

**2933 Sheppard Ave E – Zoning Amendment
Application – Final Report**

Date:	May 30, 2014
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 40 – Scarborough-Agincourt
Reference Number:	13 131300 ESC 40 OZ

SUMMARY

This application proposes to develop the subject 0.36 hectare (0.9 acre) parcel of land at 2933 Sheppard Avenue East with an 18 storey, 179 unit residential condominium with 281 square metres (3,025 square feet) of commercial space at grade.

This report reviews and recommends approval of the application to amend the zoning by-law. The development consists of a mixed use building with both retail and residential uses in an area that has sufficient infrastructure. Staff conclude that the proposed height, density and scale of the development are appropriate for the site and the local area. Further, the development will add to the vitality of Sheppard Avenue East as a mixed use area.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Sullivan Community Zoning By-law No. 10717, for the lands at 2933 Sheppard Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as



Attachment No. 8 to report dated May 30, 2014.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-laws as may be required.
3. Before introducing the necessary Bills to City Council for enactment, require the Owner to make arrangements satisfactory to the Manager, Traffic Control and Safety Systems, for any and all costs associated with traffic control signal modifications at all intersections analyzed in the traffic impact study, including but not limited to phasing optimization/timing modifications, hardware and plant modifications .
4. 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 as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - i) An indexed cash payment of \$425,000.00, payable to the City of Toronto, prior to the issuance of the first above-grade building permit, to be used as follows:
 - \$240,000 towards capital improvements to Tam O'Shanter Park
 - \$185,000 towards capital improvements to Scarden Park.
 - b. The owner to provide a title opinion to the City for the agreement's registration to the satisfaction of the City Solicitor
 - c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. A requirement that all offers and agreements of purchase and sale entered into shall include a warning clause advising of the potential future access restrictions to Sheppard Avenue East.
 - ii. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
 - iii. the Owner shall design and construct the building substantially in conformity with the architectural design identified on plans on file with the Chief Planner, prepared by Keith Loffler Architects, dated April 30, 2014,

to the satisfaction of the Chief Planner, the further details of which, including exterior materials, will be refined on approved plans and drawings as part of any site plan approval pursuant to Section 114 of the *City of Toronto Act, 2006*, and shall be further secured in any Site Plan Agreement with the City for the project.

- iv the Owner agree to post and maintain signs on site and include warning clauses in all offers of purchase and sale advising purchasers of the status of local Toronto District School Board public school accommodation.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 1984, Council refused applications to amend the Official Plan and Zoning By-law for the subject property and the abutting property to the west, which sought permission for a restaurant, office and retail uses to be contained within a two and four storey building. The applicant's appeal to the Ontario Municipal Board was dismissed.

In 1989, applications were submitted to amend the Official Plan and Zoning By-law to change the permitted uses on site from residential to office. The proposed six-storey 6,573 square metre (70,750 square foot) office building contained no retail or restaurant uses. In 1991, Council deferred these applications pending Council's decision regarding financing of the Sheppard Subway. The applicant subsequently appealed the matter to the Ontario Municipal Board. The OMB ordered the approval of the application in 1993, with conditions. An Exception in the Sullivan Community Zoning By-law outlines Section 37 requirements that included \$47,000 to be contributed to streetscape improvements on Sheppard Avenue East and to Wishing Well Woods Park, and that the owner consent to participate in a funding mechanism for services along Sheppard Avenue East at this location.

In 1995, applications were submitted to amend the Official Plan and Zoning By-law to permit an eight-storey, 67 unit residential condominium building. In 1996, Council approved a modified plan for a 54 unit eight storey residential apartment building. The City also negotiated the retention of the previous Section 37 commitments, which remain in the Zoning By-law.

In 2000, owners submitted an application to amend the Official Plan and Zoning By-law to permit a restaurant on the site in lieu of the approved residential building. No progress was made in processing the file and it was closed.

In 2003, Council approved amendments to the Official Plan and Zoning By-law to permit an 8 storey, 88 unit residential condominium on site. The overall size of the building had

not changed from the project approved in 1996, but unit sizes had decreased, and the number of units increased by 34. An appeal of the amendments by a neighbouring property owner was dismissed at the Ontario Municipal Board.

ISSUE BACKGROUND

Proposal

This application proposes to develop the subject 0.36 hectare (0.9 acre) parcel of land at 2933 Sheppard Avenue East with a new 18 storey, 179 unit residential condominium with 281 square metres (3025 square feet) of commercial space at grade.

A total of 181 parking spaces are provided, 178 of which are in a four level underground garage, while three surface parking spaces located at grade to the east of the building, would serve the commercial uses. Six three bedroom units, 60 two bedroom units and 85 one bedroom units are proposed. Typical unit sizes range from 47 to 61 square metres for one bedroom units, to 88 square metres for three-bedroom units.

The building design is proposed to be a tower on podium form, which incorporates a five storey podium located parallel to Sheppard Avenue with a ground floor area of 1,389 square metres. (See Attachment 1 – Site Plan, Attachments 2, 3, and 4 Elevations and Attachment 5 - Perspective)

The proposed total gross floor area is 14, 870 square metres, or 4.1 times the area of the lot.

Site and Surrounding Area

This 0.36 hectare (0.9 acre) site is currently vacant, and has been vacant for a number of years. There are a number of mature trees on site, and the site slopes gently from north to south.

Surrounding uses are as follows:

North: On the north side of Sheppard Avenue East is an existing 16 storey apartment building. Just to the east of the 16 storey apartments building, is a new 20 storey rental apartment building zoned Apartment (RA).

East: Immediately to the east are two single detached dwellings fronting on Sheppard Avenue East, and two single detached dwellings on Commons Drive zoned Residential Detached Zone (RD).

South: to the south are single detached dwellings on Esquire Circle zoned Single-Family Residential Detached Zone (RD).

West: Immediately to the west is a newly developed 3 storey office building, with a Shoppers Drug Mart as the main tenant on the first two floors and office above. The parking lot for this development abuts the subject site on the west property line. The parcel is zoned Highway Commercial (HC) under the Sullivan Community Zoning By-law.

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

Sheppard Avenue and Victoria Park Avenue at this location are both shown as an Avenue on Map 2 Urban Structure of the Toronto Plan. Avenues are important corridors along major streets where reurbanization can create new housing and jobs while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. Reurbanizing the Avenues will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors.

The subject lands are designated as Mixed Use Areas on the Land Use Plan in the Toronto Official Plan. The Mixed Use Areas designation permits a broad range of residential, commercial and institutional uses. The policies of this land use designation include the following development criteria which direct that new development:

1. 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 Neighbourhoods;
2. limit shadow impacts on adjacent Neighbourhoods; and
3. frame the edges of streets with good proportion and maintain sunlight and comfortable wind conditions for pedestrians.

The criteria also require significant multi-unit residential developments to provide indoor and outdoor recreation space for building residents.

Growth and redevelopment of the Avenues should be supported by high quality transit services, combined with urban design practises that promote a street that is safe, comfortable and attractive for pedestrians and cyclists.

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

Map 4 – Higher Order Transit Corridors – designates Sheppard Avenue East as a Transit Corridor for potential expansion. Map 5 – Surface Transit Priority Network – identifies both Victoria Park Avenue and Sheppard Avenue East to be “Transit Priority Segments”. The introductory text of Section 2.2 of the Official Plan stipulates that future growth within the City should be channelled towards areas which are well served by transit, the existing road network, and which have a number of properties with redevelopment potential. Section 2.2.3 of the Official Plan stipulates that Avenue studies will contain a vision and an implementation plan to show how the use of the road allowance can be optimized and transit service enhanced.

Zoning

The subject site is currently zoned Apartment Residential (A) under the Sullivan Community Zoning By-law 10717.

The Apartment Residential zoning permits apartment buildings, day nurseries, group homes, and private home daycares.

The current zoning restricts development on the site to one unit for every 42 square metres of lot area, or 87 units, and 23 metres in height.

The site is also subject to a site specific exception in the Sullivan By-law, which outlines a previous Section 37 agreement negotiated in the 1990's. The exception has three components. Prior to the issuance of a building permit, a cash contribution is to be made to the City as follows:

- \$25,000 for improvements to Wishing Well Park
- \$22,000 Streetscape improvements are required on the south side of Sheppard Avenue between Victoria Park Avenue and commons Drive.
- Monies for the extension of existing storm and sanitary sewers within the Sheppard Avenue Boulevard from their existing location at the intersection of Victoria Park is required.

City Council enacted Zoning Bylaw No. 569-2013 at its meeting on May 9, 2013. As this application was deemed complete prior to May 9, the subject lands are excluded from the new Zoning By-law and as such, City Planning is processing the application under the former City of Scarborough Sullivan Community Zoning Bylaw No. 10717.

Site Plan Control

The proposal is subject to Site Plan Approval. A site plan application has been submitted and is being circulated to appropriate city divisions for review and comment.

Sheppard East LRT

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 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 Victoria Park Avenue and Sheppard Avenue East intersection.

Reasons for Application

The rezoning application is required to permit increases in the number of apartment units, building height and gross floor area, to modify provisions related to setbacks, and to add provisions related to coverage and permitted uses.

The rezoning will also establish site specific performance standards to facilitate the development as proposed.

Community Consultation

A community consultation meeting, as directed by Scarborough Community Council, was held on September 16, 2013. Notice of the meeting was given to landowners and residents within 120 metres of the site and expanded to include all of the properties on the north side of Sheppard Avenue East between Victoria Park Avenue and Pharmacy Avenue, including all properties on Chichester Place and all properties east of Victoria Park Avenue, west of Pharmacy Avenue. Approximately 10 residents from the surrounding area were in attendance.

Issues that were raised included, but were not limited to the following: concerns about the compatibility of the proposal with the surrounding community in terms of height and density; traffic increases on major roads and residential streets in the area, inadequate parking; loss of tree cover on site, and shadowing from the proposal onto nearby residential properties.

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 standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. Among other matters, the proposal will provide for an efficient development pattern and use of land, add to the City's supply and diversity of housing, utilize public infrastructure and services and promote the use of public transit.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It focuses an appropriate type and scale of development within an identified intensification corridor. The application represents efficient use of land, resources and public investment in infrastructure and public service facilities on an underutilised site. The proposal is also transit supportive and achieves an appropriate transition of built form to adjacent uses.

The proposal is consistent with the Provincial Policy Statement 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

The subject site is located along Sheppard Avenue East, just east of Victoria Park Avenue, both designated as Avenues in the Official Plan. The Official Plan designates the subject site Mixed Use Areas which are areas appropriate for a mixture of residential and commercial uses.

Staff conclude that the applicant's revised proposal represents an appropriate balance between intensification of a site and respect for the local context. The proposed mixed-use development, will ensure the efficient use of land, infrastructure and service facilities, and will help transform the Avenue into a transit supportive corridor.

Avenue Segment Study

Development in Mixed Use Areas on Avenues prior to an Avenue study has the potential to set a precedent for the form and scale of reurbanization along the Avenue. The Official Plan requires proponents of such proposals to address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located.

The applicant has submitted an Avenue Segment study, which includes an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity to the proposal, and whether incremental development of the

entire Avenue segment would adversely impact any adjacent Neighbourhoods or Apartment Neighbourhoods.

The study area for the Avenue Segment study includes all of the properties on the north and south sides of Sheppard Avenue on the east side of Victoria Park Avenue through to the east side of Pharmacy Avenue. In addition, the study examines the Victoria Park Plaza located at the northwest corner of Sheppard Avenue East and Victoria Park Avenue together with additional properties located on the east side of Victoria Park Avenue north and south of Sheppard Avenue.

The development potential of each site and the associated impacts were assessed on the basis that the sites were developed using the same design elements and at the same density as the subject lands. These elements include adherence to the 45 degree angular plane requirement adjacent to stable Neighbourhood uses, and the utilization of the built form parameters found in the Mid-Rise and Tall Building Guidelines.

The study concludes that there is adequate municipal infrastructure available to allow the area in the Avenue Segment study to be redeveloped to incorporate a total of approximately 1,530 residential units. Community Services and Facilities have been deemed adequate to serve a population increase of this magnitude in the vicinity. No new roadways or signalized access points would be required, and traffic impacts associated with these potential redevelopments would be mitigated by the removal of existing traffic to the current active operations on many of these sites.

In summary, this redevelopment could proceed without adversely impacting the development potential of the other candidate sites for redevelopment. Further, the Segment study recommends that the development can proceed without an adverse impact on the adjacent Neighbourhoods or Apartment Neighbourhoods.

City staff generally concur with the Avenue Segment Study findings. Planning staff are of the opinion that the proposal meets the requirements of the Official Plan in terms of development on Avenues prior to an Avenue study having been completed and recommend that the development can proceed prior to the completion of an Avenue Study. The submitted Avenue Segment Study will be made available by the City Clerk's office on the June 17, 2014 Scarborough Community Council agenda.

Design Review Panel

The proposal was considered by the Design Review Panel in January, 2012 and again in October, 2013.

The changes made to the earlier design of the project in terms of massing, setbacks, landscaping, and parking were strongly supported, members were excited about the proposed tall building form at this location, and felt the project had an urban sensibility and well resolved site plan characteristics (see Attachment 4 – Perspective). The panel

was generally supportive of the proposal at this location as a transitional building, knowing more density will come in this vicinity given planned transit expansion along Sheppard Avenue East. Descriptions of the tower included "intriguing", "cool" and "elegant", and members expressed hope it would be built this way.

The panel members felt that some refinements were required to the landscaping at the rear of the property, that less planting be pursued, and that more open space be provided that people can use, including seating, trellis, playground, etc. Suggestions for improvements to the linear access path to the east and lighting were also made. Minutes of the meeting can be found at

<http://www1.toronto.ca/City%20of%20Toronto/City%20Planning/Urban%20Design/Files/pdf/DRP/DRP%20Minutes%20Oct%2016.pdf>

The Section 37 Agreement will contain provisions that the project be built substantially in accordance with the architectural design identified on plans on file with the Chief Planner. This will secure the curvilinear architectural design of the tower component of the project.

Staff continue to work with the applicant to address the comments of the panel and these minor details will be secured through the site plan approval process..

Mid-Rise Building Guidelines

Toronto City Council, on July 8, 2010, adopted the recommendations contained in the staff report titled, Avenues and Mid-Rise Building Study and Action Plan, prepared by City Planning with modifications and directed staff to use the Performance Standards for Mid-Rise Buildings in reviewing proposals for a two year monitoring period.

However, the recommendations and Performance Standards outlined are intended to be used in many, but not all, situations along Avenues.

Section 4.5.7 of the Guidelines identifies a number of situations, including sites on subway nodes and lines, that may warrant the consideration of more height in the form of tall buildings. It is reasonable to consider that sites in proximity to a subway or LRT station may have a different set of standards, and be considered on an individual basis.

City-Wide 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. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building in the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

Height, Massing, Built Form

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

When determining and assessing appropriate heights and densities, many factors are considered, including context of the development, lot size and configuration, proximity to major transit facilities, impacts on the neighbouring properties, and other site specific factors. The subject site is located in close proximity to the planned Sheppard LRT, and near the intersection of two major arterial roads (Sheppard Avenue East and Victoria Park Ave.). The lot is 72m deep, much deeper than typical lots for midrise buildings along Avenues. Within the immediate vicinity of the site, there are several existing and approved apartment buildings with heights ranging from 10 to 20 storeys. Based on these considerations, staff determined that a tall building can be considered at this location if designed appropriately, and staff assessed the development against the City's Tall Building Guidelines.

The building design is an 18 storey tower on a five storey podium form. The proposed height of 18 storeys is generally in keeping with the character of the apartment buildings in the surrounding area. Unlike most of the existing buildings in the area, which are either oriented away from the public street or have considerable setbacks from the street lines, the proposed building is located close to the street line, and will create a defined street edge and provide direct access to both the residential and commercial components. The five storey podium is setback 3 metres from the front property line, and appropriately frames the edge of the street in good proportion. The retail floor space at grade will animate the public sidewalk abutting the site. The rear elevation of the tower is sculpted to create visual interest (see Attachment 5 – Perspective)

To ensure adequate transition in scale to the adjacent low-rise residential neighbourhood to the south, two 45 degree angular planes are applied to limit the building mass. The development is entirely under the 45 degree angular plane originated from the south property line. The rear portion of the base building (south of the south property line of 2941 Sheppard Ave. E) is under the 45 degree angular plane originated from the east property line abutting 52 and 54 Commons Drive. The angular planes originate from the

lowest points along the property lines, except for where there is an existing catch basin along the south property line. The elevation at the existing catch basin is excluded in the calculation.

An earlier version of the proposal did not meet the 45 degree angular plane requirements to the residential properties to the south. The proposal now has Floors nos. 17, 18 and the Mechanical floor stepped back to achieve the appropriate 45 degree angular plane to the residential properties to the south.

The proposed tower element features a floor plate with a maximum area of 655 square metres, below the recommended maximum of 743 square metres in the Tall Building Guidelines.

Along Sheppard Ave., the building has been sculpted to step back from the street as the building increases in height. Floor Nos. 6-16 have been setback a further 3 metres from the podium, and Floors No. 17-18 a further 1 metre.

From the south property line, a 20m setback is provided. A further 22 m step back to the tower occurs at the top of the podium, where the final three storeys contain only 4 units per floor.

From the west property line, a 10.6 metre (42.6 feet) tower setback is provided. The Tall Building Guidelines recommends a 12.5 metres setback from the side property line. This is to ensure that a minimum 25 metres tower spatial separation (as desired by the Tall Building Guidelines) can be achieved in the future should new development on the adjacent site to the west also include a tall building. The intention being that each site provide a side yard setback of 12.5 metres which, when combined, equal the desired minimum tower separation. After careful examination of the surrounding context and potential development scenarios on the adjacent sites, as well as the size, orientation of the tower floor plate, as well as the design of the floor plans, staff are of the opinion that the proposed 10.6m setback is, in this particular situation, sufficient to meet the intent of the Tall Building Guidelines. All units on the typical floor of the tower are designed to have living rooms facing north or south, not the side property lines. No balconies will be permitted into the west side yard setback, further limiting any impact on the property to the west. Accordingly, the tower has generous south facing balconies, increasing livability.

For the rear portion of the base building, from the west property line, a 7.1 metres (23.3 feet) to 8.0 metres (26.3 feet) building setback is proposed at various locations and heights. The setbacks are approximately half of the base building height at various locations. This will ensure appropriate spatial separation from the potential future development to the west of the subject property and allow for appropriate light, view and privacy conditions.

From the east property line, a 7.5m tower setback is provided in the front portion of the development along Sheppard Avenue. This tower setback is considered acceptable as the neighbouring property to the east is shallow in depth and small in size, and is unlikely to accommodate a tall building, which would require a 12.5m tower setback from the side property line.

For the rear portion of the base building, from the east property line, 8.7 metres (28.5 feet) to 9.0 metres (29.5 feet) are provided at various locations and heights of the building. The balconies/ terraces facing 52 and 54 Commons Dr. are setback 10 to 14.5m to limit overlook onto the properties. A built-in planter along the edge of the terrace on the second floor will also be secured through Site Plan Approval to further enhance the privacy and overlook condition. Together with the angular plane restriction, these setbacks help to adequately limit overlook and the visual impact of the development.

The proposed development density is approximately 4.1 FSI (floor space index). This density is acceptable given the careful consideration given to built form, the absence of any significant off-site impacts and the fact that the development can be adequately accommodated on the 0.36 hectares (0.9 acres) parcel

In summary, the proposal generally meets the tall building design criteria and implements the objective of the Official Plan to ensure that tall buildings fit within their context and minimize their impacts.

Traffic/Access/Parking

Traffic Impact Study has been submitted and is generally to the satisfaction of Transportation Services. Sheppard Avenue East is a major arterial road with a seven lane cross section, including a centre two way left turn lane that facilitates access to and from abutting land uses along Sheppard Avenue at this location.

Vehicular access to the proposed development will be provided via an unsignalized driveway on Sheppard Avenue East on the easterly portion of the site. The driveway will run down the eastern flank of the property, and provide access to the loading area and underground parking ramp provided in the southern portion of the proposed building.

The driveway will initially provide for full vehicle turning movements. Construction of the Sheppard East LRT will result in vehicle turn movements being restricted to right-in/right-out only. As a matter of legal convenience, the Section 37 agreement will require that all offers and agreements of purchase and sale entered into shall include a warning clause advising of the potential future access restrictions to Sheppard Avenue East.

A total of 181 parking spaces are proposed, 178 of which are contained within 4 levels of underground parking. Three surface parking spots will serve the commercial component

on the front portion of the site to the east. Five accessible parking spaces are proposed underground, while 2 drop off spots are also proposed at grade for convenience.

The subject site is situated within Policy Area (PA) 4 of the City of Toronto by-law No. 569-2013. Parking rates for the residential component will be established that are compliant with the provisions of this By-law as follows:

No. Bedrooms	Minimum Parking Requirements
Bachelor	0.7 spaces/unit
1 Bedroom	0.8 spaces/unit
2 Bedroom	0.9 spaces/unit
3 Bedroom	1.1 spaces/unit

Visitor parking is required to be provided at a rate of 0.15 parking spaces per dwelling unit. The 27 visitor parking proposed on the first underground level complies with these rates. Overall, the 181 parking spaces proposed is compliant with the provisions of Zoning By-law 569-2013 and acceptable given the level of transit service available or planned on Sheppard Avenue.

The intersection of Victoria Park and Sheppard Avenue East is currently coordinated with the signal to the south at Consumers Road during the a.m. and off-peak periods. During the p.m. peak hour, the signal is not coordinated. Signal timing modifications are recommended at the intersection of Victoria Park Avenue and Sheppard Avenue to optimize the westbound and northbound left turn movements at this intersection during the p.m. peak hour. As a condition of the rezoning, and before the introduction of the bills to council, the owner is responsible to enter into satisfactory arrangement with Transportation Services for any and all costs associated with traffic control signal modifications that may be required at these intersections.

Grade Related Commercial

As mentioned previously, 281 square metres (3,025 square feet) of grade related commercial uses along the Sheppard Avenue frontage is proposed. The draft zoning by-law will require that this space be provided, in part, to ensure that the street frontage is appropriately animated and also to provide additional prominence to the ground floor of the building, especially given its proximity to the intersection of two major streets with a planned LRT stop.

The draft zoning by-law (Attachment 8) also requires that the floor to ceiling height of the ground floor be a minimum of 4.8 metres (15.7 feet) to facilitate the proposed commercial uses at grade.

Streetscape

The proposed development will create a strong street edge on Sheppard Avenue East. The proposed ground floor commercial space has direct access to Sheppard and will serve to animate the street and provide views and pedestrian interest. A canopy extension has been provided along the street frontage to create strong visual interest and weather protection. Street trees are provided in continuous tree trenches. New sidewalks, benches, and bicycle rings will be provided.

The design and construction of the streetscape will be coordinated with the detailed boulevard design related to the Sheppard East LRT.

Residential Amenity Space

Indoor Amenity Area

Approximately 263 square metres (2,831 square feet) of indoor amenity space is proposed on the first floor, in addition to a 105 square metre (1,130 square foot) amenity area fitness centre.

This results in a rate of 2.1 square metres of indoor amenity space per unit. A rate of 2 square metres per dwelling unit has been established in the draft zoning by-law (Attachment 8).

Outdoor Amenity Area

The development includes a hardscaped courtyard comprising approximately 217 square metres (2,336 square feet) of outdoor amenity space. This space is directly accessible from the indoor amenity space (Attachment 1 – Site Plan).

In addition, there is 765 square metres (8,235 square feet) of soft outdoor amenity space on site, including landscaped areas at the rear of the site, flower beds, and vegetable garden plots on the west side of the building for a total of 982 square metres (10,570 square feet) of outdoor amenity space. This results in a rate of 5.4 square metres of outdoor amenity space per unit. A rate of 5 square metres per dwelling unit has been established in the draft zoning by-law (Attachment 8). In addition, each apartment unit will have a private balcony or terrace.

Sun/Shadow Analysis

The applicant submitted a shadow study to examine the shadows cast by the proposed building onto the surrounding area. The building has been designed and located to address shadowing impacts on adjacent properties. Staff note that an 8 storey building is currently permitted as-of-right on the subject lands.

The proposed development will not have shadow impact on the low rise residential neighbourhood to the south.

On the spring and fall equinoxes, the proposed development casts some shadow on the sidewalk on the north side of the street in the morning and early afternoon. Due to the nature of the slim point tower, these shadows will pass quickly. In addition, potential shadow impact on the sidewalk from potential developments to the east of the subject site will be limited, due to the shallow depths of the sites. This will help to maintain good sun/shadow condition for a large portion of the public sidewalk on the north side of Sheppard Avenue.

Staff reviewed the shadow impacts on the low rise residential properties to the east, on the Spring and Fall equinoxes, in comparison with the estimated shadow impacts of the previously approved 8 storey building. The proposed development will have comparable impacts to that of the approved 8 storey building.

Wind

The applicant submitted a preliminary wind study plus addendum for the proposed development to examine the wind patterns caused by the proposed building for the surrounding area. The proposed development utilizes wind friendly design elements to counteract potential wind conditions such as the orientation of the building relative to its surroundings and prevailing wind directions, stepped conditions, small tower footprint, podiums, and landscaping. The preliminary wind study and addendum concluded that wind conditions on and around the proposed development were predicted to be suitable for walking, standing, or better, year round.

School Capacity

The Toronto District School Board (TDSB) advises that there is insufficient space at the local middle and secondary schools to accommodate students anticipated from this proposed development and that students may be accommodated in schools outside the area, and further that students may later be transferred.

The TDSB advises that the status of local school accommodation should be conveyed to potential purchasers of the proposed units. Specifically, the TDSB requests that the owner agree to post and maintain signs on site and include warning clauses in all offers of purchase and sale advising purchasers of the status of local school accommodation. This requirement is included as a matter of legal convenience in the Section 37 agreement.

The Toronto Catholic District School Board advises that there is sufficient capacity in the area to accommodate projected students from this proposed development.

Trees

The removal of one city tree on the City road allowance is proposed. An application to remove a Healthy City owned tree will be required. Given the condition of the tree and

its location in close proximity to the property line, Urban Forestry has no objection to its removal and replacement.

Four new trees are proposed on the City road allowance along the frontage of the site. A Tree Planting deposit will be required to ensure the planting and survival of the proposed trees in the City road allowance. This will ensure the trees are planted and kept in a healthy a vigorous state during the two-year guarantee period.

Overall the on-site trees are generally in poor condition, moribund and/or over-mature. Seventeen private trees are required to be removed to accommodate the proposed development. All of the trees proposed for removal qualify for protection under the Private Tree By-law.

Based on the standard requirement of a 3:1 replacement ratio, Urban Forestry will require a total of 51 new trees to replace the 17 private trees proposed for removal. The site can accommodate 12 new trees to be planted on site to replace the 17 proposed for removal. A cash in lieu payment for the remaining 39 trees to be planted will be secured through the site plan approval process. Opportunities to have these trees planted in close proximity to the site, either on City boulevards, or in parkland areas, will be pursued. Forestry has indicated there are opportunities for planting both at Farmcrest Parkette on Victoria Park Avenue and Scarden Park on Warden Avenue.

It is recommended that Tree #18, a 79 cm diameter Silver maple tree, located on the east side of the site at the neighbouring property at 54 Commons Drive be removed . An inspection by Urban Forestry staff confirmed that the tree is growing at a moderate angle towards the north and has a large basal cavity on the south side. The tree is structurally unsound and would be further compromised by the installation of proposed fire route at this development. The roots of the tree would be subject to some risk of root injury and the condition of the tree is such that its preservation would not be warranted. The applicant has contacted the owner at 54 Commons Drive with the intent to offer to pay the full cost of removal for the maple tree and replanting of a large growing shade tree on their property. Urban Forestry supports this approach.

Servicing

A Functional Servicing Report and Storm Water Management Report has been submitted which provides information on storm drainage, stormwater management, sanitary servicing and water supply. Minor revisions will be required at the Site Plan Approval stage. However, the report submitted satisfactorily addresses the sanitary sewer capacity and water supply issues, and Engineering and Construction Services staff conclude that the site is readily serviceable.

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 1.57 + 2.99 hectares of local parkland per 1,000 people. The site is in the second 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.

At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020 – 2010, the parkland dedication would be 0.2372 hectares (2,373m²), which equates to 64% of the site. However, a cap of 10% applies hence the parkland dedication would be 0.037 hectares (370m²).

The parkland dedication for the subject site is too small to be functional. Accordingly, 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 set out below.

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 another 5% 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 in consultation with the Local Councillor and in accordance with the City's Parkland Acquisition Strategy.

Toronto Green Standard

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

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

The site specific zoning by-law will secure performance measures for Cycling Infrastructure.

Other applicable TGS performance measures will be secured through the Site Plan Approval process, including Urban Heat Island Reduction at Grade, Water Efficiency, Natural Heritage and Storage and Collection of Recycling and Organic Waste.

Section 37

In return for the height and density proposed, Section 37 community benefits have been negotiated with the applicant in consultation with the Ward Councillor

The community benefit recommended to be secured in a Section 37 agreement is an indexed cash contribution in the amount of \$425,000 to be used for identified capital improvements to two local parks as follows:

- \$240,000 for capital improvements to Tam O'Shanter Park.
- \$185,000 for capital improvements to Scarden Park

This contribution is required to be indexed and is payable prior to the issuance of the first above-grade building permit. Before introducing the zoning Bill to City Council for enactment, it is recommended that the owner be required to execute the agreement and provide a title opinion to the City for the agreement's registration to the satisfaction of the City Solicitor.

As a matter of legal convenience, the Section 37 agreement will include the following requirements:

1. A requirement that all offers and agreements of purchase and sale entered into shall include a warning clause advising of the potential future access restrictions to Sheppard Avenue East.
2. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard,
3. The Owner shall design and construct the building substantially in conformity with the architectural design identified on plans on file with the Chief Planner, This will secure the unique design of the tower structure.
4. The Owner agree to post and maintain signs on site and include warning clauses in all offers of purchase and sale advising purchasers of the status of local Toronto District School Board public school accommodation.

CONTACT

John Lyon, Planner

Tel. No. (416) 396-7018

Fax No. (416) 396-4265

E-mail: jlyon@toronto.ca

SIGNATURE

Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: East Elevation

Attachment 3: West Elevation

Attachment 4: North and South Elevations

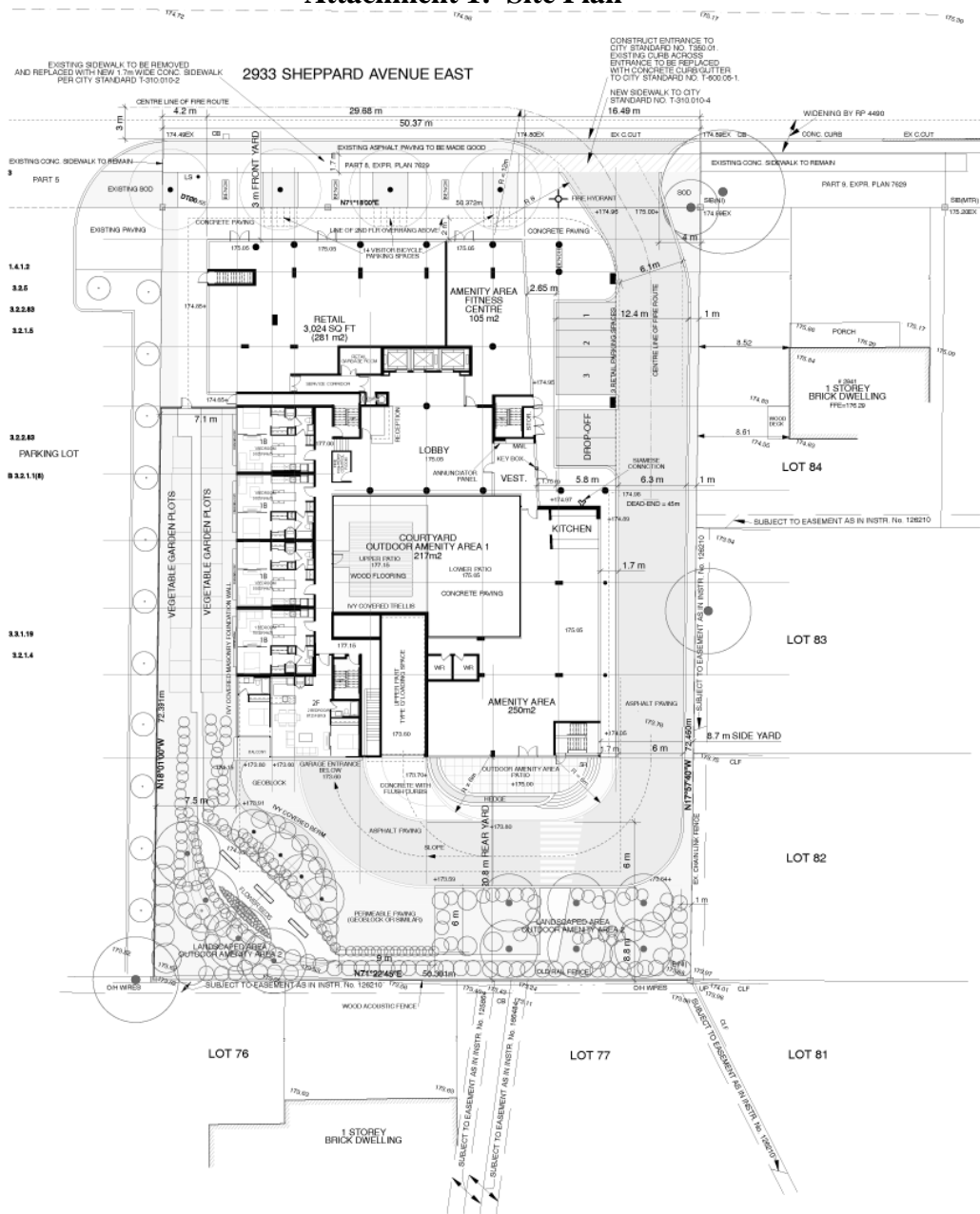
Attachment 5: Perspective

Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

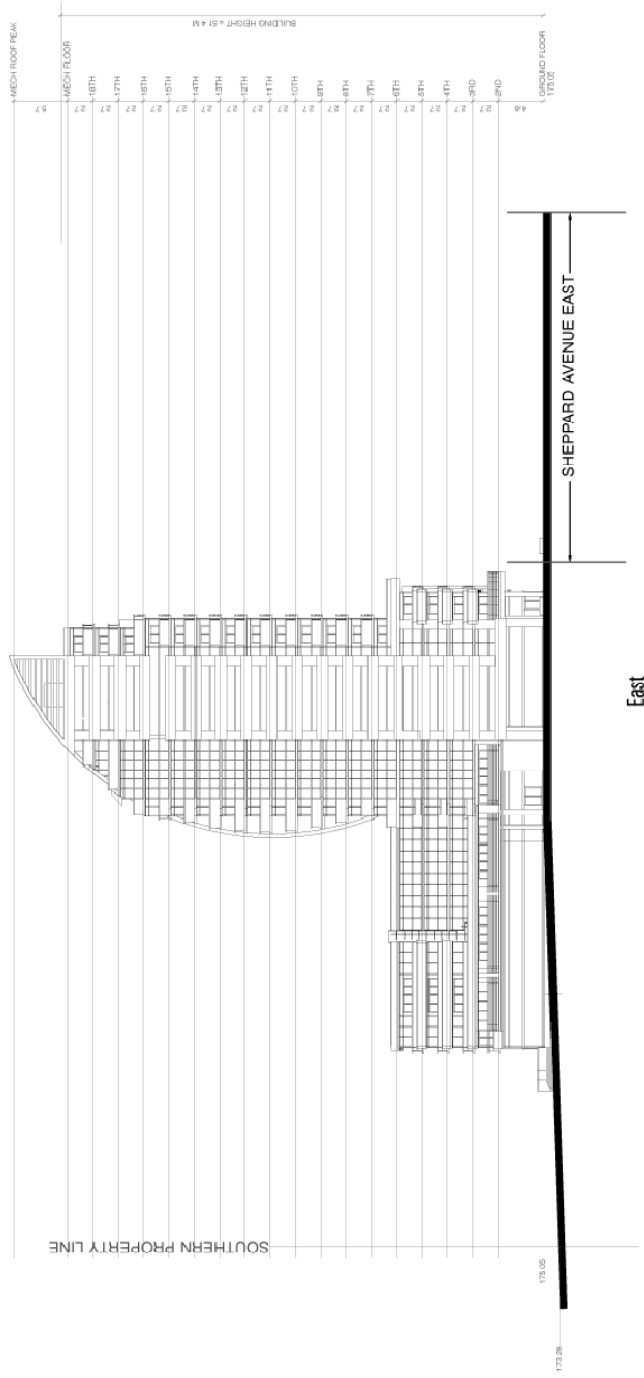
Applicant's Submitted Drawing

Not to Scale

2933 Sheppard Avenue East

File # 13 131300 ESC 40 0Z

Attachment 2: East Elevation



Elevations

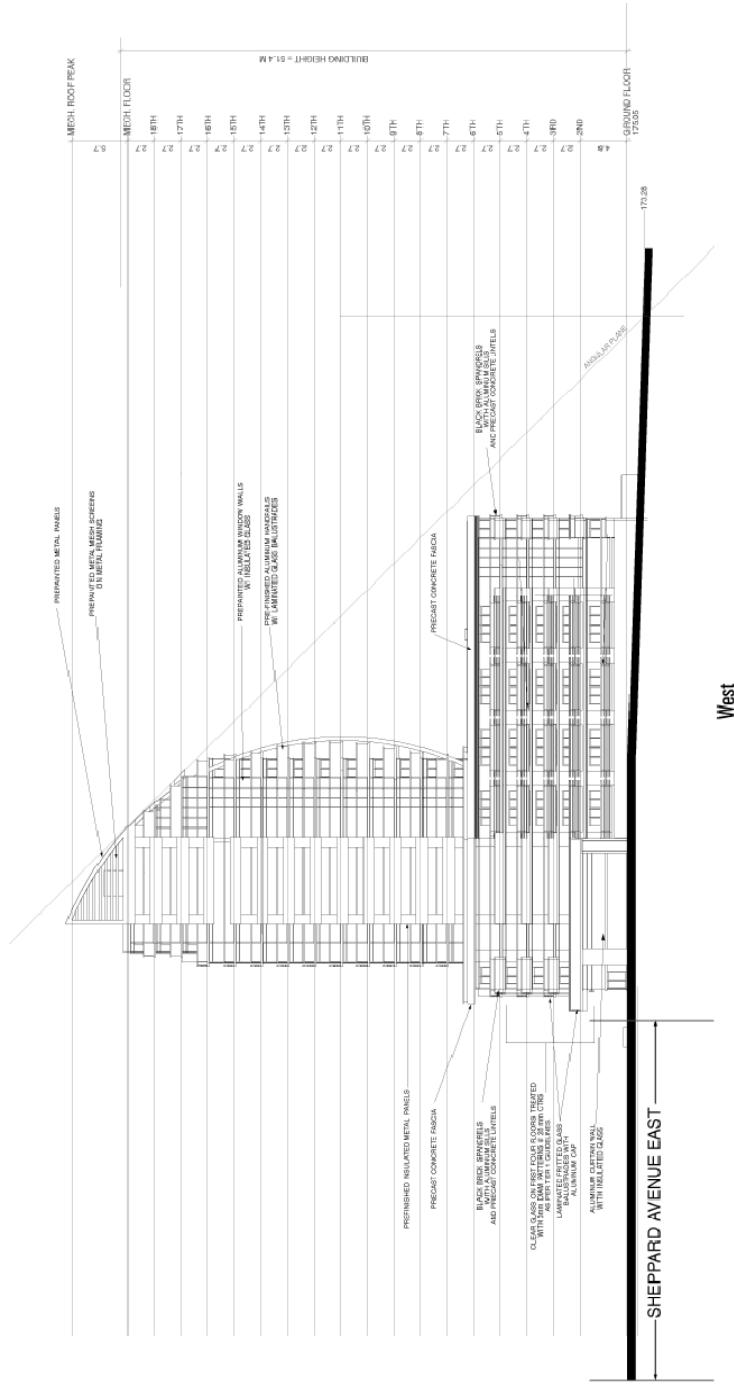
Applicant's Submitted Drawing

Not to Scale
05/09/14

2933 Sheppard Avenue East

File # 13 131300 ESC 40 0Z

Attachment 3: West Elevation



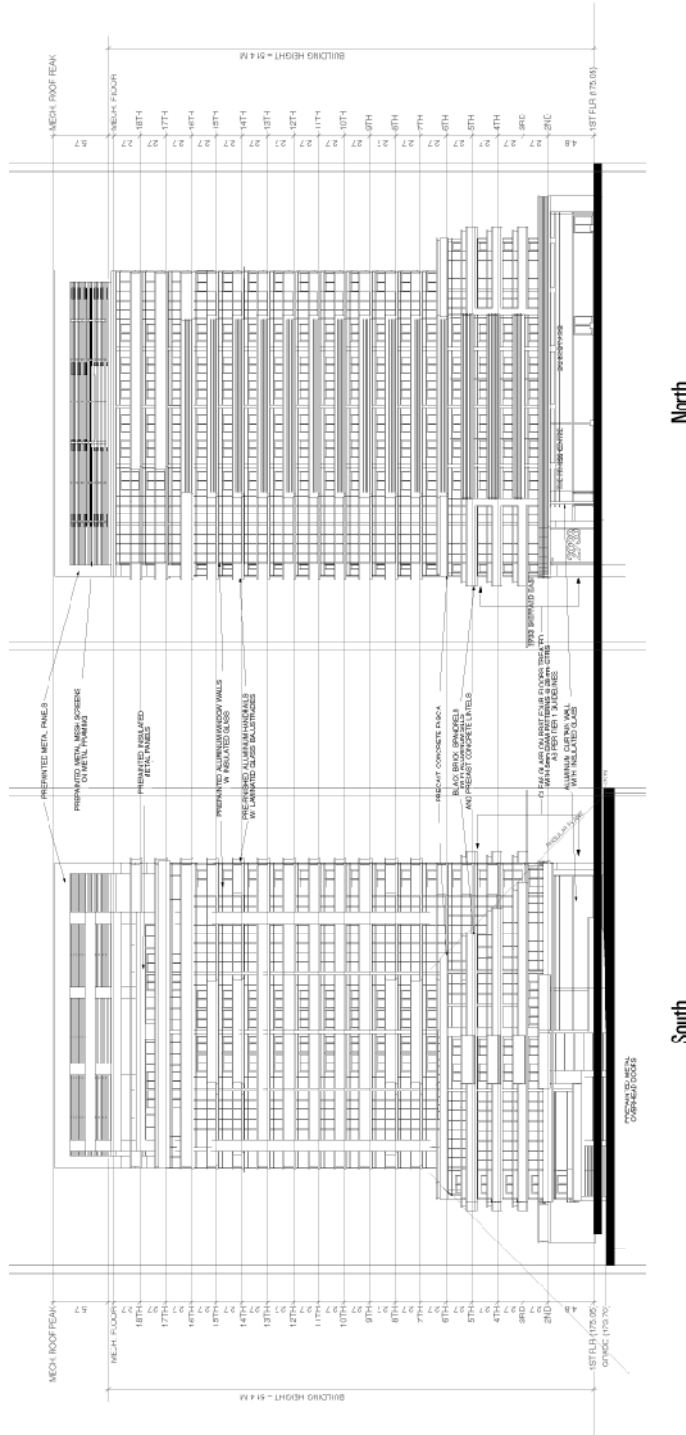
2933 Sheppard Avenue East

Elevations
Applicant's Submitted Drawing

File # 13 131300 ESC 40 OZ

Not to Scale
04/09/14

Attachment 4 : North and South Elevations



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 05/09/14

2933 Sheppard Avenue East

File # 13 131300 ESC 40 0Z

Attachment 5 : Perspective



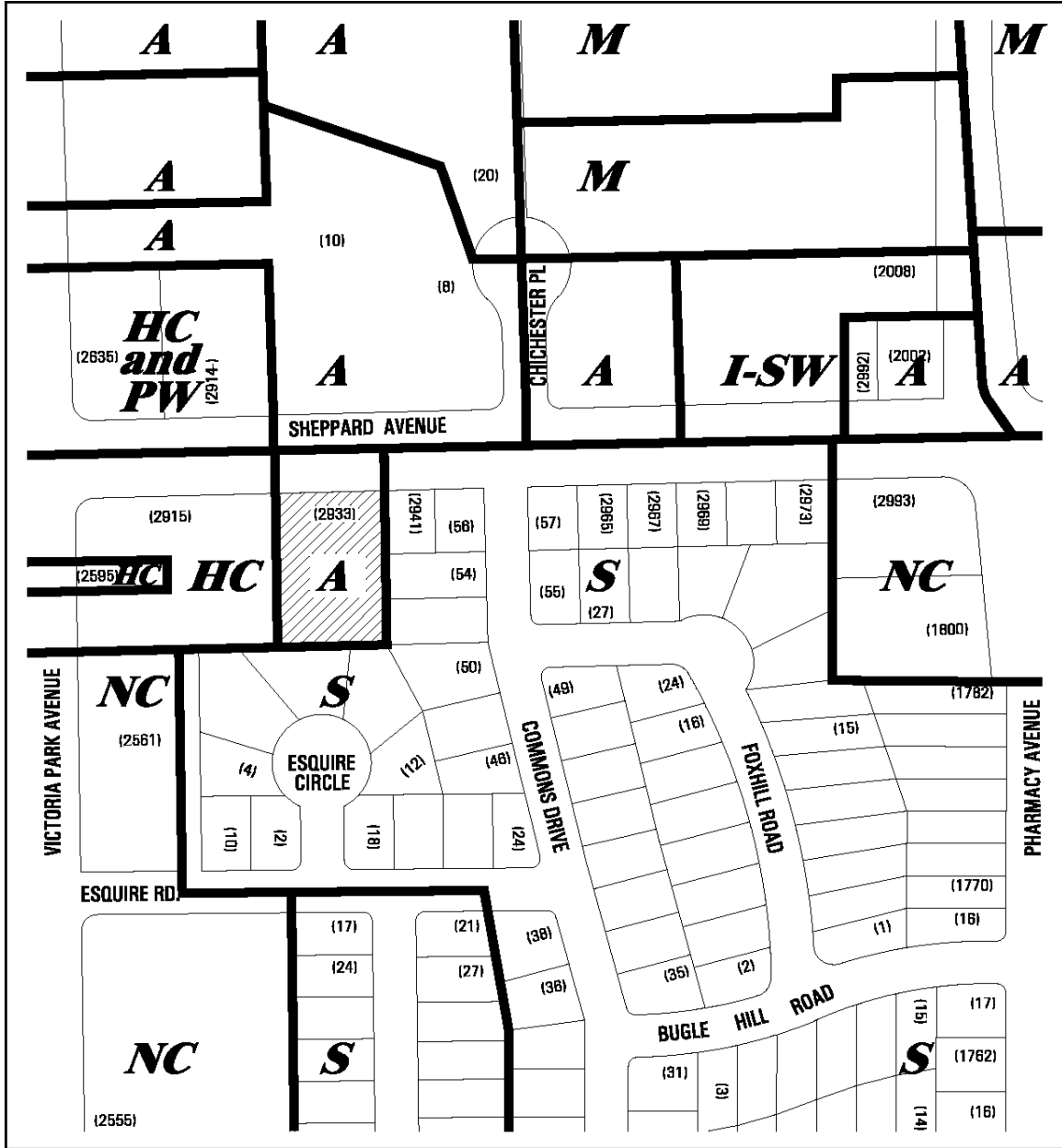
2933 Sheppard Avenue East

Perspective
Applicant's Submitted Drawing

Not to Scale
05/09/14

File # 13 131300 ESC 40 0Z

Attachment 6 : Zoning



TORONTO City Planning

2933 Sheppard Avenue East

Zoning Sullivan & L'Amoreaux Communities File # 13 131300 ESC 40 OZ and 13 131294 ESC 40 SA

 Location of Application

S Single-Family Residential
M Multiple-Family Residential
A Apartment Residential

I-SW Institutional - Social Welfare
PW Place(s) of Worship

NC Neighbourhood Commercial
HC Highway Commercial



Not to Scale
 04/05/13

Attachment 7 : Application Data Sheet

Application Type	Rezoning	Application Number:	13 131300 ESC 40 OZ
Details	Rezoning, Standard	Application Date:	March 11, 2013

Municipal Address: 2933 SHEPPARD AVE E
 Location Description: CON 2 PT LOT 35 **GRID E4003
 Project Description: Zoning bylaw amendment for a proposed mixed use 18 storey, 179 unit residential condominium with 281 m2 of ground floor commercial space. Application submitted in conjunction with Site Plan application 13 131294 ESC 40 SA.

Applicant:	Agent:	Architect:	Owner:
EVANS PLANNING			CANADA HAIXIN INTERNATIONAL GROUP INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	A – Apartment	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	3650.51	Height:	Storeys:	18
Frontage (m):	50.37		Metres:	51.8
Depth (m):	72.39			
Total Ground Floor Area (sq. m):	1389			Total
Total Residential GFA (sq. m):	14589		Parking Spaces:	179
Total Non-Residential GFA (sq. m):	281		Loading Docks	1
Total GFA (sq. m):	14870			
Lot Coverage Ratio (%):	44			
Floor Space Index:	4.1			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	106
2 Bedroom:	67
3 + Bedroom:	6
Total Units:	179

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	14589	0
Retail GFA (sq. m):	281	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: John Lyon, Planner
TELEPHONE: (416) 396-7018

Attachment 8 : Draft Zoning By-law Amendment

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend former City of Scarborough Sullivan Community Zoning By-law No. 10717, as amended,
With respect to the lands municipally known as
2933 Sheppard Ave E**

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

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

Whereas the Official Plan for the City of Toronto contains such 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 or density of development beyond those otherwise permitted in the by-law and that will be permitted in return for the provision of such facilities, services or matter 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, a 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 facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted on the aforesaid lands by By-law 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 of 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 provision of the lands known as 2933 Sheppard Avenue East and replacing them with the following provisions as shown on Schedule '1' attached:

CR-138-139-140-141-213-337-452-475

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

INTENSITY OF USE

213.
 - i) Maximum **gross floor area** of 4.1 times the lot area.
 - ii) Maximum 179 **dwelling units**.
 - iii) A minimum of 280 square metres and a maximum of 300 square metres of **gross floor area** shall be used for retail store, **personal service shop** Business and Professional Offices and/or restaurant uses.
 - iv) Maximum 18 **storeys** and 52 metres in height, not including **basements** and a 5.7 metre mechanical penthouse
 - v) A 5.7 metre mechanical penthouse shall be permitted in addition to the permitted **height**, not exceeding the 45 degree angular plane from the south property line
 - vi) Maximum building **coverage** of 44%

BUILDING SETBACKS

337. Building **setbacks** shall be provided as follows:

- i) Minimum building **setback** of 3.0 metres from the north property line to the first through fifth **storeys** above grade. Balconies on the second **storey** may project a maximum of 2.0 metres into this **setback** and shall not be considered part of the **main wall**. Balconies on the third to fifth **storey** may project a maximum of 0.6m into this **setback**.
- ii) Minimum building **setback** of 6.0 metres from the north property line to the 6th through 16th **storeys** above grade. Balconies on the sixth **storey** may project a maximum of 4.0 metres into this **setback** and shall not be considered part of the **main wall**. Balconies on the 7th to 16th storey may project a maximum of 0.6m into this **setback**.

- iii) Minimum building **setback** of 7.0 metres from the north property line to the 17th through 18th **storeys** above grade. Balconies may project a maximum of 0.6 metres into this **setback** and shall not be considered part of the **main wall**
- iv) Minimum building **setback** of 20.0 metres from the south property line.
- v) Minimum building **setback** of 4.2 metres from the west property line for the ground floor **storey**. Above grade balconies may not project into this **setback**.
- vi) Minimum building **setback** of 7.0 metres from the west property line for the 2nd through 5th **storeys**. Above grade balconies may not project into this **setback**.
- vii) Minimum building **setback** of 10.5 metres from the west property line to the 6th through 18th **storeys**. Above grade balconies may not project into this **setback**.
- viii) Minimum building **setback** of 8.7 metres from the east property line for the ground floor **storey**. Above grade balconies may not project into this **setback**.
- ix) Minimum building **setback** of 7.5 metres from the east property line to the 2nd through 18th **storey**. Balconies on the 2nd to 5th storey may project a maximum of 2m into this **setback**. Balconies on 6th to 18th storey may not project into this **setback**, except for those within 7m **setback** from Sheppard Ave. E. street line, which may project a maximum of 0.25m into the 7.5m **setback** from the east property line.
- x) Minimum building **setbacks** shall not apply to underground structures
- xi) The tower portion of the buildings shall not exceed a 45-degree **angular plane** from the south lot line
- xii) The podium or base of the building shall not exceed the 45 degree **angular plane** of the east lot line where it abuts 52 and 54 Commons Drive

MISCELLANEOUS

138. The provisions of Clause VI, Section 6. **Coverage**, shall not apply.
139. **Amenity Space** shall be provided as follows:
- i) Minimum indoor **amenity space** to be provided: 2.0 m² per **dwelling unit**.
 - ii) Minimum outdoor **amenity space** and/or landscaped **amenity space** to be provided: 5.0 m² per **dwelling unit**.
140. The floor to ceiling **height** of the ground floor shall be a minimum of 4.8 metres.
141. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

PARKING

452. Parking shall be provided at the following rates:
- i)

Bachelor	0.7 spaces/ dwelling unit
1 Bedroom	0.8 spaces/ dwelling unit
2 Bedroom	0.9 spaces/ dwelling unit
3 Bedroom	1.1 spaces/ dwelling unit
 - ii) Minimum 0.15 **parking spaces** per **dwelling unit** shall be provided for visitors.
 - iii) Retail Stores, **Personal Service Shops**, Business and Professional Offices and Restaurant: Minimum 1.0 parking spaces per 100 m² **gross floor area**.

- iv) The provisions of Clause VII, Subsection 1.1, Table of Required Parking Rates shall not apply.
- v) The provisions of Clause VII, Subsection 2.1.4, Garages, Carports and Other Accessory Buildings shall not apply.

3. **SCHEDULE 'C', EXCEPTIONS LIST**, is amended by adding the following EXCEPTIONS to the lands as shown outlined on Schedule '2'.

39. On those lands identified as Exception 39 on Schedule "C", the following provisions shall apply:

(a) Only the following uses shall be permitted:

- **Apartment Building**
- Business and Professional Offices
- **Day Nurseries**
- **Personal Service Shops**
- Restaurants
- Retail Stores

(b) **Personal Service Shops**, Restaurants, Business and Professional Offices and Retail stores shall only be permitted on the ground floor of an **apartment building**.

40. On those lands identified as Exception 40 on Schedule "C", the following provisions shall apply:

(a) 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 *Lands* is permitted in return for the owner's election to provide, at the owner's expense, the facilities, services and matters set out in Schedule 3 hereof which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form satisfactory to the City solicitor and registered on title to the *Lands*.

(b) Where Schedule 3 of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same. The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule 3 are satisfied.

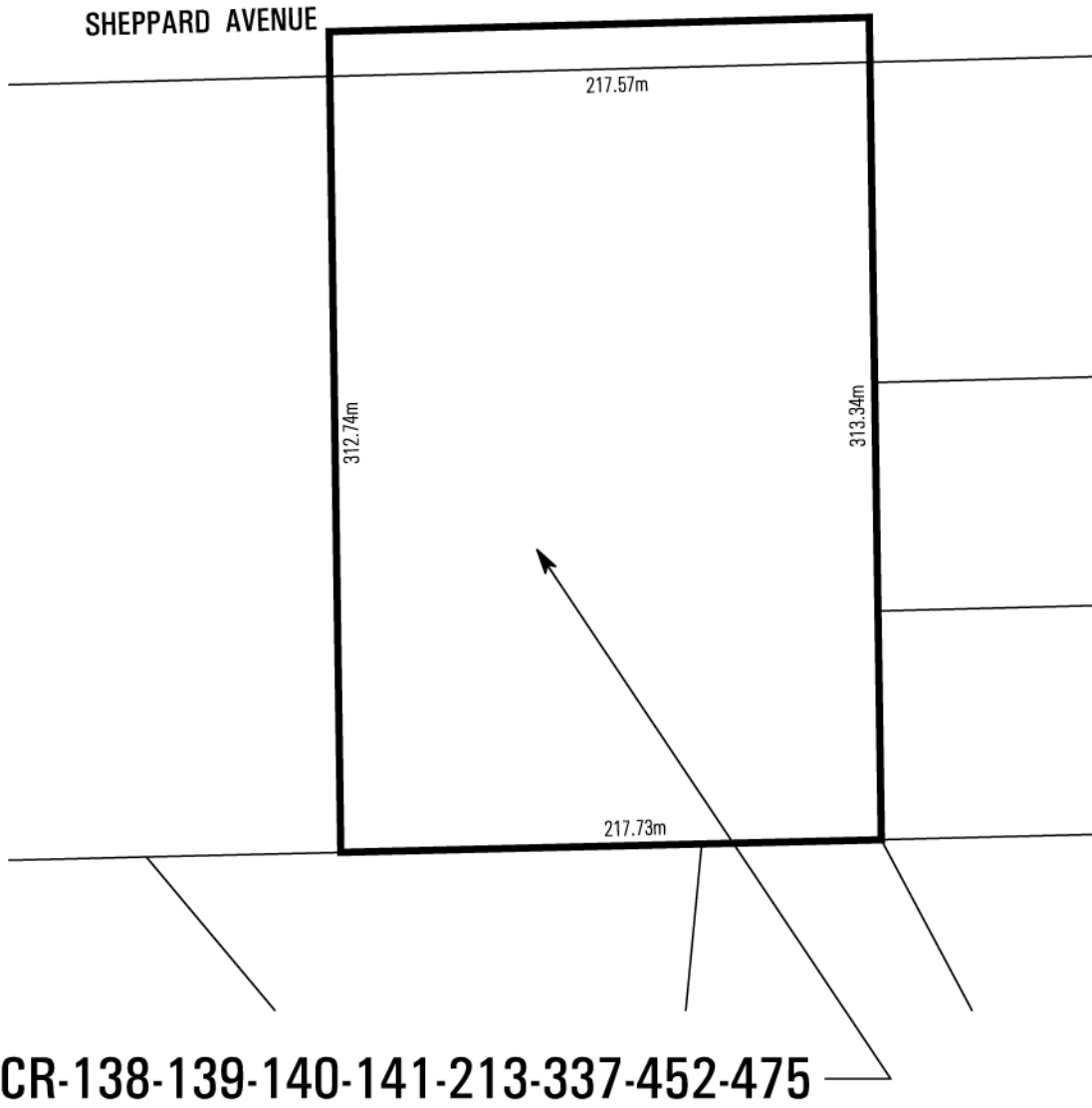
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



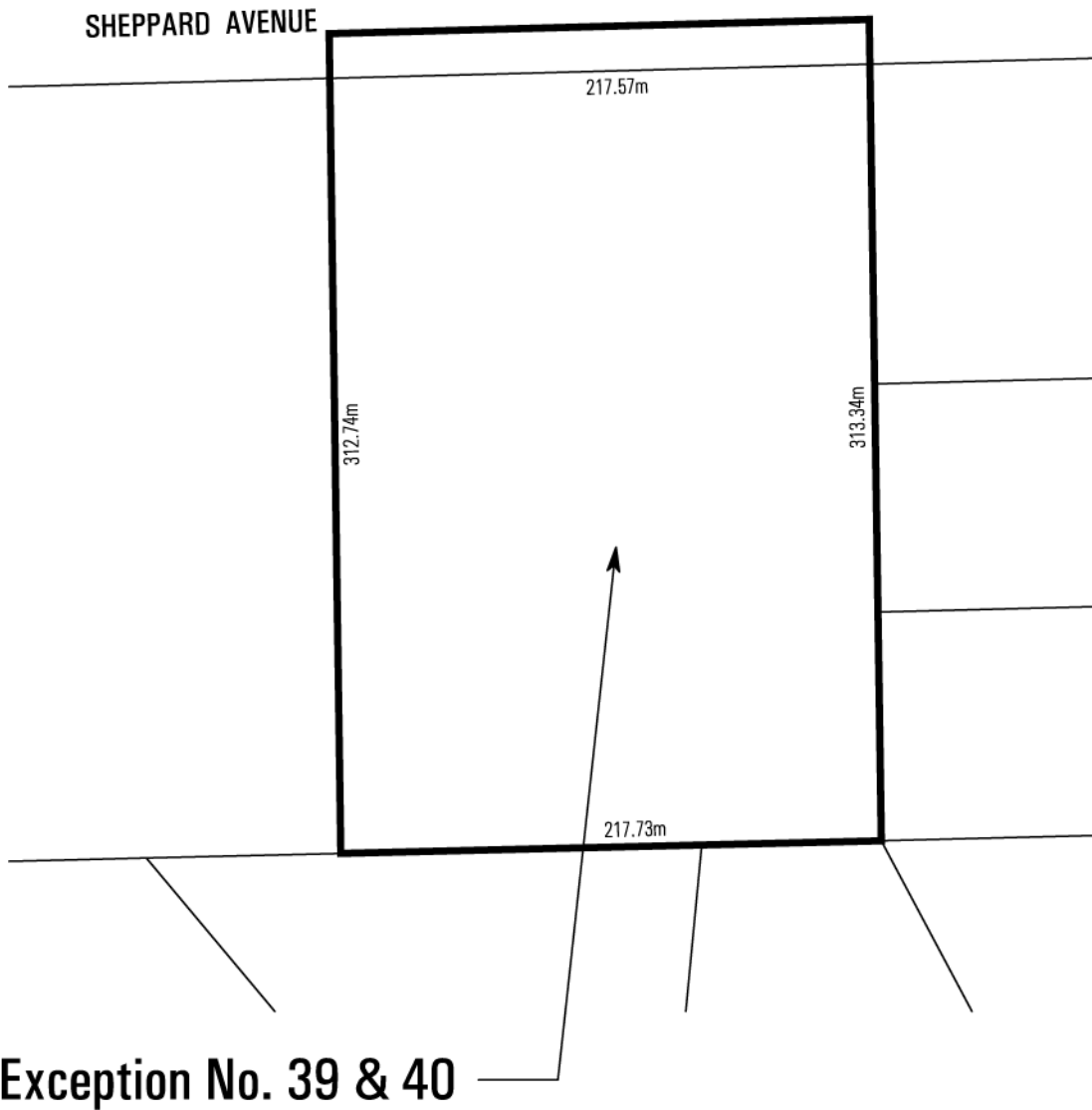
Toronto City Planning Division
Zoning By-Law Amendment

2933 Sheppard Avenue East
File # 13 131300 ESC 40 OZ

 Area Affected By This By-Law

Sullivan Community By-law
Not to Scale
5/20/14


Schedule '2'



Schedule 3

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lot and secured in an agreement or agreements under Section 37 (3) of the *Planning Act*, whereby the owner agrees as follows:

- (1) Prior to the issuance of the first above grade building permit, the Owner shall:
 - i. make a cash payment to the City of \$425,000.00, together with any increases to reflect increases in the Statistics Canada Residential Construction Price Index for Toronto from the date of the Section 37 agreement, towards capital improvements to Tam O'Shanter Park (\$240,000), and Scarden Park (\$185,000), or towards other capital facilities as may be determined by the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor.

- (2) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:
 - i. a requirement that all offers and agreements of purchase and sale entered into shall include a warning clause advising of the potential future access restrictions to Sheppard Avenue East.
 - ii. the Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
 - iii. the Owner shall design and construct the building substantially in conformity with the architectural design identified on plans on file with the Chief Planner, prepared by Keith Loffler Architects, dated April 30, 2014, to the satisfaction of the Chief Planner, the further details of which, including exterior materials, will be refined on approved plans and drawings as part of any site plan approval pursuant to Section 114 of the *City of Toronto Act*,

2006, and shall be further secured in any Site Plan Agreement with the City for the project.

- iv. the Owner agree to post and maintain signs on site and include warning clauses in all offers of purchase and sale advising purchasers of the status of local Toronto District School Board public school accommodation.

- (3) The Owner of the lands shall enter into one or more agreements with the City pursuant to Section 37 of the Planning Act, R.S.O. 1990, c.P. 13, as amended which are registered on title to the lands by the City to secure the matters provided for in 1 (i) above.