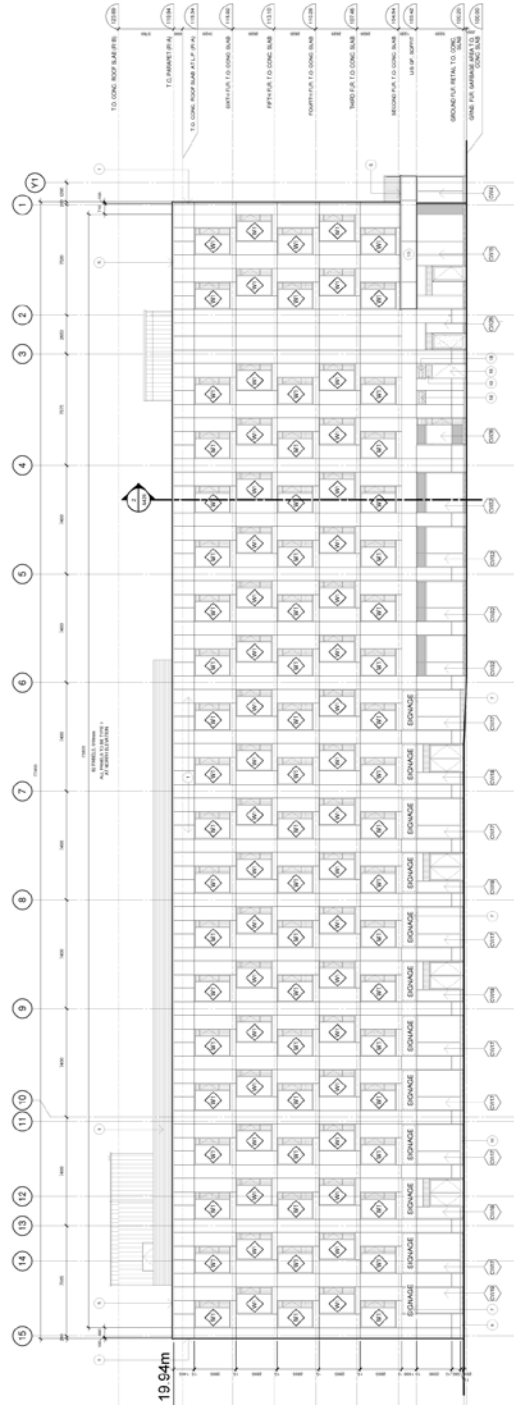
Building C2 West Elevation

Applicant's Submitted Drawing

Not to Scale  
08/11/2015

File # 14 159612 NNY 08 0Z

**Attachment 9: Building C2 North Elevation**



**4700 Keele Street**

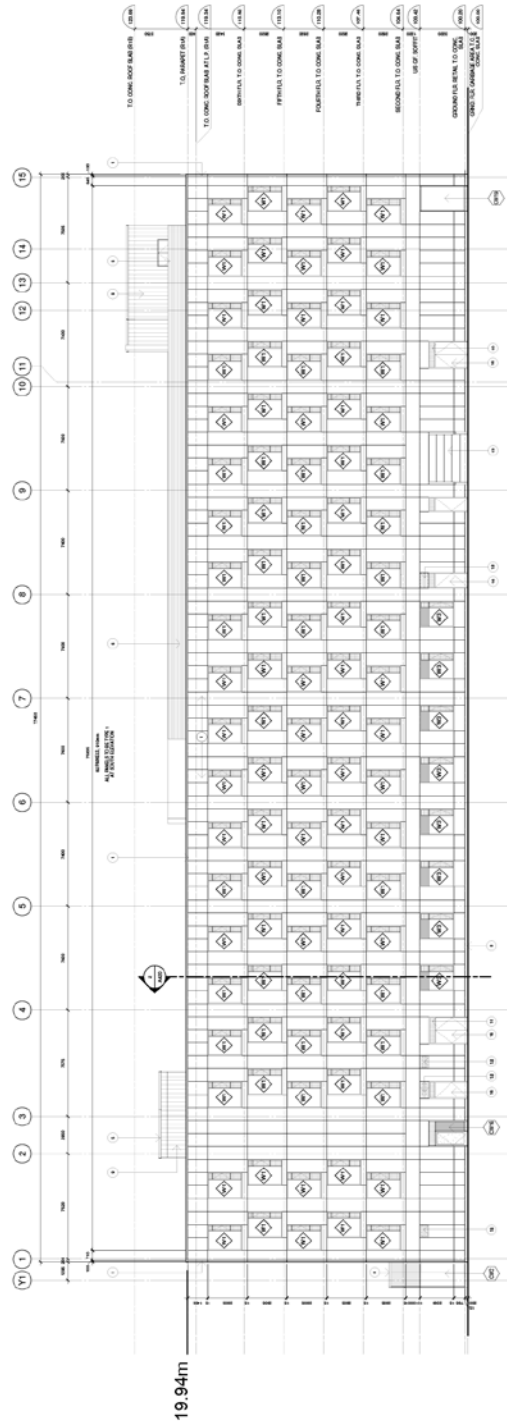
**Building C2 North Elevation (The Pond Road)**

Applicant's Submitted Drawing

Not to Scale  
08/11/2015

File # 14 159612 NNY 08 02

**Attachment 10: Building C2 South Elevation**



**4700 Keele Street**

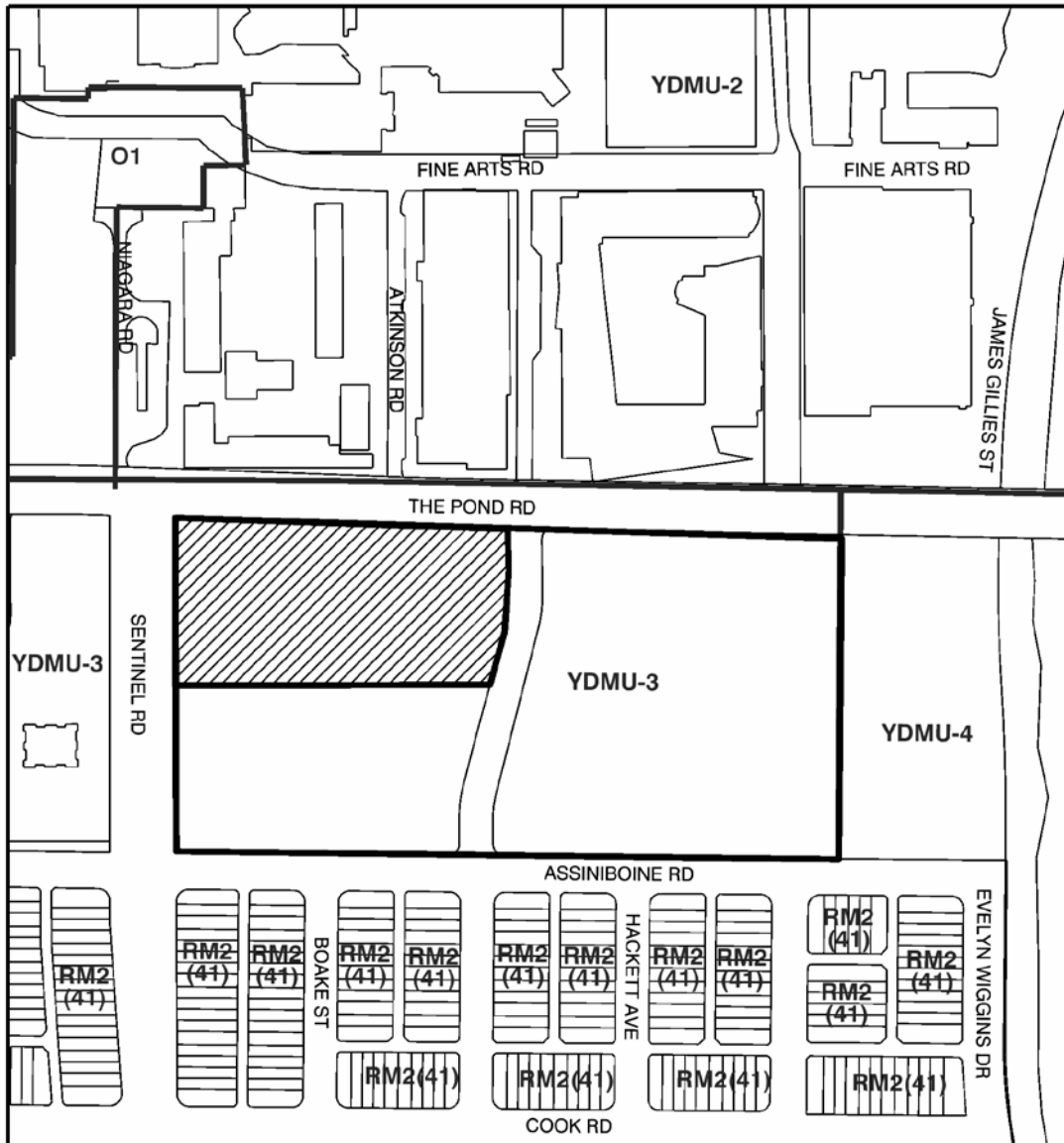
**Building C2 South Elevation**

Applicant's Submitted Drawing

Not to Scale  
08/11/2015

File # 14 159612 NNY 08 02

**Attachment 11: Former City of North York Zoning By-law 7625**



**Toronto** City Planning  
Zoning

4700 Keele Street  
File # 14 159612 NNY 08 0Z

RM1 Multiple-Family Dwellings First Density Zone  
RM2 Multiple-Family Dwellings Second Density Zone  
O1 Open Space Zone

YDMU-2 York Downsview Mixed Use-2 Zone  
YDMU-3 York Downsview Mixed Use-3 Zone  
YDMU-4 York Downsview Mixed Use-4 Zone

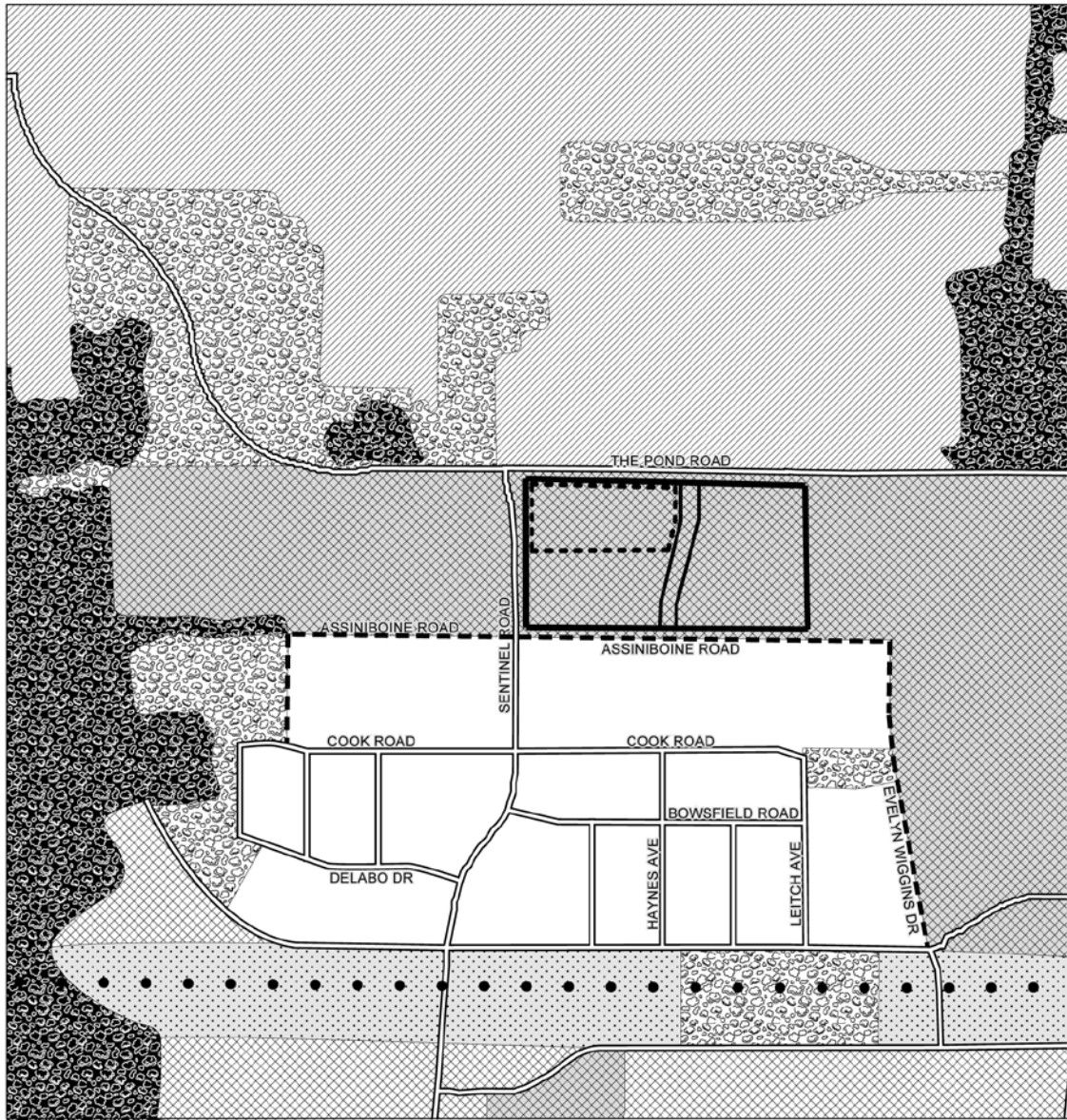


Extent of Subdivision Plan

↑  
Not to Scale  
Zoning By-law 7625  
Extracted 08/11/2015

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

**Attachment 12: Official Plan**



**TORONTO** City Planning  
**Extract from Official Plan**

**4700 Keele Street**

File # 14 159612 NNY 08 0Z  
 14 186422 NNY 08 SB

- |                          |                          |   |
|--------------------------|--------------------------|---|
| Subdivision              | Parks & Open Space Areas | Institutional Areas                       |
| Neighbourhoods           | Natural Areas            | Phase 1                                   |
| Apartment Neighbourhoods | Parks                    | Roads not currently shown on Land Use Map |
| Mixed Use Areas          |                          |   |

↑  
 Not to Scale  
 08/11/2015



## **Attachment 13: Draft Zoning By-law Amendment**

Authority: North York Community Council Item ~ as adopted by City of Toronto  
Council on ~, 20~

Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

**To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to the lands within the York University Secondary Plan Area.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; 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*;  
WHEREAS the Official Plan of the City of Toronto contains provisions relating to the authorization of increase in height and density of development; 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 owner of the lands hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the height and 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

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

1. Schedules “B” and “C” of By-law 7625 of the former City of North York are amended in accordance with Schedule 1 of this By-law.
2. Section 64 of By-law 7625 of the former City of North York is amended by adding the following Section:

**64.● EXCEPTIONS TO THE YORK DOWNSVIEW MIXED-USE-3 ZONE (YDMU-3)**

The following exceptions apply to the YDMU-3 Zone:

3. Section 64 of By-law 7625 of the former City of North York is amended by adding the following new subsection:

64.● YDMU- 3(1)

**DEFINITIONS** For the purpose of this exception

- (a) "*bedroom accommodation*" means a bedroom forming part of a *residence unit*.
- (b) For the purposes of this exception, "established grade" shall mean the elevation as fixed by the municipality at the centre line of the street at the midpoint of the lot line abutting The Pond Road, being the geodetic elevation of 199.17 metres above sea level.
- (c) "*private academic accommodations*" shall mean that part of a mixed-use building containing *residence units* used exclusively for students enrolled in a post-secondary institution on York University's Keele Campus; and, which is either,
- i. owned or operated by the post-secondary education institution, or
  - ii. operated by a third party under an agreement or lease from the post-secondary education institution requiring the premises to be operated as a student residence on behalf of the post-secondary education institution, and
- which mixed-use building provides access to the *residential units* only from an internal corridor system and which contains no other use except at grade non-residential retail space."
- (d) The terms "long-term" bicycle parking space and "short-term" bicycle parking space have the following meaning:
- i. "long-term" bicycle parking spaces are bicycle parking spaces for use by the occupants or tenants of a building, and shall be located in a secure, weather protected and enclosed bicycle parking area; and
  - ii. "short-term" bicycle parking spaces are bicycle parking spaces for use by visitors to a building and shall be located in an at-grade bicycle parking area.
  - iii. A bicycle parking space for a residence unit in a multi-unit residential building will not be provided within a dwelling unit, on a balcony or in a storage locker.

- iv. Bicycle parking space means an area equipped with bicycle racks that is used for the purpose of parking and securing a bicycle.
- (e) "*residence unit*" means living accommodation in a *private academic accommodation*, and which comprise of a *dwelling unit* or one or more *bedroom accommodations*, and which contain kitchen and sanitary facilities as well as common areas.
- (f) For the purpose of this exception 'Buildings C1 and C2' shall mean Buildings C1 and C2 on Schedule YDMU-3(1).

### **PERMITTED USES**

- (g) Notwithstanding Section 42.1 (Permitted Uses) of By-law 7625, non-residential uses, including private recreational amenity areas, shall include restaurants, retail stores, community centres, clubs, personal service shops, professional medical offices, professional offices, artist studios, art galleries, commercial galleries, dry cleaning and laundry collecting establishment, printing, financial institutions, fitness centres, office uses, outdoor cafés and take-out restaurants, and shall be permitted on the lands identified on Schedule 1.
- (h) Only non-residential uses shall be contained in the ground floor of the building, except for accessory residential uses (including but not limited to residential lobby space, mail rooms, garbage/recycling rooms, mechanical rooms, utility rooms, exit stairs and corridors). Notwithstanding the above, a maximum of 5 *residence units* are permitted on the ground floor of Building C1 and a maximum of 12 *residence units* on the ground floor of Building C2 provided the *residence units* do not front onto a public street.
- (i) No non-residential uses shall be permitted in the remaining floors of the buildings.

### **EXCEPTION REGULATIONS**

#### **GROSS FLOOR AREA**

- (a) Notwithstanding Section 42.2.2 (Gross Floor Area) of By-law 7625:
  - i. The total gross floor area of all buildings combined on Parcels C1 and C2 on Schedule YDMU-3(1) shall be a maximum of 31,850m<sup>2</sup>.
  - ii. The maximum gross floor area of Building C1 shall be 14,550 m<sup>2</sup>.
  - iii. The maximum gross floor area of Building C2 shall be 17,300 m<sup>2</sup>.
  - iv. The minimum gross floor area of non-residential uses for Buildings C1 and C2 combined shall be 2,475m<sup>2</sup>.
  - v. The maximum gross floor area for non-residential uses for Buildings C1 and C2 combined shall be 2,600m<sup>2</sup>.
  - vi. The maximum gross floor area of private academic accommodations uses for Buildings C1 and C2 combined shall be 29,050m<sup>2</sup>.

- vii. For buildings C1 and C2, storage locker space and bicycle parking areas, located within a building but not within a dwelling unit shall be excluded from the calculation of gross floor area.

**RESIDENCE UNITS AND BEDROOM ACCOMMODATIONS**

- (b) The total number of *residence units* for Buildings C1 and C2 shall not exceed 487.
- (c) Building C1 shall have a maximum of 210 *residence units*.
- (d) Building C2 shall have a maximum of 277 *residence units*.
- (e) A maximum of 4 bedrooms per *residence unit* shall be permitted.
- (f) The minimum size of any *residence units* on the lands identified on Schedule 1 shall be as follows:

Bachelor residence unit	24.7m <sup>2</sup>
1 bedroom residence unit	40m <sup>2</sup>
2 bedroom residence unit	49m <sup>2</sup>
3 bedroom residence unit	110m <sup>2</sup>
4 bedroom residence unit	116m <sup>2</sup>

**BUILDING HEIGHT**

- (g) The provisions of Section 42.2.3 (Height of Buildings or Structures) shall not apply on the lands identified on Schedule 1. The maximum building heights shall not exceed the heights in metres measured from established grade, to a maximum of 6 storeys, as set out in Schedule YDMU-3(1).
- (h) Despite (g) above, a penthouse or other roof structure which is used only as an ornament or to house the mechanical equipment of the building, or stairwells to access the roof:
  - a) Does not constitute a storey and shall be disregarded in calculating the height of a building;
  - b) Shall not exceed a height of 2.5 metres;
  - c) Shall cover no more than 30% of the area of the roof.

**SEPARATION DISTANCES**

- (i) The minimum horizontal facing distance between the windows of dwelling units of Building C1 and C2 will be 26.3 metres.

## COURTYARD REQUIREMENTS

- (j) Courtyards identified in Schedule YDMU-3(1) will have a maximum height of 0 metres.

## YARD SETBACKS

- (k) Notwithstanding Section 42.2.4 (Yard Setbacks) of By-law 7625, on the lands identified on Schedule 1, the minimum yard setbacks for all buildings and structures above established grade shall be as shown on Schedule YDMU-3(1).
- (l) The minimum yard setbacks shown on Schedule YDMU-3(1) shall not apply to canopies, window sills, railings, lighting fixtures, ornamental elements, transformer vaults, signs, retaining walls, exterior stairways and stairway enclosures, wheelchair ramps and decks, ramps, pergolas and gazebos.

## PARKING

- (m) Notwithstanding Section 6(A)(2), 6A(4) and 6(A)(12)(a) and (b) of By-law 7625, and notwithstanding any severance, partition or division of the lands shown on Schedule 3, or additional structures thereof, a minimum of 40 parking spaces for *private academic accommodation* uses on the lands identified on Schedule 1 shall be provided within the lands shown on Schedule 3.
- (n) Parking for *private academic accommodations* within the site on Schedule 1 shall be provided within the lands shown on Schedule 3 in accordance with the following:
- i. A minimum of 0.083 spaces per *residence unit*.
- (o) Parking for non-residential uses shall be provided within the lands shown on Schedule 3 attached hereto as follows:

Restaurant, Outdoor café, Take-out facilities	0/100m <sup>2</sup>
Community Centres, Art Galleries, Commercial Galleries, Fitness Centre	0.5/100m <sup>2</sup>
Retail stores, Personal Service Shops, Professional Offices, Artist Studios, Dry Cleaning Establishments, Laundry Establishments, Office	Minimum of 1.0/100m <sup>2</sup> to a maximum of 4.0/100m <sup>2</sup>
Professional Medical Office	1.5/100m <sup>2</sup>
Financial Institution	2.0/100m <sup>2</sup>
Clubs	5.5/100m <sup>2</sup>

- (p) Where there is a change in use, or an alteration or addition to a building, on the lands shown on Schedules 1 and 3, the required parking shall be recalculated in accordance with subsection (n) and (o) of this by-law. Where the total number of parking spaces required to be provided is not available, the change in use, alteration or addition shall not be permitted without variance or amendment to this by-law.

### **BICYCLE PARKING**

- (q) Bicycle parking shall be provided on the lands identified on Schedule YDMU-3(1) in accordance with the following:
- a. C1: Residential Long Term Parking – a minimum of 173 bicycle spaces;
  - b. C1: Residential Short Term Parking – a minimum of 42 spaces
  - c. C1: Non-Residential Long Term Parking - a minimum of 3 spaces
  - d. C1: Non-Residential Short Term Parking – a minimum of 6 spaces
  - e. C2: Residential Long Term Parking – a minimum of 222 bicycle spaces;
  - f. C2: Residential Short Term Parking – a minimum of 56 spaces
  - g. C2: Non-Residential Long Term Parking - a minimum of 5 spaces
  - h. C2: Non-Residential Short Term Parking – a minimum of 31 spaces
- (r) A bicycle parking space must be located on the same lot as the use for which it is required.

### **LOADING**

- (s) The provisions of Section 6A(16) (Loading Requirements) of By-law 7625 shall not apply and loading shall be provided as follows:
- i. a minimum of one (1) Type G loading space shall be provided for building C1 on the lands shown on Schedule YDMU-3(1);
  - ii. a minimum of one (1) Type G loading space shall be provided for building C2 on the lands shown on Schedule YDMU-3(1)and
  - iii. A type G loading space may have minimum dimensions of 13.0 m long by 4.0 m wide and 6.1 m high.

### **RECREATIONAL AMENITY AREA**

- (t) Residential amenity area shall be provided in accordance with the following:
- i. a minimum of 4.0 m<sup>2</sup> indoor recreational amenity area per residence unit, of which a minimum of two common amenity rooms shall be provided per floor;
  - ii. a minimum of 5.5 m<sup>2</sup> of outdoor recreational amenity area per residence unit; and,

- iii. notwithstanding any definition of residential amenity area in By-law 7625, any indoor recreational amenity area or outdoor recreational amenity area provided on the lands shown on Schedule 1 shall be accessible by the residents of any building erected on the lands shown on Schedule 1.
- iv. The lands between Buildings C1 and C2 shall not be included as part of the calculation of outdoor recreational amenity area.

#### **RETAIL FRONTAGE**

- (u) *Private academic accommodations* shall not be permitted at-grade adjacent to The Pond Road, Sentinel Road and Street D (extension of Haynes Avenue), except for residential entrances and lobbies. All other ground floor uses shall be subject to a maximum frontage width of 15 metres inclusive of up to 2m for service corridors.

#### **DIVISION OF LANDS**

- (v) 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 as if it remained one lot.

#### **PROVISIONS NOT APPLICABLE**

- (w) The provisions of Section 65(9) shall not apply to the lands identified in bold in Schedule YDMU-3(1).

### **4. SECTION 37 AGREEMENT**

- (a) Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this exception are permitted subject to compliance with the conditions set out in this exception and in return for the provision by the owner of the lands shown on Schedule "YDMU-3(1)" of the facilities, services and matters set out below, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the *Planning Act* and in a form satisfactory to the City, with conditions providing for indexed escalation of financial contributions, no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement.
  - a. Upon execution and registration of the said agreement or agreement(s), the said lands are subject to the provisions of this exception, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements.
  - b. The owner, at the owner's expense and in accordance with and subject to the said agreement(s), shall provide or fund the following facilities, services and/or matters:

Before introducing the necessary Zoning Bill to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act to secure the following:

22. Participate in the City's Percent Public Art Program and provide a cash contribution at a minimum value of 1% of the gross construction costs of the development or a minimum of \$500,000, whichever is greater, in accordance with a Public Art Plan submitted by the owner to the satisfaction of the City. The cash contribution shall be paid prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law.
23. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law, the Owner shall make a cash contribution to the City in the amount of \$204,195 to be used for the provision of a local community recreational facility and \$147,491 for day care facilities. The financial contribution amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the registration of the Section 37 Agreement to the date of payment for the local community recreational facilities and daycare facilities. The Section 37 agreement will set out the allocation of contributions for the local community recreational facilities and daycare facilities.
24. The owner shall provide affordable rental housing for 60 students as part of the *private academic accommodations* in Buildings C1 and C2 in accordance with the following provisions which shall be further set out in the Section 37 agreement with the City:
  - ix. The affordable rental housing will comprise 60 *bedroom accommodations* within a range of *residence unit* types comprising bachelor, 1, 2, 3 and 4 bedrooms.
  - x. The owner will maintain the *private academic accommodations* in Buildings C1 and C2 as rental housing, with no application for condominium registration or for conversion to non-rental housing purposes.
  - xi. Affordable rents will be charged to the tenants who occupy one of the 60 *bedroom accommodations* for a period of 15 years following the initial occupancy of each of buildings C1 and C2, providing that the affordable rental *bedroom accommodations* commence occupancy at the same time, subject to the provisions in 4.c. (i) and (ii).
  - xii. The affordable rents will be based on an average rent level of approximately \$900 monthly derived from an average rent for comparable existing student residence accommodations on the York University campus set for the academic year commencing September



2016, adjusted further to reflect differences in lease terms and arrangements for television services in the *private academic accommodations*, and varied by *residence unit* type and to reflect single or shared *bedroom accommodations*.

- xiii. Rents may be increased annually by the provincial Rent Increase Guideline during the 15 year period
- xiv. After the expiry of the 15 year period, rents charged to tenants newly occupying one of the 60 affordable rental *bedroom accommodations* will not be subject to restrictions by the City of Toronto under the terms of the section 37 Agreement entered into under this by-law.
- xv. Eligibility criteria for students who rent one of the 60 affordable rental *bedroom accommodations* will require that such student is receiving financial assistance under the Ontario Student Assistance Program.
- xvi. The *residence units* which contain affordable rental *bedroom accommodations* shall be furnished and equipped with kitchen and bathroom facilities.

25. The Hoover House will be addressed as follows:

Prior to the issuance of the first above grade building permit for buildings on the lands identified in Schedule 1 of the draft by-law, the Owner shall:

- v. Provide a Stabilization and Protection Plan for the Hoover House, including a schedule of work and timing for completion, prepared by a qualified heritage consultant, all to the satisfaction of the Manager, Heritage Preservation Services,
- vi. Provide a Conservation and Maintenance Plan for the Hoover House, including a schedule of work and timing for completion, prepared by a qualified heritage consultant, all to the satisfaction of the Manager, Heritage Preservation Services.
- vii. Enter into a Heritage Easement Agreement for the property at 4700 Keele Street, known as the Hoover House, subject to and in accordance with the required Stabilization and Protection Plan and Conservation and Maintenance Plan, all to the satisfaction of the Manager, Heritage Preservation Services, including registration of such agreement to the satisfaction of the City Solicitor prior to the registration of the subdivision agreement.
- viii. Pay all costs associated with the implementation of the Stabilization and Protection Plan, the Conservation and Maintenance Plan and any related heritage studies needed to determine a compatible future use for the Hoover House.

26. A minimum of 110 square metres of gross floor area shall be provided on the ground floor of a building on Block 'A' (Building C1 or C2), as shown on Schedule 4 of the draft by-law, for the purpose of providing a community bike centre, which space shall be made available for a nominal rent for a period of not less than 5 years following occupancy of the building to a not-for-profit organization for the purpose of providing a community bike centre or other community-oriented use mutually agreed upon by the City and the owner.

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

27. Parkland dedication

- iv. The Owner shall remediate, construct to base park condition, and convey a 1.24 hectare park as part of the development of the subdivision (Phase 1 and Phase 2 of the subdivision). The park remediation, construction and conveyance shall be phased as follows: a 0.6595 hectare portion of the park will be conveyed prior to the earlier of within three months of first residential occupancy of Phase 1 of the subdivision and December 30<sup>th</sup>, 2017, and the remaining 0.5805 hectare portion will be conveyed prior to the issuance of the first above grade building permit for Phase 2 of the draft plan of subdivision identified in Attachment 2.
- v. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1), the Owner shall submit a reference plan identifying the boundaries of the 0.6595 hectare Phase 1 park, and the 0.5805 hectare Phase 2 park, generally located on the lands identified as Block B-2 on Schedule 4 of the draft by-law. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1) the Owner agrees to enter into an escrow agreement with the City for the Phase 1 park conveyance and the Phase 2 park conveyance.
- vi. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1), the Owner shall submit a letter of credit for the value of the 0.6595 ha portion of the park (Phase 1 park) and for the value of base park improvements to the Phase 1 park to secure the conveyance and construction of the park.

28. The Owner agrees to construct Street A as generally shown on Schedule 4 of the draft by-law and as follows:

- d) Street A will be constructed as a 18.5 metre wide public right-of-way extending north-south from The Pond Road to Assiniboine Road and conveyed to the City of Toronto prior to the issuance of the first above grade building permit for development (elementary school and/or community centre) on Block B-1 as generally shown on Schedule 4 of the draft by-law.

- e) Any remediation of the lands to be conveyed to the City will be borne by the Owner.
- f) The exact location of Street A will be identified in a Reference Plan to the City's satisfaction prior to the issuance of the first above grade building permit of development in Block A as shown on Schedule 4 of the draft by-law.

29. Street D (as generally shown on Schedule YDMU-3(1) of the draft by-law)

- a. The Owner shall construct, at no cost to the city, the proposed extension of Street D, from Assiniboine Road to The Pond Road, to the satisfaction of the Executive Director, Engineering and Construction Services.
- b. Prior to the issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall post a Letter of Credit as security for the value of the lands and construction of the proposed extension of Haynes Avenue from Assiniboine Road to The Pond Road and related municipal servicing equal to 120% of the cost of all services to the satisfaction of the Executive Director, engineering and Construction Services. The submitted Letter of Credit to guarantee the construction of the Haynes Avenue extension from Assiniboine Road to The Pond Road, will be released following construction of the road submit to the satisfaction of the Executive Director, Engineering and Construction Services, less 20% of the total value which will be retained for a two year period as a performance guarantee.
- c. Prior to the issuance of the first above grade building permit for Buildings C1 or C2 the Owner shall provide a detailed pavement marking plan for proposed Street D and provide securities for these works, in an amount determined upon receipt of an acceptable pavement markings plan, to the satisfaction of Executive Director, Engineering and Construction Services.
- d. The Owner shall conduct an environmental site assessment as per City Directive No. ENV-010-2013 for all streets to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC). These services shall be constructed concurrently as other on-site services or such other timing that is agreed to at the sole discretion of the Executive Director, Engineering and Construction Services.
- e. The Owner shall convey and dedicate all proposed public roads in Phase 1 (Street D – extension of Haynes Road) as generally shown on Schedule YDMU-3(1) of the draft by-law to the City of Toronto as a Public Highway, free and clear of any and all encumbrances in accordance with the Development Infrastructure Policy and Standards and draft Urban Guidelines for the Southwest Precinct, to the satisfaction of the Executive Director,

Engineering and Construction Services and Director, City Planning Division,  
North York District.

30. Prior to issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall submit a financial guarantee of \$200,000 in the form of a letter of credit to the Engineering and Construction Services Division, City of Toronto, for the traffic signal at the intersection of The Pond Road, Haynes Avenue extension and Seneca Lane.
31. Prior to issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall submit a certified cheque in the amount of \$30,000 for the future maintenance of The Pond Road, Haynes Avenue extension and Seneca Lane signalized intersection.
32. Prior to the issuance of the first above grade building permit for buildings on Phase 1 of the subdivision lands (Attachment 2), excluding a permit for demolition or a rental/sales centre, the owner shall submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office, which identifies the following:
  - i. Public Road, Haynes Avenue between Assiniboine Road and The Pond Road; and
  - ii. Public Road, Leitch Avenue/Ian MacDonald Boulevard extension, (between Assiniboine Road and The Pond Road).
33. The Owner shall pay for all costs for preparation and registration of reference plan(s).
34. Prior to the issuance of the first above grade building permit for Buildings C1 and C2 as identified on Schedule YDMU-3(1) of the draft by-law, the owner shall provide a security (TBD) for the proposed ultimate cross section of The Pond Road [five (5) lane cross section including two (2) bicycle lanes, and two (2) through lanes], between Sentinel Road and Street D to the satisfaction of the Executive Director, Engineering and Construction Services.
35. Prior to the issuance of the first above grade building permit for Buildings C1 and C2 the owner shall submit a security (TBD) to the City for the future implementation of a westbound left-turn lane at the Street D and The Pond Road intersection should it be deemed necessary by the General Manager of Transportation Services. The payment shall be refunded back to the Owner two years after the occupancy of Phase 1 (two years from September 1, 2017) should the left turn lane be deemed unnecessary the General Manager, Transportation Services.
36. Obligation to Re-naturalize the Priority Restoration Area

- viii. Prior to Site Plan approval of Buildings C1 or C2 in Schedule YDMU-3(1) of the draft by-law, the Owner shall prepare and submit a “Black Creek Valley Priority Restoration Area Stewardship Plan” for Block C as generally illustrated on Schedule 4, to the satisfaction of Urban Forestry Ravine and Natural Feature Protection. Once approved, the plan will guide restoration and stewardship activities in the Black Creek Valley Priority Restoration Area.
- ix. Prior to Site Plan approval of Buildings C1 or C2 in Schedule YDMU-3(1) of the draft by-law, the exact location of the Phase 1 and Phase 2 priority restoration areas and the 10m buffer shall be identified in a Reference Plan to the satisfaction of Urban Forestry Ravine and Natural Feature Protection prior to registration of the Plan of Subdivision. Phase 1 generally includes the northern portion of the Priority Restoration Area (Block C on Schedule 4) and Phase 2 generally includes the southern portion of Block C currently occupied by the Maloca Community Garden.
- x. Prior to Site Plan approval of the first development within Phase 1 of Schedule YDMU-3(1) of the draft by-law, the Owner shall submit a security deposit to the satisfaction of Urban Forestry Ravine and Natural Feature Protection to secure the implementation of the “Black Creek Valley Priority Restoration Area Stewardship Plan”.
- xi. Within three months of Occupancy or no later than December 1, 2017 of Buildings C1 or C2 as identified on Schedule YDMU-3(1) of the draft by-law, the Owner will undertake the first phase of stewardship/restoration activities in the Black Creek Valley Priority Restoration Area identified as Block C as illustrated on Schedule 4 of the draft by-law (or as identified in the approved Reference Plan). Stewardship/restoration activities shall be implemented in accordance with the objectives and strategies outlined in the “Black Creek Valley Priority Restoration Area Stewardship Plan” to the satisfaction of Urban Forestry Ravine and Natural Feature Protection.
- xii. Prior to the issuance of the first above grade permit of development within Phase 2 as identified on the draft plan of subdivision (Attachment 2 of the report dated September 3, 2015), or as otherwise agreed to by Urban Forestry Ravine and Natural Feature Protection, the Owner will undertake the second phase of stewardship/restoration activities in the Black Creek Valley Priority Restoration Area identified as Block C as illustrated on Schedule 4 (or as identified in the reference plan). Stewardship/restoration activities shall be implemented in accordance with the objectives and strategies outlined in the “Black Creek Valley Priority Restoration Area Stewardship Plan” to the satisfaction of Urban Forestry Ravine and Natural Feature Protection.
- xiii. Prior to undertaking re-naturalization within the Priority Restoration Area, the Owner shall submit to the satisfaction of City Planning a Stage 3 Archaeological Assessment to determine the boundaries of the archaeological site(s).

- xiv. The Owner agrees to pay all costs associated with the implementation of the “Black Creek Valley Priority Restoration Area Stewardship Plan”.
37. School/Community Recreation Centre
- a. An area not less than 1.79 hectares on Block B-1 as generally shown on Schedule 4 of the draft by-law will be reserved for a school and/or City of Toronto Community Recreation Facility. It is acknowledged that the City will initiate appropriate capital planning exercises and begin the design and construction of the community recreation centre, if necessary, at such time when a minimum of 4,000 residential units have received planning approvals in the Edge Precincts to ensure construction is completed in a timely manner for the full-build out of the Secondary Plan area, subject to City Council approval.
  - b. The Owner may be required to convey to the Toronto District School Board, the Toronto Catholic District School Board and/or the City of Toronto a portion of Block B-1 to develop an elementary school and/or community recreation centre at fair market value.
38. The lands located to the west of Passy Crescent, identified as Blocks B-1 and B-2 on Schedule 4 of the draft by-law, are reserved for future community use and include a school and community centre and public park. These lands have not been subject to archaeological assessment. Should these lands be subject to any soil disturbance in the future a Stage1-2 Archaeological Assessment would be required by Heritage Preservation Services.
39. Prior to undertaking re-naturalization within the lands known as Block C in Schedule 4 of the draft by-law, a Stage 3 Archaeological Assessment will be undertaken for the lands within the re-naturalization area (Block C).
40. 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.
41. The owner shall agree to the registration of a Section 118 Restriction pursuant to the Land Titles Act as the Chief Planner determines is appropriate for each of the public streets identified on the Draft Plan of Subdivision on Attachment 2 as well as Street A, park lands (Block B-2) and potential school/community centre lands (Block B-1) identified on Schedule 4 of the draft by-law.
42. The Section 37 Agreement must:
- a. secure such conditions of subdivision approval as the Chief Planner determines are appropriate, and

- b. Require the Owner to enter into the City's standard Subdivision agreement for Phase 1 and satisfy the pre-registration conditions contained therein by September 1, 2017, or at a later date at the discretion of the Director, Development Engineering and Construction Services.
  
- j. Within the lands shown on Schedule "1" attached to this By-law
  - a. 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, to the satisfaction of the Direction, Development and Construction Engineering, and
    - ii. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational, to the satisfaction of the Director, Development and Construction Engineering.
    - iii. Notwithstanding i. and ii. above, Buildings C1 and C2 can be erected and used upon the lands within Schedule 1 provided they have satisfactory access to The Pond Road and Sentinel Road, and satisfactory watermains and sanitary sewers, all to the satisfaction of the Director, Development and Construction Engineering.

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

JOHN TORY,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

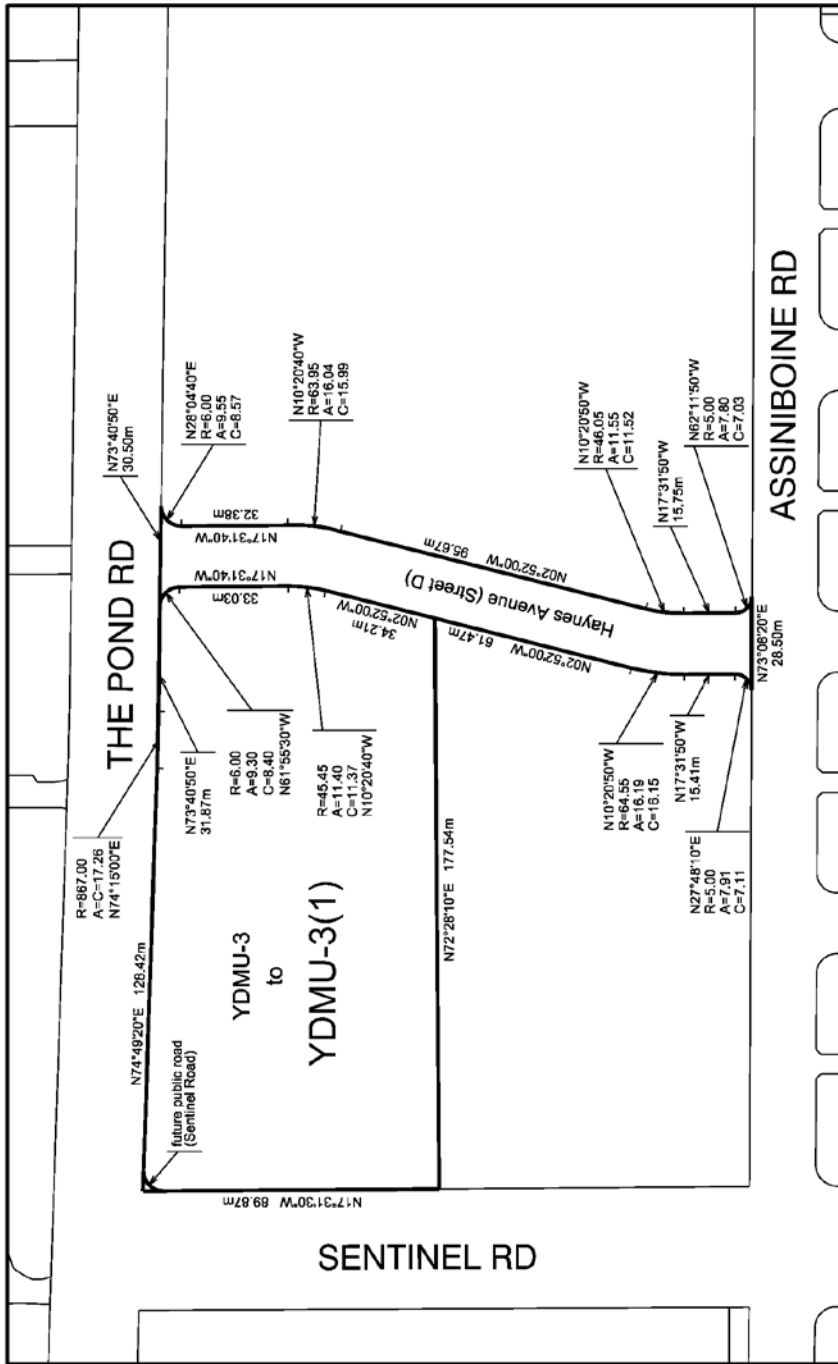
ENACTED AND PASSED this ~ day of ~, A.D. 2015.

JOHN TORY,

ULLI S. WATKISS,

Mayor

City Clerk



**Toronto** City Planning

**Schedule 1**

Part of Lots 22 and 23, Concession 4, W.Y.S.

MMM Geomatics Ontario Ltd.

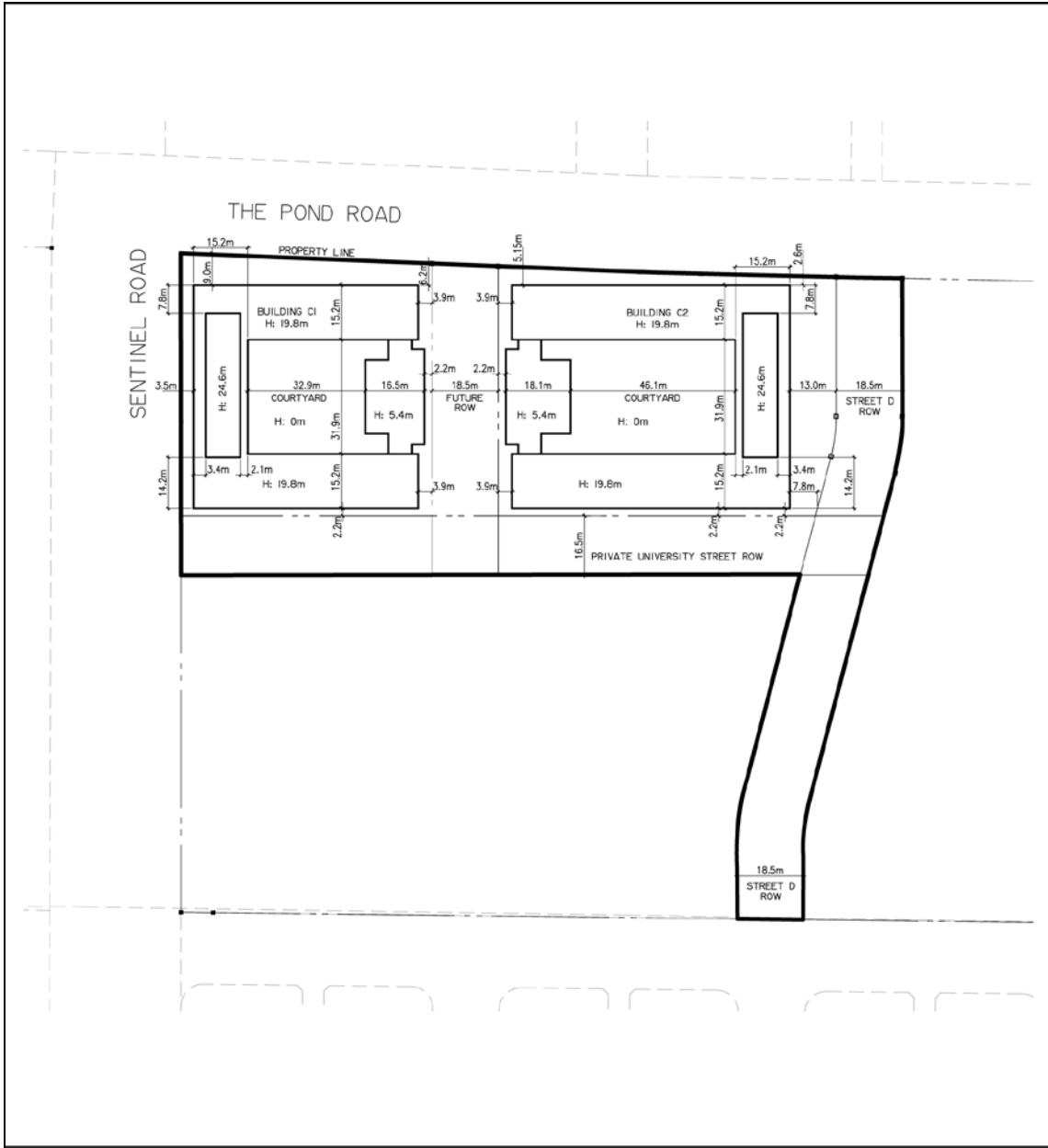
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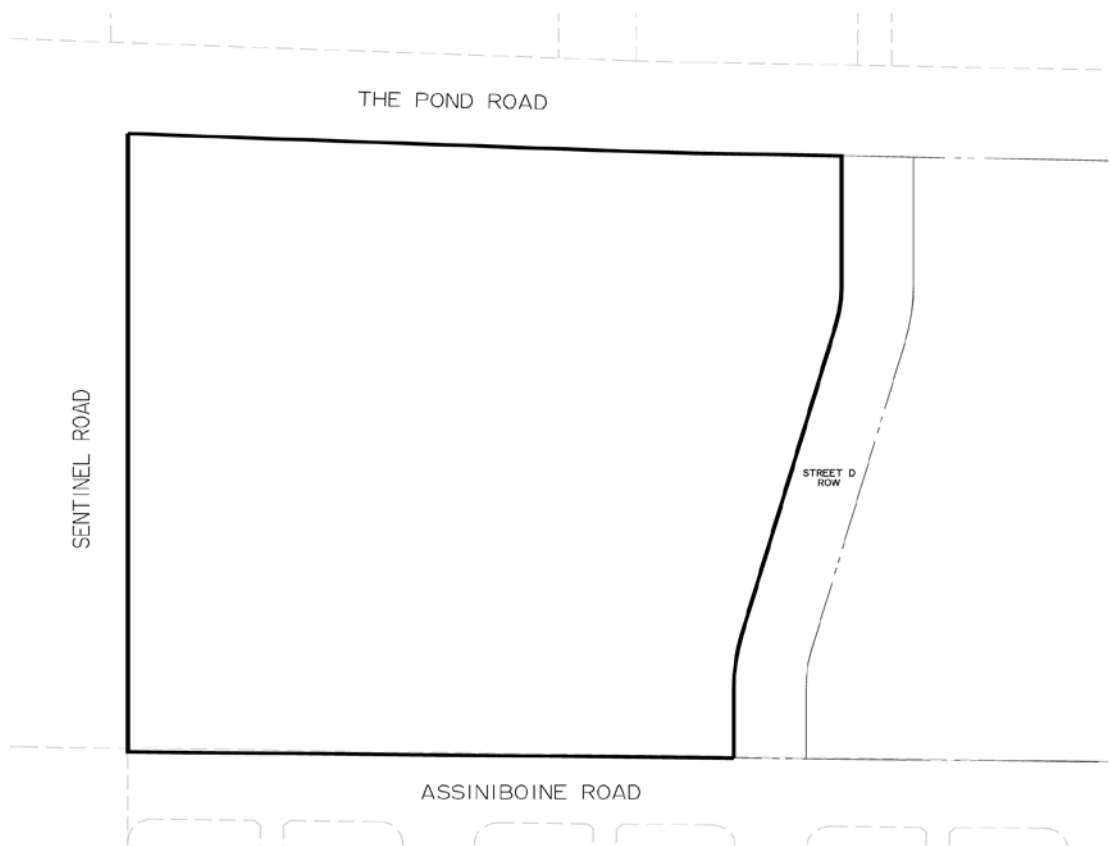
Approved by: A.S.

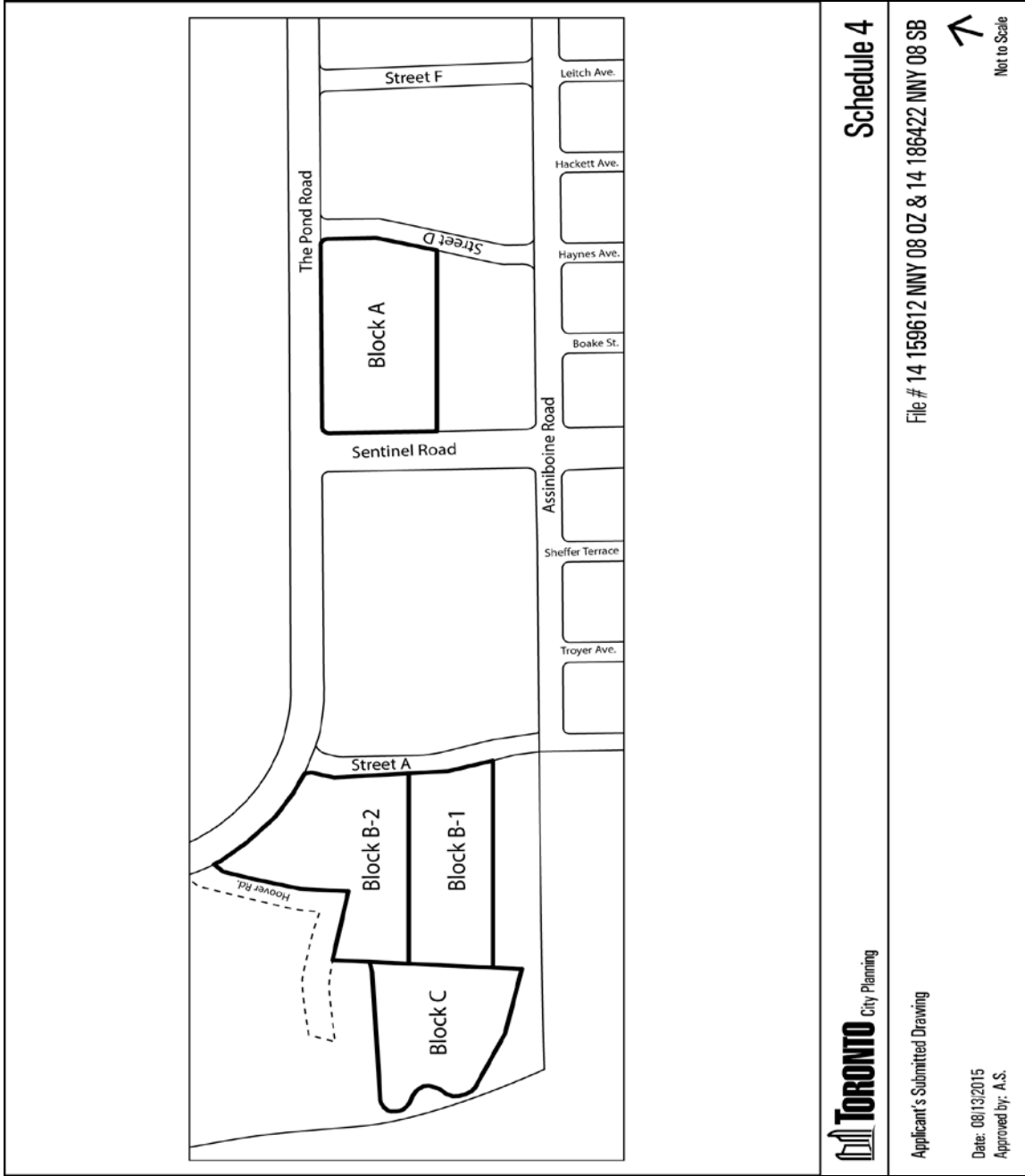


Not to Scale









**Schedule 4**



File # 14 159612 NNY 08 07 & 14 186422 NNY 08 SB

Applicant's Submitted Drawing

Date: 08/13/2015  
 Approved by: A.S.

Not to Scale

## **Attachment 14: Conditions of Draft Plan of Subdivision**

### Subdivision Draft Plan Conditions

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein by September 1, 2017 or at a later date at the discretion of the Director, Development Engineering and Construction Services and the Director, City Planning, North York District.
2. The Owner shall provide to the Director of Community Planning, North York District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to section 40 of the assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
3. The Official Plan land use designations and zoning implementing the Official Plan are in full force and effect.
4. The Owner shall illustrate, convey and dedicate all proposed public roads in Phase 1 (Street D – extension of Haynes Road) as shown on the plan of subdivision to the City of Toronto as a Public Highway, free and clear of any and all encumbrances in accordance with the Development Infrastructure Policy and Standards and draft Urban Guidelines for the Southwest Precinct, to the satisfaction of the Executive Director, Engineering and Construction Services and Director, City Planning Division, North York District.
5. Convey all necessary easements to the City.
6. Prior to the issuance of the first above grade building permit for Buildings C1 and C2 as identified on Schedule YDMU-3(1) of the draft by-law, the owner shall agree to provide a security (TBD) for the proposed ultimate cross section of The Pond Road [five (5) lane cross section including two (2) bicycle lanes, two (2) through lanes and left turn lane], between Sentinel Road and Street D to the satisfaction of the Executive Director, Engineering and Construction Services.
7. The owner shall agree to construct at no cost to the city, the proposed ultimate cross section of The Pond Road comprising a five (5) lane cross section including two (2) bicycle lanes, two (2) through lanes and left turn lane, between Sentinel Road and Ian Macdonald Boulevard prior to the first above grade building permit for Block 3 or 4 identified on draft plan of subdivision (Attachment 2) to the satisfaction of the Executive Director, Engineering and Construction Services.

8. The Owner is responsible for all costs associated with the removal of all existing accesses, curb cuts, traffic control signs, etc. along the development site frontage that are no longer required and reinstate the boulevard as per the site plan drawings approved by the Director of Community Planning, North York District
9. The Owner is responsible for any and all costs associated with traffic control signal modifications required at all intersections analyzed in the traffic impact study, including but not limited to phasing optimization/timing modifications, hardware and plant modifications, etc. The Owner will be required to complete any and all necessary adjustments to the traffic control signal plants to the satisfaction of the Manager, Traffic Control and Safety, City of Toronto.
10. Prior to the issuance of the first above grade building permit for buildings on Phase 1 of the subdivision lands (Attachment 2), excluding a permit for demolition or a rental/sales centre, the owner shall submit a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing as separate PARTS thereof the lands to be conveyed to the City to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office, which identifies the following:
  - Public Road, Haynes Avenue between Assiniboine Road and The Pond Road); and
  - Public Road, Leitch Avenue/Ian MacDonald Boulevard extension, (between Assiniboine Road and The Pond Road).
11. The Owner shall pay for all costs for preparation and registration of reference plan(s).

*Streets D (extension of Haynes Avenue) and Street F (extension of Leitch Avenue/Ian MacDonald Boulevard)*

12. The Owner shall agree to construct, at no cost to the city, the proposed extension of Haynes Avenue (Street D), from Assiniboine Road to The Pond Road, to the satisfaction of the Executive Director, Engineering and Construction Services.
13. Prior to the first above grade building permit for Buildings C1 or C2 the Owner shall provide a detailed pavement marking plan for proposed Street D and provide securities for these works, in an amount determined upon receipt of an acceptable pavement markings plan, to the satisfaction of Executive Director, Engineering and Construction Services.
14. Prior to issuance of the first above grade building permit for Blocks 4 or 8, whichever comes first, the Owner shall agree to construct, at no cost to the city, Street F, to the satisfaction of the Executive Director, Engineering and Construction Services.

15. Prior to issuance of the first above grade building permit for Blocks 4 or 8, whichever comes first, the Owner shall provide a detailed pavement marking plan for proposed Street F and provide securities for these works, in an amount determined upon receipt of an acceptable pavement markings plan, to the satisfaction of Executive Director, Engineering and Construction Services.
16. The Owner shall conduct an environmental site assessment as per City Directive No. ENV-010-2013 for all streets to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC). These services shall be constructed concurrently as other on-site services or such other timing that is agreed to at the sole discretion of the Executive Director, Engineering and Construction Services.
17. Prior to issuance of the first above grade building permit for Blocks 4 or 8, whichever comes first, the Owner shall convey Street F to the City.
18. Prior to issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall post a Letter of Credit as security for the value of the lands and construction of the proposed extension of Haynes Avenue from Assiniboine Road to The Pond Road and related municipal servicing equal to 120% of the cost of all services to the satisfaction of the Executive Director, Engineering and Construction Services. The submitted Letter of Credit to guarantee the construction of the Haynes Avenue extension from Assiniboine Road to The Pond Road, will be released following construction of the road subject to the satisfaction of the Executive Director, Engineering and Construction Services, less 20% of the total value which will be retained for a two year period as a performance guarantee.
19. Prior to issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall submit a financial guarantee of \$200,000 in the form of a letter of credit to the Engineering and Construction Services Division, City of Toronto, for the traffic signal at the intersection of The Pond Road, Haynes Avenue extension and Seneca Lane.
20. Prior to issuance of the first above grade building permit for Blocks 1 and 2, the Owner shall submit a certified cheque in the amount of \$30,000 for the future maintenance of The Pond Road, Haynes Avenue extension and Seneca Lane signalized intersection.
21. The Owner shall submit a Construction Management Plan for review and acceptance, prior to commencement of any construction activities, to the satisfaction of the Executive Director, Engineering and Construction Services.
22. The Owner shall provide 120 days notice to the Executive Director, Engineering and Construction Services prior to the commencement of construction on the extension of Haynes Avenue between Assiniboine Road and The Pond Road.

23. Apply stormwater management techniques in the development of this subdivision to the satisfaction of the City of Toronto, Engineering and Construction Services.
24. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
25. Provide engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
26. Provide certification to the Executive Director, Engineering and Construction Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
27. Submit plans to the satisfaction of the Executive Director, Engineering and Construction Services, including the following:
  - Sentinel Road bicycle improvements pavement marking plan from Assiniboine Road to The Pond Road (interim condition);
  - Functional plan and signal plan for signalization of The Pond Road and Haynes Road (interim condition);
  - Functional plan for signalization of The Pond Road and Haynes Road (ultimate condition); and
  - Functional plan of a westbound left-turn lane at the Ian MacDonald Boulevard/The Pond Road intersection.
28. Submit (\$TBD) in the form of a certified cheque to the Engineering and Construction Services Division, City of Toronto, for the pavement marking and signage cost of the Sentinel Road bicycle improvements.
29. All traffic signal design and installation will be the responsibility of the developer. The Developer is required to get drawings approved by the City prior to installation. Traffic signal device(s) must include the supply and installation of all civil components (pole bases, hand wells, conduit, etc.) all electrical work (including the arrangements and payment for disconnect inspection by the Electrical Safety Authority and connection by Toronto Hydro) and all traffic equipment (poles, traffic arms, accessible pedestrian signal units, vehicle and pedestrian heads, etc.). In the event that the traffic signal device(s) requires any interconnect to adjacent signals, it shall be the responsibility to have all underground civil and electrical work included. The City will be responsible for the programming of the traffic controller cabinet. Arrangement will need to be made with the City of Toronto for the pick-up of the cabinet at 1050 Ellesmere Road. The developer will be responsible for the full traffic controller cabinet and programming costs. All works must be performed by one of the City of Toronto approved Contractors.

*Phasing of the Plan of Subdivision*

30. The Owner and the City shall acknowledge in the Subdivision Agreement that the Owner shall register the plan of subdivision in two phases, with Phase 1 consisting of Blocks 1, 2, 3, 22, and the extension of Haynes Avenue (Street D), Phase 2 consisting of Blocks 4-21, provided that the boundary of each phase and the conditions specific to each phase are subject to the approval by the Executive Director, Engineering and Construction Services and the Chief Planner and Executive Director, City Planning prior to the release of each phase for registration.

#### *GENERAL TECHNICAL SERVICES CONDITIONS*

31. Prior to the registration of the draft plan of subdivision, the Owner shall agree to either construct or make satisfactory arrangements including any financial security required to ensure the construction of all proposed infrastructure works necessary to service the subdivision to the satisfaction of the Executive Director, Engineering and Construction Services.
32. The Owner's consulting engineer shall submit to the Executive Director, Engineering and Construction Services four complete sets of the following drawings/documents for examinations and satisfaction of the Executive Director, Engineering and Construction Services.
- Plan and Profile of all services and proposed infrastructure;
  - General Plan;
  - Grade Control Plan;
  - Storm Sewer Drainage Plan;
  - Sanitary Sewer Drainage Plan;
  - Drawings of Miscellaneous Details and Notes;
  - Pavement Markings Plan;
  - Design Sheets for Storm and Sanitary Sewers;
  - An Erosion and Sediment Control Plan;
  - Composite Utility Plan; and
  - Stormwater Management Report in accordance with the City's Wet Weather Flow Management Guidelines.
33. The Owner is required to provide a geotechnical report from a qualified soils engineer with respect to the existing soil conditions on the subject land, and any soil and drainage problems that may be encountered in the development of this land.
34. A co-ordinated utilities plan which shows all utilities (Bell, Hydro, Consumers Gas and Rogers Cable) in accordance with 'Development Infrastructure Policy and Standards – Phase 2 Report' and approved by all utility companies must be submitted to the Executive Director, Engineering and Construction Services.

#### *Roadways*



35. Public roads (extension of Haynes Road and Ian MacDonald Boulevard) within the plan of subdivision shall include the following:

- i. Minimum 8.5 metre wide residential asphalt pavement roadways with curbs on 18.5 metre and 20 metre road allowances, designed in accordance with DIPS and the draft Urban Design Guidelines.
- ii. Create a lay-by with curb extensions on Street D for retail parking purposes.
- iii. To facilitate solid waste and recycling collection, access driveways must be a minimum of 6 metres wide at the point of ingress/egress to the site and a minimum of 4.5 metres throughout the site.
- iv. 6.0 metre radius corner roundings must be provided at the intersection of all streetlines on public roads within the plan and at all intersections to existing public roads.

#### *Sidewalks/Public Boulevards/Streetscaping*

36. 2.1 metre concrete sidewalks shall be constructed on both sides of the proposed Street D and Street F as per Council policy.

37. Pay any/ all costs associated with any sidewalk alterations required on The Pond Road, Sentinel Road and Assiniboine Road, to connect the new municipal sidewalk to the existing municipal sidewalk.

#### *Street Lighting*

38. Street lighting approval and security requirements must be obtained from Toronto Hydro. The applicant is required to submit a street lighting proposal to Toronto Hydro for their approval.

#### *Grading*

39. The final grading of the lands shall be designed such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the Executive Director, Engineering and Construction Services.

40. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties.

41. Existing drainage patterns on adjacent properties shall not be altered.

#### *Tree Preservation*

42. The owner agrees to submit a letter of credit as a tree protection guarantee for existing trees. If tree protection is maintained as specified in the arborist report and in accordance with the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, monies will be released at the completion of construction. If it is discovered that there was encroachment within a tree protection zone, or a tree was not protected in accordance with the arborist report and the City of Toronto's Tree Protection Policy and Specifications for Construction Near Trees, monies will be held for a period of up to five years after construction is completed.
43. The owner agrees that post holes for fences within tree protection zones must be hand dug, or excavated using the hydrovac method of excavation, and that roots larger than 2.5cm in diameter will not be cut. If necessary, post holes should be relocated to ensure significant roots are not cut.

#### *Composite Utility Plan*

44. Prior to the registration of Phase 1 of the plan of subdivision, the Owner shall provide a Streetscape Master Plan in conjunction with a composite utility plan that indicates the species, size and location of all proposed street trees, as these relate to the location of any roads, sidewalks, driveways, street lines and utilities. The Streetscape Master Plan shall be satisfactory to the General Manager of Parks, Forestry and Recreation and the Director, City Planning, North York District.
45. Prior the acceptance of engineering drawings by Engineering and Construction Services, the owner agrees to submit composite utility plans, indicating the location of all existing and proposed underground and above ground utilities in relation to proposed tree planting locations, at a minimum scale of 1:250, to the satisfaction of Engineering and Construction Services and the General Manager of Parks Forestry and Recreation.

#### *Tree Planting*

46. The owner agrees that trees will be planted by a qualified arborist or nursery person. They must determine how much settlement, if any, may occur, to ensure trees are not planted too high, or settle too deeply. Trees are to be planted after final grading, and once the sod has been laid.
47. Prior to tree planting, the owner agrees to submit to Urban Forestry, a watering schedule for newly planted trees during the guarantee period.
48. The owner agrees to contact Urban Forestry one week prior to tree planting, and once the trees have been planted, in order to establish the anniversary dates.

49. Upon written request from the Owner, Parks, Forestry and Recreation agrees to inspect the newly planted trees and will advise the Owner if the trees are satisfactory. The Owner acknowledges and agrees to maintain the trees for a period of two (2) years after being advised in writing that Parks, Forestry and Recreation is satisfied with the newly planted trees. The Owner acknowledges that, should any newly planted tree require replacement during this guarantee period, the tree shall be replaced immediately and shall have an additional two (2) year maintenance period placed on this new planting. At the end of that period, upon acceptance, the City shall accept maintenance responsibilities and return the Letter of Credit.

*Tree Planting Strategy Information Booklet*

50. Prior to the registration of the plan of subdivision, the Owner shall prepare an information booklet outlining the tree planting strategy within the community and the ongoing responsibilities of the homeowners and the City in order to achieve a successful urban tree plantings within the community. This booklet will be prepared to the satisfaction of the General Manager, Parks, Forestry & Recreation and will be distributed to all homeowners for all dwellings within the limits of this plan of subdivision.

*Warning Clause – Street Tree Planting*

51. The Owner shall ensure that there shall be no wording in any Agreement of Purchase and Sale and/or Rental Agreement for any lands within the plan of subdivision that states or creates an expectation that there will be a tree in front of each residential lot.

*Warning Clause – Solicitor Confirmation – Street Tree Planting*

52. Prior to final registration of the plan of subdivision, the Owner agrees to provide its Solicitor's confirmation to the City advising that the clauses set out above have been included in applicable Offers of Purchase and Sale and/or Rental Agreements to ensure that future occupants are aware of that they may not receive a street tree in front of their property.

*Public Art*

53. Prior to the registration of the plan of subdivision, the owner shall submit a project/block public art plan detailing how public art is to be provided on site to the satisfaction of the Chief Planner and Executive Director, City Planning.

*Parkland Dedication*

54. Parkland dedication (to also be secured in the Section 37 Agreement)

- a. The Owner shall remediate, construct to base park condition, and convey a 1.24 hectare park as part of the development of the subdivision (Phase 1 and Phase 2 of the subdivision). The park remediation, construction and conveyance shall be phased as follows: a 0.6595 hectare portion of the park will be conveyed prior to the earlier of within three months of first residential occupancy of Phase 1 of the subdivision and December 30<sup>th</sup>, 2017, and the remaining 0.5805 hectare portion will be conveyed prior to the issuance of the first above grade building permit for buildings in Phase 2 of the draft plan of subdivision identified in Attachment 2.
  - b. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1), the Owner shall submit a reference plan identifying the boundaries of the 0.6595 hectare Phase 1 park, and the 0.5805 hectare Phase 2 park, generally located on the lands identified as Block B-2 on Schedule 4 of the draft by-law. Prior to the issuance of the first above grade building permit any above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1) the Owner agrees to enter into an escrow agreement with the City for the Phase 1 park conveyance and the Phase 2 park conveyance.
  - c. Prior to the issuance of the first above grade building permit for buildings on lands identified in Schedule 1 of the draft by-law (Phase 1), the Owner shall submit a letter of credit for the value of the 0.6595 ha portion of the park (Phase 1 park) and for the value of base park improvements to the Phase 1 park to secure the conveyance and construction of the park. The base park improvements to the Phase 1 park shall be completed prior to the earlier of within twelve months of the occupancy of Phase 1 and September 30, 2018.
55. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, PFR.
56. The Owner is to pay for the costs of the preparation and registration of all relevant documents. The Owner shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.

*Environmental Assessment*

57. Prior to conveying the parkland to the City, the Owner must:
- 7.1. Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with

Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services;

7.2. Pay all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit towards the cost of the peer review in the form of a certified cheque, to the Executive Director, Engineering & Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City);

7.3. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (Ontario Regulation 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services;

7.4. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Executive Director, Engineering & Construction Services for peer review and concurrence, which states: Policy for Accepting Potentially Contaminated Lands 16

7.5. In the opinion of the Qualified Person:

7.5.1.1. It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and

7.5.1.2. To the extent that the opinion in '7.5.1.1' is that past migration is likely, it is either possible or unlikely that such off-site contamination on adjacent City lands poses an adverse effect to the environment or human health.

7.6. Land to be conveyed to the City meets either:

7.6.1.1. the applicable Ministry Generic Site Condition Standards (Tables 1, 2, 3, 6, 7, 8 and 9) for the most environmentally sensitive adjacent land use; or

7.6.1.2. the Property Specific Standards as approved by the Ministry for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein.

7.7. The Qualified Person's statement, referenced in 57 above, will include a Reliance Letter that is dated and signed by the applicant's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer

can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services.

7.8. For conveyance of lands requiring a Record of Site Condition:

- 7.8.1.1. File the Record of Site Condition on the Ontario Environmental Site Registry; and
- 7.8.1.2. Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering & Construction Services.

*Park Construction*

*Base Park Improvements*

58. The Owner, at their expense, will be responsible for the construction and installation of Base Park Improvements to the satisfaction of the General Manager, PFR including the following:

- a. grading inclusive of topsoil supply and placement, minimum of 150 mm depth;
- b. sodding #1 nursery grade or equivalent value of other approved park development;
- c. fencing, where deemed necessary to the satisfaction of PFR;
- d. drainage systems, including connections to the municipal services as required;
- e. electrical and water connections (minimum 50 mm) to street line including backflow preventers, shut off valves, water and hydro chambers;
- f. street trees along all public road allowances which abut future City-owned parkland;
- g. standard park sign (separate certified cheque required); and
- h. demolition, removal and disposal of all existing materials, buildings and foundations.

59. All work is to be completed to the satisfaction of the General Manager of Parks, Forestry and Recreation.

60. Prior to the earlier of within three months of first residential occupancy of Blocks 1-2 (Phase1) and December 30<sup>th</sup>, 2014, the Owner shall submit a cost estimate and any

necessary plans, including but not limited to concept plans, detailed design and contract documents for the Base Park Improvements, to the satisfaction of the General Manager, PFR.

61. Prior to issuance of the first above grade building permit for Block 1 or 2, the Owner shall post an irrevocable Letter of Credit as a security for the installation of the base park improvements equal to 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager of Parks, Forestry and Recreation. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.
62. The construction of the Base Park Improvements to the Phase 1 park block shall be completed prior to the earlier of within twelve months of the first residential occupancy of Phase 1 and September 30, 2018 to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager of Parks, Forestry and Recreation when determining a revised delivery date for the park block.
63. Should the Owner undertake Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from the Parks, Forestry and Recreation Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

#### *Temporary Fencing*

64. Prior to conveyance of the parkland, the Owner shall be responsible for the installation and maintenance of temporary fencing around the parkland and its maintenance until such time as the development of the park block is completed.

#### *Parkland Grading and Drainage*

65. Prior to the earlier of within three months of the first residential occupancy of Blocks 1-2 (Phase 1) and December 30<sup>th</sup>, 2017 the Owner shall ensure that the grading and drainage of the adjacent blocks are compatible with the grades of the parkland to the satisfaction of the General Manager, Parks, PFR.
66. Prior to the earlier of within three months of first residential occupancy of Blocks 1-2 (Phase1) and December 30<sup>th</sup>, 2017 the Owner must provide documentation from a

qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.

### *Warranty*

67. The Owner, upon satisfactory completion of the construction and installation of the Base Park Improvements shall provide as-built drawings in print/hardcopy and electronic format shall be submitted to PFR. A complete set of “as built” plans shall be provided electronically on CD in PDF format, and two (2) sets full size bond hard copy the General Manager, PFR. The plans shall include, but not limited to specifications, locations of all hidden services, and all deviations from the design drawings, shop drawings, inspection reports, minutes of meeting, site instructions, change orders, invoices, certificates, progress images, warranties, close out documentation, compliance letters (for any play structures and safety surfaces), manuals etc. The files are to be organized in folders, including a file index and submitted. Written warranties and related documents such as lists of contractor, sub-contractors together with contact persons, telephone numbers, warranty expiry dates and operating manuals.
68. The Owner, upon satisfactory completion of the construction and installation of the Base Park Improvements shall be required to guarantee such work and associated materials. The Owner shall provide certification from their Landscape Architect certifying that all work has been completed in accordance with the approved drawings. Upon the City’s acceptance of the certificate, the Letter of Credit(s) will be released less 20% which will be retained for the 2 year guarantee known as the Parkland Warranty Period.
69. Upon the expiry of the Parkland Warranty Period, the outstanding park security shall be released to the Owner provided that all deficiencies have been rectified to the satisfaction of the General Manager, Parks, Forestry, and Recreation.

### *Toronto Green Standard*

70. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Management Committee.

### *Toronto Transit Commission*

71. The Owner shall satisfy the comments of the Toronto Transit Commission as set out in their memorandum dated September 22, 2014.

### *Schools*

Toronto District School Board:



72. The Owner shall enter into an agreement to erect and maintain signs, built to the Toronto District School Board's specifications and erected prior to the registration or the issuance of any building permit, at points of egress and ingress of the development site, advising that:

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside of this area until space in local schools become available. For information regarding designated school(s), please call (416) 394-7526.

73. That the applicant agree in the Servicing and/or Development agreement, or in a separate agreement between the School Board and the Developer, to include the following warning clauses in all offers of purchase and sale of residential units (or lease) and prior to registration of the plan and for a period of ten years following registration, that:

*"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred.*

*Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bused home to school, but will meet the bus at designated locations in or outside of the area."*

#### Toronto Catholic District School Board

74. The Owner shall enter into an agreement to erect and maintain signs, built to the Board's specifications on the perimeter of the development site at a highly visible, unobstructed location, as well as insert a warning clause in agreements of purchase and sale (or lease), which provide purchasers (and prospective purchasers) with information on school accommodation, advising that:

"The Toronto Catholic District School Board has plans to accommodate students from this development. If the elementary and secondary schools which serve this area are oversubscribed, students from this development may need to be temporarily accommodated in portable classrooms or may have to attend a school located outside the area until space in local schools becomes available.

The purchaser or tenant acknowledges that school bus service for students, if provided, will be from designated school bus stops located within or outside the development area.

#### Bell Canada

75. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the

event of any conflict the Owner shall be responsible for the relocation of such facilities or easements.

76. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

## Attachment 15: Application Data Sheet

Application Type	Zoning Amendment	Application Number:	14 159612 NNY 08 OZ
Details	Rezoning, Standard	Application Date:	May 21, 2014
Municipal Address:	4700 KEELE STREET		
Location Description:	CON 4 WY PT LOTS 23 TO 25 RP 66R20809 PT PART 1 PARTS 2 TO 6 **GRID N0803		
Project Description:	<p>The applications propose to establish a plan of subdivision for a 6.22 hectare site and rezone the north-west 1.9 hectares (Phase 1) of the site known municipally as 4700 Keele Street. The subdivision application proposes to establish three development blocks for residential, commercial and institutional uses; a north/south public street to provide vehicular and pedestrian connections through the site from The Pond Road to Assiniboine Road; and a block reserved for a future north/south public road conveyance that will form part of the future extension of Ian MacDonald Boulevard which forms the easterly limit of the subdivision lands.</p> <p>Phase 1 consists of two development blocks. The rezoning on Blocks 1 and 2 of the draft plan of subdivision would permit 487 residence units in two 6-storey private academic accommodations buildings with 2,762m<sup>2</sup> of non-residential uses at grade. In total the proposal comprises a total gross floor area of 31,765 m<sup>2</sup> and will include 60 affordable beds.</p>		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
FCS DEVELOPMENT CORP			YORK UNIVERSITY

### PLANNING CONTROLS

Official Plan Designation:	Institutional Areas	Site Specific Provision:	N
Zoning:	YDMU-3	Historical Status:	N
Height Limit (m):	The lesser of 34m or 9 storeys	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	19,039	Height:	Storeys:	6
Frontage (m):	343		Metres:	19.5
Depth (m):	184			
Total Ground Floor Area (sq. m):	7,051			<b>Total</b>
Total Residential GFA (sq. m):	29,003		Parking Spaces:	44 residential and 22 commercial
Total Non-Residential GFA (sq. m):	2,762		Loading Docks	2
Total GFA (sq. m):	31,765			
Lot Coverage Ratio (%):	31.8			
Floor Space Index:	1.69			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	487	Residential GFA (sq. m):	29,003	0
Bachelor:	0	Retail GFA (sq. m):	2494	0
1 Bedroom:	0	Office GFA (sq. m):	268	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	487			

**CONTACT:**                      **PLANNER NAME:**                      **Andria Sallesse, Senior Planner**

