



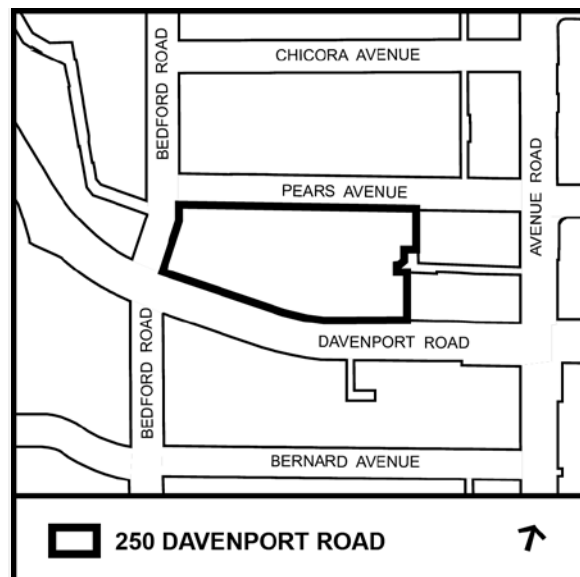
STAFF REPORT ACTION REQUIRED

250 Davenport Rd – Zoning Amendment and Rental Housing Demolition and Conversion Applications - Supplementary Report

Date:	November 8, 2016
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	P:\2016\Cluster B\PLN\City Council\CC16143

SUMMARY

This report responds to a motion from October 13, 2016, Toronto and East York Community Council, (Item TE19.2), which directed the Director, Community Planning, Toronto and East York, to meet with the applicant and work collaboratively and to report directly to City Council at its meeting on November 8 and 9, 2016 with respect to potential revisions to Recommendations Nos. 1 through 11 inclusive in order to address concerns of the applicant related to, among other matters, the timing and delivery of the publically accessible open spaces, the timing of conveyance of the public park, the requirements as well as timing to address storm water management, and the allocation of responsibilities between future landowners, including Toronto Community Housing Corporation and the owner of the lands which will encompass the new condominium development.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Recommendation 4 from Toronto and East York Community Council as follows:
 - a. That Recommendation 4.(i) (a) be amended by inserting the words " shall construct" before the words "13 replacement rental housing units in Building A".
 - b. That Recommendation 4.(i) (b) be amended by inserting the words "shall maintain" after the words "by the owner of Parcel A Lands".
 - c. That Recommendation 4(i) (c) be amended by replacing the words "Parcel B Lands" with the words "Parcel A Lands".
2. City Council delete Recommendation 4 (f) from Toronto and East York Community Council and replace with the following:

Prior to issuance of a Statement of Approval for the Site Plan Control application on the lands, the owner of *Parcel A Lands* must have conveyed the parkland to the City in escrow for nominal consideration, free and clear of all encumbrances and at no cost to the City, an on-site parkland dedication to the City (the "Parkland Conveyance") for the satisfaction of the Section 42 parkland dedication requirements for the Parcel A Lands and Parcel B Lands, to the satisfaction of the General Manager, Parks, Forestry & Recreation and the City Solicitor, in accordance with the following:

- (i) the minimum size of the Parkland Conveyance shall be 510.0 square metres;
- (ii) the final location, configuration and design of the Parkland Conveyance shall be determined through the site plan approval process, prior to the issuance of the Statement of Approval, to the satisfaction of the General Manager, Parks, Forestry and Recreation and in consultation with the Ward Councillor; and
- (iii) the City will be allowed to release the Parkland Conveyance from escrow at any time without consent of the owner, but may permit the land to be used for construction staging subject to the usual park occupancy permit conditions, and the owner of *Parcel B Lands* must prior to the earlier of the first residential use or first condominium registration on the *Parcel B Lands* be responsible for an environmental assessment of the Parkland Conveyance lands and any associated costs or remediation works required as a result of that assessment to the satisfaction of the City together with the filing of a Record of Site Condition (RSC) in accordance with all applicable Ministry of

Environment and Climate Change requirements to the satisfaction of the General Manager, Parks, Forestry and Recreation. For clarification, peer review by an environmental consultant retained by the City shall be at the expense of the owner of the *Parcel B Lands*.

3. City Council delete Recommendation 5 from the Toronto and East York Community Council and replace with the following:

City Council approve the application to demolish the 11 existing residential rental social housing units at unit numbers 120, 121, 122, 123, 124, 125, 126, 127, 128, 129 and 130 and to convert Unit Nos. 104 and 106 at 250 Davenport Road, to non-residential use pursuant to Municipal Code Chapters 667 and 363, and subject to the following conditions under Chapter 667

- a. The owner of Parcel B Lands shall provide and the owner of the Parcel A Lands shall maintain thirteen (13) replacement social housing units on the site of 250 Davenport Road for a period of at least 25 years, all of which will have rents geared to income, comprising of two (2) one-bedroom apartments and eleven (11) two-bedroom apartments:
 - i. Where a one-bedroom replacement social housing unit shall not comprise less than 49 square metres;
 - ii. Where a two-bedroom replacement social housing unit shall not comprise less than 69 square metres; and
 - iii. All detailed floor plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.
- b. Not less than two years after the approval of the final above grade building permit of Parcel B subject to the draft zoning by-law attached as Attachment Nos. 9 and 10, the 13 social housing replacement units shall be completed and made ready for occupancy by the owner of Parcel B Lands.
- c. The owner of Parcel A Lands shall provide tenant relocation assistance for tenants in the existing units, including the right to return to a replacement social housing unit to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Shelter Support and Housing Administration, and as further detailed in the draft zoning by-law attached as Attachment Nos. 9 and 10.
- d. The owner of Parcel B Lands shall prepare a Construction Mitigation and Tenant Communication Strategy, prior to the issuance of the first building permit (including demolition and/or excavation permit) to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Shelter, Support and Housing Administration.

4. City Council amend Recommendation 6 from the Toronto and East York Community Council to issue preliminary approval to the application under the Municipal Code Chapter 667 for any of the existing rental housing units of the development as follows:
 - a. That Recommendation 6.c. be deleted and replaced with a new Recommendation 6.c as follows:

The passing of the appeal period for the consent to sever the lands, and the issuance of the Demolition and Foundation Permit for the retrofit of the existing garage on Parcel A Lands.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A final staff report dated October 4, 2016 on the subject application was adopted at the October 13, 2016, Toronto and East York Community Council meeting.

Community Council Decision Advice and Other Information

The Toronto and East York Community Council:

1. Requested the Director, Community Planning, Toronto and East York District, to meet with the applicant and work collaboratively, in consultation with the Ward Councillor, and to report directly to the November 8 and 9, 2016 meeting of City Council with respect to potential revisions to Recommendations 1 to 11, inclusive, in order to address concerns of the applicant related to, among other matters, the timing of delivery of the publicly accessible open spaces, the timing of conveyance of the public park, the requirements as well as timing to address storm water management, and the allocation of responsibilities between the future landowners, including Toronto Community Housing Corporation and the owner of the lands which will encompass the new condominium development.
2. Requested the General Manager, Transportation Services, to review and to report back to the January 17, 2017 meeting of Toronto and East York Community Council on the realignment of Permit Parking area 5E and the exclusion of the development located at 250 Davenport Road.

The Toronto and East York Community Council held a statutory public meeting on October 13, 2016, and notice was given in accordance with the Planning Act. www.toronto.ca/legdocs/mmis/2016/te/.../backgroundfile-97049.pdf

COMMENTS

The revised and replaced recommendations above address the concerns expressed by the applicant, with respect to timing, responsibilities and delivery of the proposed development, with the exception of recommendation 11 which deals with storm water management. That recommendation will not be revised based on discussions with City Engineering and Construction Services staff, however, in its current form it provides for flexibility with respect to the on-site stormwater storage options and the applicant has been advised of City staff's position.

The required Section 37 Agreement and the Bills are in the process of being finalized by City Planning and Legal staff in consultation with the applicant and will be sent directly to City Council as soon as they are completed.

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SIGNATURE

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