

900 and 980 Lansdowne Avenue, 30 Powerhouse Street and PIN 213250433 – Official Plan and Zoning By-law Amendment Application and Removal of the Holding (H) Symbol from the Zoning By-law – Final Report

Date: February 24, 2020

To: Toronto and East York Community Council

From: Neil Cresswell, Director, Community Planning, Etobicoke York District

Ward: Ward 9 - Davenport

Planning Application Number: 17 185378 WET 17 OZ

SUMMARY

This application proposes to amend the Official Plan, the Davenport Village Secondary Plan, the former City of Toronto Zoning By-law No. 438-86 and City-wide Zoning By-law No. 569-2013 to permit the construction of two tall residential apartment buildings, one mid-rise building, two blocks of stacked townhouses and a stand-alone daycare building on Phase 6 of the Davenport Village Secondary Plan area, municipally known as 900 and 980 Lansdowne Avenue. These buildings would include 960 new purpose built rental units. The proposed Zoning By-law Amendments would also allow for the change of use of existing Building '15' (municipally known as 30 Powerhouse Street) into a mixed residential and commercial building with the flexibility to provide up to 35 residential units with small scale retail space at grade, or to provide a combination of retail space at grade, office uses on floors 1 through 4 and up to 8 residential units on floors 5 and 6. Lastly, the proposed Official Plan and Zoning By-law Amendments would redesignate and rezone lands owned by Metrolinx and identified as PIN 213250433 to *Utility Corridor* and U and UT respectively, and to adjust the boundary of the Davenport Village Secondary Plan to exclude these lands from Phase 6.

The proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2019). The proposed development is appropriate for the Davenport Village Area and largely conforms to the City of Toronto Official Plan, the Davenport Village Secondary Plan and the City's Urban Design Guidelines. The proposed development is the final phase of development in the Davenport Village Secondary Plan and fits within the existing and planned context of this Secondary Plan area.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-laws.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan and the Davenport Village Secondary Plan for the lands at 900 and 980 Lansdowne Avenue, the lands identified as PIN 213250433 and the lands at 30 Powerhouse Street substantially in accordance with the Draft Official Plan Amendment attached as Attachment No. 4 to this report.
2. City Council amend former City of Toronto Zoning By-law No. 438-86 for the lands at 900 and 980 Lansdowne Avenue and the lands identified as PIN 213250433 substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
3. City Council amend City-wide Zoning By-law No. 569-2013 for the lands at 900 and 980 Lansdowne Avenue and the lands identified as PIN 213250433 substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
4. City Council amend former City of Toronto Zoning By-law No. 438-86 for the lands at 30 Powerhouse Street substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
5. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Official Plan and Zoning By-law Amendments as may be required.
6. Before introducing the necessary Bill to City Council for enactment to amend former City of Toronto Zoning By-law No. 438-86 for the lands at 30 Powerhouse Street, City Council require that a Site Plan Control application for this property be submitted and be reviewed by staff to the satisfaction of the Chief Planner and Executive Director, City Planning.
7. Before introducing the necessary Bill to City Council for enactment to amend former City of Toronto Zoning By-law No. 438-86 for the lands at 30 Powerhouse Street, City Council require the owner to enter into an Agreement as a legal convenience pursuant to Section 37 of the *Planning Act* as follows:
 - a) Through the Site Plan review process, the owner shall agree to provide access to all off site bicycle and vehicular parking spaces to address the parking requirements for Building '15' in the adjacent below grade parking structure. The owner shall provide access keys and warning clauses in the purchase and sale agreements or tenancy agreements to future purchasers and/or tenants of Building '15' who are allocated the six parking spaces located off-site in the separate underground parking area, to be secured in the Site Plan Agreement to the satisfaction of the General Manager, Transportation Services.
 - b) Through the Site Plan review process, the owner shall agree to erect signs requested by the Toronto Lands Corporation (TLC) and include the requirements

of TLC and the Toronto Catholic District School Board to include warning clauses in the tenancy agreements and/or purchase and sale agreements to be secured in the Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.

- c) The owner shall agree to submit with the next re-submission of the Site Plan Control application updated Noise and Vibration Studies as requested by Metrolinx, have these studies peer reviewed, undertake any revisions if necessary and have those revisions peer reviewed and to address matters identified by the City's peer reviewer at the owner's expense. The owner shall also agree that the mitigation measures and conditions required by Metrolinx and Canadian Pacific Railway (CPR) be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and Canadian Pacific Railway.
8. Before introducing the necessary Bills to City Council for enactment to amend former City of Toronto Zoning By-law No. 438-86 and City-wide Zoning By-law No. 569-2013 for the lands at 900 and 980 Lansdowne Avenue, City Council require the owner to enter into and register on title one or more Agreement(s) pursuant to Section 37 of the *Planning Act* at the owner's sole expense for the purpose of securing community benefits to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor as follows:
- a) Prior to the issuance of the first above grade building permit for any building within Phase 6 a cash contribution to be paid to the City to be allocated within Ward 9 Davenport, generally as follows:
 - i) As per the requirements of Section 1.1 of the Section 37 Agreement executed on August 14, 2006 and registered on July 19, 2007 as Instrument No. AT1511978 (the "2006 Section 37 Agreement"), \$200 per unit be directed toward public art, parkland and/or streetscape improvements within the local area;
 - ii) The owner shall pay to the City the sum of \$1.2 million to be allocated towards the Capital Revolving Reserve Fund for Affordable Housing (XR1058) for affordable housing within Ward 9.
 - iii) The owner shall pay to the City the sum of \$300,000 to be directed toward public art, parkland and/or streetscape improvements within the local area.
 - v) The cash contribution referred to in 8 a) i) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto from August 14, 2006, the date of the execution of the 2006 Section 37 Agreement, to the date of payment.
 - vi) The cash contributions referred to in 8 a) ii) and iii) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.

vii) In the event the cash contributions referred to in 8 a) i), ii) and iii) above have not been used for the intended purposes within three (3) years of the Bylaw coming into full force and effect, the cash contributions may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the City of Toronto Official Plan and will benefit the community in the vicinity of the lands.

- b) The owner be required to fund, design and construct a splash pad addition in the value of \$280,000 at the Davenport Village Park, being the local park at 18 Foundry Avenue, in consultation with Parks, Forestry and Recreation staff and the Ward Councillor to the satisfaction of the General Manager, Parks, Forestry and Recreation. The owner is required to provide a letter of credit in the amount of \$56,000.00 no later than the commencement of Park Construction. The owner must obtain a Park Access Agreement (PAA) from Parks, Forestry and Recreation's Park Supervisor for that Ward. The PAA will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, Parks, Forestry and Recreation. The owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park. The Letter of Credit will be released two years after substantial park completion as identified by the General Manager, Parks, Forestry and Recreation, provided that all deficiencies have been rectified to the satisfaction of the General Manager, Parks, Forestry and Recreation.
- c) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor:
- i) The owner shall agree to develop a Tenant Access Plan in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning, to ensure each phase and/or building within the phase is marketed initially to the local community to provide opportunities for local residents to move into the development.
- ii) The owner shall agree to enter into a financially secured agreement with the City that contains the following improvements/requirements:
- a. The owner shall make any traffic control signal timing adjustments at signalized intersections in the immediate area to improve the overall level-of-service in accordance with the Traffic Impact and Operations Study by GHD dated November 1, 2018 as amended, at no cost to the City of Toronto to the satisfaction of General Manager, Transportation Services.
- b. The owner shall design and install at no cost to the City traffic control signals at the intersection of Lansdowne Avenue and Brandon Avenue in the ultimate road location and shall provide detailed engineering design drawings for the traffic control signals, including any associated pavement marking and signage information, and the associated road works to the satisfaction of the General

Manager, Transportation Services. The owner also agrees that the cost for the physical road widening on the south side of Brandon Avenue west of Lansdowne Avenue, and property conveyances to accommodate this widening, shall be undertaken to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services.

c. The owner shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with terms and conditions as set out by the City of Toronto, including providing payment for a peer reviewer and submission of a Record of Site Condition (RSC) at no cost to the City and all to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services.

d. Prior to the issuance of the first above-grade permit for any building in Phase 6, the owner shall construct a new four-way intersection, consisting of Foundry Road, Brandon Avenue, the existing Phase 4 driveway and the proposed Phase 6 driveway, all four legs of which shall be stop-controlled, complete with the installation of all-way 'stop' signage with 'all-way' tabs, all of which is to be undertaken at no cost to the City, and to the satisfaction of General Manager, Transportation Services.

e. The owner shall provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development.

iii) Through the Site Plan review process, the owner shall agree to convey the lands required for the relocated bus shelter on Lansdowne Avenue, construct the new level brush concrete platform, install the new bus shelter, provide noise attenuation for the units immediately adjacent to the future bus shelter, and provide warning clauses in the purchase and sale agreements or tenancy agreements to future purchasers and/or tenants of the units immediately adjacent to the future bus shelter to warn of the potential for noise from bus operations, all at no cost to the City, to be secured in the Site Plan Agreement, to the satisfaction of the Toronto Transit Commission and the General Manager, Transportation Services.

iv) Through the Site Plan review process, for any building in Phase 6, the owner shall provide to the City for nominal consideration Privately Owned Publicly Accessible Open Space (POPS) easements for the on-site POPS of approximately 3,963 m² located on the south and west perimeter of the Phase 6 lands, for public access and provisions for rights of support if necessary, encumbrances and insurance and indemnification of the City by the owner, to the satisfaction of the Director, Real Estate Services, the Chief Planner and Executive Director, City Planning and the City Solicitor in consultation with the Ward Councillor. The owner shall own, operate, maintain and repair the POPS and install signage in a location to be determined through the Site Plan review process, at its own expense, stating that members of the public shall be entitled to the use of the POPS at any time, 365 days a year. The final design and

program of the POPS will be determined through the site plan review process and secured in a Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.

v) Through the Site Plan review process, the owner shall agree to install and maintain children's play structures for youth ages 2.5 to 5 years and 5 to 12 years within the outdoor amenity area between Buildings A, B, D and E, and identified as "Play Area" on the site plan, and that the "Play Area" be expanded, if necessary, to accommodate sufficiently sized equipment, to be secured in the Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.

vi) Through the Site Plan review process, the owner shall agree to erect signs requested by the Toronto Lands Corporation (TLC) and include the requirements of TLC and the Toronto Catholic District School Board to include warning clauses in the tenancy agreements and/or purchase and sale agreements to be secured in the Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.

vii) The owner shall agree to submit with the next re-submission of the Site Plan Control application updated Noise and Vibration Studies as requested by Metrolinx, have these studies peer reviewed, undertake any revisions if necessary and have those revisions peer reviewed and to address matters identified by the City's peer reviewer at the owner's expense. The owner shall also agree that the mitigation measures and conditions required by Metrolinx and Canadian Pacific Railway (CPR) be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and Canadian Pacific Railway.

viii) The owner shall agree to submit building design drawing details to verify that the crash wall structure will be structurally isolated from the residential towers to the satisfaction of the City and the City's rail safety peer reviewer as part of the site plan review process and the owner shall agree to pay for the peer review of the drawings. The owner shall also agree to consult with Metrolinx (and their technical advisor) and the Canadian Pacific Railway (and their technical advisor) regarding the rail safety study submitted and the owner shall agree to Metrolinx and CPR requirements, conditions and mitigation to be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and the Canadian Pacific Railway.

ix) The owner shall agree to address and incorporate Metrolinx's requirements addressing construction measures, warning clauses and other rail safety requirements, as noted in the Metrolinx letter dated December 9th, 2019, during the site plan review process to the satisfaction of the Chief Planner and Executive Director, City Planning and Metrolinx.

x) The owner shall agree to address the Canadian Pacific Railway requirements related to the property line fence, drainage and dewatering, and to include warning clauses in the tenancy agreements and/or purchase and sale

agreements to advise of the existence of the railway and their operations and that, regardless of attenuating noise and vibration measures, the railway would not be responsible for complaints or claims arising from the use of its facilities and/or operations all to be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning and Canadian Pacific Railway.

xi) The owner shall agree to construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning and Growth Management Committee, and as may be further amended by City Council from time to time.

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

In 1902, General Electric Canada purchased the land now known as the Davenport Village area. GE Canada manufactured a range of electrical components and transformers on these properties between 1904 and 1981. Over the years, GE Canada constructed a number of buildings for its industrial operations as well as its corporate headquarters on the Davenport site. The former General Electric site occupied the lands between Davenport Road to the north, Lansdowne Avenue to the east, Canadian Pacific Railway's (CPR) North Toronto Subdivision line to the south and Canadian National Railway's (CNR) Newmarket Subdivision line to the west. The subject application includes the last lands of the former General Electric site to be redeveloped.

In July 2004, City Council listed the properties at 940-1100 Lansdowne Avenue on the City of Toronto Inventory of Heritage Properties.

Phase 1 of the development was approved on January 27, 2005 by the Ontario Municipal Board and included 212 stacked condominium townhouse units and the conversion of an existing building (Building '15') to office uses.

On July 27, 2006, City Council adopted the Davenport Village Secondary Plan (By-law No. 727-2006) and passed site-specific Zoning By-law No. 728-2006 to implement the Secondary Plan. This by-law included a Holding (H) symbol that could be lifted for each phase once the conditions to lift the holding symbol as set out in the Secondary Plan were satisfied. The purpose of the Secondary Plan was to establish a vision for the future development of the entire site that would permit a long-term, phased

development consisting of a mix of residential, live-work and commercial uses, new roads and a new park.

The Final Report, Secondary Plan and Zoning By-law can be found at the following links:

<https://www.toronto.ca/legdocs/2006/agendas/council/cc060725/et6rpt/cl008.pdf>

<http://www.toronto.ca/legdocs/By-laws/2006/law0727.pdf>

<http://www.toronto.ca/legdocs/By-laws/2006/law0728.pdf>

Since the Secondary Plan was enacted, the various phases have been approved and constructed, generally proceeding from north to south.

On February 6 and 7, 2012 City Council stated its Intention to designate under Part IV, Section 29 of the *Ontario Heritage Act* the property at 30 Powerhouse Avenue (known as the Canadian Foundry Office Building - Building '15') and the property at 31 Powerhouse Street (known as the Canadian Foundry Company Powerhouse). The associated Designating By-law 1413-2012 for Building '15' was enacted by City Council November 1, 2012. The link can be found here:

<https://www.toronto.ca/legdocs/mmis/2012/ey/bgrd/backgroundfile-42793.pdf>. A Heritage Easement Agreement relating to the Canadian Foundry Office Building (Building '15') was registered as Instrument # AT3895770 on May 28, 2015.

The lands subject to this application consist of one building from Phase 1 (Building '15'), the Phase 6 lands and the south part of the Phase 7 lands of the redevelopment of the former General Electric site. The current application is mainly confined to the area south of Brandon Avenue, west of Lansdowne Avenue, north of the CPR corridor and east of the CNR corridor, except Building '15' (see Attachment No. 1 – Location Map).

Several pre-application consultation meetings were held through 2016 and 2017, with the most recent occurring on May 18, 2017. The current application was submitted on June 22, 2017 and deemed complete on November 13, 2017. A Preliminary Report on the application was adopted by Etobicoke York Community Council on September 6, 2017 authorizing staff to conduct a community consultation meeting. The Preliminary Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY24.2>

At the meeting of July 23, 2018, City Council adopted the recommendations of the Toronto Preservation Board regarding alterations to the existing heritage property at 30 Powerhouse Street (known as the Canadian Foundry Office Building - Building '15') in accordance with Section 33 of the *Ontario Heritage Act*. The approval is to be substantially in accordance with plans and drawings prepared by Architects Rasch Eckler Associates Ltd., issued May 4, 2018, and on file with the Senior Manager, Heritage Preservation Services and the Heritage Impact Assessment (HIA), all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Preservation Services and subject to additional conditions:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.24>

Also at the meeting of July 23, 2018, City Council adopted a Request for Directions Report regarding the subject application dated June 29, 2018 from the Director,

Community Planning, Etobicoke York District (Item EY32.20) with an amendment to Recommendation 2 directing staff to expedite the negotiation process and to bring a Final Report to the first Etobicoke York Community Council meeting of the next term if the application was not appealed to the Local Planning Appeal Tribunal. This Request for Directions Report and City Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.20>
<https://www.toronto.ca/legdocs/mmis/2018/ey/bgrd/backgroundfile-118068.pdf>

At its meeting of July 4, 2018, Etobicoke York Community Council also "Directed the Director, Community Planning, Etobicoke York District to convene a meeting with the local City Councillor (and developer, if appropriate) the week of July 16, 2018 to continue the discussion on outstanding issues including the angular planes, and report to City Council for its meeting of July 23, 2018." At the July 23, 2018 meeting, City Council also adopted the Supplementary Report dated July 17, 2018 from the Director, Community Planning, Etobicoke York District (Item EY32.20a) that provided an update from that meeting. This Supplementary Report can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2018/cc/bgrd/backgroundfile-119124.pdf>

At its meeting of January 15, 2019, Toronto and East York Community Council directed staff to schedule a community consultation meeting together with the Ward Councillor for the latest proposal for 900 and 980 Lansdowne Avenue and 30 Powerhouse Street, with notice to be given to landowners and residents within 120 metres of the site and notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*. At the January 15, 2019 meeting, Community Council also adopted a Status Report providing an update on the status of the working meetings and the Official Plan and Zoning By-law Amendment application for 900 and 980 Lansdowne Avenue and 30 Powerhouse Street in response to City Council direction from its July 23, 2018 meeting. This Status Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE2.15>

PROPOSAL

Original Proposal

The original application, as revised and reported to Etobicoke York Community Council on July 4, 2018 proposed the following:

- Three residential apartment buildings being Buildings A, B and C with heights of 24, 28 and 32 storeys respectively, all connected with a base building ranging in height from three to six storeys and shaped like a horseshoe opening up to Brandon Avenue on lands municipally known as 980 Lansdowne Avenue;
- Three blocks of 3 storey townhouses situated perpendicular to Lansdowne Avenue on lands municipally known as 900 Lansdowne Avenue;
- A 300m² daycare facility proposed within the ground floor of the podium immediately north of Building C with an adjacent attached outdoor playground; and
- The addition of two floors and the conversion of Building '15' into a mixed residential and commercial building from the existing four storey office building.

There were 1,070 purpose built rental apartment units proposed, with 1,037 units planned within the Phase 6 lands and 33 units planned within Building '15'.

All units on the Phase 6 lands would share an underground parking garage containing 747 vehicular parking spaces, 31 below grade parking spaces would be provided for Building '15'. Access to the underground parking garage for the Phase 6 lands would have been from a circular driveway south of Brandon Avenue, access to the underground parking for Building '15' would have been from the laneway abutting the site and through the adjacent development immediately north of the site. A total of 834 bicycle parking spaces were proposed for the Phase 6 lands, and none were proposed for Building '15'. There would be four Type G loading spaces for the Phase 6 lands (3 for moving and one for solid waste) located at grade and one Type 'G' for Building '15'.

Indoor amenity space was proposed at a rate of approximately 3.1 m² per unit, and common outdoor amenity space was proposed at a rate of approximately 5.6 m² per unit including a tennis court, a pool and a variety of green space/open space, fitness stations, play area and seating areas. The outdoor amenity space would be contiguous to the outdoor amenity space and public park to the north constructed through previous phases of the development.

Staff noted concerns with the original development proposal as outlined in the Request for Directions Report of June 29, 2018, centring on the location of the proposed tall buildings and their lack of adherence to the 45 degree angular plane requirement of the Zoning By-law. Staff and the applicant worked together to redeploy the built form and massing over the Phase 6 lands while considering the implications and impacts of the various development concepts. The result was to concentrate the lower height built form along the north and northeast edge of the Phase 6 lands to serve as transition to the *Neighbourhoods* lands immediately north and to locate the taller built form to the south and southwest edges of the lands, while retaining the required setback from the rail line and the location of the vehicular access into the lands. The redeployment of built form achieved the goals of respecting the angular planes in the Zoning By-law, providing clear pedestrian pathways through the lands with a central open space, retaining the day care, consolidating and enclosing servicing/loading areas and reducing the amount of paved driveway.

Current Proposal

Phase 6

The current proposal merges 980 Lansdowne Avenue with 900 Lansdowne Avenue and treats these lands as one consolidated site and proposes:

- Two residential apartment buildings being Buildings A and B with heights of 29 and 36 storeys, respectively (101 metres and 83 metres, inclusive of the mechanical penthouses) located on the south portion of the lands adjacent to the railway fitting within the required 45 degree angular plane of the Zoning By-law. Buildings A and B would be connected by a base building;
- One mid-rise residential apartment building being Building C having a height of 12 storeys (37.4 metres, inclusive of the mechanical penthouse) fitting within the required 45 degree angular plane of the Zoning By-law;

- One stacked townhouse block, being Building D, located on the northern part of the site facing Lansdowne Avenue;
- One stacked townhouse block, being Building E, located on the south side of Brandon Avenue facing the existing townhouse development on the north side of Brandon Avenue; and
- One single storey (8.7 metre high) daycare, being Building F, located on the south side of Brandon Avenue at Foundry Avenue.

All units within Phase 6 would be purpose built rental. The total number of units for the proposal including Building '15' is 995 units comprised of: 3 bachelor (0.3%); 478 one bedroom (48.0%); 303 two bedroom (30.5%); and 211 three bedroom (21.2%). The various buildings would all contain a variety of units.

All units within Phase 6 would share an underground parking garage containing 811 vehicular parking spaces with 627 parking spaces for tenants and 184 spaces for visitors. An additional 14 parking spaces would be provided at ground level for visitors. Access to the underground parking garage would be from a circular driveway south of Brandon Avenue into the midrise building on the west side of the site.

A total of 1,008 bicycle parking spaces would be provided for Phase 6 with 968 provided below grade and 40 at grade.

Three Type G loading spaces would be provided for Phase 6 with one servicing Building A and B, one servicing Building C and one for solid waste. There would also be an Elevator Garbage Chute in the immediate vicinity of Buildings D, E and F.

Indoor amenity space is proposed at a rate of approximately 2 m² per unit, and common outdoor amenity space would be provided at a rate of approximately 5.6 m² per unit. The outdoor amenity space would include: a variety of green open space; fitness stations; play area; and seating areas. The outdoor amenity space would be contiguous and provide a green link to the outdoor amenity space and public park to the north constructed through previous phases of the development.

Building '15'

The current proposal provides 2 alternative scenarios for flexibility in the use of the building, both alternatives would add 2 stories above the existing building for residential uses. Option 1 would include 35 residential units in 3,695 m² of gross floor area in floors 1 through 6 while Option 2 would include 2,846 m² of commercial gross floor area in floors 1 through 4 and 8 residential units with 849 m² of residential gross floor area in floors 5-6. Both alternatives would include 200 m² of retail gross floor area at grade.

There would be 33 below grade parking spaces provided for Building '15', all located offsite in underground parking garages located immediately north across the laneway. Access to the underground parking spaces would be from the laneway on the north side of Building '15'. Of these 33 below grade parking spaces, 27 spaces currently are owned by Building '15'. An additional 6 spaces are proposed to be secured for Building '15' in a separate but adjoining underground area. Building '15' residents would be provided with access keys for these 6 parking spaces.

Bicycle parking for Building '15' would also be provided in the underground of the building located on the lot abutting Building '15' to the north, and located in an area devoted exclusively for the bicycle parking for Building '15'. One Type G loading space is proposed for Building '15' in the laneway behind the building.

Both Options would provide 2 m² per dwelling unit of indoor and outdoor amenity space.

PIN 213250433 Lands

Lands Identified as PIN 213250433 located along the westerly property line adjacent to the rail corridor, belonging to Metrolinx would be redesignated to *Utility Corridor* in the City's Official Plan and removed from the Davenport Village Secondary Plan. The lands would be rezoned in the former City of Toronto Zoning By-law No. 438-86 and City-wide Zoning By-law No. 536-2013 to U and UT, respectively.

Site and Surrounding Area

Phase 6

The Phase 6 lands are located between the future western extension of Brandon Avenue and the southern extent of the Phase 4 townhouses to the north, Lansdowne Avenue to the east, Canadian Pacific Railway's (CPR) North Toronto Subdivision line to the south and Canadian National Railway's (CNR) Newmarket Subdivision line to the west. The lands have an approximate area of 17,992 m². The site gently slopes from north to south.

North: To the north are stacked townhouses ranging in height from three to four and a half storeys constructed in Phases 4, 5 and 7 of the Davenport Village Secondary Plan.

South: To the south is the Canadian Pacific Railway's (CPR) North Toronto Subdivision line. South of the rail corridor are the Phase 8 lands with a nearly completed mixed use development containing a base building with future retail space and two towers having heights of 23 and 27 storeys (70 and 82 m, respectively).

East: To the east is Lansdowne Avenue and townhouses that front the east side of Lansdowne Avenue. Across the street on the east side of the Lansdowne Avenue is an existing industrial building, occupied by BWXT Nuclear Energy Canada.

West: To the west is the Canadian National Railway's (CNR) Newmarket Subdivision line. Beyond the rail corridor is a mix of low-rise industrial and commercial uses that are accessible from Symington Avenue.

Building '15'

The Building '15' site is located north of Phase 6 at the northeast corner of Powerhouse Street and Foundry Avenue.

North: To the north are four and four and a half storey stacked townhouses constructed in Phase 1 of the Davenport Village Secondary Plan.

South: To the south is a heritage building known as the Canada Foundry Company Powerhouse re-purposed with retail uses at grade with office and residential uses above. Further south are stacked townhouses ranging in height from three to four and a half storeys constructed in Phases 4, 5 and 7 of the Davenport Village Secondary Plan.

East: To the east is a heritage building known as Canada Foundry Company Warehouse re-purposed with residential units as part of Phase 2 of the Davenport Village Secondary Plan. This building fronts onto Lansdowne Avenue.

West: To the west is the local park, and four and four and a half storey stacked townhouses constructed in Phase 3 of the Davenport Village Secondary Plan. Further west is the CNR line, also used by Metrolinx.

Reasons for Application

The proposed Official Plan Amendment is required to amend both the Davenport Village Secondary Plan, including some policies and mapping, as well as the City of Toronto Official Plan.

The proposed revisions to the Davenport Secondary Plan include:

- Amend Section 1 to increase the number of residential dwelling units permitted as the Secondary Plan currently permits 1,960 units and 1,248 units have been constructed to date. The proposal would increase this number to 2,245 units.
- Amend one of the requirements for the removal of the Holding Symbol.
- Modify Maps 27-1, Streets and Blocks Plan and Pedestrian Connections and Map 27-2, Phasing Plan to revise the Davenport Village Secondary Plan boundaries to reflect that the Metrolinx lands are not part of the Phase 6 lands and to reflect the new road alignment.
- Modify Map 27-2, Phasing Plan to reflect the consolidation of the southern portion of Phase 7 with the previous Phase 6 into a single phase and relabel that area as Phase 6.

The amendments to the City of Toronto Official Plan include:

- Revise Map 17 to change the extent of the *Apartment Neighbourhoods* designation in Phase 6 and to redesignate the Metrolinx lands known as PIN 213250433 to *Utility Corridor*.

Zoning By-law amendments are also required to increase the maximum number of units and modify the development standards to facilitate the approval of the proposal on the Phase 6 lands and Building '15'.

APPLICATION BACKGROUND

Application Submission Requirements

This application was deemed to be a Complete Application as of November 13, 2017.

The following reports/studies were submitted in support of the application:

- Planning Rationale (and Addendum letter);
- Heritage Impact Assessment;
- Conservation Drawings – Building '15';
- Pedestrian Level Wind Study;
- Master Municipal Servicing and Stormwater Management Report;
- Record of Site Condition;
- Toronto Green Standard Checklist;
- Energy Efficiency Report;
- Preliminary Hydrogeological Assessment and Hydrogeological Report;
- Transportation Impact Study;
- Traffic Operations Assessment;
- Parking Addendum;
- Noise Control Study;
- Vibration Study;
- Derailment Protection Report and Plan;
- Community Services and Facilities Study;
- Draft Official Plan Amendment; and
- Draft Zoning By-law Amendments.

These reports/studies can be accessed at this link:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>.

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to this application, City Council members will have the opportunity to view the oral submissions made at the statutory public meeting of the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Planning Act

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the adequate provision of a full range of housing, including affordable housing; the appropriate location of growth and development; the supply, efficient use and conservation of energy and water; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit;
- The conservation of significant built heritage resources; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part.

The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to an MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;

- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and the Davenport Village Secondary Plan as follows:

The subject lands are designated *Apartment Neighbourhoods* and *Mixed Use Areas* on Map 17 - Land Use Plan of the City's Official Plan and are subject to the Davenport Village Secondary Plan policies (see Attachment No. 2: Official Plan Land Use Map). The Phase 6 site also has a portion of lands designated *Neighbourhoods* on the Foundry Road extension. This designation was placed on the Foundry Road extension, but does not affect the proposal on the site. Since the submission of the current application, Official Plan Amendment 320 to the Official Plan has come in to force which has resulted in some numbering changes to policies referred to in previous reports for this application. The policies referred to below reflect the new numbering in the Official Plan.

Chapter 2 - Shaping the City

Section 2.1 Building a More Liveable Urban Region, contains principles for steering growth and change to appropriate areas of the City, while protecting the City's neighbourhoods and green spaces from development pressures. The subject lands are within a physically stable neighbourhood area. Policies 2.3.1.2 and 2.3.1.3 state that *Apartment Neighbourhoods* are residential areas considered physically stable and development in *Apartment Neighbourhoods* will be consistent with this objective and will respect the existing physical character of buildings, streetscapes and open space patterns in these area. These policies also require that development within *Mixed Use*

Areas and Apartment Neighbourhoods that are adjacent or close to *Neighbourhoods* will:

- a) Be compatible with those *Neighbourhoods*;
- b) Provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) Maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) Attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Policy 2.3.1.4 further states that intensification of land adjacent to *Neighbourhoods* will be carefully controlled so the *Neighbourhoods* are protected from negative impact.

Chapter 3 - Building a Successful City

Section 3.1.1, The Public Realm, provides direction for the public realm including streets, sidewalks, boulevards, open space areas and parks. Policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible.

Section 3.1.2, The Built Form, states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. Each new development should promote and achieve the overall objectives of the Official Plan.

Policies within this section require that new development be located and organized to fit harmoniously into its planned context. This would be accomplished by generally locating buildings parallel to the street or along the edge of a park or open space, that have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, will limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development is also required to be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. Furthermore, new development is required to provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings, and to make these areas attractive, interesting, comfortable and functional for pedestrians.

Further, Policy 3.1.2.6 states that every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Each resident of such development will have access to outdoor amenity

spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.

Section 3.1.3, Built Form, directs that tall buildings come with larger civic responsibilities and obligations and should be designed to consist of three parts carefully integrated into a single whole: the base building; the middle (shaft); and the top. Tall building proposals are to address key urban design considerations such as: meeting the built form principles of the Official Plan; demonstrating how the building and site design will contribute to and reinforce the overall City structure; demonstrating how the building and site design relate to the planned context, taking into account the relationship of the site to the topography and other tall buildings; providing high quality, comfortable and usable publicly accessible open space areas; and meeting other goals and objectives of the Official Plan.

Section 3.1.4, Public Art, states that public art installations, both publicly and privately owned, make walking through the City's streets, open spaces and parks a delight for residents, workers and visitors alike and encourages the inclusion of public art in all significant private sector developments across the City.

Section 3.1.5, Heritage Conservation, provides direction on the identification and conservation of heritage properties and on development adjacent to heritage properties. As noted earlier, Building '15' is a designated heritage building under Part IV of the *Ontario Heritage Act* and included in the City's Heritage Register. These Policies require that properties on the Heritage Register be conserved and maintained consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*, and that proposed alterations, development and/or public works on, or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained. These Policies also provide that the adaptive re-use of properties is encouraged for new uses permitted by the Official Plan land use designation and consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*, and that new construction on, or adjacent to, a property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property and to mitigate visual and physical impacts on it. Owners of designated heritage properties are encouraged to enter into a Heritage Easement Agreement with the City.

Section 3.2.1, Housing, states that current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The City's quality of life, economic competitiveness, social cohesion, as well as its balance and diversity depend on it. New affordable and social housing production is to be encouraged and a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents.

Section 3.2.3, Parks and Open Spaces, identifies that the City's Green Space System includes a variety of privately managed but publicly accessible spaces, and is an integral part of our quality of life and social well-being. Further Policy 3.2.3.3 requires that the effects of development on open spaces from adjacent properties will be minimized to preserve their utility.

Section 3.3, Building New Neighbourhoods, requires that new neighbourhoods: have a comprehensive planning framework reflecting the Official Plan's City-wide goals as well as the local context; be viable as communities; and be carefully integrated into the surrounding fabric of the City.

Section 3.4, The Natural Environment, states that strong communities and a competitive economy need a healthy natural environment. Policy 3.4.21 requires appropriate design, buffering and/or separation between major facilities such as industries, and sensitive uses such as residences to prevent adverse effects from noise, vibration and other contaminants, and to promote safety. To assist in identifying impacts and mitigation measures, the proponent may be required to prepare studies in accordance with guidelines, and the proponent will be responsible for implementing any required mitigation measures. Further, Policy 3.4.22 states that redevelopment of large industrial sites, including brownfield sites, should receive special attention to achieve high standards of pollution abatement, green roof technology and/or alternative energy production, such as co-generation, hydrogen energy or renewable energy.

Section 3.5, Toronto's Economic Health, states that Toronto's economy is thriving, but continued efforts are required to attract new business and jobs, maintain the diversity of our economic base and maintain a healthy municipal tax base. Policy 3.5.3 identifies that a balanced growth of jobs and housing across the City will be pursued to maintain a complete community.

Chapter 4 - Land Use

Apartment Neighbourhoods

The western portion of the Phase 6 lands are designated *Apartment Neighbourhoods*.

Section 4.2.2 outlines the development criteria within *Apartment Neighbourhoods*, including the location and massing of new buildings, which should provide a transition between areas of different development intensity and scale, with adequate setbacks, and having minimal shadow impacts on properties in adjacent lower-scale *Neighbourhoods*. The Section further outlines that new buildings should frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. There should be sufficient off-street motor vehicle and bicycle parking for residents and visitors including locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences. The Section also requires the provision of appropriate indoor and outdoor recreation space for building residents in every significant multi-unit residential development and ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces.

Mixed Use Areas

Building '15' and the Lansdowne Avenue frontage of the Phase 6 lands are designated *Mixed Use Areas*. The *Mixed Use Areas* designation is intended to provide a broad range of residential, commercial and institutional uses, in single use or mixed use buildings. Development in *Mixed Use Areas* is subject to a number of development criteria as outlined by Policy 4.5.2. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development

intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Davenport Village Secondary Plan

The site is subject to the policies of the Davenport Village Secondary Plan, which was adopted by City Council on July 27, 2006. The Secondary Plan was amended by City Council at its meeting on November 27, 28 and 29, 2012 to include the Phase 8 lands (830 Lansdowne Avenue).

The Secondary Plan encourages a mix of uses including a park, new roads, residential units, live-work units and commercial uses and provides a policy framework for the redevelopment of these former industrial lands focusing on matters such as:

- A vision for the community which includes the remediation of a former industrial site with a mix of uses resulting in a connected and liveable community;
- Environmental approvals for the remediation and proposed re-development of these former industrial sites;
- The use of urban design guidelines to guide future development;
- The adequacy of community services and facilities;
- The provision of a functional road network;
- Infrastructure phasing;
- Appropriate measures to address the proximity of the two railway lines adjacent the Secondary Plan Area;
- The provision of a range of housing types;
- Heritage preservation through adaptive re-use of designated historically significant buildings;
- Appropriate Section 37 contributions; and
- Phasing of the re-development.

The development within the Davenport Village Secondary Plan consists of the retention and adaptive re-use of several former industrial buildings as well as new development comprising stacked townhouses and apartment buildings up to 75 metres in height, along with underground parking facilities, commercial uses and live-work units. The Secondary Plan also proposes a network of public and private streets and a public park. The Secondary Plan permits up to 1,960 dwelling units and envisions that the lands would be developed in eight phases. All but the subject lands have been developed.

The Secondary Plan also provided for the use of Holding provisions (H) to restrict the use of land until various requirements have been addressed.

The Davenport Village Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/97bb-cp-official-plan-SP-27-Davenport-Village.pdf>.

The outcome of staff analysis and review of relevant Official Plan and Secondary Plan policies are summarized in the Comments section of this report.

Zoning

The Phase 6 lands are subject to former City of Toronto Zoning By-law No. 438-86, as amended by area-specific Zoning By-law No. 728-2006, which applies to Phases 3-7 (see Attachment No. 3: Existing Zoning By-law Map). The site is zoned Residential District 4 "R4(h)" which permits the proposed apartment buildings and townhouses following the lifting of the Holding symbol.

Zoning By-law No. 728-2006 permits a maximum gross floor area of 147,000 m² and 1,084 units within phases 3-7. The zoning by-law envisions tall buildings on the Phase 6 lands meeting development standards that would ensure transition with the neighbourhood immediately north of the site. The zoning standards for 900 Lansdowne Avenue were based on maintaining the former industrial building fronting onto Lansdowne Avenue which no longer exists.

Zoning By-law No. 728-2006 can be found at:
<https://www.toronto.ca/legdocs/bylaws/2006/law0728.pdf>

Building '15' is subject to Zoning By-law No. 1182-2010 (OMB), which permits a maximum non-residential gross floor area of 2,900 m², but does not permit any residential gross floor area in the building.

Zoning By-law No. 1182-2010(OMB) can be found at:
<https://www.toronto.ca/legdocs/bylaws/2010/law1182.pdf>

Staff are including an amendment to City-wide Zoning By-law No. 569-2013 for the Phase 6 lands to introduce this large block of land into the by-law given this area is the last remaining development parcel of the Secondary Plan and is bounded by two rail lines, Lansdowne Avenue and Brandon Avenue. Building '15' will continue to be excluded from City-wide Zoning By-law No. 569-2013 because it is a small parcel within the interior of the remainder of the Davenport Village Secondary Plan area. In accordance with the transition protocol, this Building '15' parcel will be introduced into City-wide Zoning By-law No. 569-2013 when the remainder of Zoning By-law No. 1182-2010 is introduced into By-law No. 569-2013.

Holding (H) Symbol

Holding (H) symbols enacted as part of Zoning By-laws ensure orderly development of a site or area and must be lifted through a further Zoning By-law Amendment application. As noted above, the Holding (H) symbol has been removed from all

previous phases that were subject to it. Since this application represents the final phase of development, the applicant has requested that the holding symbol be removed.

The Davenport Village Secondary Plan requires that a number of conditions be met in order to remove the (H) symbol. A discussion on these conditions is further elaborated in the Comments section of this report.

City-Wide Tall Building Design Guidelines

City Council has adopted City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the Guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Townhouse and Low-Rise Apartment Guidelines

City Council adopted City-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the Guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>.

The Standards and Guidelines for the Conservation of Historic Places in Canada

In 2008, Toronto City Council adopted the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) as the official document guiding the planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto. The General Standards (1-9) and the Standards for Rehabilitation (10-12) and Restoration (13) apply to the proposed addition to Building '15'. The link to the Standards and Guidelines is here:

<http://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

Site Plan Control

A Site Plan Control application (16 165922 WET 17 SA) was submitted for the 980 Lansdowne Avenue lands. A separate Site Plan Control application (17 249812 WET 17 SA) was subsequently submitted for the 900 Lansdowne lands. Given the proposal has changed and consolidated both sites, these Site Plan Control applications will be merged. The applicant will be required to submit a Site Plan Control application for the redevelopment of Building '15' at 30 Powerhouse Street.

COMMUNITY CONSULTATION

A community consultation meeting was held on November 15, 2017 at the Joseph Piccinini Centre. Approximately twenty people were in attendance. Questions and concerns raised about the proposed development included:

- The tenure of the proposed units;
- The density of the proposed development;
- Request for more green space, trees and play areas to accommodate children and dogs;
- Public parking spaces are in considerable demand;
- Traffic impacts arising from the proposed development and the cumulative traffic impacts of nearby developments;
- Concerns that the proposed development does not address the needs of families and children;
- Need for commercial space in the local area;
- Need for a daycare facility in the local area;
- Concerns over the design and aesthetic of the towers; and
- Making the amenity space accessible to and beneficial for the wider community.

An additional community consultation meeting was held on February 19, 2019 at the Joseph Piccinini Centre to update the community on the revisions to the proposal and the proposed redeployment of built form and massing on the site. Eight people were in attendance. Matters raised included:

- Whether Building '15' had any indoor amenity areas;
- Whether indoor amenities in the Phase 6 development would be usable for the community at large;
- The need for traffic lights at Lansdowne Avenue and Brandon Avenue; and
- The need for a base building for the tall building along Lansdowne Avenue.

The applicant announced that he would be introducing and paying for traffic lights at Lansdowne Avenue and Brandon Avenue as well as introducing and paying for a splash pad at the local park north of the Phase 6 lands and across from Building '15'.

COMMENTS

Planning Act

It is staff's opinion the current application has regard to relevant matters of provincial interest, including:

2(d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

2(k) The adequate provision of employment opportunities;

2(p) The appropriate location for development; and

2(r) The promotion of built form that:

- (i) Is well designed;
- (ii) Encourages a sense of place; and
- (iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

It is staff's opinion the current application conserves the significant heritage resource (the Canadian Foundry Company Building - Building '15') as required by the PPS. The proposal contemplates the continuation of employment uses within Building '15' contributing to the provincial interest related to the provision of employment opportunities. Staff are also of the opinion the current application has regard for the appropriate location for development and the promotion of built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant as this proposal adheres to the policies and development standards contained within the Official Plan and the Davenport Village Secondary Plan.

These provincial interests are further articulated through the PPS (2014) and the Growth Plan (2019).

Provincial Policy Statement (2014)

The PPS (2014) came into effect on April 30, 2014. Municipalities and other approval authorities in exercising any authority that affects a planning matter are required to make decisions that are consistent with policy statements issued under the *Planning Act*.

The PPS (2014) is to be read in its entirety. The language in each policy, including the implementation and interpretation policies, assists decision makers in understanding how the policies are to be implemented. The PPS contains minimum standards and municipalities can go beyond these standards unless doing so would conflict with other policies of the PPS.

Key policies applicable to this application include policies 1.1.1, 1.1.2, 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.5, 1.1.3.7, 1.2.1, 1.2.6.1, 1.3.1, 1.5.1, 1.6.7.3, 1.6.7.4, 1.7.1.d, 2.6.1, 2.6.3 and 4.7.

From a heritage conservation perspective, the applicant completed a heritage review on Building '15' and has entered into a revised Heritage Easement Agreement with the City to ensure the heritage attributes of Building '15' remain protected and conserved.

From a built form and public realm perspective, the proposal has placed the taller buildings in appropriate locations with development standards which facilitate the density in a compact built form. The development fits with the 45 degree angular plane requirement from the adjoining *Neighbourhoods* providing appropriate transition to these lands. The towers compact shape and 750 m² floorplates would also allow building shadows pass through the neighbouring areas quickly.

From an open space perspective, the proposal provides a well located open space amenity within the Phase 6 lands accessible to all the buildings and that promotes a sense of place. The proposal also contains a linear open space path along the railway boundary of the site, providing connectivity to the existing trail that leads from Lansdowne Avenue to the public park along the western boundary in the Phase 4 lands.

From a land use perspective, the proposal provides for an appropriate range of housing unit sizes and types. The PPS policy for healthy, livable and safe communities is achieved as the proposal accommodates residential and employment uses while providing for mitigation of noise, vibration and rail safety.

Based on the analysis of the PPS policies, it is staffs opinion that the application and the Official Plan Amendment and amending Zoning By-laws are consistent with the PPS.

The key Growth Plan policies applicable to this application are 1.2.1, 2.2.1.4, 3.2.8.1, 4.2.5.2, 4.2.7.1, 4.2.7.2, and 5.2.5.6.

From a heritage conservation perspective, the proposal conserves the heritage attributes of Building '15' that helps to foster the sense of place provided by the history of Davenport Village.

From a built form, public realm and open space perspective, the proposal conforms to the Davenport Village Secondary Plan which directs development on the Phase 6 lands to be in a compact built form along with provision for a high quality public realm. The proposal contributes to an open space system within Davenport Village through the linear POPS trail that would connect Lansdowne Avenue to the community public park. The proposal also provides for a courtyard as an open space amenity area for the residents of the proposed buildings.

From a land use perspective, the proposal adheres to the guiding principles of the Growth Plan and contributes to the achievement of complete communities by providing for a range of housing unit types and sizes including affordable housing, a private daycare within Phase 6, employment uses within Building '15' and a linear POPS connecting the community's public park to Lansdowne Avenue.

Based on the analysis of the Growth Plan policies, it is staffs opinion that the application and the Official Plan Amendment and amending Zoning By-laws conform with the Growth Plan (2019).

Land Use

Land Use designations for the subject lands are shown on Map 17 of the Official Plan (see Attachment No. 2) . The developable area within Phase 6 is designated *Apartment Neighbourhoods* and *Mixed Use Areas* and Building '15' is designated *Mixed Use Areas*.

The residential apartment buildings including the tall buildings, mid-rise building and stacked townhouses proposed on the Phase 6 lands, would be consistent with the provisions of *Apartment Neighbourhoods* and *Mixed Use Areas* designations. The

proposed 362 m² daycare, on the southeast corner of Foundry Avenue and Brandon Avenue, is a small-scale service use that would serve the needs of area residents and would be consistent with the provisions of the *Apartment Neighbourhoods* designation.

The re-purposing of Building '15' into a mixed use building containing residential, retail and office uses are provided for in and would be consistent with the *Mixed Use Areas* designation.

The land uses proposed are considered appropriate and are supported by staff.

Density, Height and Massing

This application was reviewed against the Official Plan and Davenport Village Secondary Plan policies as well as the City's urban design guidelines, described in the Issue Background Section of this report.

Density

The Davenport Village Secondary Plan does not contain provisions that limit density based on floor space index. The density has been reduced on the Phase 6 lands from that proposed in the original submission. The previous application included a total of 1,037 units in Phase 6 with a total floor area of 69,476 m² and a Floor Space Index of 3.82 (or 3.98 with conveyances). As a result of the changes to Phase 6, the number of units has been reduced to 960 and the overall floor area has been reduced to 65,070 m² with a Floor Space Index of 3.62 times the area of the lands (or 3.73 with conveyances).

Site Specific Zoning By-law No. 728-2006, which governs Phases 3 to 7 of the Secondary Plan area limited the total gross floor area of the by-law area to 147,000 m² and the total dwelling units to 1,084 dwelling units. The currently developed lands represent 38,173 m² and 356 dwelling units of this total. The proposal would add 65,070 m² and a total of 960 units in Phase 6, bringing the total floor area for the Zoning By-law area to 103,243 m² and 1,319 units.

Staff consider the proposal to fit within the density anticipated by the implementing zoning for this area. Through the review of this application, it has been determined that the increase in units would not result in any impacts on servicing and transportation infrastructure.

Height and Massing

Section 4.2.2(a) of the Official Plan states that development within *Apartment Neighbourhoods* is to contribute to the quality of life by locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*. Zoning By-law No. 728-2006 included development standards that ensured the proposed tall buildings transitioned to the previously developed lower townhouses through a 45 degree angular plane requirement.

The current proposal includes two tall buildings with proposed heights of 95.9 metres and 77.4 metres (101 metres and 83 metres, respectively when including mechanical penthouses), a mid-rise building with a proposed height of 32.1 metres (37.4 metre high including mechanical penthouse), two blocks of stacked townhouses with a height of approximately 13 metres, and one stand-alone day care facility with a height of 8.7 metres. The buildings with the greatest heights would be placed farthest away from the existing Davenport Village community, and the buildings with the least height would be placed adjacent to existing developed low rise buildings.

Both proposed towers have been designed to include step backs in order to fit entirely within the 45 degree angular plane taken from the previously developed townhouses within the *Neighbourhoods* area north of the Phase 6 lands. Towers on the Phase 6 lands are sited north of the Canadian Pacific Railway (CPR) right-of-way and north of two towers in Phase 8 with heights of 64.2 and 75.2 metres (69.5 metres and 82.2 metres with the mechanical penthouses). The proposed heights would provide a height peak for this area, transitioning down to the lower tall buildings to the south and to the low rise buildings at a greater distance to the north. The mid-rise building has also been designed with stepbacks to fit entirely within the 45 degree angular plane. The proposal includes lower heights in the form of stacked townhouse blocks fronting Brandon Avenue and facing similar built form on the north side of Brandon Avenue. This deployment creates a transition from the heights within the Phase 6 lands while mitigating impacts from the higher buildings onto the *Neighbourhoods* lands north of Brandon Avenue and east of Lansdowne Avenue. The one storey daycare centre is centrally located on Brandon Avenue to assume it's role as a community focus while serving the local community needs.

All towers within the current application have a 750 m² floorplate, and provide for a minimum 25 metre separation distance as directed by the Tall Buildings Design Guidelines. Slender floorplates along with wider separation distance allows for light and skyview into the area immediately adjacent to them, thereby allowing shadows to pass through the immediate area relatively quickly.

Staff consider the height and massing to be appropriate for the existing and planned context of the area.

Shadow Impact

Policy 3.1.2.3e) of the Official Plan requires new development to be massed and designed to fit harmoniously into its existing and planned context, and to limit its impact on neighbouring streets, parks, open spaces and properties by adequately limiting any resulting shadowing having regard to the varied nature of such areas. Policies 4.2.2b) and 4.5.2d) require development to locate and mass new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the Spring and Fall equinoxes. Policies 4.2.2c) and 4.5.2e) require development to locate and mass new buildings to maintain sunlight for pedestrians on adjacent streets, parks and open spaces. Guideline 1.4 of the Tall Buildings Design Guidelines refers to maintaining access to sunlight for surrounding streets, parks and open space.

An updated shadow study dated October, 2019 reflecting the revised proposal was submitted in support of the application.

During the Spring and Fall equinoxes, the shadow study shows that at 9:18 a.m. there would be shadow cast on the linear park pathway at the west property line and the south part of the townhouses (Phase 4) immediately north on the west side of the site. The shadow would stretch west across the rail line to the employment lands. As the shadow moves easterly, it would be reduced in length and become more linear to provide more sunlight on the existing development and on the proposed open space within Phase 6. By 11:18 a.m., the shadows from the proposal would reach the Lansdowne Avenue right-of-way and continue to be reduced on site through the remainder of the day. In the afternoon, shadows from the development would also reach east of the site to lands designated *Core Employment Areas* on the east side of Lansdowne Avenue. The shadow from the Phase 6 towers would combine after 2:18 p.m. to form one shaft stretching and tracking to the east as the afternoon progresses. Some lands designated *Neighbourhoods* on the east side of St. Clarens Avenue, would experience shadow after 3:18 p.m.

Sunlight would be maintained on lands designated *Parks*, and on lands proposed for open space along the perimeter of the site. The open space within the proposed courtyard would experience shadows from the various tall buildings and mid-rise building throughout various times of the day with periods of sunlight interspersed.

The original vision for the Davenport Village Secondary Plan placed the taller buildings where they would have the least shadow impact on neighbouring parks, streets, open spaces and properties. Staff are of the opinion the proposal is in keeping with this approach. Although the proposed courtyard would experience some periods of shadow throughout the day, this would be interspersed with periods of sunlight. The open space proposed along the perimeter of the site to the west and south of the buildings would largely experience sunlight throughout the day providing residents the opportunities to experience sunlight within onsite open spaces.

Wind Impact

Policy 3.1.2.3e) of the Official Plan states new development will be massed and designed to fit harmoniously into its existing and planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by adequately limiting any resulting uncomfortable wind conditions on neighbouring streets, properties and open spaces, having regard to the varied nature of such areas. Policy 4.2.2c) and 4.5.2e) require development to locate and mass new buildings to maintain comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Guideline 2.4 of the Tall Buildings Design Guidelines indicates publicly accessible open spaces should be located and designed to maximize safety, comfort and amenity by protecting such spaces from wind. Guideline 2.5 indicates private amenity areas are to be protected from pedestrian-level wind. Guidelines 3.2.1, 3.2.2, 3.2.3 and 4.3 indicate towers should be organized, oriented, sited and articulated to minimize negative wind conditions.

The applicant submitted a Pedestrian Level Wind Assessment (Wind Study), prepared by Theakston Environmental dated July, 2016 and revised in November, 2018. A further addendum letter was submitted in July, 2019.

The Wind Study concluded that pedestrian level winds were effectively mitigated by the design of the proposed development that incorporates stepped facades, podiums, balconies, landscaping and other design features. Further, once the site is developed, ground level winds at most locations would improve due to the introduction of the proposed landscaping, and that the site is predicted to be suitable for sitting or standing under normal wind conditions from Spring through Fall. Although there could be occasional localized high wind levels, during these localized windier times, the site would generally remain suitable for leisurely walking.

Wind mitigation was recommended for the south outdoor amenity terrace to extend the usefulness of that space further into the shoulder seasons. Although the outdoor amenity space to the north of the podium connecting Buildings A and B is protected from winds by the tower elements, the outdoor amenity space to the south is exposed to the southwesterly winds that are anticipated to flow down and/or around the subject and neighbouring towers and over the space. A mitigation plan was recommended for this amenity space, in the form of screen walls, plantings, trellises, recessed seating areas, and others that would provide blockage and turbulence to winds emanating from dominant directions resulting in more comfortable conditions. The applicant has also introduced wind mitigation through landscaping in the form of trees and shrubs, to enable the outdoor amenity spaces west and south of the proposed tall buildings to achieve conditions comfortable for sitting Spring through Fall. These wind mitigation measures for these outdoor amenity spaces will be secured through the Site Plan review process.

The Wind Study also advised that with the incorporation of the proposed Landscape Plan, comfort levels in the central outdoor amenity space north of the tall buildings, as well as the outdoor amenity space at the centre of the circular drive, would be protected from much of the prevailing wind climate. This would allow these areas to experience the comfortable sitting conditions from Spring through Fall.

Traffic Impact, Access, Parking and Loading

Traffic

A Traffic Impact and Operations Study, prepared by GHD, dated November 1, 2018 was submitted assessing traffic impacts of the proposal. The traffic impact study concludes that, with the Brandon Avenue extension to Foundry Avenue and the signalization of the Brandon Avenue/Lansdowne Avenue intersection, the proposed Building '15' and consolidated Phase 6 development can be adequately accommodated on the area public road network.

The Traffic Impact and Operations Study estimates the Phase 6 lands would generate 245 and 268 two-way trips during the weekday morning and weekday afternoon peak hours, respectively. Transportation Services staff have accepted the proposed trip generation assumptions for the residential units on the Phase 6 lands.

The Traffic Impact and Operations Study estimated that although the proposed daycare would provide services to predominantly local residents, and would not be expected to generate any vehicular trips, the consultant assumed a trip generation rate of 50 percent of the ITE standard and provided supporting evidence based on surveys undertaken at a proxy site. Transportation Services staff have accepted the proposed trip generation assumptions for the daycare facility.

If Building '15' is developed according to proposed Option 1, where the entire building is re-purposed for residential uses with retail space at grade, it is expected that Building '15' would generate approximately 11 fewer two-way vehicular trips during the morning and afternoon peak hours, when compared to the number of vehicular trips that are generated for the existing condition during the morning and afternoon peak hours. If Building '15' is developed according to proposed Option 2, where the building maintains 2,846 m² of office uses on floors 1 to 4 and adds an additional eight apartment dwelling units on floors 5 and 6 and 200 m² of retail uses at grade, it is expected that Building '15' would generate an additional 7 two-way vehicular trips during the morning and afternoon peak hours, when compared to the number of vehicular trips that are generated for the existing condition during the morning and afternoon peak hours. Transportation Services staff concur with the opinion that either scenario would have little impact on the adjacent road network.

Access and Circulation

For the Phase 6 lands, vehicular access is proposed from a circular driveway south of the Foundry Road/ Brandon Avenue intersection. Access to the underground parking garage is proposed from a single ramp on the west side of the circular driveway. The proposal provides for pedestrian connectivity with sidewalks along the internal circular driveway connecting to pathways through the central open space amenity area, connecting to and through the POPS pathway along the railway rights-of-way and connecting to Lansdowne Avenue. Staff are of the opinion these access and circulation routes are appropriate.

Loading

Three type 'G' loading facilities are required for the Phase 6 lands and one Type 'G' loading facility is required for Building '15'. The proposal provides for the required loading facilities and their locations appear to be satisfactory. The loading facilities will be reviewed in greater detail and secured through the site plan review process.

Parking

Transportation Services staff accept the parking ratio of 0.63 resident parking spaces per dwelling unit and 0.2 visitor parking spaces per dwelling unit for the residential apartment units; 1 resident parking space per dwelling unit and 0.12 visitor parking spaces per dwelling unit for the townhouse units; and 1 parking space per 100 m² of gross floor area for the daycare facility. A total of 825 parking spaces are proposed, which exceeds the total parking supply requirement. Of the 825 parking spaces, a total of 19 accessible spaces would be required. The plans submitted in support of the proposal illustrate 35 accessible spaces.

Based on the assumption that Building '15' would be used for rental apartments, a total of 29 parking spaces are required for Option 1, of which 7 would be provided for visitors.

A total of 33 spaces would be required for Option 2, of which 5 would be for residents, 2 would be provided for residential visitors, and the remaining 26 spaces would be provided for the office uses. The applicant is proposing to supply all parking spaces off site in separate garages abutting the lot. Of the total parking spaces required, 27 spaces are already owned by Building '15' and are located in the building adjacent to the north across the laneway. The remaining 6 parking spaces required would be located in an abutting, but separate parking garage, and require separate access keys.

Staff recommend securing the required offsite parking spaces for Building 15 in the Section 37 Agreement as a legal convenience which will include the requirement that access keys and warning clauses be provided to users of the 6 spaces that are to be located in the separate underground parking area.

Roadway Improvements and Road Widening

Required roadway improvements resulting from the proposal include:

- Signalization of the Brandon Avenue and Lansdowne Avenue intersection;
- Conveyance of a road widening along Brandon Avenue to accommodate a 25 metre long left-turn lane and a 15-metre taper for the eastbound approach to the proposed Lansdowne Avenue/Brandon Avenue signalized intersection;
- Construction of a new four-way intersection, consisting of Foundry Road, Brandon Avenue, the existing Phase 4 service driveway and the proposed Phase 6 driveway, all four legs to be stop-controlled;
- Installation of all-way 'stop' signage with 'all-way' tabs at the new four-way intersection at Foundry Road and Brandon Avenue;
- Conveyance of lands to accommodate a transit shelter abutting the Lansdowne Avenue right-of-way south of Brandon Avenue, for a new bus stop; and
- New 2.1 metre wide sidewalks along the abutting municipal boulevard of Brandon Avenue.

These improvements are to be paid for by the land owner. Transportation Services staff require an appropriate financially secured agreement(s) between the City and the owner to undertake the improvements.

Transportation Services Staff are satisfied that the proposed development addresses the traffic, parking and loading requirements for the site and that these requirements can be secured through the Zoning By-law Amendment, Section 37 Agreement and site plan review process.

TTC

As a result of this application, the TTC will be relocating the existing bus stop currently located north of Brandon Avenue on the west side of Lansdowne Avenue to south of Brandon Avenue on the west side of Lansdowne Avenue (immediately south of the intersection). This relocation requires the construction of a new level brush concrete bus platform that is 16 metres in length and 2.4 metres in width from the curb and a full sized bus shelter. The current proposal includes the new bus stop as requested. The owner is also providing, at no cost to the City, a small conveyance of land on the

Lansdowne Avenue frontage to accommodate the bus shelter as the boulevard and sidewalk area are too narrow to fit a bus shelter. The TTC requests that the owner apply noise attenuation measures to units immediately adjacent to the bus stop and that future purchasers and/or lessees be advised of the presence of the bus stop and potential for noise from bus operations.

TTC staff are satisfied with the location of the new bus stop and shelter. Planning staff recommend the Section 37 Agreement as a legal convenience require the conveyance of the bus shelter lands, the need for noise attenuation for the units immediately adjacent to the bus shelter, and the use of warning clauses to advise future purchasers and/or lessees of the bus stop and potential for noise from bus operations.

Servicing

A Functional Servicing Report was submitted by the applicant in support of the proposal. This report was reviewed by Engineering and Construction Services staff who confirm there is adequate capacity in the existing municipal infrastructure to service the development.

Heritage Impact and Conservation Strategy

The Canadian Foundry Building (Building '15') was built in 1902 and is a representative example of an early 20th century industrial building and forms part of a surviving collection of structures associated with the manufacturing site known as the Davenport Works.

At its July 23, 24, 25, 26, 27 and 30, 2018 meeting City Council approved, under S. 33 of the *Ontario Heritage Act* (OHA), the alterations to this designated building that form part of this Official Plan and Zoning By-law Amendment application. This approval included detailed conditions to ensure that this significant heritage resource is conserved. The conditions included:

- A requirement that the alterations be substantially in accordance with plans and drawings prepared by Architects Rasch Eckler Associates Ltd. (issued May 4, 2018) and the Heritage Impact Assessment (HIA), prepared by Architects Rasch Eckler Associates Ltd., dated November 2013, revision date April, 2018;
- Amending the existing Heritage Easement Agreement;
- Providing a detailed Conservation Plan consistent with the Conservation Strategy set out in the Heritage Impact Assessment;
- A Heritage Lighting Plan;
- A Heritage Interpretation Plan; and
- A Letter of Credit.

all to the satisfaction of the Senior Manager Heritage Preservation Services.

The City Council approval also authorizes the City Solicitor to amend the existing Heritage Easement Agreement and introduce any necessary bills to amend the Heritage Easement Agreement.

A Site Plan Control Application will be required to undertake the proposed alterations to Building '15', and conditions will need to be satisfied prior to Site Plan approval and prior to any permits being issued for the site, including a heritage permit or a building permit. It is noted that the approval given by City Council in 2018 did not include the new proposed ground floor canopy on the south side of the building.

At the time of preparing this report, the applicant for Building '15' advised staff there was a need to increase the permitted height in the by-law for floor 6 and the mechanical penthouse by 1 metre given some minor structural considerations. Revised drawings would be submitted as part of the site plan application, but have yet to be reviewed by staff. As a result, staff are recommending the Bills to enact the zoning by-law be held until a site plan application is received and reviewed by staff and the proposal is to the satisfaction of the Chief Planner and Executive Director, City Planning.

Economic Impact of Building '15'

Economic Development and Culture staff strongly encourage the proponent to pursue Option 2 which provides for greater office employment uses within Building '15' at 30 Powerhouse Street, provided that any parking and, or traffic related concerns are addressed. Furthermore, Economic Development staff note their willingness to actively assist in the creation of additional employment opportunities within Davenport Village.

Housing

Policy 4.2 of the Davenport Village Secondary Plan requires that “thirty percent of the total number of dwelling units provided in each Phase of development in the Davenport Village will be limited in size in accordance with the requirements of the implementing zoning by-law.” The original Zoning By-law contained a Section 37 requirement that set maximum sizes for rental units on the site in order to provide for housing that is affordable to the low end of market. The proposed unit sizes fall within these specifications.

The original Zoning By-law also included a commitment that “each phase of the development shall be marketed initially within the local community to provide opportunities for local residents to move into the development and the owner shall acknowledge it has been requested by the City to work with the City’s Social Housing Connections Office in an effort to house individuals and families currently on Toronto’s waiting list for social housing”. The owner has committed to work with Housing Connections to review the potential for providing rent supplements in the new building, thereby increasing the City's supply of affordable housing. Staff propose continuing to secure this commitment through the Section 37 Agreement.

The proposed provision of two-bedroom and three-bedroom units supports the objectives of the Growing Up Guidelines, Official Plan housing policies and the Growth Plan's growth management and housing policies to accommodate a broad range of households, including families with children. The proposed provision of two-bedroom units with a typical size of 69 m², and three-bedroom units with a typical size between 70 m² and 141 m² should be reviewed in support of the unit size recommendations of

the Growing Up Guidelines. As the detailed design of the site progresses the unit mix, size and layouts will be examined through the site plan review process.

The proposal also includes a cash contribution for affordable housing within Ward 9 through the Section 37 Community Benefits process. Further information on this is found in the Section 37 section below. Staff are satisfied that the requirements of the Secondary Plan regarding affordable housing have been addressed.

Parkland/Open Space

The parkland dedication for all phases of the Davenport Village Secondary Plan was secured in the early stages of the development and is concentrated in a centrally located park. There is no outstanding parkland dedication required. Through the community consultation process held for the current phase, the community requested a splash pad be provided in the existing local park. The applicant has agreed to pay for and construct a splash pad at the local park.

Staff recommend securing the commitment to pay and construct for the splash pad through the Section 37 Agreement.

The proposal includes open space in the court yard within the Phase 6 lands to be used as amenity space. Staff have identified that this space could include play structures for youth ages 2.5 to 5 years old and 5 to 12 years old. The amenity area identified as "Play Area" on the site plan is an appropriately situated play space for children, but it may require a slight expansion to accommodate sufficiently sized structures suitable for this purpose. The details of the size and layout of this play space will be finalized and secured through the site plan review process.

This report recommends that the Section 37 Agreement include a requirement for the owner to install and maintain children's play structures for youth ages 2.5 to 5 years and 5 to 12 years within the identified "Play Area", and that the "Play Area" be expanded, if necessary, to accommodate sufficiently sized equipment.

Staff are satisfied that the parkland contribution has been achieved and that adequate open space has been provided in the Phase 6 lands.

Privately-Owned Publicly Accessible Open Space (POPS)

Privately-owned publicly accessible open space (POPS) is proposed of approximately 3,963 m² located adjacent to the south and west railway rights of way within the required setbacks. The area would include a 5 metre pedestrian pathway along with passive greenspace. Staff consider the proposed POPS to be a positive element of the development and a significant public realm enhancement. The POPS is proposed to be a linear pathway connecting Lansdowne Avenue to the linear pathway immediately north of Phase 6 and the centrally located public park within Davenport Village.

This report recommends that the POPS be secured in the Section 37 Agreement as a legal convenience, with the design to be finalized through the site plan review process and use provisions secured in the Site Plan Agreement.

Public Art

The Davenport Village Secondary Plan also speaks to the provision of public art within Davenport Village. The proposed development is of a scale and prominence to warrant participation in the City's Percent for Public Art Program. Phase 6 is the last opportunity for this vision to be executed within Davenport Village.

This report recommends that \$300,000 be secured in the Section 37 Agreement for public art, as well as parkland and/or streetscape improvements within the local area.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The Davenport Village Secondary Plan required the applicant to submit a CS&F study update as part of a complete application. The update was prepared by City Solutions Consulting in September, 2016 and concluded there have been no major changes to the area's inventory of community services and facilities since the original inventory was compiled in the 2003 study. The study stated that the area is well served by community services and facilities, and the future population projected to occupy the Phase 6 rental units would be adequately served by these existing services and facilities. This conclusion is accepted by City staff.

The proposed development has been revised since the CS&F study update was submitted. The proposal now includes a daycare facility in Building F on the Phase 6 lands. Children Services staff have reviewed the proposed daycare and have advised that the proposed facility falls below the 743 m² – 1,022 m² requirements to comply with City of Toronto standards to be used for a City-run daycare. The owner is proposing the 362 m² daycare facility as a privately-owned and operated facility. Children Services staff encourage the applicant to consult with them through the site plan review process to ensure the proposed private daycare is designed to be a functional daycare facility. The proposed zoning by-law will limit the use of Building F to a daycare facility only. Staff are satisfied that the private daycare has been appropriately addressed by this rezoning stage. Further details will be addressed through the site plan review process.

School Boards

Toronto District School Board (TDSB)

The Toronto Lands Corporation (TLC) provided comments on behalf of the TDSB, and advised that the projected accommodation levels at the local schools warrant the use of signs posted on site and warning clauses in agreements of purchase and sale. The TLC requested that the status of the local schools be conveyed to potential purchasers as well as communicated to the existing community to advise that children from new development will not displace existing students at local schools. As a condition of approval, the TLC requires that the applicant/developer enter into an agreement to erect and maintain signs to TLC's specifications, at points of egress and ingress of the development site advising that:

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

Further, TLC requires the owner to include the following warning clause in all future leases/rental/tenancy agreements of residential units:

"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be available in the neighbourhood school(s) for all students anticipated from the development area. Students may be accommodated in school facilities outside the neighbourhood or students may later be transferred to other school facilities. For information regarding designated school(s), please call (416) 394-7526.

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

The Toronto Catholic District School Board (TCDSB)

The proposal falls within the elementary school area of St. Mary of the Angels Catholic School, and within the secondary school area of Bishop Marrocco/Thomas Merton Catholic Secondary School and St. Mary Catholic Academy. At the time of receipt of the comments, there was sufficient space to accommodate new students from the proposed development in all schools. The TCDSB reserves the right to revise the status of local schools at any time without further notice. As well, the TCDSB is eligible to levy Education Development Charges in this area toward the acquisition of land for a secondary school.

This report recommends that Section 37 be used as a legal convenience to include a requirement that the owner agree to erect the signs requested by the TLC and include the requirements of the TLC and TCDSB to include warning clauses in the tenancy agreements and/or purchase and sale agreements to be secured in the Site Plan Agreement.

Noise and Vibration

The Davenport Village Secondary plan requires that any new development must undertake noise and vibration studies, to the satisfaction of the City and the appropriate railway operator, and undertake appropriate measures to mitigate any adverse effects from noise and/or vibration that were identified.

The applicant retained WSP to prepare a Noise Control Study Update (NCS) dated November 1, 2010 (Revised August 2019), a Vibration Impact Study Update dated November 1, 2018 (Revised August 2019) for the Phase 6 lands, and a Noise Impact Study dated April 17, 2019 for 30 Powerhouse Street.

The City retained SS Wilson Associates to peer review the submitted materials on behalf of the City and as a result of this review revisions were incorporated into the final Studies. SS Wilson found the road traffic noise, transportation noise (railway) and stationary noise assessments to be acceptable for the Phase 6 lands, but provided two pre-approval conditions for site plan. SS Wilson also found the conclusions and warning clauses recommended by the Vibration Impact Study to be satisfactory and acceptable. SS Wilson found the transportation inputs included in the calculations for 30 Powerhouse Street and the ventilation and window glazing requirements recommended by WSP to be satisfactory and acceptable. However, SS Wilson noted that the NCS was deficient in addressing stationary noise criteria, and disagree with WSP conclusions about the need for stationary noise assessment in this case. Staff propose that revisions to the applicant's NCS be required during the site plan review process to address the stationary noise criteria with mitigation recommendations, if necessary, and that these revisions be peer reviewed at the applicant's cost.

Metrolinx staff commented the NCS needs to be updated to reflect the future elevated guideway design of the Metrolinx rail corridor, and that this could be done through the site plan review process. Metrolinx staff further note that appropriate mitigation measures to meet applicable Ministry of Environment, Conservation and Parks (MECP) guidelines could be determined and implemented through the site plan review process.

Canadian Pacific Railway (CPR) staff commented that they reviewed both the NCS and the Vibration Impact Study Update prepared by WSP. CPR staff support the recommendations in the NCS and requests that CPR's standard clause be used for the warning clause. Furthermore, CPR also noted that the vibration transmission is within CPR's acceptable level and that CPR staff was satisfied.

Staff recommend that the owner be required to:

- Submit updated Noise Control and Vibration Studies, to address matters identified by the city's peer review, Metrolinx and CPR, at the next re-submission of their site plan control application, and that these revised studies be peer reviewed at the owners expense by the City's peer reviewer and Metrolinx's and CPR's advisors;
- Address matters identified by peer reviewers and advisors with additional revisions if necessary to be peer reviewed at the owner's expense; and
- Provide mitigation measures and conditions as recommended by the noise and vibration studies and as requested by the City's peer reviewer, Metrolinx and CPR

to the satisfaction of the Chief Planner and Executive Director, City Planning and Metrolinx and CPR.

Rail Safety

The Davenport Village Secondary Plan requires that development adjacent to railways ensure that appropriate safety measures such as setbacks, berms and fencing are provided. Furthermore, the Secondary Plan also provides that residential buildings are generally required to be setback a minimum of 25 metres from the Canadian National Railway (CNR) Newmarket Subdivision right-of-way (owned by Metrolinx) and 20 metres from the Canadian Pacific Railway North Toronto Subdivision railway right-of-way (owned by CPR), provided that appropriate safety and mitigation measures are incorporated with these setbacks.

The applicant retained JSW + associates to prepare a Derailment Protection Report dated July, 2019 in support of the development application. The City circulated this report to each of the railway operators, and the City retained HATCH to peer review the submitted materials on behalf of the City and provide an opinion on the sufficiency of the crash wall and rail safety measures incorporated into the proposal. HATCH concluded that:

- The southern boundary met the guideline mitigation required for residential setbacks with a crash wall; the eastern boundary met the guidelines for a 25 m setback with a 3 m berm height; and
- The crash wall design appears to be appropriate, however, proposed expansion joints (that are proposed to be sized to sufficiently isolate the 'crash wall' structure from the occupied residential towers), need to be verified in the building design plans.

Metrolinx staff advised that their concerns with the Derailment Protection Report could be addressed through the site plan review process. Metrolinx staff advised they are satisfied with the proposed setback but that Metrolinx would require that the ultimate safety barrier design be reviewed through the site plan review process and that the ultimate design must be to their satisfaction and the satisfaction of their Technical Advisor (AECOM). Metrolinx staff also advised that appropriate security fencing should be installed on top of the parking garage where the outdoor amenity area is proposed to a minimum standard height of 2.43 metre. Furthermore, Metrolinx staff wish to review the ultimate shoring design to ensure it is to their satisfaction and the satisfaction of their Technical Advisor (AECOM) given the close proximity to the Metrolinx property line. Metrolinx staff also noted that they discourage the use of tiebacks and advised that alternate construction approaches should be pursued, and in the event a tieback is necessary, the proponent would need to enter into a tieback agreement with Metrolinx. Metrolinx staff also expect that construction coordination be required to ensure there are no conflicts between rail corridor activities and the parking garage construction for 980 Lansdowne Avenue. Metrolinx staff request the applicant to engage with Metrolinx and its Technical Advisor prior to the next site plan submission to ensure that all Metrolinx concerns are addressed to their satisfaction.

CPR staff commented that the setback depicted proposed a reduction to CPR's standard, but this could be acceptable in conjunction with the increased berm/crash wall height, and that the crash wall would need to be designed to mitigate against railway impact. CPR staff commented that the Derailment Protection Report which included the crash wall design was submitted to AECOM (CPR's advisor) for review. CPR staff is satisfied that the review would be completed shortly, and that final sign-off could be completed prior to Site Plan Approval.

Staff recommend that the Section 37 Agreement include a requirement that the owner agree to submit building design details through the site plan review process to the satisfaction of the City and its peer reviewer, Metrolinx and their technical advisor, and CPR and their advisor, and agree to required mitigation and conditions identified by the City's peer reviewer, Metrolinx and CPR to be secured in the Site Plan Control Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and CPR.

Metrolinx

Metrolinx is the owner of the north-south rail corridor abutting the western boundary of the Phase 6 lands. Through the review process for this proposal, Metrolinx staff identified the need for a sliver of land approximately 3 m in width along the westerly property limit of the Phase 6 lands to provide grading for a temporary diversion track which will be required while Metrolinx constructs an elevated guideway for GO Transit passenger rail traffic in that corridor. The owner of the subject lands has since sold this strip to Metrolinx.

Once the proposed elevated guideway is constructed, Metrolinx intends to replace the diversion track within the expanded rail corridor with a new multi-use trail immediately adjacent to the Phase 6 lands. Metrolinx and the City of Toronto are currently in negotiations to finalize a long term operational easement for the trail, and Metrolinx staff advise there are no current plans for further corridor expansion through this railway corridor, so the trail is expected to remain in place for the foreseeable future.

In a letter dated December 9, 2019, Metrolinx requested that the Official Plan Amendment designate the 3 m sliver from *Apartment Neighbourhoods* to *Utility Corridor* on Map 17 and to delete this strip from the Davenport Village Secondary Plan Area. Further, Metrolinx staff also requested that the Zoning By-law Amendments rezone this 3 m sliver to "Utility and Transportation Zone", and ensure that no residential living areas be permitted within the 23.5 metre setback between the Metrolinx property line and the proposed residential building face.

Metrolinx staff provided additional comments including several conditions to be included through the site plan review process, including the owner agreeing to:

- Satisfy all Metrolinx rail safety requirements and to enter into an agreement with Metrolinx stipulating how applicable concerns will be addressed. This agreement is to also include an environmental easement for operational emissions, to be registered on title against all residential dwellings within 300 metres of the rail corridor in favour of Metrolinx;

- Engage a qualified consultant to prepare and submit a storm water management report for review and satisfaction of Metrolinx;
- Prepare an occupancy phasing plan for review and satisfaction of Metrolinx;
- Provide information regarding a crane swing plan and enter into an agreement with Metrolinx if necessary; and
- Provide confirmation that the warning clause they provide is inserted into all development agreements, offers to purchase and agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the railway right-of-way.

Staff recommend that these matters be secured in the Section 37 Agreement and to include a requirement that the owner agree to incorporate Metrolinx requirements during the site plan review process to the satisfaction of the Chief Planner and Executive Director, City Planning and Metrolinx.

Canadian Pacific Railway (CPR)

CPR staff note that the proposed development is located adjacent to their North Toronto Subdivision, which is classified as a Principal Main line. CPR is not in favour of residential developments adjacent to or near their right-of-way as this land use is not compatible with railway operations. However, to ensure the safety and comfort of adjacent residents and to mitigate the inherent adverse environmental factors, CPR staff request that their requirements be considered as part of the review of this development application. In addition to the comments on the rail safety study and the noise and vibration studies noted above, CPR staff also provided the following additional comments.

CPR staff require a 1.83 metre high chain-link fence to be constructed and maintained, along the common property line by the owner at their expense, and that the owner be made aware of the necessity of a covenant running with the lands, in all deeds, obliging the purchasers to maintain the fence in satisfactory condition at their expense. The requirement of the fence would be waived if the crash wall built along the common property wall is acceptable to CPR.

CPR staff require that any proposed alterations to the existing drainage pattern affecting the railway, be substantiated by a drainage report to be reviewed by and agreed to by CPR. CPR staff will require the proposed Stormwater Management study be reviewed by their service provider. CPR staff also require that the proposed dewatering plan has no impacts on CPR's infrastructure. CPR staff require that the dewatering plan be reviewed by their service provider. The applicant is to contact CPR staff for submission guidelines for these reviews. CPR staff are agreeable to complete these reviews during the site plan review process.

Furthermore, CPR staff require a warning clause to be inserted in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each dwelling unit within 300 metres, warning prospective purchasers or tenants of: the existence of the railway's operating right-of-way; the possibility of alterations to the operation including expansion, which may affect the living environment notwithstanding noise and vibration attenuating measures; and the railway would not be responsible for complaints or claims arising from the use of its facilities and/or operations.

Staff recommend that the Section 37 Agreement include a requirement that the owner agree to address CPR's conditions related to the fence, drainage and dewatering, and the use of warning clauses to be secured in the Site Plan Control Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning and CPR.

Holding Symbol

There is a Holding Symbol on the Phase 6 lands. The Davenport Village Secondary Plan provides a list of conditions that must be satisfied to remove the Holding Symbol incrementally or in phases as follows:

- i. A record of Site Condition is to be filed on the Province's Environmental Registry under the *Environmental Protection Act*, evidencing that the site is suitable for the intended use of the lands;
- ii. An Environmental Report prepared in accordance with Section 10.1 and Section 10.2 of the Davenport Village Secondary Plan;
- iii. The submission of a Site Plan Control Approval application pursuant to Section 41 of the *Planning Act*, and issuance of Notice of Approval Conditions (NOAC) for Site Plan Control;
- iv. A functional road plan;
- v. An infrastructure phasing plan;
- vi. A stormwater management brief;
- vii. A traffic impact study;
- viii. A municipal lighting assessment;
- ix. Noise and vibration studies;
- x. An affordable housing and unit type mix, in accordance with the affordable housing policies of the Secondary Plan;
- xi. A Heritage preservation and conservation plan for designated historically significant buildings;
- xii. A community services and facilities study update; and
- xiii. Draft plan of subdivision approval, including entering into a subdivision agreement.

The applicant has demonstrated that all the required matters have been provided and/or have appropriate agreements binding on the owner, with the exception of item iii. which requires the issuance of a NOAC. The owner has submitted a Site Plan Control application which is currently under review. As this is the final phase of the Secondary Plan and the applicant has a site plan application with the City, staff are recommending the Zoning By-law Amendments include the lifting of the (H).

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. Staff are recommending that the owner be required to

construct and maintain the development in accordance with Tier 1 performance measures of the TGS as adopted by City Council.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. The proposed building heights and development density meets the Official Plan's threshold for Section 37 considerations.

Section 12.8 of the Davenport Village Secondary Plan identifies that agreements pursuant to Section 37 may be used to secure services, facilities and matters, which may include:

- Preservation/conservation of heritage resources designated and/or listed in the City's Inventory of Heritage Properties;
- Public art;
- Other non-profit arts, cultural, community or institutional facilities;
- Parkland, streetscape and/or landscape improvements;
- Ownership and maintenance of barrier walls and acoustical walls or fences and the land on which these facilities are located abutting railway property; and
- For convenience in securing other facilities, works and matters in association with development on the land.

The Davenport Village Site Specific Zoning By-law No. 728-2006 includes Section 37 requirements of:

- \$200 per residential unit for a 'Community Facilities and Services Contribution';
- Owner entering into a heritage easement agreement for historically significant buildings;
- Provision of low end of market affordable housing (condominium or rental tenure) ensuring 30% of each of the following type of unit are constructed with maximum unit sizes as follows: bachelor maximum at 46.5 m²; one bedroom at 60.4 m²; two bedroom at 120 m²; and 3 bedroom at 135 m² ;
- Units to be marketed to the local community first, and the owner to work with the City's Social Housing Connections Office; and
- Enter into an agreement with the City for the ownership and maintenance of a strip of land abutting the railway sufficient to construct a barrier wall and acoustical wall or fence.

These items were secured in a Section 37 Agreement executed on August 14, 2006 and registered on July 19, 2007.

As this development proposal includes additional height and density that trigger an additional Section 37 contribution, the following Section 37 contributions are recommended by staff:

- The cash contribution of \$200 per unit, as per the previous Section 37 Agreement registered on July 19, 2007, to be directed toward public art, parkland and/or streetscape improvements within the local area;
- A cash contribution in the amount of \$1.2 million for affordable housing in Ward 9;
- The construction of a splash pad addition at the local park within the Davenport Village Secondary Plan valued at \$280,000; and
- A cash contribution in the amount of \$300,000 to be directed toward public art, parkland and/or streetscape improvements within the local area.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019), the Toronto Official Plan and the Davenport Village Secondary Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and conforms and does not conflict with the Growth Plan (2019). Furthermore, the proposal is in keeping with the intent of the City of Toronto Official Plan, particularly as it relates to the policies of the Davenport Village Secondary Plan. Staff worked with the applicant and the community to address and resolve a number of issues such as ensuring appropriate built form transition, open space and traffic concerns. Features of the proposal include:

- Providing 30% of the units to meet the size requirement that make them affordable.
- The proposal provides for much needed purpose built market rental units with over 50% of the units being family sized two and three bedroom units.
- The proposal provides appropriate built form transition with all the towers and midrise buildings fitting within a 45 degree angular plane measured from the *Neighbourhoods* lands adjacent to the site and compatible built form would be provided along Brandon Avenue in the form of townhouse blocks similar to the blocks on the north side of the street.
- The proposal provides for appropriate amenity areas within the Phase 6 lands as well as a linear pathway along the perimeter of the site next to the rail corridor providing a pedestrian connection from Lansdowne Avenue to the public park in the interior of the Secondary Plan area. These areas would provide much needed green space, trees and play areas to accommodate children and dogs.
- Traffic concerns will be addressed by the widening of Brandon Avenue and the installation of a signalized intersection at Brandon Avenue and Lansdowne Avenue.
- The redevelopment of Building '15' conserves its heritage attributes while providing options for re-purposing the building to residential uses or continuing with commercial uses on floors 1 through 4 with added residential above the 4th floor and complementary retail space at ground level.
- The proposal provides for a well located small private daycare at the intersection of Foundry Avenue and Brandon Avenue.
- The POPS would be an amenity space beneficial to the wider community. Through the Section 37 commitment, the applicant also proposes to fund, design and construct the addition of a splash pad in the community's public park at the intersection of Foundry Avenue and Powerhouse Street.

Staff recommend that City Council approve the application, subject to the conditions noted in the Recommendations Section of this report.

CONTACT

Elisabeth Silva Stewart, Senior Planner
Tel. No. (416) 394-6006
E-mail: Elisabeth.SilvaStewart@toronto.ca

SIGNATURE

Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

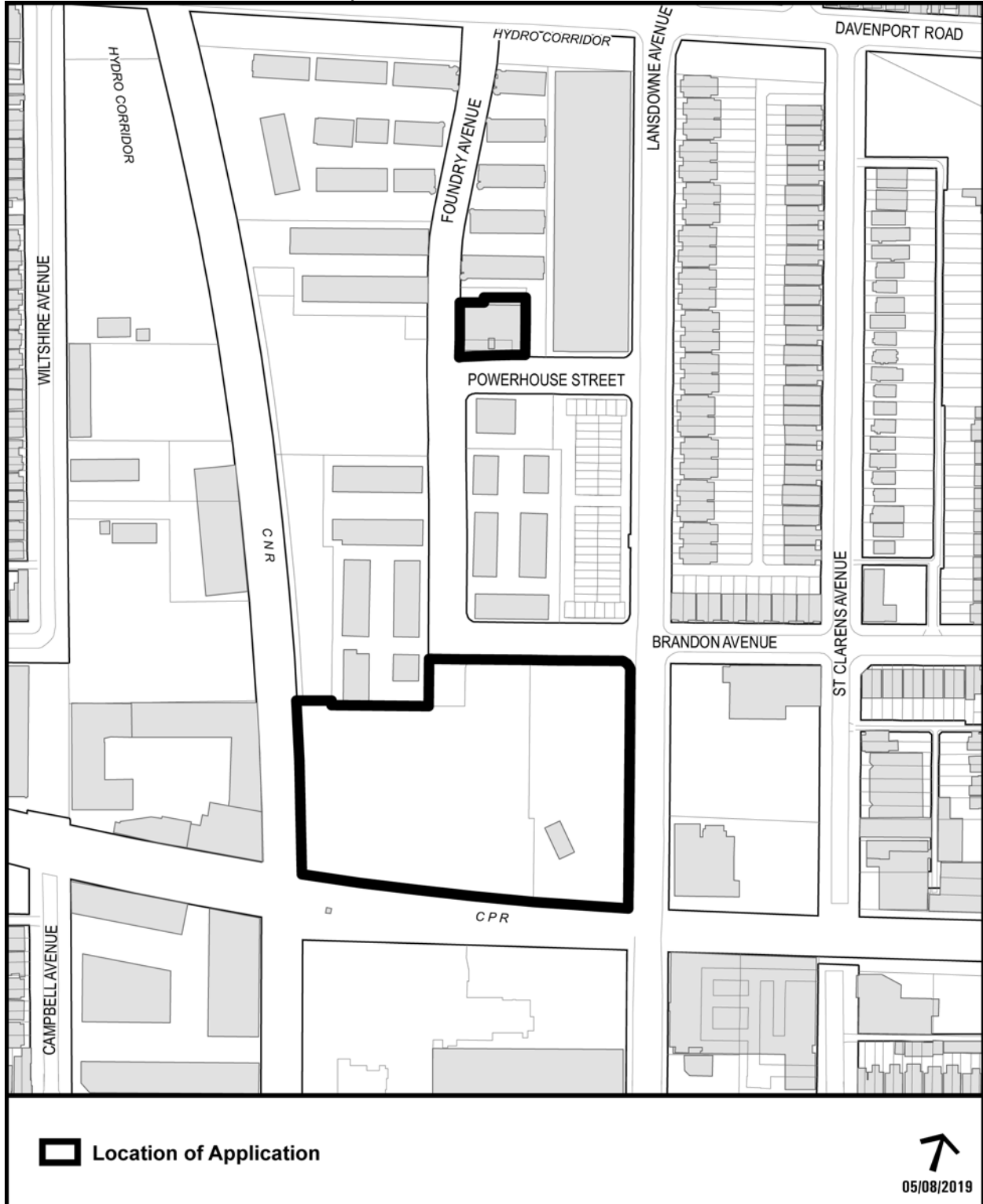
City of Toronto Data/Drawings

- Attachment No. 1: Location Map
- Attachment No. 2: Official Plan Land Use Map
- Attachment No. 3: Existing Zoning By-law Map
- Attachment No. 4: Draft Official Plan Amendment
- Attachment No. 5: Draft Amendment to Former City of Toronto Zoning By-law No. 438-86 for 900 and 980 Lansdowne Avenue and PIN 213250433 Lands
- Attachment No. 6: Draft Amendment to City-Wide Zoning By-law No. 569-2013 for 900 and 980 Lansdowne Avenue and PIN 213250433 Lands
- Attachment No. 7: Draft Amendment to Former City of Toronto Zoning By-law No. 438-86 for Building '15' at 30 Powerhouse Street

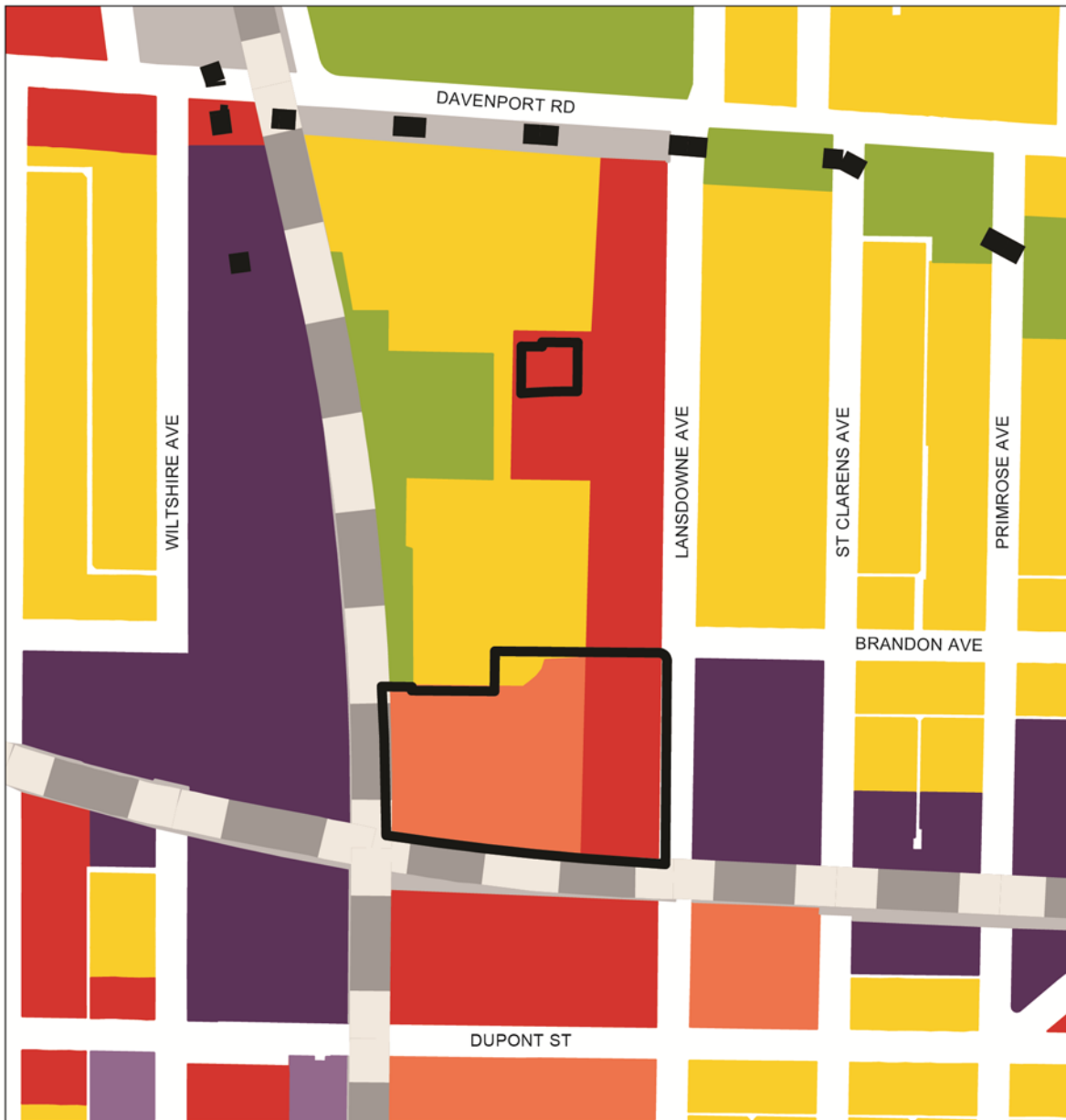
Applicant Submitted Drawings

- Attachment No. 8: Site Plan for 900 and 980 Lansdowne Avenue and PIN 213250433 Lands
- Attachment No. 9: Site Plan for 30 Powerhouse Street
- Attachment No. 10: North Elevation for 900 and 980 Lansdowne Avenue
- Attachment No. 11: South Elevation for 900 and 980 Lansdowne Avenue
- Attachment No. 12: West Elevation for 900 and 980 Lansdowne Avenue
- Attachment No. 13: East Elevation for 900 and 980 Lansdowne Avenue
- Attachment No. 14: North Elevation for 30 Powerhouse Street
- Attachment No. 15: South Elevation for 30 Powerhouse Street
- Attachment No. 16: West Elevation for 30 Powerhouse Street
- Attachment No. 17: East Elevation for 30 Powerhouse Street

Attachment No. 1: Location Map







Attachment No. 2: Official Plan Land Use Map



Official Plan Land Use Map #17

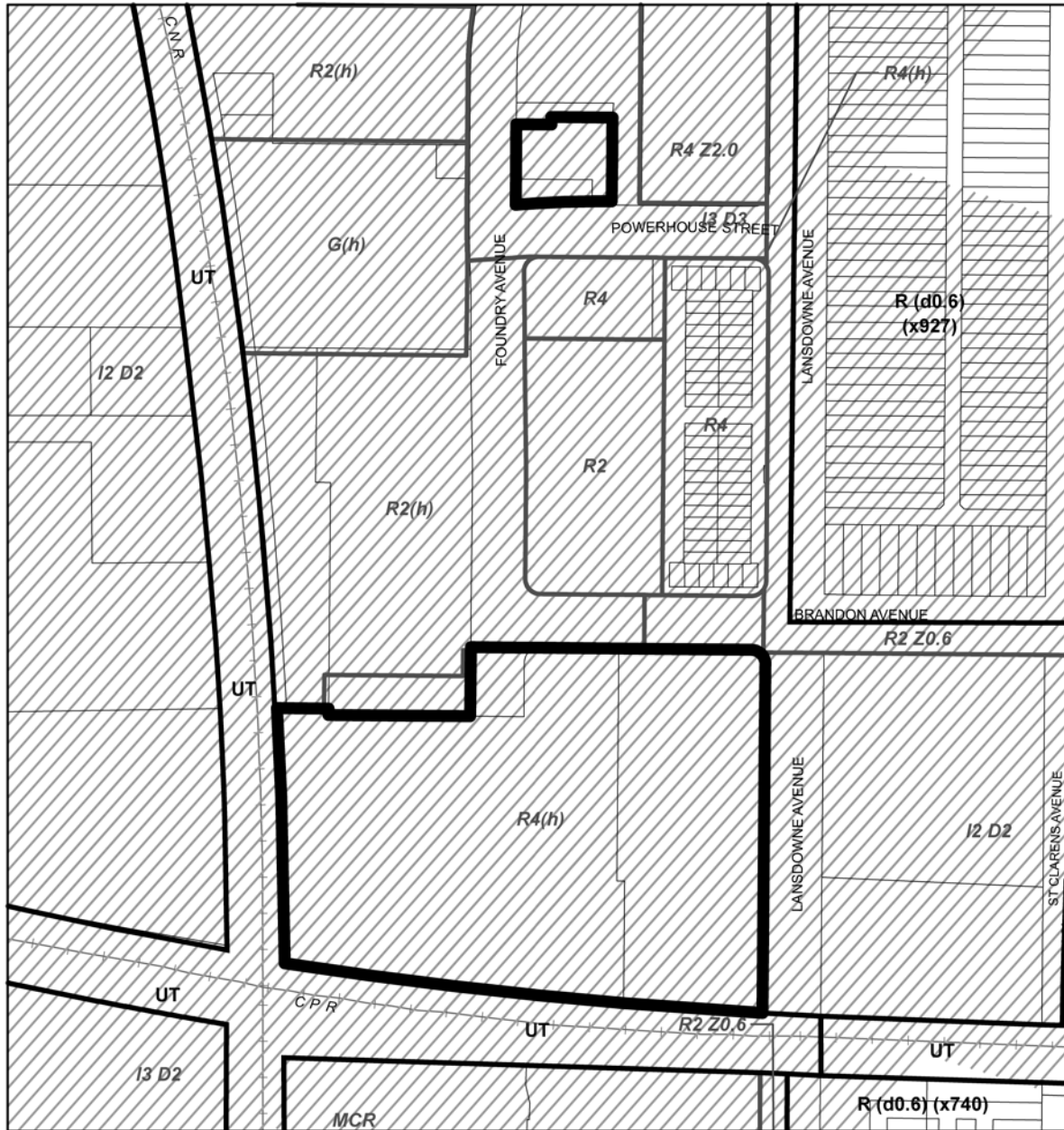
980 Lansdowne Avenue

File # 17 185378 WET 17 0Z

 Location of Application	 Parks & Open Space Areas	 Utility Corridors	 General Employment Areas
 Neighbourhoods	 Parks		 Core Employment Areas
 Apartment Neighbourhoods			
 Mixed Use Areas			


 Not to Scale
 09/18/2019

Attachment No. 3: Existing Zoning By-law Map



Zoning By-law 569-2013

980 Lansdowne Avenue

File # 17 185378 WET 17 0Z



Location of Application

R Residential E Employment Industrial
 UT Utility and Transportation



See Former City of Toronto By-law No. 438-86

R2 Residential District
 R4 Residential District
 MCR Mixed-Use District
 I2 Industrial District
 I3 Industrial District
 G Parks District



Not to Scale
 Extracted: 05/08/2019

Attachment No. 4: Draft Official Plan Amendment

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

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill XXX

BY-LAW XXX

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the Davenport Village Secondary Plan**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. ~~~ to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,
Speaker

ULLI S. WATKISS,
City Clerk

(Seal of the City)

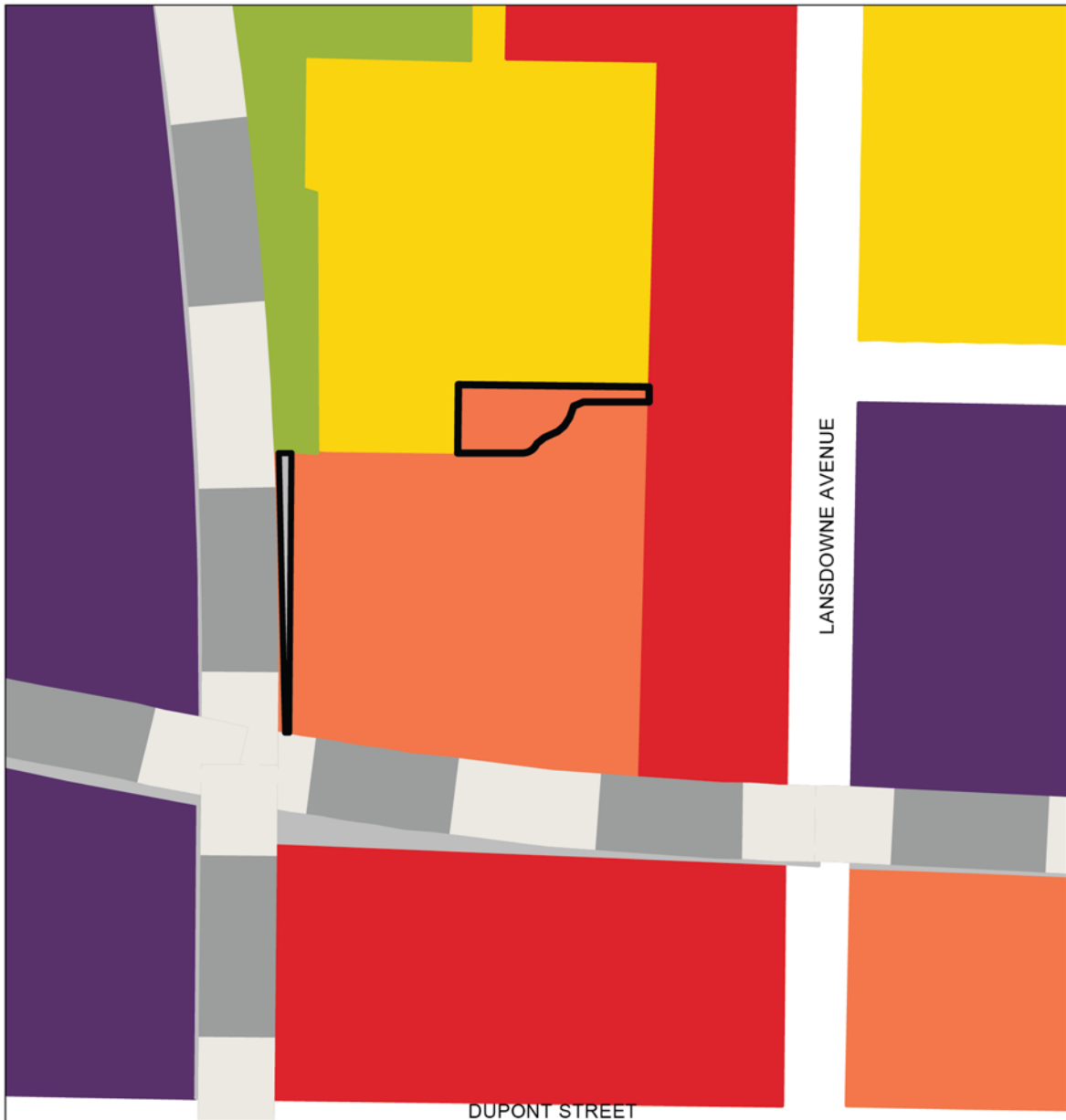
AMENDMENT NO. 495 TO THE OFFICIAL PLAN

Lands located within the Davenport Village Secondary Plan

The Official Plan of the City of Toronto is amended as follows:

1. Map 17, Land Use Plan, is amended by re-designating lands:
 - a) identified as PIN 213250433 from *Apartment Neighbourhood* to *Utility Corridor*, and
 - b) municipally known as shown 900 and 980 Lansdowne Avenue from *Neighbourhoods* to *Apartment Neighbourhoods* as shown on the Schedule A1.
2. Map 35, Urban Structure, is amended by deleting the lands identified as PIN 213250433 shown on Schedule A2 from the boundary of the Davenport Village Secondary Plan.
3. Chapter 6, Section 27, Davenport Village Secondary Plan is amended as follows:
 - a) Replace the first sentence of the second paragraph under Section "VISION FOR THE DAVENPORT VILLAGE SECONDARY PLAN " with the following sentence:

"The Davenport Village Secondary Plan will be developed in phases as an extension to the residential neighbourhood to the east of the site, and may contain up to 2,245 dwelling units, subject to the policies of this Secondary Plan."
 - b) Delete the words ", and issuance of Notice of Approval Conditions for Site Plan Control" in Section 12.6 iii.
 - c) Revise the boundaries of Maps 27-1 and 27-2, attached as Schedules A3 and A4, by removing lands identified as PIN 213250433 shown on Schedule A2 from the Davenport Village Secondary Plan boundary, and adding them to the CN NEWMARKET SUBDIVISION.
 - d) Revise the Phase boundaries in Map 27-2, as shown on Schedule A4, to revise the extent of Phases 4, 5, 6 and 7.



Schedule A1 - Official Plan Amendment No.495

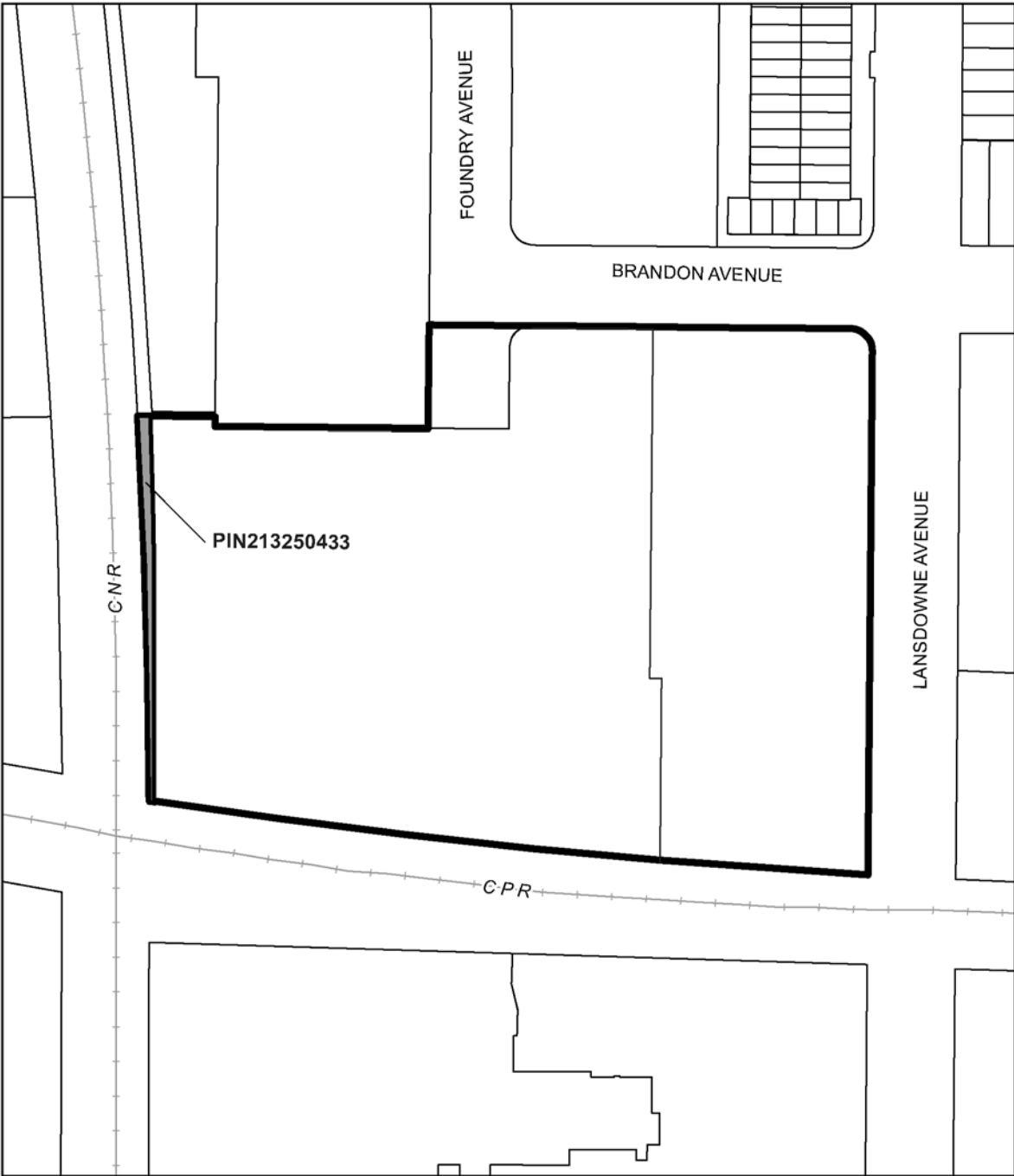
Revisions to Land Use Map 17 to Redesignate lands from Apartment Neighbourhoods to Utility Corridors and Lands from Neighbourhoods to Apartment Neighbourhoods

900 and 980 Lansdowne Avenue and PIN213250433

File # 17 185378 WET 17 0Z

- | | | | |
|--------------------------|--------------------------|-------------------|--------------------------|
| Amendment Areas | Parks & Open Space Areas | Utility Corridors | General Employment Areas |
| Neighbourhoods | Parks | | Core Employment Areas |
| Apartment Neighbourhoods | | | |
| Mixed Use Areas | | | |

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Not to Scale
02/06/2020



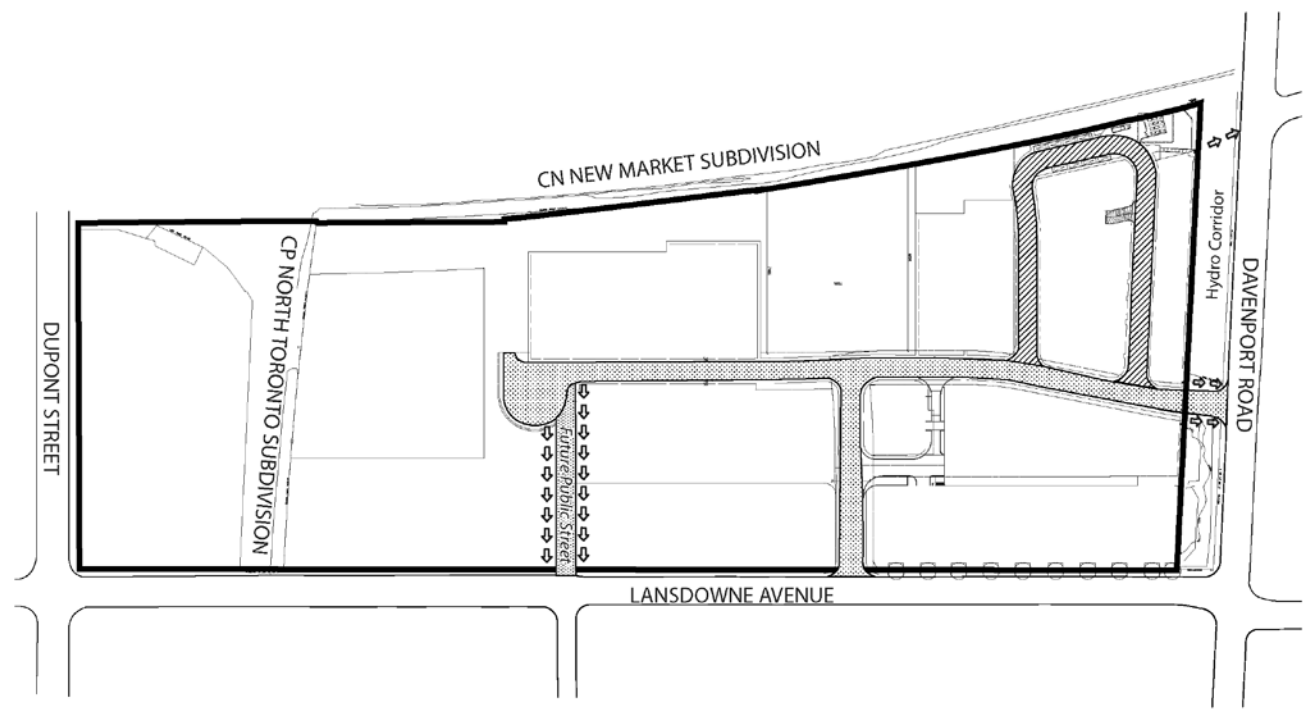
Schedule A2 - Official Plan Amendment No.495

Location of PIN213250433 lands

File # 17 185378 WET 17 02







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02/19/2020



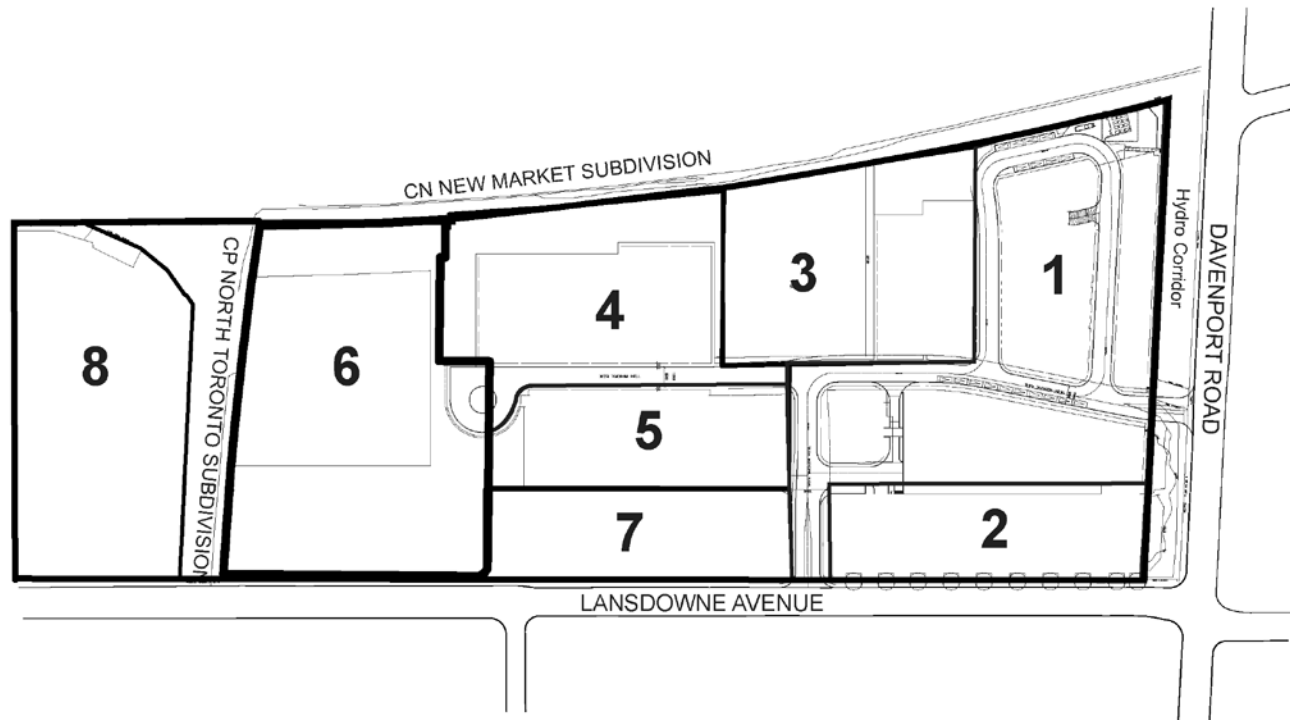
Schedule A3 - Official Plan Amendment No.495

Revisions to Davenport Village Secondary Plan Map 27-1, Streets and Blocks and Pedestrian Connections to remove lands identified as PIN213250433

File # 17 185378 17 WET 02

-  Secondary Plan Boundary
-  Public Street
-  Private Street
-  Pedestrian Connection

Not to Scale
02/04/2020



Schedule A4 - Official Plan Amendment No.495

Revisions to Davenport Village Secondary Plan Map 27-2, Phasing Plan to remove lands identified as PIN213250433 and to revise Phase boundaries

File # 17 185378 17 WET 02

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Not to Scale
02/04/2020

Attachment No. 5: Draft Amendment to Former City of Toronto Zoning By-law
No. 438-86 for 900 and 980 Lansdowne Avenue and
PIN 213250433 Lands

Authority: Toronto and East York Community Council
Item TE3.3, adopted as amended, by City of Toronto
Council on ?, 2019

CITY OF TORONTO

Bill

BY-LAW -2019

To amend former City of Toronto Zoning By-law 438-86, as amended, and Site Specific Zoning By-law No. 728-2006 with respect to lands within Phase 6 of the Davenport Village Area and municipally known in the year 2019 as 900 and 980 Lansdowne and lands identified as PIN 213250433.

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*; and

WHEREAS authority is given to Council by Section 36 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, for use of a holding symbol (“H”) in conjunction with any use designation, to specify the use of which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the zoning by-law; and

WHEREAS there are official plan policies in effect addressing the use of the holding symbol in the subject lands; and

WHEREAS it is appropriate that the ‘H’ holding symbol be removed in relation to the subject lands; and

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 or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provisions of such facilities, services or matters as 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 and density of development, a 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 permitted beyond that otherwise permitted on the aforesaid lands by By-law 438-86, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the lands and the City of Toronto;

The Council of the City of Toronto enacts:

1. This by-law applies to the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law.
2. District Map No. 48J-322 contained in Appendix "A" of By-law No. 438-86, as amended and "Map 2" contained in By-law No. 728-2006, is further amended by removing the (h) on the lands outlined by heavy lines from "R4(H)" to "R4" and the lands identified as PIN 213250433 from "R4(H)" to "U" as shown on Map 2, attached hereto;
3. None of the provisions of Section 2(1) with respect to the definition of grade, height, owner and lot and Sections 4 (2)(a), 4(11), 4(12), 4(16), 6(1)(a), S 6 (3) PART I, S 6 (3) PART II S. 1, 2, 3 4, 5, 6, 7 and 8, S 6 (3) PART III, S 6 (3) PART IV 1 (e), (2), (3) and (4), 6 (3) Part VI, 6 (3) PART VII, 6(3) PART IX and PART XI 1(a) of the aforesaid By-law No. 438-86, as amended, shall apply, to prevent the erection and use of an apartment building, rowplexes, day nursery, parking garage and accessory uses, including but not limited to a barrier wall or acoustical wall or fence permitted on Block 5 and part of Block 6 of by By-law 728-2006, as shown on Map 1 attached hereto and forming part of this by-law provided that:
 - a) the *lot* comprises the lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - b) notwithstanding separation distance, stepback and setback provisions of By-law 728-2006, the separation distances, stepbacks and setback shown on Map 3 attached to and forming part of this By-law shall apply;
 - c) notwithstanding the height and minimum lot frontage shown on Map 48J-322, the height and minimum lot frontage shown on Map 3 attached to and forming part of this By-law shall apply;

- d) no portion of any *building* or structure on the lot shall have a *height* in metres greater than the *height* limits specified by the numbers following the symbol H on Map 3 attached to and forming part of this By-law, except for:
 - i. parapets, balustrades, cornices, elevator overrun, guardrails, landscape and green roof elements, mechanical equipment, railings, stair enclosures, stairs, trellis, vents and wind mitigation features which may exceed the *height* limits by a maximum of 1.4 metres;
 - ii. public art features may exceed the height limits by a maximum of 3 metres.
- e) section 4(2) of By-law 728-2006, as amended, is further amended by replacing the number "1084" with the number "1319".
- f) Notwithstanding Section 4(14) of By-law 728-2006, the maximum floor plate area is 750 sq.m for Buildings A and B above the base of a maximum height of 23.76 metres; the maximum floor plate area for Building C is 966 square metres above the base height of 18.48 metres.
- g) In addition to the parking rate for rowplexes listed in 4(9) of By-law 728-2006, the following minimum parking rates apply to the apartments and the day nursery:
 - i. Buildings A, B and C
 - a. Resident Parking – 0.63 spaces per dwelling unit;
 - b. Visitor Parking – 0.2 spaces per dwelling unit;
 - ii. Day nursery
 - a. Day nursery Parking – 1 space per 100 square metres of GFA ;
- 4. No person shall use any land or erect or use any building or structure within the lot unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - a) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway;
 - b) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational; and
 - c) None of the provisions of this By-law shall apply to prevent the use of the land or the erection of a building or structure within the lot prior to the completion of any realignment and reconstruction of Brandon Avenue and all associated water mains and sanitary sewers, and appropriate appurtenances in such local road.
- 5. For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86 of the former City of Toronto, as amended, with the exception of the following:
 - a) "grade" means the geodetic datum elevation of:
 - i. 119.00 for Building "A";

- ii. 125.50 for Building “B” and Building “C”;
- iii. 122.96 for Building “D”;
- iv. 119.91 for Building “E”; and
- v. 125.75 for Building “F”.

b) "lot" means those lands delineated by heavy black lines on the attached Map 1, as identified as Block 5 and a portion of Block 6 solely for the purposes of setting out setbacks.

6. Section 37 provisions

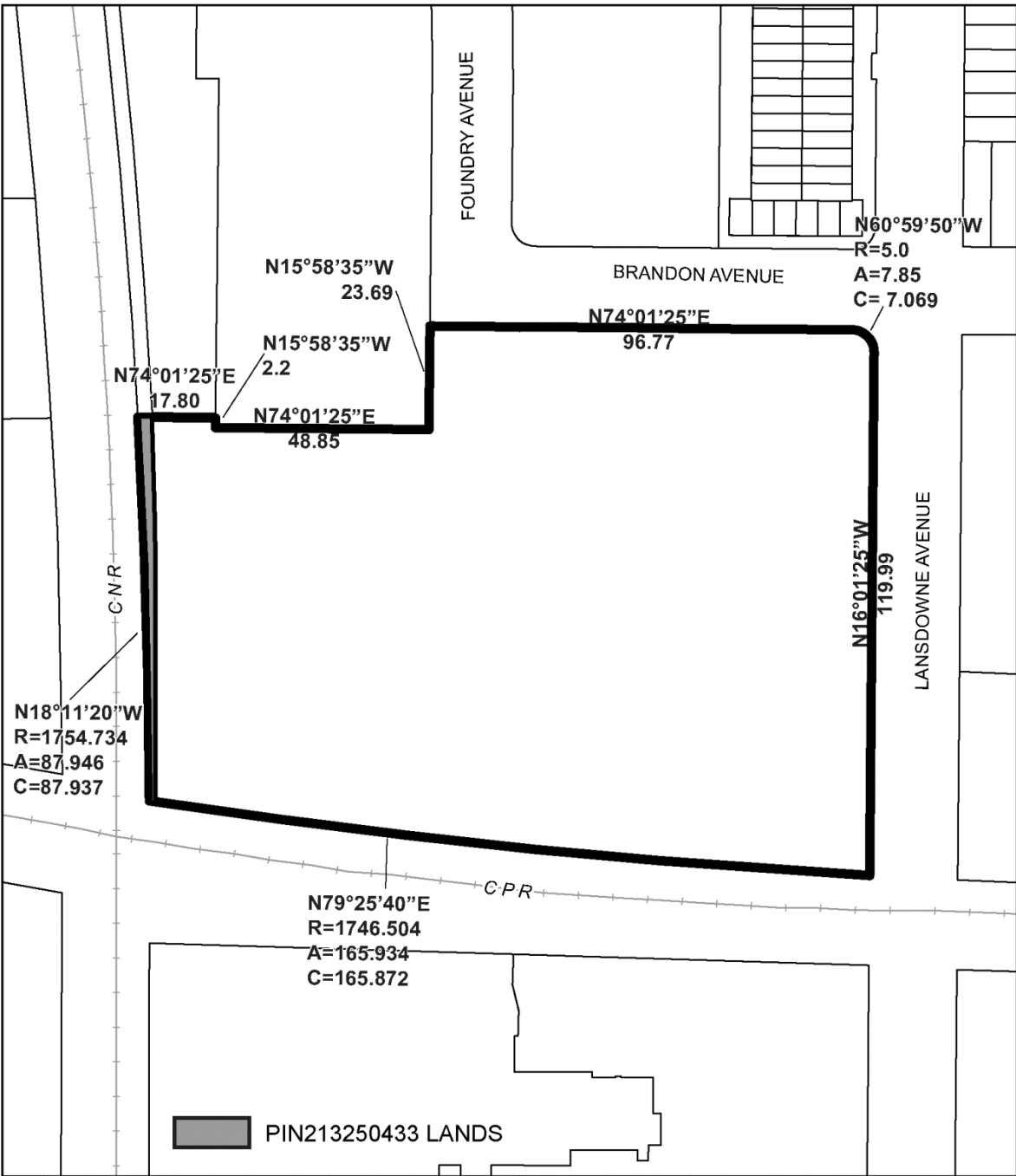
- a) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height of the development is permitted beyond that otherwise permitted on the lands shown as Map 1 attached to this By-law, in return for the provisions by the owner, at the owner’s expense of the facilities, service 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 building permit is dependent on satisfaction of the same; and
- c) The owner must not use, or permit the use of, a building or structure erected with an increase in the height pursuant to this By-law unless the provisions of Schedule A of this By-law are satisfied.

Enacted and passed on xxxx, xxx 2020.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



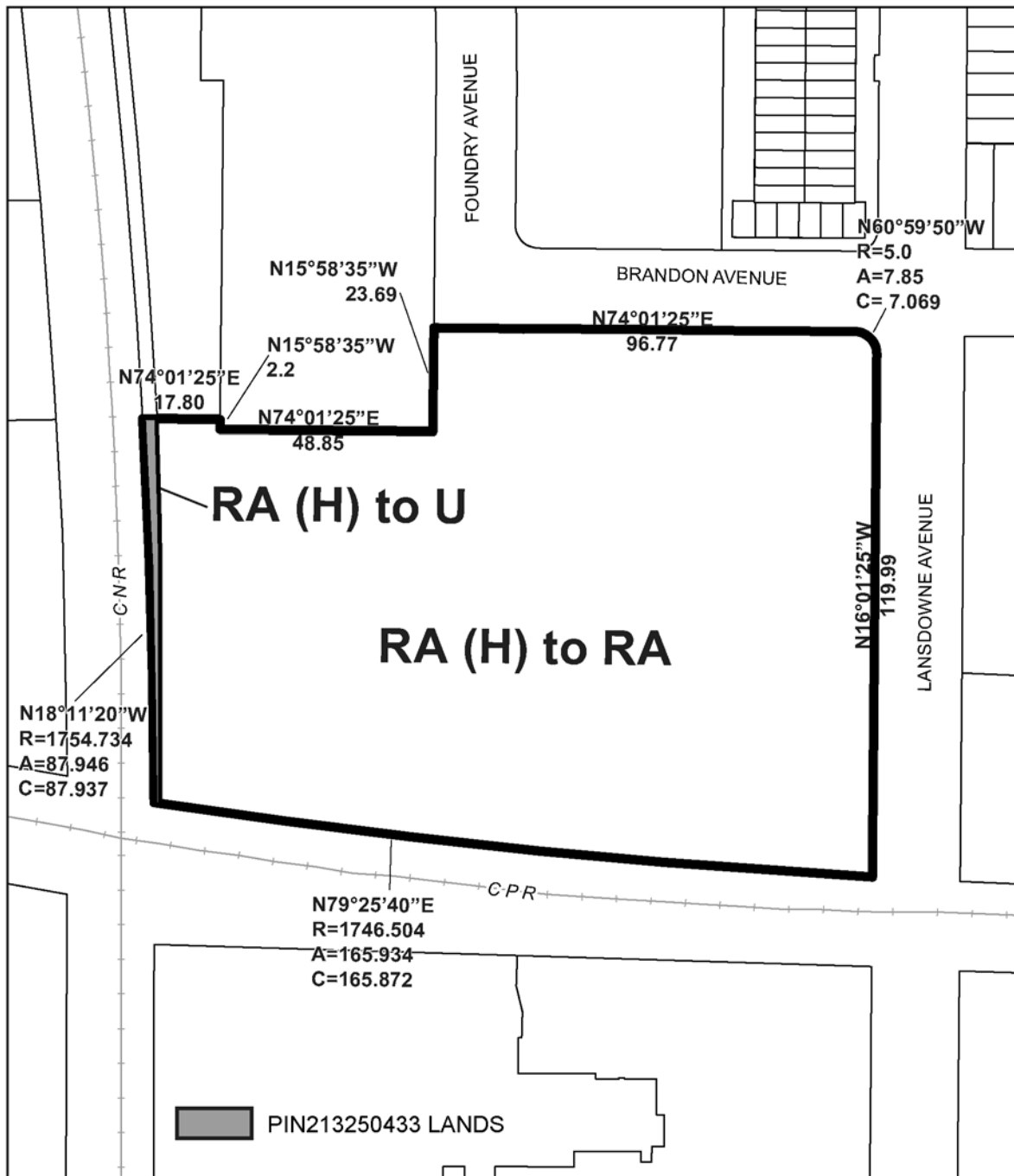
Toronto
Map 1

**900 & 980 Lansdowne Avenue
and PIN213250433**

File # 17 185378 WET 17 0Z

Blocks 3 and 6 Registered Plan 66M-2496
City of Toronto.
Holding Jones Vanderveen Inc.

City of Toronto By-law 438-86
Not to Scale
10/07/2019



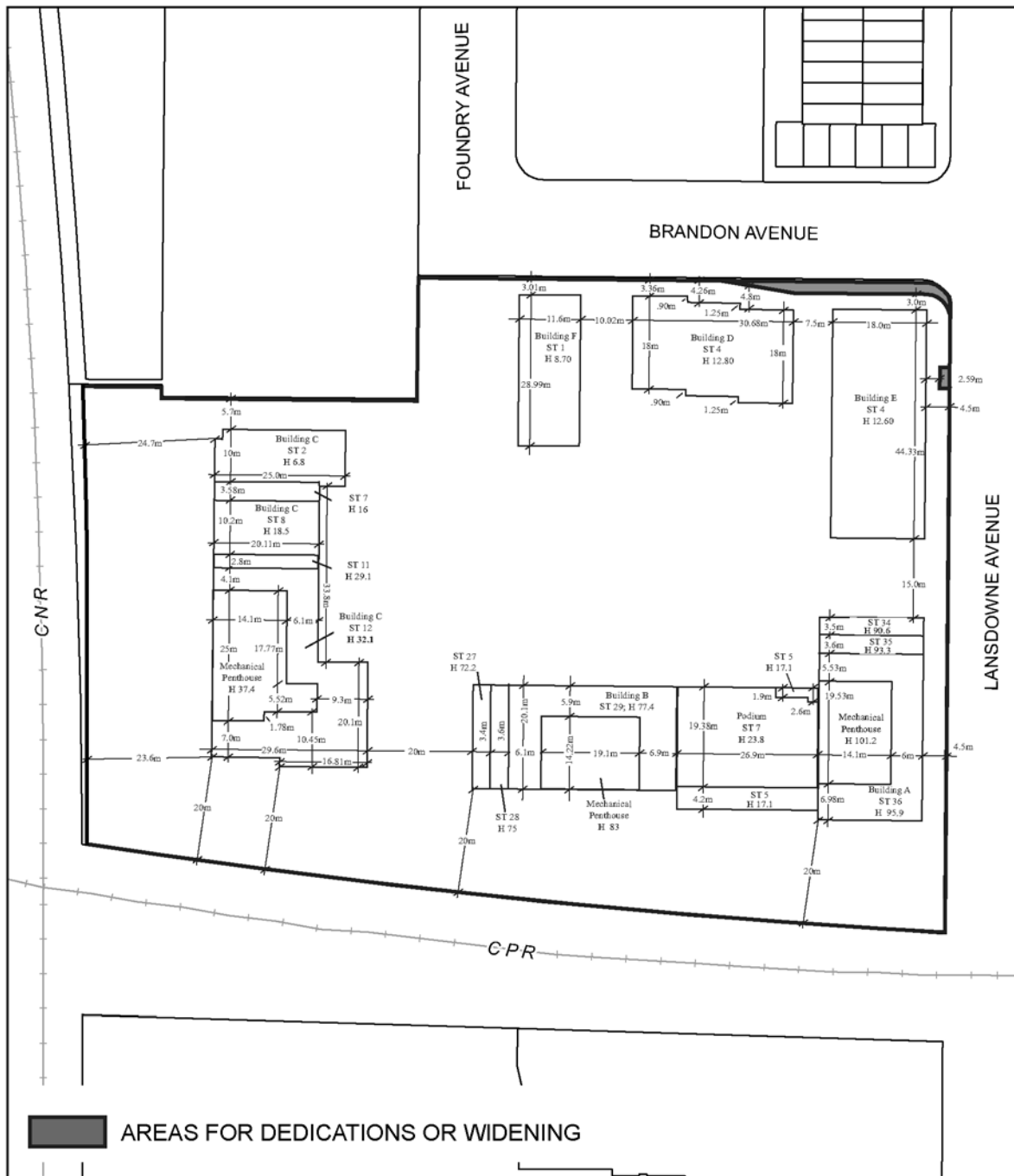
TORONTO
Map 2

900 & 980 Lansdowne Avenue
and PIN213250433

File # 17 185378 WET 17 02

Blocks 3 and 6 Registered Plan 66M-2496
City of Toronto.
Holding Jones Vanderveen Inc.

City of Toronto By-law 438-86
Not to Scale
02/06/2020



Toronto
Map 3

900 & 980 Lansdowne Avenue

File # 17 185378 WET 17 0Z

Applicant's Submitted Drawings.

City of Toronto By-law 438-86
Not to Scale
02/06/2020

SCHEDULE A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Map 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act .

The owner agrees as follows:

1. Prior to the issuance of the first above grade building permit for any building within Phase 6, a cash contribution to be paid to the City to be allocated within Ward 9 Davenport, as follows:
 - a) As per the requirements of Section 1.1 of the Section 37 Agreement executed on August 14, 2006 and registered on July 19, 2007 as Instrument No. AT1511978 (the "2006 Section 37 Agreement"), \$200 per unit be directed toward public art, parkland and/or streetscape improvements within the local area.
 - b) The owner shall pay to the City the sum of \$1.2 million to be allocated towards the Capital Revolving Reserve Fund for Affordable Housing (XR1058) for affordable housing within Ward 9.
 - c) The owner shall pay to the City the sum of \$300,000 to be directed toward public art, parkland and/or streetscape improvements within the local area.
 - d) The cash contribution referred to in 1 a) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto from August 14, 2006, the date of the execution of the 2006 Section 37 Agreement, to the date of payment.
 - e) The cash contributions referred to in 1 b) and c) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.
 - f) In the event the cash contributions referred to in 1 a) b), and c) above have not been used for the intended purposes within three (3) years of the Bylaw coming into full force and effect, the cash contributions may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the City of Toronto Official Plan and will benefit the community in the vicinity of the lands.
2. The owner is required to fund, design and construct a splash pad addition in the value of \$280,000 at the Davenport Village Park, being the local park at 18 Foundry Avenue, in consultation with Parks, Forestry and Recreation staff and the Ward

Councillor to the satisfaction of the General Manager, Parks, Forestry and Recreation. The owner is required to provide a letter of credit in the amount of \$56,000.00 no later than the commencement of Park Construction. The owner must obtain a Park Access Agreement (PAA) from Parks, Forestry and Recreation's Park Supervisor for that Ward. The PAA will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, Parks, Forestry and Recreation. The owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park. The Letter of Credit will be released two years after substantial park completion as identified by the General Manager, Parks, Forestry and Recreation, provided that all deficiencies have been rectified to the satisfaction of the General Manager, Parks, Forestry and Recreation.

3. The owner shall enter into a Section 37 Agreement as a legal convenience to support development which will include the following:
 - a) The owner shall agree to develop a Tenant Access Plan in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning, to ensure each phase and/or building within the phase is marketed initially to the local community to provide opportunities for local residents to move into the development.
 - b) The owner shall agree to enter into a financially secured agreement with the City that contains the following improvements/requirements:
 - i. The owner shall make any traffic control signal timing adjustments at signalized intersections in the immediate area to improve the overall level-of-service in accordance with the Traffic Impact and Operations Study by GHD dated November 1, 2018 as amended, at no cost to the City of Toronto to the satisfaction of General Manager, Transportation Services.
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 - iii. The owner shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with terms and conditions as set out by the City of Toronto, including providing payment for a peer reviewer and submission of a Record of Site Condition (RSC) at no cost to the City and all to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services.

- iv. Prior to the issuance of the first above-grade permit for any building in Phase 6, the owner shall construct a new four-way intersection, consisting of Foundry Road, Brandon Avenue, the existing Phase 4 driveway and the proposed Phase 6 driveway, all four legs of which shall be stop-controlled, complete with the installation of all-way 'stop' signage with 'all-way' tabs, all of which is to be undertaken at no cost to the City, and to the satisfaction of General Manager, Transportation Services.
- v. The owner shall provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development.
- c) Through the Site Plan review process, the owner shall agree to convey the lands required for the relocated bus shelter on Lansdowne Avenue, construct the new level brush concrete platform, install the new bus shelter, provide noise attenuation for the units immediately adjacent to the future bus shelter, and provide warning clauses in the purchase and sale agreements or tenancy agreements to future purchasers and/or tenants of the units immediately adjacent to the future bus shelter to warn of the potential for noise from bus operations, all at no cost to the City, to be secured in the Site Plan Agreement, to the satisfaction of the Toronto Transit Commission and the General Manager, Transportation Services.
- d) Through the Site Plan review process, for any building in Phase 6, the owner shall provide to the City for nominal consideration Privately Owned Publicly Accessible Open Space (POPS) easements for the on-site POPS of approximately 3,963 m² located on the south and west perimeter of the Phase 6 lands, for public access and provisions for rights of support if necessary, encumbrances and insurance and indemnification of the City by the owner, to the satisfaction of the Director, Real Estate Services, the Chief Planner and Executive Director, City Planning and the City Solicitor in consultation with the Ward Councillor. The owner shall own, operate, maintain and repair the POPS and install signage in a location to be determined through the Site Plan review process, at its own expense, stating that members of the public shall be entitled to the use of the POPS at any time, 365 days a year. The final design and program of the POPS will be determined through the site plan review process and secured in a Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- e) Through the Site Plan review process, the owner shall agree to install and maintain children's play structures for youth ages 2.5 to 5 years and 5 to 12 years within the outdoor amenity area between Buildings A, B, D and E, and identified as "Play Area" on the site plan, and that the "play area" be expanded, if necessary, to accommodate sufficiently sized equipment, to be secured in the Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.

- f) Through the Site Plan review process, the owner shall agree to erect signs requested by the Toronto Lands Corporation (TLC) and include the requirements of TLC and the Toronto Catholic District School Board to include warning clauses in the tenancy agreements and/or purchase and sale agreements to be secured in the Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- g) The owner shall agree to submit with the next re-submission of the Site Plan Control application updated Noise and Vibration Studies as requested by Metrolinx, have these studies peer reviewed, undertake any revisions if necessary and have those revisions peer reviewed and to address matters identified by the City's peer reviewer at the owner's expense. The owner shall also agree that the mitigation measures and conditions required by Metrolinx and Canadian Pacific Railway (CPR) be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and Canadian Pacific Railway.
- h) The owner shall agree to submit building design drawing details to verify that the crash wall structure will be structurally isolated from the residential towers to the satisfaction of the City and the City's rail safety peer reviewer as part of the site plan review process and the owner shall agree to pay for the peer review of the drawings. The owner shall also agree to consult with Metrolinx (and their technical advisor) and the Canadian Pacific Railway (and their technical advisor) regarding the rail safety study submitted and the owner shall agree to Metrolinx and CPR requirements, conditions and mitigation to be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and the Canadian Pacific Railway.
- i) The owner shall agree to address and incorporate Metrolinx's requirements addressing construction measures, warning clauses and other rail safety requirements, as noted in the Metrolinx letter dated December 9th, 2019, during the site plan review process to the satisfaction of the Chief Planner and Executive Director, City Planning and Metrolinx.
- j) The owner shall agree to address the Canadian Pacific Railway requirements related to the property line fence, drainage and dewatering, and to include warning clauses in the tenancy agreements and/or purchase and sale agreements to advise of the existence of the railway and their operations and that, regardless of attenuating noise and vibration measures, the railway would not be responsible for complaints or claims arising from the use of its facilities and/or operations all to be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning and Canadian Pacific Railway.
- k) The owner shall agree to construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee, and as updated by Toronto City Council at its meeting held on

December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning and Growth Management Committee, and as may be further amended by City Council from time to time.

Authority: Toronto and East York Community Council
Item Tex.x, adopted as amended, by City of Toronto
Council on xxxxx xx , 2020

CITY OF TORONTO

Bill

BY-LAW -2020

To amend Zoning By-law 569-2013, as amended, with respect to lands within Phase 6 of the Davenport Village Area and municipally known in the year 2019 as 900 and 980 Lansdowne and lands identified as PIN 213250433.

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*; and

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 or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provisions of such facilities, services or matters as 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, a 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 permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the lands and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10 and applying the zone labels RA (d2.8)(x144) and UT, as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height labels to these lands: HT 75 and HT 23 as shown on Diagram 4 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1, the Lot Coverage Overlay Map in Section 995.30.1 and the Rooming House Overlay Map in Section 995.40.1 with no label.
6. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.7.10 Exception Number xxx so that it reads:

Exception RA 144

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

Site Specific Provisions:

- (A) On 900 and 980 Lansdowne Avenue, if the requirements of Section 1 and Schedule A of By-law [Clerks to supply ##] are complied with, a **building, structure**, addition or enlargement may be erected or constructed if it complies with the requirements of (B) to (V) below;
- (B) Only a **day nursery** is permitted in Building F, as shown on Diagram 3 of By-law [Clerks to supply ##], and regulation 150.45.20.1(1), with respect to the location of a **day nursery**, does not apply to restrict a **day nursery** occupying an entire **building**;
- (C) Despite Regulation 15.10.40.40(1), the permitted maximum **gross floor area** for all uses is 65,070 square metres, of which:
 - (i) the permitted maximum **gross floor area** for residential uses is 64,700 square metres; and

(ii) the permitted maximum **gross floor area** for non-residential uses is 362 square metres and is restricted to a **day nursery** use;

(D) The permitted maximum number of **dwelling units** is 960 of which:

(i) a minimum of 50% of all the units are 2 bedroom or larger;

(ii) a minimum of 20% of all the units are 3 bedroom; and

(iii) Within Buildings A, B and C, as shown on Diagram 3 of By-law [Clerks to supply ##]:

(a) 30% of all bachelor units must not exceed a maximum of 46.5 square metres;

(b) 30% of all one bedroom (including one bedroom plus den) units must not exceed a maximum of 60.5 square metres;

(c) 30% of all two bedroom (including two bedroom plus den) units must not exceed a maximum 79 square metres;

(d) 30% of all three bedroom (including three bedroom plus den) units must not exceed a maximum of 93 square metres; and

(iv) Within Buildings D and E, as shown on Diagram 3 of By-law [Clerks to supply ##]:

(a) 30% of all two bedroom units must not exceed a maximum of 120 square metres

(b) 30% of all three bedroom units must not exceed a maximum of 120 square metres;

(E) Despite regulations 15.5.40.10(1), the height of each **building**, as shown on Diagram 3 of By-law [Clerks to supply ##], is the distance between the specified Geodetic Datum Elevation and the highest point of each **building**, as follows:

(i) 119.00 for Building "A" and attached podium;

(ii) 125.50 for Building "B" and Building "C";

(iii) 122.96 for Building "D";

(iv) 119.91 for Building "E"; and

(v) 125.75 for Building "F";

(F) Despite regulation 15.10.40.10(1), the permitted maximum height of a **building** or **structure** is the height in metres specified by the number following the symbol HT as shown on Diagram 3 of By-law [Clerks to supply ##];

(G) Despite (F) above, the following **building** elements and **structures** are permitted to project above the permitted maximum height:

- (i) parapets, pergolas, trellises, eaves, screens, roof drainage, lightning rods, architectural features, elements of a **green roof**, structures for noise attenuation, ornamental elements, terrace and balcony guard rails and dividers, railings, decorative screens, by a maximum of 3.0 metres;
- (H) Despite Clause 15.10.40.70, the required minimum **building setbacks** are shown on Diagram 3 of By-law [Clerks to supply ##];
- (I) Despite Clauses and Regulations 150.45.50.1, 15.5.40.60, 15.10.40.70, the following are permitted to encroach into a required **building setback** and separation distances:
- (i) porch, patio, terrace, balustrades, cornices, eaves, guardrails, landscape and **green roof** elements, lighting fixtures, ornamental elements, public art features, railings, trellis, underground garage ramps, vents, wheelchair ramps, wind mitigation features and window sills to a maximum of 4.0 metres;
 - (ii) balconies on Buildings A, B and C up to a maximum of 1.5 metres;
 - (iii) canopies up to a maximum of 4.5 metres;
 - (iv) air shafts, exterior stairs, stair enclosures may encroach and no closer to a lot line than 0.0 metres;
 - (v) Children's Play Area associated with the **day nursery** up to a maximum of 3.0 metres.
- (J) Despite Regulations 15.10.40.80(1)(A)(i) and 15.10.40.80(1)(B), the required minimum above ground separation distance between **main walls** with no opening to **dwelling units** in one or more of those **main walls** is 3.39 metres.
- (K) Any **building** or **structure** may not penetrate the following 45 degree **angular** planes projected over the **lot** from the ground level at the face of **buildings** located:
- (i) on the adjoining **lot** to the north and facing south; and
 - (ii) on the **lot** on the opposite side of Brandon Avenue and facing south;
- (L) Despite Regulation 5.10.30.20(1), the **front lot line** is the **lot line** abutting Lansdowne Avenue;
- (M) Despite Regulation 15.5.40.10 (4), the total area of the equipment described in clause (G) of this exception may cover no more than 54% of the area of the roof;
- (N) Despite Regulation 15.5.60.1(4), above-ground parts of an **ancillary building** or **structure** may be erected prior to the erection of the **main walls** and completion of the roof of a **residential building** on the same **lot**.

- (O) Despite Regulation 15.5.100.1(1), the permitted maximum total width of a **driveway** for an **apartment building** is 9.3m.
- (P) Regulation 15.10.40.50.1b) does not apply.
- (Q) Despite Regulation 15.10.40.50(1), **amenity space** must be provided in accordance with the following:
- (i) A minimum of 1,920 m² of indoor **amenity space** must be provided; and
 - (ii) A minimum of 5,450 m² of outdoor **amenity space** must be provided;
- (R) Despite Clause 15.10.30.40, the permitted maximum **lot coverage** is 32% of the **lot area**;
- (S) Despite Regulation 15.5.50.10 (1), a minimum of 56% of area of the **lot** must be maintained as **landscaping** and a minimum of 33% of the area of the lot must be maintained as **soft landscaping**.
- (T) Despite regulation 200.5.10.1(1), **parking spaces** must be provided as follows:
- (i) Buildings A, B and C:
 - (a) Resident Parking – 0.63 spaces per **dwelling unit**; and
 - (b) Visitor Parking – 0.2 spaces per **dwelling unit**;
 - (ii) Buildings D and E:
 - (a) Resident Parking – 1 space per **dwelling unit**; and
 - (b) Visitor Parking – 0.12 spaces per **dwelling unit**;
 - (iii) Building F:
 - (a) 1 **parking space** for each 100 square metres of **gross floor area**;
- (U) Despite regulation 200.15.10(1), accessible **parking spaces** must be provided at a minimum rate of 4 accessible **parking spaces** plus 1 accessible **parking space** for every 50 **parking spaces** or part thereof in excess of 100 **parking spaces**.
- (V) Despite regulations 220.5.10.1(2) and 220.5.1.10(8)(D), a minimum of 3 type 'G' **loading spaces** must be provided with the following dimensions:
- (i) A minimum length of 13.0 metres;
 - (ii) A minimum width of 4.0 metres; and,
 - (iii) A minimum of vertical clearance of 6.1 metres.

Prevailing By-laws and Prevailing Sections: (None Apply)

7. Section 37 Provisions

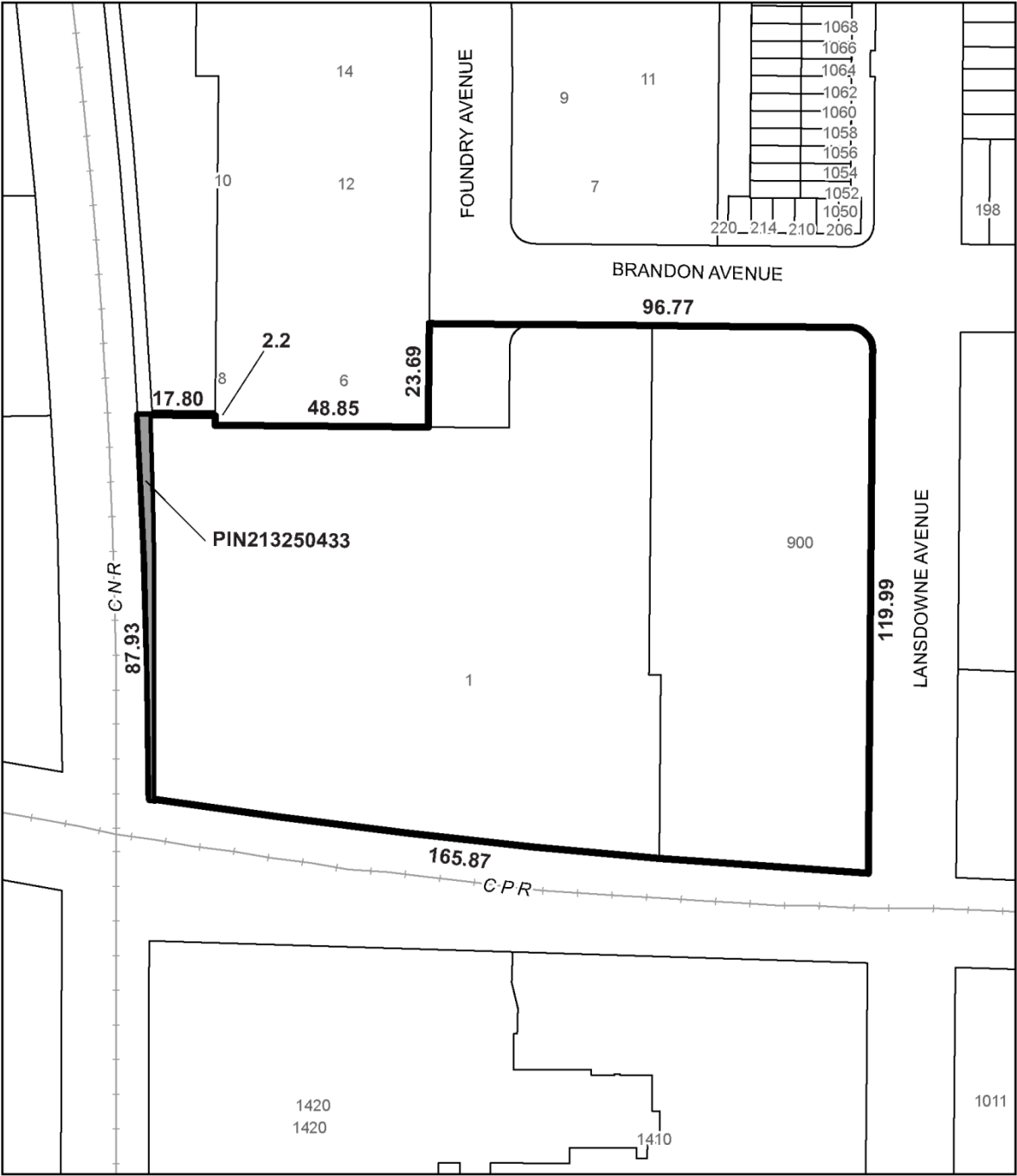
- (A) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, 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 on xxx , 20xx.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

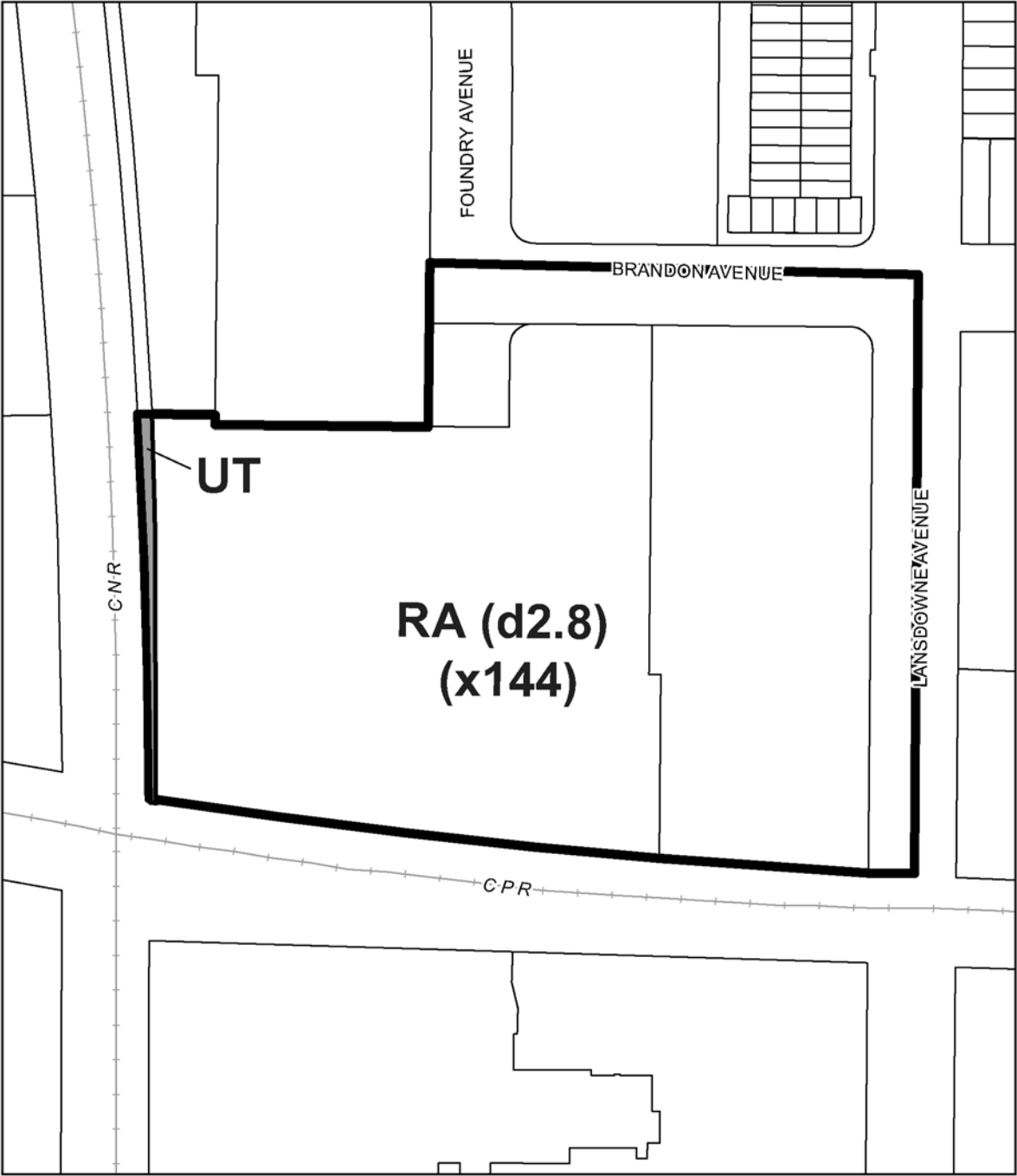


TORONTO
 Diagram 1

**900 & 980 Lansdowne Avenue
 and PIN213250433**

File # 17 185378 WET 17 02


City of Toronto By-law 569-2013
 Not to Scale
 10/07/2019

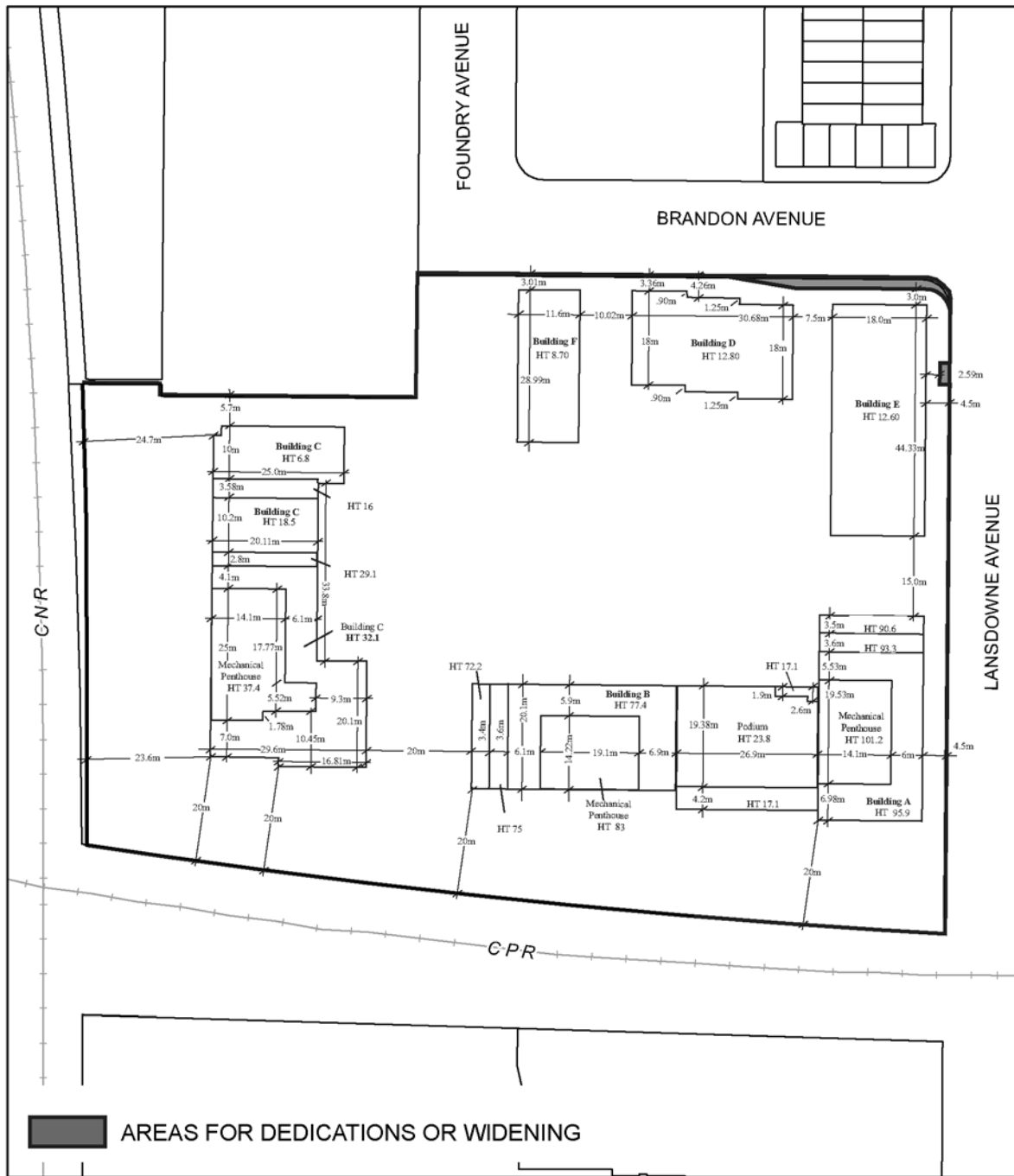


TORONTO
 Diagram 2

**900 & 980 Lansdowne Avenue
 and PIN213250433**

File # 17 185378 WET 17 02



 City of Toronto By-law 569-2013
 Not to Scale
 02/06/2020

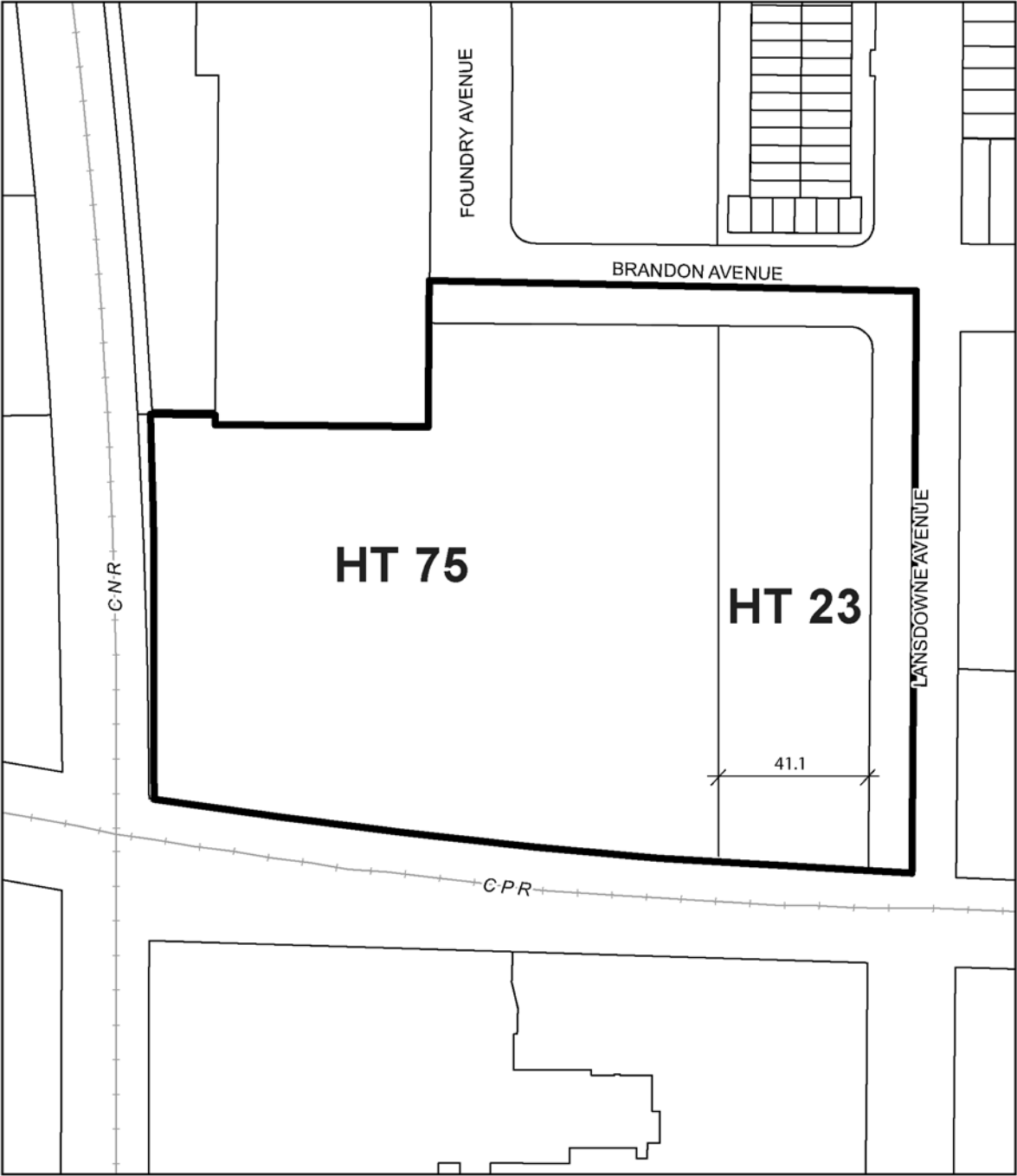


Toronto
Diagram 3

900 & 980 Lansdowne Avenue

File # 17 185378 WET 17 0Z



 City of Toronto By-law 569-2013
 Not to Scale
 02/06/2020



TORONTO
 Diagram 4

900 & 980 Lansdowne Avenue

File # 17 185378 WET 17 02


 City of Toronto By-law 569-2013
 Not to Scale
 02/06/2020

SCHEDULE A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act .

The owner agrees as follows:

1. Prior to the issuance of the first above grade building permit for any building within Phase 6, a cash contribution to be paid to the City to be allocated within Ward 9 Davenport, as follows:
 - a) As per the requirements of Section 1.1 of the Section 37 Agreement executed on August 14, 2006 and registered on July 19, 2007 as Instrument No. AT1511978 (the "2006 Section 37 Agreement"), \$200 per unit be directed toward public art, parkland and/or streetscape improvements within the local area;
 - b) The owner shall pay to the City the sum of \$1.2 million to be allocated towards the Capital Revolving Reserve Fund for Affordable Housing (XR1058) for affordable housing within Ward 9.
 - c) The owner shall pay to the City the sum of \$300,000 to be directed toward public art, parkland and/or streetscape improvements within the local area.
 - d) The cash contribution referred to in 1 a) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto from August 14, 2006, the date of the execution of the 2006 Section 37 Agreement, to the date of payment.
 - e) The cash contributions referred to in 1 b) and c) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period from the date of the execution of the Section 37 Agreement to the date of payment.
 - f) In the event the cash contributions referred to in 1 a) b) and c) above have not been used for the intended purposes within three (3) years of the Bylaw coming into full force and effect, the cash contributions may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the City of Toronto Official Plan and will benefit the community in the vicinity of the lands.
2. The owner is required to fund, design and construct a splash pad addition in the value of \$280,000 at the Davenport Village Park, being the local park at 18 Foundry Avenue, in consultation with Parks, Forestry and Recreation staff and the Ward Councillor to the satisfaction of the General Manager, Parks, Forestry and

Recreation. The owner is required to provide a letter of credit in the amount of \$56,000.00 no later than the commencement of Park Construction. The owner must obtain a Park Access Agreement (PAA) from Parks, Forestry and Recreation's Park Supervisor for that Ward. The PAA will outline in detail the insurance requirements, extent of area permitted, permitted use, tree removal and replacement, and duration to the satisfaction of the General Manager, Parks, Forestry and Recreation. The owner will indemnify the City against any claim during any interim use of or work carried out by the applicant on the park. The Letter of Credit will be released two years after substantial park completion as identified by the General Manager, Parks, Forestry and Recreation, provided that all deficiencies have been rectified to the satisfaction of the General Manager, Parks, Forestry and Recreation.

3. The owner shall enter into a Section 37 Agreement as a legal convenience to support development which will include the following:
 - a) The owner shall agree to develop a Tenant Access Plan in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning, to ensure each phase and/or building within the phase is marketed initially to the local community to provide opportunities for local residents to move into the development.
 - b) The owner shall agree to enter into a financially secured agreement with the City that contains the following improvements/requirements:
 - i. The owner shall make any traffic control signal timing adjustments at signalized intersections in the immediate area to improve the overall level-of-service in accordance with the Traffic Impact and Operations Study by GHD dated November 1, 2018 as amended, at no cost to the City of Toronto to the satisfaction of General Manager, Transportation Services.
 - ii. The owner shall design and install at no cost to the City traffic control signals at the intersection of Lansdowne Avenue and Brandon Avenue in the ultimate road location and shall provide detailed engineering design drawings for the traffic control signals, including any associated pavement marking and signage information, and the associated road works to the satisfaction of the General Manager, Transportation Services. The owner also agrees that the cost for the physical road widening on the south side of Brandon Avenue west of Lansdowne Avenue, and property conveyances to accommodate this widening, shall be undertaken to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services.
 - iii. The owner shall conduct an environmental site assessment for lands to be conveyed to the City in accordance with terms and conditions as set out by the City of Toronto, including providing payment for a peer reviewer and submission of a Record of Site Condition (RSC) at no cost to the City and all to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services.

- iv. Prior to the issuance of the first above-grade permit for any building in Phase 6, the owner shall construct a new four-way intersection, consisting of Foundry Road, Brandon Avenue, the existing Phase 4 driveway and the proposed Phase 6 driveway, all four legs of which shall be stop-controlled, complete with the installation of all-way 'stop' signage with 'all-way' tabs, all of which is to be undertaken at no cost to the City, and to the satisfaction of General Manager, Transportation Services.
- v. The owner shall provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with the development.
- c) Through the Site Plan review process, the owner shall agree to convey the lands required for the relocated bus shelter on Lansdowne Avenue, construct the new level brush concrete platform, install the new bus shelter, provide noise attenuation for the units immediately adjacent to the future bus shelter, and provide warning clauses in the purchase and sale agreements or tenancy agreements to future purchasers and/or tenants of the units immediately adjacent to the future bus shelter to warn of the potential for noise from bus operations, all at no cost to the City, to be secured in the Site Plan Agreement, to the satisfaction of the Toronto Transit Commission and the General Manager, Transportation Services.
- d) Through the Site Plan review process, for any building in Phase 6, the owner shall provide to the City for nominal consideration Privately Owned Publicly Accessible Open Space (POPS) easements for the on-site POPS of approximately 3,963 m² located on the south and west perimeter of the Phase 6 lands, for public access and provisions for rights of support if necessary, encumbrances and insurance and indemnification of the City by the owner, to the satisfaction of the Director, Real Estate Services, the Chief Planner and Executive Director, City Planning and the City Solicitor in consultation with the Ward Councillor. The owner shall own, operate, maintain and repair the POPS and install signage in a location to be determined through the Site Plan review process, at its own expense, stating that members of the public shall be entitled to the use of the POPS at any time, 365 days a year. The final design and program of the POPS will be determined through the site plan review process and secured in a Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- e) Through the Site Plan review process, the owner shall agree to install and maintain children's play structures for youth ages 2.5 to 5 years and 5 to 12 years within the outdoor amenity area between Buildings A, B, D and E, and identified as "Play Area" on the site plan, and that the "Play Area" be expanded, if necessary, to accommodate sufficiently sized equipment, to be secured in the Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- f) Through the Site Plan review process, the owner shall agree to erect signs requested by the Toronto Lands Corporation (TLC) and include the requirements

of TLC and the Toronto Catholic District School Board to include warning clauses in the tenancy agreements and/or purchase and sale agreements to be secured in the Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.

- g) The owner shall agree to submit with the next re-submission of the Site Plan Control application updated Noise and Vibration Studies as requested by Metrolinx, have these studies peer reviewed, undertake any revisions if necessary and have those revisions peer reviewed and to address matters identified by the City's peer reviewer at the owner's expense. The owner shall also agree that the mitigation measures and conditions required by Metrolinx and Canadian Pacific Railway (CPR) be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and Canadian Pacific Railway.
- h) The owner shall agree to submit building design drawing details to verify that the crash wall structure will be structurally isolated from the residential towers to the satisfaction of the City and the City's rail safety peer reviewer as part of the site plan review process and the owner shall agree to pay for the peer review of the drawings. The owner shall also agree to consult with Metrolinx (and their technical advisor) and the Canadian Pacific Railway (and their technical advisor) regarding the rail safety study submitted and the owner shall agree to Metrolinx and CPR requirements, conditions and mitigation to be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and the Canadian Pacific Railway.
- i) The owner shall agree to address and incorporate Metrolinx's requirements addressing construction measures, warning clauses and other rail safety requirements, as noted in the Metrolinx letter dated December 9th, 2019, during the site plan review process to the satisfaction of the Chief Planner and Executive Director, City Planning and Metrolinx.
- j) The owner shall agree to address the Canadian Pacific Railway requirements related to the property line fence, drainage and dewatering, and to include warning clauses in the tenancy agreements and/or purchase and sale agreements to advise of the existence of the railway and their operations and that, regardless of attenuating noise and vibration measures, the railway would not be responsible for complaints or claims arising from the use of its facilities and/or operations all to be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning and Canadian Pacific Railway.
- k) The owner shall agree to construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Management Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning

and Growth Management Committee, and as may be further amended by City Council from time to time.

Attachment No. 7: Draft Amendment to Former City of Toronto Zoning By-law
No. 438-86 for Building '15' at 30 Powerhouse Street

Authority: Toronto and East York Community Council
Item TE3.3, adopted as amended, by City of Toronto
Council on ?, 2019

CITY OF TORONTO

Bill

BY-LAW -2019

To amend former City of Toronto Zoning By-law 438-86, as amended, and Site Specific Zoning By-law No. 1182-2010 with respect to lands within Building 15 of the Davenport Village Area and municipally known in the year 2019 as 30 Powerhouse Street.

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 or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provisions of such facilities, services or matters as 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 and density of development, a 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 permitted beyond that otherwise permitted on the aforesaid lands by By-law 438-86, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the lands and the City of Toronto;

The Council of the City of Toronto enacts:

1. This by-law applies to the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law.
2. Except as otherwise provided herein, the provisions of By-law 438-86 and By-law 1182-2010 shall continue to apply.
3. In the event of a conflict between this By-law and any other By-law, the provisions of this By-law apply.
4. None of the provisions of Section 2(1) with respect to the definition of *grade*, *height*, *owner* and *lot* and Sections 4 (2)(a), 4(11), 4(12), 4(16), 6(1)(a), S 6 (3) PART I, S 6 (3) PART II S. 1, 2, 3 4, 5, 6, 7 and 8, S 6 (3) PART III, S 6 (3) PART IV 1 (e), (2), (3) and (4), 6 (3) Part VI, 6 (3) PART VII, 6(3) PART IX and PART XI 1(a) of the aforesaid By-law No. 438-86, as amended, shall apply, to prevent the erection and use of a building on Block A of by By-law 1180-2010, as shown on Map 1 attached hereto and forming part of this by-law provided that:
 - a) The *lot* comprises the lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - b) Powerhouse Street shall be the front lot line;
 - c) Notwithstanding the provisions of By-law 1182-2010, the setbacks shown on Map 3 attached to and forming part of this By-law shall apply and the minimum yard setbacks for all buildings and structures in metres shall be as follows:
 - i. front yard setback is 3.3 metres;
 - ii. side yard setback (east side) is 2.5 metres;
 - iii. side yard setback (west side) is 0 metres; and
 - iv. north yard setback is 8.8 metres;
 - d) Notwithstanding the *height* and *minimum lot frontage* shown on Map 48J-322, the *height* and *minimum lot frontage* shown on Map 3 attached to and forming part of this By-law shall apply;
 - e) Notwithstanding Section 11(4) of By-law 1182-2010, no portion of any *building* or structure on the lot shall have a *height* in metres greater than the *height* limits specified by the numbers following the symbol H on Map 3 attached to and forming part of this By-law;
 - f) A mezzanine shall not constitute a storey;
 - g) The following uses are permitted on the lot:
 - i. *apartment building*;
 - ii. *retail store* on the ground floor;
 - iii. *office*;
 - iv. *data processing establishment*; and

v. *software design and development establishment*;

- h) The total combined residential gross floor area and non-residential gross floor area for the lot shown on Map 1 attached to and forming part of this bylaw, shall be a maximum of 3,695 square metres of which:
 - i. a maximum of 3,695 square metres may be used for residential gross floor area; and,
 - ii. a maximum of 2,846 square metres may be used for non-residential gross floor area, of which a maximum of 200 square metres may be used for retail store.
- i) The maximum number of residential apartment dwelling units is 35 of which:
 - i. a minimum of 25% of all the units on the lot are 2 bedroom or larger; and
 - ii. a minimum of 10% of the units on the lot are 3 bedroom.
- j) A minimum of 2 square metres per dwelling unit of common indoor and outdoor amenity space must be provided.
- k) Notwithstanding Section 10 of By-law 1182-2010, parking may be provided off site provided the following minimum parking rates apply:
 - i. Apartment
 - a. Resident Parking – 0.63 spaces per dwelling unit;
 - b. Visitor Parking – 0.2 spaces per dwelling unit; and,
 - ii. *Office, data processing establishment, or software design and development establishment*
 - a. 1.19 spaces per 100 square metres gross floor area.
- l) One Type G loading space shall be provided with a minimum:
 - i. length of 13.0 metres;
 - ii. width of 4.0 metres; and
 - iii. vertical clearance of 6.1 metres.
- m) Bicycle parking must be provided and maintained on the lot in accordance with the following rates:
 - i. A minimum of 0.90 long-term bicycle parking spaces per dwelling unit;
 - ii. A minimum of 0.10 short-term bicycle parking spaces per dwelling unit;
 - iii. A minimum of 0.2 long-term bicycle parking spaces per 100 square metres of interior floor area used for office, data processing establishment or software design and development establishment uses;
 - iv. A minimum of 0.2 short-term bicycle parking spaces per 100 square metres of interior floor area used for office, data processing establishment or software design and development establishment uses;
 - v. A minimum of 0.2 long-term bicycle parking spaces per 100 square metres of interior floor area used for retail store; and
 - vi. A minimum of 0.3 short-term bicycle parking spaces per 100 square metres of interior floor area used for retail store.For all uses, if the calculation of the minimum bicycle parking spaces results in a fraction, the number required must be rounded up.

- n) Bicycle parking spaces must comply with the following dimensions:
 - i. the minimum dimension of a bicycle parking space is
 - minimum length of 1.8 metres;
 - minimum width of 0.6 metres;
 - minimum vertical clearance from the ground of 1.9 metres; and
 - ii. the minimum dimension of a bicycle parking space if placed in a vertical position on a wall, structure or mechanical device is:
 - minimum length or vertical clearance of 1.9 metres;
 - minimum width of 0.6 metres; and
 - minimum horizontal clearance from the wall of 1.2 metres; and
 - iii. if a stacked bicycle parking space is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres.

- o) An area used to provide bicycle parking spaces must have a vertical clearance of
 - i. 2.4 metres if it is a stacked bicycle parking space; and
 - ii. 1.9 metres in all other cases.

- p) If a building has uses, other than dwelling units, for which a long term bicycle parking space is required, shower and change facilities must be provided for each gender at the following rates:
 - i. none if less than 5 required "long term" bicycle parking spaces;
 - ii. 1 for 5 to 60 required "long term" bicycle parking spaces;

- 5.** No person shall use any land or erect or use any building or structure within the lot unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - a) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway;
 - b) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational; and
 - c) None of the provisions of this By-law shall apply to prevent the use of the land or the erection of a building or structure within the lot prior to the completion of any realignment and reconstruction of Brandon Avenue and all associated water mains and sanitary sewers, and appropriate appurtenances in such local road.

- 6.** For the purposes of this By-law, all italicized words and expressions have the same meanings as defined in By-law 438-86 of the former City of Toronto, as amended, with the exception of the following:
 - a) "grade" means the geodetic datum elevation of 124.21 metres.
 - b) "lot" means those lands delineated by heavy black lines on the attached Map 1, solely for the purposes of setting out setbacks.

7. Section 37 provisions

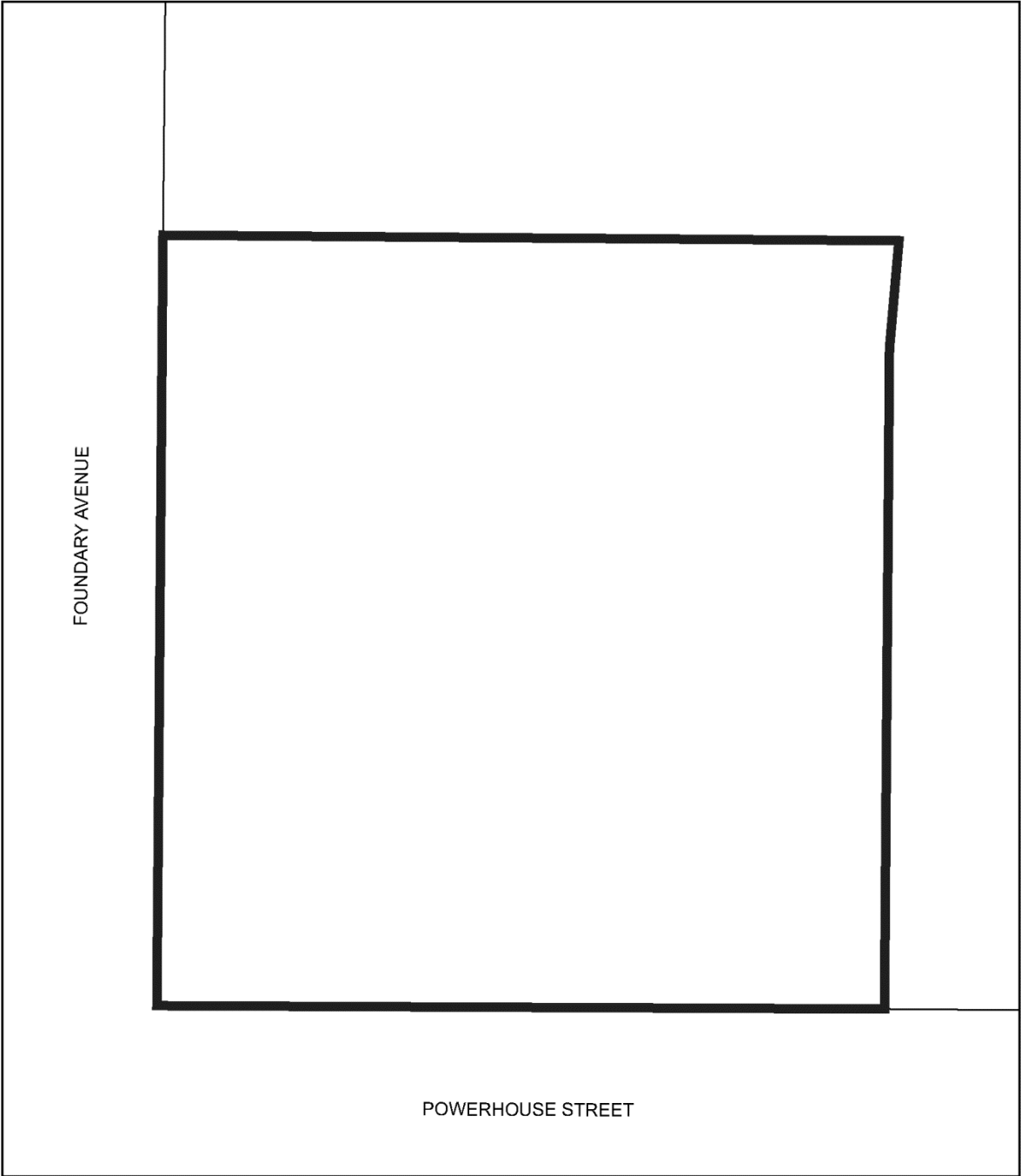
- a) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in *height* of the development is permitted beyond that otherwise permitted on the lands shown as Map 1 attached to this By-law, in return for the provisions by the owner, at the owner's expense of the facilities, service 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 building permit is dependent on satisfaction of the same; and
- c) The owner must not use, or permit the use of, a building or structure erected with an increase in the *height* pursuant to this By-law unless the provisions of Schedule A of this By-law are satisfied.

Enacted and passed on December , 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)




FOUNDARY AVENUE

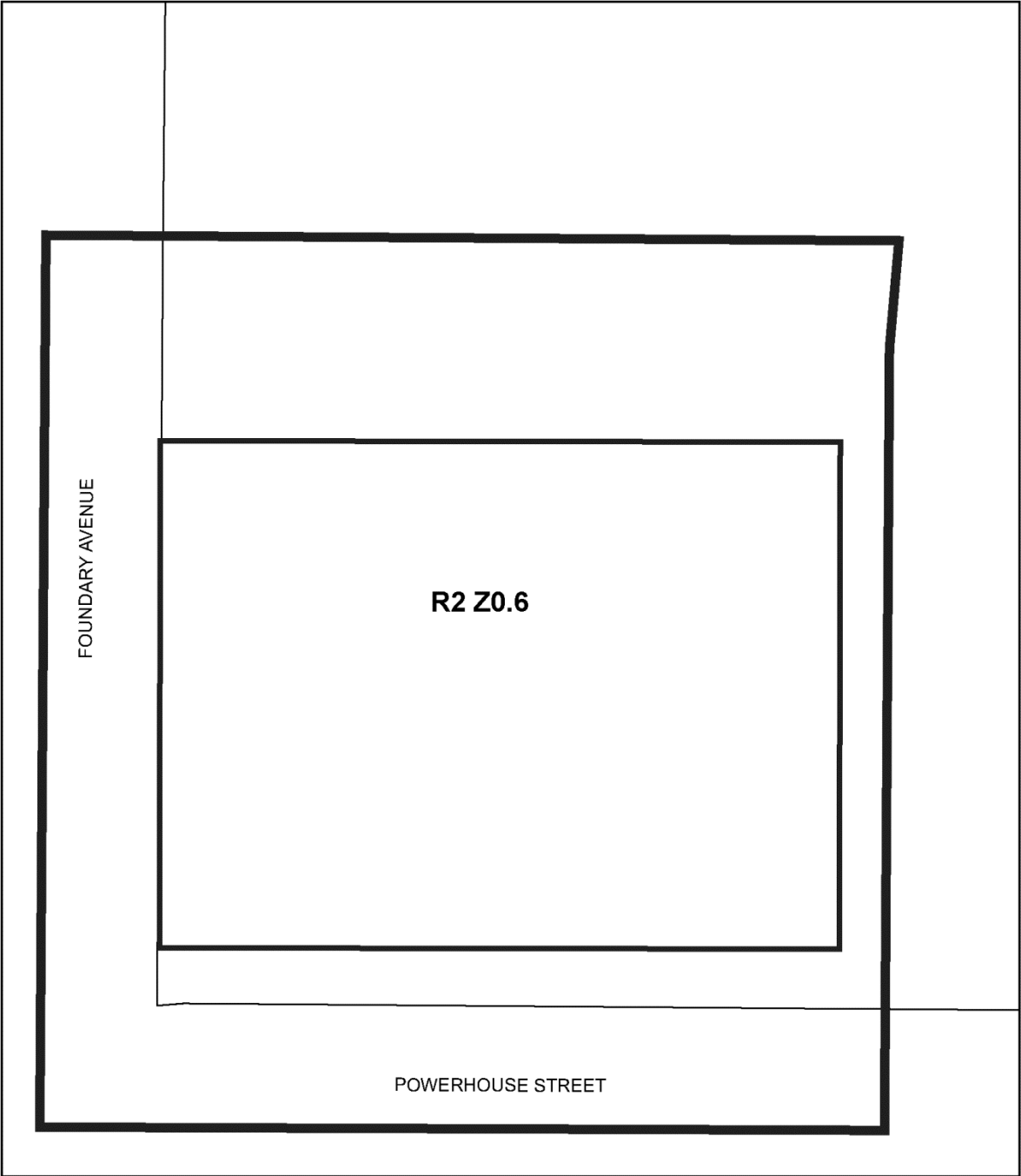
POWERHOUSE STREET

 **TORONTO**
Map 1

30 Powerhouse Street

File # 17 185378 WET 17 OZ



Former City of Toronto By-law 438-86
Not to Scale
02/12/2020

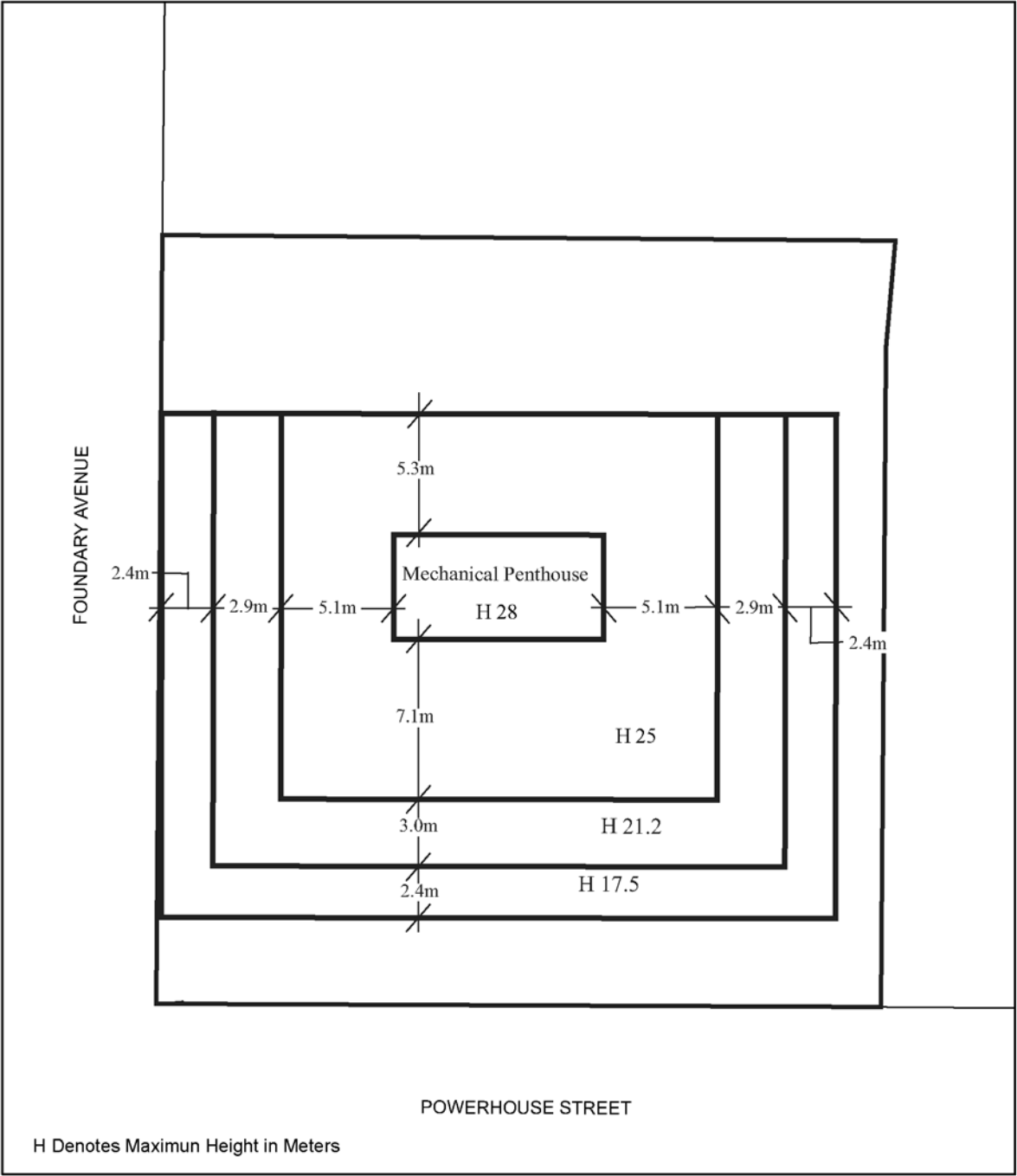


 **TORONTO**
Map 2

30 Powerhouse Street

File # 17 185378 WET 17 0Z


Former City of Toronto By-law 438-86
Not to Scale
02/12/2020



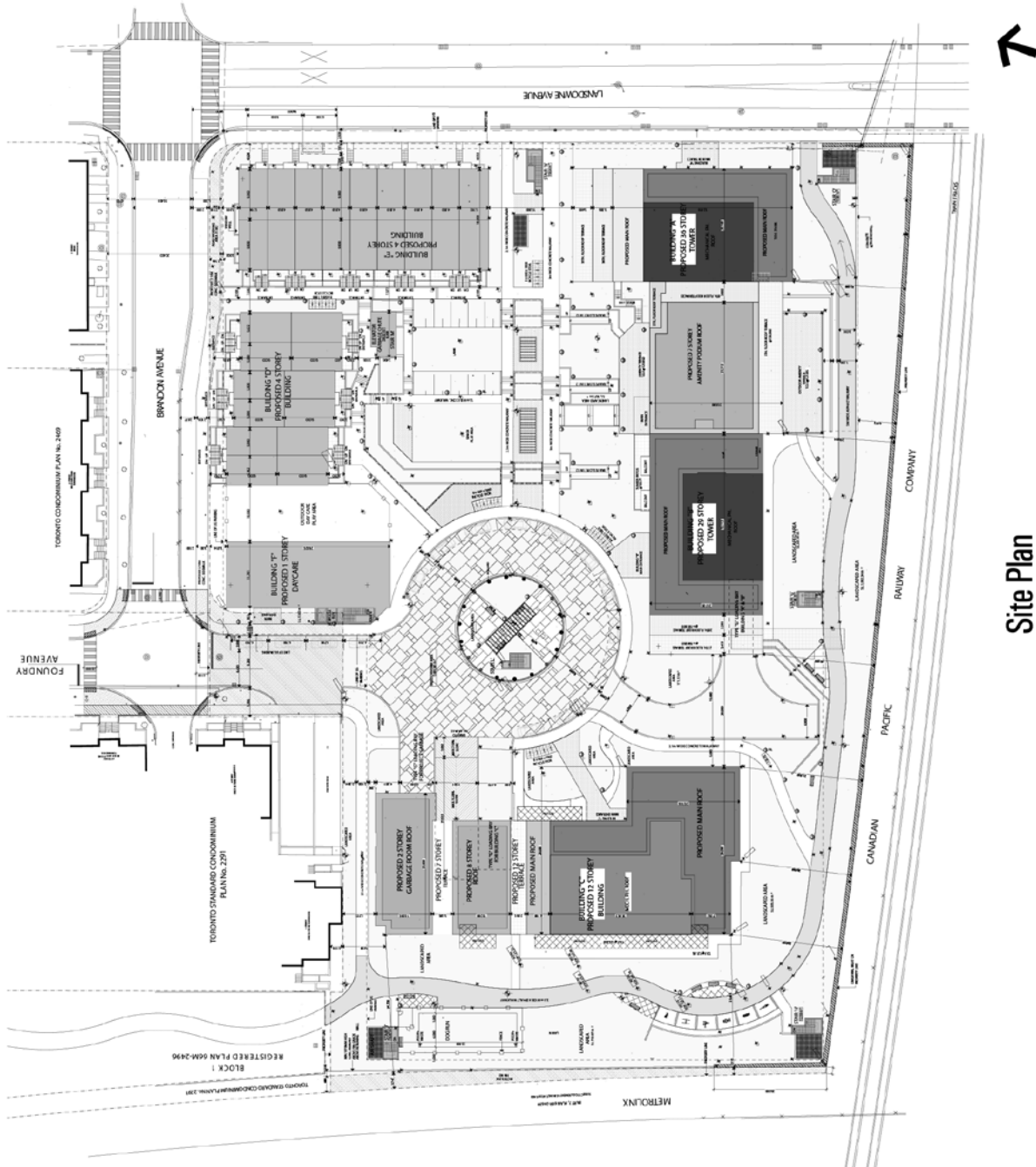
SCHEDULE A

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Map 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act .

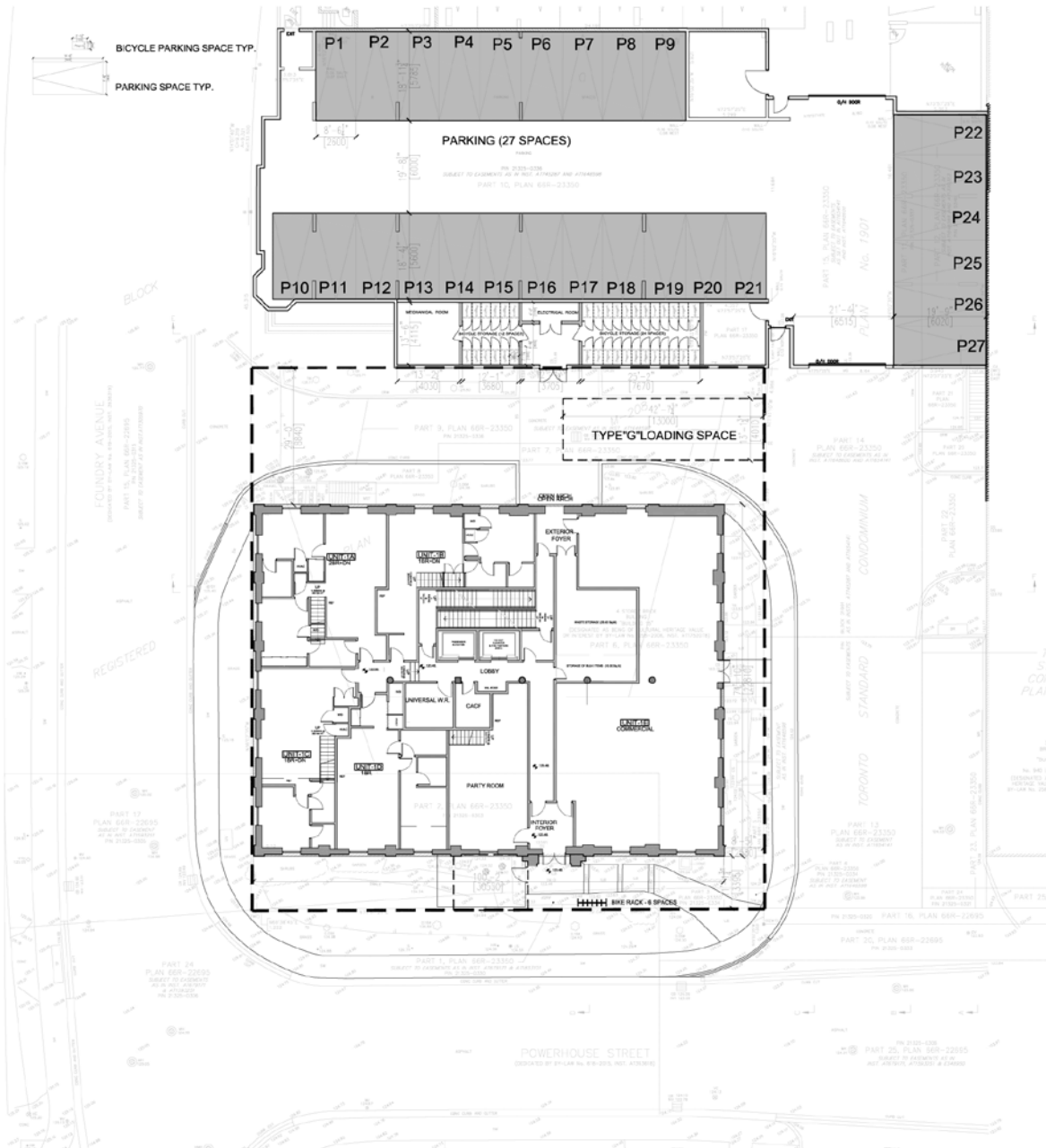
The owner shall enter into a Section 37 Agreement as a legal convenience to support development which will include the following:

- a) Through the Site Plan review process, the owner shall agree to provide access to all off site bicycle and vehicular parking spaces to address the parking requirements for Building '15' in the adjacent below grade parking structure. The owner shall provide access keys and warning clauses in the purchase and sale agreements or tenancy agreements to future purchasers and/or tenants of Building '15' who are allocated the six parking spaces located off-site in the separate underground parking area, to be secured in the Site Plan Agreement to the satisfaction of the General Manager, Transportation Services.
- b) Through the Site Plan review process, the owner shall agree to erect signs requested by the Toronto Lands Corporation (TLC) and include the requirements of TLC and the Toronto Catholic District School Board to include warning clauses in the tenancy agreements and/or purchase and sale agreements to be secured in the Site Plan Agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- c) The owner shall agree to submit with the next re-submission of the Site Plan Control application updated Noise and Vibration Studies as requested by Metrolinx, have these studies peer reviewed, undertake any revisions if necessary and have those revisions peer reviewed and to address matters identified by the City's peer reviewer at the owner's expense. The owner shall also agree that the mitigation measures and conditions required by Metrolinx and Canadian Pacific Railway (CPR) be secured in the Site Plan Agreement to the satisfaction of the Chief Planner and Executive Director, City Planning, Metrolinx and Canadian Pacific Railway.



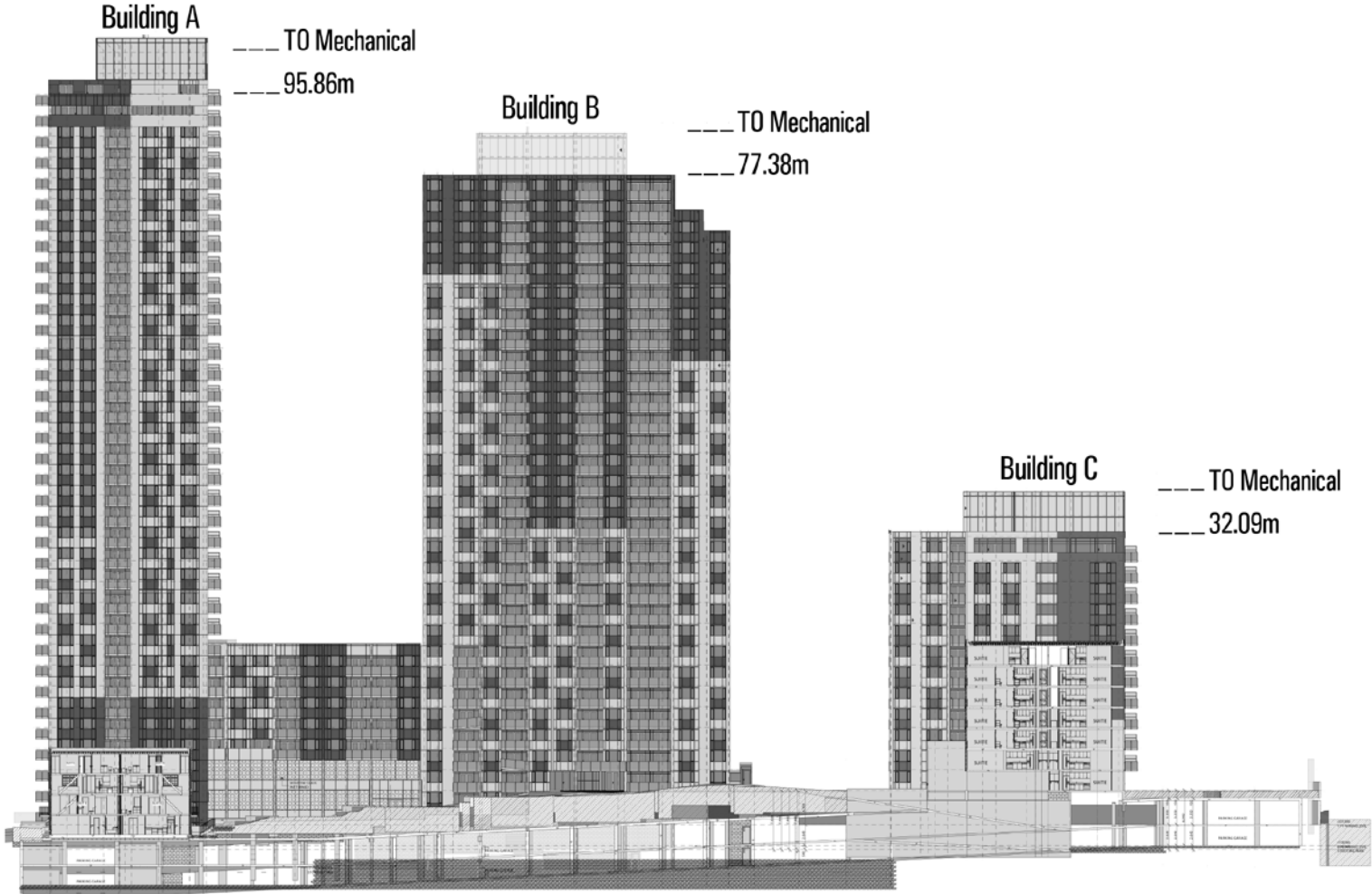
Site Plan

Attachment No. 9: Site Plan for 30 Powerhouse Street

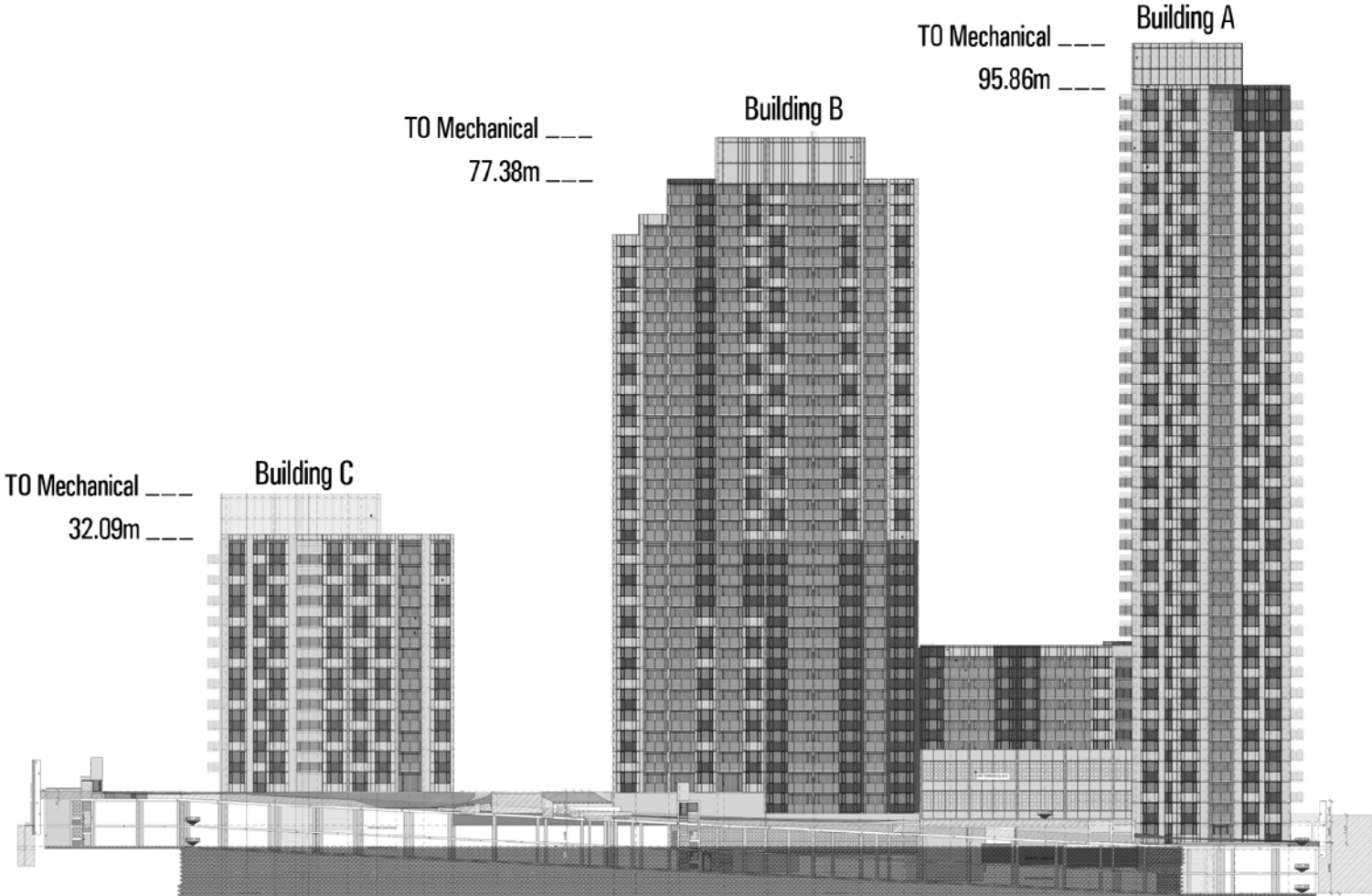


Building #15 Site Plan

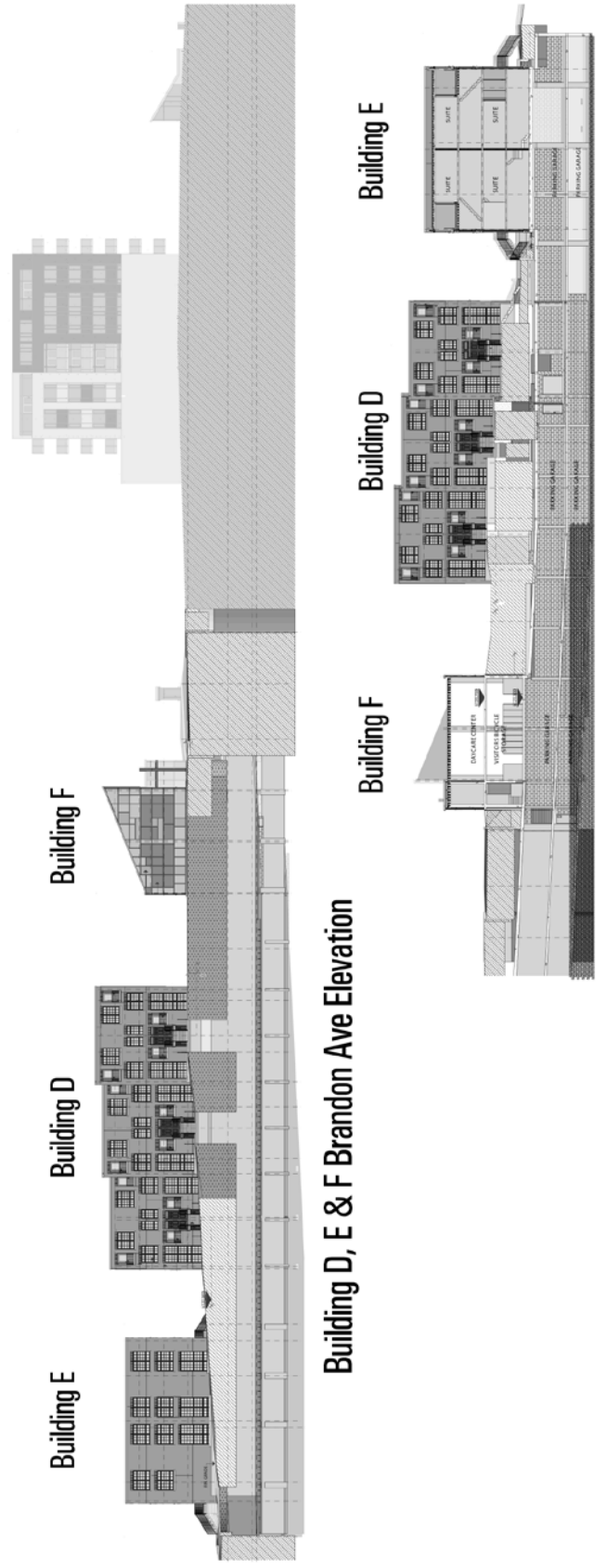




Building A, B & C North Elevation

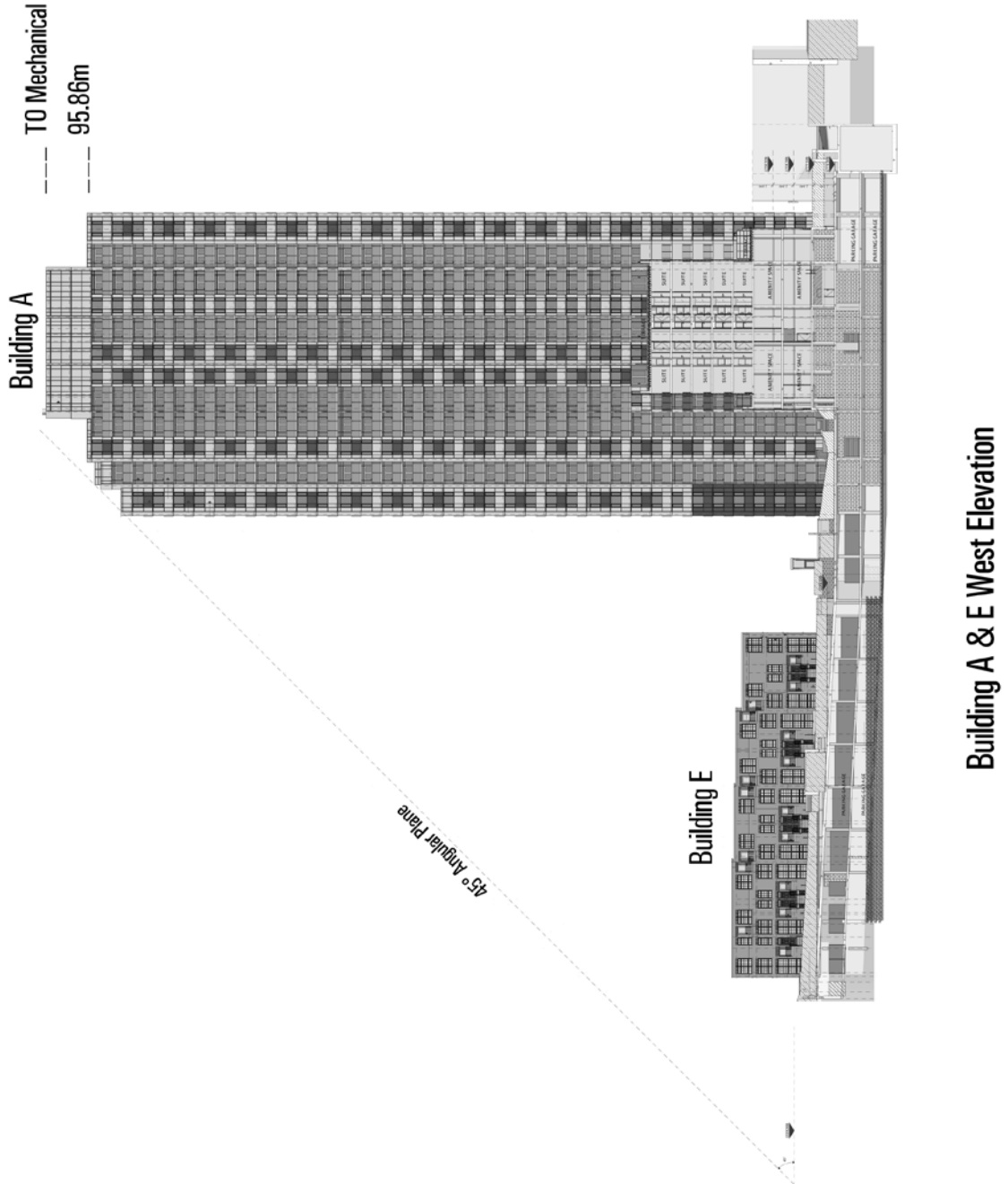


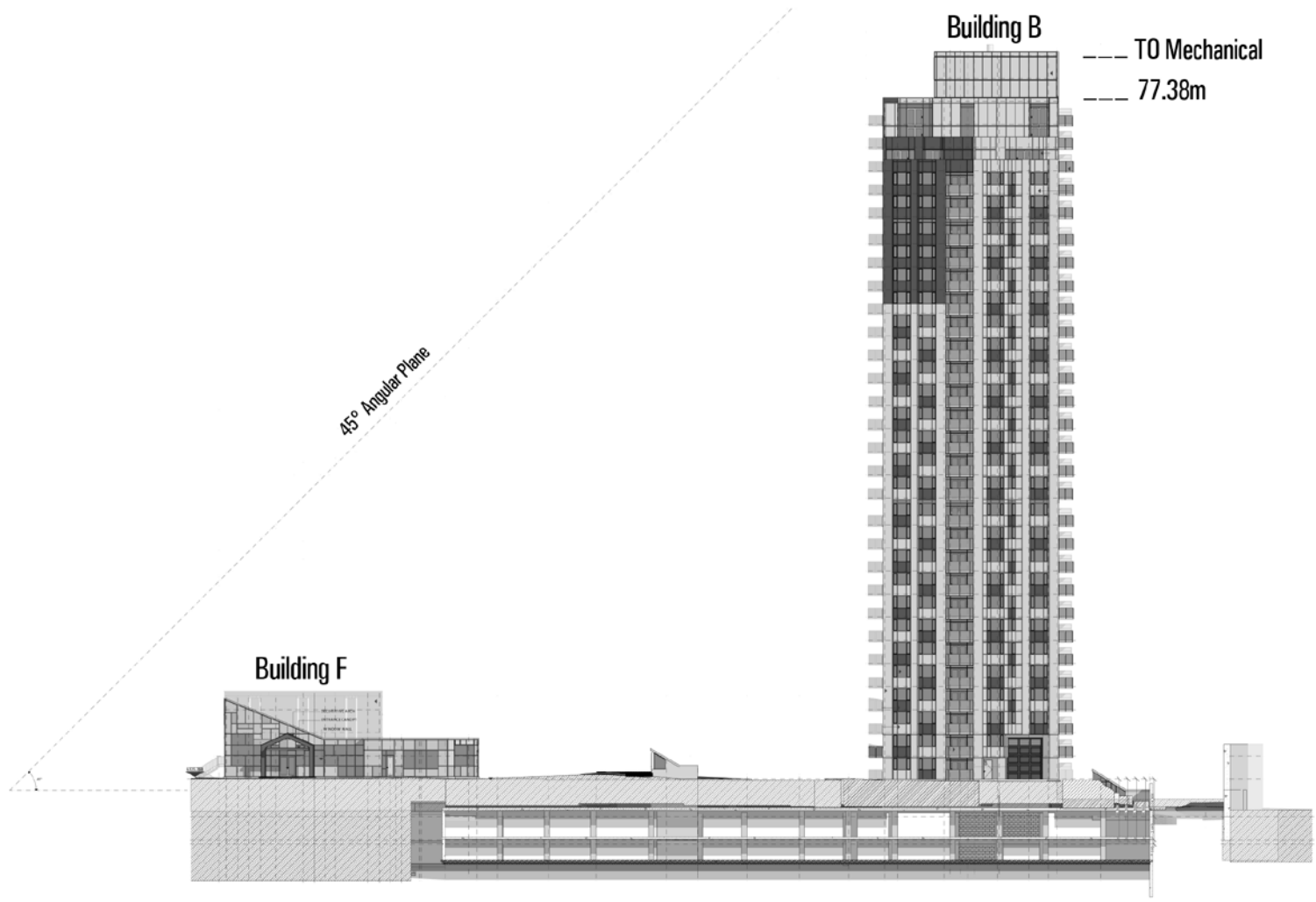
Building A, B & C South Elevation



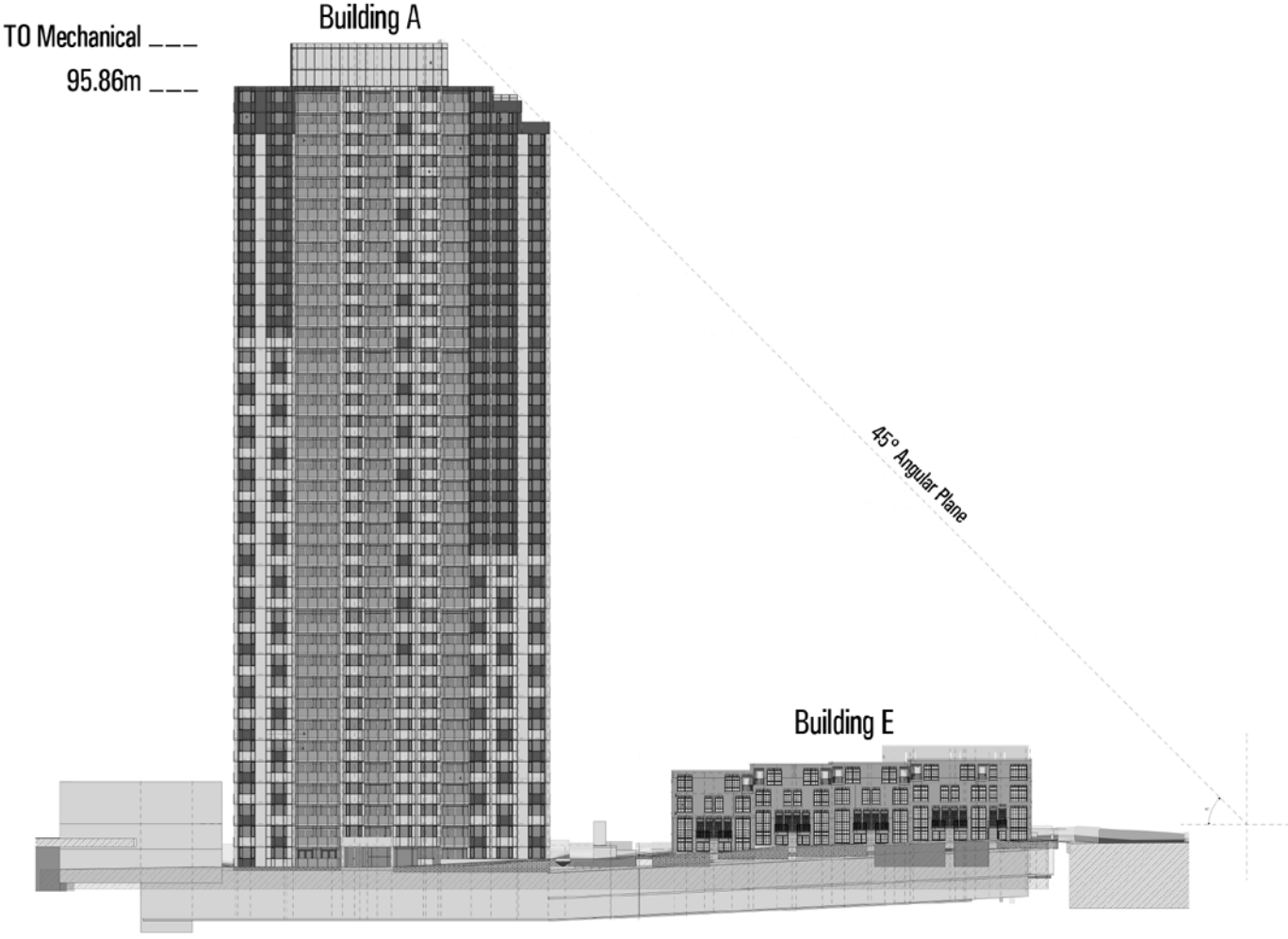
Building D, E & F Brandon Ave Elevation

Building D, E & F South Elevation

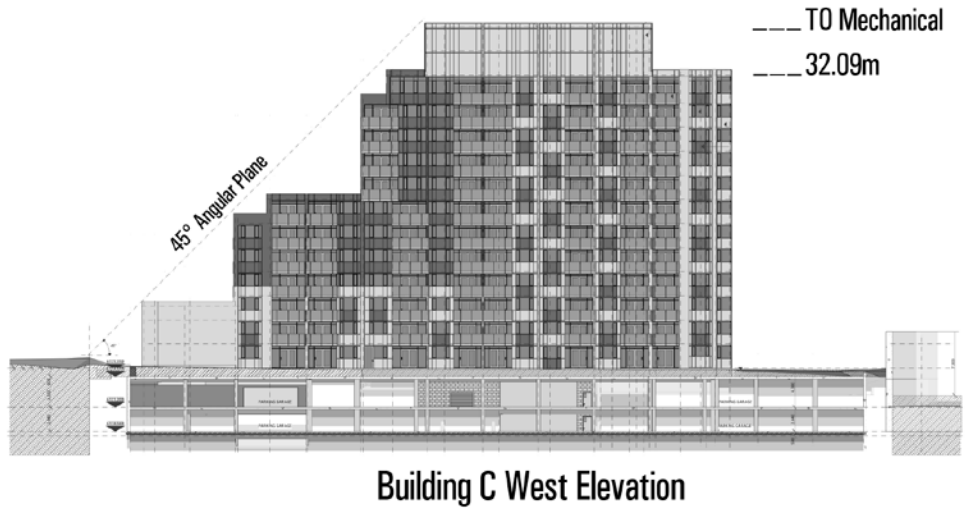
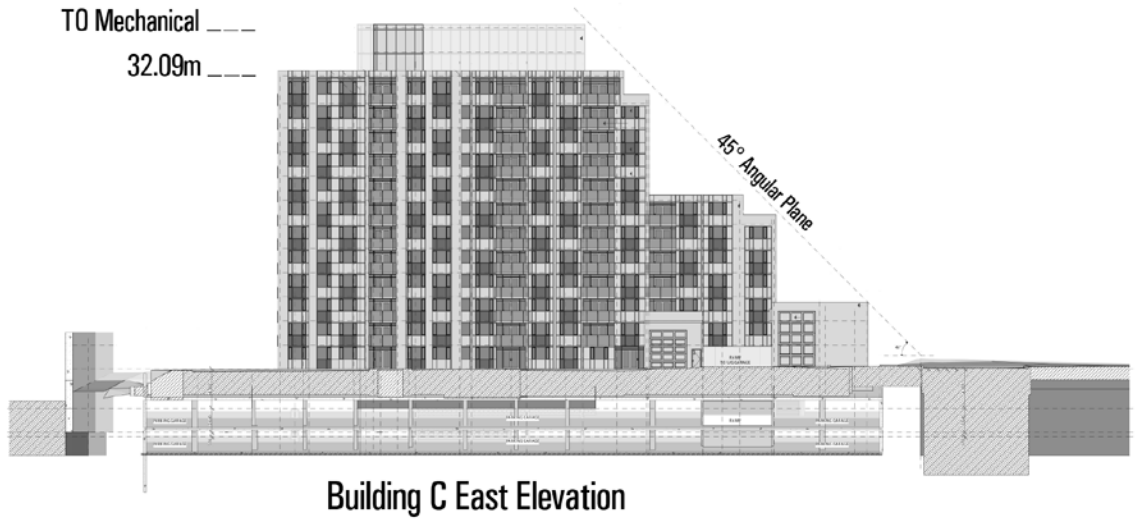




Building B & F West Elevation



Building A & E East Elevation



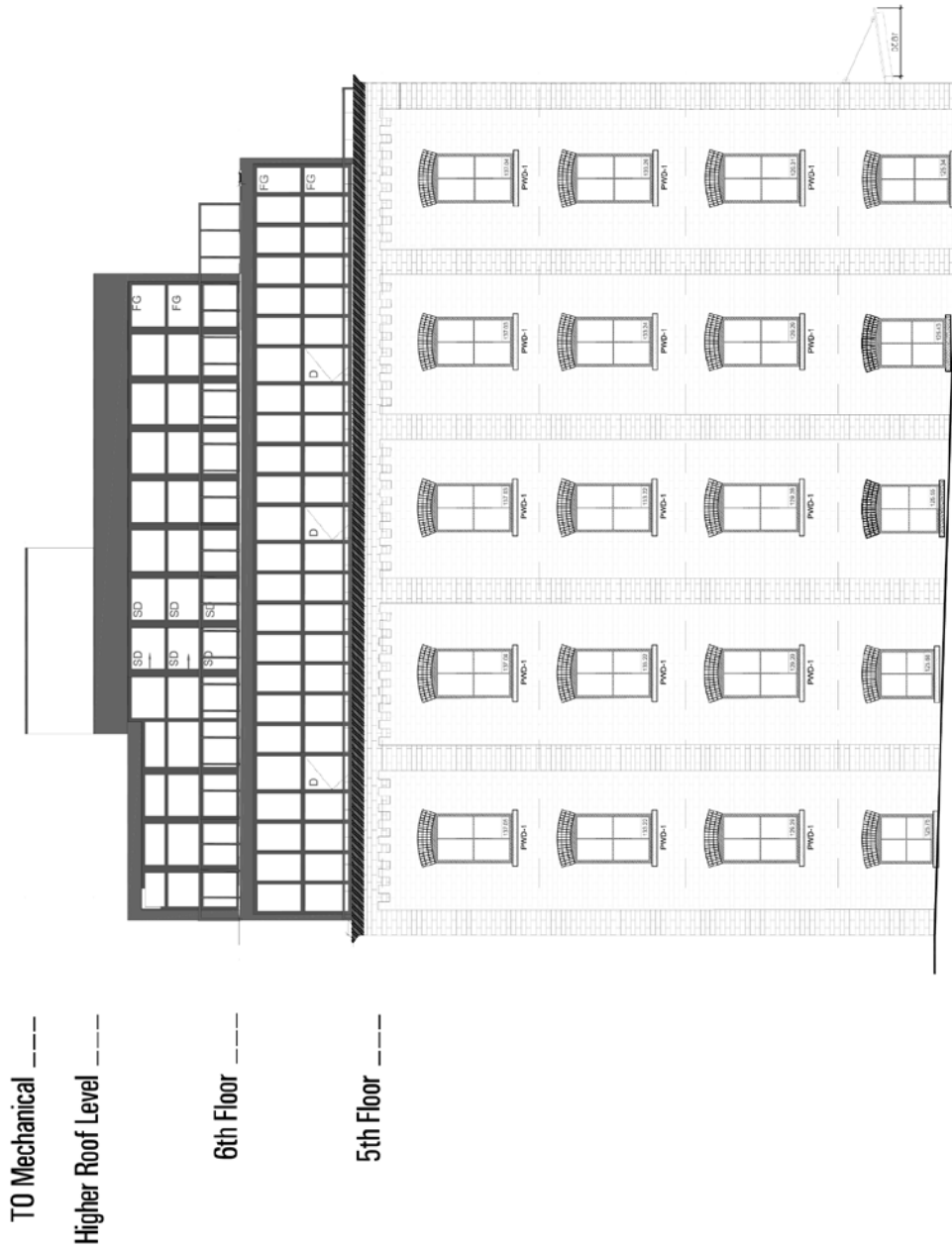


Building #15 North Elevation



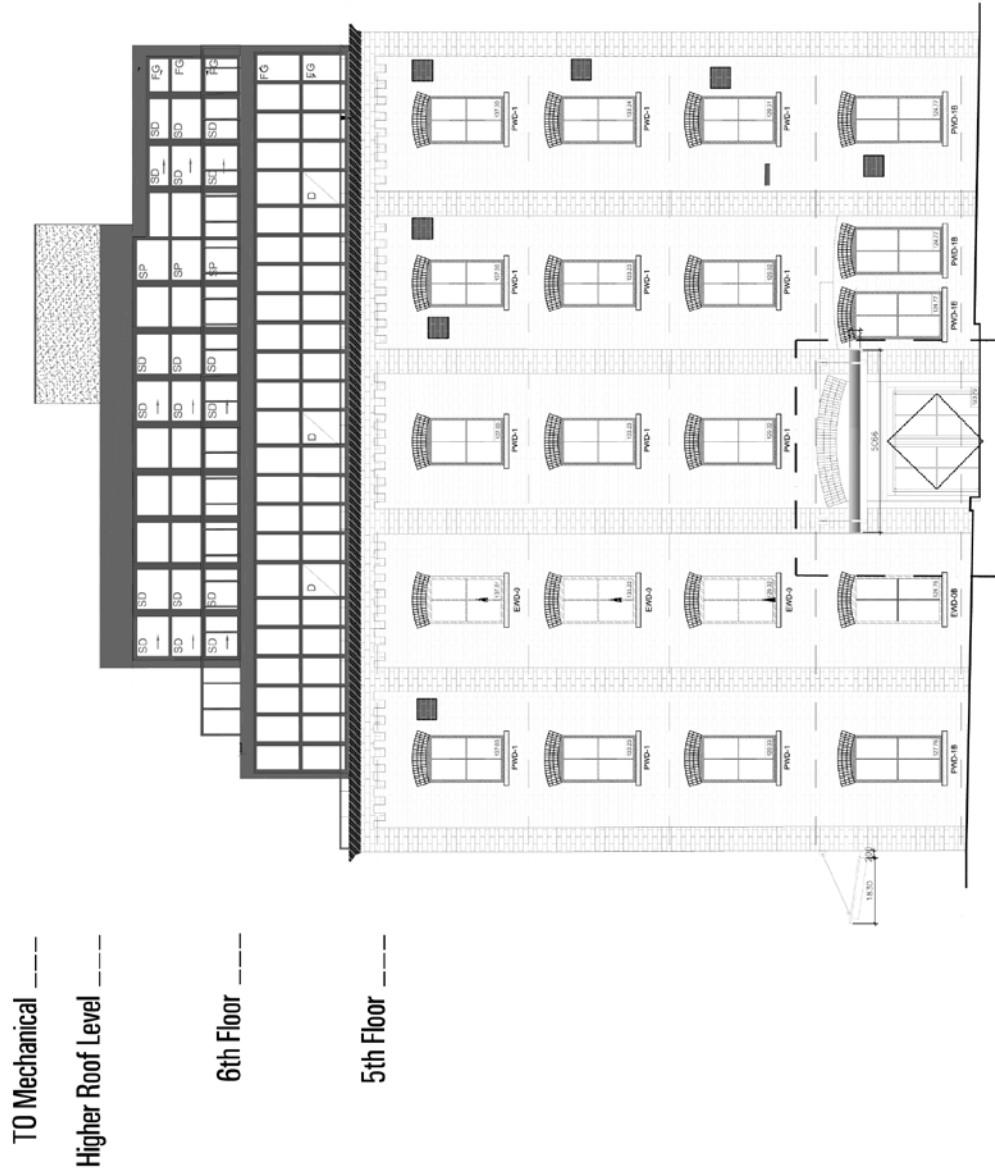
Building #15 South Elevation

Attachment No. 16: West Elevation for 30 Powerhouse Street



Building #15 West Elevation

Attachment No. 17: East Elevation for 30 Powerhouse Street



Building #15 East Elevation