

STAFF REPORT ACTION REQUIRED

250 Davenport Road – Zoning Amendment and Rental Housing Demolition and Conversion Applications – Final Report

Date:	October 4, 2016		
To:	Toronto and East York Community Council		
From:	Director, Community Planning, Toronto and East York District		
Wards:	Ward 20 – Trinity-Spadina		
Reference Number:	15-192161 STE 20 OZ & 15-192164 STE 20 RH		

SUMMARY

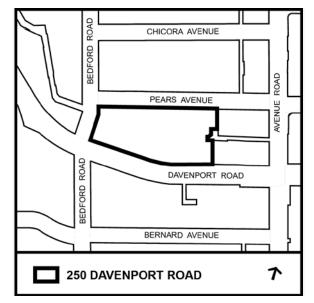
This application proposes a 27-storey, 86 metre high (excluding mechanical penthouse) residential building with 280 dwelling units, including 9 integrated townhouses, and 39 back-to-back townhouses in two blocks, for a total of 319 dwelling units. The proposed density is 5.04 times the lot area.

The existing 25-storey, 67 metre high residential building (excluding mechanical

penthouse) with 447 units, located on the east portion of the site, will be retained.

The proposed block of 3-storey townhouses in the northeast corner of the site would contain 13 social housing units that replace 11 social housing units fronting on Pears Avenue, and 2 social housing units on the first floor of the existing 25-storey residential building.

An application for Rental Housing Demolition and Conversion under Section 111 of the *City of Toronto Act* (Chapter 667 of the Municipal Code) has been submitted for the proposed demolition of the 11 rental housing units and proposed conversion of



the 2 rental housing units, to be replaced in the northeast townhouse block.

The proposed development complies with the development criteria for *Apartment Neighbourhoods*, the *Downtown*, Public Realm, Built Form, and all other relevant Official Plan policies and urban design guidelines.

This report reviews and recommends approval of the application to amend Zoning Bylaws 438-86 and 569-2013, and recommends that City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a permit under Municipal Code Chapter 667 pursuant to Section 111 of the *City of Toronto Act*, subject to conditions.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1. City Council amend Zoning By-law 438-86 for the lands at 250 Davenport Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9 to the report (September 26, 2016) from the Director, Community Planning, Toronto and East York District.
- 2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 250 Davenport Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 10 to the report (October 4, 2016) from the Director, Community Planning, Toronto and East York District.
- 3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
- 4. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into one or more Agreement(s) pursuant to Section 37 of the Planning Act to secure community benefits at the owner's sole expense:
 - (a) Prior to the issuance of the first above-grade building permit for the *Parcel B Lands*, the *owner* of the *Parcel B Lands* shall provide an indexed cash contribution to the City in the amount of \$1,200,000 to be allocated to capital improvements that will benefit the community in the vicinity of the development and be allocated as follows, all at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor unless otherwise indicated:
 - (i) \$700,000 towards capital improvements to support food security benefits and/or health services for the benefit of current and future tenants of the *Existing Building*;

- (ii) 300,000 towards improvements to indoor amenity spaces at 250 Davenport; and
- (iii) \$200,000 towards improvements to the privately owned publically accessible open space and/or the new public park identified in Section (4)(c) (i) of this Schedule;

All amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

For clarification, *Existing Building* is the existing 25-storey social housing residential tower located at 250 Davenport Road and owned by Toronto Community Housing Corporation (TCHC).

- (b) Prior to site plan approval for the *Parcel B Lands*, the *owner* of the *Parcel B Lands* shall provide Letters of Credit, in a form and from a bank satisfactory to the Chief Planner and Executive Director, City Planning, in accordance with the following:
 - (i) in the amount of \$255,500 to guarantee the construction of the above base park improvements contemplated in Section (4)(g) of this Schedule;
 - (ii) in the amount of \$270,000 to guarantee the construction of the improvements for the POPS Open Space contemplated in Section (4)(c)(i) of this Schedule;
 - (iii) in the amount of \$135,000 to guarantee the construction of the public pedestrian walkway contemplated in Section (4)(c)(ii) of this Schedule; and
 - (iv) in the amount of \$375,000 to guarantee the construction of the outdoor landscape improvements on the *Parcel A Lands* contemplated in Section (4)(c)(iii) of this Schedule;

with all amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

- (c) Prior to the earlier of the first condominium registration or residential use of the *Parcel B Lands*, the *owner* of the *Parcel B Lands* shall construct and provide the following:
 - (i) a privately owned publically accessible open space on the *Parcel A Lands*, having a minimum size of 840.0 square metres, with the specific

location, design, configuration and improvements to be determined through the site plan approval process, and prior to site plan approval, for the *Parcel B Lands*, and the *owner* of the *Parcel B Lands* shall be responsible for the cost of said improvements to a maximum value of \$270,000;

- (ii) a privately owned publically accessible pedestrian walkway on the *Parcel B Lands*, with the specific location, design, configuration and improvements to be determined through the site plan approval process, and prior to site plan approval, for the *Parcel B Lands*, and the *owner* of the *Parcel B Lands* shall be responsible for the cost of said improvements to a maximum value of \$135,000;
- (iii) improvements to the outdoor landscaping and other public realm on the *Parcel A Lands* to a maximum value of \$375,000, with the specific location, design, configuration, and improvements to be determined through the site plan approval process and prior to site plan approval, for the *Parcel B Lands*;
- (iv) two POPS signage plaques, located on the lands identified in Section 4(c)(i) and 4(c)(ii), above, substantially in accordance with the template for POPS signage and which are placed in accordance with the parameters established in the Urban Design Guidelines for POPS as endorsed by City Council at its meeting on July 8, 2014 through the adoption of Item PG34.14.

all in consultation with the Ward Councillor and local community, and to the satisfaction of the Chief Planner and Executive Director, City Planning and where all monetary amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

- (d) For clarification, the *owners* of the *Parcel A Lands* and the *Parcel B Lands* shall be responsible for maintaining the improvements in Section 3, above, on their respective parcels.
- (e) Prior to final site plan approval for the *Parcel B Lands*, the following non-exclusive easements in perpetuity in favour of the City shall be conveyed to the City as indicated below, for nominal consideration, free and clear of encumbrances and at no cost to the City, and the *owner* of the *Parcel B Lands* shall prepare all documents, at their sole cost, required for registration, all to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning:
 - (i) From the *owner* of the *Parcel A Lands*, registration and conveyance of a public access easement to the City over the privately owned publically

- accessible open space on the *Parcel A Lands* identified in Section 4(c)(i), above; and
- (ii) From the *owner* of the *Parcel B Lands*, registration and conveyance of a public access easement to the City over the privately owned publically accessible pedestrian walkway on the *Parcel B Lands* identified in Section 4(c)(ii), above.
- (f) Prior to the earlier of the first residential use or first condominium registration on the *Parcel B Lands*, the *owner* of the *Parcel A Lands* shall convey, 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 satisfaction of the Section 42 parkland dedication requirements for the *Parcel A Lands* and the *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; and
 - (ii) the final location, configuration and design of the Parkland Conveyance shall be determined through the site plan approval process, prior to site plan approval, to the satisfaction of the General Manager, Parks, Forestry & Recreation and in consultation with the Ward Councillor;
 - (iii) the *owner* of the *Parcel B Lands* shall 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*.
- (g) Prior to the earlier of the first condominium registration or first residential use of the *Parcel 2 Lands*, or if delayed by seasonality no later than nine (9) months after the earlier of the first condominium registration or first residential use of the *Parcel 2 Lands* as agreed to in writing by the General Manager, Parks, Forestry and Recreation and secured by a letter of credit, the *owner* of the *Parcel B Lands* shall complete and install base park improvements, and above-base park improvements to an indexed maximum value of \$255,500, for the Parkland Conveyance to the satisfaction of the General Manager, Parks, Forestry and Recreation, and in consultation with the Ward Councillor, with the specific location, configuration and design of the park improvements to be determined through the site plan approval

- process, prior to site plan approval to the satisfaction of the General Manager, Parks, Forestry and Recreation.
- (h) The *owner* of the *Parcel B Lands* shall provide and construct, and maintain as indicated, those improvements in Sections (1)-(6), above, with no cost-pass through to the tenants of the *Existing Building* or the 13 rental replacement units.
- (i) The *owner*, as indicated, shall provide, construct and maintain the following:
 - (a) by the *owner* of the *Parcel B Lands*, prior to two years after the issuance of the final above-grade building permit for *Building B*, *Building C*, or *Building D* on the *Parcel B Lands*, 13 replacement rental housing units in *Building A* (the "Replacement Rental Units") to the point that they are issued occupancy permits by Toronto Buildings;
 - (b) by the *owner* of the *Parcel A Lands*, 447 retained rental housing units (the "Retained Rental Units") and 13 replacement rental housing units (the "Replacement Rental Units") as social housing residential rental units for a period of 25 years commencing from the date of Council approval of the Zoning Amendment Application No. 15 192161 STE 20 OZ, in accordance with the following:
 - (i) The rents for the Replacement Rental Units will be set as rents geared to income; and
 - (ii) The unit mix of the Replacement Rental Units must include at least two (2) one-bedroom dwelling units and eleven (11) two-bedroom dwelling units, with all detailed floor plans to the satisfaction of the Chief Planner and Executive Director, City Planning, as follows:
 - 1. The minimum gross floor area of a one-bedroom Replacement Rental Unit must be 49.0 square metres; and
 - 2. The minimum gross floor area of a two-bedroom Replacement Rental Unit must be 69.0 square metres.
 - (c) by the *owner* of the *Parcel B Lands*, the provision of tenant relocation assistance for tenants in the *Existing Building* to be demolished or converted, to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Shelter Support and Housing Administration;
 - (d) by the *owner* of the *Parcel B Lands*, prior to the issuance of the first building permit for the *Parcel A Lands* or the *Parcel B Lands*

(including a permit for renovation, demolition or excavation), the preparation and submission of a Construction Mitigation and Tenant Communication Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Shelter Support and Housing Administration.

- 5. 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 which provide for the replacement of rental housing:
 - a. The owner shall provide and maintain thirteen (13) replacement social housing units on the site at 250 Davenport Road for a period of at least 25 years, all of which will have rents geared to income, comprising at least 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 ready for occupancy.
 - c. The owner 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 by-law attached as Attachment Nos. 9 and 10.
 - d. The owner 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.

- e. The owner, at its sole cost and expense, shall enter into and register one or more Section 111 Agreement(s) to secure the conditions outlined in 5. (a) (e) above and as detailed in the draft Zoning By-law Amendments attached as Attachment Nos. 9 and 10 to the report dated October 4, 2016 from the Director, Community Planning, Toronto an East York District, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- f. The owner, at its sole cost and expense, shall enter into and register a Section 118 Restriction under the *Land Titles Act* (to the satisfaction of the City Solicitor), agreeing not to transfer or charge those parts of the lands comprising the Retained Rental Units and the Replacement Rental Units, without the written consent of the Chief Planner and Executive Director, City Planning Division or her designate, to assist with securing the Section 111 Agreement against future owners and encumbrances of the lands.
- 6. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue preliminary approval to the application under Municipal Code Chapter 667 for any of the existing rental housing units of the development after the latest of the following has occurred:
 - a. The satisfaction of the conditions in Recommendation No. 5;
 - b. The Zoning By-law Amendment in Recommendations Nos. 1 & 2 have come into full force and effect; and
 - c. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning or her designate, pursuant to Section 114 of the *City of Toronto Act*, 2006.
- 7. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has issued the preliminary approval referred to in Recommendation No. 6, above for any of the existing social housing buildings in any specific phase of the development.
- 8. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act no earlier than issuance of the first building permit for the redevelopment, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval referred to in Recommendation No. 7, which permit may be included in the demolition permit for Chapter 667 under 363-11.1E of the Municipal Code, on condition that:
 - a. The owner erect a residential building on-site no later than four (4) years from the day demolition of any residential dwelling units is commenced; and

- b. Should the owner fail to complete the new building within the time specified in Recommendation No. 9 (a), above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars \$20,000.00 for each dwelling unit for which a demolition permit is issued, and that each such sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
- 9. Authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 37 and Section 111 Agreements.
- 10. City Council direct the Chief Planner and Executive Director of City Planning to revise the Official Plan through the next statutory Official Plan Review process to designate the additional parkland being provided on this site as "Parks".
- 11. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to submit a revised Functional Servicing and Stormwater Management Report and accompanying drawings to the satisfaction of the Executive Director, Engineering and Construction Services.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A preliminary staff report dated October 14, 2015 on the subject application was adopted at the November 10, 2015, Toronto and East York Community Council meeting. http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.36

ISSUE BACKGROUND

The site at 250 Davenport Road is currently owned by Toronto Community Housing Corporation (TCHC) who has partnered with Diamond Corp. to jointly redevelop and revitalize this social housing property. The site is proposed to be subdivided into two parcels in the short term to allow for this redevelopment of the site and to finance the social housing tower building revitalization and townhouse replacement.

Parcel A (to be retained by TCHC) includes the existing 25-storey social housing tower, some surface parking area, a Privately Owned Publically Accessible (POPS) 840 square metres of open space, a proposed three-storey 13-unit social housing building and a 510 squares metres. City park. Parcel B (the market lands to be developed by DiamondCorp) includes a proposed 27-storey mixed-use building with 9 integrated townhouses and 39 back-to-back townhouse units.

Proposal

The application proposes a 27-storey, 86 metre high (excluding mechanical penthouse) residential building with 280 residential units, including 9 integrated townhouses, and 39

back-to-back townhouses in two blocks, for a total of 319 residential units. The proposed tower will have a double height base, with the tower lobby and indoor amenity space on the ground and second floors, and a 27-storey tower above (see Attachments 2 to 5, Elevations). The proposed gross floor area of the tower and integrated townhouses is 19,143 square metres. The proposed back-to-back townhouse blocks will have a height of 14 metres and a total gross floor area of 6,724 square metres.

On the east portion of the site, the existing 25-storey, 67 metre high apartment building (excluding the mechanical penthouse) with 447 units will be retained. The 11 social housing units fronting on Pears Avenue will be demolished and two first floor social housing units, to be converted to office and amenity space in the existing building, will be replaced in a 3-storey townhouse building at the northeast corner of the site. The west portion of the large underground parking garage on the site will also be demolished.

The application proposes a total of 779 dwelling units as follows:

Unit Type	Market Tower	Market Townhouses	TCHC Tower (existing)	TCHC Townhouses
Studio	0	0	149	0
1-Bedroom	116	0	247	2
2 -Bedroom	156	0	51	11
3 -Bedroom	8	39	0	0
Total Units	280	39	447	13

The proposed density of the site is 5.04 times the lot area (including the existing tower).

TCHC staff advise that all but one of the existing tenants have been relocated in order to demolish the existing units and replace them with the new market and TCHC rental units. Those tenants will have the opportunity to move back to 250 Davenport Road once construction of the replacement social housing is complete in 2019 provided they continue to meet household qualifications and remain in good standing.

Site and Surrounding Area

The site is generally rectangular shaped but narrows near Bedford Road due to the alignment of Davenport Road. It is 1.08 hectares in area and bounded on its north, west and south sides by Pears Avenue, Bedford Road and Davenport Road. Its frontage is 159.2 metres on Pears Avenue, 46.4 metres on Bedford Road and 155.8 metres on Davenport Road.

The east portion of the site is currently occupied by a 25-storey TCHC rental apartment building. East of this existing building is a landscaped open space that includes a community garden, general outdoor space and an outdoor walled garbage and recycling storage and collection area. On the west side of the building is its main entrance, a paved outdoor parking area for some of the tenants and a drop-off/pick-up area. Further west is a large outdoor grassed amenity space with a 3-storey underground parking garage. The western end of the site is surrounded on three sides by private and street trees. The grassed area is used mainly for active activities including dog walking.

Land uses surrounding the site are:

North: An existing 4-storey commercial building (Designer Walk 5) at 160 Pears Avenue, which has permission for a 3-storey commercial addition. Further east is 142 Pears Avenue, a five-storey stepped residential condominium building, then 138 Pears Avenue, an 8 1/2 storey residential building. Further east is 124 Pears Avenue (The Perry) where an 11-storey mixed-use building is under construction.

South: Across Davenport Road at 287 Davenport Road is a large single-storey multitenant commercial building on the southeast corner of Bedford Road and Davenport Road. At 277 Davenport Road, a 6-storey, 10-unit residential building is under construction. Further east at 265 -267 Davenport Road is a 1 to 2 storey building that includes retail and restaurant uses. At 263 Davenport Road is a 2-storey commercial building, at 261 Davenport Road is 2 ½ storey office building, and at 251- 255 Davenport Road is a 3-storey commercial/residential building. Further east to Avenue Road are 2 ½ -3 storey commercial and commercial/residential buildings.

East: On the north side of Davenport Road is a 6-storey mixed-use building at 238 Davenport Road. To the east is a 2-storey commercial building at 234 Davenport Road. A single-storey restaurant is located at 222 Davenport Road. A convenience store and restaurant are on the northwest corner of Davenport and Avenue Road, at 150 Avenue Road.

West: At the northwest corner of Davenport Road and Bedford Road, at 306 Davenport Road, is a 3-storey residential/commercial building with a restaurant on the ground floor, surrounded by an L-shaped surface parking lot. To the north is Designer Walk Lane, a public laneway running northwest to Dupont Street. Further west are Designer Walk Buildings 1 and 2 which are subject to a rezoning application for a 10-storey building. Further north on the west side of Bedford Road is a 5-storey commercial/residential building (Designer Walk 3) at 160-168 Bedford Road, a 2½ storey commercial building (Designer Walk Building 4) at 170 Bedford Road, a converted 2½ storey commercial building at 174 Bedford Road, and 3½ storey townhouses north to Dupont Street at 178-224 Bedford Road.

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; providing for an appropriate range of housing, including affordable housing, to meet the needs of current and future residents; 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, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is located within the *Downtown and Central Waterfront* on Map 2 – Urban Structure of the Official Plan. The *Downtown* is a growth area and will continue to evolve as a healthy and attractive place to live and work. Chapter 2 – Shaping the City, identifies that the *Downtown* offers opportunities for substantial employment and residential growth, but that this growth is not anticipated to be uniform. Rather, it is expected that the physical setting of many areas will remain unchanged and that design guidelines specific to districts or historic or distinct character will be implemented to ensure that new development fits into the context of existing built form, streets, setbacks, heights and relationship to landmark buildings.

The site is designated *Apartment Neighbourhoods* on Map 18 – Land Use Plan of the Official Plan. Section 4.2 Policies indicate that *Apartment Neighbourhoods* allow apartment buildings and other uses, including parks, local institutions, and cultural and recreational facilities, as well as small-scale retail, services and office uses that serve the needs of the area residents. In addition, all uses permitted in the *Neighbourhoods* designation are permitted.

Development in *Apartment Neighbourhoods* is subject to a number of development criteria to: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings to limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians, on streets, parks and open spaces; and, provide good site access and circulation and an adequate supply of parking for residents and visitors.

Section 3.1.2 – "Built Form" directs new development to fit within the existing and/or the planned context of the neighbourhood. In particular, Policy 3 requires new development to be massed to fit harmoniously into its existing and/or planned context by: creating appropriate transitions in scale to neighbouring buildings; providing for adequate light and privacy; and framing adjacent streets and open spaces in a way that respects the street proportion. Policy 4 requires new development to be massed to define edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure there is adequate access to sky view. Policy 5 requires new development to

provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians.

Section 3.1.3 – "Built Form – Tall Buildings" provides policy direction for tall buildings. Policy 2 requires tall building proposals to address key urban design considerations that include: demonstrating how the proposed building and site design will contribute to and reinforce the overall City structure; taking into account the relationship of the site to topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

Section 3.2.1 – "Housing" includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units.

Policy 5 provides that significant new development on sites containing 6 or more rental units, where the existing rental units will be kept in the new development, will secure the tenure of buildings where there are affordable or mid-range rents, and may also secure improvements to the existing buildings to maintain their viability and to provide amenity to the residents at no extra cost to the tenants.

Policy 7 provides that redevelopment of social housing properties, such as this TCHC property, that would have the effect of removing a social housing building or related group of buildings containing one or more social housing units, will secure the full replacement of the social housing units at similar rents and provide an acceptable tenant relocation and assistance plan addressing provision of alternative accommodation for tenants at similar rents, including rent geared-to-income subsidies, right-of-first-refusal to occupy one of the replacement social housing units and other assistance to mitigate hardships.

Policy 8 provides that the severance of any building or related group of buildings, containing six or more rental housing units will not be approved unless certain conditions are met, including that the proposal will not negatively affect the supply or availability of rental housing or rental-housing sub-sectors including affordable units, units suitable for families or housing for vulnerable populations such as seniors, persons with special needs, or students, either in the City, or in a geographic sub-area or a neighbourhood of the City; and all provisions of other applicable legislation and policies have been satisfied.

The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. This application was reviewed against all policies of the Official Plan.

The Official Plan can be accessed at: www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Tall Building Design Guidelines

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

Policy 1 in Section 5.3.2 – "Implementation Plans and Strategies for City-Building" of 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.

The 27-storey tower has been reviewed against the city-wide Tall Building Design Guidelines, including sections on fit and transition in scale, sunlight and sky view, views from the public realm, floor plate size and shape, tower placement, separation distance, site servicing and access, pedestrian realm, publicly accessible open space, and sustainable design. The Tall Building Design Guidelines can be accessed at: www1.toronto.ca/city of toronto/city planning/urban design/files/pdf/tall-buildings.pdf

Downtown Tall Buildings: Vision and Supplementary Design Guidelines

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines in May 2013). This document identifies specific Downtown streets that are most suitable for tall building development, establishes a height range along these streets and provides a set of supplementary Downtown-specific design guidelines which address Downtown built form and context. The Downtown Vision and Supplementary Design Guidelines were used together with the city-wide Tall Building Design Guidelines in the evaluation of this tall building proposal. The Downtown Guidelines are available at: http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines

Zoning

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013, currently under appeal at the Ontario Municipal Board. Both Zoning By-law 569-2013 and former City of Toronto Zoning By-law 438-86 apply to the site.

In Zoning By-law 569-2013, the site is zoned R (d2.0) (x891) with a height limit of 14.0 metres, and a maximum density of 2 times the area of the lot. In Zoning By-law 438-86, as amended, the site is zoned R2 Z2.0, with the same a maximum height and density as the R zone in By-law 569-2013. The R2 (Residential) zone permits a wide range of residential uses, including apartment buildings, and a limited range of non-residential uses, including community services.

The site is also subject to site-specific By-law 22637, as amended by By-laws 22904, 23047, and 66-74. The site-specific by-law, as amended, permits a maximum gross floor area of 28,830 square metres, equivalent to a density of 2.68 times the area of the lot. The by-law permits two slab-style apartment buildings, as well as a minimum of 11 townhouse units fronting on Pears Avenue with a minimum gross floor area of 1,502 square metres and maximum height of 9.1 metres. The permitted tower footprints are approximately 1,360 square metres and are oriented north/south at the east end of the site (where the existing 25-storey building is located) and east/west at the west end of the site. The apartment buildings are required to be set back a minimum of 6.1 metres from Pears Avenue. No height limit is prescribed for the two apartment buildings. Only the easterly permitted apartment building and the townhouses have been constructed.

TOcore

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. Reports to Toronto and East York Community Council are targeted by the end 2016 on the results of the second phase and the next steps of implementation.

A component of TOcore's second phase includes City-initiated Official Plan and Zoning By-law amendments to update setback requirements for tall buildings in the *Downtown*. The Official Plan and Zoning By-law amendments seeks to reinforce minimum tall building setback and separation distance requirements to ensure that future growth positively contributes to the liveability, sustainability and health of *Downtown*.

The TOcore website is www.toronto.ca/tocore

Site Plan Control

The proposal is subject to Site Plan Control. An application has not been submitted.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007), contained in Chapter 667 of the City's Municipal Code, implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the City of Toronto Act. Proposals involving six or more rental housing units require a decision by City Council. Council may refuse an application, or approve the application with conditions that must be satisfied before a demolition permit is issued under the Building Code Act.

Where an application for Official Plan or Zoning Amendment triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by the City under By-law 885-2007 are not appealable to the OMB.

The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the 11 existing social housing rental units fronting Pears Avenue and the conversion of 2 bachelor units at 250 Davenport Road.

Reason for Applications

A 27-storey, 86 metre (excluding the mechanical penthouse) tall building with a density of 5.04 times the area of the site is proposed. The proposed density and height exceeds the permissions in Zoning By-laws 438-86 and 569-2013, and there is non-compliance with other provisions of the Zoning By-laws. A Zoning By-law amendment is therefore required.

In addition, a permit is required under the City's Municipal Code to demolish the 11 existing rental townhouses, and to convert the 2 rental bachelor apartments.

Community Consultation

Extensive consultations were held with residents of 250 Davenport Road and representatives of the Annex Ratepayers Association prior to the submission of a formal application, as part of the fulsome community and resident engagement program undertaken by the applicant.

The development proposal was considered by the Toronto Community Housing Design Review Panel on October 15, 2015. The Panel generally accepted the proposal's density and massing, and supported the introduction of townhouses. The Panel requested the applicant to study the transition between the proposed and existing apartment buildings

on the site, and to explore the opportunity to create integrated and shared spaces in the newly created open spaces. In response to this feedback, the applicant has created two POPS and a public park, and has redesigned the ground floor of the new tower to include retail space at the corner of Bedford and Davenport.

A tenant meeting regarding the proposed landscaped open space on February 1, 2016 was attended by 35 tenants of the existing building at 250 Davenport Road. The residents' main concerns were: better lighting, safety and security around the existing TCHC building, provision and placement of farmers market stalls, location of the community garden, and enlargement of the children's play area.

A Community Open House was held at the Church of the Messiah at 240 Avenue Road on February 6, 2016. City Planning Staff, the Ward Councillor, TCHC Staff and the applicant answered questions of 250 Davenport residents and members of the community.

A Community Meeting was held on February 18, 2016, attended by approximately 75 members of the public, the Ward Councillor, the applicant and its consultants, and City staff. Concerns expressed by residents included:

- maintaining sufficient parking for the existing building
- need for and impacts of a dog park
- shadow impact to the *Neighbourhood* to the north
- height and massing of the proposed tower
- food security for the TCHC building tenants
- need for a Construction Management Plan
- need for community/outdoor amenity space
- traffic impact on Pears Avenue
- need for employment support for TCHC building tenants
- need for physical improvements to existing building
- concern with TCHC building security and maintenance
- need for location to replace the community garden
- protection or replacement of existing street trees

City Planning staff have received numerous emails, and calls regarding the abovementioned issues including from a group called Transition Toronto, a not-for-profit local group that conducted informal interviews with some TCHC tenants of 250 Davenport. The group also submitted a summary of its concerns at the February 18, 2016 Community Meeting.

Tenant Consultation:

Over the past 3 years, since October 2013, TCHC staff and representatives of Diamond Corp. have met with tenants of the existing TCHC building to engage the tenants in the redevelopment process and identify opportunities to improve the building.

A tenant consultation meeting on the proposed development and the use of Section 37 funds was held at the site by City staff, the Councillor and TCHC staff on May 2, 2016. Input from the tenants included:

- comments on the proposed use and rearrangement of the units on the first floor, including the access to the proposed new spaces to support the food market, the location of the offices and types of services needed in the building, such as a coffee shop, indoor play space for children, and computer lab;
- Concerns regarding the demolition of the townhouse units, including when, where and how the new units would be constructed;
- Concerns regarding interim parking arrangements, construction phasing and loss of amenity during the construction period;
- Cost of parking to tenants and visitors, and loss of visitor parking, particularly for service providers;
- Concerns over the current condition of the TCHC building e.g. cleanliness, lighting and security, that may worsen through the construction process; and
- Concerns about delays with current plans to improve the existing buildings, including the installation of air conditioning.

Tenants also contacted City staff to express concerns with the early vacancy of the units to be demolished and the relocation program for those tenants, including the right to return to a similar unit after construction and appropriate notice provisions.

As part of the tenant consultation, 'Transition 250' was developed as the Social and Economic Development Plan (SDP) for the revitalization process for 250 Davenport Road. The SDP is steered by a working group consisting of residents of 250 Davenport, community agency partners and Toronto Community Housing Staff, and engages with residents to define priority themes and recommended actions. Resident engagement began in February 2013 and the SDP process was launched in January 2015. The SDP is based on five key themes: Safety; Health and Community Services; Employment, Income and Food Security; Connections/Relationships; and Resident Leadership. It includes 4 recommendations to establish a structure and process for implementing the plan. "Transition 250 – Our Community Action Plan" is a document created by the working group to be used by building residents, community agencies and organizations, and TCHC and its partners as a guide for implementing the SDP.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses have been used to assist in evaluating the application and to formulate appropriate Site Specific Zoning By-law standards.

COMMENTS

The site is to be severed into two parcels consisting of market lands and TCHC lands. The market lands on the west portion of the site would be redeveloped by DiamondCorp with a new 27-storey building containing market residential condominium and townhouse

units. On the eastern portion of the site retained by TCHC, the existing 25-storey social housing building is being retained and upgraded.

Planning Act

Among other matters, Section 2 (j) of the Planning Act lists "the adequate provision of a full range of housing, including affordable housing" as a matter of provincial interest that municipalities shall have regard for when making decisions under the Planning Act.

Provincial Policy Statement and Provincial Plans

The 2014 PPS promotes new development through intensification, where such intensification recognizes the development's local context and has a well-designed built form. This application provides a built form that fits within its local context and is consistent with the 2014 PPS.

The Provincial Policy Statement, 2014 ("PPS") states in Section 1.1.1 b) that municipalities shall create sustainable communities by "accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial, and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long term needs". Furthermore, the PPS states in Section 4.7, that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement. The proposal is consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe designates the site within the Downtown urban growth centre. The Growth Plan recognizes urban growth centres as areas for development to accommodate intensification, to provide for a range of housing options and to provide for appropriate transition of built form to adjacent areas. This application accommodates intensification and provides an acceptable transition of built form to adjacent areas. As such, this application does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use

This proposal has a mix of residential tower, back-to-back townhouses and neighbourhood retail cafe uses. It complies with the intent of the land use provisions for *Apartment Neighbourhoods* in the Official Plan.

Site Organization

The proposed tower building will be located at the west end of the site fronting on Bedford Road. The separation distance between facing walls of the existing 25-storey tower and the proposed 27-storey tower is approximately 82 metres. This significantly exceeds the separation distance of 25.0 metres required in the Tall Building Guidelines. In addition, the ground level of the proposed building has a minimum of 4.6 metres floor-to-ceiling height to give prominence to the street level, and increase the visibility and utility of the proposed café area fronting on the northeast corner of Davenport and Bedford Roads.

The 39 back-to-back townhouses are in two blocks located directly east of the proposed tower's podium, flanking Davenport Road to the south and Pears Avenue to the north. The space between the two groups of townhouses will provide outdoor landscaped passive amenity space of 150 square metres and pedestrian access to the front entrance of the inside rows of townhouses. The pedestrian access to the townhouses on the inside of the project is provided from the east by the pedestrian walkway that runs from Davenport Road north to Pears Avenue, and from the west by the laneway directly behind the proposed tower podium.

The existing TCHC tower building on the east side of the site will be retained. An 840 square metre outdoor amenity and programmed space is proposed in front of a portion of its west face. The open space will connect to Davenport Road and Pears Avenue by a walkway that separates the west and east portions of the site. East of the existing tower building is an existing landscaped area where 3-storey walk-up replacement housing is proposed, with direct access to both Pears Avenue and to a portion of the northeast section of the site. Some of this area will be retained for an outdoor patio directly linked to the indoor recreation and kitchen space. The southeast area of the site behind the existing tower is to be a future City park of 510 square metres. A fenced, screened-in area between these two parts of the eastern portion of the site will continue to be a solid waste loading area.

Height and Massing

Height

The proposal includes a second tower and two rows of back-to-back townhouses on the west side of the site, and another townhouse block on the east side of the site. A June 1965 planning report recommended two towers on the site, and focused on the density of development, not its height. The existing 25-storey tower was constructed later at the east end of the site, along with 11 townhouses and an associated underground garage. A second tower in the west end of the site was not constructed and its area has been used as open space.

The subject application initially proposed a 28-storey building of 94 metres (including mechanical penthouse), which is taller than the existing 25-storey building on the site. In response to staff comments, the applicant revised its application to lower the proposed building height to provide a better height transition, by stepping down the building northward towards the *Neighbourhoods* area on the south side of Chicora Avenue. The revised height for the proposed tower is 85.9 metres, plus 6 metre mechanical penthouse.

The 3-storey replacement rental housing building proposed in the northeast corner of the site has an approximate height of 12.7 metres.

The proposed tower building provides an acceptable transition in height to the *Neighbourhoods* north of Pears Avenue, and meets the 45 degree angular plane criteria in the Tall Building Guidelines.

Massing

The proposed tower has a base of 857 square metres with a slim tower design. The majority of the residential floor plate sizes range from 744 to 756 square metres, up to the 20th floor, with the upper floors slightly decreasing to 730 square metres from the 21st floor to the 25th floor. The floor plate size decreases to 537 square metres for the 26th floor and to 452 square metres for the 27th floor. This achieves the criteria in the Tall Building Guidelines.

The massing of the proposed 27-storey building employs a point tower and is oriented north-south. There are 3-storey integrated townhouses at the base fronting on the south side of Pears Avenue. The proposed tower is articulated and incorporates various architectural features to break up the massing, create visual interest and provide an appropriate transition in scale to the surrounding area.

The tower design has numerous stepbacks and intermittent balconies on all four facades to break up the massing. The proposed 3-storey townhouse along the north side of Davenport Road and south side of Pears Avenue would act as a base building to the tower, creating a transition in height and providing a comfortable pedestrian scale and framing the streets.

Sun, Shadow, Wind

Planning staff have reviewed the applicant's shadow study to assess the shadow impacts of the new tower, particularly on nearby parks and lower scale *Neighbourhoods*. The Official Plan states that new development will be located and massed to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

Staff find the shadow impacts from the 27-storey proposal to be acceptable. During the spring and fall equinoxes, there will be no shadow impact on Ramsden Park and almost no shadow impact on the nearby low-rise *Neighbourhood* to the north between 9:18 a.m. and 6:18 p.m. In early morning, the shadow moves along the Davenport Road right-of-way and the *Mixed Use Area* known as Davenport Triangle. From approximately 12.18 p.m. to 1:18 p.m., shadow is cast over a portion of the rear yard of one low-rise house on Chicora Avenue. Throughout the afternoon, shadow is cast over the *Apartment Neighbourhood* and *Mixed Use Area* on the north side of Pears Avenue and by 5:18 p.m. the shadow covers the west façade of the mixed use building at160-170 Avenue Road.

The applicant submitted a letter of opinion by Rowan Williams & Irwin Inc. (RWDI) on potential pedestrian wind conditions around the proposed development. RWDI concluded that the recessed tower entrances will provide protection from wind downwash off the tower facades. It also found that wind conditions at the main entrances, walkways

and outdoor spaces around and between the townhouses should be suitable for expected usage as the proposed built form layout and massing will shelter these areas from prevailing winds. RWDI had some concerns, and recommended wind mitigation and control measures to deal with localized acceleration of winds at the southwest corner of each of the new towers and existing apartment building, and to improve wind conditions for passive pedestrian activities on the tower terraces, the roofs of the townhouses and the grade-level amenity space east of the existing apartment building.

Planning staff will require a more detailed wind study as part of the Site Plan Control process. Any mitigation measures suggested will improve comfort, primarily around the publicly accessible areas.

Density

The proposed floor space index of 5.04 for the entire site is acceptable within an *Apartment Neighbourhood* in Davenport-Avenue Road area, taking into consideration the achievement of policy and the response to guidelines outlined in this report.

Vehicular Access, Traffic Impact, Parking

Vehicular access to the existing and proposed parking garages will be provided separately off Pears Avenue. A separate access driveway on Davenport Road will accommodate a pick-up/drop-off area and visitor spaces for the TCHC building. The existing TCHC loading space will continue to be accessed from the public lane at the east edge of the site. The proposed loading space for the market lands in the west portion of the site will be located in the underground garage accessed from Pears Avenue.

The applicant's traffic impact study concluded that vehicular manoeuvring into and out of the site is appropriate, and that traffic generated by the proposal will not negatively impact local traffic. Therefore, the study concluded that no traffic mitigation measures are required. Transportation Services agrees with this conclusion and finds the traffic impacts to be acceptable.

To satisfy the parking demand of the new tower and townhouses on the market lands, 191 parking spaces are proposed in two levels of underground parking. 125 residential parking spaces and 27 visitor parking spaces will be provided for the tower. Each of the 39 townhouse units will have direct access to its own single car parking space. 110 residential parking spaces will be maintained in the existing underground garage of the TCHC building with 4 visitor parking spaces located in the surface level pick-up/drop-off area.

The TCHC lands exceed the parking requirements of Zoning By-law 569-2013, while the market lands are deficient by 65 residential parking spaces and 1 visitor parking space. Staff concur with the applicant's parking analysis and accept the above-noted parking supply. The site specific zoning by-law provides for minimum parking standards.

Bicycle Parking

The proposal will provide 252 residential and 28 visitor bicycle parking spaces. The residential bicycle parking spaces are to be located in the first underground level and at grade.

Tree Preservation

The applicant's arborist report states that 56 trees protected under the tree protection by-law are affected by this project- 40 private trees on the site and 16 City-owned trees on the street rights-of-way. Some of the affected trees are in poor condition or are dead. Of the 40 privately owned trees, 38 require permits for removal. The applicant is planting 88 of the 114 new private trees required for tree replacement, which is a shortfall of 26 trees. Of the 16 City-owned trees proposed for removal, 8 require permits. The applicant is required to replant 8 City trees and is planting 17 new City trees. The proposal calls for replacement of all existing street trees in fair to poor health with 4 new trees along the Bedford Road frontage and 17 new trees on the Pears Avenue frontage. It is noted that 60 of the replacement trees for the site are large deciduous trees of better quality than existing trees, and will create a better tree canopy for the site than what currently exists.

Rental Housing

An application for Rental Housing Demolition and Conversion under Section 111 of the *City of Toronto Act* (Chapter 667 of the Municipal Code) has been submitted with the Zoning Amendment application, for the proposed demolition of 11 rental housing units and the conversion of 2 rental units.

Existing Social Housing

The existing 25-storey, 449-unit social housing building on the site is to be retained and has recent improvements by TCHC. As per Section 3.2.1 Policy 5, TCHC will secure the replacement social housing units as rental housing for 25 years. After the 25-year period expires, the units will continue to be social housing owned by the City's social housing agency, but TCHC would have the right to apply to convert or demolish the units. Such an application would have to meet the requirements of provincial social housing legislation, Official Plan housing policies, and any related by-laws, in place at that time. Detailed requirements for replacing the existing social housing and provision of tenant relocation and assistance will be secured in legal agreements with TCHC.

The building has recent upgrades to its operational systems including in-suite air conditioning. As part of the proposed redevelopment, two bachelor units are to be converted to additional indoor amenity space for the TCHC tenants, and an adjacent outdoor amenity space is proposed between the existing building and the proposed social housing replacement building on the east side of the site. Garbage and loading areas are to be enclosed on the east side of the existing building. The parking garage is to be reconfigured to reduce the amount of parking, to enable the severance and redevelopment of the lands for the market condominium development. This also requires demolition of the existing 11 two-storey, two-bedroom townhouse social housing, which is in poor condition, attached to the parking garage.

Replacement Social Housing

The two bachelor social housing units being converted to amenity space are proposed to be replaced by one-bedroom social housing units of a similar size in the three-storey stacked townhouse building. The 11 townhouse social housing units of approximately 128 square metres attached to the parking garage are to be demolished and replaced with smaller sized apartments and townhouses in the same new three-storey building on the northeast portion of the site as the bachelor apartments. The replacement units are proposed to have ensuite laundry. The replacement units shall be at least 49 square metres for one-bedroom units and 69 square metres for two-bedroom units.

The Section 37 and 111 agreements will secure requirements for minimum unit sizes and facilities, including parking and laundry.

Phasing and Timing of Replacement

Reconfiguration of the parking garage is proposed to begin in the spring of 2017, including the demolition of the social housing townhouses on Pears Avenue. The applicant expects to finish site plan approval by early summer 2017, with the replacement social housing units to be finished approximately two years later in the spring of 2019.

The City will secure timely replacement of the social housing units through the Section 37 and Section 111 Agreements.

Tenant Relocation and Assistance Plan:

TCHC has set out a comprehensive tenant relocation and assistance plan. The key principles of this plan include:

- The right to a new replacement social housing unit;
- Mitigation of hardship related to moving, through the provision of moving assistance, including moving services and other support to assist with moving to a temporary and new replacement unit; and
- Equitable and transparent selection of new replacement units.

City Planning Division works with the Shelter, Support and Housing Administration to ensure that tenants are appropriately relocated through the redevelopment of social housing.

Construction Mitigation and Tenant Communication Strategy

Due to the disruptive nature of the proposed work, TCHC will be required to develop a Construction Mitigation Strategy prior to the approval of demolition permits which will provide an approach to minimizing the potential negative impacts to tenants of demolition and construction occurring on the site. A Communications Plan will also be developed to assist tenants in dealing with the hardships caused by the construction process. The Construction Mitigation and Tenant Communication Strategy will be secured in the Section 37 and Section 111 Agreements, although not detailed until more information is available.

Tenure and Income Mix:

The redeveloped lands will include a mix of housing types, tenures and incomes on the site helping to make it more of a socially and economically mixed community. The market and social housing units will be located side-by-side, with the proposed privately owned publicly-accessible open space (POPS) to provide the opportunity for resident social interaction, in particular through social programming opportunities like the Good Food Market.

Revitalization

TCHC initiated a significant renovation of the existing apartment building as part of the overall revitalization process, with over \$14 million dollars being invested in the project. These investments address significant capital repair work for the building and provide long lasting solutions to extend the life of the building. Many of these improvements were selected by residents through a community engagement process and will improve the quality of life for all residents living in the building. This work includes the replacement of all windows and balcony doors, re-cladding the exterior façade in an insulating material, and upgrades to the building HVAC systems. Other improvements include the modernization of the building elevators, upgrades to security and safety systems, and renovation of common areas such as the entire lobby and recreation rooms.

Additionally, the exterior facilities of the existing building will be improved, including the creation of a new outdoor amenity patio and seating area for exclusive use of TCHC residents; new screening around the existing loading area; the creation of a community garden plot and garden shed; new bike rack facilities for TCHC residents; and a redesigned and landscaped pick-up/drop-off area.

Tenant Scholarship and Employment Training Programs

A Scholarship Program contribution has been paid to TCHC for a scholarship for tenants of 250 Davenport Road in the amount of \$500,000.00. The payment was made on January 15, 2015 by the Davenport Limited Partnership (the developer).

An Employment and Training Program for residents of 250 Davenport Road has been initiated. 250 Davenport Holding Inc. (the developer) is required to implement a community economic development plan which includes a contribution towards an employment and training program with a value of \$1,000,000.

Servicing

The Official Plan states that new development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces. City Planning staff believe that the existing and proposed parking and servicing submitted to City staff and supported by consultant reports is generally acceptable and any outstanding details will be finalized through the Site Plan Approval process.

The applicant's Preliminary Functional Servicing and Stormwater Management Report concluded that existing municipal infrastructure is adequate for the proposed development and that no storm sewer upgrades are necessary. Engineering and Construction Services staff are reviewing the applicant's servicing report and are not fully in agreement with all of its conclusions. Therefore, City Planning staff is recommending that the bills to City Council for enactment be held until the owner enters into a secured Agreement with the City to ensure that the cost and provision of all necessary improvements to municipal infrastructure, with a revised Functional Servicing Report, will be borne by the applicant to the satisfaction of the Executive Director of Engineering and Construction Services. Comments of Engineering and Construction Services will be addressed further as part of the Site Plan Control application process.

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 Official Plan shows local parkland provisions across the City. The subject lands are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people, the second highest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 4,720 square metres or 93% of the site area. However, for sites less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 510 square metres.

The applicant is required to satisfy the parkland dedication requirement through an onsite dedication. As there is existing green space within the portion of the site that is not to be developed, the preferred dedication location is the southeast corner of the site, directly east of the retained apartment building, with frontage on Davenport Road.

The new public park will be on the east side of the site between the building at 250 Davenport and 238 Davenport Road. It will be a minimum of 510 square metres in area and maintain a 3 metre setback from the building at 250 Davenport Road. The land to be conveyed as parkland shall be free of any encumbrances and the site will be cleaned to Parks & Forestry standards as set out in Parks and Forestry comments from September 30, 2015. The nature of the park has not been decided yet, although there has been interest by tenants and local residents in a Dog Off-Lease Area (DOLA) within a treed park. Further consultation with Parks and Recreation Staff as well as adjacent mixed use building owners will be undertaken to determine the park's future. The design of the future park space will be further developed through the Site Plan Approval process.

Privately Owned Publicly Accessible Open Space (POPS)

The applicant is proposing a total of 1,090 square metres of Privately Owned Publicly Accessible Open Space (POPS) on the site. The purpose and benefit of this type of space is to provide public access to complement public parks, open space and natural area networks.

The POPS in this project provides a mid-block connection across the site between Davenport Road and Pears Avenue, and is located on the market development lands. It also provides walkway access to TCHC lands that provide a POPS. The POPS will be programmed for outdoor play activities and passive use as well as a weekly seasonal farmers market. The POPS will continue to be privately owned and maintained with an easement for access by the public, and be secured by Section 37 Agreement. Refer to Plan on Attachment 1.

Streetscape

The proposal achieves a 6.0 to 7.6 metre wide boulevard on Davenport Road and a 6 to 7 metre boulevard along Bedford Road. The existing sidewalk width along the Pears Avenue frontage is a generous 6.8 metres with an additional 1.4 to 2.7 metre setback from the townhouse front wall to the street line. Street trees are located along Pears Avenue and Bedford Road. The proposal calls for replacement of all existing street trees in fair to poor health with 4 new trees along the Bedford Road frontage and 17 new trees on the Pears Avenue frontage.

The proposal meets the minimum 6 metre boulevard space requirement in the Tall Building Guidelines. The development provides a streetscape transition from soft landscape planting in front of townhouses to a retail frontage along Davenport Road. The proposed streetscape reflects the existing context of Pears Avenue and Bedford Road.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 agreement are as follows:

- 1. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into one or more Agreement(s) pursuant to Section 37 of the Planning Act to secure community benefits at the owner's sole expense:
 - (a) Prior to the issuance of the first above-grade building permit for the *Parcel B Lands*, the *owner* of the *Parcel B Lands* shall provide an indexed cash contribution to the City in the amount of \$1,200,000 to be allocated to capital

improvements that will benefit the community in the vicinity of the development and be allocated as follows, all at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor unless otherwise indicated:

- (i) \$700,000 towards capital improvements to support food security and/or health services for the benefit of current and future tenants of the *Existing Building*;
- (ii) \$300,000 towards improvements to indoor amenity spaces at 250 Davenport; and
- (iii) \$200,000 towards improvements to the privately owned publically accessible open space and/or the new public park identified in Section (4)(c) (i) of this Schedule;

All amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

- (b) Prior to site plan approval for the *Parcel B Lands*, the *owner* of the *Parcel B Lands* shall provide Letters of Credit, in a form and from a bank satisfactory to the Chief Planner and Executive Director, City Planning, in accordance with the following:
 - (i) in the amount of \$255,500 to guarantee the construction of the above base park improvements contemplated in Section (4)(g) of this Schedule;
 - (ii) in the amount of \$270,000 to guarantee the construction of the improvements for the POPS Open Space contemplated in Section (4)(c)(i) of this Schedule;
 - (iii) in the amount of \$135,000 to guarantee the construction of the public pedestrian walkway contemplated in Section (4)(c)(ii) of this Schedule; and
 - (iv) in the amount of \$375,000 to guarantee the construction of the outdoor landscape improvements on the *Parcel A Lands* contemplated in Section (4)(c)(iii) of this Schedule;

with all amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

- (c) Prior to the earlier of the first condominium registration or residential use of the *Parcel B Lands*, the *owner* of the *Parcel B Lands* shall construct and provide the following:
 - (i) a privately owned publically accessible open space on the *Parcel A Lands*, having a minimum size of 840.0 square metres, with the specific location, design, configuration and improvements to be determined through the site plan approval process, and prior to site plan approval, for the *Parcel B Lands*, and the *owner* of the *Parcel B Lands* shall be responsible for the cost of said improvements to a maximum value of \$270,000;
 - (ii) a privately owned publically accessible pedestrian walkway on the *Parcel B Lands*, with the specific location, design, configuration and improvements to be determined through the site plan approval process, and prior to site plan approval, for the *Parcel B Lands*, and the *owner* of the *Parcel B Lands* shall be responsible for the cost of said improvements to a maximum value of \$135,000;
 - (iii) improvements to the outdoor landscaping and other public realm on the *Parcel A Lands* to a maximum value of \$375,000, with the specific location, design, configuration, and improvements to be determined through the site plan approval process and prior to site plan approval, for the *Parcel B Lands*;
 - (iv) two POPS signage plaques, located on the lands identified in Section 4(c)(i) and 4(c)(ii), above, substantially in accordance with the template for POPS signage and which are placed in accordance with the parameters established in the Urban Design Guidelines for POPS as endorsed by City Council at its meeting on July 8, 2014 through the adoption of Item PG34.14.

all in consultation with the Ward Councillor and local community, to the satisfaction of the Chief Planner and Executive Director, City Planning and where all monetary amounts to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

- (d) For clarification, the *owners* of the *Parcel A Lands* and the *Parcel B Lands* shall be responsible for maintaining the improvements in Section 3, above, on their respective parcels.
- (e) Prior to final site plan approval for the *Parcel B Lands*, the following non-exclusive easements in perpetuity in favour of the City shall be conveyed to the City as indicated below, for nominal consideration, free and clear of encumbrances and at no cost to the City, and the *owner* of the *Parcel B Lands*

shall prepare all documents, at their sole cost, required for registration, all to the satisfaction of the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning:

- (i) From the *owner* of the *Parcel A Lands*, registration and conveyance of a public access easement to the City over the privately owned publically accessible open space on the *Parcel A Lands* identified in Section 4(c)(i), above; and
- (ii) From the *owner* of the *Parcel B Lands*, registration and conveyance of a public access easement to the City over the privately owned publically accessible pedestrian walkway on the *Parcel B Lands* identified in Section 4(c)(ii), above.
- (f) Prior to the earlier of the first residential use or first condominium registration on the *Parcel B Lands*, the *owner* of the *Parcel A Lands* shall convey, 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 satisfaction of the Section 42 parkland dedication requirements for the *Parcel A Lands* and the *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; and
 - (ii) the final location, configuration and design of the Parkland Conveyance shall be determined through the site plan approval process, prior to site plan approval, to the satisfaction of the General Manager, Parks, Forestry & Recreation and in consultation with the Ward Councillor; and
 - (iii) the *owner* of the *Parcel B Lands* shall 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*.
- (g) Prior to the earlier of the first condominium registration or first residential use of the *Parcel 2 Lands*, or if delayed by seasonality no later than nine (9) months after the earlier of the first condominium registration or first residential use of the *Parcel 2 Lands* as agreed to in writing by the General

Manager, Parks, Forestry and Recreation and secured by a letter of credit, the *owner* of the *Parcel B Lands* shall complete and install base park improvements, and above-base park improvements to an indexed maximum value of \$255,500, for the Parkland Conveyance to the satisfaction of the General Manager, Parks, Forestry and Recreation, with the specific location, configuration and design of the park improvements to be determined through the site plan approval process, prior to site plan approval to the satisfaction of the General Manager, Parks, Forestry and Recreation, and in consultation with the Ward Councillor:

- (h) The *owner* of the *Parcel B Lands* shall provide and construct, and maintain as indicated, those improvements in Sections (1)-(6), above, with no cost-pass through to the tenants of the *Existing Building* or the 13 rental replacement units.
- (i) The *owner*, as indicated, shall provide, construct and maintain the following:
 - (a) by the *owner* of the *Parcel B Lands*, prior to two years after the issuance of the final above-grade building permit for *Building B*, *Building C*, or *Building D* on the *Parcel B Lands*, thirteen (13) replacement rental housing units in *Building A* (the "Replacement Rental Units") to the point that they are issued occupancy permits by Toronto Buildings;
 - (b) by the *owner* of the *Parcel A Lands*, 447 retained rental housing units (the "Retained Rental Units") and thirteen (13) replacement rental housing units (the "Replacement Rental Units") as social housing residential rental units for a period of 25 years commencing from the date of Council approval of the Zoning Amendment Application No. 15 192161 STE 20 OZ, in accordance with the following:
 - i. The rents for the Replacement Rental Units will be set as rents geared to income; and
 - ii. The unit mix of the Replacement Rental Units must include at least two (2) one-bedroom dwelling units and eleven (11) two-bedroom dwelling units, with all detailed floor plans to the satisfaction of the Chief Planner and Executive Director, City Planning, as follows:
- 2. The minimum gross floor area of a one-bedroom Replacement Rental Unit must be 49.0 square metres; and
- 3. The minimum gross floor area of a two-bedroom Replacement Rental Unit must be 69.0 square metres.

- (a) by the *owner* of the *Parcel B Lands*, the provision of tenant relocation assistance for tenants in the *Existing Building* to be demolished or converted, to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Shelter Support and Housing Administration;
- (b) by the *owner* of the *Parcel B Lands*, prior to the issuance of the first building permit for the *Parcel A Lands* or the *Parcel B Lands* (including a permit for renovation, demolition or excavation), the preparation and submission of a Construction Mitigation and Tenant Communication Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Shelter Support and Housing Administration.
- 4. 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 which provide for the replacement of rental housing:
 - a. The owner shall provide and maintain (13) replacement social housing units on the site at 250 Davenport Road for a period of at least 25 years, all of which will have rents geared to income, comprising at least 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 ready for occupancy.
 - c. The owner 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 by-law attached as Attachment Nos. 9 and 10.

- d. The owner 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.
- e. The owner, at its sole cost and expense, shall enter into and register one or more Section 111 Agreement(s) to secure the conditions outlined in 2. (a) (e) above and as detailed in the draft Zoning By-law Amendments attached as Attachment Nos. 9 and 10 to the report dated October 4, 2016 from the Director, Community Planning, Toronto an East York District, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- f. The owner, at its sole cost and expense, shall enter into and register a Section 118 Restriction under the *Land Titles Act* (to the satisfaction of the City Solicitor), agreeing not to transfer or charge those parts of the lands comprising the Retained Rental Units and the Replacement Rental Units, without the written consent of the Chief Planner and Executive Director, City Planning Division or her designate, to assist with securing the Section 111 Agreement against future owners and encumbrances of the lands.
- 5. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue preliminary approval to the application under Municipal Code Chapter 667 for any of the existing rental housing units of the development after the latest of the following has occurred:
 - a. The satisfaction of the conditions in Recommendation No. 5;
 - b. The Zoning By-law Amendment in Recommendations Nos. 1 & 2 have come into full force and effect; and
 - c. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning or her designate, pursuant to Section 114 of the *City of Toronto Act*, 2006.
- 6. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division has issued the preliminary approval referred to in Recommendation No. 3, above for any of the existing social housing buildings in any specific phase of the development.
- 7. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act no earlier than issuance of the first building permit for the redevelopment, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval referred to in Recommendation No. 7,

which permit may be included in the demolition permit for Chapter 667 under 363-11.1E of the Municipal Code, on condition that:

- a. The owner erect a residential building on site no later than four (4) years from the day demolition of any residential dwelling units is commenced; and
- b. Should the owner fail to complete the new building within the time specified in Recommendation No. 9 (a), above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars \$20,000.00 for each dwelling unit for which a demolition permit is issued, and that each such sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
- 8. Authorize the appropriate City officials to take such actions as are necessary to implement the foregoing, including execution of the Section 37 and Section 111 Agreements.

CONTACT

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SIGNATURE

Gregg Lintern, MCIP, RPP Director, Community Planning Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan (POPS/Public Park)

Attachment 2: North Elevation
Attachment 3: South Elevation
Attachment 4: East Elevation
Attachment 5: West Elevation

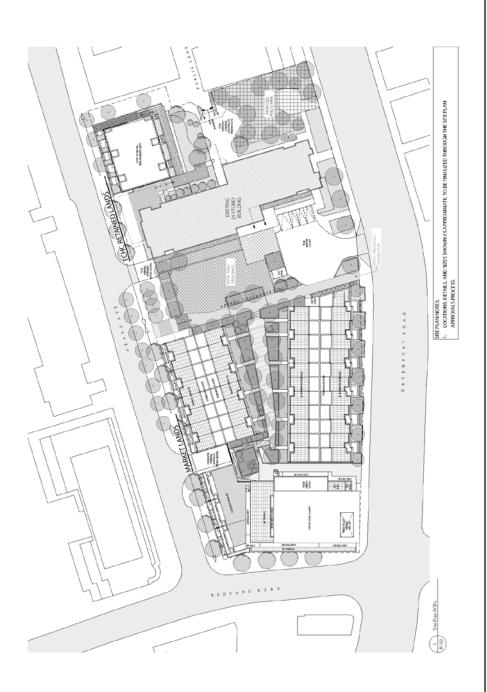
Attachment 6: Building Section (Angular Plane)

Attachment 7: Zoning

Attachment 8: Application Data Sheet

Attachment 9: Draft Zoning By-law Amendment (By-law 438-86)
Attachment 10: Draft Zoning By-law Amendment (By-law 569-2013)

Attachment 1: Site Plan



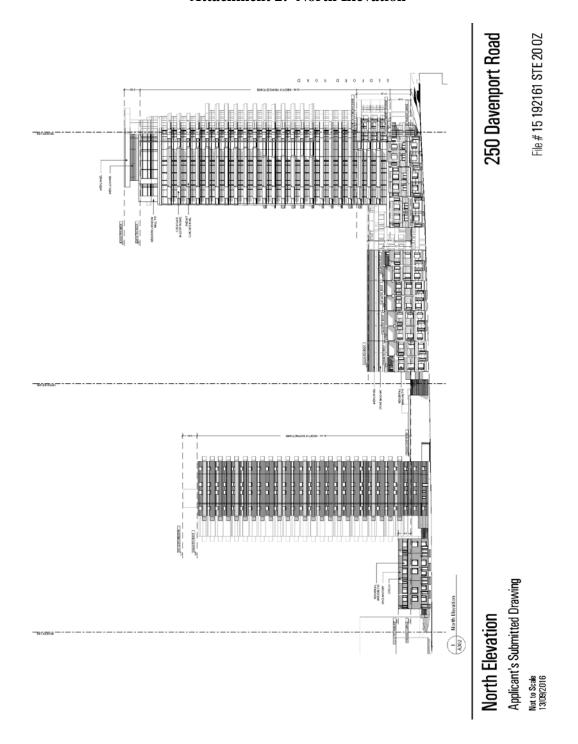
250 Davenport Road

File # 15 192161 STE 20 0Z

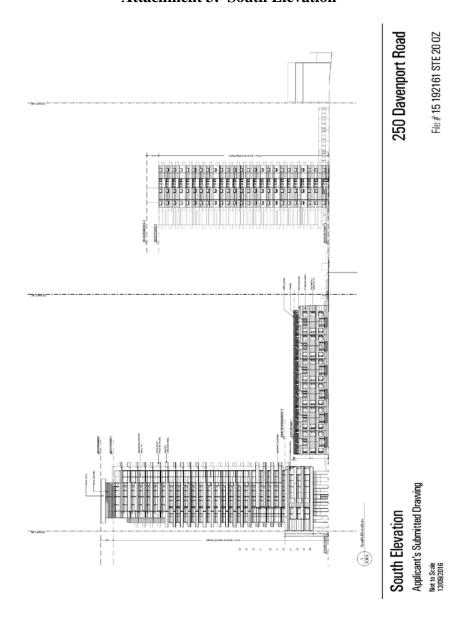
Site Plan POPS / Public Park Applicant's Submitted Drawing

Not to Scale 7 13/09/2016 7

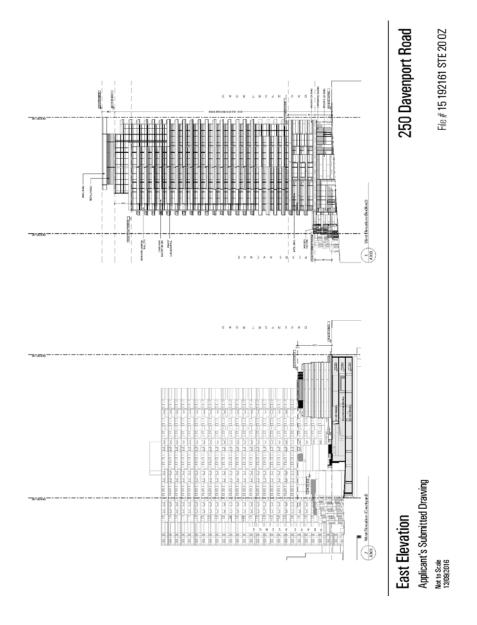
Attachment 2: North Elevation



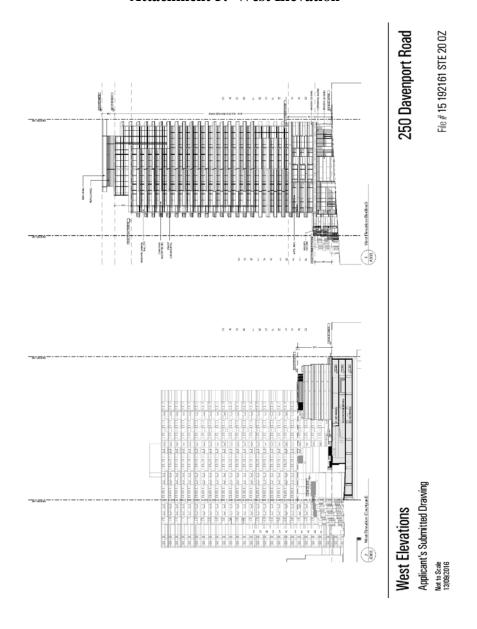
Attachment 3: South Elevation



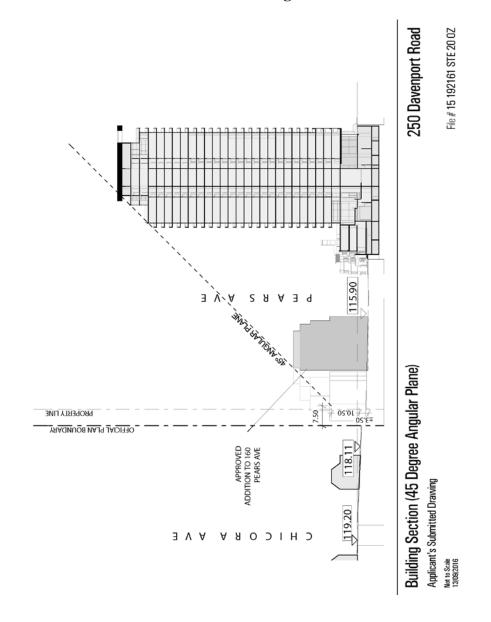
Attachment 4: East Elevation



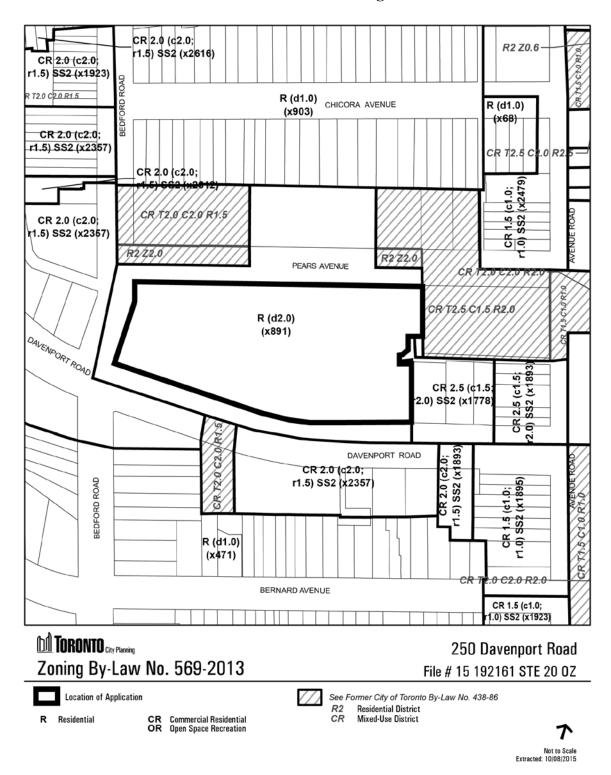
Attachment 5: West Elevation



Attachment 6: Building Section



Attachment 7: Zoning



Attachment 8: Application Data Sheet

Application Type Rezoning Application Number: 15 192161 STE 20 OZ

Details Rezoning, Standard Application Date: July 16, 2015

Municipal Address: 250 DAVENPORT RD

Location Description: PLAN 903 LOTS 6 TO 11 PLAN E120 BLK A & LOTS 32 TO 38 PLAN M52

LOTS 1 TO 6 63 PT64 LOT 63 PT LOT 64 **GRID S2003

Project Description: 27 storey residential building with nine integrated townhouses and 2 back-to-

back townhouse blocks at grade, with 3 levels of underground parking, a total of 319 residential units (280 in condo tower) on the east portion of the site.

Applicant: Agent: Architect: Owner:

250 Davenport Inc Caitlin Willcocks Prishram Jain Toronto Community

Diamond Corp. TACT Architects Housing Corporation

PLANNING CONTROLS

Official Plan Designation: Apartment Neighbourhood Site Specific Provision: By-law 22637

Zoning: R (d2.0) (x891) Historical Status: N Height Limit (m): 14 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m): 10757 Height: Storeys: 28

Frontage (m): 156 Metres: 86 (excl. mech.)

Depth (m): 47

Total Ground Floor Area (sq. m): 0 Total

Total Residential GFA (sq. m): 53,966 Parking Spaces: 333
Total Non-Residential GFA (sq. m): 0 Loading Docks 2

Total GFA (sq. m): 54,177 Lot Coverage Ratio (%): 0 Floor Space Index: 5.04

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	nure Type: Rental, Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	53,966	0
Bachelor:	151	Retail GFA (sq. m):	211	0
1 Bedroom:	363	Office GFA (sq. m):	0	0
2 Bedroom:	218	Industrial GFA (sq. m):	0	0
3 + Bedroom:	47	Institutional/Other GFA (sq. m):	0	0
Total Units:	779			

CONTACT: PLANNER NAME: Barry Brooks, Senior Planner

TELEPHONE: (416) 392-1316

EMAIL: bbrooks@toronto.ca

Attachment 9: Draft Zoning By-law Amendment (438-86)

To be provided prior to the Community Council Meeting

Attachment 10: Draft Zoning By-law Amendment (569-2013)

To be provided prior to Community Council Meeting