

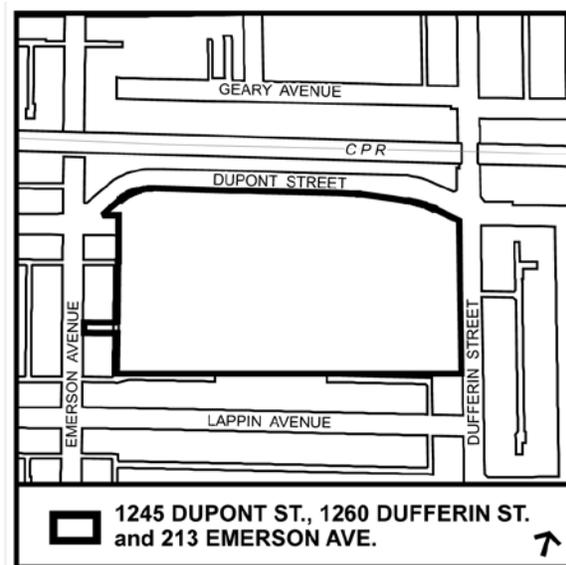
**1245 Dupont Street, 1260 Dufferin Street, 213 Emerson Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report**

<b>Date:</b>	May 18, 2018
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Acting Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 18 – Davenport
<b>Reference Number:</b>	16 231334 STE 18 OZ

**SUMMARY**

The application site includes the Galleria Mall site (Galleria Mall and McDonalds at 1245 Dupont Street & 213 Emerson Avenue) and Wallace Emerson Park and Community Centre (1260 Dufferin Street). The proposal involves a land exchange between the applicant and the City of Toronto for a portion of the park along Dufferin Street with a portion of the west side of the Galleria Mall site. Wallace Emerson Park will be enlarged and further reconfigured with a parkland dedication from the Galleria Mall site. The existing Wallace Emerson Community Centre will be demolished following the construction of a new larger community centre on the west side of the enlarged and reconfigured park.

A new public road (Public Street 'A') will run diagonally across the reconfigured lands from Dufferin Street to Dupont Street. The area south of Public Street 'A' will be the enlarged and reconfigured park and new larger community centre. The area to the north of Public Street 'A' will be the new development site.



The new development site will be divided into east and west parcels by a new north-south public road (Public Street 'B') which runs through the centre of the development site from Public Street 'A' to Dupont Street. The east development parcel will be further divided into three blocks (Blocks 1, 2, and 3) by an 850 square metre triangular Privately-Owned Publicly-Accessible Space (POPS) plaza, a pedestrian mews, and a private service lane. The POPS plaza will be at the northeast corner of the intersection of Public Street 'A' and Public Street 'B'. The pedestrian mews will run diagonally across the east development parcel and will connect the POPS plaza and the intersection of Dupont Street and Dufferin Street. The private service lane will run north-south between the POPS plaza and Dupont Street. The west development parcel will be divided into two blocks (Blocks 4 and 5) by a north-south private road.

The proposal is for the east and west development parcels to be developed with a total of 8 mixed-use towers, ranging in height from 18 to 35-storeys. The tallest towers will be located on the north edge of the development parcels adjacent to Dupont Street, and the heights will decrease towards the *Neighbourhoods* to the east, west, and south. The site will be developed in phases, with each phase being the development of any one of the 5 Blocks that make up the site.

A total of 29,464 square metres of commercial space (including retail, service, food and 1,961 square metres of office space) will be located in the base of the buildings. The buildings will contain a total of 2,846 residential units, including 150 affordable rental housing units.

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

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan, for the lands at 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 14 to the report (May 18, 2018) from the Acting Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 438-86, for the lands at 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 15.
3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 16.

4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment (and/or) draft Zoning By-law Amendments as may be required.
5. Before introducing the necessary bills to City Council for enactment:
  - a) the owner is required to submit a complete Plan of Subdivision Application, Part Lot Control Exemption Application, and/or Consent application, for the lands at 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue;
  - b) the owner is required to submit a revised Functional Servicing and Stormwater Management Report, and revised Hydrogeological Report to the satisfaction of the Chief Engineer & Executive Director, Engineering & Construction Services;
  - c) the owner is required to work with City staff to develop Urban Design Guidelines for the site, to the satisfaction of Chief Planner and Executive Director, City Planning Division;
  - d) the owner shall have entered into a Land Exchange Agreement to purchase a portion of 1260 Dufferin Street (Wallace Emerson Park) from the City, subject to the necessary approvals being granted by the appropriate City authorities to declare the land surplus and authorize the sale of the land to the owner, all to the satisfaction of the City Solicitor and the Director of Real Estate Services and register a Section 118 Restriction under the *Land Titles Act* on those parts of the lands comprising the Galleria Mall site, such that the owner could not transfer or charge those parts of the lands without consent of the Chief Planner and Executive Director, City Planning Division.
6. Before introducing the necessary bills to City Council for enactment, City Council require the owner to enter into and register on title an agreement pursuant to Section 37 of the *Planning Act* to secure the following community benefits, at the owner's expense, in connection with 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor:
  - a) Prior to issuance of the first above-grade building permit for any building on the site, the owner shall enter into an agreement with the City to design and construct 120 affordable rental housing dwelling units comprised of approximately 7,255 square metres of residential Gross Floor Area within an approved development at 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue, substantially in accordance with the Affordable Rental Housing Terms and Conditions attached as Attachment No. 17, with any amendments as deemed appropriate by the Chief Planner and Executive Director, City Planning Division, the Director, Affordable Housing Office, and the City Solicitor, in consultation with the Ward Councillor;

- b) Prior to issuance of the first above-grade building permit, the owner shall submit a Letter of Credit equal to 100% of the agreed upon value that will be the owner's contribution \$6,276,245.00 (including \$475,000 from the 2004 Section 37 agreement indexed) for the construction of the new community centre;
- c) Prior to Site Plan Approval for any of Phases 2 through 5, the owner will construct the new Community Centre and the development within Block 5, all to be considered as Phase 1 which will be completed prior to the commencement of any further Phase, and with latter phases to be generally as described within this Report and more specifically indentified through a phasing plan to be appended to the section 37 agreement, the owner will design and construct a minimum 6,000 square metre community centre on the Phase 1 parkland to the satisfaction of the General Manager, Parks Forestry and Recreation and the General Manager of Children's Services. The Phase 1 parkland consists of the first phase of parkland dedication as well as the lands conveyed as part of the land exchange;
- d) Prior to the issuance of the first above-grade building permit for the latter of either Block 1, 2, or 3 (with all references to Blocks to be the Blocks as illustrated in Attachment No. 6 to this Report) the owner will submit a plan detailing the design and construction of a public art installation on either Block 1, 2 or 3, at a minimum value of \$873,468.00 (\$720,000.00 from the 2004 section 37 agreement indexed), to be secured by way of a letter of credit provided by the owner to the City to the satisfaction of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor;
- e) Prior to the earlier of condominium registration and the first residential use of any residential building on Block 3 of the development, the owner will provide to the City for nominal consideration, Publicly Accessible Privately-Owned Space (POPS) easements over the new plaza with a minimum area of 850 square metres at the north-east corner of Public Streets 'A' and 'B', for public access and provisions for rights of support if necessary, encumbrances, and insurance and indemnification of the City by the owner, to the satisfaction of the Director, Real Estate Services, the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, in consultation with the Ward Councillor. The owner shall own, operate, maintain and repair the POPS. The owner shall install and maintain signage in a location to be determined through Site Plan Approval, at its own expense, stating that members of the public shall be entitled to use the POPS at any time, 365 days a year;

- f) The financial contributions, securities and letters of credit required in Recommendations 6.b) and 6.d) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period beginning from the date of the execution of the Section 37 Agreement to the date of payment;

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

- g) Prior to issuance of the first above-grade building permit for Phase 1, the owner shall enter into a Contribution Agreement to provide City Capital Funding for 30 affordable rental housing units in addition to the 120 units referred to in Recommendation 6.a) and Incentives Contribution for the 150 affordable rental housing dwelling units through the Open Door Affordable Housing Program to be developed on the lands currently known as 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue. The owner shall provide such affordable rental housing dwelling units in accordance with such agreement(s) to be entered into with the City, all to the satisfaction of the Director, Affordable Housing Office, the Chief Planner and Executive Director, City Planning and the City Solicitor;
- h) The owner agrees that none of the affordable rental housing dwelling units will form part of an application for Condominium Registration for at least twenty five years from the date upon which the first new purpose-built rental dwelling unit is occupied to the satisfaction of the Chief Planner and Executive Director, City Planning Division, and the Director, Affordable Housing Office;
- i) Prior to the issuance of the first above grade building permit for the last phase (Phase 5) of the development, the 150 affordable rental housing units shall be ready and available for occupancy;
- j) Prior to the earlier of condominium registration and the first residential use of any residential building on the latter of either Block 1 or 2, the owner will convey to the City for nominal consideration, easements over the pedestrian mews connection from the intersection of Dupont Street and Dufferin Street to the POPS indicated in recommendation 6.e) above, to provide public access with provisions for rights of support if necessary, encumbrances, and insurance and indemnification of the City by the owner, to the satisfaction of Director, Real Estate Services, the Chief Planner and Executive Director, City Planning Division, and the City Solicitor. The owner shall own, operate, maintain and repair the easement lands;

- k) Prior to the earlier of condominium registration or the first residential use of any residential building on the latter of Block 1 or 2, the owner shall design, construct, provide and thereafter maintain an architectural weather canopy over the pedestrian connection identified in recommendation 6.j), at a minimum height of 10.0 metres and a maximum height of 19.0 metres, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- l) Prior to the earlier of condominium registration and the first residential use of any residential building on Block 5, the owner will convey to the City for nominal consideration, easements over the private road from Dupont Street to Public Street 'A', to provide public access, which easements shall include provisions for rights of support if necessary, encumbrances, and insurance and indemnification of the City by the owner, to the satisfaction of Director, Real Estate Services, the Chief Planner and Executive Director, City Planning Division, and the City Solicitor. The owner shall own, operate, maintain and repair the easement;
- m) Prior to the earlier of condominium registration and the first residential use of any residential building on Block 4, the owner will convey to the City for nominal consideration, easements over any portion of the private road from Dupont Street to Public Street 'A' constructed as part of Block 4, to provide public access for use by the general public, which easements shall include provisions for rights of support if necessary, encumbrances, and insurance and indemnification of the City by the owner, to the satisfaction of Director, Real Estate Services, the Chief Planner and Executive Director, City Planning Division, and the City Solicitor. The owner shall own, operate, maintain and repair the easement;
- n) Prior to the earlier of condominium registration or the first residential use of any residential building on the latter of either Block 2 or 3, the owner will convey to the City for nominal consideration, easements over the pedestrian connection from Dupont Street to the POPS indicated in recommendation 9v. above, to provide public access for use by the general public, which easements shall include provisions for rights of support if necessary, encumbrances, and insurance and indemnification of the City by the owner, to the satisfaction of Director, Real Estate Services, the Chief Planner and Executive Director, City Planning Division, and the City Solicitor. The owner shall own, operate, maintain and repair the easement;
- o) Prior to issuance of the first above grade building permit for each phase of development, the owner shall submit a Pedestrian Level Wind Study, satisfactory to the Chief Planner and Executive Director, City Planning, including wind tunnel analysis, which identifies recommendations for the pedestrian realm and the outdoor areas of the podiums to mitigate wind

impacts year-round, and the owner shall implement and maintain in support of the development all recommended mitigation measures to the satisfaction of the Chief Planner and Executive Director, City Planning;

- p) Prior to the commencement of excavation and shoring work for each phase of development, the owner will submit a Construction Management Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, the General Manager of Transportation Services, and the Chief Building Official, in consultation with the Ward Councillor, and thereafter shall implement the plan during the course of construction. The Construction Management Plan will include the size and location of construction staging areas, dates of significant concrete pouring, lighting details, construction vehicle parking and queuing locations, refuse storage, site security, site supervisor contact information, a communication strategy with the surrounding community, and any other matters requested by the Chief Planner and Executive Director, City Planning, the General Manager of Transportation Services, and in consultation with the Ward Councillor;
- q) The owner shall convey to the City the first parkland dedication block, consisting of a minimum of 1,107 square metres, prior to the earlier of the registration of any plan of condominium for Block 5, or any above grade building permits for the earlier of Block 1, 2, 3, or 4.
- r) The owner shall convey the second parkland dedication block, consisting of a minimum of 3,865 square metres, to the City prior to the earlier of either the completion of base coarse asphalt for Public Road 'A', or condominium registration of any building of Phase 3, or the first residential use of any residential building of Phase 3. The total on-site parkland dedication shall be a minimum size of 4,972 square metres, as shown generally on the Site Plan, dated September 30, 2016, revised February 28, 2018 drawing number A1.03, prepared by Hariri Pontarini Architects, all to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- s) Prior to conveyance of the lands in recommendation 6.q) and 6.r) (parkland) to the City, the owner shall be responsible for an environmental assessment of the land and any associated costs or remediation works required as a result of that assessment. Such assessment or remediation shall ensure that the parkland will meet all applicable laws, regulations and guidelines respecting the site to be used for public park purposes, including City Council policies respecting soil remediation of sites. A qualified environmental consultant acceptable to the Executive Director, Engineering and Construction Services shall prepare the environmental assessment. Prior to transferring the parkland to the City, the environmental assessment shall be peer reviewed by an

environmental consultant retained by the City at the owner's expense (the "Peer Reviewer"), and the transfer of the parkland shall be conditional upon the Peer Reviewer concurring with the owner's environmental consultant that the parkland meets all applicable laws, regulations and guidelines for public park purposes;

- t) The owner's environmental consultant shall file a Record of Site Condition (RSC) on the Ontario's Environmental Site Registry and submit to the General Manager, Parks, Forestry and Recreation, the Ministry of the Environment and Climate Change (MOECC) Letter of Acknowledgement of Filing of the RSC confirming that the RSC has been prepared and filed in accordance with O. Reg. 153/04 and that the MOECC will not audit the RSC at this time or that the RSC has passed an MOECC audit;
- u) Prior to the first above-grade building permit, the owner shall submit a letter of credit equal to 120% of the Parks and Recreation Development Charges payable for Phase 1 of the development as well as a letter of credit equal to 100% of the cash-in-lieu for the development;
- v) Prior to Site Plan Approval for each phase of the development, the owner is required to submit a Functional Servicing and Stormwater Management Report, to the satisfaction of the Chief Engineer & Executive Director, Engineering and Construction Services, and pay for and construct any necessary improvements to the municipal infrastructure in connection with the site servicing assessment, should it be determined that upgrades are required to the infrastructure to support this development;
- w) Prior to Site Plan Approval for each phase of the development, a Transportation Impact Study will be submitted, and all recommendations will be secured as part of the Site Plan Agreement, and be constructed and paid by the owner, to the satisfaction of the Chief Engineer & Executive Director, Engineering & Construction Services;
- x) Prior to Site Plan Approval for Block 5, the owner shall submit as part of the Transportation Impact Study an analysis of the potential need for a new signal to be located on Dupont Street at either the intersection of Public Street 'A' or Emerson Avenue, with any signal to be installed and paid for by the developer, to the satisfaction of the General Manager, Transportation Services, Chief Engineer & Executive Director, Engineering & Construction Services, Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;
- y) Prior to Site Plan Approval for Block 4, the owner shall submit as part of the Transportation Impact Study an analysis of the potential need for additional traffic mitigation measures on Public Street 'A', with any mitigation measures to be installed and paid for by the developer, to the satisfaction of the General

Manager, Transportation Services, Chief Engineer & Executive Director, Engineering & Construction Services, Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;

- z) Prior to the first above grade building permit for Phase 1, the owner will pay \$70,000 for the installation of transit signal priority on Dupont Street and Dufferin Street, to the satisfaction of the Chief Engineer & Executive Director, Engineering & Construction Services;
  - aa) The owner agrees that all new transit signals, to be installed as part of the development, will be equipped with Transit Signal Priority, to the satisfaction of the Chief Engineer & Executive Director, Engineering & Construction Services;
  - bb) Prior to the earlier of condominium registration and the first residential use of any residential building on Block 3, the owner shall install and convey to the City a nearside bus bay on Public Street 'A' at Public Street 'B', to the satisfaction of the Chief Engineer & Executive Director, Engineering & Construction Services, and the Toronto Transit Commission (TTC);
  - cc) Prior to the earlier of condominium registration and the first residential use of any residential building on Block 1, the owner shall install and convey to the City a southbound farside bus bay on Dufferin Street at Dupont Street, to the satisfaction of the Chief Engineer & Executive Director, Engineering & Construction Services, and the TTC;
  - dd) The owner shall provide on-site dog off-leash amenities with proper disposal facilities or dog relief stations within a building accessible to all building residents;
  - ee) The owner shall relocate the existing watermain currently located within an easement on the northern portion of the site adjacent to Dupont Street, to the satisfaction of the Chief Engineer & Executive Director, Engineering & Construction Services, at no expense to the City;
  - ff) The financial contributions, securities and letters of credit required in Recommendation 6.z) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto for the period beginning from the date of the execution of the Section 37 Agreement to the date of payment;
7. City Council authorize the City Solicitor to introduce the necessary bill in Council to authorize a site specific exemption from subsection 25A of Municipal Code Chapter 415, Development of Land, to direct that the cash-in-lieu of parkland funds be allocated to the immediate community, to go towards the projects referenced in

Recommendation 6.b) and 6.c), being the design and construction of the new Wallace Emerson Community Centre.

8. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges payable for the development of Blocks 1 to 5, for the design and construction by the Owner of the Above Base Park Improvements for the parkland dedication, to the satisfaction of the General Manager, Parks, Forestry and Recreation, such credit to be in an amount that is the lesser of (i) the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and (ii) the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended.
9. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges payable for the development of Blocks 1 to 5, for the construction by the owner of the community centre, all to the satisfaction of the General Manager, Parks, Forestry, and Recreation; such credit to be in the amount that is the lesser of i) the cost to the owner of constructing the community centre as approved by the General Manager, Parks, Forestry and Recreation, less the owner's Section 37 contribution, as indexed, any Section 42 cash-in-lieu, and funds relating to the land exchange, and ii) the Parks and Recreation component of Development Charges payable, as determined by the City in accordance with the City's Development Charge By-law, as may be amended.
10. In the event the cost of constructing the community centre less the owner's Section 37 contribution, as indexed, any Section 42 cash-in-lieu, and funds relating to the land exchange exceeds the Parks and Recreation component of the Development Charges for the development of Block 1 to 5, the General Manager of Parks, Forestry and Recreation report back to City Council through the subsequent Capital Budget process with options and a funding strategy to allow for the planned scope of work to be fully implemented.
11. The total combined Development Charge credit under Recommendations 8 and 9 above shall under no circumstances exceed the Parks and Recreation component of Development Charges payable for the development as determined by the City in accordance with the City's Development Charge By-law, as may be amended.
12. City Council authorize and direct the Chief Building Official to waive any Development Charges resulting from the reconstruction of the Wallace Emerson Community Centre.
13. City Council authorize the Director, Affordable Housing Office, to provide capital funding to the owner or a related corporation, in the amount of \$1,500,000.00 from the Development Charges Reserve Fund for Subsidized Housing (XR2116) through the Open Door Affordable Housing Program, to secure thirty (30) affordable rental

housing dwellings units to be developed on the lands currently known as 1245 Dupont Street, 1260 Dufferin Street and 213 Emerson Avenue, in addition to the one hundred twenty (120) units referred to in Recommendation 6.a), all to be developed substantially in accordance with the Affordable Rental Housing Terms and Conditions, attached as Attachment No. 17.

14. City Council authorize the Director, Affordable Housing Office, to provide Open Door Affordable Housing Program incentives for the 150 affordable rental housing dwelling units to be developed on the lands currently known as 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue, substantially in accordance with the Affordable Rental Housing Terms and Conditions attached as Attachment No. 17.
15. City Council authorize the Director, Affordable Housing Office, to negotiate, and execute a Municipal Capital Facility Agreement (a "Contribution Agreement") with the owner, or a related corporation, for the 150 affordable rental housing dwelling units to be developed on the lands currently known as 1245 Dupont Street, 1260 Dufferin Street and 213 Emerson Avenue to secure rents at or below 100 percent of average market rents, to eligible tenants for 25 years including a 5-year phase-out period, substantially in accordance with the Affordable Rental Housing Terms and Conditions attached as Attachment No. 17 together with any security, financing or other documents required, as well as any amendments thereto required from time to time, on terms and conditions acceptable to the Director, Affordable Housing Office, in a form satisfactory to the City Solicitor.
16. City Council authorize the Director, Affordable Housing Office to work with the General Manager, Shelter Support and Housing Administration, to secure a minimum of 15 housing benefits (for 10% of the affordable rental housing), subject to available funding and the execution of the Municipal Capital Facility Agreement referred to in Recommendation 15.
17. City Council exempt the 150 new affordable rental housing dwelling units to be developed on the lands currently known as 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue from taxation for municipal and school purposes for the 25-year term of the municipal capital facility agreement.
18. City Council authorize the City Solicitor to execute, postpone, confirm the status of and discharge any City security documents registered with respect to the Municipal Capital Facility Agreement, as required by normal business practices.
19. City Council authorize staff to cancel or refund any taxes paid from the effective date of the by-law exempting the affordable project from taxation.

20. City Council direct the Director, Affordable Housing Office, to pursue with the owner participation of the non-profit housing sector in the operation of the 150 new affordable rental housing dwelling units currently known as 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue including consulting with, and facilitating discussions between, the owner and the non-profit housing sector.

## **Financial Impacts**

### **Parkland and Community Centre**

The proposal involves a land exchange between the applicant and the City of Toronto to swap a portion of the park along Dufferin Street with a portion of the west side of the Galleria Mall site. The financial impact of the land exchange will be further detailed in a report directed to the Government Management Committee.

As a result of the land exchange, the Wallace Emerson Park will be enlarged with the remaining parkland dedication to be supplied as cash-in-lieu of land. The value of the cash-in-lieu will be appraised through Real Estate Services prior to the issuance of the first above grade building permit and is recommended to be applied to the redesign and reconstruction of the Wallace Emerson Community Centre. A Park Master Plan for the Wallace Emerson Park will be created by the applicant with a consultation with the local community and Parks staff.

The Wallace Emerson Community Centre will be redesigned and relocated as part of the land exchange, expanding the community centre from 2,500 square metres to 7,230 square metres. The applicant will design and construct the community centre prior to demolishing the existing facility and exchanging lands. The current community centre is included in the Parks and Recreation Facilities Master Plan 2019-2038 for revitalization or replacement. At this time, the Wallace Emerson Community Centre is not included in the Parks, Forestry and Recreation 2018-2027 Capital Budget and Plan and will be considered in the Parks, Forestry and Recreation 2019-2028 Capital Budget and Plan.

As the construction of the relocated community centre will be completed by the developer, City Council approval is being recommended to waive the development charges resulting from the construction of the new Wallace Emerson Community Centre. The design and program of the community centre will be determined prior to Site Plan approval, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

In addition, City Council approval is being recommended in this report to approve credit against the Parks and Recreation component of the Development Charges from the mixed use development.

Future financial impacts resulting from planned parks and recreation facilities will be reported on as the detailed design is developed and will also be identified through future year Operating Budget submissions.

### **Child Care Facility**

The proposal includes a child care centre with 62 spaces for infants, toddlers and preschoolers, within the new community centre. The design of the child care facility will be determined prior to Site Plan approval, to the satisfaction of the General Manager, Children's Services.

It is envisioned that the child care services in the new facility will be provided by an independent third party operator in accordance with the Children's Services Child Care Development Guidelines (2016), with the choice of the provider to be determined through an expression of interest.

Operating costs for the child care centre will be fully recovered through fees for service and will result in no operating impact to the City.

### **Affordable Housing**

As outlined in the table below, City capital contributions and incentives through the Open Door Program will achieve affordable rents for 30 units and longer affordability periods for 150 units (including the aforementioned 30 units), including funding of up to \$1,500,000.00 from the Development Charges Reserve Fund for Subsidized Housing (XR2116) through the Open Door Program. City incentives include relief from development charges, planning and buildings fees and property taxes for 25 years.

A minimum of 10% of the project's affordable units shall be made available to households receiving housing benefits referred from the City's Housing Access System.

A list of incentives and contributions is summarized below:

<b>Galleria Mall Redevelopment</b>		
<b>Affordable Rental Homes</b>	<b>Value of Contribution (Per Unit)</b>	<b>Total Support (150 units)</b>
<b>Development Charges Reserve Fund (XR2116)</b>	\$50,000.00	\$1,500,000.00 for 30 units
<b>*City Incentives (Development Charges, Planning and Building Permit Fees, Tax Exemption)</b>	\$43,885.00	\$6,582,965.00 for 150 units
<b>Total:</b>	\$93,885.00	\$8,082,965.00

\*City incentives are estimates

\*\* The 30 homes identified above are in addition to 120 units of affordable rental housing being provided as a Section 37 community benefit.

In keeping with City policy to achieve affordable rents, this report also recommends City Council exempt 150 affordable rental units on the lands at 1245 Dupont Street, 1260 Dufferin Street, 213 Emerson Avenue from property taxes for 25 years.

The value of the annual property tax exemption is estimated at \$123,926.00 at current 2018 rates. The net present value over the 25-year-term is estimated at \$2,157,938.00 as summarized below:

<b>Property Tax</b>	<i>Annual</i>	<i>NPV: 25 Years</i>
<i>City</i>	\$ 90,333.00	\$ 1,572,978.00
<i>Education</i>	\$ 33,151.00	\$ 577,256.00
<i>City Building</i>	\$ 442.00	\$ 7,703.00
<b>Total:</b>	\$ 123,926.00	\$ 2,157,938.00

A tax exemption would have no net present impact to the City for the educational portion of taxes remitted to the Province.

#### Equity Impact Statement

Lack of access to safe, secure, affordable housing in complete communities is a barrier to low-income residents in Toronto. The Galleria Mall Redevelopment is located in a transit-oriented neighbourhood and in proximity to retail outlets, amenities, and education and recreation facilities. The location and accessibility increases the importance of securing new affordable housing at this location.

Providing a comprehensive funding and incentive package to deliver 150 affordable rental homes in the Galleria Mall Redevelopment will assist in making affordable housing more accessible to lower-income residents. This will also contribute toward achieving the City's Housing Opportunities Toronto 10-year targets for new affordable rental and ownership homes and supports the City's poverty reduction strategy. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

#### **Section 37 Agreement**

As a Section 37 community benefit, the applicant will submit a letter of credit to City Planning for the design, construction and installation of public art, with a minimum value of \$873,468. Engineering & Construction Services will receive \$70,000 from the applicant prior to the first above grade building permit to pay for the installation of transit priority signals on Dupont and Dufferin Street.

#### **DECISION HISTORY**

On July 22, 2004 City Council adopted amendments to the Official Plan for the former City of Toronto as well as Zoning By-law 438-86 to allow a mixed-use development at 1245 Dupont Street (Galleria Mall site) containing a total of 1,600 residential units and 3,600 square metres of retail/commercial gross floor area.

## ISSUE BACKGROUND

### Application Site

The application site is located at the south-west corner of Dufferin Street and Dupont Street and includes the Galleria Mall site (Galleria Mall and McDonalds at 1245 Dupont Street, and 213 Emerson Avenue) and the existing Wallace Emerson Park and Community Centre (1260 Dufferin Street).

The Galleria Mall site is approximately 49,113 square metres in area, and has 395 metres of frontage along Dupont Street, and 160 metres of frontage along Dufferin Street. It is currently occupied by the Galleria Mall, a stand-alone drive-through restaurant (McDonalds), and a large surface parking lot.

Wallace Emerson Park is approximately 27,284 square metres in area. The park contains Wallace Emerson Community Centre which is approximately 2,500 square metres in size and is well used by the local community. The park is bounded on the south and west sides by public lanes and the rear of the houses in adjacent low-rise *Neighbourhoods*. The north side of the park has a large fence separating it from the surface parking lot of the Galleria Mall site. On the east side, the park fronts onto Dufferin Street, with the existing community centre occupying approximately half of the frontage.

### Proposal

The proposal involves a reconfigured development site and enlarged and reconfigured park. The applicant has proposed a land exchange between the applicant and the City of Toronto. The land exchange is for an approximately 8,241 square metre portion of the existing Wallace Emerson Park, occupied by the existing Wallace Emerson Community Centre, to be incorporated into the development site in exchange for land on the west side of the Galleria Mall site (see Attachment 8 – Land Exchange). Wallace Emerson Park will be enlarged and further reconfigured with a park land dedication of 4,972.29 square metres from the Galleria Mall site.

The existing Wallace Emerson Community Centre will be demolished following the construction of a new larger community centre on the west side of the enlarged and reconfigured park. The new City-owned community centre will be constructed and partially paid for by the applicant as part of the development, and will be located at the north-west corner of the reconfigured and enlarged park fronting onto Dupont Street. The new community centre will be approximately 7,230 square metres in size and will be built prior to the demolition of the existing community centre. A new child care facility (62 child capacity) is planned to be integrated into the new larger community centre.

The reconfigured site will be divided by a new public road (Public Street 'A') 18.5 metres in width, which will run diagonally from Dufferin Street to Dupont Street. The area south of Public Street 'A' will be the enlarged and reconfigured park and new larger community centre. The area to the north of Public Street 'A' will be the new development site. A traffic signal will be located at the intersection of Public Street 'A' and Dufferin Street.

The new development site will be divided into an east and west development parcel by a new north-south public road (Public Street 'B') 20 metres in width, which runs through the centre of the development site from Public Street 'A' to Dupont Street. A new traffic signal will be located at the intersection of Public Street 'B' and Dupont Street.

The east development parcel will be bounded by Dufferin Street to the east, Dupont Street to the north, Public Street 'B' to the west, and Public Street 'A' to the south. The east development parcel will be further divided into three blocks (Blocks 1, 2, and 3) by a triangular POPS plaza, a pedestrian mews, and a private service lane (see Attachment 1 – Site Plan, Attachment 6 – Block Plan, and Attachment 7 – Public Realm (Park and POPS)). The POPS plaza will be at the northeast corner of the intersection of Public Street 'A' and Public Street 'B' and will be a minimum of 850 square metres in size. The pedestrian mews will be 12.0 metres in width and will run diagonally across the east development parcel between Blocks 1 and 2, connecting the POPS plaza and the intersection of Dupont Street and Dufferin Street. The pedestrian mews will be covered by an architectural weather canopy. The private service lane will be 12.0 metres in width and will run north-south between Blocks 2 and 3, connecting the POPS plaza and Dupont Street.

The east development parcel will have public sidewalks on all frontages and will have publicly accessible pedestrian connections between the blocks. On the Public Street 'A' frontage, the building on Block 1 will be built to the property line and will have a public sidewalk 6.0 metres in width. On the Dufferin Street frontage, the building on Block 1 will be built to the property line, with increased setbacks on the ground floor to allow for wider public sidewalks adjacent to the Dufferin bus stop. The public sidewalk on Dufferin Street will be between 7.5 metres and 9.0 metres in width. On the Public Street 'B' frontage the building on Block 3 will be setback between 3.0 and 4.0 metres creating a total public sidewalk of width of between 9.5 and 11.0 metres in width. On the Dupont Street frontage the buildings on Blocks 2 and 3 will have setbacks of approximately 2 metres to allow for a public sidewalk of between 8.0 and 8.5 metres in width. The private service lane will have a publicly accessible sidewalk 2.1 metres in width on its west side. All of the frontages as well as the private service lane and mews will have tree plantings.

The west development parcel will be bounded by Dupont Street to the north, Public Street 'A' to the west and south, and Public Street 'B' to the east. The west development parcel will be further divided into two blocks (Blocks 4 and 5) by a north-south private road, 16.0 metres in width, connecting Public Street 'A' and Dupont Street. The private road will be publicly accessible. Public sidewalks will be located on all of the frontages of the west development parcel, with publicly accessible sidewalks located on both sides of the private road. On the Public Street 'A' frontage the buildings will be built to the property line and will have public sidewalks 6.0 metres in width. On the Public Street 'B' frontage the building on Block 4 will be built to the property line and creating a public sidewalk 4.5 to 5.5 metres in width. On Dupont Street the buildings on Blocks 4 and 5

will be setback between 0 and 2.0 metres, resulting in a public sidewalk between 6.5 and 7.5 metres in width. The publicly accessible sidewalk on the east side of the private road will be 6.0 metres in width, and 3.0 metres on the west side. All of the public street frontages, and the east side of the private road, will have tree plantings.

The proposal is for the east and west development parcels to be developed with a series of mixed-use buildings containing a total of 29,464 square metres of commercial space (including retail, service, food, and 1,961 square metres of office space) located on the first and second floors of the mixed-use buildings. A total of 2,846 dwelling units are proposed in 213,336 square metres of residential gross floor area. The unit mix is as follows: 1,423 one-bedroom (50%), 1,139 two-bedroom (40%), and 284 three-bedroom (10%).

A total of 8 tall buildings ranging in height from 18 to 35-storeys are proposed on the east and west development parcels. The tallest towers will be located on Dupont Street on the north edge of the development parcels, with the tower heights decreasing toward the low-rise *Neighbourhoods* to the east and west, and to the new enlarged and reconfigured park to the south. The separation distances between the towers range from 25 to 50 metres. The base building heights range from 2 to 10-storeys (see Attachments 1-5).

The following chart provides further details regarding heights and floor area for each of the 5 new development blocks (see Attachment 6 – Block Plan):

Table No. 1: East Development Parcel Statistics

East Development Parcel					
	Height	Units	Gross Floor Area (Square Metres)		
			Residential	Commercial	
				Retail, Service, Food	Office
<b>Block 1</b>	18-storeys (72.1 metres)	535	42,433	13,421	0
<b>Block 2</b>	29-storeys (109 metres)	367	28,109	5,461	0
<b>Block 3</b>	25-storeys (89.1 metres) 35-storeys (118.8 metres)	690	49,765	2,810	0

Table No. 2: West Development Parcel Statistics

West Development Parcel					
	Height	Units	Gross Floor Area (Square Metres)		
			Residential	Commercial	
				Retail, Service, Food	Office
<b>Block 4</b>	23-storeys (84.3 metres) 32-storeys (111.0 metres)	683	37,938	3,515	1,318
<b>Block 5</b>	21-storeys (77.1 metres) 26-storeys (91.5 metres)	571	42,815	2,296	643

A total of 2,748 vehicular parking spaces (including 537 commercial parking spaces, and 12 carshare spaces) are proposed. The east development parcel will have a 5-level below-grade garage under its entirety containing 957 parking spaces. The west development parcel will have a 4-level below-grade parking garage under its entirety containing 1,791 parking spaces. A total of 14 loading spaces are proposed, all loading is fully enclosed within the proposed buildings.

On the east development parcel, Block 1 will have a combined parking and loading entrance located on Public Street 'A'. Block 2 will have loading accessed from the private service lane, and will share parking access located on Blocks 1 and 3. Block 3 will have parking access from Public Street 'B', and loading access from the private service lane.

On the west development parcel, Block 4 will have loading accessed from the private road, and will share parking access located on Block 5. Block 5 will have parking and loading access from the private road.

A total of 3,011 bicycle parking spaces will be provided. The bicycle parking spaces will be accessed from a bicycle lobby, with dedicated elevator, located in each of the buildings.

### History of Revisions to Proposal

Three versions of the proposed development were submitted to the City for consideration within the Official Plan and Zoning By-law Amendment review process. The original application was received on September 30, 2016. The plans were revised and resubmitted on November 2, 2017, and on March 2, 2018.

Specific details on the revisions made to the proposal through the review process are discussed later in this report. The following chart provides a comparison of the statistics of the original proposal, the 2<sup>nd</sup> submission, and the 3<sup>rd</sup> submission (current proposal).

Table 3: Revised Submission Comparison

<b>Statistics</b>	<b>1<sup>st</sup> Submission</b>	<b>2<sup>nd</sup> Submission</b>	<b>3<sup>rd</sup> Submission (Current Plan)</b>
Residential Floor Area (square metres)	222,895	221,787	213,336
Commercial Floor Area: Retail, Service, Food (square metres)	29,912	26,808	27,503
Commercial Floor Area: Office (square metres)	6,391	1,886	1,961
Total GFA (square metres)	259,198	250,481	242,800
Number of Units	3,416	2,891	2,846
Unit Mix (%)			
Studio	311 (9%)	0	0
1-bedroom	1999 (59%)	1,443 (50%)	1,423 (50%)
2-bedroom	932 (27%)	1,160 (40%)	1,139 (40%)
3-bedroom	174 (5%)	288 (10%)	284 (10%)
Number of Towers	12	8	8
Max Height	42-storeys (138.2 metres)	35-storeys (118.8 metres)	35-storeys (118.8 metres)
Bicycle Parking Spaces	3,849	3,067	3,011
Vehicle Parking Spaces	3,280	2,844	2,748

In summary, the revisions to the proposal have resulted in reductions to the residential floor space and the number of residential units being proposed. The total number of towers on the site has been reduced. The proposed commercial floor space has been modestly reduced with a larger decrease in the amount of office floor space. The proposed vehicle parking and bicycle parking have decreased along with the decrease in the number of units.

### **Surrounding Area**

The application site is located approximately 880 metres north of Dufferin Station on the TTC subway, and is serviced by TTC bus routes on both Dufferin Street and Dupont Street.

Surrounding the Site:

South: To the south of Wallace Emerson Park is a low-rise neighbourhood consisting of 2 to 3-storey detached and semi-detached dwellings.

North: To the north is a shallow strip (approximately 10 metres in width) of auto-oriented commercial properties with one and two-storey buildings. To the north of the commercial properties is an active rail corridor, with employment uses and residential uses further to the north.

West: To the west is a low-rise neighbourhood consisting of 2 to 3-storey detached and semi-detached dwellings. Further to the west are mid-rise and high-rise buildings at the intersection of Lansdowne Avenue and Dupont Street.

East: To the east is a low-rise neighbourhood consisting of 2 to 3-storey detached and semi-detached dwellings, as well as a Toronto Fire Station fronting onto the east side of Dufferin Street. To the east on the north side of Dupont Street are employment uses.

### **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 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 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."

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.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

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.

## **Official Plan**

The application site is designated *Mixed Use Areas* and *Parks* and is adjacent to *Neighbourhoods* designated properties to the east, west and south. The majority of the Galleria Mall site is designated *Mixed Use Areas* and Wallace Emerson Park is designated as *Parks* on Map 17 (Land Use) in the Official Plan (see Attachment 11 – Official Plan).

## **Mixed Use Areas**

The *Mixed Use Areas* designation in the Official Plan provides for a broad range of commercial, residential and institutional uses, in single-use or mixed-use buildings, as well as parks and open spaces and utilities.

Development in *Mixed Use Areas* is subject to development criteria to: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall

equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and, provide indoor and outdoor recreation space for residents in multi-unit residential buildings.

The *Mixed Use Areas* policies, including policy 4.5.2(e) reinforce the Built Form policies of the Official Plan. The policies require that new buildings be massed to frame the edge of streets and parks with good proportion.

The Healthy Neighbourhoods policies (Section 2.3.1) of the Official Plan require that development in *Mixed Use Areas* provide a gradual transition of scale and density to adjacent *Neighbourhoods*. The Built Form policies also require that new development create appropriate transitions in scale to neighbouring existing and planned buildings. In addition, *Mixed Use Areas* policy 4.5.2(c) states that new development is to locate and mass new buildings to provide transition between areas of different development intensity and scale, through means such as setbacks, and stepping down of heights towards lower-scale *Neighbourhoods*.

### **Parks and Open Space Areas**

A portion of the Galleria Mall site and all of Wallace Emerson Park and Community Centre is designated *Parks* on Map 17 (Land Use) in the Official Plan.

The *Parks and Open Space Areas* designation is made up of parks and open spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries. More specifically the areas designated as *Parks* will be used primarily to provide public parks and recreational opportunities.

The sale or disposal of City owned lands in *Parks and Open Space Areas* is not allowed, however, City owned land in *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility.

Development is generally prohibited within this designation, other than for recreational and cultural facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities.

### **Public Realm**

The Public Realm policies of the Official Plan recognize City streets as significant public open spaces. New and existing City streets are required to incorporate a Complete Streets approach and be designed to perform their diverse roles by balancing the needs and priorities of various users and uses, improving the quality and convenience of active transportation, reflecting the local context and character, and serving as community destinations and public gathering places.

Public Realm policy 3.1.1.18 of the Official Plan requires that "new city blocks and development lots within them will be designed to:

- a) have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space;
- b) promote street-oriented development with buildings fronting onto streets and park edges;
- c) provide adequate room within the block for parking and servicing needs; and
- d) allow for incremental, phased development."

The Public Realm policies require that new parks and open spaces will be located and designed to connect and extend, wherever possible, to existing parks, natural areas, and other open spaces such as school yards. New parks should front onto a street for good visibility, access and safety.

### **Building New Neighbourhoods**

The Official Plan requires a comprehensive planning framework when developing new neighbourhoods. The policy framework should reflect the Official Plan's city-wide goals as well as the local context. Policy 3.3.1 of the Official Plan states that the framework should include, among other matters: the pattern of streets, development blocks, and open space; the mix and location of land uses; and a strategy to provide parkland.

The Building New Neighbourhoods policies of the Official Plan also require that new neighbourhoods will be viable communities that are carefully integrated into the surrounding fabric of the City. A Master Plan for the site is required to provide a planning and design framework.

### **OPA 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.

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

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* adjacent and close to *Neighbourhoods*. The new criteria address aspects in new development such as amenity and service areas, lighting and parking.

### **Housing**

The Official Plan's Housing policies in Section 3.2.1 encourage a full range of housing opportunities to meet the current and future needs of residents which includes ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

Official Plan Policy 3.2.1.9 in particular speaks to large residential developments and large sites. The intent of the policy is to provide large residential developments an opportunity to achieve a mix of housing in terms of types and affordability. The policy refers to sites of 'generally larger than 5 hectares as the threshold for the policy applying. The subject site is 49,113 square metres or 4.91 hectares in size. While the subject site's size falls under the 5 hectare threshold, the proposed development is a large residential development and as such the City worked with the applicant to achieve the intent of Policy 3.2.1.9 by securing affordable rental housing as a community benefit.

### **Site and Area Specific Policy No. 213**

The subject site falls within Site and Area Specific Policy No. 213. This policy notes that the site has potential for large-scale redevelopment, any redevelopment will need to fit into an overall redevelopment scheme for the lands. In particular new development needs to be compatible with the adjacent *Neighbourhoods* and *Parks and Open Space Areas*. The policy also notes that taller buildings should be located away from the adjacent low-scale *Neighbourhoods* and the existing community centre and park, and provide a gradual transition of scale to those areas.

The Official Plan Amendment proposes to replace the content of Site and Area Specific Policy 213 to allow for a total of 8 tall buildings to be constructed on this site, subject to performance criteria.

### **Zoning**

The portion of subject site known as 1245 Dupont Street is zoned CR (Commercial Residential) in Zoning By-law 569-2013. Zoning By-law 724-04 also applies to the subject site and is the result of a Zoning By-law Amendment application approved in 2004. Zoning By-law 724-2004 permits a maximum of 1600 residential units, 131,400 square metres of residential gross floor area, and 3,600 square metres of non-residential gross floor area. Along the Dupont Street frontage By-law 724-2004 permits a series of 9-storey (27-metre) buildings with three towers ranging in height from 47.6 metres to 59.4 metres (approximately 16 to 19 storeys). On the south side of the site, adjacent to

Wallace Emerson Park, Zoning By-law 724-2004 permits a series of 7-storey (21.1 metre) buildings. On the west side of the site, adjacent to the low-rise neighbourhood, Zoning By-law 724-2004 permits 3 residential buildings with a height of 11.8 metres. (See Attachments 9 and 10 - Zoning)

The existing zoning designation for Wallace Emerson Park (1260 Dufferin Street) is OR (Open Space) in Zoning By-law 569-2013. The Zoning By-law permits a range of uses including a City-owned community centre and day nursery. The maximum permitted height is 12.0 metres.

### **Site Plan Control**

A Site Plan Control Application will be required for each phase (1 application for each Block) of the development. A site plan control application has not been submitted.

### **Plan of Subdivision**

A Plan of Subdivision Application will be required in order to divide the subject site into the various development Blocks and to secure the new public streets. The submission of a complete Plan of Subdivision is required prior to introducing the Bills to City Council for the site specific Zoning By-law and Official Plan amendment.

### **Tall Building Design Guidelines**

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

Tall Buildings Guidelines Section 1.2 requires that larger sites provide a Master Plan as part of the Planning Rationale. The guidelines note that the Master Plan should:

"...provide a vision for the development of the entire site area, including how new buildings, streets, blocks, pedestrian and cycling routes, parks, and publicly accessible and private open spaces will fit within the existing and planned context."

Section 1.3 Fit and Transition in Scale, provides further guidance to ensure tall buildings fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks and open space.

### **Growing Up: Planning for Children in New Vertical Communities**

On July 4, 2017, City Council considered the draft Growing Up Guidelines and directed staff to apply them in the evaluation of new and under review multi-unit residential development proposals.

The draft Growing Up Guidelines were developed through a consultation strategy that sought to understand the specific needs of families living in vertical communities as well as the challenges and opportunities faced by architects, landscape architects and developers of mid and high rise buildings. The draft Guidelines have been informed by other City Divisions, School Boards and the Toronto Public Library all of whom provide services and facilities to households with children and youth. The draft Growing Up Guidelines take a comprehensive approach to building a child-friendly city.

The objective is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at each scale. At the neighbourhood scale, the draft guidelines focus on children's experience in the city, promoting independent mobility, access to parks, schools and community infrastructure. At the building scale, the guidelines seek to improve community within new developments by increasing the number of larger units, encouraging the design of functional and flexible amenity space and common space that supports resident interaction and lingering. At the unit scale, the guidelines focus on size and functionality, recommending minimum areas for each element to ensure that a unit provides the space for the social functions of family life.

### **Reasons for Application**

An Official Plan Amendment is required to re-designate a portion of Wallace Emerson Park from *Parks and Open Space* to *Mixed Use Areas*, and a portion of the Galleria Mall site from *Mixed Use Areas* to *Parks and Open Space*.

An application to amend the Zoning By-law is also required to allow the proposed height, density, and commercial gross floor area for the subject site. As well, the application to amend the Zoning By-law is required to introduce residential and commercial gross floor area, and to allow the proposed height and density for the portion of Wallace Emerson Park to be incorporated into the development site.

### **Community Consultation**

On March 23, 2017 City Planning staff hosted a community meeting at the Galleria Mall to discuss the first submission for the application site with members of the community. Approximately 400 people attended the meeting.

On December 4, 2018, City Planning staff hosted a drop-in style consultation meeting on the revised second submission, also at Galleria Mall. Approximately 250 people attended this meeting.

### **Summary of Comments from the Community**

Comments reviewed in developing staff recommendations were received from prior to the formal submission of the application to the date of drafting this report. The volume of comments from the community regarding this application was considerable.

Comments received throughout this process have informed staff's response to the applicant on each revision of the proposed plan and have had, in the opinion of City staff, a substantial impact on the nature of revisions to the proposal.

Comments received varied significantly both in content and support for the development proposed. Community comments are summarized as follows:

### **Site Layout & Built Form**

- A range of opinions regarding the proposed height and density were expressed. The majority of the comments received suggest that the proposal is of a height and density that is inappropriate for the surrounding area, and that there are too many towers proposed.
- The original proposed peak building height at 42-storeys was considered too tall for the surrounding area. Though there was support for placing the taller elements of the proposal towards Dupont Street.
- It was expressed that the proposed development is out of context with the character of the surrounding area.
- The height of the street walls of the proposal, particularly on Dufferin Street, were considered excessive and out of scale with the surrounding area, mostly in the 1<sup>st</sup> submission of the proposal.
- A large number of comments requested more appropriate transition of new buildings to the surrounding neighbourhoods and park. The lack of transition on Dufferin Street, in the 1<sup>st</sup> submission, was a major concern.
- Shadow and wind impacts of the towers were raised as concerns.
- There were numerous comments raising concerns that the proposed density will overwhelm local services, infrastructure, transit, roads, and parks.
- Some comments noted that the development of the site will refresh the community and address existing issues on the site.
- There was support for the expansion of Wallace Emerson Park, and support for development being to the north of the park so as to maintain sunlight.
- The inclusion of pedestrian walkways through the development was raised as a positive aspect of the development.
- There was consistent support for the provision of an on-site park space and for improvements to the pedestrian realm.
- Some comments expressed support for the amount of commercial space and the increase in office space.
- There was some support for the unique shape of the blocks and buildings.

### **Affordable Housing**

- The most common theme discussed in comments from the first community meeting was with regard to the lack of affordable housing being proposed.
- There were many comments raising the lack of integration of the affordable housing units into the development as a concern.

## **Park and Community Centre**

- There were a diverse range of comments on the appropriate location of the new community centre within the park. However there was consistent support for a larger community centre.
- The increased amount of landscaped space was noted as a positive aspect of the proposal.
- The redesign of Wallace Emerson Park was generally supported. However concerns were raised that the park needs to have frontage on a major road and needs to be visible to the public.
- There were a few comments expressing concerns that the existing community centre is very important and should be renovated instead of replaced.
- The need for increased pedestrian/cycling connections to the surrounding neighbourhood was raised.
- Some comments stated that the proposed land exchange should not be supported.

## **Transportation**

- There was consistent concern with the traffic impact on Dufferin Street and Dupont Street, which residents felt were already too congested.
- Concerns were raised about traffic infiltration into the surrounding neighbourhood.
- Major concerns were raised with regard to impact of the increased density on public transit, and the lack of capacity on the 29 Dufferin bus line and at the Dufferin subway station.
- An on-site loop for the 29 Dufferin bus line was considered desirable.
- A few comments stated that bus bays (lay-bys) should be added on Dufferin Street.
- The new diagonal road (Public Street 'A') being used as a cut through between Dupont Street and Dufferin Street was often noted as a concern.
- The number of new signalized intersections being proposed was raised as a concern.
- Many comments raised concern with the location of the intersection of Public Street 'A' and Dupont Street, as it is too close to the existing gas station and will cause major traffic and safety issues.
- The location of the proposed driveway on Dufferin Street was raised as an issue.
- It was noted that the laneway to the west of the site (on the east side of Emerson Avenue) should be widened.
- Residents were concerned about the increased demand for on-street parking in the surrounding neighbourhood as a result of the development.
- There were a mix of comments on the parking supply, some felt there was too much parking and some not enough.
- There was support for the inclusion of bicycle infrastructure and the proposed amount of bicycle parking.

- Some concerns were raised that bike lanes on Public Street 'A' would not have a safe connection to existing bicycle routes.

### **Other**

- The range of unit types and the lack of family sized units was consistently raised as a concern.
- Many comments raised concerns about the duration and impact of demolition and construction.
- Affordability of both residential units and commercial spaces was raised as a concern.
- Comments noted that the existing mall provides a public indoor meeting place for the surrounding neighbourhood, and concerns were raised that the proposed development did not have a central indoor meeting space for all seasons.
- The inclusion of public art in the development was encouraged.
- Some comments stated a desire to maintain small scale retail and avoid big box and chain stores.
- A few comments expressed a desire for the grocery store to be present during all stages of the development.

### **Design Review Panel**

The proposal went before Toronto's Design Review Panel (DRP) on a preliminary basis in July 2016, prior to the submission of the application. The revised proposal, submitted on November 2, 2017, was brought before the DRP for further commenting on December 12, 2017. This meeting was attended by Staff and the applicant. City Planning has considered comments from the DRP in their review of the application. The DRP unanimously voted in support of the proposal.

### **Agency Circulation**

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

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

Staff have determined that the recommendation to approve the Official Plan Amendment and Zoning By-law Amendment applications is consistent with the PPS and conforms with the Growth Plan as follows:

## **PPS (2014)**

The PPS (2014) requires 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 and other uses to meet long-term needs, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit.

Policy 1.4.3 requires that provision be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents.

Policy 1.6.7.4 promotes 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 proposal is consistent with the PPS in this regard. The proposed land use and density provides a built form that supports an efficient use of land and existing transit infrastructure.

Policy 4.7 recognizes the Official Plan as the most important vehicle for implementation of the PPS.

The proposed development is consistent with the above policies and other relevant policies of the PPS. The proposal provides a mix of residential unit sizes, introducing a significant amount of residential apartment units into an area where the predominant housing stock is represented by low rise, ground related dwellings. The proposal is close to transit and active transportation options. The proposal achieves the Official Plan's broader objectives of building complete communities in a format compatible with its surrounding context. The proposed zoning by-law amendments implement the Official Plan and Provincial Policy.

## **Growth Plan**

The Growth Plan (2017) under section 1.2.1 states that a guiding principle is that development will support a range and mix of housing options, including second units, affordable housing, to serve all sizes, incomes, and ages of households. Policy 2.2.6.3 further states that to support achievement of complete communities, municipalities will require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. The proposed development meets these policies through the inclusion of a minimum of 150 affordable units, and an overall unit mix that includes 10% three-bedroom units and 40% two-bedroom units.

Policy 2.2.1.4 states that applying the policies of the plan will support the achievement of complete communities that, among other matters, will: feature a diverse mix of land uses, including residential uses and convenient access to local stores, services, and *public service facilities*; provide a diverse range of housing options; expand convenient access to an appropriate supply of safe, publicly-accessible open space, parks, trails, and other recreational facilities; and ensure an attractive and vibrant *public realm*.

Policy 2.2.2.4 requires that municipalities will develop a strategy to achieve the minimum intensification target which will identify the appropriate type and scale of development and transition of built form to adjacent areas. Lands are to be zoned and development is to be designed in a manner that supports the achievement of *complete communities*. The Growth Plan directs that this will be implemented through official plan policies and designations, updated zoning and other supporting documents.

The proposed development creates a complete community that comprises a range and mix of residential and commercial intensification in a compact form which transitions appropriately to the surrounding areas. It will have a range of housing sizes and affordability; a mix of commercial uses including office space and convenient local stores; a reconfigured and enlarged public park; a new community centre with increased capacity; large publicly-accessible open spaces; and a public realm with wide sidewalks, trees, and active building facades; and is located near multiple forms of transit. The proposed development conforms with the Growth Plan for the Greater Golden Horseshoe.

### **Vision and Master Plan**

Planning staff are satisfied that the proposed development is an appropriate vision for the development of the entire site and creates a sense of place within the new development. A Master Plan was submitted as part of the development of the Galleria Mall application setting out a vision for the subject site that includes:

- **Creating a complete community:** The redevelopment will accommodate the varying needs of the community by offering a range of housing options, a mix of retail and office uses, and a variety of community amenities;
- **Establishing a finer grain of streets and blocks to connect desire lines:** new streets and blocks will be established to improve porosity, facilitate circulation, provide additional access points, and improve connections within the community;
- **Enhancing Wallace Emerson Park:** the park will be enlarged and reconfigured and its design and functionality will be improved;
- **Reinforcing the site's role as a community node:** the redevelopment will accommodate a wide range of formal and informal community gathering spaces to maintain the site's community-oriented character, including but not limited to pedestrian connections, and POPS;
- **Encouraging active transportation and explore opportunities for transit improvements:** the redevelopment will encourage active transportation by offering an enhanced pedestrian realm, and cycling infrastructure, and protect for future local transit improvements;

- **Exceptional architecture and design that transitions and minimizes impacts on the surrounding neighbourhood:** the scale of new buildings will transition down toward adjacent neighbourhoods. High quality design will create a distinct identity and enhance the character of the site; and
- **Promoting sustainable development:** the redevelopment will promote a comprehensive approach to sustainable design that encompasses a range of innovative solutions to promote environmental, social, cultural, and economic sustainability.

The Master Plan addresses the establishment of a new street and block plan, improved public realm, the location and mix of land uses, the appropriate built form, improvements to Wallace Emerson Park, a new community centre and daycare, mobility, and implementation. The proposed vision meets the policies of the Official Plan, including the Public Realm and Building New Neighbourhoods sections; it also meets the intent of the Tall Buildings Guidelines. The vision for the site will be captured in the Official Plan Amendment and the Zoning By-law Amendments.

### Site Organization

The proposed streets and blocks plan meets the policies of the Official Plan, is appropriate for the site, and creates a complete community which integrates well into the surrounding context.

The subject site is divided into two areas by Public Street 'A', a new enlarged and reconfigured public park to the south and a mixed-use development site to the north. Public Street 'A' will be a new neighbourhood street which provides increased public frontage for Wallace Emerson Park increasing visibility into the park. The alignment of Public Road 'A' will also provide frontage for the park on Dufferin Street and Dupont Street, and good public presence as the reconfigured Wallace Emerson Park will be the view terminus of Dupont Street. Public Street 'A' will provide an appropriate separation between Wallace Emerson Park and the mixed-use development to the north. Due to the east-west alignment of the park with the development site to the north, access to sunlight in the park will be maintained.

The development site is divided into two development parcels by Public Street 'B'. The west development parcel is subdivided by a north-south private street, and the east development parcel is subdivided by a north-south private service lane. The new north-south streets and private service lane break up the development site into a more regular grid pattern that replicates the rhythm of street spacing in the surrounding neighbourhood to the east and west. The spacing of the north-south streets increases the porosity of the built form allowing for better pedestrian and vehicle connections while also allowing for visual connections between Dupont Street and Wallace Emerson Park.

Public Street 'B' will be the main north-south connection between Public Street 'A' and Dupont Street, as a new signalized intersection will be installed where it meets Dupont Street. The private street and private service lane have been designed to integrate

smoothly into the public realm and will include pedestrian connections and landscaping. The private road and private service lane also allow for underground garage connections within the east and west development parcels reducing the number of parking garage entrances needed.

The east development parcel is further subdivided by the POPS plaza and the pedestrian mews, creating a finer grain of pedestrian connections and providing additional view corridors through the site to Wallace Emerson Park.

The proposed street and block plan was designed to allow for a series of smaller development blocks each fronting on a major road. The result is 5 new development blocks that are large enough to accommodate mixed-use buildings including base building and tower, while also creating appropriate and safe public realm connections between the blocks promoting walking and animated street frontages. The new streets and intersections have been designed to integrate into the surrounding street network and mitigate impacts on the surrounding neighbourhood. The new streets will accommodate large sidewalks and street trees. The design of the blocks will also allow for orderly phased development of the site.

A Plan of Subdivision Application will be required in order to divide the subject site into the various development Blocks and to secure the new public streets.

### **Land Exchange**

A land exchange is proposed as part of this development, between the applicant and the City to expand the Dufferin frontage of the development. It is contemplated that approximately 8,241 square metres of City-owned land, under the jurisdiction of Parks, Forestry and Recreation, would be exchanged for an equal amount of land on the north west portion of the development site (see Attachment 8 – Land Exchange).

These lands must be conveyed to the City at the same time as the first parkland dedication block from the development and must meet Parks, Forestry and Recreation's typical environmental regulations as set out in the comments from Park staff submitted to the applicant on January 23, 2017. The lands will be delivered with the completed community centre and some park components before the existing community centre is closed. Once these lands are conveyed to the City satisfactorily, the land exchange can occur. Further details are anticipated to be set out in a Real Estate Report going to Government Management Committee.

A Section 118 Restriction, of the *Land Titles Act*, will be placed on the development site lands to ensure that the site is not subdivided in a way that would prevent the delivery of the land to be exchanged and the parkland dedication to the City, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

### **Land Use**

The land exchange requires an Official Plan Amendment in order to redesignate the portion of existing parkland from *Parks* in the Official Plan to *Mixed Use Areas*, and the

redesignation of a portion of the subject site from *Mixed Use Areas* to *Parks*. Staff support the proposed redesignation.

A mix of uses will be required as part of the development for the site, ensuring that the new development will be a viable community and will continue to service the commercial needs of the surrounding neighbourhood. The proposal contains an appropriate balance of new open space, commercial, and residential uses.

### Commercial Uses

The *Mixed Use Areas* policies of the Official Plan require that development will create a balance of high quality commercial, residential, institutional and open spaces that reduces automobile dependency and meets the needs of the local community.

The proposal includes 29,464 square metres of commercial floor space, including 1,961 square metres of office space, to be located on the first floor of all of the buildings, and on the second floor of Blocks 1 and 2. The commercial uses have been located in the base of the buildings and will help to create animated street frontages on the major roads surrounding the development and the new streets and public realm within the site.

The proposed development will increase the total amount of commercial floor area of the site compared to the floor area currently existing on the site. In order to secure the mix of uses, each block of the development will be required to provide a minimum amount of commercial floor space.

A range of commercial unit sizes are proposed. Larger retail spaces will be located on the second floors of Blocks 1 and 2. Access to these larger retail spaces is provided from retail lobbies and smaller retail spaces on the ground floor fronting onto Dufferin Street and Dupont Street.

A number of smaller retail spaces are proposed to front onto the east side of Public Street 'B' and on both sides of the new pedestrian connection between Blocks 1 and 2. To secure a mix of commercial unit sizes the priority retail frontages will require a minimum of 20% of the frontage be occupied by commercial spaces less than 400 square metres in size. The configuration, size, and location of these commercial spaces are secured in the draft Zoning By-law.

The phasing of the development has been coordinated so that the existing grocery store located in the mall is able to remain operating through the first phases of the development and the owner is looking to open a new grocery store prior to the demolition of the existing one.

### Unit Mix

The Official Plan encourages the provision of a full range of housing in terms of form, tenure and affordability to meet current and future needs of residents. A broad mix of residential units including units suitable for families with children is encouraged.

The draft Growing Up Guidelines direct that the design of new buildings should consider the needs of families at various stages to ensure that residents can remain in their communities. The Growing Up Guidelines require that a building should provide a minimum of 25% large units, consisting of 10% three-bedroom and 15% two-bedroom.

The applicant is proposing 2,846 dwelling units of which 1,423 (50%) are 1-bedroom, 1,139 (40%) are 2-bedroom, and 284 (10%) are 3-bedroom units. Through the application process the mix of units was revised to increase the amount of family-sized units to address concerns from City staff and the public. Staff are satisfied the number of larger units proposed provides a greater mix of dwelling units in the building including many suitable for families with children, and are consistent with the housing objectives of the Official Plan and exceed the unit mix requirements of the Growing Up Guidelines.

### **Built Form**

The Built Form policies of the Official Plan require that new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks and open spaces and properties. In stable areas, such as *Neighbourhoods* and *Apartment Neighbourhoods*, the planned context typically reinforces the existing context. In growth areas, such as *Mixed Use Areas*, the planned context generally anticipates change. In general, height and density aspects of the planned context of new development will be assessed on the basis of the Plan's policies, including Secondary Plans and site and area specific policies.

The Tall Building Guidelines provide greater direction for the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

The planned context for the Galleria Mall site was established by the 2004 Official Plan Amendment and Zoning By-law Amendment application which allowed a series of 9-storey buildings with three towers with large floor plates ranging in height from 16 to 19 storeys along the Dupont Street frontage. On the south side of the site, adjacent to Wallace Emerson Park, the planned context allows a series of 7-storey buildings.

The existing context to the east and west, and to the south of Wallace Emerson Park, is low-rise *Neighbourhoods*. To the west of the subject site is an area of tall buildings and higher densities centred on the Dupont Street and Lansdowne Avenue intersection, with recent developments up to 27-storeys in height.

The context of the Galleria Mall site is unique in both its location and size along Dupont Street. The site is significantly larger than any other site along Dupont Street, and is the only large site designated as *Mixed Use* along Dupont Street. The site location is unique as it spans two significant jogs in Dupont Street, one at either end of the site. The jog in Dupont Street creates a terminus view towards the site when coming towards the site along Dupont Street from the west or east. As well, the jog creates a series of very

shallow lots on the north side of Dupont Street, designated *Employment Areas* which abut the railway lands further to the north.

The proposed development has been massed and designed appropriately for the subject site given its significant size and unique context along Dupont Street. The various building elements, including base buildings and towers, respond appropriately to the surrounding context and mitigate impacts on adjacent street, properties and open spaces.

The development has been designed to transition to adjacent low-rise areas with the taller elements located along Dupont Street away from more sensitive land uses. While some of the new towers will be taller than those in the surrounding area, the towers have been designed to mitigate the impacts and provide appropriate transitions to surrounding neighbourhoods and parks.

Through the application process the application has been revised to lower the tower elements and base buildings, increase separation between the base buildings, and reduce the total number of towers in response to comments from City staff and residents.

### **Base Buildings**

The Official Plan states that new buildings are to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion, and taller buildings are to be located to ensure adequate access to sky view for the proposed and future use of those areas.

The *Mixed Use Areas* policies of the Official Plan require new development locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The base buildings have been massed to respond to the unique context of the subject site and are appropriate for this site.

Along the Dupont Street frontage the base buildings are up to 10-storeys in height with streetwall heights between 7 and 8-storeys. The proposed base buildings are appropriate and frame the street with good proportion given large sidewalks proposed, and the unique context of this portion of Dupont Street. Between Dufferin Street and Emerson Avenue, Dupont Street shifts to the north creating a large jog in the road at the east and west ends of the site. The result is that the properties on the north side of Dupont Street, designated *Employment Areas*, are of insufficient depth (approximately 10 metres) to allow for significant intensification, and in City Planning's opinion will remain low rise buildings. As a result, sky views to the north will be maintained balancing the built form of the proposed development to the south. In addition the buildings at the east and west ends of the site are terminus views on Dupont Street and the streetwall on the north side of the site will have limited visibility from east or west of the site on Dupont Street, mitigating its impact on the public realm and the character of the Dupont Street to the east and west.

The variation in heights also responds to the variation and fine grain built form present along Dupont Street.

The base building along the Dufferin Street frontage is 9-storeys in height with a streetwall height of between 4 and 5-storeys. The base building has been designed to respond to the low-scale residential *Neighbourhood* along Dufferin Street maintaining a human scale, access to sunlight on the sidewalks and sky view.

To the south, along Public Street 'A' facing Wallace Emerson Park, the base buildings range in height between 5 and 9-storeys with lower streetwalls heights generally 4 to 7-storeys in height. Some sections of the streetwall are as low as 1-storey and up to 8-storeys in height. The base buildings and streetwall heights are lower along the Public Street 'A' frontage as the buildings face Wallace Emerson Park, where a greater transition in scale to this important public open space is required. These varied base buildings also create diversity in scale across this large site.

At the north-east corner of Public Street 'A' and 'B' the buildings are setback to allow for the 850 square metre POPS plaza, increasing the amount of open space facing Wallace Emerson Park and creating a large break in the development massing.

On Blocks 2 to 5 the base buildings have been designed in a 'U' shape with a 1-storey portion of the building filling up the middle of the block and providing private open space and a low streetwall along one face of the building. The design ensures light and privacy for the residents of the new buildings. In Block 1 the base building has a large 1-storey section at the centre of the building creating a private courtyard and allowing for light and privacy for residents of the base building.

On the private service lane between Blocks 2 and 3, the base buildings have a minimum separation of 12.0 metres for the commercial floors, and 17.8 metres up to the 9<sup>th</sup> and 10<sup>th</sup> floors. On the private street between Blocks 4 and 5, the base buildings have a minimum separation of 16.0 metres with greater separation at the middle of the west development parcel. Along the pedestrian mews between Block 1 and 2, a minimum separation of 12.0 metres is maintained. An architectural weather canopy will be located above the first two commercial floors, and the separation between the buildings will increase above the canopy.

### **Towers Above Base Buildings**

The proposed tall buildings are consistent with the objectives of the Official Plan Policies regarding tall buildings, achieve the intent of the Tall Building Design Guidelines, and transition appropriately to the surrounding area. The proposed building heights are acceptable in this case.

The Built Form policies of the Official Plan require that tall buildings are located to ensure adequate sky view for streets, parks and open spaces. The Built Form – Tall Building policies note that tall buildings come with larger civic responsibilities and towers are to be designed with a floor plate size and shape with appropriate dimensions

for the site, and are to be located and oriented on the site in relationship to the base buildings and adjacent tall buildings.

In order to limit visual impacts on surrounding areas, the Tall Building Guidelines recommend that towers have a maximum floorplate of 750 square metres on each floor, and be situated at least 25 metres away from other facing towers and be stepped back a minimum of 3.0 metres from base buildings.

The proposed development will have 8 towers ranging in height from 18 to 35-storeys. All of the towers will have a minimum tower separation distance of 25.0 metres. The north-south tower separations between the towers are all 25.0 metres and generally line up to provide a break in the massing of the development when viewed from the east and west. The towers were realigned through the application process due to comments from City staff and residents to reduce the perceived massing and increase skyview. The east-west tower separations between the blocks are generally greater and range from 31.0 to 50.0 metres. The proposed spacing of the towers maintains sky views from the surrounding public realm.

The towers on Blocks 2-5 will have floor plates of 750 square metres. On Block 1, the proposed 18-storey building deviates from the tall building guidelines and is not a typical point tower. The building will have a larger floor plate and will have extensive terracing down towards the park and Dufferin Street. Planning staff are satisfied that the tall building on Block 1 has been designed to appropriately mitigate its shadow and sky view impacts on surrounding areas.

The proposed tall buildings have been setback from the edge of the base buildings to ensure appropriate street proportion and to mitigate wind impacts on the adjacent public realm.

The towers have been located to transition to adjacent lower scale areas with the tallest towers located along Dupont Street and towards the middle of the site. The tallest proposed towers along Dupont Street will be taller than those in the surrounding area, however the towers have been designed to mitigate their impacts and provide appropriate transitions to surrounding neighbourhoods and parks.

In City Planning's opinion, there are very few sites in the surrounding area which could support a development that generally meets or exceeds the angular plane transition, shadow impacts, tower separation distance, tower floor area, street wall height and step backs, approach applied to this site, while advancing a host of city building initiatives, a community centre, parkland, a large POPS plaza, pedestrian mews, affordable housing, and improved and expanded pedestrian areas, and include tall buildings.

### **Transition to Lower Scale Areas**

In the opinion of City Planning Staff, the proposed development transitions appropriately to its surrounding context. The Official Plan directs that new development transition to adjacent areas of lower scale, and specifically towards *Neighbourhoods*.

The Healthy Neighbourhoods Section of the Official Plan (Policy 2.3.1.2) directs that intensification of land adjacent to *Neighbourhoods* will provide a gradual transition of scale and density as necessary to achieve the objectives of this plan.

The Built Form Policies of the Official Plan (Policy 3.1.2.3) direct that new development will create an appropriate transition in scale to neighbouring existing or planned buildings.

The *Mixed Use Areas* Section of the Official Plan (Policy 4.5) directs that development in *Mixed Use Areas* will be located and massed to provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*. The site is surrounded to the east and west, and south of Wallace Emerson Park, by areas of lower scale designated as *Neighbourhoods*.

Appropriate transition in scale can be achieved with many different combinations including angular planes, stepping down of height, appropriate location and orientation of new buildings, and the use of setbacks and step backs of building mass. In this instance, the development generally meets the 45° angular plane, required by the Tall Building Guidelines, to the adjacent *Neighbourhoods* to ensure that the new buildings transition appropriately to the surrounding area. The use of this angular plane is commonly employed in *Mixed Use Areas* as a means to implement the intent of the Official Plan policies which seek a transition in scale and intensity.

The taller elements of the development are located at the north end of the site on Dupont Street, as there are minimal impacts on the *Employment Areas* and railway lands located to the north. The proposed development would fit within an angular plane measured from the *Neighbourhoods* to the north of the *Employment Areas*.

## **Public Realm**

Section 3.1 of the Official Plan directs that high quality architectural, landscape and urban design and construction will be promoted within new developments to enhance the quality of the public realm. The Built Form policies require that new development will provide amenity for adjacent streets and open spaces. The Built Form – Tall Building policies requires that tall buildings will provide high-quality and usable publicly accessible open space areas. The *Mixed Use* policies further reinforce the importance of the public realm.

The proposed development advances the Official Plan's public realm policy objectives in a number of ways for the site and surrounding area, including wide landscaped sidewalks, a POPS plaza, pedestrian mews, and other pedestrian connections.

A large 850 square metre POPS will be created at the north-east corner of the intersection of Public Streets 'A' and 'B'. The POPS will be well connected to the surrounding public realm with frontage on both of the new Public Streets and will be located directly across from Wallace Emerson Park (See Attachment 7 – Public Realm).

A 12.0 metre wide pedestrian mews will be created between Blocks 1 and 2, connecting the POPS plaza with the intersection of Dupont Street and Dufferin Street. The connection will have an architectural weather canopy over its entire length. Publicly accessible sidewalks will be provided on the private road and the private service lane.

The proposal includes wide sidewalks and street trees along the existing and new public frontages, including the new Public Streets 'A' and 'B'. The sidewalks adjacent to the bus bay on Dufferin Street will be approximately 7.5 metres in width to provide additional space for transit users. On the east side of Public Street 'B' the sidewalk will be between 9.5 and 11.0 metres, providing for seating, street trees, large planters, and an improved pedestrian connection between Dupont Street and the new POPs plaza and Wallace Emerson Park.

The property at 213 Emerson Avenue will be included as part of the required parkland dedication. The property is an existing driveway adjacent to an existing pedestrian connection to Wallace Emerson Park from Emerson Avenue. This will allow for the improvement of the pedestrian connection between Wallace Emerson Park and the surrounding neighbourhood.

### **Shadow Impacts and Sky View**

The shadow impacts of the proposed development are acceptable.

The Official Plan requires development to limit shadowing on streets, properties and open spaces and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility. It also requires new development to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The proposed buildings have been massed, located and articulated, with appropriate separation distance and tower floor plates, to limit shadow impacts on surrounding areas and maintain sky view in accordance with the intent of the Official Plan Built Form policies and Tall Building Design Guidelines.

The applicant submitted shadow studies which show the extent of the shadow from the proposed building on March 21, June 21 and September 21. The proposal will start to cast shadows on the front yards of the properties designated *Neighbourhoods* on the east side of Dufferin Street at 3:18pm on March and September 21, and at 4:18pm on June 21. There are no shadows cast on the *Neighbourhood* to the west of the site after 9:18 am between March 21 and September 21. The proposal will not cast new shadows on the *Neighbourhood* located to the north of the *Employment Areas* on the north side of Dupont Street between March 21 and September 21.

A limited amount of shadow will be cast on the northwest corner of the enlarged and reconfigured Wallace Emerson Park at 9:18am between March 21 and September 21, and is generally off of the park by 10:18am. The new POPS plaza located at the centre of the site will generally remain free of shadows from 10:18am to 5:18pm on March 21 and

September 21, and from 10:18am to 4:18pm on June 21. The north-south orientation of Public Street 'B', the private road, and the private service lane allows for areas of sunlight on Dupont Street during midday on March 21 and September 21.

### **Wind Impacts**

The applicant has submitted a Pedestrian Level Wind Assessment from Novus Environmental, dated October 14, 2017, to detail the potential wind impacts resulting from the massing of the proposed buildings.

The report concludes that wind conditions are generally comfortable for the intended usage throughout the year, including parks, streets, transit stops, amenity areas, and building entrances. The report makes specific recommendations for wind mitigation measures to further mitigate wind impacts. With regard to impacts to the surrounding area, the report concludes that the proposed development is not expected to significantly affect pedestrian wind comfort for neighbouring buildings.

In order to further improve wind conditions City Planning will require an updated Pedestrian Level Wind Study for each phase of the development. The Section 37 Agreement will secure that the owner will implement and maintain the recommended mitigation measures from the Pedestrian Level Wind Study.

### **Transportation**

The Built Form policies of the Official Plan require that new development will locate and organize vehicular access to minimize its impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets. The *Mixed Use* policies required that new development provide good site access and circulation and an adequate supply of parking for residents and visitors.

The Public Realm policies require that new streets implement the Complete Streets approach to develop a street network that balances the needs and priorities of the various users and uses within the right-of-way.

The proposed street network has been revised through the application process to address comments from City staff and local residents. The street network has been designed to meet the various needs of the development, area residents, and users of the commercial space on-site and the park, while also limiting impacts on the surrounding neighbourhood. All new and existing streets have been designed with large sidewalks and landscaping. The final design of Public Streets 'A' and 'B' will be further refined and secured through the Plan of Subdivision process to ensure that they are pedestrian-oriented and accommodated all users in a safe manner.

The proposal requires a new signalized intersection on Dupont Street at the intersection with Public Street 'B', and a new signalized intersection on Dufferin Street at the intersection with Public Street 'A'. Transportation Services and Transportation Planning have reviewed the proposal and support the installation of the new signals.

In order to allow pedestrians to safely cross Dupont Street at the west end of the site an additional signalized intersection on Dupont Street may be warranted. As part of the first phase of the development, the owner will submit a Transportation Impact Study to the City to determine if a new signal is required to be located on Dupont Street at either the intersection of Public Street 'A' or Emerson Avenue, with any signal to be installed and paid for by the developer.

In order to facilitate the proposed development, a road widening of approximately 5.0 metres will be provided on Dupont Street. A road widening of approximately 6.0 metres will be provided for a portion of Dufferin Street in order to accommodate new bus bays. A lane widening of 2.13 metres will be provided on the west side of the site to improve the existing north-south residential lane.

### **Traffic Impact**

An Urban Transportation Considerations Report submitted with the application was reviewed by Transportation Services staff and determined that the traffic impact of the proposal on surrounding streets is acceptable.

The existing uses on the subject site generate a large amount of traffic. The new road network has been designed to improve safety compared to the existing layout and the layout of the 2004 approval, in particular the removal of the existing laneway/driveway onto Dufferin Street will limit conflicts with pedestrians and transit users.

In order to mitigate any traffic impacts a number of changes were made to the development application. Public Street 'A' has been designed to provide street frontage for the reconfigured park, as well as the service needs of the development. The alignment of Public Street 'A' was revised to move the new intersection at Dupont Street further away from an existing gas station on the north side of Dupont Street. This was expressed as a major concern from both City staff and the public.

In order to reduce cut-through traffic on Public Street 'A', turning restrictions will be put in place at the intersection of Dupont and Public Street 'A' with northbound vehicles prohibited from making left turns. The intersection of Public Street 'A' and Public Street 'B' will have stop signs and will provide a safe and convenient pedestrian connection between the development and the park. Further traffic mitigation measures will be secured as necessary through the Plan of Subdivision and Site Plan application processes.

Traffic impacts on Dupont Street and Dufferin Street will be further mitigated through the installation of a new northbound left turn lane on Dufferin Street at Dupont Street, and a westbound left turn lane on Dupont Street at Public Street 'B'. A bus bay will be provided on Dufferin Street, south of Dupont Street, to accommodate bus loading and not impact southbound traffic flow. Vehicular movement on the new private laneways will be restricted to right-in and right-out to limit traffic impacts on Dupont Street.

The developer will be required to submit revised Traffic Impact Studies, to be reviewed by the City, as part of the Site Plan application for each phase of the development. All recommendations of the reports are to be implemented in consultation with City staff, with all costs paid by the developer.

### **Parking Supply**

Transportation services staff reviewed the proposed parking supply and determined that it is sufficient to accommodate the future residential and commercial uses.

The proposal will provide an overall parking supply of 2,748 spaces (including 537 commercial parking spaces, and 12 carshare spaces). A total of 957 parking spaces will be located in a 5-level below grade garage under the west development parcel. A total of 1,791 parking spaces will be located in a 4-level below grade garage under the east development parcel.

Additional comments pertaining to the layout of the proposed parking supply, including ingress/egress and the physical separation of the resident and non-resident parking spaces, will be provided during the Site Plan Approval process.

### **Loading**

The proposed number, location, and type of loading spaces are acceptable. The Official Plan requires that new developments will locate and screen service areas, ramps and garbage storage to minimize impact on adjacent streets and residences.

The proposed development includes a total of 14 loading spaces, consisting of 5 Type-G, 7 Type-B and 2 Type-A loading spaces. All loading spaces are to be located fully within the proposed buildings. The location of the loading spaces is appropriate as they reduce interactions with pedestrians on the public street frontages and minimize visual impacts on the public realm.

In response to comments from City staff and the local community, the loading access for Block 1 was relocated from Dufferin Street to Public Street 'A'. Staff and residents raised concerns about conflicts between trucks, pedestrians, and busses on the busy Dufferin Street frontage.

Detailed design of loading areas will be secured through the Site Plan Applications for each phase of the development.

### **Transit (TTC)**

The site is served by the 29 Dufferin bus line and the 26 Dupont bus line, and the Dufferin Subway station approximately 870 metres to the south. Improvements to the TTC subway system, such as Automatic Train Control, will improve capacity along the Bloor line. Other transit initiatives, such as the under construction Eglinton Crosstown LRT, do not directly serve this area, but will provide alternate transit options which will build east/west capacity on the transit network as a whole.

The 29 Dufferin bus line is currently running at, or near, capacity during peak AM and PM hours. In order to accommodate the increased transit demand the TTC requested a number of improvements to local transit infrastructure, to be constructed and paid for by the developer. A new southbound bus bay will be added on Dufferin Street south of Dupont Street, the lay-by will be large enough to accommodate two articulated busses using land conveyed from the subject site. The buildings on Dufferin Street will be setback to provide sufficient space to allow for safe loading of the busses and pedestrian traffic. The bus bay will also allow for busses to load without delaying traffic on Dufferin Street.

Public Street 'A' and 'B' have been designed with sufficient space to accommodate busses, including a bus lay-by on Public Street 'A' to the east of Public Street 'B'. This will allow for future routing capabilities for the TTC.

In order to further mitigate increased transit demand generated by the development, the TTC has required that the new traffic signals to be installed as part of the development be equipped with Transit Signal Priority. To further offset the delay incurred by the new signals on Dupont Street and Dufferin Street, the developer will be required to provide \$70,000 for the installation of signal priority at two other intersections.

### **Cycling**

A total of 3,011 bike parking spaces including long and short term residential and commercial bike parking are proposed. A bicycle lobby is proposed for every building including a dedicated elevator to the bicycle storage areas. Sufficient bicycle parking is provided in each building, further details are to be secured as part of the Site Plan Application for each phase of the development.

The proposal is located near the east-west bicycling routes on Lappin Avenue, Dupont Street (west of Lansdowne Avenue), and Hallam Street. The site is also close to both the Dufferin and Lansdowne Subway stations. The Council approved Cycling Network 10 Year Plan identifies future cycling infrastructure improvements in the surrounding area including bicycle lanes on Dovercourt Road and Lansdowne Road, and a Quiet Street Route on Bartlett Avenue.

Through the application review process and working with Transportation Services staff, it was determined that bicycle infrastructure in the form of dedicated lanes would not be included on Public Street 'A' due to a lack of connectivity with the surrounding cycling network. As part of the master plan for the reconfigured Wallace Emerson Park, additional cycling connections will be explored. The final design for Public Street 'A' will be determined through the Plan of Subdivision process, where staff will ensure that it forms part of a complete street allowing for multiple forms of transportation.

The provision of bike facilities within the development encourages cycling as a safe and accessible mode of transportation, consistent with Provincial policies and the Official Plan.

## **Community Services Assessment**

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

### **Community Centre**

As part of the proposed development, the Wallace Emerson Community Centre will be redesigned and relocated to the north-west corner of the site as part of the above mentioned land exchange. The new location will allow for an increase in visibility for the Community Centre, being at a view terminus of Dupont Street where the road curves northward.

The new Community Centre will increase from the existing 2,500 square metre facility to over 6,300 square metres, allowing for the accommodation of current and future needs of the neighbourhood. The final design and programming will be decided through a series of public consultation meetings held over the spring and summer of 2018. Parks, Forestry, and Recreation (PFR) staff are working with Children's Services to include a new 62 space daycare within the community centre to fill an important service gap in the area.

There will also be a Park Master Plan created by the applicant in consultation with PFR staff and the local community for the entirety of Wallace Emerson Park. The construction of the overall park will be phased with the development. The first park block will be delivered with the completed community centre and some park components before the existing community centre is closed. The rest of the park blocks will be phased with the subsequent blocks of the development.

### **Schools**

The applicant submitted a Community Services and Facilities Study as part of the development application. The study determined that there is sufficient capacity at the surrounding Toronto District School Board (TDSB) and Toronto Catholic District School Board (TCDSB) schools to accommodate the needs of the proposed development.

The TDSB was circulated and provided comments as part of the application review process. The TDSB did not identify any major concerns and did not request space for

new facilities. However, a request was made for the use of warning clauses on the site, notifying that students may be accommodated in schools outside the area until space in local schools becomes available, as a result of the cumulative impact arising from all development in the school attendance area.

### **Child Care Facilities**

The Community Services and Facilities Study determined that there is a general need for additional, affordable childcare facilities. The opportunity to incorporate a childcare facility into the new Wallace Emerson Community Centre was identified. City staff support this conclusion and Parks, Forestry, and Recreation (PFR) staff are working with Children's Services to include a new 62 space daycare within the new community centre to fill an important service gap in the area.

### **Affordable Housing**

As noted earlier in this report, this site received approval for an Official Plan Amendment in 2004 that included the provision of 1,600 residential units. The current applications request an additional 1,246 residential units above and beyond the 2004 approval, for a total of 2,846 residential units proposed on site. The City, the Ward Councillor and the applicant have a shared objective of achieving 150 affordable rental units within the proposed development. The 150 proposed affordable rental units would comprise 12.0% of the proposed additional 1,246 residential units above the 2004 approval.

As the site is a large residential development which falls just under the threshold for a 'large site' as defined within the City's Official Plan, the City worked with the applicant to meet the intent of Official Plan Policy 3.2.1.9 to achieve a mix of housing in terms of types and affordability for large residential developments by requiring affordable housing to be a priority community benefit. The provision of affordable rental housing within the development is a priority for the City.

The applicant has agreed to construct 120 units within the proposed development as part of their Section 37 contribution, 50% of which will be one-bedroom units, 40% two-bedroom units, and 10% three-bedroom units, as Affordable Rental Housing, as defined in the Official Plan, for approximately 25 years. The 120 affordable rental units will comprise approximately 7,255 square metres of residential Gross Floor Area. The term "Affordable Rent" is defined in the Official Plan of the City of Toronto as being rent where the total monthly shelter cost, including utilities – heat, hydro and hot water – but excluding parking and cable television charges, is at or below the average City of Toronto rent (average market rent or AMR) as reported annually by the Canada Mortgage and Housing Corporation in the Fall Market Report for the City of Toronto, by Unit Type. The Units shall remain as rental housing for at least a 25-year period.

In order to achieve the objective of 150 affordable rental units, the City will secure an additional 30 units through the Open Door Affordable Housing Program. The program will provide \$1,500,000.00 in capital funding from the Development Charges Reserve Fund for Subsidized Housing as well as incentives, including development charges and

fee waivers, and a 25-year property tax exemption for all 150 affordable homes. Affordable rents for all 150 units will be set at 25 years, inclusive of a 5-year phase out to market levels as tenants move out. The 150 units shall remain rental housing for at least a 25-year period.

Based on current AMR levels, rents set at 100% would be \$1,202 for one-bedroom, \$1,426 for a two-bedroom and \$1,610 for a three bedroom.

A detailed business plan was provided to the City for the affordable housing component, consistent with the Open Door Program application process. The Open Door capital contribution and incentives were requested by the applicant and the submission has been reviewed and deemed satisfactory to the Director, Affordable Housing Office.

The affordable rental units would be offered to the public on a fair and open basis consistent with general practices within the rental market with leases of not less than one (1) year. The applicant will also work with the City to promote available vacancies to members of the general public and households on the City's centralized waiting lists during the 25-year rental period. The Affordable Rental Housing Terms and Conditions attached as Attachment No. 17 to this report detail the terms to be secured within the Section 37 Agreement and the Open Door Program agreements.

The affordable rental units will be integrated within the private development blocks. The affordable rental units are proposed to be built in Phase 1 (Block 5) of the development and will be located in the base building of a tall building on the north-west corner of the site, opposite the new community centre. The proposed development is a major complex redevelopment that will be undertaken in multiple phases with the relocation and rebuilding of the community centre to occur in an early phase. Staff are satisfied with the proposed delivery of the affordable rental dwelling units in Phase 1.

The unit mix, size of units, and unit layout of affordable rental units will correspond generally to the overall characteristics of units in the proposed development. All occupants of affordable rental units will have access to amenity facilities and bike parking spaces on the same basis as other units within the development.

The Affordable Housing Office and the applicant will explore opportunities for the involvement of the non-profit housing sector, which brings expertise and added value in providing supports to residents. Models for participation include, but are not limited to, referral agreements for select units or head lease arrangements.

The applicant will submit a Tenant Access Plan to the City's Director of Housing Stability Services for approval. Provisions to ensure that a minimum of 10% of the affordable units will be available to households in receipt of housing benefits and referred from the City's Housing Access System will be included in the Tenant Access Plan.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 37,947 square metres or 108% of the site area. However, for sites that are 1 to 5 hectares in size, a cap of 15% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 5,346 square metres.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. The parkland dedication is to be part of the reconfigured park block with a total size of 4,972 square metres.

The remaining parkland dedication is required to be supplied as cash-in-lieu of land. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services prior to the issuance of the first above grade building permit. The appraised value of the cash-in-lieu will be given by the owner prior to first above-grade building permit and will be applied to the budget for the construction of the new Wallace Emerson Community Centre, improving its utility.

The owner is required to convey the first parkland dedication block, consisting of a minimum of 1,107 square metres, as well as the 8,240 square metres of land associated with the land exchange, to the City prior to the earlier of the registration of any plan of condominium on Block 5, or any above grade building permits for any of the remaining Blocks. The second parkland dedication component, consisting of 3,865 square metres, shall be conveyed to the City prior to first occupancy of Block 2, or if changed, whichever Block makes up Phase 2 of the development.

## **Urban Design Guidelines**

Urban Design Guidelines will be developed to provide further direction as the development will be phased in over time. The Urban Design Guidelines will cover design excellence, land use, mobility, built form, public realm, and materiality. The guidelines will inform the review of the Plan of Subdivision and Site Plan applications, and will be required as part of the Official Plan Amendment.

## **Phasing of the Development**

The proposed development will not be constructed all at once and will be built out over time in phases. A conceptual phasing plan has been developed through the application process, and with feedback from the community. A key principle of the phasing is to minimize impacts to the ongoing recreational programming delivered by the Wallace

Emerson Community Centre. In order to enable this, the new community centre must be constructed and operational prior to the closure and demolition of the existing community centre. The new community centre is to be constructed as part of the first phase of development along with Block 5 and a portion of Public Street 'A'.

The second phase of the development will involve the construction of Block 1 and the completion of Public Street 'A'. The third phase will see the construction of Blocks 2 and 3, as well as the completion of Public Street 'B'. The final phase will be the construction of Block 4.

The conceptual phasing of the development has been coordinated so that the existing grocery store located in the mall will remain operating through the first phases of the development with a new grocery store located in Block 1 prior to the demolition of the existing one.

### **Amenity Space**

Planning staff are satisfied that the amount of amenity space will meet the needs of residents within the building consistent with objectives of the Official Plan.

The built form policies of the Official Plan require that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. The existing Zoning By-laws require an overall minimum of 4 square metres of amenity space per residential unit. The former City of Toronto Zoning By-law 438-86 requires that this space be comprised of a minimum of 2 square metres each of indoor and outdoor amenity space. Zoning By-law 569-2013 requires a minimum of 2 square metres of indoor amenity space per unit and a minimum of 40 square metres of outdoor amenity space.

The application proposes 4,537 square metres of indoor amenity space (1.6 square metres per unit) and 4,370 square metres of outdoor amenity space (1.5 square metres per unit) spread out across the various development blocks. The overall rate of amenity space is proposed at 3.1 square metres per unit. Through the Site Plan Application process staff will secure amenity space that is flexible and serves a broad range of users including children.

### **Public Art**

The applicant has proposed to prepare, design and construct one, or a series, of public art installations on the subject site, which shall have a minimum cost of \$873,468.00 (\$720,000.00 from 2004 S.37 agreement plus inflation). The installation of the art will be secured via a letter of credit to be provided by the owner to the City prior to the issuance of the first above grade building permit for the latter of Blocks 1, 2 or 3. This will be secured in the Section 37 Agreement.

### **Servicing**

A Functional Servicing and Stormwater Management Report was submitted as part of the application. City staff have asked the applicant to make revisions to the report, and submit additional information in order to complete the review. A revised

Hydrogeological Report is also required as sufficient information was not provided for the later phases of the development. The requested information and revisions will need to be submitted to the satisfaction of Engineering and Construction Services staff before introducing the necessary bills for the Official Plan Amendment and Zoning By-law Amendments to City Council for enactment.

As part of each phase of the development, an updated Functional Servicing and Stormwater Management Report will need to be submitted to the satisfaction of Engineering and Construction Services. The owner will be required to pay for and construct any necessary improvements to the municipal infrastructure in connection with the site servicing assessment.

### **Section 37**

Section 37 of the *Planning Act* authorizes a municipality with appropriate Official Plan provisions to pass Zoning By-laws involving increases in the height and/or density otherwise permitted by the Zoning By-law in return for the provision of community benefits by the owner. 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.

The following community benefits are recommended to be secured in the Section 37 Agreement:

- 120 affordable rental housing units within the development secured for a period of 25-years;
- \$6,276,245.00 (including \$576,245.00, consisting of \$475,000 from the 2004 Section 37 agreement indexed) for the construction of the new community centre;
- A 6000+ square metre community centre, to be designed and constructed by the owner as part of the first phase of parkland;
- \$873,468.00 (\$720,000.00 from 2004 Section 37 Agreement indexed) towards public art on either Block 1, 2 or 3;
- A POPS plaza with a minimum area of 850 square metres as part of Block 3 of the development;

The following matters of convenience are also recommended to be secured in the Section 37 Agreement:

- The owner will enter into a Contribution Agreement with the City for City Capital Funding for 30 affordable rental housing units in addition to the one hundred twenty 120 units referred to above, and Incentives Contribution for the 150 affordable rental housing dwelling units through the Open Door Affordable Housing Program;
- Public easements over the pedestrian mews located between Blocks 1 and 2, the private road located between Blocks 4 and 5, and over the private service lane between Blocks 2 and 3 will be provided;
- The owner will design, construct, provide and thereafter maintain an architectural weather canopy over the pedestrian mews;
- A Pedestrian Level Wind Study will be submitted as part of each phase of the development, with the mitigation recommendations to be implemented and maintained by the owner;
- A Functional Servicing and Stormwater Management Report will be submitted as part of each phase of the development, and the owner will pay for and construct any necessary improvements to the municipal infrastructure in connection with the site servicing assessment;
- A Construction Management Plan will be submitted as part of each phase of the development;
- The owner shall convey to the City the first parkland dedication component, consisting of a minimum of 1,107 square metres, prior to the earlier of the registration of any plan of condominium for Block 5, or any above grade building permits for any of the remaining Blocks. The second parkland dedication component, consisting of 3,865 square metres, shall be conveyed to the City prior to earlier of the completion of Public Street 'A' and any condominium registration or the first residential use of any residential building of phase two of the development. The total on-site parkland dedication shall be a minimum size of 4,972 square metres;
- Agreement that no dwelling units within the development including Affordable Rental Housing , will form part of an application for Draft plan of Condominium for at least twenty five years from the date upon which the first new purpose-built rental dwelling unit is occupied;
- All new transit signals, to be installed as part of the development, will be equipped with Transit Signal Priority;
- Public Transit improvements including a bus bay on Dufferin Street, a bus bay on Public Street 'A', and a payment of \$70,000 for the installation of additional Transit Signal Priority on Dupont Street and Dufferin Street;

- A Transportation Impact Study will be submitted as part of each phase of the development, and all recommendations to be constructed and paid by the owner;
- The owner shall provide on-site dog off-leash amenities with proper disposal facilities accessible to all building residents or dog relief stations within the buildings;
- The owner will relocate an existing watermain within an easement on the site, at no expense to the City.

### **Summary of Proposed Official Plan Amendment**

The proposed Official Plan Amendment No. 415 (Attachment 14 – Draft Official Plan Amendment) re-designates a portion of existing parkland on Dufferin Street from *Parks* in the Official Plan to *Mixed Use Areas*, and the re-designation of a portion of the subject site at the west end of the site from *Mixed Use Areas* to *Parks*.

The amendment also replaces the content of Site and Area Specific Policy 213 to allow for a total of 8 tall buildings to be constructed on this site, subject to performance criteria.

### **Conclusion**

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2017). Furthermore, the proposal is consistent with the objectives of the Official Plan and meets the intent of the Tall Building Design Guidelines.

In the view of City Planning Staff, there are few sites which present the opportunities of the Galleria Mall site. The proposal presents an unconventional approach to built form in Toronto. The proposal incorporates a varied, articulated, street wall condition with carefully located tall buildings. In order to achieve the numerous improvements to the site, the development of on-site and unencumbered public parkland dedication, the provision of street improvements and new roads, wide sidewalks and pedestrian connections that enhance the pedestrian networks, and creation of a large POPS plaza, City Planning supports the proposed built form.

In the opinion of City Planning staff, the proposed development balances a complementary response to the existing area context, with the policy direction to intensify the site and advance a number of city-building initiatives, such as: the new park space; a new community centre; improved and expanded pedestrian areas; new roads; transit improvements; affordable housing; and a range in size and tenure of the proposed units. The concerns, comments and suggestions from the community received through the consultation process have greatly assisted staff in working toward a proposal which achieves this balance.

City Planning recommends the approval of the applications to amend the Official Plan and Zoning By-law.

## **CONTACT**

David Driedger, Senior Planner  
Tel. No. 416-392-7613  
E-mail: David.Driedger@toronto.ca

## **SIGNATURE**

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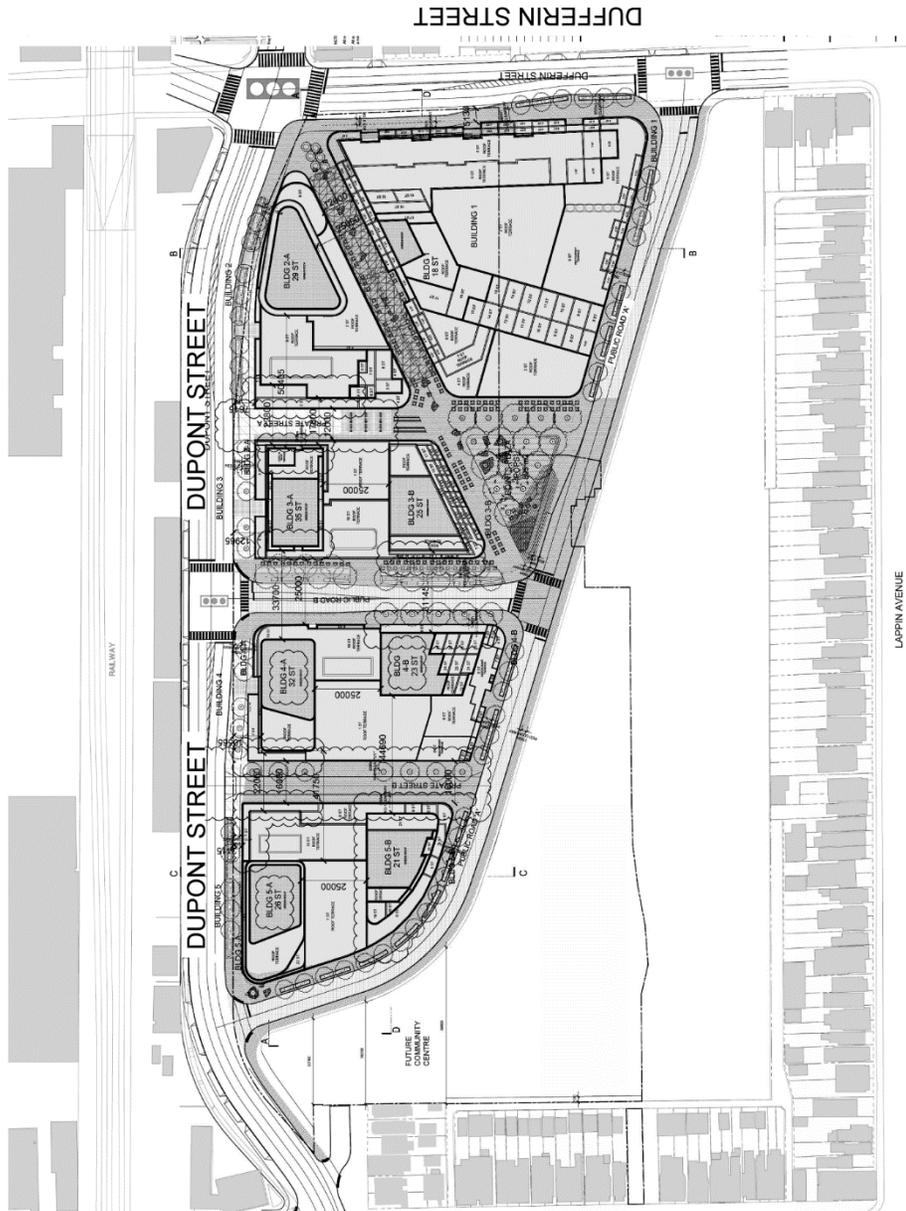
Lynda H. Macdonald  
Acting Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: East Elevation  
Attachment 3: North Elevation  
Attachment 4: South Elevation  
Attachment 5: West Elevation  
Attachment 6: Block Plan  
Attachment 7: Public Realm (Park and POPS)  
Attachment 8: Land Exchange  
Attachment 9: Zoning By-law 569-2013  
Attachment 10: Zoning By-law 724-2004  
Attachment 11: Official Plan  
Attachment 12: Site and Area Specific Policy  
Attachment 13: Application Data Sheet  
Attachment 14: Draft Official Plan Amendment  
Attachment 15: Draft Zoning By-law Amendment (438-86)  
Attachment 16: Draft Zoning By-law Amendment (569-2013)  
Attachment 17: Affordable Rental Housing Terms and Conditions

# Attachment 1: Site Plan



1245 Dupont Street

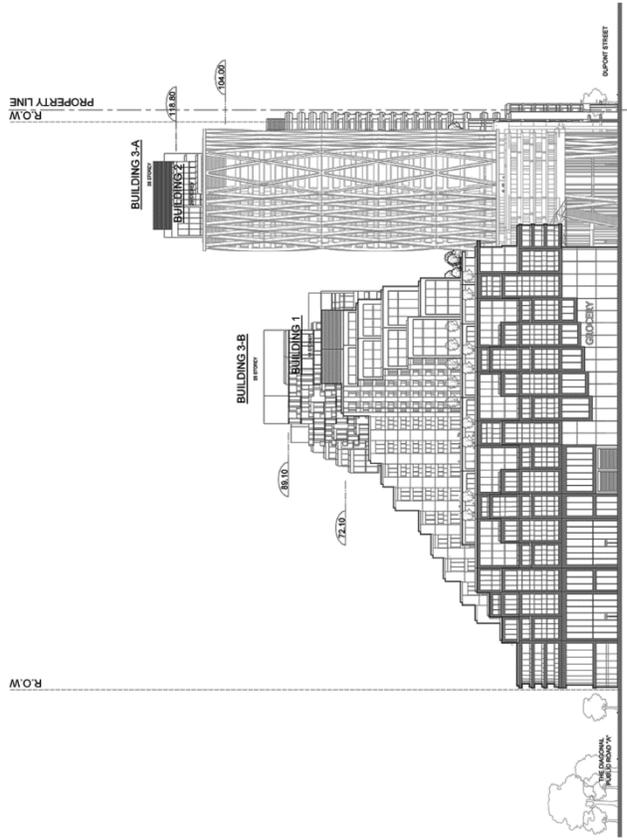
File # 16 231334 STE 18 0Z

**Site Plan**  
 Applicant's Submitted Drawing

Not to Scale  
 04/30/2018



# Attachment 2: East Elevation



East Elevation

1245 Dupont Street

File # 16 231334 STE 18 0Z

Elevations

Applicant's Submitted Drawing

Not to Scale  
05/09/2018

**Attachment 3: North Elevation**



North Elevation

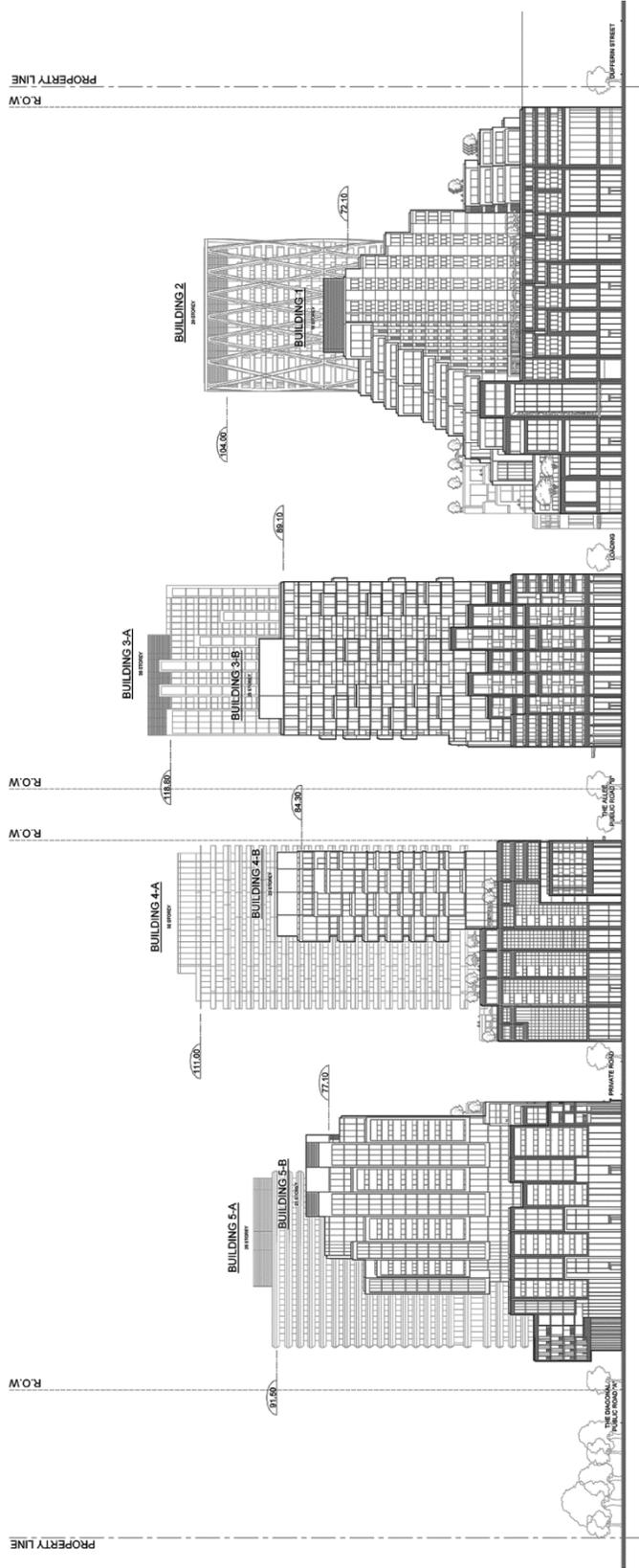
1245 Dupont Street

**Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 05/09/2018

File # 16 231334 STE 18 0Z

# Attachment 4: South Elevation



South Elevation

1245 Dupont Street

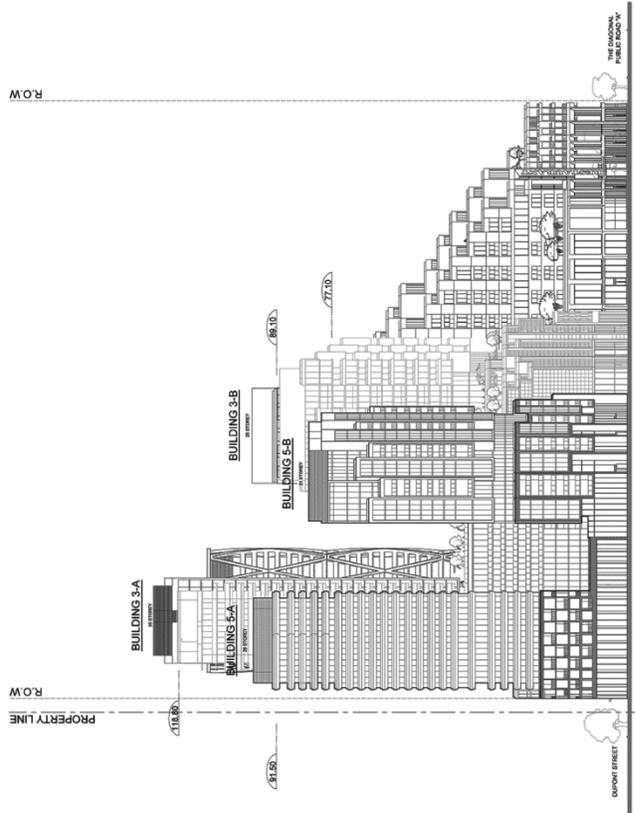
Elevations

Applicant's Submitted Drawing

Not to Scale  
05/09/2018

File # 16 231334 STE 18 0Z

**Attachment 5: West Elevation**



West Elevation

1245 Dupont Street

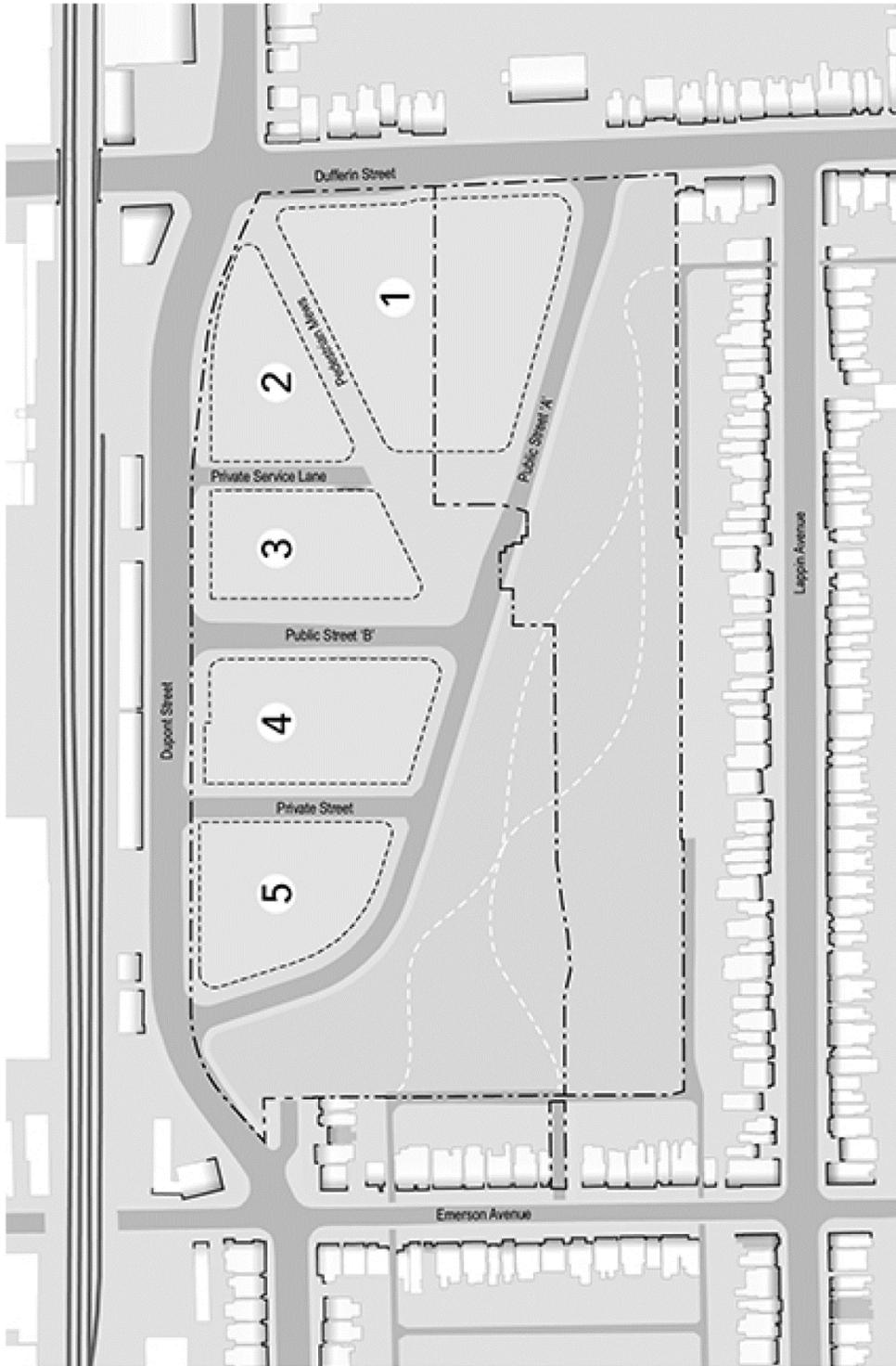
File # 16 231334 STE 18 0Z

**Elevations**

Applicant's Submitted Drawing

Not to Scale  
05/09/2018

**Attachment 6: Block Plan**



**1245 Dupont Street**

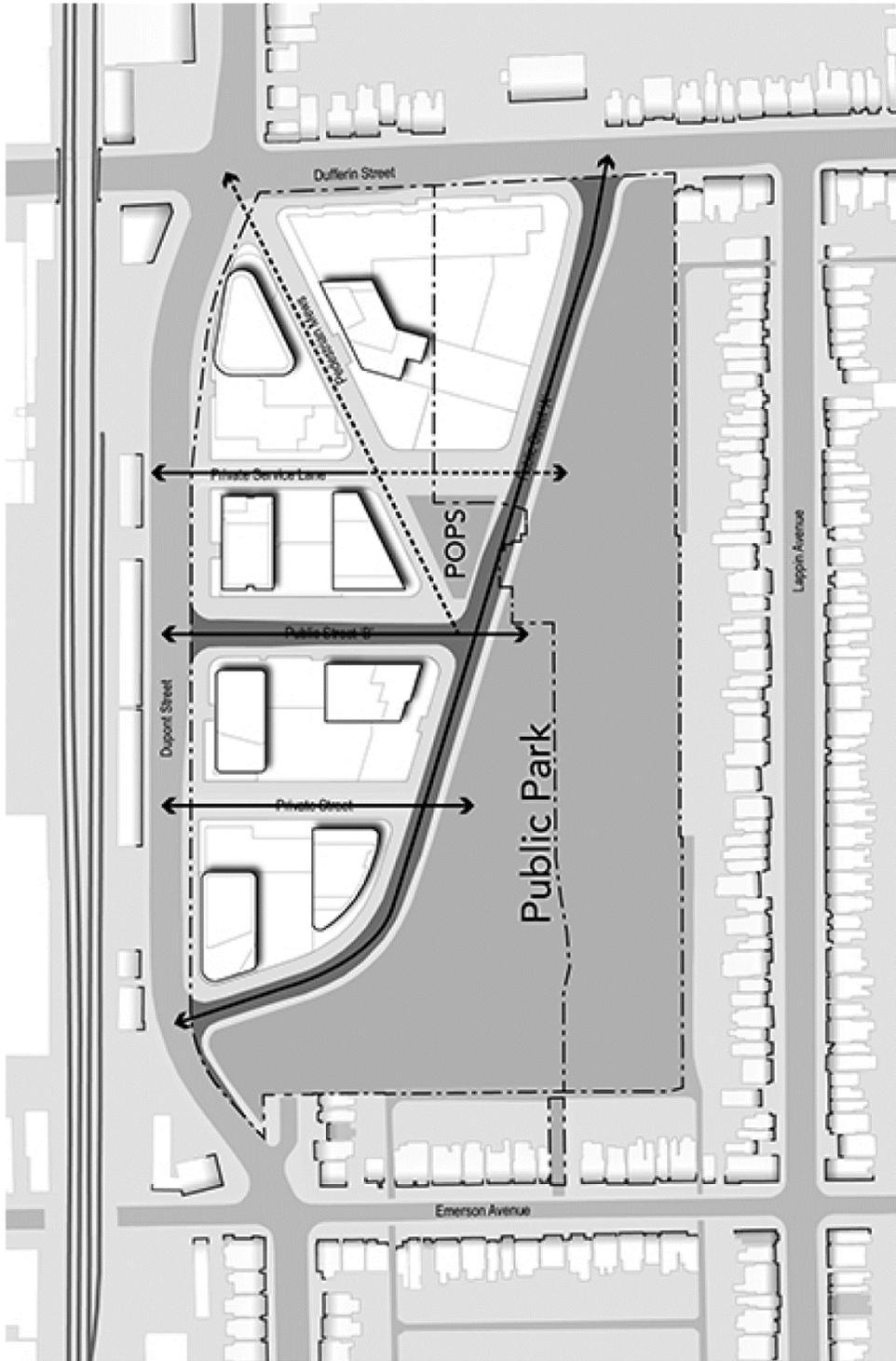
**Block Plan**

Applicant's Submitted Drawing

Not to Scale  
05/09/2018

File # 16 231334 STE 18 0Z

**Attachment 7: Public Realm (Park and POPS)**



**1245 Dupont Street**

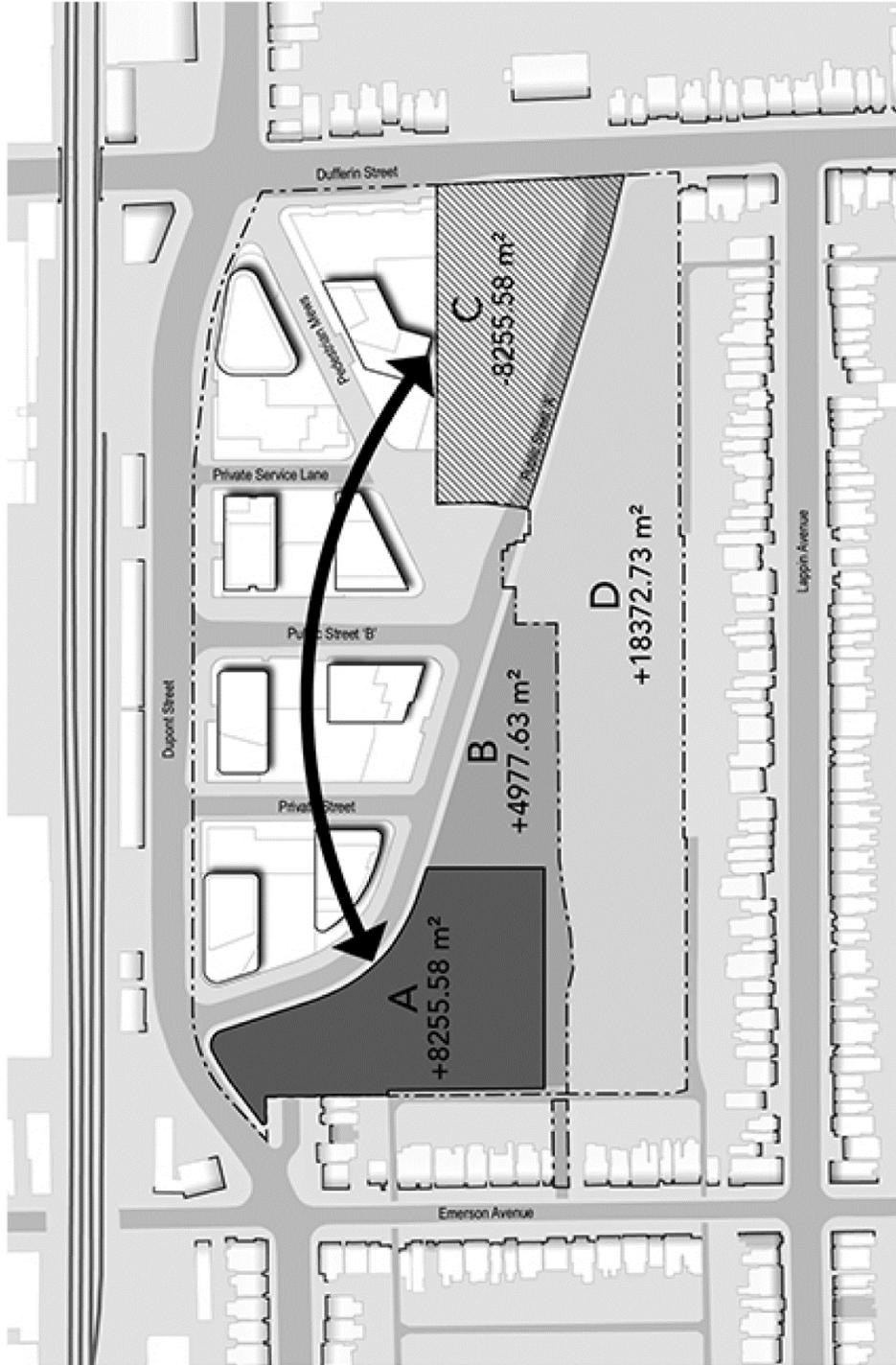
**Public Realm**

Applicant's Submitted Drawing

Not to Scale  
05/09/2018

File # 16 231334 STE 18 02

## Attachment 8: Land Exchange



**Land Exchange** **1245 Dupont Street**

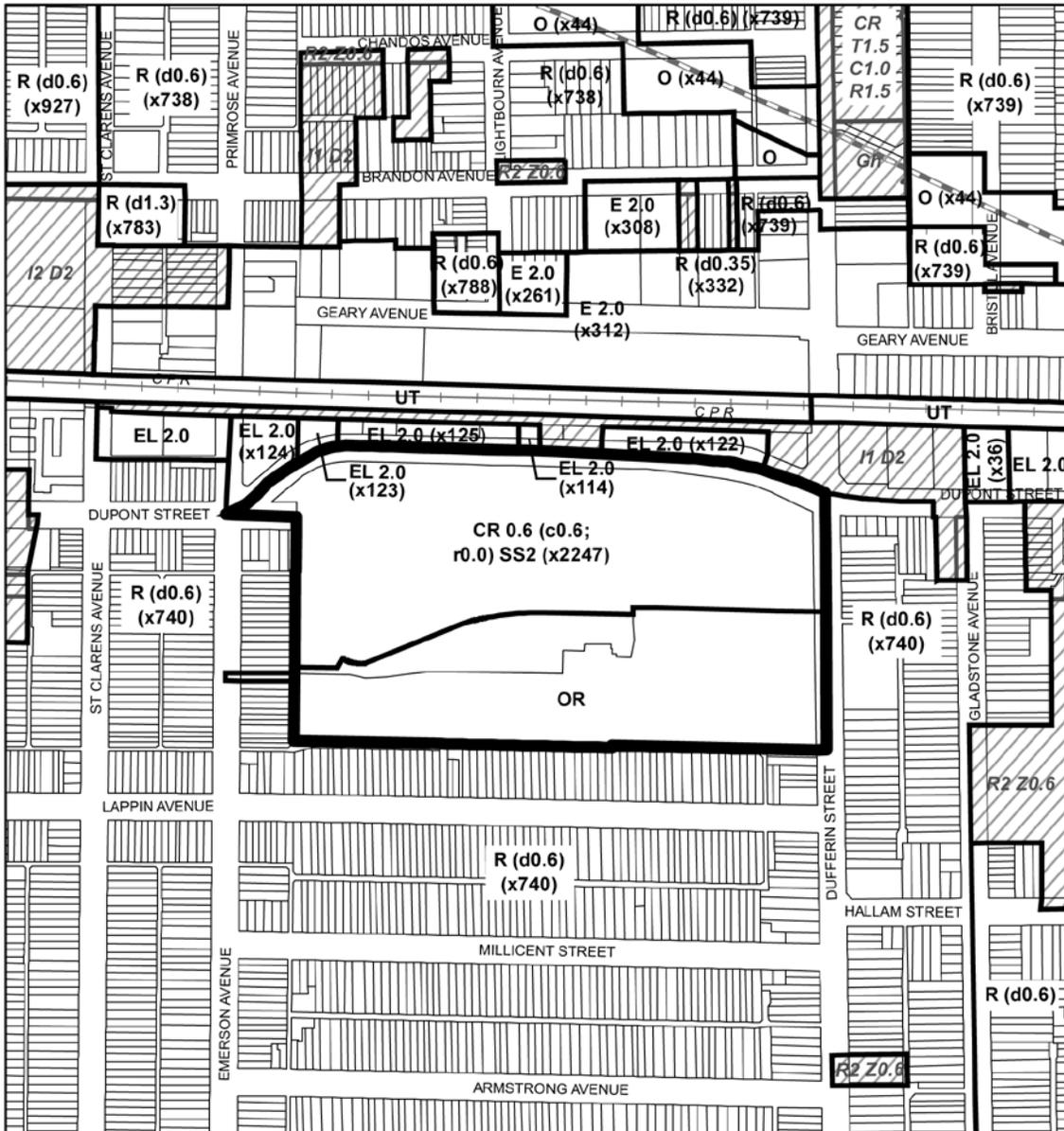
**Applicant's Submitted Drawing**

Not to Scale  
05/09/2018

**A:** Land conveyed to City in exchange for area 'C'  
**B:** Parkland Dedication (including 213 Emerson Avenue)  
**C:** City-owned parkland conveyed to the Developer in exchange for area 'A'  
**D:** Existing Parkland to remain

File # 16 231334 STE 18 0Z

## Attachment 9: Zoning By-law 569-2013



**Zoning By-Law No. 569-2013**

**1245 Dupont Street**

**File # 16 231334 STE 18 0Z**

Location of Application

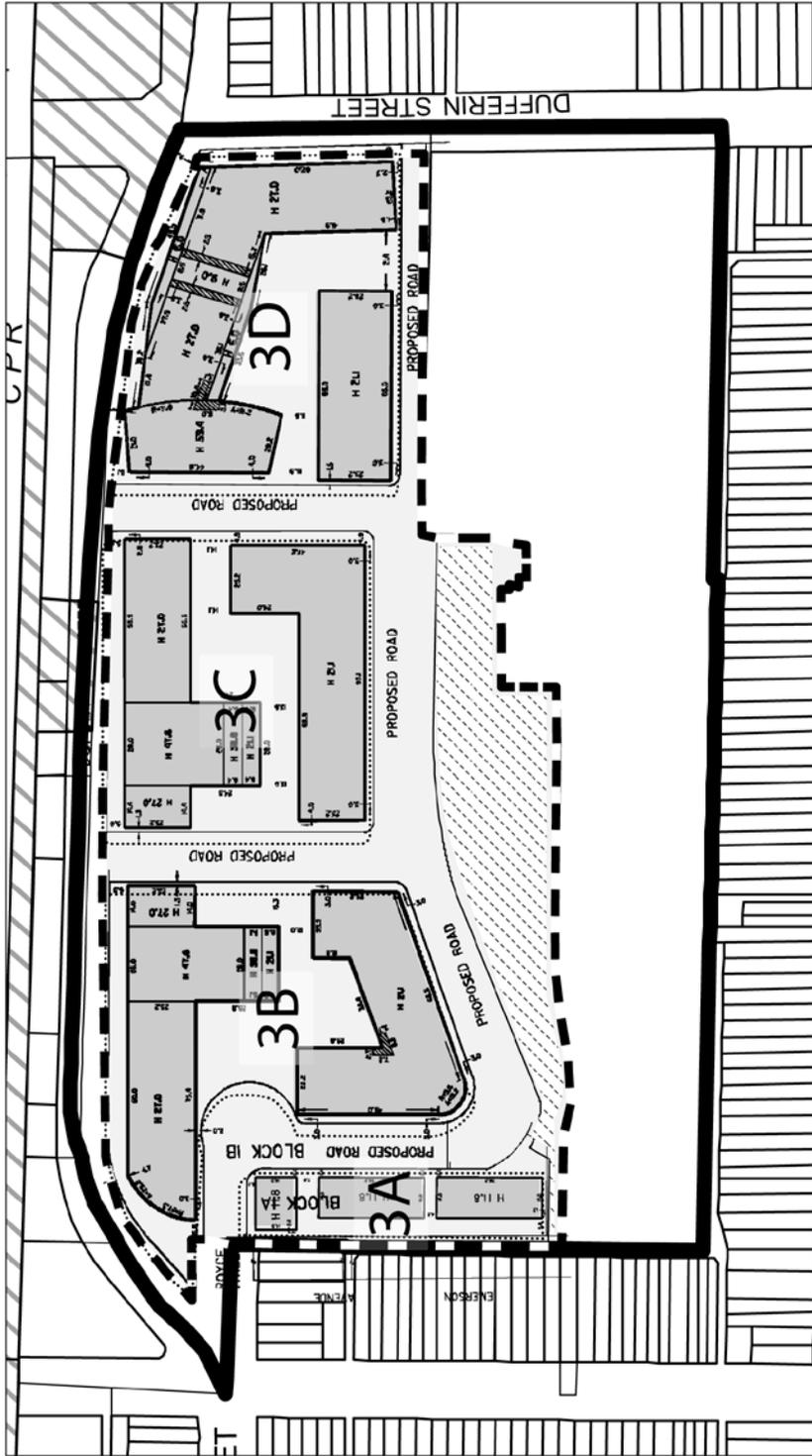
See Former City of Toronto By-Law No. 438-86

- |    |                             |    |                            |
|----|-----------------------------|----|----------------------------|
| R  | Residential                 | E  | Employment Industrial      |
| CR | Commercial Residential      | O  | Open Space                 |
| EL | Employment Light Industrial | OR | Open Space Recreation      |
|    |                             | UT | Utility and Transportation |

- |    |                      |
|----|----------------------|
| R2 | Residential District |
| CR | Mixed-Use District   |
| I1 | Industrial District  |
| I2 | Industrial District  |
| Gh | Parks District       |

Not to Scale  
 Extracted: 03/01/2017

Attachment 10: Zoning By-law 724-2004



**TORONTO** City Planning  
**By-law # 724-2004**

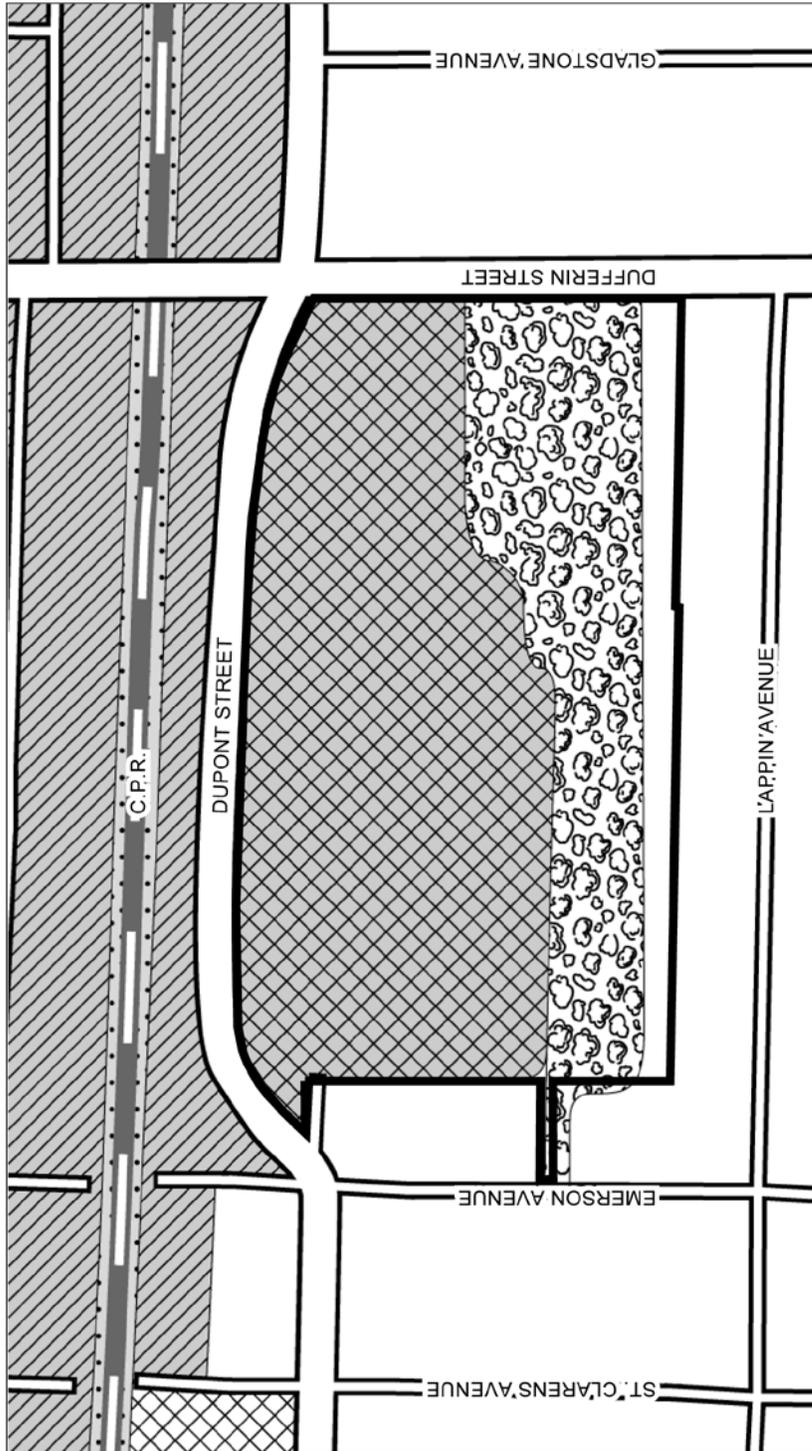
1245 Dupont Street

File # 16 231334 STE 18 0Z



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 03/06/2017

Attachment 11: Official Plan



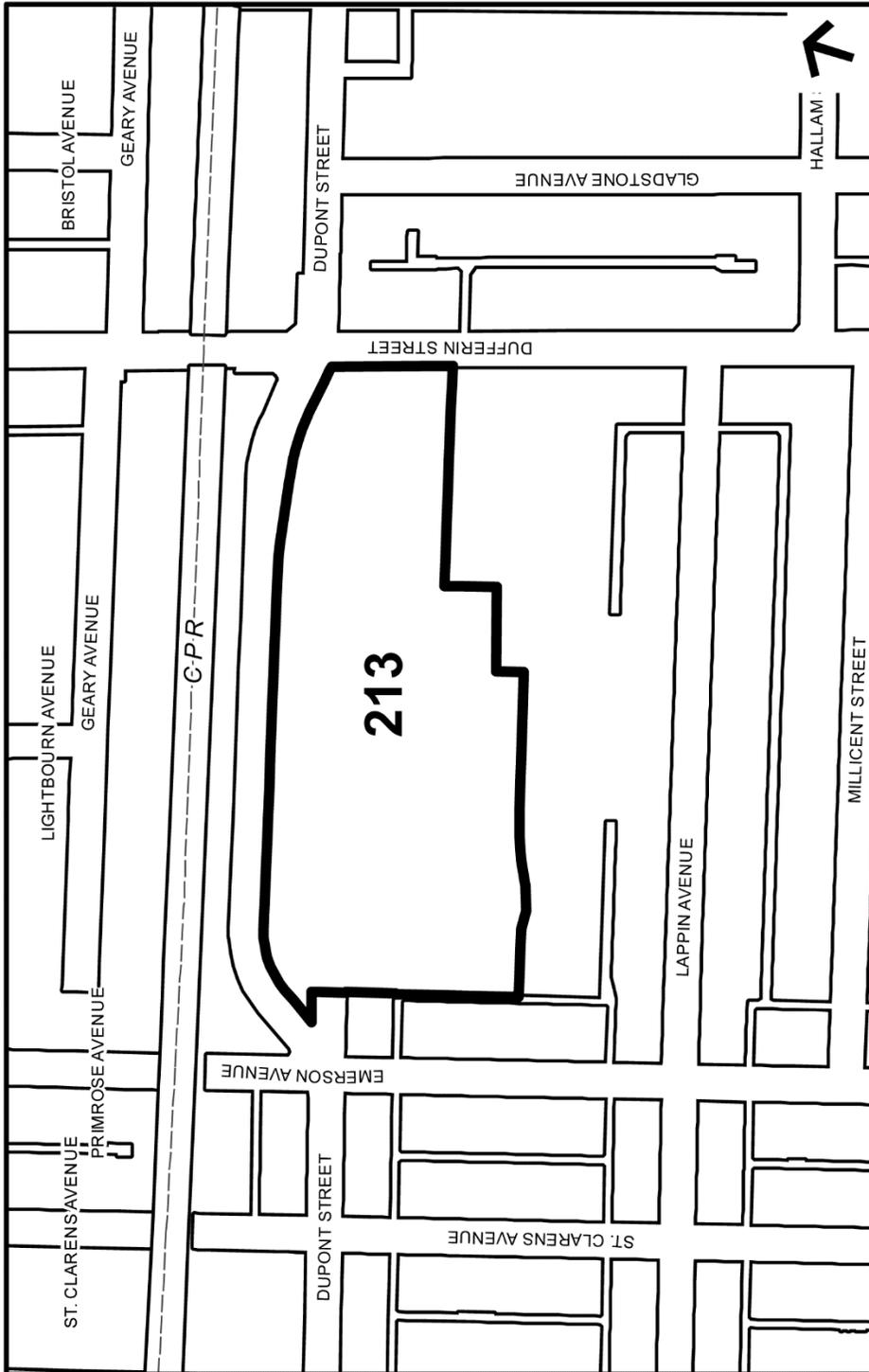
**Toronto**  
 Extract from Official Plan  
 1245 Dupont Street, 1260 Dufferin Street  
 & 213 Emerson Avenue

File # 16 231334 STE 18 0Z



↑  
 Not to Scale  
 05/14/2018

Attachment 12: Site and Area Specific Policy



1245 Dupont Street

Site and Area Specific Policy #213

Applicant's Submitted Drawing

Not to Scale  
03/06/2017

File # 16 231334 STE 18 0Z

**Attachment 13: Application Data Sheet**

**Municipal Address:** 1245 DUPONT ST      **Date Received:** September 30, 2016

**Application Number:** 16 231334 STE 18 OZ

**Application Type:** OPA & Rezoning

**Project Description:** The proposal introduces a new street and block configuration containing 5 blocks with a total of 8 towers ranging in height from 19 to 35-storeys. Proposed for the site are 2846 residential units, including 150 affordable housing units.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
Urban Strategies Inc., 197 Spadina Avenue Suite 600, Toronto, ON M5T 2C8	Urban Strategies Inc., 197 Spadina Avenue Suite 600, Toronto, ON M5T 2C8	Hariri Pontarini Architects, 602 King Street West, Toronto, ON M5V 1M6	2470347 ONTARIO INC, 2235 Sheppard Avenue East, Suite 1700, Toronto, ON M2J 5B5

**EXISTING PLANNING CONTROLS**

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP No. 213
Zoning:	CR T0.6 C0.6 R0	Heritage Designation:	N
Height Limit (m):	14	Site Plan Control Area:	Y

**PROJECT INFORMATION**

Site Area (sq m): 49,113      Frontage (m): 395      Depth (m): 134

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):			20,474	<b>20,474</b>
Residential GFA (sq m):			213,336	<b>213,336</b>
Non-Residential GFA (sq m):			29,464	<b>29,464</b>
<b>Total GFA (sq m):</b>			<b>242,800</b>	<b>242,800</b>
Height - Storeys:			35	<b>35</b>
Height - Metres:			118	<b>118</b>
Lot Coverage Ratio (%): 41.7		Floor Space Index:	4.94	

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	213,336	
Retail GFA:	27,503	
Office GFA:	1,961	
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			2,696	<b>2,696</b>
Other:			150	<b>150</b>
<b>Total Units:</b>			<b>2,846</b>	<b>2,846</b>

**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:					
<b>Total Units:</b>			<b>1,423</b>	<b>1,139</b>	<b>284</b>

**Parking and Loading**

Parking Spaces:	2,748	Bicycle Parking Spaces:	3,011	Loading Docks:	14
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**CONTACT:**

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416-392-7613  
David.Driedger@toronto.ca

**Attachment 14: Draft Official Plan Amendment  
Draft Official Plan Amendment No. 415**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To adopt an amendment to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2017, as 1245 Dupont Street, 1260 Dufferin Street, and 213 Emerson Avenue.**

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. 415 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

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

JOHN TORY  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

**AMENDMENT NO. 415 TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2017 AS 1245 DUPONT STREET, 1260 DUFFERIN STREET, AND 213 EMERSON AVENUE.**

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

1. Maps 17 and 18, Land Use Plan, are amended by redesignating a portion of the lands known municipally in 2018 as 1260 Dufferin Street from Parks to Mixed Use Areas, and a portion of lands known municipally in 2018 as 1245 Dupont Street from Mixed Use Areas to Parks, as shown on Schedule “A”.
2. Chapter 7, Site and Area Specific Policies, is amended by deleting the text and map for Site and Area Specific Policy No. 213 for “Southwest Corner of Dupont Street and Dufferin Street”, and replacing with the following:

213. 1245 Dupont Street and 1260 Dufferin Street, and 213 Emerson Avenue.

**INTERPRETATION**

- a) The Galleria Shopping Centre is located at the southwest corner of Dupont Street and Dufferin Street in Toronto’s Wallace Emerson neighbourhood. The Galleria Shopping Centre site is a 49,000 square metre parcel of land that was developed in the early 1970s as a single-storey, enclosed mall with an abundance of surface parking.
- b) New development will comprehensively transform the current Galleria Shopping Centre site (1245 Dupont Street), the existing Wallace Emerson Park and Community Centre (1260 Dufferin Street) and 213 Emerson Avenue (comprehensively referred to as the “subject site”) into a mixed use, high density complete community, complemented by public park and open spaces, a new enlarged community centre, robust retail offerings and distinctive streetscapes designed to create a highly walkable, family-friendly environment.
- c) The introduction of a new diagonal public street will provide a new route from Dufferin Street to Dupont Street, maximizing public frontage and access onto Wallace Emerson Park. Wallace Emerson Park and Wallace Emerson Community Centre will be enhanced and expanded to provide a full range of community activity spaces. New development will create the potential for future transit improvements to be made on the subject site.

**VISION AND MAJOR OBJECTIVES**

- d) The subject site as identified on Schedule A shall be developed based on the following principles:
- (i) **Create a complete community:** The redevelopment will accommodate the varying needs of the community by offering a range of housing options including affordable housing, a mix of retail and office uses, and a variety of community amenities.
  - (ii) **Establish a finer grain of streets and blocks to connect desire lines:** New streets and blocks will be established to improve porosity, facilitate circulation, provide additional access points, and improve connections within the community.
  - (iii) **Enhance Wallace Emerson Park:** Wallace Emerson Park will be enlarged and reconfigured and its design and functionality will be improved.
  - (iv) **Reinforce the redevelopment's role as a community node:** The redevelopment will accommodate a wide range of formal and informal community gathering spaces to maintain the subject site's community-oriented character, including but not limited to pedestrian connections and POPS.
  - (v) **Encourage active transportation and explore opportunities for transit improvements:** The redevelopment will encourage active transportation by offering an enhanced pedestrian realm, wide sidewalks, and cycling infrastructure, and protect for future local transit improvements.
  - (vi) **Exceptional architecture and design that transitions and minimizes impacts on the surrounding neighbourhood:** The height and scale of new buildings will transition down toward adjacent lower scale areas. High quality design will create a distinct identity and enhance the character of the area.
  - (vii) **Promote sustainable development:** The redevelopment will promote a comprehensive approach to sustainable design that encompasses a range of innovative solutions to promote environmental, social, cultural, and economic sustainability.

## **LAND USE**

- e) New residential, retail and commercial uses will be located in the area identified as *Mixed Use* on Schedule A.
- f) New recreational uses will be located in the area identified as *Park* on Schedule A.

## **GROSS FLOOR AREA**

- g) A maximum total gross floor area of 245,500 square metres is permitted on Blocks 1, 2, 3, 4 and 5 as identified on Schedule A.
- h) A minimum non-residential gross floor area of 25,000 square metres is required across Blocks 1, 2, 3, 4 and 5 (as identified on Schedule A), upon the completion of the last Block of the development.
- i) A maximum residential gross floor area of 217,000 square metres is permitted across Blocks 1, 2, 3, 4 and 5 as identified on Schedule A.
- j) No maximum gross floor area will apply to Block 6 so long as it is used for parks purposes.

## **MIX OF USES AND FINER-GRAINED RETAIL**

- k) A diverse mix of uses will be developed on the subject site, that maintain its current value to the community while expanding the amount and types of activity it can support. The intent will be to provide space for a diverse range of uses that will allow the subject site to be animated at all times of the day, supporting the creation of a complete community.
- l) New buildings will reserve space at-grade for retail and other non-residential uses, in fine grain frontages including smaller floorplate uses, that will animate the public realm. This may include community-oriented uses, restaurants, and a combination of larger as well as unique smaller-scale retail stores and businesses in a range of unit sizes.
- m) Residential uses should be located in the upper floors of base buildings and in towers. A range of unit types and tenures that accommodate different households will be provided.
- n) Community and service facilities will be encouraged in ground floor uses in buildings near the new Community Centre to establish a socially-oriented character-area within the subject site.

## **PUBLIC REALM**

- o) The enhanced public realm of the subject site will encourage walking and create a pedestrian-friendly space with expanded sidewalks, trees, landscape treatments, street furniture, and a street grid that connects desire lines and porosity through the subject site. New public streets will be complete streets designed to create a safe environment for pedestrians, cyclists, and transit users while accommodating drivers. Reconfiguring the subject site will improve public access and safety, and enhance circulation.
- p) A robust public realm will be created, comprised of a variety of gathering spaces and streetscapes all anchored by an enlarged and reconfigured Wallace Emerson Park and Community Centre. Key public realm components of the new development will include: key entry points, linear landscapes, a POPS plaza (a Privately Owned Publicly-Accessible Space), and the enlarged and reconfigured Wallace Emerson Park.
- q) Contiguous pathways will be created to improve access to the subject site from adjacent residential communities and contribute to a more coherent structure for Wallace Emerson Park.

## **WALLACE EMERSON PARK**

- r) Wallace Emerson Park will be reconfigured, enlarged, enhanced and organized to support active and passive recreation. Frontage on a new diagonal street (Public Street 'A' – see Schedule 2) and Dupont Street will bring more eyes to the park and allow activity to permeate between the subject site's built form and open spaces. Opportunities for green roofs on the Wallace Emerson Community Centre will be explored as part of the design of the new community centre. The park's south-facing exposure will maximize sunlight in the space and will provide expansive views of the Toronto skyline.

## **PRIVATELY OWNED PUBLICLY-ACCESSIBLE SPACE**

- s) A Privately Owned Publicly-Accessible Space ("POPS") will be located on the north side of Public Street 'A' as identified on Schedule B near to Wallace Emerson Park, creating a destination within the subject site for visitors to the community. The POPS is to be provided in the general location as identified on Schedule B. Space will be reserved on the south side of the POPS for potential opportunities to improve transit amenities, which could provide transit users with both a pleasant environment to wait and a welcoming arrival spot. The POPS will have a minimum area of 850 square metres.

## **PUBLIC STREET 'A'**

- t) Public Street 'A', identified on Schedule B will be a safe and clear route between Dupont Street and Dufferin Street, and a continuous and animated public façade for Wallace Emerson Park. Public Street 'A' should be designed as an animated pedestrian-oriented complete street.

## **THE PEDESTRIAN MEWS**

- u) The Pedestrian Mews, as identified on Schedule B, will celebrate and reinforce the subject site's long history as a retail focal point by offering enhanced commercial and service options on a publicly accessible pedestrian-only walkway with an exceptional sense of place.
- v) The Pedestrian Mews will feature high quality street treatments, public art, and a vibrant mix of businesses. The space will have an overhead architectural canopy to provide weather protection and enable year-round activity while creating a vibrant atmosphere for shopping and socializing. A range of retail footprint sizes will support a mix of small businesses and larger stores that meet the everyday needs of the community.

## **PUBLIC STREET 'B'**

- w) Public Street 'B' identified on Schedule B, will provide a dynamic gateway into the subject site from Dupont Street. This new public street is encouraged to be designed as a shared street, and will include small scale retail and café storefronts and a generous eastern side landscaped sidewalk. Public Street B should be an animated and vibrant street with active at grade uses, creating a welcoming entry point into the community and visibility of the park.

## **WALLACE EMERSON COMMUNITY CENTRE**

- x) Wallace Emerson Park will be enlarged and reconfigured, and will allow for the relocation of Wallace Emerson Community Centre to the western portion of the park in order to allow for enhanced views of the community centre on Dupont Street.
- y) The Community Centre will be designed with architectural excellence and quality materials, and it will become a focal point in the subject site, creating an identity for the community.

## **BUILT FORM, TALL BUILDINGS, AND BUILDING TRANSITION**

- z) Zoning By-law standards shall be developed to address built form matters such as size of the eight tower floorplates, stepbacks, and setbacks that consider the unique size of the subject site and area context while providing for an appropriate transition to surrounding residential areas.
  
- aa) New development will be configured with base buildings and tower locations that respect the scale and height of the surrounding neighbourhoods and frame the edge of the public realm. Base buildings should be designed to differentiate themselves from tower elements, and should promote animation at the ground floor and a pedestrian scale. Streetscapes and landscape treatments around and within the subject site will be designed to complement the architectural designs, together fostering an inviting, attractive pedestrian realm.
  
- bb) Tall buildings will be strategically positioned to ensure adequate separation distances, and to minimize shadow and wind impacts on the adjacent public realm and surrounding parks and neighbourhoods. The eight tall buildings will step down in height from the middle of the site on Dupont Street towards Wallace Emerson Park and surrounding residential neighbourhoods to maximize view and sunlight, and to establish a transition in height and scale.
  
- cc) The four tallest tower buildings will be sited adjacent to Dupont Street, locating the bulk of height and density further away from the surrounding residential neighbourhoods towards the south. Two of the towers may be located closer to the major arterial roads, with reduced stepbacks above the base building, towards the northeast and northwest ends of the subject site. These two buildings are intended to be anchor buildings at each major intersection to serve as landmarks for the new community and to signify the prominence of these corner locations. In total, eight tall buildings will be permitted, in the general locations as identified on Schedule B. These buildings should be designed with a variety of architectural treatments.

## **MOBILITY**

- dd) Streets are an important part of the public realm and will be designed to create a safe environment for pedestrians, cyclists, cars, and transit users. New cycling routes will be explored as part of the design of the park. Mid-block connections and pedestrian-oriented streets will be created through the subject site, creating new connections between the surrounding arterial roads and the new diagonal street internal to the subject site.
  
- ee) Development of the site will accommodate the widening of Dufferin Street and will reduce the curvature of Dupont Street between Emerson Avenue and Dufferin Street.

## **EXISTING USES**

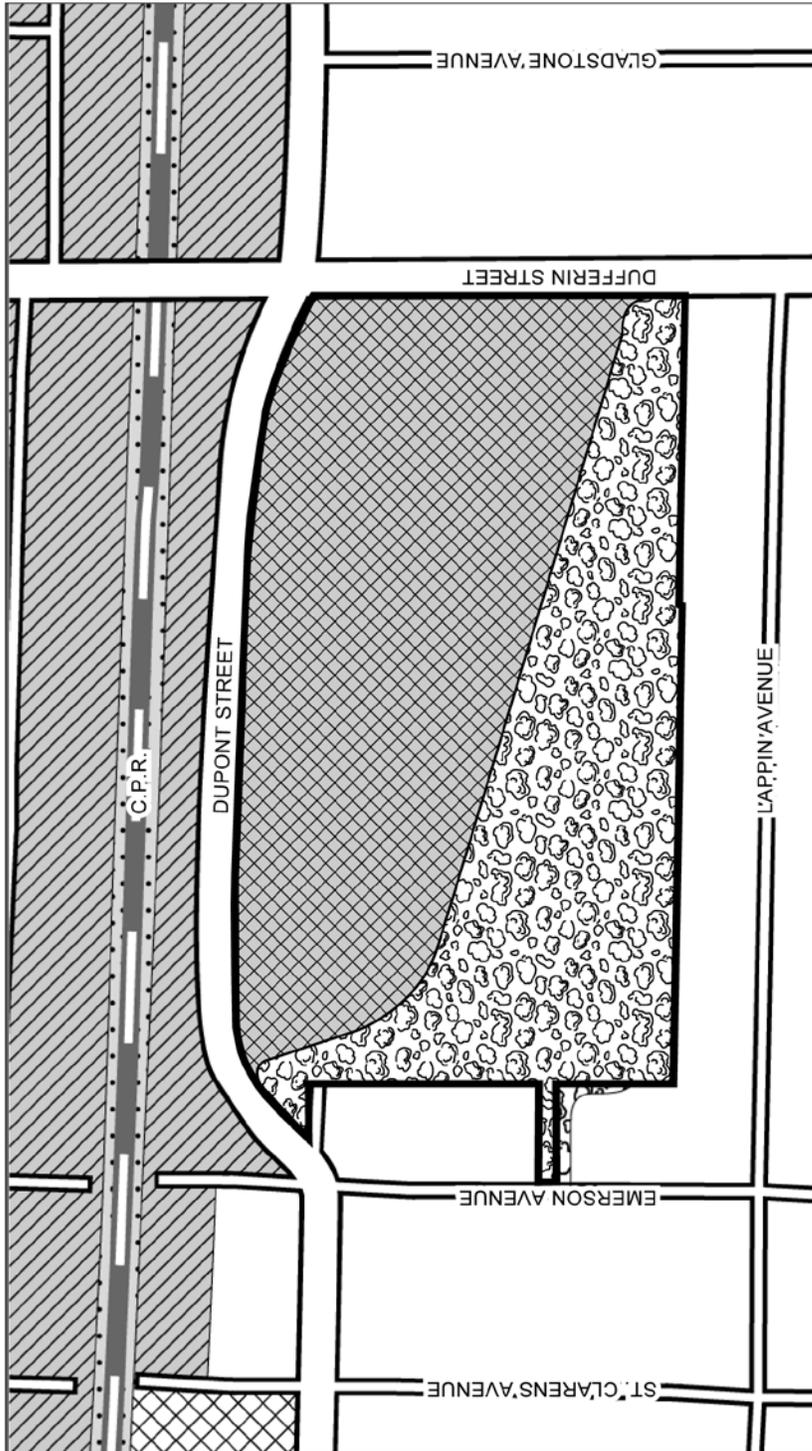
- ff) Despite the Park designation indicated in the area marked Existing Use A on Schedule C, land and existing buildings and additions can continue to be used for existing uses as of May 1, 2018 and for other uses permitted under the Mixed Use designation until such time as the Existing Use A area is redeveloped with a Community Centre.
- gg) Despite the Mixed Use designation indicated in the area marked Existing Use B on Schedule C, land and existing buildings and additions can continue to be used for existing uses as of May 1, 2018 and for other uses permitted under Park designation until such time as the Existing Use B area is redeveloped.
- hh) Despite the Park designation indicated in the area marked Existing Use C on Schedule C, land and existing buildings and additions can continue to be used for existing uses as of May 1, 2018 and for other uses permitted under Mixed Use designation until such time as the land is conveyed to the City as parkland.

## **TRANSITIONAL USES**

- ii) The existing Galleria Shopping Centre will remain in operation until the subject site is redeveloped. Additions to the existing Galleria Mall Shopping Centre are permitted.

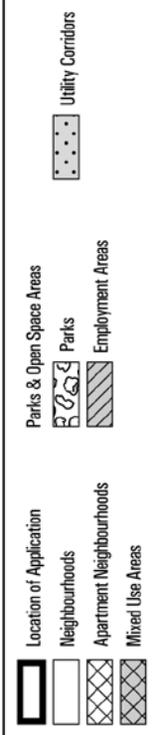
## **IMPLEMENTATION**

- jj) Urban Design Guidelines will be developed to the satisfaction of the Chief Planner and Executive Director, City Planning Division, to complement the Zoning By-law and will guide the design of the buildings and open space elements of the project in terms of design excellence, built form, public realm and mobility. Urban Design Guidelines will guide development to implement the Official Plan and this Site and Area Specific Policy and assist staff in evaluating applications for Site Plan Approval.

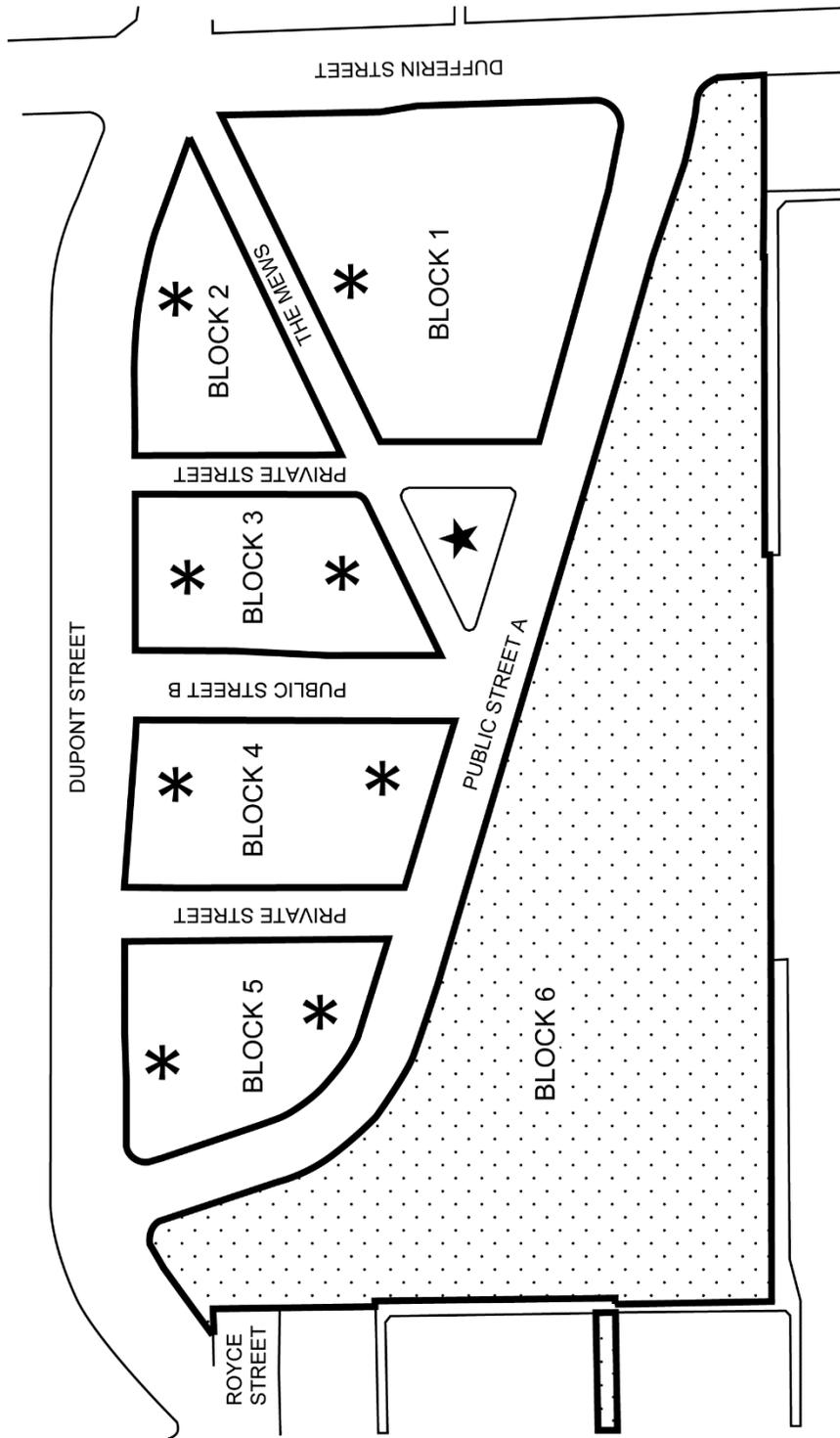


**TORONTO**  
**Official Plan Amendment # 415 Schedule A**  
**1245 Dupont Street, 1260 Dufferin Street & 213 Emerson Avenue**

Revisions to Land Use Map 17 to Redesignate lands from Parks to Mixed Use and Mixed Use to Parks  
 File # 16 231334 STE 18 0Z

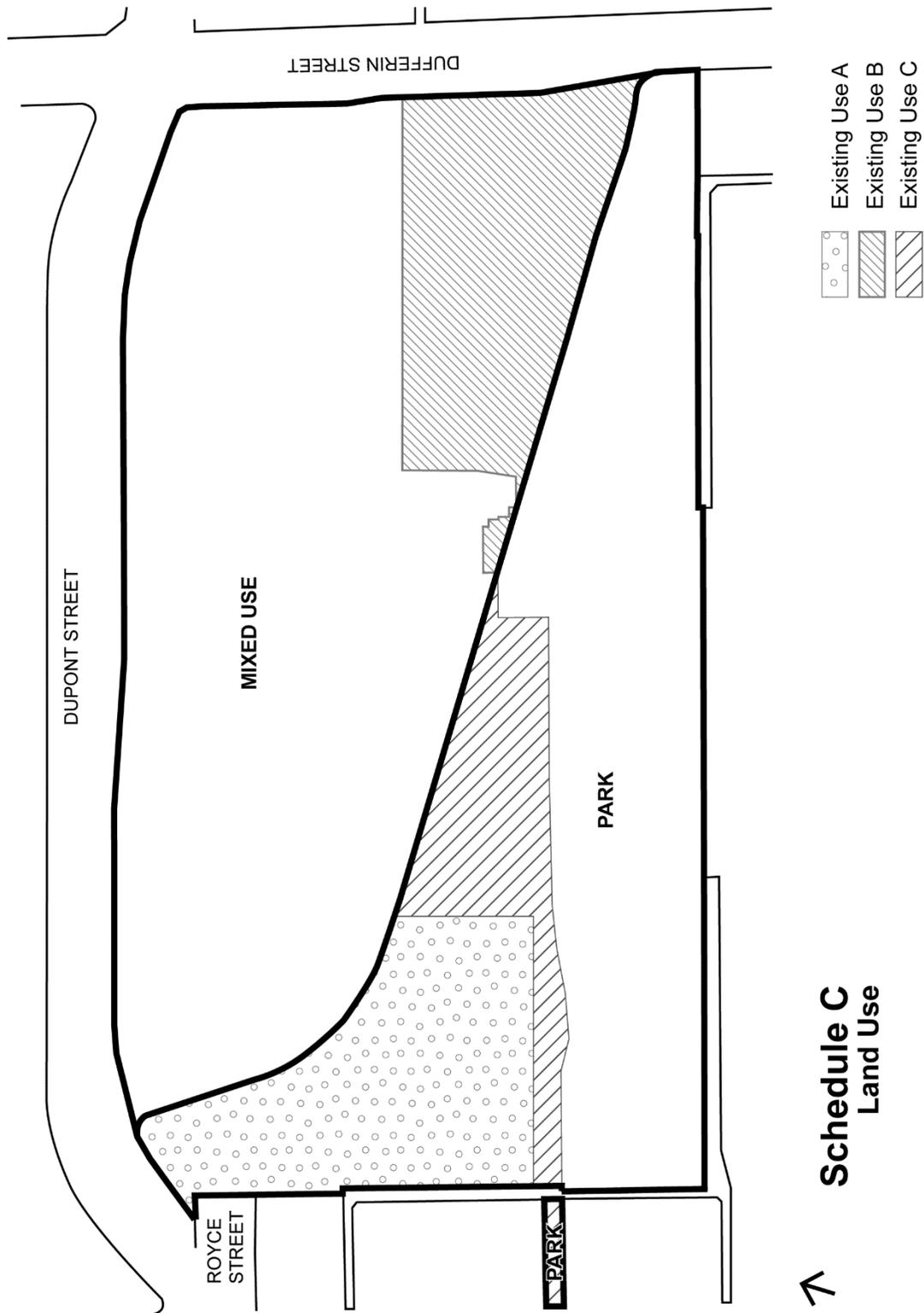


↑  
 Not to Scale  
 05/14/2018



- \* Tower Locations
- ★ POPs, Part of Block 3
- ▨ Park
- ▭ Blocks

↑ **Schedule B**  
Tower Zone and Structure



**Attachment 15: Draft Zoning By-law Amendment (438-86)**

This attachment will be provided prior to the June 6, 2018  
Toronto and East York Community Council meeting.

**Attachment 16: Draft Zoning By-law Amendment (569-2013)**

This attachment will be provided prior to the June 6, 2018  
Toronto and East York Community Council meeting.

## **Attachment 17: Affordable Rental Housing Terms and Conditions**

### **General**

The Units will be integrated within the residential components of the Proponent's development. The proposed locations of all Units shall be to the satisfaction of the Director, Affordable Housing Office, and the Chief Planner and Executive Director, City Planning Division. The City of Toronto's Affordable Rental Housing Design Guidelines will be used to inform the design of the Units. The Units are not to have a separate entrance, unless approved by the Director, Affordable Housing Office, and the Chief Planner and Executive Director, City Planning Division.

The terms and conditions identified in this Attachment will be secured through a Section 37 agreement.

Other general provisions include:

- All affordable rental housing units will have either dedicated laundry rooms, or en-suite laundry provided, with no extra charges for appliances;
- Tenants of the affordable rental housing shall have access to the indoor and outdoor amenity spaces associated with the units with no separate charges except for the customary charges for private bookings. A tenant association for the building will be permitted to book the amenity space at no charge at a maximum of once per month to facilitate tenant meetings;
- Indoor Amenity Space will be provided at a ratio of 2 square metres per unit, and will contain a multipurpose room with kitchen and access to a barrier-free bathroom and will have direct access to outdoor amenity space;
- Outdoor Amenity Space will be provided for the site at a ratio of 2 square metres per unit;
- A minimum number of storage lockers will be provided to satisfaction of the Chief Planner and Executive Director, City Planning Division. The maximum monthly parking charge to the tenants in the 1<sup>st</sup> year of the building's occupancy will be agreed to at the time of application, and annual increases thereafter will be limited to the same percentage for annual rent increases as the Guideline increase permitted under provincial legislation;
- The tenants will have access to permanent and visitor bicycle parking/bicycle lockers which shall generally be on the same basis as the market units;
- Parking will be provided consistent with the by-law requirements and is not included as a part of rent. The maximum monthly parking charge to the tenants in the 1<sup>st</sup> year of the building's occupancy will be agreed to at the time of application, and annual increases thereafter will be limited to the same percentage for annual rent increases as the Guideline increase permitted under provincial legislation.
- The City of Toronto's Affordable Rental Housing Design Guidelines will be used to inform the design of the Units.

### **Units**

Approximately 150 units, or 11,800 square metres of residential Gross Floor Area, will be constructed and provided as affordable rental housing on Block 5 (Phase 1) as follows:

- At least 50% one-bedroom units, which shall have a minimum size of at least 51.0 square metres;
- At least 40% two bedroom units which shall have a minimum size of at least 69.6 square metres; and
- At least 10% three-bedroom units, which shall have a minimum size of at least 88.2 square metres.

Average unit sizes will be higher than the minimum sizes in order to ensure a complete range of types and sizes. The final unit breakdown and sizes will be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

### **Tenure**

The Units shall be maintained as rental housing for at least a 25-year period and the owner shall not apply to convert any of the Rental Units to any non-Rental Housing purposes, nor to demolish the Rental Housing without replacement as Rental Housing on the Site, during this period. The owner shall also not apply for approval of a Description with respect to any portion of the Rental Housing, nor register any of the Rental Housing under the Condominium Act or for any other form of ownership tenure, such as but not limited to, life lease or co-ownership as defined in c.667 of the Toronto Municipal Code that provide a right to exclusive possession of a unit. When the 25 year period has lapsed, the owner may apply to the City to remove the rental restrictions, however this does not constitute an automatic approval. Approval will be subject to the policies and regulations in place if and when an application is made.

### **Rents**

Rents will be set at affordable rents, as defined in the Official Plan of the City of Toronto as rents where the total monthly shelter cost (including heat, hydro and hot water, excluding parking and internet/cable charges) is at or below one times the Average Market Rent for the City of Toronto, by unit type (number of bedrooms), as reported annually by the Canada Mortgage and Housing Corporation in the Fall Market Report, for any first or new tenant for a 25-year period. If utilities are not included in the rent and are to be paid by the tenant, then the rent will be adjusted downward using objective cost data, to the satisfaction of the Chief Planner and the Director of Housing Stability Services in writing. At the expiry of the 25-year period, rents can be set in accordance with the *Residential Tenancies Act*.

### **Renting of Units**

The owner has offered to work with the City to participate in any City initiative (if requested by the City) to promote available vacancies to members of the general public and households on the City's centralized waiting lists during the 25-year rental period. When entering into a tenancy agreement for a Unit, a tenant's household income cannot exceed four times the annual equivalent of the rent for the Unit.

To ensure a minimum of 10% of the Units are available to households in receipt of housing benefits and referred from the City's Housing Access System, the applicant will submit a Tenant Access Plan to the City's Director of Housing Stability Services for approval.

Obligations during the 25-Year Affordability Period:

- a) The owner will provide to the Director of Housing Stability Services a first occupancy report no later than 6 months before first occupancy to report on rents at occupancy;
- b) The owner will provide to the Director of Housing Stability Services an annual occupancy report at the end of each calendar year to report on rents during year of reporting and average rents at year end;
- c) A management representation report including management declarations to the Director of Housing Stability Services; and
- d) Information on the Household Income and household composition of the Units rented to new tenants during the year to the Director of Housing Stability Services.