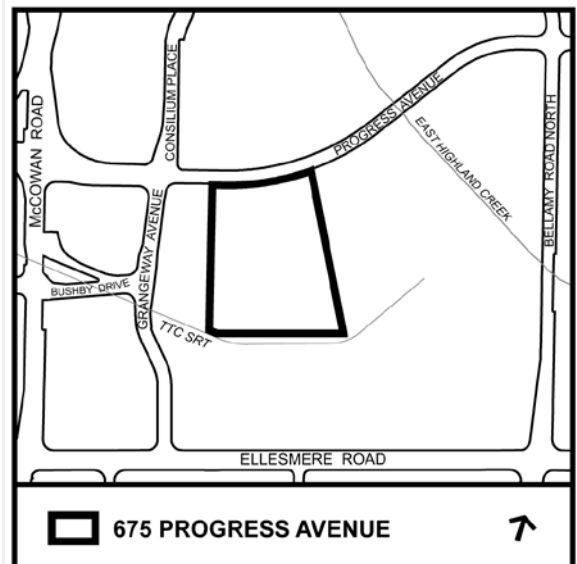


**675 Progress Avenue
Zoning Amendment and Subdivision Applications
Final Report**

Date:	May 29, 2015
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 38 – Scarborough Centre
Reference Number:	13 175197 ESC 38 OZ and 13 175005 ESC 38 SB

SUMMARY

The applications propose to establish a plan of subdivision for the entire 4.6 hectare site and rezone the northern 2.5 hectares (Phase 1) of the site known municipally as 675 Progress Avenue. The subdivision application would establish four development blocks for residential, retail and commercial/office uses; a block for a public park; a north/south public street to provide vehicular and pedestrian connections to the interior of the site from Progress Avenue; an east/west public street that will form part of the future extension of Bushby Drive (and which forms the south limit of the Phase 1 development); and three blocks reserved for future public road conveyances. The rezoning would permit 1,371 residential units, 13,900 square metres of non-residential uses of which 13,000 square metres shall be office uses, and a 0.203 hectare public park. Phase 2 of the development would be subject to a rezoning at a later date. Phase 1 consists of two development blocks. The eastern portion of Phase 1 would be subject to a Holding (H) provision in the zoning by-law which would be removed once a Transportation Impact Study has been submitted and all transportation and servicing related infrastructure have been secured to the satisfaction of the City.



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. 7. The proposed development will create a vibrant, complete, mixed use neighbourhood at the eastern edge of the Scarborough Centre in the recently approved McCowan Precinct Plan Study Area. It will create additional housing and employment opportunities, introduce new pedestrian and vehicular connections, and community benefits, including a new public park within the Centre.

The recommendations contained within this report conform with the policies of the City's Official Plan, and City Council approved OPA 231. However, as OPA 231 is currently under appeal, the Zoning Bill will be held until such time as the owner withdraws its appeals and/or OPA 231 is approved at the OMB.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Progress Employment District Zoning By-law No. 24982, as amended, for the lands at **675 Progress Avenue** substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to report dated May 29, 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. City Council authorize giving a development charge credit against the Parks and Recreation component of Development Charges payable for this development, provided in return the Owner agrees to pay for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the actual cost to the Owner of designing and installing the Above Base Park Improvements, as approved by the General Manager of Parks, Forestry and Recreation, and the Parks and Recreation component of Development Charges payable for the development in accordance with the City's Development Charges by-law.
4. City Council adopt "Addendum 1: Guidelines for 675 Progress Avenue", attached as Attachment No. 8.
5. Before introducing the necessary Zoning Bill to City Council for enactment, City Council requires that OPA 231 be in full force and effect as it relates to the lands at 675 Progress.

6. Before introducing the necessary Zoning Bill to City Council for enactment, City Council requires the Owner to submit a revised Functional Servicing Report to the satisfaction of the Executive Director of Engineering and Construction Services.
7. Before introducing the necessary Zoning Bill to City Council for enactment, City Council requires the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act to the satisfaction of the Chief Planner and Executive Director City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands to secure the following facilities, services and matters:
 - a. Block 1:
 - i. Prior to issuance of the first above-grade building permit for a building or structure on Block 1, the Owner shall make a cash contribution to the City in the amount of \$250,000, which 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 provision of public art on the subject site;
 - ii. Prior to the issuance of the first above-grade building permit for a building or structure on Block 1, the Owner shall make a cash contribution to the City in the amount of \$970,000, which 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 provision of the following:
 - (a) \$75,000 for Toronto Community Housing Corporation at 400/410 McCowan Road for common space/amenity space/basketball court improvements and/or local park improvements;
 - (b) \$55,000 for Toronto Community Housing Corporation at 55/65 Greenbrae Circuit for recreational room(s)/amenity space/basketball court improvements and/or local park improvements;
 - (c) \$40,000 for Toronto Community Housing Corporation at 50 Tuxedo Court for amenity space/BBQ area improvements and/or local park improvements;
 - (d) \$200,000 for Knob Hill Day Nursery (23 Gauge Avenue) for playground improvements and/or local park improvements;

- (e) \$200,000 for Rosalie Hall Child Care (3020 Lawrence Avenue East) for playground improvements and/or local park improvements;
 - (f) \$400,000 to Toronto Animal Services for a 100 +/- square metre expansion at 821 Progress Avenue and/or local park improvements.
- iii. Prior to the issuance of the first above-grade building permit for the second building or structure on Block 1, the Owner shall make a cash contribution to the City in the amount of \$512,000, which 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 provision of an addition and/or refurbishment of Centennial Recreation Centre at 1967 Ellesmere Road and/or other local community recreational facilities and/or local park improvements.
- b. Block 2:
- i. Prior to issuance of the first above-grade building permit for a building or structure on Block 2, the Owner shall make a cash contribution to the City in the amount of \$250,000, which 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 provision of public art on the subject site;
 - ii. Prior to issuance of the first above-grade building permit for a building or structure on Block 2, the Owner shall make a cash contribution to the City in the amount of \$988,000, which 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 provision of an addition and/or refurbishment of Centennial Recreation Centre at 1967 Ellesmere Road and/or other local community recreational facilities and/or local park improvements.
- c. The Owner provide a title opinion to the City for the agreement's registration to the satisfaction of the City Solicitor.
- d. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. The Owner shall construct the park block to Above Base Park Condition, as approved by the General Manager of Parks, Forestry and Recreation;

- ii. 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 of October 26 and 27, 2009.
 - iii. Privately owned publicly-accessible spaces (POPS) are to be provided with appropriate signage in accordance with the Privately Owned Publicly-Accessible Space Guidelines and to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor at the following locations:
 - (a) minimum area of 136 m² at the northeast corner of Block 1 at the intersection of Progress Avenue and Street B;
 - (b) minimum area of 65 m² at the southeast corner of Block 1 at the intersection of Street A (the extension of Bushby Drive) and Street B;
 - (c) minimum area of 81 m² at the northeast corner of Block 2 at the intersection of Progress Avenue and the future road conveyance; and
 - (d) minimum 7.5 metre wide east-west lane/walkway, which extends across the entirety of Blocks 1 and 2.
8. 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 the draft plan of subdivision as generally illustrated on Attachment No. 7 to report dated May 29, 2015 subject to:
- a. the conditions as generally listed in Attachment No. 7 to report dated May 29, 2015, which except as otherwise noted must be fulfilled prior 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 on-going technical review of this development; and
 - c. draft plan approval not being issued until the necessary zoning is in full force and effect.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Planning and Growth Management adopted a Preliminary Report for the subject applications at its December 4, 2013 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be held and that upon the completion of the McCowan Precinct Plan Study that notice be given according to the regulations of the *Planning Act* for the public meeting at Scarborough Community Council. The preliminary report is available online at: <http://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-64059.pdf>

The lands are currently subject to an application, filed in 2010, to amend the Toronto Official Plan to convert the lands from Employment Areas to Mixed Use Areas; as well as to bring the lands into the Scarborough Centre by changing the Urban Structure Map of the Official Plan from Employment Districts to Centres. Under Section 2.2.6.5 of the Provincial Growth Plan for the Greater Golden Horseshoe, the City may convert employment lands for non-employment uses only through a Municipal Comprehensive Review. At its December 16, 17 and 18, 2013 meeting, City Council adopted Official Plan Amendment (OPA) 231, which brings the lands into the Scarborough Centre by changing the Urban Structure Map from "Employment Districts" to "Centres" and redesignates the subject lands from "Employment Areas" to a "Mixed Use Areas" designation to allow for residential uses on the site.

In addition, OPA 231 amended Chapter 6, Section 5, Scarborough Centre Secondary Plan Map 5-1, Urban Structure Plan, by adding the lands at 675 Progress Avenue and adding Site and Area Specific Policy No. 8 for the lands.

In January 2014, the City submitted OPA 231 to the Minister of Municipal Affairs and Housing for approval. On July 9, 2014, the Ministry of Municipal Affairs and Housing approved the majority of OPA 231, with minor modification to the Council adopted policies and mapping set out in the implementing By-law No. 1714-2013 adopting OPA 231, which can be found at: <http://www.toronto.ca/legdocs/bylaws/2013/law1714.pdf>. Changes did not affect the subject lands at 675 Progress Avenue.

Multiple appeals were made of the Minister's decision. No appeals received are specifically related to the lands at 675 Progress Avenue, however, there are some appeals that relate to the entire City. The matter is now before the OMB and there may be opportunity to narrow appeals to allow for conversions Council supported or that were not the subject of site specific appeals to proceed. A second pre-hearing is scheduled at the OMB on June 22, 2015.

The lands are also subject to the McCowan Precinct Plan Study, which further articulates the policies of the Toronto Official Plan (including the Scarborough Centre Secondary Plan) and develops a framework to guide future growth and development of the McCowan Precinct. The McCowan Precinct Plan Study Final Report (including OPA 242) and the Urban Design Guidelines were adopted by City Council on June 10, 11, 12 and 13, 2014 and can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.SC32.20>

OPA 242 is currently under appeal.

ISSUE BACKGROUND

Proposal

The Owner proposes to construct a mixed use development on lands municipally known as 675 Progress Avenue. The subdivision application is for the entire site (Phase 1 and 2) and would establish four, mixed use development blocks (Blocks 1, 2, 3, 4); a public park block (Block 5); a north/south public street to provide vehicular and pedestrian connections to the interior of the site (Street B) from Progress Avenue; an east/west public street that will form part of the future extension of Bushby Drive (Street A); and three blocks reserved for future public road conveyances (Blocks 6, 7 and 8). As part of this proposal, the Owner has also agreed to extend Bushby Drive from its current terminus at Grangeway Avenue, through adjacent Toronto Parking Authority lands, to connect to the subject site. The proposed public streets are intended to connect to an emerging network of public streets, laneways and connections within the McCowan Precinct area of the Scarborough Centre and are consistent with the street and block plan that forms part of the McCowan Precinct Plan. Refer to Attachment No. 1: Site Plan and Attachment No. 2: Draft Plan of Subdivision.

The rezoning application applies to Phase 1 of the site only. Phase 1 of the development includes the lands immediately south of Progress Avenue and north of the proposed east-west Bushby Drive extension (Blocks 1, 2, 5, 7, 8, 9 and Streets A and B). A total of 1,371 residential units are proposed. Phase 2 (Blocks 3, 4 and 6) would be subject to a future rezoning application.

Phase 1 consists of two development blocks, Blocks 1 and 2. Block 1, the westerly block, is divided into two smaller blocks by an east-west publicly accessible vehicular lane/walkway (herein 'lane/walkway'), with base buildings that range in height from 6 storeys to 8 storeys, and tower components that are 49 storeys (northwest corner) and 40 storeys (southwest corner), for a total of 784 residential units. On the north side of the lane/walkway, the base buildings incorporate a three-storey, above-grade parking garage, wrapped with residential dwelling units and retail and office uses. Two levels of below-grade vehicle parking are also proposed.

Block 2, the easterly block, is the larger of the two blocks. The east-west lane/walkway continues dividing the block at grade. Base buildings range in height from 6 storeys to 8 storeys, and tower components are 34 and 22 storeys, for a total of 587 residential units. Like Block 1, vehicle parking is located on the north side of the lane/walkway, in a three-storey, above-grade parking garage, behind residential dwellings units and retail and office uses; and two levels of below-grade vehicle parking. The 0.203 hectare public park (Block 5) is located on the southwest corner of Block 2. Blocks 2, 7 and 8 would be subject to a Holding (H) provision in the zoning by-law, which would be removed once a Transportation Impact Study has been submitted and all transportation and servicing related infrastructure have been secured to the satisfaction of the City.

The Owner intends to seek further rezoning approval to permit Phase 2 of the development at a later date.

Additional site and development statistics are included in the application data sheet, included as Attachment No. 5. For Elevations and Perspective refer to Attachment No's: 3A-G.

The original application was divided into two phases, divided by the proposed east-west Bushby Drive extension. A total of 1,581 residential units in building components ranging from 10 to 55 storeys in height were proposed. Following discussions with staff and feedback from the Design Review Panel regarding appropriate massing, building heights, limiting shadow impacts on the future school/park site, the proposal was revised to its current form.

Site and Surrounding Area

The 4.6 hectare site at 675 Progress Avenue is located on the south side of Progress Avenue, west of Bellamy Road and east of Grangeway Avenue. The site is at the eastern and southern boundary of the Scarborough Centre and adjacent to the only planned school and park site in the Scarborough Centre. The subject site is currently occupied by a low-rise industrial building, which housed the former A.G. Simpson Inc. heavy metal stamping plant. The lands were then tenanted to a company that conducted a similar metal stamping operation. The premises are currently vacant and will remain so until demolition.

Surrounding land uses include:

- North: single storey buildings at 670 to 710 Progress Avenue containing a variety of warehouse, commercial and light industrial uses, a private education institution and a community service facility (all lands are within the Scarborough Centre and designated "Mixed Use Areas");
- South: the TTC McCowan yard, containing tail-track and transit car storage facilities for the Scarborough Rapid Transit (in part, within the Scarborough Centre and designated "Mixed Use Areas" and partially beyond the Centre boundary and designated "Employment Areas");
- West: a six-storey office building at 111 Grangeway Avenue and two parking lots (one of which is owned and operated by the Toronto Parking Authority (these lands are within the Scarborough Centre and designated "Mixed Use Areas"); and
- East: six, single-storey commercial/light industrial buildings jointly owned by the City of Toronto and the Toronto District School Board at 705 Progress Avenue within the Scarborough Centre, designated "Mixed Use Areas" and intended for school/park and related purposes.

Provincial Policy Statement and Provincial Plans

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

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Scarborough Centre is identified in Schedule 4 of the Growth Plan as an Urban Growth Centre. City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

This site is identified as "Employment Districts" on Map 2 (Urban Structure Map) and is designated "Employment Areas" on Map 19 (Land Use Map) of the Official Plan. City Council approved OPA 231, re-designates these lands from "Employment Areas" to "Mixed Use Areas", brings the lands into the Scarborough Centre by changing the Urban Structure Map from "Employment Districts" to "Centres", adds the lands to Chapter 6, Section 5, Scarborough Centre Secondary Plan Map 5-1, Urban Structure Plan and adds Site and Area Specific Policy No. 8, which requires a minimum of 13,000 square metres of office space in Phase 1; ensures compliance with Section 4.10.3 of the Province's D-6 Guidelines for Compatibility Between Industrial Facilities and Sensitive Land Uses; and ensures that new development is in conformity with the Scarborough Centre Secondary Plan and the McCowan Precinct Plan policies and guidelines.

The growth management strategy for the City steers growth and change to some parts of the City, while protecting neighbourhoods and green spaces from development pressures. Section 2.2.2 of the Official Plan identifies five areas that can best accommodate growth including the *Downtown, Central Waterfront, Centres, Avenues* and *Employment Districts*. The Official Plan directs growth to these areas in order to achieve multiple City objectives. Among other things, it promotes the efficient use of municipal services and infrastructure, concentrates jobs and people in areas well served by transit, promotes mixed-use development to increase opportunities for living close to work and to encourage walking and cycling, and protects neighbourhoods, green spaces and natural heritage features and functions from the effects of nearby development.

Centres Policies

The policies of Section 2.2.2 of the Official Plan provide that each *Centre* will have a Secondary Plan that sets out the local goals and a development framework consistent with the Plan, and among other things, the location, mix and intensity of land uses within the *Centre*. The Scarborough Centre is an important mix of retail, government, institutional,

cultural, employment and residential uses. As a mixed use area, the Scarborough Centre provides both employment and housing opportunities for workers and residents.

Mixed Use Areas Policies

A broad range of commercial, residential and institutional uses in single use or mixed-use buildings, as well as parks and open spaces and utilities are permitted within the *Mixed Use Areas* designation. The Official Plan recognizes that *Mixed Use Areas* achieve a number of planning objectives by combining a broad array of uses.

Section 4.5.2 includes criteria for development in *Mixed Use Areas* to ensure, among other things, that the location and massing for new buildings achieves transitions between areas of different development intensity and scale, create a balance of high quality land uses with the potential to reduce auto dependency; provide new jobs and housing on underutilized lands in "*Centres*"; take advantage of nearby transit services; locate/mass new buildings to minimize shadow impacts; locate/mass new buildings to frame streets and parks with good proportion and maintain sunlight and comfortable wind conditions; have access to schools, parks, community centres, libraries and child care; provide good site access and circulation and an adequate supply of parking for residents and visitors; locate and screen service areas; and provide 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, office and retail uses, a park, open spaces and new streets. The "New Neighbourhoods" policies of the Official Plan (Section 3.3) provide guidance for applications that propose extensive redevelopment for mixed use. 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.

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. Schedule 2 of the Official Plan provides for the

"Designation of Planned but Unbuilt Roads" across the City. Specifically, the Plan notes that a planned future road link (Bushby Drive) is to be created from Grangeway Avenue to Markham Road. The Owner's lands are located east of the current intersection of Grangeway Avenue and Bushby Drive. As a result, the east/west extension of Bushby Drive across the Owner's lands is being protected.

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 neighbouring streets and properties. Vehicle parking and facilities are to be organized to minimize its 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 in terms of form, tenure and affordability and investment in new rental housing is encouraged. Large residential developments such as proposed by this rezoning application may provide an opportunity to enhance the mix of housing types and unit sizes within the Scarborough Centre.

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.

The Official Plan is available on the City's website at:

http://www.toronto.ca/planning/official_plan/introduction.htm

McCowan Precinct Plan Study

McCowan Precinct is one of the four precincts in the Scarborough Centre Secondary Plan area. At its meeting of June 13, 2014, City Council approved a final report on the McCowan Precinct Plan Study. The report recommended the adoption of Official Plan Amendment No. 242 to add "Site and Area Specific Policy No. 9" to the Scarborough Centre Secondary Plan for the McCowan Precinct. OPA No. 242 was adopted by City Council. It establishes a development framework and design strategies for the future residential and employment development of lands within the McCowan Precinct. It

serves as a guide for the provision of community services, facilities, parks and open spaces and public realm improvements and enhancements for the Precinct.

City council also adopted the McCowan Precinct Urban Design Guidelines including the McCowan Conceptual Master Plan. Together, OPA 242, the McCowan Precinct Urban Design Guidelines and the McCowan Precinct Conceptual Master Plan form the "McCowan Precinct Plan". In adopting this Plan, City Council directed staff to use the McCowan Precinct Urban Design Guidelines, including the McCowan Conceptual Master Plan in the evaluation of all new and current development proposals and public initiatives.

OPA 242 has been appealed to the Ontario Municipal Board. A third pre-hearing is scheduled for June 23, 2015 where it is anticipated the outstanding appeal will be scoped to allow for the plan to come into effect for the lands at 675 Progress Avenue.

The McCowan Precinct Plan Study is available on the City's website at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=89460621f3161410VgnVCM10000071d60f89RCRD&vgnextchannel=202452cc66061410VgnVCM10000071d60f89RCRD>

Tall Building Design Guidelines

In May 2013, City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available on the City's website at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=80a70621f3161410VgnVCM10000071d60f89RCRD>

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building of the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas". The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

The Guidelines are intended to implement the built form policies of the City's Official Plan. They include measurable criteria and qualitative indicators to assist in the review of tall building proposals. Criteria and indicators are related to four main areas; site context, site organization, building massing and the pedestrian realm. In considering site context, in addition to requirements for master plans on larger sites, tall building proposals must address concerns related to transitions between taller buildings and lower scale features nearby.

Measures such as height limits, setbacks, stepbacks and angular planes are used to achieve appropriate transitions in scale and the protection of sunlight and sky views. Design criteria related to site organization address issues of building placement and orientation, location of building entrances, servicing and parking requirements, enhancement of adjacent streets and open spaces, and respect for heritage buildings.

New tall buildings are expected to enhance the public realm by providing active frontages, and high quality streetscape and landscape design elements. To reduce negative impacts of taller buildings elements, a minimum stepback of 5 metres for the tower from the street edge of the base building is required. Other considerations include weather protection, limiting shadowing impacts and uncomfortable wind condition on nearby streets, properties and open spaces, as well as minimizing additional shadowing on neighbouring parks to preserve their utility.

Avenues & Mid-Rise Buildings Study

In July 2010, City Council adopted the recommendations of the "Avenues and Mid-Rise Buildings Study" and directed staff to use the Performance Standards for Mid-Rise Buildings in reviewing all new and current mid-rise development proposals on the *Avenues*. Key issues addressed by the Study include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions and transition to *Neighbourhoods*. The Study can be found at:

<http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Urban%20Design/Mid-rise/midrise-FinalReport.pdf>

Zoning

On May 9, 2013, City Council enacted City-wide Zoning Bylaw No. 569-2013. Centres were not included in Bylaw No. 569-2013 as per the Transition Protocol. As well, the Owner submitted a complete application to amend the Official Plan to change the designation of the lands at 675 Progress Avenue, prior to the enactment of the new City-wide Zoning By-law. Therefore, the site is not subject to the new City-wide Zoning By-law, and the former City of Scarborough, "Employment Districts Zoning By-law No. 24982 (Progress Employment District), as amended" continues to apply to the site. Under this Zoning By-law the site is zoned "Industrial Zone (M)". The M zoning permits general industrial, manufacturing, processing and other employment land uses such as offices and a maximum height of 12 metres. A maximum gross floor area (for all buildings) of 0.50 times the lot area is permitted on the site. See Attachment No. 4, Zoning.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for site plan approval has not been submitted.

Reasons for Application

Draft Plan of Subdivision

The Draft Plan of Subdivision application is necessary to create the proposed development blocks, a block for the public park, public streets and blocks reserved for future public road conveyances; as well as to secure off-site road improvements.

Zoning By-law Amendment

The zoning by-law amendment application is required to permit the proposed use of the lands and to establish appropriate performance standards to regulate the development, such as height, setbacks, parking and building stepbacks.

Blocks 2, 7 and 8 would be subject to a Holding (H) provision in the zoning by-law that, until its removal, restricts use of the lands to office uses permitted under the Industrial (M) zone. The 'H' may be removed from these blocks to permit the CR uses once a Transportation Impact Study has been submitted and all transportation and servicing related infrastructure have been secured to the satisfaction of the City.

Community Consultation

A community consultation meeting was held on April 23, 2014 to provide local residents and business owners with an opportunity to review and comment on the application. Five people were in attendance at this meeting, in addition to the Ward Councillor, City staff and the applicant. Local residents were generally in favour of the site being developed, expressing a desire for more local businesses and attractions to be included within the development. General questions were asked relating to the timing of sales and construction of the project.

Design Review Panel

The original application was presented to the Design Review Panel (DRP) on May 12, 2014. Panel members acknowledged the merits of the proposal, including the advantage of a new community having access to significant park space, access to a major transit node and access to a future neighbourhood school, all components of a successful, vibrant, livable environment. The Panel also noted its appreciation of the proposed massing which illustrated the intention of providing livable streets with grade related dwellings to complement the high density tall buildings. Panel members expressed concerns related to the uncertainty surrounding the emerging context, including the right-of-way width of the Bushby Drive extension; and they suggested greater interface and animation between buildings and the on-site public park; and the need to minimize shadow impacts on the school/park site.

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 proposed street and block plan in the McCowan Precinct Plan Study; appropriate transition in building heights from west to east; suitable massing and shadow impacts; and better integration of on-site amenity space.

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 proposal is consistent with the Provincial Policy Statement (PPS). The PPS sets the policy foundation for regulating the development and use of land, including the conversion of lands within employment areas to non-employment uses. As previously noted, the lands are currently subject to an application, filed in 2010, to amend the Toronto Official Plan to convert the lands from Employment Areas to Mixed Use Areas; as well as to bring the lands into the Scarborough Centre by changing the Urban Structure Map of the Official Plan from Employment Districts to Centres. This conversion request was considered concurrently with the City's Five Year Review of the Official Plan and the Municipal Comprehensive Review. On July 9, 2014, the Ministry of Municipal Affairs and Housing approved the majority of OPA 231, including the conversion of 675 Progress Avenue. OPA 231 is currently under appeal, but not specifically as it relates to 675 Progress Avenue.

The PPS promotes additional density through intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years (Policy 1.1.2).

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan provides a framework for managing future growth in order to build strong, prosperous communities. The Growth Plan encourages intensification and redevelopment in urban area, which helps provide healthy, liveable and safe communities. In this case, the conversion of employment lands to mixed use is in conformity with the policies of the Growth Plan.

Official Plan

The proposed development conforms to the policies of the City of Toronto Official Plan, both as a whole, and as they apply specifically to this site as per OPA 231 in the form in which it was enacted by City Council and approved by the Minister of Municipal Affairs and Housing.

Mixed Use Areas and Centres

The proposed development conforms to the *Mixed Use Areas* and *Centres* Policies of the Official Plan. The site is well served with proximity to nearby public transit, recreational and social facilities, shopping, employment and government services. The proposal creates a balance of residential, employment and retail uses and reinforces and strengthens the function of Scarborough Centre as an important node of activity within

east Toronto. The proposal fits within the character and function of the surrounding Scarborough Centre area. The buildings have been designed, located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Service areas, loading and vehicle accesses have been located to minimize their impacts.

The Scarborough Centre is at the core of a large and successful employment district. It is anticipated that the Centre will continue to intensify with a wide variety of employment opportunities. Two distinct and consolidated employment components are proposed on Blocks 1 and 2. A total of 13,006 square metres of commercial office space is to be located on the 2nd to 8th storey along Progress Avenue (7,306 square metres in Block 1 and 5,700 square metres in Block 2), with ground floor retail.

In keeping with the policies of building complete neighbourhoods, a mix of uses and a range of building types have been proposed. These are connected with a network of streets, pedestrian and cycling routes, parks and open spaces. A variety of units sizes and bedroom types have been proposed to respond to the housing needs of all residents. While the majority of dwelling units are provided in tall and mid-rise buildings, grade related residential units are provided for along Street B, Street A-Bushby extension, Block 8-future road conveyance and the public park. An integrated streetscape strategy will be further addressed at the site plan approval stage.

Planning staff conclude that the overall proposal, together with the Section 37 and Public Art provisions and the use of a Holding (H) provision on a portion of the lands represents an appropriate approach to the intensification of the site. The proposal will help fulfill many of the planned objectives of the Scarborough Centre Secondary Plan and the McCowan Precinct Plan Study, including: the introduction of additional housing and employment opportunities to the Centre; enhancing the Centre as a mixed-use area; provision of pedestrian and vehicular connections within the Centre; provision of community benefits; and the efficient use of land, resources, infrastructure and service facilities, in particular the public transit system.

McCowan Precinct Plan Study and Guidelines

A key objective of the Scarborough Centre Secondary Plan is to better link the McCowan Precinct to the surrounding Scarborough Centre and the adjacent communities through new development and public initiatives.

The McCowan Precinct Plan Study, Conceptual Master Plan and Urban Design Guidelines, adopted with minor amendments at the June 13, 2014 City Council meeting, create a vision for the McCowan Precinct for a vibrant, mixed use community with urban characteristics that include: a focus on employment and diversity of housing; a safe place to live, work and play; pedestrian-friendly streets, walkway and cycling routes; transit-oriented built form; ease of movement; high quality architecture; great parks and publicly accessible and connected open spaces.

675 Progress Avenue is a large and important site within the evolving McCowan Precinct. The proposed development is organized around:

- Progress Avenue;
- the intersection of two new streets within the Precinct: Bushby Drive extension and north/south Street B which meets with Progress Avenue;
- a new public park; and
- 705 Progress Avenue, the future school and park site.

The location of the park is central to the site and is adjacent to Bushby Drive, a planned green promenade that connects the site to the Scarborough Centre and to the proposed school and park site to the east.

Commercial and office space has been consolidated along Progress Avenue. Grade related housing frames the edges of new streets, public park and future school/park site, providing a neighbourhood feel. Privately owned publicly accessible spaces (POPS) have been located at key intersections throughout the site and the lane/walkway which, along with grade-related retail on Progress Avenue, helps to activate and enhance the public realm.

The network of public streets, pedestrian and bicycle connections, public park and POPS that are proposed throughout the site will provide important links for the area. A comprehensive integrated landscape strategy for the overall development will be further addressed through the site plan process and the detailed design of the public park.

The proposal is consistent with the planned objectives of the McCowan Precinct Conceptual Master Plan. It introduces additional housing and employment opportunities to the Centre; enhances the Centre as a mixed-use area; provides pedestrian and vehicular connections within the Centre; provides community benefits; creates interest and animation along existing and new public streets and public spaces, including the future school/park site and the public park; and it is located to take advantage of existing and planned public transit.

The McCowan Precinct Urban Design Guidelines provide area specific urban design parameters to evaluate and guide all development in the Precinct. They describe the urban design framework for buildings, streets, public realm, public and private open spaces and the interface between the built and public realm environments. Further, they contain specific recommendations on: building heights, massing and design; streets and blocks design; streetscapes and pedestrian activity; and parks and open spaces.

Attachment No. 8, Addendum 1: Guidelines for 675 Progress Avenue have been developed to specifically address development on 675 Progress Avenue, in conjunction with all of the Precinct Guidelines. This addendum will be adopted by City Council with the site specific zoning by-law for the site and will apply to all phases of development on the lands.

Built Form

Distinctive architecture and high quality design and materials have been incorporated into the development and will be further refined at the site plan stage. The 49-storey building located at the northwest corner of the site will result in a prominent, recognizable building and the other towers have been strategically sited and designed to ensure visual interest and the creation of an iconic skyline. Blocks 1 and 2 will include variation in design forms and building materials to provide additional visual interest and avoid repetition. Two distinct and consolidated employment components have been included on the 1st – 8th floors in Blocks 1 and 2 fronting Progress Avenue, which incorporate design elements to distinguish them from the residential component of the development.

A high quality, attractive integrated open space network has been incorporated into the design of the development. These spaces include a public park, POPS, pedestrian connections, cycling routes, links to the future park/school site, the Bushby Promenade, all designed to contribute to the Precinct's overall attractiveness and to maintain continuity throughout the Secondary Plan Area.

Tall Buildings

The proposed built form incorporates four mixed use towers ranging in height from 22 to 49 storeys located on street-related base buildings, and one stand-alone midrise building. The Owner has worked with City staff to achieve a design concept for the development that is consistent with the Official Plan's Built Form policies, the Tall Building Design Guidelines, the McCowan Precinct Plan Study and associated Urban Design Guidelines.

Tower placement, separation distances, orientation, articulation, floor plate size and stepbacks are key considerations when reviewing tall buildings, especially when locating multiple tall buildings on the same block. Tall buildings should be sited strategically, designed with appropriate compact floor plate shapes and consider best locations of living spaces to avoid overlook and maximize privacy and sky view.

All of the proposed towers have a minimum five-storey height variation (Attachment No. 8, Addendum 1: Guidelines for 675 Progress Avenue, page 9), which creates visual interest within the skyline and can be perceived at street level. A minimum separation distance of 25 metres is proposed between the building faces as per Section 2.2.3 of the guidelines. The tower elements of the buildings comply with Section 3.2.1 Floor Plate Size and Shape, with floor plates of 750 square metres, which assist in minimizing shadow impacts. All towers are set back five metres from the face of their associated base building. All towers have clearly articulated base, middle and top components and additional building details will be further refined through the Site Plan Approval process.

The base building elements provided at street level animate the public and private realms and assist in creating an accessible, safe, comfortable and pedestrian-friendly environment.

Planning staff is satisfied that the development implements the principles of the Tall Building Guidelines and the Built Form Policies of the Official Plan. The proposed

development is organized and massed to fit harmoniously with the existing context and demonstrates an appropriate transition in scale and ensures the protection of sunlight and sky views. Through the review of the Site Plan application, the City will secure interesting, high-quality materials in the treatment of the tower and podium.

Mid-Rise Buildings

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, building stepbacks and angular plans. The performance standards that are applicable to this application have been met through the design of the proposed eight-storey building on Block 2 south of the private laneway, including an appropriate transition to the proposed park block and a suitable building height and scale that will create comfortable street level conditions for pedestrians.

Bushby Drive Promenade

Bushby Drive is planned as a civically important promenade in the McCowan Precinct Plan Study and Urban Design Guidelines. It is the spine that will connect Albert Campbell Square in the west, with the future school/park site and the East Highland Creek in the east. The McCowan Precinct Design Guidelines illustrate a right-of-way of between 27-32 metres for Bushby Drive, the applicant is proposing a right-of-way of 30 metres. Given the significance of this promenade, it is important to achieve appropriate sunlight and comfortable scale of building along this public street. On the north side of Bushby Drive (Phase 1), base buildings are set back a minimum of 3.0 metres with a stepback at 6 storeys and where applicable at 8 storeys. On the south side of Bushby Drive (future Phase 2), generous stepbacks are shown in the 675 Progress Master Plan (see Attachment No. 8, Addendum 1: Guidelines for 675 Progress Avenue, page 9). Along the north side of Bushby Drive ground related residential units are proposed in Block 1 and the park and a double height amenity space is proposed in Block 2, which will promote and support pedestrian activity along this main promenade.

Parks and Open Spaces

Parks and open spaces help define the identity and enjoyment of a residential area and can set the tone for the entire community. Development adjacent to parks and open spaces will be massed to provide a gradual transition and comfortable scale and will be designed to minimize shadows and wind. The location and heights of proposed buildings have been sited and massed to provide sunlight conditions that assist in preserving the utility of the public park and the park/school site on the adjacent 705 Progress Avenue lands, ensuring the enjoyment of these areas.

Buildings visible along parks and open spaces will be of particularly high design and material quality, which will be secured through the Site Plan Approval process. Massing along all sides of the new park in Block 2 and along the eastern boundary of the subject property facing the school/park site at 705 Progress Avenue will be mid-rise in character to provide an appropriate, comfortable scale facing these important public spaces. See

page 8 of Attachment No. 8, Addendum 1: Guidelines for 675 Progress Avenue, for a rendering of the built form along the eastern boundary of Block 2.

Height

The Scarborough Centre Secondary Plan provides policy guidance respecting the location of tall buildings within the Centre and suggests that taller buildings be located in close proximity to higher order transit, major arterials and Highway 401. It also encourages the creation of a distinctive skyline for the Scarborough Centre. Tall buildings form a prominent part of the urban landscape for the Scarborough Centre, visually reinforcing the civic importance of the area and defining its image. Tall buildings must, however, fit within their context and minimize impacts on surrounding properties. The heights of the proposed buildings are consistent with the description of a 'tall building' and as such have been reviewed under the Built Form Policies of the Official Plan, the Tall Building Design Guidelines and urban design guidelines contained within the Scarborough Centre Secondary Plan to assess the appropriateness of the proposed heights at this location.

The four proposed buildings have heights ranging from 22 to 49 storeys. The tallest buildings, at 49 and 40 storeys, located in Block 1, would be the highest in the Scarborough Centre. The towers in Block 2 have proposed heights of 34 and 22 storeys. The 49 storey building is located at the northwest corner of the site and is designed to be a tall, signature building. Building heights transition down towards the future school/park site, west to east, demonstrating sensitivity to the local context and limiting the shadow impact on this important public site.

Staff consider the proposed building heights to be appropriate for this site. The four towers will visually reinforce the McCowan Precinct and further define its role as an urban focus area within the Scarborough Centre. The buildings will add to the visual prominence of the Scarborough Centre, enhancing its identity and status as a focal point in the eastern part of Toronto.

Transition

The site has been organized to achieve appropriate transition of built form and height down to neighbouring existing and/or planned buildings. This is a particularly significant consideration because the site is at the edge of the Centre and growth area, and adjacent to the only school/park site in the Precinct. In addition to the Built Form policies in the Official Plan, the Growth Plan states that all intensification areas will be planned and designed to achieve an appropriate transition of built form to adjacent areas.

The Height Transition Diagram included in Addendum 1: Guidelines for 675 Progress Avenue (Attachment No. 8, page 12) illustrates that the highest building is located in the northwest corner of Block 1. All other heights transition down appropriately from that peak eastward to the school/park site at 705 Progress Avenue, and southward to the existing low-rise context.

Density

The Owner is seeking development permission for 149,713 square metres of mixed-use gross floor area which represents a density of 5.9 times the area of the site. The proposed density is comparable to existing and approved Scarborough Centre developments. With OPA 231 redesignating the lands from "Employment Areas" to "Mixed Use Areas" and bringing them into the Scarborough Centre, staff are of the opinion that the proposed density represents an appropriate level of intensification for the site, achieving it through acceptable heights, built form, massing and site organization.

The proposed density will help to continue the success of the Scarborough Centre, and the McCowan Precinct, adding to the critical mass of employment, residential and commercial uses needed to create a vibrant urban community, which will support existing and future public investment in transit and infrastructure.

Shadow and Wind

With the only proposed school/park site in Scarborough Centre located immediately to the east of the site, it is important that the future utility and enjoyment of both the park and the school yard, particularly during and immediately after school hours, be preserved in this high density area where few residents will have private yards. Highland Creek and the areas adjacent to the watercourse should also be provided with sunlight to ensure use and enjoyment of these spaces by residents and visitors.

The massing, tower locations and building heights have been designed to minimize shadow impacts on the adjacent school/park site at key times throughout the day. The tallest building at 49-storeys is located at the far northwest corner of the site, with the other towers transitioning downward from west to east. Shadow studies submitted with the application indicate that sunlight on the potential future school yard and park site at 705 Progress Avenue is maintained after school hours on March 21st and September 21st and until early evening on June 21st, thereby ensuring the utility of these future public open spaces, including the public park dedication.

Bushby Drive shadows should be minimized for this key connector street and green promenade with high levels of pedestrian activity anticipated in the future. Future development in Phase 2 (Blocks 3 and 4) is to have massing contained within an angular plane as shown on page 9 of Attachment No. 8, Addendum 1: Guidelines for 675 Progress Avenue. This massing envelope will provide sunlight on the north sidewalk of the Bushby promenade.

A wind study was submitted with the initial submission and subsequently updated to reflect revisions to the proposal. The reports advise that unsafe conditions are not anticipated to result from the currently proposed massing, and that wind conditions at grade around the buildings are anticipated to be appropriate for uses including walking and sitting in most areas. To ensure the creation of safe, comfortable wind conditions in all seasons, landscape and architectural mitigation measures will be secured at the site plan approval stage and a detailed wind tunnel or computational analysis will be required for comprehensive review.

Land Use Compatibility

Staff's review of the proposal included consideration of the compatibility between the proposed sensitive residential use and the existing industrial uses to the north and south. Site and Area Specific Policy No. 8 (b) in OPA 231 requires a feasibility assessment in accordance with Section 4.10.3 of the Province's D-6 Guidelines for Compatibility Between Industrial Facilities and Sensitive Land Uses be completed and that any necessary mitigation measures be incorporated in the design of the development to the satisfaction of the Ministry of Environment (MOE) or its delegated authority.

The MOE guidelines indicate that adequate separation distance is an effective method of mitigating any 'adverse effects'. The MOE Guidelines establish minimum separation distances, determined by a class of industry. A minimum 20-metre separation distance between Class 1 industrial uses (uses to the north and east of the subject site) and the proposed more sensitive land uses on the subject property is to be provided or exceeded. The subject site exceeds the minimum 20-metre separation distance to the north as it is separated by Progress Avenue, which has a 27 metre right-of-way. To the east, the subject site will have a minimum 20-metre separation distance by way of the future public road conveyance (Block 8), as well, the current uses to the east are interim uses until the future school/park site is built.

The TTC McCowan yard, containing tail-track and transit car storage facilities for the Scarborough Rapid Transit to the south is a likely source of compatibility issues for the future Phase 2 of the subdivision. As such, the applicant will be required to submit appropriate studies and address compatibility issues, including compliance with Ministry of the Environment criteria at the time a rezoning application is made for Phase 2. Phase 1 lands are located over 100 metres from the TTC McCowan yard and therefore consistent with MOE guidelines for Class 2 facilities, which requires a minimum 70 metre separation distance.

The applicant submitted an Environmental Noise Feasibility Study in support of the applications. The study looked at transportation noise sources from road traffic, as well as from the TTC McCowan yard to the south. It was determined that sound exposure from the TTC McCowan yard are within the applicable guideline limits for Phase 1 of the proposed development. To meet minimum transportation noise source guideline limits, it is recommended that residential units in Phase 1 be equipped with mandatory air conditioning and window construction that meets Sound Transmission Class of 31. These noise mitigation measures will be secured through the Draft Plan of Subdivisions conditions in Attachment No.7 and subsequent site plan applications.

Given the nature of the existing industrial uses and transportation noise sources, staff is of the opinion that the proposal for Phase 1 is compatible with the lands to the north, east and south and meets MOE guidelines.

An Environmental Noise Feasibility Study will be required with the future rezoning of Phase 2.

Traffic Impact, Access, Parking

The applicant has submitted a Transportation Assessment, which indicates that the existing and proposed road network can accommodate the expected vehicular traffic generated by the proposed mixed-use development.

Vehicular access to the site is proposed via Progress Avenue and a network of future public roads to be built in phases (including: easterly extension of Bushby Drive from Grangeway Avenue through the site; 'Street B'-a north/south connection from Progress Avenue; and 'Block 8'-at the easterly edge of the property connecting Progress Avenue with the extension of Bushby Drive). Secondary vehicular access through the site is supported by an east-west publicly accessible vehicular lane/walkway connection on Blocks 1 and 2, and a private service lane located adjacent to the interior side yard of Block 1.

Street B and Block 8 both have a 20 metre public right-of-way and are proposed as full-moves intersections at Progress Avenue. Consistent with the street cross sections in the McCowan Precinct Urban Design Guidelines, the proposed cross sections include one lane in each direction with on-street parking and a minimum 4.5 metre wide boulevard to provide for street tree planting on both sides of the street. The applicant will be dedicating 10 metres of the future right-of-way, indicated as Block 8, and the future school/park site will be providing the other 10 metres when it redevelops. This dedication will be secured through the plan of subdivision.

Schedule 2 of the Official Plan "Designation of Planned but Unbuilt Roads" lists a Bushby Drive extension between Grangeway Avenue and Markham Road. As such, the applicant was required to demonstrate that the alignment of this first segment of the planned Bushby Drive extension (Grangeway Avenue east through the Toronto Parking Authority lands, through the subject property and connecting with Street B to support Block 1 mixed-use development; and a further extension east of Street B to connect with Block 8 in support of Block 2 mixed-use development) would not preclude the longer-term opportunity to extend Bushby Drive to Markham Road. In response, the applicant provided a technical study of alignment options for a possible further extension of Bushby Drive east of the subject property, through the adjacent City-owned lands at 705 Progress Avenue, spanning East Highland Creek and connecting to Bellamy Road. The study concluded that the preferred options can be fully accommodated by the Draft Plan of Subdivision and therefore protects for the future road link identified in Schedule 2 of the Official Plan. The Transportation Assessment determined that traffic control signals would be required at the intersection of Bushby Drive and Grangeway Avenue. The applicant is required to provide a letter of credit in the amount of \$200,000 for the future installation of traffic control signals and this off-site road improvement will be secured through the Draft Plan of Subdivision.

Areas of Scarborough Centre have water table issues that limit multi-level below grade parking structures, as is the case at 675 Progress Avenue. Vehicular and bicycle parking will be accommodated in two parking garages, both located on the north side of the east-west publicly accessible vehicular laneway/walkway. The parking garages incorporate 2-

levels below- and 3 levels above-grade. The above-grade levels will be wrapped with residential dwelling units, retail and office uses so as to ensure that the parking structure is not visible from adjacent streets.

City-wide Zoning By-law No. 569-2013 establishes new vehicle and bicycle parking standards for Centres. The relevant standards from this by-law are being applied and the applicant will be required, at the Site Plan Approval stage, to establish zoning compliance with these recommended vehicle and bicycle parking rates. The applicant is also proposing one car share parking space to be provided in Block 1.

Parking for Block 1 will be accessed from the private lane located along the westerly edge of the site; and parking for Block 2 will be accessed from the future public road (Block 8) along the easterly edge of the site. A total of 1,144 parking spaces are proposed, including 181 parking spaces that are to be shared between the residential visitor and commercial parking components.

Servicing

The applicant submitted a Functional Servicing Report, prepared by R.V. Anderson Associates Limited in May 2013 in support of the rezoning and draft plan of subdivision applications. At the request of Engineering and Construction Services staff, a revised Functional Servicing Report was submitted in April 2015 and provides additional information with respect to the sanitary sewer capacity and analysis, storm water quantity and quality management and preliminary site servicing drawings.

Engineering and Construction Services staff, at the time of the writing of this report, are reviewing the revised April 2015 Functional Servicing Report. As such, it is recommended that a revised Functional Servicing Report, to the satisfaction of the Executive Director of Engineering and Construction Services, be approved prior to introducing the necessary Zoning Bill to City Council for enactment. Should servicing infrastructure improvements be necessary to accommodate this development, they will be the responsibility of the Owner and will be secured in the subdivision agreement.

Residential Amenity Space

The Official Plan requires that new development provide adequate indoor and outdoor recreational space for residents. The Commercial-Residential Zone in City-wide Zoning By-law No. 569-2013 establishes a standard minimum amenity space rate of 4 square metres for each dwelling unit (minimum 2 square metres indoor and minimum 2 square metres outdoors). The applicant is proposing 1,371 units which equates to a minimum requirement of 5,484 square metres of amenity space. The applicant is proposing 6,290 square metres of amenity space (2,954 square metres indoor and 3,336 square metres outdoor), which exceeds the minimum amenity space requirements.

Details of amenity space design and locations will be further refined during the site plan approval process.

Parkland/Open Space

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 the local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.0 + 0.42 hectares of local parkland per 1,000 people. The subject site is located in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The applicant proposes the construction of 1371 residential units within a net site area of 1.841 hectares (18,410m²). At the alternative rate of 0.4 hectares per 300 units, the parkland dedication would be 1.828 hectares (18,280m²), which equates to 99% of the net site. At this time there is no applicable cap that applies to the Scarborough Centre Secondary Plan Alternative Rate parkland dedication provision.

The applicant is proposing an on-site park dedication of 0.203 hectares (2,030m²) as denoted on the draft Plan of Subdivision as Block 5 (refer to Attachment No. 2). Based on the required parkland dedication of 1.828 hectares (18,280m²), the applicant has a parkland dedication shortfall of 1.625 ha (16,250m²). The applicant is required to satisfy any short fall of parkland dedication through a cash-in-lieu payment. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the first above grade building permit of Block 1. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

As there is currently no applicable cap that applies to the Scarborough Centre Secondary Plan Alternative Rate parkland dedication provision, City Planning will be initiating an Official Plan Amendment as part of its 2016 work program to amend the current park levy policies in the Scarborough Centre secondary plan and align them with the City Wide Parkland Dedication By-law 1020-2010.

The public park is a requirement of Phase 1, Block 1 of the development and will be secured through the subdivision process. The proposed public park location, as currently proposed, implements the vision of the McCowan Precinct Master Plan with frontage on two public streets, as well as the east-west lane/walkway. The park will complement the urban nature of the Precinct and serve new residents. Development adjacent to the park has been massed to provide a gradual transition down to the park, so as to minimize shadows and wind and provide a comfortable building scale. The interface between the park and adjacent development blocks, including a coordinated landscape design to support and animate the park will be addressed through the site plan process and the detailed design of the park.

The applicant has agreed to design and construct Above Base Park Improvements to the proposed public park if City Council approves a development charge credit against the Parks & Recreation component of Development Charges. Accordingly, it is recommended that City Council authorize the granting of a development charge credit.

The Official Plan and the City's 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.

In addition to the McCowan Precinct Guidelines, Addendum 1: Guidelines for 675 Progress Avenue illustrates desired locations for privately owned public spaces for 675 Progress Avenue. The applicant is proposing four POPS in Phase 1, that are located at the northeast and southeast corners of Block 1; the northeast corner of Block 2; and a 7.5m wide east-west lane/walkway, which extends across the entirety of Blocks 1 and 2.

The POPS are to be secured as a legal convenience in the Section 37 Agreement and will be designed through the future Site Plan Approval processes.

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 is secured in the draft plan of subdivision conditions.

The TDSB and the City are co-owners of the abutting land to the east, 705 Progress Avenue, which is the intended location of a future new school and park. TDSB staff advise that continued development in the Scarborough Centre will result in a new school at this location within the next 10 years, subject to funding.

The Toronto Catholic School Board (TCDSB) has advised that enrolment 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.

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 subdivision and site plan approval applications will secure performance measures for Tier 1 development features including: pedestrian infrastructure (walkways, sidewalks, lighting), landscaping and tree planting, stormwater management and retention, glass treatments to minimize bird collisions and collection of recycling and organic waste.

Other applicable TGS performance measures will be secured through the Site Plan Approval process.

The applicant has indicated they will strive to pursue Tier 2 of the TGS which includes possible refunds against Development Charges payable for the development.

Public Art

Public art installations are encouraged in all new development to add to the quality of the public realm. On-site art is encouraged to add interest and create a sense of place in locations generally as shown in the McCowan Precinct Conceptual Master Plan. The Owner has agreed to contribute \$500,000 towards on-site public art, which will be secured through the Section 37 agreement. The Owner will be required to prepare a project/block public art plan detailing how public art is to be provided on site, which will be included as a condition of Draft Plan of Subdivision.

Draft Plan of Subdivision

The Draft Plan of Subdivision will create the development blocks, a block for the public park, public streets and blocks reserved for future public road conveyances, including securing the off-site public road (Bushby Drive extension from Grangeway Avenue to western edge of 675 Progress Avenue) (see Attachment No. 7 for the recommended Draft Plan conditions). The Draft Plan of Subdivision is consistent with S.51 of the Planning Act.

Zoning By-law

The zoning by-law will rezone the lands to Commercial Residential (CR) from its current Industrial (M) to allow for the proposed uses. It will establish appropriate performance standards to regulate the proposed development, including permitted uses, intensity of use, heights, setbacks, vehicular and bicycle parking and building setbacks. Schedule 2 in the Draft Zoning By-law illustrates building envelopes, setback and setbacks and building heights.

Blocks 2, 7 and 8 would be subject to a Holding (H) provision in the zoning by-law that, until its removal, restricts use of the lands to office uses permitted under the Industrial (M) zone. The 'H' may be removed from these blocks to permit the CR uses once a Transportation Impact Study has been submitted and all transportation and servicing related infrastructure have been secured to the satisfaction of the City.

The attached Draft Zoning By-law Amendment (Attachment No. 6) 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 planning 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 the local Councillor and the Owner to identify community benefits that would flow from the use of Section 37 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 recommended to be secured in the Section 37 Agreement are as follows:

1. Block 1:
 - a. Prior to issuance of the first above-grade building permit for a building or structure on Block 1, the Owner shall make a cash contribution to the City in the amount of \$250,000, which 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 provision of public art on the subject site;
 - b. Prior to the issuance of the first above-grade building permit for a building or structure on Block 1, the Owner shall make a cash contribution to the City in the amount of \$970,000, which 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 provision of the following:
 - (i) \$75,000 for Toronto Community Housing Corporation at 400/410 McCowan Road for common space/amenity space/basketball court improvements and/or local park improvements;
 - (ii) \$55,000 for Toronto Community Housing Corporation at 55/65 Greenbrae Circuit for recreational room(s)/amenity space/basketball court improvements and/or local park improvements;

- (iii) \$40,000 for Toronto Community Housing Corporation at 50 Tuxedo Court for amenity space/BBQ area improvements and/or local park improvements;
 - (iv) \$200,000 for Knob Hill Day Nursery (23 Gauge Avenue) for playground improvements and/or local park improvements;
 - (v) \$200,000 for Rosalie Hall Child Care (3020 Lawrence Avenue East) for playground improvements and/or local park improvements;
 - (vi) \$400,000 to Toronto Animal Services for a 100 +/- square metre expansion at 821 Progress Avenue and/or local park improvements.
- c. Prior to the issuance of the first above-grade building permit for the second building or structure on Block 1, the Owner shall make a cash contribution to the City in the amount of \$512,000, which 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 provision of an addition and/or refurbishment of Centennial Recreation Centre at 1967 Ellesmere Road and/or other local community recreational facilities and/or local park improvements.
2. Block 2:
- a. Prior to issuance of the first above-grade building permit for a building or structure on Block 2, the Owner shall make a cash contribution to the City in the amount of \$250,000, which 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 provision of public art on the subject site;
 - b. Prior to issuance of the first above-grade building permit for a building or structure on Block 2, the Owner shall make a cash contribution to the City in the amount of \$988,000, which 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 provision of an addition and/or refurbishment of Centennial Recreation Centre at 1967 Ellesmere Road and/or other local community recreational facilities and/or local park improvements.
3. The Owner provide a title opinion to the City for the agreement's registration to the satisfaction of the City Solicitor.

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

1. The Owner shall construct the park block to Above Base Park Condition, as approved by the General Manager of Parks, Forestry and Recreation.
2. 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.
3. Privately owned publicly-accessible spaces (POPS) are to be provided with appropriate signage in accordance with the Privately Owned Publicly-Accessible Space Guidelines and to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor at the following locations:
 - (a) minimum area of 136 m² at the northeast corner of Block 1 at the intersection of Progress Avenue and Street B;
 - (b) minimum area of 65 m² at the southeast corner of Block 1 at the intersection of Street A (the extension of Bushby Drive) and Street B;
 - (c) minimum area of 81 m² at the northeast corner of Block 2 at the intersection of Progress Avenue and the future road conveyance; and
 - (d) minimum 7.5 metre wide east-west lane/walkway, which extends across the entirety of Blocks 1 and 2.

CONTACT

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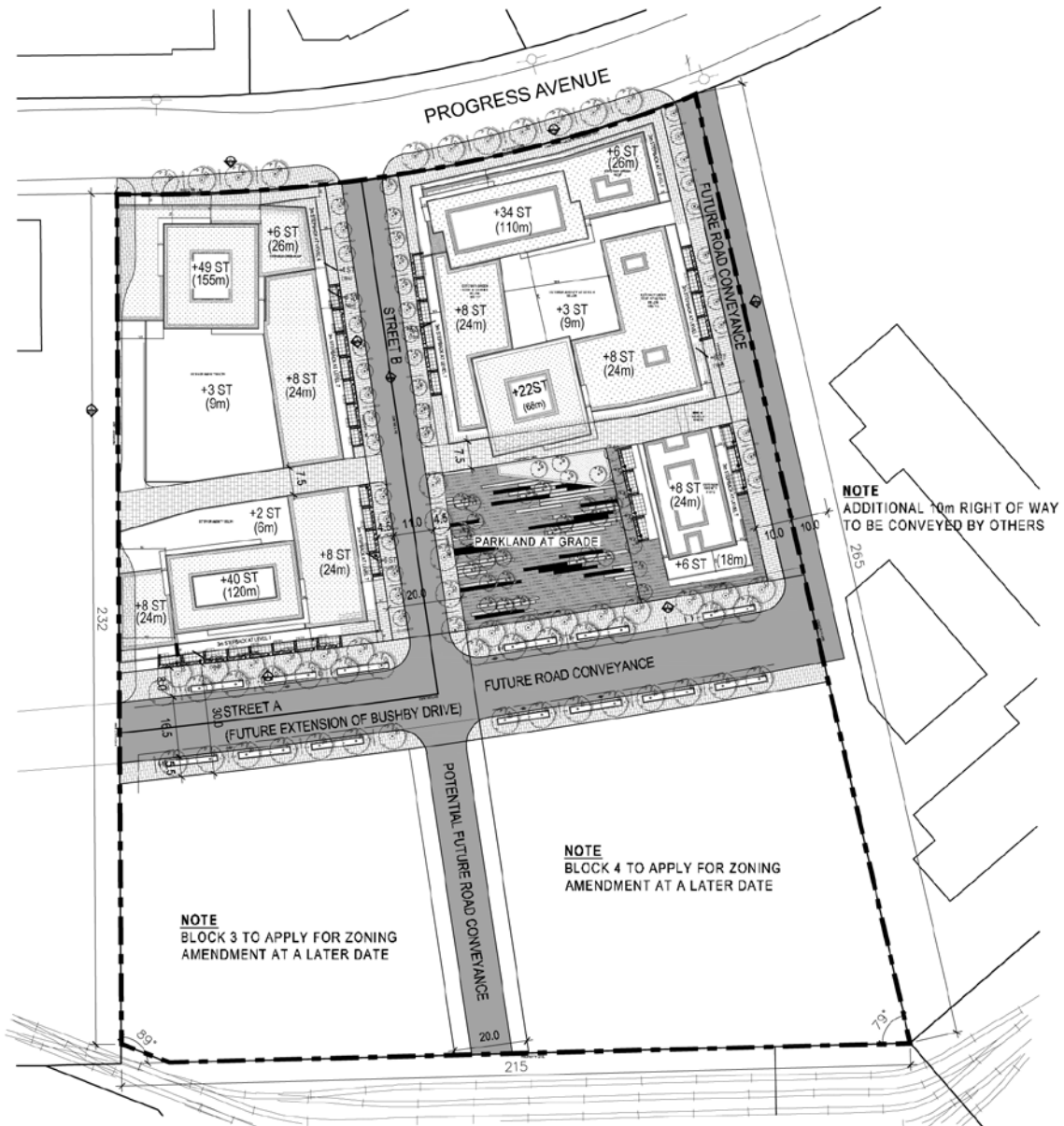
SIGNATURE

Joe Nanos, Director
Community Planning, Scarborough District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Draft Plan of Subdivision
- Attachment 3A-G: Elevations and Perspective
- Attachment 4: Zoning
- Attachment 5: Application Data Sheet
- Attachment 6: Draft Zoning By-law Amendment
- Attachment 7: Conditions of Draft Plan of Subdivision
- Attachment 8: Addendum 1: Guidelines for 675 Progress Ave

Attachment 1: Site Plan



Site Plan

675 Progress Avenue

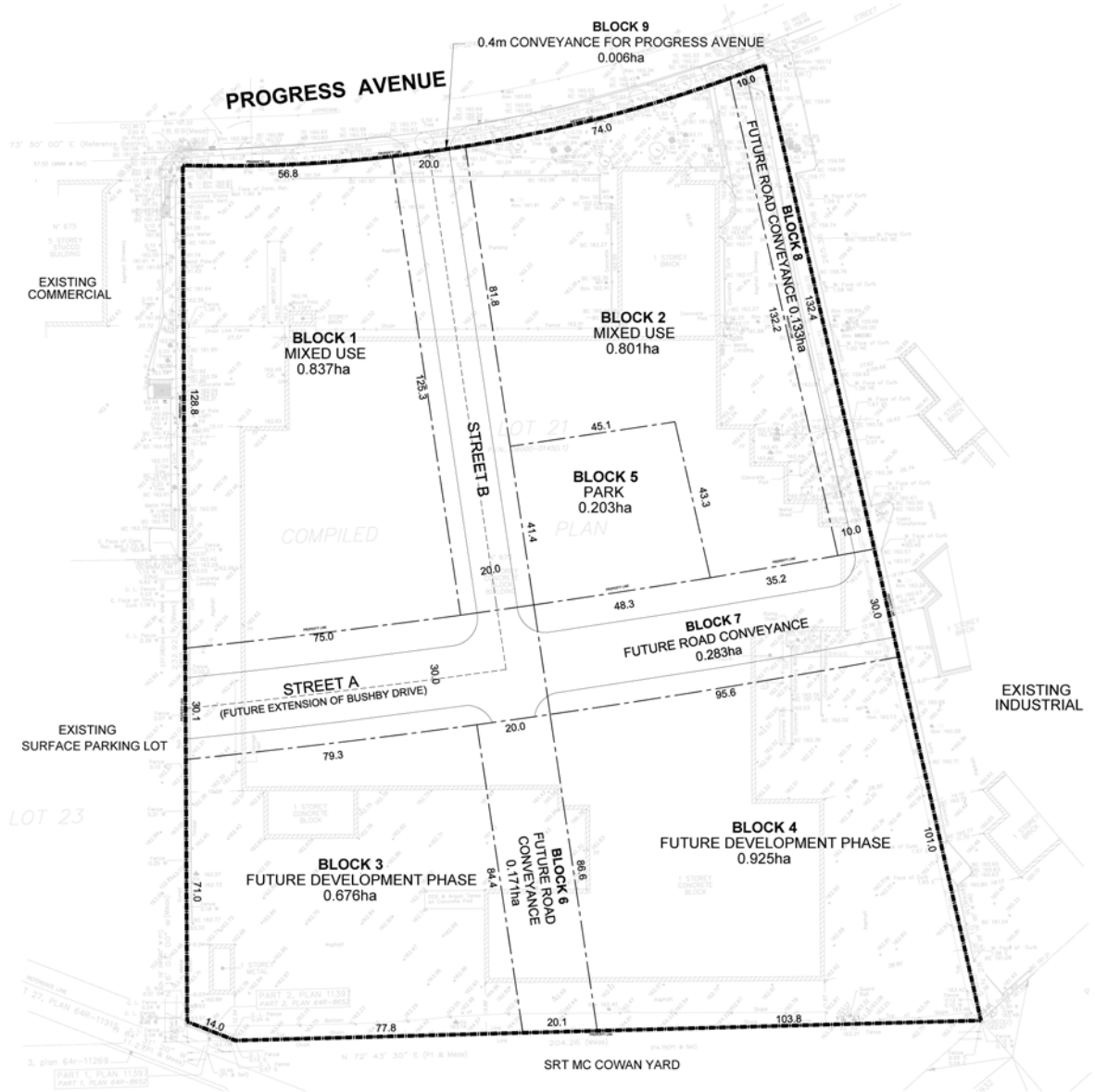
Applicant's Submitted Drawing

Not to Scale
05/28/15



File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

Attachment 2: Draft Plan of Subdivision



Draft Plan of Subdivision

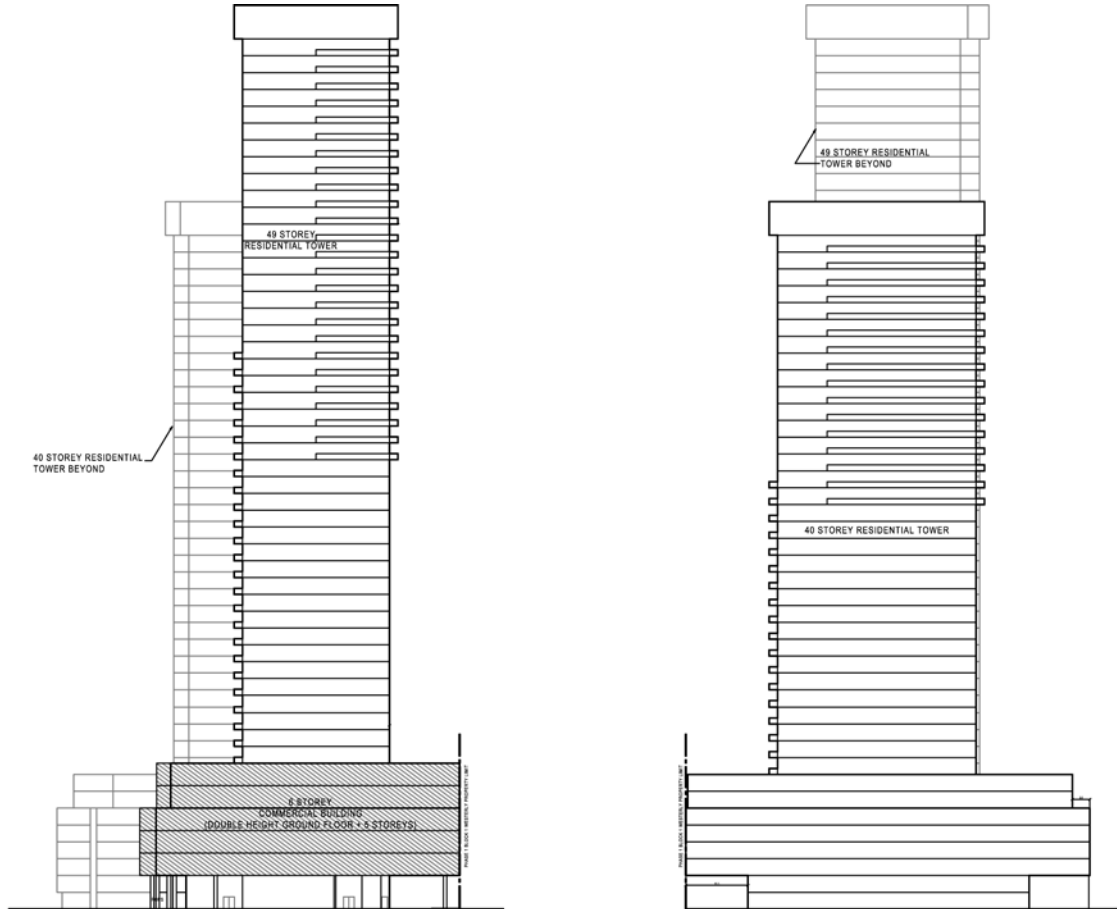
675 Progress Avenue

Applicant's Submitted Drawing

Not to Scale
5/29/15

File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

Attachment 3A: Block 1-North and South Elevations



North Elevation
(Progress Avenue)

South Elevation
(Street A-Bushby Drive Extension)

Elevations - Block 1

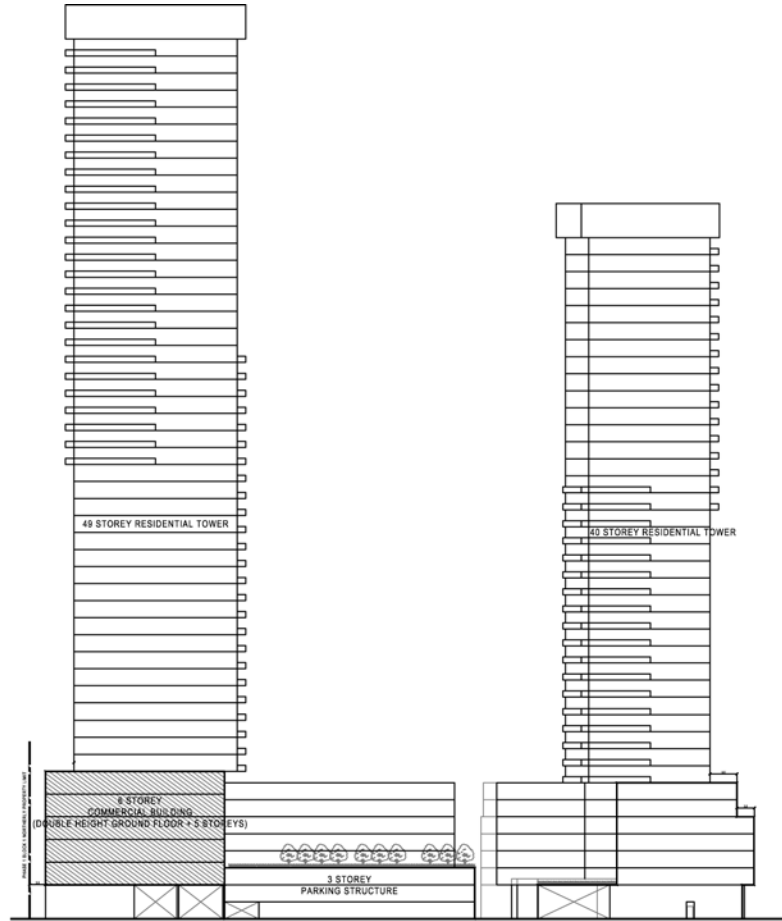
Applicant's Submitted Drawing

Not to Scale
5/29/15

675 Progress Avenue

File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

Attachment 3B: Block 1-West Elevation



**West Elevation
(Private Lane)**

Elevations - Block 1

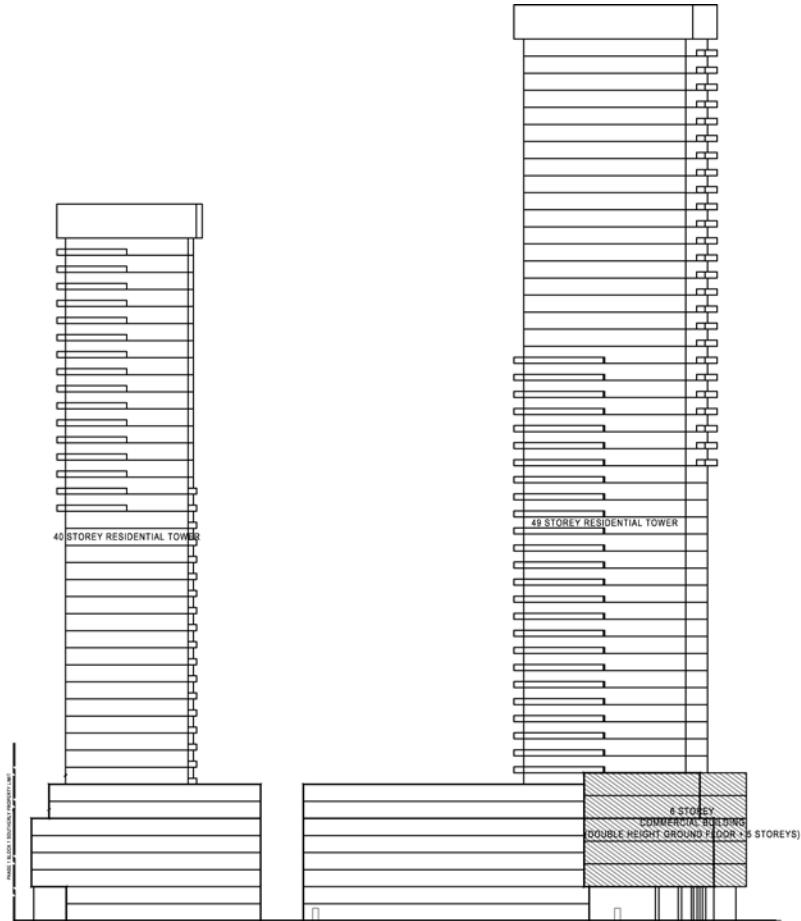
675 Progress Avenue

Applicant's Submitted Drawing

Not to Scale
5/29/15

File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

Attachment 3C: Block 1-East Elevation



**East Elevation
(Block 1 - Street B)**

Elevations - Block 1

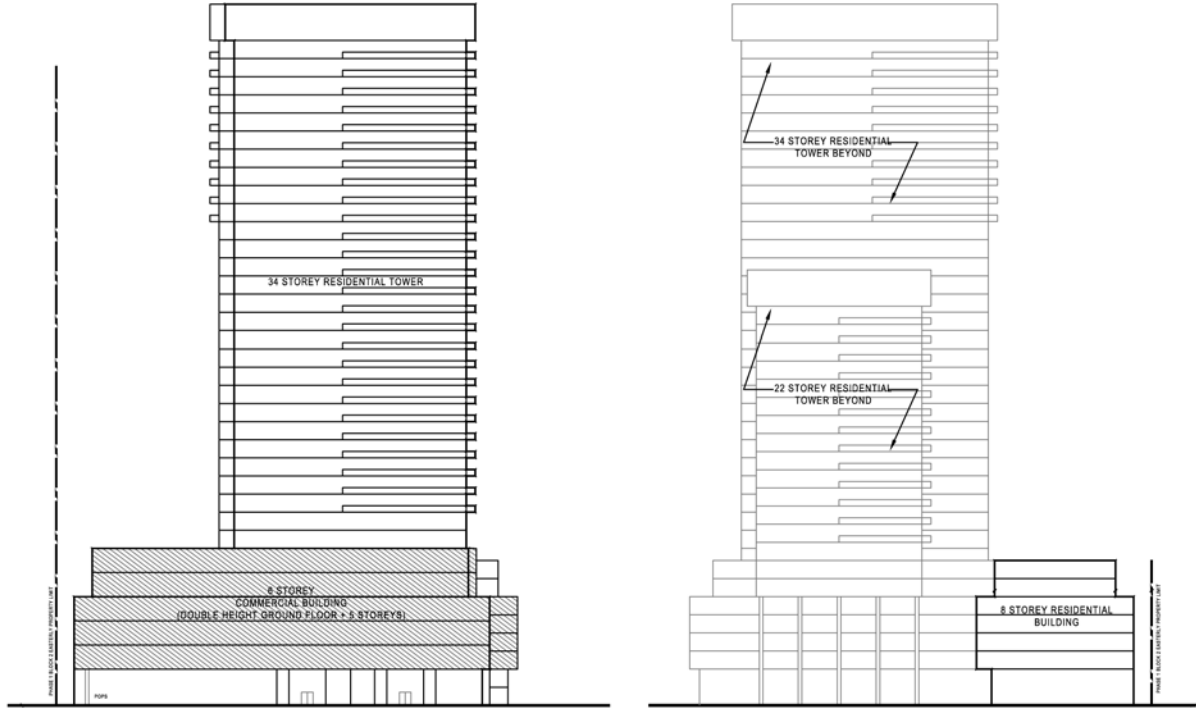
675 Progress Avenue

Applicant's Submitted Drawing

Not to Scale
5/29/15

File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

Attachment 3D: Block 2-North and South Elevations



**North Elevation
(Progress Avenue)**

**South Elevation
(Street A-Bushby Drive Extension)**

Elevations - Block 2

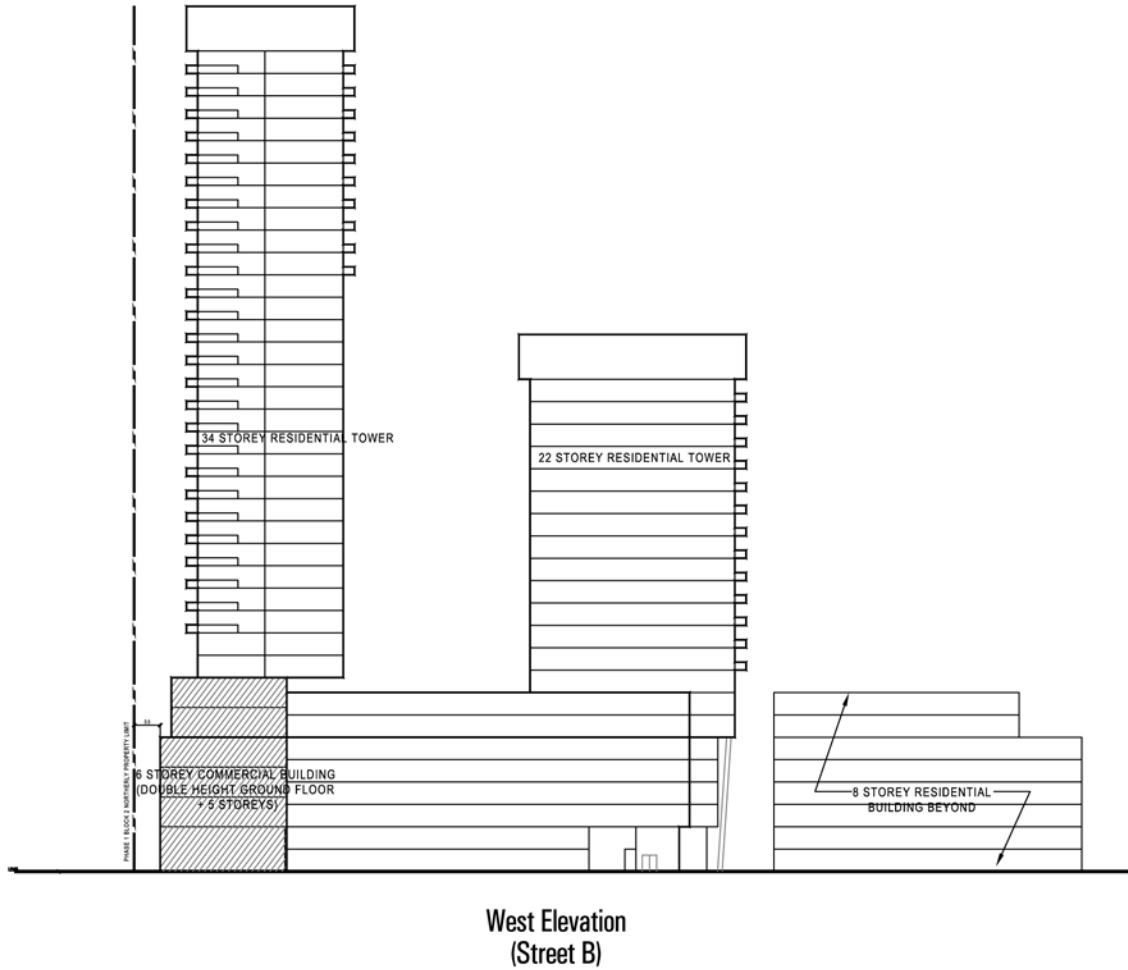
675 Progress Avenue

Applicant's Submitted Drawing

Not to Scale
5/29/15

File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

Attachment 3E: Block 2-West Elevation



Elevations - Block 2

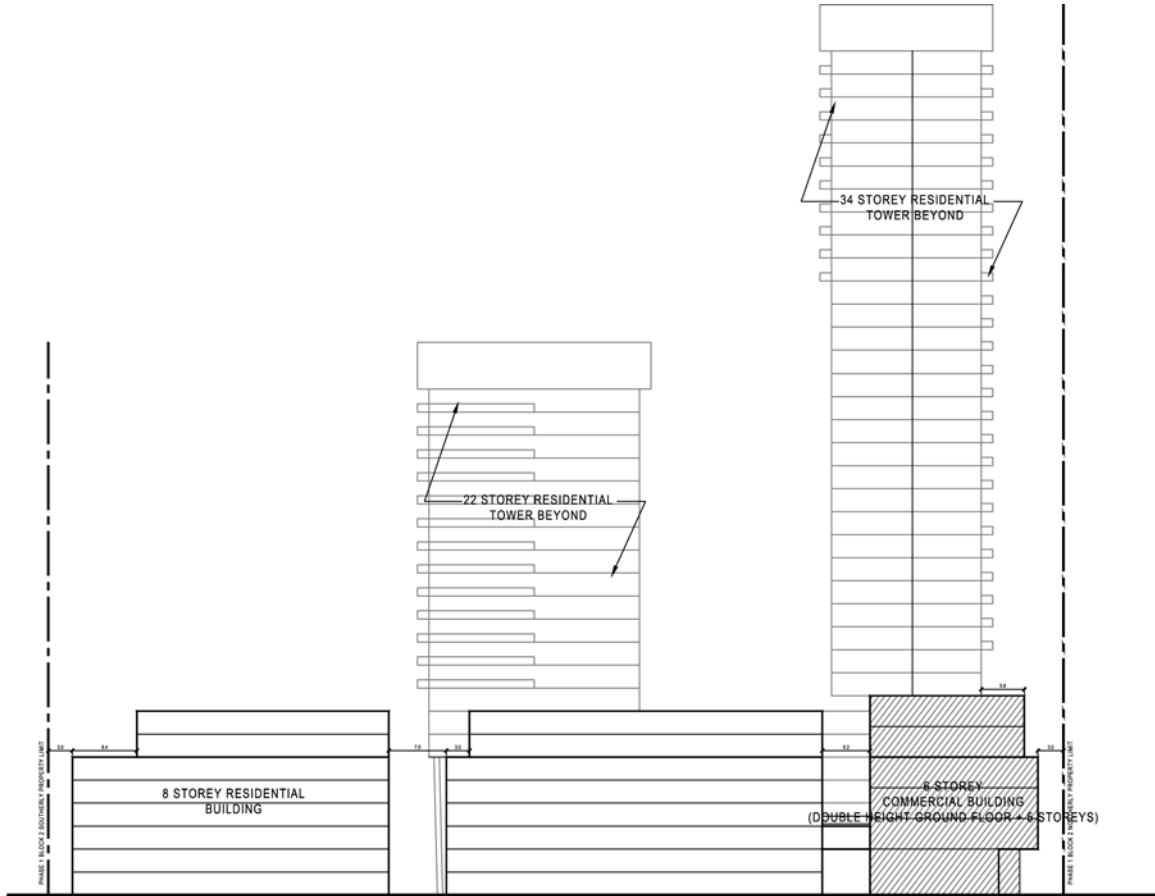
675 Progress Avenue

Applicant's Submitted Drawing

Not to Scale
5/29/15

File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

Attachment 3F: Block 2-East Elevation



East Elevation
(Block 8 - Future Public Road Conveyance)

Elevations - Block 2

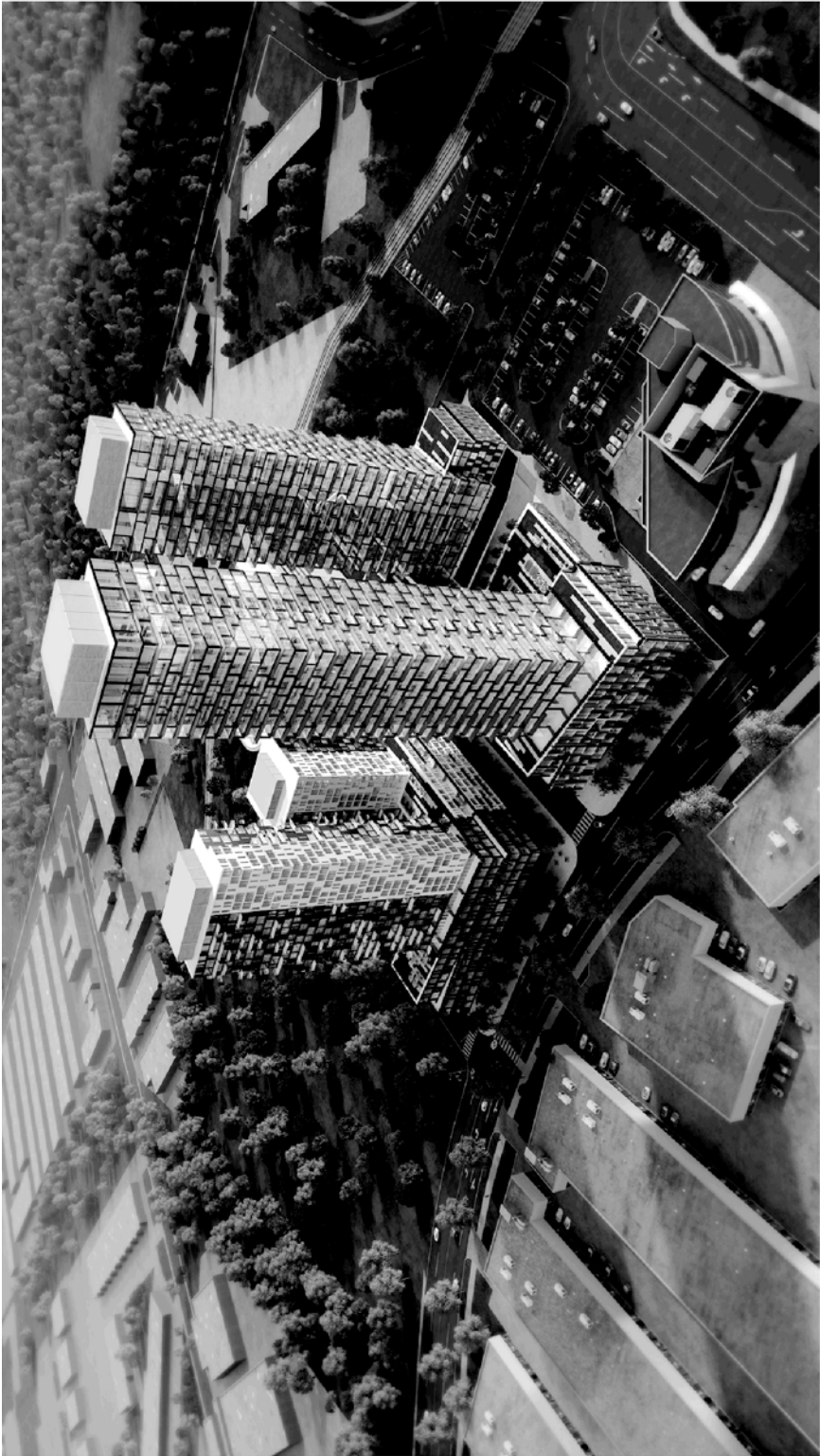
Applicant's Submitted Drawing

Not to Scale
5/29/15

675 Progress Avenue

File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

Attachment 3G: Perspective



675 Progress Avenue

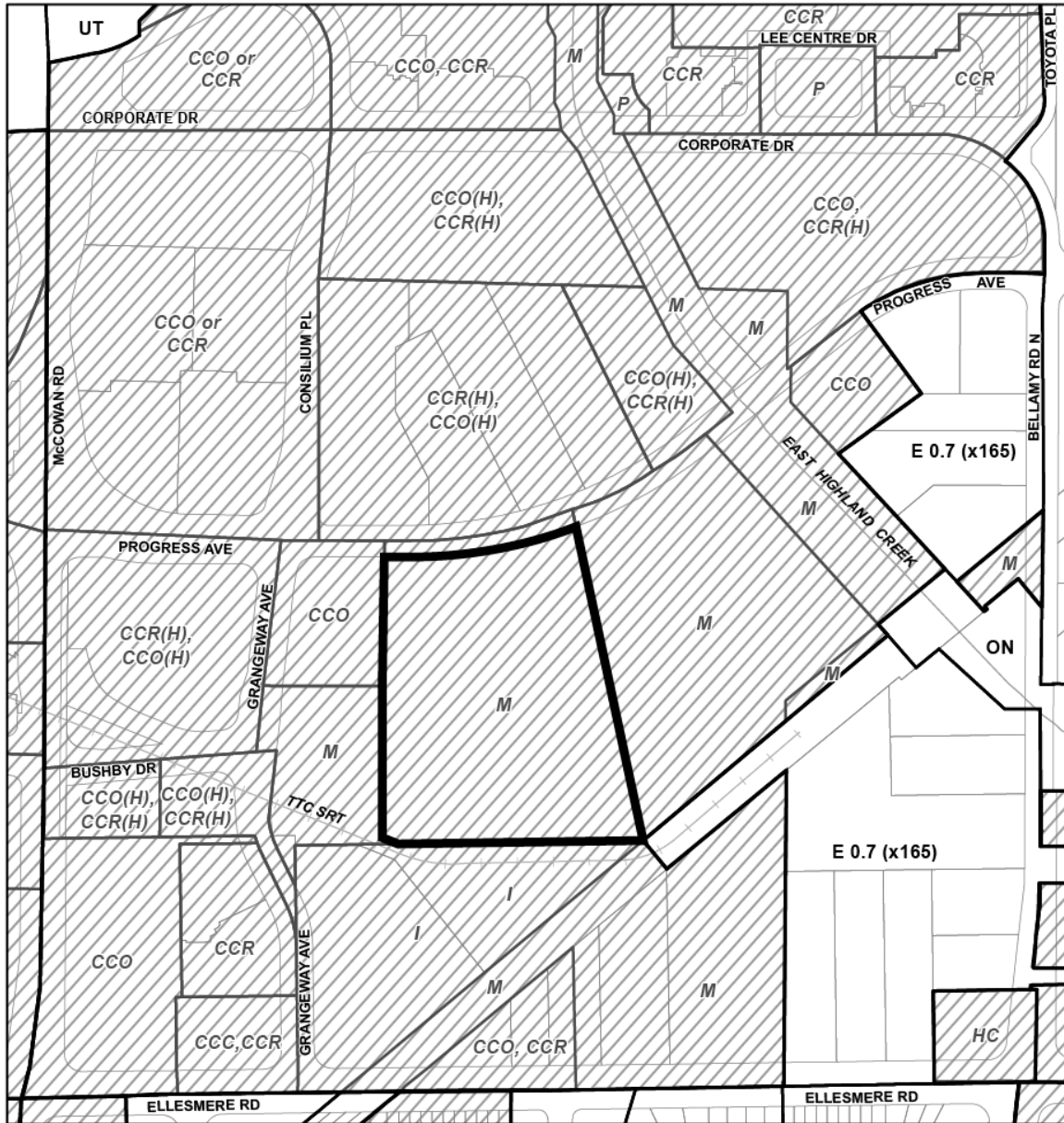
File # 13 175197 ESC 38 OZ 13 175005 ESC 38 SB

Perspective

Applicant's Submitted Drawing

Not to Scale
5/8/15

Attachment 4: Zoning



Zoning By-law 569-2013

675 Progress Avenue

File # 13 175197 ESC 38 OZ & 13 175005 ESC 38 SB

- Location of Application
- E** Employment Industrial
- ON** Open Space Natural
- UT** Utility and Transportation

- See Former City of Scarborough Employment District Bylaw No. 24982 (Progress)
- M** Industrial Zone
- CCC** City Centre Commercial Zone
- CCO** City Centre Office Zone
- CCR** City Centre Residential Zone
- I** Institutional Zone
- HC** Highway Commercial Zone
- P** Parks Zone

Not to Scale
 Extracted 01/13/2015

Attachment 5: Application Data Sheet

Application Type	Subdivision and Rezoning	Application Number:	13 175197 ESC 38 OZ 13 175005 ESC 38 SB
Details	Rezoning, Standard	Application Date:	May 27, 2013
Municipal Address:	675 PROGRESS AVE		
Location Description:	PLAN 10152 PT LOT 21 **GRID E3802		

Project Description: The applications propose to establish a plan of subdivision for the entire 4.6 hectare site and rezone the northern 2.5 hectares (Phase 1) of the site known municipally as 675 Progress Avenue. The subdivision application would establish four development blocks for residential, retail and commercial/office uses; a block for a public park; a north/south public street to provide vehicular and pedestrian connections to the interior of the site; an east/west public street that could form part of the future extension of Bushby Drive (and which forms the south limit of the Phase 1 development); and three blocks reserved for future road conveyances. The rezoning would permit 1,371 residential units, 13,000 square metres of office use, 900 square metres of commercial/retail space and a 0.203 hectare public park. Phase 2 of the development would be subject to a rezoning at a later date.

Applicant:	Agent:	Architect:	Owner:
REGIONAL ARCHITECTS		REGIONAL ARCHITECTS	SELKIRK INVESTMENTS LTD

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	OPA 231, SASP #8
Zoning:	M-Industrial	Historical Status:	
Height Limit (m):		Site Plan Control Area:	YES

PROJECT INFORMATION

Site Area (sq. m):	25,399	Height:	Storeys:	49
Frontage (m):	161		Metres:	166
Depth (m):	243			
Total Ground Floor Area (sq. m):	11,606			Total
Total Residential GFA (sq. m):	135,850		Parking Spaces:	1144
Total Non-Residential GFA (sq. m):	13,900		Loading Docks	12
Total GFA (sq. m):	149,750			
Lot Coverage Ratio (%):	45.69			
Floor Space Index:	5.9			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Studio:	252
1 Bedroom:	869
2 Bedroom:	209
3 + Bedroom:	41
Total Units:	1,371

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	135,850	0
Retail GFA (sq. m):	900	0
Office GFA (sq. m):	13,000	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Kelly Dynes, Senior Planner TELPPHONE: (416) 396-4250

Attachment 6: Draft Zoning By-law Amendment

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

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

**To amend the former City of Scarborough, Employment Districts Zoning By-law
No. 24982, as amended (Progress Employment District),
With respect to the lands municipally known as,
675 Progress Avenue**

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*; 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 beyond those otherwise permitted by the by-law 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 or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

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

Whereas the increase in height and density permitted hereunder, beyond those otherwise permitted in the aforesaid lands by By-law No. 24982, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in the By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto; and

Whereas Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law; and

The Council of the City of Toronto enacts as follows:

1. **Schedule "A"** of the Progress Employment District Zoning By-law No. 24982 is amended by deleting the current zoning and replacing it with the following zoning as shown on Schedule '1'.

CR-480-481-482-866-1195-1196-1197-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1747-1748-1749-1750-1751-2067-2069-2070-2071-2072-2073-2385 (486)

CR (H)-480-481-482-866-1195-1196-1197-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1747-1748-1749-1750-1751-2067-2069-2070-2071-2072-2073-2385 (486) (849)

P

2. **CLAUSE IV – DEFINITIONS** is amended by adding the following definitions:

Amenity Space

shall mean indoor or outdoor space on a **lot** that is communal and available for use by the occupants of a building on the **lot** for recreational or social activities.

Apartment Building

shall mean a building that has five or more **dwelling units**, with at least one **dwelling unit** entirely or partially above another, and each **dwelling unit** has a separate entrance directly from outside or through a common inside area. A building that was originally constructed as a detached house, semi-detached house or **townhouse** and has one or more **second suites** is not an **apartment building**.

Art Gallery

shall mean premises used for the exhibition, collection or preservation of works of art for public viewing.

Artist Studio

shall mean premises used for creating art or craft.

Bed-Sitting Room

shall mean a room used as separate living accommodation that:
a. has a private entrance from a hallway inside a building; and
b. may have sanitary facilities but not food preparation facilities.

Car-Share Motor Vehicle

shall mean a motor vehicle owned by a profit or non-profit car-sharing organization available for short term rental, including an option for hourly rental

and/or kilometres driven, intended for the shared use by a number of people including the occupants of the building.

Car-Share Parking Space

shall mean a parking space used for, and only for, the parking of a **car-share motor vehicle**.

Community Centre

shall mean premises operated by or on behalf of a government or non-profit organization providing community activities, such as arts, crafts, recreational, social, charitable and educational activities.

Custom Workshop

shall mean premises used for producing or making custom-made goods in limited quantities, using techniques that do not involve mass-production.

Green Roof

shall mean an extension to a building's roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in compliance with the Toronto Green Roof Construction Standard set out in Chapter 492 of the City of Toronto Municipal Code.

Hospice Care Home

shall mean premises used to provide palliative care.

Mixed Use Building

shall mean a building with a **dwelling unit** and a non-residential use. A residential building is not a **mixed use building**.

Museum

shall mean premises used for the exhibition, collection or preservation of objects of cultural, historical or scientific interest for public viewing.

Nursing Home

shall mean premises used to provide living accommodation and regular nursing care for persons of any age and which has personal and medical care facilities, common lounges and dining areas.

Performing Arts Studio

shall mean premises used for the rehearsal of performing arts, such as music, dance or theatre.

Pet Services

shall mean premises used to provide for the grooming of domestic animals. A **veterinary hospital** or a kennel are not **pet services**.

Production Studio

shall mean premises used for producing live broadcasts, motion pictures, or audio or video recordings or transmissions. The mass reproduction of film or recordings is not a **production studio**.

Religious Residence

shall mean premises owned or operated by, or on behalf of, a religious organization, consisting of **dwelling units** or rooms, used as accommodation for students or clerics, such as a monastery, nunnery or similar residence.

Respite Care Facility

shall mean premises used for the provision of short-term non-emergency services for the supervised care of people of any age, in order to provide relief to their caregivers. A respite care facility may include the provision of services, such as:

- a. preventive medicine,
- b. counselling,
- c. social, recreational or educational programs, or
- d. day or overnight care.

A **day nursery** is not a **respite care facility**.

Software Development and Processing

shall mean premises used for software development and testing, or for the collection, analysis, processing, storage or distribution of electronic data.

Stacked Bicycle Parking Space

shall mean a horizontal **bicycle parking space** that is positioned above or below another **bicycle parking space** and equipped with a mechanical device providing floor level access to both **bicycle parking spaces**.

Student Residence

shall mean premises owned and operated by a public school, private school, post-secondary school or educational facility, consisting of **dwelling units**, **bed-sitting rooms** or rooms, used for student accommodation.

Townhouse

shall mean a building that has three or more **dwelling units**, and no **dwelling unit** is entirely or partially above another. A detached house or semi-detached house that has one or more **second suites** is not a townhouse.

Veterinary Hospital

shall mean premises used by a licensed veterinarian for the medical treatment of animals.

3. **Schedule "B" PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards:

INTENSITY OF USE

480. The **gross floor area** of all uses permitted in the **Commercial/Residential Zone (CR)** shall not exceed 149,750 m².
481. A minimum **gross floor area** of 13,900 m² shall be provided as non-residential uses, of which 13,000 m² shall be office uses.
482. Maximum 1,371 **dwelling units** as follows:
- a. On lands identified as Block 1 on Schedule 1, maximum 784 **dwelling units**.
 - b. On lands identified as Block 2 on Schedule 1, maximum 587 **dwelling units**.

SETBACKS

1195. The setbacks and stepbacks from the **lot** line(s) to the **main wall**(s) of any building(s) and additional stepbacks from the **main wall**(s) of any building(s) to the **main wall**(s) of any building(s) shall be the minimum distance in metres specified by the numbers on Schedule 2 of (Clerk to insert By-law #).
1196. Notwithstanding **CLAUSE V - GENERAL PROVISIONS**, Sub-Clause 5 (Main Wall Projections), the following building elements and **structures** may encroach into a required minimum building setback from the **main wall** as follows:
- a. Awnings, **canopies**, porches, stoops, lighting fixtures, ornamental elements, trellises, cornices, window sills, stairs, wheelchair ramps, balustrades, landscape features: a maximum projection of 1.5 m;
 - b. balconies on the 7th and 8th **storeys**: a maximum projection of 1.5 m; and
 - c. public art features: no projection restriction provided they are approved by City Planning.
1197. The minimum setback to the **main wall** of the building(s) on the north side of the area identified as Parkland at Grade on Schedule 2 of (Clerk to insert By-law #) from the northern property line of the Parkland at Grade shall be 7.5 m with a minimum vertical clearance of 5 **storeys**, above which a minimum setback of 2.3 m to the **main wall** of the tower element shall be permitted.

PARKING

1651. The following provisions of **CLAUSE V - GENERAL PROVISIONS** are not applicable Sub-Clauses: 6. (Underground Structures); 7.1.1. (Application of Parking Rates–Location); 7.2. (Table of Required Parking Rates); and 7.4.1. (Height (above grade Parking Structures)).
1652. A minimum of one **car-share parking space** shall be provided on lands identified as Block 1 and shown on all relevant drawings as a **car-share parking space** set aside for the exclusive use of a **car-share motor vehicle** and organization.
1653. Table of Required Vehicle Parking Rates

Except as otherwise specifically regulated by the By-law, parking spaces shall be provided in accordance with the parking rates set out in the following table:

Use	Parking Rate	Parking Occupancy Rate		
		6 a.m. to 12 p.m.	12 p.m. to 6 p.m.	6 p.m. to 6 a.m.
Alternative Housing	Parking spaces must be provided at a minimum rate of 0.1 for each dwelling unit or bed-sitting room .	100%	100%	100%
Art Gallery	Parking spaces must be provided at a minimum rate of 0.5 for each 100 m ² of gross floor area	25%	100%	100%
Artist Studio	Parking spaces must be provided at the same rate as a retail store.	25%	100%	100%
Assisted Housing	Parking spaces must be provided for each dwelling unit at a minimum rate of: <ol style="list-style-type: none"> i. 0.14 for a bachelor dwelling unit up to 45 m² and 0.5 for each bachelor dwelling unit greater than 45 m²; ii. 0.24 for a one bedroom dwelling unit; iii. 0.4 for a two bedroom dwelling unit; and iv. 0.75 for a three or more bedroom dwelling unit. 	100%	100%	100%
Community Centre	Parking spaces must be provided: <ol style="list-style-type: none"> i. at a minimum rate of 0.5 for each 100 m² of gross floor area; and ii. at a maximum rate of 1.3 for each 100 m² of gross floor area. 	25%	100%	100%
Court of Law	Parking spaces must be provided at a minimum rate of 0.5 for each 100 m ² of gross floor area .	100%	100%	0%
Day Nursery	Parking spaces must be provided: <ol style="list-style-type: none"> i. at a minimum rate of 0.4 for each 100 m² of gross floor area; and 	100%	100%	50%

Use	Parking Rate	Parking Occupancy Rate		
		6 a.m. to 12 p.m.	12 p.m. to 6 p.m.	6 p.m. to 6 a.m.
	ii. at a maximum rate of 0.8 for each 100 m ² of gross floor area .			
Dwelling Unit in a Townhouse	Parking spaces must be provided at a minimum rate of 1.0 for each dwelling unit .	100%	100%	100%
Dwelling unit in an Apartment Building (Tenant requirement)	Parking spaces must be provided: <ul style="list-style-type: none"> i. at a minimum rate of: <ul style="list-style-type: none"> a. 0.6 for each bachelor dwelling unit up to 45 m² and 1.0 for each bachelor dwelling unit greater than 45 m²; b. 0.7 for each one bedroom dwelling unit; c. 0.9 for each two bedroom dwelling unit; and d. 1.0 for each three or more bedroom dwelling unit; and ii. at a maximum rate of: <ul style="list-style-type: none"> a. 0.9 for each bachelor dwelling unit up to 45 m² and 1.3 for each bachelor dwelling unit greater than 45 m²; b. 1.0 for each one bedroom dwelling unit; c. 1.3 for each two bedroom dwelling unit; and d. 1.5 for each three or more bedroom dwelling unit. 	100%	100%	100%
Dwelling unit in an Apartment Building – (Visitor requirement)	Parking spaces for visitors must be provided at a minimum rate of 0.1 for each dwelling unit .	10%	35%	100%
Dwelling unit in a Mixed Use Building	Parking spaces must be provided at the same rate as a dwelling unit in an apartment building .	100%	100%	100%
Dwelling unit in a Mixed Use Building (Visitor requirement)	Parking spaces for visitors must be provided at a minimum rate of 0.1 for each dwelling unit .	10%	35%	100%
Education Use	Parking spaces must be provided at a minimum	100%	100%	50%

Use	Parking Rate	Parking Occupancy Rate		
		6 a.m. to 12 p.m.	12 p.m. to 6 p.m.	6 p.m. to 6 a.m.
	rate of 0.5 for each 100 m ² of gross floor area .			
Financial Institution	Parking spaces must be provided at: <ul style="list-style-type: none"> i. a minimum rate of 2.0 for each 100 m² of gross floor area; and ii. a maximum rate of 4.5 for each 100 m² of gross floor area. 	20%	100%	50%
Fire Hall	Parking spaces must be provided at a minimum rate of 0.2 for each 100 m ² of gross floor area .	100%	100%	100%
Hospice Care Home	Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room .	100%	100%	100%
Library	Parking spaces must be provided at a minimum rate of 0.5 for each 100 m ² of gross floor area .	25%	100%	100%
Museum	Parking spaces must be provided at a minimum rate of 0.5 for each 100 m ² of gross floor area .	25%	100%	100%
Nursing Home	Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room .	100%	100%	100%
Office	Parking spaces must be provided at: <ul style="list-style-type: none"> i. a minimum rate of 1.0 for each 100 m² of gross floor area; and ii. a maximum rate 1.4 for each 100 m² of gross floor area 	100%	60%	0%
Performing Arts Studio	Parking spaces must be provided: <ul style="list-style-type: none"> i. at a minimum rate of 0.5 for each 100 m² of gross floor area; and ii. at a maximum rate of 1.3 for each 100 m² of gross floor area. 	10%	100%	100%
Personal Service Shop	Parking spaces must be provided if the gross floor area used for personal service shops is greater than 200 m ² at: <ul style="list-style-type: none"> i. a minimum rate of 1.0 for each 100 m² of gross floor area; ii. a maximum rate of 4.0 for each 100 m² of gross floor area; and iii. if the gross floor area is 200 m² or less, no parking space is required. 	20%	100%	100%
Pet Services	Parking spaces must be provided at the same rate as a retail store.	20%	100%	100%
Place of Assembly	Parking spaces must be provided at a minimum rate of 4.5 for each 100 m ² for gross floor area .	25%	50%	100%
Places of Worship	Parking spaces must be provided at the greater of: <ul style="list-style-type: none"> i. if there is permanent or fixed seating in a 	100%	100%	100%

Use	Parking Rate	Parking Occupancy Rate		
		6 a.m. to 12 p.m.	12 p.m. to 6 p.m.	6 p.m. to 6 a.m.
	<p>place of worship at:</p> <ul style="list-style-type: none"> a. a minimum rate of 15.0 for each 100 m² of worship area; and b. a maximum rate of 23.0 for each 100 m² of worship area; and <ul style="list-style-type: none"> ii. if there is no seating or variable seating in a place of worship at: <ul style="list-style-type: none"> a. a minimum rate of 18.0 for each 100 m² of worship area; or iii. the required minimum parking rate for all other permitted uses on the lot. 			
Police Station	Parking spaces must be provided at a minimum rate of 0.2 for each 100 m ² of gross floor area .	100%	100%	100%
Production Studio	Parking spaces must be provided at: <ul style="list-style-type: none"> i. a minimum rate of 1.0 for each 100 m² of gross floor area; and ii. a maximum rate 1.4 for each 100 m² of gross floor area. 	100%	60%	0%
Recreational Use	Parking spaces must be provided at: <ul style="list-style-type: none"> i. a minimum rate of 0.5 for each 100 m² of gross floor area; and ii. at a maximum rate of 1.3 for each 100 m² of gross floor area. 	25%	100%	100%
Religious Residence	Parking spaces must be provided at a minimum rate of 1.0 for each 10 bed-sitting rooms or dwelling units .	100%	100%	100%
Residential Care Facility	Parking spaces must be provided at: <ul style="list-style-type: none"> i. a minimum rate of 0.22 for each 100 m² of gross floor area; and ii. at a maximum rate of 1.5 for each 100 m² of gross floor area. 	100%	100%	100%
Respite Care Facility	Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room .	100%	100%	100%
Restaurant	Parking spaces must be provided at: <ul style="list-style-type: none"> i. a minimum of 0; and ii. a maximum rate of 4.0 for each 100 m² of gross floor area. 	100%	100%	100%
Retail Store	Parking spaces must be provided if the gross floor area on a lot is more than 200 m ² at: <ul style="list-style-type: none"> i. a minimum of 1.0 for each 100 m² of gross floor area; ii. a maximum of 4.0 for each 100 m² of 	20%	100%	100%

Use	Parking Rate	Parking Occupancy Rate		
		6 a.m. to 12 p.m.	12 p.m. to 6 p.m.	6 p.m. to 6 a.m.
	iii. gross floor area ; and if the gross floor area on a lot is 200 m ² or less, no parking space is required.			
Retirement Home	Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room .	100%	100%	100%
Service Shop	Parking spaces must be provided if the gross floor area is more than 200 square metres at: i. minimum rate of 1.0 for each 100 m ² of gross floor area ; and ii. maximum rate of 4.0 for each 100 m ² of gross floor area ; and iii. if the gross floor area is 200 m ² or less, no parking space is required.	100%	100%	100%
Software Development and Processing	Parking spaces must be provided at the same rate as an office.	100%	100%	10%
Veterinary Hospital	Parking spaces must be provided at a minimum rate of 1 for each 100 m ² of gross floor area .	100%	100%	100%

1654. Shared Parking Space Calculation (Minimum)

The minimum number of parking spaces required for a lot is determined as follows:

- a. For each of the morning, afternoon and evening parking periods shown in the Table of Required Vehicle Parking Rates in Performance Standard 1653, the minimum number of parking spaces required for each use is calculated using the respective parking space rate and occupancy rate;
- b. the minimum number of parking spaces required for each parking period is the total of the parking spaces required for all uses during that parking period; and
- c. the minimum number of parking spaces required for the lot is equal to the largest number of parking spaces required for any parking period.

1655. **Bicycle parking spaces** shall not be provided within a **dwelling unit** or on a balcony associated thereto, or in a storage locker.

1656. If the calculation of the minimum **bicycle parking spaces** for all uses results in a fraction of a **bicycle parking space** being required, the number of required **bicycle parking spaces** must be rounded up to the next whole number.

1657. Meaning of Long-Term Bicycle Parking and Short-Term Bicycle Parking
- a. Long-term **bicycle parking spaces** are for use by the occupants or tenants of a building; and
 - b. Short-term **bicycle parking spaces** are bicycle parking spaces for use by visitors to a building.

1658. **Bicycle Parking Space** Dimensions

- a. The minimum dimension of a **bicycle parking space** is:
 - i. minimum length of 1.8 m;
 - ii. minimum width of 0.6 m; and
 - iii. minimum vertical clearance from the ground of 1.9 m; and
 - b. the minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, structure or mechanical device is:
 - i. minimum length or vertical clearance of 1.9 m;
 - ii. minimum width of 0.6 m; and
 - iii. minimum horizontal clearance from the wall of 1.2 m; and
 - c. if a **stacked bicycle parking space** is provided, the minimum vertical clearance for each **bicycle parking space** is 1.2 m.
1659. An area used to provide **bicycle parking spaces** must have a minimum vertical clearance of:
- a. 2.4 m if it is a **stacked bicycle parking space**; and
 - b. 1.9 m in all other cases.

1660. "Long-term" **bicycle parking spaces** must be located in a building.

1661. If a **building** has uses, other than **dwelling units**, for which a "long-term" **bicycle parking space** is required, shower and change facilities must be provided for each gender at the following rate:
- a. none if less than 5 required "long-term" **bicycle parking spaces**;
 - b. 1 for 5 to 60 required "long-term" **bicycle parking spaces**;
 - c. 2 for 61 to 120 required "long-term" **bicycle parking spaces**;
 - d. 3 for 121 to 180 required "long-term" **bicycle parking spaces**; and

- e. 4 for more than 180 required "long-term" **bicycle parking spaces**.

1662. A required "long-term" **bicycle parking space** may be located:

- a. on the first **storey** of the building;
- b. on the second **storey** of the building;
- c. on levels of the building below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by **bicycle parking spaces**, until all required **bicycle parking spaces** have been provided; and

1663. A "long-term" **bicycle parking space** may be located in a **stacked bicycle parking space**.

1664. Table of Required **Bicycle Parking Space Rates**

Except as otherwise specifically regulated by the By-law, **bicycle parking spaces** shall be provided in accordance with the parking rates set out in the following table:

Use	Bicycle Parking Space Rates	
	Short-Term Bicycle Parking Spaces	Long-Term Bicycle Parking Spaces
Education Use	the minimum number of short-term bicycle parking spaces to be provided is 3 plus 0.06 bicycle parking spaces for each 100 m ² of interior floor area used for an education use	the minimum number of long-term bicycle parking spaces to be provided is 0.06 for each 100 m ² of interior floor area used for an education use
Office	the minimum number of short-term bicycle parking spaces to be provided is 3 plus 0.15 bicycle parking spaces for each 100 m ² of interior floor area used for an office	the minimum number of long-term bicycle parking spaces to be provided is 0.13 for each 100 m ² of interior floor area used for an office
Personal Service Shop	the minimum number of short-term bicycle parking spaces to be provided is 3 plus 0.25 bicycle parking spaces for each 100 m ² of interior floor area used for a personal service shop	the minimum number of long-term bicycle parking spaces to be provided is 0.13 for each 100 m ² of interior floor area used for a personal service shop
Restaurant	the minimum number of short-term bicycle parking spaces to	the minimum number of long-term bicycle parking spaces to be

Use	Bicycle Parking Space Rates	
	Short-Term Bicycle Parking Spaces	Long-Term Bicycle Parking Spaces
	be provided is 3 plus 0.25 bicycle parking spaces for each 100 m ² of interior floor area used for a restaurant	provided is 0.13 for each 100 m ² of interior floor area used for a restaurant
Retail Store	the minimum number of short-term bicycle parking spaces to be provided is 3 plus 0.25 bicycle parking spaces for each 100 m ² of interior floor area used for a retail store	the minimum number of long-term bicycle parking spaces to be provided is 0.13 for each 100 m ² of interior floor area used for a retail store

1665. Despite the **bicycle parking space** rates set out in Performance Standard 1664, if a bicycle parking space is required for uses on a lot, other than a **dwelling unit**, and the total **gross floor area** of all such uses on the **lot** is 2000 m² or less, then no **bicycle parking space** is required.

1666. Multiple uses on a **lot**

If the Table of Required **Bicycle Parking Space** Rates in Performance Standard 1664, requires a **bicycle parking space** for one or more uses on a **lot**, the total number of **bicycle parking spaces** required is equal to the cumulative total of all **bicycle parking spaces** required for each use on the **lot**.

1667. **Bicycle Parking Space** Requirements for **Dwelling Units**

A minimum of 0.75 **bicycle parking spaces** are required for each **dwelling unit** in an **apartment building** or a **mixed use building**, allocated as 0.68 "long-term" **bicycle parking spaces** per **dwelling unit** and 0.07 "short-term" **bicycle parking spaces** per **dwelling unit**.

HEIGHT

1747. The **height** of any building or **structure** does not exceed the **height** in metres specified by the numbers following the symbol H on Schedule 2 of (Clerk to insert By-law #).

1748. Equipment and **structures** located on the roof of a building may exceed the permitted maximum **height** by 5 m, subject to Performance Standard 1749:

- a. equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment;
- b. **structures** or parts of the building used for the functional operation of the

building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and

- c. **structures** that enclose, screen or cover the equipment, **structures** and parts of a building listed in a. and b. above.

1749. Limits on Elements for Functional Operation of a Building

Equipment, **structures** or parts of a building exceeding the permitted maximum **height** for a building, as permitted by Performance Standard 1748, must comply with the following:

- a. the total area of all equipment, **structures**, or parts of a building may cover no more than 30% of the area of the roof, measured horizontally; and
- b. if any equipment, **structures**, or parts of a building are located within 6 m of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the building's **main walls** facing that **street**.

1750. Unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum **height** for that building by 3 m, if the **structures** are no closer than 2 m from the interior face of any **main wall**.

1751. A parapet wall for a **green roof** may exceed the permitted maximum **height** for a building by 2 m.

MISCELLANEOUS

2067. **Amenity space** for each building with 20 or more **dwelling units** shall be provided at a minimum rate of 4 m² for each **dwelling unit**, of which:

- a. a minimum of 2 m² for each **dwelling unit** is indoor **amenity space**;
- b. a minimum of 40 m² is outdoor **amenity space** in a location adjoining or directly accessible to an indoor **amenity space**; and
- c. a maximum of 25% of the outdoor component may be a **green roof**.

2068. The **main wall** of the first 6 **storeys** of the building(s) fronting or abutting the **street(s)** shall have a minimum width of 70% of the lot at the **street line(s)**.

2069. The separation distance between the **main walls** of the building(s) above 8 **storeys** shall be a minimum of 25 m.

2070. The maximum floor plate area of each **storey** above 8 **storeys** shall be 750 m², including all built area within the building.
2071. The minimum height of the first **storey**, measured between the floor of the first **storey** and the ceiling of the first **storey**, shall be 4.5 m.
2072. Waste and Recyclable Materials Storage
- a. all waste and recyclable material must be stored in a wholly enclosed building; and
 - b. if the waste and recyclable material is stored in an ancillary building, the ancillary building:
 - i. may not be located in a side yard that abuts a street or in a front yard; and
 - ii. must be located at least:
 - (a) 7.5 metres from a lot in the Open Spaces Zone and Parks Zone categories; and
 - (b) 1.0 metres from all other side lot lines and rear lot lines.
2073. Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- a. all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - b. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

SECTION 37

2385. Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of development is permitted in return for the provision by the owner, at the owner's expense, of the following facilities, services and matters which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lot(s), to the satisfaction of the City Solicitor:
- a. Block 1:
 - i. Prior to issuance of the first above-grade building permit for a building or structure on Block 1, the owner shall make a cash contribution to the City in the amount of \$250,000, which 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 provision of public art on the subject site;

- ii. Prior to the issuance of the first above-grade building permit for a building or structure on Block 1, the owner shall make a cash contribution to the City in the amount of \$970,000, which 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 provision of the following:
 - (a) \$75,000 for Toronto Community Housing Corporation at 400/410 McCowan Road for common space/amenity space/basketball court improvements and/or local park improvements;
 - (b) \$55,000 for Toronto Community Housing Corporation at 55/65 Greenbrae Circuit for recreational room(s)/amenity space/basketball court improvements and/or local park improvements;
 - (c) \$40,000 for Toronto Community Housing Corporation at 50 Tuxedo Court for amenity space/BBQ area improvements and/or local park improvements;
 - (d) \$200,000 for Knob Hill Day Nursery (23 Gauge Avenue) for playground improvements and/or local park improvements;
 - (e) \$200,000 for Rosalie Hall Child Care (3020 Lawrence Avenue East) for playground improvements and/or local park improvements; and
 - (f) \$400,000 to Toronto Animal Services for a 100 +/- square metre expansion at 821 Progress Avenue and/or local park improvements.
- iii. Prior to the issuance of the first above-grade building permit for the second building or structure on Block 1, the owner shall make a cash contribution to the City in the amount of \$512,000, which 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 provision of an addition and/or refurbishment of Centennial Recreation

Centre at 1967 Ellesmere Road and/or other local community recreational facilities and/or local park improvements.

- b. Block 2:
 - i. Prior to issuance of the first above-grade building permit for a building or structure on Block 2, the owner shall make a cash contribution to the City in the amount of \$250,000, which 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 provision of public art on the subject site;
 - ii. Prior to issuance of the first above-grade building permit for a building or structure on Block 2, the owner shall make a cash contribution to the City in the amount of \$988,000, which 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 provision of an addition and/or refurbishment of Centennial Recreation Centre at 1967 Ellesmere Road and/or other local community recreational facilities and/or local park improvements.
- c. The Owner provide a title opinion to the City for the agreement's registration to the satisfaction of the City Solicitor.
- d. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. The Owner shall construct the park block to Above Base Park Condition, as approved by the General Manager of Parks, Forestry and Recreation;
 - ii. 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 of October 26 and 27, 2009; and
 - iii. Privately owned publicly-accessible spaces (POPS) are to be provided with appropriate signage in accordance with the Privately Owned Publicly-Accessible Space Guidelines and to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor at the following locations:
 - (a) minimum area of 136 m² at the northeast corner of Block 1 at the intersection of Progress Avenue and Street B;

- (b) minimum area of 65 m² at the southeast corner of Block 1 at the intersection of Street A (the extension of Bushby Drive) and Street B;
- (c) minimum area of 81 m² at the northeast corner of Block 2 at the intersection of Progress Avenue and the future road conveyance; and
- (d) minimum 7.5 metre wide east-west lane/walkway, which extends across the entirety of Blocks 1 and 2.

5. **SCHEDULE "C", EXCEPTIONS LIST**, is amended by adding the following Exception Nos. 486 and 849:

ADDITIONAL PERMITTED USES

486. Additional Permitted Uses:

- All types of **dwelling units**
- **Art Gallery**
- **Artist Studio**
- **Community Centre**
- Courts of Law
- **Custom Workshop** up to a maximum **gross floor area** of 400 m²
- Education Use
- **Hospice Care Home**
- Library
- **Museum**
- **Nursing Home**
- **Performing Arts Studio**
- **Pet Services**
- **Place of Entertainment**
- Police Station
- **Production Studio**
- **Recreational Uses**
- **Religious Residence**
- **Residential Care Facility**
- **Respite Care Facility**
- **Retirement Home**
- **Service Shop** up to a maximum **gross floor area** of 400 m²
- **Software Development and Processing**
- **Student Residence**
- **Veterinary Hospital**

OTHER

849. a. Permitted uses on the site prior to the removal of the holding provision (H) from the zoning for this site shall be restricted to office uses under the **Industrial Zone (M)**, together with the following Performance Standards:

357- 913 - 991 - 1054 - 1146

- b. The holding provision (H) used in conjunction with this **Commercial/ Residential Zone (CR)** and the additional permitted uses in Exception 486 shall be removed by amending By-law when:
- i. a Transportation Impact Study has been submitted to the satisfaction of the Executive Director of Engineering and Construction Services; and
 - ii. all transportation and servicing related infrastructure has been secured to the satisfaction of the Executive Director of Engineering and Construction Services.

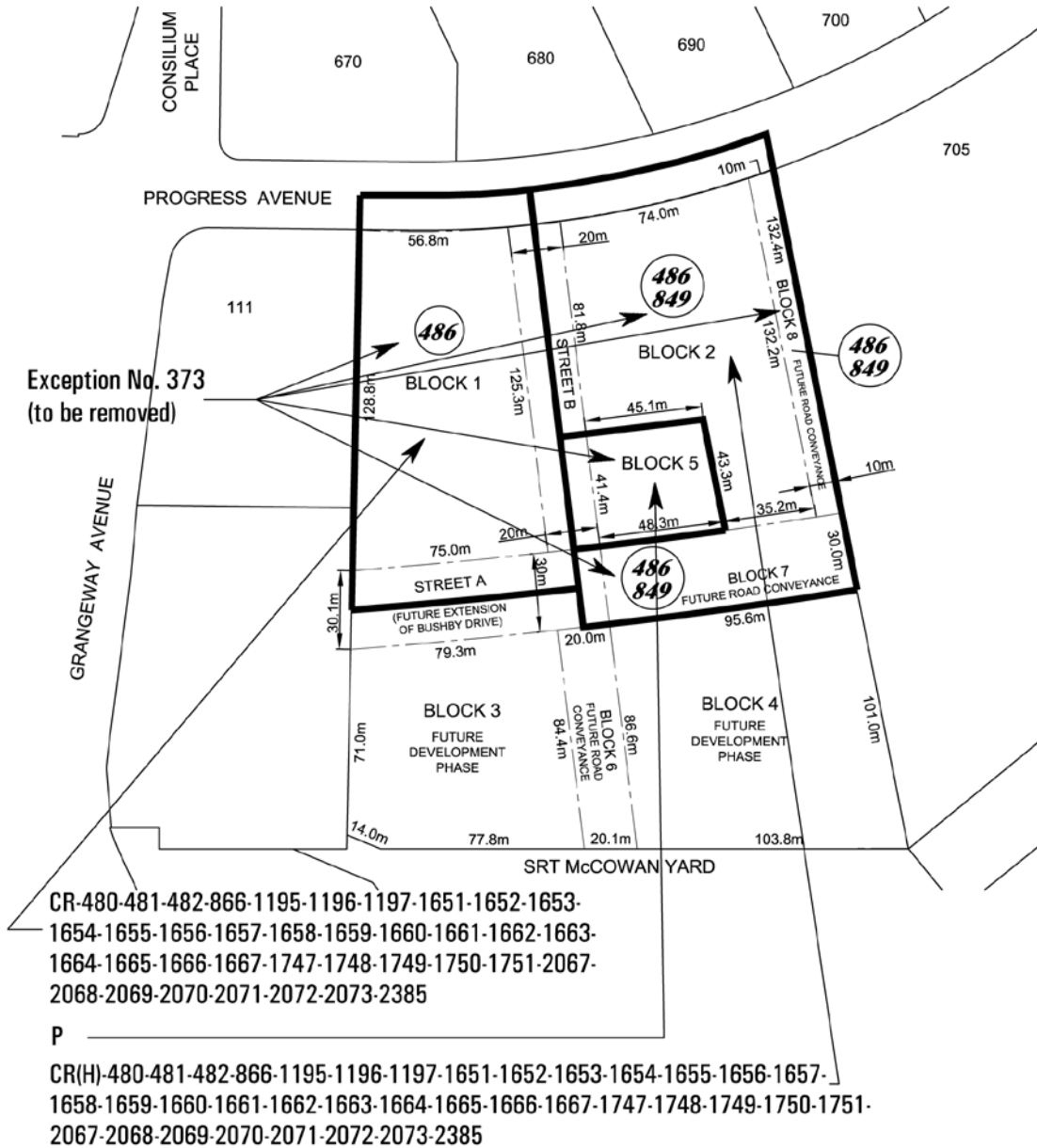
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



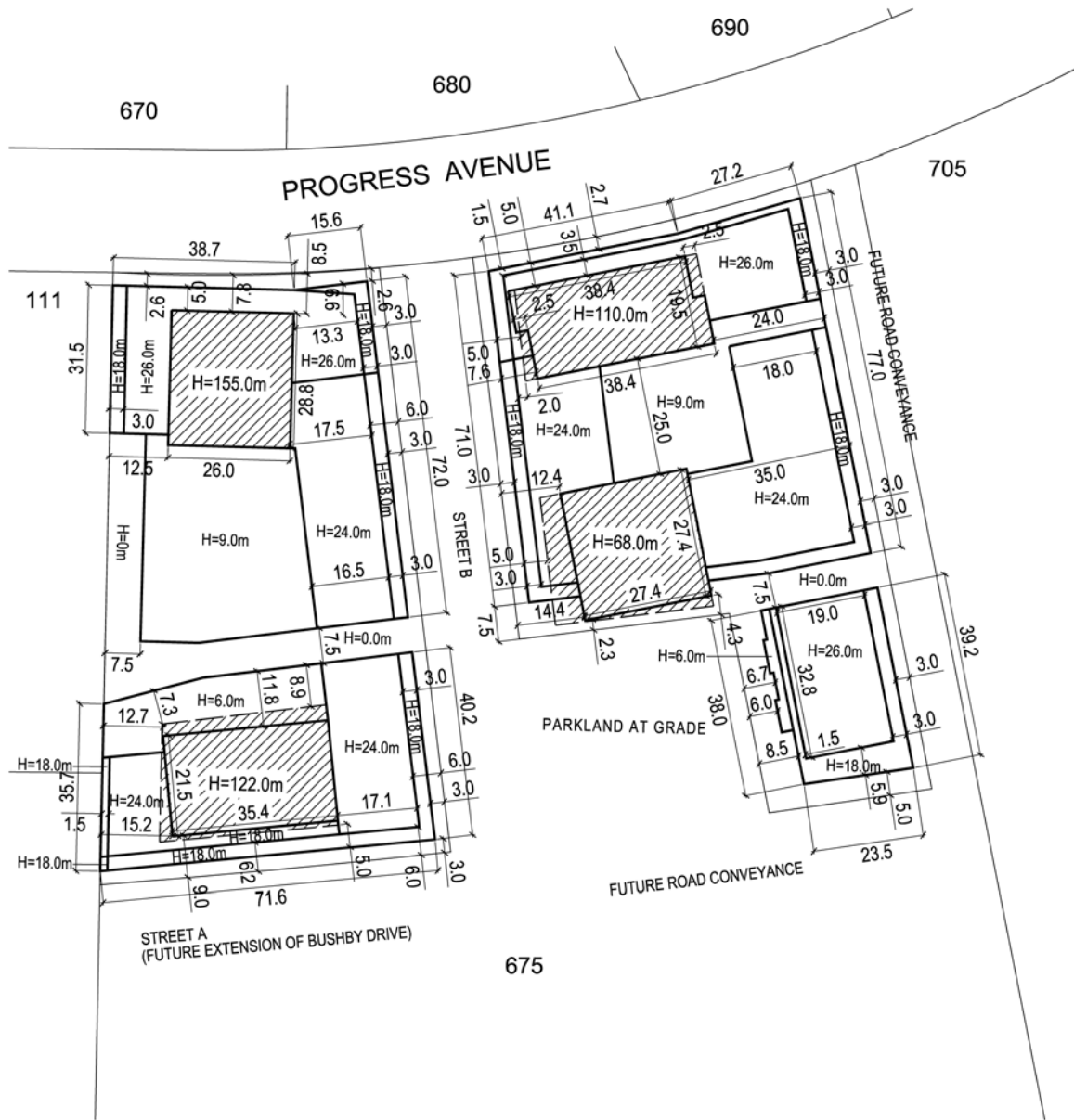
TORONTO City Planning Division
Zoning By-Law Amendment

675 Progress Avenue
 File # 13 175197 ESC 38 0Z

 Area Affected By This By-Law

Progress Employment District By-Law
 Not to Scale
 5/29/15

Schedule '2'



TORONTO City Planning Division
Zoning By-Law Amendment

675 Progress Avenue
 File # 13 175197 ESC 38 0Z

 Tower Zones

Progress Employment District By-Law
 Not to Scale
 5/28/15



Attachment 7: Conditions of Draft Plan of Subdivision

Draft Plan of Subdivision Application No. 13 175005 ESC 38 SB

Draft Plan of Subdivision Prepared by
John C. Van Nostrano
Drawing No. A1-02, Dated October 21, 2014

PLAN 10152 PT LOT 21, CITY OF TORONTO
(formerly the City of Scarborough), municipally known as 675 Progress Avenue

STANDARD CONDITIONS

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein.
2. The Owner shall provide to the Director of Community Planning, Scarborough 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. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
5. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.
6. The Owner shall illustrate, convey and dedicate all proposed public roads in Phase 1 (Streets A and B), turning circles, corner roundings, walkways and 0.3 metre reserves as shown on the plan 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, to the satisfaction of the Executive Director of Engineering and Construction Services.

7. The Owner shall submit detailed engineering design drawings and detailed cost estimates for the proposed roads and services, to the satisfaction of the Executive Director of Engineering and Construction Services.
8. The Owner is responsible for all costs associated with the installation/alterations of municipal street signage/pavement markings required by this plan of subdivision to the satisfaction of the Executive Director of Engineering and Construction Services.
9. The Owner is responsible for all costs associated with the removal of all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way.
10. The Owner shall agree to construct, at no cost to the City, pedestrian sidewalks on both sides of all public roadways, except Street A where pedestrian sidewalks are required on the north side only in Phase 1. All sidewalks must be a minimum of 1.7 metres in width.
11. The Owner shall prepare all documents and convey to the City, at nominal cost, (a 0.4metre widening along the entire frontage of this section of Progress Avenue (Block 9) in order to satisfy the Official Plan Requirement of a 27.0 metre right-of-way) in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated as a public highway, all to the satisfaction of the Executive Director of Engineering & Construction Services and the City Solicitor.
12. Pay 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 Mr. James Chandler, Manager, Traffic Control and Safety system 416-392-5314.
13. The applicant is responsible for all costs associated with the re-location, removal, storage and reinstallation of the existing transit shelter, connecting sidewalks and passenger loading platform on the Progress Avenue East/proposed extension of Bushby Drive, frontage of the property to an alternative location (if required) and must provide 14 days (minimum) notice for the removal of the said shelter. Further information can be obtained through Sam Nasso, Supervisor Right-of-Way, City of Toronto, Public Realm Section at 392-1552. The applicant must be advised to contact Linda Fice, Supervisor of Stops Administration, Toronto Transit Commission (416) 393-4475 to determine if the existing transit stop requires relocation.

14. Apply stormwater management techniques in the development of this subdivision to the satisfaction of the Executive Director of Engineering and Construction Services.
15. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
16. Submit financial security in accordance with the terms of standard subdivision agreement.

Streets A and B:

17. Prior to the registration of the plan of subdivision, the Owner shall agree to construct, at no cost to the city, Streets A and B, to the satisfaction of the Executive Director of Engineering and Construction Services.
18. Prior to the registration of the plan of subdivision, the Owner shall provide a detailed design for proposed Streets A and B to the satisfaction of the Executive Director of Engineering and Construction Services.
19. Prior to the registration of the plan of subdivision, the Owner shall provide a detailed pavement marking plan for proposed Streets A and B and provide securities for these works, in an amount determined upon receipt of an acceptable pavement marking plan, to the satisfaction of the Executive Director of Engineering and Construction Services.
20. Pay all costs for registration and preparation of reference plan(s).
21. Prior to the registration of the plan of subdivision, the Owner shall conduct an environmental site assessment for Streets A and B, Block 5 and Block 9, which are 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).

**EXTENSION OF BUSHBY DRIVE FROM WESTERN BOUNDARY OF 675
PROGRESS AVENUE TO GRANGEWAY AVENUE**

22. The Owner shall agree to:
 - (a) construct, at no cost to the City, the proposed extension of Bushby Drive from the western boundary of 675 Progress Avenue to Grangeway Avenue, to the satisfaction of the Executive Director of Engineering and Construction Services. 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 of Engineering and Construction Services.

- (b) install the required municipal servicing pipes (storm, sanitary and water), which will serve the development as well as the future development on the adjacent Toronto Parking Authority properties. All the engineering drawings and associated documents to be accepted and approved by Engineering and Construction Services, in consultation with the Toronto Parking Authority.
- (c) provide a detailed design of the proposed extension of Bushby Drive from the the western boundary of 675 Progress Avenue to Grangeway Avenue to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager, Transportation Services, in consultation with the City Planning Division and the Toronto Parking Authority.
- (d) submit a draft Reference Plan of Survey of the proposed extension of Bushby Drive from the western boundary of 675 Progress Avenue to Grangeway Avenue to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - i) be in metric units and integrated with the Ontario Co-ordinate System (3 degrees MTM, Zone 10, NAD 83 CSRS);
 - ii) delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - iii) show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
- (e) post a Letter of Credit as security for the construction of the proposed extension of Bushby Drive from the western boundary of 675 Progress Avenue to Grangeway Avenue and install the municipal servicing pipes, equal to 120% of the value of the road construction to the satisfaction of the Executive Director of Engineering and Construction Services. The submitted Letter of Credit to guarantee the construction of the Bushby Drive extension from the western boundary of 675 Progress Avenue to Grangeway Avenue, will be released following construction of the road subject to the satisfaction of the Executive Director of Engineering and Construction Services, less 20% of the total value which will be retained for a two year period as a performance guarantee.
- (f) provide a Letter of Credit in the amount of \$200,000 for the future installation of Traffic Control signals at the intersection of Bushby Drive and Grangeway Avenue.
- (g) submit a Construction Management Plan for review and acceptance, prior to commencement of any construction activities, to the satisfaction of

Engineering and Construction Services, in consultation with the Toronto Parking Authority.

- (h) pay any/all costs associated with any sidewalk alterations required on Bushby Drive, west of the development site, to connect the new municipal sidewalk to the existing municipal sidewalk.
- (i) provide 120 days notice to the Executive Director, Engineering and Construction Services and the Toronto Parking Authority prior to the commencement of construction on the extension of Bushby Drive between the proposed Street B (675 Progress Avenue) and Grangeway Avenue.
- (j) not impede access to the Toronto Parking Authority parking facility at 101 Grangeway Avenue (Carpark 700) during construction.

PHASING OF THE PLAN OF SUBDIVISION

- 23. The Owner and the City shall acknowledge in the Subdivision Agreement that the Owner shall register the plan of subdivision in to two phases, with Phase 2 consisting of Blocks 3, 4 and 6, 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.

PARKLAND

Parkland Dedication:

- 24. Prior to the issuance of the first above grade building permit for Block 1, the Owner will convey Block 5 to the City of Toronto for parkland purposes free and clear of all physical and title encumbrances, to the satisfaction of the General Manager of Parks, Forestry and Recreation and in consultation with the City Solicitor.
- 25. The required cash-in-lieu shall be paid prior to the issuance of the first above grade building permit for Block 1.
- 26. Prior to the issuance of the first above grade building permit for Block 1, the Owner shall provide, satisfactory to the City Solicitor, all legal descriptions and applicable reference plans of survey for the parkland dedication lands. The Owner shall pay for the costs of such dedication and the preparation and registration of all relevant documents.
- 27. The Owner shall ensure that lands to be dedicated as parkland to the City of Toronto shall be free and clear, above and below grade, of all easements, encumbrances and encroachments except those existing already on the lands that

are for the benefit of the City of Toronto, unless otherwise authorized by the General Manager of Parks, Forestry and Recreation.

28. The Owner acknowledges and agrees that stockpiling of any soils or materials or use as an interim construction staging area on the parkland is prohibited, unless otherwise approved by Parks, Forestry and Recreation.

Environmental Assessment:

29. Prior to conveyance of the parkland to the City, the Owner shall be responsible for an environmental assessment of the lands to be dedicated as parkland to the City and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure that the parkland dedication lands, at the time of dedication, will meet all applicable laws, regulations and guidelines respecting sites to be used for public park purposes, including City Council policies respecting soil remediation of sites to be acquired by the City. A qualified environmental consultant acceptable to Engineering and Construction Services, Development Engineering Division shall prepare the environmental assessment. Prior to transferring the Parkland to the City, the environmental assessment may be peer reviewed by an environmental consultant retained by the City at the Owner's expense (the "Peer Reviewer"), and the conveyance of the Parkland to the City shall be conditional upon the Peer Reviewer concurring with the Owner's environmental consultant that the Parkland meets all applicable laws, regulations and guidelines for public park purposes. The Engineering and Construction Services section of the Development Engineering Division shall advise the General Manager of Parks, Forestry and Recreation of the findings of the environmental review.

Temporary Fencing:

30. 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.

Base Park Improvements:

31. The Owner will be responsible for the construction and installation of base park improvements to the dedicated parkland to the satisfaction of the General Manager of Parks, Forestry and Recreation including the following:
 - (a) Grading (inclusive of 150 mm topsoil supply and placement);
 - (b) Sod;
 - (c) City standard fencing, where deemed necessary;
 - (d) Buffering/screening between the park and adjacent uses;
 - (e) All necessary drainage systems;

- (f) Electrical and water connections to the street line where deemed necessary; and
- (g) Street trees along all public road allowances, which abut City owned parkland.

Details of when such work is to be completed are to be finalized prior to the issuance of the first above grade building permit for Block 1 and shall be 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 the costs associated with the above noted base park improvements.

- 32. Prior to the issuance of the first above grade building permit for Block 1, the Owner will post a certified cheque as security for the installation of the base park improvements equal to 120% of the value of the base park improvements to the satisfaction of the General Manager of Parks, Recreation and Forestry.
- 33. At the time the base park improvements have been completed, the Owner will provide certification from their landscape architect certifying all work has been completed. At that time, the submitted letter of credit for park improvements will be released subject to the satisfaction of the General Manager of Parks, Forestry and Recreation, less 20% of the total value which will be retained for a two year period as a performance guarantee.
- 34. At the time of conveyance, the General Manager of Parks, Forestry and Recreation may elect to receive cash-in-lieu of some or all of the elements of Base Park improvements.

Parkland Grading and Drainage:

- 35. Prior to the issuance of the first above grade building permit for Block 1, the Owner shall ensure that the grading and drainage of the adjacent Blocks are compatible with the grade of the parkland to the satisfaction of the General Manager, Parks, Forestry & Recreation and the Executive Director, Engineering and Construction Services.

Park Final Design and Programming:

- 36. Prior to the issuance of the first above grade building permit for Block 1, the Owner shall agree that the General Manager, Parks, Forestry and Recreation will determine the final location, configuration, design, development and programming of the parkland to be conveyed to the City.

Above Base Park Improvements:

- 37. Subject to City Council approval, the Park and Recreation component of the Development Charges will be directed towards the costs of Above Base

construction of a new park, to be secured through the development application process. Subsequent to Council approving the development application and the recommendation for the use of the DC's, the applicant will submit a letter of credit equal to 120% of the value of the Parks and Recreation component of the Development for each phase of residential development.

38. Areas to be addressed in the design of the parkland are park programming, sustainable design and plantings, community and public safety, ground surface treatment, seating, vandalism etc. Details of these requirements will be determined prior to the registration of the plan of subdivision and will be to the satisfaction of the General Manager, Parks, Forestry & Recreation.
39. If the Owner and the City have agreed that the Owner will be completing the Above Base Park Improvements the Owner shall submit for the approval of the General Manager, Parks, Forestry & Recreation, a park design concept and a park development budget prior to the issuance of the first above grade building permit within the plan of subdivision.

Completion of Parkland Development:

40. Prior to issuance of the first above grade building permit, the timing for completion of the park block will be determined to the satisfaction of the General Manager of Parks, Forestry & Recreation.

Certification of Parkland Completion:

41. The Owner, upon satisfactory completion of the parkland development will be required to guarantee such work and associated materials to the satisfaction of the General Manager, Parks, Forestry & Recreation. The Owner will provide stamped certification from its Landscape Architect verifying all work has been completed. As-built drawings will be submitted to the General Manager, Parks, Forestry & Recreation. At that time, the submitted letters of credit securing the parks and recreation component of the Development Charges and the Above Base Park Improvements will be released, less 20% which shall be retained for a two year period as a performance guarantee.

Development Charges Credit:

42. The Owner's total obligation with respect to the design and installation of Parkland Improvements will not exceed the aggregate amount of the Parks and Recreation service component of the Development Charges for all dwellings in Block 1 (maximum 784 dwelling units) of the subdivision, notwithstanding the approved budget. The Owners acknowledge that the City will give them a Development Charge credit for Parkland Improvements provided over and above the Base Park Improvements. All plans, budgets, Development Charge credits and letters of credit shall be to the satisfaction of the General Manager, Parks, Forestry & Recreation.

Terms and Conditions:

43. All plans, budgets, Development Charge credit, and Letters of Credit submitted by the Owner to the City shall be to the satisfaction of the General Manager of Parks, Recreation and Forestry. The Owner shall agree that all Letters of Credit that are to be provided by the Owner, unless determined otherwise by the City of Toronto, are intended to be in current dollars and accordingly, shall be adjusted either upwards or downwards, annually, on the anniversary date of the execution of the associated subdivision agreement, in accordance with the change in the Statistics Canada Construction Price Index, or other index to the satisfaction of the City, during such one year period, provided that in no case shall the amount, payable by the Owner, at any time be less than the minimal amount set out in that agreement.

TREES (PUBLIC & PRIVATE)

City Owned Street Trees:

44. Prior to the registration of Phase 1 of the plan of subdivision, the Owner shall provide a Phase 1 street tree planting 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 street tree planting plan shall be satisfactory to the General Manager of Parks, Forestry & Recreation.
45. Prior to the registration of Phase 2 of the plan of subdivision, the Owner shall provide a Phase 2 street tree planting 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 street tree planting plan shall be satisfactory to the General Manager of Parks, Forestry & Recreation.
46. Prior to the acceptance of engineering drawings by Engineering and Construction Services, the Owner agrees to provide a composite utility plan, indicating the location of all underground and above ground utilities, as well as proposed tree planting locations (by development phase), to the satisfaction of the General Manager of Parks, Forestry & Recreation, and the Executive Director of Engineering and Construction Services.
47. Prior to the registration of the plan of subdivision for Phase 1, the Owner shall post a Letter of Credit in the amount of \$583/tree for the proposed street trees in Phase 1, to guarantee the planting and maintenance by the Owner of the trees for a period of two years after the planting date, to the satisfaction of Parks, Forestry & Recreation.

48. Prior to the registration of the plan of subdivision for Phase 2, the Owner shall post a Letter of Credit in the amount of \$583/tree for the proposed street trees in Phase 2, to guarantee the planting and maintenance by the Owner of the trees for a period of two years after the planting date, to the satisfaction of Parks, Forestry & Recreation.
49. The Owner agrees to contact the Supervisor of Urban Forestry, Tree Protection and Plan Review or his/her designate prior to commencement of street tree planting. The Owner further agrees to plant the street trees as per the approved street tree planting and composite utility plans, to the satisfaction of Parks, Forestry & Recreation. There shall be a two year maintenance period, with an annual inspection involving Urban Forestry and the Owner (and their agents). At the end of the two year maintenance period, if the street trees are in good condition, the General Manager of Parks, Forestry & Recreation shall accept maintenance responsibilities, and return the Letter of Credit. The Owner acknowledges that any trees requiring removal will be replaced, maintained and guaranteed by the Owners for an additional two year period.
50. Following the planting of street trees, the Owner agrees to provide a Certificate of Completion of Work and an as-installed plant list in the form of a spreadsheet identifying street trees, as shown on the approved planting plan, by street address. The as-installed plant list shall also include tree species, caliper, condition and specific location of the trees by identifying two points of references (i.e. distances in metres from the curb, sidewalk, driveway, utility pole or pedestal).

Privately Owned Trees:

51. Prior to the registration of the plan of subdivision, the Owner agrees to submit an Arborist Report, Tree Preservation Plan and Tree Replacement Plan to the satisfaction of the General Manager of Parks, Forestry & Recreation.
52. Prior to the registration of the plan of subdivision, the Owner agrees to protect all existing trees associated with the development for which approval to remove or injure has not been granted in accordance with the approved Arborist Report and Tree Preservation Plan to the satisfaction of the General Manager of Parks, Forestry & Recreation.
53. The Owner shall agree in the subdivision agreement to install tree protection barriers and signage in accordance with the approved Arborist Report and Tree Preservation Plan to the satisfaction of the General Manager of Parks, Forestry & Recreation, and to maintain barriers in good repair until removal has been authorized by the General Manager of Parks, Forestry & Recreation.
54. The Owner shall agree in the subdivision agreement to notify all builders, contractors and agents of all tree protection requirements where any part of the

development will be carried out by them on behalf of the Owner to the satisfaction of the General Manager of Parks, Forestry & Recreation.

55. The Owner shall agree in the subdivision agreement to submit an application and pay the required application fees, and to provide 70 mm diameter caliper replacement trees for the removal of trees that are subject to the City's Private Tree By-law and associated regulations in effect on the date of Draft Approval of the Plan of Subdivision. The ratio of replacement trees will be determined by Urban Forestry. Replacement trees will be planted on site in accordance with Urban Forestry requirements, or if no suitable location on site can be provided, the Owner may submit cash-in-lieu of planting, all to the satisfaction of the General Manager of Parks, Forestry & Recreation.
56. The Owner acknowledges and agrees that once all site works are complete, including sodding, planting will be implemented and completed in accordance with the approved replacement planting plan, to the satisfaction of the General Manager of Parks, Forestry & Recreation.
57. The Owner shall agree in the subdivision agreement, to the satisfaction of the General Manager of Parks, Forestry & Recreation, to contact Urban Forestry 48 hours prior to the planting of trees on private property or within common areas, and further agrees to plant the trees in accordance with the approved planting plans.

Environmental Site Assessment:

58. Prior to any/all phased transfer of lands to the City, conduct an environmental site assessment for said lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment of \$7,000 for a peer reviewer and the submission of a Record of Site Condition (RSC).

ENVIRONMENTAL AND NOISE ATTENUATION

59. The Owner shall agree in the Subdivision Agreement to implement noise attenuation measures which include mandatory air conditioning and window construction that meets Ministry of Environment and Climate Change Sound Transmission Class of 31 for all residential units in Phase 1.
60. The Owner shall agree to comply with all Ministry of Environment and Climate Change requirements and implement any necessary mitigation measures into the design of the development in Phase 2.

PUBLIC ART

61. 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.

CONSTRUCTION MANAGEMENT PLAN

62. Prior to the registration of the plan of subdivision for Phase 1 and prior to the registration of the plan of subdivision for Phase 2, the Owner agrees to submit a Construction Management Plan for Phase 1 and Phase 2, respectively, for review and acceptance, to the satisfaction of the Executive Director of Engineering and Construction Services. The Construction Management Plan shall include the following:
- (a) Dust/mud/sediment control on and off-site;
 - (b) Location of truck loading points and trailer parking;
 - (c) Location and height of temporary storage areas;
 - (d) Access/truck routing;
 - (e) Provision of hoarding and temporary fencing;
 - (f) Estimated period of construction;
 - (g) Control of storm run-off, including any siltation control devices which may be required;
 - (h) Parking management plan for employee/construction vehicle parking;
 - (i) Provisions for the removal of debris in a timely manner;
 - (j) Designated locations for vehicle refueling; and
 - (k) Procedure to deal with vermin and rodents.

TTC

Transit Operations Interferences Warning:

63. The Developer acknowledges and agrees that the proximity of the Development to the Toronto Transit Commission subway right of way may result in transmissions of noise, vibration, electromagnetic interference, lighting glare, stray current, smoke and particulate matter (collectively referred to as “Interferences”) on and/or to the Development.
64. The Developer acknowledges and agrees that the City of Toronto and Toronto Transit Commission will not accept responsibility and will not be liable, for Interferences on and/or to the Development, in whole or part, and/or the occupants of the Development.
65. The Developer acknowledges and agrees to apply reasonable attenuation/mitigation measures with respect to the level of Interferences on and/or to the Development.
66. The Developer shall insert or have inserted into all agreements of purchase and sale and/or rental/lease agreements and condominium declaration(s) for any lands within the proposed plan of subdivisions the following Toronto Transit Commission warning clause respecting Interferences:

"The purchaser and/or lessee specifically acknowledges and agrees that the proximity of the development of the lands municipally known as 675 Progress Avenue (the "Development") to the Toronto Transit Commission transit operations may result in transmissions of noise, vibration, electromagnetic interference, lighting glare, stray current, smoke, and particulate matter (collectively referred to as "Interferences") on and/or to the Development and despite the inclusion of control features within the Development, Interferences from transit operations may continue to be of concern, occasionally interfering with some activities of the occupants of the Development. Notwithstanding the above, the purchaser or lessee agrees to release and save harmless the City of Toronto and the Toronto Transit Commission from all claims, losses, judgments or actions arising or resulting from any and all Interferences. The purchaser or lessee further acknowledges and agrees that an Interference clause similar to the one contained herein shall be inserted into any succeeding lease, sublease or sales agreement, and that this requirement shall be binding not only on the parties hereto but also their respective successors and assigns and shall not die, or be null and void, with the closing of the transaction."

67. The Developer shall provide its solicitor's confirmation to the TTC, advising that the Interferences Warning clause requested above, has been included in the applicable Offer(s) of Purchase and Sale, the Condominium Declaration, and/or Rental Agreement(s) to ensure that future occupants are aware of the possible Interferences.

SCHOOLS

Toronto District School Board:

68. 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 this area until space in local schools becomes available. For information regarding designated school(s), please call (416) 394-7526."

69. Prior to the registration of the plan of subdivision, and for a period of 10 years following registration, the Owner/Developer agrees in the Servicing and/or Development agreement, or in a separate agreement between the School Board and the Owner/Developer, to include the following warning clauses in all offers of purchase and sale (or lease) of residential units, 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 bussed home to school, but will meet the bus at designated location in or outside of the area."

Toronto Catholic District School Board:

70. The Owner shall enter into an agreement to erect and maintain signs, built to the 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 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 accommodated in portable classrooms or may have to be redirected to a school located outside the area. For information regarding Catholic schools serving this development, please contact the Planning Services Department at 416-222-8282, ext. 2348."

71. Prior to the registration of the plan of subdivision, and for a period of 10 years following registration, the Owner/Developer agrees in the Servicing and/or Development agreement, or in a separate agreement between the School Board and the Owner/Developer, to include the following warning clauses in all offers of purchase and sale (or lease) of residential units, that:

"Despite the best efforts of the Toronto Catholic 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 Catholic District School board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated location in or outside of the area."

ENBRIDGE

72. The Owner is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.

73. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.
74. The Owner shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.
75. The Owner shall provide current City approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development. The gas location must be a minimum of 0.6 metres from the street line.

BELL CANADA

76. The Owner shall 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 with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for the relocation of such facilities or easements.
77. The Owner shall provide conduit(s) 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.

CANADA POST

78. The Owner shall make satisfactory arrangements with Canada Post concerning the installation and maintenance of centralized mailbox facilities for all buildings with 100 or more residential units.
79. The Owner shall ensure that all mail delivery equipment is accessible by persons with physical disabilities; and provide Canada Post and the City Planning Division with a sketch or diagram of the building showing the location of the mail delivery equipment to be installed and a list of the suite/unit numbers.
80. The Owner shall make satisfactory arrangements with Canada Post concerning community mail boxes and provide a plan to the City showing the locations of all proposed community mailboxes, associated garbage containers and landscaping within the area of the community mailboxes. The plan shall be to the satisfaction of the Chief Planner and Executive Director, the Executive Director of Engineering and Construction Services and the General Manager of Parks, Forestry and Recreation.
81. The Owner agrees to include in all offers of purchase and sale a statement that advises the prospective purchaser that mail delivery will be from a designated

Community Mailbox. The Owner also agrees to note the locations of all Community Mailboxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.

ARCHAEOLOGY

82. The Owner agrees that in the event that deeply buried archaeological remains are encountered on the property during construction activities, the Heritage Operations Unit of the Ministry of Tourism, Culture and Sport, be notified immediately at 416-314-7146 as well as the City of Toronto, Heritage Preservation Services Unit 416-338-1096.
83. In the event that human remains are encountered during construction, the Owner agrees to immediately contact the Ministry of Tourism, Culture and Sport; and the Registrar or Deputy Registrar of Cemeteries at the Cemeteries Regulation Unit, Ministry of Government Services, 416-326-8393.
84. The Owner agrees that should the boundaries of the Subdivision be changed, the Owner will, prior to the registration of the Plan of Subdivision, submit further archaeological assessment work.

CLAUSES TO BE INCLUDED IN THE SUBDIVISION AGREEMENT

1. Upon the Lifting of the 'H' on Blocks 2, 7 and 8, the Owner shall convey, dedicate and construct a 30 metre public road on Block 7 in an alignment and configuration satisfactory 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, to the satisfaction of the Executive Director of Engineering and Construction Services.
2. Upon the Lifting of the 'H' on Blocks 2, 7 and 8, the Owner shall convey and dedicate Block 8 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, to the satisfaction of the Executive Director of Engineering and Construction Services.
3. Upon the Lifting of the 'H' on Blocks 2, 7 and 8, the Owner shall contribute 50% of the costs associated with the construction of a future 20 metre public road for Block 8.
4. The Owner shall conduct an environmental site assessment for Blocks 7 and 8, which are 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).

5. The Owner may be required to construct and convey Block 6 at the time Blocks 3 and 4 are rezoned in an alignment and configuration satisfactory 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, to the satisfaction of the Executive Director of Engineering and Construction Services.
6. The Owner shall agree to construct, at no cost to the City, a pedestrian sidewalk on the south side of Street A in Phase 2. The sidewalk must be a minimum of 1.7 metres in width.
7. The Owner shall make a request, in writing, to the Toronto Parking Authority should additional Toronto Parking Authority lands be required for staging or other uses during construction. The request will be made 20 days prior to the lands being required.
8. The Owner shall compensate the Toronto Parking Authority for the loss of any parking revenues caused by staging or construction activities which impact the Toronto Parking Authority lands at 101 Grangeway Avenue (Carpark 700) that are outside of the conveyed lands for the extension of Bushby Drive from the western boundary of 675 Progress Avenue to Grangeway Avenue

ADVISORY COMMENTS

1. The Owner shall make a request, in writing, to the Toronto Parking Authority should additional Toronto Parking Authority lands be required for staging or other uses during construction. The request will be made 20 days prior to the lands being required.
2. The Owner shall compensate the Toronto Parking Authority for the loss of any parking revenues caused by staging or construction activities which impact the Toronto Parking Authority lands at 101 Grangeway Avenue (Carpark 700) that are outside of the conveyed lands for the extension of Bushby Drive from the western boundary of 675 Progress Avenue to Grangeway Avenue.
3. Once there is an accepted Detailed Design, together with a deposited Reference Plan, for the Bushby extension, the Toronto Parking Authority will undertake a jurisdictional transfer of the 27 metre wide ROW for the Bushby Drive extension through their lands between 675 Progress Avenue and Grangeway Avenue.

Attachment 8: Addendum 1: Guidelines for 675 Progress Ave