

**25 Thunder Grove – Zoning By-Law Amendment –
Final Report**

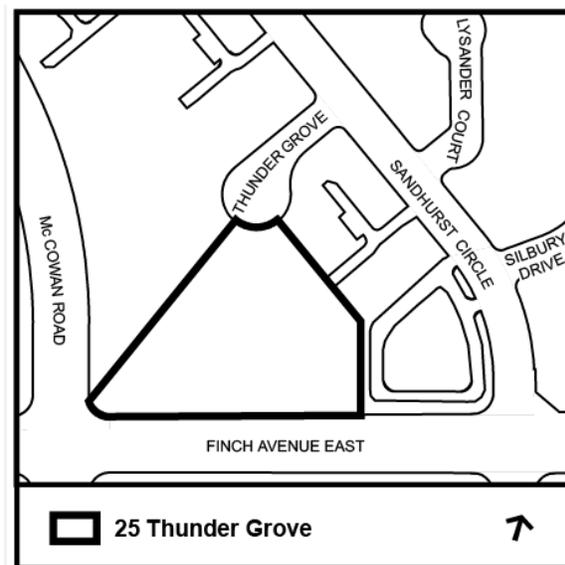
Date:	May 25, 2017
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 41 – Scarborough-Rouge River
Reference Number:	16 179683 ESC 41 OZ

SUMMARY

The zoning by-law amendment application is an infill development proposal for a 12-storey rental apartment building on an existing rental apartment site containing an 18-storey apartment building at 25 Thunder Grove. Working in partnership with the non-profit sector and other City Divisions to take advantage of emerging opportunities to encourage new affordable rental housing is an important city building objective that supports the Housing policies of the Official Plan.

The proposal is consistent with the Official Plan policies respecting development within *Apartment Neighbourhoods* and is in keeping with the policies respecting the intensification of an existing rental building site. The proposal represents an appropriate balance between intensification of the site and respect for the local context. The proposed 188 rental units will be maintained as rental housing at affordable rent levels at average market rent for a period of 25 years. The existing 247 rental units will be maintained as rental housing for a period of 20 years. A number of improvements and renovations are proposed that will improve site conditions for both new and existing residents.

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 Agincourt North Community Zoning By-law No. 12797, as amended, for the lands at 25 Thunder Grove substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to report dated May 25, 2017.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 25 Thunder Grove substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to report dated May 25, 2017.
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 following:
 - a. The owner shall submit a revised Functional Servicing and Stormwater Management Report and submit a Site Servicing Review to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water to address all servicing and groundwater related matters, and shall enter into a financially secured agreement with the City to construct municipal infrastructure and submit engineering and inspection fees and provide insurance as required;
 - 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 and maintain the 247 existing residential rental units at 25 Thunder Grove as rental housing for the period of at least 20 years, from the date of the Zoning By-Law coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - ii. The Owner shall secure the following facilities, amenities, building improvements and site improvements for the existing rental residential rental units, with no pass-through of costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor:
 - a. Expand the existing ground floor multi-purpose party room for the use and enjoyment of all residents of the rental buildings at 25 Thunder Grove by removing the partition between the existing ground floor party room and

- the adjacent office, as well as provide furnishings and finishes appropriate to its use, prior to occupancy of the new building at 25 Thunder Grove;
- b. Maintain and inform tenants of the existing sauna at 25 Thunder Grove that was in operation at the time of application, prior to occupancy of the new building at 25 Thunder Grove;
 - c. Re-open, retrofit and maintain the existing sauna at 25 Thunder Grove that was closed at the time of application, prior to occupancy of the new building at 25 Thunder Grove;
 - d. Upgrade and re-install the existing outdoor playground at 25 Thunder Grove that is to be relocated due to construction, prior to occupancy of the new building at 25 Thunder Grove;
 - e. Add pedestrian connections to Thunder Grove and Finch Avenue East, improve pedestrian connections north of the surface parking lot and repair and add new light standards, as described in the Housing Issues Report – Addendum #2 prepared by Tim Welch Consulting Inc, dated May 9, 2017, prior to occupancy of the new building at 25 Thunder Grove;
 - f. Add a minimum of 6 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the main entrance and a minimum of 11 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the outdoor amenity area, prior to the occupancy of the new building at 25 Thunder Grove;
 - g. Add a resident plaza and patio adjacent to the north entrance with furnishings provided by the Owner, a ground floor patio adjacent to the indoor amenity area with furnishings/equipment provided by the Owner and a community garden with direct access to the existing building, as described in the Housing Issues Report – Addendum #2 prepared by Tim Welch Consulting Inc, dated May 9, 2017, prior to occupancy of the new building at 25 Thunder Grove;
- iii. The Owner shall make available all indoor and outdoor amenity spaces as illustrated in the March 10, 2017 Floor Plans for the new building at 25 Thunder Grove to tenants of both buildings at 25 Thunder Grove without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - iv. Prior to the issuance of the Notice of Approval Conditions, the Owner shall provide a Construction Mitigation Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and
 - v. Prior to the issuance of the Notice of Approval Conditions, the Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

5. Prior to issuance of Notice of Approval Conditions the Owner shall provide financial security for any and all costs associated with any signal timing / plant modifications required at all intersections analyzed in the Traffic Impact Study prepared by NexTrans Engineering, dated March 13, 2017 as modified to the satisfaction of the Executive Director, Transportation Services Division.

Financial Impact

City policy exempts non-profit housing from planning application fees, building permit fees and parkland dedication requirements under the following eligibility criteria:

1. The applicant must either be a Not-for-Profit Corporation, a Not-for-Profit Co-operative creating new Non-profit housing or a For-Profit Corporation receiving financial assistance through the Toronto Renovates Program.
2. The land on which the Non-profit housing will be located must be owned or leased, with a minimum of twenty (20) years remaining on the lease.
3. Monthly Occupancy Costs to be charged must be at or below Average Rents.
4. Household Income for each unit cannot be more than four times the annualized Monthly Occupancy Costs.
5. The Project is financially viable as determined by the Director, Affordable Housing Office in his sole discretion.

In compliance with these requirements, the Owner's eligibility for these exemptions has been verified and confirmed by the Director, Affordable Housing Office. Consequently, the proposed 188 units of affordable non-profit rental housing are exempt from planning application fees, building permit fees, municipal development charges and parkland dedication requirements. These benefits are provided in exchange for affordability of the 188 proposed units for a period of 25 years at affordable rent levels at average market rent.

The estimated value of the fee and permit waivers is as follows:

- Development Charges (2017 rates): \$3,917,583
- Planning Fees: \$138,365
- Building Permit charges: \$238,407

It is also expected that once the construction is complete, the applicant will request property tax exemptions on the residential units under the eligibility requirements of the City's Municipal Facility Housing By-law No. 124-2016. The financial impact of the recommended property tax exemptions will be reported at that time.

The Deputy City Manager & Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting on September 7, 2016, Scarborough Community Council adopted the recommendations of the Preliminary Report on the above-noted applications, with an amendment to expand the notification area for the community consultation meeting. The Preliminary Report is available on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2016/sc/bgrd/backgroundfile-95287.pdf>

Pre-Application Consultation

A preliminary meeting was held on March 30, 2015 with the owner, planning consultant and architect to provide feedback on an infill proposal for a 24-storey 212-unit purpose-built rental apartment building. A second preliminary meeting was held on June 23, 2015 with the same parties and Affordable Housing Office staff to provide feedback on a revised infill proposal for a 22-storey 192-unit purpose-built rental apartment building.

City Planning Division staff expressed concerns with both proposals regarding the proposed building height, transition to the lower-scale *Neighbourhoods*, shadow impacts, separation distances between the existing and proposed tall buildings, the amount of existing and proposed indoor and outdoor common amenity space and potential improvements to these amenities, confirmation of potential renovations and retrofits to the existing rental apartment building and securing the units within both the existing and proposed buildings as affordable rental units.

At the June 2015 meeting, the applicant team expressed a strong commitment to revise the proposal to address the above-noted concerns identified by City Planning Division staff. The owner advised that the existing rental apartment building is operated on a non-profit basis as affordable rental housing. The non-profit housing agreement administered by the City of Toronto will end in 2019. The owner will continue to operate the existing building on a non-profit basis as affordable rental housing and will be requesting an extension of the operating agreement with the City beyond 2019. The purpose of this infill development proposal is to leverage the existing social housing on the site to build and operate additional affordable rental housing for low and moderate-income people.

The owner also advised that there are other similar "tower in the park" purpose-built affordable rental developments throughout the City that have non-profit housing agreements expiring shortly with the City and that an opportunity exists to use this development as a pilot infill site based on best practices.

Working in partnership with the non-profit sector and other City Divisions to take advantage of emerging opportunities to encourage new affordable rental housing is an important city building objective that supports the Housing policies of the Official Plan. Accordingly, City Planning staff offered to set up and lead a cross-functional and intra-divisional team with staff from City Planning (Community Planning, Urban Design, Strategic Policy and Initiatives) and Social Development, Finance and Administration (the Tower Renewal Program).

On August 18, 2015, a Design Charrette was held with both the City and applicant teams to collaborate on an appropriate infill vision for this site. Through the charrette process, several guiding principles were jointly established for the infill development of this site including:

height; built form; massing; transition to the lower-scale *Neighbourhoods* to the northeast; shadow; site organization; streetscape; parking; and indoor and outdoor common amenity space. The charrette resulted in a high-level design concept.

A pre-application consultation meeting was held with the owner, planning consultant and architect on September 25, 2015 to provide feedback on a revised infill proposal for a 12-storey 170-unit, purpose-built rental apartment building. City Planning Division staff advised that the majority of built form and massing, transition and streetscape feedback from the August 2015 charrette was generally incorporated into this proposal. Outstanding issues were identified regarding the location, programming and design of amenity areas, site organization and confirmation of improvements/retrofits to the existing apartment building. At this meeting, a pre-application checklist was also provided to the planning consultant.

ISSUE BACKGROUND

Proposal

The zoning by-law amendment application is an infill development proposal for a 12-storey rental apartment building on an existing rental apartment site containing an 18-storey apartment building. The proposed apartment building will be attached to the east side of the existing apartment building at the first seven floors, with a cross-over on the ground floor.

Upon completion, the site will contain 435 rental apartment units, including 247 existing and 188 proposed units. No existing rental apartment units will be demolished. Fourteen (14) units on the first seven floors on the east side of the existing building will be modified by filling in the kitchen windows to allow for the new building addition.

The gross floor area of the proposed apartment building is 13,629 m² with an overall gross floor area, including the existing apartment building of approximately 41,349 m² or 2.48 times the lot area. The residential unit mix, including both the existing and proposed apartment units is as follows: 174 one-bedroom units, 229 2-bedroom units and 32 3-bedroom units.

A gross floor area of 446.5 m² of indoor amenity space is proposed on the ground floor of the proposed building with an overall indoor amenity space gross floor area, including the existing apartment building of approximately 614 m². A total of 361 m² of at-grade outdoor amenity space is proposed, including a community garden with an overall area of 965 m², including existing outdoor amenity areas. All existing and proposed indoor and outdoor amenity areas will be accessible to residents in both buildings.

Upon completion, the site will contain 349 parking spaces, including 315 underground parking spaces on 2 levels and 34 surface parking spaces. Access to the site is proposed from the existing driveway of Thunder Grove.

The current proposal maintains the same overall 12-storey height of the original proposal. However, the revised building massing along the northeastern portion of the building has resulted in a net increase of 12 units and 997 m² of gross floor area. In addition, overall parking supply has been reduced by 32 spaces, including a net reduction of 5 surface parking spaces.

Attachments 1 and 2 include the applicant's site plan and elevations. Additional site and development statistics are included in the application data sheet (Attachment 7)

Site and Surrounding Area

The site is located on the northeast corner of Finch Avenue East and McCowan Road. The site slopes down from the existing apartment building to the south and west. There are existing mature trees located throughout the site.

The irregular-shaped parcel is approximately 1.67 hectares with frontages of approximately 187 metres along Finch Avenue East and 29 metres along Thunder Grove. Although located at the intersection of McCowan Road and Finch Avenue East, the site has no frontage on McCowan Road.

The site contains an 18-storey rental building with a gross floor area of approximately 27,720 m² or 1.7 times the lot area, as well as a one-storey daycare centre.

The site contains a total of 247 residential rental units. At the time of this application, all 247 units either had affordable or mid-range rents. The residential unit mix of the existing residential rental units is as follows: 18 one-bedroom units, 53 one-bedroom plus den units, 123 2-bedroom units, 36 two-bedroom plus den units and 17 3-bedroom units.

An outdoor pool and play structure are located on the southwest and southeast portions of the site. An indoor amenity area is located on the ground level.

Existing parking is contained within a two-level of underground parking structure and surface parking located east and north of the existing building. There is one full movement driveway off Thunder Grove.

Surrounding land uses include:

- North: an 18-storey apartment building and a townhouse development immediately north;
- South: two 18-storey apartment buildings on the southeast corner of Finch Avenue East. Further east on the south side of Finch Avenue East is a townhouse development. Further south are townhouses, semi-detached dwellings and detached dwellings. Two apartment buildings (18-storeys and 10-storeys) are on the southwest corner of Finch Avenue and McCowan Road;
- East: a 2-storey commercial plaza on the northwest corner of Finch Avenue East and Sandhurst Circle. Further east on the east side of Sandhurst Circle are detached dwellings; and
- West: a large-scale shopping centre (Woodside Square) on the northwest corner of McCowan Road and Finch Avenue East.

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, by the *Planning Act*, 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, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Apartment Neighbourhoods* in the City of Toronto Official Plan. *Apartment Neighbourhoods* are comprised of apartment buildings and parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the needs of area residents, as well as all forms of residential development provided in *Neighbourhoods*.

Map 3 – Right-of-Way Widths Associated with Existing Major Streets – identifies Finch Avenue East as a Major Street with a planned right-of-way of 36 metres.

Map 4 – Higher Order Transit Corridors – identifies Finch Avenue East as a Transit Corridor for potential expansion. Map 5 – Surface Transit Priority Network – identifies Finch Avenue East as Transit Priority Segments.

Healthy Neighbourhoods Policy 2.3.1.1 states that "*Neighbourhoods* and *Apartment Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* and *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." Developments in *Mixed Use Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will be compatible with those *Neighbourhoods*, providing a gradual transition of scale and density of buildings and setbacks towards *Neighbourhoods* and maintaining adequate light and privacy for residents in those *Neighbourhoods*.

The Official Plan sets out development criteria in Section 4.2.2 to evaluate development in *Apartment Neighbourhoods* including:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*;
- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;

- locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- including 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;
- providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

Policy 4.2.3 of the Official Plan states that significant growth is generally not intended within developed *Apartment Neighbourhoods*. However, compatible infill development may be permitted on a site containing an existing apartment building that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. Infill development that may be permitted on a site containing an existing apartment building will:

- meet the development criteria set out in Section 4.2.2 for apartments;
- maintain an appropriate level of residential amenity on the site;
- provide existing residents with access to the community benefits where additional height and/or density is permitted and community benefits are provided pursuant to Section 5.1.1 of this Plan;
- maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- organize development on the site to frame streets, parks and open spaces in good proportion, provide adequate sky views from the public realm, and create safe and comfortable open spaces;
- front onto and provide pedestrian entrances from an adjacent public street wherever possible;
- provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- consolidate loading, servicing and delivery facilities; and
- preserve or provide adequate alternative on-site recreational space for residents.

Built Form Policy 3.1.2 of the Official Plan, in large part, also reiterates the development criteria noted above.

Built Form Policy 3.1.3 of the Official Plan identifies tall buildings as those whose height are typically greater than the width of the adjacent road allowance. The proposed building height

(excluding mechanical penthouse) is 31.5 metres (12 storeys) and the planned right-of-way width of the nearest adjacent right-of-way, Finch Avenue East is 36 metres. As such, the proposed building does not meet the definition of a tall building. Since the height of the proposed building is less than the planned right-of-way width, the proposed building meets the definition of a mid-rise building.

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians.

The Official Plan also contains policies addressing the need to preserve and increase the City's supply of rental and affordable housing. Policy 3.2.1 of the Official Plan includes housing policies that encourage the provision of a full range of housing in terms of form, tenure and affordability.

Policy 3.2.1.2 states that the existing housing stock of housing will be maintained and replenished and new housing stock will be encouraged through intensification and infill that is consistent with this Plan. Policy 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:

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

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

In addition to the policies referenced above, the entire Official Plan was considered through the review of this application. The Toronto Official Plan is available on the City's website at: www.toronto.ca/planning/official_plan/introduction.htm.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhood, Housing, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals in the Official Plan to protect and enhance existing neighbourhoods and to allow limited infill on underutilised apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

The Amendment implements the City's Tower Renewal Program by promoting the renewal and retrofitting of older apartment buildings and encouraging small scale retail, institutional uses and community facilities at grade in apartment buildings to better serve residents.

The development criteria included in the Healthy Neighbourhoods policies in the in-force Official Plan in the Official Plan section above are strengthened and refined by the amended Healthy Neighbourhood policies in Official Plan Amendment 320. Amended Healthy Neighbourhoods Policy 2.3.1.2 states that *Apartment Neighbourhoods* are residential areas with higher density than Neighbourhoods and are considered to be physically stable. Development in *Apartment Neighbourhoods* will be consistent with this objective and will respect the criteria contained in Policies 4.2.2 and other relevant sections of this Plan. However, on sites containing one or more existing apartment building(s) sensitive infill development that improves existing site conditions may take place where there is sufficient space to accommodate additional buildings while providing a good quality of life for both new and existing tenants; including maintaining or replacing and improving indoor and outdoor amenity space and landscaped open space, maintaining sunlight and privacy for residential units, and maintaining sunlight on outdoor amenity space and landscaped open space, provided such infill is in accordance with the criteria in Policies 4.1.10, 4.2.3 and other policies of this Plan. *Apartment Neighbourhoods* contain valuable rental housing apartment buildings that often need physical and social renewal and transformation to achieve an improved living environment.

Amended Housing Policy 3.2.1.2 states that the existing stock of housing will be maintained, improved and replenished. The City will encourage the renovation and retrofitting of older residential apartment buildings. New housing supply will be encouraged through intensification and infill that is consistent with this Plan. Amended Housing Policy 3.2.1.5 states that where existing rental units will be kept in new developments containing six or more rental units, any needed improvements and renovations to existing rental housing units and associated amenities to extend the life of the building(s) that are to remain should be a City priority under Section 5.1.1 of this Plan where no alternative programs are in place to offer financial assistance for this work.

The amended *Apartment Neighbourhood* policies provide refined and improved guidance regarding compatible infill development on apartment sites. Amended *Apartment Neighbourhoods* Policy 4.2.3 states that significant growth is not intended within developed *Apartment Neighbourhoods*. However, compatible infill development may be permitted on a site with one or more existing apartment buildings for the purpose of improving the existing site conditions by:

- locating new buildings to proportionally frame the edge of new and existing streets, parks and landscaped open spaces;
- consolidating, and if necessary, relocating parking and servicing areas where they are not visible from streets, parks and landscaped open spaces;
- providing grade-related dwellings at the edge of public streets, parks and landscaped open spaces; and
- improving upon the quality of landscaped open space and outdoor amenity space for new and existing residents.

Amended *Apartment Neighbourhoods* Policy 4.2.4 includes more refined and improved guidance regarding compatible infill development on apartment sites. Compatible infill development may be permitted on a site containing one or more existing apartment buildings that has sufficient underutilized space to accommodate one or more new building(s) while improving site conditions and providing good quality of life for both new and existing residents including: maintaining or replacing and improving indoor and outdoor amenity space and landscaped open space, maintaining adequate sunlight and privacy for residential units, maintaining sunlight on outdoor amenity space and landscaped open space, and improving pedestrian access to the buildings from public sidewalks and through the site. Infill development that may be permitted on a site containing an existing apartment building will be subject to additional development criteria beyond above-noted Policy 4.2.3 of the in-force Official Plan and among other matters, will:

- respect the scale, including height and massing, of the existing apartment building(s) on and adjacent to the site, and not create high-rise additions to existing apartment building(s) on the site;
- maintain separation distances between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy;
- maintain or replace and improve indoor and outdoor residential amenities on the site, including, wherever possible, equipping and managing indoor and outdoor amenity space to encourage use by residents;
- provide privacy, areas of landscaped open space, and maintain adequate sunlight to units, on outdoor amenity spaces and on open spaces, for both new and existing residents;
- promote in the lower floors of midrise and tall apartment buildings grade related units with front gardens, stoops and porches that take direct access from public sidewalks, accessible open spaces and park edges;
- consolidate and integrate loading, servicing and delivery facilities, and parking ramps within the building wherever possible;
- minimize curb cuts, encourage shared loading, parking access and ramps;
- improve waste storage and waste diversion facilities including enclosure of outdoor waste storage areas, to improve aesthetics, health and safety and waste diversion rates. Waste storage areas should be enclosed within a building, where possible;
- provide renovations and retrofits wherever necessary to extend the life of the existing buildings to be retained; and
- improve energy and water efficiency in existing buildings through renovations, retrofits and changes to management practices.

Zoning

The lands are zoned Apartment Residential (A) under the Agincourt North Community Zoning By-law No. 12797, as amended, of the former City of Scarborough. The A Zone permits apartment buildings, day nurseries and group homes. Apartments are permitted at a maximum density of one unit per 67 m² of lot area, or a total of 247 units.

The site is also part of City of Toronto Zoning By-law No. 569-2013 enacted by City Council on May 9, 2013. The lands are zoned Residential Apartment Zone, RA (x689) (Attachment 3). The RA Zone permits apartment buildings.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan approval has been submitted and is under review.

Tenure

The Housing Issues Report submitted with this application states that the 188 apartment dwelling units within the proposed apartment building will be rental units. In addition, the 247 apartment units within the existing apartment building will be retained as rental units.

Municipal Facility Housing Project By-law

Municipal fee exemptions have been approved by the City's Affordable Housing Office under the authority delegated through the Municipal Facility Housing By-law No. 124-2016. The proposed 188 units of affordable non-profit rental housing is exempt from planning application fees, building permit fees, municipal development charges and parkland dedication requirements.

These benefits are provided in exchange for affordability and rental tenure of the 188 proposed units for a period of 25 years at affordable rent levels at average market rent. An Incentives Contribution Agreement between the City and the Owner has been executed for these benefits and is registered on title.

Mid-Rise Building Guidelines

Toronto City Council, in July 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications and directed staff to use the Performance Standards for Mid-Rise Buildings in reviewing all new and current mid-rise development proposals on the *Avenues* for a two year monitoring period and in November 2013 Council extended the monitoring period to the end of 2014.

The Avenues and Mid-rise Buildings Study identifies a list of best practices and establishes a set of performance standards for new mid-rise buildings. Key issues addressed by the Study include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The Study can be found at:

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

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings.

The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the fourth quarter of 2017. Refer to the Council Decision <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. An Arborist Report and Tree Preservation Plan was submitted with the application and has been reviewed by City staff.

Reasons for the Application

An application to amend the Zoning By-law is to permit the proposed density of the new apartment building and to establish appropriate zoning provisions to implement the proposed development such as the maximum number of units, lot coverage, building separation distances, vehicle and bicycle parking requirements, building setbacks, building separation distances, indoor amenity space and landscaping requirements.

Community Consultation

A Community Consultation Meeting was held on October 19, 2016 at Commander Park Recreation Centre. City Planning, Transportation Services, Affordable Housing Office staff, the Ward Councillor and approximately 42 members of the public attended this meeting. Approximately 3,772 notices were mailed out to landowners and residents within an expanded radius of 350 metres of the site, in accordance with the direction of Scarborough Community Council.

Concerns raised in the meeting, written submissions and by telephone related to:

- lack of proposed parking;
- density of proposed development;
- impacts of the development regarding loss of views;
- Finch Avenue frontage is mostly unplowed during winter;
- inadequate notice radius for this meeting and meeting notice should have been translated to Chinese;
- impacts of proposed rental units on crime rate and property values; and
- impacts of the development on the area in terms of traffic capacity, vehicular / pedestrian accident rates, existing low water pressure conditions, availability of transit, construction noise, loss of trees and school capacities.

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

This application proposes to intensify an existing site that contains an 18 storey building by constructing a new 12 storey building framing Finch Avenue East.

As part of the proposed redevelopment of the site, the applicant has incorporated a number of features that address the Official Plan policies respecting infill development. The following provides a brief overview of the proposed features/improvements and are more fully discussed in the following sections of this report:

- the existing rental units will be maintained as rental housing for a period of 20 years
- the proposed rental units will be maintained as rental housing at affordable rent levels at average market rent for a period of 25 years;
- renovations and improvements are proposed to ground floor indoor amenity areas in the existing building, including two saunas and an expanded party room;
- new indoor and outdoor ground floor amenity areas are proposed, including two lounges, multi-purpose room, children's playroom, fitness room, community garden, upgraded playground, outdoor patio with furnishings;
- visitor bicycle spaces/racks;
- all existing and proposed indoor and outdoor amenity areas (including the existing outdoor pool) will be accessible to residents in both buildings
- 55% of the site will remain as landscaped open space and enhanced landscaping is proposed;
- the existing Thunder Grove driveway configuration and circular landscaped island and daycare drop-off has been maintained to preserve the existing mature trees and open spaces;
- the vehicular drop-off area, surface parking area and loading area has been reconfigured to allow for a landscaped plaza in front of the main entrances for both buildings; and
- several new walkway connections are proposed to improve pedestrian access across the site.

Upon careful review of land use planning and urban design considerations and upon a review of the benefits/improvements proposed by the applicant, the proposal is consistent with the Official Plan policies respecting development within an *Apartment Neighbourhoods* designation and is in keeping with the policies respecting the intensification of an existing rental building site. The proposal also has regard for Official Plan Amendment 320. The proposal represents an appropriate balance between intensification of a site and respect for the local context.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Among other matters, the proposal will provide for an efficient development pattern and use of land, add to the City's supply and diversity of housing, utilize public infrastructure and services and promote the use of public transit. In section 1.4.3 the PPS states that an appropriate range and mix of housing is to be provided throughout communities. This proposal is consistent with this by providing a new 188-unit affordable non-profit rental building, as well as securing the rental tenure of the existing 247-unit non-profit rental building and proposing improvements that increase the rental property's long-term viability and vibrancy by renewing it without passing that cost through to the existing and new residents.

Toronto Official Plan

The *Apartment Neighbourhoods* designation for the site permits apartment buildings and all forms of residential development permitted in Neighbourhoods, parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. An amendment to the Official Plan is not required to permit the proposed use of the lands.

The proposed development respects the existing physical character of the *Apartment Neighbourhoods* and the abutting *Neighbourhoods* by providing for an infill building providing an appropriate transition between the existing tall buildings within the *Apartment Neighbourhoods* to the west and low rise *Neighbourhoods* to the east.

The proposal is for an infill residential development that will provide new rental units at affordable rent levels at average market rent, maintain existing rental units, will contribute to an improved pedestrian realm throughout the site and will provide new outdoor amenity areas. In addition, the proposal will provide increased and improved indoor amenity areas in the existing apartment building and new indoor amenity areas in the proposed building.

The proposed development supports the policy direction of the Official Plan and is consistent with the Plan's policies regarding intensification of existing rental building sites and infill development on lands designated *Apartment Neighbourhoods*. The proposal also has regard for Official Plan Amendment 320. The proposed development would provide new affordable rental housing on an underutilized parcel of land and provide improvements/renovations to improve site conditions for both new and existing residents.

Apartment Infill Development / Intensification of Rental Building Site

The Official Plan policies respecting infill development on lands designated *Apartment Neighbourhoods* and its policies respecting the intensification of existing rental building sites are intended to ensure that such development contributes to the quality of life for both new and existing residents. These policies are also intended to ensure that proposed development adequately addresses a number of matters including, the relationship of the proposed development with its surroundings, its contribution to the public realm and amenities for its future residents.

The following sections explain the proposal and demonstrate its consistency with the Official Plan.

Rental Housing

Toronto Official Plan Policy 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:

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

Fourteen (14) units on the first seven floors on the east side of the existing building will be modified by filling in the kitchen windows to allow for the new building addition. A site visit conducted by City Planning Division and Tower Renewal staff confirmed that these units will not be adversely impacted. Staff will continue to work with the applicant to develop an appropriate Tenant Communication Plan and Construction Mitigation Strategy for existing tenants at 25 Thunder Grove which will be secured in the Section 37 Agreement.

The owner of the building (Ridgeford Charitable Foundation) has agreed to provide and maintain the existing residential rental units for a period of 20 years. The tenure of the existing units would be secured in the Section 37 Agreement. This agreement, among other matters will stipulate that none of the existing rental units or associated parking spaces will be permitted to be registered as condominium or any other form of ownership, converted for non-rental housing purposes, or demolished during this 20 year period, from the date that any implementing by-law comes into effect.

The Owner has proposed improvements and renovations to the existing rental building to:

- Expand the ground floor party room by removing the partition between the existing party room and the office;
- Publicize the availability of the existing operational sauna and re-open and publicize the non- operational sauna;
- Upgrade and re-install the existing outdoor playground as per the recommendations of the playground inspection report during relocation;
- Add new pedestrian connections to Thunder Grove and Finch Avenue, improve pedestrian connections north of the parking lot and repair and add new light standards;
- Add a minimum of 6 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the main entrance and a minimum of 11 new visitor bicycle parking spaces/racks to the bicycle storage area adjacent to the outdoor amenity area;
- Add a resident plaza and patio adjacent to the north entrance with furnishings provided by the Owner, a ground floor patio adjacent to the indoor amenity area with furnishings provided by the Owner and a community garden with direct access to the existing building;
- Make all indoor and outdoor amenities on site available to tenants of both the existing and new buildings; and
- All of which shall be provided to the satisfaction of the Chief Planner and secured through a Section 37 Agreement with the City.

In addition, the affordability and rental tenure of the 188 proposed units will be secured for a period of 25 years at affordable rent levels at average market rent. A separate Incentives Contribution Agreement between the City and the Owner has been executed for these benefits and is registered on title.

Density, Height, Massing

The subject site is not located on an *Avenue*. However, the Mid-Rise Building Performance Standards Addendum (April 20, 2016) recommends that the Performance Standards should apply to the evaluation of proposed mid-rise developments that are not on *Avenues* on sites meeting both of the following criteria:

- Sites with existing land use designations for *Mixed Use Areas*, *Employment*, *Institutional* or some *Apartment Neighbourhoods* where the existing built form context supports mid-rise development; and
- Sites fronting onto Major Streets on Map 3 of the Official Plan with planned rights-of-way at least 20 metres wide.

The subject site contains a 18-storey apartment building designated *Apartment Neighbourhoods*. The existing built form context includes a 18-storey apartment building and a townhouse development immediately north; two 18-storey apartment buildings and two apartment buildings (18 and 10 storeys) on the southeast and southwest corners of Finch Avenue East and McCowan Road; a 2-storey commercial plaza on the northwest corner of Finch Avenue East and Sandhurst Circle; and a large-scale shopping centre (Woodside Square) on the northwest corner of McCowan Road and Finch Avenue East. The proposed building fronts onto Finch Avenue East, the nearest adjacent right-of-way, which is a Major Street on Map 3 of the Official Plan with a planned right-of-way width of 36 metres.

With a lot area of 1.67 hectares, the size and configuration of the site, is sufficient to accommodate an additional infill building, while ensuring adequate separation between the existing building, appropriate transition to the abutting low-rise townhouse development designated *Neighbourhoods* and maintaining sufficient landscape open space.

Based on the existing built form context, size and configuration of the lot, designated Apartment Neighbourhoods and fronting onto Finch Avenue East, a Major Street on Map 3 of the Official Plan, a mid-rise building is the appropriate form for the site. This proposal has been evaluated against the Mid-Rise Building Performance Standards. The proposal conforms to a number of Mid-Rise Building Performance Standards including:

- A proposed building height (excluding mechanical penthouse) of 32.6 metres (12 storeys), which is less than the planned 36-metre planned right-of-way width of the nearest adjacent right-of-way, Finch Avenue East;
- The building generally fits under a 45 degree front angular plan applied at a building height equivalent to 80% of the width of the Finch Avenue East right-of-way (28.8 metres) with a minor projection at the top of the Finch Avenue East building façade, which is acceptable as the building is located on the north side of the street with no shadow impact on the opposite sidewalk during the spring and fall equinoxes;
- The building is located under a 45 degree rear angular plane taken from the north east property line abutting the low-rise townhouse development designated *Neighbourhoods*, located immediately north east of the subject site. Save and except minor projections on the upper floors, the building is also under a cone-shaped angular plane originated from the southern end of the north east property line. Based on the irregular configuration of the site and minimal additional shadow impact on the townhouse development, the minor projection into the angular plane is considered acceptable. The building provides an appropriate transition to the townhouse development and the shadow impact is acceptable;
- A 6-storey base building height with a 1.5 metre stepback at the 7th storey along the majority of the Finch Avenue elevation to provide an appropriate streetwall height in proportion with the right-of-way;

- A 1.5 metre setback at the at the 7th storey is also provided along all other elevations, except for one location along the south elevation to provide a pedestrian-friendly scale and architectural interest; and
- A 19.6 metre separation distance between the existing and proposed building above 6 storeys ranging, which is acceptable since there are no principal windows on the east elevation of the existing building, providing acceptable privacy, overlook and sunlight conditions.

The *Apartment Neighbourhoods* and Built Form policies of the Official Plan encourage new development to frame and support adjacent streets, parks and open spaces. These policies seek to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions to provide an attractive, comfortable and safe pedestrian environment.

Similar to the existing building, the proposed building does not provide a direct fronting relationship to Thunder Grove, which functions as the sole vehicular access to this site. However, the proposed 12-storey building is sited parallel to Finch Avenue with a 3.0 metre setback to frame and animate the public realm with a strong street edge along Finch Avenue. The building includes a main building lobby, a secondary building entrance, as well as units and outdoor amenity areas oriented towards Finch Avenue. Entrances to ground floor units are proposed at-grade along the east and south sides of the building, which will accommodate residential patios, landscaping and walkways to improve the public realm and create an appropriate transition with the adjacent property.

The proposed outdoor amenity areas are appropriately framed by the both existing and proposed buildings and Finch Avenue.

The existing Thunder Grove driveway and circular landscaped island configuration has been maintained to preserve the existing mature trees and open spaces with benches and trees proposed to create a more pedestrian-friendly environment.

The vehicular drop-off area for the new building has been reconfigured and reduced to allow for increased landscaped open space and provide for a pedestrian-friendly drop-off forecourt with an entry trellis that provides weather protection.

Several new walkway connections are proposed to improve pedestrian access across the subject site including a direct connection from the McCowan Road and Finch Avenue East intersection across the western edge of the site to Thunder Grove, a walkway connection from Finch Avenue East along the eastern edge of the site and a direct connection from Finch Avenue east to the new building entrance. The development also protects for a future pedestrian connection to the adjacent townhouse development to the east.

A direct midblock connection is also proposed via a 3.5 metre thru-way breezeway at the ground level of the proposed building which will serve as the primary connection from Finch Avenue and Thunder Grove. Ground floor uses, including new indoor and outdoor amenity areas have been reoriented to provide passive surveillance along this connection.

The majority of parking serving the existing and proposed development is proposed in two levels of underground parking. The ramp to the underground parking garage is integrated within the building. The amount of surface parking has been further reduced from 39 to 35 parking spaces to preserve landscaped open space and mature trees.

The impact of the external loading area on the development and the forecourts have been improved by reducing the overall area (replacing the second Type-G loading space with a Type-C) and adding a privacy enclosure with a 2.1 metre screen wall with a gate.

Amenity Space

Within lands designated *Apartment Neighbourhoods*, the Official Plan permits new development and infill development provided new development is sensitive to its surroundings and maintains and/or creates a high quality urban environment that provides new and existing residents with quality services, safety and access to residential amenities. The Official Plan also requires that new development provide adequate indoor and outdoor recreational space for residents.

The site-specific performance standards of the Agincourt North Community Zoning By-law applicable to the existing building contains a provision for indoor amenity space to be provided at a rate of 46 m² plus 0.9 m² for every dwelling unit in excess of 50 dwelling units. There is no outdoor amenity space provision that applies to this site in the Agincourt North Community Zoning By-law.

City of Toronto Zoning By-law 569-2013 requires a minimum standard of 2 m² per dwelling unit for indoor amenity area and 2m² per dwelling unit for outdoor amenity area.

A gross floor area of 446.5 m² of indoor amenity space is proposed on the ground floor of the proposed building with an overall indoor amenity space gross floor area, including the existing apartment building of approximately 614 m². A total of 361 m² of at-grade outdoor amenity space is proposed with an overall area of 965 m², including existing outdoor amenity areas such as the outdoor pool.

Based on the above, the amount of indoor and outdoor amenity space in both the existing and proposed building complies with these amenity space provisions and is acceptable and will be secured in the zoning by-law.

The proposed building includes the following programmable indoor amenity areas:

- A flexible all purpose room with direct access to one of the outdoor amenity areas;
- Fitness/exercise room;
- Children's playroom, which is adjacent to the laundry room enabling passive supervision;
- Lounge 1, a wireless lounge / homework room for youth; and
- Lounge 2, a waiting lounge next to exterior Welcome Plaza

The existing building includes the following upgraded indoor amenity areas:

- Expanding the ground floor party room by removing the partition wall between the party wall and office to reinstate the room to its original size; and

- Publicizing the availability of the existing operational sauna and reopening and publicizing the non-operational sauna;

Proposed outdoor amenity areas include the following (all located on the southern portion of the site between the both buildings and the Finch Avenue property line:

- A new community garden;
- Upgrading and reinstalling the existing outdoor playground as per the recommendations of the playground inspection report during relocation; and
- A new ground floor amenity area next to the new building containing a patio with furnishing and equipment to be provided with direct access to the flexible all purpose room.

All existing and proposed indoor and outdoor amenity areas will be accessible to residents in both buildings.

These matters will be secured in the Section 37 Agreement and through Site Plan Approval.

Sun, Shadow, Wind

A Shadow Study was submitted by the applicant and reviewed by City staff. The proposed 12-storey building casts an acceptable level of shadow on the surroundings.

During the spring and fall equinoxes, the shadows of the proposed building fall mostly in the areas close to the building due to the height, location and orientation of the new building. The majority of the outdoor amenity areas along Finch Avenue East (including the proposed community garden) will not be shadowed. The relocated outdoor playground and new outdoor amenity area will be partially shadowed during the morning hours and will receive full sun during the afternoon. In the morning, the development will not cast shadows on the abutting townhouse development to the east. In the afternoon, there is minor shadow impact on the southwest corner of the townhouse site for a limited period of time.

Based on the above, the current proposal provides acceptable shadow impact.

A pedestrian level wind study was submitted by the applicant. The study concludes that acceptable wind conditions will be generated by this development for pedestrians on adjacent streets, parks and open spaces. The study has been reviewed by City staff and its findings are acceptable.

Landscaped Open Space / Tree Preservation

Landscaped open space currently comprises approximately 65% of the site. Construction of the new infill building will result in a modest reduction of the overall landscape space on the site. Approximately 55% of the site will be maintained as landscape open space where mature trees will be retained and enhanced landscaping is proposed. This modest reduction in landscape open space can be attributed to the fact that the majority of the new building will be constructed on an existing surface parking area and new landscaping such as outdoor amenity areas, as well as shrub and tree plantings will be added on the site.

City staff have worked closely with the applicant on the revised proposal to minimize the loss of landscape open space and removal of mature trees and increase the amount of landscape open space by:

- reducing the amount of surface parking spaces;
- maintaining the configuration of the existing Thunder Grove driveway, circular landscaped island and daycare drop-off;
- reconfiguring the vehicular drop-off area for the new building; and
- proposing enhanced landscaping and tree replacement throughout the site, including the circular landscape island and the Thunder Grove driveway entrance to create gateway elements.

The applicant has submitted a Tree Inventory and Preservation Plan and reviewed by City staff. The site contains 267 trees on and within 6 metres of the property. The removal of 66 trees will be required to accommodate the proposed development and additional 20 trees are recommended for removal due to their condition.

Provision for the replacement of existing trees, new tree plantings and all other landscaping will be secured through the site plan approval process.

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 the local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 – 1.56 hectares of local parkland per 1,000 people. This is the third highest quintile of the current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code. However, based on Chapter 415, Article III of the Toronto Municipal Code, non-profit housing is exempt from providing parkland dedication. Therefore, Parks staff advises that parkland requirements, under Section 42 of the Planning Act do not apply to this development.

Traffic Impact, Access, Parking

The applicant has submitted a Traffic Impact Study, which indicates that the existing road network can accommodate the expected vehicular traffic generated by the proposed development.

It is recommended that any and all costs associated with any signal timing / plant modifications required at all intersections analyzed in the Traffic Impact Study be secured by the City prior to issuance of Notice of Approval Conditions.

Vehicular access to the site is proposed via the existing full movement driveway off Thunder Grove. No additional access points to any public streets are proposed. The existing driveway and surface parking areas are proposed to be reconfigured to provide pick-up and drop-off to each of the buildings, as well as access to the loading area. The existing access ramp to the underground parking garage is proposed to be removed and replaced with a new ramp integrated into the north side of the new building.

Transportation Services also advises that a new 2.1 metre sidewalk is required along the Finch Avenue East frontage of the subject property. This will be addressed as part of site plan approval process.

Transportation Services advises that public sidewalks adjacent to the site are maintained by the City on Finch Avenue East, McCowan Road and Thunder Grove. All of the other connecting sidewalks within the site are the responsibility of the Owner. City sidewalks are plowed once the snowfall has accumulated to 5 centimetres.

A total of 349 parking spaces are proposed to serve the existing and proposed building, including 283 spaces for residents and 66 parking spaces is proposed for visitors. With the exception of 34 visitor parking spaces located north of the buildings within the interior of the site, all of the parking is located within the underground parking structure.

Transportation Services advises that a minimum of 345 parking spaces, including a minimum of 275 spaces for the exclusive use of residents and a minimum of 70 spaces for visitors. This will be secured in the zoning by-law.

A total of 145 bicycle parking spaces is proposed to serve the new building, including 128 resident spaces and 17 visitor spaces, which is acceptable to City staff. Details regarding the location of bicycle parking spaces will be addressed through the site plan approval process.

A consolidated loading area containing a Type C and Type G loading spaces is proposed to serve the entire site. The loading area is located along the north side of the existing building within a screened enclosure with a gate.

Transportation Services concur with the findings of the Traffic Impact Study, including the proposed parking supply.

Servicing

The applicant has submitted a Functional Servicing and Stormwater Management Report for the current proposal addressing drainage, water and sewer services and stormwater management. The applicant has also submitted a Hydrogeological Assessment for this proposal addressing on-site soil and groundwater conditions is currently under review by the Environmental Monitoring & Protection group. Both of these reports have been reviewed by City staff.

Engineering & Construction Services staff requires the Owner to:

- confirm the peak discharge rate of the foundation drainage system and revise the servicing report to account for additional flows and whether the sanitary analysis includes known developments and as-of-right densities;
- submit a Site Servicing Review to determine stormwater runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate; and
- enter into a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades to

the municipal infrastructure to support this development, according to the Site Servicing Review;

- submit revised plans/documentation with respect to the above-noted matters; and
- make satisfactory arrangements with the Executive Director, Engineering & Construction Services to construct the improvements to the storm and sanitary sewers to accommodate the flow (including groundwater) from the development, if it is determined that upgrades are required and provide financial securities.

It is recommended that prior to introducing the Zoning Bills to City Council for enactment, the owner submit a revised Functional Servicing and Stormwater Management Report and submit a Site Servicing Review to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water to address all servicing and groundwater related matters, and enter into a financially secured agreement with the City to construct municipal infrastructure and submit engineering and inspection fees and provide insurance as required.

Schools

Toronto District School Board advises that there is sufficient space at the local schools to accommodate students from this proposed development.

Tenant Communication Plan and Construction Mitigation Strategy

When existing tenants are to remain on site while demolition or construction activities are taking place, the City requires that applicants provide a Tenant Consultation Plan and tenant-oriented Construction Mitigation Strategy. Staff will continue to work with the applicant to develop an appropriate Tenant Communication Plan and Construction Mitigation Strategy for existing tenants at 25 Thunder Grove; all of which will be to the satisfaction of the Chief Planner and secured through the Section 37 Agreement with the City.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure performance measures for the following Tier 1 development features: cycling infrastructure.

Other performance measures for the Tier 1 development features, such as storage and collection of recycling and organic waste, water efficiency and urban island reduction (roof) will be secured through the site plan approval process.

Section 37

This proposal is for non-profit rental housing. Non-profit housing rental housing developments are exempt from providing community benefits under Section 37 of the *Planning Act*.

However, the rental tenure of the existing units and the associated improvements and renovations are required under Official Plan Policy 3.2.1.5 to support this development and need to be secured in an agreement with the City.

Accordingly, it is recommended that the following community benefits be secured in a Section 37 Agreement as a legal convenience to support this development:

1. The Owner shall provide and maintain the 247 existing residential rental units at 25 Thunder Grove as rental housing for the period of at least 20 years, from the date of the Zoning By-Law coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
2. The Owner shall secure the following facilities, amenities, building improvements and site improvements for the existing rental residential rental units, with no pass-through of costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor:
 - a. Expand the existing ground floor multi-purpose party room for the use and enjoyment of all residents of the rental buildings at 25 Thunder Grove by removing the partition between the existing ground floor party room and the adjacent office, as well as provide furnishings and finishes appropriate to its use, prior to occupancy of the new building at 25 Thunder Grove;
 - b. Maintain and inform tenants of the existing sauna at 25 Thunder Grove that was in operation at the time of application, prior to occupancy of the new building at 25 Thunder Grove;
 - c. Re-open, retrofit and maintain the existing sauna at 25 Thunder Grove that was closed at the time of application, prior to occupancy of the new building at 25 Thunder Grove;
 - d. Upgrade and re-install the existing outdoor playground at 25 Thunder Grove that is to be relocated due to construction, prior to occupancy of the new building at 25 Thunder Grove;
 - e. Add pedestrian connections to Thunder Grove and Finch Avenue East, improve pedestrian connections north of the surface parking lot and repair and add new light standards, as described in the Housing Issues Report – Addendum #2 prepared by Tim Welch Consulting Inc, dated May 9, 2017, prior to occupancy of the new building at 25 Thunder Grove;
 - f. Add a minimum of 6 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the main entrance and a minimum of 11 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the outdoor amenity area, prior to the occupancy of the new building at 25 Thunder Grove;

- g. Add a resident plaza and patio adjacent to the north entrance with furnishings provided by the Owner, a ground floor patio adjacent to the indoor amenity area with furnishings/equipment provided by the Owner and a community garden with direct access to the existing building, as described in the Housing Issues Report – Addendum #2 prepared by Tim Welch Consulting Inc, dated May 9, 2017, prior to occupancy of the new building at 25 Thunder Grove;
3. The Owner shall make available all indoor and outdoor amenity spaces as illustrated in the March 10, 2017 Floor Plans for the new building at 25 Thunder Grove to tenants of both buildings at 25 Thunder Grove without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
4. Prior to the issuance of the Notice of Approval Conditions, the Owner shall provide a Construction Mitigation Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and
5. Prior to the issuance of the Notice of Approval Conditions, the Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

CONCLUSIONS

Working in partnership with the non-profit sector and other City Divisions to take advantage of emerging opportunities to encourage new affordable rental housing is an important city building objective that supports the Housing policies of the Official Plan.

The proposal is consistent with the Official Plan policies respecting development within *Apartment Neighbourhoods* and is in keeping with the policies respecting the intensification of an existing rental building site.

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

CONTACT

Colin Ramdial, Manager, Community Planning

Tel. No. (416) 396-4151

Fax No. (416) 396-4265

E-mail: Colin.Ramdial@toronto.ca

SIGNATURE

Paul Zuliani, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations

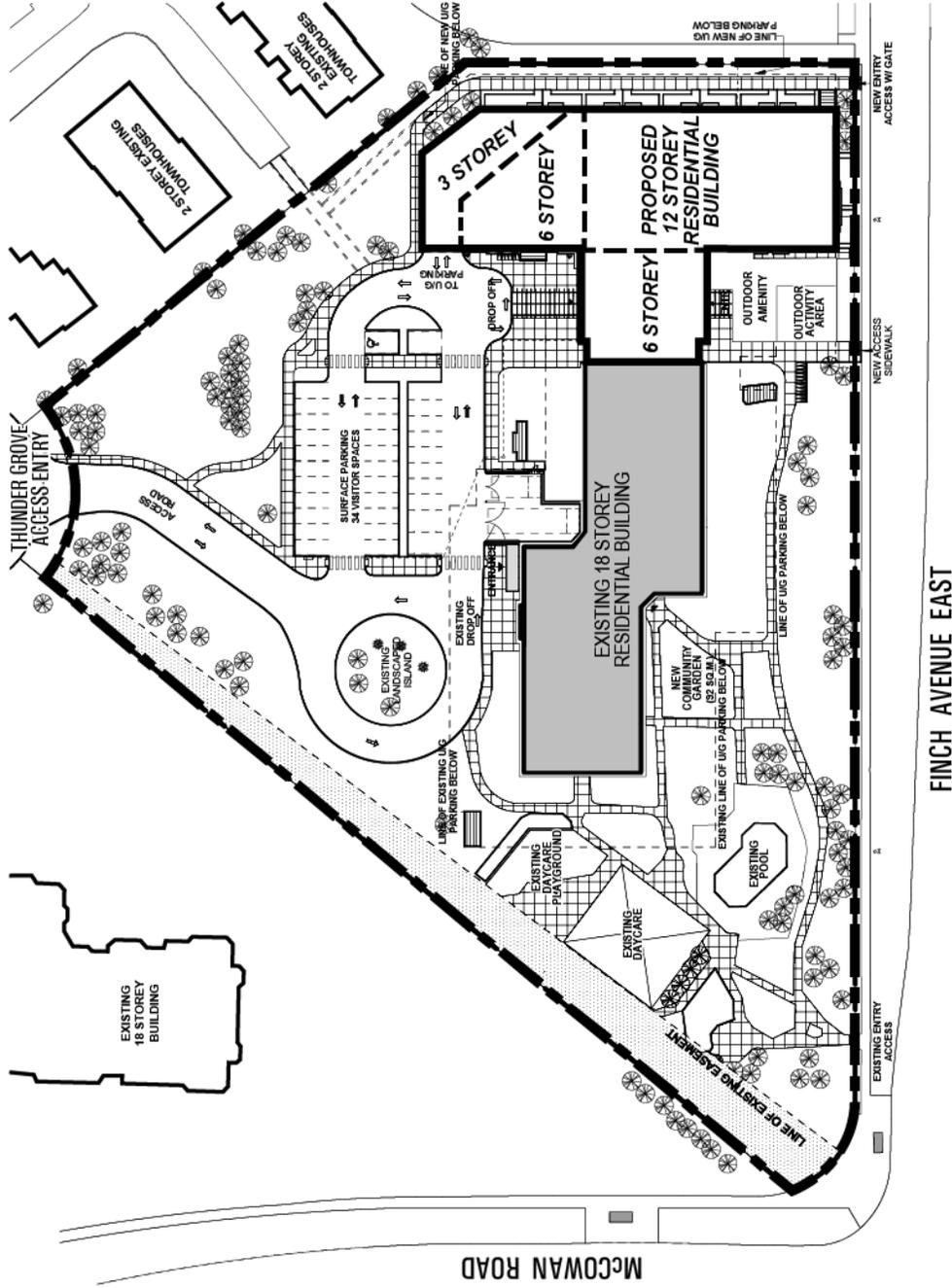
Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment – City of Toronto Zoning By-law 569-2013

Attachment 6: Draft Zoning By-law Amendment – Agincourt North Community Zoning By-Law No. 12797

Attachment 1: Site Plan



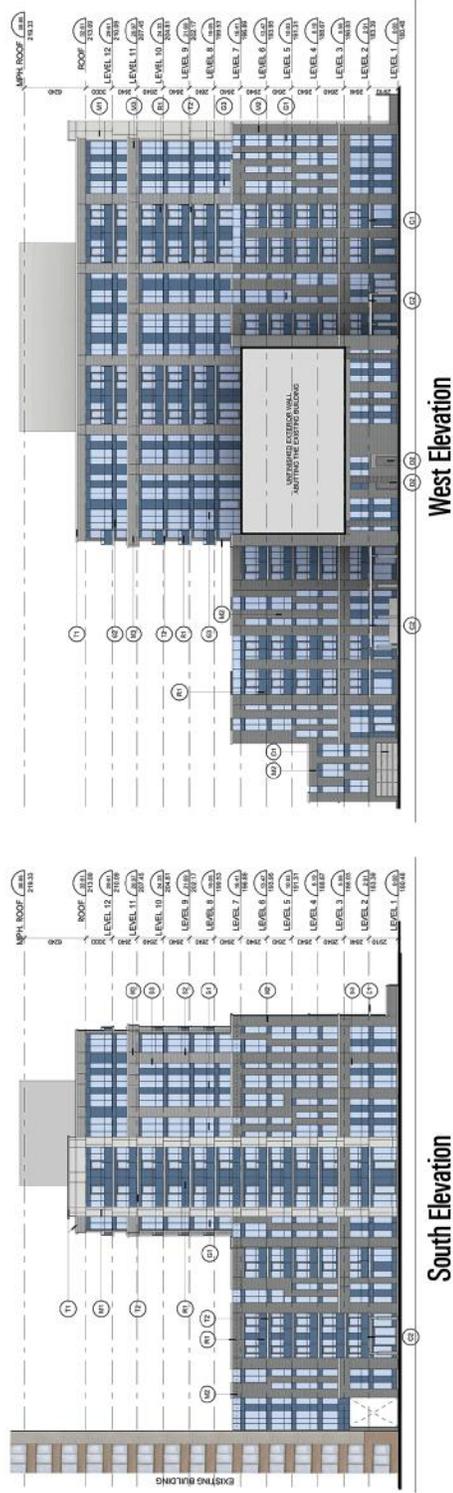
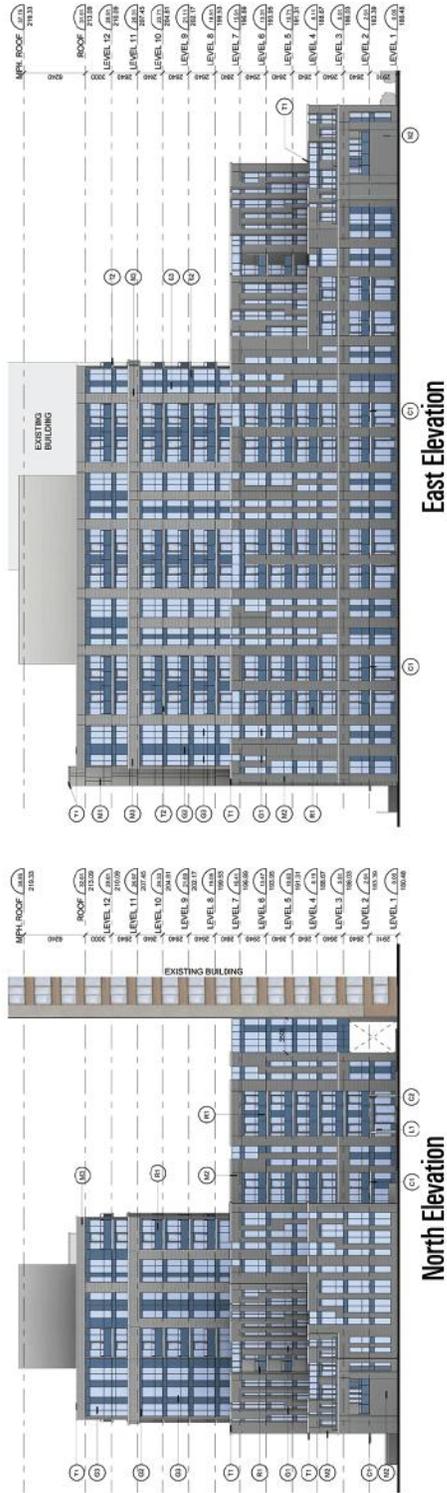
25 Thunder Grove

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 05/11/17

File # 16 179683 ESC 41 0Z

Attachment 2: Elevations



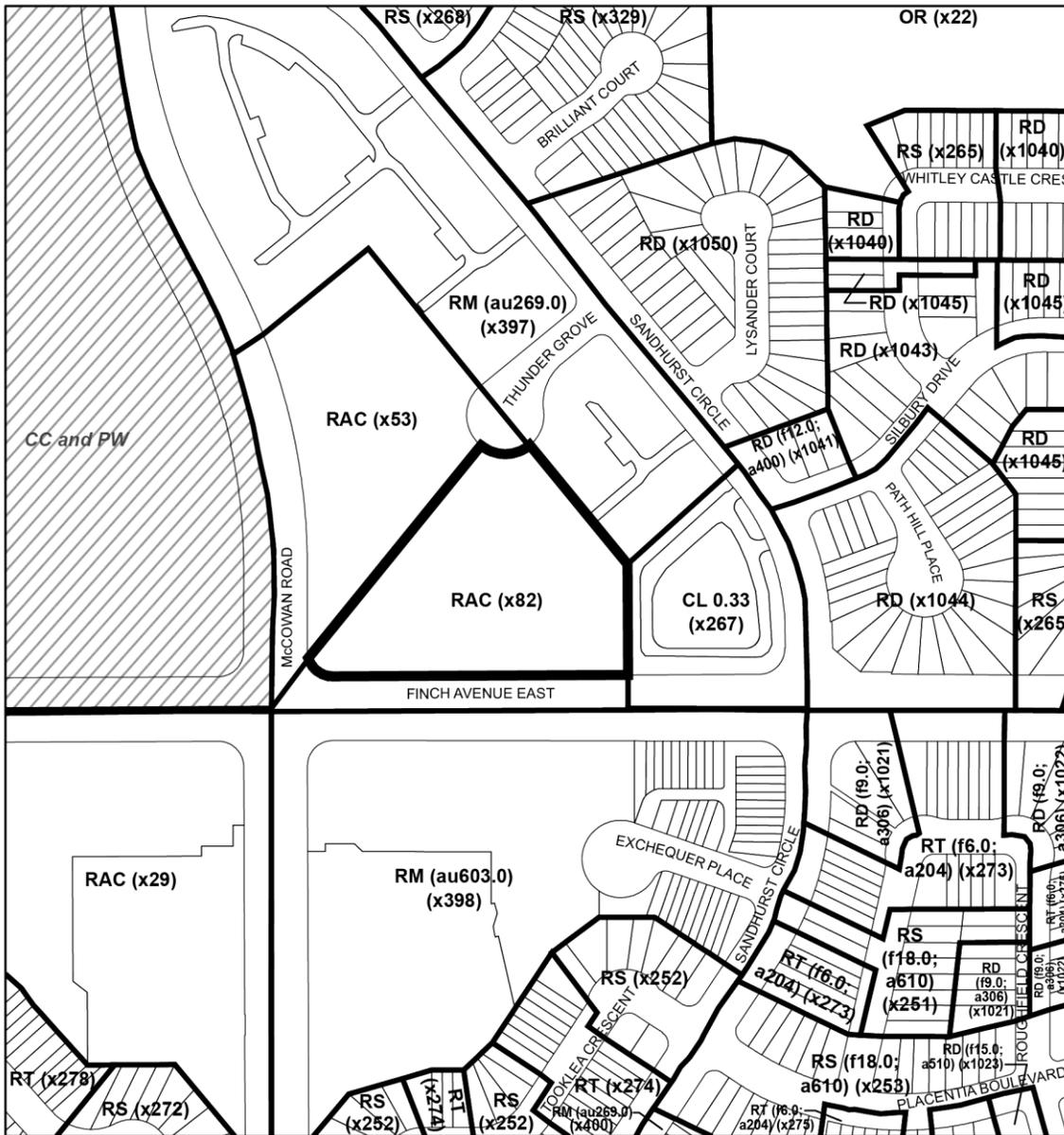
25 Thunder Grove

Elevations
Applicant's Submitted Drawing

Not to Scale
05/03/17

File # 16 179683 ESC 41 OZ

Attachment 3: Zoning



Zoning By-Law No. 569-2013

25 Thunder Grove

File # 16 179683 ESC 41 02

Location of Application

See Former City of Scarborough Agincourt North Community By-Law No. 12797

RD Residential Detached
RS Residential Semi-Detached
RT Residential Townhouse

RM Residential Multiple
RAC Residential Apartment Commercial
CL Commercial Local
OR Open Space Recreation

CC and PW Community Commercial and Place(s) of Worship



Not to Scale
 Extracted: 05/02/2017

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	16 179683 ESC 41 OZ
Details	Rezoning, Standard	Application Date:	June 23, 2016

Municipal Address: 25 THUNDER GROVE

Location Description: PLAN M1605 PT BLK M RP 66R13085 PARTS 1 & 2 **GRID E4103

Project Description: Proposed rezoning to permit a 12 storey rental apartment building on an existing rental apartment building site containing a 18-storey apartment building. A total of 188 new units and gross floor area of 13,629 square metres is proposed. Upon completion, the site will contain 435 rental units with 381 parking spaces and a total gross floor area of approximately 41,349 square metres with an overall density of 2.48 times the lot area.

Applicant:	Agent:	Architect:	Owner:
WALKER NOTT DRAGICEVIC			RIDGEFORD CHARITABLE FOUNDATION

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	
Zoning:	RAC(x82)	Historical Status:	
Height Limit (m):		Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	16685	Height:	Storeys:	12	
Frontage (m):	187.34		Metres:	38.85	
Depth (m):	134.37				
Total Ground Floor Area (sq. m):	3679.95				Total
Total Residential GFA (sq. m):	41349.24		Parking Spaces:	349	
Total Non-Residential GFA (sq. m):	0		Loading Docks	2	
Total GFA (sq. m):	41349.24				
Lot Coverage Ratio (%):	22				
Floor Space Index:	2.5				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	41265.24	84
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	174	Office GFA (sq. m):	0	0
2 Bedroom:	229	Industrial GFA (sq. m):	0	0
3 + Bedroom:	32	Institutional/Other GFA (sq. m):	0	0
Total Units:	435			

CONTACT: **PLANNER NAME:** **Colin Ramdial, Manager**
TELEPHONE: **(416) 396-4151**

**Attachment 5: Draft Zoning By-law Amendment – Agincourt North Community
Zoning By-Law No. 12797**

**CITY OF TORONTO
BY-LAW No. ____-2017**

**To amend the City of Toronto Zoning By-law 569-2013, as amended,
with respect to the lands known in the year 2016 as 25 Thunder Grove.**

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined in the heavy lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the same meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by deleting Exception 900.8.10(82) and replacing it with the following, so it reads:\

"(82) Exception RAC 82

The lands, or portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 25 Thunder Grove, if the requirements in Section 7 and Schedule A of By-law XXXX-2017 (Clerks to insert By-law #) are complied with then an **apartment building** may be constructed in compliance with (B) to (S) below;
- (B) Despite Regulation 15.5.40.10(1), the height of the **building** is the distance between a Canadian Geodetic Datum of 180.48 metres and the elevation of the highest point of the **building**;
- (C) Despite Clause 15.20.40.10, any **building** or **structure** erected on the lands must not exceed the height in metres and **storeys** specified by the numbers following the symbols "HT" and "ST", as shown on Diagram 3 of By-law XXXX-2017 (Clerks to insert By-law #);
- (D) In addition to the exceptions permitted in Clause 15.5.40.10(2), parapets associated with an architectural feature on the south side of Building A on Diagram 2 of By-law XXXX-2017 (Clerk to insert By-law #) may exceed the permitted maximum height shown on Diagram 3 of By-law XXXX-2017 (Clerks to insert By-law #) by 1.7 metres;
- (E) In addition to 15.5.40.10(3) and (4), a mechanical penthouse with a maximum floor area of 200 square metres may exceed the maximum permitted height shown on Diagram 3 of By-law XXXX-2017 (Clerks to insert By-law #) by 6.0 metres;
- (F) Despite Clause 15.20.40.70, required minimum **building setbacks** are as shown on Diagram 3 of By-law XXXX-2017 (Clerks to insert By-law #);
- (G) Despite Clause 15.20.40.80, the required minimum separation distance between the **main walls** of Building A and Building B as shown on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #) at and above a **height** of 6 **storeys** is 19.5 metres;
- (H) In addition to encroachments permitted in Clause 15.5.40.60, the following are permitted to extend beyond the areas delineated by heavy lines on Diagram 3 of By-law XXXX-2017 (Clerks to insert By-law #):
- (i) balconies on the north, east and west **main walls** of Building A on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #) at and above a **height** of 8 **storeys** may encroach beyond the heavy lines shown on that Diagram 3 a maximum of 0.75 metres;
 - (ii) balconies on the south **main walls** of Building A on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #) at and above a **height** of

8 **storeys** may encroach beyond the heavy lines shown on that Diagram 3 a maximum of 1.5 metres;

- (iii) pilasters or columns flanking or supporting balconies on the south **main wall** of Building A on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #) may encroach beyond the heavy lines shown on that Diagram 3 a maximum of 0.6 metres at and below a **height** of 6 **storeys**, and a maximum of 2.1 metres at and above a **height** of 7 **storeys**; and
 - (iv) a trellis on the north **main wall** of Building A on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #) may encroach beyond the heavy lines shown on that Diagram 3 a maximum of 11.1 metres;
 - (v) a trellis on the westerly portion of the south **main wall** of Building A on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #) may encroach beyond the heavy lines shown on that Diagram 3 a maximum of 4.9 metres;
- (I) Building B as shown on Diagram 2 of By-law XXXX-2017 (Clerk to insert By-law #) may not penetrate a 45 degree **angular plane**, measured at a line parallel to and at a height above the **lot line** abutting Finch Avenue East, equal to 80% of the width of the **street** right-of-way, except for parapets in (D) above;
- (J) The number of **dwelling units** in the **buildings** on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #) must not exceed:
- (i) 188 **dwelling units** in Building A, of which a minimum of 15 **dwelling units** must be 3-bedroom **dwelling units** or larger; and
 - (ii) 247 **dwelling units** in Building B, of which a minimum of 17 **dwelling units** must be 3-bedroom **dwelling units** or larger;
- (K) The total **gross floor area** of all **buildings** and **structures** must not exceed 41,725 square metres.
- (L) The gross floor area of a **day nursery** must not exceed 325 square metres.
- (M) Despite Regulation 15.20.40.50(1), **amenity space** must be provided as follows:
- (i) A minimum of 2.0 square metres of indoor **amenity space** for each **dwelling unit** in Building A on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #);
 - (ii) For Building B on that Diagram 2: a minimum of 46 square metres of indoor **amenity space** for the first 50 **dwelling units**, plus 0.9 square metres of indoor **amenity space** for each **dwelling unit** in excess of the first 50 **dwelling units**; and

- (iii) A minimum of 2.2 square metres of outdoor **amenity space** for each **dwelling unit**.
 - (N) Despite Regulation 15.5.50.10(1), a minimum area of 55% of the **lot** must be used for **landscaping**;
 - (O) Despite Clause 15.20.30.40, the maximum **lot coverage** is 23%;
 - (P) Despite the parking requirements in Table 200.5.10.1, **parking spaces** must be provided as follows:
 - (i) a minimum of 275 **parking spaces** for residents;
 - (ii) a minimum of 70 **parking spaces** for visitors; and
 - (iii) a maximum of 34 surface **parking spaces** located only in the north yard as shown on Diagram 3 of By-law XXXX-2017 (Clerks to insert By-law #);
 - (Q) Despite (F) above, the required minimum **building setback** for parking **structures** that are fully below ground is: 3.0 metres from each **lot line** that abuts a **street** and 0 metres from any other **lot line**;
 - (R) Despite Regulation 230.5.10.1(2) and (5), a minimum of 0.75 **bicycle parking spaces** per **dwelling unit** in Building A as shown on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #), allocated as 0.68 "long-term" **bicycle parking space** per **dwelling unit** and 0.07 "short-term" **bicycle parking space** per **dwelling unit**;
 - (S) Nothing in this By-law will prevent the use of a building or structure which existed on the lands on or prior to May 1, 2016 (including an **apartment building** and a **day nursery**);
- Prevailing by-law and prevailing sections: (None Apply)

4. Section 37 Provisions

- (A) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

(C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

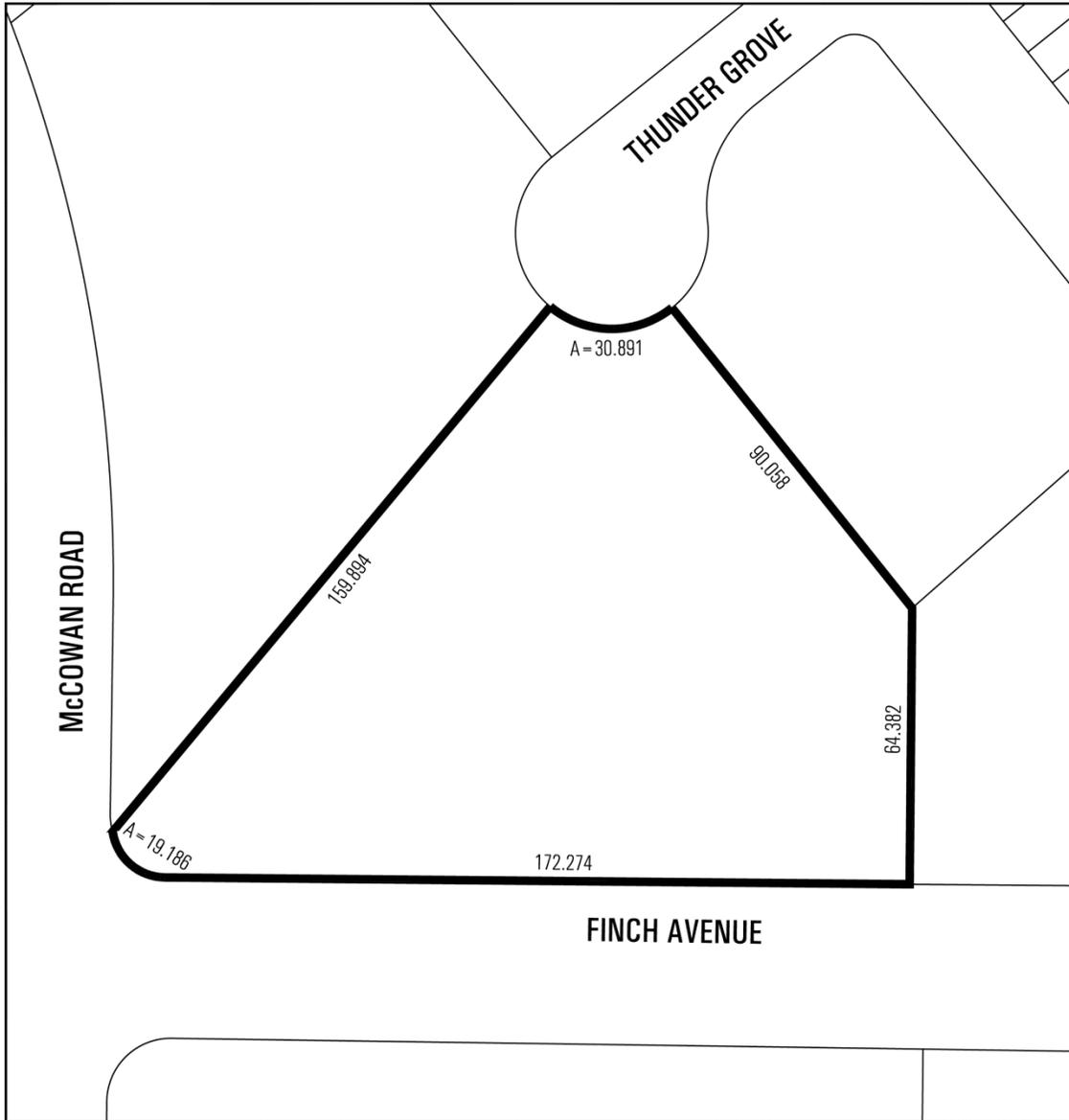
ENACTED AND PASSED this _____ day of _____, A.D. 2017.

SCHEDULE A

- (A) Pursuant to Section 37 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's expense:
- (1) The Owner shall enter into an Agreement pursuant to Section 37 of the *Planning Act*, to be registered on title and to the satisfaction of the City Solicitor, to secure the following as a legal convenience to support development:
 - (i) The Owner shall provide and maintain the 247 existing residential rental units at 25 Thunder Grove as rental housing for the period of at least 20 years, from the date of the Zoning By-Law coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - (ii) The Owner shall secure the following facilities, amenities, building improvements and site improvements for the existing rental residential rental units, with no pass-through of costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor:
 - (iii) Expand the existing ground floor multi-purpose party room for the use and enjoyment of all residents of the rental buildings at 25 Thunder Grove by removing the partition between the existing ground floor party room and the adjacent office, as well as provide furnishings and finishes appropriate to its use, prior to occupancy of the new building at 25 Thunder Grove;
 - (iv) Maintain and inform tenants of the existing sauna at 25 Thunder Grove that was in operation at the time of application, prior to occupancy of the new building at 25 Thunder Grove;
 - (v) Re-open, retrofit and maintain the existing sauna at 25 Thunder Grove that was closed at the time of application, prior to occupancy of the new building at 25 Thunder Grove;
 - (vi) Upgrade and re-install the existing outdoor playground at 25 Thunder Grove that is to be relocated due to construction, prior to occupancy of the new building at 25 Thunder Grove;
 - (vii) Add pedestrian connections to Thunder Grove and Finch Avenue East, improve pedestrian connections north of the surface parking lot and repair and add new light standards, as described in the Housing Issues Report –

Addendum #2 prepared by Tim Welch Consulting Inc, dated May 9, 2017, prior to occupancy of the new building at 25 Thunder Grove;

- (viii) Add a minimum of 6 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the main entrance and a minimum of 11 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the outdoor amenity area, prior to the occupancy of the new building at 25 Thunder Grove;
- (ix) Add a resident plaza and patio adjacent to the north entrance with furnishings provided by the Owner, a ground floor patio adjacent to the indoor amenity area with furnishings/equipment provided by the Owner and a community garden with direct access to the existing building, as described in the Housing Issues Report – Addendum #2 prepared by Tim Welch Consulting Inc, dated May 9, 2017, prior to occupancy of the new building at 25 Thunder Grove;
- (x) The Owner shall make available all indoor and outdoor amenity spaces as illustrated in the March 10, 2017 Floor Plans for the new building at 25 Thunder Grove to tenants of both buildings at 25 Thunder Grove without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (xi) Prior to the issuance of the Notice of Approval Conditions, the Owner shall provide a Construction Mitigation Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
- (xii) Prior to the issuance of the Notice of Approval Conditions, the Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

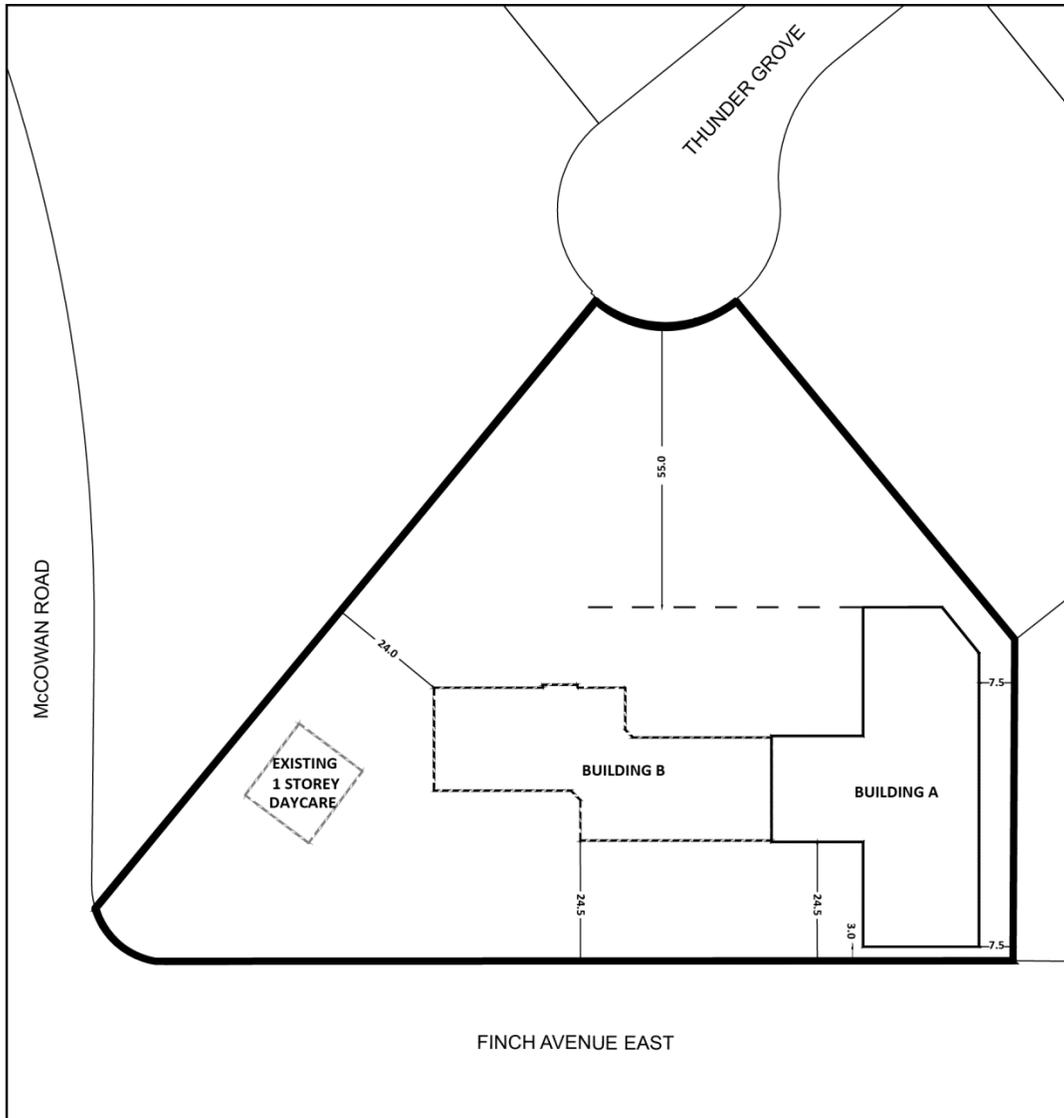


Toronto
 Diagram 1

25 Thunder Grove

File # 16 179683 ESC 41 0Z

City of Toronto By-Law 569-2013
 Not to Scale
 5/18/2017

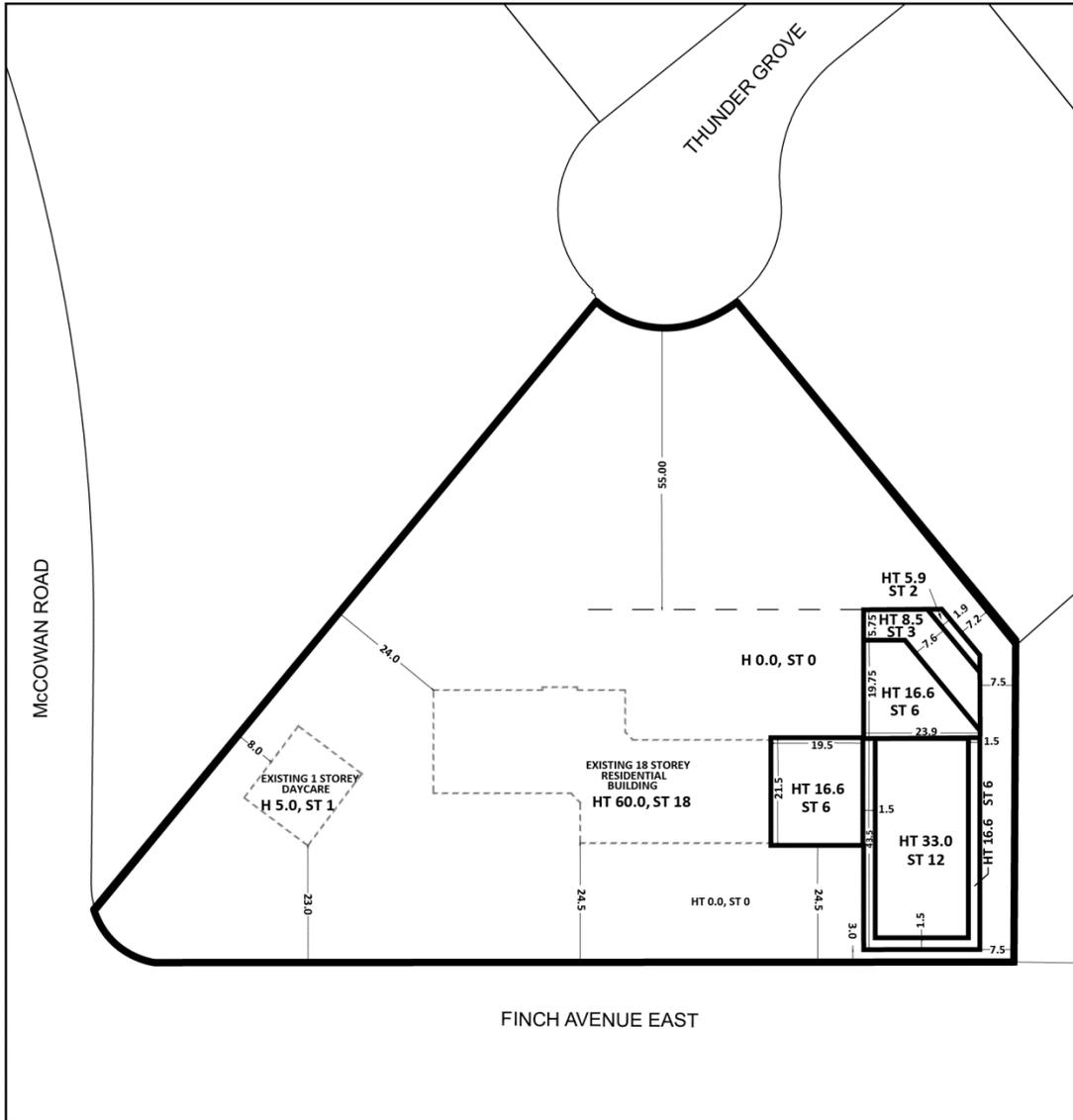


TORONTO
Diagram 2

25 Thunder Grove

File # 16 179683 ESC 41 0Z

City of Toronto By-Law 569-2013
 Not to Scale
 05/19/2017



Toronto
Diagram 3

25 Thunder Grove

File # 16 179683 ESC 41 OZ

City of Toronto By-Law 569-2013
 Not to Scale
 05/23/2017

Attachment 6: Draft Zoning By-law Amendment – City of Toronto Zoning By-law 569-2013

CITY OF TORONTO

BY-LAW No. ____-2017

To amend the former City of Scarborough Agincourt North Community By-law No. 12797, as amended, with respect to the lands known as 25 Thunder Grove

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O 1990, c.P.13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

WHEREAS the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development;

Whereas pursuant to Section 37 of the *Planning Act*, R.S.O 1990, c.P.13, as amended, the council of a Municipality, and the Ontario Municipal Board on appeal, may, in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond that otherwise permitted by the by-law, that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas Subsection 37(3) of the *Planning Act* provides that where an owner of lands elects to provide facilities, services or matters in return for an increase in height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with such facilities, services or matters; and

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

Whereas the increase in the height and density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by By-law No. 12797 of the Agincourt North Community is to be permitted in return for the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the owner and the City of Toronto (hereinafter referred to as the “City”);

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

- 1. Schedule “A”** of the Agincourt North Community Zoning By-law No. 12797 is amended by deleting the current zoning and replacing it with the following Schedule ‘1’ so that the amended zoning shall read as follows:

A – 177-178-179-202-203-204-205-206-207-208-209-210-220-221-222-223-230-231-232-233-234

2. **Schedule “B”, PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards:

INTENSITY OF USE

202. Gross floor area, lot coverage, building height and number of dwelling units shall be provided as follows:

- a) **Gross Floor Area** means the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level.

The gross floor area shall not include the area in the building used for:

- (A) parking, loading and bicycle parking below **established grade**;
- (B) required loading spaces and required **bicycle parking spaces** at or above established grade;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
- (D) shower and change facilities required by this By-law for required **bicycle parking spaces**;
- (E) indoor **amenity space** required by this By-law;
- (F) elevator shafts;
- (G) garbage shafts;
- (H) mechanical penthouse; and
- (I) exit stairwells in the building.

- b) The **gross floor area** of buildings and structures on the lot shall not exceed 41,725 square metres comprised of the following:

- i) residential uses shall not exceed 41,400 square metres; and
- ii) a **day nursery** shall not exceed 325 square metres.

203. The maximum lot **coverage** is 23%.

204. **Height** shall be measured from **Established Grade**.

205. **Established Grade** Shall be 180.48 Canadian Geodetic Datum.

206. The **height** of any building or structure does not exceed the **height** in metres specified by the numbers following the symbol H on Schedule 3 of (Clerks to insert By-law #).
207. The permitted maximum number of **storeys** is the numerical value following the letters “ST” on Schedule 3 of (Clerks to insert By-law #).
208. The following building elements and structures are permitted to extend above the **heights** shown on Schedule 3 of (Clerks to insert By-law #):
- a) Mechanical penthouse which shall not exceed a floor area of 200 square metres – a maximum of 6.0 metres;
 - b) Parapets and weather vanes – a maximum of 1.5 metres;
 - c) Parapets associated with an architectural feature on the south side of Building A on Schedule 2 of (Clerk to insert By-law #) – a maximum of 1.7 metres;
 - c) Antennae, flagpoles and satellite dishes – a maximum of 5.0 metres;
 - d) Equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment; structures or parts of the building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and structures that enclose, screen or cover the elements listed above – a maximum of 5.0 metres; and
 - e) Unenclosed structures providing safety or wind protection to rooftop amenity space – a maximum of 3.0 metres.
209. **Angular Plane** shall mean an imaginary flat surface projecting over a lot, at an inclined angle measured up from the horizontal.
210. The permitted number of **dwelling units** on the lot shall be:
- i) A maximum of 188 **dwelling units** in Building A on Schedule 2 of (Clerks to insert By-law #) of which, a minimum of 15 **dwelling units** shall be 3-bedroom **dwelling units** or larger; and
 - ii) A maximum of 247 **dwelling units** in Building B on Schedule 2 of (Clerks to insert By-law #) of which, a minimum of 17 **dwelling units** shall be 3-bedroom **dwelling units** or larger.

MINIMUM BUILDING SETBACKS

220. The **setbacks** and stepbacks from the lot line(s) to the **main wall(s)** of any building(s) and additional stepbacks from the **main wall(s)** of any building(s) to the **main wall(s)** of any building(s) shall be the minimum distance in metres specified by the numbers on Schedule 3 of **(Clerks to insert By-law #)**.
221. Building a on Schedule 2 of **(Clerks to insert By-law #)** shall not penetrate a 45 degrees **angular plane**, measured at a line parallel to and at a height above the lot line abutting Finch Avenue East, equal to 80% of the width of the street right-of-way;

Notwithstanding the above, parapets associated with an architectural feature on the south side of Building A on Schedule 2 of **(Clerks to insert By-law #)** may penetrate the angular plane, subject to the requirements of Performance Standard 208.

222. The minimum separation distance between the **main walls** of Building A and Building B on Schedule 2 of **(Clerks to insert By-law #)** at and above a **height** of 7 **storeys** is 19.5 metres.
223. The following building elements and structures are permitted to extend beyond the heavy lines and building envelopes on Schedule 3 of **(Clerks to insert By-law #)** as follows:
- a) Balconies on the north, east and west **main walls** of Building A on Schedule 2 of **(Clerk to insert By-law #)** at and above a **height** of 19.1 metres or 8 **storeys** – a maximum of 0.75 metres;
 - b) Balconies on the south **main wall** of Building A on Schedule 2 of **(Clerk to insert By-law #)** at and above a **height** of 8 **storeys** – a maximum of 1.5 metres;
 - c) Pilasters or columns flanking or supporting balconies on the south **main wall** of Building A on Schedule 2 of **(Clerk to insert By-law #)** as follows:
 - i) at and below a **height** of 6 **storeys** – a maximum of 0.6 metres; and
 - ii) at and above a **height** of 7 **storeys** – a maximum of 2.1 metres;
 - d) Canopy, awning or similar structure, with or without structural support – the lesser of 9.5 metres or 50% of the required minimum building **setback** for the yard in which it is located, if it is covering a driveway, walkway or outdoor amenity space adjacent to an entrance to the building; and in the front yard or rear yard, it may be no closer to a side lot line than the required side yard setback;

- e) A trellis on the north **main wall** of Building A on Schedule 2 of (Clerks to insert By-law #) – a maximum of 11.1 metres;
- f) a trellis on the westerly portion of the south **main wall** of Building A on Diagram 2 of By-law XXXX-2017 (Clerks to insert By-law #) - a maximum of 4.9 metres;
- g) Roof over a platform which complies with the requirements of (a) or (b) above – same as (a) or (b) above; and
- h) Exterior stairs, uncovered ramp, or elevating device providing access to a building or structure – no closer to a lot line than 0.6 metres.

MISCELLANEOUS

230. **Amenity Space**

Means indoor or outdoor space on a lot that is:

- (i) ancillary to the main use, and
- (ii) communal and available for use by the occupants of a building on the lot, or the general public, or both, for recreational or social activities.

231. **Amenity space** must be provided on the lot in accordance with the following:

- i) A minimum of 2.0 square metres of indoor **amenity space** per **dwelling unit** in Building A on Schedule 2 of (Clerks to insert By-law #);
- ii) For Building B on Schedule B on Schedule 2 of (Clerks to insert By-law #): a minimum of 46 square metres of indoor **amenity space** for the first 50 **dwelling units** , plus 0.9 square metres of indoor **amenity space** per **dwelling unit** in excess of the first 50 **dwelling units**; and
- iii) A minimum of 2.2 square metres of outdoor **amenity space** per **dwelling unit**.

232. Minimum of 55% of the lot area to be used for no other purpose than landscaping.

Landscaping for this purpose of this performance standard shall mean: open unobstructed space on the site which is suitable for landscaping, including any part of the site occupied by outdoor amenity area, recreational accessory buildings, any surfaced walk, patio or similar area, any sport or recreational area, any ornamental or swimming pool but excluding any driveway or ramp, whether surfaced or not, any curb, retaining wall, or motor vehicle parking area.

233. The provisions of this By-law shall apply collectively to this land notwithstanding its future division.
234. No person shall use any land or erect any building or structure unless the following public services are provided to the lot line and the following provisions are complied with:
- i) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - ii) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

PARKING

177. **Parking spaces** must be provided on the lot in accordance with the following:
- i) A minimum of 275 **parking spaces** for residents;
 - ii) A minimum of 70 **parking spaces** for visitors; and
 - iii) A maximum of 34 surface **parking spaces** located only in the north yard on Schedule 3 of (Clerks to insert By-law #).
178. **Bicycle Parking Space** shall mean an area used for parking or storing a bicycle.
179. **Bicycle parking spaces** must be provided on the lot in accordance with the following:
- i) A minimum of 0.75 **bicycle parking spaces** for each **dwelling unit** in Building A on Schedule 2 of (Clerks to insert By-law #), allocated as 0.68 "long-term" **bicycle parking space** per **dwelling unit** and 0.07 "short-term" **bicycle parking space** per **dwelling unit**.
 - ii) "long-term" **bicycle parking space** shall mean **bicycle parking spaces** for use by the occupants or tenants of a building, and "short-term" **bicycle parking space** shall mean **bicycle parking spaces** for use by visitors to a building.
 - iii) where the bicycles are to be parked in a horizontal position, the **bicycle parking space** shall have horizontal dimensions of at least 0.6 metres by 1.8 metres per bicycle and a vertical dimension of at least 1.9 metres;
 - iv) where the bicycles are to be parked in a vertical position, the **bicycle parking space** shall have horizontal dimensions of at least 0.6 metres

by 1.2 metres per bicycle and a vertical dimension of at least 1.9 metres; and

- v) “long term” **bicycle parking spaces** shall be located in a secured room or area.

3. SCHEDULE 'C', EXCEPTION MAP and EXCEPTION LIST is amended by adding Exception Number 35 to the lands shown on Schedule '4' as follows:

35. On those lands identified as Exception 35 on Schedule 'C', the following provisions apply:

- 1. Pursuant to Section 37 of the *Planning Act*, as amended, and subject to compliance with this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's expense:
 - a. The Owner shall enter into an Agreement pursuant to Section 37 of the *Planning Act*, to be registered on title and to the satisfaction of the City Solicitor, to secure the following as a legal convenience to support development:
 - i. The Owner shall provide and maintain the 247 existing residential rental units at 25 Thunder Grove as rental housing for the period of at least 20 years, from the date of the Zoning By-Law coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - ii. The Owner shall secure the following facilities, amenities, building improvements and site improvements for the existing rental residential rental units, with no pass-through of costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor:
 - a. Expand the existing ground floor multi-purpose party room for the use and enjoyment of all residents of the rental buildings at 25 Thunder Grove by removing the partition between the existing ground floor party room and the adjacent office, as well as provide furnishings

and finishes appropriate to its use, prior to occupancy of the new building at 25 Thunder Grove;

- b. Maintain and inform tenants of the existing sauna at 25 Thunder Grove that was in operation at the time of application, prior to occupancy of the new building at 25 Thunder Grove;
 - c. Re-open, retrofit and maintain the existing sauna at 25 Thunder Grove that was closed at the time of application, prior to occupancy of the new building at 25 Thunder Grove;
 - d. Upgrade and re-install the existing outdoor playground at 25 Thunder Grove that is to be relocated due to construction, prior to occupancy of the new building at 25 Thunder Grove;
 - e. Add pedestrian connections to Thunder Grove and Finch Avenue East, improve pedestrian connections north of the surface parking lot and repair and add new light standards, as described in the Housing Issues Report – Addendum #2 prepared by Tim Welch Consulting Inc, dated May 9, 2017, prior to occupancy of the new building at 25 Thunder Grove;
 - f. Add a minimum of 6 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the main entrance and a minimum of 11 new visitor bicycle spaces/racks to the bicycle storage area adjacent to the outdoor amenity area, prior to the occupancy of the new building at 25 Thunder Grove;
 - g. Add a resident plaza and patio adjacent to the north entrance with furnishings provided by the Owner, a ground floor patio adjacent to the indoor amenity area with furnishings/equipment provided by the Owner and a community garden with direct access to the existing building, as described in the Housing Issues Report – Addendum #2 prepared by Tim Welch Consulting Inc, dated May 9, 2017, prior to occupancy of the new building at 25 Thunder Grove;
- iii. The Owner shall make available all indoor and outdoor amenity spaces as illustrated in the March 10, 2017 Floor Plans for the new building at 25 Thunder Grove to tenants of both buildings at 25 Thunder Grove

without the need to pre-book or pay a fee, unless specifically required as customary practices for private bookings, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

- iv. Prior to the issuance of the Notice of Approval Conditions, the Owner shall provide a Construction Mitigation Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and
- v. Prior to the issuance of the Notice of Approval Conditions, the Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

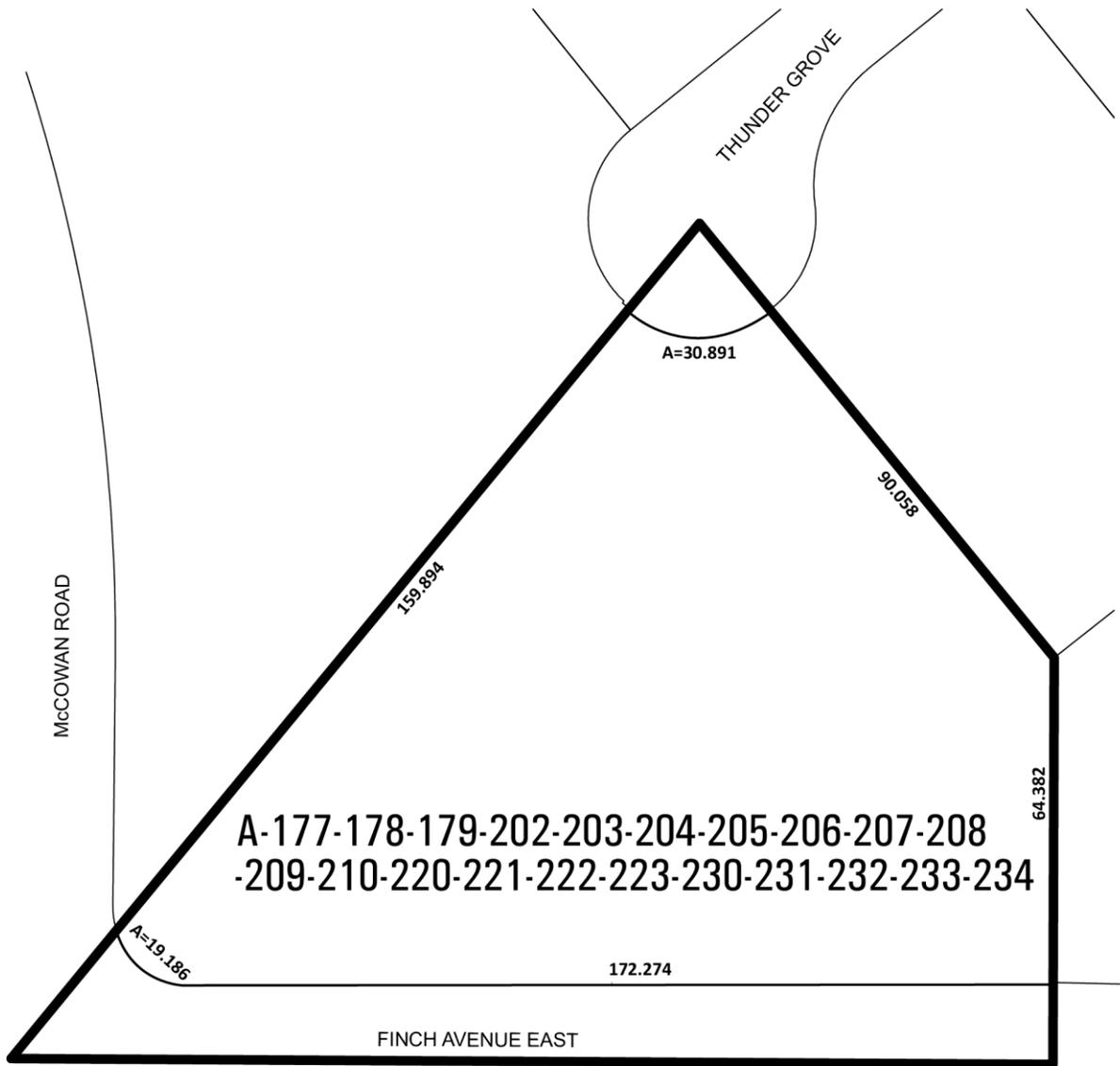
ENACTED AND PASSED this ___ day of _____, A.D. 2017.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



TORONTO
Zoning By-Law Amendment

25 Thunder Grove

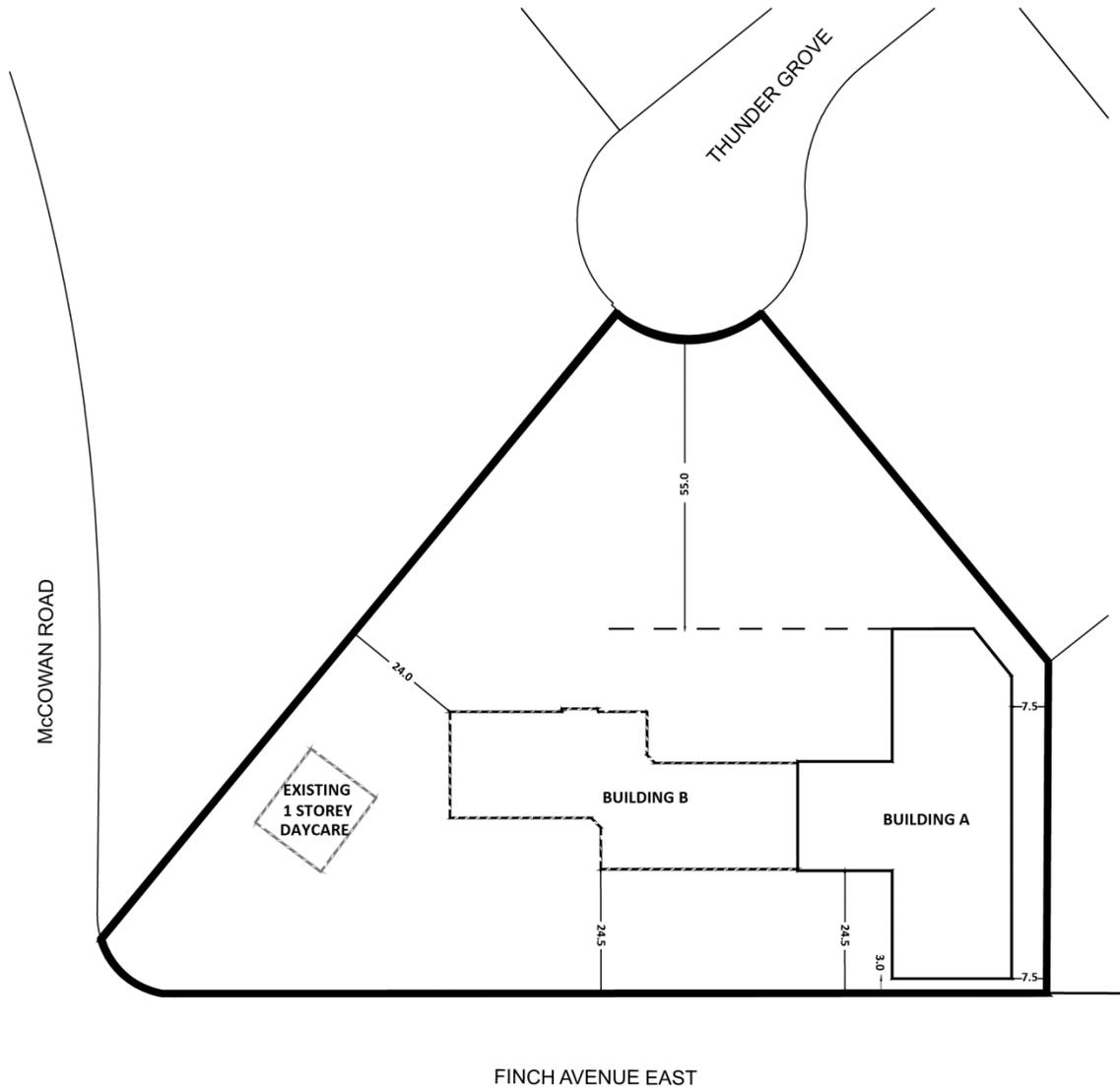
File # 16 179683 ESC 41 0Z

 Area Affected By This By-Law

Agincourt North Community By-Law
 Not to Scale
 05/23/2017



Schedule '2'



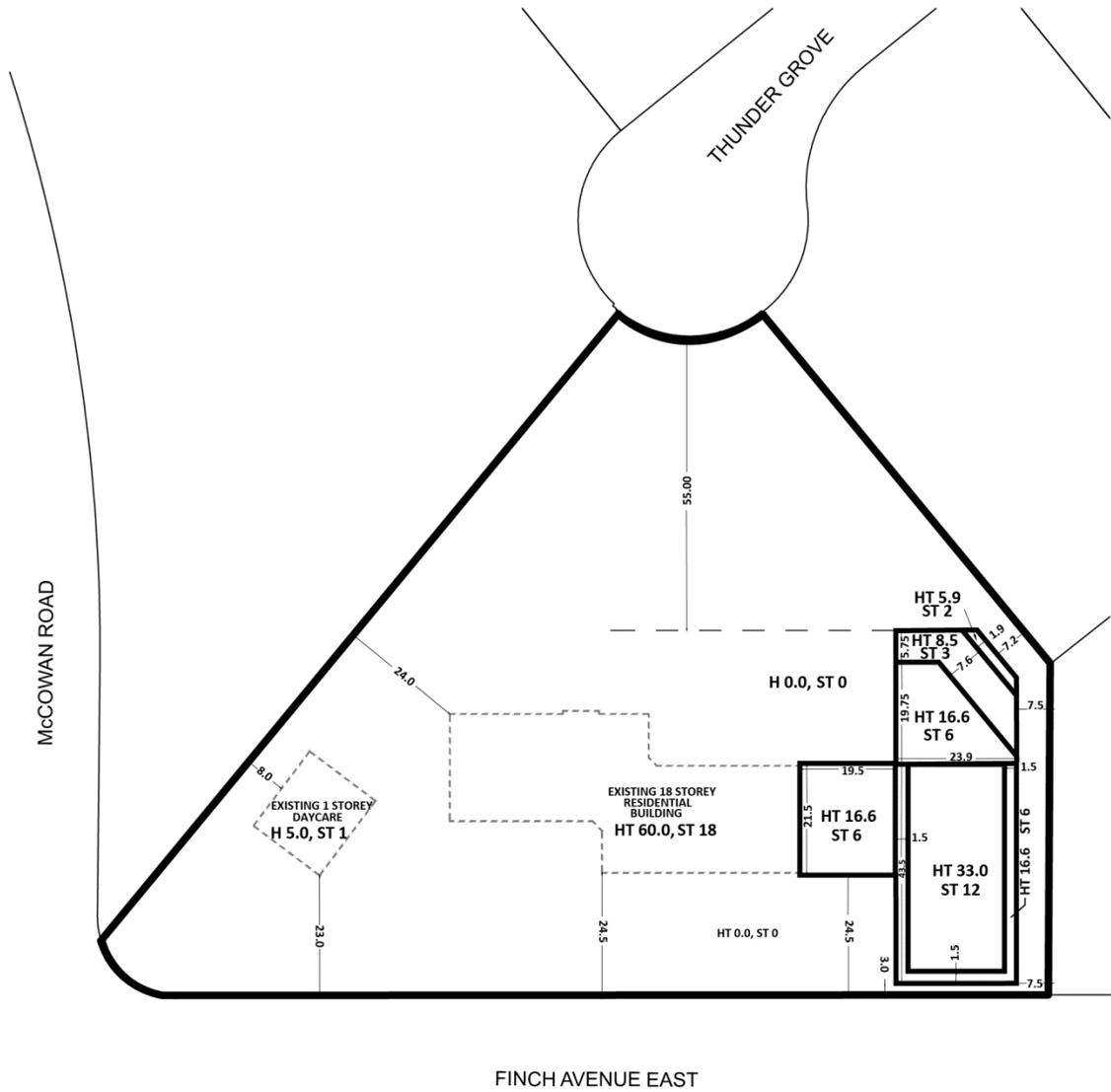
 **TORONTO**
Zoning By-Law Amendment

25 Thunder Grove
File # 16 179683 ESC 41 0Z

 Area Affected By This By-Law

Agincourt North Community By-Law
Not to Scale
05/23/2017


Schedule '3'

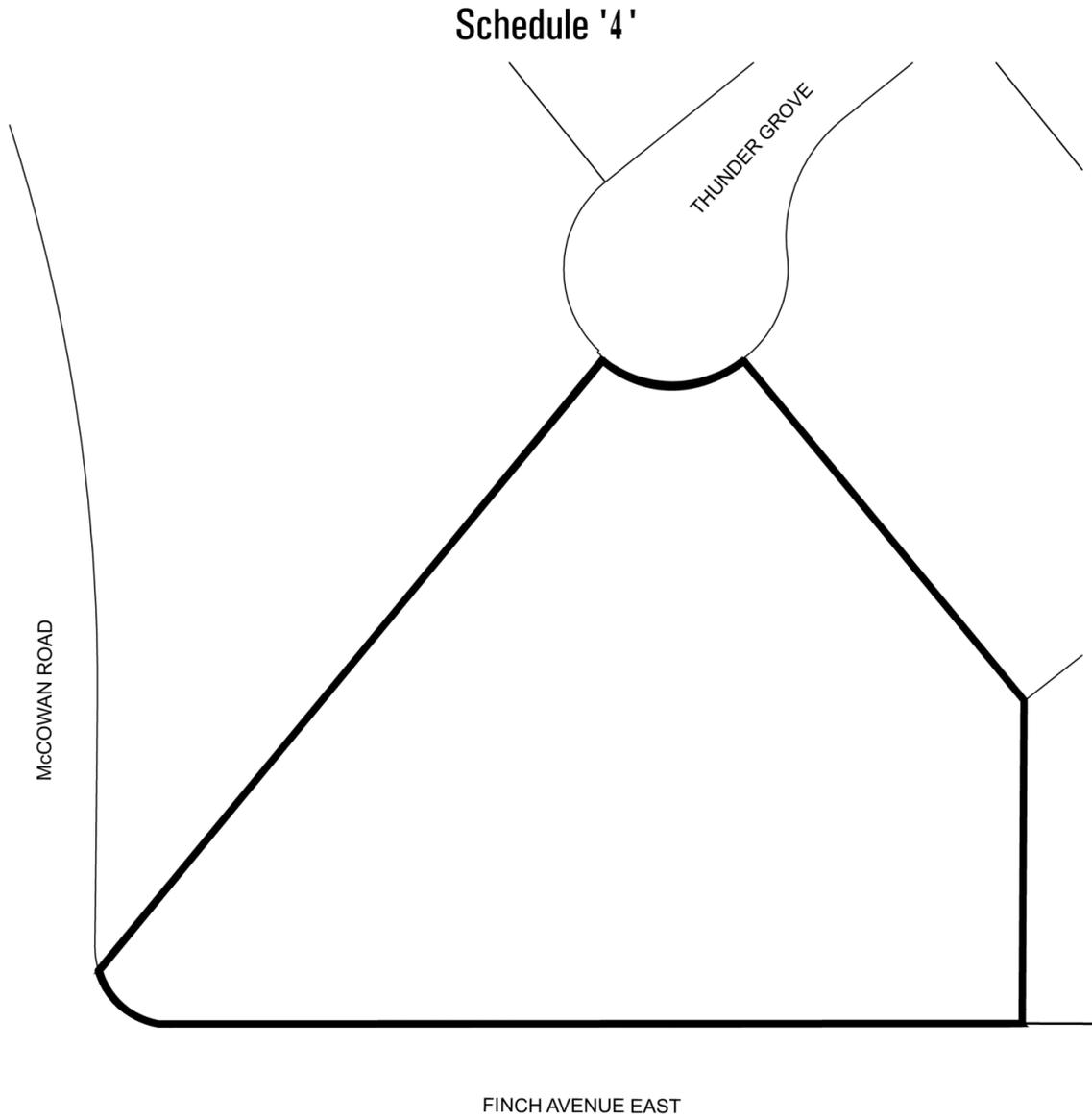


Toronto
Zoning By-Law Amendment

25 Thunder Grove
 File # 16 179683 ESC 41 0Z

 Area Affected By This By-Law

Agingcourt North Community By-Law
 Not to Scale
 05/23/2017



Exception No. 35

TORONTO
Zoning By-Law Amendment

25 Thunder Grove
 File # 16 179683 ESC 41 0Z

 Area Affected By This By-Law

Agincourt North Community By-Law
 Not to Scale
 05/23/2017

