TORONTO

REPORT FOR ACTION

905 Don Mills Road – Official Plan Amendment and Zoning By-law Amendment Application – Final Report

Date: June 15, 2018

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 34- Don Valley East

Planning Application Number: 16 269987 NNY 34 OZ

SUMMARY

This application proposes the redevelopment of the 2,901 square metre site at the northeast corner of Don Mills Road and Green Belt Drive. The proposal includes the demolition of the existing automotive repair facility and the construction of a tenstorey (36 metre) retirement residence at 905 Don Mills Road. A total gross floor area of approximately 11,576 square metres is proposed, comprising 142 bed-sitting rooms, and an overall FSI of 3.99 times the lot area.

The proposed retirement residence use is a compatible land use within its surrounding context and the proposed built form provides an appropriate scaled building which includes an adequate transition in terms of massing, stepbacks from streets and adjacent properties, transition in scale to the adjacent *Neighbourhoods* and overall building envelope. The site organization and proposed landscaping will enhance the pedestrian environment within the site and on Don Mills Road and Green Belt Drive.

Staff are recommending approval of the application as the proposal represents good planning. The proposal conforms to the policies within the Official Plan, Central Don Mills Secondary Plan and adheres to the criteria in the City's Avenues and Mid-Rise Guidelines with a built form that is compatible with the adjacent uses. Furthermore, the proposed development is consistent with the Provincial Policy Statement (2014) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe (2017).

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-laws.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning, recommends that:

- 1. City Council amend the Official Plan, for the lands at 905 Don Mills Road substantially in accordance with the draft Official Plan Amendment attached as Attachment No.6 to this report.
- 2. City Council amend Zoning By-law 7625, for the lands at 905 Don Mills Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
- 3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 905 Don Mills Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to this report.
- 4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
- 5. Before introducing the necessary Bills to City Council for enactment, City Council requires the owner to:
 - a) address all of the outstanding comments and requirements within the Engineering and Construction Services memo dated April 3, 2018, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - b) provide financial securities for, and enter into any required agreements to design, construct and bring into operation all municipal infrastructure changes needed to support the development prior to first above grade building permit as required by the City, to secure any upgrades or required improvements to the existing municipal infrastructure identified in the reports required as per condition 5(a) to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services in consultation with General Manager, Transportation Services.
- 6. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act, to be registered on title, to the satisfaction of the City Solicitor, to secure the following matters, services and facilities:
 - a) prior to the issuance of an above-grade building permit the Owner shall make a financial contribution to the City in the amount of \$550,000.00 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward

- (i) \$550,000.00 towards recreational facilities located within the vicinity of the application site;
- (ii) Should the financial contribution not be directed towards the option in 6(a)(i), the contribution should be directed towards streetscape improvements along The Donway East.
- (b) the financial contributions referred to in (a) shall be indexed in accordance with the Statistics Canada Apartment Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the Owner to the City; and
- c) in the event the financial contributions referred to in (a) above have not been used for the intended purpose within 3 years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose at the sole discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- 7. The following matters are also recommended to be secured in the Section 37 Agreement as legal convenience to support the development:
 - (a) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time; and
 - (b) The Owner shall provide the following Transportation Demand Management measures, to the satisfaction of the Director of Community Planning, North District:
 - i) The provision of at least one car-share space at a location toward the northeastern boundary of the site:
 - ii) At least one low-emission vehicle priority and electric vehicle charging facility;
 - iii) Provide designated pick-up-and-drop-off spaces at the building entrance, including the use of ride-share/taxi services; and
 - iv) Smart transportation information display at the main entrance on the ground floor should be provided.

8. City Council authorize the appropriate City Officials to take the necessary action to implement the foregoing, including execution of the contemplated agreements.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The current application was submitted on January 19, 2017 and deemed complete on March 10, 2017. A Preliminary Report on the application was adopted by North York Community Council on February 22, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area.

The preliminary report can be found at:

https://www.toronto.ca/legdocs/mmis/2017/ny/bgrd/backgroundfile-101252.pdf

ISSUE BACKGROUND

Proposal

The application proposes the demolition of the existing single-storey automotive repair facility and the construction of a ten-storey retirement residence on the northeast corner of Don Mills Road and Green Belt Drive. The building would consist of 76 independent units and 66 assisted living units. The units would be rental in tenure and range from studio to two bedroom units. All units (defined as bed-sitting rooms in Zoning By-law 569-2013) would have bathrooms but no full kitchen facilities. Meals for all residents would be provided in a communal dining room on the assisted living floors or on the ground floor.

The total gross floor area of the proposed building is 11,576 square metres, with a proposed density of 3.99 times the lot area and a lot coverage of 62.8%.

The proposed building would have a height of 36 metres (42.25 metres to the top of the mechanical penthouse) and would be stepped back 2 metres from Don Mills Road at the 6th floor, then by an additional 3.2 metres at the 10th floor. The front yard setback along Don Mills Road would be 6.4 metres at grade and the below-grade garage would be set back 2.76 metres to accommodate a future widening of Don Mills Road. The building would be set back 6 metres from the southern property line at the corner of Don Mills Road and Green Belt Drive, decreasing to 5.3 then 3.2 metres as the road curves to the northeast. The side (north) yard setback is 4.55 metres.

The width of the existing right-of-way of Don Mills Road is 30 metres; however, the City's intention is to widen the right-of-way to 36 metres. The height of the proposed Staff report for action - Final Report- 905 Don Mills Road

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building at 36 metres meets the 45 degree angular plane when measured from the western property line, as prescribed by the Mid-Rise Guidelines.

A total of 2,570 square metres of amenity space is proposed in the form of indoor programming on the first two floors of the proposed building including a billiards room, theatre, exercise room and library, and indoor amenity areas on levels 6, 7, 8 and 9. Outdoor amenity space is proposed in the form of an outdoor terrace on the ground floor fronting Don Mills Road as well as on level 3, and the majority of residential suites on levels 6 to 10 would have access to private balconies or terraces.

The main pedestrian entrance to the site would be from Green Belt Drive, adjacent to the proposed vehicular entrance. Pick-up and drop-off would be located within a porte cochere adjacent to the main entrance of the building. A total of 45 parking spaces are proposed within the underground garage; which includes visitor parking spaces and two accessible parking spaces. One car share space is proposed within the pick-up, drop-off area in front of the main entrance. In addition, 13 bicycle spaces would be provided within an internal storage room adjacent to the main entrance and four located at-grade adjacent to the storage room.

Refer to Attachment 1 (Application Data Sheet) for the complete list of project statistics and Attachments 9 to 15 for the Site Plan and Elevations.

Site and Surrounding Area

The lot is an irregular shape with an area of approximately 2,901 square metres and frontages of 51.82 metres along Don Mills Road, and 37.74 metres on the south side and 67.61 metres on the eastern side along Green Belt Drive. The site features a gradual decline in grade from the northeast corner to the southwest corner of approximately 3 metres.

The site is currently vacant but was previously occupied by a single-storey automotive repair facility, located adjacent to the northern boundary of the site, with a parking area fronting Don Mills Road. Vehicular access was provided off of both Don Mills Road and Green Belt Drive. There are landscape strips along the southern and eastern boundaries of the site.

Surrounding land uses include a mix of residential, retail/commercial and employment uses as follows:

North: Designated *Apartment Neighbourhoods*, the land immediately north of the site comprises a single-storey hydro substation at 907 Don Mills Road. To the north of the hydro substation is the Greenbelt Village townhouse/ apartment complex consisting of six blocks of two-storey townhouses and a four-storey apartment building at the north end (131 The Heights Drive). The buildings are accessed via The Heights Drive that runs north from Green Belt Drive. The grade inclines from the subject site in a northerly direction.

West: Semi-detached dwellings are located on the west side of Don Mills Road, backing onto Don Mills Road and Barber Greene Road. These land are designated *Neighbourhoods*.

South: On the south side of Green Belt Drive is land designated *Employment Areas* comprising two nine-storey office buildings with driveway access from both Green Belt Drive and Don Mills Road. A surface parking lot and a five level parking structure are located to the south of the buildings. To the southwest of the site across Don Mills Road is a large 7.6 hectare site containing a mix of uses including restaurants, retail stores, fitness centre, banquet hall and car dealership. Once construction is completed in 2021, the future Eglinton LRT station will be located approximately 800 metres south of the site.

East: Beyond the Greenbelt Village townhouse development are the rear yards of single detached dwellings fronting North Hills Terrace which back onto Green Belt Drive. The townhouses are designated *Apartment Neighbourhoods* and the single detached dwellings are designated *Neighbourhoods*.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas. The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The Official Plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Section 1.1.3.3 of the PPS directs municipalities to identify opportunities for intensification and redevelopment where it can be accommodated. The identification and promotion of opportunities for intensification and redevelopment is done through Official Plans and Zoning By-laws.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related
 policies directing municipalities to make more efficient use of land, resources and
 infrastructure to reduce sprawl, cultivate a culture of conservation and promote
 compact built form and better-designed communities with high quality built form
 and an attractive and vibrant public realm established through site design and
 urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 3 - Building a Successful City:

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Policy 3.2.1 of the Official Plan requires a full range of housing, in terms of form, tenure and affordability across the City and within neighbourhoods, to be provided and maintained to meet the current and future needs of residents. A full range includes housing such as: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

The Official Plan promotes healthy neighbourhoods through policies in Section 2.3.1 which emphasize the importance of compatibility and sensitivity between different land uses, including *Apartment Neighbourhoods* and *Neighbourhoods*. This includes providing a transition of scale and density between the land uses, and maintaining adequate light and privacy for residents in *Neighbourhoods*.

Chapter 4- Land Use Designations:

The subject lands are designated *Apartment Neighbourhoods* on Map 20 of the Official Plan (see Attachment 3). *Apartment Neighbourhoods* are considered relatively stable areas of the City made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of the area residents. All land uses within the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*, however this designation is distinguished from low-rise *Neighbourhoods* because a greater scale of building is permitted and different scale-related criteria are needed to guide development. Generally, significant growth is not anticipated in *Apartment Neighbourhoods*, however the Official Plan states that there may be opportunities for additional apartments on underutilized sites.

Policy 4.2.2 states that development in *Apartment Neighbourhoods* should contribute to the quality of life by:

- a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards lower-scale *Neighbourhoods*;
- b) locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets parks and open spaces;
- d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- h) providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

Chapter 5- Implementation:

Policy 5.1.1 allows the City to approve height and/or density increases greater than permitted by the Zoning By-law pursuant to Section 37 of the *Planning Act* for developments which exceed 10,000 square metres and increase the permitted density by at least 1500 square metres and/or significantly increase the permitted height. The proposal is in excess of 10,000 square metres and proposes an increase in height and density.

The City of Toronto Official Plan can be found here: https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/.

Central Don Mills Secondary Plan

The subject site is located within the Central Don Mills Secondary Plan area, and is designated '*Apartment Neighbourhood B'* on Map 24-1 of the Secondary Plan (see Attachment 4).

Secondary Plans contain policies that are area specific and more detailed than those in the general Official Plan. The goal of the Secondary Plan is to manage change in the community in a manner that retains and enhances the existing character and garden city traditions of the area. In order to achieve this goal, a number of objectives are defined including: preserving the scale, height and built form relationships originally provided for in the development concept for Don Mills; preserving and protecting stable residential neighbourhoods; and reaffirming and extending into the future the basic elements of the concept of Don Mills. Furthermore, Don Mills was planned to provide a mix of housing forms and tenure, and the Secondary Plan recognizes that since its original development, specialized housing for senior citizens and those with accessibility requirements, have been added to the housing stock.

Section 4.2.0 of the Secondary Plan states that a general density limit of 1.0 FSI applies to all lands designated *Commercial, Mixed-Use Areas*, and *Apartment Neighbourhoods* in the Secondary Plan area. The density limit was partly based on the *Central Don Mills Transportation Study* (IBI Group, May 1988) that was undertaken as part of the background to the Secondary Plan. Conclusions reached in the study were based on scenarios that reflected strictly commercial and office development on sites designated *Commercial*.

Section 4.3.0 of the Secondary Plan addresses the height and massing of buildings on the lands within the Secondary Plan area. With respect to the site, Sub-Section 4.3.2 states that the height of any new building or structure shall not exceed 530 feet (161.54 metres) above sea level. The Plan also states despite these absolute limits, no building or structure shall exceed 8 storeys.

Sub-section 4.4(f) of the Secondary Plan states that landscaping should enhance the attractiveness of pedestrian accesses and the general amenity of the site, in keeping with the garden city concept.

The Central Don Mills Secondary Plan can be found here: https://www.toronto.ca/wp-content/uploads/2017/11/902f-cp-official-plan-SP-24-Central-Don-Mills.pdf

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhood* sites and implement the City's Tower Renewal Program. In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* and in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas*. The new criteria address certain aspects of new development such as amenity and service areas, lighting and parking.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found here: www.toronto.ca/OPreview/neighbourhoods.

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order to improve the compatibility of new developments located in Mixed Use Areas, Apartment Neighbourhoods and Regeneration Areas that are adjacent and close to Neighbourhoods. The new criteria address components in new development such as amenity and service areas, lighting and parking.

The outcome of staff analysis and review of relevant Official Plan policies and designations and Secondary plans as noted above, are summarized in the Comments section of this Report.

Zoning

The existing lot is currently subject to two Zoning By-laws. Under the former City of North York Zoning By-law 7625, the property is zoned C1(9) General Commercial Zone (See Attachment 4). The C1 zone permits a range of retail and service commercial uses, offices, service stations and car washes, in addition to residential uses in accordance with the R5 and RM5 zones. Exception C1(9) restricts the use of the site to a gasoline station and accessory uses including the servicing and mechanical repair of motor vehicles; service station and accessory uses including the sale of automobile accessories, supplies and parts; and structures and works of the Hydro Electric Commission.

Zoning By-law 7625 permits structures on the site with a maximum height of 9.2 metres, however Section 22.12.5 allows an exemption for the subject site to permit a maximum building height of 161.54 metres above sea level (approximately 8 residential storeys dependent on the geodetic elevation). A maximum lot coverage of 35% is permitted and the maximum density is 1.0 times the lot area.

Under City-wide Zoning By-law 569-2013, the property is zoned CL1.0 Commercial Local Zone (x266). The CL zone permits a range of commercial uses, which is restricted by CL exception 266 to those uses permitted in Section 64.23(9) of By-law 7625 (as above). The permitted density is 1.0 FSI and the exception also permits a maximum height of 161.54 metres above sea level (approximately 8 residential storeys). The exception also provides that By-law 31574 and Section 64.23(9) of By-law 7625 continue to apply.

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings in May 2010. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks* and *Open Space Areas* and corner sites. The link to the guidelines is here: https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/.

City Council subsequently adopted a revised Mid-Rise Building Performance Standards Addendum in 2016, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Its decision is here: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2016.PG12.7 and http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf.

Site Plan Control

The proposed development is subject to Site Plan Approval. An application for site plan control has not yet been submitted by the applicant.

Reasons for Application

An Official Plan Amendment to the Central Don Mills Secondary Plan is required in order to increase the permitted height and density. The proposal also requires amendments to both the former City of North York Zoning By-law 7625 and the Citywide Zoning By-law 569-2013 in order to permit the proposed retirement residence use, increase the permitted height and density, and establish appropriate development standards (i.e. setbacks, stepbacks, unit mix, parking, etc.).

Application Submission

The following reports/studies were submitted in support of the application:

- Planning Rationale and Community Services and Facilities Study, December 2016;
- Noise and Vibration Impact Study, December 8, 2016;
- Pedestrian Level Wind Study, December 6, 2016;
- Contaminated Site Assessment Phase I ESA and Phase II ESA, December 22, 2016:
- Parking, Loading and Traffic Assessment, December 15, 2016;
- Geotechnical Report, December 6, 2016;
- Stormwater Management Report, December 2016;
- Functional Servicing Report, December 2016;
- Arborist Report, December 9, 2016;
- Toronto Green Development Standards Checklist, December 15, 2016;
- Hydrogeological Investigation, March 6, 2017;
- Updated Hydrogeological Investigation, January 31, 2018;
- Response to Transportation Site Plan Application Comments, January 10, 2018;
- Addendum to Pedestrian Level Wind Study, December 2017.

Agency Circulation

The application together with the applicable reports noted above has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendment and Zoning By-law standards.

Community Consultation

On May 9, 2017, Planning staff held a Community Consultation Meeting (CCM) together with the Ward Councillor. Approximately 20 members of the public attended the meeting, as well as the applicant and their consultants. Issues raised included:

- height and massing is excessive for the lands and could set a precedent;
- additional density would result in overdevelopment of the lands:
- impact on local traffic and potential for increased number of accidents;
- need for more long term care beds, not private seniors residences:
- concern regarding the previously contaminated soil;
- will there be improvements to the current sidewalk condition along Don Mills Road?

COMMENTS

Provincial Policy Statement and Provincial Plans Consistency/Conformity

The proposal has been reviewed and evaluated against the policies of the PPS (2014) and the Growth Plan (2017), as described in the Issue Background section of the report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

The proposal would support the policy objectives of the PPS and Growth Plan which direct new growth to the built up areas of the community through intensification. This site is located in a built up area and is supported by public transit, including the future Eglinton Crosstown LRT.

The PPS and Growth Plan require provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit. This proposal for seniors housing, including independent living and assisted living units, provides a range of housing to meet the requirements of current and future residents.

Policy 1.6.7.4 of the PPS and Policy 2.2.1.2 of the Growth Plan promote a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation. The proposed land use and density provides a built form that supports an efficient use of land and existing and planned transit infrastructure. Furthermore the proposal will be expanding the employment base by providing at least 75 new jobs, supporting the Growth Plan's objectives in creating complete communities.

Land Use

This application has been reviewed against the Central Don Mills Secondary Plan policies as described in the Issue Background section of the report as well as the policies of the Toronto Official Plan as a whole. The application proposes to retain the current land use designation as *Apartment Neighbourhoods* with an Official Plan Amendment submitted to permit an increased height and density. The proposed retirement residence in a mid-rise building comprising units with a range of care levels, is considered consistent with the *Apartment Neighbourhoods* land use designation. The application proposes a range of private seniors' care, from independent living units to assisted living units. Section 3.2.1 of the Official Plan, as well as the Central Don Mills Secondary Plan, state that a wide range of housing should be provided to address the needs of the local population. The proposal conforms to these policies.

Given the existing and planned context for the subject property, the proposed retirement residence use is considered appropriate and supportable.

Site Organization

The proposed setbacks from Don Mills Road and Green Belt Drive which range from 6.4 metres to 3.2 metres at the narrowest point at the northeast corner of the site, provide a landscaped setting for the proposed building and assist in the objectives of the Central Don Mills Secondary Plan with regards to the Garden City concept. The main pedestrian entrance is proposed from Green Belt Drive via a covered walkway, adjacent to the vehicular pick up/drop off.

The proposal is located on a corner lot, and has been designed to give architectural prominence at the southwest corner of the building at the Don Mills Road/Green Belt Drive intersection, through its massing and building articulation including a wraparound canopy at the ground level. A substantial landscape buffer between the building and the sidewalk is proposed along all street frontages. As such, the proposed development appropriately frames the edge of the street and provides a comfortable and attractive pedestrian environment, in accordance with OP Policy 3.1.2.

The service areas, vehicular ramp and garbage storage have been located towards the rear of the building and screened to minimize their impacts on adjacent streets and residences. The resident and visitor parking is also proposed to be located underground. Therefore the building siting and site organization are appropriate for the site and minimize visual impacts on surrounding properties.

Density, Height, Massing

Density

The density has been reduced from 4.53 to 3.99 FSI as a result of revisions to the massing, height and setbacks. The location on Don Mills Road (classified as a Major Street) and within close proximity to the future Eglinton Crosstown LRT, supports this level of density, and conforms to the objectives of the Provincial Policy framework.

Height & Massing

The height of the proposed building has been reduced from 37.25 metres to 36 metres (excluding the mechanical penthouse). The overall number of storeys remains unchanged, at 10, as the reductions were the result of lowering the floor to ceiling heights internally. The six storey streetwall at 20 metres is less than the 30 metre right-of-way of Don Mills Road. From floor 6, the upper floors have been stepped back at least 2 metres from the ground floor, further reducing the floor plate and visual impact of the upper floors. This revised massing results in a stronger base expression on the lower floors of the building with a pedestrian perception of a 6-storey street wall; and upper floors that are stepped back as the building height increases. Furthermore, as part of the revised proposal, the second floor balconies were removed to provide a stronger expression at the lower levels of the building.

At the community meeting, the residents were concerned about the massing of the building and its relationship to the street. The changes listed above reduced the overall massing and visual impact of the building and staff are satisfied that this is an appropriate response.

The Central Don Mills Secondary Plan sets a height limit for this site of 8-storeys. Given the *Apartment Neighbourhoods* designation, the reduced massing on the upper floors, and the conformity to the performance standards within the Avenue and Mid-Rise Buildings Study, the additional two storeys maintain the general intent of the Secondary Plan.

To ensure that new development is compatible with dwellings in the adjacent low-rise *Neighbourhoods* in terms of sunlight, skyview, overlook and privacy, the Avenues and Mid-Rise Buildings Study requires a 45-degree angular plane measured from the property line of the subject site to the adjacent *Neighbourhoods* lands. When a 45-degree angular plane is applied from the *Neighbourhoods* designated land on the west side of Don Mills Road, the building would not encroach within the angular plane, thereby providing an adequate built form transition. Furthermore, the proposal conforms to the guidelines which specify that sidewalks should enjoy at least five hours of continuous sunlight and be wide enough to support tree planting, in order to ensure an accommodating pedestrian environment.

The lands containing single detached dwellings further east of the adjacent townhouses to the east, are designated *Neighbourhoods*. As a result of the significant separation distance and building stepbacks, the proposed building is compatible with the *Neighbourhoods* lands to the east, and an adequate transition has been provided.

Given the existing and the planned context for the subject property and the surrounding area with office buildings to the south of the site, and low-rise apartment buildings to the north, the proposed density, height and massing are appropriate and comply with the built form policies contained in the Official Plan (including *Apartment Neighbourhoods* policy 4.2.2) and Central Don Mills Secondary Plan.

Streetscape

The revised proposal has increased the front (west) and side (south) yard setbacks by at least 1 metre and decreased the depth of the outdoor amenity terraces in order to provide a greater landscaped area between the street and the building, in particular at the corner of Don Mills Road and Green Belt Drive. In addition, the sidewalks on both streets will be widened to 2.1 metres. This would improve the pedestrian experience by providing adequate space for pedestrians, landscaping and tree planting, supporting the garden city principles of the Central Don Mills Secondary Plan. In the revised proposal, the applicant has provided a canopy at the first floor around the southwest corner of the building for pedestrian weather protection. These improvements comply with the objectives of OP Built Form Policy 3.1.2.5.

New trees are proposed to be planted along the public boulevard on Don Mills Road and Green Belt Drive. As part of the future site plan application, the applicant will be required to relocate the sidewalk closer to the building and provide tree planting adjacent to the curb, to further improve the pedestrian environment, by providing a physical and visual buffer from Don Mills Road.

Sun, Shadow, Wind

The submitted shadow study shows that at no point during the year would there be a shadow impact on any of the residential properties to the north or east of the site.

The single detached dwellings located on the west side of Don Mills Road opposite the subject site are located in a *Neighbourhoods* designated area. The submitted shadow study demonstrates that during the March/September equinoxes, there would be a one hour period of shadow in the morning on two dwellings on the west side of Don Mills Road. This minimal impact is considered acceptable.

There would also be five hours of continuous sunlight on the east side of the Don Mills Road sidewalk, adhering to the Mid-Rise Guidelines' Performance Standards.

An addendum to the Pedestrian Level Wind Study was submitted with the revised proposal. The addendum concludes that the revised proposal would not significantly influence the wind comfort predictions outlined in the original study and the wind comfort at all pedestrian areas would be acceptable for their intended uses.

Given the existing and the planned context for the subject property and the surrounding area, staff are satisfied that the proposed shadow and wind impacts are acceptable.

Traffic Impact, Access, Parking

A Parking, Loading and Traffic Assessment, dated December 2016, prepared by BA Group, and an addendum dated January 10, 2018 has been reviewed by Transportation Services staff. The report estimates that the proposal will generate between 20 and 40 two-way trips during the a.m. and p.m. peak hours respectively. Due to the proposed use as a retirement residence, the trip generation is considered relatively low. The report indicates that the amount of vehicular traffic generated by the proposal can be accommodated on the surrounding road network without any negative level-of service or operational impacts. At the community meeting, residents were concerned about the traffic impact on the road network as a result of the proposed development. Transportation Services staff have reviewed the report and addendum and concur with the conclusion that the proposal would result in a minimal impact on the road network.

Notwithstanding the above, the applicant has proposed a number of Transportation Demand Management (TDM) measures to further reduce pressure on the surrounding road network. The measures include:

- One car share space located at-grade, located towards the northeastern boundary;
- Provision of secure, weather protected resident and staff bicycle parking (13 spaces), and four publicly accessible spaces outside the main entrance;
- One digital display within the entrance lobby, to provide real-time area transit and transportation service, status, alert, location, distance and access information shown in the display;
- A safe layby area to permit pick-up and drop-off in front of the main entrance;
 and
- A rough-in for an electric vehicle charging station within the underground parking garage.

These measures will be secured as a matter of legal convenience in the Section 37 Agreement and in the Zoning By-law.

The proposed driveway is located off Green Belt Drive and would be a continuous ushaped driveway which is partly enclosed by the second floor of the building through a porte cochere.

Pedestrian access to the site is via the main entrance accessed from Green Belt Drive, adjacent to the driveway and vehicle pick-up/drop-off. There is also a pedestrian walkway proposed adjacent to the northern boundary which extends to the rear of the site, adjacent to the eastern boundary of the site.

A six metre radius corner rounding at the southwest corner of Don Mills Road and Green Belt Drive is required to be conveyed to the City as a condition of site plan approval.

Zoning By-law 569-2013 prescribes a parking rate of 0.3 spaces per unit, as the proposed retirement residence use generates fewer requirements for vehicle parking. A total of 43 parking spaces are required to satisfy the by-law requirements, and 45 spaces, including two accessible spaces, are proposed. Transportation Services staff have requested provision for one future electric vehicle charging station in accordance with TGS Tier 1 requirements and this has been included within the underground garage. One Type G loading space has also been proposed, which meets the By-law requirement.

A total of 17 bicycle parking spaces are proposed at-grade, with four spaces located outside the main entrance, and 13 located within an internal storage room (also used for scooter storage), with an external access door.

Road Widening

The City's intention is to widen the Don Mills Road right-of-way at this location to 36 metres, and this was recommended through a City Planning staff report dated April 20, 2009, which was adopted by the Planning and Growth Management Committee on May 6, 2009. The staff report details the preliminary stages of the Transit Project Assessement Process that was initiated in order to justify the need for an Official Staff report for action - Final Report- 905 Don Mills Road

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Plan Amendment to resdesignate sections of Don Mills Road to a 36 metre right-ofway. The staff report can be found at the link below:

https://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-20551.pdf

The Official Plan right-of-way width on Map 3 for this portion of Don Mills Road is 30 metres, which does not yet reflect City Council's intention through the staff report for the future right-of-way width. Until such time as the mode of transportation (subway vs. LRT) along Don Mills Road has been determined, the right-of-way width in the Official Plan will remain as 30 metres. The applicant is proposing to protect a 2.76 metre portion of land for future acquisition should it be required by the City in the future.

Servicing

The applicant submitted a Stormwater Management Report, Functional Servicing Report and Hydrogeological Report in support of the application. Engineering and Construction Services (ECS) staff have advised that further information is necessary regarding sanitary sewer capacity, stormwater management, and geotechnical/hydrogeological matters. Planning staff recommend that prior to introducing the Bills to City Council for enactment, the applicant be required to submit a revised Functional Servicing and Geotechnical/Hydrogeological Report, as well as satisfy all outstanding comments in the ECS memo dated April 3, 2018, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Any upgrades to servicing infrastructure identified will be the sole responsibility of the owner.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle 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.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to a 10% parkland dedication. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

Tree Preservation

The City of Toronto's Private Tree By-law protects private trees with a diameter at breast height (DBH) of greater than 30cm as well as all City-owned trees. A permit is required to remove or injure the trees that fall within these categories.

The submitted Arborist Report indicates that there are seven City trees located within the boulevard, with six to be preserved, and one to be relocated due to the construction of a new driveway. An alternative location for the tree has been proposed to the north of the new driveway and this location is supported by the City's Urban Forestry staff and will be secured as part of the site plan application.

There are no private trees currently located on the subject site. The landscape plans show 16 new trees proposed to be planted on site as part of the development. Detailed landscape and planting plans will be submitted and circulated to Urban Forestry staff, as part of the future site plan application.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS) in December 2017. The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Some measures, including parking and bicycle parking will be secured through the Zoning By-law, while other Tier 1 performance measures will be secured on the site plan drawings and through the Site Plan Agreement.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits can be specific capital facilities (or cash contributions for specific capital facilities), parkland above and beyond the required parkland dedication, parkland improvements, public art, streetscape improvements on the public boulevard not abutting the site and/or other public benefits as detailed in Section 5.1.1.6 of the Official Plan. The community benefits must bear a reasonable planning relationship to the proposed development including, at a minimum, an appropriate geographic relationship and addressing planning issues associated with the development (e.g. local shortage of parkland, needed public realm improvements, etc.).

As part of the review of the applicant's proposal to redevelop the site, staff examined the existing community services and facilities within the area to determine service gaps. Following discussions between the applicant, Planning Staff and the Ward Councillor, the following community benefits have been proposed by the applicant and will be secured in the Section 37 agreement:

An indexed financial contribution of \$550,000.00 payable to the City of Toronto prior to the issuance of the first above-grade building permit for the provision of the

following to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:

- (i) \$550,000.00 towards funding for recreational facilities within the vicinity of the subject site;
- (ii) Should the financial contribution not be directed towards the option above, the contribution should be directed towards streetscape improvements along the Donway East.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- a) The Owner shall provide the following Transportation Demand Management measures, to the satisfaction of the Director of Community Planning, North District:
 - The provision of at least one car-share space at a location toward the northeastern boundary of the site;
 - ii) At least one low-emission vehicle priority and electric vehicle charging facility;
 - iii) Provide a designated pick-up-and-drop-off space at the building entrance, including the use of ride-share/taxi services; and
 - iv) Smart transportation information display at main entrance on ground floor.
- b) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017 through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time.

Zoning By-law

The site-specific Zoning By-laws restrict the use of the building to retirement residence and nursing home uses which will ensure that the building cannot be converted into a regular condominium building without further amendment to the Zoning By-law.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), the Toronto Official Plan, Central Don Mills Secondary Plan and the Avenues and Mid-Rise Buildings Study.

Planning Staff are of the opinion that the proposal is consistent with the PPS (2014) and conforms and does not conflict with the Growth Plan (2017). The proposal is in keeping with the intent of the Toronto Official Plan, particularly policies related to built form, public realm, and housing. The proposed use is compatible with the surrounding land uses, the built form provides an adequate transition through the building's massing and building envelope, and the public realm will be improved through enhanced pedestrian mobility and landscaping. The proposal therefore meets the objectives of the Central Don Mills Secondary Plan, particularly with respect to preserving stable residential neighbourhoods, maintaining a full range of housing forms and tenures and enhancing the garden city character by providing upgraded streetscapes and landscaped setbacks on all sides. The proposed development would provide much needed seniors' accommodation that is compatible with the surrounding context. Staff recommend that Council approve the application to amend the Official Plan and Zoning By-law.

CONTACT

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E-mail: Kathryn.moore@toronto.ca

SIGNATURE

Joe Nanos, Director Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Central Don Mills Secondary Plan, Map 24-1

Attachment 5: Existing Zoning By-law 7625 Map

Attachment 6: Existing Zoning By-law 569-2013 Map

Attachment 7: Draft Official Plan Amendment

Attachment 8: Draft Zoning By-law Amendment 7625

Attachment 9: Draft Zoning By-law Amendment 569-2013

Applicant Submitted Drawings

Attachment 10: Site Plan

Attachment 11: Ground Floor Plan

Attachment 12: Applicant's rendering (Southeast View) Attachment 13: Applicant's Rendering (Southwest View)

Attachment 14: Front (West) Elevation Attachment 15: Rear (East) Elevation Attachment 16: Side (North) Elevation Attachment 17: Side (South) Elevation

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 905 DON MILLS RD Date Received: December 22, 2016

Application Number: 16 269987 NNY 34 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: The applicant is proposing a 10-storey retirement residence

consisting of 76 independent living units and 66 assisted living units (bed sitting rooms). Access to the site is from a single

driveway off of Green Belt Drive, with a ramp to the

underground parking garage at the north end of the building. 45 parking spaces are proposed within the underground parking

garage. The existing automotive repair facility will be

demolished.

Applicant Agent Architect Owner

BOUSFIELDS INC BOUSFIELDS INC KIRKOR DCMS REALTY

ARCHITECTS (DON MILLS) INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Apartment Site Specific Provision: N

Neighbourhoods

Zoning: CL 1.0 (x266) Heritage Designation: N

Height Limit (m): 8 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2,901 Frontage (m): 52 Depth (m): 79

Building Data Existing Retained **Proposed** Total Ground Floor Area (sq m): 1,821 1,821 11,576 Residential GFA (sq m): 11,576 Non-Residential GFA (sq m): Total GFA (sq m): 11,576 11,576 10 Height - Storeys: 10 36 Height - Metres: 36

Lot Coverage Ratio (%): 62.78 Floor Space Index: 3.99

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 11,576

Retail GFA: Office GFA: Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			76	76
Freehold:				
Condominium:				
Other:			66	66
Total Units:			142	142

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	66	4	46	26	
Total Units:	66	4	46	26	

Parking and Loading

Parking Spaces: 45 Bicycle Parking Spaces: 17 Loading Docks: 1

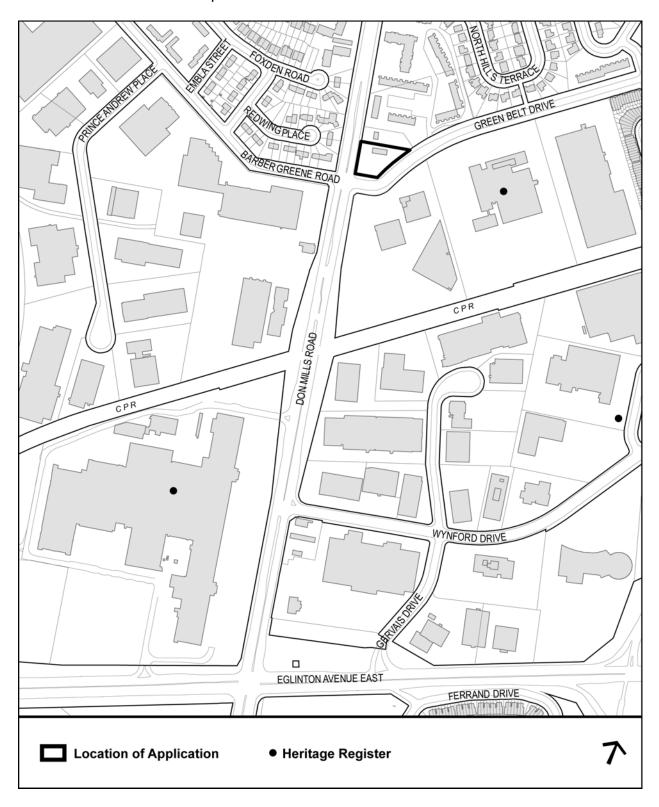
CONTACT:

Kathryn Moore, Planner

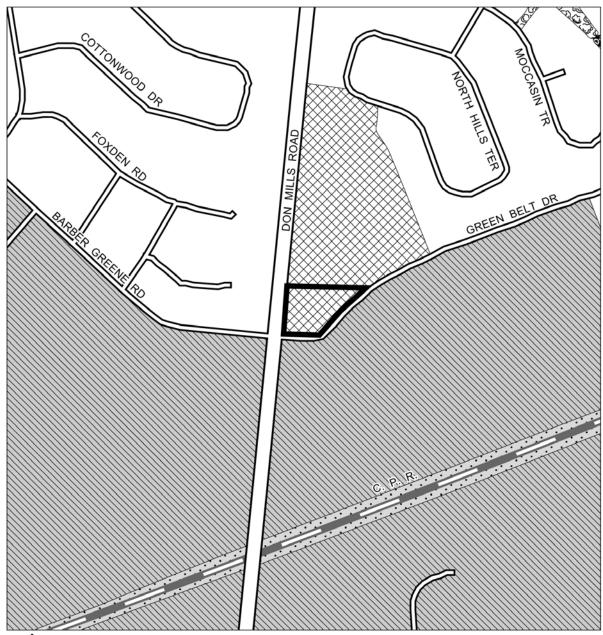
416-395-7176

Kathryn.Moore@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



M Toronto Extract from Official Plan

905 Don Mills Road

File # 16 269987 NNY 34 0Z



Site Location

Parks & Open Space Areas

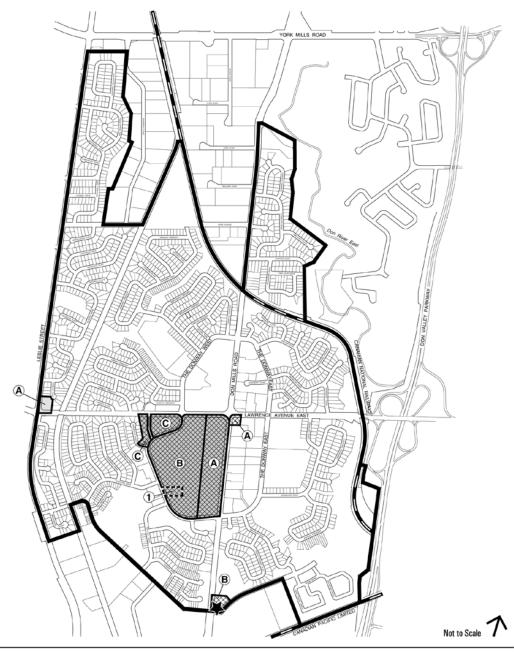
Neighbourhoods

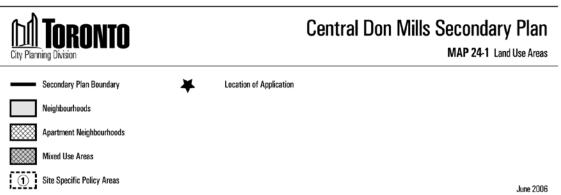






Attachment 4: Central Don Mills Secondary Plan, Map 24-1





Attachment 5: Existing Zoning By-law 7625 Map





905 Don Mills Road File # 16 269987 NNY 34 DZ



Location of Application

R5 One-Family Detached Dwelling Fifth Density Zone RM1 Multiple-Family Dwellings First Density Zone RM2 Multiple-Family Dwellings Second Density Zone RM5 Multiple-Family Dwellings Fifth Density Zone RM6 Multiple-Family Dwellings Sixth Density Zone

C1 General Commercial Zone M1 Industrial Zone One M2 Industrial Zone Two

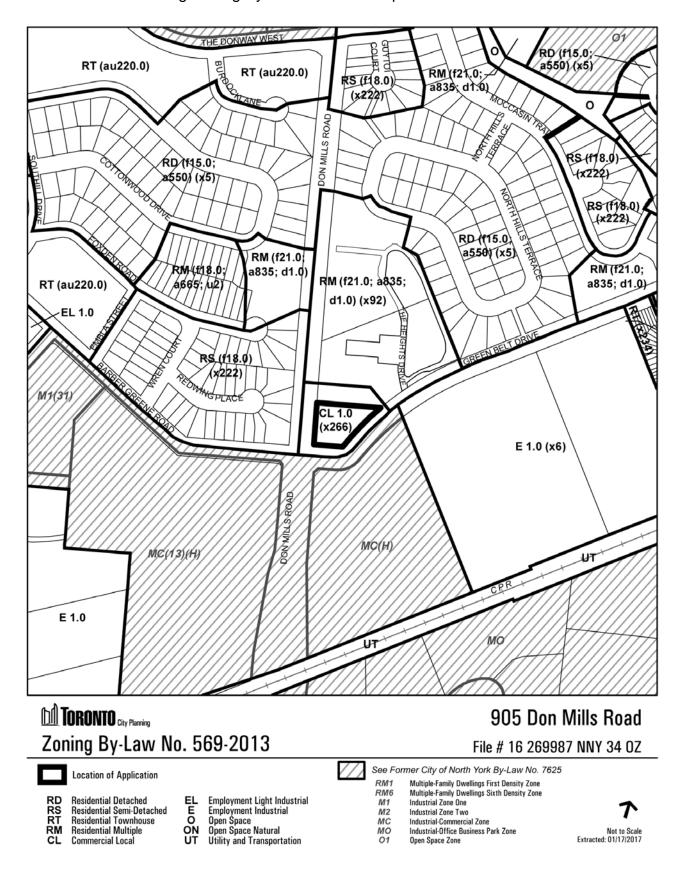
NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

MC Industrial-Commercial Zone MO Industrial-Office Business Park Zone

01 Open Space Zone

Not to Scale Extracted 01/25/2017

Attachment 6: Existing Zoning By-law 569-2013 Map



Attachment 7: Draft Official Plan Amendment

Authority: North York Community Council Item ~, as adopted by City of

Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ---

BY-LAW No. -2018

To adopt Amendment No. 425 to the Official Plan for the City of Toronto respecting the lands known municipally as 905 Don Mills Road.

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

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

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

1. The attached Amendment No. 425 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2018.

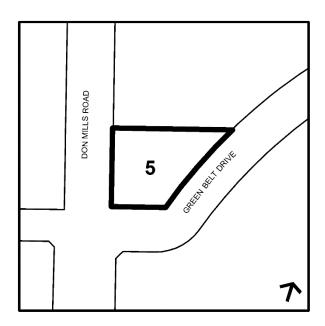
FRANCES NUNZIATA, Speaker ULLI S. WATKISS, City Clerk

(Corporate Seal)

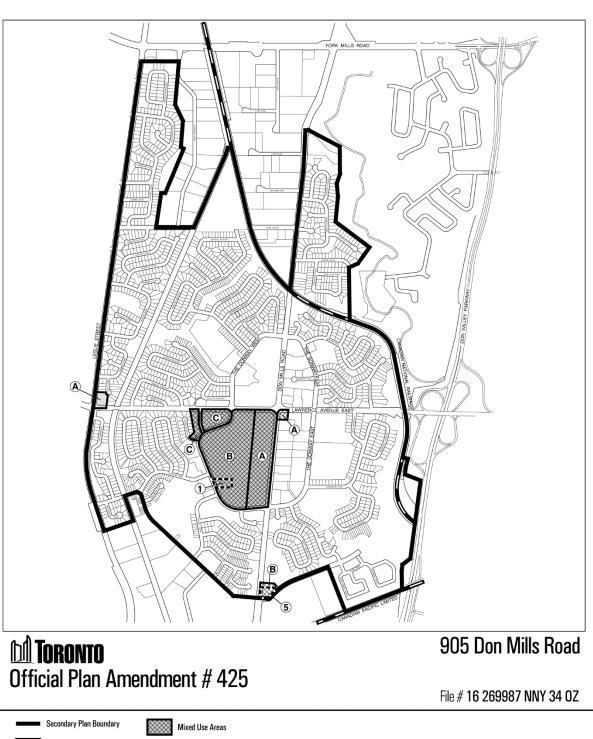
AMENDMENT NO. 425 TO THE OFFICIAL PLAN LANDS MUNICIPALLY KNOWN IN THE YEAR 2018 AS 905 DON MILLS ROAD

The Official Plan of the City of Toronto is amended as follows:

- Chapter 6, Section 24 (Central Don Mills Secondary Plan) is amended with respect to the lands municipally known in the year 2018 as 905 Don Mills Road, by adding the following policy to Section 6, Site and Area Specific Policies:
 - 6.5 905 Don Mills Road
 - (a) A maximum density of 3.99 times the lot area is permitted.
 - (b) A maximum building height of 10 storeys, or 577 feet (175.87 metres) above sea level is permitted.
- Map 24-1, Land Use Areas of Chapter 6, Section 24 (Central Don Mills Secondary Plan) is amended by showing the lands municipally known in the year 2018 as 905 Don Mills Road as Site Specific Policy Area 5, as shown on attached Schedule A.



Schedule A



Secondary Plan Boundary

Neighbourhoods

Apartment Neighbourhoods

Mixed Use Areas

Site Specific Policy Areas

Not to Scale
06/05/2018

Attachment 8: Draft Zoning By-law Amendment 7625

Authority: North York Community Council Item ##, as adopted by City of

Toronto Council on ~, 20~

CITY OF TORONTO

BY-LAW No. XXX- 2018

To amend former City of North York Zoning By-law No. 7625 as amended, with respect to the lands municipally known as 905 Don Mills Road.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

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

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

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

Whereas the increase in density permitted beyond that otherwise permitted on the aforesaid lands by By-law 7625, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto:

The Council of the City of Toronto enacts:

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are amended in accordance with Schedule "1" of this By-law.

2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

"64.20-A (252) RM6(252)

DEFINITIONS

a) Established Grade

For the purpose of this exception, **Established Grade** shall mean 139.65 metres Canadian Geodetic Datum.

b) Retirement Residence

For the purpose of this exception, **Retirement Residence** shall mean a building or structure that provides semi-independent living accommodation for senior citizens in bed-sitting rooms and dwelling units, where each unit has sanitary facilities and food preparation facilities, and where common facilities are provided for the preparation and consumption of meals. This may also include regular nursing care and medical care facilities.

c) **Bed-sitting Room**

For the purposes of this exception, **Bed-sitting Room** shall mean a space used as separate living accommodation that has sanitary facilities and may have food preparation facilities and may include one or more bedrooms.

d) Nursing Home

For the purposes of this exception, **Nursing Home** shall mean a dwelling in which lodging with meals is provided to persons who require nursing care.

e) Gross Floor Area

For the purposes of this exception, **Gross Floor Area** shall mean the sum of the total area of each floor level of a building, above-grade, measured between the outside walls of the building at the level of each floor but excluding:

- i) all below-grade areas, including parking, bicycle parking and storage, stairs, bicycle storage, garbage rooms;
- ii) exit stairwells, and any part of a building used for mechanical floor area including elevator and garbage shafts;
- iii) required loading spaces at the ground level and required bicycle parking spaces at or above grade; and
- iv) indoor recreational amenity area.

f) Mechanical Floor Area

For the purposes of this exception, **Mechanical Floor Area** means the floor area within a building that is used exclusively for the accommodation of mechanical equipment necessary to physically operate the building such as heating, ventilation, air conditioning, electrical, telephone, plumbing, fire protection and elevator equipment including shafts.

PERMITTED USES

- g) As shown on Schedule RM6(252), the only permitted uses shall be:
 - i) **Retirement Residence** and accessory uses including common lounges, recreation facilities, medical care facilities and nursing care.
 - ii) Nursing Home

EXCEPTION REGULATIONS

h) **Bed-Sitting Rooms**

The maximum number of **bed-sitting rooms** shall be 150.

i) Gross Floor Area

The maximum **gross floor area** shall be 11,604 square metres.

i) Building Height

- i) The **building height** shall not exceed the maximum in metres shown on Schedule RM6(252), measured from established grade. The measurement of height shall exclude mechanical penthouses, parapets, any roof structures used only as ornaments, and stairwells to access the roof.
- ii) Landscape elements (including green roofs), terraces, thermal insulation and roof ballast and skylights, all of which are permitted to exceed the **height** by a maximum of 0.6 metres;
- iii) Ornamental elements, parapets, guardrails, safety railings, vents, stacks, fences, wind or privacy screens, flues, access roof hatch, trellises, outdoor furniture and chimneys may exceed the maximum building height on Schedule RM6(252) by no more than 2.5 metres;

iv) A penthouse or roof structure which is used only to house mechanical equipment of the building or stairwells to access the rood does not constitute a storey and will be disregarded in calculating the **building height** in storeys and in metres provided it shall not exceed a height of 5.5 metres.

k) Number of Storeys

The number of storeys above established grade shall not exceed the maximums as shown on Schedule RM6(252). The measurement of storeys shall exclude mechanical penthouses, parapets, any roof structures used only as ornaments, and stairwells to access the roof.

I) Lot Coverage

The maximum **lot coverage** shall be 65 percent.

m) Building Stepbacks

The building stepbacks will not be less than the minimum distance in metres as shown on Schedule RM6(252).

n) Yard Setbacks

Notwithstanding By-law Section 20-A.2.4 and the list of permitted projections listed in subsection p) below, the minimum **yard setbacks** for all buildings and structures shall not be less than the minimum distances in metres as shown on Schedule RM6(252).

o) Recreational Amenity Area

- i) Indoor recreational amenity area shall be provided in accordance with the following minimum requirements:
 - i) A minimum of 2.0 square metres for each bed-sitting room;
- ii) Outdoor **recreational amenity area** shall be provided in accordance with the following minimum requirements:
 - at least 40.0 square metres is outdoor Recreational Amenity Area in a location adjoining or directly accessible to the indoor Recreational Amenity Area; and

p) Permitted Projections

Notwithstanding Sections 2 I) and m) above, no portion of any building or structure erected or used above established grade shall be located

otherwise than wholly within the area delineated by heavy lines on Schedule RM6(252), with the exception of the following:

- (i) Ornamental cladding, which may encroach into the minimum **yard setbacks** on the **lot** to a maximum of 0.2 metres;
- (ii) Eaves, cornices, roof overhangs, lighting fixtures, pilasters, chimney breasts, bay windows, window sills and other minor architectural projections, all of which are permitted to project into the minimum **yard setbacks** on the **lot to** a maximum of 0.5 metres:
- (iii) Balconies, awnings and canopies, all of which may encroach into the minimum **yard setbacks** on the **lot** a maximum of 3.5 metres;
- (iv) Decks and terraces at-grade, which may encroach into the minimum yard setbacks on the lot a maximum of 4.5 metres;
- (v) Pergolas, trellises, exterior stairways, wheelchair ramps, stair enclosures, guardrails, balustrades, safety railings, bollards, fences, landscape elements, retaining walls, all of which may encroach into the minimum yard setbacks on the lot, and may project vertically above finished ground level by no more than 3.5 metres; and
- (vi) Transformers, which may encroach into the minimum yard setbacks on the lot and may project vertically above the finished ground level by no more than 2.3 metres;

q) Vehicle Parking

Notwithstanding Section 6A(2), parking spaces shall be provided and maintained at a minimum rate of 0.3 **parking spaces** per **bed-sitting room** of the **Retirement Residence** for the combined use of staff, visitors, and residents.

r) Loading Spaces

A minimum of one Type G loading space shall be provided.

s) Bicycle Parking Spaces

A minimum of 17 **bicycle parking spaces** shall be provided, for the combined use of staff, visitors, and residents.

t) Provisions not applicable

The provisions of Sections 6(9), 6(24), 6(26), 6(A)(2), 15.8, 20-A.1(b)(iv), 20-

A.22, 20-A.2.4, 20-A.2.5, and 20-A.2.6, and of By-law No. 7625 shall not apply.

u) DIVISION OF LANDS

Notwithstanding any existing or future severance or division of the lands subject to this exception and as shown on Schedule RM6(252), the regulations of the exception shall continue to apply to the whole of the lands.

3. SECTION 37

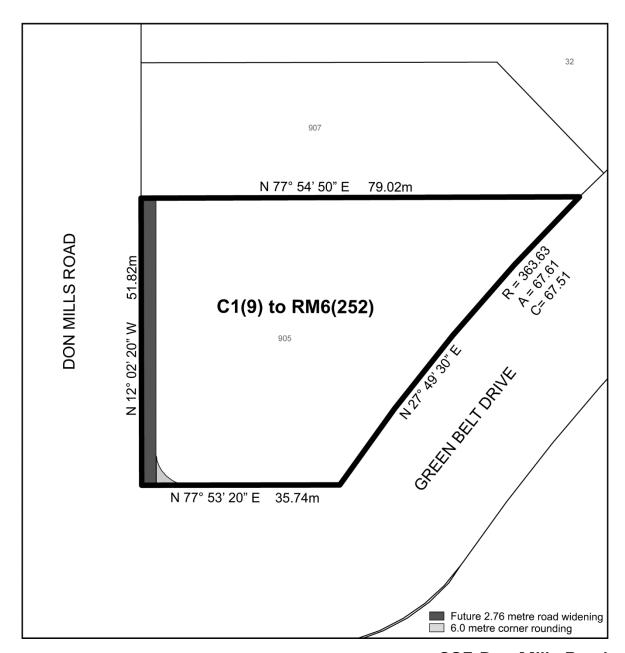
- a) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Schedule 1 for the development as shown on Schedule RM6(252) in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- b) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- c) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and Passed on	2018.	
Frances Nunziata, Speaker		
(Seal of the City)		Ulli S. Watkiss, City Clerk

SCHEDULE A Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Schedule 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

- (1) Prior to issuance of an above grade building permit other than building permit for a temporary sales office/pavilion the owner shall make a financial contribution to the City in the amount of \$550,000.00 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
 - 1. \$550,000.00 to be directed towards recreational facilities located within the vicinity of the application site, with such amount to be indexed upwardly in accordance with the Statistics Canada Apartment Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made;
 - Should the financial contribution not be directed towards the option in 6(a)(i), the contribution should be directed towards streetscape improvements along The Donway East.
- (2) In the event the cash contribution referred to in Section 1 has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- (3) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meetings of October 26 and 27, 2009.
- (4) The Owner shall provide the following Transportation Demand Management measures, to the satisfaction of the Director of Community Planning, North District:
 - ii) The provision of at least one car-share space at a location toward the northeastern boundary of the site;
 - ii) At least one low-emission vehicle priority and electric vehicle charging facility at a publicly accessible location;
 - iii) Provide a safe layby format and designated pick-up-and-drop-off spaces at the building entrance, including the use of ride-share/taxi services; and
 - iv) Smart transportation information display at the main entrance on the ground floor should be provided.

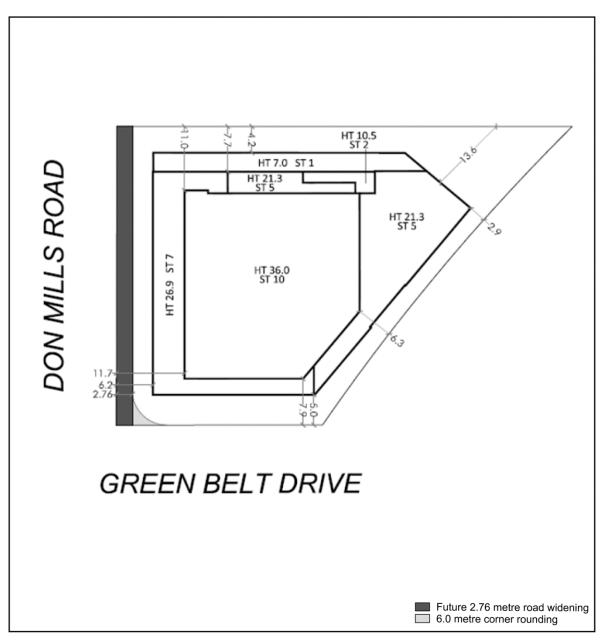


905 Don Mills Road **Interpretation Interpretation**

File # 16 269987 NNY 34 OZ

Date: 05/30/2018 Approved by: K.M. Not to Scale

Schedule 1





905 Don Mills Road Schedule RM6 (252)

File # 16 269987 NNY 34 OZ



Not to Scale

Date: 06/18/2018 Approved by: K.M. Authority: North York Community Council Item ##, as adopted by City of Toronto

Council on ~, 20~

CITY OF TORONTO BY-LAW No. XXX-2018

To amend the City of Toronto By-law No. 569-2013, as amended, with respect to lands municipally known as 905 Don Mills Road.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the

Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

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

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

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

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

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

Whereas the increase in height and density permitted beyond the otherwise permitted on the aforesaid lands by By-law No. 569-2013, as amended, is permitted in return for the provision of the facilities, services and matters set out in the By-law which is secured by one or more agreements between the owner and the land and the City of Toronto;

The Council of the City of Toronto enacts:

- 1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
- 2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

- Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from CL 1.0 (x266) to RA (xXXX), as shown on Diagram 2 attached to this By-law.
- **4.** Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.7.10 Exception Number (XXX) so that it reads:

Exception RA (XXX)

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 905 Don Mills Road, if the requirements of the Clause 5 and Schedule A of By-law XXX-2018 [Clerks to insert By-law number] apply to prevent the erection or use of a **building**, **structure**, addition or enlargement, for a **retirement home** or **nursing home** permitted in compliance with (B) to (P) below;
- (B) A maximum of 150 **bed-sitting rooms** are permitted;
- (C) Despite Clause 15.5.40.40, the total permitted maximum **gross floor area** is 11,604 square metres;
- (D) Despite Clause 15.5.40.40, the **gross floor area** of a **nursing home** or a **retirement home** may be reduced by the area in the building used for those areas described in Regulation 15.5.40.40(1) and by the area used for indoor **amenity space** required by (L) below;
- (E) Despite Clause 15.5.40.10, no portion of any **building** or **structure** on the lands is to have a height greater than the height in metres specified by the number following the "HT" symbol as shown on Diagram 3 of By-law XXX-2018, excluding:
 - (i) Mechanical penthouses, elevator overruns, window washing equipment, stairs, stair enclosures, and heating, cooling or ventilating equipment or a fence, wall or structure enclosing such elements, all of which are permitted to exceed the height by a maximum of 5.5 metres:
 - (ii) Ornamental elements, parapets, guardrails, safety railings, vents, stacks, fences, wind or privacy screens, flues, access roof hatch, trellises, outdoor furniture and chimneys, all of which are permitted to exceed the height by a maximum of 2.5 metres; and

- (iii) Landscape elements (including green roofs), terraces, thermal insulation and roof ballast and skylights, all of which are permitted to exceed the height by a maximum of 0.6 metres;
- (F) Despite Clause 15.5.40.10 and Regulations 15.10.40.10(1) and 15.10.40.10(2), the permitted maximum **building** height is as shown on Diagram 3 of By-law XXX-2018 [Clerks to fill in By-law number];
- (G) Despite Clause 15.10.40.70, the required minimum **building setbacks** are shown on Diagram 3 of By-law XXX-2018 [Clerks to fill in By-law number];
- (H) Despite Regulation 15.5.40.10(1), the height of the **building** is the difference between the Canadian Geodetic Datum of 139.65 and the elevation of the highest point of the **building**;
- (I) Despite Clause 15.5.40.60 and despite (G) above, no portion of any **building** or **structure** erected or used above **grade** shall be located outside the areas delineated by heavy lines on Diagram 3 of By-law XXX-2018, excluding:
 - (i) Ornamental cladding, which may encroach into the minimum **building setbacks** on the **lot** to a maximum of 0.2 metres;
 - (ii) Eaves, cornices, roof overhangs, lighting fixtures, pilasters, chimney breasts, bay windows, window sills and other minor architectural projections, all of which are permitted to project into the minimum **building setbacks** on the **lot to** a maximum of 0.5 metres:
 - (iii) Balconies, awnings and canopies, all of which may encroach into the minimum **building setbacks** on the **lot** a maximum of 3.5 metres;
 - (iv) Decks and terraces at-grade, which may encroach into the minimum **building setbacks** on the **lot** a maximum of 4.5 metres;
 - (v) Pergolas, trellises, exterior stairways, wheelchair ramps, stair enclosures, guardrails, balustrades, safety railings, bollards, fences, landscape elements, retaining walls, all of which may encroach into the minimum **building setbacks** on the **lot**, and may project vertically above finished ground level by no more than 3.5 metres; and
 - (vi) Transformers, which may encroach into the minimum building setbacks on the lot and may project vertically above the finished ground level by no more than 2.3 metres;
- (J) Regulation 15.5.40.50(2) is not applicable;

- (K) Despite Regulation 15.10.30.40(1), the permitted maximum **lot coverage** is 65 percent;
- (L) A minimum of 4.0 square metres of **amenity space** shall be provided per **bed-sitting room**, of which:
 - at least 2.0 square metres for each **bed-sitting room** shall be indoor amenity space;
 - ii) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
 - iii) no more than 25% of the outdoor component may be a green roof;
- (M) Despite Regulation 15.5.50.10.(1), a minimum of 900 square metres of the lot must be used for **landscaping**, of which at least 400 square metres must be **soft landscaping**;
- (N) Regulation 15.5.100.1(2) is not applicable;
- (O) Regulation 200.15.1.5(1) is not applicable;
- (P) Despite Clause 230.5.10.1, **bicycle parking spaces** must be provided and maintained on the **lot** in accordance with the following:
 - (i) A total of "short term" and "long term" 17 **bicycle parking spaces** for the combined use of staff, visitors, and residents.

Prevailing By-laws and prevailing Sections: (None Apply)

5. Section 37 Provisions

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

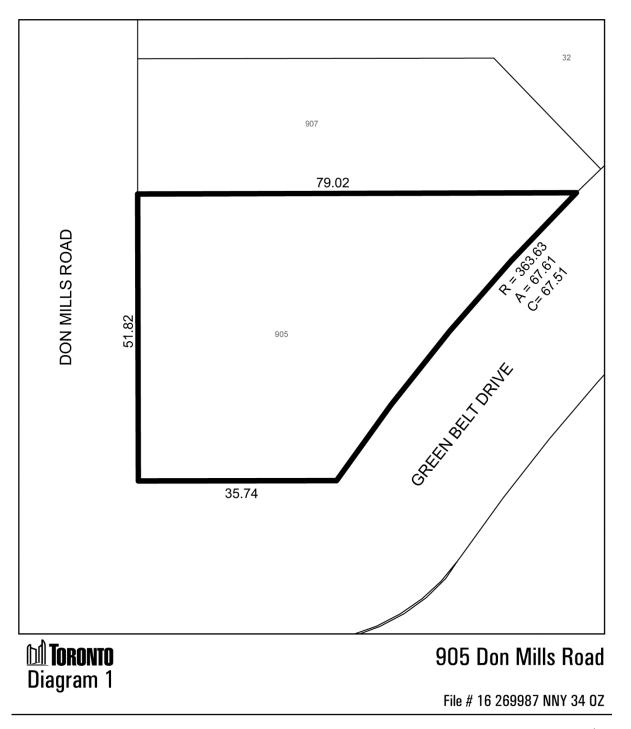
Enacted and passed on2018.	
Frances Nunziata, Speaker	Ulli S. Watkiss, City Clerk
(Seal of the City)	

SCHEDULE A Section 37 Provisions

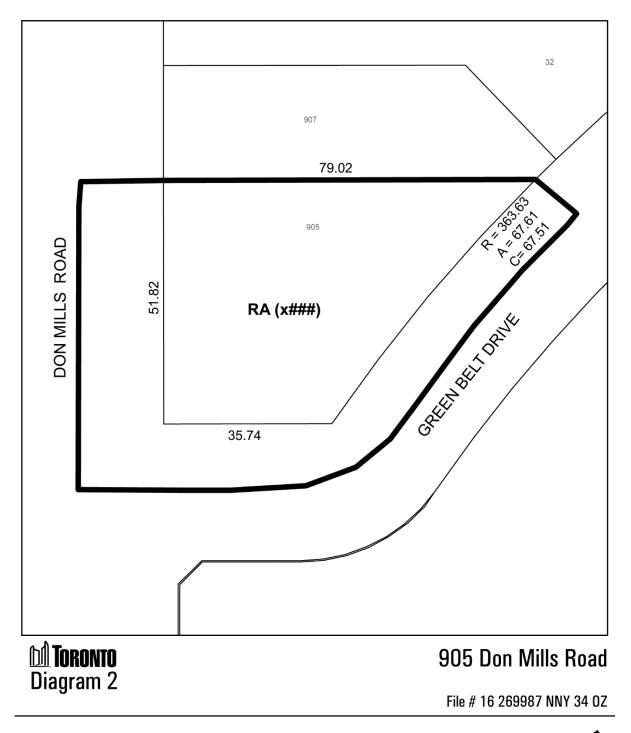
The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

- (1) Prior to issuance of an above grade building permit other than building permit for a temporary sales office/pavilion the owner shall make a financial contribution to the City in the amount of \$550,000.00 to be allocated as follows at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor:
 - 1. \$550,000.00 to be directed towards recreational facilities located within the vicinity of the application site, with such amount to be indexed upwardly in accordance with the Statistics Canada Apartment Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made;
 - 2. Should the financial contribution not be directed towards the option in 6(a)(i), the contribution should be directed towards streetscape improvements along The Donway East.
- (2) In the event the cash contribution referred to in Section 1 has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
- (3) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meetings of October 26 and 27, 2009.
- (4) The Owner shall provide the following Transportation Demand Management measures, to the satisfaction of the Director of Community Planning, North District:
 - i) The provision of at least one car-share space at a location toward the northeastern boundary of the site;
 - ii) At least one low-emission vehicle priority and electric vehicle charging facility at a publicly accessible location;

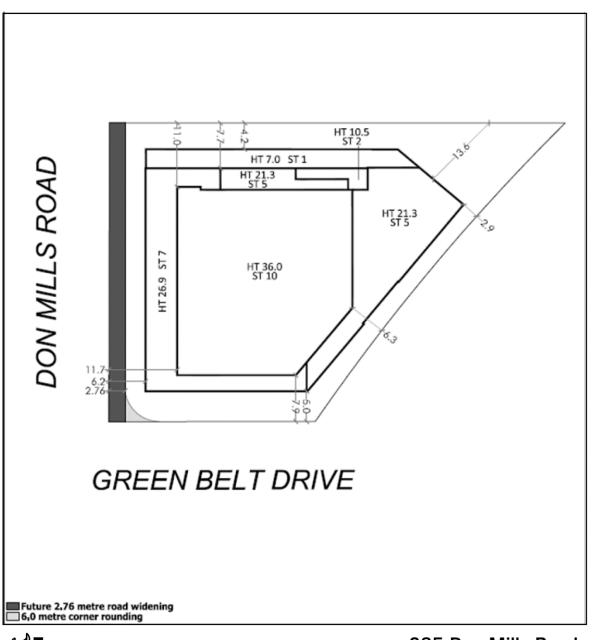
- iii) Provide a safe layby format and designated pick-up-and-drop-off spaces at the building entrance, including the use of ride-share/taxi services; and
- iv) Smart transportation information display at the main entrance on the ground floor should be provided.



City of Toronto By-law 569-2013 Not to Scale 5/30/2018



City of Toronto By-law 569-2013 Not to Scale 5/30/2018



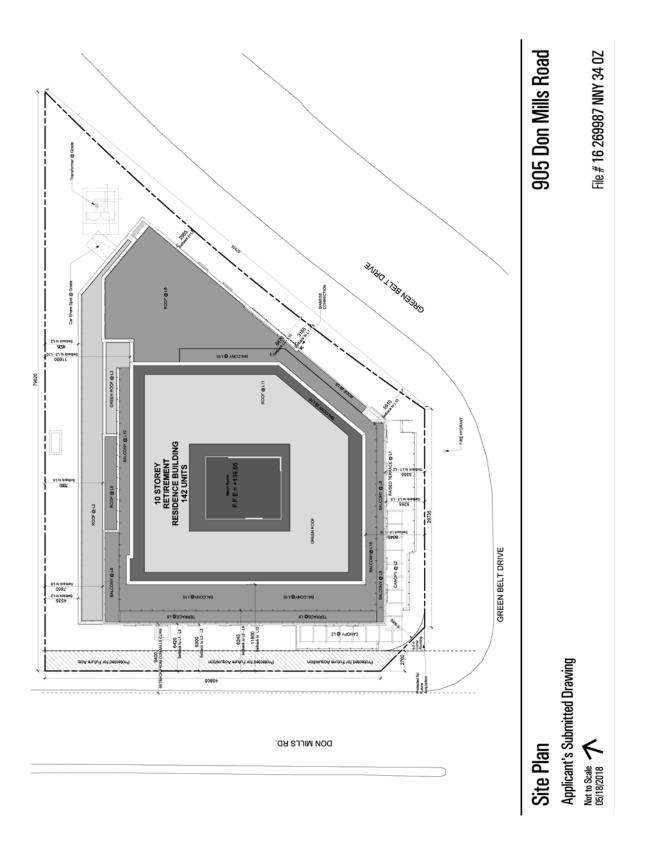


905 Don Mills Road

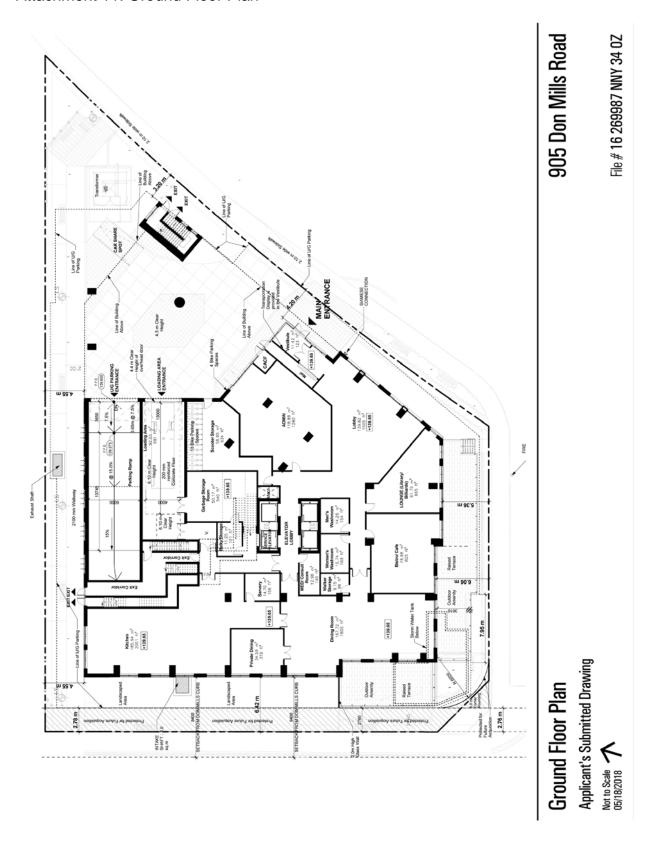
File # 16 269987 NNY 34 OZ



City of Toronto By-law 569-2013 Not to Scale 06/18/2018



Attachment 11: Ground Floor Plan



Attachment 12: Applicant's Rendering (View from the southeast along Greenbelt Drive looking northwest)



905 Don Mills Road

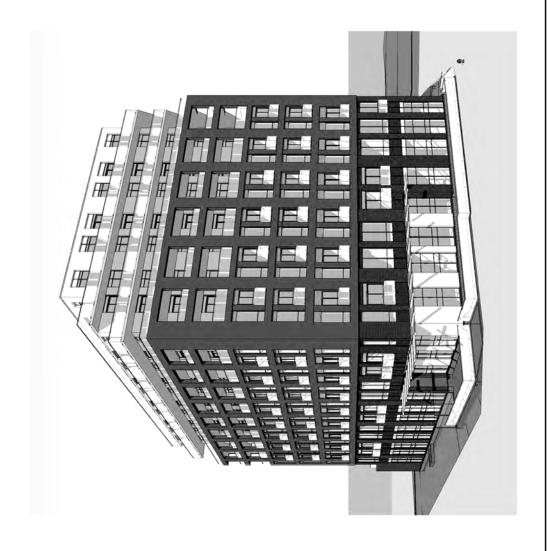
File # 16 269987 NNY 34 0Z

Applicant's Submitted Drawing South East View

Attachment 13: Applicant's Rendering (View from the southwest at Don Mills Road looking northeast)

905 Don Mills Road

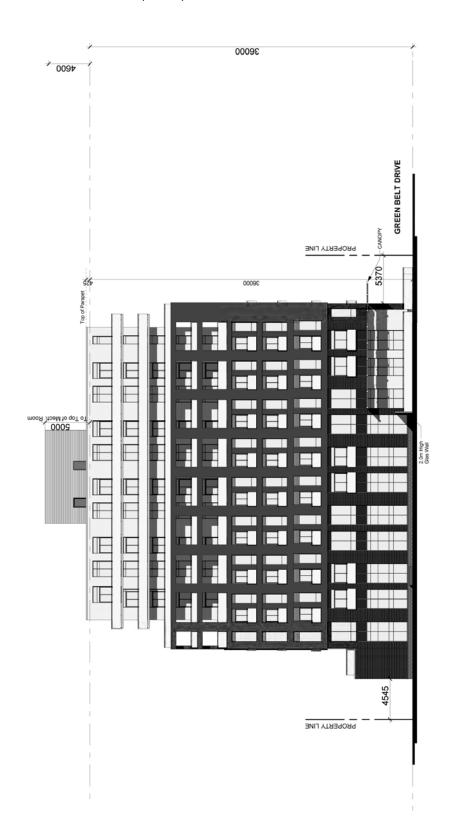
File # 16 269987 NNY 34 0Z



South West View Applicant's Submitted Drawing

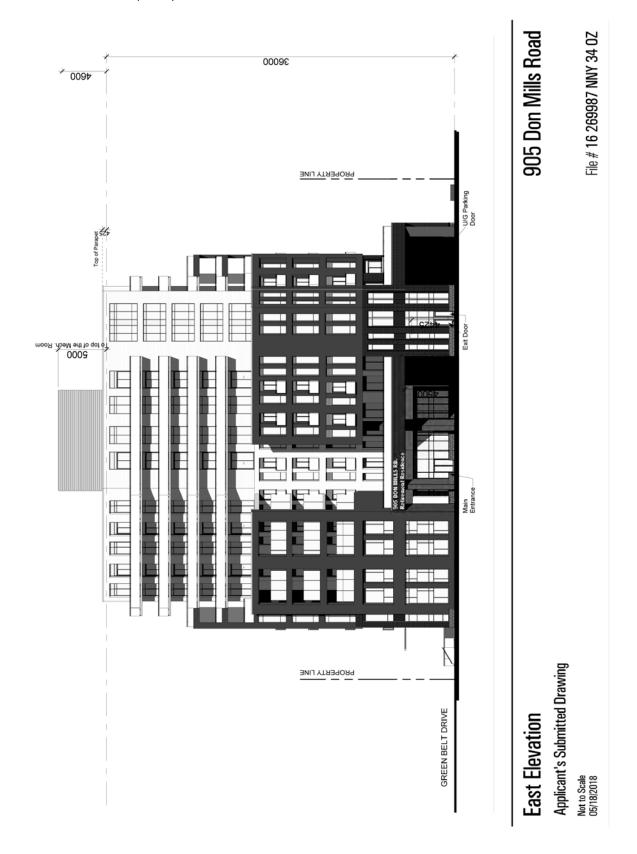
Staff report for action - Final Report- 905 Don Mills Road

Attachment 14: Front (West) Elevation

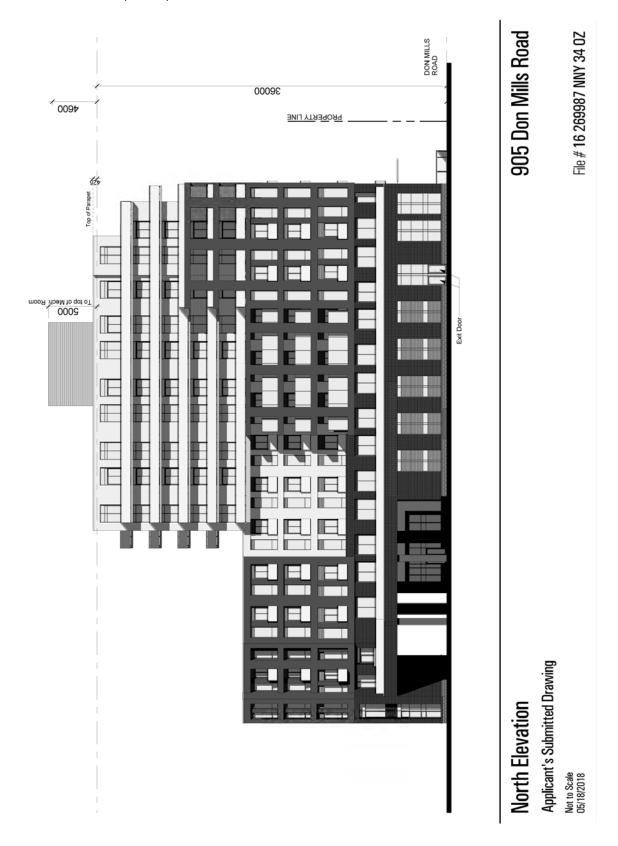


905 Don Mills Road File # 16 269987 NNY 34 0Z Applicant's Submitted Drawing West Elevation

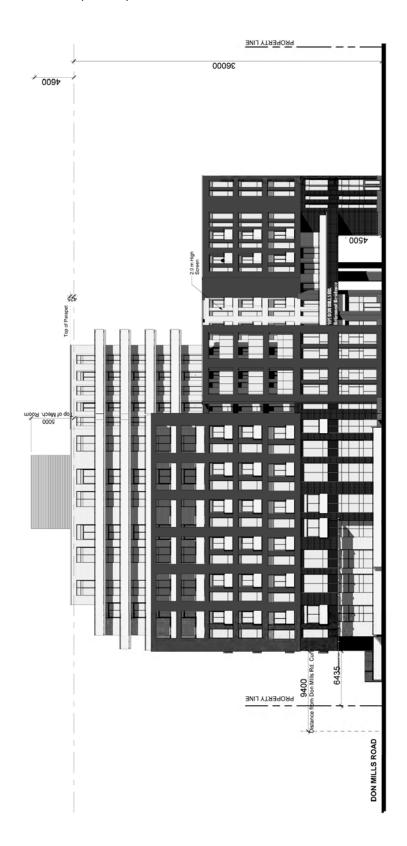
Attachment 15: Rear (East) Elevation



Attachment 16: Side (North) Elevation



Attachment 17: Side (South) Elevation



905 Don Mills Road File # 16 269987 NNY 34 0Z Applicant's Submitted Drawing South Elevation Not to Scale 05/18/2018