

**20 Edward Street – Zoning Amendment Application
Final Report**

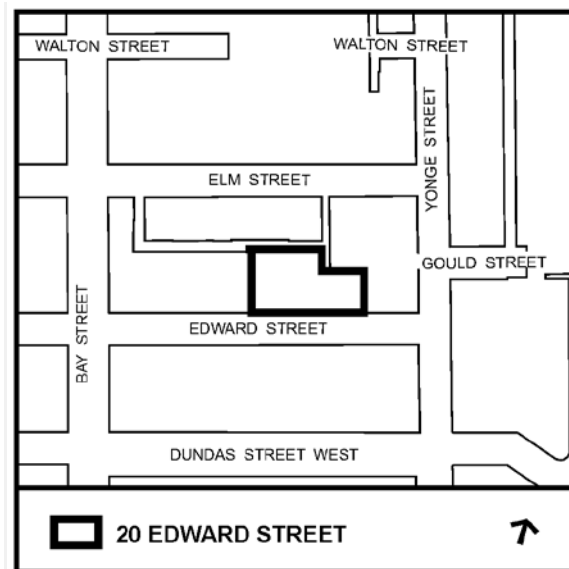
Date:	August 18, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	14 266298 STE 27 OZ

SUMMARY

The applicant proposes to construct a 30-storey mixed-use building which contains 572 residential units as well as a total of 6,399.45 square metres of retail space on the ground floor, mezzanine, second floor and concourse level, and 2,843.78 square metres of office space on the third floor. The height of the building to the main roof is 101.6 metres (107.5 metres including mechanical penthouse). A total of 241 vehicular parking spaces are provided in a 4-level below-grade garage and 627 bicycle parking spaces are provided. The floor space index proposed is 15.84.

This proposal is consistent with the policies of the Official Plan, provides residential, retail and office uses, offers public realm improvements including a widening of a portion of an existing midblock pedestrian connection from Edward Street to Elm Street, provides TTC access to Dundas Station and meets the intent of the Tall Building Design Guidelines, taking into account the local context.

This report reviews the proposal and recommends approval with minor modifications to the zoning by-law application as submitted by the applicant.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86 for the lands at 20 Edward Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11 to report dated August 18, 2016.
2. City Council amend Zoning By-law 569-2013 for the lands at 20 Edward Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12 to report dated August 18, 2016.
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 of Bills to City Council for enactment, City Council require the Owner to submit a revised Functional Servicing Report and a revised Supplementary Hydrogeological Evaluation for Construction Report to the satisfaction of the Executive Director, Engineering & Construction Services.
5. Prior to the issuance of the first above-grade building permit for the site, City Council require the Owner to convey an off-site dedication for parkland purposes to the satisfaction of the General Manager, Parks Forestry and Recreation (PFR) in consultation with the Ward Councillor.
6. City Council require that the value of the off-site parkland dedication shall be equal to the value of 0.0253 hectares (253 square metres) on-site dedication as appraised by Real Estate Services as of the day before the day the first above grade building permit is issued. The location of the off-site parkland will be to the satisfaction of the General Manager, PFR in consultation with the Ward Councillor. The land to be conveyed as off-site parkland shall be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, PFR.
7. City Council require that should the Owner not have achieved the off-site parkland dedication requirement prior to the issuance of the first above-grade building permit, the Owner is required to submit a Letter of Credit to the value of the Section 42 requirement the day before the day the first above-grade building permit is issued. Should the off-site parkland dedication not be conveyed by the first registration of the condominium or first occupancy of the building, the City may cash the Letter of Credit and apply the proceeds to be paid towards the cash-in-lieu payment.

8. City Council require the Owner to pay for the costs of the parkland dedication and the preparation and registration of all relevant documents. The Owner shall provide, to the satisfaction of the City Solicitor, all legal descriptions and applicable reference plans for the parkland dedication.
9. Should the applicant design and construct Above Base Park improvements, Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
10. Before introducing the necessary Bills to City Council for enactment, City Council shall require the Owner to enter into one or more agreements with the City pursuant to Section 37 of the *Planning Act* to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.
 - a. The community benefits to be provided by and at the Owner's expense and secured through the Zoning By-law Amendment and the required Section 37 Agreement are as follows:
 - i. An indexed cash contribution of \$3,500,000.00 to be paid or secured as noted below in the Section 37 Agreement. The total amounts are indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date the Section 37 Agreement to the date of payments and is detail as follows:
 - a. Prior to the issuance of the first above-grade building permit the owner shall provide an indexed cash contribution to the City in the amount of \$3,500,000.00 to be allocated to capital improvements which will benefit the community in the vicinity of the project such as, but not limited to, an underground pedestrian tunnel (PATH connection) connecting the subject property to the property at 595 Bay Street (Atrium on Bay), non-profit licensed daycare facilities, community centres, recreation facilities, libraries, arts related community space, local streetscape improvements, capital improvements to Toronto Community Housing in Ward 27, to the satisfaction of the Chief Planner and Executive Director, City Planning in

consultation with the Ward Councillor, and improvements to public parks in the area or for parkland acquisition in Ward 27, such parkland to be to the satisfaction of the General Manager, Park, Forestry and Recreation.

- b. The following matters are recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. the Owner shall provide, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a minimum area of 72 square metres on the northwest corner of the site as a Privately-Owned Publicly-Accessible Space (POPS) and provide public access easements to hand over the POPS, for use by members of the general public, for nominal consideration, to the City, such easement to be conveyed to the City prior to the earlier of the issuance of any site plan approval for the site and the issuance of any building permit for the site and with the specific location, configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning Division in the context of site plan approval. The Owner shall own, operate, maintain and repair the POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the POPS at all times of the day and night, 365 days of the year. The Owner shall have completed the construction of the POPS prior to the earlier of any new commercial or any residential use of the site and registration of any condominium on the site;
 - ii. the Owner shall at its expense provide knock-out panels along the north and west walls of the concourse level of the building for potential future underground pedestrian network connections, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - iii. the Owner shall at its expense design, construct, and finish in accordance with TTC's standards and specifications a TTC second exit/entrance facility from Dundas Subway Station through the development to Edward Street, which shall include fare gate equipment and related appurtenances. The TTC second exit/entrance facility shall be constructed within the development, more specifically at the southeast quadrant of the proposed development to the satisfaction of the TTC in consultation with the Chief Planner and Executive Director, City Planning Division. The second exit/entrance facility shall include a knock-out panel at the concourse level to facilitate a direct connection to a future pedestrian tunnel that will be constructed below grade within the

Edward Street right-of-way that will connect the southbound platform of Dundas Subway Station to the second exit/entrance facility within the development;

- iv. the Owner shall, prior to the issuance of a below-grade permit, complete a Toronto Transit Commission technical review(s) respecting the development and the TTC second exit/entrance facility, and shall address all concerns arising from the technical review(s) to the satisfaction of the TTC in consultation with the Chief Planner and Executive Director, City Planning Division;
 - v. the Owner shall convey an easement or fee simple conveyance to the City and TTC, at its election, for access and other rights as may be required for the TTC second exit/entrance facility over and through the portion of development lands owned by the Owner; and
 - vi. the Owner shall enter into agreement(s) with the TTC that will set out the Owner's obligations to construct and maintain a new exit/entrance within the development and the necessary easements in place for public egress and ingress. The terms of the agreement shall be negotiated with the Owner, in consultation with the Chief Planner and Executive Director, City Planning Division and the agreement shall be to the satisfaction of TTC in consultation with the Chief Planner and Executive Director, City Planning Division.
 - vii. The owner shall pay for and construct upgrades the municipal infrastructure should it be determined that such upgrades are required to support the development in accordance with the servicing report accepted by the Executive Director, Engineering and Construction Services. The Owner agrees to enter into a Municipal Infrastructure Agreement to secure the construction of the infrastructure upgrades as required, as a condition of approval of the Site Plan Control application.
- c In the event that the cash contributions referred to in Section (a) above has not be used for the intended purpose within 3 years of this By-law coming into force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

The applicant proposes to construct a 30-storey mixed-use building which contains 572 residential units as well as a total of 6,399.45 square metres of retail space on the ground floor, mezzanine, second floor and concourse level, and 2,843.78 square metres of office space on the third floor. The height of the building to the main roof is 101.6 metres (107.5 metres including mechanical penthouse). A total of 241 vehicular parking spaces are provided in a 4-level below-grade garage and 627 bicycle parking spaces are provided. The floor space index proposed is 15.84.

The base of the development is 3-storeys (18.2 metres) built to all property lines. The ground floor (7.9 metres in height) is set back from the property line along Edward Street at various points of entry including retail entrances, and the residential and office lobby. The ground floor is set back at the northwest corner of the site, to create a covered outdoor Privately Owned Publicly-Accessible Space (POPS) and patio space to be used in conjunction with the retail space proposed on the west side of the proposal.

Retail space is provided on the second floor and office space is provided on the third floor. In addition to the 3-storey base building, the proposal includes a retail concourse one level below grade.

The 30-tower has a floor plate size of 1,544 square metres and is set back above the base (and property line): 4.5 metres from the south (facing Edward Street); 10.0 and 10.3 metres from the east; and 9.3 metres from the west. The tower setback from the north varies because of the proposed tower articulation and shift in the property line further to the east. From the centre line of the public lane abutting the north property line the tower is set back 2.9 metres along its narrowest face and approximately 20 metres along the longer portion of the tower. Where the north property line dips south the tower is set back approximately 5.5 metres.

The breakdown of the proposed 579 residential units is as follows:

Unit Type	Number of Units	Percentage
Bachelor	44	7.7 %
1-Bedroom	277	48.4 %
2-Bedroom	202	35.3 %
3-Bedroom	49	8.6 %
Total	572	100%

The total amounts of proposed indoor and outdoor amenity areas are 892 square metres and 653.75 square metres, respectively, for a total of 1,545.75 square metres. The indoor

amenity space is contiguous and the outdoor terrace amenity space wraps the west and north sides of the fourth floor.

Below the retail concourse level are three additional below-grade levels where a total of 241 vehicular parking spaces (123 residential spaces, 118 commercial spaces) are located. The proposal also includes 8 car share spaces. A total of 627 bicycle parking spaces are provided (521 for residential use, 58 for residential visitors, 24 for commercial use, and 24 for commercial visitors). Seven loading spaces are proposed, including one Type-G, two Type-B and two Type-C spaces. Access to the underground parking levels and loading spaces is proposed off of Edward Street, each with their own access points and ramps.

See Attachment No. 9 for the application data sheet and Attachment Nos. 1-8 for drawings of the proposal.

Site and Surrounding Area

The site is located on the north side of Edward Street mid-way between Yonge Street and Bay Street, one block north of Dundas Street West. The site is bounded on the north side by a public laneway which provides access to Elm Street in two locations. The irregular-shaped site is 3,003 square metres in size with frontage of 76.21 metres along on Edward Street and a property depth of 44 metres (western portion) and 30 metres (eastern portion). The site is located in the Yonge Street Community Improvement Plan Area and Downtown Yonge Business Improvement Area (BIA).

The site is currently vacant but was previously occupied by the "World's Biggest Bookstore" retail store.

The surrounding uses are as follows:

South: of Edward Street on the block bounded by Bay Street, Yonge Street, Dundas Street West and Edward Street is the Atrium on Bay office and retail complex. South of Dundas Street West is the Eaton Centre office and retail complex.

East: are 2-3 storey retail commercial buildings fronting onto Yonge Street. On the east side of Yonge Street is the north part of the retail office complex of Dundas Square. To the northeast is Ryerson University.

North: of the site is a public laneway. Across the laneway are 2-3 storey retail commercial buildings and a 16-storey Toronto Community Housing residential rental building fronting onto Elm Street. Further north is a mix of hotel, residential, retail and office buildings of various heights between 2 and 26 storeys.

West: is 633 Bay Street, a 26-storey residential condominium (Horizon on Bay). On the west side of Bay Street is a parking lot and 2-storey commercial buildings. Further west is the Toronto Coach Terminal (regional bus terminal owned by the City of Toronto), medical and residential buildings.

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 and that the Official Plan is the most important vehicle for implementing the PPS. 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, by the *Planning Act*, to be consistent with the PPS.

Provincial Policy Statement Policy 1.1.3.4 refers to appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Policy 1.1.1 c) refers to avoiding development which may cause public health and safety concerns. Policy 1.1.1 g) refers to ensuring that Public Service Facilities are or would be available to meet current and projected needs and Policy 1.1.3.6 refers to development that allows for the efficient use of Public Service Facilities to meet current and projected needs.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject property is located within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure in the Official Plan. Policies for the *Downtown* are found under Section 2.2.1 of the Official Plan. The Official Plan states that *Downtown* will continue to evolve as a healthy and attractive place to live and work through new development. While the *Downtown* offers opportunities for intensification in employment and residential growth, this growth is not anticipated to be spread uniformly across the whole of *Downtown*.

Within the *Downtown*, the site has a land use designation of *Mixed Use Areas* in the Official Plan which provides for 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.

Development in *Mixed Use Areas* is subject to a number of development criteria. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents

and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The subject property is also subject to Policy 4 in Section 4.8 of *Institutional Areas*. The policy states that "New buildings and structures in the vicinity of hospital heliports will be sited and massed to protect the continued use of flight paths to hospital heliports." The subject property is within the flight path for the Hospital for Sick Children and as such the development must be sited and massed to allow for the continued use of the hospital's heliport.

Site and Area Specific Policy 174

The subject site is immediately adjacent to Site Specific Policy 174 of the Official Plan. This policy provides an overall framework for continued revitalization in the area north and south of Dundas Square. The policy provides general planning objectives and built form principles for sites fronting Yonge Street and for surrounding buildings.

Site and Area Specific Policy 174 can be viewed online at:

http://www1.toronto.ca/static_files/CityPlanning/PDF/sas_policies_164_to_179_dec2010.pdf

Zoning

Under the former City of Toronto Zoning By-law 438-86, as amended, the site is zoned CR T6.0 C2.0 R6.0 with a height limit of 46 metres and a maximum density of 6.0 times the area of the lot. Under the citywide Zoning By-law 569-2013, which is currently under appeal, the site is zoned CR 6.0 (c2.0; r6.0) SS1 x2318 with a height limit of 46 metres and a maximum density of 6.0 times the area of the lot. In both cases the CR zoning category allows a broad range of residential and commercial uses.

The site is also subject to restrictive by-law exception 12 (2) 256 which limits building heights in the area to protect the flight path for helicopters using the helipad at the Hospital for Sick Children.

Municipal Zoning Order

On May 3, 2016 the Minister of Municipal Affairs and Housing issued a Zoning Order – Protection of Public Health and Safety – Toronto Hospital Heliports. The purpose of this Order is to protect health and safety by ensuring the safe operation of air ambulance services provided in relation to St. Michael's Hospital and The Hospital for Sick Children. The Zoning Order identifies an obstacle limitation surface which structures or naturally growing objects shall not penetrate. The Municipal Zoning Order applies to this site.

Hospital for Sick Children Flight Path

The Hospital for Sick Children is affiliated with the University of Toronto and is one of the largest centres dedicated to improving children's health in the country. The hospital receives some of its trauma and most critically ill patients by air ambulance. These patients are often suffering medical emergencies which require a fast response time. As previously cited, the Official Plan requires that all new buildings be sited and massed to protect helicopter flight paths. The Provincial Policy Statement also has a number of policies to protect against development which may negatively impact public health and safety as well as the efficient use of public service facilities. The provincial interests relate to the health care system in Ontario and the role of hospitals and emergency air ambulance services, including the hospital flight path for the Hospital for Sick Children. The Hospital for Sick Children has produced a flight path map (dated April 27, 2016). In order to comply with the helicopter flight path and the related Official Plan policy, the proposed tower including all temporary and permanent structures such as parapets, antenna, light fixtures, landscaping and crane activities would have to be below the protected flight path.

Site Plan Control

The subject site and proposed development are subject to Site Plan Control. An application for site plan for this proposal has not yet been submitted.

Tall Building Design Guidelines

In May 2013, Toronto 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 tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building within 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.

This application is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). This document identifies where tall buildings belong in Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Tall Buildings Guidelines also contain heritage principles and performance standards.

The High Streets Map (Map 1) of the Guidelines identifies Edward Street as a Secondary High Street. These Secondary High Streets run between and adjacent to High Streets (where tall buildings are considered to be an appropriate form of development) and are mostly lined with residential apartment buildings on which tall buildings are also an appropriate form of development, but at a lower scale than the heights prescribed in the Downtown Vision Height Map (Map 2). Edward Street is also identified on the High Streets Typology Map (Map 3) as a street with a tower-base built form.

The Downtown Vision and Supplementary Design Guidelines are used together with the city-wide Tall Building Design Guidelines in evaluating Downtown tall building proposals.

TOcore

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. Reports to Toronto and East York Community Council are targeted by the end 2016 on the results of the second phase and the next steps of implementation.

As a component of TOcore's second phase, a Final Report for the City-initiated Official Plan and Zoning By-law amendments to update setback requirements for tall buildings in the *Downtown* is currently before Toronto and East York Community Council. The Official Plan and Zoning By-law amendments seeks to reinforce minimum tall building setback and separation distance requirements to ensure that future growth positively contributes to the liveability, sustainability and health of *Downtown*.

The TOcore website is www.toronto.ca/tocore.

Reasons for Application

The application proposes a residential building with a total height, including the mechanical penthouse, of 107.5 metres and a proposed density of 15.84 times the area of the lot. The maximum height permitted in the Zoning By-laws is 46 metres and the maximum permitted density is 6.0 times the area of the lot. The overall proposed height and density exceeds the maximum limits for the site. A Zoning By-law amendment is therefore required.

Community Consultation

A Community Consultation meeting was held on April 27, 2015. Planning staff, the applicant, the local Councillor and approximately 100 members of the public attended. The following issues were raised at the meeting.

- Vehicle and loading access for the proposal should be off Edward Street and not the rear laneway;
- Animation of the existing pedestrian walkway along the ground floor west elevation;
- Lack of community facilities;
- Traffic impact and congestion on streets;
- The proposal should animate the existing midblock connection to the west;
- Wind impacts at-grade;
- The building's height punctures the flight path;
- Noise concerns with regards to exterior amenity and loading areas;
- Blockage of sunlight and sky view;
- More 3 bedroom units;
- Tower separation distances; and,
- Bird-friendly design.

Following revisions to the application, including provision of access to the site from Edward Street instead of the rear laneway, a second Community Consultation meeting was held on May 18, 2016. Planning staff, the applicant, the local Councillor and approximately 30 members of the public attended. At that meeting, the following issues were raised:

- The impact of the loading and parking access off Edward Street in relation to the loading access for the Atrium building to the south;
- Lack of open or green space;
- Traffic impact and congestion on streets;
- The proposal should animate the existing midblock connection to the west;
- Blockage of sunlight and sky view; and,
- Building mass is inappropriate for the site and block context.

A third consultation meeting was held with the residents of 25 Elm Street, the building directly north of the proposal in order to provide additional input from residents with mobility issues. Planning Staff, staff from the local Councillor's office and approximately 20 members of the public attended. At that meeting, the following issues were raised:

- Potential for loading trucks to block the north abutting public laneway;
- Blockage of sunlight and sky view;
- Lack of open or green space;
- The north abutting public laneway and the westerly existing midblock connection often attracts disruptive and unsafe behaviour;
- Building mass is inappropriate for the site and block context;
- Lack of public art;

- Proposal should provide and promote safe and walkable streets that are wide enough to include patio space without obstructing mobility; and,
- Construction will obstruct accessibility and block the north abutting public laneway that is regularly used by the surrounding neighbours.

The above noted issues are discussed in the Comments section of this report.

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 2014 PPS promotes new development through intensification in keeping with municipal Official Plans, where such intensification recognizes the development's local context and has a well designed built form. This proposal is consistent with the Provincial Policy Statement (PPS). It provides additional density within a settlement area through intensification and redevelopment to accommodate an appropriate range and mix of land uses (Policy 1.1.2). Intensification meets appropriate development standards (Policy 1.1.3.4), which is discussed further in this report.

In regard to efficient use of infrastructure and transportation systems, the proposal is located near the Dundas Station on the Yonge subway line. It promotes a land use pattern, density and mix of uses that limits vehicle trips and supports the use of transit and active transportation (Policy 1.6.7.4).

The proposal conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It represents new growth in a built-up area that will ensure and maximize the viability of existing and planned infrastructure (Policy 2.2.2).

Land Use

The proposed residential and non-residential uses are acceptable. *Mixed Use Areas* of the Official Plan permit these uses as well as the CR district in the Zoning By-law. The development will create a balance of residential, retail, and office that reduces automobile dependency and meets the needs of the local community as anticipated in the Official Plan for *Mixed Use Areas*.

Site Context / Tower Siting

The proposal consists of a new 30-storey tower (107.5 metres including mechanical penthouse), with a floor plate size of 1,544 square metres, and is articulated and designed to read as two buildings, through massing and material change. The proposed base and tower is designed to fit within the local context on Edward Street and adjacent buildings. The immediate context includes two buildings with large floor plates and compatible

heights. At 633 Bay Street, the 26-storey building (76.2 metres) has a floor plate size of 1633 square metres and to the south at 595 Bay Street and 306 Yonge Street (Atrium on Bay) which is a full-block-sized office and retail building. The existing heights of the two towers atop the Atrium on Bay are 55.1 and 51.5 metres. There is an approval, however, for 5 additional storeys atop each tower totalling approximately 79 metres (File No. 13 166022 STE 27 OZ). The floor plates for the recently approved additions are approximately 2,784 square metres.

The proposed floor plate fits within this local context given the shallower depth of the subject site and its longer frontage along Edward Street. The site is almost large enough to accommodate two towers and meet the Tall Building Guidelines tower separation distances but proportionally the site can accommodate the proposed articulated single tower.

Importantly, the setback provided in the Tall Building Guidelines is achieved to the west with a 25 metres tower separation. The Tall Building Design Guidelines recommends a 12.5 metre tower setback from the sides and rear, for a separation distance of 25 metres from building face to building face.

To the north, the relationship from the proposed tower to the existing tower is irregular. The closest point is 8.9 metres to an existing blank wall (13.5 metres wide) save and except the westerly corner where windows, which have a primary view facing west. The proposal's tower floor plate has been oriented to face the blank wall portion of the tower to the north in order to mitigate any issues to those windows facing west. Otherwise the separation distance is well suited to meet the Tall Building Guidelines as the setback to the north is approximately 20 metres to the centre line of the public lane to the north in the middle portion of the site. At the eastern end of north property line the tower is set back approximately 5.5 metres due to the irregular property line. To the east, the tower setback is 10.3 metres from low rise commercial properties fronting on Yonge Street, with no projecting balconies. These properties to the east are too shallow to support a tall building proposal and are not tall building sites.

While a smaller tower plate is typically preferred, in this very local context, given the achievement of other tall building performance standards and design attributes, the proposed massing and siting is appropriate.

Density

The proposed density of 15.8 times the area of the lot exceeds the current underlying zoning permission of the Zoning By-law of 6.0 times the area of the lot, but well within the range of development recently approved. Recently approved, under construction, or constructed developments in the surrounding area range from 10 to 21 times the area of the lot. Given the mixed use nature of the proposal, the built form character of the surrounding buildings and its proximity to the subway line, the density is acceptable.

Height

Staff find the proposed height to be acceptable. The height of the building is 107.5 metres, including the mechanical penthouse is 30 storeys high. The Tall Buildings Design Guidelines identifies Edward Street as a Secondary High Street. While no specific height limits have been established for Secondary High Streets, it is assumed that Secondary High Streets height ranges will generally be one-third lower than the High Streets they run parallel to. The nearest High Street is Dundas Street which has a height range of 20-35 storeys or 62 to 107 metres.

While the proposal exceeds the two-third height guideline for the Secondary High Street, contextually the proposal 30-storey tower with a retail and office base fits within its existing and planned context. The tallest building on the block is 633 Bay Street at 26 storeys. Other heights in and around the area include 33 storeys at 38 Elm Street, 29 storeys at 1 Dundas Street West, 26 storeys at 33 Gerrard Street West and 20 storeys at 595 Bay Street.

The proposal is required to comply with the Municipal Zoning Order with regards to protecting the obstacle limitation surfaces (flight path) for helicopters using the helipad at the Hospital for Sick Children is required for this proposal. Neither permanent obstructions, such as building mass, nor temporary obstructions, such as construction cranes or smoke, can penetrate the flight path at any point in time during or after construction. The applicant's aeronautics consultant, WSP Canada Inc., provided an assessment through a letter dated July 4, 2016. The letter confirms that the proposal would not penetrate the obstacle limitation surfaces established for the Hospital for Sick Children as identified in the Municipal Zoning Order.

The recommended draft zoning by-law will comply with the Municipal Zoning Order. In addition, before the issuance of the building permit, the applicant is required to demonstrate compliance with the Municipal Zoning Order. In addition, the applicant is required to provide an undertaking with the Toronto Buildings stating that at no point during or after construction shall the building penetrate the obstacle limitation surfaces.

Massing

Staff is satisfied with the massing of this proposal as it consists of three parts integrated into a single whole, including a base building, middle and top. Tall buildings should address key urban design considerations in the Official Plan, including the built form policies and site design, and general fit within the existing and planned context, while providing a usable publicly accessible open space.

The proposed base reinforces and is consistent with the existing and planned context of Edward Street. Though an access point off of the Edward Street is provided for the loading and underground parking, this access location is acceptable from a development engineering perspective (to be discussed further in this report) and is consistent with other access points from the Atrium on Bay on the south side of Edward Street and from the proposal's neighbour at 633 Bay Street. Edward Street is characterized by providing access to buildings servicing facilities, particularly for the Atrium on Bay. The proposal

provides retail within the base building, a 7.4 metre wide sidewalk with a potential for patio/café seating and an open space on the northwest side of the proposal will improve the pedestrian experience of Edward Street and the overall public realm of the block.

The L-shaped tower is set back above the base to create a distinct separation between the base and tower. The proposed tower design articulates the tower massing by using two different materials separated by a reveal. From the vantage point of a pedestrian on Edward Street, the reveal breaks up the visual length of the building giving the appearance of two separated buildings. To the east of the reveal, the proposed materials are darker with a horizontal emphasis. To the west of the reveal, the proposed materials are lighter with a gridded expression. These materials will be secured through the Site Plan Control process.

The top of the proposed tower is appropriate. An appropriate design for the top of a tall building is influenced by many factors, which may include location, height, built form composition, architectural expression, and overall 'fit' within the existing context of the city skyline. The top is a simple design and is terraced in order to be under the hospital helicopter flight path.

Sun, Shadow, Wind

Staff is satisfied that the resulting shadow is adequately limited in accordance with the Official Plan policies regarding shadow impact. The applicant has submitted a shadow study to demonstrate the shadow impacts of the revised proposal. The Official Plan protects shadows from properties that are designated *Neighbourhoods* or *Parks and Open Spaces*. There are no *Neighbourhoods*, *Parks* or *Open Spaces* that will be shadowed by this proposal. On September 21 some additional shadow is cast on Elm Street from 12:18pm to 4:18 pm, however the permitted massing envelope for buildings on the south side of Elm Street would create a similar condition. Prior to 4:18 pm there is incremental shadow on the northeast corner of Yonge Street and Gould Street until shortly after 5:18 pm.

Two Qualitative Pedestrian Wind Assessments (by Gradient Wind Engineering Inc.) were submitted with the application dated December 2014 and January 2016. Based on January 2016 assessment, the projected wind conditions are suitable for the intended uses throughout the year. The assessment also finds that for the sidewalks along Edward Street is well shielded against direct winds from surrounding buildings. The setback above the base building also reduces wind impacting on the south façade and washing down the face of the building to grade level. Windier conditions are anticipated over the common amenity areas on the roof of the base building; however the study recommends additional architectural elements, such as canopies and wind screens, to mitigate these wind impacts, which can be secured as part of the Site Plan Control process.

A pedestrian wind tunnel study will be required as part of the Site Plan Control process.

Traffic Impact, Access, Parking, Loading

Lane Widening

Two public lanes abut the site and are allocated at the northern limit and a portion of the east limit of the subject site. Engineering and Construction Services indicated a requirement for lane widening which the applicant has illustrated on the site plan drawing. A 0.56 metre wide strip of land is required for the north laneway and 1.48 metres is required for the east laneway. The land conveyances to the City for lane widening purposes will be secured as part of the Site Plan Control process.

Traffic Impact

Transportation Services reviewed the submitted Traffic Impact Study, prepared by LEA Consulting Limited and dated January 2016. The consultant concluded that given the level of trip generation that the projected site traffic will have minimal impacts on area intersections, and therefore, can be acceptably accommodated on the adjacent road network. Transportation Services concur with the consultant's study and find the proposed traffic impact acceptable.

Driveway Access and Site Circulation

Access to the underground parking and the loading spaces are provided from Edward Street, which Transportation Services has deemed acceptable. Additional comments and requirements regarding site access, circulation and layout design will be provided in conjunction with the future site plan application for the proposal.

Parking

The applicant proposes 241 vehicular parking spaces, consisting of 123 residential vehicular parking spaces and 118 non-residential vehicular parking spaces. The proposal also proposes 8 car share spaces. There are no visitor parking spaces provided. Transportation Services has no objection to the parking demand associated with residential visitors and non-residential uses; however Transportation Services have requested acceptable justification in support of the proposed parking supply. The applicant's transportation consultant provided a justification report reviewing Council-approved rates and recent sales data from other residential developments in the area. However, Transportation Services has requested further justification. Until this is accepted, the draft zoning by-law recommended in this report includes standards in accordance with the prevailing by-law for this site.

Loading

One type G loading space, two Type C loading spaces and two Type B loading spaces are proposed and are deemed satisfactory. Access to these loading spaces is from Edward Street and vehicles will be utilizing the public lane, as widened, for manoeuvring purposes only.

While the number and access of the loading spaces has been deemed acceptable, further documentation is required for the manoeuvrability of the Type "G" loading space. It is

therefore recommended that before the Bills are enacted, the applicant demonstrate that the type "G" loading space on this site is acceptable to Solid Waste Management.

Servicing

The applicant submitted a Functional Servicing Report and a Stormwater Management Report in support of the proposed development. Engineering and Construction Services staff requested a revised report to be submitted for further review. City staff has secured this requirement as part of the Section 37 Agreement.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application proposes 30-storey building that will contain 572 residential units as well as 9,243.23 square metres of non-residential gross floor area. At the alternate rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 7,720 square metres or 320 percent of the site area. However, for sites that are less than 1 hectare in size, a cap of 10 percent of the development site is applied to the residential use while the non-residential use is subject to a 2 percent parkland dedication. In total, the parkland dedication requirement is 253 square metres.

The proposed development is located in an area where there is currently a low parkland provision therefore Parks, Forestry and Recreation requests the Owner to satisfy the dedication requirement through an off-site parkland conveyance in Ward 27. The location of the off-site parkland will be to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with City Planning and the Ward Councillor.

In fulfillment of the parkland dedication requirement for this development, the Owner must adhere to Section 42 of the *Planning Act* and the policies pertaining to parkland in the City of Toronto Official Plan.

Parks is interested in securing the design and construction, by the Owner, of Above Base Park Improvements. There may be opportunities to use the Parks and Recreation component of the Development Charges for this work. Further discussion is required.

(See Attachment 10 – Parkland Terms of Reference)

Streetscape and Public Realm

The applicant proposes a 7.4 metre wide sidewalk zone (6.1 metre existing width plus a 1.3 metre ground floor setback), which exceeds the recommended 6 metre sidewalk zone

in the Tall Building Design Guidelines. This widened sidewalk provides space for pedestrians and landscaping. Nine trees are proposed along Edward Street.

The applicant also proposes a 72.8 square metre POPS on the northwest corner of the site. The wall facing west of the POPS will be treated with visible artwork that will animate the space. The POPS, as currently proposed, is not open to the sky. The recommended draft zoning by-laws attached to this report provide modified setbacks to the second and third floors over the POPS, so that it is open to the sky.

An outdoor patio space comprising of 47.9 square metres is also proposed adjacent to the POPS, to be used in conjunction with the retail space proposed on the west side of the proposal.

The proposed open space and outdoor patio will expand the existing north/south pedestrian midblock connection from the Chelsea Hotel to the Atrium on Bay, and the proposed retail space will provide "eyes on the street" for the midblock connection, improving safety and animation.

TTC Second Exit and PATH Extension

The Toronto Transit Commission (TTC) has identified an opportunity for this proposal to provide a second exit to the TTC Dundas Station. A number of TTC stations are in the process of providing second exits in order to improve customer safety and convenience. Some TTC second exits are under construction while several others are planned.

The proposal will include a second exit to the TTC Dundas Station that will be accessible 24 hours a day 7 days a week. A tunnel will be constructed from the TTC Dundas Station that leads to the proposal's retail concourse level, which then provides access to the ground floor and out to Edward Street. The applicant has agreed to provide space for the proposed TTC second exit to be within the development proposal. The recommendations in this report secure the TTC Dundas Station second exit within the Section 37 Agreement as a legal convenience.

The City's PATH Master Plan identifies a "medium priority" potential PATH expansion from the Atrium on Bay site to extending north to Gerrard Street. This could possibly connect the College Street and the College Park and Aura developments with the larger PATH system to the south. The PATH connection is identified as a potential Section 37 community benefit.

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. TGS performance measures will be secured through the Site Plan Control process.

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.

Before introducing the necessary Bills to City Council for enactment, the owner will be required to enter into an Agreement pursuant to Section 37 of the *Planning Act*. Details regarding the community benefits are found in the recommendations in this report.

Conclusion

City Staff have reviewed the proposed development and find that it is suitable for the site. The proposal implements the PPS, complies with the policies of the Official Plan, and meets the intent of the Tall Building Design Guidelines and the Downtown Tall Buildings: Vision and Supplementary Design Guidelines. The proposal offers high quality retail space and employment opportunities as well as improving the public realm for Edward Street. Planning Staff recommend approval of the proposed zoning by-law amendment, subject to the minor modifications outlined in this report.

CONTACT

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E-mail: gpantaz@toronto.ca

SIGNATURE

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

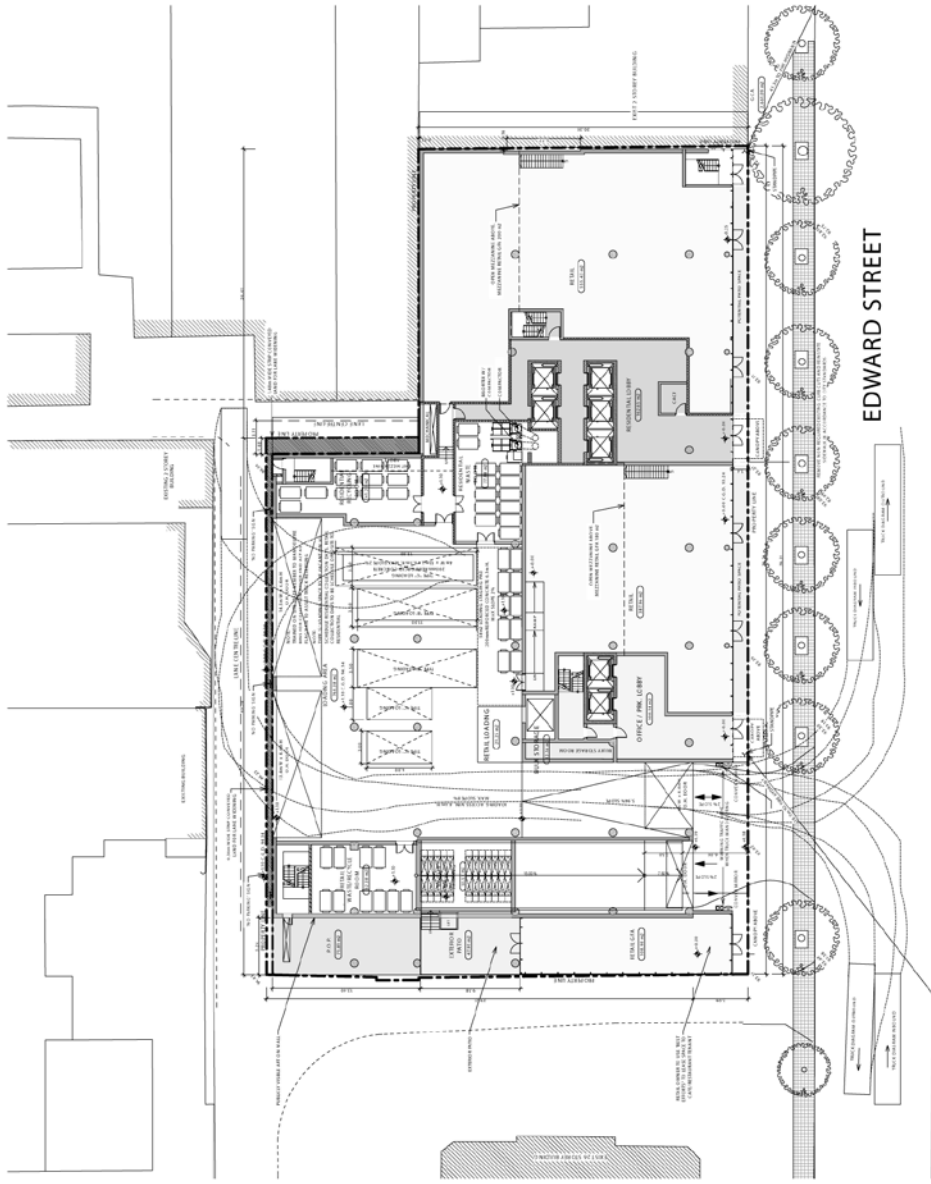
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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Typical Floor Plan
Attachment 3: South Elevation

- Attachment 4: North Elevation
- Attachment 5: West Elevation
- Attachment 6: East Elevation
- Attachment 7: Tower Rendering
- Attachment 8: Base Building Rendering
- Attachment 9: Application Data Sheet
- Attachment 10: Parkland Terms of Reference
- Attachment 11: Draft Zoning By-law Amendment 438-86
- Attachment 12: Draft Zoning By-law Amendment 569-2013

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

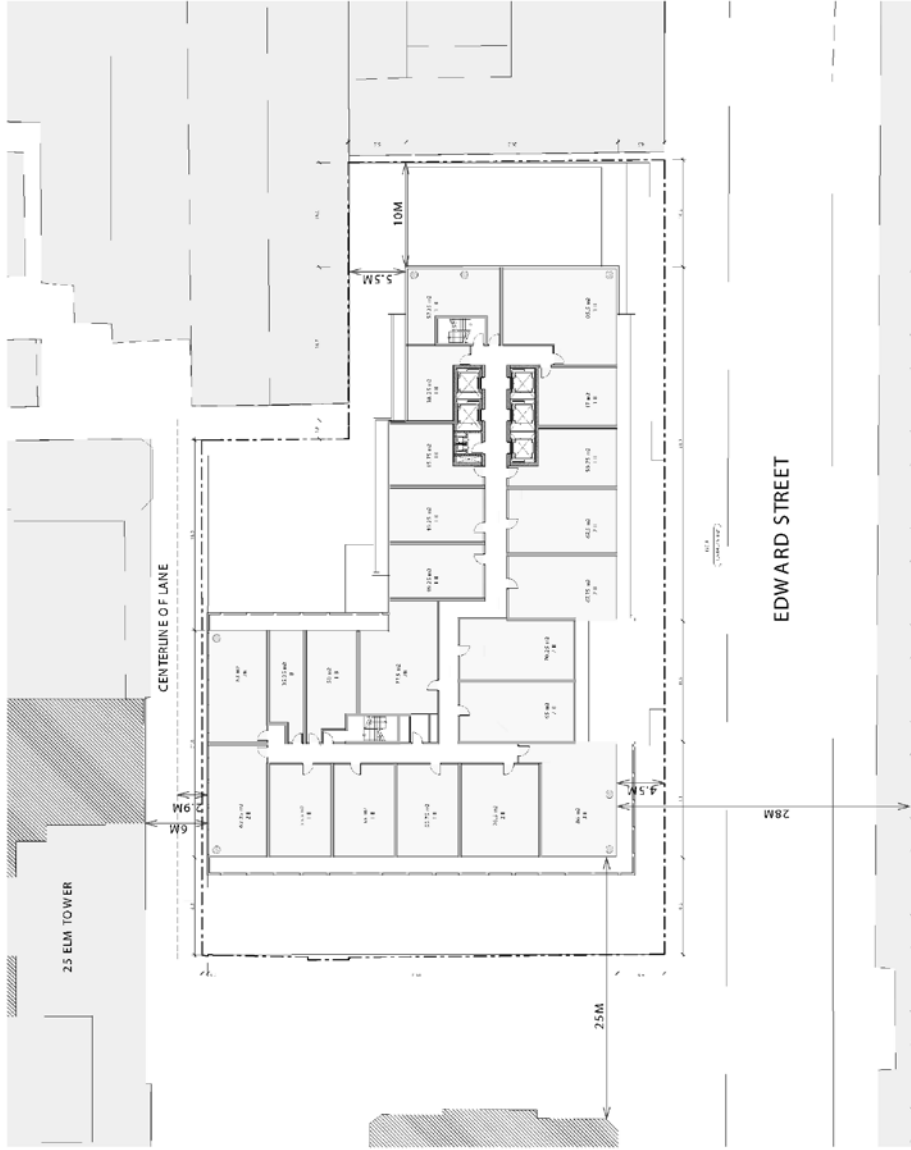
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07/27/2016



20 Edward Street

File # 14 266298 STE 27 0Z

Attachment 2: Typical Floor Plate



Typical Floor Plate (levels 6-28)

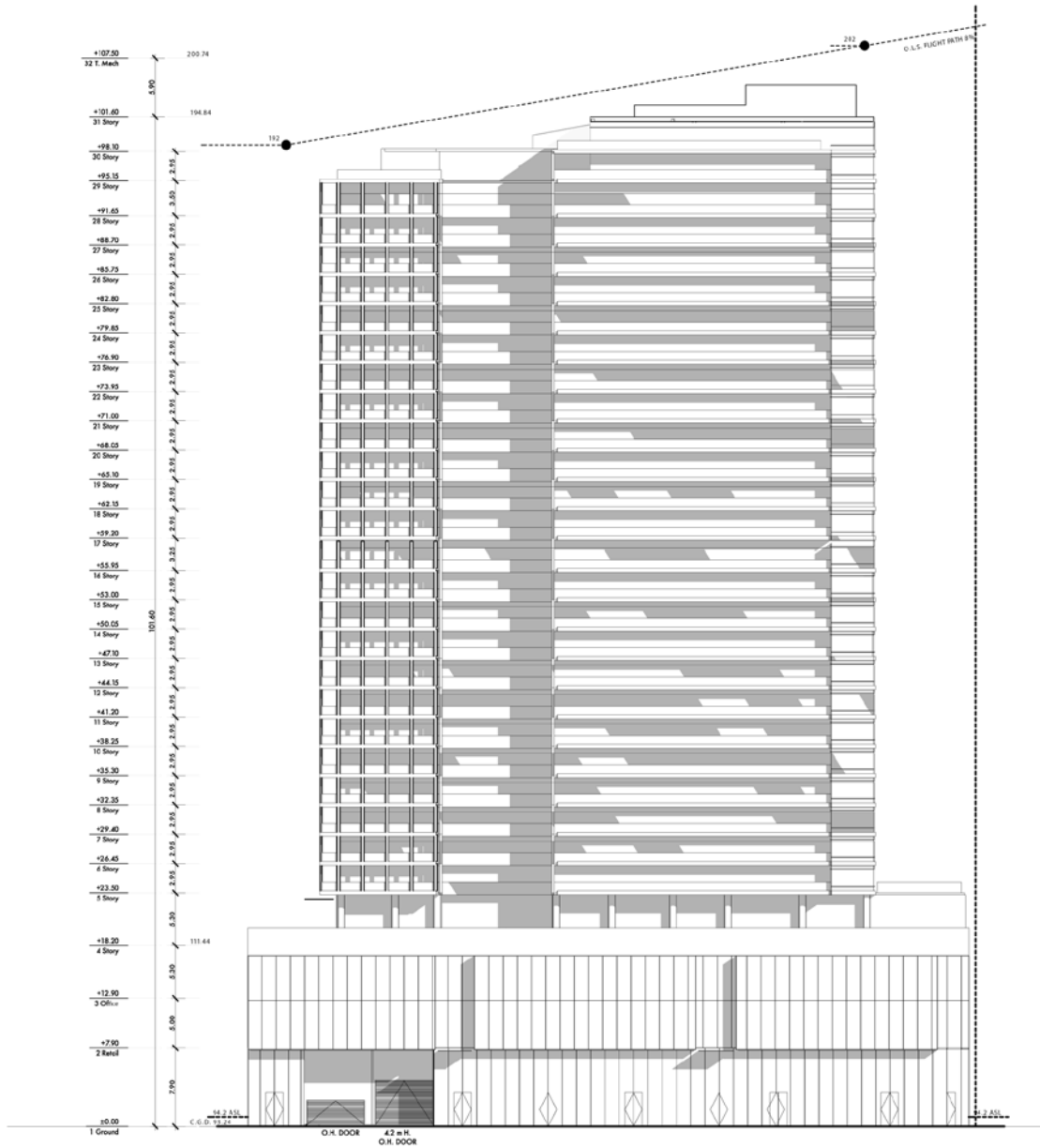
Applicant's Submitted Drawing

Not to Scale
08/23/2016

20 Edward Street

File # 14 266298 STE 27 0Z

Attachment 3: South Elevation



South Elevation

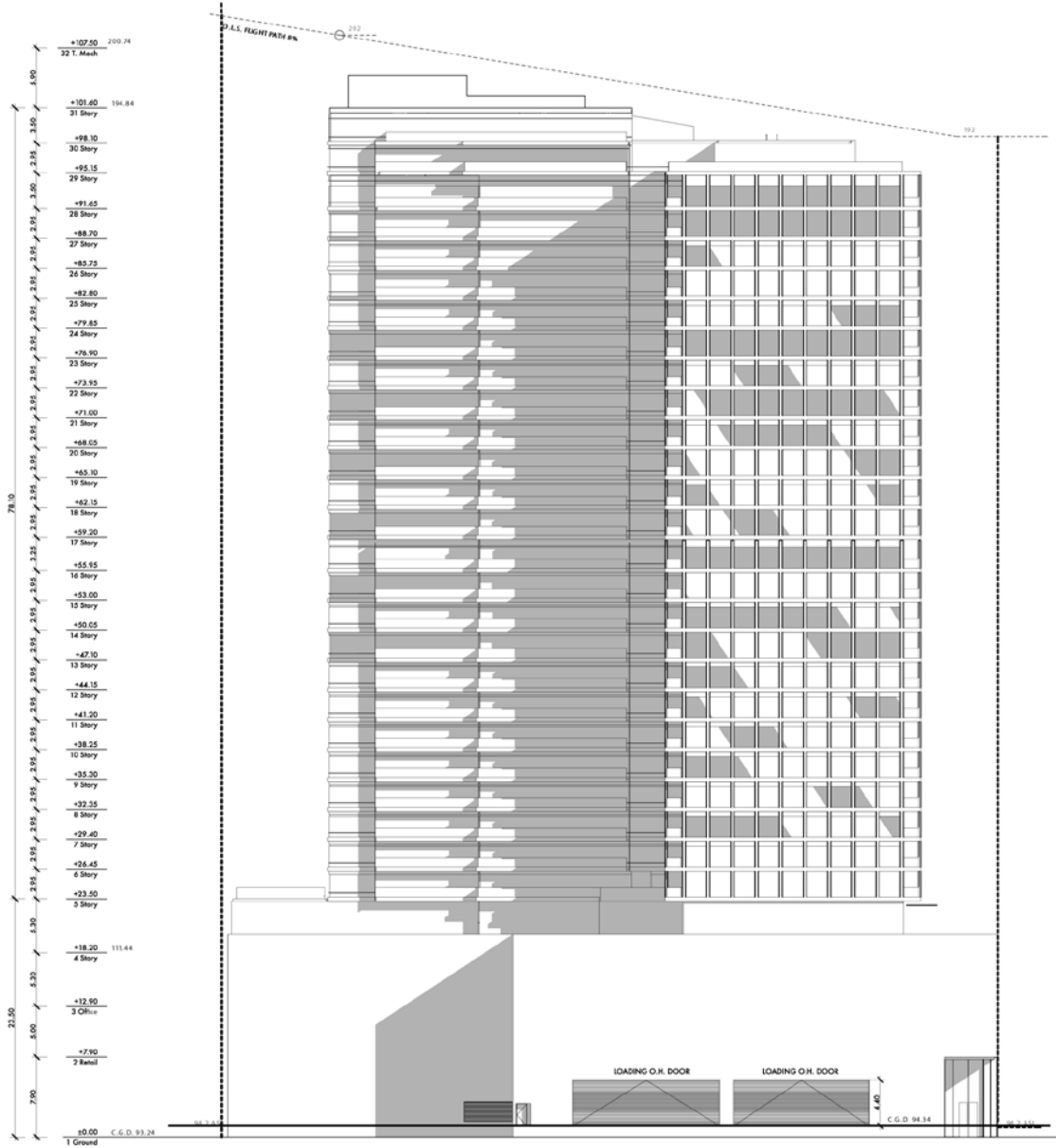
Applicant's Submitted Drawing

Not to Scale
07/28/2016

20 Edward Street

File # 14 266298 STE 27 0Z

Attachment 4: North Elevation



North Elevation

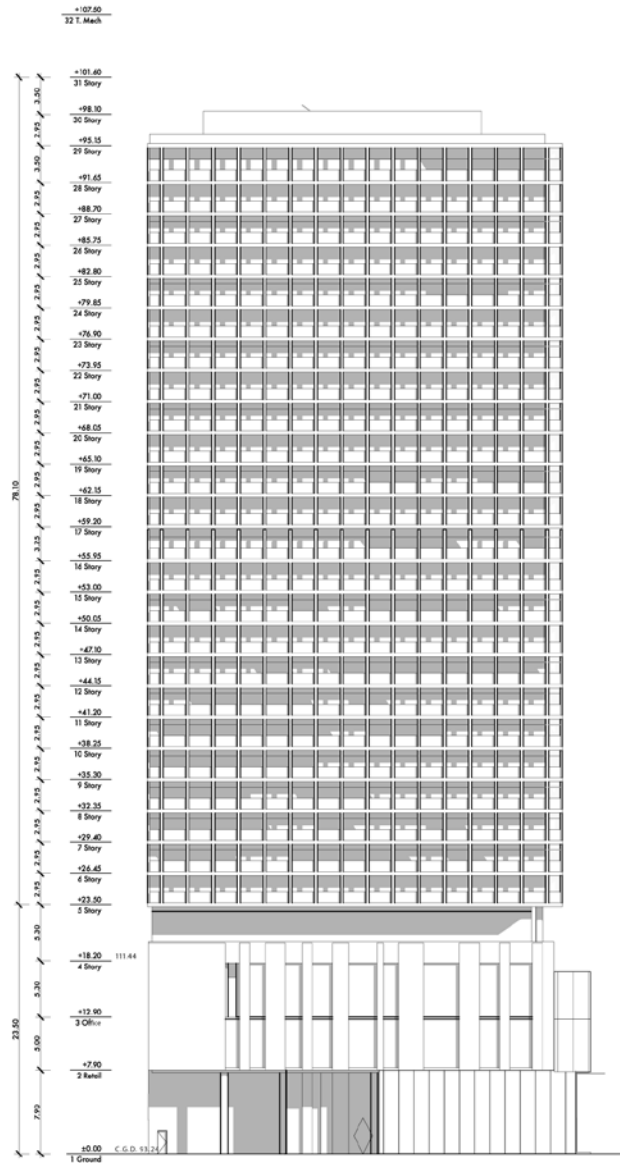
20 Edward Street

Applicant's Submitted Drawing

Not to Scale
07/28/2016

File # 14 266298 STE 27 0Z

Attachment 5: West Elevation



West Elevation

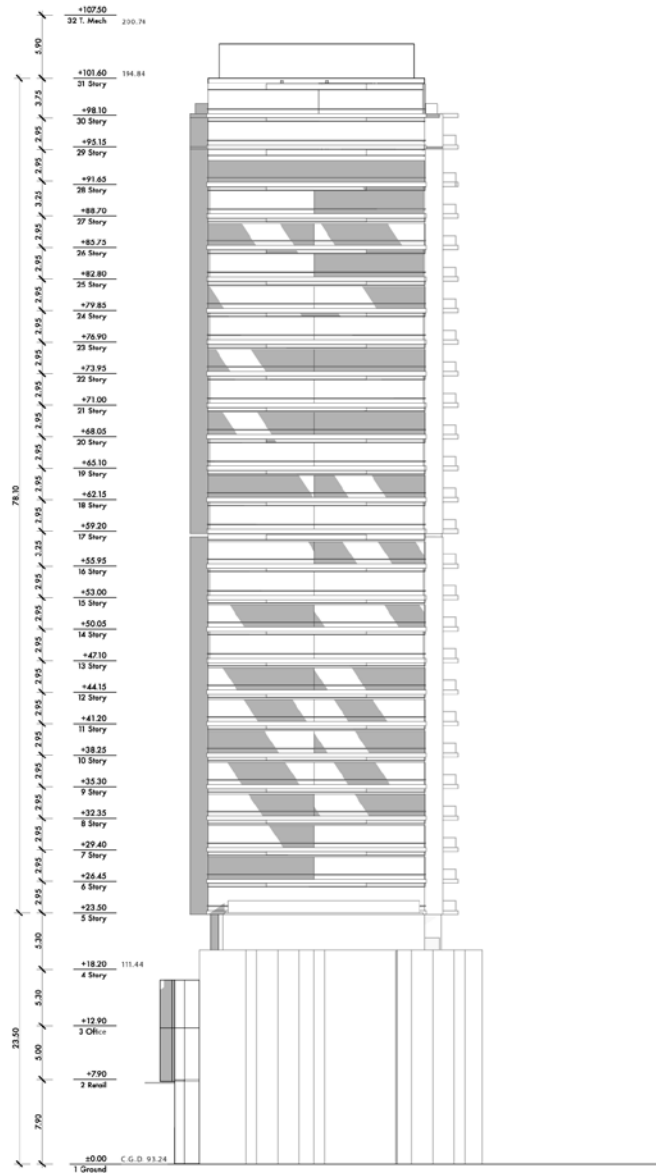
Applicant's Submitted Drawing

Not to Scale
07/28/2016

20 Edward Street

File # 14 266298 STE 27 0Z

Attachment 6: East Elevation



East Elevation

Applicant's Submitted Drawing

Not to Scale
07/28/2016

20 Edward Street

File # 14 266298 STE 27 0Z

Attachment 7: Tower Rendering



Rendering

Applicant's Submitted Drawing

Not to Scale 
08/23/2016

20 Edward Street

File # 14 266298 STE 27 OZ

Attachment 8: Base Building Rendering



20 Edward Street

File # 14 266298 STE 27 02

Rendering
Applicant's Submitted Drawing
Not to Scale
08/23/2016



Attachment 9: Application Data Sheet

Application Type	Rezoning	Application Number:	14 266298 STE 27 OZ
Details	Rezoning, Standard	Application Date:	December 19, 2014

Municipal Address: 20 EDWARD ST
 Location Description: PLAN 243 PT LOTS 23 TO 28 **GRID S2711

Project Description: A 30-storey mixed-use building which contains 572 residential units as well as a total of 6,399.45 square metres of retail space on the ground floor, mezzanine, second floor and concourse level, and 2,843.78 square metres of office space on the third floor. The height of the building to the roof is 101.6 metres (107.5 metres including mechanical penthouse). A total of 241 vehicular parking spaces are provided in a 4-level below-grade garage and 627 bicycle parking spaces are provided. The floor space index proposed is 15.84.

Applicant:	Agent:	Architect:	Owner:
Lifetime Developments	Sherman Brown	architectsAlliance	Lifetime Developments

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR 6.0 (c2.0; r6.0) SS1 (x2318)	Historical Status:	
Height Limit (m):	46	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	3,003.18	Height:	Storeys:	30
Frontage (m):	76.2		Metres:	107.5 (incls. mech.)
Depth (m):	44.8			
Total Ground Floor Area (sq. m):	1,847.37			Total
Total Residential GFA (sq. m):	38,332.02		Parking Spaces:	241 + 8 car share spaces
Total Non-Residential GFA (sq. m):	9,243.23		Loading Docks	5
Total GFA (sq. m):	47,575.25			
Lot Coverage Ratio (%):	64.95			
Floor Space Index:	15.84			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	38,332.02
Bachelor:	44	Retail GFA (sq. m):	4,460.57
1 Bedroom:	277	Office GFA (sq. m):	2,843.78
2 Bedroom:	202	Industrial GFA (sq. m):	0
3 + Bedroom:	49	Institutional/Other GFA (sq. m):	0
Total Units:	572		

CONTACT: George Pantazis, Planner
 416-392-3566 | gpantaz@toronto.ca

Attachment 10: Parkland Terms of Reference

1.0 Environmental Site Assessment

Prior to conveying the parkland to the City, the Owner must:

1. Submit a Qualified Person Preliminary Statement Letter, that is dated and signed by the Owner's Qualified Person, as defined in O. Reg. 153/04, as amended, describing the lands to be conveyed to the City, and identifying what environmental documentation will be provided to the City's peer reviewer to support this conveyance; all environmental documentation consistent with O. Reg. 153/04 requirements shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services and copy to General Manger, PFR;
2. Pay to the City all costs associated with the City retaining a third-party peer reviewer including all administrative costs to the City, and submit an initial deposit towards the cost of the peer review in the form of a certified cheque, to the Executive Director, Engineering & Construction Services. In addition, the Owner must submit further deposits when requested to cover all costs of retaining a third-party peer reviewer (unused funds will be refunded to the applicant by the City);
3. Submit, to the satisfaction of the City's peer reviewer, all Environmental Site Assessment reports prepared in accordance with the Record of Site Condition Regulation (Ontario Regulation 153/04, as amended) describing the current conditions of the land to be conveyed to the City and the proposed Remedial Action Plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services;
4. At the completion of the site assessment/remediation process, submit a Statement from the Qualified Person based on the submitted environmental documents, to the Executive Director, Engineering & Construction Services for peer review and concurrence, which states:
 - a. In the opinion of the Qualified Person:
 - i. It is either likely or unlikely that there is off-site contamination resulting from past land uses on the development site that has migrated onto adjacent City lands that would exceed the applicable Site Condition Standards; and
 - ii. To the extent that the opinion in a(i) is that past migration is likely, it is either possible or unlikely that such off-site contamination on

adjacent City lands poses an adverse effect to the environment or human health.

- b. Land to be conveyed to the City meets either:
 - i. the applicable Ministry Generic Site Condition Standards for the most environmentally sensitive adjacent land use; or
 - ii. the Property Specific Standards as approved by the Ministry for a Risk Assessment/Risk Management Plan which was conducted in accordance with the conditions set out herein.
5. The Qualified Person's statement, referenced in 4 above, will include a Reliance Letter that is dated and signed by the Owner's Qualified Person, as defined in O. Reg. 153/04, as amended, confirming that both the City and the City's peer reviewer can rely on the environmental documentation submitted, consistent with O. Reg. 153/04 requirements, and the Qualified Person's opinion as to the conditions of the site; all environmental documentation consistent with O. Reg. 153/04 requirements and opinions shall be submitted with reliance extended to the City and its peer reviewer and any limitation on liability and indemnification is to be consistent with Ontario Regulation 153/04, as amended, insurance requirements or such greater amount specified by the Executive Director of Engineering & Construction Services.
6. For conveyance of lands requiring a Record of Site Condition:
 - a. File the Record of Site Condition on the Ontario Environmental Site Registry; and
 - b. Submit the Ministry's Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04, as amended, to the Executive Director, Engineering & Construction Services and to the General Manager, PFR.

2.0 Park Construction

Base Park Improvements

7. The Owner, at their expense, will be responsible for the base construction and installation of the parkland. The Base Park Improvements include the following:
 - a. grading inclusive of topsoil supply and placement, minimum of 150 mm depth;
 - b. sodding #1 nursery grade or equivalent value of other approved park development;
 - c. fencing, where deemed necessary to the satisfaction of PFR;

- d. drainage systems, including connections to the municipal services as required;
 - e. electrical and water connections (minimum 50 mm) to street line including backflow preventers, shut off valves, water and hydro chambers, including meters;
 - f. street trees along all public road allowances which abut future City-owned parkland;
 - g. standard park sign (separate certified cheque required); and
 - h. demolition, removal and disposal of all existing materials, buildings and foundations.
8. All work is to be completed to the satisfaction of the General Manager, PFR.
 9. Prior to the issuance of the first above grade building permit, the Owner shall submit a cost estimate and any necessary plans for the Base Park Improvements, to the satisfaction of the General Manager, PFR.
 10. Prior to issuance of the first above grade building permit, the Owner shall post an irrevocable Letter of Credit in the amount of 120% of the value of the Base Park Improvements for the parkland to the satisfaction of the General Manager, PFR. No credit shall be given towards the Parks and Recreation component of the Development Charges for costs associated with Base Park Improvements.
 11. The construction of the Base Park Improvements to the park block shall be completed within one year after the issuance of the first above grade building permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.
 12. Should the Owner undertake Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

Temporary Fencing

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

Parkland Grading and Drainage

14. Prior to conveyance of the parkland, the Owner shall ensure that the grading and drainage for the parkland is compatible with the grades of the adjacent lands to the satisfaction of the General Manager, PFR.
15. The Owner must provide documentation from a qualified environmental engineer that any fill or topsoil brought onto the site meets all applicable laws, regulations and guidelines for use in a public park.

Credit against DC's for Above Base Park Improvements

Should the owner agree to design and construct the Above Base Park Improvements for a development charge credit against the parks and Recreation component of the Development charges, the following condition applies:

16. The Owner agrees to design and construct the Above Base Park Improvements to the new park for a development charge credit against Parks and Recreation component of the Development Charges to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of installing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time. The Owner is required to submit a design and cost estimate to be approved by the General Manager, PFR, and a letter of credit equal to 120% of the approved cost estimate. The design, cost estimate and ultimately the letter of credit will be required prior to the issuance of the first above grade building permit.

Above Base Park Improvements

17. The Owner will be responsible to design and construct the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation (PFR). Areas to be addressed in the design of the Park are: park programming, sustainable design and plantings, community and public safety, ground surface treatments, seating, vandalism etc. Final design and programming of the parkland shall be at the discretion of the General Manager, PFR.
18. Prior to the issuance of the first above grade building permit for the development of the site, the Owner is required to submit all required drawings, specification and landscape plans showing the scope and detail of the work for the Above Base Park improvements for review and approval by the General Manager, PFR.
19. The construction of Above Park Improvements to the park block shall be completed within one year after the issuance of the first above grade building

- permit to the satisfaction of the General Manager, PFR. Unforeseen delays (e.g. weather) resulting in the late delivery of the park block shall be taken into consideration and at the discretion of the General Manager, PFR when determining a revised delivery date for the park block.
20. Should the Owner undertake Above Base Park Improvements on the park block following conveyance of the park block to the City, the Owner must obtain a Park Occupation Permit (POP) from PFR's Planning, Design and Development section. The POP will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, PFR. The Owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park.

Warranty

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

Attachment 11: Zoning By-Law Amendment 438-86

****To be provided on or before the September 7, 2016 Toronto and East York
Community Council****

Attachment 12: Zoning By-Law Amendment 569-2013

****To be provided on or before the September 7, 2016 Toronto and East York
Community Council****