

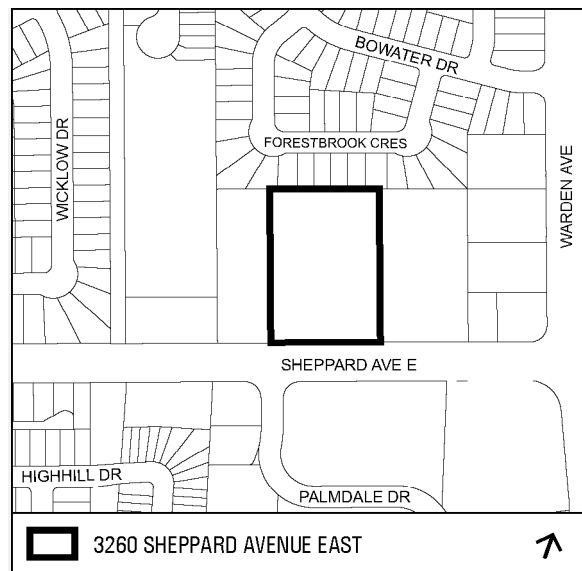
3260 Sheppard Avenue East – Zoning Amendment and Subdivision Applications – Final Report

Date:	May 28, 2014
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 40 – Scarborough-Agincourt
Reference Number:	06 200145 ESC 40 OZ & 12 297629 ESC 40 SB

SUMMARY

This application proposes a mixed-use, multi-phase development, targeted to seniors, on the property at 3260 Sheppard Avenue East. The proposal consists of two 29-storey point towers fronting on Sheppard Avenue East, two 10-storey mid-rise buildings behind the towers and 17 three-storey townhouse units at the rear of the property. A common base building, providing retail space, senior's facilities and retirement home units, is proposed to connect the towers and mid-rise buildings. Two new public roads, creating two development blocks, are also proposed to provide access to the rear of the site. A total of 797 units, 755 parking spaces and 396 bike parking spaces are contemplated with the project.

This proposal represents an urbanized approach to intensification along a proposed higher-order transit corridor that was envisioned when the Sheppard Warden Avenue Study was completed in 2011. It provides an infill development that will help to re-invigorate the area, while at the same time recognizes the sensitivities that arise when a project abuts an established residential neighbourhood. The proposed roads, development blocks and built form are all closely aligned with what had been contemplated with the implementing Official Plan and zoning by-law amendments from the Avenue Study.



This report reviews and recommends approval of the application to amend the Zoning By-law. This report also advises that the Chief Planner intends to approve the Draft Plan of Subdivision, subject to appropriate conditions of approval.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Scarborough Sullivan Community Zoning By-law No. 10717, as amended, for the lands at 3260 Sheppard Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13 to report dated May 28, 2014, from the Director, Community Planning, Scarborough District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bill to City Council for enactment, the Owner's consulting engineer must verify available capacity in existing local and trunk sanitary sewer systems and identify any infrastructure improvements or upgrades that may be necessary to accommodate the proposed development. Where flow records are not available and/or design flows are approaching existing sewer system capacity, a capacity analysis must be undertaken based on actual/recoded flows to determine whether the existing system has adequate capacity to receive anticipated flows from the proposed development to the satisfaction of the Executive Director of Engineering and Construction Services. In the event that there is insufficient capacity to accommodate this development the obligations for the owner to undertake the work shall be set out in a financially secured agreement or other alternative arrangement, to the satisfaction of the Executive Director of Engineering and Construction Services.
4. Before introducing the necessary Bill to Council for enactment the Owner shall have satisfied all obligations to lift the holding provisions on the lands pursuant to former City of Scarborough By-law No. 10717, as amended, and the by-law to lift the holding provisions will have been enacted or will be introduced concurrent with the Bill contemplated in Recommendation No. 1.
5. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act to secure the following:
 - (a) payment of a cash contribution of \$975,000.00, to be directed towards capital improvements to the Agincourt District Branch of the Toronto Public Library, payable prior to the issuance of the first above-grade building permit and indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date of payment;

- (b) construction and maintenance of the development in accordance with Tier 1 - required measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee; and in accordance with Tier 2 - voluntary measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee; and further the provision to the City of documentation of LEED registration and certification of the proposed development, to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - (c) provision and maintenance of interim landscape works following completion of phase one (comprised of the two 29-storey towers and associated interior facilities), substantially in conformity with the landscape design identified on Phase One Landscape Masterplan, L1-d, prepared by NAK Design Group, dated April 24, 2014, to the satisfaction of the Chief Planner and Executive Director, the details of which will be refined on approved plans and drawings in the context of site plan approval pursuant to Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City.
 - (d) provision of the following matters in support of development at the owners expense:
 - i. streetscape improvements to the right-of-way abutting the subject property, including but not limited to: TTC bus stop re-location, street lighting, pavers, street furniture and tree trench installation, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager, Parks, Forestry and Recreation Division, the Executive Director, Transportation Services Division and the General Manager, Toronto Transit Commission which details shall be submitted for review and approval in the context of site plan approval pursuant to Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended and secured in a Site Plan Agreement with the City; and
 - ii. construction of required improvements to municipal infrastructure, both internal and external to the development, in connection with a Servicing and Stormwater Management Report, submitted to and accepted by the Executive Director of Engineering and Construction Services.
6. In accordance with the delegated approval under by-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to approve the draft plan of subdivision as generally illustrated on Attachment 2 to report dated May 28, 2014 subject to:
- a. the conditions as generally listed in Attachment 14 to report dated May 28, 2014, which except as otherwise noted must be fulfilled prior final approval and the release of the plan of subdivision for registration; and

- b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning may deem to be appropriate to address matters arising from the on-going technical review of this development.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of February 13, 2007, Scarborough Community Council (SCC) considered a preliminary report on the original rezoning application. SCC directed that staff hold a community consultation meeting with landowners and residents within 120 metres of the site. The preliminary report is available on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2007/sc/bgrd/backgroundfile-1210.pdf>

At its meeting of February 7, 2012, Toronto City Council enacted amendments to both the Official Plan and former City of Scarborough Sullivan Community Zoning Bylaw to implement the findings, in part, of the 'Sheppard Avenue East Avenue Study'. The final staff report on the Avenue Study can be found on the City's website at:

<http://www.toronto.ca/legdocs/mmis/2012/sc/bgrd/backgroundfile-43418.pdf>

The council-enacted by-laws can be found at:

<http://www.toronto.ca/legdocs/bylaws/2012/law0128.pdf>

<http://www.toronto.ca/legdocs/bylaws/2012/law0129.pdf>

ISSUE BACKGROUND

Application History

Harmony Village-Sheppard Inc, a subsidiary of City Core Developments, submitted rezoning and site plan applications proposing a similar development concept targeting seniors in 2006. At that time, the proposal was comprised of two towers fronting Sheppard Avenue East (20 and 25 storeys) and two mid-rise buildings of eight storeys each in the centre of the site stepping down to two-storeys at the rear. A total of 712 'life-lease' residential units were proposed, in addition to a public community centre integrated within the building. The total density of the proposal at the time was 4.3 times the area of the lot. A preliminary report on these initial applications was heard by Scarborough Community Council in early 2007 and community consultations were held on the original proposal and subsequent revisions in April 2007 and July 2008. As a result of market conditions associated with the global economic downturn, the application was put on hold at the applicant's request in the fall of 2008.

In part as a response to the application, the City initiated an Avenue Study for the Sheppard/Warden area in November 2009. The study focussed on the area between the former hydro corridor to the west and Bay Mills Boulevard/Aragon Avenue to the east. Following a two-year study, City Council adopted a new planning framework for the study area, in the form of a Site and Area Specific Policy to the Official Plan and amendments to the former City of Scarborough Sullivan and Tam O'Shanter Community zoning by-laws. The framework contemplates a predominantly mid-rise built form for the area, while acknowledging tall building

potential on certain properties where impacts could be mitigated. Also brought forward was a new streets and lanes network to facilitate servicing and access for new development, as well as specific performance standards to guide future massing and articulation on each parcel. City staff, the Ward Councillor, the City's consultants, and members of the local community worked together to develop this implementation framework for the study area. The applicants were invited but did not actively participate in the study.

At the applicant's request, and following adoption of the new planning framework for the area, the Harmony Village application was re-initiated in early 2012. A subdivision application was subsequently submitted in late 2012 proposing to dedicate public roads, as required by the study, and to create two new development blocks.

Note that because this zoning amendment application was made prior to January 1, 2007, it is not subject to the changes to the Planning Act that came into effect on that date or the City of Toronto Act, 2006.

Current Proposal

The current proposal contemplates a mixed-use development targeting seniors, comprised of two 29-storey towers fronting on Sheppard Avenue East, with two mid-rise buildings of 10-storeys each behind the towers and joined by a common three-storey base. Behind the mid-rise buildings at the rear of the site, 17 three-storey townhomes are proposed. Two new public roads are proposed for the site: the first, a north-south road (Street 2) on the west side of the site providing access from Sheppard Avenue East; and the other an east-west road (Street 1) between the mid-rise buildings and townhomes that is anticipated to provide future access to Warden Avenue upon redevelopment of the parcels to the east. Until these parcels develop, the applicant will be required to install a cul-de-sac at the eastern terminus of Street 2 to provide for vehicular turn-around. A private lane is proposed along the east edge of the site to provide egress for service vehicles. (See Attachment 1, the applicant's site plan.)

The total gross floor area for the proposed development is 73,235 square meters, which equates to a density of 5.1 times the area of the lot. Proposed separation distances are 25 metres between the two towers, and 13.5 metres between the towers and mid-rise buildings. The western-most tower, the mid-rise buildings and the townhomes are anticipated to be residential condominium ownership, while the east tower is intended to be a rental tower. In anticipation of multiple ownership scenarios for the east tower, however, the applicant has requested that it also be registered as a condominium, so it will not be secured as a purpose-built rental building. A total of 797 residential units are proposed. The unit breakdown is as follows: 75 studio units (~9.3%), 489 one-bedroom units (~61.3%), 214 two-bedroom units (27%), and 19 three-bedroom or townhouse units (~2.4%).

The following table summarizes some of the details of the proposed development:

	West Tower	East Tower	Mid-Rise Buildings	Townhouses
Use	retail, commercial, institutional, residential	retail, commercial, institutional, residential	residential	residential
Units	291	310	179	17
Base Height	3 storeys 15m	3 storeys 15m	3 storeys 15m	N/A
Total Height	29 storeys (92.1 m) (99.1m with mechanical)	29 storeys (88.75m) (95.75m with mechanical)	10 storeys (36.1m) 41.1m (with mechanical)	3 storeys (10.5m)
Tower Floor Plate Size	748m ²	731m ²	N/A	N/A
Base Setbacks from Property Line	3m (south) 2m (west)	3m (south) 10m (east)	2m (west) 3m (north) 10m (east)	3m (south) 11m (west) 8.2 -12m (north) 2m (east)
Boulevard Widths (incl. sidewalks and trees)	7 - 9m (Sheppard) 5m (N-S Street 2)	7 - 9m (Sheppard) 1.5 - 2.5m (east)	5m (west) 2.75 - 6m (north) 3 - 5m (east)	3.75 - 5m (south)
Stepbacks of Tower above Base	3-4.5m (south) 1-2.75m (west)	3 - 5m (south) 1m (east)	1m (west) 3.27m (north)	N/A
Gross Floor Area	21,722m ² residential 2,225m ² shared amenity 8,403m ² shared non-residential 592m ² retail	21,591m ² residential 2,225m ² shared amenity 8,403m ² shared non-residential	17,526m ² residential 316m ² non-residential	3,195m ² residential
Car Parking	564 for both towers	564 for both towers	174	17
Bike Parking	243 for both towers	243 for both towers	77	17
Loading Spaces	1 Type B shared 1 Type G shared	1 Type B shared 1 Type G shared	1 Type B shared 1 Type G shared	N/A

A combination of retail, residential and institutional uses is proposed for the ground floor and base building within the development, catering to the senior's demographic. The ground floor is proposed to contain a pharmacy, bike rental shop, common dining/bar area, residential units and various residential amenity areas. It is anticipated that the common dining/bar area would be primarily for the use of residents, but would also be available to the general public. The second floor is proposed to contain a community centre, residential amenity space and additional dining/kitchen facilities. The community centre is anticipated to be run by a non-profit organization and available to both residents and the general public. It is proposed to contain a library/computer room, classroom, conference room, music room, fitness centre, yoga room and theatre. An indoor pool and change rooms would comprise the residential amenity space on the second floor.

On the third floor, the applicant is proposing a physiotherapy/wellness medical centre and retirement home. The retirement home would be comprised of a nursing centre, lounge and 29 bed-sitting rooms (i.e. assisted living or non self-contained units). Outdoor amenity is proposed throughout the development in the form of an at-grade garden area at the rear of the development between the two mid-rise buildings, as well as large roof-top terraces on the fourth floor between the two towers and on the 8th floor between the towers and mid-rise buildings. Including the proposed community centre space, the proposed development (exclusive of the townhouses) will provide more than four square meters of indoor amenity space per unit and 2.77 square meters of outdoor space. Not including the community centre, the proposed indoor amenity is 1.52 square meters per unit.

Primary pedestrian access to the proposed development is through a central entrance in the middle of the Sheppard Avenue East frontage into a central lobby that provides access to one elevator bank for the community facilities (2nd and 3rd floors) and other elevator banks for the west and east towers. Secondary pedestrian entrances are located on the west side of the building, as well as through a central courtyard and the rear garden amenity area.

Vehicular access to the property is proposed from Sheppard via Street 2 on the west side of the site. Four levels of underground parking are accessed from a ramp off Street 2, 40 metres north of Sheppard Avenue East. Overall, the site is proposing 755 parking spaces, of which 599 are for residents and 156 for visitors. On-street parking is also proposed along the north side of Street 1. A passenger drop-off area is proposed within a central courtyard in the middle of the development, which provides access to the lobby area for the towers and mid-rise building. Loading facilities are on the east side of the building, accessed from the private lane which extends south from the cul-de-sac at the end of Street 1. This lane is intended to be one way southbound only. One Type B and one Type G are proposed. A separate underground garage area for the rear townhouses is proposed to be accessed from a ramp at the northern terminus of Street 2, on the west side of the townhomes.

Bike parking for the project is proposed to be provided in weather protected areas outside the west tower on the ground level, as well as in several separate rooms on the mezzanine level, accessed via the east tower elevators. Additional spaces are provided on the P1 level, accessed from the mid-rise building elevators. Bike parking areas are specifically designated for condominium residents and their visitors, retail employees, and institutional employees and visitors.

A subdivision application has been submitted with the development, which proposes to separate the site into two development blocks separated by the proposed roads to be conveyed to the City (see Attachment 2). To accommodate the temporary cul-de-sac, the conditions of subdivision approval will require that appropriate arrangements are in place to provide for necessary temporary easements in the favour of the City, on the northern portion of the cul-de-sac in order to provide for servicing and maintenance on the cul-de-sac portion of Street 1 that is outside the 20 metre right of way. Any easements would be released upon eastward extension of Street 1 into the adjacent property.

The applicant has indicated that the proposal will be constructed in three phases. Phase one is proposed to consist of the two towers fronting on Sheppard Avenue East, all of the mentioned

community facilities, three quarters of the underground garage area and both new public roads. The mid-rise buildings, rear garden area and the remainder of the underground garage are proposed to comprise Phase two. Phase three is proposed to consist of the 17 townhouse units at the rear of the site. Interim landscape plans are proposed upon completion of each of phase one and two.

Attachments 1-7 show the applicant's site plan, draft plan of subdivision, rendering, and elevations. Additional site and development statistics are included in the application data sheet, Attachment 12.

Site and Surrounding Area

Site

The subject property is located on the north side of Sheppard Avenue East, approximately 150 metres west of Warden Avenue and directly across from Palmdale Drive. The site is rectangular in shape and generally flat. It is approximately 1.4 hectares (3.5 acres) in area, with 100 metres of frontage on Sheppard Avenue East and a depth of 143 metres. An automotive dealership previously occupied the site and its associated buildings are still present on the site, some of which are currently being used as a sales office for the proposed development. There is one tree on the western property line of the site, which is proposed to be removed to facilitate the installation of the north-south Street 2. Eight trees are located on adjacent properties to the north and east, all of which are proposed to be retained and protected during construction.

Surrounding Area

The site is within the Sullivan Community of the former City of Scarborough, an area characterized by a mix of detached, townhouse and apartment dwellings, several parks, two elementary schools, four places of worship and commercial uses focussed around the Sheppard/Warden and Sheppard/ Victoria Park intersections. As the focus of the recent city-initiated Avenue Study, the Sheppard/Warden corridor has been identified as an area intended to accommodate appropriate infill growth along a higher-order transit corridor.

Within the immediate context, the following uses surround the site:

- North: immediately abutting the site to the north is a low-rise neighbourhood of single-detached residential dwellings on Forestbrook Crescent, Bowater Drive and Hatchford Court;
- East: a funeral home, which has recently completed an expansion and has approval to construct an elevated parking structure, abuts the subject property site to the east; east of the funeral home is an automobile service station at the northwest corner of Sheppard Avenue East and Warden Avenue, as well as a two-storey commercial building and a place of worship fronting on Warden Avenue;

South: on the south side of Sheppard Avenue East opposite the subject property is a four storey office building, a two-storey medical clinic, a 17-storey residential rental building at the south-east corner of Sheppard Avenue East and Palmdale Drive, a 19-storey apartment building further south on Palmdale Drive and a commercial plaza with ancillary surface parking fronting the street at the southwest corner of Sheppard Avenue East and Warden Avenue; and

West: the parcel west of the subject property contains a restaurant with associated surface parking on the north, east and south sides of the building; east of this restaurant is a former hydro corridor with stormwater management facilities as well as an approved 20-storey mixed use development at 3220 Sheppard Avenue East, that has not yet received final site plan approval.

Provincial Policy Statement and Provincial Plans

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

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

Official Plan

Map 2 of the City's Official Plan, depicting the City's 'Urban Structure', identifies the site as part of an *Avenue* which applies to the lands on Sheppard Avenue East, from Yonge Street to just east of Brimley Road. *Avenues* are generally regarded as areas where incremental growth can occur along major streets where there are re-urbanization opportunities supported by public transit.

The Official Plan recognizes that most of the City's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding area. As a result, the built form policies of Section 3.1.2.2 seek to ensure that new development is located, organized and massed to fit harmoniously within the existing and/or planned context and will limit its impacts on neighbouring streets, parks, open spaces and properties. Among other things this harmony is achieved by: massing new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings; providing for adequate light and privacy; and adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets and properties.

The housing policies of Section 3.2.1 support the provision of a full range of housing opportunities in the City in terms of form, tenure and affordability. It goes on to state that a full range of housing includes: ownership and rental housing, supportive housing and congregate living housing. The community services and facilities policies of Section 3.2.2 state that shared use of multi-service facilities will be encouraged.

Policy 18 within Section 3.4 on the natural environment references innovative energy producing options, as well as green building design. Specifically, the policy encourages redevelopment that uses renewable energy systems and advanced energy efficient technologies.

The site is designated as *Mixed Use Areas* on Map 19 - Land Use Plan (see Attachment 8). This designation permits a broad range of commercial, residential and institutional uses. Policies for *Mixed Use Areas* within Section 4.5 of the Plan require new development to:

- create a balance of high quality commercial, residential and institutional uses that reduce automobile dependency and meet the needs of the local community;
- provide an attractive, safe and comfortable pedestrian environment; and
- provide indoor and outdoor recreation space for building residents.

Specific development criteria are outlined that necessitate, among other matters, new development to be located and massed in order to:

- provide a transition between areas of different intensity and scale, through means such as appropriate setbacks and/or stepping down of heights, particularly towards lower scale areas designated *Neighbourhoods* in the Official Plan;
- limit shadow impacts on adjacent *Neighbourhoods*; and
- frame the edges of streets with good proportion and maintain sunlight and comfortable wind conditions for pedestrians.

Section 5.1.1 of the Official Plan also contains policies related to height and/or density incentives. It permits zoning by-laws, under Section 37 of the *Planning Act*, to be passed to permit more height and/or density for a use than is otherwise permitted by the zoning by-law in return for the provision of community benefits to be set out in the zoning by-law.

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

Sheppard/Warden Avenue Study

The City adopted Official Plan Amendment No. 143 in early 2012 (By-law 128-2012), to implement the findings of the Sheppard/Warden Avenue Study. This amendment placed the entire study area into Site and Area Specific Policy (SASP) No. 373. Mid-rise buildings are intended to be the predominant form of new development for the area with similar development criteria to that in the Official Plan. Of particular interest for the subject property however, was the establishment through the SASP of three distinct built form 'zones', each with specific parameters to guide development (and each represented on the subject property – see Attachment 9):

- 1) a 'Tall Building Zone' at certain intersections and within the first 50 metres of the north side of Sheppard Avenue East west of Warden Avenue; in this zone, tall buildings are required to adhere to a 45 degree angular plane taken from the lot line abutting stable low density residential neighbourhoods; also specified is a maximum base height of 6 storeys (20 metres) and use of appropriate step-backs;
- 2) a 'Mid-Rise Zone' for the northwest quadrant of Sheppard Avenue East and Warden Avenue, in which buildings are not intended to penetrate a 45 degree angular plane taken at a height of 16 metres from the property line of the mid-rise area abutting the new, east-west public street (Street 1); and
- 3) a 'Grade-related Residential Zone' in which only low-rise development is permitted abutting existing stable residential neighbourhoods.

The establishment of a new streets and lanes network for the Sheppard/Warden corridor in the SASP also had impacts on the subject property (see Attachment 10). The network was created as a means to break up some of the larger blocks to enable development at the rear and to facilitate servicing access. Portions of two new public streets with 20 metre rights of way were required to be dedicated as part of its redevelopment.

Toronto Official Plan Site and Area Specific Policy 373 can be found on the City's website at: <http://www.toronto.ca/legdocs/bylaws/2012/law0128.pdf>

Tall Building Design Guidelines

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

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

The Guidelines provide specific recommendations for tall buildings on issues of fit and transition in scale, sunlight and sky view, building placement, base building height and scale, tower floor plate size, separation distances, tower articulation, sustainable design and pedestrian realm considerations including streetscape, wind effects and landscape design. This document was used to assess the proposed development, and is available on the City's website at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Mid Rise and Infill Townhouse Design Guidelines

Although the more prominent components of the proposal are the two tall buildings fronting on Sheppard Avenue East, the project also contains mid-rise and townhouse elements. Toronto City Council, in July 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications. The Avenues and Mid-rise Buildings Study identifies a list of best practices and establishes a set of

performance standards for new mid-rise buildings. Key issues addressed by the Study include separation from property lines, transition from adjacent low-rise areas and consolidation of services. The Study can be found at: <http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=7238036318061410VgnVCM10000071d60f89RCRD>

In 2003, City Council adopted guidelines to assist staff in the evaluation of new townhouse developments. The guidelines provide parameters on built form, adjacencies, walkways, parking, separation and streetscaping, among others. The City's Urban Design Guidelines for Infill Townhouses can be found at: http://www1.toronto.ca/staticfiles/city_of_toronto/city_planning/urban_design/files/pdf/townhouseguideline.pdf

Zoning

The subject property is currently split-zoned with a Commercial-Residential Holding zone [CR(H)] on the front portion of the site and a Multi-Family Residential Holding zone [M(H)] on the narrow rear strip (see Attachment 11). These zones were established with the City-initiated zoning amendment (By-law 129-2012) for the Sheppard/Warden Avenue Study, which was an amendment to the former City of Scarborough Sullivan Community Zoning By-law No 10717. An associated zoning amendment (By-law 130-2012) was adopted, for lands east of Warden Avenue, to amend the former City of Scarborough Tam-O'Shanter Community Zoning By-law No 12360. This application is only amending By-law 10717 because it met the transition protocol under the City-wide Zoning By-law 569-2013, which allows it to complete the necessary development approvals/changes under the umbrella of the by-law under which the application was started.

The CR zone permits a wide array of uses including dwelling units, medical centres, nursing homes, offices, personal service shops, restaurants, retail stores and retirement homes. The M zone only permits townhouses. Both zones prohibit uses related to vehicle service, sales and repair and contain performance standards for amenity space, gross floor area, setbacks, stepbacks, angular planes, base height, overall height, vehicular parking and bike parking, among others.

By-law 129-2012 stipulates that the holding provision attached to both zones can only be lifted through a rezoning application when Council is satisfied that the design, construction and financing of new public streets has been satisfactorily reviewed by both the City Planning and Construction and Engineering Services Divisions. It is anticipated that this would occur for this development when the subdivision agreement has been entered into, providing for appropriate securities. The bill for the zoning amendment of the subject property will be introduced for enactment either after or concurrent with the by-law introduced to lift the hold.

By-law 129-2012, one of the two implementing zoning by-laws for the Sheppard/Warden Avenue Study, can be found on the City's website at: <http://www.toronto.ca/legdocs/bylaws/2012/law0129.pdf>

Site Plan Control

The proposed development is subject to site plan control. A site plan control application has been submitted and is being reviewed concurrently with the zoning amendment application (file: 13 240117 ESC 40 SA).

The applicant has been working with City staff to make revisions to the site plan in response to division and agency comments. Should Council approve the zoning amendment application, it is anticipated that a Notice of Approval Conditions on the site plan control application could be issued within the next few months.

Sheppard East LRT

Part of the rationale for moving forward with the Avenue Study for the Sheppard/Warden corridor in 2009 was to implement a framework for development that would support future higher-order transit along the Sheppard Avenue East corridor. In 2007, City Council approved the 'Transit City' plan, which was a key component of the regional transit plan ('The Big Move') for the Greater Toronto Area. The Sheppard East Light Rail Transit (LRT) line is one of the projects funded under the Master Agreement signed between the City, TTC and Metrolinx. It is proposed to extend from Don Mills Station past Warden Avenue to Morningside Avenue. Metrolinx is in the process of advancing the design of the facility with a target start of service date in December 2021. Once completed, the Sheppard LRT will provide an enhanced level of public transit along the Sheppard corridor. An LRT stop is proposed in proximity to the Palmdale Avenue and Sheppard Avenue East intersection.

Reasons for Application

The proposed height and density of the proposal, at 92.1 metres (29 storeys) and 5.1 times the area of the lot, exceed that permitted under the existing CR zoning, which is 36 metres (approximately 12 storeys) and 2.5 times the area of the lot. In addition, development is not permitted in those zones with a holding provision [CR(H) and M(H)] until Council is satisfied that the required public street network has been provided. The implementing SASP for the Sheppard/Warden Avenue Study contemplated the submission of rezoning, plan of subdivision and site plan control applications to implement site specific projects. In addition to the reasons outlined above, site specific zoning amendments are required to implement appropriate performance standards for each new development.

Community Consultation

Three community consultation meetings were held to discuss the application during its active stages over the last seven years. The first was held in on April 3, 2007 at the Agincourt Library to discuss the originally submitted proposal of 20 and 25-storey towers, stepping down to 8-storeys and 2-storeys at the rear. Approximately 30 members of the public in attendance raised the following concerns either at the meeting or in writing:

- excessive overall tower height;
- shadow impacts;
- privacy/overlook to rear;
- potential for tall buildings to de-value the low-rise neighbourhoods;
- height of rear portion at 2-storeys appears like it's 3-storeys;
- too much density;

- parking spillover onto neighbouring residential streets;
- parking capacity for all uses- residents, visitors, employees;
- sewage capacity;
- water pressure;
- fire safety for seniors;
- how to secure life-lease arrangement and how to define use in by-law;
- no income-assisted or affordable units;
- access and pedestrian conflicts, especially for seniors; and
- not enough green space.

The second community consultation meeting was held on July 28, 2008 at New Life Christian Church to discuss a revised proposal consisting of two 20-storey towers, stepping down to 9-storey then 2-storeys at the rear. Of the 10 members of the public in attendance, similar issues as above were raised, although there was significantly less opposition in general to the proposal.

Following the revival of the application in 2012, a third community consultation meeting was held in June 2013 at GracePoint Baptist Church. The version of the project contemplated at that time consisted of two towers at 32 and 33 storeys, two 10-storey mid-rise buildings and 3-storey townhouses at the rear, in addition to two new public roads. From the 20 members of the public in attendance and a number of written submissions, the following items were raised:

- too much height;
- impacts of shadows on houses to the north and northwest;
- need to ensure transition and use of angular planes;
- support for the architecture;
- support for the project in providing options for seniors in the area and permitting use of the facilities by members of the public;
- should provide some affordable units;
- future signalization at Palmdale Avenue and Sheppard Avenue East;
- need to ensure sustainability;
- sewage capacity;
- parking capacity; and
- ensuring townhouse parking is below-grade.

Design Review Panel

The application was presented to the City's Design Review Panel (DRP) on two occasions – July 2012 and October 2013. At the first hearing, when the proposal was contemplated (at that time) at 33 and 36 storeys, the Panel voted unanimously for refinement, as opposed to redesign, of the proposal. The following comments were provided:

- try to reduce the institutional feel of the project so that it doesn't appear as an isolated senior's facility;
- embrace the surrounding neighbourhood by enhancing visibility to and from the building edges;
- animate and activate the ground floor uses;
- provide townhouse entrances at-grade to promote 'eyes on the street'
- promote pedestrian safety and mobility with continuous sidewalks and maximum sidewalk dimensions throughout the site;

- re-locate the loading and servicing functions from the central courtyard area; and
- architecture is well-resolved, some minor revisions to cornice lines required.

The minutes from this first DRP hearing can be found at:

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/drp_minutes_17jul12.pdf

At the second hearing, the Panel embraced the changes and unanimously supported the project for the key changes made. It made mention of the proposal's 'big city' ambitions, commitment to urbanism and the positive precedent it will have on the future of Sheppard Avenue East. Minor suggestions for improvement included further enlivening the new streets, providing more open space and refining some of the articulation and materiality of the towers. Minutes from the second hearing of the DRP can be found at:

<http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Urban%20Design/Files/pdf/DRP/DRP%20Minutes%20Oct%202016.pdf>

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate zoning by-law standards and conditions of draft plan approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement 2014. Among other matters, the proposal will: provide for an efficient development pattern and use of land; add to the City's diversity of housing; utilize existing public infrastructure; create new 'green' infrastructure (i.e. proposed green roof areas, stormwater management facilities and renewable energy production); promote the use of public transit; and create opportunities for 'active' transportation (i.e. improved pedestrian infrastructure, enhanced bike parking facilities, etc).

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe by proposing an appropriate type and scale of development within an intensification corridor. The proposal is also transit supportive and achieves the required transition of built form to adjacent low-rise uses.

Land Use

The residential, commercial and institutional uses proposed in this development are not only permitted, they are actively encouraged. This proposal successfully implements the policies in the Official Plan and Sheppard-Warden Site and Area-Specific Policy by sensitively combining uses that will help to activate the site at all times of day throughout the year. It is a true mixed-use project that will help to transform an underutilized section of Sheppard Avenue East into the transit-supportive corridor that was envisioned during the preparation of the Avenue Study.

The only minor concern with the proposed use, however, is how to define the seniors- oriented units. The City is not able to zone for a specific demographic, it is only permitted to define a particular use, unit size, unit type (i.e. self-contained vs. 'bed-sitting room') or tenure. As a result, there is no mechanism to ensure that each condominium unit is purchased or tenanted by a

'senior'. The only means to differentiate this project is to delineate and quantify all of the proposed uses and amenities (community centre, medical offices, retirement home units, amenity spaces, etc.) in the site-specific amending zoning by-law. The draft by-law (See attachment 13) therefore includes performance standards that specify all of the uses that are proposed to be included in the project. This will provide additional control in assuring that the product will be constructed in accordance with the proposal as presented and approved.

Further, it is anticipated that all of the seniors-oriented facilities, aside from the condominium amenity space, will be available for area residents to use. This aspect of the proposal was revised in response to concerns raised at the community consultation meetings. Public access to these facilities (common dining area, community centre, and medical offices) will be secured through their definitions in the draft zoning by-law. It is important to note the proposed senior's demographic of this proposal did not result in relief from the City's built form policies or parking requirements.

Height, Massing, Built Form

Although this project has evolved since its first submission, it has always been premised upon a layout of towers, mid-rise buildings and a transition to low-rise at the rear of the site. The most significant change with the current proposal, however, is that it is now proposing to provide two new public roads. The road layout is consistent with the network outlined in the SASP brought forward from the Sheppard/Warden Avenue Study.

When it was originally submitted in 2006, the application proposed tower heights of 20 and 25 storeys. The second submission in 2007 reduced the heights to 20 storeys each. When the application was re-activated in 2012, two key issues had emerged: the approval of an LRT line for Sheppard Avenue and the completion of the Avenue Study. The introduction of the LRT line brought built form implications, as this type of higher-order transit would accommodate significant intensification to generate ridership and justify its construction. Acknowledging this, the Avenue Study conducted a detailed, site-specific assessment of the area in order to assign appropriate locations for redevelopment. The study introduced the 'Tall Building Zone' and angular planes to evaluate transition to neighbouring low-rise areas. This site met the criteria for tall buildings due to its significant depth, lot area and frontage on Sheppard Avenue East. The applicant therefore sought an increase in the proposed tower heights and the project currently proposes 29 storeys. These heights fall well below the required 45 degree angular plane from the north property line (see Attachment 5), and as such, meet the Official Plan, SASP and zoning bylaw requirements for appropriate transition from adjacent low-rise neighbourhoods.

The mid-rise buildings, at 10 storeys each, also respond to the SASP, as they are contained within the required angular plane measured from the 16 metre height (80% of the 20 metre road right of way width) taken from the lot line of the proposed east-west street (see Attachment 5). The townhouses to the north also meet the required height restrictions (maximum 3-storeys) and fall underneath the same angular plane as the tower heights.

From a massing and built form perspective, the proposal appropriately responds to the provisions of the implementing zoning by-law from the Sheppard/Warden Avenue Study as well as the recommendations in the Tall Building Design Guidelines. Of particular note is the recent revision to increase the stepback of the two towers from the base building along the Sheppard Avenue East frontage from one to three 3 metres. This move helps to reduce the visual

prominence of the tower height for pedestrians and vehicles travelling east or west along Sheppard Avenue East. The proposal also provides: an appropriate base building height at three storeys; the required separation distance between towers of 25 metres; adequate separation between the towers and the mid-rise buildings; a prominent central entrance for multiple users; tower floor plate sizes below the recommended maximum 750 square meters; a suitable level of façade articulation on the towers, particularly on the south elevation; and a high degree of ground floor transparency to help create visual interest and interaction with the public realm. The only departure from the guidelines is the proposed tower setback from the east property line of 11 metres, whereas 12.5 metres is required. This relief was deemed appropriate for two reasons: first, the applicant was required to provide 14.5 metres of their frontage towards the dedication of the public road, Street 1 reducing their available developable frontage; and second, the longer frontage of the adjacent property to the east provides sufficient flexibility for achieving minimum 25 metre tower separation upon its redevelopment.

Further evidence of the appropriateness of the height, massing and built form of the proposal was the unanimous endorsement from the Design Review Panel for both hearings at which it was presented.

The City's Design Guidelines for both mid-rise development and infill townhouses were also reviewed through the course of this application. For the mid-rise component, the proposal provides adequate separation from adjacent properties, from the towers and between the two mid-rise buildings. It also provides appropriate setbacks from the property lines and is effectively integrated into the tower portion from a façade perspective. For the rear townhouses, the proposal provides grade-related entrances on the new street and a built form that helps to create an appropriate transition from the residential neighbourhood to the north.

Sun/Shadow, Wind

The applicant has submitted a sun/shadow study to demonstrate the shadow impacts of the revised proposal during the spring and fall equinoxes (March 21 and September 21), as well as the summer solstice (June 21). The study identifies the shadows cast by the as-of-right building envelope of 11 storeys and the proposed built form of two towers and the mid-rise buildings. There are no parks in the vicinity of the subject property that would require consideration of the shadow impact from the proposed towers. One of the concerns with respect to tall building development is maintaining access to sunlight and reduction of shadow impacts on adjacent low-rise areas designated *Neighbourhoods* in the City's Official Plan. Analysis of the study for the 2013 version of the proposal at 32 and 33 storeys revealed an unacceptable level of shadow impact on some rear yard areas of properties to the north of the subject property. This was also identified as a concern by area residents at the community consultation meetings. The reduction of the tower heights to 29 storeys each has significantly reduced this impact so that no areas are subject to shadow longer than an hour in duration. The small floorplate size and 25 metre separation distance between the towers has helped to further mitigate the shadow impacts.

A Microclimatic Analysis Report was provided with the initial application, which assessed the wind conditions on and around the proposed development for sitting, standing and walking. An addendum letter was submitted to address changing conditions with the revised (current) proposal. The consultant concludes in the report and addendum that there are several features of the revised proposal that contribute to reducing the proposed wind impacts, namely:

- lowered heights of both towers helps reduce the extent of downwashing of winds off the building façade;
- increased upper level setback above the podium provides a wind break for areas below the podium roof line;
- façade articulations help to reduce wind speeds;
- addition of weather-protection canopies along the Sheppard Avenue East frontage help to reduce wind speed along the sidewalk in front of the building;
- the creation of recessed areas throughout the proposed development, including the central courtyard and rear garden amenity area, provide lower-wind pedestrian spaces, that are suitable for sitting and standing during the desired spring, summer and fall seasons; and,
- several landscape features (i.e. windscreens, trellis structures, trees) added to the rooftop amenity areas make them more comfortable for their intended uses.

The impacts from shadow and wind generated by the proposed towers are therefore acceptable.

Traffic Impact, Access, Parking, Loading, Snowploughs

The proposed traffic generated from the site and its impact on the surrounding road network has been deemed acceptable by City staff in the Transportation Services Division. The proposed access point from Sheppard Avenue East reflects what was prescribed in the Sheppard/Warden Avenue Study and will provide a connection to Palmdale Drive to the south. This intersection will also become signalized as part of the proposal, enabling left in and outs for vehicles to and from the site, as well as enhanced pedestrian mobility to the south side of Sheppard Avenue East. The proposed ramp to the underground parking is in an appropriate location close to the site's access point from Sheppard Avenue East that will help to minimize on-site vehicular travel.

The proposed minimum parking ratios are as follows:

- studio/bachelor units (up to 45m²): 0.6 parking spaces per unit
- 1-bedroom units: 0.7 spaces per unit
- 2-bedroom units: 0.9 spaces per unit
- 3- bedroom units: 1.1 spaces per unit
- townhouse units: 1.0 spaces per unit
- residential visitors and non-residential uses: 0.2 spaces per unit (not including townhouse units)

All of the non-residential parking spaces will be shared with the residential visitor spaces, as the demand for these uses is typically at offset hours. Residential visitors have high demand on evenings/weekends and commercial/institutional uses during mid-week daytime hours. These ratios and the shared parking component have been deemed acceptable by the appropriate city staff.

The parking for the townhouse units is proposed to be located below grade under each unit thereby eliminating the need for surface parking and enabling the area to the rear of the townhouses to be landscaped. This will help to ensure an appropriate buffer between the townhouse units and the adjacent low-rise residential area to the north.

Following the first Design Review Panel hearing, the applicant made a significant change to the ground floor layout of the proposal by re-locating the loading area from the central courtyard

area to the east side of the east tower, accessed by the private lane. Although this means that loading trucks will have to travel a further distance around the site, it drastically improves the safety and pedestrian comfort of the central courtyard area. This re-location and consolidation of the loading area for the towers and mid-rise components of the proposal responds to several requirements of both the Tall and Mid-Rise Design guidelines.

With the proposed full radius (12.5 metres) cul de sac at the eastern end of Street 1, City snowplough vehicles will be able to service all of Streets 1 and 2 without the need to reverse or access private property. Adequate snow storage areas have also been provided around the perimeter of the cul de sac and along the landscaped boulevards of both proposed street. Transportation Services and Development Engineering staff have deemed the proposed street layout acceptable.

Streetscape

The proposed creation of two new public streets (Streets 1 and 2 in Attachment 1) represents a significant portion of the implementation of the streets and lanes requirements from the Sheppard/Warden Avenue Study (Attachment 10). Although Street 1 will not be extended eastward to Warden Avenue until further development is contemplated, the framework for easing congestion and improving site access for this area will be initiated with these two streets. They provide access to the townhouses at the rear of this site and in the future to the two adjacent parcels to the east and one to the west. Equally important is that they create visibility and animation around the site and a continuous pedestrian network throughout the site. With boulevard widths of at least five metres in most areas, the sidewalks on the east side of Street 2 and both sides of Street 1 are proposed to be designed such that there are trees in a landscaped boulevard adjacent to the curb, then a pedestrian sidewalk, then additional landscaping abutting the building edges. This will create a safer, greener and more pedestrian friendly streetscape.

The frontage on Sheppard Avenue East is also proposed to be designed with street trees abutting the curb and landscaping next to the retail and restaurant uses on the ground floor. Until the final design of the Sheppard East LRT has been determined, the applicant is proposing to relocate the existing Sheppard East 85 bus route stop onto the frontage of the development at the northeast corner of Sheppard Avenue East and Street 2.

In addition to the new street trees on the site, the applicant is proposing a landscaped strip along the north edge of the site to buffer and screen the townhouse from the adjacent low-rise area. This three metre buffer will be comprised of wood fencing and cedar trees, the details of which will be secured at the site plan approval stage. A landscaped area for snow storage will also be created at the northeastern edge of the proposed cul-de-sac.

All of the mentioned landscaping and streetscaping improvements assist the proposal in conforming to several Official Plan policies and design guideline recommendations with respect to pedestrian safety, amenity and sustainability.

Amenity Space/ Senior's Services

A prominent feature of the proposed development is the array of amenities and services geared towards seniors that are proposed to be provided to both residents and the general public. These services respond to the direction in the Official Plan for new developments to provide a range of housing and the provision of shared, multi-use facilities. It is important to note, however, that

the proposed community centre, retirement home and medical office facilities were not components of the development that were required by the City. The applicant proposed them to support their target market. City staff support the premise of these facilities and are of the opinion that securing their provision was warranted. The proposed draft zoning bylaw therefore sets out a minimum size requirement for each of the proposed facilities.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 + 1.56 hectares of local parkland per 1,000 people. The subject site is located in the third highest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The applicant has revised their development plan to construct two residential towers including a row of 3-storey townhouses having a total of 808 residential units within a net site area of 1.096 hectares (10,960 m²). At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020 – 2010, the parkland dedication would be 1.077 hectares (10,773m²), which equates to 98% of the site. However, a cap of 15% applies and hence the parkland dedication would be 0.16 hectares (1,616m²).

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

The money received will be allocated as follows. Half of the money received from the value of the first 5% of the total land area is allocated to local park purchases and park improvements. The other half is allocated to city-wide park purchases and improvements. The balance of the monies (in this case 10% of the total land area) can be used for acquiring parkland or improving existing parks in the vicinity of the development where the dedication originated. Determination as to how the cash-in-lieu money is to be utilized is done in consultation with the local Councillor and in accordance with the City's Parkland Acquisition Strategy.

Project Phasing and Condominium Applications

As mentioned in the description of the proposed, it is anticipated that this development will be brought forward for construction in three phases – the towers in phase one, the mid-rise buildings for phase two and the townhouses as phase 3. City staff will ensure that the appropriate facilities and infrastructure is in place so that the partial development can function during the course of its construction and so that residents can enjoy the bulk of the facilities that were anticipated with each phase. As a result, upon completion of phase one, the following will be provided: all of Streets 1 and 2, the retail space, the assisted living units, medical offices and restaurant areas and 83% of the residential amenity space and 85% of the community centre space. In addition, staff will ensure that the phase two and three areas are suitably landscaped (and not a construction staging area) upon completion of phase one. Interim landscape plans, which outline the extent of landscaping following each of phases one and two, will be secured at the site plan approval stage.

The applicant has indicated that the ownership structure of the various components of this development proposal is intended to be secured through separate condominium applications, unrelated to phasing. The proposed condominiums are proposed to include:

- 1) a retail/commercial condominium comprised of the retail space, the bike rental shop and the common dining area on the ground floor and the medical offices on the third floor;
- 2) the west tower and its related common amenities;
- 3) the east tower and its related common amenities;
- 4) the mid-rise buildings; and
- 5) the community centre.

The applicant is proposing that the community centre would be sold to or leased by a non-profit, third party service provider.

Subdivision Application

A subdivision application was filed in support of this development proposal in December 2012 and is being considered concurrently with the zoning amendment application. The subdivision proposes to create two new public roads, which effectively split the parcel into two development blocks. The proposed roads and development blocks are very much in keeping with what had been contemplated with the Sheppard/Warden Avenue Study and the implementing Site and Area Specific Policy 373. The only minor deviation from the approved policies is the requisite creation of the cul de sac at the east end of Street 1 to provide for vehicular turnaround. Since the northern portion of the cul de sac is outside of the required 20 metre right of way width for Street 1, the applicant is proposing to create a temporary easement that would be in place until such time as the street is extended in an eastward direction and the cul de sac is no longer necessary.

With the identification and delineation of the proposed Streets, the subdivision application also helps to fulfill the requirement of the holding provision on both the CR(H) and M(H) zones on the property. Should City Council approve the recommendations contained in this report, it is anticipated that Bills could be brought forward to Council recommending the lifting of the H upon the execution of the Subdivision Agreement.

Attachment 14 to this report outlines both the standard and site specific conditions that will need to be satisfied by the applicant including the entering into a Subdivision Agreement. The matters secured by the conditions include the construction and conveyance of the new public streets, the payment of all fees, and the granting of easements, among other matters.

Servicing

City staff in the Engineering and Construction Services Division have identified an issue with respect to the proposed sanitary sewer connection in the applicant's revised Servicing and Stormwater Management Report. At the time of writing this report, the applicant's engineer is engaged in a study to determine the available capacity in the existing local and trunk sanitary sewer systems. This capacity analysis will determine whether the proposed development can be accommodated within the existing infrastructure or if upgrades will be necessary. Should it be concluded that insufficient capacity exists, upgrades or improvements will be the sole responsibility of the applicant unless an alternative arrangement can be made with the Engineering and Construction Services Division. This issue will need to be resolved prior to

Council's consideration of final bills for this proposed development, as noted in the recommendations section of this report.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. A revised Toronto Green Standard, Version 2.0, was brought forward in January 2014.

As the rezoning application for this project was submitted in 2006, the applicant is technically not required to meet Tier 1 of the TGS. However, since a new site plan control application for the development was submitted in September 2013, the site plan application will be subject to the TGS. Furthermore, the applicant has indicated that they wish to pursue Tier 2 of the TGS which includes possible refunds against Development Charges payable for the development at the time of building permit issuance. As a result, both Tier 1 and Tier 2 performance measures are being pursued for the project. The applicant has also indicated that they will be pursuing LEED Gold certification for the project. The City will request that the applicant provide the appropriate materials verifying LEED registration with the Canada Green Building Council and 3rd party commissioning and certification upon completion of the building.

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

- establishment of minimum and maximum parking rates for dwelling units based upon the level of existing/planned transit on Sheppard Avenue East;
- roughed-in conduits for electrical vehicle plug in for those parking spaces in excess of the minimum zoning bylaw requirement;
- bike parking rates, location, dimension and design requirements for residents and residential visitors, as well as retail/institutional employees and visitors; and
- waste management facilities.

The following TGS Tier 1 performance measures, among others, will be secured through the Site Plan Approval process:

- pedestrian infrastructure including walkways, street furniture, weather protection and lighting;
- stormwater retention for the first 5mm of each rainfall event;
- 58 new trees proposed with minimum soil volume requirements for all new trees;
- water efficient and native plant material for 70% of the proposed landscaping vegetation, both on and adjacent to the site; and
- adherence to the bird-friendly guidelines for all glass within the first 12 metres above grade and adjacent to any green roof areas.

The following TGS Tier 2 performance measures, among others, will be secured through the Site Plan Approval process:

- high albedo surface materials (34%) and provision of shade (41%) on 75% of the site's hard surfaces;
- minimum 35% energy efficiency over the Model National Energy Code for Buildings;
- energy systems commissioning;
- 30% reduction in potable water consumption using efficient fixtures;
- 50% reduction in potable water used for irrigation;
- no spotlighting or rooftop vanity lighting;
- certified in-suite smart metres in all residential units;
- 20% recycled content in building materials; and
- 85% of construction of demolition debris is recycled.

The development is subject to the Green Roof By-law. Green roof areas are proposed on the 4th, 9th, 11th floors. The Green Roof By-law is administered by Toronto Building.

As part of their sustainability commitment and pursuit of LEED Gold certification, the applicant is also proposing several non-TGS initiatives, including ground source energy based heating and cooling systems, ground source energy hot water heating, wastewater heat recovery, grey water recycling, solar energy for heating and exhaust air energy recovery.

Section 37

The proposal represents an increase in height and density beyond that permitted in the applicable Zoning By-law. It is appropriate to secure the following facilities, services and matters pursuant to Section 37 of the Planning Act:

- (a) payment of a cash contribution of \$975,000.00, to be directed towards capital improvements to the Agincourt District Branch of the Toronto Public Library, payable prior to the issuance of the first above-grade building permit and indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date of payment;
- (b) construction and maintenance the development in accordance with Tier 1 - required measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee; and in accordance with Tier 2 - voluntary measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee; and further the provision to the City of documentation of LEED registration and certification of the proposed development to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (c) provision and maintenance of interim landscape works following completion of phase one (comprised of the two 29-storey towers and associated interior facilities), substantially in conformity with the landscape design identified on Phase One Landscape Masterplan, L1-d, prepared by NAK Design Group, dated April 24, 2014, to the satisfaction of the Chief Planner and Executive Director, the details of which will be refined on approved plans and drawings in the context of site plan approval pursuant to

Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City.

- (d) provision of the following matters in support development at the owners expense:
- i. streetscape improvements to the right-of-way abutting the subject property, including but not limited to: TTC bus stop re-location, street lighting, pavers, street furniture and tree trench installation, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager, Parks, Forestry and Recreation Division, the Executive Director, Transportation Services Division and the General Manager, Toronto Transit Commission which details shall be submitted for review and approval in the context of site plan approval pursuant to Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended and secured in a Site Plan Agreement with the City; and
 - ii. construction of required improvements to municipal infrastructure, both internal and external to the development, in connection with a Servicing and Stormwater Management Report, submitted to and accepted by the Executive Director of Engineering and Construction Services.

Conclusions

This development proposal will be a significant step in the urbanization of a stretch of Sheppard Avenue East that has been identified by City Council for intensification. It represents an appropriate massing and built form, as well as a street network, that is very much aligned with what had been contemplated through the course of the Sheppard/Avenue Study and implementing by-laws. The applicant has responded to key concerns, built form and otherwise, raised by residents, city staff and the Design Review Panel. The proposed seniors-oriented uses will be able to be enjoyed by the surrounding community and will help to create round the clock activation of the site. By pursuing Tier Two of the Toronto Green Standard and LEED Gold certification, the applicant is helping the City address several of the sustainability initiatives identified in the Official Plan. City planning recommends that City Council approve the proposed zoning by-law amendment and that the Chief Planner approve the draft plan of subdivision.

CONTACT

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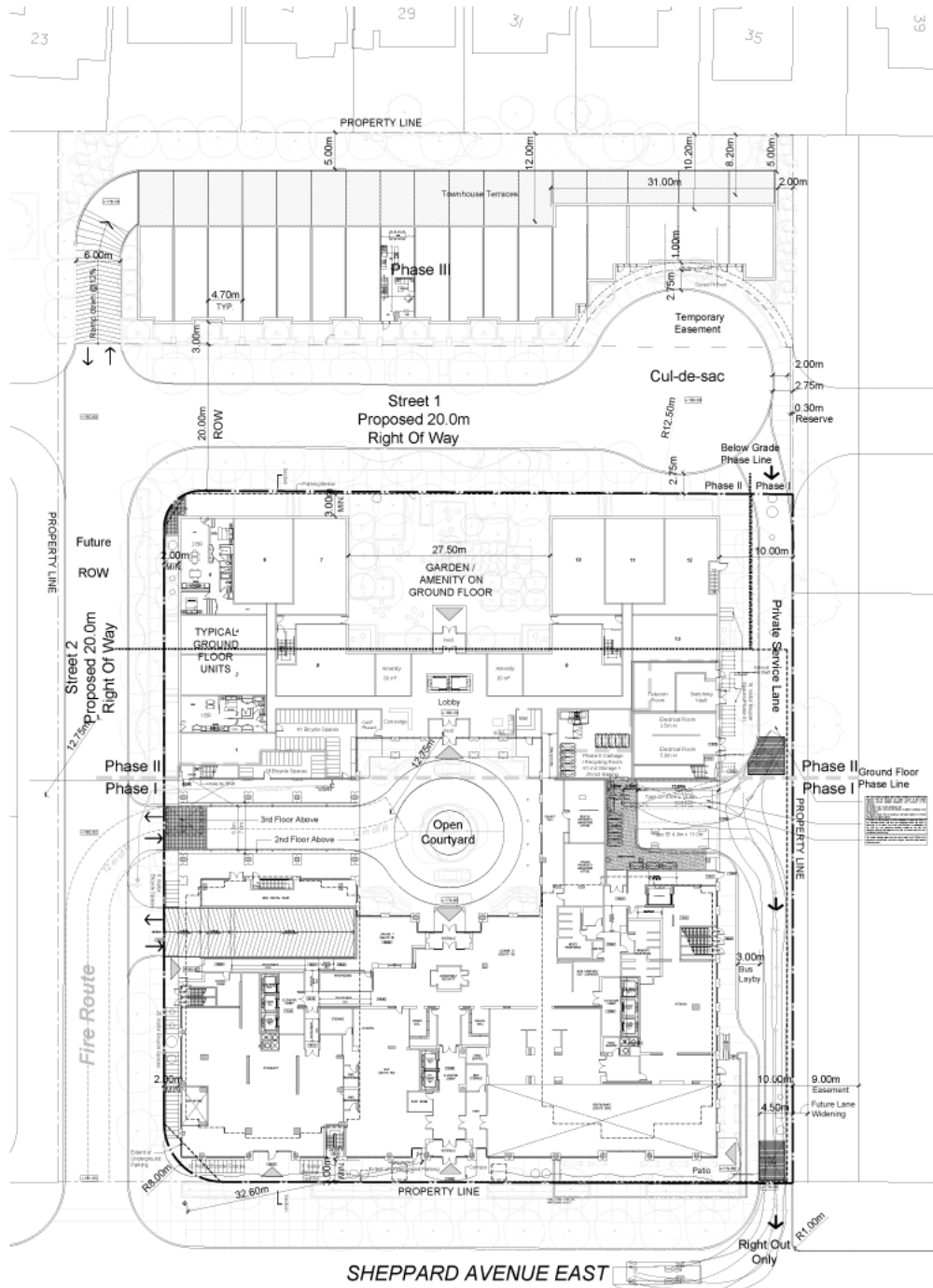
SIGNATURE

Raymond David
Director, Community Planning
Scarborough District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Draft Plan of Subdivision
Attachment 3: Applicant's Rendering
Attachment 4: South Elevation
Attachment 5: West Elevation
Attachment 6: Townhouse South Elevation
Attachment 7: East Elevation
Attachment 8: Official Plan
Attachment 9: Sheppard Warden Site and Area Specific Policy – Map 1
Attachment 10: Sheppard Warden Site and Area Specific Policy – Map 2
Attachment 11: Zoning
Attachment 12: Application Data Sheet
Attachment 13: Draft Zoning By-law Amendment
Attachment 14: Conditions of Draft Plan of Subdivision

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

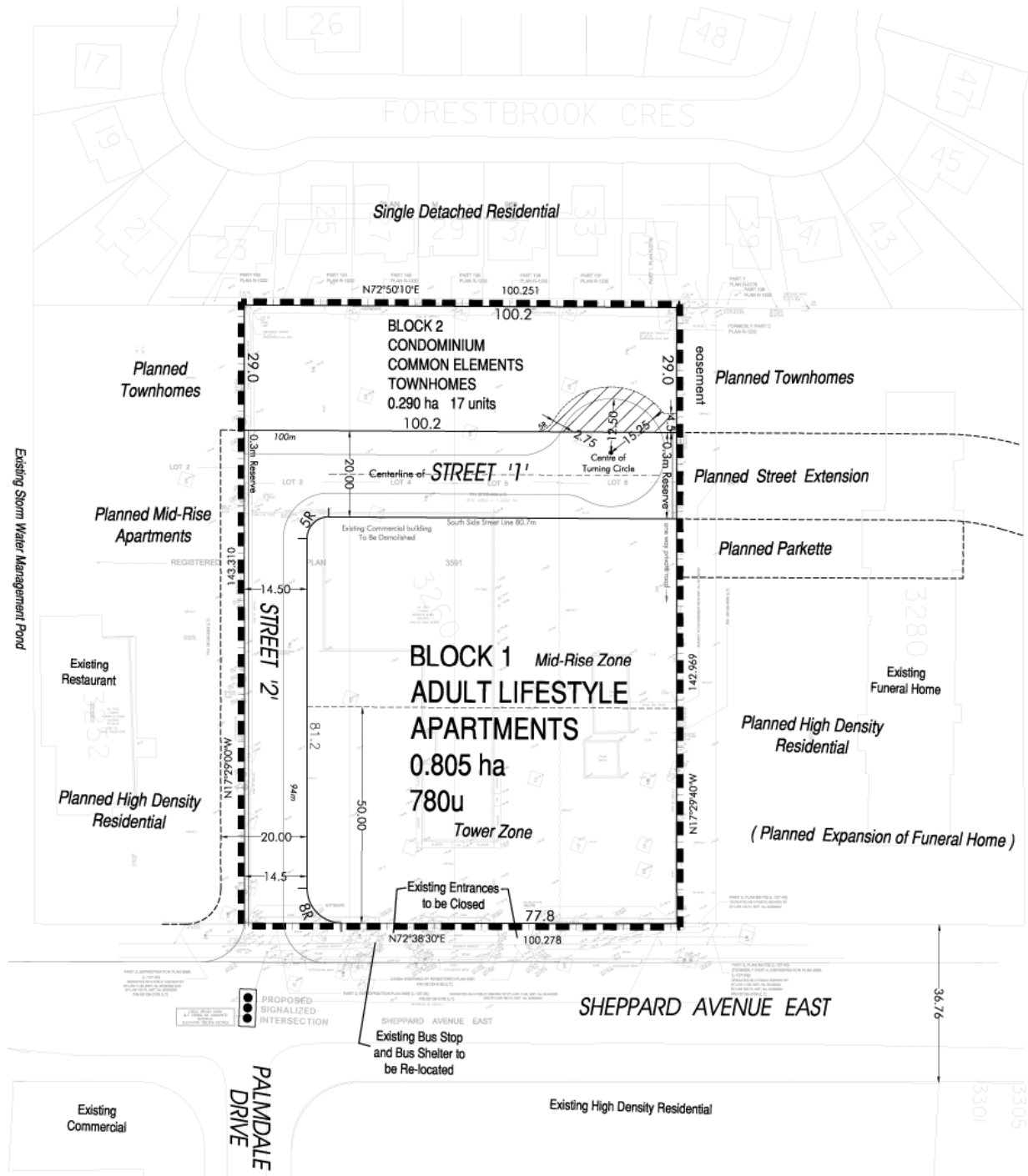
Not to Scale
4/29/14



3260 Sheppard Avenue East

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

Attachment 2: Draft Plan of Subdivision



Draft Plan of Subdivision

3260 Sheppard Avenue East

Applicant's Submitted Drawing

Not to Scale
4/29/14

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

Attachment 3: Applicant's Rendering



Perspective

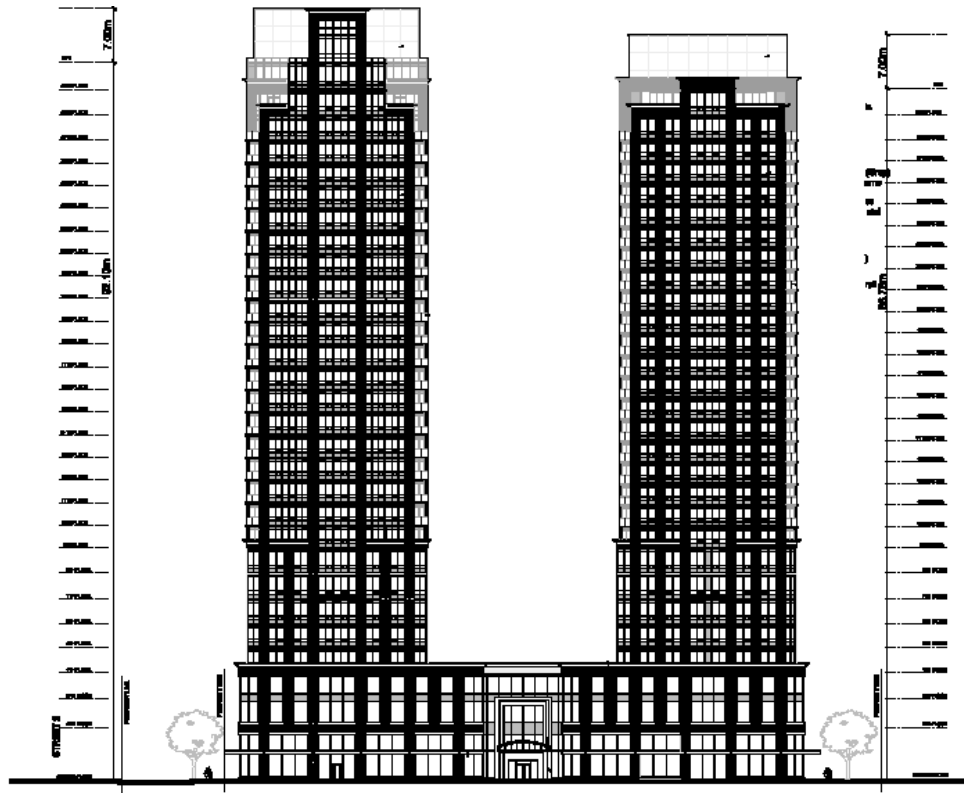
Applicant's Submitted Drawing

Not to Scale
3/25/14

3260 Sheppard Avenue East

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

Attachment 4: South Elevation



South

Elevations

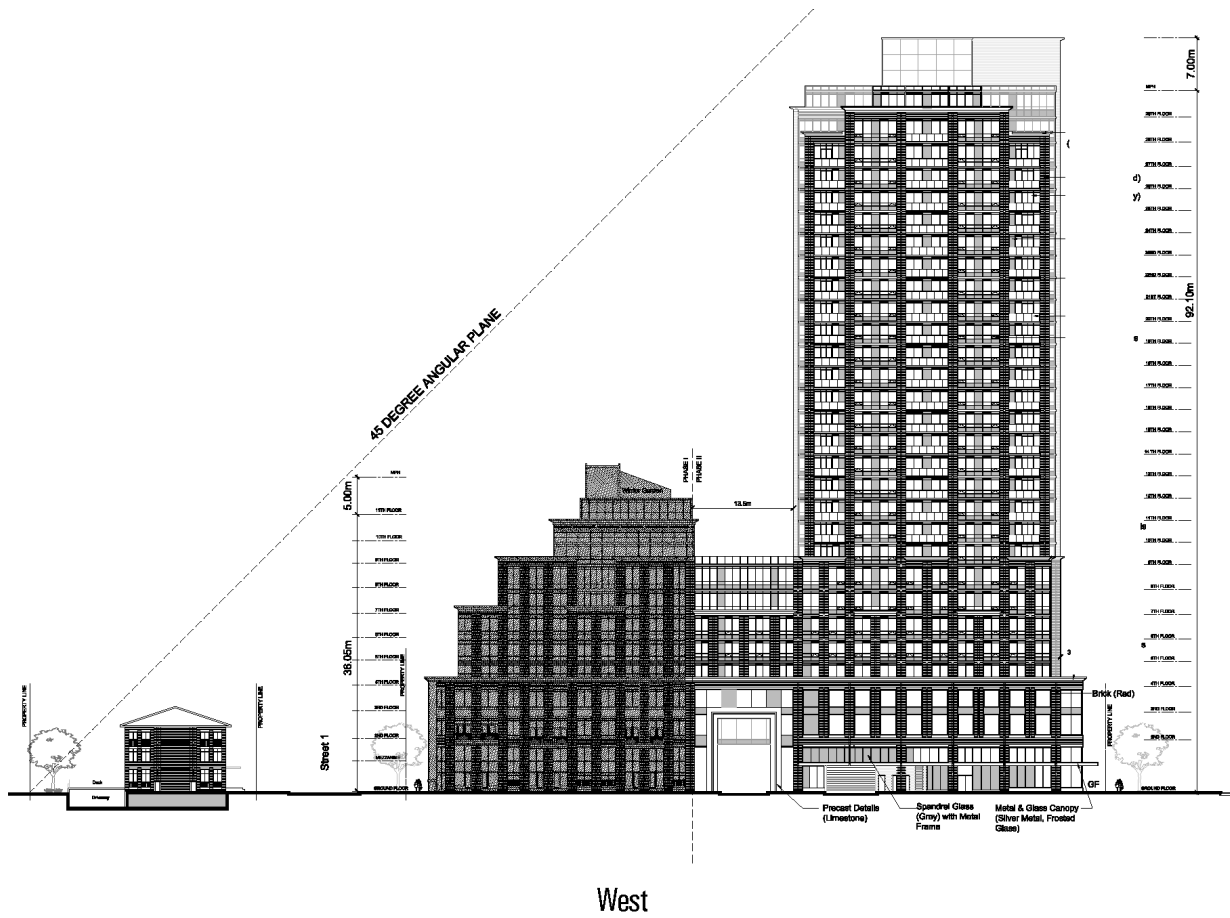
3260 Sheppard Avenue East

Applicant's Submitted Drawing

Not to Scale
3/25/14

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

Attachment 5: West Elevation



Elevations

Applicant's Submitted Drawing

Not to Scale
3/25/14

3260 Sheppard Avenue East

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

Attachment 6: Townhouse South Elevation



Townhouse South

Elevations

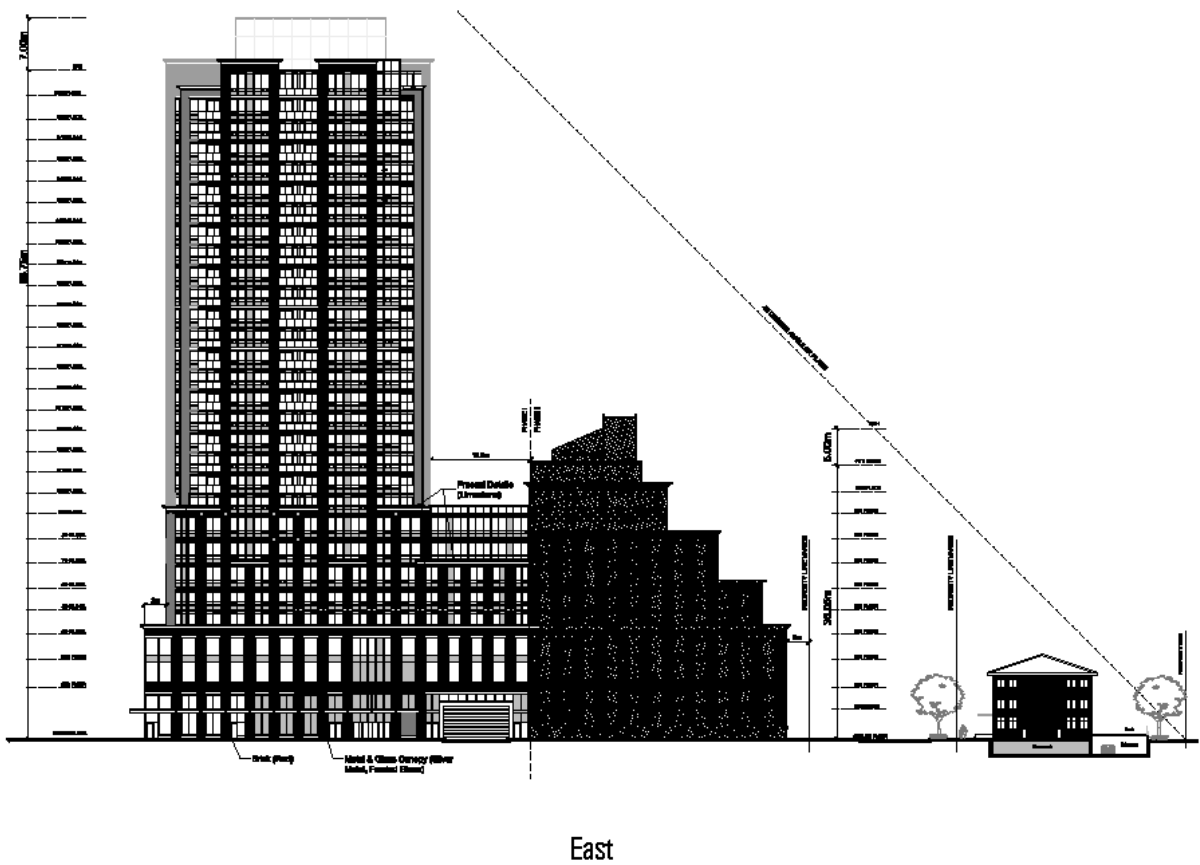
Applicant's Submitted Drawing

Not to Scale
3/25/14

3260 Sheppard Avenue East

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

Attachment 7: East Elevation



Elevations

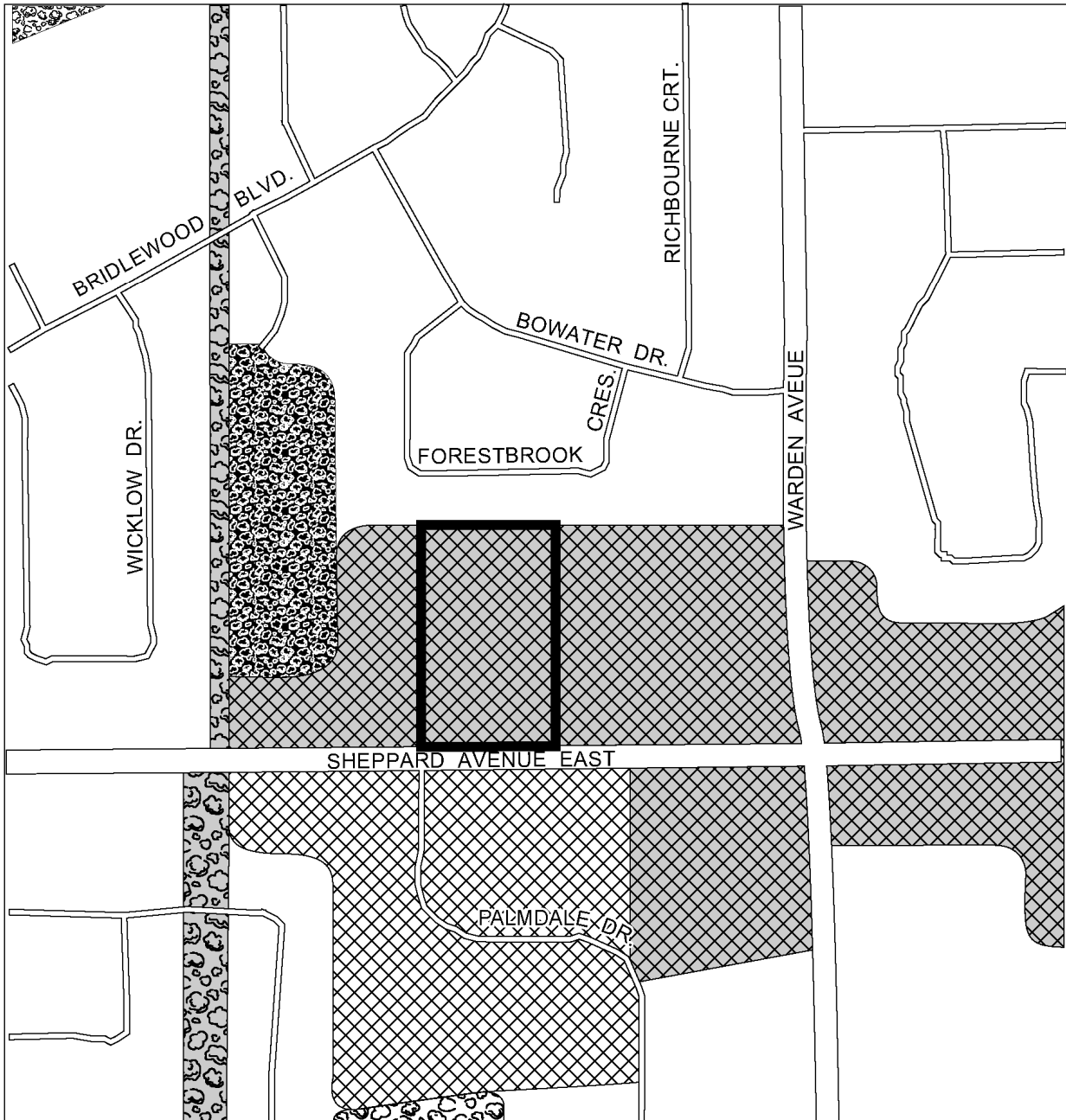
3260 Sheppard Avenue East

Applicant's Submitted Drawing

Not to Scale
3/25/14

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

Attachment 8: Official Plan



Toronto City Planning
Extract from Official Plan

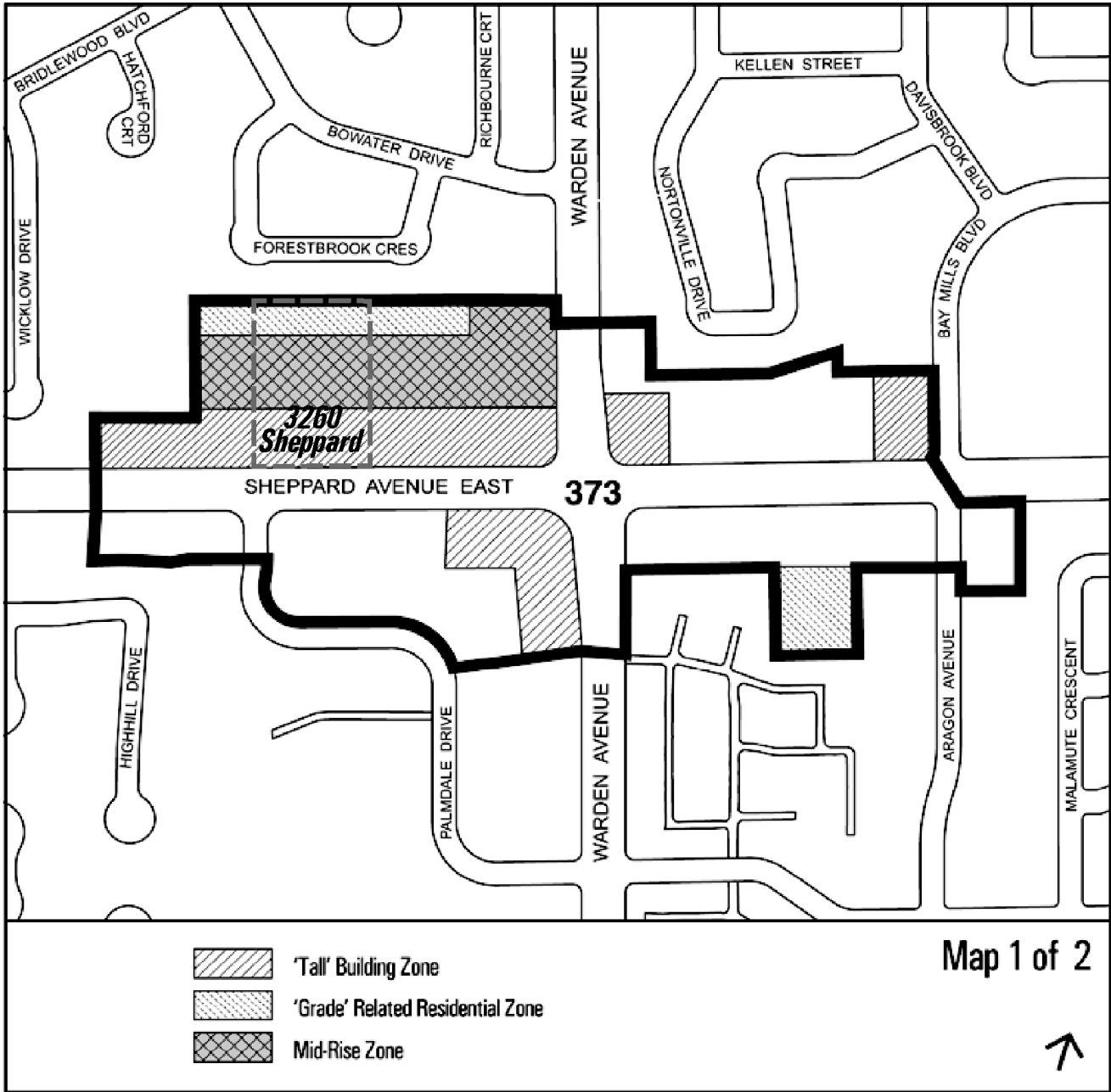
3260 Sheppard Avenue East

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SA, 13 240117 ESC 40 SB

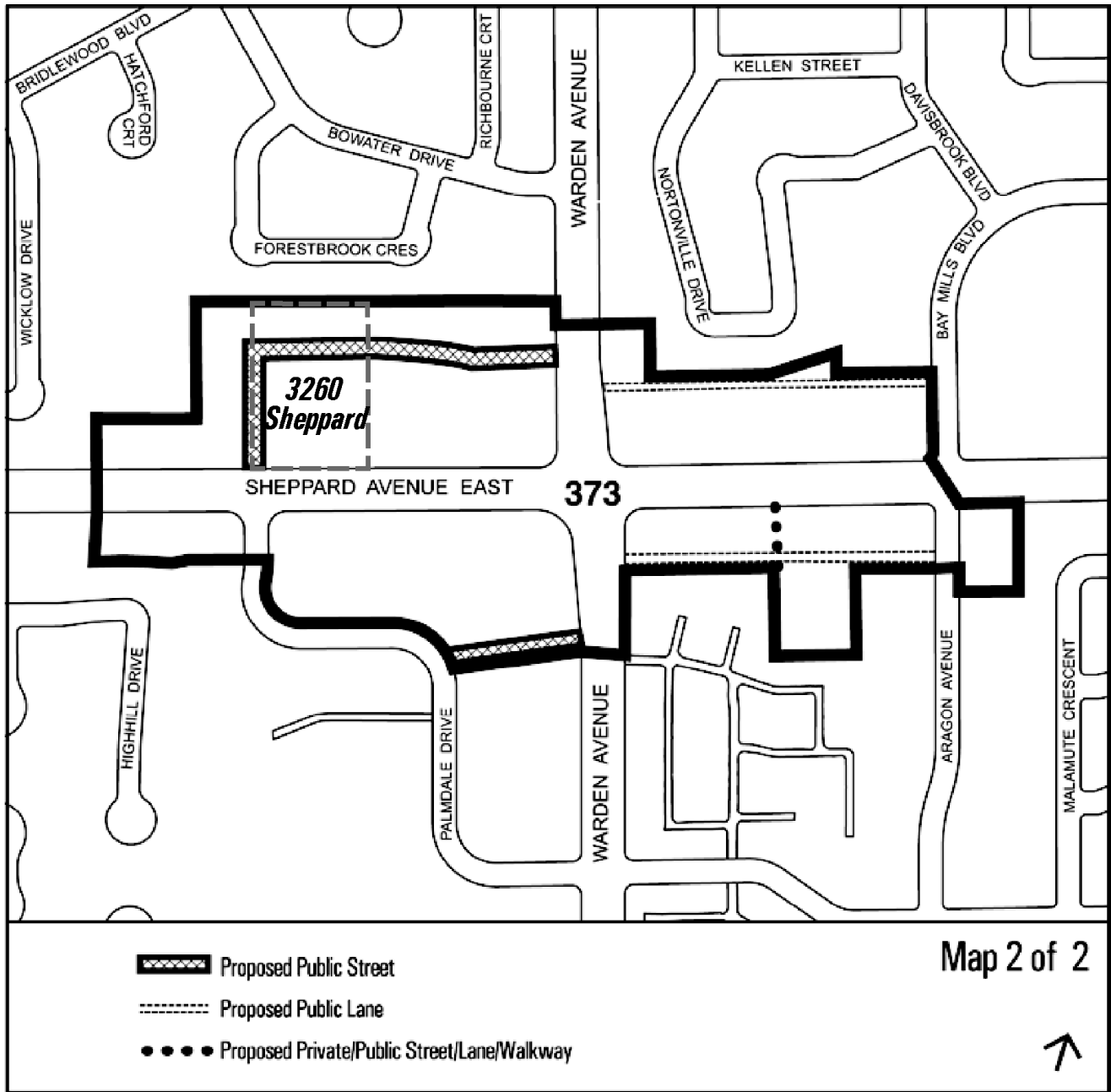
 Site Location	Parks & Open Space Areas	 Utility Corridors
 Neighbourhoods	 Natural Areas	
 Apartment Neighbourhoods	 Parks	
 Mixed Use Areas	 Other Open Space Areas	


 Not to Scale
 04/01/2014

Attachment 9: Sheppard Warden Site and Area Specific Policy – Map 1



Attachment 10: Sheppard Warden Site and Area Specific Policy – Map 2

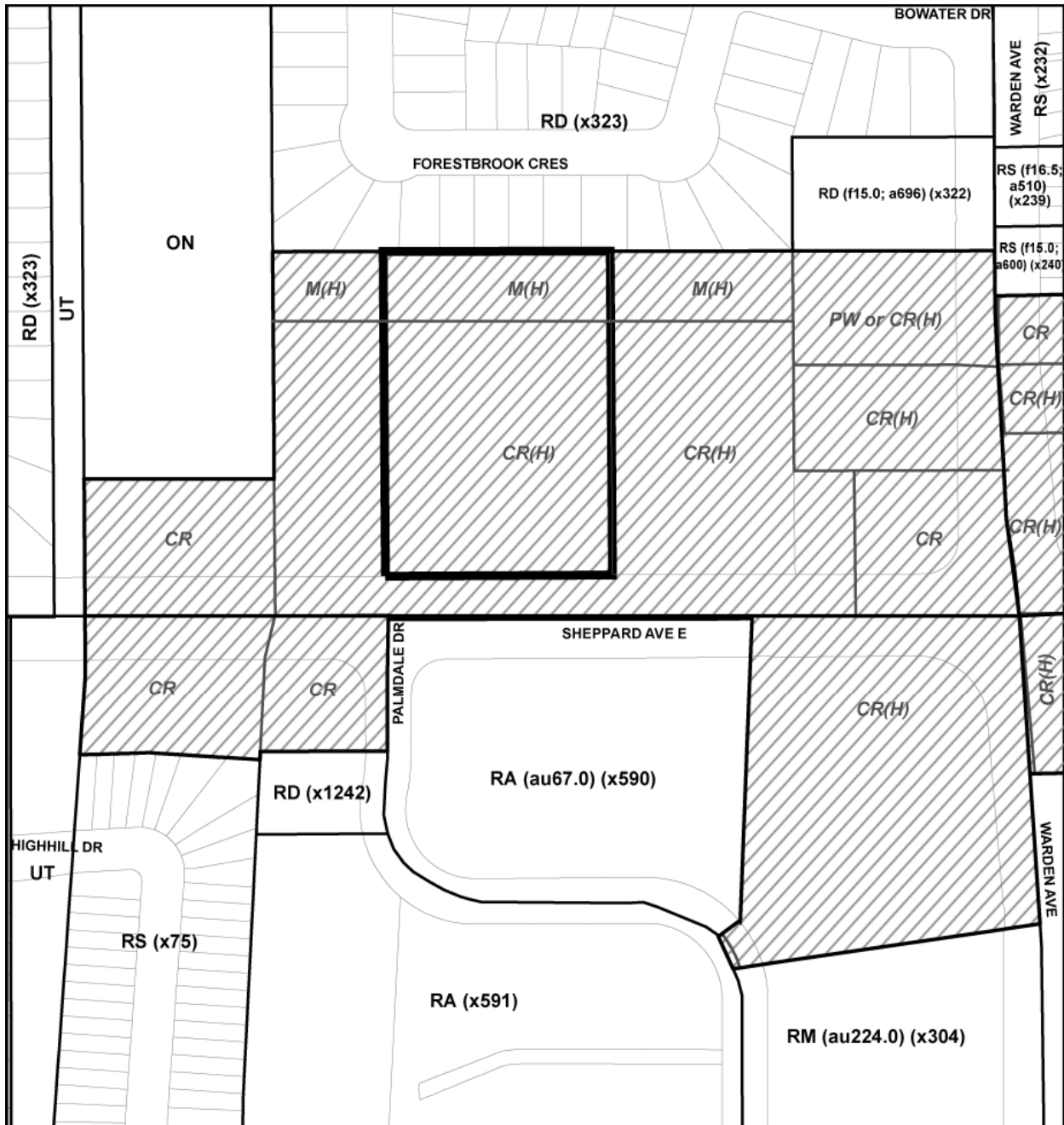


Toronto City Planning
Map 2, SASP 373
 Not to Scale
 3/25/14

3260 Sheppard Avenue East

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

Attachment 11: Zoning



3260 Sheppard Avenue East

Zoning By-law 569-2013

File # 06 200145 ESC 40 OZ, 12 297629 ESC 40 SB, 13 240117 ESC 40 SA



Location of Application

- RD** Residential Detached
- RS** Residential Semi-Detached
- RM** Residential Multiple
- RA** Residential Apartment

- ON** Open Space Natural
- UT** Utility and Transportation



See Former City of Scarborough Sullivan Community By-Law 10717

- CR** Commercial-Residential
- PW** Place(s) of Worship



Not to Scale
Extracted 04/01/2014

Attachment 12: Application Data Sheet

Application Type	Rezoning, Subdivision, Site Plan	Application Numbers:	06 200145 ESC 40 OZ 12 297629 ESC 40 SB 13 240117 ESC 40 SA
Details	Rezoning, Standard	Application Date:	Dec 28, 2006 - OZ Dec 24, 2012 - SB Sept 23, 2013 - SA
Municipal Address:	3260 SHEPPARD AVENUE EAST		
Location Description:	PL 359 L PT **GRID E4001		
Project Description:	Revised development application for proposed Harmony Village mixed-use development targeting seniors, consisting of two towers fronting Sheppard (29 storeys each), stepping down to two 10-storey buildings in the middle of the site and a row of 3-storey townhouses at the north end. A total of 797 residential dwelling units are proposed, comprised of 780 condo/rental units and 17 townhouse units. A total of 755 parking spaces (738 for the main project and 17 for the townhouse units) are proposed in four levels of below-grade parking, as well as 396 total bike parking spaces.		

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC. 3 CHURCH ST, SUITE 200 TORONTO, ON M5E 1M2		PAGE & STEELE/IBI 95 ST CLAIR WEST, SUITE 200 TORONTO, ON M4V 1N6	HARMONY VILLAGE- SHEPPARD INC 2250 BOVAIRD DR E, STE 115 BRAMPTON, ON L6R 0W3

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y – SASP 373
Zoning:	CR(H) and M(H)	Historical Status:	N
Height Limit (m):	36m (CR) and 3 storeys (M)	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	14,352	Height:	Storeys:	29, 29, 10, 3
Frontage (m):	100.3		Metres:	92.1m, 88.75m, 36.1m, 10.5m
Depth (m):	143			
Total Ground Floor Area (sq. m):			Total	
Total Residential GFA (sq. m):	65,293		Parking Spaces:	755
Total Non-Residential GFA (sq. m):	7,943		Loading Docks	2
Total GFA (sq. m):	73,235			
Lot Coverage Ratio (%):				
Floor Space Index:	5.1x gross (with roads); 6.68x net (without roads)			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Rental, Condo		Above Grade	Below Grade
Rooms:	29	Residential GFA (sq. m):	65,293	0
Bachelor:	75	Retail GFA (sq. m):	592	0
1 Bedroom:	489	Office GFA (sq. m):	1,239	0
2 Bedroom:	214	Industrial GFA (sq. m):	0	0
3 + Bedroom:	19	Institutional/Other GFA (sq. m):	7,350	0
Total Units:	797			

CONTACT: **PLANNER NAME:** **Willie Macrae, Senior Planner**
TELEPHONE/EMAIL: **416-396-7026 or wmacrae@toronto.ca**

Attachment 13: Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~,
as adopted by City of Toronto Council on ~, 2014
Enacted by Council on ~, 2014

CITY OF TORONTO

Bill No. ~

BY-LAW No. -2014

**To amend former City of Scarborough Sullivan Community Zoning By-law No. 10717,
as amended by By-law No. 129-2012, with respect to the lands municipally known as
3260 Sheppard Avenue East**

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;

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

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

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

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

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

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 10717 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto.

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

1. SCHEDULE 'A' of the Sullivan Community Zoning By-law No. 10717 is amended by deleting the current zoning for the lands known as 3260 Sheppard Avenue East (Pt Lot 33 Con 3 of the former City of Scarborough) and replacing them with the following provisions as shown on Schedule '1' attached hereto and forming part of the by-law:

CR - 128A - 129A - 130A - 131 - 134 – 135A - 136A - 209A - 213 - 307 – 308 -
310 - 312A - 314 - 316A - 317A - 320A - 321 - 325 - 326 - 332A - 405A - 450 -
451A - 475A - 476

M - 132 - 134 - 135 - 207 – 209A – 213 – 310A – 311A – 312 – 323 – 324 – 332 – 402

2. **CLAUSE V – INTERPRETATION (f) Definitions,** is amended by adding the following:

Bed sitting room

means a room used as separate living accommodation that:

- (A) has a private entrance from a hallway inside a **building**; and
- (B) may have sanitary facilities but not food preparation facilities.

Community Centre

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

Non-profit organization

means:

- (A) a corporation without share capital to which the provisions of Part III of the Corporations Act, R.S.O. 1990, c.C.38, as amended, apply; or
- (B) a **non-profit organization**, a charitable organization or a registered charity, as those terms are defined in the Income Tax Act, R.S.C. 1985, Chapter 1 (5th Supp.), as amended.

Retirement Home

means **premises** used for semi-independent living accommodation for senior citizens primarily in **bed-sitting rooms**, with common dining and lounge areas.

Wellness centre

means premises providing services for therapeutic and wellness purposes.

3. **SCHEDULE 'B', PERFORMANCE STANDARD CHART,** is amended by adding the following performance standards:

MISCELLANEOUS

- 128A **Amenity Space** for buildings containing 20 or more **dwelling units** shall be provided at a minimum rate of 6.5 square metres for each **dwelling unit**, on the following basis:
- (a) a minimum of 4 square metres for each **dwelling unit** shall be indoor **amenity space** (including the **community centre**);
 - (b) a minimum of 40.0 square metres shall be outdoor **amenity space** located on the ground and adjoining or directly accessible to the indoor **amenity space**.
- 129A A mechanical penthouse shall cover no more than 70% of the roof area and extend no more than 8.0 metres in height above the roof of the uppermost dwelling floor.
- 130A Minimum floor to floor height of the first floor shall be 3.9 metres for that portion of a building within 20.0 metres of the Sheppard Avenue East street line.
- 135A No person shall use any land or erect any building or structure above-grade unless the following municipal services are provided to the lot line and the following provisions are complied with or secured (financially and otherwise) through an executed subdivision agreement:
- (a) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- 136A **Main Wall** length:
- (i) On the Sheppard Avenue East frontage, length of the **main wall** of the first 10.5 metres of a buildings **height** facing a street shall be no less than 70% of the adjacent **street** line frontage or flankage.

INTENSITY OF USE

- 207A Minimum **Gross Floor Area** shall be 1.0 times the area of the lot or parcel. (to be added to graphic)
- 209A Maximum **Gross Floor Area** shall be no more than 5.1 times the gross area of the entire parcel covered by this By-law, including both the CR and M zones, as shown on Schedule 1 attached hereto.

- 213 Maximum 800 **dwelling units for** the entire parcel covered by this By-law, including both the CR and M zones, as shown on Schedule 1 attached hereto.

BUILDING SETBACKS

- 310A Minimum building setback 3.0 metres from all other streets, except minimum building setback shall be 1.0 metre from the north side of the temporary cul-de-sac easement.
- 311A Minimum rear yard setback to a rear building wall shall be 7.5 metres but this shall not apply to a rear yard deck not more than 1.0 metres above grade, for which a rear yard setback shall not be less than 5.0 metres.
- 312A Buildings, including the mechanical penthouse, shall not exceed a 45 degree **angular plane** from the lot line of an abutting "S" Zone.
- 316A For that portion of a building above 16.0 metres in **height**, buildings shall be setback:
- i. a minimum of 3.0 metres from that portion of the building closest to the Sheppard Avenue East lot line; and
 - ii. a minimum of 1.0 metre from that portion of the building closest to the east and west lot lines.

For the purposes of this Performance Standard, the wall below 16.0 metres in **height** shall be no less than 70% in length of the overall length of the wall facing all **street** lines.

- 317A A building, including the mechanical penthouse, facing a **street** that forms the north lot line shall not penetrate a 45 degree angular plane taken from a height along said lot line equal to 80% of the width of the **street** right-of-way.
- 320A Maximum building length for any one building shall not exceed 36.0 metres for that portion of the building above 20 metres in **height**, measured along the direction generally perpendicular to Sheppard Avenue East.

HEIGHT

- 332A The finished floor of dwelling units on the first floor of a building shall be located a maximum 0.9 metres above the average finished grade measured at the **street** line.
- 405A Maximum **height** of 89 metres (29 storeys) for the east tower and 93 metres (29 storeys) for the west tower, excluding **basements** and roof top mechanical penthouses.

PARKING

- 451A i. CLAUSE VII – GENERAL PARKING REGULATIONS FOR ALL ZONES shall not apply.
- ii. Minimum vehicle **parking spaces** as follows:
- (a) 0.6 **parking spaces** per bachelor/studio (up to 45m²) **dwelling unit**;
 - (b) 0.7 **parking spaces** per one bedroom **dwelling unit**;
 - (c) 0.9 **parking spaces** per two bedroom **dwelling unit**;
 - (d) 1.1 **parking spaces** per three or more bedroom **dwelling unit**;
 - (e) 1.0 **parking spaces** per **townhouse** unit; and
 - (f) 0.2 **parking spaces** per **dwelling unit** for both visitors and non-residential uses.
- iii. Maximum vehicle **parking spaces** as follows:
- (a) 1.0 **parking spaces** per bachelor/studio (up to 45m²) **dwelling unit**;
 - (b) 1.2 **parking spaces** per on bedroom **dwelling unit**;
 - (c) 1.3 **parking spaces** per two bedroom **dwelling unit**;
 - (d) 1.6 **parking spaces** per three or more bedroom **dwelling unit**;
 - (e) 1.2 **parking spaces** per **townhouse** unit; and
 - (f) 0.3 **parking spaces** per **dwelling unit** for both visitors and non-residential uses.

BICYCLE PARKING

- 475A Bicycle parking spaces shall be provided at a rate of:
- (a) 0.4 long term **bicycle parking spaces** for each **dwelling unit**;
 - (b) 0.08 short term **bicycle parking spaces** for each **dwelling unit**; and where:
 - (i) long term bicycle parking are **bicycle parking spaces** for use by the occupants or tenants of a building and must be located in a secure, weather protected and enclosed bicycle parking area within 35.0 metres from a pedestrian entrance to the principal building on the lot; and
 - (ii) short term bicycle parking are **bicycle parking spaces** for use by visitors and non-residential users and shall be located in bicycle parking area at-grade within 35.0 metres from a pedestrian entrance to the principal building on the lot.

(c) **Bicycle parking space** for a **dwelling unit** shall not be located:

- (i) in a dwelling unit; or
- (ii) on a balcony; or
- (iii) in a storage locker; or
- (iv) an area used for ancillary commercial space.

(d) A **bicycle parking space** shall have the following dimensions:

- (i) if located in a horizontal position (on the ground):
 - minimum length of 1.18 metres;
 - minimum width of 0.6 metres;
 - minimum vertical clearance from the ground of 1.9 metres;and
- (ii) if located in a vertical position (on the wall):
 - minimum length or vertical clearance of 1.9 metres;
 - minimum width of 0.6 metres;
 - minimum horizontal clearance from the wall of 1.2 metres.

4. **SCHEDULE 'C', EXCEPTIONS LIST** is amended by adding Exceptions 41 and 42 to the lands shown on Schedule '2' as follows:

41. On those lands identified as Exception 41 on Schedule 'C', the following provisions apply:

- (a) The following uses are also permitted:
 - **community centre**
 - **retirement home**
 - **wellness centre**
- (b)
 - **community centre** shall be a minimum of 1,900 square meters
 - **retirement home** shall consist of at least 25 bed sitting rooms
 - **wellness centre** and medical offices shall be a minimum of 1,100 square meters combined.

42. On those lands identified as Exception 42 on Schedule 'C', the following provisions apply:

- 1. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the lot contemplated herein is permitted in return for the provision by the owner, at the owner's expense, of the following facilities, services and matters which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lot, to the satisfaction of the City Solicitor:

- a) prior to issuance of the first above-grade building permit for a building or structure on the lot the owner shall make a cash contribution to the City in the amount of \$975,000.00, to be directed towards capital improvements to the Agincourt District Branch of the Toronto Public Library which amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date of payment;
- b) the owner shall construct and maintain the development in accordance with Tier 1 - required measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee and also in accordance with Tier 2 - voluntary measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee and further, shall provide the City with documentation of LEED registration and certification of the proposed development to the satisfaction of the Chief Planner and Executive Director, City Planning;
- c) the owner shall provide and maintain the following: interim landscape works following completion of phase one (comprised of the two 29-storey towers and associated interior facilities), substantially in conformity with the landscape design identified on Phase One Landscape Masterplan, L1-d, prepared by NAK Design Group, dated April 24, 2014, to the satisfaction of the Chief Planner and Executive Director, the details of which will be refined on approved plans and drawings in the context of site plan approval pursuant to Section 114, of the City of Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended, and secured in a Site Plan Agreement with the City;
- d) provision of the following matters in support of development at the owners expense:
 - i. streetscape improvements to the right-of-way abutting the subject property, including but not limited to: TTC bus stop re-location, street lighting, pavers, street furniture and tree trench installation, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager, Parks, Forestry and Recreation Division, the Executive Director, Transportation Services Division and the General Manager, Toronto Transit Commission which details shall be submitted for review and approval in the context of site plan approval pursuant to Section 114, of the City of

Toronto Act, 2006, as amended and, as applicable, Section 41 of the Planning Act, as amended and secured in a Site Plan Agreement with the City; and

- ii. construction of required improvements to municipal infrastructure, both internal and external to the development, in connection with a Servicing and Stormwater Management Report, submitted to and accepted by the Executive Director of Engineering and Construction Services.
2. Where Section 1. above 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.
 3. 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 Section 1. above are satisfied.
 4. In the event the cash contribution referred to in Section 1. a) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lot.

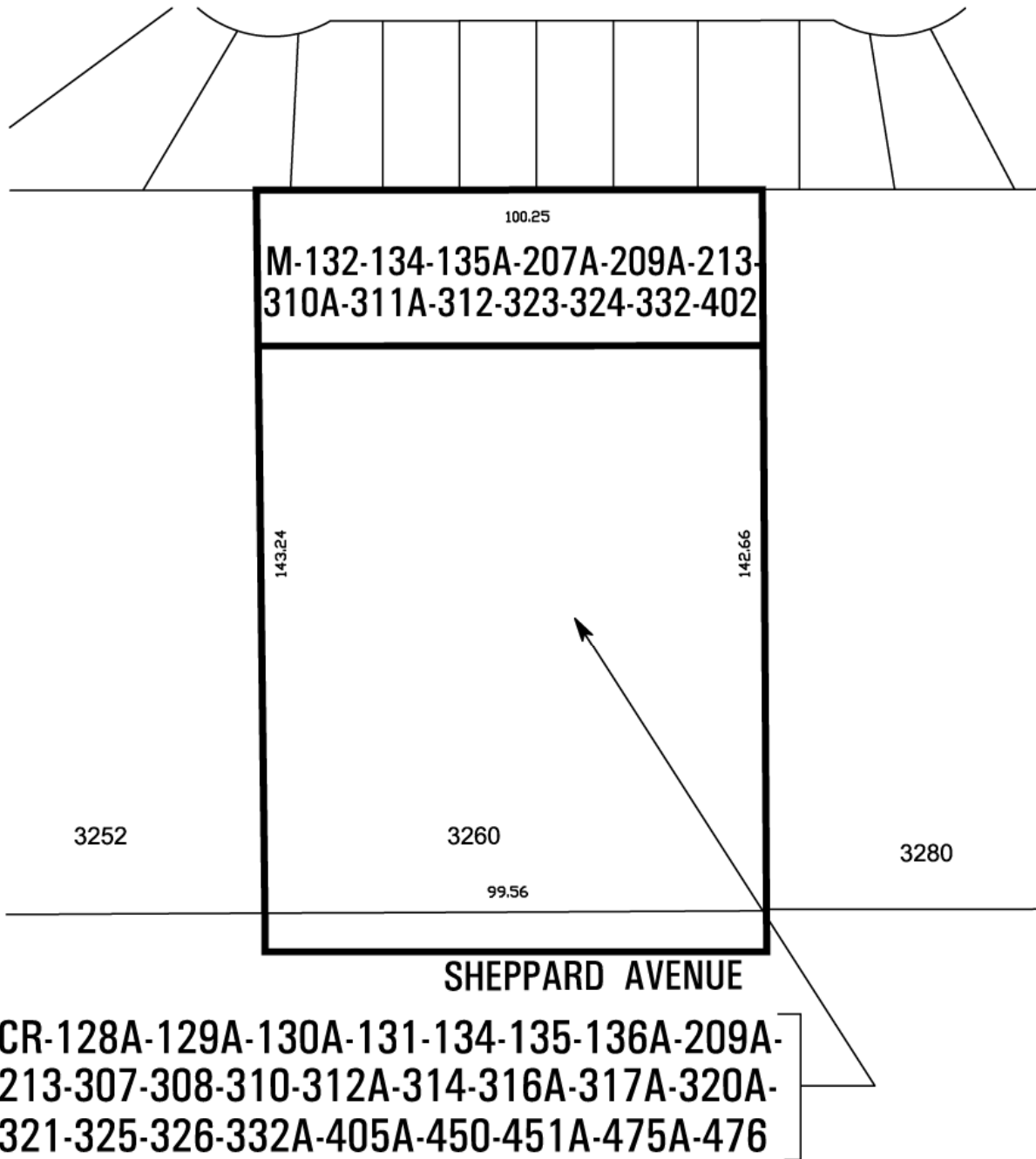
ENACTED AND PASSED this ~ day of ~, A.D. 2014.

Name,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



Zoning By-Law Amendment

3260 Sheppard Avenue East

File # 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

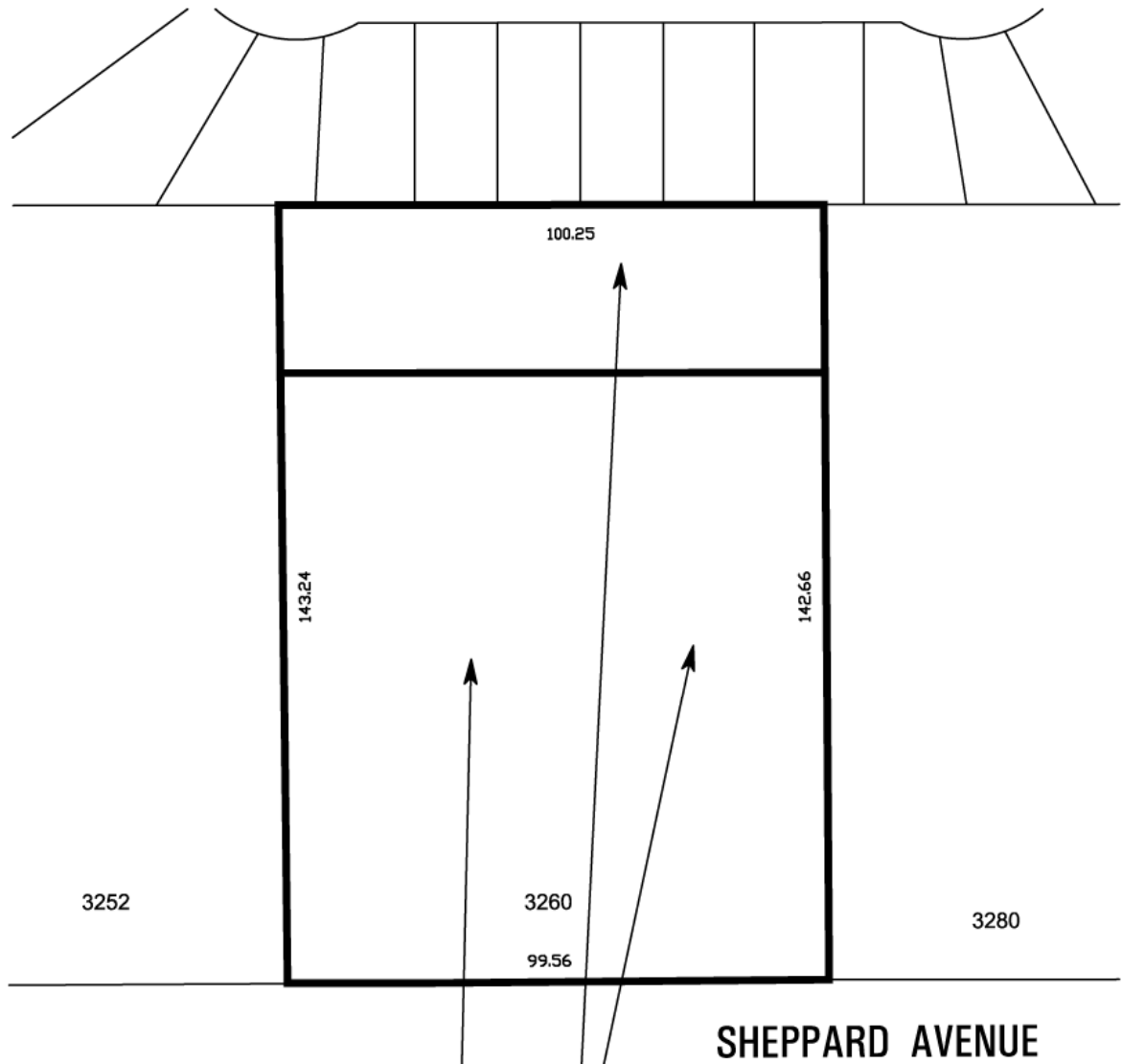


Area Affected By This By-Law

Sullivan Community By-law
Not to Scale
5/28/14



Schedule '2'



Exception No. 41
Exception No. 42

TORONTO City Planning Division
Zoning By-Law Amendment

3260 Sheppard Avenue East
File # 12 297629 ESC 40 SB, 13 240117 ESC 40 SA

 Area Affected By This By-Law

Sullivan Community By-law
Not to Scale
5/28/14


Attachment 14: Conditions of Draft Plan of Subdivision

1. The Owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein.
2. The Owner shall provide to the Director of Community Planning, Scarborough District, confirmation of payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department, City of Toronto (statement of account or Tax Clearance Certificate) and that there are no outstanding City initiated assessment or tax appeals made pursuant to section 40 of the assessment Act or the provisions of the City of Toronto Act, 2006. In the event that there is an outstanding City initiated assessment or tax appeal, the Owner shall enter into a financially secured agreement with the City satisfactory to the City Solicitor to secure payment of property taxes in the event the City is successful with the appeal.
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. The Owner shall construct and maintain the development in accordance with Tier 1 and 2 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.
5. The Owner agrees to pay for and/or construct any improvements to the existing municipal infrastructure both internal and external to the development in connection with the Servicing and Stormwater Management Report should it be determined that upgrades to such infrastructure are required to support this development all to the satisfaction of the Executive Director of Engineering and Construction Services.
6. Dedicate all roads, corner roundings, and road widenings shown on the plan.
7. Convey to the City all 0.3 metre (one foot) reserves shown on the plan.
8. Convey all necessary easements (*internal and external*) to the City.
9. Prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Executive Director of Engineering and Construction Services in consultation with the City Solicitor.
10. Submit a draft Reference Plan of Survey to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:

- i. be in metric units and integrated to the Ontario Coordinate System (3° MTM, Zone 10, NAD 83 CSRS), showing the lands to be conveyed to the City to the Executive Director of Technical Services, for review and approval.
 - ii. delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - iii. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan.
- 11. Pay all costs for preparation and registration of reference plan(s).
- 12. Apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.
- 13. Conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
- 14. Pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement. Submit financial security in accordance with the terms of standard subdivision agreement.
- 15. Proposed Street "1" must be designed and constructed to current City Development Infrastructure Policy and Standards (DIPS) specifications modified to a width of 14.5 metres to the satisfaction of the Executive Director of Engineering and Construction Services.
- 16. Proposed Street "2" must be designed and constructed to current City Development Infrastructure Policy and Standards (DIPS) specifications for a 20 metre right-of-way.
- 17. The owner shall construct a temporary turning circle at the easterly limit of Street 1 shown on the draft plan of subdivision to the satisfaction of Engineering and Construction Services in accordance with accepted engineering drawings and shall grant all necessary easements and enter such agreements as may be appropriate for such purposes. The turning circle shown on the plans and drawings shall be deemed to be a road and part of the Services for the purpose of the Subdivision Agreement.
- 18. The owner shall remove the temporary turning circle at the easterly limit of Street 1 shown on the draft plan of subdivision and complete the construction of municipal services to the easterly limit of the subdivision lands at such time as Street 1 is extended to the adjoining lands to the east. Prior to registration of the plan of subdivision the owner shall make a cash contribution to the City in an

amount satisfactory to Engineering and Construction Services to pay of the cost of such future reconstruction if such extension has not previously occurred.

19. Despite applicable provisions of the City standard subdivision agreement and irrespective of Release for Construction of Services or registration of the Plan of Subdivision, below grade building permits for proposed buildings within the first phase of the development, being within those lands south of Street 1 as shown on the draft plan of subdivision, may be issued in advance of the construction of roads to base course asphalt and in advance of construction, installation and connection of sanitary sewer systems, storm sewer system and water systems required for the Subdivision. However, the owner agrees that the plan of subdivision shall be registered prior to the final site plan approval and prior to issuance of above-grade building permits for the first phase of the development.
20. The owner is responsible for all costs associated with the installation/alterations of municipal street signage/pavement markings required by this application.
21. The owner is responsible for all cost associated with the installation of Traffic Control Signals at the proposed Street 2/Palmdale Drive and Sheppard Avenue East intersection (including any boulevard modifications required for pedestrian linkages from the municipal sidewalk on both sides of Sheppard Avenue East). The owner is advised to contact the Manager, Traffic Signals, Traffic Plant Installation and Maintenance (Electrical) in this regard and provide a copy/digital copy of the proposed site plan and complete any and all necessary adjustments to the traffic control signal plant. Upon review of the noted drawings the manager will provide a total amount of securities that will be required. These approved signal drawings must then be illustrated on all revised plans.
22. The owner is responsible for all costs of roadway improvements including any and all hardware modifications, pavement markings and changes to the existing traffic control signal timing plants as may be required.
23. The owner is responsible for all costs of pavement markings and signage for streets "1" and "2".
24. The existing westbound bus stop and transit shelter on the frontage of the site where the proposed extension of Palmdale Drive is proposed, shall be relocated immediately nearside of the proposed extension so that stopped buses do not block the street. In addition, the applicant shall provide a new wider sidewalk/level, brushed concrete platform at the new location all to the satisfaction of Engineering and Construction Services. The new platform must be 18 metres in length and 2.4 metres in width from the curb to meet the new standards of the Accessibility for Ontarians with Disabilities Act. In addition, for visibility and safety reasons, no trees should be placed within 2.4 metres of the edge of the road, for a distance of 15 metres on the approach to a transit stop.

25. The owner is responsible for all costs associated with the re-location, removal, storage and reinstallation of the existing transit shelter, connecting sidewalks and passenger loading platform on the Sheppard Avenue East frontage of the property to an alternative location and must provide 14 days (minimum) notice for the removal of the said shelter. Further information can be obtained through the Supervisor, Traffic Planning & Right-of-Way Management, City of Toronto, Public Realm Section at (416) 392-1552. The applicant is advised to contact the Supervisor of Stops Administration, Toronto Transit Commission (416) 393-4475, so that she can make the necessary arrangements to relocate the stop pole.
26. The owner is responsible for all costs associated with the removal of all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Engineering and Construction Services.