

**537 – 555 Finch Avenue West – Site Plan Application –
Supplementary Report**

Date:	July 13, 2016
To:	City Council
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward No. 10 – York Centre
Reference Number:	P:\2016\Cluster B\PLN\City Council\CC16090 File No. 11 244148 NNY 10 SA

SUMMARY

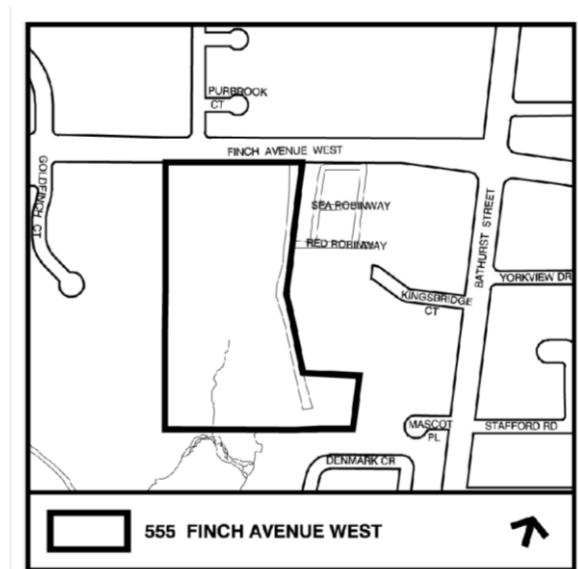
The purpose of this report is for staff to obtain authority from City Council to amend the registered Section 37 Agreement to accommodate a municipal storm sewer required to service the first building on site known as 'Building I' (see Attachment 1), which is currently under construction and also any future municipal services required for future buildings on the site.

The Section 37 Agreement must be amended prior to the applicant receiving final site plan approval for Building 'I'.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor to amend the registered Section 37 Agreement to add obligations for the applicant to provide a municipal storm sewer and any future municipal services required for the development of the site as determined by City Staff and to allow for the phased construction of services as necessary and as approved by the Executive Director



- of Engineering and Construction Services; all to the satisfaction of the Chief Planner; and
2. City Council authorize City staff to take necessary steps, including the execution and registration of an amending Section 37 Agreement in a manner satisfactory to the City Solicitor, to give effect to Recommendation 1 above.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

An application was submitted by Advent Health Care Corporation for Official Plan and Zoning By-law Amendments on August 16, 2004. The application proposed a comprehensive redevelopment of this site as a retirement community and health care campus integrating the existing hospital building and long-term care facility with seven new proposed buildings. In addition to assisted living, hospital uses and service retail, the redevelopment proposes a maximum of 705 independent living units for seniors. The redevelopment is organized around a U-shaped public road providing access to Finch Avenue West from which the majority of the proposed buildings take their access. The re-development of the property would also enhance and protect the natural features at the rear of the property. Two existing buildings (Branson Hospital and a long term care facility) would be retained. The 9 existing and proposed buildings are known as Buildings A to I. At its November 30 and December 1, 2, 4 and 7 2009 meeting, City Council approved the Official Plan and Zoning By-law Amendment applications and related Section 37 Agreement.

A Site Plan Application was submitted for the first new building (Building I) on July 22, 2011. Building I is located in the southeasterly corner of the site. It is the furthest building from Finch Avenue West. It is a 5-storey building containing assisted living residential units and amenity space. The NOAC was issued on April 24, 2014 and extended until March 21, 2017.

A Conditional Building Permit was issued by Buildings staff on April 21, 2015, prior to final Site Plan Approval and the building is currently under construction.

ISSUE BACKGROUND

This type of development would typically require an application for Draft Plan of Subdivision to secure elements such as the new public road and municipal servicing through a Subdivision Agreement, registered on title. However, in this case the Section 37 Agreement secures items that would normally be secured in a Subdivision Agreement, such as the construction and conveyance of the new public road and municipal services located within it.

The Section 37 Agreement also secured a number of community benefits, including:

- affordable housing;
- a financial contribution to be used for public art;

- community space for seniors to be leased to the City in one of the proposed new buildings; and
- the construction and maintenance of a pedestrian trail on re-naturalized lands to be conveyed to the City.

Finally, the Section 37 Agreement also secured a number of matters as a legal convenience, including:

- the construction and conveyance to the City of a new public road and municipal services to City standards within an 18.5m right of way;
- the conveyance of 2.12 hectares of land below the long term stable slope to the Toronto and Region Conservation Authority; and
- a conveyance of a 2,170 square metre buffer above the long term stable slope to the City for parks purposes, with the applicant reserving a surface easement over the trail for the construction of a pedestrian trail.

COMMENTS

This comprehensive redevelopment will be built out over many years and requires a new municipal road and municipal servicing to function. Since there was no subdivision application for this site, the new infrastructure was secured in the Section 37 Agreement.

Since the initial approval in 2009, there has been an evolution in the servicing plan for the site and the need for additional municipal servicing has been identified. The applicant is now proposing to build a new municipal storm sewer that was not contemplated in the original approval or Section 37 Agreement in order to service a building near the south east corner of the site (Building I) and future buildings. The Section 37 Agreement therefore needs to be amended to allow the City to secure servicing, such as the new

storm sewer, not identified in the original Agreement. Further, the Section 37 Agreement needs to be amended to allow for the phased provision of servicing, subject to the approval by City staff.

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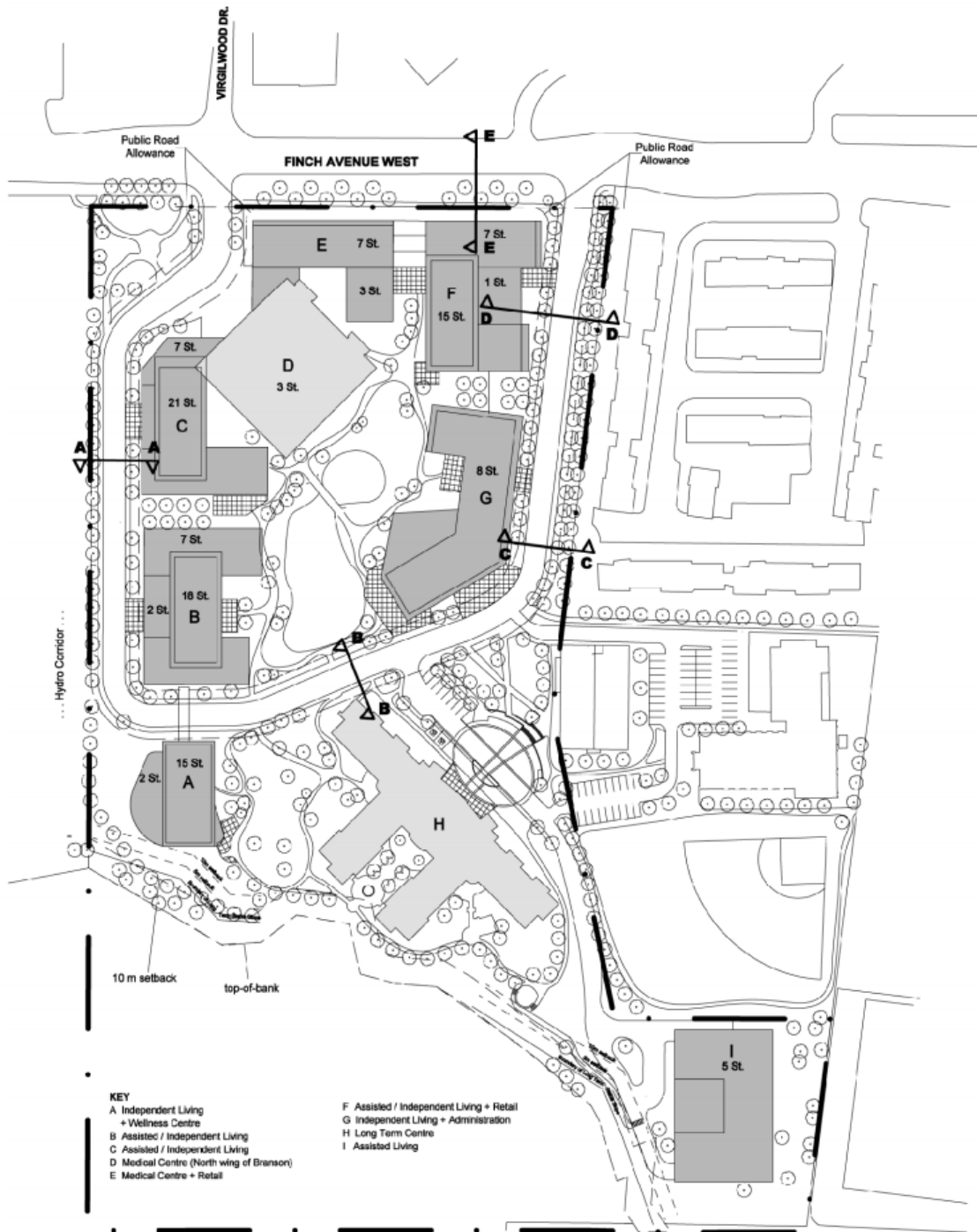
SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Conceptual Campus Site Plan
Attachment 2: Building I Site Plan

Attachment 1: Conceptual Campus Site Plan



Attachment 2: Building I Site Plan

