

45-77 Dunfield Avenue - Zoning Amendment Application - Final Report

Date:	December 11, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	13-271686 STE 22 OZ

SUMMARY

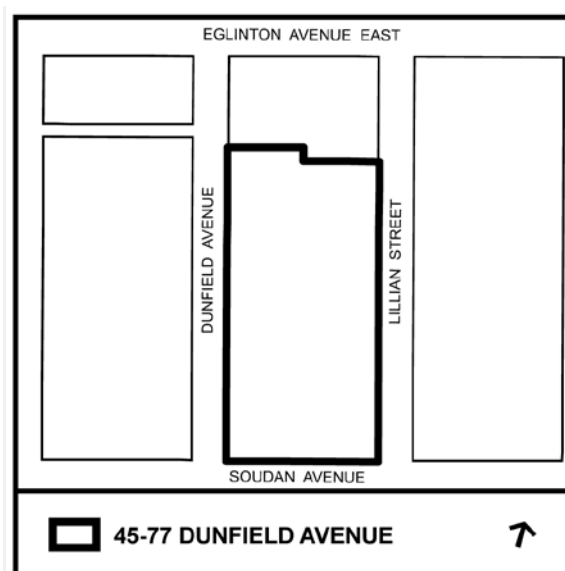
This application proposes two new rental apartment buildings of 26 and 24 storeys (73.6 and 70.3 metres respectively excluding mechanical equipment) at 45-77 Dunfield Avenue.

The proposed 26-storey building would front west onto Dunfield Avenue while the 24-storey building would front east onto Lillian Street. The two buildings would have a total of 519 new residential units, and have a combined residential gross floor area of 37,846 square metres. A child care facility with a gross floor area of 531 square metres is proposed in the 24-storey apartment building. A combined 7,060 square metre open space, comprised of a new privately owned, publicly accessible open space (POPS) and Dunfield Park, an existing leased City park, is proposed at the south end of the site along Soudan Avenue.

Two existing attached apartment buildings located in the north portion of the site are to be retained: a 17-storey, 177-unit seniors residence at 77 Dunfield; and, a 28-storey, 575-unit rental building at 45 Dunfield Avenue.

The existing and proposed development would have a total density of 5.3 times the area of the lot. A total of 520 vehicle parking spaces are proposed on three levels below grade to serve the two new buildings and the two existing buildings on the site.

This report reviews and recommends approval of the application to amend the Zoning By-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 45-77 Dunfield Avenue substantially in accordance with the draft Zoning By-law Amendment to be provided prior to the January 19, 2016 meeting of Toronto and East York Community Council.
2. City Council amend Zoning By-law 569-2013 for the lands at 45-77 Dunfield Avenue substantially in accordance with the draft Zoning By-law Amendment to be provided prior to the January 19, 2016 meeting of Toronto and East York Community Council.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner at 45-77 Dunfield Avenue to provide sufficient on-site parking as outlined in the Engineering and Construction Services memo of October 21, 2015 and in the report dated December 11, 2015, from the Director, Community Planning, Toronto and East York District.
5. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner at 45-77 Dunfield Avenue to submit a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Executive Director, Engineering and Construction Services.
6. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner at 45-77 Dunfield Avenue to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. the construction, finishing, furnishing and equipping of a non-profit licensed child care facility to accommodate at least 52 children, including infants, toddlers and preschoolers, generally in accordance with the Child Care Term Sheet (Refer to Term Sheet in Attachment 11), comprising 531 square metres of interior space and 254 square metres of exterior space adjacent to the interior space, including outdoor storage, and the provision of a minimum of three (3) child care-pick-up and drop-off parking spaces;
 - ii. the entering into a lease agreement with the City for three 25-year terms and one 24-year term for a total of 99 years; and such facility shall be free of all rent, the cost of all utilities and municipal services supplied to the facility, caretaking costs, repair and maintenance costs, property damage, liability insurance, realty taxes and local improvement charges;

- iii. a one-time cash contribution in range of \$150,000 to \$180,000 to the Child Care Facility replacement reserve fund to replace appliances and large equipment due to wear and tear; and
 - iv. a one-time cash contribution in the range of \$100,000 to \$150,000 to Start-Up Costs for the defrayment of operational deficits during the first year of operation.
- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. an easement for the provision of 6,060 square metres of privately owned, publicly accessible open space all located on the site. (Refer to the Plan in Attachment 10);
 - ii the Owner shall provide and maintain 177 existing dwelling units at 77 Dunfield Avenue and 575 existing dwelling units at 45 Dunfield Avenue on the site as rental housing for the period of at least 20 years, from the date of the Zoning By-Law being in-force and effect, with all the new and retained associated facilities and amenities of the buildings to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - iii. the Owner shall provide and maintain 519 new rental units on the site as rental housing for the period of at least 10 years, with no application for demolition or conversion for a period of at least 10 years from the date of first occupancy;
 - iv. the Owner shall provide a Construction Mitigation Plan that includes provisions for special needs tenants, mitigation for tenants during construction periods, including compensation for the removal of facilities currently associated with the units, a respite room and other measures as may be deemed reasonable and appropriate to the satisfaction of the Chief Planner and Executive Director, City Planning Division, without cost-pass through to tenants; and
 - v. the Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On February 25, 2014, the Toronto and East York Community Council adopted the recommendations of a Preliminary Report dated January 26, 2014, from the Director, Community Planning, Toronto and East York District. The report can be found at:

<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-66513.pdf>

ISSUE BACKGROUND

Proposal

The applicant proposes to redevelop the south-central portion of the site with two new 26 and 24-storey purpose built, rental apartment buildings with a total gross floor area of 37,846 square metres.

The proposed 26-storey building (Building 'A') would front on Dunfield Avenue and have a height of 73.6 metres. The proposed 24-storey building (Building 'B') would front on Lillian Street and have a height of 70.3 metres. Each building would also have 6 metre high mechanical equipment on the roof. A 3-storey (10.9 metre) amenity building with a swimming pool and exercise space would be connected to Building A.

A new privately owned, publicly accessible open space (POPS) of 6,060 square metres is proposed in the south end of the site along Soudan Avenue. Existing Dunfield Parkette, a 1,000 square metre leased City park in the south-west corner of the site is to be retained. The combined Dunfield Park and proposed POPS would provide a total of 7,060 square metres of publicly accessible open space.

The application originally proposed a 1-storey art gallery at the south end of the site along Soudan Avenue. Following community and staff consultation, the applicant revised its application to propose a child care facility for a minimum of 52 infants, toddlers and preschoolers. The child care facility has 531 square metres of indoor space and would be located in Building B, with 254 square metres of adjacent outdoor open space at a height of 3.2 metres, adjacent to the open space along Soudan Avenue.

The existing 28-storey, rental apartment building (Torontonians) at 45 Dunfield Avenue and attached 17-storey seniors' residence building (Dunfield Club) at 77 Dunfield located in the north portion of the site, would be retained. The residential gross floor area of both existing buildings is 51,194 square metres. The overall density of the existing and proposed development is 5.3 times the area of the lot.

The proposed loading and adjacent enclosed garbage storage area at ground level is adjacent to the existing Torontonians building at 45 Dunfield with two-way vehicular driveway access from Lillian Street. Also proposed is a two-way vehicular access from Dunfield Avenue to a service court area between Buildings A and B, where the 3-storey amenity building is situated. This service court area will also provide access to the child care facility located in Building B.

The application proposes a total of 519 new rental units.

Unit Type:	Building A:	Building B:	Total:
Studio	25	22	47
1 Bedroom	145	138	283
2 Bedroom	97	92	189
Total Units	267	252	519

Amenity space will be shared between the existing residents of the Torontonion and the residents of proposed Buildings A and B.

A total of 1,422 square metres of indoor amenity space is proposed in Building A: 120 square metres on the ground level, 1,142 square metres on the second level and 160 square metres on the third level. Also at Building A, a total of 994 square metres of outdoor amenity space is proposed: 245 square metres on the second level, 633 square metres on the third level, and 116 square metres on the roof level. Green roofs are proposed on the third level (228 square metres) and on top of the tower (348 square metres) for a total of 576 square metres.

Proposed indoor amenity space in Building B is 306 square metres on the ground floor (111 and 195 square metres at south and north ends respectively). A total of 266 square metres of outdoor amenity is proposed at Building B: 150 square metres on the ground level adjacent to the north end of the building, plus 116 square metres on the roof level. A green roof of 348 square metres is proposed on top of the tower.

In addition to the proposed amenity space at Buildings A and B, the Torontonion will provide a total of 382 square metres of existing and new indoor amenity area.

Refer to Attachment 8 for project data.

Site and Surrounding Area

The site is located on the north side of Soudan Avenue, the east side Dunfield Avenue, the west side of Lillian Street, and south of properties fronting on Eglinton Avenue East.

From north to south, the site currently has a 17-storey seniors' residence at 77 Dunfield Avenue ("The Dunfield"), a 28-storey rental apartment building ("Torontonion") at 45 Dunfield Avenue, an indoor pool structure and a surface parking lot.

In the southwest corner of the site is a 1,000 square metre public park (Dunfield Parkette) leased by the landowner to the City in 2002 for a minimum of 50 years to a maximum of 99 years. The overall site slopes from north to south, and from east to west at its southerly extent.

Surrounding Uses:

North: 79 Dunfield Avenue and 85-117 Eglinton Avenue East, the site of a mixed-use development of two 33 and 36-storey mixed-use buildings (the "Madison") that extend from Dunfield Avenue to Lillian Street and are under construction. A supermarket will be located on the ground level of the buildings.

South: Across Soudan Avenue is the north boundary of a grade-related residential neighbourhood (Davisville Village) that extends south to Davisville Avenue between Yonge Street and Mt. Pleasant Road.

East: Across Lillian Street, are the following uses going south from Eglinton Avenue: a 16-storey apartment (condominium) building at 123 Eglinton Avenue East, a 4-storey stacked townhouse development and a 10-storey apartment building. A group of 2-storey single and semi-detached houses at the northeast corner of Lillian Street and Soudan Avenue are subject to a rezoning application for a 14-storey residential building (11 Lillian Street) approved by City Council (File No.: 13 169170 STE 22 OZ) and appealed to the OMB.

West: Across Dunfield Avenue, are the following uses going south from Eglinton Avenue: a 7-storey office building, a 14-storey apartment building which also contains a Toronto Parking Authority commercial parking garage, another 14-storey apartment building and two 2-storey detached houses at the northwest corner of Dunfield and Soudan Avenues.

The southerly existing 14-storey apartment building and the detached houses on Soudan Avenue are part of a rezoning application for a 32-storey residential building attached to the north end of the 44 Dunfield Avenue building, a 24-storey building attached to the south end of the 33 Holly Street building and a 6-storey rental apartment building at 86 & 88 Soudan Avenue (File No.: 13 211324 STE 22 OZ) appealed to the OMB.

Provincial Policy Statement and Provincial Plans

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

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

Official Plan

The site is located within an *Apartment Neighbourhoods* designation (refer to Attachment 7: Official Plan). The *Apartment Neighbourhoods* designation permits apartment buildings and all forms of residential development permitted in *Neighbourhoods*. The Official Plan indicates that built up *Apartment Neighbourhoods* are stable areas of the City where significant growth is generally not anticipated. There may, however, be opportunities for compatible infill development on underutilized sites and the Plan sets out criteria to evaluate these situations.

Development criteria used to evaluate redevelopment proposals include (Section 4.2.2):

- locating and massing new buildings to provide transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from, and/or stepping down of the heights towards, lower scale *Neighbourhoods*;
- locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- providing sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

Section 4.2.3(d) provides development criteria which states that compatible infill development should maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents.

Section 4.2.2(b) states that infill development should maintain an appropriate level of residential amenity on-site.

i) Built Form

The Built Form section of the Official Plan also provides policies that include (Section 3.1.2.3):

- New development is to be located and organized to fit within its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties by:
 - a. Creating appropriate transitions in scale to neighbouring existing and/or planned buildings;
 - b. Providing for adequate light and privacy;
 - c. Adequately limiting any resulting shadowing of and uncomfortable wind conditions on, neighbouring streets, properties and open spaces.
- Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of bordering streets, parks and open spaces.

ii) Healthy Neighbourhoods

Section 2.3.1.1 states that *Apartment Neighbourhoods* are considered to be physically stable areas and that development within *Apartment Neighbourhoods* will be consistent with this objective and

will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

ii) Housing

Section 3.2.1.5 states that, "significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development:

- a) will secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and
- b) may secure any needed improvements and renovations to the existing rental housing, in accordance with and subject to Section 5.1.1 of this plan, without pass-through of such costs in rents to tenants.

Staff has reviewed this application for compliance with these and all other relevant policies of the Official Plan. The Toronto Official Plan can be found at: www.toronto.ca/planning/official_plan/introduction.htm.

Yonge-Eglinton Secondary Plan

The site is located within the Yonge-Eglinton Secondary Plan Area. It is also within the Yonge-Eglinton Centre except for a 30 metre deep strip on the north side of Soudan Avenue (refer to Attachment 9: Yonge-Eglinton Secondary Plan). The Secondary Plan generally relies on the Official Plan to provide policies on rental housing demolition and development of apartment buildings. However, some specific Secondary Plan policies are relevant to this site, including:

Section 2.4

"it is a primary objective to minimize conflicts among uses in *Apartment Neighbourhoods* in terms of land use, scale and vehicular movement";

Section 2.7(d)

"ensure that development of the greatest height, density and scale are situated within *Mixed Use Area 'A'*, and that developments of a lesser scale that are contextually appropriate and compatible with adjacent areas will occur in *Mixed Use Areas 'B', 'C' and 'D'*." (refer to Attachment 9);

Section 2.7(e)

"direct higher density residential development proposals within the *Apartment Neighbourhoods* to sites with nearby subway station access."

Section 2.10

"new development will be required to provide an adequate supply of parking and loading to meet site requirements while balancing the City's goal to reduce reliance on automobile use. Parking requirements may be reduced for the development in *Mixed Use Areas* and *Apartment Neighbourhoods* which are in close proximity to subway and light rapid transit access provided the proponents can demonstrate how projected travel can be accommodated by other modes. The purpose of such relief is to: reduce reliance on automobiles; reduce conflicts between vehicular traffic and on-street servicing; and maximize the utilization of existing parking facilities".

The Yonge-Eglinton Secondary Plan policy 21.2.7(b) development criteria call for a transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods* and, in particular those sites which abut a *Neighbourhood*.

Yonge-Eglinton Secondary Plan Review

The City Planning Division is leading an inter-divisional review of growth, built form and infrastructure issues in the Yonge-Eglinton area. The Growth, Built Form and Infrastructure Review will inform the development of up-to-date policy that will guide growth in the area and, in combination with necessary capital upgrades identified through the review, support the vitality and quality of Midtown Toronto.

The review began in mid-2015 and has three key activities:

1. **Growth Analysis** which includes completing a demographic and economic profile of the area, undertaking an evaluation of growth trends, and completing an analysis of potential near, medium and longer term growth estimates.
2. **Built Form Study** which will analyse built form character, trends and impacts and develop a built form vision to guide the area's evolution. In addition, a Cultural Heritage Resource Assessment is being undertaken which will identify properties of cultural heritage value or interest and outline recommendations for further study, conservation, listings and designations.
3. **Infrastructure Review** of the performance and capacity of key infrastructure – community services and facilities, transportation, water, wastewater and stormwater – and a gap analysis informed by the growth estimates to identify emerging infrastructure priorities.

City staff anticipates reporting to City Council in early 2016 with a Proposals Report that identifies key findings and emerging directions from the study. Following a Council decision on the Proposals Report, further consultation will occur on recommended directions and proposed amendments to the Yonge-Eglinton Secondary Plan.

Midtown in Focus Public Realm Plan - OPA 289

On August 25, 2014, City Council adopted the report from the Chief Planner and Executive Director, City Planning on Midtown in Focus – the Parks, Open Space and Streetscape Plan ("Public Realm Plan") for the Yonge-Eglinton Area.

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge-Eglinton Secondary Plan (Official Plan Amendment 289) that implement, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan. The proposed Secondary Plan amendments are under appeal at the OMB.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

OPA 289 outlines a comprehensive public realm strategy and a system of improvements that will be implemented as part of new development in the Yonge-Eglinton Secondary Plan Area.

The site is within the Midtown Character Area in OPA 289. The 3 street frontages of the site: Dunfield Avenue, Soudan Avenue and Lillian Street; are identified as Greenways. Policy 6.7 states that the Midtown Greenways will provide improved pedestrian amenity and support the continuation and expansion of the landscaped setbacks characteristic of the Midtown Character Area. Refer to Attachment 9: Map 21-3.

OPA 289 Policy 2.20 states that all development proposals will demonstrate that no new net shadow is cast on existing and proposed parks. Policy 2.28(b) speaks to creating attractive, landscaped linear open spaces on building setbacks adjacent to public streets. The north frontage of Soudan Avenue from Holly Street to east of Brownlow Avenue is identified as the Soudan Avenue Park Priority Area (Refer to Attachment 9: Map 21-4). Section 2.17 states that mid-block pedestrian connections will be secured as part of the development of sites located in the Yonge-Eglinton Centre and within larger city blocks. Refer to Attachment 9: Map 21-5.

Tall Building Design Guidelines

In May 2013, City Council adopted updated city-wide Tall Building Design Guidelines and directed Planning staff to use the Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for tall building proposals to ensure they fit within their context and minimize their local impacts. The Guidelines provide design recommendations for tall buildings on issues of transition, building placement and orientation, entrances, massing and height of base buildings, tower floor plate sizes, tower setbacks and separation distances, pedestrian realm considerations and other matters. The Guidelines are available at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

Zoning

The site is zoned R2 Z0.6 in By-law 438-86 with a height restriction of 14 metres on its Soudan Avenue frontage and 38 metres on the rest of the site. The R2 zoning permits a range of residential uses including detached and semi-detached houses, townhouses and apartment buildings to a density of 0.6 times the lot area.

City-wide Zoning By-law 569-2013, enacted by Council on May 9, 2013 and currently under appeal to the OMB, also applies to the site. By-law 569-2013 zones the site R (d.0.6) x914. It maintains the same height and density for the site as By-law 438-86.

Site-specific By-law 546-2002 permits the seniors' residence building at 77 Dunfield Avenue and rental apartment building at 45 Dunfield Avenue. By-law 546-2002 repealed By-law 22418 enacted in 1965 to permit the 45 Dunfield building, and added, among other things, a new maximum gross floor area and maximum number of units for both buildings.

Site Plan Control

This site is subject to Site Plan Control. An application has not been submitted.

Reasons for Application

The applicant is requesting to amend the provisions of Zoning By-law 438-86 (as amended by 546-2002) and Zoning By-law 569-2013 to permit the proposed tower heights of 73.6 and 70.3 metres

(excluding mechanicals) and a total site density (including existing and proposed buildings) of 5.3 times the lot area which exceed the maximums in the By-laws.

Community Consultation

A community meeting held on May 21, 2014 was attended by approximately 37 members of the public, the Ward Councillor, the applicant and its consultants, and City staff.

Concerns expressed by residents included:

- existing traffic congestion;
- excessive development occurring in the area;
- shortage of parking in the area;
- proposed building heights are too high;
- area schools are currently over capacity;
- a daycare facility should be considered;
- garbage handling and potential noise;
- disruption to the existing tenants during construction;
- proposed art gallery would not be used;
- need for amenities for residents; and
- need for more green space.

A tenant meeting was held on December 10, 2014 attended by over 30 tenants of the Dunfield seniors' building at 77 Dunfield Avenue. The residents were most concerned with disruption to parking and building access during the construction period.

A second tenant meeting on December 12, 2014, was attended by approximately 12 tenants of the Torontonion rental building at 45 Dunfield Avenue. Although none of the tenants present had filled out the survey, they had expressed many similar concerns at the meeting as those surveyed, as well as a concern about the garbage and loading access at the rear of the Torontonion, and the loss of the green space on Lillian as an informal dog park area.

In the summer of 2015, the City hosted an online survey of tenants of the Torontonion as those who attended the May 21, 2014 community consultation meeting had raised concerns that some tenants who were seniors or had inflexible work schedules could not attend the meetings.

Sixty-six tenants participated in the survey with a completion rate of 80%. The tenants provided extensive comments on the buildings, the proposed changes and local development context of Yonge-Eglinton. They also advised that they currently use the existing facilities such as the media and weight rooms and the swimming pool, and would like to see minor improvements to some existing amenities to be retained including 24 hour access. A majority of the participants appreciated the proposed new pool and outdoor amenity spaces and specifically supported the barbeque and passive recreation areas. A few tenants showed support for water features, and a designated dog area as either a part of the tenant recreation space or as a part of the play features for the park. The majority of tenants surveyed do not own a car, and half of them stated that they are home regularly on weekdays. Some tenants strongly stated that their distress about the proposed

construction disruption while others indicated that the landlords have been reasonable in the past and expected this condition to continue.

A final community meeting on December 7, 2015 hosted by the Ward Councillor was attended by approximately 45 local residents, the landowner and their consultants and City staff. Concerns raised at the meeting were related to the future construction timelines, noise and dust from the construction process, the potential temporary relocation of parking spaces and the temporary loss of access to amenity areas during the construction period.

Design Review Panel

The original proposal for two 28 and 26-storey residential buildings and a 1-storey art gallery was presented to the City's Design Review Panel on May 12th, 2014. Comments from the Panel focused on the need for a distinct building transition to the low-rise context to the south, tower separations, and the lack of response of the art gallery to the Midtown In Focus Study criteria and the landscape continuity of the site.

The revised proposal for two 26 and 24-storey residential buildings with a child care facility instead of an art gallery was presented to the Panel on April 16, 2015. Panel comments from the second meeting were positive as the applicant had addressed its issues. The inclusion of the child care facility instead of a gallery was supported as children would bring animation to the open space area. There was also a reduction in building heights, and a more unified landscape design.

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.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement, 2014 ("PPS") states in Section 1.1.1 b) that municipalities shall create sustainable communities by: "accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial, and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs". Furthermore, the PPS states, in Section 4.7, that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement. The proposal is consistent with the PPS.

The Growth Plan and the City's Official Plan direct growth to 5 Urban Growth Centres located throughout the City. The site is located in an *Apartment Neighbourhood* within the Yonge-Eglinton Growth Centre. The proposed development is compatible with, but less dense, than development anticipated in the Centre. The proposal conforms to the Growth Plan.

Site Organization

Proposed apartment Buildings A and B will be sited south of the two existing attached apartment buildings (Torontonians and the Dunfield) on the site. The proposed POPS will cover a significant

portion of the site from Soudan Avenue north to both sides of the Torontonion and the existing Dunfield Parkette is in the southwest portion of the site flanked by Soudan and Dunfield Avenues. The amenity building will be located in the open space between the two new buildings. The outdoor play area of the child care facility will extend south from Building B into the open space along Soudan Avenue. (Refer to Attachment 1: Site Plan).

The proposed POPS will cover a significant portion of the site from Soudan Avenue frontage north to both sides of the Torontonion. The amenity building will be located in the open space between the two new buildings. The outdoor play area of the child care facility will extend south from Building B into the open space along Soudan Avenue. (Refer to Attachment 1: Site Plan).

The proposed separation distance between the facing walls of Buildings A and B is approximately 43.7 metres which significantly exceeds the separation distance of 25.0 metres required in the city-wide Tall Building Guidelines. The building separation distances of Buildings A and B from the 45 Dunfield building (Torontonion) are 20 metres and 14.7 metres respectively. Although less than the minimum distance separation set out in the Tall Building Guidelines, the proposed new buildings and the existing 45 Dunfield building (Torontonion) are completely offset diagonally and have no direct window facing conditions, which is acceptable to Planning staff in the context of improved open space on the site. In addition, the ground levels for both buildings achieve a minimum 4.5 metre floor to ceiling height to give prominence to the street level, and increase the visibility and utility of the ground floor space.

Height and Massing

Height

The application originally proposed 28 and 26-storey buildings of 86.1 and 78.3 metres (including mechanical equipment) in height, similar to the height of the existing 28-storey apartment building "Torontonion" on the site. In response to staff and Design Review Panel comments, the applicant revised its application to lower the proposed building heights to provide a better height transition, by stepping down building height southward towards the *Neighbourhoods* area on the south side of Soudan Avenue. The revised height for Building A is 73.6 metres and for Building B at 70.3 metres, plus a 6.0 metre mechanical penthouse for each building.

The height of the 1-storey child care facility to be located on the north side of Soudan Avenue is 3.2 metres. The 3-storey amenity building near Building A has an approximate height of 10.9 metres.

The proposed buildings provide an acceptable transition in height to the *Neighbourhoods* south of Soudan Avenue, taking in consideration the proposed improvements to open space.

Massing

Building A is approximately 42.6 metres in length and 19.3 metres in depth. Building B is approximately 36.2 metres in length and 22.5 metres in depth. The majority of the residential floor plate sizes are a maximum of 750 square metres, with a few floors smaller in size, which achieves the criteria in the city-wide Tall Building Guidelines.

The proposed buildings do not have a defined base. This design condition is not preferred by staff, but responds to Design Review Panel comments to reduce the footprint of the building and increase

the open space at grade. Staff finds this base condition for the two new buildings to be acceptable subject to wind mitigation measures addressed later in this report.

The proposed floor space index of 5.3 for the overall site is acceptable within an *Apartment Neighbourhood* at Yonge-Eglinton.

Amenity Space

The proposed indoor and outdoor amenity space to be provided for Buildings A and B is acceptable.

Privately Owned Publicly Accessible Open Space (POPS)

The applicant proposes a total of 6,060 square metres of Privately Owned Publicly Accessible Open Space (POPS) on the site. The purpose and benefit of this type of landscaped open space is to provide public access to complement public parks, open space and natural area networks. The POPS will continue to be privately owned and maintained with an easement for access by the public, and be secured by the Section 37 Agreement. Refer to Plan on Attachment 10.

Streetscape

The proposal achieves a 3 metre front setback along the Dunfield and Lillian frontages for the two new buildings. On Soudan Avenue, a greater building setback ranging between a minimum of 5 to 30 metres of open space provides a major Greenway and helps to realize the goal of the north side of Soudan as a Priority Park Area, as envisaged in OPA 289 and the Midtown In Focus Public Realm Plan. While the proposed 3 metre setbacks on the Dunfield Avenue and Lillian Street frontages are less than 5 metre setback required by OPA 289, they are acceptable to Planning staff as the application was submitted in 2013 prior to the adoption of OPA 289, and the proposed development provides generous open space along the rest of these frontages and Soudan Avenue.

The outdoor child care play area is set back approximately 5.0 metres to the property line on Soudan Avenue which achieves the Midtown In Focus OPA 289 policy. Refer to Attachment 9: Map 21-3.

The proposal provides a mid-block connection from Dunfield Avenue to Lillian Street as indicated in OPA 289 and the Midtown in Focus Public Realm Plan. The mid-block connection runs along the north side of Buildings A and B and includes a green landscaped retaining wall of approximately 37 metres in length that will range in height from 1.2 to 2.4 metres. The purpose of the green wall landscape treatment is to provide a desirable visual separation between the proposed and existing developments given the significant grade change. This will be designed as part of the Site Plan Approval process. Refer to Attachment 9: Map 21-5.

Dunfield Parkette

Dunfield Parkette, an existing public park located on the northeast corner of Dunfield and Soudan Avenues, blends with the landscape of the proposed POPS next to it. This approximately 1,000 square metre parkette was leased by the landowner to the City in 2002 for a minimum of 50 years to a maximum of 99 years and is maintained by the City. Existing amenities in this parkette were completed in September 15, 2012. Its design will be reviewed concurrently with the Site Plan Approval process to ensure that it is appropriately integrated in the redesign of surrounding landscaped open space.

Sun, Shadow and Wind

Based on the Shadow Studies provided by the applicant, the proposed development adequately limits the shadow impacts on the north portion of the site and neighbouring properties. The proposed development does not create incremental shadow impacts onto Dunfield Parkette and the proposed open space as they are located south of the proposed buildings.

The applicant's Pedestrian Wind Study by RWDI, dated September 15, 2015 concludes that the wind comfort for the proposed development and around the site including the outdoor child care play area will be similar to or better than existing conditions. The wind conditions in Dunfield Parkette will improve in the summer and winter.

In the winter, the two entrances of Buildings A and B at grade will require the installation of wind screens to achieve appropriate wind conditions. In addition, high winds are anticipated on the 4th floor amenity area of Building A, to be mitigated with the installation of parapets along the north and east edges of the building base, along with soft landscaping and trellises around the outdoor amenity areas. Mitigation through the installation of wind screens will be determined through the Site Plan Approval process.

Parking, Loading, Access

Parking: Buildings A and B and the Torontonion

Buildings A and B will share an enlarged below grade parking garage with the residents of the 45 Dunfield building (Torontonion). The minimum required number of parking spaces for the combined buildings is 504 residential spaces, 110 visitor spaces and 2 day nursery spaces for a total of 616 parking spaces. The applicant is proposing 383 residential spaces, 65 visitor spaces, and 2 day nursery spaces, for a total of 450 parking spaces.

The minimum required parking is based on the parking ratios recommended in the Traffic Impact Study, dated November 2013, prepared by the applicant's transportation consultant, BA Group. Transportation Services staff requires additional information to support the revised proposed parking supply and does not support the proposed reduction in the resident parking supply to 450 spaces. Engineering and Construction Services requires that the owner:

1. provide the minimum number of residential parking spaces on the site to serve the proposed Buildings A and B and the existing Torontonion in accordance with the parking space ratios in the Draft Zoning By-laws in Attachments 12 and 13; or
2. provide acceptable documentation to justify the proposed parking supply to the satisfaction of the Executive Director, Transportation Services.

Parking: 77 Dunfield

The existing parking spaces are: 35 residential and 35 visitor spaces for a total of 70 parking spaces. Staff are satisfied with the provision of these spaces.

Parking: Child Care Facility

At-grade level in the vehicular service court, 3 child care pick-up and drop-off parking spaces are proposed at grade in the vehicular service court. Staff is satisfied with the provision of these spaces.

Loading/Access

The applicant proposes one Type 'G' loading space as required by By-law 438-86 and 569-2013. The loading space is enclosed at ground level and accessed from Lillian Street. Engineering and Construction Services staff has reviewed the proposed loading area and find it to be acceptable.

Driveway access to the site is to be located at the northeast end of the site from Lillian Street. The applicant's Transportation Impact Study dated November 2013 concluded that site traffic can be accommodated on the adjacent road network. Staff has reviewed the supporting documentation and concurs with the consultant's conclusion.

Servicing

The applicant has submitted a revised Functional Servicing & Stormwater Management Report prepared by Fabian Papa & Partners dated November 25, 2015, in support of the proposed development. The revised report was requested by Engineering and Construction Services to address separate servicing for the two proposed towers, including additional capacity analysis. While there are no significant servicing issues, Engineering and Construction Services staff has not completed its review and accepted the revised report. Bills for the zoning amendment application will be held until the revised report has been accepted by staff.

Bicycle Parking

Zoning By-law 438-86 requires a minimum of 160 bicycle residential parking spaces, 40 visitor parking spaces and zero spaces for the day nursery, for a total of 200 bicycle parking spaces. The application proposes 584 residential bicycle parking spaces, 1 occupant day nursery space, 120 visitor bicycle spaces and 6 day nursery spaces, for a total of 711 parking spaces.

Zoning By-law 569-2013 requires a minimum of 468 residential bicycle parking spaces, 52 visitor parking spaces and zero day nursery spaces for a total of 520 bicycle parking spaces. The application proposes 584 residential bicycle parking spaces, 1 occupant day nursery space, 120 visitor bicycle spaces and 6 day nursery spaces, for a total of 711 parking spaces.

84 of the visitor bicycle parking spaces are proposed at-grade in the vehicular service court area, and 38 visitor bicycle parking spaces are at-grade adjacent to Building A. All parking spaces are proposed to be weather protected. 585 residential bicycle parking spaces are located within the P1 level of Building B. In addition the applicant proposes a bicycle repair shop on the P1 level of Buildings A and B. Staff is satisfied with the provision of bicycle parking spaces as it exceeds the requirements of both zoning by-laws.

Child Care Facility

City Planning have consulted with the applicant and the Children's Services Divisional staff to ensure that the proposed child care facility in Building B will accommodate a minimum threshold of 52 infants, toddlers and preschoolers. The facility will be maintained and operated by an independent third-party operator in accordance with the Child Care Term Sheet (refer to Attachment 11).

The construction, finishing, furnishing and equipping of a non-profit licensed child care facility to accommodate at least 52 children, including infants, toddlers and preschoolers, is set out in the

Child Care Term Sheet, comprising 531 square metres of interior space and 254 square metres of exterior space adjacent to the interior space, including outdoor storage.

The applicant will enter into a lease agreement with the City for three 25-year terms and one 24-year term for a total of 99 years; and such facility shall be free of all rent, the cost of all utilities and municipal services supplied to the facility, caretaking costs, repair and maintenance costs, property damage, liability insurance, realty taxes and local improvement charges.

In addition, the applicant will make a one-time cash contribution of \$150,000 to \$180,000 to the Child Care Facility's replacement reserve fund to replace appliances and large equipment due to wear and tear, and a one-time cash contribution in the range of \$100,000 to \$150,000 to Start-Up Costs for the defrayment of operational deficits during the first year of operation. Further details of the design of the child care facility will be determined through the Site Plan Approval process.

Open Space/Parkland

The Official Plan has policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The subject lands are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. As the site is in the lowest quintile for current provision of parkland, it is in a parkland priority area, per the City Wide Parkland Dedication By-law 1020-2010.

At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 6920 m² or 117.4 % of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 589.3 m².

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is acceptable as an approximately 6,060 square metre area will be secured as a POPS on the portion of the site encumbered by the underground parking garage for the proposed development. In addition, the City operates a long term lease park (Dunfield Parkette) in the southwest corner of the site. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. Tier 1 is required for new development. The site specific zoning by-law will secure performance measures for the following Tier 1 features: Automobile Infrastructure Cycling Infrastructure and Storage; Collection of Recycling and Organic Waste. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Section 37

The Official Plan has policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the *Planning Act*.

- a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i. the construction, finishing, furnishing and equipping of a non-profit licensed child care facility to accommodate at least 52 children, including infants, toddlers and preschoolers, comprising 531 square metres of interior space and 254 square metres of exterior space adjacent to the interior space, including outdoor storage;
 - ii. the entering into a lease agreement with the City for three 25-year terms and one 24-year term for a total of 99 years; and such facility shall be free of all rent, the cost of all utilities and municipal services supplied to the facility, caretaking costs, repair and maintenance costs, property damage, liability insurance, realty taxes and local improvement charges;
 - iii. a one-time cash contribution of \$150,000 to \$180,000 to the Child Care Facility's replacement reserve fund to replace appliances and large equipment due to wear and tear; and
 - iv. a one-time cash contribution in the range of \$100,000 to \$150,000 to Start-up Costs for the defrayment of operational deficits during the first year of operation.
- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. an easement for the provision of 6,060 square metres of privately owned, publicly accessible open space on-site. (Refer to the Plan on Attachment 9).
 - ii. the owner shall provide and maintain 177 existing dwelling units at 77 Dunfield Avenue and 575 existing dwelling units at 45 Dunfield Avenue on the site as rental housing for the period of at least 20 years, from the date of the Zoning By-Law being in force and effect, with all the new and retained associated facilities and amenities of the buildings to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - iii. the owner shall provide and maintain 519 new rental units on the site as rental housing for the period of at least 10 years, with no application for demolition or conversion for a period of at least twenty years from the date of first occupancy;
 - iv. the owner shall provide a Construction Mitigation Plan that has provisions for special needs tenants, mitigation for tenants during construction periods, including compensation for the removal of facilities currently associated with the units, a respite room and other measures as may be deemed reasonable and appropriate to the satisfaction of the Chief Planner and Executive Director, City Planning Division, without cost-pass through to tenants; and

- v. the owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Tenure

All new residential units on the site are proposed to be secured as rental units.

Rental Housing

The owner proposes to secure the rental tenure of the 45 Dunfield (Torontonion) and 77 Dunfield (the Dunfield) buildings for 20 years per Official Plan policy Section 3.2.1.5(a). The units in these buildings are not to be demolished or have an application for conversion to condominium or another use during that period.

To accommodate the new buildings and to provide all the residential units on the site with appropriate residential amenity, the owner proposes to remove and replace the existing pool and saunas, as well as an underused concrete courtyard. Very few tenants currently have parking and the parking reduction is not expected to impact any existing tenants. The applicant proposes that the tenants with outdoor parking will be accommodated indoors during the construction period. Visitor parking will be removed for the period of construction, but will be provided in the finished complex.

The owner has offered to secure for the existing tenants at 45 Dunfield Avenue (Torontonion) and for the residents at Buildings A and B and at no extra cost;

- a new indoor pool and exercise facility at approximately 1,142 square metres;
- at least 586 square metres of additional new indoor amenity space;
- at least 1,260 square metres of new outdoor amenity space; and
- 584 bicycle parking spaces located on the P1 level with a bicycle repair facility.

Furthermore, the existing swimming pool and change rooms comprising 570 square metres at the Torontonion will be demolished. On the remaining 167 square metres not to be demolished, along with an additional of 215 square metres of new amenity space totalling 382 square metres, the owner will build a new yoga room for the use of the tenants of the Torontonion and the future residents of Buildings A and B, prior to the issuance of the first building permits, also without a cost to the tenants.

The owner has proposed an extensive Construction Mitigation and Tenant Communication Plans for the tenants of the Torontonion in particular. It has proposed rent rebates for the entire building to be able to purchase in-window air conditioners to mitigate dust and construction noise, as well as more rent rebates for tenants at the south end of the building at 45 Dunfield (Torontonion) to further encourage them to stay in their units during construction. It has further proposed a respite room to be appointed, furnished and provided from the time of the first building permit until the new amenity areas are complete. It has also offered a rebate to tenants, for use of the Community Centre facilities, who currently use the pool facilities for the period of time between the old pool's removal, and the installation of the new pool. All of the aforementioned amenities are above and beyond the concessions required by the *Residential Tenancies Act* and are not subject to costs to the tenants.

The owner has also agreed to shortened construction hours, from 7:00 a.m. to 5:00 p.m. on weekdays, with work on Saturdays only in exigent circumstances such as continuous concrete pours. The owner has also committed to an ongoing and extensive communications plan with early notice of impending changes or closures of services, and any possible service interruptions, including quarterly meetings with the tenants.

The owner recently completed an extensive retrofit program with the City's Tower Renewal Division of the energy systems of the Torontonion which was constructed in 1967. These system upgrades and an Above Guideline Rent Increase were approved under the *Residential Tenancies Act*. The owner, however, has committed to not implement any rent increases during the first 16 months of the construction period of the proposed new buildings on the site, resulting in the tenants not being charged the full approved amount.

The two purpose-built residential rental buildings will provide security of tenure to tenants, and will be viable into the future due to both the upgrades to the mechanical and environmental systems of the older tower at the Torontonion, but also to the amenities to service the existing and new tenants.

Conclusion

The application conforms to the policies of the Official Plan for infill and redevelopment, and fits its surrounding context within an *Apartment Neighbourhood*. The proposal conforms to the Yonge-Eglinton Secondary Plan including OPA 289 and the Midtown in Focus Public Realm Plan, and is consistent with the city-wide Tall Building Design Guidelines. As such, Planning staff recommends approval of the proposed Zoning By-law Amendment.

CONTACT

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Lauralyn Johnston, Policy Planner
Tel. No. (416) 395-8575
Email: ljohnst@toronto.ca

SIGNATURE

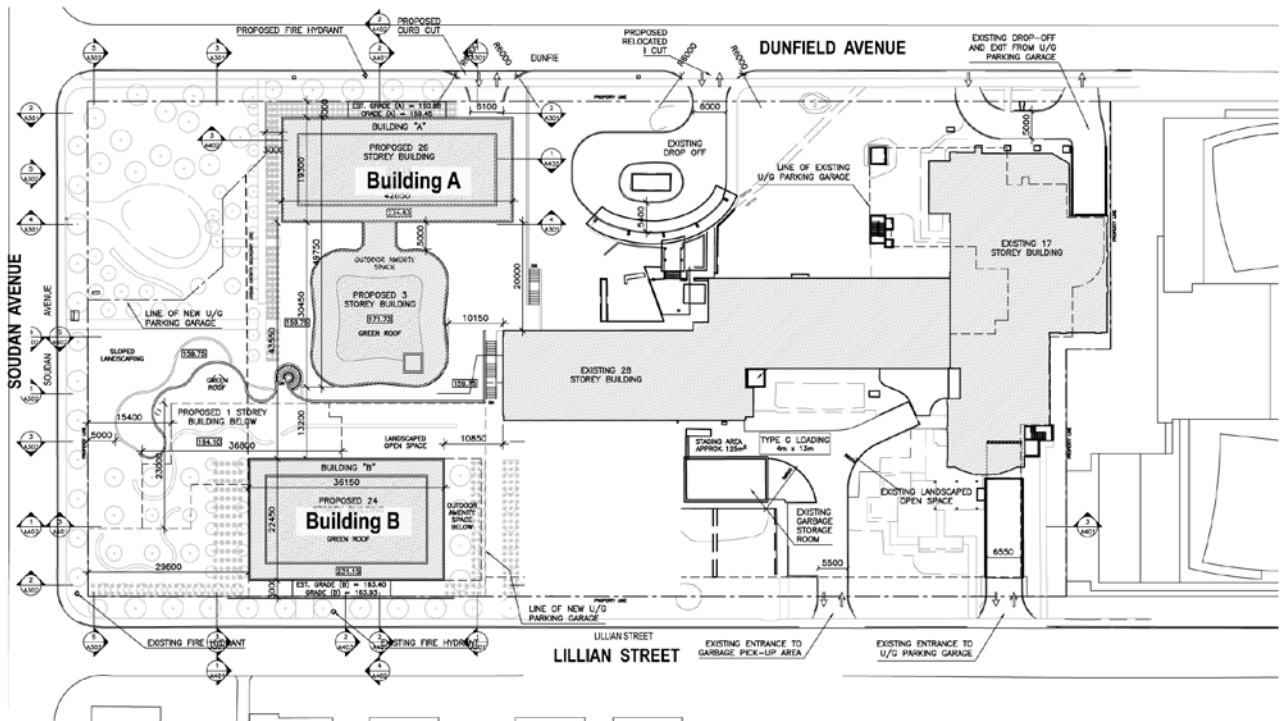
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: North Elevation
- Attachment 3: South Elevation
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- Attachment 6: Zoning
- Attachment 7: Official Plan
- Attachment 8: Application Data Sheet
- Attachment 9: Yonge-Eglinton Secondary Plan
- Attachment 10: Privately Owned Publicly Accessible Open Space Plan
- Attachment 11: Child Care Term Sheet
- Attachment 12: Draft Zoning By-law Amendment 438-86
- Attachment 13: Draft Zoning By-law Amendment 569-2002

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

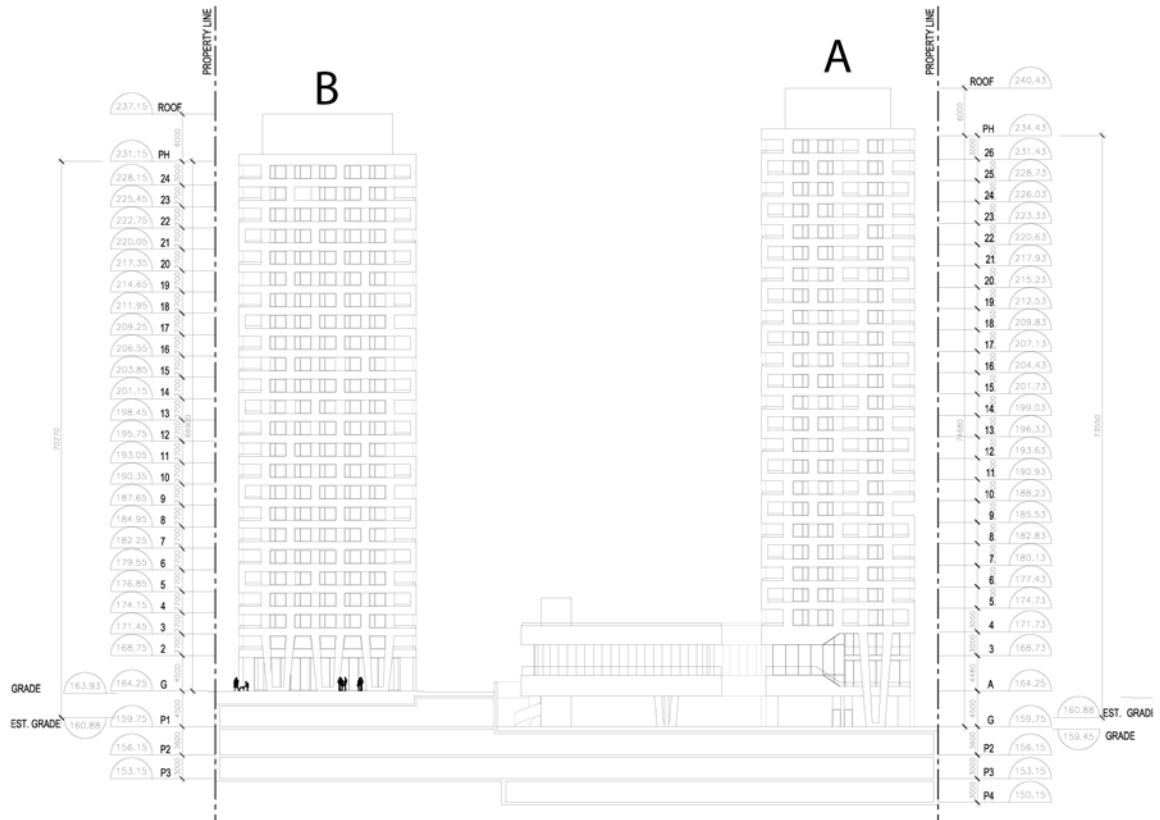
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01/20/2014



45-77 Dunfield Avenue

File # 13 271686 STE 22 02

Attachment 2: North Elevation



Elevations - North Buildings A & B

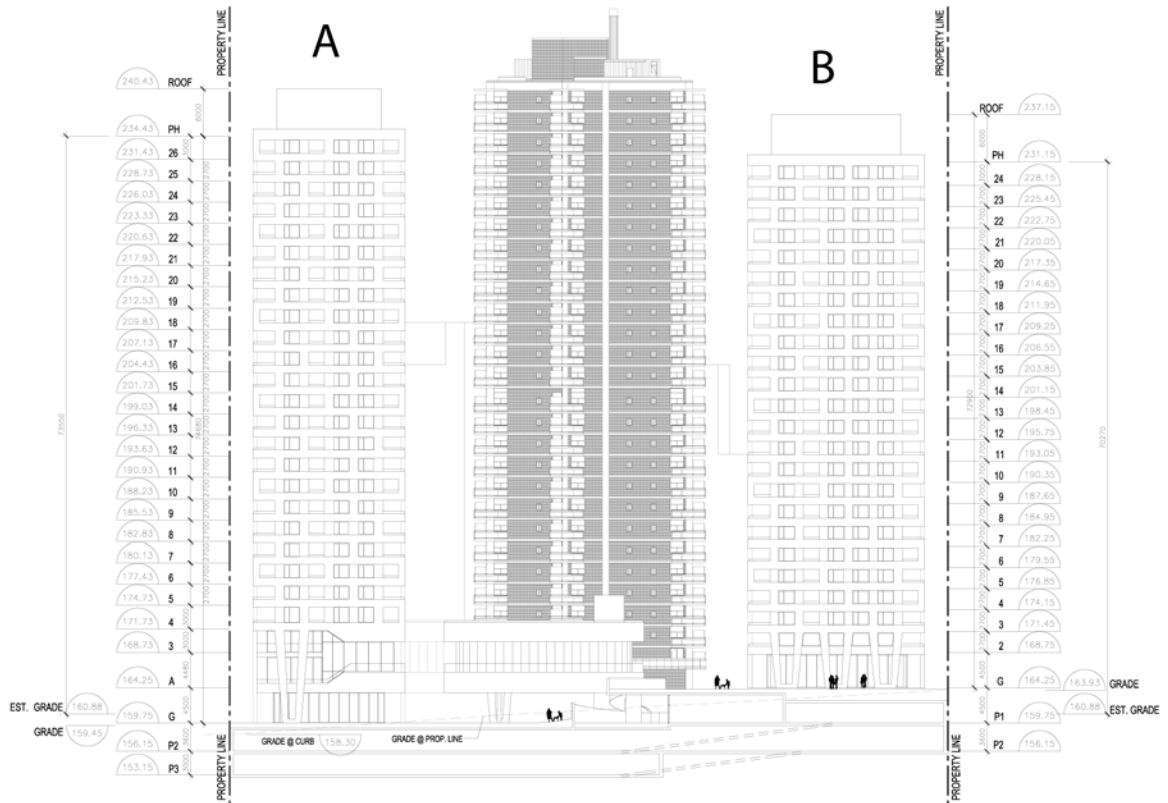
45-77 Dunfield Avenue

Applicant's Submitted Drawing

Not to Scale
12/2/2015

File # 13 271686 STE 22 0Z

Attachment 3: South Elevation



Elevations - South Buildings A & B

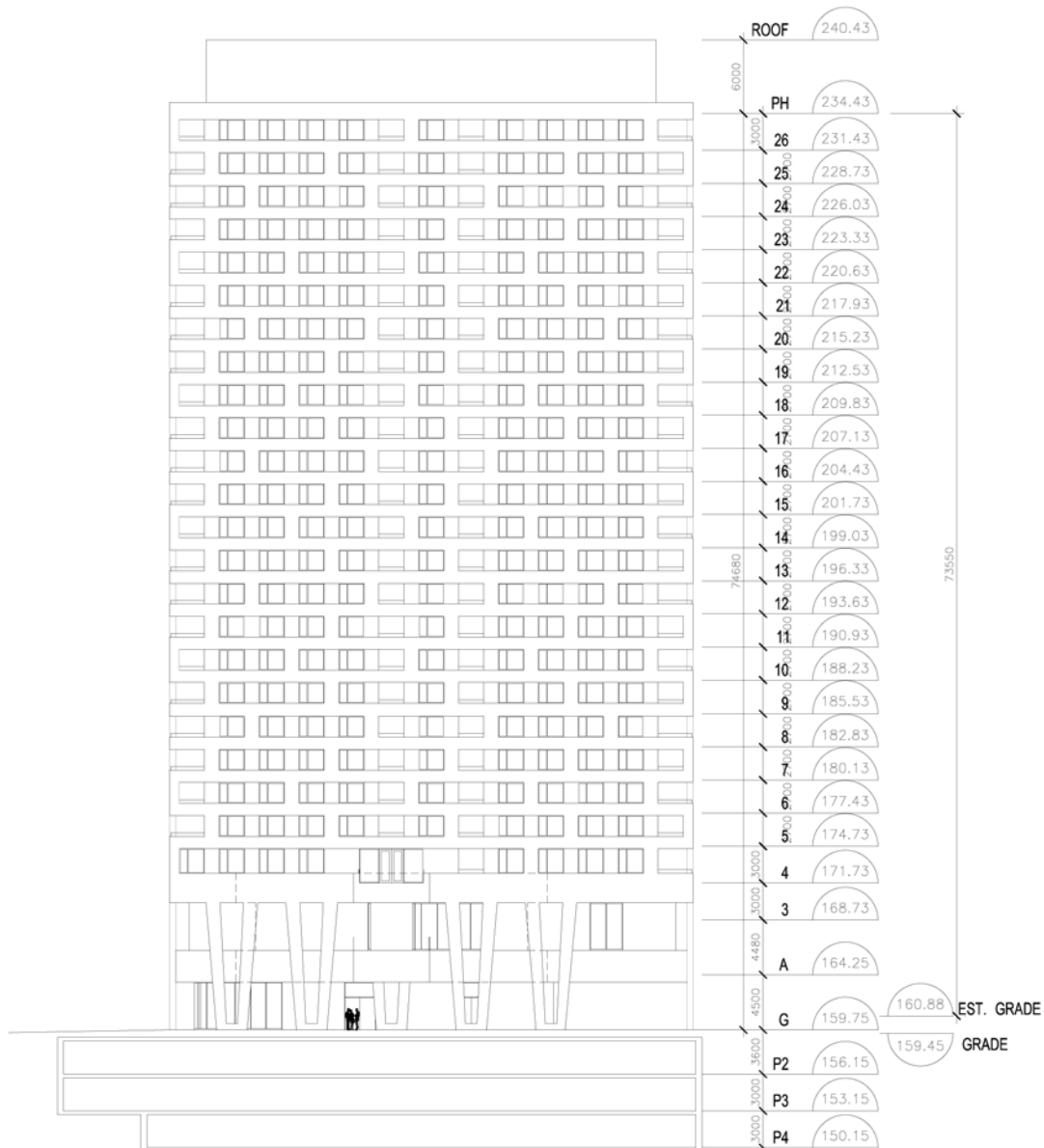
45-77 Dunfield Avenue

Applicant's Submitted Drawing

Not to Scale
12/2/2015

File # 13 271686 STE 22 0Z

Attachment 4: East Elevations



Elevations - East Building A

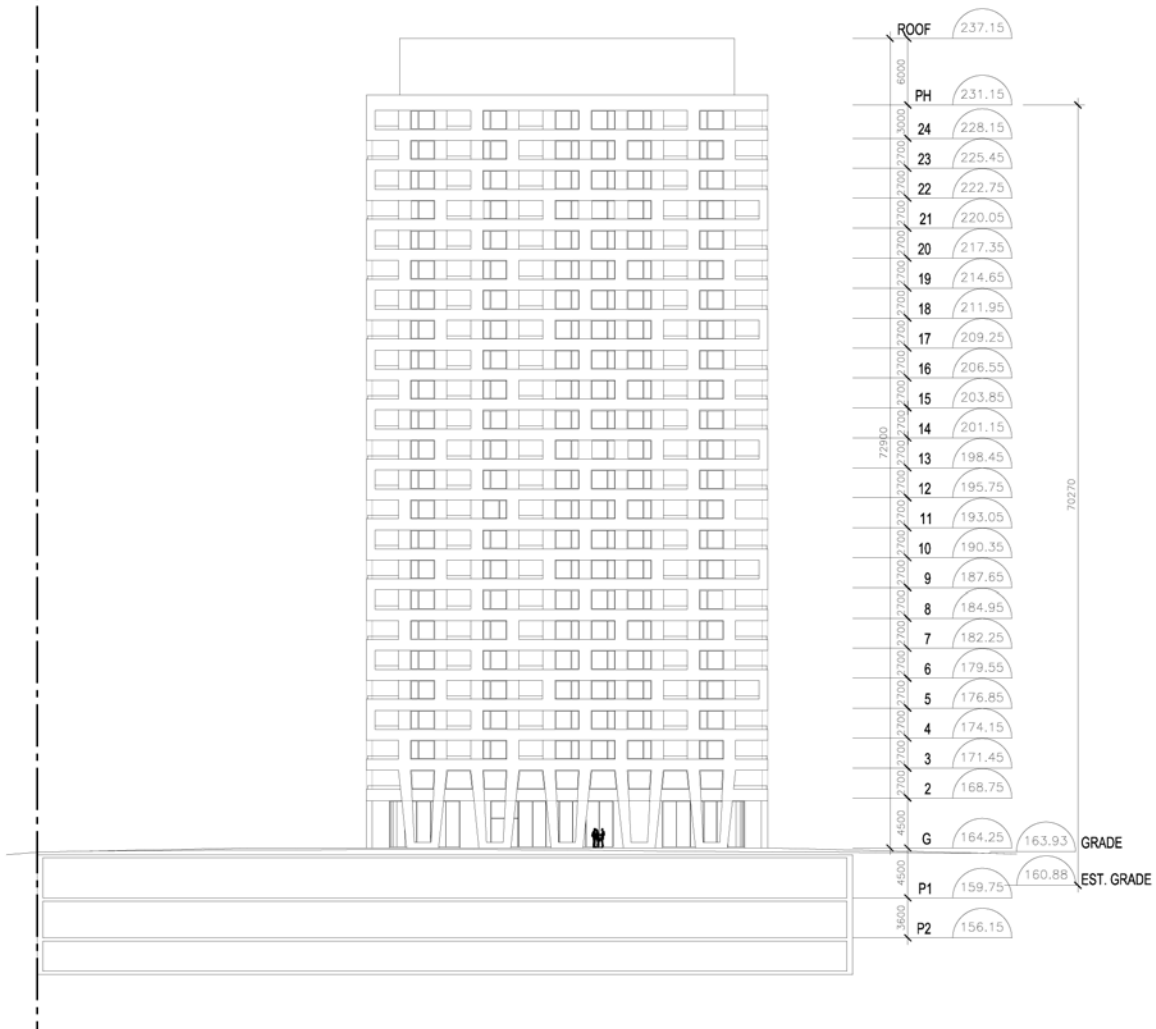
Applicant's Submitted Drawing

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12/2/2015

45-77 Dunfield Avenue

File # 13 271686 STE 22 0Z

PROPERTY LINE



Elevations - East Building B

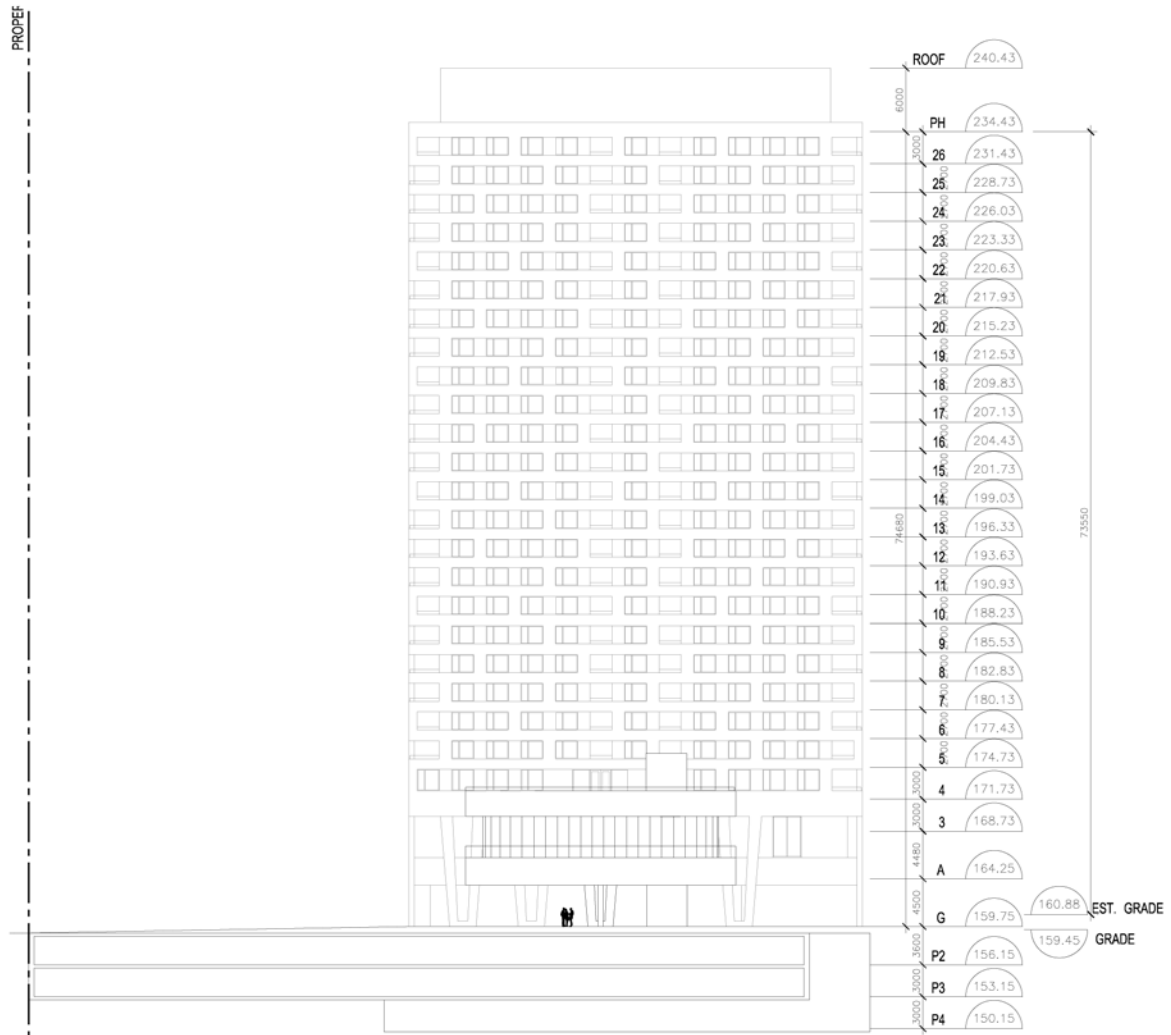
Applicant's Submitted Drawing

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12/2/2015

45-77 Dunfield Avenue

File # 13 271686 STE 22 02

Attachment 5: West Elevations



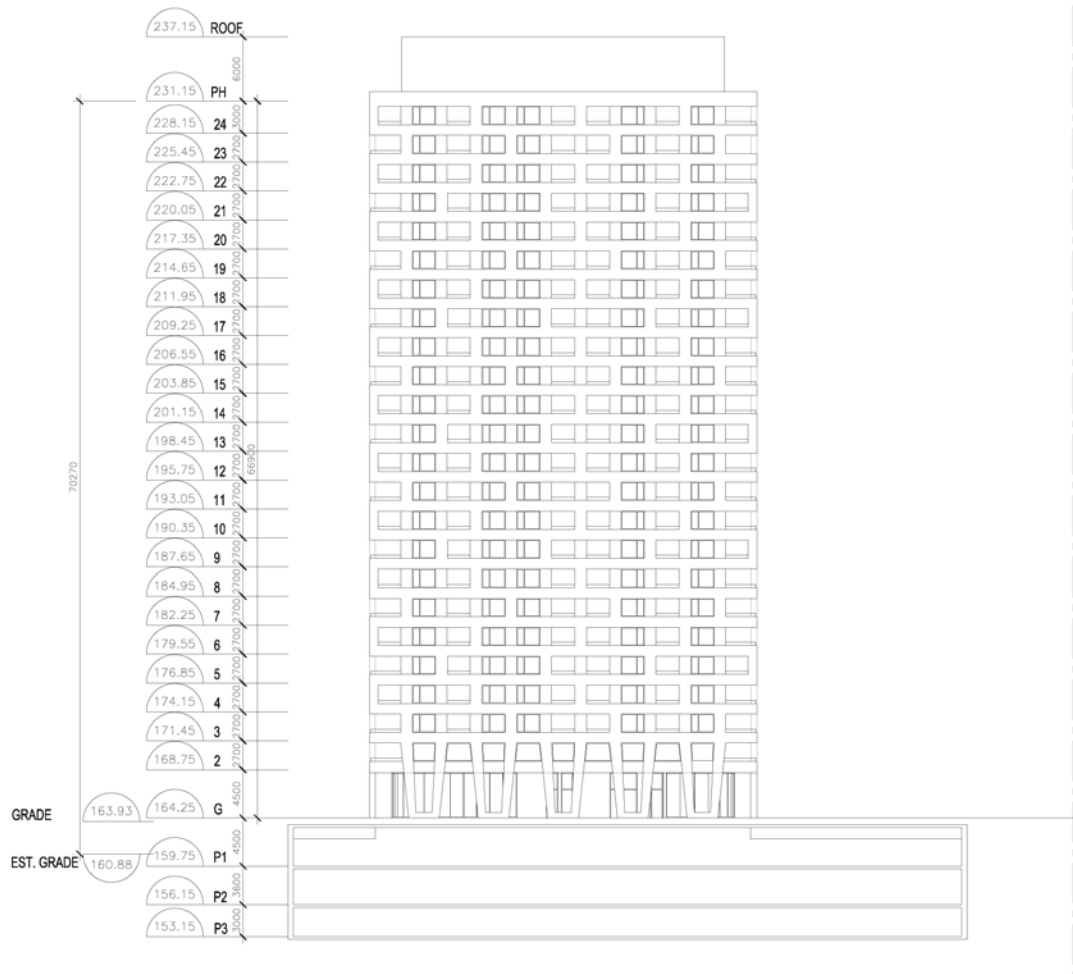
Elevations - West Building A (Amenity Space)

45-77 Dunfield Avenue

Applicant's Submitted Drawing

Not to Scale
12/2/2015

File # 13 271686 STE 22 0Z



Elevations - West Building B

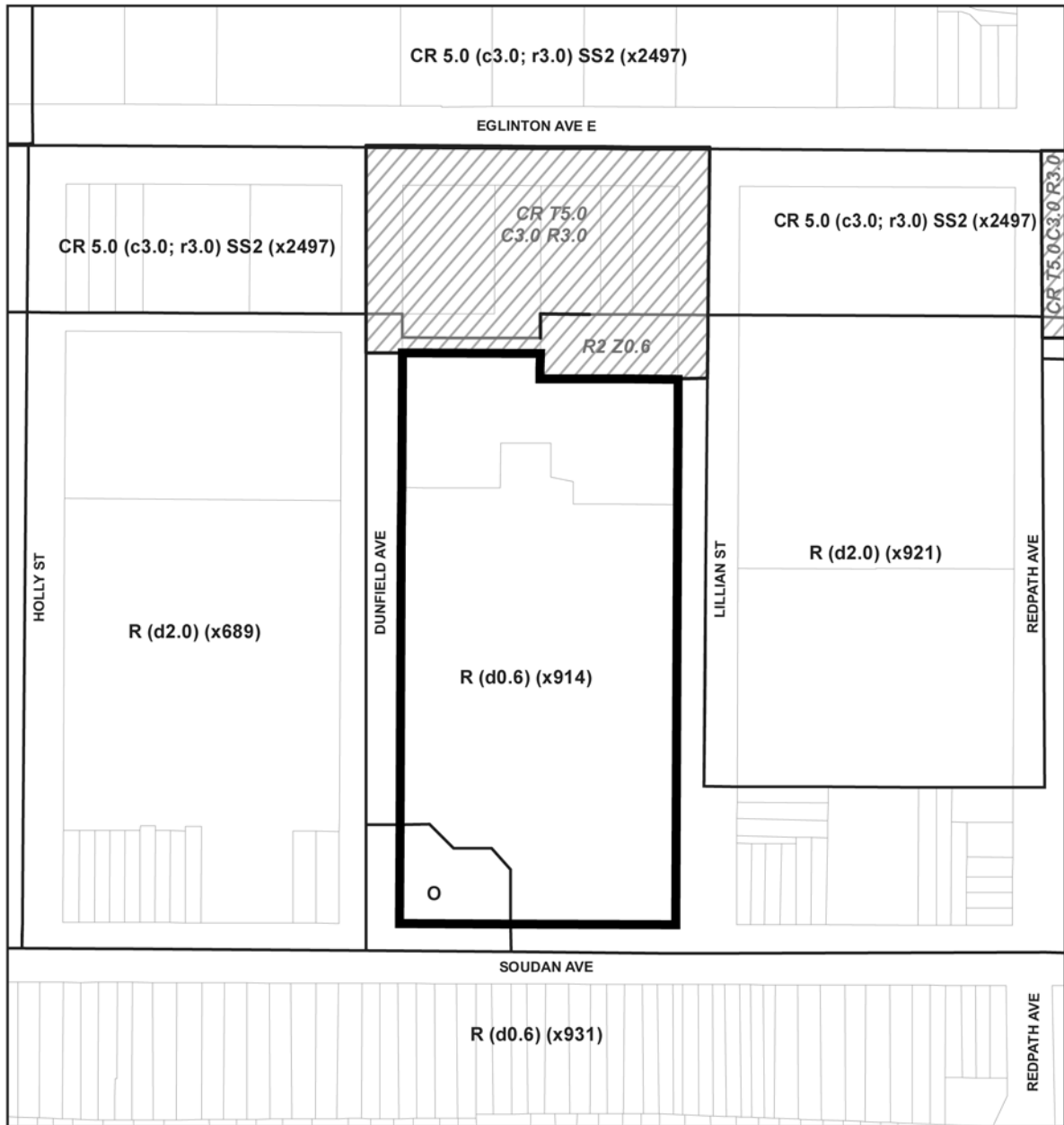
45-77 Dunfield Avenue

Applicant's Submitted Drawing

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12/2/2015

File # 13 271686 STE 22 0Z

Attachment 6: Zoning



Toronto City Planning

Zoning By-law 569-2013

45-77 Dunfield Avenue

File # 13 271686 STE 22 0Z

Location of Application

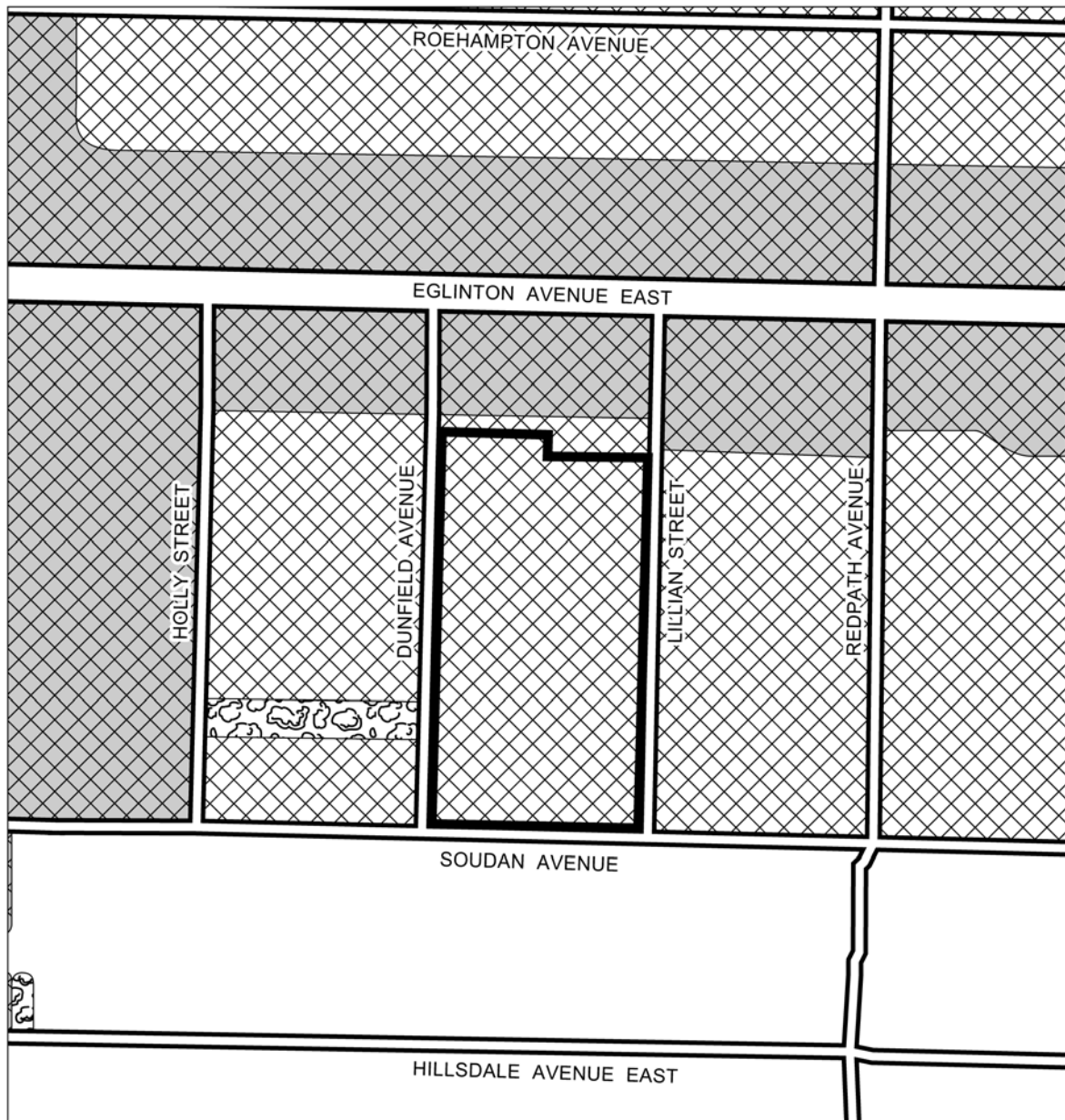
R Residential
CR Commercial Residential
O Open Space

See Former City of Toronto Bylaw No. 438-86

R2 Residential District
CR Mixed-Use District

Not to Scale
 Extracted 01/20/2014

Attachment 7: Official Plan



Toronto City Planning
Extract from Official Plan

45-77 Dunfield Avenue

File # 13 271686 STE 22 02

	Site Location		Natural Areas		Institutional Areas		Utility Corridors
	Neighbourhoods		Parks		Regeneration Areas		
	Apartment Neighbourhoods		Other Open Space Areas		Employment Areas		
	Mixed Use Areas						

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01/20/2014

Attachment 8: Application Data Sheet

Application Type	Rezoning	Application Number:	13 271686 STE 22 OZ
Details	Rezoning, Standard	Application Date:	November 28, 2013
Municipal Address:	45-77 Dunfield Avenue		
Location Description:	PLAN 653Y BLK E LOTS 16 TO 32 PT LOTS 11 TO 15 RP 66R23094 PARTS 11 TO 15 **GRID S2204		
Project Description:	26 & 24- storey residential buildings containing a total of 519 rental dwelling units, 37,846 square metres of gross floor area plus 531 square metres non-residential gross floor area for a daycare facility. A total of 520 below grade parking spaces and a Type 'G' loading space will be provided.		

Applicant:	Agent:	Architect:	Owner:
Shiplake Management Company	Same as applicant	Kohn Shnier Architects	Harold Green Ltd.

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:
Zoning:	R2 Z0.6	Historical Status: N
Height Limit (m):	38	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	16884	Height:	Storeys:	26 & 24
Frontage (m):	180.6		Metres:	73.6 & 70.3 (ex. mech.)
Depth (m):	91.4			
Total Ground Floor Area (sq. m):	4653			Total
Total Residential GFA (sq. m):	89040		Parking Spaces:	520
Total Non-Residential GFA (sq. m):	531		Loading Docks	1
Total GFA (sq. m):	89571			
Lot Coverage Ratio (%):	27.6			
Floor Space Index:	5.3			

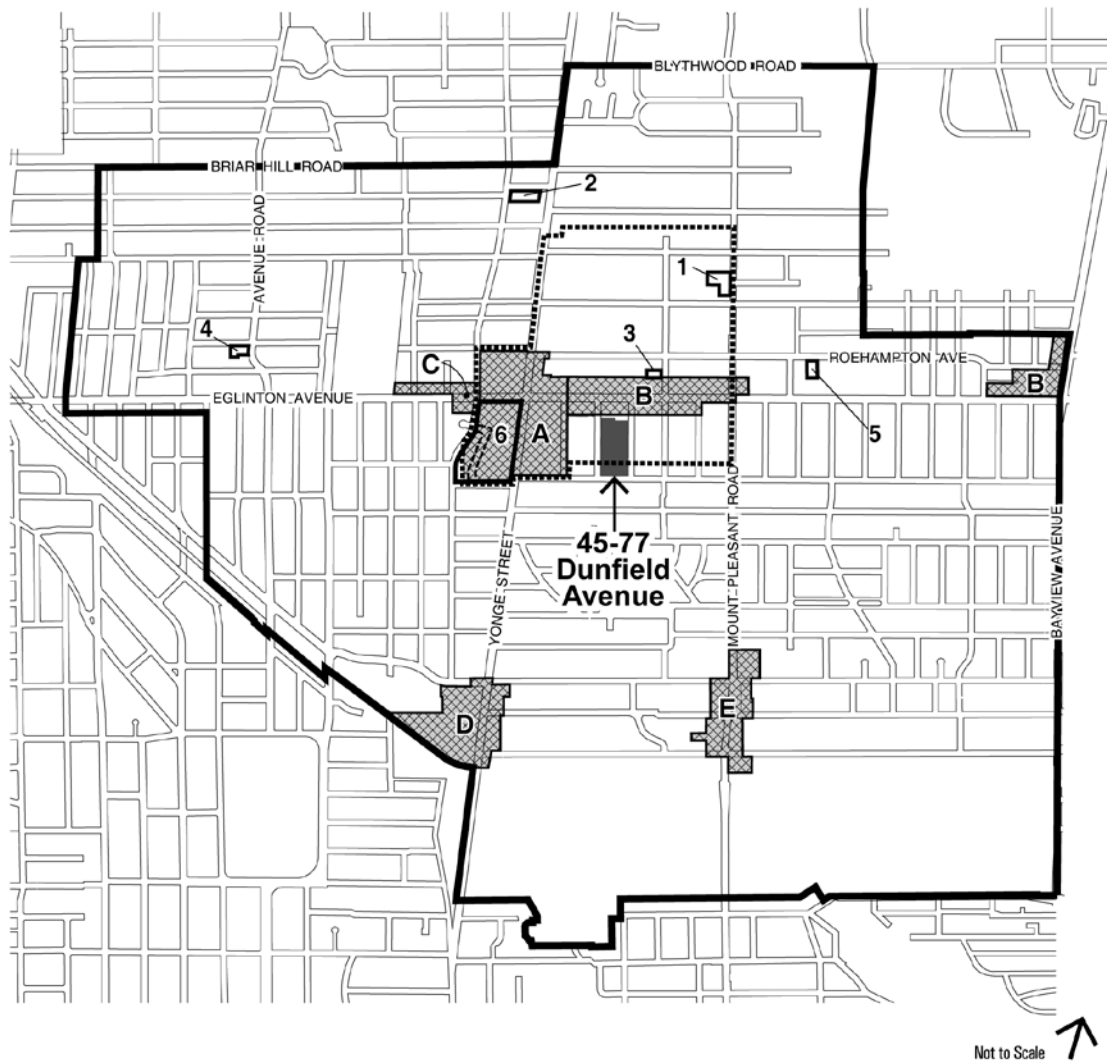
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	37,846	0
Bachelor:	47	Retail GFA (sq. m):	0	0
1 Bedroom:	283	Office GFA (sq. m):	0	0
2 Bedroom:	189	Industrial GFA (sq. m):	0	0
3 + Bedroom:		Institutional/Other GFA (sq. m):	0	531
Total Units:	519			

CONTACT: PLANNER NAME: Diane Silver, Planner
TELEPHONE: (416) 395-7150

Attachment 9: Yonge-Eglinton Secondary Plan

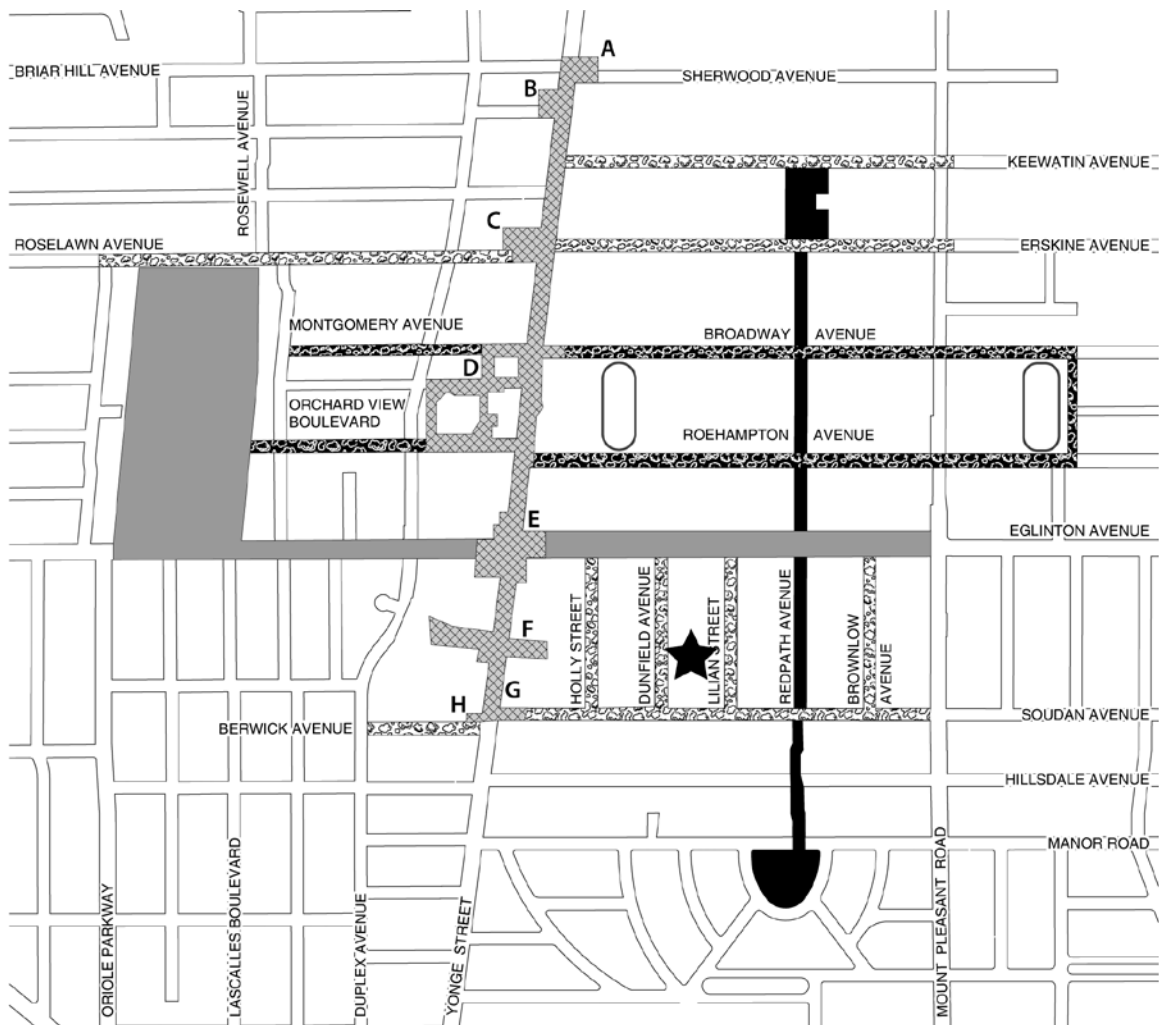


Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

- Secondary Plan Boundary
- Yonge-Eglinton Centre
- Mixed Use Areas
- Site and Area Specific Policies
- Proposed Road

December 2010



Not to Scale

Yonge-Eglinton Secondary Plan

MAP 21-3 Five Place-Making Moves for the Midtown Character Area

- Eglinton Green Line
- Yonge Street Squares
- Park Street Loop
- Greenways
- Redpath Revisited

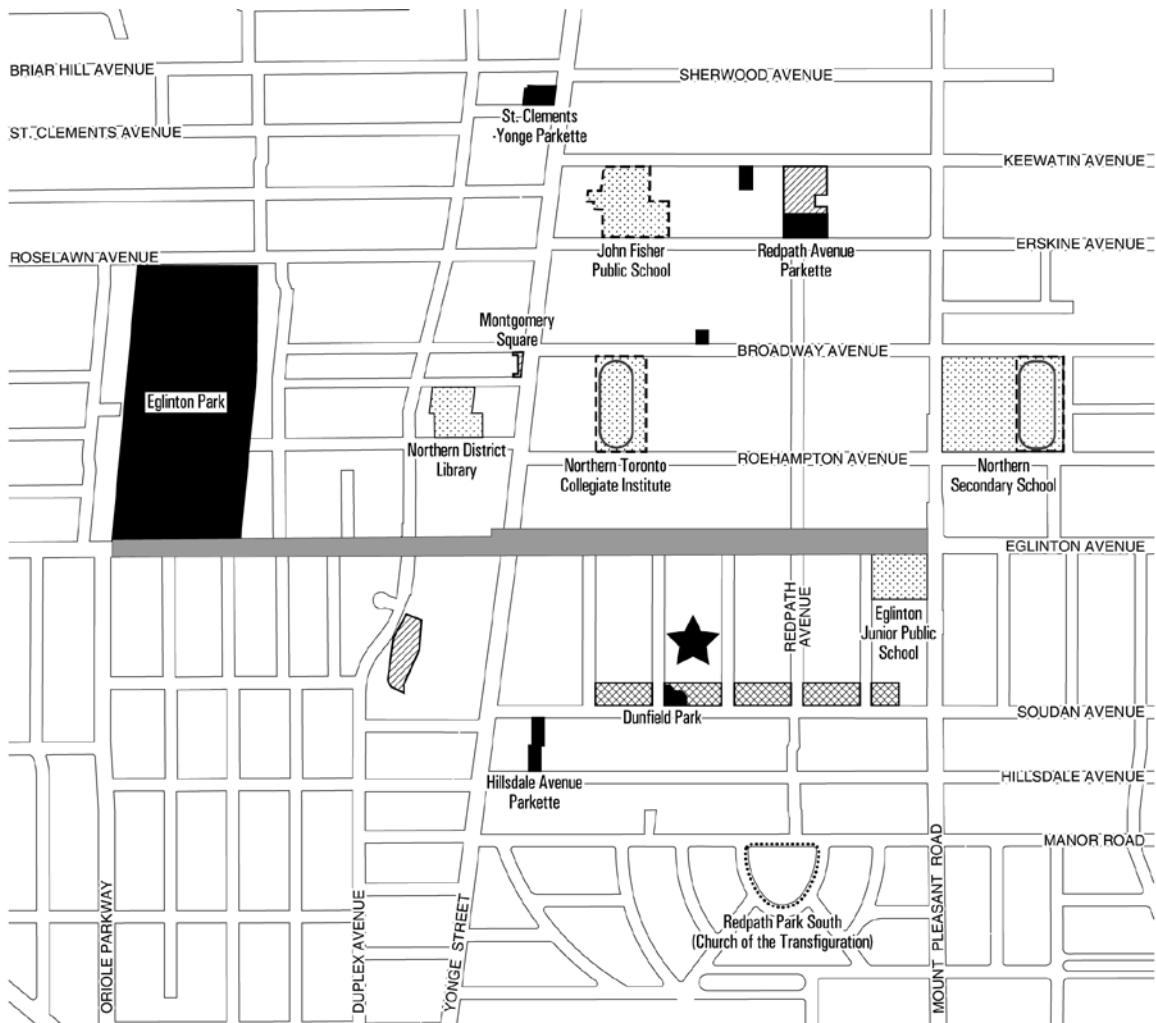
Yonge Street Squares

- | | |
|-----------------------------|------------------------------------|
| A Sherwood Square | E Yonge-Eglinton Crossroads |
| B St. Clemens Square | F Quantum Square |
| C Erskine Square | G Soudan Square |
| D Montgomery Square | H Berczy Square |



Subject Site

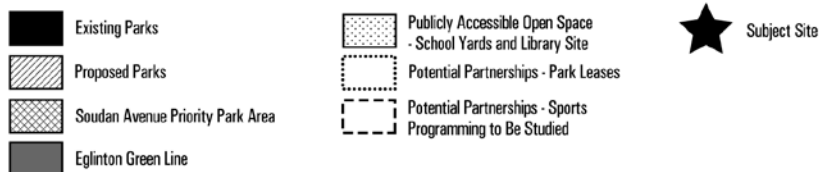
December 2015



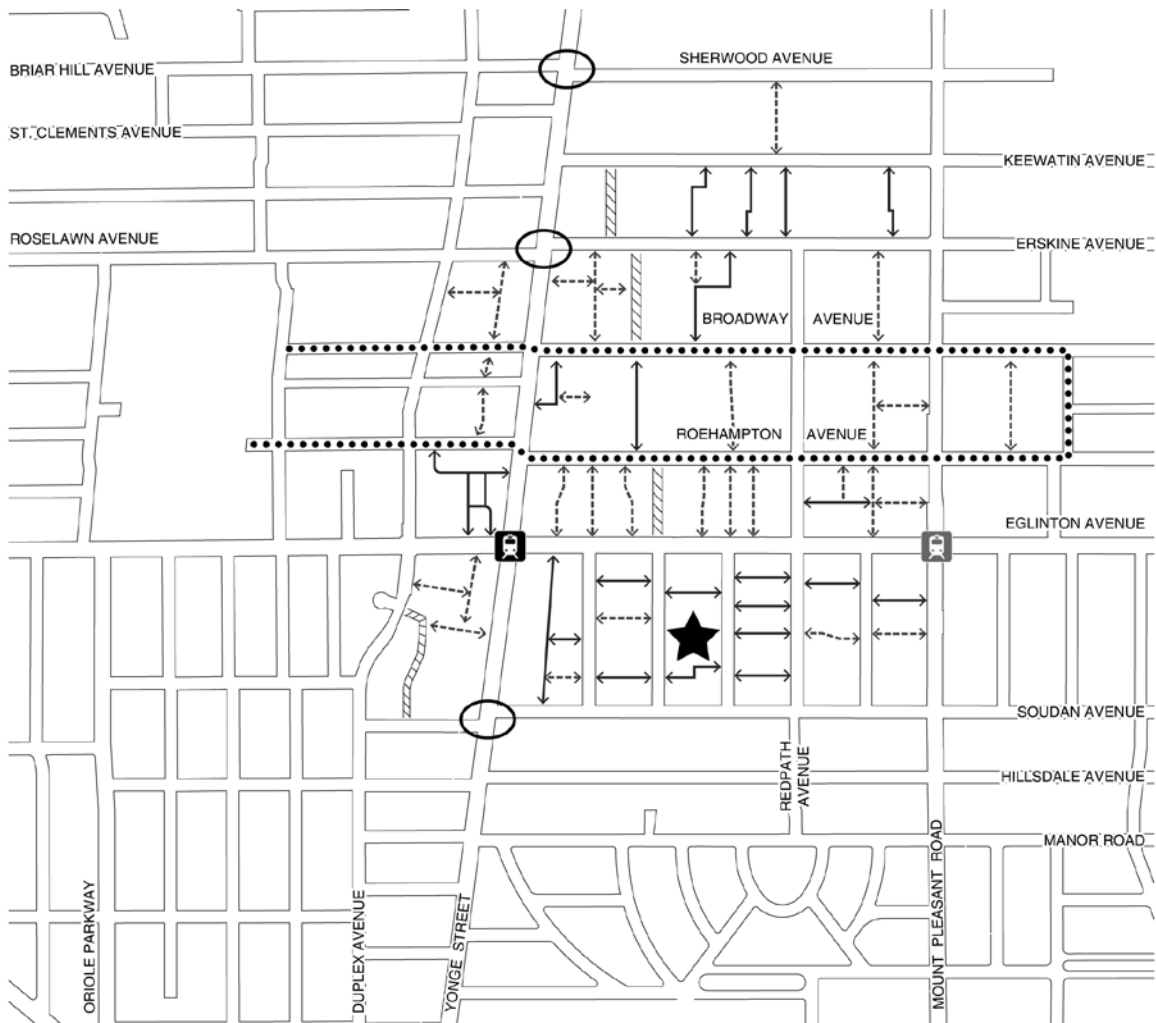
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Yonge-Eglinton Secondary Plan

MAP 21-4 Parks & Open Space Network Plan for the Midtown Character Area



December 2015



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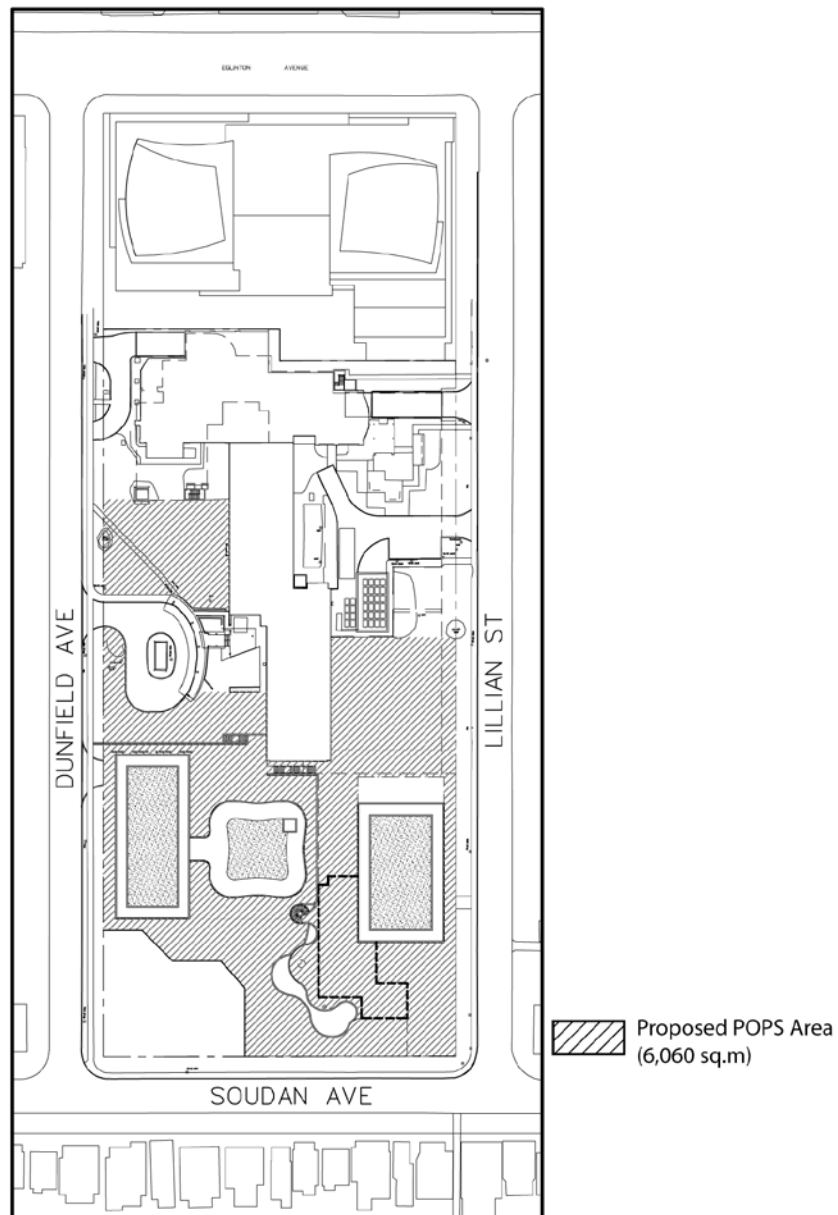
Yonge-Eglinton Secondary Plan

MAP 21-5 Pedestrian Network Plan for the Midtown Character Area



December 2015

Attachment 10:
Privately Owned, Publicly Accessible Open Space Plan



Privately Owned Publicly Accessable Space (POPS)

45-77 Dunfield Avenue

Applicant's Submitted Drawing

Not to Scale
12/2/2015



File # 13 271686 STE 22 0Z

Attachment 11: Child Care Term Sheet

Child Care Term Sheet



1. General Terms

The developer shall construct, finish, furnish and equip a Child Care Facility sufficient to accommodate 62 - 114 children (may fluctuate based on the size of the site) aged 0 to 4 years. The exact size of the Child Care Facility will be determined by the City (City Planning and Service, Planning & Support Unit of the City of Toronto's Children's Services Division) once a specific site has been determined by the developer.

The interior space shall provide a minimum of 110 square feet per child, and the exterior space shall provide a minimum of 60 square feet of usable playground space per child. The Child Care Facility must meet criteria within the Day Nurseries Act; Planning & Design Guidelines for Child Care Centres from the Ministry of Education; the CAN/CSA-Z614-03 Children's Play Spaces and Equipment or equivalent; the Toronto Child Care Design & Technical Guideline (2013), the Toronto Accessibility Guidelines, the Toronto Green Development Standards – Tier 1 and 2; Children's Services Child Care Design & Technical Guideline; all provincial codes and municipal planning, zoning and by-law criteria and if the proposed operator will be servicing subsidized clients; the Early Learning and Care Assessment for Quality Improvement (ELCAQI) must be followed.

A child care operator will be chosen through an Expression of Interest (EOI) process undertaken by the Children's Services Division. The operator must be approved by the City as a child care operator that meets the City of Toronto not for profit status. The City and the Developer (if the developer so wishes to), will both participate in the EOI process to choose a satisfactory operator.

2. Facility Design

a) At the time of site plan application, the approved plans must show:

- exterior fenced play space adjacent to interior space, suitably weather protected, equipped and landscaped to facilitate year-round use with a maximum of 10' x 10' of vandal-proof storage adjacent to each playground;
- at grade location preferably, or partially on the second floor level if there is an opportunity for an adjacent play area on a podium. Infant and toddler playroom space must be located at grade;
- direct access to grade level and an elevator (if partially located on the second floor). The elevator must be large enough to handle a full length stretcher, and/or a triple stroller and attendant
- acceptable safe access to the Child Care Facility for children, parents, staff and custodians, including pedestrian and vehicular drop-off and pick-up location of children;
- parking provision of a minimum 3 spaces to be located adjacent to the Child Care Facility, unless stipulated by the Zoning By-law;
- a full functional kitchen based on the needs of the chosen operator;
- acceptable wind, sun/shade, noise, air quality and soil quality conditions;
- acceptable security provisions that allow the Child Care Facility to operate autonomously within a multi-use facility. The Facility should feature its own front entrance from the street wherever possible.
- provision and space for the ability to recycle all food, diaper, fluorescent tubing etc., and to comply with the "City of Toronto's Requirement for Garbage, Recycling & Organics Collection Services for New Developments & Redevelopment".
- compliance with the Day Nurseries Act; Planning & Design Guidelines for Child Care Centres from the Ministry of Education; CAN/CSA-Z614-03 Children's Play Spaces & Equipment; Toronto's Accessibility Guidelines and,
- compliance with all physical criteria necessary to obtain a license required to operate a Child

Care Facility.

- b) Prior to issuance of a building permit, working drawings and specifications must be submitted to the Chief Planner, Toronto Public Health and the Province's Ministry of Education's Early Learning Child Care Licensing System for their review and approval.

3. Equipment Costs

The developer must provide funds required to fully equip the Child Care Facility in accordance with provincial and municipal standard based on a mutually agreeable inventory list provided by Children's Services and finalized by the future child care operator chosen through the Expression of Interest (EOI) process. The developer will be responsible for a one-time contribution towards a replacement reserve fund for the Child Care Facility to replace appliances and large equipment due to wear and tear. The amount established for the replacement reserve fund will be negotiated at the time of the terms and conditions of each Section 37 Agreement.

4. Start-Up Costs

The developer must also provide funds required for the defrayment of operational deficits incurred during the first year of operation. The amount will be dependent on the licensed capacity of the program, but shall be in the range of \$100,000 to \$150,000, adjusted for cost of living increases over time.

5. Lease

The operator and the developer shall enter into a lease for 3-25 year terms, and one 24 year term for a total of 99 years. The lease shall ensure that the Child Care Facility is free of all rent, the cost of all utilities and municipal services supplied to the facility, caretaking costs, repair and maintenance costs, property damage, liability insurance, realty taxes and local improvement charges.

In the event that the facility is no longer required for licensed child care purposes, the lease shall acknowledge the City's right to establish another non-profit community service use in the premises.

6. Financial Security

The developer shall provide financial security prior to the issuance of a building permit for the construction of the Child Care Facility in order to guarantee the satisfactory performance and completion of work in respect of design, construction and provision to the City.

The Financial Security shall be in a form of a Letter of Credit (s) and the initial amount of the Letter of Credit shall be sufficient to guarantee 120% of the estimated cost of the design, construction and provision of the Child Care Facility.

The Financial Security shall be indexed to the Statistics Canada Non-Residential Construction Price Index for Toronto from the date the proposed Zoning By-law comes into force.

7. Term

Each Child Care Facility shall be operated for an initial term of 25 years, beginning on the Commencement Date and, if required by the City, may be renewed for additional terms of 25 years and 24 years, respectively, for an aggregate of no greater than 99 years provided:

- a) the City, acting reasonably, is satisfied with the manner in which the Child Care Facility is being operated; and
- b) the City, acting reasonably, is satisfied with the continued need for the Child Care Facility having regard to existing and future anticipated demand for the facilities and other relevant considerations.

Prior to expiry of the initial term (and each additional term, as the case may be), the Owner may revisit with the City the continued need for each Child Care Facility having regard to existing and future anticipated demand for each facility, the manner in which the Child Care Facilities are being considered based on the factors listed above, shall have the right to determine whether the Owner shall be required to continue operation of the Child Care Facility. As a result, this initial term or any subsequent term may be shortened.

Attachment 12: Draft Zoning By-law Amendment 438-86

The Draft By-law Amendments will be available prior to the Toronto and East York Community Council Meeting on January 19, 2016.

Attachment 13: Draft Zoning By-law Amendment 569-2002

The Draft By-law Amendments will be available prior to the Toronto and East York Community Council Meeting on January 19, 2016.